



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

25 JUN 2009

2009 JUN 25 PM 4:59 AM

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

30-09-0747
Office of the Speaker
Judith T. Won Pat, Ed. D.
Date: 6/25/09
Time: 3:51
Received by: [Signature]

Dear Speaker Won Pat:

Please find attached Bill No. 81 (COR), "AN ACT TO AMEND SUBSECTION (f) OF §15102, AND TO ADD NEW SUBSECTIONS (g), (h) and (i) TO §15205, ALL OF CHAPTER 15 OF TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE DISCLOSURE OF CONFLICTS OF INTEREST," which I have signed into law on June 16, 2009 as Public Law No. 30-30.

The people of Guam hold public officials to a standard of integrity, trust and accountability. As such, government employees aim to provide a public service based solely on what is in the best interest of the people of Guam.

Guam law ensures the integrity of public servants and protects the people of Guam from government employees abusing their position of public trust. Currently, government employees including contract employees and board members are precluded from taking official action affecting a business or undertaking which the employee or employee's spouse or dependent children have a financial interest.

Bill No. 81 precludes all government employees with knowledge that the employee has a financial interest from deciding, discussing or influencing the decision of others on such matter. The legislation expands financial interest to include children (not just dependent), parents, siblings and in-laws and requires a reasonable investigation to ascertain whether these family members have an ownership interest in a business, a creditor interest in an insolvent business, an employment or prospective employment for which negotiations have begun, an ownership interest in person or real property, a loan or other debtor interest, or a directorship or officership in a business.

Unfortunately, the Bill does not define “reasonable investigation” by which to determine whether the employee should have known their children, parents, siblings and in-laws have a financial interest as described above. While some of this information may be attainable, the lack of parameters by which to judge the conduct of an employee may lead to subjective and unfair application of the law.

Furthermore, if a government employee, before dealing with any matter, is required to consult with and obtain responses from their children, parents, siblings and in-laws on whether each of them has any financial interest, ownership interest in a business, a creditor interest in an insolvent business, an employment or prospective employment for which negotiations have begun, an ownership interest in person or real property, a loan or other debtor interest, or a directorship or officership in a business, we will likely see further delays in the prompt execution of government work due to the realistic concern that no action should be taken by a government official until they are certain that all of their children, parents, siblings and in-laws do not have any financial interest, ownership interest in a business, a creditor interest in an insolvent business, an employment or prospective employment for which negotiations have begun, an ownership interest in person or real property, a loan or other debtor interest, or a directorship or officership in a business.

While I support measures to promote public integrity, I also support the hardworking and upstanding government employees that strive to provide public services to our people and would not subject them to unfair treatment. As such, I urge *I Liheslaturan Guåhan* to revisit the legislation and establish the parameters of reasonable investigation and provide guidance to our employees.

Sins eru yan Magåhet,

A handwritten signature in dark ink, appearing to read "MICHAEL W. CRUZ", with a long horizontal stroke extending to the left.

MICHAEL W. CRUZ, M.D.

I Maga'låhen Guåhan, para pa'go
Acting Governor of Guam

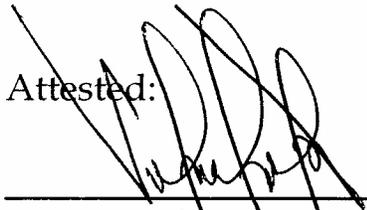
Attachment

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. 81 (COR), "AN ACT TO AMEND SUBSECTION (f) OF §15102, AND TO ADD NEW SUBSECTIONS (g), (h) and (i) TO §15205, ALL OF CHAPTER 15 OF TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE DISCLOSURE OF CONFLICTS OF INTEREST," was on the 29th day of May 2009, duly and regularly passed.

Attested:



Tina Rose Muña Barnes
Legislative Secretary



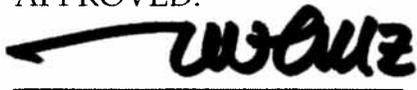
Judith T. Won Pat, Ed. D.
Speaker

This Act was received by *I Maga'lahren Guåhan* this 4 day of June, 2009, at
955 o'clock A.M.



Assistant Staff Officer
Maga'lalji's Office

APPROVED:



MIKE W. CRUZ, MD
GOVERNOR OF GUAM ACTING

Date: 15 JUN 2009

Public Law No. 30-30

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

Bill No. 81 (COR)

As amended on the Floor.

