

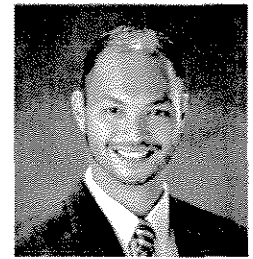
I Mina' Trentai Dos Na Liheslaturan Guåhan
Resolutions Log Sheet

Resolution No.	Sponsor	Title	Date Intro	Date of Presentation	Date Referred	Committee / Ofc Referred	Date Adopted
379-32 (LS)	Michael F. Q. San Nicolas Judith T. Won Pat, Ed.D.	RELATIVE TO RESPECTFULLY REQUESTING THAT CONGRESSWOMAN MADELEINE Z. BORDALLO INTRODUCE LEGISLATION TO ALLOW GOVERNMENT OF GUAM EMPLOYEES TO BE COVERED UNDER SOCIAL SECURITY.	5/8/14 3:22 p.m.		5/9/2014	Sponsor	5/8/2014 Committee Report Received 06/11/14 11:15 a.m.



Senator Michael F.Q. San Nicolas

Chairman - Committee on Aviation, Ground Transportation,
Regulatory Concerns and Future Generations
I Mina' Trentai Dos Na Liheslaturan Guahan | 32nd Guam Legislature



June 11, 2014

The Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina' Trentai Dos na Liheslaturan Guahan
155 Hesler Place
Hagatna, Guam 96910

VIA: The Honorable Rory J. Respicio *MR*
Chairman
Committee on Rules, Federal, Foreign & Micronesian Affairs,
Human & Natural Resources, and Election Reform

RE: **Sponsor's Report on Resolution 379-32 (LS)**

Dear Speaker Won Pat:

Hafa adai! Transmitted herewith is the sponsor's report on Resolution No. 379-32 (LS) - **“Relative to respectfully requesting that Congresswoman Madeleine Z. Bordallo introduce legislation to allow government of Guam employees to be covered under Social Security.”**

2014 JUN 11 AM 11:15
MR

Votes are as follows:

- 8 TO DO ADOPT
- _____ TO NOT ADOPT
- _____ TO REPORT OUT ONLY
- _____ TO ABSTAIN
- _____ TO PLACE IN INACTIVE FILE

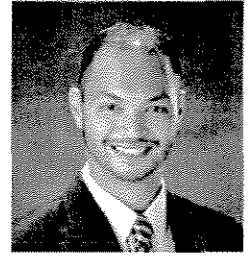
Respectfully,

Michael F.Q. San Nicolas
MICHAEL F.Q. SAN NICOLAS



Senator Michael F.Q. San Nicolas

Chairman - Committee on Aviation, Ground Transportation,
Regulatory Concerns and Future Generations
I Mina'trentai Dos Na Liheslaturan Guåhan | 32nd Guam Legislature



SPONSOR'S REPORT

RESOLUTION NO. 379-32 (LS)

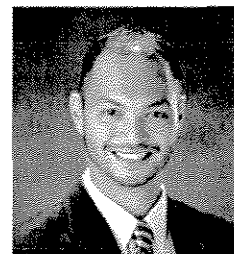
Introduced by Michael F.Q. San Nicolas and Judith T. Won Pat, Ed.D.

**Relative to respectfully requesting that
Congresswoman Madeleine Z. Bordallo introduce
legislation to allow government of Guam employees
to be covered under Social Security.**



Senator Michael F.Q. San Nicolas

Chairman - Committee on Aviation, Ground Transportation,
Regulatory Concerns and Future Generations
I Mina'trentai Dos Na Liheslaturan Guåhan | 32nd Guam Legislature



June 11, 2014

MEMORANDUM

TO: All Members
Committee on Rules

RE: Sponsor's Report on Resolution 379-32 (LS)

Hafa adai! Transmitted herewith is the sponsor's report on Resolution No. 379-32 (LS) – “Relative to respectfully requesting that Congresswoman Madeleine Z. Bordallo introduce legislation to allow government of Guam employees to be covered under Social Security.”

This report includes the following:

- Committee Vote Sheet
- Report Digest
- Copy of Resolution No. 379-32 (LS)
- Public Hearing Sign-in Sheet
- Copy of COR Referral of Resolution No. 379-32 (LS)
- Notices of Public Hearing
- Copy of the Public Hearing Agenda
- Public Testimony

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

Respectfully,


MICHAEL F.Q. SAN NICOLAS



COMMITTEE ON RULES

I Mina'trentai Dos na Libeslaturan Guåhan • 32ND Guam Legislature
 www.guamlegislature.com • 155 Hesler Place, Hagåtña, Guam 96910
 www.roryforguam.com • email: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

COMMITTEE VOTING SHEET

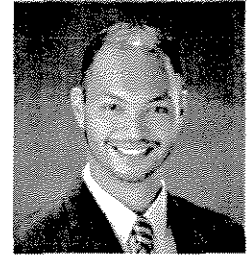
Resolution 379-32 (LS) – “Relative to respectfully requesting that Congresswoman Madeleine Z. Bordallo introduce legislation to allow government of Guam employees to be covered under Social Security.”

	SIGNATURE	TO ADOPT	TO NOT ADOPT	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Senator Rory J. Respicio Chairperson						
Senator Thomas C. Ada Vice-Chairperson						
Speaker Judith T. Won Pat, Ed.D. Member						
Vice-Speaker Benjamin J.F. Cruz Member						
Legislative Secretary Tina Rose Muña Barnes Member						
Senator Thomas C. Ada Member						
Senator vicente c. pangelinan Member						
Senator Dennis G. Rodriguez, JR. Member						
Senator Frank Blas Aguon Jr. Member						
Senator Michael F.Q. San Nicolas Member						
Minority Leader Senator V. Anthony Ada Member						
Senator Aline Yamashita Member						



Senator Michael F.Q. San Nicolas

Chairman - Committee on Aviation, Ground Transportation,
Regulatory Concerns and Future Generations
I Mina'trentai Dos Na Liheslaturan Guahan | 32nd Guam Legislature



COMMITTEE REPORT DIGEST

I. OVERVIEW

Resolution No. 379-32 (LS) was introduced on May 8, 2014, by Senator Michael F.Q. San Nicolas and Speaker Judith T. Won Pat, Ed.D. The resolution was subsequently referred by the Committee on Rules to the resolution's primary author on May, 2014.

The Committee on Aviation, Ground Transportation, Regulatory Concerns and Future Generations convened a public hearing on June 4, 2014 at 10:00 a.m. in *I Liheslatura's* Public Hearing Room. Among the items on the hearing agenda was Resolution 379-32 (LS). The hearing was adjourned at 11:13 a.m.

