

I Mina Trental Kaitro Na Lihelateran Gaihan
APPOINTMENTS

DOCUMENT NO.	APPOINTEE	POSITION	AGENCY	APPT. DATE	TERM LENGTH	CMTE REFERRED	DATE REFERRED	PUBLIC HEARING DATE	CMTE REPORT FILED	DATE CONFIRMED	NOTES
35GL-19-1100	John A. Smith	Member	Civil Service Commission	9/30/19	Six (6) Years; April 22, 2019 to April 21, 2025	Committee on Public Accountability, Human Resources, and the Guam Buildup	10/15/19	11/4/19 10:30 a.m.	11/12/19 8:46 a.m.		



Office of the Speaker
TINA ROSE MUÑA BARNES

I Mina'trentai Singko Na Liheslaturan Guahan
Committee on Public Accountability, Human Resources, and the Guam Buildup

November 6, 2019

PR

The Honorable Régine Biscoe Lee
Chairperson, Committee on Rules
I Mina'trentai Singko na Liheslaturan Guahan
35th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

RE: Committee Report on the appointment of John A. Smith; Member, Civil Service Commission

Dear Chairperson Biscoe Lee:

Transmitted herewith is the Committee Report on the appointment of John A Smith to serve as a Member of the Civil Service Commission which was referred to the Committee on Public Accountability, Human Resources, and the Guam Buildup.

Committee votes are as follows”

- 6 TO CONFIRM
- _____ TO NOT CONFIRM
- 5 TO REPORT OUT ONLY
- _____ TO ABSTAIN
- _____ TO PLACE IN INACTIVE FILE

Si Yu'os Ma'ase',

Tina Rose Muña Barnes
TINA ROSE MUÑA BARNES
Chairperson



[Handwritten signature]

Revisions Recd: 11.11.19 @ 12:29p

2019 NOV 12 AM 8:46 *[Signature]*





Office of the Speaker

TINA ROSE MUÑA BARNES

I Mina'trentai Singko Na Liheslaturan Guåhan

Committee on Public Accountability, Human Resources, and the Guam Buildup

COMMITTEE REPORT

Nomination of John A. Smith

To serve a term length of six (6) years; April 22, 2019 to
April 21, 2025.



Address: 163 W. Chalan Santo Papa Hagåtña, GU 96910

Phone: (671) 477-2520/2521 / Email: speaker@guamlegislature.org / Website: www.guamlegislature.org



Office of the Speaker

TINA ROSE MUÑA BARNES

I Mina'trentai Singko Na Liheslaturan Guåhan

Committee on Public Accountability, Human Resources, and the Guam Buildup

MEMORANDUM

TO: All Members
FROM: Speaker Tina Rose Muña Barnes
Chairperson, Committee on Public Accountability, Human Resources, and the Guam Buildup
SUBJECT: Committee Report on the appointment of John A. Smith

Transmitted herewith for your consideration is the Committee Report on the appointment of John A. Smith to serve as a member of the Civil Service Commission.

This report includes the following:

- Referral of the Appointment
- Appointment Letter to the Speaker
- Appointment Packet & Supporting Documents
- Notices of Public Hearing
- Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Submitted Testimony and Supporting Documents
- Committee Report Digest
- Committee Report Vote Sheet

Please take the appropriate action on the attached voting sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

TINA ROSE MUÑA BARNES

Chairperson



Senator Régine Biscoe Lee
Chair

Senator Amanda L. Shelton,
Vice Chair

Speaker Tina Rose Muña Barnes,
Member

Vice Speaker Telena Cruz Nelson,
Member

Senator Kelly Marsh (Taitano), PhD,
Member

Senator Sabina Flores Perez
Member



COMMITTEE ON RULES
I MINATRENTAI SINGKO NA LIHESLATURAN GUÅHAN
35TH GUAM LEGISLATURE

October 15, 2019

Senator Clynton E. Ridgell,
Member

Senator Joe S. San Agustin,
Member

Senator Jose "Pedro" Terlaje,
Member

Senator Therese M. Terlaje,
Member

Senator James C. Moylan,
Member

Senator Mary Camacho Torres,
Member and Chair, Subcommittee on Protocol

MEMO

To: Rennae Meno
Clerk of the Legislature

Attorney Ana Won Pat-Borja
Legislative Legal Counsel

From: Senator Régine Biscoe Lee
Chair, Committee on Rules

Re: Referral of Appointment

Buenas yan Håfa adai.

As Chair of the Committee on Rules, I am forwarding the referral of the following appointment:

Appointee: John A. Smith
Position: Member, Civil Service Commission
Term Length: Six (6) Years; April 22, 2019 to April 21, 2025

The appointee's nomination packet may be referenced in the Guam Legislature's website at <http://guamlegislature.com/index/messages-and-communications/>. Please refer to the follow document:

"35GL-19-1100 – Office of the Governor of Guam – Appointment and Supporting Documents for John A. Smith, Member, Civil Service Commission."

Please ensure that the aforementioned appointment is referred to the **Committee on Public Accountability, Human Resources, and the Guam Buildup**, chaired by Speaker Tina Rose Muña Barnes.

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this matter.

