



The Honorable Judith T. Won Pat
Speaker
I Mina'trentai Dos Na Liheslaturan Guåhan
32nd Guam Legislature
155 Hesler Place
Hagåtña, Guam 96910

VIA: The Honorable Rory J. Respicio
Chairperson, Committee on Rules

RE: Committee Report on Bill No. 423-32 (COR), As Introduced

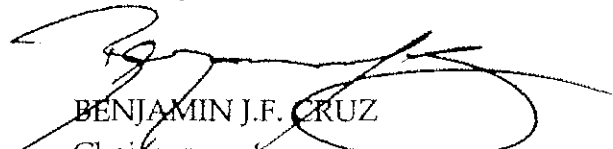
Dear Speaker Won Pat:

Transmitted herewith is the Report of the Committee on General Government Operations and Cultural Affairs on Bill No. 423-32 (COR) - B. J.F. Cruz - An act to *add* a new item (18) to § 4102(a) of Chapter 4, Title 4 of the Guam Code Annotated, relative to the personnel needs of the Attorney General of Guam and the Public Auditor.

Committee votes are as follows:

- 6 TO DO PASS
- 0 TO NOT PASS
- 1 TO REPORT OUT ONLY
- 0 TO ABSTAIN
- 0 TO PLACE IN INACTIVE FILE

Sincerely,


BENJAMIN J.F. CRUZ
Chairperson

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COMMITTEE REPORT

Bill No. 423-32 (COR)

**An act to add a new item (18) to § 4102(a)
of Chapter 4, Title 4 of the Guam Code
Annotated, relative to the personnel needs
of the Attorney General of Guam and the
Public Auditor.**



MEMORANDUM

TO: All Members
FROM: Vice Speaker Benjamin J.F. Cruz
Committee on General Government Operations and Cultural Affairs

SUBJECT: Committee Report on Bill No. 423-32 (COR), As Introduced

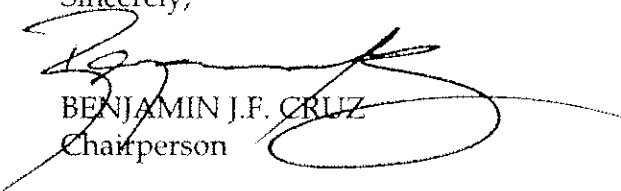
Transmitted herewith for your consideration is the Committee Report on Bill No. 423-32 (COR) – B. J.F. Cruz – An act to add a new item (18) to § 4102(a) of Chapter 4, Title 4 of the Guam Code Annotated, relative to the personnel needs of the Attorney General of Guam and the Public Auditor.

This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Bill No. 423-32 (COR), As Introduced
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony & Supporting Documents
- COR Referral of Bill No. 423-32 (COR)
- Fiscal Note Requirement
- Notices of Public Hearing
- Public Hearing Agenda
- Related News Reports

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

Sincerely,


BENJAMIN J.F. CRUZ
Chairperson



COMMITTEE VOTING SHEET

Bill No. 423-32 (COR) - B. J.F. Cruz - An act to add a new item (18) to § 4102(a) of Chapter 4, Title 4 of the Guam Code Annotated, relative to the personnel needs of the Attorney General of Guam and the Public Auditor.

COMMITTEE MEMBERS	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
CRUZ, BENJAMIN J.F. Chairperson		✓				
MUÑA BARNES, TINA ROSE Vice Chairperson		✓				
WON PAT, JUDITH T. Speaker and Ex-Officio Member						
ADA, THOMAS C. Member		✓				
RESPICIO, RORY J. Member		<i>see 12-9-14</i>				
RODRIGUEZ, DENNIS G. JR. Member						
SAN NICOLAS, MICHAEL, F.Q. Member		✓				
AGUON, Jr., FRANK B. Member						
ADA, V. ANTHONY Member		✓				
Morrison, Thomas Member						
McCreadie, Brant Member						
YAMASHITA, ALINE Member				✓		



COMMITTEE REPORT DIGEST

Bill No. 423-32 (COR): An act to *add* a new item (18) to § 4102(a) of Chapter 4, Title 4 of the Guam Code Annotated, relative to the personnel needs of the Attorney General of Guam and the Public Auditor.

I. OVERVIEW

Bill No. 423-32 (COR) was introduced by Vice Speaker Benjamin J.F. Cruz on November 14, 2014, and subsequently referred to the Committee on General Government Operations and Cultural Affairs on November 18, 2014.

The Committee on General Government Operations and Cultural Affairs convened a public hearing on Tuesday, November 25, 2014, at 5:30PM in the Guam Legislature Public Hearing Room. The hearing for Bill No. 423-32 (COR) began at 6:08PM and ended at 6:30PM.

Public Notice Requirements

All legal requirements for public notices were met, with requests for publication sent to all media and all Senators on November 18, 2014, and November 23, 2014, via email. Copies of the hearing notices are appended to the report.

