



Refer to  
Legislative Secretary

CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM

JAN 04 1999


The Honorable Antonio R. Unpingco  
Speaker  
Mina'Bente Kuáttro na Liheslaturan Guáhan  
Twenty-Fourth Guam Legislature  
Guam Legislature Temporary Building  
155 Hesler Street  
Hagåtña, Guam 96910

OFFICE OF THE LEGISLATIVE SECRETARY	
RECEIVED	
From: <u>Antonio</u>	
Time: <u>1:33 pm</u>	
Date: <u>1-6-99</u>	

Dear Speaker Unpingco:

Enclosed please find Substitute Bill No. 609 (COR), "AN ACT TO ESTABLISH INCENTIVES TO ENCOURAGE THE VOLUNTARY EARLY RETIREMENT OF GOVERNMENT OF GUAM EMPLOYEES IN CONNECTION WITH A GENERAL REORGANIZATION EFFORT IN THE GOVERNMENT OF GUAM", which was **vetoed** and subsequently overridden by i Liheslatura. This legislation is now designated as **Public Law No. 24-327**.

Very truly yours,

  
Carl T. C. Gutierrez  
I Maga'lahaen Guáhan  
Governor of Guam

Attachment:      copy attached for signed bill or overridden bill  
                         original attached for vetoed bill

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

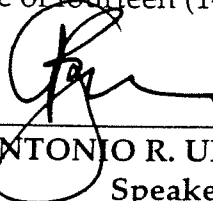
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Office of the Speaker  
ANTONIO R. UNPINGCO  
Date: 1/6/99  
Time: 10:49 am  
Rec'd by: BLU  
Print Name: Laurie


MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN  
1998 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUAHAN


This is to certify that Substitute Bill No. 609 (COR), "AN ACT TO ESTABLISH INCENTIVES TO ENCOURAGE THE VOLUNTARY EARLY RETIREMENT OF GOVERNMENT OF GUAM EMPLOYEES IN CONNECTION WITH A GENERAL REORGANIZATION EFFORT IN THE GOVERNMENT OF GUAM," returned without approval of *I Maga'lahaen Guahan*, was reconsidered by *I Liheslaturan Guahan* and after such consideration, did agree, on the 30<sup>th</sup> day of December, 1998, to pass said bill notwithstanding the veto of *I Maga'lahaen Guahan* by a vote of fourteen (14) members.

  
ANTONIO R. UNPINGCO  
Speaker

Attested.

  
JOANNE M.S. BROWN  
Senator and Legislative Secretary

-----  
This Act was received by *I Maga'lahaen Guahan* this 31<sup>st</sup> day of December,  
1998, at 3:10 o'clock P.M.

  
Assistant Staff Officer  
*Maga'lahaen's Office*

MINA BENTE KUATTRO NA LIHESLATURAN GUAHAN  
1998 (SECOND) Regular Session

Bill No. 609 (COR)

As substituted on the Floor  
and amended.

Introduced by:

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

AN ACT TO ESTABLISH INCENTIVES TO  
ENCOURAGE THE VOLUNTARY EARLY  
RETIREMENT OF GOVERNMENT OF GUAM  
EMPLOYEES IN CONNECTION WITH A  
GENERAL REORGANIZATION EFFORT IN THE  
GOVERNMENT OF GUAM.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent. The purpose of this Act is  
3 to:

4 (1) reduce current and future payroll costs of the government of  
5 Guam without imposing forced reductions in current staffing;

6 (2) maintain or increase the current level of employee  
7 productivity with the same *or* lesser compensation costs; *and*

8 (3) increase opportunities for lower and middle-level employees  
9 to move upward by filling the vacancies created by senior employees  
10 who retire.

11 *I Liheslaturan Guahan* further finds that a successful early retirement  
12 program must be accompanied by a long-term freeze or limitation on future  
13 hiring in order to offset the immediate increased costs of funding the  
14 incentives provided in the program lower than those of rehired retirees.

15 *I Liheslaturan Guahan* further finds that there are certain statutory  
16 provisions of the Guam Code Annotated that conflict with the intent of Public  
17 Law Number 23-42, which established a Defined Contribution Plan in order to  
18 protect and preserve the fiscal soundness of the Retirement Fund for the  
19 benefit of all its members. In particular there are provisions of the Defined  
20 Benefit Plan and the Judicial Officers, Justices and Judges statutes which  
21 conflict with Public Law Number 23-42 to the extent that those provisions  
22 would allow readmission to the Retirement Fund, even in cases where  
23 contributions to the Retirement Fund have been refunded to the member. To  
24 the extent that these conflicting provisions should have been repealed at the

1 time Public Law Number 23-42 was enacted, *I Liheslaturan Guahan* intends to  
2 expressly repeal those provisions retroactively to October 1, 1995, consistent  
3 with the specific mandate of Public Law Number 23-42, as codified, in part, in  
4 §8206 of Title 4 of the Guam Code Annotated, and the current practices of the  
5 Retirement Fund.

6 **Section 2.** Section 8113 is hereby *added* to Article 1, Chapter 8 of Title 4  
7 of the Guam Code Annotated to read as follows:

8 **"Section 8113. Early Retirement Credit.** Any person who is  
9 a current member of the Fund may apply for and receive up to five (5)  
10 years of retirement credit provided that:

11 (a) the person apply for such credit within six (6) months  
12 of the effective date of this Act;

13 (b) the person pay into the Retirement Fund an amount  
14 equal to their annual employee's contribution to the Fund at the  
15 time of their application, multiplied by the number of years of  
16 credit they are applying for, or sign a promissory note at an  
17 interest rate *not* exceeding the actuarially determined required rate  
18 of return to pay such amount in full within three (3) years of the  
19 date of the note;

20 (c) the person is a member of the Defined Benefit Plan.

21 (d) the employee has never previously retired under the  
22 Defined Benefit Plan *or* the Defined Contribution Retirement  
23 System;

24 (e) no employee shall be permitted to actually retire under

1 this Early Retirement Credit any sooner than ninety (90) days *after*  
2 notifying the Director of the Retirement Fund of one's intent to  
3 retire under this Act; *and*

4 (f) the person complies with this Section and all other  
5 provisions of this Act, and retires on a service retirement annuity  
6 within six (6) months after applying and qualifying for the early  
7 retirement credit."

8 **Section 3.** Section 8113.1 of Article 1, Chapter 8 of Title 4 of the Guam  
9 Code Annotated is hereby *repealed and re-enacted* to read as follows:

10 **"Section 8113.1. Failure to Fulfill Promissory Note Disqualifies.**

11 A qualified applicant, meeting the time requirements set forth in §8113  
12 of this Title who fails to pay in full the amounts described in a  
13 promissory note to the Retirement Fund within three (3) years of the  
14 date of the note shall lose eligibility to purchase retirement credit under  
15 the provisions of §8113 of this Chapter. The Retirement Fund in such  
16 cases shall refund to the applicant those amounts paid against the  
17 promissory note."

18 **Section 4.** Section 8113.2 of Article 1, Chapter 8 of Title 4 of the Guam  
19 Code Annotated is hereby *repealed and re-enacted* to read as follows:

20 **"Section 8113.2. Payment in Full Must be Received Prior to Use**  
21 **of Credit for Retirement Purposes.** Employees eligible to retire  
22 who opt to do so *prior* to payment of the full cost of the employee's  
23 share of the early retirement credit pursuant to the terms of the  
24 promissory note under §8113(b) of this Chapter shall receive credit on a

1 year by year basis as each full year of credit is paid for."

2 **Section 5.** Section 8113.3 of Article 1, Chapter 8, of Title 4 of the Guam  
3 Code Annotated is hereby *repealed and re-enacted* to read as follows:

4 "Section 8113.3. **Employer Shares for Employees Applying for**  
5 **Early Retirement Credit.** The government of Guam shall pay to the  
6 Retirement Fund in full all employer's share of retirement contributions  
7 due for each applying employee within two (2) years of the date upon  
8 which the employee applied. The amount due from the government for  
9 each employee shall be equal to the annual employer's share of the  
10 retirement contribution for the employee at the time of application  
11 multiplied by the number of years of credit the employee is applying  
12 for."

13 **Section 6.** Section 8121 of Article 1, Chapter 8 of Title 4 of the Guam  
14 Code Annotated, *as amended by P.L. No. 24-284*, is hereby *amended* to read as  
15 follows:

16 "Section 8121. **Same. Suspension of Annuity Payment.**

17 (a) A retired member who subsequently becomes an  
18 employee *eligible* for membership under §8106 of this Title prior to  
19 January 1, 1999 shall, upon becoming so employed, have his right  
20 to receive payment of his annuity suspended for the duration of  
21 his employment, but all other rights pertaining to his annuity  
22 provided by this Article, including automatic increases therein,  
23 shall be retained by him. The provisions of this Section shall *not*  
24 be applicable to any person employed by the Department of

1 Education in Guam schools, such as a substitute teacher, a  
2 classroom teacher, guidance, health counselor or licensed health  
3 professional when such critical need arises; *provided*, that such  
4 person occupies a position for which no other qualified/certified  
5 applicant was available, and that such employment shall be on a  
6 school year basis under contractual arrangement.

7 The provisions of this Section shall *not* be applicable to any  
8 certified, registered or licensed health care professional, or  
9 ancillary service personnel employed by the Guam Memorial  
10 Hospital Authority, the Department of Mental Health and  
11 Substance Abuse and the Department of Public Health and Social  
12 Services; *provided*, that such person occupies a position for which  
13 no other qualified applicants were available, and provided that  
14 such employment is procured on an annual and contractual basis.

15 (b) A retired member who subsequently becomes an  
16 employee *eligible* for membership under §8106 of this Title on or  
17 after January 1, 1999 shall, upon becoming so employed, have his  
18 right to receive payment of his annuity suspended for the duration  
19 of his employment, and shall be ineligible for readmission to  
20 Defined Benefit Plan, but all other rights pertaining to his annuity  
21 provided by this Article, including automatic increases therein,  
22 shall be retained by him, *except* that the retired member shall  
23 forfeit any enhanced benefits for which he was eligible pursuant to  
24 the early retirement provisions of §8121.1. This Subsection shall



1           not be construed to render a member ineligible for participation in  
2           the Defined Contribution Retirement System or the Deferred  
3           Compensation Program under Articles 2 and 3 of this Chapter,  
4           upon a retired member's subsequent employment with the  
5           government of Guam.

6                   (c) No employee benefiting from early retirement credit  
7           shall be rehired by the government of Guam in any position,  
8           whether contractual or otherwise, for at least three (3) years from  
9           the effective date of retirement except for those exemptions listed  
10          under Paragraph (a)."

11          **Section 7.** Sections 8130(b), (c) and (d) of Article 1, Chapter 8 of Title 4  
12 of the Guam Code Annotated are hereby *repealed*.

13          **Section 8.** Section 8130(b) is hereby *added* to Article 1, Chapter 8 of Title  
14 4 of the Guam Code Annotated to read as follows:

15                   "(b) Any member who receives a refund of contributions  
16           shall thereafter be ineligible for membership in the Defined Benefit  
17           Plan."

18          **Section 9.** Section 6111 of Title 7 of the Guam Code Annotated is  
19 hereby *repealed and reenacted* to read as follows:

20                   "**Section 6111. Judicial Retirement.** (a) All Judges in office  
21           on or before May 1, 1993 shall make an election as required in  
22           §6114 in order to bring himself or herself within the purview of  
23           the Retirement Fund.

24                   (b) All Judges taking office after May 1, 1993 through

1 September 30, 1995 shall be eligible for membership in the  
2 Government of Guam Retirement Fund (Defined Benefit Plan),  
3 *subject* to their voluntary participation in the Government of Guam  
4 Defined Contribution Retirement System pursuant to 4 GCA  
5 §8207, as amended.

6 (c) All Justices and all Judges taking office on or after  
7 October 1, 1995 shall become members of the Government of  
8 Guam Defined Contribution Retirement System, *subject* to their  
9 eligibility to be readmitted to the Government of Guam  
10 Retirement Fund (Defined Benefit Plan); *provided*, that they have  
11 *not* withdrawn their contributions thereto."

12 **Section 10.** Section 6114(a) of Title 7 of the Guam Code Annotated  
13 is hereby *amended* to read as follows:

14 "Section 6114(a). Any judge or justice in office on or before  
15 May 1, 1993 may, by written election filed with the Government of  
16 Guam Retirement Fund ('Fund') within six (6) months after the  
17 enactment of this Section, bring himself within the purview of the Fund.  
18 No judge *not* in office on the date of enactment of this Act or Justice  
19 may participate in any other government of Guam retirement program."

20 **Section 11. Hiring Freeze and Automatic Repeal of**  
21 **Appropriations and Full-Time Equivalencies Upon Vacancy.** The  
22 appropriated funding and FTE for any position in the government of Guam,  
23 including the Judicial Branch, funded by the General Fund or any fund  
24 appropriated including the Tourist Attraction Fund by *I Liheslaturan Guahan*,

1 which becomes vacant after the effective date of this Act for whatever reason  
2 shall be considered automatically repealed.

3 The following fast-track procedure must be followed in order for a  
4 replacement to be hired. *I Maga'lahaen Guahan* shall transmit to the Speaker of *I*  
5 *LiheSlaturan Guahan* a detailed description of the position, or positions, the  
6 funding and FTE of which have been automatically repealed pursuant to this  
7 Section which *I Maga'lahaen Guahan* wishes to reinstate. The Speaker of *I*  
8 *LiheSlaturan Guahan* will present in bill form a new appropriation and a new  
9 FTE authorization for those position(s) at the next session of *I LiheSlaturan*  
10 *Guahan*. The requirement for a public hearing shall be waived, *however*, public  
11 notice prior to the consideration of the bill in the Committee of the Whole  
12 shall be required. *I LiheSlaturan Guahan* will go into Committee of the Whole  
13 and chaired by the Chairperson of the Committee with oversight of the  
14 respective Agency. An affirmative vote of the majority of senators shall be  
15 required in order to pass any bill to re-appropriate towards and re-establish  
16 an FTE repealed pursuant to this Section. *Only* upon the re-appropriation of  
17 funds for, and the re-establishment of, a repealed FTE by action of *I*  
18 *LiheSlaturan Guahan* pursuant to this Section may any hiring action on the  
19 vacant position be initiated.

20 **Section 12. Application of Hiring Freeze to Autonomous**  
21 **Agencies.** No autonomous agency or instrumentality of the government of  
22 Guam, including the Department of Education and the Districts, shall cause  
23 any vacancy to be filled, nor establish or create any new position, without the  
24 expressed consent of *I LiheSlaturan Guahan*. Such consent shall be expressed in

1 the form of a bill, passed by a majority of the members of *I Liheslaturan Guahan*  
2 and signed into law by *I Maga'lahaen Guahan* or otherwise enacted into law. A  
3 bill to fill vacancies in autonomous agencies or to create new positions for  
4 employment in an autonomous agency is subject to the fast-track procedures  
5 detailed in §11 of this Act.

6 **Section 13. Federally Funded Positions.** The provisions of §12 of  
7 this Act shall apply to positions either partially or fully funded by the use of  
8 Federal funds.

9 **Section 14. General Fund Total Appropriation Not to Exceed**  
10 **\$486,800,000.** Notwithstanding any other provision of law, the total  
11 operational budget of the government for Fiscal Year 1999 shall *not* exceed  
12 Four Hundred Eighty-six Million Eight Hundred Thousand Dollars  
13 (\$486,800,000) from the government of Guam General Fund. Should the  
14 appropriations for Executive Branch Operations *not* conform to this limit, the  
15 appropriations shall be reduced by the Director of the Bureau of Budget and  
16 Management ("BBMR"), with the concurrence of *I Maga'lahaen Guahan*, to  
17 comply with the amount established in this Section.

18 **Section 15.** Section 4103(e) of Title 4 of the Guam Code Annotated is  
19 hereby *amended* to read as follows:

20 "(e) No person may be temporarily employed in a non-  
21 professional capacity for more than one hundred twenty (120) days in  
22 any calendar year *except* pursuant to an exception provided for by  
23 Paragraph (d). No person may be temporarily employed in a  
24 professional capacity for more than one hundred twenty (120) days

1        *except* upon a contract in writing, and a determination in writing by the  
2        appointing authority that such employment is critical to either the  
3        public health, safety or welfare of the community. For purposes of this  
4        Paragraph a person is employed as a professional if the person's job  
5        description in the Dictionary of Occupational Titles, published by the  
6        U.S. Department of Labor, has as its first digit zero (0) or one (1). Any  
7        person whose job description does *not* have as its first digit zero (0) or  
8        one (1) shall be deemed to be a non-professional employee."

9        **Section 16.** Section 6303 of Title 4 of the Guam Code Annotated is  
10 hereby *amended* to read as follows:

11            **"Section 6303. Creation of Positions.**        (a) New positions  
12            may be created by *I Maga'lahaen Guahan*, the Chief Justice of the  
13            Guam Supreme Court, or the Presiding Judge of the Superior  
14            Court of Guam for the Judicial Branch, when necessary for the  
15            efficient performance of the duties and functions of the  
16            government. *I Maga'lahaen Guahan* shall submit to the Civil Service  
17            Commission, and the Presiding Judge to the Judicial Council, the  
18            position descriptions for the positions within thirty (30) calendar  
19            days after creation. The positions shall be terminated *unless*  
20            approved by the Commission or the Judicial Council, as the case  
21            may be, within ninety (90) days after submission. No newly  
22            created position shall be filled in the absence of appropriations to  
23            pay the salary of the proposed position.

24            (b) This Section shall *not* apply to positions required by

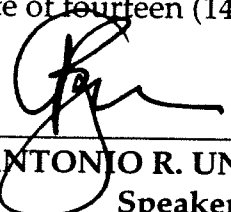
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law to be filled by persons confirmed by *I Liheslaturan Guahan.*"


MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN  
1998 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUAHAN

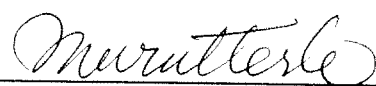
This is to certify that Substitute Bill No. 609 (COR), "AN ACT TO ESTABLISH INCENTIVES TO ENCOURAGE THE VOLUNTARY EARLY RETIREMENT OF GOVERNMENT OF GUAM EMPLOYEES IN CONNECTION WITH A GENERAL REORGANIZATION EFFORT IN THE GOVERNMENT OF GUAM," returned without approval of *I Maga'lahen Guahan*, was reconsidered by *I Liheslaturan Guahan* and after such consideration, did agree, on the 30<sup>th</sup> day of December, 1998, to pass said bill notwithstanding the veto of *I Maga'lahen Guahan* by a vote of fourteen (14) members.

  
ANTONIO R. UNPINGCO  
Speaker

Attested:

  
JOANNE M.S. BROWN  
Senator and Legislative Secretary

-----  
This Act was received by *I Maga'lahen Guahan* this 31<sup>st</sup> day of December,  
1998, at 3:10 o'clock P.M.

  
Assistant Staff Officer  
*Maga'lahi's Office*

APPROVED:

\_\_\_\_\_  
CARL T. C. GUTIERREZ  
*I Maga'lahen Guahan*

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

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

**MINA BENTE KUATTRO NA LIHESLATURAN GUAHAN  
1998 (SECOND) Regular Session**

**Bill No. 609 (COR)**

As substituted on the Floor  
and amended.

Introduced by:

Mark Forbes  
J. M.S. Brown  
L. F. Kasperbauer  
T. C. Ada  
F. B. Aguon, Jr.  
A. C. Blaz  
Felix P. Camacho  
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**AN ACT TO ESTABLISH INCENTIVES TO  
ENCOURAGE THE VOLUNTARY EARLY  
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GOVERNMENT OF GUAM.**



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

2           **Section 1. Legislative Findings and Intent.** The purpose of this Act is  
3 to:

4           (1) reduce current and future payroll costs of the government of  
5 Guam without imposing forced reductions in current staffing;

6           (2) maintain or increase the current level of employee  
7 productivity with the same *or* lesser compensation costs; *and*

8           (3) increase opportunities for lower and middle-level employees  
9 to move upward by filling the vacancies created by senior employees  
10 who retire.

11           *I Liheslaturan Guahan* further finds that a successful early retirement  
12 program must be accompanied by a long-term freeze or limitation on future  
13 hiring in order to offset the immediate increased costs of funding the  
14 incentives provided in the program lower than those of rehired retirees.

15           *I Liheslaturan Guahan* further finds that there are certain statutory  
16 provisions of the Guam Code Annotated that conflict with the intent of Public  
17 Law Number 23-42, which established a Defined Contribution Plan in order to  
18 protect and preserve the fiscal soundness of the Retirement Fund for the  
19 benefit of all its members. In particular there are provisions of the Defined  
20 Benefit Plan and the Judicial Officers, Justices and Judges statutes which  
21 conflict with Public Law Number 23-42 to the extent that those provisions  
22 would allow readmission to the Retirement Fund, even in cases where  
23 contributions to the Retirement Fund have been refunded to the member. To  
24 the extent that these conflicting provisions should have been repealed at the

1 time Public Law Number 23-42 was enacted, *I Liheslaturan Guahan* intends to  
2 expressly repeal those provisions retroactively to October 1, 1995, consistent  
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4 §8206 of Title 4 of the Guam Code Annotated, and the current practices of the  
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6 **Section 2.** Section 8113 is hereby *added* to Article 1, Chapter 8 of Title 4  
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8 **"Section 8113. Early Retirement Credit.** Any person who is  
9 a current member of the Fund may apply for and receive up to five (5)  
10 years of retirement credit provided that:

11 (a) the person apply for such credit within six (6) months  
12 of the effective date of this Act;

13 (b) the person pay into the Retirement Fund an amount  
14 equal to their annual employee's contribution to the Fund at the  
15 time of their application, multiplied by the number of years of  
16 credit they are applying for, or sign a promissory note at an  
17 interest rate *not* exceeding the actuarially determined required rate  
18 of return to pay such amount in full within three (3) years of the  
19 date of the note;

20 (c) the person is a member of the Defined Benefit Plan.

21 (d) the employee has never previously retired under the  
22 Defined Benefit Plan *or* the Defined Contribution Retirement  
23 System;

24 (e) no employee shall be permitted to actually retire under

1           this Early Retirement Credit any sooner than ninety (90) days *after*  
2           notifying the Director of the Retirement Fund of one's intent to  
3           retire under this Act; *and*

4           (f) the person complies with this Section and all other  
5           provisions of this Act, and retires on a service retirement annuity  
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8           **Section 3.** Section 8113.1 of Article 1, Chapter 8 of Title 4 of the Guam  
9           Code Annotated is hereby *repealed and re-enacted* to read as follows:

10           **"Section 8113.1. Failure to Fulfill Promissory Note Disqualifies.**

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13           promissory note to the Retirement Fund within three (3) years of the  
14           date of the note shall lose eligibility to purchase retirement credit under  
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18           **Section 4.** Section 8113.2 of Article 1, Chapter 8 of Title 4 of the Guam  
19           Code Annotated is hereby *repealed and re-enacted* to read as follows:

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1 year by year basis as each full year of credit is paid for.”

2 **Section 5.** Section 8113.3 of Article 1, Chapter 8, of Title 4 of the Guam  
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4 **“Section 8113.3. Employer Shares for Employees Applying for**  
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12 for.”

13 **Section 6.** Section 8121 of Article 1, Chapter 8 of Title 4 of the Guam  
14 Code Annotated, *as amended by P.L. No. 24-284*, is hereby *amended* to read as  
15 follows:

16 **“Section 8121. Same. Suspension of Annuity Payment.**

17 (a) A retired member who subsequently becomes an  
18 employee *eligible* for membership under §8106 of this Title prior to  
19 January 1, 1999 shall, upon becoming so employed, have his right  
20 to receive payment of his annuity suspended for the duration of  
21 his employment, but all other rights pertaining to his annuity  
22 provided by this Article, including automatic increases therein,  
23 shall be retained by him. The provisions of this Section shall *not*  
24 be applicable to any person employed by the Department of

1 Education in Guam schools, such as a substitute teacher, a  
2 classroom teacher, guidance, health counselor or licensed health  
3 professional when such critical need arises; *provided*, that such  
4 person occupies a position for which no other qualified/certified  
5 applicant was available, and that such employment shall be on a  
6 school year basis under contractual arrangement.

7 The provisions of this Section shall *not* be applicable to any  
8 certified, registered or licensed health care professional, or  
9 ancillary service personnel employed by the Guam Memorial  
10 Hospital Authority, the Department of Mental Health and  
11 Substance Abuse and the Department of Public Health and Social  
12 Services; *provided*, that such person occupies a position for which  
13 no other qualified applicants were available, and provided that  
14 such employment is procured on an annual and contractual basis.

15 (b) A retired member who subsequently becomes an  
16 employee *eligible* for membership under §8106 of this Title on or  
17 after January 1, 1999 shall, upon becoming so employed, have his  
18 right to receive payment of his annuity suspended for the duration  
19 of his employment, and shall be ineligible for readmission to  
20 Defined Benefit Plan, but all other rights pertaining to his annuity  
21 provided by this Article, including automatic increases therein,  
22 shall be retained by him, *except* that the retired member shall  
23 forfeit any enhanced benefits for which he was eligible pursuant to  
24 the early retirement provisions of §8121.1. This Subsection shall

1           not be construed to render a member ineligible for participation in  
2           the Defined Contribution Retirement System or the Deferred  
3           Compensation Program under Articles 2 and 3 of this Chapter,  
4           upon a retired member's subsequent employment with the  
5           government of Guam.

6           (c) No employee benefiting from early retirement credit  
7           shall be rehired by the government of Guam in any position,  
8           whether contractual or otherwise, for at least three (3) years from  
9           the effective date of retirement except for those exemptions listed  
10          under Paragraph (a)."

11          **Section 7.** Sections 8130(b), (c) and (d) of Article 1, Chapter 8 of Title 4  
12          of the Guam Code Annotated are hereby *repealed*.

13          **Section 8.** Section 8130(b) is hereby *added* to Article 1, Chapter 8 of Title  
14          4 of the Guam Code Annotated to read as follows:

15                 “(b) Any member who receives a refund of contributions  
16                 shall thereafter be ineligible for membership in the Defined Benefit  
17                 Plan.”

18          **Section 9.** Section 6111 of Title 7 of the Guam Code Annotated is  
19          hereby *repealed and reenacted* to read as follows:

20                 “**Section 6111. Judicial Retirement.** (a) All Judges in office  
21                 on or before May 1, 1993 shall make an election as required in  
22                 §6114 in order to bring himself or herself within the purview of  
23                 the Retirement Fund.

24                 (b) All Judges taking office after May 1, 1993 through

1 September 30, 1995 shall be eligible for membership in the  
2 Government of Guam Retirement Fund (Defined Benefit Plan),  
3 *subject* to their voluntary participation in the Government of Guam  
4 Defined Contribution Retirement System pursuant to 4 GCA  
5 §8207, as amended.

6 (c) All Justices and all Judges taking office on or after  
7 October 1, 1995 shall become members of the Government of  
8 Guam Defined Contribution Retirement System, *subject* to their  
9 eligibility to be readmitted to the Government of Guam  
10 Retirement Fund (Defined Benefit Plan); *provided*, that they have  
11 *not* withdrawn their contributions thereto."

12 **Section 10.** Section 6114(a) of Title 7 of the Guam Code Annotated  
13 is hereby *amended* to read as follows:

14 **"Section 6114(a).** Any judge or justice in office on or before  
15 May 1, 1993 may, by written election filed with the Government of  
16 Guam Retirement Fund ('Fund') within six (6) months after the  
17 enactment of this Section, bring himself within the purview of the Fund.  
18 No judge *not* in office on the date of enactment of this Act or Justice  
19 may participate in any other government of Guam retirement program."

