



Office of the Governor of Guam

P.O. Box 2950 Hagåtña, Guam 96932

TEL: (671) 472-8931 • FAX: (671) 477-4826 • EMAIL: governor@mail.gov.gu

Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

The Honorable Judith T. Won Pat, Ed.D.
Speaker
Mina' Trenta Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

Dear Speaker Won Pat:

Transmitted herewith is Bill No.209 (COR) "AN ACT TO ADD A NEW ITEM (4) TO SUBSECTION (a) OF §13102 OF CHAPTER 12, OF TITLE 4, GUAM CODE ANNOTATED, TO REQUIRE ALL PERSONS OR PUBLIC OFFICIALS THAT HAVE AUTHORITY TO ENTER INTO BINDING CONTRACTS ON BEHALF OF THE GOVERNMENT OF GUAM OR ANY OF ITS DEPARTMENTS, AGENCIES, AUTONOMOUS ENTITIES AND PUBLIC CORPORATIONS TO COMPLY WITH PUBLIC OFFICIAL FINANCIAL DISCLOSURE ACT OF THE GOVERNMENT OF GUAM AND TO AMEND §5114, CHAPTER 5, ARTICLE, PART B OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE DELEGATION OF PROCUREMENT AUTHORITY" now designated as **Public Law 30-79**.

Sinseru yan Magåhet,

FELIX P. CAMACHO
I Maga'låhen Guåhan
Governor of Guam

Attachment: copy of Bill

2010 FEB -1 PM 1:45 AM

FEB 01 2010

30-10-0097

MINA'TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) Regular Session

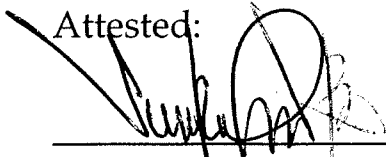
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Bill No. 209-30 (LS), "AN ACT TO ADD A NEW ITEM (4) TO SUBSECTION (a) OF §13102 OF CHAPTER 13 OF TITLE 4, GUAM CODE ANNOTATED, TO REQUIRE ALL PERSONS OR PUBLIC OFFICIALS THAT HAVE AUTHORITY TO ENTER INTO BINDING CONTRACTS ON BEHALF OF THE GOVERNMENT OF GUAM OR ANY OF ITS DEPARTMENTS, AGENCIES, AUTONOMOUS ENTITIES AND PUBLIC CORPORATIONS TO COMPLY WITH THE PUBLIC OFFICIAL *FINANCIAL DISCLOSURE ACT* OF THE GOVERNMENT OF GUAM; AND TO AMEND §5114, CHAPTER 5, ARTICLE 2, PART B OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE DELEGATION OF PROCUREMENT AUTHORITY," returned without approval of *I Maga'lahen Guåhan*, was reconsidered by *I Liheslaturan Guåhan* and after such consideration, did agree, on the 22ND day of January, 2010, to pass said bill notwithstanding the veto of *I Maga'lahen Guåhan* by a vote of fourteen (14) Members.



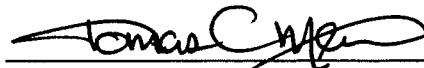
Judith T. Won Pat, Ed. D.
Speaker

Attested:



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 24 day of January, 2010, at 11:20 o'clock A.M.



Assistant Staff Officer
Maga'lahi's Office

I MINA'TRENTA NA LIHESLATURAN GUÁHAN
2009 (FIRST) Regular Session

Bill No. 209-30 (LS)

As amended on the Floor.

Introduced by:

Judith P. Guthertz, DPA

R. J. Respicio

Matt Rector

T. C. Ada

F. B. Aguon, Jr.

F. F. Blas, Jr.

E. J.B. Calvo

B. J.F. Cruz

J. V. Espaldon

T. R. Muña Barnes

Adolpho B. Palacios, Sr.

v. c. pangelinan

Ray Tenorio

Telo Taitague

Judith T. Won Pat, Ed.D.

AN ACT TO *ADD* A NEW ITEM (4) TO SUBSECTION (a) OF §13102 OF CHAPTER 13 OF TITLE 4, GUAM CODE ANNOTATED, TO REQUIRE ALL PERSONS *OR* PUBLIC OFFICIALS THAT HAVE AUTHORITY TO ENTER INTO BINDING CONTRACTS ON BEHALF OF THE GOVERNMENT OF GUAM *OR* ANY OF ITS DEPARTMENTS, AGENCIES, AUTONOMOUS ENTITIES AND PUBLIC CORPORATIONS TO COMPLY WITH THE PUBLIC OFFICIAL *FINANCIAL DISCLOSURE ACT* OF THE GOVERNMENT OF GUAM; AND TO *AMEND* §5114, CHAPTER 5, ARTICLE 2, PART B OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE DELEGATION OF PROCUREMENT AUTHORITY.

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

2 **Section 1.** A new item (4) is *added* to §13102(a) of Chapter 13 of Title 4
3 of the Guam Code Annotated, to read:

4 “(4) all individuals who are given or delegated authority by an elected
5 official or appointed official to have *sole* authority to enter into contracts for
6 procurement or approved change order. Exempt are classified employees
7 who do administrative processing but *do not* have discretion on awards.”

8 **Section 2.** §5114 of Chapter 5, Article 2, Part B of Title 5, Guam Code
9 Annotated, is *amended* to read:

10 **“§5114. Delegation of Authority by the Chief Procurement
11 Officer and the Director of Public Works.**

12 Subject to the regulations of the Policy Office, the Chief Procurement
13 Officer or the Director of Public Works may delegate authority to designees
14 or to any governmental body or official.

15 Procurement authority may *not* be delegated to any individual who is
16 *not* required to disclose information pursuant to 4 GCA Chapter 13, The
17 Public Official Financial Disclosure Act.”

