

I Mina'trentai Sais Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
137-36 (COR)	Jose “Pedro” Terlaje Tina Rose Muña Barnes Clynton E. Ridgell Mary Camacho Torres	AN ACT TO APPROPRIATE FUNDS TO THE GOVERNMENT OF GUAM RETIREMENT FUND TO CONDUCT A STUDY RELATIVE TO ENHANCED BENEFITS FOR UNIFORMED PERSONNEL IN THE DEFINED BENEFIT 1.75 RETIREMENT SYSTEM.	5/6/21 4:45 p.m.	5/12/21	Committee on General Government Operations, Appropriations, and Housing	7/20/21 2:00 p.m.	9/21/21 2:45 p.m.	Request: 5/12/21 5/18/21	




SENATOR JOE S. SAN AGUSTIN

COMMITTEE ON GENERAL GOVERNMENT OPERATIONS, APPROPRIATIONS & HOUSING
I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN

15 Sept 2021

The Honorable Therese M. Terlaje
Speaker
I Mina'trentai Sais Na Liheslaturan Guåhan
163 Chalan Santo Papa
Hagåtña, Guam 96910


VIA: The Honorable Amanda L. Shelton
Acting Chairperson, Committee on Rules

RE: Committee Report on Bill No.137-36 (COR) As Introduced

Dear Speaker Terlaje:

Transmitted herewith is the Committee Report on **BILL NO. 137-36 (COR)** - As Introduced by Jose "Pedro" Terlaje, Tina Rose Muña Barnes, Clynton E. Ridgell and Mary Camacho Torres. **"AN ACT TO APPROPRIATE FUNDS TO THE GOVERNMENT OF GUAM RETIREMENT FUND TO CONDUCT A STUDY RELATIVE TO ENHANCED BENEFITS FOR UNIFORMED PERSONNEL IN THE DEFINED BENEFIT 1.75 RETIREMENT SYSTEM."**

Committee votes are as follows:

4 TO DO PASS
0 TO NOT PASS
1 TO REPORT OUT ONLY
0 TO ABSTAIN
0 TO PLACE IN INACTIVE FILE

COMMITTEE ON RULES
RECEIVED:

September 15, 2021
10:15 A.M.



Respectfully,


Senator Joe S. San Agustin
Chairperson, Committee on Appropriations




SENATOR JOE S. SAN AGUSTIN

COMMITTEE ON GENERAL GOVERNMENT OPERATIONS, APPROPRIATIONS & HOUSING
I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN

September 15, 2021

MEMORANDUM

TO: The Honorable Amanda L. Shelton
Acting Chairperson, Committee on Rules

FROM: Senator Joe S. San Agustin 
Chairman, Committee on General Government Operations, Appropriations
and Housing.

RE: Bill 137-36 (COR) As Introduced

Håfa Adai Acting Chairperson Shelton!

In accordance with the Standing Rule of the Guam Legislature Rule VI, the Committee on General Government Operations, Appropriations, and Housing formally submits the Committee Report on Bill 137-36 (COR) As Introduced, which was heard by the Committee. The provision of Bill No. 137-36 (COR) has been incorporated in FY2022 Budget Bill, now Public Law. 36-54. Therefore, Bill No. 137-36 (COR) is closed, and no further action is needed.

Should you have any questions or concerns, please do not hesitate to contact our office.

Si Yu'os Ma'ase!



Office of

SENATOR Joe S. San Agustin

I Mina' trentai Sais na Liheslaturan Guåhan Thirty-Sixth Guam Legislature

COMMITTEE REPORT

BILL NO. 137-36 (COR)

*Introduced by Senators: Jose "Pedo" Terlaje / Tina Rose
Muña Barnes / Clynton E. Ridgell / Mary Camacho Torres*

**AN ACT TO APPROPRIATE FUNDS TO THE
GOVERNMENT OF GUAM RETIREMENT FUND
TO CONDUCT A STUDY RELATIVE TO
ENHANCED BENEFITS FOR UNIFORMED
PERSONNEL IN THE DEFINED BENEFIT 1.75
RETIREMENT SYSTEM.**

Committee Chairman: General Government Operations, Appropriations and Housing



SENATOR JOE S. SAN AGUSTIN

COMMITTEE ON GENERAL GOVERNMENT OPERATIONS, APPROPRIATIONS & HOUSING
I MINA'TRENTAI SAIS NA LIHESLATURAN GUAHAN

15 Sept 2021

MEMORANDUM

TO: ALL MEMBERS

Committee on General Government Operations, Appropriations, and Housing

From: Senator Joe S. San Agustin

Committee Chairperson

Subject: Committee Report on Bill No. 137-36 (COR) As Introduced

Transmitted herewith is the Committee Report on **BILL NO. 137-36 (COR)** - As Introduced by Jose "Pedro" Terlaje, Tina Rose Muña Barnes, Clynton E. Ridgell and Mary Camacho Torres. **"AN ACT TO APPROPRIATE FUNDS TO THE GOVERNMENT OF GUAM RETIREMENT FUND TO CONDUCT A STUDY RELATIVE TO ENHANCED BENEFITS FOR UNIFORMED PERSONNEL IN THE DEFINED BENEFIT 1.75 RETIREMENT SYSTEM."**

This report includes the following:

- Copy of COR Referral of Bill No. 137-36 (COR)
- Notices of Public Hearing and Other Correspondence
- Copy of Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Submitted Written Testimony and Supporting Documents
- Committee Report Digest
- Copy of Bill No. 137-36 (COR) As Introduced
- Copy of Fiscal Note from Bureau of Budget and Management Research
- Copy of Funding Availability Note from Office of Finance and Budget
- Committee Vote Sheet

Please take the appropriate action on the attached vote sheet, Your Attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Si Yu'os Ma'ase'.

Senator Joe S. San Agustin

Chairman, Committee on Appropriations



Vice Speaker

TINA ROSE MUÑA BARNES

CHAIRPERSON, COMMITTEE ON RULES

I Mina'trentai Sais Na Liheslaturan Guahan

GUAM CONGRESS BUILDING
163 CHALAN SANTO PAPA
HAGATNA, GUAM 96910
TEL 671-472-2461
COR@GUAMLEGISLATURE.ORG

May 11, 2021

MEMO

To: Rennae Meno
Clerk of the Legislature

Attorney Ana Won Pat-Borja
Legislative Legal Counsel

From: Vice Speaker Tina Rose Muña Barnes
Chairperson, Committee on Rules

Re: Referral of Bill No. 137-36 (COR)

Hafa Adai,

As per my authority as Chairperson of the Committee on Rules and subject to §6.01(d)(1), Rule VI of our Standing Rules, I am forwarding the referral of Bill No. 137-36 (COR) – Jose "Pedro" Terlaje, Tina Rose Muña Barnes, Clynton E. Ridgell, Mary Camacho Torres - "AN ACT TO APPROPRIATE FUNDS TO THE GOVERNMENT OF GUAM RETIREMENT FUND TO CONDUCT A STUDY RELATIVE TO ENHANCED BENEFITS FOR UNIFORMED PERSONNEL IN THE DEFINED BENEFIT 1.75 RETIREMENT SYSTEM."

Please ensure that the subject bill is referred to the Committee on General Government Operations, Appropriations and Housing, chaired by Senator Joe S. San Agustin.

I also request that the same be forwarded to the prime sponsor of the subject bill.

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.

Respectfully,


Vice Speaker Tina Rose Muña Barnes
Chairperson, Committee on Rules



Catherine Leon Guerrero <cathy.senatorsa@gmail.com>

Change 1: FIRST NOTICE of PUBLIC HEARING on Tuesday, July 20, 2021

1 message

Rose Mesa <rose.senatorsa@gmail.com>

Mon, Jul 12, 2021 at 12:25 PM

To: phnotice@guamlegislature.org

Cc: Management Information System <mis@guamlegislature.org>, Tom Unsiog <sgtarms@guamlegislature.org>, Joe San Agustin <protocol@guamlegislature.org>, ed pocaigue <siedpocaigue@gmail.com>

July 12, 2021

To: All Honorable Senators, Stakeholders and Media**From: Senator Joe S. San Agustin, Chairman****Subject: Change 1: FIRST NOTICE of PUBLIC HEARING on Tuesday, July 20, 2021***Buenas yan Håfa Adai!*

In accordance with the Open Government Law, relative to notices for public meetings, please be advised that the Committee on General Government Operations, Appropriations and Housing will convene a public hearing on **Tuesday, July 20, 2021 beginning at 9:00 a.m. in I Liheslaturan Guåhan's Public Hearing Room** (Guam Congress Building, Hagåtña).

The Committee will hear and accept testimony on the following:

9:00 a.m.

Bill No. 153-36 (COR) - Joe S. San Agustin / Jose "Pedro" Terlaje / Tina Rose Muña Barnes / Clynton E. Ridgell / James C. Moylan / Frank Blas Jr. / Amanda L. Shelton / V. Anthony Ada / Mary Camacho Torres

AN ACT TO ADD A NEW ARTICLE 7 TO CHAPTER 90, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO THE FINANCE, DESIGN, CONSTRUCTION AND MAINTENANCE OF THE GOVERNMENT OF GUAM DEPARTMENT OF CORRECTIONS WHICH THE ACT SHALL BE CALLED THE "DEPARTMENT OF CORRECTIONS MODERNIZATION ACT OF 2021."

2:00 p.m.

Bill No. 137-36 (COR) - Jose "Pedro" Terlaje Tina Rose Muña Barnes Clynton E. Ridgell Mary Camacho Torres **AN ACT TO APPROPRIATE FUNDS TO THE GOVERNMENT OF GUAM RETIREMENT FUND TO CONDUCT A STUDY RELATIVE TO ENHANCED BENEFITS FOR UNIFORMED PERSONNEL IN THE DEFINED BENEFIT 1.75 RETIREMENT SYSTEM.**

The hearing will be broadcast on local television, GTA Channel 21, Docomo Channel 117/112.4 and streamed online via *I Liheslaturan Guåhan's* live feed. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing.

In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Joe S. San Agustin at senatorjoessanagustin@gmail.com.

We look forward to your participation!

Un Dangkolo Na Si Yu'os Ma'åse'

Very Respectfully,

RoseMarie T. Mesa

Office Manager

I Mina'trentai sais Na Liheslaturan Guåhan

(Thirty-Sixth Guam Legislature)

Senator Joe S. San Agustin

Committee on General Government Operations, Appropriations, and Housing

Office: 671-989-5445

Email: rose.senatorsa@gmail.com

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To unsubscribe from this group and stop receiving emails from it, send an email to phnotice+unsubscribe@guamlegislature.org.



SECOND NOTICE of PUBLIC HEARING on Tuesday, July 20, 2021

1 message

Rose Mesa <rose.sensorsa@gmail.com>

Fri, Jul 16, 2021 at 9:53 AM

To: phnotice@guamlegislature.org

Cc: Management Information System <mis@guamlegislature.org>, Tom Unsiog <sgtarms@guamlegislature.org>,

Joe San Agustin <protocol@guamlegislature.org>

July 16, 2021

To: All Honorable Senators, Stakeholders and Media

From: Senator Joe S. San Agustin, Chairman

Subject: SECOND NOTICE of PUBLIC HEARING on Tuesday, July 20, 2021

Buenas yan Håfa Adai!

In accordance with the Open Government Law, relative to notices for public meetings, please be advised that the Committee on General Government Operations, Appropriations and Housing will convene a public hearing on **Tuesday, July 20, 2021 beginning at 9:00 a.m. in *I Liheslaturan Guåhan*'s Public Hearing Room** (Guam Congress Building, Hagåtña).

The Committee will hear and accept testimony on the following:

9:00 a.m.

Bill No. 153-36 (COR) - Joe S. San Agustin / Jose "Pedro" Terlaje / Tina Rose Muña Barnes / Clynton E. Ridgell / James C. Moylan / Frank Blas Jr. / Amanda L. Shelton / V. Anthony Ada / Mary Camacho Torres **AN ACT TO ADD A NEW ARTICLE 7 TO CHAPTER 90, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO THE FINANCE, DESIGN, CONSTRUCTION AND MAINTENANCE OF THE GOVERNMENT OF GUAM DEPARTMENT OF CORRECTIONS WHICH THE ACT SHALL BE CALLED THE "DEPARTMENT OF CORRECTIONS MODERNIZATION ACT OF 2021."**

2:00 p.m.

Bill No. 137-36 (COR) - Jose "Pedro" Terlaje Tina Rose Muña Barnes Clynton E. Ridgell Mary Camacho Torres **AN ACT TO APPROPRIATE FUNDS TO THE GOVERNMENT OF GUAM RETIREMENT FUND TO CONDUCT A STUDY RELATIVE TO ENHANCED BENEFITS FOR UNIFORMED PERSONNEL IN THE DEFINED BENEFIT 1.75 RETIREMENT SYSTEM.**

The hearing will be broadcast on local television, GTA Channel 21, Docomo Channel 117/112.4 and streamed online via *I Liheslaturan Guåhan*'s live feed. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing.

In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Joe S. San Agustin

at senatorjoessanagustin@gmail.com.

We look forward to your participation!

