

JUL 01 1999


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

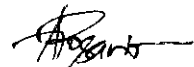
Office of the Speaker  
Antonio R. UNPINGCO  
Date: July 1, 1999  
Time: 10:20  
Received by: [Signature]  
Print Name: Jack  
2525/99-0198

Dear Speaker Unpingco:

Enclosed please find Substitute Bill No. 228 (COR), "AN ACT TO AMEND §12 OF P.L. NO. 24-327, AND §§13 AND 21 OF CHAPTER V, §§25, 26 AND 28 OF CHAPTER III, ALL OF P.L. NO. 25-03, RELATIVE TO LIFTING THE FREEZE ON THE FILLING OF VACANCIES, SUBJECT TO CERTAIN SPENDING LIMITS ON PERSONNEL SERVICES, AT THE UNIVERSITY OF GUAM AND THE GUAM COMMUNITY COLLEGE FOR PURPOSES OF MAINTAINING ACCREDITATION", which was enacted into law without the signature of the Governor. It is now designated as **Public Law No. 25-64.**

Very truly yours,

  
Madeleine Z. Bordallo  
I Maga'lahaen Guåhan, Akto  
Acting Governor of Guam

  
3:25 pm  
7-1-99

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


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

302

MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN  
1999 (FIRST) Regular Session

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

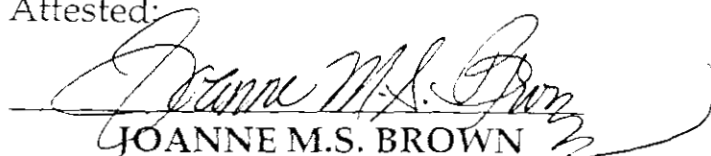
This is to certify that Substitute Bill No. 228 (COR), "AN ACT TO AMEND §12 OF P.L. NO. 24-327, AND §§13 AND 21 OF CHAPTER V, §§25, 26 AND 28 OF CHAPTER III, ALL OF P.L. NO. 25-03, RELATIVE TO LIFTING THE FREEZE ON THE FILLING OF VACANCIES, SUBJECT TO CERTAIN SPENDING LIMITS ON PERSONNEL SERVICES, AT THE UNIVERSITY OF GUAM AND THE GUAM COMMUNITY COLLEGE FOR PURPOSES OF MAINTAINING ACCREDITATION," was on the 17<sup>th</sup> day of June, 1999, 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 18<sup>th</sup> day of June, 1999,  
at 5:50 o'clock P.M.



---

Assistant Staff Officer  
Maga'lahaen's Office

APPROVED:

---

MADELEINE Z. BORDALLO

Akto I Maga'lahaen Guahan  
Acting Governor of Guam

Date: July 1, 1999

Public Law No. 25-64

*Became law without the signature of  
I Maga'lahaen Guahan, the Governor  
of Guam.*

MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN  
1999 (FIRST) Regular Session

**Bill No. 228 (COR)**

As substituted by the  
Committee on Education and  
amended on the Floor.

Introduced by:

L. F. Kasperbauer  
K. S. Moylan  
S. A. Sanchez, II  
F. B. Aguon, Jr.  
E. C. Bermudes  
A. C. Blaz  
J. M.S. Brown  
E. B. Calvo  
M. G. Camacho  
Mark Forbes  
A. C. Lamorena, V  
C. A. Leon Guerrero  
V. C. Pangelinan  
J. C. Salas  
A. R. Unpingco

AN ACT TO AMEND §12 OF P.L. NO. 24-327, AND §§13 AND 21 OF CHAPTER V, §§25, 26 AND 28 OF CHAPTER III, ALL OF P.L. NO. 25-03, RELATIVE TO LIFTING THE FREEZE ON THE FILLING OF VACANCIES, SUBJECT TO CERTAIN SPENDING LIMITS ON PERSONNEL SERVICES, AT THE UNIVERSITY OF GUAM AND THE GUAM COMMUNITY COLLEGE FOR PURPOSES OF MAINTAINING ACCREDITATION.

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

2           **Section 1.** Section 12 of Public Law Number 24-327 is hereby *amended*  
3 to read as follows:

4           **"Section 12.       Application of Hiring Freeze to Autonomous**  
5 **Agencies.** No autonomous agency or instrumentality of the  
6 government of Guam, including the Department of Education and the  
7 Districts, shall cause any vacancy to be filled, nor establish or create any  
8 new position, *except* for positions at the University of Guam and the  
9 Guam Community College, without the expressed consent of *I*  
10 *Liheslaturan Guåhan*. Such consent shall be expressed in the form of a  
11 bill, passed by a majority of the members of *I Liheslaturan Guåhan* and  
12 signed into law by *I Maga'lahen Guåhan*, or otherwise enacted into law.  
13 A bill to fill vacancies in autonomous agencies or to create new  
14 positions for employment in an autonomous agency is subject to the  
15 fast-track procedures detailed in §11 of this Act."

16           **Section 2.** Section 21 of Chapter V of Public Law Number 25-03 is  
17 hereby *amended* to read as follows:

18           **"Section 21.       (a)** Notwithstanding any other provision of  
19 law, including, but *not* limited to, the enabling legislation of any  
20 autonomous agency or public corporation of the government of  
21 Guam, the hiring freeze provisions detailed in §§11, 12 and 13 of  
22 Public Law Number 24-327 shall apply to positions in any and all  
23 government of Guam autonomous agencies or public  
24 corporations, and further to any position which is Federally

1 funded in part or in full, with the exception of positions one  
2 hundred percent (100%) Federally or privately funded at the  
3 University of Guam and the Guam Community College which are  
4 directly associated with grants. Further, any position in the  
5 government of Guam which was vacant as of the fourth (4th) day  
6 of January, 1999, shall be understood to fall within the provisions  
7 of §§11, 12 and 13 of Public Law Number 24-327.

8 Notwithstanding any other provision of law, the authority  
9 of the Guam Civil Service Commission to create new positions  
10 within the government of Guam is hereby suspended until further  
11 legislative action. Further, and notwithstanding any other  
12 provision of law, including, but *not* limited to, the enabling  
13 legislation of any autonomous agency or public corporation of the  
14 government of Guam, the authority of the board of directors, or  
15 similar governing body, of any government of Guam autonomous  
16 agency or public corporation to create FTEs is suspended until  
17 further legislative action.

18 (b) Notwithstanding any other provision of law, §11 of  
19 Public Law Number 24-327 is hereby *amended* to read as follows:

20 **'Section 11. Hiring Freeze and Automatic**  
21 **Repeal of Appropriations and FTEs Upon Vacancy.**

22 The appropriated funding and Full Time  
23 Equivalencies ('FTE') for any position in the government of  
24 Guam, including the Judicial Branch, funded by the General  
25 Fund or any fund appropriated, including the Tourist

1           Attraction Fund, by *I Liheslaturan Guåhan*, except for  
2           positions at the University of Guam and the Guam  
3           Community College, which becomes vacant after the  
4           effective date of this Act for whatever reason, shall be  
5           considered automatically repealed.

6           The following fast-track procedure must be followed in order for a  
7           replacement to be hired. *I Maga'lahaen Guåhan* shall transmit to the Speaker of *I*  
8           *Liheslaturan Guåhan* in bill form a detailed description of the position, or  
9           positions, the funding and FTE of which have been automatically repealed  
10          pursuant to this Section which *I Maga'lahaen Guåhan* wishes to reinstate. The  
11          Speaker of *I Liheslaturan Guåhan* shall submit *I Maga'lahaen Guåhan's* bill to the  
12          Committee on Rules for referral to the appropriate oversight committee. The  
13          requirement for a public hearing of the bill shall be waived, *however*, public  
14          notice *prior to* the consideration of the bill in Session shall be required.

15          An affirmative vote of the majority of Senators shall be required in order  
16          to pass any bill to re-appropriate towards and re-establish an FTE repealed  
17          pursuant to this Section. Only upon the re-appropriation of funds for, and the  
18          re-establishment of, a repealed FTE by action of *I Liheslaturan Guåhan*  
19          pursuant to this Section may any hiring action on the vacant position be  
20          initiated. In the case of an eliminated FTE in the Superior Court of Guam, the  
21          Presiding Judge shall transmit to the Speaker of *I Liheslaturan Guåhan* in bill  
22          form a detailed description of the position, or positions, the funding and FTE  
23          of which have been automatically repealed pursuant to this Section which the  
24          Presiding Judge wishes to reinstate. In the case of an eliminated FTE in the

1 Supreme Court of Guam, the Chief Justice shall transmit to the Speaker of *I*  
2 *Liheslaturan Guåhan* in bill form a detailed description of the position, or  
3 positions, the funding and FTE of which have been automatically repealed  
4 pursuant to this Section, which the Chief Justice wishes to reinstate.

5 In the case of an eliminated FTE in the Mayors' Council of Guam, the  
6 President of the Mayors' Council shall transmit to the Speaker of *I Liheslaturan*  
7 *Guåhan* in bill form a detailed description of the position, or positions, the  
8 funding and FTE of which have been automatically repealed pursuant to this  
9 Section which the President of the Mayors' Council wishes to reinstate."

10 **Section 3.** Section 25 of Chapter III of Public Law Number 25-03 is  
11 hereby *amended* to read as follows:

12 "Section 25. **Appropriations to the University of Guam.**  
13 Notwithstanding the provisions of §10 of Public Law Number 24-289, §2  
14 of Chapter III of Public Law Number 24-59 is hereby *amended* to read as  
15 follows:

16 'Section 2. **Appropriations to the University of**  
17 **Guam.** (a) Twenty-six Million Two hundred Ninety-six  
18 Thousand Eight Hundred Forty-six Dollars (\$26,296,846) is  
19 appropriated from the General Fund to the University of  
20 Guam for its operations.

21 (b) Six Hundred Seventy-nine Thousand Six  
22 Hundred Eighty-four Dollars (\$679,684.00) is appropriated  
23 from the Tourist Attraction Fund ('TAF') to the University of  
24 Guam ('UOG') for the International Tourism Program ('TTP')

1 for Fiscal Year 1998 only. For Fiscal Year 1999 Four  
2 Hundred Thirteen Thousand Four Hundred Five Dollars  
3 (\$413,405.00) is appropriated from the TAF to UOG for the  
4 ITP. The appropriation authorized in this Section shall be  
5 expended pursuant to the intent provided in **Exhibit B**  
6 of this Act.

7 (c) Of the funds appropriated in Paragraphs (a) and  
8 (b) of this Section, no more than Twenty Five Million Dollars  
9 (\$25,000,000) may be spent on personnel services. The  
10 spending limits on personnel services herein shall *not* be  
11 increased by any transfer authority of *I Maga'lahaen Guåhan* or  
12 by act of the Board of Regents.

13 (d) Priority is encouraged that vacancies filled be  
14 academic positions, both instructional and research related.”

15 **Section 4.** Section 26 of Chapter III of Public Law Number 25-03 is  
16 hereby *amended* to read as follows:

17 “Section 26. Appropriations to the Guam Community  
18 College. Notwithstanding the provisions of §10 of Public Law  
19 Number 24-289, §3 of Chapter III of Public Law Number 24-59 is hereby  
20 *amended* to read as follows:

21 ‘Section 3. Appropriations to the Guam Community  
22 College. (a) Nine Million Two Hundred Sixty-eight



1           Thousand Dollars (\$9,268,000) is appropriated from the  
2           General Fund to the Guam Community College for its  
3           operations.

4           (b)    One Million Three Hundred Eighteen Thousand  
5           Four Hundred Dollars (\$1,318,400) is appropriated from the  
6           Tourist Attraction Fund to the Guam Community College  
7           for the School of Business, Social Science and Tourism.

8           (c)    Seven Hundred Thousand Dollars (\$700,000.00)  
9           is appropriated from the Pari-Mutuel Fund to the Guam  
10          Community College for its operations.

11          (d)    Of the funds appropriated in Paragraphs (a), (b)  
12          and (c) of this Section, no more than Nine Million Five  
13          Hundred Thousand Dollars (\$9,500,000) may be spent on  
14          personnel services. The spending limits on personnel  
15          services herein shall *not* be increased by any transfer  
16          authority of *I Maga'lahaen Guahan* or by act of the Board of  
17          Trustees.

18          (e)    Priority is encouraged that vacancies filled be  
19          academic positions, both instructional and research related."