Public Notice Requirements

Public Hearing notices were disseminated via electronic mail to all senators and all main media broadcasting outlets on May 28, 2014, and again on June 1, 2014.

Senators Present

Senator Michael F.Q. San Nicolas, Chairman
Senator Vicente C. Pangelinan, Member
Senator Aline A. Yamashita, Ph.D., Member

Public Testimony

Doris Flores Brooks, Public Auditor

II. TESTIMONY & DISCUSSION

Chairman Michael San Nicolas stated that there federal statute prevents the government of Guam from exploring the option of Social Security for its employees, specifically Subsection B(1) of Section 218 of the Social Security Act, which excludes Guam and other territories. He stated that the resolution seeks to request Congresswoman Madeleine Bordallo to put that option on the table for the government of Guam. Chairman San Nicolas stated that the resolution makes reference to a funding stream if Guam were allowed to participate in Social Security - Section 30 funds in excess of the amounts necessary for debt service. He stated that because Section 30 money, which is traditionally given toward the end of a given fiscal year, is usually used to cover budgetary shortfalls for that current year. He suggested an idea that funding for contributions to the Social Security program should come from the Section 30 funds before being used for other purposes. Chairman San Nicolas further stated that members of the current defined contribution plan may not have adequate savings upon retirement which may cause them to seek assistance from various social programs. He stated that this issue will cause a ripple effect in our community. The resolution will move us in the direction of being able to address this issue and include the government of Guam defined contribution members into the Social Security system. He stated that it needs to happen first at the federal level with our congresswoman being able to get Guam included in the state exemption for participation in Social Security.

Doris Flores Brooks spoke in support of Resolution 379-32 (LS). She read a section from the Citizen Centric Report, issue by the Office of Public Accountability, which we issued last August. There is an inequity between the defined benefit plan and defined contribution plan. The retirement fund closed the defined benefit plan because it was too costly. She agreed with the Chairman that individuals on the defined contribution plan may find themselves with not enough income when they retire and may be using public assistance programs. The OPA report recommended that individuals on the defined contribution plan be allowed to enroll in the Social Security system so that they may have some form of retirement annuity. Ms. Brooks stated that the government of Guam should be given the option to enroll with Social Security. It is important that members of the retirement fund need to have some sort of annuity. She again reiterated her support for Resolution 379-32 (LS).

Senator Vicente Pangelinan wanted to clarify which government of Guam employees would be eligible for Social Security because some are on the defined benefits plan while others would be on the defined contributions plan.

Mrs. Brooks stated that she envisions members on the defined contribution plan becoming members of Social Security. She stated that, at the very least, the government of Guam should be allowed to consider membership into Social Security.

Senator Pangelinan stated that contributions rate are different and have to be taken into consideration. He stated that the resolution allows dialogue to occur on the issue and different options to be considered.

Mrs. Brooks stated that private sector employees, who are members of the Social Security plan, will be better off after retirement than the government employee who retires and will only have their savings, which she stated will likely be inadequate. She stated that members of the defined contribution plan need a safety net.

Senator Aline A. Yamashita brought up the issue of a military member who is having difficulty with his retirement. She mentioned that she would like to continue the dialogue on Social Security and retirement issues.

Chairman San Nicolas clarified that his Committee does not have oversight of the Retirement Fund and stated that the conversation on retirement issues can be brought up with the proper legislative committee. Chairman San Nicolas thanked his colleagues and the Public Auditor before adjourning the hearing.



III. FINDINGS AND RECOMMENDATIONS

Senator Michael F.Q. San Nicolas hereby reports out Resolution No. 379-32 (LS) with the recommendation TO ADOPT.

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

Resolution No. 379-32 (CS)

Introduced by:

M.F.Q. San Nicolas 
Judith T. Won Pat, Ed.D. 

RELATIVE TO RESPECTFULLY REQUESTING THAT
CONGRESSWOMAN MADELEINE Z. BORDALLO
INTRODUCE LEGISLATION TO ALLOW GOVERNMENT
OF GUAM EMPLOYEES TO BE COVERED UNDER SOCIAL
SECURITY.

2014 MAY - 21 10:05 AM 22

1 BE IT RESOLVED BY *I MINA'TRENTAI DOS NA LIHESLATURAN*
2 *GUÅHAN*:

3 WHEREAS, the Social Security Act, passed in the 74th U.S. Congress,
4 was signed into law by President Franklin Delano Roosevelt on August 14,
5 1935; and

6 WHEREAS, the Social Security Act granted money to states to provide
7 unemployment insurance, aid to families with dependent children, public
8 health services, assistance to aged individuals, assistance to the blind,
9 maternal and child welfare, and is most widely known benefits to retirees and
10 survivors; and

11 WHEREAS, the Social Security retirement security program did not
12 originally include any state or local government employees, but currently

1 there are voluntary agreements between states and the Social Security
2 Administration authorized under Section 218 of the Social Security Act which
3 determine which employees in state or local government service are covered
4 or not covered by Social Security; and

5 **WHEREAS**, Guam is specifically excluded from entering into a
6 voluntary agreement for establishing the scope of coverage of employment
7 under the Social Security retirement program with the Social Security
8 Administration by Subsection (b)(1) of Section 218; and

9 **WHEREAS**, the provision of an adequate retirement security program
10 to government of Guam employees ensures that once employees intend to
11 retire, they are able to; and

12 **WHEREAS**, before 1995, all government of Guam employees were
13 enrolled in the Government of Guam Retirement Fund's Defined Benefit Plan;
14 and

15 **WHEREAS**, since 1995, new hires in the government of Guam are
16 enrolled in the defined contribution program, which provides individual
17 accounts similar to private sector 401K retirement accounts and matches
18 mandatory contributions of five percent (5%) of employees' gross pay; and

19 **WHEREAS**, most private sector employees also contribute to and
20 become eligible for the benefits provided under Social Security, but since
21 government of Guam employees do not contribute to Social Security, their
22 retirement income from this source is usually little to none; and

1 **WHEREAS**, since they and their employer do not contribute to Social
2 Security, employees who are eligible only for the government of Guam
3 Defined Contribution Plan do not have a retirement plan that is competitive
4 with that offered to most private sector employees and thus their retirement
5 income may be inadequate to support a good quality of life for our
6 government of Guam retirees; and

7 **WHEREAS**, employees who first entered government service when the
8 Defined Contribution Plan was initially offered are rapidly approaching the
9 age of retirement; and

10 **WHEREAS**, in order to avail themselves of the benefits of both their
11 Defined Contribution Retirement Plan and Social Security, since the minimum
12 period of covered employment to receive basic benefits under Social Security
13 is forty (40) calendar quarters, coverage under Social Security must be made
14 available to them as soon as possible; and

