



Office of the Governor of Guam

P.O. Box 2950 Hagåtña, Guam 96932
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Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

22 APR 2009

The Honorable Judith T. Won Pat, Ed.D.
Speaker
Mina' Trenta Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

ACKNOWLEDGEMENT RECEIPT
Received By: [Signature]
Time: 4:45 PM
Date: 4-22-09

Dear Speaker Won Pat:

Transmitted herewith is Bill No. 44(COR) "AN ACT TO ADD A NEW § 2109 TO CHAPTER 2, TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING I LIHESLATURA TO SUBMIT THE ANNUAL BUDGET FOR THE GOVERNMENT OF GUAM TO I MAGA' LAHI NO LATER THAN AUGUST 31, PRIOR TO EACH FISCAL YEAR" which was signed into law on April 17, 2009 as Public Law 30-13.

Sinseru yan Magåhet,

[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

30-09-0495
Office of the Speaker
Judith T. Won Pat, Ed. D.
Date: 4/22/09
Time: 4:22 PM
Received by: [Signature]

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

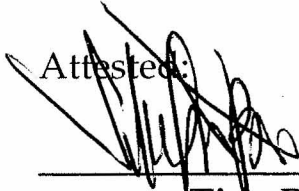
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Bill No. 44 (COR)**, "AN ACT TO *ADD A NEW* §2109 TO CHAPTER 2, TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING *I LIHESLATURA* TO SUBMIT THE ANNUAL BUDGET FOR THE GOVERNMENT OF GUAM TO *I MAGA'LAHI NO LATER THAN* AUGUST 31, PRIOR TO EACH FISCAL YEAR," was on the 3rd day of April, 2009, duly and regularly passed.



Judith T. Won Pat, Ed. D.
Speaker

Attested:



Tina Rose Muña Barnes
Senator and Secretary of the Legislature

This Act was received by *I Maga'lahaen Guåhan* this 6 day of April, 2009, at 4:45 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



MIKE W. CRUZ, MD
GOVERNOR OF GUAM ACTING

Date: 17 APR 2009

Public Law No. 30-13

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

Bill No. 44 (COR)

Introduced by

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

AN ACT TO *ADD A NEW* §2109 TO CHAPTER 2, TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING *I LIHESLATURA* TO SUBMIT THE ANNUAL BUDGET FOR THE GOVERNMENT OF GUAM TO *I MAGA'LAHI NO LATER THAN* AUGUST 31, PRIOR TO EACH FISCAL YEAR.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guáhan* finds
3 that it has become common practice for the annual budget of the government of
4 Guam to be passed so close to the end of a fiscal year that *I Maga'lahi* is often *not*
5 afforded ten (10) days to review the document. This “budgetary brinksmanship”
6 also leaves little time for *I Liheslatura* to address any Executive Branch concerns

1 with the annual budget prior to implementation of the budget at the beginning of a
2 new fiscal year.

3 It is, therefore, the intent of *I Liheslatura* to set a deadline for passing and
4 transmitting annual budget bills to *I Maga'lahi* for his consideration, to give *I*
5 *Maga'lahi* adequate time to review the document, and also to permit *I Liheslatura*
6 adequate time to address any concerns *I Maga'lahi* may have with budget bills
7 prior to each fiscal year.

8 **Section 2.** A new §2109 is added to Chapter 2, Title 2, Guam Code
9 Annotated to read:

10 **"§2109. Submission of Fiscal Year Budget to *I Maga'lahi*.** The
11 annual fiscal year budget for the government of Guam *shall* be passed by *I*
12 *Liheslatura* and submitted to *I Maga'lahi* no later than August 31, prior to
13 each fiscal year."

6

I MINA' TRENTA NA LIHESLATURAN GUÅHAN

2009 (FIRST) Regular Session

Date: April 3, 2009

VOTING SHEET

Bill No. 44 (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.	✓				
BLAS, Frank F., Jr.	✓				
CALVO, Edward J.B.	✓				
CRUZ, Benjamin J. F.	✓				
ESPALDON, James V.	✓				
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

15 _____

CERTIFIED TRUE AND CORRECT:

Patricia A. Santos
Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence

SENATOR RORY J. RESPICIO

MAJORITY LEADER

CHAIRMAN
COMMITTEE ON RULES, NATURAL RESOURCES
AND FEDERAL, FOREIGN & MICRONESIAN AFFAIRS



I Mina'Trenta na Liheslaturan Guåhan
THIRTIETH GUAM LEGISLATURE

February 9, 2009

The Honorable Judith T. Won Pat, Ed.D.

