



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

LEGISLATIVE SECRETARIAT

SEP 16 1996

OFFICE OF THE SPEAKER	
Date:	9/16/96
Time:	2:10 pm
Received By:	Deumabon
Print Name:	Cheryl Deumabon

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 Substitute Bill No. 454 (LS), "AN ACT TO CREATE A COORDINATING COMMITTEE TO OVERSEE THE HIRING OF FEDERAL CIVIL SERVANTS WHO HAVE BEEN RELEASED BECAUSE OF MILITARY DOWNSIZING AND BASE CLOSURE", vetoed and overridden by the Legislature on September 9, 1996, which I have designated as **Public Law 23-124**.

Very truly yours,


Carl T. C. Gutierrez

Attachment
231453

OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	Alvarado
Time	4:46 pm.
Date	9-16-96

TWENTY-THIRD GUAM LEGISLATURE
1996 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 454 (LS), "AN ACT TO CREATE A COORDINATING COMMITTEE TO OVERSEE THE HIRING OF FEDERAL CIVIL SERVANTS WHO HAVE BEEN RELEASED BECAUSE OF MILITARY DOWNSIZING AND BASE CLOSURE," 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 sixteen (16) members.



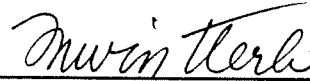
DON PARKINSON
Speaker

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

Public Law No. 23-124

TWENTY-THIRD GUAM LEGISLATURE
1996 (SECOND) Regular Session

Bill No. 454 (LS)

As substituted by the Committee on
General Governmental Operations
& Micronesian Affairs

Introduced by:

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

AN ACT TO CREATE A COORDINATING
COMMITTEE TO OVERSEE THE HIRING OF
FEDERAL CIVIL SERVANTS WHO HAVE BEEN
RELEASED BECAUSE OF MILITARY DOWNSIZING
AND BASE CLOSURE.

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

1 **Section 1. Legislative Intent.** With the closing of military bases on
2 Guam and the reduction in forces, particularly the civilian component, it is
3 necessary to ensure that all of this activity goes smoothly and without
4 detriment to the employees affected. The skills of these highly trained
5 individuals are generally needed by the Civil Service of government of
6 Guam. This includes not just office workers but the blue collar trades as well.
7 Since most of these workers have been with the military for a number of
8 years, and if hired by government of Guam, it will be the government who
9 benefits from their skills, it is only fitting and proper that these workers be
10 given some minor advantages. Primarily, they should be allowed some credit
11 for their prior experience and knowledge.

12 **Section 2. Coordinating Committee.** A committee to be known as the
13 Federal/Local Civil Service Coordinating Committee shall be composed as
14 follows: Director of Department of Administration who shall serve as
15 Chairman, the General Manager of Guam Power Authority, the Fire Chief of
16 the Guam Fire Department, the Director of Public Utility Agency of Guam,
17 the Director of Department of Public Works, the Administrative Director of
18 Guam Civil Service Commission. The Commander Naval Forces Marianas
19 and/or members of his staff are invited to attend and participate in these
20 meetings. Other department heads of the government of Guam may be
21 added to the Committee as the need arises. This Committee shall review all
22 base closings, reduction in forces, downsizing, and determine which
23 employees have skills for which the government of Guam is in need. They
24 shall establish procedures whereby the recruitment and hiring can be
25 expedited to the advantage of the employees and the government. The hiring
26 of the former federal employees shall be completed no later than ninety (90)
27 days after the military completes its downsizing on Guam.

1 **Section 3. Meetings and Reports.** The Coordinating Committee shall
2 meet as often as necessary but at least monthly and shall present a quarterly
3 informational report of its activities to the Speaker of the Legislature and to
4 the Governor.

TWENTY-THIRD GUAM LEGISLATURE

1996 (SECOND) Regular Session

Date: 9/9/96

VOTING SHEET

Veto
Bill No. 454

Resolution No.

Question: shall vetoed B454 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 16 4 0 1
~~17~~ ~~3~~

CERTIFIED TRUE AND CORRECT:

Recording Secretary



OFFICE OF THE GOVERNOR
TERRITORY OF GUAM

JUN 26 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 Amie

Time 9:43am

Date 6-27-96

Dear Speaker Nelson:

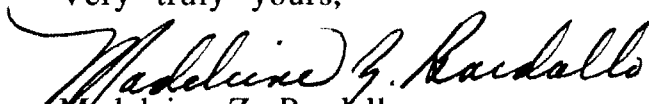
Enclosed please find Substitute Bill No. 454 (LS), "AN ACT TO CREATE A COORDINATING COMMITTEE TO OVERSEE THE HIRING OF FEDERAL CIVIL SERVANTS WHO HAVE BEEN RELEASED BECAUSE OF MILITARY DOWNSIZING AND BASE CLOSURE", which I have vetoed.

This legislation is duplicative of current laws and processes already in place. Through the BRAC process, there is already a mechanism presently in effect for working with employees who will be affected by military downsizing. At the present time, representatives of the Agency for Human Resource Development (AHRD) are stationed at the Port Authority of Guam, providing information and interviewing employees who may be affected through the military downsizing. This process is being coordinated through the Guam Economic Development Authority (GEDA) and the BRAC process established by the Twenty-Third Guam Legislature in Public Law 23-51.

