

***MINA’BENTE OCHO NA LIHESLATURAN
GUÅHAN* STANDING RULES
(Twenty-Eighth Guam Legislature)**

PART A.

PROCEDURES FOR CONDUCTING LEGISLATIVE BUSINESS.

PREAMBLE.

In accordance with, and pursuant to the provisions of Chapter 1 of Title 2 of the Guam Code Annotated, and these Standing Rules for *I Mina’Bente Ocho Na Liheslaturan Guåhan* (“the Twenty-Sixth Guam Legislature”), at the convening of the First Regular Session of *I Mina’Bente Ocho Na Liheslaturan Guåhan*, the Order of Business shall be as follows:

RULE I.

ORGANIZATION OF *I LIHESLATURAN GUÅHAN*.

Definitions.

Section 1.00. Definitions. As used in these Standing Rules the following words shall have the following meanings *unless* otherwise expressly stated:

Section 1.00.01. Adjourn. “*Adjourn*” means when *I Liheslaturan Guåhan* ends a Session with the intention of convening again at some later point in time during the current legislative term.

Section 1.00.02. Adjournment Sine Die. “*Adjournment sine die*” means when *I Liheslaturan Guåhan* adjourns for the last time for that particular Legislature, without a day specified or indicated for a future meeting.

Section 1.00.03. Calendar Day. “*Calendar Day*” means an actual day, as opposed to a Legislative Day which may be several calendar days.

Section 1.00.04. Legislative Day. “*Legislative Day*” shall commence when a Session is convened and continue until adjournment.

Section 1.00.05. Main Sponsors. “*Main Sponsors*” means the first three (3) Members or fewer sponsoring the bill or resolution upon introduction.

Section 1.00.06. Member. “*Member*” means a Senator in *I Mina’Bente Ocho Na Liheslaturan Guåhan*.

Section 1.00.07. Per Diem Allowance. “*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.

Section 1.00.08. Presiding Officer. “*Presiding Officer*” means the Speaker or other Member of *I Liheslaturan Guåhan* acting as Speaker.

Section 1.00.09. Prime Sponsor or Primary Sponsor. “*Prime Sponsor*” or “*Primary Sponsor*” means the first sponsor of a bill or resolution.

Section 1.00.10. Principal Committee. “*Principal Committee*” is the Committee to which a bill most pertains to, as determined by the Chairperson of the Committee on Calendar.

Section 1.00.11. Recess. “*Recess*” means when the Body *temporarily* suspends legislative business during Session and is *not* in Session.

Section 1.00.12. Standing Rules or Rules. “*Standing Rules*” or “*Rules*” means these Standing Rules for *I Mina’Bente Ocho Na Liheslaturan Guåhan*.

Section 1.00.13. Temporary Absence. “*Temporary Absence*” refers to an office in which the Member of *I Liheslaturan Guåhan* is *not* able to fulfill the duties of such office because of illness, temporary incapacity or temporary absence from Guam.

Section 1.00.14. Temporary Presiding Officer. “*Temporary Presiding Officer*” refers to the Chief Justice of the Guam Supreme Court.

First Order of Business.

Section 1.01. 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:

Section 1.01.01. Call to Order. The *Temporary* Presiding Officer shall call the Senators-elect to order;

Section 1.01.02. Roll Call. The *Temporary* Presiding Officer shall call the roll of the Senators-elect who shall present their certificates of election and assume their seats as their names are called; *and*

Section 1.01.03. Oath. The *Temporary* Presiding Officer shall 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 CONSCIENSTIOUSLY AND IMPARTIALLY DISCHARGE MY DUTIES AS A MEMBER OF *I LIHESLATURAN GUÅHAN*.”

Election of Speaker.

Section 1.02. After the administration of the oath provided for in §1.01.03, *supra*, the *Temporary* Presiding Officer shall conduct an election among the Senators for the Office of Speaker of *I Liheslaturan Guåhan* (“the Guam Legislature”), and upon the election of such Speaker, the *Temporary* Presiding Officer shall thereupon relinquish the Chair to the Member so elected.

Adoption of Standing Rules.

Section 1.03. 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'Bente 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'Bente Siete Na Liheslaturan Guåhan* shall continue in effect, as provided by §1114 of Title 2 of the Guam Code Annotated, *Standing Rules*, until changed by *I Mina'Bente Ocho Na Liheslaturan Guåhan*.

Election of Other Officers and Attachés.

Section 1.04. After considering the Standing Rules, *I Liheslaturan Guåhan* shall first elect the following Officers from among the Senators:

- (i) Vice-Speaker;
- (ii) Secretary of the Legislature;
- (iii) Parliamentarian; *and*
- (iv) Senior Senator.

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

- (i) Legislative Counsel or Counsels;
- (ii) Clerk of the Legislature;
- (iii) Sergeant-at-Arms; *and*
- (iv) Chaplain.

Administration of Oath to Attachés.

Section 1.05. As soon as the Attachés named in §1.04, *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'BENTE OCHO NA LIHESLATURAN GUÅHAN*, SO HELP ME GOD."

Election of Committee Chairpersons.

Section 1.06. After the administration of the oath to the Attachés, the Speaker shall call for the election of Chairpersons of the following Standing Committees of *I Mina'Bente Ocho Na Liheslaturan Guåhan* in the following order:

- (i) Committee on Natural Resources, Utilities and Micronesian Affairs;**
- (ii) Committee on Finance, Taxation and Commerce;**
- (iii) Committee on Criminal Justice, Public Safety, Youth and Foreign Affairs;**
- (iv) Committee on Aviation, Immigration, Labor and Housing;**
- (v) Committee on Education and Community Development;**
- (vi) Committee on Tourism, Maritime, Military and Veterans Affairs;**
- (vii) Committee on Health and Human Services;**
- (viii) Committee on the Judiciary, Governmental Operations and Organization;**
- (ix) Committee on General and Omnibus Matters;**
- (x) Committee on Calendar;**

RULE II.
METHODS OF ELECTION; PARTY LEADERS.

Election of Officers and Chairpersons.

Section 2.01. A majority vote of the Members, a quorum being present, shall be required for the election of the Speaker, the Vice-Speaker, the Secretary of the Legislature, the Parliamentarian, the Senior Senator, each Committee Chairperson and the Attachés of *I Liheslaturan Guåhan*. If a Member declines to serve as Chairperson after being elected 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 within one (1) month of election, the position may be filled in the same manner as a permanent vacancy, *or* the Speaker may reorganize, eliminate or reassign to other Standing Committees the duties and functions of the Committee in question, at the Speaker's option.

Removal of Officers and Attachés.

Section 2.02. Twelve (12) votes of the Members shall be required for the removal of the Speaker, the Vice-Speaker, the Secretary of the Legislature, or any Standing Committee Chairperson. Eight (8) votes shall be required for the removal of any Legislative Attaché.

Legislative Party Leaders.

Section 2.03. The following positions shall be considered Legislative Party Leader positions. The Majority Members of *I Mina' Bente Ocho Na Liheslaturan Guåhan* shall select the *Majority Leader, Assistant Majority Leader and Majority Whip and Assistant Majority Whip* or any such Majority Officers as they may designate from among the Majority Membership. The Minority Members shall select their *Minority Leader, Assistant Minority Leader, Minority Whip*, and such other Minority Officers as they may designate, all from among their Membership.

Definition of Majority Party.

Section 2.04. 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, Secretary of the Legislature, Parliamentarian, Senior Senator and Standing Committee Chairpersons. The party *not* the Majority Party is the Minority Party.

Results of Election; Roll Calls.

Section 2.05. 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 appointment of Standing Committee Chairpersons, the names of party legislative leaders shall be announced if they have been selected.

RULE III.

VACANCIES.

Permanent Vacancies.

Section 3.01. 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, 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, Secretary of the Legislature, Parliamentarian, Senior Senator, Standing Committee Chairperson or Attaché, such vacancy shall be filled by appointment by the Speaker. Any vacancy *not* a *temporary* vacancy is a permanent vacancy.

TEMPORARY VACANCIES.

Temporary Absence of the Speaker.

Section 3.02. 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 and the Secretary of the Legislature, *except* that no person shall serve as *Acting* Speaker *and* Legislative Secretary or *Acting* Legislative Secretary at the same time. If none of such Officers is able to serve as *Acting* Speaker, then the Speaker shall appoint an *Acting* Speaker from among the other Members of *I Liheslaturan Guåhan*.

Temporary Absence of the Secretary of the Legislature.

Section 3.03. If a *temporary* absence occurs in the office of the Secretary of the Legislature, then the Speaker, or *Acting* Speaker, shall appoint an *Acting* Secretary from among the other Members of *I Liheslaturan Guåhan*.

Temporary Absence of Officer or Legislative Chairperson.

Section 3.04. *Unless* provided by these Rules, if a *temporary* absence occurs in the office of a Standing Committee Chairperson, the Vice-Chairperson of the Committee involved shall serve as the 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.

Expenditures by *Acting* Officers or Chairpersons.

Section 3.05. 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. 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 IV.

CONVENING AND SESSIONS.

Sessions of *I Liheslaturan Guåhan*.

Section 4.01. *I Mina'Bente Ocho Na Liheslaturan Guåhan* shall first convene in Regular Session at the Legislative Building in Hagatna, Guam, at the hour of 10:00 AM on the first Monday in January of 2005. 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 2005 shall carry over to the next Regular Session in the year 2006.

Sessions.

Section 4.02. *Except* when the Session is convened in accordance with §4.01, *supra*, *I Liheslaturan Guåhan* shall convene at the times determined by *I Liheslaturan Guåhan*.

Section 4.02.01. Call by the Speaker. 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.

The Speaker may provide written, telephonic, facsimile, e-mail or any other similar electronic or digital notice to each Member and the public of the convening of the Session. Notice to the public shall be satisfied if transmitted to the newspapers of general circulation in Guam, radio stations with newsrooms and television news organizations.

Section 4.02.02. Call by the Executive Committee. The Executive Committee may summon *I Liheslaturan Guåhan* to convene at a properly called and noticed Session, by adopting a resolution so providing. The Committee shall give at least twelve (12) hours notice.

Section 4.02.03. Call to Order by the Speaker. The Speaker shall call *I Liheslaturan Guåhan* to order on each day which the Speaker, or the Executive Committee, has summoned *I Liheslaturan Guåhan* and on each day set forth on the schedule adopted. The Speaker shall provide written, telephonic, facsimile, e-mail or any other similar electronic or digital notice to each Member of *I Liheslaturan Guåhan*, and shall likewise provide notice to all Guam news media, at least two (2) hours in advance of the time *I Liheslaturan Guåhan* is to be called to order, *except* 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.

Section 4.02.04. Call to Order May Not Limit Body. Such call to Session of *I Liheslaturan Guåhan* by the Speaker, or by the Executive Committee, 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.

Call to Order; Quorum.

Section 4.03. 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.

Daily Order of Business.

Section 4.04. *Unless* some other order is adopted by the Committee on Calendar or the Body, the Daily Order of Business of *I Liheslaturan Guåhan*, shall be as follows:

- (i) Speaker Calls *I Liheslaturan Guåhan* to Order;
- (ii) Prayer by Chaplain;
- (iii) Singing of Guam Hymn in Chamorro;
- (iv) Singing of National Anthem;
- (v) Roll Call;
- (vi) Call for Approval of Legislative Journal;
- (vii) Communications and Petitions;
- (viii) Messages from *I Maga'lahaen Guåhan*;

- (ix) Reports of Standing Committees
- (x) Reports of Select Committees;
- (xi) Introduction and First Reading of Bills and Resolutions;
- (xii) Motions;
- (xiii) Legislative Concurrence;
- (xiv) Consent Calendar;
- (xv) Second Reading File;
- (xvi) Consideration of Daily File:
 - (1) Third Reading File; *and*
 - (2) Voting File;
- (xvii) Brief Extension of Remarks (*limited to five (5) minutes per Member*);
- (xviii) Announcements; *and*
- (xix) Adjournment.

Section 4.04.01. Suspend Order of Business. The Committee on Calendar 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.

Section 4.04.02. Committee on Calendar May Set Session Agenda. The Committee on Calendar 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 no less than five (5) working days *prior to* the start of Legislative Session in a periodical of mass distribution on Guam.

Section 4.04.03. No Session Agenda. In the absence of a Session Agenda adopted by the Committee on Calendar, *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 ten (10) 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.

Voting Under Third Reading File and Voting File.

Section 4.05. 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 confirmation of appointments, reconsideration of bills, resolutions or confirmation of appointments, reconsideration of bills, resolutions or confirmations, expulsion of Members and overrides of *I Maga'lahaen Guåhan's* veto, the matter shall be placed under the order of business in the Session Agenda entitled "*Voting File.*"

Executive Referrals.

Section 4.06. Any executive communication relating to an appointment, and any other executive communication or messages sent by *I Maga'lahaen Guåhan*, shall be referred directly to the Speaker who shall refer the communication to the Secretary of the Legislature and the Committee on Calendar without having to be read at a Session of *I Liheslaturan Guåhan*. The Chairperson of the Committee on Calendar shall refer all executive communications to the appropriate Standing Committee. The time on such message or communication shall toll from the time such message or communication is received by the Speaker.

Delivery of Communications.