Introduced by:

Judith T. Won Pat, Ed. D.
T. R. Muña Barnes
T. C. Ada
F. B. Aguon, Jr.
F. F. Blas, Jr.
E. J.B. Calvo
B. J.F. Cruz
J. V. Espaldon
Judith P. Guthertz, DPA
v. c. pangelinan
Adolpho B. Palacios, Sr.
M. J. Rector
R. J. Respicio
Telo Taitague
Ray Tenorio

**AN ACT TO *AMEND* SUBSECTION (f) OF §15102, AND
TO *ADD* NEW SUBSECTIONS (g), (h) and (i) TO §15205,
ALL OF CHAPTER 15 OF TITLE 4 OF THE GUAM
CODE ANNOTATED, RELATIVE TO THE
DISCLOSURE OF CONFLICTS OF INTEREST.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that decisions made by officials and employees of the government of Guam should
4 be based *solely* on what is in the best interest of the public and that it must protect
5 the integrity of its government by prohibiting any government official and
6 employee from engaging in any business *or* transactions, from rendering services

1 or from having contractual, financial, or personal interests, direct or indirect,
2 which are in conflict with or which would create a justifiable impression in the
3 public of conflict or which would tend to impair independence or objectivity of
4 judgment or action in the performance of official duties.

5 *I Liheslatura* further finds that the government of Guam requires disclosure
6 of the assets and income of elected officials and certain employees so that the
7 public may review actual and potential conflicts of interest.

8 Therefore, it is the intent of *I Liheslatura* to require government officials and
9 employees to disclose financial or personal interest in any proposed matter or
10 decision pending before him.

11 **Section 2.** Subsection (f) of §15102 of Chapter 15 of Title 4 of the Guam
12 Code Annotated is hereby *amended* to read:

13 “(f) *financial interest* means an interest held by an individual, his or
14 her spouse, natural, adopted, or dependent children, parents, parents-in-law,
15 siblings, or siblings-in-law which is:

- 16 (1) an ownership interest in a business;
- 17 (2) a creditor interest in an insolvent business;
- 18 (3) an employment, or prospective employment for which
19 negotiations have begun;
- 20 (4) an ownership interest in personal or real property;
- 21 (5) a loan or other debtor interest; or
- 22 (6) a directorship or officership in a business.”

23 **Section 3.** New Subsections (g), (h) and (i) are hereby *added* to §15205 of
24 Chapter 15 of Title 4 of the Guam Code Annotated to read:

25 “(g) All employees, as defined in this Section, who know, or with
26 reasonable investigation should know, that the employee has a financial
27 interest in any decision pending before that employee or the agency of

1 which the employee is a member *shall not* vote for or against, discuss,
2 decide, in any way participate in considering the matter, *or* seek to influence
3 the votes *or* decisions of others on such matter.

4 *Prior* to any determination of the matter, the employee *shall* verbally
5 disclose at the meeting, *if* any, the nature of such interest, and *shall* have
6 such disclosure placed in the official records of the agency. Should an
7 employee be absent from that meeting *or* a portion of that meeting, the
8 employee is required to verbally disclose the nature of the conflict at the
9 next attended meeting and said disclosure *shall* be placed in the official
10 records of the agency. Further, the employee must complete a Disclosure of
11 Conflicts of Interest form with the Guam Election Commission within three
12 (3) working days upon the employee's recognition of said conflict.

13 (h) A legislator who casts a vote with respect to any bill on the
14 floor of the Guam Legislature in which the legislator has a financial interest
15 shall prepare a written statement that identifies the bill, the legislator's vote
16 and the nature of the legislator's financial interest. The legislator shall file
17 the statement with the Office of the Speaker and a copy immediately
18 provided to the Clerk of *I Liheslaturan Guåhan* prior to voting. The
19 statement shall be posted on *I Liheslaturan Guåhan's* website.

20 (i) The Guam Election Commission shall be the main repository
21 for the Disclosure of Conflicts of Interest forms and shall create such form to
22 be distributed to all departments, agencies, boards and commissions. Such
23 form shall include, but not be limited to, the name of the employee, the
24 entity represented, and a statement of disclosure describing the matter or
25 decision pending before the employee, and the nature and description of the
26 conflict.”

