



Office of the Governor of Guam

P.O. Box 2950 Hagåtña, Guam 96932
TEL: (671) 472-8931 • FAX: (671) 477-4826 • EMAIL: governor@mail.gov.gu

Office of the People's Speaker
Via e-mail: spk@guam.gov.gu

Felix Perez Camacho
Governor

Kaleo Scott Moylan
Lieutenant Governor

DEC 03 2004

TIME: 542 JAN 11 PM
RECEIVED: [Signature]

0 8 000 001

The Honorable Vicente C. Pangelinan
Speaker
Mina' Bente Siete Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 290 (COR), "AN ACT RELATIVE TO AUTHORIZING THE POSITION OF CHIEF FINANCIAL OFFICER FOR THE DEPARTMENT OF EDUCATION, TO INSURE COMPREHENSIVE, PROPER AND TIMELY FINANCIAL REPORTING OF THE RECEIPT AND EXPENDITURE OF ALL FUNDS WITHIN THE GUAM DEPARTMENT OF EDUCATION, TO INCLUDE GENERAL FUNDS, FEDERAL FUNDS, AND NON-APPROPRIATED FUNDS, BY ADDING A NEW §3125 TO TITLE 17, GUAM CODE ANNOTATED," which I signed into law on December 2, 2004 as Public Law No. 27-117.

Sins eru yan Magåhet,

[Signature of Felix P. Camacho]

FELIX P. CAMACHO
I Maga'låhen Guåhan
Governor of Guam

Attachment: copy attached of signed bill

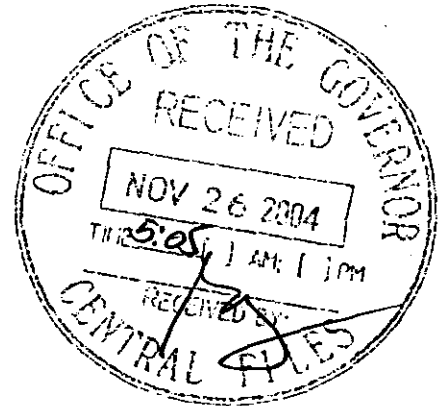
cc: The Honorable Tina Rose Muna-Barnes
Senator and Legislative Secretary



MINA' BENTE SIETE NA LIHESLATURAN GUÅHAN
TWENTY-SEVENTH GUAM LEGISLATURE
155 Hessler Place, Hagåtña, Guam 96910

November 26, 2004

The Honorable Felix P. Camacho
I Maga'lahaen Guåhan
Ufisinan I Maga'lahi
Hagåtña, Guam 96910



Dear *Maga'lahi* Camacho:

Transmitted herewith are Bill Nos. 126(COR), 251(COR), 257(LS), 259(LS), 283(COR), 293(COR), 307(COR), 335(COR), 344(LS), 345(LS), 347(LS), 351(COR), 380(COR), 385(COR) & 387(COR), and Substitute Bill Nos. 282(COR), 290(COR), 324(COR) & 353(COR) which were passed by *I Mina' Bente Siete Na Liheslaturan Guåhan* on November 24, 2004.

Sincerely,

A handwritten signature in black ink, appearing to read "Tina Rose Muna Barnes".

TINA ROSE MUNA BARNES
Senator and Legislative Secretary

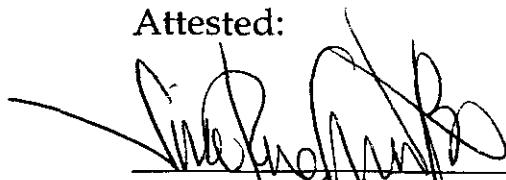
Enclosures (19)

I MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN
2004 (SECOND) Regular Session