U

Berrillan

I MINA' TRENTA NA LIHESLATURAN GUAHAN
2010 (SECOND) Regular Session

Date: 1/22/10

VOTING SHEET

Vetoed Bill No. 209-30(LS)

Resolution No. _____

Question: "Notwithstanding the objections of I Maga'lahaen Guahan, should
Vetoed Bill No. 209-30(LS) be overridden?"

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
ADA, Thomas C.	✓				
AGUON, Frank B., Jr.	✓				
BLAS, Frank F., Jr.	✓				
CALVO, Edward J.B.	✓				
CRUZ, Benjamin J. F.	✓				
ESPALDON, James V.	✓				
GUTHERTZ, Judith Paulette	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RESPICIO, Rory J.	✓				
TAITAGUE, Telo	✓				
TENORIO, Ray	✓				
WON PAT, Judith T.	✓				

TOTAL

14

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



Office of the Governor of Guam

P.O. Box 2950 Hagåtña, Guam 96932
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Office of the Speaker

Judith T. Won Pat, Ed. D.

Date: 11/25/09
Time: 5:09 PM
Received by: J.B.

30-09-1391

NOV 25 2009

Felix P. Camacho
Governor
Michael W. Cruz, M.D.
Lieutenant Governor

Honorable Judith T. Won Pat, Ed.D
Speaker
I Mina' Trenta Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

Dear Speaker Won Pat:

Submitted herewith is Bill No. 209-30 (LS), "AN ACT TO ADD A NEW ITEM (4) TO SUBSECTION (a) OF §13102 OF CHAPTER 13, OF TITLE 4, GUAM CODE ANNOTATED, TO REQUIRE ALL PERSONS OR PUBLIC OFFICIALS THAT HAVE AUTHORITY TO ENTER INTO BINDING CONTRACTS ON BEHALF OF THE GOVERNMENT OF GUAM OR ANY OF ITS DEPARTMENTS, AGENCIES, AUTONOMOUS ENTITIES AND PUBLIC CORPORATIONS TO COMPLY WITH THE PUBLIC OFFICIAL FINANCIAL DISCLOSURE ACT OF THE GOVERNMENT OF GUAM; AND TO AMEND §5114, CHAPTER 5, ARTICLE 2, PART B OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE DELEGATION OF PROCUREMENT AUTHORITY," which I have vetoed.

Bill No. 209-30 proposes to amend Guam's financial disclosure law to include individuals who are delegated to have sole authority to enter into procurement contracts or approved change order. Unfortunately, it is unclear whether such an individual exists as no single individual has sole authority to enter into procurement contracts.

Procurement contracts are awarded pursuant to a competitive process and are evaluated based on either price or qualification depending on the nature of the service or product to be acquired. Negotiation commences only after the most qualified offeror or lowest cost offeror is selected. Upon successful negotiation, a contract is drawn up and signed by the offeror and the head of the procuring agency or designee. The agency's certifying officer certifies there are funds available to pay for the product or service. The contract is then forwarded to the Bureau of Budget and Management Research for review and approval followed by the review and approval of the Attorney General. Guam law also requires that all contracts, after approval of the Attorney General, shall be executed upon the approval of the Governor. See 5 G.C.A. § 22601. As evident in all government of Guam contracts, no single person has the authority to enter into

2009 NOV 27 PM 2:00

procurement contracts. Rather than sign legislation that has no effect since it will not apply to anyone, I have vetoed the measure.

Sins eru yan Magåhet,

A handwritten signature in black ink, appearing to read 'F. Camacho', with a long horizontal stroke extending to the right.

FELIX P. CAMACHO

I Maga' Låhen Guahan

Governor of Guam

Attachment

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

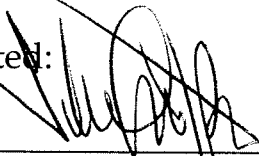
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Bill No. 209-30 (LS) "AN ACT TO ADD A NEW ITEM (4) TO SUBSECTION (a) OF §13102 OF CHAPTER 13 OF TITLE 4, GUAM CODE ANNOTATED, TO REQUIRE ALL PERSONS OR PUBLIC OFFICIALS THAT HAVE AUTHORITY TO ENTER INTO BINDING CONTRACTS ON BEHALF OF THE GOVERNMENT OF GUAM OR ANY OF ITS DEPARTMENTS, AGENCIES, AUTONOMOUS ENTITIES AND PUBLIC CORPORATIONS TO COMPLY WITH THE PUBLIC OFFICIAL *FINANCIAL DISCLOSURE ACT* OF THE GOVERNMENT OF GUAM; AND TO AMEND §5114, CHAPTER 5, ARTICLE 2, PART B OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE DELEGATION OF PROCUREMENT AUTHORITY," was on the 10th day of November, 2009, duly and regularly passed.



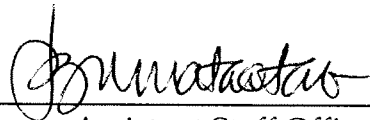
Judith T. Won Pat, Ed. D.
Speaker

Attested:



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 13 day of Nov, 2009, at
1:30 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:

VETO

FELIX P. CAMACHO
I Maga'lahen Guåhan

Date: _____

Public Law No. _____

I MINA'TRENTA NA LIHESLATURAN GUÁHAN
2009 (FIRST) Regular Session

Bill No. 209-30 (LS)

As amended on the Floor.

Introduced by:

Judith P. Guthertz, DPA

R. J. Respicio

M. J. Rector

T. C. Ada

F. B. Aguon, Jr.

F. F. Blas, Jr.

E. J.B. Calvo

B. J.F. Cruz

J. V. Espaldon

T. R. Muña Barnes

Adolpho B. Palacios, Sr.

v. c. pangelinan

Ray Tenorio

Telo Taitague

Judith T. Won Pat, Ed.D.

