



# Senator Michael F.Q. San Nicolas

Chairman - Committee on Finance & Taxation,  
General Government Operations, and Youth Development  
*I Mina'trentai Tres Na Liheslaturan Guåhan* | 33<sup>rd</sup> Guam Legislature



**MAR 17 2015**

The Honorable Judith T. Won Pat, Ed.D.  
Speaker  
*I Mina'trentai Tres na Liheslaturan Guåhan*  
155 Hesler Place  
Hagåtña, Guam 96910

VIA: The Honorable Rory J. Respicio  
Chairman  
Committee on Rules, Federal, Foreign & Micronesia Affairs,  
Human & Natural Resources, Election Reform, and Capitol District

**RE: Committee Report on Bill No. 7-33 (COR), As Amended by the Committee**

Dear Speaker Won Pat,

*Håfa adai!* Transmitted herewith is the Committee Report on Bill No. 7-33 (COR), As Amended by the Committee – “AN ACT TO PROVIDE FOR A HAZARDOUS PAY DIFFERENTIAL FOR EMPLOYEES OF THE GUAM BEHAVIORAL HEALTH AND WELLNESS CENTER IN UNSAFE OR DANGEROUS HAZARDOUS DUTY WORKING CONDITIONS, BY ADDING A NEW §86442 §6225.1 TO ARTICLE 2 OF CHAPTER 86, TITLE 64, GUAM CODE ANNOTATED.”

Committee votes are as follows:

- 2 TO DO PASS
- \_\_\_\_\_ TO NOT PASS
- 6 TO REPORT OUT ONLY
- \_\_\_\_\_ TO ABSTAIN
- \_\_\_\_\_ TO PLACE IN INACTIVE FILE

Respectfully,

MICHAEL F.Q. SAN NICOLAS

2015 MAR 17 PM 4:40

I Mina' trentai Tres Na Liheslaturan Guåhan  
Committee Report Checklist (Bill, Res)

Updated: January 2015

Bill/Res No. 7 -33 (LS/COR)  
Sponsor: D G Rodriguez  
Committee Chair: MFA San Nicolas  
Short Title: Hazardous Pay for GBHC

Committee Report Components		<input checked="" type="checkbox"/>
1	Front Page Transmittal to Speaker	/
	COR Chair Signature Line	/
2	Cmte Report Title Page	/
3	Cmte Chair Memo to Cmte Members	/
4	Cmte Vote Sheet	/
5	Cmte Report Digest	/
6	Copy of the Bill/Res	/
	Sub-Version?	/
	E-mailed to COR?	/
7	Public Hearing Sign-In Sheet	/
8	Written Testimony(ies) & Add'l Docs	/
9	Fiscal Note/Waiver	/
10	COR Referral of the Bill/Res	/
11	Notice of PH & Other Correspondence	
	Date of PH	3/12/15
	Date 5 Working Days Prior	3/5/15
	All Sens	3/5/15
	All Media	3/5/15
	Date 48-Hours Prior	3/10/15
	All Sens	3/9/15
	All Media	3/9/15
12	Public Hearing Agenda	/
13	Related News Reports	
14	Miscellaneous	
	Originals	
	Single-Sided	
	Letter Size	
	No Staples/Paper Clips	

COMMITTEE ON RULES	
Name	<u>[Signature]</u>
Date/Time	<u>MAR 17 2015</u>
	<u>From</u>

Committee Contact	
Name:	<u>J. Alerta</u>
Signature:	<u>[Signature]</u>
Date:	<u>3/17/15</u>

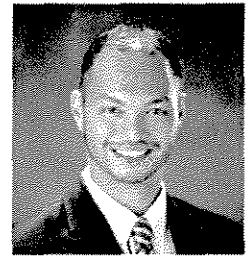
COR USE ONLY	
Reviewed by:	
Date:	
Notes:	



## Senator Michael F.Q. San Nicolas

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General Government Operations, and Youth Development  
*I Mina'trentai Tres Na Liheslaturan Guåhan* | 33<sup>rd</sup> Guam Legislature

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## COMMITTEE REPORT

### **Bill No. 7-33 (COR)**

**As Amended by the Committee**

**Introduced by Dennis G. Rodriguez, Jr.**

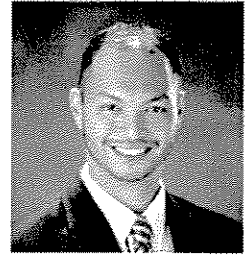
**“AN ACT TO PROVIDE FOR A HAZARDOUS  
PAY DIFFERENTIAL FOR EMPLOYEES OF  
THE GUAM BEHAVIORAL HEALTH AND  
WELLNESS CENTER IN UNSAFE OR  
DANGEROUS HAZARDOUS DUTY WORKING  
CONDITIONS, BY ADDING A NEW ~~§86112~~  
§6225.1 TO ARTICLE 2 OF CHAPTER 86, TITLE  
64, GUAM CODE ANNOTATED.”**



# Senator Michael F.Q. San Nicolas

Chairman - Committee on Finance & Taxation,  
General Government Operations, and Youth Development  
*I Mina'trentai Tres Na Liheslaturan Guåhan* | 33<sup>rd</sup> Guam Legislature

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MAR 17 2015

## MEMORANDUM

**TO:** All Members  
Committee on Finance & Taxation, General  
Government Operations, and Youth Development

**RE:** **Committee Report on Bill No. 7-33 (COR), as Amended by the Committee**

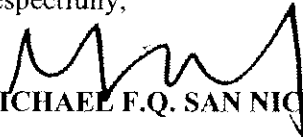
*Håfa adai!* Transmitted herewith is the Committee Report on Bill No. 7-33 (COR), As Amended by the Committee – “AN ACT TO PROVIDE FOR A HAZARDOUS PAY DIFFERENTIAL FOR EMPLOYEES OF THE GUAM BEHAVIORAL HEALTH AND WELLNESS CENTER IN UNSAFE OR DANGEROUS HAZARDOUS DUTY WORKING CONDITIONS, BY ADDING A NEW ~~§8642~~ §6225.1 TO ARTICLE 2 OF CHAPTER 86, TITLE 64, GUAM CODE ANNOTATED.”

This report includes the following:

- Vote Sheet
- Report Digest
- Copy of Bill No. 7-33 (COR), as Introduced
- Copy of Bill No. 7-33 (COR), as Amended
- Public Hearing Sign-in Sheet
- Written Testimonies
- Fiscal Note
- Copy of COR Referral of Bill No. 7-33 (COR)
- Notices of Public Hearing
- Copy of the 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 my office.

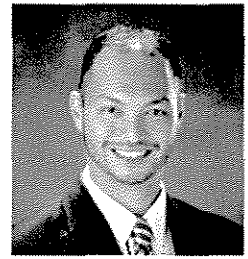
Respectfully,

  
MICHAEL F.Q. SAN NICOLAS



# Senator Michael F.Q. San Nicolas

Chairman - Committee on Finance & Taxation,  
 General Government Operations, and Youth Development  
 | *Mina'trentai Tres Na Liheslaturan Guåhan* | 33<sup>rd</sup> Guam Legislature



## COMMITTEE VOTE SHEET

**Bill No. 7-33 (COR), as amended by the Committee – “AN ACT TO PROVIDE FOR A HAZARDOUS PAY DIFFERENTIAL FOR EMPLOYEES OF THE GUAM BEHAVIORAL HEALTH AND WELLNESS CENTER IN UNSAFE OR DANGEROUS HAZARDOUS DUTY WORKING CONDITIONS, BY ADDING A NEW §86112 §6225.1 TO ARTICLE 2 OF CHAPTER 86, TITLE 64, GUAM CODE ANNOTATED.”**

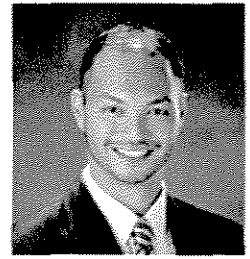
	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Senator Michael F.Q. San Nicolas Chairman	<i>M.F.Q. San Nicolas</i> 3/17/15	✓				
Senator Mary C. Torres Vice Chairman	<i>M. Torres</i>			3/17/15		
Speaker Judith T. Won Pat, Ed.D. Member						
Vice Speaker Benjamin J.F. Cruz Member	<i>B. Cruz</i>			3/17/15		
Senator Tina R. Muña Barnes Member						
Senator Rory J. Respicio Member						
Senator Thomas C. Ada Member	<i>T. Ada</i>			✓		
Senator Dennis G. Rodriguez, Jr. Member	<i>D. Rodriguez</i> 3/17/15					
Senator Frank B. Aguon, Jr. Member	<i>F. Aguon</i> 3/17/15			✓		
Senator Nerissa B. Underwood, Ph.D. Member	<i>N. Underwood</i> 3/17/15			3/17/15		
Senator James V. Espaldon Member	<i>J. Espaldon</i>			✓		



# Senator Michael F.Q. San Nicolas

Chairman - Committee on Finance & Taxation,  
General Government Operations, and Youth Development  
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## COMMITTEE REPORT DIGEST

### **I. OVERVIEW**

Bill No. 7-33 (COR) was introduced on January 5, 2015, by Senator Dennis G. Rodriguez, Jr. The bill was subsequently referred by the Committee on Rules to the Committee on Finance & Taxation, General Government Operations, and Youth Development on January 6, 2015.

The Committee on Finance & Taxation, General Government Operations, and Youth Development held a public hearing on March 12, 2015, in *I Liheslatura's* Public Hearing Room. Among the items on the hearing agenda was Bill No. 7-33 (COR). The hearing convened at 10:01 a.m. and was recessed at 11:57 a.m. The hearing reconvened at 2:03 p.m. and was adjourned at 5:35 p.m.

### **Public Notice Requirements**

Public Hearing notices were disseminated via electronic mail to all senators and all main media broadcasting outlets on March 5, 2015, and again on March 9, 2015. Notice was also posted on *I Liheslatura's* website beginning on March 5, 2015.

### **Senators Present**

Senator Michael F.Q. San Nicolas, Committee Chairman  
Senator Mary C. Torres, Committee Vice Chairwoman  
Senator Thomas C. Ada, Committee Member  
Vice Speaker Benjamin J.F. Cruz, Committee Member  
Senator Dennis G. Rodriguez, Jr., Committee Member  
Senator Frank B. Aguon, Jr., Committee Member  
Senator Nerissa B. Underwood, Ph.D., Committee Member  
Senator James V. Espaldon, Committee Member  
Senator V. Anthony Ada  
Senator Tommy A. Morrison  
Senator Frank F. Blas, Jr.

