

VICE SPEAKER BENJAMIN J.F. CRUZ  
Committee on Appropriations and Adjudication  
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*I Mina'trentai Tres na Liheslaturan Guåhan*  
**THE 33RD GUAM LEGISLATURE**  
155 Hesler Place, Suite 107, Hagåtña, Guam 96910  
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**JUN 13 2016**

The Honorable Judith T. Won Pat  
Speaker  
*I Mina'trentai Tres na Liheslaturan Guåhan*  
33<sup>rd</sup> Guam Legislature  
155 Hesler Place  
Hagåtña, Guam 96910

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

*Rory J. Respicio*

**RE: Committee Report on Bill No. 249-33 (COR), As Introduced**

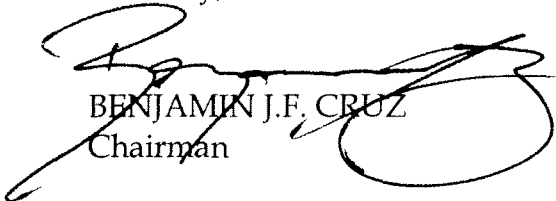
Dear Speaker Won Pat:

Transmitted herewith is the Report of the Committee on Appropriations and Adjudication on Bill No. 249-33 (COR), As Introduced - D. G. Rodriguez, Jr - "An act to mandate the payment of compensation benefits of animal control officers of the Department of Agriculture, as provided pursuant to Public Law 29-105."

Committee votes are as follows:

4 TO DO PASS  
     TO NOT PASS  
4 TO REPORT OUT ONLY  
     TO ABSTAIN  
1 TO PLACE IN INACTIVE FILE

Sincerely,

  
BENJAMIN J.F. CRUZ  
Chairman

2016 JUN 14 AM 9:56 PM

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**VICE SPEAKER BENJAMIN J.F. CRUZ**  
Committee on Appropriations and Adjudication  
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## **COMMITTEE REPORT**

**Bill No. 249-33 (COR),  
As Introduced**

**“An act to mandate the payment of  
compensation benefits of animal control  
officers of the Department of Agriculture,  
as provided pursuant to Public Law 29-  
105.”**

**VICE SPEAKER BENJAMIN J.F. CRUZ**

Committee on Appropriations and Adjudication  
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*I Mina'trentai Tres na Liheslaturan Guåhan*

**THE 33RD GUAM LEGISLATURE**

155 Hesler Place, Suite 107, Hagåtña, Guam 96910

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**JUN 13 2016'**

**MEMORANDUM**

**TO: All Members**  
**FROM: Vice Speaker Benjamin J.F. Cruz**  
*Chairman, Committee on Appropriations and Adjudication*

**SUBJECT: Committee Report on Bill No. 249-33 (COR), As Introduced**

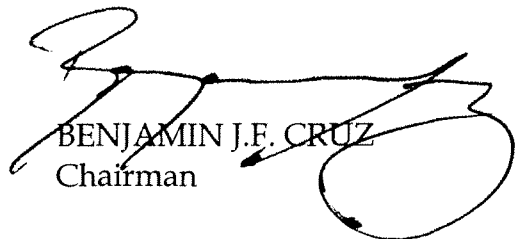
Transmitted herewith for your consideration is the Committee Report on Bill No. 249-33 (COR), As Introduced - D. G. Rodriguez, Jr. - "An act to mandate the payment of compensation benefits of animal control officers of the Department of Agriculture, as provided pursuant to Public Law 29-105."

This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Bill No. 249-33 (COR), As Introduced
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony & Supporting Documents
- COR Referral of Bill No. 249-33 (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  
Chairman

**SENATOR BENJAMIN J.F. CRUZ, VICE SPEAKER**

Committee on Appropriations and Adjudication  
 senator@senatorbjcruz.com | www.senatorbjcruz.com



*I Mina'trentai Tres na Liheslaturan Guåhan*  
**THE THIRTY-THIRD GUAM LEGISLATURE**

155 Hesler Place, Suite 107, Hagåtña, Guam 96910  
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**COMMITTEE VOTING SHEET**

**Bill No. 249-33 (COR), As Introduced - D. G. Rodriguez, Jr - "An act to mandate the payment of compensation benefits of animal control officers of the Department of Agriculture, as provided pursuant to Public Law 29-105."**

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				<input checked="" type="checkbox"/>		
AGUON, Jr., FRANK B. Vice Chairperson		<input checked="" type="checkbox"/>				
WON PAT, Ed.D., JUDITH T. Speaker and Ex-Officio Member						
MUÑA BARNES, TINA ROSE Member		<input checked="" type="checkbox"/>				
RODRIGUEZ, Jr., DENNIS G. Member		<input checked="" type="checkbox"/>				
SAN NICOLAS, MICHAEL, F.Q. Member						<input checked="" type="checkbox"/>
UNDERWOOD, Ph.D., NERISSA B. Member				<input checked="" type="checkbox"/>		
ADA, V. ANTHONY Member				<input checked="" type="checkbox"/>		
MORRISON, THOMAS A. Member		<input checked="" type="checkbox"/>				
TORRES, MARY C. Member				<input checked="" type="checkbox"/>		



## COMMITTEE REPORT DIGEST

**Bill No. 249-33 (COR), As Introduced** – D. G. Rodriguez, Jr. – “An act to mandate the payment of compensation benefits of animal control officers of the Department of Agriculture, as provided pursuant to Public Law 29-105.”

### **I. OVERVIEW**

**Bill No. 249-33 (COR)** was introduced by Senator Dennis G. Rodriguez, Jr. on February 5, 2016 and referred to the **Committee on Appropriations and Adjudication** on April 19, 2016.

The Committee on Appropriations and Adjudication convened a public hearing on Thursday, May 12, 2016, beginning at 9:00AM in the Guam Legislature Public Hearing Room. The hearing for **Bill No. 249-33 (COR)** began at 9:04AM and ended at 9:48 AM.

#### Public Notice Requirements

All legal requirements for public notices were met, with requests for publication sent to all media and all Senators on May 5, 2016, and May 10, 2016, via email. Copies of the hearing notices are appended to the report.

#### Senators Present

**Vice Speaker Benjamin J.F. Cruz**, *Chairperson*

**Senator Frank B. Aguon, Jr.**, *Vice Chairperson*

**Senator Dennis G. Rodriguez, Jr.**, *Member*

**Senator V. Anthony Ada**, *Member*

#### Appeared Before the Committee

**Ms. Celena P. Calvo-Story**, *Concerned Citizen*

**Mr. Matthew L.G. Sablan**, *Director, Guam Department of Agriculture*

**Ms. Tina Cruz**, *Concerned Citizen*

**Mr. Raymond Taimanglo**, *Colonel, U.S.A (Retired)*

**Dr. Thomas Poole, DVM, MPH, DACVPM**, *Guam Territorial Veterinarian*

**The Honorable Rudy M. Matanane**, *Mayor of the Municipality of Yigo*

**Dr. Vanessa Oshiro**, *Veterinarian, Mariana's Vet Care*

#### Submitted Written Testimony

**Ms. Celena P. Calvo-Story**, *Concerned Citizen*

**Mr. Matthew L.G. Sablan**, *Director, Guam Department of Agriculture*

**Ms. Tina Cruz**, *Concerned Citizen*  
**Mr. Raymond Taimanglo**, *Colonel, U.S.A (Retired)*  
**Dr. Thomas Poole**, *Guam Territorial Veterinarian*  
**Dr. Vanessa Oshiro**, *Veterinarian, Mariana's Vet Care*  
**Mr. Eloy Reyes**, *Officer, Guam Department of Agriculture Animal Health*  
**Mr. Nick Ibanez**, *Officer, Guam Department of Agriculture Animal Health*  
**Mr. Glen Santos**, *Animal Control Officer I, Department of Agriculture Animal Health*  
**Ms. Michelle A. Santos**, *Animal Control Officer I, Department of Agriculture Animal Health*  
**Ms. Teresa Calvo Campbell**, *Concerned Citizen*  
**Ms. Patricia Pangelinan Calvo**, *Concerned Citizen*  
**Ms. Desiree Taimanglo Ventura**, *Concerned Citizen*  
**Mr. Manuel P. Calvo**, *Animal Control Officer I, Department of Agriculture Animal Health*  
**Mr. Vincent Salas**, *Animal Control Officer I, Department of Agriculture Animal Health*  
**Mr. Patrick R. Artero**, *Acting Chief Biosecurity Division,*  
**Ms. Corina Rojas**, *Concerned Citizen*  
**Ms. Teresa Campbell**, *Concerned Citizen*  
**Mr. Joe B. Cruz, Jr.**, *Concerned Citizen*  
**Mr. Vince F. Taitingfong**, *Concerned Citizen*  
**Ms. Alison Hadley**, *Executive Director, Guam Animals in Need*  
**Dr. Thomas Poole, DVM, MPH, DACVPM**, *Guam Territorial Veterinarian*  
**Mr. Glenn Nelson**, *Concerned Citizen*  
**Ms. Carol S. Tayama**, *Secretary, Mayor's Council of Guam*  
**Mr. Greg Calvo**, *Concerned Citizen*

## II. TESTIMONY & DISCUSSION

**Vice Speaker Benjamin J.F. Cruz**, Chairman of the Committee on Appropriations and Adjudication ("Committee"), announced Bill No. 249-33 (COR), acknowledged the Committee members present and recognized the sponsor of the legislation, **Senator Dennis G. Rodriguez, Jr.**, to provide a statement.

**Senator Rodriguez** thanked the Chairman and proceeded to provide his sponsor statement for Bill No. 249-33 (COR):

"Bill No. 249-33 (COR) is an act to mandate the payment of compensation benefits of animal control officers of the Department of Agriculture as provided pursuant to Public Law 29-105. What this is basically, Mr. Chairman, is to move forward and pursue a law that was established in 2008 that had classified positions within the Department of Agriculture as law enforcement officers. Since 2008, there have been no attempts to remove these classifications for these individuals and so this mandate has been unfulfilled by the government. There was a case taken to the Civil Service Commission [Case Number 15-GRE-01]

whereas there was a settlement that was reached where the employee had basically won the judgment in getting the government to follow the law and classify this position as a Law Enforcement.

“There was [also] an opinion by the Attorney General’s Office several years ago that also supported this law, supported that these positions are to be classified as Law Enforcement. So what this bill does is move that forward. It also recognizes the potential that the government may have difficulty in resolving the back-due compensation from when this was first enacted up until when we actually finally resolve it. So there is a provision in this bill that allows for an agreement to be made with the employees, so that these payments could be staggered. And so, that’s what we’re here today for, Mr. Chairman. I also want to present to you, Mr. Chairman, the transcripts of the hearing that I conducted a few weeks ago on Bill No. 249 (*appended to this report*). So any of those who were here for that hearing, if you wish to not waste your time again in [repeating the testimony you provided in that hearing], the transcripts are here. We’ll provide it to the Chairman [to be] included in the committee report. Thank you very much, Mr. Chairman.”

**Chairman Cruz** thanked Senator Rodriguez for his statement and commented on the invitees for the measure’s hearing

“We had invited the Director of Administration, [Ms. Christine W. Baletto] and the Attorney General Elizabeth Barrett-Anderson. The Director of Administration is unable to attend and I believe has submitted written testimony (*appended to this report*). The Attorney General, whom I spoke to last week, indicated that the front office had requested a legal opinion on this bill. And then, I guess, when we scheduled the hearing, [the Attorney General] withdrew the request. So I’m not sure if she is still going to submit a legal opinion, but I’ll just state that for the record [*As of the filing of this report, the Office of the Attorney General has not submitted written testimony on Bill No. 249-33 (COR)*].

“We have quite a number of people that are here in support of the bill and if you just want to submit your written testimony, you may do so. If you just want to support, then indicate that also. And those of you that want to speak, as I go down the list of people who signed-in – whoever is able – just come up and take the four (4) seats there.”

**Chairman Cruz** proceeded to read the names listed on the sign-in sheet (*appended to this report*) who were in support of Bill No. 249-33 (COR).

One of the individuals listed on the sign-in sheet, **Ms. Celena Calvo-Story**, approached

the Committee and proceeded to read her written testimony (*appended to this report*). The testimony was submitted on behalf of Ms. Calvo-Story's brother, Manuel Pangelinan Calvo ("Manny"), who had served as an Animal Control Officer for over ten (10) years. The letter urged the expeditious passage of Bill No. 249-33 (COR), noting that the compensation would help Manny with the cost of previous and on-going treatments for cancer, which had grown more aggressive within the past year.

**Chairman Cruz** thanked Ms. Calvo-Story for her testimony and called upon Director of the Guam Department of Agriculture, Matthew Sablan to present his testimony.

**Director Sablan** greeted the members of the Committee and thanked them for the opportunity to testify in support of Bill No. 249-33 (COR). He noted that his written testimony would be identical to the testimony he had submitted during Senator Rodriguez's informational hearing on the measure on April 11, 2016 (*appended to this report*).

**Mr. Sablan** elaborated:

"You know, the animal control officers, when they go out, they get threatened by complaints, by neighbors that actually don't get along. And when they go to entertain the complaints, they get threatened. They sometimes get pointed at with weapons. They do have a lot of cases where they have come to me and report at the end of the day that this is what happened, life threatening situations. With our Department, we do not have lapse when it comes to funding for Fiscal Year (FY) 16 or 17. This morning, I'm asking the Thirty third (33<sup>rd</sup>) Legislature if we can humbly request for an appropriation for whatever the amount is, if this bill is passed. I thank you again for having us here and I humbly ask your favorable consideration. I fully support this bill, Thank you."

**Chairman Cruz** responded:

"Thank you Director Sablan and we'll note that you have testimony and I believe Senator Rodriguez will provide us with the transcripts of that hearing."

**Chairman Cruz** prompted **Ms. Tina Cruz** to begin her testimony. Ms. Cruz greeted the Committee members and identified herself as the sister of Manuel P. Calvo. She noted that she would be reading written testimony (*appended to this report*) on behalf of Mr. Calvo, who was undergoing medical treatment, and therefore, unable to attend the hearing. Mr. Calvo's personal testimony also urged the expeditious passage of Bill No. 249-33 (COR), emphasizing the critical role of Animal Control Officers in enforcing local laws relative to the care and treatment of animals on Guam.

**Chairman Cruz** thanked Ms. Cruz for her testimony and prompted Mr. Raymond



Taimanglo to begin his testimony.

**Mr. Taimanglo** thanked the Committee for the opportunity to participate in the hearing and proceeded to read his written testimony (*appended to this report*). Mr. Taimanglo's written testimony supported the passage of Bill No. 249-33 (COR), on the basis that the measure would establish parity for Animal Control Officers, who were over-looked when the forty percent (40%) Law Enforcement pay scale went into effect in 2008. Mr. Taimanglo further requested that an exemption in the staggered payments be made for Mr. Manny Calvo due to Mr. Calvo's current health condition.

