

I Mina'Trentai Tres Na Liheslaturan Received
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
27-33 (COR) FAILED TO PASS ON 03/20/15	FRANK B. AGUON, JR.	AN ACT TO AUTHORIZE THE PAYMENT OF MERIT BONUSES TO PUBLIC EMPLOYEES WITH SUPERIOR RATINGS WHO WERE NOT COMPENSATED FOR MERITORIOUS PERFORMANCE IN ACCORDANCE WITH THE PROVISIONS CONTAINED IN § 6203 OF ARTICLE 2, CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED; TO REQUIRE I MAGA'LAHEN GUÅHAN TO IDENTIFY FUNDING FOR THE MERIT BONUSES PURSUANT TO PUBLIC LAW 32-181; TO REQUIRE THE DIRECTOR OF ADMINISTRATION TO REPORT TO I MAGA'LAHEN GUÅHAN AND I LIHESLATURAN GUÅHAN ON COMPLIANCE WITH THIS ACT; AND TO REQUIRE THE DIRECTOR OF ADMINISTRATION TO OTHERWISE IDENTIFY AN ALTERNATIVE COURSE OF ACTION FOR THE IMPLEMENTATION OF THIS ACT.	01/21/15 12:09 p.m.	01/22/15	Committee on Finance & Taxation, General Governmental, Operations and Youth Development	03/12/15 2:00 p.m.	AS SUBSTITUTED 05/17/15	Fiscal Note 02/05/15 Fiscal Note Request 01/22/15

LEGISLATIVE SESSION VOTING RECORD

I MINA 'TRENTAI TRES NA LIHESLATURAN

2015 (FIRST) Regular Session

Bill No. 27-33 (COR)

As substituted by the Committee on Finance & Taxation,
General Government Operations, and Youth Development.

Speaker Antonio R. Unipingo Legislative Session Hall

March 20, 2014

NAME	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Senator Thomas "Tom" ADA		√				
Senator V. Anthony "Tony" ADA		√				
Senator Frank B. AGUON, Jr.	√					
Senator Frank F. BLAS, Jr.		√				
Vice-Speaker Benjamin J.F. CRUZ		√				
Senator James V. ESPALDON		√				
Senator Brant T. McCREADIE	√					
Senator Thomas "Tommy" MORRISON	√					
Senator Tina Rose MUÑA BARNES					√	√
Senator Rory J. RESPICIO	√					
Senator Dennis G. RODRIGUEZ, Jr.	√					
Senator Michael F.Q. SAN NICOLAS		√				
Senator Mary Camacho TORRES		√				
Senator Nerissa B. UNDERWOOD, Ph.D.		√				
Speaker Judith T. WON PAT, Ed.D.		√				

TOTAL

5

Yea

9

Nay

0

Not Voting/
Abstained

0

Out During
Roll Call

1

Absent

1

Excused

CERTIFIED TRUE AND CORRECT:

I = Pass

Clerk of the Legislature

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

Bill No. 27-33 (COR)

As substituted by the Committee on Finance & Taxation,
General Government Operations, and Youth Development.

*

Introduced by:

FRANK B. AGUON, JR.

AN ACT TO AUTHORIZE THE PAYMENT OF MERIT BONUSES TO PUBLIC EMPLOYEES WITH SUPERIOR RATINGS WHO WERE NOT COMPENSATED FOR MERITORIOUS PERFORMANCE IN ACCORDANCE WITH THE PROVISIONS CONTAINED IN § 6203 OF ARTICLE 2, CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED; TO REQUIRE *I MAGA'LAHEN GUÅHAN* TO IDENTIFY FUNDING FOR THE MERIT BONUSES PURSUANT TO PUBLIC LAW 32-181; TO REQUIRE THE DIRECTOR OF ADMINISTRATION TO REPORT TO *I MAGA'LAHEN GUÅHAN* AND *I LIHESLATURAN GUÅHAN* ON COMPLIANCE WITH THIS ACT; AND TO REQUIRE THE DIRECTOR OF ADMINISTRATION TO OTHERWISE IDENTIFY AN ALTERNATIVE COURSE OF ACTION FOR THE IMPLEMENTATION OF THIS ACT.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that over the past two (2) years, *I Maga'lahen Guåhan* had compensated merit
4 bonuses to public employees in line agencies dating back to October 1, 1991,
5 pursuant to § 6203 of Article 2, Chapter 6, Title 4, Guam Code Annotated. Upon
6 the payment of these merit bonuses, it was brought to the attention of *I*