### **Oral Testimony**

Rey Vega, Director, Guam Behavioral Health and Wellness Center  
Jayne Petree, Guam Behavioral Health and Wellness Center  
Miriam Carino, Guam Behavioral Health and Wellness Center  
Rosemin Sogoan, Guam Behavioral Health and Wellness Center

### **Written Testimony**

Rey Vega, Director, Guam Behavioral Health and Wellness Center  
Amy Sue Borja Santos, National Association of Social Workers Guam Chapter

## II. TESTIMONY & DISCUSSION

**Chairman Michael San Nicolas:** We'll get right into Bill No. 7-33, introduced by Senator Rodriguez. At this time, I will yield the floor to the sponsor of the legislation for his opening statement.

**Sen. Dennis Rodriguez, Jr.**

This bill really is to get the Guam Behavioral Health and Wellness Center and the Department of Administration together to put guidelines to reinstate the hazard pay differential pay for the employees of the department. Precedent has been set from 2000 and 2012 for those who were receiving this hazardous pay. There was some sort of interpretation that was handed down, I believe from the Civil Service Commission, and then it was administratively decided that this hazardous pay would now be withheld, and so, this legislation moves this issue forward. I think also, if I can add, that the former Director of DOA had, for me at least, had explained it well that during the Hay Group being here and with us adjusting the competitive implementation of the Competitive Wage Act, it was up to the departments to provide the descriptions and what needs to be done with their employees. Obviously we are seeing that things weren't the way it should be done, this is one example of that, where the hazard pay was not included in the adjustments of the salaries for our employees. And so, what this measure does is simply gets both, mandates both departments together to put together a plan that would identify the positions that are truly in hazardous situations, and from there move forward in ensuring that they're compensation includes this hazardous pay. Thank you very much, Mr. Chair.

**Chairman San Nicolas:** Thank you all very much for joining us. Mr. Director I think you should let the ladies go first.

**Rey Vega:** I wanted to request that they speak first because they're actually impacted on this.

**Chairman San Nicolas:** There we go we're on the same page. Thank you Mr. Director. So I guess we'll go ahead and start on the far left. Ma'am go ahead and state your name for the record and you may begin at any time.

**Jayne Petree:** Good afternoon senators, my name is Jane Petry. I'm working as a psychiatry technician in the department for 20 years. I was assaulted one time, when I responded. Ms. Miriam during our daily rounds after the morning shift. We do rounds every day. So I saw Ms. Miram was assaulted by one of our consumers and I responded to it. What happened is instead of assaulting her, she turned around pull my hands and twisted it and then I ended up in GMH. After two years I thought this was over but after that incident I had that pain in my neck and then I went to Naval hospital and they did X-Ray they did CT Scan and they found out that my clavicle is also effected and was dislocated also. They told me to operate but they couldn't do it here but they asked me if I wanted go off island to do it but they said depends on you because the side effect is really bad because they might touch the sensitive nerve in my neck and it might end up I cannot talk anymore so I told them it's okay because the pain is bearable and then gave me Motrin in case I have a bad pain I can take that 800ml of Motrin, Thank you senator, that's it.

**Chairman San Nicolas:** Thank you so much Jane for sharing with us your experience. Ma'am if you can just state your name for the record please.

**Miriam Carino:** Good afternoon senators. Hafa adai my name is Miriam Carino, License Practical Nurse 1 at the Guam Behavioral Health and Wellness center. I had been working at the department for almost 26 years and have been encountered by various clients. Some which are physically aggressive and assaultive. I was assaulted multiple times in the past and ended up going to Guam Memorial Hospital Emergency Room (GMH, E.R.) for treatment when a client pulled my hair and beat my left. There were times I was chased and physically hurt by a client while working at medication clinic. My co workers and I are asking to reinstate our hazardous pay because we've been dealing with unpredictable clients and we work every day and uncertain on what happened to us while at work. Please reinstate our 10% hazardous pay and make this as a law, thank you so much.

**Chairman San Nicolas:** Thank you Miriam.

**Rosemin Sogoan:** Good afternoon to everyone. My name is Rosemin Sogoan and I am a registered nurse. I've been working at Guam behavioral health and wellness center since 1984. As a nurse I encountered many patients who were verbally and worse, physically assaulted to myself and to other staff at the adult inpatient unit, children inpatient unit, and medication clinic. My worse experience was working a graveyard shift with 1 female and 1 male psychiatric technician in the adult inpatient unit. A male patient woke up and became physically aggressive towards me. He approached me so quickly and he was able to hold on me on my shoulders, pushed me, punched me on my forehead with his fist, which caused me to fall down losing my balance and loss of consciousness. As I was lying on the floor he grabbed my hair and dragged me across the floor about 6 feet. I attempted to get up but he pushed me down to the floor. It took time for the two psychiatric technicians to get him off of me. I had a lot of bruises on my head and experienced extreme body pain due to the assault I received from this patient. I went also to GMH E.R. for treatment. I thank god every time I remember that if it was not for the two technicians in the unit I could have been severely disabled or in one way or another I could be dead today. Our area of work is dangerous, not every moment were we can't foresee the future and what assaults are fore coming if we have to sustain this types of assault, please give us compensation. Give us back our hazardous pay at the minimal rate of 10% for which we were paid before. Please reinstate hazardous pay, please make a law that says we are entitled to this pay so we don't have to keep fighting for hazardous pay and keep coming back in here. Thank you very much and again good afternoon to everyone.

**Chairman San Nicolas:** Thank you Rose. Director Vega.

**Rey Vega:** Thank you senator Michael San Nicolas for the invitation and the rest of the member of this 33<sup>rd</sup> Guam legislature. And thank you sSnator Dennis Rodriguez for introducing this legislation for the betterment and welfare of my staff. My name is Rey Vega and I'm the currently the director of Guam Behavioral Health and Wellness Center. (Refer to Written Testimony)



**Chairman San Nicolas:** Thank you Director Vega. Any other senators have any questions?  
Senator Ada.

**Senator Tom Ada:** Mr. Vega did you say that you have certain categories of, I guess you call it customers?

**Mr. Vega:** Consumers.

**Senator Tom Ada:** That are categories I guess to get to my point the question is. It's one thing to pay the hazardous pay but what other measures are taken to ensure to better ensure the safety of the nurses who interact with these patients

**Mr. Vega:** Some of our consumers Senator Ada, we have maintained a residential homes. We have level 1, level 2, level 3. Depending on what kind of consumers they are. There are some consumers that are 1 to 1, there are consumers that has to be in a structured residential environment we provide 24/7. The whole intent for this residential home is for their event for reintegration with the community. So there are level of care that would require 1 to 1 and those are probably the sum of those consumers that are unpredictable in itself and may also harm and danger to themselves or to others but as we go through the level 3 where in it, they are now house in a less structured environment preparing them for their eventual reintegration to the community. You are probably not going to notice some of them sitting beside you in a church, going to the rosaries. What I'm trying to say is I'm not sure if we can apply the hazardous pay based on because I'm taking care of the consumer, there's got to be a extenuating circumstances where in that would require some kind of skills and make sure that you got your eyes focused on everything. We have good consumers that are high functioning and they can be as normal as anybody, so the challenge I have is how do we apply the hazardous pay? Is it only based because I'm taking care of one particular client or not? That's where the dilemma when applying the criteria for the hazardous pay. We operate 24/7 residential homes, what comes to my mind is when they're sleeping are we going to apply the 20 hazardous pay and that's what I'm saying, it's not straight forward, if they were in a structure all of them are services geared to this then I can say let's apply the hazardous pay. I have no question or disagreement when we apply hazardous pay when it was sent to give medication to out there in far-flung areas or when they are deescalating when they are triggered and you could actually predict the violent and volatile behavior of this individual. It's just a matter of when to apply the hazardous pay.

**Senator Rodriguez:** Mr. Chair, I'm sorry to interject but if I could, senator Ada to I think and that's why the bill gives you the latitude, you would know what, when, and where and what personnel would be required. Who are directly exposed to the hazards and this is what the bill does is give it to you. Now to make that determination with you I think senator Ada was asking what measures do you have in place now to ensure aside from the hazard that you are taking care of your employees I think that's what I understand. If you can assure us that you are

**Mr. Vega:** To answer your question, we require all of our staff to undergo some training. You have the called verbal judo where there's no physical contact, we also have the professional crisis management. So we have train our staff to reduce the physical contact so that we should be able to reduce any injury to both party. They go on several training and that is required of them

every year. But in reality that's not really enough. We've had injuries regularly. So what I'm saying is the PCMA is not enough to really completely eliminate the hazardous event that's going to come unpredictably in some room but not necessarily all across the consumers.

**Chairman San Nicolas:** Thank you Senator Ada. Vice Speaker Cruz.

**Vice Speaker Benjamin Cruz:** Mr. Vega I understand that they were getting hazardous pay until 2012? Is that correct?

**Mr. Vega:** That is correct senator.

**Vice Speaker Cruz:** In the interim. Since then, it's been discontinued?

**Mr. Vega:** Yes sir.

**Vice Speaker Cruz:** Was the hazardous pay supposed to be subsumed in the competitive wage act? These aren't nurses in the pediatrics ward in the GMH like your last job. We know that everybody that's over there either has possibilities of being aggressive or assertive and so it would seem to me that all of this should have been calculated into what their salary ought to have been. Because we know that they're applying to be psychiatric nurses not nursery nurses at GMH and so consequently that different should be already in the salary, we know that from 12-3 when they're up and walking around that yes there's hazardous pay but when they go to sleep it's supposed to stop but we're not going take into account that when they have a nightmare and jump up and beat up one of the nurses. It would seem to me it should be already taken into account in their salary and why isn't it if it's not.

**Mr. Vega:** I don't believe that there is a Department of Administration representative here, but I was told it is embedded in their job description. However, the guideline on the hazardous environmental and physical pay is when the environment change where in their now exposed to 8 different kind of hazard.

**Vice Speaker Cruz:** But the fact that it's embedded they assumed that they know they've taken a position in behavioral wellness not pediatrics at GMH. So if you've been told that it's already embedded. Then why is there a need for an additional amount, it would seem to be that it's already there. It's understood that there are psychiatric nurses and their salary should be greater than other nurses assistant LPNs at GMH because of the fact that they're in hazardous conditions 24/7 not just the 3 minutes that the consumer decides to act up.

**Mr. Vega:** You're exactly correct senator. However, some time in the year 2000 when they were re-discussing the hazardous pay what happened was they created a guideline where under certain circumstances despite that the hazardous condition is embedded in the job description they could apply for a hazardous pay when the environment changes. So that's the policy that were looking at right now.

**Vice Speaker Cruz:** But when the competitive wage act was done by the hay group, was it not included in there?

**Mr. Vega:** According to them it is, but this would give us the opportunity again senator the policy.

**Senator Rodriguez:** Rey, I think we have to make that very clear with the question, the question was and you said it was embedded. The responsibilities are embedded but not the pay. I think we have to be very clear because if you're saying that it's embedded and I was told it's not embedded, the pay is not embedded.

