



Sen. Thomas Ada

Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement

I Mina Trentai Tres Na Liheslaturan Guåhan • 33rd Guam Legislature

November 18, 2016

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

Speaker

I Mina Trentai Tres Na Liheslaturan Guåhan

155 Hesler Place

Hagåtña, Guam 96910

Rory J. Respicio

VIA: The Honorable Rory J. Respicio

Chairperson, Committee on Rules

RE: Committee Report on Bill No. 351-33 (COR), As Substituted

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 351-33 (COR), as substituted, "**AN ACT TO AMEND § 6225 TO ARTICLE 2 OF CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO IDENTIFYING HAZARDOUS PAY POSITIONS.**"

Committee votes are as follows:

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

2016 Nov 18 11:12:06 AM

Si Yu'os ma'åse',

Thomas C. Ada

Thomas C. Ada



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Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement

I Mina Trentai Tres Na Libeslaturan Guåhan • 33rd Guam Legislature

COMMITTEE REPORT ON

**Bill No. 351-33 (COR)
As Substituted**

**“AN ACT TO *AMEND* § 6225 TO ARTICLE
2 OF CHAPTER 6, TITLE 4, GUAM CODE
ANNOTATED, RELATIVE TO
IDENTIFYING HAZARDOUS PAY
POSITIONS.”**



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November 18, 2016

MEMORANDUM

To: **All Members**
Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement

From: **Senator Thomas C. Ada**, Committee Chairperson 

Subject: **Committee Report on Bill No. 351-33 (COR), As Substituted**

Transmitted herewith for your consideration is the Committee Report on Bill No. 352-33 (LS), As Substituted, "**AN ACT TO AMEND § 6225 TO ARTICLE 2 OF CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO IDENTIFYING HAZARDOUS PAY POSITIONS.**"

This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Copy of Bill No. 351-33 (COR), As Introduced
- Copy of Bill No. 351-33 (COR), As Substituted
- Public Hearing Sign-in Sheet
- Written testimonies from: Major Darlene R. Merfalen (*Guam Customs and Quarantine, Acting Director*), Major Philip S. N. Taijeron, Jr. (*Guam Customs and Quarantine*)
- Copy of Fiscal Note Request
- Copy of Fiscal Note
- COR Referral of Bill No. 351-33 (COR)
- Notices of Public Hearing
- Public Hearing Agenda

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



Sen. Thomas Ada
Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement
I Mina Trentai Tres Na Libeslaturan Guåhan • 33rd Guam Legislature

COMMITTEE VOTE SHEET

Bill No. 351-33 (COR), as substituted, "AN ACT TO AMEND § 6225 TO ARTICLE 2 OF CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO IDENTIFYING HAZARDOUS PAY POSITIONS."

COMMITTEE MEMBERS	SIGNATURE AND DATE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
SENATOR THOMAS C. ADA Chairperson			<input checked="" type="checkbox"/>			
SENATOR RORY J. RESPICIO Vice Chairperson	<i>Rory Respicio</i> 11-18-16					
VICE SPEAKER BENJAMIN J.F. CRUZ Member						
SENATOR FRANK B. AGUON, JR. Member	<i>Frank Aguon, Jr.</i>					
SENATOR DENNIS RODRIGUEZ, JR. Member	<i>Dennis Rodriguez, Jr.</i>					
SENATOR NERISSA UNDERWOOD Member	<i>N Underwood</i> 11/17/16			<input checked="" type="checkbox"/>		
SENATOR FRANK BLAS, JR. Member	<i>F Blas</i>			<input checked="" type="checkbox"/>		
SENATOR MARY TORRES Member	<i>M Torres</i> 11/17/16			<input checked="" type="checkbox"/>		
SENATOR JAMES V. ESPALDON Member	<i>J Espaldon</i> 11/17			<input checked="" type="checkbox"/>		



Sen. Thomas Ada

Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement
I Mina Trentai Tres Na Libeslaturan Guåhan • 33rd Guam Legislature

COMMITTEE REPORT DIGEST

I. OVERVIEW

Bill No. 351-33 (COR) was introduced on July 11, 2016 by Senators Frank B. Aguon Jr. and Rory J. Respicio, and was subsequently referred on July 11, 2016 by the Committee on Rules to the Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement.

The Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement convened a public hearing on September 27, 2016 at 1:00 pm in *I Liheslaturan's* Public Hearing Room to receive public testimony on Bill No. 351-33 (COR).

Public Notice Requirements

Public Hearing notices were disseminated via email to all senators and all main media broadcasting outlets on September 20, 2016 (5-Day Notice) and again on September 23, 2016 (48-Hour Notice), fulfilling the 5-Day Notice and 48-Hour Notice of the Open Government Law requirement.

Senators Present

Senator Thomas C. Ada	<i>Committee Chairperson</i>
Senator Frank B. Aguon Jr.	<i>Committee Member</i>
Senator James V. Espaldon	<i>Committee Member</i>
Senator Mary C. Torres	<i>Committee Member</i>
Senator Nerissa B. Underwood	<i>Committee Member</i>
Senator Dennis G. Rodriguez, Jr.	<i>Committee Member</i>
Senator Tommy Morrison	<i>Legislative Member</i>

The public hearing was Called-to-Order at 1:02pm.

II. SUMMARY OF TESTIMONY AND DISCUSSION

Chairperson Ada calls the Public Hearing to order and asked the sponsor of Bill No. 351-33 (COR) to give an introduction.

Senator Aguon: States Bill No. 351-33 (COR) relative to Hazardous Pay differential for customs officers. He said in June there was a finding from the Department of Administration that there is no written legal authorization for Guam Customs, being able to receive Hazardous Pay without going through the regular process on an annual bases. He said because the Men and Women of the Guam Customs in their duties are exposed to Hazardous conditions. He said they asked for this piece of Legislation to codify Customs Officers to receive Hazardous Pay. He said this proposal is budget neutral, because Customs Officers were previously receiving Hazardous Pay. He said Customs will have to adopt a table of organization to indicate, which positions are eligible for Hazardous Pay.

Chairperson Ada: Called those who have signed up to give testimony.

Major Philip S. N. Taijeron, Jr. *Guam Customs and Quarantine*: Reads his written testimony. (see attached)

Major Darlene R. Merfalen, *Guam Customs and Quarantine, Acting Director*: Reads her written testimony. (see attached)

She went on to say there were certain sections receiving Hazardous Pay. She said this piece of legislation will add fairness to who receives Hazardous Pay. She said in June of 2016, we were told by Department of Administration to stop paying Hazardous Pay. She said we are doing things the right and legal way. She said she and the eighty some Officers are in support of Bill 351-33. She said thank you.

Senator Aguon: He said Major Taijeron you alluded in your testimony to almost every position available at Customs. He said in Major Merfalen's chart, in her testimony there are specific qualifications to be able to receive Hazardous Pay. He said Major Taijeron are you taking this opportunity to expand the individuals able to receive Hazardous Pay. He said we want to get back the previous payments of Hazardous Pay. He said there are other agencies that have requested Hazardous Pay. He said they have been working with the Department of Labor and Department of Administration to resolve the Hazardous Pay issue. He thanked everyone for giving testimony.

Senator Espaldon: He said in the testimony that the responsible internal controls found that Department of Labor, Office of Occupational Health assessment certifications were not properly certified. He said were the certifications met and later not recertified.

Major Philip S. N. Taijeron, Jr. *Guam Customs and Quarantine*: He said yes that is correct. He said when we were GOSH approved us, they were supposed to come by annually to recertify the positions. He said we did not have them come back. He said we have been budgeting for Hazardous Pay.

