

*I Mina' Trentai Kadtro, Na Lheslaturan*  
**BILL STATUS**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
<b>101-34 (LS)</b> As corrected by the Prime Sponsor.	Theresa M. Terfije	AN ACT TO AMEND § 9303 OF ARTICLE 3, CHAPTER 9, TITLE 5, GUAM CODE ANNOTATED; AND TO AMEND § 1610 OF CHAPTER 16, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO THE ADOPTION OF RULES AND REGULATIONS.	5/26/17 10:54 a.m. <b>AS CORRECTED</b> 5/30/17 11:21 a.m.	5/31/17	Committee on General Government Operations and Federal, Foreign, and Regional Affairs	6/15/17 10:30 a.m.	6/20/17 12:14 p.m.  As corrected by the Prime Sponsor; and amended by the Committee on General Government Operations and Federal, Foreign, and Regional Affairs.	Fiscal Note Request 5/31/17  Fiscal Note Waiver 6/9/17	
	6/26/17	AN ACT TO AMEND § 9303 OF ARTICLE 3, CHAPTER 9, TITLE 5, GUAM CODE ANNOTATED; AND AMEND § 1610 OF CHAPTER 16, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO THE ADOPTION OF RULES AND REGULATIONS.	DATE PASSED 6/30/17	TRANSMITTED 7/9/17 2:10 p.m.  As corrected by the Prime Sponsor; and amended by the Committee on General Government Operations and Federal, Foreign, and Regional Affairs.	DUE DATE 7/14/17	PUBLIC LAW Public Law No. 34-32	DATE SIGNED 7/13/2017		Received: 7/14/17 Miss and Comm. Doc. No. 34GL-17-0737



**EDDIE BAZA CALVO**  
Governor  
**RAY TENORIO**  
Lieutenant Governor

*Office of the Governor Of Guam.*

**JUL 14 2017**

Honorable Benjamin J.F. Cruz  
Speaker  
*I Mina'trentai Kuáttro Na Liheslaturan Guåhan*  
Guam Congress Building  
163 Chalan Santo Papa  
Hagåtña, Guam 96910

*GLA 34-17-737*  
Speaker Benjamin J.F. Cruz

JUL 14 2017

Time: *2:20* [ ] AM [ ] PM File No. *34-662*  
Received By: *[Signature]*

2017 JUL 14 PM 3:18

*KC*

Dear Mr. Speaker:

Transmitted herewith is Bill No. 101-34 (LS), "AN ACT TO AMEND § 9309 OF ARTICLE 3, CHAPTER 9, TITLE 5, GUAM CODE ANNOTATED; AND AMEND § 1610 OF CHAPTER 16, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO THE ADOPTION OF RULES AND REGULATIONS," which was signed into law on July 13, 2017, as **Public Law 34-32.**

*Senseramente,*

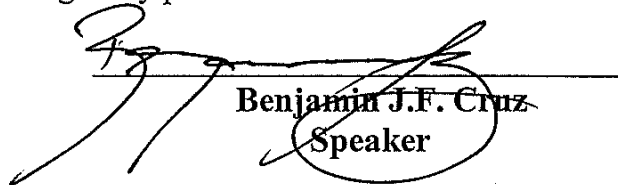
*[Signature]*  
**EDDIE BAZA CALVO**



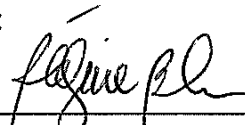
*I MINA'TRENTAI KUÁTTRO NA LIHESLATURAN GUÁHAN*  
2017 (FIRST) Regular Session

**CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LÁHEN GUÁHAN***

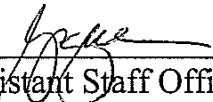
This is to certify that Bill No. 101-34 (LS), "AN ACT TO *AMEND* § 9303 OF ARTICLE 3, CHAPTER 9, TITLE 5, GUAM CODE ANNOTATED; AND *AMEND* § 1610 OF CHAPTER 16, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO THE ADOPTION OF RULES AND REGULATIONS," was on the 30<sup>th</sup> day of June 2017, duly and regularly passed.

