



CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM

LEGISLATIVE SECRETARY

SEP 16 1996

Date	9/16/96
Time	2:10pm
By	(Kumabon)
For	Cheryl Kumabon

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 a copy of Bill No. 665 (LS), "AN ACT TO REPEAL AND REENACT ARTICLE 3 OF CHAPTER 20, TITLE 5, GUAM CODE ANNOTATED, TO ALLOW THE DEPARTMENT OF EDUCATION, THE GUAM COMMUNITY COLLEGE, AND THE UNIVERSITY OF GUAM TO ESTABLISH AND ADMINISTER SPECIALIZED OR PROFESSIONAL EMPLOYEE TRAINING PROGRAMS FOR THOSE ENTITIES", vetoed and overridden by the Legislature on September 9, 1996, which I have designated as **Public Law 23-122**.

Very truly yours,

  
Carl T. C. Gutierrez

Attachment  
231462

OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<u>(Blarido)</u>
Time	<u>4:46 pm</u>
Date	<u>9-16-96</u>

TWENTY-THIRD GUAM LEGISLATURE  
1996 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 665 (LS), "AN ACT TO REPEAL AND REENACT ARTICLE 3 OF CHAPTER 20, TITLE 5, GUAM CODE ANNOTATED, TO ALLOW THE DEPARTMENT OF EDUCATION, THE GUAM COMMUNITY COLLEGE, AND THE UNIVERSITY OF GUAM TO ESTABLISH AND ADMINISTER SPECIALIZED OR PROFESSIONAL EMPLOYEE TRAINING PROGRAMS FOR THOSE ENTITIES," returned to the Legislature without approval of the Governor, was reconsidered by the Legislature and after such reconsideration, the Legislature did, on the 9th day of September, 1996, agree to pass said bill notwithstanding the objection of the Governor by a vote of twenty (20) members.



\_\_\_\_\_  
DON PARKINSON  
Speaker

Attested:



\_\_\_\_\_  
JUDITH WON PAT-BORJA  
Senator and Legislative Secretary

-----  
This Act was received by the Governor this 12th day of September,  
1996, at 4:45 o'clock P.M.



\_\_\_\_\_  
Assistant Staff Officer  
Governor's Office

TWENTY-THIRD GUAM LEGISLATURE  
1996 (SECOND) Regular Session

Bill No. 665 (LS)

Introduced by:

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

AN ACT TO REPEAL AND REENACT ARTICLE 3 OF  
CHAPTER 20, TITLE 5, GUAM CODE ANNOTATED, TO  
ALLOW THE DEPARTMENT OF EDUCATION, THE GUAM  
COMMUNITY COLLEGE, AND THE UNIVERSITY OF  
GUAM TO ESTABLISH AND ADMINISTER SPECIALIZED  
OR PROFESSIONAL EMPLOYEE TRAINING PROGRAMS  
FOR THOSE ENTITIES.

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

1           **Section 1. Legislative Statement and Intent.** The Legislature has been  
2 asked to exempt the Department of Education, Guam Community College  
3 and the University of Guam from the training and development programs  
4 administered by the Department of Administration pursuant to §20302 of  
5 Article 3, Chapter 20, Title 5 of the Guam Code Annotated. The Legislature  
6 concurs with the premise that the Department of Administration is well suited  
7 to provide administrative, supervisory or other basic managerial training  
8 courses for employees of the government of Guam. The Department of  
9 Administration has been satisfactorily providing such services to many of the  
10 departments and agencies of the government for many years now. The  
11 Legislature finds, however, that the Department of Administration is not fully  
12 able to provide unique or specialized technical and professional training for  
13 Department of Education, Guam Community College, and University of  
14 Guam, and that it is in the best interest of such entities to administer and  
15 conduct specialized technical and professional training that is required to  
16 fulfill the mandates of the organization.

17           The Legislature agrees that it would be less costly if not more efficient  
18 and appropriate to allow Department of Education, Guam Community  
19 College, and University of Guam to develop or administer the unique  
20 personnel training needs of that agency. Moreover, the Legislature feels that  
21 the educational institutions are in a better position to identify, plan and  
22 coordinate its training needs within the allowance or limitations of the  
23 financial and human resources at its disposal.

24           **Section 2. Short Title.** This Act shall be known as the "Educational  
25 Personnel Development and Training Act."

26           **Section 3.** Article 3 of Chapter 20, Title 5 of the Guam Code Annotated  
27 is hereby repealed and reenacted to read:

1 "Article 3

2 Educational Personnel Development and Training Act

3 §20301. Title: Purpose.

4 §20302. Director.

5 §20303. Duties of the Director.

6 §20304. Continuing Education for Accountants.

7 §20305. Rules and Regulations.

8 §20306. Participation by Department of Education, Guam  
9 Community College, and University of Guam.

10 §20301. Title: Purpose. This Article shall be cited as the Educational  
11 Personnel Development and Training Act. Its purpose is to improve the  
12 ability of officers and employees of Department of Education, Guam  
13 Community College, and University of Guam to perform the duties to which  
14 they have been assigned and to increase the capacity of educational  
15 employees and officers to assume broader responsibilities through training  
16 and development opportunities.

17 §20302. Director of Administration. The Director of Administration,  
18 hereinafter referred to as the "Director," shall establish and administer  
19 effective training and development programs for the employees of  
20 departments and agencies of the government of Guam except for those  
21 departments and agencies who are exempted from the provisions of this Act  
22 as set forth in section 20305 of this Article.

23 §20303. Duties of the Director. The Director shall, with due regard to  
24 the functions and mandates of the agencies concerned, provide training for  
25 skills enhancement and job advancement of employees in certain departments  
26 and agencies; provide training facilities and logistical support for  
27 government-wide employee training as needed; establish and administer

1 supervisory and management development programs; apply for and  
2 administer federal grants which provide for personnel training and  
3 development; establish committees as are necessary for the proper  
4 administration of all training programs; analyze in-house training programs  
5 as to their usefulness and develop training procedures to meet the emerging  
6 demands or needs of government employees; insure maximum utilization of  
7 training facilities; and to annually prepare a government-wide personnel  
8 training and development study that assesses the training needs of the  
9 employees of the government of Guam by department and agency and to  
10 utilize such data in the formulation of suitable training programs.

11       **§20304. Continuing Education for Accountants.** Directors of the  
12 various government of Guam departments and line agencies and boards of  
13 directors of autonomous instrumentalities and public corporations shall  
14 budget for and finance the annual cost of continuing education for accounting  
15 personnel employed by such departments, and instrumentalities, including  
16 accountants, auditors, comptrollers, accounting teachers and accounting  
17 personnel of the Department of Revenue and Taxation. If such an accountant  
18 is certified, then the continuing education requirements of the certifying  
19 organization will determine such accountant's continuing education program.  
20 First priority for training shall be given to such personnel. If the accountant is  
21 not certified, then the continuing education requirements for Federal  
22 accounting and auditor employees will be used to set the continuing  
23 education requirement for such an accountant.

24       **§20305. Rules and Regulations.** The Director shall make such rules and  
25 regulations as are necessary or proper to effectuate the purpose and intent of  
26 this Article.

1           §20306. Participation of the Department of Education, Guam  
2 Community College and the University of Guam. The heads of the  
3 Department of Education, Guam Community College, and University of  
4 Guam are hereby granted the opportunity and option to coordinate, fund, and  
5 administer any specialized or professional training needs of the employees in  
6 their respective departments and such departments shall notify the Director of  
7 the Department of Administration in the event that such specialized or  
8 professional training programs are to be offered. The Director of  
9 Administration shall notify all government entities of the availability of such  
10 programs and may coordinate government-wide participation with the  
11 approval of the sponsoring department."

# TWENTY-THIRD GUAM LEGISLATURE

1996 (SECOND) Regular Session

Date: 9/9/96

## VOTING SHEET

✓ Bill No. 665

Resolution No.

Question:

*shall the bill be enacted into law  
notwithstanding the Governor's objection?*

NAME	YEAS	NAYS	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   0   0   1

CERTIFIED TRUE AND CORRECT:

Recording Secretary



23-122



CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM

OFFICE OF THE LEGISLATIVE SECRETARY  
ACKNOWLEDGEMENT REPORT

Received By: Ag

Time: 3:29 pm

Date: 6 Aug. 96

AUG 06 1996

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

OFFICE OF THE SPEAKER

Date: 8-6-96

Time: 2:40 pm

Received By: Arlene B Torres

Print Name: Arlene B Torres

REFER TO  
LEGISLATIVE SECRETARY

Dear Speaker Parkinson:

Enclosed please find a copy of Bill No. 665 (LS), "AN ACT TO REPEAL AND REENACT ARTICLE 3 OF CHAPTER 20, TITLE 5, GUAM CODE ANNOTATED, TO ALLOW THE DEPARTMENT OF EDUCATION, THE GUAM COMMUNITY COLLEGE, AND THE UNIVERSITY OF GUAM TO ESTABLISH AND ADMINISTER SPECIALIZED OR PROFESSIONAL EMPLOYEE TRAINING PROGRAMS FOR THOSE ENTITIES", which I have vetoed.

Except for one section, Bill No. 665 is identical, word for word, to Bill No. 409 which was previously vetoed on March 2, 1996. By deleting reference to existing law relative to training for government accountants, Bill No. 409 would have repealed those provisions. Bill No. 665 includes language for training for accountants in §20304, page 4, lines 11-23.

The veto message for Bill No. 409 stated:


"This legislation may make it more expensive to offer training programs throughout the government by allowing duplication and added expense of procurement by several agencies for some of the same training programs."