20 **Section 11. Hiring Freeze and Automatic Repeal of**  
21 **Appropriations and Full-Time Equivalencies Upon Vacancy.** The  
22 appropriated funding and FTE for any position in the government of Guam,  
23 including the Judicial Branch, funded by the General Fund or any fund  
24 appropriated including the Tourist Attraction Fund by *I Liheslaturan Guahan*,

1 which becomes vacant after the effective date of this Act for whatever reason  
2 shall be considered automatically repealed.

3 The following fast-track procedure must be followed in order for a  
4 replacement to be hired. *I Maga'lahaen Guahan* shall transmit to the Speaker of *I*  
5 *Liheslaturan Guahan* a detailed description of the position, or positions, the  
6 funding and FTE of which have been automatically repealed pursuant to this  
7 Section which *I Maga'lahaen Guahan* wishes to reinstate. The Speaker of *I*  
8 *Liheslaturan Guahan* will present in bill form a new appropriation and a new  
9 FTE authorization for those position(s) at the next session of *I Liheslaturan*  
10 *Guahan*. The requirement for a public hearing shall be waived, *however*, public  
11 notice prior to the consideration of the bill in the Committee of the Whole  
12 shall be required. *I Liheslaturan Guahan* will go into Committee of the Whole  
13 and chaired by the Chairperson of the Committee with oversight of the  
14 respective Agency. An affirmative vote of the majority of senators shall be  
15 required in order to pass any bill to re-appropriate towards and re-establish  
16 an FTE repealed pursuant to this Section. *Only* upon the re-appropriation of  
17 funds for, and the re-establishment of, a repealed FTE by action of *I*  
18 *Liheslaturan Guahan* pursuant to this Section may any hiring action on the  
19 vacant position be initiated.

20 **Section 12. Application of Hiring Freeze to Autonomous**  
21 **Agencies.** No autonomous agency or instrumentality of the government of  
22 Guam, including the Department of Education and the Districts, shall cause  
23 any vacancy to be filled, nor establish or create any new position, without the  
24 expressed consent of *I Liheslaturan Guahan*. Such consent shall be expressed in



1 the form of a bill, passed by a majority of the members of *I Liheslaturan Guahan*  
2 and signed into law by *I Maga'lahaen Guahan* or otherwise enacted into law. A  
3 bill to fill vacancies in autonomous agencies or to create new positions for  
4 employment in an autonomous agency is subject to the fast-track procedures  
5 detailed in §11 of this Act.

6 **Section 13. Federally Funded Positions.** The provisions of §12 of  
7 this Act shall apply to positions either partially or fully funded by the use of  
8 Federal funds.

9 **Section 14. General Fund Total Appropriation Not to Exceed**  
10 **\$486,800,000.** Notwithstanding any other provision of law, the total  
11 operational budget of the government for Fiscal Year 1999 shall *not* exceed  
12 Four Hundred Eighty-six Million Eight Hundred Thousand Dollars  
13 (\$486,800,000) from the government of Guam General Fund. Should the  
14 appropriations for Executive Branch Operations *not* conform to this limit, the  
15 appropriations shall be reduced by the Director of the Bureau of Budget and  
16 Management ("BBMR"), with the concurrence of *I Maga'lahaen Guahan*, to  
17 comply with the amount established in this Section.

18 **Section 15.** Section 4103(e) of Title 4 of the Guam Code Annotated is  
19 hereby *amended* to read as follows:

20 "(e) No person may be temporarily employed in a non-  
21 professional capacity for more than one hundred twenty (120) days in  
22 any calendar year *except* pursuant to an exception provided for by  
23 Paragraph (d). No person may be temporarily employed in a  
24 professional capacity for more than one hundred twenty (120) days

1       *except* upon a contract in writing, and a determination in writing by the  
2       appointing authority that such employment is critical to either the  
3       public health, safety or welfare of the community. For purposes of this  
4       Paragraph a person is employed as a professional if the person's job  
5       description in the Dictionary of Occupational Titles, published by the  
6       U.S. Department of Labor, has as its first digit zero (0) or one (1). Any  
7       person whose job description does *not* have as its first digit zero (0) or  
8       one (1) shall be deemed to be a non-professional employee."

9       **Section 16.** Section 6303 of Title 4 of the Guam Code Annotated is  
10      hereby *amended* to read as follows:

11           **"Section 6303. Creation of Positions.**       (a) New positions  
12           may be created by *I Maga'lahaen Guahan*, the Chief Justice of the  
13           Guam Supreme Court, or the Presiding Judge of the Superior  
14           Court of Guam for the Judicial Branch, when necessary for the  
15           efficient performance of the duties and functions of the  
16           government. *I Maga'lahaen Guahan* shall submit to the Civil Service  
17           Commission, and the Presiding Judge to the Judicial Council, the  
18           position descriptions for the positions within thirty (30) calendar  
19           days after creation. The positions shall be terminated *unless*  
20           approved by the Commission or the Judicial Council, as the case  
21           may be, within ninety (90) days after submission. No newly  
22           created position shall be filled in the absence of appropriations to  
23           pay the salary of the proposed position.

24           (b) This Section shall *not* apply to positions required by

1

law to be filled by persons confirmed by *I Liheslaturan Guahan.*"

*Overlaid*

# I MINA' BENTE KUATTRO NA LIHESLATURAN GUAHAN

1998 (SECOND) Regular Session

Date: 12/30/98

## VOTING SHEET

Bill No. 609

Resolution No. \_\_\_\_\_

Question: \_\_\_\_\_

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT ROLL CALL
ADA, Thomas C.	11	✓			
AGUON, Frank B., Jr.		✓			
<del>BARRETT-ANDERSON, Elizabeth</del>					
BLAZ, Anthony C.	✓				
BROWN, Joanne M. S.	✓				
CAMACHO, Felix P.	✓				
CAMACHO, Francisco P.		✓			
CHARFAUROS, Mark C.	✓				
CRUZ, Edwardo J.	1 ✓				
FLORES, William B.S.M.					✓
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.	✓				
LAMORENA, Alberto C., V	✓				
LEON GUERRERO, Carlotta A.	✓				
LEON GUERRERO, Lou	✓				
PANGELINAN, Vicente C.		✓			
SALAS, John C.	✓				
SANTOS, Angel L.G.	✓				
SANTOS, Francis E.	✓				
UNPINGCO, Antonio R.	✓				
WON PAT, Judith T.		✓			

TOTAL

14   5   \_\_\_\_\_   \_\_\_\_\_   1

CERTIFIED TRUE AND CORRECT:

\_\_\_\_\_  
Clerk of the Legislature

\* 3 Passes = No vote  
EA = Excused Absence



CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM

**Refer to  
Legislative Secretary**

**DEC 23 1998**

The Honorable Antonio R. Unpingco  
Speaker  
Mina'Bente Kuattro na Liheslaturan Guåhan  
Twenty-Fourth Guam Legislature  
Guam Legislature Temporary Building  
155 Hesler Street  
Hagåtña, Guam 96910

Dear Speaker Unpingco:

Enclosed please find Substitute Bill No. 609 (COR), "AN ACT TO ESTABLISH INCENTIVES TO ENCOURAGE THE VOLUNTARY EARLY RETIREMENT OF GOVERNMENT OF GUAM EMPLOYEES IN CONNECTION WITH A GENERAL REORGANIZATION EFFORT IN THE GOVERNMENT OF GUAM", which I have **vetoed**.

The following are the reasons for this veto:

1. **Violation of federal laws concerning retirement.** The legal counsel for the Retirement Fund, Carlsmith Ball, states that this legislation violates a number of federal laws relative to the operations of retirement funds. Federal laws state that employees suffer discrimination in employment on the basis of age if they do not receive sufficient information concerning the ramifications of their choices in such plans as contained in this legislation.

The legal opinion states that this legislation does not provide adequate information necessary for employees to make a "voluntary" choice. Some of the factors which determine if an employee has made a "voluntary" choice are the adequacy of information, whether the choice was free from fraud, false promises, threats, misrepresentations, or other misconduct, whether the employee had an opportunity to say "no", and whether the employee had sufficient

OFFICE OF THE LEGISLATIVE SECRETARY  
ACKNOWLEDGMENT RECEIPT  
Received By: [Signature]  
Time: 3:05 pm  
Date: 12-24-98

Office of the Speaker  
ANTONIO R. UNPINGCO  
Date: 12-24-98  
Time: 1:55  
Rec'd by: [Signature]  
Print Name: Charlene D.

61143

time to consult lawyers, accountants, or family members in their decision. There are no provisions in this legislation which guarantee these conditions.

2. **Possible liability of the government under federal Civil Rights laws.** This legislation may expose the government to liability because the statute may be found by a court to "entice" employees to retire early by offering enhanced benefits, but instead, this legislation may in fact result in reduced benefit levels for some employees because of their relatively young age.
3. **Provisions of the legislation are so unclear that it cannot be administered without order of a federal court.** The legal counsel has determined that the eligibility and processing requirements under this legislation are so unclear that it is recommended that, should this legislation become law, that the Government of Guam Retirement Fund forebear from enforcing it until receiving instructions from a federal court. Questions concerning compliance with Age Discrimination in Employment Act (ADEA), benefit calculations, and refund of contribution issues cannot be applied as written.
4. **Early retirement plans are presumed by courts to be discriminatory because of age.** Under a recent Supreme Court case, employees who participate in an early retirement plan and who later sue the government for discrimination due to age and win, do not have to pay back any of the benefits already received.
5. **Government of Guam Retirement Fund has determined that this plan is extremely costly to the fund.** This legislation will cost the Retirement Fund a one-time cost of, at the high end, \$50,126,000 to fund employer contributions for service credits. It will also impose an additional estimated \$75,726,000 to the government's unfunded liability to the Retirement Fund. The government will have to increase its contribution rate to fund the increased liability.
6. **Mandating that employees who chose early retirement will not return to any form of government service, including contractual, for 3 years is not realistic.** Many of the employees who may chose this plan cannot realistically be spared in the government. Many are professionals in areas where there are no

ready replacements, thereby forcing amendments to the legislation to allow these employees to return to government service prior to the 3 years.

The history of prior legislative attempts to encourage early retirement have failed because of the intense pressure on the legislative body to make legislative exceptions to this prohibition on future employment. One must also remember that employees who are encouraged to "retire" are not, in fact, even senior citizens, and in many cases, but are quite young. These young "retirees" will continue to attempt to re-enter the workplace.

7. **Provisions in this legislation which are unrelated to retirement are unrealistic and unmanageable.** This legislation requires i Liheslatura to meet and pass bills as "permission" to hire any employee to fill any vacancy which may occur, including vacancies within the schools. This is just not a realistic way to run any organization, let alone a government which is now suffering from declining revenues, or a school which has teachers who may resign. This procedure will simply usurp all Executive management decisions and the elimination of public hearings for such legislation simply removes the public from consideration. If a public hearing is unnecessary for this type of legislation, for what type of legislation will i Liheslatura next determine that a public hearing is unnecessary?
8. **Legislative determination of spending of federal funds violates federal law.** This legislation states that no vacancy funded by federal funds can be filled without the permission of i Liheslatura, by statute. This management by i Liheslatura of federal funds violates long standing prior court decisions on the management of federal grants. See Wong vs. Camina, District Court of Guam.
9. **This legislation directs the Executive Branch to reduce "appropriations".** The legislation states that the total **operational budget** of the government for Fiscal Year 1999 shall not exceed \$486,800,000 from the General Fund. Interestingly, the legislation seems to have no cap or ceiling imposed on total appropriations which include those many appropriations made for miscellaneous items.

The legislation states: "Should the **appropriations** for the Executive Branch Operations not conform to this limit, the **appropriations shall be reduced** by the Director of the Bureau of Budget and Management (BBMR) with the concurrence of i Maga'lahi. This provision is perplexing since the Executive Branch does not make, reduce, or have power over **appropriations**, except in narrow situation where legislation is approved or vetoed. This legislation appears to try to transfer the legislative authority over appropriations to the Executive Branch.

In light of the considerable liability which may occur to the government, and the fact that this legislation will probably cost the government more than will be realized in savings, this legislation cannot be enacted.

Very truly yours,



Carl T. C. Gutierrez  
I Maga'lahaen Guåhan  
Governor of Guam

Attachment:       copy attached for signed bill  
                          original attached for vetoed bill

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

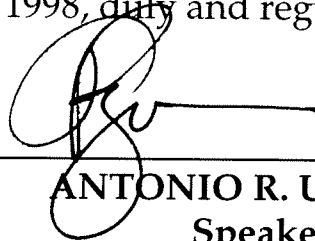
01140



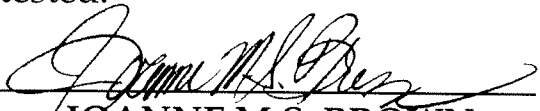
MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN  
1998 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUAHAN


This is to certify that Substitute Bill No. 609 (COR), "AN ACT TO ESTABLISH INCENTIVES TO ENCOURAGE THE VOLUNTARY EARLY RETIREMENT OF GOVERNMENT OF GUAM EMPLOYEES IN CONNECTION WITH A GENERAL REORGANIZATION EFFORT IN THE GOVERNMENT OF GUAM," was on the 11<sup>th</sup> day of December, 1998, duly and regularly passed.

  
\_\_\_\_\_  
ANTONIO R. UNPINGCO  
Speaker

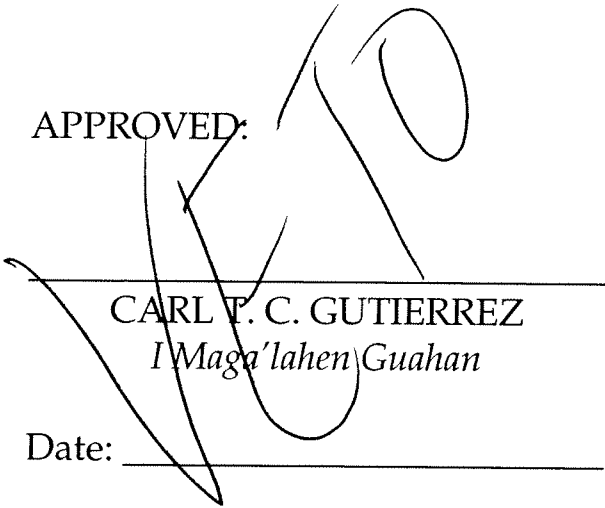
Attested:

  
\_\_\_\_\_  
JOANNE M.S. BROWN  
Senator and Legislative Secretary

-----  
This Act was received by I Maga'lahaen Guahan this 14<sup>th</sup> day of December, 1998,  
at 3:15 o'clock P.M.

  
\_\_\_\_\_  
Assistant Staff Officer  
Maga'lahaen's Office

APPROVED:

  
\_\_\_\_\_  
CARL F. C. GUTIERREZ  
I Maga'lahaen Guahan

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

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

**MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN**  
**1998 (SECOND) Regular Session**

**Bill No. 609 (COR)**

As substituted on the Floor  
and amended.

Introduced by:

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

**AN ACT TO ESTABLISH INCENTIVES TO  
ENCOURAGE THE VOLUNTARY EARLY  
RETIREMENT OF GOVERNMENT OF GUAM  
EMPLOYEES IN CONNECTION WITH A  
GENERAL REORGANIZATION EFFORT IN THE  
GOVERNMENT OF GUAM.**

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

2           **Section 1. Legislative Findings and Intent.** The purpose of this Act is

3 to:

4           (1) reduce current and future payroll costs of the government of  
5 Guam without imposing forced reductions in current staffing;

6           (2) maintain or increase the current level of employee  
7 productivity with the same *or* lesser compensation costs; *and*

8           (3) increase opportunities for lower and middle-level employees  
9 to move upward by filling the vacancies created by senior employees  
10 who retire.

11           *I Liheslaturan Guahan* further finds that a successful early retirement  
12 program must be accompanied by a long-term freeze or limitation on future  
13 hiring in order to offset the immediate increased costs of funding the  
14 incentives provided in the program lower than those of rehired retirees.

15           *I Liheslaturan Guahan* further finds that there are certain statutory  
16 provisions of the Guam Code Annotated that conflict with the intent of Public  
17 Law Number 23-42, which established a Defined Contribution Plan in order to  
18 protect and preserve the fiscal soundness of the Retirement Fund for the  
19 benefit of all its members. In particular there are provisions of the Defined  
20 Benefit Plan and the Judicial Officers, Justices and Judges statutes which  
21 conflict with Public Law Number 23-42 to the extent that those provisions  
22 would allow readmission to the Retirement Fund, even in cases where  
23 contributions to the Retirement Fund have been refunded to the member. To  
24 the extent that these conflicting provisions should have been repealed at the

1 time Public Law Number 23-42 was enacted, *I Liheslaturan Guahan* intends to  
2 expressly repeal those provisions retroactively to October 1, 1995, consistent  
3 with the specific mandate of Public Law Number 23-42, as codified, in part, in  
4 §8206 of Title 4 of the Guam Code Annotated, and the current practices of the  
5 Retirement Fund.

6 **Section 2.** Section 8113 is hereby *added* to Article 1, Chapter 8 of Title 4  
7 of the Guam Code Annotated to read as follows:

8 **"Section 8113. Early Retirement Credit.** Any person who is  
9 a current member of the Fund may apply for and receive up to five (5)  
10 years of retirement credit provided that:

11 (a) the person apply for such credit within six (6) months  
12 of the effective date of this Act;

13 (b) the person pay into the Retirement Fund an amount  
14 equal to their annual employee's contribution to the Fund at the  
15 time of their application, multiplied by the number of years of  
16 credit they are applying for, or sign a promissory note at an  
17 interest rate *not* exceeding the actuarially determined required rate  
18 of return to pay such amount in full within three (3) years of the  
19 date of the note;

20 (c) the person is a member of the Defined Benefit Plan.

21 (d) the employee has never previously retired under the  
22 Defined Benefit Plan *or* the Defined Contribution Retirement  
23 System;

24 (e) no employee shall be permitted to actually retire under

1 this Early Retirement Credit any sooner than ninety (90) days *after*  
2 notifying the Director of the Retirement Fund of one's intent to  
3 retire under this Act; *and*

4 (f) the person complies with this Section and all other  
5 provisions of this Act, and retires on a service retirement annuity  
6 within six (6) months after applying and qualifying for the early  
7 retirement credit."

8 **Section 3.** Section 8113.1 of Article 1, Chapter 8 of Title 4 of the Guam  
9 Code Annotated is hereby *repealed and re-enacted* to read as follows:

10 **"Section 8113.1. Failure to Fulfill Promissory Note Disqualifies.**

11 A qualified applicant, meeting the time requirements set forth in §8113  
12 of this Title who fails to pay in full the amounts described in a  
13 promissory note to the Retirement Fund within three (3) years of the  
14 date of the note shall lose eligibility to purchase retirement credit under  
15 the provisions of §8113 of this Chapter. The Retirement Fund in such  
16 cases shall refund to the applicant those amounts paid against the  
17 promissory note."

18 **Section 4.** Section 8113.2 of Article 1, Chapter 8 of Title 4 of the Guam  
19 Code Annotated is hereby *repealed and re-enacted* to read as follows:

20 **"Section 8113.2. Payment in Full Must be Received Prior to Use**  
21 **of Credit for Retirement Purposes.** Employees eligible to retire  
22 who opt to do so *prior* to payment of the full cost of the employee's  
23 share of the early retirement credit pursuant to the terms of the  
24 promissory note under §8113(b) of this Chapter shall receive credit on a

1 year by year basis as each full year of credit is paid for.”

2 **Section 5.** Section 8113.3 of Article 1, Chapter 8, of Title 4 of the Guam  
3 Code Annotated is hereby *repealed and re-enacted* to read as follows:

4 **“Section 8113.3. Employer Shares for Employees Applying for**  
5 **Early Retirement Credit.** The government of Guam shall pay to the  
6 Retirement Fund in full all employer’s share of retirement contributions  
7 due for each applying employee within two (2) years of the date upon  
8 which the employee applied. The amount due from the government for  
9 each employee shall be equal to the annual employer’s share of the  
10 retirement contribution for the employee at the time of application  
11 multiplied by the number of years of credit the employee is applying  
12 for.”

13 **Section 6.** Section 8121 of Article 1, Chapter 8 of Title 4 of the Guam  
14 Code Annotated, *as amended by P.L. No. 24-284*, is hereby *amended* to read as  
15 follows:

16 **“Section 8121. Same. Suspension of Annuity Payment.**

17 (a) A retired member who subsequently becomes an  
18 employee *eligible* for membership under §8106 of this Title prior to  
19 January 1, 1999 shall, upon becoming so employed, have his right  
20 to receive payment of his annuity suspended for the duration of  
21 his employment, but all other rights pertaining to his annuity  
22 provided by this Article, including automatic increases therein,  
23 shall be retained by him. The provisions of this Section shall *not*  
24 be applicable to any person employed by the Department of

1 Education in Guam schools, such as a substitute teacher, a  
2 classroom teacher, guidance, health counselor or licensed health  
3 professional when such critical need arises; *provided*, that such  
4 person occupies a position for which no other qualified/certified  
5 applicant was available, and that such employment shall be on a  
6 school year basis under contractual arrangement.

7 The provisions of this Section shall *not* be applicable to any  
8 certified, registered or licensed health care professional, or  
9 ancillary service personnel employed by the Guam Memorial  
10 Hospital Authority, the Department of Mental Health and  
11 Substance Abuse and the Department of Public Health and Social  
12 Services; *provided*, that such person occupies a position for which  
13 no other qualified applicants were available, and provided that  
14 such employment is procured on an annual and contractual basis.

15 (b) A retired member who subsequently becomes an  
16 employee *eligible* for membership under §8106 of this Title on or  
17 after January 1, 1999 shall, upon becoming so employed, have his  
18 right to receive payment of his annuity suspended for the duration  
19 of his employment, and shall be ineligible for readmission to  
20 Defined Benefit Plan, but all other rights pertaining to his annuity  
21 provided by this Article, including automatic increases therein,  
22 shall be retained by him, *except* that the retired member shall  
23 forfeit any enhanced benefits for which he was eligible pursuant to  
24 the early retirement provisions of §8121.1. This Subsection shall

1           not be construed to render a member ineligible for participation in  
2           the Defined Contribution Retirement System or the Deferred  
3           Compensation Program under Articles 2 and 3 of this Chapter,  
4           upon a retired member's subsequent employment with the  
5           government of Guam.

6           (c) No employee benefiting from early retirement credit  
7           shall be rehired by the government of Guam in any position,  
8           whether contractual or otherwise, for at least three (3) years from  
9           the effective date of retirement except for those exemptions listed  
10          under Paragraph (a)."

11          **Section 7.** Sections 8130(b), (c) and (d) of Article 1, Chapter 8 of Title 4  
12          of the Guam Code Annotated are hereby *repealed*.

13          **Section 8.** Section 8130(b) is hereby *added* to Article 1, Chapter 8 of Title  
14          4 of the Guam Code Annotated to read as follows:

15                 “(b) Any member who receives a refund of contributions  
16                 shall thereafter be ineligible for membership in the Defined Benefit  
17                 Plan.”

18          **Section 9.** Section 6111 of Title 7 of the Guam Code Annotated is  
19          hereby *repealed and reenacted* to read as follows:

20                 **“Section 6111. Judicial Retirement.** (a) All Judges in office  
21                 on or before May 1, 1993 shall make an election as required in  
22                 §6114 in order to bring himself or herself within the purview of  
23                 the Retirement Fund.

24                 (b) All Judges taking office after May 1, 1993 through



1 September 30, 1995 shall be eligible for membership in the  
2 Government of Guam Retirement Fund (Defined Benefit Plan),  
3 *subject* to their voluntary participation in the Government of Guam  
4 Defined Contribution Retirement System pursuant to 4 GCA  
5 §8207, as amended.

6 (c) All Justices and all Judges taking office on or after  
7 October 1, 1995 shall become members of the Government of  
8 Guam Defined Contribution Retirement System, *subject* to their  
9 eligibility to be readmitted to the Government of Guam  
10 Retirement Fund (Defined Benefit Plan); *provided*, that they have  
11 *not* withdrawn their contributions thereto."

12 **Section 10.** Section 6114(a) of Title 7 of the Guam Code Annotated  
13 is hereby *amended* to read as follows:

14 **"Section 6114(a).** Any judge or justice in office on or before  
15 May 1, 1993 may, by written election filed with the Government of  
16 Guam Retirement Fund ('Fund') within six (6) months after the  
17 enactment of this Section, bring himself within the purview of the Fund.  
18 No judge *not* in office on the date of enactment of this Act or Justice  
19 may participate in any other government of Guam retirement program."

20 **Section 11. Hiring Freeze and Automatic Repeal of**  
21 **Appropriations and Full-Time Equivalencies Upon Vacancy.** The  
22 appropriated funding and FTE for any position in the government of Guam,  
23 including the Judicial Branch, funded by the General Fund or any fund  
24 appropriated including the Tourist Attraction Fund by *I Liheslaturan Guahan*,

1 which becomes vacant after the effective date of this Act for whatever reason  
2 shall be considered automatically repealed.

3 The following fast-track procedure must be followed in order for a  
4 replacement to be hired. *I Maga'lahaen Guahan* shall transmit to the Speaker of *I*  
5 *LiheSlaturan Guahan* a detailed description of the position, or positions, the  
6 funding and FTE of which have been automatically repealed pursuant to this  
7 Section which *I Maga'lahaen Guahan* wishes to reinstate. The Speaker of *I*  
8 *LiheSlaturan Guahan* will present in bill form a new appropriation and a new  
9 FTE authorization for those position(s) at the next session of *I LiheSlaturan*  
10 *Guahan*. The requirement for a public hearing shall be waived, *however*, public  
11 notice prior to the consideration of the bill in the Committee of the Whole  
12 shall be required. *I LiheSlaturan Guahan* will go into Committee of the Whole  
13 and chaired by the Chairperson of the Committee with oversight of the  
14 respective Agency. An affirmative vote of the majority of senators shall be  
15 required in order to pass any bill to re-appropriate towards and re-establish  
16 an FTE repealed pursuant to this Section. *Only* upon the re-appropriation of  
17 funds for, and the re-establishment of, a repealed FTE by action of *I*  
18 *LiheSlaturan Guahan* pursuant to this Section may any hiring action on the  
19 vacant position be initiated.

20 **Section 12. Application of Hiring Freeze to Autonomous**  
21 **Agencies.** No autonomous agency or instrumentality of the government of  
22 Guam, including the Department of Education and the Districts, shall cause  
23 any vacancy to be filled, nor establish or create any new position, without the  
24 expressed consent of *I LiheSlaturan Guahan*. Such consent shall be expressed in

1 the form of a bill, passed by a majority of the members of *I Liheslaturan Guahan*  
2 and signed into law by *I Maga'lahaen Guahan* or otherwise enacted into law. A  
3 bill to fill vacancies in autonomous agencies or to create new positions for  
4 employment in an autonomous agency is subject to the fast-track procedures  
5 detailed in §11 of this Act.

6 **Section 13. Federally Funded Positions.** The provisions of §12 of  
7 this Act shall apply to positions either partially or fully funded by the use of  
8 Federal funds.

9 **Section 14. General Fund Total Appropriation Not to Exceed**  
10 **\$486,800,000.** Notwithstanding any other provision of law, the total  
11 operational budget of the government for Fiscal Year 1999 shall *not* exceed  
12 Four Hundred Eighty-six Million Eight Hundred Thousand Dollars  
13 (\$486,800,000) from the government of Guam General Fund. Should the  
14 appropriations for Executive Branch Operations *not* conform to this limit, the  
15 appropriations shall be reduced by the Director of the Bureau of Budget and  
16 Management ("BBMR"), with the concurrence of *I Maga'lahaen Guahan*, to  
17 comply with the amount established in this Section.

