

*I Mina'trentai Ocho Na Liheslaturan Guåhan*  
**BILL STATUS**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
214-38 (COR)	Eulogio Shawn Gumataotao Joe S. San Agustin	AN ACT TO AMEND ARTICLE 3, § 15401(a)(6), § 15401(b), § 15401(d), § 15401(e), AND § 15403, ALL OF CHAPTER 15, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO STRENGTHENING THE INDEPENDENCE AND EFFECTIVENESS OF THE GUAM ETHICS COMMISSION.	10/28/25 1:37 p.m.  ^11/6/25 4:52 p.m.	11/7/25	Committee on Finance and Government Operations.	Request: 11/7/25  11/12/25	2/12/26 9:00 a.m.	3/12/26 As Amended.	



*Office of Senator Christopher M. Dueñas*

CHAIRMAN, COMMITTEE ON FINANCE AND GOVERNMENT OPERATIONS

March 3, 2026

The Honorable Frank F. Blas Jr.  
Speaker, *I Mina'trentai Ocho na Liheslaturan Guåhan*  
163 W. Chalan Santo Papa  
*Hågatña*, Guam 96910

**Via Honorable Vice Speaker V. Anthony Ada**   
Chairman, Committee on Rules

**RE: Committee Report on Bill No. 214-38 (COR) As amended by the Committee on Finance and Government Operations**

---

*Buenas yan Håfa Adai* Speaker,

Transmitted herewith is the Committee Report on Bill No. 214-38 (COR) – Eulogio Shawn Gumataotao – An Act To Amend Article 3 Of Chapter 15, Title 4, Guam Code Annotated, Relative To Strengthening The Independence And Effectiveness Of The Guam Ethics Commission.

Committee votes are as follows:

- \_\_\_\_\_ TO DO PASS
- \_\_\_\_\_ TO NOT PASS
- 7   TO REPORT OUT ONLY
- \_\_\_\_\_ TO ABSTAIN
- \_\_\_\_\_ TO PLACE IN INACTIVE FILE



COMMITTEE ON RULES

**RECEIVED:**

March 3, 2026 6:21 p.m.

*Marie Crisostomo*

*Senseremente,*

**Senator Christopher M. Dueñas**  
**Chairman, Committee on Finance and Government Operations**



*Office of Senator Christopher M. Dueñas*  
CHAIRMAN, COMMITTEE ON FINANCE AND GOVERNMENT OPERATIONS

## **COMMITTEE REPORT**

**BILL NO. 214-38 (COR)**

**INTRODUCED BY**

**Eulogio Shawn Gumataotao**

**“AN ACT TO AMEND ARTICLE 3 OF CHAPTER 15, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO STRENGTHENING THE INDEPENDENCE AND EFFECTIVENESS OF THE GUAM ETHICS COMMISSION.”**



# Office of Senator Christopher M. Dueñas

CHAIRMAN, COMMITTEE ON FINANCE AND GOVERNMENT OPERATIONS

February 28, 2026

## **MEMORANDUM**

**To:** All Members  
Committee on Finance and Government Operations

**From:** Senator Christopher M. Dueñas  
Chairperson, Finance and Government Operations

**Subject:** Committee Report on Bill No. 214-38 (COR) As amended

Transmitted herewith for your consideration is the Committee Report on **Bill No. 214-38 (COR)** - Eulogio Shawn Gumataotao - As amended by the Committee on Finance and Government Operations - “An Act To Amend Article 3 Of Chapter 15, Title 4, Guam Code Annotated, Relative To Strengthening The Independence And Effectiveness Of The Guam Ethics Commission.”

This report includes the following:

- Copy of COR Referral of Bill No. 214-38 (COR)
- Notices of Public Hearing
- Copy of the Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Copies of Submitted Written Testimony
- Committee Vote Sheet
- Committee Report Digest
- Copy of Bill No. 214-38 (COR), As Introduced
- Copy of Bill No. 214-38 (COR), As Amended
- Copy of Bill No. 214-38 (COR), Markup
- Fiscal Note

Please take the appropriate action on the attached vote sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Respectfully,

**Senator Christopher M. Dueñas**  
**Chairperson, Committee on Finance and Government Operations**




# COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson  
*I Mina'trentai Ocho Na Liheslaturan Guåhan*  
38<sup>th</sup> Guam Legislature

November 7, 2025

**To:** **Rennae V. C. Meno**  
Clerk of the Legislature

**Attorney Darleen Hiton**  
Legislative Legal Counsel

**From:** **Vice Speaker V. Anthony Ada**   
Chairperson, Committee on Rules

**Subject:** **Referral of Bill No. 214-38 (COR)**

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*Håfa Adai,*

As per my authority as Chairperson of the Committee on Rules and subject to §6.01(d)(1), Rule VI of our Standing Rules, I am forwarding the referral of **Bill No. 214-38 (COR)** – Eulogio Shawn Gumataotao, Joe S. San Agustin. – “AN ACT TO *AMEND* ARTICLE 3 OF CHAPTER 15, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO STRENGTHENING THE INDEPENDENCE AND EFFECTIVENESS OF THE GUAM ETHICS COMMISSION.”

Please ensure that the subject bill is referred to the Committee on Finance and Government Operations chaired by Senator Christopher M. Dueñas. I also request that the same be copied to the Prime Sponsor of the subject bill and to Management Information Services (MIS) for posting on our website.

A copy of the bill is available on our legislative website.

Should you have any questions or concerns, please feel free to contact Kamarin Nelson, Committee on Rules Director at 671-472-2461.





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## FIRST NOTICE of Public Hearing on February 12, 2026

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Senator Chris Duenas <senator.duenas@guamlegislature.gov>  
To: phnotice@guamlegislature.gov

Thu, Feb 5, 2026 at 11:44 AM

### FOR IMMEDIATE RELEASE

February 5, 2026

### MEMORANDUM

**To: All Senators, Stakeholders, and Media**

**From: Senator Christopher M. Dueñas**  
**Chairman, Committee on Finance and Government Operations**

**Re: FIRST NOTICE of Public Hearing on February 12, 2026**

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The Committee on Finance and Government Operations will hold a public hearing on **Thursday, February 12, 2026**, beginning at **9:00 am** at the Public Hearing Room in the Guam Congress Building. The agenda is as follows:

- **38GL-25-1523** – Office of the Governor of Guam – Appointment and Supporting Documents for Genevieve P. Rapadas Member, Board of Commissioners, Guam Ethics Commission.\*
- **Bill No. 214-38 (COR)** – Eulogio Shawn Gumataotao - AN ACT TO AMEND ARTICLE 3 OF CHAPTER 15, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO STRENGTHENING THE INDEPENDENCE AND EFFECTIVENESS OF THE GUAM ETHICS COMMISSION.
- **Bill No. 205-38 (COR)** – Joe S. San Agustin - AN ACT TO AMEND § 6802 (e) OF ARTICLE 8, CHAPTER 6, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO THE DISCOUNT ON THE PURCHASE OF TOBACCO TAX STAMPS.

If you would like to participate in the Public Hearing listed above or submit written testimony, please contact the Office of Senator Christopher M. Dueñas for further assistance via email at [senator.duenas@guamlegislature.gov](mailto:senator.duenas@guamlegislature.gov) or by phone at (671) 989-9554.

In compliance with Title II of the Americans with Disabilities Act (ADA), all government activities, programs, and services are accessible to individuals with disabilities. *If you or anyone you know requires assistance or special accommodations to participate in the public hearing, please contact the Office of Senator Christopher M. Dueñas at the contact information provided above.*

The Public Hearing will be broadcast LIVE on local television (GTA Channel 21, Docomo Channel 117) and streamed online through I Liheslaturan Guåhan's YouTube Channel ([@guamlegislaturemedia](https://www.youtube.com/@guamlegislaturemedia)).

*This ad was paid with funds by the Committee of Finance and Government Operations.*



**Office of Senator Christopher M. Dueñas**

*Chairman, Committee on Government Finance and Operations*

259 Martyr St., Hagatna, Guam 96910

[senator.duenas@guamlegislature.gov](mailto:senator.duenas@guamlegislature.gov)

(671) 989-9554



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**1N 2-5-26 (38GL-25-1523, 214, & 205).pdf**  
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# Office of Senator Christopher M. Dueñas

CHAIRMAN, COMMITTEE ON FINANCE AND GOVERNMENT OPERATIONS

**FOR IMMEDIATE RELEASE**

February 5, 2026

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**To: All Senators, Stakeholders, and Media**

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**OFFICE OF SENATOR CHRISTOPHER M. DUEÑAS**

259 MARTYR STREET, HAGATNA GUAM 96910 | TEL: 671-989-9554 | SENATOR.DUENAS@GUAMLEGISLATURE.GOV

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# FIRST NOTICE of Public Hearing on February 12, 2026

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**FIRST NOTICE of Public Hearing on February 12,  
2026**


**PUBLIC HEARING**



 **Posted on:** 02/05/2026 11:44 AM

 **Posted by:** Ashley Shinohara

 **Public Hearing Date:** 02/12/2026 09:00 AM

 **Department(s):**  
**[GUAM LEGISLATURE \(/notices?department\\_id=92\)](/notices?department_id=92)**

 **Division(s):**  
OFFICE OF SENATOR CHRISTOPHER M. DUENAS ([/notices?division\\_id=267](/notices?division_id=267))

 **Notice Topic(s):** PUBLIC HEARING ([/notices?topic\\_id=74](/notices?topic_id=74))

 **Types of Notice:** PUBLIC HEARING ([/notices?type\\_id=7](/notices?type_id=7))

 **For Audience(s):** PUBLIC (</notices?public=1>)

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**FOR IMMEDIATE RELEASE**

February 5, 2026

**MEMORANDUM**

**To: All Senators, Stakeholders, and Media**

**From: Senator Christopher M. Dueñas  
Chairman, Committee on Finance and Government  
Operations**

**Re: FIRST NOTICE of Public Hearing on February 12, 2026**

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**38GL-25-1523**

([https://guamlegislature.gov/38th\\_Guam\\_Legislature/Mess\\_Comms\\_38th/Doc.%20No.%2038GL-25-1523.pdf](https://guamlegislature.gov/38th_Guam_Legislature/Mess_Comms_38th/Doc.%20No.%2038GL-25-1523.pdf)) – Office of the Governor of Guam – Appointment and Supporting Documents for Genevieve P. Rapadas Member, Board of Commissioners, Guam Ethics Commission.\*

**Bill No. 214-38 (COR)**

([http://guamlegislature.gov/38th\\_Guam\\_Legislature/Bills\\_Introduced\\_38th/Bill%20No.%20214-38%20\(COR\).pdf](http://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20214-38%20(COR).pdf)) – Eulogio Shawn Gumataotao - AN ACT TO AMEND ARTICLE 3 OF CHAPTER 15, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO STRENGTHENING THE INDEPENDENCE AND EFFECTIVENESS OF THE GUAM ETHICS COMMISSION.

**Bill No. 205-38 (COR)**

([http://guamlegislature.gov/38th\\_Guam\\_Legislature/Bills\\_Introduced\\_38th/Bill%20No.%20205-38%20\(COR\)%20Referred%20Version.pdf](http://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20205-38%20(COR)%20Referred%20Version.pdf)) – Joe S. San Agustin - AN ACT TO AMEND § 6802 (e) OF ARTICLE 8, CHAPTER 6, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO THE DISCOUNT ON THE PURCHASE OF TOBACCO TAX STAMPS.

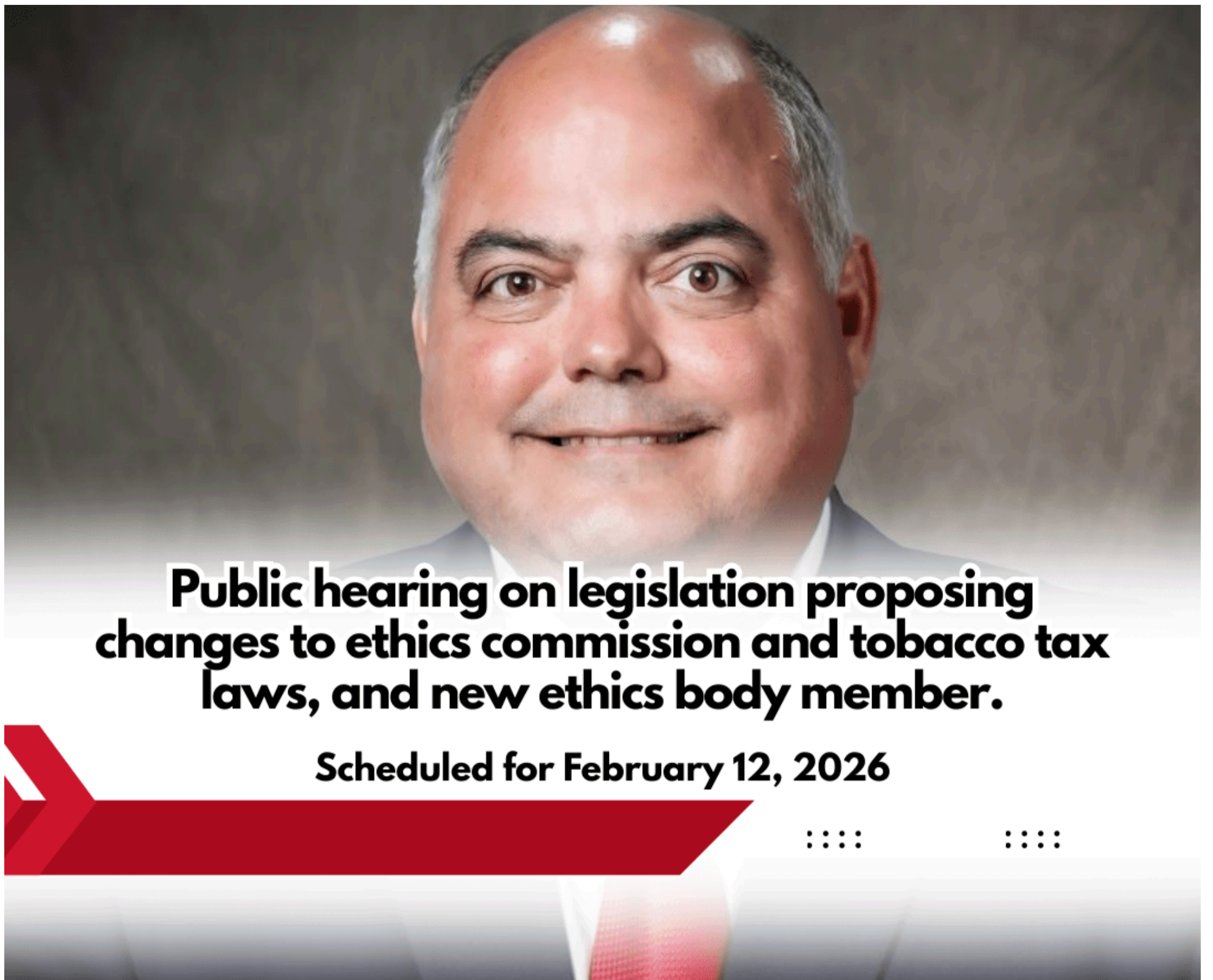
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*This ad was paid with funds by the Committee of Finance and Government Operations.*