6

I MINA' TRENTA NA LIHESLATURAN GUAHAN

2009 (FIRST) Regular Session

Date: 5/29/09

VOTING SHEET

Bill No. 81 (COR)

Resolution No. _____

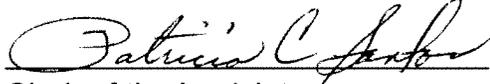
Question: _____

<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

10 45 ✓

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



May 22, 2009

2009 MAY 26 PM 12:45
MOR

Address
153 Sesame Street, Suite B
Mangilao, Guam 96923

Telephone:
(671)734-6288
Fax No.:
(671)734-8085

Email:
Matt@mattrector.com

Website:
www.MattRector.com

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. 81 (COR)**"An Act To Amend Subsection (f) of §15102, To Add Subsection (g) To §15102 All Of Chapter 15 Of Title 4 Of The Guam Code Annotated, Relative To The Disclosure Of Conflict Of Interests." 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>4</u>
NOT TO PASS	—
TO REPORT OUT	<u>1</u>
TO PLACE IN INACTIVE FILE	—

COR
RECEIVED
05 22 09
(SW)

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

Senseraamente,

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

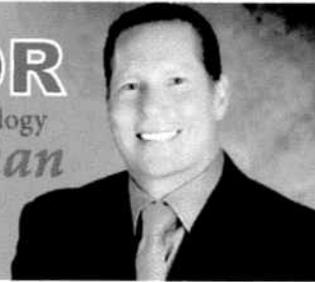


SENATOR MATT RECTOR

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

I Mina' Trenta na Liheslaturan Guahan

Thirtieth Guam Legislature



May 21, 2009

Address
153 Sesame Street, Suite B
Mangilao, Guam 96923

Telephone:
(671)734-6288
Fax No.:
(671)734-8085

Email:
Matt@mattrector.com

Website:
www.MattRector.com

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. 81 (COR)**"An Act To Amend Subsection (f) of §15102, To Add Subsection (g) To §15102 All Of Chapter 15 Of Title 4 Of The Guam Code Annotated, Relative To The Disclosure Of Conflict Of Interests."

Transmitted herewith for your information and action is the report for **Bill No. 81 (COR)** 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. 81 (COR) 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

I MINA TRENTA NA LIHESLATURAN GUAHAN

Committee Voting Sheet

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

Bill No. 81 (COR) "An Act To Amend Subsection (f) of §15102, To Add Subsection (g) To §15102 All Of Chapter 15 Of Title 4 Of The Guam Code Annotated, Relative To The Disclosure Of Conflict Of Interests."

Committee Members To Pass Not to pass Report out Abstain Inactive File

Senator Matt Rector

Chairperson

Senator Adolpho B. Palacios

Vice Chairperson

Senator Tina Rose Muña Barnes

Member

Senator Frank B. Aguon, Jr.

Member

Senator Judith P. Guthertz, DPA

member

Senator Vicente "Ben" Pangelinan

Member

Senator Telo Taitague

Member

✓

✓

✓

✓

5/21/09

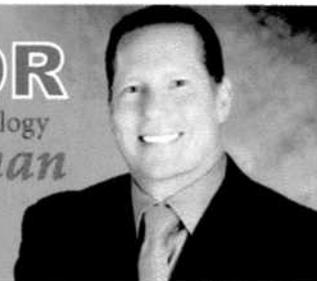


SENATOR MATT RECTOR

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

I Mina' Trenta na Liheslaturan Guahan

Thirtieth Guam Legislature



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www.MattRector.com

COMMITTEE REPORT ON:

Bill No. 81 (COR) – “An Act To Amend Subsection (f) of §15102, To Add Subsection (g) To §15102 All Of Chapter 15 Of Title 4 Of The Guam Code Annotated, Relative To The Disclosure Of Conflict Of Interests.”

I. Overview

The Committee on Labor, the Public Structure, Public Libraries and Technology convened for a public hearing on Monday, April 13th 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, April 7th, 2009 and Wednesday, April 8th, 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 TESTIMONY

Senator Rector reads the intro to Bill No. 81

Senator Rector: Senator Rector ask Senator Guthertz to speak on Bill No. 81

Senator Guthertz: Senator Guthertz questions why we need this bill when we already have it, financial discloser under the Guam election code we are required to file every year at April financial disclosures. Maybe the Committee can find out if this is a redundant Bill.

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. There being no comments or discussion, the chairman concluded the public hearing on **Bill No. 81 (COR)** as duly heard.

III. FINDINGS AND RECOMMENDATIONS

The Committee on Labor, the Public Structure, Public Libraries, and Technology to which **Bill No. 81 (COR)** - “An Act To Amend Subsection (f) of §15102, To Add Subsection (g) To §15102 All Of Chapter 15 Of Title 4 Of The Guam Code Annotated, Relative To The Disclosure Of Conflict Of Interests.”, Was referred, does hereby submit its recommendation to ***I Mina’ Trenta Na Liheslaturan Guåhan To Pass Bill No. 81, As Introduced.***

SENATOR MATT RECTOR
Public Hearing Sign in Sheet
Monday, April 13, 2009, 9:00 a.m.

