



*Territory of Guam*  
*Territorio de Guam*

**REFER TO  
LEGISLATIVE SECRETARY**

*Recd.*  
*11/24/91*  
*JF*

OFFICE OF THE GOVERNOR  
PESINAN I MALA LAHE  
AGANA, GUAM 96910

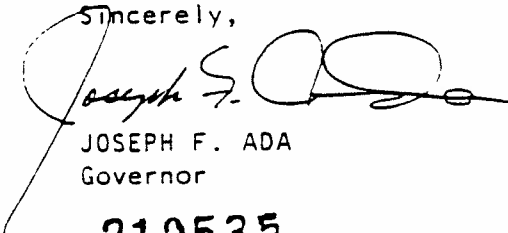
NOV 26 1991

The Honorable Joe T. San Agustin  
Speaker, Twenty-First Guam Legislature  
155 Hessler Street  
Agana, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 204, which I have signed into law this  
date as Public Law 21-67.

Sincerely,



JOSEPH F. ADA  
Governor

210535

Attachment



TWENTY-FIRST GUAM LEGISLATURE  
1991 (FIRST) Regular Session


CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 204 (COR), "AN ACT TO REPEAL AND REENACT §4107 AND TO ADD A NEW §4117.1, ALL TO TITLE 4 GUAM CODE ANNOTATED, INCREASING MATERNITY LEAVE AND PERMITTING PATERNITY LEAVE FOR GOVERNMENT EMPLOYEES, was on the day 8th of November, 1991, duly and regularly passed.

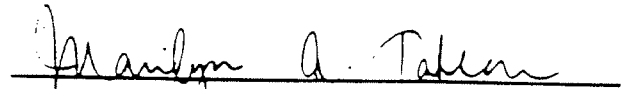


JOE T. SAN AGUSTIN  
Speaker


Attested:

  
PILAR C. LUJAN  
Senator and Legislative Secretary

-----  
This Act was received by the Governor this 15<sup>th</sup> day of November, 1991  
at 2:30 o'clock P.M.

  
Assistant Staff Officer  
Governor's Office

APPROVED:

  
JOSEPH F. ADA  
Governor of Guam

Date: November 26, 1991

Public Law No. 21-67

TWENTY-FIRST GUAM LEGISLATURE  
(1991) FIRST Regular Session

Bill No. 204 (COR)

As substituted by the Committee on  
General Governmental Operations  
and further substituted by the  
Committee on Rules

Introduced by:

M. C. Ruth  
H. D. Dierking  
M. D. A. Manibusan  
A. C. Blaz  
C. T. C. Gutierrez  
J. G. Bamba  
J. P. Aguon  
E. P. Arriola  
M. Z. Bordallo  
D. F. Brooks  
E. R. Duenas  
E. M. Espaldon  
P. C. Lujan  
G. Mailloux  
D. Parkinson  
M. J. Reidy  
J. T. San Agustin  
F. R. Santos  
D. L. G. Shimizu  
T. V. C. Tanaka  
A. R. Unpingco

AN ACT TO REPEAL AND REENACT §4107 AND TO  
ADD A NEW §4117.1, ALL TO TITLE 4, GUAM CODE  
ANNOTATED, INCREASING MATERNITY LEAVE AND  
PERMITTING PATERNITY LEAVE FOR  
GOVERNMENT EMPLOYEES.

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

2           Section 1. §4107 of Title 4, Guam Code Annotated, is hereby repealed  
3 and reenacted to read:

4           "§4107. Maternity leave. Maternity leave shall be granted  
5 to a female employee occupying a permanent position who is  
6 absent from work as a result of childbirth. Such maternity leave  
7 shall not exceed twenty (20) days encompassing the date of  
8 childbirth. Any additional leave taken for such childbirth purpose  
9 may be charged against accumulated sick leave or may be unpaid  
10 leave, at the option of the employee. Total leave, whether  
11 maternity, sick or unpaid leave, shall not exceed six (6) months  
12 without approval of the employee's supervisor."

13          Section 2. A new §4117.1 is hereby added to Title 4, Guam Code  
14 Annotated, to read as follows:

15          "§4117.1. Paternity leave. Paternity leave shall be granted  
16 to a male employee occupying a permanent position upon the  
17 birth to his wife of a child or children. Such paternity leave shall  
18 not exceed five (5) days of paid leave and must encompass the  
19 date of childbirth. Any additional leave taken for such purpose  
20 may be charged against accumulated sick leave, or may be unpaid  
21 leave at the option of the employee. Total leave, whether  
22 paternity, sick or unpaid leave shall not exceed two (2) months  
23 without approval of the employee's supervisor."