# Public hearing on legislation proposing changes to ethics commission and tobacco tax laws, and new ethics body member.

Scheduled for February 12, 2026

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FIRST NOTICE OF PUBLIC HEARING by Senator Chris Duenas  
Published on Kandit on February 5, 2026

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## SECOND NOTICE of Public Hearing on February 12, 2026

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Senator Chris Duenas <senator.duenas@guamlegislature.gov>  
To: phnotice@guamlegislature.gov

Mon, Feb 9, 2026 at 2:51 PM

### FOR IMMEDIATE RELEASE

February 9, 2026

### MEMORANDUM

**To: All Senators, Stakeholders, and Media**

**From: Senator Christopher M. Dueñas**  
**Chairman, Committee on Finance and Government Operations**

**Re: SECOND NOTICE of Public Hearing on February 12, 2026**

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*Chairman, Committee on Government Finance and Operations*

259 Martyr St., Hagatna, Guam 96910

[senator.duenas@guamlegislature.gov](mailto:senator.duenas@guamlegislature.gov)

(671) 989-9554



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# Office of Senator Christopher M. Dueñas

CHAIRMAN, COMMITTEE ON FINANCE AND GOVERNMENT OPERATIONS

**FOR IMMEDIATE RELEASE**

February 9, 2026

## **MEMORANDUM**

**To: All Senators, Stakeholders, and Media**

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**Chairman, Committee on Finance and Government Operations**

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**OFFICE OF SENATOR CHRISTOPHER M. DUEÑAS**

259 MARTYR STREET, HAGATNA GUAM 96910 | TEL: 671-989-9554 | [SENATOR.DUENAS@GUAMLEGISLATURE.GOV](mailto:SENATOR.DUENAS@GUAMLEGISLATURE.GOV)

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# SECOND NOTICE of Public Hearing on February 12, 2026

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## SECOND NOTICE of Public Hearing on February 12, 2026

PUBLIC HEARING



 **Posted on:** 02/09/2026 02:50 PM

 **Posted by:** Ashley Shinohara

 **Public Hearing Date:** 02/12/2026 09:00 AM

 **Department(s):**  
**GUAM LEGISLATURE (/notices?department\_id=92)**

 **Division(s):**  
OFFICE OF SENATOR CHRISTOPHER M. DUENAS (/notices?  
division\_id=267)

 **Notice Topic(s):** PUBLIC HEARING (/notices?topic\_id=74)

 **Types of Notice:** PUBLIC HEARING (/notices?type\_id=7)

 **For Audience(s):** PUBLIC (/notices?public=1)

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**38GL-25-1523**

([https://guamlegislature.gov/38th\\_Guam\\_Legislature/Mess\\_Comms\\_38th/Doc.%20No.%2038GL-25-1523.pdf](https://guamlegislature.gov/38th_Guam_Legislature/Mess_Comms_38th/Doc.%20No.%2038GL-25-1523.pdf)) – Office of the Governor of Guam – Appointment and Supporting Documents for Genevieve P. Rapadas Member, Board of Commissioners, Guam Ethics Commission.\*

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([http://guamlegislature.gov/38th\\_Guam\\_Legislature/Bills\\_Introduced\\_38th/Bill%20No.%20214-38%20\(COR\).pdf](http://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20214-38%20(COR).pdf)) – Eulogio Shawn Gumataotao - AN ACT TO AMEND ARTICLE 3 OF CHAPTER 15, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO STRENGTHENING THE INDEPENDENCE AND EFFECTIVENESS OF THE GUAM ETHICS COMMISSION.

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([http://guamlegislature.gov/38th\\_Guam\\_Legislature/Bills\\_Introduced\\_38th/Bill%20No.%20205-38%20\(COR\)%20Referred%20Version.pdf](http://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20205-38%20(COR)%20Referred%20Version.pdf)) – Joe S. San Agustin - AN ACT TO AMEND § 6802 (e) OF ARTICLE 8, CHAPTER 6, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO THE DISCOUNT ON THE PURCHASE OF TOBACCO TAX STAMPS.

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Scheduled for February 12, 2026

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Published on Kandit on February 9, 2026

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In compliance with Title II of the Americans with Disabilities Act (ADA), all government activities, programs, and services are accessible to individuals with disabilities. *If you or anyone you know requires assistance or special accommodations to participate in the public hearing, please contact the Office of Senator Christopher M. Dueñas at the contact information provided above.*

The Public Hearing will be broadcast LIVE on local television (GTA Channel 21, Docomo Channel 117) and streamed online through I Liheslaturan Guåhan's YouTube Channel (@guamlegislaturemedia).

mo Channel 117) and streamed online through I Liheslaturan Guåhan's YouTube Channel (@guamlegislaturemedia).



Senator Chris Duenas <senator.duenas@guamlegislature.gov>

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## Invitation to Public Hearing on Bill No. 214-38 (COR)

---

Senator Chris Duenas <senator.duenas@guamlegislature.gov>

Thu, Feb 5, 2026 at 2:29 PM

Bcc: "Nico C. Fujikawa" <Nico.Fujikawa@ethics.guam.gov> [REDACTED], Jon Junior Calvo <jon.calvo@guam.gov>, "Speaker Frank Blas Jr." <speakerblas@guamlegislature.gov>, drosete@guamcourts.gov, Catherine Castro [REDACTED], [REDACTED], jesse.alig@pitiguam.com [REDACTED]

Buenas yan Hafa Adai!

The Committee on Finance and Government Operations invites you to a public hearing where **Bill No. 214-38 (COR)** is on the agenda. The hearing is scheduled for Thursday, February 12, 2026, beginning at 9:00 a.m. in the Guam Congress Building.

Your input is valuable, and we encourage you to attend and share your testimony. If you plan to present written testimony, please bring 15 copies or email it to the committee at least 48 hours prior to the hearing.

If you are unable to attend in person, you may submit written testimony via email to [senator.duenas@guamlegislature.gov](mailto:senator.duenas@guamlegislature.gov) at least 48 hours before the public hearing.

Please note, if you plan to testify with a digital presentation via external usb drive, please submit it to our office 48 hours prior to the hearing as it will need to be assessed by our MIS department.

Kindly confirm your receipt of this email and whether you will be attending the hearing. If you have any questions or require additional information, please call our office at (671) 989-9554.

Regards,

--



**Office of Senator Christopher M. Dueñas**

*Chairman, Committee on Government Finance and Operations*

259 Martyr St., Hagatna, Guam 96910

[senator.duenas@guamlegislature.gov](mailto:senator.duenas@guamlegislature.gov)

(671) 989-9554



1N 2-5-26 (38GL-25-1523, 214, & 205).pdf

357K



# *Office of Senator Christopher M. Dueñas*

CHAIRMAN, COMMITTEE ON FINANCE AND GOVERNMENT OPERATIONS

## **PUBLIC HEARING AGENDA**

**Thursday, February 12, 2026**

**Guam Congress Building**

**9:00AM:**

- [\*\*38GL-25-1523\*\*](#) – Office of the Governor of Guam – Appointment and Supporting Documents for Genevieve P. Rapadas Member, Board of Commissioners, Guam Ethics Commission.\*
- [\*\*Bill No. 214-38 \(COR\)\*\*](#) – Eulogio Shawn Gumataotao - AN ACT TO AMEND ARTICLE 3 OF CHAPTER 15, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO STRENGTHENING THE INDEPENDENCE AND EFFECTIVENESS OF THE GUAM ETHICS COMMISSION.
- [\*\*Bill No. 205-38 \(COR\)\*\*](#) – Joe S. San Agustin - AN ACT TO AMEND § 6802 (e) OF ARTICLE 8, CHAPTER 6, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO THE DISCOUNT ON THE PURCHASE OF TOBACCO TAX STAMPS.



Date: February 12, 2026

I Mina'trentai Ocho na Liheslaturan Guahån  
Office of Senator Christopher M. Duenas  
Chairman, Committee on Finance and Government Operations

Time: 9:00 a.m.

Bill No. 214-38 (COR) – Eulogio Shawn Gumataotao -  
AN ACT TO AMEND ARTICLE 3 OF CHAPTER 15, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO STRENGTHENING THE  
INDEPENDENCE AND EFFECTIVENESS OF THE GUAM ETHICS COMMISSION.

	Name	Agency / Address	Contact No.	Email	Type of Testimony		Support	
					Oral	Written	Yes	No
1	Daphne Leon Guerrero	Ethics Commission	[REDACTED]	[REDACTED]				
2	Danielle Rosete	Judiciary	[REDACTED]	drosete@guamcourts.gov				
3	Chelsea Anderson	Ethics Comm.	[REDACTED]	[REDACTED]				
4	Kristin James	Guam Ethics Commission	[REDACTED]	kristin.james@ethics.guam.gov				✓
5	Nico Fujikawa	Guam Ethics	[REDACTED]	nico.fujikawa@ethics.guam.gov				✓
6	Vanessa Camacho	Guam Ethics	[REDACTED]	vanessa.c.camacho@ethics.guam.gov				✓
7	Amanda Alayz	GWCC	[REDACTED]	[REDACTED]	✓	✓		
8								
9								
10								
11								
12								



## GUAM ETHICS COMMISSION

Kumision i Ginihan Areklamenton Guåhan

134 West Soledad Avenue, Suite 406 BOH Building, Hagatna GU 96910

Tel: (671) 969-5625 | Fax: (671) 969-5626

Email: [info@ethics.guam.gov](mailto:info@ethics.guam.gov)

February 9, 2026

Senator Christopher M. Dueñas  
Chairman, Committee on Government  
Finance and Operations  
*I Mina Trentai Ocho Na Liheslaturan Guåhan*  
38th Guam Legislature  
259 Martyr St., Hagåtña, Guam 96910

Testimony in support of the intent of Bill No. 214-38(COR)

*Buenas Yan Hafa Adai* Chairman Duenas and members of the Committee on Government Finance and Operations,

On behalf of the Guam Ethics Commission, I would like to provide testimony in support of the intent of **Bill No. 214-38(COR), an act to amend Article 3 of Chapter 15, Title 4, Guam Code Annotated, relative to strengthening the independence and effectiveness of the Guam Ethics Commission.**

The Guam Ethics Commission is mandated to uplift the public's confidence in government officials, programs, and operations by ensuring the promotion and practice of the highest standards of ethical behavior throughout the government of Guam. By promoting transparency, accountability, and ethical conduct among public officials and employees, our agency continues to serve as a cornerstone of good governance and more importantly public trust.

In this regard, Bill No. 214-38(COR) serves as a great first step in providing critical amendments to our enabling legislation that will set the tone of our operations as we continue to evolve. Its focus on ensuring that the composition of commissioners is more representative of the island's diverse community, only strengthens our ability to act objectively when faced with ethical dilemmas. When the composition of our agency's governing body reflects the diversity of our population, it leads to more effective decision-making.

It is the Commission's intent to work closely with this legislature to further strengthen our operational efficiencies and shield our agency from unwarranted political or administrative pressures in order to protect the sanctity of what we are mandated to do. This independence is essential for the people of Guam to have confidence in our office to serve fairly, thoroughly, and without bias or political interference.



## **GUAM ETHICS COMMISSION**

### **Kumision i Ginihan Areklamenton Guåhan**

134 West Soledad Avenue, Suite 406 BOH Building, Hagatna GU 96910  
Tel: (671) 969-5625 | Fax: (671) 969-5626  
Email: [info@ethics.guam.gov](mailto:info@ethics.guam.gov)

While Bill No. 214-38(COR) provides for more representation from the branches of government and the business community, the Commissioners and I have not had a chance to discuss in detail an official position regarding the makeup of the board. However, there are a few amendments to the bill that we would like to propose and ask this committee to consider:

#### **Quorum**

With Bill No. 214-38(COR) seeking to strengthen our effectiveness, I ask this committee to consider amending our enabling statute to allow a quorum to be established by four (4) members of this seven-member Commission. This request not only aligns with the intent of this bill, but will also promote greater efficiency, and timely decision-making while preserving a majority representation of our commissioners. The current requirement of a five (5) member quorum has unnecessarily stalled essential Commission business when vacancies, conflicts of interest, illness, or scheduling constraints prevent full attendance, even with a clear majority of the Commissioners available and prepared to act.