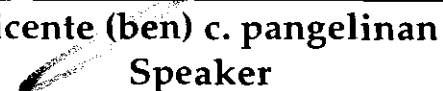
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Substituted Bill No. 290 (COR), "AN ACT RELATIVE TO AUTHORIZING THE POSITION OF CHIEF FINANCIAL OFFICER FOR THE DEPARTMENT OF EDUCATION, TO INSURE COMPREHENSIVE, PROPER AND TIMELY FINANCIAL REPORTING OF THE RECEIPT AND EXPENDITURE OF ALL FUNDS WITHIN THE GUAM DEPARTMENT OF EDUCATION, TO INCLUDE GENERAL FUNDS, FEDERAL FUNDS, AND NON-APPROPRIATED FUNDS, BY ADDING A NEW §3125 TO TITLE 17, GUAM CODE ANNOTATED," was on the 24th day of November, 2004, duly and regularly passed.

Attested:




Tina Rose Muna Barnes
Senator and Legislative Secretary



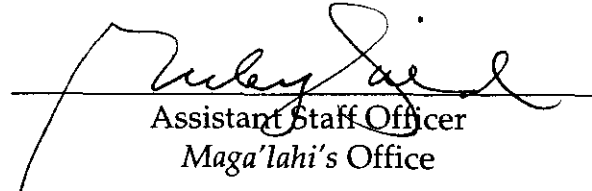
vicente (ben) c. pangelinan
Speaker

This Act was received by *I Maga'lahaen Guåhan* this 26th day of November, 2004,
at 5:05 o'clock P.M.

APPROVED:



FELIX P. CAMACHO
I Maga'lahaen Guåhan



Assistant Staff Officer
Maga'lahaen's Office

Date: December 2, 2004

Public Law No. 27-117

I MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN
2004 (SECOND) Regular Session

Bill No. 290 (COR)

As substituted by the Author,
and amended on the Floor.

Introduced by:

F. B. Aguon, Jr.
Carmen Fernandez
v. c. pangelinan
Toni Sanford
T. R. Muña Barnes
J. M.S. Brown
F. R. Cunliffe
Mark Forbes
L. F. Kasperbauer
R. Klitzkie
L. A. Leon Guerrero
J. A. Lujan
J. M. Quinata
R. J. Respicio
Ray Tenorio

AN ACT RELATIVE TO AUTHORIZING THE POSITION OF CHIEF FINANCIAL OFFICER FOR THE DEPARTMENT OF EDUCATION, TO INSURE COMPREHENSIVE, PROPER AND TIMELY FINANCIAL REPORTING OF THE RECEIPT AND EXPENDITURE OF ALL FUNDS WITHIN THE GUAM DEPARTMENT OF EDUCATION, TO INCLUDE GENERAL FUNDS, FEDERAL FUNDS, AND NON-APPROPRIATED FUNDS, BY ADDING A NEW §3125 TO TITLE 17, GUAM CODE ANNOTATED.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*
3 finds that the Superintendent of the Department of Education is responsible

1 for the management, allocation and expenditure of more than One Hundred
2 Thirty-Six Million Dollars (\$136,000,000) of local funds, and in excess of Thirty
3 Million Dollars (\$30,000,000) in Federal funds annually. This level of funding
4 requires that, in fact, the Superintendent of Education has the qualified people
5 resource to insure that *I Liheslaturan Guåhan* and the disbursing Federal
6 government agencies receive timely financial reports on the expenditures of
7 such funds and the accountability of the allocation of these limited resources.

8 Therefore, it is the intent of *I Liheslaturan Guåhan* to authorize the
9 Department of Education to recruit a Chief Financial Officer, who must be a
10 Certified Public Accountant, and to retain the most qualified individual
11 through appropriately compensating said individual. This proposal would
12 authorize the Guam Education Policy Board to set the salary of the Chief
13 Financial Officer, and to have the Superintendent of Education hire said
14 individual.

