



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

OFFICE OF THE SPEAKER

Date: 3.31.95
Time: 10:35 am
Received By: [Signature]
Print Name: Lola A. BARRA

MAR 30 1995

The Honorable Don Parkinson
Speaker
Twenty-Third Guam Legislature
424 West O'Brien Drive
Julale Center - Suite 222
Agana, Guam 96910

Dear Speaker Parkinson:

Enclosed please find Bill No. 129 (LS), 'AN ACT TO AMEND 5 GCA §3127, RELATIVE TO DETERMINING THE SENIOR CLASSIFIED EMPLOYEE WITHIN THE CUSTOMS AND QUARANTINE AGENCY", which I have **signed** into law this date as Public Law No. 23-03.

Very truly yours,

[Signature]
Carl T. C. Gutierrez

Enclosure


230330

[Signature]
3/31/95 330

TWENTY-THIRD GUAM LEGISLATURE
1995 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 129 (LS), "AN ACT TO AMEND 5 GCA §3127, RELATIVE TO DETERMINING THE SENIOR CLASSIFIED EMPLOYEE WITHIN THE CUSTOMS AND QUARANTINE AGENCY," was on the 17th day of March, 1995, duly and regularly passed.



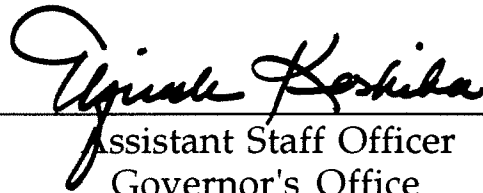
DON PARKINSON
Speaker

Attested:




JUDITH WON PAT-BORJA
Senator and Legislative Secretary

This Act was received by the Governor this 20 day of March,
1995, at 2:42 o'clock P.M.



Assistant Staff Officer
Governor's Office

APPROVED:



CARL T. C. GUTIERREZ
Governor of Guam

Date: 3-30-95

Public Law No. 23-03

TWENTY-THIRD GUAM LEGISLATURE
1995 (FIRST) Regular Session

Bill No. 129 (LS)

Introduced by:

M. C. Charfauros
A. L. G. Santos
V. C. Pangelinan
T. C. Ada
J. P. Aguon
E. Barrett-Anderson
A. C. Blaz
J. M. S. Brown
F. P. Camacho
H. A. Cristobal
M. Forbes
A. C. Lamorena
C. Leon Guerrero
L. Leon Guerrero
T. S. Nelson
S. L. Orsini
D. Parkinson
J. T. San Agustin
F. E. Santos
A. R. Unpingco
J. Won Pat-Borja

AN ACT TO AMEND 5 GCA §3127, RELATIVE TO
DETERMINING THE SENIOR CLASSIFIED
EMPLOYEE WITHIN THE CUSTOMS AND
QUARANTINE AGENCY.

1 **BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:**
2 **Section 1.** §3127 of Chapter 3 of Title 5, Guam Code Annotated, is
3 hereby amended to read:

1 **"§3127. Customs and Quarantine Agency.** There is hereby established
2 within the government of Guam, the Customs and Quarantine Agency (the
3 "Agency"). The Director of the Agency, who is the head of the Agency, shall be
4 appointed by the Governor with the advice and consent of the legislature.
5 The senior ranking classified Customs and Quarantine Officer within the
6 Agency shall act as the Deputy Director of the Agency with all the powers of
7 such a deputy but without additional compensation. The compensation of the
8 Director of the Agency and of such Director's personal secretary shall be set
9 by the Civil Service Commission."

