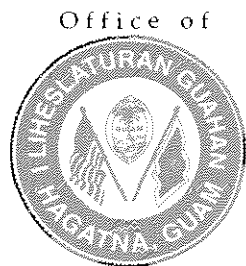


*I Mina'Trentai Dos Na Liheslaturan Received*  
**Bill Log Sheet**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
<b>307-32 (COR)</b>	FRANK B. AGUON, JR	AN ACT TO AMEND SECTION 5102(d) OF TITLE 7 OF THE GUAM CODE ANNOTATED RELATIVE TO THE POWER OF THE JUDICIAL COUNCIL TO ADOPT PAY SCHEDULES AND PLANS AND TO APPROPRIATE FUNDS FOR SALARY AND BENEFIT INCREASES FOR NON-LAW ENFORCEMENT EMPLOYEES OF THE JUDICIARY.	4/7/14 11:36 a.m	04/07/14	Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land	5/29/14 3 p.m.	06/11/14 10:12 a.m.	<b>Fiscal Note Request 04/08/14</b>  <b>Fiscal Note Received 6/5/14 11:18 a.m.</b>



the People

# I Mina'trentai Dos na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

**JUN 11 2014**

**The Honorable Judith T. Won Pat, Ed.D.**

Speaker

I Mina'trentai Dos Na Liheslaturan Guåhan

155 Hesler Place

Hagåtña, Guam 96910

**VIA: The Honorable Rory J. Respicio**

Chairperson, Committee on Rules

**RE: Committee Report on Bill No. 307-32 (COR), As Substituted**

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 307-32 (COR), as substituted, "An Act to amend Section 5102(d) of Title 7 of the Guam Code Annotated Relative to the power of the Judicial Council to adopt pay schedules and plans or non-law enforcement employees of the Judiciary." sponsored by Frank Aguon, Jr., which was referred to the Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land.

Committee votes are as follows:

5 TO PASS

0 NOT TO PASS

0 TO REPORT OUT ONLY

0 TO ABSTAIN

0 TO PLACE IN INACTIVE FILE

*Si Yu'os Ma'åse'*

Vicente (ben) Cabrera Pangelinan  
Chairman

2014 JUN 11 AM 10:12  
*[Signature]*

Chairman  
Committee on Appropriations,  
Public Debt, Legal Affairs,  
Retirement, Public Parks,  
Recreation, Historic Preservation  
and Land

Member  
Committee on Education,  
Public Libraries  
and Women's Affairs

Member  
Committee on General  
Government Operations and  
Cultural Affairs

Member  
Committee on Municipal  
Affairs, Tourism, Housing and  
Hagåtña Restoration and  
Development Authority

Member  
Committee on Health &  
Human Services, Health  
Insurance Reform, Economic  
Development and Senior  
Citizens

Member  
Committee on Aviation, Ground  
Transportation, Regulatory  
Concerns and Future  
Generations

**COMMITTEE REPORT  
ON**

**Bill No. 307-32 (COR  
As Substituted**

**Sponsored by Senator Senator Frank Aguon, Jr.**

**An Act to amend Section 5102(d) of Title 7 of the  
Guam Code Annotated Relative to the power of  
the Judicial Council to adopt pay schedules and  
plans for non-law enforcement employees of the  
Judiciary.**



# I Mina'trentai Dos na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

**JUN 11 2014**

## MEMORANDUM

**To:** **All Members**  
Committee on Appropriations, Public Debt, Legal Affairs, Retirement,  
Public Parks, Recreation, Historic Preservation and Land.

**From:** Senator Vicente (ben) Cabrera Pangelinan  
Committee Chairperson

**Subject:** Committee Report on Bill No. 307-32 (COR), As Substituted


Transmitted herewith for your consideration is the Committee Report on Bill No.307-32 (COR), as substituted "An Act to amend Section 5102(d) of Title 7 of the Guam Code Annotated Relative to the power of the Judicial Council to adopt pay schedules and plans for non-law enforcement employees of the Judiciary." sponsored by Senator Frank Aguon, Jr.

This report includes the following:

1. Committee Voting Sheet
2. Committee Report Narrative
3. Copy of Bill No. 307-32 (COR) As Introduced
4. Copy of Bill No. 307-32 As Substituted
5. Public Hearing Sign-in Sheet
6. Copies of Written Testimonies
7. Copy of Fiscal Note
8. Copy of COR referral Bill No. 307-32 (COR)
9. Notices of Public Hearing
10. Copy of the Public Hearing Agenda

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 my office.

*Si Yu'os Ma'åse',*

  
Vicente (ben) Cabrera Pangelinan  
Chairman

Chairman  
Committee on Appropriations,  
Public Debt, Legal Affairs,  
Retirement, Public Parks,  
Recreation, Historic Preservation  
and Land

Member  
Committee on Education,  
Public Libraries  
and Women's Affairs

Member  
Committee on General  
Government Operations and  
Cultural Affairs

Member  
Committee on Municipal  
Affairs, Tourism, Housing and  
Hagåtña Restoration and  
Development Authority

Member  
Committee on Health &  
Human Services, Health  
Insurance Reform, Economic  
Development and Senior  
Citizens





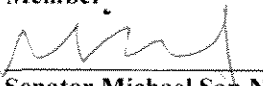
Member  
Committee on Aviation, Ground  
Transportation, Regulatory  
Concerns and Future  
Generations

I MINA' TRENTAI DOS NA LIHESLATURAN GUÅHAN

Committee Voting Sheet

Committee on Appropriations, Public Debt, Legal Affairs, Retirement,  
Public Parks, Recreation, Historic Preservation and Land

Bill No. 307-32 (COR), as substituted "An Act to amend Section 5102(d) of Title 7 of the Guam Code Annotated Relative to the power of the Judicial Council to adopt pay schedules and plans for non-law enforcement employees of the Judiciary."

Committee Members	To Pass	Not To Pass	Report Out Only	Abstain	Inactive File
 Senator Vicente (ben) Cabrera Pangelinan Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Vice Speaker BJ Cruz Vice Chairperson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Speaker Judith T. Won Pat Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator Tina Rose Muña-Barnes Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Dennis Rodriguez, Jr. Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator Michael San Nicolas Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Tommy Morrison Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Michael Limtiaco Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



**Committee Report**

Bill No. 307-32 (COR), An Act to amend Section 5102(d) of Title 7 of the Guam Code Annotated Relative to the power of the Judicial Council to adopt pay schedules and plans and to appropriate funds for the salary and benefit increases for non-law enforcement employees of the Judiciary.

**I. OVERVIEW**

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land convened a public hearing on June 6, 2014 at 8:30 am in *I Liheslatura's* public hearing room.

**Public Notice Requirements**

Notices were disseminated via hand-delivery and e-mail to all senators and all main media broadcasting outlets and newspaper of general circulation on May 30, 2014 (5-Day Notice), and again on June 4, 2014 (48 Hour Notice).

**(a) Committee Members and Senators Present**

Senator Vicente (ben) C. Pangelinan, Chairman  
Vice Speaker BJ Cruz, Vice Chair  
Senator Rory Respicio  
Senator Anthony Ada

**(b) Appearing before the Committee**

Robert J. Torres, Chief Justice of Guam  
Philip Carbullido, Justice of Guam  
Katherine A. Maraman, Justice of Guam  
Joshua F. Tenorio, Acting Administrator of the Courts, Judiciary of Guam  
Chris Budasi, Controller, Judiciary of Guam

**(c) Written Testimonies Submitted**

Robert J. Torres, Chief Justice of Guam  
Katherine A. Maraman, Justice of Guam  
Robbie T. Call, Public Defender Service Corporation Chief Investigator

Chairman  
Committee on Appropriations,  
Public Debt, Legal Affairs,  
Retirement, Public Parks,  
Recreation, Historic Preservation  
and Land

Member  
Committee on Education,  
Public Libraries  
and Women's Affairs

Member  
Committee on General  
Government Operations and  
Cultural Affairs

Member  
Committee on Municipal  
Affairs, Tourism, Housing and  
Hagåtña Restoration and  
Development Authority

Member  
Committee on Health &  
Human Services, Health  
Insurance Reform, Economic  
Development and Senior  
Citizens

Member  
Committee on Aviation, Ground  
Transportation, Regulatory  
Concerns and Future  
Generations

Bernadette L.P. Lizama, Personnel Specialist IV, Public Defender Service Corporation  
Bernadette S.N. Chargualaf, Administrative Director, Public Defender Service Corporation  
Sèa C. Alvarez, Investigator II, Public Defender Service Corporation  
Jacqueline Z. Cruz, Court Program Administrator, Judiciary of Guam  
Virginia W. Yasuhiro, Judiciary of Guam  
John Q. Lizama, Chief Probation Officer, Judiciary of Guam  
Barbara Jean T. Perez, Human Resources Administrator, Judiciary of Guam  
Raymond L.G. Taimanglo, Procurement & Facilities Administrator, Judiciary of Guam  
Hanna Gutierrez Arroyo, Supreme Court Clerk of Court, Judiciary of Guam  
Danielle T. Rosete, Superior Court Clerk of Court, Judiciary of Guam  
Edward S. Toves, Marshal of the Courts, Judiciary of Guam  
Robert S. Cruz, Deputy Administrative Director, Judiciary of Guam  
B. Ann Keith, Staff Attorney, Judiciary of Guam  
Christopher M. Budasi, Controller, Judiciary of Guam  
Marcelene C. Santos, Public Guardian, Judiciary of Guam  
Pete F. Leon Guerrero, MIS Administrator, Judiciary of Guam  
Sophia S. Diaz, Staff Attorney, Judiciary of Guam  
Geraldine A. Cepeda, Compiler of Laws  
Pete Meno, Probation Officer Supervisor, Adult Drug Unit Probation Services Division,  
Judiciary of Guam  
M. Erica Eschbach, Staff Attorney, Supreme Court, Judiciary of Guam

**(d) Present at the public hearing, signed the sign up sheet to support Bill No. 307**

Jackie Z. Cruz  
Rhonda Nelson  
Joleen Cruz  
Luz Carlos  
Dorene C. Damian  
Irene Leon  
Josephine Halin  
Abegail Mina  
Joey Antonio  
Marissa Anotnia  
Hanna G. Arroyo  
Julia B. Gogue  
Betty T. Mesa  
Scott E. Hermosilla  
Linda M. Perez  
Geraldine A. Cepeda  
Jerinie Duenas  
Nicole Lujan  
Yvette Blass-Ananich  
Pete A. Meno  
Melani Brennan  
Marcelene C. Santos

Sophia Diaz  
Bernadette SN Chargualaf  
Robbie T. Call  
Virginia Yasuhiro  
Dionne Shinohara  
Tess Lefer  
Maria Erica Eschbach  
Ciena Williams  
Albert Caldeo

## II. COMMITTEE PROCEEDINGS

**Chairman Vicente Pangelinan:** *Dangulo na si Yu'os Ma'ase*, Justice Torres for joining us with the panel this morning on the Bill 307-32, introduced by Senator Frank Aguon, Jr., “An Act to amend Section 5102(d) of Title 7 of the Guam Code Annotated Relative to the power of the Judicial Council to adopt pay schedules and plans and to appropriate funds for the salary and benefit increases for non-law enforcement employees of the Judiciary.”

I want to thank you and your colleagues that are here and that have joined us this morning, most especially of course the court employees that are here with us personally this morning and all of the members of the public who are listening on the legislative channel this morning.

I want to thank my colleague to the right of me, retired Chief Justice of the Supreme Court of Guam, Senator BJ Cruz who is also the Vice Speaker of the 32nd Guam Legislature and the majority leader of the 32nd Guam Legislature, Senator Rory Respicio, to my left.

We'll go ahead and start with the presentation of the Judiciary this morning and I would like to recognize Chief Justice Robert Torres and give him the opportunity to present the panel with him and of course present the testimony for the Judiciary of Guam.