20          **Section 5.** Section 28 of Chapter III of Public Law Number 25-03 is  
21 hereby *amended* to read as follows:

22                **"Section 28.       Clarification of Appropriation for Micronesian**  
23                **Resource File.** The Sum of Fifteen Thousand Dollars (\$15,000.00) is  
24 hereby appropriated from the Pari-Mutuel Fund to the University of

1 Guam for the cataloging of articles for the Micronesian Resource File  
2 ('MRF') at the RFK Library."

3 **Section 6.** Section 13 of Chapter V of Public Law Number 25-03 is  
4 hereby *amended* to read as follows:

5 "Section 13. UOG Scholarships. (a) This provision  
6 applies to the scholarships funded by the appropriations under §2  
7 of Part III of this Act, *Miscellaneous Appropriations*. All Merit  
8 Awards earned by students during the School Year 1998-1999  
9 shall be awarded pursuant to law. Nursing Scholarships shall be  
10 limited to Sixty-six Thousand Dollars (\$66,000.00) for Fiscal Year  
11 1999. Not more than two (2) new doctoral fellowships shall be  
12 awarded during Fiscal Year 1999. Notwithstanding any other  
13 provision of law, there shall be no new scholarships/awards for  
14 the following scholarship programs for the remainder of Fiscal  
15 Year 1999: (1) Off-Island Student Loans; (2) Professional Technical  
16 Awards; and (3) all Scholarships/Awards authorized under the  
17 provisions of Article 5 of Chapter 15 of Title 17 of the Guam Code  
18 Annotated. The total amount authorized for administrative  
19 expenses of the University of Guam for Administration of the  
20 scholarships provided for under §1 of Part III of this Act,  
21 *Miscellaneous Appropriations*, shall *not* exceed the sum of One  
22 Hundred Ninety-five Thousand Six Hundred Fifty-one Dollars  
23 (\$195,651.00). Any excess funds appropriated for scholarships

1 under the provisions of §2 of Part III of this Act shall be used for  
2 new on-Island student loans.

3 (b) Notwithstanding any other provision of law, the Dr.  
4 Antonio C. Yamashita Educator Corps shall *not* require, nor shall  
5 they fund, tuition, fees and stipends for Corpsman to attend  
6 summer school inter-session during the Summer of 1999, *except*  
7 that the Educator Corps Executive Director may approve such  
8 funding for attendance for students who need pre-requisites for  
9 student teaching/internships and other required courses to be  
10 taken during the Fall, 1999 Semester. Because of a lack of  
11 available funds, benefits for Corpsmen authorized to attend  
12 summer school need *not* include stipends."

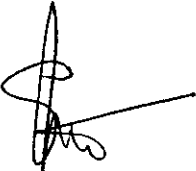
13 **Section 7. Monthly Reporting Requirements.** The University of  
14 Guam and the Guam Community College shall provide the Speaker of *I*  
15 *Liheslaturan Guåhan* with a monthly report detailing the names, salaries and  
16 benefits of positions filled, and the names, salaries and benefits of positions  
17 vacated subsequent to the enactment hereof. Each monthly report shall also  
18 include a detailed status report on each and every accreditation issue, and  
19 what the University of Guam has done in the last thirty (30) days to address  
20 each and every accreditation issue.



**MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN**  
TWENTY-FIFTH GUAM LEGISLATURE  
155 Hesler Street, Hagåtña, Guam 96910

COPY

June 18, 1999

 6/18/99

The Honorable Carl T.C. Gutierrez  
*I Maga'lahen Guåhan*  
*Ufisinan I Maga'lahi*  
*Hagåtña, Guam 96910*

Dear *Maga'lahi* Gutierrez:

Transmitted herewith are Substitute Bill Nos. 226(COR), 228(COR), 230(COR), 234(COR) and 235(COR) which were passed by *I Mina'Bente Singko Na Liheslaturan Guåhan* on June 17, 1999.

Sincerely,



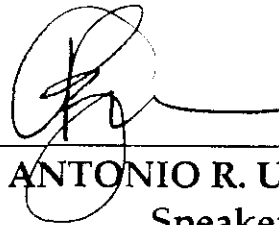
JOANNE M.S. BROWN  
Senator and Legislative Secretary

Enclosure (5)


MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN  
1999 (FIRST) Regular Session

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


This is to certify that Substitute Bill No. 228 (COR), "AN ACT TO AMEND §12 OF P.L. NO. 24-327, AND §§13 AND 21 OF CHAPTER V, §§25, 26 AND 28 OF CHAPTER III, ALL OF P.L. NO. 25-03, RELATIVE TO LIFTING THE FREEZE ON THE FILLING OF VACANCIES, SUBJECT TO CERTAIN SPENDING LIMITS ON PERSONNEL SERVICES, AT THE UNIVERSITY OF GUAM AND THE GUAM COMMUNITY COLLEGE FOR PURPOSES OF MAINTAINING ACCREDITATION," was on the 17<sup>th</sup> day of June, 1999, 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 18<sup>th</sup> day of June, 1999,  
at 5:00 o'clock PM M.

  
Assistant Staff Officer  
*Maga'lahaen's Office*

APPROVED:

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

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

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

MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN  
1999 (FIRST) Regular Session

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

This is to certify that Substitute Bill No. 228 (COR), "AN ACT TO AMEND §12 OF P.L. NO. 24-327, AND §§13 AND 21 OF CHAPTER V, §§25, 26 AND 28 OF CHAPTER III, ALL OF P.L. NO. 25-03, RELATIVE TO LIFTING THE FREEZE ON THE FILLING OF VACANCIES, SUBJECT TO CERTAIN SPENDING LIMITS ON PERSONNEL SERVICES, AT THE UNIVERSITY OF GUAM AND THE GUAM COMMUNITY COLLEGE FOR PURPOSES OF MAINTAINING ACCREDITATION," was on the 17<sup>th</sup> day of June, 1999, duly and regularly passed.

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ANTONIO R. UNPINGCO  
Speaker

Attested:

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

.....  
This Act was received by *I Maga'lahen Guahan* this \_\_\_\_\_ day of \_\_\_\_\_, 1999,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

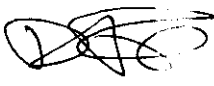
\_\_\_\_\_  
Assistant Staff Officer  
*Maga'lahi's Office*

APPROVED:

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

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

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

  
6/18/99  
1:20pm  
EML  
Laurie

**MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN**  
**1999 (FIRST) Regular Session**

**Bill No. 228 (COR)**

As substituted by the  
Committee on Education and  
amended on the Floor.

Introduced by:

L. F. Kasperbauer

K. S. Moylan

S. A. Sanchez, II

F. B. Aguon, Jr.

E. C. Bermudes

A. C. Blaz

J. M.S. Brown

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**AN ACT TO AMEND §12 OF P.L. NO. 24-327, AND  
§§13 AND 21 OF CHAPTER V, §§25, 26 AND 28 OF  
CHAPTER III, ALL OF P.L. NO. 25-03, RELATIVE TO  
LIFTING THE FREEZE ON THE FILLING OF  
VACANCIES, SUBJECT TO CERTAIN SPENDING  
LIMITS ON PERSONNEL SERVICES, AT THE  
UNIVERSITY OF GUAM AND THE GUAM  
COMMUNITY COLLEGE FOR PURPOSES OF  
MAINTAINING ACCREDITATION.**

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

2           **Section 1.** Section 12 of Public Law Number 24-327 is hereby *amended*  
3 to read as follows:

4           **“Section 12.       Application of Hiring Freeze to Autonomous**  
5 **Agencies.** No autonomous agency or instrumentality of the  
6 government of Guam, including the Department of Education and the  
7 Districts, shall cause any vacancy to be filled, nor establish or create any  
8 new position, *except* for positions at the University of Guam and the  
9 Guam Community College, without the expressed consent of *I*  
10 *Liheslaturan Guåhan*. Such consent shall be expressed in the form of a  
11 bill, passed by a majority of the members of *I Liheslaturan Guåhan* and  
12 signed into law by *I Maga’lahen Guåhan*, or otherwise enacted into law.  
13 A bill to fill vacancies in autonomous agencies or to create new  
14 positions for employment in an autonomous agency is subject to the  
15 fast-track procedures detailed in §11 of this Act.”

16           **Section 2.** Section 21 of Chapter V of Public Law Number 25-03 is  
17 hereby *amended* to read as follows:

18           **“Section 21.**       (a) Notwithstanding any other provision of  
19 law, including, but *not* limited to, the enabling legislation of any  
20 autonomous agency or public corporation of the government of  
21 Guam, the hiring freeze provisions detailed in §§11, 12 and 13 of  
22 Public Law Number 24-327 shall apply to positions in any and all  
23 government of Guam autonomous agencies or public  
24 corporations, and further to any position which is Federally



1 funded in part or in full, with the exception of positions one  
2 hundred percent (100%) Federally or privately funded at the  
3 University of Guam and the Guam Community College which are  
4 directly associated with grants. Further, any position in the  
5 government of Guam which was vacant as of the fourth (4th) day  
6 of January, 1999, shall be understood to fall within the provisions  
7 of §§11, 12 and 13 of Public Law Number 24-327.

8 Notwithstanding any other provision of law, the authority  
9 of the Guam Civil Service Commission to create new positions  
10 within the government of Guam is hereby suspended until further  
11 legislative action. Further, and notwithstanding any other  
12 provision of law, including, but *not* limited to, the enabling  
13 legislation of any autonomous agency or public corporation of the  
14 government of Guam, the authority of the board of directors, or  
15 similar governing body, of any government of Guam autonomous  
16 agency or public corporation to create FTEs is suspended until  
17 further legislative action.

18 (b) Notwithstanding any other provision of law, §11 of  
19 Public Law Number 24-327 is hereby *amended* to read as follows:

20 **'Section 11. Hiring Freeze and Automatic**  
21 **Repeal of Appropriations and FTEs Upon Vacancy.**

22 The appropriated funding and Full Time  
23 Equivalencies (FTE) for any position in the government of  
24 Guam, including the Judicial Branch, funded by the General  
25 Fund or any fund appropriated, including the Tourist

1           Attraction Fund, by *I Liheslaturan Guåhan*, except for  
2           positions at the University of Guam and the Guam  
3           Community College, which becomes vacant after the  
4           effective date of this Act for whatever reason, shall be  
5           considered automatically repealed.

6           The following fast-track procedure must be followed in order for a  
7           replacement to be hired. *I Maga'lahren Guåhan* shall transmit to the Speaker of *I*  
8           *Liheslaturan Guåhan* in bill form a detailed description of the position, or  
9           positions, the funding and FTE of which have been automatically repealed  
10          pursuant to this Section which *I Maga'lahren Guåhan* wishes to reinstate. The  
11          Speaker of *I Liheslaturan Guåhan* shall submit *I Maga'lahren Guåhan's* bill to the  
12          Committee on Rules for referral to the appropriate oversight committee. The  
13          requirement for a public hearing of the bill shall be waived, *however*, public  
14          notice *prior to* the consideration of the bill in Session shall be required.

15          An affirmative vote of the majority of Senators shall be required in order  
16          to pass any bill to re-appropriate towards and re-establish an FTE repealed  
17          pursuant to this Section. Only upon the re-appropriation of funds for, and the  
18          re-establishment of, a repealed FTE by action of *I Liheslaturan Guåhan*  
19          pursuant to this Section may any hiring action on the vacant position be  
20          initiated. In the case of an eliminated FTE in the Superior Court of Guam, the  
21          Presiding Judge shall transmit to the Speaker of *I Liheslaturan Guåhan* in bill  
22          form a detailed description of the position, or positions, the funding and FTE  
23          of which have been automatically repealed pursuant to this Section which the  
24          Presiding Judge wishes to reinstate. In the case of an eliminated FTE in the

1 Supreme Court of Guam, the Chief Justice shall transmit to the Speaker of *I*  
2 *Liheslaturan Guåhan* in bill form a detailed description of the position, or  
3 positions, the funding and FTE of which have been automatically repealed  
4 pursuant to this Section, which the Chief Justice wishes to reinstate.

5 In the case of an eliminated FTE in the Mayors' Council of Guam, the  
6 President of the Mayors' Council shall transmit to the Speaker of *I Liheslaturan*  
7 *Guåhan* in bill form a detailed description of the position, or positions, the  
8 funding and FTE of which have been automatically repealed pursuant to this  
9 Section which the President of the Mayors' Council wishes to reinstate."

10 **Section 3.** Section 25 of Chapter III of Public Law Number 25-03 is  
11 hereby *amended* to read as follows:

12 **"Section 25. Appropriations to the University of Guam.**  
13 Notwithstanding the provisions of §10 of Public Law Number 24-289, §2  
14 of Chapter III of Public Law Number 24-59 is hereby *amended* to read as  
15 follows:

16 **'Section 2. Appropriations to the University of**  
17 **Guam.** (a) Twenty-six Million Two hundred Ninety-six  
18 Thousand Eight Hundred Forty-six Dollars (\$26,296,846) is  
19 appropriated from the General Fund to the University of  
20 Guam for its operations.

21 (b) Six Hundred Seventy-nine Thousand Six  
22 Hundred Eighty-four Dollars (\$679,684.00) is appropriated  
23 from the Tourist Attraction Fund ('TAF') to the University of  
24 Guam ('UOG') for the International Tourism Program ('TTP')

1 for Fiscal Year 1998 only. For Fiscal Year 1999 Four  
2 Hundred Thirteen Thousand Four Hundred Five Dollars  
3 (\$413,405.00) is appropriated from the TAF to UOG for the  
4 ITP. The appropriation authorized in this Section shall be  
5 expended pursuant to the intent provided in **Exhibit B**  
6 of this Act.