Senators Present

Vice Speaker Benjamin J.F. Cruz, *Chairperson*
Senator Thomas C. Ada, *Member*
Senator Michael J.Q. San Nicolas, *Member*

Appeared before the Committee

Elizabeth Barrett-Anderson, *Attorney General-Elect of Guam*
Philip Tydingco, *Chief Deputy Attorney General, Office of the Attorney General*
Doris Flores Brooks, *Public Auditor, Office of the Public Auditor*

Submitted Written Testimonies

Doris Flores Brooks, *Public Auditor, Office of the Public Auditor*
Elizabeth Barrett-Anderson, *Attorney General-Elect of Guam*

II. TESTIMONY & DISCUSSION

Chairperson Benjamin J.F. Cruz announced Bill No. 423-32 (COR) and provided his a statement as the sponsor of the bill:

“This [issue] has been under discussion for some time. I’ve had discussions with

the Public Auditor about her desire to have unclassified personnel. And I keep saying we need to make an amendment to this statute. I would just make the amendment for both of these two elected offices, since I think it's required that this has to be in this section in order to be classified individuals. I'll hear the testimony of Attorney General-Elect and Public Auditor."

Elizabeth Barrett-Anderson, *Attorney General-Elect*, greeted the Committee members and proceeded to provide her statement. She thanked Chairperson Cruz for introducing Bill No. 423-32 COR and mentioned that upon their initial meeting in her capacity as General-Elect, the Senator had indicated that he had been contemplating this personnel issue for some time. She said that she is currently working with Attorney General Leonardo Rapadas and Chief Deputy Attorney General Phil Tydingco toward a smooth and seamless transition. She emphasized that one of the important elements of elected office is the recruitment of loyal and trustworthy staff capable of enforcing and implementing policies and practices. She expressed that her office needs to have at least one unclassified employee in order for her to improve the Office of the Attorney General (OAG) as she had clearly laid out in her campaign platform. She opined that the decades-old statute was certainly usable for line agencies to hire deputy directors and private secretaries, but the law has not progressed with the establishment of newly elected positions. She stated that the OAG staffing of about one hundred eighty (180) employees—fifty-two (52) to fifty-three (53) of which are staff attorneys—are mostly classified employees and classified attorneys, with the position of private secretary as the sole unclassified position. She stated that the current statute, which is the only exception made on the prohibition of the use of public funds for the hiring of unclassified personnel, must be amended so she can bring in a special assistant required for the successful implementation of her transition policies. She continued that the second half of her two-part transition process is the first eight (8) months of her first year in office, during which she wants to fulfill her promise to the electorate and improve the OAG. She noted that she has a lot of ideas to implement, which she has submitted as her written testimony (appended to this report), and she would appreciate the support of this legislation that would be most helpful to her efforts.

Doris Flores Brooks, *Public Auditor, Office of Public Accountability (OPA)*, greeted the Committee and read her testimony (appended to this report). She first expressed her appreciation for the restoration of the deputy public auditor position—she appointed Ms. Yuka Hechanova to this slot mid-October of this year, in the most recent budget act. She said she has yet to appoint a private secretary, but the addition of a special assistant to her office would allow greater flexibility since the Competitive Wage Act did not address her issues regarding the OPA compensation plan. She said that she has heard that some ex-OPA employees would be willing to return for more competitive pay. She mentioned that there's statute that addresses the pay of attorneys in OAG, and she hopes that the legislature would consider establishing parity by addressing pay issues for OPA employees. She thanked the sponsor of the bill for including OPA in the bill

and she urged the legislature to pass the bill.

Phil Tydingco, *Chief Deputy Attorney General, OAG*, greeted the Committee and stated that he was present at the hearing as the point of contact for OAG and a part of the transition team, and, with respect to his experience of serving under the three previous Attorney Generals (AG), he would be able to answer questions in regards to Bill No. 423-32 (COR). He stated that it was not uncommon for AG offices around the country to have unclassified Chiefs of Staff or Special Assistants, based on his observations during the numerous national meetings for Attorney Generals and those for Chief Deputy Attorney Generals. He noted that this practice is consistent with best practices for transitioning, especially for elected AG offices—which are the majority of AG positions nationwide.

Senator Thomas C. Ada asked the panel how the position of Special Assistant fits in their current respective offices.

AG-Elect Barrett-Anderson responded that her Special Assistant would work on policies, projects and programs. She said she envisions this position in the AG's office to be in contrast with current classified positions of management analyst and program coordinator—which are filled by employees who have been in the government service for many years. She stated that albeit the capability of current classified staff, she lacks personal familiarity with them since she has never worked with any of them. She said that similar to any elected position, the AG needs to have confidence and trust in her staff to move policies and procedures forward. Specifically she mentioned that her strategic plan entails providing as much training as possible so that all employees understand her management during her tenure. She compared her Special Assistant to the second in command in a senatorial office who without hesitation will execute and set a bill or program in place.

Senator Ada asked AG-Elect Barrett-Anderson if the position of Special Assistant would require a candidate with legal training.

AG-Elect **Barrett-Anderson** replied:

“No, in fact, it would not be because the AG would have the ability to hire his or her professional management staff, who are the deputies of [the various divisions such as] civil solicitors, prosecution, child support. The Special Assistant, is in my mind, [would be] someone who is not an attorney and could carry out a lot more, work with the support staff [toward] building a stronger administrative staff. At the present time I've looked at the administrative complexion of the OAG, and with all due respect to the Chief Deputy Phil Tydingco here, a lot needs to be done there in terms of human resources, personnel, accounting, so I need somebody to [implement policy for improvements]. I have a lot of administrative ideas and I could use that Special Assistant to move those ideas forward. It's a four-year unclassified position.

Senator Ada directed his question to Public Auditor Brooks:

“And I guess for the OPA, that’s pretty much basically what we’re looking at; I guess you could call it an administrative generalist as opposed to an auditor type-CPA type.”