**Chairman Cruz** thanked Mr. Taimanglo for his testimony and opened the floor for inquiries.

**Senator Rodriguez** noted:

"Thank you very much, Mr. Chair. Just to put on record, I know the Director [Sablan] had indicated that the existing budget does not—is not budgeted for if we were to pass this [measure] and he is correct. The information we got from the [Bureau of Budget and Management Research (BBMR)]—I'm not sure, Mr. Chairman, if you received the revised fiscal note, that there is a projection of about two hundred and ninety three thousand dollars (\$293,000) that it's going to take to extinguish this obligation the government has failed to fulfill since October 2009 up to the end of this fiscal year, which is September 2016. And [BBMR] project[s] a lapse for funding from [The Department of Agriculture] of about two hundred thousand dollars (\$200,000). That's considering the full release of the fifteen percent (15%), and so what we're going to have to deal with is that ninety three thousand dollar (\$93,000) impact. [Addressing Mr. Taimanglo] you just had mentioned that if we need to do an arrangement, if staggered, at least that's a tool that's available and I do understand where you are coming from, but we also have to be aware and cognizant of the fact of the financial situation as well. Okay? Just wanted to say that for the record. Thank you."

**Director Sablan** inquired:

"Senator, what was the figure again?"

**Senator Rodriguez** responded:

"Two hundred and ninety three thousand dollars (\$293,000) is what it's going to take to fulfill the government's obligation from 2009 up to the end of this fiscal year, and BBMR is projecting a two hundred thousand dollar (\$200,000) lapse in your budget."

**Director Sablan** replied:

“Okay. I’ll verify with my [Administrative Services Officer (ASO)]. Thank you.”

**Chairman Cruz** inquired:

“The numbers that you showed me before was close to five hundred [thousand] (500,000) wasn’t it?”

**Director Sablan** replied:

“That’s correct, Vice Speaker but I’ll verify with my ASO.”

**Chairman Cruz** continued:

“Okay, because I know I was trying to work this through with [former Director of the Department of Administration, Mr. Tony Blaz] before he passed and the number that was given to me at that time was four hundred eighty [thousand] (480,000) or something.”

**Director Sablan** replied:

“That’s pretty close.”

**Senator Aguon** inquired:

“I’m sorry, Mr. Sablan, just a quick question in regards to the recognition of the Civil Service Case back several years. Now this legislation would propose to immediately adjust the compensation of all the Animal Control Officers consistent with [P.L. 29-105] and then also consistent with [Case No. 15-GRE-01] through Civil Service Commission. Now this would mandate that you do it. Is there any way that you can talk to BBMR and the Governor’s Office to effectuate this because this could be done administratively. [Instead of] the Legislature stepping in and actually mandating, [the compensation] can be implemented immediately because right now this proposal recognizes that this is an obligation.

“The Animal Control Officers are law enforcement official based on Public Law 29-105. It was reaffirmed by the Civil Service Commission. So I would like to encourage you to work with the Governor’s Office, and BBMR, and DOA to see if there’s a way, if by any chance, this can be effectuated without legislation because you can already anticipate that this will be passed as presented in this session. In terms of the language itself, but I would hate to— and Chief Cruz from the Guam Police Department is much aware of this. If we are able to work things internally from branch to branch rather than mandating it, then certainly that’s another option available but we’d always like to encourage that be taken because we had two (2) different documents— formal documents— that says one is a Public Law; one is a ruling by the Civil Service Commission that says this

should be implemented.

“If not, then this mandate will still carry through [although] what I’m saying [does] not necessarily [apply to] the retro component because that still would necessitate legislation. [This measure is] implementing their pay adjustments today so that Mr. Manny Calvo and some of the others will be able to receive their appropriate pay based on Public Law 29-105, and that’s moving it forward. So that’s a consideration on your part and I certainly encourage you to do that. If not, then you can anticipate that the legislation would be passed as presented here and then you’re going to be left with no recourse other than that time. So I encourage you to try to work with the Governor’s Office and BBMR and DOA, and see if this can be implemented as soon as possible.”

**Director Sablan** replied:

“All right. That’s correct, Senator, and again, with the figure given to me, I’ll use that like you mentioned just presently [for] how we can accommodate and worry about the retroactive later.”

**Senator Aguon** reiterated:

“But this two hundred and ninety three (293) figure, which was provided by either BBMR or the front office is kind of shy from the number that your previous ASO provided us.”

**Director Sablan** replied:

“That’s correct and I’ll verify with [the ASO] and I will give you the numbers. Thank you.”

**Senator Aguon** responded:

“But please consider that and work with the Governor’s Office on that. Thank you, Mr. Sablan.”

**Senator Rodriguez** commented:

“Just a follow-up. I believe the Bill is needed—the Law is needed—because the Attorney General’s opinion was kind of unclear right? Because there was a first opinion that was provided prior to this [which] clearly gave the direction that these Laws apply to these individuals in these positions. However, with the Attorney General [Elizabeth Barrett-Anderson], it’s unclear, and so I don’t know if that’s what’s stopping you and the Administration from moving forward and so hopefully, with the passage of this [measure], the intention becomes crystal-clear.”

**Director Sablan** replied:

“That is correct, thank you.”

**Dr. Thomas Poole**, approached the Committee and thanked them for the opportunity to testify *in support* of the measure:

“I’ve served as the territorial veterinarian for Guam for the last eleven (11) years. For the last nine (9) years, I’ve served as the supervisor and division chief for the Animal Control Officers. I’ve submitted written testimony and I won’t belabor that and read through that. I just think I’m probably best qualified, if there are any questions as to the duties of the Animal Control Officers that merit this pay raise that I believe in all together.

“I wanted to point out that [Chapter 3 of Title 9, Guam Administrative Rules] stated for a long time that Animal Control Officers have the full authority as Peace Officers [§ 3129] and the Animal Control Officers were with [the Department of Public Health] for many years. During that time, they received a Law Enforcement differential pay and also hazardous duty differential pay. And then, whenever they moved to [the Department of Agriculture] for reasons no one was ever able to explain to me, those went away. This was around 2002. Before my time, I’m not sure exactly but I think they are entirely deserving. Now, I’m not a Peace Officer. I’m not a Law Enforcement Officer. I don’t go into people’s homes and confront them with potential felony violations. So in no way am I deserving of anything like this, but I believe that [Animal Control Officers] absolutely are.

“I think no one is more deserving than Guam Police Officers. They go to the Guam Police Academy. They’re armed, and if they were the only ones to receive Law Enforcement pay, I could understand that. But there are many others receiving Law Enforcement pay that I believe do no more—and perhaps not as much in terms of Law Enforcement and serving as Peace Officers—than Animal Control Officers. So I think they are entirely deserving and we’ve sort of beaten that to death. I think and hope that you all agree, and that is why I wanted to be here to be able to answer any questions as to that.

“Finally, I’d like to point out that we and [the Department of Agriculture] are just extremely skinny. There’s no fluff. There’s no fat. There’s really no money for supplies. Every time someone moves or retires, they are not replaced. There’s been three people in our headquarters in the last five years that have retired or moved and haven’t been replaced. And now, I’m having to putting an Animal Control Officer in there for half a day, every day, just [to] help answer telephones. So if there were any fat in there, [Director Sablan] would absolutely

have found it already. There simply is none. So I hope, as Senator Aguon mentioned, that [the Administration] can find this money quickly because this does need to be done quickly.”

On account that the Committee had no further questions, Dr. Poole thanked the Committee and concluded his testimony.

**Chairman Cruz** thanked Dr. Poole and called upon the Honorable Rudy M. Matanane, the Mayor of Yigo, to provide his testimony:

**Mayor Matanane** greeted the Committee members and thanked them for the opportunity to speak on behalf of the Animal Control Officers. The Mayor continued:

“For the record, I am the Chairman of the [Committee on Stray Animal and Round-up] that is trying to help get the population of stray-dogs to a manageable population. Saying that, I was also one of the people that spear-headed [the attempt] to get more Animal Control Officers to help the depleting Animal Control Officers that are over at the Department of Agriculture. I just want to say, through experience, that I was one day a part of the Animal Control Officers and I wish that there was a video that was taken there because the dog that we were trying to catch [at the time] was a ‘quarterback.’

“It was barking and just charging at us. It tackled me a couple of times and it took about two (2) hours to catch this vicious dog. Because this dog was going around trying to bite people, [defecating in] people’s yards and everything that it can do. But you know, if the Animal Control Officers do that at least once a day, I’m sure that I don’t care if they’re considered people that should be paid just the same as the Police Officers. They deserve that pay raise. And one of the guys really needs the money that’s owed to him and I urge you to work with the Administration to try and get this thing through because it’s well-deserved, honorable Senators.

“I was talking to Director Matt Sablan and I heard Senator Aguon talk to him about trying to get some money that was allocated or something to work with the Administration and I’m willing to work with him to try to get that to work. And please, I’m a leader in my village and I see all the things that these Officers have to do, and they’re not only underpaid, they’re under-manned. Maybe you can work with the Administration to try to get more people to work with them because once we start the round-up efforts, we need to help us pass the bill [that] we’re trying to have one of you Senators introduce to help with alleviating maybe seventy percent (70%) of what these Animal Control Officers have to deal with—over populated dogs here in the island.

"I urge you to please work together and make this thing work because it's a deserving thing, and it's been a long time coming, and I'm pretty sure that Chief Cruz will support this effort. There's nothing that anybody can say here to be enough for you to move forward and I know that finances [are] always the problem. But it seems to me that every administration and any part of the Legislature at any year always find some tricks to find money to make this work. So, I wish you luck with those tricks, and I hope those tricks just jump out and help you guys out. Thank you very much and I really appreciate everybody that's here to testify on behalf of these Animal Control Officers. So please help them. Thank you very much."

**Chairman Cruz** stated:

"Thank you very much. Mayor. I assure you that we've been trying. Before Senator Blaz passed last fall, he and I were in communication, and just before he went into the hospital, I thought we had a resolution. I met with Dr. Poole. We thought we had a resolution, and now we're back to square one unfortunately. But we've been working this for almost a year."

**Mayor Matanane:**

"I don't doubt that you've been trying, sir. I appreciate that. I didn't mean to insult you in anyway. I know that you've been trying, but the bottom-line is [that] we still haven't done it and we should all pull together. I'm probably one of the people that's guilty of this because it's our job to try to make things work for our island and if I insulted you in any way, I didn't mean to."

**Chairman Cruz** replied:

"No, you didn't. I just wanted to make it clear that this Legislature has been trying and unfortunately we don't write the checks. We can say what the authorization is, but we cannot write the checks or release any checks. Again, we've been trying."

**Mayor Matanane** responded:

"Give me authorization to write the check and I'll write the check."

**Chairman Cruz** replied:

"You know the people that can move this, and unfortunately I've not been able to do it."

**Mayor Matanane** responded:

"Well, maybe you can tell me who so I can talk to them. Sir, I am not trying to

insult you in anyway. I'm trying to be humorous here so we can get this thing done and I'm willing to talk to anybody. Thank you very much."

**Chairman Cruz** thanked Mayor Matanane and called upon Dr. Vanessa Oshiro to provide testimony.

**Dr. Oshiro** greeted the Committee, and proceeded to testify in support of Bill No. 249-33 (COR):

"Having dealt with many of Guam's stray animals, I can appreciate the hazards that these gentlemen face daily, but not nearly to the degree that they do out in the field. The ACOs are not only subject to the dangers of unpredictable animals but also the similarly unpredictable circumstances and conditions that accompany them. Furthermore, as a member of the Stray Animal Round-up Committee spearheaded by the Mayors Council of Guam, I've also appreciated the ACOs needed-perspective early on in the foundational discussions of the Committee. Their contribution has ultimately been very important in our efforts to fairly mediate animal control at large within our community.

"In conclusion, I hope the honorable among you will consider supporting the pay-raises of these unsung Peace Officers. The work they do to keep that peace where our stray animals are concerned has for too many years far out-stripped their means. If we want to support animal control on Guam, it makes sense to support the human resources that undergird it, starting with these people and with you. Thank you very much."

**Chairman Cruz** thanked Dr. Oshiro and called upon Mr. Ronald Laguana to testify.

**Mr. Laguana** thanked Chairman Cruz and proceeded to testify in Chamorro:

"Manana si Yu'os yan hafadai. Sinot unaruple Senadot gehulu Lehislaturan Guahan BJ Cruz, Sinot Senadot Frank Blas Jr., Sinot Senadot Tony Ada, yan Sinot Senadot Dennis Rodriguez hutuna todū hamyu na mangaigi hamyu pago yata hungu este na lai priniponi. Si Ronald Laguana yu. Ya-hu gaigi yu guini na sapote este I lahi yu priniponi dos quarto nuebi trenti-tres. Gi malofan i mampos na mes esta mahungu este yahu machule talo eyu I sinagunmu sa maquentai halom na desdigu lao yahu talo I emphisida na para be fandagu guini pabai supote ya hamyu lokke in sapote disde lai priniponi. I lahi ni maprehbai este antufo siette anyos tati na teimpo deibi yan fanmanai esti siha manofficiat I hafa manmaraise. Equa hafa na taimanu na mamalefa nai estisha tatagui lao hulieie kalan pareho mas I checho'niha nemafafa publiko ni problema siha kulolotna mas gatga yan taotao. Gaigi yu lokkue I guini be afaisen na amigo ni peskadot yan lanceru si Manny Calvo. Ya gaigi pago na kalan mamapat mona I lana ya

afaisen yu ayudu hugagagao consideration ginin hamyu putfabot na umapasa este sepia taimano ni magalahi pat ginin leku na siha na guagua salape setna I tatagues. Hu testaguguze lookue I manmalahi guini man officiat ni manmalofan mapase ya kalulotna siette eye na offisiat gi tatti parei hu siha maneyu si Manny. Hu gagagao lokkue hamyu I ayudan mizu."

**Chairman Cruz** thanked Mr. Laguana for his testimony and inquired whether any of the individuals present had further comments or questions.

**Mayor Matanane** remarked:

"I just want everyone to know here, most especially your honorable Senators that the Mayor's Council of Guam will be writing out a resolution (*attached to this report*) in support of supporting the Animal Control Officers. And I just want you all to know that, as the Mayor of Yigo, one of the [villages] most-populated by stray dogs on the island, I honorably support this bill that we're trying to use to help the Animal Control Officers and I thank [Senator Rodriguez] for spearheading this bill. Thank you very much."

**Chairman Cruz** thanked Mayor Matanane and noted that the Committee will continue to receive testimony on the measure for the next (10) days. On account that there were neither additional questions from the Committee nor other individuals present to testify, the Chairman considered Bill No. 249-33 (COR) as heard.

