



CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM

MAY 06 1998

Refer to  
Legislative Secretary

The Honorable Antonio R. Unpingco  
Speaker  
Mina'Bente Kuáttro na Liheslaturan Guåhan  
Twenty-Fourth Guam Legislature  
Guam Legislature Temporary Building  
155 Hesler Street  
Hagåtña, Guam 96910


OFFICE OF THE LEGISLATIVE SECRETARY
ACKNOWLEDGMENT RECEIPT
Received By <u>Jessie Humatao</u>
Time <u>2:15 p.m.</u>
Date <u>5-7-98</u>

Dear Speaker Unpingco:

Enclosed please find Bill No. 563 (LS), "AN ACT TO ADD §§43116, 43117 AND 43118 TO CHAPTER 43, DIVISION 4, PART 1 OF TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE DEVELOPMENT AND IMPLEMENTATION OF A TRAINING PROGRAM FOR MEMBERS OF BOARDS AND COMMISSIONS, AND THE CREATION OF A BOARDS AND COMMISSION APPRECIATION DAY.", which I have signed into law today as **Public Law No. 24-191**.

This legislation allows the University of Guam to offer a course for members of boards and commissions who may wish to sharpen their skills for participating in board and commission meetings and decisions. Of course, a day of appreciation is in order for our board and commission members, as they are the government's "volunteers", who spend much of their personal time trying to make a difference in our community.

Very truly yours,

  
Carl T. C. Gutierrez  
I Maga'láhen Guåhan  
Governor of Guam

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Office of the Speaker  
ANTONIO R. UNPINGCO  
Date: 5/7/98  
Time: 10:45 am  
Rec'd by: [Signature]  
Print Name: Jessie Humatao

Attachment: copy attached for signed bill  
original attached for vetoed bill

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


MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN  
1998 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUAHAN


This is to certify that Bill No. 563 (LS), "AN ACT TO ADD §§43116, 43117 AND 43118 TO CHAPTER 43, DIVISION 4, PART 1 OF TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE DEVELOPMENT AND IMPLEMENTATION OF A TRAINING PROGRAM FOR MEMBERS OF BOARDS AND COMMISSIONS, AND THE CREATION OF A BOARDS AND COMMISSION APPRECIATION DAY," was on the 27<sup>th</sup> day of April, 1998, duly and regularly passed.

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

Attested:

  
\_\_\_\_\_  
JOANNE M.S. BROWN  
Senator and Legislative Secretary

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This Act was received by *I Maga'lahaen Guahan* this 30<sup>th</sup> day of April, 1998,  
at 10:40 o'clock 9 .M.

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

APPROVED:

  
\_\_\_\_\_  
CARL T. C. GUTIERREZ  
*I Maga'lahaen Guahan*

Date: 5-6-98

Public Law No. 24-191

**MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN**  
**1998 (SECOND) Regular Session**

**Bill No. 563 (LS)**

As amended on the Floor.

Introduced by:

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

**AN ACT TO ADD §§43116, 43117 AND 43118 TO  
CHAPTER 43, DIVISION 4, PART 1 OF TITLE 5 OF  
THE GUAM CODE ANNOTATED, RELATIVE TO  
THE DEVELOPMENT AND IMPLEMENTATION  
OF A TRAINING PROGRAM FOR MEMBERS OF  
BOARDS AND COMMISSIONS, AND THE  
CREATION OF A BOARDS AND COMMISSION  
APPRECIATION DAY.**

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

2           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guahan*

3 finds that there are no uniform training or briefing programs for members of  
4 government of Guam boards and commissions. Without training, new board  
5 and commission members may find it difficult to function effectively in the  
6 capacity of their appointments until such time that they acquire, through  
7 experience, the skills necessary to carry out their responsibilities. *I*  
8 *Liheslaturan Guahan* further finds that the University of Guam, under the  
9 "Service" and "Instruction" components of its Land-grant university status, is  
10 the most practical place for the development and implementation of such a  
11 training program.

12           It is the intent of *I Liheslaturan Guahan* to make training available for  
13 members of government of Guam boards and commissions so that they can  
14 more effectively serve and fulfill their fiduciary responsibilities to the  
15 agencies they represent. It is also the intent of *I Liheslaturan Guahan* that these  
16 civic-minded individuals be accorded their rightful recognition for their  
17 service to the people of Guam by officially setting aside one (1) day per year  
18 for such recognition.

19           **Section 2.** Section 43116 is hereby added to Chapter 43 of Division 4,  
20 Part 1 of Title 5 of the Guam Code Annotated to read as follows:

21           **"Section 43116. Development of the Boards and Commissions**  
22 **Training Program.** The University of Guam shall, within six (6)  
23 months of the receipt of funding for this Section, develop a training  
24 program for members of government of Guam boards and

1 commissions. Such training programs shall include, but not be limited  
2 to, parliamentary procedures, ethics, fiduciary responsibilities,  
3 leadership and direction, personnel policy and government finance.”