Public Auditor Brooks responded that because the inadequate compensation for OPA, she plans to keep her three (3) management staffers with ten (10) years of experience. She explained that she has her Deputy Auditor, a Chief Auditor with a CPA who only makes \$55,000, and her Auditor III who makes \$50,000. She said that the previous employees who held these positions walked away because of inadequate pay. She continued:

“So my intention is to promote these people and pay them under the proposed Hay plan because otherwise, I will lose them, then I will have no history whatsoever. I’ve been suffering because of the lack of pay. And that’s what I intend to use those positions for. “

Senator Ada clarified the intent of his inquiry:

“And I guess I was just trying to get an appreciation for how this Special Assistant comes in. But you basically chose to take the opportunity to talk more about the compensation level that probably is not up to par, as opposed to how do we commit to trying to paint a convincing picture as to why the OPA needs a Special Assistant.”

Public Auditor Brooks responded that she saw this bill as an opportunity to increase her funding and keep her more seasoned staffers from seeking employment elsewhere—

Chairperson Cruz interjected:

“I think you’re ahead and you’re digging yourself back into your hole. Stop while you’re ahead. I think what it should have been was, you’ve been wanting a [solution] to this compensation plan for seven years. We’ve been talking about this. You are very busy as an auditor. You should have had an executive assistant who could have moved this six (6) years ago and we wouldn’t be here today. (Public Auditor Brooks thanks the Chairperson) And that’s what I’ve been saying. This was not meant to be a way to get around the merit system or the Hay plan.”

Mr. Tydingco spoke to explain the hierarchy in the AG’s office:

“If I could just help illuminate for the Senator Tom Ada. In the AG’s structure, in terms of the chief deputies and the deputies, there are usually attorneys. And it’s not uncommon that they come up from the ranks but they all have return rights because we one of the few attorney general offices [in the country] in which the attorneys are classified. I’ve actually worked in places where in most other countries, they are unclassified, but our system is different, and that presents

unique circumstances for whoever's transitioning in and it's not uncommon—and again I'm just sharing my experiences talking with people from other jurisdictions. They have their chiefs of staff, their special assistants who are unclassified, who are almost always not attorneys, who help with their initiatives and so forth. I'm not saying I'm advocating it; I'm saying it works in other places. What makes us unique is it's not uncommon if you don't bring in a deputy from the outside, if they're all from the inside and then they go back down into the classified rank. And we're evolving—we're like a teenager, our office. We're going to our thirteenth year and so I just see it as the evolution of the maturity of our AG's office—that this is [Special Assistant] position that's come about in other places in order to maintain the transition especially if one attorney general comes in with a complete new team. I've seen positions exist in other elected AG [offices]. So uniquely what happens is if you have a few people from the ranks they have the right to go down unless they go out and so I think that's why having someone transition in like this is probably appropriate, especially if there comes a time where we all either have the right to return because there was a new team brought in. So I think this addresses that gap, and that's why they have the [Special Assistant position]."

Senator Michael J.Q. San Nicolas proceeded to comment on the matter at hand:

"Thank you, Mr. Chairman. You know, one of the things that I've always been mindful of particularly with respect to the fact that we have an elected AG and an elected auditor, of all the elected offices we have, your office is the one that is least able to craft a team around you that is basically selected to meet your own specific goals and objectives. You kind of have to inherit the team that's already there on the classified side and then as much as possible with the limited unclassified, put whatever you're able to muster and kind of drive your agenda from there. So for me I have a real sensitivity to the idea of just putting myself in your shoes and imagining if I come in as a senator, and ninety-five percent (95%) of the people [who] are working for me are [those] who have worked there before—that would put us in a real tough spot being able to drive the agenda [for which you campaigned and were elected]. And having your office is that dual responsibility of being elected in your position but also meeting the mandates of what your offices entail—kind of puts you in that tough spot. I can imagine having a deputy as basically being your back up, you know, if you're not able to be there to run your operation; they're always going to be there to do it while you're away. Of course your executive secretary is there to be able to manage the phone calls and scheduling, but the question becomes, who's going to be there to execute what it is that you need them to execute at your policy level having to do with the day-to-day operations of the office. And that's why I think that this bill [that] was introduced by the Chairman goes a very long way towards further empowering you guys, to be able to meet the expectations of the public, who voted for you to be our AG or our public auditor. Having this special assistant to execute the policies, the thick binder of stuff that you guys want to move

forward, I think is further going to empower you to drive the agenda that you've brought to our people back in November. So I think that this is a fair step forward. I personally think that the more unclassified [employees] that you have working for you, the better. Because then you're truly able to build a team that meets the commitment that you made to the people and that you're confident that it's going to be able to those commitments. But that being said, the idea of having a deputy and an executive secretary and now also a special assistant, I think is something I can be comfortable with. I also appreciate the statements made with respect to compensation and we always want to make sure that everybody's being paid what they're worth, especially when it comes to services that are provided that's responsible for making sure that everybody is doing the job they're supposed to be doing. And in the auditor's office, that office is responsible for making sure that the money is being handled the way it's supposed to be. The people's money, this \$827-million budget, you know, if we're going to be trying to manage how much we're paying people and containing it. There really runs the risk of being pennywise and pound-foolish; at what point do we cross the line and not have the seasoned talent that we do need to be able to account for not only where we are going with respect to the hundreds of millions of dollars we're spending but where we've been? And truly how the evolution of policy is either occurring or not occurring in a way that's making us more responsible and not less. So I fully support the Chairman and I agree with him that this is a very good way for us to empower you to be able to meet your agendas that you brought to our people and I also support the Chairman, [with what] he stated earlier, that exploring and moving forward the idea of making sure that everyone's adequately compensated is going to be a good thing for the long term for the accountability service that we provide to people so I just want to make that statement and thank you both for being here. And [I] thank the Chairman for introducing this bill. I really would like to be added as a co sponsor. Thank you, Mr. Chair."