A four-member quorum will help maintain democratic validity by ensuring that decisions reflect the consent of more than half of the Commission, while reducing the risk of paralysis that can delay critical governance functions. We believe this amendment creates a practical balance between accountability and functionality while reducing administrative inefficiencies. A quorum of Four (4) will effectively allow our agency to carry out its duties in a timely and responsible manner without diminishing transparency, accountability, and most importantly public trust.

#### **Administrative Penalties**

Another essential component in strengthening our enabling legislation is the implementation of administrative penalties for violations of the code of ethics. Our current statutes do not stipulate the use of administrative penalties but instead only provides that we remand our findings, after due process, to the agencies with recommendations. By amending this component and allowing for the imposition of administrative penalties for ethics violations, our Commission would be empowered to promote greater responsibility by creating timely, proportionate, and enforceable consequences for any misconduct.

Administrative penalties not only provide a practical accountability mechanism that reinforces ethical standards but will also align our law with national standards. By establishing clear consequences for violations, officials and employees are more likely to understand their obligations and take them seriously, which fosters a greater culture of compliance rather than tolerance for misconduct.



## GUAM ETHICS COMMISSION

### Kumision i Ginihan Areklamenton Guåhan

134 West Soledad Avenue, Suite 406 BOH Building, Hagatna GU 96910  
Tel: (671) 969-5625 | Fax: (671) 969-5626  
Email: [info@ethics.guam.gov](mailto:info@ethics.guam.gov)

We believe this approach will enhance public confidence in the enforcement of ethics laws, and demonstrates our firm commitment to responsible governance and ethical conduct at all levels of public service.

The Guam Ethics Commission supports the intent of Bill No. 214-38(COR) and stands ready to work with this committee and the legislature on further strengthening our agency's independence, operational efficiency and ability to uplift our people's trust in public servants.

In a time when confidence in our government has been deeply shaken, the role of the Guam Ethics Commission is not optional—it is essential. Public trust truly is the foundation of effective governance, and once it has eroded, it cannot be restored through words alone, but through visible, enforceable standards of integrity. Strengthening the independence of the Guam Ethics Commission sends a clear message to the community that no public official is above accountability, that ethical misconduct will not be ignored, and that transparency is our governing principle rather than just a talking point.

With the increased skepticism and doubt in our government, our Commission stands as a safeguard for the public interest and a reaffirmation of our collective commitment to honest, ethical public service. Preserving and strengthening our Commission is not merely a procedural matter; it is a decisive step toward rebuilding our people's faith in government and honoring the trust that they have bestowed upon us.

I would like to thank the author, sponsors and supporters of this bill. On behalf of the Guam Ethics Commission *Un Dângkulu Na Si Yu'os Ma'åse'* for your consideration of this testimony and your continued commitment to ethical governance for the people of Guam.

*Si Yu'os Ma'ase!*

NICO A.C. FUJIKAWA  
Executive Director

Cc: Daphne Leon Guerrero, Chairwoman – Guam Ethics Commission  
Commissioners – Guam Ethics Commission



**GUAM WOMEN'S**  
CHAMBER OF COMMERCE

February 10, 2026

**President**

Myracle Mugol

**Vice President**

Ksenia Quinata

**Secretary**

Judy Rosario

**Treasurer**

Corine Benavente Chaco

**Board Members**

Barbie Agahan

Amanda Alag

Amber Dydasco

Christine Matanane

Dena Rendon-Pangelinan

Michaela Pangilinan-Gogue

Jamie Shimizu Cook

Tina Thai

**Ex-Officio**

Samantha Taitano

**Administrative Director**

Danica Guerrero

**Subject:** GWCC Testimonial on Bill No. 214-38 (COR)

Dear Senator Duenas and Honorable Members of the Committee,

Thank you for the opportunity to provide testimony on Bill No. 214-38 (COR). The Guam Women's Chamber of Commerce (GWCC) appreciates the consideration for this role of public service through a potential appointment to the Guam Ethics Commission under Bill No. 214-38. We recognize that strong ethics systems can promote fair participation, reduce corruption risks, and strengthen public trust in the institutions that shape economic opportunity. GWCC's commitment is to advance women's leadership and address issues affecting women in the workplace. However, GWCC has not yet taken a position on whether Bill 214-38 will deliver those benefits as written.

We acknowledge the stated intent to amend Article 3 of Chapter 15, Title 4, GCA by modifying the Ethics Commission's membership to broaden community representation, and to reinforce the Commission's independence by protecting it from political or external interference and affirming its authority to adopt internal rules and regulations to safeguard neutrality. At this time, we respectfully request clarification on several points to better understand the purpose, impact, and expectations associated with the proposed amendments.

First, while the bill outlines the proposed changes to the Commission's appointment structure, we request clarification on the policy rationale driving these amendments, particularly in light of ongoing quorum challenges. Are there additional concerns this amendment aims to address, and what outcomes or measures will be used to evaluate its success?



**GUAM WOMEN'S**  
CHAMBER OF COMMERCE

Second, it is important to note that GWCC board members currently serve three-year terms, which are shorter than the four-year terms described in Bill No. 214-38. We seek clarity on how this difference in term length would be accommodated for GWCC-appointed commissioners, as well as the implications for continuity. Before GWCC can evaluate the feasibility of this role for our members, we request clear details on the practical expectations for any GWCC-appointed commissioner, including meeting frequency, training requirements, and the administrative support available to commissioners.

Finally, have the authors considered dividing the number of appointees between the three coequal branches of government? We request clarification on the motivation for appointing authority to specific business organizations and whether broader criteria should be considered to avoid unintended concerns about fairness or exclusion. Specifically, we ask whether the bill's authors considered alternative approaches—such as defined eligibility criteria, a rotating appointing seat, or another neutral process—to support broad representation.

GWCC offers these questions in the spirit of constructive review and to ensure that any new responsibilities placed on our members are clearly aligned with our mission and have a meaningful public impact. Thank you, Senator, and members of the committee, for the opportunity to provide feedback. We appreciate your time and consideration and look forward to continued dialogue on Bill No. 214-38 (COR).

*Si Yu'os Ma'åse'*


Myracle Mugol  
President, Guam Women's Chamber of Commerce



*Office of Senator Christopher M. Dueñas*  
CHAIRMAN, COMMITTEE ON FINANCE AND GOVERNMENT OPERATIONS

**COMMITTEE VOTE SHEET**

**Bill No. 214-38 (COR)** - As amended by the Committee on Finance and Government Operations  
- “An Act To Amend Article 3 Of Chapter 15, Title 4, Guam Code Annotated, Relative To Strengthening The Independence And Effectiveness Of The Guam Ethics Commission.”

Committee Members	Signature	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
<b>Senator Christopher M. Dueñas</b> <i>Chairperson</i>				X		
<b>Senator V. Anthony Ada</b> <i>Vice Chairperson</i>	Evote 3/2/26			X		
<b>Senator Frank F. Blas, Jr.</b> <i>Member</i>	Evote 3/2/26			X		
<b>Senator Sabrina Salas Matanane</b> <i>Member</i>	Evote 3/2/26			X		
<b>Senator Jesse A. Lujan</b> <i>Member</i>	Evote 3/2/26			X		
<b>Senator Vincent A.V. Borja</b> <i>Member</i>	Evote 3/2/26			X		
<b>Senator Tina Rose Muña Barnes</b> <i>Member</i>						
<b>Senator Joe S. San Agustin</b> <i>Member</i>	Evote 3/2/26			X		



FP1 Mariñas

## REQUEST FOR EVOTE: Bill No. 214-38 (COR)

8 messages

FP1 Mariñas

Mon, Mar 2, 2026 at 3:50 PM

To: cmdcommittee@guamlegislature.gov

*Håfa Ådai* Committee Members!


Please see attached Committee Report for Bill No. 214-38 (COR) - Eulogio Shawn Gumataotao - *As Amended* - An Act To Amend Article 3 Of Chapter 15, Title 4, Guam Code Annotated, Relative To Strengthening The Independence And Effectiveness Of The Guam Ethics Commission.

Indicate your preferred action:

- TO DO PASS
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- TO ABSTAIN
- TO PLACE IN INACTIVE FILE

Please submit your response **ASAP**. Your responses will be logged into the vote sheet which will be submitted as part of the final Committee Report to the Committee on Rules.

--  
Senseremente,  
**FP1 Mariñas**  
Independent Contractor

 **esgxcmd\_bn 214\_route.pdf**  
8641K

**Senator Jesse Lujan** <senator.lujan@guamlegislature.gov>

Mon, Mar 2, 2026 at 4:28 PM

To: FP1 Mariñas

Cc: cmdcommittee@guamlegislature.gov

To report out only.



### Office of Majority Leader Jesse A. Lujan

*Chairman, Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs*

259 Martyr St., Hagatna, Guam 96910

senator.lujan@guamlegislature.gov

(671) 969-6525

[Quoted text hidden]

**Joe S. San Agustin** <senatorjoessanagustin@gmail.com>

Mon, Mar 2, 2026 at 4:29 PM

To: Senator Jesse Lujan &lt;senator.lujan@guamlegislature.gov&gt;

Cc: FP1 Mariñas, cmdcommittee@guamlegislature.gov

To report out only.

### The Office of Senator Joe S. San Agustin

*I Mina'trentai Ocho na Liheslaturan Guåhan*

38th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910  
 T: (671) 989-5445 F: (671) 969-6737 E: [senatorjoessanagustin@gmail.com](mailto:senatorjoessanagustin@gmail.com)  
 Website: [www.senatorjoessanagustin.com](http://www.senatorjoessanagustin.com)

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[Quoted text hidden]

**Office of Senator Borja** <[contact@senatorvinceborja.com](mailto:contact@senatorvinceborja.com)>  
 To: "Joe S. San Agustin" <[senatorjoessanagustin@gmail.com](mailto:senatorjoessanagustin@gmail.com)>  
 Cc: Senator Jesse Lujan <[senator.lujan@guamlegislature.gov](mailto:senator.lujan@guamlegislature.gov)>, FP1 Mariñas [REDACTED]  
[cmdcommittee@guamlegislature.gov](mailto:cmdcommittee@guamlegislature.gov)

Mon, Mar 2, 2026 at 4:34 PM

Report out

[Quoted text hidden]

**Vice Speaker V. Anthony Ada** <[vicespeakertonyada@guamlegislature.gov](mailto:vicespeakertonyada@guamlegislature.gov)>  
 To: "Joe S. San Agustin" <[senatorjoessanagustin@gmail.com](mailto:senatorjoessanagustin@gmail.com)>  
 Cc: Senator Jesse Lujan <[senator.lujan@guamlegislature.gov](mailto:senator.lujan@guamlegislature.gov)>, Mariñas FP1 [REDACTED]  
[cmdcommittee@guamlegislature.gov](mailto:cmdcommittee@guamlegislature.gov)

Mon, Mar 2, 2026 at 4:40 PM

To report out

[Quoted text hidden]

**Office of Legislative Secretary Senator Sabrina Salas Matanane**  
 <[office.senatorbri@guamlegislature.gov](mailto:office.senatorbri@guamlegislature.gov)>  
 To: "Vice Speaker V. Anthony Ada" <[vicespeakertonyada@guamlegislature.gov](mailto:vicespeakertonyada@guamlegislature.gov)>  
 Cc: "Joe S. San Agustin" <[senatorjoessanagustin@gmail.com](mailto:senatorjoessanagustin@gmail.com)>, Senator Jesse Lujan <[senator.lujan@guamlegislature.gov](mailto:senator.lujan@guamlegislature.gov)>, Mariñas FP1 [REDACTED], [cmdcommittee@guamlegislature.gov](mailto:cmdcommittee@guamlegislature.gov)

Mon, Mar 2, 2026 at  
5:51 PM

Report out only



**Office of Legislative Secretary**  
**SENATOR SABRINA SALAS MATANANE**  
*I Mina'trentai Ocho Na Liheslaturan Guåhan | 38th Guam Legislature*  
 Chairperson, Committee on Health and Veterans Affairs  
 163 W. Chalan Santo Papa, Hagåtña, Guam 96910  
 office.senatorbri@guamlegislature.gov  
 671-989-2572

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[Quoted text hidden]

**Senator Chris Duenas** <[senator.duenas@guamlegislature.gov](mailto:senator.duenas@guamlegislature.gov)>  
 To: Office of Legislative Secretary Senator Sabrina Salas Matanane <[office.senatorbri@guamlegislature.gov](mailto:office.senatorbri@guamlegislature.gov)>  
 Cc: "Vice Speaker V. Anthony Ada" <[vicespeakertonyada@guamlegislature.gov](mailto:vicespeakertonyada@guamlegislature.gov)>, "Joe S. San Agustin" <[senatorjoessanagustin@gmail.com](mailto:senatorjoessanagustin@gmail.com)>, Senator Jesse Lujan <[senator.lujan@guamlegislature.gov](mailto:senator.lujan@guamlegislature.gov)>, Mariñas FP1 [REDACTED], [cmdcommittee@guamlegislature.gov](mailto:cmdcommittee@guamlegislature.gov)

Mon, Mar 2, 2026 at 6:55 PM

To report out only



## Office of Senator Christopher M. Dueñas

*Chairman, Committee on Finance and Government Operations*

259 Martyr St., Hagatna, Guam 96910

[senator.duenas@guamlegislature.gov](mailto:senator.duenas@guamlegislature.gov)

(671) 989-9554

[Quoted text hidden]

**Speaker Frank Blas Jr.** <[speakerblas@guamlegislature.gov](mailto:speakerblas@guamlegislature.gov)>

Mon, Mar 2, 2026 at 9:31 PM

To: Senator Chris Duenas <[senator.duenas@guamlegislature.gov](mailto:senator.duenas@guamlegislature.gov)>

Cc: Office of Legislative Secretary Senator Sabrina Salas Matanane <[office.senatorbri@guamlegislature.gov](mailto:office.senatorbri@guamlegislature.gov)>, "Vice Speaker V. Anthony Ada" <[vicespeakertonyada@guamlegislature.gov](mailto:vicespeakertonyada@guamlegislature.gov)>, "Joe S. San Agustin" <[senatorjoessanagustin@gmail.com](mailto:senatorjoessanagustin@gmail.com)>, Senator Jesse Lujan <[senator.lujan@guamlegislature.gov](mailto:senator.lujan@guamlegislature.gov)>, Mariñas FP1 [REDACTED], [cmdcommittee@guamlegislature.gov](mailto:cmdcommittee@guamlegislature.gov)

To report out.  
Frank

**Judy Shockley**  
Office Administrator



## Office of Speaker Frank F. Blas, Jr.

I Mina'trentai Ocho na Liheslaturan Guahan 38<sup>th</sup> Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagatña

(671)969-6456

[speakerblas@guamlegislature.gov](mailto:speakerblas@guamlegislature.gov)

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## **COMMITTEE REPORT DIGEST**

*Committee on Finance and Government Operations*

Senator Christopher M. Duenas, Chairman

### **I. OVERVIEW**

Bill No. 214-38 (COR) was introduced by Senator Eulogio Shawn Gumataotao on November 6, 2025 and referred to the Committee on Finance and Government Operations by the Committee on Rules on November 7, 2025. The Committee held a public hearing on February 12, 2026, at 9:00 a.m. in the Guam Congress Building's Public Hearing Room.