**Mr. Vega:** I cannot speak for that senator.

**Senator Rodriguez:** These guys could.

**Mr. Vega:** The function awareness that their working in that environment is already part of the job description, whether there was a factor added for the value, I cannot speak for that.

**Chairman San Nicolas:** And that's actually the whole point the two gentlemen are bringing up. The Vice-Speaker saying that it should have been factored in. Senator Rodriguez is saying it's not and that's why we're entertaining this bill. So just to be clear for the committee it has not been factored in.

**Mr. Vega:** Then that would give us the opportunity to review this and I welcome that.

**Chairman San Nicolas:** Any other senators? No? Thank you all very much for your testimony, you know this is a very very good measure to be bringing forward, we always want to make sure that everyone is being compensated for the work that they're doing especially when you're in hazardous conditions. Just yesterday we had to address a measure for our truancy officers also put themselves in very hazardous conditions and they don't get any hazardous pay. So we're going to try and move this issue forward on the next regular session the same as for the truancy officers, but I do have one request and it's the same request that I made to the truancy officers. Because these hay adjustments have not yet been budgeted for this fiscal year, would it be okay if we made it effective October 1<sup>st</sup> for next fiscal year because the funding has not been identified yet and I don't want that to be an issue that holds up the bill, potentially causes it to be veto'd because the funding source has not yet been identified.

**Ms. Petree:** Excuse me, Senator San Nicolas, on behalf of the psychiatric technicians here. It can say that I think for me it should be across the board in mental health. It's just because these clients are very unpredictable. Sometimes you can see that they're normal, later on they're just going to slap you. One time I did my rounds with Dr. Leon Guerrero, we're walking down the aisle and there you can see normal clients, but just walked towards Dr. Leon Guerrero and slapped her. You know sometimes she's just walking and they'll just grab your hair, they're sleeping and then they'll just jump on you. Something like that, even in the group home. There's people working the group homes and sometimes group homes they only have 1 to 2 staff with clients that's really aggressive. So, we have clients.

**Chairman San Nicolas:** So how would we identify those particular employees? Because the way the bill is written, is anybody who is exposed to those dangerous or unsafe conditions are eligible but it is the director of Behavioral health and the DOA that will identify those in direct exposure. Are you saying then that?

**Ms. Petree:** Senator because they're dealing with patient with mental illness, they're really just unpredictable whether you're in the unit or you're in the group home, they're very unpredictable. You know every time I got to work I prayed. Every time you enter the unit and you enter the department of mental health your ears and eyes should be open, you should always be alert. You can't just be sitting there, you cannot just walk around. You should always be alert with your surroundings. Even when you use the elevator for example, you need to be alert because when there are clients that enter there, you know that they're very unpredictable.

**Chairman San Nicolas:** The hazardous pay in 2012, was that across the board like you're saying or was that just for limited.

**Ms. Petree:** Yes, even social workers were included.

**Chairman San Nicolas:** Okay, So what the committee will do, the committee will commit to this we'll research 2012 existing circumstances and we'll try and work that in with the sponsor but as a compromise if we can work together on this can we make that effective October 1<sup>st</sup>?

**Ms. Petree:** That's why senator, because we're working in the impatient unit, which is very highly hazardous.

**Chairman San Nicolas:** Especially since we're going to include the 2012 group that the cost is going to, so we need to definitely wait until October 1<sup>st</sup>, can we come to an agreement there on that. Okay wonderful, so I'll work with the sponsor and we'll see about revisiting the 2012 parameters and trying to get those applied in this legislation and get it reinstated effective October 1<sup>st</sup>, working with the budget chairman. Thank you very much.

### **III. FINDINGS AND RECOMMENDATIONS**

The Committee on Finance & Taxation, General Government Operations, and Youth Development hereby reports out Bill No. 7-33 (COR), as amended by the Committee, with the recommendation TO REPORT OUT.

**MINA' TRENTAI TRES NA LIHESLATURAN GUAHAN**  
**2015 (FIRST) Regular Session**

Bill No. 7-33 (COR)

Introduced by:

D.G. RODRIGUEZ, JR. *DR*

**AN ACT TO PROVIDE FOR A HAZARDOUS PAY DIFFERENTIAL FOR EMPLOYEES OF THE GUAM BEHAVIORAL HEALTH AND WELLNESS CENTER IN UNSAFE OR DANGEROUS HAZARDOUS DUTY WORKING CONDITIONS, BY ADDING A NEW §86112 TO CHAPTER 86, TITLE 10, GUAM CODE ANNOTATED.**

2015 JAN -5 PM 2:26 *SR*

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

2 **Section 1. Legislative Findings and Intent:** *I Liheslaturan Guåhan* finds  
3 that the personnel, as referenced in the Hazardous/Environmental Pay Policy and  
4 Procedures, of the Guam Behavioral Health and Wellness Center are often placed  
5 in personal jeopardy when working in what are deemed unsafe or dangerous  
6 hazardous duty working conditions in close proximity with mentally ill or  
7 emotionally disturbed or psychotic substance use disorder patients who are  
8 unpredictable, combative or volatile.

9 *I Liheslaturan Guåhan* further finds that the GBHWC policy and practice of  
10 allowing hazardous pay was in effect from February 2000 to February 2012, at  
11 which time it was abruptly administratively discontinued. The twelve year  
12 precedent of their receiving this compensation for the hazardous circumstances  
13 they often work within speaks to the validity of their claims that the policy should  
14 be reinstated.

15 It is, therefore, the *intent* of *I Liheslaturan Guåhan* to reinstate the policy  
16 and practice of providing a hazardous pay differential for Guam Behavioral Health

1 and Wellness Center personnel in unsafe or dangerous hazardous duty working  
2 conditions.

3 **Section 2.** A NEW §86112 is hereby *ADDED* to Chapter 86, Title 10,  
4 Guam Code Annotated, to read:

5 **“§86112. Hazardous Pay Differential.** Notwithstanding §6304 of Article  
6 3, Chapter 6 \ Title 4, Guam Code Annotated, the Civil Service  
7 Hazardous/Environmental Pay Policy and Procedures, or any other provision of  
8 law, rule, regulation and Executive Order, the personnel working in what are  
9 deemed unsafe or dangerous hazardous duty working conditions in close proximity  
10 with mentally ill or emotionally disturbed or psychotic substance use disorder  
11 patients who are unpredictable, combative or volatile *shall* be entitled to a ten  
12 percent (10%) hazardous pay differential.

13 The Director of the Guam Behavioral Health and Wellness Center and the  
14 Director of the Department of Administration *shall* identify the direct-exposure  
15 personnel and ensure all affected personnel receive the hazardous pay differential.  
16 The department shall additionally develop a protocol for personnel not normally in  
17 direct-exposure situations for those times when they are in unusual and dangerous  
18 direct contact situations, at which time they *shall* then be entitled to a hazardous  
19 pay differential for that specific incident in which they were exposed.

20 **Section 4. Effective Date.** This Act shall become immediately effective  
21 upon enactment.

**MINA' TRENTAI TRES NA LIHESLATURAN GUAHAN**  
**2015 (FIRST) Regular Session**

**Bill No. 7 -33 (COR)**

As Amended by the Committee on Finance & Taxation,  
General Government Operations, and Youth Development.

Introduced by:

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

**AN ACT TO PROVIDE FOR A HAZARDOUS PAY DIFFERENTIAL FOR EMPLOYEES OF THE GUAM BEHAVIORAL HEALTH AND WELLNESS CENTER IN UNSAFE OR DANGEROUS HAZARDOUS DUTY WORKING CONDITIONS, BY *ADDING A NEW* ~~§8642~~ §6225.1 TO ARTICLE 2 OF CHAPTER 86, TITLE 64, GUAM CODE ANNOTATED.**

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

2 **Section 1. Legislative Findings and Intent:** *I Liheslaturan Guåhan* finds  
3 that the personnel, as referenced in the Hazardous/Environmental Pay Policy and  
4 Procedures, of the Guam Behavioral Health and Wellness Center are often placed  
5 in personal jeopardy when working in what are deemed unsafe or dangerous  
6 hazardous duty working conditions in close proximity with mentally ill or  
7 emotionally disturbed or psychotic substance use disorder patients who are  
8 unpredictable, combative or volatile.

9 *I Liheslaturan Guåhan* further finds that the GBHWC policy and practice of  
10 allowing hazardous pay was in effect from February 2000 to February 2012, at  
11 which time it was abruptly administratively discontinued. The twelve year  
12 precedent of their receiving this compensation for the hazardous circumstances  
13 ~~they often~~ work conditions ~~within~~ speaks to the validity of their claims that the  
14 policy should be reinstated.

1 It is, therefore, the *intent* of *I Liheslaturan Guåhan* to reinstate the policy  
2 and practice of providing a hazardous pay differential for Guam Behavioral Health  
3 and Wellness Center personnel in unsafe, ~~or~~ dangerous, or hazardous duty working  
4 conditions.

5 **Section 2. Hazardous Pay Differential.** A *new* ~~§86112§6225.1~~ is hereby  
6 *added* to Article 2 of Chapter 86, Title 64, Guam Code Annotated, to read:

7 **“§86112§6225.1. Hazardous Pay Differential for Employees of Guam**  
8 **Behavioral Health and Wellness Center.** Notwithstanding §6304 of Article 3,  
9 Chapter 6 Title 4, Guam Code Annotated, the Civil Service  
10 Hazardous/Environmental Pay Policy and Procedures, or any other provision of  
11 law, rule, regulation and Executive Order, the personnel working in what are  
12 deemed unsafe or dangerous hazardous duty working conditions in close proximity  
13 with mentally ill or emotionally disturbed or psychotic substance use disorder  
14 patients who are unpredictable, combative or volatile *shall* be entitled to a ten  
15 percent (10%) hazardous pay differential.

16 The Director of the Guam Behavioral Health and Wellness Center and the  
17 Director of the Department of Administration *shall* identify the direct-exposure  
18 personnel and ensure all affected personnel receive the hazardous pay differential.  
19 The department shall additionally develop a protocol for personnel not normally in  
20 direct-exposure situations for those times when they are in unusual and dangerous  
21 direct contact situations, at which time they *shall* then be entitled to a hazardous  
22 pay differential for that specific incident in which they were exposed.

