



*I Mina'trentai Ocho Na Liheslaturan Guåhan*  
**THE THIRTY-EIGHTH GUAM LEGISLATURE**

*Otden Areklamento*

**STANDING RULES**

January 21, 2025

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**PART A**  
**RULES GOVERNING PROCEDURES**  
**RULE I**  
**CONVENING AND SESSION**

**Section 1.01. The Opening Session.** Preamble: *I Mina'trentai Ocho Na Liheslaturan Guåhan* shall first convene in Regular Session in *Hagåtña*, Guam at the hour of 10:00 a.m. on the first Monday in January of 2025. In accordance with, and pursuant to, the provisions of Chapter 1 of Title 2 of the Guam Code Annotated and these Standing Rules, the Order of Business of the First Regular Session of *I Mina'trentai Ocho Na Liheslaturan Guåhan* shall be as follows:

(a) **Organization of *I Liheslaturan Guåhan*.** The Temporary Presiding Officer, who shall be the Chief Justice of the Guam Supreme Court, or in such Chief Justice's absence or inability to act, a designated Associate Justice of the Guam Supreme Court, shall:

(1) First, **call** the Senators-elect **to order**;

(2) Second, **call** in alphabetical order the **roll** of the Senators-elect who shall present their Certificates of Election and assume their seats as their names are called; and

(3) Third, **administer** the following **Oath-of-Office** to the Senators-elect:

**"I SOLEMNLY SWEAR (OR AFFIRM) IN THE PRESENCE OF ALMIGHTY GOD THAT I WILL WELL AND FAITHFULLY SUPPORT THE CONSTITUTION OF THE UNITED STATES, THE LAWS OF THE UNITED STATES APPLICABLE TO GUAM, AND THE LAWS OF GUAM, AND THAT I WILL CONSCIENTIOUSLY AND IMPARTIALLY DISCHARGE MY DUTIES AS A MEMBER OF *I LIHESLATURAN GUÅHAN*."**

(4) **Election of Speaker.** After the administration of the oath provided for in Section 1.01(a)(3), *supra*, the Temporary Presiding Officer shall conduct an election among the Senators for the Office of the Speaker of *I Liheslaturan Guåhan*, and upon the election of such Speaker who received the affirmative vote from at

least eight Senators, the Temporary Presiding Officer shall thereupon relinquish the Chair to the Member so elected.

**(5) Election of Other Officers and Attachés.** After considering the Standing Rules, *I Liheslaturan Guåhan* shall first elect the following Officers from among the Senators:

- (A) Vice-Speaker; and
- (B) Legislative Secretary.

Next, *I Liheslaturan Guåhan* shall elect the following Attachés:

- (C) Legislative Counsel or Counsels;
- (D) Clerk of the Legislature;
- (E) Sergeant-at-Arms; and
- (F) Chaplain.

**(6) Administration of Oath to Attachés.** As soon as the Attachés named in Section 1.01(a)(5), *supra*, are elected, the Speaker shall administer the following oath to them:

**“I SOLEMNLY SWEAR (OR AFFIRM) IN THE PRESENCE OF ALMIGHTY GOD THAT I WILL WELL AND FAITHFULLY SUPPORT THE CONSTITUTION OF THE UNITED STATES, THE LAWS OF THE UNITED STATES APPLICABLE TO GUAM, AND THE LAWS OF GUAM, AND THAT I WILL CONSCIENTIOUSLY AND IMPARTIALLY DISCHARGE MY DUTIES AS AN ATTACHÉ OF *I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN*, SO HELP ME GOD.”**

**(7) Adoption of Standing Rules.** Upon the assumption of the Chair by the newly-elected Speaker, the Speaker shall forthwith call for the adoption of the Standing Rules of *I Mina'trentai Ocho Na Liheslaturan Guåhan*, which Rules shall require the affirmative vote of eight (8) Members present. In the event *I Liheslaturan Guåhan* fails to adopt its own Standing Rules during the first day of its First Regular Session, the Standing Rules in force and in existence at the adjournment *sine die* of the preceding *I Mina'trentai Ocho Na Liheslaturan Guåhan* shall continue in effect, as provided by 2 GCA § 1114, until changed by *I Mina'trentai Nuebi Na Liheslaturan Guåhan*.

**(8) Election of Committee Chairpersons; Temporary Chairpersons.** After the administration of the oath to the Attachés, the Speaker shall call for the election of Chairpersons of the Standing Committees of *I Mina'trentai Ocho Na Liheslaturan Guåhan* in the order listed below. In the event that *I Liheslaturan Guåhan* fails to elect a Chairperson of a Standing Committee, the Speaker shall appoint a temporary Chairperson until *I Liheslaturan Guåhan* fills the position by election, subject to Section 1.01(b) of these Rules, *infra*.

**(A) Committee on Rules.**

**(B) Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure.**

**(C) Committee on Finance and Government Operations.**

**(D) Committee on Public Safety, Emergency Management, and Guam National Guard.**

**(E) Committee on Education, Libraries and Public Broadcasting.**

**(F) Committee on Health and Veterans Affairs.**

**(G) Committee on Child Welfare, Youth Affairs, Senior Citizens, Women's Affairs, Disability Services, the Arts, Culture, Historic Preservation, and *Hagåtña* Restoration.**

**(H) Committee on Transportation, Tourism, Customs, Utilities, and Federal and Foreign Affairs.**

**(I) Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement.**

**(b) Election of Officers and Party Leaders.**

**(1) Election of Officers and Chairpersons.** A majority vote of the Members, a quorum being present, shall be required for the election of the Speaker, the Vice-Speaker, the Legislative Secretary, each Standing Committee Chairperson, and the Attachés of *I Liheslaturan Guåhan*. If a Member declines to serve as Chairperson after being nominated and no other Member is elected, or if a Member is duly elected as a Chairperson of a Standing Committee and refuses or

resigns such position, or a permanent vacancy occurs in the position, the Speaker or the Committee on Rules, by the affirmative vote of six (6) of its members, shall reorganize, eliminate, or reassign to other Standing Committees, the duties, functions, and budget of the Committee in question, at the Speaker or Committee on Rules' option, with a vote of six (6) of the members of the Committee on Rules.

**(2) Removal of Officers and Attachés.** Eight (8) votes of the members of the Committee on Rules shall be required for the removal of the Speaker, the Vice-Speaker, the Legislative Secretary, or any Standing Committee Chairperson. Eight (8) votes of the members of the Committee on Rules shall be required for the removal of any Legislative Attaché.

**(3) Legislative Party Leaders.** The following positions shall be considered Legislative Party Leader positions. The Majority Members of *I Mina'trentai Ocho Na Liheslaturan Guåhan* may select the Majority Leader, Assistant Majority Leader, Majority Whip, and Assistant Majority Whip from among the Majority Membership. The Minority Members may select their Minority Leader, Assistant Minority Leader, Minority Whip, and Assistant Minority Whip, all from among their Membership.

**(4) Definition of Majority Party.** The "Majority Party" is the party having the most number of Members in *I Liheslaturan Guåhan*. If the number of Members of both parties is the same, the Majority Party shall be the party holding the most leadership positions in *I Liheslaturan Guåhan*. "Leadership Positions" are defined as Speaker, Vice-Speaker, Legislative Secretary, and Standing Committee Chairpersons. The party not the Majority Party is the Minority Party.

**(5) Results of Election; Roll Call.** The results of each election of Officers and Attachés shall be printed in the Legislative Journal. Both the election and removal of Officers and Attachés shall be by roll call vote if so requested by any Member, and shall be voted upon separately if requested by any Member. After the election of Standing Committee Chairpersons, the names of Legislative Party Leaders shall be announced if they have been selected.

**Section 1.02. Sessions of *I Liheslaturan Guåhan*.**

(a) **Regular Sessions of *I Liheslaturan Guåhan*.** *I Mina'trentai Ocho Na Liheslaturan Guåhan* shall first convene in Regular Session in *Hagåtña*, Guam, at the hour of 10:00 a.m. on the first Monday in January of 2025. The Regular Session shall continue for such period as *I Liheslaturan Guåhan* shall determine. Any business, bill, or resolution pending at the final adjournment of the First Regular Session held in the year 2025 shall carry over to the next Regular Session in the year 2026.

(b) **Convening Session.** *Except* when Session is convened in accordance with Section 1.02 of these Rules, *I Liheslaturan Guåhan* shall convene at the times determined by *I Liheslaturan Guåhan*.

(1) **Call by the Speaker.**

(A) **Regular Sessions.** At any time when *I Liheslaturan Guåhan* is in recess or has adjourned, the Speaker, or the Acting Speaker, may summon *I Liheslaturan Guåhan* to convene at a properly called and noticed Session. The Speaker shall give notice in accordance with the Open Government Law.

(B) **Emergency Sessions.** At any time when *I Liheslaturan Guåhan* is in recess or has adjourned, the Speaker, or the Acting Speaker, may summon *I Liheslaturan Guåhan* upon *at least* two (2) hours notice to convene for whatever period of time *I Liheslaturan Guåhan* shall deem required; provided that the Speaker shall certify in writing that an emergency condition exists which warrants an emergency session; and provided, however, that *I Liheslaturan Guåhan* may adjourn and convene in another Session on the same calendar day or the next calendar day or business day of the government of Guam without the need of such two (2) hour notice. The notice required by this Subsection need not comply with the Open Government Law. Any Member may petition for an Emergency Session. Such petitions shall be filed with the Speaker's Office. The proposed legislation to be discussed at the Emergency Session shall be appended to a petition, along with the following:

- (i) a statement justifying the existence of an emergency;

(ii) a statement demonstrating the intended outcome of the proposed legislation in addressing the emergency;

(iii) a statement of the anticipated fiscal impact of the proposed legislation; and

(iv) if available, the Legal Bureau's review of the proposed legislation as to conformance with these Standing Rules and the Organic Act of Guam.

**(2) Call by the Committee on Rules.** The Committee on Rules may summon *I Liheslaturan Guåhan* to convene at a properly called and noticed Regular Session, by adopting a resolution so providing. The Committee shall give notice in accordance with the Open Government Law.

The Committee on Rules shall provide written, telephonic, facsimile, e-mail, or any other similar electronic or digital notice to each Member and the public of the convening of any Regular Session; provided however, that e-mailed notice shall be deemed sufficient for any and all purposes under Section 1.02 of these Rules.

**(3) Call to Order by the Speaker.** The Speaker shall call *I Liheslaturan Guåhan* to order on each day which the Speaker, or the Committee on Rules, has summoned *I Liheslaturan Guåhan* and on each day set forth on the schedule adopted.

**(4) Call to Order May Not Limit Body.** Such call to Session of *I Liheslaturan Guåhan* by the Speaker, or by the Committee on Rules, may not limit nor restrict, nor dictate, the Session Agenda of *I Liheslaturan Guåhan*, the subject matter to be considered, nor the length of the Session.

**(5) Quorum.** The Speaker shall call *I Liheslaturan Guåhan* to order at the hour stated, and if a quorum of eight (8) Members be present, shall proceed with the Daily Order of Business.

(c) **Daily Order of Business.** Unless some other order is adopted by the Committee on Rules or the Body, the Daily Order of Business of *I Liheslaturan Guåhan* shall be as follows:

- (i) **Call to Order;**
- (ii) **Prayer;**
- (iii) **Singing of National Anthem;**
- (iv) **Singing of Guam Hymn in *CHamoru*;**
- (v) **Reciting of *Inifresi*;**
- (vi) **Recognition of a Recipient of *I Milåyan Mås Takhilo' Na Sakrafisu***
- (vii) **Roll Call;**
- (viii) **Call for Approval of Legislative Journal;**
- (ix) **Communications and Petitions;**
- (x) **Messages from *I Maga'hågan Guåhan*;**
- (xi) **Reports of Standing Committees;**
- (xii) **Reports of Select Committees;**
- (xiii) **Introduction and First Reading of Bills and Resolutions;**
- (xiv) **Motions;**
- (xv) **Legislative Concurrence;**
- (xvi) **Consent Calendar;**
- (xvii) **Second Reading File;**
- (xviii) **Consideration of Daily File:**
  - (1) **Third Reading File; and**
  - (2) **Voting File;**
- (xix) **Brief Extension of Remarks (limited to five (5) minutes per Member);**
- (xx) **Announcements; and**
- (xxi) **Adjournment.**

(1) **Suspend Order of Business.** The Committee on Rules may suspend consideration of any order of business on a Session Agenda or change the order of business for that Legislative Day, or the next Legislative Day *only, except* that consideration of the Daily File may not be so suspended.

**(2) Committee on Rules Shall Set Session Agenda.** The Committee on Rules, or its authorized Subcommittee, may adopt a Session Agenda for the next Legislative Day of *I Liheslaturan Guåhan* and may add items to be considered under the various categories in the Daily Order of Business. Notice of a Session Agenda so adopted shall be published on *I Liheslaturan Guåhan*'s official website within twenty-four (24) hours of its adoption.

**(A) Special Session Agenda.** No bill or resolution may be introduced, or placed on the Special Session agenda, at any Special Session called by *I Maga'hågan Guåhan*, unless it relates to the subject matter of the call of the Special Session. The rules, which apply to Regular Sessions, shall apply to Special Sessions to the extent that they do not conflict with the Organic Act provision requiring the body only address the legislation provided by *I Maga'hågan Guåhan*. A Regular Session may not be conducted during a Special Session or a recess thereof.

**(B) No Session Agenda.** In the absence of a Session Agenda adopted by the Committee on Rules, *I Liheslaturan Guåhan*, by eight (8) votes, may adopt a Session Agenda or order consideration of any order of business on the Session Agenda with eight (8) votes, or change the order of business for that particular Legislative Day with eight (8) votes, except that consideration of the Daily File may not be so suspended. In the absence of an agenda, the Session Agenda previously adopted shall be the agenda for the following session.

**(3) Hours of Session.** Convening of Sessions and continuation of Session meetings shall be after 7:00 a.m. each calendar day, and each Session shall be recessed or adjourned on each calendar day no later than 10:00 p.m., taking into account finishing the immediate matter at hand on the Floor at that hour.

**(d) Decorum and Debate.**

**(1) When Motion Shall be Debated.** No motion shall be debated until the same be distinctly announced. If the motion is to amend a bill or resolution, it shall be reduced to writing, unless waived by the Speaker.

**(2) Addressing *I Liheslaturan Guåhan*.** When a Senator desires to address *I Liheslaturan Guåhan*, the Member shall raise that Member's hand. When the Speaker recognizes the Member by calling the Member by name or by indicating that he is recognized, the Member is entitled to the Floor and may address *I Liheslaturan Guåhan*. The Majority Leader shall be recognized ahead of others for purposes of making procedural motions.

No person other than a Member of *I Liheslaturan Guåhan* shall address *I Liheslaturan Guåhan* while it is in Session, but *I Liheslaturan Guåhan* may resolve itself into a Committee of the Whole, and while sitting as such Committee may be addressed by persons other than Members.

**(3) Speaking in Debates.** A Member has a right to speak only once for a period not to exceed ten (10) minutes on a question, at the same stage of procedure, on the same day, or even on another day, if the debate be adjourned or recessed. However, a Member who has made a motion or amendment shall be permitted to close the debate as the final speaker, speaking in closing for not more than five (5) minutes. Time to speak may not be yielded from more than one (1) Member to another. A Member who yields that Member's time on a question yields all that Member's time on that question, and may not later speak, even if all the time yielded was not used.

The Speaker shall time each Member who speaks, and may appoint a timekeeper, who need not be a Member. The Speaker may not yield, but the Speaker may speak if the Speaker temporarily relinquishes the Chair. These time limits on speaking may be amended, suspended or modified for a particular, specific matter or Legislative Day from time to time upon eight (8) votes of the Members, or may be amended, suspended or modified by the Committee on Rules for a particular, specific matter or specific Legislative Day.

**(A) Motion After Debate.** When a Member has exhausted that Member's right to speak, that Member may still make any motion having a higher precedence.

**(B) Amendments.** When an amendment is offered, or any other motion is made, the amendment or other motion then becomes the question

under consideration. In regards to the right to debate, such a question is treated as a new question. A Member who has spoken once on the Main Question may speak again on an amendment. But when a question is not debatable, an amendment to that question is not debatable.

**(C) Debate Confined.** Debate must be confined to the question before the Body, and debate on a bill is confined to the bill under consideration, and does not extend to criticism of other bills before *I Liheslaturan Guåhan* or in committee, even though they relate to the same subject.

**(D) Calls to Order.** A Member who resorts to persistent irrelevance, or to persistent repetition after the attention of *I Liheslaturan Guåhan* has been called to the matter, may be directed to discontinue that Member's speech by the Presiding Officer. The Sergeant-at-Arms shall enforce the Presiding Officer's direction if a Member fails to follow such direction.

**(E) Debate on Non-Reported Bills Prohibited.** It is out of order to refer in debate to a bill or other matter not yet reported by a Committee. Neither is it in order to refer to proceedings of a Committee, unless the Committee has formally reported its proceedings to *I Liheslaturan Guåhan*.

**(F) Amendment to Main Question.** When a question is under debate and an amendment is proposed, the amendment then becomes the question under consideration. When an amendment is pending, the debate must be confined to the merits of the amendment, unless it is of such a nature that its decision practically decides the Main Question.

**(G) Division.** When a question has been divided, general discussion continues on the first division, but brief debate should be permitted on the remaining divisions.

**(4) Votes Required.** Any action(s) that can be taken by *I Liheslaturan Guåhan* requires the affirmative vote of eight (8) Members; provided however that

a bill that receives the affirmative vote of the majority of the Members present and voting shall be deemed to have passed even if that number is less than eight (8).

**(5) Interruption Not Permitted.** No Senator shall be interrupted when speaking and no question shall be asked of the Senator, except through the Presiding Officer. A violation may subject the Member to discipline under Section 1.02(i), *supra*.

**(6) Closing Debate.** Even if he or she has spoken previously, the Author of the bill, motion, or resolution shall have the privilege of closing the debate.

**(7) On Points of Order, Inquiry and Information.**

**(A) Points of Order.** It is the right of every Member who notices a breach of order or of a Rule to insist upon its enforcement. This is called “raising a point of order” because the Member puts to the Presiding Officer the question as to whether there has been a breach of order or of the Rules, it being the duty of the Presiding Officer to maintain order and enforce the Rules. A point of order must be raised at the time the particular question is pending, and specific reference must be made to the particular Rule being violated. A point of order is decided by the Presiding Officer without debate, unless in doubtful cases the question is submitted to the Body for advice or decision. It is not debatable, unless submitted to the Body. A point of order may not be used to debate an issue or to attack any Member of *I Liheslaturan Guåhan*.

**(B) Decisions on Points of Order.** When a Senator shall be called to order, he shall be seated until the Speaker shall have determined whether he is in order or not, and every question of order shall be decided by the Speaker, subject to an appeal to *I Liheslaturan Guåhan* by a Senator. Any such appeal to overrule the decision of the Speaker or Presiding Officer shall require eight (8) votes to pass.

**(C) Points of Inquiry or Information.** A point of inquiry is a request for information from the Presiding Officer with respect to procedure concerning some question before the Body, or which may be immediately

brought before the Body. Occasions frequently arise when one (1) Member desires information from another. Such requests are not technically parliamentary inquiries, but are generally subject to the same Rules. A Member desiring information concerning a question before the Body may rise, and without waiting to be recognized say:

*“I rise to a point of inquiry,” or may say “I rise to a point of information.”*

When a point of inquiry relates to a question which requires immediate attention, it may be made while a Member has the Floor, and may even interrupt a speech. A point of inquiry is not a motion, but is simply a request for information and is, therefore, not debatable or amendable nor subject to any other motion, nor may it be used to debate an issue or to attack any Member of *I Liheslaturan Guåhan*.

Whenever a Senator rises to a point of information, the Senator must confine the Member’s remarks to a request for information necessary to enable the Senator to understand the subject or question under debate. A point of inquiry may not be used by the Member raising it to debate the issue, but must be a legitimate point of inquiry necessary to clarify an ambiguity of a factual matter which the Member to whom the question is addressed could reasonably be expected to answer.

**(8) Explaining Vote.** After the result of a vote has been announced, a Member may be permitted by eight (8) votes to explain that Member’s vote on roll call upon any question, and such explanation may be entered in the Legislative Journal if so requested.

**(9) Recommendations of the Committee of the Whole.** A motion to rise from the Committee of the Whole must be carried by a vote of eight (8) Members and must contain a recommendation to *I Liheslaturan Guåhan*. Said recommendation need not be to approve or reject the bill or resolution or other matter under consideration. The recommendation(s) made by the Committee of the Whole upon reporting back to *I Liheslaturan Guåhan* are not debatable. The Committee of the Whole may only make recommendations to the Body relating to the bill or resolution or other matter under consideration by the Committee of the

Whole, and any amendments thereto. Such recommendations of the Committee of the Whole may not be further amended or debated. If *I Liheslaturan Guåhan* fails to follow the recommendations of the Committee of the Whole, the bill or resolution or other matter under consideration automatically dies and goes to the Inactive File as provided in Section 1.02(f)(10), *infra*.

**(10) Attire.** At all Sessions of *I Liheslaturan Guåhan*, for all those admitted on the Floor or in the reporters' gallery, attire shall be appropriate. T-shirts, shorts, sandals, jeans, and zories are not appropriate. The Sergeant-at-Arms shall exclude anyone not appropriately attired.

**(11) Firearms and Deadly Weapons Prohibited.** No firearms or deadly weapons, as such are described by the Guam Police Department, are permitted in the Guam Congress Building. Any person carrying firearms or deadly weapons shall be removed by the Sergeant-at-Arms or by law enforcement at the request of the Sergeant-at-Arms or the Speaker.

**(12) Cell Phones and Electronic Devices.** Cell phones and other electronic devices used in the Session Hall shall not cause any audio disturbance during Session. Persons receiving or making calls shall remove themselves from the Session Hall. The Presiding Officer may order the removal from the Session Hall any electronic device that does not conform to these Rules or which interferes with the Session.

**(A) Use of Personal Electronic Devices During Session**

**(i) Restriction on Personal Use.** No member of *I Liheslaturan Guåhan* shall review, respond to, or engage in discussion of personal messages or communications via mobile phones or other electronic devices while present on the Session floor during legislative proceedings. A member shall leave the Session floor to use personal electronic devices.

**(ii) Permitted Legislative Use.** Electronic devices may be utilized solely for official legislative purposes, including but not limited to accessing Session materials, or legislative measures, provided such use does not disrupt the decorum of the Session.

Authority and Enforcement. The Presiding Officer shall maintain order and decorum and is permitted to enforce this rule; and be it further

**(13) Prohibition of Campaign Materials.** No canvassing materials, election paraphernalia, or any items related to an election campaign shall be permitted on the Session floor within *I Liheslatura* building. Violations may result in removal from the premises by the Sergeant-at-Arms.

**(e) Questions.**

**(1) Division of a Question.** If a question in debate contains more than one (1) distinct proposition, any Senator may move to have the question divided.

**(2) The Previous Question.** The previous question shall be put in the following form:

*“On the previous question?”*

It shall require a majority vote of the Senators present; and its effect shall be to put an end to all debate, *except* that the Author of the bill or the amendment shall have the right to close, and the question under the discussion shall thereupon be immediately put to a vote.

**(3) Questions of Privilege.** Questions of privilege shall be raised at any time. They shall be first, those affecting the rights of *I Liheslaturan Guåhan* collectively, its safety, dignity and the integrity of its proceedings; and second, the rights, reputations and conduct of Members in their representative capacities only. Questions of privilege of Members must relate to A person’s public allegations of official misconduct against a Member or relate to charges against their character that would, if true, incapacitate them for membership. Members are not entitled to the Floor on a question of personal privilege unless the subject that they propose to present relates to them in their representative capacity. Merely criticizing a Member’s acts in *I Liheslatura* does not constitute a question of personal privilege. Accusing a person of disreputable conduct before that person became a Member or similar criticism of a Member personally and not in that person’s capacity as a Member does not constitute a question of personal privilege.

**(f) Motions.**

**(1) Motion to Amend a Bill.** When an amendment to a bill is offered from the Floor, such amendment shall be submitted in writing before any discussion, *unless* excused by the Presiding Officer.

**(2) Motions Received When Questions are Under Debate.** When a question is under debate, no motion shall be received, *except* the following:

- (A) to recess (not debatable procedural motion; *except* as to time to return);
- (B) to adjourn (not debatable procedural motion, *except* as to time);
- (C) to divide a question (not debatable procedural motion);
- (D) to place in the Inactive File (debatable procedural motion);
- (E) for the previous question (not debatable procedural motion);
- (F) to postpone to a time certain (not debatable procedural motion, *except* as to time);
- (G) to commit or to refer (not debatable procedural motion);
- (H) to Pass on File (not debatable procedural motion);
- (I) to strike enacting clause (debatable); and
- (J) to amend (debatable).

Such motions shall have precedence in the order in which they are set out; no “Motion to Postpone to a Time Certain,” “Motion to Commit” or “Motion to Pass on File” having been once decided, shall again be allowed on the same Legislative Day at the same place of the bill or proposition; provided, that any of the other motions listed in this Section may be renewed after sixty (60) minutes *if* not made for purposes of delay, as determined by the Speaker, if earlier renewal of the motion is not otherwise allowed for by these Rules or by Mason’s Manual.

**(3) Motion to Strike Enacting Clause.** A “Motion to Strike the Enacting Clause of a Bill,” if carried, is equivalent to rejection of the bill. Such motion shall have precedence over a “Motion to Amend” or over a “Motion to Pass on File.”

**(4) Precedence of Motion to Adjourn and Effect of Adjournment.** A “Motion to Adjourn,” or a “Motion to Fix the Day to Which *I Liheslaturan Guåhan* Shall Adjourn,” shall always be in order, *except*:

- (A) while another Member is speaking;
- (B) when a “Motion to Adjourn” has been defeated;
- (C) when a “Motion to Fix the Day to Which *I Liheslaturan Guåhan* Shall Adjourn” has just been defeated; or
- (D) after the final reading of a bill and during roll call thereof; provided, however, that a “Motion to Adjourn to a Time Certain” shall have precedence over a “Motion to Adjourn;” and provided further, that a “Motion to Recess” shall take precedence over either of such motions.

*Unless* otherwise specified, an adjournment while a bill is under consideration shall have the effect of deleting all amendments made to the bill which are under consideration or have been adopted prior to the adoption of the bill as a whole.

**(5) Motion to Adjourn Pending Motion to Suspend Rules.** Pending a “Motion to Suspend the Rules,” the Presiding Officer may entertain one (1) “Motion to Adjourn,” but after the result is announced the Presiding Officer shall entertain *no* other motion until the vote has been taken on suspension.

**(6) Motion for Call of the House.** Upon a motion being carried for a Call of the House, the Speaker, or the Chairperson of the Committee of the Whole if *I Liheslaturan Guåhan* is sitting as such a Committee, shall immediately order the doors to be closed and shall instruct the Clerk of the Legislature to call the roll and ascertain the absentees. Thereupon, *no* Member shall be permitted to leave the Legislative Chamber, *except* by permission of the Speaker, or the Chairperson of the Committee of the Whole. Those Members who are found to be absent and for whom *no* excuse, or insufficient excuse, is made, may, by order of those present, be taken into custody by the Sergeant-at-Arms wherever found, or by a special agent appointed for that purpose.

Any Member may suggest to the Presiding Officer the absence of a quorum, requiring a roll call of *I Liheslaturan Guåhan* or the Committee of the Whole and

compelling the attendance of absentees in the manner above provided. A Call of the House may be ordered after the roll has been called, and prior to the announcement of the vote. If there is *no* quorum, the Speaker, or the Chairperson of the Committee of the Whole, must make a Call of the House. At any other time, the Speaker or the Chairperson of the Committee of the Whole, at that person's discretion, may make a Call of the House, and call a recess until the absent Members are present.

When a Call of the House is ordered pending the announcement of the vote upon the completion of a roll call, the roll call shall become unfinished business, the consideration of which shall be continued until further proceedings under the Call of the House are dispensed with, when it shall again become the order of business before *I Liheslaturan Guåhan*. Any Member who fails to attend a Session after being noticed of a Call of the House shall be subject to immediate sanction pursuant to Section 1.02(i) or Rule XIX.

**(7) Motions on Confirmations of Appointments by *I Maga'hågan Guåhan*.**

**(A) General Rule.** *Except* on the last day of its Regular Session, when any Committee reports to *I Liheslaturan Guåhan* on the confirmation of appointments by *I Maga'hågan Guåhan*, the same shall not be debated or discussed on the Floor until the following Legislative Day, *unless* eight (8) Members vote to take action on the Committee Report and recommendation of the Committee to which the appointment was referred. The Committee Report for a confirmation of appointment shall be a public document once reported to *I Liheslaturan Guåhan* via the Committee on Rules. A public hearing shall be had upon every nomination submitted by *I Maga'hågan Guåhan* before the nomination is placed upon the Session Agenda; otherwise, *I Liheslatura* shall resolve into the Committee of the Whole to receive public testimony *if* a nomination is placed upon the Session Agenda during Session.

**(B) Motion to Confirm.** Confirmation of appointments by *I Maga'hågan Guåhan* shall initially be taken up under Motions by a

“Motion to Confirm.” Following debate and discussion, the “Motion to Confirm” shall be placed in the Voting File to be voted on in accordance with the provisions of these Rules.

If a motion is made to place any nomination requiring the advice and consent of *I Liheslaturan Guåhan* into the Voting File for confirmation, and if that motion fails to obtain eight (8) votes, then the nomination shall remain on the Session Agenda in the same place it is then, for fifteen (15) calendar days, plus three (3) Legislative Days. If not placed in the Voting File within such time, it shall be deemed rejected. If a nomination is Passed-on-File three (3) times while in the Motions File, or three (3) times while in the Voting File, it shall be deemed rejected. In any case where such a nomination is rejected, the Speaker shall promptly notify *I Maga'hågan Guåhan*.

**(C) Rejection.** Failure of a nominee to receive eight (8) votes as required by these Rules shall be considered as a rejection of the nominee by *I Liheslaturan Guåhan* and the matter may be taken up again only after a “Motion to Reconsider” has been adopted in accordance with these Rules. Eight (8) votes shall be necessary for a “Motion to Refer the Nomination Back to Committee.”

**(8) Motion for Reconsideration.** Any Member may, on the day on which a vote has been taken on any question in the Third Reading or the Voting File, including reconsideration of bills, vetoed bills or resolutions:

(A) make a “Motion to Reconsider a Vote on That Legislative Day”; or

(B) make a “Motion to Reconsider a Vote on the Following Legislative Day.”