Un Dangkolo Na Si Yu'os Ma'åse'

Very Respectfully,

RoseMarie T. Mesa

Office Manager

I Mina'trentai sais Na Liheslaturan Guåhan

(Thirty-Sixth Guam Legislature)

Senator Joe S. San Agustin

Committee on General Government Operations, Appropriations, and Housing

Office: 671-989-5445

Email: rose.senatorsa@gmail.com



SENATOR JOE S. SANAGUSTIN

I Mina' trentai Sais na Liheslaturan Guåhan Thirty-Six Guam Legislature

VIRTUAL PUBLIC HEARING

Tuesday, July 20, 2021

AGENDA

@9:00AM

- **Bill No. 153-36 (COR)** – *As Introduced by Senators: Joe S. San Agustin / Jose "Pedo" Terlaje / Tina Rose Muña Barnes / Clynton E. Ridgell / Jams C. Moylan / Frank Blas Jr. / Amanda L. Shelton / V. Anthony Ada / Mary Camacho Torres* **AN ACT TO ADD A NEW ARTICLE 7 TO CHAPTER 90, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO THE FINANCE, DESIGN, CONSTRUCTION AND MAINTENANCE OF THE GOVERNMENT OF GUAM DEPARTMENT OF CORRECTIONS WHICH THE ACT SHALL BE CALLED THE "DEPARTMENT OF CORRECTIONS MODERNIZATION ACT OF 2021."**

@2:00PM

- **Bill No. 137-36 (COR)** – *As Introduced by Senators: Jose "Pedo" Terlaje / Tina Rose Muña Barnes / Clynton E. Ridgell / Mary Camacho Torres* **AN ACT TO APPROPRIATE FUNDS TO THE GOVERNMENT OF GUAM RETIREMENT FUND TO CONDUCT A STUDY RELATIVE TO ENHANCED BENEFITS FOR UNIFORMED PERSONNEL IN THE DEFINED BENEFIT 1.75 RETIREMENT SYSTEM.**

Committee Chairman: General Government Operations, Appropriations, and Housing



Office of SENATOR Joe S. San Agustin

I Mina'trentai - Sais na Liheslaturan Guahan, Thirty-Sixth Guam Legislature

Public Hearing Sign-in Sheet

July 20, 2021 • 2:00 p.m. • Guam Congress Building

Bill No. 137-36 (COR) - Jose "Pedro" Terlaje / Tina Rose Muña Barnes / Clynton E. Ridgell / Mary Camacho Torres **AN ACT TO APPROPRIATE FUNDS TO THE GOVERNMENT OF GUAM RETIREMENT FUND TO CONDUCT A STUDY RELATIVE TO ENHANCED BENEFITS FOR UNIFORMED PERSONNEL IN THE DEFINED BENEFIT 1.75 RETIREMENT SYSTEM.**

NAME	AGENCY OR ORGANIZATION (IF ANY)	SUPPORT? OPPOSE?	WRITTEN TESTIMONY	ORAL TESTIMONY	CONTACT NUMBER	EMAIL ADDRESS
Frank P. Diego Jr	GPD	SUPPORT			777-8565	joelymdiego@gmail.com
RONALD M. CASTRO	GPD	SUPPORT			687-4357	ronald.castro@gmail.com
Edward Flores	GPD	SUPPORT			688-0753	guamfire.s.flores@gmail.com
KEITH CHIKKILA	GPD	SUPPORT			777-7472	rachikik@gmail.com
Mark A. R. Torre	GPD	SUPPORT			687-3025	Mark.Torre@gpd.guam.gov
Arthur Sandoz	GPD	SUPPORT			727-6911	
KEVIN KERR	GPD	SUPPORT			482-1381	
R. Govea	GPD	SUPPORT			487-8911	
Jimmy Mangdon	GPD	SUPPORT			489-7050	
Maryanne Nunez	GPD	SUPPORT			687-5750	
Shirley Kim	GPD	SUPPORT			480-4251	
Carl E. D. Asquero	GPD	SUPPORT			686-3623	carl.e.asquero@gpd.guam.gov
THOMAS H. ALGER	GPD	SUPPORT			788-0649	thomas.alger@gpd.guam.gov
John A.L.G. Perez	GPD	SUPPORT			688-7913	john.perez@gpd.guam.gov

Page 1 of 2

Committee Chairman: General Government Operations, Appropriations, & Housing

Ran - Care Commercial Building, CBU #230, 761 South Marine Corps Dr., Tamuning, Guam 96913

Tel: (671) 989-5445 * Fax: (671) 969-6737 * email: senatorjoessanagustin@gmail.com



Bill No. 137-36 (COR) - Jose "Pedro" Terlaje / Tina Rose Muña Barnes / Clynton E. Ridgell / Mary Camacho Torres **AN ACT TO APPROPRIATE FUNDS TO THE GOVERNMENT OF GUAM RETIREMENT FUND TO CONDUCT A STUDY RELATIVE TO ENHANCED BENEFITS FOR UNIFORMED PERSONNEL IN THE DEFINED BENEFIT 1.75 RETIREMENT SYSTEM.**

Page 2 of 2

Tel: (671) 989-5445 * Fax: (671) 969-6737 * email: senatorjoessanagustin@gmail.com

LOURDES A. LEON GUERRERO
GOVERNOR



JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HĀGAN GUĀHAN
OFFICE OF THE GOVERNOR OF GUAM

July 15, 2021

The Honorable Jose "Pedo" Terlaje
Chairman, Committee on Public Safety
36th Guam Legislature

Transmitted via email to senatorpedo@senatoripterlaje.com

RE: Letter of Support for Bill No. 137-36 (COR)

Håfa Adai Senator Terlaje:

Thank you for this opportunity to provide supportive testimony for Bill No. 137-36 (COR), relative to appropriating \$75,000 to the Government of Guam Retirement Fund to commission a study to better inform policymakers in considering enhanced retirement benefits for Guam's public safety officers. Specifically, the study will include varying options to require additional employee contributions by uniformed personnel to allow for earlier retirement ages without penalty. I recognize the unique physical requirements involved in executing their duties and the subsequent need to consider early retirement due to the strenuous activities involved in law enforcement.

Bill No. 137-36 (COR) aligns with the priorities of my Administration in supporting our public safety officers. I appreciate your foresight on this important issue and your overall commitment as the Public Safety Chairman. On behalf of the Executive Branch, thank you for all your work and continued advocacy for our hard-working uniformed personnel. I look forward to continuing working closely with you on other vital matters affecting public safety in Guam.

Si Yu'os ma'åse!

Senseremente,

A handwritten signature in black ink, appearing to read "Lou Ann Guerrero".

LOURDES A. LEON GUERRERO
Maga'hågan Guåhan
Governor of Guam

cc: Chairman Joe S. San Agustin, Committee on Appropriations



Jourdes A. Leon Guerrero
Governor

Joshua F. Tenorio
Lieutenant Governor

Paula M. Blas
Director

Trustees:

Wilfred P. Leon Guerrero, Ed.D.
Chairman

Antolina S. Leon Guerrero
Vice Chair

Katherine T.E. Taitano
Secretary
Chair, Members and Benefits Committee

Artemio R.A. Hernandez, Ph.D.
Treasurer
Chair, Investment Committee

Thomas H. San Agustin
Trustee

David N. Sanford
Trustee

George A. Santos
Trustee

POSITION STATEMENT REGARDING BILL 137-36 (COR)
July 20, 2021

Hafa Adai Chairman San Agustin and Distinguished Members of the Committee on General Government Operations, Appropriations, and Housing. Thank you for the opportunity to testify on Bill 137-36, An Act to appropriate Funds to the Government of Guam Retirement Fund to Conduct a Study Relative to Enhanced Benefits for Uniformed Personnel in the Defined Benefit 1.75 Retirement System.

The Government of Guam Retirement Fund ("the Fund") takes no position on Bill 137-36 (COR). Notwithstanding the Fund's neutral stance on the Bill, the Fund recommends that *I Liheslaturan Guahan* consider providing specific details and information that may assist the Fund in achieving the goals particular to the study mandated in Bill 137-36.

The Fund seeks the following:

1. Clarification as to whether the Fund is being requested to provide a study that reviews enhancements to current retirement plans (e.g., Defined Benefit plan, Defined Contribution Plan, or Defined Benefit 1.75 plan, or the welfare and benefit plans currently administered by the Fund) or completely new retirement plans. If the intent is the latter, what specific type of retirement plan (defined benefit or defined contribution) is the *I Liheslaturan Guahan*, contemplating providing for the identified peace officers? If it is the former, which current retirement plan(s) and what types of enhanced benefits are being contemplated?
2. Confirmation that all costs associated with the identified enhanced benefits are to be borne strictly by the peace officer/employee, by the government, or both.
3. Clarification on whether the total appropriation of \$75,000 includes the potential cost of permitting additional government of Guam Defined Contribution members to elect to transfer to the Defined Benefit 1.75 plan or if such appropriation is limited to just the study to be conducted.

Providing clarification for these items in Bill 137-36 will ensure that the Fund can achieve the policy goals set forth by *I Liheslaturan Guahan* and can properly identify the scope of the study being mandated.

Thank you again for the opportunity to provide testimony on Bill 137-36. If you have any questions, please do not hesitate to contact us.


PAULA M. BLAS
Director

424 Route 8
Maite, Guam 96910
Tel: 671.475.8900
Fax: 671.475.8922
www.ggrf.com



Michaela Celorio <msacelorio.senatorsa@gmail.com>

Fwd: Written testimony on New retirement plan for Law Enforcement

1 message

Senator Pedro Terlaje <senatorpedo@senatorjpterlaje.com>

Mon, Jul 19, 2021 at 2:30 PM

To: "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Michaela Celorio <msacelorio.senatorsa@gmail.com>

Hafa Adai,

Please see the testimony submitted to our office regarding Bill No. 137-36 (COR)

Thank you.

----- Forwarded message -----

From: [REDACTED]
Date: Mon, Jul 19, 2021 at 11:14 AM
Subject: Written testimony on New retirement plan for Law Enforcement
To: <senatorpedo@senatorjpterlaje.com>

Senator Jose "Pedro" Terlaje

Buenas yan Hafa Adai,

My name is Chris Dangan, I am a Guam Police Sergeant and have been with the Guam Police Department for 24 years. My colleagues and I are excited that a plan for a new retirement is in the horizon for our brothers and sisters in the Guam Police. This plan for the new retirement is needed for the growth of the department and its personnel. There are numerous studies that illustrate that the average police officer's life expectancy of at least 12 years less than that of other people and die within 5 years after retirement. These reasons range from shift work, mental stress, physical stress, and hazardous work exposures to name a few.

I'm sure some will ask; then why did we choose this profession. To name a few, I chose this profession because I wanted a job that makes my family and I proud, to have a meaningful impact serving the community and motivated for something greater than myself. To this day, I continue to be passionate about my profession and the Guam Police Department. But after, many years the body and mind take a beating, not normal from any other profession and regardless of continued training and fitness father time and the body are not the same, we are all different. Sometimes the body will just not follow the mind.

The Guam Police Department will benefit from a new retirement plan, it will drive continued recruitment to replace those who wish to retire. This will bring in new ideas, fresh bodies and for those who remain, will continue to provide their experience and leadership which the Guam Police desires.

Senator Terlaje and to the other honorable senator's, I believe the time is now for this plan. Thank you yan si yu'os ma'ase for your time in providing my written testimony.

--

Chris Anthony M. Dangan
Police Sergeant I
Guam Police Department
14-16A Mariner Avenue
Tiyon, Guam 96913
[REDACTED]
[REDACTED]



Michaela Celorio <msacelorio.senatorsa@gmail.com>

Fwd: Ref to GPD New Retirement Plan

1 message

Senator Pede Terlaje <senatorpedo@senatorjpterlaje.com>

Mon, Jul 19, 2021 at 2:30 PM

To: "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Michaela Celorio <msacelorio.senatorsa@gmail.com>

Hafa Adai,

Please see the testimony submitted to our office regarding Bill No. 137-36 (COR)

Thank you.

----- Forwarded message -----

From: [REDACTED]
Date: Mon, Jul 19, 2021 at 1:11 PM
Subject: Ref to GPD New Retirement Plan
To: <senatorpedo@senatorjpterlaje.com>

Good Morning Senator,

Hello, my name is Shaun Kim, I am Police Officer with the Guam Police Department assigned to the Criminal Investigations Division. I have approximately 13yrs of service with the Guam Police Department. Since then I've seen and experienced the best and worst of working as a police officer and the support or lack of by the very government I work for. In 2005, I was working as a Police Cadet and was compensated \$7.28 an hour. Minimum wage was \$7.25 an hour. Yet, I was determined and motivated to do good. To serve my community, my island, and the Criminal Justice System.

To make ends meet financially, it was very difficult to say the least. I recall taking home under \$850.00 every 2 weeks. Cost of living increased, taxes, utility bills all became a burden as a young adult barely earning more than the minimum wage. I recalled working double shifts, pulling Overtime on my days off to bring in supplemental income to help me save and plan for a better future. I've seen many young officers leave for higher paying, less stressful, less hazardous working environment in both Local and Federal level. It looked like GovGuam finally realized the pay disparity amongst the law enforcement community and gave us a 40% raise. But due to it being election time, then senators granted the pay raise to all other law enforcement agencies, which further created a larger pay disparity amongst law enforcement on Guam. While other agencies provided the raise immediately impacting lives significantly, again GPD waited four (4) years to receive their 40% in increments of 10% a year. 10% of a POI's pay at that time would only be a \$1.28 raise. Could that really impact the lives of Officer's in a significant manner?

As Police Officer, we handle any and all calls or complaints from the public. As a GPD Officer we do work as a Guam Deputy Marshals by locating and arresting people with Outstanding Warrants, we handle probation issues when family or concerned citizens report violations committed by persons under probation, we handle Social Services issues like dealing with people with mental disabilities, Child Protective Services, Adult Protective Services, with little to no training relative to these issues. We put a lot of burden on our Police Officers, the pay is severely lacking and yet with today's climate we are even further ridiculed, scorn, and mocked by the Media, the Public, the Criminal Elements and with little to no support the stress levels are high. The Guam Police Department is in need of an incentive to attract individuals to work as Police Officers. We all know about other law enforcement agencies with better pay and less stress and that's due to being their autonomy and self-generating revenue. So why not give the Guam Police Department their own retirement plan as an incentive to attract new potential officers.

The last time the Guam Police Department had a large Police Academy was in 2005 where they graduated 36, but started with 42 cadets, I was part of that graduating class. Now, there are less than 50% of that class that remain in the

department and those remaining Officers continue to function to the best of their abilities. The Government of Guam Retirement Fund presented us with a Define Benefit 1.75 Hybrid retirement plan, said to be an improved retirement system over the Defined Contribution plan. However, with the Hybrid plan Officers are required to work until the age of 62 to be granted full retirements. That would mean I will have to work another 21years, totaling 34yrs of service to retire without penalty.

After joining Guam Police as a 24yrs old young adult, now I'm turning 41 soon, I am no longer the young healthy man, but rather an individual undergoing medical challenges. Daily life tasking have become difficult. However, I still dawn the badge and my service pistol and do my job as required. But senator, I do not think I would last till age 62 due to my body's further degradation. With your Bill and the support of the other Senators. To really reconsider and implement a new retirement system, where as I may retire after 25yrs of service rather than 30+years. 12yrs is more realistic than 21yrs for myself and my currently medical condition. Thank You for your support and keeping us Men and Women in Blue close to your heart and thoughts. All of Guam Police and myself appreciate your support and your continued battle to help this Bill become a reality for us.