Bill No. 665 does not address all of the concerns expressed in the veto message of Bill No. 409. Bill No. 665 does not address possible duplication of programs by the educational institutions and the Department of Administration. Bill No. 665 does not address the necessary coordination

which should take place between the Department of Administration and the educational institutions, especially if different training programs are offered by each of these agencies. Bill No. 665 does not reflect an effort on the part of the educational institutions and the Department of Administration to revise the provisions of Bill No. 409 so that all parties and all concerns are resolved.

A copy has also been delivered to the Office of the Legislative Secretary.

Very truly yours,

  
Carl T. C. Gutierrez  
Governor of Guam

Attachment

231400



CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM

AUG 06 1996

The Honorable Judith Won-Pat Borja  
Legislative Secretary  
Twenty-Third Guam Legislature  
Guam Legislature Temporary Building  
155 Hesler Street  
Agana, Guam 96910


OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<u>Jeg</u>
Time	<u>2:47 pm.</u>
Date	<u>6 Aug. 96</u>

Dear Madame Legislative Secretary:

Enclosed please find a copy of Governor's message and a copy of Bill No. 665 (LS), "AN ACT TO REPEAL AND REENACT ARTICLE 3 OF CHAPTER 20, TITLE 5, GUAM CODE ANNOTATED, TO ALLOW THE DEPARTMENT OF EDUCATION, THE GUAM COMMUNITY COLLEGE, AND THE UNIVERSITY OF GUAM TO ESTABLISH AND ADMINISTER SPECIALIZED OR PROFESSIONAL EMPLOYEE TRAINING PROGRAMS FOR THOSE ENTITIES", which I have **vetoed**.

A copy has also been delivered to the Office of the Speaker.

Very truly yours,

  
Carl T. C. Gutierrez  
Governor of Guam

Attachments

**231402**

(Same as Doc. No. 231401  
for file purposes only)

# TWENTY-THIRD GUAM LEGISLATURE

6 (SECOND) Regular Session

Date: 7/19/96

## VOTING SHEET

Bill No. 665  
 Resolution No. \_\_\_\_\_  
 Question: \_\_\_\_\_

NAME	YEAS	NAYS	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                      18    0    0    3

CERTIFIED TRUE AND CORRECT:

\_\_\_\_\_  
 Recording Secretary



*Ofisinan i Setbienten i Taotao Guahan*  
**Office of the Vice-Speaker**  
 Twenty-Third Guam Legislature

**TED S. NELSON**  
 Vice-Speaker

February 12, 1996

**Chairman,**  
 Committee on General  
 Governmental  
 Operations &  
 Micronesian Affairs

**Member,**  
 Committee on  
 Community, Housing  
 and Cultural Affairs

**Member,**  
 Committee on Education

**Member,**  
 Committee on Health,  
 Welfare & Senior  
 Citizens

**Member,**  
 Committee on Judiciary,  
 Criminal Justice &  
 Environmental Affairs

**Member,**  
 Committee on Rules

**Member,**  
 Committee on Water  
 Utilities & Electronic  
 Communications

**Member,**  
 Committee on Youth,  
 Labor, and Parks &  
 Recreation

**Director & Vice-President**  
*(Ranking Member)*,  
 Association of Pacific  
 Island Legislatures (APIL)

Honorable Don Parkinson  
 Speaker  
 23rd Guam Legislature  
 155 Hessler Street  
 Agana, Guam 96910

Dear Mr. Speaker:

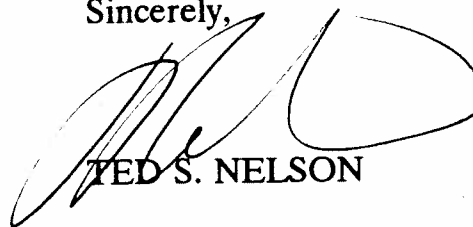
The Committee on General Governmental Operations and Micronesian Affairs, to which was referred **Bill No. 409** (*An Act to repeal and reenact Article 3 of Chapter 20, Title 20, Title 5 GCA and to add a new §20305 to the same to allow certain departments and agencies to establish and administer specialized or professional employee training programs for their entity*) had the same consideration and now wishes to report back the same with the recommendation to do pass as amended.

The Committee votes are as follows:

To do pass	<u>9</u>
Not to pass	<u>0</u>
To report out only	<u>0</u>
Abstain	<u>1</u>
To place in inactive file	<u>0</u>

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

Sincerely,



TED S. NELSON






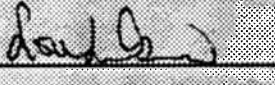



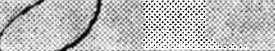
Enclosures

**COMMITTEE ON GENERAL GOVERNMENTAL OPERATION  
AND MICRONESIAN AFFAIRS  
Twenty-Third Guam Legislature**

**VOTE SHEET on Bill No. 409**

*An Act to repeal and reenact Article 3 of Chapter 20, Title 20, Title 5 GCA and to add a new §20305 to the same to allow certain departments and agencies to establish and administer specialized or professional employee training programs for their entity.*

**Recommendation: To Do Pass as Amended**

Committee Members	To Do Pass	Not To Pass	To Report Out Only	Abstain	To Place in the Inactive File	Signature
Vice-Speaker Ted S. Nelson Chairman	✓					
Speaker Don Parkinson Ex-Officio Member				✓		
Senator Thomas C. Ada	✓					
Senator Anthony C. Blaz						
Senator Felix P. Camacho						
Senator Mark C. Charfauros	✓					
Senator Hope A. Cristobal	✓					
Senator Alberto C. Lamorena V						
Senator Carlotta Leon Guerrero						
Senator Lou Leon Guerrero	✓					
Senator Sonny L. Orsini	✓					
Senator Ben C. Pangelinan	✓					
Senator Angel L.G. Santos	✓					
Senator Judith WonPat-Borja	✓					
<b>Total Votes:</b>	9	0	0	1	0	

1 is in a better position to identify, plan and coordinate their training  
2 needs within the allowance or limitations of the financial and human  
3 resources at their disposal.

4 **Section 2. Short Title.** This Act shall be known as the "*Personnel*  
5 *Development and Training Act.*"

6 **Section 3.** Article 3 of Chapter 20, Title 5 of the Guam Code  
7 Annotated is hereby repealed and reenacted to read;

8 **"Article 3**

9 **Personnel Development and Training Act**

- 10 **§20301. Title: Purpose.**
- 11 **§20302. Director.**
- 12 **§20303. Duties of the Director**
- 13 **§20304. Rules and Regulations.**

14 **§20301. Title: Purpose.** This Article shall be cited as the  
15 *Personnel Development and Training Act.* Its purpose is to improve the  
16 ability of officers and employees of the government of Guam to perform  
17 the duties to which they have been assigned and to increase the capacity  
18 of government employees and officers to assume broader responsibilities  
19 through training and development opportunities.

20 **§20302. Director of Administration.** The Director of  
21 Administration, hereinafter referred to as the "Director," shall establish

1 and administer effective training and development programs for the  
2 employees of departments and agencies of the government of Guam  
3 except for those departments and agencies who are exempted from the  
4 provisions of this Act as set forth in Subsection 20305 of this Article.

5           **§20303. Duties of the Director.** The Director shall, with due  
6 regard to the functions and mandates of the agencies concerned, provide  
7 training for skills enhancement and job advancement of employees in  
8 certain departments and agencies; provide training facilities and logistical  
9 support for government-wide employee training as needed; establish and  
10 administer supervisory and management development programs; apply  
11 for and administer federal grants which are provided for personnel  
12 training and development; establish committees as are necessary for the  
13 proper administration of all training programs, analyze in-house training  
14 programs as to their usefulness and develop training procedures to meet  
15 the emerging demands or needs of government employees; insure  
16 maximum utilization of training facilities; and, to annually prepare a  
17 government-wide personnel training and development study that assesses  
18 the training needs of the employees of the government of Guam by  
19 department and agency and to utilize such data in the formulation of



1 suitable training programs.

2           **§20304. Rules and Regulations.** The Director shall make such  
3 rules and regulations as are necessary or proper to effectuate the  
4 purpose and intent of this Article.

5           **§20305. Participation of Departments, Agencies and other entities**  
6 **of the Government of Guam Optional.** The heads of departments,  
7 agencies or other entities of the government of Guam which are listed  
8 in this subsection are hereby granted the opportunity and option to  
9 coordinate, fund, and administer any specialized or professional training  
10 needs of the employees in their respective department or agency and that  
11 such departments or agencies shall notify the Director of the Department  
12 of Administration in the event that such specialized or professional  
13 training programs are to be offered. The Director of Administration  
14 shall notify all government entities of the availability of such programs  
15 and may coordinate government-wide participation with the approval of  
16 the sponsoring department or agency. The departments, agencies and  
17 other entities of the government of Guam, subject to the provisions of  
18 this subsection, are as follows:

19           Department of Education  
20           University of Guam

1           Guam Community College  
2           Public Utility Agency of Guam  
3           Guam Port Authority  
4           Department of Corrections  
5           Civil Defense  
6           Department of Parks and Recreation  
7           Department of Commerce  
8           Guam Economic Development Authority  
9           Guam Environmental Protection Agency  
10          Department of Public Health and Social Services  
11          Department of Mental Health and Substance Abuse  
12          Guam Memorial Hospital Authority  
13          Guam Police Department  
14          Customs and Quarantine Agency  
15          Department of Revenue and Taxation  
16          Guam Airport Authority  
17          Department of Public Works  
18          Guam Fire Department  
19          Attorney General's Office  
20          Guam Visitor's Bureau  
21          Military Affairs  
22          Bureau of Planning  
23          Department of Youth Affairs