Chairperson Cruz, on account that there was no one else present to provide testimony, considered Bill No. 423-32 (COR) as heard.

III. FINDINGS AND RECOMMENDATIONS

The Committee on General Government Operations and Cultural Affairs to which was referred "Bill No. 423-32 (COR) - B. J.F. Cruz - An act to add a new item (18) to § 4102(a) of Chapter 4, Title 4 of the Guam Code Annotated, relative to the personnel needs of the Attorney General of Guam and the Public Auditor" hereby submits these findings to *I Mina'trentai Dos Na Liheslaturan Guåhan* and reports out Bill No. 423-32 (COR), as Introduced, with a recommendation TO DO PASS.

I MINA' TRENTAI DOS NA LIHESLATURAN GUÁHAN
2014 (SECOND) REGULAR SESSION

Bill No. 423-32 (copy)

Introduced by:

B. J. F. Cruz 

AN ACT TO ADD A NEW ITEM (18) TO § 4102(a) OF CHAPTER 4, TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE PERSONNEL NEEDS OF THE ATTORNEY GENERAL OF GUAM AND THE PUBLIC AUDITOR.

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 **Section 1.** A new item (18) is hereby *added* to § 4102(a) of Chapter 4,
2 Title 4 of the Guam Code Annotated to read:

3 **“§ 4102. Classified and Unclassified Services.**

4 All offices and employment in the Government of Guam, except for
5 employment as academic personnel of the Guam Community College (GCC)
6 and the University of Guam (UOG), as the term academic personnel is
7 defined in enabling laws of GCC and UOG, shall be divided into classified
8 and unclassified services as follows:

9 (a) The unclassified service shall include the positions of:

10 (1) elective officials;

11 (2) judges;

12 (3) Superior Court marshal, chief clerk, chief probation
13 officer and court administrator of the Superior Court;

14 (4) heads of agencies and instrumentalities and not more
15 than one (1) secretary for each such officer;

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1 (5) the first assistant, by whatever title denominated, to
2 the heads of agencies and instrumentalities stated in paragraph
3 (4) of this Subsection;

4 (6) persons employed on a temporary basis;

5 (7) members of boards and commission;

6 (8) executive director of the Commissioner's Council;

7 (9) all offices and employment in the Executive Branch
8 whose appointment are required to be confirmed by the Guam
9 Legislature;

10 (10) all offices and employment made, by law, to be at
11 the pleasure of any board, commission or officer;

12 (11) all legislative employees;

13 (12) members of the Guam Gaming Commission;

14 (13) physicians and health care administrators employed
15 at the Guam Memorial Hospital Authority;

16 (14) with the exception of civilian non-uniformed
17 positions, all positions in the Department of Military Affairs,
18 including the Executive Secretary and Executive Services
19 Coordinator;

20 (15) employees of the office of the Governor and
21 Lieutenant Governor including off-island offices and
22 Government House, as authorized in the applicable
23 appropriation law;

24 (16) Property Management Officer at the Department of
25 Corrections;

26 (17) persons employed on a seasonal basis; and

1 (18) not more than one (1) Special Assistant each to the
2 Attorney General of Guam and the Public Auditor.

3 (b) The classified service shall include all other positions in the
4 government of Guam.

5 (c) Notwithstanding any law or rule to the contrary,
6 employment as academic personnel of the Guam Community College
7 and the University of Guam shall be governed by rules adopted by the
8 Board of Trustees and the Board of Regents, respectively, in order to
9 provide academic freedom and autonomy to the institutions, as
10 intended by P.L. 14-77 as to GCC, and P.L. 19-40 as to UOG.

11 (d) Notwithstanding any other provision of law there shall be
12 no other personnel classifications in the government of Guam, other
13 than the classified and unclassified services as set forth in this Section.
14 The Director of Administration shall not create any unclassified
15 positions. The Civil Service Commission shall hear no appeal
16 regarding the creation of a new position.”

17 **Section 2. Effective Date.** This Act *shall* be effective upon enactment.

SENATOR BENJAMIN J.F. CRUZ, VICE SPEAKER
 Chairman, Committee on General Government Operations
 and Cultural Affairs
 Web Address: www.senatorbjcruz.com



IMINA'TRENTAI DOS NA LIHESLATURAN GUAHAN
 The 32nd Guam Legislature • senator@senatorbjcruz.com
 155 Hesler Place, Hagatña, Guam 96910
 Telephone: (671) 477-2520/1 • Fax: (671) 477-2522

PUBLIC HEARING SIGN-IN SHEET

Tuesday, November 25, 2014 - 5:30PM
 Guam Legislature Public Hearing Room • Hagatña, Guam

Bill No. 423-32 (COR) - B.J.F. Cruz - "An act to add a new item (18) to § 4102(a) of Chapter 4, Title 4 of the Guam Code Annotated, relative to the personnel needs of the Attorney General of Guam and the Public Auditor."