15 **WHEREAS**, employees of the government of Guam who are currently
16 enrolled in the government of Guam Defined Contribution Plan would have a
17 more competitive total compensation package if, in addition to joint
18 contributions with the government of Guam to their retirement plan, they are
19 also contributing to Social Security, which would have cost approximately
20 eighteen million dollars (\$18,000,000) to the government of Guam in fiscal
21 year 2012; and

1 **WHEREAS**, covering employees of the government of Guam who are
2 currently enrolled in the government of Guam Defined Contribution Plan
3 should increase Social Security payments to the pockets of our people by
4 about one hundred seventy-five million dollars (\$175,000,000) annually in
5 twenty-five (25) years with no risk of accumulating any local unfunded
6 liability; now, therefore, be it

7 **RESOLVED**, that *I Mina'Trentai Dos Na Liheslaturan Guåhan*, on behalf of
8 the people of Guam, respectfully requests that Congresswoman Madeleine Z.
9 Bordallo introduce legislation to include all government of Guam employees
10 not enrolled in a government of Guam Defined Benefit Plan to contribute
11 jointly with the government of Guam to Social Security, by allowing the
12 government of Guam to enter into a Section 218 agreement with the Social
13 Security Administration, and to set up a system by which Section 30 revenue,
14 in excess of amounts necessary to service existing debt for which Section 30
15 revenue is pledged, shall be provided to the Social Security Administration to
16 directly and reliably fund the government of Guam's employer contributions
17 on behalf of its employees; and be it further

18 **RESOLVED**, that the Speaker and the Chairperson of the Committee on
19 Rules certify, and the Legislative Secretary attest to, the adoption hereof, and
20 that copies of the same be thereafter transmitted to the Honorable Madeleine
21 Z. Bordallo, Guam Delegate to the United States Congress; and to the
22 Honorable Eddie B. Calvo, *I Maga'lahaen Guåhan*.

DULY AND REGULARLY ADOPTED BY *I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN* ON THIS ____ DAY OF _____, 2014.

JUDITH T. WON PAT, Ed.D.
Speaker

TINA ROSE MUNA BARNES
Legislative Secretary



I Mina'Trentai Dos na Liheslaturan Guåhan

Committee on Aviation, Ground Transportation,
Regulatory Concerns, and Future Generations
SENATOR MICHAEL F.Q. SAN NICOLAS

June 4, 2014

Resolution No. 379-32 (LS), introduced by Senator Michael F.Q. San Nicolas and Speaker Judith T. Won Pat, Ed.D.:
Relative to respectfully requesting that Congresswoman Madeleine Z. Bordallo introduce legislation to allow government of Guam employees to be covered under Social Security.

NAME (Please print)	AGENCY/ ORGANIZATION	CONTACT NUMBER	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	NOT IN FAVOR
DF BROOKS	OPA		X			



Senator Thomas C. Ada

Chairman - Committee on Public Safety, Infrastructure & Maritime Transportation
I Mina'trentai Dos Na Liheslaturan Guåhan • 32nd Guam Legislature

June 10, 2014

The Honorable Rory J. Respicio

Chairman, Committee on Rules
I Mina'trentai Dos Na Liheslaturan Guåhan
155 Hesler Place
Hagåtña, Guam 96910

RE: Addenda to Committee Report on Oscar Calvo

Hafa Adai, Chairperson Respicio:

Please add the attached testimony from Ms. Bernice T. Nelson, regarding the Executive Appointment of Mr. Oscar Calvo to the Board of Directors of the Jose D. Leon Guerrero Commercial Port of Guam, as an addendum to the Committee Report on Mr. Calvo's Appointment.

Should you have any questions or concerns, please contact me or William B. Brennan from my office.

Si Yu'os ma'åse',

Thomas C. Ada

Attachments: Testimony of Ms. Bernice T. Nelson RE: Mr. Oscar Calvo to PAG BOD



Bernice Tudela Nelson

Para I Minaolek Taotao-Ta, Amot Farm Inc.

613 Swamp Road, Dededo

Tel. # (671) 637-7201

Email: amot.taotao.tano@gmail.com

Facebook/Amot Taotao Tano Farm

May 13, 2014

To: Senator Tom Ada
Speaker Judith Won Pat

Subject: LETTER OF RECOMMENDATION

Hafa Adai:

It is with great pleasure that I write in recommendation of Mr. Oscar Calvo. I have known Mr. Calvo for quite some time now and know him to be a trustworthy, sincerely dedicated and committed to improving and strengthening our island community.

I am grateful to have met Mr. Calvo during my time of need. His courteous attitude and patience in handling my specific issue has proven himself to be of good character and spirit. He was always willing to explain and answer my question in a courteous and respectful manner. He was sensitive to my needs and provided the quickest and most convenient solutions to my problems from his perspective.

My apologies for not attending the confirmation hearing due to death in the family and had to leave off-island.

I unhesitantly recommend Mr. Oscar Calvo and have no reservation that he will be an abundance of positive qualities as a board member for the Commercial Ports.

If you have any questions or need more information, please do not hesitate to contact me.

Si Yu'us Ma'ase,

Bernice T. Nelson
Amot Farm, Inc.

4-5/14/14
RECEIVED by the
Office of Senator
Thomas C. Ada



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

Senator
Vicente (Ben) C. Pangelinan
Member

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

Senator
Dennis G. Rodriguez, 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

May 9, 2014

MEMORANDUM

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

Attorney Therese M. Terlaje
Legislative Legal Counsel

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

Subject: **Referral of Resolution No. 379-32 (LS)**

As Chairperson of the Committee on Rules, I am forwarding my referral of Resolution No. 379-32 (LS). Please ensure that the subject resolution is referred, in my name, to the respective sponsor, as shown on the attachment.

I also request that the same be forwarded to all Senators 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!

(1) Attachment

I Mina' Trentai Dos Na Liheslaturan Guáhan
Resolutions Log Sheet

Resolution No.	Sponsor	Title	Date Intro	Date of Presentation	Date Referred	Committee / Ofc Referred	Date Adopted
379-32 (LS)	Michael F. Q. San Nicolas Judith T. Won Pat, Ed.D.	RELATIVE TO RESPECTFULLY REQUESTING THAT CONGRESSWOMAN MADELEINE Z. BORDALLO INTRODUCE LEGISLATION TO ALLOW GOVERNMENT OF GUAM EMPLOYEES TO BE COVERED UNDER SOCIAL SECURITY.	5/8/14 3:22 p.m.				