Notices for the hearing were posted on the Government Public Notices Portal and distributed via email to all senators and major media outlets on February 5, 2026 (5-day notice) and again on February 9, 2026 (48-hour notice).

### **SENATORS PRESENT**

Christopher M. Duenas, Chairman

Joe S. San Agustin, Member

Eulogio *Shawn* Gumataotao, Bill Author

### **ORAL TESTIMONY:**

Nico Fujikawa, Director, Guam Ethics Commission

Danielle Rosetti, Administrator Of The Courts For The Judiciary Of Guam

Amanda Alag, Co-Chair Government Committee, GWCC

### **II. SUMMARY OF TESTIMONY & DISCUSSION**

The public hearing for Bill No. 186-38 (COR) was called to order at [\*\*9:00AM.\*\*](#)

**SENATOR CHRISTOPHER M. DUEÑAS, CHAIRMAN:** The Committee on Government and Finance is back in order in the public hearing this morning after recess. Once again, we would like to thank Miss Genevieve Rapadas for being here

and having heard her confirmation. So now we will move to Bill 214-38 (COR), introduced by Shawn Gumataotao. Once again, it's an act to amend Article 3 of Chapter 15, Title 4, Guam Code Annotated, relative to strengthening the independence and effectiveness of the Guam Ethics Commission. And so at this time, I'd like to recognize Senator Gumataotao to introduce your bill. You're recognized, sir.

**SENATOR EULOGIO SHAWN GUMATAOTAO:** Yeah, thank you so much, Mr. Chair, and thank you for scheduling this public hearing on Bill 214, which was introduced based on suggestions that I received from our community several months ago. The bill proposes to modify the current composition of the Guam Ethics Commission. Mr. Chair, established in 1996 by Public Law 23-105 and finally implemented in 2019 with the support of the Leon Guerrero-Tenorio administration through Executive Order 2019-06. The Guam Ethics Commission exists to investigate and take appropriate action on alleged standard of conduct violations by officials and employees of the Government of Guam. Currently, the commission is made up of seven members appointed by the Governor and confirmed by the Legislature. Mr. Chair, Guam law requires that each appointee shall be a U.S. citizen and a *bona fide* resident of Guam. Now, our ethics commission law prohibits a person who has been convicted of a felony from serving on the commission and provides that members shall not be an employee or have any member of their immediate family employed by the Government of Guam. Mr. Chair, the term “employee” is defined under law as a nominated, appointed, or elected officer or individual employed by a Government of Guam agency, including members of boards or commissions and individuals under personal services contracts. Mr. Chair, based on information obtained last year through the local media, the Guam Ethics Commission was scheduled to meet on October 24, 2025, but was unable to establish a quorum. The commission lost two commissioners in May of last year, and movement on certain issues was dependent on the confirmation of new appointments, and I think we're on our way now. Mr. Chair, recognizing the commission's responsibility to adjudicate complaints alleging standard of conduct violations by public officials and employees, Bill 214 proposes to change its membership to include eligible residents appointed by community organizations and the two other branches of the Government of Guam. For reference, the Hawaii State Ethics Commission has five members who must be

selected in a manner which ensures their independence and impartiality in accordance with the Hawaii State Constitution. The judicial council there nominates two individuals for each vacancy on the commission. The nominees' names are sent to the Governor of the State of Hawaii, who selects one of the nominees for appointment. Senate confirmation of appointees is not required. Commissioners on the Hawaii State Ethics Commission serve without compensation but are allowed their actual and necessary expenses incurred in the performance of their respective duties. Mr. Chair, The Guam Ethics Commission serves a critical role in fostering public trust by holding public servants accountable for their actions. Through the amendments offered in this particular bill, we as policymakers have an obligation to strengthen the commission's independence and effectiveness now and well into the foreseeable future. Mr. Chair, I had the opportunity to meet with the commission's executive director, Mr. Nico Fujikawa, this past November 6 regarding Bill 214. He expressed support at the time for the bill and shared that these proposed changes align with a list—it's a pretty long list—but a list of suggested amendments to the broader ethics statute that he and his office had developed since he assumed his leadership role in June 2025. I thank Nico publicly for this work on this particular issue. With that said, Mr. Chair, I do look forward to the presentations this morning and will work with you and the Government Operations Committee on any amendments, if any, to move Bill 214 through the legislative process. I also want to publicly thank my colleague from *Yigo*, Senator Joe San Agustin, for being a co-sponsor. Again, thank you for the time, Mr. Chair, and I look forward to the talks today.

**SENATOR CHRISTOPHER M. DUEÑAS, CHAIRPERSON:** *Si Yu'os Ma'åse'* Senator Gumataotao. So once again, I don't have check marks for oral testimony, but I think there may be some. Correct. Ms. Rosetti, you're going to be—please come forward. Executive Director, anyone who's going to have oral testimony that hasn't marked their name, please come forward. Okay, I think we're complete now. So just to once again read out, once again who signed in: Daphne Leon Guerrero, Ethics Commission; Danielle Rosetti, the Judiciary; Chelsea Anderson, Ethics Commission; Christa James, Ethics Commission; Nico Fujikawa, Ethics Commission; Vanessa Camacho, Ethics Commission; and Amanda Alag, Guam Women's Chamber of Commerce. I think Mr. Nikko will go with you first as the executive director to hear what you have to say about the bill. So please proceed.

**NICO FUJIKAWA, EXECUTIVE DIRECTOR, GUAM ETHICS COMMISSION:** Thank you, Mr. Chair, and thank you to the author, Senator Gumataotao, and supporter Senator San Agustin for this. I'll read off this first and then we could probably get into some dialogue because, like you mentioned, there is a lot about our enabling legislation that does need to be fixed. So I do appreciate the foresight as well as the support in doing this. *Buenas and Håfa Adai*, Chairman Dueñas and members of the Committee on Government, Finance and Operations. On behalf of the Guam Ethics Commission, I would like to provide testimony in support of the intent of Bill 214-38, an act to amend Article 3 of Chapter 15, Title 4, Guam Code Annotated, relative to strengthening the independence and effectiveness of the Guam Ethics Commission. The Guam Ethics Commission's mandate is to uplift the public's confidence in government officials, programs, and operations by ensuring the promotion and practice of the highest standards of ethical behavior throughout the Government of Guam. By promoting transparency, accountability, and ethical conduct among public officials and employees, our agency continues to serve as a cornerstone of good governance and, more importantly, public trust. In this regard, Bill 214 serves as a great first step in providing critical amendments to our enabling legislation that would set the tone of our operations as we continue to evolve. Its focus on ensuring that the composition of our commissioners is more representative of the island's diverse community only strengthens our ability to act objectively when faced with ethical dilemmas. When the composition of our agency's governing body reflects the diversity of our population, it will only lead to more effective decision-making. It is the commission's intent to work closely with this Legislature to further strengthen our operational efficiencies and shield our agency from unwarranted political or administrative pressures in order to protect the sanctity of what we are mandated to do. This independence is essential for the people of Guam to have confidence in our office to serve fairly, thoroughly, and without bias or political interference. While Bill No. 214-38 provides more representation from the branches of government and the business community, the commissioners and I have not had a chance to fully discuss in detail our official position regarding the makeup of the board. However, there are a few amendments to the bill that I would like to propose on behalf of them and ask this committee to consider. The first being quorum. With Bill 214 seeking to strengthen our effectiveness, I ask this committee to consider amending the enabling statute to allow a quorum to be established by

four members of this seven-member body. This request not only aligns with the intent of this bill but will also promote greater efficiency and timely decision-making while still preserving a majority representation of our commissioners. The current requirement of a five-member quorum has unnecessarily stalled essential commission business when vacancies, conflicts of interest, illness, or scheduling constraints prevent full attendance—even when we have a clear majority of commissioners available and prepared to act. A four-member quorum will help maintain democratic validity by ensuring that decisions still reflect more than half of the commissioners while reducing the risk of paralysis that can delay critical governing functions. We believe this amendment creates a practical balance between accountability and functionality while still reducing administrative inefficiencies. A quorum of four will effectively allow our agency to carry out its duties in a timely and responsible manner without diminishing transparency, accountability, and most importantly, public trust. The second, administrative penalties. Another essential component in strengthening our enabling legislation is the implementation of administrative penalties for violations of the Code of Ethics. Our current statutes don't stipulate the use of administrative penalties but instead only provide that we remand our findings after due process to the agencies with recommendations. By amending this component and allowing for the imposition of administrative penalties for ethics violations, our commission would be empowered to promote greater responsibility by creating timely, proportionate, and enforceable consequences for any misconduct. Administrative penalties not only provide a practical accountability mechanism that reinforces our ethical standards but also align our law with national standards. By establishing clear consequences for violations, officials and employees are more likely to understand their obligations and take them seriously, which only fosters a greater culture of compliance rather than tolerance for misconduct. We believe this approach will enhance public confidence in the enforcement of our ethics laws and demonstrate our firm commitment to responsible governance and ethical conduct at all levels of public service. The Guam Ethics Commission supports the intent of Bill 214 and stands ready to work with this committee and the Legislature on further strengthening our agency's independence, operational efficiency, and ability to uplift public trust in our public servants. In a time when confidence in our government has been deeply shaken, the role of the Guam Ethics Commission is not optional—it is essential. Public trust truly is the foundation of an effective

government. And once it has eroded, it cannot be restored through words alone, but through visible, enforceable standards of integrity. Strengthening the independence of the Guam Ethics Commission sends a clear message to the community that no public official is above accountability, that ethical misconduct will not be ignored, and that transparency is our governing principle rather than just a talking point. With this increased skepticism and doubt in our government, our commission stands as a safeguard for the public interest and a reaffirmation of our collective commitment to honest, ethical public service. Preserving and strengthening our commission is not merely a procedural matter now. It is a decisive step toward rebuilding our people's faith in government and honoring the trust they have bestowed upon us. I would like to thank the author of this bill, sponsors, and supporters on behalf of the Guam Ethics Commission. *Un dangkolo na si Yu'os ma'åse'* for your consideration of our testimony and your continued commitment to ethical governance for the people of Guam. *Si Yu'os Ma'åse'*.

**SENATOR CHRISTOPHER M. DUEÑAS, CHAIRPERSON:** *Si Yu'os Ma'åse'* also Director Fujikawa, can you please once again identify yourself for the record?

**NICO FUJIKAWA, EXECUTIVE DIRECTOR FOR THE GUAM ETHICS COMMISSION:** Nico Fujikawa, I'm the Executive Director for the Guam Ethics Commission.

**SENATOR CHRISTOPHER M. DUEÑAS, CHAIRPERSON:** Thank you. Ms. Rosetti, would you like to proceed with your testimony?

**DANIELLE ROSETTI, ADMINISTRATOR OF THE COURTS FOR THE JUDICIARY OF GUAM:** *Hafa Adai* and Good morning. Danielle Rosetti, Administrator of the Courts for the Judiciary of Guam. Good morning, Mr. Chair and members of the committee, Senator San Agustin and Senator Gumataotao. Thank you for the opportunity to provide testimony on Bill 214-38 (COR), introduced by Senator Gumataotao, relative to strengthening the independence and effectiveness of the Guam Ethics Commission. As it is written, the legislation modifies the commission's membership to include, among others, a member appointed by the Chief Justice of the Supreme Court of Guam. The Judiciary of Guam requires and promotes the highest ethical standards for its judges, judicial officers, and employees as public servants. Ethical conduct is essential to fulfilling

the judiciary’s mission of delivering justice fairly and efficiently through transparent, inclusive, and accessible court services, and to advancing its vision of being a model of judicial excellence—trusted, innovative, and independent. While the judiciary fully supports efforts to promote ethical conduct throughout government, it respectfully raises the following concerns regarding Bill 214-38, which would authorize the Chief Justice to appoint a member to the commission. As currently drafted, the bill would blur institutional boundaries and may create the appearance that the judiciary is participating in the preliminary oversight or regulation of officials from other branches of government. Even where no actual conflict exists, public confidence in judicial neutrality depends on maintaining clear separation between the courts and bodies responsible for ethics enforcement involving other branches. For this reason, the judiciary respectfully recommends revising the bill to remove the Chief Justice’s appointment role. These concerns are heightened by the statutory duties of the commission. Under existing law, the commission is authorized to issue advisory opinions, receive and investigate sworn complaints, conduct hearings, and consider alleged violations of the Code of Ethics. In appropriate cases, the commission may also refer matters for public criminal prosecution to the Attorney General or other authorities. These functions are investigative and quasi-adjudicative in nature and may directly affect the rights, duties, and potential criminal exposure of government officials and employees. Judicial participation in the commission’s appointment structure may therefore create institutional entanglement in matters that could later come before the courts for review or adjudication. Such involvement raises concerns regarding impartiality, recusal, and the appearance of influence, all of which undermine public trust in the judiciary’s role as a neutral decision-maker. To protect both actual impartiality and the appearance of impartiality, the judiciary must avoid roles that could create conflicts of interest, whether real or perceived. The judiciary operates under a comprehensive ethical framework, including the Judicial Code of Conduct and other rules governing our judges, attorneys, and court employees. These standards are specifically designed to support fairness, integrity, and transparency within the judicial branch. Although the judiciary believes it should not participate in the appointment or governance structure of the Guam Ethics Commission, it remains committed to supporting ethical government in ways consistent with its mission and vision. The judiciary welcomes input on how it can collaborate with the commission on ethics education for government employees.

