



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

JAN 05 2003

The Honorable Joanne M. S. Brown
Legislative Secretary
I Mina'Bente Singko na Liheslaturan Guåhan
Twenty-Fifth Guam Legislature
Suite 200
130 Aspinal Street
Hagåtña, Guam 96910

Dear Legislative Secretary Brown:

Enclosed please find Bill No. 429 (COR), "AN ACT TO ADD §§ 3117 AND 5121 TO TITLE 17 OF THE GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE GUAM EDUCATION POLICY BOARD TO ESTABLISH A DISTRICT ACTION PLAN AND A 'BONUSES, REWARDS AND INCENTIVES PROGRAM' FOR TEACHERS, SCHOOL ADMINISTRATORS AND LICENSED HEALTHCARE PROFESSIONALS EMPLOYED AT THE DEPARTMENT OF EDUCATION IN SUPPORT OF THE 'NO CHILD LEFT BEHIND ACT OF 2001'", which was **signed** by the Governor into law as **Public Law No. 26-167**.

Very truly yours,

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

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

cc: The Honorable Antonio R. Unpingco
Speaker

009

MINA'BENTE SAIS NA LIHESLATURAN GUAHAN
2002 (SECOND) Regular Session


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

This is to certify that Bill No. 429 (COR), "AN ACT TO ADD §§ 3117 AND 5121 TO TITLE 17 OF THE GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE GUAM EDUCATION POLICY BOARD TO ESTABLISH A DISTRICT ACTION PLAN AND A 'BONUSES, REWARDS AND INCENTIVES PROGRAM' FOR TEACHERS, SCHOOL ADMINISTRATORS AND LICENSED HEALTHCARE PROFESSIONALS EMPLOYED AT THE DEPARTMENT OF EDUCATION IN SUPPORT OF THE 'NO CHILD LEFT BEHIND ACT OF 2001'," was on the 30th day of December, 2002, 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 30 day of December, 2002,
at 7:29 o'clock P.M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:



CARL T. C. GUTIERREZ
I Maga'lahaen Guahan

Date: 1-5-03

Public Law No. 26-167

MINA' BENTE SAIS NA LIHESLATURAN GUÅHAN
2002 (SECOND) Regular Session

Bill No. 429 (COR)

As amended on the Floor.

Introduced by:

L. F. Kasperbauer

A. R. Unpingco

J. T. Won Pat

J. F. Ada

T. C. Ada

F. B. Aguon, Jr.

J. M.S. Brown

E. B. Calvo

F. P. Camacho

M. C. Charfauros

Mark Forbes

L. A. Leon Guerrero

K. S. Moylan

V. C. Pangelinan

A. L.G. Santos

**AN ACT TO ADD §§ 3217 AND 5121 TO TITLE 17
OF THE GUAM CODE ANNOTATED, RELATIVE
TO AUTHORIZING THE GUAM EDUCATION
POLICY BOARD TO ESTABLISH A DISTRICT
ACTION PLAN AND A "BONUSES, REWARDS
AND INCENTIVES PROGRAM" FOR TEACHERS,
SCHOOL ADMINISTRATORS AND LICENSED
HEALTHCARE PROFESSIONALS EMPLOYED AT
THE DEPARTMENT OF EDUCATION IN
SUPPORT OF THE "NO CHILD LEFT BEHIND ACT
OF 2001."**

1

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 **Section 1.** Section 3217 is hereby *added* to Article 2, Chapter 3, Division
2 1 of Title 17 of the Guam Code Annotated to read as follows:

3 **“Section 3217. Department of Education’s District Action**
4 **Plan.**

5 The Department of Education is hereby authorized to create a *‘District*
6 *Action Plan’* in support of the *No Child Left Behind Act of 2001*. The
7 Department of Education’s District Action Plan shall be established by
8 policy of the Guam Education Policy Board.”

9 **Section 2.** Section 5121 is hereby *added* to Chapter 5, Division 1 of Title
10 17 of the Guam Code Annotated to read as follows:

11 **“Section 5121. Bonuses, Rewards and Incentives Program.**

12 Notwithstanding any other provision of law, the Department of
13 Education is hereby authorized to create a *‘Bonuses, Rewards and*
14 *Incentives Program’* for the recruitment and retention of teachers, school
15 administrators and licensed healthcare professionals employed at the
16 Department of Education. The Bonuses, Rewards and Incentives
17 Program shall be consistent with the Department of Education’s District
18 Action Plan as authorized by 17 G.C.A. § 3217 and shall be subject to the
19 availability of funds. The criteria, rules and regulations for the *Bonuses,*
20 *Rewards and Incentives Program* shall be established by policy of the
21 Guam Education Policy Board.”

