EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

JUN 1 2 2015

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Tres Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

2015 JUN 15 AM 1:03

Dear Madame Speaker:

Transmitted herewith is Bill No. 50-33 (COR) **"AN ACT TO *AMEND* § 8121(a) OF ARTICLE 1, CHAPTER 8 OF TITLE 4, GUAM CODE ANOTATED, RELATIVE TO THE ANNUITY PAYMENTS OF CERTIFIED, REGISTERED OR LICENSED HEALTH CARE PROFESSIONAL, OR ANCILLARY SERVICE PERSONNEL EMPLOYED BY THE JUDICIARY OF GUAM"** which I signed into law on June 10, 2015, as **Public Law 33-36.**

Senseramente,

EDDIE BAZA CALVO

33-15-0524
Office of the Speaker
Judith T. Won Pat, Ed.D

Date: 06-15-15
Time: 11:10 AM
Received By:

0524

P.O. Box 2950 • Hagatna, Guam 96932
Tel: (671) 472-8931 • Fax: (671) 477-4826 • governor.guam.gov • calendar.guam.gov
Eddie Baza Calvo @eddiebazacalvo @governorcalvo governorofguam

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2015 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LAHEN GUÅHAN*

This is to certify that **Bill No. 50-33 (COR), "AN ACT TO *AMEND* § 8121(a) OF ARTICLE 1, CHAPTER 8 OF TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO THE ANNUITY PAYMENTS OF CERTIFIED, REGISTERED OR LICENSED HEALTH CARE PROFESSIONAL, OR ANCILLARY SERVICE PERSONNEL EMPLOYED BY THE JUDICIARY OF GUAM,"** was on the 29th day of May 2015, duly and regularly passed.

Judith T. Won Pat, Ed.D.
Speaker

Attested:

Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 1st day of June, 2015, at 5:20 o'clock P.M.

Assistant Staff Officer
Maga'lahi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'lahen Guåhan

Date: JUN 10 2015

Public Law No. 33-36

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2015 (FIRST) Regular Session

Bill No. 50-33 (COR)
As amended by the Committee on Appropriations
and Adjudication; and further amended on the Floor.

Introduced by:

R. J. Respicio
FRANK B. AGUON, Jr.
T. C. Ada
V. Anthony Ada
Frank F. Blas, Jr.
B. J.F. Cruz
James V. Espaldon
Brant T. McCreadie
Tommy Morrison
T. R. Muña Barnes
Dennis G. Rodriguez, Jr.
Michael F.Q. San Nicolas
Mary Camacho Torres
N. B. Underwood, Ph.D.
Judith T. Won Pat, Ed.D.

AN ACT TO *AMEND* § 8121(a) OF ARTICLE 1, CHAPTER 8 OF TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO THE ANNUITY PAYMENTS OF CERTIFIED, REGISTERED OR LICENSED HEALTH CARE PROFESSIONAL, OR ANCILLARY SERVICE PERSONNEL EMPLOYED BY THE JUDICIARY OF GUAM.

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

2 **Section 1. Legislative Intent.** The Judiciary of Guam Client Services and
3 Family Counseling Division provides a variety of direct therapeutic, psychological,
4 evaluative, consultative, and educational services to the court, its clientele, and the

community. These services include forensic and psychological evaluations; individual, couples/conciliation, and family counseling; group counseling; and in-house consultation and counseling. To address the continued availability of these services, it is the intent of *I Liheslaturan Guåhan* to provide the Judiciary of Guam with the same exemption to the provisions of 4 GCA §8121 that allow certified, registered, or licensed health care professionals, or ancillary service personnel, employed by the Guam Memorial Hospital Authority, the Guam Behavioral Health and Wellness Center, and the Department of Public Health and Social Services, to receive annuity payments if they are employed by the courts for any period of time.

This provision will allow the Judiciary of Guam to introduce evidenced based practices to improve probation services, update and improve the effectiveness of the Alternative Sentencing Office and its programs, adopt and implement risk and needs assessment tools to develop case management plans, and improve the responsiveness of referral services for behavioral health, substance abuse and developmental disabilities.

Section 2. Subsection (a) of § 8121 of Article 1, Chapter 8 of Title 4, Guam Code Annotated, is hereby *amended* to read as follows:

"**§ 8121. Same. Suspension of Annuity Payment.**

(a) A retired member who subsequently becomes an employee eligible for membership under § 8106 of this Title prior to January 1, 1999, *shall*, upon becoming so employed, have that member's right to receive payment of that member's annuity suspended for the duration of that member's employment, but all other rights pertaining to that member's annuity provided by this Article, including automatic increases therein, *shall* be retained by that member. The provisions of this Section *shall not* be applicable to any retired Judge or Justice designated and assigned by the Chief Justice to perform judicial duties in the courts of Guam as provided for

in § 6115 of Title 7 GCA, or any person employed by the Department of Education in Guam schools, as a substitute teacher or as a Certified Augmentation Teaching Service (CATS) employee as that term is defined by Title 17 GCA § 3127(b). Such employment *shall* be subject to the provisions of Subsection (d) of this Section.

The provisions of this Section *shall not* be applicable to any certified, registered or licensed health care professional, or ancillary service personnel, employed by the Guam Memorial Hospital Authority, the Guam Behavioral Health and Wellness Center, the Department of Public Health and Social Services, and the Judiciary of Guam; academic faculty positions at the University of Guam and the Guam Community College; a limited term police officer employed by the Guam Police Department, to include Police Officers I, II, III and Sergeant I & II, performing duties such as patrol officers, narcotic officers, criminal investigators and school resource officers; or limited term school bus drivers or automotive mechanics employed by the Department of Public Works; provided, that such person(s) occupies such positions for which *no* other qualified/certified applicants was available, and that such employment *shall* be on a fiscal year basis; subject to the provisions of Subsection (d) of this Section.

The provisions of this Section *shall not* be applicable to employee(s) of the Office of the Governor, employee(s) of the Office of the Lieutenant Governor, unclassified employee(s) appointed by the Governor of Guam, and heads of autonomous agencies appointed by a governing board. An employee of the Governor or Lieutenant Governor's office or unclassified employee appointed by the Governor of Guam and heads of autonomous agencies appointed by a governing board who has previously retired *shall* become a member of the Defined Contribution Retirement System."