Shaun Kim

Police Officer I

Special Investigations Section

Guam Police Department

The Office of Senator Jose "Pedo" Terlaje

Committee on Public Safety, Emergency Response,
Military and Veterans Affairs, Mayors' Council, and Public Transit

36th Guam Legislature

I Mina'trentai Sais na Liheslaturan Guåhan

777 Route 4, MVP Center - Units 101/ 102, Sinajana, GU 96910

Tel: (671) 989-5301/ 3218

Email: senatorpedo@senatorjpterlaje.com

Hafa Adai, My name is Amy Cruz and I am submitting testimony in support of changing the retirement plan for all law enforcement officers. The stresses of everyday life of a law enforcement officer can affect the officer both mentally and physically. I am no doctor but it can wear a person down. We may not know that we have been suffering from post dramatic stress disorder from situations we have to deal with on the job. We lose the aging battle and with age comes physical ailments that can hinder our performance as an officer. Some officers have been injured on the job but face so much red tape to get full medical retirement , they end up desk watch when we really need feet on the ground. With the implementation of P.O.S.T. and the new government retirement plan do you really think a sixty plus year old person will be able to keep up with younger criminals? The government wants to run law enforcement as a paramilitary entity yet won't afford its officers the same retirement for years in service that the military gives. I plead with you to change the retirement plan for all law enforcement officers, especially for those of us who are too old to change career paths yet still too young to retire with the government of Guam.

Thank you

Amy Cruz,

Guam Customs and Quarantine Officer I

July 20, 2021

Buenas,

Thank you for the opportunity to submit my testimony in support of Bill 137. My name is Rene R. Balbin and currently I have 28 years of service with the Government of Guam, mostly with the Superior Court of Guam/Judiciary of Guam. Please allow me to provide you with a brief history of my education and career. My career began in 1993 where I worked for Senator Ted S. Nelson as a Legislative Assistant assigned to the Surohanu's Office. In 1995, I moved on from my employment with Senator Nelson and sought a classified position with GovGuam. I applied as a maintenance worker at the Superior Court of Guam and was hired on January 31, 1995. For eight years, I worked as a maintenance worker while attending the University of Guam under the Doc Sanchez Scholarship program. At that time, little did I know I was under the "best retirement plan" in the United States, the Defined Benefit Plan or as well known it as the "Old Plan." Why I'm not in the Old Plan today?

In 1997, I was 23 years old with no clue about the greatest retirement plan I had. Instead, I was instructed to meet the Retirement's goons who aggressively misled me with future projections about the DC plan. Even worse, I was deceived by someone whom I considered a friend, a person I trusted, and who I assumed had my best interest for myself and my family. She had successfully deceived me to switch from the Defined Benefit plan to the Defined Contribution plan because "it was much better and I would make more money for my retirement." Ironically, this deceptive person who aggressively misled me to switch from the DB to DC, never switched to the DC themselves and stayed with the DB plan and is living a very comfortable retirement for life. Today, switching from the DB plan to the DC plan was and is the worst decision I made in my life. Shame on the Retirement goons for misleading the hundreds of GovGuam employees to switch out of the DB plan. and shame on the Superior Court of Guam for allowing their employees to be misled and not providing any information on the DB plan.

In 2001, I completed my internship with Probation and graduated from UOG with a Major in Criminal Justice and a Minor in Public Administration. A few months later, on August 20, 2001, I was hired as a Probation Officer I with the Superior Court of Guam. At that time, my 401k portfolio was great until the September 11 terrorist attacks happened that plummeted the stock market which caused a substantial financial loss with my 401k plan where I lost over \$30,000 dollars.

In 2010, I obtained my Master's Degree in Criminal Justice from Boston University in hopes of improving my career advancement within Probation. Sadly, the \$40,000 investment I made on myself was in vain. My Master's in CJ is not recognized, has no bearing on my rating, and has no merit award with the Superior Court of Guam.

After 20 years working for the Superior Court of Guam as a probation officer, today we are tasked with more duties, supervising a much larger caseload, we're tasked to work more hours past 40 hours a week, and when needed, are tasked to take on additional duties outside of our primary duties such as security detail, COVID testing, and clerical duties.

As probation officers, to be able to carry out our essential duties under the current retirement plan and maintain the yearly POST requirements until the age of 62 is not feasible

nor sustainable. What's not being addressed with our occupation are the high levels of stress and burnout from the demanding duties expected from the Court, our Administration, and the public. Additionally, any opportunity for upward movement within the division is extremely unlikely with most of the current probation officers working until the age of 62 under the current "hybrid plan." Currently, the only chance for a promotion at the Judiciary of Guam is to wait for the remaining probation officers under the old plan to retire to free up money in the Judiciary's budget to hire additional probation officers and open up promotions.

Another contributing factor to the high levels of stress and burnout is the unjust and unpaid monetary compensation all the employees at the Judiciary of Guam are not afforded working OVER their 40 hour work week, OVERTIME! Instead, the ONLY compensation available the Judiciary of Guam has given for nearly 20 years is CTE, Compensatory Time Earned. The additional time away from our families, CTE doesn't help pay for mortgages, school tuitions, medical bills, birthday parties, or baby formula/pampers. Yet, as Probation Officers, we're expected to carry out and continue our duties until the age of 62. We are asked to do more with little resources and without overtime. To date, CTE has yet to be paid out. Yet, probation officers and marshals continue to accrue CTE.

In closing, being deceived and misled out of the DB plan, I fully support Bill 137 and pray for a new retirement plan for uniformed law enforcement officers becomes a reality. As a 47 year old probation officer with over 28 years working mostly with the Judiciary of Guam, I am expected to work 15 more years and maintain a high level of work to be eligible to retire at 62 without any penalties. That would be 43 years of service upon retirement.

Lastly, I am expected to complete my PFQT mile in under 10 minutes and 24 seconds. And for the next 15 years, I will be expected to run a mile under 11 minutes. The difference is only 30 seconds. It is just not sustainable. Many of my fellow probation officers are experiencing high levels of stress and burnout. Our morale is at an all time low for nearly 15 years, with no support from upper management, our admin, and the higher court. Bill 137 needs to be reality for all uniform officers under the hybrid plan. Our current retirement plan is not feasible nor sustainable with our profession.

Very Respectfully,

Rene R. Balbin
Senior Probation Officer
Pretrial Services, Probation Services Division
Judiciary of Guam

July 20, 2021

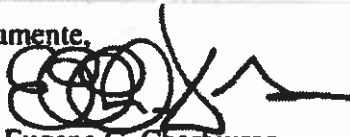
**Honorable Senator Jose S. San Agustin
Office of Finance and Budget
36th Guam Legislature
Ran Care Bldg., CBU 230
761 S. Marine Crops Drive
Tamuning, Guam 96931**

Buenas Yan Saludas Senator San Agustin,

I am submitting this written testimony in support of Bill-137-36 introduced to appropriate \$75,000.00 from our FY2021's General Fund, to the Government of Guam Retirement fund for the purposes of conducting a study relative to enhanced benefits for uniformed personnel in the defined benefit 1.75 retirement plan.

Several public safety agencies across the nation have modified their retirement plans to improve the recruitment and retention of their agencies. The current Government of Guam retirement plan is a "Cookie Cutter" program that clearly does not fit those who serve in the public safety arena. The appropriation sought by this bill is a sound investment towards the exploration of improving the retirement plan for our uniformed personnel. The raw data obtained from this study will give us a clear picture of the challenges associated with creating a separate retirement program for those in the public safety profession, and enable us to properly plan towards making it become a reality.

Senseramente,



**Eugene C. Charfauros
Sergeant I
Criminal Investigations Division
Guam Police Department**



SENATOR JOE S. SAN AGUSTIN

COMMITTEE ON GENERAL GOVERNMENT OPERATIONS, APPROPRIATIONS & HOUSING
I MINA'TRENTAI SAIS NA LHESLATURAN GUÅHAN

COMMITTEE REPORT DIGEST

I. OVERVIEW

Bill No. 137-36 (COR) was introduced on **May 6, 2021** by Senator Jose “Pedo” Terlaje and co-sponsored by Vice Speaker Tina Rose Muña Barnes, Senator Clynton E. Ridgell and Senator Mary Camacho Torres. The bill was subsequently referred by the **Committee on Rules** to the **Committee on General Government Operations, Appropriations, and Housing** on **May 11, 2021**.

The Committee on General Government Operations, Appropriations, and Housing convened a public hearing on **Bill No. 137-36 (COR)** on **Tuesday, July 20, 2021** in the **Guam Congress Building Public Hearing Room** at 9:00 A.M.

Public Notice Requirements

Public Hearing notices were disseminated via **e-mail** to all senators and all main media broadcasting outlets on (First Notice), **July 12, 2021** (5-Day Notice), (Second Notice) **July 16, 2021**. (48-Hour Notice).

Senators Present:

Senator Joe S. San Agustin, Chairman
Senator Amanda L. Shelton, Member
Senator Jose “Pedo” Terlaje, Member
Senator Telo T. Taitague
Senator Joanne M. Brown
Senator Sabina F. Perez

Appearing before the Committee:

Mr. Ronnie Chiguina, Captain, Guam Fire Department
Mr. Edward L. Flores, Battalion Chief, Guam Fire Department
Mr. Mark A. Torre, Lieutenant, Guam Police Department
Mr. Rayno Cruz Alcantra, Officer 1, Guam Police Department
Mr. Stephen Amaguin, Lieutenant, Guam Police Department
Mr. Stephen C. Ignacio, Chief of Police, Guam Police Department
Mr. Arthur San Nicolas, Fire Service Specialist, Guam Fire Department

Written Testimony Submitted:

Honorable Lourdes A. Leon Guerrero, Governor of Guam
Ms. Paula M. Blas, Director, GovGuam Retirement Fund
Mr. Chris Anthony M. Dandan, Sergeant 1, Guam Police Department
Mr. Shaun Kim, Officer 1, Guam Police Department
Ms. Amy Cruz, Officer 1, Guam Custom and Quarantine
Ms. Rene R. Balbin, Senior Probation Officer, Judiciary of Guam
Mr. Eugene C. Charfauros, Sergeant 1, Guam Police Department

II. SUMMARY OF TESTIMONY AND DISCUSSION

The Public Hearing was Called-to-Order at 2:01 P.M.

Chairman Joe S. San Agustin: Okay here we go, good afternoon and Hafa adai the Committee on General Government Operation, Appropriation and Housing is now called to order. Today is Tuesday July 20th 2021 and the time now is 2:01. Noticed for this public hearing were disseminated via email to all senators and all main media broadcasting outlets. First public notice was issued on July 12 followed by July 16. The committee will hear and accept testimonies on **Bill 137-36 (COR)** introduced by Senator Jose "Pedro" Terlaje, co-sponsored by Vice Speaker Tina Rose Muña Barnes, Senator Clinton Ridgell and Senator Mary Torres **AN ACT TO APPROPRIATE FUNDS TO THE GOVERNMENT OF GUAM RETIREMENT FUND TO CONDUCT A STUDY RELATIVE TO ENHANCED BENEFITS FOR UNIFORMED PERSONNEL IN THE DEFINED BENEFIT 1.75 RETIREMENT SYSTEM.**

I like to acknowledge my colleagues that have joined me this afternoon we have the author of the bill Senator "Pedro" Terlaje, to my immediate right I have my Vice Chair Senator Amanda Shelton and Senator Telo Taitague. The general rule for this public hearing, those testifying on behalf of bill 137-36 you are invited to the panel and they are seated and as soon as I get the sign in, I'll know exactly their names but I know there's a Flores there's a Chiguina and there's a Torre so, I think I know each one of you I'll have you introduce yourself as we move along. Before you speak make sure you introduce yourself and then we won't ask you for your name anymore just one time. Written testimony shall be submitted to the committee, please provide my legislative staff with your written testimony for photocopying. Testimony may be read and lengthy, testimony should be summarized to about five minutes. If you need a little bit more time, feel free to just keep talking and if it's too long then I'll tell you, Na Para okay so, we can move along.

Those testifying will be allowed to present oral testimony once you're done, please remain in the room for questions and for additional testimony as may be desired by the committee. Oral testimony shall be confined to the substance or nature of the agenda. We're here to talk about bill 137-36 and that'll be the only thing we're going to be discussing today. Personal inference as to the character or the motive of any senator or any individual testifying is not permitted. Any violation of the general rule of conduct will result in removal from the public hearing room. proper form and decorum shall be practiced by all present in the public hearing room for this proceeding. Individuals who fail to maintain proper form and decorum will be restricted from providing any oral testimony and will be removed from the room. When you speak, please make sure the microphone is "on" and you speak into the microphone. Please state your name and your title for the record, we'll now begin with first the opening statement of Senator "Pedro" Terlaje on bill 137-36, Senator "Pedro".

Senator Jose "Pedro" Terlaje: Thank you very much Mr. Chair! Before I share my thoughts, I also want to thank my colleague for their participation in today's presentation relative to bill 137-36 COR. Also want to thank the panel for attending this public hearing bill number 137-36 COR is an act to appropriate \$75,000 for the Government of Guam Retirement Fund to do an actuary study to determine how we can provide a better retirement system for hard working safety officers. I have done several researches regarding retirement system in different areas the result is very alarming and indicative to the fact that 95% of all the states

in the United States to have some form of separate retirement plan for firemen officers and other first responders.

My research Mr. Chair also concludes that employees working in hazardous environment do have less lifespan from 6 to 11 years compared to the regular public sector counterparts. These scientific findings conclusively acknowledge the different lifestyle of a public safety officer who assumed duties involving accident fires getting killed in the line of duty and other life-threatening situation that gives such a hazard environment on a daily basis. The Government of Guam or the past for 25 years or more have seen a steady and rapid decline of public safety officers most specifically from the iniquity of salary compensation or comparison. I also want to acknowledge that Mr. Chairman on the committee, since I am the committee on public safety and we're all pursuing the study to resolve the disparity and law enforcement salaries inequities and we will be approaching that at a later date. In closing I also want to ask my colleague to support this legislation in support of our hard-working first responder Mr. Chair thank you very much for the opportunity given to me thank you sir.

Chairman Joe S. San Agustin: Thank you sir, and I'd like to also recognize the colleagues that have joined us Senator Joanne Brown, we'll begin hearing testimony and it will be from my right which is your left we'll start with you sir Mr. Chiquinha, then we'll go down to Mr. Flores, Mr. Torre and then Mr. Alcantra. Then we'll just proceed down, then after that don't leave because if there's any questions that be posed by my colleagues, they'll ask you and then we'll move from there. Okay thank you sir!

Mr. Ronnie Chiguina, Captain, Guam Fire Department: Good afternoon, you good Senators, I'm Captain Ron Chiguina from the Barrigada Fire Station. I am here in support of bill 137-36, that the good Senator "Pedro" Terlaje has Presented with the co-author's Senator Tina Muña Barnes, Senator Clinton Ridgell and Senator Mary Camacho Torres and I'm sure down the line all the other senators will come to the table again to deliberate this particular bill. For the senator's present thank you for being here and hearing us testify on behalf of this support of this bill.