NAME	AGENCY OR ORGANIZATION	POSITION		TESTIMONY		PHONE NO.	EMAIL ADDRESS
		SUPPORT	OPPOSE	WRITTEN	ORAL		
Elizabeth Barrett-Anderson	AG Elect	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	788-8660	ebaelect@gmail.com
DONALD FLORES Brooks	OPA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	475-0350	DF.Brooks@GUAM.OPA.GU
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SENATOR BENJAMIN J.F. CRUZ, VICE SPEAKER
 Chairman, Committee on General Government Operations
 and Cultural Affairs
 Web Address: www.senatorbjcruz.com



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NAME	AGENCY OR ORGANIZATION	POSITION		TESTIMONY		PHONE NO.	EMAIL ADDRESS
		SUPPORT	OPPOSE	WRITTEN	ORAL		
<i>Phel Tydingco</i>	<i>OAG</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
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ATTORNEY GENERAL-ELECT
ELIZABETH BARRETT-ANDERSON
Transition Committee

P.O. Box 1083, Hagåtña, Guam 96932
ebagelect@gmail.com
671-788-8660

November 25, 2014

Honorable Senator Benjamin J. Cruz
Chairperson, Committee on General Operations and
Cultural Affairs
I Mina Trentai-Dos Na Lehislaturan Guahan
155 Hesler Place, Hagatna GU. 96910

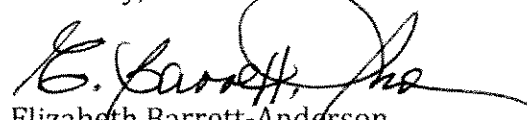
Re: Testimony on Bill 423-32 COR

Honorable Chair and Senators of the Committee:

As Attorney General-Elect I am please to testify in favor of Bill No. 423-32 COR. The measure permits an in-coming Attorney General to hire an unclassified Special Assistant to his/her newly established administrative staff. Unlike the gubernatorial, legislative and mayoral offices, almost all of the administrative support staff of the Office of the Attorney General does not change over with a newly elected administration. This is a good thing in many respects because it provides for a strong foundation of long-term merit employees. Unfortunately, aside from a private secretary it does not afford the newly elected Attorney General to bring on board administrative support staff dedicated to the policies and practices of the new administration. The Attorney General is authorized to hire a professional management staff consisting of a First Assistant and 4-5 Deputy Attorneys General to the various divisions. There are no other management unclassified administrative support positions, except those that are specific to 100% federally funded programs.

It is important to an incoming elected officer to be able to have a few administrative support staff who will assist in the implementation of transition policies. The Special Assistant is the kind of position that functions in this manner. I kindly ask the Committee for its support, and I look forward to a good working relationship with the Committee in the next two (2) years.

Sincerely,



Elizabeth Barrett-Anderson
Attorney General Elect of Guam



OFFICE OF PUBLIC ACCOUNTABILITY

Doris Flores Brooks, CPA, CGFM

Public Auditor

November 25, 2014

The Committee on General Government Operations and Cultural Affairs and
The Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public
Parks, Recreation, Historic Preservation and Land
The 32nd Guam Legislature
156 Hesler Place
Hagatna, Guam 96910

Re: Bill No. 423-32 (COR) An act to add a new item (18) to 4102(a) of Chapter 4,
Title 4 GCA, relative to the personnel needs of the Attorney General of Guam
and the Public Auditor

Hafa Adai Senators:

We at OPA are in full support of Bill 423, which will provide a Special Assistant in
the unclassified service for the elected Attorney General and the elected Public
Auditor.

We especially want to acknowledge and thank the main sponsor of Bill 423, Vice
Speaker Benjamin Cruz for beginning to bring parity between these two elected
offices. We pray that other disparate issues such as OPA staff compensation will
also be addressed.

We urge the committees' full support of this measure. Thank you.

Happy Thanksgiving

Doris Flores Brooks, CPA, CGFM
Public Auditor



COMMITTEE ON RULES

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

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

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

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

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

Senator
Dennis G. Rodríguez, Jr.
Member

Vice-Speaker
Benjamin J.F. Cruz
Member

Legislative Secretary
Tina Rose Muña Barnes
Member

Senator
Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

Certification of Waiver of Fiscal Note Requirement

This is to certify that the Committee on Rules submitted to the Bureau of Budget and Management Research (BBMR) a request for a fiscal note, or applicable waiver, on **Bill No. 423-32 (COR) – B.J.F. Cruz, “An act to add a new item (18) to § 4102(a) of Chapter 4, Title 4 of the Guam Code Annotated, relative to the personnel needs of the Attorney General of Guam and the Public Auditor.”**— on November 18, 2014. COR hereby certifies that BBMR confirmed receipt of this request November 19, 2014 at 8:01 A.M.

COR further certifies that a response to this request was not received. **Therefore, pursuant to 2 GCA §9105, the requirement for a fiscal note, or waiver thereof, on Bill 423-32 (COR) to be included in the committee report on said bill, is hereby waived.**

Certified by:



Senator Rory J. Respicio
Chairperson, Committee on Rules

December 11, 2014

Date



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
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Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

November 18, 2014

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

VIA E-MAIL
anthony.blaz@bbmr.guam.gov

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

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

Senator
Dennis G. Rodriguez, Jr.
Member

RE: Request for Fiscal Notes– Bill Nos. 417-32(LS) through 423-32(COR)

Vice-Speaker
Benjamin J.F. Cruz
Member

Hafa Adai Mr. Blaz:

Legislative Secretary
Tina Rose Muña Barnes
Member

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.