7 (c) Of the funds appropriated in Paragraphs (a) and  
8 (b) of this Section, no more than Twenty Five Million Dollars  
9 (\$25,000,000) may be spent on personnel services. The  
10 spending limits on personnel services herein shall *not* be  
11 increased by any transfer authority of *I Maga'lahaen Guåhan* or  
12 by act of the Board of Regents.

13 (d) Priority is encouraged that vacancies filled be  
14 academic positions, both instructional and research related."

15 **Section 4.** Section 26 of Chapter III of Public Law Number 25-03 is  
16 hereby *amended* to read as follows:

17 "Section 26. **Appropriations to the Guam Community**  
18 **College.** Notwithstanding the provisions of §10 of Public Law  
19 Number 24-289, §3 of Chapter III of Public Law Number 24-59 is hereby  
20 *amended* to read as follows:

21 'Section 3. **Appropriations to the Guam Community**  
22 **College.** (a) Nine Million Two Hundred Sixty-eight

1            Thousand Dollars (\$9,268,000) is appropriated from the  
2            General Fund to the Guam Community College for its  
3            operations.

4            (b)    One Million Three Hundred Eighteen Thousand  
5            Four Hundred Dollars (\$1,318,400) is appropriated from the  
6            Tourist Attraction Fund to the Guam Community College  
7            for the School of Business, Social Science and Tourism.

8            (c)    Seven Hundred Thousand Dollars (\$700,000.00)  
9            is appropriated from the Pari-Mutuel Fund to the Guam  
10           Community College for its operations.

11           (d)    Of the funds appropriated in Paragraphs (a), (b)  
12           and (c) of this Section, no more than Nine Million Five  
13           Hundred Thousand Dollars (\$9,500,000) may be spent on  
14           personnel services. The spending limits on personnel  
15           services herein shall *not* be increased by any transfer  
16           authority of *I Maga'lahaen Guåhan* or by act of the Board of  
17           Trustees.

18           (e)    Priority is encouraged that vacancies filled be  
19           academic positions, both instructional and research related."

20           **Section 5.** Section 28 of Chapter III of Public Law Number 25-03 is  
21 hereby *amended* to read as follows:

22           **"Section 28.      Clarification of Appropriation for Micronesian**  
23           **Resource File.** The Sum of Fifteen Thousand Dollars (\$15,000.00) is  
24 hereby appropriated from the Pari-Mutuel Fund to the University of

1 Guam for the cataloging of articles for the Micronesian Resource File  
2 ('MRF') at the RFK Library."

3 **Section 6.** Section 13 of Chapter V of Public Law Number 25-03 is  
4 hereby *amended* to read as follows:

5 "Section 13. UOG Scholarships. (a) This provision  
6 applies to the scholarships funded by the appropriations under §2  
7 of Part III of this Act, *Miscellaneous Appropriations*. All Merit  
8 Awards earned by students during the School Year 1998-1999  
9 shall be awarded pursuant to law. Nursing Scholarships shall be  
10 limited to Sixty-six Thousand Dollars (\$66,000.00) for Fiscal Year  
11 1999. Not more than two (2) new doctoral fellowships shall be  
12 awarded during Fiscal Year 1999. Notwithstanding any other  
13 provision of law, there shall be no new scholarships/awards for  
14 the following scholarship programs for the remainder of Fiscal  
15 Year 1999: (1) Off-Island Student Loans; (2) Professional Technical  
16 Awards; and (3) all Scholarships/Awards authorized under the  
17 provisions of Article 5 of Chapter 15 of Title 17 of the Guam Code  
18 Annotated. The total amount authorized for administrative  
19 expenses of the University of Guam for Administration of the  
20 scholarships provided for under §1 of Part III of this Act,  
21 *Miscellaneous Appropriations*, shall *not* exceed the sum of One  
22 Hundred Ninety-five Thousand Six Hundred Fifty-one Dollars  
23 (\$195,651.00). Any excess funds appropriated for scholarships

1 under the provisions of §2 of Part III of this Act shall be used for  
2 new on-Island student loans.

3 (b) Notwithstanding any other provision of law, the Dr.  
4 Antonio C. Yamashita Educator Corps shall *not* require, nor shall  
5 they fund, tuition, fees and stipends for Corpsman to attend  
6 summer school inter-session during the Summer of 1999, *except*  
7 that the Educator Corps Executive Director may approve such  
8 funding for attendance for students who need pre-requisites for  
9 student teaching/internships and other required courses to be  
10 taken during the Fall, 1999 Semester. Because of a lack of  
11 available funds, benefits for Corpsmen authorized to attend  
12 summer school need *not* include stipends.”

13 **Section 7. Monthly Reporting Requirements.** The University of  
14 Guam and the Guam Community College shall provide the Speaker of *I*  
15 *Lihselaturan Guåhan* with a monthly report detailing the names, salaries and  
16 benefits of positions filled, and the names, salaries and benefits of positions  
17 vacated subsequent to the enactment hereof. Each monthly report shall also  
18 include a detailed status report on each and every accreditation issue, and  
19 what the University of Guam has done in the last thirty (30) days to address  
20 each and every accreditation issue.



**MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN**  
**TWENTY-FIFTH GUAM LEGISLATURE**  
155 Hesler Street, Hagåtña, Guam 96910

June 16, 1999  
( DATE )

**FILE**

Memorandum

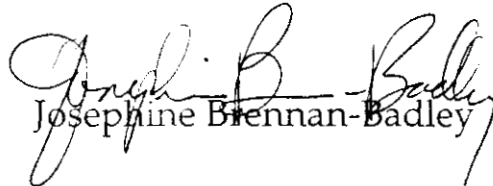
To: Senator LAWRENCE F. KASPERBAUER

From: Clerk of the Legislature

Subject: Report on Bill No. 228 (COR)

Pursuant to §7.04 of Rule VII of the 25<sup>th</sup> Standing Rules, transmitted herewith is a copy of the Committee Report on Bill No. 228 (COR) for which you are the prime sponsor.

Should you have any questions or need further information, please call the undersigned at 472-3464/5.

  
Josephine Brennan-Badley

Attachment

*Handwritten notes:*  
2:10 PM  
6/16/99





SENATOR LAWRENCE F. KASPERBAUER  
 I MINA BENTE SINGKO NA LIHESLATURAN  
 TWENTY-FIFTH GUAM LE  
 Senator Lawrence F. Kasperbauer  
 Chairman, Committee on  
 Education  
 1000 G. Pagan, Suite 106 F  
 Commercial Center  
 Hagatna, Guam 96910  
 Telephone: 475-KIDS  
 Fax: 475-2000  
 e-mail: lkasper@ite.nc  
 webpg: www.kids.com

SENATOR  
 LAWRENCE F. KASPERBAUER  
 I MINA BENTE SINGKO NA LIHESLATURAN  
 TWENTY-FIFTH GUAM LE  
 Senator Lawrence F. Kasperbauer  
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June 15, 1999

The Honorable Antonio R. Unpingco  
 Speaker, I Mina Bente Singko Na Liheslaturan Guahan  
 Hagatna, Guam

Via: Committee on Rules

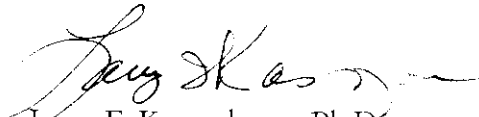
Dear Mr. Speaker:

The Committee on Education, to which I am its Chairman, and was referred **Bill No. 228 (COR)** — AN ACT TO AMEND SECTION 12 OF PUBLIC LAW 24-327 AND SECTIONS 21, 25 AND 26 OF PUBLIC LAW 25-03 RELATIVE TO LIFTING THE FREEZE OF THE FILLING OF VACANCIES, SUBJECT TO CERTAIN SPENDING LIMITS ON PERSONAL SERVICES, AT THE UNIVERSITY OF GUAM AND GUAM COMMUNITY COLLEGE FOR PURPOSES OF MAINTAINING ACCREDITATION, herein reports back with the recommendation TO DO PASS.

Votes of the Committee are as follows:

- To Pass
- Not to Pass
- Abstained
- Off-Island
- Not Available

Sincerely,

  
 Larry F. Kasperbauer, Ph.D.

Attachments



HOUSE OF REPRESENTATIVES  
NORTHERN MARIANA ISLANDS  
SENATOR **Larry F. Kasperbauer**  
Vice Speaker • Chairman, Committee on  
Education  
1000 Commonwealth Center  
San Juan, Guam 96910  
Telephone: 475-3111  
Fax: 475-3111  
E-mail: lkasper@house.gov  
Website: www.house.gov

UNIVERSITY OF THE MARIANAS  
Ph.D.  
Faculty  
475-KIT  
475-2000  
lkasper@unm.edu  
kids.com

June 15, 1999

MEMORANDUM

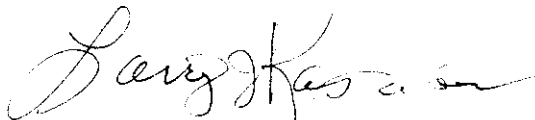
To: All Members  
Committee on Education

From: Vice Speaker

Subject: Voting Sheet

Transmitted herewith is the voting sheet and committee report on **Bill No. 228 (COR)** — AN ACT TO AMEND SECTION 12 OF PUBLIC LAW 24-327 AND SECTIONS 21, 25 AND 26 OF PUBLIC LAW 25-03 RELATIVE TO LIFTING THE FREEZE OF THE FILLING OF VACANCIES, SUBJECT TO CERTAIN SPENDING LIMITS ON PERSONAL SERVICES, AT THE UNIVERSITY OF GUAM AND GUAM COMMUNITY COLLEGE FOR PURPOSES OF MAINTAINING ACCREDITATION., for your review and signature.

Your attention to this matter is greatly appreciated.

  
Larry F. Kasperbauer, Ph.D.

Attachments

COMMITTEE ON EDUCATION  
 I Mina' Bente Singko Na Liheslaturan Guåhan  
 155 Hesler Street · Hagåtña, Guam 96910

Chairman: Vice Speaker Lawrence F. Kasperbauer	Vice-Chairperson: Senator Joanne M.S. Brown
Ex-Officio Member: Speaker Antonio R. Unpingco	

VOTING SHEET ON:

**Bill No. 228 (COR)** — AN ACT TO AMEND SECTION 12 OF PUBLIC LAW 24-327 AND SECTIONS 21, 25 AND 26 OF PUBLIC LAW 25-03 RELATIVE TO LIFTING THE FREEZE OF THE FILLING OF VACANCIES, SUBJECT TO CERTAIN SPENDING LIMITS ON PERSONAL SERVICES, AT THE UNIVERSITY OF GUAM AND GUAM COMMUNITY COLLEGE FOR PURPOSES OF MAINTAINING ACCREDITATION.

<u>COMMITTEE MEMBERS</u>	<u>INITIAL</u>	<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>ABSTAIN</u>	<u>TO PLACE IN INACTIVE FILE</u>
Vice Speaker Lawrence F. Kasperbauer <i>Chairman</i>	<u>LFK</u>	<u>X</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
Sen. Joanne M.S. Brown <i>Vice-Chairperson</i>	<u>JMB</u>	<u>✓</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
Speaker Antonio R. Unpingco <i>Ex-Officio</i>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
Sen. Frank Blas Aguon, Jr. <i>Member</i>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
Sen. Eulogio C. Bermudes <i>Member</i>	<u>ECB</u>	<u>X</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
Sen. Anthony C. Blaz <i>Member</i>	<u>ACB</u>	<u>✓</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
Sen. Edward B. Calvo <i>Member</i>	<u>EC</u>	<u>✓</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
Sen. Mark Forbes <i>Member</i>	<u>MF</u>	<u>✓</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
Sen. Kaleo Scott Moylan <i>Member</i>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
Sen. Simon A. Sanchez, II <i>Member</i>	<u>SAS</u>	<u>✓</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>

**MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN**  
**Committee on Education**

**Vice Speaker Lawrence F. Kasperbauer, Chairperson**

**Committee Report On**

- Bill No. 228 (COR) — AN ACT TO AMEND SECTION 12 OF PUBLIC LAW 24-327 AND SECTIONS 21, 25 AND 26 OF PUBLIC LAW 25-03 RELATIVE TO LIFTING THE FREEZE OF THE FILLING OF VACANCIES, SUBJECT TO CERTAIN SPENDING LIMITS ON PERSONAL SERVICES, AT THE UNIVERSITY OF GUAM AND GUAM COMMUNITY COLLEGE FOR PURPOSES OF MAINTAINING ACCREDITATION.

**I. OVERVIEW**

The Committee Education held a public hearing on Tuesday, June 14 1999 at 8:30 a.m. and Wednesday, June 15, 1999 at I Liheslaturan Public Hearing Room. Public Notice of the hearing was announced in the June 9 and 12, 1999 issues of the Pacific Daily News.