23 **Section 4. Effective Date.** This Act *shall* take effect on October 1<sup>st</sup> 2015  
24 ~~become immediately effective upon enactment.~~





*I Mina'Trentai Tres na Liheslaturan Guåhan*  
**SENATOR MICHAEL F.Q. SAN NICOLAS**  
 Committee on Finance & Taxation,  
 General Government Operations, and Youth Development

**March 12, 2015**

**Bill No. 7-33 (COR) , introduced by D.G. Rodriguez, Jr.: AN ACT TO PROVIDE FOR A HAZARDOUS PAY DIFFERENTIAL FOR EMPLOYEES OF THE GUAM BEHAVIORAL HEALTH AND WELLNESS CENTER IN UNSAFE OR DANGEROUS HAZARDOUS DUTY WORKING CONDITIONS, BY ADDING A NEW §86112 TO CHAPTER 86, TITLE 10, GUAM CODE ANNOTATED.**

NAME (Please print)	AGENCY/ ORGANIZATION	CONTACT NUMBER	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	NOT IN FAVOR
REY M. VEGA	GBHWC	647-1901		✓	✓	
✓ Miriam A. Carino	GBHWC	647-5345	-			
✓ Jayne S. Petre	GBHWC	647-5417	✓			
✓ Rosemin Sague	GBHWC	647-5417	✓	✓		
L Rosemin						
Jancy Crump	SWSA/VOG	482-2542			✓	

March 10, 2015



**GUAM BEHAVIORAL  
HEALTH AND WELLNESS  
CENTER**

(formerly Department of Mental Health & Substance Abuse)

790 Gov. Carlos G. Camacho Rd.  
Tamuning, Guam 96913  
Phone: 671.647-5330  
Fax: 671.647.5402

The Honorable Michael F. Q. San Nicolas  
Senator 33<sup>rd</sup> Guam Legislature  
Chairman on Committee on Finance and Taxation and  
General Government Operations and Youth Development  
DNA Building, Suite 407  
238 Archbishop Flores Street  
Hagatna, Guam 96910

EDDIE BAZA CALVO  
Governor

RAY TENORIO  
Lieutenant Governor

REY M. VEGA  
Director

PETER ALEXIS D. ADA  
Deputy Director

Dear Senator Michael San Nicolas,

*Buenas Yan Hafa Adai*

Thank you for the invitation and allowing me this opportunity to present my views and position on the proposed Bill No. 7-33 as introduced by Senator Dennis Rodriguez.


My name is Rey M. Vega and I am the Director of Guam Behavioral Health and Wellness Center (GBHWC).

First and foremost, I would like to thank Senator Dennis Rodriguez and Vice Speaker Benjamin Cruz and Chairman, Committee on Finance and Taxation, General Government Operations and Youth Development and members of this 33<sup>rd</sup> Guam Legislature for looking at the safety and welfare of the staff at GBHWC.

My position and that of the Guam Behavioral Health and Wellness Center remains the same as when I presented my testimony for Bill No. 409-32 last November 2014.

Again, I would like to start my testimony this afternoon with the following statement. GBHWC serve individuals who suffer from mental illness, behavioral health issues, emotional disorders and substance abuse addiction among other clinical diagnosis. The fact that these are the people we serve, we cannot categorically and in general terms say that they are unstable and unpredictable, combative and violent. Individuals with mental illness and behavioral health issues per se are not considered violent and only when there are co-occurring diagnosis of substance abuse addiction is when they become unpredictable, combative and violent. There is no disagreement that our workplace is deemed a hazardous environment by the nature of our services and client-served. Violence against mental health workers is four (4) times higher compared to other clinical services. But not all the time is the environment hazardous and unsafe nor clients

Office of Senator  
**MICHAEL F. Q. SAN NICOLAS**

Received by:   
Date: 3/10/15 Time: 10:35 AM

we served are violent. We provide a wide array of services and a good number of our clients are integrated into the community. We see them around and some are contributing members of community we live in. My point is this. Only a small portion of clients we serve can be categorized as unpredictable, combative and violent.

To address the issue of hazardous pay and who would be entitled to and what is deemed unsafe and placement of my staff in personal jeopardy and under what condition is not straightforward and easy. Taking care of forensic clients (court-ordered services) and home visitations are good examples where there is a high-risk of unpredictable scenarios and exposures to a violent environment and thus may warrant a hazardous pay. Admission to an In-patient facility for certain clinical diagnosis may warrant hazardous pay and depending on the intensity of services provided. On the other hand, we also see clients who do not pose any risk at all.

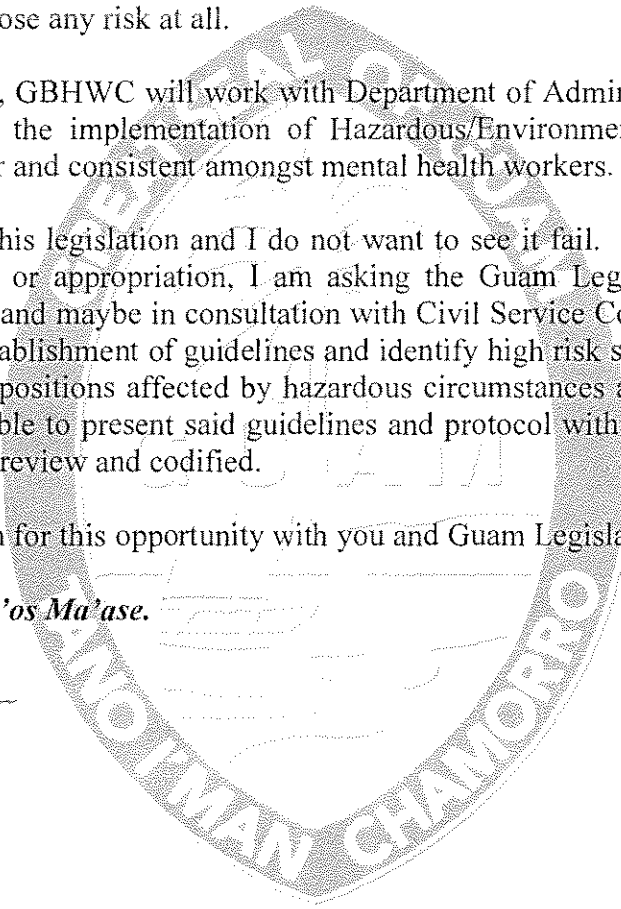
As the bill proposes, GBHWC will work with Department of Administration to come up with guidelines for the implementation of Hazardous/Environmental Pay Policy and Procedure that is fair and consistent amongst mental health workers.

I am in support of this legislation and I do not want to see it fail. Although there is no mention of funding or appropriation, I am asking the Guam Legislature to allow us, GBHWC and DOA and maybe in consultation with Civil Service Commission and move forward with the establishment of guidelines and identify high risk situations, and mental health workers and positions affected by hazardous circumstances and environment. By this, we would be able to present said guidelines and protocol with cost analysis for the Guam Legislature's review and codified.

And thank you again for this opportunity with you and Guam Legislature.

*Dangkulo Na Si Yu'os Ma'ase.*

  
Rey M. Vega





National Association of Social Workers

March 10, 2015

Honorable Senator Michael San Nicolas  
Assistant Majority Whip  
Committee on Finance & Taxation, General Government Operations  
And Youth Development  
Ste 407 DNA Bldg, 238 Archbishop Flores Street  
Hagatna, Guam 96932

Via Email: [senatorsannicolas@gmail.com](mailto:senatorsannicolas@gmail.com)

Buenas yan Hafa Adai Honorable Senator San Nicolas,

We want to address Bill 7-33, "An act to provide for a Hazardous pay differential for employees of the Guam Behavioral Health and Wellness Center (GBHWC) in unsafe or dangerous hazardous duty working conditions, by adding a new 86112 to Chapter 86, Title 10, Guam Code Annotated."

On November 19, 2014, Rey Vega, Director of GBHWC testified regarding this bill, which was then known as Bill 409-32, he stated "in comparison to other clinical environments, working in a mental health environment, you are 4% more prone to violence" (Public Hearing for Bill 409-32, 2014).

During the same hearing, Luz Leones, LPN II at the Medication Clinic, Nursing Services Department, who has been employed at GBHWC for almost thirty years testified. She shared her story of how she was suddenly attacked by a patient with a mental issue and had to undergo surgery as a result of the incident. She was out of work for one year and eight months. She was receiving 10% hazardous pay at that time. Her closing remark reinforced how vital it is for the reinstatement of hazardous pay when she said, "lives come with a price." (Public Hearing for Bill 409-32, 2014)

On November 26, 2014, an interview with Peter Alexis Ada, Deputy Director of GBHWC was conducted. Mr. Ada gave examples of how quick their working environment becomes unsafe for GBHWC personnel by using an incident where a previous patient came into the building waving a knife around and also stated, "GBHWC receive inmates daily and are constantly exposed to substance use disorder patients, as well as patients who are restrained due to suicidal tendencies" (P. Ada, personal communication, November 26, 2014).

NASW-Guam Chapter believes the reinstatement of this bill is morally right. Bill 7-33 states, "GBHWC personnel are often placed in jeopardy when working in what are deemed as unsafe or dangerous hazardous duty working conditions" when in "close proximity with mentally ill or emotionally disturbed or psychotic substance use disorder patients who are unpredictable, combative or volatile" (Bill 7-33, 2015).

The mission of the social work profession is rooted in a set of core values. It is a social injustice that the personnel of GBHWC are going on three years without being compensated for situations that may have warranted hazardous pay. Our support extends to the GBHWC Social Workers that are also employed at GBHWC and their quest for social justice.

One can see that when employed at GBHWC, working with this specific set of clientele, your safety is not guaranteed. What type of recognition, compensation or gratitude is given to these employees that put their life on the line every day? We stand in support of Bill 7-33, for our fellow social workers and the rest of the GBHWC who deserve to be compensated for their dangerous line of work.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Amy Sue Dorja Santos".