Senator Espaldon: He said is it an annual requirement. He said because the positions were not recertified you stopped paying Hazardous Pay.

Major Philip S. N. Taijeron, Jr. *Guam Customs and Quarantine*: He said that is incorrect. He said even though the positions were not recertified we still paid Hazardous Pay. He said DOA noticed a discrepancy in our pay, they advised us to cease paying all Hazardous Pay. He said the Bill is proposing thru statute, the table of organization be adopted, the positions indicated, and that the Director be authorized to pay Hazardous Pay.

Senator Espaldon: He said does this table have all the positions at Customs, which is entitle to Hazardous Pay.

Major Darlene R. Merfalen, *Guam Customs and Quarantine, Acting Director*: She said the inequity was for specific functions. She said Line Officers were not being compensated. She said if any position requires them to be put in a hazardous situation they are entitled to Hazardous Pay.

Senator Espaldon: He said now I understand because I am uninformed.

Major Darlene R. Merfalen, *Guam Customs and Quarantine, Acting Director*: She said other Law Enforcement Agencies request for assistance and there maybe hazardous situations.

Senator Espaldon: He said on the Chart are these the positions

Chairperson Ada: Thanked all for coming, to include Mr. Borja. Then stated that Bill No. 351-33 (LS) had been duly been heard.

Chairperson Ada adjourns the Public Hearing for Bill No. 351-33 (COR).

Written Testimony Received:

Major Darlene R. Merfalen, *Guam Customs and Quarantine, Acting Director*

Major Philip S. N. Taijeron, Jr. *Guam Customs and Quarantine*

III. FINDINGS AND RECOMMENDATION

The Committee finds that Bill No. 351 submitted by Sponsor on Nov. 1st. Bill No. 351 was initially introduced to authorize a 10% Hazardous pay to C&QA officers who, by virtue of the tasks they have to perform are exposed to "extreme physical hazards". The introduced bill followed the format of Sec. 6225 which pertained to Hazardous Pay for GPD. The substitute bill is now more encompassing because it now addresses and proposes to give hazardous pay diff to five other agencies, which not discussed at the PH, or subsequent round-table discussion. Because the substituted Bill No. 351 is more encompassing, introduction of a new bill is deemed warranted.

The Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement, hereby reports out **Bill No. 351-33 (COR), as substituted**, with the recommendation to report out only.

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

Bill No. 351-33 (COR)

Introduced by:

FRANK B. AGUON, JR.
R.J. Respicio

AN ACT TO ADD A NEW § 6225.2 TO ARTICLE 2 OF CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO PROVIDING FOR A HAZARDOUS PAY DIFFERENTIAL FOR CUSTOMS OFFICERS WITHIN THE GUAM CUSTOMS AND QUARANTINE AGENCY.

2016 JUN 11 PM 2:48

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
2 that Customs Officers within the Guam Customs and Quarantine Agency (CQA),
3 have inherent tasks and functions that are considered egregiously hazardous. The
4 primary duty of Customs Officers is to enforce existing laws and rules and
5 regulations governing illegal drugs and other contrabands as provided for in
6 Chapter 73 of Division 7, Title 5, Guam Code Annotated. Customs Officers carry
7 firearms in the performance and enforcement of mandated rules governing the
8 importation of illegal drugs and other contrabands and to arrest those individuals
9 attempting to import such materials into Guam. Customs Officers assigned to
10 board United States (U.S.) and foreign vessels may require them to be within close
11 proximity of passengers with blunt objects that may be used against them by drug

1 dealers, and these Customs Officers must quickly traverse through slippery decks
2 on vessels, confine spaces, and on uneven walking surfaces. These duties expose
3 Customs Officers to extreme physical hazards when boarding vessels.

4 *I Liheslaturan Guåhan* further finds that the CQA policy and practice of
5 allowing hazardous pay was in effect up until June 2016, at which time it was
6 administratively discontinued at the recommendation of the Department of
7 Administration Human Resources (DOA HR). At the recommendation of DOA
8 HR, the agency must apply for hazardous pay designation through the Department
9 of Labor Guam Occupational Safety and Health (GOSH).

10 Furthermore, due to the prior practice of hazardous pay designation
11 payments, the amounts necessary for hazardous pay designation payments were
12 included in both Fiscal Year 2016/2017 budget requests rendering the proposed
13 statute budget neutral.

14 It is, therefore, the intent of *I Liheslaturan Guåhan* to reinstate the policy
15 and practice of providing hazardous pay differential to Customs Officers within the
16 Guam Customs and Quarantine Agency whose actual performance of work
17 activities are determined to be hazardous; and only for the duration of such work
18 activities. Other uniformed positions within CQA not actually involved in the
19 performance of such duties are to be considered “not exposed” to the hazardous
20 duties of Customs Officers within CQA.

1 **Section 2.** A new §6225.2 is hereby *added* to Article 2 of Chapter 6, Title 4,
2 Guam Code Annotated, to read:

3 “**§ 6225.2. Customs and Quarantine Agency Officer--Hazardous Pay.**

4 Notwithstanding any other provision of law, rule, regulation and
5 Executive Order to the contrary, the Director of the Customs and Quarantine
6 Agency *shall*, by General Order, adopt a Table of Organization for uniform
7 positions, to include Customs Officers within the Guam Customs and
8 Quarantine Agency. The Table of Organization *shall* identify by rank and
9 duty positions within various units, sections, branches, divisions and
10 commands in the Guam Customs and Quarantine Agency entitled to
11 hazardous pay differential. Customs Officers and uniformed personnel
12 performing duties identified in the Table of Organization for hazardous pay
13 differential *shall be* entitled to a ten percent (10%) hazardous pay
14 differential.”

15 **Section 3. Effective Date.** This Act *shall be* effective immediately upon
16 enactment.

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

Bill No. 351-33 (COR)

As Substituted by the Primary Sponsor.

Introduced by:

FRANK B. AGUON, JR.

R. J. Respicio

**AN ACT TO AMEND § 6225 TO ARTICLE 2 OF
CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED,
RELATIVE TO IDENTIFYING HAZARDOUS PAY
POSITIONS.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. § 6225 of Article 2, Chapter 6, Title 4, Guam Code Annotated is hereby *amended* to read:

“ § 6225. **Hazardous Duty Positions Identified.** (a) The Chief of Police *shall*, by general order, adopt a Table of Organization and Equipment (TOE) for the uniform positions within the Police Department. The TOE shall follow generally the organizational structure established by the reorganization plan for the Police Department which became effective September 11, 1989. The TOE shall identify by rank and duty the positions within the various units, sections, branches, divisions and commands in the Police Department. Hazardous duty positions shall be identified in the TOE.

(b) Notwithstanding § 6304 of Article 3, Chapter 6, Title 4, Guam Code Annotated, the Civil Service Hazardous/Environmental Pay Policy and Procedures, or any other provision of law, rule, regulation and

1 Executive Order, and for the purposes of this Act, Hazardous duty positions
2 shall be identified as follows:

3 (1) all sworn Officers of the Customs and Quarantine Agency;

4 (2) all sworn Officers of the Guam Airport Police;

5 (3) all sworn Conservation Officers of the Division of Aquatic
6 and Wildlife Resources of the Department of Agriculture;

7 (4) all sworn Guam Park Patrol Officers of the Department of
8 Parks and Recreation;

9 (5) all youth service workers and/or social workers who are
10 engaged in juvenile detention and rehabilitation work at the
11 Department of Youth Affairs; and

12 (6) those employed by the Office of the Attorney General
13 whom he or she specifically designates.