AN ACT TO *ADD* A NEW ITEM (4) TO SUBSECTION (a) OF §13102 OF CHAPTER 13 OF TITLE 4, GUAM CODE ANNOTATED, TO REQUIRE ALL PERSONS *OR* PUBLIC OFFICIALS THAT HAVE AUTHORITY TO ENTER INTO BINDING CONTRACTS ON BEHALF OF THE GOVERNMENT OF GUAM *OR* ANY OF ITS DEPARTMENTS, AGENCIES, AUTONOMOUS ENTITIES AND PUBLIC CORPORATIONS TO COMPLY WITH THE PUBLIC OFFICIAL *FINANCIAL DISCLOSURE ACT* OF THE GOVERNMENT OF GUAM; AND TO *AMEND* §5114, CHAPTER 5, ARTICLE 2, PART B OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE DELEGATION OF PROCUREMENT AUTHORITY.

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

2 **Section 1.** A new item (4) is *added* to §13102(a) of Chapter 13 of Title 4
3 of the Guam Code Annotated, to read:

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5 official or appointed official to have *sole* authority to enter into contracts for
6 procurement or approved change order. Exempt are classified employees
7 who do administrative processing but *do not* have discretion on awards.”

8 **Section 2.** §5114 of Chapter 5, Article 2, Part B of Title 5, Guam Code
9 Annotated, is *amended* to read:

10 **“§5114. Delegation of Authority by the Chief Procurement
11 Officer and the Director of Public Works.**

12 Subject to the regulations of the Policy Office, the Chief Procurement
13 Officer or the Director of Public Works may delegate authority to designees
14 or to any governmental body or official.

15 Procurement authority may *not* be delegated to any individual who is
16 *not* required to disclose information pursuant to 4 GCA Chapter 13, The
17 Public Official Financial Disclosure Act.”

6

I MINA' TRENTA NA LIHESLATURAN GUAHAN

2009 (FIRST) Regular Session

Date: 11-10-09

VOTING SHEET

Bill No. 209-30(15)

Resolution No. _____

Question: _____

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
ADA, Thomas C.	✓				
AGUON, Frank B., Jr.	✓				
BLAS, Frank F., Jr.	✓				
CALVO, Edward J.B.	✓				
CRUZ, Benjamin J. F.	✓				
ESPALDON, James V.	✓				
GUTHERTZ, Judith Paulette	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RECTOR, Matthew	✓				
RESPICIO, Rory J.	✓				
TAITAGUE, Telo	✓				
TENORIO, Ray	✓				
WON PAT, Judith T.	✓				

TOTAL

15 _____

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



SENATOR MATT RECTOR

Chairman, Committee on labor, the public structure, public libraries and technology

I Mina' Trenta na Liheslaturan Guahan

Thirtieth Guam Legislature



October 21, 2009

To The Honorable Judith T. Won Pat, Ed.D
Speaker of the Legislature
Mina Trenta Na Liheslaturan Guahan
155 Hesler Street
Hagåtña, Guam 96910

VIA: **The Honorable Rory J. Respicio**
Chairperson, Committee on Rules

Buenas Yan Hafa Adai Madam Speaker,

The Committee on Labor, The Public Structure, Public Libraries and Technology, to Which **Bill No. 209-30 (LS)** was referred: **"An Act to amend § 13102 (a) of Chapter 13 of Title 4, Guam Code Annotated, to expand its definition, and to add a new sub item (4) to item (a) of § 13102 to require all persons or public officials that have authority to enter into binding contracts on behalf of the government of Guam or any of its departments, agencies, autonomous entities and public corporations to comply with the Public Official Financial Disclosure Act of the government of Guam."** Wishes to report its findings and recommendations, transmitted herewith for your consideration and action is our Committee Report on the above subject matter

The voting record is as follows:

TO PASS	<u>1</u>
NOT TO PASS	<u>0</u>
TO REPORT OUT	<u>3</u>
TO PLACE IN INACTIVE FILE	<u>0</u>

Copies of the Committee Report and other pertinent documents are attached. Thank You for your attention in this matter

2009 OCT 23 PM 2:32
MWR

Address
153 Sesame Street, Suite B
Mangilao, Guam 96923

Telephone
(671)734-6288

Fax
(671)734-8085

Website
www.MattRector.com

Committee Members

SENATOR ADOLPHO B. PALACIOS, SR
VICE CHAIR

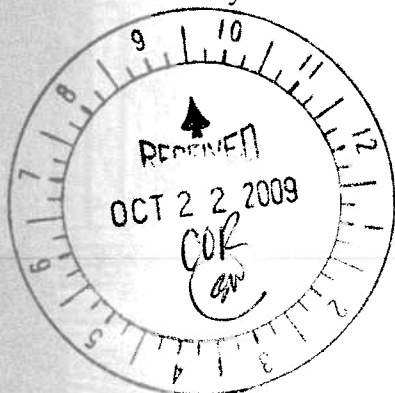
SENATOR VICENTE, "ben" PANGELINAN

SENATOR FRANK BLAS AGUON, JR

SENATOR JUDITH GUTHERTZ

SENATOR TINA MUNA BARNES

SENATOR TELO TAITAGUE



Senscrante,
MATT RECTOR

Chairman,
Committee on Labor, the Public Structure,
Public Libraries and Technology

**COMMITTEE
REPORT
ON**

**BILL NO. 209-30 (LS)
(Judith P. Guthertz,
DPA, R.J. Respicio)**

“Bill No. 209-30 (LS) - “An Act to amend § 13102 (a) of Chapter 13 of Title 4, Guam Code Annotated, to expand its definition, and to add a new sub item (4) to item (a) of § 13102 to require all persons or public officials that have authority to enter into binding contracts on behalf of the government of Guam or any of its departments, agencies, autonomous entities and public corporations to comply with the Public Official *Financial Disclosure Act* of the government of Guam.”