Respectfully,


Senator Régine Biscoe Lee
Chair, Committee on Rules

I Minus Tereke Kelebe Na Likodataran Gubhan
APPOINTMENTS

DOCUMENT NO.	APPOINTEE	POSITION	AGENCY	APPT. DATE	TERM LENGTH	CMTE REFERRED	DATE REFERRED	PUBLIC HEARING DATE	CMTE REPORT FILED	DATE CONFIRMED	NOTES
3SGL-19-1100	Jeha A. Smith	Member	Civil Service Commission	9/30/19	Six (6) Years, April 22, 2019 to April 21, 2025	Committee on Public Accountability, Human Resources, and the Guam Budget	10/15/19				

OFISINAN I MAGA HAGA
OFFICE OF THE GOVERNOR



LOURDES A. LEON GUERRERO
MAGA'HAGA • GOVERNOR

JOSHUA F. TENORIO
SIGUNDO MAGA'LÁHI • LIEUTENANT GOVERNOR

35GL-19-1100
Speaker Tina Rose Muña Barnes

September 30, 2019

Honorable Tina Muna Barnes
Speaker
I Mina'trentai Singko Na Liheslaturan Guåhan
Guam Congress Building
163 Chalan Santo Papa
Hagatna, Guam 96932

OCT 1 1 2019
Time 11:41 () AM (X) PM
Received By: Matt

2019 OCT 1 1 AM 11:47

RE: Board Appointment

Dear Madame Speaker:

By virtue of the authority vested in me pursuant to the Organic Act of Guam and the local laws applicable to the following position, I am pleased to transmit the following appointment and supporting documents for:

APPOINTEE: John A. Smith
POSITION: Member, Civil Service Commission
TERM LENGTH: Six (6) Years; April 22, 2019 to April 21, 2025

The appointment is subject to the consent of *I Liheslaturan Guåhan*. Please schedule a hearing at your earliest convenience.

Senseramente,

LOURDES A. LEON GUERRERO
I Maga'hagan Guåhan
Governor of Guam

cc: Lt. Governor of Guam

1100

OFISINAN I MAGA'HAGA
OFFICE OF THE GOVERNOR

LOURDES A. LEON GUERRERO
MAGA'HAGA • GOVERNOR



JOSHUA F. TENORIO
SIGUNDO MAGA'LÄHI • LIEUTENANT GOVERNOR

September 30, 2019

John A. Smith



Dear Mr. Smith:

Pursuant to my authority under 4 GCA § 4401(a), I am pleased to reappoint you to serve as a

MEMBER, CIVIL SERVICE COMMISSION
Term Length: Six (6) Years; April 22, 2019 to April 21, 2025

Your reappointment is a testimony to your commitment to service and the understanding of the great responsibility that this position requires and I know that you will continue to fulfill your duties in a professional manner for others to follow.

Once again, I appreciate your willingness to serve in this position, and I am confident that your time on the Board will be effective and productive.

As you are aware, this appointment is subject to the advice and consent of *I Liheslaturan Guahan*. If you have any questions or concerns, please contact Michael Weakley of the Governor's Legal Office at 475-9477.

Senseramente,

A handwritten signature in black ink, appearing to read 'Lourdes A. Leon Guerrero'.

LOURDES A. LEON GUERRERO
I Maga'hagan Guahan
Governor of Guam

cc: Lt. Governor of Guam
Chairman, Civil Service Commission
Director, Civil Service Commission

LOURDES A. LEON GUERRERO
Governor



JOSHUA F. TENORIO
Lieutenant Governor

OFFICE OF THE GOVERNOR OF GUAM
Nomination and Appointment Information Sheet

The following information is required for submission to the
Speaker of / Liheslaturan Guåhan in accordance with Title 4, Guam Code Annotated Section 2103

NOMINEE INFORMATION

Last Name SMITH	First Name JOHN	Middle Initial A
Mailing Address [REDACTED]		Apartment/Unit # [REDACTED]
City [REDACTED]	State [REDACTED]	Zip Code [REDACTED]
Phone [REDACTED]	E-mail Address [REDACTED]	
Position to which Appointment is Made Member, Civil Service Commission		
Are you a citizen of the United States? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
If no, are you authorized to work in the United States? Yes <input type="checkbox"/> No <input type="checkbox"/>		

EDUCATION

SCHOOL (Name, City and State)	DATES OF ATTENDANCE	TYPE OF DEGREE	YEAR EARNED
High School Henry Ford High School	1964-1967	High School Diploma	1967
College Wayne State University, Detroit, MI	1967 - 1971	BS	1971
Graduate School			
Other Degree			

EMPLOYMENT HISTORY

Name of Present/Last Employer and Mailing Address Jones & Guerrero Company Hagatna, Guam	Position Title General Manager
	Dates Held 2013 - Present

Previous Employer and Mailing Address COST-U-LESS Dededo, Guam	Position Title Guam Store Manager
	Dates Held 1998 - 2013

Previous Employer and Mailing Address Town House Dept. Store Hagatna, Guam	Position Title General Manager
	Dates Held 1995 - 1997

Previous Employer and Mailing Address Gibson Department Store Tamuning	Position Title General Manager
	Dates Held 1993 - 1994

Previous Employer and Mailing Address	Position Title
	Dates Held

PRIOR GOVERNMENT OF GUAM SERVICE

Agency or Department Name		Position Title
Address	Phone No.	Dates Held

Agency or Department Name		Position Title
Address	Phone No.	Dates Held

PRIOR GOVERNMENT SERVICE (EXCLUDING GOVERNMENT OF GUAM)

<i>Agency or Department Name</i>		<i>Position Title</i>
<i>Address</i>	<i>Phone No.</i>	<i>Dates Held</i>

<i>Agency or Department Name</i>		<i>Position Title</i>
<i>Address</i>	<i>Phone No.</i>	<i>Dates Held</i>

TRAINING

<i>INSTITUTE/SEMINARS/ON-THE-JOB TRAINING</i>	<i>DATE</i>

AWARDS

<i>List all educational, professional, civic awards, and recognition for public service:</i>

PROFESSIONAL INVOLVEMENT

<i>List involvement on a local/national/international level. List organizations, activities participated in, and offices held:</i>
Commissioner, Guam Civil Service

COMMUNITY / CIVIC INVOLVEMENT

<i>List organizations, activities participated in, and offices held:</i>
Guam Chamber of Commerce Guam Diabetes Association

PUBLICATIONS AND PRESENTATIONS

<i>List any published articles, papers delivered at professional meetings, etc.:</i>

MILITARY SERVICE (Please attach Form DD-214)

<i>BRANCH</i>	<i>DATES OF SERVICE</i>	<i>RANK AT DISCHARGE</i>	<i>TYPE OF DISCHARGE</i>

OTHER INFORMATION

(1) Have you ever been found guilty of a felony in any court, whether within or without the United States?