1 *Liheslaturan Guåhan* that such payments were restricted by Public Law No. 26-35,
2 Chapter IV, Section 4(a), due to the implementation of cost containment measures.
3 *I Liheslaturan Guåhan* further finds that it is estimated that over one thousand two
4 hundred (1200) outstanding public employees may have been directly affected by
5 the legal restriction outlined in Public Law No. 26-35.

6 Therefore, it is the intent of *I Liheslaturan Guåhan* to authorize *I*
7 *Maga'lahren Guåhan* to make such merit bonus payments to the public employees
8 who received superior performance evaluations, and who may have been directly
9 affected by the legal restriction outlined in Public Law No. 26-35.

10 **Section 2. Authorization for Payment of Meritorious Bonuses to Public**
11 **Employees with Superior Performance Ratings.**

12 Notwithstanding any other provision of law, the compensation of public
13 employees for meritorious ratings is hereby authorized, in accordance with § 6203
14 of Article 2, Chapter 6 of Title 4, Guam Code Annotated.

15 **Section 3. Identification of Funding Source.** *I Maga'lahren Guåhan*
16 *shall* utilize his transfer authority, as provided for in Section 9, Chapter XIII, of
17 Public Law No. 32-181, to effectuate the authorization contained in Section 2 of
18 this Act.

19 **Section 4. Reporting Requirement.** The Director of the Department of
20 Administration *shall* report to *I Maga'lahren Guåhan* and the Speaker of *I*
21 *Liheslaturan Guåhan* no later than ten (10) days following the initial
22 implementation of any payments authorized in Section 2 of this Act, and every
23 thirty (30) days thereafter, until such time as full compliance with Section 2 of this
24 Act is accomplished. Such report *shall* include the identification of the funding
25 source or sources, and the date of remittance of such payments.

26 **Section 5. Effective Date.** This Act *shall* take effect on October 1, 2015.

1 **Section 6. Severability Clause.** If any provision of this law or its
2 application to any person or circumstance is found to be invalid, or contrary to law,
3 such invalidity shall not affect other provisions or applications of this law which
4 can be given effect without the invalid provision or application, and to this end the
5 provisions of this act are severable.

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

Bill No. 27-33 (COR)

As substituted by the Committee on Finance & Taxation,
General Government Operations, and Youth Development.

Introduced by:

FRANK B. AGUON, JR.

AN ACT TO AUTHORIZE THE PAYMENT OF MERIT BONUSES TO PUBLIC EMPLOYEES WITH SUPERIOR RATINGS WHO WERE NOT COMPENSATED FOR MERITORIOUS PERFORMANCE IN ACCORDANCE WITH THE PROVISIONS CONTAINED IN § 6203 OF ARTICLE 2, CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED; TO REQUIRE *I MAGA'LAHEN GUÅHAN* TO IDENTIFY FUNDING FOR THE MERIT BONUSES PURSUANT TO PUBLIC LAW 32-181; TO REQUIRE THE DIRECTOR OF ADMINISTRATION TO REPORT TO *I MAGA'LAHEN GUÅHAN* AND *I LIHESLATURAN GUÅHAN* ON COMPLIANCE WITH THIS ACT; AND TO REQUIRE THE DIRECTOR OF ADMINISTRATION TO OTHERWISE IDENTIFY AN ALTERNATIVE COURSE OF ACTION FOR THE IMPLEMENTATION OF THIS ACT.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds

that over the past two (2) years, *I Maga'lahaen Guåhan* had compensated merit bonuses to public employees in line agencies dating back to October 1, 1991, pursuant to § 6203 of Article 2, Chapter 6, Title 4, Guam Code Annotated. Upon the payment of these merit bonuses, it was brought to the attention of *I Liheslaturan Guåhan* that such payments were restricted by Public Law No. 26-35,

1 Chapter IV, Section 4(a), due to the implementation of cost containment measures.
2 *I Liheslaturan Guåhan* further finds that it is estimated that over one thousand two
3 hundred (1200) outstanding public employees may have been directly affected by
4 the legal restriction outlined in Public Law No. 26-35.