First Public Notice - June 4, 2014 Public Hearing and Roundtable Discussion

Senator Michael San Nicolas <senatorsannicolas@gmail.com>

Wed, May 28, 2014 at 10:36 AM

To: Senator Michael San Nicolas <senatorsannicolas@gmail.com>

Bcc: aperez@gpagwa.com, Duane George <dmgeorge@guampdn.com>, Frank Whitman <editor@mvguam.com>, Gerry Partido <gerry@mvguam.com>, gmmsinc@guam.net, Jason Salas <jason@kuam.com>, John Davis <john@kuam.com>, Kelly Cho <kcn.kelly@gmail.com>, Korean News <koreannews@guam.net>, KPRG <kprg@guam.net>, PDN Lifestyle <life@guampdn.com>, mabuhaynews@yahoo.com, Mindy Aguon <mindy@kuam.com>, Masako Watanabe <mwatanabe@guampdn.com>, K57 <news@k57.com>, Patti Arroyo <parroyo@k57.com>, radioprod@kuam.com, Ray Gibson <rgibson@k57.com>, Sabrina Salas Matanane <sabrina@kuam.com>, Steve Limtiaco <slimtiaco@guampdn.com>, sports@mvguam.com, tcoffman@k57.com, dcrisost@guam.gannett.com, weavert@pstripes.osd.mil, Pacific Daily News <news@guampdn.com>, Kevin Kerrigan <kevin@spbgua.com>, Bruce Hill <hill.bruce@abc.net.au>, Bruce Hill <pacificjournalist@gmail.com>, parroyo@spbgua.com, editor@saipantribune.com, Clynt Ridgell <clynt@spbgua.com>, mcpherson.kathryn@abc.net.au, communications@guam.gov, Troy Torres <troy.torres@guam.gov>, phnotice@guamlegislature.org, "jalerta1 ." <alerta.jemaine@gmail.com>, Matthew Baza <baza.matthew@gmail.com>, Delisa Kloppenburg <delisakloppenburg@gmail.com>, Louella Losinio <louella@mvguam.com>, david@mvguam.com, John Paul Manuel <jpmanuel@gmail.com>, josh@spbgua.com, Speaker Judi Won Pat <speaker@judiwonpat.com>, Vice Speaker Benjamin Cruz <senadotbjcruz@aol.com>, Senator Tina Mufia Barnes <senator@tinamunabarnes.com>, Senator Roy Respicio <royforguam@gmail.com>, "Dennis Rodriguez, Jr." <senatordrodriguez@gmail.com>, Senator Ben Pangelinan <senbenp@guam.net>, Senator Tom Ada <office@senatorada.org>, Senator Aline Yamashita <aline4families@gmail.com>, Senator Tony Ada <tony@tonyada.com>, Senator Chris Duenas <duenasenator@gmail.com>, Brant McCreadie <brantforguam@gmail.com>, Senator Brant McCreadie <senatorbrantmccreadie@gmail.com>, "Senator Frank Aguon, Jr." <aguon4guam@gmail.com>, Senator Mike Limtiaco <mike@mikelimtiaco.com>, Senator Tommy Morrison <tommy@senatormorrison.com>, mayormcdonald@hotmail.com, agatmayorsoffice@hotmail.com, asanmainamayorsoffice@yahoo.com, bmomayor@teleguam.net, bmovmayor@teleguam.net, Jessy Gogue <ocp.mayor@gmail.com>, MELISSA SAVARES <melissa.savares@gmail.com>, peter_daigo@hotmail.com, hagatnamayor@hotmail.com, Doris Lujan <mayordorisfloreslujan@gmail.com>, nblas_mangilaomayor@yahoo.com, vicemayor_allan.ungacta@yahoo.com, mayoremestc@yahoo.com, mtm_mayors_office@yahoo.com, pitimayor@yahoo.com, Robert Hofmann <guammayor@gmail.com>, rudy iriarte <rudyiriarte@gmail.com>, talofomayor@gmail.com, "Mayor Louise C. Rivera" <mayorcrivera.tatuha@gmail.com>, "Vice Mayor Ken C. Santos" <vicemayorksantos.tatuha@gmail.com>, Umatac Mayor <umatacmo@gmail.com>, koner.r@gmail.com, arleen81@gmail.com, kenjoead@yaho.com, anghet@hotmail.com, Ken Quintanilla <kenq@kuam.com>, raymond.gibson@guam.gov, Dale Alvarez <dalealvarez@gmail.com>, Responsible Guam <responsibleguam@gmail.com>, floterlaje@gmail.com, Regine Biscoe Lee <regineb.lee@gmail.com>, chuck.ada@guamairport.net, peterroy@guamairport.net, lorilee.crisostomo@bsp.guam.gov, doagridir@yahoo.com, carl.dominguez@dpw.guam.gov, eduardo.ordonez@clb.guam.gov, cgarcia@investguam.com, eric.palacios@epa.guam.gov, felixberto.dungca@grta.guam.gov, kpangelinan@visitguam.org, ndenight@visitguam.org, jbrown@portguam.com, monte.mafnas@dlim.guam.gov, david.camacho@galc.guam.gov, Michael Duenas <mjduenas@ghura.org>, fcamacho@ghura.org, martin.benavente@ghc.guam.gov, alfredo.antolin@dol.guam.gov, joseph.cameron@hrra.guam.gov, adonis.mendiola@dya.guam.gov, jose.sanagustin@doc.guam.gov, pedro.leonguerrero@cqa.guam.gov, joey.sannicolas@gfd.guam.gov, fred.bordallo@gpd.guam.gov, chief@gpd.guam.gov, jim.mcdonald@ghs.guam.gov, benito.servino@disid.guam.gov, james.gillan@dphss.guam.gov, Leo Casil <leo.casil@dphss.guam.gov>, joseph.verga@gmha.org, john.rios@bbmr.guam.gov, benita.manglona@doa.guam.gov, anthony.blaz@doa.guam.gov, John Camacho <jpcamacho@revtax.gov.gu>, Marie Benito <mmbenito@revtax.gov.gu>, benny.m.paulino@us.army.mil, john.unpingco@gvao.guam.gov, jonfernandez@gdoe.net, mary.okada@guamcc.edu, raunderwood@uguam.uog.edu, jflores@gpagwa.com, AG Law <law@guamag.org>, rey.vega@mail.dmhsa.guam.gov, henry.taitano@guam.gov, Julian Janssen <julian.c.janssen@gmail.com>, Gerry Partido <gerrypartido@gmail.com>, eddiecalvo@yahoo.com, Ray Tenorio <ray.tenorio@guam.gov>, mstajeron <mstajeron@investguam.com>, tsantos

<tsantos@investguam.com>, manny.cruz@dol.guam.gov, frank <frank@mvguam.com>, dkaoki@guampdn.com, jpsablan@guampdn.com, T'Nelta Mori <tmori2222@gmail.com>, Joshua Tenorio <jtenorio@guamcourts.org>, Valerie Cruz <vcruz@guamcourts.org>, josh.tyquiengco@visitguam.org, bmoadmin@teleguam.net

