

*I Mina'trentai Singko 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
231-35 (COR)	Telena Cruz Nelson	AN ACT TO AMEND § 8104(p) OF ARTICLE 1, CHAPTER 8, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO INCLUDING DEPARTMENT OF YOUTH AFFAIRS PEACE OFFICERS AS UNIFORMED PERSONNEL FOR RETIREMENT PURPOSES.	11/4/19 1:07 p.m.	12/18/19	Committee on Public Accountability, Human Resources, and the Guam Buildup	1/10/20 8:30 a.m.	1/21/20 4:41 p.m.  As amended by the Committee on Public Accountability, Human Resources, and the Guam Buildup	Waiver: 11/27/19	



Office of the Speaker  
**TINA ROSE MUÑA BARNES**

*I Mina'trentai Singko Na Liheslaturan Guåhan*  
Committee on Public Accountability, Human Resources, and the Guam Buildup

January 17, 2020

*ABL*

**The Honorable Régine Biscoe Lee**  
Chair, Committee on Rules  
*I Mina'trentai Singko na Liheslaturan Guåhan*  
35<sup>th</sup> Guam Legislature  
Guam Congress Building  
163 Chalan Santo Papa  
Hagåtña, Guam 96910

2020 JAN 21 PM 4:41 PPT

**RE: Committee Report on Bill No. 231-35 (COR), as amended**

Dear Chair Biscoe Lee:

Transmitted herewith is the Report of the Committee on Public Accountability, Human Resources, and the Guam Buildup on Bill No. 231-35 (COR), as amended, - Telen Cruz Nelson - "An act to amend § 8104(p) of Article 1, Chapter 8, Title 4, Guam Code Annotated, relative to including Department of Youth Affairs Peace Officers as uniformed personnel for retirement purposes."

Committee votes are as follows:

- 4 TO DO PASS
- ~~0~~ TO NOT PASS
- 5 TO REPORT OUT ONLY
- ~~0~~ TO ABSTAIN
- ~~0~~ TO PLACE IN INACTIVE FILE

**RECEIVED**  
JAN 17 2020  
10:29am  
COMMITTEE ON RULES

*[Handwritten signature]*

*Si Yu'os Ma'åse',*

**TINA ROSE MUÑA BARNES**  
Chairperson

Revision Rec: 1/21/2020 @ 11:39 AM





*Office of the Speaker*

**TINA ROSE MUÑA BARNES**

*I Mina'trental Singko Na Liheslaturan Guåhan*

*Committee on Public Accountability, Human Resources, and the Guam Buildup*

## COMMITTEE REPORT

**Bill No. 231-35 (COR),**

As amended by the Committee on Public Accountability,  
Human Resources, and the Guam Buildup

Introduced by Telen Cruz Nelson

“An act to amend § 8104(p) of Article 1, Chapter 8, Title 4, Guam Code Annotated, relative to including Department of Youth Affairs Peace Officers as uniformed personnel for retirement purposes.”



Address: 163 W. Chalan Santo Papa Hagåtña, GU 96910

Phone: (671) 477-2520/2521 / Email: [speaker@guamlegislature.org](mailto:speaker@guamlegislature.org) / Website: [www.guamlegislature.org](http://www.guamlegislature.org)



Office of the Speaker

**TINA ROSE MUÑA BARNES**

*I Mina' trentai Singko Na Liheslaturan Guåhan*

Committee on Public Accountability, Human Resources, and the Guam Buildup

January 17, 2020

**MEMORANDUM**

**TO:** All Members  
Committee on Public Accountability, Human Resources, and the Guam Buildup

**FROM:** Speaker Tina Rose Muña Barnes  
Committee Chairperson

**SUBJECT:** Committee Report on Bill No. 231-35 (COR), As amended

---

Transmitted herewith for your consideration is the Committee Report on Bill No. 231-35 (COR), as amended, - Telen Cruz Nelson - " An act to amend § 8104(p) of Article 1, Chapter 8, Title 4, Guam Code Annotated, relative to including Department of Youth Affairs Peace Officers as uniformed personnel for retirement purposes."

This report includes the following:

- COR Referral of Bill No. 231-35 (COR)
- Notices of Public Hearing
- Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Submitted Testimony and Supporting Documents
- Committee Report Digest
- Bill No. 231-35 (COR), as introduced
- Bill No. 231-35 (COR), as amended by the Committee
- Amended Mark-up Version
- Copy of Fiscal Note Waiver from Bureau of Budget and Management Research
- Committee Vote Sheet

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

Sincerely,

  
TINA ROSE MUÑA BARNES

Chairperson

Senator Régine Biscoe Lee,  
Chair

Senator Amanda L. Shelton,  
Vice Chair

Speaker Tina Rose Muña Barnes,  
Member

Vice Speaker Telen Cruz Nelson,  
Member

Senator Kelly Marsh (Taitano), PhD,  
Member

Senator Sabina Flores Perez,  
Member



**COMMITTEE ON RULES**  
*I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN*  
**35<sup>TH</sup> GUAM LEGISLATURE**

December 17, 2019

Senator Clynton E. Ridgell,  
Member

Senator Joe S. San Agustin,  
Member

Senator Jose "Pedo" Terlaje,  
Member

Senator Therese M. Terlaje,  
Member

Senator James C. Moylan,  
Member

Senator Mary Camacho Torres,  
Member and Chair, Subcommittee on Protocol

## MEMO

**To:** **Rennae Meno**  
Clerk of the Legislature  
**Attorney Ana Won Pat-Borja**  
Legislative Legal Counsel

**From:** **Senator Régine Biscoe Lee**  
Chair, Committee on Rules

**Re:** **Referral of Bill No. 231-35 (COR)**

*Buenas yan Háfa adai.*

As per my authority as Chair of the Committee on Rules and subject to §6.01(d), Rules VI of our Standing Rules, I am forwarding the referral of Bill No. 231-35 (COR).

