

**5 GCA GOVERNMENT OPERATIONS**  
**CH. 12 MODERNIZATION AND RIGHTSIZING COMMISSION OF THE GOVERNMENT OF**  
**GUAM FOR THE 21ST CENTURY (COMRIGHT-21)**

**CHAPTER 12**  
**MODERNIZATION AND RIGHTSIZING COMMISSION OF THE**  
**GOVERNMENT OF GUAM FOR THE 21ST CENTURY (COMRIGHT-21)**

**SOURCE:** Added as the Sunset and Rightsizing Commission by P.L. 29-002:VI:12 (May 18, 2007). Repealed and reenacted as the Modernization and Rightsizing Commission by P.L. 29-019:VI:72 (Sept. 29, 2007). Repealed and reenacted as the Modernization and Rightsizing Commission of the Government of Guam for the 21st Century (Comright-21) by P.L. 31-279:8(b) (Dec. 31, 2012).

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**§ 12101. Title.**

This Chapter shall be known and cited as “The Government Reorganization and Program Performance Improvement Act of 2012.”

**§ 12102. Definitions.**

For the purposes of this Chapter:

(a) COMRIGHT-21 or the Commission shall mean The Modernization and Rightsizing Commission of the government of Guam for the Twenty-first (21st) Century and beyond.

(b) Entity shall mean any combination of all departments, bureaus, agencies, commissions, or other instrumentalities, whether autonomous, semi-autonomous, or non-autonomous in the Executive Branch of the government of Guam, including all line agencies and the A.B. Won Pat International Airport Authority, the Port Authority of Guam, the Guam Power Authority, the Guam

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Waterworks Authority, the Guam Visitors Bureau, the Guam Housing and Urban Renewal Authority, and the Guam Economic Development Authority.

**§ 12103. Establishment of Modernization and Rightsizing Commission.**

There is hereby established The Modernization and Rightsizing Commission of the government of Guam for the Twenty-first (21st) Century and Beyond (COMRIGHT-21).

**§ 12104. Purpose and Policy.**

The purpose of this Chapter is to promote simplicity, economy, efficiency, modernization, and streamlining of the delivery of services by all departments, bureaus, agencies, commissions, or other instrumentalities, whether autonomous, semi-autonomous, or non-autonomous in the Executive Branch of the government of Guam, including all line agencies and the A.B. Won Pat International Airport Authority, the Port Authority of Guam, the Guam Power Authority, the Guam Waterworks Authority, the Guam Visitors Bureau, the Guam Housing and Urban Renewal Authority, and the Guam Economic Development Authority. This goal can be accomplished by:

(a) Determining which statutes or functions as contained in the Guam Code Annotated, mandated by law or integrated via the Guam Administrative Rules and Regulations hamper or are contrary to the core mission of individual entities, are antiquated, unfunded, underfunded;

(b) Eliminating duplication of services, activities, and functions not necessary to the efficient conduct of government through consolidation and integration; and

(c) Promoting the modernization and streamlining of government consistent with the public service needs of the citizenry by enhancing the skills of public service personnel through continuous training and education.

COMRIGHT-21 shall serve as the clearinghouse for all recommendations submitted by individual entities and provide the processes for the eventual disposition of such.

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**§ 12104.1. Agency Audit of Mandates, Administrative Rules, Internal Functions and Personnel.**

All administrators, directors or equivalent executives of all executive branch entities shall, within ninety (90) days of enactment of this Act, review its organization's purpose, structure and areas of responsibilities and all mandates relative to their respective entity for the purpose of recommending amendments to, or the repealing of statutes or functions as mandated by law that hamper or are contrary to the core mission of individual entities or are antiquated, unfunded, or underfunded.

As well, each organization shall identify unnecessary or additional positions and accompanying qualifications required to fulfill its purpose and provide enhanced public service.

Upon review, agency heads shall compile and forward their findings to COMRIGHT21 for consideration. This review shall take place on a triennial basis.

**§ 12104.2. COMRIGHT-21 Shall Serve as the Clearinghouse.**

The Commission shall serve as the clearinghouse for all recommendations submitted by individual entities and provide the processes for the eventual disposition of such recommendations.