TWENTY-THIRD GUAM LEGISLATURE

1995 (FIRST) Regular Session

6

Date: 3/17/95

VOTING SHEET

Bill No. 129

Resolution No. _____

Question: _____

NAME	AYE	NO	NOT VOTING/ ABSTAINED	ABSENT/ OUT DURING ROLL CALL
ADA, Thomas C.	✓			
AGUON, John P.				✓
BARRETT-ANDERSON, Elizabeth	✓			
BLAZ, Anthony C.	✓			
BROWN, Joanne S.	✓			
CAMACHO, Felix P.	✓			
CHARFAUROS, Mark C	✓			
CRISTOBAL, Hope A.	✓			
FORBES, MARK	✓			
LAMORENA, Alberto C., V	✓			
LEON GUERRERO, Carlotta	✓			
LEON GUERRERO, Lou	✓			
NELSON, Ted S.	✓			
ORSINI, Sonny L.	✓			
PANGELINAN, Vicente C	✓			
PARKINSON, Don	✓			
SAN AGUSTIN, Joe T.	✓			
SANTOS, Angel L. G.	✓			
SANTOS, Francis E.	✓			
UNPINGCO, Antonio R.	✓			
WONPAT-BORJA, Judith	✓			

TOTAL 20 _____ 1

22-03

Senator Mark C. Charfauros

Chairman

Committee on Judiciary, Criminal Justice and Environmental Affairs
Twenty-Third Guam Legislature

Tel.: (671) 472-3342/3/5

Fax: (671) 472-3440

March 8, 1995

SPEAKER DON PARKINSON
Twenty-Third Guam Legislature
155 Hesler St.
Agana, Guam 96910

Dear Mr. Speaker:

The Committee on Judiciary, Criminal Justice and Environmental Affairs to which was referred **Bill No. 129**, wishes to report back to the Legislature with its recommendation to pass **Bill No. 129** - "AN ACT TO AMEND, CHAPTER 3, SECTION 3127, OF TITLE 5 GCA, RELATIVE TO DETERMINING THE SENIOR CLASSIFIED EMPLOYEE WITHIN THE CUSTOMS AND QUARANTINE AGENCY."

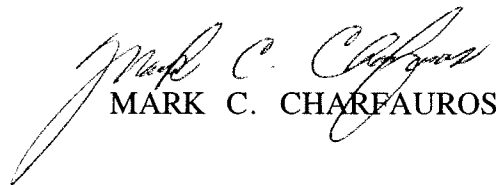
The voting record is as follows:

TO PASS	<u>1</u>
NOT TO PASS	<u>0</u>
ABSTAIN	<u>0</u>
TO PLACE IN INACTIVE FILE	<u>0</u>

Copies of the Committee Report and other pertinent documents are attached.

Your attention to this matter is greatly appreciated.

Attachments


MARK C. CHARFAUROS

Senator Mark C. Charfauros
Chairman

Committee on Judiciary, Criminal Justice and Environmental Affairs
Twenty-Third Guam Legislature

Tel.: (671) 472-3342/3/5

Fax: (671) 472-3440

March 8, 1995

MEMORANDUM

TO: Members

FROM: Chairman

SUBJECT: Committee Report - **Bill No. 129** - "AN ACT TO AMEND, CHAPTER 3, SECTION 3127, OF TITLE 5 GCA, RELATIVE TO DETERMINING THE SENIOR CLASSIFIED EMPLOYEE WITHIN THE CUSTOMS AND QUARANTINE AGENCY."

Transmitted herewith for your information and action is the Committee on Judiciary, Criminal Justice and Environmental Affairs' Report on the subject Bill.


The narrative report is accompanied by the following:

1. Original Bill 129;
2. Committee Voting Sheet;
3. Testimony and Sign-in Sheet
4. Public Hearing Notice.

Should you have any questions on the narrative report or the accompanying documents, I would be most happy to answer any of them.

Please take the appropriate action on the attached voting sheet and return the documents to my office for transmittal to the other members.


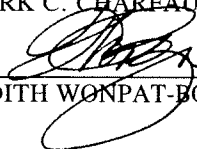
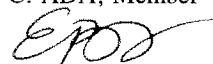


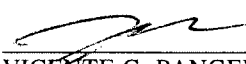
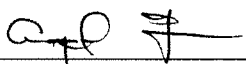
Your attention and cooperation in this matter is greatly appreciated.


MARK C. CHARFAUROS

Attachments.

**COMMITTEE ON JUDICIARY, CRIMINAL JUSTICE AND
ENVIRONMENTAL AFFAIRS
23rd Guam Legislature
VOTING RECORD**

Bill No. 129 - "AN ACT TO AMEND, CHAPTER 3, SECTION 3127, OF TITLE 5 GCA, RELATIVE TO DETERMINING THE SENIOR CLASSIFIED EMPLOYEE WITHIN THE CUSTOMS AND QUARANTINE AGENCY."