24          Section 3. Title. This Act may be cited as the "Employees' Child Health  
25 Care Act of 1991".



Senator **HERMINIA D. DIERKING**

21st GUAM LEGISLATURE

**Committees:**

CHAIRPERSON:

June 27, 1991

**Rules**

**General  
Governmental  
Operations**

Honorable Joe T. San Agustin  
Speaker  
Twenty-First Guam Legislature  
155 Hesler Street  
Agana, Guam 96910

VICE CHAIRPERSON:

**Ways & Means**

**Energy  
Utilities and  
Consumer  
Protection**

Re: Chairperson, Committee on Rules

Dear Mr. Speaker:

MEMBER:

**Economic and  
Agricultural  
Development**

The Committee on General Governmental Operations, to which was referred Bill No. 204, "An act to repeal and reenact §4107 and to add a new §4107.1 to Title 4, Guam Code Annotated, increasing maternity and to allow for paternity leave for government employees, and to cite the Act as the Employees Child Health Care Act of 1991," has had the same under consideration, and now wishes to report back the same with the recommendation to do pass as substituted.

**Education**

**Health,  
Ecology and  
Welfare**

The Committee votes are as follows:

**Housing  
Community  
Development,  
Federal and  
Foreign Affairs**

TO DO PASS	<u>-9-</u>
NOT TO PASS	<u>-0-</u>
INACTIVE FILE	<u>-0-</u>
ABSTAIN	<u>-0-</u>

**Judiciary  
and  
Criminal Justice**

**Tourism and  
Transportation**

A copy of the Committee Report and other pertinent documents are enclosed for your reference and information.

**Youth, Senior  
Citizens, and  
Cultural Affairs**

Sincerely,

HERMINIA D. DIERKING

Enclosure:

**COMMITTEE ON GENERAL GOVERNMENTAL OPERATIONS  
VOTE SHEET**

**SUBSTITUTE BILL NO. 204  
AN ACT TO REPEAL AND REENACT §4107 AND TO ADD A  
NEW §4107.1 TO TITLE 4, GUAM CODE ANNOTATED,  
INCREASING MATERNITY AND TO ALLOW FOR PATERNITY  
LEAVE FOR GOVERNMENT EMPLOYEES; AND TO CITE THE  
ACT AS THE EMPLOYEES CHILD HEALTH CARE ACT OF  
1991.**

**RECOMMENDATION TO DO PASS**

<b>COMMITTEE MEMBERS:</b>	<b>TO DO PASS:</b>	<b>NOT TO PASS:</b>	<b>INACTIVE FILE:</b>	<b>ABSTAIN:</b>
<u><i>H. Dierking</i></u> H. D. Dierking, Chairperson	✓	_____	_____	_____
<u><i>F. R. Santos</i></u> F. R. Santos, Vice-Chairperson	✓	_____	_____	_____
<u><i>J. T. San Agustin</i></u> J. T. San Agustin, Speaker & Ex-Officio	✓	_____	_____	_____
<u><i>J. G. Bamba</i></u> J. G. Bamba, Member	✓	_____	_____	_____
<u>_____</u> A. C. Blaz, Member	_____	_____	_____	_____
<u>_____</u> E. R. Duenas, Member	_____	_____	_____	_____
<u><i>C. T.C. Gutierrez</i></u> C. T.C. Gutierrez, Member	✓	_____	_____	_____
<u>_____</u> P. C. Lujan, Member	_____	_____	_____	_____
<u><i>Marilyn Manibusan</i></u> M. D.A. Manibusan, Member	✓ <i>pdw</i> 6/20/91	_____	_____	_____
<u>_____</u> D. Parkinson, Member	_____	_____	_____	_____
<u><i>T. V.C. Tanaka</i></u> T. V.C. Tanaka, Member	✓	_____	_____	_____

TWENTY-FIRST GUAM LEGISLATURE  
COMMITTEE ON GENERAL GOVERNMENTAL OPERATIONS

REPORT ON BILL NO. 204

AN ACT TO REPEAL AND REENACT §4107 AND TO ADD A NEW §4107.1 TO TITLE 4, GUAM CODE ANNOTATED, INCREASING MATERNITY AND TO ALLOW FOR PATERNITY LEAVE FOR GOVERNMENT EMPLOYEES; AND TO CITE THE ACT AS THE EMPLOYEES CHILD HEALTH CARE ACT OF 1991.