SENATOR MATT RECTOR

Chairman, Committee on labor, the public structure, public libraries and technology

I Mina' Trenta na Liheslaturan Guahan

Thirtieth Guam Legislature



October 21, 2009

MEMORANDUM:

TO: Members:
Committee on Labor, the Public, Structure, Public Libraries, and Technology.

FROM: Chairman, Matthew Rector
Committee on Labor, the Public, Structure, Public Libraries, and Technology.

SUBJECT:

Committee Report- **Bill No. 209-30(LS) - "AN ACT TO ADJUST THE COMPENSATION FOR THE ATTORNEY GENERAL OF GUAM TO BE COMPARABLE AND EQUITABLE WITH OTHER LEGAL OFFICER POSITIONS OF THE GOVERNMENT OF GUAM BY AMENDING §30116(a), CHAPTER 30, TITLE 5 GUAM CODE ANNOTATED; AND TO REPEAL §30116(b), CHAPTER 30, TITLE 5 GUAM CODE ANNOTATED."** Transmitted herewith for your information and action is the report for **Bill No. 209-30 (LS)** from the Committee on Labor, the Public Structure, Public Libraries and Technology.

This Memorandum is accompanied by the following.

1. Voting Sheet
2. Bill No. 209-30 (LS) as Introduced
3. Sign in Sheet
4. Committee Report
5. Written Testimonies
6. Notices of public hearing

Please take appropriate action on the attached voting sheet. Your attention and cooperation in this matter is greatly appreciated. Should there be any questions regarding this matter, please contact my office at 734-6288

Senseramente,

MATT RECTOR

Chairman,
Committee on Labor, the Public Structure,
Public Libraries and Technology

Address

153 Sesame Street, Suite B
Mangilao, Guam 96923

Telephone

(671)734-6288

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(671)734-8085

Website

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Committee Members

SENATOR ADOLPHO B. PALACIOS, SR
VICE CHAIR

SENATOR VICENTE "ben" PANGELINAN

SENATOR FRANK BLAS AGUON, JR

SENATOR JUDITH GUTHERTZ

SENATOR TINA MUNA BARNES

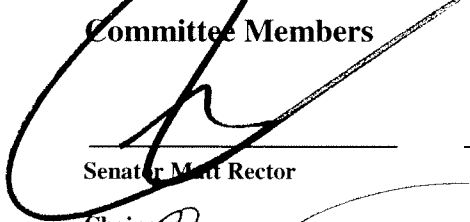
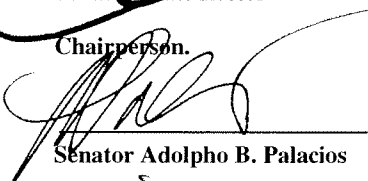
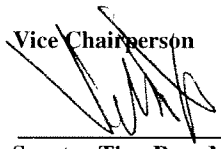
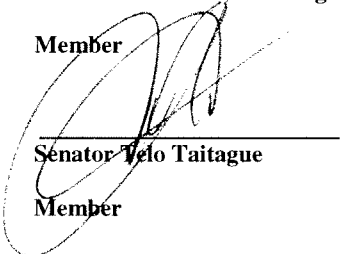
SENATOR TELO TAITAGUE

I MINA TRENTA NA LIHESLATURAN GUAHAN

Committee Voting Sheet

Committee on Labor, the Public Structure, Public Libraries
and Technology.

Bill No. 209-30 (LS) - "An Act to amend § 13102 (a) of Chapter 13 of Title 4, Guam Code Annotated, to expand its definition, and to add a new sub item (4) to item (a) of § 13102 to require all persons or public officials that have authority to enter into binding contracts on behalf of the government of Guam or any of its departments, agencies, autonomous entities and public corporations to comply with the Public Official Financial Disclosure Act of the government of Guam."

Committee Members	To Pass	Not to pass	Report out	Abstain	Inactive File
 Senator Matt Rector Chairperson.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator Adolpho B. Palacios Vice Chairperson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> 10/28/09	<input type="checkbox"/>	<input type="checkbox"/>
 Senator Tina Rose Muña-Barnes Member	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Senator Frank B. Aguon, Jr. Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Senator Judith P. Guthertz, DPA member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Senator Vicente "Ben" Pangelinan Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator Velo Taitague Member	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

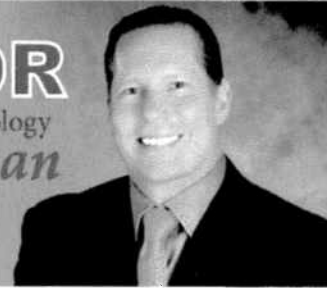


SENATOR MATT RECTOR

Chairman, Committee on labor, the public structure, public libraries and technology

I Mina' Trenta na Liheslaturan Guahan

Thirtieth Guam Legislature



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Committee Members

SENATOR ADOLPHO B. PALACIOS, SR

VICE CHAIR

SENATOR VICENTE, "ben" PANGELINAN

SENATOR FRANK BLAS AGUON, JR

SENATOR JUDITH GUTHERTZ

SENATOR TINA MUNA BARNES

SENATOR TELO TAITAGUE

COMMITTEE REPORT ON:

Bill No. 209-30 (LS) - "An Act to amend § 13102 (a) of Chapter 13 of Title 4, Guam Code Annotated, to expand its definition, and to add a new sub item (4) to item (a) of § 13102 to require all persons or public officials that have authority to enter into binding contracts on behalf of the government of Guam or any of its departments, agencies, autonomous entities and public corporations to comply with the Public Official *Financial Disclosure Act* of the government of Guam."