Yes No If so, please specify in detail: _____

Address of the Court: _____

Date(s) of Conviction: _____

Specific Infraction Committed: _____

(2) Have you ever been declared mentally incompetent by any court, whether within or without the United States?

Yes No If so, please specify in detail the reasons and facts related to such declaration:

(3) Have you ever been found not guilty or not punishable in any criminal proceedings by reason of insanity?

Yes No

(4) Have you ever been confined to a mental institution for any reason?

Yes No If so, please specify in why the appointing authority believes you that you are not suffering from any mental illness or affliction:

LOURDES A. LEON GUERRERO
Governor



JOSHUA F. TENORIO
Lieutenant Governor

OFFICE OF THE GOVERNOR OF GUAM

Statement of Financial Interests

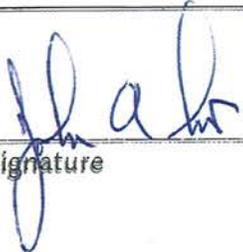
(Required by 4 G.C.A. §13104.1)

TO: The Honorable Lourdes A. Leon Guerrero
Governor of Guam
Ricardo J. Bordallo Governor's Complex
Adelup, Guam 96910

FROM: John A. Smith

- I have no financial interest in any business
- I do have interest(s) in the following business(es):

NAME AND ADDRESS OF BUSINESS INTEREST	TYPE AND AMOUNT OF INTEREST


Signature

7/19/19
Date

AFFIDAVIT / DECLARATION UNDER PENALTY OF PERJURY

I, the undersigned, do hereby depose and say that: (1) I have read and reviewed the information contained in the attached Appointment/Nomination letter from the Governor of Guam; (2) that the matters contained in the Appointment/Nomination letter, together with all attachments thereto, are true and correct and that I am competent to testify to said matters; and (3) that this Declaration is made for the purpose of complying with the requirements of 4 G.C.A. Section 2103.5.

I declare under penalty of perjury under the laws of Guam (4 G.C.A. Section 4308) that the foregoing is true and correct.

John A. Smith
Print Name and Signature

John A. Smith

7/19/2019

Date



SUPERIOR COURT OF GUAM

Guam Judicial Center • 120 West O'Brien Drive • Hagatña, Guam 96910

Telephone (671) 475-3370/475-3449

Fax (671) 472-2856

DANIELLE T. ROSETE
Clerk of Court

Name: **JOHN A. SMITH**

SS#:

ID#



Date of Birth:



CERTIFICATE OF SEARCH

The undersigned Clerk hereby certifies the following results of a diligent search of the records of this Court:

Criminal Cases:

- A. No Case Found
- B. 1. Criminal Case No.
- 2. Criminal Case No.
- 3. Criminal Case No.
- 4. Criminal Case No.
- 5. Criminal Case No.

Criminal Record: Page 1 of 1

Civil Cases:

- A. No Case Found
- B. 1. Civil Case No.
- 2. Civil Case No.
- 3. Civil Case No.
- 4. Civil Case No.
- 5. Civil Case No.

Civil Record: Page 1 of 1

Request for further information may be addressed at the Records Division of the Superior Court of Guam, Guam Judicial Center, 120 West O'Brien Drive, Hagatña, Guam. Hours of operation are Monday – Friday, 8:00 a.m. to 5:00 p.m. Closed Saturday, Sunday and local/federal holidays. Court Clearances are Non-Refundable.

Dated: 07/23/2019

DANIELLE T. ROSETE
Clerk of Court

BY: **CARLENE C. SANTOS**
Deputy Clerk

Prepared By: ICT



The absence of an original Court Seal invalidates this document



Government of Guam
GUAM POLICE DEPARTMENT
RECORDS & IDENTIFICATION SECTION
P.O. Box 23909
Guam Main Facility, Guam 96921



July 23, 2019

SUBJECT: CRIMINAL HISTORY RECORD

NAME:	John A SMITH		
DATE OF BIRTH:	[REDACTED]	FINGERPRINT#:	NONE
	The individual has no record of criminal conviction(s) in the Guam Police Department files that are subject to Guam law.		

*****NOTHING FOLLOWS*****

THIS INFORMATION MAY BE LIMITED TO A LOCAL CRIMINAL OFFENSE ONLY AND IS NOT INTENDED FOR USE FOR ANY LOCAL STATE, OR FEDERAL LAW ENFORCEMENT AGENCY.

By Direction: JE

STEPHEN C. IGNACIO
Chief of Police

The absence of an original GUAM POLICE seal invalidates this police clearance.
H13 020 012/19



Speaker's Office <speaker@guamlegislature.org>

FIRST NOTICE of Public Hearing - November 4, 2019 at 10:30AM

3 messages

Speaker's Office <speaker@guamlegislature.org>

Fri, Oct 25, 2019 at 9:55 AM

To: Speaker Tina Rose Muna Barnes <speaker@guamlegislature.org>

Cc: Clerks Office <clerks@guamlegislature.org>, Guam MIS <MIS@guamlegislature.org>, Tom Unsiog

<sgtarms@guamlegislature.org>, av@guamlegislature.org, phnotice@guamlegislature.org, protocol@guamlegislature.org

Bcc: Dan Leon Guerrero <dddldg53@gmail.com>, dnsanford@gmail.com, jsmithguam@gmail.com, pmbblas@ite.net,

tonychedo@yahoo.com

October 25, 2019

MEMORANDUM**TO: All Senators, Media, and Stakeholders****FROM: Speaker Tina Rose Muña Barnes****SUBJECT: FIRST NOTICE OF PUBLIC HEARING – MONDAY, NOVEMBER 4TH, 2019**

Bueñas yan Háfa Adai! Please be advised that the Committee on Public Accountability, Human Resources, and the Guam Buildup will convene a Public Hearing on Monday, November 4, 2019 beginning at 10:30AM in / *Liheslaturan Guåhan's* Public Hearing Room. The Committee will hear and accept testimony for the following items on the Agenda:

- Appointment of John A. Smith as Member of the Civil Service Commission; to serve a term of six (6) years.
- Appointment of Anthony P. Benavente; to fill the expired of term of Julie L. Quinata (October 1, 2019 – September 30, 2025).
- Appointment of David N. Sanford; to serve a term of five (5) years; to fill the expired term of Gerard Cruz.
- Bill No. 177 – 35 (COR) – Tina Rose Muña Barnes

AN ACT TO REPEAL SECTION 5 OF PUBLIC LAW NO. 33-186 AND ARTICLE 6, CHAPTER 8, TITLE 4, OF THE GUAM CODE ANNOTATED, RELATIVE TO THE GUAM RETIREMENT SECURITY PLAN (GRSP).

