

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
18-38 (COR)	Sabina Flores Perez Telo T. Taitague Therese M. Terlaje Chris Barnett	AN ACT TO <i>AMEND</i> § 5707(a) OF ARTICLE 12, CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE PROCEDURE FOR JUDICIAL REVIEW OF DECISIONS MADE BY THE PUBLIC AUDITOR IN PROCUREMENT APPEALS.	1/13/25 10:33 a.m.	1/22/25	Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement.	Request 1/22/25 2/10/25	3/12/25 8:00 a.m.	4/8/25	



OFFICE OF SENATOR
Telo T. Taitague
CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,
Regulatory Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

March 26, 2025

The Honorable Frank F. Blas Jr.

Speaker

I Mina'trentai Ocho na Liheslaturan Guåhan

Guam Congress Building

163 Chalan Santo Papa

Hagåtña, Guam 96910

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

RE: Committee Report on Bill No. 18-38 (COR), As Intro

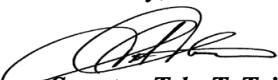
Buenas yan Håfa adai, Speaker Blas

Transmitted herewith is the Committee Report on [Bill No. 18-38 \(COR\)](#) –Sabina F. Perez, Telo T. Taitague, Therese M. Terlaje, Chris Barnett- **“AN ACT TO AMEND § 5707(a) OF ARTICLE 12, CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE PROCEDURE FOR JUDICIAL REVIEW OF DECISIONS MADE BY THE PUBLIC AUDITOR IN PROCUREMENT APPEALS.”**

Committee votes are as follows:

<u>4</u>	TO DO PASS
_____	TO NOT PASS
<u>1</u>	TO REPORT OUT ONLY
_____	TO ABSTAIN
_____	TO PLACE IN INACTIVE FILE

Sincerely,


Senator Telo T. Taitague
Chairperson



COMMITTEE ON RULES

RECEIVED:

March 26, 2025 12:18 p.m.
Marie Crisostomo



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,
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I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

COMMITTEE REPORT

Bill No. 18-38 (COR)

Sponsor: Sabina Flores Perez
Co-Sponsors(s): Telo T. Taitague
Therese M. Terlaje
Chris Barnett

"AN ACT TO AMEND § 5707(a) OF ARTICLE 12, CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE PROCEDURE FOR JUDICIAL REVIEW OF DECISIONS MADE BY THE PUBLIC AUDITOR IN PROCUREMENT APPEALS."



OFFICE OF SENATOR
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I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

March 26, 2025

MEMORANDUM:

TO: All Members
Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections, and Retirement

FROM: Senator Telo T. Taitague
Committee Chairperson

SUBJECT: Committee Report on Bill No. 18-38 (COR), As Intro

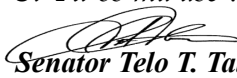
Transmitted herewith for your consideration is the Committee Report on [Bill No. 18-38 \(COR\)](#) –Sabina F. Perez, Telo T. Taitague, Therese M. Terlaje, Chris Barnett–
“AN ACT TO AMEND § 5707(a) OF ARTICLE 12, CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE PROCEDURE FOR JUDICIAL REVIEW OF DECISIONS MADE BY THE PUBLIC AUDITOR IN PROCUREMENT APPEALS.”

This report includes the following:

- Copy of COR Referral of Bill No. 18-37 (COR)
- Notice of Public Hearing
- Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Written Testimonies and Additional Documents
- Committee Vote Sheet and E-mails
- Committee Report Digest
- Copy of Bill No. 18-38 (COR), As Introduced
- Copy of Fiscal Note from the Bureau of Budget & Management Research

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.

Si Yu'os ma'åse'!


Senator Telo T. Taitague - Chairperson



COMMITTEE ON RULES

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

January 22, 2025

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

Attorney Darleen Hiton
Legislative Legal Counsel

From: **Senator Christopher M. Dueñas** 
Acting Chairperson, Committee on Rules

Subject: **Referral of Bill No. 18-38 (COR)**

Håfa Adai,

As per my authority as Acting 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. 18-38 (COR)** – Sabina Flores Perez, Telo T. Taitague, Therese M. Terlaje, Chris Barnett. – “AN ACT TO AMEND § 5707(a) OF ARTICLE 12, CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE PROCEDURE FOR JUDICIAL REVIEW OF DECISIONS MADE BY THE PUBLIC AUDITOR IN PROCUREMENT APPEALS.”

Please ensure that the subject bill is referred to the Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement chaired by Senator Telo T. Taitague. I also request that the same be forwarded 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.





OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,
Regulatory Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

March 5, 2025

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Senator Telo T. Taitague

Subject: FIRST NOTICE of Public Hearing – Wednesday March 12, 2025 at 8:00 a.m.

Håfa Adai!

Please be advised that the *Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections, and Retirement* will conduct a public hearing on Wednesday March 12, 2025 at 8:00 a.m. at the Guam Congress Building in the Public Hearing Room. The Committee will hear and accept testimonies of the following items:

AGENDA FOR 8:00AM:

- I. Bill No. 52-38 (COR) -Telo T. Taitague – “AN ACT TO REPEAL §3101.3 OF ARTICLE 1, CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO ENDING MOTOR VOTER REGISTRATION, AS ENACTED BY PUBLIC LAW 33-34.”
- II. Bill No. 53-38 (COR) - Telo T. Taitague – “AN ACT TO REPEAL §9107 OF CHAPTER 9, TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO SAFEGUARDING THE PRIVACY OF REGISTERED VOTERS, TO BE CITED AS THE “VOTER PRIVACY PROTECTION ACT OF 2025.””
- III. Bill No. 54-38 (COR) - Telo T. Taitague – AN ACT TO AMEND § 1117 AND ADD § 1124 OF CHAPTER 1, TITLE 3, AND AMEND §§ 3104 AND 3105 AND 3110 OF CHAPTER 3, TITLE 3, AND AMEND § 14105 OF CHAPTER 14, TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO UPDATING GUAM’S ELECTION LAWS AND IMPROVING VOTER REGISTRATION, ELECTION PROCEDURES, AND BALLOT HANDLING.



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,
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senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

- IV. **Bill No. 55-38 (COR)** - Telo T. Taitague – AN ACT TO REPEAL AND REENACT §§ 17116 AND 17118 OF CHAPTER 17, TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO CLARIFYING REPORTING REQUIREMENTS AND ESTABLISHING A QUARTERLY REPORTING SYSTEM FOR GUAM ELECTION CAMPAIGN FINANCES.
- V. **Bill No. 18-38 (COR)** –Sabina F. Perez, Telo T. Taitague, Therese M. Terlaje, Chris Barnett- “AN ACT TO AMEND § 5707(a) OF ARTICLE 12, CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE PROCEDURE FOR JUDICIAL REVIEW OF DECISIONS MADE BY THE PUBLIC AUDITOR IN PROCUREMENT APPEALS.”

If you are interested in participating in the Public Hearing to provide testimony, please contact the Office of Senator Telo T. Taitague via electronic mail at senatortelot@gmail.com or call (671) 989-8356.

In compliance with the Americans with Disabilities Act (ADA), individuals requiring assistance of accommodation should contact the Office of Senator Telo T. Taitague at (671) 989-8356 or email senatortelot@gmail.com.

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117, and stream online via *I Liheslaturan Guåhan's* live feed on YouTube <https://www.youtube.com/@GuamLegislatureMedia/streams>. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing.

Notice of this Hearing is also available on the Government of Guam Public Notice Portal.

We are looking forward to your participation!

Respectfully

Senator Telo T. Taitague

Chairperson



Senator Telo Taitague <senatortelot@gmail.com>

FIRST NOTICE of Public Hearing – Wednesday March 12, 2025 at 8:00 a.m.

2 messages

Senator Telo Taitague <senatortelot@gmail.com>

5 March 2025 at 07:53

To: phnotice@guamlegislature.gov

March 5, 2025

MEMORANDUM**To: All Senators, Stakeholders and Media****From: Senator Telo T. Taitague****Subject: FIRST NOTICE of Public Hearing – Wednesday March 12, 2025 at 8:00 a.m.***Håfa Adai!*

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IV. **Bill No. 55-38 (COR)** - Telo T. Taitague – AN ACT TO REPEAL AND REENACT §§ 17116 AND 17118 OF CHAPTER 17, TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO CLARIFYING REPORTING REQUIREMENTS AND ESTABLISHING A QUARTERLY REPORTING SYSTEM FOR GUAM ELECTION CAMPAIGN FINANCES.

V. **Bill No. 18-38 (COR)** –Sabina F. Perez, Telo T. Taitague, Therese M. Terlaje, Chris Barnett- “AN ACT TO AMEND § 5707(a) OF ARTICLE 12, CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE PROCEDURE FOR JUDICIAL REVIEW OF DECISIONS MADE BY THE PUBLIC AUDITOR IN PROCUREMENT APPEALS.”

If you are interested in participating in the Public Hearing to provide testimony, please contact the Office of Senator Telo T. Taitague via electronic mail at senatortelot@gmail.com or call (671) 989-8356.

In compliance with the Americans with Disabilities Act (ADA), individuals requiring assistance of accommodation should contact the Office of Senator Telo T. Taitague at (671) 989-8356 or email senatortelot@gmail.com.

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117, and stream online via *I Liheslaturan Guåhan's* live feed on YouTube <https://www.youtube.com/@GuamLegislatureMedia/streams>. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing.

Notice of this Hearing is also available on the [Government of Guam Public Notice Portal](#).

We are looking forward to your participation!

Si Yu'os Ma'åse,

Create a Great Day!

Senator Telo T. Taitague

38th Guam Legislature

Chairperson

Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement

Suite 407 DNA Building

238 Archbishop Flores St.

Hagatna, Guam 96910

Tel: (671) 989-8356

Email: senatortelot@gmail.com

6 attachments

 **3.12.25 PH Notice MEMO.pdf**
464K

 **Bill No. 52-38 (COR).pdf**
845K

 **Bill No. 53-38 (COR).pdf**
827K

 **Bill No. 54-38 (COR).pdf**
847K

 **Bill No. 55-38 (COR).pdf**
862K

 **Bill No. 18-38 (COR) Copy.pdf**
875K

Ed Pocaigue <sgtarms@guamlegislature.gov>
To: Senator Telo Taitague <senatortelot@gmail.com>

5 March 2025 at 08:14

Hafa adai and posted on the calendar.

[Quoted text hidden]

--



Edward S. Pocaigue, Jr.
Sergeant-at-Arms

I Mina'trentai Ocho Na Liheslaturan Guåhan
Guam Congress Building, 1st Floor
163 Chalan Santo Papa
Hagåtña, Guam 96910



1-671-969-3514



sgtarms@guamlegislature.gov

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FIRST NOTICE of Public Hearing – Wednesday March 12, 2025 at 8:00 a.m.

 PRINT

**FIRST NOTICE of Public Hearing – Wednesday
March 12, 2025 at 8:00 a.m.**

PUBLIC HEARING



 **Posted on:** 03/05/2025 07:28 AM

 **Posted by:** Keith Taliugyan

 **Public Hearing Date:** 03/12/2025 08:00 AM

 **Department(s):**
GUAM LEGISLATURE (/notices?department_id=92)

 **Division(s):**
OFFICE OF SENATOR TELO TAITAGUE (/notices?division_id=282)

 **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)

 **Share this notice**

March 5, 2025

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Senator Telo T. Taitague

**Subject: FIRST NOTICE of Public Hearing – Wednesday
March 12, 2025 at 8:00 a.m.**

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([https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%2052-38%20\(COR\).pdf](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%2052-38%20(COR).pdf)) -Telo T. Taitague – **“AN ACT TO REPEAL §3101.3 OF ARTICLE 1, CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO ENDING MOTOR VOTER REGISTRATION, AS ENACTED BY PUBLIC LAW 33-34.”**

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([https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%2053-38%20\(COR\).pdf](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%2053-38%20(COR).pdf)) - Telo T. Taitague – **“AN ACT TO REPEAL §9107 OF CHAPTER 9, TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO SAFEGUARDING THE PRIVACY OF REGISTERED VOTERS, TO BE CITED AS THE “VOTER PRIVACY PROTECTION ACT OF 2025.””**

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([https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%2054-38%20\(COR\).pdf](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%2054-38%20(COR).pdf)) - Telo T. Taitague – **AN ACT TO AMEND § 1117 AND ADD § 1124 OF CHAPTER 1 TITLE 3 AND AMEND §§ 3104 AND 3105**

AND 3110 OF CHAPTER 3, TITLE 3, AND AMEND § 14105 OF CHAPTER 14, TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO UPDATING GUAM'S ELECTION LAWS AND IMPROVING VOTER REGISTRATION, ELECTION PROCEDURES, AND BALLOT HANDLING.

