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Office of the Governor of Guam

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Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

2009 JUL 17 AM 9:33 AM

16 JUL 2009

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. 82(COR) "AN ACT TO AMEND §§2109 AND 2110 OF TITLE 4, AND §§40103.1 AND 40107 OF TITLE 5, ALL OF THE GUAM CODE ANNOTATED, RELATIVE TO THE MAYORS' OFFICES OF GUAM" which I signed into law on July 14, 2009 as Public Law 30-47.

Sins eru yan Magåhet,

[Handwritten signature of Michael W. Cruz]

MICHAEL W. CRUZ, M.D.
I Maga'låhen Guåhan, para pa'go
Acting Governor of Guam

Attachment: copy of Bill

30-09-0867
Office of the Speaker,
Judith T. Won Pat, Ed. D.
Date: 7/16/09
Time: 3:15
Received by: [Signature]

0878

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

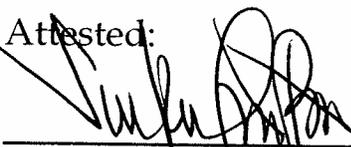
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Bill No. 82 (COR)**, "AN ACT TO *AMEND* §§2109 AND 2110 OF TITLE 4, AND §§40103.1 AND 40107 OF TITLE 5, ALL OF THE GUAM CODE ANNOTATED, RELATIVE TO THE MAYORS' OFFICES OF GUAM," was on the 2nd day of July 2009, duly and regularly passed.



Judith T. Won Pat, Ed. D.
Speaker

Attested:



Tina Rose Muña Barnes
Senator and Legislative Secretary

This Act was received by *I Maga'lahren Guåhan* this 2 day of July, 2009, at
4:30 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



MIKE W. CRUZ, MD
GOVERNOR OF GUAM ACTING

Date:

07.14.09

Public Law No. 30-47

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

Bill No. 82 (COR)

As amended.

Introduced by:

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

**AN ACT TO *AMEND* §§2109 AND 2110 OF TITLE 4, AND
§§40103.1 AND 40107 OF TITLE 5, ALL OF THE GUAM
CODE ANNOTATED, RELATIVE TO THE MAYORS'
OFFICES OF GUAM.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. §2109 of Chapter 2 of Title 4 of the Guam Code Annotated is hereby *amended* to read:

“§2109. Prohibition Against Hiring New, Unclassified Employees Following the Defeat of an Incumbent in an Election. *No* new, unclassified employees may be hired in the Executive Branch of government following the defeat of a sitting *Maga'lahaen Guåhan* in a primary election *or* general election until after such date that such

1 *Maga'lahaen Guåhan* leaves office. No new, unclassified employees may be
2 hired in any Legislative Office of a sitting Senator following the defeat of
3 such Senator in a primary *or* general election. No new, unclassified
4 employees may be hired in any Mayoral Office of a sitting Mayor following
5 the defeat of such Mayor in a primary *or* general election. No new contract
6 workers *or* unclassified employees may be hired in the Department of Law
7 following the defeat of a sitting Attorney General in a primary *or* general
8 election until said Attorney General leaves office. No new unclassified
9 employees may be hired in the Office of the Public Auditor following the
10 defeat of said Public Auditor in a primary *or* general election until said
11 Public Auditor leaves office. Following the defeat of a sitting Attorney
12 General in a primary *or* general election, *no* contract workers *or* unclassified
13 employees employed in the Office of the Attorney General may receive a
14 pay increase until said Attorney General leaves office. Following the defeat
15 of a sitting Public Auditor in a primary *or* general election, *no* contract
16 workers *or* unclassified employees employed in the Office of the Public
17 Auditor may receive a pay increase until said Public Auditor leaves office.”

18 **Section 2.** §2110 of Chapter 2 of Title 4 of the Guam Code Annotated, is
19 hereby *amended* to read:

20 “**§2110. Prohibition Against Hiring Unclassified Employees**
21 **Employed by Incumbents Not Seeking Re-election.** No new unclassified
22 employees may be hired in the Executive Branch of government after
23 October 1st of the last year of office of a sitting *Maga'lahaen Guåhan* who is
24 not seeking re-election until after such date that such *Maga'lahaen Guåhan*
25 leaves office. No new, unclassified employees may be hired in any
26 Legislative Office of a sitting Senator, opting *not* to seek re-election, after
27 October 1st of the last year in office of such Senator. No new, unclassified

1 employees may be hired in any Mayoral Office of a sitting Mayor opting *not*
2 to seek re-election, after October 1st of the last year in office of such Mayor.
3 *No* new contract workers *or* unclassified employees may be employed in the
4 Department of Law *or* the Office of the Public Auditor when the Attorney
5 General *or* Public Auditor, respectively, opts *not* to seek re-election, until
6 that Attorney General *or* Public Auditor leaves office.”

7 **Section 3.** §40103.1 of Chapter 40 of Title 5 of the Guam Code
8 Annotated, is hereby *amended* to read:

9 “**§40103.1. Transition for Mayor and Vice Mayor.** After the
10 Certification of Election of newly elected Mayors, and Vice Mayors, as
11 applicable, there *shall* exist a transition period ending on the day of the oath
12 of office of the newly elected Mayors and Vice Mayors. During this
13 transition period, the incumbent Mayor, and incumbent Vice Mayor as
14 applicable, *shall* provide assistance to the Mayor-elect and Vice Mayor-elect
15 to acquaint the latter with the operations and functions of the Offices,
16 including, but *not limited to*, pending invoices and purchase orders, office
17 budget, financial reports, appropriations, expenditure reports, staffing
18 pattern, financial obligations, and the inventory of equipment, furniture, and
19 vehicles belonging to the Municipality of such Mayor. Such transition
20 period *shall* be coordinated by the Executive Director of the Mayors’
21 Council of Guam who *shall* also be responsible for the transitions of each
22 Mayoral Office. Should an incumbent Mayor and an incumbent Vice Mayor
23 *not* be successful in an election, all property, equipment, and documents
24 belonging to the Office *shall not* be removed by the exiting Mayor *or* Vice
25 Mayor.”

26 **Section 4.** Subsection (a) of §40107 of Chapter 40 of Title 5 of the Guam
27 Code Annotated, is hereby *amended* to read:

1 “§40107. **Council Staffing.** (a) Subject to budgetary limitations,
2 the Council may hire personnel necessary to carry out the purposes of this
3 Chapter. The staff *shall* include an Executive Director, who *shall* be the
4 Executive Secretary of the Council, who *shall* be responsible for the day-to-
5 day operations of the staff and *shall* also be the Certifying Officer for the
6 Council and the nineteen (19) municipal funds. The Executive Director
7 *shall* be responsible for the transitions of each Mayoral Office subject to
8 §40103.1 of this Chapter. The Executive Director *shall*, during such
9 transition, provide to all Mayors and Vice Mayors a compilation of laws
10 applicable to such office detailing the duties, responsibilities, sources of
11 funding, limitations, and powers of the Office of the Mayor. The staff of the
12 Council *shall* be paid such compensation as *shall* be determined by the Civil
13 Service Commission within ninety (90) days of the enactment of this
14 Section; provided, however, that such compensation *shall* be comparable to
15 equivalent position classifications within the government of Guam.”

