
  
*Office of the Governor of Guam*

P.O. Box 2950 Hagåtña, Guam 96932

TEL: (670) 472-8931 • FAX: (670) 477-4820 • EMAIL: governor@guam.gov.gu

Felix Perez Camacho  
*Governor*

Kaleo Scott Moylan  
*Lieutenant Governor*

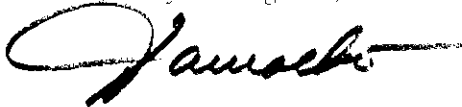
436-  


The Honorable Vicente C. Pangelinan  
Speaker  
*Mina' Bente Siete Na Liheslanuran Guåhan*  
155 Hessler Street  
Hagåtña, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 382 (COR), "AN ACT TO RE-ESTABLISH THE GUAM ETHICS COMMISSION, BY *REPEALING* SECTION 56 OF PUBLIC LAW 26-76, AND *AMENDING* §15301 OF TITLE 4, GUAM CODE ANNOTATED," now designated as **Public Law 27-141**.

*Sinsertu yan Magåhet,*



**FELIX P. CAMACHO**  
*I Maga'låhen Guåhan*  
Governor of Guam

Attachment: copy attached of signed bill

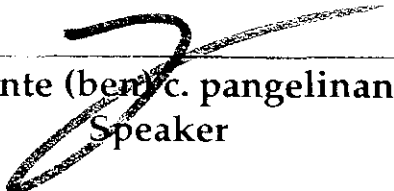
cc: The Honorable Tina Rose Muta-Barrios  
Senator and Legislative Secretary

I MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN  
2004 (SECOND) Regular Session

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

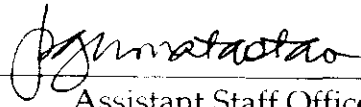
This is to certify that Bill No. 382 (COR), "AN ACT TO RE-ESTABLISH THE GUAM ETHICS COMMISSION, BY REPEALING SECTION 56 OF PUBLIC LAW 26-76, AND AMENDING §15301 OF TITLE 4, GUAM CODE ANNOTATED," was on the 20<sup>th</sup> day of December, 2004, duly and regularly passed.

Attested:

  
vicente (ben) c. pangelinan  
Speaker

  
Tina Rose Muña Barnes  
Senator and Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 20 day of December, 2004,  
at 5:50 o'clock P.M.

  
Assistant Staff Officer  
*Maga'lahi's Office*

APPROVED:

  
FELIX P. CAMACHO  
*I Maga'lahen Guåhan*

Date: December 30, 2004

Public Law No. 27-141

I MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN  
2004 (SECOND) Regular Session

**Bill No. 382 (COR)**

As amended on the Floor.

Introduced by:

v. c. pangelinan  
F. B. Aguon, Jr.  
J. M.S. Brown  
F. R. Cunliffe  
Carmen Fernandez  
Mark Forbes  
L. F. Kasperbauer  
R. Klitzkie  
L. A. Leon Guerrero  
J. A. Lujan  
T. R. Muña Barnes  
J. M. Quinata  
R. J. Respicio  
Toni Sanford  
Ray Tenorio

**AN ACT TO RE-ESTABLISH THE GUAM ETHICS  
COMMISSION, BY REPEALING SECTION 56 OF PUBLIC  
LAW 26-76, AND AMENDING §15301 OF TITLE 4, GUAM  
CODE ANNOTATED.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*  
3 finds that the Guam Ethics Commission, as established by Public Law 23-105,  
4 has been inadvertently repealed by Public Law 26-76, when Public Law 26-76  
5 attempted to abolish all boards, commissions, councils or oversight bodies  
6 that have not met in the last twelve (12) months upon the passage of that law.

1 It was never the intent of *I Liheslaturan Guåhan* to abolish the Guam  
2 Ethics Commission and therefore, would like to re-establish it as it was in  
3 existence prior to the passage of Public Law 26-76.

4 **Section 2.** Section 56 of Public Law 26-76 is hereby *repealed*.

5 **Section 3.** §15301 of Article 3 of Chapter 15 of Title 4, Guam Code  
6 Annotated, is hereby *amended* to read as follows:

7 **“§15301. Guam Ethics Commission Re-established;**  
8 **Composition.** There shall be within the government of Guam, a  
9 commission to be known as the ‘Guam Ethics Commission’. The  
10 Commission shall consist of seven (7) members to be appointed by *I*  
11 *Maga’lahi*. Each appointee shall be a United States citizen and a bona  
12 fide resident of Guam. *No* person who has ever been convicted of a  
13 felony shall be eligible to serve on the Commission. Members of the  
14 Commission shall *not* be an employee, as defined herein, or have any  
15 member of their immediate family employed by the government of  
16 Guam. All appointments to the Guam Ethics Commission shall be  
17 confirmed by *I Liheslatura*.