Please ensure that the subject bill is referred to the **Committee on Public Accountability, Human Resources, and the Guam Buildup by Speaker Tina Rose Muña Barnes.**

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,

  
**Senator Régine Biscoe Lee**  
Chair, Committee on Rules



*I Mina'trentai Singko Na Liheslaturan Guåhan*  
**BILL STATUS**

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## FIRST NOTICE OF PUBLIC HEARING - Friday, January 10, 2020 at 8:30 AM

Speaker's Office <speaker@guamlegislature.org>  
To: phnotice@guamlegislature.org

Fri, Jan 3, 2020 at 9:29 AM

January 3, 2020

### MEMORANDUM

TO: All Senators, Media, and Stakeholders

FROM: Speaker Tina Rose Muña Barnes, *Chairperson*

SUBJECT: FIRST NOTICE OF PUBLIC HEARING – Friday, January 10, 2020 at 8:30 AM

*Buenas yan Håfa Adai!* Please be advised that the Committee on Public Accountability, Human Resources and the Guam Buildup will convene a Public Hearing on Friday, January 10, 2020 beginning at 8:30 AM in *I Liheslaturan Guahan's* Public Hearing Room. On the agenda is the following:

**Bill No. 231-35 (COR)** – Telena Cruz Nelson

AN ACT TO AMEND § 8104 OF ARTICLE 1, CHAPTER 8, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO IDENTIFYING DEPARTMENT OF YOUTH AFFAIRS PEACE OFFICER AS A MEMBER OF THE UNIFORMED PERSONNEL COMMUNITY.

Written testimony may be delivered to the Office of Speaker Tina Muña Barnes at 163 W Chalan Santo Papa, Hagåtña, Guam 96910 or via email to [speaker@guamlegislature.org](mailto:speaker@guamlegislature.org). Copies of testimonies submitted forty-eight (48) hours prior to the public hearing.

In compliance with the American with Disabilities Act, individuals requiring assistance or accommodations should contact the Office of Speaker Muña Barnes by phone call at 477-2520/1 or via email at [speaker@guamlegislature.org](mailto:speaker@guamlegislature.org). Si Yu'os Ma'åse'!



*Sinseru yan Minagåhet,*

Office of the Speaker • Tina Rose Muña Barnes  
Committee on Public Accountability, Human Resources & the Guam Buildup

35th Guam Legislature  
*I Mina'trentai Singko na Liheslaturan Guåhan*

Guam Congress Building | 163 Chalan Santo Papa | Hagatna, GU 96910  
T: (671) 477-2520/1  
[speaker@guamlegislature.org](mailto:speaker@guamlegislature.org)

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Office of the Speaker

## TINA ROSE MUÑA BARNES

*I Mina'trentai Singko Na Liheslaturan Guahan*

Committee on Public Accountability, Human Resources and the Guam Buildup

January 3, 2020

### MEMORANDUM

TO: All Senators, Media, and Stakeholders

FROM: Speaker Tina Rose Muña Barnes

SUBJECT: FIRST NOTICE OF PUBLIC HEARING – Friday, January 10, 2020 at 8:30 AM

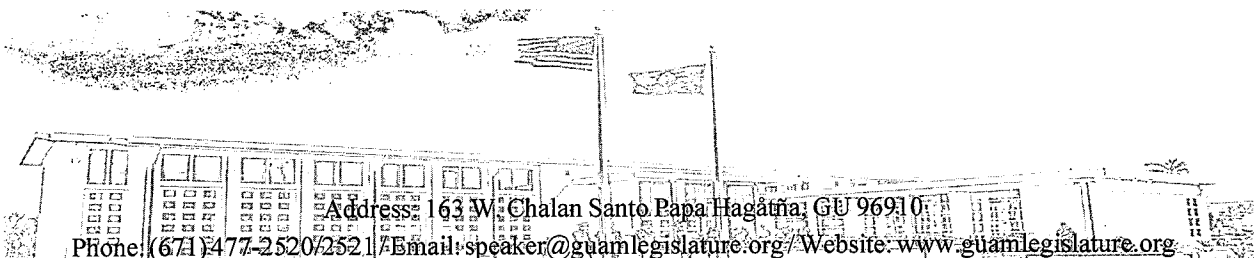
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**SECOND NOTICE OF PUBLIC HEARING – Friday, January 10, 2020 at 8:30 AM**

Speaker's Office <speaker@guamlegislature.org>

Wed, Jan 8, 2020 at 7:59 AM

To: phnotice@guamlegislature.org

Bcc: Melanie Brennan <melanie.brennan@dya.guam.gov>, pmbblas@ite.net, Edward.Birn@doa.guam.gov, carmen.astorga@doa.guam.gov, michael.schniep@doa.guam.gov

January 8, 2020

MEMORANDUM

TO: All Senators, Media, and Stakeholders  
FROM: Speaker Tina Rose Muña Barnes  
SUBJECT: SECOND NOTICE OF PUBLIC HEARING – Friday, January 10, 2020 at 8:30 AM

*Buenas yan Håfa Adai!* Please be advised that the Committee on Public Accountability, Human Resources and the Guam Buildup will convene a Public Hearing on Friday, January 10, 2020 beginning at 8:30 AM in *I Liheslaturan Guåhan's* Public Hearing Room. On the agenda is the following:

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*Sinseru yan Minagåhet,*

Office of the Speaker • Tina Rose Muña Barnes  
Committee on Public Accountability, Human Resources & the Guam Buildup

35th Guam Legislature  
*I Mina'trentai Singko na Liheslaturan Guåhan*

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T: (671) 477-2520/1  
[speaker@guamlegislature.org](mailto:speaker@guamlegislature.org)

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**2 attachments**

Bill No. 231-35 (COR).pdf  
728K

Second Notice - January 10, 2020.pdf  
715K



Office of the Speaker

**TINA ROSE MUÑA BARNES**

*I Mina'trentaj Singko Na Liheslaturan Guahan*

Committee on Public Accountability, Human Resources and the Guam Buildup

January 8, 2020

MEMORANDUM

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## Invite to Public Hearing January 10, 2020 - 8:30AM

Speaker's Office <speaker@guamlegislature.org>  
To: pmbblas@ite.net

Fri, Jan 3, 2020 at 11:13 AM

January 3, 2020

### MEMORANDUM

TO: Paula Blas, Director, Government of Guam Retirement Fund  
FROM: Speaker Tina Rose Muña Barnes  
SUBJECT: INVITE TO PUBLIC HEARING – Friday, January 10, 2020 at 8:30 AM