Speaker

I Mina'Trenta Na Liheslaturan Guåhan

155 Hesler Place

Hagåtña, Guam 96910

2009 FEB 12 PM 3:05 MCE

RE: Committee Report – Bill No. 44 (COR)

Dear Speaker Won Pat:

The Committee on Rules, Natural Resources, and Federal, Foreign & Micronesia Affairs, to which was referred **Bill No. 44 (COR) – “An act to add a new § 2109 to Chapter 2 Title 2 Guam Code Annotated relative to requiring *I Liheslatura* to submit the annual budget for the government of Guam to *I Maga'Lahi'* by no later than August 31 prior to each fiscal year,”** hereby reports out with the recommendation To Pass.

Committee votes are as follows:

- 8 TO PASS
- 0 TO NOT PASS
- 0 TO ABSTAIN
- 3 TO REPORT OUT ONLY

Very Truly Yours,

Rory J. Respicio
Chairperson



COMMITTEE ON RULES

I Mina'Trenta na Libeslaturan Guåhan • 30th Guam Legislature

155 Hesler Place, Hagåtña, Guam 96910 • tel: (671)472-7679 • fax: (671)472-3547 • roryforguam@gmail.com

VOTING SHEET

BILL NO. 044 (COR) – R.J. RESPICIO: AN ACT TO ADD A NEW § 2109 TO CHAPTER 2 TITLE 2 GUAM CODE ANNOTATED RELATIVE TO REQUIRING *I LIHESLATURA* TO SUBMIT THE ANNUAL BUDGET FOR THE GOVERNMENT OF GUAM TO *I MAGA'LAHI'* BY NO LATER THAN AUGUST 31 PRIOR TO EACH FISCAL YEAR.

	Signature	Date	To Pass	To Not Pass	To Abstain	To Report Out Only
SEN. RORY J. RESPICIO CHAIRPERSON		2/9/09				
SEN. JUDITH P. GUTHERTZ VICE CHAIRPERSON		2/9/09				
SEN. JUDITH T. WON PAT SPEAKER		2/9/09				
SEN. BENJAMIN J.F. CRUZ VICE SPEAKER		2/9/09				
SEN. TINA ROSE MUÑA BARNES LEGISLATIVE SECRETARY		2/9/09				
SEN. THOMAS C. ADA MEMBER		2/9/09				
SEN. FRANK B. AGUON, JR. MEMBER		09 FEB 09				
SEN. ADOLPHO B. PALACIOS, SR. MEMBER		2/9/09				
SEN. VICENTE C. PANGELINAN MEMBER		2/10/09				
SEN. MATT RECTOR MEMBER		2/9/09				
SEN. FRANK F. BLAS, JR. Minority Member		2/10/09				
SEN. JAMES V. ESPALDON MINORITY MEMBER						

SENATOR RORY J. RESPICIO

MAJORITY LEADER

CHAIRPERSON
COMMITTEE ON RULES, NATURAL RESOURCES
AND FEDERAL, FOREIGN & MICRONESIAN AFFAIRS



I Mina'Trenta na Liheslaturan Guåhan
THIRTIETH GUAM LEGISLATURE

COMMITTEE REPORT

BILL NO. 044 (COR) – R.J. Respicio:

An act to add a new § 2109 to Chapter 2 Title 2 Guam Code Annotated relative to requiring *I Liheslatura* to submit the annual budget for the government of Guam to *I Maga'Lahi* by no later than August 31 prior to each fiscal year.

A public hearing was conducted by the Committee on Rules, Natural Resources and Federal, Foreign & Micronesian Affairs on the above titled subject on February 3, 2009 at 9:00 a.m. at the public hearing room of *I Liheslaturan Guåhan*, 155 Hesler Place, Hagåtña, Guam. Present at the hearing were the following Senators: Chairperson Rory J. Respicio, Vice Chairperson Judith P. Guthertz, Frank B. Aguon Jr., Adolpho B. Palacios, Vicente C. Pangelinan, Matt Rector and Telo Taitague.