18 The Chairman of the Commission shall be elected by the majority  
19 of the Commission. The term of office of each member shall be for four  
20 (4) years, provided that of the original members, two (2) shall hold office  
21 for two (2) years, two (2) shall hold office for three (3) years, and one (1)  
22 shall hold office for four (4) years. The determination of these members’  
23 length of office shall be by lot drawn by the members at their initial  
24 meeting. *No* person shall be appointed consecutively to more than two  
25 (2) terms as a member of the Commission.

1           Members shall serve without compensation, *except* that they shall  
2 receive a stipend of Fifty Dollars (\$50.00) per meeting *not to exceed* four  
3 (4) meetings per calendar month, and shall be compensated for all  
4 normal expenses of travel, and for the cost of meals while in session.

5           Vacancies shall be filled for the remainder of the unexpired term  
6 in the same manner as the original appointments. *I Maga'lahi* may  
7 remove or suspend any member of the Commission for cause, upon the  
8 filing of a written finding with the Commission and upon service of a  
9 copy of the written findings on the member removed or suspended."

10       **Section 4. Severability.** *If* any provision of this Act or its application  
11 to any person or circumstances is found to be invalid or contrary to law, such  
12 invalidity shall *not* affect other provisions or applications of this Act which  
13 can be given effect without the invalid provisions or applications, and to this  
14 end the provisions of this Act are severable.



**FRANK B. AGUON, JR.**

*Vice Speaker*

December 15, 2004

**MEMORANDUM**

The Honorable ben c. pangelinan  
Speaker, *I Mina' Bente Siete Na Liheslaturan Guåhan*  
155 Hesler Street  
Hagåtña, Guam 96910

Via: Honorable Senator Lou Leon Guerrero, Committee on Rules & Health

Dear Speaker pangelinan:

The Committee on Appropriations and Budgeting, General Governmental Operations, Reorganization and Reform, to which was referred, Bill No. 382 (COR) - An act to re-establish the Guam Ethics Commission, by adding a new Article 3 of Chapter 15 of Title 4, Guam Code Annotated, has had the same under consideration, and now wishes to report back the same with the recommendation **TO DO PASS.**

The voting record is as follows:

TO PASS	<u>6</u>
NOT TO PASS	<u>0</u>
TO ABSTAIN DUE TO POTENTIAL CONFLICT	<u>0</u>
TO PLACE IN INACTIVE FILE	<u>0</u>

Copies of the Committee Report and other pertinent documents are attached. Thank you for your attention to this matter. **Dangkolo' Na Si Yu'os Ma'ase.**

Respectfully,

**FRANK BLAS AGUON, JR.**

Vice Speaker/Senator  
*I Mina' Bente Siete Na Liheslaturan Guåhan*



*Respetu Para Todu (Respect for All)*

I Mina Bente-Siete Na Liheslaturan Guåhan \* Twenty-Seventh Guam Legislature  
Suite 101-A \* Ada's Commercial and Professional Center \* 118 East Marine Drive \* Hagåtña, Guam 96910  
Phone (671) 479-4GUM (4486/4828) \* Fax (671) 479-4827





**FRANK B. AGUON, JR.**

*Vice Speaker*

December 15, 2004

**MEMORANDUM**

**TO:** Members, Committee on Appropriations and Budgeting, General Governmental Operations, Reorganization and Reform

**FROM:** Vice Speaker Frank B. Aguon, Jr.  
Chairman, Committee on Appropriations and Budgeting, General Governmental Operations, Reorganization and Reform

**SUBJECT:** Committee Report – Bill No. 382 (COR): An act to re-establish the Guam Ethics Commission, by adding a new Article 3 of Chapter 15 of Title 4, Guam Code Annotated.

Transmitted herewith for your information and action is the report on Bill No. 382 (COR) from the Committee on Appropriations and Budgeting, General Governmental Operations, Reorganization and Reform.

This memorandum is accompanied by the following:

1. Committee Voting Sheet
2. Committee Report
3. Bill 382 (COR)
4. Public Hearing Sign-in Sheet
5. 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. **Dangkolo' Na Si Yu'os Ma'ase.**

Respectfully,

**FRANK BLAS AGUON, JR.**

Vice Speaker/Senator

*I Mina Bente-Siete Na Liheslaturan Guåhan*

*Respetu Para Todu (Respect for All)*

I Mina Bente-Siete Na Liheslaturan Guåhan \* Twenty-Seventh Guam Legislature  
Suite 101-A \* Ada's Commercial and Professional Center \* 118 East Marine Drive \* Hagåtña, Guam 96910  
Phone (671) 479-4611 / (4486/4828) \* Fax (671) 479-4827





**FRANK B. AGUON, JR.**

*Vice Speaker*

**Committee on Appropriations and Budgeting, General Governmental  
Operations, Reorganization and Reform  
VOTING SHEET**

**Bill No. 382 (COR)** An act to re-establish the Guam Ethics Commission, by adding a new Article 3 of Chapter 15 of Title 4, Guam Code Annotated.