Amy Sue Dorja Santos, MSW  
President

P.O. Box 2123  
Hagatna, Guam 96932  
(671) 747-7948  
Email: [naswgu@gmail.com](mailto:naswgu@gmail.com)



# COMMITTEE ON RULES

*I Mina'trentai Tres na Liheslaturan Guåhan* • The 33rd Guam Legislature  
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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.  
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Vice-Speaker  
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Senator  
Dennis G. Rodriguez, Jr.  
Member

Senator  
Frank Blas Aguon, Jr.  
Member

Senator  
Michael E.Q. San Nicolas  
Member

Senator  
Nerissa Bretania Underwood  
Member

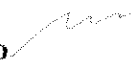
V. Anthony Ada  
MINORITY LEADER

Mary C. Torres  
MINORITY MEMBER

February 18, 2015

## Memorandum

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

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

**Subject:** Fiscal Notes

*Hafa Adai!*

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

### FISCAL NOTES:

Bill No. 7-33(COR)  
Bill No. 14-33(COR)

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

*Si Yu'os ma'åse'!*

2015 FEB 19 PM 2:29

**Bureau of Budget & Management Research  
Fiscal Note of Bill No. 7-33(COR)**

**AN ACT TO PROVIDE FOR A HAZARDOUS PAY DIFFERENTIAL FOR EMPLOYEES OF THE GUAM BEHAVIORIAL HEALTH AND WELLNESS CENTER IN UNSAFE OR DANGEROUS HAZARDOUS DUTY WORKING CONDITIONS, BY ADDING A NEW §86112 TO CHAPTER 86, TITLE 10, GUAM CODE ANNOTATED.**

Department/Agency Appropriation Information	
Dept./Agency Affected: Guam Behavioral Health and Wellness Center	Dept./Agency Head: Rey Vega, Director
Department's General Fund (GF) appropriation(s) to date:	17,160,046
Department's Other Fund (Specify) appropriation(s) to date: Healthy Future Fund	4,106,105
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>521,266,151</b>

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2014 Unreserved Fund Balance		\$0	\$0
FY 2015 Adopted Revenues	\$0	\$0	\$0
FY 2015 Appro. (P.L. 32-181 thru 32-233)	\$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 2015 (if applicable)	FY 2016	FY 2017	FY 2018	FY 2019
General Fund	\$634,045	\$317,023	\$634,045	\$634,045	\$634,045	\$634,045
(Specify Special Fund)	\$169,610	\$84,805	\$169,610	\$169,610	\$169,610	\$169,610
<b>Total</b>	<b>\$803,655</b>	<b>\$401,828</b>	<b>\$803,655</b>	<b>\$803,655</b>	<b>\$803,655</b>	<b>\$803,655</b>

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

Analyst: John AB Pangelinan, Supervisor Date: 2/18/15 Director: Rey S. Calvo, Acting Director Date: FEB 18 2015

Footnotes:  
Please see attached comment sheet.

**Comments to Bill No. 7-33****AN ACT TO PROVIDE FOR A HAZARDOUS PAY DIFFERENTIAL FOR EMPLOYEES OF THE GUAM BEHAVIORAL HEALTH AND WELLNESS CENTER IN UNSAFE OR DANGEROUS HAZARDOUS DUTY WORKING CONDITIONS, BY ADDING A NEW §86112 TO CHAPTER 86, TITLE 10, GUAM CODE ANNOTATED**

This proposed legislative bill is seeking to incorporate hazardous pay into the base compensation rates of 149 employees employed at the Guam Behavioral Health Wellness Center (GBHWC). There are currently 197 budgeted staff positions at GBHWC. Of the number of staff positions being requested for hazardous pay differential, there are 95 staff positions which have already been adjusted for the 10% pay increase for hazardous pay as confirmed by the Department of Administration's (DOA) Circular, HRD No. OG-09-0074. These positions are as follows:

1. Clinical Psychologists (3 each)
2. Physician Specialists (4 each)
3. Psychiatric Nurse Series (12 each)
4. Psychiatric Nurse Supervisor
5. Psychiatric Social Worker Series (8 each)
6. Psychiatric Social Service Supervisor and Administrator (1 each)
7. Psychiatric Technician Series (66 each)
8. Psychologist (1 each)

The fiscal impact to update the hazardous compensation by another 10 per cent for this staff group is estimated at \$558,115 for salaries and benefits. Of this amount, \$411,055 is to come from the General Fund (GF) and the remaining balance of \$147,060 would be funded by the Health Futures Fund (HFF)

With regard to the remaining 54 staff positions being requested for hazardous pay, these positions are follows:

1. Administrative Assistant (1 each)
2. Care Coordinator (3 each)
3. Chemically Dependency Treatment Specialist Series (4 each)
4. Community Program Aide Series (8 each)
5. Data Administrative Clerk (1 each)
6. Guard (6 each)
7. Housekeeping Series (1 each)
8. Key Family Contact Coordinator (2 each)
9. License Practical Nurse Series (2 each)
10. Maintenance Specialist (1 each)
11. Maintenance Worker (1 each)
12. MH Residential Treatment Program Manager (1 each)
13. Secretary Typist Series (1 each)

14. Social Services Supervisor Series (1 each)
15. Social Worker Series (19 each)
16. Substance Abuse Program Supervisor (1 each)
17. Word Processing Secretary Series (1 each)

The fiscal impact to fund these additional 54 positions is estimated at \$245,540 for salaries and benefits. Of this amount, the GF is expected to cover, approximately, the sum of \$222,990 and the HFF is to cover the remaining balance of \$22,550.

It is the intent of this proposed legislative bill to reinstate the policy of providing hazardous pay differential to GBHWC's personnel; therefore, the estimated total annual aggregated fiscal impact to the General Fund and Healthy Future is estimated at \$634,045 and \$169,610 respectively for a total funding requirement of \$803,655. Currently, this funding requirement is not included in the FY 2015 GBHWC's current year appropriations as authorized by the FY 2015 Appropriation Act.





# COMMITTEE ON RULES

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

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Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

January 8, 2015

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

**VIA E-MAIL**

[anthony.blaz@bbmr.guam.gov](mailto:anthony.blaz@bbmr.guam.gov)

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

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

Vice-Speaker  
Benjamin J.F. Cruz  
Member

**RE: Request for Fiscal Notes– Bill Nos. 1-33(LS) through 18-33(COR)**

Legislative Secretary  
Tina Rose Muna Barnes  
Member

*Hafa Adai* Mr. Blaz:

Senator  
Dennis G. Rodriguez, Jr.  
Member

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 notes for the referenced bills.

Senator  
Frank Blas Aguon, Jr.  
Member

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

Senator  
Michael F.Q. San Nicolas  
Member

Very Truly Yours,

Senator  
Nerissa Bretania Underwood  
Member

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

PENDING  
MINORITY MEMBER

Attachment (3)

PENDING  
MINORITY MEMBER

Cc: Clerk of the Legislature

Bill No.	Sponsor	Title
1-33 (LS)	Judith T. Won Pat, Ed.D.	AN ACT TO TRANSFER TITLE OF LOT NO. 5397 MUNICIPALITY OF BARRIGADA, GUAM TO THE UNIVERSITY OF GUAM.
2-33 (LS)	B. J.F. Cruz	AN ACT TO ADD A NEW ARTICLE 5 TO TITLE 4, CHAPTER 8, OF THE GUAM CODE ANNOTATED TO CREATE A NEW "HYBRID" RETIREMENT SYSTEM WITH MANDATORY PARTICIPATION BY GOVERNMENT OF GUAM EMPLOYEES HIRED AFTER DECEMBER 31, 2015; WITH OPTIONAL PARTICIPATION FOR DEFINED CONTRIBUTION RETIREMENT SYSTEM PARTICIPANTS WHO ELECT TO TRANSFER TO THE NEW HYBRID PLAN IN ACCORDANCE WITH REGULATIONS TO BE PROMULGATED.
3-33 (LS)	Tommy Morrison R. J. Respicio Brant T. McCreadie	AN ACT TO AMEND § 5204(d) OF CHAPTER 5, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE PROCUREMENT OF SPORTS EQUIPMENT AND SUPPLIES FOR YOUTH AND COMMUNITY SPORTS PROGRAMS.
4-33 (LS)	Michael F.Q. San Nicolas	AN ACT TO RESTORE SALARIES FOR ELECTED OFFICIALS AND CABINET MEMBERS TO LEVELS ESTABLISHED PRIOR TO THE ENACTMENT OF PUBLIC LAW 32-208, TO PREVENT THE WAIVER OF THE PUBLIC HEARING REQUIREMENT FOR BILLS PROPOSING SALARY CHANGES FOR ELECTED OFFICIALS, AND TO REQUIRE THAT ANY CHANGE IN SALARY OF ELECTED OFFICIALS TAKE EFFECT AFTER A GENERAL ELECTION TO THE GUAM LEGISLATURE HAS INTERVENED, BY REPEALING PUBLIC LAW 32-208 AND ADDING NEW §§ 6215 AND 6215.1 BOTH TO ARTICLE 2, CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED.
5-33 (LS)	Brant T. McCreadie	AN ACT TO CREATE A NEW ARTICLE 6 & 7 TO CHAPTER 90, AND TO AMEND §90.90OF ARTICLE 4, CHAPTER 90, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE CONSTRUCTION AND RENOVATION OF THE DEPARTMENT OF CORRECTIONS ADULT CORRECTIONAL FACILITY TO ENSURE THE SAFETY OF THE PEOPLE OF GUAM; WHICH SHALL COLLECTIVELY BE CITED AS "THE DEPARTMENT OF CORRECTIONS CONSTRUCTION INITIATIVE ACT OF 2015".
6-33 (COR)	D. G. Rodriguez, Jr.	AN ACT TO AMEND §58146.1 OF CHAPTER 58, TITLE 12, GUAM CODE ANNOTATED TO EXEMPT THE GUAM ECONOMIC DEVELOPMENT AUTHORITY FROM ARTICLE 3 OF CHAPTER 9, 5 GCA IN THE DEVELOPMENT OF PROPOSED INDUSTRY SPECIFIC POLICY, CRITERIA AND MEASURABLE GOALS RELATIVE TO THE QUALIFYING CERTIFICATE PROGRAM.
7-33 (COR)	D. G. Rodriguez, Jr.	AN ACT TO PROVIDE FOR A HAZARDOUS PAY DIFFERENTIAL FOR EMPLOYEES OF THE GUAM BEHAVIORAL HEALTH AND WELLNESS CENTER IN UNSAFE OR DANGEROUS HAZARDOUS DUTY WORKING CONDITIONS, BY ADDING A NEW §86112 TO CHAPTER 86, TITLE 10, GUAM CODE ANNOTATED.