6

I MINA' TRENTA NA LIHESLATURAN GUÅHAN

2009 (FIRST) Regular Session

Date: July 2, 2009

VOTING SHEET

Bill No. 82(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.					EA
BLAS, Frank F., Jr.	✓				
CALVO, Edward J.B.					EA
CRUZ, Benjamin J. F.	✓				
ESPALDON, James V.					EA
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

12 0 _____ _____ 3

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



I Mina'Trenta Na Liheslaturan Guahan
Office of The Legislative Secretary
Tina Rose Muna Barnes

Chairperson, Committee on Municipal Affairs, Aviation, Housing and Recreation
155 Hesler Place Hagåtña, Guam 96910 | Tel: 671-472-3455/6 Fax: 671-472-3400

May 26, 2009

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

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

2009 JUN 26 PM 4:59 PM

RE: Bill No. 82 (COR) 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.

Dear Speaker Won Pat:

The Committee on Aviation, to which was referred Bill No. 82 (COR), hereby reports out with the recommendations.

Committee votes are as follows:

- 7 TO PASS
- 0 NOT TO PASS
- 0 TO REPORT OUT ONLY
- 0 TO ABSTAIN

Sinseru yan Magahet

Tina Rose Muña Barnes
Chairperson
Senator

COR
RECEIVED
JUN 25 09
SR



I Mina'Trenta Na Liheslaturan Guahan

Office of The Legislative Secretary

Tina Rose Muna Barnes

Chairperson, Committee on Municipal Affairs, Aviation, Housing and Recreation

155 Hester Place Hagatna, Guam 96910 [Tel: 671-472-3455/6 Fax: 671-472-3400]

COMMITTEE REPORT ON

**BILL NO. 82 (COR) - JUDITH T. WON PAT, ED.D.
TINA ROSE MUNA 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.”



I Mina'Trenta Na Liheslaturan Guahan

Office of The Legislative Secretary

Tina Rose Muna Barnes

Chairperson, Committee on Municipal Affairs, Aviation, Housing and Recreation

155 Hrsler Place Hagatna, Guam 96910 [Tel: 671-472-3455/6 Fax: 671-472-3400]

MAY 26, 2009

MEMORANDUM

TO: COMMITTEE MEMBERS

FROM: TINA ROSE MUNA BARNES
CHAIRPERSON 

SUBJECT: COMMITTEE REPORT-BILL NO. 82(COR) JUDITH T. WON PA, ED.D.
TINA ROSE MUNA BARNES

Transmitted herewith for your information and action is this Committee's report on

Bill No. 82 (COR) "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."

Attached are the following:

- Committee Voting Sheet
- Committee Report Narrative
- Confirmation Hearing Sign-in Sheet
- Referral of Bill
- Correspondence and Notices of Public Hearing

You are respectfully requested to indicate your recommendation as to Committee and further legislative action on the appointment on the Committee Voting Sheet.

If you have any questions or concerns, please do not hesitate to contact me.



I Mina'Trenta Na Liheslaturan Guahan

Office of The Legislative Secretary

Tina Rose Muna Barnes

Chairperson, Committee on Municipal Affairs, Aviation, Housing and Recreation

155 Hester Place Hagatna, Guam 96910 [Tel: 671-472-3455/6 Fax: 671-472-3400]

COMMITTEE VOTING SHEET

[COMMITTEE ON MUNICIPAL AFFAIRS]

PUBLIC HEARING ON BILL NO. 82(COR) *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.*

Senators	Signature	To Pass	Not To Pass	To Report Out Of Committee	Abstain	Place In Inactive File
Tina Rose Muna Barnes Chairperson		✓				
Benjamin J. F. Cruz Vice Chairperson		✓				
Judith T. Won Pat, Ed. D.		✓				
vicente c. pangelinan						
Judith P. Guthertz		✓				
Thomas C. Ada		✓				
Rory J. Respicio						
Frank B. Agoun, Jr.						
Edward J. B. Calvo						
Frank F. Blas, Jr.						
Ray Tenorio						
Matt Rector						
Telo Taitague		✓				

Bill 82 (COR): Relative to the Mayors' Offices of Guam

PUBLIC HEARING:

I. OVERVIEW

The Committee on Municipal Affairs, Aviation, Housing, and Recreation convened for a public hearing on Thursday April 9, 2009. Proceedings began shortly after 1:00 p.m. to receive testimony on the nomination of Cecile Bamba Suda to the GHURA Board and Bill 82 (COR). Notice of the hearing was disseminated to all local media outlets via electronic media and published in the Pacific Daily News.

Senators Present:

Senator Tina Muna Barnes, Chairwoman
Speaker Judith T. Won Pat
Senator Matt Rector

Testimony submitted by:

Carol S. Tayama	Mayor of Agat & President, Mayors' Council of Guam (Written/Oral)
Franklin S. Taitague	Mayor of Inarajan (Written/Oral)
Angel R. Sablan	Executive Director, Mayors' Council of Guam (Written/Oral)
Ernest T. Chargualaf	Mayor of Merizo (Oral)
Melissa Savares	Mayor of Dededo (Oral)

II. SUMMARY OF TESTIMONIES:

Bill 82 (COR): Relative to the Mayors' Offices of Guam

Prior to opening the hearing to testimony, Chairwoman Muna Barnes asked Speaker Won Pat to give a briefing on the Bill.

Speaker Won Pat stated that Bill 82 was a result of her visits with mayors throughout the island. Through her discussions with the mayors the topic of Bill 82 was brought up often. Legislation that was passed was for the Executive branch and the Legislative branch. The amendments are an effort to make sure the incoming mayors are not left with only a third or less of their budget. There have been incidents in the past where all the equipment and money had been expended leaving a mayor with nothing to work with. Although it is getting better, the orientation being done is not to the fullest extent that the new mayors think is adequate. This Bill is in response to some of the concerns the mayors brought to Speaker Won Pat's attention.

Mayor Carol S. Tayama is the President of the Mayors' Council of Guam. She testified in favor of the measure. *Refer to written testimony.*

Mayor Melissa Savares testified in favor of Bill 82. She noted that in past election years, when the budget is prepared, they release the budget in a quarterly manner. She recommended that the measure of releasing budget in a quarterly manner should be included in a clause in a new fiscal year at such time that an election process is going on. Several villages did not have to have transition because the mayors continued to serve. She sympathizes with colleagues that make the transition into office at the beginning of the fiscal year because sometimes the entire budget is spent. She emphasized that the mayors work as a team in supporting each other.