### III. FINDINGS AND RECOMMENDATIONS

The Committee on Appropriations and Adjudication to which was referred **Bill No. 249-33 (COR) - D. G. Rodriguez, Jr.** - "An act to amend Public Law 32-053 and to appropriate funds from fiscal year 2014 Guam Territorial Highway fund un-appropriated fund balance to the Department of Public Works (DPW) for flood mitigation and other capital improvement projects related to improving the roads of Guam" hereby submits these findings to *I Mina'trentai Tres na Liheslaturan Guåhan* and reports out **Bill No. 249-33 (COR), As Introduced** , with a recommendation TO Report out.



**MINA' TRENTAI TRES NA LIHESLATURAN GUÅHAN**  
**2016 (SECOND) Regular Session**

**Bill No. 249 -33 (COR)**

Introduced by:

D.G. RODRIGUEZ, JR. 

**AN ACT TO MANDATE THE PAYMENT OF  
COMPENSATION BENEFITS OF ANIMAL CONTROL  
OFFICERS OF THE DEPARTMENT OF AGRICULTURE, AS  
PROVIDED PURSUANT TO PUBLIC LAW 29-105.**

2016 FEB -5 PM 4:36

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

2 **Section 1. Legislative Finding and Intent.**

3 It was the intent of *I Liheslaturan Guåhan* to ensure that the Public Safety  
4 and Law Enforcement Officials identified pursuant to P.L. 29-105 were  
5 compensated accordingly in order to recruit and retain individuals to carry out  
6 these vital services to the community through a gradual increase in compensation  
7 over a period of four (4) years from the date of enactment (August 14, 2008), so as  
8 to ensure for the island economy to absorb a graduated compensation increase.

9 *I Liheslaturan Guåhan* takes due note of the Civil Service Commission's  
10 August 6, 2015 ruling relative to Case No. 15-GRE-01, pursuant to the Stipulation  
11 of Settlement of July 2015, in favor of the Department of Agriculture personnel  
12 seeking the implementation of Public Law 29-105.

13 It is the continuing intent of *I Liheslaturan Guåhan* to extinguish this  
14 unfulfilled, outstanding obligation to the Animal Control Officers of the  
15 Department of Agriculture, and bring the Department into compliance with the  
16 CSC ruling on Case No. 15-GRE-01.

1           **Section 2. Implementation of Public Law 29-105 for Animal Control**  
2 **Officers.** Notwithstanding any other provision of law, rule or regulation to the  
3 contrary, the Department of Agriculture *shall* immediately adjust the compensation  
4 of all Animal Control Officers due compensation adjustments and payment, as  
5 provided pursuant to § 55102 of Chapter 55, Title 10, Guam Code Annotated (P.L.  
6 29-105). Compensation *shall* be applied and provided retroactively to the date the  
7 compensation adjustment was mandated to occur.

8           **Section 3. Authorization for Payment of Compensation Owed.** *I*  
9 *Maga'lahaen Guåhan* may exercise his transfer authority from the Fiscal Year 2016  
10 appropriations for the operation of the Executive Branch pursuant to P.L. 33-  
11 66:XIII:9, for the payment of compensation pursuant to 10 GCA § 55102 for  
12 Animal Control Officers. Payments to the affected Animal Control Officers may  
13 be made in increments, pursuant to a mutual agreement outlining such  
14 arrangements until such amounts due are completely extinguished.

15           The Director of the Department of Agriculture shall submit a report to *I*  
16 *Liheslaturan Guåhan* on the total amount of payments made to extinguish the  
17 compensation obligations to the Animal Control Officers of the department.

SENATOR BENJAMIN J.F. CRUZ, VICE SPEAKER

Committee on Appropriations and Adjudication  
 senator@senatorbjcruz.com | www.senatorbjcruz.com



I Mina'trentai Tres na Liheslaturan Guåhan  
 THE THIRTY-THIRD GUAM LEGISLATURE

155 Hesler Place, Suite 107, Hagåtña, Guam 96910  
 T: (671) 477-2520/1 | F: (671) 477-2522

PUBLIC HEARING SIGN-IN SHEET

9:00 AM, Thursday, May 12, 2016

Guam Legislature Public Hearing Room • Hagåtña, Guam

Bill No. 249-33 (COR) - D.G. Rodriguez, Jr. - "An act to mandate the payment of compensation benefits of animal control officers of the Department of Agriculture, as provided pursuant to Public Law 29-105."

NAME	AGENCY OR ORGANIZATION	POSITION		TESTIMONY		PHONE NO.	EMAIL ADDRESS
		SUPPORT	OPPOSE	WRITTEN	ORAL		
Heila Salas	Animal Control	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	969-7798	
George Salas	Animal Control	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	969-7798	
Michelle Santos	Animal control	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	788-5111	chelle.santos@egmit.com
Eloy Reyes	Animal control	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
CELENA CALVO-STORY		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	688-2499	ccdownz@yahoo
<del>MATT SANTOS</del>	<del>Dept of Ag</del>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	741-1250	
TINA C. CRUZ		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	475-1335	NOTE: Will be reading testimony on behalf of Matthew P. Calvo
Ray Taimangli	None	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	653-7602	
VIC GAZA	NONE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	988-9630	vic-gaza@ynlow.
Nick Ibanez	Animal Control	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	687-9099	
DAVID V. SALT	DEPT OF AGRIC	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	797-3943	None
Vincent Salas	" "	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	727 5813	kevin2003@gamma
Rebecca Salas	None	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	727 5814	" "
GLEN SANTOS	Dept of Agri	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	686 8500	—

SENATOR BENJAMIN J.F. CRUZ, VICE SPEAKER

Committee on Appropriations and Adjudication  
 senator@senatorbjcruz.com | www.senatorbjcruz.com



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**PUBLIC HEARING SIGN-IN SHEET**

9:00 AM, Thursday, May 12, 2016

Guam Legislature Public Hearing Room • Hagåtña, Guam

**Bill No. 249-33 (COR) - D.G. Rodriguez, Jr. - "An act to mandate the payment of compensation benefits of animal control officers of the Department of Agriculture, as provided pursuant to Public Law 29-105."**

NAME	AGENCY OR ORGANIZATION	POSITION		TESTIMONY		PHONE NO.	EMAIL ADDRESS
		SUPPORT	OPPOSE	WRITTEN	ORAL		
Vanessa Chiro	Marianas Vetcare	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	777-0006	vchiro@gmail.com
Rudely Mantana	Yigo Mayor's Office	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
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**PUBLIC HEARING SIGN-IN SHEET**

9:00 AM, Thursday, May 12, 2016

Guam Legislature Public Hearing Room • Hagåtña, Guam

**Bill No. 249-33 (COR)** - D.G. Rodriguez, Jr. - "An act to mandate the payment of compensation benefits of animal control officers of the Department of Agriculture, as provided pursuant to Public Law 29-105."

NAME	AGENCY OR ORGANIZATION	POSITION		TESTIMONY		PHONE NO.	EMAIL ADDRESS
		SUPPORT	OPPOSE	WRITTEN	ORAL		
Gregorio		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Pedro N. Cruz		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		to provide via email 729 1115
Tom Pool	Dept Ag	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Ronald Longoria	Beach Side Farmer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	632-775	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
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		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		



Eddie Baza Calvo  
Governor

Raymond S. Tenorio  
Lieutenant Governor

# Department of Agriculture Dipattamenton Agrikottura

163 Dairy Road, Mangilao, Guam 96913

Director's Office 300-7964, 65, 66; Fax 734-6569  
Agricultural Development Services 300-7967, 71  
Plant Nursery 300-7972  
Aquatic & Wildlife Resources 735-0294/0281; Fax: 734-6570  
Forestry & Soil Resources 300-7975,76; Fax: 734-0111  
Plant Inspection Facility 475-1426/27; FAX: 477-9487  
[www.guamagriculture.org](http://www.guamagriculture.org)



Matthew L.G. Sablan  
Director

Jessie B. Palican  
Deputy Director

Testimony in support of Bill 249-33 (COR)

Monday, April 18, 2016

Buenas Yan Hafa adai Mr. Chairman and Members of the Committee:  
My name is Matthew Sablan, Director of the Department of Agriculture.

I thank you for giving me the opportunity this morning to provide testimony in support of Bill 249-33 (COR) which is the Act that will mandate the payment of compensation benefits of Animal Control Officers of the Department of Agriculture, as provided pursuant to Public Law 29-105.

The majority of tasks entailing Animal Control Officer (ACOs) not only deal with stray dogs in areas of public safety and animal welfare but also with the human population in maintaining peace amongst neighbors with issues involving animals and people who feel that their rights have been violated by others. The ACOs continuously have demonstrated strong interpersonal communication skills in order to be able to deal effectively in situations to maintain peace.

There have been several occasions when the ACOs respond to complaints and as a result, are verbally harassed by the pet owners regarding the complaints. Again, they manage to resolve issues in maintaining peace by providing education as indicated in the GAR Title 9, chapter 3 and as annotated in the Guam Code 10 chapter 34 articles 1 and 2 Control and Treatment of animals and most importantly Title 9 chapter 70 making the abuse of any animal a felony. In regards to Law Enforcement, ACOs issue citations for non compliance and Humane Laws are no different in law enforcement and should not be segregated.

In closing, I thank you for introducing Bill 249-33. I fully support this Bill  
Si' Yu'us Ma'ase!

  
MATTHEW L.G. SABLAN



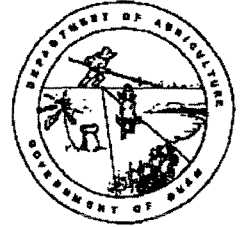
Eddie Baza Calvo  
Governor

Raymond S. Tenorio  
Lieutenant Governor

# Department of Agriculture Dipattamenton Agrikottura

163 Dairy Road, Mangilao, Guam 96913

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[www.guamagriculture.org](http://www.guamagriculture.org)



Matthew L.G. Sablan  
Director

Jessie B. Palican  
Deputy Director

Testimony in Support of Bill 249-33 (COR)

Thursday, May 12, 2016

Buenas Yan Hafa Adai Mr. Chairman and Members of the Committee:  
My name is Matthew Sablan, Director of the Department of Agriculture.

I thank you for giving me the opportunity this morning to provide testimony in support of Bill 249-33 (COR) which is the Act that will mandate the payment of compensation benefits of Animal Control Officers of the Department of Agriculture, as provided pursuant to Public Law 29-105.

The majority of tasks entailing Animal Control Officer (ACOs) not only deal with stray dogs in areas of public safety and animal welfare but also with the human population in maintaining peace amongst neighbors with issues involving animals and people who feel that their rights have been violated by others. The ACOs continuously have demonstrated strong interpersonal communication skills in order to be able to deal effectively in situations to maintain peace.

There have been several occasions when the ACOs respond to complaints and as a result, are verbally harassed by the pet owners regarding the complaints. Again, they manage to resolve issues in maintaining peace by providing education as indicated in the GAR Title 9, Chapter 3 and as annotated in the Guam Code 10 Chapter 34 Articles 1 and 2 Control and Treatment of animals and most importantly Title 9 Chapter 70 making the abuse of any animal a felony. In regards to Law Enforcement, ACOs issue citations for non compliance and Humane Laws are no different in law enforcement and should not be segregated.

Currently, the Department's FY2016 does not have lapse fund to pay for compensation to the ACOs and it was not included in the FY2017 budget submission. Therefore, I humbly request Mr. Chairman and Members of the Committee to incorporate and appropriate funds for this requirement should this Bill pass into law.

In closing, I thank you for introducing Bill 249-33. I fully support this Bill.  
Si' Yu' us Ma'ase!

MATTHEW L. G. SABLAN

Hafa Adai Chairman and Senators of the 33<sup>rd</sup> Guam Legislature

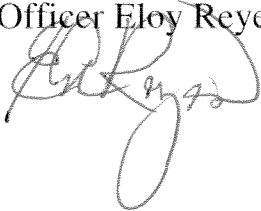
I am Officer Reyes with the Department Of Agriculture Animal Health.

I am here today to testify that I am “For” the bill 249-33 and Act to mandate the payment of compensation benefits for Animal Control Officers of Department of Agriculture as provided pursuant to Public Law 29-105.

I agree with my colleagues that we deserve the benefits for the Law Enforcement.

Thank You Chairman and Senators of the 33<sup>rd</sup> Guam Legislature for having us here today for our bill to be heard.

Very Respectful,  
Officer Eloy Reyes

A handwritten signature in black ink, appearing to read "Eloy Reyes", written over the typed name.



Buenas & Hafa Adai Chairman and Senators of the 33<sup>rd</sup> Guam Legislature,

I am Officer Nick Ibanez with the Animal Control Section of the Department of Guam Agriculture. I am here today to testify that I am "For" the proposed bill AN ACT TO MANDATE THE PAYMENT OF COMPENSATION BENEFITS OF ANIMAL CONTROL OFFICERS OF THE DEPARTMENT OF AGRICULTURE 249-33. As an Animal Control Officer we do deserve the benefits as a law enforcement officer. Animal Control Officers duties is to make sure that everyone on Guam that owns a pet or pets complies with the Guam Code Annotated Title 9. Animal Control Officers will start our duties by going to the Department of Guam Agriculture picking up the animal complain forms. 70 Percent of complains is pet owners that is not complying with the Guam Code Annotated Title 9 Laws. Animal Control Officers will review complains then start our investigation on why the laws are not being followed. Some pet owners are not aware of the laws to own a pet, some pet owners is aware of the laws and does not comply with the laws. Pet owners not aware of the laws to own a pet Animal Control Officer will educate the pet owners by verbally explain the laws of owning a pet. For pet owners, that knows the laws to own a pet and continues to violate the laws will be given a citation for not complying with the laws. Animal Control Officers will deliver the citation to the Guam Superior Court for processing. If a pet owner wants to testify against the issued citation the citing officer will be summons to appear in court.

Thank you Chairman and Senators of the 33 Guam Legislature for having Animal Control Officers here today.

Very Respectful,

  
Officer Nick Ibanez

To: Senators of the 33th Guam Legislature

Hafa Adai,

My name is Glen Santos and I support bill#249-33, an Act to mandate the payment of compensation benefits of Animal Control Officers of the Department of Agriculture as provided pursuant to Public La 29-105.

As an Animal Control Officer, we put our lives on the line everyday trying to make difference. In my personal experience since coming on board with this group of dedicated, elite and professional Animal Control Officers, we have been called in by the Guam Police Department Guam Animals in Need (GAIN) and village Mayors to take lead in dangerous situation dealing with aggressive or a menace animal in the community.

Real Case 1: Officer Lizama of Guam Police from Agat Precinct witness a dog attacking a motorcyclist pursued the animal and using his vehicle tire to contain the animal lease called Animal Control Officers to take control of the situation.