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*Sinseru yan Minagåhet,*

Office of the Speaker • Tina Rose Muña Barnes  
Committee on Public Accountability, Human Resources & the Guam Buildup

35th Guam Legislature  
*I Mina'trentai Singko na Liheslaturan Guåhan*

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T: (671) 477-2520/1

[speaker@guamlegislature.org](mailto:speaker@guamlegislature.org)

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Office of the Speaker

**TINA ROSE MUÑA BARNES**

*I Mina'trentai Singko Na Liheslaturan Guåhan*

Committee on Public Accountability, Human Resources and the Guam Buildup

January 3, 2020

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TO: Paula Blas, Director, Government of Guam Retirement Fund

FROM: Speaker Tina Rose Muña Barnes

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**Invite to Public Hearing on January 10, 2020 - 8:30AM**

Speaker's Office <speaker@guamlegislature.org>  
To: Edward.Birn@doa.guam.gov  
Cc: carmen.astorga@doa.guam.gov, michael.schniep@doa.guam.gov

Fri, Jan 3, 2020 at 11:04 AM

January 3, 2020

MEMORANDUM

TO: Edward Birn, Director, Department of Administration  
FROM: Speaker Tina Rose Muña Barnes  
SUBJECT: INVITE TO PUBLIC HEARING – Friday, January 10, 2020 at 8:30 AM

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Cc: Michael Schniep  
Carmen Astorga



*Sinseru yan Minagåhet,*

Office of the Speaker • Tina Rose Muña Barnes  
Committee on Public Accountability, Human Resources & the Guam Buildup

35th Guam Legislature  
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Office of the Speaker

**TINA ROSE MUÑA BARNES**

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Committee on Public Accountability, Human Resources and the Guam Buildup

January 3, 2020

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Cc: Michael Schniep  
Carmen Astorga



Address: 163 W. Chalan Santo Papa Hagåtña, GU 96910

Phone: (671)477-2520/2521 / Email: [speaker@guamlegislature.org](mailto:speaker@guamlegislature.org) / Website: [www.guamlegislature.org](http://www.guamlegislature.org)



**Invite to Public Hearing - Friday, January 10, 2020 at 8:30AM.**

1 message

Speaker's Office <speaker@guamlegislature.org>  
To: Melanie Brennan <melanie.brennan@dya.guam.gov>  
Cc: krisinda.aguon@dya.guam.gov

Fri, Jan 3, 2020 at 10:48 AM

January 3, 2020

MEMORANDUM

TO: Melanie W. Brennan, Director, Department of Youth Affairs  
FROM: Speaker Tina Rose Muña Barnes  
SUBJECT: INVITE TO PUBLIC HEARING – Friday, January 10, 2020 at 8:30 AM

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**Bill No. 231-35 (COR)** – Telena Cruz Nelson  
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Written testimony may be delivered to the Office of Speaker Tina Muña Barnes at 163 W Chalan Santo Papa, Hagåtña, Guam 96910 or via email to [speaker@guamlegislature.org](mailto:speaker@guamlegislature.org). Copies of testimonies submitted forty-eight (48) hours prior to the public hearing.

In compliance with the American with Disabilities Act, individuals requiring assistance or accommodations should contact the Office of Speaker Muña Barnes by phone call at 477-2520/1 or via email at [speaker@guamlegislature.org](mailto:speaker@guamlegislature.org). Si Yu'os Ma'åse'!

Cc: Krisinda C. Aguon, Deputy Director, Department of Youth Affairs



*Sinseru yan Minagåhet,*

**Office of the Speaker • Tina Rose Muña Barnes**  
Committee on Public Accountability, Human Resources & the Guam Buildup

35th Guam Legislature  
*I Mina'trentai Singko na Liheslaturan Guåhan*

Guam Congress Building | 163 Chalan Santo Papa | Hagatna, GU 96910  
T: (671) 477-2520/1  
[speaker@guamlegislature.org](mailto:speaker@guamlegislature.org)

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Gumai pribilehu yan konfedensia este siha na mensåhi. Solo spesiåntemente para hågu ma entensioña pat ma aturisa para unrisibi. Sen prubidu kumu ti un ma aturisa para manribisa, na'setbe, pat mandespårcha. Yanggen lachi rinisibu-mu nu este na mensåhi, put fabor ago' guaru gi I numa'huyong gi as [speaker@guamlegislature.org](mailto:speaker@guamlegislature.org) yan despues destrosa todú siha I kopian mensåhi. Si Yu'os ma'åse'.



Office of the Speaker

**TINA ROSE MUÑA BARNES**

*I Mina'trentai Singko Na Liheslaturan Guåhan*

Committee on Public Accountability, Human Resources and the Guam Buildup

January 3, 2020

MEMORANDUM

TO: Melanie W. Brennan, Director, Department of Youth Affairs

FROM: Speaker Tina Rose Muña Barnes

SUBJECT: INVITE TO PUBLIC HEARING – Friday, January 10, 2020 at 8:30 AM

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*Buenas yan Håfa Adai!* Please be advised that the Committee on Public Accountability, Human Resources and the Guam Buildup will convene a Public Hearing on Friday, January 10, 2020 beginning at 8:30 AM in *I Liheslaturan Guåhan's* Public Hearing Room. On the agenda is the following:

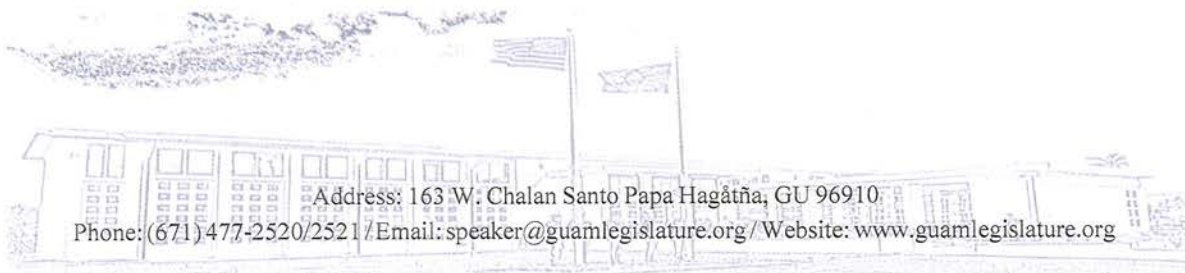
**Bill No. 231-35 (COR)** – Telen Cruz Nelson

AN ACT TO AMEND § 8104 OF ARTICLE 1, CHAPTER 8, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO IDENTIFYING DEPARTMENT OF YOUTH AFFAIRS PEACE OFFICER AS A MEMBER OF THE UNIFORMED PERSONNEL COMMUNITY.