Eight (8) affirmative votes shall be required to pass either Motion to Reconsider.

The reconsideration of the vote must be acted upon by *I Liheslaturan Guåhan* either on the Legislative Day upon which the vote was taken, or on the next Legislative Day. No vote may be reconsidered on the last day of the Session.

After debate and discussion of the “Motion to Reconsider,” *if* the motion passes, the matter to be reconsidered shall be placed in the Voting File for final action.

**(9) Motion to Act on Prior Defeat.** A motion to act on a defeated amendment, a defeated motion for placement on Third Reading, or a defeated motion for placement on agenda, may be made *only* pursuant to a vote to waive the Standing Rules.

**(10) Failed Motion to Place in Third Reading.** When a motion to place a bill or resolution from the Second Reading File to the Third Reading File fails to pass after a vote by the Body, or when the Body fails to follow the recommendation of the Committee of the Whole as to a bill or resolution, then the bill or resolution shall be deemed to have been automatically placed in the Inactive File, subject to a “Motion to Reconsider,” without any further action required.

**(g) Voting.**

**(1) Voting Under Third Reading File and Voting File.** All votes by *I Liheslaturan Guåhan* on passage of bills and resolutions shall be under the order of business in the Session Agenda entitled “Third Reading File.” After discussion and debate on the confirmation of appointments, the reconsideration of bills, resolutions, or confirmation of appointments, the expulsion of Members, and the overrides of *I Maga’hågan Guåhan*’s veto, the matter shall be placed under the order of business in the Session Agenda entitled “Voting File.”

**(2) Voting on Roll Call.** Whenever a roll call is required by the Rules, or ordered by *I Liheslaturan Guåhan*, or demanded by three (3) Members, every Member within *I Liheslaturan Guåhan* should without debate answer “yeas” or “nay” when the Member’s name is called. The names of Members shall be called in alphabetical order and no Senator shall be permitted to vote or change the Member’s vote after the announcement of the vote by the Presiding Officer.

**(A) Roll Call.** If any Member orally requests a roll call vote, the Presiding Officer shall inquire of the Members whether or not two (2) other Members request a roll call, and state that the said Members should so indicate by a show of hands. Before any roll call vote, the Presiding Officer shall indicate the number of votes required to carry the action.

**(3) Committee of the Whole Votes.** All actions in the Committee of the Whole shall require the same number of votes as are required by these Rules for actions while in Session, or shall follow rules established in the latest available version of Mason’s Manual of Legislative Procedure, depending solely upon the discretion of the Committee Chairperson. For purposes of establishing a voting record for public review, roll call may be demanded by three (3) Members in the Committee of the Whole on any vote.

**(4) Show of Hands.** If, on motions, or other routine matters, the Presiding Officer calls for a voice vote, but a Member calls for a show of hands, or *if* three (3) Members call for a roll call vote before the vote is announced, or immediately after the vote is announced, the Presiding Officer shall order a show of hands or roll call vote. In any show of hands vote, the Presiding Officer shall first announce the number of Senators present and the number of votes required for approval of vote. Any show of hands vote count shall be made by the Clerk of the Legislature and the number of “yea” and “nay” votes shall be announced by the Speaker, and a record of each Member’s vote shall be noted in the Legislative Daily Journal.

**(5) No Objections.** If the Presiding Officer asks if there are “objections” or “no objections” to a proposed motion or other matters, and any Member objects before the announcement of the vote, or immediately after the vote is announced, then a vote shall be taken of the Members by show of hands or by roll call vote, as appropriate.

**(6) Declining to Vote.** When a Senator declines or fails to vote when that Member’s name is called, the Member shall be required, without debate, to assign that Member’s reasons therefore; and having assigned them, the Speaker shall submit the question to *I Liheslaturan Guåhan*:

***“Shall the Senator for the reasons assigned by the Member be excused from voting?”***

which shall be decided without debate. *Unless* the Senator is excused from voting by eight (8) votes of the Members present, he shall be required to vote.

(A) **Failing to Vote.** If any Member fails to vote for a period of over two (2) minutes, or “passes,” or refuses to vote more than three (3) consecutive times after the Member’s name is called, the Member shall be construed as declining to vote, and the Member’s vote shall be entered as a “nay” vote by the Clerk of the Legislature, *unless* the Member is excused from voting pursuant to Section 1.02(g)(6). If any Member refuses to vote after being ordered to by the Body, that Member’s vote shall be entered as a “nay” vote by the Clerk of the Legislature.

(B) **Other Reasons to Excuse from Voting.** A Senator who has a conflict of interest, is ill, has serious sickness or death in the family, or is off island may be excused from voting, and such excuse shall be properly indicated in the quarterly report of voting and attendance.

(C) **Compliance with 4 GCA § 15205(h).** A Senator who casts a vote with respect to any bill on the floor of *I Liheslaturan Guåhan* in which the legislator has a financial interest shall prepare a written statement that identifies the bill, the legislator’s vote and the nature of the legislator’s financial interest. The legislator shall file the statement with the Office of the Speaker and a copy immediately provided to the Clerk of the Legislature *Guåhan* prior to voting. The statement shall be posted on *I Liheslaturan Guåhan*’s website.

(7) **Voting by the Presiding Officer.** The Presiding Officer shall vote in the same manner as others, and if, on a vote of show of hands, shall indicate on the record that the Presiding Officer is voting in favor of the matter before the Body if the Presiding Officer is in fact counting the Presiding Officer’s vote in the vote tabulation.

(8) **Electronic Voting.** The Committee on Rules may obtain the equipment for and establish a procedure for the establishment of electronic voting for the Body.

(9) **Votes Required for Adjournment.** Adjournment subject to the call of the Speaker, to a time certain or *sine die* shall require eight (8) votes. Adjournment *sine die* shall be by roll call vote.

**(10) Passage of Bills by Roll Call.** No bill may be passed, *except* by a vote on roll call.

**(11) Veto of Bills or Items in Bills by *I Maga'hågan Guåhan*.** Upon receipt of a message from *I Maga'hågan Guåhan* announcing *I Maga'hågan Guåhan*'s veto of a bill or item veto of an item in a bill, any Member may make a motion for *I Liheslaturan Guåhan* to act upon the vetoed bill or items, notwithstanding the objections of *I Maga'hågan Guåhan*. It shall take eight (8) votes to pass a motion for *I Liheslaturan Guåhan* to act upon the vetoed bill or item by placing it into the Voting File. When vetoed items are considered, each item vetoed in the bill shall be considered, one (1) at a time, but the bill as a whole shall not be considered. After debate and discussion on the "Motion to Act on the Vetoed Bill or Item Notwithstanding the Objections of *I Maga'hågan Guåhan*," and if the motion passes, the bill or item so vetoed shall be placed into the Voting File for final action.

If the "Motion to Place the Vetoed Bill or Item in the Voting File" does not pass, the vetoed bill or item remains on the Session Agenda under Motions until either a new motion passes, or *I Liheslaturan Guåhan* adjourns *sine die*. When the vetoed bill or item is placed on the Voting File, the question shall be:

"Shall the bill or item pass, notwithstanding the objections of *I Maga'hågan Guåhan*?"

It shall take ten (10) votes to pass a bill or item notwithstanding the veto of *I Maga'hågan Guåhan*. If a vetoed bill or item does not receive ten (10) votes, it shall return to Motions on the Session Agenda.

**(12) Action Permitted by Majority of Members Present.** Matters on which action may be taken by a majority of those Members present are as follows:

- (A) a Motion for a Call of the House (quorum need not be present);
- (B) a Motion to Rise from the Committee of the Whole (quorum need not be present);
- (C) a Motion to Adjourn (quorum need not be present); or

(D) a “Motion to Recess to a Time and Date Certain to Return” made when a quorum cannot be had after a Call of the House, or after the failure to pass a “Motion for a Call of the House” when a quorum is not present; such recess to be not later than the next working day of the government of Guam or sooner (a quorum need not be present), absent a vote of eight (8) Members.

**(h) Privileges of the Floor and Extension of Remarks.**

**(1) Privileges of the Floor; Persons Allowed.** No person not a Member of *I Liheslaturan Guåhan* shall be permitted on the Floor of the Legislative Chamber while *I Liheslaturan Guåhan* is sitting, *except* the Attachés, the Executive Director, former Senators with the permission of the Presiding Officer, Session support staff authorized the privilege of the Floor in writing by the Committee on Rules, and persons admitted pursuant to Rule XIX, *infra*. Other persons may be allowed the privilege of the Floor at such time and for such duration as *I Liheslaturan Guåhan* may authorize. The Committee on Rules may further limit access as needed.

**(A) No Advocacy.** No person *except* a Member of *I Liheslaturan Guåhan* shall advocate or oppose the passage of any bill or resolution on the Floor of the Legislative Chamber while *I Liheslaturan Guåhan* is in Session. Violations of this Rule shall immediately be brought to the attention of the Speaker by the Sergeant-at-Arms or any Member.

**(B) Prohibited Use of Chairs of Senators.** No person who is permitted on the Floor of *I Liheslaturan Guåhan* pursuant to this Section, and who is not a Member of *I Liheslaturan Guåhan*, shall sit in a chair designated for a Senator.

**(C) Orders to Leave.** The Presiding Officer may order legislative staff, or any other persons not Members of *I Liheslaturan Guåhan*, to leave the Legislative Chamber, or to move from one (1) area thereof to another.

**(D) No Distribution of Non-Session Material.** *Except* upon authorization of the Speaker or the Chairperson of the Committee on Rules,

no materials, documents, letters or correspondences that are not contained in the Session Agenda shall not be distributed on the Floor while *I Liheslaturan Guåhan* is in Session. The Clerk shall note all requests for information made by Members to panel individuals during the Committee of the Whole, and shall note in the Legislative Journal the information that is provided in response to the request or shall indicate if no response was provided. The Sergeant-at-Arms shall identify said information and facilitate its distribution to the Members.

**(E) Accreditation of the Press.** Members of the press and employees of newspapers and radio and television stations who have been duly accredited by *I Liheslaturan Guåhan* may enter and remain in the Legislative media room during Sessions. Photographers or cameramen who have been duly accredited by *I Liheslaturan Guåhan* may enter designated areas of the Legislative building during Sessions and remain therein as long as they do not interfere with the business of *I Liheslaturan Guåhan*. There shall be no recording on the floor during times of recess. There shall be no recording of desk materials. The Chairperson of the Committee on Rules shall accredit individuals who may enter the media room pursuant to this Rule.

**(2) Privileges of Majority Leader.** The Majority Leader, or in his absence the Assistant Majority Leader or the Majority Whip, or the Assistant Majority Whip, shall be recognized ahead of others by the Presiding Officer in any Legislative Session; and shall be given priority in presenting and speaking during the course of debate on any procedural motions.

**(3) Extension of Remarks.** Any Senator shall be permitted the privilege of extending the Member's remarks on any subject if made in good taste and with proper decorum. Remarks may be delivered orally, or in writing to be appended to the Legislative Journal without oral delivery. This privilege shall be used only with proper decorum, and shall not be used to breach the order of the House, as an occasion for the use of disorderly words, for the use of personal criticisms, or for the extension of personal disputes between or among Members.

When a Member is speaking under Extension of Remarks, one (1) other Member may yield that Member's time to the Member, but *no* speaking Member may have time for Extension of Remarks yielded to that Member by *more than* one (1) other Member.

**(i) Refusal to Seat and Expulsion of Members.**

**(1) Expulsion of Members from Session(s).** Pursuant to these Rules, an unruly Member may be temporarily expelled for that calendar day *only* upon eight (8) votes.

**(2) Persons Disqualified.** No person shall sit as a Member of *I Liheslaturan Guåhan* if such person is a full-time employee of the Executive or Judicial Branches of the government of Guam.

**(3) Temporary Removal from Legislative Chamber.** The Speaker may order the Sergeant-at-Arms, or anyone so designated by the Speaker, to remove any Member from the Legislative Chamber who fails to heed a ruling of the Presiding Officer that the Member is out of order when no appeal from a decision on a Question of Order is pending.

**(j) Legislative Journal.**

**(1) Procedure to be Followed.** Proceedings of *I Liheslaturan Guåhan*, when not acting as a Committee of the Whole, shall be entered in the Legislative Journal, as concisely as possible, care taken to record a true and accurate account of the proceedings, inclusive of exit and entry to and from the session hall by Members. The Legislative Journal shall state the name of the Senator presenting each bill or resolution to *I Liheslaturan Guåhan* for final action, and each speaker in support or opposition to the bill or any amendments thereto. Every vote of *I Liheslaturan Guåhan* shall be recorded in the Legislative Journal. The Clerk of the Legislature may maintain an audio/video record of the Legislative Session proceedings.

Proceedings of the Committee of the Whole shall be entered in the Legislative Journal and shall indicate every motion and vote thereon; each speaker in support or opposition to the bill or any amendments thereto; the rules adopted by the Presiding Officer, and every ruling by the Presiding Officer.

(2) **Title of Bill to be Printed.** The title of all bills when introduced and when acted upon by *I Liheslaturan Guåhan* shall be printed in the Legislative Journal.

(3) **Other Matters to be Printed.** Messages from *I Maga'hågan Guåhan* shall be printed in the Legislative Journal, *unless* otherwise ordered by *I Liheslaturan Guåhan*. Letters of transmittal presenting reports of Standing, Investigative and Special Committees, and reports of such governmental departments and agencies as shall be made to *I Liheslaturan Guåhan* pursuant to laws or resolutions adopted by *I Liheslaturan Guåhan*, shall be printed in the Legislative Journal, but the reports themselves shall be printed in appendices to the Legislative Journal, *unless* otherwise directed by *I Liheslaturan Guåhan*.

(4) **Remarks, Written or Oral, Made by a Senator.** A Senator may request that the Clerk of the Legislature append a transcription of a Senator's remarks, written or oral, made during a Legislative Session to the Legislative Journal of that Session. The Clerk of the Legislature shall transcribe such remarks, written or oral, submit the transcription to the Senator for the Member's editing, and append the edited remarks to the Legislative Journal of the Session wherein the remarks, written or oral, were made; provided, however, that if the Clerk of the Legislature *does* not receive edited remarks, written or oral, from the Senator within ten (10) calendar days after their submission to the Member, the remarks, written or oral, without editing shall be appended to the Legislative Journal.

(5) **Distribution.** Copies of the Legislative Journal shall be distributed to the Law Library, the Compiler of Laws, and the Guam Public Library. It shall also be archived by *I Liheslatura* in a manner conveniently retrievable by the public, including posting on the website of *I Liheslaturan Guåhan*.

(k) **Public Hearing May Be Required for Bills Amended or Substituted on the Floor.** The Presiding Officer may order a bill that is substituted or amended on the floor that is materially different from a bill that received a public hearing during the current session of *I Liheslatura* back to committee *sua sponte* to receive a secondary public hearing. For such an amended or substituted bill, a supplementary Committee Report shall

be filed with the Committee on Rules that addresses the hearing of the amended or substituted bill.

## RULE II DUTIES OF LEGISLATIVE OFFICERS AND ATTACHES

**Section 2.01. Duties of the Speaker.** The Speaker is the Presiding Officer of *I Liheslaturan Guåhan* and shall possess the powers and perform the duties prescribed in this Section. The Speaker:

(a) shall preside at meetings of *I Liheslaturan Guåhan* and preserve order and decorum thereat, including preserving order while in the Committee of the Whole upon request of the Chairperson of the Committee of the Whole;

(b) shall decide all questions of order, matters relating to temporary expulsion of disorderly Members for one (1) hour or less, subject to appeal to the Presiding Officer by any Member of *I Liheslaturan Guåhan*; on every appeal, the Presiding Officer shall assign his/her reason for the decision and put the question as:

*“Shall the decision of the Presiding Officer be overruled?”*

and no roll call vote may be called during a period when a Member is temporarily expelled under this Section for disorderly conduct;

(c) shall take the Chair each Legislative Day at the hour so provided by the Rules, and call *I Liheslaturan Guåhan* to order, and, a quorum being present, proceed in the manner and order prescribed by the Rules;

(d) shall sign all bills and resolutions passed by *I Liheslaturan Guåhan*;

(e) may appoint Special Committees to assist the Speaker in the performance of the Speaker’s official duties;

(f) shall enforce all laws and regulations applicable to the Body;

(g) shall vote in the Committee on Rules and in other Committees in which appointed to as a Member; and shall be a non-voting *Ex Officio* Member of all Standing Committees;

(h) shall administer the oath provided in Section 1.01(a)(3), *infra*, to any Senator absent from the first Session, or to a Senator elected to fill a vacancy;

(i) may eject Members or observers for breaches of decorum;

(j) may at any time order a Call of the House at the Presiding Officer’s discretion; a Call of the House may be made by motion at any time by a Member when

Members not off-island are absent from the Session Hall; to pass, such motion must receive a majority vote of Members present, even if a quorum is not present; and

(k) may call recess on the Presiding Officer's own initiative, and *sua sponte* for periods deemed appropriate.

**Section 2.02. Duties of the Vice-Speaker.** The Vice-Speaker shall have the powers and duties of the Speaker during the latter's temporary absence or vacancy.

**Section 2.03. Duties of the Presiding Officer.** If the Presiding Officer is not the Speaker, that Member shall have full powers of the Presiding Officer and Speaker prescribed by Section 1.01(b). Any Presiding Officer shall have the power to designate a Member to perform the duties of a Presiding Officer on a temporary basis.

**Section 2.04. Duties of the Legislative Secretary.** The Legislative Secretary shall:

(a) cause records to be kept of the attendance at the Sessions of all Members, and cause to be prepared on a quarterly basis a compilation of the attendance of such Members at Sessions of *I Liheslaturan Guåhan*, and a compilation of the voting record of each Member of *I Liheslaturan Guåhan* on the passage of bills and other matters, where a roll call was held before *I Liheslaturan Guåhan*. Such quarterly report shall be appended to the Daily Legislative Journal of the day on which it is submitted to *I Liheslaturan Guåhan*;

(b) attest by signature all bills, resolutions, orders, proceedings, contracts or documents issued by order of *I Liheslaturan Guåhan*;

(c) certify and transmit to *I Maga'hågan Guåhan* all bills or other writings of *I Liheslaturan Guåhan* required to be presented to *I Maga'hågan Guåhan* immediately after their passage or adoption by *I Liheslaturan Guåhan*. Presentment shall be accomplished by delivering such bills or other writings to *I Maga'hågan Guåhan*, or that officer within the Executive Branch designated by *I Maga'hågan Guåhan* to accept delivery; and

(d) maintain a registration of persons engaged as a lobbyist, pursuant to 2 GCA § 8101, relative to the registration and regulation of legislative lobbyist.

**Section 2.05. Legal Bureau Established.** There shall be established a Legal Bureau within *I Liheslaturan Guåhan* that serves as the office of the Legislative Counsel, and shall be comprised of the Legislative Counsel, any Assistant Legislative Counsel, and any staff employed by *I Liheslaturan Guåhan* at the discretion of the Body for that purpose.

The Legal Bureau shall provide nonpartisan legal services to all Members. The Legal Bureau shall operate under the direction of the Legislative Counsel.

The Legislative Counsel and any Assistant Legislative Counsel shall serve all Members of *I Liheslaturan Guåhan* pursuant to a written contract, unless otherwise authorized by the Body.

**Section 2.05.1. Duties of the Legal Bureau.** The Legal Bureau shall provide legal services to all Members, as follows:

- (a) act as legal counsel for *I Liheslaturan Guåhan*;
- (b) assist in the review of bills and substantive resolutions at the request of any Member;
- (c) undertake such legal research as shall be requested by *I Liheslaturan Guåhan* or any Member,
- (d) advise, at its discretion, as to needed revisions of the laws of Guam and of these Rules;
- (e) present, at its discretion, a statement to *I Liheslaturan Guåhan* calling attention to laws or Rules that are obsolete or in conflict with other laws, resolutions or decisions of the courts;
- (f) distribute or otherwise share with any Member, at the Member's request, any potential legal implications of any introduced bill;
- (g) advise any Member of *I Liheslaturan Guåhan* on all matters under debate;
- (h) serve as Parliamentarian at all Sessions of *I Liheslaturan Guåhan*; and
- (i) represent *I Liheslaturan Guåhan* in any litigation as directed by a Rules Resolution and pursuant to the terms of a separate written contract.

**Section 2.06. Duties of the Clerk of the Legislature.** The Clerk of the Legislature, or in that person's absence, a substitute designated by the Speaker, or otherwise a person or persons so directed by the Chairperson of the Committee on Rules shall:

- (a) prepare the Legislative Journal of all Sessions of *I Liheslaturan Guåhan* in such manner and to such extent as may be required by these Rules, or the order of the Speaker, the Legislative Secretary or the Chairperson of the Committee on Rules;
- (b) keep accounts and records of all proceedings of each Session and be responsible for their publication and transmittal to the Guam Public Library, the Law Library, and the Legislative Archives, as required by these Rules;

(c) maintain records to be kept of the attendance at the Sessions of all Members, and prepare on a quarterly basis a compilation of the attendance of such Members at Sessions of *I Liheslaturan Guåhan*, and a compilation of the voting record of each Member of *I Liheslaturan Guåhan* on the passage of bills and other matters, where a roll call was held before *I Liheslaturan Guåhan*. Such quarterly report shall be appended to the Daily Legislative Journal of the day on which it is submitted to *I Liheslaturan Guåhan*;

(d) supervise the employees of the Clerks and Archives Offices;

(e) supervise in the preparation and processing of Bills and Resolutions and shall work with the Legal Bureau to ensure the proper engrossment and transmittal of the Bills; and

(f) perform other legislative duties as directed or instructed by the Chairperson of the Committee on Rules.

**Section 2.07. Duties of the Sergeant-at-Arms.** The Sergeant-at-Arms, or the designee of the Chairperson of the Committee on Rules, shall:

(a) maintain order, safety, and security in and of the Guam Congress Building, whether or not *I Liheslatura* is in session; and the Sergeant-at-Arms may appoint or assign doorkeepers or other persons to assist with the fulfillment of said duty;

(b) execute the commands of *I Liheslaturan Guåhan* and all processes issued by authority of *I Liheslaturan Guåhan* as directed to the Sergeant-at-Arms by the Presiding Officer;

(c) be responsible for the availability of bills, Committee Reports, other matters of legislation and other duties consistent with the Sergeant-at-Arms' duties as Sergeant-at-Arms, as specified by the Committee on Rules;

(d) maintain legislative Session folders for each Member;

(e) have the authority to serve subpoenas issued by any Committee of *I Liheslaturan Guåhan* and to issue oaths to individuals testifying before a committee of *I Liheslatura* or appearing before the Committee of the Whole;

(f) compel Members to attend sessions of *I Liheslatura* to establish a quorum;

(g) control access to the Session Floor and galleries;

(h) maintain custody of the gavel;

- (i) maintain security over the Legislature's audio and visual facilities and equipment;
- (j) develop a plan for, and execute, emergency preparedness for *I Liheslatura*;
- (k) coordinate, together with the Clerk of the Legislature and the Committee on Rules, (l) an education and training program for legislative staff;
- (m) coordinate logistics whenever *I Liheslatura* is in session;
- (n) assist in the delivery of messages to the Members; and
- (o) perform such other duties as may be directed by the Chairperson of the Committee on Rules or the Speaker.

**Section 2.08. Duties of the Chaplain.** The Chaplain or, in the Chaplain's absence, a Member designated by the Speaker, shall open each Session of *I Liheslaturan Guåhan* with a prayer.

**Section 2.09. Vacancies.**

**(a) Permanent Vacancies.** In case of a permanent vacancy in the Office of the Speaker, such vacancy shall be filled for the un-expired term of Office from among the other Members of *I Liheslaturan Guåhan* by election by a majority vote of the Members. If such a vote shall result in a tie, or until such a vote is taken, the Vice Speaker shall continue to assume the duties of the Speaker until such time as a new Speaker is elected. If a permanent vacancy occurs in any other Office of *I Liheslaturan Guåhan*, including the Offices of Vice-Speaker, or Legislative Secretary, such vacancy shall be filled for the un-expired term of Office from among the other Members of *I Liheslaturan Guåhan* by election by a majority vote of the Members; provided that until such election, the Speaker or the Committee on Rules, by the affirmative vote of six (6) of its members, may elect to fill the vacancy by appointment. If a permanent vacancy occurs in the position of Chairperson of a Standing Committee, the Speaker or the Committee on Rules, by the affirmative vote of six (6) of its members, shall reorganize, eliminate, or reassign to other Standing Committees the duties, functions and budget of the Committee in question, at the Speaker or Committee on Rules' option with a vote of six (6) of the members of the Committee on Rules. If a permanent vacancy occurs in any Attaché position, such vacancy shall be filled for the un-expired term by election by a majority vote of the Members;

provided that until such election, the Speaker may elect to fill the vacancy by appointment. Any vacancy not a temporary vacancy is a permanent vacancy.

**(b) Temporary Absence or Vacancy of the Speaker.** If a temporary absence occurs in the office of the Speaker, then the order of succession of the Officers who shall be eligible to serve as Acting Speaker shall be the Vice-Speaker, the Legislative Secretary and the Chairperson of the Committee on Rules, except that no person shall serve as both Acting Speaker and Legislative Secretary or Acting Legislative Secretary at the same time. If none of such Officers are able to serve as Acting Speaker, then the Speaker shall appoint an Acting Speaker from among the other Members of the Majority Party of *I Liheslaturan Guåhan*.

**(c) Temporary Absence or Vacancy.** For purposes of these Rules, a temporary absence or vacancy occurs when a Member, in his or her capacity as an Officer or Chairperson of a Standing Committee, is unable or unavailable to serve in such capacity for a limited period of time due to illness, off-island travel, or other reasons declared by such Member. Notice shall be provided to the Speaker and the Chairperson of the Committee on Rules, of the temporary absence or vacancy of any member.

**(d) Temporary Absence or Vacancy of the Legislative Secretary.** If a temporary absence or vacancy occurs in the office of the Legislative Secretary, then the Chairperson of the Committee on Rules shall serve as Acting Legislative Secretary. If the Chairperson of the Committee on Rules is unable to serve as Acting Legislative Secretary, then the Speaker, or Acting Speaker, shall appoint an Acting Legislative Secretary from among the other Members of the Majority Party of *I Liheslaturan Guåhan*.

**(e) Temporary Absence or Vacancy of a Committee Chairperson.** Unless provided by these Rules, if a temporary absence or vacancy occurs in the office of a Legislative Chairperson, the Vice-Chairperson of the Committee involved shall serve as the Acting Chairperson. If the Vice-Chairperson is unable or unavailable to serve as Acting Chairperson, then the Chairperson or Acting Chairperson shall designate some other Member of the Committee to serve as Acting Chairperson. Failing this, the Speaker of *I Liheslaturan Guåhan* shall act as Acting Chairperson of the Committee in question until the Vice-Chairperson or Chairperson returns and assumes their duties.

**(f) Expenditure by Acting Officers or Chairpersons.** When an Officer or Chairperson is temporarily absent and the Member's duties are being filled by another Member in an acting capacity, the person in the acting capacity may not encumber or spend any funds allocated to the office of the Member, or to the Committee of the Member, who is temporarily absent, for any reason, without the advance written concurrence of the Chairperson of that Committee unless otherwise provided for by that Committee's rules. Any expenditure or encumbrance in violation of this Section shall be charged to the legislative account of the Member who expended the funds in an acting capacity.

### RULE III

#### LEGISLATIVE COMMUNICATIONS

**Section 3.01. Delivery of Communications.** All communications, petitions and messages addressed to *I Liheslaturan Guåhan* shall be delivered to the Speaker, who shall transmit them to the Legislative Secretary for record keeping and to the Chairperson of the Committee on Rules for proper disposition. Prior to disposition of communications, petitions and messages under this Section, the Committee on Rules shall redact all personal identifying information and personal health information in accordance with Guam and federal law. The Chairperson of the Committee on Rules shall transmit electronically to the Members of *I Liheslaturan Guåhan* all communications, petitions and messages addressed to *I Liheslaturan Guåhan*, and may transmit printed copies upon request by a Member. The Speaker or the Legislative Secretary shall receive all bills transmitted from *I Maga'hågan Guåhan*, and being returned pursuant to the Guam Organic Act, 48 U.S.C. § 1423i, Approval of Bills, whether *I Liheslaturan Guåhan* is in Session, Recessed, or has Adjourned.

**Section 3.02. Executive Communications.** Any executive communication relating to an appointment, and any other executive communication or messages sent by *I Maga'hågan Guåhan*, shall be referred directly to the Speaker who shall refer the communication to the Legislative Secretary and the Committee on Rules without having to be read at a Session of *I Liheslaturan Guåhan*. The Chairperson of the Committee on Rules shall refer all executive communications to the appropriate Standing Committee. The Legislative Secretary and the Committee on Rules shall track all transmittals of rules and regulations pursuant to the Administrative Adjudication Law, and transmittal of Plans and other time-sensitive documents from the Executive Branch, and shall bring these to the attention of the Members thirty (30) days before the deadline to act. The Committee on Finance shall track all transmittals of requests for expenditure for prior year obligations, and shall bring these to the attention of the Members ten (10) days before the deadline to act.

**Section 3.03. Freedom of Information Act (FOIA) Requests.** All Freedom of Information Act (FOIA) requests directed to the legislature, any Senator, or any Senator's office shall be addressed to the Executive Director of the Legislature. The Executive Director shall be responsible for obtaining, maintaining, and disseminating records and information on behalf of the legislature, any Senator, or any Senator's office in compliance with the Sunshine Act.

## **RULE IV**

### **AMENDMENT, SUSPENSION, OR REPEAL OF RULES**

#### **Section 4.01. Amending, Suspending, or Repealing the Standing Rules.**

Notwithstanding Section 11.06 of these Standing Rules, any Standing Rule may be suspended, amended, or repealed for more than one (1) Legislative Day by a resolution adopted by the affirmative vote of at least (8) of the Members of *I Liheslaturan Guåhan*. Any resolution introduced pursuant to this Section shall be referred to the Committee on Rules. Any resolution adopted pursuant to this Section shall not be subject to the public hearing requirement of 2 GCA § 2103(b).

**Section 4.02. Temporary Suspension of Rules During Session.** The operation of any Rule may be temporarily suspended by the affirmative vote of eight (8) Members, or it may be suspended, waived, or modified for that Legislative Day, or subsequent Legislative Days, by the affirmative vote of at least eight (8) of the Members of *I Liheslaturan Guåhan*. Any such temporary suspension pursuant to this Section may be effectuated by an adopted “notwithstanding” motion.