Additionally, there are already in place laws, rules, and regulations to hire persons with special skills into the government through the regular Civil Service Commission procedures. Also, the mechanism of intergovernmental transfer can be used instead of the recruitment process to smooth the hiring of affected federal employees into the government of Guam system.

A copy of the legislation and the message have also been delivered to the Office of the Legislative Secretary.

Very truly yours,


Madeleine Z. Bordallo
Acting Governor of Guam

Attachment

231207

6
Date: 6/11/96

VOTING SHEET

Bill No. 454
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	✓			
SAM AGUSTIN, Joe T.	✓			
SANTOS, Angel L. G.	✓			
SANTOS, Francis E.	✓			
UNPINGCO, Antonio R.	✓			
WONPAT-BORJA, Judith	✓			

TOTAL 18 0 3

CERTIFIED TRUE AND CORRECT:

Recording Secretary



Ofisinan i Setbienten i Taotao Guahan
Vice-Speaker Ted S. Nelson

Chairman

Committee on General Governmental Operations and Micronesian Affairs
Twenty-Third Guam Legislature

January 3, 1996

COMMITTEES:

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. 454** (*An Act to create a Coordinating Committee to oversee the hiring of Federal civil servants who have been released because of military downsizing and base closure*) has had the same consideration and now wishes to report back the same with the recommendation to do pass as substituted.

The Committee votes are as follows:

To do pass	<u>11</u>
Not to pass	<u>0</u>
To report out only	<u>0</u>
Abstain	<u>0</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 OPERATIONS
AND MICRONESIAN AFFAIRS
TWENTY-THIRD GUAM LEGISLATURE
155 Hessler Street, Agana, Guam 96910**

COMMITTEE REPORT

ON

BILL NO. 454

*AN ACT TO CREATE A COORDINATING
COMMITTEE TO OVERSEE THE HIRING OF
FEDERAL CIVIL SERVANTS WHO HAVE BEEN
RELEASED BECAUSE OF MILITARY
DOWNSIZING AND BASE CLOSURE*

COMMITTEE MEMBERS:

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

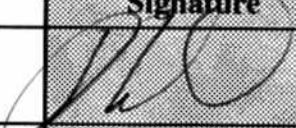

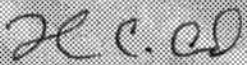
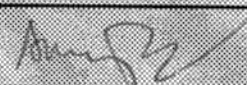

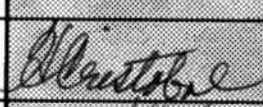

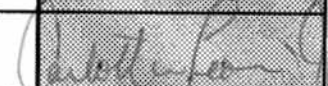



Thomas C. Ada	Anthony C. Blaz
Felix P. Camacho	Mark C. Charfauros
Hope A. Cristobal	Alberto C. Lamorena V
Carlotta Leon Guerrero	Lourdes A. Leon Guerrero
Sonny L. Orsini	Ben C. Pangelinan
Angel L.G. Santos	Judith Won Pat-Borja

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

VOTE SHEET
on **Bill No. 454**

An Act to create a Coordinating Committee to oversee the hiring of Federal civil servants who have been released because of military downsizing and base closure

Recommendation: To Do Pass as Substituted

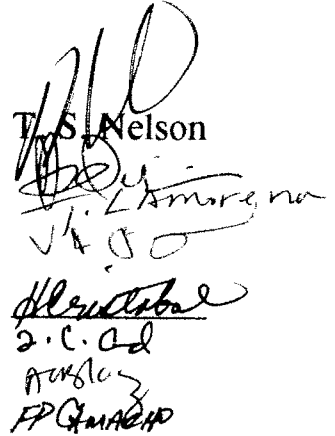
Committee Members	To Do Pass	Not To Pass	To Report Out Only	Abstain	To Place in the Inactive File	Signature
Vice-Speaker Ted S. Nelson Chairman	<input checked="" type="checkbox"/>					
Speaker Don Parkinson Ex-Officio Member	<input checked="" type="checkbox"/>					
Senator Thomas C. Ada	<input checked="" type="checkbox"/>					
Senator Anthony C. Blaz	<input checked="" type="checkbox"/>					
Senator Felix P. Camacho	<input checked="" type="checkbox"/>					
Senator Mark C. Charfauros						
Senator Hope A. Cristobal	<input checked="" type="checkbox"/>					
Senator Alberto C. Lamorena V	<input checked="" type="checkbox"/>					
Senator Carlotta Leon Guerrero	<input checked="" type="checkbox"/>					
Senator Lou Leon Guerrero						OFF-ISLAND
Senator Sonny L. Orsini	<input checked="" type="checkbox"/>					
Senator Ben C. Pangelinan	<input checked="" type="checkbox"/>					
Senator Angel L.G. Santos	<input checked="" type="checkbox"/>					
Senator Judith WonPat-Borja	11	0	0	0	0	OFF-ISLAND
Total Votes:						

Twenty Third Guam Legislature
1995 (First) Regular Session

Bill No. 454

As substituted by the
Committee on General
Governmental Operations
and Micronesian Affairs

Introduced by:


T.S. Nelson
J. Amorena
V. O.
H. Cristobal
D.C. Ad
P. O.
F.P. Garcia

AN ACT TO CREATE A COORDINATING COMMITTEE TO
OVERSEE THE HIRING OF FEDERAL CIVIL SERVANTS WHO
HAVE BEEN RELEASED BECAUSE OF MILITARY
DOWNSIZING AND BASE CLOSURE

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

3 Section 1. **Legislative intent.** With the closing of military bases on Guam
4 and the reduction in forces, particularly the civilian component, it is necessary to
5 ensure that all of this activity goes smoothly and without detriment to the
6 employees affected. The skills of these highly trained individuals are generally
7 needed by the Civil Service of government of Guam. This includes not just office
8 workers but the blue collar trades as well. Since most of these workers have been
9 with the military for a number of years, and if hired by government of Guam, it

1 will be the government who benefits from their skills, it is only fitting and proper
2 that these workers be given some minor advantages. Primarily, they should be
3 allowed some credit for their prior experience and knowledge.