Senator
Frank Blas Aguon, Jr.
Member

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

Senator
Michael F.Q. San Nicolas
Member

Very Truly Yours,

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator Thomas C. Ada
Acting Chairperson of the Committee on Rules

Senator
Aline Yamashita
Member

Attachment (1)

Cc: Clerk of the Legislature

Bill Nos.	Sponsors	Title
417-32 (LS)	B. J. F. Cruz	AN ACT TO APPROPRIATE FUNDS FROM THE SUPPLEMENTAL APPROPRIATIONS REVENUE (SAR) FUND FOR THE PAYMENT OF GOVERNMENT OF GUAM EMPLOYEE AND LAW ENFORCEMENT PERSONNEL UNPAID OVERTIME COSTS; AND FOR OTHER PURPOSES.
418-32 (COR)	B. J. F. Cruz	AN ACT TO ADOPT THE RULES AND REGULATIONS OF THE PEACE OFFICER STANDARDS AND TRAINING COMMISSION CONCERNING CERTIFICATION OF PEACE OFFICERS AND STANDARDS FOR EMPLOYING AGENCIES AND TRAINING INSTITUTIONS, TO BE CODIFIED UNDER A NEW CHAPTER 3 OF TITLE 27 - GUAM ADMINISTRATIVE RULES AND REGULATIONS.
419-32 (COR)	B. J. F. Cruz	AN ACT TO AMEND SECTION 2, PART I, CHAPTER II OF PUBLIC LAW 32-181, RELATIVE TO AUTHORIZING FUNDING FOR CHARTER SCHOOLS.
420-32 (COR)	Judith T. Won Pat, Ed.D.	AN ACT TO APPROVE THE RULES AND REGULATIONS GOVERNING THE STANDARDS FOR PROFESSIONAL CONDUCT FOR GUAM EDUCATORS.
421-32 (COR)	Judith T. Won Pat, Ed.D.	AN ACT TO APPROVE AMENDMENTS TO CHAPTER 8, TITLE 5A, GUAM ADMINISTRATIVE RULES AND REGULATIONS.
422-32 (COR)	Dennis G. Rodriguez, Jr	AN ACT TO PROVIDE FOR ISOLATION AND QUARANTINE PROCEDURES RELATIVE TO AN EMERGENCY DETENTION ORDER FOR THE INCUBATION PERIODS OF SEVERE COMMUNICABLE DISEASES, AS DETERMINED BY THE U.S. CENTER FOR DISEASE CONTROL, BY AMENDING SECTIONS III AND IV OF THE ISOLATION AND QUARANTINE REGULATIONS, CHAPTER 10 OF DIVISION 1, 26 GAR., AND PROVIDE FOR THE DISPOSITION OF BODIES, BY ADDING A NEW § 4502(H) AND AMENDING § 4505, BOTH OF CHAPTER 4A, 10GCA, AND TO AUTHORIZE THE SUM OF ONE HUNDRED THIRTY THOUSAND DOLLARS (\$130,000.00) FOR RELATED PURPOSES.
423-32 (COR)	B. J.F. Cruz	AN ACT TO ADD A NEW ITEM (18) TO § 4102(a) OF CHAPTER 4, TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE PERSONNEL NEEDS OF THE ATTORNEY GENERAL OF GUAM AND THE PUBLIC AUDITOR.



COMMITTEE ON RULES

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Senator
Michael E.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER


Senator
Aline Yamashita
Member

November 18, 2014

MEMORANDUM

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

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: **Senator Thomas C. Ada** 
Acting Chairperson of the Committee on Rules

Subject: **Referral of Bill No. 423-32(COR)**

As the Acting Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 423-32(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
423-32 (COR)	B. J.F. Cruz	AN ACT TO ADD A NEW ITEM (18) TO § 4102(a) OF CHAPTER 4, TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE PERSONNEL NEEDS OF THE ATTORNEY GENERAL OF GUAM AND THE PUBLIC AUDITOR.	11/14/14 4:44 p.m.	11/18/14	Committee on General Governmental Operations and Cultural Affairs			

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As of October 2, 2014

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Dani Reyes <danireyes@senatorbjcruz.com>

FINAL REVISED AGENDA - PUBLIC HEARING FIRST NOTICE

1 message

Lisa Dames <cipo@guamlegislature.org>

Tue, Nov 18, 2014 at 4:06 PM

To: PHrg Notice <phnotice@guamlegislature.org>

The Committee on General Government Operations and Cultural Affairs and the the Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land will hold a public hearing on Tuesday, November 25, 2014 beginning at 5:30pm at the Guam Legislature Public Hearing Room. The following is on the agenda:

Bill No. 358-32 (COR) - Introduced by Senator Michael San Nicolas

An Act to fund the Restoration and Redevelopment of the Municipality of Hagåtña, by amending 22 GCA § 79501 and by adding a new item (12) to 5GCA § 22425(q).