14 The appointing Authorities of Customs and Quarantine Agency, Guam
15 International Airport Authority, Department of Agriculture, Department of Parks
16 and Recreation, Department of Youth Affairs, Office of the Attorney General, and
17 the Department of Administration shall identify the direct exposure personnel, and
18 upon exposure, shall be entitled to the ten percent (10%) hazardous pay
19 differential.”

Written Testimony of Major Philip S.N. Taijeron , Jr.

Testimony in Support of Bill 351-33 (COR)

An act to add a new § 6225.2 to Article 2 of Chapter 6, Title 4, Guam Code Annotated, relative to providing for a hazardous pay differential for Customs Officers within the Guam Customs and Quarantine Agency.

September 27, 2016 at 1300 hours

at the Guam Legislature Public Hearing Room

Hafa Adai and Good Afternoon Honorable Senator Thomas C. Ada and Honorable Senators of this esteemed committee.

Mr. Chairman,

I am here today to testify in favor of Bill 351-33. I would like to thank you for prioritizing and setting the time to hear the proposed Customs Hazardous Pay Differential Bill.

Prior to June of 2016, certain Customs officers received compensation for hazardous duty. Historically, for close to 10 years, the agency was budgeted and paid hazardous pay differential for officers performing hazardous duty. During those times, the only officers receiving hazardous duty pay differential were Customs Officers performing work boarding sea vessels, participating in drug raids, and maintaining custody and transport of arrestees.

In June of 2016, the agency was budgeted to compensate hazardous pay differential for specific duties and positions previously certified and recognized as hazardous. However, responsible internal controls discovered the Government of Guam Department of Labor Occupational Safety and Health annual assessments and certifications for hazardous duty conditions were not properly recertified. Moving forward I will refer to the Guam Occupational Safety and Health as GOSH for the rest of my testimony.

Hazardous pay differential ceased, but officers performing hazardous duty work did not. Because of our mandates at the border, Customs officers continued to perform hazardous duty at our borders minus the compensation. The budget supports the ability to compensate officers but our financial controls do not. I think we can overcome this situation through legislation. Yet another problem is that only CERTAIN positions were originally assessed by our GOSH partners.

Therein lies the paradox of the hazards our Customs border security heroes face on a daily basis and the segregated few of the agency identified by GOSH as certified to receive hazardous pay differential. Through passage of this bill into law, the vexing inconsistencies within the agency concerning hazardous pay differential will be resolved.

As instructed by the Acting Director of the Guam Customs agency, I would like to present a letter introducing our Table of Organization to the Honorable Chairman and his distinguished Committee.

Those of this committee and our public who are most familiar with Guam Customs would be surprised by the uncommon use of a Table of Organization by the Guam Customs Agency. However, unlike our Guam Police Department colleagues, our Table of Organization is simply that: A TABLE OF ORGANIZATION as opposed to the expanded Table of Organization and Equipment TO & E used by our Police Department counterparts. Our intent was to present tools common to Guam Law Enforcement and I Lehislaturan Guahan.

I spoke of a paradox earlier and the opportunity for a solution; in the past only specific customs officers were certified by GOSH, and we know today this process needs to be performed annually, yet many other Customs officers wished for their positions to be annually reviewed and certified to receive just compensation for the hazardous duty they perform. It is no secret that Guam Customs Border operations continue to evolve and expand to meet current day security threats. Our table of organization represents our officers' voices, and we seek the support of this esteemed body to pass this bill and provide resolution.

As the guardian of the purse, I understand I Lehislaturan Guahan's concerns with an across the board hazardous pay differential for all Customs Officers once they

assume duty. I urge this body towards an extension and shift of that paradigm. As a society, we are no longer naïve to the effects of terrorism, transnational crime, and the weaponizing and natural occurrence of contagious diseases leading to pandemics during border security operations. The events of 911 and the ensuing threats to national and local security bolster my plea for the approval of hazardous pay differential for all Customs officers identified in the TOO. I am asking for this committee to transfer responsibility for Hazardous duty compensation of Customs Officers through statute to the Director of Customs through passage of Bill 351-33.

The Director of Customs is responsible for the budget of the Guam Customs Agency and fittingly, the appropriated funding that currently exists to support 2016 hazardous pay differential. I am asking for this body to approve the Director of Guam Customs' ability to retroactively compensate officers for hazardous duty work performed from June 2016 till the passage of Bill 351-33 into law for the hazardous duty they continued to perform to protect our borders and our people.

Till this point my appeal has been to the hearts of this esteemed body but please allow me to come full circle from the perspective of "hearts and minds" in my testimony by appealing now to your minds and expertise in the application of controls.

The TOO lists authorizations for hazardous pay differential for officers performing activities under the following:

a) During the time of detainee, suspect, or arrestee interview or interrogation; processing, detention, control, or transport

This work activity was originally certified by GOSH. So, I will not expand in this area.

b) During the time of active boarding of conveyances when assigned duty as the boarding officer for aircraft or watercraft boarding

The boarding of vessels was originally certified by GOSH. However, aircraft boarding was not. Aircraft boarding presents noise and exhaust fume physiological discomforts at the time the aircraft approaches the air-bridge or jet-way. The aircraft and surface conveyance boarding officer is Guam's true first line of defense. Upon the opening of the aircraft doors, the officer is immediately exposed to potential communicable diseases such as H1N1 (swine flu), H7N1 (influenza Type A), SARS, Tuberculosis, and other contagious diseases, as well as potential for other pandemics. A logical fallacy might be, "aren't the other people who work for the airlines equally exposed." The fallacy in that thought is the contagion or hazard is not neutralized or eliminated by the presence of others. This is part of the reason Guam Customs restricts the number of people that can be in the jet-way or air-bridge during aircraft door opening. The same exposures and boarding restrictions hold true for vessel boarding.

c) During the time of active detector dog handling in cargo, passenger, mail, prison, house raid, or other canine search operations

As a former canine handler and founder of the Guam Customs Detector Dog Unit, I am aware of the hazards of utilizing a live animal to perform searches at the border. Although, these animals and their handlers are highly trained their work is performed in dirty or dusty areas; rough, uneven, and slippery surfaces; in close proximity to extremely loud aircraft engine noise and exhaust fumes; on sea vessels traversing from deck to deck and up and down narrow ladders; areas working the dog at heights above 50 ft. where railings do little to prevent the detector dogs from slipping on water and oil slick decks and falling through wide

guardrail spacing potentially dragging his handler with him; or in warehouse elevated shelvings, etc.

d) When performing site visits to business or suspected criminal violator establishments to detect violations of import/export laws or regulations

Any time off-site border inspections are performed at locations away from secured inspection sites, the risk increases for officers to be overwhelmed and overpowered. Weapons on their person as well as weapons in the possession of criminals or terrorists can be used to disable and injure officers. These circumstances exist as importers or businesses seek methods to reduce their costs by requesting for satellite inspections. The lack of a proper customs inspection facility and the ever-increasing levels of container and merchandise imports at the Commercial Port of Guam contribute to this problem.

e) During the time of performing Biosecurity enforcement activities such as agro-terrorism, importation reconditioning that requires the use of chemicals, fumigations to eradicate pests, or re-inspections due to pest infestations