Written testimonies may be delivered to the Office of Speaker Tina Muña Barnes at 163 Chalan Santo Papa, Hagåtña, Guam 96910 or via email to speaker@guamlegislature.org. Copies of testimonies submitted forty-eight (48) hours prior to the hearing will be available to the public at the hearing.

In compliance with the American with Disabilities Act, individuals requiring assistance or accommodations should contact the Office of Speaker Muña Barnes by phone call at 477-2520/1 or via email at speaker@guamlegislature.org . *Si Yu'us Ma'ase'!*



Sinseru yan Minagâhet,

Office of the Speaker • Tina Rose Muña Barnes
Committee on Public Accountability, Human Resources & the Guam Buildup

35th Guam Legislature
I Mina'trentai Singko na Liheslaturan Guahan

Guam Congress Building | 163 Chalan Santo Papa | Hagatna, GU 96910
T: (671) 477-2520/1
speaker@guamlegislature.org

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Gumai pribilehu yan konfedensia este siha na mensâhi. Solo espesiátmente para hâgu ma extensiona pat ma aturisa para unrisibi. Sen prubidu kumu ti un ma aturisa para manribisa, na'setbe, pat mandespâtcha. Yanggen lachi rinisibu-mu nu este na mensâhi , put fabot ago' guatu gi I numa'huyong gi as speaker@guamlegislature.org yan despues destrosa todú siha I kopian mensâhi. Si Yu'os ma'ase'.

--



Sinseru yan Minagâhet,

Office of the Speaker • Tina Rose Muña Barnes
Committee on Public Accountability, Human Resources & the Guam Buildup

35th Guam Legislature
I Mina'trentai Singko na-Liheslaturan Guahan

Guam Congress Building | 163 Chalan Santo Papa | Hagatna, GU 96910
T: (671) 477-2520/1
speaker@guamlegislature.org

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Office of the Speaker
TINA ROSE MUÑA BARNES
I Mina'Trentai Singko Na Liheslaturan Guahan



October 25, 2019

MEMORANDUM

TO: All Senators, Media, and Stakeholders

FROM: Speaker Tina Rose Muña Barnes

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Address: 163 W. Chalan Santo Papa Hagåtña, GU 96910

Phone: (671)477-2520/2521 / Email: speaker@guamlegislature.org / Website: www.guamlegislature.org





Speaker's Office <speaker@guamlegislature.org>

Updated Public Hearing Notice

2 messages

Speaker's Office <speaker@guamlegislature.org>

Mon, Oct 28, 2019 at 11:16 AM

To: Speaker Tina Rose Muna Barnes <speaker@guamlegislature.org>

Cc: Tom Unsiog <sgtarms@guamlegislature.org>, Clerks Office <clerks@guamlegislature.org>, av@guamlegislature.org, Guam MIS <MIS@guamlegislature.org>, protocol@guamlegislature.org, phnotice@guamlegislature.org

Bcc: Daniel Leon Guerrero <daniel.leonguerrero@csc.guam.gov>, pmbblas@ggrf.com

October 25, 2019

MEMORANDUM

TO: All Senators, Media, and Stakeholders

FROM: Speaker Tina Rose Muña Barnes

SUBJECT: FIRST NOTICE OF PUBLIC HEARING – MONDAY, NOVEMBER 4TH, 2019

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- Appointment of David N. Sanford; as a Member of the Board of Trustees Government of Guam Retirement Fund (Private Sector Representative); to serve a term of five (5) years; to fill the expired term of Gerard Cruz.
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Office of the Speaker
TINA ROSE MUÑA BARNES
I Mina'Trentai Singko Na Liheslaturan Guahan



October 25, 2019

MEMORANDUM

TO: All Senators, Media, and Stakeholders
FROM: Speaker Tina Rose Muña Barnes
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Address: 163 W. Chalan Santo Papa Hagåtña, GU 96910
Phone: (671) 477-2520/2521 / Email: speaker@guamlegislature.org / Website: www.guamlegislature.org





Speaker's Office <speaker@guamlegislature.org>

SECOND NOTICE OF PUBLIC HEARING – MONDAY, NOVEMBER 4TH, 2019

2 messages

Speaker's Office <speaker@guamlegislature.org>

Wed, Oct 30, 2019 at 10:11 AM

Cc: phnotice@guamlegislature.org, Guam MIS <MIS@guamlegislature.org>, av@guamlegislature.org, protocol@guamlegislature.org, Clerks Office <clerks@guamlegislature.org>, Tom Unsiog <sgtarms@guamlegislature.org>

Bcc: Dan Leon Guerrero <dddldg53@gmail.com>

October 30, 2019

MEMORANDUM

TO: All Senators, Media, and Stakeholders

FROM: Speaker Tina Rose Muña Barnes

SUBJECT: SECOND NOTICE OF PUBLIC HEARING – MONDAY, NOVEMBER 4TH, 2019

Bueñas yan Háfa Adai! Please be advised that the Committee on Public Accountability, Human Resources, and the Guam Buildup will convene a Public Hearing on Monday, November 4, 2019 beginning at 10:30AM in / *Liheslaturan Guáhan's* Public Hearing Room. The Committee will hear and accept testimony for the following items on the Agenda:

