



CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM

OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<i>Tomie Guzman</i>
Time	<i>4:00 p.m.</i>
Date	<i>4-9-98</i>

APR 09 1998

Refer to  
Legislative Secretary

The Honorable Antonio R. Unpingco  
Speaker  
Twenty-Fourth Guam Legislature  
Guam Legislature Temporary Building  
155 Hesler Street  
Agana, Guam 96910

Dear Speaker Unpingco:

Enclosed please find a copy of Substitute Bill No. 499 (COR), "AN ACT TO ADD A NEW §2108 TO TITLE 2 OF THE GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING THE ATTACHMENT OF NONGERMANE MATTERS OR 'RIDERS' TO A BILL", which I have signed into law today as Public Law No. 24-160.

This legislation enacts a code section purporting to prohibit the attachment of nongermane riders to legislation at various stages of the legislative process. It requires bills to contain one subject matter and prohibits them from containing unrelated subjects at the time they are introduced, at the time they are considered, and at the time they are passed.

There is no enforcement mechanism for this prohibition, however. If nongermane riders are again attached to a bill, such as happened when unrelated riders changing the structure of our court system were attached to a bill on solid waste management, what happens to the bill? There are no consequences. The Organic Act, our pseudo-constitution, does not prohibit nongermane riders.

Very truly yours,

  
Carl T. C. Gutierrez

Attachment 04738


cc: The Honorable Joanne M. S. Brown  
Legislative Secretary

Office of the Speaker  
ANTONIO R. UNPINGCO  
Date: *4-9-98*  
Time: *1430*  
Rec'd by: *[Signature]*  
Print Name: *Charlene Pineda*


TWENTY-FOURTH GUAM LEGISLATURE  
1998 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR


This is to certify that Substitute Bill No. 499 (COR), "AN ACT TO ADD A NEW §2108 TO TITLE 2 OF THE GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING THE ATTACHMENT OF NONGERMANE MATTERS OR "RIDERS" TO A BILL," was on the 27<sup>TH</sup> day of March, 1998, duly and regularly passed.

  
\_\_\_\_\_  
ANTONIO R. UNPINGCO  
Speaker

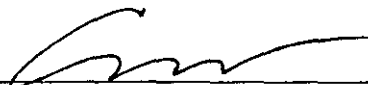
Attested:

  
\_\_\_\_\_  
MARK FORBES  
Senator and Acting Legislative  
Secretary

-----  
This Act was received by the Governor this 3rd day of April, 1998, at  
10:30 o'clock 9 .M.

  
\_\_\_\_\_  
Assistant Staff Officer  
Governor's Office

APPROVED:

  
\_\_\_\_\_  
CARL T. C. GUTIERREZ  
Governor of Guam

Date: 4-9-98

Public Law No. 24-160

**TWENTY-FOURTH GUAM LEGISLATURE**  
**1998 (SECOND) Regular Session**

**Bill No. 499 (COR)**

As substituted by the Author  
and amended on the Floor.

Introduced by:

V. C. Pangelinan  
L. Leon Guerrero  
J. Won-Pat Borja  
T. C. Ada  
F. B. Aguon, Jr.  
A. C. Blaz  
J. M.S. Brown  
Felix P. Camacho  
Francisco P. Camacho  
M. C. Charfauros  
E. J. Cruz  
W. B.S.M. Flores  
Mark Forbes  
L. F. Kasperbauer  
A. C. Lamorena, V  
C. A. Leon Guerrero  
J. C. Salas  
A. L.G. Santos  
F. E. Santos  
A. R. Unpingco

**AN ACT TO ADD A NEW §2108 TO TITLE 2 OF  
THE GUAM CODE ANNOTATED, RELATIVE TO  
PROHIBITING THE ATTACHMENT OF  
NONGERMANE MATTERS OR "RIDERS" TO A  
BILL.**

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

2           **Section 1. Legislative Findings.** The Guam Legislature finds that  
3 the practice of appending unrelated, and often substantial, matters or “riders”  
4 to bills have often resulted in public accusations of the body catering to  
5 special interests. Although there exists a general consensus among the  
6 legislators, as well as the public, that unrelated riders are not appropriate, the  
7 Guam Legislature failed to address the issue in a rational and practical  
8 manner.