I think that these condition in and of themselves are self-explanatory. Biosecurity Officers are the Guam Customs agency's primary response team for identification, control, and eradication of biosecurity threats and dangerous and venomous pests at Guam Ports of Entry. As the Biosecurity mission expands and evolves exposure to virulent and pathogenic vectors, biological contaminants, and disease persists. Further information and an extensive explanation of the hazards involving blood borne pathogens can be found at U.S. OSHA's 29 CFR 1910.1030.

f) During the time of performing active Marine Interdiction Operations as a crew member of a Customs or Government official vessel that is underway

This work activity was originally certified by GOSH and as well further ahead in my testimony. I will not expand in this area.

g) During the time of performing inspection activities such as secondary baggage, cargo, mail, aircraft or watercraft vessels, passenger pat downs, strip searches, internal body concealment exam procedures, other enforcement activities targeting border crimes or terrorism

Although this activity as described may appear redundant, these activities exude, extend and encompass combinations of hazards explained in greater detail in other customs work activities.

h) When performing criminal investigations requiring surveillance, arrests, controlled buys, controlled deliveries, house raids, undercover work, evidence gathering, and other criminal investigation activities recognized as hazardous by the Director

This work activity was originally certified by GOSH and as well further ahead in my testimony

i) When performing Container Freight Station or Satellite Hold inspections away from secured Customs facilities

The justifications explained under activity d) apply equally to this activity

j) While officers are utilizing or operating X-ray equipment in mobile X-ray vehicles as well as stationary X-ray machines

Exposure to leaking chemicals, triggering devices that injure or kill by surprise, and dirty bombs are real exposure threats our X-ray teams might experience.

k) When assigned to a Federal, Local Law Enforcement Task Force, or Special Duty Assignments such as to GPD or VIP Security.

Assignments of Customs Officers to Federal or Local Task Forces often times pairs officers with officers from the Guam Police Department who are paid hazardous differential pay for the entire duty day during which time customs officers perform exact duties receive pay only for the periods of actual controlled deliveries and transport and custody of arrestees that was originally approved by GOSH. I am asking for parity so when GPD officer assigned to the Task Forces receive hazardous duty compensation for the full duty period then Guam Customs officers also assigned to the Task Forces receive similar compensation as their GPD counterparts.

From the perspective of VIP security and by summary of 4 GCA subsection 6222 Superior Court of Guam Marshalls are entitled to hazardous duty pay for providing security for a Justice, Judge or Referee so long as such Justice, Judge or Referee and the Administrator of the Courts certify that such duty exposed the employee to potentially dangerous circumstances; this statute provides a platform to request reasonable allowances for the Director of Guam Customs to also approve hazardous pay differential for customs officers performing VIP security or work-related duties involving exigent circumstances resulting in imminent danger of bodily injury to the employee or others; or exposure to potentially dangerous circumstances

l) During the time of performing search and seizure of locations or persons, evidence discovery, handling, and/or processing

This activity exposes officers to dangerous substances, disease, and direct contact with criminals.

As an industry comparison, the U.S. Government Office of Personnel Management presents a valid center of gravity by which to also base my justification for the approval of hazardous pay for the positions identified in Guam Customs' TOO.

Their official website exists at

<https://www.opm.gov/faqs/topic/payleave/?cid=c4c7e7ca-48be-4650-bbc8-6ec08e8fd479>. I provide this for ease of reference and source identification. The specific page I reviewed presented the U.S. Office of Personnel Management's Frequently Asked Questions concerning PAY & LEAVE and specifically, hazardous duty.

The site provides the following information as a reference:

5 CFR Part 550, Subpart I, Appendix A to Subpart I of Part 550 – described as Schedule of Pay Differentials Authorized for Hazardous Duty Under Subpart I

Under the major section entitled:

Exposure to Hazardous Weather or Terrain:

Specifically, in sections;

(1) Work in rough and remote terrain. When working on cliffs, narrow ledges, or near vertical mountainous slopes where a loss of footing would result in serious injury or death, or when working in areas where there is danger of rock falls or avalanches

Our officers assigned to the Marine Interdiction Task Force performs coastal patrols and are specifically exposed to this condition when they are not at sea performing vessel boarding at sea.

Although not identical in language,

(2) Traveling under hazardous conditions. (a) When travel over secondary or unimproved roads to isolated mountain top installations is required at night, or under adverse weather conditions (such as snow, rain, or fog) which limits visibility to less than 30 meters (100 feet), when there is danger of rock, mud, or snow slides

We are all too familiar with typhoon conditions that place our officers under similar circumstances. In past typhoons, our Marine Interdiction Task Force was instructed to perform verifications of major roadway passage to assist our GPD counterparts through the use of agency equipment capable of traversing fallen obstacles, typhoon debris, and flooded areas.

At number 4);

4) Water search and rescue operations. Participating as a member of a water search and rescue team in adverse weather conditions when winds are blowing at 56 km/h (35 m.p.h.) (classified as gale winds) or in water search and rescue operations conducted at night

Our Marine Interdiction Task Force could find themselves operating under similar conditions.

(6) Hazardous boarding or leaving of vessels. When duties (a), (b), or (c) are performed under adverse conditions of foul weather, ice, or night and when the sea state is high (0.9 meter (3 feet) and above)

To summarize a, b, and c, our officers performing vessel clearance and boarding experience these hazards consistently at the Port Authority of Guam. Our vessel boarding activities require officers to move personnel and equipment from dock to vessel and many times over unsecured planks and hopping from one vessel to

another when vessel are aligned side by side against the pier or dock, which is sometimes a moving or floating pier or dock.

In courtesy to others wishing to provide testimony on Bill 351-33; from this point forward, I will simply read the hazardous exposure conditions

Exposure to Hazardous Agents, work with or in close proximity to:

(1) Explosive or incendiary materials. Explosive or incendiary materials which are unstable and highly sensitive

(3) Toxic chemical materials. Toxic chemical materials when there is a possibility of leakage or spillage

(5) Virulent biologicals. Materials of micro-organic nature which when introduced into the body are likely to cause serious disease or fatality and for which protective devices do not afford complete protection

Height Work:

Working on any structure of at least 15 meters (50 feet) above the base level, ground, deck, floor, roof, etc., under open conditions, if the structure is unstable or if scaffolding guards or other suitable protective facilities are not used, or if performed under adverse conditions such as snow, sleet, ice on walking surfaces, darkness, lightning, steady rain, or high wind velocity

This is but a short list of hazardous exposures Customs Officers experience. As I contemplate the duties customs officers perform daily at our borders, the reality that sets in for me is the physical hardship and the real, yet uncertain threat of WMD and Terrorism at the border. When a logical analysis is performed of the mission of the Customs agency, one must seriously consider; if we are charged to

safeguard Guam against such treachery, then to perform our job effectively would cause absolute exposure.

To close, and to provide two industry standards; I present a question asked and answered on the U.S. Office of Personnel Management's web page:

The questions is:

If an employee performs a hazardous duty (as listed in appendix A) for an hour during the work shift, does he or she receive the hazard pay differential for only that hour?

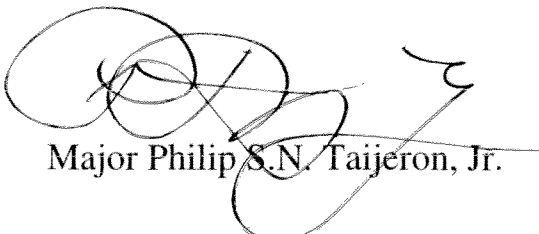
The response provided was:

No. When an employee performs a duty for which a hazard pay differential is authorized, the agency must pay the hazard pay differential for all of the hours in which the employee is in a pay status on the day on which the duty is performed. (5 CFR 550.905)

The other standard is the differential percentage comparison. The Government of Guam's hazardous duty differential is 10% but the U.S. OPM standard for hazardous pay differential is 25%.