4 **Section 2. Coordinating Committee.** A committee to be known as the
5 Federal/Local Civil Service Coordinating Committee shall be composed as follows:
6 Director of Department of Administration who shall serve as chairman, the general
7 manager of Guam Power Authority, the Fire Chief of the Guam Fire Department,
8 the Director of Public Utility Agency of Guam, the Director of Department of
9 Public Works, the administrative director of Guam Civil Service Commission. The
10 Commander Naval Forces Marianas and/or members of his staff are invited to
11 attend and participate in these meetings.. Other Department heads of the
12 government of Guam may be added to the Committee as the need arises. This
13 Committee shall review all base closings, reduction in forces, downsizing, and
14 determine which employees have skills for which the government of Guam is in
15 need. They shall establish procedures whereby the recruitment and hiring can be
16 expedited to the advantage of the employees and the government. They shall look
17 into the possibilities of transferring funds from the federal Civil Service retirement
18 to the local Retirement Fund for the credit of the employees. They shall establish
19 rules for this transfer which are compatible with existing local law. They shall
20 endeavor to provide maximum retirement credit for each of the employees hired

1 hereunder and in keeping with existing laws. The hiring of the former federal
2 employees shall be completed no later than ninety (90) days after the military
3 completes its downsizing on Guam.

4 **SECTION 3. MEETINGS AND REPORTS.** The Coordinating
5 Committee shall meet as often as necessary but at least monthly and shall present
6 a quarterly informational report of its activities to the Speaker of the Legislature
7 and to the Governor.

PUBLIC HEARING ON
BILL NO. 454

I. OVERVIEW

The Committee on General Governmental Operations and Micronesian Affairs conducted a public hearing on **Bill No. 454** (*An Act to create a Coordinating Committee to oversee the hiring of Federal civil servants who have been released because of military downsizing and base closure*) on Friday, December 22, 1995 at the Public Hearing Room of the Guam Legislature Temporary Building in Agana.

Attending the public hearing on Bill No. 454 were:

Committee members:

Vice-Speaker Ted S. Nelson, Chairman
Senator Tom C. Ada
Senator Mark C. Charfauros
Senator Hope A. Cristobal
Senator Carlotta Leon Guerrero
Senator Ben C. Pangelinan

Other Senators:

Senator Mark Forbes

Government Department/Agency Heads:

Mr. Eloy P. Hara, Executive Director, Civil Service Commission (CSC)
Mr. Bill Cundiff, Director, Agency for Human Resources Development (AHRD)
Mr. John S. Salas, Director, Department of Administration

General public:

Mr. Carlos Q. Taitano, private citizen
Ms. Mary Pracchia, Naval Activities
Mr. Manuel Q. Cruz, President, American Federation of Government Employees (AFGE)

II. TESTIMONY

MR. CARL TAITANO testified in support of Bill No. 454.

MR. BILL CUNDIFF, AHRD Director overseeing the implementation of Title III Job Training Partnership Act Dislocated Worker Program for civil service employees affected by BRACC '95 recommendations and Chairman of Guam's BRACC '95 Working Sub-committee on Human Resources, testified and **wholeheartedly concurs with the intent of Bill No. 454**. He stated that the closure of SRF and disestablishment of FISC will have a devastating effect on Guam's economy and on the employees and their families. "We must seize every opportunity and we must be proactive and visionary in our approach to ease the transition of these employees and their families into a new career environment. This is definitely an urgent matter", Mr. Cundiff said.

Mr. Cundiff also informed the Committee that his Agency has submitted a grant application to Washington, D.C. for \$25.5 million to assist the affected employees. The grant money will be used for readjustment, retraining and supportive services.

In closing, Mr. Cundiff stated that "assisting the civil servants and their families must be a Team Guam effort" and recommended that the "committee work cohesively with the Guam BRACC '95 Steering Committee so that the best possible services can be provided to the employees and their families and that duplication of efforts be eliminated."

MR. ELOY HARA thanked the Committee for giving the Commission the opportunity to comment on Bill 454. He stated that the CSC **has reservations on the bill** since "current laws and departmental personnel rules and regulations are already in place to address these issues" and that "Federal employees are no different from outside applicants" applying for jobs in the Government of Guam. "If GovGuam wishes to hire specialized or skilled workers, a selective factor rule in the Personnel Rules and Regulations can do the job", Mr. Hara said.

Mr. Hara said that the 90-days hiring provisions in the bill is unnecessary. Federal employees, like all other applicants, are not guaranteed jobs with the Government of Guam; they must qualify and

be ranked within the top 5 or 10 candidates to be eligible for selection.