Now I've been in the fire service for a good 20 plus years. I'm not going to go into what we do in the fire service or what our brothers in the on the blue do. What I wanted to say is first thank you for acknowledging the fact that there is a disparity with regard to the retirement systems that we have currently in the Government of Guam and throughout the United States. Day in day out you know what we do you see it on TV, you watch Chicago Fire you watch Chicago PD and you know what we do. The 20th anniversary of 9/11 event is coming up next month or a couple months from now. You know a lot of those firefighters and law officers they were succumbed they weren't able to enjoy their retirement as we all know. All right and so you understand the gravity of this particular bill retaining your first responders, your law officers here in Guam.

Our sons and daughters from Guam are going elsewhere to find better opportunities, a workforce or a government that provides better benefits. Our own local retired firefighter; his son just got hired graduated from the Houston Fire Department, that's an accomplishment. It's a line that goes within their family but we're seeing that over and over again and it's going to behoove this legislature and the next and the next to find a resolution to this disparity that we currently are undergoing. So, to keep it quick and nimble again, I thank you for the support or rather the acknowledgement of this disparity and hopefully we can find a

resolution down the road. Hopefully it's sooner, but thank you for the opportunity to be here in support again of this bill thank you senators.

Chairman Joe S. San Agustin: Thank you sir, Mr. Flores?

Mr. Edward L. Flores, Battalion Chief, Guam Fire Department: Good morning senators my name is Edward L. Flores. I am a Battalion Chief in the Guam Fire Department. Again, like my colleague I do support a bill anything that is moving forward with a public safety-based retirement plan. I do have a few questions. I notice it mentions the one seven five plan and I know that new employees right now were not afforded that plan, the newer employees are under the Guam Supplemental Retirement Plan. which also includes fire, police and all the other Gov. Guam Agencies, does this bill also include that group of people the newer firefighters, newer police officers, public safety officers within the government? Because again the one seven five plan is a limited group of people. A limited group of people within the first responder community and I think that's something that needs to be expanded to include all those new employees as well. I'm not sure if that's the case.

Also like my colleague Captain Chiguina mentioned, our force includes many other public safety agencies. I would like to ensure that all of those individuals are captured within this plan or this study. Also, to reiterate our forces is quite old the Guam fire department's age bracket is quite high. The ability for our department to get newer members and the fact that many of our members are older members. The shortfalls and the amount of times and opportunities that individuals get for promotion, leaves a lot of our older firefighters still within the firefighter one, firefighter two bracket and those are our heavy lifters in the department. Takes a lot of physical capability for those individuals and now with the current plan at 62 you're going to have some firefighter, one's firefighter twos I'm sure police officer ones that are going to be in that bracket. Not the prime of their physical ability so I do appreciate the move to take a look at this and see where the disparities are and possibly correct them. Again, thank you very much for the opportunity to speak.

Chairman Joe S. San Agustin: Thank you sir, Lieutenant Torre?

Mr. Mark A. Torre, Lieutenant, Guam Police Department: Hafa adai, 36 Guam legislature my name is Lieutenant Mark Torre I'm with the Guam police department. I currently oversee the administration division of the Department as the acting division chief. I am a 31-year veteran with the police force. I represent myself, I am here on my personal behalf, my personal experiences and my personal opinion. My opinions do not express those as chosen or elected by the Guam Police Department. I will say that I am first of all thank you senators for this bill and this proposal to increase or to find better ways to keep our personnel within the department to all law enforcement agencies throughout the Government of Guam. we are losing Police Officers at a record high like never before because of a bunch of things and one of those things is the Retirement Plan is not as attractive as it used to be. That was one of the reasons why I joined the department back in 1990.

I was drawn to the to the promising outlook and future post career, but now things have changed and I understand why the changes were made. However, when it comes to law enforcement officers the duress, the strain the toll it takes on an officer's emotional capacity and physical capacity are great. This I hope takes into consideration all that police officers, firefighters and all other law enforcement agency officials have to undergo. It's unlike any other career in the government of Guam or any other career anywhere else in the world. Law

enforcement is dangerous, while we are called to protect those who are in need of our help, to console those who are need of our help. We very often times we find it very difficult to find those resources for our self. One can take solace in comfort in knowing that retirement is not too far.

If retirement, if we continue at this pace I'm afraid that we're going to lose more officers it's already showing we're losing officers from the Guam police department within days of graduation. We've had cases where officers or police officer trainees would resign just two to three days from graduation. They're already on OJT. Once you're on OJT It's almost a guarantee you will make it to graduation but the lure of just the diploma or the certificate of completion for criminal justice or in the field of criminal justice is not enough. There are so many factors that deal with an officer's decision to stay and I think by creating an attractive retirement program, one that is much shorter and takes in into consideration all that a law enforcement officer has to endure throughout his career would make it that much easier for someone to stay in the Department. Let alone sign up to be law enforcement officer or official. So, with that said I Implore you senators.

I thank you first for taking the time to present this bill. To make the effort because in all my years of service I've seen many bills and to no offense to anyone but I've seen a lot of bills that are unfunded mandates and with this at least we have some funding source to provide the research and the study required to make an intelligent decision for us for your law enforcement community. You have many officers who are vested and will continue to stay vested but they're getting tired. Having to work in this profession until the age of 62 especially if you start at 19, that's many, many years of because for at least the Guam police department you have to be at least 19 years of age to qualify. That's one of the pre-qualifications to become a police officer is to be at least of 19 years of age. So, from 19 years of age to 62 to reach your retirement maturity that's a lot of time.

I've done the math before but I have not kept that number in my mind but I know it's a long time. As you can with the climate of policing today law enforcement in general it's changed. It's all around us we see it and there's no denying it. Statistics we have the statistics to prove it or to back it up if need be. To the common person he or she can see that it's changed. We don't have a bunch of people lining up at DOA to apply for the police officer position not like we used to. We're losing many of our folks to other agencies within the local law enforcement community and even the federal law enforcement community. Because the GPD Office, a trained GPD officer is a well-trained officer. If that person does complete the criminal justice academy with the Guam police department he or she walks Away with loads of educational experience and also on the job training experience because they will get at least eight weeks of on-the-job training.

That all that Training combined with the experience that they get will make them a very viable candidate. Add that to the couple years that he or she decides to invest in after Graduation that his or her resume will be even more attractive. So, they're easy pickings when it comes to hiring because the work is done. We've trained them up and they've gotten the experience that they need they're able to make better more mature decisions when it comes to law enforcement and they become that much better a candidate. So, we lose folks to that because of the other attractive incentives from other agencies and that includes retirement plans. So, with those said senators, I can go on and on and on but I wish not to because I know your time is precious and I know we're here simply to show support for this

bill which i think is a great measure and it's certainly a step in the right direction and I look forward to seeing more as a result of the study and further support. Thank you very much.

Chairman Joe S. San Agustin: Thank you sir, Officer Alcantra.

Mr. Rayno Cruz Alcantra, Officer, Guam Police Department: Hafa adai, my name is Rayno Cruz Alcantra. I'm glad that you're allowing us here to testify on this bill and that we're supporting it bill 137-36. I've been in the Guam police department for 24 years now. Before I actually came in I was supposed to leave back to the states and DOA called me that we're doing a testing do you want to try for the police department I did and I passed and they told me that the physical will be in the next week and I did that and I passed and they told me the training was going to start. So when I started my training the cadre there told me that if you're in the police department for the pain you're in the wrong place. 24 years later I'm over at the crime lab. I've done a lot of training. I've got a lot of certificates and right now like lieutenant Torre said a lot of the people now that are coming in aren't coming in the stay. They're coming in to get their training and go elsewhere. Where the pay is better, their retirement looks better.

So, the bill that you guys are proposing is really great for us if it goes through. We're here to support you and hope that this bill passes so that you can look at it. We're not asking for too much we're asking for you to take a look at it and see what you can do for us. Getting close to retirement not too far from it, but you know if you didn't like the job here then you shouldn't be here. We like what we're doing, we help people, we help people who really need us and we're out there anytime they need us. We do not only do this job but a lot of different other jobs like covid assignments and everything else. Our counterparts there the GFD they deserve the same thing we do. All law enforcement they do the same thing we do. So, we hope that you'll look at the bill get the funding and get everything started so that they can make a decision one way or another. I appreciate you giving me your time and have a nice day senator, thank you very much.

Chairman Joe S. San Agustin: Thank you sir. Let me see I'm just trying to get myself just a little bit organized just to advise the panel. Number one we have several testimonies in support of the bill. I'll begin with first the governor is in support of the bill she sent a letter of support for this bill to find out what could be available for a peace officer for law enforcement. I believe that when we start talking about public safety it should be basically everybody that's caught in the post and then so there's balance. We have received Testimony from and I'm going to read out their name but not read their testimony because some of them are longer than even you guys testimony. We've got from Eugene Charfauros Sergeant with CID GPD. We have one here from Rene Balben Senior Probation Officer with the court. I have written testimony from Amy Cruz Guam Customs and Quarantine officer. We've got a written testimony from Shaun Kim PO1 Special Investigation Section GPD. Chris Anthony Dangan, he's a Police Officer police sergeant with GPD.

I know there's more but number one I'll start off with number one the author of the bill we both have similar background former Police Officer. I was with the 19th cycle so I understand where you guys come from because back then it was called department of public safety. It was both police and fire as one when I was there. I do agree and I do support the intent for a study so we can find out what's out there and what's available. The only thing I'm going to be asking is that we may take a look at this and ask the retirement fund because they did send testimony and they have they're neutral. You want to study they'll do this study. I

just want to make sure and I'll communicate with them and find out before I push this to the floor.

Do we need to change the amount of money that's needed, is 75,000 sufficient to do studying? They say it is then we move as fast as we can to get this going so, they can do the study. They did ask for several questions, specifically clarification is whether the fund is being requested to provide a study that reviews enhancement to current retirement plans? Then it continues on or completely new retirement plans? If the intent is the latter which is a new retirement plan what specific type of retirement plan? Is the legislature contemplating providing for the identified Police officers, you folks I want to say police officers should say I don't know peace officers proper because in the peace officer definition includes even mayors and other folks.

I would ask that it'd be specific to post if you're not running around taking all these requirements to stay in business you shouldn't be part of this package. That's just me I may be favoring post offices but that's okay. Then as if it is the former which current retirement plans and what types of enhanced benefits are being contemplated? I'd like to see all of it take a look at all that may be available and then we take a look at it and see what can be offered to all the folks on the post. Confirmation that all costs associated with identified enhancements are to be born strictly by the peace officers last employee by the government or both? We'll take a look at it and whatever the cost will be then we measure how it can be in place.

Clarification on whether the total appropriation of \$75,000 includes the potential cost of permitting additional Gov Guam defined contribution members to elect to transfer to the defined benefit 1.7 plan or if such appropriation is limited to just the study to be conducted. My opinion and I'll find out from the author later is that let's stick with what we started with it's about the post folks. Let's pursue that and if legal comes up and says that everybody else can participate then let's measure first number one are they taking the test that you guys required test?

Are they doing what you guys are doing and the answer is probably no, then they shouldn't be part of it? I'm just going to be biased on that and the reason why because you don't see anybody else that's a normal or a regular Gov Guam employee responding to when they call for, they need an ambulance they need a fire truck they need a police officer they need somebody from customs. They don't it's not everybody and it should be specific to post folks. I'll move from there and I'll ask now the author of the bill if he wants to ask any question the panel because we do have some folks outside. They're kind of hesitant I don't know maybe they may want to come in and speak and if they want to testify so be it but whereas we'll go down the line with the colleagues that are present. Ask you folks questions and comments and then we'll move from there. All right Senator Terlaje.

Senator Jose T. Terlaje: Mr. Chair, I have to agree that you know the only people that would be required to get this benefit would be people that are certified under post. None other and you know Mr. Chair, I'm not contemplating on going to any specific type of benefit. Like the defined benefit plan, defined contribution plan or the divine benefit one four seven plan. I'm asking for the retirement to do an analysis on finding out what kind of plan that can really benefit you know law enforcement that's all that I'm asking for. I'm not contemplating on choosing any of the plans that is existing right now.

If they can find something else that we can enhance the retirement at least the retirement age of our law enforcement officer and then we will sit down and discuss the benefits for one the advantages and the disadvantages. Mr. Chair that's and I want to say that I'm not contemplating on choosing any specific plan right now but for retirement to do a research on what type of retirement plan that is suitable for the law enforcement agencies or those people that are certified under post. That's all that I'm asking thank you Mr. chair.

Chairman Joe S. San Agustin: Thank you sir, Senator Amanda do you have any questions or comments for the panel?

Senator Amanda L. Shelton: Thank you very much Mr. Chair and thank you to the panel for being here today. I don't have any questions but I do agree certainly with you Mr. Chair the comments that you made regarding the retirement fund testimony today and how we can strengthen this bill clarify this bill to ensure that where it is inclusive of all existing retirement plans but that this bill also helps us to look forward at the future of law enforcement so that we can ensure we are providing for the needs of all our law enforcement officers and the recommendation that you're giving that those who this bill applies to is post-certified i think is a good suggestion that we can work with the retirement fund too to make clear in this bill. Si Yu'os Ma'ase sir and Si Yu'os Ma'ase to this bill.

Chairman Joe S. San Agustin: Thank you senator Amanda, senator Telo do you have any comments or questions for the panel.

Senator Telo T. Taitague: Thank you and good afternoon everyone, thank you so much for taking the time to come out and testify appreciates it. Most especially I appreciate all the hard work that you did during covid the pandemic and even before that. All the sacrifices that you made in your life you know to protect your community. So, thank you so much I do have some questions I was hoping that we'd have some people from the administration to be here to testify to specially retirement. They did submit their testimony but i think it's important that you realize what they wrote I don't know if you had an opportunity to read the testimony from the retirement agency.

It's really important that you read it. You know I did some study when this bill first came out it reminded me of another bill that um Senator San Agustin or the oversight chair Introduced in the 35th. I think it was a bill one four eight. It's not exactly the same you know as far as funding but it's similar. It talks about how police officers are able to or uniformed officers can actually retire five years earlier from government employees. Mr. Torre, I know you're the longest individual that's been in your position is that true that law enforcement uniformed personnel may require from the government of Guam five years earlier than government employees.

Mr. Mark A. Torre, Lieutenant, Guam Police Department: I think that may pertain to the old plan.