  
Benjamin J.F. Cruz  
Speaker


Attested:

  
Régine Biscoe Lee  
Legislative Secretary

-----  
This Act was received by *I Maga'láhen Guáhan* this 23 day of July,  
2017, at 2:10 o'clock P.M.

  
Assistant Staff Officer  
*Maga'láhi's* Office

APPROVED:

  
EDWARD J.B. CALVO  
*I Maga'láhen Guáhan*

Date: JUL 13 2017

Public Law No. 34-32

*I MINA'TRENTAI KUÁTTRO NA LIHESLATURAN GUÁHAN*  
**2017 (FIRST) Regular Session**

**Bill No. 101-34 (LS)**

As corrected by Prime Sponsor; and amended  
by the Committee on General Government Operations  
and Federal, Foreign and Regional Affairs.

Introduced by:

Therese M. Terlaje  
Thomas C. Ada  
FRANK B. AGUON, JR.  
William M. Castro  
B. J.F. Cruz  
James V. Espaldon  
Fernando Barcinas Esteves  
Régine Biscoe Lee  
Tommy Morrison  
Louise B. Muña  
Telena Cruz Nelson  
Dennis G. Rodriguez, Jr.  
Joe S. San Agustin  
Michael F.Q. San Nicolas  
Mary Camacho Torres

**AN ACT TO *AMEND* § 9303 OF ARTICLE 3, CHAPTER 9,  
TITLE 5, GUAM CODE ANNOTATED; AND *AMEND* §  
1610 OF CHAPTER 16, TITLE 1, GUAM CODE  
ANNOTATED, RELATIVE TO THE ADOPTION OF  
RULES AND REGULATIONS.**

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

2        **Section 1.**    § 9303 of Article 3, Chapter 9, Title 5, Guam Code Annotated,  
3        is *amended* to read:

4        “§ 9303.    **Adoption, Repeal, Rescission, or Amendment of Rules and**  
5        **Regulations: Circulation and Filing.**

1           (a) It *shall* be the duty of every agency which may have been or  
2 hereafter may be clothed with or given any power or authority to make, adopt,  
3 promulgate or enforce rules to:

4           (1) Prepare the rules in a form which will conform to a  
5 standard system or code adopted by the Guam Code Advisory  
6 Commission for the guidance of all agencies. Agencies may contact the  
7 Compiler of Laws for recommendations as to placement and  
8 formatting.

9           (2) File with *I Maga'låhen Guåhan* (the Governor of Guam)  
10 a printed and an identical electronic (pdf) version of the proposed rules  
11 and regulations and one (1) printed and an identical electronic (pdf)  
12 copy of the entire agency record, to include minutes or a resolution  
13 showing board approval of proposed rules, certification of the agency  
14 record and compliance with each of the requirements of this Chapter,  
15 economic impact statements, and transcripts of any public hearings on  
16 the rules being proposed.

17           (3) File with the Attorney General a printed and an identical  
18 electronic (pdf and word) version of the proposed rules and regulations,  
19 and one (1) printed and an identical electronic (pdf) copy of the entire  
20 agency record, to include minutes or a resolution showing board  
21 approval of proposed rules, certification of the agency record and  
22 compliance with each of the requirements of this Chapter, economic  
23 impact statements, and transcripts of any public hearings on the rules  
24 being proposed.

25           (4) Upon written approval of *I Maga'låhi* as to policy, and  
26 approval of the Attorney General as to constitutionality, compliance  
27 with this Act, and compliance with the statutory authority for the

1 promulgation of the rules, file with the Speaker of *I Liheslatura* a  
2 printed and an identical electronic (pdf and word) version of the  
3 proposed rules and regulations, and a printed and an identical electronic  
4 (pdf) copy of the entire agency record, to include minutes or a  
5 resolution showing board approval of proposed rules, certification of  
6 the agency record and compliance with each of the requirements of this  
7 Chapter, economic impact statements, and transcripts of any public  
8 hearings on the rules being proposed. Evidence of the Governor's and  
9 the Attorney General's approvals *shall* be included in the transmittal.