Section 4.07. All communications, petitions and messages addressed to *I Liheslaturan Guåhan* shall be delivered to the Speaker, who shall transmit them to the Secretary of the Legislature for record keeping and for proper disposition. The Speaker or the Secretary of the Legislature shall be designated to receive all bills transmitted to *I Maga'lahaen 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. If a message from *I Maga'lahaen Guåhan* contains an executive appointment, the Speaker or Secretary of the Legislature shall receive it, which shall contain the following information:

- (i) a complete resume of the nominee, including, but not limited to, the nominee's residential and mailing addresses; employment record; qualifications for the position; and prior or present service in any capacity with any government, private, or civic institution or organization; and

(ii) the resume shall include a list of businesses in which the nominee has any financial interest; a police clearance; a statement as to any and all delinquent or past due tax liabilities of the nominee, and if the nomination is for appointment as a Director or to a position paying more than Thirty-six Thousand Dollars (\$36,000.00) per year, an affidavit from the nominee indicating the date, place, charge and disposition of any convictions for any criminal violation, or stating that there is none, including court marshals and Article 15 proceedings under the Uniform Code of Military Justice.

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 or the Secretary of the Legislature receives the executive appointment from *I Maga'lahen Guåhan*, whichever is earlier.

RULE V.

PREPARATION OF BILLS AND RESOLUTIONS.

Headings.

Section 5.01. Each bill or resolution for the Regular Sessions of *I Mina'Bente Ocho Na Liheslaturan Guåhan* shall be headed as follows:

“MINA’BENTE OCHO NA LIHESLATURAN GUÅHAN

2005 (FIRST) Regular Session; *or*

2006 (SECOND) Regular Session

Bill (or Resolution) No. (EC) *or* (LS)

(legislative procedural history)

Introduced by (Primary Sponsor)

(Main Sponsors)

(co-sponsors)”

Title.

Section 5.02. 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 and the object to be

accomplished. In amending a Code Section, the mere reference to the section by number shall *not* be deemed sufficient.

Division of Bill Into Sections.

Section 5.03. 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.

Restrictions as to Substitute Bills, Resolutions and Amendments.

Section 5.04. A substitute bill or substitute resolution must relate to the same subject as the original bill or resolution under consideration, *except* as otherwise provided in these Rules. When a substitute bill, or a bill substituted by the oversight Committee or the Author, or any resolution containing non-germane matters, is up for discussion, or when a non-germane amendment is offered from the Legislative 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 decision of the Presiding Officer is overruled by a vote of ten (10) members.

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 or resolution, 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 *not* be made on Third Reading.

Amendments; Changes to Law Appearing on Introduced Bill.

Section 5.05. In any *amendment* to existing law, any matter to be omitted shall appear with score-through and any new matter shall be underlined. In any amendment to a bill which sets out for the first time a section being amended, any new matter to be added, and any matter to be omitted shall be printed in the same manner as though the section as amended were a part of the original bill and was being printed for the first time.

RULE VI.

INTRODUCTION AND FIRST READING OF BILLS AND RESOLUTIONS.

Introduction of Bills and Resolutions.

Section 6.01. Any Senator desiring to introduce a bill or resolution shall send an initialed copy to the Clerk of the Legislature, who shall note the time and date of its filing. The Clerk of the Legislature shall *not* read a bill or resolution *unless* each sponsor's initial is included. The first Senator named as a sponsor shall be the "*Prime Sponsor.*" A bill or resolution may have up to three (3) main sponsors, the "Prime Sponsor" being the first sponsor.

All others sponsoring a bill or resolution shall be known as "co-sponsors," who shall be designated under a line separating them from the Main Sponsors. All bills and resolutions shall be numbered in order of their filing by the Clerk of the Legislature. No Member may add the Member's name as sponsor to a bill or resolution after the bill or resolution is submitted to the Clerk of the Legislature, and names of sponsors may *not* be added in Committee, but may only be added on the Floor of *I Liheslaturan Guåhan* during Session, 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 §7.11, *Sponsorship of Bills and Resolutions, infra*, neither the sponsors of a bill nor the order of sponsorship may be changed by any Committee of *I Liheslaturan Guåhan*, but may be changed only by the entire legislature with ten (10) votes; provided, however, that sponsors may be added at the end of the listing by the Body with eight (8) votes.

Section 6.01.01. In Session. When *I Liheslaturan Guåhan* is meeting in Session, under the order of introduction of bills and resolutions, the Clerk of the

Legislature shall assign a number and the letters "LS" to each bill or resolution 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 or resolution to the Chairperson of the Committee on Calendar, who shall receive each bill or resolution and refer it to the appropriate Committee in the manner outlined in §6.01.02, *Not in Session, infra*.

Section 6.01.02. Not in Session. When *I Liheslaturan Guåhan* is not in Session, the Clerk of the Legislature shall assign a number to each bill or resolution and shall forward it to the Executive Committee for introduction. Each bill and resolution shall be introduced in the Executive Committee by affixing the letters "EC" after the number previously assigned by the Clerk of the Legislature. The bill or resolution shall then be referred to the Committee on Calendar, except when the resolution is of a commendatory, congratulatory or condolence nature. The Chairperson of the Committee on Calendar shall refer each bill or resolution to the appropriate Standing Committee, as determined by the Chairperson, subject to ratification at a meeting of the Committee on Calendar.

Section 6.01.03. Committee Introductions. After bills and resolutions are introduced in the Executive Committee, the Clerk of the Legislature at the *next* Legislative Session shall read the already so introduced bills and resolutions under the order of introduction of bills and resolutions.

Section 6.01.04. Commendations. Any commendations and congratulations shall be placed on the Consent Calendar following its introduction into the Executive Committee. If, *after* a Legislative Resolution has been introduced, a resolution or certificate is introduced in the Executive Committee on the same subject, the *latter* shall *not* be acted upon. If an Executive Committee Resolution or certificate is introduced in the Executive Committee encompassing the same subject matter, only the first to be submitted may be acted upon.

Section 6.01.05. Form and Style. After the introduction in a Legislative Session, or to the Executive Committee, the bill shall be sent to the Legislative Counsel by the Clerk of the Legislature for examination and the making of any suggestions to conform 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 other staff of *I Liheslaturan Guahan* upon the direction of the Speaker or the Executive Committee, may make stylistic adjustments to an adopted resolution or certificate with the concurrence of its Primary Sponsor.

Section 6.01.06. Committee Bills. Any Committee may introduce a bill or resolution on any subject in the same manner as any Member.

Section 6.01.07. Similar Resolutions. If two (2) or more resolutions, or a resolution and a certificate, or two (2) or more certificates on substantially the same subject matter are adopted, only the document *first* submitted shall issue. Questions as to whether the substance or textual significance of two (2) or more such documents is substantially similar shall be decided by the Speaker or the Executive Committee.

Section 6.01.08. Special Sessions. No bill or resolution may be introduced, or placed on the Special Session agenda, at any Special Session called by *I Maga'lahaen Guahan*, unless it relates to the subject matter of the call of the 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'lahaen Guahan*. A Regular Session may not be conducted during a Special Session or a recess thereof.

Section 6.01.09. Names. The names of sponsors other than the Main Sponsor shall be listed on a resolution or a certificate of commendation or condolence *automatically*. If a member does not wish to be an automatic co-sponsor, such member's name shall be withheld as a co-sponsor if such member requests such removal in writing to the Speaker.

Section 6.01.10. Bills Introduced at the Request of *I Maga'lahaen Guahan*. The Committee on Calendar shall introduce administration bills, unless any Member or Standing Committee requests and is granted the privilege of introducing the bill, but any such administration bill shall be designated:

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

The names of Members of *I Liheslaturan Guåhan* may be added underneath by the Standing Committee reporting out the bill. If a bill introduced at the request of *I Maga'lahen Guåhan* contains sections which are non-germane with each other, as determined by the Chairperson of the Committee on Calendar, the bill shall be referred to the Inactive File and *I Maga'lahen Guåhan* shall be so notified.

Certificates of Condolences and Commendations.

Section 6.02. A certificate of condolences or of commendation may be issued by the Executive Committee. No certificate or resolution may be prepared by the Clerk of the Legislature *unless* issued by the Executive Committee or *I Liheslaturan Guåhan*. Any Member of *I Liheslaturan Guåhan* may submit a request to the Executive Committee that a certificate of condolences or commendation be so issued. The Committee may refer the request to the Clerk of the Legislature who, after referral, shall number, prepare it for signature and deliver it to the Primary Sponsor. Certificates of commendations or condolences shall be issued after review by the Speaker or Executive Committee, and after a voting sheet has been initialed for approval by a majority of the Members of the Executive Committee.

A certificate shall be attested by the Speaker, the Secretary of the Legislature, and the Primary Sponsor introducing the same. The names of sponsors shall be listed on a certificate of commendation or of condolences *only if* each such co-sponsor requests such listing in writing to the Speaker or the Executive Committee. A Member of *I Liheslaturan Guåhan*, whether or not a Member of the Executive Committee, may request in writing to be a co-sponsor of all resolutions and certificates issued by the Executive Committee, in which case the Member shall *automatically* be a co-sponsor on each such resolution or certificate, *unless* the Member later in writing requests otherwise.

Presentation of Certificates and Resolutions.

Section 6.03. Each Member shall be given at least twenty-four (24) hours notice of the time and place of the presentation of any Legislative Resolution or of any Executive Committee resolution or certificate. The Clerk of the Legislature shall *not* release any resolution or certificate for presentation until such notice of presentation has been given. Such twenty-four (24) hour notice requirement of this Section may be waived in writing for *good cause* in unusual

circumstances by the Speaker, *provided*, that immediate notice be given to all Senators as to the time and place of presentation.

General Rules on Bills and Resolutions.

Section 6.04. All provisions of this Section which apply to bills apply equally to resolutions, *unless* clearly inappropriate.

Section 6.04.01. One Subject Matter. When a bill is introduced by a Member, it shall encompass only one (1) subject matter, and shall *not* encompass unrelated subjects or pertain to multiple projects, *unless* such projects are necessarily interrelated, *except* as permitted in these rules. The Chairperson of the Committee on Calendar shall *not* accept and shall return to the Prime Sponsor any bill which violates this Section, as determined by the Chairperson of the Committee on Calendar.

No 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 upon the bill.

Section 6.04.02. 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 their Committee's name and relating to the subject matter of their Committee, without prior approval of the Committee Members.

Section 6.04.03. Referrals. After introduction the Chairperson of the Committee on Calendar shall refer bills as follows:

Section 6.04.03.01. Bills. Bills shall be referred to the Committee having the subject matter jurisdiction to which the bill most pertains, as

determined by the Chairperson of the Committee on Calendar, subject to ratification by the Committee on Calendar.

Section 6.04.03.02. Appropriations. Substantive bills which contain appropriations or authorizations for appropriations shall be referred to the Committee on Finance, Taxation, and Commerce. The annual budget bill for the government and supplements to the annual budget bill shall be referred to the Committee on Finance, Taxation, and Commerce.

Section 6.04.04.03. Legislative Appropriations; Other Branches.

Bills relating to appropriations solely for *I Liheslaturan Guåhan* shall be referred exclusively to the Executive Committee. Bills relating to appropriations from the Tourist Attraction Fund, except for operational funding contained in the annual budget act, shall go to the Committee with jurisdiction over Tourism.

Section 6.04.05. Amendments. A Committee may add amendments to a bill *only if* the amendments are germane to the subject matter of a bill. Likewise, only germane amendments may be made in the Session or in the Committee of the Whole. A Member may challenge the germaneness of an amendment matter at any time. The Speaker may rule *sua sponte* at anytime, that an amendment is *not* germane. Any amendments or matters in violation of this Section which are so ruled by the Speaker to be non-germane shall be out of order and shall *not* be considered by *I Liheslaturan Guåhan unless I Liheslaturan Guåhan* overrules the decision of the Presiding Officer in the manner provided for by these Rules. 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. Unrelated appropriations contained in the annual budget bill for the operation of the government of Guam, or to the supplements to the annual budget bill, or to any appropriation bill shall be considered germane.

Section 6.04.06. Violations. If the Chairperson of the Committee on Calendar finds that a bill has been submitted, introduced or reported out which violates this Section, the Chairperson shall take appropriate action to return it to the Primary Sponsor or the Committee concerned for correction or reintroduction, or the Speaker may accept the bill for discussion without the non-germane amendment.

Guam Resolutions for External Organizations.

Section 6.05. 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*, and such Membership and attendance is funded by legislative funds, shall be first approved by *I Liheslaturan Guåhan*, time permitting, or by the Executive Committee as an Executive Resolution.

RULE VII.

CONSIDERATION OF BILLS, RESOLUTIONS AND APPOINTMENTS.

Notice of Hearing.

Section 7.01. All bills introduced by a member or a committee shall be given a public hearing no more than one hundred and twenty (120) days after the date of the bill's introduction. Should the committee to which the bill has been referred fail to hold a public hearing within this timeline, the Speaker shall call and preside over a public hearing on such bill within thirty (30) days and may report out such bill directly to the Committee on Calendar. It shall be the duty of the Chairperson of each Standing Committee, or the designated hearing officer, to deliver to the Executive Director or the Chairperson of the Committee on Calendar, as well as the Speaker, a notice setting 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. The first such notice shall be given at least five (5) days prior to the hearing, unless waived due to an emergency.

Section 7.01.01. Hearing Officer. The Chairperson of a Committee hearing a bill or resolution, or the Chairperson's designee *if* such designee is a Member of the Committee, is the official hearing officer for such bill or resolution 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 §7.01,

supra, and any Member of *I Liheslaturan Guåhan* may attend and take part in such hearing, questioning witnesses and otherwise participating.

Committee Amendments.

Section 7.02. 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, or may recommend a germane substitute bill. In making substantive changes in a bill by substituting it, the Committee shall note thereon:

“As *Substituted by the Committee on [name of the Committee].*”

A Committee may *not* change the sponsorship of a bill or resolution nor may it add co-sponsors, provided that the Committee on Calendar may add all Members not listed as sponsors at the end of the listing. The Committee on Calendar may not make amendments to a bill prior to its placement on the agenda.