FIRST PUBLIC NOTICE

FOR IMMEDIATE RELEASE

May 28, 2014

In accordance with the Open Government Law, relative to notice for public meetings, please be advised that Senator Michael F.Q. San Nicolas, Chairman of the Committee on Aviation, Ground Transportation, Regulatory Concerns and Future Generations, will be convening a public hearing on **Wednesday, June 4, 2014, at 10:00 a.m.** in *I Liheslaturan Guåhan's* Public Hearing Room for the following items:

Nomination of **GERARD A. CRUZ** to serve as a member of the Guam Regional Transit Authority Board of Directors

Resolution No. 379-32 (LS), introduced by Senator Michael F.Q. San Nicolas and Speaker Judith T. Won Pat, Ed.D.: Relative to respectfully requesting that Congresswoman Madeleine Z. Bordallo introduce legislation to allow government of Guam employees to be covered under Social Security.


Additionally, Senator San Nicolas will convene a roundtable discussion at **2:00 p.m.** in *I Liheslaturan Guåhan's* Public Hearing Room. Representatives from the A.B. Won Pat International Airport Authority, along with various taxi and tour bus service providers, are being invited to discuss Passenger Arrival Transportation Services at the Airport.

If written testimony is to be presented for the hearing or roundtable, copies of the testimony should be delivered prior to the hearing date. Testimonies should be addressed to Senator Michael F.Q. San Nicolas and will be accepted via hand delivery to our office; our mailbox at the Main Legislature Building at 155 Hessler Place, Hagatna, Guam 96910; or via email to senatorsannicolas@gmail.com. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Michael F.Q. San Nicolas at 472-6453.

###

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 Resolution No. 379-32 (LS).pdf
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Second Public Notice - June 4, 2014 Public Hearing and Roundtable Discussion

Senator Michael San Nicolas <senatorsannicolas@gmail.com>

Sun, Jun 1, 2014 at 9:29 PM

To: Senator Michael San Nicolas <senatorsannicolas@gmail.com>

Bcc: aperez@gpagwa.com, Duane George <dmgeorge@guampdn.com>, Frank Whitman <editor@mvguam.com>, Gerry Partido <gerry@mvguam.com>, gmmsinc@guam.net, Jason Salas <jason@kuam.com>, Kelly Cho <kcn.kelly@gmail.com>, Korean News <koreannews@guam.net>, KPRG <kprg@guam.net>, PDN Lifestyle <life@guampdn.com>, mabuhaynews@yahoo.com, Mindy Aguon <mindy@kuam.com>, Masako Watanabe <mwatanabe@guampdn.com>, K57 <news@k57.com>, Patti Arroyo <parroyo@k57.com>, Ray Gibson <rgibson@k57.com>, Sabrina Salas Matanane <sabrina@kuam.com>, Steve Limtiaco <slimtiaco@guampdn.com>, sports@mvguam.com, tcoffman@k57.com, dcristost@guam.gannett.com, weavert@pstripes.osd.mil, Pacific Daily News <news@guampdn.com>, Kevin Kerrigan <kevin@spbg Guam.com>, Bruce Hill <hill.bruce@abc.net.au>, Bruce Hill <pacificjournalist@gmail.com>, parroyo@spbg Guam.com, editor@saipantribune.com, Clynt Ridgell <clynt@spbg Guam.com>, mcpherson.kathryn@abc.net.au, communications@guam.gov, Troy Torres <troy.torres@guam.gov>, phnotice@guamlegislature.org, "jalerta1 ." <alerta.jermaine@gmail.com>, Matthew Baza <baza.matthew@gmail.com>, Delisa Kloppenburg <delisakloppenburg@gmail.com>, Louella Losinio <louella@mvguam.com>, david@mvguam.com, John Paul Manuel <jpmanuel@gmail.com>, josh@spbg Guam.com, Speaker Judi Won Pat <speaker@judiwonpat.com>, Vice Speaker Benjamin Cruz <senadotbjcruz@aol.com>, Senator Tina Muña Barnes <senator@tinamunabarnes.com>, Senator Rory Respicio <rorryforguam@gmail.com>, "Dennis Rodriguez, Jr." <senatordrodriguez@gmail.com>, Senator Ben Pangelinan <senbenp@guam.net>, Senator Tom Ada <office@senatorada.org>, Senator Aline Yamashita <aline4families@gmail.com>, Senator Tony Ada <tony@tonyada.com>, Senator Chris Duenas <duenasenator@gmail.com>, Brant McCreadie <brantforguam@gmail.com>, Senator Brant McCreadie <senatorbrantmccreadie@gmail.com>, "Senator Frank Aguon, Jr." <aguon4guam@gmail.com>, Senator Mike Limtiaco <mike@mikelimtiaco.com>, Senator Tommy Morrison <tommy@senatormorrison.com>, mayormcdonald@hotmail.com, agatmayorsoffice@hotmail.com, asanmainamayorsoffice@yahoo.com, bmomayor@teleguam.net, bmovmayor@teleguam.net, Jessy Gogue <ocp.mayor@gmail.com>, MELISSA SAVARES <melissa.savares@gmail.com>, peter_daigo@hotmail.com, hagatnamayor@hotmail.com, Doris Lujan <mayordorisfloreslujan@gmail.com>, nblas_mangilaomayor@yahoo.com, vicemayor_allan.ungacta@yahoo.com, mayoremestc@yahoo.com, mtm_mayors_office@yahoo.com, pitimayor@yahoo.com, Robert Hofmann <guammayor@gmail.com>, rudy iriarte <rudyiriarte@gmail.com>, talofomayor@gmail.com, "Mayor Louise C. Rivera" <mayorcrivera.tatuha@gmail.com>, "Vice Mayor Ken C. Santos" <vicemayorksantos.tatuha@gmail.com>, Umatac Mayor <umatacmo@gmail.com>, koner.r@gmail.com, arleen81@gmail.com, kenjoeada@yahoo.com, anghet@hotmail.com, Ken Quintanilla <kenq@kuam.com>, Dale Alvarez <daleealvarez@gmail.com>, Responsible Guam <responsibleguam@gmail.com>, floterlaje@gmail.com, Regine Biscoe Lee <regineb.lee@gmail.com>, Chuck Ada <chuck.ada@guamairport.net>, peterroy@guamairport.net, lorilee.crisostomo@bsp.guam.gov, doagridir@yahoo.com, carl.dominguez@dpw.guam.gov, eduardo.ordonez@clb.guam.gov, cgarcia@investguam.com, eric.palacios@epa.guam.gov, kpangelinan@visitguam.org, ndenight@visitguam.org, jbrown@portguam.com, david.camacho@galc.guam.gov, Michael Duenas <mjduenas@ghura.org>, fcamacho@ghura.org, martin.benavente@ghc.guam.gov, alfredo.antonin@dol.guam.gov, joseph.cameron@hrra.guam.gov, adonis.mendiola@dya.guam.gov, jose.sanagustin@doc.guam.gov, pedro.leonguerrero@cqa.guam.gov, joey.sannicolas@gfd.guam.gov, fred.bordallo@gpd.guam.gov, chief@gpd.guam.gov, jim.mcdonald@ghs.guam.gov, benito.servino@disid.guam.gov, james.gillan@dphss.guam.gov, Leo Casil <leo.casil@dphss.guam.gov>, joseph.verga@gmha.org, john.rios@bbmr.guam.gov, benita.manglona@doa.guam.gov, anthony.blaz@doa.guam.gov, John Camacho <jpcamacho@revtax.gov.gu>, Marie Benito <mmbenito@revtax.gov.gu>, benny.m.paulino@us.army.mil, john.unpingco@gvao.guam.gov, jonfernandez@gdoe.net, mary.okada@guamcc.edu, raunderwood@uguam.uog.edu, jflores@gpagwa.com, AG Law <law@guamag.org>, rey.vega@mail.dmhsa.guam.gov, henry.taitano@guam.gov, Julian Janssen <julian.c.janssen@gmail.com>, Gerry Partido <gerrypartido@gmail.com>, eddiecalvo@yahoo.com, Ray Tenorio <ray.tenorio@guam.gov>, mstajeron <mstajeron@investguam.com>, tsantos <tsantos@investguam.com>, manny.cruz@dol.guam.gov, frank <frank@mvguam.com>, dkaoki@guampdn.com,

