

Dear Senator Palacios,

This is written in furtherance of our discussion this morning. I ask you to excuse my absence due to illness.

The Standing Rules of the 30th Guam Legislature prohibit the interruption of a Senator during session or a public hearing by a senator who does not have the floor.

In contrast with the statutes for agencies or boards handling procurement which allow them to discontinue a meeting where one member admits a conflict, disclosure statutes for Guam require senators to disclose in writing the nature of any conflict of interest. The statutes do not grant to any committee or any individual senator the role of blocking speech or debate of any senator.

Furthermore, any comments which impugn another member's character or motives are strictly prohibited by the Standing Rules. Speculations or questions of conflict are not proper motions or points of order, and are properly made by another Senator solely by formal complaint to the Committee on Ethics.

Threats against another Senator or a committee chairperson of criminal liability are out of order at all times, notwithstanding who has the floor. Members of the Legislature are privileged pursuant to §1423 of the Organic Act (Title 42 U.S.C.) and shall not be held to answer before any tribunal other than the legislature itself for any speech or debate in the Legislature.

Accordingly, each senator should be allowed to listen to witnesses and ask questions without interruption by another senator at a legislative proceeding once he is recognized by the Chair, subject to rules set by the chair and the Standing Rules.

Sincerely,

Therese M. Terlaje
Legislative Counsel