



OFFICE OF PUBLIC ACCOUNTABILITY

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February 9, 2024

The Honorable Joe S. San Agustin
Chairperson, Committee on General Government Operations & Appropriations
I Mina'trentai Siette Na Liheslaturan Guåhan
Ran Care Bldg., CBU 230
761 S. Marine Corps Drive
Tamuning, Guam 96913

Re: TESTIMONY ON Bill No. 215-37 – AN ACT TO AMEND § 1903(e) TO CHAPTER 19, TITLE 1, GUAM CODE ANNOTATED; AND TO AMEND § 30101 CHAPTER 30, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE ELECTION AND QUALIFICATION PROCESSES FOR THE OFFICES OF PUBLIC AUDITOR AND ATTORNEY GENERAL IN GUAM.

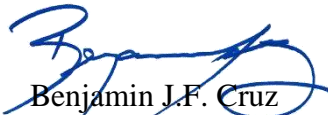
Håfa adai Senator San Agustin and Committee Members,

Thank you for the invitation to provide testimony on seven election-related bills that seek to reform various election policies and practices. As I read the measures that are being proffered by my oversight chair, Senator Roy Quinata, and yourself, Chairman San Agustin, the one bill that is somewhat related to the Office of Public Accountability, but more specifically for the position I currently hold as Public Auditor is Bill No. 215-37. This bill seeks to adjust the filing deadline for candidacy and proposes to eliminate the primary for the elected Public Auditor and Attorney General. From my understanding, this bill was introduced as a cost-saving initiative and reinforces the notion that our elected Public Auditor and Attorney General be elected by plurality vote instead of majority vote (50% plus one).

A couple of days ago, I had the opportunity to be the guest speaker at the Rotary Club of Northern Guam and made it no secret that I was interested in running for this position again in the next election cycle. Being that I am a potential candidate and the incumbent, it is improper for me to say I support or oppose this bill as it might give the appearance that whichever way I went would directly benefit my candidacy. As the head of the Office of Public Accountability, the bill does not directly affect the operations of the office, so I have to respectfully decline expressing an opinion on the bill.

Thank you.

Senseramente,



Benjamin J.F. Cruz
Public Auditor

Cc: The Honorable Roy A.B. Quinata, Senator, 37th Guam Legislature