Bill No. 81 (COR) An Act To Amend Subsection (f) of §15102, To Add Subsection (g) To §15102 All Of Chapter 15 Of Title 4 Of The Guam Code Annotated, Relative To The Disclosure Of Conflict Of Interests.

	Name/Company	E-Mail /Contact No.	Village/Address	Support	Oppose
1.					
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I MINA' TRE NTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

Bill No. 81 (COR)

Introduced by:

Judith Won Pat, Ed.D. 
T.R. Muna Barnes 

AN ACT TO AMEND SUBSECTION (f) OF §15102,
TO ADD SUBSECTION (g) TO §15205 ALL OF
CHAPTER 15 OF TITLE 4 OF THE GUAM CODE
ANNOTATED, RELATIVE TO THE DISCLOSURE
OF CONFLICTS OF INTERESTS.

2009 MAR 23 PM 4:10 PM

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent.

3 *I Liheslaturan Guåhan* finds that decisions made by officials and
4 employees of the government of Guam should be based solely on what is in
5 the best interest of the public and that it must protect the integrity of its
6 government by prohibiting any government official and employee from
7 engaging in any business or transactions, from rendering services or from
8 having contractual, financial, or personal interests, direct or indirect which are
9 in conflict with or which would create a justifiable impression in the public of
10 conflict or which would tend to impair independence or objectivity of
11 judgment or action in the performance of official duties.

12 *I Liheslatura* further finds that the government of Guam requires
13 disclosure of the assets and income of elected officials and certain employees
14 so that the public may review actual and potential conflicts of interest. It is

1 the intent of *I Liheslatura* to require government officials and employees to
2 disclose financial or personal interest in any proposed matter or decision
3 pending before him.

4 **Section 2.** Subsection (f) of §15102 of Chapter 15 of Title 4 of the Guam
5 Code Annotated is hereby *amended* to read:

6 (f) *financial interest* means an interest held by an individual, his or her
7 spouse, ~~or~~ natural, adopted, or dependent children, parents,
8 parents-in-law, siblings, or siblings-in-law which is:

9 (1) an ownership interest in a business;

10 (2) a creditor interest in an insolvent business;

11 (3) an employment, or prospective employment for which
12 negotiations have begun;

13 (4) an ownership interest in personal or real property;

14 (5) a loan or other debtor interest; or

15 (6) a directorship or officership in a business.

16 **Section 3.** Subsection (g) is hereby *added* to §15205 of Chapter 15 of
17 Title 4 of the Guam Code Annotated to read:

18 (g) All employees as defined in this section who knows or with
19 reasonable investigation should know that the employee has a financial
20 interest direct or indirect in any proposed legislation or in any decision
21 pending before that employee or the agency of which the employee is a
22 member shall not vote for or against, discuss, decide, in any way
23 participate in considering the matter or seek to influence the votes or
24 decisions of others on such matter.

1 Prior to any determination of the matter, the employee shall
2 verbally disclose at the meeting, if any, the nature of such interest, and
3 shall have such disclosure placed on the official records of the agency.
4 Should an employee be absent from that meeting or a portion of that
5 meeting, the employee is required to verbally disclose the nature of the
6 conflict at the next attended meeting and said disclosure shall be placed
7 on the official records of the agency. Further, the employee must
8 complete a Disclosure of Conflicts of Interest form with the Guam
9 Election Commission within three (3) working days upon the
10 employee's recognition of said conflict.

11 The Guam Election Commission shall be the main repository for
12 the Disclosure of Conflicts of Interest forms and shall create such form
13 to be distributed to all departments, agencies, boards and commissions.
14 Such form shall include, but not limited to, the name of the employee,
15 the entity represented, and a statement of disclosure describing the
16 matter or decision pending before the employee, and the nature and
17 description of the conflict.



COMMITTEE ON RULES

I Mina'Trenta na Liheslaturan 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
MEMBERS:**

**Judith T. Won Pat
SPEAKER**

**Benjamin J. F. Cruz
VICE SPEAKER**

**Tina Rose Muña Barnes
LEGISLATIVE SECRETARY**

**Thomas C. Ada
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**

March 24, 2009

Memorandum

To: Clerk of the Legislature
I Mina'Trenta Na Liheslaturan Guåhan

Attorney Therese M. Terlaje, Legislative Legal Counsel
I Mina'Trenta Na Liheslaturan Guåhan

From: Senator Judith P. Guthertz 
Acting Chairperson, Committee on Rules
I Mina'Trenta Na Liheslaturan Guåhan

Subject: Referral of Bills No. 81(COR) and 82 (COR)

As Chairperson of the Committee on Rules, I am forwarding my referral of Bills No. 81(COR) and 82 (COR)

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

Should you have any questions, please contact Elaine Tajalle or Stephanie Mendiola from my office.