- Appointment of John A. Smith as a Member of the Civil Service Commission; to serve a term of six (6) years.
- Appointment of Anthony P. Benavente; as a Member of the Civil Service Commission; to fill the expired term of Julie L. Quinata (October 1, 2019 – September 30, 2025).
- Appointment of David N. Sanford; as a Member of the Board of Trustees Government of Guam Retirement Fund (Private Sector Representative) ; to serve a term of five (5) years; to fill the expired term of Gerard Cruz.
- ~~Bill No. 177 – 35 (COR) – Tina Rose Muña Barnes - REMOVED~~

~~AN ACT TO REPEAL SECTION 5 OF PUBLIC LAW NO. 33-186 AND ARTICLE 6, CHAPTER 8, TITLE 4, OF THE GUAM CODE ANNOTATED, RELATIVE TO THE GUAM RETIREMENT SECURITY PLAN (GRSP).~~

Written testimonies may be delivered to the Office of Speaker Tina Muña Barnes at 163 Chalan Santo Papa, Hagåtña, Guam 96910 or via email to speaker@guamlegislature.org . Copies of testimonies submitted forty-eight (48) hours prior to the hearing will be available to the public at the hearing.

In compliance with the American with Disabilities Act, individuals requiring assistance or accommodations should contact the Office of Speaker Muña Barnes by phone call at 477-2520/1 or via email at speaker@guamlegislature.org . *Si Yu'us Ma'ase'!*

Sinseru yan Minagâhet,

Office of the Speaker • Tina Rose Muña Barnes
Committee on Public Accountability, Human Resources & the Guam Buildup



35th Guam Legislature
I Mina'trentai Singko na Liheslaturan Guåhan

Guam Congress Building | 163 Chalan Santo Papa | Hagatna, GU 96910
 T: (671) 477-2520/1
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Gumai pribilehu yan konfedensia este siha na mensáhi. Solo espesiátmente para hágu ma entensioña pat ma aturisa para unrisibi. Sen prubidu kumu ti un ma aturisa para manribisa, na'setbe, pat mandespátcha. Yanggen lachi rinisibu-mu nu este na mensáhi , put fabot ago' guatu gi I numa'huyong gi as speaker@guamlegislature.org yan despues destrosa todú siha I kopian mensáhi. Si Yu'os ma'áse'.

4 attachments

-  **Public Hearing Notices.pdf**
452K
-  **Doc. No. 35GL-19-1109.pdf**
6010K
-  **Doc. No. 35GL-19-1100.pdf**
7815K
-  **Doc. No. 35GL-19-0710 (1) (2).pdf**
831K

Tom Unsiog <sgtarms@guamlegislature.org>
 To: Speaker's Office <speaker@guamlegislature.org>

Wed, Oct 30, 2019 at 10:13 AM

Noted and is now adjusted to reflect the notice....tom
 [Quoted text hidden]



Thomas J. Unsiog
 Sergeant at Arms

35th Guam Legislature
I Mina'trentai Singko na Liheslaturan Guåhan

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Office of the Speaker
TINA ROSE MUÑA BARNES
I Mina'Trentai Singko Na Liheslaturan Guahan



October 30, 2019

MEMORANDUM

TO: All Senators, Media, and Stakeholders

FROM: Speaker Tina Rose Muña Barnes

SUBJECT: SECOND NOTICE OF PUBLIC HEARING – MONDAY, NOVEMBER 4TH, 2019

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Updated as of 8/6/19



Office of the Speaker
TINA ROSE MUÑA BARNES
I Mina'Trentai Singko Na Liheslaturan Guahan



AGENDA

Monday, November 4, 2019
Confirmation and Public Hearing

- Appointment of **John A. Smith** as Member of the Civil Service Commission; to serve a term of six (6) years.
- Appointment of **Anthony P. Benavente**; as a Member of the Civil Service Commission; to fill the expired term of Julie L. Quinata (October 1, 2019 – September 30, 2025).
- Appointment of **David N. Sanford**; as a member of the Board of Trustees Government of Guam Retirement Fund (Private Sector Representative); to serve a term of five (5) years; to fill the expired term of Gerard Cruz.

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TINA ROSE MUÑA BARNES

Chairperson

Committee on Public Accountability, Human Resources, and the Guam Buildup

Public Hearing

Monday, November 4, 2019, 1030AM

I Liheslaturan Guåhan, Public Hearing Room

Appointment of **John A. Smith**, as member of the Civil Service Commission, to serve a term of six (6) years.

Name	Agency/ Organization	Oral Testimony	Written Testimony	Support	Not in Support	Contact Information
<i>Priscilla T. Guerrero</i>	<i>CSC</i>			<input checked="" type="checkbox"/>		<i>4775718</i>
<i>Daniel Leon Guerrero</i>	<i>CSC</i>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			<i>777-0054</i>
<i>Juan K. Calvo</i>	<i>"</i>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<i>483-8117</i>
<i>John A. Smith</i>	<i>CSC</i>					<i>681-0484</i>
<i>Emilia F. Rice</i>	<i>"</i>			<input checked="" type="checkbox"/>		<i>777-4190</i>
<i>Luis R BAZA</i>	<i>CSC</i>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<i>488-0827</i>
<i>Roland FERRANG</i>	<i>CSC</i>			<input checked="" type="checkbox"/>		<i>647-1855</i>

1 out of 1



LOURDES A. LEON GUERRERO
Governor

JOSHUA F. TENORIO
Lieutenant Governor

CIVIL SERVICE COMMISSION
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GOVERNMENT OF GUAM

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Tel: (671) 647-1855/1857 • Fax: (671) 647-1867
Website: csc.guam.gov



DANIEL D. LEON GUERRERO
Executive Director

November 4, 2019

The Honorable Tina Muna Barnes
Speaker, 35th Guam Legislature
I Mina'trentai Singko Na Liheslaturan Guahan
Guam Congress Building
163 Chalan Santo Papa
Hagatna, Guam 96932

Re: Testimony in Support for the Legislative Confirmation of Mr. John A. Smith
as Commissioner for the Civil Service Commission

Hafa Adai:

Honorable Madame Speaker Tina Muna Barnes, and distinguished Senators of the Committee on Public Accountability, Human Resources, and the Guam Buildup.