8-33 (COR)	D. G. Rodriguez, Jr.	AN ACT TO PROVIDE FOR DEVELOPMENT AND IMPLEMENTATION OF COMPARABLE RATE SCHEDULE R CHARGES FOR RESIDENTIAL MULTIFAMILY ACCOMMODATIONS BY THE GUAM POWER AUTHORITY, BY ADDING A NEW ITEM (1) TO §8104(D) OF CHAPTER 8, TITLE 12, GUAM CODE ANNOTATED, AND A NEW ITEM (1) TO §3111 OF ARTICLE 1, CHAPTER 3, TITLE 28, GUAM ADMINISTRATIVE RULES AND REGULATIONS.
9-33 (COR)	D. G. Rodriguez, Jr.	AN ACT TO ADOPT THE RULES AND REGULATIONS RELATIVE TO RESPONSIBLE ALCOHOL SERVER/SELLER TRAINING PROGRAMS, BY AMENDING CHAPTER 2 - ALCOHOLIC BEVERAGE CONTROL BOARD, OF TITLE 3, GUAM ADMINISTRATIVE RULES AND REGULATIONS - BUSINESS REGULATIONS.
10-33 (COR)	D. G. Rodriguez, Jr.	AN ACT TO EXEMPT CERTAIN PUBLIC SECTOR ALLIED HEALTH PROFESSIONS FROM JURY DUTY, BY AMENDING § 22107 OF CHAPTER 22, TITLE 7, GUAM CODE ANNOTATED.
11-33 (COR)	D. G. Rodriguez, Jr.	AN ACT TO PROVIDE FOR HEALTHCARE PROFESSIONAL PAY PLAN CATEGORY IN THE GOVERNMENT OF GUAM COMPETITIVE WAGE ACT OF 2014, AND REINSTATE THE PRIOR PAY PLAN RATE FOR THESE POSITIONS, AND MANDATE A REASSESSMENT OF HEALTHCARE PROFESSIONALS SALARY RANGES SO AS TO BE COMPETITIVE BASED UPON NATIONAL STANDARDS.
12-33 (COR)	D. G. Rodriguez, Jr.	AN ACT TO ADD A NEW ITEM (1) TO SUBSECTION (a) OF § 4301 OF ARTICLE 3, CHAPTER 4, 4 GCA, TO PROVIDE FOR THE ISSUANCE OF A SEPARATE REQUEST FOR PROPOSAL FOR THE SOLICITATION OF HEALTH INSURANCE OR PROVISION OF HEALTH CARE FOR FOSTER CHILDREN IN THE CARE OF THE GOVERNMENT ON TERMS COMPARABLE TO THE GOVERNMENT PLAN FOR ACTIVE AND RETIRED EMPLOYEES AND THEIR DEPENDENTS.
13-33 (COR)	D. G. Rodriguez, Jr.	AN ACT TO ADD A REPRESENTATIVE FROM THE GUAM MEMORIAL HOSPITAL AUTHORITY AND THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES TO THE GOVERNMENT OF GUAM GROUP HEALTH INSURANCE NEGOTIATING TEAM, TO DELETE THE REQUIREMENT FOR THE SOLICITATION OF AN EXCLUSIVE GROUP HEALTH INSURANCE CONTRACT AND REQUIRE ONLY THE SOLICITATION OF THREE (3) NON-EXCLUSIVE CONTRACTS FOR A CONTRACT TERM OF TWO (2) YEARS, BY AMENDING §4302 (c) AND §4302 (e) OF ARTICLE 3, CHAPTER 4, 4 GCA.
14-33 (COR)	T. R. Muña Barnes	AN ACT TO ADD A NEW § 80.39 TO ARTICLE 2, CHAPTER 80, TITLE 9 GUAM CODE ANNOTATED KNOWN AS THE JUSTICE SAFETY VALVE ACT OF 2013 RELATIVE TO EMPOWERING THE COURTS OF GUAM TO DEPART FROM APPLICABLE MANDATORY MINIMUM SENTENCES UNDER SPECIFIC CONDITIONS, AND FOR OTHER PURPOSES.

<b>15-33 (COR)</b>	T. R. Muña Barnes	AN ACT TO AMEND § 41006 OF ARTICLE 10, CHAPTER 4 OF TITLE 12 GUAM CODE ANNOTATED, AND TO REPEAL §§ 41004(a)(4) and (5) OF ARTICLE 10, CHAPTER 4 OF TITLE 12 GUAM CODE ANNOTATED, RELATIVE TO ELIMINATING THE REQUIREMENT THAT THE CORPORATION APPROPRIATE A FIXED AMOUNT OF \$500,000.00 FROM ITS ANNUAL OPERATING REVENUE TO ENSURE A RESERVE BALANCE OF THE SAME AT THE BEGINNING OF EACH FISCAL YEAR, AND TO AMENDING THE TIMING RESPECTING THE ANNUAL AUDIT OF THE HOUSING TRUST FUND TO COINCIDE WITH THAT OF THE GUAM HOUSING CORPORATION'S ANNUAL AUDIT.
<b>16-33 (COR)</b>	T. R. Muña Barnes	AN ACT TO AMEND PUBLIC LAW 32-207 RELATIVE TO THE REPAYMENT OF FUNDS TO THE TOURIST ATTRACTION FUND.
<b>17-33 (COR)</b>	T. R. Muña Barnes	AN ACT TO AMEND §§18102, 18103, 18105, 18105.1, 18106, 18108, 18112, 18113, 18114, 18121, 18125, 18126, 18128.4, 18128.5, 18128.7, 18128.8, 18129, 18131, AND 18133 OF DIVISION 1 OF CHAPTER 18 OF TITLE 10 GUAM CODE ANNOTATED, RELATIVE TO THE BARBERING AND COSMETOLOGY ACT OF 2010.
<b>18-33 (COR)</b>	V. Anthony Ada	AN ACT TO ADD A NEW CHAPTER 81 TO, TITLE 21, GUAM CODE ANNOTATED RELATIVE TO THE DEPLOYMENT OF BROADBAND AND TELECOMMUNICATIONS INFRASTRUCTURE ON PUBLIC RIGHTS OF WAY.



## COMMITTEE ON RULES

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

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

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Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
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Dennis G. Rodriguez, Jr.  
Member

Senator  
Frank Blas Aguon, Jr.  
Member

Senator  
Michael F.Q. San Nicolas  
Member

Senator  
Nerissa Bretania Underwood  
Member

PENDING  
MINORITY LEADER

PENDING  
ASSISTANT MINORITY LEADER

January 6, 2015

### MEMORANDUM

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

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

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

**Subject: Referral of Bill No. 7-33(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 7-33(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
7-33 (COR)	D. G. Rodriguez, Jr.	AN ACT TO PROVIDE FOR A HAZARDOUS PAY DIFFERENTIAL FOR EMPLOYEES OF THE GUAM BEHAVIORAL HEALTH AND WELLNESS CENTER IN UNSAFE OR DANGEROUS HAZARDOUS DUTY WORKING CONDITIONS, BY ADDING A NEW §86112 TO CHAPTER 86, TITLE 10, GUAM CODE ANNOTATED.	01/05/15 2:26 p.m.	01/06/15	Committee on Finance & Taxation, General Government Operations and Youth Development			



Senator Michael San Nicolas <senatorsannicolas@gmail.com>

## First Public Notice - March 12, 2015 Legislative Hearings

Senator Michael San Nicolas <senatorsannicolas@gmail.com>

Thu, Mar 5, 2015 at 1:53 PM

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

Bcc: mvariety <mvariety@pticom.com>, Sabrina Salas Matanane <hottips@kuam.com>, Sorensen <news@spbgum.com>, aperez@gpagwa.com, Duane George <dmgeorge@guampdn.com>, Frank Whitman <editor@mvguam.com>, Gerry Partido <gerry@mvguam.com>, gmmsinc@guam.net, Jason Salas <jason@kuam.com>, Kelly Cho <kcn.kelly@gmail.com>, Korean News <koreannews@guam.net>, KPRG <kprg@guam.net>, PDN Lifestyle <life@guampdn.com>, mabuhaynews@yahoo.com, Masako Watanabe <mwatanabe@guampdn.com>, K57 <news@k57.com>, Patti Arroyo <parroyo@k57.com>, Ray Gibson <rgibson@k57.com>, Sabrina Salas Matanane <sabrina@kuam.com>, Steve Limtiaco <slimtiaco@guampdn.com>, sports@mvguam.com, tcoffman@k57.com, dcrisost@guam.gannett.com, weavert@pstripes.osd.mil, Pacific Daily News <news@guampdn.com>, Bruce Hill <hill.bruce@abc.net.au>, Bruce Hill <pacificjournalist@gmail.com>, parroyo@spbgum.com, Clynt Ridgell <clynt@spbgum.com>, mcpherson.kathryn@abc.net.au, communications@guam.gov, phnotice@guamlegislature.org, jalerta1 <alerta.jermaine@gmail.com>, Matthew Baza <baza.matthew@gmail.com>, Delisa Kloppenburg <delisakloppenburg@gmail.com>, Louella Losinio <louella@mvguam.com>, david@mvguam.com, John Paul Manuel <jpmanuel@gmail.com>, Speaker Judi Won Pat <speaker@judiwonpat.com>, Vice Speaker Benjamin Cruz <senadotbjcruz@aol.com>, Senator Tina Muña Barnes <senator@tinamunabarnes.com>, Senator Rory Respicio <rorryforguam@gmail.com>, "Dennis Rodriguez, Jr." <senatordrodriguez@gmail.com>, Senator Tom Ada <office@senatorada.org>, Senator Tony Ada <tony@tonyada.com>, Brant McCreadie <brantforguam@gmail.com>, Senator Brant McCreadie <senatorbrantmccreadie@gmail.com>, "Senator Frank Aguon, Jr." <aguon4guam@gmail.com>, Senator Tommy Morrison <tommy@senatormorrison.com>, "Mayor Paul M. McDonald" <mayor.mcdonald671@gmail.com>, agatmayorsoffice@hotmail.com, asanmainamayorsoffice@yahoo.com, bmomayor@teleguam.net, bmovmayor@teleguam.net, Jessy Gogue <ocp.mayor@gmail.com>, MELISSA SAVARES <melissa.savares@gmail.com>, peter\_daigo@hotmail.com, hagatnamayor@hotmail.com, Doris Lujan <mayordorisfloreslujan@gmail.com>, nblass\_mangilaomayor@yahoo.com, vicemayor\_allan.ungacta@yahoo.com, mayoremestc@yahoo.com, mtm\_mayors\_office@yahoo.com, pitimayor@yahoo.com, Robert Hofmann <guammayor@gmail.com>, rudy iriarte <rudyiriarte@gmail.com>, talofomayor@gmail.com, "Mayor Louise C. Rivera" <mayorlrivera.tatuha@gmail.com>, "Vice Mayor Ken C. Santos" <vicemayorksantos.tatuha@gmail.com>, Umatac Mayor <umatacmo@gmail.com>, koner.r@gmail.com, arleen81@gmail.com, kenjoeada@yahoo.com, anghet@hotmail.com, Ken Quintanilla <kenq@kuam.com>, Dale Alvarez <daleealvarez@gmail.com>, Responsable Guam <responsibleguam@gmail.com>, Regine Biscoe Lee <regineb.lee@gmail.com>, Chuck Ada <chuck.ada@guamairport.net>, peteroy@guamairport.net, lorilee.crisostomo@bsp.guam.gov, doagridr@yahoo.com, eduardo.ordonez@clb.guam.gov, cgarcia@investguam.com, Eric Palacios <eric.palacios@epa.guam.gov>, kpangelinan@visitguam.org, ndenight@visitguam.org, jbrown@portguam.com, david.camacho@dlim.guam.gov, Michael Duenas <mjduenas@ghura.org>, martin.benavente@ghc.guam.gov, alfredo.antonin@dol.guam.gov, joseph.cameron@hrra.guam.gov, adonis.mendiola@dya.guam.gov, jose.sahagustin@doc.guam.gov, pedro.leonguerrero@cqa.guam.gov, joey.sannicolas@gfd.guam.gov, fred.bordallo@gpd.guam.gov, chief@gpd.guam.gov, jim.mcdonald@ghs.guam.gov, benito.servino@disid.guam.gov, james.gillan@dphss.guam.gov, Leo Casil <leo.casil@dphss.guam.gov>, joseph.verga@gmha.org, john.rios@bbmr.guam.gov, benita.manglona@doa.guam.gov, anthony.blaz@doa.guam.gov, "John P. Camacho" <john.camacho@revtax.guam.gov>, "Marie M. Benito" <marie.benito@revtax.guam.gov>, john.unpingco@gvao.guam.gov, jonfernandez@gdoe.net, Mary Okada <mary.okada@guamcc.edu>, raunderwood@ugvam.uog.edu, AG Law <law@guamag.org>, rey.vega@mail.dmhsa.guam.gov, Julian Janssen <julian.c.janssen@gmail.com>, Gerry Partido <gerrypartido@gmail.com>, eddiecalvo@yahoo.com, Ray Tenorio <ray.tenorio@guam.gov>, mstaijeron <mstaijeron@investguam.com>, tsantos <tsantos@investguam.com>, frank <frank@mvguam.com>, T'Nelita Mori <tmori2222@gmail.com>, Joshua Tenorio <jtenorio@guamcourts.org>, Valerie Cruz <vcruz@guamcourts.org>, josh.tyquiengco@visitguam.org, Barrigada MayorsOffice <bmoadmin@teleguam.net>, Cheryl Chargualaf <cherylchargualaf1993@gmail.com>, Rikki Orsini <orsini.rikki@gmail.com>, ambrosio.constantino@ghs.guam.gov, Diana Sojo <yigomayorsoffice@gmail.com>, editor@saipantribune.com, jpsablan@guampdn.com, "Sablan, Jerick P" <jpsablan@guam.gannett.com>, isa <isa@kuam.com>, "Raymundo, Shawn" <sraymundo@guam.gannett.com>, Senator Mary Camacho Torres <marycamachotorres@gmail.com>, Senator Jim Espaldon <jespaldonesq@gmail.com>, "Senator Frank Blas, Jr." <frank.blasjr@gmail.com>, Senator Nerissa Bretania Underwood <senatorunderwood@guamlegislature.org>, Vejoh