**Section 4.03. Temporary Suspension of Rules in Committee on Rules Meetings.** The operation of any Rule may be temporarily suspended during a Committee on Rules meeting by the affirmative vote of six (6) of its members.

## **RULE V**

### **PARLIAMENTARY LAW GOVERNING PROCEDURES**

**Section 5.01. Mason's Manual of Legislative Procedure.** The rules and procedures contained in the 2020 edition of Mason's Manual of Legislative Procedure shall govern *I Liheslaturan Guåhan* in all areas to which they are applicable, and which are not inconsistent with these Standing Rules.

**PART B**  
**PROCESSING BILLS, RESOLUTIONS, CERTIFICATES AND APPOINTMENTS**  
**RULE VI**  
**PROCESSING OF BILLS**

**Section 6.01. General Rules.**

**(a) One Subject Matter.** No bill introduced, considered or passed by *I Liheslaturan Guåhan* (the Guam Legislature), or any of its Members, shall contain more than one (1) subject matter, and shall not contain unrelated subjects or pertain to multiple projects, *except* for one (1) annual budget bill and one (1) supplement to the annual budget bill per fiscal year; *except* that, the succeeding *I Liheslaturan Guåhan* may, on the year it commences, introduce, consider and pass, one (1) supplement to the annual budget bill for that fiscal year, whose subject and contents may be exempted from this Section (*see also* 2 GCA § 2108(a)).

Upon receipt of a bill introduced by a member of *I Liheslaturan Guåhan*, the Chairperson of the Committee on Rules may seek advice from legal counsel, to include the compliance of the bill with 2 GCA § 2108. The Chairperson of the Committee on Rules shall not accept and shall return to the prime sponsor any bill which, on introduction or on reporting out by Committee, violates this Section, as determined by the Chairperson of the Committee on Rules.

No bill, amended bill, or substitute bill shall be entertained on the Floor with non-germane items, *except* as allowed in this Section. The Speaker shall rule on the germaneness of any item of any bill challenged by a Member; and if the Speaker rules that an item is non-germane to the bill's primary subject matter, *unless* the Speaker is overruled by the body as described elsewhere in these Rules, the item shall be removed prior to the final vote on the bill.

**(1) Germaneness of Substitute Bills and Amendments.** A substitute bill must relate to the same subject as the original bill, *except* as otherwise provided in these Rules. When a substitute bill containing non-germane matters is up for discussion, or when a non-germane amendment is offered from the Floor and is challenged by the Speaker *sua sponte*, or by any Member, and if the Presiding Officer holds that the proposed matter, or amendment being proposed for discussion, violates these Rules as to germaneness, then the non-germane matter or amendment shall be out of order and *may* not be discussed or considered, *unless* the Body, with a vote of eight (8) members, overrules the decision of the Presiding Officer in the manner provided for by these Rules.

A challenge to germaneness may be made even if the matter or amendment was earlier accepted for discussion without a challenge to its germaneness. Even if a non-germane amendment is approved, subsequent amendments must be germane to the main subject matter of the bill, and objections to germaneness shall not be deemed waived. If a non-germane matter or amendment is not challenged, or if a decision of the Presiding Officer that an amendment or matter is not germane is overruled, then eight (8) votes shall be required to adopt it whether or not germane, and the germaneness challenge shall be deemed disposed of. A challenge to germaneness may be made at any time prior to Third Reading, but *may* not be made on Third Reading.

A decision of the Presiding Officer that an amendment or matter is germane may also be challenged, and if the challenge is successful, such amendment or matter shall not be considered by the Body.

(A) All bills introduced by a Member or a Committee shall be given a public hearing no more than one hundred twenty (120) calendar days after the date of the bill's referral to a Standing Committee. The one hundred twenty (120) calendar day time frame shall be tolled whenever the Legislature is in session. If the Committee to which the bill has been referred does not hold a public hearing within the one hundred twenty (120) calendar day timeline, the Committee Chairperson shall give a reason in writing for not holding a public hearing, and the Prime Sponsor of a bill may hold a public hearing, following written notification to the Committee Chairperson, and the hearing shall be transcribed by the Prime Sponsor.

**(b) Debt to be Considered for Limited Purposes.**

(1) All bills that authorize public indebtedness shall only be considered for the following purposes:

(A) land, infrastructure, building projects, and any capital improvement project pursuant to a master plan adopted by *I Liheslaturan Guåhan* or through the Administrative Adjudication Law process by an agency or instrumentality of the Government of Guam; and/or

(B) refinancing of existing debt which results in savings to the Government of Guam of not less than two percent (2%) of the present discounted

value of the existing debt schedule, amortized over the same duration of the existing debt obligation.

(2) No bill shall be introduced or considered which authorizes public debt to fund the operations of any agency, instrumentality, or public corporation.

(3) The Chairperson of the Committee on Rules shall not accept and shall return to the prime sponsor any bill which, on introduction or on reporting out by Committee, violates this Section, as determined by the Chairperson of the Committee on Rules. The Chairperson of the Committee on Rules is hereby authorized to waive this subsection (b) if an executive order declares an official state of emergency relative to a situation requiring debt.

**(c) Committee Introduction.** When a bill is introduced by a Committee it shall encompass only matters reasonably related to the subject matter jurisdiction of the Committee, and except as otherwise provided in these Rules, shall encompass only one (1) subject matter, and shall not encompass unrelated subjects, or pertain to multiple projects, *unless* such projects are necessarily interrelated. Any Committee Chairperson may introduce bills in the Committee's name and relating to the subject matter of their Committee, with prior approval of a majority of the Committee Members.

**(1) Requests to Committee on Finance.** Any Member, whether or not a Member of the Committee on Finance, may propose a draft bill to said Committee for possible introduction by the Committee on Finance.

**(d) Bill Referrals.** Within ten (10) calendar days from the date of introduction, the Chairperson of the Committee on Rules shall refer bills to the Committee having the subject matter jurisdiction to which the bill most pertains (the "Principal Committee"), as determined by the Chairperson of the Committee on Rules subject to ratification at a meeting of the Committee.

**(1) Appropriations Bills.** Substantive bills which contain appropriations or authorizations for appropriations from any fund sources, including the General Fund or any and all Special Revenue Funds, or authorizations for tax abatements, credits, exemptions, rebates, reductions, or similar tax benefits ("Appropriation, Authorization for Appropriations, or Tax Benefit Bills") shall be referred to the Committee on Finance. The Committee on Finance shall be required to review all Appropriation,–Authorization for Appropriations, or Tax Benefit Bills referred to the Committee on Finance, with the

assistance of the Office of Finance and Budget, to determine the viability of the funding source in the proposed Appropriation, Authorization for Appropriations, or Tax Benefit Bills. The Committee on Finance and/or the Office of Finance and Budget shall determine in writing if the funding source cited in the Appropriation, Authorization for Appropriations, or Tax Benefit Bills are sufficient. Only after such written determination is provided, the Chairperson of the Committee on Finance shall subsequently refer said Appropriation, Authorization for Appropriations, or Tax Benefit Bills to the Principal Committee with subject matter jurisdiction. If the funding source is not sufficient, the Appropriation, Authorization for Appropriations, or Tax Benefit Bills shall remain in the Committee on Finance and the Primary Sponsor of the measure and the Chairperson of the Committee on Rules shall be notified in writing of such determination. The annual budget bill for the government and supplements to the annual budget bill shall be referred to the Committee on Finance. Any bills on bonds of any nature shall be referred to the Committee on Finance. Each year, the Chairperson of the Committee on Finance shall designate one (1) appropriations bill as the annual budget bill and may designate one (1) bill as the supplemental annual budget bill. The annual budget bill shall be done annually, and shall contain the budget for one (1) fiscal year only. Unrelated appropriations shall not be considered germane, except that the annual budget bill and one (1) annual supplement to the annual budget bill may contain unrelated appropriations. Administrative and miscellaneous provisions directly relating to the budget and contained in the annual budget bill for the operations of the government of Guam, or to the one (1) supplement to the annual budget bill, shall be considered germane.

**(2) Legislative Appropriations; Other Branches.** Bills relating to appropriations solely for *I Liheslaturan Guåhan* shall be referred exclusively to the Committee on Rules. Any bills appropriating solely for the Judicial Branch, inclusive of capital improvements, or from the Judicial Building Fund, shall be referred to the Committee on Justice.

## **Section 6.02. Preparation.**

(a) **Headings.** Each bill for the Regular Sessions of *I Mina'trentai Ocho Na Liheslaturan Guåhan* shall be headed as follows:

**“I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN”  
2025 (FIRST) Regular Session; or  
2026 (SECOND) Regular Session**

**Bill No. \_\_\_\_-38 (COR) or (LS)**  
(legislative procedural history)

Introduced by:

(Prime Sponsor)  
(Main Sponsor2)  
(Main Sponsor3)  
(co-sponsors)”

(b) **Title.** The title of every bill introduced shall convey an accurate idea of the contents of the bill and shall be indicative of the scope of the bill, the object to be accomplished, and changes to any existing Code Sections. In amending or repealing a Code Section, the mere reference to the section by number shall not be deemed sufficient. The Chairperson of the Committee on Rules shall return to the prime sponsor any bill which violates this Section, as determined by the Chairperson of the Committee on Rules.

(c) **Sections.** A bill amending more than one (1) section of an existing law shall contain a separate section for each section amended. Bills which are not amendatory of existing laws shall be divided into short sections when this can be done without destroying the sense of any particular section, to the end that future amendments may be made without the necessity of setting forth and repeating sections of unnecessary length.

(d) **Changing Existing Law.** In any repeal or amendment to existing law, any matter to be omitted shall appear with strikethrough and any new matter shall be underlined. The Chairperson of the Committee on Rules shall return to the prime sponsor any bill which violates this Section, as determined by the Chairperson of the Committee on Rules.

**Section 6.03. Introduction.** Any Senator desiring to introduce a bill shall send an initialed copy to the Clerk of the Legislature, who shall note the time and date of its filing and who shall assign a number to the bill in the manner set forth in Sections 6.03(a) and 6.03(b), *supra*. All bills shall be numbered in the order of their filing with the Clerk of the Legislature. The Clerk of

the Legislature shall not read a bill *unless* each sponsor's initials are included. A bill may have main sponsors indicated on introduction, the prime sponsor being the author and the first Senator named.

All others sponsoring a bill shall be known as "co-sponsors," who shall be designated under a line separating them from the main sponsors. No Member may add the Member's name as sponsor to a bill after the bill is submitted to the Clerk of the Legislature. Names of sponsors may not be added in Committee, but may *only* be added on the Floor of *I Liheslaturan Guåhan* during Session. Only Senators present in Session when the co-sponsorship request is made shall be added as co-sponsors to a bill provided, that the Committee on Rules may, after a bill has been reported out of Committee and returns to the Committee on Rules, add all Members not already listed as a sponsor or co-sponsors, to be added at the end of the sponsors already listed. *Except* as provided in Section 6.04(d)(8), *infra*, neither the sponsors of a bill nor the order of sponsorship may be changed by any Committee of *I Liheslaturan Guåhan*; provided, however, that sponsors may be added at the end of the listing by the Body with eight (8) votes.

**(a) In Session.** When *I Liheslaturan Guåhan* is meeting in Session, under the order of introduction of bills, the Clerk of the Legislature shall assign a number, with the suffix "-38", and shall affix the letters "LS" in parentheses after the number and shall read it the first time. *Unless* otherwise ordered by *I Liheslaturan Guåhan* without debate, the Clerk of the Legislature shall deliver the bill to the Chairperson of the Committee on Rules, who shall receive each bill and refer it to the appropriate Committee in the manner outlined in Section 6.01(c), *infra*.

**(b) Not in Session.** When *I Liheslaturan Guåhan* is not in Session, the Clerk of the Legislature shall assign a number to each bill, with the suffix "-38", and shall affix the letters "COR" in parentheses after the number and shall forward it to the Committee on Rules for proper disposition. The Chairperson of the Committee on Rules shall refer each bill to the appropriate Standing Committee, as the Chairperson so determines.

**(c) Introduction of COR Bills.** After bills are introduced in the Committee on Rules, the Clerk of the Legislature, at the next Legislative Session, shall read the already so introduced bills under the order of introduction of bills.

**(d) Form and Style.** After the introduction in a Legislative Session, or to the Committee on Rules, a bill shall be sent to the Legislative Counsel by the Clerk of the

Legislature for examination and the making of any suggestions to conform to the form and style with the form required by these Rules, and to be consistent with the style and placement of enacted law on the same subject, at the Legislative Counsel's discretion. The Clerk of the Legislature, the Legislative Counsel, or the Committee on Rules, may make stylistic adjustments to an introduced bill or resolution, with the concurrence of its Prime Sponsor.

**(e) Bills Introduced at the Request of *I Maga'hågan Guåhan*.** The Committee on Rules may introduce administration bills, *unless* any Member or Standing Committee requests and is granted the privilege of introducing the bill by the Chairperson of the Committee on Rules, but any such administration bill shall be designated:

*"By request of I Maga'hågan Guåhan in accordance with the Organic Act of Guam."*

If a bill introduced at the request of *I Maga'hågan Guåhan* contains sections which are non-germane with each other, as determined by the Chairperson of the Committee on Rules, the bill shall be referred to the Inactive File and *I Maga'hågan Guåhan* shall be so notified.

#### **Section 6.04. Consideration.**

**(a) Public Hearing.**

**(1) Hearing Notices.**

It shall be the duty of the Chairperson of each Standing Committee, or the designated hearing officer, to properly notice public hearings in accordance with the Open Government Law and any procedures established by the Committee on Rules *unless* waived by the Speaker of *I Liheslaturan Guåhan* due to an emergency pursuant to these Rules. Notices shall set forth the name of the Committee, the date and time of any hearing and the subject matter of the hearing, including the number and title of all bills or resolutions that have been duly referred to such Committee which are to be heard. Pursuant to the Open Government Law, 5 GCA § 8107(a), notice of public hearings shall be given five (5) working days prior to the start of the hearing, and a second notice shall be given at least forty-eight (48) hours prior to the start of such hearing.

**(2) Hearing Officer.** The Chairperson of a Committee hearing a bill, or the Chairperson's designee, if such designee is a Member of the Committee, is the

official hearing officer for such bill and has the power and authority to conduct the hearing by the Member's self; provided, that all Members of *I Liheslaturan Guåhan* shall be given written notice of such hearing as provided in Section 6.04(a)(1), *supra*, and any Member of *I Liheslaturan Guåhan* may attend and take part in such hearing, questioning witnesses and otherwise participating.

**(b) Amendments or Substitutions by Committee.** Any Standing Committee may recommend amendments to any bill referred to it which are germane to, and not inconsistent with, the subject as expressed in the title. In making substantive changes in a bill by amending it, the Committee shall note thereon:

*"As amended by the Committee on [name of the Committee]."*

Any Standing Committee may also recommend a germane substitute bill, not inconsistent with the subject as expressed in the title. In making substantive changes to a bill by substituting it, the Committee shall note thereon:

*"As substituted by the Committee on [name of the Committee]."*

A Committee may not amend the sponsorship of a bill nor may it add co-sponsors, provided that the Committee on Rules may add all Members not listed as sponsors at the end of the listing.

The Committee on Rules may make amendments to a bill prior to its placement on the Session Agenda.

**(1) Sponsor Amended/Substitute Bills Restricted.** Following the introduction of a bill, once the bill has been referred to a Standing Committee, the Prime Sponsor of such bill may not offer an amended or substituted version of the bill.

**(2) Hearings for Committee Amended/Substitute Bills.** A Standing Committee may hold a hearing on a bill as substituted by the Committee if it has first filed a preliminary Committee Report to the Committee on Rules detailing the vote and text of the substitution, and the preliminary report and substituted bill are posted on the Legislature's website at least five (5) days prior to the hearing on the substituted bill.

**(c) Formal Reports of Standing Committees.** A Standing Committee, or its authorized Subcommittee, upon reporting back to the Committee on Rules on bills or

appointments referred to it, shall prepare and submit to the Committee on Rules a formal, written Committee Report which shall be a public document and posted on the website of *I Liheslaturan Guåhan*. The Committee on Rules shall have up to five (5) working days to review the Committee Report and upload it online, return it to the Standing Committee for corrections, or advise the Primary Sponsor of the bill with the reasons for the delay and provide the Primary Sponsor with a reasonable extension of time to correct the Report. Committee Reports shall be formatted and compiled in accordance with these Standing Rules; and in addition to the Committee's recommendations and vote thereon, such report shall also contain, at a minimum, the following:

(1) **Committee Report Digest.** The Committee Report shall include a digest setting forth the purpose and essential elements of the bill and a digest of the testimony and evidence of those testifying at the public hearing thereon. Committee Reports for bills approving or amending Rules and Regulations shall include an Economic Impact Statement in accordance with law. Committee reports on bills which involve the transfer of land or leasing of land shall include two (2) appraisals on all land concerned, appraised for highest and best use regardless of zoning, from two (2) separate licensed real estate appraisers, one (1) of which appraisals is not *more than* twelve (12) months old.

(2) **Committee Vote Sheet.** The voting sheet accompanying the Committee Report shall be formatted to include the names of each Committee Member and the following voting options:

- (A) To Do Pass;
- (B) To Not Pass;
- (C) To Report Out Only;
- (D) To Abstain;
- (E) To Place in Inactive File.

(3) **Secondary Public Hearing May Be Required for Substantively Amended or Substituted Bills.** The Chairperson of the Committee on Rules may require an additional public hearing to address any material difference with the bill as amended or substituted by the Standing Committee with primary jurisdiction. If a Committee Report on the Bill has been filed with the Committee on Rules, a

supplementary Committee Report shall be filed with the Committee on Rules which addresses the hearing of the amended or substituted bill.

**(4) When Appraisal Required.** A Committee Report on a bill which involves a government taking, purchase, or lease of non-government land shall comply with 2 GCA § 2107.

**(d) Bill Placement on Session Agenda.**

**(1) No Placement on Session Agenda Without a Report.** No bill shall be placed on the Session Agenda *unless* accompanied by a Committee Report conforming to the requirements of these Rules, or *unless* the public hearing on the bill has been waived in accordance with 2 GCA § 2103 by the Speaker during Session pursuant to motion made during the “Motions” part of the Session Agenda. In the event that the public hearing is waived as provided for herein, and upon a motion by a Member, the bill may be placed on the Session Agenda with eight (8) votes of the Members.

*Except* as specifically allowed, no bill may be placed on the Floor without a majority of the Committee Members of the Committee to which it was referred voting to pass or to report out only.

**(2) Order of Reading File.** All bills when reported to *I Liheslaturan Guåhan* via the Committee on Rules may be placed on the Session Agenda by the Committee on Rules, or its authorized Subcommittee. After a bill has been amended and debated under the order of the Consent Calendar or the Second Reading File, it shall be placed on the Third Reading File. The bills on Third Reading shall be considered in the order in which they appear in the File.

**(A) No Debate During Third Reading.** Bills and resolutions in the Third Reading File shall be voted upon in the order they appear upon the File and shall not be debated or amended.

**(B) Order of Voting.** Matters reaching the Voting File shall be voted upon in the order they appear, and shall not be debated or amended.

**(3) Committee of the Whole.** Bills reported to *I Liheslaturan Guåhan* containing an appropriation, authorization for an appropriation, or tax benefit pursuant to Section 6.01(d)(1) shall be considered by *I Liheslaturan Guåhan* in a

Committee of the Whole, chaired by the Chairperson of the Committee on Finance or the Chairperson's designee, who must be a Committee Member, prior to a vote on final passage, unless such consideration is waived by eight (8) votes. Likewise, bills containing an appropriation from the Tourist Attraction Fund shall be considered by *I Liheslaturan Guåhan* in a Committee of the Whole, chaired by the Chairperson of the Committee on Finance or the Chairperson's designee, who must be a Committee on Finance Member, prior to a vote on final passage, unless such consideration is waived by eight (8) votes. Bills containing legislative appropriations shall be considered by *I Liheslaturan Guåhan* in a Committee of the Whole, chaired by the Chairperson of the Committee on Rules, or the Chairperson's designee, who must be a Rules Committee Member, prior to a vote on final passage, unless such consideration is waived by eight (8) votes.

The Chairperson of the Committee of the Whole shall set forth the rules to be applied during the Committee of the Whole, which are not inconsistent with the rules already established herein for the Committee of the Whole and in Mason's Manual.

**(4) Inactive File.** An Inactive File shall be kept to which bills may be transferred at the request of the Prime sponsor, or on motion duly adopted by the affirmative vote of eight (8) Members. A bill shall be transferred to the Inactive File, or referred back to the reporting Committee, when it has been Passed on File without action three (3) successive times. A bill may be removed from the Inactive File by the affirmative vote of eight (8) Members.

**(5) Consent Calendar.** *I Liheslaturan Guåhan* shall have a Consent Calendar as follows:

**(A) Routine Matter.** If the Committee on Rules determines that a bill recommended for passage, without amendment or substitution, is of a routine nature, or otherwise of a nature which likely will not be opposed, it may place the bill on the Consent Calendar. Any Member who determines that a bill is of a routine nature, or otherwise is of a nature which likely will not be opposed, that person may, upon a motion adopted by a vote of eight

(8) Members of *I Liheslaturan Guåhan*, place such bill on the Consent Calendar.

**(B) Debate.** Bills on the Consent Calendar shall be taken up for debate in the order listed on the Calendar. No more than five (5) minutes shall be allotted to the Prime Sponsor, or Committee Chairperson, for explanation of the bill. No other Member may debate more than two (2) minutes. No Member may yield that Member's time on the Consent Calendar to another Member. In the event that the time limits set forth in this Section are exceeded, the Speaker shall close the debate and move to place the bill in the Third Reading File, which motion shall be non-debatable. If such motion shall fail, the bill or resolution shall without further action be removed from the Consent Calendar and assigned the place it would have had in the ordinary course of legislative procedure.

**(C) Objections.** Prior to the consideration of a bill on the Consent Calendar, the Speaker shall first ask the question whether any Member objects to such consideration of the bill. If any two (2) or more Members at that time object from the Floor, the bill shall, without further action, be removed from the Consent Calendar and assigned the place it would have had in the normal course of legislative procedure.

If at any time it appears to the Speaker that two (2) or more Members object to consideration of the bill on the Consent Calendar, he/she shall further request for objections. If any two (2) or more Members, pursuant to the Speaker's request or otherwise, object from the Floor to consideration of the bill in the Consent Calendar at any time before the question of its final placement in the Third Reading File is put to *I Liheslaturan Guåhan*, the bill shall without further action be removed from the Consent Calendar and assigned a place it would have had in the ordinary course of legislative procedure.

**(D) Copies.** No motion from the Floor to place a bill on the Consent Calendar shall be in order, unless copies of the bill and committee

report have been distributed to all Members prior to, or at the time of, the making of the motion.

**(6) Engrossing Bills Before Passage.** All bills shall be engrossed before final action is taken on them by *I Liheslaturan Guåhan*. Engrossment shall consist of comparing the printed or duplicated bill with the original introduced, or as amended by a Committee or as substituted, whichever is the form of the bill under debate on the Floor, and any amendments adopted, to ascertain that it is correct. When a bill is reported correctly engrossed, a copy shall be furnished to each Member and it shall be substituted in the File for the original bill. Any bill on Third Reading found to be incorrectly engrossed, as determined by the Speaker, shall be automatically referred to Second Reading, but only for purposes of correcting the engrossment. Eight (8) votes shall be necessary to waive the engrossment on a bill. The Legislative Counsel and the Clerk of the Legislature shall have the authority, upon notification to the Speaker and Chairperson on Rules, to make technical corrections after voting and before presentment to *I Maga'hågan Guåhan* if a correction was not made to the bill before it was voted upon by the Body.

The question of the waiver of engrossment must be divided from a “Motion to Place in Third Reading File.” Any bill to which there have been *no* amendments, *except* changes in sponsorship, or grammatical or spelling corrections, *need* not be engrossed before voting.

**(A) Form of Technical Corrections.** The Legislative Counsel and the Clerk of the Legislature shall be authorized to make technical corrections, which shall include, but not be limited to, the following: incorporating amendments passed by the Body, correcting spelling, correcting grammar, changing the citation, changing the title, correcting formatting, correcting punctuation, renumbering sections and correcting section sequence.

**(B) Engrossment not Required.** Bills not containing any amendments to the body of the bill need not be engrossed before voting on them for passage by the Body.

(7) **Enrolling Bills.** After passage, all bills shall be enrolled immediately. An enrolled copy of such bill shall be prepared in an appropriate number of copies and examined to ascertain that it is a true and accurate copy of the measure as it was passed. It shall then be authenticated by the signatures of the Speaker and the Legislative Secretary and be presented without delay to *I Maga'hågan Guåhan*.

(8) **Sponsorship of Bills Passed.** The Clerk of the Legislature shall add all Members as sponsors to said bill before transmission to *I Maga'hågan Guåhan*. The name of any Senator added as a Main Sponsor or co-sponsor to any bill passed may be removed from the bill upon the submission of a written request of the Senator to the Clerk of the Legislature at any time prior to the presentment of such bill or resolution to *I Maga'hågan Guåhan*. Any such action shall be recorded in the Legislative Journal on the next Legislative Day. If there are no named sponsors left on the bill after passage, it shall be transmitted to *I Maga'hågan Guåhan* as having been sponsored by *I Mina'trentai Ocho Na Liheslaturan Guåhan*.

(e) **Withdrawal of Bills.** A Prime Sponsor may permanently withdraw his or her bill at any time by a written request to the Speaker.

## RULE VII

### PROCESSING OF RESOLUTIONS

#### **Section 7.01. General Rules.**

(a) **Guidelines Established by the Committee on Rules.** All resolutions are to be processed (including, but not limited to, preparation, introduction, adoption, printing, presentation) in accordance with guidelines established by the Committee on Rules; which guidelines are to serve as a supplement to the rules set forth herein.

(b) **Similar Resolutions.** If two (2) or more resolutions, or a resolution and a certificate, on substantially the same subject matter are adopted, *only* the document first submitted shall be issued. Questions as to whether the substance or textual significance of two (2) or more such documents is substantially similar shall be decided by the Chairperson of the Committee on Rules.

(c) **Guam Resolutions for External Organizations.** All resolutions to be submitted for introduction to organizations, in meetings or conferences, other than *I Liheslaturan Guåhan*, when such resolutions are to be submitted as proposals by *I Liheslaturan Guåhan*, or by a Member of *I Liheslaturan Guåhan*, when the Membership in the organization or attendance of the Member at the meeting or conference is as a representative of *I Liheslaturan Guåhan*, shall be first approved by *I Liheslaturan Guåhan*, time permitting, or by the Committee on Rules as a Rules Resolution.

(d) **Violations.** If the Chairperson of the Committee on Rules finds that a resolution has been submitted, introduced or reported out in a manner which violates these Rules, the Chairperson shall take appropriate action to return it to the Prime Sponsor or the Committee concerned for correction or reintroduction, or the Speaker may accept the resolution for discussion.

## **Section 7.02. Preparation.**

(a) **Headings.** Each resolution for the Regular Sessions of *I Mina'trentai Ocho Na Liheslaturan Guåhan* shall be headed as follows:

**“I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN”  
2025 (FIRST) Regular Session; or  
2026 (SECOND) Regular Session**

**Resolution No. \_\_\_\_ -38 (COR) or (LS)**

Introduced by:

(Prime Sponsor)  
(Main Sponsor2)  
(Main Sponsor3)\_\_\_\_  
(co-sponsors)”

(b) **Title.** The title of every resolution introduced shall convey an accurate idea of the contents of the resolution and shall be indicative of the scope of the resolution, and the object to be accomplished. The Chairperson of the Committee on Rules shall return to the Prime Sponsor any resolution which violates this Section, as determined by the Chairperson of the Committee on Rules.

## **Section 7.03. Introduction.**

Any Senator desiring to introduce a resolution shall send an initialed copy to the Clerk of the Legislature, who shall note the time and date of its filing and who shall assign a number to the resolution in the manner set forth in Sections 7.03(a) and 7.03(b), *infra*. All resolutions shall be numbered in the order of their filing with the Clerk of the Legislature. The Clerk of the Legislature shall not read a resolution *unless* the Prime Sponsor’s initials are included. No Member may add his name as a sponsor of a resolution after the resolution is submitted to the Clerk of the Legislature. Names of sponsors may not be added, nor order of sponsorship be changed, in Committee, but may *only* be added or changed by the Body during Session. Only Senators present in Session when the co-sponsorship request is made shall be added as co-sponsors to a resolution with eight (8) votes; provided, that the Committee on Rules may, after a resolution has been adopted or reported out of Committee and returns to the Committee on Rules, add all Members not already listed as a sponsor or co-sponsors, to be added at the end of the sponsors already listed.

(a) **In Session.** When *I Liheslaturan Guåhan* is meeting in Session, under the order of introduction of resolutions, the Clerk of the Legislature shall assign a number, with the suffix “-38”, and shall affix the letters “LS” in parentheses after the number and

shall read it the first time. *Unless* otherwise ordered by *I Liheslaturan Guåhan* without debate, the Clerk of the Legislature shall deliver the resolution to the Chairperson of the Committee on Rules for proper disposition.

**(b) Not in Session.** When *I Liheslaturan Guåhan* is not in Session, the Clerk of the Legislature shall assign a number to each resolution, with the suffix “-38”, and shall affix the letters “COR” in parentheses after the number and shall forward it to the Committee on Rules for proper disposition. If applicable, the Chairperson of the Committee on Rules shall refer each resolution to the appropriate Standing Committee, as he so determines.

**(c) Introduction of COR Resolutions.** After resolutions are introduced in the Committee on Rules, the Clerk of the Legislature, at the next Legislative Session, shall read the already so introduced resolutions under the order of Introduction of Bills and Resolutions.

**(d) Committee Introduction.** When a resolution is introduced by a Committee it shall encompass *only* matters reasonably related to the subject matter jurisdiction of the Committee, and *except* as otherwise provided in these Rules, shall encompass *only* one (1) subject matter, shall not be similar to another introduced resolution, and shall not encompass unrelated subjects, or pertain to multiple projects, *unless* such projects are necessarily interrelated. Any Committee Chairperson may introduce resolutions in the Committee’s name, if relating to the subject matter of the Committee, with prior approval of a majority of the Committee Members.