5 Therefore, it is the intent of *I Liheslaturan Guåhan* to authorize *I*
6 *Maga'lahaen Guåhan* to make such merit bonus payments to the public employees
7 who received superior performance evaluations, and who may have been directly
8 affected by the legal restriction outlined in Public Law No. 26-35.

9 **Section 2. Authorization for Payment of Meritorious Bonuses to Public**
10 **Employees with Superior Performance Ratings.**

11 Notwithstanding any other provision of law, the compensation of public
12 employees for meritorious ratings is hereby authorized, in accordance with § 6203
13 of Article 2, Chapter 6 of Title 4, Guam Code Annotated.

14 **Section 3. Identification of Funding Source.** *I Maga'lahaen Guåhan*
15 *shall* utilize his transfer authority, as provided for in Section 9, Chapter XIII, of
16 Public Law No. 32-181, in identifying the funds necessary to effectuate the
17 authorization contained in Section 2 of this Act.

18 **Section 4. Reporting Requirement.** The Director of the Department of
19 Administration *shall* report to *I Maga'lahaen Guåhan* and the Speaker of *I*
20 *Liheslaturan Guåhan* no later than ten (10) days following the initial
21 implementation of any payments authorized in Section 2 of this Act, and every
22 thirty (30) days thereafter, until such time as full compliance with Section 2 of this
23 Act is accomplished. Such report *shall* include the identification of the funding
24 source or sources, and the date of remittance of such payments.

25 **Section 5. Effective Date.** This Act *shall* take effect on October 1, 2015.

Deleted: st

26 **Section 6. Severability Clause.** If any provision of this law or its
27 application to any person or circumstance is found to be invalid, or contrary to law,

1 such invalidity shall not affect other provisions or applications of this law which
2 can be given effect without the invalid provision or application, and to this end the
3 provisions of this act are severable.



COMMITTEE ON RULES

I Mina'trentai Tres na Liheslaturan Guåhan • The 33rd Guam Legislature

155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com

E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Speaker
Judith T.P. Won Pat, Ed.D.
Member

Vice-Speaker
Benjamin J.F. Cruz
Member

Legislative Secretary
Tina Rose Muna Barnes
Member

Senator
Dennis G. Rodriguez, Jr.
Member

Senator
Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

Senator
Nerissa Bretania Underwood
Member

V. Anthony Ada
MINORITY LEADER

Mary C. Torres
MINORITY MEMBER

February 5, 2015

Memorandum

To: **Rennae Meno**
Clerk of the Legislature

From: **Senator Rory J. Respicio**
Majority Leader & Rules Chair

Subject: **Fiscal Notes and Waiver:**

Hafa Adai!

Attached please find the fiscal notes and waiver for the bill numbers listed below. Please note that the fiscal notes and waiver of fiscal note are issued on the bills as introduced.

FISCAL NOTES:

Bill No. 27-33(COR)

Bill No. 29-33(COR)

WAIVER:

Bill No. 28-33(COR)

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

Si Yu'os ma'åse'!

2015 FEB -5 PM 3:06



**Bureau of Budget & Management Research
Fiscal Note of Bill No. 27-33 (COR)**

AN ACT RELATIVE TO RECOGNIZING THAT PUBLIC EMPLOYEES WITH SUPERIOR RATING IN FISCAL YEAR 2002 WERE NOT COMPENSATED FOR MERITORIOUS PERFORMANCE IN ACCORDANCE WITH THE PROVISIONS CONTAINED IN §6203, TITLE 4, GUAM CODE ANNOTATED; AUTHORIZING THE APPLICATION OF THE MERIT BONUS PROGRAM FOR FISCAL YEAR 2002; AND PROVIDING FOR SUCH PAYMENT.