Real Case 2: Received message from GAIN dog attacking children at/around Maria Ulloa Elementary School. Upon arrival 3 GAIN Personnel, 2 Guam Police Officers and Vice Mayor of Dededo were already on site. All made clear to Animal Control Officers the Animal was very aggressive. Animal was contained within pet owners dwelling and having cornered the animal we were able to subdue/remove and was later return to pet owner but not until GAIN personnel had conducted a performance of behavioral test and approved that pet can intermix with human and others to be said safe.

Human encounters are the most difficult cases. Cases from neighbor to neighbor, witness of animal cruelty as an Animal Control Officer we had been able to achieve positive results through people skill in these situations. As Animal control officers, Law Enforcement Officials we are able to issue citations concerning animal health and public safety.

The rewards we receive are the thanks and praises from the communities after the removal of dangerous animal. Rescue of pet owners love one and the educating pet owners and public on care of the animal make me know I've made a difference.

I support bill 249-33 and wish your support on this matter as well.

Thank you,

  
\_\_\_\_\_  
Glen Santos  
Animal Control Officer I

I Mina'trentai Tres Na  
Liheslaturan Guahan  
155 Hesler Place  
Hagåtña, Guam 96910

Dear Sir/Madam of the 33<sup>rd</sup> Guam Legislature,

My name is Michelle Santos. I am an Animal Control Officer I for the Department of Agriculture of Guam. I am writing to request your support for the inclusion of Animal Control officers for the 40% wage increase of bill 249-33. As Animal Control Officers our most important duty is to ensure the public's safety. The same can be said for the Guam Police and Fire department. We have been entrusted with the public's trust and earn it every day.

On a daily bases we respond to complaints and concerns made by the people in the community. We go out into the field and investigate claims of animal bites (animal to human and animal to animal), animal abuse, and animal cruelty. We issue citations to people who break laws that can be charged as a felony or a misdemeanor. We impound animals that are not only dangerous to other animals and people in the community, but also dangerous to our physical state. Every day as law enforcement officers our duty places us in dangerous situations. Some Animal Control Officers have walked away from a volatile situation in tacked and unharmed, while others lost their lives.

The dangers that we face is real. We do not know what type of environment we are going to be walking into. We do not know if the person on the other side of the door we knock on is going to be armed with a gun, a knife, or a bat. We do not know if we are going to

be attacked by the animal we were called to impound. What I do know is that there is a level of uncertainty that comes with the job that I am proud to do. There is a level of danger that I face every time I respond to a call. What I do know is the uncertainties and dangers that we face as Animal Control Officers are all worth it in the end because we are making a difference in our community.

Respectfully yours,

A handwritten signature in black ink, appearing to read 'MSantos', with a long horizontal flourish extending to the right.

Michelle A. Santos  
Animal Control Officer I

May 12, 2016

**Testimony**

*In Favor of:* Bill No. 249-33  
Mina' Trental Tres Na Liheslaturan Guåhan  
The 33<sup>rd</sup> Guam Legislature  
May 12, 2016

Public Hearing: **The Honorable Senator Benjamin "BJ".F. Cruz**

**Bill No. 249-33: An act to mandate the payment of compensation benefits of Animal Control Officers of the Department of Agriculture, as provided pursuant to Public Law 29-105.**

Buenas Dias yan Hafa Adai - The Honorable Senator BJ Cruz,

My name is Celena P. Calvo-Story, and I'm here to ask the Guam Legislature and the Governor, for your full support and passage of Bill No. 249-33: An Act to mandate the payment of compensation benefits of Animal Control Officers (ACO) of the Department of Agriculture, as provided pursuant to Public Law 29-105.

Our family submits this testimony on behalf of our brother Manuel Pangelinan Calvo, a.k.a: "Manny".

Manny has been a dedicated Animal Control Officer with the Department of Agriculture, for over 10 years, is the 'baby' of our family and youngest son of Antonio Acosta Calvo taotao' Yigo.

Manny is not able to be here today because at this moment he is getting his chemo therapy treatment. He tried several times to change his appointment, but his doctor refused to allow him to miss his treatments because Stage 4 cancer is not something that can be put off and then come back to when the time is convenient. If Manny had come here this morning, he would be in pain and very weak, so getting his treatment is doing the right thing versus doing the more beneficial thing. His doctor told him that his family and friends will be here to be his voice and his strength at today's public hearing.

Manny is 43 years old and for the past 15 months he has been battling with Stage 4 Lung Cancer. The cancer has since spread to his brain and bones, in addition to tumors found in his spine. The most recent news is that the cancer has spread to other vital organs in his body, as well. Since his diagnosis in March of 2015, Manny spent several months undergoing treatment both off and on island, leaving him with extensive financial obligations.

We are pleading with you, Senator BJ Cruz, all the Senators and our Governor, to Please, Please, support, pass and appropriate funds to implement Bill 249-33, as soon as possible. It will help Manny with the cost for previous and ongoing cancer treatments, and will allow him to provide financial support for his family.

He needs this overdue compensation as soon as possible because he has been informed that the cancers have become aggressive. With the passage of Bill No. 249-33, he can concentrate solely on his treatment plan knowing that this compensation will greatly relieve his financial obligations,

He has exhausted all his leave, but continues to receive a paycheck because of donated leave from so many generous, loving, and kind Government of Guam employees. However, the stress of worrying, about weekly appointments/treatments, and asking people to donate leave, is an unhealthy hardship on my brother.

Manny needs to have a stress-free mind and body, in the hopes that he become cancer free or move the cancer to remission.

We thank you for your time and listening to our testimony on behalf of Manny and pray for the expeditious passage of Bill No. 249-33.

On behalf of the family of Antonio A. Calvo and the Animal Control Officers, Un Dángkulo' Na Si Yu'os Ma'ase and God Bless You.

Submitted By: Celena P. Calvo-Story  
Email: [ccdwnz@yahoo.com](mailto:ccdwnz@yahoo.com)  
Home Phone: 969-0405  
Work Phone: 735-7143

April 18, 2016

**Testimony to the 33<sup>rd</sup> Guam Legislature**

**Re: Bill No. 249-33**

Introduced by: The Honorable Senator Dennis G. Rodriguez, Jr.

**An act to mandate the payment of compensation benefits of Animal Control Officers of the Department of Agriculture, as provided pursuant to Public Law 29-105.**

Buenas Dias yanHafaAdai,

My name is Celena P. Calvo-Story, and I'm here to ask the 33<sup>rd</sup> Guam Legislature and the Governor, for your full support and passage of Bill No. 249-33.

Our family submits this testimony on behalf of our brother Manuel Pangelinan Calvo, a.k.a: "Manny", the son of Antonio Acosta Calvo of Yigo, and a dedicated Animal Control Officer for the Department of Agriculture foreleven years.

Manny is 43 years old and for the past 15 months he has been battling with Stage 4 Lung Cancer. The cancer has since spread to his brain and bones, in addition to tumors found in his spine. The most recent news is that the cancer has spread to other vital organs in his body, as well. Since his diagnosis in March of 2015, Manny spent several months undergoing treatment both off and on islandleaving him with extensive financial obligations.

We are pleading with the Senators and the Governor to please support, pass and appropriate funds to implement Bill 249-33, as soon as possible. It will help Manny with the cost for previous and ongoing cancer treatments, and will allow him to provide financial support for his family.

He needs this overdue compensation as soon as possible because he has been informed that the cancers have become aggressive. With the passage of Bill No. 249-33, he can concentrate solely on his treatment plan knowing that this compensation will greatly relieve his financial obligations,

He has exhausted all his leave, but continues to receive a paycheck because of donated leave from so many generous, loving, and kind Government of Guam employees. However, the stress of worrying, about weekly appointments/treatments, and asking people to donate leave, is an unhealthy hardship.

Manny needs to have a stress-free mind and body, in the hopes that he become cancer free or move the cancer to remission.

We thank you for your time and listening to our testimony on behalf of Manny and pray for the expeditious passage of Bill No. 249-33.

On behalf of the familia para Antonio A. Calvo and the Animal Control Officers, UnDángkulo' Na Si Yu'osMa'ase.

Good morning Senators! Thank you for giving me this opportunity to testify in support of Bill 249-33. My name is Manuel P. Calvo and I have been an Animal Control Officer I for the Department of Agriculture for over 10 years.

As an Animal Control Officer my duty was to enforce local laws regarding the care and treatment of animals. My primary duties included:

- Briefings with the Territorial Veterinarian regarding the status of animal cruelty cases, vicious attacks, and numerous other complaints;
- I patrolled the villages to detect and prevent violations of animal control regulations;
- I apprehended, impounded and transported domestic, farm and wild animals that are stray, injured or neglected to the GAIN animal shelter;
- I Investigated incidents involving animal cruelty, vicious animals, and animal bites reported by members of the community and issued citations in accordance with local statute;
- I prepared incident reports and testified in court hearings on the enforcement of animal control citations; and
- I conducted weekly round ups throughout the various villages trying to address the stray dog population on our island.

Since the implementation of P.L. 29-105, compensation of Public Safety and Law Enforcement Officers, I have sent numerous letters and emails and met with many senators. I have patiently waited for many years for this issue to be addressed. I'm so grateful that the day has finally come and we are being heard. As you are aware, Civil


Service Commission Case NO. 15-GRE-01 ruled in our favor in August of 2015. Unfortunately, since then we have hit numerous road blocks and obstacles delaying the pay out of this outstanding obligation.

This is why I am here today. To humbly ask for your support in the passing of Bill 249-33. I am only asking for the pay equity that was paid out to my law enforcement counterparts.

Senators, I have been aggressively fighting for this compensation over the past year because I have been diagnosed with Stage 4 Lung Cancer which has spread to my brain, bones and more recently, my liver.

Unfortunately, time is not on my side and the sooner this bill becomes law, the sooner I'll be able to rest and concentrate on my health knowing my family will be okay.

Thank you once again for this opportunity and thank you Senator Rodriguez for introducing this legislation!! Have a good day. God Bless!

MANUEL P. CALVO  




Hafa Adai, Chairman Rodriguez and Senators of the 33<sup>rd</sup> Guam Legislature

My name is Officer Vincent Salas with the Animal Control Section. I have been employed with the Dept of Agriculture for 27 years and with the Animal Control Section for 8 years.

I am testifying today in support of Bill No. 249-33 with mandates the payment of compensation benefits of Animal Control Officers of the Dept of Agriculture as provided pursuant to public law 29-105.

In 2008, i was required to attend citation training and was sworn in by a Judicial Officer to serve and protect all animal control laws.

I received on the job training from the Senior ACO Officers in daily investigations and proper handling and care of animals.

Because the ACO section required by law, be a Govt of Guam Unit. ACO Officers must handle both domesticated animals as well as livestock. We respond daily to loose pittbulls, cats, deer, and sometimes loose carabaos'.

I would like to give you a brief summary of specialized training i have received.

-in 2011 with the passage of Public Law 31-05 a law that strengthened animal Control violations with stiffer penalties to include a felony conviction, the demands of enforcing animal control laws became extremely difficult for the four animal control officers.

With the help of the Guam Animal In Need Organization, and the Lt. Gov's Office they were able to bring on island two instructors from the Royal Society for the protection and cruelty to animals.


These instructors gave specialized training at the Department of Homeland Security in humane treatment of animals and basic criminal investigation on how to prosecute animal abuse.

-in 2013, again with the help of GAIN and the LT Govs' Office, they were able to bring in two instructors from the Humane Society International. These instructors conducted advanced specialized training in humane animal welfare, advanced techniques in proper handling of domesticated animals and animal abuse investigations.

-in 2014 the animal control officers attended a workshop at the Attorney Generals Office with Assistant Attorney Generals and Deputy Marshall's on handling of animal abuse and dog fighting.

This workshop was to train the ACO Officers on step by step procedures to prosecute animal abuse and dog fighting.

As an enforcement officer, on all animal complaints we are the lead investigators. ACO officers go out every day enforcing animal control laws. We are asking for your support to pass bill 249-33 justly compensating ACO's in accordance with PL-21-05. I thank you for the opportunity to testify and i thank you Mr. Chairman for introducing thee bill.

  
Vincent D. Salas  
ACO 1

Raymond L.G. Taimanglo

P.O. Box 24236

Barrigada, GU 96921

653-7602

April 17, 2016

TO: 33<sup>rd</sup> Guam Legislator, Hagatna, GU

**Honorable Senator and Vice Speaker, Benjamin J.F. Cruz**, Committee on Appropriations and Adjudication;

**Honorable Senator Michael F.Q. San Nicolas**, Committee on Finance & Taxation, General Governmental Operations and Youth

**Honorable Senator Dennis G. Rodriguez, Jr.**, Committee on Health, Economic Development and Senior Citizens

Dear Honorable Senators:

My name is Raymond L.G. Taimanglo, residing in Dededo, Guam. I respectfully submit the following written testimony in support of Bill 249-33, for payment owed to Animal Control Officers.

Animal Control Officers perform a law enforcement function that puts them on the front lines exposed to danger. They enforce important laws relative to animal enforcement and advocate for animals that are treated cruelly. Every day that Animal Control Officers perform their duties, it is done in harm's way like any other law enforcement officer. The risk of danger that goes along with the job is high. The chances of an irrational or hot tempered pet owner assaulting or harming an Animal Control Officer is great.

Animal Control Officers are also exposed to being attacked by animals. As we are all aware many dog owners have trained their pets to be vicious and dangerous not to say bonnie dogs aren't dangerous. An Animal Control Officer's responsibilities are not limited to animals that are commonly found on Guam but may involve animals foreign to our island. They keep an eye out for invasive animals and act accordingly in order to preserve Guam's eco-system.

Animal Control Officers must be given the proper recognition for the work they perform. Just like their counterparts in the U.S. mainland, Animal Control Officers perform the same function and have arresting powers. Recognizing Animal Control Officers as a bona fide law enforcement career field brings quality and professionalism to the workforce. Any less would further erode the ability of the Department of Agriculture to properly execute their responsibilities under the animal control laws which has come under public criticism for many years. The people of Guam insist on a well-supported and a more professional group of individuals, especially when awareness and expectations of animal control

management can be watched on TV and learned through various electronic media. Payment owed to Animal Control Officers is a step in a positive direction in improving morale of current officers and to attract quality individuals to a long neglected section in the department.

It is unfortunate that Animal Control Officers were overlooked when our law enforcement officers received their 40 percent pay raise. Bill 249-33 will correct the oversight and bring pay parity to the Animal Control Officers and perhaps trigger a direction toward professionalizing the career field.

I thank you for the opportunity to submit my written testimony. I seek the committee's and entire Legislature's support and passage of Bill 249-33.



Raymond L.G. Taimanglo

Colonel, USA (Retired)

April 13, 2016

To: Honorable Dennis G. Rodriguez, Jr. Senator  
From: Patrick R Artero, Acting Chief Biosecurity Division  
Subject: Support of Bill 249-33

Hafa Adai, Senators good afternoon the Honorable Dennis G. Rodriguez, Jr. Thank you for introducing Bill No.249-33. I fully support this bill, to an act to mandate the payment of compensation benefits for the Animal Control Officers of the Department of Agriculture, as provided pursuant to Public Law 29-105. Please help support on bill 249-33 to help Guam Department of Agriculture Animal Control Officers to protect our island of Guam from stray and feral dogs and cats to prevent the spread of diseases and the health and lifestyle of its people. Thank you for all the assistance is greatly appreciated.



