

SENATOR RORY J. RESPICIO

MAJORITY LEADER

CHAIRPERSON
COMMITTEE ON RULES; FEDERAL, FOREIGN & MICRONESIAN
AFFAIRS; AND HUMAN & NATURAL RESOURCES



I Mina'trentai Unu na Libeslaturan Guåhan
THIRTY-FIRST GUAM LEGISLATURE

February 28, 2011

MEDIA RELEASE

Statement from Senator Rory J. Respicio concerning the Attorney General's legal opinion on "*Kumision Guåhan Fine'nana*," The Guam First Commission:

"I have read the 34-page legal opinion, issued by Attorney General Rapadas on February 25, 2011, in answer to a 2009 request from Governor Camacho. The opinion asserts that the Guam First Commission law (P.L. 29-128) is inorganic because it violates the separation of powers doctrine.

"I find it to be appalling, autocratic and amusing for the Attorney General to conclude that the Legislature cannot mandate a law to require the Government of Guam to speak with one voice when dealing with the Federal Government. I trust that Governor Eddie Calvo will NOT follow in the footsteps of his predecessor, and make unilateral decisions as if the Governor were the sole negotiator for the massive military buildup.

"I think it is dangerous to make an argument in favor of autocratic public policy that would allow one person to make long-term decisions for the entire island without the participation of other government, community and business leaders. Although we have a newly elected Attorney General, the climate at the AG's office isn't much different, in that the office seems to be run by the same deputy AGs who consistently opined in the past in favor of the Executive Branch, while ignoring local laws, such as Title 5, Chapter 22 § 22401 (a):

'No officer or employee of the government of Guam, including the Governor of Guam, shall involve the Government of Guam in any contract or other obligation, for the payment of money for any purpose, in advance of the appropriation made for such purpose...'

"I find it inconsistent that the AG is arguing the Separation of Powers doctrine in this specific instance, while ignoring the Legislature's separate powers and legal authority when it comes to appropriating money to fund executive branch operations."

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Senator Respicio is currently in Washington, D.C. with Speaker Judi Won Pat, Buildup Committee Chair Senator Judi Guthertz and Minority Leader Senator Frank Blas, Jr. meeting with federal official regarding the Buildup.