Senator Telo T. Taitague: Right the original plan.

Mr. Mark A. Torre, Lieutenant, Guam Police Department: Right.

Senator Telo T. Taitague: Okay, well when I did some research on this, I saw a bill that was called the introduced by New Jersey called the burnout it's called the burnout bill. You guys might be familiar with that Ray. I know you like to google a lot, so, and it talks about how New Jersey changed their law recently. Now North Carolina is looking at doing something as well. I don't know what the guidelines are following but I know that Los Angeles California has one of the best retirement pensions for police officers there. I too want to make sure that we have the opportunity to get to that point my concern is of course if this bill passes how many people are going to start retiring and then there's nobody on the street right now.

That's one of the things that were brought up. Another concern was the fact that this may bring strain on our current retirement plan that would actually require government of Guam employees to shoulder the cost is a big concern. One of the things that BBMR sent that's very concerning in their testimony. It talks first about what the bill's intent what it does but it says the enhanced benefit would allow for retirement at an early age with without penalty. The bureau requested fiscal comments from Guam retirement fund however, comments and or testimony have not been provided to date therefore the bureau is unable to determine if the 75,000 appropriation is significant for its study of this type the bureau notes that FY 21 general fund appropriation is not a viable source of funding.

Per the consolidated revenue and expenditure report for the month ending March 31 2021 the shortfall of 9.6 million dollars is projected for the general fund revenues. Well, this was in March but you know things have changed. Should the legislature pass, funding will need to be taken from different general fund appropriations. You know when I introduce a bill, I want to make sure there's money in the bank and not bring out any false hopes or anything like that.

We have the money in tow and it's there to go so we're hoping that there might be some extra funds at the end of the rainbow here of 2021 fiscal. If not you know hopefully in the next physical year 2022 might be a more viable source to go after because then we can foresee hopefully we all know the economy is going down but I just wanted to bring a reality check in here. They're two-fold one the need for burnout and reading the reports about it, it's amazing the stuff that you do and the stress not only to yourself but to your families too that it causes.

A lot of times we forget about the families that have to endure this but the other thing I have was you're looking at they were talking about post and you know bringing other peace officers into this you're looking at DOC officers which has a huge burnout rate for DOC officers. Park ranger's customs you know these are other areas that we need to be fair and look across the board to all those peace officers so we don't want to leave anybody behind. I was hoping I'd have chief of police here to tell me the question of how many uniformed personnel, how it may be eligible for retirement in the next five to ten years but he's not here to answer those questions maybe, Mr. chair is he outside the chief?

Chairman Joe S. San Agustin: No, we have other officers.

Senator Telo T. Taitague: Okay thank you. I have a question Mr. Torre, Officer Torre sorry. Are you a Captain right, are you a Captain?

Mr. Mark A. Torre, Lieutenant, Guam Police Department: No ma'am.

Senator Telo T. Taitague: Okay lieutenant okay yes. Lieutenant Torre is there ever a time when a police officer retires and then works for the government again in another kind of capacity and be able to double dip?

Mr. Mark A. Torre, Lieutenant, Guam Police Department: That would be the I forgot the actual term but we had at least a couple officers return to duty after retiring. So, they can in that instance receive both sources of income via the retirement and the augmentation. I forgot the actual term for that but it's allotted in.

Senator Telo T. Taitague: Yeah, I'm curious to see what those numbers are.

Mr. Mark A. Torre, Lieutenant, Guam Police Department: Very few ma'am very few would do that because they come back to occupy a police officer one or I think up to a police officer two position. Some of those folks retire at a higher rank. So, it's not as attractive to come back in a lower capacity rank as they previously held before retirement. Some have taken on the challenge.

Senator Telo T. Taitague: Okay Ray you said you're retiring soon. You've been in as a police officer for 20 some.

Mr. Rayno Cruz Alcantra, Officer, Guam Police Department: Okay hello, 24 years ma'am. 23 years with my sick leave and everything else and a couple years I'll be 62. So, I can retire then it's just I'm trying to decide now if I can Retire if it's beneficial to me or if I wait another five six seven more years maybe you guys will find something for us and I can retire then. I love the police department I've been doing my job well but we'll see in the next few years what happens.

Senator Telo T. Taitague: You don't even look 62 you know shame on.

Mr. Rayno Cruz Alcantra, Officer, Guam Police Department: Couple years ma'am.

Senator Telo T. Taitague: You look like you go another 20 years Ray the way you look and you're fit. You know again I really appreciate all that you do. I want you to know that I have been Looking into this when this bill first came out and hopefully the funding's there but if it's not you know I'd like to also include the other peace officers other than police and fire especially DOC you know talk about burnout. Again, appreciate your time this afternoon, thank you so much, thank you Mr. Chair.

Chairman Joe S. San Agustin: Thank you and for the panels concern the report came out in march that there might not be money, there's money to pay for this program. Just to tell you OKAY. So, rest assured there is funds to pay the 75 grand I know that for a fact that's my office. Senator Brown do you have any questions?

Senator Joanne M. Brown: Thank you very much Mr. chairman. I think I've been around long enough because I've seen the cycle with regards to the retirement fund. When I started the government almost 33 years ago, I understand the challenges that you're saying obviously I've not served in your capacity but there's no doubt it takes a special drive to want to serve in the capacities that you are because of the challenges that you encounter in the course of your work. I think it's how we find that balance because we certainly want to make sure at the end

of the day that the people of Guam that pay for all this and that government, we want to give them can afford it.

That they're also getting the service that they need and certainly in these in this day and age as you know with a lot of the criminal problems, we have on this island including a major drug problem we have I'm sure at the top of the list of most of our people is just their personal safety. Probably more than anything else rights now their personal safety. So, the challenge is there because it's easy I often say it's easy to be Santa Claus and want to just give everything and no problem we got you covered and we're going to raise it but that's one of the main reasons and you know the chairman knows because I worked with his dad here in the legislature when the move was made to change the retirement for the Government of Guam.

Primarily it was because the government of Guam and the people of Guam could not afford the old retirement system. Even though I myself I'm a recipient of it I was there early enough towards the end to actually be a part of the old defined contribution plan. All the other government agencies and employees that have come since then obviously are seeing that it's not as beneficial a plan and it's a longer term that you have to serve and then it's also dependent on what you contribute to what you get back. The old system is very simple your three highest salaries determine what your retirement amount would be.

So, I recognize that and I think that's something that we need to look at as long term what can be afforded and what can we give our people. I understand comment is made often that well yes, particularly in law enforcement there are many other job opportunities available elsewhere even on Guam you know working for the federal law enforcement working in certain other agencies where you have less stress and a higher income which I think you know makes a lot of sense for most people that's what we would like to see. Then it's also a question to what degree can our people afford. What can we afford and right now there's a lot of money flowing and there's a lot of interest here at appropriating left and right a lot of long-term commitments being made to take money off the table for long-term construction?

That takes money off the table immediately for debt service every year which means there's less money flowing to address other needs in the community. So, I mentioned that and I concur with senator Telo just to be a word of caution. I have no objections to the study; I think we need to do and get an idea if there's other options out there that are I'm sure there are. I think it's going to come down to what the people of Guam can afford. Then the other thing that I see just in a few months being back in the legislature has to deal with the training that the people of Guam invest in anyone. That if we are investing in the training, should there be a certain payback period to the people of Guam for that opportunity in that training. Right now, it's almost dispensable that we got the training.

We've got what we need we're gonna leave. We're gonna go pursue another field or law enforcement in another area. For me I think in all fairness if we do make that kind of investment i think that's something that people at Guam should expect a certain time of service back in return for that investment. They're making the investment I don't see the government of Guam or the Guam police department intending just to train people for them to leave. Certainly, for the two of you that are here from GPD you've obviously made that investment, you've made the commitment all the years that you are here serving our people in

all fairness think that's something we seriously need to look at we need to protect our investment.

It is an investment made by the people of Guam with regards to the training that are pursued and invested in our officers that are working for the Guam police department. At the other end if there is a viable retirement plan that can benefit again keep in mind what you pay into it is what you get out of it. Probably for those of you at the tail end of your career are probably not going to be in a position to benefit but it's something certainly future officers or current younger officers may have the opportunity.

Again, I think we need to caution, I mean it's wonderful to say oh yeah, I got it, got you covered but as you mentioned there's so many bills introduced and then where does it end up? I'm open to looking at that if it's something that our community can afford and we realize it's a major investment that we're making but it's also a long-term investment. I think that's something that we can look at because you're right under the old plan Guam police officers didn't have to work as long as actually a benefit you got an early retirement plan so that you weren't doing 35 40 years you had 25 you could be able to retire. Then you know most of them have at that age still in the early 40s have a viable opportunity to go out and start another career as well before they fully retire.

So, I just put that word of caution because I was here the last time, we did this round when we had to deal with the realities that Gov Guam with all its generosity could not afford it and then we're in a position of one group gives the other group has to come back and take away because the government simply couldn't afford it. Keep in mind that that was a time when we also had to deal with decreased revenue we had to put in place early retirement, So that we could keep the government afloat so that we didn't have to essentially let go of the younger up and coming we would have if we didn't do that we felt very much we'd have to let go of the newer employees coming in the younger ones the young family members coming in that would not be able to stay and we thought a viable option was to do early retirement so that those that were closer to the end of their careers could retire early without penalty.

Most of them on higher salaries that they were receiving and offset that with a new up and coming so that we could give the younger people who didn't have the comfort of a retirement and opportunity. So, I just put that word of caution because like I said I've been around long enough. I've been alone long enough to see the changes that were made and there are specific reasons as to why and I know the chairman knows also his dad was such an advocate for the retirement fund.

We can't keep taking out of the retirement fund even though during that early retirement was a big hit to the retirement fund. I think for those of us that are on it those of us that will be on it, you want to make sure that it's viable. You know that it's going to be around for the long haul especially. At a time when we you know our ages were up in the years and we are no longer able to work or earn other sources of income. So, I certainly will support this bill I have no problem with supporting it but again I think we look to we need to look at the numbers and it does bring up to issue, the investment that our people make initially with regards to training we provide to our officers. Do we require certain service time to be returned back to the people?

Then what can we look at that we can afford and then you know is it something also would law enforcement officers be willing to also make a bigger contribution in? Because is it

something you know I don't know if it's something we necessarily just ask the people of Guam to carry that burden or how do we address that with regards to our retirement fund contributions, so with that Mr. Chairman I don't have any questions I think all our panels pretty much have been able to relay their thoughts and sentiments with regards to this bill and i thank you for the opportunity able to comment thank you.

Chairman Joe S. San Agustin: Thank you Senator Brown, and I thank the panel for being here today. We have three other fireman's and one police officer to come inside testify so thank you gentlemen for being here appreciate your support for the bill. We'll take a few minutes recess so they can sanitize your area okay thank you. Thank you, Mr. Flores, Mr. Alcantara thank you.

Recess.....

Chairman Joe S. San Agustin: All right we've returned from recess the area has been sanitized. We're going to start with Mr. Steve we're going to start with you Steve and then the chief will be next. Then this time around the police department outnumbers the fire department but that's okay they're in the same force anyway. Sir we'll start with you.

Mr. Stephen Amaguin, Lieutenant, Guam Police Department: Hafa adai, today my name is Lieutenant Stephen Amaguin from the Guam Police Department. I just want to say I want to thank all of you for giving me this opportunity. Even Though it's quite the last minute for me I know that I don't have a prepared speech I'm gonna just probably think out of my coconut head see what I'm going to say. So actually, support this bill. Before anything else I just want to say it's about time. I have been asking for this opportunity for our law enforcement officers especially the premier law enforcement agency of Guam the Guam Police Department to be given this opportunity to actually receive some form of the same type of retirement that our colleagues back in the states are actually getting 2000. I have asked two senators I asked them twice.

First thing they told me Steve there's no money. I said OKAY I understand and then the last time that I asked was during one of our police week events down in Agana. I asked one senator luckily, he's not serving now they're not serving now this body. I said senator is there any way that you can help us out to give us a retirement system to be able to allow our police officers to retire early? To the mere fact that we spend a lot of hours times pretty much we double our time towards while performing the performance of duty. Our guys on the law enforcement side especially the premier law enforcement agency of Guam which is the one police department spend a lot of time on call out on patrol if they're short they come in on duty and spend a lot of time away from their family actually doing work. I've seen a lot a lot of our guys really get burned out on just working trying to protect this island and we've been continuing to protect this island.

So, there was one senator that actually answered me and looked at me and turned around and said Hey Steve, you asked me this twice and they told me see why don't you do research? I looked at him and said sir and I'm always polite so with all the respect this is why we elected you into office to do research yourself integers bill to benefit our men and women in blue. After that I never voted for that senator two of those senators, I never voted for just for the mere fact that they didn't want to support me and didn't want to support my fellow law enforcement personnel. People that's behind me right now at the hallway that pretty much in support of this bill. They don't have I guess they're not as they're not prepared. I'm not

prepared myself but This is just an opportunity that I want to take advantage of. That was since 2000 man my math is correct, how many years is that?

So, I just want to say thank you and hopefully I know this bill will only allow the Guam retirement fund to do research and the funding is coming from the general fund. I'm quite sure that you guys this body will be able to find the right amount of money be able to actually lock in that amount to conduct the research to help our personnel. I know this is an enhance to enhance the 1.75 if we're not mistaken the retirement system. If hoping that 75, 000 will expedite the process of all trying to find the right retirement system for personnel. That will be able to allow them to retire at a certain age probably not all the way to 62. Imagine retiring at the age 62 and this body implemented the PFQT who's gonna keep doing the PFQT at the age of 62. Right, we go and I'm just glad also that the post commission has changed the policy of trying to copy the United States air force physical fitness standards. Because guess what ladies and gentlemen the military has changed their requirements for PFQT.

So, with this I just say probably minimum 30 years or 25 years whatever I know it's gonna take a whole lot of investment on our personnel and also in the government. As far as contribution I'm not sure as far as the matching contribution of the government. I know right now the government is putting in about 26.96 billion percent into the retirement. I see that when some of the guys decide to retire when they cash out their annual leave there's a certain percentage that we actually pay into added to their annual leave which is about 26.97 percent.

So, I'm not sure if that's going to affect during the studies probably I know it's going to cost some money but nothing more gratifying to knowing that our public servants, I mean the public service personnel our men and women in blue, men and women of our the premier Guam law enforcement agency of Guam which is the Guam police department will be able to probably retire at the age of 25 or 30. It's gonna cost some money I know it will cost some money it's going to take a lot of sacrifice for both sides of the government and our personnel to do the investment. Return of investment will be in an early retirement and hopefully they'll be able to spend more time with their family.