We all know who you are, but for the record we would like for you to identify yourself when you begin testifying.

**Chief Justice Robert J. Torres:** *Si Yu'os Ma'ase*, Chairman Pangelinan. Hafa adai, Vice Speaker Cruz, Senator Respicio. With me to my left is Justice Carbullido, to my right is Justice Maraman, so we have a full complement of Supreme Court Justices here prepared to testify on this very important piece of legislation. Also at the table is our acting Court Administrator, Joshua Tenorio as well as our comptroller, Chris Budasi.

Thank you Senator, first of all for recognizing our hard working and dedicated employees who are here. This is a very important piece of legislation for them and they are here to also show their support for the passage of Bill 307-32.

I also want to thank you for quickly rescheduling this public hearing. We knew that there was a cancellation previously because of unexpectec circumstances and we appreciate you for accomodating us so very quickly, recognizing the importance of this legislation for parity for



the Judiciary.

I prepared written testimony that I have already submitted and rather than read the entire testimony into the record, I will just paraphrase some of the key elements of it and then I will ask both Justice Carbullido and Justice Maraman to speak more on the Judiciary's behalf and on behalf of our employees.

The legislation that is before you is crucial as we endeavor to ensure that our employees are paid in parity with their fellow government servants in the executive branch. Although the executive branch has implemented the Competitive Wage Act of 2014, the Judicial Council has not done so in light of an opinion from the acting staff attorney at the request of the Administrator of the Courts. The Judicial Council, which is charged with setting the pay scales for the Judiciary employees is bound to set the scales consistent with the Unified Pay Schedule, which was adopted in 1991. Although the existing statute contemplates it may be amended, the Judiciary wants statutory clarification to support any action by the Judicial Council to ensure that the Judiciary employees are paid properly. The whole intent of the bill is to focus on giving the Judiciary the legal authority to adopt the Competitive Wage Act pay scales and compensate our employees accordingly. In anticipation and in hope of receiving favorable consideration on the bill, our HR Department has developed the proposed policies and has gone through, looking at implementing the Competitive Wage Act based on the policies utilized by the Department of Administration, so it's consistent and in parity with that.

We wanted to ensure that our employees were provided the information about it. It was critical, especially with the questions that were raised about why the executive branch was implementing it and the Judiciary was not. We held a number of orientation sessions with them; I think maybe 20 or 25 sessions talking about the proposed policies.

One of the other aspects of the bill – when the pay scales were contemplated in the Competitive Wage Act and were implemented in the executive branch, we realized that the amount that was allocated to us was not sufficient to sustain the updated pay scales for the remainder of this fiscal year. Our comptroller together with management staff worked through and identified the amount that would be necessary to fund the updated salaries and the benefits of the employees, pursuant to the proposed scales. That is also addressed in the bill.

Again, I just want to thank you for the opportunity for us to express support for the passage of the bill. The Judiciary and its employees look forward to bipartisan support for the bill, which will allow us to move forward with ensuring that our employees are paid in parity with the executive branch employees of the government of Guam. Thank you very much. Si Yu'os Ma'ase.

**Chairman Vicente Pangelinan:** Thank you and Si Yu'os Ma'ase, Chief Justice Torres.

**Justice Phillip Carbullido:** Thank you, Mr. Chairman, Vice Speaker Cruz and Senator Respicio. At the outset, I was looking at this bill this morning and I think there is a technical amendment that first needs to be made.

There is a reference in the bill on Section 3, on line 3 to subsection (b) of Chapter XI that has to do with all the money in Section 2, Chapter 11 can be utilized – the appropriation that was earlier made. The appropriate section should really read, subsection (f). That is pertinent section regarding the expenditure of funds.

The Guam Legislature on February 1 passed Bill No. 268-32 that ultimately was vetoed by the Governor. But the legislature passed a Wage Compensation Act and included various measures, in terms of what it felt as a policy this government should adhere to in terms of the Wage Compensation Act. The bill before you today is consistent with what this body has already earlier indicated when it passed Bill No. 268-32. There were basically four compensation plans that were passed by the legislature; the general pay plan, the nurse pay plan, the educator pay plan and the attorney pay plan.

What we are asking from this body today, because of the veto of the earlier bill that did not - in the opinion of our legal counsel – allow us to implement the Competitive Wage Act, to obtain the proper authority for the Judicial Council to be authorized to implement the Competitive Wage Act consistent with the actions of the administration. This authorization will give the Judicial Council what already this body has indicated as a matter of policy, which is to enact through Bill 268-32.

As the Chief Justices has mentioned, the bottom line is that it is going to bring parity and equity to the employees across the line in terms of the government of Guam. Here, in particular is the Judicial branch, which we have an interest in advocating for. This bill is simply going to bring the employees, the non-enforcement employees of the Judicial branch the same status as their counterparts in the executive branch. With that Mr. Chairman on behalf of my colleagues and all the employees of the Judicial branch, we request your support to give the Judicial Council this authority to implement what this legislature has already announced should be enacted. Thank you, Mr. Chairman.

**Chairman Vicente Pangelinan:** Thank you and Si Yu'os Ma'ase, Justice Carbullido. Justice Maraman?

**Justice Katherine A. Maraman:** Thank you, Mr. Chairman and members of the committee. I also appear in support of Bill No. 307-32.

[Read written testimony verbatim. See attached]

**Chairman Vicente Pangelinan:** Thank you very much, Justice Maraman.

**Justice Phillip Carbullido:** Mr. Chairman, I know that you have yielded to me prior to Justice Maraman that I do want to add some statements on the record because there was a difference of opinion on the Judicial Council regarding the judge's salaries. I took the position that this is a matter that should be decided by the legislature and the focus of today's discussion should be on the employees and not the Judicial officers. However, if in the wisdom of the legislature, you feel that the salaries of the judges should also be increased and give that authority and power to

the Judicial Council, then that's the discretion of the legislature and that is what this bill will accomplish.

I am not going to stand in the way of my colleagues receiving compensation because it's deserving. I just feel that it is a departure from past practice and the judges are of the same standing as the officials of government, including elected officials and the cabinet officials and this should be decided in a different way. However, if the legislature feels that the Judicial Council should be given the power to increase the salaries of the Judicial officers, which this bill accomplishes, then I will leave that to the wisdom of the legislature.

**Chairman Vicente Pangelinan:** Thank you and Si Yu'os Ma'aase. Mr. Tenorio?

**Mr. Joshua Tenorio:** Good morning Mr. Chairman, I am Joshua Tenorio. I am the acting Administrator and I would like to present to the committee some petitions from our employees that have signed in favor of passage of the legislation. I want to also point out that our law enforcement officers that have already received their adjustment have also joined in this effort to advocate for the increase for co-workers in the courts.

I also want to add that we hope the legislature will - in your committee - report this bill out and place it in the next session agenda, whenever that may be. I would like to point to Chief Justice's written testimony where we do proclaim that the bill does nothing to either retroactively or prospectively affect the executive branch's implementation of the CWA pay scales. We believe that this is narrowly written to address the court employees and we would like to ask for your support.

**Chairman Vicente Pangelinan:** Thank you very much. Just a couple of questions: did the court receive the allocation for the portion of the competitive wage scale compensation from the appropriation that was provided in the bill that was passed?

**Mr. Joshua Tenorio:** Yes, we are consistently receiving those funds and we are setting those funds aside ready to implement.

**Chairman Vicente Pangelinan:** You are receiving them on a ....

**Mr. Joshua Tenorio:** I believe bi-monthly basis with our regular allotment. I will state on record that the only appropriation we have yet to receive has been the most recent one passed last month for paying the Judiciary for the law enforcement raises that have already been implemented. Otherwise, the executive branch has been cooperative and providing us full allotment for our appropriation and for the competitive wage act.

**Chairman Vicente Pangelinan:** Okay. Thank you very much. Chief Justice Cruz, any questions? Senator Respicio?

**Senator Rory Respicio:** Thank you, Mr. Chairman. I just want to state for the record my continued support to maintain the Judiciary as a separate but co-equal branch of government. We certainly feel your pain with how the governor has taken position with respect to the separation

of powers doctrine and how things are not supposed to be an equal playing field from his perspective, but certainly from our perspective it certainly should be.

Mr. Chairman, the Judiciary has gone on record advising the Department of Administration that they cannot be included in this Unified Compensation Pay Plan because of the separation of powers and the authority the legislature gave to the Judiciary and Judicial Council to set their own salaries, but they just ignored that. Bill 307 seeks to restore that and I want to commend the Judiciary and I know it goes without saying, but this is one example of the Chief Justices comments were that we have to follow the application of the rule of law, even though it may have suited the advantage and realized the needs of the Judiciary, they certainly took the position that consistent with the rule of law there is no way the Judiciary could have moved forward to pay their employees the compensation that they deserve under this plan.

I am pleased with this bill and I thank you for having this hearing. Hopefully it will be available for the next session so that we can move forward. Again, this is another example of how the legislature continues to respect and recognize the Judiciary as a separate but a co-equal branch of government. You have always done that, Mr. Chairman in your budget presentations in the past and in the present. Thank you, Mr. Chairman.

**Chairman Vicente Pangelinan:** Thank you and Si Yu'os M'aase, Senator Respicio. Senator Ada?

I want to acknowledge for the record that the committee also received sign up sheets totaling six sheets that showed support for Bill 307. I would like to give the panel the opportunity for closing remarks.

**Chief Justice Robert J. Torres:** It's a pleasure to be able to argue vociferously on behalf of our employees and support Bill 307. Mr. Chairman, I think we put on the record the importance of getting this done. We just need to clarify the Judicial Council's action to be able to implement the Competitive Wage Act in accordance on how the legislature originally envisioned it previously. In the absence of that, our employees will continue to be left in limbo and in a quandary, which they do not deserve. They have been patient and have been willing to wait until the right thing is done. The time is now to do the right thing. Thank you very much.

**Chairman Vicente Pangelinan:** Once again, thank you very much Justice Torres and the panel for your presentation this morning.

You know, you say justice delayed is justice denied. But even justice that waits is justice denied. We will see what the committee can do in terms of ensuring that the employees of the Judiciary will not have to wait any longer. We will certainly transcribe the proceedings of the hearing this morning, prepare the committee report and file it with the Committee on Rules as soon as possible.

We want to thank you very much for your presence this morning. This is the only item on this public hearing agenda. We will adjourn this public hearing, but reconvene the call of the recess

on the Committee on Appropriations at 9:00am this morning for the presentation of budget for the Judiciary and the Public Defender Services Corporation.

This concludes the testimony on Bill No. 307-32 (COR). There being no additional individuals to present any additional testimony, this Committee will continue to remain open for the acceptance of any additional information or public testimony on the bill discussed. You can submit those testimonies to my office directly on Soledad Avenue, as well as the Guam Legislature or through any of the electronic processes either email at office@guam.net or through our website at senbenp.com

This hearing is adjourned.


### **III. FINDINGS & RECOMMENDATIONS**

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land, hereby reports Bill No. 307-32 (COR), as substituted, with the recommendation TO PASS

**MINA' TRENTAI DOS NA LIHESLATURAN GUÁHAN**  
**2014 (SECOND) Regular Session**

Bill No. 307-32 (COR)

Introduced by:

FRANK B. AGUON, JR. 