Department/Agency Appropriation Information	
Dept./Agency Affected: Government-Wide	Dept./Agency Head: Eddie Calvo, Governor of Guam
Department's General Fund (GF) appropriation(s) to date:	-
Department's Other Fund (Specify) appropriation(s) to date:	-
Total Department/Agency Appropriation(s) to date:	\$0

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2014 Unreserved Fund Balance		\$0	\$0
FY 2015 Adopted Revenues	\$648,044,542	\$0	\$648,044,542
FY 2015 Appro. (P.L. 32-181 thru 32-233)	(\$648,044,811)	\$0	(\$648,044,811)
Sub-total:	(\$269)	\$0	(\$269)
Less appropriation in Bill	\$0	\$0	\$0
Total:	(\$269)	\$0	(\$269)

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2015 (if applicable)	FY 2016	FY 2017	FY 2018	FY 2019
General Fund	1/	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	1/	\$0	\$0	\$0	\$0	\$0
Total	1/	\$0	\$0	\$0	\$0	\$0

- Does the bill contain "revenue generating" provisions? // Yes /X/ No
If Yes, see attachment
- Is amount appropriated adequate to fund the intent of the appropriation? /X/ N/A // Yes // No
If no, what is the additional amount required? \$ _____ // N/A
- Does the Bill establish a new program/agency? // Yes /X/ No
If yes, will the program duplicate existing programs/agencies? // Yes // No
Is there a federal mandate to establish the program/agency? // Yes // No
- Will the enactment of this Bill require new physical facilities? // Yes /X/ No
- Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: /X/ Yes // No
// Requested agency comments not received by due date // Other:

Analyst:  Jean Manglona, BMA II	Date: <u>2/5/15</u>	Director:  Anthony C. Blaz, Director	Date: FEB 05 2015
---	---------------------	---	--------------------------

Footnotes:
1/ See attached comments.

Comments on Bill No. 27-33 (COR)

This intent of the proposed legislation is to recognize public employees with superior rating in Fiscal Year 2002 not compensated for meritorious performance in accordance with the provisions contained in § 6203, Title 4, GCA; authorizing the application of the merit bonus program for Fiscal Year 2002 and providing for such payment. The legislation will authorize *I Maga'lahaen Guahan* to make merit bonus payments to those public employees by utilizing his transfer authority as provided in Section 9, Chapter XIII of P.L. 32-181.

Based on information obtained from the Department of Administration's Human Resources Division, the total count of employees affected is 409, estimated impact of FY2002 merit bonuses is approximately \$508,385. However, this amount does not factor in salary increments that were frozen in FY1996 and FY2002. Had increments been factored into such merit bonus payments for affected employees, overall cost would exceed \$508K.



COMMITTEE ON RULES

I Mina'trentai Tres na Liheslaturan Guåhan • The 33rd Guam Legislature

155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com

E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Speaker
Judith T.P. Won Pat, Ed.D.
Member

Vice-Speaker
Benjamin J.F. Cruz
Member

Legislative Secretary
Tina Rose Muna Barnes
Member

Senator
Dennis G. Rodriguez, Jr.
Member

Senator
Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

Senator
Nerissa Bretania Underwood
Member

V. Anthony Ada
MINORITY LEADER

Mary C. Torres
MINORITY MEMBER

January 22, 2015

VIA E-MAIL

anthony.blaz@bbmr.guam.gov

Anthony C. Blaz
Director
Bureau of Budget & Management Research
P.O. Box 2950
Hagåtña, Guam 96910

RE: Request for Fiscal Notes– Bill Nos. 21-33(COR) through 28-33(COR)

Hafa Adai Mr. Blaz:

Transmitted herewith is a listing of *I Mina'trentai Tres na Liheslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

Si Yu'os ma'åse' for your attention to this matter.