9           **Section 2. Legislative Intent.** It is the intent of the Guam  
10 Legislature to prohibit the attachment of nongermane matters to measures  
11 introduced by the body, except as outlined in this Act.

12           **Section 3.** Section 2108 is hereby added to Title 2 of the Guam Code  
13 Annotated to read as follows:

14                   **“Section 2108. Separate Consideration of Unrelated Matters.**

15                   (a) No bill introduced, considered or passed by the Guam  
16 Legislature, or any of its members, shall contain more than one (1)  
17 subject matter, and shall not contain unrelated subjects or pertain to  
18 multiple projects, except for one (1) annual budget bill and one (1)  
19 supplement to the annual budget bill per fiscal year; except that, the  
20 succeeding Guam Legislature may, on the year it commences, may  
21 introduce, consider and pass, one (1) supplement to the annual budget  
22 bill for that fiscal year, whose subject and contents may be exempted  
23 from this Section.”

127 20-10

24th Guam Legislature  
Committee on Rules, Government  
Reform and Federal Affairs  
Senator Mark Forbes, Chairman



MAR 18 1998

Speaker Antonio R. Unpingco  
Twenty-fourth Guam Legislature  
155 Hesler Street  
Agana, Guam 96910

Dear Mr. Speaker:

The Committee on Rules, Government Reform and Federal Affairs, to which Bill No. 499 was referred, wishes to report its findings and recommendations **TO DO PASS BILL NO. 499** "An act to add a new section §2108 to Title 2, Guam Code Annotated, relative to prohibiting the attachment of nongermane matters or 'riders' to a bill."

The voting record is as follows:

TO PASS	<u>8</u>
NOT TO PASS	<u>0</u>
ABSTAIN	<u>0</u>
TO PLACE IN INACTIVE FILE	<u>0</u>

Copies of the Committee Report and other pertinent documents are attached.

Thank you and si Yu'os ma'ase for your attention to this matter.

  
MARK FORBES

Attachments

**24th Guam Legislature**  
**Committee on Rules, Government**  
**Reform and Federal Affairs**  
**Senator Mark Forbes, Chairman**

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**MEMORANDUM**

**TO:** Committee Members

**FR:** Chairman

**SUBJECT:** Committee Report- Bill No. 499 "An act to add a new section §2108 to Title 2, Guam Code Annotated, relative to prohibiting the attachment of nongermane matters or 'riders' to a bill."

Transmitted herewith for your information and action is the report on Bill No. 499 from the Committee on Rules, Government Reform and Federal Affairs.

This memorandum is accompanied by the following:

1. Committee Voting Sheet
2. Committee Report
3. Bill No. 499
4. Public Hearing Sign-in Sheet
5. Fiscal Note/Fiscal Note Waiver
6. Notice of Public Hearing

Please take the appropriate action on the attached voting sheet. Your attention and cooperation in this matter is greatly appreciated.

Should you have any questions regarding the report or accompanying documents, please do not hesitate to contact me.

Thank you and si Yu'os ma'ase.

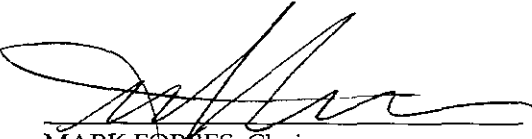

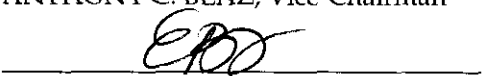
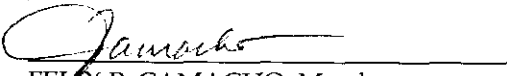
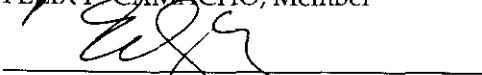
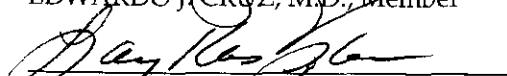
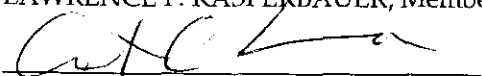
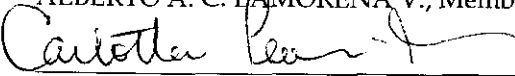