The Honorable *Maga'hagan Guahan*, Lourdes A. Leon Guerrero, reappointed Mr. John A. Smith to a third term to serve on the Civil Service Commission Board. Mr. Smith's reappointment is a testimony of his performance, commitment, and integrity that is required of a member of the Civil Service Commission.

Mr. Smith and I served together as Civil Service Commissioners for approximately seven years. Based on our interaction, I affirm that Mr. Smith will work to make firm decisions consistent with the merit laws and principles.

Mr. Smith work experiences as a Business Manager covers over 26 years for various companies: Gibson Department Store, Town House Store, and Cost-U-Less. He is currently a General Manager of the Jones & Guerrero Company.

Honorable Tina Muna Barnes
Speaker, 35th Guam Legislature
Re: Testimony in Support of John A. Smith
as Commissioner for the Civil Service Commission
November 4, 2019
Page 2

His work experiences enhances his understanding of the importance of the integrity of an organization. Mr. Smith graduated with a Bachelor's of Science and Majored in Accounting from Wayne State University, Detroit Michigan.

The Civil Service Commission will be fortunate to get an experienced and qualified candidate to serve as Commissioner. Mr. Smith has served as Commissioner for two terms starting in 2003, and today he is prepared to serve a third term.

If the Guam Legislature consents to his appointment, he is ready to serve. Most notable, Mr. Smith has had the pleasure to serve under three Governors: Felix Camacho, Eddie B. Calvo, and Lourdes A. Leon Guerrero. A notable tribute to his unwavering service to the community.

I unequivocally support Mr. Smith's reconfirmation as Commissioner to the Civil Service Commission, and believe he will be effective and productive.

Un Dangkolo Na SI Yu'os Ma'ase!



Daniel D. Leon Guerrero
Executive Director
Civil Service Commission

cc: Luis R. Baza, Chairman, Civil Service Commission
Juan K. Calvo, Vice-Chairman, Civil Service Commission
John A. Smith

November 4, 2019

The Honorable Tina Muna Barnes
Speaker, 35th Guam Legislature
I Mina Trentai Sinko Na Lehislaturan Guahan
Guam Congress Building
163 Chalan Santo Papa
Hagatna, Guam 96932

RE: In Support of Reappointing and Confirming Mr. John A. Smith as a Civil Service Commission Board

Buenas yan Saludo! Madam Speaker, Senators and Members of the Committee of Public Accountability, Human Resources and the Guam Build Up.

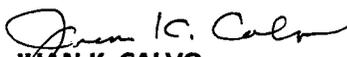
Our Governor, Lou Leon Guerrero and Lt. Governor, Josh Tenorio had reappointed John A. Smith as a Civil Service Commission Board for the third (3rd) term. I am in support of his reappointment and hoping that your Committee would consider and confirm his reappointment as Civil Service Commission ("CSC") for third (3rd) term.

As a former and retired Personnel Management Administrator with Civil Service Commission, I sat and attended on many hearings covering adverse actions, grievance appeals, post audit investigations, equal employment opportunity appeals, whistleblower appeals, classification and compensation appeal and other employment matters conducted by CSC Board. Commissioner John A. Smith was there exercising his civil duty to hear and adjudicate the case(s) based on merit system laws and rules and other applicable policies and procedures as required. There is one thing that caught my attention on Commissioner Smith: He was prepared, listened, opened and being faired with employees and management.

Commissioner Smith is no stranger to employment matters: He has over 30 plus years managing organizational staffing at all level inclusive of promoting and fulfilling business goals and objectives at Gibson, Cost-U-Less, Town House and Jones and Guerrero Company. He is an asset to the Commission in ensuring that our merit system laws and rules are protected and administered appropriately as required.

I therefore support the reappointment and confirmation of John A. Smith as Civil Service Commission Member for third (3rd) term.

Si Yu"us Ma"ase,


JUAN K. CALVO

Honorable Tina Muna Barnes
Speaker
Thirty-Fifth Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagatna, Guam 96910

November 4, 2019

Re: Reappointment of Mr. John Smith to serve as a member of the Civil Service Commission

Dear Madam Speaker, Senators and Members of the Committee on Public Accountability, Human Resources and the Guam Build Up:

It is with great pleasure that I submit this written testimony on behalf of Mr. John Smith in his reappointment to the Civil Service Commission Board. Again, I am very thankful that Governor Lou Leon Guerrero and Lt. Governor reappointed him for a 3rd term to the CSC Board.

As the Chairman of the Civil Service Commission, I have had the opportunity to work with Commissioner Smith. I believe him to be just and a compassionate individual. He impressed me with his commitment to his duties and responsibilities that he fulfills with the utmost enthusiasm in spite of the long and tedious hours required of being a CSC Commissioner. His past experience as a manager of Gibson Store; Cost-u-Less in Dededo; Town House Department store; and currently with Jones and Guerrero company has been a plus that Mr. Smith brings with him to the Civil Service Commission.

With Mr. Smith's personnel related experiences, he understands that there are times that there is a need to ensure discipline in the workplace, while ensuring that personnel matters are handled correctly. This is proven by his discussion on cases that he was present for. Mr. Smith is truly a fine representative of the community in his capacity as member of the Civil Service Commission.

Therefore I, as well as other Commissioners of CSC wholeheartedly endorse his reappointment. Thank you and Si Yu'os Ma'ase!