15 **Section 2.** A new §3125, relative to a Chief Financial Officer for the
16 Department of Education, is hereby *added* to Chapter 3, Article 1 of Division 2,
17 Title 17, Guam Code Annotated, to read as follows:

18 **“§3125. Chief Financial Officer.**

19 (a) The position of Chief Financial Officer is hereby established
20 within the Guam Department of Education. The Chief Financial Officer
21 shall meet the following minimum qualifications:

22 i.) Shall have graduated from a college or university with
23 a Master’s degree in accounting, finance, economics,
24 business administration or a related field; or

- 1 ii.) Shall have at least seven (7) years experience as Chief
2 Financial Officer or Controller responsible for general
3 accounting and fiscal services;
- 4 iii.) Shall have knowledge or experience in negotiating and
5 directing activities related to obtaining financial
6 reimbursement from federal government programs;
- 7 iv.) Shall have experience in negotiating contracts with
8 external parties, including third party payers, vendors,
9 insurance carriers and other contracting parties.

10 (b) The Chief Financial Officer shall report directly to the
11 Superintendent of Education. The Superintendent of Education, shall
12 hire the Chief Financial Officer by direct employment as an unclassified
13 employee of the government of Guam, or by personal services contract,
14 as is deemed necessary by the Superintendent of Education to attract
15 and retain a qualified Chief Financial Officer. Notwithstanding the
16 provisions of §6206.1 of Title 4 of the Guam Code Annotated, the salary
17 of the Chief Financial Officer shall be established by the Civil Service
18 Commission (“The Commission”). The Commission shall consider
19 income levels of private and government practitioners on Guam and
20 worldwide. Implementation of the salary structure is *subject to* the
21 approval of the Civil Service Commission.

22 (c) The Chief Financial Officer shall provide the Guam
23 Education Policy Board, *I Maga’lahen Guåhan* and *I Liheslaturan Guåhan*
24 with monthly financial reports on the receipt, allocation and
25 expenditure of all funds provided to the Department, to include General

1 Funds, Federal funds, and non-appropriated funds. Said financial
2 reports shall be transmitted to the respective offices no later than thirty
3 (30) days following the closure of each month, and an annual financial
4 report shall be submitted no later than sixty (60) days upon the closure
5 of each fiscal year. Said financial reports shall be provided at no cost to
6 the respective offices. Failure to provide timely reports shall constitute
7 'cause' for termination purpose."

8 **Section 3. Severability.** *If any provision of this Act or its application*
9 *to any person or circumstances is found to be invalid or contrary to law, such*
10 *invalidity shall not affect other provisions or applications of this Act which*
11 *can be given effect without the invalid provisions or applications, and to this*
12 *end the provisions of this Act are severable.*



Senator Lou Leon Guerrero RN, MPH

MAY 19 2004

MEMORANDUM

Democrat Majority Leader

Committee on Rules & Health
Chairwoman

Committee on Utilities & Land
Member

Committee on Appropriation
& Budgeting, General
Government Operations
Reorganization & Reform
Member

Committee on Community,
Culture, Recreation &
Public Broadcasting
Member

Committee on Economic
Development, Retirement,
Investments, Public Works,
& Regulatory Functions
Member

Committee on Education
& Housing
Member

Committee on Judiciary
& Transportation
Member

Committee on Youth &
Senior Citizens,
Federal & Foreign Affairs
Member

To: Vice Speaker Frank B. Aguon, Jr., Chairman,
Committee on Appropriations & Budgeting, General
Government Operations, Reorganization & Reform

Senator Carmen Fernandez, Chairwoman }
Committee on Education and Housing

From: Senator Lou Leon Guerrero, Chairwoman, *LJG*
Committee on Rules and Health

Subject: Bill No. 290 (COR)

In accordance with Section 6.04.04.01 and 6.04.04.02 of the Standing Rules of the
Mina' Bente Siete na Liheslaturan Guahan,