**COMMITTEE ON GENERAL GOVERNMENTAL OPERATIONS  
AND MICRONESIAN AFFAIRS  
TWENTY-THIRD GUAM LEGISLATURE  
155 Hessler Street, Agana, Guam 96910**

**COMMITTEE REPORT**

**ON**

**BILL NO. 409**

*An Act to repeal and reenact Article 3 of Chapter 20, Title 20, Title 5 GCA and to add a new §20305 to the same to allow certain departments and agencies to establish and administer specialized or professional employee training programs for their entity*

**COMMITTEE MEMBERS:**

Chairman: Ted S. Nelson  
Ex-Officio Member: Speaker Don Parkinson

Thomas C. Ada	Anthony C. Blaz
Felix P. Camacho	Mark C. Charfauros
Hope A. Cristobal	Alberto C. Lamorena V
Carlotta Leon Guerrero	Lourdes A. Leon Guerrero
Sonny L. Orsini	Ben C. Pangelinan
Angel L.G. Santos	Judith Won Pat-Borja

PUBLIC HEARING ON  
BILL NO. 409

I. OVERVIEW

The Committee on General Governmental Operations and Micronesian Affairs conducted a public hearing on **Bill No. 409** (*An Act to repeal and reenact Article 3 of Chapter 20, Title 20, Title 5 GCA and to add a new §20305 to the same to allow certain departments and agencies to establish and administer specialized or professional employee training programs for their entity*) on December 12, 1995 at the Public Hearing Room of the Guam Legislature Temporary Building in Agana.

Attending the public hearing were:

Committee members:

Vice-Speaker Ted S. Nelson, Chairman  
Senator Tom C. Ada  
Senator Mark C. Charfauros  
Senator Alberto C. Lamorena, V  
Senator Carlotta Leon Guerrero  
Senator Ben C. Pangelinan

II. TESTIMONY

MR. JAMES E. NELSON, III, General Manager of Guam Visitors Bureau, submitted written testimony (*Exhibit A*) in support of Bill 409. He encouraged the Committee to recommend passage of the bill before the full Legislature.

MR. JOHN M. PALOMO, General Manager of Guam Mass Transit Authority (GMTA), appeared before the Committee. In his statement (*Exhibit B*) he commented that "... the Department of Administration (DOA) is in fact capable of providing specialized technical and professional training, provided that DOA solicit input and recommendations from government of Guam agencies as to the type of specialized training needs required per respective government operation."

MR. RICHARD L. YOUNG, General Manager for Guam Power Authority, submitted written testimony (*Exhibit C*) opposing certain sections in the bill. He was represented at the hearing by Ms. Josephine Cruz, GPA Human Resource Administrator.

MS. CRUZ, in presenting the Authority's statement, said that if GPA were to provide training to other departments, the departments should pay for the service. "The bill fails to recognize the autonomy and authority granted to the Guam Power Authority ... detailed in Chapter 8, 12 GCA ... We are not opposed to offering our training to other employees ... We are opposed to the requirement to report our training programs to the Department of Administration," Ms. Cruz said. "Autonomous agencies should not be tied only to DOA," Ms. Cruz added.

DR. JOSEPH L. DE TORRES, Director of Education, submitted written testimony (*Exhibit D*) and also appeared before the Committee. He said that DOE provides training for all. "This Bill would permit us to present our own programs. We have a plan for staff and managers. We can consolidate costs and manpower. This Bill would allow us to address DOE needs. We support Bill 409," Dr. de Torres said.

MR. PAUL CASO, Administrator for the Department of Administration's Training and Development Division, appeared before the Committee opposing the intent of Bill No. 409 (see written statement, *Exhibit E*).

MR. VICENTE M. CAMACHO, General Manager, Guam Telephone Authority, submitted testimony (*Exhibit F*) in support of Bill No. 409. Although GTA supports the intent of the Bill, Mr. Camacho requested that GTA, as an autonomous agency, be exempted from the requirements of §20303.

MR. JOSEPH T. DUENAS, Director of Revenue and Taxation Department, submitted written testimony (*Exhibit G*). The employees in his department in the past years have been benefiting from the training programs provided by DOA and expects his department to continue utilizing the courses offered by DOA and its facilities. Mr. Duenas, in his statement, commented that the "bill is encouraging," but "training costs money! The current year's budget does not provide adequate funding for training."

DR. ALINE YAMASHITA, DOE's Associate Superintendent for Curriculum and Instruction Division, provided the Committee Chairman with written justification for Bill No. 409 (*Exhibit H*).

**DIALOGUE between Committee Members and Department/Agency heads/representatives**

**SENATOR PANGELINAN (to GPA Representative):** "Can you tell us what your average training cost is of programs that you conduct yourself, and what your average cost is for employees that you send to DOA for training? Would you have that figure or would you be able to provide the Committee with that?"

**MS. CRUZ (GPA):** "As for GPA employees sent to DOA for training, we have the highest percentage overall, government-wide. GPA participates overwhelmingly in DOA's training programs. With respect to funds, in the Human Resources Division, I have a budget of about \$50,000 for training for GPA employees. The other divisions, however, do have their own budgets for specific training such as generation, they bring in technical experts - T and D brings in technical experts. They have their own budget. I don't have the statistics on that."

**SENATOR PANGELINAN:** "Could you provide us with that and what your cost is for those that you send to DOA?"

**MS. CRUZ:** "Overall, we pay roughly about \$100 per employee. This last fiscal year ... we had a workforce of a little over 600 employees and about 400 participated in DOA's training. Our intentions are not to discontinue that participation; we encourage it. ... Our concern here is the requirement, again to coordinate with DOA our utilities' specific training. I believe our enabling legislation already grants us the authority to establish our training programs."

**SENATOR PANGELINAN:** "Would you also have the cost of sending GPA employees off-island for training? Would that be available? Costs that GPA incurs?"

**MS. CRUZ:** "I'm sure we have that information."

**MR. CASO:** "... Last fiscal year, we trained approximately 3500 employees ... I believe it was 23% of the entire Government of Guam workforce. If the population was 13,000, at a cost of just over \$117.00 per employees, that is a very reasonable rate per employee. I know it is going to be very hard for some of the other departments to compete with this price because they procure services usually from off-island. Although they were using me extensively for their supervisory and

managerial courses, there are some courses that we have that I'm afraid that they just don't know we offer. ... In many of the agencies that we don't provide the specialized services, they're able to provide it on their own. They don't need to form any special unit. I believe this is already a collateral duty vested in some of the positions that exist already ... they have their own way of providing these services. I was making a point, it's going to be very hard for me to offer K-9 training at DOA because I don't have a kennel. It just makes sense that the Department of Commerce is going to provide their training for K-9 training. ..."

SENATOR CHARFAUROS: "... One of the things I would be concerned about is that the Legislature is trying to cut costs but at the same time we also don't want to cut the quality or the type of training that's going to be received, like for example, GPA. Would the Department of Administration be capable of providing this same standard of training as if GPA was to go off-island? ... I understand that we can probably have the training at less or maybe half the price of what GPA would be paying if they went off-island. What about the quality? Is there any quality assurance in the training site? People can do training, but what is the end result? Would the individuals graduating from these training be capable of meeting their mission or is there something that you gauge the productivity of the training, from the Administration side of the house?"

MR. CASO (DOA): "... There is going to be some training programs that we're not going to be able to get locally, especially in the area of the Guam Power Authority; so much specialized training is required. Most of this training come from off-island. They probably won't come to me for assistance because they have an on-going program and they know where to get these services ... If I got it locally, it would probably be through my connections and collaborative efforts with the Guam Joint Training Board, which is a mutual agreement between the biggest employers on the island - the Navy, the civil service work force and the GovGuam have joint hands to share our resources and programs ... A lot of our local programs come out of the University of Guam and the Guam Community College ... Every program, an evaluation sheet is given and that's only going to rate the course. As far as rating the effectiveness of that course on the job, last fiscal year, we introduced a post-evaluation questionnaire which is filled out by both the employee who comes to the training and the supervisor ... we find out from evaluation how well they apply this on the job ... my limited manpower prevents me from analyzing the almost 200 post-evaluation forms that

we've collected, but I just want to ensure the Senators that we have very good products at T&D. Some of our sources do come from off-island; some of them are Federal government stamp of approval and I'm able to offer them free or I get such a good rate because we offer back-to-back offerings ... it's going to be very costly for any agency to go out there and get their own management training programs from off-island and bring it in. It's going to cost them no less than \$30,000. I can offer management courses all day for about \$80 a participant. My programs are good and they are high quality."

SENATOR CHARFAUROS: "Basically, not only are you going to be able to provide programs at a lower cost, but you can assure the quality of these instructions."

MR. CASO: "What we eventually hope to do is we will establish a clearinghouse for training and development through the Guam Joint Training Board that will allow us to look at the vendors who are available and we will be able to select those vendors we feel are the highest quality and are available to us."

SENATOR LAMORENA: "The way it operates now, basically, is all training that is going on with the Government of Guam usually is coordinated through you. If you're not able to provide that training, then that government agency, like GPA can go out and get their own training; yes?"

MR. CASO: "More or less, Senator, that's how it works. There's a lot of training going on out there that I know; a lot of it is in the autonomous agencies. My people are on the telephone all day long trying to get my training programs full. There are many times when nobody wants to come to my training programs, either for the lack of money, shortage of manpower, or sometime the supervisor doesn't see the need for it. But at any rate, we would like to be the first resource that an agency would come to. Many times, GPA, Guam Telephone Authority, they'll come to us and they'll say do we have anything in telecommunications training in a certain area, and I simply replay, no we don't and that allows them to go look for it somewhere else. I just want to be able to keep tabs; somewhere in the government has to be a central organization who can keep tabs of all the expertise on this island. The way we have it now, fragmented, one department does not know what the other is doing, we can be able to piggy-back on some of the resources that are coming here. In other words, if they have an excellent



training program at Guam Telephone, which they did have in the supervisory field, that's something that we could spread government-wide and because we are going to do it government-wide we can get, immediately, a cost reduction because we are going to training more people."