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([https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%2055-38%20\(COR\).pdf](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%2055-38%20(COR).pdf))- Telo T.

Taitague – AN ACT TO REPEAL AND REENACT §§ 17116 AND 17118 OF CHAPTER 17, TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO CLARIFYING REPORTING REQUIREMENTS AND ESTABLISHING A QUARTERLY REPORTING SYSTEM FOR GUAM ELECTION CAMPAIGN FINANCES.

V. Bill No. 18-38 (COR)

([https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%2018-](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%2018-38%20(COR)%20HISTORY.pdf)

[38%20\(COR\)%20HISTORY.pdf](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%2018-38%20(COR)%20HISTORY.pdf))

([https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%2018-](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%2018-38%20(COR)%20HISTORY.pdf)

[38%20\(COR\)%20HISTORY.pdf](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%2018-38%20(COR)%20HISTORY.pdf))-Sabina F. Perez, Telo T.

Taitague, Therese M. Terlaje, Chris Barnett- “AN ACT TO AMEND § 5707(a) OF ARTICLE 12, CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE PROCEDURE FOR JUDICIAL REVIEW OF DECISIONS MADE BY THE PUBLIC AUDITOR IN PROCUREMENT APPEALS.”

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<https://www.youtube.com/@GuamLegislatureMedia/streams>
(<https://www.youtube.com/@GuamLegislatureMedia/streams>).

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Legislature Media on YouTube after the hearing.

We are looking forward to your participation!



RESEARCH CORPORATION OF THE UNIVERSITY OF GUAM

BOARD OF DIRECTORS REGULAR MEETING

Friday, March 07, 2025, at 3:00 pm

Held via Registered Zoom Conference

Registered Zoom Link Available at: <https://www.uog.edu/rcuog/>

AGENDA

- | | | |
|-------------|-----|---|
| | 1.0 | CALL TO ORDER |
| ACTION | 2.0 | MEETING MINUTES |
| | 2.1 | Regular Meeting Minutes of October 25, 2024 |
| | 3.0 | CHAIRPERSON'S REMARKS |
| INFORMATION | 4.0 | NEW BUSINESS |
| ACTION | 4.1 | Acting Executive Director's Report to the Board |
| ACTION | 4.2 | Resolution No. 25-01 Relative to Approving the FY 2024 Reserve Expenditure Plan |
| ACTION | 4.3 | Resolution No. 25-02 Relative to Amending the RCUOG Administrator Scale |
| ACTION | 4.4 | Resolution No. 25-03 Relative to Amending the RCUOG Travel Policy |
| ACTION | 4.5 | Resolution No. 25-04 Relative to Approving an Incentive for RCUOG Employees Who Earn Grant or HR Certifications |
| | 5.0 | ADJOURNMENT |

For more Information, contact
Michael Conner, RCUOG Acting Executive Director
connerm@triton.uog.edu (671) 735-0250

DEDEDO MUNICIPAL PLANNING COUNCIL REGULAR MONTHLY MEETING

Wednesday, March 12, 2025 at 6:00pm

Dededo Senior Citizen Center

Live on Dededo Mayor's Office Facebook page

AGENDA

- | | |
|-------|--|
| I. | CALL TO ORDER |
| II. | ROLL CALL |
| III. | PUBLIC FORUM (3 Mins Per Person) |
| IV. | REVIEW & APPROVAL OF MINUTES OF FEBRUARY 12, 2025 |
| V. | REVIEW & APPROVAL OF FINANCIAL REPORT |
| VI. | COMMITTEE REPORT |
| | A) 734TH AMS B) USMC C) Sports |
| | D) Dededo Veteran's Organization E) Vice Mayor |
| VII. | OLD BUSINESS |
| | A) FEMA Public Assistance Projects |
| | B) Farmers' Cooperative Association of Guam (FCAG) |
| | C) 81st Liberation Planning |
| | D) Easter Village Event |
| VIII. | NEW BUSINESS |
| | A) User Fees for facilities |
| | B) GEDA - QCCC Grant |
| | C) Sister City Partnership - Municipality of LATRINIDAD, Benguet Philippines |
| IX. | MEMBERS INPUT |
| X. | ANNOUNCEMENTS |
| | A) Village Festival |
| | B) Proclamation for Senior Citizen Month |
| XI. | ADJOURNMENTS |

For special accommodations email office@dededog Guam.com
This ad is paid by DMPC Revolving Fund



BID INVITATION

- Bid No:** GCC-FB-25-013
- For:** GCC Tiling - Building E200 1st floor (specified rooms)
- Pre-Bid Conference & Site Visit (Mandatory)** 10:00 a.m., Tuesday, March 11, 2025
GCC Student Services & Administration Conference Room,
2nd floor, Building 2000
- Bid Submission:** 10:00 a.m., Wednesday, March 26, 2025
GCC Student Services & Administration Building (Building 2000)
GCC Materials Management Office, 1st floor, Room 2105
- Opening Date:** 10:15 a.m., Wednesday March 26, 2025
GCC Student Services & Administration Conference Room,
2nd floor, Building 2000

Interested bidders may purchase a bid package at the Cashier's Office (Building 2000, Room 2119, 1st floor, during the hours of 8:00 a.m. to 5:00 p.m., Monday thru Friday (excluding Government of Guam holidays). A non-refundable fee of \$25.00 will be charged for a hard copy of the bid package and must be purchased by the Pre-Bid Conference date. Upon issuance of a receipt, the bid packet must be picked up from the Materials Management Office, Room 2105 (1st floor). Attendance at the Pre-Bid Conference is Mandatory, failure to attend will result in disqualification. However, interested vendors may request a PDF file of the bid packet to be sent via email, free of charge by the Pre-Bid Conference date.

For further information, please contact the Materials Management Office at 735-5540 ext. 5541 or 5547 or email: materialsmanagement@guamcc.edu.

This project is funded by Guam Community College. GCC is an equal opportunity provider and employer.

/s/ MARY A.Y. OKADA, Ed.D.
President



GUAM WATERWORKS AUTHORITY

Gloria B. Nelson Public Service Building | 688 Route 15, Mangilao, Guam 96913

P.O. Box 3010, Hagatna, Guam 96932

Tel. No. (671) 300-6846/48 Fax No. (671) 648-3290

THIS AD IS PAID FOR BY GWA (PUBLIC LAW 26-12)

INVITATION TO BID

The Guam Waterworks Authority invites sealed bids for, **Welding Unit Equipment and Accessories** under **GWA IFB NO. 2025-20**. Bids will be received until **10:00 a.m.** Chamorro Standard Time on **April 9, 2025**, at the GWA Procurement Office, situated on the first floor of the Gloria B. Nelson Public Services Building in Mangilao. At this appointed time and location, all bids will be publicly and virtually opened via GoToMeeting and read aloud. Bidders interested in attending the virtual meeting may send their request to psbids@guamwaterworks.org to obtain the GoToMeeting ID/Link prior to the due date and time.

Each bid must be accompanied by a Bid/Performance Bond, amounting to fifteen percent (15%) of the total bid price. Acceptable bid securities include Bid/Performance Bonds, Surety Bonds, or certified/cashier's checks payable to the Guam Waterworks Authority.

A non-refundable fee of \$15.00 is required for each set of bidding documents, available for purchase at the GWA Procurement Office. Alternatively, bidders can access the bid package for download at www.guamwaterworks.org without charge. However, vendors are strongly encouraged to register via email at psbids@guamwaterworks.org or visit the GWA Procurement Office to ensure receipt of updated information, notices, or bid amendments.

GWA retains the right to amend, reject, or revise any or all proposals and to waive minor imperfections in the bid proposal in the best interest of the Guam Waterworks

/s/ Miguel C. Bordallo, P.E.
General Manager



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,

Regulatory Affairs, Technology, Justice, Elections, and Retirement

1 Mina'trentai Ocho Na Liheslaturan Guahan • 38th Guam Legislature

Ste. 407 DNA Building • 238 Archbishop Flores St. • Hagatna, Guam 96910 • (671) 989-8356

senatortelot@gmail.com

FIRST NOTICE OF PUBLIC HEARING

Wednesday, March 12, 2025 at 8:00 a.m.

Guam Congress Building, Public Hearing Room

The Committee will hear and accept testimonies on the following items:

AGENDA for 8:00 AM:

- I. **Bill No. 52-38 (COR)** - Telo T. Taitague - "AN ACT TO REPEAL §3101.3 OF ARTICLE 1, CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO ENDING MOTOR VOTER REGISTRATION, AS ENACTED BY PUBLIC LAW 33-34."
- II. **Bill No. 53-38 (COR)** - Telo T. Taitague - "AN ACT TO REPEAL §9107 OF CHAPTER 9, TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO SAFEGUARDING THE PRIVACY OF REGISTERED VOTERS, TO BE CITED AS THE "VOTER PRIVACY PROTECTION ACT OF 2025.""
- III. **Bill No. 54-38 (COR)** - Telo T. Taitague - "AN ACT TO AMEND §1117 AND ADD § 1124 OF CHAPTER 1, TITLE 3, AND AMEND §§ 3104 AND 3105 AND 3110 OF CHAPTER 3, TITLE 3, AND AMEND §1410 5 OF CHAPTER 14, TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO UPDATING GUAM'S ELECTION LAWS AND IMPROVING VOTER REGISTRATION, ELECTION PROCEDURES, AND BALLOT HANDLING."
- IV. **Bill No. 55-38 (COR)** - Telo T. Taitague - "AN ACT TO REPEAL AND REENACT §§ 17116 AND 17118 OF CHAPTER 17, TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO CLARIFYING REPORTING REQUIREMENTS AND ESTABLISHING A QUARTERLY REPORTING SYSTEM FOR GUAM ELECTION CAMPAIGN FINANCES."
- V. **Bill No. 18-38 (COR)** - Sabina Flores Perez, Telo T. Taitague, Therese M. Terlaje, Chris Barnett - "AN ACT TO AMEND §5707(a) OF ARTICLE 12, CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE PROCEDURE FOR JUDICIAL REVIEW OF DECISIONS MADE BY THE PUBLIC AUDITOR IN PROCUREMENT APPEALS."

If you are interested in participating in the Public Hearing to provide testimony, please contact the Office of Senator Telo T. Taitague via electronic mail at senatortelot@gmail.com or call (671) 989-8356.

In compliance with the Americans with Disabilities Act (ADA), individuals requiring assistance of accommodation should contact the Office of Senator Telo T. Taitague at (671) 989-8356 or email senatortelot@gmail.com.

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<https://www.youtube.com/@GuamLegislatureMedia/streams>

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We are looking forward to your participation!

This ad is paid for by legislature funds.



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,
Regulatory Affairs, Technology, Justice, Elections, and Retirement

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238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

March 10, 2025

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Senator Telo T. Taitague

Subject: SECOND NOTICE of Public Hearing – Wednesday March 12, 2025 at 8:00 a.m.

Håfa Adai!

Please be advised that the *Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections, and Retirement* will conduct a public hearing on Wednesday March 12, 2025 at 8:00 a.m. at the Guam Congress Building in the Public Hearing Room. The Committee will hear and accept testimonies of the following items:

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OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

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Notice of this Hearing is also available on the Government of Guam Public Notice Portal.