**MARK FORBES**

Attachments

**Committee on Rules, Government Reform and Federal Affairs**  
**Twenty Fourth Guam Legislature**

**Voting Record**

Bill No. 499 "An act to add a new §2108 to Title 2, Guam Code Annotated, relative to prohibiting the attachment of nongermene matters or 'riders' to a bill."

	<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>ABSTAIN</u>	<u>INACTIVE FILE</u>
 MARK FORBES, Chairman	✓			
 ANTHONY C. BLAZ, Vice-Chairman				
 ELIZABETH BARRETT-ANDERSON, Member	✓			
JOANNE M. S. BROWN, Member				
 FELIX P. CAMACHO, Member	✓			
 EDUARDO J. CRUZ, MD., Member	✓			
 LAWRENCE F. KASPERBAUER, Member				
 ALBERTO A. C. LAMORENA V., Member				
 CARLOTTA A. LEON GUERRERO, Member	✓			
 JOHN C. SALAS, Member	✓			
MARK C. CHARFAUROS, Member				
 FRANCIS E. SANTOS, Member	✓			
ANTONIO R. UNPINGCO, Member				

**Twenty-Fourth Guam Legislature**

**Committee On Rules,  
Government Reform & Federal Affairs  
Senator Mark Forbes, Chairman**

**Committee Report**

**on**

**Bill No. 499**

**“An act to add a new section §2108 to Title 2, Guam Code Annotated,  
relative to prohibiting the attachment of nongermane matters or ‘riders’ to  
a bill.”**



## **I. OVERVIEW**

The Committee on Rules, Government Reform and Federal Affairs held a public hearing on Tuesday, March 10, 1998 at 10:35 a.m. in the conference room of the Chairman of the Committee on Rules, Government Reform and Federal Affairs. Public Notice of the hearing was announced in the March 5<sup>th</sup>, 6<sup>th</sup>, 8<sup>th</sup>, and 10<sup>th</sup>, 1998 issues of the Pacific Daily News.

Senators in attendance were:

Senator Mark Forbes, Chairman  
Senator Edwardo J. Cruz, Member  
Senator Frank Blas Aguon Jr.

There being no individuals present to testify on the bill, the Chairman declared the bill formally heard. The Chairman indicated that the Committee would accept any written testimony on this bill during the next few days. No written testimony was submitted after the public hearing.

## **II. FINDINGS AND RECOMMENDATION**

The Committee on Rules, Government Reform and Federal Affairs finds that the attachment of unrelated matters to bills precludes public input prior to the measure being acted upon. This defeats the purpose of public hearings which allow for the public to voice their opinions for or against a measure, as these riders do not appear on the legislation upon introduction. The process wherein constituents are allowed the opportunity to provide input is a critical one, and is vital to preserving the integrity of representational government.

The Committee further finds that Bill 499 also includes a provision for injunctive relief which would enable any citizen, taxpayer or member of the Guam Legislature to seek an injunction from the courts in order to prevent any violations of this act.

Accordingly, the Committee on Rules, Government Reform and Federal Affairs, to which Bill No. 499 was referred does hereby submit its findings and recommendations to the Twenty-fourth Guam Legislature **TO DO PASS BILL NO 499** "An act to add a new section §2108 to Title 2, Guam Code Annotated, relative to prohibiting the attachment of nongermane matters or 'riders' to a bill."