Si Yu'os Ma'åse.

Attachment

2009 MAR 24 AM 10:18

Bill/Resolution Introduction/Referral

Bill	Sponsor	Description	Date Introduced	Date Referred	Committee Referred
81(COR)	Judith T. Won Pat, Ed.D, T. R. Muña Barnes	AN ACT TO AMEND SUBSECTION (F) OF §15102, TO ADD SUBSECTION (G) TO §15205 ALL OF CHAPTER 15 OF TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE DISCLOSURE OF CONFLICTS OF INTERESTS.	3/23/09	3/24/09	Committee on Labor, the Public Structure, Public Libraries and Technology
82(COR)	Judith T. Won Pat, Ed.D, T. R. Muña Barnes	AN ACT TO AMEND §2109 AND §2110 OF TITLE 2, AND §40103.1 AND §40107 OF TITLE 4, ALL OF THE GUAM CODE ANNOTATED, RELATIVE TO THE MAYORS' OFFICES OF GUAM.	3/23/09	3/24/09	Committee on Municipal Affairs, Aviation, Housing, and Recreation

SENATOR MATT RECTOR

Chairman,

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

Public Hearing

AGENDA

Monday, April 13, 2009 – 9:00 a.m.

Legislative Public Hearing Room, Hagatna

Bill No. 92 (COR) An Act To Restore Certain Jurisdictions And Clarify Certain Functions Of The Civil Service Commission By Repealing And Reenacting Title 4 GCA §§ 4403, 4408, 4409, And 5105; Subitems (b) And (c) Of Title 4 GCA § 4405; And New §§ 4410 And 4411. **Authored by: J. P.**

Guthertz, A.B. Palacios, Jr., R. J. Respicio

Bill No. 91 (COR) An Act To Restore The Authorized Powers And Personnel Of The Civil Service Commission And Judicial Council, By Repealing Subsection 2(C) Of Chapter 11, Public Law 28-68 And Sections 31 Through 48, Inclusive, Of Chapter IV Of Public Law 28-68 The General Appropriations Act Of Fiscal Year 2006 And Amending 7 GCA §5102 Section (F) And Adding A New Section (i) To 4 GCA 4403 Duties Of The Commission. **Authored by: Matt Rector**

NOTE: A Public Hearing for Bill Nos. 91 & 92 will continue on Wednesday, April 15, 2009 at 5:30 PM in the Legislature's Public Hearing Room. Formal notice has been sent out.

Bill No. 81 (COR) An Act To Amend Subsection (f) of §15102, To Add Subsection (g) To §15102 All Of Chapter 15 Of Title 4 Of The Guam Code Annotated, Relative To The Disclosure Of Conflict Of Interests. **Authored by: J. T. Won Pat, T. R. Barnes**

Bill No. 65 (LS) An Act To Amend §1900, Chapter 19, Title 1 Guam Code Annotated To Rename The Office Of The Public Auditor To The Office Of Public Accountability. **Authored by: A. B. Palacios, Sr.**

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 Fred Burgos 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.3



SENATOR MATT RECTOR

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

I Mina' Trenta na Liheslaturan Guahan

Thirtieth Guam Legislature



April 7, 2009

MEMORANDUM

To: All Members/Senators
Committee on Labor, the Public Structure, Public Libraries and Technology

From: Senator Matt Rector
Chairman

Subject: **Notice of Public Hearing – Monday, April 13, 2009 – 9:00 a.m.**

Please be advised that the Committee on Labor, the Public Structure, Public Libraries and Technology will be conducting a public hearing on Monday, April 13, 2009 beginning at 9:00 a.m. in the Legislature's Public Hearing Room. On the Agenda are the following:

Bill No. 92 (COR) An Act To Restore Certain Jurisdictions And Clarify Certain Functions Of The Civil Service Commission By Repealing And Reenacting Title 4 GCA §§ 4403, 4408, 4409, And 5105; Subitems (b) And (c) Of Title 4 GCA § 4405; And New §§ 4410 And 4411.

Bill No. 91 (COR) An Act To Restore The Authorized Powers And Personnel Of The Civil Service Commission And Judicial Council, By Repealing Subsection 2(C) Of Chapter 11, Public Law 28-68 And Sections 31 Through 48, Inclusive, Of Chapter IV Of Public Law 28-68 The General Appropriations Act Of Fiscal Year 2006 And Amending 7 GCA §5102 Section (F) And Adding A New Section (i) To 4 GCA 4403 Duties Of The Commission.