After being away from their family serving this island protecting this island to the best of their ability and actually risking their lives on protecting this island. I think that's all I have to say and just want to say thank you again, thank you this is a step forward of taking care of our public safety personnel. Every time I testify in this body, I always try to throw in right good retirement system and a long awaiting Guam police department headquarters. Hopefully since you guys this body is always is already in the and the swing and things of trying to help us out probably, we can think about finding some ways how to build the headquarters for the Guam police department. That will really make our men and women in blue really happy.

It will motivate them to be in one area and at the same time it will minimize the cost of this garment instead of by leasing buildings from different places scattered in all places if GDOE can do it I think one police department can do it. With the right idea from this body I think you guys be able to help us out with the one plus department headquarters. and the best probably not better than the old retirement plan but probably second best to the old retirement plan so that our guys were actually deciding say you know this is my island I'm willing to serve it they're taking care of me i will stay here until I retire. That I guess that concludes my testimony.

Chairman Joe S. San Agustin: Thank you sir.

Mr. Stephen Amaguin, Lieutenant, Guam Police Department: I wasn't prepared

Chairman Joe S. San Agustin: All right. Thank you, Steve! Chief you're on.

Mr. Stephen C. Ignacio, Chief of Police, Guam Police Department: Hafa adai, good afternoon I'm Steven C. Ignacio the chief of police at the Guam police department. I would like to thank all the senators for allowing us to be here Today and allowing me to provide some oral testimony which again will be followed up with my written testimony from my office. I am here to stand in support of bill 137-36. which intends to conduct the study on the feasibility of public safety personnel into the DB 1.75 retirement system. I believe the measure of this intent is very well meaningful and if you've walked into the gallery outside in the lobby you see a lot of police officers are out there because they all stand in support especially Those that fall into the DC or what we refer to as the 401k plan.

As I read through this bill, it says that officers have an average of six years less than their counterparts. So, if you took the current retirement plan which most people you know say that you have to work until the age of 62 and you take away the six years that most this law enforcement or public safety their counterparts uh that brings you about to the age of 56. Which is almost similar to what you see with our counterparts and the federal law enforcement. So, it's my understanding and I'm not a retirement expert and I've never served in the federal law enforcement capacity but it's my understanding that there is an age where there's a cutoff to join a federal law enforcement agency like FBI DEA ATF and that age cutoff is usually 37. The reason why that age is cut off at 37 is because you can only work up to the age of 57 in the federal law enforcement agencies.

So, if we look at the language in this bill it kind of almost mirrors that age where you would retire at 56 or 5. One of the other things that are mentioned here in page two is recruitment efforts. I'll tell you as the chief one of I've actually read a resignation letter from one of my young officers. He was in less than one year and he put it simply in his letter, chief I'm leaving you to another to another agency on island he actually left to the navy police because they offer me a better pay but they offer me better retirement package and they're offering me better benefits. Some of those benefits that this young officer was going to avail to are things like access to the navy exchange. It's my understanding that navy police also have access to commissary without having to be in and the military to have that military id card. So, you know they're leaving the Guam police department. I lost at least six that I can count off to the of the top of my head to the navy police. I was talking to another fellow director who says he lost at least 11 or 12 uh to the navy.

So, we've got just like this bill is intentioned we got to provide an environment where people want to come and join the Guam police department or the Guam fire department or any public safety agency but they understand that there are some benefits to it. There's some there's Something that they have to look forward to because as many of the other people that have testified before me have stated public safety is not an agency where you want to work until the age of 62. We talked before the restart of this hearing, senators. You talked about my experience and with dealing with that young girl you know that I dealt with. That takes its toll on the members of the public safety team. We have seen dead bodies, suicides, homicides, traffic fatalities and those things believe it or not take a toll. Before I jumped into my car to get down here, I heard senator Telo Taitague talks about burnout. A burnout plan for some

police department. The fact that public safety officers or officials those working the public safety field experience burnout than other government counterparts and other jobs is a reality.

It's such a reality that the department of justice has now offered law enforcement mental health and wellness grants to help our officers deal with the mental stressors that occur in their jobs. These effect on the mental health of the public safety officials these officers are very real. So real that they're offering a federal grant so that we can create peer support programs, crisis intervention programs to help our officers deal with the stress that they deal with as they execute their daily duties. A couple years ago back in 2019 when I first came in as chief, there was a couple of stories that came out of New York police department where their officers were so stressed that they were committing suicide. It was called the blue suicide. It was something that we started to look into because I was getting concerned that you know i did not want this to carry over into our police department. We wanted to get in front of it so that we can provide mental health assistance to our employees.

That's another thing that I've seen as the chief is that the current plan the 401k or the DC plan doesn't allow for retirement. I don't think across the board the retirement fund has ever allowed for retirement for PTSD related illnesses or incidences. Unfortunately, that has created an issue for myself as a chief because there's a case that has been dragging on with an employee for almost 20 years. Unresolved case and we we're at a point where you know we're not sure what the options are anymore because the employees are deemed unfit to report the return to duty. Then there are other cases where I've had employees that have been on a disability for prior to my assuming as chief of police. So, these retirement plans that we have don't offer again that safety net where if you're unable to perform the duty anymore because of medical illness or other types of illness there is no safety net. They just have to stay on I believe it's called disability. They're not retired they're still in the government system.

So, I support something stud. I think the 75 000 is a is a drop in the bucket for something that will really benefit our law enforcement officers and our public safety counterparts so that you know we can get them to retire at an earlier age without being penalized. because we do deal with A lot of stress and we do deal we work in an environment that's very different from other government employees. So, this will be followed by written testimony but I thank you and I thank senator Peto and the sponsors of this bill and the senators today for allowing me the chance to speak on behalf of the men and women of the police department. Many who many of whom support this bill thanks you.

Chairman Joe S. San Agustin: Thank you chief, sir.

Mr. Arthur San Nicolas, Member, Guam Fire Department: Hafa adai, Senator San Agustin, Senator "Peto", Senator Joanne Brown, Senator Telo. I thank you for this opportunity to speak before you in support of this bill.

Chairman Joe S. San Agustin: Your name sir?

Mr. Arthur San Nicolas, Member, Guam Fire Department: Art San Nicolas, I remember a few months last year we had a virtual hearing regarding this matter some type of bill to be introduced to have the law enforcement Personnel retire early due to medical illnesses stress from the job or what have you. You know and my honest opinion at that time I even mentioned why have the study the powers in your hands. You have people working for you to

conduct that study in your office. Which sometimes spend too much money conducting studies? Over 500 or what half a million dollars 300,000 dollars here and there paying people to do our own studies from the outer islands or from the mainland coming to Guam. Well, we have our own bright people on this island to do it. You know maybe even in the office you got the analyst or what have you to do research. You know this is something that law enforcement on Guam really needs. I'm a firefighter. My brother was a police officer in the 70s; my father was a police officer if I'm mistaken in the 60s.

So, I'm in full support of this bill. There are other examples over time and plans in the mainland. I mean we're brought up about Senator San Agustin about one of the mainland Washington State. Where the retirement is two percent per year. Right when they retire, they get two percent so we have 20 years of service times two you get 40% in your retirement. So, are you satisfied, the decision is placed on the employee the police officer the firefighter, DOC this is law enforcement? I'm not undermining any other government of Guam agencies because they do have retirement plan for educators. They do have retirement plan for health workers. See but law enforcement is separate in itself. So, with Washington's retirement plan for law enforcement really is two percent times the number of years of service 20 years if their soul desire to retire at 20 years so are you satisfied with 40 percent.

They take nine percent from you every payday that goes into the retirement fund. Yeah prior to that uh in the eighties it was seven percent. It went up in the late eighties to eight percent and nine percent in the early 90s. So, you decide what you're at what years of service you want to retire from law enforcement. 20 25 30 35 years of service or 33 years of service. I understand this probably should be a cat but you mentioned. Ms. Brown you know back then the old plan if you ask me let's all go back to the old plan and have a revolving door with the old plan right. In the top three who wouldn't like that top three of your annual salary and get a percentage out of that based on the number of years of service 30 years 70 %. but 30 years in the Washington retirement plan will bring you to what 60 percent of the top. If I'm not mistaken, I think is that the last five years that you work. They look at that in the country average of what's your 60 percent.

So, it's something that we need to do now. The chief mentioned about responding to suicides. The number of suicides rate they climbed up. I'll tell you what firefighters respond to suicides to hangings to shootings. Just like police officers because we're all in the same situation. We respond to the same scene when those types of scenes take place or happen. PTSD I'll tell you what if you look at NIOSH the national institute of occupational health and safety PTSD is one of the greater risks now to law enforcement to firefighters. Post-traumatic stress syndrome it's one of the highest now. Why because of what we have to deal with on a daily basis. People complain hey we hear all kinds of complains about police officers and firefighters. All kinds of complaints but when we put on our uniform and we report to work we do our job professionally. We respond and I'll tell you what people don't think that if we don't respond that means the community is safe. When we respond because something is happening out there in the community.

So, there's a burden always placed on us when we respond. What are the effects, health effects of firefighters really? Cancer, respiratory illnesses, PTSD mental health, and so on and so forth hepatitis A, hepatitis B, hepatitis C because we not only respond to patients, we treat those patients. So, we have to deal with this on a daily basis. Just like police officers, when they respond to an assault to a beating and they get blood in their hands from the individual

that was beaten up or whatever they can contract the same thing. So, we need to do something with the retirement system. It's got to be fixed and if you ask me Senator Brown let's go back to the old plan and have a revolving door. Same time we're gonna have to fix the inequity of this because on the plan you can the hybrid plan you cannot claim the sick leave till you retire do you meet the retirement qualifications, I think 62. Then you cannot add your sick leave on if you were planning to retire early you could have penalized you. Well in the old system you can add your sick leave and make it accumulate and you can retire from there. That number years of service once you tally it.

Well, this Hybrid system you cannot add it to make it a part of your retirement. You have to meet the qualification first then you can add it after. I don't know how that works you know but Something's got to be done for law enforcement personnel here in the island. I'm not undermining other government of Guam agencies. There's a retirement system out there except for educators for health officials for other government agencies. Law enforcement itself is very unique you know. Senator Taitague you mentioned what if something like this pass and you're afraid that everyone is going to start retiring or retire all of a sudden. I'll tell you what how we can fix that immediately, make sure that every year there's a recruitment opening for firefighters and police officers. Let's not wait every three five six years to have one. I'll tell you what the number of firefighters and police officers with the number of years of service they have now and they're looking forward to retirement and i know a lot of them don't want to retire.

I for one want to retire. In August I have 30 years of service in the Guam fire department. In August I have 30 years of service. In order for the government to fix this issue make sure the hiring process is continuous. If it has to be every year every two years let's do it. Yes, if I was sitting in a position, I'll be afraid. If I build like this pass then all of a sudden everyone retires. I will be afraid. If I was a senator but we're going to fix it. We got to fix that problem. We're short man I'm not going to lie to you the government of Guam law enforcement police officers, firefighters, DOC we need personnel. We are very short in the department. They might they're probably afraid to say this but I'm not. We are short in the Guam fire department as we speak. We need to get recruits in there and start the training program immediately.

Something's got to be done. We've got to start the program now so we won't be affected later on in this in the future because I'll tell you what you're going to have mass exodus in this department if retirement bill. Because I'm in favor of this bill takes place you know I'm all for the retirement Mr. speaker I'm all for it you know me I always said this to you once before, what happens here is it going to end when we're done? Are we not going to look at it anymore? Because I'll tell you what there's firefighters and police officers that 401k plan. It's not right that they have their retirement system. It's not right because what is it did for them and I don't blame police officers or firefighters leaving the department trying to find the better job opportunities Off island. I don't blame them if that's the retirement plan, I have. I don't blame them and you mentioned that we, fuse we invested in you. Your right senator brown; you've invested in every law enforcement personnel.

Guam taxpayers, tax dollars did invest were invested in every employee here in the island. We need to also invest on the retirement system that will they will live happily and comfortably for the rest of their life with their families. Six years ten years after they're retired, they're gonna move on to the next life. We wanna retire enjoy your life, I don't wanna

wait six years I would retire six years later I'm gonna die. I want to enjoy my retirement with my family my children my grandchildren. Post the officer dimension post the post requirements. I'm 55 gonna be 56 years old and man do you guys really know how hard it is to put on a turnout gear SCBA, face mask, boots and run obstacle course. I wish I had GPD'S obstacle course. I'll do that in a heartbeat. I wish i had the air force obstacle course run them out to sit up some new push-ups try out our obstacle course. I'll tell you what, either you're gonna fail on the first three sections of that course and you will not make it try out obstacle course.

I'll tell you what that's a very tough obstacle course. Very tough try pulling a hose dragging a hose, lifting up the ladder and an extension ladder all by yourself, try pulling a sled 180-pound sled in full gear. I'll tell you what half of you get more than half three quarters maybe 90 80 percent because won't do it won't pass it. We try our best in the one fire department. I'll tell you what senator at age 55 I did pass the test. I'll tell you what i went through the past year, two years past two years of my life I'm one guy that's sitting here before you that tried dying twice. Okay so they have to do a card overt on me twice. 2019 is their vigil and 2019 New Year's Eve. I went off island one of the biggest things that I asked my doctor in Florida is that am I able to return back to work, and he practically laughed at my face and oh yeah, you're returning back to work.

So I went to the right hospital that performed over 700 procedures a year. The type of cardiac work that I needed in Florida. So yeah, I'm living proof and I've been able to go in there for some time for the I the long term because we enjoy our job. We enjoy a job. There's got to be a very practical retirement for law enforcement out their enforcement personnel so they can enjoy the remainder of their lives. So, thank you senator.

Chairman Joe S. San Agustin: thank you.

Mr. Arthur San Nicolas, Fire Service Specialist, Guam Fire Department: For the opportunity and you know there's few minutes of my testimony it's nothing compared to how it's gonna affect the firefighters for the remainder of their life if nothing is passed. Thank you.

Chairman Joe S. San Agustin: All right thank you. So, you're in support of the bill, correct?

Mr. Arthur San Nicolas, Member, Guam Fire Department: Yes.

Chairman Joe S. San Agustin: That's good, okay thank You. Senator do you have any questions for the panel or comments?

Senator Jose "Pedo" Terlaje: Thank you Mr. chair! I just want to thank the panel for allowing us to share our thoughts together and maybe we can go forward with this bill. I only asked my colleague to please consider this bill thank you very much Mr. Chair.