"Although 4 GCA §8107 allows prior service credit, CSC reserves to comment on these issues which should be addressed by the Retirement Fund", Mr. Hara said in closing.

SENATOR MARK CHARFAUROS commented that he hopes this doesn't degrade the merit system. If passed, will there be exemption from the merit system? Need open competition.

MR. MANUEL Q. CRUZ, AFGE President, appeared before the Committee in support of **Bill No. 454**.

Mr. Cruz stated that, "even though there is an immediate need for the establishment of a Federal/Local Civil Service Coordinating Committee at this time, it is more critical that the issue of the Federal retirement credits be first addressed and resolved through local legislation."

MR. JOHN S. SALAS, Director of Department of Administration also submitted testimony. He said that the Bill "presents a commendable proposal for a joint effort to focus attention on the maximum utilization of experienced and trained local human resources. However, this effort may have been already addressed or being addressed by the Base Realignment and Closure Committee (BRAC) Task Force established by the Governor."

He recommended that Bill 454 be revised to establish a sub-committee within the BRAC Task Force to include those members recommended for the Coordinating Committee.

REAR ADMIRAL D. L. BREWER, III, in his letter to Speaker Parkinson, advises that "appointment of any military member to a Government of Guam Committee without military approval is inappropriate and in some cases prohibited." He wants to ensure that all such requests, in the future, are staffed via ~~this~~^{his} command, before any legislation is proposed.

"Regarding Bill 454, it would be inappropriate for myself or any member of the military to be a sitting member of this committee. However, we will gladly provide any appropriate information that would assist the

committee in their assistance to federal civil servants," the Admiral stated.

III. RECOMMENDATIONS

The Committee on General Governmental Operations and Micronesian Affairs, after having a public hearing on **Bill No. 454** (*An Act to create a Coordinating Committee to oversee the hiring of Federal civil servants who have been released because of military downsizing and base closure*), recommends passage of **Bill No. 454** as amended.

TESTIMONY IN FAVOR OF BILL NO. 454

As Director of the Agency for Human Resources Development overseeing the implementation of Title III, Job Training Partnership Act Dislocated Worker Program for civil service employees affected by BRACC'95 recommendations and as Chairman of Guam's BRACC'95 Working Sub-Committee on Human Resources, I wholeheartedly concur with the intent of Bill No. 454. The closure of the Ship Repair Facility (SRF) and the disestablishment of Fleet and Industrial Supply Center (FISC) will have a devastating effect on our economy and on the employees and their families. We must seize every opportunity and we must be proactive and visionary in our approach to ease the transition of these employees and their families into a new career environment. This is definitely an urgent matter. And your committee is to be commended for initiating Bill No. 454.

In concert with Bill No. 454, the hardworking professionals at the Agency for Human Resources Development, have put together and submitted a grant application to Washington D.C. for 25.5 million dollars to assist these employees. The grant money will be used for the following services:

READJUSTMENT

- Outreach and Intake
- Individual Readjustment Plan
- Testing and Assessment
- Orientation
- Job Search and Placement
- Job Development

RETRAINING

Classroom-Based Training
Occupational Skills Training
On-the-Job Training
Entrepreneurial Training

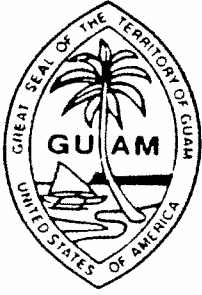
SUPPORTIVE SERVICES

Child Care
Transportation
Personal Counseling
Financial Counseling and Planning
Relocation Assistance

NEEDS RELATED PAYMENTS

Assisting the civil servants and their families must be a Team Guam effort. Recommend that this committee work cohesively with the Guam BRACC '95 Steering Committee so that the best possible services can be provided to the employees and their families and that duplication of efforts be eliminated.

BILL CUNDIFF



GOVERNMENT OF GUAM

CIVIL SERVICE COMMISSION
KUMISION I SETBISION SIBIT

490 Chalan Palasyo, Agana Heights
P.O. Box 3156 Agana, Guam 96910
Tel: 475-1300/01 Fax: 477-3301



CSC NO. 96-172

21 DECEMBER 1995

VICE SPEAKER TED S. NELSON

Chairperson

Committee on General Governmental Operations & Micronesia Affairs

Twenty-Third Guam Legislature

Agana, Guam 96910

RE: BILL NO. 454, AN ACT TO CREATE A COORDINATING COMMITTEE TO OVERSEE THE HIRING OF FEDERAL CIVIL SERVANTS WHO HAVE BEEN RELEASED BECAUSE OF MILITARY DOWNSIZING AND BASE CLOSURE.

Buenas yan Saluda Senadot Nelson:

Hafa adai! The Civil Service Commission (CSC) would like to thank you for giving us the opportunity to comment on Bill No. 454.

CSC has reservations, however, for the coordinating committee to create and establish procedures for the recruitment and transferring of these employees. Current laws and departmental personnel rules and regulations are already in place to address these issues. Federal employees are no different from outside applicants who are applying for jobs in the Government of Guam. All should be treated equally as mandated by the merit system. If GovGuam wishes to hire specialized or skilled workers, a selective factor rule in the Personnel Rules and Regulations can do the job. As for an example, the way that CSC handled the Guam Airport Authority Air Crash/Rescue Crew in which 20 of 21 were hired. These rules screen applicants who possess the necessary qualifications for the selected jobs. The appointing authority will have the luxury to hire these potential applicants immediately after fulfilling the merit system requirements. The 90 days hiring provisions in this bill is unnecessary. Like all other applicants, federal employees are not guaranteed for the GovGuam jobs. They must qualify and be ranked within the top five (5) or ten (10) candidates to be eligible for selection.