LUIS R. BAZA
Chairman
Civil Service Commission



Office of the Speaker
TINA ROSE MUÑA BARNES

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Committee on Public Accountability, Human Resources, and the Guam Buildup

COMMITTEE REPORT DIGEST

I. OVERVIEW

The Committee on Public Accountability, Human Resources, and the Guam Buildup convened a public hearing on Monday, November 4, 2019 beginning at 10:30AM in *I Liheslatura's* Public Hearing Room. Items on the Agenda was the consideration of the appointment of John A. Smith to serve as a Member of the Civil Service Commission and whose appointment history is as follows:

- Appointed by *I Maga'hågan Guåhan* on September 30, 2019 to serve a term length of six (6) years; April 22, 2019 to April 21, 2025.
- Appointment packet forwarded to *I Liheslatura* on October 11, 2019.
- Appointment packet forwarded to this committee for public consideration on October 15, 2019.

Public Notice Requirements

Public Hearing notices were disseminated via e-mail to all senators and all main media broadcasting outlets on Friday, October 25, 2019 (5-Day Notice), and again on Wednesday, October 30, 2019 (48-Hour Notice).

Senators Present

Senator Kelly G. Marsh (Taitano), Ph.D., Vice Chairperson

II. SUMMARY OF TESTIMONY & DISCUSSION

The public hearing was called to order at 10:35 am.

Senator Marsh (Taitano): Bueñas yan *Håfa Adai, Manana Si Yu'us, Saina Ma'ase'*. It's good to see so many of you early Monday morning so thank you very much for that. This hearing by the Committee on Public Accountability, Human Resources and the Guam Build-up is called to order, it is now 10:35.

For the record and in accordance with 5 GCA, Chapter 8 subsection 8 (1)(0)(7) Public Hearing notices were sent on Friday, October 25, 2019 adhering to the five day notice and a second public notice on Wednesday, October 30th, 2019, 48 hours prior.

In addition this hearing was noticed on the Legislature's website, www.guamlegislature.com. Written testimonies may be submitted by emailing Speaker@Guamlegislature.org or you may hand deliver it to our office at 163 Chalan Santo Papa, Hagatna, Guam. As you may have noticed I'm sitting in for the Speaker today. I am her vice-chair and so she asked me to preside.

And on the agenda ladies and gentlemen we have three appointments, the appointment of John A. Smith as a member of the Civil Service Commission to serve

And on the agenda ladies and gentlemen we have three appointments, the appointment of John A. Smith as a member of the Civil Service Commission to serve as term of six years. The appointment of Anthony P Benavente as a member of the Civil Service Commission to fill the expired term of Julie L. Quinata so that will be from October through September 2025 excuse me October of this year through September 2025. The appointment of David N. Sanford as a member of the Board of Trustees Government of Guam retirement fund being a private sector representative to serve a term of five years to fill the expired term of Gerard Cruz.

The conduct of this public hearing shall be as follows:

- Those testifying will be recognized in the order of the signup sheet.
- Written testimony may be read. In the interest of time, I ask testimony to be summarized to about five minutes if it ends up being long testimony written testimony shall be submitted to the committee. Please provide our legislative staff with your written testimony for photocopying.
- Testimony shall be confined to the substance of the bill.
- Persons will be allowed to present oral testimony only once. Once you are done you may be asked to remain in the room for questions or additional testimony as may be desired by the members of the panel. .
- Proper form and decorum shall be practiced by all present in the public hearing room for the proceedings. Individuals who do not comply may be escorted from the public hearing room.
- When you speak please make sure that the microphone is on and that you speak into the microphone.
- Please state your name for the record before you begin your testimony.

With that being said we will now move on to the confirmation hearing of John A. Smith. When I call your name please be seated and then when we begin please state your name for the record and begin your testimony

For those here of the names that I call that are testifying in support of Mr. Smith please come to the table if you are indeed testifying for Mr. Smith. Priscilla Tuncap, Juan K. Calvo, and Daniel Leon Guerrero, John A. Smith, Emelia Rice, Luis Baza and Rowland Fejerang.

So if any of you especially of course Mr. John Smith is going to be testifying for himself but if there are others here that will be testifying on his behalf please come to the table. *Gof Maolek*. So what we will do and it is largely in the order of the sign-up sheet is we will go through those that are here to support Mr. Smith and then we will hear from Mr. Smith last may I go ahead and have Mr. Leon Guerrero go ahead and introduce yourself and begin your testimony.

Daniel Leon Guerrero, Director, CSC: *Please see attached written testimony.*

Senator Marsh (Taitano): *Si Yu'os Ma'ase* for your testimony. And I was noticing as you were mentioning some of his many years of experience it was a little bit of a walk down memory lane I remember being at the Gibson department store the townhouse door etc. So now it's good to know who some of behind all it was of that now let's move on to Juan Calvo and then I'll have some questions at the end for certainly Mr. Smith and maybe a few others.

Juan K. Calvo, Vice Chairperson, CSC: *Please see attached written testimony.*

Senator Marsh (Taitano): Thank you very much for your testimony. It is really helpful to hear the statements that are being said especially by people who have sat and worked with him or have known him over the years. Words that are being used such as integrity having that experience and having seen that experience firsthand of being open and listening and being fair those are all really important things.

Mr. Luis Baza, Chairperson, CSC: Good Morning Speaker Taitano. Thank you very much for giving me the opportunity to testify. *Please see attached written testimony.*

Senator Marsh (Taitano): Thank you very much Mr. Baza and again hearing those qualities that you're putting forth wholeheartedly, supporting him on accepting reappointment has been professional impartial making decisions that are fact-based those are all incredibly important. Given now what can be coming through the Commission so those are very important to hear and as you mentioned in your in both your oral testimony and your letter that he has the ability to remain enthusiastic and committed to the work even though there are long tedious hours and work that is part of what commission does so again those are really important qualities to be hearing about and to be hearing especially from people that have known him over the years so we'll move on to hearing from Mr. Smith himself.

John A. Smith: *Please see attached written testimony.*

Senator Marsh (Taitano): It's important to hear that people are interested in giving back. Really a government only works if the community is part and parcel of the work that the government does and so we very much appreciate all of the commission members and board members Task Force members that are out there that devote these hours that they could be doing other things but they're committed to the community and they're committed to giving back and we really appreciate that there are many members of our community who are willing to do that and so in lieu of retiring or shying away we thank you for accepting the nomination for being considered here.

