



EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

December 16, 2016

33-16-2262
Office of the Speaker
Judith T. Won Pat, Ed.D

Honorable Judith T. Won Pat, Ed.D.
Speaker of the Thirty-third Guam Legislature
155 Hesler Place
Hagatna, Guam 96910

Date: 12/16/16
Time: 5:35 pm
Received By: [Signature]

Dear Madam Speaker,

Those who have wanted to see senatorial salaries lowered will not be happy with my decision today. I beg their pardon with all humility, for I am returning Bill No. 201-33 (enclosed) with these objections, signifying my veto. This is one of those days, when what may be popular is not synonymous with what is right. For those with pitchforks and torches, ready to turn the Legislature into the Bastille, I ask that we make way for reason, understanding that though individual senators may at times test our patience, we gain nothing by tearing down our institutions. We are, after all, talking about the House of the People.

I am arguably the Legislature's staunchest critic. By logical deduction, if I have some reason to defend the Legislature, they must be good reasons. I list them below.

First and foremost, I have been steadfast against violating the Hay Plan and the work of the human resources professionals. Their methods and reasoning qualified and quantified a salary increase for senators. I did not choose this salary level out of thin air. The 32nd Guam Legislature did not make it up. It is part and parcel to the complete Competitive Wage Study. If we tinker with one piece for any reason other than to respond to unanticipated market forces, we will be opening a Pandora's Box.

My second reason for vetoing this bill is that I'm not the person who should be deciding your pay. I'm not your boss; the constitutional separation of powers is very clear about that. Your boss already spoke on this issue, having done an evaluation of you and others who sought your job very recently, on November 9. The people chose who they believed should work for them in the Legislature at a salary of \$85,000 per year. They chose from a field of highly qualified and high caliber professionals. I dare to say it is no coincidence the increase in qualified candidates in the 2016 elections for senators and mayors happened as the salary level was raised. This was exactly the purpose of the Competitive Wage Study – to attract the best candidates to serve the public in the classified service, the unclassified service, and elective office.

If you want to make your boss happy, my advice to you is to drop the political divisions that the people are so darn tired of, and show them you're working hard for your salary.

My third reason for vetoing this bill is complimentary to my second reason; I don't have any business lowering your salary, but you do. Like Ray, the senior staff, the Cabinet, and I did during a true fiscal crisis in 2011 and 2012, we voluntarily cut our pay and donated the proceeds to tax refunds. We didn't need the Legislature's approval. If you feel strongly about cutting your pay, you don't need my approval. Just fill out the form at the Legislature's fiscal office and your pay will be cut. But, if I may come to your defense; I ask that before you take such an action you consider two things. The first is that, as an elected official, the decisions you make in your capacity no longer are just about you.

2016 DEC 16 PM 5:48
147

2262

These decisions reflect upon the office you hold. As a former member of the Legislature, it saddens me how quickly some of its members have diminished the office for political expediency and martyrdom. Second, think about your spouses, your families, and those of the incoming senators. For crying out loud, it's Christmas and I feel as though I'm writing a letter to Santa to ask him to save the Legislature from its Scrooge. Don't get me wrong, I admire the willingness to sacrifice as a matter of duty to the people. But I highly doubt that what motivates this sacrifice is anything but politics and headlines.

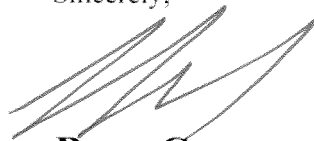
I understand that one of the reasons given for cutting senatorial pay is that we can't afford it. First of all, that's untrue. There hasn't been a payless payday in all these years I've been the governor. Tax refunds are being paid on time, all the time. Vendor payables are no where near the aging period before I took office. Allotments aren't perfect, but agencies are functioning at service levels. We have our expected days of struggle, we've run into unexpected rough patches, but we're okay. We've got it together. That's what good management is about. And I'll tip my hat to you for creating good fiscal policies and controls that guide our management. But focusing on senatorial salaries as a fiscal issue while blessing the \$200 million increase to the unfunded liability of the pension fund is like Nero complaining about the dent in his lyre as Rome burns from the fire he started.