18 **Section 15.** Section 4103(e) of Title 4 of the Guam Code Annotated is  
19 hereby *amended* to read as follows:

20 "(e) No person may be temporarily employed in a non-  
21 professional capacity for more than one hundred twenty (120) days in  
22 any calendar year *except* pursuant to an exception provided for by  
23 Paragraph (d). No person may be temporarily employed in a  
24 professional capacity for more than one hundred twenty (120) days

1       *except* upon a contract in writing, and a determination in writing by the  
2       appointing authority that such employment is critical to either the  
3       public health, safety or welfare of the community. For purposes of this  
4       Paragraph a person is employed as a professional if the person's job  
5       description in the Dictionary of Occupational Titles, published by the  
6       U.S. Department of Labor, has as its first digit zero (0) or one (1). Any  
7       person whose job description does *not* have as its first digit zero (0) or  
8       one (1) shall be deemed to be a non-professional employee."

9       **Section 16.** Section 6303 of Title 4 of the Guam Code Annotated is  
10 hereby *amended* to read as follows:

11           **"Section 6303. Creation of Positions.**           (a) New positions  
12           may be created by *I Maga'lahaen Guahan*, the Chief Justice of the  
13           Guam Supreme Court, or the Presiding Judge of the Superior  
14           Court of Guam for the Judicial Branch, when necessary for the  
15           efficient performance of the duties and functions of the  
16           government. *I Maga'lahaen Guahan* shall submit to the Civil Service  
17           Commission, and the Presiding Judge to the Judicial Council, the  
18           position descriptions for the positions within thirty (30) calendar  
19           days after creation. The positions shall be terminated *unless*  
20           approved by the Commission or the Judicial Council, as the case  
21           may be, within ninety (90) days after submission. No newly  
22           created position shall be filled in the absence of appropriations to  
23           pay the salary of the proposed position.

24           (b) This Section shall *not* apply to positions required by

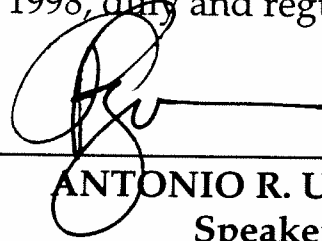
1

law to be filled by persons confirmed by *I Liheslaturan Guahan*.”

MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN  
1998 (SECOND) Regular Session


CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUAHAN

This is to certify that Substitute Bill No. 609 (COR), "AN ACT TO ESTABLISH INCENTIVES TO ENCOURAGE THE VOLUNTARY EARLY RETIREMENT OF GOVERNMENT OF GUAM EMPLOYEES IN CONNECTION WITH A GENERAL REORGANIZATION EFFORT IN THE GOVERNMENT OF GUAM," was on the 11<sup>th</sup> day of December, 1998, duly and regularly passed.



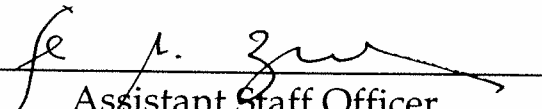
ANTONIO R. UNPINGCO  
Speaker

Attested:



JOANNE M.S. BROWN  
Senator and Legislative Secretary

-----  
This Act was received by *I Maga'lahaen Guahan* this 14<sup>th</sup> day of December, 1998,  
at 3:15 o'clock P.M.



Assistant Staff Officer  
*Maga'lahaen's Office*

APPROVED:

\_\_\_\_\_  
CARL T. C. GUTIERREZ  
*I Maga'lahaen Guahan*

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

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

**MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN  
1998 (SECOND) Regular Session**

**Bill No. 609 (COR)**

As substituted on the Floor  
and amended.

Introduced by:

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

**AN ACT TO ESTABLISH INCENTIVES TO  
ENCOURAGE THE VOLUNTARY EARLY  
RETIREMENT OF GOVERNMENT OF GUAM  
EMPLOYEES IN CONNECTION WITH A  
GENERAL REORGANIZATION EFFORT IN THE  
GOVERNMENT OF GUAM.**

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

2           **Section 1. Legislative Findings and Intent.** The purpose of this Act is

3 to:

4           (1) reduce current and future payroll costs of the government of  
5 Guam without imposing forced reductions in current staffing;

6           (2) maintain or increase the current level of employee  
7 productivity with the same *or* lesser compensation costs; *and*

8           (3) increase opportunities for lower and middle-level employees  
9 to move upward by filling the vacancies created by senior employees  
10 who retire.

11           *I Liheslaturan Guahan* further finds that a successful early retirement  
12 program must be accompanied by a long-term freeze or limitation on future  
13 hiring in order to offset the immediate increased costs of funding the  
14 incentives provided in the program lower than those of rehired retirees.

15           *I Liheslaturan Guahan* further finds that there are certain statutory  
16 provisions of the Guam Code Annotated that conflict with the intent of Public  
17 Law Number 23-42, which established a Defined Contribution Plan in order to  
18 protect and preserve the fiscal soundness of the Retirement Fund for the  
19 benefit of all its members. In particular there are provisions of the Defined  
20 Benefit Plan and the Judicial Officers, Justices and Judges statutes which  
21 conflict with Public Law Number 23-42 to the extent that those provisions  
22 would allow readmission to the Retirement Fund, even in cases where  
23 contributions to the Retirement Fund have been refunded to the member. To  
24 the extent that these conflicting provisions should have been repealed at the



1 time Public Law Number 23-42 was enacted, *I Liheslaturan Guahan* intends to  
2 expressly repeal those provisions retroactively to October 1, 1995, consistent  
3 with the specific mandate of Public Law Number 23-42, as codified, in part, in  
4 §8206 of Title 4 of the Guam Code Annotated, and the current practices of the  
5 Retirement Fund.

6 **Section 2.** Section 8113 is hereby *added* to Article 1, Chapter 8 of Title 4  
7 of the Guam Code Annotated to read as follows:

8 **“Section 8113. Early Retirement Credit.** Any person who is  
9 a current member of the Fund may apply for and receive up to five (5)  
10 years of retirement credit provided that:

11 (a) the person apply for such credit within six (6) months  
12 of the effective date of this Act;

13 (b) the person pay into the Retirement Fund an amount  
14 equal to their annual employee’s contribution to the Fund at the  
15 time of their application, multiplied by the number of years of  
16 credit they are applying for, or sign a promissory note at an  
17 interest rate *not* exceeding the actuarially determined required rate  
18 of return to pay such amount in full within three (3) years of the  
19 date of the note;

20 (c) the person is a member of the Defined Benefit Plan.

21 (d) the employee has never previously retired under the  
22 Defined Benefit Plan *or* the Defined Contribution Retirement  
23 System;

24 (e) no employee shall be permitted to actually retire under

1           this Early Retirement Credit any sooner than ninety (90) days *after*  
2           notifying the Director of the Retirement Fund of one's intent to  
3           retire under this Act; *and*

4                   (f)    the person complies with this Section and all other  
5           provisions of this Act, and retires on a service retirement annuity  
6           within six (6) months after applying and qualifying for the early  
7           retirement credit."

8           **Section 3.** Section 8113.1 of Article 1, Chapter 8 of Title 4 of the Guam  
9   Code Annotated is hereby *repealed and re-enacted* to read as follows:

10                   **"Section 8113.1. Failure to Fulfill Promissory Note Disqualifies.**

11           A qualified applicant, meeting the time requirements set forth in §8113  
12           of this Title who fails to pay in full the amounts described in a  
13           promissory note to the Retirement Fund within three (3) years of the  
14           date of the note shall lose eligibility to purchase retirement credit under  
15           the provisions of §8113 of this Chapter. The Retirement Fund in such  
16           cases shall refund to the applicant those amounts paid against the  
17           promissory note."

18           **Section 4.** Section 8113.2 of Article 1, Chapter 8 of Title 4 of the Guam  
19   Code Annotated is hereby *repealed and re-enacted* to read as follows:

20                   **"Section 8113.2. Payment in Full Must be Received Prior to Use**  
21           **of Credit for Retirement Purposes.**     Employees eligible to retire  
22           who opt to do so *prior* to payment of the full cost of the employee's  
23           share of the early retirement credit pursuant to the terms of the  
24           promissory note under §8113(b) of this Chapter shall receive credit on a

1 year by year basis as each full year of credit is paid for.”

2 **Section 5.** Section 8113.3 of Article 1, Chapter 8, of Title 4 of the Guam  
3 Code Annotated is hereby *repealed and re-enacted* to read as follows:

4 **“Section 8113.3. Employer Shares for Employees Applying for**  
5 **Early Retirement Credit.** The government of Guam shall pay to the  
6 Retirement Fund in full all employer’s share of retirement contributions  
7 due for each applying employee within two (2) years of the date upon  
8 which the employee applied. The amount due from the government for  
9 each employee shall be equal to the annual employer’s share of the  
10 retirement contribution for the employee at the time of application  
11 multiplied by the number of years of credit the employee is applying  
12 for.”

13 **Section 6.** Section 8121 of Article 1, Chapter 8 of Title 4 of the Guam  
14 Code Annotated, *as amended by P.L. No. 24-284*, is hereby *amended* to read as  
15 follows:

16 **“Section 8121. Same. Suspension of Annuity Payment.**

17 (a) A retired member who subsequently becomes an  
18 employee *eligible* for membership under §8106 of this Title prior to  
19 January 1, 1999 shall, upon becoming so employed, have his right  
20 to receive payment of his annuity suspended for the duration of  
21 his employment, but all other rights pertaining to his annuity  
22 provided by this Article, including automatic increases therein,  
23 shall be retained by him. The provisions of this Section shall *not*  
24 be applicable to any person employed by the Department of

1 Education in Guam schools, such as a substitute teacher, a  
2 classroom teacher, guidance, health counselor or licensed health  
3 professional when such critical need arises; *provided*, that such  
4 person occupies a position for which no other qualified/certified  
5 applicant was available, and that such employment shall be on a  
6 school year basis under contractual arrangement.

7 The provisions of this Section shall *not* be applicable to any  
8 certified, registered or licensed health care professional, or  
9 ancillary service personnel employed by the Guam Memorial  
10 Hospital Authority, the Department of Mental Health and  
11 Substance Abuse and the Department of Public Health and Social  
12 Services; *provided*, that such person occupies a position for which  
13 no other qualified applicants were available, and provided that  
14 such employment is procured on an annual and contractual basis.

15 (b) A retired member who subsequently becomes an  
16 employee *eligible* for membership under §8106 of this Title on or  
17 after January 1, 1999 shall, upon becoming so employed, have his  
18 right to receive payment of his annuity suspended for the duration  
19 of his employment, and shall be ineligible for readmission to  
20 Defined Benefit Plan, but all other rights pertaining to his annuity  
21 provided by this Article, including automatic increases therein,  
22 shall be retained by him, *except* that the retired member shall  
23 forfeit any enhanced benefits for which he was eligible pursuant to  
24 the early retirement provisions of §8121.1. This Subsection shall

1           not be construed to render a member ineligible for participation in  
2           the Defined Contribution Retirement System or the Deferred  
3           Compensation Program under Articles 2 and 3 of this Chapter,  
4           upon a retired member's subsequent employment with the  
5           government of Guam.

6           (c) No employee benefiting from early retirement credit  
7           shall be rehired by the government of Guam in any position,  
8           whether contractual or otherwise, for at least three (3) years from  
9           the effective date of retirement except for those exemptions listed  
10          under Paragraph (a)."

11          **Section 7.** Sections 8130(b), (c) and (d) of Article 1, Chapter 8 of Title 4  
12          of the Guam Code Annotated are hereby *repealed*.

13          **Section 8.** Section 8130(b) is hereby *added* to Article 1, Chapter 8 of Title  
14          4 of the Guam Code Annotated to read as follows:

15                 “(b) Any member who receives a refund of contributions  
16                 shall thereafter be ineligible for membership in the Defined Benefit  
17                 Plan.”

18          **Section 9.** Section 6111 of Title 7 of the Guam Code Annotated is  
19          hereby *repealed and reenacted* to read as follows:

20                 **“Section 6111. Judicial Retirement.** (a) All Judges in office  
21                 on or before May 1, 1993 shall make an election as required in  
22                 §6114 in order to bring himself or herself within the purview of  
23                 the Retirement Fund.

24                 (b) All Judges taking office after May 1, 1993 through

1 September 30, 1995 shall be eligible for membership in the  
2 Government of Guam Retirement Fund (Defined Benefit Plan),  
3 *subject* to their voluntary participation in the Government of Guam  
4 Defined Contribution Retirement System pursuant to 4 GCA  
5 §8207, as amended.

6 (c) All Justices and all Judges taking office on or after  
7 October 1, 1995 shall become members of the Government of  
8 Guam Defined Contribution Retirement System, *subject* to their  
9 eligibility to be readmitted to the Government of Guam  
10 Retirement Fund (Defined Benefit Plan); *provided*, that they have  
11 *not* withdrawn their contributions thereto."

12 **Section 10.** Section 6114(a) of Title 7 of the Guam Code Annotated  
13 is hereby *amended* to read as follows:

14 "Section 6114(a). Any judge or justice in office on or before  
15 May 1, 1993 may, by written election filed with the Government of  
16 Guam Retirement Fund ('Fund') within six (6) months after the  
17 enactment of this Section, bring himself within the purview of the Fund.  
18 No judge *not* in office on the date of enactment of this Act or Justice  
19 may participate in any other government of Guam retirement program."

20 **Section 11. Hiring Freeze and Automatic Repeal of**  
21 **Appropriations and Full-Time Equivalencies Upon Vacancy.** The  
22 appropriated funding and FTE for any position in the government of Guam,  
23 including the Judicial Branch, funded by the General Fund or any fund  
24 appropriated including the Tourist Attraction Fund by *I Liheslaturan Guahan*,

1 which becomes vacant after the effective date of this Act for whatever reason  
2 shall be considered automatically repealed.

3 The following fast-track procedure must be followed in order for a  
4 replacement to be hired. *I Maga'lahaen Guahan* shall transmit to the Speaker of *I*  
5 *LiheSlaturan Guahan* a detailed description of the position, or positions, the  
6 funding and FTE of which have been automatically repealed pursuant to this  
7 Section which *I Maga'lahaen Guahan* wishes to reinstate. The Speaker of *I*  
8 *LiheSlaturan Guahan* will present in bill form a new appropriation and a new  
9 FTE authorization for those position(s) at the next session of *I LiheSlaturan*  
10 *Guahan*. The requirement for a public hearing shall be waived, *however*, public  
11 notice prior to the consideration of the bill in the Committee of the Whole  
12 shall be required. *I LiheSlaturan Guahan* will go into Committee of the Whole  
13 and chaired by the Chairperson of the Committee with oversight of the  
14 respective Agency. An affirmative vote of the majority of senators shall be  
15 required in order to pass any bill to re-appropriate towards and re-establish  
16 an FTE repealed pursuant to this Section. *Only* upon the re-appropriation of  
17 funds for, and the re-establishment of, a repealed FTE by action of *I*  
18 *LiheSlaturan Guahan* pursuant to this Section may any hiring action on the  
19 vacant position be initiated.

20 **Section 12. Application of Hiring Freeze to Autonomous**  
21 **Agencies.** No autonomous agency or instrumentality of the government of  
22 Guam, including the Department of Education and the Districts, shall cause  
23 any vacancy to be filled, nor establish or create any new position, without the  
24 expressed consent of *I LiheSlaturan Guahan*. Such consent shall be expressed in

1 the form of a bill, passed by a majority of the members of *I Liheslaturan Guahan*  
2 and signed into law by *I Maga'lahaen Guahan* or otherwise enacted into law. A  
3 bill to fill vacancies in autonomous agencies or to create new positions for  
4 employment in an autonomous agency is subject to the fast-track procedures  
5 detailed in §11 of this Act.

6 **Section 13. Federally Funded Positions.** The provisions of §12 of  
7 this Act shall apply to positions either partially or fully funded by the use of  
8 Federal funds.

9 **Section 14. General Fund Total Appropriation Not to Exceed**  
10 **\$486,800,000.** Notwithstanding any other provision of law, the total  
11 operational budget of the government for Fiscal Year 1999 shall *not* exceed  
12 Four Hundred Eighty-six Million Eight Hundred Thousand Dollars  
13 (\$486,800,000) from the government of Guam General Fund. Should the  
14 appropriations for Executive Branch Operations *not* conform to this limit, the  
15 appropriations shall be reduced by the Director of the Bureau of Budget and  
16 Management ("BBMR"), with the concurrence of *I Maga'lahaen Guahan*, to  
17 comply with the amount established in this Section.

18 **Section 15.** Section 4103(e) of Title 4 of the Guam Code Annotated is  
19 hereby *amended* to read as follows:

20 "(e) No person may be temporarily employed in a non-  
21 professional capacity for more than one hundred twenty (120) days in  
22 any calendar year *except* pursuant to an exception provided for by  
23 Paragraph (d). No person may be temporarily employed in a  
24 professional capacity for more than one hundred twenty (120) days



1        *except* upon a contract in writing, and a determination in writing by the  
2        appointing authority that such employment is critical to either the  
3        public health, safety or welfare of the community. For purposes of this  
4        Paragraph a person is employed as a professional if the person's job  
5        description in the Dictionary of Occupational Titles, published by the  
6        U.S. Department of Labor, has as its first digit zero (0) or one (1). Any  
7        person whose job description does *not* have as its first digit zero (0) or  
8        one (1) shall be deemed to be a non-professional employee."

9        **Section 16.** Section 6303 of Title 4 of the Guam Code Annotated is  
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11        **"Section 6303. Creation of Positions.**        (a) New positions  
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13        Guam Supreme Court, or the Presiding Judge of the Superior  
14        Court of Guam for the Judicial Branch, when necessary for the  
15        efficient performance of the duties and functions of the  
16        government. *I Maga'lahaen Guahan* shall submit to the Civil Service  
17        Commission, and the Presiding Judge to the Judicial Council, the  
18        position descriptions for the positions within thirty (30) calendar  
19        days after creation. The positions shall be terminated *unless*  
20        approved by the Commission or the Judicial Council, as the case  
21        may be, within ninety (90) days after submission. No newly  
22        created position shall be filled in the absence of appropriations to  
23        pay the salary of the proposed position.

24        (b) This Section shall *not* apply to positions required by

1

law to be filled by persons confirmed by *I Liheslaturan Guahan*."

6

# IMINA' BENTE KUATTRO NA LIHESLATURAN GUAHAN

1998 (SECOND) Regular Session

## VOTING SHEET

Date: 12/1/98

5 Bill No. 609  
 Resolution No. \_\_\_\_\_  
 Question: \_\_\_\_\_

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT ROLL CALL
ADA, Thomas C.		✓			
AGUON, Frank B., Jr.	✓				
<del>BARRETT-ANDERSON, Elizabeth</del>					
BLAZ, Anthony C.	✓				
BROWN, Joanne M. S.	✓				
CAMACHO, Felix P.	✓				
CAMACHO, Francisco P.     11	✓				
CHARFAUROS, Mark C.					
CRUZ, Edwardo J.     1	✓				✓
FLORES, William B.S.M.					
FORBES, Mark	✓				✓
KASPERBAUER, Lawrence F.	✓				
LAMORENA, Alberto C., V     11	✓				
LEON GUERRERO, Carlotta A.	✓				
LEON GUERRERO, Lou	✓				
PANGELINAN, Vicente C.     1	✓	✓			
SALAS, John C.	✓				
SANTOS, Angel L.G.					
SANTOS, Francis E.	✓				EA
UNPINGCO, Antonio R.	✓				
WON PAT, Judith T.     11	✓				
<b>TOTAL</b>	14	3	1	2	3

CERTIFIED TRUE AND CORRECT:

\_\_\_\_\_  
 Clerk of the Legislature

\* 3 Passes = No vote

24th Guam Legislature  
Committee on Rules, Government  
Reform and Federal Affairs  
*Senator Mark Forbes, Chairman*



SEP 11 1998

MEMORANDUM

TO: Committee Members

FROM: Chairman *[Signature]*

SUBJECT: Committee Report- Bill No. 609 as substituted "An act to establish incentive programs for early retirement for govGuam employees as part of a general reorganization effort in the government of Guam."

Transmitted herewith for your information and action is the report on Bill No. 609 as substituted from the Committee on Rules, Government Reform and Federal Affairs.

This memorandum is accompanied by the following:

1. Committee Voting Sheet
2. Committee Report
3. Bill No. 609 as substituted
4. Public Hearing Sign-in Sheet
5. Written testimony
6. Fiscal Note/ Fiscal Note Waiver
7. Notice of Public Hearing

Please take the appropriate action on the attached voting sheet. Your attention and cooperation in this matter is greatly appreciated.

Should you have any questions regarding the report or accompanying documents, please do not hesitate to contact me.

Thank you and si Yu'os ma'ase.

MARK FORBES

Attachments

**I Mina' Bente Kuattro Na Liheslaturan Guahan**

**Committee On Rules,  
Government Reform & Federal Affairs  
Senator Mark Forbes, Chairman**

**Committee Report  
on**

**Bill No. 609 as substituted**

**"An act to establish incentive programs for early retirement for govGuam employees as part of a general reorganization effort in the government of Guam."**

## **I. OVERVIEW**

The Committee on Rules, Government Reform and Federal Affairs held public hearings on Thursday, April 16, 1998 at 1:00 p.m. and Monday, June 29, 1998 at I Liheslaturan Guahan. Public Notice of the hearings was announced in April 10<sup>th</sup>, April 17<sup>th</sup>, June 25<sup>th</sup>, 27<sup>th</sup>, June 28<sup>th</sup> and 29<sup>th</sup>, 1998 issues of the Pacific Daily News.

Senators in attendance were (April 16, 1998 hearing):

- Senator Mark Forbes, Chairman
- Senator Mark Charfauros, Member
- Senator Ben Pangelinan
- Senator Francisco Camacho

Senator in attendance were (June 29, 1998 hearing):

- Senator Mark Forbes, Chairman
- Senator Frank Aguon

## **II. SUMMARY OF TESTIMONY**

Providing written testimony were:

- Terry L. Cuabo (attached)
- Mark Martinez, DOE Interim Board of Education (attached)
- Elizabeth Green (attached)
- Ronald San Nicolas (attached)
- Robert Kono (attached)
- Robert Cruz, Public Auditor (attached)
- Felisa Gutierrez (attached)
- Vicente Angoco (attached)
- Segundo Aguon, Director, SPIMA (attached)
- Ann San Nicolas, President, GGARP (attached)
- Teresita Flores, Acting Director, GovGuam Retirement Fund (attached)
- John Quinata, Director, Customs and Quarantine Agency (attached)
- Vivian Dames, (attached)

Providing oral testimony before the Committee:

- Vivian Dames
- Charles Troutman, Compiler of Laws
- Sarah Thomas-Nededog, Deputy Director, SPIMA
- Mark Martinez, Member, DOE Interim Board of Education
- John Quinata, Director, Customs and Quarantine Agency
- Felisa Gutierrez
- Mary Matanane
- Ben Toves
- Ben Gumataotao
- Lyle Cummings
- Leo Dean
- Jim Friedenbach
- Robert Kono
- Rosemary Cunningham

John Birch, Guam Federation of Teachers  
Virginia Caceras  
Willie Brennan  
Peter San Nicolas, Customs and Quarantine Agency  
Edward Flores  
Lorenzo Aflague  
Gerry Perez, Chairman, GovGuam Retirement Fund Board

After the hearing, the Committee received written testimonies regarding Bill 609 from numerous individuals. Please see attached documents.

A clear majority of those individuals appearing before the Committee presented oral testimony in favor of the bill. Several individuals pointed out that Bill 609 is more equitable than previous early-retirement measures. Bill 609 allows *all* individuals who are a part of the Defined Benefit Plan the option to apply and receive the retirement credit. The Guam Federation of Teachers, represented by Mr. John Burch endorsed the measure and emphasized that the membership supports the measure and appreciates that it does not discriminate against people with college degrees.

Individuals appearing before the Committee also stated that the option to purchase the credit would in fact result in many government of Guam employees retiring; thereby reducing the size of the govGuam's workforce. Most individuals testifying before the Committee expressed their desire to see the measure signed into law. They indicated that they would readily act on such an opportunity to apply and receive up to five (5) years of retirement credit.

In addition, many recognized that although the intent is to reduce govGuam's operating costs through the reduction of personnel by freezing the funding of those positions vacated after the adoption of this bill, it does provide a clause to ensure certain essential positions are excepted from the hiring freeze. Many persons testifying in favor of the measure offered support of the author's inclusion of teachers, nurses and law enforcement personnel to the list of those positions that shall not be affected by the freeze.

A common theme throughout the testimonies offered to the Committee, was the critical nature of implementing cost-saving measures throughout the government of Guam in these severe economic times. Many stated that as the revenues of the government of Guam continue in a steep decline, it is urgent and essential that govGuam implement measures that would save the government in the immediate, as well as in the long term.

Of the individuals presenting oral testimony not in favor of the measure, some voiced concerns over the possibility that too many govGuam employees would take advantage of the opportunity to purchase the retirement credit and retire. Thus, resulting in a reduced number of contributors to the Retirement Fund. In addition, there were individuals appearing before the Committee who were concerned with the possibility of employees purchasing the credit, retiring and then returning to the government of Guam through special contracts. These individuals testified that such "double-dipping" would defeat the measure's intent to streamline the operational costs of the government of Guam. Another common concern of those individuals testifying against the measure was the measure did not include the exemption of critical positions such as social workers and other positions within the Department of Public Health and Social Services Division of Senior Citizens.

### III. FINDINGS AND RECOMMENDATIONS

The Committee on Rules, Government Reform and Federal Affairs finds that the purpose of Bill No. 609 is to reduce the operating costs of the government of Guam on an annual basis through attrition. Due to the economic uncertainty that our island faces and the very real decline in govGuam revenues, it is necessary that the government of Guam adopt measures to reduce the cost of operating itself, without compromising its purpose to provide services to the people of Guam. The personnel costs of the government of Guam continue to grow, despite the stagnation and even decline of government revenues. If the government refuses to quickly adapt measures to streamline, it stands to jeopardize the critical services it renders to the taxpayers. The Committee finds that Bill 609 provides an incentive for those qualified employees of the government of Guam to purchase up to five (5) years of retirement credit. The bill further mandates the automatic repeal of the appropriated funding and FTE for any govGuam position that becomes vacant after the effective date of this bill. It is this section of the measure that addresses the government's need to reduce its operational costs. The Committee further finds that there are certain positions in the government of Guam that should be exempted from the hiring freeze and that the bill contains provisions to exempt these jobs (i.e. law enforcement personnel, teachers, nurses, doctors, etc.). Moreover, the bill also allows the Governor of Guam to appeal to I Liheslaturan Guahan, should he deem any other position critical enough to be exempted from the hiring freeze.

Accordingly, the Committee on Rules, Government Reform and Federal Affairs, to which Bill No. 609 was referred does hereby submit its findings and recommendations to I Mina' Bente Kuattro Na Liheslaturan Guahan **TO DO PASS BILL NO. 609 as substituted** "An act to establish incentive programs for early retirement for govGuam employees as part of a general reorganization effort in the government of Guam."





**24th Guam Legislature**  
**Committee on Rules, Government**  
**Reform and Federal Affairs**  
*Senator Mark Forbes, Chairman*

**APR 13 1998**

MEMORANDUM

**TO:** Chairman  
Committee on Rules, Government Reform and Federal Affairs

**FROM:** Chairman  
Committee on Rules, Government Reform and Federal Affairs

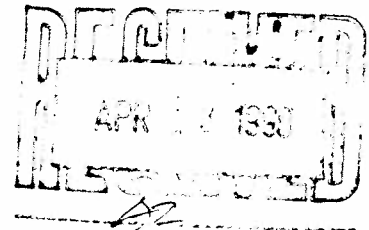
**SUBJECT:** Referral- Bill No. 609

The above Bill is referred to your Committee as the principal committee. It is recommended you schedule a public hearing at your earliest convenience.

Thank you for your attention to this matter.