**(e) Substantive Resolutions.** The introduction and numbering of any substantive resolution shall follow in the same manner prescribed herein for all other resolutions. Upon receipt of a substantive resolution, regardless of whether *I Liheslaturan Guåhan* is in Session or not in Session, the Clerk of the Legislature shall forward such resolution to the Chairperson of the Committee on Rules for proper disposition, as prescribed by 2 GCA § 2103(b), or otherwise. Whether a resolution shall be considered substantive shall be determined by the subject matter of the resolution, regardless of the person(s) to whom it is to be transmitted. Questions as to the qualification of a resolution’s subject matter as substantive shall be decided by the Chairperson of the Committee on Rules. After introduction of a substantive resolution, such resolution shall be sent to the

Clerk of the Legislature and the Legislative Counsel for examination and the making of any suggestions to conform to form and style, as required by these Rules, and to be consistent with the style and placement of enacted law on the same subject, if applicable, at the discretion of the Clerk of the Legislature and the Legislative Counsel. The Clerk of the Legislature, the Legislative Counsel, or the Committee on Rules, may make stylistic adjustments to an introduced substantive resolution, with the concurrence of its Prime Sponsor.

**(f) Commendatory and Congratulatory Resolutions; Form and Style.**

After introduction of a resolution that is commendatory, congratulatory, or of condolence in nature, such resolution shall be sent to the Clerk of the Legislature for examination and the making of any suggestions to conform to the form and style, as required by these Rules, and to be consistent with the style and placement of enacted law on the same subject, if applicable, at the discretion of the Clerk of the Legislature. Each Senator shall be limited to introduce ten (10) commendatory, congratulatory, or condolence resolutions per term of *I Mina'trentai Ocho Na Liheslaturan Guåhan*. The Clerk of the Legislature, the Legislative Counsel, or the Committee on Rules, may make stylistic adjustments to an introduced resolution that is commendatory, congratulatory, or of condolence in nature, with the concurrence of its Prime Sponsor.

**Section 7.04. Consideration.**

**(a) Placement on Session Agenda.** All resolutions that are commendatory, congratulatory, or of condolence in nature that have been adopted shall be placed on the Consent Calendar following its adoption.

**(b) Consideration of Substantive Resolutions.** Substantive resolutions referred to a Standing Committee or Prime Sponsor and requiring public consideration shall be processed in the same manner as bills, as prescribed in Rule VI, *infra*.

**(c) Committee on Rules Resolutions.** Committee on Rules Resolutions (“Rules Resolution(s)”) regarding the business of *I Liheslatura* (including but not limited to the administration and operation of *I Liheslaturan Guåhan*, amendments to these Standing Rules, litigation involving *I Liheslatura*, etc.) shall be adopted by the affirmative vote of six (6) of the members of the Committee on Rules at a committee meeting, and shall be certified by the Speaker and the Chairperson of the Committee on Rules, and attested by the Legislative Secretary, and

shall be exempt from further transmittal. Rules Resolutions shall not be subject to the public hearing requirement under 2 GCA § 2103(b). Rules Resolutions shall be transmitted to all Members upon adoption.

**(d) Resolution Sponsorship.** The Clerk of the Legislature shall add the names of Members not already listed as sponsors on all adopted resolutions that are commendatory, congratulatory, or of condolence in nature, *unless* a Member requests otherwise, via written notice to the Chairperson of the Committee on Rules. The names of co-sponsors shall appear in alphabetical order underneath a line separating them from the three (3) main sponsors. Neither the individual sponsors, nor the order of sponsorship may be changed, *unless* approved by the Committee on Rules for COR Resolutions, or by the Body with eight (8) votes for LS Resolutions, and with the concurrence of the Prime Sponsor.

**(e) Technical Amendments and Corrections Authorized.** The Legislative Counsel, the Clerk of the Legislature, and the Committee on Rules shall be authorized to make technical corrections, which shall include, but not be limited to, the following: incorporating amendments passed by the Body or approved by the Committee on Rules, correcting spelling, correcting grammar, changing the citation, changing the title, correcting formatting, correcting punctuation, renumbering sections, and correcting section sequence. Technical amendments or corrections may be done before and after adoption by the Body or the Committee on Rules.

**(f) Presentation of Resolutions.** Every resolution introduced shall be accompanied by a notice to the Clerk of the Legislature indicating the date and time the resolution is to be presented. Additionally, the resolution's sponsor shall issue a Memorandum to each Member, providing *at least* twenty-four (24) hours notice of the date, time and place of the presentation of any resolution. The Clerk of the Legislature shall not release any resolution for presentation until such notice of presentation has been given. Waiver of this twenty-four (24) hour notice requirement may be approved by the Chairperson of the Committee on Rules upon receipt of a written request from the Prime Sponsor to the Chairperson of the Committee on Rules; *provided*, that immediate notice be given to all Senators as to the date, time and place of presentation.

**(g) Withdrawal of Resolutions.** A Prime Sponsor may permanently withdraw his or her resolution at any time by a written request to the Speaker and the Chairperson of the Committee on Rules.

**(h) Publication.** All resolutions adopted, and the respective vote sheets, shall be public documents, and shall be posted on the website of *I Liheslaturan Guåhan*.

## RULE VIII

### PROCESSING OF CERTIFICATES

#### **Section 8.01. General Rules.**

(a) **General Rules on Certificates.** A certificate that is commendatory, congratulatory or of condolence in nature may be issued by the Committee on Rules. Any Member of *I Liheslaturan Guåhan* may submit a request to the Committee on Rules that a certificate of condolences or commendation be so issued.

(b) **Guidelines Established by the Committee on Rules.** All certificates are to be processed (including, but not limited to, preparation, introduction, adoption, printing, presentation) in accordance with guidelines established by the Committee on Rules; which guidelines are to serve as a supplement to the rules set forth herein.

(c) **Similar Certificates.** If two (2) or more certificates, or a resolution and a certificate, on substantially the same subject matter are adopted, *only* the document first submitted shall be issued. Questions as to whether the substance or textual significance of two (2) or more such documents is substantially similar shall be decided by the Chairperson of the Committee on Rules.

(d) **Violations.** If the Chairperson of the Committee on Rules finds that a certificate has been introduced in a manner which violates these Rules, the Chairperson shall take appropriate action to return it to the Prime Sponsor or the Committee concerned for correction or reintroduction.

**Section 8.02 Introduction.** Any Senator desiring to introduce a certificate shall submit an initialed copy to the Clerk of the Legislature, who shall note the time and date of its filing and who shall assign a number to the certificate in the manner set forth in Sections 8.01(a) and 8.02(b), *supra*. All certificates shall be numbered in the order of their filing with the Clerk of the Legislature. The Clerk of the Legislature shall not read a certificate *unless* the sponsor's initials are included.

(a) **In Session.** When a certificate is introduced while *I Liheslaturan Guåhan* is meeting in Session, the Clerk of the Legislature shall assign a number, with the suffix “-38”, and shall affix the letters “LS” in parentheses after the number.

(b) **Not in Session.** When *I Liheslaturan Guåhan* is not in Session, the Clerk of the Legislature shall assign a number to each certificate, with the suffix “-38”, and shall affix the letters “COR” in parentheses after the number.

(c) **Form and Style.** After introduction of a certificate, such certificate shall be sent to the Clerk of the Legislature for examination and the making of any suggestions to conform to the form and style, as required by these Rules. The Clerk of the Legislature, the Legislative Counsel, or the Committee on Rules, may make stylistic adjustments to an introduced certificate, with the concurrence of its Prime Sponsor.

### **Section 8.03. Consideration.**

(a) **Placement on Session Agenda.** Any certificate of commendation, of congratulation, or of condolence that has been approved, shall be placed on the Consent Calendar.

(b) **Certificate Sponsorship.** A certificate may have up to three (3) main sponsors, the Prime Sponsor being the author and the first Senator named. All others sponsoring a certificate shall be known as “co-sponsors,” who shall be designated under a line separating them from the main sponsors, and listed in alphabetical order.

Neither the individual sponsors, nor the order of sponsorship may be changed after the certificate is submitted to the Clerk of the Legislature, *unless* approved by the Chairperson of the Committee on Rules, with the concurrence of the Prime Sponsor; *except* that the Committee on Rules may add all Members not already listed as a sponsor or co-sponsors, to be added at the end of the sponsors already listed, *unless* a Member requests otherwise, via written notice to the Chairperson of the Committee on Rules.

(c) **Technical Amendments and Corrections Authorized.** The Legislative Counsel, the Clerk of the Legislature, and the Committee on Rules shall be authorized to make technical corrections approved by the Committee on Rules, with the concurrence of the Prime Sponsor, which shall include, but not be limited to, the following: correcting spelling, correcting grammar, changing the citation, changing the title, correcting formatting, correcting punctuation, renumbering sections, and correcting section sequence.

(d) **Withdrawal of Certificates.** A Prime Sponsor may permanently withdraw his certificate at any time by a written request to the Chairperson of the Committee on Rules.

(e) **Publication.** All certificates issued shall be public documents, and shall be posted on the website of *I Liheslaturan Guåhan*.

#### **8.04. Issuance and Presentation.**

**(a) Issuance.** Certificates shall be issued after review and approval by the Chairperson of the Committee on Rules. Certificates shall be certified by the Speaker and the Chairperson of the Committee on Rules, and attested by the Legislative Secretary and the Prime Sponsor.

**(b) Presentation of Certificates; Notice Required.** Any Member desiring to introduce a certificate shall attach to their introduced certificate a Memorandum to the Clerk of the Legislature indicating the date and time the certificate is to be presented. Each Member shall be given *at least* twenty-four (24) hours notice of the date, time, and place of the presentation of any certificate. The Clerk of the Legislature shall not release any certificate for presentation until such notice of presentation has been given. Waiver of this twenty-four (24) hour notice requirement may be approved by the Chairperson of the Committee on Rules, upon receipt of a written request from the Prime Sponsor to the Chairperson of the Committee on Rules; *provided*, that immediate notice be given to all Senators as to the date, time, and place of presentation.

## RULE IX

### PROCESSING OF APPOINTMENTS

**Section 9.01. Nomination Letter.** In accordance with the requirements of 4 GCA § 2103.5, the appointing authority shall hand-deliver to the Office of the Speaker of *I Liheslaturan Guåhan* the name of any nominee to a position in a nomination letter. The Speaker shall forward the communication to the Legislative Secretary for record keeping and the Chairperson of the Committee on Rules for referral to the Standing Committee with proper jurisdiction.

**Section 9.02. Nomination Requirements.** The nomination letter shall conform to the requirements of 4 GCA § 2103.5 or may be returned by the Speaker, at the request of the Committee Chairperson, to *I Maga'hågan Guåhan* for insufficiency upon failure to include the information or documents required by statute.

**Section 9.03. Verification.** The nomination transmittal shall also include an affidavit executed by the applicant under penalty of perjury that the applicant has read and reviewed the information contained in the nomination letter from *I Maga'hågan Guåhan* that the matters contained in such nomination letter and all attachments thereto are true and correct. If the applicant cannot, or will not, certify or verify the accuracy of any part of the nomination letter, it shall be so noted in the applicant's affidavit.

**Section 9.04. Additional Requirements.** In addition to the statutory requirements, nominations shall contain the nominee's residential and mailing addresses; employment record; prior or present service in any capacity with any government, private, or civic institution or organization; a list of businesses in which the nominee has any financial interest; an affidavit from the applicant indicating the date, place, charge and disposition of any convictions for any criminal violation; and a statement as to any and all delinquent or past due tax liabilities of the nominee. The nomination papers shall also indicate the dates, if any, that the nominee has served in an acting capacity for the position. All information required by these rules or by statute shall continue to be updated by the nominating authority until the nominee is confirmed or rejected and the Committee Chairperson overseeing the nomination shall be notified of any changes within twenty-four (24) hours.

**Section 9.05. Time to Act.** Failure to provide all the above information shall not toll the time for acting upon said executive appointment, and the appointment shall be deemed received as of the date the Speaker receives the executive appointment from *I Maga'hågan Guåhan*.

**Section 9.06. Committee Report Required.** A Standing Committee, or its authorized Subcommittee, upon reporting back to *I Liheslaturan Guåhan* on appointments referred to it, shall prepare and submit to *I Liheslaturan Guåhan* a formal, written Committee Report which, in addition to the Committee's recommendations and vote thereon, shall include the information required by Section 9.01, and a digest covering the testimony and evidence of those testifying at such public hearing. On appointments to government boards and commissions, the Committee Report shall include the expiration date of the nominee's term of office and the name of the person the nominee is replacing.

**Section 9.07. Public Hearing Required.** No Standing Committee, or its authorized Subcommittee, shall issue a Committee Report on an appointment requiring legislative confirmation to a full-time executive office, judicial office, boards or commissions, for which compensation is paid without first conducting a public hearing thereon. (*See also* Section 1.02(f)(7)(A)).

**PART C**  
**STANDING COMMITTEES**  
**RULE X**

**CHAIRPERSONS AND JURISDICTION**

**Section 10.01. Chairpersons.** Any Member may be a Chairperson of *more than one* (1) Standing Committee. A Chairperson of a Standing Committee shall be solely responsible for calling all meetings of the Standing Committee and establishing agendas for such meetings, as well as producing Committee Reports and resolutions, and may act in place of the Committee in all matters *except* the reporting out of bills.

**Section 10.02. Committees and Jurisdiction.**

**(a) Committee on Rules.**

**(1) Jurisdiction.** The Committee on Rules shall have purview over all matters pertaining to:

- (A) proposed amendments to the Standing Rules;
- (B) resolutions and bills relating to the business, budget, design, and activities of *I Liheslaturan Guåhan*;
- (C) enrollment and review;
- (D) order and arrangement;
- (E) the Session Agenda;
- (F) the defense or initiation of court action on behalf of *I Liheslaturan Guåhan*, which shall be authorized by a Rules Resolution; and
- (G) any and all other matters that fall under the jurisdiction, powers, and authority of the Committee on Rules as set out in Section 11.11 of Rule XI.

**(2) Successor Status.** For the purposes of these Standing Rules of *I Mina'trentai Ocho Na Liheslaturan Guåhan*, the Committee on Rules is synonymous with all references to the Committee on Rules, all references to the Executive Committee, and all references to the Committee on Calendar. They are the same body, and the Committee on Rules is the successor to the Committee on Rules, the Executive Committee, and the Committee on Calendar as promulgated in previous Standing Rules, or in any other reference. Any reference to the Committee on Rules throughout these Standing Rules shall be considered a reference to the Committee on Rules.

**(b) Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure.**

**(1) Jurisdiction:** The Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure shall have purview over all matters pertaining to:

**(A) Land:**

- (i) the Chamorro Land Trust Commission;
- (ii) the Ancestral Lands Commission;
- (iii) the Department of Land Management; and
- (iv) the Guam Land Use Commission;
- (v) land or land use, except all matters relating to the Capitol District; and
- (vi) zone changes, and all proposed government of Guam land sales, leases, exchanges, and land use permits; and registration of land.

**(B) Environment:**

- (i) the Guam Environmental Protection Agency, including the Recycling Revolving Fund;
- (ii) the protection of Guam's natural environment, inclusive of air, land, and seas, and all matters relative to the safety of Guam's natural drinking water resources;
- (iii) the Guam Coastal Management Program and Coral Reef Initiative of the Bureau of Statistics and Plans; and
- (iv) renewable/alternative energy and energy conservation, to include the Guam Energy Office.

**(C) Housing:**

- (i) the Guam Housing Corporation;
- (ii) the Guam Housing and Urban Renewal Authority;
- (iii) the Affordable Housing Coordinating Council; and
- (iv) Guam and housing and urban renewal in general.

**(D) Agriculture:**

- (i) the Department of Agriculture.

**(E) Parks:**

- (i) the Department of Parks and Recreation; and
- (ii) public parks and recreational facilities, the utilization of the structures and grounds of the Governor Ricardo J. Bordallo Governor's Complex, federal parks and monuments, and public cemeteries.

**(F) Infrastructure:**

- (i) the Department of Public Works;
- (ii) Guam's highways, bridges, and village streets infrastructure, other public works, and matters pertaining to; and
- (iii) regulation of building construction to ensure the safety of buildings and structures in the community, to include matters pertaining to the Guam Contractors' Licensing Board (GCLB), the Guam Building Code Council (GBCC), and the Professional Engineers, Architects, and Land Surveyors (PEALS) Board.

**(c) Committee on Finance and Government Operations.**

**(1) Jurisdiction.** The Committee on Finance and Government Operations shall have purview over all matters pertaining to:

**(A) Finance:**

- (i) Appropriations:
  - (aa) appropriations, including budget bills, and claim bills and excepting appropriations from the funds of *I Liheslaturan Guåhan* made by resolution or appropriations to *I Liheslaturan Guåhan*; the Committee shall review requests for appropriations and report thereon to *I Liheslaturan Guåhan* on the purposes and reasonableness thereof, and whether the same are in accord with legislative intent and policy;
  - (bb) the general annual audit of the government of Guam, by way of serving as the liaison for *I Liheslaturan Guåhan*;
  - (cc) the Division of Accounts of the Department of Administration, except for those matters relating to the contract for the provision of mass transit services;

(dd) the Treasurer of Guam Division of the Department of Administration;

(ee) the Bureau of Budget and Management Research; and

(ff) the Office of Finance and Budget and projection of revenues.

(ii) Analysis of Money Bills. Whenever a bill appropriating money is referred to the Committee on Finance, the Committee shall prepare a written analysis of the bill's financial features, which shall be made available to the Members of *I Liheslaturan Guåhan*. It is declared to be the policy of *I Liheslaturan Guåhan* that the expert services of the Committee on Finance be utilized to the maximum extent possible and that, prior to the passage of any bill appropriating money, such expert analysis be made available to the Members of *I Liheslaturan Guåhan*.

**(B) Government Operations:**

(i) Department of Administration;

(ii) Office of Public Accountability;

(iii) Governor's Office Divisions;

(iv) Mayors Council:

(aa) municipal governance, including the Mayors Council of Guam.

(v) Department of Revenue and Taxation:

(aa) Tax Enforcement,

(bb) Taxpayer Services;

(cc) Real Property; and

(dd) Motor Vehicle Division.

**(d) Committee on Public Safety, Emergency Management, and Guam National Guard.**

**(1) Jurisdiction.** The Committee on Public Safety, Emergency Management, and Guam National Guard shall have purview over all matters pertaining to:

**(A) Public Safety:**

- (i) the Guam Police Department;
- (ii) the Guam Fire Department;
- (iii) the Department of Corrections;
- (iv) Guam Homeland Security and the Office of Civil Defense;
- (v) the Port Authority Police of the Port Authority of Guam;
- (vi) the Territorial Park Patrol of the Department of Parks and

Recreation; and

- (vii) the Conservation Division of the Department of Agriculture;

and

- (viii) the Peace Officer Standards and Training Act (POST).

**(B) Emergency Management:**

- (i) Guam Homeland Security;
- (ii) the Office of Civil Defense; and
- (iii) the Guam Recovery Office.

**(C) Guam National Guard.**

**(e) Committee on Education, Libraries and Public Broadcasting.**

**(1) Jurisdiction.** The Committee on Education Libraries and Public Broadcasting shall have purview over all matters pertaining to:

**(A) Education:**

- (i) the Guam Department of Education;
- (ii) Guam Academy Charter Schools; and
- (iii) Higher Education:
  - (aa) post-secondary education, including the development of educational opportunities, the Council of Post-Secondary Institutions Certification, the First-Generation Trust Fund Initiative, and the Western Interstate Commission for Higher Education;
  - (bb) 17 GCA Division 3;
  - (cc) the University of Guam; and
  - (dd) the Guam Community College.

**(B) Public Libraries:**

- (i) all matters pertaining to the Guam Public Library System.

**(C) Public Broadcasting:**

- (i) the Guam Educational Telecommunications Corporation (KGTF) Board of Directors, and the Guam Educational Telecommunications Corporation, PBS Guam.

**(f) Committee on Health and Veterans Affairs.**

**(1) Jurisdiction.** The Committee on Health and Veterans' Affairs

**(A) Health:**

- (i) the Guam Memorial Hospital Authority, inclusive of all special funds related to the Guam Memorial Hospital Authority;
- (ii) the Department of Public Health and Social Services;
- (iii) the Guam Behavioral Health and Wellness Center;
- (iv) social welfare and social services, and health planning; and all other patient care services;
- (v) all other aspects of the provisions of health care services on Guam;
- (vi) all health maintenance organizations and other entities offering pre-paid health plans doing business on Guam;
- (vii) all aspects of health insurance transactions that are regulated by the Insurance Commissioner, except the procurement of health insurance for the Government of Guam;
- (viii) the implementation of the Patient Protection and Affordability Care Act (PPACA) on Guam;
- (ix) the Cannabis Control Board (CC B), the Medical Cannabis Regulation Commission (MCRC); and
- (x) the regulation of activities involving hemp and cannabis industries relative to cultivation, production, manufacture and commercial sales of medical and adult recreational use cannabis and all cannabis derived products.

**(B) Veteran Affairs:**

- (i) veteran services, and wellness initiatives; and
- (ii) Veterans Cemetery.

**(g) Committee on Child Welfare, Youth Affairs, Senior Citizens, Women's Affairs, Disability Services, the Arts, Culture, Historic Preservation, and *Hagåtña* Restoration.**

**(1) Jurisdiction.** The Committee on Youth Affairs, Senior Citizens, Women's Affairs, Disability Services, the Arts, Culture, Historic Preservation, and *Hagåtña* Restoration.

**(A) Child Welfare:**

- (i) Child Protective Services and the welfare of foster children.

**(B) Youth Affairs:**

- (i) 19 GCA Division 2 and the Department of Youth Affairs;  
and
- (ii) 2 GCA Chapter 7 and the Guam Youth Congress, all student government entities, all student representatives elected and appointed, all youth representatives elected and appointed, and any such matters that these shall entertain and advocate within their respective capacities.

**(C) Senior Citizens:**

- (i) the Division of Senior Citizens of the Department of Public Health and Social Services and all associated programs under 10 GCA Chapter 8;
- (ii) the operation of senior citizen centers; and
- (iii) the protection and care of senior citizens and all other activities of the senior citizens of Guam.

**(D) Women's Affairs:**

- (i) the health, education, family care, and economic independence of women; and
- (ii) the Bureau of Women's Affairs or its successor.

**(E) Disability Services:**

(i) the Department of Integrated Services for Individuals with Disabilities (DISID); and

(ii) Division of Vocational Rehabilitation (DVR).

**(F) the Arts:**

(i) Guam Council on the Arts and Humanities Agency (CAHA).

**(G) Culture:**

(i) cultural heritage and the CHamoru language;

(ii) the Department of Chamorro Affairs, *Kumision I Fino' CHamoru yan I Fina'nâ'guen I Historia yan I Lin'a'la' I Taotao Tâno'* (Commission on Chamorro Language and the Teaching of the History and Culture of the Indigenous People of Guam), and the Guam Museum;

(iii) CHamoru studies, CHamoru immersion schools, and cultural exchange programs including the Festival of the Pacific Arts (FESTPAC); and

(iv) the jurisdiction, powers and authority of the Guam Trademark Commission and such authorities as are granted under statute, resolution, or executive order to the former Committee on Cultural Affairs for which this Committee is successor; and the Chamorro Village.

**(H) Historic Preservation:**

(i) historic and cultural sites;

(ii) historic preservation, the National Historic Preservation Act process and implementation of programmatic agreements;

(iii) The Guam Historic Resources Division, to include the Guam Historic Preservation Office, of the Department of Parks and Recreation; and

(iv) the Guam Preservation Trust.

**(I) *Hagåtña* Restoration:**

(i) the historic preservation, restoration, and redevelopment of *Hagåtña*;

(ii) the *Hagåtña* Restoration and Redevelopment Authority; and

(iii) the Capitol District.

**(h) Committee on Transportation, Tourism, Customs, Utilities, and Federal and Foreign Affairs.**

**(1) Jurisdiction.** The Committee on Transportation, Tourism, Customs, Utilities, and Federal and Foreign Affairs.

**(A) Transportation:**

- (i) the Guam Regional Transit Authority;
- (ii) the Antonio B. Won Pat International Airport; and
- (iii) the Jose D. Leon Guerrero Commercial Port, except the Port Authority Police of the Port Authority of Guam; Guam harbors and marinas, and marine navigation systems.

**(B) Tourism:**

- (i) tourism and the Guam Visitors Bureau, including the Tourist Attraction Fund, the Hotel Occupancy Tax (HOT), and HOT Bonds;
- (ii) financing, refinancing, issuance, or re-issuance of revenue bonds or borrowing that will be serviced solely from the revenues generated by Hotel Occupancy Tax or the Tourist Attraction Fund;
- (iii) the Tourism Education Council; and
- (iv) Guam zoos, botanical gardens, and aquaria.

**(C) Customs:**

- (i) Guam Customs and Quarantine Agency and customs laws, including 5 GCA Chapter 73.

**(D) Utilities**

- (i) the Guam Power Authority;
- (ii) financing, re-financing, issuance, or re-issuance of revenue bonds that will be serviced solely from the revenues generated by the Guam Power Authority and not requiring the pledge of the full faith and credit of the government of Guam, the borrowing of a line of credit of the government of Guam or any entity or instrumentality of the government of Guam;
- (iii) water, wastewater, and solid waste services and the governance thereof, to include the Guam Waterworks Authority (GWA),

the Guam Solid Waste Authority (GSWA), the Consolidated Commission on Utilities (CCU), and the Public Utilities Commission (PUC); and

(iv) financing, re-financing, issuance, or re-issuance of revenue bonds that will be serviced solely from the revenues generated by the Guam Waterworks Authority, and the Guam Solid Waste Authority, respectively; and not requiring the pledge of the full faith and credit of the government of Guam, the borrowing or line of credit of the government of Guam or any entity or instrumentality of the government of Guam.

**(E) Federal and Foreign Affairs:**

(i) the jurisdiction, powers and authority of the Guam First Commission;

(ii) the federal-territorial relationship between Guam and the United States of America;

(iii) relations between Guam and the Micronesian area states individually or through organizations, except the Association of Pacific Island Legislatures (APIL); and

(iv) relations between Guam and foreign governments.

**(i) Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement.**

**(1) Jurisdiction.** The Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Technology, Justice, Elections, and Retirement.

**(A) Economic Investments:**

(i) the Guam Economic Development Authority (GEDA);

(ii) Guam products, including the Guam Product Seal; and

(iii) Guam Department of Labor.

**(B) Military Buildup:**

(i) all matters as it relates to military build-up.

**(C) Regional Relations:**

(i) all matters pertaining to the relations between Guam and the freely associated states of Micronesia, inclusive of the Association of

Pacific Island Legislatures, to which the Committee Chair shall serve as a member of the Board from *I Liheslaturan Guåhan*;

(ii) all matters pertaining to relations between Guam and the Commonwealth of the Northern Mariana Islands; and

(iii) all matters pertaining to the Aisa Pacific Parliamentary Union, to which the Chair shall serve as one of Guam's representatives.

**(D) Regulatory Affairs:**

(i) The regulatory functions of the Department of Revenue and Taxation.

**(E) Technology:**

(i) The Guam Office of Technology.

**(F) Justice:**

(i) the Office of the Attorney General or its successors;

(aa) the Office of the Chief Medical Examiner.

(ii) the Public Defender Service Corporation;

(iii) the practice of law on Guam and the admission to practice;

(iv) all proposed laws and statutes of a penal nature;

(v) consumer rights and consumer affairs;

(vi) all matters relating to the judicial branch, to include the courts, judges, justices, and the Judicial Building Fund;

(vii) all matters relating to statutory reform and the recodification of Guam laws and the establishment of new codes therein, and the Compiler of Laws; and

(viii) all matters relating to the Civil Code; the Criminal Procedure Code; the Probate and Estates Code; and the Criminal and Correctional Codes, and the Code of Judicial and Civil Procedure.

**(G) Elections:**

(i) The Guam Election Commission.

**(H) Retirement:**

(i) The Government of Guam Retirement Fund.

**RULE XI**  
**POWERS, AUTHORITY, AND COMPOSITION**  
**OF STANDING COMMITTEES**

**Section 11.01. General Authority.** Each Standing Committee is authorized to study and analyze all facts relating to the subjects that fall within its jurisdiction, including, but not limited to, a need for revision of the laws relating to that subject. Each Standing Committee, through its Chairperson and Vice Chairperson, has powers of discovery and subpoena relating to the subjects that fall within its jurisdiction, and as detailed in Title 2 GCA Chapter 3.

**Section 11.02. Powers.** Each Standing Committee may meet and do any and all things necessary and convenient to enable it to exercise the powers and perform the duties granted to it, and may expend such money as may be made available for such purpose; but no Committee shall incur any indebtedness, *unless* money shall have been first made available therefore.

**Section 11.03. Committee Meetings.** In order for any action of any Standing Committee of *I Liheslaturan Guåhan* to be valid, such action must be taken at a Committee meeting. For the purposes of this Section, a Committee meeting is a meeting that is called by the Chairperson of the Standing Committee in accordance with Section 10.01 of these Standing Rules, and no less than two (2) working days in advance of any such meeting. Any such meeting, and notice to the Committee members thereof, may be conducted electronically, at the Chairperson's discretion. This Section shall not apply to public hearings covered by Section 11.07 of these Standing Rules.

**Section 11.04. Staff of Standing Committees.** Each Standing Committee is authorized and empowered to organize its staff, using for such purpose funds allocated to it by the Committee on Rules. Each staff shall consist of such professionals as may be reasonably necessary to carry out the Committee's duties.

**Section 11.05. Rules of Standing Committees.** Each Standing Committee may organize rules and regulations for the conduct of its business, adopting such supplementary rules and regulations, not inconsistent with these Rules, as may from time to time be required in connection therewith.

**Section 11.06. Votes.** The affirmative vote of a majority of all members constituting a Standing Committee shall be required to report a bill or resolution out of Committee or Subcommittee. The Committee on Rules requires the affirmative vote of six (6) of its members. For purposes of this Section, a vote by a Member "to report out" shall be considered an affirmative

vote. A vote to abstain, or any other qualified vote not in the affirmative shall not be considered an affirmative vote to report such bill or resolution out of Committee.

**Section 11.07. Hearings Made Public.** Hearings of Standing Committees, inclusive of Roundtable Hearings, Oversight Hearings, and Informational Briefings, shall be subject to Chapter 8 of Title 5, Guam Code Annotated, otherwise known as the Open Government Law. Any person admitted to a hearing of a Committee or Subcommittee shall observe proper decorum, and this Rule shall not be construed to permit the participation by a person not a Member of *I Liheslaturan Guåhan* in the hearing of a Committee or a Subcommittee, *except* as permitted by its Chairperson. A Chairperson may order the removal from a hearing of a Committee or a Subcommittee of any person who is not a Member of *I Liheslaturan Guåhan* and who fails to observe proper decorum.