I. Overview

The Committee on Labor, the Public Structure, Public Libraries and Technology convened for a public hearing on Tuesday, October 6th at 9:00 AM at the *I Liheslaturan Guahan*, Hagatna public hearing room. Notice of all hearings was disseminated to all local media outlets via electronic mail on Tuesday, September 29th, 2009 and Monday, October, 2nd, 2009 as required by Guam Open Government Law, copies of which are attached to said report. Notice of said events was also displayed upon the Guam Legislature's website www.guamlegislature.com/calendar.htm.

Committee members/Senators Present:

Senator Matthew Rector Chairman

Senator Adolpho Palacios, Sr. Vice Chairman

Senator Judith P. Guthertz, DPA Member

II. Summary of Testimonies

Senator Matt Rector: Senator Rector reads the introduction of Bill No. 209 allows Senator Guthertz open the discussion on Bill No. 209, a bill that she authored.

Senator Judith P. Guthertz: Senator Guthertz talks about the suspected shenanigans of this government. Senator Guthertz states that we have seen individuals make financial commitments with the public's monies, for contracts that have come under great scrutiny as of late. Looking at this she notice that the individuals who make these decisions are not compelled need to file financial disclosure statements, these financial disclosures are required declare all their business interest and connection in this government. Senator Guthertz states it is her and senator Respicio belief, that all persons and public officials that have consent authority to go into contracts on behave of the government of Guam or any of its agencies, should be required to file financial disclosure statements every year. This bill was made to force more transparency in this government. To hold these individuals were not elected by the people of Guam, but have immense power over public monies and to held on the same standard like other officials in this government.

Senator Matt Rector: Senator Rector comments on Bill No. 209, thanks Senator Guthertz for introducing this bill. There can never be too much transparency with the people's money. He believes that any time that someone has the authority to spend the people's money, we have to ensure that we know all the connections and all the different streams that those roots tap into.

There being no oral or written testimony received, the Chairman indicated that the committee will continue to receive written testimonies for the next (10) days.

The being no comments or discussion, the chairman concluded the public hearing on **Bill No. 209-30 (LS)** as duly heard.

III. Findings and Recommendations.

The Committee on Labor, the Public Structure, Public Libraries and Technology, based upon overwhelming public support for Bill No. 209-30 (LS), and upon some limited concerns expressed about specific points within the legislation, submits its recommendations to Report out **Bill No. 209-30 (LS)** **“An Act to amend § 13102 (a) of Chapter 13 of Title 4, Guam Code Annotated, to expand its definition, and to add a new sub item (4) to item (a) of § 13102 to require all persons or public officials that have authority to enter into binding contracts on behalf of the government of Guam or any of its departments, agencies, autonomous entities and public corporations to comply with the Public Official *Financial Disclosure Act* of the government of Guam.”**

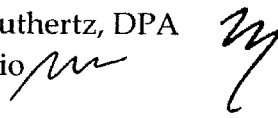
I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) REGULAR SESSION

2009 AUG 11 PM 1:08 EON

Bill No. B209-30(S)

Introduced by:

Judith P. Guthertz, DPA
R. J. Respicio



An Act to amend § 13102 (a) of Chapter 13 of Title 4, Guam Code Annotated, to expand its definition, and to add a new sub item (4) to item (a) of § 13102 to require all persons or public officials that have authority to enter into binding contracts on behalf of the government of Guam or any of its departments, agencies, autonomous entities and public corporations to comply with the Public Official *Financial Disclosure Act* of the government of Guam.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Item (a) of § 13102 of Chapter 13 of Title 4, Guam Code Annotated is hereby
3 amended to expand its definition.

4 “(a) The term *official* means any person elected to any public office on Guam and any
5 person appointed, with legislative concurrence *or* by the Guam Legislature, to any public
6 office, and all persons or public officials that have authority to enter into binding contracts
7 on behalf of the government of Guam or any of its departments, agencies, autonomous
8 entities and public corporations, to include, but *not* limited to:”

9 Section 2. A new sub item (4) is added to § 13102 of Chapter 13 of Title 4 of the
10 Guam Code Annotated to be listed under item (a).

11 “(4) and all persons or public officials that have consent authority to enter into
12 binding contracts on behalf of the government of Guam or any of its departments, agencies,
13 autonomous entities and public corporations.”

SENATOR MATT RECTOR

CHAIRMAN, COMMITTEE ON LABOR, THE PUBLIC STRUCTURE, PUBLIC LIBRARIES AND TECHNOLOGY
PUBLIC HEARING SIGN-IN SHEET

~~Thursday, July 30, 2009~~ • ~~6:00pm~~ • Guam Legislature Public Hearing Room
Tuesday, Oct 6, 2009 • *9:05 am*

Bill NO. 209-30(LS) An Act to amend § 13102 (a) of Chapter 13 of Title 4, Guam Code Annotated, to expand its definition, and to add a new sub item (4) to item (a) of § 13102 to require all persons or public officials that have authority to enter into binding contracts on behalf of the government of Guam or any of its departments, agencies, autonomous entities and public corporations to comply with the Public Official Financial Disclosure Act of the government of Guam.