Perhaps our Government might consider adopting similar best practices.

I want to thank you for your time and attention. Do you have any questions for me?



Major Philip S.N. Taijeron, Jr.



CUSTOMS & QUARANTINE AGENCY, GUAM

Guam's First Line of Defense | Protecting Our Island, Our People, and Our Resources

Acting Director of Customs – Darlene R. Merfalen
Acting Chief of Customs – Major Vincent SN Perez

Doc. Ref. No.: CQA-DIR-261-16

September 26, 2016

Memorandum

To: Honorable Senator Thomas C. Ada
Chairman, Committee on Transportation, Infrastructure, Lands, Border
Protection, Veterans' Affairs, and Procurement

From: Major Darlene R. Merfalen, Acting Director
Customs and Quarantine Agency (CQA)

Subject: Guam Customs and Quarantine Agency Table of Organization Exhibit

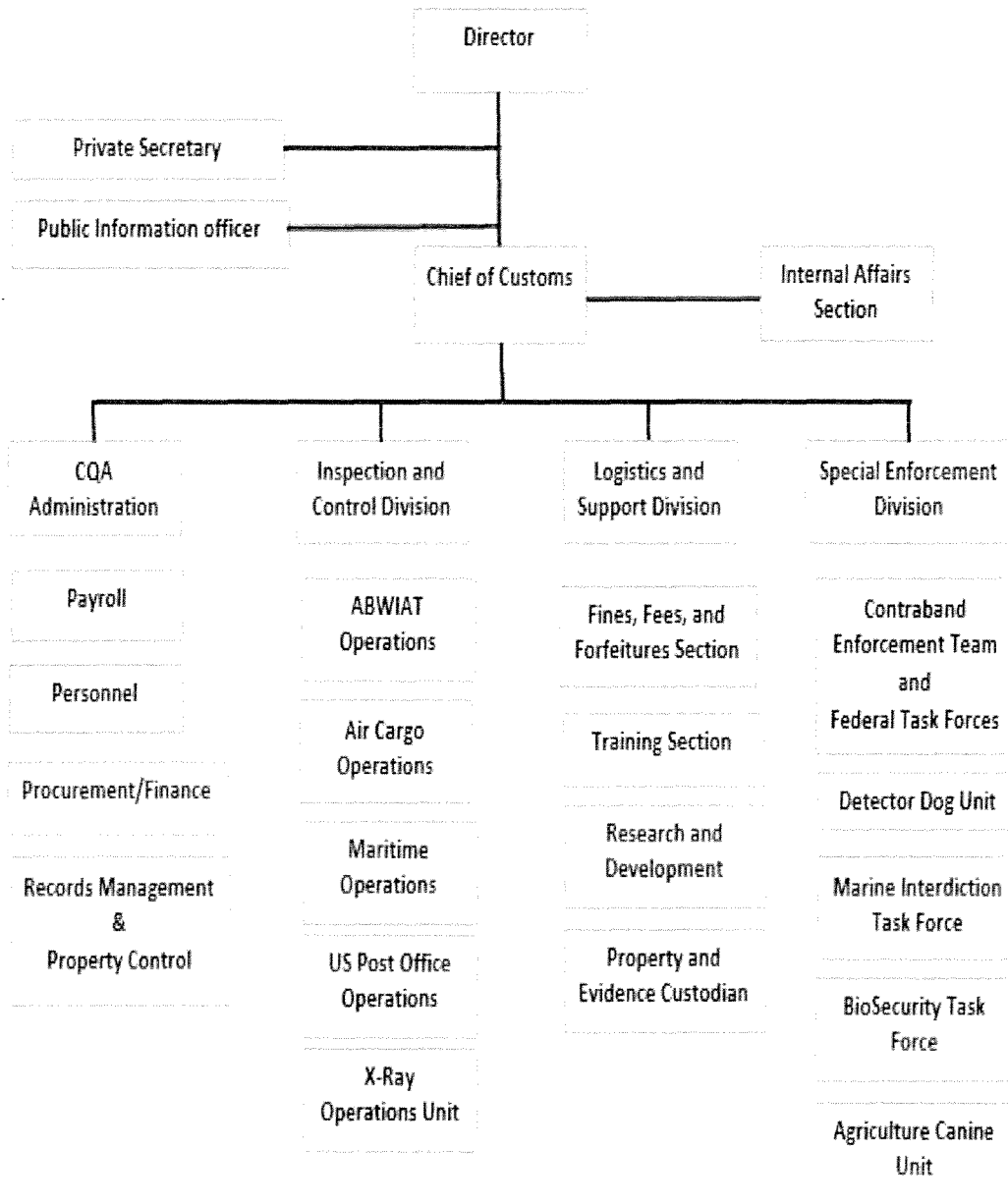
Buenas yan Hafa Adai,

The employees of the Guam Customs and Quarantine agency appreciate the opportunity to participate in the hearing of Bill 351-33 (COR). Please find attached the Table of Organization corresponding to the description of the employee positions within the Customs and Quarantine Agency identified by the Director for entitlement to Hazardous Pay Differential or Hazardous Duty Pay. Please accept the attachment as the Agency's exhibit in support of Bill 351-33 (COR).

Darlene R. Merfalen
MAJOR DARLENE R. MERFALEN
Acting Director, CQA

Cc: CQA Director's Office
CQA Acting Chief
CQA Administrative Services Officer

Guam Customs and Quarantine Agency Table of Organization
1. Table of Organizational Structure



Guam Customs and Quarantine Agency Table of Organization

2. Table of Functions

DIRECTOR'S OFFICE

1. Develop Agency policies, procedures, regulations, staffing, planning, coordinating, work operations, personal records, maintaining liaison with various government and civic organizations and secures and maintains equipment needed to successfully accomplish the mission and objectives of the agency.
2. Monitors and disseminates information to various government and civilian entities regarding changes in regulation requirement, handles and resolves operational needs, staff complaints, and grievances.
3. Plans, collects, evaluates, analyzes, and disseminates operational activities and programs for strategies and tactical purposes, inventories, monitors, and evaluates systems for accountability to enhance physical security controls.

INTERNAL AFFAIRS

1. Investigates complaints against the agency or its employees; processes complaints and provides reasonable notice of answers to complainants
2. Conducts investigations of all persons applying for employment with the agency

ADMINISTRATIVE SUPPORT STAFF

1. Responsible for the fiscal, payroll, personnel, records and supplies within the agency; prepares the agency's annual budget; process requests for recruitment, resignations, increments, promotions, and adverse actions
2. Initiates the processing and issuance of requisitions to procure operational supplies and equipment on a daily basis
3. Accountability for the agency's financial obligations and prepares reports on expenditures charged against the agency

INSPECTION AND CONTROL DIVISION

1. Responsible for the effective implementation of programs, procedures, and policies affecting the inspection and control of merchandise, aircraft, postal articles, and persons entering the island
2. Formulates, implements, and evaluates programs of import and export control and inspection; ensures public and employee compliance with programs affecting operations
3. Determines admissibility of importations, ensures complete, uniform and effective implementation of policies and programs
4. Maintains contacts with business community regarding commodity entry status; ensures overall regulatory compliance by local and trade industries
5. Plans and develops strategies and guidelines for airport and maritime operations to include military arrivals of aircraft and passengers
6. Serves as an advisor to upper management to ensure complete, uniform, and effective implementation of policies relating to inspection and control of passengers