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Cc: Krisinda C. Aguon, Deputy Director, Department of Youth Affairs



Address: 163 W. Chalan Santo Papa Hagåtña, GU 96910

Phone: (671) 477-2520/2521 / Email: [speaker@guamlegislature.org](mailto:speaker@guamlegislature.org) / Website: [www.guamlegislature.org](http://www.guamlegislature.org)





*Office of the Speaker*

**TINA ROSE MUÑA BARNES**

*I Mina'trentai Singko Na Liheslaturan Guåhan*

Committee on Public Accountability, Human Resources, and the Guam Buildup

## **AGENDA**

**Friday, January 10, 2020 at 8:30 AM**

**Public Hearing**

- **Bill No 231-35 (COR)** – Telena Cruz Nelson  
AN ACT TO AMEND § 8104 OF ARTICLE 1, CHAPTER 8, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO IDENTIFYING DEPARTMENT OF YOUTH AFFAIRS PEACE OFFICER AS A MEMBER OF THE UNIFORMED PERSONNEL COMMUNITY.



# TINA ROSE MUÑA BARNES

Chairperson

Committee on Public Accountability, Human Resources, and the Guam Buildup

Public Hearing

Friday, January 10, 2020, 8:30 AM

*I Liheslaturan Guåhan*, Public Hearing Room

Bill No 231-35 (COR) – Telen Cruz Nelson

AN ACT TO AMEND § 8104 OF ARTICLE 1, CHAPTER 8, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO IDENTIFYING DEPARTMENT OF YOUTH AFFAIRS PEACE OFFICER AS A MEMBER OF THE UNIFORMED PERSONNEL COMMUNITY.

Name	Agency/ Organization	Oral Testimony	Written Testimony	Support	Not in Support	Contact Information
JEAN C. THOMPSON	DYA	✓		x		488-1193
Melanie Brenner	Dep	✓		✓		7355001
DAVID AFRISEN	DYA		✓			
VICTOR LACRUZ	DYA			✓		488-5262
Nelson, Shawn	DYA			✓		788-1978
Celia J. Salas	DYA			✓		687-3282
Benedette C. Santos	DYA			✓		929-2115
STEPHEN E. TUDELA	DYA			✓		777-8368

1 out of 3







# TINA ROSE MUÑA BARNES

Chairperson

Committee on Public Accountability, Human Resources, and the Guam Buildup

Public Hearing

Friday, January 10, 2020, 8:30 AM

*I Liheslaturan Guåhan*, Public Hearing Room

Bill No 231-35 (COR) – Telena Cruz Nelson

AN ACT TO AMEND § 8104 OF ARTICLE 1, CHAPTER 8, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO IDENTIFYING DEPARTMENT OF YOUTH AFFAIRS PEACE OFFICER AS A MEMBER OF THE UNIFORMED PERSONNEL COMMUNITY.

Name	Agency/ Organization	Oral Testimony	Written Testimony	Support	Not in Support	Contact Information
<input checked="" type="checkbox"/> Dino Pa Lacios	DYA			✓		788 5366
<input checked="" type="checkbox"/> Rebecca R. Chu	DYA			✓		
<input checked="" type="checkbox"/> Bermen J. Cruz	DYA			✓		
<input checked="" type="checkbox"/> BRANDON J. MEERS	DYA			✓		
<input checked="" type="checkbox"/> RICHARTE I SOLIVA	DYA			✓		
<input checked="" type="checkbox"/> JAY A. VILLANUEVA	DYA			✓		
<input checked="" type="checkbox"/> RIVERA, Frank A	DYA			✓		
<input checked="" type="checkbox"/> K. Albert	DYA			✓		





# TINA ROSE MUÑA BARNES

Chairperson

Committee on Public Accountability, Human Resources, and the Guam Buildup

Public Hearing

Friday, January 10, 2020, 8:30 AM

*I Liheslaturan Guåhan*, Public Hearing Room

**Bill No 231-35 (COR) – Telen Cruz Nelson**

AN ACT TO AMEND § 8104 OF ARTICLE 1, CHAPTER 8, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO IDENTIFYING DEPARTMENT OF YOUTH AFFAIRS PEACE OFFICER AS A MEMBER OF THE UNIFORMED PERSONNEL COMMUNITY.

Name	Agency/ Organization	Oral Testimony	Written Testimony	Support	Not in Support	Contact Information
✶ Aaron J.C. Cabrera	DYA			✓		787-1415
✶ KRISINDA AGUON	DYA	✓		✓		735-5002
✶ EDUARDO BIRN	DOA	✓	✓			489,3323
✶ Michael Schunzler	TOA			✓		788-3337



Melanie Brennan

Hafa Adai and Good Morning

Thank you for the opportunity to testify in favor of Bill 231-35 which is an act to amend section 8104 of article 1, Chapter 8, Title 4 of the Guam Code Annotated to include the Department of Youth Affairs law enforcement officers engaged in juvenile detention and rehabilitation as members of the uniformed officer's community.

As the Director of the Department of Youth Affairs for not quite a year now, I understood shortly after my appointment that juvenile correctional work at DYA in the Youth Service Worker series is a noble profession despite the fact that it has long been under-recognized and underappreciated for the very important work they are responsible for - the care and custody of some of our community's most troubled youth. I knew early on that there were inequity issues and I committed to addressing them.