We are looking forward to your participation!

Respectfully

Senator Telo T. Taitague

Chairperson



Senator Telo Taitague <senatortelot@gmail.com>

SECOND NOTICE of Public Hearing – Wednesday March 12, 2025 at 8:00 a.m.

1 message

Senator Telo Taitague <senatortelot@gmail.com>

10 March 2025 at 07:49

To: phnotice@guamlegislature.gov

March 10, 2025

MEMORANDUM**To: All Senators, Stakeholders and Media****From: Senator Telo T. Taitague****Subject: SECOND NOTICE of Public Hearing – Wednesday March 12, 2025 at 8:00 a.m.***Håfa Adai!*

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IMPROVING VOTER REGISTRATION, ELECTION PROCEDURES, AND BALLOT HANDLING.

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Notice of this Hearing is also available on the [Government of Guam Public Notice Portal](#).

We are looking forward to your participation!

Si Yu'os Ma'åse,

Create a Great Day!

Senator Telo T. Taitague

38th Guam Legislature

Chairperson

Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement

Suite 407 DNA Building

238 Archbishop Flores St.

Hagatna, Guam 96910

Tel: (671) 989-8356

Email: senatortelot@gmail.com

6 attachments



3.12.25 SECOND PH Notice MEMO.pdf

464K



Bill No. 18-38 (COR) Copy.pdf

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Bill No. 52-38 (COR).pdf

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Bill No. 54-38 (COR).pdf

847K



Bill No. 55-38 (COR).pdf

862K

SECOND NOTICE of Public Hearing – Wednesday March 12, 2025 at 8:00 a.m.

 PRINT

**SECOND NOTICE of Public Hearing – Wednesday
March 12, 2025 at 8:00 a.m.**

PUBLIC HEARING



 **Posted on:** 03/10/2025 07:24 AM

 **Posted by:** Keith Taliugyan

 **Public Hearing Date:** 03/12/2025 08:00 AM

 **Department(s):**
GUAM LEGISLATURE (/notices?department_id=92)

 **Division(s):**
OFFICE OF SENATOR TELO TAITAGUE (/notices?division_id=282)

 **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)

 **Share this notice**

March 10, 2025

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Senator Telo T. Taitague

**Subject: SECOND NOTICE of Public Hearing – Wednesday
March 12, 2025 at 8:00 a.m.**

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([https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%2052-38%20\(COR\).pdf](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%2052-38%20(COR).pdf)) -Telo T. Taitague – **“AN ACT TO REPEAL §3101.3 OF ARTICLE 1, CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO ENDING MOTOR VOTER REGISTRATION, AS ENACTED BY PUBLIC LAW 33-34.”**

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([https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%2055-38%20\(COR\).pdf](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%2055-38%20(COR).pdf)) - Telo T. Taitague – **AN ACT TO REPEAL AND REENACT §§ 17116 AND 17118 OF CHAPTER 17, TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO CLARIFYING REPORTING REQUIREMENTS AND ESTABLISHING A QUARTERLY REPORTING SYSTEM FOR GUAM ELECTION CAMPAIGN FINANCES.**

V. Bill No. 18-38 (COR)

([https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%2018-38%20\(COR\)%20HISTORY.pdf](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%2018-38%20(COR)%20HISTORY.pdf)) –Sabina F. Perez, Telo T. Taitague, Therese M. Terlaje, Chris Barnett- **“AN ACT TO AMEND § 5707(a) OF ARTICLE 12, CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE PROCEDURE FOR JUDICIAL REVIEW OF DECISIONS MADE BY THE PUBLIC AUDITOR IN PROCUREMENT APPEALS.”**

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Guam Developmental Disabilities Council

Konsehelon Guåhan para i Taotao ni' Maninutet desde ki Manhoben

LOURDES A. LEON GUERRERO Governor JOSHUA F. TENORIO Lieutenant Governor JERMAINE ALERTA Executive Director ROBERT O'MALLAN Chairperson

The Guam Developmental Disabilities Council will be having its Virtual General Membership Meeting on Wednesday March 12, 2025, starting at 11:00am. Request(s) for special accommodation must be submitted 72 hours in advance. Funded by Grant #2501GUSCDD, Administration for Community Living. Broadcast Live Stream at <https://www.facebook.com/guamddcouncil>

- I. Call to Order / Roll Call
- II. Open Government Compliance Publication
 - A. Wednesday March 5, 2025 - The Guam Daily Post
 - B. Monday March 10, 2025 - The Guam Daily Post
- III. Review of Minutes: Wednesday, December 18, 2024
- IV. Reports
 - A. Executive Director's Report (see attachment)
 - B. Council Membership Status (see attachment)
 - C. Standing Committee Report (see attachment)
 - D. Ad Hoc DD Awareness Committee Report
- V. Old Business
 - A. Election of 2nd Vice Chairperson
 - B. 2025 State Plan Work Plan Activities (Self-Advocacy and Community Living)
 - C. Ethics in Government Training by Council Members
 - D. Public Health Workforce Grant Status
 - E. Office Space Status
- VI. New Business
 - A. 5-Year State Plan Development: 2027-2031
 - B. ABLE Account Program
 - C. FY-2025 Budget Update \$123,888
 - D. Executive Director Evaluation: January 1, 2024 to December 31, 2024
 - E. Executive Director Pay Adjustment
- VII. Announcement:
 - A. Next General Membership Meeting Wednesday June 11, 2025, 11am
 - B. Next Executive Committee Meeting Wednesday May 21, 2025, 9:00am
- VIII. Adjournment

155 Heder Place | Hagatna, Guam 96910 | P.O. Box 2950, Hagatna, Guam 96912
Email: guamddc@dddc.guam.gov | Website: www.gddc.guam.gov
Member of the National Association of Councils on Developmental Disabilities



OFFICE OF SENATOR Telo T. Taitague CHAIRWOMAN

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SECOND NOTICE OF PUBLIC HEARING

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A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing.

This ad is paid for by legislature funds.



Guam Board of Medical Examiners

Regular Board Meeting

Wednesday, March 12, 2025, at 4:00 PM

Join Zoom Meeting:

<https://us06web.zoom.us/j/89991772551?pwd=9zEhR4ZmFjCC4N2XCtAXNw9KpPM.1>

Meeting ID: 899 9177 2551

Passcode: 297553

MEETING AGENDA:

- I Call to order: (a) Roll Call (b) Confirmation of Public Notice
- II Adoption of Agenda:
- III Review and Approval of Minutes: Minutes of February 21, 2025
- IV Treasurer's Report:
- V HPLD Administrator's Report:
- VI Chairperson's Report:
- VII Old Business: (a) Complaint(s):
(1) GBME-CO-20-005
(2) GBME-CO-2022-010 (b) Accusation: GBME-001-2023 (c) Application(s) for Limited Licensure: (d) Seeking Guidance on Laboratory Orders for Patients Temporarily in Guam with Mainland Providers:
- VIII New Business: (a) Application(s) for Full Licensure:
- IX Next Board Meeting: A. The next Guam Board of Medical Examiners Regular Board Meeting is scheduled for April 09, 2025 at 4:00 pm.
- X Adjournment:

To view the names of the applicants being considered, go to <https://guamhpld.org/gbme> LIVE Streaming link

https://go.opengovguam.com/meetings_list/gbme

This advertisement was paid for by DPHSS/Health Professional Licensing Office-Local Funds

For more information, please contact the Board office at 735-7404/10 thru 12. Persons needing telecommunication device for the Hearing/Speech Impaired (TDD) may contact 475-8339.



VEHICLE FOR SEAL BID "As is"

2016 GMC TERRAIN WAGON

Seal bid accepted until **5:00 PM**
Wednesday, March 12, 2025

- PFC has the right to refuse any and all bids
- Vehicles will be available for inspection by appointment only

Tamuning Center Mon - Fri: 9AM to 5PM
Call Center (671) 647-6820



SOUTHERN SOIL AND WATER CONSERVATION DISTRICT

PUBLIC ANNOUNCEMENT

Bi-Monthly Partner Meeting

Wednesday, March 12, 2025 4:00 pm
University of Guam Agriculture and Life Sciences
Bldg. Conference Room 104

- I. Call to Order & Roll Call
- II. Approval of Meeting Minutes - 1/30/2025
- III. Acceptance of Meeting Agenda
- IV. Southern District Report
 - 2025 Action Planning Session Summary
- V. Partner Reports
- VI. Announcements
 - Next Partner Meeting: 5/14/2025
- VII. Adjournment

The public is invited to view the partner meeting via live stream at

www.conservationguam.org/livestream

For special accommodations or additional information, please contact us at 671-735-2014 or email us at southernaguamsdcd@gmail.com.

This ad is paid for with government funds by the Southern Soil and Water Conservation District



OFFICE OF SENATOR Telo T. Taitague CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,
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senatortelot@gmail.com

FIRST NOTICE OF PUBLIC HEARING

Monday, March 17, 2025 at 9:00 a.m.

Guam Congress Building, Public Hearing Room.

The Committee will hear and accept testimonies on the following items:

AGENDA for 9:00AM:

- I. **Bill No. 45-38 (COR)**- William A. Parkinson - "AN ACT TO ADD A NEW CHAPTER 94 TO TITLE 9 OF GUAM CODE ANNOTATED, RELATIVE TO REQUIRING THOSE CONVICTED OF VEHICULAR HOMICIDE WHILE IMPAIRED TO PAY RESTITUTION TO THE SURVIVING MINOR CHILDREN OF THE VICTIM; AND TO CITE THIS ACT AS "BENTLEY'S LAW.""
- II. **Bill No. 50-38 (COR)** - Chris Barnett - "AN ACT TO ADD A NEW § 8121.1 TO CHAPTER 8, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO TEMPORARY EMPLOYMENT OF GOVERNMENT OF GUAM RETIRED EMPLOYEES."

If you are interested in participating in the Public Hearing to provide testimony, please contact the Office of Senator Telo T. Taitague via electronic mail at senatortelot@gmail.com or call (671) 989-8356.

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This ad is paid for by legislature funds.



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,
Regulatory Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

February 28, 2025

Transmitted via Electronic Mail

Edward M. Birn – DOA Director

Department of Administration

edward.birn@doa.guam.gov

Subject: Invitation to provide testimony on Bill No. 18-38 (COR):

Hafa Adai Director Brin

This letter is to notify you that the Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections and Retirement has set a Public Hearing on **Wednesday, March 12, 2025 at 8:00 a.m., in the Guam Congress Building, Public Hearing room**, to hear the following Bill:

- I. **Bill No. 18-38 (COR)** -Sabina F. Perez, Telo T. Taitague, Therese M. Terlaje, Chris Barnett– “AN ACT TO AMEND § 5707(a) OF ARTICLE 12, CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE PROCEDURE FOR JUDICIAL REVIEW OF DECISIONS MADE BY THE PUBLIC AUDITOR IN PROCUREMENT APPEALS.”

I respectfully request your presence to provide testimony and answer questions from the senate panel. Written testimony may also be submitted prior to the hearing via email to senatortelot@gmail.com or delivered to the Office of Senator Telo T. Taitague Suite 407 DNA Building 238 Archbishop Flores St, Hagatna, Guam 96910. Please contact our office via email or at (671) 989-8356, for any questions or concerns.

Respectfully

Senator Telo T. Taitague

Chairperson



Senator Telo Taitague <senatortelot@gmail.com>

Public Hearing on Bill No. 18-38 (COR): Wednesday, March 12, 2025 for 8:00am

2 messages

Senator Telo Taitague <senatortelot@gmail.com>

28 February 2025 at 09:42

To: Ed Birn <Edward.Birn@doa.guam.gov>

Bcc: Rowena Fejeran <senatortelot.rowena@gmail.com>, senatortelot.keith@gmail.com, Elise Calvo <senatortelot.elise@gmail.com>, Marc Catahay <senatortelot.marc@gmail.com>, Isah Peredo <senatortelot.isah@gmail.com>

Hafa Adai Director Birn,

Please see attached letter and kindly confirm receipt.