LOGISTICS AND SUPPORT DIVISION

1. Formulates and implements policies and procedures governing program and projects
2. Prepares short and long term plans for divisions and units; plans for and implements training programs to enhance operations and personnel performance
3. Provide internal leadership training for Supervisors to identify chain of command, levels of responsibility, and effective organizational management principles
4. Provide logistical support to the agency for maintaining productivity of personnel and

capital resources

5. Controls evidence and property in the custody of the agency; maintains inventories; monitors and evaluates systems for accountability; enhances physical and facility security controls over confiscated merchandise

6. Responsible for processing fines, penalties, and forfeiture cases for the agency; examining all documents and evidence, preparing all documents interpreting and applying Customs and related laws and regulations, and recommending action for disposition of cases

SPECIAL ENFORCEMENT DIVISION

1. Develop policies and procedures to detect violations of customs and other agency laws; identify patterns through the analysis of information to enhance the effectiveness of the narcotics and other contraband intervention programs through Intelligence based targeting

2. Gathers, compiles, and analyzes intelligence information to identify suspect criminal activities, narcotics smuggling, or other contraband concerns; ensures the proper preservation and maintenance of evidence for use in criminal or judicial proceedings

3. Detects and seizes smuggled illicit narcotic substances through the use of specially trained detection tools; provides assistance to other law enforcement agencies in the detection of concealed illicit narcotic substances; performs public outreach at schools and community gatherings emphasizing the effectiveness of canines in detection work; provides assistance to local and federal law enforcement agencies utilizing detector dogs

4. Executes the Biosecurity mission at Customs Ports of entry utilizing canines trained to detect agricultural products and through leveraging the specialized training of Biosecurity Task Force Officers; incorporates active monitoring of developments in Agro-terrorism to alert local and federal law enforcement and develop or initiate appropriate protocol to address threats

5. Monitors and patrols the island waterways for the purpose of interdiction of smuggled merchandise or people through Guam's waterways and non-designated ports of entry; protects marine wildlife resources identified under international and local endangered species listing; detects violations of Guam Customs laws related to unreported entry of vessels and persons entering Guam; enforces federal and local exclusive economic zone limits

6. Provides direct support to Federal Law Enforcement Agencies by embedding experienced and specially trained Customs officers to assist with the federal enforcement mission

7. Execute intelligence functions to gather, analyze, corroborate, and disseminate information relative to the enforcement of custom import and export laws as well as providing a formidable barrier at Guam's Ports of Entry as the first line of defense against Terrorism and other transnational crime

Guam Customs and Quarantine Agency Table of Organization

3. Table of Hazardous Duty Pay Authorization

All positions identified in this table are authorized Hazardous Duty Pay when personnel are exposed to hazardous duty conditions described herein.

General Exception: *During emergency situations that require the specific presence of an employee of the Customs and Quarantine Agency in duty conditions that warrant hazardous duty pay as recognized by Federal and/or Local Department of Labor Occupational Safety and Health Administration or as authorized by the Governor of Guam through Executive Order. General Exception pay conditions must be approved by the Director.*

Personnel performing the following Guam Customs hazardous duty activities are authorized hazardous duty pay:

a) During the time of detainee, suspect, or arrestee interview or interrogation; processing, detention, control, or transport	b) During the time of active boarding of conveyances when assigned duty as the boarding officer for aircraft or watercraft boarding	c) During the time of active detector dog handling in cargo, passenger, mail, prison, house raid, or other canine search operations	d) When performing site visits to business or suspected criminal violator establishments to detect violations of import/export laws or regulations
e) During the time of performing Biosecurity enforcement activities such as agro-terrorism, importation reconditioning that requires the use of chemicals, fumigations to eradicate pests, re-inspections due to pest infestations	f) During the time of performing active Marine Interdiction Operations as a crew member of a Customs or Government official vessel that is underway	g) During the time of performing inspection activities such as secondary baggage, cargo, mail, aircraft or watercraft vessels, passenger pat downs, strip searches, internal body concealment exam procedures, other enforcement activities targeting border crimes or terrorism	h) When performing criminal investigations requiring surveillance, arrests, controlled buys, controlled deliveries, house raids, undercover work, evidence gathering, and other criminal investigation activities recognized as hazardous by the Director
i) When performing Container Freight Station or Satellite Hold inspections away from secured Customs facilities	j) While officers are utilizing or operating X-ray equipment in mobile X-ray vehicles as well as stationary X-ray machines	k) When assigned to a Federal, Local Law Enforcement Task Force, or Special Duty Assignments such as to GPD or VIP Security	l) During the time of performing search and seizure of locations or persons, evidence discovery, handling, and/or processing

Position	Rank	Hazardous Duty Pay Authorization	Organization Component Type
Director	Governor's Appointee	None. **See General Exception	Command and Control Element
Chief of Customs	CHIEF	None. **See General Exception	Command and Control Element
Assistant Chief of Customs	MAJOR	Limited to duty conditions during which the Assistant Chief is physically on scene supervising or participating in Guam Customs hazardous duty enforcement activities	Division Management Element
Customs Officer Supervisor	LIEUTENANT	Limited to duty conditions during which the Supervisor is physically on scene supervising or participating in Guam Customs hazardous duty enforcement activities	Section Supervisor
Customs Officer III	CQIII	While participating in Guam Customs hazardous duty enforcement activities	Rank and File
Customs Officer II	CQII	While participating in Guam Customs hazardous duty enforcement activities	Rank and File
Customs Officer I	CQI	While participating in Guam Customs hazardous duty enforcement activities	Rank and File
Administrative Service Officer	Civilian	None	Division Management Element
Word Processing Secretary	Civilian	None	Rank and File
Clerk	Civilian	While participating in Guam Customs hazardous duty enforcement activities	Rank and File
Store Keeper 1 and 2	Civilian	While participating in Guam Customs hazardous duty enforcement activities	Rank and File
Administrative Assistant	Civilian	While participating in Guam Customs hazardous duty enforcement activities	Rank and File
Administrative Aide	Civilian	While participating in Guam Customs hazardous duty enforcement activities	Rank and File
Messenger Clerk	Civilian	While participating in Guam Customs hazardous duty enforcement activities	Rank and File



COMMITTEE ON RULES

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

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

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Senator

Rory J. Respicio

CHAIRPERSON

MAJORITY LEADER

Senator

Thomas C. Ada

VICE CHAIRPERSON

ASSISTANT MAJORITY LEADER

Speaker

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

Member

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Legislative Secretary

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Member

Senator

Michael F.Q. San Nicolas

Member

Senator

Nerissa Bretania Underwood

Member

V. Anthony Ada

MINORITY LEADER

Mary C. Torres

MINORITY MEMBER

July 11, 2016

VIA E-MAIL

joey.calvo@bbmr.guam.gov

Jose S. Calvo

Director

Bureau of Budget & Management Research

P.O. Box 2950

Hagåtña, Guam 96910

RE: Request for Fiscal Notes – Bill Nos. 349-33(COR) through 351-33(COR)

Hafa Adai Mr. Calvo:

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

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

Very Truly Yours,

Senator Rory J. Respicio

Chairperson of the Committee on Rules

Attachments (1)