**(a) Roundtable Hearings, Oversight Hearings, Informational Briefings.**

A Roundtable Hearing, Oversight Hearing, or Informational Briefing held by a Standing Committee does not constitute a hearing for the purposes of 2 GCA § 2103 if the general public is not invited to provide testimony. Within sixty (60) days following any Round Table Hearing, Oversight Hearing, or Informational Briefing conducted by a Standing Committee, such Committee shall file a Committee Report, which includes a transcript of the proceedings, with the Committee on Rules.

**Section 11.08. Minority Members.** Each standing committee Chairperson may appoint Minority Members at their discretion.

**Section 11.09. Members of Standing Committees.** *Except* as otherwise provided in these Rules, Members of a Standing Committee or Subcommittee shall be appointed by the Chairperson. *Except* as otherwise provided in these Rules, the Chairperson shall determine the number of Members of the Standing Committee, which may not be less than five (5) members, including the Chairperson. The Speaker shall be a member of each Standing Committee.

**Section 11.10. Special Investigating Committees.**

**(a) Organization.** *Except* as provided by these Rules, no Committee for the investigation of any special subject shall be authorized, except pursuant to a Legislative Resolution, which shall be approved by the affirmative vote of a majority of the Members elected to *I Liheslaturan Guåhan*. The subject and purpose of the investigation shall be expressed in the title of the Legislative Resolution, and the scope of the investigation shall be consistent with the subject and purposes so expressed. No such Committee shall have

authority to extend its investigations to subjects not so expressed, nor beyond the scope indicated in the Legislative Resolution.

**(b) Approval of Expenses.** All expenditures to be incurred by Investigating Committees, which are not Standing Committees of *I Liheslaturan Guåhan*, shall be approved in advance by the Committee on Rules.

**(c) Limitations.** The Committee on Rules may adopt rules and regulations limiting the amount, time and places of expenses, and allowances to be paid to employees of Investigating Committees, other than Standing Committees.

**(d) Copies of Rules.** Copies of all rules and regulations adopted pursuant to this Rule shall be distributed to the Chairperson of every such Investigating Committee.

#### **Section 11.11. Powers, Authority and Composition of the Committee on Rules.**

**(a) Membership.** The Committee on Rules shall consist of the following voting Members:

- (1) the Chairperson, who shall be selected from among Members of the Majority Party;
- (2) the Speaker;
- (3) all Chairpersons of the other Standing Committees; and
- (4) Two (2) members of the Minority as the Chairperson selects.

**(b) Authority of Chairperson; Votes Required to Act.** The Chairperson of the Committee on Rules for legislative matters shall act on behalf of the Committee in all legislative matters, *except* where otherwise required by these Rules. Any and all action taken by the Committee on Rules requiring a vote pursuant to these Rules shall be effective upon the affirmative vote of six (6) of the members of the Committee on Rules.

**(c) Policy-Making Body.** The Committee on Rules is constituted as the policy-making body of *I Liheslaturan Guåhan*. The Committee may, upon the affirmative vote of six (6) of its members, prescribe all policies governing the administration and operation of the Central Office of *I Liheslaturan Guåhan*, including but not limited to, staff organization, functions, personnel requirements and rates of compensation.

**(d) Session Agendas.** The Committee on Rules shall have the general responsibility to determine whether any bill, resolution, Committee Report, communication or correspondence to *I Liheslaturan Guåhan* shall reach the Floor for

debate or discussion, and shall prepare the Session Agenda for each Legislative Day. All Committee Reports of Standing Committees shall be submitted to the Committee on Rules for its review, action, and/or amendment prior to presentation to *I Liheslaturan Guåhan*.

(e) **Continuous Existence.** The Committee on Rules shall continue in existence during any recess or adjournment of *I Liheslaturan Guåhan*, and after adjournment *sine die* until the convening of the next Legislature, having the same powers and duties as when *I Liheslaturan Guåhan* is in Session.

(f) **Committee on Rules Resolutions and Certificates.** Any Member of *I Liheslaturan Guåhan*, whether or not a member of the Committee, may author and introduce non-substantive Committee resolutions, certificates of commendation, certificate of condolences and other similar Committee documents, even though such non-Committee member may not vote on the same.

(g) **Supervision of Attachés.** The Chairperson of the Committee on Rules shall be responsible for supervising the Attachés of *I Liheslaturan Guåhan*. The Attachés shall be directed by the Speaker when *I Liheslatura* is in session.

(h) **Votes Required to Put a Bill on Second Reading.** The Committee on Rules may not place in Second Reading any bill or resolution *unless* it is reported out of the Standing Committee to which it was referred, and *unless* a majority of all of the Members of that Standing Committee have voted to “do pass” or to otherwise “report out”. The Committee on Rules may make amendments to any bill prior to its placement on the agenda.

(i) **Inventory of Property.** The Chairperson of the Committee on Rules is authorized and directed to make and maintain a complete inventory of all property of *I Liheslaturan Guåhan*, including all property in the possession or control of any Committee. The Committee on Rules shall have custody and control of all such property of *I Liheslaturan Guåhan*, and the Committee on Rules shall adopt such rules or orders as it may determine are necessary relating to the purchase, care, custody, use or disposal thereof.

(j) **Budget.** The Committee on Rules by a Rules Resolution adopted by at least six (6) of its members, shall establish a budget for *I Liheslaturan Guåhan* annually in accordance with Rule XV, and report on the expenditure of the same to *I Liheslaturan Guåhan* in accordance with Rule XV. The Committee on Rules may transfer funds from

among the various Central Operations accounts of *I Liheslaturan Guåhan* in order to assure smooth operations subject to ratification at the next Committee on Rules meeting following the transfer.

**(1) State Funerals.** The Committee on Rules may authorize State Funerals and the expenditure of funds to cover the following services:

- (A) Preparation and printing of the funeral program;
- (B) Preparation, printing and delivery of the funeral invitations;
- (C) Guam flag;
- (D) Guam wreath;
- (E) Preparation of the Session Hall, including the purchase of flower arrangements and providing other accenting décor; and
- (F) Staffing of the service, including set-up and break-down.

**(k) Use of Legislative Buildings.** No part of the Guam Congress Building, or of any successor building which serves as the official seat of *I Liheslaturan Guåhan*, shall be used for any non-legislative function or purpose without the prior written consent of the Chairperson of the Committee on Rules, which Committee shall adopt rules to govern such permitted non-legislative uses.

**(1) Maintaining Security of the Session Hall.** The Committee on Rules shall have jurisdiction over the Guam Congress Building and the Speaker Antonio R. Unpingco Legislative Session Hall, including, but not limited to, procedures for ensuring security of the building and the Hall and oversight of the admission of visitors in the visitor areas, both during and outside Session meeting times;

**(l) Legislative Printing.** The Chairperson of the Committee on Rules shall order copies of laws, journals, file forms and other materials necessary.

**(m) Legislative Lobbyists.** The Committee on Rules shall have the authority to monitor to ensure compliance with *or* to receive and dispose of any complaints alleging any violations of 2 GCA § 8101 relative to the registration and regulation of legislative lobbyists.

**PART D**  
**DEFINITION OF LEGISLATIVE STAFF**  
**RULE XII**  
**LEGISLATIVE STAFF**

As used in Part D, “Central Legislative Staff” includes all staff and employees of *I Liheslaturan Guåhan*, excluding Members, and including contract hire staff, whose positions are funded by *I Liheslaturan Guåhan* from any funds which are not specifically allocated to the Office of the Speaker, a Standing Committee of *I Liheslaturan Guåhan*, a contingency fund, a community service account, or the office or account of a Member.

## RULE XIII

### APPROVAL OF LEGISLATIVE STAFF

Except for Attachés elected by the Members, no person may occupy any position within the Central Legislative Staff unless such position has first been approved by the Chairperson of the Committee on Rules, or is approved in the budget to be adopted pursuant to Rule XIV, such approval to include as to each position title, salary or compensation, job description, and an indication as to whether the position is full time or part time. The selection of individuals to occupy such approved Central Legislative slots shall be made by the Chairperson of the Committee on Rules.

**Section 13.01. Executive Director.** The Chairperson of the Committee on Rules may hire an Executive Director (Director), who shall be under the supervision of the Chairperson of the Committee on Rules, who may discipline and dismiss the Executive Director, and may be immediately responsible for the day-to-day operations and administration of *I Liheslaturan Guåhan*. The Director shall implement and enforce policies and regulations established and appropriated to that person's duties, and shall perform such other duties as are assigned to that person by the Chairperson. The Director may recommend policy changes and new procedures to the Chairperson of the Committee on Rules. Legislative staff personnel, not employed by the Legislative Officers, the Standing Committees, or an individual Senator, and who are working for the Central Staff shall come under the supervision of the Director. The Director is designated the Disbursing Officer of *I Mina'trentai Ocho Na Liheslaturan Guåhan*.

The Director shall be responsible for personnel processing, travel processing, property control, procurement of supplies, maintenance of all records of legislative expenses, including staff salaries, wages and working hours, and custodial services. The Director shall be responsible for coordinating with MIS for software, computers, equipment, and repairs of the same on Session Floor, maintaining security over audio and visual equipment, and ensuring energy reduction and sustainability efforts in relation to legislative operations. The Director shall further be responsible for creating all materials that Members use to communicate with constituents and with each other for legislative sessions and public events and maintaining archives of activities of the Members in coordination with the Clerk of the Legislature. The Director shall enforce these Rules where appropriate.

In the absence of the Director, the Chairperson of the Committee on Rules may appoint an Acting Director to act in such capacity and perform the functions of the Director, or *sua sponte*, assume the responsibilities of the Director.

(a) **Supervision by Executive Director.** The Central Legislative Staff shall be under the direction of the Executive Director, and the Chairperson of the Committee on Rules, and shall have such duties and carry out such responsibilities as shall be assigned to them from time to time. In performing any such duties, all employees of *I Liheslaturan Guåhan* shall maintain inviolate the confidences of each Senator and shall disclose or publish the same *only* when specifically authorized to do so.

**Section 13.02. The Chief Fiscal Officer.** The Chief Fiscal Officer shall be under the supervision of the Chairperson of the Committee on Rules, who shall have among that person's powers the authority to discipline and dismiss the Chief Fiscal Officer, and shall be immediately responsible for fiscal matters pertaining to *I Liheslaturan Guåhan*. The Chief Fiscal Officer and a Deputy Chief Fiscal Officer, if any, shall be appointed by the Chairperson of the Committee on Rules. The Chief Fiscal Officer shall serve as the Certifying Officer of *I Liheslaturan Guåhan* and of *I Liheslaturan Guåhan's* Operations Fund, and shall have overall responsibility for budgetary and accounting functions, subject to the direction and supervision of the Chairperson of the Committee on Rules, and shall perform such other duties as are assigned to the Chief Fiscal Officer by the Chairperson of the Committee on Rules.

The Chief Fiscal Officer shall make a monthly report to the Members as to expenditures under the Legislative Operation Budget. In the absence of the Chief Fiscal Officer, the Deputy Chief Fiscal Officer shall perform the functions of the Chief Fiscal Officer in an acting capacity. In the absence of the Chief Fiscal Officer and the Deputy, the Chairperson of the Committee on Rules shall appoint an Acting Chief Fiscal Officer to perform the functions of the Chief Fiscal Officer.

**Section 13.03. Discharge of Employees.** *Unless* otherwise specified by law or prescribed by the Chairperson of the Committee on Rules, the discharge of a full-time or part-time employee, not employed by the Officers, Standing Committees, or the Minority shall be either by the Executive Director, with the concurrence of the Chairperson of the Committee on Rules, or by the Chairperson of the Committee on Rules; provided, that such discharge may be nullified by a vote of six (6) of the members of the Committee on Rules. Other employees may be suspended or

discharged by the Senator, Officer, Committee Chairperson, or Minority Office from whose budget they are paid without cause.

**Section 13.04. The Chief Protocol Officer.** The Chief Protocol Officer shall be under the supervision of the Chairperson of the Committee on Rules, who shall have among that person's powers the authority to discipline and dismiss the Chief Protocol Officer, and shall be immediately responsible for protocol matters pertaining to *I Liheslaturan Guåhan*. The Chief Protocol Officer shall be appointed by the Chairperson of the Committee on Rules. The Chief Protocol Officer shall:

- (a) manage the mailroom of *I Liheslatura*;
- (b) coordinate official visits of *I Liheslatura* by dignitaries and other persons;
- (c) direct the conduct of state functions, to include inaugurations, official addresses, funerals, etc.;
- (d) provide support staffing for public hearings;
- (e) oversee the operations of audio and visual recording and production;
- (f) act as historian of *I Liheslatura*;
- (g) have overall responsibility for the protocol office functions, subject to the direction and supervision of the Chairperson of the Committee on Rules; and
- (h) perform such other duties as are assigned to the Chief Protocol Officer by the Chairperson of the Committee on Rules.

In the absence of the Chief Protocol Officer, the Chairperson of the Committee on Rules shall appoint an Acting Chief Protocol Officer to perform the functions of the Chief Protocol Officer.

**Section 13.05. Facilities Manager.** The Facilities Manager shall be appointed by the Chairperson of the Committee on Rules. The Facilities Manager will be responsible for the operations and maintenance of the facilities, including buildings, grounds, and other property owned by *I Liheslaturan Guåhan*.

The Facilities Manager shall:

- (a) Facilitate maintenance and upkeep: Oversee the maintenance, repair, construction, cleanliness, and general upkeep of all legislative buildings and grounds;
- (b) Ensure facilities remain functional and in optimal condition across multiple locations;

- (c) Contractor and Supplier Coordination: Plan and coordinate the use of contractors and suppliers to deliver maintenance and other services to *I Liheslaturan Guåhan*;
- (d) Ensure that all facilities meet health and safety standards;
- (e) Preventive Maintenance and Safety: Plan and implement preventive maintenance;
- (f) Budgeting: Prepare and manage budgets for equipment, supplies, and services;
- (g) Reporting: Provide regular reports to the Chairperson of the Committee on Rules regarding building maintenance operations;
- (h) Project Management: Manage facilities-related projects, ensuring they meet time, budget, scope, and quality standards;
- (i) Communication: Respond to inquiries from legislative offices and the public regarding facility-related matters;
- (j) Space Planning: Develop and recommend plans for the effective use of space, including the placement of new buildings or facilities;
- (k) Fleet Management: Oversee *I Liheslaturan*’s fleet vehicle and ensure proper maintenance and usage; and
- (l) Perform any additional duties assigned by the Chairperson of the Committee on Rules.

The Facilities Manager shall report directly to the Chairperson of the Committee on Rules, who shall have the authority to discipline or dismiss the Facilities Manager. The Chairperson will also oversee the Facilities Manager’s activities and responsibilities.

In the absence of the Facilities Manager, the Chairperson of the Committee on Rules shall appoint an Acting Facilities Manager to fulfill the duties and responsibilities of the position.

**Section 13.06. Speech and Debate Clause Privilege Asserted.** Unless otherwise expressly provided to the contrary, *I Liheslaturan Guåhan* hereby asserts its Speech and Debate Clause privileges on behalf of itself, its committees, and its staffers pursuant to 48 U.S.C. § 1423c(b), Privileges of Members.

**PART E**  
**CENTRAL OPERATIONS**  
**RULE XIV**

**PERSONNEL RULES AND REGULATIONS**

**Section 14.01. Scope.** These Rules shall apply to all positions in *I Liheslaturan Guåhan*, *except* to a Senator, and *except* as herein otherwise provided, or as provided by the Chairperson of the Committee on Rules.

**Section 14.02. General Rules.** The following general rules shall apply to legislative personnel:

(a) **Personnel Elected by *I Liheslaturan Guåhan*.** The Legislative Counsel, the Clerk of the Legislature, the Sergeant-at-Arms, and the Chaplain shall be elected by the Members of *I Liheslaturan Guåhan* as prescribed by law. The Legislative Secretary shall certify the results of such elections to the Chairperson of the Committee on Rules.

(b) **Employee of a Senator, Legislative Office, or a Standing Committee.** An employee of a Senator, of a Legislative Officer, or of a Standing Committee shall be selected by the Senator, by the Officer or by the Chairperson of the Standing Committee, which selection shall be evidenced by a memorandum to the Chairperson of the Committee on Rules from the Senator, Officer or Chairperson. The signature of the Chairperson of the Committee shall be required for all hiring actions by *I Liheslaturan Guåhan*.

(c) **All Other Employees.** All other employees of *I Liheslaturan Guåhan* shall be selected by the Executive Director, *except* for the Executive Director in a manner prescribed by the Committee on Rules, the Deputy Executive Director, the Chief Fiscal Officer and the Deputy Chief Fiscal Officer, whose methods of selection are elsewhere detailed, with the concurrence of the Chairperson of the Committee on Rules for positions which have been authorized by the Committee on Rules. Selection of an employee shall be evidenced by a memorandum from the Chairperson of the Committee on Rules to the Committee on Rules.

(d) **Selection, Appointment and Dismissal of Employees.** *Unless* otherwise specified by law or prescribed by the Chairperson of the Committee on Rules, the selection, appointment, and dismissal of a full-time or part-time employee, not employed by the Officers, Standing Committees, or the Minority shall be either by the Executive Director,

with the concurrence of the Chairperson of the Committee on Rules, or by the Chairperson of the Committee on Rules; provided, that such selection, appointment, or dismissal may be nullified by majority vote of the Committee on Rules.

**Section 14.03. Administration.** These Rules shall control the administration of personnel matters in *I Liheslaturan Guåhan*. Subject to these Rules and such other administrative regulations as are promulgated, the Executive Director shall:

- (a) advise the Chairperson of the Committee on Rules on policies and procedures concerning the administration of personnel matters;
- (b) establish and maintain records of personnel employed by *I Liheslaturan Guåhan*;
- (c) audit and investigate, from time to time, the operation and efficiency of the personnel program;
- (d) carry out such other programs considered necessary and desirable to assure an equitable personnel system; and
- (e) shall be immediately responsible for the administration and enforcement of the personnel program.

**Section 14.04. Obligations of Employment.** These Rules shall, as nearly as conditions of sound administration allow, conform to the employment obligations which follow.

(a) **Compensation, When Not Payable.** Compensation may not be authorized or paid to any employee, *unless* rules and regulations have been complied with for initial employment or retention in the service of *I Liheslaturan Guåhan*.

(b) **Hours of Work.** Hours of work shall be from 8:00 a.m. to 5:00 p.m., Monday to Friday inclusive, or as set from time to time by the Chairperson of the Committee on Rules or the employee's supervisor.

(c) **Working Hours.** All full-time employees are required to put in *no less than* forty (40) hours per week or as otherwise approved by immediate supervisors.

(d) **Compensatory Time.** The Executive Director may authorize in advance: that an employee who voluntarily works in excess of forty (40) hours per week shall receive compensatory time off at the rate of one and one-half (1½) times the total number of hours worked in excess of forty (40) hours. For central office employees, compensatory time off

earned, but unused, must be taken with consent of the employee's immediate supervisor and before the end of the term or be forfeited.

(e) **Exceptions.** Those employees of an Officer of *I Liheslaturan Guåhan*, of a Standing Committee or of a Senator, who work at irregular hours at the direction of such Officer, Committee or Senator, shall be deemed to work the complete assigned and designated hours per week, as shown on their personnel action form, and their work records shall so indicate, but such employees shall receive no overtime, no compensatory time off, nor night-time differential.

(f) **Outside Employment or Interests.** Employment or business interests of any full-time employee outside the government service may be permitted if it does not involve conflict of interest, incompatibility of jobs or hours, or improper representation as a public servant. Approval of the appropriate Committee Chairperson, for Committee employees, or the Chairperson of the Committee on Rules, for general employees, shall be required prior to maintaining outside employment or business interests.

(g) **Standard of Conduct.** An employee shall devote full-time and attention to the employee's duties during working hours. The Employee's conduct, both private and public, shall be such as to bring honor and respect to the employee's office and *I Liheslaturan Guåhan*. All employees must extend due and proper courtesy and respect to the Members of *I Liheslaturan Guåhan*. No employee shall actively campaign against any political candidate of that employee's own party as reflected on the employee's voter registration record.

(h) **Not Employees.** *Unless* specified otherwise by the contract, persons who perform services pursuant to contract shall be deemed not to be employees of *I Liheslaturan Guåhan*.

**Section 14.05. Appointment Procedures.** The following procedures shall apply to appointments:

(a) **Position Established by the Chairperson of the Committee on Rules.** No person shall be appointed to, or employed in, or paid for service in any position in *I Liheslaturan Guåhan* until that position has been established by the Chairperson of the Committee on Rules.

(b) **Authorized Positions Listed With the Committee on Rules.** The Chairperson of the Committee on Rules shall maintain a list of authorized positions, showing by class of positions those that have been established and the current status of the positions. No change in the number of authorized positions on such list shall be made, *except* upon approval of the Committee on Rules.

**Section 14.06. Classes of Employees.** There are *only* two (2) classes of employees within *I Liheslaturan Guåhan* as follows:

(a) **Class 1. Unrestricted Employees.** When hired on a full-time basis, Class 1 Employees are eligible to receive full benefits, i.e. medical, dental and group life insurance, and may choose to join the Government of Guam Retirement Plan. Annuitants may not become Class 1 Employees without foregoing their annuities. If an employee is an Unrestricted Employee, such status shall be indicated on all personnel documents pertaining to that employee, inclusive of personnel actions, etc.

(b) **Class 2. Restricted Employees.** Class 2 Employees are ineligible for medical, dental or life insurance benefits, but shall be entitled to government of Guam Workmen's Compensation. They may not join the Government of Guam Retirement Plan, but FICA must be paid on such employees, with *I Liheslaturan Guåhan* responsible for the employer's share of FICA. Restricted Employees hired by Committees or Senatorial offices shall have their employer's share of FICA paid out of Committee or Senatorial Office budgets allocated to the hiring Committee or Senatorial office. Restricted employees employed by the Central Operations of *I Liheslaturan Guåhan*, as attested to by the Chairperson of the Committee on Rules, shall have their employer's share of FICA paid out of the budget allocated to the Central Operations of *I Liheslaturan Guåhan*. Annuitants of the Government of Guam Retirement Fund may be restricted employees of *I Liheslaturan Guåhan* without losing their annuities. Restricted Employees are not eligible to accrue annual or sick leave. Working hours shall be determined by the appointing authority.

**Section 14.07. Kinds of Positions.** All positions shall be identified upon the records of *I Liheslaturan Guåhan* as "regular" or "temporary" in accordance with the action in setting up the positions.

(a) **Regular Positions.** “Regular position” shall mean full-time position without the time limitation of one (1) year or less.

(b) **Temporary Appointment.** “Temporary appointment” shall mean an appointment of a full-time position of one (1) year or less.

(c) **Employee Contracts Prohibited.** No employee of *I Liheslaturan Guåhan* may be hired on the basis of an employee contract. *I Liheslaturan Guåhan* is restricted in the use of contracts, *except* in such cases as there are clear contract deliverables, restricted periods of contract duration and *only* for such specialized services as cannot be obtained through the use of regular employees or in such case where the use of a regular employee for those services would be prohibitively expensive or would otherwise be inadvisable. It is not the intention of this Section to prohibit the use of contracts for obtaining commonly recognized services, such as legal services, auditing services, specialized consulting services of limited duration, specialized research, or construction and similar technical contracts.

**Section 14.08. Pay Administration.** Pay shall be administered as follows.

(a) **Basic Compensation.** “Basic Compensation Rates” means the hourly, weekly or annual pay rate used to determine an employee’s compensation in accordance with the salary schedule established by the Chairperson of the Committee on Rules. No Committee or Officer may subsidize the basic compensation of a non-Committee or non-Officer employee.

(b) **Shared Appointment.** An employee may be appointed for less than full-time employment by a Committee or Officer, and accept less than full-time employment with another Committee or Officer. The employee may not accept employment or compensation greater than the equivalent of a full-time position.

(c) **Funds for Salary.** A Committee or Office Budget may be used to supplement the salary of a legislative employee.

(d) **Limitations During Last Six (6) Months of a Term.** The Chairperson of the Committee on Rules may, by resolution, set policies restricting salary increases, new hiring and new contracts during the last six (6) months of the term of *I Liheslaturan Guåhan*. No increase in excess of ten percent (10%) may be granted to any employee, new hire or contracted workers of *I Liheslaturan Guåhan* during the last six (6) months of a

term without specific prior approval by statute or by prior written resolution of the Rules Committee.

**Section 14.09. Leaves of Absence.** The following Sections apply to leave.

(a) **Unauthorized Absence.** Any employee who does not report for duty for ten (10) consecutive work days without permission from the Chairperson of the Committee on Rules or the employee's Committee Chairperson, in the case of Committee employees, shall be presumed to have abandoned that employee's position and may be dismissed.

(b) **Leave of Absence Defined.** A leave of absence is an approved absence from duty for a prescribed period of time, with or without pay.

(c) **Leave of Absence Without Pay.** Employees of *I Liheslaturan Guåhan* may be allowed a leave of absence without pay for a period not to exceed three (3) months. For good cause, such leave may be extended by the Chairperson of the Committee on Rules for an additional thirty (30) days. Acceptable reasons for leave without pay include military leave, maternity, paternity, sickness, travel abroad and those which the Chairperson of the Committee on Rules considers compatible with the interest of the service.

(d) **Leave of Absence With Pay.** The Chairperson of the Committee on Rules may authorize salary payments in whole or in part to an employee whose leave with pay has been approved.

(e) **Revocation.** Leave without pay or leave with pay may be revoked by the Chairperson of the Committee on Rules when the good of *I Liheslaturan Guåhan* may require it, or when evidence shows that the absent employee is engaged in activities for which leave could not have been granted in the first instance.

(f) **Failure to Return to Duty.** An employee who fails to report to duty at the expiration of leave of absence without acceptable reason may be considered as having resigned from the service.

(g) **Holidays.** Employees are not required to report to work on legal holidays. Essential services may be required by the Chairperson of the Committee on Rules to be carried out on such days by certain employees. When an employee is absent from duty either at the close of the work immediately preceding a holiday, or at the beginning of the work day immediately following a holiday, and such absence is determined to have been a

leave without pay, the employee shall not be eligible for compensation for the holiday, but shall be on leave without pay status.

**(h) Legal Holidays.** Holidays shall be in accordance with §1000 of Title 1 of the Guam Code Annotated.

**(i) Annual Leave Policy.** The policy of *I Liheslaturan Guåhan* is that annual leave is a privilege granted for the mutual benefit of employees and the government in order to assure the frequent refreshment of the employee so that the employee may more effectively perform that employee's duties. Each employee may be required to take leave. However, leave may be denied by the Chairperson of the Committee on Rules when the services of the employee are required.

The minimum charge of leave shall be for one (1) hour. Under ordinary circumstances, unavoidable or necessary absence from duty of less than one (1) hour and tardiness may be allowed by the Chairperson of the Committee on Rules for good reasons without charge of leave.

**(j) Annual Leave.** Employees shall accrue annual leave at the same rate as other employees of the government of Guam, inclusive of restrictions in the total number of hours of annual leave that may be accrued.

**(k) Leave Year.** "Leave Year" means the period from the beginning of the first complete pay period in the calendar year commencing January 1 to the beginning of the first complete pay period in the following calendar year.

**(l) Basis for Accrual.** Annual leave shall accrue for each bi-weekly pay period in which an employee is in a pay status for the entire ten (10) days; otherwise, there shall be *no* accrual for such period.

**(m) Accumulation.** Annual leave accrued and unused in a leave year may be carried over to the next year.

**(n) Lump Sum Payment.** When an employee is separated, in lieu of being granted annual leave, the employee shall be given credit for any accrued and unused annual leave as of the date of separation. Any employee may, upon separation, apply for such a lump sum payment of accrued and unused leave. In computing such lump sum payment, leave on leave shall not be allowed. *Except* for rehire at the beginning of a new term, if any such employee is reinstated or re-employed by *I Liheslaturan Guåhan* prior to the

expiration of the period of leave on which lump sum payment is computed, the employee shall reimburse the government for any portion of such period which shall not have expired upon reinstatement or re-employment, and shall be credited with the unused leave balance for future use. An employee may, prior to taking authorized annual leave, receive a lump sum payment in advance for the period if such leave shall not be less than ten (10) consecutive work days. *Except* for rehire at the beginning of a new term, if any such employee returns to work status prior to the expiration of the leave period for which the employee received a lump sum payment in advance, the employee shall reimburse the government for any portion of such period which shall not have expired, and shall be credited with leave for future use.

**(o) Sick Leave.** Employees shall accrue sick leave at the rate of one-half day (4 hours) for each bi-weekly pay period in which they are in pay status for the entire ten (10) work days. Otherwise, there shall be *no* accrual for such period.

**(p) Accumulation of Sick Leave.** Unused sick leave may be accumulated and carried over to succeeding leave years without limitations, which policy includes accumulated sick leave by Members and employees of the previous Legislature (i.e. a Member or employee can carry over accumulated sick leave from one (1) Legislature to the next).

**(q) When Allowed.** Sick leave with pay shall be allowed whenever an employee is compelled to be absent from duty on account of illness or injury, or because of quarantine due to the employee's own or another's illness.

**(r) Certification.** If an employee is absent because of illness, injury or quarantine in excess of three (3) days, the employee shall be required to furnish a certification as to the incapacity from a licensed physician or other evidence administratively acceptable. The Chairperson of the Committee on Rules may require certification for such other period of illness it deems advisable. If the required certification is not furnished, all absence which would have been covered by such certification may be charged to accrued annual leave at the employee's request, or such absence shall be considered as leave without pay.

**(s) Maternity and Paternity Leave.** Employees occupying regular positions shall be entitled to paid maternity and paternity leave on the same basis and at the same

rate as other employees of the government of Guam, inclusive of restrictions as to days which said leave can be used, as set forth by the Guam Family and Medical Leave Act of 1993, as amended, 22 GCA §§ 3601 *et seq.*

**(t) Incapacitation for Duty as the Result of On-the-Job Injury and Related Medical Treatment of the Injury.** Full-time employees of *I Liheslaturan Guåhan* shall be subject to the Workmen's Compensation Law, pursuant to Chapter 9 of Division 1 of Title 22, Guam Code Annotated.

**(u) Bereavement Leave.**

(1) An employee, upon request, shall be granted two (2) days of excused absence with pay, and without charge to leave upon the death of any member of the employee's immediate family.

(2) Each employee requesting bereavement leave due to a death in the immediate family, shall submit a request to the appointing authority stating the name of the deceased and the relationship to the deceased.

**(v) Special Provisions.**

(1) Sick leave taken for trivial indispositions or falsification of an illness report shall be sufficient cause for dismissal from the service.