Introduced by  
Senators M. C. Ruth, H. D. Dierking

**PREFACE:**

The Committee on General Governmental Operations, to which was referred the above captioned measure, conducted a public hearing on Tuesday, April 23, 1991, at 9:00 a.m. in the Legislative Public Hearing Room.

Committee members present were Senator Herminia D. Dierking, Chairperson, and Senators, Anthony C. Blaz, Carl T.C. Gutierrez, Martha C. Ruth, Elizabeth P. Arriola, Marilyn D.A. Manibusan, and Speaker Joe T. San Agustin.

**NOTIFICATION:**

Letters were sent to the Governor; Executive Director, Women's Affairs; the Attorney General; the Director, Department of Administration; the Executive Director and Chairperson, Civil Service Commission; Director, Bureau of Planning; the Director, Bureau of Budget and Management Research; President, Mayors Council; the President, Guam Chamber of Commerce; the Committee members; the media, and the general public.

**TESTIMONY:**

Although there were no witnesses present, the Committee received written testimony from Ms. Lynn S.N. Munoz, R.N. supporting passage and enactment of Bill No. 204. At this time, the Chairperson requested the author to be a co-sponsor of Bill No. 204. There was no objections from the main sponsor.

**SECTION ANALYSIS:**

Please refer to page entitled Profile on Substitute Bill No. 204.

**RECOMMENDATION:**

The Committee on General Governmental Operations, to which was referred Bill No. 204, "An act to repeal and reenact §4107 and to add a new §4107.1 to Title 4, Guam Code Annotated, increasing maternity and to allow for paternity leave for government employees; and to cite the Act as the Employees Child Health Care Act of 1991," has had the same under consideration, and now wishes to report back the same with the recommendation to do pass.



## **PROFILE ON SUBSTITUTE BILL NO. 204**

Short Title:	"Employees Child Health Care Act of 1991."
Main Sponsor:	Martha C. Ruth, Herminia D. Dierking
Date Introduced:	February 21, 1991
Referral:	Committee on General Governmental Operations on February 21, 1991
Hearing Date:	Tuesday, April 23, 1991
Official Title:	"An act to repeal and reenact §4107 and to add a new §4107.1 to Title 4, Guam Code Annotated, increasing maternity and to allow for paternity leave for government employees; and to cite the Act as the Employees Child Health Care Act of 1991."
Co-Sponsors:	None
Recommendation	To do pass

### **SECTION ANALYSIS**

Section 1 repeals and reenacts §4107 of Title 4, Guam Code Annotated pertaining to maternity leave. The amendment

provides that a 20 day maternity leave in addition to sick leave, shall be granted to employees.

Furthermore, the legislation provides that such maternity leave shall be any 20 days from the date of birth, and any additional leave taken may be charged against accumulated sick leave or may be unpaid leave, at the option of the employee. Also, the total leave, whether maternity, sick or unpaid leave, shall not exceed 6 months without approval of the employee's supervisor.

Section 2 adds a new §4107.1 to Title 4, Guam Code Annotated pertaining to paternity leave. This section provides that male employees be given paternity leave not to exceed five (5) days, and any additional leave which may be charged against his accumulated sick leave for the purpose of caring for his wife and child.

The Committee recognizing the welfare of its employees and family, recommends that the Legislature pass Substitute Bill No. 204.

TWENTY-FIRST GUAM LEGISLATURE  
1991 (FIRST) Regular Session

Bill No. 204  
Substituted by the Committee on  
General Governmental Operations

Introduced by:

M. C. Ruth

H. D. Dierking

*M. Manibusan*  
*A. C. Blaz*  
*J. Blaz*  
*J. Blaz*

AN ACT TO REPEAL AND REENACT §4107 AND TO ADD A NEW §4117.1, TO TITLE 4, GUAM CODE ANNOTATED, INCREASING MATERNITY AND TO ALLOW FOR PATERNITY LEAVE FOR GOVERNMENT EMPLOYEES; AND TO CITE THE ACT AS THE EMPLOYEES CHILD HEALTH CARE ACT OF 1991.

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF  
2 GUAM:

3 Section 1. §4107 of Title 4, Guam Code Annotated is hereby  
4 repealed and reenacted to read:

5 "§4107. Maternity Leave. Maternity leave shall be granted  
6 to a female employee occupying a permanent position who is  
7 absent from work as a result of childbirth. Such maternity leave  
8 shall not exceed twenty (20) days encompassing the date of  
9 childbirth. Any additional leave taken for such childbirth  
10 purposes may be charged against accumulated sick leave or may  
11 be unpaid leave, at the option of the employee. Total leave,  
12 whether maternity, sick or unpaid leave, shall not exceed (6)  
13 months without approval of the employee's supervisor."