Cc: Clerk of the Legislature

Bill Nos.	Sponsor	Title
<p>349-33 (COR)</p>	<p>V. Anthony Ada</p>	<p>AN ACT TO REZONE LOT NO. 1-R1NEW-2, BLOCK NO. 2, TRACT 1442, IN THE MUNICIPALITY OF BARRIGADA, (ESTATE NO. 64254 UNDER BASIC LOT NO. 1-1, BLOCK NO. 2, TRACT 1442) SUBURBAN FROM RESIDENTIAL (R1) ZONE (A) TO COMMERCIAL ZONE (C) CONSISTENT WITH THE ZONING OF THE NEIGHBORING LOTS.</p>
<p>350-33 (COR)</p>	<p>R.J. Respicio</p>	<p>AN ACT TO AMEND (c) of § 90.90, ARTICLE 4, CHAPTER 90, TITLE 9 OF THE GUAM CODE ANNOTATED RELATIVE TO INMATE COMPENSATION FOR PRISON INDUSTRIES.</p>
<p>351-33 (COR)</p>	<p>FRANK B. AGUON, JR. R. J. Respicio</p>	<p>AN ACT TO ADD A NEW § 6225.2 TO ARTICLE 2 OF CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO PROVIDING FOR A HAZARDOUS PAY DIFFERENTIAL FOR CUSTOMS OFFICERS WITHIN THE GUAM CUSTOMS AND QUARANTINE AGENCY.</p>



COMMITTEE ON RULES

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Senator
Nerissa Bretania Underwood
Member

V. Anthony Ada
MINORITY LEADER

Mary C. Torres
MINORITY MEMBER

Certification of Waiver of Fiscal Note Requirement

This is to certify that the Committee on Rules submitted to the Bureau of Budget and Management Research (BBMR) a request for a fiscal note, or applicable waiver, on **Bill No. 351-33 (COR) - "AN ACT TO ADD A NEW § 6225.2 TO ARTICLE 2 OF CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO PROVIDING FOR A HAZARDOUS PAY DIFFERENTIAL FOR CUSTOMS OFFICERS WITHIN THE GUAM CUSTOMS AND QUARANTINE AGENCY.,"** by FRANK B. AGUON, JR., Rory J. Respicio on July 11, 2016. COR hereby certifies that BBMR confirmed receipt of this request July 12, 2016 at 8:22 A.M.

COR further certifies that a response to this request was not received. **Therefore, pursuant to 2 GCA §9105, the requirement for a fiscal note, or waiver thereof, on Bill 351-33(COR) to be included in the committee report on said bill, is hereby waived.**

Certified by:

Senator Rory J. Respicio
Chairperson of the Committee on Rules

November 21, 2016

Date



COMMITTEE ON RULES

I Mina'trentai Tres na Liheslaturan Guåhan • The 33rd Guam Legislature
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Mary C. Torres
MINORITY MEMBER

July 11, 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: **Referral of Bill No. 351-33(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 351-33(COR)**.

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

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

Si Yu'os Ma'åse!

Attachment

I Mina'Trentai Tres Na Liheslaturan Received
 Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
351-33 (COR)	FRANK B. AGUON, JR. R. J. Respicio	AN ACT TO ADD A NEW § 6225.2 TO ARTICLE 2 OF CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO PROVIDING FOR A HAZARDOUS PAY DIFFERENTIAL FOR CUSTOMS OFFICERS WITHIN THE GUAM CUSTOMS AND QUARANTINE AGENCY.	7/11/16 2:48 p.m.	07/11/16	Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement			



Senator Tom Ada

Richard Salas <rsalas@senatorada.org>

1st Notice of Public Hearing

1 message

Blaine Dydasco <bdydasco@senatorada.org>

Tue, Sep 20, 2016 at 9:22 AM

To: phmaterials@guamlegislature.org, phnotice@guamlegislature.org, Media <media@senatorada.org>, Committee members <committee@senatorada.org>, jbenavente@gpagwa.com, mcamacho@gpagwa.com, Antonio S Gumataotao <agumataotao@gpagwa.com>, gbotha@gpagwa.com, jpangelinan@gpagwa.com, glenn.leonguerrero@dpw.guam.gov, eleanor.borja@dpw.guam.gov, felix.benavente@dpw.guam.gov, arleen.pierce@dpw.guam.gov, maria.flores@revtax.guam.gov, john.camacho@revtax.guam.gov, James McDonald <james.mcdonald@cqa.guam.gov>, raffaele.sgambelluri <raffaele.sgambelluri@cqa.guam.gov>, Briana Roberto <briana.roberto@cqa.guam.gov>, darlene.merfalen@cqa.guam.gov, paul.toves@cqa.guam.gov, philip.tajeron@cqa.guam.gov, vincent.perez <vincent.perez@cqa.guam.gov>, James Diaz <james.diaz@cqa.guam.gov>, chief@gpd.guam.gov, jmcdonald@guamsupremecourt.com, gca@teleguam.net, Brent Wiese <wiese@guambcc.org>, eduardo.ordonez@clb.guam.gov, resiah.malaga@clb.guam.gov, reilly.ridgell@gmail.com, jeffcharjohnson@hotmail.com, horeckylaw@teleguam.net, horecky@ite.net, Lou Sablan <lsablan@gpagwa.com>, jtduenas@hotmail.com, info@guamchamber.com.gu, ccastro@guamchamber.com.gu, rdelgado@guamchamber.com.gu, lorilee.crisostomo@energy.guam.gov, lucybk@teleguam.net, info@guamrenewable.org, t.hagen@guampestcontrol.com

September 20, 2016

MEMORANDUM

To: All Senators, Media, and Stakeholders

Fr: Senator Thomas C. Ada, *Chairperson*

Subject: **1st Notice of Public Hearing: Tuesday, September 27, 2016 at 1:00 p.m.**

Please be advised that the Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affair, and Procurement will be conducting a public hearing on **Tuesday, September 27, 2016 at 1:00 p.m.** This meeting will take place in the public hearing room of / *Liheslaturan Guahan*. The agenda is as follows:

1:00 PM

Bill No. 342-33 (COR) – J.V. Espaldon/ F.F. Blas, Jr. /F.B. Aguon, Jr.

An act to establish an automated traffic safety enforcement program on designated Guam highways.

Bill No. 351-33 (COR) – F.B. Aguon, Jr. / R. J. Respicio

An act to add a new § 6225.2 to Article 2 of Chapter 6, Title 4, Guam Code Annotated, relative to providing for a hazardous pay differential for Customs Officers within the Guam Customs and Quarantine Agency.

Bill No. 364-33 (COR) – F.B. Aguon, Jr.

An act to amend § 3602, of Article 6, Chapter 3, Title 16, Guam Code Annotated, relative to recalculation of the official vehicle inspection safety fees (OVIS FEES) for the acquisition and repair of the Guam Police Department Patrol Vehicles.

Bill No. 355-33 (COR) – F.B. Aguon, Jr.

An act to add a new article 9 to Chapter 32 of Title 5, Guam Code Annotated, relative to the creation of a "bill of rights" for renewable energy consumers.


Bill No. 363-33 (COR) – D. G. Rodriguez, Jr. / J. T. Won Pat, Ed.D. / R. J. Respicio / T.A. Morrison / N. B. Underwood, Ph.D. / T. R. Muña Barnes / B. McCreadie

An act to amend § 8311, and to add a new § 8302.1, § 8311.1, § 8311.2, and § 8311.3, all of Article 3 Cha. 8, Div. 1, Title 12, GCA 4; to amend § 8502, and to add a new § 8507, § 8507.1, § 8508, § 8509, § 8510, § 8511, § 8512, § 8513, § 8514, § 8515, § 8516, § 8517, § 8518, § 8519, and § 8520, all of Article 5 of Cha. 8, Div. 1, Title 12, GCA, relative to requiring the electric utility to develop and file a proposed community-based renewable energy tariff for virtual net metering subject to public utilities commission approval, and for related purposes; to be known and cited as the "Community Equal Access to Affordable Renewable Energy Act of 2016."