Formal Reports by Standing Committees.

Section 7.03. A Standing Committee, or its authorized Subcommittee, upon reporting back to *I Liheslaturan Guåhan* on bills or 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 contain the following:

Section 7.03.01. Appointments. On appointments of *I Maga'lahaen Guåhan*, the Committee Report shall include the nominee's resume, 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. A public hearing shall be required for all appointees. (*See also §8.01.*)

Section 7.03.02. Bill. On a bill 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.

Section 7.03.03. Voting Sheet. Unless a voting sheet is not required, the voting sheet accompanying the Committee Report shall be in the following format:

“to place in

Committee Members: to pass: not to pass: to report out only: abstain: Inactive File:”

Section 7.03.04. Author May Be Required to Write First Draft. The Chairperson of the Committee to whom a bill has been referred may delegate responsibility for writing the first draft of a committee report on a bill or matter to the author of such bill.

No Placement on Session Agenda Without a Report.

Section 7.04. 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 §2103 of Title 2 of the Guam Code Annotated, *Public Hearings Mandatory*, 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 reported out of Committee, nor 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. Votes with comment and to report out only shall be counted as “*do pass.*” When a bill is reported out, the Clerk of the Legislature shall serve a copy of the Committee Report on the office of the Prime Sponsor.

Order of Reading File.

Section 7.05. All bills and resolutions when reported to *I Liheslaturan Guåhan* may be placed on the Session Agenda by the Committee on Calendar. After a bill or resolution has been amended and debated under the order Consent Calendar or the Second Reading File, it shall be placed at the foot of the Third Reading File. The bills upon Third Reading shall be considered in the order in which they appear in the File.

Section 7.05.01. Inactive File. An Inactive File shall be kept to which bills or resolutions may be transferred at the request of the Author, 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 or resolution may be removed from the Inactive File by an affirmative vote of eight (8) Members. Bills vetoed by *I Maga'lahen Guåhan* that fail to receive the requisite number of votes to pass as an override by the end of the tenth (10th) Legislative Day shall go back to motions on the Session Agenda until the end of the tenth (10th) Legislative Day.

Section 7.05.02. 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.

Section 7.05.03. Order of Voting. Matters reaching the Voting File shall be voted upon in the order they appear, and shall *not* be debated or amended.

Section 7.05.04. Committee of the Whole. Bills reported to *I Liheslaturan Guåhan* containing an appropriation shall be considered by *I Liheslaturan Guåhan* in a Committee of the Whole chaired by the Chairperson of the Committee on Finance, Taxation, Commerce and Investments, or the Chairperson's designee, who must be a 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 with oversight over Tourism, or the Chairperson's designee, who must be a 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 Speaker, or the Speaker's designee, *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.

Section 7.05.05. Reversion to Original Bill: Vetos. In such cases where I Maga'lahen Guahan has vetoed a bill, the Speaker, or the Body by majority vote may authorize that the original version of such bill, having already received a public hearing, be immediately placed in the Second Reading File for further action, without recourse to a new public hearing.

Consent Calendar.

Section 7.06. *I Liheslaturan Guåhan* shall have a Consent Calendar as follows:

Section 7.06.01. Routine Matter. If the Committee on Calendar determines that a bill or resolution 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 or resolution on the Consent Calendar. Any Member who determines that a bill or resolution 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 or resolution on the Consent Calendar.

Section 7.06.02. Debate. Bills and resolutions on the Consent Calendar shall be taken up for debate in order listed on the Calendar. No more than five (5) minutes shall be allotted to the Primary Sponsor, or Committee Chairperson, for explanation of the bill or resolution. 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 undebatable. 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.

Section 7.06.03. Objections. Prior to the consideration of a bill or resolution on the Consent Calendar, the Speaker shall first ask the question whether any Member objects to such consideration of the bill or resolution. If any two (2) or more Members at that time object from the Floor, the bill or resolution 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 or resolution on the Consent Calendar, he 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 or resolution 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 or resolution 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.

Section 7.06.04. Copies. No motion from the Floor to place a resolution or bill on the Consent Calendar shall be in order, *unless* copies of the bill or resolution have been distributed to all Members prior to, or at the time of, the making of the motion.

Engrossing Bills Before Passage.

Section 7.07. All bills shall be engrossed *before* final action is taken on them in *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 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 of the Committee on Calendar, to make technical corrections *after* voting and *before* presentment to *I Maga'lahaen 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.

Section 7.07.01. Technical Amendments Authorized. The Legislative Counsel shall, absent a motion by the Body to the contrary, make technical corrections as part of the engrossment process, which may be done before and after

voting by the Body, and the Clerk of the Legislature shall add all Members as sponsors to a bill before transmission to *I Maga'lahen Guåhan*, unless notified to the contrary by a Member who does not wish to be listed as a co-sponsor.

Section 7.07.02. 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.

Certain Bills and Resolutions *Not* Engrossed Before Adoption.

Section 7.08. Bills. Bills *not* containing any amendments to the body of the bill need *not* be engrossed before voting on them for passage by the Body.

Section 7.09. Resolutions. Resolutions do *not* have to be engrossed before final action is taken on them during Session.

Enrolling Bills and Resolutions.

Section 7.10. After passage, all bills and resolutions shall be enrolled immediately. An enrolled copy of such bill or resolution 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 Secretary of the Legislature and be presented without delay to *I Maga'lahen Guåhan*.

Sponsorship of Bills and Resolutions.

Section 7.11. The name of any Senator added as a Main Sponsor or co-sponsor to any bill or resolution may be removed from the bill or resolution upon a written request of the Senator submitted to the Clerk of the Legislature at any time prior to the presentment of such bill or resolution to *I Maga'lahen 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 or resolution after passage, it shall be transmitted to *I Maga'lahen Guåhan* as having been sponsored by *I Maga'lahen Guåhan*.

RULE VIII.

CONFIRMATION OF APPOINTMENTS BY *I MAGA'LAHEN GUÅHAN*.

General Rule.

Section 8.01. *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'lahen Guåhan*, the same shall *not* be debated or discussed on the Floor until the following Legislative Day, *unless* ten (10) 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 or appointment shall be a public document once released specifically for public review by the Committee Chairperson.

Section 8.01.01. Motion to Confirm. Confirmation of appointments by *I Maga'lahen 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 to the provisions of these Rules.

A public hearing shall be had upon every nomination submitted by *I Maga'lahen Guåhan* before the nomination is placed upon the Session Agenda, otherwise the legislature shall resolve into the Committee of the Whole to receive public testimony if a nomination is placed upon the Session Agenda during Session.

Section 8.01.02. 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*.”

RULE IX.

DECORUM AND DEBATE.

When Motion Shall be Debated.

Section 9.01. 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.

Addressing *I Liheslaturan Guåhan*.

Section 9.02. 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*. Members shall be recognized in the order in which they raise their hands, and as noted by the Speaker, *except* for the Majority Leader, who may be recognized ahead of others for purposes of making procedural motions, and for the Senior Senator, who the Speaker shall recognize in precedence of other Members on motions of a non-procedural nature.

Speaking in Debates.

Section 9.03. A Member has a right to speak only once for a period *not* to *exceed* fifteen (15) 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, except that the Senior Senator may speak twice. However, a Member who has made a motion or amendment shall be permitted to close the debate as final speaker, speaking in closing for *not more* than ten (10) 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 ten (10) votes of the Members or a ruling by the Speaker, or may be amended, suspended or modified by the Committee on Calendar for a particular, specific matter or specific Legislative Day.

Section 9.03.01. 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.

Section 9.03.02. Amendments. When an amendment is offered, or any other motion is made, the amendment or other motion then becomes the question under consideration. In regard 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.

Section 9.03.03. 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.

Section 9.03.04. 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.

Section 9.03.05. Debate on Non-Reported Bills. 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 the House.

Section 9.03.06. 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.

Section 9.03.07. Division. When a question has been divided, general discussion continues on the first division, but brief debate should be permitted on the remaining divisions.

Votes Required.

Section 9.04. *Unless* otherwise required by the laws of Guam or under these Rules, any action(s) which can be taken by *I Liheslaturan Guåhan* requires an affirmative vote of eight (8) Members.

Interruption *Not* Permitted.

Section 9.05. No Senator shall be interrupted when speaking and no question shall be asked the Senator, *except* through the Presiding Officer. Violation may subject the Member to discipline under Rule XIII, *infra*.

Closing Debate.

Section 9.06. Even if he has spoken previously, the mover shall have the privilege of closing the debate.

On Points of Order, Inquiry and Information.

Section 9.07. (i) **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 House. A point of order may *not* be used to debate an issue or to attack any Member of *I Liheslaturan Guåhan*.

(ii) **Points of Inquiry.** A point of inquiry is a request for information from the Presiding Officer with respect to procedure concerning some question before the House, *or* which may be immediately brought before the House. Occasions frequently arise when one 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*.

(iii) Decisions on Points of Order. When a Senator shall be called to order he shall sit down 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 ten (10) votes to pass. Whenever a Senator rises to a point of order, the 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.

Who Shall Address *I Liheslaturan Guåhan*.

Section 9.08. 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 persons other than Members.

Explaining Vote.

Section 9.09. 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.

Motions Received When Questions are Under Debate.

Section 9.10. When a question is under debate, no motion shall be received, *except* the following:

- (i) **to recess** (*not* debatable procedural motion; *except* as to time to return);
- (ii) **to adjourn** (*not* debatable procedural motion, *except* as to time);
- (iii) **to divide a question** (*not* debatable procedural motion);
- (iv) **to place in the Inactive File** (debatable procedural motion);
- (v) **for the previous question** (*not* debatable procedural motion);
- (vi) **to postpone to a time certain** (*not* debatable procedural motion, *except* as to time);
- (vii) **to commit or to refer** (*not* debatable procedural motion);
- (viii) **to Pass on File** (*not* debatable procedural motion);
- (ix) **to strike enacting clause** (debatable); *and*
- (x) **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.

Motion to Strike Enacting Clause.

Section 9.11. 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*.”

Precedence of Motion to Adjourn and Effect of Adjournment.

Section 9.12. A “*Motion to Adjourn*,” or a “*Motion to Fix the Day to Which I Liheslaturan Guâhan Shall Adjourn*,” shall *always* be in order, *except*:

- (i) while another Member is speaking;
- (ii) when a “*Motion to Adjourn*” has been defeated;
- (iii) when a “*Motion to Fix the Day to Which I Liheslaturan Guâhan Shall Adjourn*” has just been defeated; *or*

(iv) 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.

Motion to Adjourn Pending Motion to Suspend Rules.

Section 9.13. 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.

Questions of Privilege.

Section 9.14. 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.

Recommendations of the Committee of the Whole.

Section 9.15. The recommendation(s) made by the Committee of the Whole upon reporting back to *I Liheslaturan Guåhan* are undebatable. The Committee of the Whole may only make recommendations to the Body relating to the bill or 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 matter under consideration, *automatically* dies and goes to the Inactive File as provided in §10.06, *infra*.

Attire.

Section 9.16. 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 and zories are *not* appropriate. The Sergeant-at-Arms shall exclude anyone *not* appropriately attired.

Firearms and Deadly Weapons.

Section 9.17. No firearms or deadly weapons, as such are described by the Guam Police Department, are permitted in the Session Hall, *except* those carried by Members of the Guam Police Department who are requested by *I Liheslaturan Guåhan* to be present. Any person carrying firearms or deadly weapons shall be removed by the Sergeant-at-Arms, or such person shall be required to surrender such firearms or deadly weapons to the Sergeant-at-Arms *before* entry.

Grammatical Usage.

Section 9.18. In these Rules the masculine gender includes the feminine and neuter, the singular number includes the plural, and the word "person" includes a corporation, *unless* the context otherwise requires.

RULE X.

QUESTIONS AND MOTIONS.

Amendments to Bills.

Section 10.01. When an amendment to a bill is reported to a Committee or offered from the Floor, such amendment shall be submitted in writing, *unless* excused by the Presiding Officer.

Division of a Question.

Section 10.02. If a question in debate contains more than one (1) distinct proposition, any Senator may move to have the question divided.

The Previous Question.

Section 10.03. 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 to 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.

Call of the House.

Section 10.04. 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* 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 Rule XIII or Rule XXVIII.

Reconsideration.

Section 10.05. Any Member may on the day on which a vote has been taken on any question, including reconsideration of bills, vetoed bills or resolutions:

- (i) make a “*Motion to Reconsider a Vote on That Legislative Day*”; or
- (ii) Make a “*Motion to Reconsider a Vote on the Following Legislative Day.*”

eight (8) affirmative votes shall be required to pass a “*Motion to Reconsider a Vote on the Same Legislative Day*” the vote was taken or eight (8) votes on the following Legislative Day.

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.

Failure of Bill to Receive Required Votes.

Section 10.06. 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.

RULE XI.

VOTING.

Voting on Roll Call.

Section 11.01. 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 "yes" or "no" when the Member's name is called. The names of Members shall be called alphabetically and no Senator shall be permitted to vote or change the Member's vote after the announcement of the vote by the Presiding Officer.

Section 11.01.01. 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.

Section 11.01.02. 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 count of hands shall be made by the Clerk of the Legislature and the number of "yes" and "no" votes shall be announced by the Clerk of the Legislature, and shall be noted in the Daily Legislative Journal.

Section 11.01.03. 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 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.

Section 11.01.04. 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.