Bill No. 81 (COR) An Act To Amend Subsection (f) of §15102, To Add Subsection (g) To §15102 All Of Chapter 15 Of Title 4 Of The Guam Code Annotated, Relative To The Disclosure Of Conflict Of Interests.

Bill No. 65 (LS) An Act To Amend §1900, Chapter 19, Title 1 Guam Code Annotated To Rename The Office Of The Public Auditor To The Office Of Public Accountability.

Bill No. 61 (COR) An Act To Add A New Article 5 To Chapter 6 Of 17GCA Relative To Recommendations On Medicating Students.

Copies of the Bills mentioned above may be found on the official Guam Legislature website at www.guamlegislature.com.

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!*

Senseramente

cc: Clerk of Legislature
 Executive Director
 Protocol
 Audio/Video
 All Media

4.7.09
 10:12 /

MATT RECTOR

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Justin

From: therese@mattrector.com
Sent: Tuesday, April 07, 2009 10:43 AM
To: life@guampdn.com; msilva@spbgum.com; jtyquiengco@spbgum.com; kevin@spbgum.com; rgibson@spbgum.com; parroyo@spbgum.com; blognews@afcio.org; info@chinesetimesguam.com; fnhp-general@aftlists.aft.org; georgebamba@hotmail.com; gerry@mvguam.com; hr100prod@hitradio100.com; anitra@kuam.com; csanagustin@kuam.com; kprg@guam.net; ksto@ite.net; kstone@ite.net; miguel@kktb.com; krisgaza@yahoo.com; hottips@kuam.com; newswire@kuam.com; tony@kuam.com; jason@kuam.com; annie@kuam.com; bettyann@kuam.com; amier@mvguam.com
Subject: PUBLIC HEARING NOTICE Committee on Labor, the Public Structure, Public Libraries and Technology
Attachments: _AVG certification_.txt

Notice of Public Hearing - Monday, April 13, 2009 - 9:00 a.m.

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Bill No. 65 (LS) An Act To Amend §1900, Chapter 19, Title 1 Guam Code Annotated To Rename The Office Of The Public Auditor To The Office Of Public Accountability.

Bill No. 61 (COR) An Act To Add A New Article 5 To Chapter 6 Of 17GCA Relative To Recommendations On Medicating Students.

Copies of the Bills mentioned above may be found on the official Guam Legislature website at www.guamlegislature.com.

The committee requests that, if written testimony is to be presented at the hearing, copies be submitted one day prior to the public hearing date to the Office of Senator Matt Rector via fax to 734-8085 or email to www.Matt@MattRector.com.

Individuals requiring special accommodations of services, please contact Justin P. or Fred B. at 734-6288.



SENATOR MATT RECTOR

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

I Mina' Trenta na Liheslaturan Guahan
Thirtieth Guam Legislature



April 8, 2009

MEMORANDUM

To: All Members/Senators
Committee on Labor, the Public Structure, Public Libraries and Technology

From: Senator Matt Rector
Chairman

Subject: **Second Notice of Public Hearing – Monday, April 13, 2009 – 9:00 a.m.**

Please be advised that the Committee on Labor, the Public Structure, Public Libraries and Technology will be conducting a public hearing on Monday, April 13, 2009 beginning at 9:00 a.m. in the Legislature's Public Hearing Room. On the Agenda are the following:

Bill No. 92 (COR) An Act To Restore Certain Jurisdictions And Clarify Certain Functions Of The Civil Service Commission By Repealing And Reenacting Title 4 GCA §§ 4403, 4408, 4409, And 5105; Subitems (b) And (c) Of Title 4 GCA § 4405; And New §§ 4410 And 4411.

Bill No. 91 (COR) An Act To Restore The Authorized Powers And Personnel Of The Civil Service Commission And Judicial Council, By Repealing Subsection 2(C) Of Chapter 11, Public Law 28-68 And Sections 31 Through 48, Inclusive, Of Chapter IV Of Public Law 28-68 The General Appropriations Act Of Fiscal Year 2006 And Amending 7 GCA §5102 Section (F) And Adding A New Section (i) To 4 GCA 4403 Duties Of The Commission.

***** NOTE: A Public Hearing for Bill Nos. 91 & 92 will continue on Wednesday, April 15, 2009 at 5:30 PM in the Legislature's Public Hearing Room. Formal notice will be forthcoming. *****

Bill No. 81 (COR) An Act To Amend Subsection (f) of §15102, To Add Subsection (g) To §15102 All Of Chapter 15 Of Title 4 Of The Guam Code Annotated, Relative To The Disclosure Of Conflict Of Interests.