Si Yu'os Ma'åse,***Create a Great Day!****Senator Telo T. Taitague*

38th Guam Legislature

Chairperson**Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement**

Suite 407 DNA Building

238 Archbishop Flores St.

Hagatna, Guam 96910

Tel: (671) 989-8356

Email: senatortelot@gmail.com**DOA Invitation Letter - provide testimony.pdf**

481K

Senator Telo Taitague <senatortelot@gmail.com>

10 March 2025 at 15:22

To: "bertha.pereda@doa.guam.gov" <bertha.pereda@doa.guam.gov>

Si Yu'os Ma'åse,***Create a Great Day!****Senator Telo T. Taitague*

38th Guam Legislature

Chairperson**Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement**

Suite 407 DNA Building

238 Archbishop Flores St.

Hagatna, Guam 96910

Tel: (671) 989-8356

Email: senatortelot@gmail.com

[Quoted text hidden]



DOA Invitation Letter - provide testimony.pdf
481K



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,
Regulatory Affairs, Technology, Justice, Elections, and Retirement

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(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

February 28, 2025

Transmitted via Electronic Mail

Benjamin J.F. Cruz – Public Auditor

Office of Public Accountability

bjcruz@guamopa.com

Subject: Invitation to provide testimony on Bill No. 18-38 (COR):

Hafa Adai Public Auditor Cruz,

This letter is to notify you that the Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections and Retirement has set a Public Hearing on **Wednesday, March 12, 2025 at 8:00 a.m., in the Guam Congress Building, Public Hearing room**, to hear the following Bill:

- I. **Bill No. 18-38 (COR)** -Sabina F. Perez, Telo T. Taitague, Therese M. Terlaje, Chris Barnett– “AN ACT TO AMEND § 5707(a) OF ARTICLE 12, CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE PROCEDURE FOR JUDICIAL REVIEW OF DECISIONS MADE BY THE PUBLIC AUDITOR IN PROCUREMENT APPEALS.”

I respectfully request your presence to provide testimony and answer questions from the senate panel. Written testimony may also be submitted prior to the hearing via email to senatortelot@gmail.com or delivered to Office of Senator Telo T. Taitague Suite 407 DNA Building 238 Archbishop Flores St, Hagatna, Guam 96910. Please contact our office via email or at (671) 989-8356, for any questions or concerns.

Respectfully

Senator Telo T. Taitague

Chairperson



Senator Telo Taitague <senatortelot@gmail.com>

Public Hearing on Bill No. 18-38 (COR): Wednesday, March 12, 2025 for 8:00am

2 messages

Senator Telo Taitague <senatortelot@gmail.com>

28 February 2025 at 10:03

To: "bjcruz@guamopa.com" <bjcruz@guamopa.com>

Cc: Vincent Duenas <vduenas@guamopa.com>

Bcc: Elise Calvo <senatortelot.elise@gmail.com>, senatortelot.keith@gmail.com, Rowena Fejeran <senatortelot.rowena@gmail.com>, Marc Catahay <senatortelot.marc@gmail.com>, Isah Peredo <senatortelot.isah@gmail.com>

Hafa adai Public Auditor Cruz,

Please see attached letter and kindly confirm receipt.

Si Yu'os Ma'åse,

Create a Great Day!

Senator Telo T. Taitague

38th Guam Legislature

Chairperson

Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement

Suite 407 DNA Building

238 Archbishop Flores St.

Hagatna, Guam 96910

Tel: (671) 989-8356

Email: senatortelot@gmail.com

**OPA Invitation Letter - provide testimony.pdf**

482K

Benjamin Cruz <bjcruz@guamopa.com>

28 February 2025 at 11:11

To: Senator Telo Taitague <senatortelot@gmail.com>

Receipt confirmed.

Benjamin J. F. Cruz

Public Auditor

Office of Public Accountability – Guam

www.opaguam.org

Tel. (671) 475-0390 ext. 209

Fax (671) 472-7951

This e-mail transmission and accompanying attachment(s) may contain confidential or privileged information. If you are not the intended recipient of this e-mail, please inform the sender and delete it and any other electronic or hard copies immediately. Please do not distribute or disclose the contents to anyone. Thank you.



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,
Regulatory Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

February 28, 2025

Transmitted via Electronic Mail

Hon. Robert J. Torres – Chief Justice

Judiciary of Guam

rjtorres@guamcourts.gov

Subject: Invitation to provide testimony on Bill No. 18-38 (COR):

Hafa Adai Chief Justice Torres,

This letter is to notify you that the Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections and Retirement has set a Public Hearing on **Wednesday, March 12, 2025 at 8:00 a.m., in the Guam Congress Building, Public Hearing room**, to hear the following Bill:

- I. **Bill No. 18-38 (COR)** -Sabina F. Perez, Telo T. Taitague, Therese M. Terlaje, Chris Barnett– “AN ACT TO AMEND § 5707(a) OF ARTICLE 12, CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE PROCEDURE FOR JUDICIAL REVIEW OF DECISIONS MADE BY THE PUBLIC AUDITOR IN PROCUREMENT APPEALS.”

I respectfully request your presence to provide testimony and answer questions from the senate panel. Written testimony may also be submitted prior to the hearing via email to senatortelot@gmail.com or delivered to the Office of Senator Telo T. Taitague Suite 407 DNA Building 238 Archbishop Flores St, Hagatna, Guam 96910. Please contact our office via email or at (671) 989-8356, for any questions or concerns.

Respectfully

Senator Telo T. Taitague

Chairperson



Senator Telo Taitague <senatortelot@gmail.com>

Public Hearing on Bill No. 18-38 (COR): Wednesday, March 12, 2025 for 8:00am

3 messages

Senator Telo Taitague <senatortelot@gmail.com>

28 February 2025 at 09:59

To: "Honorable Robert J. Torres" <rjtorres@guamcourts.gov>

Cc: "Sarah G. Elmore-Hernandez" <sehernandez@guamcourts.gov>

Bcc: Elise Calvo <senatortelot.elise@gmail.com>, senatortelot.keith@gmail.com, Rowena Fejeran <senatortelot.rowena@gmail.com>, Marc Catahay <senatortelot.marc@gmail.com>, Isah Peredo <senatortelot.isah@gmail.com>

Hafa Adai Chief Justice Torres,

Please see attached letter and kindly confirm receipt.

Si Yu'os Ma'åse,***Create a Great Day!****Senator Telo T. Taitague*

38th Guam Legislature

Chairperson**Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement**

Suite 407 DNA Building

238 Archbishop Flores St.

Hagatna, Guam 96910

Tel: (671) 989-8356

Email: senatortelot@gmail.com**JOG Invitation Letter - provide testimony.pdf**

477K

Sarah G. Elmore-Hernandez <sehernandez@guamcourts.gov>

28 February 2025 at 14:01

To: Senator Telo Taitague <senatortelot@gmail.com>

Dear Senator Taitague:

The Judiciary confirms receipt of the attached invitation.

Very Respectfully,

Sarah G. Elmore-Hernandez

Director of Policy, Planning, and Community Relations

Judiciary of Guam

[120 W. O'Brien Drive](#)

Hagåtña, Guam 96910

671.475.3186

The Judiciary of Guam is an equal opportunity employer and provider.



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,
Regulatory Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

PUBLIC HEARING AGENDA

Wednesday March 12, 2025 at 8:00 a.m.

Guam Congress Building, Public Hearing Room

AGENDA FOR 8:00AM:

- I. **Bill No. 52-38 (COR)** -Telo T. Taitague – “AN ACT TO REPEAL §3101.3 OF ARTICLE 1, CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO ENDING MOTOR VOTER REGISTRATION, AS ENACTED BY PUBLIC LAW 33-34.”
- II. **Bill No. 53-38 (COR)** - Telo T. Taitague – “AN ACT TO REPEAL §9107 OF CHAPTER 9, TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO SAFEGUARDING THE PRIVACY OF REGISTERED VOTERS, TO BE CITED AS THE “VOTER PRIVACY PROTECTION ACT OF 2025.””
- III. **Bill No. 54-38 (COR)** - Telo T. Taitague – AN ACT TO AMEND § 1117 AND ADD § 1124 OF CHAPTER 1, TITLE 3, AND AMEND §§ 3104 AND 3105 AND 3110 OF CHAPTER 3, TITLE 3, AND AMEND § 14105 OF CHAPTER 14, TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO UPDATING GUAM'S ELECTION LAWS AND IMPROVING VOTER REGISTRATION, ELECTION PROCEDURES, AND BALLOT HANDLING.
- IV. **Bill No. 55-38 (COR)** - Telo T. Taitague – AN ACT TO REPEAL AND REENACT §§ 17116 AND 17118 OF CHAPTER 17, TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO CLARIFYING REPORTING REQUIREMENTS AND ESTABLISHING A QUARTERLY REPORTING SYSTEM FOR GUAM ELECTION CAMPAIGN FINANCES.
- V. **Bill No. 18-38 (COR)** –Sabina F. Perez, Telo T. Taitague, Therese M. Terlaje, Chris Barnett- “AN ACT TO AMEND § 5707(a) OF ARTICLE 12, CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE PROCEDURE FOR JUDICIAL REVIEW OF DECISIONS MADE BY THE PUBLIC AUDITOR IN PROCUREMENT APPEALS.”

If you are interested in participating in the Public Hearing to provide testimony, please contact the Office of Senator Telo T. Taitague via electronic mail at senatortelot@gmail.com or call (671) 989-8356.



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,
Regulatory Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

In compliance with the Americans with Disabilities Act (ADA), individuals requiring assistance of accommodation should contact the Office of Senator Telo T. Taitague at (671) 989-8356 or email senatortelot@gmail.com.

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117, and stream online via *I Liheslaturan Guåhan's* live feed on YouTube <https://www.youtube.com/@GuamLegislatureMedia/streams>. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing.



OFFICE OF SENATOR
Telo T. Taitague
CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

Sec. 407/ DINA Building,
2238 Archbishop Flores St.,
Hagåtña, Guam 96910
(671) 989-8356
senatortaito@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

PUBLIC HEARING SIGN-IN SHEET
Wednesday, March 12, 2025 – 8:00 AM
Public Hearing Room, Guam Congress Building

Bill No. 18-38(COR) – “AN ACT TO AMEND § 5707(a) OF ARTICLE 12, CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE PROCEDURE FOR JUDICIAL REVIEW OF DECISIONS MADE BY THE PUBLIC AUDITOR IN PROCUREMENT APPEALS.”

NAME:	AGENCY/ ORGANIZATION	POSITION	TESTIMONY	CONTACT INFORMATION
1. <i>BJ Cruz</i>	<i>OPA</i>	SUPPORT ☒ OPPOSE ☐	WRITTEN ☒ ORAL ☒	
2. <i>Mitch Thompson</i>	<i>TTA</i>	SUPPORT ☒ OPPOSE ☐	WRITTEN ☐ ORAL ☒	
3.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
4.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
5.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
6.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
7.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
8.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
9.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
10.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	



EDWARD M. BIRN
Director (Direktot)
ELIZABETH T. FISHER
Deputy Director (Sigundo Direktot)

**DEPARTMENT OF
ADMINISTRATION**
DIPATTAMENTON ATMENESTRASION
DIRECTOR'S OFFICE
(Ufisinan Direktot)
Telephone (Telifon): (671) 475-1101/1250



LOURDES A. LEON GUERRERO
Governor (Maga'håga)
JOSHUA F. TENORIO
Lt. Governor (Sigundo Maga'låhi)

March 13, 2025

Honorable Telo T. Taitague
Chairwoman, Committee on Economic Investment,
Military Buildup, Regional Relations, Technology,
Regulatory Affairs, Justice, Elections, and Retirement
DNA Building, Suite 407
238 Archbishop Flores Street
Hagatna, Guam 96910

Re: Testimony on Bill No. 18-38 (COR)

Dear Senator:

The Department of Administration (DOA) submits the following testimony to your committee on Bill No. 18-38 (COR). DOA regrets that it was unable to be present at the public hearing, but circumstances prevented my attendance.