10 The subject line of the transmittal letter *shall* clearly include the  
11 following: **“This is a Transmittal to *I Liheslaturan Guåhan* of  
12 Proposed Rules and Regulations pursuant to the Administrative  
13 Adjudication Law.”**

14 (b) If the proposed rules were not adopted by the agency or were not  
15 transmitted in full compliance with this Chapter, *I Liheslatura* may return the  
16 rules by an oversight committee letter, a rules resolution, or a legislative  
17 resolution to the agency for correction, and a new submittal in conformance  
18 with this Chapter *shall* be required. Proposed rules *shall* be referred to the  
19 legislative committee with oversight of the subject matter, and that committee  
20 or the Committee of the Whole *shall* conduct one (1) or more public hearings  
21 on the proposal within seventy-five (75) calendar days from the date of filing  
22 of the rules with the Speaker.

23 (c) No rule *shall* be effective until after compliance with the  
24 provisions of this Section and ninety (90) calendar days have elapsed from the  
25 date of filing with the Speaker of *I Liheslatura*. After the public hearing and  
26 the ninety (90) calendar days from the date of filing, the Speaker may certify,  
27 and the Legislative Secretary attest to, the default approval of compliant rules

1 and regulations pursuant to this Chapter. *I Liheslaturan Guåhan* may, by the  
2 passage of a bill into law, approve, disapprove, or amend any rule within  
3 ninety (90) calendar days from the date of filing with the Speaker of *I*  
4 *Liheslatura*; *except* that any pending rules *shall* be deemed disapproved upon  
5 adjournment *sine die* of *I Liheslaturan Guåhan*.

6 (d) The Legislative Secretary *shall* maintain a copy and permanent  
7 register of all rules proposed, which *shall* include a notation of the date of  
8 filing; the date of referral to the legislative oversight committee; the date of  
9 the scheduled legislative public hearing; the date of and link to the legislative  
10 committee report; the date of return to the agency by committee letter, rules  
11 resolution, or legislative resolution; the date of passage of the bill to approve,  
12 disapprove, or amend; the date of certification by the Speaker of default  
13 approval of the compliant rule; and the date of disapproval due to adjournment  
14 *sine die*. The Legislative Secretary *shall* also cause said permanent register to  
15 be published electronically on *I Liheslaturan Guåhan*'s website and updated  
16 weekly.

17 (e) The Compiler of Laws *shall* ascertain the approval of proposed  
18 rules and regulations in accordance with 1 GCA § 1610.”

19 **Section 2.** § 1610 of Chapter 16, Title 1, Guam Code Annotated, is *amended*  
20 to read as follows:

21 **“§ 1610. Publication of Administrative Rules and Regulations.**

22 All rules and regulations or amendments to rules and regulations  
23 promulgated by any Director and/or board for departments, agencies, and  
24 instrumentalities of the government of Guam, pursuant to specific statute or  
25 through the Administrative Adjudication Act, *shall* be codified and published  
26 as provided for in this Act. The Compiler of Laws *shall* ascertain legislative  
27 approval of rules and regulations pursuant to the Administrative Adjudication

1 Act by clear indication of approval, either by the passage of a bill into law or  
2 by certification by the Speaker of *I Liheslatura* as to *I Liheslatura*'s default  
3 approval of said compliant rules and regulations. The Compiler of Laws *shall*  
4 submit to *I Liheslatura* a list of rules and regulations whose approval he or  
5 she is unable to confirm due to the loss of records prior to the transfer of the  
6 Compiler of Law's Office to the Supreme Court, or due to the lack of certified  
7 legislative records, or due to any other reason."