Very Truly Yours,

Senator Rory J. Respicio
Chairperson of the Committee on Rules

Attachment (1)

Cc: Clerk of the Legislature

Bill Nos.	Sponsor	Title
21-33 (COR)	Brant T. McCreadie	AN ACT TO AMEND § 5106 (a) OF CHAPTER 5, TITLE 19 GUAM CODE ANNOTATED RELATIVE TO PROVIDING DISCRETION TO THE OFFICE OF THE ATTORNEY GENERAL WITH REGARDS TO THE AUTOMATIC CERTIFICATION OF MINORS AS ADULTS FOR CERTAIN CRIMES, WHICH MAY BE CITED AS THE “JUVENILE JUSTICE REFORM ACT OF 2015”.
22-33 (COR)	B. J.F. Cruz	AN ACT TO AUTHORIZE THE TRANSFER OF THE SUM OF FIVE HUNDRED THOUSAND DOLLARS (\$500,000) FROM FISCAL YEAR 2015 APPROPRIATIONS TO COMPLY WITH THE UNITED STATES DISTRICT COURT OF GUAM ORDER DATED JANUARY 16, 2015 IN CIVIL CASE NO. 91-00020.
23-33 (COR)	M.C. Torres	AN ACT TO AMEND SUBSECTION § 3102(a) OF CHAPTER 3, TITLE 3, GUAM CODE ANNOTATED, AND TO DELETE SUBSECTION § 3102(b) OF CHAPTER 3, TITLE 3, GUAM CODE ANNOTATED, AND TO ADD NEW SUBSECTION § 3102.1 TO CHAPTER 3, TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO MODERNIZING AND STREAMLINING GUAM’S VOTER REGISTRATION REQUIREMENTS AND PROCESSES
24-33 (COR)	M.C. Torres	AN ACT TO ADD NEW SUBSECTION § 3102(c) TO CHAPTER 3, TITLE 3, GUAM CODE ANNOTATED, AND TO AMEND § 3122 OF CHAPTER 3, TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO VOTER PRE-REGISTRATION OF PERSONS AT LEAST SIXTEEN (16) YEARS OF AGE
25-33 (COR)	M.C. Torres	AN ACT TO ADD NEW SUBSECTION § 3101.3 TO CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO ENABLING REGISTRATION OF VOTERS INCIDENT TO MOTOR VEHICLE REGISTRATION
26-33 (COR)	T.R. Muña Barnes	AN ACT TO ADD A NEW § 10315 TO CHAPTER 10, TITLE 5 OF THE GUAM CODE ANNOTATED; RELATIVE TO THE ONLINE AND PUBLIC DISCLOSURE OF MEDICAL LICENCES ISSUED BY THE GUAM BOARD OF MEDICAL EXAMINERS.
27-33 (COR)	FRANK B. AGUON, JR.	AN ACT RELATIVE TO RECOGNIZING THAT PUBLIC EMPLOYEES WITH SUPERIOR RATINGS IN FISCAL YEAR 2002 WERE NOT COMPENSATED FOR MERITORIOUS PERFORMANCE IN ACCORDANCE WITH THE PROVISIONS CONTAINED IN §6203, TITLE 4, GUAM CODE ANNOTATED; AUTHORIZING THE APPLICATION OF THE MERIT BONUS PROGRAM FOR FISCAL YEAR 2002; AND PROVIDING FOR SUCH PAYMENTS.
28-33 (COR)	FRANK B. AGUON, JR.	AN ACT RELATIVE TO REMOVING THE TIME RESTRICTION FOR THE GUAM POLICE DEPARTMENT HEADQUARTERS, ADMINISTRATIVE AND OTHER AGENCY SECTIONS FROM OCCUPYING GOVERNMENT-OWNED FACILITIES AT TIYAN, GUAM; THROUGH AMENDING SECTION 2 OF PUBLIC LAW NO. 26-100.



COMMITTEE ON RULES

I Mina'trentai Tres na Liheslaturan Guåhan • The 33rd Guam Legislature

155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com

E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Speaker
Judith T.P. Won Pat, Ed.D.
Member

Vice-Speaker
Benjamin J.F. Cruz
Member

Legislative Secretary
Tina Rose Muna Barnes
Member

Senator
Dennis G. Rodriguez, Jr.
Member

Senator
Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

Senator
Nerissa Bretania Underwood
Member

V. Anthony Ada
MINORITY LEADER

Mary C. Torres
MINORITY MEMBER

January 22, 2015

MEMORANDUM

To: **Rennae Meno**
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: **Senator Rory J. Respicio** 
Chairperson, Committee on Rules

Subject: Referral of Bill No. 27-33(COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 27-33(COR)**.