Mayor Franklin M. Taitague suggested amendments to Bill 82 and testified neither for nor against the measure. *Refer to written testimony.*

Mayor Ernest T. Chargualaf noted that as an incoming mayor, he advocated the safeguards in place for incoming mayors that prevent the outgoing mayors from using all the funds. He mentioned how he receives bills from previous terms and has to pay in order to maintain business with the vendors. Past billings needed to be addressed in order for work to be completed. He supports the quarterly release of payments by Mayor Savares as an appropriate safe guard.

Angel R. Sablan supports the intent of Bill 82. He also proposed questions that may need to be addressed concerning the measure. *Refer to written testimony.*

Speaker Won Pat stated that the suggestions and amendments offered were well heard. The issues that the mayors talked about are all very important. The transition in the operations of the mayors is critical. The intent was to try to always protect the incoming mayors so they have the resources and tools to carry out their duties to their communities. She mentioned the importance of working with the mayors on the language of the bill. This is a growing process that the Executive and Legislative branch went through as well. She states she will continue working with the mayors and will be incorporating their suggestions as they proceed with this legislation.

Senator Rector asked if the Mayors' Council has the power to set how the funds are released to the actual mayors. Mr. Sablan replied that it is determined by the Mayors' Council of Guam. Senator Rector then asked if the mayors could decide to release the budget on a quarterly basis if they wanted to. Mr. Sablan replied that they are given a lump sum budget. The Mayors' Council decides how that can be broken down. They have not done it on a quarterly basis because allotments can be slow on their release and mayors do not want to take that chance. Many of the expenditures occur during the first quarter. He said that mayors can divide their allotments up by quarter, but they have not done that yet. But mayors can choose how they want their allotments. Senator Rector asked if they have the ability to regulate themselves in this manner. Mr. Sablan replied yes.

Senator Rector brought up that the Mayors' Council seems to have the authority already to regulate themselves and that this legislation may not be needed.

Senator Won Pat pointed out that Mayor Taitague's suggestion of having only one quarter of the monies released during election year is important. She mentioned that in the past the entire amount released and spent. Sometimes this has to be regulated by law.

III. FINDINGS AND RECOMMENDATION

The committee on Municipal Affairs, Aviation, Housing and Recreation to which Bill 82(COR) was referred, finds support for the passage of the bill and hereby submit its findings and recommendations to *I Mina' Trenta Na Liheslaturan Guahan* **TO DO PASS** Bill 82(COR).

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

Bill No. 82(COR)

Introduced by:

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

2009 MAR 23 PM 4:11 MC

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.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. §2109 of Chapter 2 of Title 4 of the Guam Code Annotated is
hereby *amended* to read:

“§21 09. Prohibition Against Hiring New, Unclassified
Employees Following the Defeat of an Incumbent in an Election.

No new unclassified employees may be hired in the Executive
Branch of government following the defeat of a sitting *Maga'lahen*
Guåhan in a primary election *or* general election until after such date that
such *Maga'la hen Guåhan* leaves office. No new, unclassified employees
may be hired in any Legislative Office of a sitting Senator following the
defeat of such Senator in a primary *or* general election. No new,
unclassified employees may be hired in any Mayoral Office of a sitting
Mayor following the defeat of such Mayor in a primary *or* general
election. No new contract workers *or* unclassified employees may be
hired in the Department of Law following the defeat of a sitting

1 Attorney General in a primary *or* general election until said Attorney
2 General leaves office. No new unclassified employees may be hired in
3 the Office of the Public Auditor following the defeat of said Public
4 Auditor in a primary *or* general election until said Public Auditor leaves
5 office. Following the defeat of a sitting Attorney General in a primary *or*
6 general election, no contract workers *or* unclassified employees
7 employed in the Office of the Attorney General may receive a pay
8 increase until said Attorney General leaves office. Following the defeat
9 of a sitting Public Auditor in a primary *or* general election, no contract
10 workers *or* unclassified employees employed in the Office of the Public
11 Auditor may receive a pay increase until said Public Auditor leaves
12 office.”

13 **Section 2.** §2110 of Chapter 2 of Title 4 of the Guam Code Annotated is
14 hereby *amended* to read:

15 **“§21 10. Prohibition Against Hiring Unclassified Employees**
16 **Employed by Incumbents *Not* Seeking Re-election.**

17 No new unclassified employees may be hired in the Executive
18 Branch of government after October 1st of the last year of office of a
19 sitting *Maga’lah en Guåhan* who is not seeking re-election until after such
20 date that such *Maga’lahen Guåhan* leaves office. No new, unclassified
21 employees may be hired in any Legislative Office of a sitting Senator,
22 opting not to seek re-election, after October 1st of the last year in office
23 of such Senator. No new, unclassified employees may be hired in any
24 Mayoral Office of a sitting Mayor, opting not to seek re-election, after

1 October 1st of the last year in office of such Mayor. No contract workers
2 *or* unclassified employees employed in the Department of Law *or* the
3 Office of the Public Auditor may be hired following the defeat of
4 Attorney General *or* Public Auditor, respectively, in a primary *or* general
5 election until that Attorney General *or* Public Auditor leaves office.”

6 **Section 3.** §40103.1 of Chapter 40 of Title 5 of the Guam Code
7 Annotated is hereby *amended* to read:

8 **“§ 4 0103.1. Transition for Mayor and Vice Mayor.**

9 After the Certification of Election of newly elected Mayors, and
10 Vice Mayors as applicable, there *shall* exist a transition period ending on
11 the day of the oath of office of the newly elected Mayors and Vice
12 Mayors. During this transition period, the incumbent Mayor, and
13 incumbent Vice Mayor as applicable, *shall* provide assistance to the
14 Mayor-elect and Vice Mayor-elect to acquaint the latter with the
15 operations and functions of the Offices, including but not limited to
16 pending invoices and purchase orders, office budget, financial reports,
17 appropriations, expenditure reports, staffing pattern, financial
18 obligations, and the inventory of equipment, furniture, and vehicles
19 belonging to the Municipality of such Mayor. Such transition period
20 shall be coordinated by the Executive Director of the Mayors’ Council
21 of Guam who shall also be responsible for the transitions of each
22 Mayoral Office. Should an incumbent Mayor and an incumbent Vice
23 Mayor not be successful in an election, all property, equipment, and

1 documents belonging to the Office *shall not* be removed by the exiting
2 Mayor or Vice Mayor.”

3 **Section 4.** Subsection (a) of §40107 of Chapter 40 of Title 5 of the Guam
4 Code Annotated is hereby *amended* to read:

5 **“§ 4 0107. Council Staffing.**

6 (a) Subject to budgetary limitations, the Council may hire
7 personnel necessary to carry out the purposes of this Chapter. The staff
8 shall include an Executive Director, who shall be the Executive Secretary
9 of the Council, who shall be responsible for the day-to-day operations of
10 the staff and shall also be the Certifying Officer for the Council and the
11 nineteen (19) municipal funds. The Executive Director shall be
12 responsible for the transitions of each Mayoral Office subject to §40103.1
13 of this Chapter. The Executive Director shall, during such transition,
14 provide to all Mayors and Vice Mayors a compilation of laws applicable
15 to such office detailing the duties, responsibilities, sources of funding,
16 limitations, and powers of the Offices of the Mayor. The staff of the
17 Council shall be paid such compensation as shall be determined by the
18 Civil Service Commission within ninety (90) days of the enactment of
19 this section; provided, however, that such compensation shall be
20 comparable to equivalent position classifications within the government
21 of Guam.”