**Committee Members Present:**

Vice Speaker Lawrence F. Kasperbauer, Chairperson  
Senator Eulogio C. Bermudes  
Senator Mark Forbes  
Senator Simon A. Sanchez

**Other Senators Present:**

Senator Vicente C. Pangelinan

**Providing Testimony on the Bill:**

**Western Association of Schools and Colleges**

Dr. Judie Gaffin Wexler, Associate Executive Director

**University of Guam**

Dr. David L.G. Shimizu, Chairman, Board of Regents  
Jesse A. Leon Guerrero, Member, Board of Regents  
Dr. Mary Spencer, Dean, College of Arts & Sciences

Dr. Judith P. Guthertz, Acting President (June 14, 1999)  
Dr. Richard Wyttenbach-Santos, Acting President (June 15, 1999)  
Dr. Mary Spencer, Dean, College of Arts & Sciences  
Dr. James Craig, Dean, College of Education  
Leah Beth Flores, President, Student Government Association  
Marissa Blas, Secretary, Student Government Association  
Mr. Keith R. Jenkins, Student  
Mr. Francis Toves, Former Student

**Guam Community College**

Dr. Rosa Carter, Acting Chairperson, Board of Trustees.  
John T. Cruz, President  
Dr. John Rider, Academic Vice President

**Guam Federation of Teachers**

Dr. Donald L. Platt, Chairman, \* UOG/GFT Faculty Union Executive Board

UOG/GFT - University of Guam/Guam Federation of Teachers

## II. Testimony

**Dr. Judie Gaffin Wexler, Associate Executive Director of the Western Association of Schools and Colleges.** Wexler submitted written testimony stating that provisions in current budget laws adversely affect the accreditation standing of the University of Guam. Wexler said that UOG must not be forced to adhere to approval to an external entity in its recruitment efforts.

**Jesse A. Leon Guerrero, Member, University of Guam Board of Regents.** Leon Guerrero was present and provided written and oral testimony in favor of the bill on behalf of the UOG Board of Regents. Leon Guerrero said that the Bill provides corrective redress to the threats imposed by Public Law 25-03 as it affects the university's autonomy and standards of accreditation. Guerrero also mentioned that communication by and between the university and the legislature was established since February. Leon Guerrero said that a letters from Wexler, Dr. Judie Gaffin Wexler, reinforces the university's position on Public Law 25-03, which the bill addresses.

**Dr. Judith P. Guthertz, Acting President (June 14, 1999), University of Guam.** Guthertz was present and provided written and oral testimony in favor of the bill. Guthertz said the university's administration supports without reservation, the passage of the bill. Guthertz referred to the passage of the bill -as corrective action towards the preservation of the autonomy of the University of Guam.

**Dr. Donald L. Platt, Chairman, UOG/GFT Faculty Union Executive Board, Guam Federation of Teachers.** Platt presented oral and written testimony in favor Bill No 228 (COR) which stated that at issue is the responsibility of the University of Guam Board of Regents to determine the academic structure of the university. Platt said that the hiring freeze and the “fast-track” procedures imposed by Public Law 25-03 undermines such authority. Platt said that UOG and GCC are institutions of higher education and therefore must retain external accreditation to function. Platt said that a degree from an unaccredited institution is, unfortunately, of little value, even if the education students receive is excellent.

**Dr. James Craig, Dean, University of Guam College of Education.** Craig, who is also the Chairman of the University’s Administrative Council, was present and provided oral testimony in favor of the bill. Craig, in his testimony gave a historical perspective of the developments transpiring in the early Eighties when the university was in serious jeopardy of losing its accreditation. Craig headed a task force at the university at the time to reverse WASC’s imposition of a “show cause” upon UOG to end its accreditation.

**Dr. Mary Spencer, Dean, University of Guam College of Arts & Sciences.** Spencer, who is also the university’s accreditation liaison officer, was present and provided oral testimony in favor of the bill. Spencer said that the university was anticipating accreditation team’s visit early next year during which academic autonomy would not have to be a focus emphasized in the visit. However, because of Wexler’s letters, Spencer said that she is concerned UOG will have to spend considerable time building the team’s confidence in the university’s academic autonomy. Spencer said the bill would help alleviate such concerns particularly in the areas of academic independence and governance. In addition to the inability of students being able to transfer credits from the university to other institutions of higher education should UOG lose its accreditation, funds would be lost from other sources besides the Government of Guam. With UOG as an “economic engine”, Guam stands to lose substantially.

**Mr. Keith R. Jenkins, Student, University of Guam.** Jenkins was present and provided oral testimony in favor of the bill. As a disabled veteran, Jenkins said he will lose assistance from a federal program which pays for his schooling at the university if accreditation is lost.

**Dr. Rosa Roberto Carter, Acting Chairperson, Guam Community College Board of Trustees.** Carter was not present but submitted written

testimony in favor of Bill No. 228 (COR), signed on behalf of and by other members of the board. The letter stated that the lack of accreditation or any threat of losing accreditation would adversely impact the mission, viability and survival of the Guam Community College.

**Mr. John T. Cruz, President, Guam Community College.** Cruz was not present but provided written testimony in favor of the bill. Dr. John Rider, the Academic Vice President of Guam Community College, was present to and elaborated on Cruz's testimony on behalf of GCC. Cruz stated that while it is true that such laws as Public Laws 24-327 and 25-03 challenge some accrediting standards, the real issue is one of practicality and meeting GCC's provisions of the regional mission "with the resources provided." Cruz said the two laws are cumbersome, bureaucratic and could take months to accomplish, in the meantime preventing GCC from delivering needed courses to students. **Dr. John Rider, the Academic Vice President of Guam Community College,** elaborated on Cruz's testimony on behalf of GCC.

**Senator Mark Forbes** requested more information, at which point the chair called for a recess in order for the University of Guam and Guam Community College personnel to prepare responses.

### Continuation of Hearing June 15, 1999

The **Chairman** reconvened the Committee on Education hearing on Bill No. 228 (COR) at 8:30 a.m. Tuesday, June 15, 1999 at I Liheslaturan Public Hearing Room.

Discussion revolved around the central issue of UOG autonomy as it relates to standards established by the Western Association of Schools and Colleges (WASC). Specific items discussed included an attempt to more clearly define the nature and roles of external funding sources and the degree to which each have and may impose constraints upon the University's use of support funding, all within the context of WASC Standard 3A. Discussion also included UOG's standing as an independent entity given that it is a creature of the Legislature with a board of regents empanelled through gubernatorial appointment requiring legislative consent; also, that appropriations by the Legislature for specific projects and programs have occurred as a matter of course irrespective of WASC Standards.

MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN  
1999 (FIRST) Regular Session

Bill No. 228 (COR)  
As Substituted by the  
Committee on Education

Introduced by:

L.F. Kasperbauer  
K.S. Moylan  
S.A. Sanchez, II

**AN ACT TO AMEND SECTION 12 OF PUBLIC LAW 24-327 AND SECTIONS 21, 25, 26 AND 28 OF CHAPTER II AND SECTION 13 OF CHAPTER V OF PUBLIC LAW 25-03 RELATIVE TO LIFTING THE FREEZE ON THE FILLING OF VACANCIES, SUBJECT TO CERTAIN SPENDING LIMITS ON PERSONNEL SERVICES, AT THE UNIVERSITY OF GUAM AND GUAM COMMUNITY COLLEGE FOR PURPOSES OF MAINTAINING ACCREDITATION.**

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

**Section 1. Repeal of Restrictions on Hiring of Faculty and Administrators.** Section 12 of Public Law 24-327 is hereby amended to read:

**“Section 12. Application of Hiring Freeze to Autonomous Agencies.** No autonomous agency or instrumentality of the government of Guam, including the Department of Education and the Districts, shall cause any vacancy to be filled, nor establish or create any new position, except for positions at the University of Guam and the Guam Community College, without the expressed consent of *Liheslaturan Guahan*. Such consent shall be expressed in the form of a bill,



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

6  
7 **Section 2. Repeal of Restrictions on hiring for faculty and**  
8 **administrators at UOG and GCC and for privately funded positions.** Section  
9 21 of Public Law 25-03 is hereby amended to read

10  
11 **Section 21.** (a) Notwithstanding any other provision of law,  
12 including, but not limited to, the enabling legislation of any autonomous agency or  
13 public corporation of the government of Guam, the hiring freeze provisions  
14 detailed in §§11, 12 and 13 of Public Law Number 24-327 shall apply to positions  
15 in any and all government of Guam autonomous agencies or public corporations,  
16 and further to any position which is Federally funded in part or in full, with the  
17 exception of positions one hundred percent (100%) Federally or privately funded  
18 at the University of Guam and the Guam Community College which are directly  
19 associated with ~~research~~ grants. Further, any position in the government of Guam  
20 which was vacant as of the fourth (4<sup>th</sup>) of January, 1999 shall be understood to fall  
21 within the provisions of §§11, 12 and 13 of Public Law Number 24-327. Further,  
22 notwithstanding any other provision of law, the authority of the Guam Civil  
23 Service Commission to create new positions within the government of Guam is  
24 hereby suspended until further legislative action. Further, and notwithstanding  
25 any other provision of law, including, but not limited to, the enabling legislation  
26 of any autonomous agency or public corporation of the government of Guam, the

1 authority of the board of directors, or similar governing body, of any government  
2 of Guam autonomous agency or public corporation to create FTEs is suspended  
3 until further legislative action.

4 (b) Notwithstanding any other provision of law, §11 of Public Law  
5 Number 24-327 is hereby *amended* to read as follows:

6 “Section 11. Hiring Freeze and Automatic Repeal of  
7 Appropriations and FTEs Upon Vacancy. The appropriated  
8 funding and Full-Time Equivalencies ('FTE') for any position in the  
9 government of Guam, including the Judicial Branch, funded by the  
10 General Fund or any fund appropriated, including the Tourist  
11 Attraction Fund, by *I Liheslaturan Guåhan*, except for positions at  
12 the University of Guam and the Guam Community College, which  
13 becomes vacant after the effective date of this Act for whatever  
14 reason, shall be considered automatically repealed.

15 The following fast-track procedure must be followed in order  
16 for a replacement to be hired. *I Maga'lahen Guåhan* shall transmit to  
17 the Speaker of *I Liheslaturan Guåhan* in bill form a detailed  
18 description of the position, or positions, the funding and FTE of  
19 which have been automatically repealed pursuant to this Section  
20 which *I Maga'lahen Guåhan* wishes to reinstate. The Speaker of *I*  
21 *Liheslaturan Guåhan* shall submit *I Maga'lahen Guåhan's* bill to the  
22 Committee on Rules for referral to the appropriate oversight  
23 committee. The requirement for a public hearing of the bill shall be  
24 waived, *however*, public notice prior to the consideration of the bill in  
25 Session shall be required. An affirmative vote of the majority of  
26 Senators shall be required in order to pass any bill to re-appropriate

Other issues touched upon include the ratio of administrators to faculty and staff compared with other universities of like nature, sources and use of funds, and other specific issues the university faces apropos to accreditation. As the recruitment authority the bill authorizes for the purposes of accreditation for both UOG and GCC, is a power that no other agency has steps must be take to ensure the overall financial integrity of the Government of Guam is not placed in jeopardy. Therefore provisions that require the reporting of recruitment and terminations and cost involved are included in a substitute bill.

Several individuals connected to the University of Guam brought up parallel issues such as the an appropriation in P.L. 25-03 to the Micronesian Area Research Center (MARC) for \$15,000 that should have been to RFK Library and a restriction against Regent Scholarship Awards. These provisions are also included in the substitute version.

### III. Findings and Recommendation

The Committee on Education having considered testimony and documentation provided and dialogue with the leadership of the University of Guam and the Guam Community College, being in agreement that the continued accreditability of the University of Guam and the GCC is of vital importance to our island, further agrees that the issues of accreditation set the institutions apart from the general government agencies. Accordingly, the manner by which the Legislature has sought to ensure accountability and fiscal responsibility in the government of Guam adversely affects the two institutions' standing with WASC. Some other mechanism, therefore, must be affected to the same end, but within WASC standards.

Time being of the essence, the Committee recommends that Bill No. 228 (COR) be reported out of committee immediately with the recommendation **TO DO PASS.**

1 towards and re-establish an FTE repealed pursuant to this Section.  
2 *Only* upon the re-appropriation of funds for, and the re-establishment  
3 of, a repealed FTE by action of *I Liheslaturan Guåhan* pursuant to  
4 this Section may any hiring action on the vacant position be initiated.  
5 In the case of an eliminated FTE in the Superior Court of Guam, the  
6 Presiding Judge shall transmit to the Speaker of *I Liheslaturan*  
7 *Guåhan* in bill form a detailed description of the position, or  
8 positions, the funding and FTE of which have been automatically  
9 repealed pursuant to this Section which the Presiding Judge wishes to  
10 reinstate. In the case of an eliminated FTE in the Supreme Court of  
11 Guam, the Chief Justice shall transmit to the Speaker of *I*  
12 *Liheslaturan Guåhan* in bill form a detailed description of the  
13 position, or positions, the funding and FTE of which have been  
14 automatically repealed pursuant to this Section which the Chief  
15 Justice wishes to reinstate.