4 **Section 3.** Section 43117 is hereby added to Chapter 43 of Division 4,  
5 Part 1 of Title 5 of the Guam Code Annotated to read as follows:

6 **“Section 43117. Boards and Commissions Training.** The  
7 University of Guam shall, beginning with calendar year 1999, conduct a  
8 training program for members of government of Guam boards and  
9 commissions developed under the provisions of §43116 of this Chapter.  
10 Such training program shall be conducted at least twice per year. If  
11 there are fewer than five (5) board members who wish to take a  
12 scheduled course, the two-year requirement may be waived. The cost of  
13 tuition for such training shall be the responsibility of the agency whose  
14 board or commission, the member serves on.”

15 **Section 4.** Section 43118 is hereby added to Chapter 43 of Division 4,  
16 Part 1 of Title 5 of the Guam Code Annotated to read as follows:

17 **“Section 43118. Boards and Commissions Appreciation Day.** *I*  
18 *Maga’lahen Guahan* shall designate, preferably during the month or week  
19 in which volunteers are recognized, one (1) day per year for recognition  
20 and appreciation of individuals serving on all boards and  
21 commissions.”

22 **Section 5. Appropriation for Board Member Training Program.**

23 The sum of Twelve Thousand Dollars (\$12,000.00) is appropriated from  
24 the General Fund to the University of Guam for the development of a Board

- 1 and Commission Members Training Program to include, but not limited to:
- 2 parliamentary procedures, ethics, fiduciary responsibilities, leadership and
- 3 direction, personnel policy and government finance.

24-191

**24th Guam Legislature  
Committee on Rules, Government  
Reform and Federal Affairs**

**Senator Mark Forbes, Chairman**



**APR 22 1998**

Speaker Antonio R. Unpingco  
I Mina' Bente Kuattro Na Liheslaturan Guahan  
155 Hesler Street  
Hagåtña, Guam 96910

Dear Mr. Speaker:

The Committee on Rules, Government Reform and Federal Affairs, to which Bill No. 563 was referred, wishes to report its findings and recommendations **TO DO PASS BILL NO. 563** "An act to add new §43116, §43117 and §43118 to Title 5, Guam Code Annotated, relative to the development and implementation of a training program for members of Boards and Commissions and the creation of a Boards and Commission Appreciation Day."

The voting record is as follows:

<b>TO PASS</b>	<u>9</u>
<b>NOT TO PASS</b>	<u>0</u>
<b>ABSTAIN</b>	<u>0</u>
<b>TO PLACE IN INACTIVE FILE</b>	<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. 563 "An act to add new §43116, §43117 and §43118 to Title 5, Guam Code Annotated, relative to the development and implementation of a training program for members of Boards and Commissions and the creation of a Boards and Commission Appreciation Day."

Transmitted herewith for your information and action is the report on Bill No. 563 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. 563
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**

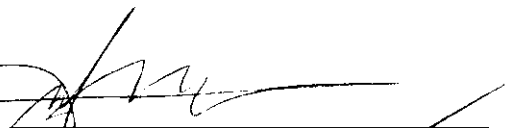

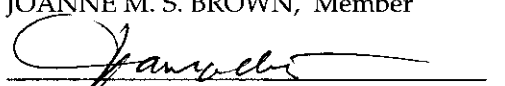

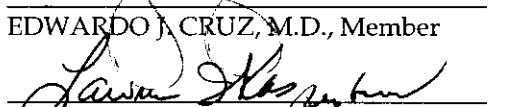


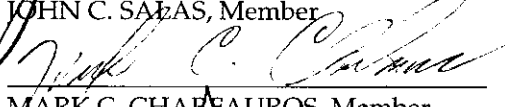
Attachments



**Committee on Rules, Government Reform and Federal Affairs**  
**I Mina' Bente Kuattro Na Liheslaturan Guahan**

**Voting Record**

Committee Report- Bill No. 563 "An act to add new §43116, §43117 and §43118 to Title 5, Guam Code Annotated, relative to the development and implementation of a training program for members of Boards and Commissions and the creation of a Boards and Commission Appreciation Day."