I MINA' BENTE SAIS NA LIHESLATURAN GUAHAN

2002 (SECOND) Regular Session

Date: 12/30/02

VOTING SHEET

Bill No. 429 (COR)

Resolution No. _____

Question: _____

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
ADA, Joseph F.	✓				
ADA, Thomas C.	✓				
AGUON, Frank B., Jr.	✓				
BROWN, Joanne M. S.	✓				
CALVO, Eddie B.	✓				
CAMACHO, Felix P.					✓
CHARFAUROS, Mark C.	✓				
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.	✓				
LEON GUERRERO, Lourdes A.	✓				
MOYLAN, Kaleo S.					✓
PANGELINAN, Vicente C.	✓				
SANTOS, Angel L.G.					✓
UNPINGCO, Antonio R.	✓				
WON PAT, Judith T.	✓				

TOTAL

12 0 0 0 3

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence

DEC 26 2002

Speaker Antonio R. Unpingco
I Mina' Bente Sais Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

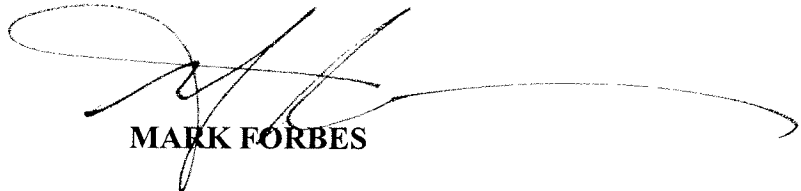
Dear Mr. Speaker:

The Committee on Rules, General Governmental Operations, Reorganization and Reform, and Federal, Foreign and General Affairs, to which Bill No. 429, was referred, wishes to report its findings and recommendations **TO DO PASS BILL NO. 429**: "AN ACT TO ADD NEW A §3117 TO ARTICLE 2 OF CHAPTER 3 AND A NEW §5121 TO CHAPTER 5 OF TITLE 17, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE GUAM EDUCATION POLICY BOARD TO ESTABLISH A DISTRICT ACTION PLAN AND A "BONUSES, REWARDS AND INCENTIVES PROGRAM" FOR TEACHERS, SCHOOL ADMINISTRATORS AND LICENSED HEALTHCARE PROFESSIONALS EMPLOYED AT THE DEPARTMENT OF EDUCATION IN SUPPORT OF THE "NO CHILD LEFT BEHIND ACT OF 2001."

The voting record is as follows:

TO PASS	<u>6</u>
NOT TO PASS	<u>0</u>
ABSTAIN	<u>0</u>
TO PLACE IN INACTIVE FILE	<u>0</u>
TO REPORT OUT	<u>1</u>

Copies of the Committee Report and other pertinent documents are attached. Thank you and si Yu'os ma'ase for your attention to this matter.



MARK FORBES

Attachments

DEC 26 2002

MEMORANDUM

TO: Committee Members

FROM: Chairman 

SUBJECT: Committee Report- BILL NO. 429: "An Act To Add New A §3117 To Article 2 Of Chapter 3 And A New §5121 To Chapter 5 Of Title 17, Guam Code Annotated Relative To Authorizing The Guam Education Policy Board To Establish A District Action Plan And A *"Bonuses, Rewards And Incentives Program"* For Teachers, School Administrators And Licensed Healthcare Professionals Employed At The Department Of Education In Support Of The *"No Child Left Behind Act Of 2001."*

Transmitted herewith for your information and action is the report on Bill No. 429, from the Committee on Rules, General Governmental Operations, Reorganization and Reform, and Federal, Foreign and General Affairs.

This memorandum is accompanied by the following:

1. Committee Voting Sheet
2. Committee Report
3. Bill No.429
4. Public Hearing Sign-in Sheet
5. Fiscal Note/Fiscal Note Waiver

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

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

Thank you and si Yu'os ma'ase.

MARK FORBES


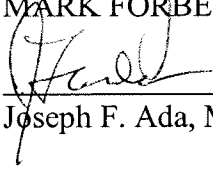
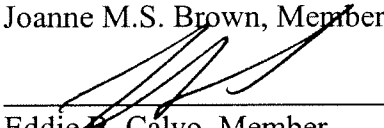


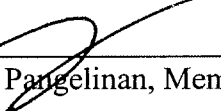
Attachments

**Committee on Rules, General Governmental Operations, Reorganization and Reform, and Federal,
Foreign and General Affairs**

I Mina' Bente Sais Na Liheslaturan Guåhan

Voting Record

BILL NO. 429: "An Act To Add New A §3117 To Article 2 Of Chapter 3 And A New §5121 To Chapter 5 Of Title 17, Guam Code Annotated Relative To Authorizing The Guam Education Policy Board To Establish A District Action Plan And A "Bonuses, Rewards And Incentives Program" For Teachers, School Administrators And Licensed Healthcare Professionals Employed At The Department Of Education In Support Of The "No Child Left Behind Act Of 2001."