16 In the case of an eliminated FTE in the Mayors Council of  
17 Guam, the President of the Mayors Council shall transmit to the  
18 Speaker of *I Liheslaturan Guåhan* in bill form a detailed description  
19 of the position, or positions, the funding and FTE of which have been  
20 automatically repealed pursuant to this Section which the President of  
21 the Mayors Council wishes to reinstate.”

22  
23 **Section 3.** Sections 25 and 26 of Public Law 25-03 are hereby amended to  
24 read:  
25

1           **Section 25.           Appropriations to the University of Guam.**

2 Notwithstanding the provisions of §10 of Public Law Number 24-289, §2 of  
3 Chapter III of Public Law Number 24-59 is hereby *amended* to read as follows:

4           **“Section 2.           Appropriations to the University of Guam.**

5                   (a) Twenty-six Million Two hundred Ninety-six Thousand  
6 Eight Hundred Forty-six Dollars (\$26,296,846) is appropriated from  
7 the General Fund to the University of Guam for their operations.

8                   (b) Six Hundred Seventy-nine Thousand Six Hundred  
9 Eighty-four Dollars (\$679,684.00) is appropriated from the Tourist  
10 Attraction Fund ('TAF') to the University of Guam ('UOG') for the  
11 International Tourism Program ('ITP') for Fiscal Year 1998 only. For  
12 Fiscal Year 1999 Four Hundred Thirteen Thousand Four Hundred  
13 Five Dollars (\$413,405.00) is appropriated from the TAF to UOG for  
14 the ITP. The appropriation authorized in this Section shall be  
15 expended pursuant to the intent provided in **Exhibit B** of this  
16 Act.”

17                   (c) Of the funds appropriated in paragraphs (a) and (b) of  
18 this Section, no more than Twenty Five Million Dollars  
19 (\$25,000,000) may be spent on personnel services. The spending  
20 limits on personnel services herein shall not be increased by any  
21 transfer authority of I Maga'lahen Guåhan or by act of the Board of  
22 Regents.

23           **Section 26.           Appropriations to the Guam Community College.**

24 Notwithstanding the provisions of §10 of Public Law Number 24-289, §3 of  
25 Chapter III of Public Law Number 24-59 is hereby *amended* to read as follows:

1           **“Section 3. Appropriations to the Guam Community**  
2 **College.** (a) Nine Million Two Hundred Sixty-eight Thousand  
3 Dollars (\$9,268,000) is appropriated from the General Fund to the  
4 Guam Community College for its operations.

5           (b) One Million Three Hundred Eighteen Thousand Four  
6 Hundred Dollars (\$1,318,400) is appropriated from the Tourist  
7 Attraction Fund to the Guam Community College for the School of  
8 Business, Social Science and Tourism.

9           (c) Seven Hundred Thousand Dollars (\$700,000.00) is  
10 appropriated from the Pari-mutuel Fund to the Guam Community  
11 College for its operations.

12           (d) Of the funds appropriated in paragraphs (a), (b) and (c)  
13 of this Section, no more than Nine Million Five Hundred Thousand  
14 Dollars (\$9,500,000) may be spent on personnel services. The  
15 spending limits on personnel services herein shall not be increased by  
16 any transfer authority of I Maga’lahen Guåhan or by act of the Board  
17 of Trustees.”

18  
19           **Section 3. Clarification of Appropriation for Micronesian**  
20 **Resource File ('MRF').** Section 28 of Chapter III of Public Law 25-03 is  
21 hereby amended to read:

22           **“Section 28.** The Sum of Fifteen Thousand Dollars (\$15,000.00) is  
23 hereby appropriated from the Pari-Mutuel Fund to the University of Guam for the  
24 cataloging of articles for the Micronesian Resource File ('MRF') at the ~~Richard~~  
25 ~~Flores Taitano Micronesian Area Research Center~~ RFK Library.”

1           **Section 4. Restoration of Regent Scholar authorization.** Section 13  
2 of Chapter V of Public Law 25-03 is hereby amended to read:

3           **Section 13. UOG Scholarships.** (a) This provision applies to  
4 the scholarships funded by the appropriations under §2 of Part III of this  
5 Act, "Miscellaneous Appropriations." All Merit Awards earned by students  
6 during the school year 1998-1999 shall be awarded pursuant to law.  
7 Nursing Scholarships shall be limited to Sixty-six Thousand Dollars  
8 (\$66,000.00) for Fiscal Year 1999. Not more than two (2) new doctoral  
9 fellowships shall be awarded during Fiscal Year 1999. Notwithstanding any  
10 other provision of law, there shall be no new scholarships/awards for the  
11 following scholarship programs for the remainder of Fiscal Year 1999: (1)  
12 Off-Island Student Loans, ~~(2) Regent Scholars~~, (3) Professional Technical  
13 Awards, *and* (4) all Scholarships/ Awards authorized under the provisions  
14 of Article 5, Chapter 15 of Title 17 of the Guam Code Annotated. The total  
15 amount authorized for administrative expenses of the University of Guam  
16 for Administration of the scholarships provided for under §1 of Part III of  
17 this Act, "Miscellaneous Appropriations" shall *not* exceed the sum of One  
18 hundred Ninety-five Thousand Six hundred Fifty-one Dollars  
19 (\$195,651.00). Any excess funds appropriated for scholarships under the  
20 provisions of §2 of Part III of this Act shall be used for new on-Island  
21 student loans.

22           (b) Notwithstanding any other provision of law, the Dr.  
23 Antonio C. Yamashita Educator Corps shall *not* require nor shall they  
24 fund tuition, fees and stipends for Corpsman to attend summer school  
25 inter-session during the summer of 1999, *except* that the Educator  
26 Corps Executive Director may approve such funding for attendance

1 for students who need pre-requisites for student teaching/internships  
2 and other required courses to be taken during the Fall, 1999 semester.  
3 Because of a lack of available funds, benefits for Corpsmen  
4 authorized to attend summer school need *not* include stipends.

5 **Section 5. Monthly Reporting Requirements.** The University of  
6 Guam and the Guam Community College shall provide the Speaker of I  
7 Liheslaturan Guåhan with a monthly report detailing the names, salaries and  
8 benefits of positions filled and the names, salaries and benefits of positions  
9 vacated subsequent to the enactment hereof.



COMMITTEE ON EDUCATION

P 13

Public Hearing  
8.45 a.m. Monday June 14, 1999

**Bill No. 228 (COR)** - AN ACT TO AMEND SECTION 12 OF PUBLIC LAW 24-327 AND SECTIONS 21, 25 AN 26 OF PUBLIC LAW 25-03 RELATIVE TO LIFTING THE FREEZE OF THE FILLING OF VACANCIES, SUBJECT TO CERTAIN SPENDING LIMITS ON PERSONEL SERVICES, AT THE UNIVERSITY OF GUAM AND GUAM COMMUNITY COLLEGE FOR PURPOSES OF MAINTAINING ACCREDITATION.

NAME	AGENCY OR INTEREST GROUP	TELEPHONE NO.	TESTIMONY		COMMENT	
			ORAL	WRITTEN	FOR	AGAINST
① Jesse J. Leon Guerrero				✓		

NAME	AGENCY OR INTEREST GROUP	TELEPHONE NO.	TESTIMONY		COMMENT	
			ORAL	WRITTEN	FOR	AGAINST
③ <del>DR. JUDITH KURTZ</del> ACTING PRES,	UOR		✓			

NAME	AGENCY OR INTEREST GROUP	TELEPHONE NO.	TESTIMONY		COMMENT	
			ORAL	WRITTEN	FOR	AGAINST
② [Faint Name]	[Faint Agency]			✓	✓	

NAME	AGENCY OR INTEREST GROUP	TELEPHONE NO.	TESTIMONY		COMMENT	
			ORAL	WRITTEN	FOR	AGAINST
④ [Faint Name]	[Faint Agency]	7.35-2403	✓		✓	

Chair of the Admen  
[Faint signature]

COMMITTEE ON EDUCATION

P. 26

Public Hearing  
8.45 a.m. Monday June 14, 1999

**Bill No. 228 (COR)** -AN ACT TO AMEND SECTION 12 OF PUBLIC LAW 24-327 AND SECTIONS 21, 25 AN 26 OF PUBLIC LAW 25-03 RELATIVE TO LIFTING THE FREEZE OF THE FILLING OF VACANCIES, SUBJECT TO CERTAIN SPENDING LIMITS ON PERSONEL SERVICES, AT THE UNIVERSITY OF GUAM AND GUAM COMMUNITY COLLEGE FOR PURPOSES OF MAINTAINING ACCREDITATION.

NAME	AGENCY OR INTEREST GROUP	TELEPHONE NO.	TESTIMONY		COMMENT	
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COMMITTEE ON EDUCATION

Public Hearing  
8.45 a.m. Monday June 14, 1999

**Bill No. 228 (COR)** - AN ACT TO AMEND SECTION 12 OF PUBLIC LAW 24-327 AND SECTIONS 21, 25 AN 26 OF PUBLIC LAW 25-03 RELATIVE TO LIFTING THE FREEZE OF THE FILLING OF VACANCIES, SUBJECT TO CERTAIN SPENDING LIMITS ON PERSONEL SERVICES, AT THE UNIVERSITY OF GUAM AND GUAM COMMUNITY COLLEGE FOR PURPOSES OF MAINTAINING ACCREDITATION.

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ADDRESS						

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ADDRESS						

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ADDRESS						

COMMITTEE ON EDUCATION

Public Hearing  
8.45 a.m. Monday June 14, 1999

**Bill No. 228 (COR)** -AN ACT TO AMEND SECTION 12 OF PUBLIC LAW 24-327 AND SECTIONS 21, 25 AN 26 OF PUBLIC LAW 25-03 RELATIVE TO LIFTING THE FREEZE OF THE FILLING OF VACANCIES, SUBJECT TO CERTAIN SPENDING LIMITS ON PERSONEL SERVICES, AT THE UNIVERSITY OF GUAM AND GUAM COMMUNITY COLLEGE FOR PURPOSES OF MAINTAINING ACCREDITATION.

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ADDRESS						

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			ORAL	WRITTEN	FOR	AGAINST
<i>Frank Tover</i> ADDRESS			<input checked="" type="checkbox"/>			

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			ORAL	WRITTEN	FOR	AGAINST
ADDRESS						

6/15/99

COMMITTEE ON EDUCATION

Public Hearing  
8.45 a.m. Monday June 14, 1999

**Bill No. 228 (COR)** -AN ACT TO AMEND SECTION 12 OF PUBLIC LAW 24-327 AND SECTIONS 21, 25 AN 26 OF PUBLIC LAW 25-03 RELATIVE TO LIFTING THE FREEZE OF THE FILLING OF VACANCIES, SUBJECT TO CERTAIN SPENDING LIMITS ON PERSONEL SERVICES, AT THE UNIVERSITY OF GUAM AND GUAM COMMUNITY COLLEGE FOR PURPOSES OF MAINTAINING ACCREDITATION.

NAME	AGENCY OR INTEREST GROUP	TELEPHONE NO.	TESTIMONY		COMMENT	
			ORAL	WRITTEN	FOR	AGAINST
ADDRESS						
ADDRESS						
ADDRESS						

Vice Speaker

# WASC

POST OFFICE BOX 9990  
MILLS COLLEGE  
OAKLAND, CA 94613-0990  
(510) 632-5000 - Fax: (510) 632-8361  
e-mail: wascsr@wasc.mills.edu; www.wascweb.org

WESTERN  
ASSOCIATION OF  
SCHOOLS AND  
COLLEGES

## FAX TRANSMISSION COVER SHEET

TO: Lawrence Kasperbauer Date: 5/21/99

FAX NUMBER: ( 1 ) 671 ~~622~~ ~~1742~~ 476-2000

ORGANIZATION: Acad's Prof. & Com. Ctr.

DEPARTMENT: The office of the Senate

FROM: Judie Wexler

NUMBER OF PAGES SENT: 3 (INCLUDING COVER SHEET)

MESSAGE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*If you have questions with this transmission, please contact our office:  
(510) 632-5000 or FAX (510) 632-8361*

Staff:

- Ralph A. Wolff, Executive Director
- Judie Gaffin Wexler, Associate Director
- Erwin Seibel, Associate Director
- Katherine Hinds, Assistant Director
- Delsie Austinson, Executive Assistant to the Executive Director
- Cinnie Cole, Accounting & Computing Manager
- Dean Elias, Special Projects Coordinator
- Stuart Heasman, Office Assistant
- Barbara Nagai, Administrative Assistant
- James Ortez, Special Assistant to the Executive Director
- Jennifer Thompson, Assistant to the Associate Directors



May 21, 1999

Lawrence F. Kasperbauer, PhD  
215-A Chalan Santo Papa, Suite 106-F  
Ada's Professional & Commercial Center  
Agana, Guam 96910

Dear Senator Kasperbauer:

I am writing to follow-up on our telephone conversation this afternoon. I have reviewed Section 21(a) and (b) of Chapter V - Administrative Positions - from PL 25-03 and Sections 11, 12, and 13 of PL 24-327. As currently written, these provisions would raise serious concerns regarding the University of Guam's compliance with Commission Standards on Governance, particularly Standard 3.A. and 3.A.11.