**MARK FORBES**

Attachment



TWENTY-FOURTH GUAM LEGISLATURE  
1998 (SECOND) Regular Session

Bill No. 609

As substituted by the author

Introduced by:

Mark Forbes

AN ACT TO ESTABLISH INCENTIVE  
PROGRAMS FOR EARLY RETIREMENT FOR  
GOVGUAM EMPLOYEES AS PART OF A  
GENERAL REORGANIZATION EFFORT IN THE  
GOVERNMENT OF GUAM

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 Section 1. Intent. It is intended that through this act, a mechanism be  
2 established that will allow employees of the government of Guam who are  
3 members of the Retirement Fund the possibility of early retirement at full-  
4 benefits should they meet certain qualifications. This will not only provide  
5 employees with a desired benefit, but will also reduce the operating costs of the  
6 government of Guam on an annual basis over the course of time. This outcome  
7 is not only desirable, but necessary in an atmosphere of declining revenues and  
8 an uncertain economic picture in Asia. As revenues remain stagnant or decline  
9 over the next few fiscal years, the infrastructure and operational requirements  
10 for the government continue to grow. Our people require more and more in the  
11 way of service, especially in view of service deficiencies in the past. Personnel  
12 costs today constitute such a large portion of our operational costs, and hiring  
13 continues unabated, raising the frightening spectre of the government being  
14 unable to make payroll in the next few years unless all other operational  
15 requirements and services are curtailed or drastic measures are taken. This bill  
16 is an attempt to forestall that undesirable outcome by providing an incentive for  
17 early retirement and placing controls on hiring, thus using attrition to reduce  
18 operational costs in a way that provides hardship to no one. By acting sensibly  
19 now, we can prevent suffering for our employees and our people down the  
20 road. This act intends to provide a benefit to our hard-working employees and  
21 save money in the General Fund, at the same time.

22  
23 Section 2. A new § 8113. Is added to Article 1, Chapter 8, 4GCA to read:

24  
25 "§8113. Early Retirement Credit. Any person who is a current member of the  
26 fund may apply for and receive up to five (5) years of retirement credit  
27 provided that:

28 (A) The person apply for such credit within six (6) months of the effective date  
29 of this act.

1 (B) The person pay into the Retirement Fund an amount equal to their annual  
2 employee's contribution to the fund at the time of their application  
3 multiplied by the number of years of credit they are applying for, or sign a  
4 promissory note to pay such amount in full within three (3) years of the  
5 date of the note.

6 (C) The person is a member of the Defined Benefit Plan.  
7

8 Section 3. § 8113.1. of Article 1, Chapter 8, 4GCA is repealed and re-enacted to  
9 read:

10  
11 **"§8113.1. Failure to Fulfill Promissory Note Disqualifies.** A qualified  
12 applicant, meeting the time requirements set forth in §8113. of this Title who  
13 fails to pay in full the amounts described in a promissory note to the Retirement  
14 Fund within three (3) years of the date of the note shall lose eligibility to  
15 purchase retirement credit under the provisions of §8113. of this chapter. The  
16 Retirement Fund in such cases shall refund to the applicant those amounts paid  
17 against the promissory note.  
18

19 Section 4. § 8113.2. of Article 1, Chapter 8, 4GCA is repealed and re-enacted to  
20 read:

21  
22 **"§8113.2. Payment in Full Must be Received Prior to Use of Credit for**  
23 **Retirement Purposes.** No credit obtained under the provisions of §8113. Of this  
24 chapter may be used for retirement purposes until all contributions required by  
25 the employee as detailed in §8113. of this chapter have been paid in full.  
26

27 Section 5. § 8113.3. of Article 1, Chapter 8, 4GCA is repealed and re-enacted to  
28 read:

29  
30 **"§8113.3. Employer Shares for Employees Applying for Early Retirement**  
31 **Credit.** The government of Guam shall pay to the Retirement Fund in full all  
32 employer's share of retirement contributions due for each applying employee  
33 within two (2) years of the date upon which the employee applied. The amount  
34 due from the government for each employee shall be equal to the annual  
35 employer's share of the retirement contribution for the employee at the time of  
36 application multiplied by the number of years of credit the employee is  
37 applying for."  
38

39 Section 6. Temporary Hiring Freeze. The appropriated funding and FTE for  
40 any position in the government of Guam, funded by the General Fund or any  
41 fund appropriated by I Liheslaturan Guahan, which becomes vacant after the  
42 effective date of this act for whatever reason shall be considered automatically  
43 repealed. The only exceptions to this section are as follows:  
44

- 1 (A) Nurses and school health counselors
- 2 (B) Teachers and school counselors
- 3 (C) Uniformed police officers of the Guam Police Department, provided that
- 4 their rank is below that of Lieutenant
- 5 (D) Uniformed fire department personnel who are part of fire fighting crews
- 6 assigned to fire stations, emergency medical technicians and 911 personnel,
- 7 all of whom work for the Guam Fire Department
- 8 (E) Guards at the Department of Corrections
- 9 (F) Medical doctors
- 10 (G) Pharmacists
- 11 (H) Any position which is one hundred percent (100%) federally-funded
- 12 (I) Directors and Deputy Directors of departments
- 13 (J) Customs inspectors of the Department of Customs and Quarantine
- 14 (K) Attorneys employed by the Department of Law
- 15

16 For all other positions, the following fast-track procedure must be followed in  
17 order for a replacement to be hired. The Governor of Guam shall transmit to the  
18 Speaker a detailed description of the position or positions the funding and FTE  
19 of which have been automatically repealed pursuant to this section which the  
20 Governor wishes to reinstate. The Speaker will present in bill form a new  
21 appropriation and a new FTE authorization for those position(s) at the next  
22 session of I Liheslaturan Guahan. The requirement for a public hearing shall be  
23 waived. An affirmative vote of eleven (11) senators shall be required in order to  
24 pass any bill to re-appropriate towards and re-establish an FTE repealed  
25 pursuant to this section. Only upon the re-appropriation of funds for and the  
26 re-establishment of a repealed FTE by action of I Liheslaturan Guahan pursuant  
27 to this section may any hiring action on the vacant position be initiated.













April 20, 1998

Senator Mark Forbes  
GUAM LEGISLATURE  
155 Hesler Street  
Agana, Guam 96910

Dear Senator Forbes,

First of all, I would like to commend you on your efforts in streamlining our government to make it more effective and efficient. I am currently a Government of Guam employee, and have been employed with the government for over three years now. I agree with your actions to reform the Government of Guam. I especially agreed with the reduction of the number of senators from 21 to 15, of which you pushed during the last election. More effort should be made in reducing government expenditures rather than increasing expenditures.

You recently introduced Bill 609, *An Act to Establish Incentive Programs for Early Retirement for GovGuam Employees as Part of a General Organization Effort in the Government of Guam*. This bill, should it become law, will give current GovGuam workers the opportunity to apply for and receive up to five (5) year of retirement credit. Another bill that was recently introduced which would amend the current retirement plan was Bill 537, introduced by Senator Felix Camacho. Bill 537, "An Act to Provide Members of the Defined Contribution Retirement System With Pre-retirement Ancillary Benefits of Survivor Death Insurance and Disability Insurance. The bill introduced by Senator Camacho, made the Defined Contribution Retirement System more equitable, by providing ancillary benefits in the form of disability benefits for members and survivor death benefits.

I agree with the intent of both bills, Bill 609 and Bill 537, however, I have several concerns regarding the current GovGuam Retirement System. The current system seems to benefit only career employees, employees who actually work for the government for 25 years or more and receive their pension. It does not benefit GovGuam employees who do not anticipate in staying with government throughout their careers. For example, I am currently on the old plan, the Defined Benefit Plan. I currently contribute 9.5% of my base salary, of which my contributions earn a mere 5% in annual interest through the Retirement Fund. Based on the current law, I am forced to contribute 9.5% of my base salary on an after-tax basis. The only time I can touch the money I have contributed to the Retirement Fund, is when I resign or quit from the government. The only time I benefit from the Defined Benefit Plan is if I reach retirement. Should I resign or quit prior to retirement, I **only** get the my contributions, plus interest. . It's just like putting my money in the bank, however, the only difference is that I don't have access to these funds. My concern is that the money I have contributed to the Retirement Fund is on an after-tax basis, however, I am restricted in having access to money that is rightfully mine. It's like saving 9.5% of base salary at a local bank, and the bank saying that I have to resign from my job in order to get access to my funds.


Over the past three years, I've seen several employees from my department and various government agencies resign from their positions just to get the money they've contributed to the Retirement Fund, and then be reinstated a few weeks later. Like I previously stated, these employees receive only their contributions to the Fund, plus interest. Why do employees have to go through the trouble of resigning from their position just to get funds that are rightfully theirs?? By resigning from their positions, they are putting themselves and their families in financial risk.

I feel that a provision should be added to Bill 609 to give an incentive to employees to switch from the Defined Benefit Plan to the Defined Contribution Plan. The Defined Benefit Plan places a large financial burden on the Government budget. For example, for each government employee under the Defined Benefit Plan, the government budgets 18.6% of their base salary for the government retirement contribution. In comparison, the government only contributes up to 5% of an employee's base salary in the Defined Contribution Plan. The less employees under the Defined Benefit Plan, the less the government has to budget and contribute to the Retirement Fund on their behalf. Employees currently have the opportunity to switch to the Defined Contribution Plan, however, they still cannot pull out funds previously contributed to the old plan. Employees who switch to the Defined Contribution Plan should be able to pull out their funds that were previously in the Defined Benefit Plan because the contributions are after-tax dollars, compared to pre-tax dollars that are going into the new plan.

In conclusion, if you are sincerely looking at reducing the financial impact personnel is having on the GovGuam fiscal year budget and the Retirement Fund, legislation should be introduced to provide incentives to employees to switch to the new plan. Let the employees be responsible for their own futures, and not dependent on a retirement system that may not be dependable when these employees retire. Also, this legislation should amend the current retirement law to allow employees who do not expect to retire with GovGuam, to be able to have access to funds contributed to the Retirement Fund on an after-tax basis. Employees should not have to go through the formality of resigning just to get funds that are rightfully theirs.

Your expeditious response to this matter is very much appreciated. If you would like to speak to me regarding this matter in further detail, please do not hesitate to contact me at 475-0373.

Sincerely,



TERRY L. CUABO

**GUAM COUNCIL ON SENIOR CITIZENS**  
Post Office Box 2816 Agana, Guam 96932

**Testimony on Bill 609**

AN ACT TO ESTABLISH INCENTIVE PROGRAM FOR EARLY RETIREMENT FOR  
GOV GUAM EMPLOYEES AS PART OF A GENERAL REORGANIZATION EFFORT  
IN THE GOVERNMENT OF GUAM

Although I appreciate the intent of the bill, several concerns come to mind relative to Section 6 on the "Temporary Hiring Freeze." As a senior citizen, the Chairman of the Guam Council on Senior Citizens and a consumer of these services, the Manamko of our island rely on the one and only division, the Division of Senior Citizens, under the Department of Public Health and Social Services to administer Title III Aging Programs. The Division is our local State Office on Aging and, it, through this office contracts formal support services to maintain the integrity and dignity of my fellow Manamko. At this point in time, however, their current state of human resources is limited and are in need of additional manpower. On March 5, 1998, the division administrator, Mr. Arthur U. San Agustin, MHR presented to Director Rodriguez and Deputy Director Manibusan the need for additional personnel to insure services to my fellow Manamko are provided in the best and most efficient possible way. On April 16, 1998, I and fellow Council Members met with Director Rodriguez to advocate for Mr. San Agustin's request for additional personnel. For many, this may not be a time to make such a request; however, Mr. San Agustin has gone for two years, too long, without the much needed manpower.

The Division of Senior Citizens is in the midst of expanding, improving and realigning its programs all in the effort of providing a comprehensive and coordinated service delivery system for our manamko. Their goal by the next millennium is to double client participation, especially to those seniors without adequate family support. Currently, approximately 6000 seniors utilize the 12 senior programs listed below:

Adult Day Care (2 contracts)	Case Management
Congregate Meals (2 contracts)	Emergency Receiving Home (2)
Home-delivered meals (11 seniors)	Homemaker Services
Immunization	In-Home Services
Legal Assistance	Senior Center Operations (16 sites)
Transportation	Manamko Yan Manhoben (Intergenerational)

The Contracts Management Program Development Unit under the Division of Senior Citizens manages 11 of these programs, ten (10) of which are senior specific programs and one (1) program for both senior citizens and adults with disabilities. It is not enough to simply count programs administered by this division as eleven programs when they are programs, that for the most part, are provided throughout the island, at either 16 senior center sites, and at hundreds of homes receiving home-delivered meals for their frail

parent(s), as well as homemaker or in-home services and case management services. Hundreds of seniors are also being transported to and from centers to doctor's appointments, shopping, and so forth.

All the aforementioned programs are provided throughout the island and are not limited to a specific area; thus, the scope of responsibility placed on the Division of Senior Citizens is quite a tall order to insure contractual compliance in areas of service. Additionally, two Adult Day Care programs are being administered by this division. The expansion of this program occurred this current fiscal year and was in response to a waiting list when only one Day Care facility was operational. It is anticipated that a third site may be in the horizon to be situated in the southern-most region of our island. Currently, this program has the capacity to provide services to seventy (70) frail Manamko. Finally, the Division is undertaking additional projects such as the Homebound Immunization Program which started this month and is conducting literature review and consulting with the dental profession on the establishment of a pilot Homebound Dental Program.

This is only one segment of this Division that serves my fellow Manamko. A second segment of this Division is the Community Support Services Unit. Tomorrow, April 18, 1998 and on Sunday, April 19, 1998, the Division and fellow Council Members will be passing out program information flyers in an effort to enlighten our community of senior programs. The goal of this Division is to disseminate approximately 15,000 brochures by the end of this fiscal year. With such an aggressive agenda to inform our community of programs that could help alleviate stress in the caregiving of seniors and which would attribute to the delay in pre-mature institutionalization and possibly abuse, this Division could not be placed in jeopardy of losing positions, even if for an interim period. Beyond all this, my fellow Manamko need to know what services are out in the community that could assist them maintain their independence to the greatest extent possible. By the end of this fiscal year, this Division will have available to our community a Directory of Resources specific to seniors. This directory will be a quick reference guide of programs and services to seniors and will be updated periodically. By doing periodic updates, the Directory's usefulness is maintained. This segment of the Division manages all referrals received and conducts follow-up on the referrals to insure services are provided in the manner contracted for. As part of the Division activity/function, this segment conducts monthly outreach through presentations at various public and private entities throughout the island. This Unit also coordinates the activities of the Manamko Yan Manhoben Program.

The third and final segment of this Division is the provision to protect my fellow Manamko and adults with disabilities through the Adult Protective Services Unit. As part of this Unit's function, a twenty-four hour emergency shelter operation is maintained through contract. This contract includes the provision of a twenty-four hour emergency hotline to respond to calls for help from the two very distinct and vulnerable populations. The number of referrals at this point appears to have gone up approximately 15% as of the second quarter of this fiscal year in comparison to the number received during the first two quarters of last fiscal year.

Additionally, the provision to provide protective services is mandated by local legislation to respond within seven (7) calendar days not working days. This provision alone puts an urgency to respond to all calls received. For physical and sexual allegations received, this Unit responds on the same day.

Currently, only an FTE of 4 staff, are responsible to respond to all cases of suspected abuse on island. At this time, however, only 3 social workers cater to the island's population. However, even if the vacant positions under this Unit are filled, they would still fall short to being fully equipped with the manpower needed to support this islands dilemma. This shortage of manpower is being addressed by the current Administrator.

As a Division, they are also responsible for the coordination and implementation of our annual Senior Citizens Month celebration. All who have coordinated any similar type of celebration would not need to further inquire as to the amount of manpower needed to put such a celebration together. Year after year, this Division has come through for myself and my fellow Manamko by coordinating activities that would occur throughout the month. Furthermore, the Division chairs two major events during this month, the Annual Governor's Conference on Aging and Senior Health and Fitness Day.

I hope I have painted the picture that this Division and all its personnel must be exempted from the temporary hiring freeze and should be included as Item L under Section 6.

On behalf of the Guam Council on Senior Citizens, the Department of Public Health and Social Services' Division of Senior Citizens, the Aging Network of Guam, and my fellow manamko, we thank you for the privilege of sharing our concerns and ask your consideration to exempt the Division of Senior Citizens from the temporary hiring freeze.

  
**VICENTE ANGO**  
Chairperson



**INTERIM GOVERNING BOARD  
GUAM DEPARTMENT OF EDUCATION**



**Mark "Paps" Martinez, Elected Member**

P. O. Box DE, Agana, GU 96932 Telephone: (671) 734-4902/3 FAX: (671) 734-4904

**District 3: Tamuning • Agana • Agana Heights • Mongmong-Toto-Maite**

TESTIMONY ON BILL 609, APRIL 17, 1998

Honorable Mark Forbes  
Chair, Rules Committee  
Twenty-Fourth Guam Legislature

Dear Senator Forbes:

MY TESTIMONY WILL BE LIMITED TO SECTION 6 OF THE BILL ONLY. IF IT BECOMES LAW, THIS WILL MEAN THAT THE ELECTED DISTRICTED BOARDS OF EDUCATION WILL REALLY NOT HAVE CONTROL OVER FUNDING FOR EDUCATION. IT IS LEGISLATIVE AND POLITICAL INTERFERENCE FOR A SCHOOL BOARD TO HAVE TO GET THE LEGISLATURES PERMISSION EVERY TIME IT NEEDS TO FILL A POSITION SUCH AS TEACHER AIDE, CAFETERIA WORKER, MAINTANENCE WORKER, OFFICE WORKER ETC....

IT IS PUTTING POLITICES BACK INTO EDUCATION IF THIS SECTION BECOMES LAW. GIVE EACH SCHOOL DISTRICT FUNDING SUCH AS THIS VERY SAME LEGISLATURE DID IN PUBLIC LAW 24-17, AND GIVE THE DISTRICT BOARDS THE FINAL AUTHORITY IN SPENDING THEIR BUDGET, SUCH AS THIS VERY SAME LEGISLATURE DID IN PUBLIC LAW 24-142, SCHOOL DECENTRALIZATION ACT.

JUST LAST WEEK I TESTIFIED ON BILL 483, AND STATED THAT THE LEGISLATURE SHOULD PROVIDE DOE \$160 MILLION A YEAR, \$13,333.33 EACH MONTH AND THEN LEAVE THE SCHOOL BOARDS ALONE AND LIKewise THEY SHOULD LEAVE THE LEGISLATURE ALONE. THIS IS THE WAY IT IS DONE IN CALIFORNIA, A STATE WITH 1,000 SCHOOL DISTRICTS. THE STATE LEGISLATURE PROVIDES FUNDING TO EACH DISTRICT, THEY THE SCHOOL DISTRICTS GET NO MORE FUNDS, BUT THE ELECTED SCHOOL BOARDS HAVE TOTAL SAY SO OR DECISION MAKING ON HOW THE FUNDS ARE SPENT IN THEIR DISTRICT.

REMOVE SECTION 6, IT IS THE LEGISLATURE TELLING DOE WHAT TO DO.

**Our Educational Community:**  
*Promotes excellence*

*Mark "Paps" Martinez*  
*Provides support*

**School Districts**

**Elementary**

*L.B. Johnson*

*Tamuning*

*Agana Heights*

*J.Q. San Miguel*

**High School**

*John F. Kennedy*

*Prepares students for life*

*Elizabeth L. G. Green  
39 Anacoco Lane  
Nimitz Hill Estates  
Piti, GU 96925  
Phone/Fax: 472-3079*

April 16, 1998

The Honorable  
Senator Mark Forbes  
Chairman, Committee on Rules,  
Government Relations and Federal Affairs  
Twenty-fourth Guam Legislature  
Agana, GU 96910

Dear Mr. Chairman:

Thank you for the opportunity to comment on Bill No. 609, *"An Act to Establish Incentive Programs for Early Retirement for GOVGUAM Employees as Part of a General Reorganization Effort in the Government of Guam."*

As you may already know, several attempts have been made by members of previous and current Legislatures over the past decade which were aimed at, among other things--reducing the over inflated personnel costs in government through a variety of creative legislation; righting a wrong" with respect to the terms and conditions under which the previous granting of education credits toward retirement were implemented; and, enticing long term government employees in the upper pay scale to retire, with the assumption that new employees entering the system will more than likely enter in the lower "steps" within the pay range.

None-the-less, we continue to be plagued with controversies over the "soundness" and adverse effects of similar legislative proposals which, some claim, do not adequately make provisions to protect the integrity of the Retirement Fund, and/or ultimately realize any reduction in overall government expenditures. Bill No 609, on the other hand, and for all intents and purposes, provides a realistic approach towards resolving the inevitable on Guam--" **reduce operational costs and government spending in one of the most obvious means available now, or suffer the consequences of government inaction and lack of foresight in the long run."**

Although Bill 609 provides Government of Guam employees who are members of the Retirement Fund the possibility of early retirement, while providing a cost savings in the General Fund over a period of time through attrition, the Bill appears to have other possible "side benefits" including:

a) A "reasonable compromise" regarding the controversial issue of educational credits for retirement purposes, subsequent to PL 19-19 and PL 20-4. Because the proposed incentive program for early retirement limits eligibility to current GOVGUAM employees under the Defined Benefit Plan, the earlier arguments against prior legislation that aims to reinstate "college credits for retirement purposes" render themselves inapplicable under this proposal. b) Is more "palatable" for all classes of long term government employees under the Defined Benefit Plan, in



Page 2.

Comments on Bill 609

April 16, 1998

that the nature of Bill 609 is non-discriminatory--the Bill recognizes the worthiness of GOVGUAM workers across all service categories and provides an equitable benefit for all its eligible members, rather than limiting service credit purchase benefits to a selected class of "elite" employees, i.e. former civil service employees and military service members, college degree holders, etc., under prior legislation. c) GOVGUAM may begin realizing a reduction in personnel and costs related thereto, immediately upon enactment of the Bill into law. And, d) Gradually opening opportunities for some privatization of certain government services which may be subcontracted, as positions are eliminated in non-critical and non-essential job categories.

I would like to bring to the Committee's attention, however, a couple of concerns relating to the concept of "having worked for a living" through government service. In as much as some government employees have benefited earlier on some form of credit purchase for retirement purposes ( in some cases as much as 8 years ), I am uncomfortable with the idea of having GOVGUAM employees "buying their way through the retirement system" with but a few years of actual government service.

In the interest of further protecting the credibility and integrity of the Retirement Fund and government work ethics, and as a precaution to the probability of an "instant brain drain of government workers in specialized fields," by providing prior beneficiaries of service credit purchases an option to buy an additional 5 years of service credits, the Committee may wish to consider setting some limitations pertaining to the aggregate sum of service credit purchases allowable from all prior provisions by law and under this Act. A stipulation may include something to the effect that, "*Any person who has purchased and received service credits for retirement purposes under any other provisions and entitlements of the Retirement Fund, as provided by law or regulation, may be eligible to participate under this Act, provided, however, that the combined total of all purchases of service credits toward retirement SHALL NOT EXCEED FIVE ( 5 ) YEARS, inclusive of any other prior service credit purchases for retirement purposes.*"

Except for the one concern pertaining to cumulative service credit purchases, **I wholeheartedly support the intent and purpose of Bill 609.** Your efforts in exploring avenues for the reduction of operational costs in GOVGUAM, as a way of realizing immediate and long term savings to the government (ultimately the tax payers), while concurrently providing a reasonable early retirement opportunity for GOVGUAM employees without the threat of causing hardship to anyone, are admirable and commendable.

Sincerely yours,



ELIZABETH (Lisa) L.G. GREEN

April 16, 1998

Honorable Senator Mark Forbes, Chairman  
24th Guam Legislature  
Committee on Rules, Government Reform and Federal Affairs

Re: Testimony Related to Bill 609

Dear Senator Mark Forbes,

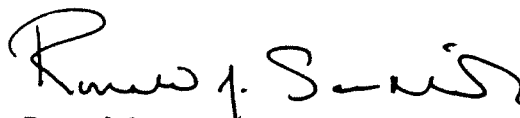
Hafa Adai. Due to my teaching responsibilities at UOG, I am unable to attend your scheduled 11:00 a.m. public hearing scheduled for April 17, 1998. I would appreciate inclusion of my written testimony related to Bill 609. I applaud your efforts to develop legislative policy related to the reorganization of the Government of Guam. While it is evident that the Government of Guam's revenues are on the decline, efforts by Legislative policy makers to streamline public services via a temporary hiring freeze must be carefully considered.

Bill 609, section 6 has serious implications that if passed into law will affect the delivery of social welfare services to Guam's residents. With the increase of drug abuse and family violence in Guam, placing a freeze on Government of Guam social work positions is critical at this time.

Bill 609's list of exceptions to the Temporary Hiring Freeze does not include social workers employed by various Government of Guam agencies (i.e., Child Protective Services, Mental Health, Department of Youth Affairs). Most social workers in the Government of Guam function as case workers, case managers, supervisors, and educators. These functions are important in the delivery of direct services and prevention of social related problems.

It is my opinion that a temporary hiring freeze of Government of Guam social work positions will result in heavier client caseloads and overburdened social work employees. This in turn will result in individuals, couples, and families unable to receive social welfare services in an appropriate and timely manner. Therefore, I recommend that the exceptions listed under Bill 609 Section 6 include social work positions within the Government of Guam.

Please feel free to call me (735-2877) or E-mail: ronaldsn@uog9.uog.edu if you have questions about my written testimony. Thank you for your attention and consideration of my testimony.



Ronald J. San Nicolas, Ph.D., ACSW  
UOG Instructor of Social Work

June 29, 1998

The Honorable Mark Forbes  
Majority Leader  
Committee on Rules, Governmental Reform,  
Federal Affairs  
155 Hesler Place  
Agana, Guam 96910

Re: Support for Bill 609

Dear Senator Forbes:

Thank you for allowing me to comment on Bill 609. I believe that the bill is appropriate in this time of economic uncertainty and that the intent to save costs over the long term for the government of Guam, and ultimately, the people, by having employees retire at an earlier financial stage, will be met if this bill is passed.

However, I would hope that you would consider three changes to the proposed bill. The first is that Section 6 of the proposed bill stated that instead of the government agency losing that particular position and its funding, that bill reduce the budget for that agency by the same amount. This gives the agency the flexibility to determine whether the position is critical and to reallocate the funds to meet their needs. That is to say, that if the agency needs a administrator, that it should be able to fill that position instead of two other positions that are not deemed critical at that time.

The second point that I hope you will consider is to lengthen the period of time that the government and individual must pay for these credits. I believe that the period of time should be for a four (4) year repayment schedule for both, rather than the current proposal of three (3) years for an employee (Section 2 and 3), and two (2) years for the government (Section 5). This would allow both parties an opportunity to pay for these credits in a reasonable fashion.

The final change or clarification that I hope that the committee considers is to state clearly in section 2(B) that if an employee signs for a promissory note, that no interest is charged. Or if there is interest that the Retirement Fund is to charge, the interest rate should be computed based upon the remaining amount of the principal each year, rather than a straight simple interest

rate. This would help alleviate the cost that the employee would be forced to pay.

Thank you for the opportunity to comment on this bill. I strongly urge the committee to propose its passage into law.

*Robert H. Kono*  
ROBERT H. KONO



Ignacio Q. Peredo  
Deputy Director

## CUSTOMS & QUARANTINE AGENCY

Ahensian Reditu Yan Kuarentena  
GOVERNMENT OF GUAM  
1503 Central Avenue  
Tiyán, Guam 96913  
Tel. (671)475-6201/2/4 Fax. (671)475-6227



John M. Quinata  
Director

### TESTIMONY ON BILL 609

Hafa Adai and good morning Senator Mark Forbes, and distinguished members of this committee. My name is John Quinata, Director of the Customs and Quarantine Agency. I appear before you today to offer testimony on Bill 609...a piece of legislation, which in essence, seeks to streamline Gov-Guam's workforce, by establishing an incentive program for early retirement for Gov-Guam employees.