(2) Sick leave with pay shall be allowed during leave of absence or vacations, provided that any sick leave taken by an employee while on vacation must be supported by a medical certification or some other evidence.

(3) No employee shall undertake gainful employment while on sick leave status.

(4) The minimum charge of sick leave shall be one (1) hour.

(5) An employee who has suffered a serious illness or ailment which has exhausted the employee's sick leave and who intends to return to work may submit a written request for advance of sick leave to the employee's appointing authority. Each request for advance of sick leave must be accompanied by a certification of incapacitation for duty by the employee's physician. An advance of sick leave may not exceed thirteen (13) days, and shall be subject to approval by the Chairperson of the Committee on Rules.

(6) If an employee is separated from service without having earned all of the sick leave allowed in advance and taken, there shall be deducted from any money due the employee at the time of separation, an amount equal to the employee's salary, for the period of unearned sick leave allowed and taken.

(w) **Expiration of Appointments.** All appointments to positions in *I Mina'trentai Ocho Na Liheslaturan Guåhan* shall automatically expire on January 4, 2027. All lump sum payments due at the expiration of appointment, as opposed to resignation or other termination, shall be paid on or after January 4, 2027.

(x) **Leave Sharing Program Policy and Procedures.** In accordance with 4 GCA §§ 4109.2 and 4109.3 the following shall serve as the policy on leave sharing and procedures governing *I Liheslaturan Guåhan*.

(1) **General Policy.** It shall be the policy of *I Liheslaturan Guåhan* to provide its employees the opportunity to voluntarily receive, donate or transfer leave to fellow employees or to employees within the other two (2) branches of government who anticipate, or have exhausted, all their leave. The intention of the policy is to assist employees by placing them on "leave with pay" status, therefore preventing severe loss of income during such emergency situations.

The leave transfer program is further intended to address employees and members of their immediate family who suffer from a "medical emergency," such as catastrophic illness or injury that poses a threat of life or requires inpatient or hospice care, extensive outpatient treatment, quarantine, surgery recuperation or care at home that prohibits the employee from performing regular work duties. Such donation or transfer shall be based on the following provisions set forth in this Policy.

(2) **Voluntary Transfer of Leave.** Voluntary transfer or receipt of sick or annual leave shall be available to active employees of *I Liheslaturan Guåhan* consistent with 4 GCA § 4109.2 and § 4109.3.

(3) **Request Form.** All requests for transfer and use of leave shall be submitted to the Executive Director, using forms that shall be designed by that Office for this purpose.

**Section 14.10. Sexual Harassment.** The following is the Sexual Harassment policy of *I Liheslaturan Guåhan*:

**(a) Purpose.**

(1) To set forth *I Liheslaturan Guåhan*'s policy on sexual harassment and communicate that any form of sexual harassment shall not be tolerated; and

(2) To set forth procedures for reporting and investigating complaints and for subsequent corrective action.

**(b) Description.** The Federal Equal Employment Opportunity Commission defines "sexual harassment" as unwelcome sexual advances, requests, favors and other verbal or physical conduct of a sexual nature when any one (1) of the three (3) criteria is met:

(1) submission to such conduct is made, either explicitly or indirectly, a term or condition of an individual's employment;

(2) submission to or rejection of such conduct by an individual is used as the basis of an employment decision affecting such individual; or

(3) such behavior has the purpose or effect of unreasonably interfering with an individual's work performance, or creates an intimidating, hostile or offensive work environment.

Sexual harassment may be in the form of verbal behavior, such as unwanted sexual comments, suggestions, jokes or requests for sexual favors, any non-verbal behavior which may include leering, pictures or cartoons and any physical behavior against a person's Body.

**(c) Policy.** Discrimination and/or harassment based upon race, sex, national origin, color or religion is unlawful pursuant to Title VII of the Civil Rights Act of 1964. Sexual Harassment is misconduct that undermines the integrity and quality of the workplace and employment relationships, and is unfair to the employee subjected to it, as well as their co-workers. All employees must be allowed to work in an environment free from unsolicited and unwelcome sexual overtones. Sexual Harassment hurts morale and interferes with work productivity of the victims, co-workers and harassers. No one has the right or authority to harass employees.

*I Liheslaturan Guåhan* is committed to providing a working environment that is free from sexual harassment of any kind; further, *I Liheslaturan Guåhan* must annually

conduct a sexual harassment workshop for all employees. Everyone must understand that sexual harassment is an unacceptable practice and shall not be tolerated in the work place. Therefore:

(1) All employees of *I Liheslaturan Guåhan* are responsible for creating a work environment free of sexual harassment.

(2) If an employee of *I Liheslaturan Guåhan* is found to have sexually harassed another employee, or other person having business with *I Liheslaturan Guåhan*, the harasser shall be counseled and may be subject to disciplinary action.

(3) Retaliation against employees of *I Liheslaturan Guåhan* who report sexual harassment, or who participate in an investigation, shall not be tolerated. Any employee found to have retaliated shall be counseled and subject to disciplinary action.

(4) Supervisors are responsible for taking reasonable and necessary steps to prevent the occurrence of sexual harassment in their work environment, and to take immediate corrective action if they become aware of sexual harassment. If the supervisor fails to do so, the supervisor shall be counseled, and may be subject to disciplinary action.

(5) All employees of *I Liheslaturan Guåhan* have the right to file a complaint internally, following the Sexual Harassment Complaint and Response Procedures. All complaints shall be kept confidential.

Internal Investigations of allegations of sexual harassment shall be done in a prompt and sensitive manner, and efforts shall be made, during the ongoing investigation process, to maintain confidentiality to the greatest extent possible. All employees are required to cooperate with such an investigation.

*I Liheslaturan Guåhan* does not intend to regulate social interaction or relationships which are consensual, voluntary, and freely entered into by employees or individuals performing business with the office where such relationships do not impact the performance of professional duties.

**(d) Sexual Harassment Complaint and Response Procedures.**

**(1) Reporting Procedures.**

(A) One (1) employee for every one hundred (100) people shall be trained and selected as an Employee Counselor. The name of the employee shall be made available to all employees.

(B) An employee who believes they are being sexually harassed by another employee should immediately notify either the Employee Counselor or the Executive Director, or the Senator under whose jurisdiction the employee is assigned, and to provide all relevant facts pertaining to the alleged harassment. A complaint may be either verbal or written.

(C) An employee should report any incident of sexual harassment within a reasonable time after the date of the first occurrence, and in no event later than ninety (90) days after the date of the first occurrence.

(D) These rules and any guidelines pertaining to procedures for reporting of sexual harassment in the workplace shall be made available to all employees of *I Liheslaturan Guåhan* upon initial hiring, or through the Employee Counselor.

If an allegation of sexual harassment is made against a Member of *I Liheslaturan Guåhan*, an employee may report the incident to the Senator under whose jurisdiction the employee is assigned, *unless* the supervising Senator is the subject of the allegations, in which case the employee may file a complaint under Rule XIX of these Standing Rules.

**(2) Review.** The Executive Director, Employee Counselor, or Senator under whose jurisdiction the employee is assigned shall review all allegations of sexual harassment referred to them. They shall have an ongoing obligation to immediately respond to a complaint of sexual harassment in the workplace. A complaint should first be reviewed informally with the person making the complaint to determine whether there are sufficient facts to warrant further action. If it is determined that the complaint alleges facts sufficient to warrant additional action, then the Employee Counselor shall refer the matter to the Executive Director, or Senator under whose jurisdiction the employee is assigned, in order to

resolve the matter through informal counseling. Informal counseling may also include a verbal and/or written documentation of the facts of the harassment, and instructions to desist from future actions of such nature. If it is determined that a more formal investigation is warranted by the nature of the facts presented, a formal investigation may be held. The Legislative Counsel for *I Liheslaturan Guåhan* shall assist in the establishment of formal investigation procedures.

**(3) Corrective/Disciplinary Action.** If, upon completion of the investigation, there is a finding made that sexual harassment occurred, the matter shall be referred to the Senator under whose jurisdiction the offending employee is assigned for final action. An employee against whom a complaint for sexual harassment has been determined to have occurred may be issued a verbal or written warning, letter of reprimand or other disciplinary action of such nature, and further required to undergo proper counseling with regards to sexual harassment of a more serious nature. A sexual harassment complaint may be dismissed at the discretion of the Senator under whose jurisdiction the employee is assigned.

**(4) Staff Cooperation.** Supervisors, other employees, or persons having business with *I Liheslaturan Guåhan* shall cooperate in all phases of the investigation and ensuing action. Retaliation against the alleged victim, the alleged harasser, or any other person participating in the investigation is prohibited. Staff in the work area where the incident occurred, and others involved in the investigation shall cooperate to minimize disruption and stress in the work unit by refraining from unnecessary dissemination of information and speculation regarding the alleged acts or investigation.

## RULE XV

### BUDGET OF *I LIHESLATURAN GUÅHAN*

**Section 15.01. Budget Required/Expenditures.** Funds may not be expended by *I Liheslaturan Guåhan*, except after adoption of, and pursuant to, a budget, which budget shall be for not more than twelve (12) months; provided, that during the first three (3) months of a new legislative term, funds may be expended for a period not exceeding three (3) months after the swearing in of Senators, at the direction of the Chairperson of the Committee on Rules, without an approved budget. Such expenditures without a budget may not exceed one-fourth (1/4) of the amount appropriated to *I Liheslaturan Guåhan* for that Fiscal Year, plus relocation allowances, *unless* the appropriation specifically provides otherwise.

**Section 15.02. Adoption of Budget.** A Legislative budget in conformance with this Rule may be adopted on the first day of Session. If not adopted on the first day of Session, a proposed Legislative budget in conformance with this Rule shall be prepared by the Chairperson of the Committee on Rules. Any conflicts or inconsistencies between this Rule XV and the budget shall be resolved in favor of the language in the budget. Such Budget shall be duly adopted by the affirmative vote of six (6) of the members of the Committee on Rules.

**Section 15.03. Budget Requirements.** The Legislative budget shall show exact amounts allocated for Majority Senatorial offices, Minority Senatorial offices, Standing Committees, the Office of Speaker, Minority Operations, and Central Operations. Any funds not allocated to Majority Senatorial offices, Minority Senatorial offices, Standing Committees, the Office of the Speaker, or contingency funds shall be deemed allocated to Central Operations.

**Section 15.04. Specificity of Budget.** The budget shall detail exact amounts allocated to each Senatorial office, the exact amount allocated to each Standing Committee of *I Liheslaturan Guåhan*, the exact amounts allocated to the Office of the Speaker, and the exact amount allocated to Minority Operations. The budget need not detail how the funds allocated to each Senatorial office, each Committee, and the Office of the Speaker shall be allocated and spent by the Senator having responsibility therefore, without the need to submit a further budget therefore.

**Section 15.05. Personnel Services Budget.** For expenditures for personnel services to be funded by funds allocated to Central Operations, including contract hires and personnel service contracts, each position to be funded must be identified showing *at least*:

- (a) job title;

- (b) brief job description for informational purposes *only*;
- (c) whether full or part-time;
- (d) department or section of *I Liheslaturan Guåhan* where position is located;
- (e) authorized salary; and
- (f) personnel benefits.

**Section 15.06. Central Operations Budget.** The budget for Central Operations must identify each contract, including lease agreements, rental agreements and maintenance agreements, funded from funds in Central Operations if the total expenditure pursuant to such contract exceeds Five Thousand Dollars (\$5,000.00) during the life of the budget, and shall indicate:

- (a) the purpose of the contract;
- (b) the proposed dates and length of the contract;
- (c) the name of the contractor, if known;
- (d) whether the contract is to be bid or negotiated; and
- (e) the amount budgeted for the contract.

**Section 15.07. Budget Amendments.** *I Liheslaturan Guåhan's* budget may be amended or modified by the Committee on Rules at any time. Any such amended or modified budget shall be duly adopted by the affirmative vote of six (6) of the members of the Committee on Rules. Monies appropriated to *I Liheslaturan Guåhan* shall be used only for *I Liheslatura* and are not subject to de-appropriation.

**Section 15.08. Budget Accounting Practices.** The accounts of *I Liheslaturan Guåhan* shall be kept in accordance with generally accepted accounting principles for government agencies, with complete, detailed monthly reports of all expenditures to be prepared within thirty (30) days of the end of each month showing the expenditures for the month and cumulative totals for the fiscal year, and showing all accounts payable.

**Section 15.09. Budgetary Shortfalls.** If funds are not available to *I Liheslaturan Guåhan* to cover all budgeted items, funds which are available shall be pro-rated on a monthly basis based on the same ratio as the total funds available bear to the total amount of the budget divided by the total number of months which the budget covers, allocated among the following categories:

- (a) Each Majority Senatorial office;
- (b) Each Minority Senatorial office;

- (c) Each Committee;
- (d) The Office of Speaker;
- (e) Each contingency fund;
- (f) Minority operations, if any; and
- (f) Central Operations.

**Section 15.10. Lapses in Central Operations.** Lapses in Central Operations resulting from personnel lapses, including salary and all benefits, and from other lapses, shall immediately, upon lapsing, be placed in a Central Operations Lapse Fund, which may not be spent or obligated without first obtaining approval of the Chairperson of the Committee on Rules. The Committee on Rules may control the disposition of the Central Operations Lapse Fund by resolution adopted by six (6) of the members of the Committee on Rules.

**Section 15.11. Lapses in the Amounts Allocated to the Senators, Speaker, and Committee Chairpersons, and Contingency Funds.** *I Liheslaturan Guåhan* encourages the Members to be thrifty. Therefore, any Member of *I Mina'trentai Siette Na Liheslaturan Guåhan* who is elected to *I Mina'trentai Ocho Na Liheslaturan Guåhan* shall carry forward with that Member any surplus, lapsed, unspent, or carry-over amounts from that person's office, contingency fund or Committee in *I Mina'trentai Siette Na Liheslaturan Guåhan*, or previous Legislatures, to follow the Member and not the position. In other words, if an Officer or a Chairperson of a Committee in *I Mina'trentai Siette Na Liheslaturan Guåhan* had lapses to carry over into *I Mina'trentai Ocho Na Liheslaturan Guåhan*, and that person is elected to some other position or Chairpersonship in *I Mina'trentai Ocho Na Liheslaturan Guåhan*, the carryover shall follow the Member, not the Committee or Office which that Member held. For the purpose of any statute describing a Member's budget, such budget shall include not only the amount budgeted for the Senator's office or Committee for the current Fiscal Year, but also all lapses carried forward, as well as any amounts transferred into the accounts of the Member or Committee by other Members, Committees or by the action of the Chairperson of the Committee on Rules. Lapses that do not follow the Member shall be placed in the Central Operations Lapse Fund.

**Section 15.12. Budgets for Legislative Funded Litigation.** Members may initiate, continue, or defend against any civil lawsuit, federal, local or otherwise, related to legislative power, legislative work, or taxpayer lawsuit with legislative funds, either under Committee, or Senatorial office.

## **CREDIT CARD USAGE POLICY**

### **Section 15.13.1      Authorized Uses of Credit Card.**

The credit card is authorized to be used for the following purposes:

- (a)     The purchase of items/services which are not available for purchase from local vendors or where the Chief Financial Officer (CFO) has documented that significant savings (20% landed costs) can be obtained by use of the credit card.
- (b)     Airfare purchases.
- (c)     Registration fees for conferences and seminars where Legislative employees will be in attendance.
- (d)     The purchase of technical manuals and/or publications, storage and software applications over the internet web-based on-line services for IT infrastructure to using remote servers and resources accessed over the internet, and subscriptions. i.e. antivirus and security software, accounting software, etc.

### **Section 15.13.2.      Unauthorized uses of Credit Card.**

In no event shall the credit card be used for any of the following purposes:

- (a)     Food, meals, or beverages.
- (b)     On-Island purchases.
- (c)     Personal items.
- (d)     Items whose value is greater than \$10,000.
- (e)     Cardholders may NOT take cash advances on credit cards.

### **Section 15.13.3.      Custodian Of Credit Card.**

The custodian of the credit card will be the Chief Financial Officer (CFO) and the Executive Director of *I Liheslaturan Guåhan*. The Deputy Chief Fiscal Officer (DCFO) will secure credit cards in *I Liheslatura*'s safe. When needed to make purchases, the custodian(s) will request the DCFO for access to the credit cards and have it returned to safe after purchases have been confirmed.

### **Section 15.13.4.      Application of Procurement Procedures.**

All purchases of goods and services shall be performed on a competitive basis in accordance with applicable procurement rules and regulations.

**Section 15.13.5. Procedure For Credit Card Purchase.**

Purchase of goods and services at less than \$500: Purchaser will be required to provide evidence that the product is not available for purchase on the island.

Purchase of goods and services greater than \$500: Purchaser is required to present evidence that the product is not available for purchase on island or evidence of a bid abstract demonstrating a landed cost savings in excess of 20% from items purchased on island.

Payment for airfare or registration fees for a conference: An approved Travel Authorization Form will be required for purchase to be completed.

Upon presentation of the required materials to the Deputy Chief Fiscal Officer, the DCFO will review the request before presenting it to the Executive Director and/or Speaker for document completeness. The Executive Director or the CFO will review the materials, execute the purchase, and provide a copy of the purchase confirmation to the purchaser and the DCFO to maintain a copy in Central Fiscal files. Approval of any purchase must be signed by the requestor, the Chief Financial Officer, and the Executive Director.

All purchases must be approved through the disbursement approval process, as appropriate.

**Section 15.13.6. Credit Card Payment.**

Upon receipt of a statement from the credit card company, the DCFO will reconcile each line item on the statement with the credit card purchase files. Payments will go through the disbursement approval process and will only be made for items for which proper documentation exists.

**Section 15.13.7. Reporting.**

Each quarter. The DCFO will provide a report to management detailing the nature and amounts of all credit card payments.

**Section 15.13.8. Credit Card Agreement.**

The Guam Legislature is authorized to enter into a credit card agreement with a limit not to exceed Ten Thousand Dollars (\$10,000) only after the determination of the low bidder based on the amount of the annual fee and the interest rate attached to the credit card agreement. The Executive Director is authorized to extend the program as appropriate, however, the program must be put out to bid no less frequently than every five (5) years.

## RULE XVI

### EXPENDITURES OF *I LIHESLATURAN GUÅHAN*

**Section 16.01. Approval and Certification.** All proposed expenditures shall be approved by the Chairperson of the Standing Committee for expenditures of the Member's Committee or Legislative funds, the Minority Leader for expenditures of Minority funds, or the Chairperson of the Committee on Rules for all other expenditures. Absent the selection of a Minority Leader, the Chairperson of the Committee on Rules may approve expenditures of Minority funds. All expenditures and obligations shall be within the budgetary guidelines of Rule XV, and the budget mandated thereunder, when adopted. Each expenditure shall be subject to certification of fund availability by the Certifying Officer, who shall also certify that the funds were expended in accordance with the budgetary requirements contained in Rule XV of these Rules, when adopted.

**Section 16.02. Temporary Absence of Certifying or Disbursing Officer.** The Chairperson of the Committee on Rules shall appoint an Acting Certifying Officer, or an Acting Disbursing Officer, during the temporary absence of the Chief Fiscal Officer or Executive Director, respectively.

**Section 16.03. Payment of Officers and Employees.** The Disbursing Officer shall draw warrants from the Legislative Operations Fund in favor of Officers, Attachés, and employees in payment for services rendered, and no employee shall be paid in advance, *except* as otherwise provided in a written contract.

**Section 16.04. Other Legislative Expenditures.** The Disbursing Officer shall draw warrants for other Legislative expenditures.

**Section 16.05. Contracts by *I Liheslaturan Guåhan*.** Each contract on behalf of *I Liheslaturan Guåhan* shall be executed by the Speaker, attested to by the Legislative Secretary, and countersigned by the Chairperson of the Committee on Rules, consistent with approved policies of the Committee on Rules. In addition, if the expenditure authorized by the contract is on behalf of a Standing Committee, the contract shall also be countersigned by the Chairperson of the Standing Committee.

**(a) Requirements for Contractual Services.** A Member which requires contractual services shall:

(1) certify to the Speaker of *I Liheslatura* that, consistent with Section 14.07(c), any such contract specifies deliverables, restricted periods of contract duration and are only for such specialized services as cannot be obtained through the use of regular employees or in such case where the use of a regular employee for those services would be prohibitively expensive or would otherwise be unadvisable;

(2) ensure that the Chief Financial Officer, at all times, maintains a copy of a valid Guam Business License for each such contractor; and

(3) certify to the Speaker of *I Liheslatura* whether any such contractor is a lobbyist.

**Section 16.06. Legislative Counsel Approval.** Each contract of employment or retaining of an independent contractor shall be approved as to form by the Legislative Counsel.

**RULE XVII**  
**PROCUREMENT AND SUPPLY REGULATIONS**

**Section 17.01. Purpose.** It is the purpose of this Rule to provide standard procurement policies and procedures for *I Liheslaturan Guåhan*.

**Section 17.02. General Policy.** It shall be the policy of *I Liheslaturan Guåhan* to procure supplies and services from the lowest bidder, consistent with quality and service, and to conduct procurement activities in the manner that shall best serve the public interest.

**Section 17.03. Definitions.** As used in this Rule:

(a) “*Supplies*” means any item or article, *except* real estate, which is furnished to or used by *I Liheslaturan Guåhan*, including, but not limited to, printing of stationery, forms and journals; reproduction or publications and binding; repair and maintenance items, and fuel, furnishings and foodstuffs; and all materials and equipment. *Supplies* shall not include polystyrene-composed food-service ware and food-service packaging;

(b) “*Polystyrene*” means a thermoplastic petrochemical material utilizing the styrene monomer, including but not limited to polystyrene foam or expanded polystyrene, processed by any number of techniques, including but not limited to fusion of polymer spheres (expandable bead polystyrene), injection molding, foam molding, or extrusion-blow molding (extruded foam polystyrene), and clear or solid polystyrene (oriented polystyrene). The recycle code for polystyrene is “6” or “PS,” either alone or in combination with other letters. This definition applies to all polystyrene food-service ware and packaging, regardless of whether it exhibits a recycle code.

(c) “*Services*” means any rental or facilities, remodeling, renovations or new construction of buildings, rental repair or maintenance of equipment, machinery or other personal property, but *does* not include contracts for professional or personal services, or other services incident to employment;

(d) “*Procurement*” means any authorized acquisition of supplies and services, including purchase, rental, lease, sale or trade by the Chairperson of the Committee on Rules, or its authorized delegate(s) within the purview of these regulations, and not in conflict with applicable laws;

(e) “*Purchasing Agent*” means the Executive Director;

(f) “*Procurement Officer*” means the employee authorized by the Chairperson of the Committee on Rules to procure supplies and services for *I Liheslaturan Guåhan* by purchase, rental, lease or trade; and

(g) “*Central Procurement*” means the Supply Management Division of the Department of Administration.

**Section 17.04. Administration.** Responsibility for the administration of this Rule is vested in the Executive Director, who shall be the Purchasing Agent, and who may, at the Executive Director’s discretion, use the services of central procurement.

**(a) Duties and Responsibilities of the Purchasing Agent.** The Purchasing Agent shall:

(1) disqualify suppliers who default in performance, or who supply poor quality goods from any bidding or negotiation for a stated period of time not to exceed a maximum of one (1) year;

(2) disqualify suppliers who fail to comply with appropriate licensing requirements;

(3) regulate the storage and distribution of supplies to avoid loss and waste, and account for properties and equipment; and to establish a replacement schedule to avoid costly maintenance of obsolete equipment;

(4) prescribe the procedures and distribute forms to be used for submitting requisitions for supplies and services, and for processing procurement transactions; and

(5) provide such other matters as may be required to effect this Rule.

**(b) Duties and Responsibilities of the Procurement Officer.** The Procurement Officer shall:

(1) purchase or contract for the purchase of all supplies and services for *I Liheslaturan Guåhan* in accordance with the provisions of this Rule and applicable laws;

(2) prescribe the manner, place and date of delivery of supplies and materials procured for *I Liheslaturan Guåhan*; prescribe the manner of inspecting supplies and materials upon delivery of the supplies before acceptance, and of making test of samples submitted with bids to determine compliance with ordering

specifications; determine whether a surety bid bond or cash deposit shall be submitted with any bid, or whether a surety performance bond shall be required before a contract is entered into, and if required, to prescribe the amount thereof and to enforce forfeiture of such bond or deposit upon failure of the successful bidder to enter into contract within the prescribed time or to perform the contract in a satisfactory manner; and prescribe, on item basis, the amount of liquidated damage to assess defaulter for breach of contract.

**Section 17.05. Purchasing and Contracting Procedures.** The following procedures shall govern all procurement of supplies and services, *except* office rental and renovation, or such services as could be obtainable through a professional services contract and professional services, such as legal, accounting, or research services. Should *I Liheslaturan Guåhan* determine to purchase an existing building or buildings, or real estate, for legislative use, such purchase may be handled through a process of negotiation.

(a) **Sealed Bids.** Procurement by sealed bid is optional for any purchase at the discretion of the Purchasing Agent and the Procurement Officer, but it is mandatory where the total cost is Twenty-Five Thousand Dollars (\$25,000) or more for supplies and services, and One Hundred Thousand Dollars (\$100,000) or more for construction, *except* as otherwise provided.

(1) **Procedure.** The procedure to be observed when procuring by sealed bids is as follows.

(A) A public notice requesting sealed bids shall be published *at least* once in a newspaper of general circulation on Guam, and *at least* five (5) days before the final date for submission of bids. Such notice shall include a general description of supplies or services to be procured, and shall state where bid forms and specifications are available and the time and place for the opening of bids. Such notice shall also be posted on a bulletin board to which the public has access, and in the Procurement Office of *I Liheslaturan Guåhan*. The Agent may also solicit bids by sending invitations by mail or messenger to prospective suppliers.

(B) Bids shall be submitted to the Agent, and shall be identified as bids on the envelope in such manner as the Agent may prescribe.

(C) Bids shall be opened in public at the time and place stated in the public notice.

(D) Each bid, with the name of the bidder, shall be entered on a record and the record of the successful bidder shall, after the award, be open to public inspection.

(E) Bids shall be awarded to the lowest responsible bidder.

(F) The Agent shall have the authority to reject all bids, in whole or in part, if the Agent determines it to be in the public interest.

(G) If bids are for the same unit price or total amount, in whole or in part, the Agent shall have authority to award the bid to one (1) of the tie bidders by drawing lots in public, or to reject all such bids.

**(2) Determining Lowest Responsible Bidder.** In determining the lowest responsible bidder, the Agent shall be guided by the following:

(A) compliance by the bidder with necessary licensing requirements;

(B) ability and sufficiency of financial resources of the bidder to perform promptly, or within the time specified, without delay or interference;

(C) quality of performance of the bidder with regard to awards previously made to the bidder;

(D) record of the bidder with respect to compliance with laws and regulations relating to procurement;

(E) quality and availability of the supplies or services offered by the bidder, and adaptability to the particular use required;

(F) ability of the bidder to provide future maintenance and service for the use of the subject of the award; and

(G) number and scope of conditions attached to bid.

**(b) Open Market Procedure.** Procurement on the open market is authorized when the cost is *less than* Twenty-Five Thousand Dollars (\$25,000) for supplies and services, and One Hundred Thousand Dollars (\$100,000) for construction, subject to the following:

**(1) Less Than Twenty Dollars (\$20.00).** When the total cost of a requisition is *less than* Twenty Dollars (\$20.00) procurement may be made by a Procurement Officer through petty cash.

**(2) Less Than Five Hundred Dollars (\$500.00).** When the total cost of a requisition is *less than* Five Hundred Dollars (\$500.00) procurement may be made by a Procurement Officer through “open” standing purchase orders issued to vendors quarterly for purchases totaling *less than* Five Hundred Dollars (\$500.00); or by purchase orders on “as needed” basis for any amount under Five Hundred Dollars (\$500.00).

**(3) Five Hundred Dollars (\$500.00) or More, But Less Than Two Thousand Five Hundred Dollars (\$2,500.00).** Where the total cost of a requisition is Five Hundred Dollars (\$500.00) or more, but *less than* Two Thousand Five hundred Dollars (\$2,500.00), procurement may be made by solicitation of informal written or oral quotations on the open market, *except* that the Procurement Officer with the concurrence of the Purchasing Agent, may dispense with such solicitations and negotiate directly with a vendor when, in the opinion of the Chairperson of the Committee on Rules, it is deemed more advantageous to *I Liheslaturan Guåhan*.

**(4) Two Thousand Five Hundred Dollars (\$2,500.00) or Twenty-Five Thousand Dollars (\$25,000) for Supplies and Services and One Hundred Thousand Dollars (\$100,000) for Construction.** Where the cost is Two Thousand Five Hundred Dollars (\$2,500.00) or more, but *less than* Twenty-Five Thousand Dollars (\$25,000) for supplies and services, and One Hundred Thousand Dollars (\$100,000) for construction, procurement may be made by solicitation of *not less than* three (3) informal written quotations on the open market of which a written record shall be kept, *except* that the Procurement Officer with the concurrence of the Purchasing Agent may dispense with such quotations and negotiate directly with a vendor when, in the opinion of the Chairperson of the Committee on Rules, it is deemed more advantageous to *I Liheslaturan Guåhan*.

**(c) Exceptions.** The exceptions to the Purchasing and Contracting Procedures are as follows:

**(1) Exceptions to Requirements for Sealed Bids.** Where the total cost is Twenty-Five Thousand Dollars (\$25,000) or more for supplies and services and One Hundred Thousand Dollars (\$100,000) or more for construction, exception to the requirement for a sealed bid is authorized *only* where *at least* one (1) of the following conditions exists, and the Purchasing Agent certifies this exception in writing:

(A) an emergency situation affecting the essential operations of *I Liheslaturan Guåhan* exists which will not allow the normal delay attendant to the sealed bid procedures;

(B) the procurement is for supplies or services for which it is impractical or impossible to secure competition;

(C) the procurement is for supplies which consist of technical equipment or component parts thereof for which procurement without sealed bids is necessary;

(D) the procurement is for supplies or services to be acquired from or through a Federal agency when costs are known to be lower than the prevailing market prices; or

(E) the procurement is for supplies which are offered through bargain sales, bankruptcy or receivership sales, or other dispositions of property at lower than prevailing market prices.

**(2) Exception to Requirement to Procure from Local Suppliers.** Whenever it is determined that the local franchised dealer or distributor is not able to furnish the required service or supply from shelf stock, the Purchasing Agent may authorize procurement direct to a manufacturer or supply distributor when the procurement is for supplies or equipment needed to meet an emergency or disaster, and the Purchasing Agent certifies this exception in writing, or when such purchase shall result in significant savings to the Legislature.

