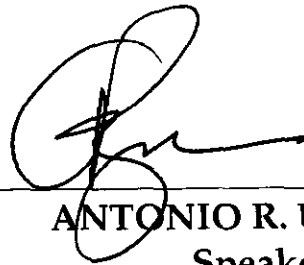



MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2001 (FIRST) Regular Session

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

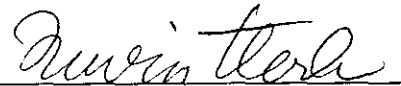
This is to certify that Bill No. 079 (COR) "AN ACT TO ADD §4116 TO TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO REQUIRING EACH EXECUTIVE BRANCH AGENCY AND DEPARTMENT TO TRANSMIT A LISTING OF ALL MANDATES TO *I LIHESLATURAN GUÅHAN*; TO PRIORITIZE THE LISTING FROM "HIGHEST TO LOWEST PRIORITY"; AND TO RECOMMEND WHICH MANDATES SHOULD BE REPEALED," was on the 11th day of May, 2001, duly and regularly passed.


ANTONIO R. UNPINGCO
Speaker

Attested:


JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 14th day of May, 2001,
at 4:15 o'clock P.M.


Assistant Staff Officer
Maga'lahi's Office

APPROVED:


CARL T. C. GUTIERREZ
I Maga'lahen Guåhan

Date: 5-20-01

Public Law No. 26-16



MINA' BENTE SAIS NA LIHESLATURAN GUÅHAN
TWENTY-SIXTH GUAM LEGISLATURE
155 Hesler Street, Hagåtña, Guam 96910

2001 (FIRST) Regular Session

I, Antonio R. Unpingco, Speaker of *I Mina'Bente Sais Na Liheslaturan Guåhan*, hereby certify, in conformance with Title 2 Guam Code Annotated §2103, *Public Hearings Mandatory*, as amended, that an emergency condition exists involving danger to the public health and welfare of the People and therefore waive the statutory requirements for a public hearing on Bill Number 79 (COR), "AN ACT TO REQUIRE EACH OF THE EXECUTIVE BRANCH AGENCIES AND DEPARTMENTS TO TRANSMIT A LISTING OF ALL MANDATES TO *I LIHESLATURAN GUAHAN*; TO PRIORITIZE THE LISTING FROM "HIGHEST TO LOWEST PRIORITY"; AND, TO RECOMMEND TO *I LIHESLATURAN GUAHAN* WHICH MANDATES ARE TO BE REPEALED," which was introduced on this date, May 9, 2001, and therefore waive the statutory requirements for a public hearing on Bill Number 79 (COR).

Dated: May 9, 2001

ANTONIO R. UNPINGCO
Speaker

MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2001 (FIRST) Regular Session

Bill No. 79 (COR)

As amended.

Introduced by:

Mark Forbes
V. C. Pangelinan
J. M.S. Brown
A. R. Unpingco
J. F. Ada
T. C. Ada
F. B. Aguon, Jr.
E. B. Calvo
F. P. Camacho
M. C. Charfauros
L. F. Kasperbauer
L. A. Leon Guerrero
K. S. Moylan
A. L. G. Santos
J. T. Won Pat

**AN ACT TO ADD §4116 TO TITLE 5 OF THE
GUAM CODE ANNOTATED, RELATIVE TO
REQUIRING EACH EXECUTIVE BRANCH
AGENCY AND DEPARTMENT TO TRANSMIT
A LISTING OF ALL MANDATES TO *I*
LIHESLATURAN GUÅHAN; TO PRIORITIZE
THE LISTING FROM "HIGHEST TO LOWEST
PRIORITY"; AND TO RECOMMEND WHICH
MANDATES SHOULD BE REPEALED.**

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

2 **Section 1. Legislative Statement.** *I Maga'lahaen Guåhan* has
3 recently stated that he expects *I Liheslaturan Guåhan* to decide which

1 mandates to fund. The Administration also is of the opinion that the
2 Organic Act clearly provides *I Maga'láhen Guåhan* with the ultimate
3 authority to periodically examine and reorganize the government of Guam.
4 Once such a reorganization effort has been set in motion, one of the by-
5 products of such an examination is the compilation of mandates, both
6 funded and un-funded.

7 Any reorganization effort should eventually recommend certain
8 changes in the daily task of providing government programs and services.
9 One of the recommendations could most certainly be the repeal of those
10 mandates that are no longer needed, or that cannot be performed in the
11 absence of adequate resources to properly carry out the tasks.

12 In these tight economic times, any attempt to reorganize government
13 programs and services with an eye to achieving greater efficiencies must be
14 embraced and made law. In this spirit, it is the intent of *I Liheslaturan*
15 *Guåhan* to do its part to realize such efficiencies. It is also noted that
16 government agencies should be in the best position to report on their
17 mandates, and that given the fact that agencies are, in theory at least,
18 dealing with these mandates on a daily basis, the process of listing these
19 mandates and prioritizing them should be fairly simple.

20 **Section 2.** Section 4116 is hereby *added* to Chapter 4, Division 1 of
21 Title 5 of the Guam Code Annotated to read as follows:

22 **"Section 4116. Transmittal of Mandates.** Each Executive
23 Branch agency, department, instrumentality, commission, board or
24 any organized unit thereof, including any semi-autonomous,
25 autonomous or line agency or department, shall prepare and transmit

I MINA' BENTE SAIS NA LIHESLATURAN GUAHAN

2001 (FIRST) Regular Session

Date: 5/11/01

VOTING SHEET

Bill No. 79 (COR)

Resolution No. _____

Question: _____

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
ADA, Joseph F.	✓				
ADA, Thomas C.	✓				
AGUON, Frank B., Jr.	✓				
BROWN, Joanne M. S.	✓				
CALVO, Eddie B.	✓				
CAMACHO, Felix P.	✓				
CHARFAUROS, Mark C.	✓				
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.	✓				
LEON GUERRERO, Lourdes A. //	✓				
MOYLAN, Kaleo S.	✓				
PANGELINAN, Vicente C.	✓				
SANTOS, Angel L.G.	✓				
UNPINGCO, Antonio R.	✓				
WON PAT, Judith T. //	✓				

TOTAL

15 0 0 0 0

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence

6
5/11/01

**MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2001 (FIRST) Regular Session**

Bill No. 79 (COR)

As amended.