As a member of this community, I realize that in light of the ailing Asian economy, our local economy is not up to par with recent years and that signifies a decline in much needed revenues for our island. I understand that measures must be taken to control spending within our government...but, as the Director of a law enforcement agency...I question at what expense.

Although I agree with the intention behind Bill 609...I do not agree with a portion of the Bill, specifically, Section 6, with regard to a temporary hiring freeze. Although Customs Inspectors of the agency is exempted from this freeze, it is with certain restrictions. As the bill stands, only Customs Inspectors will not be affected. However, this leaves us at a disadvantage with our upper management level employees, who are sworn officers as well. Most of these officers qualify for the retirement incentive plan, and if they take advantage, we would feel a loss in operations...right down to our supervisory levels. Although that may sound insignificant to many, the fact remains, most of our officers in supervisory positions are needed, on an "on-site" basis with our inspectors. Without them, our front-line officers would lack proper leadership in preventing the importation of illegal drugs and contraband into our community. And in light of our growing "ice" problem, the consequences could prove drastic.

Therefore, Senator Forbes and distinguished committee members, I ask that you remove the restrictions, and allow for all sworn officers of the Customs and Quarantine Agency to be exempt from this hiring freeze. Doing so would allow our agency to better fulfill our mission of protecting our island, our people and our resources. Thank you for allowing me this time to speak on behalf of officers in my agency. If you have any questions, I will be more than willing to answer them at this time.

  
JOHN M. QUINATA

**TESTIMONY PRESENTED AT THE  
PUBLIC HEARING ON BILL NO. 609  
APRIL 17TH, 1998**

by Vivian Loyola Dames  
University of Guam

Buenas Dias, Senator Forbes and members of this committee! Thank you for this opportunity to provide input concerning Bill No. 609. I wish to speak specifically to one section of this bill, Section 6, which provides that "the appropriated funding and FTE for any position in the government of Guam, funded by the General Fund or any fund appropriated . . ." by this body, "which becomes vacant . . . shall be considered automatically repealed." The bill then lists various positions which are exceptions to this provision. I am here to recommend that social workers, social service administrators, and related social work positions be exempted from this freeze.

My name is Vivian Dames and I am an associate professor, founder and current Coordinator of the Bachelor of Social Work Degree Program (BSW) at the University of Guam. The University of Guam has been offering this professional degree since 1980. Since then we have graduated one hundred students, a majority of whom have remained in Guam or returned to other islands in the region and are employed as social workers or in a related position in various fields of practice in the public and private sectors.

Social workers and social service supervisors and administrators should be added to this list because they are essential government workers. In addition, social workers in particular fields should be included in several categories already listed in the bill. For example:

- (A) Nurses, school health counselors, medical and psychiatric social workers.
- (B) Teachers, school counselors and school social workers.
- (E) Guards and correctional social workers at the Department of Corrections

In our public welfare system, in health and mental health settings, in our new school districts, in correctional settings, and in our newly established Department of Integrated Services for Individuals with Disabilities (DISID), as just a few examples, social workers are an essential members of the team. Without professional social workers at both the direct services and supervisory levels, persons on public assistance are unable to gain the skills and organize the resources needed to obtain and maintain employment as required under our new welfare reform initiative; investigations of child abuse and family violence are not conducted within the time period required by law placing children and women at risk; individuals with mental illnesses are not provided the out-patient treatment and case management services needed to prevent acts of violence and institutionalization; the discharge of patients from the hospital are delayed; young people are not provided the activities and help they need to be able to complete their education; recidivism rates at both the Department of Youth Affairs and the Department of Corrections are likely to increase; and the increasingly complex maze of services and policies affecting persons with disabilities will remain difficult, if not impossible, for some to negotiate. The number of social services vacancies in some agencies is already critical. Further reductions simply forces this government to remain in a crisis mode in our response to escalating social problems rather than being able to take a more prevention, social development or --- to rework an important post-Paka buzzword --- "social" mitigation approach. This inevitably

# Servicio Para I ManAmko

GovGuam Association of Retired Persons, Inc.

P.O. Box 3507 • Agaña, Guam 96932

(671) 477-9014/1156 • Fax: (671) 477-9015 =====



April 17, 1998

Honorable Mark Forbes  
Chairperson, Committee on Rules and General Governmental Operations  
24th Guam Legislature  
Agana, Guam 96910

Dear Senator Forbes:

We come here today to testify against **Bill 609 "An Act to Establish Incentive Programs for Early Retirement for GovGuam Employees as part of a General Reorganization Effort in the Government of Guam "**.

Servicio Para I ManAmko(SPIMA) is a project of the GovGuam Association of Retired Persons (GGARP) which was founded in 1969 as a private, community based organization. GGARP oversees our projects which provide services to thousands of elderly each day through services at the senior citizen centers and through the provision of transportation.

Bill 609 as it is written now, **does not consider exempting** a variety of government of Guam **positions critical to aging programs** that would not be replaceable should the incumbents opt to retire. Many of our elderly are recipients in many government programs such as medical social services, dental care, welfare, food stamps, and general assistance. Some of our aged are victims of abuse which require social workers at Adult Protective Services (APS) to investigate immediately. In addition, the coordination and management of services to the elderly as provided for by law, rests with the Division of Senior Citizens of the **Department of Public Health and Social Services**. Their expertise and thorough understanding of both federal and local mandates is critical in the quality leadership needed. DSC cannot afford to loose anymore staff nor can any of the other divisions within that department . We already understand that there are many vacancies there that need to be filled.

The newly formed **Department of Integrated Services for Individuals with Disabilities (DISID)** supposedly has only 50% of their positions filled. Would the remaining vital positions be lost if this bill be passed? Many of the positions are social work positions for support services and positions that require the evaluation and monitoring of the Americans with Disabilities Act (ADA).

Many of our senior citizens are victims of depression and some with substance abuse and other mental health issues. We are already dismayed because there are few with the expertise in geriatric mental health. But as the **Department of Mental Health and Substance Abuse** has been building on this expertise and in work with families, some 50 positions which are now vacant, may be lost in addition to the masters degreed positions within their department.

What would happen if the most seasoned of government employees decide to retire now and their positions not be replaced? We suggest to you Mr. Chairperson, that the **void would be tremendous, and the exodus of such expertise would be fatal to social services programs for the man'amko, for persons with disabilities, and our community in general.**

We are now just understanding the challenges of the new millennium. Mr. Chairperson, a child born today is predicted to live until age 90 if a boy, and age 96 if a girl. Can you believe this? They expect those persons born in the 1940's and 50's to live until at least age 85 years. Experts in the field of aging say that the most productive years are now projected to be from 60-70 years old. **Our population is not increasing, it is aging!**


Mr. Chairperson, we are ill prepared at this point to deal with the influx of elderly and persons with disabilities in our communities, in social services, and in the work force. We, as a caring community, as policy makers and implementors, must plan well for those retiring, those getting older, and those who have disabilities.


The early retirement incentive would do little to help us in this challenge. We suspect that many that would be qualified are not even 50 years old, and would be in the retirement system for 35-40 years. In addition, how would they remain productive and active so as to prolong their lives and maintain good mental and physical health? How can their skills be utilized to meet the personnel needs in other categories of work in the private sector such as in tourism, and private health and social services? What retooling or retraining will be provided for the estimated thousand who may take advantage of this early retirement?



We ask you to reconsider any legislative movement in this direction. If reorganization is found to be necessary, we ask you to find other ways in which attrition can be effectuated.

If you should have nay questions or need further elaboration, we are available to you.

  
**SEGUNDO C. AGUON**  
Director

  
**SARAH M THOMAS-NEDEDOG**  
Deputy Director

COMMITTEE ON RULES, GOVERNMENT REFORM AND FEDERAL AFFAIRS

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*Testimony on Bill 609*

*Senator Mark Forbes and other members of the Government Affairs Committee of the Twenty-fourth Legislature:*

*This is my written testimony of that which I presented orally Friday, April 17, 1998.*

*Senator Forbes and other members of your committee, I laud you in your efforts toward reducing government expenditure especially in light of Guam's ailing economy.*

*Before I address the contents of Bill 609, I would like to point out that Bill 609 addresses two different issues. While the two issues are related, I strongly feel that each issue should be separately addressed.*

*I do not favor early retirement for the following reasons:*

- 1. The attractiveness of early retirement will result in many employees retiring therefore increasing the number of retirees who will be receiving pensions, while simultaneously reducing the number of contributors towards the retirement fund. The reduced number of contributors towards the retirement fund as a result of the new system, the public law that adopted the 401K, will be further compounded.*
- 2. Early retirement will entice many employees whose children are still dependent. With the high cost of living, many families will have difficulty maintaining the life style they are used to with less than 50% or any percentage less than 100%. Unquestionably some of these young retirees may be able to find employment in the private sector, but with an ailing economy, the number will be less than more. Will not this result in families suffering or having to resort to social welfare, food stamps, free school lunch, and perhaps stealing and robing? How much hope is there for advanced education for children in these families?  
  
*There will be some of these early retirees who will be able to return to Government of Guam under special contracts therefore coming out ahead, but does not this defeat the desire to reduce government spending?**
- 3. Early retirement will drain the Government of Guam of many employees in their prime. For many employees with fifteen to twenty years of service, the Government of Guam has invested on many of them tremendous amount of monies for training both locally and abroad. The less expensive inexperienced employee cannot altogether substitute employees with years of experience and intensive on-the-job training even with the vitality of youth.*

I support strong control on employment towards reducing government expenditure; however, I do not favor the "fast track" procedure as proposed in Sub-Section 81113.3, Section 5 of Bill 609. Instead, I recommend the following:

1. That the legislature scrutinize the annual budget request and approve only those FTEs that are substantially justified.
2. That no approved FTE be filled by a position of different title when it becomes vacant.
3. That no approved FTE be filled in an acting capacity or by temporary employment. Exception to this will be for limited term employment for emergency - certified teachers for the classroom only if professional-certified teacher applicants are not available.
4. That no approved FTE be filled by any kind of contractual appointment including "double dipping". That a retiree who desires to return to any Government of Guam service must temporarily relinquish all Government of Guam benefits including pension.
5. That any violation of items #1 through #4 above will result in the immediate deletion of the FTE.

Other suggestions towards reducing government expenditure are as follows:

1. Introduce a bill for a five-year or even a three-year moratorium for new textbook adoptions except for science, history, and political science textbooks.
2. Introduce a bill to delete the "Miscellaneous" item in the annual budget. This section encourages misspending. Provide for "emergency" and special need requests as they arise.
3. Review the Executive Branch towards reducing the number of departments and agencies. Consolidation will reduce the number of department heads.
4. Go slow in introducing bills that require additional and astronomical expenditures. Identify specific funding sources for bills that require funding for their implementation.

Thank you.

Felisa B. Gutierrez

# GovGuam Association of Retired Persons, Inc.



Servicio Para I ManAmko

P.O. Box 3057 • Agana, Guam 96932

Tel: (671) 477-9014, 472-7981/2 • Fax: (671) 477-9015 = = = = =

April 17, 1998

Honorable Mark Forbes  
Chairperson, Committee on Rules and General Governmental Operations  
24th Guam Legislature  
Agana, Guam 96910

Dear Senator Forbes:

This is a formal testimony regarding Bill 609 ***"An Act to Establish Incentive Programs for Early Retirement for GovGuam Employees as part of a General Reorganization Effort in the Government of Guam"*** of which you sponsored recently.

The GovGuam Association of Retired Persons (GGARP) is a 29 year old, private, not for profit organization comprised of Government of Guam retirees. We manage several senior citizen programs including the 16 senior centers and transportation services to our man'amko island wide.

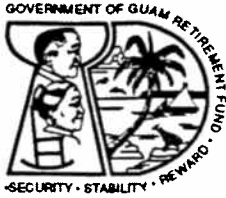
We come here to day to plead you **reconsider going forward with this bill**. The idea of developing cost saving activities for the government and to even reorganize to streamline on personnel is admirable. However, the manner in which you wish to accomplish this appears to be counterproductive.

There are approximately 8,000 government of Guam employees today. Of that number, we can expect that about 1/3 would be eligible for early retirement if this bill passes. It is therefore conceivable that 2,500 employees may opt to leave public service. These individuals have perhaps the most educational and experiential background in the work force. These are individuals who have had tax payer dollars invested in their training and in their long term contributions to the government. When they leave, what level of expertise will be left, especially if their positions will not be filled?

Mr. Chairperson, the Administration on Aging of the U.S. Department of Health and Human Services, is predicting that the **average baby boomers will live to be 85 years** old. That means those persons who would probably consider this early retirement are more than likely in the 45-55 year old category. These individuals could theoretically be **receiving retirement benefits for another 35-40 years**, and twice as long as the time they contributed to the fund and were active. Can we really afford this?

We suggest that the idea of early retirement be revisited and if it continues to appear to be a feasible option, that a **comprehensive territory wide plan** be developed that will consider how these retirees can be encouraged to continue to contribute to our community and how the government will reconcile the tremendous loss of the early retiree's expertise. If you should have additional information, please let us know.

*Ann S.A. San Nicolas*  
**ANN S.A. SAN NICOLAS**  
President



**FONDON RITIRAO GUBETNAMENTON GUÅHAN**  
**Government of Guam Retirement Fund**  
**424 ROUTE 8**  
**MAITE, GUAM 96927**

Telephone Nos. (671) 475-8900/8901  
Facsimile No. (671) 475-8922



April 17, 1998

The Honorable Mark Forbes  
Chairman, Committee on Rules, Government  
Reform, and Federal Affairs  
24<sup>th</sup> Guam Legislature  
155 Hesler Street  
Agana, Guam 96932

Dear Senator Forbes and Esteemed Committee Members:

The Retirement Fund is unable at this time to assemble a formal position on Bill No. 609 on such short notice. It is of major significance and requires considerable attention. Thus, we have requested our Actuary's analysis before we present our impact statement on this issue.

Our testimony will be presented to the Committee upon completion of our fiscal and policy review.

Si Yuus Maase,

TERESITA S. FLORES  
Acting Director

cc: All Senators  
Board of Trustees



**OFFICE OF THE PUBLIC AUDITOR**  
**UFISINAN I ADITOT PUPBLEKO**  
**GOVERNMENT OF GUAM**  
P.O. BOX 23667, GMF, Barrigada, Guam 96921  
(1208 East Sunset Boulevard, Tiyan)  
(671) 475-0393/0394/0395 - FAX: (671) 472-7951

**ROBERT G.P. CRUZ**  
PUBLIC AUDITOR

May 5, 1998

Honorable Mark Forbes  
Chairman, Committee on  
Rules, Government Reform  
and Federal Affairs  
Twenty-Fourth Guam Legislature  
155 Hesler Street  
Agana, Guam 96910

Re: Bill 609

Dear Senator Forbes:

I am opposed to Bill No. 609, which attempts to reduce the numbers of government employees by granting additional retirement credits. I believe the measure would further weaken the Retirement Fund, which has a huge unfunded liability. The last actuarial study completed on the Retirement Fund showed that about one-third of anticipated benefits will not be paid out because of the shortfall in funds. A current study is being done now by the Retirement Fund, and will be completed by Deloitte & Touche in the next few months, I have been told. While investments of assets of the Retirement Fund may have done well as the entire stock market has done, there should be caution in liberalizing benefits to be paid out.

As I believe you are aware, our office has been required by public law to be notified when agencies of the government fall behind in their required contributions to the Retirement Fund. The Guam Memorial Hospital is now behind over \$17 million in payments. Thus we have lost investment opportunities of a substantial amount.

Furthermore, I believe there is a mistaken assumption in Bill No. 609 that retirees will not be rehired under special contracts as consultants, as happened the last time that an early retirement program was offered. Also, an unknown number of employees retired for a period of time, and then were rehired. The present Governor may be willing to reduce the number of employees, but what about his successors?

The mechanism of attempting to control the vacancies by Legislative concurrence is probably not constitutional. In INS v. Chada, the U.S. Supreme Court held that one house vetoes of executive regulations violated the Constitution. Another case Anderson v. Lamm limited control of a State Legislature to specify numbers of employees that the Executive branch could hire.

The practical effect of making an early retirement possible on the current operations of government should not be ignored. Just a couple of years ago, the Legislature enticed hundreds of employees to retire by incorporating an end to certain COLA benefits to employees who retired by a certain date. From an auditing perspective, we discovered that many supervisors and program managers retired, who took with them much of the institutional memory that is so important in responding to audit issues raised. I feel the Government of Guam will lose more of its experienced personnel if retirement incentives are offered again.

If the Legislature is determined to pursue this course of action, let me suggest some possible amendments to consider. First, I would suggest that no more than two years should be given, rather than five years of service credit. I believe many employees would leave if two years was possible. Two years of credit does not weaken the Retirement Fund as much as five years of credit. At 2.5% per year of service five years of credit would amount to 12.5% of additional annuity as opposed to 5% if two years was the maximum.

Second, I would incorporate a prohibition of a retiree from being permitted to retain the credit if he or she should ever return to government service. I would suggest that the Retirement Fund would simply refund the amount paid in by the employee, but that the additional years of credit would be subtracted from total service for any future annuity computation.


In other Pacific Islands, governments have reduced the work hours of current employees to entice employees to retire. In Pohnpei State, Federated States of Micronesia, employees have been placed on 10% fewer hours. In American Samoa, employees have been placed on 20% fewer hours. These drastic actions have both cut payroll costs as well as made the government a less attractive place to work.

I would like to suggest that additional public hearings be held. Because your legislation would impact the annuities of thousands of retirees, I would ask that their input be sought by holding hearings at community centers and by actively asking their comments.

Certainly the Retirement Fund Board's advice should be considered. I would like to know, for example, what year the Retirement Fund is expected to be depleted. The U.S. government has estimated very recently that the Social Security Fund will be bankrupt in the year 2032. I would like the Legislature mandate studies that show the impact of our unfunded liability and how the Retirement Fund can deal with the Fund's depletion. Should annuities be cut now for all annuitants or should we simply let the depletion of the Fund occur naturally while maintaining the present levels of disbursement.

In conclusion, this bill has serious impact on the Retirement Fund and much more study needs to be done before it is passed.

CC: All Senators

  
ROBERT G.P. CRUZ

# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform  
and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-5036

Phone: (671) 4723512

From: ROBERT BALAJADIA  
P.O. BOX 3  
HAGANA, GUAM 96932

Pages: 1, including this cover sheet.

Date: 8-24-98

Dear Senator Forbes:

**I support bill 609.**

I would like to urge you to **pass this bill as it is currently written.**

I also urge you to **pass this bill without any other bills attached to it** because of the significance of this bills impact.

Thank you.





# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform  
and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-5036

Phone: (671) 4723512

From: TOSHIKO SMITH  
BOX 21702 B M F  
96921

Pages: 1, including this cover sheet.

Date: 8/24/98

Dear Senator Forbes:

**I support bill 609.**

I would like to urge you to **pass this bill** as it is currently written.

I also urge you to **pass this bill** without any other bills attached to it because of the significance of this bills impact.

Thank you.

# FACSIMILE

**To:** Senator Mark Forbes, Chairman - Committee on Rules, Government Reform  
and Federal Affairs

**Of:** Twenty-Fourth Guam Legislature

**Fax:** (671) 477-5036

**Phone:** (671) 4723512

**From:** DIANA M. SAN NICOLAS (CIVILIAN-SECRETARY II-TYPIST)  
GUAM POLICE DEPARTMENT  
475-8551

**Pages:** 1, including this cover sheet.

**Date:** AUGUST 25, 1998

Dear Senator Forbes.

I support bill 609

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bill's impact.

Thank you.

# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-5036

Phone: (671) 4723512

From: Eric Chung  
\_\_\_\_\_  
\_\_\_\_\_

Pages: 1, including this cover sheet.

Date: Aug 21, 1998

Dear Senator Forbes:

**I support bill 609.**

I would like to urge you to **pass this bill as it is currently written.**

I also urge you to **pass this bill without any other bills attached to it** because of the significance of this bills impact.

Thank you.

*Eric Chung*

# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform  
and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-5036

Phone: (671) 4723512

From: Julie Cruz-Jones  
P.O. Box 11546  
Tamuning, GU 96931

Pages: 1, including this cover sheet.

Date: Aug. 24, 1998  
ca

Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

*Julie Cruz-Jones*  
Thank you.

# FACSIMILE

**To:** Senator Mark Forbes, Chairman - Committee on Rules, Government Reform  
and Federal Affairs

**Of:** Twenty-Fourth Guam Legislature

**Fax:** (671) 477-5038

**Phone:** (671) 4723512

**From:** Clyde R. Billings  
POB 25079  
GMI, Guam 96921

**Pages:** 1, including this cover sheet.

**Date:** 8-22-98

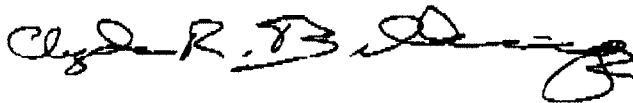
Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you.



# FACSIMILE

**To:** Senator Mark Forbes, Chairman - Committee on Rules, Government Reform  
and Federal Affairs

**Of:** Twenty-Fourth Guam Legislature

**Fax:** (671) 477-5036

**Phone:** (671) 4723512

**From:** Suzanne R. Billings  
PO Box 25079  
G.M.F., GU 96921

**Pages:** 1, including this cover sheet.

**Date:** 8-22-98

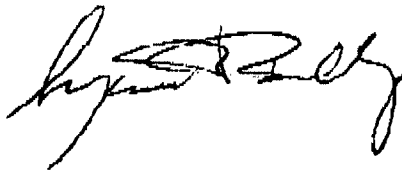
Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you.



# FACSIMILE

**To:** Senator Mark Forbes, Chairman - Committee on Rules, Government Reform and Federal Affairs

**Of:** Twenty-Fourth Guam Legislature

**Fax:** (671) 477-5036

**Phone:** (671) 4723512

**From:** Richard K. Skipper  
Marketing Instructor  
GCC

**Pages:** 1, including this cover sheet.

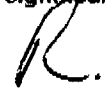
**Date:** 8-22-98

Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.



Thank you.

## M E M O R A N D U M

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform  
and Federal Affairs

From: Name: Kenneth Hotaling Address: G-310 Aposento Gardens  
Chalan Pago

Date: 22 Aug 98

Subject: Support of Bill 609

I would like to urge you to pass Bill 609 as it is currently written.

I also urge you to pass this bill without any riders attached to it because of the significance of this bill.

  
Thank you.



# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform  
and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-5036

Phone: (671) 4723512

From: David Russell  
P.O. Box 2227  
Agana, GU 96932

Pages: 1, Including this cover sheet.

Date: 8/22/98

Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you.

*David Russell*

# FACSIMILE

**To:** Senator Mark Forbes, Chairman - Committee on Rules, Government Reform  
and Federal Affairs

**Of:** Twenty-Fourth Guam Legislature

**Fax:** (671) 477-5036

**Phone:** (671) 4723512

**From:** Jeanette Russell  
P.O. Box 2227  
Agana, GU 96932

**Pages:** 1, including this cover sheet.

**Date:** 8/23/98

Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you.

*Jeanette Russell*

# FACSIMILE

**To:** Senator Mark Forbes, Chairman - Committee on Rules, Government Reform  
and Federal Affairs

**Of:** Twenty-Fourth Guam Legislature

**Fax:** (671) 477-5036

**Phone:** (671) 4723512

**From:** Dusty Reid, Assistant Professor, Guam Community College

Vice Chair, GCC/GFT Union Unit

P.O. Box 25127, GMF, GU 96921

Phone 734-1706, Fax 734-4066

**Pages:** 1, including this cover sheet.

**Date:** August 23, 1998

Dear Senator Forbes:

**I support bill 609.**

I would like to urge you to **pass this bill as it is currently written.**

I also urge you to **pass this bill without any other bills attached to it** because of the significance of this bill's impact.

Thank you,

Dusty Reid

# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform  
and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-5036

Phone: (671) 4723512

From:

RUSSELL TUFVANDER  
GCC MARKETING

Pages: 1, including this cover sheet.

Date:

8/24/98

Dear Senator Forbes:

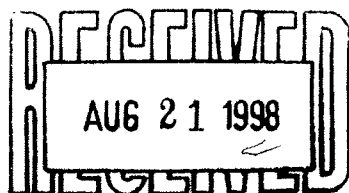
**I support bill 609.**

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you.

*Russell L. Tufvander*



# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-5036

Phone: (671) 4723512

From: Tick Gejoco  
Guam Community College

Pages: 1, including this cover sheet.

Date: 21 AUG 98

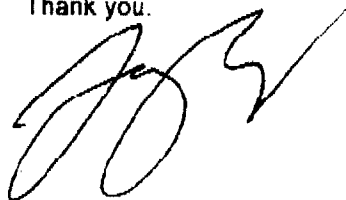
Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you.



RECEIVED  
AUG 21 1998

# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-5036

Phone: (671) 4723512

From: AGNES M. BLAS (GMP)  
P.O. - BOX 23755  
GMP GUAM 96901

Pages: 1, including this cover sheet.

Date: 8/25/98

Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bill's impact.

Thank you.

# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (871) 477-5036

Phone: (871) 4723512

From: Mr. Lili Golguitero  
Guam Power Management  
475-8552

Pages: 1, including this cover sheet.

Date: 8/25/98

Dear Senator Forbes.

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bill's impact

Thank you

# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-5036

Phone: (671) 4723512

From: SIM JAMISON  
114 BLOOMING WAY  
SONA

Pages: 1, including this cover sheet.

Date: 8/24/98

Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you





# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform  
and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-5036

Phone: (671) 4723512

From: AL Alicito  
174 LIZAMA ST  
Barrigada, Guam 9693

Pages: 1, including this cover sheet.

Date: 8/24/98

Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bill's impact.

*Alfred T. Alicito*  
Thank you.

# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform  
and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-5038

Phone: (671) 4723512

From: JOHN LIMTIACO  
P.O. B. 7091  
AGAT GU. 96928

Pages: 1, including this cover sheet.

Date: 8/24/98

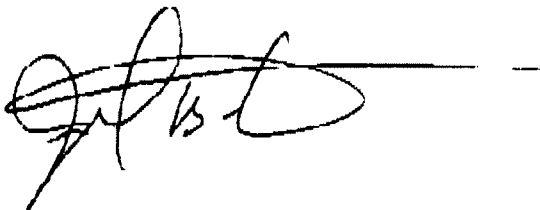
Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bill's impact.

Thank you.



# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-6036

Phone: (671) 4723512

From: Vance J. I. Guerena

P.O. Box 24928

Barrigada, Guam 96921

Pages: 1, including this cover sheet.

Date: 8/25/98

Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you for such a worthy effort!

*VJG*  
475-3324 (w)

# FACSIMILE

**To:** Senator Mark Forbes, Chairman - Committee on Rules, Government Reform and Federal Affairs

**Of:** Twenty-Fourth Guam Legislature

**Fax:** (671) 477-5036

**Phone:** (671) 4723512

**From:** YVONNE C. FLORES  
GCC FACULTY INSTRUCTOR  
735-5618

**Pages:** 1, including this cover sheet.

**Date:** 8/20/98

Dear Senator Forbes:

**I support bill 609.**

I would like to urge you to **pass this bill as it is currently written.**

I also urge you to **pass this bill without any other bills attached to it** because of the significance of this bills impact.

Thank you.

*Yvonne C. Flores*

# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform  
and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (871) 477-5038

Phone: (871) 4723512

From: Jacinto W. Cáceres  
54 Calle de Silencio  
Yona, Guam ~~96914~~ 96914

Pages: 1, including this cover sheet.

Date: 8-28-98

Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you.

*Jacinto W. Cáceres*

A:\BILL 609\SENATOR MARK FORBES.WPD

# FACSIMILE

**To:** Senator Mark Forbes, Chairman - Committee on Rules, Government Reform  
and Federal Affairs

**Of:** Twenty-Fourth Guam Legislature

**Fax:** (671) 477-5036

**Phone:** (671) 4723512

**From:** Monty R. May  
Box 2779  
HAGATÑA GUAM 96932

**Pages:** 1, including this cover sheet.

**Date:** 8/26/98

Dear Senator Forbes:

**I support bill 609.**

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you.

# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform  
and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-5036

Phone: (671) 4723512

From: KENNETH ORCUTT  
2-200E COURTHOUSE  
HAGATNA, GUAM

Pages: 1, including this cover sheet.

Date: 8/26/98

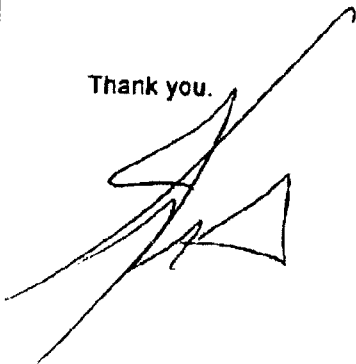
Dear Senator Forbes:

**I support bill 609.**

I would like to urge you to **pass this bill as it is currently written.**

I also urge you to **pass this bill without any other bills attached to it** because of the significance of this bills impact.

Thank you.



# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-5036

Phone: (671) 4723512

From: Ronald T. Laguana  
#316 University Manx Condor  
Mangilao, Guam

Pages: 1, including this cover sheet.

Date: 8/25/98

Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you. *si Ronald T. Laguana*



# FACSIMILE

**To:** Senator Mark Forbes, Chairman - Committee on Rules, Government Reform  
and Federal Affairs

**Of:** Twenty-Fourth Guam Legislature

**Fax:** (671) 477-5036

**Phone:** (671) 4723512

**From:** *Virginia N. Caceres*  
*57 Calle de Silencio*  
*Yona GU 96914*

**Pages:** 1, including this cover sheet.

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

Dear Senator Forbes:

**I support bill 609.**

**I would like to urge you to pass this bill as it is currently written.**

**I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.**

Thank you.

*Virginia N. Caceres*

# FACSIMILE

**To:** Senator Mark Forbes, Chairman - Committee on Rules, Government Reform and Federal Affairs

**Of:** Twenty-Fourth Guam Legislature

**Fax:** (671) 477-5036

**Phone:** (671) 4723512

**From:** Doreen J. Blas  
205 Benita Lane  
Dededo, Guam 96912

**Pages:** 1, including this cover sheet.

**Date:** August 28, 1998

Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you.



# FACSIMILE

**To:** Senator Mark Forbes, Chairman - Committee on Rules, Government Reform  
and Federal Affairs

**Of:** Twenty-Fourth Guam Legislature

**Fax:** (671) 477-5036

**Phone:** (671) 4723512

**From:** Teri Knapp  
Suite 400 GCIC Bldg  
Agana 96910

**Pages:** 1, including this cover sheet.

**Date:** Aug 28, 1998

Dear Senator Forbes:

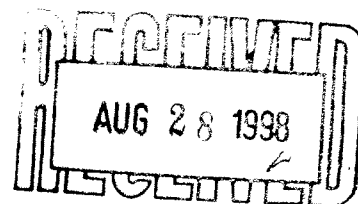
I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you.

*Teri Knapp*



# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-5036

Phone: (671) 4723512

From: Judith Lee  
595 Chalan Pale R.H. STE. 116 #219  
Xigo, GUAM 96929

Pages: 1, including this cover sheet.

Date: 8/28/98

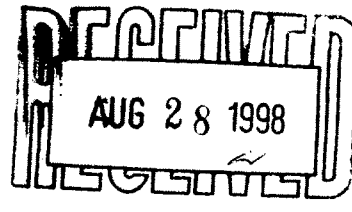
Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you.



# FACSIMILE

**To:** Senator Mark Forbes, Chairman - Committee on Rules, Government Reform  
and Federal Affairs

**Of:** Twenty-Fourth Guam Legislature

**Fax:** (671) 477-5038

**Phone:** (671) 4723512

**From:** APUENCIA EAB  
c/o GPD  
475-8041 FAX 565-2750

**Pages:** 1, including this cover sheet.

**Date:** 8-31-98

Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bill's impact.

Thank you.

*By [Signature] 120*

P.S. Any way we can get a copy of the bill for discussions with co employees

# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform  
and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-5036

Phone: (671) 4723512

From: PATRICIA GAY MATZ  
COORDINATOR, G.A.T.E.  
SPECIAL EVENTS

Pages: 1, including this cover sheet.

Date: 8/31/98

Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you.

*Patricia Gay Matz*

# FACSIMILE

**To:** Senator Mark Forbes, Chairman - Committee on Rules, Government Reform  
and Federal Affairs

**Of:** Twenty-Fourth Guam Legislature

**Fax:** (671) 477-5036

**Phone:** (671) 4723512

**From:** Barbara Bouchard-Miller  
14 Belmont Ave.  
Tamuning, Guam 96911

**Pages:** 1, including this cover sheet.

**Date:** Aug 28, 1998

Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you.

*Barbara Bouchard-Miller*

# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform  
and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (871) 477-5038

Phone: (871) 4723512

From: MICHAEL P. SALAS  
GPD  
Dededo

Pages: 1, including this cover sheet.

Date: 8-31-98

Dear Senator Forbes.

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact

Thank you.



# FACSIMILE

**To:** Senator Mark Forbes, Chairman - Committee on Rules, Government Reform  
and Federal Affairs

**Of:** Twenty-Fourth Guam Legislature

**Fax:** (671) 477-5038

**Phone:** (671) 4723512

**From:** Michael C. Taitague  
P.O. Box 2014  
Agana, Guam 96932

**Pages:** 1, including this cover sheet.

**Date:** 01 September 1998

Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bill's impact.

Thank you.

  
M.C. Taitague

# FACSIMILE

**To:** Senator Mark Forbes, Chairman - Committee on Rules, Government Reform  
and Federal Affairs

**Of:** Twenty-Fourth Guam Legislature

**Fax:** (671) 477-5036

**Phone:** (671) 4723512

**From:** Gloria S.C. DATU *J. Astor*  
Language Institute  
Guam Community College

**Pages:** 1, including this cover sheet.

**Date:** 8/28/98

Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you

# FACSIMILE

**To:** Senator Mark Forbes, Chairman - Committee on Rules, Government Reform and Federal Affairs

**Of:** Twenty-Fourth Guam Legislature

**Fax:** (671) 477-5036

**Phone:** (671) 4723512

**From:**

Rosemary A. Clement  
405 Nimitz Drive  
Piti, Guam 96925

**Pages:** 1, including this cover sheet.

**Date:**

August 29, 1998

Dear Senator Forbes:

**I support bill 609.**

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you.

*Rosemary A. Clement*

# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform  
and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-5036

Phone: (671) 4723512

From: MARIA G. FITZPATRICK  
182 CRUZ HHS  
TALBOTO GUAMA 6930

Pages: 1, including this cover sheet.

Date: Aug 29 '96

Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bill's impact.

Thank you.

# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform  
and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-5036

Phone: (671) 4723512

From: H. LANI & AMBLER  
~~CC~~ BCC

Pages: 1, including this cover sheet.

Date: 8/28/98

Dear Senator Forbes

**I support bill 609**

I would like to urge you to **pass this bill** as it is currently written.

I also urge you to **pass this bill** without any other bills attached to it because of the significance of this bill's impact.

Thank you.

*H. Lani & Amber*  
Asst. Prof. Tourism Dept.

To:            Senator Mark Forbes, Chairman, Committee on Rules  
                Government Reform and Federal Affairs,  
                Twenty-Fourth Legislature  
From:         Amy Soll, Piti Constituent  
Subject:      Bill 609  
Date:         September 1, 1998  
Pages:        One

Dear Senator Forbes:

This is sent to show my support of Bill 609 and to urge you to pass this bill without attaching any other bills to it.

Thank you.

# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-5036

Phone: (671) 4723512

From: Lorena B. Argallon  
School Health Counselor  
DOE- J.P. Torres Elementary School

Pages: 1, including this cover sheet.

Date: September 2, 1998

Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you.

*Lorena Argallon*  
 DOE - J.P. Torres Elem.  
 S.H.C.

# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-5036

Phone: (671) 4723512

From: Lorena B. Argallon  
School Health Counselor  
DOE- J.P. Torres Elementary School

Pages: 1, including this cover sheet.

Date: September 2, 1998

Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you.

*Lorena Argallon*  
 DOE - J.P. Torres Elem.  
 S.H.C.



# FACSIMILE

**To:** Senator Mark Forbes, Chairman - Committee on Rules, Government Reform  
and Federal Affairs

**Of:** Twenty-Fourth Guam Legislature

**Fax:** (671) 477-5036

**Phone:** (671) 4723512

**From:** Kirk Drygas  
205 Benita Lane  
Dededo, GU 96912

**Pages:** 1, including this cover sheet.

**Date:** 9-2-98

Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you.

*Kirk S. Drygas*

# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-5036

Phone: (671) 4723512

From: CONCEPCION S. BALETO

DOE- J.P. Torres Elementary School

Pages: 1 including this cover sheet.

Date: September 2, 1998

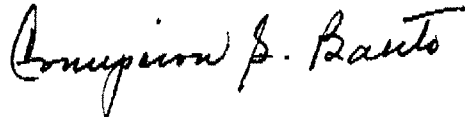
Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you.



# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform  
and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-5036

Phone: (671) 4723512

From: CONCEPCION S. BALETO

DOE- J.P. Torres Elementary School

Pages: 1, including this cover sheet.

Date: September 2, 1998

Dear Senator Forbes:

I support bill 609.

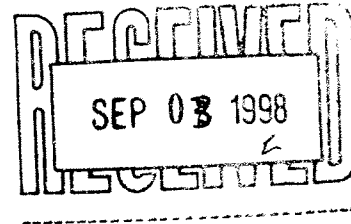
I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you.

*Concepcion S. Baeto*

September 02, 1998



Dearest Senator/s:

We, the undersigned, are submitting this letter in the effort to respectfully request for your consideration and endorsement in voting for and passing Bill 609 (Early Retirement for GovGuam Employees).

Handwritten signatures on the left side of the page, including names like 'Blakely', 'Cruz', 'Majumdar', 'L. P. ...', 'Janet', 'Ricardo Camacho', and 'Ignacio ...'.

Handwritten signatures on the right side of the page, including names like 'Brent', 'Ala ...', 'George B. ...', 'Sam ...', 'L. ...', 'John ...', 'James ...', 'Jimmy ...', and 'P. ...'.

Your consideration and endorsement will be greatly appreciated. Good Luck.

Joseph G. Salas  
JOSEPH G. SALAS

*[Handwritten signature]*

Paul Leonard

*[Handwritten signature]*

Herbert H. Lopez

James C. Lopez

Frank SA Plas

# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-5036

Phone: (671) 4723512

From: PG CORAZ

PO BOX 5125

AGANA, GUAM 96910

Pages: 1, including this cover sheet.

Date: 8/30/98

Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you.

*Handwritten initials and a checkmark.*

RECEIVED  
SEP 03 1998

# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-5036

Phone: (671) 4723512

From: DR. JOHN R. RIDER  
P.O. Box 5290, W.W. Station  
Mangilao, Guam 96923

Pages: 1, including this cover sheet.

Date: 9/3/98

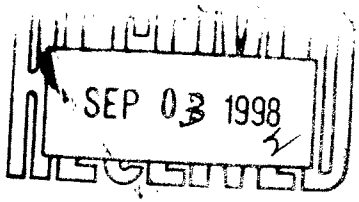
Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you.



# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform  
and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-5036

Phone: (671) 4723512

From: DR. DON RUBINSTEIN  
UNIVERSITY OF GUAM

---

Pages: 1, including this cover sheet.

Date: 9/2/98

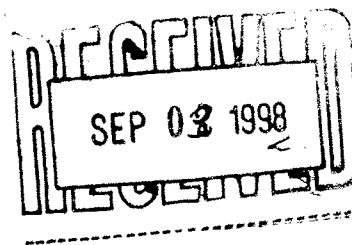
Dear Senator Forbes:

**I support bill 609.**

I would like to urge you to **pass this bill as it is currently written.**

I also urge you to **pass this bill without any other bills attached to it** because of the significance of this bills impact.

Thank you.





# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-5038

Phone: (671) 4723512

From: Charles N. Peters  
\_\_\_\_\_  
\_\_\_\_\_

Pages: 1, including this cover sheet.

Date: Sept. 4, 1998

Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you.

*Please*

# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-5036

Phone: (671) 4723512

From: Tommy Cruz  
Box 21121  
GNIF GU 96921

Pages: 1, including this cover sheet.

Date: 1

Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you.

# FACSIMILE

**To:** Senator Mark Forbes, Chairman - Committee on Rules, Government Reform  
and Federal Affairs

**Of:** Twenty-Fourth Guam Legislature

**Fax:** (671) 477-5036

**Phone:** (671) 4723512

**From:** *Dr. Jacquelyn Milman*  
*University of Guam*  
*College of Education*

**Pages:** 1, including this cover sheet.

**Date:** *Sept. 4, 1998*

Dear Senator Forbes:

**I support bill 609.**

**I would like to urge you to pass this bill as it is currently written.**

**I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.**

Thank you.

*Jacquelyn Milman*

# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform  
and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-5036

Phone: (671) 4723512

From: Jedidiah R. Acfalle JR.  
Bill 609

Pages: 1, including this cover sheet.

Date: Aug 21, 1998

Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you.

# FACSIMILE

**To:** Senator Mark Forbes, Chairman - Committee on Rules, Government Reform and Federal Affairs

**Of:** Twenty-Fourth Guam Legislature

**Fax:** (671) 477-5036

**Phone:** (671) 4723512

**From:** Raquel G. Santos, Teacher at  
Oceanview Middle School  
(H) 789-0432 (W) 565-2961

**Pages:** 1, including this cover sheet.

**Date:** 9/3/98

Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bill's impact.

Thank you.

# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-5036

Phone: (671) 4723512

From: RANDALL JOHNSON  
BOX 5333, UOG STATION  
MANSILLO, GU 96923

Pages: 1, including this cover sheet.

Date: 9-3-98

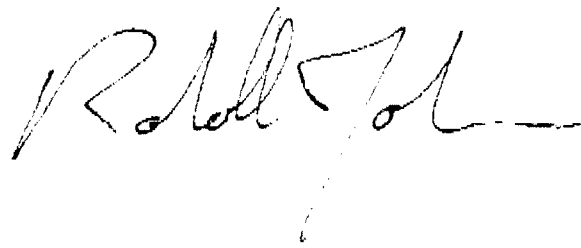
Dear Senator Forbes:

**I support bill 609.**

I would like to urge you to **pass this bill as it is currently written.**

I also urge you to **pass this bill without any other bills attached to it** because of the significance of this bills impact.

Thank you.



# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-5036

Phone: (671) 4723512

From: ANNIE A. QUICHOCHO  
194 N. CHALAN KANTON TASI  
YONA GUAM 96914

Pages: 1, including this cover sheet. 789-1171/1386 (LWK) 789-3637/3656 (M)

Date: 09-04-98

Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you.

*Annie A. Quichocho*

# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform  
and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-5036

Phone: (671) 4723512

From:

Jeana Summers  
Talofof Elementary School

Pages: 1, including this cover sheet.

Date: 8-4-98

Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you.



# FACSIMILE

**To:** Senator Mark Forbes, Chairman - Committee on Rules, Government Reform and Federal Affairs

**Of:** Twenty-Fourth Guam Legislature

**Fax:** (671) 477-5036

**Phone:** (671) 4723512

**From:** *Grace L. Russell*  
*Associate Professor*  
*Guam Community College*

**Pages:** 1, including this cover sheet.

**Date:** *September 8, 1998*

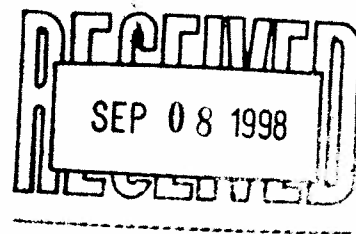
Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you.



P. O. Box 6078  
Merizo, Guam 96916  
September 4, 1998

Senator Mark Forbes, Chairman  
Committee on Rules, Government Reform  
and Federal Affairs  
Twenty-fourth Guam Legislature  
Fax: 477-5036

Pages: 1, including this cover sheet

Dear Senator Forbes:

I support Bill 609. I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bill's impact.

Thank you.

Sincerely,

*Shirley Lien*

Shirley Lien, teacher

RECEIVED  
SEP 08 1998  
RECEIVED

# FACSIMILE

To: *Mark Forbes,*

Of: Twenty-Fourth Guam Legislature

Fax: *477-5036*

From: **CAROL MCCULLOCH  
TEACHER: GEORGE WASHINGTON HIGH SCHOOL  
EMPLOYED BY DOE SINCE 1991  
FAX AND PHONE: 734-0062**

Pages: 1, including this cover sheet.

Date: **AUGUST 26, 1998**

Dear *Senator Forbes,*

**I support bill 609.**

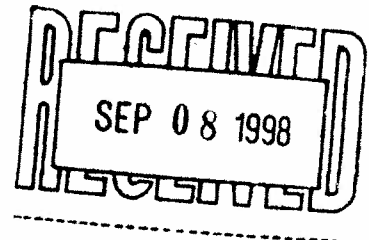
I would like to urge you to **pass this bill as it is currently written.**

I also urge you to pass this bill without any other bills attached to it because of the significance of this bill's impact on GOVERNMENT OF GUAM EMPLOYEES.

Many of us will be watching to see the record of who vetoes this bill and who supports this proposed bill.

Thank you,

*Carol McCulloch*  
Carol McCulloch



# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform  
and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-5036

Phone: (671) 4723612

From: Edo A. Heiser  
Ste. 2-200E, 120 W. O'Brien Dr.  
Agaña, Guam 96910

Pages: 1, including this cover sheet.

Date: 9-2-98

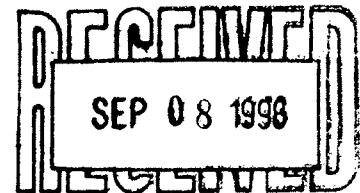
Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bill's impact.

Thank you.



# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-5036

Phone: (671) 4723512

From:

Ronda M. Fictano

C/O GWHS

a teacher of 23 years

Pages: 1, including this cover sheet.

Date:

9-7-98

Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you.

A:\BILL CUNSEATOR MARK FORBES.WPD

# FACSIMILE

**To:** Senator Mark Forbes, Chairman - Committee on Rules, Government Reform  
and Federal Affairs

**Of:** Twenty-Fourth Guam Legislature

**Fax:** (671) 477-5036

**Phone:** (671) 4723512

**From:** Dr. Robert A. Burns  
Chair, English Dept UOG  
UOG Station, Mangilao 96923

**Pages:** 1, including this cover sheet.

**Date:** Sept. 8, 1998

Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you.

*Robert A. Burns*

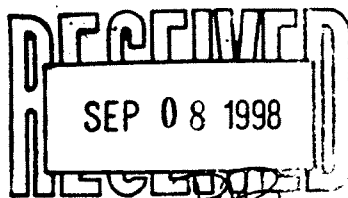
735-2728  
Fax - 734 0012

P.O. Box 2109  
Agana, Guam  
96932  
8-31-98

Senator Mark Forbes:

I am in favor of  
your Bill 609.

Mary Kroll



# FACSIMILE

**To:** Senator Mark Forbes, Chairman - Committee on Rules, Government Reform and Federal Affairs

**Of:** Twenty-Fourth Guam Legislature

**Fax:** (671) 477-5036

**Phone:** (671) 4723512

**From:** Gloria A. Balajadia  
P.O. Box 5298 406  
Mangilao, Gu 98923

**Pages:** 1 including this cover sheet.

**Date:** 9/8/98

Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bill's impact.

Thank you.



# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform  
and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-5036

Phone: (671) 4723512

From: LISA SANTUCCI  
P.O. Box 8168  
AGAT, GUAM 96920

Pages: 1, including this cover sheet.

Date: 9-8-98

Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you.

*Lisa Santucci*

*This information was in my mailbox  
on 9/8 - Today.*

# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform  
and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-5036

Phone: (671) 4723512

From: AL Aboday  
790 NORTH MARINE DR 423  
TUMON, GUAM 96941

Pages: 1, including this cover sheet.

Date: 9-8-98

Dear Senator Forbes:

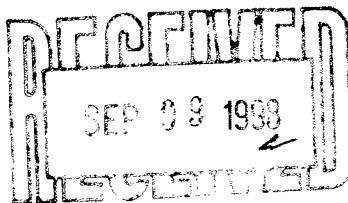
I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you.

*Alvaro Aboday*



# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-5036

Phone: (671) 4723512

From: Michael & Graciella Griffin

Pages: 1, including this cover sheet.

Date: 9/8/98

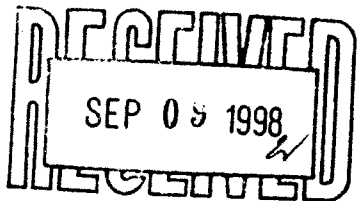
Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you.



# FACSIMILE

**To:** Senator Mark Forbes, Chairman - Committee on Rules, Government Reform and Federal Affairs

**Of:** Twenty-Fourth Guam Legislature

**Fax:** (671) 477-5036

**Phone:** (671) 4723512

**From:** Coreen Leon Guerrero  
P.O. Box 1662  
Agana, Guam 96932

**Pages:** 1, including this cover sheet.

**Date:** 9-8-98

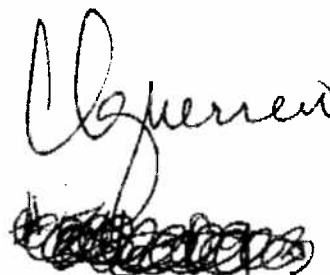
Dear Senator Forbes:

I support bill 609.

I would like to urge you to **pass this bill as it is currently written.**

I also urge you to **pass this bill without any other bills attached to it** because of the significance of this bills impact.

Thank you.



RECEIVED  
 SEP 10 1998  
 RECEIVED

# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-5036

Phone: (671) 4723512

From: Sheryl J. Nix  
PO Box 12849  
Tamuning, Guam 96931

Pages: 1, including this cover sheet.

Date: 9-8-98

Dear Senator Forbes:

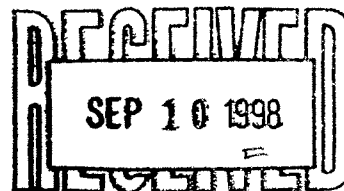
I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you.

*Sheryl J Nix*



# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-5036

Phone: (671) 4723512

From: Arlyn A. Espinosa  
P.O. BOX 10094  
Tamuning, Guam 96931

Pages: 1, including this cover sheet.

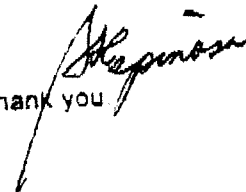
Date: 9/8/98

Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you  


RECEIVED  
 SEP 10 1998  
 RECEIVED

# FACSIMILE

To: Senator Mark Forbes, Chairman - Committee on Rules, Government Reform and Federal Affairs

Of: Twenty-Fourth Guam Legislature

Fax: (671) 477-5036

Phone: (671) 4723512

From: Emma R. Perez  
409 E. Sta. Barbara Ave.  
Dededo, Guam 96912

Pages: 1, including this cover sheet.

Date: 9-8-98

Dear Senator Forbes:

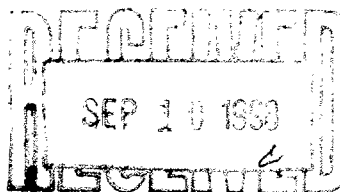
I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you

*Erfermy*



# FACSIMILE

**To:** Senator Mark Forbes, Chairman - Committee on Rules, Government Reform and Federal Affairs

**Of:** Twenty-Fourth Guam Legislature

**Fax:** (671) 477-5036

**Phone:** (671) 4723512

**From:** Elaine D. Ulloa  
P.O. Box 20246 GMF  
Barrigada, Guam 96921

**Pages:** 1, including this cover sheet.

**Date:** Sept. 8, 1998

Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you.

*Elaine D. Ulloa*

**RECEIVED**  
 SEP 10 1998  
**RECEIVED**



# FACSIMILE

**To:** Senator Mark Forbes, Chairman - Committee on Rules, Government Reform  
and Federal Affairs

**Of:** Twenty-Fourth Guam Legislature

**Fax:** (671) 477-5036

**Phone:** (671) 4723512

**From:** MARIA George  
Box 20816  
GMF, 96921

**Pages:** 1, including this cover sheet.

**Date:** Sept 8, '98

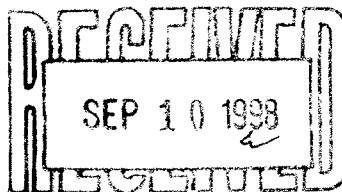
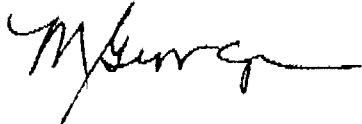
Dear Senator Forbes:

I support bill 609.

I would like to urge you to **pass this bill as it is currently written.**

I also urge you to **pass this bill without any other bills attached to it** because of the significance of this bills impact.

Thank you.



# FACSIMILE

**To:** Senator Mark Forbes, Chairman - Committee on Rules, Government Reform  
and Federal Affairs  
**Of:** Twenty-Fourth Guam Legislature  
**Fax:** (671) 477-5036  
**Phone:** (671) 4723512  
**From:** Teresita L.G. Pereira  
P.O. BOX 743  
Agaña, Gu. 96932  
**Pages:** 1, including this cover sheet.  
**Date:** 9-8-98

Dear Senator Forbes:

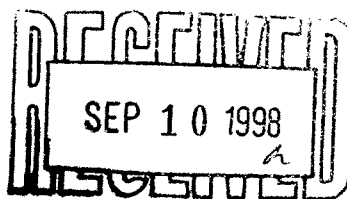
I support bill 609.

I would like to urge you to **pass this bill as it is currently written.**

I also urge you to **pass this bill without any other bills attached to it** because of the significance of this bills impact.

Thank you.

*Teresita L.G. Pereira*



# FACSIMILE

**To:** Senator Mark Forbes, Chairman - Committee on Rules, Government Reform and Federal Affairs

**Of:** Twenty-Fourth Guam Legislature

**Fax:** (671) 477-5036

**Phone:** (671) 4723512

**From:** Estrella Cochoco  
P.O. Box 23421 GMF  
Guam 96921

**Pages:** 1, including this cover sheet.

**Date:** 9-9-98

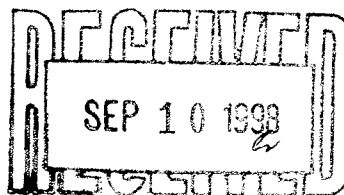
Dear Senator Forbes:

I support bill 609.

I would like to urge you to pass this bill as it is currently written.

I also urge you to pass this bill without any other bills attached to it because of the significance of this bills impact.

Thank you.



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

**BBMR-F7**

Bill Number: 608(COR)  
 Amendatory Bill: No  
 Department/Agency Affected: Guam Retirement Fund  
 Department/Agency Head: John Rios, Director  
 Total FY Appropriation to Date: \$ 29,743,000

Date Received: 04/16/98  
 Date Reviewed: 04/30/98

**Bill Title (preamble):**

*An act to establish incentive programs for early retirement for GovGuam employees as part of a general reorganization effort in the Government of Guam.*

Change in Law: Yes

**Bill's Impact on Present Program Funding:**

Increase \_\_\_\_\_ Decrease \_\_\_\_\_ Reallocation \_\_\_\_\_ No Change \_\_\_\_\_

**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>Autonomous</i>			

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

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

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

ANALYST Christine D.F. Quichocho DATE 4/30/98 DIRECTOR Joseph E. Rivera DATE MAY 16 1998  
*Christine D.F. Quichocho* *Joseph E. Rivera, Acting*

FOOTNOTE: *The proposed legislation introduces a retirement credit in order to qualify for early retirement for employees enrolled in the Defined Benefit Plan. The legislation will probably reduce general fund personnel expenditures for the short term, however, the positions vacated will be eventually filled to maintain the current*

level of government services. Additionally, the bill makes exception to 100% federal positions but not to required local matching federal positions which will result in reduce federal grant expenditures and make future grant awards.