Although 4 GCA §8107 allows prior service credit, CSC reserves to comment on these issues which should be addressed by the Retirement Fund.

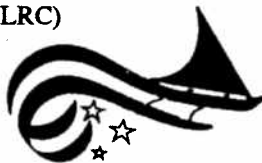
Dangkulu na si Yuus Masse pot este na oportunidad.

Senseramente,


Si Eloy Hara

Directot I Kumision I Sitbision I Sibet

cc: Legislative Review Committee (LRC)
cc: Chairman, CSC Board



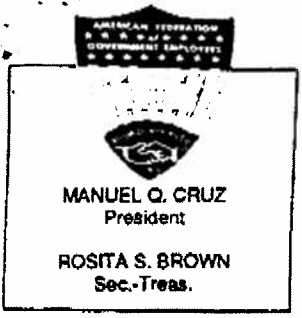
Commonwealth Now!

AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES

LOCAL 1689, INC.,

Affiliated with the AFL-CIO

DRAWER DK, AGANA, GUAM 96910
TEL: (671) 565-AFGE(2343)/1898
FAX: (671) 565-1890



In Reply Refer To:

AFGE:95/197
21 December 1995

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

Re: Bill No. 454

Dear Senator Nelson:

On behalf of the hundreds of Federal civilian employees who will be affected by military downsizing and base closures on Guam starting next year, we support the intent and purpose of Bill No. 454, "an Act to create a Coordinating Committee to oversee the hiring of Federal civil servants who have been released because of military downsizing and base closure".

When the U. S. Fleet and Industrial Supply Center (FISC), Guam and the U. S. Naval Ship Repair Facility (SRF), Guam close their doors on or about 30 September 1997, over a thousand (1,000) employees will lose their jobs. Most of these employees (especially at SRF-Guam) are highly skilled, trained, and certified in the work they do. Some of these skills are needed by the Government of Guam right now. In fact, the Guam Power Authority (GPA) and the Port Authority of Guam (PAG) have been utilizing some of the specialized workers from SRF-Guam to perform repair work in various mechanized equipment and facilities.

As these Federal employees anticipate their working for the Government of Guam (GovGuam), one of the main issues of concern is time in service credits and retirement credits.

Regarding the time in service issue, the Guam Civil Service Commission has already addressed this matter when they granted GPA the authority to hire most of the employees at the Piti Power Plant above Step 1 in their prospective grade series. Even though this will not be effective until the final transfer of the assets of the Piti Power Plant to GPA in February or March of next year, it is still a breakthrough and a step in the right direction.

Also, for your information, it is our understanding that the twenty-three (23) or so Federal firefighters from the former U. S. Naval Air Station (NAS) who transferred to and were hired by the Guam Airport Authority (GAA) were the recipients of time in service credits.

On the issue of retirement credits, this is where the real problem lies. Apparently, the Guam Retirement Commission is not buying in to the outright transfer of retirement credits from the Federal Government to the Government of Guam without proper monetary contributions. Such monetary contributions include the employee's contribution and the employer's contributions. In addition, some interests must be considered and factored in for he or she those years the contributions would have been gaining by the employee it had been a member of the GovGuam Retirement Fund.

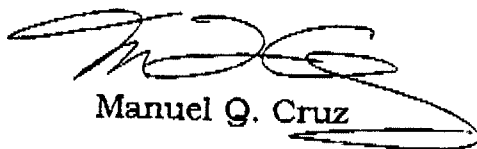
As the Chairman of the Committee on General Governmental Operations and Micronesian Affairs, it is a known fact that you have been instrumental in pursuing through various legislation, ways for the Federal Government to outrightly pay over to the GovGuam Retirement Fund the employee's contribution, but so far to no success. It is a fact that the Federal Government has never really deducted any money from its annual operating budgets to pay its share in retirement contributions. As such, it would be hard to recover these contributions short of an enabling legislation by the U. S. Congress for this purpose.

For the record, it is a known fact that there have already been precedents in the Government of Guam in which retirement credits have been given for prior military service, for advanced educational achievements, as well as for prior Federal service (up to 5 years).

Even though there is an immediate need for the establishment of a Federal/Local Civil Service Coordinating Committee at this time, it is more critical that the issue of the Federal retirement credits be first addressed and resolved through local legislation. The 53 or so Federal employees from the U. S. Navy Public Works Center, who will be transferring to GPA in February or March next year, need to know now.

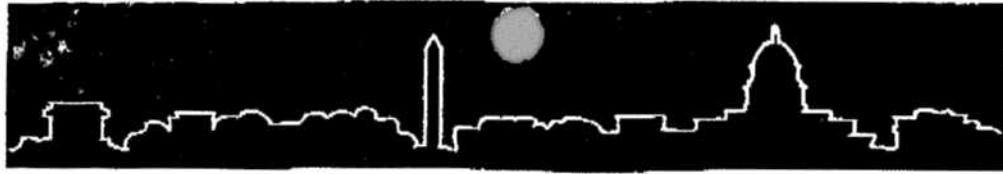
Thank you for the opportunity to provide our comments in support of Bill No. 454.