Bill No. 293-32 (COR) - Introduced by Senator Tommy Morrison

An Act to Amend § 61542 of Chapter 61 of 21GCA, relative to political signs

Bill No. 423-32 (COR) - Introduced by Vice Speaker Benjamin Cruz

An Act to Add a new item (18) to § 4102(a) of Chapter 4, Title 4 of the Guam Code Annotated, relative to the personnel needs of the Attorney General of Guam and the Public Auditor.

In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services or for further information, please call the Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land at 473-4236/7 or email at cipo@guamlegislature.org

—
Lisa Dames

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN

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

(671) 473-4236 (office)

(671) 473-4238 (fax)

email: cipo@guamlegislature.org**Agenda_Nov 25-Revised.doc**

43K



November 18, 2014

MEMORANDUM

To: All Members/All Senators
From: Vice Speaker Benjamin J.F. Cruz, Chairman

Re: **FIRST NOTICE of Public Hearing – November 25, 2014**

Håfa Adai! The Committee on General Government Operations and Cultural Affairs and the Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land will conduct a Joint Committee Public Hearing beginning at **5:30PM** on **Tuesday, November 25, 2014**, in the *I Liheslatura* **Public Hearing Room** with the following schedule:

5:30PM

- **Bill No. 358-32 (COR)** – M.F. San Nicolas – “An act to fund the Restoration and Redevelopment of the Municipality of Hagåtña, by *amending* 22 GCA § 79501 and by *adding* a new item (12) to 5GCA § 22425(q).”
- **Bill No. 293-32 (COR)** – T.A. Morrison – “An act to *amend* § 61542 of Chapter 61 of 21GCA, relative to political signs.”
- **Bill No. 423-32 (COR)** – B.J.F. Cruz – “An act to *add* a new item (18) to § 4102(a) of Chapter 4, Title 4 of the Guam Code Annotated, relative to the personnel needs of the Attorney General of Guam and the Public Auditor.”

Testimonies may be submitted via hand delivery to the Office of Vice Speaker Benjamin J.F. Cruz at the Guam Legislature; via postal mail to 155 Hesler Street, Hagåtña Guam 96910; via facsimile to 477-2522; or via e-mail to senator@senatorbjcruz.com. Please submit testimonies at least one day prior to the date of the hearing.

All government activities, programs, and services are accessible for people with disabilities in compliance with Title II of the Americans with Disabilities Act (ADA). Should you or interested parties require assistance or special accommodations to fully participate in this public hearing, please contact Mr. Carlo J. Branch at the Office of the Vice Speaker at 477-2521 or via e-mail at carlo.branch@senatorbjcruz.com.

We look forward to your attendance and participation.



FOR IMMEDIATE RELEASE
November 18, 2014

FIRST NOTICE OF PUBLIC HEARING

In accordance with the Open Government Law, P.L. 24-109, relative to notice for public meetings, let this release serve as five (5) days' notice for a Joint Committee Public Hearing by the *Committee on General Government Operations and Cultural Affairs* and the *Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land* scheduled on **Tuesday, November 25, 2014**, in the Guam Legislature Hearing Room in Hagåtña, on the following:

5:30PM

- **Bill No. 358-32 (COR)** - M.F. San Nicolas - "An act to fund the Restoration and Redevelopment of the Municipality of Hagåtña, by *amending* 22 GCA § 79501 and by *adding* a new item (12) to 5GCA § 22425(q)."
- **Bill No. 293-32 (COR)** - T.A. Morrison - "An act to *amend* § 61542 of Chapter 61 of 21GCA, relative to political signs."
- **Bill No. 423-32 (COR)** - B.J.F. Cruz - "An act to *add* a new item (18) to § 4102(a) of Chapter 4, Title 4 of the Guam Code Annotated, relative to the personnel needs of the Attorney General of Guam and the Public Auditor."

Testimonies may be submitted in person to the Office of Vice Speaker Benjamin J.F. Cruz at the Guam Legislature; by postal mail to 155 Hesler Place, Hagåtña Guam 96910; by facsimile to 477-2522; or by e-mail to senator@senatorbjcruz.com. Copies of written testimonies received at least one day before the scheduled date will be available at the hearing.

Individuals requiring assistance or special accommodations should contact Mr. Carlo J. Branch at the Office of the Vice Speaker at 477-2521, or by e-mail at carlo.branch@senatorbjcruz.com.

###



Dani Reyes <danireyes@senatorbjcruz.com>

Public Hearing - SECOND NOTICE

1 message

Lisa Dames <cipo@guamlegislature.org>

Fri, Nov 21, 2014 at 12:15 PM

To: PHrg Notice <phnotice@guamlegislature.org>

The Committee on General Government Operations and Cultural Affairs and the the Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land will hold a public hearing on Tuesday, November 25, 2014 beginning at 5:30pm at the Guam Legislature Public Hearing Room. The following is on the agenda:

Bill No. 358-32 (COR) - Introduced by Senator Michael San Nicolas

An Act to fund the Restoration and Redevelopment of the Municipality of Hagåtña, by amending 22 GCA § 79501 and by adding a new item (12) to 5GCA § 22425(q).

Bill No. 293-32 (COR) - Introduced by Senator Tommy Morrison

An Act to Amend § 61542 of Chapter 61 of 21GCA, relative to political signs

Bill No. 423-32 (COR) - Introduced by Vice Speaker Benjamin Cruz

An Act to Add a new item (18) to § 4102(a) of Chapter 4, Title 4 of the Guam Code Annotated, relative to the personnel needs of the Attorney General of Guam and the Public Auditor.

