

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

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
<b>386-32 (COR)</b>	B.J.F. CRUZ	AN ACT TO CLARIFY CERTAIN FUNCTIONS OF THE ADMINISTRATIVE LAW JUDGE UNDER THE CIVIL SERVICE COMMISSION BY AMENDING SUBSECTION (C) OF TITLE 4 GCA §4405.	7/28/14 4:55 p.m.	07/28/14	Committee on General Governmental Operations and Cultural Affairs			<b>Fiscal Note Request 7/29/14 Fiscal Note Waived 8/20/14</b>



# COMMITTEE ON RULES

*I Mina'trentai Dos na Liheslaturan Guåhan* • The 32nd Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
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Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

August 20, 2014

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

## Memorandum

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

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

Senator  
Dennis G. Rodriguez, Jr.  
Member

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

Vice-Speaker  
Benjamin J.F. Cruz  
Member

Subject: **Waiver**

Legislative Secretary  
Tina Rose Muña Barnes  
Member

*Hafa Adai!*

Attached please find the waiver for the bill number listed below. Please note that the waiver is issued on the bill as introduced.

Senator  
Frank Blas Aguon, Jr.  
Member

**WAIVER:**  
Bill No. 386-32(COR)

Senator  
Michael F.Q. San Nicolas  
Member

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

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

*Si Yu'os ma'åse'!*

Senator  
Aline Yamashita  
Member

2014 AUG 20 AM 11:04

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

OFFICE OF THE GOVERNOR  
Post Office Box 2950, Hagåtña Guam 96932

**EDDIE BAZA CALVO**  
GOVERNOR

**ANTHONY C. BLAZ**  
ACTING DIRECTOR

**RAY TENORIO**  
LIEUTENANT GOVERNOR

**JOSE S. CALVO**  
ACTING DEPUTY DIRECTOR

Senator Rory J. Respicio  
Chairperson, Committee on Rules  
I Mina'trentai Dos na Liheslaturan Guåhan  
The 32nd Guam Legislature  
155 Hesler Place  
Hagåtña, Guam 96932

*Hafa Adai* Senator Respicio:

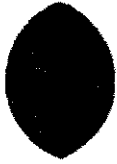
Transmitted herewith is Fiscal Note Waiver on the following Bill No.: **386-32(COR)**.

If you have any question(s), please do not hesitate to call the office at 475-9412/9106.

A handwritten signature in black ink, appearing to read "Anthony C. Blaz".

**ANTHONY C. BLAZ**  
Acting Director

Enclosures  
cc: Senator Vicente (ben) Pangelinan

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**ANTHONY C. BLAZ**  
ACTING DIRECTOR

**JOSE S. CALVO**  
DEPUTY DIRECTOR

The Bureau requests that Bill No. 386-32 (COR) be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

Bill No. 386-32(COR) is an Act to amend §4405(c), Chapter 4, Title 4, GCA relative to clarifying the functions of the Administrative Law Judge (ALJ) under the Civil Service Commission (CSC). The amendment outlines the ALJ's authority to handle hearings related to technical and procedural motions, preliminary evidentiary motions, and full merits hearings. Subsequently, the amendment outlines the procedure for review and ratification of the ALJ's decision in the above stated cases. Lastly, the amendment recognizes the ALJ's status as a representative of the CSC and provides authorization to act on behalf of the CSC's procedures and responsibilities outlined in §4403, Chapter 4, Title 4, GCA, except as limited by this act.

The intent of the Bill is administrative in nature and poses no fiscal impact upon any funds of the Government of Guam.

ANTHONY C. BLAZ  
Acting Director



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Member

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V. Anthony Ada  
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MINORITY LEADER

Senator  
Aline Yamashita  
Member

July 29, 2014

VIA E-MAIL

[joey.calvo@bbmr.guam.gov](mailto:joey.calvo@bbmr.guam.gov)

Jose S. Calvo  
Acting Director  
Bureau of Budget & Management Research  
P.O. Box 2950  
Hagåtña, Guam 96910

**RE: Request for Fiscal Notes– Bill Nos. 385-32 (COR) and 386-32(COR)**

*Hafa Adai* Mr. Calvo:

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

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

Very Truly Yours,

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

Attachment (1)

Cc: Clerk of the Legislature

<b>Bill Nos.</b>	<b>Sponsors</b>	<b>Title</b>
<b>385-32 (COR)</b>	FRANK B. AGUON, JR.	AN ACT TO APPROPRIATE FUNDS TO THE GUAM OFFICE OF VETERANS AFFAIRS TO FULFILL LOCAL MATCHING FUNDING REQUIREMENTS FOR THREE SEPARATE VETERANS CEMETERY GRANTS.
<b>386-32 (COR)</b>	B.J.F. CRUZ	AN ACT TO CLARIFY CERTAIN FUNCTIONS OF THE ADMINISTRATIVE LAW JUDGE UNDER THE CIVIL SERVICE COMMISSION BY AMENDING SUBSECTION (C) OF TITLE 4 GCA §4405.



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Member

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

Senator  
Aline Yamashita  
Member

July 28, 2014

### 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. 386-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 386-32(COR)**.

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

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


*Si Yu'os Ma'åse!*

Attachment

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

Bill No. 386-32 (WR)

Introduced by:

B.J.F. Cruz 

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**AN ACT TO CLARIFY CERTAIN FUNCTIONS OF THE  
ADMINISTRATIVE LAW JUDGE UNDER THE CIVIL  
SERVICE COMMISSION BY *AMENDING* SUBSECTION  
(C) OF TITLE 4 GCA §4405.**

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

**Section 1.** Subsection (c) of §4405, Article 4, Chapter 4 of Title 4 of the  
Guam Code Annotated is hereby *amended* to read:

**“§4405. Commission Staff.**

(a) The Executive Director of the Commission *shall* be appointed by  
the Civil Service Commission with the approval of the Governor and with  
the advice and consent of the Legislature.

(b) The Executive Director *may*, with Commission approval, hire such  
professional, clerical, and other staff as may be deemed necessary to assist  
the Commission in performing its duties and functions;

(c) The Commission *may* employ an full-time or part-time  
Administrative Law Judge (ALJ), ~~full or part-time~~, to assist the Commission  
with ~~the~~ adjudicatory responsibilities, or the Commission may retain a  
private attorney or attorneys to serve as an ALJ on a case-by-case basis. The  
Commission may grant the ALJ the authority to handle any such matters it  
deems appropriate, including, but not limited to, hearings related to technical  
and procedural motions, preliminary evidentiary motions, and full merits  
hearings. All decisions by the ALJ shall be forwarded for review and

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1 ratification to the Commission, which will have the authority to accept,  
2 modify, or reject it in whole or in part, and to determine whether the  
3 decision affects similarly situated matters being reviewed by the ALJ. The  
4 ALJ shall follow applicable rules and procedures approved by the  
5 Commission, and where any rule or procedure identifies the Commission,  
6 the ALJ may at the direction of the Commission act in its place and will  
7 assume all authority and responsibilities prescribed by such rules and  
8 regulations, except as limited by this Act. An ALJ must be a Guam-licensed  
9 attorney.”

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

11 **Section 3. Severability.** If any provision of this Act or the application of  
12 any such provision to any person or circumstance should be held invalid by a court  
13 of competent jurisdiction, the remainder of this Act or the application of its  
14 provisions to persons or circumstances other than those to which it is held invalid  
15 shall not be affected thereby.