1	NAME	AGENCY OR ORGANIZATION (IF ANY)	SUPPORT (X)	OPPOSE (X)	WRITTEN TESTIMONY (pls intl)	ORAL TESTIMONY (pls intl)	CONTACT NUMBER	EMAIL ADDRESS/VILLAGE
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COMMITTEE ON RULES

I Mina' Trenta na Libeslaturan Guåhan • 30th Guam Legislature

155 Hesler Place, Hagatña, Guam 96910 • tel: (671)472-7679 • fax: (671)472-3547 • roryforguam@gmail.com

**SENATOR
RORY J.
RESPICIO
CHAIRPERSON**

**SENATOR
Judith P. Guthertz
VICE
CHAIRPERSON**

**MAJORITY
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**Benjamin J. F. Cruz
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**Tina Rose Muña Barnes
LEGISLATIVE SECRETARY**

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SENATOR**

**Frank B. Aguon, Jr.
SENATOR**

**Adolpho B. Palacios, Sr.
SENATOR**

**Vicente C. Pangelinan
SENATOR**

**Matthew Rector
SENATOR**

**MINORITY
MEMBERS:**

**Frank F. Blas, Jr.
SENATOR**

**James V. Espaldon
SENATOR**

August 12, 2009

MEMORANDUM

To: Pat Santos
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Rory J. Respicio
Chairperson, Committee on Rules

Subject: Referral of Bill Nos. 207-30(LS) to 209-30(LS)

As Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 207-30(LS), 208-30(LS) and 209-30(LS).

Please ensure that the subject bills are referred, in my name, to the respective committees, as shown on the attachment. I also request that the same be forwarded to all Senators of *I Mina' Trenta Na Liheslaturan Guåhan*.

Should you have any questions, please contact Stephanie Mendiola or Elaine V. Tajalle at 472-7679.

Si Yu'os Ma'åse'!

(1) Attachment

2009 AUG 12 AM 11:44

I Mina' Trenta Na Liheslaturan Guåhan
Bill Log Sheet

Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Intro	Date Referred	Committee Referred	Public Hearing Date	Date Committee Report Filled	Status (Date)
B207-30 (LS)	T.C. Ada, A.B. Palacios, Sr. J.V. Espaldon	An act to adopt the procedures manual for the acquisition, enforcement and maintenance of Territorial Highway Right-of-Way and Standards.	8/11/09 11:04 a.m.	8/12/09	Committee on Utilities, Transportation, Public Works, and Veterans Affairs			
B208-30 (LS)	A. B. Palacios, Sr., F. B. Aguon, Jr., T. Taitague, T. C. Ada	An act relative to clarifying the restrictions established on the recruitment or compensation of government of Guam personnel above Step 10 of the Compensation Schedule; through amending Section 6205.2 of Chapter 6, Title 4, Guam Code Annotated	8/11/09 11:59 a.m.	8/12/09	Committee on Labor, the Public Structure, Public Libraries and Technology			
B209-30 (LS)	Judith P. Guthertz, DPA, R. J. Respicio	An Act to amend § 13102 (a) of Chapter 13 of Title 4, Guam Code Annotated, to expand its definition, and to add a new sub item (4) to item (a) of § 13102 to require all persons or public officials that have authority to enter into binding contracts on behalf of the government of Guam or any of its departments, agencies, autonomous entities and public corporations to comply with the Public Official <i>Financial Disclosure Act</i> of the government of Guam.	8/11/09 1:08 p.m.	8/12/09	Committee on Labor, the Public Structure, Public Libraries and Technology			



SENATOR MATT RECTOR

Chairman, Committee on labor, the public structure, public libraries and technology

I Mina' Trenta na Liheslaturan Guahan

Thirtieth Guam Legislature



October 2, 2009

To: All Senators/Members
From: Senator Matthew Rector, Chairperson,
Committee on Labor, the Public Structure, Public Libraries and Technology

Subject: **Notification of Public Hearing (Second Notice)**

Re: Bill No's. B236 (COR), B227 (COR), B221 (LS), B211 (LS), B209 (LS), B208 (LS), B200 (COR)

Please be advised that the Committee on Labor, the Public Structure, Public Libraries and Technology will be conducting a Public Hearing on Tuesday, **October 6, 2009** in the Legislative Public Hearing Room, beginning at **9:00 a.m.**

On the **AGENDA** are the following:

Bill No. B236-30 (COR) – Matt Rector / T.R. Muna-Barnes / A.B. Palacios, Sr. / R.J. Respicio
An act to amend §6217 of 4 GCA for the purpose of ensuring that public employees that work at night receive night differential pay.

Bill No. B227-30 (COR) – A.B. Palacios, Sr.
An act to authorize hazardous pay to Parole Officers who perform the duty of supervising and counseling parolees by amending 4 GCA §6222 (a); and to authorize hazardous pay to employees of the Department of Corrections who perform duties, which if performed by other law enforcement or public safety officers would entitle such officers would entitle such officers to hazardous pay, by adding a new Item (1) to §6222 (a).

Bill No. B221-30 (LS) – A.B. Palacios, Sr.
An act to amend 4 GCA §4109(a) relative to eliminating annual leave for judges and justices.

Bill No. B211-30 (LS) – A.B. Palacios, Sr. / J.V. Espaldon
An act relative to preserving the independence of the Office of Public Accountability by restoring the Public Auditor's authority to hire a Deputy Public Auditor and Secretary and the protection against the reduction of the salaries of the staff of the Office of Public Accountability by amending Subsection (b) Section 1907 of Title 1 of the Guam Code Annotated and adding a new Subsection (c) to Section 1907 of Title 1 of the Guam Code Annotated.

Bill No. B209-30 (LS) – J.P. Guthertz, DPA / R.J. Respicio
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Bill No. B208-30 (LS) – A.B. Palacios, Sr. / F.B. Aguon, Jr. / Telo Taitague
An act relative to clarifying the restrictions established on the recruitment or compensation of government of Guam personnel above Step 10 of the Compensation Schedule; through amending Section 6205.2 of Chapter 6, Title 4, Guam Code Annotated.

Address
153 Sesame Street, Suite B
Mangilao, Guam 96923

Telephone
(671)734-6288

Fax
(671)734-8085

Website
www.MattRector.com

Committee Members

SENATOR ADOLPHO B. PALACIOS, SR.