The judiciary employs a judicial educator with experience in training and professional development and is willing to share educational resources and best practices that promote ethical awareness while preserving judicial independence. For these reasons, the judiciary respectfully urges reconsideration of Bill 214-38 in its current form. The judiciary shares the goal of promoting ethical conduct across government; however, preserving judicial independence and adherence to the separation of powers are essential to maintaining the public's trust. Thank you.

**SENATOR CHRISTOPHER M. DUEÑAS, CHAIRPERSON:** *Si Yu'os Ma'åse'* Ms. Danielle Rosetti, representing the Judiciary of Guam. Ma'am, please proceed and identify yourself for the record and proceed with your testimony.

**AMANDA ALAG:** Thank you. Hi, I'm Amanda Alag. I'm speaking on behalf of the Guam Women's Chamber of Commerce. I am a Co-Chair of the government Committee. Dear Senator Dueñas and honorable members of the committee, thank you for the opportunity to provide testimony on Bill No. 214-38 (COR). The Guam Women's Chamber of Commerce (GWCC) appreciates the consideration for this role of public service through a potential appointment to the Guam Ethics Commission under the bill. We recognize that strong ethics systems can promote fair participation, reduce corruption risk, and strengthen public trust in the institutions that shape economic opportunity. GWCC's commitment is to advance women's leadership and address issues affecting women in the workplace. However, GWCC has not yet taken a position on whether Bill 214-38 will deliver those benefits as written. We acknowledge the stated intent to amend Article 3 of Chapter 15, Title 4, Guam Code Annotated, by modifying the Ethics Commission's Membership to broaden community representation. And to reinforce the Commission's independence by protecting it from political or external interference and affirming its authority to adopt internal rules and regulations to safeguard neutrality. At this time, we respectfully request clarification on several points to better understand the purpose, impact, and expectations associated with the proposed amendments. First, while the bill outlines the proposed changes to the commission's appointment structure, we request clarification on the policy rationale driving these amendments, particularly in light of ongoing quorum challenges. Are there additional concerns this amendment aims to address and what outcomes will be used to measure its success. Second, it is important to note that

GWCC board members currently serve three-year terms, which are shorter than the four-year terms described in Bill 214-38. We seek clarity on how this difference in term length would be accommodated for GWCC appointed commissioners. Before GWCC can evaluate the feasibility of this role for our members, we request clear details on the practical expectations for and any GWCC appointed commissioners including meeting frequency, training requirements, and administrative support available to commissioners. Finally, have the authors considered dividing the number of appointees between the three co-equal branches of Government. We request clarification on the motivation for appointing authority to specific business organizations, and whether broader criteria should be considered to avoid unintended concerns about fairness or exclusion. Specifically we ask whether the bill's author has considered alternative approaches such as defined eligibility criteria or a rotating appointed seats or another neutral process to support broad representation. GWCC offers these questions in the spirit of constructive review and to ensure that any new responsibilities placed on our members are clearly aligned with our mission and have meaningful public impact. Thank you Senator and the Members of the Committee for the opportunity to provide feedback. We appreciate your time and consideration and look forward to continued dialogue on Bill 214-38 (COR). *Si Yu'os Ma'åse'*.

**SENATOR CHRISTOPHER M. DUEÑAS, CHAIRPERSON:** *Si Yu'os Ma'åse'* Amanda Alag, and we appreciate that as well. So, I will now defer to the author if you'd like to go first or after Senator San Agustin. It's up to you. Senator San Agustin, you're recognized on Bill 214 and for questions of the panel.

**SENATOR JOE S. SAN AGUSTIN:** Thank you, Mr. Chairman. Nico, you mentioned changing the amendment from five members to four. How about we change it to the majority present? Yeah. And the reason why I say that is because what if you only have four *nai* that's left and there's nobody else around? The nominees don't have any more members. There are only four that the process hasn't gone through. It's going to be the four; you're never going to get past it. And then when it goes further down and says to be approved by at least five members, make it instead of four, make it majority present. I'm just trying to find a...

**NICO FUJIKAWA, EXECUTIVE DIRECTOR FOR THE GUAM ETHICS COMMISSION:** A way to streamline it. Right?. So the way we look at it is as

long as the decision represents at least a majority, it should be representative of the community. I agree. As long as we're able to continue to move business forward, there won't be any more excuses or inefficiency. One of the things, though, that we should consider is when we're going to push forward, for example, a resolution to investigate or a resolution to charge, there should be at least a majority of the entire body present rather than two out of the three that are there. Does that make any sense? When we're going to do an official action versus cases or some type of due process that is necessary, I do believe that having at least a majority of the entire commission, so that it's not just two people at the moment.

**SENATOR JOE S. SAN AGUSTIN:** Yes. And that's why I mentioned the majority, because you know, you have the leeway of allowing for, I guess, Zoom meetings and stuff like that so that whoever's present—exactly—the majority. Okay. So we'll be good with that one. Then going to the Women's Chamber, Women's Chamber of Commerce, you mentioned the choices, I guess, that are put in the bill. Who would you recommend then should be included? Because already we're getting testimony from the courts that they're asking to be removed. So who would you recommend should be on the commission?

**AMANDA ALAG:** At this time, I don't have a recommendation that I would give. I do know that there are many other community organizations that may be considered, but this is something that was just brought to the table recently. So we haven't really investigated more into this, and this is why I reiterate on revisiting and having dialogue regarding this bill with our board and with our members.

**SENATOR JOE S. SAN AGUSTIN:** Okay. Because I know the committee will be looking forward to hearing any recommendation. Maybe SHRM should be part of the committee. I'm just saying this openly because I'm just thinking as I'm looking at the bill, it looks to be fair. The chamber's got basically two roles: Guam Chamber and then we've got the Women's Chamber. I'm just trying to think of what other groups. You're right, there are a lot of other groups out there, but we're trying to be very careful because sometimes *nai* you open it too much, then everybody else wants to be involved. Then they say you have too many hands serving the soup.

**AMANDA ALAG:** Too many chefs in the kitchen.

**SENATOR JOE S. SAN AGUSTIN:** Exactly. Nothing's going to get done. But on the court side, I respect the request to be excluded. I can understand that, and I'll leave that to the author and the chairman to figure out how we're going to work that. We'll identify who we need on the committee, and then we'll move on. With that, thank you, Mr. Chairman.

**SENATOR CHRISTOPHER M. DUEÑAS, CHAIRPERSON:** *Si Yu'os Ma'åse'*, Senator San Agustin. Author of the bill, Senator Gumataotao and I'll make a few comments when I close, but—

**SENATOR EULOGIO SHAWN GUMATAOTAO:** Okay. Thank you, Mr. Chair. Let me just start with Danielle. I'm going to make it easier. When we were coming up with this, we wanted to have a little bit more community-based participation. So we thought, at least in my initial thought, and just trying to find a way to bring the branches all together. I do appreciate the input from the judiciary. Maybe one thought is—I'm not saying that we have to follow what 12 states do and perhaps the Hawaii Ethics Commission—but there are great people that work in the branch, retired judges, perhaps the judicial educator. Do you think that if we would amend the bill to target that, would that still be inside of the argument from the judiciary to kind of separate itself from this particular proposal?

**DANIELLE ROSETTI, ADMINISTRATOR OF THE COURTS FOR THE JUDICIARY OF GUAM:** Thank you for that question Senator. I think it would depend. Obviously, we could probably reexamine or explore what the other 12 states do and what their structure is set up like for the Hawaii Judicial Council. As you know, we have a judicial council governing board for the judiciary, and we also have the Supreme Court's governing authority. So it would really depend on what the structure setup would be like. Of course, for Guam, we're a very small jurisdiction. Just as I mentioned in the testimony, that appearance in and of itself is something that we strive to maintain and manage to ensure the public's trust and confidence in the work that we do is fair, impartial, and neutral. But I think if we, you know, they were a retired judge and they're retired in their capacity—they're retired—they're no longer employees of the judiciary—they would serve at the appointment at their own peril, in their personal capacity but bringing their judicial skills to the table.

**SENATOR EULOGIO SHAWN GUMATAOTAO:** Yeah, because I wasn't going to try to poach from the Guam Law Library. I figured that would be poor judgment on my part to try to do that, looking at members like that. But I was just trying to find a way to bring the branches together. From experience, I think that you're absolutely right in your testimony. They provide and do a lot of good things across that branch. Just trying to find its way to get to—you know, we just passed legislation for the Criminal Justice Automation Commission. Why not this one? But I completely understand the testimony of the branch. One other question on that. Would the replacement of the judiciary with the Guam Bar Association be maybe a thought?

**DANIELLE ROSETTI, ADMINISTRATOR OF THE COURTS FOR THE JUDICIARY OF GUAM:** I mean that, we've got a colleague from the Guam Bar that was here earlier, receiving rave reviews and support for her appointment. I think the Guam Bar Association as an organization with attorneys, I do think it's important to have legal input from attorneys in the community, but that could be something that you can consider.

**SENATOR EULOGIO SHAWN GUMATAOTAO:** Thank you so much for that. Let me go back to Nico. Based on the information that the Legislature received from the Guam Ethics Commission back on February 4, 2026, the commission noted that it was working to reform Title 4, Chapter 15 of the Guam Code Annotated. The commission shared through its report that it is considering mirroring Hawaii's Revised Statutes, Chapter 84, as Hawaii's Ethics Commission has been effective in strengthening both jurisdiction and enforcement. Nico, if I can and for the public hearing and for the committee, what is the status of your review of Hawaii's law and specific to the commission's membership? What recommendations have been made available to date? From your, if you do have legal counsel, who advised that they needed more time due to Guam's law being more intricate, but that an updated report would be available by mid-January 2026.

**NICO FUJIKAWA, EXECUTIVE DIRECTOR FOR THE GUAM ETHICS COMMISSION:** Thank you, Senator. So, right now, our attorneys—our legal counsel—are still, I haven't received the updated legislation yet. They're still currently working on it because Chapter 84 of the Hawaii Code is pretty thorough. What she's doing now is she's making sure that anything that is referenced out to

additional laws coincides with Guam law. So, I haven't nudged her yet. After this hearing, I will definitely nudge and see where our legal counsel is at with it. However, I do want to speak on the reason why we were looking at the Hawaii Ethics Code is because they went through a change about two years back, and what they saw was a complete overhaul of how the community viewed the commission. And because we are still the youngest agency for the government of Guam in terms of funding, I believe this is a necessary step in order to give us the teeth that were mentioned earlier. When I was appointed to this position, I gave the vision of the three E's of ethics: to engage the community, educate them, and then empower them. Right now, the way our enabling legislation is written, it does not empower even the commission to empower the people. The idea is to have this commission be a watchtower to hold all public servants accountable. And so what Hawaii did is when they transitioned into this new law and updated administrative penalties, for one, the ethics complaints that they found jumped from about 65 cases a year to over 400. So as soon as that changed, the community's attitude toward the commission itself saw that they should be taken seriously. They saw actual resolutions to complaints. Right now, we don't have that ability. We can review, bring it to the commission, they can deliberate and vote, and then we can remand it back to the agency. In that process, there isn't a real type of resolution to the community. And so, mirroring this law—because I look at it as a case study and knowing that it is working for them—there's an idea of us leaning on them as a partner as we evolve this young agency into its next level. So that's where the rationale came from on why we were looking at that. Now, In terms of membership of the members, I agree with the intent of the bill. I know we have different opinions on who should be in it, but I also think that with the other changes to the enabling legislation, we might have people asking to be on it, volunteering to be on it. Right now, the community isn't really sure what the ethics commission does or what it stands for. And so changing our foundation will help rebrand us and be able to get back into the community. So again, I want to work with you guys on the best possible solution. I think as it currently stands, if I'm not mistaken, we can also investigate ethics complaints with employees at the judiciary as well, as they are still government of Guam employees. So there should be some type of more representation versus just the governor appointing seven members.

**SENATOR EULOGIO SHAWN GUMATAOTAO:** Okay, I have just a few more questions for you, Nico. For background purposes, I raised questions last September regarding legislation creating personal grievance procedures involving department or agency heads. Building on that discussion and recognizing that based on the Guam Ethics Commission's determination that it did not have jurisdiction on certain matters, resulting in the dismissal of a number of cases. What information is available confirming whether any portion of these cases were forwarded to the Office of the Attorney General for further action?

**NICO FUJIKAWA, EXECUTIVE DIRECTOR FOR THE GUAM ETHICS COMMISSION:** I believe it's posted on our website. The last I checked, there were about six cases that were sent over, referred to the Office of the Attorney General because they are criminal in nature. However, we have not received an update or a status report on those cases. This was prior to me taking the helm.

