



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

JUN 04 1998

Refer to
Legislative Secretary

The Honorable Antonio R. Unpingco
Speaker
Mina'Bente Kuáttro na Liheslaturan Guåhan
Twenty-Fourth Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Hagåtña, Guam 96910

OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<u>[Signature]</u>
Time	<u>4:55pm</u>
Date	<u>6-5-98</u>

Dear Speaker Unpingco:

Enclosed please find Substitute Bill No. 298 (COR), "AN ACT TO AMEND §2104 OF CHAPTER 2 OF TITLE 2 OF THE GUAM CODE ANNOTATED, RELATIVE TO SETTING THE NUMBER OF VOTES REQUIRED FOR THE PASSAGE OF BILLS", which I have signed into law today as **Public Law No. 24-213**.

This legislation repeals the current local statute which mandates that 11 votes are necessary to pass a bill in I Liheslaturan Guåhan. The Organic Act states that "No bill shall become a law unless it shall have been passed at a meeting, at which a quorum was present, by the affirmative vote of a majority of the members present and voting, which vote shall be by yeas and nays." The quorum for a 21 member legislature is 11, however the Mina'Bente Cinco na Liheslaturan Guåhan, the Twenty-Fifth Guam Legislature, will only be a 15 member legislature.

This legislation, reducing the number of votes to pass a bill from 11 to 8, will be effective when the Twenty-Fifth Guam Legislature, comprised of 15 members, is sworn in in January, 1999.

Very truly yours,

[Signature]
Carl T. C. Gutierrez
I Maga'lahren Guåhan
Governor of Guam

00853

Attachment: copy attached for signed bill
original attached for vetoed bill

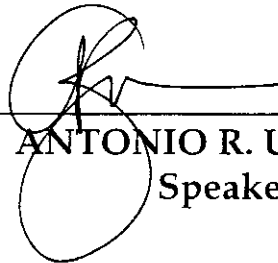
cc: The Honorable Joanne M. S. Brown
Legislative Secretary

Office of the Speaker
ANTONIO R. UNPINGCO
Date: 6-5-98
Time: 3:00pm
Rec'd by: [Signature]
Print Name: P. Roberto

MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN
1998 (SECOND) Regular Session

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

This is to certify that Substitute Bill No. 298 (COR), "AN ACT TO AMEND §2104 OF CHAPTER 2 OF TITLE 2 OF THE GUAM CODE ANNOTATED, RELATIVE TO SETTING THE NUMBER OF VOTES REQUIRED FOR THE PASSAGE OF BILLS," was on the 22nd day of May, 1998, duly and regularly passed.



ANTONIO R. UNPINGCO
Speaker

Attested:



JOANNE M.S. BROWN
Senator and Legislative Secretary

.....
This Act was received by *I Maga'lahaen Guahan* this 28 day of May, 1998,
at 3:00 o'clock P.M.


Assistant Staff Officer
Maga'lahi's Office

APPROVED:



CARL T. C. GUTIERREZ
I Maga'lahaen Guahan

Date: 6-4-98

Public Law No. 24-213

**MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN
1997 (FIRST) Regular Session**

Bill No. 298 (COR)

As substituted by the Committee on Rules,
Government Reform and Federal Affairs and
as amended on the Floor.

Introduced by:

E. Barrett-Anderson
T. C. Ada
F. B. Aguon, Jr.
A. C. Blaz
J. M.S. Brown
Felix P. Camacho
Francisco P. Camacho
M. C. Charfauros
E. J. Cruz
W. B.S.M. Flores
Mark Forbes
L. F. Kasperbauer
A. C. Lamorena, V
C. A. Leon Guerrero
L. A. Leon Guerrero
V. C. Pangelinan
J. C. Salas
A. L.G. Santos
F. E. Santos
A. R. Unpingco
J. Won Pat-Borja

**AN ACT TO AMEND §2104 OF CHAPTER 2 OF
TITLE 2 OF THE GUAM CODE ANNOTATED,
RELATIVE TO SETTING THE NUMBER OF VOTES
REQUIRED FOR THE PASSAGE OF BILLS.**

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

2 **Section 1.** Section 2104 of Chapter 2 of Title 2 of the Guam Code
3 Annotated is hereby *amended* to read as follows:

4 **“Section 2104. Number of Votes Required.** No bill shall
5 be passed by *I Liheslaturan Guahan* with less than eight (8) affirmative
6 votes of its members.”