Unless employees actually retire which is not mandatory and prohibited from coming back to the government in a different capacity, the cost savings expected to the general fund will not materialize. On the other hand if the legislation results in quite a few retirees, their will be an additional unfunded impact on the retirement fund due to the mere fact employees will be receiving annuities at a younger age.

*General Fund Appropriation Status*

FY 1998 Adopted Revenues	359,292,790	11
less: Appropriations to date	<u>386,353,359</u>	21
Revenues available for appropriation	<u>(33,060,569)</u>	

11 General Fund revenues adopted in P.L. 94-59 which includes:

7.6 Autonomous Agency Fund  
7.0 Use Tax  
3.2 Customs & Immigration Reimb.  
\$17.8

It should be noted that the actual collection of the \$17.8 in alternative revenues is not likely to be realized. As such, the budgetary shortfall may be increased by the \$17.8 million.

21 Covers appropriations up to P.L. 24 177 inclusive of continuing appropriations for debt service.



**Notice of Public Hearing**

Governor Mark Forbes, Chairman  
 Committee on Rules, Government Reform and Federal Affairs

April 14, 1998

1:00 p.m.

- Bill No. 506- "An act to sections 40101 and 40104 of Title 5, GCA Relative to appointment, number of Mayors and term of office, and to appropriate two hundred twenty-five thousand dollars (\$250,000) from the general fund for its implementation."
- Bill No. 563 "An act to add new §43116, §43117 and §43118 to Title 5, Guam Code Annotated, Relative to the development and implementation of a training program for members of boards and commissions and the creation of a boards and commissions appreciation day."
- Bill No. 571- "An act to add a new section §33 to Chapter 8 Title 1 of the Guam Code Annotated Relative to renaming the Pura Baseball Field in the municipality of Maricao to the George L. Chantanos Baseball Field."
- Bill No. 572- "An act to change the official name of the Agaña Boat Basin to "The Gregorio Duran Perez Boat Basin."
- Bill No. 602- "An act to add a new section §119.1 to 2 GCA Relative to limiting the number of employees of the Guam Legislature."
- Bill No. 604- "An act to establish the Guam Highway Patrol as a permanent division within the Guam Police Department and to mandate manpower levels for the division."
- Bill No. 605- "An act to require the approval of Guam's voters prior to any pay raise for elected officials in Guam taking effect."
- Bill No. 606- "An act to establish a division of municipal police, otherwise designated the division of municipal sheriff, as a permanent division within the Guam Police Department in order to increase police presence in Guam's villages on a permanent basis and help further protect our people against crime."
- Bill No. 607- "An act to authorize the restoration of the Old Legislative Building, the restoration of the Manuel F.L. Guerrero Administration Building and the purchase of permanent office space for the reduced number of senators in the Twenty-fifth Guam Legislature and beyond in lieu of commensurate leasing, thus saving money."
- Bill No. 608- "An act to add a new section §1126 to 2 GCA relative to legislative lapses."
- Bill No. 609- "An act to establish incentive programs for early retirement for gov/Guam employees as part of a general reorganization effort in the government of Guam."
- Bill No. 610- "An act to empower Guam's mayors and establish a municipal government in Guam capable of directly providing efficient service to the people of Guam at the community level."
- Bill No. 611- "An act to eliminate the accrual of annual leave by senators."
- Bill No. 612- "An act to amend section 9 of GCA."

Hearing will take place in the Public Hearing Room,  
 Guam Legislature Temporary Building, Agaña, Guam  
 The Public is Invited to Participate

Pacific Daily News

# Marketing Assistant

We're looking for a candidate with one or two years general marketing experience in a fast paced marketing environment. Successful candidate will be responsible for daily operations of the marketing office. Candidate should have experience in coordination of promotions and print and electronic campaigns and should possess excellent oral and written skills. Experience in creating and maintaining databases and spreadsheets a must. Experience using PowerPoint software preferred. Marketing degree desirable.

We Are Where You Are

Applications may be placed up at the job post desk in PNB Building, Agaña from Monday, May 11, 1998.

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# GHURA

Guam Housing and Urban Renewal Authority  
 Aturidal Ginima' Yan Rinueban Siudet Guahan  
 117 Bleeven Avenue • Sagsana, Guam 96826  
 Phone: (671) 477-9851 • 4 • Fax: (671) 472-7585 • TTY # (671) 472-3701



## NOTICE TO ALL ELIGIBLE APPLICANTS FOR THE FORTY HOMES IN ASAN

Carl T.C. Gutierrez  
 Governor

Madeleine Z. Bordallo  
 Lieutenant Governor

Guam Housing and Urban Authority (GHURA) has scheduled the lottery for the forty (40) homes in Asan for 10:00am, Saturday, April 11, 1998, at the Governor Ricardo J. Bordallo Complex conference room in Adelup. All eligible applicants are urged to attend. If you are unable to attend and wish to send a representative or proxy, please be sure that your representative brings a letter of authorization from you. In addition, because of the limited space in the conference room, we request that you do not bring children to the lottery.

GHURA will make necessary arrangements for persons with disabilities or persons requiring interpreters upon prior notification. Please contact Section 504 Coordinator, Mr. Mike Duenas if such arrangements are needed at 477-9851 thru 477-9854, extension 180 or TTY-472-3701.

For more information regarding the lottery, contact Mr. Ronald Lujan, Community Development Manager, at 477-9851 thru 477-9854, extension 125.

/s/ TALING M. TAITANO  
 Executive Director



# GHURA

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Carl T.C. Gutierrez  
 Governor

Madeleine Z. Bordallo  
 Lieutenant Governor

## REQUEST FOR PUBLIC COMMENT

On the Analysis of Impediments to Fair Housing Choices Real Estate Component

The Guam Housing and Urban Renewal Authority (GHURA) and The Captain Company, a real estate appraisal and consulting company, have completed the second draft report of the Analysis of Impediments to Fair Housing Choices: Real Estate Component. Copies of the report are available for review at:

- The Research, Planning & Evaluation Division, GHURA Main Office, located at 117 Bleeven Avenue, Sagsana. Office hours are Monday through Friday, 8:00 a.m. to 5:00 p.m., and
- The Mayor's Offices throughout the island.

Any individual, group, or agency wishing to comment on the report may submit written comments to the Research, Planning & Evaluation Division, Attention: Rebecca Boja. All comments received by the 13th of April will be considered by GHURA prior to submission of the final report to the U.S. Department of Housing and Urban Development. Comments should specify which aspect of the report they are addressing.

The report examines the existence, nature, extent and causes of Guam's fair housing problems. The report covers public and private policies, practices and procedures affecting housing choices regarding real estate laws and practices. The report will serve as the basis for fair housing planning concerning real estate laws and practices on Guam.

If you should require any special accommodations, please contact the Section 504 Coordinator, Michael Duenas, at 477-9851-4 or 472-3701 (TTY/TDD).

For more information, please contact Rebecca Boja, Planner I, RPAE, at 477-9851-4.

/s/ TALING M. TAITANO  
 Executive Director



# GHURA

Guam Housing and Urban Renewal Authority  
 Aturidal Ginima' Yan Rinueban Siudet Guahan  
 117 Bleeven Avenue • Sagsana, Guam 96826  
 Phone: (671) 477-9851 • 4 • Fax: (671) 472-7585 • TTY # (671) 472-3701



Carl T.C. Gutierrez  
 Governor

Madeleine Z. Bordallo  
 Lieutenant Governor

## PUBLIC NOTICE

ON FRIDAY, MAY 1, 1998 AT 5:00 P.M., GHURA'S PUBLIC HOUSING ASSISTANCE PROGRAM WILL DISCONTINUE ACCEPTING APPLICATIONS FOR THE WAITING LIST. GHURA WILL CONTINUE TO ACCEPT APPLICATIONS FROM FAMILIES THAT MEET ANY OF THE FOLLOWING FOUR (4) PREFERENCES AND CAN SUBMIT CERTIFICATION FROM APPROVED GOVERNMENT AUTHORITIES:

- (1) An applicant who has been involuntarily displaced by fire or natural disaster that results in the uninhabitability of an applicant's unit, provided that certification is submitted to the agency within six (6) months of occurrence of the disaster.
- (2) An eligible family experiencing displacement by domestic violence to avoid reprisals or by hate crimes as described in 24 CFR: 960.213 occurring recently and based on information provided by various law enforcement agencies.
- (3) An applicant who has been involuntarily displaced by an activity carried on by a Federal, state or local governmental body or agency in connection with a code enforcement or a public improvement or development program.

GHURA will make necessary arrangements for persons with disabilities or persons requiring interpreters upon prior notification. Please contact Section 504 Coordinator, Mr. Mike Duenas if such arrangements are needed at telephone numbers 477-9851/2/3/4, extension 160 or TTY 472-3701.

For more information regarding the closing of the waiting list, contact Ms. Rosalie C. Flores, Acting Public Housing Manager at 477-9851/2/3/4, extension 158.

/s/ TALING M. TAITANO  
 Executive Director

# Camp Watkins expansion begins

By **Lalaine Estolla**  
Pacific Daily News

The Camp Watkins Road expansion project will mean delays for commuters, heavy equipment traffic for residents and dusty walkways for pedestrians.

But businessman David Lai is willing to endure about a year of construction outside his popular restaurant because he knows an expanded road will mean better business later on.

"When they're done, it will make my business more exposed," the general manager of the new Shirley's Coffee Shop said yesterday. "And foot traffic will be better than what I have now."

The Department of Public Works and Black Construction Corp. signed a contract and broke ground yesterday to begin expanding Camp Watkins Road, officially named Gov. Carlos Camacho Road, in Tamuning.

Officials hope the \$7 million project will be completed within a year, said Tony Quinata, director of Public Works.

The two-lane road will be spread out to five lanes with sidewalks, as outlined in Gov. Carl Gutierrez's Vision 2001 plan for infrastructure upgrades. The road project calls for new and improved streetlights and eventually landscaping. Quinata said.

Lai of Shirley's Coffee Shop said he's been assured by Public Works officials that two lanes will remain open while the road undergoes construction.

"Even if it does get busy with the construction, I think my customers will go out of their way to get good food," Lai said. "I have a lot of loyal customers who won't let the construction get in their way."

Tamuning resident John Bouchard said he's relieved that Camp Watkins and the perpendicular Farenholt Avenue will be expanded.

He's lived in the area for about 13 years and has seen the neighborhood grow, but not its roads.

The Onward Agana Beach Hotel and several condominiums



**Willing to make the sacrifice:** David Lai of Shirley's in Tamuning discusses the expansion of Camp Watkins Road yesterday.

along Duncas Beach have sprouted up in the area in the past several years, he said.

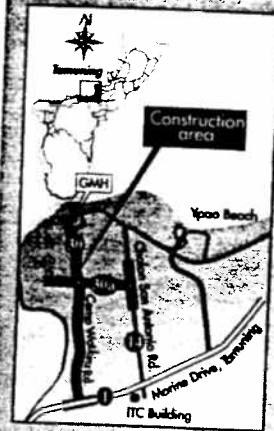
He's noticed ambulances have a harder time getting to and from the hospital during rush hour. Camp Watkins is the major road leading from Marine Drive to Guam

Memorial Hospital.

"The big thing is the safety factor," Bouchard said. "For ambulances and tourists walking on the shoulder, it will be much safer for them."

Sidewalks, he added, will make the area look more like a community. "It will tie it together," he said.

## AT A GLANCE



▲ **What:** The two-lane road will be expanded to five lanes with sidewalks.

▲ **Cost:** \$7 million

▲ **When:** Officials broke ground yesterday. The project is expected to last 410 days.

▲ **Who:** The Department of Public Works awarded the construction contract to Black Construction Corp.

# Bill 609 aims to trim GovGuam's work force

By **Leo Babauta**  
Pacific Daily News

The ponderous, lumbering animal known as the government of Guam needs to shed some weight, according to some officials and government employees.

It's not a new concept, but some senators and government employees said yesterday that a bill to slowly trim the number of government employees has the right intention.

Bill 609, if passed, would impose a government hiring freeze and offer early retirement to some GovGuam employees. The freeze would affect 4,300 positions paid by the General Fund and 4,200 Department of Education jobs, according to the Department of Administration.

Sen. Mark Forbes, the bill's author, said a new law is needed be-

## WHAT'S NEXT

▲ **A public hearing on Bill 609, which would start an early retirement program and put a hiring freeze on the government of Guam, is scheduled for 11 a.m. tomorrow in the conference room of Sen. Mark Forbes**

cause with an ailing economy, the government will take in less and less money.

"With the decrease in business activity, you're going to have a decline in revenues," said Forbes, R-Sinajana. "It's like night following day."

To deal with falling revenues, the government can either raise taxes or

trim costs, and Forbes said his bill aims to cut the government's largest expense — personnel salaries.

Any employee under the government's old retirement plan, the defined benefits plan, can buy up to five years of employment toward retirement. So an employee with 20 years of government service can pay five years worth of employee contributions and retire under a more lucrative 25-year retirement plan.

Felix Duncas Jr., a government employee, said the early retirement plan should be popular among his fellow employees.

"No doubt about it," Duncas said. "I'm pretty sure there's a lot of employees who will jump at this opportunity. I don't see why they wouldn't."

Duncas said his parents took ad-

vantage of a similar early retirement plan the last time one was offered more than 20 years ago. Although he said he would change the bill to say that an employee who buys into the plan must retire, he agrees with the bill's intent.

"The government, I think, is doing the right thing in saying we can't continue to meet our expenses if our revenues decrease," Duncas said.

Jim Friedenbach, a University of Guam professor, agreed.

"Everybody knows the GovGuam payroll is really top heavy," Friedenbach said. "It's hurting us now but three or four years down the line that's going to cause some major problems."

Sen. Felix Camacho, R-Tamuning, said the bill's effect on the retirement fund needs to be

looked at, but said GovGuam should follow the federal government's and private sector's lead.

"GovGuam is the only entity that is continuously growing and spending like there's no end," Camacho said.

To stop hiring, the bill says any position that becomes vacant is automatically eliminated, except for certain key jobs such as teachers, nurses, doctors, policemen and firefighters.

If an agency's director feels the position needs to be filled, the bill would allow the governor to send a request to the Legislature, which could approve the position without a public hearing.

"At least they've got some legislative teeth here, and it's going to be harder for them to just arbitrarily hire people," Friedenbach said.

## Pacific Daily News

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### NEWS

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Observation Post, village news:

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To place a paid obituary, rosary or

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For a free news obituary, call 477-

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**GENERAL INFORMATION**  
Pacific Daily News business hours are 8 a.m. to 5 p.m. Monday through Friday. To call, dial the general number 477-9711 then the extension number when asked.

**MISSED PAPER?**  
Call 475-6320 before 9:30 a.m. Call 477-9711 extensions 507, 511 or 517 from 6:30 a.m. to 5 p.m. Monday through Friday; 6:30 a.m. to 4 p.m. Saturday and from 6:30 a.m. to noon Sunday.

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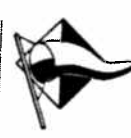
For an updated weather forecast call 711, 477-2991, 477-5992, or listen to NOAA weather radio WXM85 on VHF frequency 162.40 MHz (channel 2). National Weather Service Guam. Homepage: <http://www.mws.noaa.gov/pr/guam>



**Sunrise/Sunset**  
 ▲ Sunrise: 6:07 a.m.  
 ▲ Sunset: 6:34 p.m.



**Tides**  
 ▲ High: 2.1 ft., 9:58 a.m.;  
 ▲ Low: 1.4 ft., 4:43 a.m.;  
 0.1 ft., 5:10 p.m.



**Winds**  
 ▲ Sustained: 10 to 15 mph



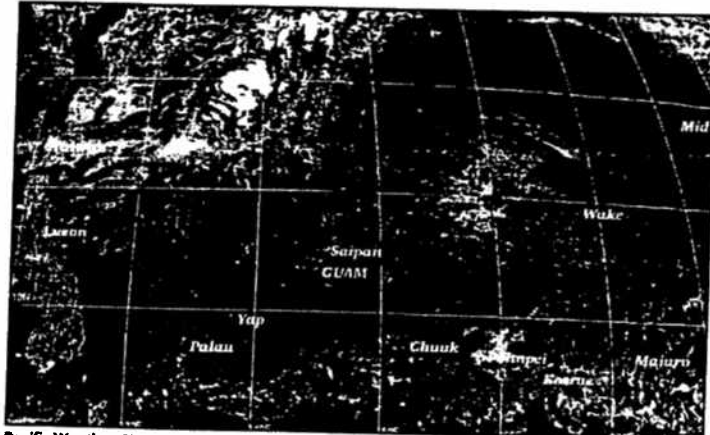
**Rain**  
 ▲ 0.07 inches recorded by NWS yesterday  
 ▲ 1.05 inches mo. total

## Guam Temperatures

Maximum: .....86  
 Minimum: .....77

## Pacific Temperatures

Saipan	80	Partly Cloudy
Palau	84	Mostly Cloudy
Yap	84	Mostly Cloudy
Pohnpei	78	Partly Cloudy
Chuuk	86	Partly Cloudy
Majuro	82	Partly Cloudy
Honolulu	73	Clear
San Diego	53	Clear
Los Angeles	53	Clear
San Francisco	50	Partly Cloudy
Portland	44	Partly Cloudy
Seattle	50	Mostly Cloudy
Seoul	69	Partly Cloudy
Manila	89	Partly Cloudy
Sydney	64	Partly Cloudy
Hong Kong	80	Partly Cloudy
Singapore	91	Partly Cloudy
Taipei	88	Partly Cloudy
Tokyo	64	Partly Cloudy



Pacific Weather: Picture timer: April 15, 4:50 p.m. Showers continue to develop across most of Micronesia south of 7N from Palau to just south of Chuuk, and continue on eastward through Pohnpei to the Dateline. Micronesia continues to experience moderate to strong wind flow due to a strong ridge of high pressure located north of the region. Elsewhere, the upper level disturbance previously mentioned is now located east of Wake Island and continues to generate scattered showers and isolated thundershowers.

## Today's weather

The fire danger rating for today is extremely high. Mostly sunny with a few brief showers. Winds east of 10-15 mph inland and 10-15 knots over open waters. High in the mid 80s. Seas moderate at 3-5 feet. Surf 4-6 feet on northern clockwise through eastern exposures and 2-4 feet elsewhere.

## Tonight

Partly cloudy with isolated showers. Winds east of 10 mph inland and 10-15 knots over open waters. Seas moderate at 4-7 feet. Surf 5-8 feet on northern clockwise through eastern exposures and 2-5 feet elsewhere.

Sunrise tomorrow.....6:07 a.m.  
 Moonset.....9:54 a.m.  
 Moonrise.....11:49 p.m.  
 Moonset tomorrow.....10:44 a.m.

## Outlook

Partly cloudy with isolated showers.

## Refinancing bonds may save \$700K a year, GPA chief says

By Lalaine Estrella  
*Pacific Daily News*

The Guam Power Authority should refinance about \$260 million in bonds to take advantage of lower interest rates, the general manager yesterday.

The utility took out 30-year bonds in 1992 and 1994 to pay for capital improvement projects, said G P A



Unpingco

General Manager Rick Unpingco. The interest rate for the bonds has been more than 6 percent, but a recent study by Goldman, Sachs and Co. indicates the utility could refinance the loans at an interest rate of about 5 percent.

"This is a shot in the arm for GPA as far as cash flow is concerned," Unpingco said.

Refinancing the bonds could save the utility about \$700,000 to \$950,000 a year, or about \$25 million for the remaining lifetime of the bonds, Unpingco said.

The move also could benefit residents next year when the utility plans to raise rates to pay for a new Piti power plant being built by the Houston-based company Enron.

"Now is the time to do this ... we want to take advantage of the rates," Unpingco said.

The GPA board is asking the Legislature to authorize the refinancing, he said.

Unpingco said the move would not mean savings for residents, but a better bond rating for the authority.

"It's a plus for the whole territory, for the General Fund as a whole," Unpingco said. Utility officials hope to have the legislation approved by July 1, he added.

## LOCAL BRIEFS

### New playground for Umatac kids

Children in Umatac will soon have a new playground in their neighborhood. Groundbreaking for the playground, which will be filled with equipment donated by IT&E, is scheduled for noon tomorrow at the Umatac Mayor's Office.

The Umatac site will be designed similar to the other IT&E playgrounds in Agaña, Dededo, Mangilao, Merizzo and Bamigada. Another playground also is being

### Search goes on for 5 Yapese sailors

The U.S. Coast Guard is still looking for five Yapese men lost in a traditional sailing canoe, according to spokesman Lt. j.g. Carl W. Hinshaw.

The men were heading from Woleai Island to Ifalik Island in a 30-foot canoe and were reported missing April 8.

A U.S. Navy plane, Yap-based Pacific Missionary Airways and

the Federated States of Micronesia are assisting in the search.

Authorities have searched more than 74,000 square miles of ocean, he said.

Hinshaw said the sailors could have had enough food and water to still be alive. "If they are conserving those resources, they can last for a while," he said.

He urged sailors to bring adequate safety equipment and to inform friends and family members where they are going and when they are expected to return.

*Pacific Daily News*

## POLICE BLOTTER

### Arrests:

- ▲ John Rivera Toves, 23, of Barrigada was arrested yesterday in connection with aggravated assault, family violence and criminal mischief. He was booked and confined.
- ▲ Jesus San Nicolas Duenas, 55, of Tamuning was arrested yesterday in connection with reckless driving and possession of a controlled substance. He was booked and released.
- ▲ John Stone, 28, of Dededo was arrested yesterday in connection with

warrant of arrest. He was booked and confined.

▲ Joel Kigbag Gaangin, 29, of Agaña Heights was arrested Wednesday in connection with criminal mischief. He was booked and released.

▲ Jeremy Shane Koller, 23, of Yigo was arrested Wednesday in connection with criminal mischief. He was booked and released.

▲ Jason Derek San Agustin, 29, of Dededo was arrested Wednesday in connection with warrant of arrest. He

was booked and confined.

▲ Amanda Añague Jugo, 34, of Mongmong was arrested Wednesday in connection with assault. She was booked and released.

▲ Tommy Frank Agüero, 31, of Mangilao was arrested Wednesday in connection with assault. He was booked and released.

▲ Lin Zhong Ding, 24, of Tamuning was arrested Wednesday in connection with retail theft. He was booked and released.

## TODAY'S GOVERNMENT MEETINGS

**COMMITTEE ON AGRICULTURE, LAND, HOUSING, COMMUNITY & HUMAN DEVELOPMENT:** Oversight hearing 2 p.m., April 17, Legislature's public hearing room, Hågatña.

**Chomorro Land Trust Commission:** residential leases, survey of Chomorro Land Trust lots, Chomorro Land Trust infrastructure, Chomorro Land Trust commercial leases.

**COMMITTEE ON FINANCE & TAXATION:** Public hearing 2 p.m., April 17, Legislature's public hearing room, Hågatña. Bills 566, 601, 603.

**BOARD OF COSMETOLOGY:** Proctor-

ing National-Interstate Council of State Boards of Cosmetology exam April 20 (rescheduled from December 1997 and February 1998), Parc Hotel, Tumon. For more information call 475-0251/2.

**GEDA BOARD OF DIRECTORS:** Special meeting 10 a.m., April 17, Suite 216, ITC Building, 590 S. Marine Drive, Tamuning. MRB resolution; TECP resolution. Those who need special accommodations should call T. Ann Aguan Perez, 647-4332.

**REHABILITATION ADVISORY COUNCIL:** 11 a.m.-1 p.m., April 17, Hilton

Hotel's Chuchuko Room, Tumon. Those who need special accommodations, etc., should call 475-4636/8.

### COMMITTEE ON RULES, GOVERNMENT REFORM & FEDERAL AFFAIRS:

April 16 public hearing rescheduled for 11 a.m., April 17, Sen. Mark Forbes' conference room, Legislature, Hågatña. Bills 506, 563, 571, 572, 602, 605, 609, 611. Public invited. For more information call 472-3512 or -3407.

## READER INFORMATION

The Pacific Daily News, a member of the Gannett group of newspapers, is published daily at 238 Archbishop F.L. Flores St., Agaña, Territory of Guam, USA, P.O. Box DN, Agaña, Guam 96932. Entered as Periodicals Postage Paid at the U.S. Post Office, Agaña, Guam, under Act of Congress of March 3, 1979. POSTMASTER: Send address changes to: The Pacific Daily News, P.O. Box DN, Agaña, Guam 96932. USPS 230-960.

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**BLACK CONSTRUCTION CORPORATION**

If (H) workers are not permitted on this project.

**ATTENTION CONTRACTORS**

The Guam Contractors License Board is now accepting applications for renewal of licenses for the 1999 year. Be reminded that your Contractors License will expire on June 30, 1998. Renewal forms were mailed in March, if you have not received your packet, please visit our office at the Dept. of Public Works Compound, Upper Tumon.

Failure to renew or place your license on inactive status will result in its forfeiture. If you have any questions, contact our Licensing Section at 649-2211/9676 or 646-7262.

**ELIMINATE \$12.00 per hour, 8 years experience required. Apply immediately with Guam Employment Service #807 General Ave., Tunal, Barrigada, Guam.**

**WIRING** Plans layout, install, repairs wiring electrical fixtures, apparatus, and control equipment. Place wire or modified installations to minimize waste of material, provide access for future maintenance, and avoid unsightly, hazardous, and unreliable wiring conditions with specifications and local electrical codes. Prepare accurate drawings involving the use of and systems, or show time-outs or drawings, ensuring that corrected wiring is installed before completion of future walls, ceilings and flooring. Measure, cut, bend, thread, assemble, and install electrical conductors, using tools, such as pliers, wire cutters, and conduit bender. Pull wiring through conduit. Splice wires by stripping insulation from terminal leads, using knife or pliers, twisting or soldering wires together, and applying tape or terminal caps. Connect wiring to existing fixtures and new equipment, using hand tools, relays, and stress-breaker panels, fastened in place with screws or nuts, using hand tools and power tools. Connect power cables to equipment, such as electric range or motor, and install grounding leads. Test continuity of circuit to ensure electrical compatibility and safety of components, using testing instruments, such as ohmmeter, battery and buzzer and ohm scope. Observe functioning of installed equipment or system to detect hazard and need for adjustments, re-connection, or replacement. GMSB D-7: 96018.

**LAM LAM TOURS AND TRANS., INC.**  
 A SUBSIDIARY OF  
**LLT CORPORATION**  
**NEEDS**  
**FULL-TIME BUS DRIVERS**  
 Must have Police, Traffic Court and Medical Clearance

PLEASE APPLY AT  
**Lam Lam Tours & Trans., Inc. Office**  
 117 Huerrero St., Harmon Ind. Park, Tam. 96911  
 See Ms. Maria Carlos, 8:00 a.m. to 5:00 p.m., M-F  
 Deadline for filing of applications: July 3, 1998

Enter the exciting world of telecommunications sales

Are you interested in meeting new people, challenged by your abilities, well spoken, professional and have some sales experience? The Communications Corporation represents the largest sales representation sales force in the Marianas. Become part of an elite sales group marketing Guam's most competitive telecommunication services and services to businesses and residential homes.

Event Sales Representative

Full and Part time positions available. Flexible work schedules during the day, evenings, and weekends (depending on availability). Candidates will have some sales experience, be well motivated, and be willing to work long hours, and be able to close a sale. Salary plus commission for full time positions. Hourly pay plus commission for part time positions.