**SENATOR EULOGIO SHAWN GUMATAOTAO:** All right. Thank you for that. Based on a review of the citizen-centric reports made available online through the commission's website, did your organization submit reports for the fiscal year subsequent to fiscal year 2023? If not, what is the status of any remaining reports, and what progress has been made in addressing the challenges that were identified in FY2023 such as personnel recruitment, adoption of standard operating procedures for processing complaints, financial management, invoices and certificates, and the provision of ethics training workshops?

**NICO FUJIKAWA, EXECUTIVE DIRECTOR FOR THE GUAM ETHICS COMMISSION:** Thank you, Senator. We do have some statistics that I can share with the body. I believe I have a quick cheat sheet on me now. However, we haven't done a citizen-centric report. I believe we are still waiting on our audit. It comes after the audit is completed for us so we can push that forward. Once we receive that, we'll be able to produce it. However, I do have the team already working on an annual report so you can reference at a high level kind of the movement that's taking place. But, I do have to admit, my background is in finance, economics, research, and strategic planning. Looking at the data at the commission, I knew early on that we needed to make amendments to our foundation, to our enabling legislation. Because what's happening is, cases went from about 70 cases in 2022, down to, let me check. One second, let me reference

this. So our cases went, I'm sorry, 34 cases were referred to us in 2022. 27 in 2023, 15 in 2024, down to three in 2025. Now what I'm seeing here in the data is that it's telling a story that perhaps we are not providing that resolution to the community. And so people are starting to wean off, maybe it's not working. So what we're trying to do is, ok lets go back in, revisit our enabling law, give us the teeth so that the community can believe in what we're doing and start showing them that cases are being taken seriously. And you know it goes back to our testimony, why we need these changes and amendments to the law. As it currently stands, it doesn't look like it's working for the community. However, it is essential in trying to gain back their trust. It's just how we approach it now.

**SENATOR EULOGIO SHAWN GUMATAOTAO:** So then do you think that the administrative penalties you recommended today, Do you think that would be a deterrent for that kind of behavior across our government of Guam?

**NICO FUJIKAWA, EXECUTIVE DIRECTOR FOR THE GUAM ETHICS COMMISSION:** I believe if they know that they have a commission with the support of commissioners who are independent, who are doing the right thing, I think the community will start to see those complaints. I anticipate those complaints, much like Hawaii, to skyrocket and then it'll start to wean off, which is a good thing for us because then we know there's somebody watching. That we are the watchtower for the island.

**SENATOR EULOGIO SHAWN GUMATAOTAO:** And then just a comment or question to Amanda. First off, thank you for being with us this morning. I know the Guam Women's Chamber probably saw the ad and said, "Why us?" as did the Guam Chamber and said "Why us?". And again, looking for broader participation, I do understand some of the issues on your terms, I think we can work something out. If it's not the Guam Women's Chamber and if it's not the Guam Chamber of Commerce—you're a small business owner— there's two, it'd be two basically community groups in this. I know we just mentioned the Guam Bar. Perhaps SHRM. Are there any other groups that you think would be valuable or invaluable to this commission to serve? I mean, obviously if the Women's Chambers, we asked you to table but, do you have any ideas of what would be groups that could be possibly part of this commission?

**AMANDA ALAG:** Thank you for that, Senator. Nico mentioned the business, constructive part of it, and I see where the Guam Ethics Commission is wanting that on business consultation, and who better than the chambers to do that. And also the Guam Women’s Chamber. I cannot speak on behalf of the Guam Chamber of Commerce, but I can say that the Women’s Chamber appreciates the diversity and acknowledging the women in it. If you wanted to have a women representative on the ethics commission, guaranteed you’re going to have a woman serving if you were to proceed with the GWCC to represent. But again, I can’t speak on behalf of the Guam Chamber of Commerce or any other association right now.

**SENATOR EULOGIO SHAWN GUMATAOTAO:** Okay. As a small business owner, is there any other group you work with that might be interested? I mean I can go a list right now as a former small business owner. Do you think anyone might be interested? Any Civic groups that can be a part of this?

**AMANDA ALAG:** No, I can’t right now. No.

**SENATOR EULOGIO SHAWN GUMATAOTAO:** Okay. Let me ask that question of Danielle. So I know we have the Guam Bar. Is there any other community group you think could be involved in this from your experience?

**DANIELLE ROSETTI, ADMINISTRATOR OF THE COURTS FOR THE JUDICIARY OF GUAM:** In some of the community partnerships we have, definitely the Guam Chamber of Commerce is at the forefront of a lot of the efforts that the judiciary kinda leads. In the private business side, they’re the first that comes to mind as what we deal with as community partners, and they’re very supportive. So i think including them for purposes of being part of the commission was perhaps a good thing to have. Outside of the Guam Chamber of Commerce, the Guam Bar Association, the legal community. A number of our other community partners we have is of course the Soroptimist International and Erica’s House. Those are just the court community partners for the work that we do at the judiciary.

**SENATOR EULOGIO SHAWN GUMATAOTAO:** Thank you for your input, Danielle. What about you, Nico? If it’s not the Guam Women’s Chamber or the Chamber of Commerce, we mentioned SHRM, we mentioned the Guam Bar. Can

you think of any other organizations that you think would be valuable/invaluable to the work of the Guam Ethics Commission?

**NICO FUJIKAWA, EXECUTIVE DIRECTOR FOR THE GUAM ETHICS COMMISSION:** Okay Senator, I'm going to answer this question a little differently. What I'm hearing is that there may be some hesitancy from some of the bodies, the civic groups mentioned in the law. I think part of that is that it's a little ambiguous right now on what exactly the ethics commission is doing and who it governs. For example, I'm not too sure if the community knows that it's not just government of Guam employees who can file ethics complaints. Members of the business community who have to deal with government agencies. And so perhaps if they go back and sit down and actually discuss this, with a little more time for them, they'll understand the value that if we appoint somebody, they sit on this commission that actually would help in even in the procurement process of ethical issues where our constituents are directly involved with government officials. Right now it looks like "oh maybe you're asking us to take on a new responsibility. We don't want that because we're not sure what that entails." However, if we start to rebrand ourselves, go out and educate again that anybody on the island of Guam can file an ethics complaint—whether you're in government or the private sector—if you feel there is a violation of the code of ethics, then I think that can show there's a lot of value added from these groups and we can probably change their mindset that I do want to participate. We have a panel ready to go to the next person that we want to appoint to the commission. There's a lot of work ahead of us, and I understand that and take that responsibility very seriously. So I think that'll be a big component on getting people to to kind of support this.

**SENATOR EULOGIO SHAWN GUMATAOTAO:** It would be too easy to just say general public member. We have that all across the entire Guam Code Annotated. We were trying to find a way in 2026 to find ways to have more folks involved from different places. I could have said University of Guam, could have said just about any other location. That's why I'm asking. I think it's important for a more broader, I guess, representation on this commission. Thank you all for being here and thank you Mr. Chair for the time to ask questions.

**SENATOR CHRISTOPHER M. DUEÑAS, CHAIRPERSON:** *Si Yu'os Ma'åse'*, Senator Gumataotao. Fascinating discussion. I think, this is, as you may

know, in this legislature, we have a very robust committee markup schedule before bills hit the floor. We look forward to all of the testimony that's been presented. I'm sure the author is one of the standouts in the markup world. Our committee will work with him on the markup, and I think we can come to some consensus before the bill hits the floor. But certainly I'm thankful for your testimony in general support but with understanding. I think this public hearing, as well, will be covered, and maybe there's more awareness now. Because I think for many of us, even in the legislature, by reviving the ethics commission, its kind of, it seems like it's starting to take off. And you're right Nico, I don't think the general public understands the overall mission and importance of what the design is. The design is to make sure that if members of the public who are having experiences with their interactions with government operations and entities, that they see, hear, or know about possible ethical violations, that they take advantage of the opportunity to present that. And to have that complaint heard. Especially if it's against them personally or just something that they believe should be brought to the attention. So I think the more that awareness is out there, some of the things we see or perceive or hear of will be brought to the forefront. It also serves as a great deterrent. Maybe this bill's first action is to get more awareness out there. And the committee markup will be to see what the additional composition should be. Then, once again, Nico can go about your mission of trying to heighten the visibility and the awareness of what this valuable commission should be doing. So those are my thoughts. Would you like to close on the bill, Senator?

**SENATOR EULOGIO SHAWN GUMATAOTAO:** Yes. Thank you, Mr. Chair, again for conducting the public hearing on Bill 214. My challenge to our colleagues that are up here, who are not in attendance or not members of the Committee on Government Operations. I ask, Mr. Chair, that our colleagues provide their input in the coming days as outlined in our rules back to this committee. I'm urging them to send an email to [senator.duenas@guamlegislature.gov](mailto:senator.duenas@guamlegislature.gov) with their input and recommended changes to make Bill 214 better. As many of them have made a point to say on the floor in recent sessions about other policies we have addressed since the start of our term in the 38th Guam Legislature. I ask, here, that they please help make this bill better at this point in the process. While our fellow colleagues may have a right to change this policy on the floor, across the hall, I'm urging diligence and respect for our

process that started here in this body in 1951. For the record, ideas to change any part of this bill work within our process in the Guam Legislature. Again, thoughts from our colleagues, even if they're against the bill, that's important too. And again, I thank all of the senators in advance for their support of the markup process of Bill 214. That is our job and what we were elected to do here in the Guam Legislature. As I shared at the beginning of this discussion, I met last year with the commission's executive director who informed me that the proposed changes in Bill 214 align with a list of suggested amendments to Guam's ethics statute. I believe that this particular measure can and should serve as the start, as the vehicle to help update and strengthen policies impacting this important organization, which began operations in 2019, long after its creation by law 30 years ago. Now this policy change, I'm hoping, will make this very inclusive. A broader swath of our community will be represented and should be represented on this particular commission. The membership should reflect fair-mindedness and diligence. I believe that this is sound and common-sense policy that will be useful to all of us. Integrity, public trust, accountability—these are not just catchphrases, but values that we all can share in ensuring that our public sector performs its work as mandated by Guam law. And by the way, we should not expect anything less. Mr. Chair, I appreciate in advance the opportunity to work with your committee on Government Operations during the markup stage as we move Bill 214 through the legislative process. And again, thank you, Mr. Chair, Senator San Agustin for being with us today, and all the stakeholders that are in this room for your participation in today's public hearing. Thank you all again.

**SENATOR CHRISTOPHER M. DUEÑAS, CHAIRPERSON:** *Si Yu'os Ma'ãse'* Senator Gumataotao. That will conclude and having now been heard Bill 214-38 (COR). We'll take a one-minute recess and set up for the last bill on the agenda. We are in recess for one minute.

### **[COMMITTEE MOVES INTO BILL NO. 205-38 (COR)]**

### **III. FINDINGS & RECOMMENDATIONS:**

The Committee finds that Bill 214-38 (COR) represents a meaningful first step toward modernizing Guam's ethics framework. The proposed amendments, combined with quorum reform and administrative enforcement authority, will



**COMMITTEE REPORT DIGEST – BILL NO. 214-38 (COR)**

[Public Hearing - Senator Christopher M. Duenas - February 12, 2026 9am](#)

strengthen the functionality and credibility of the Guam Ethics Commission. The Committee therefore recommends Bill 214-38 (COR), as amended, AN ACT TO AMEND ARTICLE 3, § 15401(a)(6), § 15401(b), § 15401(d), § 15401(e), AND § 15403, ALL OF CHAPTER 15, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO STRENGTHENING THE INDEPENDENCE AND EFFECTIVENESS OF THE GUAM ETHICS COMMISSION with the recommendation TO REPORT OUT ONLY.

***I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN***  
**2025 (FIRST) Regular Session**

**Bill No. 214-38 (COR)**

Introduced by:

Eulogio Shawn Gumataotao  
Joe S. San Agustin

**AN ACT TO AMEND ARTICLE 3 OF CHAPTER 15,  
TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO  
STRENGTHENING THE INDEPENDENCE AND  
EFFECTIVENESS OF THE GUAM ETHICS  
COMMISSION.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that the Guam Ethics Commission (Commission) is comprised of seven (7) members  
4 appointed by the Governor of Guam who are subject to confirmation by *I*  
5 *Liheslatura*. Recognizing the Commission's responsibility to adjudicate complaints  
6 alleging Standard of Conduct violations by government officials and employees, *I*  
7 *Liheslatura* proposes to modify the Commission's membership to include eligible  
8 residents appointed by community organizations and the Legislative and Executive  
9 Branches of the Government of Guam. Accordingly, this Act intends to strengthen  
10 the independence and effectiveness of the Guam Ethics Commission by amending  
11 Article 3 of Chapter 15, Title 4, Guam Code Annotated, modifying the  
12 Commission's membership and prioritizing representation of our broader  
13 community.

14 **Section 2.** Article 3 of Chapter 15, Title 4, Guam Code Annotated, is  
15 *amended*, to read:



1 (b) The Chairperson of the Guam Ethics Commission shall be elected by the  
2 majority of the Commission. The term of office of each member shall be for four (4)  
3 years, ~~provided that of the original members, two (2) shall hold office for two (2)~~  
4 ~~years, two (2) shall hold office for three (3) years, and one (1) shall hold office for~~  
5 ~~four (4) years. The determination of these members' length of office shall be by lot~~  
6 ~~drawn by the members at their initial meeting.~~ No person shall hold any elected  
7 office or be a candidate for elected office during his or her tenure on the Guam Ethics  
8 Commission, nor shall they be appointed consecutively to more than two (2) terms  
9 as a member of the Commission.