Senators, I know you will agree with me there are far more important issues worthy of our time than this political discussion of pay. Tax reform, modernization of services, the education crisis, universal pre school, child care, universal access to medical care, new medical facilities, new schools, road construction, implementing the 50-year vision of our island, rehabilitating and motivating at-risk youth and the dependent population into self-sufficiency, building the new Hagatna – these issues and many more should dominate our calendars. We surely will earn our keep if we provide solutions to even a fraction of this list.

As always, I am eager to work with all of you and the incoming senators on this agenda. I want to work through our disagreements on the details, because I know we generally agree on the direction we want to take our island. Do you know how lucky we are in that regard? From the federal government to state and county governments throughout the nation, the establishment is torn down ideological lines on almost every issue important to the people. Here, Democrats and Republicans generally agree on many issues. It should be far more simple for us to arrive at solutions, yet we allow our differences over the minutiae get in the way of that progress. Or we find ridiculous and trivial matters to dominate our time and attention all in the name of political advancement. Perhaps if we stopped looking at each other as Democrats or Republicans and instead spoke to each other with the respect our people demand, we can turn a new leaf.

This isn't difficult, just as it wasn't difficult for me to pen this defense of the Legislature.

Sincerely,



EDDIE BAZA CALVO

**I MINA TRENTAI TRES NA LIHESLATURAN GUÁHAN
2016 (SECOND) Regular Session**

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LÁHEN GUÁHAN

This is to certify that Bill No. 201-33 (COR), "AN ACT TO AMEND SECTION 1 OF PUBLIC LAW 32-208, RELATIVE TO EXCLUDING SENATORS OF I LIHESLATURAN GUÁHAN FROM THE COMPETITIVE WAGE ACT OF 2014; AND TO ADD A NEW § 1106.1 TO CHAPTER 1, TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO REDUCING THE COMPENSATION OF SENATORS OF I LIHESLATURAN GUÁHAN," was on the 2nd day of December 2016, duly and regularly passed.



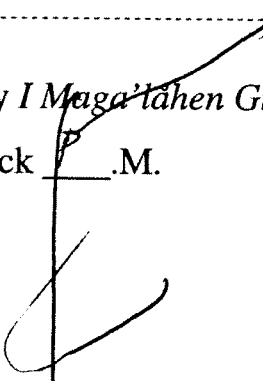
**Judith T. Won Pat, Ed.D.
Speaker**

Attested:


**Tina Rose Muña Barnes
Legislative Secretary**

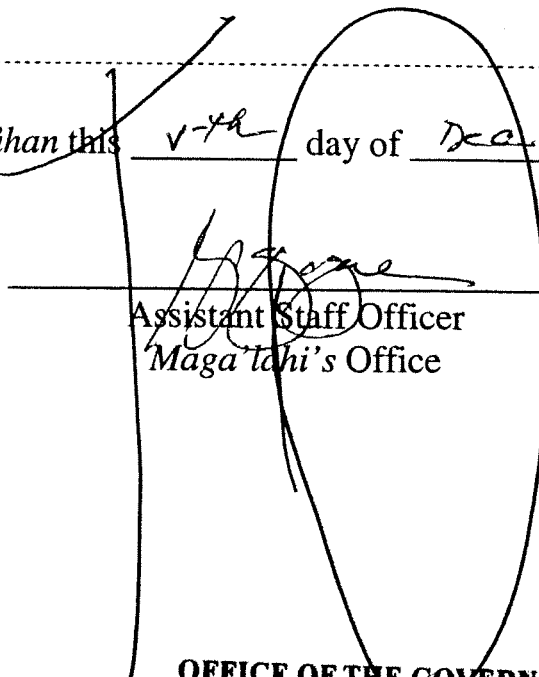
This Act was received by *I Maga'láhen Guáhan* this 5th day of Dec,
2016, at 4:30 o'clock P.M.

