

# I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN

## 2025 (FIRST) Regular Session

### VOTING RECORD

NAME	Yea	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Vice Speaker V. Anthony Ada	✓					
Senator Chris Barnett	✓					
Speaker Frank F. Blas, Jr.	✓					
Senator Vincent A.V. Borja	✓					
Senator Shelly V. Calvo	✓					
Senator Christopher M. Dueñas	✓					
Senator Eulogio Shawn Gumataotao	✓					
Senator Jesse A. Lujan	✓					
Senator Tina Rose Muña Barnes					✓	✓
Senator William A. Parkinson	✓					
Senator Sabina Flores Perez	✓					
Senator Sabrina Salas Matanane	✓					
Senator Joe S. San Agustin	✓					
Senator Telo T. Taitague	✓					
Senator Therese M. Terlaje	✓					

**TOTAL**

**14**

**0**

**1**

**1**

Yea

Nay

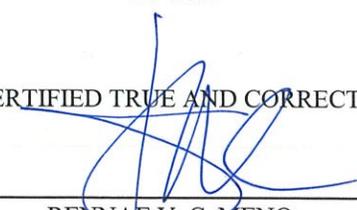
Not Voting/  
Abstained

Out During  
Roll Call

Absent

Excused

CERTIFIED TRUE AND CORRECT:

  
 \_\_\_\_\_  
 RENNAE V. C. MENO  
 Clerk of the Legislature

I = Pass

LOURDES A. LEON GUERRERO  
GOVERNOR



JOSHUA F. TENORIO  
LT. GOVERNOR

UFISINAN I MAGA'HÅGAN GUÅHAN  
OFFICE OF THE GOVERNOR OF GUAM

38GL-25-1046  
OFFICE OF THE SPEAKER  
FRANK F. BLAS JR.

**Transmitted via Email to:** [speakerblas@guamlegislature.org](mailto:speakerblas@guamlegislature.org)

August 14, 2025

**THE HON. FRANK BLAS, JR., Speaker**  
*I Mina'trentai Ocho Na Liheslaturan Guåhan*  
38th Guam Legislature  
Guam Congress Building  
163 Chalan Santo Papa  
Hagåtña, Guam 96910

AUG 18 2025

Time: 4:30 p  
Received: [Signature]

**Re: Bill No. 17-38 (COR), "AN ACT TO AMEND § 1913 OF CHAPTER 19, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO PROCEDURES FOR IMPLEMENTATION OF AUDIT RECOMMENDATIONS BY AGENCIES."**

*Håfa Adai* Mr. Speaker,

Bill No. 17-38 (COR) amends 5 GCA § 5707(a) and 1 GCA § 1913, supposedly just bringing the process for lawsuits regarding decisions of the Public Auditor into line with the process for other Government of Guam agencies that issue similar administrative decisions. My Administration has no objection with this aim.

While claiming this amendment to be only a procedural change, the Bill as passed would also remove from the current law an important provision ensuring each branch of government remains in charge of its own affairs as required by the Organic Act.

Since the establishment of the office of Public Auditor over thirty (30) years ago, the law has allowed him to bring suit to compel the Executive Branch, the Legislature, or the Judiciary to implement his recommendations. However, the Public Auditor's authority has been subject to an important limitation provided in the current statute: "Nothing in this Section shall dilute any authority granted by law or rule to *I Maga'håga/Maga'låhi*, the Committee on Rules of *I Liheslatura*, or the Chief Justice of the Supreme Court of Guam, to exercise their managerial authority in their respective branches of government."

While the law authorizes the Public Auditor to go to court to push for implementation of his recommendations, the Committee on Rules must have final authority over the Legislature, the Chief Justice over the Judiciary and the Governor over the Executive Branch for the statute to comply with the requirements of the Organic Act.

Bill No. 17-38 deletes this required limitation. Based on the questions asked during the hearing on the bill it appears that the deletion is intentional. The Bill seeks to amend 1 GCA § 1913 by intentionally leaving out this critical provision. By omitting the above language, Bill 17-38 deletes an important safeguard in the law for more than 30 years—a safeguard that is necessary to prevent the law from conflicting with the Organic Act's requirement of the separation of powers.

To: The Hon. Frank Blas, Jr., *Speaker*  
Fr: The Hon. Lourdes A. Leon Guerrero, *Governor of Guam*  
Date: August 14, 2025  
Re: Bill No. 17-38 (COR)

Page 2 of 2

The Organic Act requires separation of powers so that each branch of government is responsible for the management of its own affairs, just as they are in the federal government under the U.S. Constitution. This bill is the legislature's attempt to violate the Organic Act requirement of separation of powers by authorizing the Public Auditor the power to micromanage all three of the branches of the government of Guam.

For these reasons, I hereby veto Bill No. 17-38 (COR).

*Senseramente,*



**LOURDES A. LEON GUERRERO**

*I Maga'hågan Guåhan*

Governor of Guam

Enclosure(s): Bill No. 17-38 (COR) - VETO

cc via email: *Honorable* Joshua F. Tenorio, *Sigundo Maga'låhen Guåhan*, Lt. Governor of Guam  
Compiler of Laws



**38GL-25-1046**  
Messages and Communications

**RECEIVED**  
COMMITTEE ON RULES  
August 18, 2025

5:07 p.m.

