

I Mina'Trentai Dos Na Liheslaturan Guahan
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
241-32 (COR)	R.J. RESPICIO T.C. ADA T. R. MUÑA BARNES	AN ACT TO AMEND TITLE 3 GCA § 13106; TO ADD A NEW TITLE 3 GCA § 13107; TO RENUMBER THE EXISTING §§ 13107-13109; TO AMEND ITEM (b) OF TITLE 3 GCA § 6105; TO AMEND ITEMS (a) AND (b), AND TO DELETE ITEM (c) OF TITLE 5 GCA CHAPTER 40 § 40110; RELATIVE TO A VACANCY IN A MAYOR'S OR VICE MAYOR'S OFFICE, AND TO PROVIDE FOR A SPECIAL ELECTION TO FILL ANY VACANCY AMONG GUAM MAYORS OR VICE MAYORS, PROVIDED THAT SUCH VACANCY OR VACANCIES OCCUR 240 DAYS OR MORE BEFORE THE DATE OF THE NEXT GENERAL ELECTION FOR MAYORS AND VICE MAYORS.	12/16/13 2:52 p.m.	12/16/13	Committee on Municipal Affairs, Tourism, Housing, and Hagatna Restoration and Development Authority	12/26/13 9:00 a.m.		Fiscal Note Requested 12/24/13



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
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Senator
Thomas C. Ada
VICE CHAIRPERSON
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Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

December 24, 2013

VIA E-MAIL

john.rios@bbmr.guam.gov

John A. Rios
Director
Bureau of Budget & Management Research
P.O. Box 2950
Hagåtña, Guam 96910

RE: Request for Fiscal Notes– Bill Nos. 241-32 (COR), 242-32(COR), 243-32 (COR), 244-32 (COR) and 245-32 (COR)

Hafa Adai Mr. Rios:

Transmitted herewith is a listing of *I Mina'trentai Dos na Liheslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

Si Yu'os ma'åse' for your attention to this matter.

Very Truly Yours,

Senator Rory J. Respicio
Chairperson of the Committee on Rules

Attachment (1)

Cc: Clerk of the Legislature

Bill Nos.	Sponsor	Title
241-32 (COR)	R.J. RESPICIO T.C. ADA T. R. MUÑA BARNES	AN ACT TO AMEND TITLE 3 GCA § 13106; TO ADD A NEW TITLE 3 GCA § 13107; TO RENUMBER THE EXISTING §§ 13107-13109; TO AMEND ITEM (b) OF TITLE 3 GCA § 6105; TO AMEND ITEMS (a) AND (b), AND TO DELETE ITEM (c) OF TITLE 5 GCA CHAPTER 40 § 40110; RELATIVE TO A VACANCY IN A MAYOR'S OR VICE MAYOR'S OFFICE, AND TO PROVIDE FOR A SPECIAL ELECTION TO FILL ANY VACANCY AMONG GUAM MAYORS OR VICE MAYORS, PROVIDED THAT SUCH VACANCY OR VACANCIES OCCUR 240 DAYS OR MORE BEFORE THE DATE OF THE NEXT GENERAL ELECTION FOR MAYORS AND VICE MAYORS.
242-32 (COR)	Brant T. McCreadie	AN ACT TO AMEND §28.65 OF CHAPTER 28, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE CRIME OF INDECENT EXPOSURE.
243-32 (COR)	Michael F.Q. San Nicolas	AN ACT TO IMPLEMENT THE LAW ENFORCEMENT PAY ADJUSTMENT FOR EMPLOYEES OF THE UNIFIED JUDICIARY OF GUAM, FUND CAPITAL IMPROVEMENTS TO THE MUNICIPAL MARKET OF MANGILAO AND TO CREATE THE RESPONSIBLE NON- PROFIT ENDOWMENT FUND, BY AMENDING §2 OF CHAPTER I AND ADDING §§ 13, 14 AND 15 TO CHAPTER XI, EACH OF PUBLIC LAW 32-68.
244-32 (COR)	FRANK B. AGUON, JR.	AN ACT AMENDING PUBLIC LAW 32-068 RELATIVE TO WITHHOLDING TAX REVENUE COLLECTIONS AND MAKING APPROPRIATIONS TO THE UNIFIED JUDICIARY FOR LAW ENFORCEMENT SALARY INCREASE IMPLEMENTATION.
245-32 (COR)	Vicente (ben) C. Pangelinan	AN ACT TO AMEND SECTIONS 8144, 8145, AND 8149, ARTICLE 1, CHAPTER 8, TITLE 4 OF THE GUAM CODE ANNOTATED RELATIVE TO CUSTODIANS, INVESTMENT AGENTS, AND BANK DEPOSITS.



