



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

APR 09 1998

The Honorable Antonio R. Unpingco
Speaker
Twenty-Fourth Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Agana, Guam 96910

Refer to
Legislative Secretary

OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<u>Loni Samartano</u>
Time	<u>4:00 p.m.</u>
Date	<u>4-9-98</u>

Dear Speaker Unpingco:

Enclosed please find a copy of Bill No. 241 (LS), "AN ACT TO AMEND §4109(b) OF ARTICLE 1, CHAPTER 4 OF TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING UNIFORM SCHEDULE OF ANNUAL LEAVE ACCRUAL FOR THOSE WITH PRIOR HONORABLE SERVICE WITH THE ARMED FORCES OF THE UNITED STATES", which I have signed into law today as **Public Law No. 24-155**.

With respect to the accrual of annual leave, this legislation equalizes the treatment of former members of the Armed Forces who subsequently work for the government of Guam. Currently, those who are receiving a pension or annuity from their service in the Armed Forces accrue annual leave at the entry rate of 4 hours per pay period when first employed with the government of Guam, while those who do not receive a pension or annuity accrue annual leave at the rate of 6 hours per pay period when first employed with the government of Guam.

This legislation provides that any former member of the Armed Services, when first employed with the government of Guam, accrues 6 hours of annual leave.

Very truly yours,


Carl T. C. Gutierrez

Attachment 00733

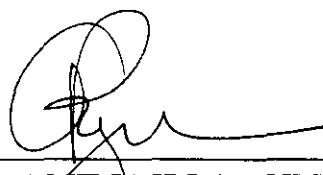
cc: The Honorable Joanne M. S. Brown
Legislative Secretary

Office of the Speaker
ANTONIO R. UNPINGCO
Date: 4-9-98
Time: 1430
Rec'd by: [Signature]
Print Name: Charlene Duenas

TWENTY-FOURTH GUAM LEGISLATURE
1998 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 241 (LS), "AN ACT TO AMEND §4109(b) OF ARTICLE 1, CHAPTER 4 OF TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING UNIFORM SCHEDULE OF ANNUAL LEAVE ACCRUAL FOR THOSE WITH PRIOR HONORABLE SERVICE WITH THE ARMED FORCES OF THE UNITED STATES," was on the 27th day of March, 1998, duly and regularly passed.



ANTONIO R. UNPINGCO
Speaker

Attested:



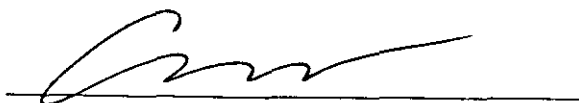
MARK FORBES
Senator and Acting Legislative
Secretary

This Act was received by the Governor this 3rd day of April, 1998, at
10:30 o'clock a.M.



Assistant Staff Officer
Governor's Office

APPROVED:



CARL T. C. GUTIERREZ
Governor of Guam

Date:

4-9-98

Public Law No.

24-155

TWENTY-FOURTH GUAM LEGISLATURE
1997 (FIRST) Regular Session

Bill No. 241 (LS)

As amended on the Floor.

Introduced by:

V. C. Pangelinan
T. C. Ada
F. B. Aguon, Jr.
A. C. Blaz
J. M.S. Brown
Felix P. Camacho
Francisco P. Camacho
M. C. Charfauros
E. J. Cruz
W. B.S.M. Flores
Mark Forbes
L. F. Kasperbauer
A. C. Lamorena, V
C. A. Leon Guerrero
L. Leon Guerrero
J. C. Salas
A. L.G. Santos
F. E. Santos
A. R. Unpingco
J. Won Pat-Borja

**AN ACT TO AMEND §4109(b) OF ARTICLE 1,
CHAPTER 4 OF TITLE 4 OF THE GUAM CODE
ANNOTATED, RELATIVE TO ESTABLISHING
UNIFORM SCHEDULE OF ANNUAL LEAVE
ACCRUAL FOR THOSE WITH PRIOR
HONORABLE SERVICE WITH THE ARMED
FORCES OF THE UNITED STATES.**