I Mina Trenta Na Liheslaturan Guahan
 Office of The Legislative Secretary

Tina Rose Muna Barnes

Chairperson, Committee on Municipal Affairs, Aviation, Housing and Recreation

THURSDAY, APRIL 09, 2009 – PUBLIC HEARING

HEARING ON BILL NO. 82 (COR) - JUDITH T. WON PAT, ED.D., TINA ROSE MUNA 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.

NAME (PRINT)	REPRESENTING?	IN FAVOR?	OPPOSE?	CONTACT #
CAROL S. TAYAMA	MCOG	✓		575-4338
<i>Franklin M. Tojora</i>	"			482-4666
Angel R. Sablan	"	✓		787-6900
QUEST T. CHAVEZ-LAF	"	✓		828.8312
Melissa Savaris	"	✓		630-5303



Mayors' Council of Guam

Konsehelon Mahot Guahan

TESTIMONY

ON

Bill. No. 82(COR)

Public Hearing Room

April 9, 2009

Bill No. 82(COR)- AN ACT TO AMEND SECTION 2109 AND SECTION 2110 OF TITLE 2, AND SECTION 40103.1 AND SECTION 40107 OF TITLE 4, ALL OF THE GUAM CODE ANNOTATED, RELATIVE TO THE MAYORS' OFFICES OF GUAM.

As the President of *I KONSEHELON MAHOT GUAHAN*, I appear before you today to support Bill No. 82. My support, however, is not predicated on any actions that may have been done by an outgoing Mayor or Vice-Mayor in the last election. The hiring of any new employees by a defeated sitting Mayor or by a sitting Mayor not seeking re-election in the election of 2008 did not occur. The transition assistance between sitting Mayors/Vice-Mayors and newly elected Mayors/Vice-Mayors did occur for some villages while it did not in others. However, the Mayors' Council of Guam, through the Executive Director and his staff did conduct an orientation and provided briefings to all the incoming Mayors and Vice-Mayors during the transition period.

So, in other words, even without these amendments, the Mayors' Council of Guam have taken it upon themselves to provide whatever assistance they could to incoming Mayors and Vice Mayors.

My support for Bill No. 82(COR) is only to bring parity to all offices that are subject to elections.

Si Yu'os Ma'ase for allowing me this opportunity to testify.

Senseramente,

MAYOR CAROL S. TAYAMA

Mayor of Agat & President, *Konsehelon Mahot Guahan*



Ancient Lathé Stones

P. O. Box 786, Hagåtña, Guam 96932
Office: (671) 472-6940, 477-8461 • Fax: (671) 477-8777
E-mail: mcogadmin@teleguam.net

Mayor Franklin M. Taitague
Municipality of Inarajan
P.O. Box 786
Hagatna, Guam 96932

475-2510 (O), 828-8035 (H), 482-4666 ©

TESTIMONY ON BILL 82(COR)

For the record, my name is Franklin M. Taitague, Mayor from the beautiful & historic village of Inalahan.

Buenas yan Hafa Adai! On behalf of the wonderful citizens of Inalahan, I wish to express my sincerest gratitude and Dungkulo na Si Yu'os Ma'ase to the Chairman and members of the Committee for the opportunity to hear testimonies on Bill 82(COR). I wish to acknowledge the authors and sponsors of this important bill because the intent is clear to prevent political injustices, unfairness, and other circumstances that are detrimental to the office, employees, and the public we serve.

Honorable Chairperson, although the present verbiage of the law is crystal clear for each office, I am having problems with how the law would apply if a sitting Mayor is unchallenged or is challenged (within party) and wins the primary but is defeated in the general election. As written, he will be allowed to hire between the primary and the general elections. For the sake of office operation and its public service mission, this is fine especially if vacancies exist. Unfortunately and sadly, the reality exist that the new hires and existing staff of the outgoing Mayor may all be replace by the Mayor-elect after the Inauguration anyways. I hate stating it this way, but reality is reality.

As an incumbent guided with effective Public Service principles, I am caught between agreeing with the bill as written or suggest the following amendments:

- A. **"No new, unclassified employees may be hired in any Mayoral Office of a sitting Mayor after the primary election or following the defeat of a sitting Mayor in the general election."** or
- B. **"No new, unclassified employees may be hired in any Mayoral Office of a sitting Mayor following the defeat of such Mayor in the general election."**

Amendment "A" imposes ineffective office operations and public service for approximately 4 months for needed vacancies. Nonetheless, it reinforces the intent. In a critical budgeting analysis, they may be construed as unneeded positions. Amendment "B" only restricts effective public service for 2 months. Regardless and as indicated earlier, new hires and staff may not continue anyways. Whatever the case may be, the defeated incumbent(s) must continue his/her public service work and that the office must remain open for constituent services up until the last day. This is my underlining point.

Honorable Senators, for the sake of continuity and good public service, I am leaning favorably in suggesting that you would consider Amendment "B" above and that we must not be too sensitive to political motives and unethical actions of outgoing elected officials past or present. For above reasons....I am neither for or against bill 82 as written.

Si Yu'os Ma'ase.


/s/ Franklin M. Taitague



Mayors' Council of Guam

Konsehelon Mahot Guahan

TESTIMONY

On

BILL No. 82(COR)

April 9, 2009

Guam Legislature Public Hearing Room

Hafa Adai Honorable Senators:

As the incumbent Executive Director of the Mayors' Council of Guam, I support the intent of Bill No. 82. However, I bring forth a few questions that may need to be addressed and included in this Bill to make the proposed law have the "oomph" that was the reason for its introduction in the first place.

Section 1. The prohibition seems open-ended so does it mean that the Council cannot hire any new employees for the incoming Mayor? Perhaps to make it more clear and definite, the words "until said Mayor leaves office" should be included as it is for the Maga'láhen Guahan, the Attorney General, and the Public Auditor. However, this amendment to Chapter 2 of Title 4, GCA may really be unnecessary and this is why:

1. The number of staff allowable for each Mayoral Office is already mandated by statute. Unlike the Executive and Legislative Branches that can hire "at will" provided there are funds, the Mayor's Council of Guam cannot hire "at will" even if the budget could support the hiring.
2. The annual salary of every unclassified position in the Mayoral offices are pre-determined and set by the Mayors' Council of Guam. There is no chance of abuse to "eat up" a position with an inflated salary for someone that may be hired by an outgoing Mayor.
3. What would happen if all five unclassified employees of an outgoing Mayor decide to resign after the defeat of their "Boss"? There would still be 60 days that the outgoing Mayor has to operate and conduct business for that office. With this amendment, the outgoing Mayor would be at a great disadvantage.