14 Section 2. A new §4117.1 is hereby added to Title 4, Guam  
15 Code Annotated to read as follows:

16 "§4117.1. Paternity Leave. Paternity leave shall be granted  
17 a male employee occupying a permanent position upon the birth  
18 of a son or daughter. Such paternity leave shall not exceed five

1 (5) days of paid leave. Any additional leave taken for such  
2 purposes must encompass the date of childbirth and may be  
3 charged against accumulated sick leave, or may be unpaid leave  
4 at the option of the employee. Total leave, whether paternity,  
5 sick or unpaid leave shall not exceed two (2) months without  
6 approval of the employee's supervisor."

7 Section 3. This Act may be cited or referred to as the  
8 Employees Child Health Care Act of 1991.

TWENTY-FIRST GUAM LEGISLATURE  
1991 (FIRST) Regular Session

Bill No. 204

Introduced by:

M. C. Ruth *M. C. Ruth*  
A.C. BUAZ

*9-0*

AN ACT INCREASING MATERNITY LEAVE  
FOR GOVERNMENT EMPLOYEES.

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

2 Section 1. 4 GCA Section 4107 is amended to read:

3 "§4107. Maternity Leave. Maternity leave shall be granted to a femal  
4 employee occupying a permanent position who is absent from work as a resul  
5 of childbirth. Such maternity leave shall be any [~~ten-(10)~~] twenty (20) days  
6 shall be in addition to sick leave and shall be paid leave. Such maternit  
7 leave shall be any [~~ten -(10)~~] twenty (20) days encompassing the date o  
8 childbirth[;]. [~~and -an~~] Any additional leave taken for such childbirtl  
9 purposes [~~shall~~] may be charged against accumulated sick leave or may b  
10 unpaid leave, at the option of the employee. Total leave, whether maternity  
11 sick or unpaid leave, shall not exceed six (6) months without approval of th  
12 employee's supervisor."

April 24, 1991

The Honorable H. D. Dierking  
Chairwoman, Committee on General  
Governmental Operations  
Twenty-First Guam Legislature  
Agana, Guam 96910

Dear Senator Dierking and Members of the Committee:

My name is Lynn San Nicolas Munoz and I am submitting this testimony for Bill 204, an act to amend §4107 of Title 4, Guam Code Annotated, increasing maternity leave for government employees.

The allowance of twenty (20) days paid leave, in addition to other leaves of absence, will help to greatly reduce the postpartum ("after birth") anxiety all mothers experience. I know this feeling because I am the mother of a 12-month old boy. I am also a wife, employee and full-time college student. I feel I can speak for all mothers when I say that financial concerns do not facilitate the adjustment to motherhood, parenting and family life, especially within the first six weeks after delivery. This bill will help to reduce this financial stress and allow for a healthier start on these tasks.

In these days of two-paycheck households, any loss of income results in significant difficulties. Bill 204 is necessary to preserve the homeostasis of family life and the nurturance of mother-child bonding since it will address, for the most part, a family's financial concern.

I strongly urge passage of this bill, and an expeditious vote to implement it, so that our mothers will be able to carry on family life with as few complications as possible.

Sincerely,

Lynn S. N. Munoz, R. N.  
P.O. Box 11965  
Tamuning, Guam 96931

RECEIVED  
COMMITTEE ON RULES  
DATE: 5/6/91  
TIME: 9:05 AM  
BY: [Signature]

**Bill No.** 204 **Date Received** 4/22/91  
**Amendatory Bill** YES  NO  **Date Reviewed** 4/22/91

**Department/Agency Affected:** All Government Departments/Agencies  
**Department/Agency Head:** ALL  
**Total FY Appropriation to Date:** N/A

**Bill Title (preamble) :** AN ACT INCREASING MATERNITY LEAVE FOR GOVERNMENT EMPLOYEES.

**Change in Law:** Yes. An Act to amend 4 GCA Section 4107.

**Bill's Impact on Present Program Funding:**  
 Increase     Decrease     Reallocation     No Change

**Bill is for:**  Operations     Capital Improvement     Other ( Maternity Leave )

**FINANCIAL/PROGRAM IMPACT**

**ESTIMATED SINGLE-YEAR FUND REQUIREMENTS (Per Bill)**

PROGRAM CATEGORY	GENERAL FUND	OTHER	TOTAL
<u>All</u>	<u>(See Comments)</u>		

**ESTIMATED MULTI-YEAR FUND REQUIREMENTS (Per Bill)**

FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL FUND	<u>(See Comments)</u>					
OTHER						
TOTAL						