Sincerely,



Manuel Q. Cruz

P. S. It is interesting to note that the current U. S. Congress has the same feelings and concerns for the welfare of those Federal employees who are affected by job cuts as the Guam Legislature. See enclosure (1).



Federal Employees News Digest

Don Mace, Editor
Eric Yoder, Assistant Editor

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\$2/Copy Newsstand (ISSN: 1065-0970)

December 18, 1995
Vol. 45, No. 20

Bill would revive buyout program

Five House members representing federal employee-heavy districts have introduced legislation (HR-2751) that would revive the buyout program in non-defense agencies and would create several other incentives and assistance placement efforts for employees affected by job cuts.

The measure would provide for separation incentive payments for those not eligible for an immediate annuity and only if the payments are needed to avoid or minimize layoffs due to reductions in force, reorganization, transfer of function or similar actions.

A proposed new type of incentive payment would go to those not eligible for immediate retirement as an inducement to leave voluntarily and find a job in the private sector. Those individuals would receive the full amount of the severance payments to which they would have been entitled had they stayed and been laid off, if they find a private sector job within two months of separation. The amount would fall to 80 percent if the new employment begins within three months, 60 percent in four months and so on.

Also proposed are:

- Locking into law a presidential order establishing a government-wide priority placement program modeled after the Defense Department's internal program. Agencies would be required to fill positions with qualified displaced

employees referred through the program, names they would obtain from a central inventory of employees who have been RIF'd or given notice that they will be.

- Permission for agencies to pay a retraining incentive to non-federal employers of up to \$12,000 after a former federal employee has worked there for at least a year. This is intended to encourage hiring displaced federal workers by paying for a portion of any needed retraining. Agencies similarly could pay relocation incentives of up to \$20,000 if it is necessary for the individual to relocate for a non-federal job.

- Providing job placement and counseling services to current and former employees and their families.

- Allowing employees separated involuntarily or who take early retirement to continue federal life insurance by paying both the employee and agency share.

- Waiving the general requirement that retiring employees must have participated in the Federal Employees Health Benefits program for the five years preceding their retirement in order to keep their FEHB coverage.

Enclosure (1)

AMERICA WORKS BEST
WHEN WE SAY...



AFGE LOCAL 1689, INC.

Drawer DK
Agana, Guam 96910-9014
Telephone: (671) 565-2343 or 565-1898
Facsimile: (671) 565-1890

FACSIMILE COVER LETTER

DATE: 21 December 1995

TO : Hon. Ted S. Nelson
Chairman, Comm. on General Governmental Operations
and Micronesian Affairs

FAX NUMBER: 477-3403

NAME OF AGENCY/FIRM: 23rd Guam Legislature

FROM: Mr. Manuel O. Cruz, President

NUMBER OF PAGES, INCLUDING COVER LETTER: _4_

IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CONTACT
Dorothy AT THE ABOVE NUMBER AS SOON AS POSSIBLE.

MESSAGE

This facsimile was intended to be sent to the person named above, should you receive this facsimile by mistake, or encounter any problems, please contact the AFGE Office at 565-2343/1898. Thank you.



GOVERNMENT OF GUAM
AGANA, GUAM 96910
DEPARTMENT OF ADMINISTRATION
(DIPATTAMENTON ATMENESTRASION)
DIRECTOR'S OFFICE
(UFISINAN DIRECKTOT)

POST OFFICE BOX 884 * AGANA, GUAM 96910
TEL: (671) 475-1101 * FAX: (671) 477-6788

DEC 20 1995

Vice-Speaker Ted S. Nelson
Chairman, General Governmental
Operations and Micronesian Affairs
Twenty-third Guam Legislature
155 Hesler Street
Agana, Guam 96910

Dear Honorable Nelson:

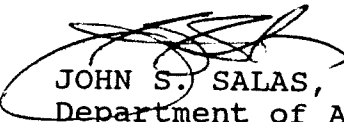
Felis Pasqua! Thank you for the opportunity to comment on Bill Nos. 454, relative to creating a coordinating committee to oversee the hiring of federal civil servants affected by the military downsizing and base closure on Guam, and Bill No. 235, to redefine the hiring restrictions on P.L. 22-140 pertaining to law enforcement officers.

Bill 454 presents a commendable proposal for a joint effort to focus attention on the maximum utilization of experienced and trained local human resources. However, this effort may have been already addressed or being addressed by the Base Realignment and Closure Committee (BRAC) Task Force established by the Governor. All of the concerns addressed by Bill 454 can be referred to that body for action. The proposed committee members, if not already assigned to the BRAC Task Force, may be called upon as a subcommittee to concentrate entirely on Bill 454's concerns. It is therefore recommended that Bill 454 be revised to establish a subcommittee within the BRAC Task Force to include those members recommended for the Coordinating Committee.

In regard to Bill No. 235, this office appreciates the clarification of what or who constitutes the law enforcement positions. We strongly recommend passage of Bill No. 235.

Again, si Yu'os ma'ase for this opportunity.