Bill No. 65 (LS) An Act To Amend §1900, Chapter 19, Title 1 Guam Code Annotated To Rename The Office Of The Public Auditor To The Office Of Public Accountability.

~~**Bill No. 61 (COR)** An Act To Add A New Article 5 To Chapter 6 Of 17GCA Relative To Recommendations On Medicating Students.~~

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 Fred Burgos at 734-6288.

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: Clerk of Legislature
Executive Director
Protocol
Audio/Video
All Media

GUAM LEGISLATURE
REPRODUCTION/MAIL ROOM *Senseramente*

DATE: 4-8-09

TIME: 4:19 | AM | PM

RECEIVED BY: [Signature] **MATT RECTOR**

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Justin

From: therese@mattrector.com
Sent: Wednesday, April 08, 2009 6:02 PM
To: life@guampdn.com; msilva@spbgum.com; jtyquiengco@spbgum.com; kevin@spbgum.com; rgibson@spbgum.com; parroyo@spbgum.com; blognews@afcio.org; info@chinesetimesguam.com; fnhp-general@afllists.aft.org; georgebamba@hotmail.com; gerry@mvguam.com; hr100prod@hitradio100.com; anitra@kuam.com; csanagustin@kuam.com; kprg@guam.net; ksto@ite.net; kstone@ite.net; miguel@ktkb.com; krisgaza@yahoo.com; hottips@kuam.com; newsdirector@kuam.com; tony@kuam.com; jason@kuam.com; annie@kuam.com; bettyann@kuam.com; amier@mvguam.com
Subject: 2nd Notice of PUBLIC HEARING Committee on Labor, the Public Structure, Public Libraries and Technology
Attachments: _AVG certification_.txt

April 8, 2009
For Immediate Release

Subject: SECOND NOTICE of Public Hearing - Monday, April 13, 2009 - 9:00 a.m.

Please be advised that the Committee on Labor, the Public Structure, Public Libraries and Technology will be conducting a public hearing on Monday, April 13, 2009 beginning at 9:00 a.m. in the Legislature's Public Hearing Room.

On the Agenda are the following:

Bill No. 92 (COR) An Act To Restore Certain Jurisdictions And Clarify Certain Functions Of The Civil Service Commission By Repealing And Reenacting Title 4 GCA §§ 4403, 4408, 4409, And 5105; Subitems (b) And (c) Of Title 4 GCA § 4405; And New §§ 4410 And 4411.

Bill No. 91 (COR) An Act To Restore The Authorized Powers And Personnel Of The Civil Service Commission And Judicial Council, By Repealing Subsection 2(C) Of Chapter 11, Public Law 28-68 And Sections 31 Through 48, Inclusive, Of Chapter IV Of Public Law 28-68 The General Appropriations Act Of Fiscal Year 2006 And Amending 7 GCA §5102 Section (F) And Adding A New Section (i) To 4 GCA 4403 Duties Of The Commission.

*** NOTE: A Public Hearing for Bill Nos. 91 & 92 will continue on Wednesday, April 15, 2009 at 5:30 PM in the Legislature's Public Hearing Room. Formal notice will be forthcoming. ***

Bill No. 81 (COR) An Act To Amend Subsection (f) of §15102, To Add Subsection (g) To §15102 All Of Chapter 15 Of Title 4 Of The Guam Code Annotated, Relative To The Disclosure Of Conflict Of Interests.

Bill No. 65 (LS) An Act To Amend §1900, Chapter 19, Title 1 Guam Code Annotated To Rename The Office Of The Public Auditor To The Office Of Public Accountability.

Bill No. 61 (COR) An Act To Add A New Article 5 To Chapter 6 Of 17GCA Relative To Recommendations On Medicating Students. CORRECTION: BILL 61 WILL NOT BE HEARD.

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 Fred Burgos at 734-6288.

The committee requests that, if written testimony is to be presented at the hearing, copies be submitted one day prior to the public hearing date to the Office of Senator Matt Rector via fax to 734-8085 or email to Matt@MattRector.com.

Individuals requiring special accommodations of services, please contact Justin P. or Fred B. at 734-6288.

8:30 a.m. on Easter Sunday at the Plaza de España.

▲ **Hilton Tree Bar**

From 12:45 p.m. to 1:15 p.m. and 2 p.m. to 2:30 p.m.