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

2 **Section 1. Legislative Statement.** The Guam Legislature finds
3 that existing law fails to acknowledge the years of service rendered to our
4 country by honorable retirees or pensioners of the Armed Forces of the United
5 States employed by the government of Guam for purposes of accruing annual
6 leave, while those with less years of service are granted due credit. It is the
7 intent of the Guam Legislature to establish a uniform schedule for the accrual
8 of annual leave at the outset of employment in recognition of all veterans who
9 have provided invaluable services to the citizenry of America.

10 **Section 2.** Section 4109(b) of Article 1, Chapter 4 of Title 4 of the
11 Guam Code Annotated is hereby amended to read as follows:

12 "(b) The term years of service shall be deemed to include
13 service with the Naval Government of Guam or with other Federal
14 instrumentalities or agencies within Guam prior to August 1, 1950, and
15 to include honorable service with the Armed Forces of the United States,
16 provided no more than three (3) years of service shall be credited to any
17 individual for purposes of this Section. Years of service shall include
18 one (1) year for each year served as a school employee.

19 The provisions of this Subsection shall not apply to those
20 employees of the government of Guam hired prior to the date of
21 enactment of this Act, except that any current employee of the
22 government who has been in the employ of the government for less
23 than three (3) years on the date of enactment and is a former member of
24 the Armed Forces of the United States and is receiving a retirement

1 annuity or pension as result of such military service shall be deemed to
2 have three (3) years of service with the government at the date of
3 enactment of this Subsection for the purposes of accruing annual leave."

PL 20-155



TWENTY-FOURTH
GUAM LEGISLATURE

Senator Felix P. Camacho

Power, Foreign Affairs and General Government Services

155 Thruway Bldg
Agaña, Guam 96911

472-2727

472-3505/6

472-9747

July 22, 1997

The Honorable
Antonio R. Unpingco
Speaker, 24th Guam Legislature
Agaña, Guam

via: Committee on Rules

Dear Mr. Speaker:

The Committee on Power, Foreign Affairs & General Government Services, to which was referred **Bill No. 241**, "An Act to Amend Subsection (b) of §4109, Title 4, Guam Code Annotated, Relative to Establishing Uniform Schedule of Annual Leave Accrual for those with Prior Honorable Service with the Armed Forces" with the recommendation **TO DO PASS**.

Votes of committee members are as follows:

- 8 To Pass
- Not To Pass
- To The Inactive File
- Abstained
- Off-Island
- 6 Not Available

Sincerely,

Felix P. Camacho



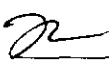


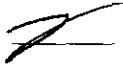


Attachments

**COMMITTEE ON POWER, FOREIGN AFFAIRS
& GENERAL GOVERNMENT SERVICES
TWENTY-FOURTH GUAM LEGISLATURE
155 Hesler Street, Agana, Guam 96910**

Chairman: Senator Felix P. Camacho Vice Chairman: Senator Lawrence F. Kasperbauer
Ex-Officio Member: Speaker Antonio R. Unpingco

VOTING SHEET ON:

Bill No. 241, "An Act to Amend Subsection (b) of §4109, Title 4, Guam Code Annotated, Relative to Establishing Uniform Schedule of Annual Leave Accrual for those with Prior Honorable Service with the Armed Forces"

<u>COMMITTEE MEMBERS</u>	<u>INITIAL</u>	<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>ABSTAIN</u>	<u>TO PLACE IN INACTIVE FILE</u>
Sen. Felix P. Camacho		✓			
Sen. Lawrence F. Kasperbauer		X			
Sen. Thomas C. Ada		✓			
Sen. Elizabeth Barrett-Anderson					
Sen. Francisco P. Camacho		✓			
Sen. Mark C. Charfauros					
Sen. Edwardo J. Cruz, MD					
Sen. William B. S.M. Flores					
Sen. Carlotta A. Leon Guerrero					
Sen. Alberto A.C. Lamorena V		✓			
Sen. Vicente C. Pangelinan		✓			
Sen. Angel L.G. Santos					
Sen. Francis E. Santos		✓			
Sen. Judith Won Pat-Borja		✓			