Chairman Joe S. San Agustin: Thank you Senator Taitague do you have any comments for the panel?

Senator Telo T. Taitague: I'll try and make this short I know that we have another public hearing next Mr. chair. I just wanted to ask the chief how many uniform personnel may be eligible for retirement in the next five years or 10 years? If this bill were to pass.

Mr. Stephen C. Ignacio, Chief of Police, Guam Police Department: So, I think most of those that are eligible to retire in the next five to ten years will probably be in the what's called I guess we commonly refer to as the old plan. That's mostly quite a few of our upper command staff so captains, lieutenant majors maybe a couple of sergeant twos. I think most of our sergeant ones on down by the time they came in their falling into the 401k plan and maybe even some of them may have even transferred over to the DB 1.75. I can definitely get a count and I can forward that yeah, I figured some of the questions that I may be asked today but I'm working with my personal office is who are on the old plan who are on the 401k plan and who are on the db 1.75 and I can definitely compile that information and I'll submit it as part of my written testimony.

Senator Telo T. Taitague: Yeah, that would be very helpful too. You know it's important as well you know I don't know if you have the retirement funds testimony as well and the inclusion that they have here it's clarification whether the total appropriation of 75 000 includes the potential cost of permitting additional government of Guam to find contribution members to elect to transfer the defined benefits 175 plan or if such appropriation is limited to such study to be conducted as well as to confirm that all costs associated with genocide enhanced benefits are to be borne strictly by the peace officer slash employee by the government of Guam or by both. There are so many perspectives in here I think that they were not sure on the funding amount on 75. I mean we got a testimony from the governor saying that she supports it you know we don't always get letters from the governor saying she supports it which she also has that transfer authority too.

If there's needing any more money other than 75,000, she has the ability to transfer money in that area. My biggest point my last thing is that you know the study it's important it's needed to be done. My biggest part is that once it's done can we afford it? That's when we really need to put our you know feet to the grind you know and our heads down and figure out how we're going to fund this. It's one thing to do is study but do you follow through with it? You know and right now this morning we had a public hearing on you know fixing DOC'S building which is going to cost 200 million dollars. I know 75 is not a whole lot but how much is it going to cost after? The last thing I'm sorry I said the last thing I wanted to put but

Chairman Joe S. San Agustin: Let's stick to the bills Senator Taitague thank you.

Senator Telo T. Taitague: The last thing i want to put is what other proposals if any should be considered to help improve the work and environment of uniform personnel? You know aggressive recruitment to reduce overtime and pressures on existing personnel mandatory paid leave something equivalent to sabbaticals for educate you know something similar to that. What initiatives have you put in place?

Mr. Stephen C. Ignacio, Chief of Police, Guam Police Department: I'm not sure. What we're trying to get.

Senator Telo T. Taitague: You know recruitment to reduce the hours. You know the stress; I mean kind of similar to what you know educators have in incentives. What is police department doing for your agency?

Mr. Stephen C. Ignacio, Chief of Police, Guam Police Department: So, you know because we're an executive branch line agency most of what we offer is just in line with what other departments and agencies offer. So yeah, i don't do understand what you're trying to say you

know there's sabbatical leave over at the department at least like the university if they want to go do a further advanced study, I don't know that I've never seen that program in the Guam police department I'm not aware that we have one. Some of the incentives that we do have you know are the DOC Sanchez scholarship program. I am a recipient and a proud graduate of the DOC Sanchez scholarship program both for my bachelor's and my master's degree. So, some of the other things of course is better work hours. I think we're probably going to see that sometime in the near future as you're aware the Guam police department and several other law enforcement agencies are currently in discussions with the collective bargaining agreement with GFT so as we're moving that forward.

Unfortunately, again because of the pandemic those talks have stalled and we haven't made much progress but I think that may be also something to consider as we're moving forward in this retirement bill is what effect of any what the collective bargaining agreement have or what save they have really in any retirement plans. It's my understanding that in some states and jurisdictions retirement plans for law enforcement actually based on collective bargaining agreements that exist with the unions and the government. So that that may be something else to consider as we move this down the road.

Senator Telo T. Taitague: I definitely appreciate all the work that you put into trying to find the incentives. I appreciate the hard that work that you've been doing in the during covid as well chief and as well as you Steve and Mr. San Nicolas. Si Yu'os Ma'ase for everything you've done to keep us safe and thank you Mr. Chair.

Chairman Joe S. San Agustin: Thank you senator brown do you have any Comments or questions for the panel?

Senator Joanne M. Brown: I won't be very long Mr. Chair. Just to reiterate the points I mean I have no problem supporting the legislation to do the study. Then we'll see what the outcome of it and can we afford it? I mean I'm going to be realistic I'm not going to promise you the sun and moon and then not deliver. You know you talked about the former senators that you encountered and I mean I just think you need to be up front because we're looking at how can we afford it? There was a reason why the retirement fund was changed I mean that's the reality and if we're going to specify it for law enforcement is next is it going to be the nurses and the doctors? Is it going to be the educators? Which is our biggest you know we just have the public hearing for that budget. That's the biggest bill the people of Guam have. So how do we balance it how can we provide the incentive that would make it attractive to keep up and coming young people that would be interested in serving in law enforcement because there's obviously a need for it but I also want to make sure that the investment of the people has gone that there's a long-term payout.

Because you know I wish the old plan was still here for everybody but that we couldn't afford it that was the reality. We still this government still is not meeting all its obligations let's find out how much money the retirement fund is underpaid. That the government of Guam still owes to keep it viable. That's the long-term thing because I wouldn't want to end up in a situation as we've seen in the CNMI and we've seen it we've heard it. You know you make that investment all of a sudden, you're retired. Then you end up finding out that what you thought you invested and what you're going to receive didn't add up.

We don't want to be in that situation because then we're older and we're less capable of doing anything about it. So, I think we just need to do it responsibly and also look at the financial aspects certainly if it's something that we can't address and our government can absorb I'm sure we'll have to prioritize it comes down to priority. Right now, I'm hearing that everything's you know the money's there the money's there the money's there and I've been around long enough to know the monies not always there. I certainly will look forward to supporting this bill and let's see what the outcome of the study is and we can take it from there but thank you very much for your time and coming in and providing your input and your testimonies most appreciated, thank you very much Mr. Chairman.

Chairman Joe S. San Agustin: Thank you, senator brown senator Perez, thank you for joining us did you want to comment or make it very simple because we're going to close this and go right into the budget of land management.

Senator Perez: Yeah, thank you Mr. Chair. I just want to thank everybody who's coming today to provide testimony. I hear the frustration and the heartache that's coming from the police department. You know we just I just came from a budget hearing yesterday where there's a mass exodus of law enforcement too as well. So that this is a problem that needs to be addressed and I'm willing to work with my colleagues to come to a solution. I would like to support the bill. I would like to see perhaps even a task force to make this a reality. Si Yu'os Ma'ase thank you Mr. Chair.

Chairman Joe S. San Agustin: Alright thank you. We will now proceed to conclude this public hearing on bill 137-36 COR the committee will continue to receive testimony. Please address the written testimony of the Committee on General Government Operation, Appropriation and Housing. Submit it via email to senatorjoessanagustin@gmail.com or to my office located at the Ran Care Building, second floor suite 3, 761 Marine Corps Drive Tamuning, Guam. Si Yu'os Ma'ase for your attendance Chief and for Mr. San Nicolas Fire Department and for the ones outside and all the folks. Thank you for participating in today's hearing for those at home thank you for watching the public hearing on bill 137-36 COR is now adjourned at 3:35 pm.

The Public Hearing was adjourned at 3:35 P.M.

III. Findings and Recommendations

- Bill 137-36 (COR) has been deliberated as an amendment and was passed by the body in Substitute Bill 55-36 (COR). The budget Substitute Bill 55-36 (COR) has been passed by the body.

The **Committee on General Government Operations, Appropriations, and Housing** hereby reports out **Bill 137-36 (COR)** –As Introduced by Senator Jose “Pedro” Terlaje, co-sponsored by Vice Speaker Tina Rose Muña Barnes, Senator Clinton Ridgell and Senator Mary Torres **“AN ACT TO APPROPRIATE FUNDS TO THE GOVERNMENT OF GUAM RETIREMENT FUND TO CONDUCT A STUDY RELATIVE TO ENHANCED BENEFITS FOR UNIFORMED PERSONNEL IN THE DEFINED BENEFIT 1.75 RETIREMENT SYSTEM.”** with the recommendation TO DO PASS.

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session

Bill No. 137-36 (COR)

Introduced by:

Jose "Pedro" Terlaia
Tina Rose Muña Barnes
Clynton E. Ridgell
Mary Camacho Torres

**AN ACT TO APPROPRIATE FUNDS TO THE GOVERNMENT
OF GUAM RETIREMENT FUND TO CONDUCT A STUDY
RELATIVE TO ENHANCED BENEFITS FOR UNIFORMED
PERSONNEL IN THE DEFINED BENEFIT 1.75 RETIREMENT
SYSTEM.**

1 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that
2 the term uniformed personnel is defined in § 8104(p), Article 1, Chapter 8, Title 4
3 of the Guam Code Annotated and that such classified employees operate in a
4 substantially different work environment that may require a different approach to
5 retirement planning given that some studies have shown, public safety officers live
6 an average of six (6) years less than their counterparts in general government
7 operations. *I Liheslaturan Guåhan* also recognizes that recruitment, retention, and
8 morale are challenging obstacles for the public safety agencies and that enhanced
9 retirement benefits such as the ability to retire at an earlier age without penalty may
10 both allow for a dignified retirement for our uniformed personnel at a more

1 appropriate age as well as assist public safety agencies in its recruitment efforts. *I*
2 *Liheslaturan Guåhan* understands that such enhanced benefits for uniformed
3 personnel will increase costs to the government of Guam and intends that such costs
4 be borne by the uniformed personnel to the maximum extent possible.

5 **Section 2. Appropriation.** The sum of Seventy-five Thousand Dollars
6 (\$75,000) is appropriated from any available funds in the General Fund in Fiscal
7 Year 2021 to the Government of Guam Retirement Fund for the purpose of
8 conducting a study that will inform further policy to include, but not be limited to,
9 providing enhanced benefits for uniformed personnel as defined in § 8104(p), Article
10 1, Chapter 8, Title 4 of the Guam Code Annotated with varying options to require
11 additional employee contributions by uniformed personnel to allow for earlier
12 retirement ages without penalty. Such study *may* also include, but not be limited to,
13 an analysis of cost associated with providing the option for uniformed personnel and
14 other government of Guam classified employees who *did not* have the option for
15 membership in the Defined Benefit 1.75 Retirement System pursuant to § 8502,
16 Article 5, Chapter 8, Title 4 of the Guam Code Annotated and are in the Defined
17 Contribution Retirement System to enter the Defined Benefit 1.75 Retirement
18 System.

19 **Section 3. Effective Date.** This Act *shall* become effective upon enactment.

1 **Section 4. Severability.** *If* any provision of this Act or its application to any
2 person or circumstance is held invalid, the invalidity *shall not* affect other provisions
3 or applications of this Act which can be given effect without the invalid provision
4 or application and to this end the provisions of this Act is severable.



Vice Speaker

TINA ROSE MUÑA BARNES

CHAIRPERSON, COMMITTEE ON RULES

I Mina'trentai Sais Na Liheslaturan Guåhan

GUAM CONGRESS BUILDING
163 CHALAN SANTO PAPA
HAGÁTÑA, GUAM 96910
TEL 671-472-2461
COR@GUAMLEGISLATURE.ORG

May 18, 2021

MEMO

To: Rennae Meno
Clerk of the Legislature

From: Vice Speaker Tina Rose Muña Barnes
Chairperson, Committee on Rules

Re: Fiscal Notes

Buenas yan Håfa adai.

Attached, please find the fiscal notes for the following bills:

Bill No. 135-36 (COR)

Bill No. 137-36 (COR)

Please forward the same to Management Information Services (MIS) for posting on our website.

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.



**Bureau of Budget & Management Research
Fiscal Note of Bill No. 137-36 (COR)**

AN ACT TO APPROPRIATE FUNDS TO THE GOVERNMENT OF GUAM RETIREMENT FUND TO CONDUCT A STUDY RELATIVE TO ENHANCED BENEFITS FOR UNIFORMED PERSONNEL IN THE DEFINED BENEFIT 1.75 RETIREMENT SYSTEM.

Department/Agency Appropriation Information

Dept./Agency Affected: Government of Guam Retirement Fund	Dept./Agency Head: Paula M. Blas, Director
Department's General Fund (GF) appropriation(s) to date:	\$37,278,404
Department's Other Fund (Specify) appropriation(s) to date:	\$0
Total Department/Agency Appropriation(s) to date:	\$37,278,404

Fund Source Information of Proposed Appropriation

	General Fund:	Special Fund	Total:
FY 2020 Unreserved Fund Balance	\$0	\$0	\$0
FY 2021 Adopted Revenues	\$649,697,305	\$0	\$649,697,305
FY 2021 Appro. (P.L. 35-99)	(\$649,697,305)	\$0	(\$649,697,305)
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	(\$75,000)	\$0	(\$75,000)
Total:	(\$75,000)	\$0	(\$75,000)

Estimated Fiscal Impact of Bill

	One Full Fiscal Year	For Remainder of FY 2021 (if applicable) 1/	FY 2022	FY 2023	FY 2024	FY 2025
General Fund	\$0	\$75,000	\$0	\$0	\$0	\$0
Special Fund	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$75,000	\$0	\$0	\$0	\$0

1. Does the bill contain "revenue generating" provisions? / / Yes /X/ No
If Yes, see attachment
2. Is amount appropriated adequate to fund the intent of the appropriation? 1/ /X/ N/A / / Yes / / No
If no, what is the additional amount required? /X/ N/A
3. Does the Bill establish a new program/agency? / / Yes /X/ No
If yes, will the program duplicate existing programs/agencies? / / N/A / / Yes /X/ No
Is there a federal mandate to establish the program/agency? / / Yes /X/ No
4. Will the enactment of this Bill require new physical facilities? / / Yes /X/ No
5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: /X/ Yes / / No
/ X / Requested agency comments not received by due date / / Other:

Analyst: <u>Isaiah V.C Ware, BMA I</u>	Date: <u>5/14/21</u>	Director: <u>Lester L. Carlson, Jr., Director</u>	Date: <u>MAY 18 2021</u>
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1/ The intent of Bill No. 137-36 (COR) is to appropriate \$75,000 in available funds from the Fiscal Year 2021 General Fund (GF) to the Government of Guam Retirement Fund (GGRF) for the purpose of conducting a study for enhanced benefits for uniformed personnel who are members under the DB 1.75 Retirement Plan. The enhanced benefit would allow for retirement at an earlier age without penalty. The Bureau requested fiscal comments from the GGRF, however, comments and/or testimony have not been provided to date. Therefore, the Bureau is unable to determine if the \$75,000 appropriation is sufficient for a study of this type. The Bureau notes that the FY21 GF appropriation is not a viable source of funding. Per the Consolidated Revenue and Expenditure Report for the month ending March 31, 21, a shortfall of \$9.6M is projected for GF revenues. Should the legislation pass, funding would need to be taken from different general fund appropriations.