*Marie Crisostomo*

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

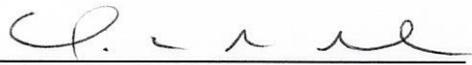
**CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'HÅGAN GUÅHAN**

This is to certify that **Bill No. 17-38 (COR)**, “AN ACT TO AMEND § 1913 OF CHAPTER 19, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO PROCEDURES FOR IMPLEMENTATION OF AUDIT RECOMMENDATIONS BY AGENCIES,” was on the 31<sup>st</sup> day of July 2025, duly and regularly passed.



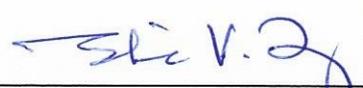
**Frank F. Blas, Jr.**  
Speaker

Attested:



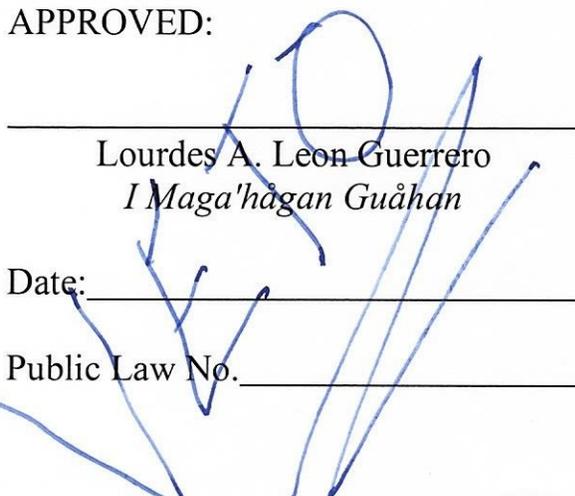
**V. Anthony Ada**  
Acting Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 6th day of August, 2025, at 7:58 o'clock A.M.



Assistant Staff Officer  
*Maga'håga's Office*

APPROVED:



Lourdes A. Leon Guerrero  
*I Maga'hågan Guåhan*

Date: \_\_\_\_\_

Public Law No. \_\_\_\_\_

OFFICE OF THE SPEAKER  
FRANK F. BLAS JR.

AUG 15 2025

Time: 4:44 PM  
Received: [Signature]

2025-24240  
OFFICE OF THE GOVERNOR  
CENTRAL FILES OFFICE  
Rec'd By: Elaine Tajalle  
Date: 8/6/25 Time: 7:58 AM

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

**Bill No. 17-38 (COR)**

As amended by the Committee on Finance  
and Government Operations; and further amended on the Floor.

Introduced by:

Sabina Flores Perez  
Telo T. Taitague  
Therese M. Terlaje  
Chris Barnett  
Shelly V. Calvo  
Sabrina Salas Matanane  
Jesse A. Lujan  
Vincent A.V. Borja  
V. Anthony Ada  
Frank F. Blas, Jr.  
Eulogio Shawn Gumataotao  
Christopher M. Dueñas  
Tina Rose Muña Barnes  
William A. Parkinson  
Joe S. San Agustin

**AN ACT TO *AMEND* § 1913 OF CHAPTER 19, TITLE 1,  
GUAM CODE ANNOTATED, RELATIVE TO  
PROCEDURES FOR IMPLEMENTATION OF AUDIT  
RECOMMENDATIONS BY AGENCIES.**

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

2        **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that the Public Auditor shall conduct annual audits and post-audits of all transactions  
4 and accounts among government of Guam departments, offices, corporations,  
5 authorities, and agencies in all of the branches. Audits performed by the Office of  
6 Public Accountability aim to evaluate, if an entity complies with current policy and  
7 procedures and its efficiency and effectiveness. Notably, OPA performance audits

1 serve to optimize operational performance and demonstrate good stewardship of  
2 public funds.

3 *I Liheslatura* further finds that although the Public Auditor conducts regular  
4 follow ups with agencies for corrective actions stemming from audits, he is unable  
5 to hold agencies accountable to corrective action plans.

6 Therefore, it is the intent of *I Liheslaturan Guåhan* to extend the enforcement  
7 ability of the Office of Public Accountability by mandating departments, offices,  
8 corporations, authorities, and agencies to fulfill their official duties.

9 **Section 2.** § 1913 of Title 1, Guam Code Annotated, is hereby *amended* to  
10 read as follows:

11 **“§ 1913. Implementation of Recommendation.**

12 The Public Auditor may file in the Superior Court of Guam a petition  
13 for a Writ of Mandate to force the implementation of the recommendations  
14 and the attendant corrective action plan in the event *I Maga'håga/Maga'låhi*,  
15 the Committee on Rules of *I Liheslatura*, or the Chief Justice of the Supreme  
16 Court of Guam:

- 17 (a) fails to implement the required corrective action plan; or  
18 (b) fails to provide a satisfactory explanation as to why such  
19 recommendations have not been implemented to the Public Auditor; or  
20 (c) the Public Auditor has not concurred with the non-  
21 implementation on account of the provided explanation.”

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

23 **Section 4. Severability.** If any provision of this Act or its application to any  
24 person or circumstance is found to be invalid or inorganic, such invalidity shall not  
25 affect other provisions or applications of this Act that can be given effect without  
26 the invalid provision or application, and to this end the provisions of this Act are  
27 severable.