**AN ACT TO AMEND SECTION 5102(d) OF TITLE 7 OF THE  
GUAM CODE ANNOTATED RELATIVE TO THE POWER OF  
THE JUDICIAL COUNCIL TO ADOPT PAY SCHEDULES  
AND PLANS AND TO APPROPRIATE FUNDS FOR SALARY  
AND BENEFIT INCREASES FOR NON-LAW  
ENFORCEMENT EMPLOYEES OF THE JUDICIARY**

2014 APR - 7 AM 11:36  


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

**Section 1. Amendment of § 5102 of Chapter 5, Title 7 Guam Code Annotated.** Section 5102 (d) of Chapter 5, Title 7 GCA is hereby *amended* to read as follows:

“(d) Notwithstanding any other provision of law, To adopt a unified a pay plan and pay schedules for the classified and unclassified employees of the Judicial Branch consistent with the Hay Study and Unified Pay Schedule adopted in 1991, as amended government-wide plan pursuant to Section 13 of Public Law 29-52 and Executive Order 2006-21 or the transmittal of January 15, 2014 to I Liheslaturan entitled the Government of Guam Competitive Wage Act of 2014, subject to appropriations as provided by Liheslaturan Guáhan;”

**Section 2. Appropriation to the Unified Judiciary.** The sum of Five Hundred Ten Thousand Dollars (\$510,000) is appropriated from the General Fund to the Unified Judiciary for Fiscal Year 2014 salary and benefits increases for classified and unclassified non-law enforcement employees consistent with compensation policies adopted pursuant to 7 GCA § 5102(d), as amended.

1           **Section 3.** Notwithstanding any other provision of law, appropriations made  
2 to the Unified Judiciary in Chapter XI of Public Law 32-068 shall be used for  
3 salary and benefit increases pursuant to subsection (b) of Chapter XI of Public Law  
4 32-068.

***MINA' TRENTAI DOS NA LIHESLATURAN GUÅHAN***  
**2014 (SECOND) Regular Session**

**Bill No. 307-32 (COR)**

As substituted by the Committee on Appropriations,  
Public Debt, Legal Affairs, Retirement, Public Parks,  
Recreation, Historic Preservation, and Land.

**Introduced by:**

**FRANK B. AGUON, JR.**

**AN ACT TO AMEND SECTION 5102(d) OF TITLE 7 OF THE  
GUAM CODE ANNOTATED RELATIVE TO THE POWER OF  
THE JUDICIAL COUNCIL TO ADOPT PAY SCHEDULES  
AND PLANS FOR NON-LAW ENFORCEMENT EMPLOYEES  
OF THE JUDICIARY**

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

2 **Section 1.** Amendment of § 5102 of Chapter 5, Title 7 Guam Code  
3 **Annotated.** Section 5102 (d) of Chapter 5, Title 7 GCA is hereby *amended* to  
4 read as follows:

5 “(d) Notwithstanding any other provision of law, To adopt a unified a  
6 pay plan and pay schedules for the classified and unclassified employees of  
7 the Judicial Branch consistent with the ~~Hay Study and Unified Pay Schedule~~  
8 adopted in 1991, as *amended* government-wide plan pursuant to Section 13  
9 of Public Law 29-52 and Executive Order 2006-21 or the transmittal of  
10 January 15, 2014 to *I Liheslaturan* entitled the Government of Guam  
11 Competitive Wage Act of 2014, subject to appropriations as provided by  
12 *Liheslaturan Guåhan*;”

13 **Section 2.** Notwithstanding any other provision of law, appropriations made  
14 to the Unified Judiciary in Chapter XI of Public Law 32-068 shall be used for  
15 salary and benefit increases pursuant to Section 2 subsection (f) of Chapter XI of  
16 Public Law 32-068.





1

Mina'trentai Dos na Liheslaturan Guahan  
32ND GUAM LEGISLATURE

Senator Vicente "ben" Cabrera Pangelinan

COMMITTEE ON APPROPRIATIONS, PUBLIC DEBT, LEGAL AFFAIRS, RETIREMENT,  
PUBLIC PARKS, RECREATION, HISTORIC PRESERVATION AND LAND

Friday, June 6, 2014  
Bill No. 307-32 (COR)  
SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT	
						Yes	No
Chief Justice Torres			rjtowas@supremourt.org	✓	✓	Yes	
Justice Cebuillido					✓	Yes	
Justice Maramba				✓	✓	Yes	
Joshua Terano					✓	Yes	
JACKIE Z. OKENZ			jzorkenz@guamcourts.org	✓		Yes	
Rhonda Nelson				—		yes	

324 W. Soledad Ave. Hagatna, Guam 96910  
Ph. 473-4236 Fax. 473-4238  
Email: senbenp@guam.net

2



Mina'trentai Dos na Liheslaturan Guahan  
32ND GUAM LEGISLATURE

Senator Vicente "ben" Cabrera Pangelinan

COMMITTEE ON APPROPRIATIONS, PUBLIC DEBT, LEGAL AFFAIRS, RETIREMENT,  
PUBLIC PARKS, RECREATION, HISTORIC PRESERVATION AND LAND

Friday, June 6, 2014  
Bill No. 307-32 (COR)  
SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT	
						Yes	No
Joleen Cruz		475-3422				✓	
Luz Carlos						✓	
Dorine C Damilar		475-3714				✓	
IRENE LEON	DEDEDO	380-6721				✓	
Josephine Hibi	Bar	300 3985				✓	
Abigail Mina	Dededo	475 3197				✓	

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Ph. 473-4236 Fax. 473-4238  
Email: senbenp@guam.net



3

Mina'trentai Dos na Liheslaturan Guahan  
32ND GUAM LEGISLATURE

Senator Vicente "ben" Cabrera Pangelinan

COMMITTEE ON APPROPRIATIONS, PUBLIC DEBT, LEGAL AFFAIRS, RETIREMENT,  
PUBLIC PARKS, RECREATION, HISTORIC PRESERVATION AND LAND

Friday, June 6, 2014  
Bill No. 307-32 (COR)  
SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT	
						Yes	No
Joey Antonio	Deedee	300-6725				✓	
Maurice Antonio	Deedee	475-3775				✓	
Hannah G. Arroyo	Agana Hts.	472-0674				✓	
Julia B. Gopez	Chalan Pago	475-3426				✓	
Betty T. Mesa	Sinajana	475-3477				✓	
Scott E. Hermosilla	TAMUNING	646-4786				✓	

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Mina'trentai Dos na Liheslaturan Guahan  
32ND GUAM LEGISLATURE

4

Senator Vicente "ben" Cabrera Pangelinan

COMMITTEE ON APPROPRIATIONS, PUBLIC DEBT, LEGAL AFFAIRS, RETIREMENT,  
PUBLIC PARKS, RECREATION, HISTORIC PRESERVATION AND LAND

Friday, June 6, 2014  
Bill No. 307-32 (COR)  
SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT	
						Yes	No
Linda M. Perez	Tigo	6534780				✓	
Geraldine A Cepeda	Tigo	477-7623		✓		✓	
Jeremie Duenez	A.H.	300 7094		✓		✓	
Nichole Logau	Bededo	300-7091		✓		✓	
Yvett Blas-Aranda	Barrigada	475-3388				✓	
DETE A. MENDO	Aguada Hts	475-5151		✓		✓	

Melani Bruner Chelsea Pazo 475 3127

✓

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(5)

**Mina'trentai Dos na Liheslaturan Guahan**  
**32ND GUAM LEGISLATURE**

**Senator Vicente "ben" Cabrera Pangelinan**

**COMMITTEE ON APPROPRIATIONS, PUBLIC DEBT, LEGAL AFFAIRS, RETIREMENT,  
 PUBLIC PARKS, RECREATION, HISTORIC PRESERVATION AND LAND**

**Friday, June 6, 2014**  
**Bill No. 307-32 (COR)**  
**SIGN UP SHEET**

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT	
						Yes	No
Marcelene C Santos	POB 4865 Hagatna	929-0327	msantoe@ ops.guamcourts org	✓			Yes
SOPHIA DIAZ	156 MIANA SANDY ST PITIGU 96715	475-3330	sdiaz@ guamcourts.org				Yes
Bernadette SN Charquale	P.O. Box 1112 Hagatna GU 96910	488-0519	bcharquale@ guam.pdesc.net				Yes
Robbie T. Call	Maina	727-1571	rcall@guampdesc.net	✓			yes
Katherine A Maraman	120 W O'Brien Hagatna	475-3589	ka.maraman@ guamsupremecourt.com	✓	✓		yes



⑥

**Mina'trentai Dos na Liheslaturan Guahan**  
**32ND GUAM LEGISLATURE**

**Senator Vicente "ben" Cabrera Pangelinan**

**COMMITTEE ON APPROPRIATIONS, PUBLIC DEBT, LEGAL AFFAIRS, RETIREMENT,  
 PUBLIC PARKS, RECREATION, HISTORIC PRESERVATION AND LAND**

**Friday, June 6, 2014**  
**Bill No. 307-32 (COR)**  
**SIGN UP SHEET**

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT	
						Yes	No
Virginia Yasuhiro	Box 2151 Hagatna	487 789-2755	vyasuhiro@ guamcourts.org				Yes
Dionne Shinohara	Box 1620 Hagatna	488-1981	dionneshinohara@ hotmail.com				Yes
Dessa Lopez	Dededo	475-3449	deslo@guamcourts.org				Yes
Maria Enca Eschbach	Dededo	487-7919	eschbach@ guamsupremecourt.com				
Gem Williams	Yona	489-3894	cwilliams@guam courts.org				Yes
Albert Calde	Dededo	475-7349	acalde@guamcourts.org				Yes

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# Supreme Court of Guam

SUITE 300 GUAM JUDICIAL CENTER  
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HON. ROBERT J. TORRES  
CHIEF JUSTICE

June 6, 2014

The Honorable Vicente C. Pangelinan  
Chairman  
Committee on Appropriations, Public Debt, Legal Affairs, Retirement,  
Public Parks, Recreation, Historic Preservation and Land  
Suite 101 Quan Building  
324 W. Soledad Avenue  
Hagatna, Guam 96910

Subject: Bill 302-32



Dear Chairman Pangelinan:

*Håfa Adai!* On behalf of the Judiciary of Guam, thank you for providing the opportunity to testify in favor of Bill 307-32 (COR), AN ACT TO AMEND SECTION 5102(D) OF TITLE 7 FOR THE GUAM CODE ANNOTATED RELATIVE TO THE POWER OF THE JUDICIAL COUNCIL TO ADOPT PAY SCHEDULES AND PLANS AND TO APPROPRIATE FUNDS FOR SALARY AND BENEFIT INCREASES FOR NON-LAW ENFORCEMENT EMPLOYEES OF THE JUDICIARY.

This proposed legislation is crucial as the Judiciary endeavors to ensure that its employees achieve parity in pay with their fellow government servants in the executive branch.

Although the executive branch has implemented the Competitive Wage Act of 2014 ("CWA") pay scales, the Judicial Council has refrained from doing so, in light of an opinion from the Judiciary's acting staff attorney prepared at the request of the acting Administrator of the Courts. Under current law, the Judicial Council, which is charged with setting the pay scales for the Judiciary's employees, is bound to set such scales consistent with the Unified Pay Schedule adopted in 1991. Although 7 GCA § 5102(d) contemplates that the Unified Pay Schedule may be amended, the Judiciary seeks statutory clarification to support forthcoming action by the Judicial Council, to ensure that the Judiciary's employees are paid properly.

Bill 307-32 does nothing to either retroactively or prospectively affect the executive branch's implementation of the CWA pay scales. Section 1 of its language is focused on a singular goal: give the Judiciary the legal authority to adopt the CWA pay scales and compensate its employees accordingly. The Judiciary is certain that the members of *I Liheslaturan Guåhan* would agree that it is important that government employees be paid equal pay for equal work and that employees of the Judiciary should not be compensated at lesser rates simply by virtue of their place of employment.