Committee Members	To Pass	Not to Pass	To Abstain due to potential Conflict	To place in Inactive File
<i>off island</i> FRANK B. AGUON, JR. Chair	_____	_____	_____	_____
<i>AK</i> ANTOINETTE D. SANFORD Vice Chair	✓	_____	_____	_____
<i>Paul Jones</i> LOU LEON GUERRERO Member	✓	_____	_____	_____
<i>[Signature]</i> TINA R. MUÑA-BARNES Member	✓	_____	_____	_____
<i>[Signature]</i> JOHN M. QUINATA Member	_____	_____	_____	_____
<i>[Signature]</i> RORY J. RESPICIO Member	_____	_____	_____	_____
<i>[Signature]</i> CARMEN FERNANDEZ Member	_____	_____	_____	_____
MARK FORBES Member	_____	_____	_____	_____
LAWRENCE F. KASPERBAUER Member	_____	_____	_____	_____

*Respetu Para Todu (Respect for All)*







**FRANK B. AGUON, JR.**

*Vice Speaker*

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*I MINA' BENTE SIETE NA LIHESLATURAN GUÅHAN*

Committee on Appropriations and Budgeting,  
General Governmental Operations,  
Reorganization and Reform

**VICE SPEAKER FRANK B. AGUON, JR.  
CHAIRMAN**

Committee Report  
On  
Bill No. 382 (COR)

**"AN ACT TO RE-ESTABLISH THE GUAM ETHICS COMMISSION, BY  
ADDING A NEW ARTICLE 3 OF CHAPTER 15 OF TITLE 4, GUAM CODE  
ANNOTATED."**

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*Respetu Para Todu (Respect for All)*

I Mina Bente-Siete Na Liheslaturan Guåhan \* Twenty-Seventh Guam Legislature  
Suite 101-A \* Ada's Commercial and Professional Center \* 118 East Marine Drive \* Hagåtña, Guam 96910  
Tel: (671) 479-1000 \* Fax: (671) 479-4827





Committee on Appropriations and Budgeting, General Governmental Operations,  
Reorganization and Reform

Vice Speaker Frank B. Aguon, Jr., Chairman

Public Hearing: Monday, December 13, 2004 • 8:00 a.m.

*I Liheslaturan Guahan, Hagatña*

Witness sign in sheet

Bill No. 382 (COR) An act to re-establish the Guam Ethics Commission, by adding a new Article 3 of Chapter 15 of Title 4, Guam Code Annotated.

NAME (Please print)	AGENCY/ ORGANIZATION	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	NOT IN FAVOR	CONTACT NUMBER
D. TYDENCO	JUDICIARY	✓		✓		475-3278
Andrew S. Quenza	"	✓		✓		475 3375



**FRANK B. AGUON, JR.**

*Vice Speaker*

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## PRESS RELEASE

### COMMITTEE ADDS TO HEARING AGENDA A BILL TO REESTABLISH GUAM ETHICS COMMISSION

(For immediate release December 3, 2004)

Vice Speaker Frank B. Aguon announced today that Bill 382 will be added to his Public Hearing agenda for Monday, December 13. Passage of Bill 382 would reestablish the Guam Ethics Commission.

Bill 382 also proposes to streamline the nomination process to place members on the Guam Ethics Commission.

"Without the Guam Ethics Commission, there is no formal process to compel our public officials and employees to adhere to established standards of ethical conduct," the Vice-Speaker said today. "Is there a problem with unethical behavior? Only through an objective, fair process can we know for sure. This measure is necessary to monitor the very real distance between gossip and talk-show calls, and breaking other laws."

The Guam Ethics Commission was established in 1996 to administer standards of professional conduct for public officers and employees. It was inadvertently repealed in March 2002 when a government reorganization law abolished commissions that had not met in the previous 12 months.

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For further information contact Darryl Taggerty at 479-4828/9.

Attachments: (19 pages) Public Hearing Agenda for December 13  
Bill 382  
Public Law 23-105



*Respetu Para Todu (Respect for All)*

I Mina Bente-Siete Na Liheslaturan Guåhan \* Twenty-Seventh Guam Legislature  
Suite 101-A \* Ada's Commercial and Professional Center \* 118 East Marine Drive \* Hagatña, Guam 96910

TEL: (767) 498-1234 FAX: (767) 479-4827