Torres <vejohntorres@gmail.com>, Oyaol Ngirairikl <oya@guam.gov>, Julius Santos <julius.santos@guam.gov>, franklin.arriola@guam.gov, sixtoquintanilla <sixtoquintanilla@gmail.com>

## FIRST PUBLIC NOTICE

### FOR IMMEDIATE RELEASE

**March 5, 2015**

In accordance with the Open Government Law, relative to notices for public meetings, please be advised that Senator Michael F.Q. San Nicolas, Chairman of the Committee on Finance & Taxation, General Government Operations, and Youth Development, will be convening legislative hearings on **Thursday, March 12, 2015**, in *I Liheslaturan Guåhan's* Public Hearing Room at the following times and on the following items:

#### 10:00 a.m.

**Bill No. 3-33 (LS), introduced by T.A. Morrison, R.J. Respicio, and B.T. McCreddie, as corrected by the Primary Sponsor:** AN ACT TO AMEND §5204(D) OF ARTICLE 2 OF CHAPTER 5, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE PROCUREMENT OF SPORTS EQUIPMENT AND SUPPLIES FOR YOUTH AND COMMUNITY SPORTS PROGRAMS.

**Bill No. 9-33 (COR), introduced by D.G. Rodriguez, Jr.:** AN ACT TO ADOPT THE RULES AND REGULATIONS RELATIVE TO RESPONSIBLE ALCOHOL SERVER/SELLER TRAINING PROGRAMS, BY *AMENDING* CHAPTER 2- ALCOHOLIC BEVERAGE CONTROL BOARD, OF TITLE 3, GUAM ADMINISTRATIVE RULES AND REGULATIONS – BUSINESS REGULATIONS.

**Bill No. 31-33 (COR), introduced by B.J.F. Cruz:** AN ACT TO AMEND § 26120 OF CHAPTER 26 OF TITLE 11 OF THE GUAM CODE ANNOTATED; RELATIVE TO THE INSPECTION OF TAX RETURNS AND OTHER INFORMATION REQUIRED TO BE FILED OF FURNISHED BY THE TAXPAYER.

**Bill No. 38-33 (LS), introduced by M.F.Q. San Nicolas:** AN ACT TO MODERNIZE THE BUSINESS ENVIRONMENT BY ADOPTING THE UNIFORM ELECTRONIC TRANSACTIONS ACT (UETA); BY *ADDING A NEW* CHAPTER 91 TO DIVISION 3, TITLE 18, GUAM CODE ANNOTATED.

#### 2:00 p.m.

**Bill No. 7-33 (COR) , introduced by D.G. Rodriguez, Jr.:** AN ACT TO PROVIDE FOR A HAZARDOUS PAY DIFFERENTIAL FOR EMPLOYEES OF THE GUAM BEHAVIORAL HEALTH AND WELLNESS CENTER IN UNSAFE OR DANGEROUS HAZARDOUS DUTY WORKING CONDITIONS, BY ADDING A NEW §86112 TO CHAPTER 86, TITLE 10, GUAM CODE ANNOTATED.



**Bill No. 11-33 (COR), introduced by D.G. Rodriguez, Jr.:** AN ACT TO PROVIDE FOR HEALTHCARE PROFESSIONAL PAY PLAN CATEGORY IN THE GOVERNMENT OF GUAM COMPETITIVE WAGE ACT OF 2014, AND REINSTATE THE PRIOR PAY PLAN RATE FOR THESE POSITIONS, AND MANDATE A REASSESSMENT OF HEALTHCARE PROFESSIONALS SALARY RANGES SO AS TO BE COMPETITIVE BASED UPON NATIONAL STANDARDS.

**Bill No. 27-33 (COR), introduced by F.B. Aguon, Jr.:** AN ACT RELATIVE TO RECOGNIZING THAT PUBLIC EMPLOYEES WITH SUPERIOR RATINGS IN FISCAL YEAR 2002 WERE NOT COMPENSATED FOR MERITORIOUS PERFORMANCE IN ACCORDANCE WITH PROVISIONS CONTAINED IN §6203, TITLE 4, GUAM CODE ANNOTATED; AUTHORIZING THE APPLICATION OF THE MERIT BONUS PROGRAM FOR FISCAL YEAR 2002; AND PROVIDING FOR SUCH PAYMENTS.

**Bill No. 46-33 (COR), introduced by D.G. Rodriguez, Jr.:** AN ACT TO ADD A NEW § 6235 TO ARTICLE 2 OF CHAPTER 6, 4 GCA, RELATIVE TO PROVIDING A PAY INCENTIVE TO GOVERNMENT OF GUAM LINE AGENCY'S, THE OFFICE OF THE PUBLIC ACCOUNTABILITY, AND THE GUAM DEPARTMENT OF EDUCATION EMPLOYEES WHO HAVE OBTAINED CERTIFIED PUBLIC ACCOUNTANT, CERTIFIED GOVERNMENT FINANCIAL MANAGEMENT, CERTIFIED FRAUD EXAMINER, AND CERTIFIED INTERNAL AUDITOR CERTIFICATIONS PURSUANT TO RECOGNIZED NATIONAL STANDARDS TO PRESERVE THE GOVERNMENT OF GUAM'S ABILITY TO RECRUIT AND RETAIN SUCH PROFESSIONALS.

**Nomination of ANTHONY C. BLAZ**

**Position:** Director, Department of Administration

**Nomination of BEN ANTHONY B. REYES**

**Position:** Member, Cockpit License Board

**Nomination of KATHRINE B. KAKIGI**


**Position:** Classified Government of Guam Employee Member, Banking and Insurance Board

If written testimonies are to be presented for the items listed above, copies should be delivered prior to the hearing date. Testimonies should be addressed to Senator Michael F.Q. San Nicolas and will be accepted via hand delivery to our office at the DNA Building, Suite 407, 238 Archbishop Flores Street, Hagatna, Guam; at the mail room at the Main Legislature Building at 155 Hesler Place, Hagatna, Guam 96910; or via email to [senatorsannicolas@gmail.com](mailto:senatorsannicolas@gmail.com). In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Michael F.Q. San Nicolas at (671) 472-6453 or by sending an email to [senatorsannicolas@gmail.com](mailto:senatorsannicolas@gmail.com).