The Standards on Governance specify the importance of an institution being able to maintain autonomy from external pressures. Given the provisions of the two bills, Standard 3.A.11 is particularly relevant:

When an institution depends for its general support on an external agency—governmental or private—the external agency determines the amount of support it provides and may appropriately indicate in broad terms the categories for which support is provided and the amounts. The board approves specific allocations by means of the budget. If subsequent developments necessitate reduction of the allocation, the governing board and the institution's officers determine how and where the reductions are to be made.

As you can see, a law that would require the legislature to determine specific allocations or to approve hiring decisions would be in opposition to this standard as well as to the general standard requiring institutional autonomy. The standards of accreditation would allow the legislature to allocate funds in terms of broad categories.

Issues of institutional autonomy have been a concern throughout the accreditation history of the University. As early as 1963 visiting teams voiced

P. O. Box 9990  
Mills College  
Oakland, CA 94613-0990  
PHONE: 510.643.5000  
FAX: 510.643.8304  
E-MAIL: [wasc@wasc.mills.edu](mailto:wasc@wasc.mills.edu)  
INTERNET: [www.wascweb.org](http://www.wascweb.org)

Guam  
Marilyn P. Sutton  
California State University,  
Huntington Hills

Yves Coats  
Cecily M. Cox  
Stanford University

Ruben Arminson  
Sonoma State University

B. Lyn Hehran  
Loma Linda University

Harbara A. Dren  
Villa Community College

Law J. Corwin  
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Pacific University

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California State University,  
San Marcos

Louise Kennedy  
California State University,  
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Mount St. Mary's College

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Irvine Unified School District

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Hope International University

Therese R. Mitchell  
University of California,  
Los Angeles

Wynn Morales  
Public Member

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University of La Verne

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Public Member

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University of California  
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University of California, Davis

W. Alvin Yoo  
Santa Clara University

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Ralph A. Wolff  
Executive Director

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Associate Director

Erwin Seibel  
Associate Director

Katherine Hinds  
Assistant Director

Delair M. Ausimmon  
Assistant to the Executive  
Director

Cynthia K. Cole  
Accounting and Computing  
Manager

Harbara M. Negai  
Administrative Assistant

Jennifer E. Thompson  
Assistant to the Associate Director

Lawrence F. Kasperbauer

Page 2

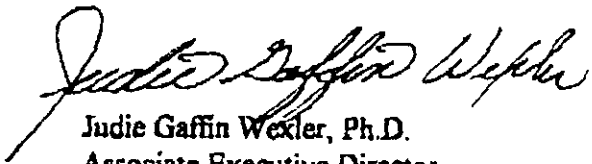
May 21, 1999

concern about laws in Guam that would "keep academic affairs too closely related to current politics in the legislature and government." Accordingly, I am stressing the implications such laws would have in regard to institutional autonomy. However, this is not the only area in which they could impact accreditation standards. It is the expectation of the Commission's Standards that an institution have sufficient resources to sustain its programs and meet the needs of the students it has admitted. A hiring freeze such as is described in Section 21(a) and (b) of Chapter V - Administrative Positions - from PL 25-03 and Sections 11, 12, and 13 of PL 24-327 could create a situation in which the University did not have the personnel to be able to effectively sustain existing programs.

The Commission recognizes that institutions and governmental entities have to be able to deal with declining financial resources. However, this must be done within a context of institutional autonomy.

Please let me know if you have any questions or if I can be of further help.

Sincerely,



Judie Gaffin Wexler, Ph.D.  
Associate Executive Director

JW/jt



WESTERN ASSOCIATION OF SCHOOLS & COLLEGES  
ASSOCIATION OF SENIOR COLLEGES & UNIVERSITIES  
ACCREDITING COMMISSION FOR SENIOR COLLEGES & UNIVERSITIES



May 28, 1999

Lawrence F. Kasperbauer, PhD  
215-A Chalan Santo Papa, Suite 106-F  
Ada's Professional & Commercial Center  
Agana, Guam 96910

Dear Senator Kasperbauer:

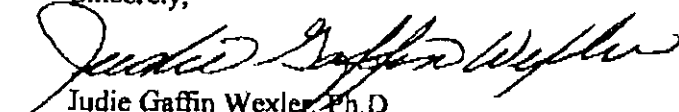
Thank you for sending me a copy of your proposed amendments to Section 12 of PL 24-327 and Sections 21, 25 and 26 of PL 25-03. I have reviewed the amendments in light of the Senior Commission's Standards of Accreditation, particularly Standard 3.A. and 3.A.11.

As you know the Standards on Governance specify the importance of an institution being able to maintain autonomy from external pressures. It is thus an important positive action to remove the University from the provisions of the hiring freeze and the necessity to obtain legislative approval for hiring decisions.

As we discussed on the telephone, the Commission does recognize that economic realities may necessitate budgetary reductions. Accreditation Standards (Standard 3.A.11) allow for such actions and allow for governmental or private agencies to define within broad categories the financial support they are providing. Your proposed amendment specifying the total appropriation to be spent on personnel services falls within the broad category approach defined within the Commission's Standards.

I recognize that you are working with some very difficult issues. I appreciate your willingness to address Accreditation Standards and so to help the University of Guam maintain compliance. Please let me know if you have further questions or if I can be of additional help.

Sincerely,

  
Judie Gaffin Wexler, Ph.D.  
Associate Director

P. O. Box 9980  
Mills College  
Oakland, CA 94613-0990  
phone: 510.632.5000  
fax: 510.632.8361  
e-mail: wasc@wasc.mills.edu  
website: www.wascweb.org

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California State University,  
Dunsmuir, Calif.

Wes Evans  
Geoffrey M. Cox  
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Carol A. Tomlinson-Kearney  
University of California  
Office of the President

Larry N. Vanhook  
University of California, Davis

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Staff  
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Manager

Barbara R. Nagai  
Administrative Assistant

Jennifer E. Thompson  
Assistant to the Associate Director



BOARD OF REGENTS

# University of Guam

U.O.G. STATION - MANGILAO, GUAM 96923

Tel: 735-2976 Fax: 734-6912

Dr. Lawrence Kasperbauer  
Vice Speaker and Chairman  
Committee on Education  
I Mina' Bente Singko Na Liheslaturan Guahan  
155 Hesler Dive  
Hagåtña, Guam 96910

Re: Testimony in Support of Bill No. 228 (COR)-An Act  
Relative to Lifting the Freeze on the Filling of Vacancies at the University of Guam and  
the Guam Community College for the Purposes of Maintaining Accreditation

Mr. Chairman, Members of the Committee on Education, for the record I am Regent Jesse A. Leon Guerrero, Chairman of the Legislative Subcommittee of the Board of Regents. I am here to provide testimony on behalf of our Chairman, Dr. David L.G. Shimizu, and members of the Board of Regents.

Thank you for the opportunity to offer remarks on Bill No. 228.

The Board of Regents supports Bill No. 228, as it is written, and respectfully requests for its successful passage.

We commend you, Vice Speaker Kasperbauer, and esteemed members of your committee, for taking action on the concerns as expressed by various members of the University Family regarding Public Law 25-03. Communication by and between the University of Guam and *I Mina Bente Singko Na Liheslaturan Guahan* was established as far back as February of this year on this particular matter. Members of the Governing Board of Regents along with President Nededog, on numerous occasions, have met with representatives of this august body in order to share ideas on corrective measures that would repeal specific provisions of Public Law 25-03. Despite the many discussions that ensued, it became apparent that supportive opinion-reaffirming our earlier message-from another credible body was needed.

The Board of Regents at its last regular meeting provided direction to President Nededog by requesting that he seek written confirmation from the Western Association of Schools and Colleges (WASC) on the matter. As you are aware, via a copied letter sent to you by President Nededog, a response was received from Dr. Judie Gaffin Wexler, Associate Executive Director of WASC, reinforcing our position. Dr. Wexler's letter explicitly states that provisions within Public Law 25-03 "raise serious concerns regarding the University of Guam's compliance with Commission Standards on Governance...." and that there is indeed a dire need to address and remove the specific provisions within Public Law 25-03.

We are pleased that you have found favor with our recommendation, as memorialized to wit by President Nededog and reiterated by Chairman Shimizu and myself during our brief meetings with you and other members of *I Mina' Bente Singko Na Liheslaturan Guahan*, by introducing Bill No. 228.

The Board wishes to acknowledge the Honorable Anthony C. Blaz for drafting and introducing Bill No. 184 which calls for the repeal of Sections 13 and 14 of P.L. 25-03 and reinstates the flexibility needed to administer the scholarship programs entrusted to the Board of Regents. Additional acknowledgment and gratitude is extended to the Honorable Ben C. Pangelinan for introducing Bill No. 176 which addresses the appropriations for fiscal year 1999 as well as restoring the institutional autonomy of the University of Guam.

Lastly, on behalf of every member of the University Family, the Board of Regents calls upon the distinguished members of *I Mina' Bente Singko Na Liheslaturan Guahan*, whose close ties are traced to the very halls of our lovely campus to rise to the defense of the University of Guam by rising in support of Bill No. 228.

We call upon Senator Dr. John C. Salas, former UOG President, Vice Speaker and Chairman, Dr. Lawrence Kasperbauer, former COE faculty member, alumni Senators Joanne Salas Brown and Alberto C. Lamorena as well as those whose loved ones are also affiliated with the University of Guam, Senators Eddie Baza Calvo, Simon Sanchez, Eulogio Bermudez, Frank Blas Aguon, Anthony C. Blaz, Ben C. Pangelinan, and Kaleo Moylan, to name a few, to help protect the region's only institution of higher learning so that we may continue to cultivate future leaders while providing solutions to problems that affect our society.

Unequivocally, specific standards of accreditation are jeopardized and successful passage of Bill No. 228 provides corrective redress to the threats imposed by Public Law 25-03 as it affects our institutional autonomy and standards of accreditation.

On behalf of Chairman Shimizu and the Board of Regents, Si Yu'os Ma'ase for allowing me the opportunity to testify as to the urgency and importance of Bill No. 228 and may each and every one of us forever carry the banner of the University of Guam high and with great distinction.

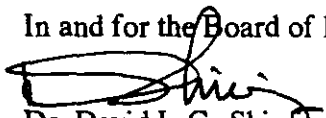
*Biba Unibetsedat Guahan! Biba!*

As Presented and Submitted,

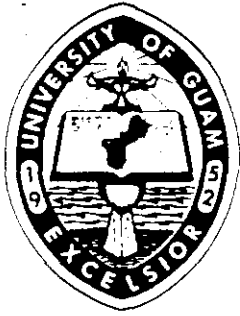


Regent Jesse A. Leon Guerrero  
Chairman, Legislative Subcommittee

In and for the Board of Regents,



Dr. David L.G. Shimizu  
Chairman of the Board of Regents



BOARD OF REGENTS

# University of Guam

U.O.G. STATION - MANGILAO, GUAM 96923

Tel: 735-2976 Fax: 734-6912

Dr. Lawrence Kasperbauer  
Vice Speaker and Chairman  
Committee on Education  
I Mina' Bente Singko Na Liheslaturan Guahan  
HAND-DELIVERED

Re: Testimony in Support of Bill No. 228 (COR)-An Act  
Relative to Lifting the Freeze on the Filling of Vacancies at the University of Guam and  
the Guam Community College for the Purposes of Maintaining Accreditation

Mr. Chairman and Members of the Committee on Education, thank you for allowing me the opportunity to provide brief remarks on Bill No. 228. For the record, I am Dr. Judith P. Guthertz, Acting President, here on behalf of our President, Dr. Jose T. Nededog and the University of Guam's administration.

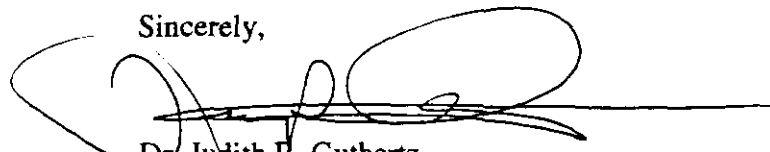
The administration supports, without reservation, the passage of Bill No. 228 as it relates to the University of Guam.

Si Yu'os Ma'ase Vice Speaker and Chairman Dr. Lawrence Kasperbauer and members of the legislative Committee on Education for taking corrective action towards the preservation of the autonomy of the University of Guam and standards of accreditation. Dr. Nededog is extremely confident, after discussing this matter with several members of this distinguished body, that *I Mina Bente Singko Na Liheslaturan Guahan* will act in the best interest of the students of the University of Guam and the People of Guam by passing Bill No. 228 as introduced.