COMMITTEE ON POWER, FOREIGN AFFAIRS
& GENERAL GOVERNMENT SERVICES
TWENTY-FOURTH GUAM LEGISLATURE
155 Hesler Street, Agana, Guam 96910

COMMITTEE REPORT

ON

BILL NO. 241

“An Act to Amend Subsection (b) of §4109, Title 4, Guam Code Annotated, Relative to Establishing Uniform Schedule of Annual Leave Accrual for those with Prior Honorable Service with the Armed Forces”

COMMITTEE MEMBERS

Chairman: Felix P. Camacho

Vice Chairman: Senator Lawrence F. Kasperbauer

Ex-Officio Member: Antonio R. Unpingco

Thomas C. Ada
Francisco P. Camacho
Edwardo J. Cruz, MD
Alberto A.C. Lamorena V
Vicente C. Pangelinan
Francis E. Santos

Elizabeth Barrett-Anderson
Mark C. Charfauros
William B. S.M. Flores
Carlotta A. Leon Guerrero
Angel L.G. Santos
Judith Won Pat-Borja

COMMITTEE REPORT
POWER, FOREIGN AFFAIRS & GENERAL GOVERNMENT SERVICES

BILL NO. 241

“An Act to Amend Subsection (b) of §4109, Title 4, Guam Code Annotated, Relative to Establishing Uniform Schedule of Annual Leave Accrual for those with Prior Honorable Service with the Armed Forces”

I. PUBLIC HEARING

The Committee on Power, Foreign Affairs & General Government Services (CPFA&GGS) held a public hearing on Monday, May 22, 1997, at 9:00 a.m. to hear testimony on Bill No. 241, “An Act to Amend Subsection (b) of §4109, Title 4, Guam Code Annotated, Relative to Establishing Uniform Schedule of Annual Leave Accrual for those with Prior Honorable Service with the Armed Forces”.

The hearing was called to order by Senator Felix P. Camacho, Chairman of CPFA&GGS. Members present included Senators Lawrence Kasperbauer Vice-Chairman, Eduardo Cruz, Francisco P. Camacho and Senator Frank Aguon, as guest.

Present to testify were Mr. Herbert Petree, USN Retired. Mrs. Rebecca Quintanilla, DOA Acting Director, provided written testimony.

II. BACKGROUND

The Government of Guam does not currently have a uniform schedule of annual leave for armed forces personnel employed with our government. There currently exists a disparity of accrued leave among retired and non-retired personnel employed with our government.

III. TESTIMONY

Mr. Herbert Petree stated that he supports this bill because it establishes an equal playing field for armed forces personnel seeking employment with our government. As a retiree, Mr. Petree receives 4 hours per pay period as an employee, whereas a non-retiree gets 6 hours per pay period of accrued annual leave. Surely, retirees should get equal if not better treatment than non retirees of the armed forces.

Mrs. Rebecca Quintanilla, Acting Director of the Department of Administration, provided written testimony in support of this bill. Mrs. Quintanilla states that the

bill will eliminate the annual leave schedules now in place and treat any armed forces personnel with three or more years of service equally when seeking employment with the government of Guam.

Senator Vicente Pangelinan stated he introduced this bill eliminate the inequity of accrued leave schedules for federal and military personnel. The Senator's bill will eliminate the disparities for future employees as well as provide a formula that addresses the needs of existing employees under this classification.

Senator Felix Camacho wants to ensure that all employees from the armed forces are not discriminated upon as they seek employment with this government.