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**11 attachments**

 **Bill No. 3-33 (LS) TAM corrected.pdf**  
12K

**Bill No. 7-33 (COR) - DGR.pdf**

-  60K
  
-  **Bill No. 9-33 (COR) - DGR.pdf**  
433K
  
-  **Bill No. 11-33 (COR) - DGR.pdf**  
73K
  
-  **Bill No. 27-33 (COR) - FBA.pdf**  
70K
  
-  **Bill No. 31-33 (COR) - BJFC.pdf**  
36K
  
-  **Bill No. 38-33 (LS) - MFQSN.pdf**  
439K
  
-  **Bill No. 46-33 (COR) - DGR.pdf**  
158K
  
-  **Anthony Blaz - DOA Dir.pdf**  
299K
  
-  **Ben Reyes - Cockpit License Board.pdf**  
294K
  
-  **Kathrine B. Kakigi - Banking and Insurance Board.pdf**  
1053K



Senator Michael San Nicolas <senatorsannicolas@gmail.com>

## Second Public Notice - March 12, 2015 Legislative Hearings

Senator Michael San Nicolas <senatorsannicolas@gmail.com>

Mon, Mar 9, 2015 at 3:32 PM

To: Senator Michael San Nicolas <senatorsannicolas@gmail.com>  
 Bcc: mvariety <mvariety@pticom.com>, Sabrina Salas Matanane <hottips@kuam.com>, Sorensen <news@spbgum.com>, aperez@gpagwa.com, Duane George <dmgeorge@guampdn.com>, Frank Whitman <editor@mvguam.com>, Gerry Partido <gerry@mvguam.com>, gmmsinc@guam.net, Jason Salas <jason@kuam.com>, Kelly Cho <kcn.kelly@gmail.com>, Korean News <koreannews@guam.net>, KPRG <kprg@guam.net>, PDN Lifestyle <life@guampdn.com>, mabuhaynews@yahoo.com, Masako Watanabe <mwatanabe@guampdn.com>, K57 <news@k57.com>, Patti Arroyo <parroyo@k57.com>, Ray Gibson <rgibson@k57.com>, Sabrina Salas Matanane <sabrina@kuam.com>, Steve Limtiaco <slimtiaco@guampdn.com>, sports@mvguam.com, tcoffman@k57.com, dcrisost@guam.gannett.com, weavert@pstripes.osd.mil, Pacific Daily News <news@guampdn.com>, Bruce Hill <hill.bruce@abc.net.au>, Bruce Hill <pacificjournalist@gmail.com>, parroyo@spbgum.com, Clynt Ridgell <clynt@spbgum.com>, mcpherson.kathryn@abc.net.au, communications@guam.gov, phnotice@guamlegislature.org, jalerta1 <alerta.jermaine@gmail.com>, Matthew Baza <baza.matthew@gmail.com>, Delisa Kloppenburg <delisakloppenburg@gmail.com>, Louella Losinio <louella@mvguam.com>, david@mvguam.com, John Paul Manuel <jpmanuel@gmail.com>, Speaker Judi Won Pat <speaker@judiwonpat.com>, Vice Speaker Benjamin Cruz <senadotbjcruz@aol.com>, Senator Tina Muña Barnes <senator@tinamunabarnes.com>, Senator Rory Respicio <roryforguam@gmail.com>, "Dennis Rodriguez, Jr." <senatordrodriguez@gmail.com>, Senator Tom Ada <office@senatorada.org>, Senator Tony Ada <tony@tonyada.com>, Brant McCreadie <brantforguam@gmail.com>, Senator Brant McCreadie <senatorbrantmccreadie@gmail.com>, "Senator Frank Aguon, Jr." <aguon4guam@gmail.com>, Senator Tommy Morrison <tommy@senatormorrison.com>, "Mayor Paul M. McDonald" <mayor.mcdonald671@gmail.com>, agatmayorsoffice@hotmail.com, asanmainamayorsoffice@yahoo.com, bmomayor@teleguam.net, bmovmayor@teleguam.net, Jessy Gogue <ocp.mayor@gmail.com>, MELISSA SAVARES <melissa.savares@gmail.com>, peter\_daigo@hotmail.com, hagatnamayor@hotmail.com, Doris Lujan <mayordorisfloreslujan@gmail.com>, nblas\_mangilaomayor@yahoo.com, vicemayor\_allan.ungacta@yahoo.com, mayorerneatc@yahoo.com, mtm\_mayors\_office@yahoo.com, pitimayor@yahoo.com, Robert Hofmann <guammayor@gmail.com>, rudy iriarte <rudyiriarte@gmail.com>, talofofomayor@gmail.com, "Mayor Louise C. Rivera" <mayorlcrivera.tatuha@gmail.com>, "Vice Mayor Ken C. Santos" <vicemayorksantos.tatuha@gmail.com>, Umatac Mayor <umatacmo@gmail.com>, koner.r@gmail.com, arleen81@gmail.com, kenjoeada@yahoo.com, anghet@hotmail.com, Ken Quintanilla <kenq@kuam.com>, Dale Alvarez <daleealvarez@gmail.com>, Responsible Guam <responsibleguam@gmail.com>, Regine Biscoe Lee <regineb.lee@gmail.com>, Chuck Ada <chuck.ada@guamairport.net>, peterroy@guamairport.net, lorilee.crisostomo@bsp.guam.gov, doagridir@yahoo.com, eduardo.ordonez@clb.guam.gov, cgarcia@investguam.com, Eric Palacios <eric.palacios@epa.guam.gov>, ndenight@visitguam.org, jbrown@portguam.com, david.camacho@dln.guam.gov, Michael Duenas <mjduenas@ghura.org>, martin.benavente@ghc.guam.gov, alfredo.antolin@dol.guam.gov, joseph.cameron@hrra.guam.gov, adonis.mendiola@dya.guam.gov, jose.sanagustin@doc.guam.gov, pedro.leonguerrero@cqa.guam.gov, joey.sannicolas@gfd.guam.gov, fred.bordallo@gpd.guam.gov, chief@gpd.guam.gov, jim.mcdonald@ghs.guam.gov, benito.servino@disid.guam.gov, james.gillan@dphss.guam.gov, Leo Casil <leo.casil@dphss.guam.gov>, joseph.verga@gmha.org, benita.manglona@doa.guam.gov, anthony.blaz@doa.guam.gov, "John P. Camacho" <john.camacho@revtax.guam.gov>, "Marie M. Benito" <marie.benito@revtax.guam.gov>, john.unpingco@gvao.guam.gov, jonfernandez@gdoe.net, Mary Okada <mary.okada@guamcc.edu>, raunderwood@uguam.uog.edu, AG Law <law@guamag.org>, rey.vega@mail.dmhsa.guam.gov, Julian Janssen <julian.c.janssen@gmail.com>, Gerry Partido <gerrypartido@gmail.com>, eddiecalvo@yahoo.com, Ray Tenorio <ray.tenorio@guam.gov>, mstaijeron <mstaijeron@investguam.com>, tsantos <tsantos@investguam.com>, frank <frank@mvguam.com>, T'Nelta Mori <tmori2222@gmail.com>, Joshua Tenorio <jtenorio@guamcourts.org>, Valerie Cruz <vcruz@guamcourts.org>, josh.tyquiengco@visitguam.org, Barrigada MayorsOffice <bmoadmin@teleguam.net>, Cheryl Chargualaf <cherylchargualaf1993@gmail.com>, Rikki Orsini <orsini.rikki@gmail.com>, ambrosio.constantino@ghs.guam.gov, Diana Sojo <yigomayorsoffice@gmail.com>, editor@saipantribune.com, jpsablan@guampdn.com, "Sablan, Jerick P" <jpsablan@guam.gannett.com>, isa <isa@kuam.com>, "Raymundo, Shawn"

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## SECOND PUBLIC NOTICE

### FOR IMMEDIATE RELEASE

March 9, 2015

In accordance with the Open Government Law, relative to notices for public meetings, please be advised that Senator Michael F.Q. San Nicolas, Chairman of the Committee on Finance & Taxation, General Government Operations, and Youth Development, will be convening legislative hearings on **Thursday, March 12, 2015**, in *I Liheslaturan Guåhan's* Public Hearing Room at the following times and on the following items:

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**Nomination of ANTHONY C. BLAZ**

**Position:** Director, Department of Administration

**Nomination of BEN ANTHONY B. REYES**

**Position:** Member, Cockpit License Board

**Nomination of KATHRINE B. KAKIGI**












**Position:** Classified Government of Guam Employee Member, Banking and Insurance Board

If written testimonies are to be presented for the items listed above, copies should be delivered prior to the hearing date. Testimonies should be addressed to Senator Michael F.Q. San Nicolas and will be accepted via hand delivery to our office at the DNA Building, Suite 407, 238 Archbishop Flores Street, Hagatna, Guam; at the mail room at the Main Legislature Building at 155 Hesler Place, Hagatna, Guam 96910; or via email to senatorsannicolas@gmail.com. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Michael F.Q. San Nicolas at (671) 472-6453 or by sending an email to senatorsannicolas@gmail.com.

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**11 attachments**

-  **Bill No. 3-33 (LS) TAM corrected.pdf**  
12K
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# Senator Michael F.Q. San Nicolas

Chairman - Committee on Finance & Taxation,  
General Government Operations, and Youth Development  
*I Mina'trentai Tres Na Liheslaturan Guåhan* | 33<sup>rd</sup> Guam Legislature

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**Legislative Hearing**  
**Thursday, March 12, 2015**  
**2:00 p.m.**  
Public Hearing Room  
*I Liheslaturan Guåhan*

## AGENDA

### I. Call to Order

### II. Opening Remarks/Announcements

### III. Items for Public Consideration

**Bill No. 7-33 (COR)**, introduced by **D.G. Rodriguez, Jr.**: AN ACT TO PROVIDE FOR A HAZARDOUS PAY DIFFERENTIAL FOR EMPLOYEES OF THE GUAM BEHAVIORAL HEALTH AND WELLNESS CENTER IN UNSAFE OR DANGEROUS HAZARDOUS DUTY WORKING CONDITIONS, BY ADDING A NEW §86112 TO CHAPTER 86, TITLE 10, GUAM CODE ANNOTATED.

**Bill No. 11-33 (COR)**, introduced by **D.G. Rodriguez, Jr.**: AN ACT TO PROVIDE FOR HEALTHCARE PROFESSIONAL PAY PLAN CATEGORY IN THE GOVERNMENT OF GUAM COMPETITIVE WAGE ACT OF 2014, AND REINSTATE THE PRIOR PAY PLAN RATE FOR THESE POSITIONS, AND MANDATE A REASSESSMENT OF HEALTHCARE PROFESSIONALS SALARY RANGES SO AS TO BE COMPETITIVE BASED UPON NATIONAL STANDARDS.

**Bill No. 27-33 (COR)**, introduced by **F.B. Aguon, Jr.**: AN ACT RELATIVE TO RECOGNIZING THAT PUBLIC EMPLOYEES WITH SUPERIOR RATINGS IN FISCAL YEAR 2002 WERE NOT COMPENSATED FOR MERITORIOUS PERFORMANCE IN ACCORDANCE WITH PROVISIONS CONTAINED IN §6203, TITLE 4, GUAM CODE ANNOTATED; AUTHORIZING THE APPLICATION OF THE MERIT BONUS PROGRAM FOR FISCAL YEAR 2002; AND PROVIDING FOR SUCH PAYMENTS.

**Bill No. 46-33 (COR)**, introduced by **D.G. Rodriguez, Jr.**: AN ACT TO ADD A NEW § 6235 TO ARTICLE 2 OF CHAPTER 6, 4 GCA, RELATIVE TO PROVIDING A PAY INCENTIVE TO GOVERNMENT OF GUAM LINE AGENCY'S, THE OFFICE OF THE PUBLIC ACCOUNTABILITY, AND THE GUAM DEPARTMENT OF EDUCATION EMPLOYEES WHO HAVE OBTAINED CERTIFIED PUBLIC ACCOUNTANT, CERTIFIED GOVERNMENT FINANCIAL MANAGEMENT, CERTIFIED FRAUD EXAMINER, AND CERTIFIED INTERNAL AUDITOR CERTIFICATIONS PURSUANT TO RECOGNIZED NATIONAL STANDARDS TO PRESERVE THE GOVERNMENT OF GUAM'S ABILITY TO RECRUIT AND RETAIN SUCH PROFESSIONALS.

### **Nomination of ANTHONY C. BLAZ**

**Position:** Director, Department of Administration

### **Nomination of BEN ANTHONY B. REYES**

**Position:** Member, Cockpit License Board

### **Nomination of KATHRINE B. KAKIGI**

**Position:** Classified Government of Guam Employee Member, Banking and Insurance Board

### IV. Closing Remarks

### V. Adjournment