SENATOR LAMORENA: "So, in essence, the present system does not stop an agency from going out on their own to seek specialized training?"

MR. CASO: "Not at all. In fact, most likely if it's a line agency and they want to procure training services, I'm going to see their requisition in order to clear it. We do not prohibit anybody to procure training as long as we don't offer it. If I offer it through my division first, and it's cheaper, then they have to use my services - if it's a line agency. If it's an autonomous agency, they have their own control on their training ..."

SENATOR PANGELINAN: "How would DOA, with regard to DOE, if let's say, they wanted to do a curriculum training program, who would that get handled in the system?"

MR. CASO: "Right now, Department of Education handles most of their own training activities. Your talking specifically about curriculum training for those people who are tasked to formulate curriculum for education?"

SENATOR PANGELINAN: "Yeah."

MR. CASO: "They wouldn't come to me because they know I don't have it. But should I have the manpower and expertise in this area - hypothetically, if you were able to give me resources and manpower, I would hire someone in this area who would develop a particular program in this area ... How it would be now is basically they wouldn't even come to me because they have the in-house experience already."

SENATOR PANGELINAN: "So, I guess in terms of management, for school-based management, they would continue to have the authority to be able to go and procure those services elsewhere?"

MR. CASO: "That's correct. Although I believe every school site has a particular position ... a Special Programs Coordinator who is tasked to identify the training needs of each school. What they do, much like we do, our annual training needs goes out to all agencies. We pull all these

needs assessments together and develop our course curriculum. There will be some things that we can offer ... What I do appreciate is the fact that they run that procurement requisition through my office for my clearance, which has been working pretty well since we established that particular procedure."

SENATOR PANGELINAN: "... If an expertise exists in one of the specific GovGuam agencies now, whether it be autonomous or line, to do specialized training in their area, if that expertise exists there and they are doing that training now, would you come in and duplicate that so that they do away with that training and you would take it over, or would you leave it as is and try and just coordinate the offering of it to government-wide."

MR. CASO: "I'd tapped into that resource. About 60% of the program offerings that we have are done by experts within the government of Guam. These are people who probably have gone off and been trained in specialized areas and come back. ... What we do a lot of times is use that expertise, have them perform training ... We do a lot of sharing of our expertise ... The reason why we are able to keep our cost of training per employee so low is because a lot of it is done by experts within the Government already."

SENATOR PANGELINAN: "What I don't want to see happen is that there are agencies that have specific missions and specific programs and they have the in-house manpower or the ability to go out through a network of their own because of the fact that they are a board of education, for example, and they want to develop those training programs there and I don't want to see it happening because that program can be may be generalized that you would then require them to move that program over to DOA."

MR. CASO: "No."

SENATOR PANGELINAN: "You'd allow them to continue in those specialized field."

MR. CASO: "Yes. A good analogy of that is, Guam Memorial Hospital requires licensure to be continually updated for nurses and doctors. I can't even begin to imagine the training courses that these particular professionals need to take, but already, in-house at Guam Memorial, their training staff already exists much like Guam Power and Guam

Telephone - to keep their employees current with the technologies that are akin to their particular profession. I don't know too much what their doing in this area, they are pretty much self-sustaining and don't need my help in this area, but they do participate in some of the other soft skills in human relations type training that we do offer ... everybody has a specialized area ..."

SENATOR LAMORENA: "So basically, what you're trying to say, Paul, is that by passing this Bill, in essence it would open the flood gates for every agency of the government of Guam to offer training programs within their agency that you already offer."

MR. CASO: "... Everything seems to be working pretty well. It's like, if it's not broken, don't fix it kind of thing. I do understand that as a training division, I need to be more responsive to the needs of every department and agency, but it does require a certain amount of resources; unfortunately, the resources right now that I don't have. And I do appreciate that everybody, all the departments that are represented are -- they have a very good interest in this because organizational success is very much dependent upon -- on how well training is given throughout that organization and it really pleases me to see the concern in this area. I am not against anybody here going out and getting training programs that I can't offer. But to formally come out and exempt these departments more or less - towards the end of the bill it's almost like they can do anything. You are going to make me secondary and you're going to put me out of business and I'm going to work for one of these agencies. We've worked too long and too hard at Department of Administration to build the stature of the Training and Development Division."

SENATOR LAMORENA: "Let me ask the three agencies that are here. Right now, presently, is the present system, the way DOA is established, is there any problems with their training programs? Are you being curtailed now from going out and getting specialized training within your departments?"

MR. PALOMO: "I think DOA is doing a good job of trying to consolidate these training. We don't have any problems with GMTA, as far as we're concerned."

MS. CRUZ: "Like I mentioned earlier, we're the highest percentage participating agency in DOA's programs. Right now, we don't have a

problem but we do want to supplement the training programs that we provide to our employees."

SENATOR LAMORENA: "Right now, there's nothing that stops you from doing that now though?"

MS. CRUZ: "No, nothing right now. We've been doing that and at the same time continuing to support DOA's programs."

DR. DE TORRES: "No, we don't have a problem with Department of Administration. We simply want to be able, and we have been, to conceptualize the training that we have because of our specialties and we have the in-house expertise and we want to develop that into the type of program that we think we can do."

SENATOR PANGELINAN: "But right now, presently, there's nothing that stops you from doing that?"

DR. DE TORRES: "No."

SENATOR PANGELINAN: "I guess, what we need to do is any of the agencies here that may have concern, maybe DOA and DOE might be the biggest users, utiliziers in departments in terms of trying to develop appropriate contractual training programs and try to get some final input on the bill so it doesn't decimate DOA training facility and it doesn't inhibit or prohibit the development of in-house training programs or specialized training programs within the specific needs of the agencies. I think that can be worked out. Try to get some final input on this area."

### III. FISCAL IMPACT

The Bureau of Budget and Management Research submitted a **Fiscal Note** (*Exhibit I*) on Bill No. 409. The Bureau states that the bill would pose an impact on the General Fund, however, they cannot determine the costs of such an impact at this time.

### IV. RECOMMENDATIONS

The Committee on General Governmental Operations and Micronesian Affairs, after having a public hearing on **Bill No. 409** (*An Act to repeal and reenact Article 3 of Chapter 20, Title 20, Title 5 GCA and to add a new §20305 to the same to allow certain departments and agencies to establish and administer specialized or professional employee training programs for their entity*), recommends passage of the **Bill** as amended.



**Guam Visitors Bureau**  
*Setbision Bisitan Guahan*



**Commonwealth Now!**

11 December 1995

HONORABLE TED S. NELSON  
Chairman, Committee on General  
Governmental Operations and  
Micronesian Affairs  
23rd Guam Legislature  
155 Hesler Street  
Agana, Guam 96910

Office of <b>VICE-SPEAKER TED S. NELSON</b>	
Received by	
<i>J. H. L. B.</i>	<i>RB</i>
Name	
Date: <u>12/11/95</u>	Time: <u>3:02 p.</u>

Dear Chairman Nelson:

*Hafa Adai!* Thank you for the opportunity to present testimony on Bill No. 409 (An Act to Repeal and Reenact Article 3 of Chapter 20, Title 5 GCA and to Add a new §20305 to the Same to Allow Certain Departments and Agencies to Establish and Administer Specialized or Professional Employee Training Programs for Their Entity).

The Guam Visitors Bureau supports this measure, and encourages this Committee to recommend its passage before the full Legislature. The Bureau seeks to continue taking advantage of the general training opportunities made available by the Department of Administration. The Bureau agrees, however, that it would be more beneficial for us to fund and administer specialized training programs that would directly meet the needs of our employees. Bill No. 409 would grant us the opportunity to do so.

On behalf of the Guam Visitors Bureau, I once again extend appreciation for the chance to provide testimony.

Sincerely,

*J. Nelson*  
JAMES E. NELSON III  
General Manager



**G • M • T • A**

**Guam Mass Transit Authority**

**Government of Guam**

236 East O'Brien Drive

Agana, Guam 96910

Telephone: 475-GMTA (4682); Facsimile: 475-4600

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December 12, 1995

Honorable Ted S. Nelson  
Vice-Speaker  
Twenty-Third Guam Legislature  
Chairman, Committee on General Governmental  
Operations and Micronesian Affairs  
Guam Legislature Temporary Bldg.  
155 Hessler Street  
Agana, Guam 96910

Re: Bill No. 409

Dear Senator Nelson:

Thank you for providing notice of your Committee's public hearing on Bill No 409, scheduled for December 12, 1995. Provided for your review, are my comments relative to the referenced Bill:

As presently mandated, the Department of Administration, in part, is tasked with providing administrative, supervisory, and managerial education and training programs for employees of the government of Guam. These programs afford employees of the government of Guam with the foundation and tools for individual enrichment, advancement, and most importantly, provide a means for effective and efficient delivery of public service. These programs, however, are basic in scope, and are limited in the degree of specialization in the areas of education and training provided. Such limitations may be directly attributed to the size and diversity of the government of Guam. The efforts of the Department of Administration in providing educational and training programs, even at a "basic level", can prove to aide in the shared goals of the government of Guam in providing efficient and effective public service. Specialized education and training needs unique to an entity of the government of Guam, however, provides for increased attainment of this common goal.