The Office of Public Accountability (OPA) fulfills a critical role in the Government procurement process. It is vital to have an administrative process for hearing appeals relating to Government procurement, and generally, this process works well. Most procurement protests are resolved at an administrative level, with only a few seeking a reversal of an administrative decision through the OPA review process.

Inevitably, however, there must be a judicial process to which parties which are dissatisfied with a decision of an administrative nature can resort. In Guam, that is the Superior Court. It would not be in keeping with the rights of all to seek equity through a judicial process that has operated for all fortunate enough to live in a jurisdiction that safeguards lives and property to legislate otherwise. An attempt to curtail this right must be thoroughly examined and a decision not taken solely on grounds of expediency.

Substituting a judicial review for a complete legal process may be considered such a restriction. A judicial review is generally used to challenge or confirm an administrative action or statute. Its reference is to the act itself, and the feasibility of introducing additional (which may be limited) facts or evidence is generally excluded. The fact that OPA is considered a defendant under current practice only serves to underline the integrity of the system.

For these reasons, and as a result of a review of recent OPA procurement decisions, DOA opposes the changes contemplated by Bill 18-38 and respectfully requests your committee to reject it.

Senseramente,



EDWARD M. BIRN
Director



Judiciary of Guam

Administrative Office of the Courts
Guam Judicial Center • 120 West O'Brien Dr • Hagåtña, Gu. 96910
Tel: (671) 475-3544



DANIELLE T. ROSETE, ESQ.
ADMINISTRATOR OF THE COURTS

HON. ROBERT J. TORRES
CHIEF JUSTICE

HON. ALBERTO C. LAMORENA, III
PRESIDING JUDGE

March 18, 2025

The Honorable Telo T. Taitague
Chair, Committee on Justice
238 Archbishop Flores St.
Hagåtña, Guam 96910

Re: JOG Testimony on Bill No. 18-38 (COR)

Hâfa Adai, Madam Chair:

The Judiciary of Guam extends its appreciation to submit testimony on **Bill No. 18-38 (COR)**, introduced by Senators Sabina Flores Perez, Telo T. Taitague, Therese M. Terlaje, and Chris Barnett, “relative to the procedure for judicial review of decisions made by the Public Auditor in procurement appeals.”

Under current law, as interpreted by the Supreme Court of Guam, a party seeking judicial review of a procurement appeal decision by the Office of Public Accountability must file a civil action which names “either the territory of Guam or the relevant agency or governmental entity from which it seeks relief” as defendant(s). *Townhouse Dept. Stores, Inc. v. Dept. of Education*, 2012 Guam 25 at 33. The legislation under consideration proposes that individuals or agencies appealing decisions file a petition for judicial review instead, similar to the process used by the Civil Service Commission (CSC). The CSC’s process for judicial review, as outlined under 4 GCA § 4406(f), allows any government department, agency, instrumentality, or employee to petition the Superior Court for judicial review of an adverse action. The petitioner is responsible for providing certified transcripts of hearings and bearing the associated costs.

While the Judiciary views the bill as a policy matter to be decided by the legislative body, its enactment will likely require the development of procedural rules to improve the efficiency of the process. In accordance with 48 U.S.C. § 1424-1(a)(6), the Supreme Court of Guam holds the authority to create and promulgate such rules through the Subcommittee on Guam Rules of Civil Procedure (GRCP). The Office of the Attorney General, as a member of this subcommittee, has volunteered to draft these rules for consideration by the subcommittee. We await its draft.

Thank you for the opportunity to testify and offer our perspective on this legislative proposal.

Senseramente,

DANIELLE T. ROSETE
Administrator of the Courts



OFFICE OF PUBLIC ACCOUNTABILITY

Suite 401 Pacific News Building, 238 Archbishop Flores St., Hagåtña, Guam 96910
Phone: (671) 475-0390 / FAX: (671) 472-7951

March 12, 2025

Honorable Senator Telo T. Taitague
Chairwoman, Committee on Economic, Investment, Military Buildup, Regional Relations,
Regulatory Affairs, Technology, Justice, Elections, and Retirement
Ste. 407 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910
senatortelot@gmail.com

Testimony in Support of Bill 18-38 (COR) AN ACT TO AMEND § 5707(a) of ARTICLE 12,
CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE PROCEDURE
FOR JUDICIAL REVIEW OF DECISIONS MADE BY THE PUBLIC AUDITOR IN
PROCUREMENT APPEALS

Hafa Adai Senator Taitague and Committee Members,

Thank you for the opportunity to provide testimony on Bill No. 18-38. As we did with Bill No. 328-37, which was ultimately vetoed by the Governor of Guam, the Guam Office of Public Accountability (OPA) continues to support the intent of this new bill, as it aims to clarify judicial reviews of an OPA decision on procurement appeal and help OPA to be more efficient.

We believe that the current practice of appealing an OPA procurement appeal decision is improper and unnecessarily causes OPA to expend precious resources to retain a lawyer to defend the decision in the Superior and Supreme Court.

We believe that the procedure should be like any other Decision of a Trial Judge, wherein the prevailing party should defend the Decision on Appeal. Currently, when a party appeals a Decision, OPA is listed as a party Defendant. OPA is served with the Notice of Appeal and required to provide an Answer. OPA then has to engage a lawyer to file our Answer, attend hearings and represent our office. This costs money. Because there have been fewer Procurement Appeals and fewer Appeals of our Decisions, we have only had to spend an average of \$16,000 per year for the last four years.

Had my predecessor not recused herself and our office from the DFS v. Lotte procurement appeal, OPA would have been listed as the principal party defendant. God knows how much we would have spent for legal services over the last 12 years this case has been litigated. The GIAA has tens of millions of dollars in legal fees. Fortunately, their contract with Lotte has Lotte reimbursing them for their legal expenses. OPA would not have had that protection.

We believe that the appeal process should be like the case in the Courts now. The Trial Judge renders his Decisions, and they are appealed to the Supreme Court without the Trial Judge hiring an attorney to defend his Decision on Appeal. The prevailing party defends and protects the Decision on appeal.

I have attached a White Paper prepared by our Legal Counsel explaining the need for this legislation to pass. We thank Senator Sabina Perez and her co-sponsors for introducing this bill.

Thank you for your consideration. Should you have any questions or concerns, please contact Jerick Hernandez at jhernandez@guamopa.com.

Senseramente,

A handwritten signature in blue ink, appearing to read 'Ben Cruz', with a stylized flourish at the end.

Benjamin J.F. Cruz
Public Auditor

Cc: The Honorable Sabina Perez, Senator, 38th Guam Legislature

MEMORANDUM

TO: [Insert Names of Senators/Legislative Committees]
FROM: OFFICE OF PUBLIC ACCOUNTABILITY
DATE: February ___, 2024
RE: Helping the OPA to be More Efficient

DRAFT
as of 1/31/2024
2:53 PM

A. ISSUE

Currently, when a party seeks judicial review of the decision of the Office of Public Accountability (“OPA”) in a procurement appeal matter, the OPA is named as a defendant in a civil action in the superior court. The judicial review process for such OPA decisions is treated like a regular civil action between parties suing for money damages, property rights, etc. This is different from the procedure followed for judicial review of other administrative decisions under Guam law. And this different procedure forces the OPA to divert resources to respond to the civil action which could instead be put to more productive use.

B. PROPOSED SOLUTION

The OPA submits that this unfortunate situation can be fixed by a few amendments to the procurement law. A draft proposed bill is attached to this paper as “Appendix 1.”

C. LEGAL BACKGROUND

Guam adopted the ABA Model Procurement Code (1979) (“MPC”) in 1982. At that time, Guam did not adopt Chapter 12 of the MPC, which sets out the framework for an administrative board to hear procurement appeals and the judicial review thereof. In 1986 the Legislature added a new Chapter 12 to the Guam Procurement Law, modeled after the MPC, which provided for procurement appeals to be decided by a Procurement Appeals Board (“PAB”). Public Law (“P.L.”) 18-44. In 2005, the law was revised to have the OPA, rather than the non-existent PAB, resolve procurement appeals. P.L. 28-068:IV:5.

In Townhouse Dept. Stores, Inc. v. Dept. of Educ., 2012 Guam 25, Townhouse, seeking judicial review of a procurement appeal decision by the OPA, filed a special proceeding which named neither the procuring agency nor the OPA as defendants. Townhouse Dept. Stores, Inc. v. Dept. of Educ., *supra*, at 30. The Supreme Court held that a party seeking such judicial review must instead file a civil action which names “either the territory of Guam or the relevant agency or governmental entity from which it seeks relief” as defendant(s). *Ibid.*, at 33 (*citing* 5 GUAM CODE ANNOTATED (“G.C.A.”) 5480(a)). The Supreme Court concluded: Naming a government agency is a requirement to waiving the government’s sovereign immunity and that failure to

MEMORANDUM

TO: [Insert Names of Senators/Legislative Committees]
FROM: Office of Public Accountability
DATE: February ____, 2024
RE: Helping the OPA to be More Efficient
Page 2 of 3

name DOE—or any other government agency—as a defendant resulted in sovereign immunity barring the appeal. *Ibid.*, at 35.

The Supreme Court later set out, in some detail, the procedures to be followed by the Superior Court in judicial review of a procurement appeal decision of the OPA in Teleguam Holdings, LLC v. Territory of Guam, 2018 Guam 5. Teleguam, in its complaint seeking judicial review of an OPA procurement appeal decision, had named as defendants the Territory of Guam, the Department of Administration, GSA and the OPA. The Supreme Court held that a complaint seeking such judicial review should “name and be served upon all relevant defendants.” Teleguam Holdings, LLC v. Territory of Guam *supra*, at 25. The Supreme Court then noted that Teleguam had complied with such requirements. *Ibid.*, at 26.

D. CURRENT PRACTICE

The Supreme Court has noted that, even absent express statutory authority, the courts of Guam have common law authority to review administrative agency decisions. Gutierrez v. Guam Election Commission, 2011 Guam 3, at 18. The procedure for judicial review of administrative decisions set out in the Administrative Adjudication Law [5 G.C.A. §9201 *et seq.*] generally controls. Under that procedure, the party seeking judicial review of an administrative decision files a petition for a writ of mandate against the agency, not a regular civil action. For certain agencies, such as the Civil Service Commission, a petition for judicial review must be filed. *See Carlson v. Perez*, 2007 Guam 6, ¶¶59-71.

However, the Supreme Court of Guam has determined that judicial review of OPA determinations of procurement appeals must be filed as civil actions, based on the current language of 5 G.C.A. §5707. This requires the OPA to be named as a defendant, and the superior court generally permits the parties to conduct discovery, through depositions, interrogatories and document requests, which is contrary to the practice in judicial review of other administrative actions.

Section 5707 is modeled after Section 9-510(1) of the MPC. Section 5707 authorizes an appeal of an OPA decision in a procurement appeal to the Superior Court “as provided in Article D of Chapter 9 of this Chapter.” Interestingly, Section 9-510(1) of the MPC does not include a similar phrase. Instead, Section 9-510(1) merely states that the appeal may be made to “the designated court(s).”

Other jurisdictions which have adopted the MPC tend to follow the model of Section 9-510(1) of the MPC by merely stating that judicial review may be had and/or designate the court in which it may be sought. *See* AS §36.30.685 (final administrative decision may be appealed to the superior court in accordance with the Alaska Rules of Appellate Procedure); H.R.S. §103D-

MEMORANDUM

TO: [Insert Names of Senators/Legislative Committees]
FROM: Office of Public Accountability
DATE: February ____, 2024
RE: Helping the OPA to be More Efficient
Page 3 of 3

710 (party aggrieved by final administrative decision may apply for judicial review, and such proceeding shall be instituted in the Hawaii circuit court where it arose); N.M.S.A. §13-1-183 (All actions authorized by the Procurement Code for judicial review of determinations shall be filed pursuant to [the general New Mexico statute on judicial review]); UT ST §63G-6a-1802 (party seeking judicial review of final administrative decision shall file notice of appeal with Utah Court of Appeals).