Section 11.02. Declining to Vote. When a Senator declines or fails to vote on call of the Member's name the Member may be required by eight (8) affirmative votes, without debate, to assign that Member's reasons therefor; 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, he shall be required to vote.

Section 11.02.01. 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 "no" vote by the Clerk of the Legislature, *unless* the Member is excused from voting by eight (8) votes of the Members present. If any Member refuses to vote after being ordered to by the Body, that Member's vote shall be entered as a "no" vote by the Clerk of the Legislature.

Section 11.02.02. 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 on official business abroad shall also be excused from voting, and such excuse shall be properly indicated in the quarterly report of voting and attendance.

Voting by the Presiding Officer.

Section 11.03. 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.

Section 11.04. Electronic Voting. The Speaker may obtain the equipment for and establish a procedure for the establishment of electronic voting for the Body.

Motions on Confirmation.

Section 11.09. 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 in the same place it is then in on the Session Agenda 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'lahaen Guåhan*.

Adjournment.

Section 11.10. 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.

Passage of Bills.

Section 11.11. A bill may be passed by a majority vote of eight (8) votes, of the Members of *I Liheslaturan Guåhan*, but shall *not* be passed by less than that number. No bill may be passed, *except* by a vote on roll call.

Veto of Bills or Items in Bills by *I Maga'lahren Guåhan*.

Section 11.12. Upon the first Legislative Day following receipt of a message from *I Maga'lahren Guåhan* announcing *I Maga'lahren Guåhan's* veto of a bill or item veto of an item in a bill, or on any of the next nine (9) Legislative Days, any Member may make a motion for *I Liheslaturan Guåhan* to act upon the vetoed bill or items, notwithstanding the objection of *I Maga'lahren 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 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'lahren 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 ten (10) Legislative Days expire. When the vetoed bill or item is reached on the Voting File, the question shall be:

"Shall the bill or item pass, notwithstanding the objection of I Maga'lahren Guåhan?"

It shall take ten (10) votes to pass a bill or item notwithstanding the veto of *I Maga'lahañ Guåhan*. If a vetoed bill does *not* receive ten (10) votes, it shall return to motions on the Session Agenda until the expiration of the tenth (10th) Legislative Day.

Section 11.13. Matters Requiring Only a Majority of Those Members Present. Matters requiring only a majority of those Members present:

- (i) a “*Motion for a Call of the House*” (quorum need *not* be present) *or*
- (ii) 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.

RULE XII.

PRIVILEGES OF THE FLOOR AND EXTENSION OF REMARKS.

Privileges of the Floor; Persons Allowed.

Section 12.01. 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, one (1) person acting as Minority Legal Counsel, the Executive Director, former Senators with the permission of the Presiding Officer, Session support staff authorized the privilege of the Floor in writing by Speaker, pages or persons authorized by a Senator to bring messages to that Member and persons admitted pursuant to Rule XXIX, *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 Speaker may further limit access as needed.

Section 12.01.01. 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.

Section 12.01.02. 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.

Section 12.01.03. 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 area thereof to another.

Section 12.01.04. No Distribution of Non-Session Material. *Except* upon authorization of the Speaker, no material, documents, letters or correspondences which are *not* contained in the Session Agenda shall be distributed on the Floor while *I Liheslaturan Guåhan* is in Session.

Extension of Remarks.

Section 12.02. 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.

Privileges of Majority Leader and Senior Senator.

Section 12.03. The Majority Leader, *or* in his absence the Assistant Majority Leader or the Majority Whip, or the Assistant Majority Whip, shall be recognized by the Presiding Officer in any Legislative Session, and shall be given priority in speaking during the course of debate on any procedural motions. The Senior Senator shall be given priority in speaking during the course of debate on non-procedural motions.

RULE XIII.

REFUSAL TO SEAT AND EXPULSION OF MEMBERS.

Expulsion of Members from Session(s).

Section 13.01. Pursuant to these Rules, an unruly Member may be *temporarily* expelled for that calendar day only upon eight (8) votes.

Person Disqualified.

Section 13.02. No person shall sit as a Member of *I Liheslaturan Guåhan* if he is a full-time employee of the Executive or Judicial Branches of the government of Guam.

Temporary Removal from Legislative Chamber.

Section 13.03. 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.

RULE XIV.

CONTENTS OF THE LEGISLATIVE JOURNAL.

Procedure to be Followed.

Section 14.01. 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. The Legislative Journal shall state the name of the Senator presenting each bill or resolution to *I Liheslaturan Guåhan* for final action. Every vote of *I Liheslaturan Guåhan* shall be recorded in the Legislative Journal. The Clerk of the Legislature may maintain an audio record of the Legislative Session proceedings.

Title of Bill to be Printed.

Section 14.02. The title of all bills when introduced and when acted upon by *I Liheslaturan Guåhan* shall be printed in the Legislative Journal.

Other Matters to be Printed.

Section 14.03. Messages from *I Maga'lahen 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*.

Remarks, Written or Oral, Made by a Senator.

Section 14.04. 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.

RULE XV.

AMENDMENT AND SUSPENSION OF RULES.

Suspension, Amendments to and Repeal of Standing Rules.

Section 15.01. A Standing Rule may be suspended for more than one (1) Legislative Day, amended or repealed by a resolution adopted by ten (10) votes. Upon passage of a Legislative Resolution amending the Standing Rules, the Clerk of the Legislature shall distribute the engrossed version of the Standing Rules amendment to all Senators and to the Legislative Counsel.

Section 15.02. Temporary Suspension of Rules. The operation of any Rule, may be *temporarily* suspended by an affirmative vote of ten (10) Members, *or* it may be suspended, waived or modified for that Legislative Day or subsequent Legislative Days by ten (10) affirmative votes.

PART B.

ORGANIZATION OF *I LIHESLATURAN GUÅHAN*.

RULE XVI.

DUTIES OF LEGISLATIVE SPEAKER AND OFFICERS.

Duties of the Speaker.

Section 16.01. 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:

(i) 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;

(ii) shall decide all questions of order, matters relating to *temporary* expulsion of disorderly Members for one (1) hour or less, *subject* to appeal from the Presiding Officer by any Member of *I Liheslaturan Guåhan*; on every appeal, the Presiding Officer shall assign the Member's reason for the Senator's 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;

(iii) 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;

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

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

- (vi) shall enforce all laws and regulations applicable to the Body;
- (vii) shall vote in the Committee on Calendar and other Standing Committees as an *Ex Officio* Member;
- (viii) shall administer the oath provided in §1.01 to any Senator absent from the *first* Session, or to a Senator elected to fill a vacancy;
- (ix) may eject Members or observers for breaches of decorum;
- (x) 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 anytime 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;
- (xi) may call recess on the Presiding Officer's own initiative, and *sua sponte* for periods deemed appropriate by the Presiding Officer.
- (xii) may assume the duties of the Suruhanu on an acting basis and perform such duties and functions and hold such powers described and given to such office by law and further, shall serve as Chairperson of the Executive Committee.

Duties of the Vice-Speaker.

Section 16.02. The Vice-Speaker shall have the powers and duties of the Speaker during the latter's absence from Guam.

Presiding Officer.

Section 16.03. If the Presiding Officer is the Speaker, that Member shall have full powers of the Presiding Officer and Speaker. Any Presiding Officer shall have the power to designate a Member to perform the duties of a Presiding Officer Speaker on a *temporary* basis.

Duties of the Secretary of the Secretary of the Legislature

Section 16.04. The Secretary shall:

- (i) 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*;

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

(iii) certify and transmit to *I Maga'lahen Guåhan* all bills or other writings of *I Liheslaturan Guåhan* required to be presented to *I Maga'lahen 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'lahen Guåhan*, or that officer within the Executive Branch designated by *I Maga'lahen Guåhan* to accept delivery.

Duties of the Clerk of the Legislature.

Section 16.05. 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 Executive Committee shall:

(i) 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 Secretary of the Legislature or the Executive Committee;

(ii) keep accounts and records of all proceedings of each Session and be responsible for their publication; and

(iii) perform other duties as directed or instructed by the Speaker or the executive Committee

Duties of the Sergeant-at-Arms.

Section 16.06. The Sergeant-at-Arms, or the designee of the Speaker or the Executive Committee, shall maintain order under the direction of the Presiding Officer, 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. The Sergeant-at-Arms shall 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 Speaker or the Executive Committee. The Sergeant-at-Arms shall maintain legislative Session folders for each Member. The Sergeant-at-Arms shall also have the authority to serve subpoenas issued by any Member of *I Liheslaturan Guåhan*. The Sergeant-at-Arms shall perform such other duties as may be directed by the Speaker or the Executive Committee

Duties of the Chaplain.

Section 16.07. The Chaplain or, in the Chaplain's absence, a Chaplain designated by the Speaker, shall open each Session of *I Liheslaturan Guåhan* with a prayer.

Duties of the Legislative Counsel.

Section 16.08. The legal services of the Legislative Counsel shall be available to all Members. Assistant Legislative Counsels may be designated by the Speaker or the Executive Committee in order to assist the Legislative Counsel when a conflict arises, or when otherwise deemed necessary. The Legislative Counsel shall act under the general supervision of the Speaker and the Executive Committee pursuant to a written contract, and shall:

- (i) act as legal counsel for *I Liheslaturan Guåhan*;
- (ii) prepare bills, resolutions and reports at the request of any Member;
- (iii) undertake such legal research as shall be requested by *I Liheslaturan Guåhan* or a Member;
- (iv) advise *I Liheslaturan Guåhan*, from time to time, as to needed revisions of the laws of Guam and of the Rules;
- (v) present, from time to time, a statement to *I Liheslaturan Guåhan* calling attention to laws or Rules which are obsolete or in conflict with other laws, resolutions or decisions of the courts;
- (vi) prepare, upon request, a summary or digest pertaining to the intent, purpose and otherwise a general explanation of proposed bills, for distribution to the Senators;
- (vii) advise any Member of *I Liheslaturan Guåhan* on all matters under debate, upon the Members request;
- (ix) represent *I Liheslaturan Guåhan* in any legal matters before any courts;

(x) maintain a legal library in *I Liheslaturan Guåhan* for use by Members, wherein all legal research materials shall be kept, including, but not limited to, all electronic and computerized legal CDs and diskettes, such as the Guam Code Annotated; *and*

(xi) present legal opinions orally or in writing, upon a Member's request.

Section 16.09. Duties of the Parliamentarian.

The Parliamentarian shall provide advice to Members, upon request on the Standing Rules, Mason's Manual and parliamentary law.

Section 16.10. Duties of the Senior Senator.

The Senior Senator shall provide advice to members, upon their request, on matters and issues for consideration.

RULE XVII.

COMMITTEES OF *I LIHESLATURAN GUÅHAN*.

Chairpersons.

Section 17.01. Any Member may be 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 Session Agendas for such meetings, as well as Committee Reports and resolutions and may act in place of the Committee in all matters except the reporting out of bills, the referral of bills except as otherwise authorized or the establishment of session agendas.

The following Sections of this Rule describe each of the eleven (11) Standing Committees of the *Mina' Bente Sais Na Liheslaturan Guåhan*.

Section 17.02. Committee on Tourism, Maritime, Military and Veterans Affairs.

The Committee on Tourism, Maritime, Military and Veterans Affairs shall have purview over:

- (i) all matters relating to tourism, to the Guam Visitors Bureau and to the Tourist Attraction Fund, inclusive of appropriations against the fund except during the annual budget and any borrowing which pledges all or part of the Tourist Attraction Fund as a payment source;
- (ii) all matters relating to the Guam harbors, to the seas, and to marine navigation systems;
- (iii) all matters relating to the Port Authority of Guam;
- (iv) all matters relating to commercial fisheries;
- (v) all matters relating to banking and related financial institutions such as finance companies, credit unions and savings and loan associations;
- (vi) all matters relating to insurance, except when dealing with a matter relative to health insurance where the effect of an issue or bill primarily involves health or the availability and accessibility of health services to the people of Guam;
- (vii) all matters relating to military facilities and personnel in Guam, and all matters relative to war claims arising from the second world war;
- (viii) all matters relating to the Guam National Guard and Department of Military Affairs;
- (ix) all matters relating to the Office of Veterans Affairs and to veterans in Guam, generally.

Section 17.03. Committee on Finance, Taxation, and Commerce. The Committee on Finance, Taxation, and Commerce shall have purview over:

- (i) appropriation matters, including budget bills and claim bills and excepting appropriations from the funds of *I Liheslaturan Guahan* made by resolution or otherwise, appropriations to *I Liheslaturan Guahan*, or appropriations made against the Tourist Attraction Fund or the Solid Waste Fund;
- (ii) the review of requests for appropriations and the reporting thereon to the Body on the purposes and reasonableness thereof, and whether the same are in accord with legislative policy and intent;
- (iii) acting as liaison with the general annual audit of the government of Guam;

(iv) all matters relative to general obligation, revenue and other bonds, except when the repayment sources thereof are identified as either the Tourist Attraction Fund or the Solid Waste Fund;

(v) all matters pertaining to taxes and taxation;

(vi) all matters pertaining to the Department of Revenue and Taxation, except as otherwise designated;

(vii) all matters pertaining to the Division of Accounts of the Department of Administration;

(viii) all matters pertaining to the Bureau of Budget and Management Research and the Office of the Public Auditor, except for matters pertaining to the elected nature of the Public Auditor;

(ix) all matters relating to mines and mining, local manufacturing and to the public domain, all matters relating to Guam business and commerce, all matters related to foreign and domestic trade and investment and all matters related to the Guam Economic Development and Commerce Authority.