MB **Bill No. 290 (COR), AN ACT RELATIVE TO AUTHORIZING THE POSITION OF
CHIEF FINANCIAL OFFICER FOR THE DEPARTMENT OF EDUCATION, TO
INSURE COMPREHENSIVE, PROPER AND TIMELY FINANCIAL REPORTING
OF THE RECEIPT AND EXPENDITURE OF ALL FUNDS WITHIN THE GUAM
DEPARTMENT OF EDUCATION TO INCLUDE GENERAL FUNDS, FEDERAL
FUNDS, AND NON-APPROPRIATED FUNDS,**

is jointly referred to the Committee on Appropriations & Budgeting, General Government
Operations, Reorganization & Reform and the Committee on Education and Housing as the
committees of jurisdiction.

A copy of this bill may be obtained from the Office of the Clerk of the Legislature.

Also in accordance with Section 7.01 of the Standing Rules, it shall be the duty of the
Chairperson of each standing committee, or the designated hearing officer, to notify the
Speaker, the Chairwoman of the Committee on Rules and the Executive Director, the date,
time, subject matter, number and title of the bill or resolution for which a public hearing
will be held.

Thank you.

Cc: Clerk of the Legislature

27th Guam Legislature

155 Hesler Street Hagåtña, Guam 96910

Office 671 . 472-3582 - 5 / 472-3576 Facsimile 671 . 472-3591 Email

IX TRANSMISSION CHECKLIST TO I MAGA'LAHEN GUAHAN
(Included in File w/ All Bills Transmitted)

SBILL NO. 290 (COR)

- EXHIBITS ATTACHED *None*
- CONFIRM NUMBER OF PAGES *4*
- CAPTION ON CERTIFICATION MATCHES BILL CAPTION
- ENGROSSED SIGN""*"" REMOVED FROM BILL
- 15 SENATORS IN SPONSORSHIP OR CONFIRM OTHERWISE
- CERTIFICATION SIGNED BY SPEAKER & LEGIS. SECRETARY
- EMERGENCY DECLARATION, if any *No*

Confirmed By: *DP/eg*

Dated: 11-26-04

FINAL REVIEW:

Dated: _____

- HAND CARRY BILL IN BLUEBACK (ORIGINAL & COPY)
TO THE GOVERNOR. (DANNY, I. ... OR OTHERS)
- ACKNOWLEDGED COPY W/ ORIGINAL BLUEBACK
PLACED ON CLERK'S DESK. (Same copy given to ...)

- FILED by: _____



FRANK B. AGUON, JR.

Vice Speaker

June 11, 2004

MEMORANDUM

The Honorable ben c. pangelinan
Speaker, *I Mina' Bente Siete Na Liheslaturan Guahan*
155 Hesler Street
Hagåtña, Guam 96910

Via: Honorable Senator Lou Leon Guerrero, Committee on Rules & Health

Dear Speaker pangelinan:

The Committee on Appropriations and Budgeting, General Governmental Operations, Reorganization and Reform, to which was referred, Bill No. 290 (COR) as Substituted -An act relative to authorizing the position of Chief Financial Officer for the Department of Education, to insure comprehensive, proper and timely financial reporting of the receipt and expenditure of all funds within the Guam Department of Education to include General Funds, Federal Funds, and Non-Appropriated Funds, has had the same under consideration, and now wishes to report back the same with the recommendation **TO DO PASS**.

The voting record is as follows:

TO PASS

6

NOT TO PASS

0

TO ABSTAIN DUE TO POTENTIAL CONFLICT


0

TO PLACE IN INACTIVE FILE

0

Copies of the Committee Report and other pertinent documents are attached. Thank you for your attention to this matter. **Dangkolo' Na Si Yu'os Ma'ase.**

Respectfully,


FRANK BLAS AGUON, JR.
Vice Speaker/Senator
I Mina' Bente Siete Na Liheslaturan Guahan

Respetu Para Todu (Respect for All)

I Mina Bente-Siete Na Liheslaturan Guahan * Twenty-Seventh Guam Legislature
Suite 101-A * Ada's Commercial and Professional Center * 118 East Marine Drive * Hagåtña, Guam 96910
Phone (671) 479-4GUM (4486/4828) * Fax (671) 479-4827



2004 JUN 14 09 05 AM



FRANK B. AGUON, JR.