Perhaps because the position title, Youth Service Worker didn't have the word 'officer' in it, or the fact that they deal with 'kids' instead of adults that somehow gave the impression that their work was less dangerous or much easier than their adult counterparts at DOC. But this simply is untrue and misleading.

Each time a Youth Service Worker, more commonly referred to as YSW, each time a YSW enters the Youth Correctional Facility he or she puts his health and safety on the line; they work long hours and deal with young offenders, some violent, some with mental health issues, many with substance abuse issues or educational deficits. Some are runaways, some homeless. But they all have been either alleged or charged with violation of Guam law. They have the difficult and dangerous job of caring for, mentoring, and being a role model to resistant youth.

YSW's have an important role in the juvenile justice system and their work makes significant contributions to public safety. With juvenile justice reform efforts, their role has become increasingly complex, having to learn new ways, evidence-based ways to interact with the youth and families DYA serves. In addition to reform efforts, YSW's must adhere to and comply with the federal Juvenile Justice and Delinquency Prevention Act, our local Peace Officer Standards and Training standards, and the Prison Rape Elimination Act.

I humbly ask that you support the passage of this bill which will acknowledge the YSW as uniformed personnel. The uniform distinguishes them apart from the crowd; it has a powerful impact on how people perceive them; and actually helps deter criminal behavior by inspiring people to conduct themselves appropriately.

The YSW's uniform elicits a sense of solidarity and pride in what they do - they commit to their badges and their responsibilities with pride and integrity. I ask that they be formally acknowledged as uniformed personnel. Thank you.

**WRITTEN TESTIMONY**

**January 10, 2020**

35<sup>th</sup> Legislature

Good Morning Madam Chair, Madam Speaker and Honorable Senators, Si Yuus Maase and thank you for your time and attention.

I will start off with my sincere appreciation to the collective and untiring efforts of the Peace Officers and P.O.S.T. members from all of the departments and agencies that are diligently invested and clearly defined in their assistance and support with DYA growth. Si Yuus Maase.

The intent DYA Peace Officers has invested for the P.O.S.T. as a Category 1 and now being recognized to be placed along with the members of the uniformed personnel across our government is well deserved. DYAs Juvenile correction officers are meeting the requirements of being physically fit and physically able to accomplish the task and duties that are going above not only what is agency-specific and operations-focused directly for the demographics and missions of who and what we are exposed to and what we are responsible to sustain.

As I strongly advocate for this Bill no. 231-35 to be passed, I humbly express our appreciation as we continue in our evolution of change and improvements.

I sincerely thank all of our Honorable Senators for your ethical support to pass this bill. We, the Peace Officers of Youth Corrections Facility, under Department of Youth Affairs continue to grow and evolve to higher standards as public servants. We will continue to solidify our overall requirements. Si Yuus Maase.

Very Respectfully



David T. Afaisen, Jr.

Superintendent

Youth Correction Facility





# DIPATTAMENTON ASUNTON MANHOBEN

Department of Youth Affairs

Government of Guam

P.O. Box 23672

Barrigada, Guam 96921

Tel: (671)735-5010 Fax: (671)734-7536



MELANIE W. BRENNAN  
Direktot

KRISINDA C. AGUON  
Sigundo Direktot

JURDES A. LEON GUERRERO  
Maga'lagat  
JOSHUA F. TENORIO  
Sigundo Maga'lagat

January 10, 2020

## MEMORANDUM

**TO:** I Mina'trentai Singko Na Leheslaturan Guahan

**VIA:** Director DYA, Melanie W. Brennan  
Deputy Director DYA, Krisinda Calvo Aguon

**From:** Superintendent DYA, Youth Service Supervisors, Youth Service Workers at the Department of Youth Affairs

**Subject:** Support of the Act to Amend Sub Section 8104 of Article 1, Chapter 8, Title 4 of the Guam Code Annotated, Relative to Identifying Department of Youth Affairs as a Member of the Uniformed Personnel Community

Buenas yan Hafa Adai on behalf of the Youth Correctional Facility, Department of Youth Affairs. It is with tremendous relief that we are here today to support this long overdue bill that our Youth Service Superintendent, Youth Service Supervisors and Youth Service Workers have been pleading for support since this bill was passed for Law Enforcement Officers. For many years the Department of Youth Affairs was hardly ever recognized as a part of the Law Enforcement Community until the Peace Officers Standardized Training Board of Commission had begun to specify departments that identified Officers in P.O.S.T. within Categories 1, 2 and 3.

DYA was just recently added to the P.O.S.T. Commission as a Category 1 and eligible to vote in the Board of Commission as a department in the Law Enforcement Branch. For years our personnel have been supportive and active in assisting our community promoting safety and peace for our island. Our integrity as a Peace Officer is held with the utmost respect as we conquer our daily missions protecting and serving our people and the community. As our island progresses and adapts to all the changes and rise in crimes we must not forget the potential hazards and dangers that our officers in all the branches are exposed to on a daily basis. The challenges of maintaining a healthy and stress free environment becomes difficult as we get closer to the retirement stage. This is why we are asking for your full support in passing this bill as we have seen many of our colleagues in the past years pass on without even enjoying their retirement after all their hard efforts and years in service. Our families are our biggest supporters and heroes for always being patient and understanding as we leave our homes not knowing if we will ever make it home again facing our daily challenges protecting the people of our island of Guam. Passing this bill will not only comfort our Law Enforcement Officers but the families we work so hard to protect and raise. Your support and understanding for these reasons are why we

**TESTIMONY READ BY MR. VINCENT LAGUANA**



are here today. Thank you for your time and attention in addressing our personnel, brothers and sisters in the Law Enforcement branch.