The Guam Mass Transit Authority (GMTA), shares unique educational and training needs with other transportation entities within the government of Guam. Such needs consist of specialized training in the fields of automotive mechanics (diagnosis in electrical, transmission, and AC repair and maintenance), bus operations (defensive driving, as well as other certification requirements), federal grants management, and transportation planning. Specialized training in these areas would result in increased efficiency in all aspects of GMTA's operations. This translates into improved mass transit services, increased revenue generation capabilities, and the comprehensive planning for long-range stability in mass transit alternatives for the territory.

GMTA submits that the Department of Administration (DOA) is in fact capable of providing specialized technical and professional training, provided that DOA solicit input and recommendations from government of Guam agencies as to the type of specialized training needs required per respective government operation. This approach provides for the centralization of training needs for the government of Guam, as well as strengthens the educational and training resources available to government of Guam agencies with similar operations and training needs. More importantly, this approach provides for efficiency in the management and administration of educational and training programs within the government of Guam, and thus equates to overall cost effectiveness and increased efficiency in deliverance of public services.

Thank you for the opportunity to comment.

Sincerely,



JOHN M. PALOMO  
General Manager





# GUAM POWER AUTHORITY

ATURIDÁT ILEKTRESEDÁT GUAHAN  
P.O. BOX 2977 • AGANA, GUAM U.S.A. 96910-2977

December 12, 1995

Vice-Speaker Ted S. Nelson  
Twenty-Third Guam Legislature  
155 Hesler Place  
Agana, Guam 96910

Dear Senator Nelson:

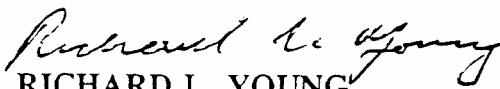
Thank you for the opportunity to present testimony on Bill No. 409, an act to allow certain agencies and departments to establish and administer specialized or professional employee training programs. Although we appreciate the intent of this Bill, we hope that your committee will consider the following Guam Power Authority concerns relative to this bill:

1. The specialized training programs that GPA provides to its employees are usually specific to the utility industry. When GPA avails itself of management, supervisory and related training which Department of Administration offers, GPA pays for the cost of such training. If GPA is now to offer its training programs to other government employees, we expect that we would be compensated likewise.
2. The bill fails to recognize the autonomy and authority granted to the Guam Power Authority by its enabling legislation, detailed in Chapter 8, 12 Guam Code Annotated. GPA is responsible in insuring that its employees are provided the required training to be fully competent in the performance of their jobs. The bill's requirement that GPA report its training programs to Department of Administration for offering to other government employees infringes on GPA's autonomy. We are not opposed to offering our training programs to other employees when available and relevant. However, we are opposed to the requirement to report all our training programs to the Department of Administration.

We suggest that GPA and other autonomous agencies be exempted from this bill.

Thank you.

Sincerely,

  
RICHARD L. YOUNG  
General Manager



# OFFICE OF THE DIRECTOR

DEPARTMENT OF EDUCATION  
GOVERNMENT OF GUAM  
P.O. BOX DE  
AGANA, GUAM 96910  
TEL: (671) 475-0457  
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**JOSEPH L. DETORRES, Ph.D.**  
Director of Education

**WILFRED G. AFLA**  
Deputy Director

December 11, 1995

Senator Ted Nelson  
Twenty-Third Guam Legislature  
155 Hesler Street  
Agana, Guam 96910

Dear Senator Nelson,

Thank you for giving us the opportunity to testify on Bill 409: AN ACT TO REPEAL AND REENACT ARTICLE 3 OF CHAPTER 20, TITLE 5 GCA AND TO ADD A NEW SUBSECTION 20503 TO THE SAME TO ALLOW CERTAIN DEPARTMENTS AND AGENCIES OF THE GOVERNMENT OF GUAM TO ESTABLISH AND ADMINISTER SPECIALIZED OR PROFESSIONAL EMPLOYEE TRAINING PROGRAMS FOR THE ENTITY.

The Department of Education has a mission. That mission is provide a high quality education for all students for twelve years so that they may to become productive and successful citizens in the community. Because this mission is dependent on the people in the organization (and in the community), its achievement requires innovative and highly focused staff development programs. And, because the entire campus - custodians, instructional aides, teachers, administrators - impact the delivery of services to each student, continuous evaluation, and professional and skill development of employees needs to be provided. This professional and skill development is unique to an educational system, quite different from the requirements of employees working at, for example, Public Health Social Services or the Guam Police Department.

Furthermore, the multi-cultural, multi-lingual nature of our student population, the ever-changing challenge of our social times - changing family structure and its direct results and reform movements - such as school-based management and year-round education - reinforce even more the need for effective staff development to help all educators effectively succeed in providing high quality education for all students. It is critical, for a department that has a \$150 million dollar budget, employs 4,000 employees, and is responsible for the education of 32,000 students, to have a section that is directly accountable for training and inservice.



**Commonwealth Now!**

LETTER to Senator Ted Nelson


Page 2

The Personnel Development and Training Act of 1995 will allow the Department of Education to develop, contract, and directly administer training activities as it needs to occur. It will also allow use to develop long-range training programs where the consistency and frequency of training will be sure to impact student achievement. Placing accountability within the agency will compel us to be fully responsible for providing learning environments where all students can achieve their potential.

The Department of Education is in full support of Bill 409.

Thank you.

Sincerely,

  
Dr. Joseph L. DeTorres, Director  
Department of Education

cc: FILE

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GOVERNMENT OF GUAM  
AGANA GUAM 96910  
DEPARTMENT OF ADMINISTRATION  
(DIPATTAMENTON ATMENESTRASION)  
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DEC 12 1995

MEMORANDUM

TO: Vice Speaker Ted S. Nelson, 23rd Guam Legislature  
FROM: Administrator, Training & Development Division  
SUBJECT: Comment on Bill No. 409  
"Personnel Development and Training Act of 1995"

Bill No. 409 represents not only a severe regression from the Department of Administration's on-going efforts to centralize similar HRD functions within the Government of Guam for the purpose of efficiency and effectiveness, it is even more, a severe departure from the ideology of successful management techniques of today's modern organizations. The times dictate cutbacks, closures, pooling of resources and centralization of similar functions. Bill No. 409 dictates decentralization and implies expansion and diversification of the work force.

Regarded as an "umbrella agency," the Department of Administration was created to consolidate similar services and reduce duplication of efforts and resources in the areas of personnel services, procurement, accounting, data processing and training. The department currently provides these services to 35 departments/agencies or nearly 5,000 employees and does an effective job, considering the critical shortage of manpower and other resources experienced over the past few years.

Similarly, the original intent of Section 20302 of Article 3, Chapter 20, Title 3 of the Guam Code annotated; although seemingly antiquated in its form is timeless in its premise...to establish a centralized training division within the Department of Administration for **all government employees**. Through the years, the Training & Development Division has evolved into being the premier government training resource center in our government, our island, and the Pacific region as well.

Ostensibly, with each passing legislative body, strong political support for the creation of more positions within the government and other politically motivated favors have decentralized the mission of the Department of Administration. The results of this departure, in some cases, has



been critical if not disastrous for many agencies. Examples of which include:

- lost procurement authority,
- massive accounting discrepancies,
- severe management problems, and
- improper personnel recruitment

In every case among the several agencies cited with these problems, the Department of Administration had intervened to provide expertise, guidance and most importantly, leadership.

To bring this body to speed, the Training & Development Division no longer limits it's programs to basic managerial and administrative training as thought by those who don't participate in our programs. This is, of course, a common misconception. On the contrary, the Division has evolved and it's program curriculum includes over 60 programs with more than 150 training events. Specialized training programs have included;

- Diesel Troubleshooting and Electronic,
- Industrial Hydraulic Systems and Troubleshooting,
- Electronics/Electrical Systems Troubleshooting,
- Heavy Equipment Maintenance,
- ABS Brake System,
- Advanced Hydraulics,
- Refrigeration Reclamation Training,
- High Voltage Cable Splicing,
- etc.

Despite all we have done however, we would be the first to admit that we are incapable of providing every "**specialized**" training request, such as: psychological testing and canine training as you have descriptively pointed out. Every organization has its limitations, this however is no reason to exempt departments from participation in DOA training courses in an effort to establish their own in-house training units.

We have continually performed our best in providing specialized training for those departments that have requested, and we are more often than not their first resource. If nothing more, we hope to be a clearing-house for all agencies as we have a wealth of knowledge in this field and can usually find and procure the training services much more inexpensively because of our sources. We, more importantly, have worked with almost every agency in a collaborative effort to provide training to their employees in the most appropriate and cost effective manner and have received no complaints.

If we are to consider our island's precarious economic condition, the government's severe financial state, the curtailed hiring practice, and the pending closures of the SRF and FISC facilities, one would deduce that a reduction in force may be eminent and practical. More constructive and appropriate however would be a "**functional consolidation**" of similar services. This would truly be a first-line preventive measure before a reduction-in-force. In this light, it seems obvious that the intent of Bill No. 409 does not take into consideration these critical factors.

The notion of decentralizing the training and development function already established to over 65% of the work force will ultimately have a detrimental impact and will serve to:

- increase manpower requirements,
- fragment continuity,
- decrease span of control,
- proliferate accountability,
- duplicate efforts,
- increase costs, and
- reduce efficiency and economy

How does efficiency result from the duplication of efforts that already exist? How can this Bill lay claim to efficiency and less cost if exempted agencies request funding for administrators of training, staff and services? You will have opened a revolving door incapable of being closed.

In closing, allow us to suggest that this body supports the original intent of a centralized training function within the Department of Administration equipped with the manpower and the resources necessary to improve the capacity of all our employees to create and maintain the most efficient and effective government work force.