APPROVED:


**EDWARD J.B. CALVO
*I Maga'láhen Guáhan***

Date: _____

Public Law No. _____


**Assistant Staff Officer
*Maga'tahi's Office***

**OFFICE OF THE GOVERNOR
CENTRAL FILES**

RECEIVED BY
TIME 4:57 PM DATE 12-5-16

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

Bill No. 201-33 (COR)

Introduced by:

Brant T. McCreadie
T. C. Ada
V. Anthony Ada
FRANK B. AGUON, JR.
Frank F. Blas, Jr.
B. J.F. Cruz
James V. Espaldon
Tommy Morrison
T. R. Muña Barnes
R. J. Respicio
Dennis G. Rodriguez, Jr.
Michael F.Q. San Nicolas
Mary Camacho Torres
N. B. Underwood, Ph.D.
Judith T. Won Pat, Ed.D.

AN ACT TO AMEND SECTION 1 OF PUBLIC LAW 32-208, RELATIVE TO EXCLUDING SENATORS OF *I LIHESLATURAN GUÁHAN* FROM THE COMPETITIVE WAGE ACT OF 2014; AND TO ADD A NEW § 1106.1 TO CHAPTER 1, TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO REDUCING THE COMPENSATION OF SENATORS OF *I LIHESLATURAN GUÁHAN*.

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

2 **Section 1.** Section 1 of Public Law 32-208 is hereby *amended* to read:

3 "Section 1. Section 1 of Public Law 32-126 is hereby *repealed* and
4 *reenacted* to read:

5 **Section 1.** Notwithstanding any other provision of law, rule,
6 regulation, policy, or procedure, the salaries of *I Maga'lâhen Guåhan*, *I*

1 *Segundu na Maga'låhen Guåhan*, and the Attorney General of Guam, shall
2 be set to the respective salary rates pursuant to the Competitive Wage Act of
3 2014, which was transmitted and received by *I Liheslaturan Guåhan* on
4 January 15, 2014. The appropriations from FY 2015 are hereby authorized
5 for the payment of salaries of the positions identified in this Section. The
6 salaries of the Public Auditor of Guam and staff of the Office of Public
7 Accountability shall be set pursuant to § 1907 of Chapter 19 of Title 1,
8 Guam Code Annotated. Nothing in this section shall repeal or negate the
9 provisions contained in Public Law 32-166.”

10 **Section 2.** A new § 1106.1 is *added* to Chapter 1, Title 2, Guam Code
11 Annotated, to read:

12 “§ 1106.1. **Senatorial Salaries.** Notwithstanding any other
13 provision of law, rule, regulation, policy, or procedure, compensation of
14 each member of *I Liheslaturan Guåhan* [the Guam Legislature] shall be paid
15 in twenty-six (26) equal installments at the rate per annum of Fifty-Five
16 Thousand Three Hundred Seven Dollars (\$55,307); the compensation of the
17 Speaker of *I Liheslaturan Guåhan* shall be paid in twenty six (26) equal
18 installments at the rate per annum of Sixty Thousand Eight Hundred Thirty-
19 Seven Dollars (\$60,837). Such compensation shall be paid out of funds to be
20 appropriated to *I Liheslaturan Guåhan* [the Guam Legislature].”

21 **Section 3. Effective Date.** The provisions of this Act shall become
22 effective upon enactment.

23 **Section 4. Severability.** If any provision of this Act or its application to
24 any person or circumstance is found to be invalid or contrary to law, such
25 invalidity shall not affect other provisions or applications of this Act which can be
26 given effect without the invalid provisions or application, and to this end the
27 provisions of this Act are severable.