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Tres na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

Si Yu'os Ma'åse!

Attachment

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2015 (FIRST) REGULAR SESSION

Bill No. 27²-33(COR).

Introduced by:

FRANK B. AGUON, JR. 

AN ACT RELATIVE TO RECOGNIZING THAT PUBLIC
EMPLOYEES WITH SUPERIOR RATINGS IN FISCAL
YEAR 2002 WERE NOT COMPENSATED FOR
MERITORIOUS PERFORMANCE IN ACCORDANCE
WITH THE PROVISIONS CONTAINED IN §6203, TITLE
4, GUAM CODE ANNOTATED; AUTHORIZING THE
APPLICATION OF THE MERIT BONUS PROGRAM
FOR FISCAL YEAR 2002; AND PROVIDING FOR
SUCH PAYMENTS,

2015 JAN 21 PM 12:09
↙

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guahan* finds
3 that *I Maga'lahren Guahan* over the past two years had compensated meritorious
4 bonuses to public employees in line agencies dating back to October 1, 1991,
5 pursuant to §6203, Title 4, Guam Code Annotated. Upon the payment of these
6 merit bonuses, it was brought to the attention of *I Liheslaturan Guahan* that such
7 payments were restricted in fiscal year 2002 by Public Law No. 26-35, Chapter IV,
8 Section 4(a), due to the implementation of cost containment measures. *I*
9 *Liheslaturan Guahan* further finds that it is estimated that over 1200 outstanding
10 public employees may have been directly affected by the legal restriction outlined
11 above.

12 Therefore, it is the intent of *I Liheslaturan Guahan* to authorize *I*
13 *Maga'lahren Guahan* to make such merit bonus payments to the public employees
14 who received superior performance evaluations in fiscal year 2002.

1 **Section 2. Authorization for Payment of Meritorious Bonuses to Public**
2 **Employees with Superior Performance Ratings in Fiscal Year 2002.**

3 Notwithstanding any other provision of law, the compensation of public
4 employees for meritorious ratings in accordance with §6203 of Title 4, Guam Code
5 Annotated, for fiscal year 2002, is hereby authorized.

6 **Section 3. Identification of Funding Source.** *I Maga'lahaen Guahan* in
7 carrying out the provision contained in Section 2 of this Act shall utilize his
8 transfer authority as provided for in Section 9, Chapter VIII, of Public Law No. 32-
9 181, in identifying funds necessary to effectuate the authorization contained in the
10 previous section of this Act.

11 **Section 4. Reporting Requirement.** The Director of the Department of
12 Administration shall report to *I Maga'lahaen Guahan* and the Speaker of *I*
13 *Liheslaturan Guahan* no later than Ten (10) days following the initial
14 implementation of any payments authorized in Section 2 above, and every Thirty
15 (30) days thereafter, until such time full compliance with Section 2 of this Act is
16 accomplished. Such report shall include the identification of the funding source or
17 sources, and the date of remittance of such payments.

18 **Section 5. Alternative Course of Action for the Implementation of**
19 **Section 2 of this Act.** Should *I Maga'lahaen Guahan* be unable to identify a
20 funding source and implement the provision contained in Section 2 of this Act by
21 July 1, 2015, he shall present to the Speaker and the Chairman of the Committee
22 on Appropriations and Adjudication of *I Mina Trentai Tres Na Liheslaturan*
23 *Guahan* a written plan highlighting a course of action and/or recommendation for
24 addressing the intent of this Act. Such plan shall be presented no later than the
25 date highlighted within this Section.

26 **Section 6. Effective Date.** The provisions contained within this Act shall
27 be effective upon enactment.

1 **Section 7. Severability Clause.** If any provision of this Law or its
2 application to any person or circumstance is found to be invalid, or contrary to law,
3 such invalidity *shall not* affect other provisions or applications of this Law which
4 can be given effect without the invalid provision or application, and to this end the
5 provisions of this Act are severable.