4th Guam Legislatur  
Committee on Rules, Government  
Reform and Federal Affairs

Senator Mark Forbes, Chairman



FEB 12 1998

MEMORANDUM

TO: Chairman  
Committee on Rules, Government Reform and Federal Affairs

FROM: Chairman *M*  
Committee on Rules, Government Reform and Federal Affairs

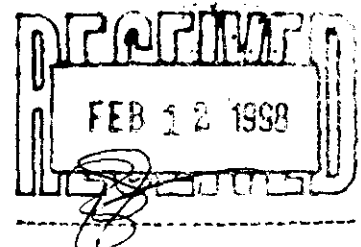
SUBJECT: Referral- Bill No. 499

The above Bill is referred to your Committee as the principal committee. It is recommended you schedule a public hearing at your earliest convenience.

Thank you for your attention to this matter.

MARK FORBES

Attachment





BBMR-FZ

FISCAL NOTE  
BUREAU OF BUDGET AND MANAGEMENT RESEARCH

Bill No. 499 (COR) Date Received 3/06/98  
 Amendatory Bill YES  NO  Date Reviewed 3/06/98  
 Department/Agency Affected: Guam Legislature  
 Department/Agency Head: Honorable Antonio R. Umpingo, Speaker  
 Total FY Appropriation to Date: \$12,950,000.00  
 Bill Title (Preamble): AN ACT TO ADD A NEW SECTION §2108 TO TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING THE ATTACHMENT OF NONGERMANE MATTERS OR "RIDERS" TO A BILL.

Change in Law: Adds a new §2108 to Title 2, GCA.

Bill's Impact on Present Program Funding:

Increase  Decrease  Reallocation  No Change  
 Bill is for:  Operations  Capital Improvement  Other-

FINANCIAL/PROGRAM IMPACT

ESTIMATED SINGLE-YEAR FUND REQUIREMENTS (Per Bill)

PROGRAM CATEGORY	GENERAL FUND	OTHER	TOTAL
<u>Guam Legislature</u>	<u>1/</u>		<u>1/</u>

ESTIMATED MULTI-YEAR FUND REQUIREMENTS (Per Bill)

FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL FUND	<u>1/</u>					<u>1/</u>
OTHER						
TOTAL						

FUNDS ADEQUATE TO COVER INTENT OF THE BILL? YES/NO - IF NO, ADD'L AMT REQUIRED N/A  
 AGENCY/PERSON/DATE CONTACTED: \_\_\_\_\_

ESTIMATED POTENTIAL MULTI-YEAR REVENUES

FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL FUND	<u>N/A</u>					<u>N/A</u>
OTHER						
TOTAL						

ANALYST William P. Laitingfong DATE 3/6/98  
 DIRECTOR JOSEPH E. RIVERA DATE MAR 10 1998  
 Acting Director

Footnotes: 1/ See attached comments.

**Comments to Bill No. 499(COR)**

The Bureau anticipates a financial impact to the Guam Legislature's FY1998 operating budget with respect to costs associated in conducting additional public hearings for "riders" to bills. Under the proposed measure, these riders must become separate introduced bills and follow the normal process for passage by the Guam Legislature.

The General Fund revenues available for appropriation, as adopted in Public Law 24-59, is \$353,292,790 (includes \$7,600,000 Autonomous Agency Fund, \$7,000,000 Use Tax and \$36,000,000 in Section 30 funds). The appropriations for FY1998 in P.L. 24-59 is \$346,128,092 plus continuing appropriations for debt service of \$2,504,141 for a total appropriation against of \$348,632,234. Pursuant to P.L. 24-59, surplus FY1998 revenues available for appropriations is \$4.6M.

However, it should be noted that the expected combined collection from both the Autonomous Agency Fund and the Use Tax is only \$3.0M, a reduction of \$11.6M ( $\$14.6 - 3.0 = \$11.6$ ). As such, \$341,739,919 in revenue less \$348,632,234 in appropriations leaves an **expected shortfall of (\$6,892,315) as of P.L. 24-59.**