Members of the administration, staff, faculty and student body are in total support of Bill No. 228 and respectfully request that it be passed in the next regularly scheduled session of *I Mina Bente Singko Na Liheslaturan Guahan*.

On behalf of President Nededog and the University of Guam, thank you for allowing us to present testimony this morning.

Sincerely,



Dr. Judith P. Guthertz  
(Acting) President and Executive Secretary



# UNIVERSITY OF GUAM UNIBETSEDAT GUAHAN

STUDENT GOVERNMENT ASSOCIATION

UOG Station, Mangilao, Guam 96923

Telephone: (671) 735-2220

Dr. Lawrence Kasperbauer  
Vice Speaker and Chairman  
Committee on Education  
I Mina' Bente Singko Na Liheslaturan Guahan  
HAND-DELIVERED

Re: Testimony in Support of Bill No. 228 (COR)-An Act  
Relative to Lifting the Freeze on the Filling of Vacancies at the University of Guam and  
the Guam Community College for the Purposes of Maintaining Accreditation

Good morning Vice Speaker Dr. Larry Kasperbauer and other distinguished members of the Committee on Education gi *I Mina Bente Singko Na Liheslaturan Guahan*. I am Leahbeth O. Flores, President of the Student Government Association at the University of Guam. I am here to offer testimony in support of Bill No. 228 as well as to request that immediate action be taken to pass this critical bill as written.

The Student Government Association (SGA) is in support of any legislation that serves to assist and defend the University of Guam and the Board and administration's drive to fulfill the mission and vision of the University of Guam by providing quality instruction for students from Guam and throughout the region.

It behooves me to share with other members gi *I Mina Bente Singko Na Liheslaturan Guahan*, that the threat to the institution's autonomy and accreditation is imminent. Public Law 25-03 is challenges the integrity of the institution in more ways than one. Although we are here this morning to look closely at the immediate and obvious threat to Standard Three of the Western Association of Schools and Colleges Standards of accreditation, I appeal to each of you to look closely at the provisions within P.L. 25-03 as it relates to the University's budget, particularly scholarships.

On behalf of the Students of the University of Guam, I hereby request that you act in consonance with our motto "Excelsior," by moving us "ever upward" so that we may continue to contribute to the search for solutions to problems plaguing the region; produce quality workers for the economy of Guam and the region; and so that we may continue to experience growth through progress by attaining a higher degree from an accredited institution in the Western Pacific: the University of Guam.

Chairman Shimizu, members of the Governing Board of Regents, along with President Nededog continue to share that the University of Guam is our university. Along these lines I wish to restate that the University of Guam is your university as well.

Thank you and may you take the necessary action to defend our region's only institution of higher learning by passing Bill No. 228.

Sincerely,

Leahbeth O. Flores  
President



Office of the President

*Kolehon Kurnunidat Guahan*

Accredited by the  
Western Association of  
Schools and Colleges

JUN 17 1999

John T. Cruz  
President

Honorable Lawrence F. Kasperbauer, Ph.D.  
Chairman  
Committee on Education  
25<sup>th</sup> Guam Legislature  
215A Chalan Santo Papa, Suite 106-F  
Ada's Professional & Commercial Center  
Hagatna, Guam 96910

Dear Senator Kasperbauer:

Guam Community College supports **Bill No. 228** which intends to relieve it from the terms of Public Law 24-327 and Public Law 25-03 relative to certain spending limits and restrictions on hiring personnel. Our only suggested change would be to include staff in the language of the bill.

While it is true that the two above mentioned laws challenge some accrediting standards, the real issue is one of practicality and meeting our territorial and regional mission *within the resources provided*. At a practical level the two laws are cumbersome and difficult to implement; requiring three bureaucratic steps: 1) Internal preparation of request documents with justification statements; 2) Approval from the Governor's Office and transmittal to the Legislature, and; 3) Legislative approval. The process could take months to accomplish, and in the meantime prevent the College from delivering needed courses to students.

Guam Community College has demonstrated its ability to manage resources well, and is frugal in its spending habits. We take our responsibility seriously, but need the flexibility to replenish critical faculty and staff within the resources provided.

We sympathize with the financial dilemma before the Legislature, and understand that drastic, temporary measures are in order. But we must point out that demand for our services always rises during economic downturns as workers return to the classroom to upgrade their skills in an attempt to make themselves more employable. However, even though it may be justified by demand, we are not asking for additional funding; only the ability to effectively manage the resources provided.

Sincerely,

  
for JOHN T. CRUZ



# GCC

GUAM COMMUNITY COLLEGE

Kolehon Komunitad Guahan  
Accredited by the  
Western Association of  
Schools and Colleges



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June 14, 1999

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Honorable Lawrence F. Kasperbauer  
Senator and Chairperson  
Committee on Education  
I Mina'Bente Singko Na Leheslaturan Guahan  
Hagatna, Guam 96932

Subject: Letter of support of Bill No. 228 (COR)

Dear Chairman and members of this committee:

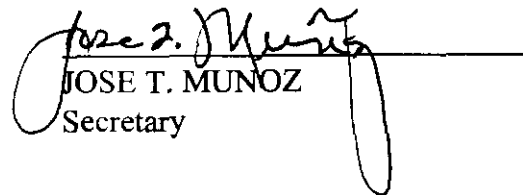
Thank you for providing a copy of Bill No. 228 (COR), and this opportunity to submit this brief but important letter.

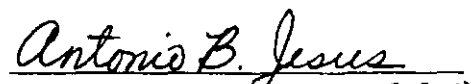
The Board of Trustees of the Guam Community College (GCC) expresses its support of Bill No. 228 to lift the freeze on filling existing vacancies for the purpose of maintaining accreditation. The lack of accreditation or any threat of losing accreditation would adversely impact the mission, viability and survival of GCC.


We commend you and your co-sponsors (Senators Moylan and Sanchez) for your interest and commitment towards ensuring the credibility of GCC to our students, our supporters and our island community.

Sincerely,

  
ROSA ROBERTO CARTER, Ph.D.  
Acting Chairperson

  
JOSE T. MUNOZ  
Secretary

  
ANTONIO B. JESUS (AJB)  
Treasurer

  
GREGORY D. PEREZ  
Member



# Guam Federation of Teachers

AFT Local 1581 P.O. Box 2301, Hagatna, Guam 96932 ☎ (671) 735-4390/1 Facsimile 734-8085 email gft@netpcl.com

June 14, 1999

**STATEMENT OF THE UOG/GFT FACULTY UNION EXECUTIVE BOARD  
DURING THE  
PUBLIC HEARING ON BILL 228 BEFORE THE COMMITTEE ON EDUCATION**

Presented by Dr. Donald L. Platt, Chair, UOG/GFT Faculty Union Executive Board

The importance of Bill 228 to the University of Guam cannot be exaggerated. At issue is the responsibility of the University's Board of Regents to determine the academic structure of the University. This requires that the Board determines what academic positions are to be filled. The hiring freeze and the "fast-track" procedures of Public Law 25-03, however, remove the Board's authority to determine the University's academic staffing pattern. It is clear from the published standards of WASC (Western Association of Schools and Colleges, the organization that accredits the University), and from correspondence with WASC's Associate Director, Dr. Judie Wexler, that the Board of Regents cannot relinquish its responsibilities in this area.

In her May 28, 1999, letter to Senator Kasperbauer, Dr. Wexler wrote:

As you know the Standards on Governance specify the importance of an institution being able to maintain autonomy from external pressures. It is thus an important positive action to remove the University from the provisions of the hiring freeze and the necessity to obtain legislative approval for hiring decisions.

Bill 228 would exempt the University from those provisions of Public Law 25-03 that jeopardize the University's accreditation.

I am sure that all the members of the 25<sup>th</sup> Guam Legislature are aware of what a calamity it would be for UOG's students, past, present, and future, if the University lost its accreditation, and it is probably not necessary to elaborate on that here.

Some senators may be concerned that if the University of Guam and the Guam Community College are exempted from the hiring freeze and the "fast-track" process, then other government agencies will seek similar exemptions, undermining the Legislature's efforts to control government spending. But the difference here is that UOG and GCC are institutions of higher education and therefore must retain external accreditation to function. A degree from an unaccredited institution is, unfortunately, of little value, even if the education students receive is excellent.

The UOG/GFT Faculty Union Executive Board strongly urges all senators to support Bill 228. Passage of this bill is one of the most important things the Legislature can do to help our students achieve their educational goals, and to help the University maintain its accreditation

**Mission:**

To improve the nature and quality of working conditions of the union membership that will result in quality education.

**Vision:**

Be an influence to the community in improving their quality of life made possible through educational excellence.



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declining 0.2 percent, as the state's economy was hit hard by fallout from the Asian currency crisis. Downturns in construction and financial services were major contributors to Hawaii's overall decline.

The total U.S. economy grew in 1997 by 4.3 percent, when measured in current dollars. The growth was 3.6 percent when adjusted for inflation.

The biggest state gains in economic output were enjoyed by residents of Oregon, where the economy expanded by 7.6 percent, and New Hampshire, close behind with an increase in its gross state product of 7.5 percent in current dollars.

The new government figures showed the state with the biggest economy remained California, where total output measured \$1.03 trillion in 1997,

sureing 0.2 percent of the total, were Montana, North Dakota, South Dakota, Vermont and Wyoming.

Just as the gross domestic product measures the output of goods and services inside U.S. borders, the gross state product measures the total output of goods and services inside an individual state's borders.

After Oregon and New Hampshire, the states that enjoyed the fastest growth in their gross state product for 1997 were Texas, up 6.8 percent; Arizona, up 6.7 percent and Colorado, with a 6.5 percent increase in output measured in current dollars.

While Hawaii was the only state with a 1997 drop in output, other states with meager increases, far below the na-

difficulty of breaking down output for each state.

While national GDP is usually stated in terms of inflated figures, officials said the state report focuses on actual dollar amounts without adjusting for inflation because of the lack of good price indexes on a state-by-state level.

Even though the new report contains state information only through 1997, Aman said state economic planning agencies find the statistics useful for judging how industries in their states are faring compared to the same industries in other states.

Greater detail on the gross state product can be found in the Bureau of Economic Analysis' Web site [www.bea.doc.gov](http://www.bea.doc.gov) under the regional heading.

Ariz.	121,239	6.7
Ark.	58,479	3.4
Calif.	1,033,016	5.0
Colo.	126,084	6.5
Conn.	134,565	5.3
Del.	31,585	2.5
D.C.	52,372	0.4
Fla.	380,607	3.4
Ga.	229,473	5.1
Hawaii	38,024	-0.2
Idaho	29,149	4.6
Ill.	393,532	4.4
Ind.	161,701	3.6
Iowa	80,479	5.0
Kan.	71,737	5.0
Ky.	100,076	4.6
La.	124,350	3.6
Maine	30,156	3.5
Md.	153,797	3.7
Mass.	221,009	4.4
Mich.	272,607	3.8
Minn.	149,394	4.5
Miss.	58,314	3.0
Mo.	152,100	4.2
Mont.	19,160	3.4
Neb.	48,812	3.0
Nev.	57,407	4.6
N.H.	38,106	7.5
N.J.	294,055	2.8
N.M.	45,242	5.8
N.Y.	651,652	2.5
N.C.	218,888	5.6
N.D.	15,786	0.6
Ohio	320,506	4.1
Okla.	76,642	3.9
Ore.	98,367	7.6
Pa.	339,940	3.3
R.I.	27,806	4.6
S.C.	93,259	4.2
S.D.	0,186	1.7
Tenn.	146,999	4.3
Texas	601,643	6.8
Utah	55,417	6.3
Vt.	15,214	2.9
Va.	211,331	4.0
Wash.	172,253	5.5
W.Va.	38,228	0.9
Wis.	147,325	4.5
Wyo.	7,561	3.1
U.S.	8,103,234	4.3

Source: Commerce Department

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**PUBLIC HEARING**  
**MINA' BENTE SINGHO NA LIHESLATURAN GUAHAN**  
**COMMITTEE ON EDUCATION**  
**Vice Speaker Larry Kasperbauer, Chairman**  
**8:45 a.m., Monday, June 14, 1999**  
Public Hearing Room • Liheslaturan Guahan, Hagåtña  
**AGENDA**  
• **Bill No. 228 (COR)** — AN ACT TO AMEND SECTION 12 OF PUBLIC LAW 24-327 AND SECTIONS 21, 25 AND 26 OF PUBLIC LAW 25-03 RELATIVE TO LIFTING THE FREEZE OF THE FILLING OF VACANCIES, SUBJECT TO CERTAIN SPENDING LIMITS ON PERSONAL SERVICES, AT THE UNIVERSITY OF GUAM AND GUAM COMMUNITY COLLEGE FOR PURPOSES OF MAINTAINING ACCREDITATION.  
*The public is invited to attend. Individuals requiring special accommodations, auxiliary aids or services are asked to contact the office of Vice Speaker Kasperbauer at 475-5437 or email at [lk4kids@tte.net](mailto:lk4kids@tte.net). Please visit our official website at [www.lk4kids.com](http://www.lk4kids.com).*

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/s/ Rosalie T. Villanueva

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### REQUEST FOR PROPOSALS GUAM SLAUGHTERHOUSE FACILITY GOVERNMENT OF GUAM

Carl T.C. Gutierrez Madeleine Z. Bordallo  
Governor of Guam Lt. Governor of Guam

The Slaughterhouse Task Force is requesting proposals from qualified private operators or commercial corporations to establish, manage, administer and operate the Guam Slaughterhouse Facility.