In the hope of receiving favorable legislative action and for planning purposes, management presented to the Judicial Council at its meeting on April 17, 2014 proposed Classification & Compensation Implementation Policy and Procedures. The Judiciary's Human Resources Division ("HR") developed the proposed policies after a thorough review of the policies utilized by the Department of Administration to implement the CWA pay scales. To the extent possible, HR sought to ensure that the Judiciary's implementation will be consistent with the procedures in use by DOA. Some aspects of compensation policy, however, are set forth in statute, and HR has incorporated those statutory requirements wherever applicable in the proposed policies. Additionally, HR has conducted over twenty orientation sessions to provide the Judiciary's employees with information about the proposed policies and how the changes may affect them.

When the pay scales contemplated in the CWA were implemented in the executive branch, the Judiciary recognized that it did not have sufficient funding to sustain the updated pay scales for the duration of the fiscal year. Thus, this bill also appropriates the money necessary to fund the updated salaries and benefits of the Judiciary's employees pursuant to the proposed scales.

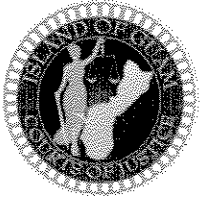
Thank you again for the opportunity to express support for the passage of Bill 307-32. The Judiciary and its employees look forward to bipartisan support for the bill, which will allow the Judicial Council to move forward with ensuring Judicial employees receive parity in pay with executive branch employees of the Government of Guam.

*Sensramente*

A handwritten signature in black ink, appearing to read "Robert J. Torres". The signature is written in a cursive style with a large, stylized initial "R".

Robert J. Torres  
Chief Justice of Guam





# Supreme Court of Guam

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Hon. Katherine A. Maraman  
Justice

The Honorable Vicente (ben) Cabrera Pangelinan  
Chair, Committee on Appropriations, Public Debt *et al*  
I Mina' rentai Dos Na Liheslaturan Guahan  
155 Hesler Place  
Hagatna, GU96910

Re: Bill No. 307-32 (COR)

Dear Mr. Chairman and Members:

I urge you to pass **Bill No. 307-32 (COR)**. Many court employees have observed the law enforcement personnel at the court receive well deserved increases in salary. This measure if enacted into law will permit the Judicial Council to implement the government-wide compensation plan which increases compensation of non-law enforcement personnel. In the past several years performance requirements have increased for these employees. Budget limitations in the past several years have left many positions unfilled resulting in increased workloads. The employees deserve greater compensation for the tasks that they perform competently in a professional, caring manner.

I also appear today in support of increased compensation for the trial judges. The Hay Group recommended that the trial judge salary increase from \$121,664 to \$128,685<sup>1</sup>. Some members of the Judicial Council are restrained from voting on this increase and others believe that the Judicial Council should not act on Judicial Officer salaries. As a result I am concerned that this small, but deserving group of employees may be passed over. So, I ask that this bill be amended to include the recommended salary adjustment for trial court judges.

Thank you for considering my appeals.

Respectfully,

*Katherine A. Maraman*  
KATHERINE A. MARAMAN

<sup>1</sup> The Hay Group did not recommend a change in salary for the Chief Justice, Associate Justices and Presiding Judge.

**PUBLIC DEFENDER SERVICE CORPORATION  
(Kotperasion Setbision Defensot Pupbleku)**

**GOVERNMENT OF GUAM**  
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June 6, 2014

**Memorandum: Written Testimony**

To: The Honorable Senator Frank Aguon  
32<sup>nd</sup> Guam Legislature

cc: Executive Director- Eric D. Miller  
Administrative Director- Bernadette SN. Chargualaf

From: PDSC Chief Investigator- Robbie T. Call

Subject: Support for Bill 307 in the adoption of PDSC employees to be part of and compensated equally within the Competitive Wage Act of 2014

Buenas yan Hafa Adai,

In May of 2010 the Hay Group presented their findings and report via a Government of Guam Project Report. The report evaluated and compared the previous 1991 Unified Pay scale/plan and as a result developed an updated pay schedule(s) that lead to the current law under the Competitive Wage Act of 2014.

The "comprehensive study" by the Hay Group in partnership with the Department of Administration Personnel Services Division reviewed job classifications, job evaluations, and compensation practices. This was coupled by the underlying objective of maintaining and improving the various missions of the Government of Guam agencies/departments. The Hay Group "project methodology" of developing a compensation philosophy and a plan administration was based upon 4 factors or elements:

1. Classification (the description of work);
2. Job Evaluation (the measurement of work);
3. Pricing/Pay Structure (the value of work);
4. Pay Delivery (the recognition of performance of work).

The study evaluated about 200 specific jobs using the Hay Group methodology to include an analysis and review of separate pay plans (executive, education, nurse, law-enforcement, & attorney positions), and autonomous agency plans.

The process of this study basically evaluated "internal equities & external competitiveness" which aligns with *4GCA Chp.6 ss6301 (a)*; and that "all aspects of compensation (base salaries, benefits, pay differentials, and other factors) will be considered as a total reward and incentive package for

employees and shall be consistent and uniformly administered through the government." 4GCA Chp.6 ss6301 (e)

In addition, according to 4 GCA Chp.6 ss6302 (a) & (b) these two sections discuss how the Director of Administration and the Judicial Council shall use and administer "the Hay Group methodology or any other classification methods" and that both authorities "may reassign pay grades as they deem necessary". That the "reassignment shall be based upon the calculation of Hay points or points established by other experts"..."for the sake of consistency and uniformity of results."

Therefore it seems only reasonable and fair that the investigators of the Public Defender Service Corporation and the Alternate Public Defender be equally compensated to our counterpart positions of investigators at the Office of the Attorney General of Guam. The work similarities, job specifications, duties, responsibilities, knowledge, skills, abilities, and practical applications of tasks are almost if not identical. We contact and interview the same victims and witnesses. We investigate potential leads to obtain more information. We provide investigative findings and reports that are evaluated by attorneys. We identify and preserve evidence for evaluation and trial. We assist attorneys with the preparation and presentation of trail before the Courts. And, we do all this without use of law-enforcement resources like a uniform presence, a fire-arm, radio communications, back-up assistance, or any means of protection other than our smarts and wits.

A simple test or comparison of job specifications of the two comparative investigator positions would reveal striking similarities. This would lead to a conclusion that an applicant would qualify for either position in both offices. I would additionally submit that a majority of the investigators from the PDSC and APD have prior law-enforcement experience and/or military experience that is highly sought and looked upon in both offices.

Lastly, I would respectfully and humbly ask that Bill 307 be amended to add all personnel within the Public Defender Service Corporation and the Alternate Public Defender into the new pay standards of the Competitive Wage Act of 2014. The new pay standard should be uniformly and fairly applied to all positions within the Government of Guam to provide for equity and just compensation.

I respectfully submit this memorandum for review and consideration.



---

Robbie T. Call  
PDSC Chief Investigator

**DIRECTOR**  
Eric D. Miller



**ADMINISTRATIVE DIRECTOR**  
Bernadette S.N. Chargaalaf

**PUBLIC DEFENDER SERVICE CORPORATION**  
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Jocelyn M. Roden  
Peter J. Sablan  
Maria G. Fitzpatrick  
Ali N. Nusbaum  
Suresh Sampath  
Brian E. Kegerreis  
Mikaela S. Henderson  
William B. Jones

**WRITTEN TESTIMONY IN SUPPORT OF BILL NUMBER 307**

Public Law 29-105 established the Public Safety and Law Enforcement Compensation Review for respective classes of positions within the public safety and law enforcement occupational groups. It authorized the Director of the Department of Administration to perform the review of the compensation, benefits, position requirements and duties of all public safety and law enforcement positions to include those same positions utilized at the Courts of Guam, Guam Police Department, Guam Fire Department, Department of Corrections, Customs and Quarantine Agency, Jose D. Leon Guerrero Commercial Port Authority Police, A.B. Won Pat International Airport Police and Rescue and Firefighting Divisions, Department of Parks and Recreation, Department of Agriculture, Attorney General's Office and the Department of Youth Affairs, to provide for internal equity and external competitiveness and with said Plan to be uniformly administered throughout the government of Guam.

The review was conducted by the Department of Administration, Human Resources Division, Classification and Pay Branch, which I was a part of. The sources that were utilized to determine which positions were classified as public safety and law enforcement are as follows:

- CSC Classification & Compensation Plan (January 1995)
  - V. Business Regulation, Public Safety & Related
    - A. Safety Inspection & Administration
    - B. Compliance Inspection/Enforcement
    - C. Legal Investigation
    - D. Public Safety
    - E. Security & Correction
- Title 8 Guam Code Annotated (GCA), Chapter 5, §5.55 Peace Officer Definition
- Title 9 GCA, Chapter 89 §89.01 Law Enforcement Definition
- Title 10 GCA, Chapter 75 §75100 Law Enforcement Personnel, Employee or Position Definition

Based on the above, a listing of positions along with departments and agencies utilizing these positions was compiled. However, please be advised that at the time of the review, DOA/HR was not aware that the Public Defender Service Corporation (PDSC) was utilizing the Investigator Series and was left out of the abovementioned listing. It was not until I had moved to PDSC that it was discovered that the Investigators were not under the Law Enforcement Pay Plan. Upon the discovery, I had reviewed the job specifications for PDSC Investigators and compared it with the AG's Investigators and found that they were doing the same investigative duties and responsibilities. I had contacted DOA/HR and

brought up my findings and it was mutually determined that the Investigators at PDSC should be included in the Law Enforcement Pay Plan and that it should be retro back to 2008.

In addition, please note that with the Competitive Wage Act of 2014, the Investigator Series is not included in this pay plan, which will leave our PDSC Investigators in the 1991 Unified Pay Plan. This will cause inequity in pay with other Investigator series, unfairness in external competitiveness and bring morale down as they will be the only employees not benefitting in any pay increase.

Therefore, I humbly request that you amend Bill 307 to include a provision that will officially place our PDSC Investigators under the Law Enforcement Pay Plan, as well as provide the funding necessary to bring them up to par with their counterparts at the office of the Attorney General (investigators).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bernadette Lizama", written in a cursive style.

BERNADETTE L.P. LIZAMA  
Personnel Specialist IV

DIRECTOR  
Eric D. Miller



ADMINISTRATIVE DIRECTOR  
Bernadette S.N. Chargaualaf

**PUBLIC DEFENDER SERVICE CORPORATION**  
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Peter J. Sablan  
Maria G. Fitzpatrick  
Ali N. Nusbaum  
Suresh Sampath  
Brian E. Kegerreis  
Mikaela S. Henderson  
William B. Jones

June 06, 2014

Senator Vicente (ben) C. Pangelinan  
Chairman,  
Committee on Appropriations, Public Debt,  
Legal Affairs, Retirement, Public Parks,  
Recreation, Historic Preservation, and Land  
I Mina' Trentai Dos Na Liheslaturan Guahan  
324 W. Soledad Avenue, Suite 101  
Hagatna, GU 96910

**Re: *Written Testimony SUPPORTING Bill No. 307 with  
PDSC's Request for Amendments***

Dear Senator Pangelinan:

As you know, the above-referenced bill sponsored by Senator Frank A. Aguon, Jr. seeks to provide \$510,000 directly from the General Fund to the Unified Judiciary for Fiscal Year 2014 salary and benefits increases for classified and unclassified non-law enforcement employees consistent with compensation policies pursuant to 7 GCA §5102(d) as amended. The bill additionally provides that "appropriations made to the Unified Judiciary in Chapter XI of Public Law 32-068 shall be used for salary and benefit increases pursuant to subsection (b) of Chapter XI of Public Law 32-068.

Correspondence transmitted to your office on May 14, 2014 reflected the financial impact of the Competitive Wage Act of 2014 (CWA) upon the Public Defender Service Corporation (PDSC). To implement the intent of the CWA, the PDSC requires a total of \$239,302 for non-law enforcement personnel. Public Law 32-068 appropriated \$75,497 for this purpose, resulting in a **shortfall of \$163,805**. To date, we have not been able to pay out any part of this obligation, since funding is not available.