Testimony on **Bill No. 342-33 (COR)**, **Bill No. 351-33 (COR)**, **Bill No. 3564-33 (COR)**, **Bill No. 355-33 (COR)**, and **Bill No. 363-33 (COR)** should be addressed to Senator Thomas C. Ada, Chairperson, and will be accepted via hand delivery to our office, our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96932, via email to office@senatorada.org, or via facsimile to (671) 473-3303 until **4:00pm, Tuesday, October 4, 2016**. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Tom Ada at 473-3301.

--

Blaine Dydasco
Policy Analyst
Office of Senator Tom C. Ada
I Mina' Trentai Tres Na Liheslaturan Guahan-33rd Legislature
Office (671) 473-3301

 **1st Notice.pdf**
462K




Sen. Thomas Ada
Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement
I Mina Trentai Tres Na Liheslaturan Guåban • 33rd Guam Legislature

September 20, 2016

MEMORANDUM

To: All Senators, Media, and Stakeholders
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Bill No. 363-33 (COR) – D. G. Rodriguez, Jr. / J. T. Won Pat, Ed.D. / R. J. Respicio / T.A. Morrison / N. B. Underwood, Ph.D. / T. R. Muña Barnes / B. McCreadie

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Testimony on **Bill No. 342-33 (COR)**, **Bill No. 351-33 (COR)**, **Bill No. 364-33 (COR)**, **Bill No. 355-33 (COR)**, and **Bill No. 363-33 (COR)** should be addressed to Senator Thomas C. Ada, Chairperson, and will be accepted via hand delivery to our office, our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96932, via email to office@senatorada.org, or via facsimile to (671) 473-3303 until **4:00pm, Tuesday, October 4, 2016**. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Tom Ada at 473-3301.



by 159 13
Senator Tom Ada

Richard Salas <rsalas@senatorada.org>

2nd Notice of Public Hearing: Tuesday, September 27, 2016 at 1:00 p.m.

1 message

Richard Salas <rsalas@senatorada.org>

Fri, Sep 23, 2016 at 8:04 AM

To: phnotice@guamlegislature.org, Media <media@senatorada.org>, jbenavente@gpagwa.com, mcamacho@gpagwa.com, Antonio S Gumataotao <agumataotao@gpagwa.com>, gbotha@gpagwa.com, jpangelinan@gpagwa.com, glenn.leonguerrero@dpw.guam.gov, eleanor.borja@dpw.guam.gov, felix.benavente@dpw.guam.gov, arleen.pierce@dpw.guam.gov, maria.flores@revtax.guam.gov, john.camacho@revtax.guam.gov, James McDonald <james.mcdonald@cqa.guam.gov>, raffaele sgambelluri <raffaele.sgambelluri@cqa.guam.gov>, Briana Roberto <briana.roberto@cqa.guam.gov>, darlene.merfalen@cqa.guam.gov, paul.toves@cqa.guam.gov, philip.taijeron@cqa.guam.gov, vincent perez <vincent.perez@cqa.guam.gov>, James Diaz <james.diaz@cqa.guam.gov>, chief@gpd.guam.gov, jmcDonald@guamsupremecourt.com, gca@teleguam.net, Brent Wiese <wiese@guambcc.org>, eduardo.ordonez@clb.guam.gov, resiah.malaga@clb.guam.gov, reilly.ridgell@gmail.com, jeffcharjohnson@hotmail.com, horeckylaw@teleguam.net, horecky@ite.net, Lou Sablan <lsablan@gpagwa.com>, jtduenas@hotmail.com, info@guamchamber.com.gu, ccastro@guamchamber.com.gu, rdelgado@guamchamber.com.gu, lorilee.crisostomo@energy.guam.gov, lucybk@teleguam.net, info@guamrenewable.org, t.hagen@guampestcontrol.com

September 23, 2016

MEMORANDUM

To: All Senators, Media, and Stakeholders

Fr: Senator Thomas C. Ada, *Chairperson*

Subject: **2nd Notice of Public Hearing: Tuesday, September 27, 2016 at 1:00 p.m.**

Please be advised that the Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affair, and Procurement will be conducting a public hearing on **Tuesday, September 27, 2016 at 1:00 p.m.** This meeting will take place in the public hearing room of / *Liheslaturan Guahan*. The agenda is as follows:

1:00 PM

BillNo. 342-33 (COR) – J.V. Espaldon/ F.F. Blas, Jr. / F.B. Aguon, Jr.

An act to establish an automated traffic safety enforcement program on designated Guam highways.

Bill No. 351-33 (COR) – F.B. Aguon, Jr. / R. J. Respicio

An act to add a new § 6225.2 to Article 2 of Chapter 6, Title 4, Guam Code Annotated, relative to providing for a hazardous pay differential for Customs Officers within the Guam Customs and Quarantine Agency.

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~~An act to amend § 3602, of Article 6, Chapter 3, Title 16, Guam Code Annotated, relative to recalculation of the official vehicle inspection safety fees (OVIS FEES) for the acquisition and repair of the Guam Police Department Patrol Vehicles.~~

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An act to add a new article 9 to Chapter 32 of Title 5, Guam Code Annotated, relative to the creation of a "bill of rights" for renewable energy consumers.

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An act to amend § 8311, and to add a new § 8302.1, § 8311.1, § 8311.2, and § 8311.3, all of Article 3 Cha. 8, Div. 1, Title 12, GCA 4; to amend § 8502, and to add a new § 8507, § 8507.1, § 8508, § 8509, § 8510, § 8511, § 8512, § 8513, § 8514, § 8515, § 8516, § 8517, § 8518, § 8519, and § 8520, all of Article 5 of Cha. 8, Div. 1, Title 12, GCA, relative to requiring the electric utility to develop and file a proposed community-based renewable energy tariff for virtual net metering subject to public utilities commission approval, and for related purposes; to be known and cited as the "Community Equal Access to Affordable Renewable Energy Act of 2016."

Testimony on **Bill No. 342-33 (COR)**, **Bill No. 351-33 (COR)**, ~~**Bill No. 364-33 (COR)**~~, **Bill No. 355-33 (COR)**, and **Bill No. 363-33 (COR)** should be addressed to Senator Thomas C. Ada, Chairperson, and will be accepted via hand delivery to our office, our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96932, via email to office@senatorada.org, or via facsimile to (671) 473-3303 until **4:00pm, Tuesday, October 4, 2016**. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Tom Ada at 473-3301.

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Thank You,
Richard Salas
Staff Analyst
Office of Senator Thomas C. Ada

I Mina'trentai Tres na Liheslaturan Guåhan - 33rd Guam Legislature
Office (671) 473-3301

 **2nd_notice.pdf**
468K




Sen. Thomas Ada
Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement
I Mina Trentai Tres Na Liheslaturan Guahan • 33rd Guam Legislature

September 23, 2016

MEMORANDUM

To: All Senators, Media, and Stakeholders
Fr: Senator Thomas C. Ada, *Chairperson* 
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Sen. Thomas Ada

Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement
I Mina Trentai Tres Na Liheslaturan Guåhan • 33rd Guam Legislature

AGENDA

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Sen. Thomas Ada
Committee on Transportation,
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Sen. Thomas Ada
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Infrastructure and Boarder Protection

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