

# I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN

## 2024 (SECOND) Regular Session

### VOTING RECORD

<b>Bill No. 227-37 (COR)</b> As amended by the Committee on General Government Operations and Appropriations.	Speaker Antonio R. Unpingco Legislative Session Hall Guam Congress Building May 31, 2024					
NAME	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Senator Chris Barnett	✓					
Senator Frank Blas, Jr.	✓					
Senator Joanne Brown	✓					
Senator Christopher M. Dueñas	✓					
Senator Thomas J. Fisher			✓			
Senator Jesse A. Lujan	✓					
Vice Speaker Tina Rose Muña Barnes	✓					
Senator William A. Parkinson	✓					
Senator Sabina Flores Perez	✓					
Senator Roy A. B. Quinata	✓					
Senator Joe S. San Agustin	✓					
Senator Dwayne T. D. San Nicolas	✓					
Senator Amanda L. Shelton	✓					
Senator Telo T. Taitague	✓					
Speaker Therese M. Terlaje			✓			

**TOTAL**

**13**

**2**

**0**

**0**

Aye

Nay

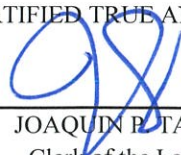
Not  
Voting/  
Abstained

Out  
During  
Roll Call

Absent

Excused

CERTIFIED TRUE AND CORRECT:



JOAQUIN P. TAITAGUE  
Clerk of the Legislature

I = Pass

***I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN***  
**2023 (FIRST) Regular Session**

**Bill No. 227-37 (COR)**

As amended by the Committee on General  
Government Operations and Appropriations.

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Introduced by:

Joanne M. Brown

Telo T. Taitague

**AN ACT TO *AMEND* § 1909(i) OF CHAPTER 19, TITLE 1,  
GUAM CODE ANNOTATED, RELATIVE TO  
ENHANCING THE INDEPENDENT STATUS OF THE  
OFFICE OF PUBLIC ACCOUNTABILITY (OPA) BY  
CONTINUOUSLY APPROPRIATING ONE-QUARTER  
(0.25) OF ONE PERCENT (1%) OF THE GOVERNMENT  
OF GUAM'S ANNUAL BUDGET TO THE OPA.**

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

2        **Section 1. Legislative Findings and Intent.** *I Liheslatura* finds that  
3        historically, the Public Auditor was originally appointed for a term of six (6) years,  
4        after which it became an elected position through the retention method. There was  
5        no limit on the number of times in which voters could retain a Public Auditor in  
6        office; and their salary and that of his or her staff was determined by the Civil Service  
7        Commission, and the budget for the office came from the General Fund.

8        Before the expiration of the term of the first appointed Public Auditor, the  
9        section on the election of the Public Auditor was repealed and replaced by a new  
10       section calling for an independent Public Auditor elected by the people of Guam for  
11       a term of four (4) years with the term limited to no more than two (2) consecutive

1 terms. Also, the budget of the Office of the Public Auditor was given a sustainable  
2 funding source set at one quarter of one percent (.25%) of General Fund revenue.

3 Shortly after the election of the first Public Auditor, the law was further  
4 amended to reduce the percentage of General Fund revenue to one hundred thirty-  
5 four thousandths of one percent (.134%) for that budget year only. Thereafter, the  
6 funding source reverted to the General Fund.

7 *I Liheslatura* finds that a truly independent Public Auditor requires the  
8 position be an elected position and a reliable source of funding be provided. The  
9 Public Auditor position is currently an elected position but the source of funding  
10 being an appropriation from the General Fund does place a limit on the independence  
11 of the Public Auditor on executing his or her duties and responsibilities.  
12 Accordingly, it is the intent of *I Liheslatura* to provide a stable funding source to the  
13 OPA.

14 **Section 2.** § 1909(i) of Chapter 19, Title 1, Guam Code Annotated, is  
15 *amended* to read:

16 “(i) The Office of Public Accountability (OPA) shall receive a  
17 continuing annual budget equal to, at minimum one-quarter (1/4) of one  
18 percent (1%) of the total General Fund Available for Appropriation Revenues  
19 of the Government of Guam, after all debt service requirements have been  
20 met. General Fund Revenues are Income Taxes and Business Privilege Taxes;  
21 Federal Sources, Section 30 funds include all customs duties and federal  
22 income taxes, quarantine, passport, immigration and naturalization fees  
23 collected in Guam; Use of Money and Property; Licenses, Fees and Permits;  
24 Department Charges. The budget of the OPA shall be exempt from the Bureau  
25 of Budget and Management Research budgetary allotment control generally  
26 provided in 5 GCA § 1303. *I Maga'hågan Guåhan* shall not impound nor  
27 transfer funds appropriated to the OPA. The OPA shall receive from the

1 Department of Administration no less than one twelfth (1/12) of its budget on  
2 the first day of every month of each fiscal year. When more than two (2) pay  
3 periods occur in one (1) month, the Department of Administration shall  
4 release funds required for the purpose of meeting the operational needs of the  
5 OPA for such month, subject to the availability of funds appropriated to the  
6 OPA, to employ such necessary staff to carry out the functions and  
7 responsibilities of the office; and for such employment, the Public Auditor  
8 shall serve as the Office of Public Accountability's appointing authority for  
9 all personnel employed at the Office of Public Accountability, hiring  
10 employees from an established list of qualified applicants in accordance with  
11 established criteria, and assigning, detailing, and transferring employees as  
12 the Public Auditor deems necessary for the effective operations of the Office  
13 of Public Accountability.”