Section 2. Same comments as for Section 2109.



Section 3. The additional responsibility given to the Executive Director to be responsible for the transitions of each Mayoral office is fine. It was done in this last election. However, what consequences are there if an outgoing Mayor or Vice-Mayor does not cooperate in providing the materials and documents as specified in the amendment? Remember, the Executive Director answers to the outgoing Mayor and Vice-Mayor and not to the newly elected Mayor or Vice-Mayor. The Executive Director could easily find himself jobless if he steps on too many toes of outgoing officials. What I am trying to say here is there needs to be a corresponding penalty to an official that does not comply with the statute.

Section 4. This was also done during the Orientation provided to the newly elected Mayors and Vice-Mayors. I suggest that the word “-elect” be inserted on line 14, page 4, after the word Mayors and after the word Vice Mayors to make it consistent with Section 3.

Thank you for the opportunity to share my thoughts on Bill 82. I hope my suggestions will bring forth a more refined proposal.

Si Yu'os Ma'ase,

A handwritten signature in black ink, appearing to read 'ASABLAN', with a long, sweeping underline that extends to the right.

ANGEL R. SABLAN
Executive Director



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

3

**SENATOR
RORY J.
RESPICIO
CHAIRPERSON**

March 24, 2009

**SENATOR
Judith P. Guthertz
VICE
CHAIRPERSON**

Memorandum

**MAJORITY
MEMBERS:**

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

Judith T. Won Pat
SPEAKER

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

Benjamin J. F. Cruz
VICE SPEAKER

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

Tina Rose Muña Barnes
LEGISLATIVE SECRETARY

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

Thomas C. Ada
SENATOR

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

Frank B. Aguon, Jr.
SENATOR

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*.

Adolpho B. Palacios, Sr.
SENATOR

Vicente C. Pangelinan
SENATOR

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

Matthew Rector
SENATOR

Si Yu'os Ma'àse.

**MINORITY
MEMBERS:**

Attachment

Frank F. Blas, Jr.
SENATOR

James V. Espaldon
SENATOR

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 Tina Rose Muña Barnes

Legislative Secretary

I Mina' Trenta Na Liheslaturan Guahån / Thirtieth Guam Legislature

March 30, 2009,

Memorandum

TO: All Senators

FROM: Committee on Municipal Affairs, Aviation, Housing and Recreation

SUBJECT: Public Hearing Notice

Please be advised that the Committee on Municipal Affairs, Aviation, Housing and Recreation will be conducting public hearing on the following:

Appointment of Dr. Marilyn C. Salas, appointed by Governor Felix P. Camacho on February 16, 2009 to serve as a member of the Guam Historic Preservation Review Board.

Appointment of Cecile Bamba Suda, appointed by Governor Felix P. Camacho on January 30, 2009 to serve as a member of the Guam Housing & Urban Renewal Authority Board.

BILL NO. 82 (COR) - JUDITH T. WON PAT, ED.D., TINA ROSE MUNA 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.

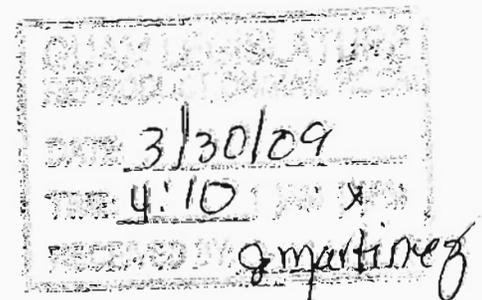
The public hearing will take place on Thursday, April 09, 2009 at 1:00 P.M- 5:00P.M. at the Guam Legislature's Public Hearing Room in Hagatna, Guam

Your attendance and participation is greatly appreciated.

Sincera yan magahet,

Tina Rose Muña-Barnes

Cc: Clerk of Legislature
Protocol
Sergeant-At-Arms
AV/MIS
All Media



Chairperson
Committee on Municipal
Affairs, Aviation,
Housing
and Recreation

Vice Chairperson
Tourism, Culture, Youth
Affairs, and Public
Broadcasting

Contact:

155 Hesler Place
Hagatna, Guam 96910

Tel 671.472.3455

Fax 671.472.3400

Email:

muna@legis.guam



Senator Tina Rose Muña Barnes

Legislative Secretary

I Mina' Trenta Na Liheslaturan Guahån / Thirtieth Guam Legislature

March 30, 2009,

Memorandum

TO: All Senators

FROM: Committee on Municipal Affairs, Aviation, Housing and Recreation

SUBJECT: (REVISED) Public Hearing Notice

Please be advised that the Committee on Municipal Affairs, Aviation, Housing and Recreation will be conducting public hearing on the following:

~~Appointment of Dr. Marilyn C. Salas, appointed by Governor Felix P. Camacho on February 16, 2009 to serve as a member of the Guam Historic Preservation Review Board. (Postponed as per Dr. Marilyn C. Salas Request. March 30, 2009)~~

Appointment of Cecile Bamba Suda, appointed by Governor Felix P. Camacho on January 30, 2009 to serve as a member of the Guam Housing & Urban Renewal Authority Board.

BILL NO. 82 (COR) - JUDITH T. WON PAT, ED.D., TINA ROSE MUNA 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.

The public hearing will take place on Thursday, April 09, 2009 at 1:00 P.M- 5:00P.M. at the Guam Legislature's Public Hearing Room in Hagatna, Guam

Your attendance and participation is greatly appreciated.

Sincerely yours,

Tina Rose Muña Barnes

Cc: Clerk of Legislature
Protocol
Sergeant-At-Arms
AV/MIS
All Media

3/31/09
2:20
J. Martinez

Chairperson
Committee on Municipal Affairs, Aviation, Housing and Recreation

Vice Chairperson
Tourism, Culture, Youth Affairs, and Public Broadcasting

Contact:
155 Hesler Place
Hagåtña, Guam 96910

Tel 671.472.3455
Fax 671.472.3400
Email:
munabarnes@guamlegislature.org



rich jerd <legislative secretary1@gmail.com>

public hearing memo

3 messages

rich jerd <legislative secretary1@gmail.com>

Mon, Apr 6, 2009 at 1:56 PM

To: mtaitano@ghura.org

please find attached press release on Cecile Bamba Suda hearing day.

Thank you,
Richard Dohrumal
Legislative Assistant
Office of Senator Tina Muna Barnes

 **Hearing Press Release Memo.docx**
235K

Millie L. Taitano <mtaitano@ghura.org>

Mon, Apr 6, 2009 at 2:10 PM

Reply-To: mtaitano@ghura.org

To: rich jerd <legislative secretary1@gmail.com>

Thank you will let Management and Board Members know!