BILL NO. 044 (COR) DIGEST: Introduced on January 20, 2009, Bill No. 044 (COR) adds a new § 2109 to Chapter 2 Title 2 Guam Code Annotated to require the Legislature to submit the annual budget for the government of Guam to the Governor by no later than August 31 prior to each fiscal year.

TESTIMONY DIGEST: No one signed in to testify and no testimony was presented at the hearing.

The author, Senator Rory J. Respicio made brief remarks, stating that the bill would give the Governor 10 days to act on the bill and the Legislature would also have time to consider his remarks and consider any item vetoes prior to the beginning of the fiscal year.

There being no testimony presented, Chairperson Respicio declared Bill No. 044 (COR) was publicly heard and that written and electronic testimony would be accepted for ten working days following the hearing.

RECOMMENDATION: There being no objections or amendments to declared Bill No. 044 (COR), the Committee on Rules, Natural Resources and Federal, Foreign & Micronesian Affairs hereby reports out declared Bill No. 044 (COR) with the recommendation to do pass as introduced.

Attached are the following supporting documents:

- 1. Public hearing notification sent to all media and posted on the Guam Legislature's web site**
- 2. Sign-in sheet(s) submitted at public hearing**
- 3. Testimony and evidence submitted at public hearing**
- 4. Voting sheet**



COMMITTEE ON RULES

I Mina'Trenta na Libeslaturan Guåhan • 30th Guam Legislature

155 Hesler Place, Hagatña, Guam 96910 • tel: (671)472-7679 • fax: (671)472-3547 • roryforguam@gmail.com

AGENDA PUBLIC HEARING Tuesday, February 3, 2009 9:00 a.m.

Bill No. 34 (COR) - V.C. Pangelinan: An act to amend Title 2 GCA § 2108 relative to consideration of bills before the Legislature.

Resolution No. 13 (COR) - R.J. Respicio: Relative to adding a new Section 4.02.05 to Rule IV, "Convening and Sessions," *I Mina'Trenta na Libeslaturan Guåhan's Otden Areklamento* (Thirtieth Guam Legislature's Standing Rules) to increase transparency in the legislative process.

Bill No. 44 (COR) - R.J. Respicio: An act to add a new § 2109 to Chapter 2 Title 2 Guam Code Annotated relative to requiring *I Libeslatura* to submit the annual budget for the government of Guam to *I Maga'Lahi'* by no later than August 31 prior to each fiscal year.

Resolution No. 15 (COR) - R.J. Respicio / J.T. Won Pat, Ed.D. / A.B. Palacios, Sr. / J.P. Guthertz, DPA / B.J.F. Cruz / T.R. Muña Barnes / F.B. Aguon, Jr.: Relative to presenting an Agenda of Priority Concerns for Guam on Federal-territorial issues for proposed action to President Barack Obama and to the Congress of the United States.

2:00 p.m.
DEPARTMENT OF AGRICULTURE
Orientation Hearing

SENATOR RORY J. RESPICIO
MAJORITY LEADER

CHAIRPERSON
COMMITTEE ON RULES, NATURAL RESOURCES
AND FEDERAL, FOREIGN & MICRONESIAN AFFAIRS



I Mina'Trenta na Libeslaturan Guåhan
THIRTIETH GUAM LEGISLATURE

January 20, 2009

TO ALL SENATORS

I Mina'Trenta na Libeslaturan Guåhan

Dear Colleague:

I would like to acknowledge my colleagues who courageously voted "no" on Committee on Rules Resolution No. 1. I joined with seven other senators in casting my "no" vote because the resolution's proposed change to our Standing Rules, if enacted, could be easily waived by eight votes. A far better way to impose this restriction would be to amend P.L. 24-160 that first authorized the use of "riders" in budget bills 12 years ago. Fortunately, the author of both Resolution No. 1 and P.L. 24-160 realized this and introduced Bill No. 34 (COR), which proposes to amend his public law.