Vice Speaker

June 11, 2004

MEMORANDUM

TO: Members, Committee on Appropriations and Budgeting, General Governmental Operations, Reorganization and Reform

FROM: Vice Speaker Frank B. Aguon, Jr. Chairman, Committee on Appropriations and Budgeting, General Governmental Operations, Reorganization and Reform

SUBJECT: Committee Report – Bill No. 290 (COR) as substituted

Transmitted herewith for your information and action is the report on Bill No. 290 (COR) as substituted, An act relative to authorizing the position of Chief Financial Officer for the Department of Education, to insure comprehensive, proper and timely financial reporting of the receipt and expenditure of all funds within the Guam Department of Education to include General funds, Federal funds, and non-appropriated funds, from the Committee on Appropriations and Budgeting, General Governmental Operations, Reorganization and Reform.

This memorandum is accompanied by the following:

1. Committee Voting Sheet
2. Committee Report
3. Bill No. 290 (COR) as substituted
4. Public Hearing Sign-in Sheet
5. Notice of Public Hearing

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

Should you have any questions regarding the report or accompanying documents, please do not hesitate to contact me. **Dangkolo' Na Si Yu'os Ma'ase.**

Respectfully,


FRANK BLAS AGUON, JR.

Vice Speaker/Senator

I Mina' Bente Siete Na Liheslaturan Guåhan

Respetu Para Todu (Respect for All)

I Mina Bente-Siete Na Liheslaturan Guåhan * Twenty-Seventh Guam Legislature
Suite 101-A * Ada's Commercial and Professional Center * 118 East Marine Drive * Hagåtña, Guam 96910
Phone (671) 479-4GUAM (4486/4828) * Fax (671) 479-4827





FRANK B. AGUON, JR.

Vice Speaker

Committee on Appropriations and Budgeting, General Governmental Operations, Reorganization and Reform VOTING SHEET

Bill No. 290 (COR) as Substituted, - An act relative to authorizing the position of Chief Financial Officer for the Department of Education, to insure comprehensive, proper and timely financial reporting of the receipt and expenditure of all funds within the Guam Department of Education to include General Funds, Federal Funds, and Non-Appropriated Funds.

Committee Members	To Pass	Not to Pass	To Abstain due to potential Conflict	To place in Inactive File
 FRANK B. AGUON, JR. Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ANTOINETTE D. SANFORD Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 LOU LEON GUERRERO Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TINA R. MUNA-BARNES Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JOHN M. QUINATA Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
RORY J. RESPICIO Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 CARMEN FERNANDEZ Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 MARK FORBES Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LAWRENCE F. KASPERBAUER Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Respetu Para Todu (Respect for All)





FRANK B. AGUON, JR.

Vice Speaker

I MINA' BENTE SIETE NA LIHESLATURAN GUÅHAN

Committee on Appropriations and Budgeting,
General Governmental Operations,
Reorganization and Reform

**VICE SPEAKER FRANK B. AGUON, JR.
CHAIRMAN**

Committee Report
On
Bill No. 290 (COR) *as Substituted*

AN ACT RELATIVE TO AUTHORIZING THE POSITION OF CHIEF FINANCIAL OFFICER FOR THE DEPARTMENT OF EDUCATION, TO INSURE COMPREHENSIVE, PROPER AND TIMELY FINANCIAL REPORTING OF THE RECEIPT AND EXPENDITURE OF ALL FUNDS WITHIN THE GUAM DEPARTMENT OF EDUCATION TO INCLUDE GENERAL FUNDS, FEDERAL FUNDS, AND NON-APPROPRIATED FUNDS.