**§ 12105. Membership of COMRIGHT-21.**

The COMRIGHT-21 Commission shall be comprised of seven (7) members as follows:

- (a) *I Maga'lahaen Guåhan* or his designated representative who must be member of his senior policy team or Cabinet;
- (b) The Compiler of Laws, who shall serve as the Chairperson in the absence of *I Maga'lahaen Guåhan*;
- (c) A Member of the Mayor's Council of Guam (MCOG) who shall be appointed by its President;
- (d) The Attorney General of Guam or his designee;
- (e) The Director of the Civil Service Commission; and
- (f) The Director of the Department of Administration; he shall serve as the Secretary of the COMRIGHT-21.

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The term of any appointee shall expire with the term in office of the respective appointing authority unless he is reappointed.

**§ 12106. Organization of COMRIGHT-21.**

(a) *I Maga'lahaen Guåhan* shall coordinate the inaugural swearing-in of all members of COMRIGHT-21 and schedule the Commission's first meeting within thirty (30) days of passage of this Act.

(b) The administrative support function of COMRIGHT-21 shall be assigned by *I Maga'lahaen Guåhan* whose office shall provide administrative, clerical and professional services and logistical support and resources and a meeting as requested by the Chairperson of COMRIGHT-21.

(c) If necessary, the Office of the Governor may provide a budget request to *I Liheslatura* on behalf of COMRIGHT-21.

(d) After its inaugural year, COMRIGHT-21 shall convene on a Triennial basis and no later than April 1 of each designated year. All successor Governors that fall within the designated year of each subsequent convening of the COMRIGHT-21 shall coordinate the composition and swearing-in of all members of COMRIGHT-21 and schedule each subsequent Commission's first meeting no later than April 1 of each respective year.

**§ 12107. Duties of COMRIGHT-21.**

(a) COMRIGHT-21 shall review the recommendations of the heads of all departments, entities to amend, repeal or enact statutes relative to their respective entity as contained in § 12102.1(a)(b)(c).

(b) Upon review, the Commission shall conduct public hearings, pursuant to the provisions of the open government law, for each entity for the purposes of consulting with public officers and their employees and the general public and reconciling conflicting interests that arise from modernization and streamlining or any suggested repeal or enactment of law.

(c) After the requisite public hearings, COMRIGHT-21 shall adopt, reject or amend the findings of the respective agencies and forward their recommendations to the Speaker of *I Liheslaturan Guåhan*

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and the respective member and chairperson of *I Liheslatura's* standing committee with oversight over each entity for action.

(d) In its review of government agencies and in proposing reforms pursuant to this Chapter, COMRIGHT-21 shall consider and make use of such studies and recommendations as may be presented to it by each respective entity with respect to enhancing the performance of the agencies or programs and services for the island community.

(e) COMRIGHT-21 may also as part of its function recommend to *I Maga'lahi* and *I Liheslatura* the merger, coordination, consolidation, or integration of departments, agencies, offices, instrumentalities, and functions of the government, and the transfer of functions, appropriations, equipment, property, records and personnel from one (1) department, agency, office or instrumentality to another.

(f) COMRIGHT-21 may recommend to *I Maga'lahi* and *I Liheslatura* the dissolution or termination of departments, agencies, offices, instrumentalities, programs or functions that are not necessary for the efficient conduct of government functions, services and activities.

(g) COMRIGHT-21 may recommend to *I Maga'lahi* and *I Liheslatura* the elimination or consolidation of overlapping and duplicative services, functions and activities of the government.

(h) COMRIGHT-21 may recommend to *I Maga'lahi* and *I Liheslatura* the creation, classification and dissolution of employment positions.

(i) COMRIGHT-21 may recommend to *I Maga'lahi* and *I Liheslatura* the standardization of salaries, materials and equipment throughout the government; suggest changes to existing law; and create and submit new legislation to *I Liheslatura* in addition to its triennial review of the various government entities.

**§ 12108. Obtaining Information from Executive Branch Agencies.**

COMRIGHT-21 is authorized to obtain directly from any executive department, bureau, agency, board, commission, office, public corporation, or instrumentality of the government of Guam via written requests, any and all information needed to execute its functions. All requests for information by COMRIGHT-21 shall have the benefit of the provisions of a Freedom of Information Act (FOIA) Request.

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**§ 12109. Severability.**

If any provision of this Act or its application to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of this Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

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