Section 17.03.01. Analysis of Money Bills. Whenever a bill appropriating money is referred to the Committee, it shall prepare a written analysis of the bill's financial features, which report shall be made available to all 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, Taxation, and Commerce be utilized to the maximum extent possible, and that prior to the passage of any bill appropriating money, such expert analysis thereof be made available to the Members of *I Liheslaturan Guåhan*.

Section 17.04. Committee on Health and Human Services. The Committee on Health and Human Services shall have purview over:

(i) all matters relating to the Guam Memorial Hospital Authority, to health maintenance organizations and to other pre-paid health plans except as otherwise described;

(ii) all matters relating to the Department of Public Health and Social Services, including the licensure of health and allied health professionals;

(iii) all matters relating to the Department of Mental Health and Substance Abuse;

- (iv) all matters relating to Guam's comprehensive health planning system;
- (v) all matters relating to social welfare and social services;
- (vi) all matters relating to patient care services;
- (vii) all matters relating to the Medical Referral Offices ;
- (viii) all matters relating to the practice of medicine and other healing arts in Guam and to health generally;

Section 17.05. Committee on Natural Resources, Utilities and Micronesian Affairs.

The Committee on Natural Resources, Utilities and Micronesian Affairs shall have purview over:

- (i) all matters relating to the Guam Waterworks Authority and to the development, production, distribution and sale of public water resources;
- (ii) all matters relating to the Guam Environmental Protection Agency;
- (iii) all matters relating to the Divisions of Aquatics and Wildlife, and Forestry of the Department of Agriculture;
- (iv) all matters relating to the safety of Guam's drinking water resources;
- (v) all matters relating to the protection of Guam's natural environment, inclusive of air, land and sea;
- (vi) all matters relating to the Guam Power Authority;
- (vii) all matters relating to the Public Utilities Commission, the landfill including the development of a new sanitary landfill or other solid waste disposal facilities, public parks and the Association of Pacific Islands Legislatures (APIL) and its member states.

Section 17.06. Committee on Education and Community Development.

The Committee on Education and Community Development shall have purview over:

- (i) all matters relating to education and educational institutions, including higher education and whether public or private, and all matters relating to scholarships and financial aid to students;
- (ii) all matters relating to the Board of Education, except for its elected status, to the Guam Public School System, Home Schooling, private schools and matters related to same;

- (iii) all matters relating to the University of Guam Board of Regents and the University of Guam;
- (iv) all matters relating to the Guam Community College, including the State Council on Vocational Education, and matters relative to apprenticeship training programs;
- (v) all matters relating to the Guam Public Library System;
- (vi) all matters relating to the Guam Educational Telecommunications Corporation (KGTF));
- (vii) all matters relating to all matters related to Agriculture and Aquaculture;
- (viii) all matters relating to Bureau of Statistics and Plans;
- (ix) all matters relating to the Joint Boards of Education.

Section 17.07. Committee on Aviation, Immigration, Labor and Housing.

The Committee on Aviation, Immigration, Labor and Housing shall have purview over:

- (i) all matters relating to aviation, locally and federally, including all matters relative to the Antonio B. Won Pat Guam International Airport Authority, the establishment and maintenance of bi-lateral agreements on transportation, cabotage laws, air navigation systems and open-skies laws;
- (ii) all matters relating to the Department of Customs and Quarantine, including all customs laws, except as otherwise described;
- (iii) all matters relating to immigration, inclusive of federal laws such as visas and the waiver thereof;
- (iv) all matters relating to the Department of Labor and all labor laws, including wage and hour laws, workmen's compensation, worksite safety and hazard mitigation and collective bargaining issues as they effect the private sector ;
- (v) all matters relating to the Agency for Human Resources Development;
- (vi) all matters relating to the Guam Housing and Urban Renewal Authority;
- (vii) all matters relating to the Guam Housing Corporation and housing generally;
- (viii) all matters relating to sports and recreation, and to Senior Citizens;
- (ix) all matters relating to changes in the future political status of Guam and matters pertaining to the Guam Decolonization Commission .

Section 17.08. Committee on Criminal Justice, Public Safety, Youth and Foreign Affairs. The Committee on Criminal Justice, Public Safety, Youth and Foreign Affairs shall have purview over:

- (i) all matters relating to the Criminal and Correctional Code and generally to matters contained in 8GCA and 9GCA;
- (ii) all matters relating to statutes of a penal nature unless closely related to subjects delegated to other Standing Committees;
- (iii) all matters relating to the Guam Police Department, the Guam Fire Department, the Department of Corrections, the Department of Law (except for matters pertaining to the elected nature of the Attorney General or Public Prosecutor), the Public Defender Service Corporation, the Chief Medical Examiner, the Department of Youth Affairs, Homeland Security and the Guam Energy Office;
- (iv) all matters relating to the Vehicle Code and to traffic and highway safety;
- (v) all matters relating to public safety and protection as exercised by an autonomous agency;
- (vi) all matters relating to Guam's relations with foreign nations except as otherwise provided for in these Rules;

Section 17.09. Committee on the Judiciary, Governmental Operations and Reorganization. The Committee on the Judiciary, Governmental Operations and Reorganization shall have purview over:

- (i) all matters relating to the practice of law in Guam and admission to practice;
- (ii) all matters relating to courts, judges, and to the Judicial Branch of the government of Guam in general;
- (iii) all matters relating to the code of Judicial Procedure and to the Probate and Estates Code;
- (iv) all matters relating to the Division of Personnel of the Department of Administration ;
- (v) all matters relating to Civil Service Commission and all matters pertaining to civil service laws, PEMRA or other laws directly regarding employment in the government of Guam;

(vi) matters relating to the reorganization of the executive branch of the government of Guam, except for elected positions;

(vii) all matters relating to the creation of new departments and agencies within the executive branch of the government of Guam, except for elected positions.;

(viii) all matters relating to the merger or disestablishment of existing departments and agencies within the executive branch, except for elected positions;

Section 17.10. Committee on General Matters. The Committee General Matters shall have purview over:

(i) all matters other than those specifically assigned to other Standing Committees;

(ii) all matters relating to elected offices in Guam, inclusive of the creation of new elected offices or changes to the elected or non-elected status of offices;

(iii) all matters relating to elections and the Guam Election Commission, including referenda, initiatives, recall and legislative submissions;

(iv) all matters relating to culture, language, history and historic preservation, and the arts, including matters pertaining to the Department of Chamorro Affairs, the Historic Preservation Trust and Division of Historic Preservation of the Department of Parks and Recreation, the Council on Arts and Humanities Agency, the Chamorro Language Commission and similar agencies and activities;

(v) all matters relating to land, including all matters relative to the Department of Land Management, Coastal Zone Management Program, the Territorial Land Use Commission, the Chamorro Land Trust and the Ancestral Lands Commission ;

(vi) all matters relating to telecommunications and technology, including information technology and sciences and all matters pertaining to information technology in the government;

(vii) all matters relating to the Department of Public Works and the Hagatna Redevelopment Authority, including roads, highways, public buildings and easements, beautification and the redevelopment of areas designated for such by public law;

(viii) all matters relating to Organic Act, including amendments thereto, and the Constitution of the United States , it's applicability to Guam and the applicability of federal laws not otherwise delegated;

(ix) all matters relating to consumer affairs.

Section 17.11. Committee on Calendar. The Committee on Calendar shall be responsible for the referral of all bills and appropriate resolutions to the Standing Committees, in accordance with these Rules, and shall be responsible for the adoption of a Session Agenda, also in accordance with and as detailed in these Rules. Further, matters which shall be referred to the Committee on Calendar shall be:

- (i) Matters of enrollment and review;
- (ii) Matters of order and arrangement;
- (iii) Matters relating to Session Agenda;
- (iv) Matters relating to the compilation and publication of the laws of Guam.

Section 17.12. Executive Committee. The Executive Committee shall be responsible for the administration of the Legislature as detailed elsewhere in these Rules. Further, matters which shall be referred to the Committee on Calendar shall be:

- (v) Proposed amendments to these Rules and resolutions and bills relating to the business, budget, design and activities of *I Liheslaturan Guahan*;
- (vi) Matters relating to the Suruhanu's office;
- (vii) Matters relating to past, current and future buildings of *I Liheslaturan Guahan*, including matters of security and matters relating to the Guam Capitol District.

RULE XVIII.

POWERS, AUTHORITY AND COMPOSITION OF COMMITTEES.

General Authority.

Section 18.01. Each Standing Committee is authorized to study and analyze all facts relating to the subjects which fall within its jurisdiction, including, but not limited to, a need for revision of the laws relating to that subject. Each Standing Committee has powers of discovery and subpoena as detailed in Public Law 25-147.

Powers.

Section 18.02. 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 therefor.

Staff of Standing Committees.

Section 18.03. Each Standing Committee is authorized and empowered to organize its staff, using for such purpose funds allocated to it by the Executive Committee. Each staff shall consist of such secretarial, professional and stenographic help as may be reasonably necessary to carry out the Committee's duties. One (1) staff member of the Committee shall be designated as having additional duties as a page, to serve during Session days, as required by the Sergeant-at-Arms.

Rules of Standing Committees.

Section 18.04. 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.

Votes.

Section 18.05. The affirmative vote of a majority of all Members constituting a Standing Committee, or its authorized and designated Subcommittee, shall be required to report out a bill or resolution out of Committee or Subcommittee, or to introduce a bill or resolution. For purposes of this Section, a vote by a Member "*to report out*," or "*to report out only*," shall be considered an affirmative vote. A vote to abstain, or any other qualified vote shall *not* be considered an affirmative vote to report such bill or resolution out of Committee.

Hearings on Confirmation.

Section 18.06. No Standing Committee, or its authorized Subcommittee, shall make a Committee Report on an appointment to a full-time executive office for which

compensation is paid requiring legislative confirmation without first conducting a public hearing thereon, and public hearings on appointments to boards and commissions shall also be mandatory.

Establishment of Subcommittee.

Section 18.07. Except for the Executive Committee and the Committee on Calendar, a Standing Committee of *I Liheslaturan Guåhan* may, by designation of its Chairperson, establish, define, design, amend or delegate any of its powers to any number of Subcommittees. Subcommittees of Standing Committees may include Members of *I Liheslaturan Guåhan* who are *not* Members of the Standing Committee.

Meetings Public.

Section 18.08. The hearings and records of a Standing Committee, or a Subcommittee of a Standing Committee, shall be open to the public, *except* in matters relating to adverse personnel actions *not* involving adverse action against a Member. Records and other legislative activity shall remain protected under the Speech or Debate Clause of the Guam Organic Act and the Committee may waive its privilege by a two-thirds (2/3rds) vote of its membership. A hearing of the Committee on Ethics and Standards or a Special or Investigating Committee, or a Subcommittee thereof, shall be open to the public, *unless* its Members by a two-thirds (2/3rd) vote of the Members of the entire Committee close the hearing. In such case a verbatim record shall be kept of the proceedings and immediately reduced to a written transcript which shall become public after six (6) months, *unless* the entire Body, by a vote of ten (10) votes, votes to seal the transcript, *provided*, that the Committee may, by a two-thirds (2/3) vote of the Members of the entire Committee extend the time that the transcript is sealed to a time that the Committee deems justified.

Any person admitted to a meeting or 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 meeting or hearing of a Committee or a Subcommittee, *except* as permitted by its Chairperson. A Chairperson may order removed from a meeting or hearing of a Committee or a Subcommittee any person who is *not* a Member of *I*

Liheslaturan Guåhan and who fails to observe proper decorum. Meetings of Standing Committees may be open or *pro forma*.

Minority Members.

Section 18.09. *Except* for the Committee on Ethics and Standards, the Committee on Calendar and the Executive Committee, each Standing Committee shall offer Membership to at least one (2) Minority Members. The Chairperson shall choose the Minority Members required by this Section. The Chairperson may select additional Minority Members over and above the required numbers if the Chairperson wishes to do so.

Members of Standing Committees.

Section 18.10. *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), including the Chairperson. The Speaker shall be an *ex officio* member with voting privilege of each Standing Committee or Subcommittee. The Speaker shall *not* be a member or *ex officio* member of the Committee on Ethics and Standards.

RULE XIX.

POWERS AND AUTHORITY OF THE EXECUTIVE COMMITTEE AND THE COMMITTEE ON CALENDAR.

Policy-Making Body.

Section 19.01. The Executive Committee is constituted as the policy-making Body of *I Liheslaturan Guåhan*. The Committee shall prescribe all policies governing the administration and operation of *I Liheslaturan Guåhan*, including staff organization, functions, personnel requirements and rates of compensation. Any references in law or regulation to “the Committee on Rules” shall be understood as referring to the Executive Committee and the

Committee on Calendar, as appropriate, and in accordance with these Rules. In such cases where further interpretation of this distinction is required, the Executive Committee shall establish such interpretation by resolution.

Session Agendas.

Section 19.02. The Committee on Calendar 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 may prepare the Session Agenda for each Legislative Day. All Committee Reports of Standing Committees shall be submitted to Committee on Calendar for its review, action and/or presentation to *I Liheslaturan Guåhan*.

Continuous Existence.

Section 19.03. The Executive Committee 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.

Section 19.03.01. Committee Resolutions, Etc. 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.

Investigative Powers.

Section 19.04. The Executive Committee shall have and may exercise all of the rights, duties and powers of an Investigating Committee, without requirement of a Legislative Resolution.

Assistance to Investigation.

Section 19.05. The Executive Committee shall make available to and furnish to an Investigating Committee, which is *not* a Standing Committee, such secretarial and

stenographic help as may be reasonably necessary for the Investigating Committee to accomplish its purposes.

Supervision.