  
PAUL A. CASO


# GTA

## Guam Telephone Authority

Post Office Box 9008 • Tamuning, Guam 96931 • Telephone: 646-1427/5527 • Fax: 649-GTA1  
624 North Marine Drive, Tamuning, Guam 96931

December 12, 1995

The Honorable Ted S. Nelson  
Vice-Speaker, 23rd Guam Legislature, and  
Chairman, Committee on General Governmental  
Operations and Micronesian Affairs  
Guam Legislature Temporary Bldg.  
155 Hesler Street  
Agana, Guam 96910

VICE-SPEAKER	
Print Name	
Date: 12-13-95	10man

Hafa Adai,

Thank you for allowing me to present testimony today on Bill 409. My Name is Vicente M. Camacho. I am the General Manager of the Guam Telephone Authority.

GTA supports Bill 409.

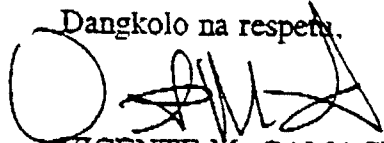
GTA like many other agencies of the Government has many people of various professional disciplines. GTA's Engineering Department has engineers assigned that do all of GTA's design and engineering of GTA facilities and infrastructure. These people are all professional engineers recognized by several professional orders here on Guam. There are other areas within the Authority that also needs specialized training and certification. Most if not all of this training requires that the employees be sent off island to receive the training, or the training is brought in to cover many employees needing similar training. The types of training that is covered by Bill 409 are those types of training that do not include training and specialization requirements which are required of the highly training technicians employed at GTA.



While GTA supports the intent of Bill 409, GTA requests that GTA as an autonomous agency be exempted from the requirements of Section 20303. The Department of Administration's Training Programs are currently used by GTA employees to the extent possible to meet the individual growth needs of the employees and the Training Program requirements of GTA. Many of these Training Programs are in the Administrative and Management areas and GTA considers them to be essential in the professional growth of its employees.

Again, Mr. Chairman, thank you for allowing GTA to provide testimony here today on this most important legislation.

Dangkolo na respeto.



VICENTE M. CAMACHO

General Manager



**REVENUE AND TAXATION**

GOVERNMENT OF GUAM

JOSEPH T. DUENAS, Director    CARL E. TORRES, Deputy Director

DEC 12 1995

Honorable Ted S. Nelson, Vice-Speaker  
Chairman, Committee on General Governmental  
Operations & Micronesian Affairs  
Twenty-Third Guam Legislature  
155 Hesler Street  
Agana, Guam 96910

Office of VICE-SPEAKER TED S. NELSON	
FILED	<i>[Signature]</i>
Date	13 Dec 95      3:25 p.

Dear Mr. Chairman and Members of the Committee:

I thank you for the opportunity to comment on Bill 409: **AN ACT TO REPEAL AND REENACT ARTICLE 3 OF CHAPTER 20, TITLE 5 GCA AND TO ADD A NEW SECTION 20305 TO THE SAME TO ALLOW CERTAIN DEPARTMENTS AND AGENCIES TO ESTABLISH AND ADMINISTER SPECIALIZED OR PROFESSIONAL EMPLOYEE TRAINING PROGRAMS FOR THEIR ENTITY.**

During the past year employees of the Department of Revenue and Taxation have been availing themselves of training opportunities provided by the Training Division of the Department of Administration. Many of the courses provided are useful in that they provide our employees certain skills common to most agencies of the government of Guam. I expect that we will continue to utilize the courses and facilities of DOA well into the future.

Through the years the Department of Revenue and Taxation has had the need to search out extremely specialized training in the area of income taxation for our tax personnel. In fact, the department has several employees who are both college trained and Internal Revenue Service certified as instructors for income taxation subject matters.

The Department of Revenue and Taxation will continue to provide its employees with highly specialized training in taxation and will strive to provide specialized training to its regulatory personnel in insurance, banking, real estate law, and other fields.

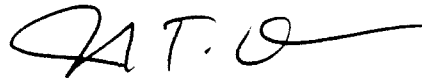
While this bill is encouraging, training costs money! The current year's budget does not provide adequate funding for training. Off-island training is available for reasonable prices, however, the inherent costs of travel and per diem oftentimes puts such off-island training out of the reach of my department. Shortchanging our training requests can lead to shortcomings in our employees' abilities to deal with the highly specialized matters I have previously mentioned.

I would like to see continuing professional education requirements for all our professional and technical employees. I would like these CPEs tied to advancements or promotions. This

government is obligated to see that its professional employees are sufficiently trained to meet the demands of our ever changing legal and regulatory environment.

This government has been penny wise and pound foolish when it comes to the department that is tasked with ensuring that our government receives all the tax revenue it is due. Think about the ever increasing numbers of taxpayers, new industries we are attracting to Guam, complex international tax issues that are confronting us now. Think carefully of the fact that the staffing for our professional tax division has not increased appreciably since the seventies. Think carefully about our employees that must deal with all of this. You need to recognize these employees and give them whatever they need to fulfill the department's all important mission. Without them, this government would be in poor financial condition limiting this government's ability to provide service to our island community.

Sincerely,

A handwritten signature in black ink, appearing to read "J.T.O.", with a long horizontal flourish extending to the right.

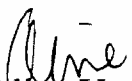
JOSEPH T. DUENAS  
Director

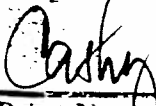
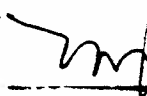
December 21, 1995

Senator Nelson,

Attached, please find justification for Bill 409.

Thank you for your continued support.

  
Aine Yamashita.

Office of VICE-SPEAKER TED G. NELSON	
Received by 	
Print Name	Initial
Date: 12/21/95	Time: 10:55a

## JUSTIFICATION FOR BILL 409

- \* There are @ 4,000 employees within DOE - all whom directly or indirectly affect student achievement.
- \* These employees need consistent and continuous evaluation and training to ensure that their efforts are in the best efforts of heightened student achievement.
- \* This training needs to be reflective of job standards.
- \* These job standards are monitored by immediate supervisors.
- \* When requested, training needs to be provided for immediately on an almost guaranteed basis.
- \* Training needs to be tied into education and the employee's effect on student achievement.
- \* Responsibility for evaluation/training needs to be internal, readily accessible, and always appropriate and relevant.
- \* Currently, the Department of Administration has the authority and responsibility for training.
- \* The training curriculum at Department of Administration does not address Department of Education employee job standards.
- \* The Department of Administration provides basic generic training for employees.
- \* The Department of Administration does not have the capability to readily provide training that directly or indirectly affects student achievement.
- \* In 1993, the Department of Education submitted 37 names of employees requesting to participate in the DOA Training and Development courses. The Department of Administration selected 18 of these employees.

- \* In 1994, 115 names were submitted to the Department of Administration Training and Development Office requesting for participation in various courses. Of the 115 employees nominated, only 47 were selected.
- \* During 1993 and 1994, the Department of Administration could not meet the basic training needs of the employees.
- \* Currently, there does not exist a position with a job description that includes the responsibility for training for all employees within the Department of Education.
- \* The Department of Education needs to be allowed to place a system of accountability and responsibility for evaluation and training within the organization.

**FISCAL NOTE**  
**BUREAU OF BUDGET AND MANAGEMENT RESEARCH**

**BBMR-F7**

Bill Number: 409  
 Amendatory Bill: Yes

Date Received: December 06, 1995  
 Date Reviewed: December 28, 1995

Department/Agency Affected: Various  
 Department/Agency Head: Various  
 Total FY Appropriation to Date: \_\_\_\_\_

**Bill Title (preamble):** AN ACT TO REPEAL AND REENACT ARTICLE 3 OF CHAPTER 20, TITLE 5 GCA AND TO ADD A NEW §20305 TO THE SAME TO ALLOW CERTAIN DEPARTMENTS AND AGENCIES TO ESTABLISH AND ADMINISTER SPECIALIZED OR PROFESSIONAL EMPLOYEE TRAINING PROGRAMS FOR THEIR ENTITY.

**Change in Law:** Repeals and reenacts Article 3 of Chapter 20, Title 5 GCA and to add a new §20305

**Bill's Impact on Present Program Funding:**  
 Increase 1/ Decrease \_\_\_\_\_ Reallocation \_\_\_\_\_ No Change \_\_\_\_\_

**Bill is for:**  
 Operations XXX Capital Improvement \_\_\_\_\_ Other \_\_\_\_\_

**FINANCIAL/PROGRAM IMPACT**

ESTIMATED SINGLE-YEAR FUND REQUIREMENTS (Per Bill)			
PROGRAM CATEGORY	GENERAL FUND	OTHER	TOTAL
Various	<u>1/</u>		

ESTIMATED MULTI-YEAR FUND REQUIREMENTS (Per Bill)						
FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL	<u>1/</u>					
OTHER						
TOTAL						

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

ESTIMATED POTENTIAL MULTI-YEAR REVENUES						
FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL FUND	<u>1/</u>					
OTHER						
TOTAL						

ANALYST  DATE 12/28/95 DIRECTOR  DATE JAN 4 1996  
 FOOTNOTES: See attached.

Bill Number 409 seeks to repeal and reenact Article 3 of Chapter 20, Title 5, Section 20305A and to add a new §20305 relative to allowing certain department and agencies to establish and administer specialized or professional employee training programs. This bill would pose an impact on the General Fund, however, the Bureau cannot determine the costs of such an impact at this time.