Respetu Para Todu (Respect for All)

I Mina Bente-Siete Na Liheslaturan Guåhan * Twenty-Seventh Guam Legislature
Suite 101-A * Ada's Commercial and Professional Center * 118 East Marine Drive * Hagåtåa, Guam 96910
Phone (671) 479-4GUM (4486/4828) * Fax (671) 479-4827



I. OVERVIEW

The Committee on Appropriations and Budgeting, General Governmental Operations, Reorganization and Reform to which was referred Bill No. 290 (COR) as Substituted by the Author, held a public hearing beginning at 9:30 a.m. Friday, June 4, 2004 at the Legislative Public Hearing Room. A Public Hearing Notice was provided to the Media on Friday May 28, 2004 and Thursday June 3, 2004 in the Pacific Daily News.

Senators present at the public hearing were:

Vice-Speaker Frank Blas Aguon, Jr., Chairman

Speaker ben c. pangelinan

Senator John Quinata

Senator Joanne Brown

Senator Robert Klitzkie

Senator Jesse Lujan

II. SUMMARY OF TESTIMONYS:

Juan Flores, Superintendent of Education, provided a written and oral testimony in support of Bill 290; he stated that his Department is in need of a Chief Financial Officer due to the lack of qualifications in his Department. (See attachment 1).

Vern Perez, Executive Director of Civil Service Commission, Provided a written and oral testimony, which states his concerns regarding the language of the bill, which allows the Guam Education Policy Board to set the compensation for the CFO position. Mr. Perez suggested incorporating amended language similar to Public Law 25-183. (See attachment 2).

Senator Quinata commented how much would the salary be for a Chief Financial Officer and Mr. Perez replied a set range between 90 to 100 thousand dollars annually.

Senator Lujan asked Mr. Perez in regards to the Chief Financial Officers' position, how many CFO's are working in the government of Guam today, Mr. Perez responded with (3) agencies referring to GMHP, UOG, and CCU.

Senator Joanne Brown commented some issues with the Provisions of authorizing the salary of the position. Like what is the set range salary of this particular position as opposed to other agencies.

In closing, the Chairman commented with the panel in regards to working with the salary authorization between the Guam Education Policy Board and the Civil Service Commission.

III. FINDINGS AND RECOMMENDATION:

The Committee on Appropriations and Budgeting, General Governmental Operations, Reorganization and Reform finds that Bill No. 290 as substituted, is a good measure to give the Department of Education the right tools to keep its financial situation in order. Due to its lack of skills or qualifications in the Controller division, the Department of Education can be more accountable with a Chief Financial Officer to keep the Department's financial records updated and to ensure that all appropriations and expenditures in the upcoming fiscal years are tracked properly.

Accordingly, the Committee on Appropriations and Budgeting, General Governmental Operations, Reorganization and Reform, to which Bill No 290 (COR) as substituted, was referred, does hereby submit its findings and recommendations to *I Mina Bente Siete Na Liheslaturan Guahân* **TO DO PASS BILL NO. 290 (COR) as substituted, An act relative to authorizing the position of Chief Financial Officer for the Department of Education, to insure comprehensive, proper and timely financial reporting of the receipt and expenditure of all funds within the Guam Department of Education to include General Funds, Federal Funds, and Non-Appropriated Funds.**

Attachments:

Voting Sheet
Committee Report
Written testimonials:
Attachment 1, Mr. Juan Flores, Superintendent of Education
Attachment 2, Mr. Vern Perez, Executive Director of Civil Service Commission
Sign in sheet
Public Hearing Notice



DEPARTMENT OF EDUCATION

P.O. Box DE
Agaña, Guam 96932
Tel: (671) 475-0457
Fax: (671) 472-5003



JUAN P. FLORES
Superintendent of Education

June 4, 2004

HONORABLE FRANK B. AGUON, JR.
Vice Speaker
I Mina' Bente Siete Na Liheslaturan Guahan
HAND DELIVER