Section 19.06. The Executive Committee shall be responsible for supervising the Attachés of *I Liheslaturan Guåhan*. The Attachés shall also be directed by the Speaker.

Votes Required to Put a Bill on Second Reading.

Section 19.07. The Committee on Calendar 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*” or “*report out only*”. The Committee on Calendar may not make amendments to any bill prior to its placement on the agenda.

Inventory of Property.

Section 19.08. The Executive Committee 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 Executive Committee shall have custody and control of all such property of *I Liheslaturan Guåhan*, and shall adopt such rules or orders as it may determine are necessary relating to the purchase, care, custody, use or disposal thereof. No furniture, equipment or other property shall be purchased by any Committee *unless* prior approval is obtained from the Executive Committee.

Budget.

Section 19.09. The Executive Committee shall establish a budget for *I Liheslaturan Guåhan* annually in accordance with the Rule XXII, and report on the expenditure of the same to *I Liheslaturan Guåhan* in accordance with Rule XXIII. The Executive Committee may transfer funds from among the various accounts of the Guam Legislature in order to assure smooth operations.

No Non-Legislative Use of Buildings.

Section 19.10. 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 Speaker or the Executive Committee, which shall adopt rules to govern such permitted non-legislative uses.

Votes Required to Act in Executive Committee.

Section 19.11. Any action taken by the full Executive Committee requiring a vote shall be effective upon an affirmative vote by a majority of all Members of the Executive Committee.

RULE XX.

SPECIAL INVESTIGATING COMMITTEES.

Organization.

Section 20.01. *Except* as provided by these Rules, no Committee for the investigation of any special subject shall be authorized, *except* pursuant to a resolution adopted by the body. 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 or appointment letter.

Approval of Expenses.

Section 20.02. All claims for expenses incurred by Investigating Committees, which are *not* Standing Committees of *I Liheslaturan Guåhan*, shall be approved by the Executive Committee.

Limitations.

Section 20.03. The Executive Committee 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.

Copies of Rules.

Section 20.04. Copies of all rules and regulations adopted pursuant to this Rule shall be distributed to the Chairperson of every such Investigating Committee.

RULE XXI.

LEGISLATIVE STAFF.

Definition of, Approval of and General Duties of Legislative Staff.

Section 21.01. The following applies to Legislative Staff:

Section 21.01.01. Definition. As used in this Rule XXI, “*Central Legislative Staff*” includes all staff and employees of *I Liheslaturan Guåhan*, excluding Members, 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.

Section 21.01.02. Approval. *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 Executive Committee, or is approved in the budget to be adopted pursuant to Rule XXI, 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 Executive Committee

The hours of all Central Legislative Staff shall be kept by time clock, with such employees to clock in and out each day for work, for personal time and for lunch. Any employee of *I Liheslaturan Guåhan* who times another in or out fraudulently, or who

participates in such a fraudulent scheme, and any employee of *I Liheslaturan Guåhan* who has another time that employee in or out fraudulently, shall be terminated.

Section 21.01.03. Supervision by Executive Director. The Attachés and the Central Legislative Staff shall be under the direction of the Executive Director , if any, and the Executive Committee, 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 the *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.

Executive Director.

Section 21.02. The Executive Committee may hire an Executive Director (“Director”), who shall be under the supervision of the Chairperson of the Executive Committee, 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 and the Deputy Director, *if any*, shall be appointed by the Chairperson and 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 Executive Committee. Legislative staff personnel, *not* employed by the Legislative Officers, the Standing Committees, an individual Senator or the Minority, 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’Bente Sais Na Liheslaturan Guåhan*.

The Director shall be responsible for personnel processing, travel processing, property control, procurement of supplies and maintenance of all records of legislative expenses, including staff salaries, wages and working hours. In the absence of the Director, the Deputy Director, if any, shall perform the functions of the Director in an *acting* capacity. In the absence of the Director and the Deputy Director, the Speaker shall appoint an *Acting* Director to perform the functions of the Director may act in such capacity.

The Chief Fiscal Officer.

Section 21.03. The Chief Fiscal Officer shall be under the supervision of the Executive Committee, 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. The Chief Fiscal Officer shall serve as the Certifying Officer of *I Liheslaturan Guåhan* and of *I Liheslaturan Guåhan's* Operations Fund, shall have overall responsibility for budgetary and accounting functions, *subject* to the direction and supervision of the Executive Committee, and shall perform such other duties as are assigned to the Chief Fiscal Officer by the Executive Committee.

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.

Other Legislative Employees.

Section 21.04. The duties and responsibilities of legislative employees, who are *not* employed by the Members as part of that Member's staff, or who are *not* employed by Legislative Officers, the Standing Committees, or the Minority, *if any*, shall be as prescribed by the Executive Committee; and such employees shall be appointed by the Director with the concurrence of the Speaker; *provided*, however, that the employees paid out of the budgets or community service account of an individual Senator, the Legislative Officers, the Standing Committees and the Minority are employees of *I Liheslaturan Guåhan* and subject to the overall supervision of the Executive Committee, with day to day supervision and control in the Senator, Officer, Committee Chairperson or Minority Office from whose budget they are paid.

Discharge of Employees.

Section 21.05. The Executive Director, with the concurrence of the Executive Committee, may suspend or discharge, or otherwise discipline, employees of the Central Staff of

I Liheslaturan Guåhan without cause. 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 21.06. Speech or Debate Clause Privilege Asserted. *Unless otherwise expressly provided to the contrary, I Liheslaturan Guåhan* hereby asserts its Speech or Debate Clause privileges on behalf of itself and its staffers pursuant to Title 48 United States Code §1423c(b), *Privileges of Members*. Said assertion of privilege shall remain until expressly revoked in writing by Executive Committee Resolution.

RULE XXII.

PERSONNEL RULES AND REGULATIONS.

General Rules.

Section 22.01. The following general rules shall apply to legislative personnel:

Section 22.01.01. 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 Secretary of the Legislature shall certify the results of such elections to the Speaker.

Section 22.01.02. 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 Executive Committee, which selection shall be evidenced by a memorandum to the Chairperson of the Executive Committee from the Senator, Officer or Chairperson. The signature of the Chairperson of the Committee shall be required for all hiring actions by *I Liheslaturan Guahan*.

Section 22.01.03. All Other Employees. All other employees of *I Liheslaturan Guåhan* shall be selected by the Executive Director, *except* for the Executive Director, Deputy Executive Director, Chief Fiscal Officer and Deputy Chief Fiscal Officer, whose methods of selection are elsewhere detailed, with the concurrence of the Chairperson of the Executive Committee for positions which have been authorized by the Executive Committee. Selection of an employee shall be evidenced by a

memorandum from the Chairperson of the Executive Committee to the Executive Committee.

Section 22.01.04. Personnel Action. The Executive Committee shall transmit copies of each personnel action to the appropriate officials of the government.

Section 22.01.05. Selection, Appointment and Dismissal of Employees. *Unless* otherwise specified by law or prescribed by the Executive Committee, 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 Executive Committee, *provided*, that such action may be nullified by majority vote of the Executive Committee.

Scope.

Section 22.02. These Rules shall apply to all positions in *I Liheslaturan Guåhan*, *except* to a Senator or a person providing services as an independent contractor, and *except* as herein otherwise provided, or as provided by the Executive Committee.

Administration.

Section 22.03. 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:

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

Obligations of Employment.

Section 22.04. These Rules shall, as nearly as conditions of sound administration allow, conform to the employment obligations which follow.

Section 22.04.01. Compensation, When Not Payable. Compensation may *not* be authorized or paid to any employee, *unless* rules and regulations have been complied with or initial employment or retention in the service of *I Liheslaturan Guåhan*.

Section 22.04.02. 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 its delegate or delegates. Employees shall be allowed one (1) hour for lunch. A recess with pay of fifteen (15) minutes may be granted each morning and each afternoon. Recess *not* taken cannot be accumulated.

Section 22.04.03. Working Hours. All full-time employees are required to put in no less than eight (8) hours of work per day and forty (40) hours per week.

Section 22.04.04. Night Differential Pay. An employee shall receive night differential pay, calculated at the rate of the regular wage plus ten percent (10%) for all periods worked between the hours of 6:00 p.m. to 6:00 a.m., *unless* otherwise provided by the Committee on Rules.

Section 22.04.05. Overtime Compensation. *If* funds are available, an employee who works in excess of forty (40) hours per week shall receive overtime compensation at the rate of the regular wage plus fifty percent (50%) for each hour worked in excess of forty (40) hours. *If* funds are *not* available, an employee who works in excess of forty (40) hours per week shall receive compensatory time off at the rate of one and one-half 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 within four (4) pay periods of being earned or be forfeited.

Section 22.04.06. 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 Executive Committee, for general

employees, shall be required *prior to* maintaining outside employment or business interests.

Section 22.04.07. 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.

Section 22.04.08. 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.

Section 22.04.09. Not Employees. *Unless* specifically specified otherwise by the contract, persons who perform services pursuant to contract shall be deemed *not* to be employees of *I Liheslaturan Guåhan*.

Appointment Procedures.

Section 22.05. The following procedures shall apply to appointment.

Section 22.05.01. Position Established by the Executive Committee.

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 Executive Committee. In no event shall Central Operations employ more than fifty (50) full time employees at any one time.

Section 22.05.02. Authorized Positions Listed With the Executive Committee.

The Executive Committee 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 Executive Committee.

Resignation Required for a Public Declaration of Candidacy to Any Elected Office.

Section 22.06. Any employee of *I Liheslaturan Guåhan*, contractual or otherwise, shall be required to resign such position or cancel such employment contract when said employee first makes a public declaration of candidacy to any elected office, *except* for District Boards of Education on Guam. A public declaration includes soliciting campaign contributions, having a fundraiser, preparing or distributing campaign materials or publicly declaring candidacy, whichever comes first.

Kind of Positions.

Section 22.07. 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.

Section 22.07.01. Regular Positions. “*Regular position*” shall mean full-time position without the time limitation of one (1) year or less.

Section 22.07.02. Temporary Appointment. “*Temporary appointment*” shall mean an appointment of a full-time position of one (1) year or less.

Section 22.07.03. Employee Contracts Prohibited. No employee of *I Liheslaturan Guahån* may be hired on the basis of an employee contract. *I Liheslaturan Guahån* 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 unadvisable. 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.

Pay Administration.

Section 22.08. Pay shall be administered as follows.

Section 22.08.01. 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 Executive Committee. No Committee nor Officer may subsidize the basic compensation of a non-Committee or non-Officer employee.

Section 22.08.02. 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. Further, the employee may *not* be employed by more than three (3) Committees or Officers, nor by both the Majority and Minority.

Section 22.08.03. Funds for Salary. A Committee or Office Budget may be used to supplement the salary of a legislative employee *not* employed by Central Operations.

Section 22.08.04. Limitations During Last Six (6) Months of a Term. The Executive Committee 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 Executive Committee.

Leaves of Absence.

Section 22.09. The following apply to leave.

Section 22.09.01. Unauthorized Absence. Any employee who absents that employee from duty for ten (10) consecutive work days without permission from the Executive Committee 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.

Section 22.09.02. Leave of Absence Defined. A leave of absence is an approved absence from duty for a prescribed period of time, with or without pay.

Section 22.09.03. 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 Executive Committee for an additional thirty (30) days. Acceptable reasons for leave without pay include military leave, maternity, paternity, sickness, travel abroad and those which the Executive Committee considers compatible with the interest of the service.

Section 22.09.04 Leave of Absence With Pay. The Executive Committee may authorize salary payments in whole or in part to an employee whose leave with pay has been approved.

Section 22.09.05. Revocation. Leave without pay or leave with pay may be revoked by the Executive Committee 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.

Section 22.09.06. 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.

Section 22.09.07. Holidays. Employees are *not* required to report to work on legal holidays. Essential services may be required by the Executive Committee 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.

Section 22.09.08. Legal Holidays. Holidays shall be in accordance with §1000 of Title 1 of the Guam Code Annotated, including the following:

- (1) every day appointed by the President of the United States or *I Maga'lahren Guåhan* for a public fast, Thanksgiving Day or holiday; *and*
- (2) any other Federal holiday.

If any of the holidays enumerated in §1000(2) through (15) of Title 1 of the Guam Code Annotated, inclusive, falls upon a Sunday, the following Monday is a holiday, and if any of such holidays falls upon a Saturday, the preceding Friday is a holiday; provided,

however, that if the holiday results from a Primary Election or a runoff, or any other election, referendum or plebiscite held upon a Saturday, the preceding Friday is *not* a holiday.

Section 22.09.09. 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 is 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.

Section 22.09.10. 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.

Section 22.09.11. 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.

Section 22.09.12. 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.

Section 22.09.13. Accumulation. Annual leave accrued and unused in a leave year may be carried over to the next year.

Section 22.09.14. 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. 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. 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 such period which shall *not* have expired, and shall be credited with leave for future use.

Section 22.09.15. 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.

Section 22.09.16. 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.

Section 22.09.17. 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.

Section 22.09.18. 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 the such certification may be charged to accrued annual leave at the employee's request, such absence shall be considered as leave without pay.

Section 22.09.19. Maternity. Maternity leave shall be granted to a female employee occupying a regular position who is absent from work because of confinement for childbirth. Such maternity leave shall *not* exceed twenty (20) days, which shall be in addition to any accumulated sick leave and shall be paid leave. Such leave shall be any

twenty (20) days encompassing the date of childbirth. *If* any employee is absent for more than twenty (20) days because of such confinement, any additional leave shall be charged against accumulated sick leave.