So I do have a few questions and it's good that you've served in the past so these might be then questions that you've thought about when you're approaching your duties well I guess we've already heard that you remain impartial and a jockey is there

any purchase particular part of your experience perhaps that that helps you in remaining impartial have you ever had to recuse yourself from a situation.

John A. Smith: I can't remember when I've had to recuse myself. I'm sure there's probably a time but if its I know the person very well and they've been a friend for a long time I would recuse myself because then somebody else might think I'm favoring that person or that I can't really recall where it's happened to me in the past right now.

Senator Marsh (Taitano): Thank you for your answer and it's also important to know that I mean if people understand that part of the process that from time to time it is important to recuse ourselves given the situation.

Another point that I wanted to bring up is we've heard over the many months that a lot of boards and commissions have had trouble reaching quorum and being able to continue and so for that you've been able to have been there from two previous terms shows us, and people are wanting you to come back, shows us that you're very committed and that's important to us because the Civil Service Commission handles a lot of the really important aspects of our government and people that are committed to it and show up, and I'm there with you on being late sometimes, but you show up ensures that the work can continue that's very important for us to hear.

The other question that I have is and maybe it's one that the Commission has tackled from time to time a lesser-known duty of the Commission includes the power to investigate conditions of government employee excuse me employment as it deems necessary and report its findings and recommendations to the governor and to the legislature are there any conditions of government employment that in the past you have been part of fulfilling needed to be addressed as a policy change or are there any that you think might be worth looking at in the future so perhaps they aren't but I thought I'd throw it out there to see if there were any issues that you've heard of or thought about.

John A. Smith: Try to stay away from politics honestly as much as possible when I anytime we have a hearing or when things come up I try to I would relate how would I do it if I'm in the you know my being in the private sector primarily how would that you know how would I translate to the to the public side you know would I do that make the same decision I always try to be as consistent as possible and but I can't think of anything other than that well.

Senator Marsh (Taitano): It's good to hear that you're looking for things like consistency you know as a government we are rather large at least for the island and so we want to make sure that we're employee excuse me we're protecting everybody's rights and that we're being consistent and consistently applying them so we appreciate that the Commission does have this ability and if they do see policy changes that they need to recommend that they will perhaps be deliberating.

Mr. Luis Baza, Chairperson, CSC: If I can make a comment. Yes actually we have already made our sample so the second director and our legal counsel doing something with respect to our opposed audit actions because you know we have some laws that directs us to get some of these cases done in 180 days and then when we do an investigation and then it goes beyond that you know we may be barred by it so we need to get clarification we need to put a little bit or more teeth in our law because the Department let's say you example for example somebody violates the merit system and we find that there is a violation of the merit system they don't have to comply with it why because there's a there's a law that says you only have a certain time to get action done so the executive director and our legal counsel and with our vice-chairman here you know we're trying to. They're working on the honor revamping the policy the rule the law so that it's crystal clear that when action is being taken when we find that when our staff does an investigation and define that there's a violation of a mirror system true violation it's not frivolous it's clear and convincing then actions should be taken I think that that's why we're there Civil Service Commission is there to hear cases like whistleblowing cases like impose on an investigation people that violate by either hiring somebody on equal a discriminatory nature things like that so I think I think we just needed to put a little bit more clarification in the law and thank you for asking that question because we are actually in the process of that presentation our Secretary has been working tediously with the legal counsel to get that done thank you very much.

Senator Marsh (Taitano): That's very good to hear as I said you know it is incumbent upon us as a government to be making sure that we are being consistent that we are applying things fairly and if there are ways that we can be making the law clearer providing something that helps the Commission by strengthening the law or doing other revisions to it's important to hear those so it's good to hear that you've been working towards this presentation and I'm sure between the speaker and myself we'll continue working with you to see if we can do exactly that I get something written so that we can be adding that clarification and strengthening that you're seeking so thank you for bringing those points up so with that I if there's nobody else here to testify for Mr. Smith I will go ahead and let this panel go and then we will move on to the next of the appointees so what we'll do right now is it's 11 o'clock we'll go ahead and recess just for a minute so that this panel may be excused and then we can gather people together for the next appointment...

Public Hearing was adjourned 11:47 AM.

III. FINDING & RECOMMENDATIONS

The Committee on Public Accountability, Human Resources, and the Guam Buildup hereby reports out the nomination of Mr. John A. Smith to serve as a Member of the Civil Service Commission with the recommendation

TO CONFIRM



Office of the Speaker

TINA ROSE MUÑA BARNES

I Mina'trentai Singko Na Liheslaturan Guåhan

Committee on Public Accountability, Human Resources, and the Guam Buildup

COMMITTEE VOTING SHEET

Nomination of John A. Smith to serve as Member of the Civil Service Commission to serve for a term length of Six Years; April 22, 2019 to April 21, 2025

	SIGNATURE	TO DO CONFIRM	TO NOT CONFIRM	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
TINA ROSE MUÑA BARNES Speaker Chairperson		✓				
KELLY G. MARSH (TAITANO), PH.D. Vice Chairperson		✓ 11/06/19				
TELENA CRUZ NELSON Vice Speaker Member						
AMANDA L. SHELTON Legislative Secretary Member		✓ 11/01/19				
RÉGINE BISCOE LEE Member						
JOE S. SAN AGUSTIN Member		✓ 11/06/19				
THERESE M. TERLAJE Member						
CLYNTON E. RIDGELL Member				✓ 11/06/19		
JOSE T. TERLAJE Member						
SABINA FLORES PEREZ Member				✓ 11/6/19		
WILLIAM M CASTRO Member		✓ 11/6/19		✓ 11/06/19		
LOUISE B. MUÑA Member		✓ 11/6/19				
TELO TAITAGUE Member		✓ 11/6/19				
JAMES C. MOYLAN Member				✓ 11/06/19		
MARY CAMACHO TORRES Member				✓ 11/06/19		