	<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>TO ABSTAIN</u>	<u>INACTIVE FILE</u>	<u>REPORT OUT</u>
 MARK FORBES, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Joseph F. Ada, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joanne M.S. Brown, Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Eddie B. Calvo, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Felix P. Camacho, Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Lawrence F. Kasperbauer, Ph. D., Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kaleo S. Moylan, Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Antonio R. Unpingco, <i>Ex-Officio Member</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Thomas C. Ada, Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Lou A. Leon Guerrero, Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Vicente C. Pangelinan, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

MINA' BENTE SAIS NA LIHESLATURAN GUÅHAN
2002 (SECOND) Regular Session

Bill No. 429 (COR)

Introduced by:

L.F. Kasperbauer

AN ACT TO ADD NEW A §3117 TO ARTICLE 2 OF
CHAPTER 3 AND A NEW §5121 TO CHAPTER 5 OF TITLE
17, GUAM CODE ANNOTATED RELATIVE TO
AUTHORIZING THE GUAM EDUCATION POLICY BOARD
TO ESTABLISH A DISTRICT ACTION PLAN AND A
“*BONUSES, REWARDS AND INCENTIVES PROGRAM*” FOR
TEACHERS, SCHOOL ADMINISTRATORS AND LICENSED
HEALTHCARE PROFESSIONALS EMPLOYED AT THE
DEPARTMENT OF EDUCATION IN SUPPORT OF THE “*NO
CHILD LEFT BEHIND ACT OF 2001*”.

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

2 **Section 1.** Section 3217 is hereby *added* to Article 2 of Chapter 3 of Title
3 17, Guam Code Annotated read:

4 “§3217. **Department of Education’s District Action Plan.** The
5 Department of Education is hereby authorized to create a “*District Action Plan*”
6 in support of the *No Child Left Behind Act of 2001*. The Department of
7 Education’s District Action Plan shall be established by policy of the Guam
8 Education Policy Board.”

9
10 **Section 2.** Section 5121 is hereby *added* to Chapter 5 of Title 17, Guam
11 Code Annotated read:

12 “§5121. **Bonuses, Rewards and Incentives Program.** Notwithstanding
13 any other provision of law, the Department of Education is hereby authorized to
14 create a “*Bonuses, Rewards And Incentives Program*” for the recruitment and

1 retention of teachers, school administrators and licensed healthcare professionals
2 employed at the Department Of Education. The *Bonuses, Rewards And*
3 *Incentives Program* shall be consistent with Department of Education's District
4 Action Plan as authorized by **17G.C.A.: Ch.3: §3217** and shall be subject to the
5 availability of funds. The criteria, rules and regulations for the *Bonuses, Rewards*
6 *And Incentives Program* shall be established by policy of the Guam Education
7 Policy Board.

I MINA' BENTE SAIS NA LIHESLATURAN GUÅHAN

**COMMITTEE ON RULES, GENERAL GOVERNMENTAL
OPERATIONS, REORGANIZATION AND REFORM, AND
FEDERAL, FOREIGN AND GENERAL AFFAIRS**

SENATOR MARK FORBES, CHAIRMAN

**COMMITTEE REPORT
ON
BILL NO. 429:**

**“AN ACT TO ADD NEW A §3117 TO ARTICLE 2 OF CHAPTER 3 AND
A NEW §5121 TO CHAPTER 5 OF TITLE 17, GUAM CODE
ANNOTATED RELATIVE TO AUTHORIZING THE GUAM
EDUCATION POLICY BOARD TO ESTABLISH A DISTRICT ACTION
PLAN AND A “*BONUSES, REWARDS AND INCENTIVES PROGRAM*”
FOR TEACHERS, SCHOOL ADMINISTRATORS AND LICENSED
HEALTHCARE PROFESSIONALS EMPLOYED AT THE DEPARTMENT
OF EDUCATION IN SUPPORT OF THE “*NO CHILD LEFT BEHIND ACT*
OF 2001.”**

I. OVERVIEW

The Committee on Rules, General Governmental Operations, Reorganization and Reform, and Federal, Foreign and General Affairs held a public hearing at 9:00 a.m. on December 24, 2002 in the Public Hearing Room, Office of Senator Kaleo Moylan, Hagatna, Guam.