EDWARD M. BIRN  
Director (Direktot)

EDITH C. PANGELINAN  
Deputy Director (Sigundo Direktot)

**DEPARTMENT OF  
ADMINISTRATION**  
DIPATTAMENTON ATMENESTRASION

DIRECTOR'S OFFICE  
(Ufisinan Direktot)

Telephone (Telifon): (671) 475-1101/1250 • Fax (Faks): (671) 477-6788



LOURDES A. LEON GUERRERO  
Governor (Maga'hága)

JOSHUA F. TENORIO  
Lt. Governor (Sigundo Maga'láhi)



January 10, 2020

**HRD NO.: 20-0025**

**Speaker Tina Rose Muña Barnes**

Honorable Speaker Tina Rose Muna-Barnes  
I Mina' trentai Singko Na Liheslaturan Guáhan  
35<sup>th</sup> Guam Legisllature  
Chairperson

Committee on Public Accountability, Human Resources & The Guam Build Up  
163 Chalan Santo Papa  
Hagatna, GU 96910

JAN 13 2020  
Time 2:44 ( ) AM ( ) PM  
Received By: Alon

**RE: Comments on Bill 231-35 (COR)**


*Buenas yan Hafa Adai Speaker Tina Rose Muna-Barnes!* Thank you for the opportunity to provide comments to Bill 231-35 (COR), an act relative to identifying the Department of Youth Affairs Peace Officer as a member of the Uniformed Personnel Community to be included in Section 8104 of Article 1, Chapter 8 (Retirement of Public Employees) Guam Code Annotated.

The Department of Administration (DOA) would support the proposed legislation that improves the benefits of our government of Guam employees. Bill 231-35 (COR) provides uniformity and consistency that is afforded to other Law Enforcement and Public Safety departments as defined in Title 5, 10 and 17 of the Guam Code Annotated, which includes the Department of Youth Affairs who are engaged in juvenile detention and rehabilitation work.

As indicated in BBMR's fiscal note, the impact of this provision would be on the Government of Guam Retirement Fund. It is the view of DOA that the fund's liquidity goals are not impacted by Bill 231-35.

We thank you for the opportunity to express our comments on Bill 231-35 (COR) and hope that you consider our position. Should you have any questions, please contact the Human Resources Division at 475-1123/1201 or 1219. ***Dǎngkolo na Agradesimientol!***

Senseramente,

  
**EDWARD M. BIRN**  
Director, Department of Administration

cc: Edith C. Pangelinan, Deputy Director, DOA  
Michael Schniep, Acting Assistant Personnel Services Administrator, HRD, DOA



Office of the Speaker

**TINA ROSE MUÑA BARNES**

*I Mina'trentai Singko Na Liheslaturan Guåhan*

Committee on Public Accountability, Human Resources, and the Guam Buildup

## COMMITTEE REPORT DIGEST

### I. OVERVIEW

**Bill No. 231-35 (COR)** was introduced by Vice Speaker Telena Cruz Nelson on November 4, 2019 and was subsequently referred by the Committee on Rules to the **Committee on Public Accountability, Human Resources, and the Guam Buildup** on December 17, 2019.

The Committee on Public Accountability, Human Resources, and the Guam Buildup convened a public hearing on Bill No 231-35 (COR) on Friday, January 10, 2020 beginning at 8:30am in the Guam Legislature Public Hearing Room.

#### Public Notice Requirements

Public Hearing notices were disseminated via e-mail to all senators and all main media broadcasting outlets on Friday, January 3, 2020 (5-Day Notice), and again on Wednesday, January 8, 2020 (48-Hour Notice).

#### Senators Present

Speaker Tina Rose Muña Barnes, Chairperson  
Senator Amanda L. Shelton, Member  
Senator Telo Taitague, Member

### II. SUMMARY OF TESTIMONY & DISCUSSION

The public hearing was called to order at 8:33 am.

**Chairperson Tina Rose Muña Barnes:** *Buenas yan hâfa adai todus hamyo!* This hearing by the Committee on Public Accountability, Human Resources, and the Guam Buildup is called to order...it is now 8:33 am.

For the record and in accordance with 5 GCA, Chapter 8, Subsection 8107, public hearing notices were sent on Friday, January 3, 2020 adhering to the five (5) days' notice, and a second public notice on Wednesday January 8, 2020, forty-eight (48) hours prior.

In addition, this hearing was noticed on the legislature's website – [www.guamlegislature.com](http://www.guamlegislature.com). Written testimonies may be submitted by emailing [speaker@guamlegislature.org](mailto:speaker@guamlegislature.org) or you may hand deliver to our office at 163 Chalan Santo Papa, Hagåtña, Guam.

On the agenda, ladies and gentlemen, we have:



- **Bill No. 231-35 (COR)** - Telena Cruz Nelson  
An act to amend § 8104 of Article 1, Chapter 8, Title 4, Guam Code Annotated, relative to identifying department of youth affairs peace officer as a member of the uniformed personnel community.

Ladies and gentlemen joining me this morning are my colleagues the Legislative Secretary on my right Senator Amanda Shelton and to her right is newly elected Minority Leader Senator Telo Taitague. Good morning, thank you for being here.

The conduct of this public hearing shall be as follows, that's just some housekeeping rules:

1. Those testifying will be recognized in the order of Sign-up on the sign-in sheet.
2. Written testimony may be read. In the interest of time, I ask testimony to be summarized to about five (5) minutes. Written testimonies shall be submitted to the Committee. Please provide our Legislative staff with your written testimony for photocopying.
3. Testimony shall be confined to the substance of the bill.
4. Persons will be allowed to present oral testimony only once. Once you are done, you may be asked to remain in the room for questions, or for additional testimony, as may be desired by members of the panel.
5. Proper form and decorum shall be practiced by all present in the public hearing room for the proceedings individuals who do not comply may be escorted from the public room.
6. When you speak, please make sure that the microphone is 'on' and that you speak into the microphone.
7. Please state your name for the record and where you're from and if you support or don't support the bill during your testimony.

and with that being said, I want to just share to all of you here that the author of the legislation is not with us this morning she extends her sincere apologies as she is off-island taking care of a family medical issue and just sends her support and we hope to get a fruitful discussion on this bill moving forward and I also want to acknowledge in the room I see the Director of Department of Youth Affairs Ms. Melanie Brennan, good morning.

And also from the Department of Administration Mr. Ed Birn I don't see your name here but if you're going to present testimony you're more than welcome to bring that seat up. Also recognize and say good morning *manana si yu'os* to the both of you and I'd be remiss if I didn't acknowledge the Deputy Director of Department of Youth Affairs Ms. Krisinda Aguon, *Si Yu'os Ma'ase'* for being here. And I see the men and women in black this morning in uniform *un dangkolo na si yu'os ma'ase'* for being here to support the efforts.

