

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN

2021 (FIRST) Regular Session

VOTING RECORD

Bill No. 94-36 (LS) As amended by the Committee on Public Accountability, Human Resources, the Guam Buildup, Hagatna Revitalization, Regional Affairs, Public Libraries, Telecommunications, and Technology; and further amended on the Floor.	Speaker Antonio R. Unpingco Legislative Session Hall Guam Congress Building April 30, 2021					
NAME	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Senator V. Anthony Ada	√					
Senator Frank Blas Jr.	√					
Senator Joanne Brown	√					
Senator Christopher M. Dueñas	√					
Senator James C. Moylan	√					
Vice Speaker Tina Rose Muña Barnes	√					
Senator Telen Cruz Nelson	√					
Senator Sabina Flores Perez	√					
Senator Clynton E. Ridgell	√					
Senator Joe S. San Agustin	√					
Senator Amanda L. Shelton	√					
Senator Telo T. Taitague	√					
Senator Jose "Pedo" Terlaje	√					
Speaker Therese M. Terlaje	√					
Senator Mary Camacho Torres	√					

TOTAL

15

0

Aye

Nay


Not
Voting/
Abstained

Out
During
Roll Call

Absent

Excused

CERTIFIED TRUE AND CORRECT:



RENNAE V. C. MENO
Clerk of the Legislature

I = Pass

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As amended by the Committee on Public Accountability, Human Resources, the Guam Buildup, Hagåtña Revitalization, Regional Affairs, Public Libraries, Telecommunications, and Technology; and further amended on the Floor.

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Introduced by:

Sabina Flores Perez
Therese M. Terlaje
Tina Rose Muña Barnes
V. Anthony Ada
Frank Blas, Jr.
Joanne Brown
Christopher M. Dueñas
James C. Moylan
Telena Cruz Nelson
Clynton E. Ridgell
Joe S. San Agustin
Telo T. Taitague

AN ACT TO *ADD* A NEW § 15409(c) AND *AMEND* § 15410 OF ARTICLE 4, CHAPTER 15, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO UPDATING THE ETHICS IN GOVERNMENT TRAINING PROGRAM AND REQUIRING ETHICS TRAINING FOR ALL GOVERNMENT OF GUAM EMPLOYEES.

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that proper ethics training for all government of Guam employees is a proactive
4 approach to invest in our civil service, which in turn ensures government integrity
5 and that resources are used appropriately.

1 *I Liheslaturan Guåhan* also finds that in order to restore confidence in its
2 government representatives, the government of Guam must promote ethical
3 behavior.

4 *I Liheslaturan Guåhan* further finds that with requiring a refresher ethics
5 training, fiduciary responsibility is not forgotten; and this reminds government of
6 Guam employees of the responsibility of following the law and to ensure proper
7 conduct.

8 Therefore, *I Liheslaturan Guåhan* intends to require that all government of
9 Guam employees receive proper ethics training within their first six (6) months of
10 employment, and all existing government of Guam employees will be required to
11 attend an ethics training within thirty-six (36) months after enactment of this Act;
12 and in addition, government of Guam employees shall take a refresher course every
13 four (4) years.

14 **Section 2.** A new § 15409(c) is hereby *added* to Article 4 of Chapter 15,
15 Title 4, Guam Code Annotated, to read:

16 “(c) All government of Guam employees shall attend an ethics in
17 government program within the first six (6) months of his or her employment.
18 All existing employees prior to enactment of this Subsection shall be required
19 to attend an ethics in government program within thirty-six (36) months after
20 enactment of this Subsection. Additionally, employees shall undergo an ethics
21 in government program refresher course at least once every four (4) years.
22 The Commission may grant permission for an employee to attend a later
23 program for good cause shown. The Commission shall award a certificate of
24 completion to those completing the program.”

25 **Section 3.** § 15410 of Article 4, Chapter 15, Title 4, Guam Code Annotated,
26 is hereby *amended* to read:

27 “§ 15410. **Ethics in Government Program Guidelines.**

1 The ethics in government program shall be provided by the Guam
2 Ethics Commission or other providers approved by the Guam Ethics
3 Commission. The Public Auditor shall develop standards for the ethics
4 program until the Guam Ethics Commission is appointed and functioning, at
5 which time the Commission shall assume authority to develop the standards.
6 Should the Guam Ethics Commission not be impaneled for at least six (6)
7 consecutive months, the Public Auditor will still have the authority to develop
8 standards for the ethics program until the Guam Ethics Commission is
9 impaneled. The providers shall repeat the course as necessary to accommodate
10 those who are required to attend. The course shall not exceed four (4) hours
11 and shall be available in a single day and its scheduling shall accommodate
12 the different work schedules of the persons affected by this Act.

13 (a) The program topics shall include, but not be limited to:

14 (1) Guam statutes concerning ethics;

15 (2) Guam statutes concerning lobbying;

16 (3) Group participation in discussing, analyzing, and
17 solving general ethics-related dilemmas;

18 (4) Guam procurement laws and regulations;

19 (5) Guam contracting laws and regulations;

20 (6) Parliamentary procedure;

21 (7) Fiduciary responsibility;

22 (8) Personnel policy;

23 (9) Government finance; and

24 (10) Open Government Law and Sunshine Reform Act
25 of 1999.

26 (b) The cost of tuition, books and training materials for the
27 ethics in government program of the officials or employees specified in

1 § 15409(b) or § 15409(c) of this Chapter, shall be paid by the agency
2 that employs the official or employee.

3 (c) The Guam Ethics Commission shall develop rules and
4 regulations for the enforcement of the Ethics in Government Program
5 Guidelines.

6 (d) No later than thirty (30) days after the end of each fiscal
7 year, every director, administrator, president or head of a government
8 of Guam agency, including line agencies, autonomous and semi-
9 autonomous agencies, public corporations, the Mayors Council of
10 Guam, the Courts of the Judiciary of Guam, and *I Liheslaturan Guåhan*
11 shall electronically submit to the Guam Ethics Commission, in an
12 electronic portable document format, an “Ethics Training Compliance
13 Report.” Said report shall at minimum list the employees by name, job
14 title, and each ethics program completed, and the date of completion.”

15 **Section 4. Severability.** If any provision of this Act or its application to any
16 person or circumstance is found to be invalid or contrary to law, such invalidity *shall*
17 *not* affect other provisions or applications of this Act that can be given effect without
18 the invalid provision or application, and to this end the provisions of this Act are
19 severable.