**(3) Exception to Requirement to Procure Through Regular Procurement Channel.** No Officer or employee of *I Liheslaturan Guåhan*, other than the Purchasing Agent or Procurement Officer, may procure supplies and

services from vendors, *except* those authorized in writing through a Petty Cash Fund.

**Section 17.06. Prohibitions.**

(a) No procurement of supplies or services shall be made, *except* in accordance with these Rules, and where authorized herein, with conditions and requirements prescribed by the Purchasing Agent. *Except* as may be authorized by the Purchasing Agent, no Member or employee of *I Liheslaturan Guåhan* is authorized to procure supplies or services, or enter into a contract or agreement to purchase, sell, exchange or trade or tender thereof, on behalf of *I Liheslaturan Guåhan* or any unit thereof. Neither the Purchasing Agent, nor the Purchasing Agent's designee, nor any procurement personnel of the Central Office may encumber or charge the funds of any Standing Committee or of any individual Senator, including the contingency funds of Legislative Officers, absent written authorization from the Chairperson of such Committee or by the Senator whose funds are involved. Where there has been an unauthorized procurement, *I Liheslaturan Guåhan* reserves the right, without liability, to rescind the procurement and to reject any delivery or tender of such supplies or services.

(b) Neither the Purchasing Agent, the Purchasing Agent's delegates, nor any procurement personnel of *I Liheslaturan Guåhan* shall be financially interested, directly or indirectly, in any procurement for supplies or services for any unit of *I Liheslaturan Guåhan*. Neither the Agent, the Agent's delegates, nor any procurement personnel of *I Liheslaturan Guåhan* shall accept or receive, directly or indirectly, from any supplier, either before or after, any procurement, whether by sealed bid or open market procedures, any compensation, gift, commission, reward, rebate or other benefits, either in money or anything of value, or any promise, obligation or contract for any future such benefit or employment. The Agent, delegate, or other Legislative employee who so violates this provision shall be presumed to have abandoned and vacated that person's position, and shall be dismissed from service.

**Section 17.07. Surplus Stock.** All Committee Chairpersons and section heads of *I Liheslaturan Guåhan* shall submit to the Chairperson of the Committee on Rules, and in such forms as it shall prescribe, reports showing stocks of all supplies, materials and equipment which are no longer used or which have become obsolete, worn out or scrapped. The Chairperson of the Committee on Rules may transfer such stock to another section or any branch of the government

which has need for the item, or to a registered non-profit organization on Guam, or discard such stock if it cannot otherwise be disposed of.

**Section 17.08. Stock of Departing or Retiring Members.** Departing or retiring Members may be permitted to purchase items of equipment from *I Liheslaturan Guåhan* for sentimental or commemorative purpose, at a cost determined equitable through depreciation and the age and condition of such equipment.

## RULE XVIII

### TRAVEL AND TRANSPORTATION

**Section 18.01. General Rule.** All persons traveling off-island on official business for *I Liheslaturan Guåhan* shall provide themselves with funds sufficient for all current expenses. They shall exercise the same care in incurring expenses that a prudent person would if traveling on personal business.

**Section 18.02. Purpose and Scope.** The purpose and scope of this Rule is to provide standard travel policies and written procedures and controls governing off-island travel of Members and employees of *I Liheslaturan Guåhan*.

**Section 18.03. General Policy.** The policy of *I Liheslaturan Guåhan* is that all off-island travel must be performed either for the direct benefit of the government of Guam, or to fulfill a real and legitimate obligation of the government of Guam. It is further the policy of *I Liheslaturan Guåhan* to permit travel off-island of Members, Attachés and certain employees in an effort to keep abreast of new and recent developments in legislative proceedings, techniques, administration and procedures in the various state, national and international legislative bodies.

**Section 18.04. Definitions.** As used in this Rule, “traveler” means the person who is traveling off-island on official business for *I Liheslaturan Guåhan*.

**Section 18.05. Salary While on Travel Status.** The traveler, when applicable, shall receive the traveler’s regular salary, in addition to per diem expenses, during the authorized travel time.

**Section 18.06. Persons Authorized to Travel.** The following persons are authorized to travel at government expense while on official business:

- (a) Members, Attachés and employees of *I Liheslaturan Guåhan*;
- (b) Persons under contract rendering service to *I Liheslaturan Guåhan*; and
- (c) The Speaker’s spouse.

**Section 18.07. Request for Travel.** The following applies to travel requests.

**(a) Who Can Request.** An Attaché or an employee who is not employed by the Committee, by an Officer or by the Minority shall submit a request for authorization to travel to the Chairperson of the Committee on Rules. All other employee travel shall be requested by the employing entity.

**(b) Notice of Travel by Member.** A Member shall submit a notice of travel to the Speaker and the Chairperson of the Committee on Rules when the Member travels off-island. If on official business, the notice shall contain information as to the purpose of the Member's travel, the Member's destination, the duration of absence on official business, and the cost of the travel.

**(c) Notice of Travel by an Officer, Chairperson or Minority Leader.** An Officer, Chairperson or the Minority Leader shall submit a notice of travel to the Chairperson of the Committee on Rules when an employee or contractor under the Member's supervision will be traveling off-island on official business. The notice shall contain information as to the person traveling, the duration of absence on official business, the purpose of the travel, the cost, and the manner of financing.

**(d) Travel Settlement.** Any traveler, within ten (10) working days after completion of travel and return to Guam, shall submit a written settlement report to the Chairperson of the Committee on Rules on the Member's travel and the Member's expenses in excess of the per diem received, in the manner and form prescribed by the Chairperson of the Committee on Rules.

**(e) No Salary for Late Settlement Report.** Salary shall not be paid to any employee or Member whose settlement report is not filed within such ten (10) day period.

**Section 18.08. Travel Allowance.** Travel allowances shall be handled as follows.

**(a) Funds.** Funds for travel, including per diem allowances and reimbursable expenses, may be secured by way of a cash advance or by way of reimbursement upon completion of travel. Advances shall not exceed the per diem allowance set forth in §23104 of Chapter 23 of Division 2 of Title 5, Guam Code Annotated. Cost of car rentals and transportation is not included in the minimum per diem allowance, but shall be in addition to such per diem. If the traveler uses a hotel and car combination package wherein the charges are not broken down for hotel and car charges, then one half (1/2) of such charges that are not broken out shall be treated as car rentals.

**(b) Recovery of Advances.** The Chairperson of the Committee on Rules shall assure that an amount previously advanced is deducted from the total expenses allowed, or that it is otherwise recovered. In cases where the traveler is in a continuous travel status, or where periodic reimbursement vouchers are submitted on specific authorizations, the full amount of travel expenses allowed may be reimbursed to such traveler without deduction of the traveler's advance until such time as the final voucher is submitted. If the amount advanced is *less than* the amount of the voucher on which the advance is deducted, the traveler shall be paid the net amount. In the

event the net exceeds the reimbursable amount, the traveler's reimbursement shall accompany the voucher. In the event of cancellation or indefinite postponement of authorized travel, the Executive Director shall take immediate steps to secure the refund of any advances that may have been made. Outstanding advances which have not been fully recovered by deductions from reimbursement vouchers or voluntary refunds by the traveler may be recovered promptly by the Executive Director, upon the approval of the Chairperson of the Committee on Rules, by set off of salary due, or by such other legal method of recovery as may be necessary; provided, that no such set-off of salary shall be undertaken until ten (10) days after the return to Guam of the traveler. No traveler shall be reimbursed for travel costs not actually incurred by the traveler.

**Section 18.09. Members to Lease a Vehicle.** Each Member is authorized to lease a vehicle for the use of the Member or Attaché and the Office of the Member while traveling off-island on official government business.

**Section 18.10. Travel Status.** Personnel shall be considered on travel status *only* during the time when conducting official business away from their regular place of business, or while traveling to and from the place at which such official business is transacted. Travel status begins with departure of common carriers from Guam on which the traveler has the traveler's regular place of business and terminates upon the traveler's return to Guam.

**Section 18.11. Allowance of Travel Time.** The time considered as "official travel" shall be the reasonable time necessary to travel by air by the most direct route to and from the point, or points, specified in the travel authorization, plus the time necessary to transact the required official business. Every effort should be made to reserve complete flight schedules well in advance to avoid delays at transfer points. Per diem payment for time lost due to faulty bookings by the traveler may be disallowed. Travel time in excess of direct flight time, when other means of transportation are used, may be charged to vacation time or leave without pay, in the case of employees.

When a vacation or leave without pay is added at the beginning or end of official travel of an employee, the allowance for transportation at the beginning or end of official travel, as the case may be, shall be the cost of air passage by the most direct route as if such air transportation had been utilized.

All travel must be by a usually traveled and most direct route. Travel tickets shall be for complete routes, inclusive of stopover privileges whenever and wherever practicable, to minimize the cost of special or short-run trips, stopovers or backtracking.

When a vacation, unofficial business or leave without pay is included in, or added at, the beginning or end of official travel of an employee, the allowance for transportation shall not include additional travel costs resulting from unofficial travel or changes in itinerary as a result of unofficial travel, as the case may be, but the amount of expense born by *I Liheslaturan Guåhan* shall be the lower of the actual costs of transportation incurred by the traveler, or the cost of air passage and other necessary transportation from Guam and return by the most reasonably direct route available to and from the official destination(s), as if such reasonably direct transportation had been utilized, with any additional costs to be paid by the traveler.

**Section 18.12. Routing of Travel.** In computing reimbursement, all travel must be by reasonable routing, and by a usually traveled and most direct or economical route. Travel tickets shall be for complete routes, inclusive of stopover privileges whenever and wherever practicable, to minimize the cost of special or short-run trips, stopovers or backtracking.

**Section 18.13. Per Diem Allowance.** A per diem allowance is a specific allowance of money made available each day to cover the personal expenditures of a traveler, such as meals, lodging, laundry, trips, and other necessary expenditures incident to travel. It is not intended to cover expenditures having to do with the conduct of official business.

**(a) Per Diem When Leave is Taken.** If leave of absence of an employee begins or terminates within the traveler's prescribed hours of duty, per diem allowance shall terminate or begin at the same time, but if leave of absence does not begin or terminate until after the traveler's prescribed hours of duty, the traveler shall be regarded as being in travel status until midnight of the day in which the leave of absence begins, and from 12:01 a.m. of the day following the leave of absence. A traveler shall be considered in travel status on non-work days, *unless* the traveler returns to the traveler's regular place of work, or *unless* such non-work day is immediately preceded by leave of absence. Fractional leave of absence of an employee wholly within a day where it is for half of the prescribed worked hours, or less, shall be disregarded for per diem payment purposes. Where it exceeds half of the prescribed working hours, *no* per diem will be allowed.

(b) **Amount of Per Diem.** The per diem rates shall be as set forth in § 23104 of Chapter 23 of Division 2 of Title 5, Guam Code Annotated. Under no circumstances shall per diem be allowed an employee at the employee's regular place of work.

(c) **Computing Per Diem.** Per diem allowances shall be computed in days. In computing the per diem, the calendar days, or any part thereof, "midnight to midnight" shall be the unit. Dates and times, beginning and ending, of travel must be shown in the travel voucher. In computing per diem, in cases where the traveler crosses the international dateline, actual elapsed time in days shall be used rather than days. Per diem shall be in addition to costs of car rental and ground transportation, which each Member, Attaché or employee is authorized. Hotel and car rental packages shall be equally split as to costs between hotel and car rental.

**Section 18.14. Use of Leave While Traveling.** When leave of absence of any kind is taken by an employee while in a travel status, the exact hour of departure from and return to duty status must be shown on the travel voucher.

(a) **Leave as a Result of Illness or Injury.** Whenever a Member, Attaché or an employee on official travel takes leave of absence due to illness or injury not caused by the individual's own misconduct, the prescribed per diem shall be continued not to exceed seven (7) days in any one (1) period of absence, *unless*, contingent upon the circumstances in a particular case, a longer period is approved by the Chairperson of the Committee on Rules. Evidence of the illness or injury may be required to be submitted with the travel voucher. The type of leave and duration thereof must be shown on the voucher. The evidence filed under provisions of the leave rule shall suffice.

**PART F**  
**ETHICS AND STANDARDS**  
**RULE XIX**

**CODE OF ETHICS AND STANDARDS FOR THE LEGISLATIVE BRANCH**

**Section 19.01. Code of Ethics.** There is established a Code of Ethics and Standards for the Members and staff of *I Liheslaturan Guåhan*.

**Section 19.02. Standards of Conduct.** A Member or staff employee of *I Liheslaturan Guåhan* shall:

- (a) devote full time and attention to the person's duties as a Member or staff employee of *I Liheslaturan Guåhan*;
- (b) uphold the Constitution of the United States and the Organic Act of Guam, and obey the statutes of the United States and of Guam; and
- (c) conduct the person's life, both public and private, so as to bring honor and respect to the person's office.

**Section 19.03. Prohibited Conduct.** No Member or staff employee of *I Liheslaturan Guåhan* shall:

- (a) engage in any private business activity which could in any way be construed as being in conflict with the performance of the person's duties and responsibilities as a Member or staff employee of *I Liheslaturan Guåhan*;
- (b) travel at government expense for personal purposes or pleasure; file knowingly any false vouchers or statements to any agency of the government of Guam; or arrange for anyone else to travel at government expense for personal purposes or pleasure;
- (c) dispense discriminatory or special favors, or receive benefits for the person or that person's family that could either affect or be construed to affect that person's judgment in any matter concerning the business of *I Liheslaturan Guåhan*, the Executive Branch or the Judicial Branch of government;
- (d) make a private promise or binding agreement which could in any manner affect the person's performance of public duty;
- (e) engage in business with the government which could reasonably be construed as influential on the performance of the person's duties;

(f) use any information disclosed to the person privately during performance of the person's duties for personal gain or profit;

(g) provide and/or solicit alms or personal contributions on real property owned, controlled, or leased by the legislature. Any alms or personal contributions should be transacted outside of such real property; and

(h) Solicitation of any kind targeting the legislature, any Senator, or legislative staff is prohibited via any means, including but not limited to in-person communication, email, phone calls, or physical distribution of materials. This prohibition extends to all legislative offices, *I Liheslatura* building, and legislative grounds. Each office and legislative building shall prominently display a notice indicating that solicitation is a prohibited action pursuant to this section of the Standing Rules. Violators may be subject to removal and further disciplinary action as deemed appropriate.

**Section 19.04. Committee on Ethics and Standards.** There is created within *I Liheslaturan Guåhan* a Special Committee to be known as the "Committee on Ethics and Standards," composed of such Members of *I Liheslaturan Guåhan* who shall serve on a quarterly basis: four (4) Members of the Committee on Ethics and Standards shall be Members of the Majority, appointed by the Speaker; two (2) members of the Committee on Ethics and Standards shall be Members of the Minority, appointed by the Minority Leader. Absent the selection of a Minority Leader, the Speaker, or a member of the Minority assigned by the Speaker, may appoint two (2) members of the Minority to the Committee on Ethics and Standards. The Committee on Ethics and Standards shall select a Chairperson and Vice-Chairperson from among its Members.

(a) **Vacancies.** Vacancies in the Membership of the Committee on Ethics and Standards shall not affect the authority of the remaining Members to execute the functions of the Committee on Ethics and Standards, and shall be filled in the same manner in which the original appointments were made.

(b) **Quorum.** A majority of the Members of the Committee on Ethics and Standards shall constitute a quorum for the transaction of business, *except* that the Committee on Ethics and Standards may fix a lesser number as a quorum for the purpose of taking sworn testimony.

(c) **Powers.** The Committee on Ethics and Standards is authorized:

(1) to investigate any alleged violation of the Code of Ethics and Standards committed by a Senator or employee of *I Liheslatura* during employment with the Legislature, where a complaint is made before July 1, 2026; and

(2) after its investigation, and if not dismissed, to recommend to *I Liheslaturan Guåhan* what disciplinary action, if any, should be taken in regards to an alleged violation of the Code of Ethics and Standards; *I Liheslaturan Guåhan* may by ten (10) votes, other than the subject Member, if applicable, adopt the recommendation of the Committee on Ethics and Standards or take any other disciplinary action(s) it deems appropriate, including, but not limited to, reprimand, suspension or discharge of employees, and in the case of Members, disciplinary action, including, but not limited to, censure, suspension or discharge;

(3) to recommend to *I Liheslaturan Guåhan* any changes in existing law or rules, or additions to said law or rules which the Committee on Ethics and Standards shall determine to be necessary or desirable to ensure observance of the Code of Ethics and Standards;

(4) to sit and act during the present term of *I Liheslaturan Guåhan*, whether or not it is in Session, has recessed or adjourned, at such time and places within Guam as the Committee on Ethics and Standards may deem desirable;

(5) to hold hearings; and

(6) to require by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, papers, reports, correspondence and documents, as it deems necessary. Subpoenas may be issued under the signature of the Chairperson of the Committee on Ethics and Standards, or any Member designated by the Chairperson, and may be served by any person designated by such Chairperson or Member. The Chairperson of the Committee on Ethics and Standards, or any Member thereof, may administer oaths to witnesses.

**(d) Rights of the Accused.** The Committee on Ethics and Standards shall accord any person accused of violating the Code of Ethics and Standards every opportunity to speak before the Legislative Body during a Committee of the Whole before the Body takes final action on a recommendation of the Committee, by that person alone or with counsel, and to testify on that person's behalf.

(e) **Rules of Procedure for the Legislative Committee on Ethics and Standards.** The following Rules 1 through 29 are hereby adopted for initial use of the Committee on Ethics and Standards. The Committee may, from time to time, make, amend, and repeal such rules, not inconsistent with law or other provisions of these Standing Rules, as in the opinion of the Committee, seem appropriate for the carrying out of this Standing Rule XIX, or for the efficient administration thereof, including every matter or thing required to be done or which may be done with the approval or consent or by order or under the direction or supervision of or as prescribed by the Committee.

(f) **Ethics Complaints for Re-Elected Senators or Renewed Employees.**

Ethics complaints may be investigated and processed against Senators who have been re-elected or legislative employees whose employment has been renewed for a consecutive term. Such investigations shall address alleged violations from the preceding term and ensure continuity of accountability and integrity within the legislature.

**Section 19.05. Drug-Free Workplace Policy to be Adopted.** The Drug-Free Workplace Policy appended to these Standing Rules as “Appendix 2” is hereby adopted.

**PART G**  
**RULES FOR VIRTUAL MEETINGS AND HEARINGS**  
**RULE XX**

**RULES GOVERNING PROCEDURE FOR VIRTUAL MEETINGS AND HEARINGS**

**Section 20.01. Virtual Committee Meetings and Public Hearings.** Notwithstanding any other provision of law, rule, regulation, or these Standing Rules, Standing Committees of *I Liheslaturan Guåhan* may convene and conduct virtual committee meetings and public hearings remotely via videoconference or similar technological means and allow the Members of Standing Committees and the public to participate. Standing Committees shall comply, to the extent practicable, with the protocol established under Section 20.02 of this Rule XX and existing provisions of these Standing Rules governing the procedures for committee meetings and public hearings. The Committee of Whole, while convened during session, shall not convene or conduct virtual committee meetings remotely via videoconference or similar technological means unless authorized by the affirmative vote of a majority of all Members of *I Liheslaturan Guåhan*.

**Section 20.02. Protocol and Compliance with Standing Rules.** The Committee on Rules shall establish and communicate to all Members the protocols and procedures governing virtual committee meetings and public hearings conducted via videoconference or other technological means as authorized under this Rule XX to ensure order and fair opportunities for all Members and the public to participate. To the extent practicable, procedures and requirements for virtual committee meetings and public hearings conducted via videoconference or other technological means shall be governed by these Standing Rules.

**PART H**  
***I LIHESLATURAN GUÅHAN* RECORD RETENTION SCHEDULE**  
**RULE XXI**

**Section 21.01. General Legislative Records.**

| <b>Record Type</b>                     | <b>Retention Period</b> | <b>Disposal Method</b>               |
|----------------------------------------|-------------------------|--------------------------------------|
| <b>Bills and Resolutions</b>           | Permanent               | Digitize and Archive                 |
| <b>Session Journals</b>                | Permanent               | Digitize and Archive                 |
| <b>Committee Reports</b>               | Permanent               | Digitize and Archive                 |
| <b>Hearing Transcripts and Minutes</b> | 10 years                | Archive and digitize before disposal |
| <b>Legislative Correspondence</b>      | 5 years                 | Digitize and Archive before disposal |
| <b>Audio/Video Recording</b>           | Permanent               | Digitize and Archive before disposal |

**Section 21.02. Administrative Records.**

| <b>Record Type</b>                                               | <b>Retention Period</b>   | <b>Disposal Method</b> |
|------------------------------------------------------------------|---------------------------|------------------------|
| <b>Financial Records<br/>(Budgets, Audits, Expenditures)</b>     | 10 years                  | Shred securely         |
| <b>Personnel Records<br/>(Employee Files, Payroll, Benefits)</b> | Permanent                 |                        |
| <b>Contracts and Agreements</b>                                  | 5 years after termination | Shred securely         |
| <b>Procurement and Bidding Records</b>                           | 3 years                   | Shred securely         |

**Section 21.03. Legal and Compliance Records.**

| <b>Record Type</b>                   | <b>Retention Period</b>     | <b>Disposal Method</b>    |
|--------------------------------------|-----------------------------|---------------------------|
| <b>Ethics and Compliance Reports</b> | 7 years                     | Shred securely            |
| <b>Litigation Files</b>              | 10 years after case closure | Archive or shred securely |
| <b>Policies and Procedures</b>       | Until superseded + 5 years  | Archive or shred securely |

#### **Section 21.04. Records Management and Disposal.**

- (a) Records may only be destroyed upon approval by the Director, Attorney General, and agency head, as provided in 5 GCA § 20608 of the Records Management Act.
- (b) Non-record materials may be disposed of at any time by the agency without prior approval, as provided in 5 GCA § 20610.
- (c) Digitized records should be stored securely and comply with legal retention requirements.

#### **Section 21.05. Procedures for Records Retention and Disposal.**

##### **(a) Records Inventory**

- (1) Each department must maintain an updated inventory of records.
- (2) Annual reviews must be conducted to assess retention compliance.

##### **(b) Records Storage**

- (1) Physical records must be stored in secured, climate-controlled areas.
- (2) Digital records must be backed up and protected against unauthorized access.

##### **(c) Records Disposal**

- (1) Departments must submit a **Records Disposal Request Form** to the Director.
- (2) Upon approval, disposal should follow established security protocols.
- (3) Sensitive records must be shredded or securely deleted.

##### **(d) Emergency Records Management**

- (1) Critical documents must have designated backup copies.
- (2) Disaster recovery plans should be in place to protect essential records.

#### **Section 21.06. Forms.**

##### **(a) Records Inventory Form**

- (1) Used to track and categorize stored records.

##### **(b) Records Disposal Request Form**

- (1) Approval is required to dispose of records.

(2) Records may only be destroyed upon approval by the Director, Attorney General, and agency head, as provided in 5 GCA § 20608 of the Records Management Act.

(3) Non-record materials may be disposed of at any time by the agency without prior approval, as provided in 5 GCA § 20610.

(c) **Records Transfer Form**

(1) Used when transferring records between departments or archives.

This schedule is subject to periodic review and updates in compliance with government policies and regulations.

## RECORDS INVENTORY FORM

**Purpose:** Used to track and categorize stored records.

**Agency/Department:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Prepared By:** \_\_\_\_\_

| Record ID | Record Title/Description | Date Created | Retention Period | Storage Location | Notes |
|-----------|--------------------------|--------------|------------------|------------------|-------|
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## RECORDS DISPOSAL REQUEST FORM

**Purpose:** Required for requesting approval to dispose of records.

**Agency/Department:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Prepared By:** \_\_\_\_\_

### Record Details:

| Record ID | Record Title/Description | Date Created | Retention Period | Justification for Disposal | Notes |
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### Approval Signatures:

- **Agency:** \_\_\_\_\_ **Date:** \_\_\_\_\_
- **Director of Administration:** \_\_\_\_\_ **Date:** \_\_\_\_\_
- **Attorney General:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Note:** Records may only be destroyed upon approval by the Director, Attorney General, and agency head as provided in 5 GCA § 20608.

**Non-Record Disposal Notice:** Non-record materials may be disposed of at any time by the agency without prior approval, as provided in 5 GCA § 20610.

## RECORDS TRANSFER FORM

**Purpose:** Used to document the transfer of records between departments or to an archive/storage facility.

**Transferring Agency/Department:** \_\_\_\_\_

**Receiving Agency/Department:** \_\_\_\_\_

**Date of Transfer:** \_\_\_\_\_

**Prepared By:** \_\_\_\_\_

| Record ID | Record Title/Description | Date Created | Retention Period | Transfer Location | Notes |
|-----------|--------------------------|--------------|------------------|-------------------|-------|
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### Approval Signatures:

- **Transferring Officer:** \_\_\_\_\_ **Date:** \_\_\_\_\_
- **Receiving Officer:** \_\_\_\_\_ **Date:** \_\_\_\_\_

## **LEGISLATIVE COMMITTEE ON ETHICS AND STANDARDS**

### **RULES OF PROCEDURE**

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## **RULES OF PROCEDURE**

### **RULE 1. Purpose of Rules.**

These Rules for the Committee on Ethics and Standards are established to provide for its operations in a manner which will enable it to execute properly the powers and duties vested in it, including the conduct of hearings in a fair and impartial manner, consistent with protection of the constitutional rights of the person involved in the proceedings and the preservation of the public good.

### **RULE 2. Definitions.**

As used in these Rules:

“*Committee*” means the Thirty-Eight (38th) Guam Legislature’s Committee on Ethics and Standards.

“*Hearing*” means any meeting in the course of an investigatory proceeding (other than a preliminary conference or interview at which *no* testimony is taken under oath) conducted by the Committee for the purpose of taking or adducing testimony or receiving other evidence.

“*Meeting*” means the convening of the Committee for which a quorum is required in order to make a decision or to deliberate toward a decision on any matter.

“*Respondent*” means a Senator or employee of *I Liheslatura* against whom a complaint of misconduct has been brought before the Committee.

“*Witness*” means a person who testified to what he or she has seen, heard or otherwise observed.

“*Counsel*” means an attorney admitted or licensed to practice before the Courts of Guam or specially admitted *pro hac vice*.

### **RULE 3. Nature and Confidentiality of Proceeding.**

The Committee, in conducting business, shall be guided by the provisions of the Code of Ethics and Standards for the Legislative Branch as set forth in Rule XIX, Standing Rules of the Guam Legislature.

### **RULE 4. Committee Functions.**

Pursuant to Rule XIX of the 38th Guam Legislature Standing Rules, the Committee:

(a) may investigate and/or hear all complaints of any alleged violation of the Code of Ethics and Standards by a sitting Senator or employee of *I Liheslatura* occurring during employment with the Legislature, if, and only if, said complaint has been filed with the Committee in the matter prescribed herein;

(b) after a full investigation and hearing, shall report and make recommendations to *I Liheslatura* regarding what disciplinary action, if any, should be taken;

(c) after full investigation and hearing, if the Committee believes that there is cause for the possible filing of criminal charges, it may recommend the referral of possible criminal charges stemming from the complaint to the Attorney General's Office or appropriate authority for its disposition; and

(d) shall recommend to *I Liheslatura* any changes in existing law or rules or additions to said law or rules which the Committee shall determine to be necessary or desirable to ensure observance of the Code of Ethics and Standards.

**RULE 5. Finance and Staff.**

The Committee may employ, for the duration of its business, professional, technical, clerical, or other personnel, as necessary for the proper performance of its duties, to the extent of funds made available to it by the Committee on Rules for such purpose, and subject to such restrictions and procedures relating thereto as may be provided by law or any applicable rules of the Legislature. Any funds made available to the Committee must be made via the adoption of a Rules Resolution adopted by the affirmative vote of six (6) of the members of the Committee on Rules.

**RULE 6. Membership, Quorum, and Voting.**

(a) The Committee shall be composed of six (6) members of *I Liheslatura* who shall serve on a quarterly basis. Four (4) Members of the Committee shall be Members of the Majority Party, appointed by the Speaker. Two (2) Members of the Committee shall be Members of the Minority appointed by the Minority Leader. The Committee shall select a Chairperson and Vice Chairperson from among its Members.

(b) Vacancies in the membership of the Committee shall not affect the authority of the remaining members to execute the functions of the Committee, and shall be filled in the same manner in which the original appointments were made.

(c) Four (4) members of the Committee shall constitute a quorum for the transaction of business.

(d) No action shall be taken by the Committee at any meeting *unless* a quorum is present. Action may be taken by affirmative vote of *no less than* four (4) Members present and voting at a meeting at which there is a quorum.

(e) The affirmative vote of a majority of all Members of the Committee shall be required to introduce or report a resolution out of committee. For purposes of this Section, a vote by a Member “to report out only” or abstain or any other qualified vote shall not be considered an affirmative vote to report such bill or resolution out of Committee.

(f) Subject to concurrent dismissal by the Speaker, any Member may be removed by the Speaker for two (2) unexcused absences from a meeting or hearing noticed pursuant to these Rules. The Speaker shall then appoint a new Member.

**RULE 7. Hearings and Meetings.**

(a) The Committee may hold hearings or meetings as it deems appropriate for the performance of its duties at such times and places as it determines.

(b) Members of the Committee shall be given *at least* three (3) days notice of any meeting to be held concerning any procedural matter. Members of the Committee shall be given *at least* seven (7) days notice of any meeting to be held concerning any substantive matter.

(c) Members of the Committee shall be given five (5) working days notice, and a second notice *at least* forty-eight (48) hours prior to the start of a Hearing.

(d) The Chairperson shall deliver to the Speaker and the Executive Director of *I Liheslaturan Guåhan* the notice setting forth the Committee’s name, time and place, and a statement of the subject matter of the hearing or meeting. A hearing or meeting, and any action there taken, shall not be deemed invalid solely because notice was not given in accordance with this requirement. A meeting or hearing can be recessed by the Chairperson or majority vote of the Members present to continue the following working day or to a date certain in the future.

(e) A hearing or meeting shall not be conducted by the Committee *unless* a quorum is present. The Committee may, by majority vote, establish a Subcommittee, consisting of not *less than* three (3) members who shall be members of the Committee. The Chairperson of the Committee shall be an *ex officio* member of all subcommittees. A Subcommittee may hold working sessions without a quorum as long as evidence is not received.

(f) A meeting of the Committee or a Subcommittee to discuss a complaint against an employee or a Senator shall be closed to the public and to all parties.