Patrick R Artero

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**Fwd: bill 249-33**

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senatorrodriguez@gmail.com &lt;senatorrodriguez@gmail.com&gt;

Sun, Apr 17, 2016 at 10:58 PM

To: Joe Mesngon &lt;joe@toduguam.com&gt;, Chuck Tanner &lt;chucktanner88@gmail.com&gt;, John Luces &lt;johnluces@toduguam.com&gt;

Please include this in the packet for senators at the public hearing tomorrow morning.

Thank you

—  
**Senator Dennis G. Rodriguez, Jr.**  
**33rd Guam Legislature**  
**Chairman, Committee on Health, Economic Development,**  
**Homeland Security & Senior Citizens**  
[www.toduguam.com](http://www.toduguam.com)

Begin forwarded message:

**From:** Corina Rojas <senbonita@gmail.com>  
**Date:** April 17, 2016 at 7:26:42 PM ChST  
**To:** senatorrodriguez@gmail.com  
**Cc:** senatorsannicolas@gmail.com  
**Subject:** bill 249-33

May, 2008 the folks at the Department of Agriculture made a most curious discovery in one of their traps. A member of the weasel family was lured simply by using store bought cat food and caught at the Agana Sewer treatment plant. The creature was a skunk something that if you live on Guam you don't hear about every day.

This is just one of many stories untold or probably forgotten of what an important job our island's animal control officers provide for the safety and the people of the island. "Law Enforcement Personnel" include All security officers employed by the Government.

We are submitting our testimony on behalf of our brother Manuel Pangelinan Calvo he's been an animal control officer since 2005. Manuel is 43 years old and has been battling cancer. Since his diagnosis Manny and his family spent several months off island so Manny can undergoing treatment. They have incurred significant financial obligations related to those treatments.

We are in support of Senator Rodriguez's bill 249-33 and we are asking for the support of the Governor and the senators of the Guam Legislature to recognize the injustice that's been done to all Animal Control Officers of Guam.

—  
Dankalu Na Si Yu'us Ma'ase,

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**Fwd: Bill No. 249-33**

1 message

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**senatorrodriguez@gmail.com** <senatorrodriguez@gmail.com>

Sun, Apr 17, 2016 at 10:59 PM

To: John Luces &lt;johnluc@toduguam.com&gt;, Joe Mesngon &lt;joe@toduguam.com&gt;, "chucktanner88@gmail.com" &lt;chucktanner88@gmail.com&gt;

Please include this in the packet for senators at the public hearing tomorrow morning.

Thank you

—  
**Senator Dennis G. Rodriguez, Jr.**  
**33rd Guam Legislature**  
**Chairman, Committee on Health, Economic Development,**  
**Homeland Security & Senior Citizens**  
[www.toduguam.com](http://www.toduguam.com)

Begin forwarded message:

**From:** Teresa Campbell <calvob4@gmail.com>  
**Date:** April 16, 2016 at 4:41:21 PM ChST  
**To:** senatorrodriguez@gmail.com  
**Subject:** Bill No. 249-33

Dear Senator Rodriguez,

This email is in regards to Bill No. 249-33, an act to mandate the payment of compensation benefits of Animal Control Officers of the Department of Agriculture, as provided pursuant to Public Law 29-105.

We are submitting this testimony on behalf of our brother Manuel Pangelinan Calvo, son of Antonio Acosta Calvo of Yigo. Manuel has been a dedicated Animal Control Officer for the Department of Agriculture since December 2005.

We are in support of your bill (249-33) which seeks to rectify a recognized injustice to all Animal Control Officers. Many of these officers have continued to fulfill their duties to the people of Guam while being subject to compensation inequitable to their fellow Law Enforcement brethren.

While respecting our brother's right to privacy, we wish to make you aware of how the enactment of this bill will personally affect Manuel and his family.

For approximately 15 months they have been living with the challenges of his Stage 4 lung cancer diagnosis. As you are aware, treatment for major medical is often not available on the island. Manuel spent five months undergoing treatment off island and incurred significant financial obligations related to those treatments. His battle continues.

The enactment of your bill will at its least fulfill the intent of P.L. 29-105 and most importantly (in this case) will ease Manuel's mind in ensuring his family's well

**April 15, 2016**

Senator Dennis Rodriguez  
33<sup>rd</sup> Guam Legislature  
176 Serenu Avenue Ste. 107  
Tamuning, Guam

Re: Testimony relative to Bill 249-33, Payment of Compensation Benefits of Animal Control Officers of the Department of Agriculture, as provided pursuant to Public Law 29-105.

Senator Rodriguez,

I submit this written testimony in support of Bill 249-33, Compensation of Animal Control Officers. My family and I have seeked Animal Control Officers assistance on several occasions relative to concerns about animal cruelty within my neighborhood. They have always responded expeditiously and addressed the issues before the problems escalated.

I know being an Animal Control Officer is not an easy job and the pay grade is one of the lowest within the government of Guam. They give there all yet they are constantly scrutinized by the media. They do the best they can with limited resources. This is why I am in support of the bill. The least we can do is compensate them in accordance with Public Law 29-105. Thank you for introducing this bill and I pray that this bill becomes law and they receive the retroactive payment they truly deserve.

Sincerely,

Joe B. Cruz Jr.  
Maite Resident



**Fwd: Compensation for Animal Control Officers**

1 message

senatorrodriguez@gmail.com <senatorrodriguez@gmail.com>

To: Joe Mesngon <joe@todugam.com>, John Lucas <johnlucas@todugam.com>, "chucktanner88@gmail.com" <chucktanner88@gmail.com>

Please include this in the packet for senators at the public hearing tomorrow morning.

Thank you

—  
**Senator Dennis G. Rodriguez, Jr.**  
**33rd Guam Legislature**  
**Chairman, Committee on Health, Economic Development,**  
**Homeland Security & Senior Citizens**  
[www.todugam.com](http://www.todugam.com)

Begin forwarded message:

**From:** Vince Taitingfong <vtaitingfong@hotmail.com>  
**Date:** April 17, 2016 at 11:14:49 PM ChST  
**To:** "senatorrodriguez@gmail.com" <senatorrodriguez@gmail.com>  
**Subject:** Compensation for Animal Control Officers

The Honorable Dennis G. Rodriguez, Jr.  
Ste. 107  
176 Serenu Ave.  
Tamuning, Guam 96931

Dear Senator Rodriguez, Jr.:

The legislation addressing Bill 249-33, Compensation for Animal Control Officers is of paramount interest to me because of the island wide issue of unleashed dogs and other animal villages. Bill 249-33 directly impacts these Animal Control Officers because in my opinion, they are not fairly compensated and there many risks and dangers that these Animal Officer I witness a young girl walking her dog on a leash down the street where an unleashed Pitbull attacked the leashed dog and frighten the girl. Lucky thing, the owner of the Pitbull ran & managed to pry the Pitbull away when it just locked its jaws around the other dog's neck. Also, my son is afraid to walk down the same street to catch the bus in the morning, becau dogs in the area. I see the danger and risks that these officers are facing when executing their duties as an Animal Control Officer. Please support this bill.

Thank you for your consideration of my viewpoint on this matter. I believe it is an important issue, and would like to see the legislation pass to ensure effective compensation for the

Sincerely,

Vince F. Taitingfong  
PO BOX 4771, Hagatna 96932  
(671) 477-8621  
[vtaitingfong@hotmail.com](mailto:vtaitingfong@hotmail.com)

**MINA' TRENTAI TRES NA LIHESLATURAN GUÅHAN**  
**2016 (SECOND) Regular Session**

**Bill No. 249 -33 (COR)**

**Introduced by:**

**D.G. RODRIGUEZ, JR.**

**AN ACT TO MANDATE THE PAYMENT OF  
COMPENSATION BENEFITS OF ANIMAL CONTROL  
OFFICERS OF THE DEPARTMENT OF AGRICULTURE, AS  
PROVIDED PURSUANT TO PUBLIC LAW 29-105.**

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

**2 Section 1. Legislative Finding and Intent:**

**3 It was the intent of *LiheSlaturan Guåhan* to ensure that the Public Safe**



April 17, 2016

The Honorable Dennis G. Rodriguez, Jr.  
Senator, 33rd Guam Legislature  
155 Hesler Street  
Hagåtña, Guam 96910

Hafa Adai Senator Rodriguez,

Thank you for the opportunity to provide testimony on this legislation. Guam Animals In Need (GAIN) is in support of Bill 249-33.

In 2015, GAIN completed a needs assessment and preliminary field survey in collaboration with Humane Society International. We found that Guam has over 60,000 dogs, of which 24,500 are strays.

Stray dogs and cats can have significant, negative impacts on a community. Public health risks, especially related to diseases such as rabies (which is prevalent in neighboring countries), pose very serious dangers to a population. Stray dogs sometimes join in aggressive packs, which can further endanger people. And ultimately, the lives of stray animals are shorter and often unhealthy.

In addition to Guam's stray animal problem, incidents of abuse and neglect continue in our community. A robust and responsive Animal Control Division is needed in order to intervene and protect animals in danger.

As such, GAIN recognizes the value of a trained and responsive corps of Animal Control Officers. Such a position is entrusted with investigating cases of abuse, entering onto private property to confiscate distressed pets, and capturing dangerous or injured animals. This is a difficult position, and GAIN supports all efforts to increase resources intended to improve animal welfare on Guam.

Sincerely,

Alison Hadley  
Executive Director  
Guam Animals In Need

12 May 2016

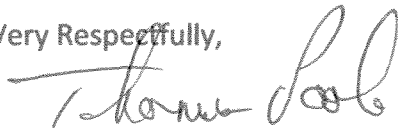
From: Thomas Poole, Guam Territorial Veterinarian

To: Senators, 33<sup>rd</sup> Guam Legislature

Subject: Law Enforcement Pay for Animal Control Officers

1. I am grateful for the opportunity to express my argument on behalf of the Animal Control Officers (ACOs). They have been trying for years to receive the pay that they deserve, by tradition, by statute, and by common sense based on the work that they perform.
2. I have worked daily with the ACOs for almost eleven years, and served as their supervisor for more than nine years. I know intimately every aspect of their duties and responsibilities. Title 10 of the Guam Code states, "Animal Control Officers shall have the authority as peace officers." They enforce the laws of Guam every day. They write citations and they risk their personal safety daily just as surely as any other law enforcement officer on Guam. Those risks are not confined to working with fractious animals. Not infrequently they have been threatened with violence by people who are violating Guam's laws. In fact, they used to receive a hazardous duty pay differential that was somehow lost when their positions were transferred from Public Health to Agriculture.
3. While they have not been asked to attend a police academy, and they do not carry firearms, that is true for many others currently receiving law enforcement pay on Guam. And unlike the ACOs, few or none of those other people have to confront people in their homes to investigate felony violations.
4. Thank you for your attention on this vital matter. I have kept this brief in respect of your time constraints. Please give me the opportunity to provide any additional information that could help you in understanding plight of our ACOs.

Very Respectfully,



Thomas Poole, DVM, MPH, DACVPM  
Colonel, US Army, (ret.)



Sarah Elmore &lt;sarah.elmore@senatorbjcruz.com&gt;

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**Fwd: Bill 249-33: Support**

1 message

**Benjamin J.F. Cruz** <senator@senatorbjcruz.com>

Thu, May 12, 2016 at 4:36 PM

To: Sarah Elmore &lt;sarah.elmore@senatorbjcruz.com&gt;, Carlo Branch &lt;carlo.branch@senatorbjcruz.com&gt;

Sent from my iPad

Begin forwarded message:

**From:** glenn671.gn@gmail.com**Date:** May 12, 2016 at 4:08:13 PM GMT+10**To:** "senator@senatorbjcruz.com" <senator@senatorbjcruz.com>**Cc:** "carlo.branch@senatorbjcruz.com" <carlo.branch@senatorbjcruz.com>**Subject:** Fwd: Bill 249-33: Support

Mr. Vice Speaker – Please accept this note as my testimony in SUPPORT of Bill No. 249-33, An Act to Mandate the Payment of Compensation Benefits of Animal control Officers of the Department of Agriculture, as Provided Pursuant to Public Law 29-105.

I would first like to thank you for picking up the baton on this particular bill considering the unfortunate political drama that unfolded during the first Informational Brief held by Senator Rodriguez. Though no assurances are being given, the mere fact that you have taken up the task of facilitating due process for this bill is commendable. Little will ever be accomplished if we allow some to tether this matter to their subjective agendas only to be an obstacle. Incidentally, Senator Rodriguez was the only senator with the tenacity to move on this issue in the form of legislation. The fact that he did so is also admirable and with much appreciation.

The Bill in present form is simple. Its intent is simple. Its application is simple. So simple a reasonable person can easily question the need for such legislation considering the nature and role of general governmental operations to provide such remedies. Typically, you would expect that there would be internal processes and practices in place to address such matters so as to negate the need for legislative intervention.

My simple minded read of events and an attempt to speculate is the fact that the

government has failed these employees for reasons likely related to the select few within the responsible agencies that may have a position that does not align with a prior legal review or the final ruling of the CSC in this regard. If so the case, that's bullshit. There is no responsible excuse as to why this class of employees, or any class for that matter, should ever have to resort to the Legislature to achieve resolve through administrative remedies that I'm almost certain are already codified at law or by rule. Outgrowing from this discussion should be concern and outrage for the failure of the responsible agencies and personnel to resolve such matters. The fact that we are where we are is most unfortunate. Ultimately, this Bill is specific to a certain class of employees; A class that has exhausted the administrative remedies available to them. Let's please not fail them again.

I ask that you please report this Bill out of committee timely, and I further humbly ask for your support for the passage of Bill 249-33. Thank you.

glenn nelson

May 12, 2016

The Honorable B.J.F. Cruz  
Vice Speaker  
33<sup>rd</sup> Guam Legislature

Subject: Testimony for Bill No. 249-33 (COR)

Dear Vice Speaker Cruz:

Hafa adai Vice Speaker and thank you for holding a public hearing on Bill No. 249-33 (COR). I am writing in full support of this bill. It has been years since the implementation of P.L. 29-105 and I believe that these employees have waited far too long for their compensation. I am particularly concerned with my brother, Manny. He was diagnosed with cancer and is undergoing treatment at this time. I'm sure that you are aware that this kind of treatment is costly and it would most certainly assist him financially.

The employees of this department are hard working individuals and I feel that they are well deserving of this. Thank you for allowing me to provide written testimony and I look forward to having this bill heard during the next session.