BBMR provided a May 20, 1997, Fiscal Note without a measurable financial impact figure at this time.

IV. FINDINGS

The Committee finds that Bill No. 241 can be reported out without changes.

V. RECOMMENDATION

The Committee on Power, Foreign Affairs & General Government Services hereby reports out Bill No. 281 with the recommendation **TO DO PASS**.



GOVERNMENT OF GUAM
AGANA GUAM 96910
DEPARTMENT OF ADMINISTRATION
(DIPATTAMENTON ATMENESTRASION)
DIRECTOR'S OFFICE
(UFISINAN DIREKTOT)
POST OFFICE BOX 884, AGANA, GUAM 96932
TEL: (671) 475-1101/1136 * FAX: (671) 477-6788

MAY 28 1997

Senator Felix Perez Camacho
Chairman, Committee on Power, Foreign Affairs and General Government Services
Twenty-Fourth Guam Legislature
155 Hesler Street
Agana, Guam 96932

Dear Mr. Chairman:

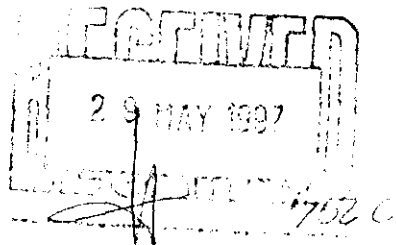
Hafa Adai! Thank you for the opportunity to comment on Bill No. 241, relative to establishing uniform schedule of annual leave accrual for those with prior Honorable service with the Armed Forces of the United States.

The intent of Bill 241 is to amend subsection (b) of the 4 Guam Code Annotated, Subsection 4109, which states: "The term years of service shall be deemed to include service with the Naval Government of Guam or with the Federal instrumentalities on agencies with Guam prior to August 01, 1950, and to include honorable service with the Armed Forces if such former member of the Armed Forces is not receiving a retirement annuity on pension as a result of such military service. Years of service shall include one year for each year served as a school year employee."

This department has been crediting an employee, for leave purposes with any time honorable served in the Armed Forces of the United States provided he or she is not receiving an annuity or pension as a result of such service regardless of when that service was taken, and no time limit is to be placed upon a person's service in the Armed Forces for calculating leave time. This includes services with the Naval Government of Guam or with other Federal instrumentalities or agencies within Guam prior to August 01, 1950.

Employees occupying permanent positions and have prior military service and not receiving retirement annuity or pension as a result of such service shall accrue annual leave in accordance with the following schedule:

1. One half day (4 hours) for each full bi-weekly pay period in case of employees with less than three years of service.
2. Three-fourths day (6 hours) for each full bi-weekly pay period except that the accrual for the last full bi-weekly pay period in the year shall be one and one-fourth day (10 hours) in case of employees with three but less than fifteen years of service.



Letter to Senator Felix P. Camacho
Re: Comment on Bill No. 241
Page 2 of 2

3. One day (8 hours) for each full bi-weekly pay period in the case of employees with fifteen or more years of service.

Employees who have prior Military service and are receiving retirement annuity or pension would start with one half day (4 hours) annual leave accumulation for each full bi-weekly pay period regardless if they have 20 years of prior Military service.

Bill No. 241 establishes uniform schedule of annual leave accrual for those with prior Honorable service with the Armed Forces of the United States regardless if they are receiving retirement annuity or pension as a result of such Military service. It further credits any current employee three (3) years of service with the government at the date of enactment of this act who are receiving retirement annuity or pension as a result of such Military service for the purpose of accruing annual leave, if they are employed with the Government of Guam for less than three (3) years on the date of enactment.

This bill eliminates disparity among those employees who are military retirees and non-military retirees. Therefore, Department of Administration supports the passage of Bill No. 241.

Thank you for the opportunity to comment on Bill No. 241. Dangkulu Na Si Yu'us Ma'ase.