10 (c) Members shall serve without compensation. A quorum for the conduct of  
11 official business by the Commission is established when at least five (5) members  
12 are physically present or participating remotely via videoconference or similar  
13 technological means permitted by the Commission's rules and regulations. An action  
14 of the Commission is valid if approved by at least five (5) members, ~~except that~~  
15 ~~they shall receive a stipend of Fifty Dollars (\$50.00) per meeting not to exceed four~~  
16 ~~(4) meetings per calendar month, and shall be compensated for all normal expenses~~  
17 ~~of travel, and for the cost of meals while in session.~~

18 (d) Vacancies shall be filled for the remainder of the unexpired term in the  
19 same manner as the original appointments. ~~*I-Maga'håga* may remove or suspend~~  
20 ~~a~~Any member of the Commission may be removed for cause, upon the filing by at  
21 least five (5) members of the Commission of a written finding with the Commission  
22 and upon service of a copy of the written findings on the member removed ~~or~~  
23 ~~suspended.~~

24 (e) The Commission's rules and regulations shall protect its operations against  
25 political influence and other external interference.

26 (f) The Commission shall develop and maintain a public-facing website to  
27 provide information on its processes, findings, and educational resources regarding

1 ethics in government. Except as provided by this Chapter, all proceedings including  
2 hearings of the Commission shall be open to the public, and records shall be  
3 available for public review, pursuant to provisions of the Open Government Law, 5  
4 GCA Chapter 8.”

5 **Section 3. Effective Date.** This Act shall become effective upon  
6 enactment.

***I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN***  
**2025 (FIRST) Regular Session**

**Bill No. 214-38 (COR)**

As Amended by the Committee on Finance  
and Government Operations

Introduced by:

Eulogio Shawn Gumataotao  
Joe S. San Agustin

**AN ACT TO *AMEND* ARTICLE 3, § 15401(a)(6), § 15401(b), § 15401(d), § 15401(e), AND § 15403, ALL OF CHAPTER 15, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO STRENGTHENING THE INDEPENDENCE AND EFFECTIVENESS OF THE GUAM ETHICS COMMISSION.**

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

2           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that the Guam Ethics Commission (Commission) is comprised of seven (7) members  
4 appointed by the Governor of Guam who are subject to confirmation by *I*  
5 *Liheslatura*. Recognizing the Commission’s responsibility to adjudicate complaints  
6 alleging Standard of Conduct violations by Government officials and employees, *I*  
7 *Liheslatura* proposes to modernize the Commission’s membership through broader  
8 community representation. *I Liheslatura* further intends to strengthen the  
9 independence and effectiveness of the Guam Ethics Commission by responding to  
10 the Commission’s request for the establishment of timely, proportionate, and  
11 enforceable consequences based on rules and regulations which shall be developed  
12 by the Commission in accordance with the Administrative Adjudication Law.

1 **Section 2.** Article 3 of Chapter 15, Title 4, Guam Code Annotated, is *amended*, to  
2 read:

3 **“ARTICLE 3**

4 **GUAM ETHICS COMMISSION**

5  
6 **“§ 15301. Guam Ethics Commission Established; Composition.**

7 (a) There shall be within the ~~g~~Government of Guam, an autonomous and  
8 independent commission to be known as the ‘Guam Ethics Commission.’ The Guam  
9 Ethics Commission (Commission) shall consist of seven (7) members to be  
10 appointed by *I Maga’hågan/Maga’låhen Guåhan* with the consent of *I Liheslaturan*  
11 *Guåhan.*—*I Maga’hågan/Maga’låhen Guåhan* shall seek and consider  
12 recommendations for his or her appointments to the Commission from community  
13 organizations including, but not limited to, the Guam Bar Association, Society for  
14 Human Resource Management (SHRM) Guam Chapter, Association of Government  
15 Accountants Guam Chapter, and the Guam Chamber of Commerce. ~~to be appointed~~  
16 ~~by *I Maga’håga.*~~

17 Each appointee shall be a United States citizen and a bona fide resident of  
18 Guam. No person who has ever been convicted of a felony shall be eligible to serve  
19 on the Guam Ethics Commission. Members of the Guam Ethics Commission shall  
20 not be an employee, as defined herein, or have any member of their immediate  
21 family employed by the ~~g~~Government of Guam. ~~All appointments to the Guam~~  
22 ~~Ethics Commission shall be confirmed by *I Liheslatura.*~~

23 (b) The Chairperson of the Guam Ethics Commission shall be elected by the  
24 affirmative vote of at least four (4) members ~~majority~~ of the Commission. The term  
25 of office of each member shall be for four (4) years, ~~provided that of the original~~  
26 ~~members, two (2) shall hold office for two (2) years, two (2) shall hold office for~~  
27 ~~three (3) years, and one (1) shall hold office for four (4) years. The determination of~~

1 ~~these members' length of office shall be by lot drawn by the members at their initial~~  
2 ~~meeting. No person shall hold any elected office or be a candidate for elected office~~  
3 ~~during his or her tenure on the Guam Ethics Commission, nor shall they be appointed~~  
4 consecutively to more than two (2) terms as a member of the Commission.

5 (c) Members shall serve without compensation. A quorum for the conduct of  
6 official business by the Commission is established when at least four (4) members  
7 are physically present or participating remotely via videoconference or similar  
8 technological means permitted by the Commission's rules and regulations. An action  
9 of the Commission is valid if approved by at least four (4) members, ~~except that~~  
10 ~~they shall receive a stipend of Fifty Dollars (\$50.00) per meeting not to exceed four~~  
11 ~~(4) meetings per calendar month, and shall be compensated for all normal expenses~~  
12 ~~of travel, and for the cost of meals while in session.~~

13 (d) Vacancies shall be filled for the remainder of the unexpired term in the  
14 same manner as the original appointments. ~~*I-Maga'håga* may remove or suspend~~  
15 ~~a~~Any member of the Commission may be removed for cause, upon the filing by at  
16 least four (4) members of the Commission of a written finding with the Commission  
17 and upon service of a copy of the written findings on the member removed ~~or~~  
18 suspended.

19 (e) The Commission's rules and regulations shall protect its operations against  
20 political influence and other external interference.

21 (f) The Commission shall develop and maintain a public-facing website to  
22 provide information on its processes, findings, and educational resources regarding  
23 ethics in government. Except as provided by this Chapter, all proceedings including  
24 hearings of the Commission shall be open to the public, and records shall be  
25 available for public review, pursuant to provisions of the Sunshine Reform Act of  
26 1999, 5 GCA Chapter 10."

1           **Section 3.**     § 15401(a)(6) of Article 4, Chapter 15, Title 4, Guam Code  
2 Annotated, is *amended* to read:

3           “(6) It shall have jurisdiction for purposes of investigation and taking  
4 appropriate action on alleged violations of this Chapter in all proceedings  
5 commenced within three (3) years of an alleged violation of this Chapter by an  
6 employee, or a former employee. Nothing herein shall bar proceedings against a  
7 person who by fraud or other device, prevents discovery of a violation of this  
8 Chapter. A proceeding shall be deemed commenced by the signing of a charge by  
9 ~~five~~four (5~~4~~) or more members of the Commission.”

10           **Section 4.** § 15401(b) of Article 4, Chapter 15, Title 4, Guam Code Annotated,  
11 is *amended* to read:

12           “(b) Charges concerning the violation of this Chapter shall be in writing,  
13 signed by the person making the charge under oath, except that any charge initiated  
14 by the Commission must be signed by ~~five~~four (5~~4~~) or more members of the  
15 Commission. The Commission shall notify in writing every person against whom a  
16 charge is received and afford him or her an opportunity to explain the conduct  
17 alleged to be in violation of this Chapter. The Commission may investigate, after  
18 compliance with this Section, such charges and render an informal advisory opinion  
19 to the alleged violator. The Commission shall investigate all charges on a  
20 confidential basis, having available all the powers herein provided, and proceedings  
21 at this stage shall not be public. If the informal advisory opinion indicates a probable  
22 violation, the person charged shall request a formal opinion or within a reasonable  
23 time comply with the informal advisory opinion. If the person charged fails to  
24 comply with such informal advisory opinion or if a majority of the members of the  
25 Commission determine that there is a probable cause for belief that a violation of  
26 this Chapter might have occurred, a copy of the charge and a further statement of the  
27 alleged violation shall be personally served upon the alleged violator in accordance

1 with the rules for personal service found in Guam Rules of Civil Procedure. The  
2 person so charged shall have twenty (20) days after service thereof to respond in  
3 writing to the charge and statement.”

4 **Section 5.** § 15401(d) of Article 4, Chapter 15, Title 4, Guam Code Annotated,  
5 is *amended* to read:

6 “(d) If after twenty (20) days following personal service, a majority of the  
7 members of the Commission conclude that there is reason to believe that a violation  
8 of this Chapter has been committed, then the Commission shall set a time and place  
9 for a hearing, giving notice to the complainant and the alleged violator. All parties  
10 shall have an opportunity (1) to be heard, (2) to subpoena witnesses and require the  
11 production of any books, papers, records, or electronic recordings relative to the  
12 proceedings, (3) to be represented by counsel, and (4) to have the right of cross-  
13 examination. All witnesses shall testify under oath and the hearings shall be closed  
14 to the public unless the party complained against requests an open hearing. The  
15 Commission shall not be bound by the strict rules of evidence but the Commission’s  
16 findings must be based upon competent and substantial evidence. All testimony and  
17 other evidence taken at the hearing shall be recorded. ~~Copies of transcripts of such~~  
18 ~~record shall be available only to the complainant and the alleged violator at their~~  
19 ~~own expense, and the fees therefor shall be deposited into the General Fund.”~~

20 **Section 6.** § 15401(e) of Article 4, Chapter 15, Title 4, Guam Code Annotated,  
21 is *amended* to read:

22 “(e) The Commission shall make its findings and render its decision based on  
23 a preponderance of the evidence. A decision of the Commission pertaining to the  
24 conduct of any employee shall be in writing and signed by ~~five~~four (54) or more of  
25 the members of the Commission. Deliberations of the Commission shall be closed  
26 to the public and to all parties.”

1           **Section 7.** § 15403 of Article 4, Chapter 15, Title 4, Guam Code Annotated,  
2 is *amended* to read:

3           **“§ 15403. Procedure.**

4           (a) When the Commission, after due hearings, believes that there is cause for  
5 the possible filing of criminal charges, it shall refer the complaint to the Attorney  
6 General’s Office or appropriate authority for its disposition.

7           (b) With respect to former employees, the Commission may, with the consent  
8 of ~~five~~ four (54) or more members of the Commission, issue a public statement of  
9 its findings and conclusions, and the Attorney General may exercise whatever legal  
10 or equitable remedies are available to Guam.

11           (c) When after due hearing, the Commission finds that the violation  
12 committed by an employee is non-criminal in nature,;

13                   (1) the Commission will remand the case to the agency where the  
14                   employee is employed with the recommendation that the agency impose the  
15                   corresponding punishment in accordance with the agency’s personnel rules  
16                   and regulations; and

17                   (2) the employee shall be subject to an administrative fine as outlined  
18                   in the rules and regulations developed by the Commission in accordance with  
19                   the Administrative Adjudication Law, 5 GCA Chapter 9, of up to \$5,000 for  
20                   each violation of the code of ethics. All fines collected under this section shall  
21                   be deposited in the General Fund; and

22                   (3) No fine shall be assessed under this section unless the Guam  
23                   Ethics Commission convenes a hearing in accordance with § 15401 of this  
24                   Chapter, and a decision has been rendered by the Commission. The  
25                   Commission and respondent shall agree to resolve any charge of an alleged  
26                   violation prior to completion of the contested case process, and the resolution  
27                   includes payment of an administrative fine or restitution, or both.”

1           **Section 8. Effective Date.** This Act shall become effective upon enactment.

***I MINA'TRENTAI OCHO NA LIHESLATURAN GUÁHAN***  
**2025 (FIRST) Regular Session**

**Bill No. 214-38 (COR)**

As Amended by the Committee on Finance  
and Government Operations

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Introduced by:

Eulogio Shawn Gumataotao  
Joe S. San Agustin

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**AN ACT TO AMEND ARTICLE 3, § 15401(a)(6), § 15401(b), § 15401(d), § 15401(e), AND § 15403, ALL -OF CHAPTER 15, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO STRENGTHENING THE INDEPENDENCE AND EFFECTIVENESS OF THE GUAM ETHICS COMMISSION.**

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

**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that the Guam Ethics Commission (Commission) is comprised of seven (7) members appointed by the Governor of Guam who are subject to confirmation by *I Liheslatura*. Recognizing the Commission's responsibility to adjudicate complaints alleging Standard of Conduct violations by ~~government~~Government officials and employees, *I Liheslatura* proposes to ~~modify~~modernize the Commission's membership ~~to include eligible residents appointed by community organizations and the Legislative and Executive Branches of the Government of Guam. Accordingly, this Act intends to~~through broader community representation. I Liheslatura further intends to strengthen the independence and effectiveness of the Guam Ethics Commission by responding to the Commission's request for the establishment of timely, proportionate, and enforceable consequences based on rules and regulations

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1 which shall be developed by the Commission in accordance with the Administrative  
2 Adjudication Law. amending Article 3 of Chapter 15, Title 4, Guam Code  
3 Annotated, modifying the Commission's membership and prioritizing  
4 representation of our broader community.