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SECOND PUBLIC NOTICE

FOR IMMEDIATE RELEASE

June 1, 2014

In accordance with the Open Government Law, relative to notice for public meetings, please be advised that Senator Michael F.Q. San Nicolas, Chairman of the Committee on Aviation, Ground Transportation, Regulatory Concerns and Future Generations, will be convening a public hearing on **Wednesday, June 4, 2014, at 10:00 a.m.** in *I Liheslaturan Guåhan's* Public Hearing Room for the following items:

Nomination of **GERARD A. CRUZ** to serve as a member of the Guam Regional Transit Authority Board of Directors

Resolution No. 379-32 (LS), introduced by Senator Michael F.Q. San Nicolas and Speaker Judith T. Won Pat, Ed.D.: Relative to respectfully requesting that Congresswoman Madeleine Z. Bordallo introduce legislation to allow government of Guam employees to be covered under Social Security.


Additionally, Senator San Nicolas will convene a roundtable discussion at **2:00 p.m.** in *I Liheslaturan Guåhan's* Public Hearing Room. Representatives from the A.B. Won Pat International Airport Authority, along with various taxi and tour bus service providers, are being invited to discuss Passenger Arrival Transportation Services at the Airport.


If written testimony is to be presented for the hearing or roundtable, copies of the testimony should be delivered prior to the hearing date. Testimonies should be addressed to Senator Michael F.Q. San Nicolas and will be accepted via hand delivery to our office; our mailbox at the Main Legislature Building at 155 Hesler Place, Hagatna, Guam 96910; or via email to senatorsannicolas@gmail.com. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Michael F.Q. San Nicolas at 472-6453.

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 **Resolution No. 379-32 (LS).pdf**
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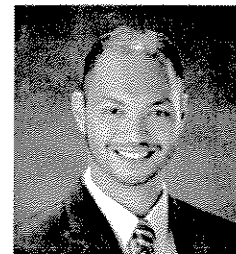
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Senator Michael F.Q. San Nicolas

Chairman - Committee on Aviation, Ground Transportation,
Regulatory Concerns and Future Generations
I Mina'trentai Dos Na Liheslaturan Guåhan | 32nd Guam Legislature



PUBLIC HEARING

Wednesday, June 4, 2014

10:00 a.m.

Public Hearing Room
I Liheslaturan Guåhan

AGENDA

- I. Call to Order
- II. Opening Remarks/Announcements
- III. Items for Public Consideration

Nomination of **GERARD A. CRUZ** to serve as a member of the Guam Regional Transit Authority Board of Directors

Resolution No. 379-32 (LS), introduced by Senator Michael F.Q. San Nicolas and Speaker Judith T. Won Pat, Ed.D.: Relative to respectfully requesting that Congresswoman Madeleine Z. Bordallo introduce legislation to allow government of Guam employees to be covered under Social Security.

- IV. Closing Remarks
- V. Adjournment

San Nicolas, Won Pat, Resolution Calls on Congresswoman to Seek SS Coverage for DC GovGuam Employees

Last Updated on Friday, 09 May 2014 13:30

Written by News Release

Friday, 09 May 2014 10:41



Guam News - Guam News

Guam - A resolution introduced by Senator Mike San Nicolas, and co-sponsored by Speaker Judi Won Pat, calls on Congresswoman Bordallo to introduce federal legislation that would allow GovGuam employees enrolled in the "Defined Contribution" retirement plan, to also be covered by Social Security.

In a release, Senator San Nicolas explains that the original federal Social Security Act excluded all state and local government employees from being included under Social Security.

However, the federal government now allows voluntary agreements between state governments and the federal government to cover their employees under Social Security.

Guam is specifically excluded from the definition of "state" by Section 218 of the Social Security Act, disallowing us to enter into these voluntary agreements.

READ Resolution #379 [HERE](#)

Passage of federal legislation called for in Resolution #379 would "enable the Government of Guam and its employees to contribute to Social Security, with GovGuam's portion of the funding assigned from Section 30 money not pledged for debt service."

Senator San Nicolas is quoted in his release as saying "This approach is a smart way to invest \$20 million today to put \$175 million into our people's pockets 25 years from now, addressing a significant portion of their retirement risk, and all without incurring local unfunded liabilities or administrative costs".

READ the release from Senator San Nicolas below:

San Nicolas/Won Pat seek Social Security for GovGuam Employees

Senator Michael F.Q. San Nicolas introduced a resolution today asking Congresswoman Madeleine Bordallo to introduce federal legislation to include GovGuam employees under the Defined Contribution plan to also be included under Social Security. The resolution is co-sponsored by Speaker Judith T. Won Pat.

Passage of the legislation the resolution calls for will enable the Government of Guam and its employees to contribute to Social Security, with GovGuam's portion of the funding assigned from Section 30 money not pledged for debt service.