Section 5480 is included as part of Article D of Chapter 9 of Guam's procurement law, and is modeled after Section 9-401 of the MPC. Section 5480(a) states that the Superior Court has jurisdiction over actions between the "Territory" and an actual or prospective bidder, offeror or contractor related to procurement issues. Section 5480 does not expressly provide that the OPA should be named as a defendant in a civil action, nor does it provide that discovery should generally be permitted.

Instead, Section 5480 merely states that the Superior Court has jurisdiction over procurement cases brought by interested parties. Section 5707 expressly authorizes judicial review by the Superior Court of such OPA decisions. It is standard practice, in seeking judicial review of other Guam administrative actions, to name the agency as a respondent. But it is not standard practice to require the agency named as a defendant in a civil action, nor to permit discovery in such matters. Section 5707 should not be read to require deviation from that standard practice.

Based on the foregoing, it is respectfully submitted that the Legislature should not have referenced "Article D of Chapter 9," which includes Section 5480, in Section 5707. Section 5480 should not have been used to provide the procedure for judicial review of OPA decisions. Other jurisdictions which have adopted the MPC have not incorporated their version of Section 9-401 into the separate statute(s) regarding judicial review.

E. RECOMMENDATION

Based on the foregoing, it is recommended that the Legislature should amend Section 5707 to delete the reference to Article D of Chapter 9, and instead provide that "judicial review is initiated by filing a petition for judicial review in the Superior Court of Guam," or similar language, to clarify the procedure for judicial review of an OPA decision on a procurement appeal. This amendment would eliminate having the OPA being named as a "defendant" in a civil action, and expose the OPA to discovery requests, and would bring judicial review of OPA decisions in line with judicial review of other Guam administrative decisions.

MS243010.MFT



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,
Regulatory Affairs, Technology, Justice, Elections, and Retirement

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COMMITTEE VOTE SHEET

Bill No.18-38 (COR) –Introduced by Sabina F. Perez, Telo T. Taitague, Therese M. Terlaje and Chris Barnett - “AN ACT TO AMEND § 5707(a) OF ARTICLE 12, CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE PROCEDURE FOR JUDICIAL REVIEW OF DECISIONS MADE BY THE PUBLIC AUDITOR IN PROCUREMENT APPEALS.”

COMMITTEE MEMBERS	SIGNATURE/ DATE SIGN	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Senator Telo T. Taitague Chairperson	 3/26/25	✓				
Senator Therese M. Terlaje Vice. Chairperson	E-Vote 3/24/25	✓				
Senator Chris Barnett Member	E-Vote 3/24/25			✓		
Senator Sabina F. Perez Member	E-Vote 3/25/25	✓				
Senator Shelly V. Calvo Member						
Speaker Frank F. Blas Jr. Member	E-Vote 3/26/25	✓				



Senator Telo Taitague <senatortelot@gmail.com>

REQUEST FOR E-VOTE - COMMITTEE REPORT on Bill No. 18-38 (COR) As Intro:

6 messages

Senator Telo Taitague <senatortelot@gmail.com>

24 March 2025 at 12:20

To: Senator Therese Terlaje <senatorterlajeguam@gmail.com>, Office of Senator Sabina Perez <office.senatorperez@guamlegislature.gov>, Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.gov>, "Speaker Frank Blas, Jr." <speakerblas@guamlegislature.gov>, Office of Senator Shelly Calvo <officeofsenatorshellycalvo@guamlegislature.gov>
Bcc: "senatortelot.keith@gmail.com" <senatortelot.keith@gmail.com>, Isah Peredo <senatortelot.isah@gmail.com>, Rowena Fejeran <senatortelot.rowena@gmail.com>

Håfa Adai Committee Members:

Please see attached Committee Report on **Bill No. 18-38(COR)** Introduced by Sabina F. Perez, Telo T. Taitague, Therese M. Terlaje and Chris Barnett – **"AN ACT TO AMEND § 5707(a) OF ARTICLE 12, CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE PROCEDURE FOR JUDICIAL REVIEW OF DECISIONS MADE BY THE PUBLIC AUDITOR IN PROCUREMENT APPEALS."**

Please indicate your preferred action, based on the following options:

- _____ TO DO PASS;
- _____ TO NOT PASS;
- _____ TO REPORT OUT ONLY;
- _____ TO ABSTAIN;
- _____ TO PLACE IN INACTIVE FILE.

Please submit your response **ASAP**. Your responses will be logged into the Committee Vote Sheet for **Bill No. 18-38 (COR)**. Should you have any questions, please do not hesitate to contact our office.

Si Yu'os Ma'åse,***Create a Great Day!****Senator Telo T. Taitague*

38th Guam Legislature

Chairperson**Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement**

Suite 407 DNA Building

238 Archbishop Flores St.

Hagatna, Guam 96910

Tel: (671) 989-8356

Email: senatortelot@gmail.com

 COMMITTEE REPORT - Bill No. 18-37 (COR) As Intro.pdf
10486K

Senator Therese M. Terlaje <senatorterlajegum@gmail.com>

24 March 2025 at 13:47

To: Senator Telo Taitague <senatortelot@gmail.com>

Cc: Office of Senator Sabina Perez <office.senatorperez@guamlegislature.gov>, Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.gov>, "Speaker Frank Blas, Jr." <speakerblas@guamlegislature.gov>, Office of Senator Shelly Calvo <officeofsenatorshellycalvo@guamlegislature.gov>

Hafa Adai,

To Do Pass

Si Yu'os Ma'åse',



Office of Senator Therese M. Terlaje

I Mina'trentai Ocho na Liheslaturan Guåhan
Guam Congress Building, 163 Chalan Santo Papa,
Hagatna, Guam 96910

(671) 472-3586

 senatorterlajegum@gmail.com

 www.senatorterlaje.com

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[Quoted text hidden]

Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.gov>

24 March 2025 at 14:34

To: "Senator Therese M. Terlaje" <senatorterlajegum@gmail.com>

Cc: Senator Telo Taitague <senatortelot@gmail.com>, Office of Senator Sabina Perez

<office.senatorperez@guamlegislature.gov>, "Speaker Frank Blas, Jr." <speakerblas@guamlegislature.gov>, Office of Senator Shelly Calvo <officeofsenatorshellycalvo@guamlegislature.gov>

Hafa Adai,

To report out only.

Si Yu'us Ma'ase

[Quoted text hidden]

--

[Quoted text hidden]

Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.gov>

25 March 2025 at 07:14

To: Senator Telo Taitague <senatortelot@gmail.com>

To Report Out Only.

On Mon, Mar 24, 2025 at 12:20 PM Senator Telo Taitague <senatortelot@gmail.com> wrote:

[Quoted text hidden]

[Quoted text hidden]

Office Senator Perez <office.senatorperez@guamlegislature.gov>

25 March 2025 at 21:42

To: Senator Telo Taitague <senatortelot@gmail.com>

Cc: Senator Therese Terlaje <senatorterlajeguam@gmail.com>, Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.gov>, "Speaker Frank Blas, Jr." <speakerblas@guamlegislature.gov>, Office of Senator Shelly Calvo <officeofsenatorshellycalvo@guamlegislature.gov>

To do pass.

On Mon, Mar 24, 2025 at 12:20 PM Senator Telo Taitague <senatortelot@gmail.com> wrote:

[Quoted text hidden]

Speaker Frank Blas Jr. <speakerblas@guamlegislature.gov>

26 March 2025 at 08:58

To: Office Senator Perez <office.senatorperez@guamlegislature.gov>

Cc: Senator Telo Taitague <senatortelot@gmail.com>, Senator Therese Terlaje <senatorterlajeguam@gmail.com>, Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.gov>, Office of Senator Shelly Calvo <officeofsenatorshellycalvo@guamlegislature.gov>

To Do Pass



Speaker, Frank F. Blas, Jr.

I Mina'trentai Ocho na Liheslaturan Guahan 38th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagatña

(671)969-6456

speakerblas@guamlegislature.gov

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[Quoted text hidden]



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,
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COMMITTEE REPORT DIGEST

I. OVERVIEW

Bill No. 18-38 (COR) was introduced on Monday, January 13, 2025, by Senator Sabina F. Perez, Telo T. Taitague, Therese M. Terlaje, and Chris Barnett. **Bill No. 18-38(COR)** was referred by the Committee on Rules to the Committee on *Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement*, on Friday January 22, 2025 which the Committee convened a public hearing on Wednesday, March 12, 2025, at 9:10 a.m. in the Congress Building in the Public Hearing Room.

Public Notice Requirement:

To comply with the Open Government Law, notice of this hearing was disseminated to all senators and the public at-large via email and published in the Guam Daily Post on (Wednesday March 5, 2025), and the second notice on (Monday March 10, 2025). Notices of this hearing was also available on the Guam Legislature's website and the Government of Guam Public Notice Portal.

Senator Present:

Senator Telo T. Taitague- Committee Chairperson
Senator Therese M. Terlaje- Vice Chairperson
Senator Chris Barnett – Member
Speaker Frank F. Blas, Jr. – Member
Senator Sabina F. Perez – Member
Senator Shelly V. Calvo – Member
Senator Eulogio Shawn Gumataotao-

Appeared Before the Committee:

Benjamin J.F. Cruz – Public Auditor
Mitchell F. Thompson–

Submitted Written Testimony:

Benjamin J.F. Cruz – Public Auditor



OFFICE OF SENATOR

Telo T. Taitague

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Edward M. Birn – Director, Department of Admin

Danielle T. Rosete – Administrator of the Courts

II. SUMMARY OF TESTIMONY AND DISCUSSION

The Public Hearing was called-to-order at 9:10 AM.

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Public Hearing - Bill No. 18-38 (COR)

Public Hearing Date: Wednesday March 12, 2025 at 9:10 a.m.

YouTube Link: <https://www.youtube.com/watch?v=zkdU1wVbezI> timestamp (1:33:31 through 2:00:31)

Public Hearing called to order:

CHAIRPERSON, SENATOR TELO T. TAITAGUE: *Hafa Adai*, welcome back and thank you for joining us again Biba Mes Chamoru choro I also before we get started, I just like to recognize again um my colleagues who are here with me my vice chair Senator Chris Barnett, Senator Therese Terlaje, our speaker senator Frank Blas speaker Frank Blas, Senator Shelly Calvo and thank you Shawn Gumataotao, Senator Shawn Gumataotao, for being here as well as the author of the legislation on Bill 18-38 Senator Perez and at this time I'd like to move to Bill 18-38 (COR) introduced by Senator Perez, Senator Taitague Senator Therese Terlaje and Senator Chris Barnett which is **AN ACT TO AMEND § 5707(a) OF ARTICLE 12, CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE PROCEDURE FOR JUDICIAL REVIEW OF DECISIONS MADE BY THE PUBLIC AUDITOR IN PROCUREMENT APPEALS.** There was a fiscal note that was provided to the committee on February 10th 2025 in that physical note it reads

CHAIRPERSON, SENATOR TELO T. TAITAGUE: The proposed legislation does not contain revenue generating provisions, nor does it appropriate any additional funding source to the OPA. Further, the proposed legislation does not impose additional mandates to the affected entities as it only seeks to amend the procedure for judicial review of decisions made by the OPA in procurement appeals. Given the administrative nature of the proposed legislation, the Bureau does not anticipate a direct fiscal impact to the Government of Guam. However, the Bureau recognizes the benefits of this proposed legislation to include the potential cost containment afforded to the OPA. Due to several unknown factors to include the varying complexity of procurement appeals and the amount of time spent in judicial review, the Bureau is unable to determine an approximate cost savings at this time. also bill 18-38 AC was reviewed by our legal council with no recommendations at this time I would now like to turn the floor over to the sponsor of Bill 18-38 Senator Perez you are recognized.