▲ **UnderWater World**

The underwater Easter Egg Hunt will be from 10 a.m. to 8 p.m. The Dive Bunny show will be in the main aquarium tank from 1 p.m. to 2 p.m. followed by the daily shark feeding at 2 p.m. The Egg Hunt and Dive Bunny show is complementary with general admission price and free for local membership card holders. For more information, e-mail TammyJo@aquariumteam.com or call 649-9191.

GOVERNMENT MEETINGS

The Guam Board of Allied Health Examiners meeting that was rescheduled for today has been canceled. For more information, call 735-7406/11.

April 13

Committee on Labor, Public Structure, Public Libraries and Technology: Public hearing 9 a.m., Legislature's public hearing room, Hagåtña. Bill 92, to restore certain jurisdictions and clarify certain functions of the Civil Service Commission; Bill 91, to restore authorized powers and personnel of CSC and Judicial Council; Bill 81, relative to disclosure of conflict of interests; Bill 65, renaming Office of the Public Auditor to Office of Public Accountability; Bill 61, relative to recommendations on medicating students. Copies of bills may found at www.guamlegislature.com. Submit written testimony to office of Sen. Matt Rector by fax 734-8085 or e-mail: www.Matt@MattRector.com. For special accommodations, call Justin or Fred, 734-6288.

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

Bill No. 81 (COR.)

Introduced by:

Judith Won Pat, Ed.D. 
T.R. Muna Barnes 

AN ACT TO AMEND SUBSECTION (f) OF §15102,
TO ADD SUBSECTION (g) TO §15205 ALL OF
CHAPTER 15 OF TITLE 4 OF THE GUAM CODE
ANNOTATED, RELATIVE TO THE DISCLOSURE
OF CONFLICTS OF INTERESTS.

2009 MAR 23 PM 4: 10 

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

2 **Section 1. Legislative Findings and Intent.**

3 *I Liheslaturan Guåhan* finds that decisions made by officials and
4 employees of the government of Guam should be based solely on what is in
5 the best interest of the public and that it must protect the integrity of its
6 government by prohibiting any government official and employee from
7 engaging in any business or transactions, from rendering services or from
8 having contractual, financial, or personal interests, direct or indirect which are
9 in conflict with or which would create a justifiable impression in the public of
10 conflict or which would tend to impair independence or objectivity of
11 judgment or action in the performance of official duties.

12 *I Liheslatura* further finds that the government of Guam requires
13 disclosure of the assets and income of elected officials and certain employees
14 so that the public may review actual and potential conflicts of interest. It is

1 the intent of *I Liheslatura* to require government officials and employees to
2 disclose financial or personal interest in any proposed matter or decision
3 pending before him.

4 **Section 2.** Subsection (f) of §15102 of Chapter 15 of Title 4 of the Guam
5 Code Annotated is hereby *amended* to read:

6 (f) *financial interest* means an interest held by an individual, his or her
7 spouse, ~~or~~ natural, adopted, or dependent children, parents,
8 parents-in-law, siblings, or siblings-in-law which is:

- 9 (1) an ownership interest in a business;
- 10 (2) a creditor interest in an insolvent business;
- 11 (3) an employment, or prospective employment for which
12 negotiations have begun;
- 13 (4) an ownership interest in personal or real property;
- 14 (5) a loan or other debtor interest; or
- 15 (6) a directorship or officership in a business.

16 **Section 3.** Subsection (g) is hereby *added* to §15205 of Chapter 15 of
17 Title 4 of the Guam Code Annotated to read:

18 (g) All employees as defined in this section who knows or with
19 reasonable investigation should know that the employee has a financial
20 interest direct or indirect in any proposed legislation or in any decision
21 pending before that employee or the agency of which the employee is a
22 member shall not vote for or against, discuss, decide, in any way
23 participate in considering the matter or seek to influence the votes or
24 decisions of others on such matter.

1 Prior to any determination of the matter, the employee shall
2 verbally disclose at the meeting, if any, the nature of such interest, and
3 shall have such disclosure placed on the official records of the agency.
4 Should an employee be absent from that meeting or a portion of that
5 meeting, the employee is required to verbally disclose the nature of the
6 conflict at the next attended meeting and said disclosure shall be placed
7 on the official records of the agency. Further, the employee must
8 complete a Disclosure of Conflicts of Interest form with the Guam
9 Election Commission within three (3) working days upon the
10 employee's recognition of said conflict.

11 The Guam Election Commission shall be the main repository for
12 the Disclosure of Conflicts of Interest forms and shall create such form
13 to be distributed to all departments, agencies, boards and commissions.
14 Such form shall include, but not limited to, the name of the employee,
15 the entity represented, and a statement of disclosure describing the
16 matter or decision pending before the employee, and the nature and
17 description of the conflict.