5 **Section 2.** Article 3 of Chapter 15, Title 4, Guam Code Annotated, is  
6 *amended*, to read:

7 **“ARTICLE 3**  
8 **GUAM ETHICS COMMISSION**

9  
10 **“§ 15301. Guam Ethics Commission Established; Composition.**

11 (a) There shall be within the ~~g~~Government of Guam, an autonomous and  
12 independent commission to be known as the ‘Guam Ethics Commission.’ The Guam  
13 Ethics Commission (Commission) shall consist of ~~the following~~ seven (7) members  
14 to be appointed by I Maga'hågan/Maga'låhen Guåhan with the consent of I  
15 Lihselaturan Guåhan.-I Maga'hågan/Maga'låhen Guåhan shall seek and consider  
16 recommendations for his or her appointments to the Commission from community  
17 organizations including, but not limited to, the Guam Bar Association, Society for  
18 Human Resource Management (SHRM) Guam Chapter, Association of Government  
19 Accountants Guam Chapter, and the Guam Chamber of Commerce. to be appointed  
20 by I Maga'håga.:

21 (1) a member appointed by I Maga'hågan Guåhan;

22 (2) a member appointed by the Speaker of the Guam Legislature;

23 (3) a member appointed by the Chief Justice of the Supreme Court of Guam;

24 (4) a member appointed by a majority of members of the Guam Chamber of  
25 Commerce;

26 (5) a member appointed by a majority of members of the Guam Women's  
27 Chamber of Commerce, provided the individual shall not concurrently serve as the

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1 ~~appointed member of the Guam Chamber of Commerce to the Guam Ethics~~  
2 ~~Commission;~~

3 ~~(6) a member appointed by a majority of members of the Mayor's Council of~~  
4 ~~Guam; and~~

5 ~~(7) a member appointed by a majority of members of the Association of~~  
6 ~~Government Accountants (AGA) Guam Chapter.~~

7 Each appointee shall be a United States citizen and a bona fide resident of  
8 Guam. No person who has ever been convicted of a felony shall be eligible to serve  
9 on the Guam Ethics Commission. Members of the Guam Ethics Commission shall  
10 not be an employee, as defined herein, or have any member of their immediate  
11 family employed by the ~~g~~Government of Guam. ~~All appointments to the Guam~~  
12 ~~Ethics Commission shall be confirmed by I Liheslatura.~~

13 (b) The Chairperson of the Guam Ethics Commission shall be elected by the  
14 ~~affirmative vote of at least four (4) members~~ majority of the Commission. The term  
15 of office of each member shall be for four (4) years, ~~provided that of the original~~  
16 ~~members, two (2) shall hold office for two (2) years, two (2) shall hold office for~~  
17 ~~three (3) years, and one (1) shall hold office for four (4) years. The determination of~~  
18 ~~these members' length of office shall be by lot drawn by the members at their initial~~  
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20 ~~during his or her tenure on the Guam Ethics Commission, nor shall they be appointed~~  
21 consecutively to more than two (2) terms as a member of the Commission.

22 (c) Members shall serve without compensation. A quorum for the conduct of  
23 official business by the Commission is established when at least ~~five-four (54)~~  
24 members are physically present or participating remotely via videoconference or  
25 similar technological means permitted by the Commission's rules and regulations.  
26 An action of the Commission is valid if approved by at least ~~five-four (54)~~ members,  
27 except that they shall receive a stipend of Fifty Dollars (\$50.00) per meeting not to

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1 ~~exceed four (4) meetings per calendar month, and shall be compensated for all~~  
2 ~~normal expenses of travel, and for the cost of meals while in session.~~

3 (d) Vacancies shall be filled for the remainder of the unexpired term in the  
4 same manner as the original appointments. ~~I Maga'håga may remove or suspend~~  
5 ~~a~~Any member of the Commission may be removed for cause, upon the filing by at  
6 least ~~five-four (54)~~ members of the Commission of a written finding with the  
7 Commission and upon service of a copy of the written findings on the member  
8 removed ~~or suspended~~.

9 (e) The Commission's rules and regulations shall protect its operations against  
10 political influence and other external interference.

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12 provide information on its processes, findings, and educational resources regarding  
13 ethics in government. Except as provided by this Chapter, all proceedings including  
14 hearings of the Commission shall be open to the public, and records shall be  
15 available for public review, pursuant to provisions of the- ~~Sunshine Reform Act of~~  
16 ~~1999, 5 GCA Chapter 10. Open Government Law, 5 GCA Chapter 8.~~

17 **Section 3.** § 15401(a)(6) of Article 4, Chapter 15, Title 4, Guam Code  
18 Annotated, is amended to read:

19 “(6) It shall have jurisdiction for purposes of investigation and taking  
20 appropriate action on alleged violations of this Chapter in all proceedings  
21 commenced within three (3) years of an alleged violation of this Chapter by an  
22 employee, or a former employee. Nothing herein shall bar proceedings against a  
23 person who by fraud or other device, prevents discovery of a violation of this  
24 Chapter. A proceeding shall be deemed commenced by the signing of a charge by  
25 ~~fivefour (54)~~ or more members of the Commission.”

26 **Section 4.** § 15401(b) of Article 4, Chapter 15, Title 4, Guam Code Annotated,  
27 is amended to read:

1 “(b) Charges concerning the violation of this Chapter shall be in writing,  
2 signed by the person making the charge under oath, except that any charge initiated  
3 by the Commission must be signed by ~~five~~four (5-4) or more members of the  
4 Commission. The Commission shall notify in writing every person against whom a  
5 charge is received and afford him or her an opportunity to explain the conduct  
6 alleged to be in violation of this Chapter. The Commission may investigate, after  
7 compliance with this Section, such charges and render an informal advisory opinion  
8 to the alleged violator. The Commission shall investigate all charges on a  
9 confidential basis, having available all the powers herein provided, and proceedings  
10 at this stage shall not be public. If the informal advisory opinion indicates a probable  
11 violation, the person charged shall request a formal opinion or within a reasonable  
12 time comply with the informal advisory opinion. If the person charged fails to  
13 comply with such informal advisory opinion or if a majority of the members of the  
14 Commission determine that there is a probable cause for belief that a violation of  
15 this Chapter might have occurred, a copy of the charge and a further statement of the  
16 alleged violation shall be personally served upon the alleged violator in accordance  
17 with the rules for personal service found in Guam Rules of Civil Procedure. The  
18 person so charged shall have twenty (20) days after service thereof to respond in  
19 writing to the charge and statement.”

20 **Section 5.** § 15401(d) of Article 4, Chapter 15, Title 4, Guam Code Annotated,  
21 is amended to read:

22 “(d) If after twenty (20) days following personal service, a majority of the  
23 members of the Commission conclude that there is reason to believe that a violation  
24 of this Chapter has been committed, then the Commission shall set a time and place  
25 for a hearing, giving notice to the complainant and the alleged violator. All parties  
26 shall have an opportunity (1) to be heard, (2) to subpoena witnesses and require the  
27 production of any books, papers, records, or electronic recordings relative to the

1 proceedings, (3) to be represented by counsel, and (4) to have the right of cross-  
2 examination. All witnesses shall testify under oath and the hearings shall be closed  
3 to the public unless the party complained against requests an open hearing. The  
4 Commission shall not be bound by the strict rules of evidence but the Commission's  
5 findings must be based upon competent and substantial evidence. All testimony and  
6 other evidence taken at the hearing shall be recorded. Copies of transcripts of such  
7 record shall be available only to the complainant and the alleged violator at their  
8 own expense, and the fees therefor shall be deposited into the General Fund."

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9 Section 6. § 15401(e) of Article 4, Chapter 15, Title 4, Guam Code Annotated,  
10 is amended to read:

11 "(e) The Commission shall make its findings and render its decision based on  
12 a preponderance of the evidence. A decision of the Commission pertaining to the  
13 conduct of any employee shall be in writing and signed by fivefour (54) or more of  
14 the members of the Commission. Deliberations of the Commission shall be closed  
15 to the public and to all parties."

16 Section 7. § 15403 of Article 4, Chapter 15, Title 4, Guam Code Annotated,  
17 is amended to read:

18 **§ 15403. Procedure.**

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19 (a) When the Commission, after due hearings, believes that there is cause for  
20 the possible filing of criminal charges, it shall refer the complaint to the Attorney  
21 General's Office or appropriate authority for its disposition.

22 (b) With respect to former employees, the Commission may, with the consent  
23 of five four (54) or more members of the Commission, issue a public statement of  
24 its findings and conclusions, and the Attorney General may exercise whatever legal  
25 or equitable remedies are available to Guam.

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26 (c) When after due hearing, the Commission finds that the violation  
27 committed by an employee is non-criminal in nature:

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1 (1) the Commission will remand the case to the agency where the  
2 employee is employed with the recommendation that the agency impose the  
3 corresponding punishment in accordance with the agency's personnel rules  
4 and regulations; and

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5 (2) the employee shall be subject to an administrative fine as outlined  
6 in the rules and regulations developed by the Commission in accordance with  
7 the Administrative Adjudication Law, 5 GCA Chapter 9, of up to \$5,000 for  
8 each violation of the code of ethics. All fines collected under this section shall  
9 be deposited in the General Fund; and

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10 (3) No fine shall be assessed under this section unless the Guam  
11 Ethics Commission convenes a hearing in accordance with § 15401 of this  
12 Chapter, and a decision has been rendered by the Commission. The  
13 Commission and respondent shall agree to resolve any charge of an alleged  
14 violation prior to completion of the contested case process, and the resolution  
15 includes payment of an administrative fine or restitution, or both."

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16 **Section 8. Effective Date.** This Act shall become effective upon enactment.



## COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson  
*I Mina'trentai Ocho Na Liheslaturan Guåhan*  
38<sup>th</sup> Guam Legislature

November 12, 2025

**To:** **Rennae V. C. Meno**  
Clerk of the Legislature

**From:** **Vice Speaker V. Anthony Ada**   
Chairperson, Committee on Rules

**Subject:** **Fiscal Note for Bill No. 214-38 (COR)**

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*Håfa Adai!*

Find the attached, Fiscal Note for the following bill:

**Bill No. 214-38 (COR).**

I also request that the same be sent to the respective Chairperson of the Standing Committee, to which this bill has been referred. Kindly copy the same to Management Information Services (MIS) for posting on our website.



**Bureau of Budget & Management Research  
Fiscal Note of Bill No. 214-38 (COR)**

**AN ACT TO AMEND ARTICLE 3 OF CHAPTER 15, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO STRENGTHENING THE INDEPENDENCE AND EFFECTIVENESS OF THE GUAM ETHICS COMMISSION.**

**Department/Agency Appropriation Information**

Dept./Agency Affected: Guam Ethics Commission (GEC)	Dept./Agency Head: Nico A.C. Fujikawa, Executive Director
Department's General Fund (GF) appropriation(s) to date:	\$552,680
Department's Other Fund (Specify) appropriation(s) to date:	\$0
<b>Total Department/Agency revenues, to date:</b>	<b>\$552,680</b>

**Fund Source Information of Proposed Appropriation**

	General Fund:	(Specify Special Fund):	Total:
FY 2025 Unreserved Fund Balance		\$0	\$0
FY 2026. Adopted Revenues	\$0	\$0	\$0
FY 2026 Appro. (P.L. 38-60)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
<b>Total:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**Estimated Fiscal Impact of Bill**

	One Full Fiscal Year	For Remainder of FY 2026 (if applicable)	FY 2027	FY 2028	FY 2029	FY 2030
General Fund 1/	\$0	\$0	\$0	\$0	\$0	\$0
Special Fund 1/	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total 1/</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

- Does the bill contain "revenue generating" provisions? / / Yes /X/ No  
If Yes, see attachment
- Is amount appropriated adequate to fund the intent of the appropriation? /X/ N/A / / Yes / / No  
If no, what is the additional amount required? \$ \_\_\_\_\_ /X/ N/A
- Does the Bill establish a new program/agency? / / Yes /X/ No  
If yes, will the program duplicate existing programs/agencies? /X/ N/A / / Yes / / No  
Is there a federal mandate to establish the program/agency? / / Yes /X/ No
- Will the enactment of this Bill require new physical facilities? / / Yes /X/ No
- Was Fiscal Note coordinated with the affected dept./agency? If no, indicate reason: /X/ Yes / / No  
/ / Requested agency comments not received by due date / / Other:

Analyst: <u>Louis Schmelzinger</u> Date: <u>11/07/2025</u>	Director: <u>Lester L. Carlson, Jr.</u> Date: <u>NOV 10 2025</u>
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Notes:  
1/ See attached comments.

Bureau of Budget and Management Research  
Comments on Bill No. 214-38 (COR)

The proposed legislation intends to modify the membership and composition of the Guam Ethics Commission. Regarding the fiscal impact, the legislation proposes that commission members serve without compensation. This change is expected to yield cost savings, as commissioners currently receive \$50 for each meeting attended, with a limit of four meetings per month. In addition, members are reimbursed for normal travel expenses and meal costs while in session.

With a full board of seven commissioners, the projected annual fiscal savings from eliminating meeting compensation could amount to as much as \$16,800. Furthermore, the Bureau notes that the cost savings could be even higher, as the proposed changes would also eliminate reimbursement for travel and meal expenses.

	A	B	C
<b>Current Statute</b>	<b>Compensation Per Meeting</b>	<b>Compensation Per Month (Max 4 Mtgs.) (A X 2)</b>	<b>One Fiscal Year (B X 12)</b>
All Members (7 Max.)	\$350.00	\$1,400.00	\$16,800.00
<b>Proposed Legislation</b>	<b>Compensation Per Meeting</b>	<b>Compensation Per Month (Max 4 Mtgs.)</b>	<b>One Fiscal Year</b>
All Members (7 Max.)	\$0.00	\$0.00	\$0.00
<b>Estimated Fiscal Impact (Cost Savings):</b>	<b>-\$350.00</b>	<b>-\$1,400.00</b>	<b>-\$16,800.00</b>

The bill also mandates that the Guam Ethics Commission develop and maintain a public-facing website to provide comprehensive information to the community. While the Commission currently has a website, the comments received from the Guam Ethics Commission noted that the bill does not allocate additional funding for the development of a more comprehensive website or portal, which should be considered as part of the fiscal impact.

The Bureau estimates that the cost of developing a comprehensive website or portal is primarily determined by factors such as the website's complexity, design, features, and the development approach. An online query suggests that the cost can range from \$500 to \$100,000. Additionally, there are ongoing and recurring costs that may require additional funding.