The dilemma faced by PDSC investigators relative to their non-inclusion in the Law Enforcement Pay Plan promulgated in 2008, and their omission in the General Pay Plan (CWA) has also been called to your attention. Our Personnel Specialist IV, Bernadette L.P. Lizama submits additional testimony herewith, hoping to provide a brief summary as to the inadvertent omission of PDSC investigators when the Department of Administration conducted its review of various government agencies to determine which positions were to be covered in the Law Enforcement Pay Plan.

We provide this testimony to reiterate the obvious disparity between employees of the executive branch, who have been enjoying the fruits of the CWA retroactive to January 26, 2014, as compared to the Unified Judiciary's non-law enforcement personnel, and the PDSC's employees who have yet to see a red cent.

I am confident that Bill No. 307's intent is to resolve this inequity as it involves the United Judiciary. Let us not forget that the PDSC is also a part of the judicial branch of the government of Guam, as adjudicated in Superior Court of Guam Civil Case Number 642-76.

Recognizing this, **I PLEAD WITH YOU TO AMEND BILL NO. 307 TO INCLUDE THE PDSC EMPLOYEES** who work just as diligently to ensure justice for all in our island community.

Thank you so much for this opportunity. We look forward to working with you in this regard, and most certainly appreciate your favorable consideration in this matter.

Respectfully submitted,

  
BERNADETTE S.N. CHARGUALAF  
Administrative Director

**PUBLIC DEFENDER SERVICE CORPORATION**

**(Kotperasion Setbision Defensot Pupbleku)**

**GOVERNMENT OF GUAM**

200 Judicial Center Annex

110 West O'Brien Drive

Agaña, Guam 96910

Tel: (671) 475-3100; Fax: 477-5844

June 5, 2014

To: Senator Frank Aguon, Jr., 32<sup>nd</sup> Guam Legislature

Via: Bernadette Chargualaf, Administrative Director  
Robbie T. Call, Chief Investigator

From: Séa C. Alvarez, Investigator II

Legislative Testimony regarding Bill 307--32

As the Government of Guam, including the Judiciary, moves forward with the implementation of the Competitive Wage Act, as is the intention of Bill 307-32, Public Defender Service Investigators, are at risk of being left even further behind.

As attested to by Ms. Bernie Lizama, Public Defender Investigators were omitted from Public Law, 29-105, which provided the Attorney General's Office Investigators a 40% salary increase, along with other public safety and law enforcement personnel.

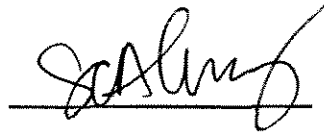
Since 2008, with salaries and resources significantly less than those of the Attorney General's Investigators, Public Defender Investigators have carried out duties and responsibilities practically identical to those of the AG Investigators. PD Investigators have interviewed thousands of victims and witnesses, gathered and maintained volumes of evidence, prepared hundreds of investigative reports, assisted in the preparation of criminal defense for trial, and presentation of those defenses at trial. At the Public Defender Service Corporation, the work of



Investigators, in the last 6 years, has contributed to and been the reason for numerous acquittals of innocent clients, many dismissals resulting from evidence uncovered by a Public Defender Investigator, and hundreds of plea bargains with appropriate sentences resulting from mitigating evidence also uncovered by a Public Defender Investigator.

Senator Aguon has proven <sup>his</sup> ~~its~~ commitment to ensuring fairness and equity in compensation for Government of Guam employees with the introduction of (Bill 307-32) for the implementation of the Competitive Wage Act at the Judiciary of Guam. We humbly request fairness and equity for Public Defender Investigators through the authorization of the placement of Public Defender Investigators on the Law Enforcement Pay Plan in Bill 307-32.

Thank you for your consideration.

A handwritten signature in black ink, appearing to read 'Séa C. Alvarez', written over a horizontal line.

Séa C. Alvarez

Investigator II

June 5, 2014

Memorandum

To: Honorable Senator Vicente "ben" Pangelinan  
Chairman, Committee on Appropriation, Public Debt, Legal Affairs,  
Retirement, Public Parks, Recreation, Historic Preservation and Land

From: Judiciary of Guam Management

Subject: **Testimony in Support of Bill No. 307-32 (COR), Competitive Wage Act of 2014**

*Hafa adai* Senator Pangelinan. We humbly submit this testimony in support of Bill 307-32 (COR), to implement the Competitive Wage Act (CWA) of 2014 for all Judiciary of Guam non-law enforcement employees.

Salaries of our law enforcement officers were addressed years ago which earned them a 40% pay increase. In sharp contrast, salaries of our non-law enforcement employees have not been addressed since 1991, as documented by the Hay Group in their 2010 report. This report stated "it has been nearly two decades since the Government of Guam (the Government) last undertook a comprehensive classification, job evaluation and compensation study for positions covered by its Unified Pay Plan, as well as elected and appointed positions."

The salaries of government employees were below the national average. However, the Executive Branch implemented the CWA on January 26, 2014. This leaves the rate of pay for Judicial and Legislative Branch employees unaddressed.

We are supportive of Bill 307-32 (COR) for the Judicial Branch for the following reasons:

1. Our employees deserve parity with their Executive Branch counterparts who currently earn a greater rate of pay.
2. Our employees should be paid retroactively to the date the CWA was implemented by the Governor of Guam for Executive Branch employees.
3. Our employees are Government of Guam employees who simply work in the Judicial Branch.
4. Our employees contribute to the Government of Guam Retirement Fund.

5. Retirement annuities for Executive Branch employees who retire prospectively will be based on their CWA rate of pay, while retirement annuities for Judicial Branch employees will not.

This is a liability that the Government of Guam needs to address.


The employees of the Judicial Branch are hard-working, dedicated and committed to excellence in public service. They deserve equal pay for equal work, and the increase in pay will undoubtedly improve morale in our workforce, and reaffirm their confidence in our leaders.

Our employees have been patient and continue to be diligent in the delivery of services to our island community in spite of the pay disparity. Judiciary employees deserve to be recipients of benefits afforded other Government of Guam employees. The time to act is now, recognizing employees in the Judicial Branch as equal and well deserving workers of our government.


In closing, thank you for scheduling this Public Hearing. Your support of the Judicial Branch and our employees is deeply appreciated. Si Yu'os Ma'ase.


Senseramente,


Judiciary of Guam Management


  
Jacqueline Z. Cruz  
Court Programs Administrator


  
Virginia W. Yasuhiro  
Client Services Administrator


  
John Q. Lizama  
Chief Probation Officer


  
Barbara Jean T. Perez  
Human Resources Administrator

  
Raymond L.G. Taimanglo  
Procurement & Facilities Administrator

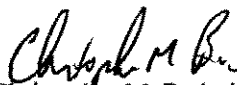
  
Hannah Gutierrez Arroyo  
Supreme Court Clerk of Court


  
Danielle T. Rosete  
Superior Court Clerk of Court

  
Edward S. Toves  
Marshal of the Courts

  
Robert S. Cruz  
Deputy Administrative Director

B. Ann Keith  
Staff Attorney, Judiciary of Guam

  
Christopher M. Budasi  
Controller

  
M. Erica Eschbach  
Staff Attorney, Supreme Court

Testimony in Support of Competitive Wage Act of 2014 for Judicial Branch Employees  
Bill No. 307-32 (COR)  
Page 3 of 3 Pages



Marcelene C. Santos  
Public Guardian



Pete F. Leon Guerrero  
MIS Administrator



Sophia S. Diaz  
Staff Attorney, Judiciary of Guam



Geraldine A. Cepeda  
Compiler of Laws

June 6, 2014

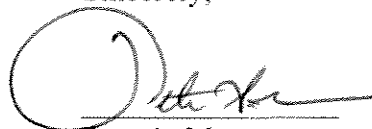
Committee on Appropriations, Public Debt,  
Legal Affairs, Retirement, Public Parks,  
Recreation, Historic Preservation and Land  
32<sup>nd</sup> Guam Legislature  
155 Hesler Place  
Hagatna, GU 96910

Dear Mr. Chairman and Committee Members of the Legislature,

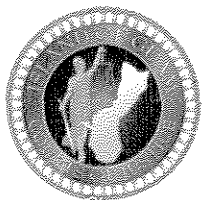
Thank you for allowing me the opportunity to submit written testimony regarding this Bill. I am submitting this written testimony in support of Bill 307-32 (COR) relative to the power of the Judicial Council to adopt pay schedules and plans and to appropriate funds for salary and benefit increases for non-law enforcement employees of the Judiciary. This bill ensures that the Judiciary has both the authority and financial ability to implement the pay scales outlined in the Competitive Wage Act of 2014 relative to the non-law enforcement workforce. It allows the Judicial Council to adopt compensation plans consistent with those currently in use by the executive branch. Additionally it appropriates amounts needed to pay employees according to the CWA pay scales. As a probation officer supervisor, this bill addresses non-law enforcement wages in the Judiciary that are not comparable with our mainland counter parts. The marshals and probation officers have received increments as a result of P.L.29-105. Bill 307-32 (COR) is a commendable effort to create some type of parity within the Judiciary and the executive branch.

Again, thank you, for allowing me this opportunity to present this written testimony.

Sincerely,



Pete A. Meno  
Probation Officer Supervisor  
Adult Drug Unit  
Probation Services Division  
Judiciary of Guam



# Supreme Court of Guam

SUITE 300 GUAM JUDICIAL CENTER  
120 WEST O'BRIEN DRIVE, HAGÁTÑA, GUAM 96910-5174  
www.guamsupremecourt.com

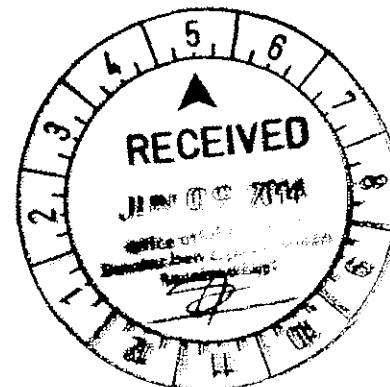


Telephone: +1 (671) 475-3395 • Facsimile: +1 (671) 475-3140

June 9, 2014

VIA HAND DELIVERY

Honorable Vicente C. Pangelinan  
Senator, I Mina'trentai Dos Na Liheslaturan Guåhan  
324 West Soledad Avenue, Ste. 101  
Hagåtña, Guam 96910



Re: Testimony in Support of Bill No. 307-32 (COR), *An Act to Amend Section 5102(d) of Title 7 of the Guam Code Annotated Relative to the Power of the Judicial Council to Adopt Pay Schedules and Plans and to Appropriate Funds for Salary and Benefit Increases for Non-Law Enforcement Employees of the Judiciary*

Håfa Adai, Senator Pangelinan:

I humbly submit this testimony in support of Bill No. 307-32 (COR), which would bestow upon the Judicial Council the power to adopt a pay plan and pay schedules for the classified and unclassified employees of the Unified Judiciary of Guam consistent with the Government of Guam Competitive Wage Act of 2014 ("CWA").

As Staff Attorney for the Supreme Court of Guam, I supervise and recruit the Research Attorneys, or law clerks, of the Supreme Court. These individuals are primarily tasked with examining the relevant legal issues arising from cases brought before the court and drafting the orders and opinions of the court. Because of the nature of the position, we attract some of the nation's top law school graduates. This has been the case despite the relatively low salary for entry level attorneys under the pre-CWA Government of Guam attorney pay scale adopted in 1991. Under the pre-CWA scale, entry level attorneys earn an annual salary of \$40,352.00. This salary, while relatively high compared to the pre-CWA entry level salaries of most Government of Guam positions, is quite low when the high cost and rigor of a law school education and the earning potential of an attorney in the private sector are all considered.