VICE CHAIR

SENATOR VICENTE "ben" PANGELINAN

SENATOR FRANK BLAS AGUON, JR.

SENATOR JUDITH GUTHERTZ

SENATOR TINA MUNA BARNES

SENATOR TELO TAITAGUE

Bill No. B200-30 (COR) – A.B. Palacios, Sr.

An act to adjust the compensation for the Attorney General of Guam to be comparable and equitable with other legal officer positions of the government of Guam by amending §30116(a) Chapter 30, Title 5 Guam Code Annotated; and to repeal §30116(b), Chapter 30, Title 5 Guam Code Annotated.

Copies of the Bills mentioned above may be found on the official Guam Legislature's website at www.guamlegislature.com. Hard copies can be obtained at the office of the Clerk of the Legislature. Please address written testimonies to Senator Matt Rector, Chairman, Committee on Labor, the Public Structure, Public Libraries and Technology or may be submitted to the Office of Senator Matt Rector at 153 Sesame Street, Suite B, Mangilao Guam 96923, via e-mail to matt@mattrector.com or facsimile to (671) 734-8085. For special accommodations, auxiliary aids or services, please contact and submit request to Justin Parvin or Rhad Sutacio at our office.

I look forward to your attendance during this hearing. Should you have any questions, suggestions or comments concerning the hearing, please feel free to share them with me.

Si Yu'os Ma'ase!

cc: All Senators
Sergeant At Arms
MIS
Clerk of the Legislature

Senseramente,

MATT RECTOR

From: therese@mattrector.com
To: life@guampdn.com; therese@mvquam.com; msilva@spbguam.com; ityquiengco@spbguam.com; kevin@spbguam.com; rgibson@spbguam.com; parrovo@spbguam.com; blognews@aficio.org; info@chinesetimesguam.com; georgebamba@hotmail.com; gerry@mvquam.com; hr100prod@hitradio100.com; michelle@kuam.com; csanagustin@kuam.com; kprg@guam.net; ksto@ite.net; kstonews@ite.net; miguel@kktkb.com; krisgaza@yahoo.com; hottips@kuam.com; newsdirector@kuam.com; jason@kuam.com; bettyann@kuam.com; amier@mvquam.com
Subject: NOTICE OF PUBLIC HEARING: Senator Matthew Rector Committee on Labor, the Public Structure, Public Libraries and Technology
Date: Tuesday, September 29, 2009 2:57:20 PM

FOR IMMEDIATE RELEASE
September 29, 2009
Notice of Public Hearing (First Notice)

Please be advised that the Committee on Labor, the Public Structure, Public Libraries and Technology will be conducting a Public Hearing on Tuesday, October 6, 2009 in the Legislative Public Hearing Room, beginning at 9:00 a.m.

On the AGENDA are the following:

Bill No. B236-30 (COR) – Matt Rector / T.R. Muna-Barnes / A.B. Palacios, Sr. / R.J. Respicio

An act to amend §6217 of 4 GCA for the purpose of ensuring that public employees that work at night receive night differential pay.

Bill No. B227-30 (COR) – A.B. Palacios, Sr.

An act to authorize hazardous pay to Parole Officers who perform the duty of supervising and counseling parolees by amending 4 GCA §6222 (a); and to authorize hazardous pay to employees of the Department of Corrections who perform duties, which if performed by other law enforcement or public safety officers would entitle such officers to hazardous pay, by adding a new Item (1) to §6222 (a).

Bill No. B221-30 (LS) – A.B. Palacios, Sr.

An act to amend 4 GCA §4109(a) relative to eliminating annual leave for judges and justices.

Bill No. B211-30 (LS) – A.B. Palacios, Sr. / J.V. Espaldon

An act relative to preserving the independence of the Office of Public Accountability by restoring the Public Auditor's authority to hire a Deputy Public Auditor and Secretary and the protection against the reduction of the salaries of the staff of the Office of Public Accountability by amending Subsection (b) Section 1907 of Title 1 of the Guam Code Annotated and adding a new Subsection (c) to Section 1907 of Title 1 of the Guam Code Annotated.

Bill No. B209-30 (LS) – J.P. Guthertz, DPA / R.J. Respicio

An Act to amend § 13102 (a) of Chapter 13 of Title 4, Guam Code Annotated, to expand its definition, and to add a new sub item (4) to item (a) of § 13102 to require all persons or public officials that have authority to enter into binding contracts on behalf of the government of Guam or any of its departments, agencies, autonomous entities and public corporations to comply with the Public Official Financial Disclosure Act of the government of Guam.

Bill No. B208-30 (LS) – A.B. Palacios, Sr. / F.B. Aguon, Jr. / Telo Taitague

An act relative to clarifying the restrictions established on the recruitment or compensation of government of Guam personnel above Step 10 of the Compensation Schedule; through amending Section 6205.2 of Chapter 6, Title 4, Guam Code Annotated.

Bill No. B200-30 (COR) – A.B. Palacios, Sr.

An act to adjust the compensation for the Attorney General of Guam to be comparable and equitable with other legal officer positions of the government of Guam by amending §30116(a), Chapter 30, Title 5 Guam Code Annotated; and to repeal §30116(b), Chapter 30, Title 5 Guam Code Annotated.

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Please contact 734-MATT (6288) for more information.