Section 22.09.20. Incapacitation for Duty as the Result of On-the-Job Injury and Related Medical Treatment of the Injury. An employee who suffers an on-the-job injury shall be carried in a dull pay status without charge to leave until the employee's personal physician certifies that the employee is fit for duty.

Absence from duty for medical treatment of an on-the-job injury shall be granted with pay and without charge to leave.

An employee who is able only to work part-time, light duty while recuperating from an on-the-job injury shall receive full pay without charge to hours *not* worked during such recuperation period. The employee must present a statement of incapacitation for full-time duty from this physician to be eligible for the excused absence on a part-time basis.

Section 22.09.21. Paternity Leave. Five (5) days excused absence with pay and without charge to leave shall be granted for paternity purposes. The employee shall have the option of using the five (5) days leave either pre-delivery or post-delivery.

Section 22.09.22. Bereavement Leave. Two (2) days excused absences with pay and without charge to leave shall be granted upon death of an immediate Member of the family, that is someone within two (2) degrees of consanguinity.

Section 22.09.23. Special Provisions.

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

(ii) 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.

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

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

(v) 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.

(vi) If an employee is separated from the 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.

Section 22.09.24. Inclusion. The following Sections of this Rule apply to Members: §§22.09.13, 22.09.14, 22.09.15 and 22.09.16.

Section 22.09.25. Expiration of Appointments. All appointments to positions in *I Mina'Bente Sais Na Liheslaturan Guåhan* shall *automatically* expire on January 2, 2003. All lump sum payments due at the expiration of appointment, as opposed to resignation or other termination, shall be paid on or after January 2, 2003.

Section 22.09.26. Leave Sharing Program Policy and Procedures. In accordance with Public Law Number 22-10, as *amended* by Public Law Number 22-140, the following shall serve as the policy on leave sharing and procedures governing *I Liheslaturan Guåhan*.

A. 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.

B. Voluntary Transfer of Sick Leave. An active employee who has accrued a sick leave balance of more than forty (40) hours may request that employee's appointing authority to make available for transfer sick leave in *excess* of forty (40) hours, and *not* more than one hundred sixty (160) hours at any one time to another named employee authorized to receive leave under these procedures. The employee may *not* request a transfer of sick leave that would result in reducing that employee's sick leave balance to less than forty (40) hours.

C. Voluntary Transfer of Annual Leave. An active employee who has accrued an annual leave balance of more than forty (40) hours may request that employee's appointing authority to make available for transfer annual leave in excess of forty (40) hours, and *not* more than one hundred sixty (160) hours at any one time to another named employee authorized to receive leave under these procedures. The employee may *not* request a transfer of an amount of annual leave that would result in reducing that employee's annual leave balance to less than forty (40) hours.

D. Receipt of Sick and Annual Leave. The recipient shall be a full-time employee and have no more than forty (40) cumulative hours of sick, annual and compensatory leave balances. An employee shall *not* receive at any point and time more than a cumulative total of one hundred sixty (160) hours of annual and sick leave combined. Total cumulative leave of sick, annual and compensatory leave must be reduced to forty (40) hours or less *before* receipt of additional donated leave.

E. Conditions for Approval of Leave Transfer. The appointing authority may permit an employee of *I Liheslaturan Guåhan* to receive leave, *subject* to the following conditions:

- (1) the employee or a member of the employee's immediate family, *specifically*, the spouse, daughter, son, mother, father, mother-in-law, father-in-law, daughter-in-law, son-in-law, grandparents, grandchildren, stepparents, stepchildren, foster parents and adoptive

children are inclusive; *provided*, there is a legal relationship, suffers from a medically certified illness, injury, impairment, or physical or mental condition which has caused, or is likely to cause, the employee to go on leave for at least five (5) consecutive working days;

(2) the employee's need for absence and use of leave are certified by a licensed, practicing physician;

(3) the employee reduced that employee's accumulated sick leave, annual leave and compensatory leave balances to forty (40) or less hours;

(4) the employee complied with administrative regulations governing the use of sick, annual or compensatory leave;

(5) all salary payments made to an employee while on leave transferred under these procedures shall be made by the agency employing the person receiving leave; *and*

(6) any leave transferred under these procedures which remain unused shall be returned to the employee(s) who transferred the leave when the appointing authority finds that leave is no longer needed, and will *not* be needed at a future time in connection with the illness or injury for which the leave was transferred to an employee in that employee's agency;

F. Limitations. (1) No transfer may be made by any employee to that employee's supervisor, or to any person above that employee in the supervisory chain, or to a member of the supervisor's or such supervisory person's immediate family.

(2) Transferred leave shall *not* be used for credit toward retirement or accumulated leave.

(3) Transferred leave shall *not* be converted to cash.

(4) No employee shall directly or indirectly intimidate, threaten or coerce any other employee for the purpose of interfering with the employee's right to voluntarily contribute leave when authorized under these procedures. For the purpose of these procedures, "intimidate,

threaten or coerce” shall include, without being limited to, the promise to confer, or the conferring of, any benefit, as well as effecting or threatening to effect any reprisal.

G. 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.

Sexual Harassment.

Section 22.10. The following is the Sexual Harassment policy of *I Liheslaturan Guåhan*:

Section 22.10.01. Purpose:

- (i) to set forth *I Liheslaturan Guåhan*'s policy on sexual harassment and communicate that any form of sexual harassment shall *not* be tolerated; *and*
- (ii) to set forth procedures for reporting and investigating complaints and for subsequent corrective action.

Section 22.10.02. Description. The Federal Equal Employment Opportunity Commission defines “*sexual harassment*” as unwelcome sexual advances, request, favors and other verbal or physical conduct of a sexual nature when any one (1) of the three (3) criteria is met:

- (i) submission to such conduct is made, either explicitly, a term or condition of an individual's employment;
- (ii) submission to or rejection of such conduct by an individual is used as the basis of an employment decision affecting such individual; *or*
- (iii) 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 request for sexual favors, any non-verbal behavior which may include leering, pictures or cartoons and any physical behavior against a person's Body.

Section 22.10.03. 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-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:

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

(ii) 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 counseled and may be subject to disciplinary action.

(iii) 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.

(iv) 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.

(v) 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.

(vi) 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 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.

Section 22.10.04. Sexual Harassment Complaint and Response Procedures:

(i) Reporting Procedures:

1. 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.

2. 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.

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

4. 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.

5. 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 XXIV of these Standing Rule.

(ii) 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 obligations 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. Legal Counsel for *I Liheslaturan Guåhan* shall assist in the establishment of formal investigation procedures.

(iii) 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. Asexual harassment complaint may be dismissed at the discretion of the Senator under whose jurisdiction the employee is assigned.

(iv) **Staff Cooperation.** Supervisors, other employees or persons having business with *I Liheslaturan Guåhan* shall cooperate in all phases of investigation and ensuing action. Retaliation against the alleged victim, alleged harasser or any other person participating in the investigation is prohibited. Staff in 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.

Section 22.11. Classes of Employees. There are only two (2) classes of employees within *I Liheslaturan Guåhan* to read as follows:

(i) **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 GG1s, personnel actions, etc.

(ii) **Class 2. Restricted Employees.** Class 2 Employees are ineligible for medical, dental or life insurance benefits, but shall be entitled to government of Guam Workman'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 Executive Committee, shall have their employer's share 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* hourly employees and as such shall *not* accrue annual or sick leave. Working hours shall be determined by the appointing authority.

RULE XXIII.

BUDGET OF *I LIHESLATURAN GUÅHAN*.

Budget Required/Expenditures.

Section 23.01. 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 Legislature, funds may be expended for a period *not* exceeding three (3) months after the swearing in of Senators, at the direction of the Executive Committee, without an approved budget. Such expenditures without a budget may *not* exceed one-fourth (1/4th) of the amount appropriated to *I Liheslaturan Guåhan* for that Fiscal Year, plus relocation allowances, *unless* the appropriation specifically provides otherwise.

Adoption of Budget.

Section 23.02. 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 Executive Committee. Any conflicts or inconsistencies between this Rule XXIII and the budget shall be resolved in favor of the language in the budget.

Budget Requirements.

Section 23.03. 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 23.04. 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 23.05. 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:

- (i) job title;
- (ii) brief job description for informational purposes only;
- (iii) whether full or part-time;
- (iv) Department or Section of *I Liheslaturan Guåhan* where position is located;
- (v) authorized salary; *and*
- (vi) personnel benefits.

Section 23.06. 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:

- (i) the purpose of the contract;
- (ii) the proposed dates and length of the contract;
- (iii) the name of the contractor, if known;
- (iv) whether the contract is to be bid or negotiated; *and*
- (v) the amount budgeted for the contract.

Section 23.07. Budget Amendments. *I Liheslaturan Guåhan's* budget may be amended or modified by the Executive Committee.

Section 23.08. Budget Accounting Practices. The accounts of *I Liheslaturan Guåhan* shall be kept in accordance with generally accepted accounting principals 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 23.09. 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:

- (i) each Majority Senatorial office;
- (ii) each Minority Senatorial office;
- (iii) each Committee;
- (iv) the Office of Speaker;
- (v) each contingency fund;
- (vi) Minority operations, if any; *and*
- (vii) Central Operations.

Lapses in Central Operations.

Section 23.10. 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 Executive Committee.

Lapses in the Amounts Allocated to the Senators, Speaker, and Committee Chairpersons, and Contingency Funds.

Section 23.11. *I Liheslaturan Guåhan* encourages the Members to be thrifty. Therefore, any Member of *I Mina'Bente Singko Na Liheslaturan Guåhan* who is elected to *I Mina'Bente Sais 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'Bente Singko 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'Bente Singko Na Liheslaturan Guåhan* had lapses to carry over into *I Mina'Bente Sais Na Liheslaturan Guåhan*, and that person is elected to some other position or Chairpersonship in *I Mina'Bente Sais 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 Executive Committee.

Budgets for Legislative Funded Litigation.

Section 23.12. Members shall *not* initiate nor defend against any civil nor criminal lawsuit, federal, local or otherwise, with legislative funds, either under Committee, Senatorial office or other funds, *unless* prior authorization is obtained from the Executive Committee, whether or not suing or being sued in their legislative capacities or otherwise. Any current civil or criminal litigation arising from before this legislative term utilizing legislative funds shall be brought before the Executive Committee for review and action as to whether legislative funds shall continue to be used for the prosecution or defense thereof within thirty (30) days of the beginning of this legislative term.

RULES XXIV.

EXPENDITURES OF *I LIHESLATURAN GUÅHAN*.

Approval and Certification.

Section 24.01. 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 Executive Committee. All expenditures and obligations shall be within the budgetary guidelines of Rule XXIII, 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 XXIII of these Rules, when adopted.

Temporary Absence of Certifying or Disbursing Officer.

Section 24.02. The Executive Committee shall appoint an *Acting* Certifying Officer, or an *Acting* Disbursing Officer, during the *temporary* absence of the Chief Fiscal Officer or Executive Director, respectively.

Payment of Officers and Employees.

Section 24.03. 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.

Other Legislative Expenditures.

Section 24.04. The Disbursing Officer shall draw warrants for other Legislative expenditures.

Contracts by *I Liheslaturan Guåhan*.

Section 24.05. Each contract on behalf of *I Liheslaturan Guåhan* shall be executed by the Speaker, attested to by the Legislative Secretary, consistent with approved policies of the Executive Committee. 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.

Legislative Counsel Approval.

Section 24.06. Each contract of employment or retaining of an independent contractor shall be approved as to form by the Legislative Counsel.

RULE XXV.

PROCUREMENT AND SUPPLY REGULATIONS.

Purpose.

Section 25.01. It is the purpose of this Rule to provide standard procurement policies and procedures for *I Liheslaturan Guåhan*.

General Policy.

Section 25.02. 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.

Definitions.

Section 25.03. As used in this Rule:

(i) “*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 stationary, forms and journals; reproduction or publications and binding; repair and maintenance items, and fuel, furnishings and foodstuffs; and all materials and equipment;

(ii) “*Services*” means any rental or facilities, remodeling, renovations or new construction of building, 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;

(iii) “*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 no in conflict with applicable laws;

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

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

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

Administration.

Section 25.04. 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 own discretion, use the services of central procurement.

Section 25.04.01. Duties and Responsibilities of the Purchasing Agent.

The agent purchasing shall:

(i) 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;

(ii) disqualify suppliers who failed to comply with appropriate licensing requirements;

(iii) 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;

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

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

25.04.02. Duties and Responsibilities of the Procurement Officer.

The Procurement Officer shall:

(i) 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;

(ii) prescribe the manner, place and date of delivery of supplies and materials procured for *I Liheslaturan Guåhan*;

(iii) 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;

(iv) 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*

(v) prescribe, on item basis, the amount of liquidated damage to assess defaulter for breach of contract.

Purchasing and Contracting Procedures.

Section 25.05. 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 Guahan determine to purchase an existing building or buildings, or real estate, for legislative use, such purchase may be handled through a process of negotiation:

Section 25.05.01. 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 Ten Thousand Dollars (\$10,000.00) or more, *except* as otherwise provided.

Section 25.05.01.01. Procedure. The procedure to be observed when procuring by sealed bids is as follows.

(i) 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.

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

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

(iv) 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.

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

(vi) 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.

(vii) *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.

Section 25.05.01.02. Determining Lowest Responsible Bidder.

In determining the lowest responsible bidder, the Agent shall be guided by the following:

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

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

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

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

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

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

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

Section 25.05.02. Open Market Procedure. Procurement on the open market is authorized when the cost is *less than* Ten Thousand Dollars (\$10,000.00), *subject* to the following.