"This approach is a smart way to invest \$20 million today to put \$175 million into our people's pockets 25 years from now, addressing a significant portion of their retirement risk, and all without incurring local unfunded liabilities or administrative costs," Senator San Nicolas said.

The original federal Social Security Act excluded all state and local government employees from being included under Social Security. However, the federal government now allows voluntary agreements between state governments and the federal government to cover their employees under Social Security. Guam is specifically excluded from the definition of "state" by Section 218 of the Social Security Act, disallowing us to enter into these voluntary agreements.

An OPA audit from 2011 concluded that GovGuam employees under the Defined Contribution plan will not have enough to sustain themselves when they plan to retire. The audit found that DC members had an average balance of just \$40,000, with a number of employees withdrawing funds before retirement age and facing an early withdrawal penalty. The report concluded that "if members are left without adequate income when they retire, the government of Guam may find itself subsidizing their cost of living through public assistance programs."

Federal Social Security coverage sought for GovGuam employees

THURSDAY, 29 MAY 2014 03:00AM BY LOUELLA LOSINIO | VARIETY NEWS STAFF HITS: 382



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SEN. Michael San Nicolas has introduced a resolution asking Guam Delegate Madeleine Bordallo to introduce federal legislation that will include GovGuam employees under the defined contribution retirement plan to also be included under federal Social Security. The resolution is co-sponsored by Speaker Judith Won Pat.

According to San Nicolas, Resolution 379 will enable the government of Guam and its employees to contribute to Social Security, with GovGuam's portion of the funding assigned from Section 30 money not pledged for debt service.

"This approach is a smart way to invest \$20 million today to put \$175 million into our people's pockets 25 years from now, addressing a significant portion of their retirement risk, and all without incurring local unfunded liabilities or administrative costs," San Nicolas said.

The original federal Social Security Act excluded all state and local government employees from being included under Social Security. However, the federal government now allows voluntary agreements between state governments and the federal government to cover their employees under Social Security.

But San Nicolas said Guam is specifically excluded from the definition of "state" by Section 218 of the Social Security Act, disallowing the island to enter into these voluntary agreements.

The senator cited an Office of Public Accountability audit from 2011 which concluded that GovGuam employees under the defined contribution plan will not have enough income to sustain themselves when they plan to retire.

The audit also found that defined contribution retirement fund members had an average balance of just \$40,000, with a number of employees withdrawing funds before retirement age and facing an early withdrawal penalty.

The report concluded that "if members are left without adequate income when they retire, the government of Guam may find itself subsidizing their cost of living through public assistance programs."

The Committee on Aviation, Ground Transportation, Regulatory Concerns and Future Generations, will convene a public hearing on Wednesday, June 4, at 10 a.m. for Resolution 379.



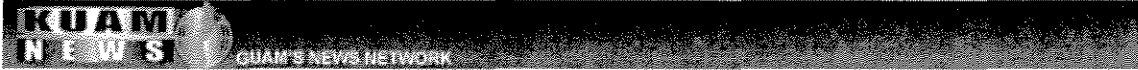
Sen. Michael San Nicolas has introduced a resolution that seeks to include GovGuam employees under the defined contribution retirement plan to also be included under federal Social Security. Variety file photo



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Resolution seeks Social Security for GovGuam employees

Posted: Jun 01, 2014 10:54 AM
Updated: Jun 01, 2014 10:54 AM

by [Ken Quintanilla](#)

Guam - Senator Michael San Nicolas is hoping for Congresswoman Madeleine Bordallo's assistance in ensuring that thousands of Government of Guam employees under the Defined Contribution Plan be included under Social Security. Resolution 379 introduced earlier this month calls on Guam's delegate to introduce federal legislation to allow GovGuam employees this opportunity.

"We want to make sure that our defined contribution employees, we have 7,000 of them and their retirement is limited only to what they put in and what it grows to but there is no Social Security element to it which means it is no social safety net and if they retire and their money gets depleted they're not going to be anything to backstop them and then that puts them at risk of having to go on welfare, the government having to subsidize their living in other ways," he said.

San Nicolas says the reason Guam doesn't have a Social Security option in the Government of Guam plan is because federal law explicitly excludes the island from being able to participate at the state level. An Office of Public Accountability report from 2011 meanwhile concluded that GovGuam employees under the DC plan will not have enough to sustain themselves when they plan to retire.

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Officials press GovGuam on retirement

Written by Gaynor Dumat-ol Daleno Pacific Daily News

Jun. 5, 2014 |

guampdn.com

AT A GLANCE

- The Defined Contribution plan's active members increased from 7,107 in 2009 to an estimated 7,885 in 2013. About 600 Defined Contribution plan members are retirees.

The government of Guam faces urgency to enroll almost 8,000 government of Guam employees into the U.S. Social Security program, some of the island's elected officials said at a legislative hearing yesterday.

Without Social Security, the retirees, who were hired on or after Oct. 1, 1995, under GovGuam's Defined Contribution plan, won't have a monthly pension. The only money they'd get at retirement, if GovGuam was their only employment, is what they've saved, plus GovGuam's contribution of 5 percent of their base pay.

With \$40,000 as the average amount saved by Defined Contribution members, future retirees in the plan could run out of money in less than three years, the officials acknowledged.

Public Auditor Doris Flores Brooks, who was the only one who testified at the hearing on the issue yesterday, said it's important for GovGuam to give the retirees the "dignity of retirement." Without a better safety net, they'd end up on the public welfare rolls, officials said.

At issue at the hearing was legislative resolution 379, which calls on Guam's lone voice in Congress, Delegate Madeleine Bordallo, to seek congressional authority to allow GovGuam into the Social Security system.

Encouraged by CNMI

GovGuam employees are specifically barred from opting into Social Security membership, said Sen. Michael San Nicolas, but he wasn't clear on why that's the case. He's the resolution's chief author.

The Guam officials are encouraged by the Commonwealth of the Northern Mariana Islands government's experience with Social Security.

When the CNMI's retirement fund went bankrupt a few years ago, after the local government stopped making contributions to the fund, Social Security allowed the CNMI government to opt in.

GovGuam's retirement fund isn't near bankruptcy, as the local government continues to make payments into the fund, but it faces a possible \$1.4 billion shortfall on the amount it will owe future retirees, previous audit reports have shown.

"The situation in the CNMI was dire, but when you think of the Defined Contribution members,

they're in very dire straits also," the public auditor said.

Sen. Ben Pangelinan, chairman of the legislative committee with oversight over the GovGuam budget, said he agrees that Defined Contribution members face a dire retirement future.

The older GovGuam retirement plan, called Defined Benefit, which had an October 1995 membership cutoff, guarantees retirees a monthly pension and a cost of living allowance for as long as they live. Their surviving spouse also will receive some economic benefits.