*

Introduced by:

Mark Forbes
V. C. Pangelinan
J. M.S. Brown
A. R. Unpingco
J. F. Ada
T. C. Ada
F. B. Aguon, Jr.
E. B. Calvo
F. P. Camacho
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**AN ACT TO ADD §4116 TO TITLE 5 OF THE
GUAM CODE ANNOTATED, RELATIVE TO
REQUIRING EACH EXECUTIVE BRANCH
AGENCY AND DEPARTMENT TO TRANSMIT
A LISTING OF ALL MANDATES TO *I
LIHESLATURAN GUÅHAN*; TO PRIORITIZE
THE LISTING FROM "HIGHEST TO LOWEST
PRIORITY"; AND TO RECOMMEND WHICH
MANDATES SHOULD BE REPEALED.**

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

2 **Section 1. Legislative Statement.** *I Maga'lahaen Guåhan* has
3 recently stated that he expects *I Liheslaturan Guåhan* to decide which

1 mandates to fund. The Administration also is of the opinion that the
2 Organic Act clearly provides *I Maga'lahaen Guåhan* with the ultimate
3 authority to periodically examine and reorganize the government of Guam.
4 Once such a reorganization effort has been set in motion, one of the by-
5 products of such an examination is the compilation of mandates, both
6 funded and un-funded.

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8 changes in the daily task of providing government programs and services.
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10 mandates that are no longer needed, or that cannot be performed in the
11 absence of adequate resources to properly carry out the tasks.

12 In these tight economic times, any attempt to reorganize government
13 programs and services with an eye to achieving greater efficiencies must be
14 embraced and made law. In this spirit, it is the intent of *I Liheslaturan*
15 *Guåhan* to do its part to realize such efficiencies. It is also noted that
16 government agencies should be in the best position to report on their
17 mandates, and that given the fact that agencies are, in theory at least,
18 dealing with these mandates on a daily basis, the process of listing these
19 mandates and prioritizing them should be fairly simple.

20 **Section 2.** Section 4116 is hereby *added* to Chapter 4, Division 1 of
21 Title 5 of the Guam Code Annotated to read as follows:

22 **"Section 4116. Transmittal of Mandates.** Each Executive
23 Branch agency, department, instrumentality, commission, board or
24 any organized unit thereof, including any semi-autonomous,
25 autonomous or line agency or department, shall prepare and transmit

1 to *I Liheslaturan Guåhan* a listing of mandates, both funded and un-
2 funded, that they are tasked by law to carry out. Each listing shall be
3 arranged in order of highest priority to lowest priority. Each listing
4 shall also indicate any mandates that are recommended to be
5 repealed. These listings shall be transmitted to *I Liheslaturan Guåhan*
6 within sixty (60) days of the effective date of this Act.”

**MINA' BENTE SAIS NA LIHESLATURAN GUÅHAN
2001 (FIRST) Regular Session**

Bill No. 79(COR)

Introduced by:

Mark Forbes 

**AN ACT TO REQUIRE EACH OF THE EXECUTIVE
BRANCH AGENCIES AND DEPARTMENTS TO
TRANSMIT A LISTING OF ALL MANDATES TO I
LIHESLATURAN GUAHAN; TO PRIORITIZE THE
LISTING FROM "HIGHEST TO LOWEST
PRIORITY"; AND, TO RECOMMEND TO I
LIHESLATURAN GUAHAN WHICH MANDATES
ARE TO BE REPEALED.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Statement. The Governor has recently stated that he expects the Legislature to decide which mandates to fund. The Administration also is of the opinion that the Organic Act clearly provides the Governor with the ultimate authority to periodically examine and reorganize the government of Guam. Once such a reorganization effort has been set in motion, one of the by-products of such an examination is the compilation of mandates, both funded and unfunded. Any reorganization effort should eventually recommend certain changes in the daily task of providing government programs and services. One of the recommendations could most certainly be the repeal of those mandates that are no longer needed, or that cannot be performed in the absence of adequate resources to properly carry out the tasks.

1 In these tight economic times, any attempt to reorganize government
2 programs and services with an eye to achieving greater efficiencies must be
3 embraced and made law. In this spirit, it is the intent of *I Liheslaturan Guåhan*
4 to do its part to realize such efficiencies. It is also noted that government
5 agencies should be in the best position to report on their mandates, and that
6 given the fact that agencies are, in theory at least, dealing with this mandates
7 on a daily basis, the process of listing these mandates and prioritizing them
8 should be fairly simple.

9 **Section 2. Transmittal of Mandates.** Each Executive branch agency,
10 department, instrumentality, commission, board or any organized unit
11 thereof, including any semi-autonomous, autonomous or line agency or
12 department, shall prepare and transmit to *I Liheslaturan Guåhan* a listing of
13 mandates, both funded and unfunded, that they are tasked by law to carry
14 out. Each listing shall be arranged in order of highest priority to lowest
15 priority. Each listing shall also indicate any mandates that are recommended
16 to be repealed. These listings shall be transmitted to *I Liheslaturan Guåhan*
17 within sixty (60) days of the effective date of this Act.