The Research Attorneys and law clerks of the Judiciary of Guam continue to be paid under the pre-CWA attorney pay scale. Meanwhile, attorneys in the Executive Branch, namely, the Office of the Attorney General, are being paid under the attorney pay plan adopted in the CWA. Under the CWA attorney pay plan, entry level attorneys earn an annual salary of \$50,825.00; in other words, an entry level attorney at the Office of the Attorney General earns approximately 25% more than a similarly situated attorney at the Judiciary of Guam.

The Judiciary of Guam is an equal opportunity employer and provider.

I can only assume that the primary reason there has not been a mass exodus of our attorneys—or of Judiciary employees in general, for that matter—to the Executive Branch is the hope that Judiciary employees will soon be paid in parity with other employees in government service. Should Bill No. 307-32 (COR) not pass, however, the Judiciary will have a difficult time recruiting and retaining its attorneys and other employees.

The employees of the Judiciary deserve parity in pay with their Executive Branch counterparts. The bottom line is that if Judiciary employees continue to be paid at the pre-CWA salary rates, the Judiciary will be unable to compete with its sister branch in both the recruitment and retention of its employees. As a co-equal branch of government, the Judiciary deserves an equal playing field with respect to attracting potential talent and retaining current ones. For these reasons, I humbly ask for I Liheslatura's support of Bill No. 307-32 (COR).

Un dangkolu na si Yu'os ma'ase for your time and consideration.

Senseramente,



Erica Eschbach  
Staff Attorney  
Supreme Court of Guam



## COMMITTEE ON RULES

*I Mina'trentai Dos na Liheslaturan Guåhan* • The 32nd Guam Legislature  
155 Hesler P'lace, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
E-mail: [roryforguam@gmail.com](mailto:roryforguam@gmail.com) • Tel: (671)472-7679 • Fax: (671)472-3547

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Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

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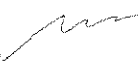
Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

Senator  
Aline Yamashita  
Member

June 5, 2014

### Memorandum

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

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

**Subject:** **Fiscal Note**

*Hafa Adai!*

Attached please find the fiscal note for the bill number listed below.  
Please note that the fiscal note is issued on the bill as introduced.

**FISCAL NOTE:**  
Bill No. 307-32(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'!*

2014 JUN 15 AM 11:18  




**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

OFFICE OF THE GOVERNOR  
Post Office Box 2950, Hagåtña Guam 96932

**EDDIE BAZA CALVO**  
GOVERNOR

**JOSE S. CALVO**  
ACTING DIRECTOR

**RAY TENORIO**  
LIEUTENANT GOVERNOR

**JOHN AB PANGELINAN**  
ACTING DEPUTY DIRECTOR

**JUN 04 2014**

Senator Rory J. Respicio  
Chairperson, Committee on Rules  
I Mina'trentai Dos na Liheslaturan Guåhan  
The 32nd Guam Legislature  
155 Hesler Place  
Hagåtña, Guam 96932

*Hafa Adai* Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill No.: **307-32(COR)**.

If you have any question(s), please do not hesitate to call the office at 475-9412/9106.

  
**JOSE S. CALVO**  
Acting Director

Enclosures  
cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research  
Fiscal Note of Bill No. 307-32 (COR)**

**AN ACT TO AMEND SECTION 5102(d) OF TITLE 7 OF THE GUAM CODE ANNOTATED RELATIVE TO THE POWER OF THE JUDICIAL COUNCIL TO ADOPT PAY SCHEDULES AND PLANS AND TO APPROPRIATE FUNDS FOR SALARY AND BENEFIT INCREASES FOR NON-LAW ENFORCEMENT EMPLOYEES OF THE JUDICIARY.**

Department/Agency Appropriation Information	
Dept./Agency Affected: Unified Judiciary	Dept./Agency Head: Honorable Robert J. Torres, Chief Justice
Department's General Fund (GF) appropriation(s) to date:	26,279,638
Department's Other Fund (Specify) appropriation(s) to date: Safe Streets Fund	146,205
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$26,425,843</b>

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2012 Unreserved Fund Balance <sup>1</sup>		\$0	\$0
FY 2014 Adopted Revenues	\$593,827,815	\$0	\$593,827,815
FY 2014 Appro. (PL No. 32-68 through PL 32-147)	(\$92,311,879)	\$0	(\$592,311,879)
Sub-total:	\$1,515,936	\$0	\$1,515,936
Less appropriation in Bill	(\$510,000)	\$0	(\$510,000)
<b>Total:</b>	<b>\$1,005,936</b>	<b>\$0</b>	<b>\$1,005,936</b>

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2013 (if applicable)	FY 2014	FY 2015	FY 2016	FY 2017
General Fund	\$0	\$0	\$510,000	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$510,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

- 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? / / N/A /x/ 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 /x/ No  
Is there a federal mandate to establish the program/agency? / / Yes /x/ 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: Dina P. Rivera Date: JUN 04 2014 Director: Jose S. Calvo Date: JUN 04 2014  
Dina P. Rivera Jose S. Calvo, Acting Director

**Footnotes:**  
See attached Comments.

**COMMENTS TO BILL No. 307-32(COR)**

AN ACT TO AMEND SECTION 5102(d) OF TITLE 7 OF THE GUAM CODE ANNOTATED RELATIVE TO THE POWER OF THE JUDICIAL COUNCIL TO ADOPT PAY SCHEDULES AND PLANS AND TO APPROPRIATE FUNDS FOR SALARY AND BENEFIT INCREASES FOR NON-LAW ENFORCEMENT EMPLOYEES OF THE JUDICIARY.

The proposed bill is seeking to appropriate the sum of Five Hundred Ten Thousand Dollars (\$510,000) from the General Fund (GF) to the Unified Judiciary for Fiscal Year 2014 salary and benefits increases for classified and unclassified non-law enforcement employees consistent with compensation policies adopted pursuant to 7 GCA §5102(d), as amended.

Based on a letter to the Speaker of the 32<sup>nd</sup> Guam Legislature by the Acting Administrator of the Courts dated February 20, 2014 (Re: Government of Guam Competitive Wage Act of 2014), he requested the full amount of \$506,815 in order to implement salary increases beginning January 26, 2014 (date of implementation) to the end of FY14.

Pursuant to Section 2(d), Chapter XI of P.L. 32-068, 6.67% of the \$7,055,357 is appropriated to the Unified Judiciary for its Classified and Unclassified personnel for the purpose of implementing the Government-wide Position Classification, Compensation & Benefits Study. It is noted that \$470,592 has already been allocated to the Judiciary of Guam for FY2014. The intent of this Bill is to provide a supplemental appropriation of \$510,000, to the amount already appropriated above, in order for the Judiciary to cover its locally funded personnel service requirements for the remaining months of this fiscal year.

Lastly Section 3 of the bill states "Notwithstanding any other provision of law, appropriations made to the Unified Judiciary in Chapter XI of Public Law 32-068 shall be used for salary and benefit increases pursuant to subsection (b) of Chapter XI of Public Law 32-068," which is a reaffirmation of the purpose for such appropriation.



## COMMITTEE ON RULES

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

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Member

Senator  
Michael E.Q. San Nicolas  
Member

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER


Senator  
Aline Yamashita  
Member

April 7, 2014

### MEMORANDUM

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

**Attorney Therese M. Terlaje**  
*Legislative Legal Counsel*

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

**Subject:** **Referral of Bill No. 307-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 307-32(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 Dos 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 Dos 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
307-32 (COR)	FRANK B. AGUON, JR	AN ACT TO AMEND SECTION 5102(d) OF TITLE 7 OF THE GUAM CODE ANNOTATED RELATIVE TO THE POWER OF THE JUDICIAL COUNCIL TO ADOPT PAY SCHEDULES AND PLANS AND TO APPROPRIATE FUNDS FOR SALARY AND BENEFIT INCREASES FOR NON-LAW ENFORCEMENT EMPLOYEES OF THE JUDICIARY.	4/7/14 11:36 a.m	04/07/14	Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land			



Lisa Dames &lt;cipo@guamlegislature.org&gt;

## Public Hearing - FIRST NOTICE

Lisa Dames &lt;cipo@guamlegislature.org&gt;

Fri, May 30, 2014 at 4:35 PM

To: news@guampdn.com, news@k57.com, Sabrina Salas <sabrina@kuam.com>, Jason Salas <jason@kuam.com>, Mindy Aguon <mindy@kuam.com>, Ken Quintanilla <kenq@kuam.com>, Krystal Paco <krystal@kuam.com>, clynt@k57.com, Betsy Brown <betsy@k57.com>, Kevin Kerrigan <kevin@k57.com>, Jon Anderson <editor@mvguam.com>, "Gerardo R. Partido" <gerry@mvguam.com>, marvic@mvguam.com, louella@mvguam.com, rgibson@k57.com, kstokish@gmail.com, Jerick Sablan <jpsablan@guampdn.com>, Steve Limtiaco <slimtiaco@guampdn.com>, "Daleno, Gaynor D" <gdumat-ol@guam.gannett.com>, Gaynor Daleno <gdumat-ol@guampdn.com>, Lifestyles\_PDN <life@guampdn.com>, Senator ben pangelinan <senbenp@guam.net>

Hafa Adai,

The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land will hold a public hearing on Friday, June 6, 2014 beginning at 8:30am at the Guam Legislature Public Hearing Room. The following is on the agenda:

**Bill No. 307-32 (COR) – Introduced by Senator Frank Aguon, Jr.**

**An Act to amend Section 5102(d) of Title 7 of the Guam Code Annotated Relative to the power of the Judicial Council to adopt pay schedules and plans and to appropriate funds for the salary and benefit increases for non-law enforcement employees of the Judiciary.**

Yanggen un nisisita spesiát na setbision, put fabot ágang i Ifisinan Sinadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7. Yanggen un nisisita kopian i priniponi siha ginen este na tareha, hálom gi i uepsait i Liheslaturan Guahan gi [www.guamlegislature.com](http://www.guamlegislature.com) Yanggen para un na'háлом testigu-mu, chule' para i ifisinan-mámi gi 324 West Soledad Avenue gi iya Hagátña, pat guatto gi i Kwatton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi [office@senbenp.com](mailto:office@senbenp.com) Este na nutisiu inapási nu i fendon gubetnamento.

If you require any special accommodations, auxiliary aids or other special services or for further information, please call the Office of Senator Vicente (ben) Cabrera Pangelinan at 473-4236/7. For copies of any of the Bills listed on this agenda, you may log on to the Guam Legislature's website at [www.guamlegislature.com](http://www.guamlegislature.com) Testimonies may be submitted directly to our office at 324 West Soledad Avenue in Hagátña or at the Mail Room of the Guam Legislature, via fax at 473-4238, or via email at [office@senbenp.com](mailto:office@senbenp.com)

Lisa Dames  
Chief of Staff

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN

Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land.

(671) 473-4236 (office)

(671) 473-4238 (fax)  
senbenp.com  
www.guamlegislature.org

---

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Lisa Dames <cipo@guamlegislature.org>

## Public Hearing - FIRST Notice

Lisa Dames <cipo@guamlegislature.org>  
To: PHrg Notice <phnotice@guamlegislature.org>

Fri, May 30, 2014 at 4:36 PM

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--  
Lisa Dames  
Chief of Staff  
I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN  
Senator Vicente (ben) Cabrera Pangelinan  
Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public  
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Lisa Dames &lt;cipo@guamlegislature.org&gt;

## Public Hearing - SECOND Notice

Lisa Dames &lt;cipo@guamlegislature.org&gt;

Wed, Jun 4, 2014 at 8:37 AM

To: news@guampdn.com, news@k57.com, Sabrina Salas <sabrina@kuam.com>, Jason Salas <jason@kuam.com>, Mindy Aguon <mindy@kuam.com>, Ken Quintanilla <kenq@kuam.com>, Krystal Paco <krystal@kuam.com>, clynt@k57.com, Betsy Brown <betsy@k57.com>, Kevin Kerrigan <kevin@k57.com>, Jon Anderson <editor@mvguam.com>, "Gerardo R. Partido" <gerry@mvguam.com>, marvic@mvguam.com, louella@mvguam.com, rgibson@k57.com, kstokish@gmail.com, Jerick Sablan <jpsablan@guampdn.com>, Steve Limtiaco <slimtiaco@guampdn.com>, "Daleno, Gaynor D" <gdumat-ol@guam.gannett.com>, Lifestyles\_PDN <lifep@guampdn.com>

Cc: Senator ben pangelinan &lt;senbenp@guam.net&gt;

Hafa Adai,

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---  
Lisa Dames  
Chief of Staff

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN

Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land.