SENATOR SABINA F. PEREZ: Thank you madam chair and uh especially for scheduling this public hearing on this important measure Bill 18-38 seeks to reform judicial review of decisions made by the office of the public accountability in

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procurement appeals by requiring that these procedures be treated similar to judicial review of other administrative agencies under Guam law as it stands currently the judicial review process for decisions made by the OPA in regard to procurement appeals is treated as a civil action between two parties in which the OPA is named as a defendant in the case this process diverts Financial operational and human resources from the OPA which could be used for more necessary critical purposes and so that they need in order to respond to the civil action and Court proceedings uh as you stated in the fiscal note the estimated cost is between \$5 to \$20,000 for the last 3 years due to a few a few appeals on the OPA procurement decisions and this amount would have been a lot higher if the OPA did not recuse itself from a high-profile procurement appeal that has been litigated for the past 12 years under the administrative adjudication act the procedure for judicial review of administrative decision ISS generally follows a different process instead of filing a regular civil action the party seeking judicial review submits a petition for a writ of mandate against the agency the amendment to the law proposed in bill 18-38 would eliminate have eliminate having the OPA be named as a defendant in a civil action which can expose the OPA to unnecessary and unwarranted litigation uh expenses from hiring legal council filing motions briefs Discovery requirements bill 18-38 should bring judicial review of OPA decisions in line with those of other administrative decisions which require procurement appeals to be decided in uh in the Superior Court this measure was created um in close collaboration with OPA which created a white paper on this matter it was subsequently introduced and passed in the 37th Guam legislature as Bill 328-37 which included another component to require agencies to respond and take corrective action based on audits however it was vetoed and in The veto message no issue was taken with this particular section of the bill as proposed by Bill 18-38 to reiterate bill 18-38 would prevent OPA from having to divert necessary resources in order to respond to litigation and thereby reducing the overall cost of operations and allowing the OPA to fulfill their primary duties more efficiently and effectively that increases transparency and accountability in how the vital public funds are being spent to towards the needs of our community I would like to thank my co-sponsor Senator Taitague Senator Terlaje and Senator Barnett and look forward to um testimony as well as the support from my other colleagues *Si Yu'os Ma'åse* .

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CHAIRPERSON, SENATOR TELO T. TAITAGUE: *Si Yu'os Ma'åse* Senator Perez okay we will now hear testimony on uh on the bill and discussion so um I would like to call to the table um former speaker and Senator BJ Cruz um director as well as Mitch Thompson attorney to come forward and I ask that you speak directly into the microphone if you can don't be shy I know the two of you are not shy individuals just move that microphone really close and they can control your volume but it has to be at a good level in front so we can also hear other than that um public auditor you are recognized first sir please state your name for the record as well.

BENJAMIN J.F. CRUZ – PUBLIC AUDITOR: *Hafa Adai*, my name is Benjamin Cruz I currently the public auditor of Guam with me is legal counsel Mitchell Thompson who wrote the white paper and uh I don't know if I need to testify after that beautiful introduction done by sponsor of the bill just adopt the uh her comments as my comments for for this morning but thank you for the opportunity to provide testimony in bill 18-38 as we did in Bill uh 32837 which was ultimately veto by the governor of Guam the Guam office public accountability continues to support the intent of this new bill as it aims to clarify judicial review of the OPA decision on procurement appeal and help the OPA be more efficient we believe the current practice of appealing an OPA procurement appeal decision is improper and unnecessarily causes the OPA to expend precious resources to retain attorney a lawyer to defend the decision in the superior court and the Supreme Court we believe that the procedure used by should be like any other decision of a trial judge wherein the prevailing party should be should defend the decision on appeal currently when an appeal of a decision of the OPA the OPA is listed as a party defendant OPA served with a notice of appeal and required to provide an answer OPA then has to engage lawyer a lawyer to file an answer attend hearings and be represent our office this cost money because there have been fewer procurement appeals and fewer appeals of our decisions we've only had to spend 16,000 per year for the last four years had my predecessor not recused yourself in our office from the DFS versus Lotte procurement appeal, OPA would have been listed as the principal party defendant God knows how much we would have had to spend would have been spent for Legal Services over the last 12 years this case has been litigated the GIA has spent tens of millions of dollars in legal fees fortunately their contract with Lotte, has Lotte reimbursing them for their legal expenses OPA would not have had that protection we believe that the um appeal process

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should be like the case like the court uh at Norah now the trial judge renders the decision and they are appeal to the Supreme Court without the trial judge hiring an attorney to defend the decision on appeal the prevailing party defends and protects the decision on appeal I have attached the white paper prepared by Mr. Mitchell Thompson explaining the need for this legislation to pass we thank Senator Perez for her co-sponsor for introducing the Bill thank you for consideration that's our Testimony thank you.

CHAIRPERSON, SENATOR TELO T. TAITAGUE: thank you sir thank you public auditor next is Mitch Thompson please uh state your name for the record and speak directly into the mic thank you.

MITCH THOMPSON-OPA LEGAL COUNSEL: Madam chair committee members my name is Mitch Thompson by way of introduction I've been practicing law here on Guam for almost 40 years and currently my office is working with the Office of Public accountability on various matters I'm pleased to be here this morning uh to testify in support of Bill 18-38 uh this bill corrects a problem and it allows judicial review of Decisions by the OPA to be handled like other reviews of other Guam administrative agency decisions uh the usual procedure when a party is challenging a decision by an administrative agency is that that party files in the Superior Court a petition seeking judicial review sometimes it's technically denominated mandate and the prevailing part party the other side in the agency uh case is the one that that defends or seeks to uphold the agency decision the agency is named as a respondent but it the other the side that won in front of the agency is denominated the real party and interest and it's on the real party and interest to defend the agency decision and that's the way all other administrative agency decisions on Guam are handled but for various technical reasons which this bill will correct currently if a party wants to appeal a decision by the OPA they don't file a petition for judicial review instead they file a regular old civil lawsuit they name the OPA as a defendant and the OPA has to file an answer and there often is Discovery in other words there can be written interrogatories or written questions directed to the OPA there can be depositions there can be document requests and this is very different than the usual procedure when a party seeks judicial review of an administrative agency normally the way it's supposed to be done with every other administrative agency is there's no depositions Discovery you go on the record before the

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administrative agency but because the current procedure is a regular old civil action against the OPA technically the OPA has may have to respond to Discovery requests and this all costs this all costs money and it forces the OPA to divert its resources both uh its staff and also its monetary resources in hiring an attorney away from its core functions and instead have has to defend itself in court when that's not the way it works for any other administrative agency. So, this bill will correct that situation allow a party that wants to appeal a decision by the OPA to follow the same process that it would follow if it was appealing a decision by the Civil Service Commission by a professional licensing board by the CLB and so forth we're just going to bring that process for the OPA in line with every other administrative Agency on Guam and while if this bill is enacted I'm kind of putting myself out of a job but it's good public policy and I hope that the legislature see sees fit to enact uh Bill 18-38 and I'm happy to answer any questions the committee may have thank you.

CHAIRPERSON, SENATOR TELO T. TAITAGUE: Thank you so much attorney Thompson at this time I'd like to open it up to my colleagues I think the author of the legislation would like to go last so I'm going to go ahead with my vice chair of judicial and that is uh Senator Therese Terlaje to if you have any questions pleas.

SENATOR THERESE M. TERLAJE: *Si Yu'os Ma'ase*, thank you attorney Thompson and our public auditor, speaker Cruz for your testimony and for encouraging this it's uh I support it and I just want to as you say this is how administrative appeals are done from other agencies and I just want to confirm that you know we talked to earlier about appeals from trial courts are going to the Supreme Court of course but in this case appeals from decisions in agencies are going to go to the superior court of Guam all right, and have you had any cases where the parties the prevailing party in the dispute did not participate in the court cases like they let the OPA defend their decision versus themselves.

BENJAMIN J.F. CRUZ – PUBLIC AUDITOR: yes.

SENATOR THERESE M. TERLAJE: yes, okay all right okay I have no further questions thank you.

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CHAIRPERSON, SENATOR TELO T. TAITAGUE: Thank you Senator Terlaje, speaker Blas you are recognized.

SPEAKER FRANK F. BLAS JR.: Thank you madam chair and thank you very much gentlemen for being here and testifying, did I hear this correctly that there was a similar piece of letter legislation the 37th that addressed this but yet was vetoed by the governor.

BENJAMIN J.F. CRUZ – PUBLIC AUDITOR: yes, H at the time that the bill was actually the problem was when Mr. Thompson wrote the legislation for us I also told him that he should put in to prepare legislation that also addressed rid mandate because there was a question that the previous legislature had been saying how do you enforce your decisions and so we thought maybe a rid of mandate to the court to enforce I mean our performance Audits and both of them were included in the same bill the governor's opposition was to the rid of mandate uh directing her directing the executive agencies to respond to the um potential rid of mandate directing the executive branch to do something they were not happy with that they didn't they believed that it was it was a violation of the separation of powers to be directing the executive to do anything we could recommend but we can't direct them but rid mandate to direct them to do.

SPEAKER FRANK F. BLAS JR.: It is it your feeling that had the two issues been separated that this issue if it addressed by itself would have passed muster with her and he would have signed it if it was any indication in the veto message that there was an issue with this particular bill.

BENJAMIN J.F. CRUZ – PUBLIC AUDITOR: as was mentioned by Senator Perez and correct me Senator if I'm wrong The veto message had no problem with the first part.

SPEAKER FRANK F. BLAS JR.: okay thank you very much, thank you madam chair.

CHAIRPERSON, SENATOR TELO T. TAITAGUE: you're very welcome speaker Blas um Senator Barnett you recognized.

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SENATOR CHRIS BARNETT: *Si Yu'os Ma'åse* Madam chair and thank you for the opportunity to just say that I support the bill and I'm very grateful uh that Senator Perez offered me a co-sponsorship of it and I'm hoping that we can um get it through pass it and then be consistent in uh overriding any veto attempt because there was a lot of inconsistency with that in the previous term that I'm hoping uh we don't see in this one you know many of the people out there are saying that we have a veto proof 38th Guam legislature so I think this could be one of the bills that really puts that to the test *Si Yu'os Ma'åse* Madam chair again for the opportunity to speak this morning and have a good day

CHAIRPERSON, SENATOR TELO T. TAITAGUE: okay thank you so much Senator Barnett at this time Senator Shelley Calvo do you have any questions.

SENATOR SHELLY V. CALVO: Thank you *Bueñas* again thank you madam chair um just a few questions um I was just thinking without clear time frames um procurement disputes could take longer to resolve delaying government projects and contracts possibly what is the average time for a judicial review case to be resolved under existing procedures no time frame

BENJAMIN J.F. CRUZ – PUBLIC AUDITOR: Years.

SENATOR SHELLY V. CALVO: Years wow, and

BENJAMIN J.F. CRUZ – PUBLIC AUDITOR: in judicial in for our office we have a time frame and you would have noticed that we wish issued an opinion I mean a decision the other day and we'll be issuing another decision later on this today or this or this week for another uh procurement appeal we issued um in the within the office 30 days after the hearing or 30 days after the uh findings the fact is filed so we try to move things along sometimes a little too fast a couple of times attorneys have asked us to can we have our own schedule not your schedule but I keep telling them I don't want to be accused of delaying but they have but I have no control after it goes to court and a and there are a couple of decisions I'm up on appeal in Supreme Court that still haven't been resolved.

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MITCH THOMPSON-OPA LEGAL COUNSEL: Senator if I could follow up on the public Auditor's comments um if Bill 18-38 is adopted it should and I'm putting that should in in air quotes be should make the judicial review of OPA decisions quicker because when you have a regular old civil lawsuit a large chunk of the time for that case while was pending court is during what they call discovery where the parties are sending written questions to each other taking deposit positions and what have you but in a special proceeding in in in like in judicial review for every other administrative agency they don't have that and so we skip a step and so in theory at least it the judicial review process should be quicker if this bill is adopted.