A "Request for Proposals" packet can be obtained from the Guam Department of Agriculture, Director's Office, 192 Dairy Road, Mangilao, Monday through Friday (except holidays), 8:00 a.m. to 5:00 p.m.

Two (2) originals and eight (9) copies of the proposal must be submitted no later than Monday, 2:00 P.M., JUNE 28, 1999, to Department of Agriculture, Director's Office.

/s/ Juan M. Tajito  
Acting Director, Dept. of Agriculture

## PUBLIC HEARING



### MINA BENTE SINGHO NA LINESLATURAN GUAHAN COMMITTEE ON EDUCATION

Vice Speaker Larry Kasperbauer, Chairman

8:45 a.m., Monday, June 14, 1999  
Public Hearing Room • Liheslaturan Guahan, Hagatña

### AGENDA

- **Bill No. 228 (COR)** — AN ACT TO AMEND SECTION 12 OF PUBLIC LAW 24-327 AND SECTIONS 21, 25 AND 26 OF PUBLIC LAW 25-03 RELATIVE TO LIFTING THE FREEZE OF THE FILLING OF VACANCIES, SUBJECT TO CERTAIN SPENDING LIMITS ON PERSONAL SERVICES, AT THE UNIVERSITY OF GUAM AND GUAM COMMUNITY COLLEGE FOR PURPOSES OF MAINTAINING ACCREDITATION.

The public is invited to attend. Individuals requiring special accommodations, auxiliary aids or services are asked to contact the office of Vice Speaker Kasperbauer at 475-5437 or email at lh4kids@lte.net. Please visit our official website at [www.lh4kids.com](http://www.lh4kids.com).

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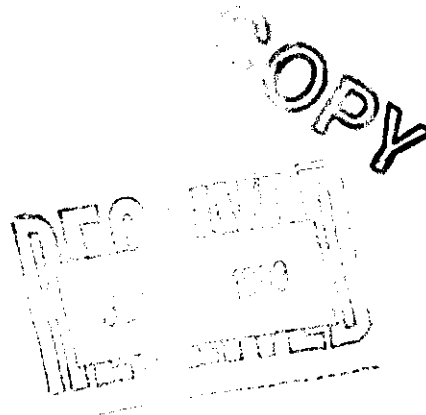
I MINA' I TE SINGKO NA LIHESLATURAN GUAHAN  
TWENTY-FIFTH GUAM LEGISLATURE  
**Senator Lawrence F. Kasperbauer, Ph.D.**  
Vice Speaker • Chairman, Committee on Education

215-A Chalan Santo Papa, Suite 106-F  
Ada's Professional & Commercial Center  
Hagåtña, Guam 96910

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e-mail: lk4kids@ite.net  
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June 14, 1999

Mr. Joseph E. Rivera  
Director  
Bureau of Budget and Management Research  
P.O. Box 2950  
Hagatna, Guam 96932



Dear Mr. Rivera:

Buenas yan Hafa Adai!

Pursuant to Chapter 9 of Title 2, Guam Code Annotated, I respectfully request that your office issue a Fiscal Note for the attached bill:

- **Bill No. 228 (COR)** —AN ACT TO AMEND SECTION 12 OF PUBLIC LAW 24-327 AND SECTIONS 21, 25 AND 26 OF PUBLIC LAW 25-03 RELATIVE TO LIFTING THE FREEZE OF THE FILLING OF VACANCIES, SUBJECT TO CERTAIN SPENDING LIMITS ON PERSONAL SERVICES, AT THE UNIVERSITY OF GUAM AND GUAM COMMUNITY COLLEGE FOR PURPOSES OF MAINTAINING ACCREDITATION.

Thank you for your time kind consideration.

Sincerely,

Lawrence F. Kasperbauer, Ph.D.

Attachment

**MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN**  
**1999 (FIRST) Regular Session**

Bill No. \_\_\_\_\_

Introduced by:

L.F. Kasperbauer *L.F. Kasperbauer*  
K.S. Moylan *K.S. Moylan*  
S.A. Sanchez, II *S.A. Sanchez, II*

**AN ACT TO AMEND SECTION 12 OF PUBLIC LAW 24-327 AND SECTIONS 21, 25 AND 26 OF PUBLIC LAW 25-03 RELATIVE TO LIFTING THE FREEZE ON THE FILLING OF VACANCIES, SUBJECT TO CERTAIN SPENDING LIMITS ON PERSONNEL SERVICES, AT THE UNIVERSITY OF GUAM AND GUAM COMMUNITY COLLEGE FOR PURPOSES OF MAINTAINING ACCREDITATION.**

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

**Section 1. Repeal of Restrictions on Hiring of Faculty and Administrators.** Section 12 of Public Law 24-327 is hereby amended to read:

**“Section 12. Application of Hiring Freeze to Autonomous Agencies.** No autonomous agency or instrumentality of the government of Guam, including the Department of Education and the Districts, shall cause any vacancy to be filled, nor establish or create any new position, except for positions at the University of Guam and the Guam Community College, without the expressed consent of *I Liheslaturan Guahan*. Such consent shall be expressed in the form of a bill, passed by a majority of the members of *I Liheslaturan Guahan* and signed into

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

5  
6 **Section 2. Repeal of Restrictions on hiring for faculty and**  
7 **administrators at UOG and GCC and for privately funded positions.** Section  
8 21 of Public Law 25-03 is hereby amended to read

9  
10 **Section 21.** (a) Notwithstanding any other provision of law,  
11 including, but not limited to, the enabling legislation of any autonomous agency or  
12 public corporation of the government of Guam, the hiring freeze provisions  
13 detailed in §§11, 12 and 13 of Public Law Number 24-327 shall apply to positions  
14 in any and all government of Guam autonomous agencies or public corporations,  
15 and further to any position which is Federally funded in part or in full, with the  
16 exception of positions one hundred percent (100%) Federally or privately funded  
17 at the University of Guam and the Guam Community College which are directly  
18 associated with ~~research~~ grants. Further, any position in the government of Guam  
19 which was vacant as of the fourth (4<sup>th</sup>) of January, 1999 shall be understood to fall  
20 within the provisions of §§11, 12 and 13 of Public Law Number 24-327. Further,  
21 notwithstanding any other provision of law, the authority of the Guam Civil  
22 Service Commission to create new positions within the government of Guam is  
23 hereby suspended until further legislative action. Further, and notwithstanding  
24 any other provision of law, including, but not limited to, the enabling legislation  
25 of any autonomous agency or public corporation of the government of Guam, the  
26 authority of the board of directors, or similar governing body, of any government

1 of Guam autonomous agency or public corporation to create FTEs is suspended  
2 until further legislative action.

3 (b) Notwithstanding any other provision of law, §11 of Public Law  
4 Number 24-327 is hereby *amended* to read as follows:

5 “Section 11. Hiring Freeze and Automatic Repeal of  
6 Appropriations and FTEs Upon Vacancy. The appropriated  
7 funding and Full-Time Equivalencies ('FTE') for any position in the  
8 government of Guam, including the Judicial Branch, funded by the  
9 General Fund or any fund appropriated, including the Tourist  
10 Attraction Fund, by *I Liheslaturan Guåhan*, except for positions at  
11 the University of Guam and the Guam Community College, which  
12 becomes vacant after the effective date of this Act for whatever  
13 reason, shall be considered automatically repealed.

14 The following fast-track procedure must be followed in order  
15 for a replacement to be hired. *I Maga'lahaen Guåhan* shall transmit to  
16 the Speaker of *I Liheslaturan Guåhan* in bill form a detailed  
17 description of the position, or positions, the funding and FTE of  
18 which have been automatically repealed pursuant to this Section  
19 which *I Maga'lahaen Guåhan* wishes to reinstate. The Speaker of *I*  
20 *Liheslaturan Guåhan* shall submit *I Maga'lahaen Guåhan's* bill to the  
21 Committee on Rules for referral to the appropriate oversight  
22 committee. The requirement for a public hearing of the bill shall be  
23 waived, *however*, public notice prior to the consideration of the bill in  
24 Session shall be required. An affirmative vote of the majority of  
25 Senators shall be required in order to pass any bill to re-appropriate  
26 towards and re-establish an FTE repealed pursuant to this Section.

1           *Only* upon the re-appropriation of funds for, and the re-establishment  
2 of, a repealed FTE by action of *I Liheslaturan Guåhan* pursuant to  
3 this Section may any hiring action on the vacant position be initiated.  
4 In the case of an eliminated FTE in the Superior Court of Guam, the  
5 Presiding Judge shall transmit to the Speaker of *I Liheslaturan*  
6 *Guåhan* in bill form a detailed description of the position, or  
7 positions, the funding and FTE of which have been automatically  
8 repealed pursuant to this Section which the Presiding Judge wishes to  
9 reinstate. In the case of an eliminated FTE in the Supreme Court of  
10 Guam, the Chief Justice shall transmit to the Speaker of *I*  
11 *Liheslaturan Guåhan* in bill form a detailed description of the  
12 position, or positions, the funding and FTE of which have been  
13 automatically repealed pursuant to this Section which the Chief  
14 Justice wishes to reinstate.

15           In the case of an eliminated FTE in the Mayors Council of  
16 Guam, the President of the Mayors Council shall transmit to the  
17 Speaker of *I Liheslaturan Guåhan* in bill form a detailed description  
18 of the position, or positions, the funding and FTE of which have been  
19 automatically repealed pursuant to this Section which the President of  
20 the Mayors Council wishes to reinstate.”

21  
22       **Section 3.** Sections 25 and 26 of Public Law 25-03 are hereby amended to  
23 read:

24       **Section 25.           Appropriations to the University of Guam.**

26       Notwithstanding the provisions of §10 of Public Law Number 24-289, §2 of  
27 Chapter III of Public Law Number 24-59 is hereby *amended* to read as follows:

1           **“Section 2.           Appropriations to the University of Guam.**

2                   (a)   Twenty-six Million Two hundred Ninety-six Thousand  
3                   Eight Hundred Forty-six Dollars (\$26,296,846) is appropriated from  
4                   the General Fund to the University of Guam for their operations.

5                   (b)   Six Hundred Seventy-nine Thousand Six Hundred  
6                   Eighty-four Dollars (\$679,684.00) is appropriated from the Tourist  
7                   Attraction Fund ('TAF') to the University of Guam ('UOG') for the  
8                   International Tourism Program (ITP') for Fiscal Year 1998 only. For  
9                   Fiscal Year 1999 Four Hundred Thirteen Thousand Four Hundred  
10                  Five Dollars (\$413,405.00) is appropriated from the TAF to UOG for  
11                  the ITP. The appropriation authorized in this Section shall be  
12                  expended pursuant to the intent provided in **Exhibit B** of this  
13                  Act.”

14                  (c)   Of the funds appropriated in paragraphs (a) and (b) of  
15                  this Section, no more than Twenty Five Million Dollars  
16                  (\$25,000,000) may be spent on personnel services. The spending  
17                  limits on personnel services herein shall not be increased by any  
18                  transfer authority of I Maga'lahañ Guåhan or by act of the Board of  
19                  Regents.

20           **Section 26.           Appropriations to the Guam Community College.**

21   Notwithstanding the provisions of §10 of Public Law Number 24-289, §3 of  
22   Chapter III of Public Law Number 24-59 is hereby *amended* to read as follows:

23           **“Section 3.           Appropriations to the Guam Community**  
24           **College.   (a)   Nine Million Two Hundred Sixty-eight Thousand**

25                   Dollars (\$9,268,000) is appropriated from the General Fund to the  
26                   Guam Community College for its operations.



1                   (b) One Million Three Hundred Eighteen Thousand Four  
2 Hundred Dollars (\$1,318,400) is appropriated from the Tourist  
3 Attraction Fund to the Guam Community College for the School of  
4 Business, Social Science and Tourism.

5                   (c) Seven Hundred Thousand Dollars (\$700,000.00) is  
6 appropriated from the Pari-mutuel Fund to the Guam Community  
7 College for its operations.

8                   (d) Of the funds appropriated in paragraphs (a), (b) and (c)  
9 of this Section, no more than Nine Million Five Hundred Thousand  
10 Dollars (\$9,500,000) may be spent on personnel services. The  
11 spending limits on personnel services herein shall not be increased by  
12 any transfer authority of I Maga'lahañ Guåhan or by act of the Board  
13 of Trustees."