Subject: Testimony in Support of Bill No. 290

Dear Vice Speaker Aguon:

Buenas yan Hafa Adai! The Department of Education (DOE) supports the intent of Bill No. 290 - *An act relative to authorizing the position of Chief Financial Officer for the Department of Education to insure comprehensive, proper and timely financial reporting of the receipt and expenditure of all funds with the Guam Department of Education to include General Funds, Federal Funds, and Non-Appropriated Funds.*

Notwithstanding the U.S. Department of Education's (US DOE) rating of the Guam Department of Education as an "At-Risk Grantee," Guam DOE, as a result of the review, has met the US DOE requirements of the Single Audit from 1998 through 2001; the Single Audit requirement for 2002; and the completion of the 2003 Single Audit by June 2004. Bill No. 290 is timely since one of the requirements by US DOE is the retention of a Chief Financial Officer by the Guam Department of Education to ensure fiscal accountability in its financial management system.

In addition, the department supports the provision that would authorize the Guam Education Policy Board to set the salary of the Chief Financial Officer (CFO) and to have the Superintendent of Education hire the CFO. Recently, DOE experienced difficulty in recruiting a Controller due to restrictions placed on the department to negotiate a competitive salary. This situation is further compounded on the limited number of qualified candidates who are willing to accept the position based on the salary restriction. Furthermore, if DOE is to recruit and retain a qualified CFO, the department must be able to offer a competitive salary comparable to the salaries of CFO's in the private sector.

With the passage of Bill No. 290, DOE will be able to recruit and retain a qualified and capable Chief Financial Officer. Once hired, the CFO will foster fiscal accountability and efficiency so we may maximize the department's financial resources to the Guam public school system while maintaining our mission "...to prepare all students for life, promote excellence, and provide support!" Thank you for your continued support for Guam's public education system and assuring quality educational opportunities for Guam's public school students.

Si Yu'os Ma'ase!

JUAN P. FLORES
Superintendent of Education

Attachment 1

COMMONWEALTH OF GUAM





GOVERNMENT OF GUAM



CIVIL SERVICE COMMISSION
KUMISION I SETBISION SIBIT

2nd Floor Hakubotan Bldg
E.T. Calvo Way, Tamuning 96913
P.O. Box 3156 Hagatna, Guam 96932
Tel: 647-1855/8 Fax: 647-1867 **May 19, 2004**

CSC NO. 2004-275

Frank B. Aguon Jr.
Vice Speaker
I Mins' Bente-Siete Na Liheslaturan Guahan

Re: Bill 290

Dear Vice Speaker:

The Civil Service Commission staff is in receipt of Bill 290 addressing the Chief Financial Officer position for the Department of Education.

My staff is concerned about the language in the bill dealing with the salary authorization for the position. The establishment of salary is generally performed by the Civil Service Commission. Bill 290 allows the Guam Education Policy Board to set the compensation for the position. The proposed legislation only requires the Guam Education Policy Board to get guidance from the Commission as opposed to approval.

I suggest incorporating amending language similar to that of P.L. 25-183. This law is similar to Bill 290 in directing the Hospital Administrator, in consultation with the Civil Service Commission, to hire the Chief Financial Officer by direct employment or contract as is deemed necessary for attraction and retention of a qualified applicant. Importantly, the law authorized the Civil Service Commission to establish the salary for a Chief Financial Officer at the Guam Memorial Hospital utilizing income levels of private and government practitioners on Guam and worldwide. P.L. 25-183 also required the approval of the Civil Service Commission for the implementation of the established salary structure.

Please consider amending Bill 290 to reflect language established in P.L. 25-183. If you have any questions or concerns please contact me.

Senseramente,

VERNON P. PEREZ

CC: Senator Carmen Fernandez
Chrono:VPP:JKC:rgp:19may04

Chrono File

Attachment 2

COPY