In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services or for further information, please call the Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land at 473-4236/7 or email at cipo@guamlegislature.org

--
Lisa Dames

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN

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

(671) 473-4236 (office)

(671) 473-4238 (fax)

email: cipo@guamlegislature.org

**Agenda_Nov 25-Revised.doc**

43K



November 23, 2014

MEMORANDUM

To: All Members/ All Senators
From: Vice Speaker Benjamin J.F. Cruz, Chairman

Re: SECOND NOTICE of Public Hearing - November 25, 2014

Håfa Adai! The Committee on General Government Operations and Cultural Affairs and the Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land will conduct a Joint Committee Public Hearing beginning at **5:30PM on Tuesday, November 25, 2014**, in the *I Liheslatura Public Hearing Room* with the following agenda:

5:30PM

- **Bill No. 358-32 (COR)** - M.F. San Nicolas - "An act to fund the Restoration and Redevelopment of the Municipality of Hagåtña, by *amending* 22 GCA § 79501 and by *adding* a new item (12) to 5GCA § 22425(q)."
- **Bill No. 293-32 (COR)** - T.A. Morrison - "An act to *amend* § 61542 of Chapter 61 of 21GCA, relative to political signs."
- **Bill No. 423-32 (COR)** - B.J.F. Cruz - "An act to *add* a new item (18) to § 4102(a) of Chapter 4, Title 4 of the Guam Code Annotated, relative to the personnel needs of the Attorney General of Guam and the Public Auditor."

Testimonies may be submitted via hand delivery to the Office of Vice Speaker Benjamin J.F. Cruz at the Guam Legislature; via postal mail to 155 Hesler Street, Hagåtña Guam 96910; via facsimile to 477-2522; or via e-mail to senator@senatorbjcruz.com. Please submit testimonies at least one day prior to the date of the hearing.

All government activities, programs, and services are accessible for people with disabilities in compliance with Title II of the Americans with Disabilities Act (ADA). Should you or interested parties require assistance or special accommodations to fully participate in this public hearing, please contact Mr. Carlo J. Branch at the Office of the Vice Speaker at 477-2521 or via e-mail at carlo.branch@senatorbjcruz.com.

We look forward to your attendance and participation.



FOR IMMEDIATE RELEASE
November 23, 2014

SECOND NOTICE OF PUBLIC HEARING

In accordance with the Open Government Law, P.L. 24-109, relative to notice for public meetings, let this release serve as forty-eight (48) hours' notice for a Joint Committee Public Hearing by the *Committee on General Government Operations and Cultural Affairs* and the *Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land* scheduled on **Tuesday, November 25, 2014**, in the Guam Legislature Hearing Room in Hagåtña, on the following:

5:30PM

- **Bill No. 358-32 (COR)** - M.F. San Nicolas - "An act to fund the Restoration and Redevelopment of the Municipality of Hagåtña, by *amending* 22 GCA § 79501 and by *adding* a new item (12) to 5GCA § 22425(q)."
- **Bill No. 293-32 (COR)** - T.A. Morrison - "An act to *amend* § 61542 of Chapter 61 of 21GCA, relative to political signs."
- **Bill No. 423-32 (COR)** - B.J.F. Cruz - "An act to *add* a new item (18) to § 4102(a) of Chapter 4, Title 4 of the Guam Code Annotated, relative to the personnel needs of the Attorney General of Guam and the Public Auditor."

Testimonies may be submitted in person to the Office of Vice Speaker Benjamin J.F. Cruz at the Guam Legislature; by postal mail to 155 Hesler Place, Hagåtña Guam 96910; by facsimile to 477-2522; or by e-mail to senator@senatorbjcruz.com. Copies of written testimonies received at least one day before the scheduled date will be available at the hearing.

Individuals requiring assistance or special accommodations should contact Mr. Carlo J. Branch at the Office of the Vice Speaker at 477-2521, or by e-mail at carlo.branch@senatorbjcruz.com.

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I Mina'trentai Dos na Liheslaturan Guåhan

32nd GUAM LEGISLATURE

Vice Speaker Benjamin J.F. Cruz

Chairman, Committee on General Government Operations and Cultural Affairs

Acting Chairman, Committee on Appropriations, Public Debt, Legal Affairs,

Retirement, Public Parks, Recreation, Historic Preservation, and Land

**INEKUNGOK PUPBLEKO
(PUBLIC HEARING)**

gi Måttes, gi diha 25 gi Nubembre, 2014
Tuesday, November 25, 2014

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

**TAREHA
(AGENDA)**

media ora para alas saís gi pipuengi
5:30 PM

Priniponi Siha:
(Bills)

Bill No. 358-32 (COR) - Introduced by Senator Michael San Nicolas
An Act to fund the Restoration and Redevelopment of the Municipality of Hagåtña, by amending 22 GCA § 79501 and by adding a new item (12) to 5GCA § 22425(q).

Bill No. 293-32 (COR) - Introduced by Senator Tommy Morrison
An Act to Amend § 61542 of Chapter 61 of 21GCA, relative to political signs

Bill No. 423-32 (COR) - Introduced by Vice Speaker Benjamin Cruz
An Act to Add a new item (18) to § 4102(a) of Chapter 4, Title 4 of the Guam Code Annotated, relative to the personnel needs of the Attorney General of Guam and the Public Auditor.

In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services or for further information, please call the Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation and Land at 473-4236/7 or email at cipo@guamlegislature.org

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