I look forward to conducting a public hearing on this and other measures to increase transparency and improve the public's ability to follow the legislative process. Our goal should always be to ensure that the people know what we are doing, and that the legislative process is fair for all members. Some have said (and even editorialized) that voting against Resolution No. 1 was a vote against keeping the public informed. They are either forgetting or ignoring important facts and recent history. Please allow me to use my experience as an example:

As a member of the minority in the first year of the 29th Legislature, I introduced Bill 37 proposing to establish the Office of Finance and Budget for more accurate revenue forecasting; and Bill 42 to require oaths for those testifying on fiscal matters. These bills were intended to ensure more transparency by making improvements to the legislative process. Both were introduced in January of 2007, but neither was given a public hearing by my colleagues in the majority, even though they had several opportunities to do so. Fortunately, we were able to place both bills as amendments to supplemental budget Bill No. 74, which became Public Law 29-02 in May of 2007.

The amendments weren't made to "shut the people out of the process," nor was this done because "we don't think public opinion is necessary." This was the ONLY avenue available to get important legislation enacted to INCREASE transparency. If Resolution No. 1 had been in place at that time, those amendments would not have been allowed. Ironically, the budget process, and the Ways and Means chair, will benefit from these "riders."

In the 30th Legislature, Section 7.01 of the Standing Rules requires committee chairs to conduct hearings on every bill referred to them, or the authors will have the authority to conduct their own hearings. This change allows ALL bills to have their day before the people and does more for



Letter from Sen. Respcio
January 20, 2009
Page 2

transparency than any artificial or pointless restriction. Real transparency requires sensible action, and I will be acting to address several items in that regard.

As many of you know, it's not unusual for Senators, while in session or at a public hearing, to receive emails, text messages and phone calls from interested constituents. Technology now allows our actions to be monitored when we are in public meetings. Improvements in technology have improved transparency, but when the Legislature has burned the midnight oil to meet a budget bill deadline, we have been rightfully criticized for taking action when most people have retired for the evening. Our actions have given added meaning to the phrase "under the cover of darkness." To address this concern I have introduced Resolution No. 13 (COR) that will prohibit late night sessions.

Also of concern is that past Legislatures sometimes did not afford the Governor his customary 10 days to review budget bills. The Legislature was also not given any "cushion" after the Governor's action to revise or adjust the budget prior to its effective date. I have introduced Bill No. 44 (COR), which would require the Legislature to pass the annual budget bill by August 31st.

I will be conducting a public hearing on Bills 34 and 44, and Resolution 13 at 9 a.m. on Tuesday, February 3rd, in the Public Hearing Room. I am appealing for your support for these real, long-term efforts to provide meaningful transparency and accountability.

Thanks for your time.

Very truly yours,

A handwritten signature in black ink, appearing to read "Rory J. Respcio".

Rory J. Respcio
Majority Leader

Attachments (2): Bill No. 44 (COR)
Resolution No. 13 (COR)

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

Bill No. 44 (LS)

Introduced by

R.J. RESPICIO 

2009 JAN 20 PM 3:14

AN ACT TO ADD A NEW § 2109 TO CHAPTER 2
TITLE 2 GUAM CODE ANNOTATED RELATIVE TO
REQUIRING *I LIHESLATURA* TO SUBMIT THE
ANNUAL BUDGET FOR THE GOVERNMENT OF
GUAM TO *I MAGA'LAHI'* BY NO LATER THAN
AUGUST 31 PRIOR TO EACH FISCAL YEAR.

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

2 **Section 1. Legislative findings and intent.** *I Liheslaturan Guåhan*
3 finds that it has become common practice for the annual budget of the
4 Government of Guam to be passed so close to the end of a fiscal year that *I*
5 *Maga'lahi'* is often not afforded 10 days to review the document. This
6 "budgetary brinksmanship" also leaves little time for *I Liheslatura* to
7 address any Executive Branch concerns with the annual budget prior to
8 implementation of the budget at the beginning of a new fiscal year.

9 It is therefore the intent of *I Liheslatura* to set a deadline for passing
10 and transmitting annual budget bills to *I Maga'lahi'* for his consideration, to
11 give *I Maga'lahi'* adequate time to review the document, and also to permit
12 *I Liheslatura* adequate time to address any concerns *I Maga'lahi'* may have
13 with budget bills prior to each fiscal year.