**PRO Employer - Military dependents welcome**

General Sales Agent for  
**GTE PACIFICA**  
 Sales positions available in the Marianas

Apply at: 415 (Balala San Antonio, Bolei Pavilion, Suite 208  
 Tamuning, GU 96911  
 Call 649-2107/9 or fax 649-2276

**Notice of Public Hearing**  
 Senator Mark Forbes, Chairman  
 Committee on Rules, Government Reform and Federal Affairs

Today's Public Hearing has been postponed until Monday, June 29, 1998

**AGENDA**

At 9:00am, the Committee on Rules, Government Reform & Federal Affairs will hear the following bills:

Bill No. 891 "An act to add a new Article 1 to Chapter 10 of Title 5, Guam Code Annotated relative to the dissemination of public records and information on computer media and via the internet."  
 Bill No. 892 "An act to establish the Guam Highway Patrol as a permanent division within the Guam Police Department and to mandate suspension levels for the division."  
 Bill No. 893 "An act to establish a Division of Municipal Police, otherwise designated the Division of Municipal Police, as a permanent division within the Guam Police Department in order to locate police presence in Guam's villages on a permanent basis and help further protect our people against crime."  
 Bill No. 894 "An act to empower Guam's mayors and establish a municipal government in Guam capable of directly providing additional services to the people of Guam at the community level."  
 Bill No. 895 "An act to add a new §2129 and §2130 to Chapter 2, Title 4 Guam Code Annotated relative to prohibiting lease back incumbents from hiring new unclassified employees following the loss of an election and to add new §2227 and §2228 to Chapter 4 of Title 4, Guam Code Annotated relative to prohibiting salary increases for unclassified employees following the loss of an election or the election has such collection by an incumbent elected official."  
 At 10:00am, the Subcommittee on Code and Penal Statutes will hear the following bills:

Bill No. 876 "An act to provide for mandatory life imprisonment for persons convicted of certain offenses."  
 Bill No. 877 "An act to amend §§70(a) (GCCA), amend §§72(a) (GCCA) relative to the elimination of parole eligibility for offenders sentenced to a term of imprisonment for the commission of a violent crime."  
 Bill No. 881 "An act to amend §244 of Chapter 3 of Title 16 OCA and to add a new §244.1 to Chapter 3 of 16 OCA, relative to requiring the mandatory usage of safety belts on all school buses operated by the government of Guam."  
 Bill No. 879 "An act to place before the people of Guam an initiative proposal to provide for mandatory life imprisonment for persons convicted of certain offenses and to eliminate parole eligibility for offenders sentenced to a term of imprisonment for the commission of a violent crime."  
 Bill No. 897 "An act to amend §§16, 16.40 and 16.90 of Chapter 16 of OCA relative to applying the charges of one and a half homicide to persons who through the illegal sale, distribution or transfer of a controlled substance directly or indirectly cause the death of another person."  
 At 11:00am, the Committee on Rules, Government Reform and Federal Affairs will hear the following bills:

Bill No. 889 "An act to establish incentive programs for early retirement for government employees as part of a general reorganization effort in the government of Guam."

Hearing will take place in the Conference Room  
 Office of Senator Mark Forbes, 1 Lindberghs Gateway  
 Hagåtña, Guam

The Public is Invited to Participate  
 Individuals requiring special accommodations, auxiliary aids or services are asked to contact the Office of Senator Forbes at 473-3312.

**GOVERNMENT OF GUAM**  
 Agaña, Guam 96932

Carl T. C. Gutierrez  
 Governor

Medelina Z. Bordallo  
 Lt. Governor

**DEPARTMENT OF ADMINISTRATION**  
**GOVERNMENT OF GUAM**

**REQUEST FOR PROPOSAL / INVITATION TO BID**  
**GROUP HEALTH INSURANCE PROGRAM**

DOA/PSD-RFP-BH-98-02  
 DOA/PSD-ITB-BH-98-03

The Department of Administration is accepting proposals from interested health insurance companies (including Health Maintenance Organizations), agents or brokers of health insurance companies; licensed to do business on Guam under the laws of Guam to provide the following services for Fiscal Year 1999:

Health insurance coverage to eligible government of Guam active employees, retired employees, survivors of retired employees and covered dependent(s) thereof. The prospective offeror may submit a dental insurance plan when submitted with a dental-only proposal will not be considered.

The Request for Proposal (RFP)/Invitation to Bid (ITB) specification and other pertinent information concerning this RFP are available at the office of the Department of Administration, Division of Personnel Management, Agaña, Guam from Monday thru Friday between 8:00 a.m. and 4:30 p.m., except holidays.

A pre-proposal conference will be held on Monday, June 1, 1998, 2:30 p.m. at the Department of Administration, 11 Street Building 10311, Tunal.

All prospective offerors who are interested in submitting proposals are urged to attend this scheduled pre-proposal conference. Deadline for submission of proposals is Thursday, June 25, 1998 at 2:00 p.m. Guam time.

Should you have any questions regarding the RFP/ITB, please call the Division of Personnel Management at 473-1279/1288.

**/s/MICHAEL J. REIDY**  
 Director of Administration

93 Pacific Daily News, Thursday, June 25, 1998

# Teen leads volunteer effort in nursing home

DEAR ABBY: This is in response to the letter urging people to volunteer in nursing homes. I am 14 years old and an eighth-grader at St. Agnes School in Concord, Calif. Not only can adults volunteer, but teen-agers can also volunteer and bring smiles to senior citizens. I would like to share my experience at our local nursing home.

When I was elected president of the Student Council, one of my goals was to establish an Adopt-a-Senior Program at my school. This would consist of students sharing their time and talents with the elderly. I wanted to make a difference in the lives of others.

During the summer, the vice president of the student body and I visited a number of nursing homes. These nursing homes were interested because a project like this had never been done on a long-term basis. When permission slips went home with students, the re-

sponse was overwhelming: 28 eighth-graders signed up to participate. As a result, we adopted 14 seniors — two students per senior.



Dear Abby

The initial visit with the seniors was special and memorable. Each of us brought a small gift to share with them. We sang songs to break the ice, and soon some of the seniors joined in! We all became friends quickly and formed special bonds.

We now visit the seniors twice a month. During our visits, we sing songs, play bingo, present magic shows and perform skits. Some of the seniors even

dance the "Hokey Pokey" with us! One of them told us that we made life worth living. The number of seniors joining our program grows with every visit. At our last visit, we had more than 30 seniors.

For major holidays, such as Halloween, Thanksgiving, Christmas and Easter, the St. Agnes students made decorations for the seniors at the home — 172 in all. A few eighth-graders delivered the decorations room to room. The residents were happy to see us, and many of them invited us into their rooms to chat. During our Easter delivery, we saw many of the Halloween decorations still hanging on their walls! It has been a heartwarming experience to see how appreciative these seniors are.

Abby, these patients have found a special place in our hearts. The first time we visited, they all looked the same to us; however, now we know each one by his or her name — not

as a "group." Many of them have a great sense of humor. We'll always remember the lessons they have taught us.

Please share this letter with "Grieving in Orange, Texas" so she will know that we understand how she feels. Someday we will all grow old and become dependent on others. — KELLY A. McQUIRK, CONCORD, CALIF.

DEAR KELLY: Congratulations for conceiving such a worthwhile project. The other eighth-graders also deserve credit for helping you to accomplish your goal.

I know that "Grieving" will be pleased to see your letter, and I hope it will spur other teen-agers into action.

Send questions to Dear Abby, P.O. Box 69440, Los Angeles, Calif. 90069, for personal reply please enclose a self-addressed stamped envelope.



## Notice of Public Hearing

Senator Mark Forbes, Chairman  
Committee on Rules, Government Reform and Federal Affairs  
MONDAY JUNE 29, 1998

*At 9:00am, the Committee on Rules, Government Reform & Federal Affairs will hear the following bills:*

- Bill No. 551 "An act to add a new Article 3 to Chapter 10 of Title 5, Guam Code Annotated relative to the dissemination of public records and information on magnetic media and via the internet."  
Bill No. 604 "An act to establish the Guam Highway Patrol as a permanent division within the Guam Police Department and to mandate manpower levels for the division."  
Bill No. 606 "An act to establish a Division of Municipal Police, otherwise designated the Division of Municipal Sheriffs, as a permanent division within the Guam Police Department in order to increase police presence in Guam's villages on a permanent basis and help further protect our people against crime."  
Bill No. 610 "An act to empower Guam's mayors and establish a municipal government in Guam capable of directly providing efficient service to the people of Guam at the community level."  
Bill No. 634 "An act to add a new §2109 and §2110 to Chapter 2, Title 4 Guam Code Annotated relative to prohibiting lame duck incumbents from hiring new unclassified employees following the loss of an election and to add new §6227 and §6228 to Chapter 6 of Title 4, Guam Code Annotated relative to prohibiting salary increases to unclassified employees following the loss of an election or the decision not seek reelection by an incumbent elected official."

*At 11:00am, the Subcommittee on Codes and Penal Statutes will hear the following bills:*

- Bill No. 676 "An act to provide for mandatory life imprisonment for persons convicted of certain felonies."  
Bill No. 677 "An act to amend §80.70(a) 9GCA, amend §80.72(a) 9GCA relative to the elimination of parole eligibility for offenders sentenced to a term of imprisonment for the commission of a violent crime."  
Bill No. 631 "An act to amend §3344 of Chapter 3 of Title 16 GCA and to add a new §3344.1 to Chapter 3 16GCA, relative to requiring the mandatory usage of safety belts on all school buses operated by the government of Guam."  
Bill No. 678 "An act to place before the people of Guam as an initiative a proposal to provide for mandatory life imprisonment for persons convicted of certain felonies and to eliminate parole eligibility for offenders sentenced to a term of imprisonment for the commission of a violent crime."  
Bill No. 637 "An act to amend §16.30, §16.40 and §16.50 of Chapter 16 of 9GCA relative to applying the charges of criminal homicide to persons who through the illegal sale, distribution or transfer of a controlled substance directly or indirectly cause the death of another person."

*At 6:00pm, the Committee on Rules, Government Reform and Federal Affairs will hear the following bill:*

- Bill No. 609 "An act to establish incentive programs for early retirement for govGuam employees as part of a general reorganization effort in the government of Guam."

Hearing will take place in the Conference Room  
Office of Senator Mark Forbes, I Liheslaturan Guåhan  
Hagåtña, Guam

The Public is Invited to Participate

Individuals requiring special accommodations, auxiliary aids or services are asked to contact the Office of Senator Forbes at 472-3512.

### BRIDGE

North 06-27-98			
▲ J 8			
♥ K J 6 5			
♦ Q 7 6 4			
♠ A K Q			
West		East	
▲ K Q 10 9 5 4		♥ 7 6 2	
♥ A 3		♦ 7 2	
♦ A 5		♠ J 10 9 8	
♠ 10 6 5		♣ 8 4 3 2	
South			
▲ A 3			
♥ Q 10 9 8 4			
♦ K 3 2			
♠ J 9 7			
Vulnerable: Both			
Dealer: West			
South	West	North	East
1 ▲	Pass	4 ♥	All pass
3 ♣	Pass	4 ♠	All pass
Opening lead: ▲ K			

### The eyes have it

One of the pictures in this year's cat calendar has three white cats. One has two blue-colored eyes; one has a left blue eye and right yellow eye; the third has a left yellow eye and a right blue eye. Very strange — though no doubt some geneticist could explain it easily enough.

In bridge, the good players keep their eyes open, regardless of their color. They look at each card as it is played. They also keep their ears open, listening closely to the bidding.

In this deal, how do you plan the play in four hearts after West leads the spade king?

Your three-heart advance after partner's takeout double shows some 9-11 points.

Start by checking losers. With one in spades and one in hearts, you must avoid losing two diamond tricks.

In particular when an opponent has bid, once the dummy appears, check the points. Here, there are 16 in the dummy and you have 10. That leaves only 14 for the opponents, yet West opened the bidding. So, he must have the diamond ace. Just hope that it is a singleton or doubleton. If West has ace-third of diamonds, you have no chance against best defense.

After winning with the spade ace, play a trump. Let's assume West leads with his ace, cashes the spade queen, and exits with his final trump. (If West ducks the heart ace, or if you think he started with the singleton ace, you might go for an endplay: Cash two or three of dummy's clubs, then lead a trump to West's ace, hoping he has only spades and diamonds left.) Now you play a diamond to dummy's queen, then duck a diamond on the way back. West's ace dropping onto the table is a sight for watchful eyes!

By Phillip Alder  
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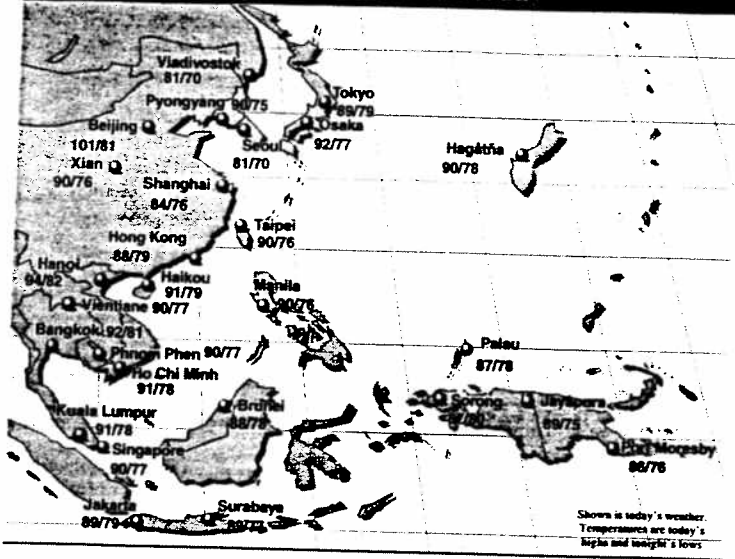
# ALMANAC

For an updated weather forecast call 711, 477-2991, 477-5992, or listen to NOAA weather radio WXMB5 on VHF frequency 162.40 MHz (channel 2) National Weather Service Guam Homepage: <http://www.nws.noaa.gov/pr/guam>

## 5-Day forecast for Guam

Today	UV Index today	Tonight	Monday	Tuesday	Wednesday	Thursday
 Partly sunny and breezy with the chance of showers. Moderate seas; surf 4-6 feet.	<b>5 4 7 8 9</b> 0-3 Minimal, 4-6 Low, 7-8 Moderate, 9-10+ Very High. The higher the UV index number, the greater the need for eye and skin protection. <b>Comfort Index</b> <b>5 6 7 8</b> Rating on a scale of 1-10, where 1 is most comfortable and 10 is most uncomfortable for today, based upon temperature, wind and humidity.	 Partly cloudy; a shower or two possible. Moderate seas; surf 4-6 feet.	 Partly sunny and warm with the chance for a shower or two. Moderate seas; surf 4-6 feet.	 Clouds and limited sun with showers and a gusty wind. Moderate seas; surf 5-7 feet.	 Mixed clouds and sun; breezy with the chance for showers. Moderate seas; surf 4-6 feet.	 Clouds and intervals of sun; breezy; a good chance of showers. Moderate seas; surf 4-6 feet.
High 90 Winds E 12-25		Low 78 Winds E 8-16	High 90, Low 78 Winds E 12-25	High 88, Low 76 Winds NE 15-30	High 88, Low 78 Winds E 15-25	High 88, Low 78 Winds E 12-22

### Pacific forecast for today



Shows today's weather. Temperatures are today's high and tonight's lows.



### World cities

City	Today		Monday		City	Today		Monday			
	Hi	Lo	Hi	Lo		Hi	Lo	Hi	Lo		
Wilmington	84	89	pc	66-53	pc	Nairobi	88	73	90-76	pc	
Baghdad	118	76	s	111	78	sh	Paris	68	50	pc	71-52
Boston	72	58	c	69	50	pc	Rio de Janeiro	74	64	pc	72-61
Bermuda	88	77	pc	84	77	pc	Riyadh	114	79	s	110-82
Copenhagen	69	49	pc	65	52	pc	Rome	90	68	s	88-69
Jerusalem	87	61	s	86	63	pc	Sydney	64	49	s	60-45
Kuwait	119	83	s	115	86	pc	Tel Aviv	88	65	s	80-65
London	66	54	pc	70	52	pc	Toronto	82	64	pc	87-63
Madrid	94	68	s	92	68	pc	Vladivostok	80	65	pc	78-63
Mexico City	78	59	c	80	59	s	Warsaw	79	55	sh	71-55
Moscow	75	59	pc	78	64	pc					

### Micronesia

City	Today		Monday		City	Today		Monday			
	Hi	Lo	Hi	Lo		Hi	Lo	Hi	Lo		
Bikini	87	78	sh	89	80	pc	Palau	87	78	pc	88-79
Chuuk	85	74	r	89	76	pc	Pohnpei	90	78	sh	88-76
Koror	89	79	pc	89	80	pc	Rota	87	74	pc	88-76
Kosrae	88	79	pc	88	80	c	Saipan	84	75	pc	84-77
Kwajalein	87	78	sh	88	80	pc	Tinian	89	76	pc	89-77
Majuro	87	78	sh	87	79	c	Yap	87	78	pc	88-80
Nearu	91	74	pc	91	76	pc					

Weather W: s-sunny, pc-partly cloudy, c-clouds, sh-showers, f-thunderstorms, r-rain, sf-snow flurries, sn-snow, f-ice

### Tides

**Apra Harbor**

	Jun. 28	Jun. 29
First high	9:31 a.m. 2.1 ft.	10:21 a.m. 2.0 ft.
First low	4:41 a.m. 1.4 ft.	5:34 a.m. 1.4 ft.
Second high	11:56 p.m. 2.4 ft.	
Second low	4:38 p.m. -0.1 ft.	5:18 p.m. 0.1 ft.

### Sunrise/sunset

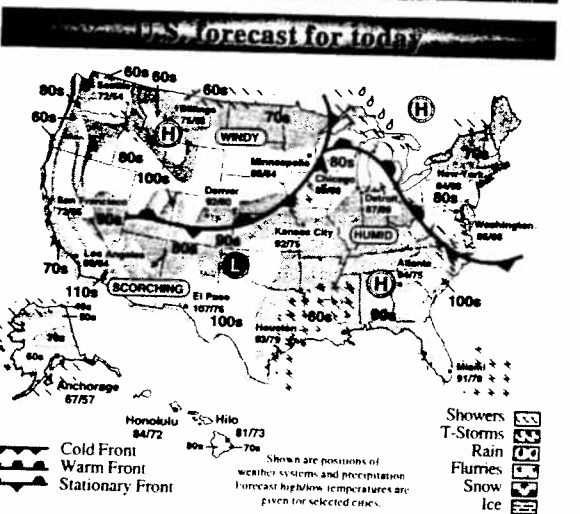
Sunrise today ..... 5:57 a.m.  
Sunset today ..... 6:51 p.m.  
Sunrise tomorrow ..... 5:58 a.m.  
Sunset tomorrow ..... 6:51 p.m.

### Rainfall

Yesterday ..... 0.06"  
Month to date ..... 4.15"  
Year to date ..... 10.89"

### Moon phases

Phase	Date
First	July 2
Full	July 10
Last	July 17
New	July 24



### GOVERNMENT MEETINGS

**Monday**  
**COMMITTEE ON RULES, GOVERNMENT REFORM & FEDERAL AFFAIRS:** 9 a.m., Sen. Mark Forbes' conference room, 1 Uheksauran Guahan, Bldg 551, 604, 606, 610, 634, 6 p.m., Bldg no. 609, Subcommittee on Codes & Penal Statutes public hearing 11 a.m., on Bills 676, 677, 631, 678, 637. For special accommodations call 472-3512.

**Tuesday**  
**COMMISSION ON DECOLONIZATION:** 2 p.m., Governor's conference room, Adelp. For more information call 475-9222.

**SOUTHERN GUAM SOIL & CONSERVATION DISTRICT:** Monthly meeting 7 p.m., Agat community center. For more information call Mildred Flores, 734-3948.

**DEPARTMENT OF PUBLIC HEALTH & SOCIAL SERVICES:** Public hearing 9 to noon, Room 160, Department of Public Health, Mangilao. Medicaid Assistance Program and Medically Indigent Program proposal to increase reimbursement rates for services by private providers across the board. Copies of the proposed MAP and AMP reimbursement are available at the Division of Public Welfare, Bureau of Health Care Financing office, 2nd floor, Room 236, Department of Public Health. For special accommodations call Alyssa Urcongo, 735-7276.

**PORT AUTHORITY OF GUAM BOARD OF DIRECTORS:** 10 a.m., board conference room, Cobras Island, Pk. Agaña. Copies available. For special accommodations call Simone Delos Santos, 477-5931, ext. 430, or pager 720-6056.

**PUBLIC UTILITIES COMMISSION:** Noon, Suite 400, GOC Building. GPA regulatory matters - TECP order. For special accommodations call Monse Leon Guerrero, 472-8868.

**LAND USE COMMISSION:** Meeting continuation 1:30 p.m., Department of Land Management conference room, 3rd floor, Room 320, One Stop Building, Anigua. Tentative

▲ See Government meetings. Page 7

### READER INFORMATION

The Pacific Daily News, a member of the Gannett group of newspapers, is published daily at 238 Archbishop F.L. Flores St., Agaña, Territory of Guam, USA, P.O. Box DN, Agaña, Guam 96932. Entered as Periodicals Postage Paid at the U.S. Post Office, Agaña, Guam, under Act of Congress of March 3, 1979. POSTMASTER: Send address changes to: The Pacific Daily News, P.O. Box DN, Agaña, Guam 96932. USPS 230-980.

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Daily & Sunday: By carrier: \$11.50. By Motor Rl.: \$14.50.	First Class mail to U.S. mainland: Daily & Sunday: \$66.55
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# ALMANAC

For an updated weather forecast call 711, 477-2791, 477-5992, or listen to NOAA weather radio WUAB3 on VHF frequency 162.40 MHz (channel 2). National Weather Service Guam Homepage: <http://www.nws.noaa.gov/pr/guam>

Pacific Daily News, Monday, June 29, 1998

## TODAY FORECAST FOR GUAM

Today	UV Index today	Tonight	Tuesday	Wednesday	Thursday	Friday
<p>Partly sunny, breezy and warm. Moderate seas, surf 3-6 feet.</p> <p>High 90 Winds SE 12-22</p>	<p><b>CAUTION</b> The higher the UV index number, the greater the risk for eye and skin damage.</p> <p><b>Comfort Index</b> Having a range of 1-10 where 1 is the least comfortable and 10 is the most comfortable for most. Based upon temperature, wind and humidity.</p>	<p>Partly cloudy. Moderate seas, surf 3-5 feet, 3-5</p> <p>Low 78 Winds SE 10-18</p>	<p>Clouds and surf with a shower or two around. Moderate seas, surf 4-6 feet.</p> <p>High 88, Low 76 Winds SE 15-25</p>	<p>Clouds and limited sun with showers and a gusty wind. Moderate seas, surf 4-7 feet.</p> <p>High 88, Low 76 Winds E 15-25</p>	<p>Mixed clouds and sun; slight chance for a shower. Moderate seas, surf 4-6 feet.</p> <p>High 90, Low 78 Winds SE 15-25</p>	<p>Partly sunny, breezy and warm. Moderate seas, surf 3-6 feet.</p> <p>High 90, Low 78 Winds SE 12-22</p>

## Regional Forecast for Asia



## World cities

City	Today HI Lo W	Tuesday HI Lo W
Chengde	85 76 a 113 78 sh	87 78 sh
Beijing	120 76 a 113 78 sh	87 78 sh
Bangkok	85 78 sh 87 80 sh	87 78 sh
Calcutta	85 78 sh 87 80 sh	87 78 sh
Delhi	85 78 sh 87 80 sh	87 78 sh
Hong Kong	85 78 sh 87 80 sh	87 78 sh
London	85 78 sh 87 80 sh	87 78 sh
Manila	85 78 sh 87 80 sh	87 78 sh
Paris	85 78 sh 87 80 sh	87 78 sh
Riyadh	85 78 sh 87 80 sh	87 78 sh
Singapore	85 78 sh 87 80 sh	87 78 sh
Tokyo	85 78 sh 87 80 sh	87 78 sh
Washington	85 78 sh 87 80 sh	87 78 sh
Yokohama	85 78 sh 87 80 sh	87 78 sh

## Micronesia

City	Today HI Lo W	Tuesday HI Lo W
Agaña	85 78 sh 87 80 sh	87 78 sh
Chamorro	85 78 sh 87 80 sh	87 78 sh
Guam	85 78 sh 87 80 sh	87 78 sh
Majuro	85 78 sh 87 80 sh	87 78 sh
Palau	85 78 sh 87 80 sh	87 78 sh
Pohnpei	85 78 sh 87 80 sh	87 78 sh
Yap	85 78 sh 87 80 sh	87 78 sh

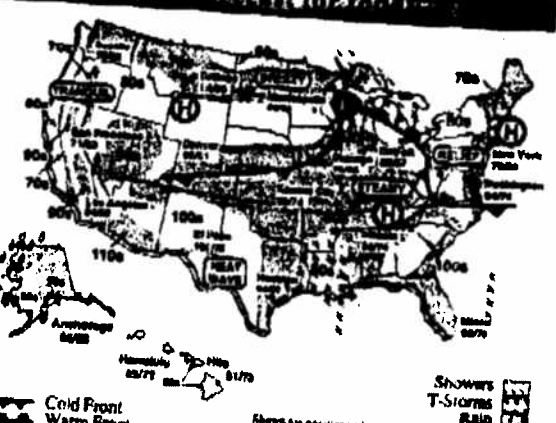
## Tides

Apra Harbor	Jun 29	Jun 30
High tide	10:11 a.m. 39 ft	12:34 a.m. 24 ft
Low tide	5:34 a.m. 14 ft	6:31 a.m. 12 ft
Second low	5:18 p.m. 0 ft	5:08 p.m. 0 ft

## Sunrise/Sunset

Sunrise today	5:58 a.m.
Sunset today	6:51 p.m.
Sunrise tomorrow	5:58 a.m.
Sunset tomorrow	6:52 p.m.
Yesterday	0.00'
Month to date	4.15'
Year to date	10.81'

## Weather Fronts



## GOVERNMENT MEETINGS

**GUAM ELECTION COMMISSION:** Special meeting of noon today at the commission office in Room 200 of the G.O.C. Building in Hagåtña. Copies of the agenda are available at the office. For more information call the commission office at 477-9791.

**COMMISSION ON RULES, GOVERNMENT REFORM & FEDERAL AFFAIRS:** 9 a.m., June 29, San Mark Forbes conference room, 1 Ushatukan Guahan, Hagåtña. Public invited. Bills 551, 604, 606, 610, 634 a.m., 6:30 a.m., 6:07. Subcommittees on Codes & Penal Statute public hearing 11 a.m., on Bills 676, 677, 631, 678, 637. Those with disabilities who need special accommodations, etc. should call 477-3212.

**COMMISSION ON DECOMMISSIONIZATION:** 2 p.m., June 30, Governor's conference room, R.B. complex, Adak. For more information call 475-9222.

**SOUTHERN GUAM SOIL & CONSERVATION DISTRICT:** Public meeting 7 p.m., June 30, Agat community center. Interested people welcome. For more information call Adalberto Flores, 734-3348.

**DEPARTMENT OF PUBLIC HEALTH & SOCIAL SERVICES:** Public hearing 9 to noon, June 30, Room 140 (dental conference room), Department of Public Health, Agaña. Medicaid Assistance Program (MAP) and Medicaid Inpatient Program (MIP) proposal to increase reimbursement rates for services by private providers across the board. Copies of the proposed MAP and MIP rate reimbursement are available at the Division of Public Health, Bureau of Health Care Financing office, 2nd floor, Room 236, Department of Public Health, Mangilao. Those with disabilities who need special accommodations, etc., should call Alyssa Uzuegwa, 735-7276.

**PORT AUTHORITY OF GUAM BOARD OF DIRECTORS:** 10 a.m., June 30, board conference room, Colares Terminal, P.O. Agaña. Copies available. Those with disabilities who need special accommodations, etc. should call Simon Delos Santos, 477-5931, ext. 430, or pager 720-6056.

## READER INFORMATION

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