So I will go ahead and start off. I will give the Director of the Department of Youth Affairs and the Deputy Director to go ahead and start and then I will extend it to the members. Mr. Burn you're more than welcome to pull out a chair and unless...



Okay, thank you Mr. Birn, please proceed

**Director Melanie Brennan, Department of Youth Affairs:** Good morning speaker Tina Rose Muña Barnes and Senator Shelton, our oversight chair, and Senator Telo Taitague.

*Director Brennan reads written testimony attached.*

**Chairperson Tina Rose Muna Barnes:** *Si Yu'os Ma'åse* Mrs. Brennan. Ms. Aguon.

**Deputy Director Krisinda Aguon, Department of Youth Affairs:** *Håfa Adai* and Good Morning Senator Tina Rose Muña Barnes, Secretary Amanda Shelton, and Minority Leader Senator Telo Taitague, I am Krisinda Aguon and I am the Deputy Director of the Department of Youth Affairs.

I am present here today to provide testimony in support of Bill 231-35 and the long-awaited and well-deserved opportunity for our peace officers present here today who have throughout the careers with the Department of Youth Affairs dedicated themselves to upholding every characteristic known to the practice of uniformed personnel.

In the last few years I have seen firsthand the time, efforts, training, practice, and devotion to working with our youth and all that it encompasses. The reality of working with our incarcerated youth is not an easy task. Along with fulfilling the requirements and certifications of the Peace Officer Standards and Training otherwise known as POST, our officers are also subject to knowledge and implementation of juvenile justice reform efforts; practicing methods of dealing with adolescent behavior; understanding adolescents and their growth processes, which may not apply to the general population of all those incarcerated.

Our officers of the Department of Youth Affairs have participated and contributed to shaping our communities, building relationships with the youth in their care and custody and maintaining their commitment and dedication to improving their relationships with their family units, despite the lack of acknowledgement and recognition.

But today, you have given them hope and inspiration that their efforts to improve the grim realities of our incarcerated youth do not go unnoticed. I thank you for your time and determination to afford the peace officers of the Department of Youth Affairs the recognition acknowledgement and pride of being a member of the uniformed personnel community.

Thank you, for your time.

**Chairperson Tina Rose Muña Barnes:** *Si Yu'os Ma'åse* Ms. Krisinda. Next on the lineup I have Jean Thompson. Mr. Afaisen I'll go ahead and acknowledge you, I apologize.



**Mr. David Afaisen, Superintendent of Youth Correction Facility:** *Buenas, Good Morning, Buenas Dias, Manana Si Yu'os'* Madam Speaker, Madam Secretary, Honorable Senator, *Si Yu'os Ma'ase* and thank you for your time and attention. My name is David Afaisen, I'm the Superintendent of youth correction facility I like to start off with my sincere appreciation to the collective and untiring efforts of all DYA peace officers and POST members from all of the departments and agencies that are diligently invested and clearly defined in their assistance and support with DYA's growth so *si yu'os ma'ase* for all the officers.

The intent DYA peace officers have invested for the POST as a Category One and now being considered to be recognized to be placed along with the members of the uniformed personnel across our government is well deserved. DYA juvenile correction officers are meeting the requirements of being physically fit and being physically able to accomplish the tasks and duties that are going above not only what is agency specific an operation focused directly for the demographics and missions of who and what we are exposed to and what we are responsible to sustain.

As I strongly advocate for this Bill No. 231-35 to be pass, I humbly express our appreciation as we continue in our evolution of change and improvements. I sincerely thank all of our honorable senators for their ethical support to pass this bill. We the peace officers of Youth Correctional Facility under DYA continue to grow and evolve to higher standards as public servants we will continue to solidify our overall requirements. *Si Yu'os Ma'ase'*.

**Chairperson Tina Rose Muña Barnes:** *Buen Prubechu* Mr. Afaisen. I guess I have a Vincent Laguana, is there a Vincent?

**Vincent Laguana:** Good morning, I'm going to read on behalf of Ms. Thompson. *Vincent Laguana reads from written testimony attached from Superintendent DYA, Youth Service Supervisors, Youth Service Workers at the Department of Youth Affairs.*

**Chairperson Tina Rose Muña Barnes:** *Si Yu'os Ma'ase'* Mr. Vincent. Next on the signup sheet I think I have Mr. Shawn Nelson are you here for support or would you like to...?

Support, Okay.

Celia J Salas for support.

Bernadette Santos?

**Bernadette Santos:** For Support Ma'am.

**Chairperson Tina Rose Muña Barnes:** Thank You. Steven or Stephen Tudela.

**Stephen Tudela:** For support also and please help us pass this bill.



**Chairperson Tina Rose Muña Barnes:** Thank you Mr. Tudela. I have three sign-up sheets here so it's a long list. Dino Palacios?

**Dino Palacios:** Good morning senators, happy Friday.  
*Speaks in CHamoru, translation: "When the times comes to vote, remember my brothers and sisters that are in front of you".*

**Chairperson Tina Rose Muña Barnes:** *Hågu Mås, Buen Prubechu.*

Rebecca Cruz, Support? Yes.

Berman Cruz, Support? Thank you.

I want to say, Brandon Meeks, support? Thank you.

What about Ricarte I Solica, support? *Si Yu'os Ma'åse'.*

Jay Villanueva? thank you sir.

Frank A. Rivera? *Si Yu'os Ma'åse.*

K.K.Albert? *Si Yu'os Ma'åse'*, Thank You.

Aaron J.C. Cabrera? Thank you.

And I have, that will exhaust unless there's anybody else I do have Mr. Ed Birn, would you like to present testimony sir? please and then Mr. Mike Schniep. Thank you. So, Mike I will let Ed talk.

**Director Edward Birn, Department of Administration:** Good morning madam Speaker, senators. Thank you for the opportunity for letting DOA comment on Bill 231-35, which if enacted would be included in Section 8104 of Article 1, Chapter 8 (Retirement of Public Employees) Guam Code Annotated.