1 Section 2. A *new* § 2109 is *added* to Chapter 2 Title 2 Guam Code

2 Annotated to read:

3 “§ 2109 Submission of Fiscal Year Budget to *I Maga’lahi’*. The
4 annual fiscal year budget for the Government of Guam shall be
5 passed by *I Liheslatura* and submitted to *I Maga’lahi’* not later than
6 August 31 prior to each fiscal year.”

o


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

Resolution No. 13 (COR)

Introduced by:

Rory J. Respicio 

Relative to adding a new Section 4.02.05 to Rule IV, "Convening and Sessions," of *I Mina'Trenta na Liheslaturan Guåhan's Otden Areklamento* (Thirtieth Guam Legislature's Standing Rules) to increase transparency in the legislative process.

2009 JUN 20 PM 2:43


1 **BE IT RESOLVED BY I MINA' TRENTA NA LIHESLATURAN**
2 **GUÅHAN:**

3 **WHEREAS,** the practice of having session meetings of *I Liheslaturan*
4 *Guåhan* during the late night hours has been criticized on numerous
5 occasions over the years; and

6 **WHEREAS,** it is desirable that the public be aware of the actions of
7 the government at the times that they are taken and these actions should be
8 taken at times that are easily accessible to the public; and

9 **WHEREAS,** late night work hours and excessively long work hours
10 are not conducive to good performance, whether by government officials
11 or other workers; and

12 **WHEREAS,** the practice of late night sessions and long hours have
13 frequently been linked with a lack of transparency in our government, even

1 when they are caused by impending deadlines associated with the passage
2 of the government budget; and

3 **WHEREAS**, although they are carried on cable television, late night
4 and overnight sessions are difficult for the public to follow when actions
5 are taken in the early-morning hours, well after most people have retired
6 for the evening; and

7 **WHEREAS**, *I Liheslatura* should be able to plan its session schedule in
8 such a fashion that its work is accomplished transparently, and at times
9 when the majority of the island's population is able to follow the debate,
10 either from the Public Hearing Room or on the cable channel 13, now,
11 therefore, be it

12 **RESOLVED**, that *I Mina'Trente Na Liheslaturan Guåhan* does hereby
13 add a new § 4.02.05 to Rule IV, *Convening and Sessions, of Mina'Trenta na*
14 *Liheslaturan Guåhan's Otden Ariklamento* (Thirtieth Guam Legislature's
15 Standing Rules) to require sessions to be held between 7:00 a.m. and 10:00
16 p.m. on each calendar or session day that session is convened; and be it
17 further

18 **RESOLVED**, that the new Section 4.02.05 shall read:

19 **"Section 4.02.05. Sessions to be held between 7:00 a.m. and 10:00**
20 **p.m.** Convening of sessions and continuation of session meetings shall be
21 after 7:00 a.m. each calendar day, and each session shall be recessed or

1 adjourned on each calendar day as near as possible to 10:00 p.m., taking
2 into account finishing the immediate matter at hand on the floor at that
3 hour.”; and be it further

4 **RESOLVED**, that the Speaker and the Chairman of the Committee on
5 Rules certify, and the Legislative Secretary attest to the adoption hereof
6 and that copies of the same be thereafter transmitted to the Honorable Felix
7 P. Camacho, *I Maga’lahen Guåhan*

**DULY AND REGULARLY ADOPTED BY THE COMMITTEE ON RULES
OF I MINA’TRENTA NA LIHESLATURAN GUÅHAN ON THE _____
DAY OF _____ 2009.**

JUDITH T. WON PAT, Ed. D.
Speaker

RORY J. RESPICIO
Senator and Chairperson
Committee on Rules

TINA ROSE MUÑA-BARNES
Senator and
Legislative Secretary

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

Bill No. 44 (COR)

Introduced by

R.J. RESPICIO 

2009 JAN 20 PM 3:14
- Wm

AN ACT TO ADD A NEW § 2109 TO CHAPTER 2
TITLE 2 GUAM CODE ANNOTATED RELATIVE TO
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GUAM TO *I MAGA'LAHI'* BY NO LATER THAN
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1 **Section 2. A new § 2109 is added to Chapter 2 Title 2 Guam Code**

2 **Annotated to read:**

3 **“§ 2109 Submission of Fiscal Year Budget to *I Maga’lahi’*. The**
4 annual fiscal year budget for the Government of Guam shall be
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6 August 31 prior to each fiscal year.”

o