Sincerely,  
  
Greg Calvo

Desiree Taimanglo Ventura

P.O. Box 20933

Barrigada, GU 96921

969-8991

May 11, 2016

TO: 33<sup>rd</sup> Guam Legislator, Hagatna, GU

**Honorable Senator and Vice Speaker, Benjamin J.F. Cruz**, Committee on Appropriations and Adjudication;

**Honorable Senator Michael F.Q. San Nicolas**, Committee on Finance & Taxation, General Governmental Operations and Youth

**Honorable Senator Dennis G. Rodriguez, Jr.**, Committee on Health, Economic Development and Senior Citizens

Dear Honorable Senators:

I submit the following written testimony in support of Bill 249-33, for payment owed to Animal Control Officers.

Animal Control Officers (ACO) are classified as law enforcement officers, as the nature of their work presents them with daily risks and involve upholding laws for the safety of our community. Physical danger and health risks involved in this work are a reality. They also possess the ability to issue citations. Their status as law enforcement officers warrant appropriate recognition for their duties, as is done throughout the rest of the United States. Our leaders have already recognized them as law enforcement officers and they should be treated as so.

ACOs were, unfortunately, not included when the 2008 law was put into effect. It is now 2016, and this money is long overdue. Even without the compensation, ACOs continued to work and perform their duties, despite being low on the priority list. Many new expenses and financial initiatives have been taken on without addressing this overdue obligation.

Bill 249-33 will correct the oversight and bring pay parity to the Animal Control Officers. The pay increase being sought is a pay entitlement because in 2008 the law enforcement pay scale was made law. The law must be fully implemented and until Animal Control Officers receive their entitlements the intent of the law has not been fulfilled.

I thank you for the opportunity to submit my written testimony. I seek the committee's and entire Legislature's support and passage of Bill 249-33.



Hermina Certeza &lt;hermina.certeza@senatorbjcruz.com&gt;

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**Fwd: Bill Number 249-33**

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Dani Reyes &lt;danireyes@senatorbjcruz.com&gt;

Thu, May 12, 2016 at 8:08 AM

To: Hermina Certeza &lt;hermina.certeza@senatorbjcruz.com&gt;, Sarah Elmore &lt;sarah.elmore@senatorbjcruz.com&gt;

----- Forwarded message -----

From: **John Luces** <johnluces@toduguam.com>

Date: Thu, May 12, 2016 at 8:01 AM

Subject: Fwd: Bill Number 249-33

To: danireyes@senatorbjcruz.com

Hi Dani,

Additional Testimony for B249

----- Forwarded message -----

From: **Teresa Campbell** <TCampbell@cde.ca.gov>

Date: Thursday, May 12, 2016

Subject: Bill Number 249-33

To: "Johnluces@toduguam.com" &lt;Johnluces@toduguam.com&gt;

Dear Mr. Luces,

This email is in regards to Bill No. 249-33, an act to mandate the payment of compensation benefits of Animal Control Officers of the Department of Agriculture, as provided pursuant to Public Law 29-105.

We are submitting this testimony on behalf of our brother Manuel Pangelinan Calvo, son of Antonio Acosta Calvo of Yigo. Manuel has been a dedicated Animal Control Officer for the Department of Agriculture since December 2005.

We are in support of bill 249-33 which seeks to rectify a recognized injustice to all Animal Control Officers. Many of these officers have continued to fulfill their duties to the people of Guam while being subject to compensation inequitable to their fellow Law Enforcement brethren.

While respecting our brother's right to privacy, we wish to make you aware of how the enactment of this bill will personally affect Manuel and his family. For approximately 15 months they have been living with the challenges of his Stage 4 lung cancer diagnosis. As you are aware, treatment for major medical is often not available on the island. Manuel spent five months undergoing treatment off island and incurred significant financial obligations related to those treatments. His battle continues.

The enactment of bill 249-33 will at its least fulfill the intent of P.L. 29-105 and most importantly (in this case) will ease Manuel's mind in ensuring his family's well-being.

We thank you for your time in reviewing and considering our testimony. On behalf of every member of the Calvo family and the Animal Control Officers, we extend our sincerest appreciation for your efforts.

Dankalu Na Si Yu'us Ma'ase,

Teresa Calvo Campbell  
Patricia Pangelinan Calvo

---

*Si Yu'os Ma'ase'!*





SENATOR DENNIS G. RODRIGUEZ, Jr., Chairman  
 COMMITTEE ON HEALTH, ECONOMIC DEVELOPMENT, HOMELAND SECURITY & SENIOR CITIZENS  
 Mina'trentai Tres Na Liheslaturan Guåhan • 33<sup>rd</sup> Guam Legislature

PUBLIC HEARING DATE / Monday, April 18, 2016

9:00am



• Bill 249-33 (COR) - Introduced by Sen. D.G. Rodriguez, Jr.

An act to mandate the payment of compensation benefits of animal control officers of the Department of Agriculture, as provided pursuant to Public Law 29-105.

PRINT NAME	SIGNATURE	AGENCY	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	OPPOSE	CONTACT NUMBERS	EMAIL ADDRESS
✓ Manny P. CALVO	<i>[Signature]</i>	Dept. of AGRICULTURE	✓	✓	✓		797-4099	
✓ Celestina P. CALVO-STOAN	<i>[Signature]</i>	PHSS	✓		✓		688-2499 735-7143	
✓ Michelle SANTOS	<i>[Signature]</i>	Dept of Agriculture		✓	✓		788-5111	
✓ Seth CALVO	<i>[Signature]</i>				✓		987-4099	
✓ Vincent D. SALAS	<i>[Signature]</i>	DEPT OF AGRICULTURE	✓	✓	✓		7275813	
✓ REBECCA C. SALAS	<i>[Signature]</i>				✓		7275814	
✓ GLEN SANTOS	<i>[Signature]</i>	Dept of Agriculture	✓		✓		300 303 44	
✓ MARTIN SANTIAGO	<i>[Signature]</i>		✓	✓				
✓ Clarissa Ibanez	<i>[Signature]</i>	D.O.A			✓		6899089	
✓ Nick Ibanez	<i>[Signature]</i>	Department of Agriculture		✓	✓		689-7089	
✓ Ted Alvarez	<i>[Signature]</i>	Animal	✓		✓		7270357	
✓ DOMINIC V. SANTIAGO	<i>[Signature]</i>	DEPT OF Agri.			✓		797-3943	
Barbara S. GARCIA	<i>[Signature]</i>	Dept. of Edu			✓		777-0527	
BAN PAUL PAVEL	<i>[Signature]</i>		✓				489-3145	
✓ Ray Tamengo	<i>[Signature]</i>	citizen	✓	✓	✓		653-7602	
Ryan Calvo	<i>[Signature]</i>	citizen		✓	✓		487-4323	ryan008@gmail.com
Fernando Estares	<i>[Signature]</i>				✓		489-9016	efrenvirosero@gmail.com
✓ Arnold Laguarda	<i>[Signature]</i>	Guagua'o'	✓		✓		632-7775	

**Bill 249-33 (COR)**

**Senators Present:**

<b>Dennis G. Rodriguez, Jr.</b>	<b>Chairman</b>
<b>Tony V. Ada</b>	<b>Vice-Chairman</b>
<b>Rory J. Respicio</b>	<b>Member</b>
<b>Tommy A. Morrison</b>	<b>Member</b>

**Monday, April 18, 2016 9:00 AM**  
**Public Hearing Room, / Liheslatura**

**FIRST NOTICE: Monday, April 11, 2016**

**SECOND NOTICE: Wednesday, April 13, 2016**

**Public Informational Hearing was called to order at 9:05PM; Continued after Bill 184**

**Senator Dennis G. Rodriguez, Jr.:** So we're on Bill No. 249-33 (COR).

**(Bill 249-33 (COR); Title Read).** We will call on Mr. Manny Calvo, Celena Calvo Story, Michelle Santos, Seth Calvo, and Vincent Salas, Mr. Director Matthew Sablan, we can have you up also. Bill 249 is really this is similar to the previous Bill where this is a law which was passed and enacted many years ago. For this one it's even longer, during the 29<sup>th</sup> Guam Legislature where it classified Animal Control Officers (ACO) as law enforcement, I understand in our research that this is a law that was not pursued, implemented by the Government of Guam up to this point. I also know that there was a Civil Service case that was brought forward and in the Civil Service case the Animal Control Officer prevailed in that (inaudible) even after that still the Government has not moved forward in classifying these Animal Control Officers as law enforcement. There was also an A.G. opinion and we know that A.G. opinions are meritly, opinions but there was an A.G. opinion that also supported the classification of these positions as law enforcement and so what this Bill tends to do at this point here is pursue this law and enact it fully and also addresses the justices that you have experienced because it wasn't pursued and enacted when it should have been. There's a provision here that recognizes that the impact this may cause financially to the Government if the whole payments are retroactively made but I'm also happy to let you know that we did receive or in the process of receiving the fiscal note of this and that there is sufficient monies per that fiscal note that would be able to address this payment to the law enforcement officers of the Animal Control section and I believe that there might be some small balance that we would need to address in the future budget but this provision that we included here ensure that there is (inaudible) and that the Government work with the Animal Control Officers in ensuring that this payment is made and finalize even if it's a course of time. So I'll start with the Director.

(Recognized Director of Agriculture, Mr. Matthew Sablan)

**Director Matthew Sablan:** Good morning Mr. Chair, Senator Ada, Senator Respicio. My name is Matthew Sablan, Director of Agriculture and I thank you for giving me the opportunity this morning to provide testimony in support of Bill 249-33 (COR). Yes, you are correct Mr. Chair, currently we have seven (7) Animal Control Officers and with the seven (7) we do manage, I don't have any complaints to welfare. I did send out a different testimony, I'm not sure if you have it in front of you but I'm just going to read it out.

**(Read Written Testimony).** I'm just going to cut it short and I do have my ACO's here to further testify on their challenges out there and in closing I want to thank you Mr. Chairman for introducing this Bill, I fully support this Bill, thank you. Si Yu'os Ma'ase.

**Mr. Vincent Salas: (Read Written Testimony).**

**Senator Dennis G. Rodriguez, Jr.:** Thank you very much.

(Recognized Ms. Celena P. Calvo-Story).

**Ms. Celena P. Calvo-Story:** Buenas yan hafa adai Senator Ada, Senator Rodriguez, and Senator Respicio. My name is Celena P. Calvo-Story and I'm here to ask the 33<sup>rd</sup> Guam Legislature and the Governor in passage of Bill No. 249-33 (COR). Our family submits this testimony on behalf of our brother, Manuel Pagelinan Calvo, aka Manny, the son of Antonio Acosta Calvo, Yigo. Manny has been a dedicated Animal Control Officer with the Department of Agriculture for eleven (11) years. Manny is forty-three (43) years old and for the past fifteen (15) months he has been battling with stage 4 lung cancer. A cancer has since spread to his brain bones in addition to his spine, I'm sorry. The most recent news is that the cancer has spread to other vital organs in his body as well. Since his diagnosis in March of 2015, Manny spent several months of going through treatments of both going off and on island leaving him with the extensive financial obligations, we're pleading with the Senators and the Governor to please support and pass an appropriate funds to implement Bill 249-33 (COR) as soon as possible. It will help Manny with the cost for previous ongoing cancer treatments and will allow him to provide financial support (inaudible). He needs this overdue compensation as soon as possible because he has been informed that the cancers have become aggressive. With the passage of this Bill he can concentrate slowly on his treatment plan knowing that this compensation will greatly relieve some of his financial obligations. He has exhausted all his leave but continues to receive a paycheck because of donated leave from so many generous, loving and kind Government of Guam employees. However, the stress of worrying about his weekly appointments or treatments and asking people to donate leave is an unhealthy hardship. Manny needs to have a stress-free mind and body in the hopes that he becomes cancer free or move the cancer to remission, we thank you for your time and listening to our testimony on behalf of Manny and pray for the expeditious passage of Bill No. 249-33 (COR) on behalf of the Familian para un Antonio A. Calvo and the Animal Control Officers. Un Dangkolo Na Si Yu'os Ma'ase. Thank you.

**Senator Dennis G. Rodriguez, Jr.:** Thank you very much for your testimony.

**Director Matthew Sablan:** The cancer actually was originated on the job, during the job, I'm not too sure what the scientific word but it had to do with pet interaction. So I'm not too sure but it was caused on the job.

**Mr. Manuel "Manny" P. Calvo: (Read Written Testimony).**

**Senator Dennis G. Rodriguez, Jr.:** Manny thank you very much for your testimony. I want to thank you and your fellow officers to our community but I also want to recognize and thank you for being such a great dad. I'm a father to and I know what you went through (inaudible) to where we're at here today and a lot of Senators have really worked and try to find a way to address this even without getting this Bill introduced but it came to a point where this is the step we're taking and this is what needs to be done to address this issue and we know the fiscal note that we receive from BBMR indicate that the impact of this if we're to address the full retroactive is about two-hundred-eighty-two thousand dollars (\$282,000) somewhere around that amount. The funding is not sufficient enough at this time however we did receive word from BBMR, we have written statement from them that they are projected a two-hundred-thousand dollar (\$200,000) balance in their budget for this fiscal year and so this provision of allowing the Government to work on a plan to compensate you incrementally is a viable option and we're hoping that this would be the mechanism to finally address this issue with you and your fellow Animal Control Officers. So we're going to make sure that we address this and we see this through, resolve this sooner rather than later. We owe it to you, we owe it to your guys for the work that you do.

(Recognized Director of Agriculture, Matthew Sablan)

**Director Matthew Sablan:** I just want to add, considering his condition, Manny here comes like once a week to the office and just visits me. I mean that's how devoted he is and again I hope for the passage of this Bill.

**Senator Dennis G. Rodriguez, Jr.:** Thank you Mr. Director.

(Recognized Committee on Rules, Senator Rory J. Respicio)

**Senator Rory J. Respicio:** Thank you Mr. Chairman. Mr. Chairman, this is another example and I believe that if this Bill were to make it to the floor that there would be at least eight (8) senators who would want to do the right thing and as you pointed out, this issue goes back a very long time and even before the Director was a Deputy Director it even came up at his confirmation hearing. I know that he's working very closely with BBMR to identify not only the funds but the Authority and as Manny pointed out there was a Civil Service case and then the Speaker asked the Attorney General for Legal opinion and the A.G. said that the Animal Control Officers are entitled to the forty (40%) percent pay compensation. The Vice-Speaker in his oversight capacity for appropriations have also been following this issue diligently, also my capacity over Agriculture same thing and I think Vice-Speaker Ted Nelson calls the Legislature almost every day reminding us that something needs to be done and so there's a multi-approach to trying to resolve this issue but I think ultimately this Bill is going to make it clear once and for all and so I don't

know what else could be done Legislatively to get this Bill on the floor and we rule by the will of the majority and not by the will of one (1) individual and so I think this Informational Hearing is the first step to demonstrate that there is support for this Bill and maybe the Chairman who has jurisdiction over this issue, Senator San Nicolas can find it in his heart to have a Public Hearing so that this Bill can move forward in that manner or the body may have to step in and take some extreme measures to make sure that we re-write this wrong. So, Manny God Bless you and your family has certainly been behind you, 110% because along with Vice-Speaker Nelson and those individuals who are advocating for you is just, I mean we find ourselves in a situation where you have the law, then you probably need another law to say follow the law and that's what this Bill 249 will do and I just wanted to put a plug in support of your Director who really has his hands tied and he's tried. Mr. Chairman I think the Director is been wanting to submit a GG1 to BBMR (Inaudible) that would go to make sure that this thing is paid. And we do have a budget hearing coming up and the fact that Vice-Speaker's been pushing this issue very closely that it's also the vehicle to which this can be put in so, something has to be done. I want to thank the Animal Control Officers for their patience, Mr. Salas is my neighbor, I grew up with him and every time I visit my mom and dad it's hard not to go in my mom and dad's house without looking over to see that this issue still not be resolved. Thank you.