7 **Section 2.** This Act shall become effective January 4, 1999.

PL 24 243

24th Guam Legislature
Committee on Rules, Government
Reform and Federal Affairs

Senator Mark Forbes, Chairman



MAR 18 1998

Speaker Antonio R. Unpingco
Twenty-fourth Guam Legislature
155 Hesler Street
Agana, Guam 96910

Dear Mr. Speaker:

The Committee on Rules, Government Reform and Federal Affairs, to which Bill No. 298 was referred, wishes to report its findings and recommendations **TO DO PASS BILL NO. 298 as substituted by the Committee** "An act to amend 2GCA §2104 to set the number of votes required for the passage of bills."

The voting record is as follows:

TO PASS	<u>10</u>
NOT TO PASS	<u>0</u>
ABSTAIN	<u>0</u>
TO PLACE IN INACTIVE FILE	<u>0</u>

Copies of the Committee Report and other pertinent documents are attached.

Thank you and si Yu'os ma'ase for your attention to this matter.


MARK FORBES

Attachments

24th Guam Legislature
Committee on Rules, Government
Reform and Federal Affairs
Senator Mark Forbes, Chairman



MEMORANDUM

TO: Committee Members

FR: Chairman ~~W~~

SUBJECT: Committee Report- Bill No. 298 as substituted by the Committee "An act to amend 2GCA §2104 to set the number of votes required for the passage of bills."

Transmitted herewith for your information and action is the report on Bill No. 298 from the Committee on Rules, Government Reform and Federal Affairs.

This memorandum is accompanied by the following:

1. Committee Voting Sheet
2. Committee Report
3. Bill No. 298 as substituted by the Committee
4. Public Hearing Sign-in Sheet
5. Written Testimony
6. Fiscal Note/Fiscal Note Waiver
7. Notice of Public Hearing

Please take the appropriate action on the attached voting sheet. Your attention and cooperation in this matter is greatly appreciated.

Should you have any questions regarding the report or accompanying documents, please do not hesitate to contact me.

Thank you and si Yu'os ma'ase.

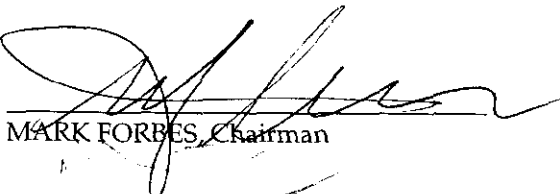
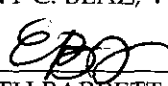
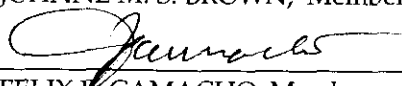
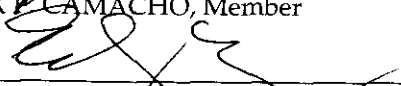
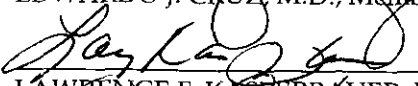
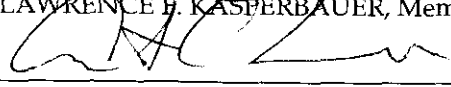
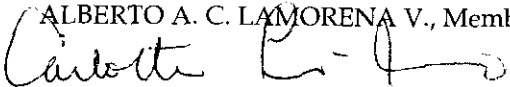
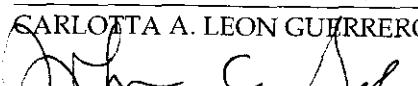

MARK FORBES

Attachments

Committee on Rules, Government Reform and Federal Affairs
Twenty Fourth Guam Legislature

Voting Record

Committee Report- Bill No. 298 as substituted by the Committee "An act to amend 2GCA §2104 to set the number of votes required for the passage of bills."