Sincerely,


JOHN S. SALAS, Director
Department of Administration





DEPARTMENT OF THE NAVY
U.S. PACIFIC FLEET
COMMANDER U.S. NAVAL FORCES MARIANAS
FPO AP 96536-0051

IN REPLY REFER TO:
5730
Ser 06/2692
21 Dec 95

Senator Don Parkinson
Twenty-Third Guam Legislature
Committee on Electrical Power & Consumer Protection
155 Hesler Street
Agana, Guam 96910


Dear Mr. Speaker:

This office recently received a copy of Bill No. 454 from the Twenty Third Guam Legislature regarding "AN ACT TO CREATE A COORDINATING COMMITTEE TO OVERSEE THE HIRING OF FEDERAL CIVIL SERVANTS WHO HAVE BEEN RELEASED BECAUSE OF MILITARY DOWNSIZING AND BASE CLOSURE". Part of that proposed legislation was to appoint the "Commander U.S. Naval Forces Marianas and members of his staff" to serve on the Coordinating Committee. Please be advised that appointment of any military member to a Government of Guam Committee without prior military approval is inappropriate and in some cases prohibited. In the future, ensure all such requests are staffed via this command, before legislation is proposed.

Regarding Bill No. 454, it would be inappropriate for myself or any member of the military to be a sitting member of this committee. However, we will gladly provide any appropriate information that would assist the committee in their assistance to federal civil servants.

If you have any questions concerning this matter please contact me or my Legislative Affairs Officer at 349-8190.

Sincerely,


D. L. BREWER, III
Rear Admiral, U.S. Navy

Copy to:
Senator Ted Nelson
Twenty-Third Guam Legislature
Committee on General Governmental Operations
155 Hesler Street
Agana, Guam 96910



DEPARTMENT OF THE NAVY
 U.S. PACIFIC FLEET
 COMMANDER U.S. NAVAL FORCES MARIANAS
 FPO SAN FRANCISCO 96336-0081



TELECOPY COVER SHEET

Date: 22 DEC 95 Time: ~~15~~ 0805

To: (Name) Senator Ted Nelson
 (Code or Branch) Twenty-third Guam Legislature
 (Telephone No:) _____ (Fax No:) 477-3403

From: (Name) Rear Admiral Brewer's Office
 (Code or Branch) Commander, U.S. Naval Forces Marianas
 (Telephone No:) (671) 349-5200/1 (Fax No:) (671) 344-5415

Number of Pages, including this Cover Sheet: 2

SUBJECT: Bill 454

Comments: _____



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

Public Hearing
December 22, 1995, Legislature's Public Hearing Room, Agana
on
Bill Nos. 235, 279, 287, 418, 437, 450 and 454

Attendance

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

GGOMA Staff Assigned	Assisted by
<i>Ruth LG Benavente</i> <i>Joseph T. Phatigan</i>	

NOTICE OF PUBLIC HEARING

**TWENTY-THIRD GUAM LEGISLATURE
COMMITTEE ON GENERAL GOVERNMENTAL OPERATIONS
AND MICRONESIAN AFFAIRS
VICE-SPEAKER TED S. NELSON, CHAIRMAN**

**Date: December 22, 1995 (Friday)
Time: 10:00 a.m.
Place: GLTB Public Hearing Room, Agana**

**Bill No. 235 TO AMEND CHAPTER 4, SECTION 22(B)(II), OF
PL 22-140, RELATIVE TO HIRING RESTRICTIONS OF LAW
ENFORCEMENT PERSONNEL**

**Bill No. 279 TO REPEAL AND REENACT §§1107, 1108, AND
1109 OF TITLE 4 GCA TO BE KNOWN AS THE "GOVERNMENT
OF GUAM INCENTIVE AWARDS PROGRAM ACT"**

**Bill No. 287 TO ADD A NEW SUBSECTION (E) TO §8112 OF 4
GCA, CHAPTER 8, AUTHORIZING ELIGIBLE GOVERNMENT OF
GUAM EMPLOYEES TO ADD INCREMENTS FROZEN BY PL 23-14
FOR PURPOSES OF COMPUTING THEIR SERVICE ANNUITIES**

**Bill No. 418 TO ADD A NEW §17212 TO CHAPTER 17, 3 GCA
RELATIVE TO ESTABLISHING SINGLE-SITE SPECIAL ELECTIONS
OVER A PERIOD OF 30 DAYS FOR INITIATIVES AND OTHER
SUBMISSIONS TO THE ELECTORS IN THE TERRITORY OF GUAM
AS A MEANS OF ENCOURAGING PUBLIC PARTICIPATION IN THE
PROCESS OF ESTABLISHING POLICY FOR THE TERRITORY IN A
COST-EFFECTIVE MANNER**

**Bill No. 437 TO AUTHORIZE THE CIVIL SERVICE COMMISSION
TO RECEIVE A STIPEND OF \$50.00 PER MEETING**

**Bill No. 450 TO AMEND THE USE OF THE HIGHWAY BOND
CAPITAL IMPROVEMENT PROJECTS**

**Bill No. 454 TO CREATE A COORDINATING COMMITTEE TO
OVERSEE THE HIRING OF FEDERAL CIVIL SERVANTS WHO
HAVE BEEN RELEASED BECAUSE OF MILITARY DOWNSIZING
AND BASE CLOSURE**