SENATOR MATT RECTOR

Chairman, Committee on labor, the public structure, public libraries and technology

I Mina' Trenta na Liheslaturan Guahan

Thirtieth Guam Legislature



September 29, 2009

To: All Senators/Members

From: Senator Matthew Rector, Chairperson,
Committee on Labor, the Public Structure, Public Libraries and Technology

Subject: **Notification of Public Hearing (First Notice)**

Re: Bill No's. B236 (COR), B227 (COR), B221 (LS), B211 (LS), B209 (LS), B208 (LS), B200 (COR)

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Bill No. B208-30 (LS) – A.B. Palacios, Sr. / F.B. Aguon, Jr. / Telo Taitague
An act relative to clarifying the restrictions established on the recruitment or compensation of government of Guam personnel above Step 10 of the Compensation Schedule; through amending Section 6205.2 of Chapter 6, Title 4, Guam Code Annotated.

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Committee Members

SENATOR ADOLPHO B. PALACIOS, SR.

VICE CHAIR

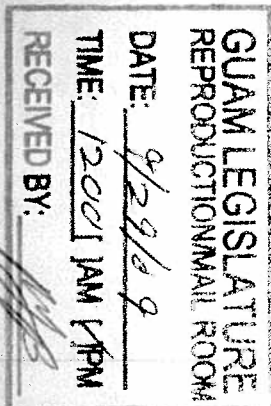
SENATOR VICENTE "ben" PANGELINAN

SENATOR FRANK BLAS AGUON, JR.

SENATOR JUDITH GUTHERTZ

SENATOR TINA MUNA BARNES

SENATOR TELO TAITAGUE



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I look forward to your attendance during this hearing. Should you have any questions, suggestions or comments concerning the hearing, please feel free to share them with me.

Si Yu'os Ma'ase!

cc: All Senators
Sergeant At Arms
MIS
Clerk of the Legislature

Senseramente,

MATT RECTOR

From: therese@mattrector.com
To: life@guampdn.com; therese@mvguam.com; msilva@spbguam.com; itvquiengco@spbguam.com; kevin@sphguam.com; rgibson@spbguam.com; parroyo@spbguam.com; blognews@afcio.org; info@chinesetimesguam.com; georgebamba@hotmail.com; gerry@mvguam.com; hr100prod@hitradio100.com; michelle@kuam.com; csanagustin@kuam.com; kprg@quam.net; ksto@ite.net; kstonews@ite.net; miguel@ktkb.com; krisgaza@yahoo.com; hottips@kuam.com; newsdirector@kuam.com; jason@kuam.com; bettvanni@kuam.com; amier@mvguam.com
Subject: NOTICE OF PUBLIC HEARING: Senator Matthew Rector Committee on Labor, the Public Structure, Public Libraries and Technology
Date: Friday, October 02, 2009 3:02:39 PM

FOR IMMEDIATE RELEASE
October 2, 2009
Notice of Public Hearing (Second Notice)

Please be advised that the Committee on Labor, the Public Structure, Public Libraries and Technology will be conducting a Public Hearing on Tuesday, October 6, 2009 in the Legislative Public Hearing Room, beginning at 9:00 a.m.

On the AGENDA are the following:

Bill No. B236-30 (COR) – Matt Rector / T.R. Muna-Barnes / A.B. Palacios, Sr. / R.J. Respicio

An act to amend §6217 of 4 GCA for the purpose of ensuring that public employees that work at night receive night differential pay.

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Taitague An act relative to clarifying the restrictions established on the recruitment or compensation of government of Guam personnel above Step 10 of the Compensation Schedule; through amending Section 6205.2 of Chapter 6, Title 4, Guam Code Annotated.

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Please contact 734-MATT (6288) for more information.

SENATOR MATT RECTOR

Chairman,

Committee on Labor, the Public Structure, Public Libraries and Technologies

Public Hearing

AGENDA

Tuesday October 6, 2009 – 9:00 a.m.
Legislative Public Hearing Room, Hagatna

On the Agenda

Bill No. B236-30 (COR) – Matt Rector / T.R. Muna-Barnes / A.B. Palacios, Sr. / R.J. Respicio An act to amend §6217 of 4 GCA for the purpose of ensuring that public employees that work at night receive night differential pay.

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Copies of the Bills mentioned above may be found on the official Guam Legislature website at www.guamlegislature.com. Individuals requiring special accommodations or services, please contact Justin Parvin or Rhad Sutacio at 734-6288.

The Committee will continue to receive testimonies for the next ten (10) days. Please fax testimonies to 734-8085, e-mail at matt@mattrector.com, or drop the testimonies to my office at 153 Sesame Street, Suite B, Mangilao or in my mailbox in the Reproduction room in the Legislature. You can also submit your testimony electronically to my website at www.mattrector.com

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) REGULAR SESSION

2009 AUG 11 PM 1:08 EPM

Bill No. B209-3065

Introduced by:

Judith P. Guthertz, DPA
R. J. Respicio



An Act to amend § 13102 (a) of Chapter 13 of Title 4, Guam Code Annotated, to expand its definition, and to add a new sub item (4) to item (a) of § 13102 to require all persons or public officials that have authority to enter into binding contracts on behalf of the government of Guam or any of its departments, agencies, autonomous entities and public corporations to comply with the Public Official *Financial Disclosure Act* of the government of Guam.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Item (a) of § 13102 of Chapter 13 of Title 4, Guam Code Annotated is hereby
3 amended to expand its definition.

4 "(a) The term *official* means any person elected to any public office on Guam and any
5 person appointed, with legislative concurrence *or* by the Guam Legislature, to any public
6 office, and all persons or public officials that have authority to enter into binding contracts
7 on behalf of the government of Guam or any of its departments, agencies, autonomous
8 entities and public corporations, to include, but *not* limited to:"

9 Section 2. A new sub item (4) is added to § 13102 of Chapter 13 of Title 4 of the
10 Guam Code Annotated to be listed under item (a).

11 "(4) and all persons or public officials that have consent authority to enter into
12 binding contracts on behalf of the government of Guam or any of its departments, agencies,
13 autonomous entities and public corporations."