(g) A special meeting may be called at any time by the Chairperson or by a majority of the Members of the Committee, by delivering personally or by mail written notice to each Committee Member.

(h) A hearing of the Committee or a Subcommittee to receive evidence or take testimony on a complaint against an employee or a Senator shall be closed to the public *unless* the employee or Senator who is the subject of the complaint requests a public hearing. The Committee shall exclude from any hearing, during the examination of a witness, any or all other witnesses in the matter being investigated by the public agency, but may not exclude the respondent or the complainant.

**RULE 8. Form of Complaints.**

Complaints must be in writing and signed by the complainant. Complaints and information about Senators and employees of *I Liheslatura* must be verified as true, or that the complainant believes them to be true, under threat of penalty and perjury under the laws of Guam. Verification in the form or substantially similar to the Verification of Complaint Form appended to these Rules shall be attached to a complaint. Complaints shall be made *no later than* July 1, 2026.

**RULE 9. Notice to Respondent.**

(a) Immediately upon receiving a complaint the Chairperson shall notify the respondent by giving the respondent a copy of the complaint.

(b) The Committee shall not recommend or adopt a final disposition of a matter other than dismissal without first notifying the respondent in writing of the substance of the complaint, affording respondent the opportunity to appear before the Committee, a subcommittee, or Committee legal counsel to present respondent's position; and reports to or by the Committee shall include the substance of the respondent's position on the complaint.

**RULE 10. Screening of Complaints.**

(a) Immediately upon receiving a complaint or information about a Senator or employee of the Legislature, and ensuring that the Committee legal counsel has *no* conflict in the matter, the Committee may screen the complaint or may refer the matter to a subcommittee or to the Committee legal counsel to screen it to determine whether the alleged facts, if true, would constitute a violation of the Legislature's Code of Ethics and Standards. The Committee legal counsel, the subcommittee, or the Committee itself shall, within thirty (30) days or sooner if directed by the Committee, report back to the Chairperson whether the allegations, if true, would constitute prohibited conduct under the Legislature's code of Ethics and Standards.

(b) After screening of the complaint or information and before the investigation of such complaint or information has commenced, the Committee shall thereupon, by majority vote of its Members, determine whether or not the complaint or information screened warrants further

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investigation or action by the Committee, subcommittee, or Committee legal counsel. If not enough votes are obtained, then the item remains on the agenda until the Committee votes to either go forward, refer to the inactive file, or dismiss.

(c) The Committee, its subcommittee, and its legal counsel, shall screen all charges on a confidential basis, having available all the powers herein provided or provided pursuant to Title 2 GCA Chapter 3, and proceedings at this stage shall not be public. The Chairperson with the consent of the Committee may release information regarding a pending complaint to the news media or the general public and the Committee legal counsel shall not discuss the matter with the media except on consent of the Committee.

**RULE 11. Preliminary Investigation by Committee Legal Counsel or Subcommittee.**

(a) Upon the authorization and instruction of the Committee, as provided in Rule 9, Committee legal counsel, a subcommittee, or the Committee itself shall conduct a preliminary investigation of any complaint or information that concerns a Senator or employee of *I Liheslatura* and alleges facts which, if true, would constitute a violation of the Legislature's Code of Ethics and Standards. A subcommittee or Committee legal counsel, or his or her designee, including a qualified investigator under the Committee legal counsel's supervision, may interview witnesses and gather evidence in the course of the preliminary investigation. At any time during the course of the preliminary investigation, upon learning of facts or circumstances clearly exonerating the respondent, the subcommittee or the Committee legal counsel shall inform the Committee of such information and immediately recommend a dismissal of the proceeding.

(b) The Committee, its subcommittee, and its legal counsel, shall conduct the preliminary investigation of all charges on a confidential basis, having available all the powers herein provided or provided pursuant to Title 2 GCA Chapter 3, and proceedings at this stage shall not be public. The Chairperson, with the consent of the Committee, may release information regarding a pending complaint to the news media or the general public, and the legal counsel shall not discuss the matter with the media except on consent of the Committee.

**RULE 12. Preliminary Recommendation by Committee Legal Counsel or Subcommittee.**

The preliminary recommendation for disposition of a complaint following preliminary investigation by the Committee legal counsel or subcommittee shall be either, that there is reason to believe that a violation of the Code of Ethics and Standards has been committed and the complaint warrants a full investigation and hearing by the Committee, or that the complaint should

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be dismissed. A preliminary recommendation shall be made not later than thirty (30) days after the referral for preliminary investigation is made by the Committee, *unless* extended by the Chairperson or the Committee.

**RULE 13. Resolution Approving Full Investigation and Hearing.**

If a majority of the Members of the Committee conclude that there is reason to believe that a violation of the Code of Ethics and Standards has been committed and the complaint warrants a full investigation and hearing by the Committee, then the Committee shall by formal Committee Resolution authorize a full investigation and set a time and place for a hearing, giving notice to the complainant and the respondent.

**RULE 14. Hearing.**

(a) The hearing shall commence *no later than* thirty (30) days after service of the resolution on the respondent, *unless* otherwise directed by the Committee.

(b) All witnesses shall testify under oath and the hearings shall be closed to the public and other witnesses, *unless* the party complained against requests for an open hearing. The Committee shall not be bound by the strict rules of evidence, but the Committee's findings must be based upon competent and substantial evidence.

(c) All testimony and other evidence taken at the hearing shall be preserved by electronic digital recording. Copies of such record shall be available *only* to Members of the Legislature. Any and all such testimony and other evidence shall not be subject to disclosure under 5 GCA §§ 10101 *et seq.*

(d) After conclusion of an evidentiary or investigative hearing, deliberations of the Committee shall be closed to the public and to all parties.

**RULE 15. Issuance of Subpoenas.**

(a) The Committee shall have the authority to issue subpoenas and subpoenas *duces tecum* in order to compel the attendance of witnesses or the production of documents before it, or both, in accordance with Title 2 GCA Chapter 3. The Committee shall have the standing, authority and jurisdiction to determine and impose Legislative Contempt in accordance with Title 2 GCA Chapter 3, and to make such further orders as it deems appropriate to effectuate its powers under these Rules, and additionally to apply to the Superior Court of Guam for an order to compel the attendance or the production of documents, or both, before it. The Committee may continue the requirement of attendance of a witness, to provide testimony or to provide for additional, supplementary document production by that witness, or both, at the hearing at which the witness

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was ordered to attend. The Committee shall adhere to the requirements of Title 2 GCA Chapter 3 in the conduct of its investigation and hearing.

(b) Any person who is served with a subpoena also shall be served with a copy of the resolution authorizing the investigation and a copy of these rules, a general statement informing him or her of the subject matter of the Committee's investigation or inquiry and, if personal appearance is required, a notice that he or she may be accompanied by counsel of his or her own choosing.

**RULE 16. Conduct of Hearings.**

(a) The Chairperson of the Committee, if present and able to act, shall preside at all hearings of the Committee and shall conduct the examination of witnesses or supervise examination by other Members of the Committee, and Members of the Committee's staff who have been authorized to examine witnesses. In the Chairperson's absence or disability, the Vice-Chairperson shall serve as Presiding Officer.

(b) No hearing, or part thereof, shall be televised, filmed or broadcast *except* upon request of the respondent and approval of the Committee by majority vote of the Members.

(c) The Hearing shall be conducted in accordance with Title 2 GCA Chapter 3.

**RULE 17. Rights to Counsel and Submission of Questions.**

(a) Every witness at a Committee hearing may be accompanied by a counsel of his or her own choosing, who may advise the witness as to his or her rights; provided, that limitations may be prescribed by the Committee to prevent obstruction of or interference with the orderly conduct of the hearing.

(b) Any witness at a hearing, or his or her counsel, may submit to the Committee proposed questions to be asked of the witness or any other witness, or a written or verbal statement, relevant to the matters upon which there have been questions or submission of evidence, and the Committee shall ask such of the questions or any other questions as it may deem appropriate to the subject matter of the hearing.

**RULE 18. Testimony.**

(a) The Committee shall cause an electronic digital record to be made of all proceedings in which testimony or other evidence is received or adduced, which record shall include rulings of the Chairperson, questions of the Committee and its staff, the testimony or responses of witnesses, sworn written statements which the Committee authorizes a witness to submit, findings of facts, and such other matters as the Committee or Chairperson may direct.

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(b) All testimony given at a hearing shall be under oath or affirmation *unless* the requirement is dispensed with in a particular instance by majority vote of the Committee Members present at the hearing.

(c) The Chairperson or a designee, including the Legislative Sergeant-at-Arms or Assistant Sergeant-at-Arms, may administer oaths *or* affirmations to a witness in any matter under examination in furtherance of a legislative proceeding, whether he or she is under subpoena *or* not.

(d) The Chairperson at a hearing of the Committee may direct a witness to answer any relevant question or furnish any relevant book, paper, or other document. Unless the direction is overruled by majority vote of the Committee Members present, disobedience shall constitute grounds for citation for contempt, except that production of any book, paper or other document may be required only by subpoena.

(e) A witness at a hearing, or his or her counsel, with the consent of a majority of the Committee Members present at the hearing, may file with the Committee for incorporation into the record of the hearing sworn written statements relevant to the purpose, subject matter and scope of the Committee's investigation or inquiry.

(f) A witness at a hearing, upon his or her advance request and at his or her own expense, shall be furnished a recording of his or her testimony.

(g) Testimony and other evidence given or adduced at a hearing closed to the public shall not be made public, *unless* authorized by consent of the respondent and majority vote of the Committee, which authorization shall also specify the form and manner in which the testimony or other evidence may be released. Nothing herein shall be construed to prevent a witness or other supplier of evidence from disclosing such of his or her own testimony or other evidence concerning matters which *only* he or she could claim a privilege against disclosure.

#### **RULE 19. Final Argument.**

(a) The respondent or the respondent's counsel shall be permitted to present to the Committee oral comments on all evidence received by the Committee. The respondent's arguments to the Committee shall be limited to commenting on the evidence received and shall not include argument on recommended punishment. Final argument by the respondent shall take place after all evidence is received by the Committee, and as soon thereafter as the respondent may be heard.

(b) The Chairperson of the Committee, or his designee, shall preside at the respondent's presentation and shall control the manner and length of the respondent's final argument.

**RULE 20. Final Disposition.**

The Committee may direct that the Committee legal counsel shall recommend a final disposition of the matter not later than thirty (30) days after the completion of the full investigation and hearing and the later submission of any evidence agreed to be received by the Committee. A recommendation for final disposition may also be submitted by a Committee Member. The recommendation for final disposition shall include, but not be limited to, the following:

- (a) name of the respondent;
- (b) act or acts that the respondent committed, if any, which violated the Code of Ethics and Standards;
- (c) conclusions of law upon which Committee legal counsel or Member bases the violation; and
- (d) on determination that a violation has occurred, the recommended punishment for the violation or violations.

**RULE 21. Approval of Disposition.**

The Committee shall review the recommendations for final disposition submitted and may approve, disapprove, or modify the recommendations for final disposition.

When the Committee, after due hearing, believes that there is cause for the possible filing of criminal charges, it may also recommend referral of the complaint to the Attorney General's Office or appropriate authority for its disposition.

**RULE 22. Resolution.**

On adoption of a final disposition, which includes the Committee's determination that a violation has occurred, the Committee shall prepare a written resolution containing the following information and upon approval by the Committee, submit it to the Body of *I Liheslatura* for its approval pursuant to Section 19.04, *infra*:

- (a) Name of respondent
- (b) The act or acts respondent committed, and whether any such acts violated the Code of Ethics and Standards;
- (c) The disciplinary action recommended by the Committee for the violation or violations.

**RULE 23. Notification of Complainant and Respondent.**

The complainant and the respondent shall be notified in writing, within a reasonable time, of the final disposition of the matter following full investigation and hearing by the Committee.

**RULE 24. Record-Keeping.**

(a) In matters where the Committee makes a finding of a violation of the Code of Ethics and Standards by a Senator or employee of the Legislature, the documentation thereof shall not be destroyed and all records thereof shall be placed in both the legislative archives and the official legislative depository.

(b) In matters where the Committee dismisses the complaint or makes a finding of non-occurrence of prohibited conduct by a Senator or employee of the Legislature, the documentation thereof may be placed in the legislative archives and be destroyed after five (5) years.

(c) All legal opinions and rules and regulations adopted or prepared for the Committee shall be kept for future reference. These documents shall be placed in legislative archives at the end of term of the Committee.

(d) All records concerning ongoing cases shall be transmitted to the next Legislature with recommendations.

(e) The Committee shall keep an electronic digital record of its hearings, which shall be maintained as part of the official records of the Committee. The Chairperson of the Committee shall be responsible for ensuring that all official records of the Committee are maintained and forwarded to the legislative archives via the Speaker for permanent housing upon the disposition and conclusion of each ethics complaint consistent with this Rule. The Executive Director of *Liheslatura* shall ensure that all records of the Committee are properly secured, stored, and maintained at the legislative archives.

**RULE 25. Interested Persons.**

(a) Any person whose name is mentioned or who is otherwise identified during a hearing of the Committee and who, in the opinion of the Committee, may be adversely affected thereby, may, upon such person's request or upon the request of any Member of the Committee, appear personally before the Committee and testify in his or her own behalf, or, with the Committee's consent, file a sworn written statement of facts or other documentary evidence for incorporation into the record of the hearing.

(b) Upon the consent of a majority of its Members, the Committee may permit any other person to appear and testify at a hearing or submit a sworn written statement of facts or other

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documentary evidence for incorporation into the record thereof. No request to appear, appearance or submission of evidence shall limit in any way the Committee's power of subpoena.

**RULE 26. Limitation of These Rules.**

Nothing contained in these Rules shall be construed to limit or prohibit the acquisition of evidence or information by the Committee by any lawful means not provided for herein.

**RULE 27. No Authority to Grant Immunity.**

The Committee shall have no authority to grant immunity to witnesses or any other person.

**RULE 28. Recusal of Committee Members.**

If a Member of the Committee is accused of an ethics violation, he or she shall recuse himself or herself from any participation in the matter. The Speaker shall then appoint a part-time Member of the Committee to act only in matters regarding that complaint or, if the Speaker is the accused Senator, the Vice Speaker shall appoint the part-time Member.

**RULE 29. Rights to Counsel.**

The respondent shall have the right to counsel at all stages of the proceeding. Counsel shall enter an appearance by serving the Chairperson with a written Entry of Appearance. Respondent's Counsel may not communicate with any Member of the Committee individually regarding a pending matter before the Committee, without consent of the Committee, and shall communicate with the Committee via the Chairperson *only* as specifically authorized by these Rules.

## APPENDIX 1

### VERIFICATION FORM FOR ETHICS COMPLAINTS

I, \_\_\_\_\_, hereby declare under penalty of perjury that I am the Complainant in this matter and that I verify the above Complaint and, in doing so, state that I have read the same and know the content of it, and that the same is true of my own knowledge, except as to the matters which are stated in it on my own information or belief, and as to those matters, that I believe them to be true.

Dated: \_\_\_\_\_.

\_\_\_\_\_

## APPENDIX 2

### DRUG-FREE WORKPLACE POLICY

#### **I. Scope and Purpose:**

In accordance with the Organic Act of Guam, the legislative power and authority of Guam shall be vested in *I Liheslaturan Guåhan* (the Guam Legislature).

Employees of *I Liheslaturan Guåhan* play a critical role in the legislative process and their health and safety is a serious concern. *I Liheslaturan Guåhan* will not tolerate illegal use of drugs or abuse of alcohol that imperils the health and well-being of its employees or threatens *I Liheslatura*'s ability to properly fulfill its obligation to the people of Guam.

The illegal use of drugs or abuse of alcohol, on or off-duty, is inconsistent with the law-abiding behavior expected of all employees of *I Liheslaturan Guåhan*. Employees who illegally use drugs or abuse alcohol, on or off-duty, may be less productive, less reliable, and prone to greater absenteeism. These behaviors threaten *I Liheslatura*'s ability to fulfill its professional responsibilities.

Employees have a reasonable expectation to work in a drug and alcohol free environment and to work with persons free from the effects of the illegal use of drugs or the abuse of alcohol. Employees who illegally use drugs or abuse alcohol may pose a danger to themselves, other employees, and the public. Illegal use of drugs or abuse of alcohol by employees may decrease *I Liheslatura*'s productive resources and the health and well-being of its workers and their families.

It is the duty and responsibility of *I Liheslatura* and its employees to maintain a safe and productive work environment, and to perform duties and responsibilities as safely, effectively, and efficiently as possible. In order to accomplish this goal, *I Liheslaturan Guåhan* and its employees shall not be adversely affected or impaired in any way by the illegal use of drugs, abuse of alcohol, or the presence of illegal drugs.

#### **II. Objectives:**

- (a) To ensure a drug-free and alcohol-free work environment for *I Liheslaturan Guåhan* and its employees;
- (b) To provide a safe and productive work environment for all employees;
- (c) To provide a work environment free of any adverse effects on job performance caused by drug or alcohol related problems; and
- (d) To provide reasonable awareness education related to drug and alcohol.

### III. Policy:

It shall be the policy of *I Liheslaturan Guåhan* to maintain a workplace free of the illegal use of drugs and abuse of alcohol.

(a) Reporting to work or performing work for *I Liheslatura* while impaired by or under the influence of illegal drugs or alcohol is prohibited.

(b) The illegal use, possession, dispensation, distribution, manufacture, or sale of a controlled substance by an employee at the workplace, during normal work hours, while an employee is on duty, or conducting official business for *I Liheslaturan Guåhan*, is prohibited.

(c) A violation of Sections III (a) and (b) is considered conduct detrimental to the ability of *I Liheslaturan Guåhan* to perform its duties and will result in appropriate actions in accordance with the Standing Rules of *I Liheslaturan Guåhan*.

(d) Employees are required to inform the Executive Director within five (5) working days of any criminal drug or alcohol related conviction where such conviction was due to an occurrence at the workplace, during normal work hours, while an employee is on-duty, or conducting official business for *I Liheslaturan Guåhan*.

(1) An employee who is convicted of violating any criminal drug or alcohol statute in such workplace situations as stated above will be subject to appropriate actions in accordance with the Standing Rules of *I Liheslaturan Guåhan*.

(2) A conviction means a finding of guilt (including a plea of *nolo contendere*) or the imposition of a sentence by a judge or jury in a court of law.

(e) All employees of *I Liheslaturan Guåhan* will be given a copy of *I Liheslatura*'s Drug-Free Workplace Policy and amendments thereafter. Employees are hereby informed that they must abide by the terms of the policy as a condition of employment and of the consequences of any violation of such policy.

Notification and receipt of this policy will be required as part of a new employee orientation. Employees must read and sign the Drug-Free Workplace Affirmation Form, which will be made a part of their confidential file.

#### **IV. Drug and Alcohol Abuse Awareness Program:**

*I Liheslaturan Guåhan* will endeavor to educate employees about the dangers of the illegal use of drugs and alcohol abuse. *I Liheslatura* will provide a drug and alcohol abuse awareness program (subject to the availability of resources) to assist employees to understand and avoid the perils of drug and alcohol abuse. Training will be given to employees at least once a year; attendance of employees at such training will be mandatory. *I Liheslatura* will use the program in an ongoing educational effort to prevent and eliminate illegal drug use and alcohol abuse.

The drug and alcohol abuse awareness program shall provide information to employees as follows:

- (a) The dangers of illegal use of drugs and abuse of alcohol;
- (b) The Drug-Free Workplace Policy of *I Liheslaturan Guåhan*;
- (c) The appropriate actions *I Liheslatura* will take for violations of its Drug-Free Workplace Policy.

#### **V. Drug and Alcohol Screening Program:**

*I Liheslaturan Guåhan* will undertake reasonable efforts to establish a drug and alcohol screening program for employees as well as those individuals who have received a conditional offer of employment. Employees will be notified when the testing will begin. This program will be implemented and maintained by the Executive Director of *I Liheslatura* or any other person designated by the Chairperson of the Committee on Rules.

#### **VI. Types of Drug and Alcohol Testing:**

- (a) Pre-employment testing – conditional offer of employment;
- (b) Reasonable suspicion testing; and
- (c) Voluntary testing.

#### **VII. Applicability:**

This Drug-Free Workplace Policy applies to all employees of *I Liheslaturan Guåhan*.

*I Mina'trentai Ocho Na Liheslaturan Guåhan*

THE THIRTY-EIGHTH GUAM LEGISLATURE

# GUIDELINES

Resolution No. 3-38 (COR)

## **Section 1. Introduction.**

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These Guidelines supplement the requirements of *I Mina'trentai Ocho Na Liheslaturan Guåhan Otden Areklamento*, specifically Rule VII on Processing of Resolutions and Rule VIII on Processing of Certificates. These Guidelines are intended to provide all individuals involved in the preparing, processing, and presentation of resolutions and certificates with as much information as possible to understand the steps required to produce a resolution/certificate.

## **Section 2. Background.**

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**Resolutions.** While the Legislature is in Session, it can act as a body to adopt resolutions that have been introduced during the time period that it remains in Session. When the Legislature is not in Session, the Committee on Rules (COR), as the policy-making body of the Legislature, acts on the Legislature's behalf. Therefore, resolutions introduced when the Legislature is not in Session must be adopted by COR. Adoption requires the affirmative vote of at least seven (7) COR members.

**Certificates.** Certificates are issued as a function of the Committee on Rules. Any member may submit a request for a certificate, which will be reviewed and approved by the COR Chairperson. Certificates processed between sessions will be placed on the Consent Calendar at the next session for ratification by the body.

## **Section 3. Timing.**

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**Resolutions.** Resolutions should be introduced at least five (5) working days prior to the scheduled presentation. If an office is unable to meet this deadline, it is strongly recommended to consider presenting a certificate instead.

**Certificates.** Certificates should be filed at least three (3) working days prior to the scheduled presentation.

**Delayed Processing.** Processing delays occur under extenuating circumstances, particularly when a high volume of resolutions and certificates are introduced/filed. Delays will also occur during session because the handling of session matters takes precedence over all else. Thus, there will be a hold on processing commendatory, congratulatory, or condolence resolutions and certificates until session is adjourned. Exceptions may be made by the COR Chairperson upon receipt of a written request from the sponsor explaining the need for immediate processing.

## **Section 4. Required Notices/Memorandums.**

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Reference: *I Otden Areklamento* Sections 7.04(f) and 8.04(b).

(a) **Twenty-four (24)-hours Prior to Presentation.** After a resolution is adopted and at least twenty-four (24) hours prior to the presentation, the sponsor must e-mail a memo to all Senators providing the following information:

- (1) resolution/certificate number;

- (2) resolution/certificate title, in its **final version**; and
- (3) the presentation date, time, and location.

When sending this email, the sponsor must cc:

- (4) Clerk's Office, for information/tracking purposes;
- (5) MIS, for posting on the calendar; and
- (6) the Chief Protocol Officer (CPO), if the presentation is to be held in the Guam Congress Building.

**(b) Rescheduled Presentations.** The sponsor must provide e-mail notice to all parties (i.e., Senators, Clerk, MIS, CPO) when a presentation is cancelled or re-scheduled.

## **Section 5. Resolution Processing Procedures.**

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Pursuant to Rule VII. Section 7.03(f) Each Senator shall be limited to introduce ten (10) commendatory, congratulatory, or condolence resolutions per term of *I Mina'trentai Ocho Na Liheslaturan Guåhan*.

**(a) Introduction of Commendatory, Congratulatory, or Condolence Resolutions.** Reference: *I Otden Areklamento* Section 7.03. To introduce a resolution, the sponsor must complete each of the following steps. Clerk's Office will not begin processing a resolution until all of these steps are complete.

- (1) Prepare the resolution using the template issued by Clerk's Office.
- (2) Verify the accuracy of the information, including names, spelling, dates, etc.
- (3) Gather the initials/signatures of each sponsor.
- (4) Email Clerk's Office the Microsoft Word version of the resolution and the date, time, and place of presentation. If the presentation details are unknown or the resolution will not be formally presented, include that information instead. Do not label the resolution number or parenthesis.

**(b) Substantive Resolutions.**

- (1) Clerk's Office forwards the resolution (as introduced) to MIS for posting. MIS will note that the posted version is "as introduced."
- (2) Clerk's Office forwards the resolution to COR for referral:
- (3) Author holds a public hearing following the same hearing process for bills/appointments.
- (4) Author prepares a report on the resolution and submits it to the Speaker, via COR, for consideration by the body.

(5) Resolutions processed in compliance with all applicable rules will be eligible for consideration for placement on the session agenda.

**(c) Processing of Commendatory, Congratulatory, or Condolence Resolutions.**

(1) Clerk's Office:

(A) Reviews format and style and makes any necessary changes.

(B) (Ideal time frame: one (1) working day from date of filing)

(C) Reviews content and makes any necessary changes. If the changes are substantive, sponsor will be notified. If the resolution requires extensive changes, Clerk's Office will return the resolution to the sponsor.

(D) (Ideal time frame: two (2) working days from date of filing)

(E) Prepares a COR vote sheet and sends to sponsor.

(2) Sponsor routes vote sheet for signature. (Ideal time frame: one (1) working day after content is finalized) Votes may be solicited by circulating a hard copy of the vote sheet or by a group e-mail from the sponsor to all COR members. If the vote sheet is routed by e-mail:

(A) E-mail responses from COR members must be registered by the sponsor on the vote sheet. E-mail responses must be compiled and forwarded to Clerk's Office for verification.

(B) The vote sheet must be signed by the sponsor acknowledging that the votes were properly registered.

(C) Once at least seven (7) affirmative votes are received, the sponsor submits the hard copy, signed vote sheet to the Clerk's Office, with the e-mail responses attached.

(3) Clerk's Office additionally:

(A) Verifies votes, certifies vote sheet, and notes the date of adoption (i.e., the date the vote sheet is filed).

(B) Prepares the resolution for printing. The number of "presentation-ready" copies will be based on the number of frames/presentation folders provided by sponsor. Otherwise, one (1) "presentation-ready" copy will be printed for the main recipient and "blue-back" hard copies will be provided to additional recipients. It is the responsibility of the sponsor to inform the Clerk's Office as to how many copies of each type of print-out will be needed.

(C) Routes the adopted resolution for signature. (Ideal time frame: one (1) working day from date vote sheet is submitted)

(D) Affixes official seals to resolution(s).

(E) Confirms twenty-four (24)-hour notice of presentation has been issued to all Senators (cc: Clerk, MIS and CPO, if necessary).

(F) Contacts sponsor once resolution is ready for pickup.

(G) Sends certified vote sheet and adopted version of resolution to MIS for website posting.

(4) **Transmittals.** Sponsor is responsible for providing complete contact information for all recipients of a resolution to Clerk's Office. Clerk's Office will prepare "blue-back" hard copies with an official transmittal letter signed by the Legislative Secretary. Clerk's Office will issue final product to sponsor for postage and mailing and to MIS for website posting.

(5) **Revisions.** If a sponsor wishes to revise a resolution that is already being processed, sponsor must first contact the Clerk's Office to request for the latest Microsoft Word version of the resolution. The sponsor must then email a request to COR (cc: Clerk's Office), including a version of the resolution identifying the revisions. Revising a resolution in the middle of processing may extend processing time by approximately forty-eight (48) hours.

(d) **Converting (COR) Resolutions to (LS).** If a resolution is introduced when the Legislature is not in Session, it is classified as "(COR)," and is adopted via the process described above. If the Legislature goes into Session and a "(COR)" resolution has yet to be adopted, the sponsor may wish to have the resolution instead adopted as an "(LS)" resolution. If so:

(1) Sponsor must submit written notice to the Speaker (cc: COR, Clerk's Office) withdrawing the "(COR)" version.

(2) Sponsor must then re-format the original "(COR)" resolution to reflect the proper "(LS)" format. All other processing requirements remain in effect.

(3) The "(LS)" version will then be addressed on the Session Floor.

(e) **Similar Resolutions.** If two (2) or more resolutions, or a resolution and a certificate, on substantially the same subject matter are adopted, only the document first submitted shall be issued. Questions as to whether the substance or textual significance of two (2) or more documents are substantially similar shall be decided by the COR Chairperson.

(f) **Withdrawal of Resolutions.** A prime sponsor may permanently withdraw a resolution at any time by written notice to the Speaker and COR Chairperson. Reference: *I Oden Areklamento* Section 7.04(g).

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## **Section 6. Certificate Processing Procedures.**

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(a) **Introduction.** To request a certificate, the sponsor shall:

- (1) Prepare the certificate using the template issued by Clerk's Office.
- (2) Verify the accuracy of the information, including names, spelling, dates, etc.
- (3) Gather the initials/signatures of each sponsor.
- (4) Email Clerk's Office the Microsoft Word version of the certificate and the date, time, and place of presentation. If the presentation details are unknown or the certificate will not be formally presented, include that information instead. Do not label the certificate number or parenthesis.
- (5) Hand-deliver the hard copy to the Clerk's Office for filing. Do not label the certificate number or parenthesis.
- (6) If the certificate is to be issued to multiple recipients, the sponsor must provide a recipient listing (e-copy and hard copy) at the time of filing. However, no more than fifty (50) certificates will be issued for a single recognition.

(b) **Processing.** Once a certificate is filed:

- (1) Clerk's Office:
  - (A) Reviews format and style and makes any necessary changes. (Ideal time frame: one (1) day from date of request)
  - (B) Reviews content and makes any necessary changes. If the changes are substantive, sponsor will be notified. If the certificate requires extensive changes, it will be returned to the sponsor. (Ideal time frame: one (1) day from date of request)
  - (C) Forwards to COR for review and approval. (Ideal time frame: one (1) day from date of request)
- (2) COR reviews and:
  - (A) If approved, returns certificate to Clerk's Office for finalizing.
  - (B) If denied, COR notifies sponsor and Clerk's Office.
- (3) Clerk's Office:
  - (A) Prints.
  - (B) Routes certificate for signature. (Ideal time frame: one (1) day from date of COR approval)

(C) Affixes official seals to certificate(s).

(D) Confirms twenty-four (24)-hour notice of presentation has been issued to all Senators (cc: Clerk, MIS and CPO, if necessary).

(E) Contacts sponsor once certificate is ready for pickup.

**(c) Revisions.** If a sponsor wishes to revise a certificate that is already being processed, the sponsor must email a request to COR (cc: Clerk's Office), including a Microsoft Word version of the certificate identifying the revisions. Revising a certificate in the middle of processing may extend processing time by approximately twenty-four (24) hours.

**(d) Withdrawal of Certificate.** A sponsor may permanently withdraw a certificate at any time by a written request to the COR Chairperson. Reference: *I Otden Areklamento* Section 8.03(d).