OFFICE OF FINANCE AND BUDGET

STEPHEN J. GUERRERO, DIRECTOR

Tel: (671) 646-4416 / Fax: (671) 969-6737

Email: ofbgumlegislature@gmail.com

Address: Ran Care Bldg, Suite 2, 2nd Floor,
721 Marine Corps. Dr., Tamuning Guam 96913



COMMITTEE ON GENERAL GOVERNMENT OPERATIONS,
APPROPRIATIONS AND HOUSING

I Mina'trentai Sais Na Liheslaturan Guahan

SENATOR JOE S. SAN AGUSTIN

Tel: (671) 989-5445 / Fax: (671) 969-6737

Email: senatorjoessanagustin@gmail.com

MEMORANDUM

To: Senator Joe S. San Agustin
Chairman, Committee on General Government Operations, Appropriations, and Housing

From: Stephen J. Guerrero
Director, Office of Finance and Budget

Re: Funding Availability Note: Bill No. 137-36 (COR)

Hafa Adai Senator San Agustin,

Pursuant to the Standing Rules of the 36th Guam Legislature, the Committee on Appropriations and/or the Office of Finance and Budget (OFB) shall determine in writing if the funding source cited in Appropriation or Authorization for Appropriations bills are sufficient.

The Office has received Bill No. 137-36 (COR), AN ACT TO APPROPRIATE FUNDS TO THE GOVERNMENT OF GUAM RETIREMENT FUND TO CONDUCT A STUDY RELATIVE TO ENHANCED BENEFITS FOR UNIFORMED PERSONNEL IN THE DEFINED BENEFIT 1.75 RETIREMENT SYSTEM.

Bill No. 137-36 (COR) intends to appropriate \$75,000 from any available funds in the General Fund in Fiscal Year 2021 to the Government of Guam Retirement Fund (GGRF) for the purpose of conducting a study for enhanced benefits for uniformed personnel as defined in § 8104(p), Article 1, Chapter 8, Title 4 of the Guam Code Annotated under the DB 1.75 Retirement Plan.

Based on comments from GGRF, a clarification needs to be made on whether the \$75,000 includes the potential cost of permitting additional government of Guam Defined Contribution members to elect to transfer to the Defined Benefit 1.75 plan or if such appropriation is limited to just the study to be conducted. Please note that the cost of the study will be linked to what is being requested.

GGRF additionally seeks clarification as to whether the Fund is being requested to provide a study that reviews enhancements to current retirement plans or completely new retirement plans. Confirmation is also needed whether all costs associated with the identified enhanced benefits are to be borne strictly by the peace officer/employee, by the government, or both.

While BBMR's Consolidated Revenue and Expenditure Report as of May 2021 indicates the General Fund is tracking at \$6.4M above the FY 2021 adopted levels, it should be cautioned that there are four more months left in the fiscal year, which can significantly impact the tracking levels.

Respectfully,


Stephen J. Guerrero



Office of
SENATOR Joe S. San Agustin

I Mina' trentai Sais na Liheslaturan Guåhan Thirty-Sixth Guam Legislature

COMMITTEE VOTE SHEET

BILL NO. 137-36 (COR) - As Introduced by Jose "Pedo" Terlaje, Tina Rose Muña Barnes, Clynton E. Ridgell and Mary Camacho Torres. "AN ACT TO APPROPRIATE FUNDS TO THE GOVERNMENT OF GUAM RETIREMENT FUND TO CONDUCT A STUDY RELATIVE TO ENHANCED BENEFITS FOR UNIFORMED PERSONNEL IN THE DEFINED BENEFIT 1.75 RETIREMENT SYSTEM."

Committee Members	Signature	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Senator Joe S. San Agustin <i>Chairman</i>						
Senator Amanda L. Shelton <i>Vice Chairperson (Gen Govt Operations, Appr & Housing)</i>						
Senator Clynton E. Ridgell <i>Vice Chairman (Appropriations) Member</i>	E-vote 09/15/21					
Speaker Therese M. Terlaje <i>Member</i>						
Vice-Speaker Tina Rose Muña Barnes <i>Member</i>	E-vote 09/15/21					
Senator V. Anthony Ada <i>Member</i>	E-vote 09/15/21					
Senator Frank F. Blas Jr. <i>Member</i>						
Senator Jose "Pedo" Terlaje <i>Member</i>	E-vote 09/15/21					
Senator Mary Camacho Torres <i>Member</i>						

Committee Chairman: General Government Operations, Appropriations, and Housing

Ran - Care Commercial Building, CBU #230, 761 South Marine Corps Dr., Tamuning, Guam 96913

*Tel: (671) 989-5445 * Fax: (671) 969-6737 * email: senatorjoessanagustin@gmail.com*



Michaela Celorio <msacelorio.senatorsa@gmail.com>

REQUEST FOR E-VOTE: BILL 137-36 (COR) As Introduced

9 messages

Michaela Celorio <msacelorio.senatorsa@gmail.com>

Wed, Sep 15, 2021 at 9:24 AM

To: Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, Clynt Ridgell <clyntridgell@guamlegislature.org>, Senator Therese Terlaje <senatorterlajeguam@gmail.com>, Vice Speaker Tina Rose Muña Barnes <senatormunabarnes@guamlegislature.org>, "Frank Blas, Jr." <frank.blasjr@gmail.com>, Senator Tony Ada <senatorvanthonyada@gmail.com>, Senator Pedro Terlaje <senatorpedo@senatorjpterlaje.com>, "Senator Mary C. Torres" <senatormary@guamlegislature.org>
Cc: "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Joseph Mesngon <joe.senatorsa@gmail.com>, Rose Mesa <rose.senatorsa@gmail.com>, Catherine Leon Guerrero <cathy.senatorsa@gmail.com>

Hafa Adai Committee Members,

Please see attached Bill 137-36 (COR) As introduced by Jose "Pedro" Terlaje / Tina Rose Muña Barnes / Clynton E. Ridgell / Mary Camacho Torres **"AN ACT TO APPROPRIATE FUNDS TO THE GOVERNMENT OF GUAM RETIREMENT FUND TO CONDUCT A STUDY RELATIVE TO ENHANCED BENEFITS FOR UNIFORMED PERSONNEL IN THE DEFINED BENEFIT 1.75 RETIREMENT SYSTEM."**

The provision of the Bill 137-36 has been incorporated into the passed FY2022 Budget and no further action is required, but in accordance with the Standing Rules of the Guam Legislature Rule VI, a Committee Report must be submitted for a Bill that's been heard. The Committee will formally submit a Committee Report for Bill 137-36 in compliance with the GL Standing Rules.

Please indicate your preferred action from the following;

- ☐ TO DO PASS
- ☐ TO DO NOT PASS
- ☐ TO REPORT OUT ONLY
- ☐ TO ABSTAIN;
- ☐ TO PLACE IN INACTIVE FILE.

Please submit your response ASAP. Your response will be placed into the Committee Report and filed with the Committee on Rules.

Si Yu'os Ma'ase!

Best,

Michaela Celorio

Research Policy Analyst

Office of Senator Joe S. San Agustin**I Mina'Trentai Sais Na Liheslaturan Guahan****36th Guam Legislature****Chairman, Committee on General Government Operations, Appropriations & Housing****Office of Finance and Budget****Email:** msacelorio.senatorsa@gmail.com**Tel:** (671) 989-5445**BILL 137-36 (COR).pdf**

1833K

Vice Speaker Tina Rose Muña Barnes <senatormunabarnes@guamlegislature.org>

Wed, Sep 15, 2021 at 9:29 AM

To: Michaela Celorio <msacelorio.senatorsa@gmail.com>

Cc: Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, Clynt Ridgell <clyntridgell@guamlegislature.org>, Senator Therese Terlaje <senatorterlajeguam@gmail.com>, "Frank Blas, Jr." <frank.blasjr@gmail.com>, Senator Tony Ada <senatorvanthonyada@gmail.com>, Senator Pedro Terlaje <senatorpedo@senatorjpterlaje.com>, "Senator Mary C. Torres" <senatormary@guamlegislature.org>, "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Joseph Mesngon <joe.senatorsa@gmail.com>, Rose Mesa <rose.senatorsa@gmail.com>, Catherine Leon Guerrero <cathy.senatorsa@gmail.com>

To do pass.



Sinseru yan Minagåhet,

Office of the Vice Speaker • Tina Rose Muña Barnes

Committee on Rules

Committee on Public Accountability, Human Resource, Guam Buildup, Hagåtña Revitalization, Regional Affairs, Public Library, Telecommunications, and Technology

36th Guam Legislature

I Mina'trentai Sais na Liheslaturan Guåhan

Guam Congress Building | [163 Chalan Santo Papa | Hagåtña, GU 96910](#)

senatormunabarnes@guamlegislature.org

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Gumai pribilehu yan konfedensia este siha na mensáhi. Solo espesiátmente para hágu ma entsioña pat ma aturisa para unrisibi. Sen prubidu kumu ti un ma aturisa para manribisa, na'setbe, pat mandespátcha. Yanggen lachi rinisibu-mu nu este na mensáhi, put fabot ago' guatu gi I numa'huyong gi as senatormunabarnes@guamlegislature.org yan despues destrosa todú siha I kopian mensáhi. Si Yu'os ma'áse'.

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Senator Pedro Terlaje <senatorpedo@senatorjpterlaje.com>

Wed, Sep 15, 2021 at 9:30 AM

To: Vice Speaker Tina Rose Muña Barnes <senatormunabarnes@guamlegislature.org>

Cc: Michaela Celorio <msacelorio.senatorsa@gmail.com>, Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, Clynt Ridgell <clyntridgell@guamlegislature.org>, Senator Therese Terlaje <senatorterlajeguam@gmail.com>, "Frank Blas, Jr." <frank.blasjr@gmail.com>, Senator Tony Ada <senatorvanthonyada@gmail.com>, "Senator Mary C. Torres" <senatormary@guamlegislature.org>, "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Joseph Mesngon <joe.senatorsa@gmail.com>, Rose Mesa <rose.senatorsa@gmail.com>, Catherine Leon Guerrero <cathy.senatorsa@gmail.com>

To do pass.

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The Office of Senator Jose "Pedro" Terlaje

Committee on Public Safety, Emergency Response,
Military and Veterans Affairs, Mayors' Council, and Public Transit

36th Guam Legislature

I Mina'trentai Sais na Liheslaturan Guåhan

777 Route 4, MVP Center - Units 101/ 102, Sinajana, GU 96910

Tel: (671) 989-5301/ 3218

Email: senatorpedo@senatorjpterlaje.com

Clynt Ridgell <clyntridgell@guamlegislature.org>

Wed, Sep 15, 2021 at 9:33 AM

To: Michaela Celorio <msacelorio.senatorsa@gmail.com>

To do pass

On Wed, Sep 15, 2021 at 9:25 AM Michaela Celorio <msacelorio.senatorsa@gmail.com> wrote:

[Quoted text hidden]

Senator Tony Ada <senatorvanthonyada@gmail.com>

Wed, Sep 15, 2021 at 9:54 AM

To: Senator Pedo Terlaje <senatorpedo@senatorjpterlaje.com>
Cc: Vice Speaker Tina Rose Muña Barnes <senatormunabarnes@guamlegislature.org>, Michaela Celorio <msacelorio.senatorsa@gmail.com>, Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, Clynt Ridgell <clyntridgell@guamlegislature.org>, Senator Therese Terlaje <senatorterlajeguam@gmail.com>, "Frank Blas, Jr." <frank.blasjr@gmail.com>, "Senator Mary C. Torres" <senatormary@guamlegislature.org>, "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Joseph Mesngon <joe.senatorsa@gmail.com>, Rose Mesa <rose.senatorsa@gmail.com>, Catherine Leon Guerrero <cathy.senatorsa@gmail.com>

To do pass

On Sep 15, 2021, at 9:30 AM, Senator Pedo Terlaje <senatorpedo@senatorjpterlaje.com> wrote:

[Quoted text hidden]

Michaela Celorio <msacelorio.senatorsa@gmail.com>
To: Senator Tony Ada <senatorvanthonyada@gmail.com>

Wed, Sep 15, 2021 at 9:55 AM

Received. Thank you.

Michaela Celorio

Research Policy Analyst

Office of Senator Joe S. San Agustin

I Mina'Trentai Sais Na Liheslaturan Guahan

36th Guam Legislature

Chairman, Committee on General Government Operations, Appropriations & Housing

Office of Finance and Budget

Email: msacelorio.senatorsa@gmail.com

Tel: (671) 989-5445

[Quoted text hidden]

Michaela Celorio <msacelorio.senatorsa@gmail.com>
To: Clynt Ridgell <clyntridgell@guamlegislature.org>

Wed, Sep 15, 2021 at 9:55 AM

Received. Thank you.

Michaela Celorio

Research Policy Analyst

Office of Senator Joe S. San Agustin

I Mina'Trentai Sais Na Liheslaturan Guahan

36th Guam Legislature

Chairman, Committee on General Government Operations, Appropriations & Housing

Office of Finance and Budget

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Tel: (671) 989-5445

[Quoted text hidden]

Michaela Celorio <msacelorio.senatorsa@gmail.com>
To: Senator Pedo Terlaje <senatorpedo@senatorjpterlaje.com>

Wed, Sep 15, 2021 at 9:55 AM

Received. Thank you.

Michaela Celorio

Research Policy Analyst

Office of Senator Joe S. San Agustin

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36th Guam Legislature

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Michaela Celorio <msacelorio.senatorsa@gmail.com>

Wed, Sep 15, 2021 at 9:55 AM

To: Vice Speaker Tina Rose Muña Barnes <senatormunabarnes@guamlegislature.org>

Received. Thank you.

Michaela Celorio
Research Policy Analyst
Office of Senator Joe S. San Agustin
I Mina'Trentai Sais Na Liheslaturan Guahan
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