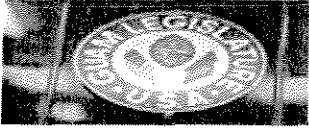
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Lisa Dames &lt;cipo@guamlegislature.org&gt;

---

## Public Hearing - SECOND Notice

---

Lisa Dames <cipo@guamlegislature.org>  
 To: PHrg Notice <phnotice@guamlegislature.org>

Wed, Jun 4, 2014 at 8:38 AM

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~  
 Lisa Dames  
 Chief of Staff  
 I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN  
 Senator Vicente (ben) Cabrera Pangelinan  
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As of March 13, 2014**

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I Mina'trentai Dos na Liheslaturan Guåhan

32<sup>nd</sup> GUAM LEGISLATURE

Senator Vicente (ben) Cabrera Pangelinan

Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land

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**INEKUNGOK PUPBLEKO  
(PUBLIC HEARING)**

**gi Betnes, gi diha 6 gi Huño, 2014  
Friday, June 6, 2014**

**Kuåtton Inekungok Pupbleko gi I Liheslaturan Guåhan  
(Guam Legislature Public Hearing Room)**

***alas ocho I media gi egga'an*  
(8:30 AM)**

**TAREHA  
(AGENDA)**

**Bill No. 307-32 (COR) – Introduced by Senator Frank Aguon, Jr.**

**An Act to amend Section 5102(d) of Title 7 of the Guam Code Annotated Relative to the power of the Judicial Council to adopt pay schedules and plans and to appropriate funds for the salary and benefit increases for non-law enforcement employees of the Judiciary.**

Yanggen un nisisita espesiát na setbision, put fabot ágang i Ifisinan Sinadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7. Yanggen un nisisita kopian i priniponi siha ginen este na tareha, hálom gi i uepsait i Liheslaturan Guåhan gi [www.guamlegislature.com](http://www.guamlegislature.com) Yanggen para un na'hálom testigu-mu, chule' para i ifisinan-mâmi gi 324 West Soledad Avenue gi iya Hagåtña, pat guatto gi i Kuatton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi [office@senbenp.com](mailto:office@senbenp.com) Este na nutisiu inapási nu i fendon gubetnamento.

If you require any special accommodations, auxiliary aids or other special services or for further information, please call the Office of Senator Vicente (ben) Cabrera Pangelinan at 473-4236/7. For copies of any of the Bills listed on this agenda, you may log on to the Guam Legislature's website at [www.guamlegislature.com](http://www.guamlegislature.com) Testimonies may be submitted directly to our office at 324 West Soledad Avenue in Hagåtña or at the Mail Room of the Guam Legislature, via fax at 473-4238, or via email at [office@senbenp.com](mailto:office@senbenp.com)

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**BILL NO. 307-32 (COR)  
PETITION**

Name	Title	Signature	In Favor	Not In Favor
<del>JOHN LIZAMA</del>	<del>CHIEF PROBATION OFFICER</del>	<del>[Signature]</del>	<del>X</del>	
Melaine Brennan	Dep. CPO	[Signature]	✓	
Rodolfo Casiano	ASO Supervisor	[Signature]	✓	
Trisha Surin	Probation Supervisor	[Signature]	✓	
Vincent Enriquez, Jr.	Probation Officer/SGU	[Signature]	✓	
IVAN SIBANOD	Probation Officer II	[Signature]	✓	
ANTHONY MORGILLI	SENIOR PROBATION	[Signature]	✓	
Randall Yasuhito	Probation Officer I	[Signature]	✓	
KIPP WANDA	PROBATION OFFICER	[Signature]	✓	
Anthony Lopez	probation officer	[Signature]	✓	
Doris Matias	Probation officer	[Signature]	✓	
Meagan McDonald	Probation officer	[Signature]	✓	
Hill Clem Lumanog	Senior Probation Officer	[Signature]	✓	
VINCE DUBONG	Senior Probation Officer	[Signature]	✓	
ANGELICA BRITA	PROBATION OFFICER	[Signature]	✓	
JOE GRAND JUAN	MHC COORDINATOR	[Signature]	✓	
Marcelline C Santos	Public Guardian	[Signature]	✓	
JIMMY SANTOS	ADC	[Signature]	✓	
JUETTE PLORES ARANICA	P. Prob. Officer	[Signature]	✓	
JAY PEREZ	PROB. OFFICER SUPERV	[Signature]	✓	
ELAINE NAPUA	ADC'S OFFICE	[Signature]	✓	
MARIE P REYES	CASE MANAGER	[Signature]	✓	
Ciera Arnola	CASE MANAGER	[Signature]	✓	
R. Payumo	P. Officer	[Signature]	✓	
Elias Melfalen	Probation Service Assistant	[Signature]	✓	
Emorie Martinez	Probation Officer	[Signature]	✓	
MIKE POCAINGUE	probation officer	[Signature]	✓	
Vanessa Custales	PO Office	[Signature]	✓	
Matthew Can	PO I	[Signature]	✓	
Joleen Camacho	PO II	[Signature]	✓	
Taimango Christine	PO I	[Signature]	✓	

**BILL NO. 307-32 (COR)  
PETITION**






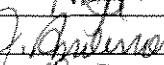










We, the undersigned employees of the Judiciary of Guam are in favor of passage of Bill No. 307-32(COR). We believe we should be compensated equitably and are hereby requesting for the implementation of the Competitive Wage Act of 2014. We request that the Senators of the Guam Legislature pass Bill No. 307-32(COR).

Name	Title	Village	Signature
Jamora Robinson	Deputy marshal	Dededo	
JERRY A. EUSTING	Deputy Marshal	Alamogordo	
Alvin Sanvicente	DM III	Tamuning	
Theodore Padua	DMG	DPW	
Eileen SN Gmen	Data En	Dededo	
John Tenorio	Data Entry	Talofoto	
Roland Frunzler	Deputy Marshal III	Tamuning	
George Mateo	Deputy Marshal III	Tamuning	
Lisa Perez	Deputy Marshal	Mangilao	
JERRY HUMBLE	DEPUTY MARSHAL	AGAT	
JOHN JIM IGARRO	DEPUTY MARSHAL II	YIGO	
THOMAS MASON	DEPUTY MARSHAL	Barrigada	
Mark A. Lanz	DEPUTY MARSHAL	Mangilao	
Josh Herrins	Deputy Marshal	Mangilao	
Jesse Naputi	Deputy Marshal	Talofoto	
Keane Christman	Deputy Marshal	Santa Rita	
ANTHONY J. MENO	DEPUTY MARSHAL	DM	
Michael Quinto	Deputy Marshal II	CHP	
Kennedy G. Robinson	DM I	Dededo	
ROLAND UNTALAN	DM II	TOTO	
Roland Okada	Dep. Mar Supv.	Barrigada	
Mason Savama	Data Entry Clerk	Piti	
Christina Duenas	Manut Sec	Maiti	
Chanssa Tenorio	Magist officer	Sinayana	
Troy Pangelinan	Deputy Marshal Supervisor	Maiti	
Carolina Cortez	Deputy Marshal II	Bar. Heights	
Peter Anita	DEPUTY MARSHAL	YIGO	
BESS COUTEREEZ	DEPUTY MARSHAL	MANGILAO	
BRIAN MANNAS	DEPUTY MARSHAL	YIGO	
JERALD CAMELLO	Deputy Marshal	Agaña	
Jeff Hady	DM III	Mangilao	

**BILL NO. 307-32 (COR)  
PETITION**

Name	Title	Signature	In Favor	Not In Favor
Antonio J. Cruz	Data Entry Clerk		✓	
Rachelle A. Santos	Data Entry Clerk		✓	
Alan Paulino	"		✓	
Jonathan Pablo	Deputy Clerk Assistant		✓	
DAVILY Mrs. PEREZ	Data Entry Clerk		✓	
Naty Moore	Data Entry Clerk		✓	
MARICQA Santos	Data Entry Clerk		✓	
Betty T. Mesa	Deputy clerk I		✓	
Jesse LeFevre	Procurement officer III		✓	
Scott Hermosilla	Deputy Clerk I		✓	
Jared Garrido	Data Entry		✓	
Amir Aruco	Data Entry		✓	
Curtis M. Auferio	Deputy Clerk I		✓	
Florene M.U. Rivera	Deputy clerk II		✓	
C'ANNA CALAMBA	DATA ENTRY CLERK		✓	
Esther L.S. Pinaula	DEPUTY CLERK III		✓	
ROSALINE SALAS	DEPUTY CLERK II		✓	
Amando D. Quitoriano	Dep. Clerk Superv.		✓	
JOSEPH L. BARRERA	Dep Clerk SUPERVISOR		✓	
Tammy L. Pinaula	Deputy Clerk III		✓	
Ciera Williams	Data Entry Clerk		✓	
Breianna Jade Bamba	Data Entry Clerk		✓	
Daisy Mae Norman	Data Entry Clerk		✓	
Evelyn N. Boya	Deputy Clerk II		✓	
Barbara L. G.	DEPUTY CLERK I		✓	
GENERIC J. MENDOZA	Dep. Clerk III		✓	
JERRY Guerrero	DEP CLK III		✓	
June B. Carino	Language Access Manager		✓	
Andrea Polas	Management officer		✓	
JESSICA CRUZ	Chief Deputy Clerk		✓	
GAO L. PEREZ JR	Dep Clerk SUPERVISOR		✓	
JACOB UNCHAN GOO	DEP I		✓	
Benny Cruz	Dep Clerk III		✓	
Rick Attague	Dep Clerk Supervisor		✓	
Roman Quinatan	Dep. Clerk II		✓	

**BILL NO. 307-32 (COR)  
PETITION**

Name	Title	Signature	In Favor	Not In Favor
Rosalind C. Balajadia	Deputy Clerk Supervisor		✓	
Domingo M. Nego	Deputy Clerk III		✓	
Jerimie J. Duenas	Deputy Clerk II		✓	
Lorriane C. Cruz	Deputy Clerk I		✓	
Alfred A. Santos	Deputy Clerk I		✓	
Frances P. Fernandez	Deputy Clerk I		✓	
Kristine I. Flores	Deputy Clerk I		✓	
Jonathan P. Anderson	Deputy Clerk I		✓	
Tracy H. Respicio	Data Entry Clerk		✓	
Perry T. Guerrero II	Data Entry Clerk		✓	
Nichole M. Lujan	Data Entry Clerk		✓	
Antoinette F. Cruz	Data Entry Clerk		✓	
Alberto E. Tolentino	Magistrate Judge			
Christine A. Chargualaf	Chamber Clerk			
JThomas B. San Nicolas	Bailiff		✓	
Darrell P. Garcia	Court Fiscal Assistant		✗	











**BILL NO. 307-32 (COR)  
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Name	Title	Signature	In Favor	Not In Favor
Rosalind C. Balajadia	Deputy Clerk Supervisor		✓	
Domingo M. Nego	Deputy Clerk III		✓	
Jerimie J. Duenas	Deputy Clerk II		✓	
Lorriane C. Cruz	Deputy Clerk I		✓	
Alfred A. Santos	Deputy Clerk I		✓	
Frances P. Fernandez	Deputy Clerk I		✓	
Kristine I. Flores	Deputy Clerk I		✓	
Jonathan P. Anderson	Deputy Clerk I		✓	
Tracy H. Respicio	Data Entry Clerk		✓	
Perry T. Guerrero II	Data Entry Clerk		✓	
Nichole M. Lujan	Data Entry Clerk		✓	
Antoinette F. Cruz	Data Entry Clerk		✓	
Alberto E. Tolentino	Magistrate Judge			
Christine A. Chargualaf	Chamber Clerk			
JThomas B. San Nicolas	Bailiff		✓	
Darrell P. Garcia	Court Fiscal Assistant			✗













# COMMITTEE ON RULES

*I Mina'trentai Dos na Liheslaturan Guåhan* • The 32nd Guam Legislature

155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)

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Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

June 5, 2014

## Memorandum

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

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

**Subject:** Fiscal Note

*Hafa Adai!*

Attached please find the fiscal note for the bill number listed below.  
Please note that the fiscal note is issued on the bill as introduced.