	<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>ABSTAIN</u>	<u>INACTIVE FILE</u>
 MARK FORBES, Chairman	✓	_____	_____	_____
 ANTHONY C. BLAZ, Vice-Chairman	✓	_____	_____	_____
_____ JOANNE M. S. BROWN, Member	_____	_____	_____	_____
 FELIX P. GAMACHO, Member	✓	_____	_____	_____
 EDUARDO J. CRUZ, M.D., Member	✓	_____	_____	_____
 LAWRENCE F. KASPERBAUER, Member	x	_____	_____	_____
_____ 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	_____	_____	_____	_____

**I Mina' Bente Kuåtto Na Liheslaturan Guahan**

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

**Committee Report**

**on**

**Bill No. 563**

**“An act to add new §43116, §43117 and §43118 to Title 5, Guam Code Annotated, relative to the development and implementation of a training program for members of Boards and Commissions and the creation of a Boards and Commission Appreciation Day.”**

## **I. OVERVIEW**

The Committee on Rules, Government Reform and Federal Affairs held a public hearing on Friday, April 17, 1998 at 11 a.m. in the Session Hall of I Liheslaturan Guahan. Public Notice of the hearing was announced in the April 10<sup>th</sup> and 17<sup>th</sup>, 1998 issues of the Pacific Daily News.

Senators in attendance were:

Senator Mark Forbes, Chairman  
Senator Mark Charfauros, Member  
Senator Ben Pangelinan  
Senator Francisco Camacho

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.

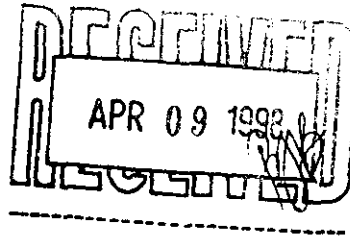
## **II. FINDINGS AND RECOMMENDATION**

The Committee finds that there are no uniform training or briefing programs for members of government of Guam boards and commissions. Without training, new board and commission members may find it difficult to function effectively in the capacity of their appointments until such time that they acquire, through experience, the skills and necessary to carry out their responsibilities. The Committee further finds that the University of Guam, under the "service" and "instruction" components of its land-grant university status, is the most practical place for the development and implementation of such a training program.

Accordingly, the Committee on Rules, Government Reform and Federal Affairs, to which Bill No. 563 was referred does hereby submit its findings and recommendations to I Mina' Bente Kuåttro Na Liheslaturan Guahan **TO DO PASS Bill No. 563** "An act to add new §43116, §43117 and §43118 to Title 5, Guam Code Annotated, relative to the development and implementation of a training program for members of Boards and Commissions and the creation of a Boards and Commission Appreciation Day."

**24th Guam Legislature**  
**Committee on Rules, Government**  
**Reform and Federal Affairs**

**Senator Mark Forbes, Chairman**



**APR 09 1998**

**MEMORANDUM**

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

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

**SUBJECT:** Referral- Bill No. 563

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



FISCAL NOTE

BUF J OF BUDGET AND MANAGEMENT RESEA

Bill No. 563 Date Received: April 13, 1998  
 Amendatory Bill: Yes Date Reviewed: April 14, 1998

Department/Agency Affected: University of Guam  
 Department/Agency Head: Dr. Jose T. Nededog  
 Total FY Appropriation to Date: \$33,837,000

Bill Title (preamble): AN ACT TO ADD NEW §43116, §43117 AND §43118 TO TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE DEVELOPMENT AND IMPLEMENTATION OF A TRAINING PROGRAM FOR MEMBERS OF BOARDS AND COMMISSIONS AND THE CREATION OF A BOARDS AND COMMISSION APPRECIATION DAY

Change in Law: Title 5, Guam Code Annotated

Bill's Impact on Present Program Funding:

Increase X Decrease \_\_\_\_\_ Reallocation \_\_\_\_\_ No Change \_\_\_\_\_

Bill is for:  
 Operations: X Capital Improvement: \_\_\_\_\_ Other: \_\_\_\_\_

FINANCIAL/PROGRAM IMPACT

ESTIMATED SINGLE-YEAR FUND REQUIREMENTS (Per Bill)			
Program Category	General Fund	OTHER	TOTAL
Education	\$12,000		\$12,000

ESTIMATED MULTI-YEAR FUND REQUIREMENTS (Per Bill)							
FUND	1st	2nd	3rd	4th	5th	Total	
GENERAL FUND	na						
OTHER							
TOTAL	na						

FUNDS ADEQUATE TO COVER INTENT OF THE BILL? see comments

IF NO, ADDITIONAL AMOUNT REQUIRED: na

AGENCY/PERSON/DATE CONTACTED: University of Guam/Mark Heatt/April 14, 1998

ESTIMATED POTENTIAL MULTI-YEAR REVENUES (Per Bill)							
FUND	1st	2nd	3rd	4th	5th	Total	
GENERAL FUND	na						
OTHER							
TOTAL	na						

ANALYST: Jose S. Calvo  
 Jose S. Calvo, BMA Spvr

DATE: 4/21/98

DIRECTOR: Joseph E. Rivers  
 Joseph E. Rivers, Acting

DATE: APR 22 1998

FOOTNOTE:

**Fiscal Note on Bill No. 3 (LS)**

The Bureau is unable to ascertain the financial impact of this Bill due to unavailability of information.

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.