**Senator Dennis G. Rodriguez, Jr.:** Thank you very much Senator Respicio and for your support and also as I said earlier, a lot of the other senators have really worked hard in trying to find a way how to make this happen just like Senator Respicio said, with the Director as well, so we feel that this is what is the best path in resolving this. Thank you very much, we'll call the next set, Glen Santos, Rebecca Salas, Clarissa Ibanez, Nick Ibanez, if you wish to testify you can come up, if not it's no problem, Vice-Speaker Ted Nelson, Don San Agustin if you wish to speak, if not it's okay you just signed in, Barbara Gogue, Ray Taimanglo, Ryan Calvo, Fernando Esteves, Ronald Laguana. Okay anyone can start please.

Good morning and Hafa Adai, Mr. Chairman, Vice-Chairman, Senator Morrison. My name is Glen Santos and I'm an Animal Control Officer, I'm with the other group and the Director here. I don't really want to go too far because the Director had covered everything that I was about to say which I totally believe 100% backing him up and I was really surprised he really got down to detail on what we do. From the kind of work we do to the kind of Public Relations and the people skill that is required of how these officers and myself have to handle with the neighbors or individuals especially in our case the human encounters are the most difficult one to handle because everyone has a view on loving a their pets. So to just cut it short I just wanted to emphasis that one good real scenario that puts our Directors into play is when we had a real incident up in the village of Dededo where we were called into take the lead on dog attacking the students at the Maria Ulloa School. There was police officers from the Guam Police Department, officials from G.A.I.N institute, Mayor's Office and we came in and had to resolve the situation which had to be really done tactfully because the pet owner's love their animals but eventually he gave it up and after educating him on the law and everything, he surrendered it and after going through behavior and trusting on our word that G.A.I.N will conduct the behavioral test, he was able to get his pet back and everybody was kind of having a happy result and especially after how one of our lead officers in that case had presented it and the surrender was so easy that he even went up to verify

that all our things were all legitimate and I just want to cut it short because our Director had cover a lot that I was going to say and I support Bill 249-33 (COR). Thank you.

**Senator Dennis G. Rodriguez, Jr.:** Thank you very much Sir.

(Recognized Mr. Ray Taimanglo)

**Mr. Ray Taimanglo:** Good morning Senator's my name is Raymond L.G. Taimanglo I'm a resident of Dededo. I'm here as a citizen and I also just want to put a little disclaimer that I don't know much about the Department of Agriculture and the Animal Control Department but what I know is what Manny has educated me on as far as the things that they do. As a matter of fact I received some services from their department when I had dog problems in our neighborhood and that thing wouldn't have gone away without the help of the Animal Control Officers and also in listening to the Senators and you folks about how long Manny has gone through to get us to where we're at right now with the help of these Senators and everyone else. I think we've reached the point where now we have to rely on you folks to take this on and own it. Of course we'll be in the sideline to provide whatever support you ask of us but I see Manny two (2) to three (3) times a week sometimes, we spend most of our time talking about the good life and I know how much this means to him and Animal Control Officers because he really loves his guys and they do a lot of work together just like any other work group, the dynamics are the same. What I have to read which is kind of redundant with what their Director had said but maybe I'll just go ahead for the record if you don't mind.

(Read Written Testimony). Thank you very much.

**Senator Dennis G. Rodriguez, Jr.:** Si Yu'os Ma'ase, thank you.

(Recognized Mr. Ronald Laguana)

**Mr. Ronald Laguana:** (Testimony in Chamorro).

**Senator Dennis G. Rodriguez, Jr.:** Thank you very much Mr. Laguana. Thank you very much to this panel for your testimony. Mr. Vice-Speak Ted Nelson, I know you signed up as oral testimony, please.

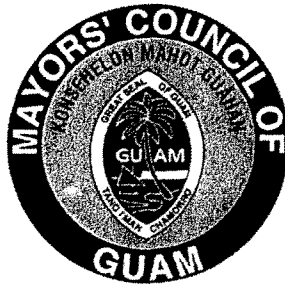
**Mr. Ted Nelson:** I'm going to ask this young man to say a few words first.

**Mr. Seth Calvo:** Hi my name is Seth Calvo, I'm Manny Calvo's son and I just wanted to say that I am in favor of this and I hope you support this Bill.

**Mr. Ted Nelson:** Thank you boy. Senators Respicio, Morrison, Rodriguez, and Ada, you people have it more than I can pray for and grateful for your attention for the last few days that I've been around and it makes me feel good when you have leaders giving attention to a department that have put on the side (inaudible). I'm not going to be delivering the function of the Game Warden, Conservation, and ACOs.

What I'd like to appeal to you Senators is to recognize the department of agriculture, just like GVB. (Testimony in Chamorro). Let me tell you folks, I could've been around here a long time ago, if you look back at your parents and your grandparents. (Testify in Chamorro). Senator Respicio, you're the chairman for Agriculture and I thank you for your support, we got a long way to go. (Testimony in Chamorro). We care for one another and I want you Senators to look at the farmers, look at the Department of Agriculture, look at the employees and give them all the help. I think that we can get this island moving. (Testimony in Chamorro). The Department of Agriculture working closely with the different groups and villages, working closely with the University, we can do it. We can do it so that people can be proud. (Testimony in Chamorro). Our survival of this territory today and in the future will depend upon these people back here, will depend on the Department of Agriculture. (Testimony in Chamorro). These are our resources that we should never forget and we should be proud of and not just to hear about. GVB gets all these millions, let's stand up as Chamorro's and Guamanians together and show the other islands, show the world we're heading in the right direction but we need a leadership that got together and I ask you Senators, for the sake of our island, for the sake of our youth, for our own survival. (Testimony in Chamorro). Election is coming up, it's okay, fight it out but my God when that war is over, make peace and work closely together for the betterment of Guam. (Testimony in Chamorro). It's up to you guys to provide incentives and show them that you're interested. (Testimony in Chamorro). Whatever you do, you'll be campaigning against one another, that's okay but show them (Testimony in Chamorro). I've been around since the Naval, I remembered Saluting white Officers every time they passed by, the Japanese calm around and we had to bow. (Testimony in Chamorro). Let's restore our pride, let's restore that we are Chamorros. Let us show Obama and the whole world, the military. (Testimony in Chamorro). That we're all one and that we're all going to work together, and with your leadership and with your incentive. (Testimony in Chamorro). Si Yu'os Ma'ase.

**Senator Dennis G. Rodriguez, Jr.:** Si Yu'os Ma'ase Mr. Vice-Speaker, thank you very much Vice-Speaker and to you Seth. Anyone else wish to testify on this Bill? If not, this concludes the hearing on Bill 249. We'll still ask the public if anyone wishes to provide testimony, my office will continue to receive testimony. We'll go ahead and move onto the next Bill on the agenda Bill 271.



**CERTIFICATION OF THE ADOPTION OF A MAYORS' COUNCIL RESOLUTION**

**THIS IS TO CERTIFY THAT RESOLUTION NO. 16-05 RELATIVE TO THE MAYORS' COUNCIL OF GUAM SUPPORTING BILL NO. 249-33 (COR) AN ACT TO MANDATE THE PAYMENT OF COMPENSATION BENEFITS FOR ANIMAL CONTROL OFFICERS OF THE DEPARTMENT OF AGRICULTURE WAS ADOPTED ON THE 4<sup>TH</sup> DAY OF MAY 2016.**

**MAYOR CAROL S. TAYAMA, SECRETARY  
Mayors' Council of Guam**

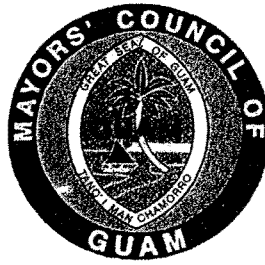
GUAM LEGISLATURE  
CENTRAL FILES

RECEIVED BY: *[Signature]*  
DATE: 10:30 AM  
NO. 5-18-16

**UFISINAN TODU GUAM**  
Received by the  
Office of Senator  
Dennis G. Rodriguez, Jr.

May 19, 2016  
# 110





**MAYORS' COUNCIL OF GUAM**

**Resolution No. 16-05**

**Introduced By:**

Mayor R.M. Matanane  
Vice Mayor J.P. Bautista  
Vice Mayor A.P. Sanchez  
Vice Mayor K.C. Santos  
Vice Mayor A.A. Benavente  
Mayor P.M. McDonald  
Mayor L.C. Rivera  
Mayor C.S. Tayama  
Mayor J.A. Cruz  
Vice Mayor R.D. Iriarte  
Mayor K.J. M. Ada  
Mayor D.E. Alvarez  
Mayor J.M.C. Blas  
Mayor J.U. Blas  
Mayor N.C. Blas  
Mayor E.T. Chargualaf  
Mayor J.C. Gogue  
Mayor V.D. Gumataotao  
Mayor R.RDC Hofmann  
Mayor D.F. Lujan  
Mayor J.A. Quinata  
Mayor M.B. Savares  
Vice Mayor K.T. Susuico  
Mayor V.S. Taitague  
Vice Mayor A.R.G. Ungacta  
Mayor A.C. Villagomez

**RELATIVE TO THE MAYORS' COUNCIL OF GUAM SUPPORTING BILL NO. 249-33 (COR) AN ACT TO MANDATE THE PAYMENT OF COMPENSATION BENEFITS FOR ANIMAL CONTROL OFFICERS OF THE DEPARTMENT OF AGRICULTURE.**

1 **BE IT RESOLVED BY KONSEHELON MAHOT GUÅHAN:**

2 **WHEREAS**, the Animal Control Officers of Guam have long been recognized as  
3 Peace Officers by Title 10, Chapter 34 of the Guam Code; and

4 **WHEREAS** their daily work involves the enforcement of our laws, the writing of  
5 citations, the investigation of felonies, and the defense of those investigations in court;  
6 and

7 **WHEREAS** Public Law 29-105 addressed the compensation of law enforcement  
8 officials maintaining Guam's public safety; and

9 **WHEREAS** the Guam Civil Service Commission ruled in favor of the Department  
10 of Agriculture Animal Control Officers in July, 2015 for their inclusion in the  
11 compensation provided by Public Law 29-105; and

12 **WHEREAS** the Mayors' Council of Guam sees the Animal Control Officers as law  
13 enforcement officers critical to the public health and safety of Guam; now therefore be it

14 **RESOLVED**, that the President certify and the Council Secretary attests the  
15 adoption hereof, and that copies of the same be thereafter transmitted to the Honorable  
16 Judith Won Pat, Speaker, and Senators of *I Liheslaturan Guåhan* and to the Honorable  
17 Edward J.B. Calvo, *I Maga'lahaen Guåhan*.

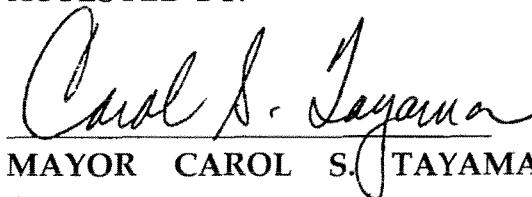
**DULY ADOPTED ON THE 4<sup>th</sup> DAY OF MAY 2016, IN THE CITY OF  
HAGÁTÑA, GUAM.**

**CERTIFIED BY:**



**MAYOR PAUL M. McDONALD**  
*President*

**ATTESTED BY:**



**MAYOR CAROL S. TAYAMA**  
*Secretary*



# COMMITTEE ON RULES

*I Mina'trentai Tres na Liheslaturan Guáhan* • The 33rd Guam Legislature  
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E-mail: [roryforguam@gmail.com](mailto:roryforguam@gmail.com) • Tel: (671)472-7679 • Fax: (671)472-3547

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Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

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

Vice-Speaker  
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Legislative Secretary  
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Member

Senator  
Frank Blas Aguon, Jr.  
Member

Senator  
Michael F.Q. San Nicolas  
Member

Senator  
Nerissa Bretania Underwood  
Member

V. Anthony Ada  
MINORITY LEADER

Mary C. Torres  
MINORITY MEMBER

March 8, 2016

## Memorandum

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

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

**Subject:** Fiscal Notes and Fiscal Note Waiver

*Hafa Adai!*

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

### FISCAL NOTES:

Bill No. 249-33(COR)  
Bill No. 264-33(LS)

### FISCAL NOTE WAIVER:

Bill No. 265-33(LS)

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

*Si Yu'os ma'áse'!*

2016 MAR - 8 PM 4:34

**Bureau of Budget & Management Research  
Fiscal Note of Bill No. 249-33 (COR)**

**AN ACT TO MANDATE THE PAYMENT OF COMPENSATION BENEFITS OF ANIMAL CONTROL OFFICERS OF THE DEPARTMENT OF AGRICULTURE, AS PROVIDED PURSUANT TO PUBLIC LAW 29-105.**

Department/Agency Appropriation Information	
Dept./Agency Affected: Agriculture	Dept./Agency Head: Matthew L.G. Sablan, Director
Department's General Fund (GF) appropriation(s) to date:	3,391,601
Department's Other Fund (Specify) appropriation(s) to date: Guam Plant Inspection and Permit Fund (\$93,131), Tourist Attraction Fund (\$500,000)	593,131
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$3,984,732</b>

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2015 Unreserved Fund Balance		\$0	\$0
FY 2016 Adopted Revenues	\$0	\$0	\$0
FY 2016 Appro. (P.L. 33-66)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
<b>Total:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2016 (if applicable)	FY 2017	FY 2018	FY 2019	FY 2020
General Fund	1/	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

- Does the bill contain "revenue generating" provisions? // Yes /X/ No  
If Yes, see attachment
- Is amount appropriated adequate to fund the intent of the appropriation? /X/ N/A // Yes // No  
If no, what is the additional amount required? \$ 1/ /X/ N/A
- Does the Bill establish a new program/agency? // Yes /X/ No  
If yes, will the program duplicate existing programs/agencies? /X/ N/A // Yes // No  
Is there a federal mandate to establish the program/agency? // Yes /X/ No
- Will the enactment of this Bill require new physical facilities? // Yes /X/ No
- Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: /X/ Yes // No  
/X/ Requested agency comments not received by due date / / Other:

Analyst: <i>Raymond Mata</i> Raymond Mata, BMA I	Date: <i>3/3/16</i>	Director: <i>Jose S. Calvo</i> Jose S. Calvo, Director	Date: <b>MAR 04 2016</b>
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Footnotes:  
1 / See attached comments.