### FISCAL NOTE:

Bill No. 307-32(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'!*

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

Senator  
Vicente (Ben) C. Pangelinan  
Member

Speaker  
Judith T.P. Won Pat, Ed.D.  
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Michael F.Q. San Nicolas  
Member

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

Senator  
Aline Yamashita  
Member

2014 JUN 5 AM 11:11  
*[Signature]*



**BUREAU OF BUDGET & MANAGEMENT RESEARCH**OFFICE OF THE GOVERNOR  
Post Office Box 2950, Hagåtña Guam 96932EDDIE BAZA CALVO  
GOVERNORJOSE S. CALVO  
ACTING DIRECTORRAY TENORIO  
LIEUTENANT GOVERNORJOHN AB PANGELINAN  
ACTING DEPUTY DIRECTOR

JUN 04 2014

Senator Rory J. Respicio  
Chairperson, Committee on Rules  
I Mina'trentai Dos na Liheslaturan Guåhan  
The 32nd Guam Legislature  
155 Hesler Place  
Hagåtña, Guam 96932

*Hafa Adai* Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill No.: 307-32(COR).

If you have any question(s), please do not hesitate to call the office at 475-9412/9106.

Handwritten signature of Jose S. Calvo in black ink.

JOSE S. CALVO  
Acting Director

Enclosures  
cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research  
Fiscal Note of Bill No. 307-32 (COR)**

**AN ACT TO AMEND SECTION 5102(d) OF TITLE 7 OF THE GUAM CODE ANNOTATED RELATIVE TO THE POWER OF THE JUDICIAL COUNCIL TO ADOPT PAY SCHEDULES AND PLANS AND TO APPROPRIATE FUNDS FOR SALARY AND BENEFIT INCREASES FOR NON-LAW ENFORCEMENT EMPLOYEES OF THE JUDICIARY.**

Department/Agency Appropriation Information	
Dept./Agency Affected: Unified Judiciary	Dept./Agency Head: Honorable Robert J. Torres, Chief Justice
Department's General Fund (GF) appropriation(s) to date:	26,279,638
Department's Other Fund (Specify) appropriation(s) to date: Safe Streets Fund	146,205
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$26,425,843</b>

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2012 Unreserved Fund Balance <sup>1</sup>		\$0	\$0
FY 2014 Adopted Revenues	\$593,827,815	\$0	\$593,827,815
FY 2014 Appro. (PL No. 32-68 through PL 32-147)	(\$92,311,879)	\$0	(\$592,311,879)
Sub-total:	\$1,515,936	\$0	\$1,515,936
Less appropriation in Bill	(\$510,000)	\$0	(\$510,000)
<b>Total:</b>	<b>\$1,005,936</b>	<b>\$0</b>	<b>\$1,005,936</b>

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2013 (if applicable)	FY 2014	FY 2015	FY 2016	FY 2017
General Fund	\$0	\$0	\$510,000	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$510,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

1. Does the bill contain "revenue generating" provisions? // Yes      /x/ No  
If Yes, see attachment
2. Is amount appropriated adequate to fund the intent of the appropriation? // N/A      /x/ Yes      // No  
If no, what is the additional amount required? \$ // N/A
3. Does the Bill establish a new program/agency? // Yes      /x/ No  
If yes, will the program duplicate existing programs/agencies? // N/A      // Yes      /x/ No  
Is there a federal mandate to establish the program/agency? // Yes      /x/ No
4. Will the enactment of this Bill require new physical facilities? // Yes      /x/ No
5. 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:  Dina P. Rivera	Date: JUN 04 2014	Director:  Jose S. Calvo, Acting Director	Date: JUN 04 2014
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**Footnotes:**  
See attached Comments.

**COMMENTS TO BILL No. 307-32(COR)**

AN ACT TO AMEND SECTION 5102(d) OF TITLE 7 OF THE GUAM CODE ANNOTATED RELATIVE TO THE POWER OF THE JUDICIAL COUNCIL TO ADOPT PAY SCHEDULES AND PLANS AND TO APPROPRIATE FUNDS FOR SALARY AND BENEFIT INCREASES FOR NON-LAW ENFORCEMENT EMPLOYEES OF THE JUDICIARY.

The proposed bill is seeking to appropriate the sum of Five Hundred Ten Thousand Dollars (\$510,000) from the General Fund (GF) to the Unified Judiciary for Fiscal Year 2014 salary and benefits increases for classified and unclassified non-law enforcement employees consistent with compensation policies adopted pursuant to 7 GCA §5102(d), as amended.

Based on a letter to the Speaker of the 32<sup>nd</sup> Guam Legislature by the Acting Administrator of the Courts dated February 20, 2014 (Re: Government of Guam Competitive Wage Act of 2014), he requested the full amount of \$506,815 in order to implement salary increases beginning January 26, 2014 (date of implementation) to the end of FY14.

Pursuant to Section 2(d), Chapter XI of P.L. 32-068, 6.67% of the \$7,055,357 is appropriated to the Unified Judiciary for its Classified and Unclassified personnel for the purpose of implementing the Government-wide Position Classification, Compensation & Benefits Study. It is noted that \$470,592 has already been allocated to the Judiciary of Guam for FY2014. The intent of this Bill is to provide a supplemental appropriation of \$510,000, to the amount already appropriated above, in order for the Judiciary to cover its locally funded personnel service requirements for the remaining months of this fiscal year.

Lastly Section 3 of the bill states "Notwithstanding any other provision of law, appropriations made to the Unified Judiciary in Chapter XI of Public Law 32-068 shall be used for salary and benefit increases pursuant to subsection (b) of Chapter XI of Public Law 32-068," which is a reaffirmation of the purpose for such appropriation.



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MINORITY LEADER

Senator  
Aline Yamashita  
Member

April 8, 2014

VIA E-MAIL

[john.rios@bbmr.guam.gov](mailto:john.rios@bbmr.guam.gov)

**John A. Rios**  
**Director**  
**Bureau of Budget & Management Research**  
**P.O. Box 2950**  
**Hagåtña, Guam 96910**

**RE: Request for Fiscal Notes– Bill Nos. 305-32 (COR) through 308-32(COR)**

*Hafa Adai* Mr. Rios:

Transmitted herewith is a listing of *I Mina'trentai Dos 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

<b>Bill Nos.</b>	<b>Sponsors</b>	<b>Title</b>
<b>305-32 (COR)</b>	Brant T. McCreadie	AN ACT TO AMEND § 58108 AND TO ADD A NEW § 58108.1 TO CHAPTER 58, TITLE 10 GUAM CODE ANNOTATED RELATIVE TO THE DUTIES OF THE GUAM FIRE DEPARTMENT AND THE GUAM WATERWORKS AUTHORITY WITH RESPECT TO FIRE HYDRANTS.
<b>306-32 (COR)</b>	FRANK B. AGUON, JR	AN ACT TO APPROPRIATE FUNDS TO THE OFFICE OF VETERANS AFFAIRS FOR THE IMPLEMENTATION OF THE GUAM VETERANS REGISTRY AS MANDATED IN PUBLIC LAW 32-101.
<b>307-32 (COR)</b>	FRANK B. AGUON, JR	AN ACT TO AMEND SECTION 5102(d) OF TITLE 7 OF THE GUAM CODE ANNOTATED RELATIVE TO THE POWER OF THE JUDICIAL COUNCIL TO ADOPT PAY SCHEDULES AND PLANS AND TO APPROPRIATE FUNDS FOR SALARY AND BENEFIT INCREASES FOR NON-LAW ENFORCEMENT EMPLOYEES OF THE JUDICIARY.
<b>308-32 (COR)</b>	Dennis G. Rodriguez, Jr.	AN ACT TO PROVIDE AN EX-OFFICIO REPRESENTATIVE OF THE GMH VOLUNTEERS ASSOCIATION A MEMBER POSITION ON THE GUAM MEMORIAL HOSPITAL AUTHORITY BOARD OF TRUSTEES, BY AMENDING SUBSECTION (a) OF §80105, CHAPTER 80, DIVISION 4, 10 GCA.



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Aline Yamashita  
Member

April 7, 2014

### MEMORANDUM

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

**Attorney Therese M. Terlaje**  
*Legislative Legal Counsel*

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

**Subject: Referral of Bill No. 307-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 307-32(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 Dos na Liheslaturan Guåhan*.

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

*Si Yu'os Ma'åse!*

Attachment

**MINA' TRENTAI DOS NA LIHESLATURAN GUÅHAN**  
**2014 (SECOND) Regular Session**

**Bill No.** 307-32 (COR)

**Introduced by:**

FRANK B. AGUON, JR.



**AN ACT TO AMEND SECTION 5102(d) OF TITLE 7 OF THE  
GUAM CODE ANNOTATED RELATIVE TO THE POWER OF  
THE JUDICIAL COUNCIL TO ADOPT PAY SCHEDULES  
AND PLANS AND TO APPROPRIATE FUNDS FOR SALARY  
AND BENEFIT INCREASES FOR NON-LAW  
ENFORCEMENT EMPLOYEES OF THE JUDICIARY**

2014 APR -7 AM 11:36  


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

2 **Section 1. Amendment of § 5102 of Chapter 5, Title 7 Guam Code**  
3 **Annotated.** Section 5102 (d) of Chapter 5, Title 7 GCA is hereby *amended* to  
4 read as follows:

5 “(d) Notwithstanding any other provision of law, To adopt a unified a  
6 pay plan and pay schedules for the classified and unclassified employees of  
7 the Judicial Branch consistent with the Hay Study and Unified Pay Schedule  
8 adopted in 1991, as amended government-wide plan pursuant to Section 13  
9 of Public Law 29-52 and Executive Order 2006-21 or the transmittal of  
10 January 15, 2014 to I Liheslaturan entitled the Government of Guam  
11 Competitive Wage Act of 2014, subject to appropriations as provided by  
12 Liheslaturan Guåhan;”

13 **Section 2. Appropriation to the Unified Judiciary.** The sum of Five  
14 Hundred Ten Thousand Dollars (\$510,000) is appropriated from the General Fund  
15 to the Unified Judiciary for Fiscal Year 2014 salary and benefits increases for  
16 classified and unclassified non-law enforcement employees consistent with  
17 compensation policies adopted pursuant to 7 GCA § 5102(d), as amended.

1           **Section 3.** Notwithstanding any other provision of law, appropriations made  
2 to the Unified Judiciary in Chapter XI of Public Law 32-068 shall be used for  
3 salary and benefit increases pursuant to subsection (b) of Chapter XI of Public Law  
4 32-068.