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December 16, 2013

MEMORANDUM

To: Rennae Meno
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Rory J. Respicio 
Chairperson of the Committee on Rules

Subject: Referral of Bill No. 241-32(COR)

As the Acting Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 241-32(COR)**.

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Dos na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

Si Yu'os Ma'åse!

Attachment

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) REGULAR SESSION

Bill No. *24*-32 (COR)

Introduced by:

R.J. RESPICIO

T.C. ADA

T.R.M. Buena

2013 DEC 16 PM 2:52
[Signature]

AN ACT TO AMEND TITLE 3 GCA § 13106; TO ADD A NEW TITLE 3 GCA § 13107; TO RENUMBER THE EXISTING §§ 13107-13109; TO AMEND ITEM (b) OF TITLE 3 GCA § 6105; TO AMEND ITEMS (a) AND (b), AND TO DELETE ITEM (c) OF TITLE 5 GCA CHAPTER 40 § 40110; RELATIVE TO A VACANCY IN A MAYOR'S OR VICE MAYOR'S OFFICE, AND TO PROVIDE FOR A SPECIAL ELECTION TO FILL ANY VACANCY AMONG GUAM MAYORS OR VICE MAYORS, PROVIDED THAT SUCH VACANCY OR VACANCIES OCCUR 240 DAYS OR MORE BEFORE THE DATE OF THE NEXT GENERAL ELECTION FOR MAYORS AND VICE MAYORS.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. "TITLE 3 GCA § 13106. Events Causing Vacancy in the
3 Municipal Offices of Mayor and Vice Mayor" is amended to read:

4 "The municipal offices of mayor and vice mayor become vacant on
5 the happening of any of the following events:

6 (a) death of the incumbent;

7 (b) declaration of mental incompetence by a final judgment or
8 final order of a court of competent jurisdiction;

9 (c) resignation from office;

10 (d) refusal or failure to assume office;

1 (e) the decision of a competent tribunal declaring void his or
2 her election;

3 (f) conviction of a felony, or of a crime involving moral
4 turpitude;

5 (g) his or her change of residence from the municipality in
6 which he or she was elected;

7 (h) when an incumbent is incapacitated because of illness and
8 unable to continue for the remainder of the term to which he or she
9 was elected; or

10 (i) when an incumbent has sought and won election to another
11 office and assumed the new office, constituting *voluntary*
12 *relinquishment* of the original office.

13 The occurrence of any event under (a) through (i), with respect
14 to a person or persons elected to office, after the election but before
15 the term of office is to commence, constitutes a vacancy on the date
16 the term commences, unless the person or persons so elected is the
17 incumbent, in which case, the vacancy occurs on the date of such
18 event."

19 Section 2. A *new* § 13107 is *added* to TITLE 3 GCA Chapter 13.

20 Existing §§ 13107-13108 are *renumbered* accordingly.

1 **"13107. Special Election to fill a Vacancy or Vacancies in the**
2 **Municipal Offices of Guam Mayors and Vice Mayors.** The Guam
3 Election Commission shall call for a special election on a Saturday on
4 or about sixty (60) days after a vacancy occurs in an office of Mayor
5 or Vice Mayor, whenever one (1) or more vacancies occur therein 240
6 days or more *prior* to the date of the next general election for Mayors
7 and Vice Mayors. There shall be no primary election. Candidates
8 must file their candidacies no later than thirty (30) days prior to the
9 special election date. The highest vote-getter (or vote-getters if there
10 is more than one [1] vacancy), shall be certified by the Guam Election
11 Commission as elected and shall be administered the oath of office
12 immediately to fill the unexpired vacancy. If both Mayor and Vice
13 Mayor offices are vacant, resulting in a special election for two [2]
14 vacancies, the highest vote-getter shall become the Mayor-Elect, and
15 the second highest shall become the Vice Mayor-Elect."