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



Ofisinan i Setbienten i Taotao Guahan
Vice-Speaker Ted S. Nelson

Chairman

Committee on General Governmental Operations and Micronesian Affairs
Twenty-Third Guam Legislature

PUBLIC HEARING

10:00 a.m., Friday, December 22, 1995; Public Hearing Room, Agana

A G E N D A

Bill No. 235 AN ACT TO AMEND CHAPTER 4, SECTION 22(B)(II), OF PL 22-140, RELATIVE TO HIRING RESTRICTIONS OF LAW ENFORCEMENT PERSONNEL (*MC Charfauros, HA Cristobal, L Leon Guerrero*)

Bill No. 279 AN ACT TO REPEAL AND REENACT §§1107, 1108, AND 1109 OF TITLE 4 GCA TO BE KNOWN AS THE "GOVERNMENT OF GUAM INCENTIVE AWARDS PROGRAM ACT" (*CA Leon Guerrero*)

Bill No. 287 AN ACT TO ADD A NEW SUBSECTION (E) TO §8112 OF 4 GCA, CHAPTER 8, AUTHORIZING ELIGIBLE GOVERNMENT OF GUAM EMPLOYEES TO ADD INCREMENTS FROZEN BY PL 23-14 FOR PURPOSES OF COMPUTING THEIR SERVICE ANNUITIES (*FE Santos*)

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Bill No. 437 AN ACT TO AUTHORIZE THE CIVIL SERVICE COMMISSION TO RECEIVE A STIPEND OF \$50.00 PER MEETING (*SL Orsini - at the request of the Governor*)

Bill No. 450 AN ACT TO AMEND THE USE OF THE HIGHWAY BOND CAPITAL IMPROVEMENT PROJECTS (*SL Orsini - at the request of the Governor*)

Bill No. 454 AN ACT TO CREATE A COORDINATING COMMITTEE TO OVERSEE THE HIRING OF FEDERAL CIVIL SERVANTS WHO HAVE BEEN RELEASED BECAUSE OF MILITARY DOWNSIZING AND BASE CLOSURE (*TS Nelson*)

Twenty Third Guam Legislature
1995 (First) Regular Session

Bill No. 454

Introduced by:

T. S. Nelson

95 DEC 13 11:19:56

AN ACT TO CREATE A COORDINATING COMMITTEE TO
OVERSEE THE HIRING OF FEDERAL CIVIL SERVANTS WHO
HAVE BEEN RELEASED BECAUSE OF MILITARY
DOWNSIZING AND BASE CLOSURE

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

Section 1. **Legislative intent.** With the closing of military bases on Guam and the reduction in forces, particularly the civilian component, it is necessary to ensure that all of this activity goes smoothly and without detriment to the employees affected. The skills of these highly trained individuals are generally needed by the Civil Service of government of Guam. This includes not just office workers but the blue collar trades as well. Since most of these workers have been with the military for a number of years, and if hired by government of Guam, it will be the government who benefits from their skills, it is only fitting and proper

1 that these workers be given some minor advantages. Primarily, they should be
2 allowed some credit for their prior experience and knowledge.

3 **Section 2. Coordinating Committee.** A committee to be known as the

4 Federal/Local Civil Service Coordinating Committee shall be composed as follows:

5 Director of Department of Administration who shall serve as chairman, the general

6 manager of Guam Power Authority, the Fire Chief of the Guam Fire Department,

7 the Director of Public Utility Agency of Guam, the Director of Department of

8 Public Works, ^{and} the administrative director of Guam Civil Service Commission, ~~and~~

9 ~~the Commander Naval Forces Marianas and members of his staff.~~ ^{are invited to attend and participate} Other
^{for staff}

10 Department heads of the government of Guam may be added to the Committee as

11 the need arises. This Committee shall review all base closings, reduction in

12 forces, downsizing, and determine which employees have skills for which the

13 government of Guam is in need. They shall establish procedures whereby the

14 recruitment and hiring can be expedited to the advantage of the employees and the

15 government. They shall look into the possibilities of transferring funds from the

16 federal Civil Service retirement to the local Retirement Fund for the credit of the

17 employees. They shall establish rules for this transfer which are compatible with

18 existing local law. They shall endeavor to provide maximum retirement credit for

19 each of the employees hired hereunder and in keeping with existing laws. The

20 hiring of the former federal employees shall be completed no later than ninety (90)

1 days after the military completes its downsizing on Guam.

2 **SECTION 3. MEETINGS AND REPORTS.** The Coordinating
3 Committee shall meet as often as necessary but at least monthly and shall present
4 a quarterly informational report of its activities to the Speaker of the Legislature
5 and to the Governor.



Ofisinan i Setbienten i Taotao Guahan
Vice-Speaker Ted S. Nelson

Chairman

Committee on General Governmental Operations and Micronesian Affairs
Twenty-Third Guam Legislature

PUBLIC HEARING

10:00 a.m., Friday, December 22, 1995; Public Hearing Room, Agana

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Introduced

Twenty Third Guam Legislature
1995 (First) Regular Session

JAN 04 1996

Bill No. 45-4 (LS)

Introduced by:


T. S. Nelson

AN ACT TO CREATE A COORDINATING COMMITTEE TO
OVERSEE THE HIRING OF FEDERAL CIVIL SERVANTS WHO
HAVE BEEN RELEASED BECAUSE OF MILITARY
DOWNSIZING AND BASE CLOSURE

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