	<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>ABSTAIN</u>	<u>INACTIVE FILE</u>
 MARK C. CHAREAUROS, Chairman	✓	—	—	—
 JUDITH WONPAT-BORJA, Vice-Chairman	✓	—	—	—
THOMAS C. ADA, Member	—	—	—	—
 ELIZABETH BARRETT-ANDERSON, Member	✓	—	—	—
JOANNE BROWN, Member	—	—	—	—
ANTHONY C. BLAZ, Member	—	—	—	—
HOPE CRISTOBAL, Member	—	—	—	—
 A. TONY LAMORENA, Member	✓	—	—	—
 LOU LEON GUERRERO, Member	✓	—	—	—
TED S. NELSON, Member	—	—	—	—
 VICENTE C. PANGELINAN, Member	✓	—	—	—
 ANGEL L.G. SANTOS, Member	✓	—	—	—
DON PARKINSON, Ex-Officio Member	—	—	—	—

COMMITTEE ON JUDICIARY, CRIMINAL
JUSTICE AND ENVIRONMENTAL
AFFAIRS

Twenty-Third Guam Legislature

COMMITTEE REPORT

on

Bill No. 129

"AN ACT TO AMEND, CHAPTER 3, SECTION 3127, OF TITLE 5 GCA, RELATIVE TO DETERMINING THE SENIOR CLASSIFIED EMPLOYEE WITHIN THE CUSTOMS AND QUARANTINE AGENCY."

MARCH 7, 1995

I. OVERVIEW

The Committee on Judiciary, Criminal Justice and Environmental Affairs scheduled a public hearing on March 7, 1995 at 9:30 a.m. at the Legislative Public Hearing Room. Public notice was announced on the March 6, 1995 issue of the PDN. Members present were:

Senator Mark C. Charfauros, Chairman
Senator Judith WonPat-Borja, Vice-Chairperson
Senator Tom Ada
Senator Ted S. Nelson
Senator Ben Pangelinan
Senator Lou Leon Guerrero
Senator Tony Blaz
Senator Joanne Brown
Senator Tony Lamorena
Senator Elizabeth Barrett-Anderson.

Appearing before the Committee to testify on the bill was:

Mr. John Quinata, Acting Director, Customs and Quarantine, written

II. SUMMARY OF TESTIMONY

Mr. John Quinata, Acting Director for the Customs and Quarantine Agency, testified in support of the passage of Bill 129. He stated that the Bill's intent, which is to clarify that the senior ranking officer shall act as the Deputy Director of the Customs and Quarantine Agency, will only serve to bring the Agency closer towards the attainment of its goals and improvement of its service to the public.

III. FINDING AND RECOMMENDATION

The Committee finds that the Customs and Quarantine Agency needs a change in the manner in which the Deputy Director is determined. Currently, the Deputy Director of the Agency is determined by the senior classified employee of the Agency. The Committee finds that the Agency would be better served if the senior ranking employee acts as the Deputy Director of the Agency, based on the reasoning that the senior ranking employee should be more qualified than the senior classified employee.

Accordingly, the Committee on Judiciary, Criminal Justice and Environmental Affairs, to which was referred **Bill No. 129**, does hereby submit its findings and recommendation to the Twenty-Third Guam Legislature **TO DO PASS Bill No. 129** "AN ACT TO AMEND, CHAPTER 3, SECTION 3127, OF TITLE 5 GCA, RELATIVE TO DETERMINING THE SENIOR CLASSIFIED EMPLOYEE WITHIN THE CUSTOMS AND QUARANTINE AGENCY."




TWENTY-THIRD GUAM LEGISLATURE

1995 (FIRST) REGULAR SESSION

95 FEB 15 AM 10:37

Bill No. 129

Introduced by:

M.C. Charfauros 
A.L.G. Santos 
V.C. Pangelinan 

AN ACT TO AMEND, CHAPTER 3, SECTION 3127, OF TITLE 5 GCA, RELATIVE TO DETERMINING THE SENIOR CLASSIFIED EMPLOYEE WITHIN THE CUSTOMS AND QUARANTINE AGENCY.