[Quoted text hidden]

No virus found in this incoming message.
Checked by AVG - www.avg.com
Version: 8.0.238 / Virus Database: 270.11.42/2042 - Release Date: 04/05/09 10:54:00

Millie L. Taitano <mtaitano@ghura.org>

Mon, Apr 6, 2009 at 2:12 PM

Reply-To: mtaitano@ghura.org

To: rich jerd <legislative secretary1@gmail.com>

sorry..... can you resend the attachment. was not able to read/open it.

-----Original Message-----

From: rich jerd [mailto:legislative secretary1@gmail.com]

Sent: Monday, April 06, 2009 1:56 PM

To: mtaitano@ghura.org

Subject: public hearing memo

[Quoted text hidden]

No virus found in this incoming message.
Checked by AVG - www.avg.com
Version: 8.0.238 / Virus Database: 270.11.42/2042 - Release Date: 04/05/09 10:54:00



Senator Tina Rose Muña Barnes

Legislative Secretary

I Mina' Trenta Na Liheslaturan Guahån / Thirtieth Guam Legislature



PRESS RELEASE

(MARCH 30, 2009 – IMMEDIATE RELEASE)

NOTICE OF PUBLIC HEARING

BY SENATOR TINA ROSE MUNA BARNES

THURSDAY, APRIL 09, 2009-1:00 P.M. – GUAM LEGISLATURE PUBLIC HEARING ROOM.

Chairperson
Committee on Municipal Affairs, Aviation, Housing and Recreation

Vice Chairperson
Tourism, Culture, Youth Affairs, and Public Broadcasting

Contact:

155 Hesler Place
Hagåtña, Guam 96910

Tel 671.472.3455

Fax 671.472.3400

Email:

munabarnes@guamlegislature.org

Please be advised that the Committee on Municipal Affairs, Aviation, Housing and Recreation will be conducting public hearing on the following:

~~Appointment of Dr. Marilyn C. Salas, appointed by Governor Felix P. Camacho on February 16, 2009 to serve as a member of the Guam Historic Preservation Review Board.~~

(POSTPONED AS PER DR. MARILYN C. SALAS REQUEST. MARCH 30, 2009)

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The public hearing will take place on Thursday, April 09, 2009 at 1:00 P.M.-5:00P.M. at the Guam Legislature's Public Hearing Room in Hagatna, Guam

Sinceru yan magahet,

Senator Tina Rose Muña Barnes



rich jerd <legislativesecretary1@gmail.com>

Out of Office: First Notice-Press Release

1 message

Daleno, Gaynor D <gdumat-ol@guam.gannett.com>

Tue, Mar 31, 2009 at 2:40 PM

To: rich jerd <legislativesecretary1@gmail.com>

I will be out of the office through March 31, 2009. If you need immediate assistance, please e-mail to news@guampdn.com or call the Pacific Daily News Information Center at (671) 479-0404, or (671) 479-0414.



rich jerd <legislativesecretary1@gmail.com>

First Notice-Press Release

1 message

rich jerd <legislativesecretary1@gmail.com>

Tue, Mar 31, 2009 at 2:40 PM

To: clynt@kuam.com, Sabrina@kuam.com, john@kuam.com, Kevin@spbguam.com, jtquiengco@sbgum.com, news@spbguam.com, jude@mvguam.com, admin@mvguam.com, therese@mvguam.com, news@guampdn.com

Please find attached memo notice of public hearing on April 09, 2009, 1:00 p.m. at the Guam Legislature Public hearing Room.

Should you have any questions, please call Senator Tina Rose Muna Barnes Office at 472-3455/5.

Thank you,
Richard Dohrumal
Legislative Assistant

 **Hearing Press Release Memo.docx**
235K



rich jerd <legislativesecretary1@gmail.com>

First Notice-Press Release

2 messages

rich jerd <legislativesecretary1@gmail.com>**Tue, Mar 31, 2009 at 2:40 PM**

To: clynt@kuam.com, Sabrina@kuam.com, john@kuam.com, Kevin@spbguam.com, jtquiengco@sbgum.com, news@spbguam.com, jude@mvguam.com, admin@mvguam.com, therese@mvguam.com, news@guampdn.com

Please find attached memo notice of public hearing on April 09, 2009, 1:00 p.m. at the Guam Legislature Public hearing Room.

Should you have any questions, please call Senator Tina Rose Muna Barnes Office at 472-3455/5.

Thank you,
Richard Dohrumal
Legislative Assistant

 **Hearing Press Release Memo.docx**
235K

Kevin Kerrigan <kevin@spbguam.com>**Tue, Mar 31, 2009 at 2:52 PM**

To: rich jerd <legislativesecretary1@gmail.com>

CAN NOT OPEN THIS ATTACHEMENT...can you paste it into an email please?

thanks.

[Quoted text hidden]

—
Kevin Kerrigan
News Director
Office: 671-477-0791
Cell: 671-482-7391
eMail: kevin@spbguam.com
Address:
Pacific News Center
J & G Commercial Plaza
138 E Marine Drive
Building C, Suite 102 C
Hagatna, Guam, 96910



rich jerd <legislative secretary1@gmail.com>

1st notice-Press Release

1 message

rich jerd <legislative secretary1@gmail.com>
To: Kevin@spbguam.com

Tue, Mar 31, 2009 at 3:07 PM

PRESS RELEASE

(MARCH 30, 2009 – IMMEDIATE RELEASE)
NOTICE OF PUBLIC HEARING
BY SENATOR TINA ROSE MUNA BARNES
THURSDAY, APRIL 09, 2009-1:00 P.M. – GUAM LEGISLATURE PUBLIC HEARING ROOM.

Please be advised that the Committee on Municipal Affairs, Aviation, Housing and Recreation will be conducting public hearing on the following:

~~**Appointment of Dr. Marilyn C. Salas**, appointed by Governor Felix P. Camacho on February 16, 2009 to serve as a member of the Guam Historic Preservation Review Board. (POSTPONED AS PER DR. MARILYN C. SALAS REQUEST. MARCH 30, 2009)~~

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The public hearing will take place on Thursday, April 09, 2009 at 1:00 P.M- 5:00P.M. at the Guam Legislature's Public Hearing Room in Hagatna, Guam

Sinceru yan magahet,

-30-

For further information, please contact the Office of Senator Tina Rose Muna Barnes at 472-3455/6



rich jerd <legislativesecretary1@gmail.com>

1st notice-Press Release

2 messages

rich jerd <legislativesecretary1@gmail.com>

Tue, Mar 31, 2009 at 3:07 PM

To: Kevin@spbgum.com

PRESS RELEASE

(MARCH 30, 2009 – IMMEDIATE RELEASE)

NOTICE OF PUBLIC HEARING

BY SENATOR TINA ROSE MUNA BARNES

THURSDAY, APRIL 09, 2009-1:00 P.M. – GUAM LEGISLATURE PUBLIC HEARING ROOM.