Sincerely,


REBECCA T. QUINTANILLA, Acting Director
Department of Administration

FISCAL NOTE
BUREAU OF BUDGET AND MANAGEMENT RESEARCH

BBMR-F7

Bill Number: 241 (LS)
 Amendatory Bill: Yes

Date Received: May 20, 1997
 Date Reviewed: June 18, 1997

Department/Agency Affected: Veterans Affairs Office
 Department/Agency Head: John O. Blaz, Administrator
 Total FY Appropriation to Date: \$237,952

Bill Title (preamble): AN ACT TO AMEND SUBSECTION (b) OF 4 GCA §4109 RELATIVE TO ESTABLISHING UNIFORM SCHEDULE OF ANNUAL LEAVE ACCRUAL FOR THOSE WITH PRIOR HONORABLE SERVICE WITH THE ARMED FORCES OF THE UNITED STATES.

Change in Law: Amends Subsection (b) of 4 GCA §4109

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

Bill is for:
 Operations X Capital Improvement _____ Other _____

FINANCIAL/PROGRAM IMPACT

ESTIMATED SINGLE-YEAR FUND REQUIREMENTS (Per Bill)			
PROGRAM CATEGORY	GENERAL FUND	OTHER	TOTAL
<i>Health and Welfare</i>	<i>See Footnote</i>		

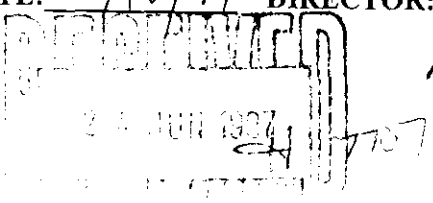
ESTIMATED MULTI-YEAR FUND REQUIREMENTS (Per Bill)						
FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL	<i>See Footnote</i>					
OTHER						
TOTAL						

FUNDS ADEQUATE TO COVER INTENT OF THE BILL? N/A -- IF NO, ADD'L AMOUNT REQUIRED \$ N/A
 AGENCY/PERSON/DATE CONTACTED: Veterans Affairs Office / Cynthia Gogo, AA / May 28, 1997

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

ANALYST: Amariano DATE: 6/18/97 DIRECTOR: Joseph Rivera DATE: JUN 23 1997
 Arthur R. Mariano *dr/dp* Joseph E. Rivera, Acting

FOOTNOTE(S): See attached.



FISCAL NOTE
BUREAU OF BUDGET AND MANAGEMENT RESEARCH

Comments on Bill No. 241 (LS):

It is the intent of the Legislature to establish a uniform schedule of annual leave accrual for those with prior honorable service with the Armed Forces of the United States. If enacted, the subject Bill would have an indirect fiscal impact on the Government of Guam in the form of increased annual leave benefits for current/future employees of the government who meet the established criteria set forth in the legislation.

Per Section 3 of Bill No. 241, current government employees who meet all three (3) criteria (i.e., employed for less than 3 years on the date of enactment, a former member of the Armed Forces, and currently receiving a retirement annuity or pension from such military service) would be credited up to three (3) years of service with the government at the date of enactment of the proposed legislation. As such, those employees who meet the aforementioned criteria would immediately be entitled to six (6) hours of annual leave biweekly, an increase from four (4) hours such employees (with less than 3 years of service) were currently receiving.

Also, it should be noted that the proposed legislation would entitle all newly-hired individuals with prior military service (regardless of whether or not the individual was/is currently receiving a retirement annuity or pension) up to 3 years of government service and six (6) hours of annual leave biweekly upon permanent employment with the government.

The actual fiscal impact of Bill No. 241 cannot be quantified at this time, however, due to the unavailability of data such as: current number of employees (those who meet the aforementioned criteria) who would be directly affected by the proposed legislation and their respective salaries (needed for quantifying the financial impact of increased annual leave benefits), and a projected average number of newly hired individuals with prior military service.