Senators present at the public hearing were:

Senator Mark Forbes, Chairman

II. SUMMARY OF TESTIMONY

There were no written or oral testimonies presented to the committee on Bill No. 429.

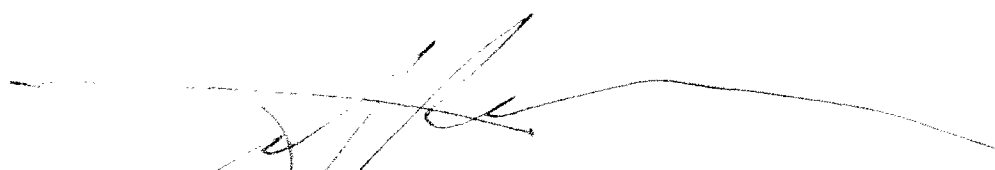
III. FINDINGS AND RECOMMENDATION

The Committee on Rules, General Governmental Operations, Reorganization and Reform, and Federal, Foreign and General Affairs finds that the "No Child Left Behind Act of 2001" requires school districts to improve the education level of its school programs. Recruiting and retaining highly qualified teachers and school administrators by providing incentives are essential to this goal.

Accordingly, the Committee on Rules, General Governmental Operations, Reorganization and Reform, and Federal, Foreign and General Affairs, to which Bill No 429 was referred does hereby submit its findings and recommendations to I Mina' Bente Sais Na Liheslaturan Guahan **TO DO PASS BILL NO. 429**: "An Act To Add New A §3117 To Article 2 Of Chapter 3 And A New §5121 To Chapter 5 Of Title 17, Guam Code Annotated Relative To Authorizing The Guam Education Policy Board To Establish A District Action Plan And A "*Bonuses, Rewards And Incentives Program*" For Teachers, School Administrators And Licensed Healthcare Professionals Employed At The Department Of Education In Support Of The "*No Child Left Behind Act Of 2001*".

WAIVER OF FISCAL NOTE

In accordance with §9105 Title 2 GCA, I hereby certify that prompt committee action on Bill 429 is necessary to the proper conduct of legislative business. Therefore, I am waiving requirement of a fiscal note on Bill 429.

A handwritten signature in black ink, appearing to read 'MARK FORBES', is written over a horizontal line. The signature is somewhat stylized and overlaps the line.

MARK FORBES
Chairman,
Committee on Rules, General Governmental Operations,
Reorganization and Reform, and Federal, Foreign
and General Operations

2nd 3rd
12/26/02 12/26/02

MINA' BENTE SAIS NA LIHESLATURAN GUÅHAN
2002 (SECOND) Regular Session

Bill No. 429 (COR)

LFK FA2
Introduced by:

L.F. Kasperbauer
ARU
JTWP

AN ACT TO ADD NEW A §3117 TO ARTICLE 2 OF CHAPTER 3 AND A NEW §5121 TO CHAPTER 5 OF TITLE 17, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE GUAM EDUCATION POLICY BOARD TO ESTABLISH A DISTRICT ACTION PLAN AND A "BONUSES, REWARDS AND INCENTIVES PROGRAM" FOR TEACHERS, SCHOOL ADMINISTRATORS AND LICENSED HEALTHCARE PROFESSIONALS EMPLOYED AT THE DEPARTMENT OF EDUCATION IN SUPPORT OF THE "NO CHILD LEFT BEHIND ACT OF 2001".

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5 availability of funds. The criteria, rules and regulations for the *Bonuses, Rewards*
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MINA' BENTE SAIS NA LIHESLATURAN GUÅHAN
2002 (SECOND) Regular Session

Bill No. 429 (COR)

Introduced by:

L.F. Kasperbauer ^{LK}

AN ACT TO ADD NEW A §3117 TO ARTICLE 2 OF CHAPTER 3 AND A NEW §5121 TO CHAPTER 5 OF TITLE 17, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE GUAM EDUCATION POLICY BOARD TO ESTABLISH A DISTRICT ACTION PLAN AND A “BONUSES, REWARDS AND INCENTIVES PROGRAM” FOR TEACHERS, SCHOOL ADMINISTRATORS AND LICENSED HEALTHCARE PROFESSIONALS EMPLOYED AT THE DEPARTMENT OF EDUCATION IN SUPPORT OF THE “NO CHILD LEFT BEHIND ACT OF 2001”.

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