**Office of  
VICE-SPEAKER TED S. NELSON**

Received by

*L. H. J. B.*

---

Print Name Initial

Date: 1/8/96 Time: \_\_\_\_\_

PACIFIC DAILY NEWS, Wednesday, December 13, 1995

ISLANDS

# Officials dispute need for worker training law

By JOHN E. SCANLAN  
*Daily News Staff*

Representatives from three government of Guam agencies spoke out yesterday against a legislative bill that would allow 27 government departments to develop their own professional training programs, while two other agencies supported it.

The Department of Administration's Paul A. Caso told members of the legislature's Committee on General Governmental Operations and Micronesian Affairs that the bill is a departure from accepted ideas on modern organizational management.

"The times dictate cutbacks, closures, pooling of resources and centralization of similar functions. Bill 409 dictates decentralization and implies expansion and diversification of the work force," said Caso, who heads the Department of Administration's training and development division.

The bill, which if passed would be known as the Personnel Development and Training Act of 1995, would permit most government agencies to look on the open market for training programs for their employees. Under current regulations, they are required to rely on the Department of Administration as the source for training programs.

Caso argued the bill creates unnecessary duplications of effort.

John M. Palomo, the Guam Mass Transit Authority's general manager, testified that he thought the government's professional training system doesn't need to be revised.

But Joseph L. DeTorres, director of the Department of Education, said passage of the bill would greatly benefit his organization.

James E. Nelson III, general manager of the Guam Visitors Bureau, submitted a written statement in which he said his organization will continue to use training programs at the Department of Administration.

"The bureau agrees, however, that it would be more beneficial for us to fund and administer specialized training programs that would directly meet the needs of our employees. Bill No. 409 would grant us the opportunity to do so," the statement said.

The Guam Power Authority's Josephine Cruz presented her agency's statement opposing selected sections in the legislation.


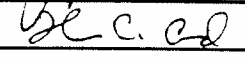
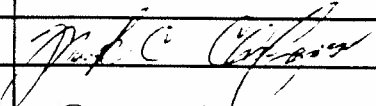

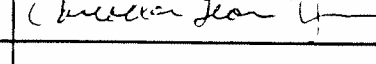
"The bill's requirement that GPA report its training programs to Department of Administration for offering to other government employees infringes on GPA's autonomy," Cruz said.



**Committee on General Governmental Operations and Micronesia Affairs**  
**Twenty-Third Guam Legislature**  
**155 Hesler Street, Agana, Guam 96910**

**Public Hearing**  
**December 12, 1995, Legislature's Public Hearing Room, Agana**  
**on Bill Nos. 253, 446, 409, [REDACTED]**  
**and Appointment of Mr. Vincent P. Arriola**  
**to the position of Acting Director, Bureau of Planning**

**Attendance**

<b>Committee Members</b>	<b>Present</b>	<b>Absent</b>	<b>Signature</b>
Vice-Speaker Ted S. Nelson Chairman	✓		
Sen. Thomas C. Ada	✓		
Sen. Anthony C. Blaz			
Sen. Felix P. Camacho			
Sen. Mark C. Charfauros	✓		
Sen. Hope A. Cristobal			
Sen. Alberto C. Lamorena V	✓		
Sen. Carlotta Leon Guerrero	✓		
Sen. Lou Leon Guerrero			
Sen. Sonny L. Orsini			
Sen. Vicente C. Pangelinan	✓		
Sen. Angel L.G. Santos			
Sen. Judith Won Pat-Borja			
Speaker Don Parkinson Ex-Officio Member			
<b>Others Senators</b>	<b>Present</b>	<b>Absent</b>	<b>Signature</b>
Sen. John P. Aguon			
Sen. Elizabeth Barrett-Anderson			
Sen. Joanne M.S. Brown			
Sen. Mark Forbes			
Sen. Joe T. San Agustin			
Sen. Francis E. Santos			
Sen. Antonio R. Unpingco			

<b>GGOMA Staff Assigned</b>	<b>Assisted by</b>
Ruth LG Benavente Joseph T. Rhatigan	



**VICE-SPEAKER TED S. NELSON  
CHAIRMAN**

**COMMITTEE ON GENERAL GOVERNMENTAL OPERATIONS  
AND MICRONESIAN AFFAIRS**

**NOTICE OF PUBLIC HEARING**

**10:00 a.m., Tuesday, December 12, 1995  
Guam Legislature Temporary Bldg., Agana**

**BILL NO. 253 TO AMEND SUBSECTION (B), §22503, ARTICLE 5,  
5 GCA, RELATIVE TO INTEREST PENALTIES UNDER THE PROMPT  
PAYMENT ACT, ADD A NEW SUBSECTION (C) THERETO AND  
RENUMBER SUBSECTION (C) TO (D) AND (D) TO (E)**

**BILL NO. 446 TO REPEAL AND REENACT SECTION 30 OF P.L.  
23-45 RELATIVE TO CAPITAL HIGHWAY IMPROVEMENT  
PROJECTS.**

**BILL NO. 409 TO REPEAL AND REENACT ARTICLE 3 OF CHAPTER  
20, TITLE 5 GCA AND TO ADD A NEW §20305 TO THE SAME TO  
ALLOW CERTAIN DEPARTMENTS AND AGENCIES TO ESTABLISH  
AND ADMINISTER SPECIALIZED OR PROFESSIONAL EMPLOYEE  
TRAINING PROGRAMS FOR THEIR ENTITY**

**BILL NO. 362 TO APPROPRIATE \$250,000 TO THE DEPARTMENT  
OF PUBLIC WORKS FOR THE PURPOSE OF DEMOLISHING THE OLD  
GUAM MEMORIAL HOSPITAL**

**APPOINTMENT OF MR. VINCENT P. ARRIOLA TO THE  
POSITION OF ACTING DIRECTOR, BUREAU OF PLANNING**

**THE PUBLIC IS INVITED TO ATTEND AND PRESENT  
THEIR INPUT AT THIS HEARING**

**VICE-SPEAKER TED S. NELSON  
CHAIRMAN**

**COMMITTEE ON GENERAL GOVERNMENTAL OPERATIONS  
AND MICRONESIAN AFFAIRS  
TWENTY-THIRD GUAM LEGISLATURE**

**NOTICE OF PUBLIC HEARING**

**10:00 a.m., Tuesday, December 12, 1995  
Guam Legislature Temporary Bldg., Agana**

**BILL NO. 253 TO AMEND SUBSECTION (B), §22503,  
ARTICLE 5, 5 GCA, RELATIVE TO INTEREST  
PENALTIES UNDER THE PROMPT PAYMENT ACT,  
ADD A NEW SUBSECTION (C) THERETO AND  
RENUMBER SUBSECTION (C) TO (D) AND (D) TO  
(E)**

**BILL NO. 446 TO REPEAL AND REENACT SECTION  
30 OF P.L. 23-45 RELATIVE TO CAPITAL HIGHWAY  
IMPROVEMENT PROJECTS.**

**BILL NO. 409 TO REPEAL AND REENACT ARTICLE  
3 OF CHAPTER 20, TITLE 5 GCA AND TO ADD A  
NEW §20305 TO THE SAME TO ALLOW CERTAIN  
DEPARTMENTS AND AGENCIES TO ESTABLISH AND  
ADMINISTER SPECIALIZED OR PROFESSIONAL  
EMPLOYEE TRAINING PROGRAMS FOR THEIR  
ENTITY**

**APPOINTMENT OF MR. VINCENT P. ARRIOLA TO  
THE POSITION OF ACTING DIRECTOR, BUREAU  
OF PLANNING**

**THE PUBLIC IS INVITED TO ATTEND AND  
PRESENT THEIR INPUT AT THIS HEARING**

Committee on Education  
23rd Guam Legislature  
Senator Judith Won Pat-Borja, Chairperson

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June 6, 1996


**Memorandum**

**To:           The Speaker, 23rd Guam Legislature**  
**Fr:           Chairperson, Committee on Education**  
**Subj:        Vetoed Bill 409**

I am transmitting herewith the **author's substituted version** of Bill No. 409 which I have reintroduced as Bill No. 665. I would like for the Speaker and members of the body to reconsider the placement of Bill No. 665 on the agenda for debate and passage notwithstanding the respective house rules that apply.

I am resubmitting this measure (through Bill 665) for the Legislature's consideration as a result of the resounding need and importance expressed by the Department of Education and the other learning institutions of our island. For information of the body, Governor Gutierrez vetoed Bill No. 409 on March 12, 1996 because of the error contained in the said Bill which inadvertently deleted training opportunities for government accountants. This provision, however, is fully re-incorporated into Bill No. 665 and as such, the major part of the Administration's concern has been satisfied.

As such, I respectfully request your favorable consideration in placing Bill No. 665 (the substitute of Bill No. 409) on the agenda of the current session.

  
**Judith Won Pat-Borja**



CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM

MAR 12 1996

The Honorable Ted S. Nelson  
Acting Speaker  
Twenty-Third Guam Legislature  
Guam Legislature Temporary Building  
155 Hesler Street  
Agana, Guam 96910

OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<u>[Signature]</u>
Time	<u>4:10</u>
Date	<u>3-12-96</u>

Dear Speaker Nelson:

Enclosed please find Bill No. 409 (LS), "AN ACT TO REPEAL AND REENACT ARTICLE 3 OF CHAPTER 20, TITLE 5, GUAM CODE ANNOTATED, TO ALLOW THE DEPARTMENT OF EDUCATION, THE GUAM COMMUNITY COLLEGE, AND THE UNIVERSITY OF GUAM TO ESTABLISH AND ADMINISTER SPECIALIZED OR PROFESSIONAL EMPLOYEE TRAINING PROGRAMS FOR THOSE ENTITIES", which I have **vetoed**.