Please be advised that the Committee on Municipal Affairs, Aviation, Housing and Recreation will be conducting public hearing on the following:

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Sinceru yan magahet,

-30-

For further information, please contact the Office of Senator Tina Rose Muna Barnes at 472-3455/6

Kevin Kerrigan <kevin@spbgum.com>

Tue, Mar 31, 2009 at 3:08 PM

To: rich jerd <legislativesecretary1@gmail.com>

thank you

[Quoted text hidden]

--

Kevin Kerrigan
News Director
Office: 671-477-0791
Cell: 671-482-7391
eMail: kevin@spbgum.com
Address:
Pacific News Center
J & G Commercial Plaza
138 E Marine Drive
Building C, Suite 102 C
Hagatna, Guam, 96910



rich jerd <legislativesecretary1@gmail.com>

Second Notice-Press Release

3 messages

rich jerd <legislativesecretary1@gmail.com>

Mon, Apr 6, 2009 at 9:37 AM

To: sabrina <sabrina@kuam.com>, clynt@kuam.com, john@kuam.com, news@spbguam.com, Kevin Kerrigan <kevin@spbguam.com>, admin@mvguam.com, jude@mvguam.com, therese@mvguam.com, news@guampdn.com, parroyo@k57.com

Please find attached second notice-press release of upcoming public hearing by senator tina rose muna barnes, thursday, april 09, 2009, 1:00pm - 5:00pm at the guam legislature public hearing room.

thank you,
Richard Dohrumal
Legislative Assistant
Office of Legislative Secretary

 **Hearing Press Release Memo.docx**
235K

Kevin Kerrigan <kevin@spbguam.com>

Mon, Apr 6, 2009 at 9:44 AM

To: rich jerd <legislativesecretary1@gmail.com>

can't open the files you send rich...please copy and paste or use a different file format...thank you. Kevin

[Quoted text hidden]

—
Kevin Kerrigan
News Director
Office: 671-477-0791
Cell: 671-482-7391
eMail: kevin@spbguam.com
Address:
Pacific News Center
J & G Commercial Plaza
138 E Marine Drive
Building C, Suite 102 C
Hagatna, Guam, 96910

rich jerd <legislativesecretary1@gmail.com>

Mon, Apr 6, 2009 at 11:17 AM

To: Kevin Kerrigan <kevin@spbguam.com>

hope this will help.

PRESS RELEASE

(April 06, 2009 – IMMEDIATE RELEASE)

NOTICE OF PUBLIC HEARING

BY SENATOR TINA ROSE MUNA BARNES

THURSDAY, APRIL 09, 2009-1:00 P.M. – GUAM LEGISLATURE PUBLIC HEARING

ROOM.

Please be advised that the Committee on Municipal Affairs, Aviation, Housing and Recreation will be conducting public hearing on the following:

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BILL NO. 82 (COR) - JUDITH T. WON PAT, ED.D., TINA ROSE MUNA 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.

The public hearing will take place on Thursday, April 09, 2009 at 1:00 P.M- 5:00P.M. at the Guam Legislature's Public Hearing Room in Hagatna, Guam

Sinceru yan magahet,

-30-

For further information, please contact the Office of Senator Tina Rose Muna Barnes at 472-3455/6

[Quoted text hidden]



rich jerd <legislativesecretary1@gmail.com>

Second Notice-Press Release

1 message

rich jerd <legislativesecretary1@gmail.com>

Mon, Apr 6, 2009 at 9:37 AM

To: sabrina <sabrina@kuam.com>, clynt@kuam.com, john@kuam.com, news@spbguam.com, Kevin Kerrigan <kevin@spbguam.com>, admin@mvguam.com, jude@mvguam.com, therese@mvguam.com, news@guampdn.com, parroyo@k57.com

Please find attached second notice-press release of upcoming public hearing by senator tina rose muna barnes, thursday, april 09, 2009, 1:00pm - 5:00pm at the guam legislature public hearing room.

thank you,
Richard Dohrumal
Legislative Assistant
Office of Legislative Secretary

 **Hearing Press Release Memo.docx**
235K



Senator Tina Rose Muña Barnes

Legislative Secretary

I Mina' Trenta Na Liheslaturan Guahân / Thirtieth Guam Legislature



PRESS RELEASE

(April 06, 2009 – IMMEDIATE RELEASE)

NOTICE OF PUBLIC HEARING

BY SENATOR TINA ROSE MUNA BARNES

THURSDAY, APRIL 09, 2009-1:00 P.M. – GUAM LEGISLATURE PUBLIC HEARING ROOM.

Chairperson
Committee on Municipal
Affairs, Aviation,
Housing
and Recreation

Vice Chairperson
Tourism, Culture, Youth
Affairs, and Public
Broadcasting

Please be advised that the Committee on Municipal Affairs, Aviation, Housing and Recreation will be conducting public hearing on the following:

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(POSTPONED AS PER DR. MARILYN C. SALAS REQUEST. MARCH 30, 2009)

Appointment of Cecile Bamba Suda, appointed by Governor Felix P. Camacho on January 30, 2009 to serve as a member of the Guam Housing & Urban Renewal Authority Board.

BILL NO. 82 (COR) - JUDITH T. WON PAT, ED.D., TINA ROSE MUNA 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.

The public hearing will take place on Thursday, April 09, 2009 at 1:00 P.M.-5:00P.M. at the Guam Legislature's Public Hearing Room in Hagatna, Guam

Sinceru yan magahet,

Senator Tina Rose Muña Barnes

Contact:
155 Hesler Place
Hagåtña, Guam 96910
Tel 671.472.3455
Fax 671.472.3400
Email:
munabarnes@guamlegislature.org



I Mina'Trenta Na Liheslaturan Guahan

Office of The Legislative Secretary

Tina Rose Muna Barnes

Chairperson, Committee on Municipal Affairs, Aviation, Housing and Recreation

155 Hesler Place Hagatña, Guam 96910 | Tel: 671-472-3455/6 Fax: 671-472-3400

AGENDA

PUBLIC HEARING

THURSDAY, APRIL 09, 2009, 1:00 P.M.

LEGISLATURE'S PUBLIC HEARING ROOM

- ~~1. **APPOINTMENT OF DR. MARILYN C. SALAS** as a Member of the Guam Historic Preservation Review Board.
(Postponed as per Dr. Marilyn C. Salas request. March 30, 2009)~~
2. **APPOINTMENT OF CECILE BAMBA SUDA** as a Member of Guam Housing & Urban Renewal Authority Board.
3. **BILL NO. 82 (COR) - JUDITH T. WON PAT, ED.D., TINA ROSE MUNA 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.

The Public is invited to observe the discussion in person or on the legislative cable TV channel MCV Channel 13. Testimony, questions and comments may be addressed to SENATOR TINA ROSE MUNA BARNES, Chairwoman, Committee on Municipal Affairs, Aviation, Housing and Recreation, by e-mail to tinamunabarnes@gmail.com, fax to 671-472-3400, delivery to the legislative mail room at 155 Hesler Place, Hagatña, Guam 96910.