San Nicolas said he hopes Bordallo will pursue the Social Security option "with the same tenacity" she has shown for her support of the military buildup.

Clock is ticking

The urgency to provide a solution for the Defined Contribution members, specifically to provide them with Social Security coverage, gets more pronounced as months pass.

It takes at least 10 years of contributions into Social Security, and next year is the must-enroll year for Defined Contribution members who face retirement in 2025, the officials said.

The Government of Guam Retirement Fund also is proposing to provide the Defined Contribution members enhanced benefits by giving them the option to raise their contribution from 5 percent of pay to 8 or 9 percent of pay, the fund's board chairman, Joe T. San Agustin has said.

The fund wants GovGuam to match employees' higher contribution. Pangelinan said he doesn't support expanding the GovGuam share of contributions for the Defined Contribution members, so the two sides will try to iron out their differences.



COMMITTEE ON RULES

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Member
MINORITY LEADER

Senator
Aline Yamashita
Member

May 9, 2014

MEMORANDUM

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

Attorney Therese M. Terlaje
Legislative Legal Counsel

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

Subject: **Referral of Resolution No. 379-32 (LS)**

As Chairperson of the Committee on Rules, I am forwarding my referral of Resolution No. 379-32 (LS). Please ensure that the subject resolution is referred, in my name, to the respective sponsor, as shown on the attachment.

I also request that the same be forwarded to all Senators 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!

(1) Attachment

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

Resolution No. 379-32 (CS)

Introduced by:

M.F.Q. San Nicolas 

Judith T. Won Pat, Ed.D. 

RELATIVE TO RESPECTFULLY REQUESTING THAT
CONGRESSWOMAN MADELEINE Z. BORDALLO
INTRODUCE LEGISLATION TO ALLOW GOVERNMENT
OF GUAM EMPLOYEES TO BE COVERED UNDER SOCIAL
SECURITY.

2014 MAY - 21 10:05:22

1 BE IT RESOLVED BY *I MINA'TRENTAI DOS NA LIHESLATURAN*
2 *GUÅHAN*:

3 WHEREAS, the Social Security Act, passed in the 74th U.S. Congress,
4 was signed into law by President Franklin Delano Roosevelt on August 14,
5 1935; and

6 WHEREAS, the Social Security Act granted money to states to provide
7 unemployment insurance, aid to families with dependent children, public
8 health services, assistance to aged individuals, assistance to the blind,
9 maternal and child welfare, and is most widely known benefits to retirees and
10 survivors; and

11 WHEREAS, the Social Security retirement security program did not
12 originally include any state or local government employees, but currently

1 there are voluntary agreements between states and the Social Security
2 Administration authorized under Section 218 of the Social Security Act which
3 determine which employees in state or local government service are covered
4 or not covered by Social Security; and

5 **WHEREAS**, Guam is specifically excluded from entering into a
6 voluntary agreement for establishing the scope of coverage of employment
7 under the Social Security retirement program with the Social Security
8 Administration by Subsection (b)(1) of Section 218; and

9 **WHEREAS**, the provision of an adequate retirement security program
10 to government of Guam employees ensures that once employees intend to
11 retire, they are able to; and

12 **WHEREAS**, before 1995, all government of Guam employees were
13 enrolled in the Government of Guam Retirement Fund's Defined Benefit Plan;
14 and

15 **WHEREAS**, since 1995, new hires in the government of Guam are
16 enrolled in the defined contribution program, which provides individual
17 accounts similar to private sector 401K retirement accounts and matches
18 mandatory contributions of five percent (5%) of employees' gross pay; and

19 **WHEREAS**, most private sector employees also contribute to and
20 become eligible for the benefits provided under Social Security, but since
21 government of Guam employees do not contribute to Social Security, their
22 retirement income from this source is usually little to none; and

1 **WHEREAS**, since they and their employer do not contribute to Social
2 Security, employees who are eligible only for the government of Guam
3 Defined Contribution Plan do not have a retirement plan that is competitive
4 with that offered to most private sector employees and thus their retirement
5 income may be inadequate to support a good quality of life for our
6 government of Guam retirees; and

7 **WHEREAS**, employees who first entered government service when the
8 Defined Contribution Plan was initially offered are rapidly approaching the
9 age of retirement; and

10 **WHEREAS**, in order to avail themselves of the benefits of both their
11 Defined Contribution Retirement Plan and Social Security, since the minimum
12 period of covered employment to receive basic benefits under Social Security
13 is forty (40) calendar quarters, coverage under Social Security must be made
14 available to them as soon as possible; and

15 **WHEREAS**, employees of the government of Guam who are currently
16 enrolled in the government of Guam Defined Contribution Plan would have a
17 more competitive total compensation package if, in addition to joint
18 contributions with the government of Guam to their retirement plan, they are
19 also contributing to Social Security, which would have cost approximately
20 eighteen million dollars (\$18,000,000) to the government of Guam in fiscal
21 year 2012; and

1 **WHEREAS**, covering employees of the government of Guam who are
2 currently enrolled in the government of Guam Defined Contribution Plan
3 should increase Social Security payments to the pockets of our people by
4 about one hundred seventy-five million dollars (\$175,000,000) annually in
5 twenty-five (25) years with no risk of accumulating any local unfunded
6 liability; now, therefore, be it

7 **RESOLVED**, that *I Mina'Trentai Dos Na Liheslaturan Guåhan*, on behalf of
8 the people of Guam, respectfully requests that Congresswoman Madeleine Z.
9 Bordallo introduce legislation to include all government of Guam employees
10 not enrolled in a government of Guam Defined Benefit Plan to contribute
11 jointly with the government of Guam to Social Security, by allowing the
12 government of Guam to enter into a Section 218 agreement with the Social
13 Security Administration, and to set up a system by which Section 30 revenue,
14 in excess of amounts necessary to service existing debt for which Section 30
15 revenue is pledged, shall be provided to the Social Security Administration to
16 directly and reliably fund the government of Guam's employer contributions
17 on behalf of its employees; and be it further

18 **RESOLVED**, that the Speaker and the Chairperson of the Committee on
19 Rules certify, and the Legislative Secretary attest to, the adoption hereof, and
20 that copies of the same be thereafter transmitted to the Honorable Madeleine
21 Z. Bordallo, Guam Delegate to the United States Congress; and to the
22 Honorable Eddie B. Calvo, *I Maga'lahren Guåhan*.

DULY AND REGULARLY ADOPTED BY *I MINA'TRENTAI DOS NA LIHESLATURAN GUÁHAN* ON THIS ____ DAY OF _____, 2014.

JUDITH T. WON PAT, Ed.D.

Speaker

TINA ROSE MUNA BARNES

Legislative Secretary