	<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>ABSTAIN</u>	<u>INACTIVE FILE</u>
 MARK FORBES, Chairman	✓			
ANTHONY C. BLAZ, Vice-Chairman				
 ELIZABETH BARRETT-ANDERSON, Member	✓			
JOANNE M. S. BROWN, Member				
 FELIX P. CAMACHO, Member	✓			
 EDUARDO J. CRUZ, M.D., Member	✓			
 LAWRENCE B. KASPERBAUER, Member	x			
 ALBERTO A. C. LAMORENA V., Member	✓			
 CARLOTTA A. LEON GUERRERO, Member	✓			
 JOHN C. SALAS, Member	✓			
MARK C. CHAREANROS, Member				
 FRANCIS E. SANTOS, Member	✓			
ANTONIO R. UNPINGCO, Member				

Twenty-Fourth Guam Legislature

**Committee On Rules,
Government Reform & Federal Affairs
Senator Mark Forbes, Chairman**

Committee Report

on

Bill No. 298 as substituted by the Committee

**“An act to amend 2GCA §2104 to set the number of votes required for the
passage of bills.”**

I. OVERVIEW

The Committee on Rules, Government Reform and Federal Affairs held a public hearing on Tuesday, March 10, 1998 at 10:35 a.m. in the conference room of the Chairman of the Committee on Rules, Government Reform and Federal Affairs. Public Notice of the hearing was announced in the March 5th, 6th, 8th, and 10th, 1998 issues of the Pacific Daily News.

Senators in attendance were:

Senator Mark Forbes, Chairman
Senator Edwardo J. Cruz, Member
Senator Frank Blas Aguon Jr.

There being no individuals present to testify on the bill, the Chairman declared the bill formally heard. The Chairman indicated that the Committee would accept any written testimony on this bill during the next few days. Senator Elizabeth Barrett-Andersen, author of the bill, submitted written testimony in support of Bill 298.

II. SUMMARY OF WRITTEN TESTIMONY

Senator Barrett-Anderson submitted written testimony in support of Bill 298 as substituted by the Committee (attached).

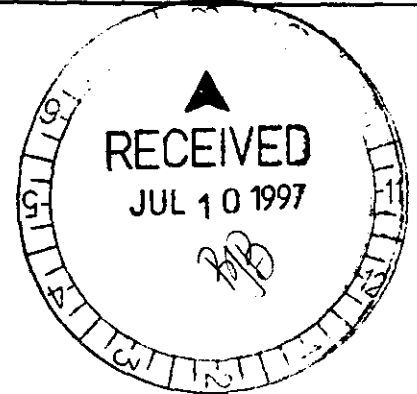
III. FINDINGS AND RECOMMENDATION

The Committee finds that the purpose of this bill is to further address the desires of the people as expressed by Public Law 23-99. P.L. 23-99 is the result of a voter initiative that was authored by the Chairman and designed to reduce the number of Senators from twenty-one (21) to fifteen (15) beginning with the Twenty-Fifth Guam Legislature. Currently 2 GCA §2104 requires eleven (11) affirmative votes to pass legislation. If the law is not amended then a vote of eleven (11) of fifteen (15) members would be required to pass legislation. This Bill is designed to lower the number of votes required for legislative action, effective January 4, 1999. Furthermore, the Bill is consistent with the Organic Act in that it requires a majority vote of those Senators present to pass legislation.

Accordingly, the Committee on Rules, Government Reform and Federal Affairs, to which Bill No. 298 was referred does hereby submit its findings and recommendations to the Twenty-fourth Guam Legislature **TO DO PASS Bill No. 298 as substituted by the Committee** "An act to amend 2GCA §2104 to set the number of votes required for the passage of bills."

24th Guam Legislature
Committee on Rules, Government
Reform and Federal Affairs

Senator Mark Forbes, Chairman



JUL 10 1997

MEMORANDUM

TO: Chairman
Committee on Rules, Government Reform and Federal Affairs

FROM: Chairman *A*
Committee on Rules, Government Reform and Federal Affairs

SUBJECT: Referral- Bill No. 298

The above Bill is referred to your Committee as the principal committee. It is recommended you schedule a public hearing at your earliest convenience.