### **COMMENTS TO BILL No. 249-33 (COR)**

Bill No. 249-33 proposes to mandate the payment of compensation increases for Animal Control Officers (ACO) of the Department of Agriculture (DOAg) pursuant to Public Law 29-105. P.L. 29-105, which amended Title 10 GCA, Chapter 55, § 55102 states that compensation for public safety and law enforcement officers covered in this Section shall be increased by forty percent (40%) over a four (4) year period effective October 1, 2008.

Based on personnel financial data provided by the Department of Administration's Human Resource Division (DOA-HR), the fiscal impact of this legislation is currently estimated at \$282,407 in salaries and benefits through 3/31/2016. This would cover retroactive compensation owed to seven (7) ACOs, 4 who were actively employed as of October 1, 2008 (1 resigning in 2012), and three (3) additional ACOs employed after 10/1/08. As mandated, P.L. 29-105 would also apply to all future ACOs to be employed.

It should be noted that there is ongoing dialogue between DOA-HR and the Attorney General's office on this matter. Should a final determination be made to compensate the affected DOAg employees, incremental payments must be pursued to minimize the impact on the department and the general fund.



## COMMITTEE ON RULES

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

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MAJORITY LEADER

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
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Senator  
Michael F.Q. San Nicolas  
Member

Senator  
Nerissa Bretania Underwood  
Member

V. Anthony Ada  
MINORITY LEADER

Mary C. Torres  
MINORITY MEMBER

April 19, 2016

### MEMORANDUM

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

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

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

**Subject: Re-referral of Bill No. 249-33(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my re-referral of **Bill No. 249-33(COR)**.

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

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

*Si Yu'os Ma'åse!*

Attachment

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

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
249-33 (COR)	Dennis G. Rodriguez, Jr.	AN ACT TO MANDATE THE PAYMENT OF COMPENSATION BENEFITS OF ANIMAL CONTROL OFFICERS OF THE DEPARTMENT OF AGRICULTURE, AS PROVIDED PURSUANT TO PUBLIC LAW 29-105.	02/05/16 4:36 p.m.	02/08/16	Committee on Finance and Taxation, General Government Operations and Youth Development			Fiscal Note Request 02/09/16 Fiscal Note 03/08/16



Sarah Elmore &lt;sarah.elmore@senatorbjcruz.com&gt;

## FIRST NOTICE of Public Hearing – May 12, 2016

1 message

Dani Reyes &lt;danireyes@senatorbjcruz.com&gt;

Thu, May 5, 2016 at 9:00 AM

To: PH Notice &lt;phnotice@guamlegislature.org&gt;

Cc: "Senator Rory J. Respicio" &lt;cor@guamlegislature.org&gt;, Clerks &lt;clerks@guamlegislature.org&gt;, Management Information System &lt;mis@guamlegislature.org&gt;, "Sergeant-at-Arms (Legislature)" &lt;sgtarms@guamlegislature.org&gt;

May 5, 2016

### MEMORANDUM

To: All Members / All Senators

From: Vice Speaker Benjamin J.F. Cruz, Chairman

Re: **FIRST NOTICE of Public Hearing – May 12, 2016**

*Håfa Adai!* The **Committee on Appropriations and Adjudication** will conduct a Public Hearing of Bills beginning at **9:00 AM on Thursday, May 12, 2016**, in the **I Liheslatura Public Hearing Room** with the following schedule:

**9:00 AM**

- **Bill No. 271-33 (COR)** – D.G. Rodriguez, Jr. – “An act to mandate and provide for the payment of promised compensation and overtime earned and accrued by DPW employees, to authorize the sum of six hundred sixty-seven thousand four hundred ten dollars and fifty two cents (\$667,410.52) for payments owing, and to establish public policy on promised compensation.”
- **Bill No. 249-33 (COR)** – D.G. Rodriguez, Jr. – “An act to mandate the payment of compensation benefits of animal control officers of the Department of Agriculture, as provided pursuant to Public Law 29-105.”
- **Bill No. 240-33 (LS)** – D.G. Rodriguez, Jr. / R. J. Respicio - “An act to amend Title 11 Guam Code Annotated, Chapter 26, §26216 relative to providing relief to health care providers of the Guam Memorial Hospital Authority (GMHA), the Medically Indigent Program (MIP), and the Guam Medicaid Program by authorizing the offset of Business Privilege Taxes (BPT) against past due billings.”
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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; or via e-mail to [senator@senatorbjcruz.com](mailto:senator@senatorbjcruz.com). Please submit testimonies at least one day prior to the date of the hearing.

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We look forward to your attendance and participation.



cc: COR  
Sgt-at-Arms  
MIS  
Clerks  
Media

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**Dani Reyes**  
*Policy Analyst*

**Vice Speaker Benjamin J.F. Cruz**  
*I Mina'trentai Tres na Liheslaturan Guåhan*  
T 671-477-2520 | F 671-477-2522  
<http://www.senatorbjcruz.com>

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**2 attachments**

 **FIRST NOTICE MEMO PH 05122016.pdf**  
203K

 **FIRST NOTICE PR PH 05122016.pdf**  
236K

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**VICE SPEAKER BENJAMIN J.F. CRUZ**

Committee on Appropriations and Adjudication  
senator@senatorbjcruz.com | www.senatorbjcruz.com



*I Mina'trentai Tres na Liheslaturan Guåhan*

**THE 33RD GUAM LEGISLATURE**

155 Hesler Place, Suite 107, Hagåtña, Guam 96910  
T: (671) 477-2520/1 | F: (671) 477-2522

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May 5, 2016

**MEMORANDUM**

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

**Re: FIRST NOTICE of Public Hearing - May 12, 2016**

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**VICE SPEAKER BENJAMIN J.F. CRUZ**

Committee on Appropriations and Adjudication  
senator@senatorbjcruz.com | www.senatorbjcruz.com



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*Agenda continued:*

**Bill No. 306-33 (LS)** – F.B. Aguon, Jr. – “An act to add a new Section 1(m)(9) to Chapter V of Public Law 33-66, relative to providing authorization to the Guam Police Department for 3rd cadet cycle payment obligations incurred in prior fiscal years.”

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We look forward to your attendance and participation.



FOR IMMEDIATE RELEASE

May 5, 2016

## 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 Public Hearing of Bills by the **Committee on Appropriations and Adjudication** scheduled on **Thursday, May 12, 2016**, in the Guam Legislature Hearing Room in Hagåtña, on the following:

### 9:00 AM – Public Hearing of Bills

**Bill No. 271-33 (COR)** – D.G. Rodriguez, Jr. – “An act to mandate and provide for the payment of promised compensation and overtime earned and accrued by DPW employees, to authorize the sum of six hundred sixty-seven thousand four hundred ten dollars and fifty two cents (\$667,410.52) for payments owing, and to establish public policy on promised compensation.”

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**VICE SPEAKER BENJAMIN J.F. CRUZ**

Committee on Appropriations and Adjudication  
senator@senatorbjcruz.com | www.senatorbjcruz.com



*I Mina'trentai Tres na Liheslaturan Guåhan*

**THE 33RD GUAM LEGISLATURE**

155 Hesler Place, Suite 107, Hagåtña, Guam 96910

T: (671) 477-2520/1 | F: (671) 477-2522

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*Agenda continued:*

**Bill No. 306-33 (LS)** – F.B. Aguon, Jr. – “An act to *add* a new Section 1(m)(9) to Chapter V of Public Law 33-66, relative to providing authorization to the Guam Police Department for 3rd cadet cycle payment obligations incurred in prior fiscal years.”

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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.

###



Sarah Elmore &lt;sarah.elmore@senatorbjcruz.com&gt;

## SECOND NOTICE of Public Hearing – May 12, 2016

1 message

Dani Reyes &lt;danireyes@senatorbjcruz.com&gt;

Tue, May 10, 2016 at 9:01 AM

To: PH Notice &lt;phnotice@guamlegislature.org&gt;

Cc: "Senator Rory J. Respicio" &lt;cor@guamlegislature.org&gt;, Clerks &lt;clerks@guamlegislature.org&gt;, Management Information System &lt;mis@guamlegislature.org&gt;, "Sergeant-at-Arms (Legislature)" &lt;sgtarms@guamlegislature.org&gt;

May 10, 2016

### MEMORANDUM

To: All Members / All Senators

From: Vice Speaker Benjamin J.F. Cruz, Chairman

Re: **SECOND NOTICE of Public Hearing – May 12, 2016**

*Håfa Adai!* The **Committee on Appropriations and Adjudication** will conduct a Public Hearing of Bills beginning at **9:00 AM** on **Thursday, May 12, 2016**, in the *I Liheslatura* **Public Hearing Room**, on the following:

#### **9:00 AM - Public Hearing of Bills**

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We look forward to your attendance and participation.

cc: COR  
Sgt-at-Arms  
MIS  
Clerks  
Media

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**Dani Reyes**  
*Policy Analyst*

**Vice Speaker Benjamin J.F. Cruz**  
*I Mina'trentai Tres na Liheslaturan Guåhan*  
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**2 attachments**

 **SECOND NOTICE MEMO PH 05122016.pdf**  
204K

 **SECOND NOTICE PR PH 05122016.pdf**  
204K

**VICE SPEAKER BENJAMIN J.F. CRUZ**

Committee on Appropriations and Adjudication  
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*I Mina'trentai Tres na Liheslaturan Guåhan*

**THE 33RD GUAM LEGISLATURE**

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May 10, 2016

**MEMORANDUM**

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

**Re: SECOND NOTICE of Public Hearing - May 12, 2016**

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**VICE SPEAKER BENJAMIN J.F. CRUZ**

Committee on Appropriations and Adjudication  
senator@senatorbicruz.com | www.senatorbicruz.com



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*Agenda continued:*

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We look forward to your attendance and participation.

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VICE SPEAKER BENJAMIN J.F. CRUZ

Committee on Appropriations and Adjudication  
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FOR IMMEDIATE RELEASE

May 10, 2016

## 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 Public Hearing by the **Committee on Appropriations and Adjudication** scheduled on **Thursday, May 12, 2016**, in the Guam Legislature Hearing Room in Hagåtña, on the following:

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Committee on Appropriations and Adjudication  
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###

Public Hearing Notice Listserv  
*phnotice@guamlegislature.org (Media, All Senators, and Staff)*

Updated: April 20, 2016

action@weareguahan.com	communications@guam.gov	jennifer.lj.dulla@gmail.com
admin@frankaguonjr.com	cor@guamlegislature.org	jean@tinamunabarnes.com
admin@guamrealtors.com	coy@senatorada.org	joan@kuam.com
admin@weareguahan.com	danireyes@senatorbjcruz.com	joe@toduguam.com
admin2@guamrealtors.com	dcrisost@guam.gannett.com	joesa@guamlegislature.org
aguon4guam@gmail.com	debbieretuyan@judiwonpat.com	john.calvo@noaa.gov
agusto.aflague@gmail.com	delisleduenas@judiwonpat.com	john@postguam.com
ahernandez@guamlegislature.org	desori623@hotmail.com	johnluces@toduguam.com
alerta.jermaine@gmail.com	cyrus@senatorada.org	johntaoconnor@gmail.com
aline4families@gmail.com	divider_j_jimenez@hotmail.com	jon.calvo@mail.house.gov
am800guam@gmail.com	dleddy@guamchamber.com.gu	jontalk@gmail.com
amandalee.shelton@mail.house.gov	dmgeorge@guampdn.com	jpmanuel@gmail.com
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amier@mvguam.com	ed@tonyada.com	jtenorio@guamcourts.org
anitaataligmani@gmail.com	edelynn1130@hotmail.com	julian.c.janssen@gmail.com
ang.duenas@gmail.com	editor@postguam.com	juliette@senatorada.org
ann@toduguam.com	editor@saipantribune.com	kai@spbguam.com
assist_editor@glimpsesofiguam.com	edpocaigne@judiwonpat.com	kcharfauros74@gmail.com
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## PUBLIC HEARING AGENDA

Thursday, May 12, 2016

Guam Legislature Public Hearing Room • Hagåtña, Guam

**9:00 AM**

**Bill No. 271-33 (COR)** – D.G. Rodriguez, Jr. – “An act to mandate and provide for the payment of promised compensation and overtime earned and accrued by DPW employees, to authorize the sum of six hundred sixty-seven thousand four hundred ten dollars and fifty two cents (\$667,410.52) for payments owing, and to establish public policy on promised compensation.”

**Bill No. 249-33 (COR)** – D.G. Rodriguez, Jr. – “An act to mandate the payment of compensation benefits of animal control officers of the Department of Agriculture, as provided pursuant to Public Law 29-105.”

**Bill No. 240-33 (LS)** – D.G. Rodriguez, Jr. / R. J. Respicio - “An act to *amend* Title 11 Guam Code Annotated, Chapter 26, §26216 relative to providing relief to health care providers of the Guam Memorial Hospital Authority (GMHA), the Medically Indigent Program (MIP), and the Guam Medicaid Program by authorizing the offset of Business Privilege Taxes (BPT) against past due billings.”

**Bill No. 304-33 (LS)** – F.B. Aguon, Jr. – “An act to *add* a new Section 1(m)(11) to Chapter V of Public Law 33-66, relative to providing authorization to the Guam Police Department for overtime payment obligations incurred in prior fiscal years.”

**Bill No. 305-33 (LS)** – F.B. Aguon, Jr. – “An act to *add* a new Section 1(m)(10) to Chapter V of Public Law 33-66, relative to providing authorization to the Guam Police Department for vendor payment obligations incurred in prior fiscal years.”

**Bill No. 306-33 (LS)** – F.B. Aguon, Jr. – “An act to *add* a new Section 1(m)(9) to Chapter V of Public Law 33-66, relative to providing authorization to the Guam Police Department for 3rd cadet cycle payment obligations incurred in prior fiscal years.”

**Bill No. 307-33 (LS)** – F.B. Aguon, Jr. – “An act to *add* a new Section 1(m)(7) to Chapter V of Public Law 33-66, relative to providing authorization to the Guam Police Department for court ordered obligations incurred in prior fiscal years.”

**Bill No. 308-33 (LS)** – F.B. Aguon, Jr. – “An act to *add* a new Section 1(m)(8) to Chapter V of Public Law 33-66, relative to providing authorization to the Guam Police Department for promised compensation obligations incurred in prior fiscal years.”