KUAM.com

<http://www.kuam.com/bm/news/regulation-policing-mayoral-hiring-has-hearing.shtml?13508>

Regulation policing mayoral hiring has hearing

A public hearing was held on Bill 82, which would prohibit outgoing mayors from hiring new unclassified employees after losing an election. Mayor Ernest Chargualaf of Merizo testified in favor of the bill as it would provide some necessary safeguards to ensure that incoming mayors aren't left with little in their coffers.

By [Clynt Ridgell](#)

A public hearing was held on Bill 82, which would prohibit outgoing mayors from hiring new unclassified employees after losing an election. Mayor Ernest Chargualaf of Merizo testified in favor of the bill as it would provide some necessary safeguards to ensure that incoming mayors aren't left with little in their coffers.

"Yes the incoming mayor is going to suffer, but the ultimate sufferer will be the constituents the people that we serve in the municipality," said the mayor.

The bill would also require that the executive director of the Mayors Council of Guam oversee the transition from outgoing to incoming mayors and vice-mayors.

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Mayor's Council Want More Teeth in Bill 82

Written by Josh Tyquiengco, Pacific News Center - Guam, Saipan, CNMI, Asia-Pacific

Thursday, 09 April 2009 17:00
Guam

Guam- Village mayors turned out for the public hearing of Bill 82, which was authored by Speaker Judi Won Pat.

The measure, if passed into law, would bar new, unclassified employees from being hired in any mayoral office following the defeat of an incumbent mayor in a primary or general election. Won Pat says this is to protect the incoming mayors who need time to transition to their new positions. Mayor's Council Executive Director Angel Sablan says his colleagues are in support of the bill, but feel they "need to put some teeth into the measure".

Sablan and Won Pat mentioned they will seek the Attorney General's opinion on Bill 82. To view the entire measure, log on to www.guamlegislature.com

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

Bill No. 82(COR)

Introduced by:

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

2009 MAR 23 PM 4:11 MC

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.

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

2 **Section 1.** §2109 of Chapter 2 of Title 4 of the Guam Code Annotated is
3 hereby *amended* to read:

4 **“§2109. Prohibition Against Hiring New, Unclassified**
5 **Employees Following the Defeat of an Incumbent in an Election.**

6 No new unclassified employees may be hired in the Executive
7 Branch of government following the defeat of a sitting *Maga'lahen*
8 *Guåhan* in a primary election *or* general election until after such date that
9 such *Maga'lahen Guåhan* leaves office. No new, unclassified employees
10 may be hired in any Legislative Office of a sitting Senator following the
11 defeat of such Senator in a primary *or* general election. No new,
12 unclassified employees may be hired in any Mayoral Office of a sitting
13 Mayor following the defeat of such Mayor in a primary *or* general
14 election. No new contract workers *or* unclassified employees may be
15 hired in the Department of Law following the defeat of a sitting

1 Attorney General in a primary *or* general election until said Attorney
2 General leaves office. No new unclassified employees may be hired in
3 the Office of the Public Auditor following the defeat of said Public
4 Auditor in a primary *or* general election until said Public Auditor leaves
5 office. Following the defeat of a sitting Attorney General in a primary *or*
6 general election, no contract workers *or* unclassified employees
7 employed in the Office of the Attorney General may receive a pay
8 increase until said Attorney General leaves office. Following the defeat
9 of a sitting Public Auditor in a primary *or* general election, no contract
10 workers *or* unclassified employees employed in the Office of the Public
11 Auditor may receive a pay increase until said Public Auditor leaves
12 office.”

13 **Section 2.** §2110 of Chapter 2 of Title 4 of the Guam Code Annotated is
14 hereby *amended* to read:

15 **“§21 10. Prohibition Against Hiring Unclassified Employees**
16 **Employed by Incumbents *Not* Seeking Re-election.**

17 No new unclassified employees may be hired in the Executive
18 Branch of government after October 1st of the last year of office of a
19 sitting *Maga’lah en Guåhan* who is not seeking re-election until after such
20 date that such *Maga’lahen Guåhan* leaves office. No new, unclassified
21 employees may be hired in any Legislative Office of a sitting Senator,
22 opting not to seek re-election, after October 1st of the last year in office
23 of such Senator. No new, unclassified employees may be hired in any
24 Mayoral Office of a sitting Mayor, opting not to seek re-election, after

1 October 1st of the last year in office of such Mayor. No contract workers
2 *or* unclassified employees employed in the Department of Law *or* the
3 Office of the Public Auditor may be hired following the defeat of
4 Attorney General *or* Public Auditor, respectively, in a primary *or* general
5 election until that Attorney General *or* Public Auditor leaves office.”

6 **Section 3.** §40103.1 of Chapter 40 of Title 5 of the Guam Code
7 Annotated is hereby *amended* to read:

8 **“§ 4 0103.1. Transition for Mayor and Vice Mayor.**

9 After the Certification of Election of newly elected Mayors, and
10 Vice Mayors as applicable, there *shall* exist a transition period ending on
11 the day of the oath of office of the newly elected Mayors and Vice
12 Mayors. During this transition period, the incumbent Mayor, and
13 incumbent Vice Mayor as applicable, *shall* provide assistance to the
14 Mayor-elect and Vice Mayor-elect to acquaint the latter with the
15 operations and functions of the Offices, including but not limited to
16 pending invoices and purchase orders, office budget, financial reports,
17 appropriations, expenditure reports, staffing pattern, financial
18 obligations, and the inventory of equipment, furniture, and vehicles
19 belonging to the Municipality of such Mayor. Such transition period
20 *shall* be coordinated by the Executive Director of the Mayors’ Council
21 of Guam who *shall* also be responsible for the transitions of each
22 Mayoral Office. Should an incumbent Mayor and an incumbent Vice
23 Mayor not be successful in an election, all property, equipment, and

1 documents belonging to the Office *shall not* be removed by the exiting
2 Mayor or Vice Mayor.”

3 **Section 4.** Subsection (a) of §40107 of Chapter 40 of Title 5 of the Guam
4 Code Annotated is hereby *amended* to read:

5 **“§ 4 0107. Council Staffing.**

6 (a) Subject to budgetary limitations, the Council may hire
7 personnel necessary to carry out the purposes of this Chapter. The staff
8 shall include an Executive Director, who shall be the Executive Secretary
9 of the Council, who shall be responsible for the day-to-day operations of
10 the staff and shall also be the Certifying Officer for the Council and the
11 nineteen (19) municipal funds. The Executive Director shall be
12 responsible for the transitions of each Mayoral Office subject to §40103.1
13 of this Chapter. The Executive Director shall, during such transition,
14 provide to all Mayors and Vice Mayors a compilation of laws applicable
15 to such office detailing the duties, responsibilities, sources of funding,
16 limitations, and powers of the Offices of the Mayor. The staff of the
17 Council shall be paid such compensation as shall be determined by the
18 Civil Service Commission within ninety (90) days of the enactment of
19 this section; provided, however, that such compensation shall be
20 comparable to equivalent position classifications within the government
21 of Guam.”