Section 25.05.02.01. 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 a Procurement Officer through petty cash *if* the cost is *less than* Twenty Dollars (\$20.00), or 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).

Section 25.05.02.02. 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 Executive Committee, it is deemed more advantageous to *I Liheslaturan Guåhan*.

Section 25.05.02.03. Two Thousand Five Hundred Dollars (\$2,500.00) or More, But Less Than Ten Thousand Dollars (\$10,000.00). Where the cost is Two Thousand Five Hundred Dollars (\$2,500.00) or more, but *less than* Ten Thousand Dollars (\$10,000.00), 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 directory with a vendor when, in the opinion of the Executive Committee, it is deemed more advantageous to *I Liheslaturan Guåhan*.

Section 25.05.03. Exceptions. The *exceptions* to the Purchasing and Contracting Procedures are as follows:

Section 25.05.03.01. Exceptions to Requirements for Sealed Bids. Where the total cost is Ten Thousand Dollars (\$10,000.00) or more, exception to the requirement for a sealed bid is authorized *only* where at least one (1) of the following conditions exist, and the Purchasing Agent certifies this exception in writing:

(i) 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;

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

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

(iv) 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*

(v) 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.

Section 25.05.03.02. 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.

Section 25.05.03.03. 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.

Prohibitions.

Section 25.06. (i) 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.

(ii) 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.

Surplus Stock.

Section 25.07. All Committee Chairpersons and section heads of *I Liheslaturan Guåhan* shall submit to the Executive Committee, 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 Executive Committee 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 in Guam, or discard such stock if it cannot otherwise be disposed of. Departing or retiring Members may be permitted to purchase items of equipment from the Guam Legislature for sentimental or commemorative purpose, at a cost determined equitable through depreciation and the age and condition of such equipment

RULE XXVI.

LEGISLATIVE PRINTING.

Duties of the Executive Committee.

Section 26.01. The Executive Committee shall order the necessary printing of stationary for the Members, and under the general supervision of the Committee on Rules, of all bills and resolutions. The Executive Committee shall order copies of laws, journals, file forms and other materials necessary.

Form of Printing Amendments.

Section 26.02. When any bill is amended, it shall be reduplicated; new matter shall be underlined, and the matter to be omitted shall be indicated by striking or scoring through “[----].”

Copying and Distribution of Bills.

Section 26.03. The body of the bill shall be copied in standard type size. All titles of bills shall be set in capitals, and length of the lines used in the titles shall *not* exceed that of the body of the bill. The lines of all copied bills shall be numbered by page and *not* by sections.

RULE XXVII.

TRAVEL AND TRANSPORTATION.

General.

Section 27.01. 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.

Purpose and Scope.

Section 27.02. 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*.

Policy of *I Liheslaturan Guåhan*.

Section 27.03. 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 the further 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.

Definitions.

Section 27.04. As used in this Rule, “traveler” means the person who is traveling off-Island on official business for *I Liheslaturan Guåhan*.

Salary While on Travel Status.

Section 27.05. The traveler, when applicable, shall receive the traveler’s regular salary in addition to *per diem* expenses during the authorized travel time.

Persons Authorized to Travel.

Section 27.06. The following persons are authorized to travel at government expense while on official business:

- (i) members, Attachés and employees of *I Liheslaturan Guåhan*;
- (ii) persons under contract rendering service to *I Liheslaturan Guåhan*; and
- (iii) the Speaker’s spouse.

Request for Travel.

Section 27.07. The following applies to travel requests.

Section 27.07.01. Who Can Request. An Attaché and 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 Executive Committee. All other employee travel shall be requested by the employing entity.

Section 27.07.02. Notice of Travel by Member. A Member shall submit a notice of travel to the Executive Committee when the Member travels off-Island on official business. The notice shall contain information as to the purpose of the

Member's travel, the Member's destination, duration of absence on official business and cost of the travel.

Section 27.07.03. 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 Executive Committee 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.

Section 27.07.04. 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 Executive Committee 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 Executive Committee.

Section 27.07.05. 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.

Travel Allowance.

Section 27.08. Travel allowances shall be handled as follows.

Section 27.08.01. 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 §6610.4 of the Government Code. Cost of car rentals and transportation are *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.

Section 27.08.02. Recovery of Advances. The Executive Committee 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 Executive Committee, 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.

Members to Lease a Vehicle.

Section 27.09. Each Member or Attaché is authorized to lease a vehicle for the use of the Member or Attaché and the office of the Member.

Travel Status.

Section 27.10. 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.

Allowance of Travel Time.

Section 27.11. 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.

Routing of Travel.

Section 27.12. 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.

Per Diem Allowances.

Section 27.13. 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.

Section 27.13.01. 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 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.

Section 27.13.02. Amount of Per Diem.The *per diem* rates shall be as set forth in §6610.4 of the Government Code. Under no circumstances shall *per diem* be allowed an employee at the employee's regular place of work.

Section 27.13.03. 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.

Use of Leave While Traveling.

Section 27.14. 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.

Section 27.14.01. 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 Executive Committee. 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.

RULE XXVIII. IDENTIFICATION.

Members.

Section 28.01. The Speaker shall provide each Member, Attaché and Officer with official identification showing the dates of the term of *I Liheslaturan Guâhan* and the positions of each person in *I Liheslaturan Guâhan*.

Those With Privilege of the Floor.

Section 28.02. The Speaker shall provide each person who has been granted privilege of the Floor for more than a day, identification showing the date such person was granted privilege of the Floor and the reason the person may be on the Floor. *For example, if the person has been granted privilege of the Floor because of the person's accreditation as a Member of the press, the identification shall so state.*

RULE XXIX. CODE OF ETHICS AND STANDARDS FOR THE LEGISLATIVE BRANCH.

Code of Ethics.

Section 29.01. There is established a Code of Ethics and Standards for the Members and staff of *I Liheslaturan Guâhan*.

Standards of Conduct.

Section 29.02. A Member or staff employee of *I Liheslaturan Guåhan* shall:

- (i) devote full time and attention to the person's duties as a Member or staff employee of *I Liheslaturan Guåhan*;
- (ii) 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*
- (iii) conduct the person's life, both public and private, so as to bring honor and respect to the person's office.

Prohibited Conduct.

Section 29.03. No Member or staff employee of *I Liheslaturan Guåhan* shall:

- (i) 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*;
- (ii) 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;
- (iii) 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;
- (iv) make a private promise or binding agreement which could in any manner affect the person's performance of public duty;
- (v) engage in business with the government which could reasonably be construed as influential on the performance of the person's duties; *and*
- (vi) use any information disclosed to the person privately during performance of the person's duties for personal gain or profit.

Committee on Ethics and Standards.

Section 29.04. There is created within *I Liheslaturan Guåhan* a Standing Committee to be known as the ‘*Committee on Ethics and Standards*,’ composed of such Members of *I Liheslaturan Guåhan*. 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. The Committee on Ethics and Standards shall select a Chairperson and Vice-Chairperson from among its Members.

Section 29.04.01. 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.

Section 29.04.02. 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.

29.04.03. Powers. The Committee on Ethics and Standards is authorized:

(i) to investigate any alleged violation of the Code of Ethics and Standards, and after its investigation to recommend to *I Liheslaturan Guåhan* what action, if any, should be taken;

(ii) *I Liheslaturan Guåhan* may by a unanimous vote of the Membership, 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;

(iii) 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 insure observance of the Code of Ethics and Standards;

(iv) 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;

(v) to hold hearings; *and*

(vi) 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.

29.04.04. 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.

Contracts Between *I Liheslaturan Guåhan* and Any Attorney Offering Services.

Section 29.05. The Following Paragraph shall be inserted in every contract between *I Liheslaturan Guåhan* and an attorney offering services to *I Liheslaturan Guåhan*, and in any event shall govern the conduct of any attorney employed or contracted by *I Liheslaturan Guåhan*:

"Contractor's law firm shall *not* bring or maintain any claim, grievance, suit, or legal action or proceeding of any nature whatsoever where the Committee on Rules, by Rules Resolution, deems contractor's representation to be contrary to the interest of *I Liheslaturan Guåhan*, or to constitute a conflict of interest in any administrative or judicial proceeding, or in any case or legal matter whatsoever. *If* a representation contrary to *I Liheslaturan Guåhan*'s interests arise, the Contractor shall immediately take such steps to withdraw from representation of the adverse client or interest against *I Liheslaturan Guåhan*. Contractor agrees that any representation of an interest which

contractor, a partner or employee of contractor, or contractor's law firm is presently engaged in which is in violation of this Paragraph will withdrawn within five (5) days of the signing of this contract by contractor and notice of such withdrawal shall be given in writing to *I Liheslaturan Guåhan*. Failure to abide by this Paragraph constitutes a breach of the entire contract and all rights of contractor herein are thereafter *automatically* terminated.”

RULE XXX.

ACCREDITATION OF THE PRESS.

Accreditation by *I Liheslaturan Guåhan*.

Section 30.01. 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 Anteroom 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*. The Speaker shall accredit individuals who may enter the Anteroom pursuant to this Rule.

RULE XXXI.

PARLIAMENTARY LAW GOVERNING.

Mason's Manual.

Section 31.01. The rules and procedures contained in the latest available 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.

Section 31.02. The Chairperson of the Executive Committee is authorized to make corrections in spelling and grammar, and to correct errors of inadvertent omission or inconsistency to the Standing Rules, and to add tables of contents and appendices for the purpose of making easy reference to the Standing Rules.

APPENDIX.

A-1.

Votes Required.

Eight (8) Votes Required.

Unless otherwise required by the laws of Guam or these Rules, any action or actions which can be taken by *I Liheslaturan Guåhan* requires an affirmative vote of eight (8) Members.

The following actions require eight (8) votes:

- (i) Adoption of Standing Rules (*See §1.03*);
- (ii) Election of Legislative Officers and Attachés (*See §2.01*);
- (iii) Removal of Legislative Attache (*See §2.02*);
- (iv) Filling a Permanent Vacancy in Office of Speaker (*See §3.01*);
- (v) Adopt Session Agenda in Absence of Committee on Rules Action, or Change the Order of Business for that Legislative Day (*See §4.04.03*);
- (vi) Adopt an Amendment Whether or Not Germane (*See §5.04*);
- (vii) Adding Sponsors to Bill (*See §6.01*);
- (viii) Placement of Bill on Session Agenda after Public Hearing Waived (*See §7.04*);
- (ix) Placement or Removal of Bill into the Inactive File (*See §7.05.01*);
- (x) Waive Requirement of Committee of the Whole (*See §7.05.04*);
- (xi) Place a Routine Bill or Resolution on Consent Calendar (*See §7.06.01*);
- (xii) *Generally*, Waive Engrossment of a Bill (*See §7.07; Compare 7.08*);
- (xiii) Confirmation of Nominee (*See §8.01.01*);
- (xiv) Motion to Refer Nomination Back to Committee (*See §8.01.02*);
- (xv) *Generally*, to Take Legislative Action (*See §9.04*);
- (xvi) Explanation of Vote on Roll Call (*See §9.09*);
- (xvii) Reconsider a Vote on Next Legislative Day (*See §10.05*);
- (xviii) Reconsider a Vote on Same Legislative Day (*See §10.05*);
- (xix) Require Member to Explain Reason for Failing to Vote (*See §11.02*);
- (xx) Excuse Member from Vote (*See §11.02.01*);

- (xxi) Place Nomination in Voting File for Confirmation (*See §11.09*);
- (xxii) Adjournment Sine Die (*See §11.10*);
- (xxiii) Pass a Bill (*See §11.11*);
- (xxiv) Place Vetoed Bill in Voting File (*See §11.12*); and
- (xxv) Temporary Expulsion of Unruly Member for a Calendar Day (*See §13.01*).

Ten (10) Votes Required.

The following actions require ten (10) votes:

- (i) Order Consideration of Any Order of Business on the Session Agenda (*See §4.04.03*);
- (ii) Change Order of Sponsorship (*See §6.01*);
- (iii) Hear Confirmation of Appointment on Day Reported Out (*See §8.01*);
- (iv) Amend, Suspend, or Modify Time Limits on Speaking (*See §9.03*);
- (v) Overrule Decision of Speaker or Presiding Officer (*See §9.07(iii)*);
- (vi) Override Gubernatorial Veto (*See §11.12*);
- (vii) Suspend Standing Rule for More Than One (1) Legislative Day (*See §§15.01 & 15.02*);
- (viii) Amend or Repeal Standing Rule (*See §§15.01 & 15.02*); and
- (ix) Seal Transcript of Closed Committee Meeting (*See §18.08*).

Twelve (12) Votes Required.

The following action requires twelve (12) votes:

- (i) Removal of Legislative Officer or Standing Committee Chairperson (*See §2.02*).

A-2.

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) Speaker Calls *I Liheslaturan Guåhan* to Order;
- (ii) Prayer by Chaplain;
- (iii) Singing of Guam Hymn in Chamorro;
- (iv) Singing of National Anthem;
- (v) Roll Call;
- (vi) Call for Approval of Legislative Journal;
- (vii) Communications and Petitions;
- (viii) Messages from *I Maga'lahen Guåhan*;
- (ix) Reports of Standing Committees
- (x) Reports of Select Committees;
- (xi) Introduction and First Reading of Bills and Resolutions;
- (xii) Motions;
- (xiii) Legislative Concurrence;
- (xiv) Consent Calendar;
- (xv) Second Reading File;
- (xvi) Consideration of Daily File:
 - (1) Third Reading File; *and*
 - (2) Voting File;
- (xvii) Brief Extension of Remarks (*limited to five (5) minutes per Member*);
- (xviii) Announcements; *and*
- (xix) Adjournment.