*No appropriation contained in Bill.*

**FUNDS ADEQUATE TO COVER INTENT OF THE BILL? YES/NO-IF NO, ADD'L AMOUNT REQUIRED \$** Bill.  
**AGENCY/PERSON/DATE CONTACTED:** \_\_\_\_\_

**ESTIMATED POTENTIAL MULTI-YEAR REVENUES**

FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL FUND	<u>N/A</u>					
OTHER						
TOTAL						

**ANALYST** Angela Flores **DATE** 4/22/91 **DIRECTOR** Giovanni T. Scambellure **DATE** 4/23/91

**FOOTNOTES:** Enactment of Bill No. 204 will entail an additional impact on government operations to cover absence of duty for employees on maternity leave, which will be increased from 10 days to 20 days with pay (and not to exceed 6 mos. total leave) with no services required of the employee.

**COMMITTEE ON  
GENERAL GOVERNMENTAL OPERATIONS**

**Tuesday, April 23, 1991  
8:30 a.m. Legislative Public Hearing Room**

**PUBLIC HEARING AGENDA**

**8:30 a.m., WOMEN'S ISSUES:**

Bill 116... An act to add a new Article 8 to Title 5, Guam Code Annotated, establishing the Bureau of Women's Affairs within the Office of the Governor.

Bill 204... An act amend §4107 of Title 4, Guam Code Annotated, increasing maternity leave for government employees.

**MUNICIPAL ISSUES:**

Bill 40... An act to empower Mayors to impose community service against any individual who is guilty of littering within a village boundary.

Bills 136, 159, 177... An act to amend the Government Code to provide \$50.00 stipends for members of Municipal Planning Councils.

Bill 155... An act to amend the provisions of the Unsafe Structure Removal Legislation of Public Law 16-56 and giving Mayors citation authority to facilitate removal of unsafe structures.

Bill 279... An act to amend Subparagraph (a) of §51022, Title 10, Guam Code Annotated, to include Municipal Planning Council members in the definition of "Apprehending Officers" under the Litter Control Act.

**AGANA COMPREHENSIVE PLANNING:**

Bill 151... An act to establish the Agana Comprehensive Planning Commission within the Bureau of Planning to plan and oversee the restoration of the City of Agana, to authorize the conduct of public hearings, the submission of



reports, and to cite the act as the Agana Comprehensive Planning Commission Act of 1991.

**UNIFORM GRID SYSTEM:**

Bill 286... An act to create the Islandwide Grid Uniform Addressing System or IGUAS.

**RECESS FOR LUNCH:**

**1:30 p.m., ELECTION REFORM:**

Bill 83... An act to amend certain sections relative to the deposit to ensure removal of political signs by candidates for election and to add new Subsections (11) and (12) to Section 17400.1 of the Government Code regulating the size of wooden or metal freestanding signs.

Bill 148... An act to add a new Paragraph (e) to §2101; to add a new Paragraph (c) to §2103; to add new Paragraphs (b) and (c) to §2106; to assure the autonomy of the Commission; to amend §§ 3101, 3106 and 3108, to comply with registration procedures; to repeal and reenact §9113, to provide for distance markers; and to repeal and reenact §§ 9124 and 9126 to determine residency for voters; all pertaining to Title 3, Guam Code Annotated; and to cite the Act as the Election Reform Act of 1991.

**LEGISLATIVE STAGGERED TERMS:**

Bill 290... An act to institute staggered terms for Guam Legislators, and to amend Title 2, Guam Code Annotated accordingly.

**CIVIL SERVICE COMMISSION:**

Bill 3... An act to repeal and reenact §4401, and to add a new 66224 to Title 4, Guam Code Annotated, creating an independent Civil Service Commission.

Bill 304... An act to add a new Article 4 to Chapter 6 of Title 4, Guam Code Annotated to establish a Commission on Salaries of Elected Officials; to provide for the appointment of members; to prescribe duties and responsibilities; and to cite the Act as the Elected Officials Salaries Compensation Commission Act of 1991.

**HAY REPORT:**

Continuation of Oversight Hearing on the Hay Report.

**ADJOURNMENT:**