16 **Section 3. Section 6105 (b) of Title 3 Guam Code Annotated**
17 **Chapter 6 is amended to read:**

18 **"§ 6105. Person Eligible for Only One (1) Office.**

19 (a) No person shall be eligible for more than one (1) elective office to
20 be filled in the same election. The term "election" as used in this Section

1 includes a general and a local election held on the same date, so as to
2 prohibit a person from running for office in a local election and in a general
3 election at the same time.

4 (b) No person shall be eligible for an office to be filled in an election if
5 sixty (60) days prior to the primary he or she is holding another elective
6 office, the term of which will not expire on or prior to the date of
7 commencement of the term of office for which he or she is running, with
8 the exception of any elective office for which a special election would be
9 required in the event of a vacancy."

10 Section 4. "Title 5 GCA Chapter 40 § 40110, "Vacancies," items (a)
11 and (b) are *amended*, and item (c) is *deleted*, to read:

12 "§ 40110. Vacancies. "(a) Vice-Mayors. A vacancy in the office
13 of the Vice-Mayor less than 240 days before the date of the next
14 general election for Mayors and Vice-Mayors shall be filled for the
15 unexpired term by [~~I Maga'lahi (the Governor) by appointment after~~
16 ~~soliciting the non-binding recommendations of~~] a majority vote of the
17 Municipal Planning Council of the municipality in which the vacancy
18 occurs, subject to the advice and consent of *I Liheslatura* (the
19 Legislature).

20 "(b) Mayors. If by reason of death, resignation, removal from

1 office, inability or failure to perform, there shall be a vacancy in the
2 office of the Mayor [~~it shall be filled for the unexpired term.~~] less
3 than 240 days before the date of the next general election for Mayors
4 and Vice-Mayors, it shall be filled [~~The vacancy shall be filled by I~~
5 ~~Maga'lahi (the Governor) by appointment after soliciting the non-~~
6 ~~binding recommendations of the Municipal Planning Council of the~~
7 ~~municipality in which the vacancy occurred, subject to the advice and~~
8 ~~consent of I Liheslatura (the Legislature); provided, however, that~~] by
9 the Vice-Mayor in a municipality where there is a Vice-Mayor, [~~the~~
10 ~~Vice Mayor shall automatically assume the position of Mayor~~] and
11 there shall be a vacancy in the position of Vice-Mayor until the end of
12 the term. In a municipality where there is no Vice-Mayor and the
13 vacancy is less than 240 days before the date of the next general
14 election for Mayors and Vice-Mayors, the vacancy shall be filled by a
15 majority vote of the Municipal Planning Council of the municipality
16 in which the vacancy occurs, subject to the advice and consent of I
17 Liheslatura (the Legislature)." [~~The vacancy shall be filled by I~~
18 ~~Maga'lahi (the Governor) by appointment after soliciting the non-~~
19 ~~binding recommendations of the Municipal Planning Council of the~~
20 ~~municipality in which the vacancy occurred, subject to the advice and~~

1 ~~consent of the Legislature (the Legislature); provided, however, that in~~
2 ~~a municipality where there is a Vice Mayor, the Vice Mayor shall~~
3 ~~automatically assume the position of Mayor and there shall be a~~
4 ~~vacancy in the position of Vice Mayor.~~

5 ~~(c) Temporary vacancy. If there is a temporary vacancy greater~~
6 ~~than thirty (30) days in the office of Mayor, caused by other than~~
7 ~~official business, and there is no Vice Mayor, the vacancy shall be~~
8 ~~filled by the Governor by appointment after soliciting the non-~~
9 ~~binding recommendations of the Municipal Planning Council of the~~
10 ~~municipality.]~~