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

2 SECTION 1. Section 3127, Chapter 3 of Title 5 Guam Code Annotated is hereby
3 amended to read:

4 " 3127. Customs and Quarantine Agency. There is hereby established within the
5 government of Guam, the Customs and Quarantine Agency (the "Agency"). The Director of the
6 Agency, who is the head of the Agency, shall be appointed by the Governor with the advice and
7 consent of the legislature. The senior ranking Customs and Quarantine Officer ~~{classified~~
8 ~~employee}~~ within the Agency shall act as the Deputy Director of the Agency with all the powers
9 of such a deputy but without additional compensation. The compensation of the Director of the
10 Agency and of such Director's personal secretary shall be set by the Civil Service Commission."

TESTIMONY OF JOHN M. QUINATA
ON
BILL 129

March 7, 1995

Good morning Mr. Chair-person, Senators, and Legislative staff. My name is John Quinata and I am the Acting Director for the Customs and Quarantine Agency. First, I would like to thank you for giving us this opportunity to comment on bill 129, an act to amend Title 5, Chapter 3, Section 3127 of the Guam Code Annotated.

On behalf of this Agency, we would also like to commend you for your continued support of the organization and the mission that we are responsible for. As we begin our dynamic journey into the year 2000, Customs personnel will look towards its management for inspiration and guidance as we confront the challenges which lay ahead. This is why it is so vitally important that our administrators be clearly and unquestionably established for the maintenance of unity and continuity as we forge ahead towards a more professional organization.

In this line, I fully support Bill 129, and I kindly urge this committee, and other members of the legislative body, to do likewise. Clarifying that the senior ranking officer shall act as the Deputy Director of this Agency will only serve to bring us that much closer towards attaining our goals and improving our service to the public.

Thank you and Si Yuus ma'asse.



JOHN M. QUINATA
Acting Director of Customs

Senator Mark C. Charfauros

Chairman

Committee on Judiciary, Criminal Justice
and Environmental Affairs
Twenty-Third Guam Legislature

Confirmation Hearing

Nominee to the Department of Law Attorney General:

Mr. Calvin Elijah Holloway, Sr.

Nominees to the Guam Environmental Protection Agency Board
of Directors:

Mr. Andres Agreda

Mr. Albert W.C. Wong

Mr. Daniel B. Rios

Mr. Angel Orsini

Mr. Reuben Cavan

Ms. Josephine B. Coad

Mr. Robert San Agustin

Public Hearing

- Bill No. 19: AN ACT TO SET THE PERIOD OF THE
STATUTE OF LIMITATIONS FOR
ILLEGAL CRIMINAL OR UNETHICAL
ACTS OR CONDUCT WHILE IN ELECTED
OFFICE AND OTHERS.
- Bill No. 61: AN ACT TO RENAME THE AIRPORT
SECURITY FORCE TO AIRPORT POLICE.
- Bill No. 93: AN ACT TO ADD A NEW SUBSECTION 1246
TO THE CODE OF CIVIL PROCEDURE OF
GUAM TO ENSURE THAT THE GOVERNMENT
OF GUAM SHALL NOT, IN THE FUTURE, USE
OR OCCUPY LANDS, RIGHTS OF WAY, OR
EASEMENTS EXCEPT PURSUANT TO A LEASE,
CONDEMNATION OR A GRANT.
- Bill No. 129: AN ACT TO AMEND CHAPTER 3, SECTION
3127 OF TITLE 5 GCA. RELATIVE TO
DETERMINING THE SENIOR CLASSIFIED
EMPLOYEE WITHIN THE CUSTOMS AND
QUARANTINE AGENCY.
- Bill No. 141: AN ACT TO RENAME THE PORT AUTHORITY
SECURITY FORCE TO PORT AUTHORITY
POLICE.

Date: Tuesday, March 7, 1995

Time: 9:30 a.m.

Place: Public Hearing Room, Guam Legislature,
155 Hesler St. Agana

The Public is invited to attend