Presently, the Department of Administration provides training programs government wide in the supervisory and management skill areas, as well as specialized training for a wide range of departments and agencies. Some departments and agencies also provide their own specialized training, particularly the autonomous agencies. In addition, educational agencies offer their own specialized training.

This legislation may make it more expensive to offer training programs throughout the government by allowing duplication and added expense of procurement by several agencies for some of the same training programs.

Additionally, Bill No. 409 repeals the current law, perhaps inadvertently, that provides continuing education and educational requirements for accountants, auditors, comptrollers, accounting teachers, and accounting personnel of the Department of Revenue and Taxation.

Very truly yours,

[Signature]  
Carl T. C. Gutierrez

Attachment  
231044

Office of VICE-SPEAKER TED S. NELSON	
<u>[Signature]</u>	
Print Name	Initial
Date: <u>3-12-96</u>	Time: <u>1:30 p</u>

WENTY-THIRD GUAM LEGISLATURE  
1996 (SECOND) Regular Session

This is to certify that Bill No. 409 (LS), "AN ACT TO REPEAL AND REENACT ARTICLE 3 OF CHAPTER 20, TITLE 5, GUAM CODE ANNOTATED, TO ALLOW THE DEPARTMENT OF EDUCATION, THE GUAM COMMUNITY COLLEGE, AND THE UNIVERSITY OF GUAM TO ESTABLISH AND ADMINISTER SPECIALIZED OR PROFESSIONAL EMPLOYEE TRAINING PROGRAMS FOR THOSE ENTITIES," was on the 28th day of February, 1996, duly and regularly passed.



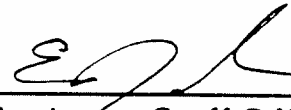
D. PARKINSON  
Speaker

Attested:



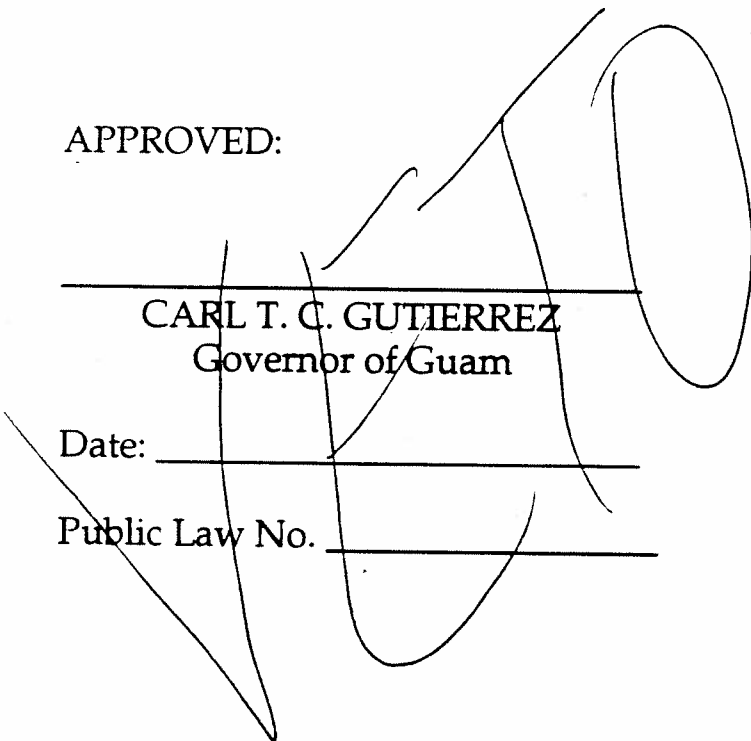
JUDITH WON PAT-BORJA  
Senator and Legislative Secretary

This Act was received by the Governor this 15<sup>th</sup> day of MARCH, 1996, at 5:40 o'clock P.M.



Assistant Staff Officer  
Governor's Office

APPROVED:



CARL T. C. GUTIERREZ  
Governor of Guam

Date: \_\_\_\_\_

Public Law No. \_\_\_\_\_

TWENTY-THIRD GUAM LEGISLATURE  
1996 (Second) Regular Session

JUN 07 1996

Bill No. 665 (LS)

Introduced by:

J. WonPat-Borja *JB*

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AN ACT TO REPEAL AND REENACT ARTICLE 3 OF CHAPTER 20, TITLE 5, GUAM CODE ANNOTATED, TO ALLOW THE DEPARTMENT OF EDUCATION, THE GUAM COMMUNITY COLLEGE, AND THE UNIVERSITY OF GUAM TO ESTABLISH AND ADMINISTER SPECIALIZED OR PROFESSIONAL EMPLOYEE TRAINING PROGRAMS FOR THOSE ENTITIES.

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

3        **Section 1. Legislative Statement and Intent.** The Legislature  
4 has been asked to exempt the Department of Education, Guam  
5 Community College and the University of Guam from the training  
6 and development programs administered by the Department of  
7 Administration pursuant to §20302 of Article 3, Chapter 20, Title 5 of  
8 the Guam Code Annotated. The Legislature concurs with the  
9 premise that the Department of Administration is well suited to  
10 provide administrative, supervisory or other basic managerial  
11 training courses for employees of the government of Guam. The  
12 Department of Administration has been satisfactorily providing such  
13 services to many of the departments and agencies of the government

1 for many years now. The Legislature finds, however, that the  
2 Department of Administration is not fully able to provide unique or  
3 specialized technical and professional training for Department of  
4 Education, Guam Community College, and University of Guam, and  
5 that it is in the best interest of such entities to administer and conduct  
6 specialized technical and professional training that is required to  
7 fulfill the mandates of the organization.

8 The Legislature agrees that it would be less costly if not more  
9 efficient and appropriate to allow Department of Education, Guam  
10 Community College, and University of Guam to develop or  
11 administer the unique personnel training needs of that agency.  
12 Moreover, the Legislature feels that the educational institutions are  
13 in a better position to identify, plan and coordinate its training needs  
14 within the allowance or limitations of the financial and human  
15 resources at its disposal.

16 **Section 2. Short Title.** This Act shall be known as the  
17 **"Education Personnel Development and Training Act."**

18 **Section 3.** Article 3 of Chapter 20, Title 5 of the Guam Code  
19 Annotated is hereby repealed and reenacted to read:

20 **"Article 3**

21 **Education Personnel Development and Training Act**

- 22  
23 **§20301. Title: Purpose.**  
24 **§20302. Director.**  
25 **§20303. Duties of the Director.**  
26 **§20304. Continuing Education for Accountants.**  
27 **§20305. Rules and Regulations.**  
28 **§20306. Participation by Department of Education, Guam**  
29 **Community College, and University of Guam.**



1           **§20301. Title: Purpose.** This Article shall be cited as the  
2           **Education Personnel Development and Training Act.** Its  
3           purpose is to improve the ability of officers and employees of  
4           Department of Education, Guam Community College, and  
5           University of Guam to perform the duties to which they have  
6           been assigned and to increase the capacity of educational  
7           employees and officers to assume broader responsibilities  
8           through training and development opportunities.

9           **§20302. Director of Administration.** The Director of  
10          Administration, hereinafter referred to as the "Director," shall  
11          establish and administer effective training and development  
12          programs for the employees of departments and agencies of  
13          the government of Guam except for those departments and  
14          agencies who are exempted from the provisions of this Act as  
15          set forth in section 20305 of this Article.

16          **§20303. Duties of the Director.** The Director shall, with  
17          due regard to the functions and mandates of the agencies  
18          concerned, provide training for skills enhancement and job  
19          advancement of employees in certain departments and  
20          agencies; provide training facilities and logistical support for  
21          government-wide employee training as needed; establish and  
22          administer supervisory and management development  
23          programs; apply for and administer federal grants which  
24          provide for personnel training and development; establish  
25          committees as are necessary for the proper administration of  
26          all training programs; analyze in-house training programs as  
27          to their usefulness and develop training procedures to meet the

1 emerging demands or needs of government employees; insure  
2 maximum utilization of training facilities; and to annually  
3 prepare a government-wide personnel training and  
4 development study that assesses the training needs of the  
5 employees of the government of Guam by department and  
6 agency and to utilize such data in the formulation of suitable  
7 training programs.

8 **§20304. Continuing Education for Accountants.** Directors  
9 of the various government of Gfuam departments and line  
10 agencies and boards of directors of autonomous  
11 instrumentalities and public corporations shall budget for and  
12 finance the annual cost of continuing education for accounting  
13 personnel employed by such departments, and  
14 instrumentalities, including accountants, auditors,  
15 comptrollers, accounting teachers and accounting personnel of  
16 the Department of Revenue and Taxation. If such an  
17 accountant is certified, then the continuing education  
18 requirements of the certifying organization will determine such  
19 accountant's continuing education program. First priority for  
20 training shall be given to such personnel. If the accountant is  
21 not certified, then the continuing education requirements for  
22 Federal accounting and auditor employees will be used to set  
23 the continuing education requirement for such an accountant.

24 **§20305 Rules and Regulations.** The Director shall make  
25 such rules and regulations as are necessary or proper to  
26 effectuate the purpose and intent of this Article.

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**§20306. Participation of the Department of Education, Guam Community College and the University of Guam.** The heads of the Department of Education, Guam Community College, and University of Guam are hereby granted the opportunity and option to coordinate, fund and administer any specialized or professional training needs of the employees in their respective departments whereby such department, agency or instrumentality shall notify the Director of the Department of Administration in the event that such specialized or professional training programs are to be offered. The Director of Administration shall notify all government entities of the availability of such programs and may coordinate government-wide participation with the approval of the sponsoring department, agency or instrumentality."