SENATOR SHELLY V. CALVO: Thank you *Si Yu'os Ma'åse*, I don't have further question thank you so much for your testimony.

CHAIRPERSON, SENATOR TELO T. TAITAGUE: thank you Senator Calvo, Senator Gumataotao, you are recognized.

SENATOR SHAWN GUMATAOTAO: Thank you madam chair and thank you public auditor and attorney Thompson for being with us today, just have a bit of a question but let me just kind of lead into it uh BBMR in their fiscal note stated that based on the comments that were received by the OPA on section two of a similar bill that uh was mentioned earlier by our speaker in the 37th Guam legislature the current judicial review process caused the OPA to expend its budget in order to secure legal Services if and when the agency is a name defendant in a civil suit in the superior court of Guam now the uh public auditor had reported in the past expenditures of 5 to \$20,000 per year for the last three years due to only a few decision appeals to the superior court of Guam so for the record aside from seeking legislation uh amending 5 GCA section 577a what legal options if any does the OPA have in challenging or otherwise questioning the appropriateness of being named as a defendant in a civil lawsuit involving an OPA decision.

MITCH THOMPSON-OPA LEGAL COUNSEL: well Senator Gumataotao, the problem is because of the somewhat awkward current wording of section 5707 our Supreme Court has determined that an appeal of an OPA decision is to be treated as a civil action where the OPA is named as a defendant and the Supreme Court has spoken if the legislature

Committee Repost Digest:

Public Hearing - Bill No. 18-38 (COR)

Public Hearing Date: Wednesday March 12, 2025 at 9:10 a.m.

YouTube Link: <https://www.youtube.com/watch?v=zkdU1wVbezI> timestamp (1:33:31 through 2:00:31)

amends section 5707 that prior uh determination by the Supreme Court is out the window because the law has changed and so that's I think effectively the only way that the OPA cannot can ask not to be defendant because if the laws change it will be clear that we follow the regular judicial process uh for every other administrative agency such that the OPA is not named as a defendant.

SENATOR SHAWN GUMATAOTAO: all right thank you attorney Thompson and thank you madam chair for the opportunity to be here today appreciate you.

CHAIRPERSON, SENATOR TELO T. TAITAGUE: you're very welcome Senator gal and at this time I really have no question questions um for this legislation we've gone down this road before believed in it and believe that it will save some money you know and that's what something that we need to do in this body is to recognize any cost cutting measures that we can as we move forward as we address any concerns uh with these cuts that may be happening and uh most especially living within our means um I like to thank the OPA'S office especially for all the hard work and showing us um the these areas that uh that may have some issues and that we have to cut even more.

BENJAMIN J.F. CRUZ – PUBLIC AUDITOR: I want to thank Mr. Thompson actually because he was the one that brought it to my attention he even volunteered to do the white paper he said I just don't understand why you're wasting your money on having me go to court and I said you realize that would mean less for you and he goes but it's the right thing to do so I want to thank Mr. Thompson recognized that it was his idea he brought it to me.

CHAIRPERSON, SENATOR TELO T. TAITAGUE: okay thank you so much yes attorney I read the white paper very thorough I don't think we would have had any problems if we had that beforehand but we are here today and it is what it is um I do have a real short question to ask you um OPA director public auditor does do you think we need an oversight on OPA I mean it was me mentioned in from one of the other agencies I think it was GMH who said that there should be an oversight on OPA.

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BENJAMIN J.F. CRUZ – PUBLIC AUDITOR: if the legislature decides that wants to have an OPA an oversight I welcome it I have no problem with oversights I mean it is your responsibility but it's ludicrous but.

CHAIRPERSON, SENATOR TELO T. TAITAGUE: it is ludicrous I just wanted to bring it up for the record my plans is never not to have one I think that the work that the OPA office is doing is excellent work and it helps guide us to along the way so that being said I'm going to allow the author of the legislation um the good Senator Perez from *Barrigada Heights* to do her closing or have any questions.

SENATOR SABINA F. PEREZ: Thank you madam chair I just want to say thank you to the office of the public accountability for developing a correction to the law um and uh to make streamline the process I think when we're talking about the public accountability we're looking to protect the vital funds that are used from our from our government to help our community and so whatever way that we can use these resources more um you know precious I support those efforts I do support the other part of the bill that was introduced but I bated that into another bill and I hope to see a public hearing on that bill as well so thank you for your hard work and patience um thank you madam chair.

CHAIRPERSON, SENATOR TELO T. TAITAGUE: If there is no other further questions I will um complete and conclude the discussion on Bill 18-38 (COR) that being said um my office will continue to accept written testimonies on today's hearing within five business days from today which may be mailed to my office at 238 Archbishop Flores Suite 407 in the DNA building in *Hagatna* you may also send written testimony to my office via email senatortelot@gmail.com T don't forget the T at gmail thank you all for your participation create a great day and the time now is 10:05 a.m. *Si Yu'os Ma'åse Biba Mes Chamoru.*

III. FINDINGS AND RECOMMENDATIONS

- DOA opposes the changes contemplated by Bill No. 18-38 (COR).
- OPA support the Bill No. 18-38 (COR), and
- Judiciary also provide testimony for Bill No. 18 -38 (COR).
- A part of Judiciary of Guam testimony as follow:

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“While the Judiciary views the bill as a policy matter to be decided by the legislative body, its enactment will likely require the development of procedural rules to improve the efficiency of the process. In accordance with 48 U.S.C. § 1424-1(a)(6), the Supreme Court of Guam holds the authority to create and promulgate such rules through the Subcommittee on Guam Rules of Civil Procedure (GRCP). The Office of the Attorney General, as a member of this subcommittee, has volunteered to draft these rules for consideration by the subcommittee. We await its draft.”

The Committee on *Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement* hereby reports out **Bill No. 18-38(COR)**- Sabina F. Perez, Telo T. Taitague, Therese M. Terlaje, Chris Barnett – **“AN ACT TO AMEND § 5707(a) OF ARTICLE 12, CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE PROCEDURE FOR JUDICIAL REVIEW OF DECISIONS MADE BY THE PUBLIC AUDITOR IN PROCUREMENT APPEALS.”** with the recommendation TO DO PASS.

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

Bill No.18-38 (COR)

Introduced by:

Sabina Flores Perez 
Telo T. Taitague 
Therese M. Terlaje 
Chris Barnett 

**AN ACT TO *AMEND* § 5707(a) OF ARTICLE 12,
CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED,
RELATIVE TO THE PROCEDURE FOR JUDICIAL
REVIEW OF DECISIONS MADE BY THE PUBLIC
AUDITOR IN PROCUREMENT APPEALS.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that currently, when a party seeks judicial review of the decision of the Office of Public Accountability (OPA) in a procurement appeal matter, the OPA is named as a defendant in a civil action in the Superior Court of Guam. The judicial review process for such OPA decisions is treated like a regular civil action between parties suing for money damages, property rights, etc. This is different from the procedure followed for judicial review of other administrative decisions under Guam law, forcing the OPA to divert operational and human resources to respond to the civil action.

I Liheslatura further finds there is uncertainty as to the proper procedure for the judicial review of decisions by the Public Auditor in procurement appeals and related matters; it is, therefore, the intent of *I Liheslatura* to clarify that the proper procedure for such judicial review should be similar to that for judicial review of other administrative agency decisions under Guam law.

1 **Section 2.** § 5707(a) of Article 12, Chapter 5, Title 5, Guam Code
2 Annotated, is hereby *amended* to read as follows:

3 **§ 5707. Appeals and Review of Public Auditor Decisions.**

4 (a) Appeal. Any person receiving an adverse decision, the government or
5 any autonomous agency or public corporation, or both, may appeal ~~from~~ a decision
6 by the Public Auditor to the Superior Court of Guam ~~as provided in Article D of~~
7 ~~Chapter 9 of this Chapter~~ by filing a petition for judicial review.

8 **Section 3. Effective Date.** This Act shall be effective upon enactment.

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



COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson

I Mina'trentai Ocho Na Liheslaturan Guåhan

38th Guam Legislature

February 10, 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. 18-38 (COR)**

Håfa Adai!

Find the attached, Fiscal Note for the following bill:

Bill No. 18-38 (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 forward the same to Management Information Services (MIS) for posting on our website.



Bureau of Budget & Management Research
Fiscal Note of Bill No. 18-38 (COR)

AN ACT TO AMEND § 5707(a) OF ARTICLE 12, CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE PROCEDURE FOR JUDICIAL REVIEW OF DECISIONS MADE BY THE PUBLIC AUDITOR IN PROCUREMENT APPEALS.

Department/Agency Appropriation Information

Dept./Agency Affected: Office of Public Accountability	Dept./Agency Head: Benjamin J.F. Cruz
Department's General Fund (GF) appropriation(s) to date:	\$2,194,843
Department's Other Fund appropriation(s) to date:	\$0
Total Department/Agency Appropriation(s) to date:	\$2,194,843

Fund Source Information of Proposed Appropriation

	General Fund:	(Specify Special Fund):	Total:
FY 2024 Unreserved Fund Balance	\$0	\$0	\$0
FY 2025 Adopted Revenues	\$0	\$0	\$0
FY 2025 Appro. (P.L. 37-125)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill

	One Full Fiscal Year	For Remainder of FY 2025 (if applicable)	FY 2026	FY 2027	FY 2028	FY 2029
General Fund	1/	\$0	\$0	\$0	\$0	\$0
Special Fund	1/	\$0	\$0	\$0	\$0	\$0
Total	1/	\$0	\$0	\$0	\$0	\$0

1. Does the bill contain "revenue generating" provisions? / / Yes / X / No
If Yes, see attachment
2. 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
3. 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
4. Will the enactment of this Bill require new physical facilities? / / Yes / X / No
5. 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: AROF Date: 2/6/2025 Director: [Signature] Date: FEB 07 2025
Abigail R. Ofeciar, BMA Supervisor Lester L. Carlson, Jr., Director

Notes:
1/ See attached comments.

BUREAU OF BUDGET AND MANAGEMENT RESEARCH
COMMENTS ON BILL NO. 18-38 (COR)

The proposed legislation intends to amend §5707(a) of Article 12, Chapter 5, Title 5 of the Guam Code Annotated relative to the procedure for judicial review of decisions made by the Public Auditor in procurement appeals. As stated in the Legislative Findings and Intent of the Bill, the current procurement appeals process treats the Office of the Public Accountability (OPA) as a defendant, similar to those in a regular civil action, when a party requests for a judicial review of OPA's decisions. It further states that this current procedure differs from the judicial review of other administrative decisions under Guam law.

As per the comments received from the Public Auditor on a similar proposed legislation in the 37th Guam Legislature, Bill No. 328-37 (COR), the current judicial review process causes the OPA to expend resources earmarked for personnel and operations for legal representations. The Public Auditor reported expenditures between \$15,000 to \$20,000 per year for the last three years due to only a few appeals of OPA decisions. This amount would have been a lot higher had the OPA not recused itself from a high-profile procurement appeal that has been litigated for the past twelve years. The OPA further stated that the appeals process should be the same as in the courts where the trial judge renders decisions and are appealed to the Supreme Court without the trial judge hiring an attorney to defend his decision on appeal. The Bureau has not received additional input on the proposed legislation from the OPA as of the time this fiscal note is prepared.

The proposed legislation does not contain revenue generating provisions, nor does it appropriate any additional funding source to the OPA. Further, the proposed legislation does not impose additional mandates to the affected entities as it only seeks to amend the procedure for judicial review of decisions made by the OPA in procurement appeals. Given the administrative nature of the proposed legislation, the Bureau does not anticipate a direct fiscal impact to the Government of Guam. However, the Bureau recognizes the benefits of this proposed legislation to include the potential cost containment afforded to the OPA. Due to several unknown factors to include the varying complexity of procurement appeals and the amount of time spent in judicial review, the Bureau is unable to determine an approximate cost savings at this time.