Thank you for your attention to this matter.

MARK FORBES

Attachment



24TH GUAM LEGISLATURE

Senator Elizabeth Barrett-Anderson

Chairperson, Committee on Judiciary,
Public Safety and Consumer Protection

March 11, 1998

Senator Mark Forbes
Chairperson, Committee on Rules, Government Reform
and Federal Affairs
24th Guam Legislature
Agana, Guam

Re: Testimony in Support of Bill 298

Dear Senator Forbes:

I am pleased to submit this testimony in Support of the passage of Bill 298 and thankful for your holding of the necessary public hearing that with your support could lead the way to eventual enactment of this measure.

As author of Proposal 'A' that by voter mandate reduces the legislature down to 15 members you are perhaps the person most familiar with the need of the voting requirements for passage of bills to be amended to reflect the desires of the people as expressed in your Proposal 'A'.

The basis for my excluding the quorum requirement from my original introduced bill is to prevent any question of inOrganicity. The Organic Act states that "*The quorum of the legislature shall consist of eleven of its members.*" (§1423b) Until Congress amends the Organic Act a quorum should consist of eleven (11) members.

Finally, I am requesting that the committee amend the effective date of the change to coincide with the date that the 25th Guam Legislature takes office. This amendment will ensure that the statutory changes will only be applicable to the 25th Guam Legislature and not the 24th Guam Legislature that without this amendment could have several days in January 1999 with this reduced requirement.

I am attaching a substituted version of Bill 298 that I ask you report out with strong recommendation to do pass as amended by your Committee.

Sincerely

Elizabeth Barrett-Anderson

Enclosure
cc: All Senators

FISCAL NOTE
BUREAU OF BUDGET AND MANAGEMENT RESEARCH

BBMR-F7

Bill Number: 298(cor)
Amendatory Bill: Yes

Date Received: July 11, 1997
Date Reviewed: August 15, 1997

Department/Agency Affected: Guam Legislature
Department/Agency Head: Antonio Umpingco, Speaker
Total FY Appropriation to Date: \$13,347,709

Bill Title (preamble): AN ACT TO AMEND 2 GCA, CHAPTER 2, §2104 TO SET THE NUMBER OF REQUIREMENTS FOR QUORUM AND PASSAGE OF BILLS.

Change in Law: 2GCA Chapter 2, §2104

Bill's Impact on Present Program Funding:
Increase _____ Decrease _____ Reallocation _____ No Change X

Bill is for:
Operations _____ Capital Improvement _____ Other X

FINANCIAL/PROGRAM IMPACT

ESTIMATED SINGLE-YEAR FUND REQUIREMENTS (Per Bill)			
PROGRAM CATEGORY	GENERAL FUND	OTHER	TOTAL
Legislative Branch	11		

ESTIMATED MULTI-YEAR FUND REQUIREMENTS (Per Bill)						
FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL	11					
OTHER						
TOTAL						

FUNDS ADEQUATE TO COVER INTENT OF THE BILL? Yes - IF NO, ADD'L AMOUNT REQUIRED \$ _____
AGENCY/PERSON/DATE CONTACTED: _____

ESTIMATED POTENTIAL MULTI-YEAR REVENUES						
FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL FUND	11					
OTHER						
TOTAL						

ANALYST md
M. Dizon

DATE 8/15/97 DIRECTOR Joseph E. Rivera, Acting

DATE SEP 04 1997

FOOTNOTES: See attached.

11

Bill 298 proposes to set the number of requirements for quorum and passage of bills to no less than 11 affirmative votes, which is majority of its members. This proposal will allow for a smoother process for which bills are passed by the legislature thus allowing for less debate and therefore enabling a more cost-efficient legislative process. It must be noted that although the process may appear to be more cost-efficient, the quality of the process may be compromised by such a measure as well. Furthermore, additional costs may arise if certain legal challenges occur.

It must further be noted that for the 25th Guam Legislature there will be 15 senatorial seats. Therefore the requirements for quorum and passage of bills should be again reduced to 8 affirmative votes, instead of 11.