Department of Administration and it's HR Department is always concerned and everyday works to the benefit of the welfare of its employees. The government of Guam can only operate if employees are contented and we work every day to make sure that happens.

So, the Department of Administration would like to support this proposed legislation. Department of Administration, as senators you recognize, has several roles including a fiscal role. The impact of this legislation, the most direct impact would be on the retirement fund. I don't know if you've received any testimony from the retirement fund but it would be there with the fiscal impact would be noted.

As you know we, the retirement fund has a mandate to eliminate its deficit by 2033 from my observation you know as a professional accountant I don't think that the enactment of this legislation would have a serious impact upon that goal and so with that we do support this legislation. Thank You senators.

**Chairperson Tina Rose Muña Barnes:** You're very welcome Mr. Birn. Is there anybody else before I turn it over to my colleagues? Okay, if not Legislative Secretary comment or question please.



**Senator Amanda Shelton:** Thank you very much madam Speaker and thank you everyone for being here to testify this morning in support of this measure I'd like to also thank our Vice Speaker Telena Nelson for introducing this measure on your behalf and you know recognize that she can't be with us today because of a family emergency. But I'd like to let all of you know here, all of the youth service workers, that your Director your Deputy Director your Superintendent and some of your colleagues have been you know advocating for this legislation and the other companion bills that will be heard in a few days so that we can bring parity to your profession so that we can recognize you for the work that you do and the danger that you're in and all of the training that you need and find ways to support you in those efforts. And so I'm very thankful for all of you because you're the ones who have pushed us to move in this direction and to make this happen, *si Yu'os ma'åse'*. I just like to ask Mr. Superintendent, how many Youth Service officers will be affected by this legislation? How many directly deal with the juvenile detention and Rehabilitation Center?

**Mr. David Afaisen, Superintendent of Youth Correction Facility:** Senator, we have a total of 43 officers within DYA that will be directly affected with it.

**Senator Amanda Shelton:** okay, *si Yu'os ma'åse'*. I think that's important for the public to hear and understand that they're 43 of you who are working in this capacity who are meeting the POST requirements and carrying out these duties every day so again thank you very much. Happy New Year to all of you.

**Chairperson Tina Rose Muña Barnes:** Thank you Legislative Secretary. Minority Leader Senator Telo, you're recognized for comments or questions.

**Senator Telo Taitague:** Thank you madam Chair, good morning to everybody happy New Year to you. I don't know if, some of you are very young when I started going to DYA during Christmastime, some of you remember I'd go there and bring my guitar for the young women there at DYA and I got to know your facility very well and what you have to go through every day taking care of these the youth there that are there and you are definitely in harm's way in some situations and it's kind of scary for you and...

But, I do want you knowing I fully support you. I've always been there for you guys and now I see my son's one of my son's good friends now working there and si Logan right Cabrera so I'm glad to see that you're there. DYA, it's a good family, you guys have a good family. They're good network with each other taking care of each other's back that's the most important thing you got each other's back and this bill is going to actually help you to be that same kind of position as DOC that you mentioned Madam Director and Madam Deputy Director.

There are some, I'm surprised that you know retirement isn't here because like Director Birn said it's gonna affect retirement so that means the the amount of money that we're gonna have to appropriate if this bill should pass has to be done. So we can pass this bill, but unless we appropriate the funding for it.

I'm glad that the Director Birn is here and the question I have I know you haven't been here probably about what six years now in your position or four years at least four years in this position senator just coming up to two years Oh - okay my bad I thought longer than that. Why hasn't it, so maybe I can ask the director and I know this is your first year, why hasn't this bill been introduced before? And has it ever been introduced before what was the problem that was that happened last time if it was?

**Director Melanie Brennan, Department of Youth Affairs:** As soon as I came on board that was one of the issues that they had brought up and they had said that they had spoken with other administration's but it was never brought to the legislative floor.

I do know that even when I was working with the judiciary even the probation officers had to were omitted for whatever reason they were omitted and we worked very very hard and because it had a financial impact. It did take a while before it was passed so even probation officers are newly admitted as uniformed officer personnel.

**Senator Telo Taitague:** So, it has never gone this far by creating a bill okay so good we're on our way have you had a chance to talk to retirement to find out the impact?

**Director Melanie Brennan, Department of Youth Affairs:** No, I have not.

**Senator Telo Taitague:** Okay that'd be very important even though they're not here today doesn't stop me from you know knocking on their door and finding out those numbers because you know we're in February we go into budget and we want to make sure we had those funding to fund this initiative okay moving forward.

The other question I have is, do the qualification and education and training requirements for DYA positions that will be covered in Bill 231, compare to the uniformed personnel example you know GPD officers, customs and quarantine, etc.?

**Director Melanie Brennan, Department of Youth Affairs:** So, the POST standards are basically Peace Officers Standardized Training, we are as defined as Category One officers, we have to be POST compliant.

**Senator Telo Taitague:** So, it follows same kind of, okay.

**Director Melanie Brennan, Department of Youth Affairs:** Same, but each individual agency has their own standards their own internal standards.

**Senator Telo Taitague:** Okay okay so you do meet that requirement so I can argue that on the floor okay that's good. Okay my other colleague, yeah I had, the other question I was going to ask that how many it will affect. So, again I'm finally glad it's here on the session floor we're gonna. oh, we're on legislative, to review and then put on session floor that information from Revenue and Tax. Thank You, Mr. Birns for being here because your support is very important to this legislation that'll get it through so again everybody Happy New Year and create a great day, thank you.



**Chairperson Tina Rose Muña Barnes:** Thank You Senator Taitague. Ladies and Gentlemen, I just want to share for the record that I support the legislation that the Vice Speaker has proffered this bill was introduced in November and just getting the chain through get to the oversight to me as the oversight chair I'd say I will hear this immediately. We are here at that juncture today.

And I want to say that I know there was a question regarding the retirement and as Oversight Chair of the retirement I will ask to have them present their testimony in this as it works. You're still governmental Guam employees contributing to the retirement so I am going to ask them to share at least their input on the impact that it will raise for them. I know that probably just the time requirement of the years to be eligible for retirement as a uniformed officer versus the Government of Guam worker would be the issue.

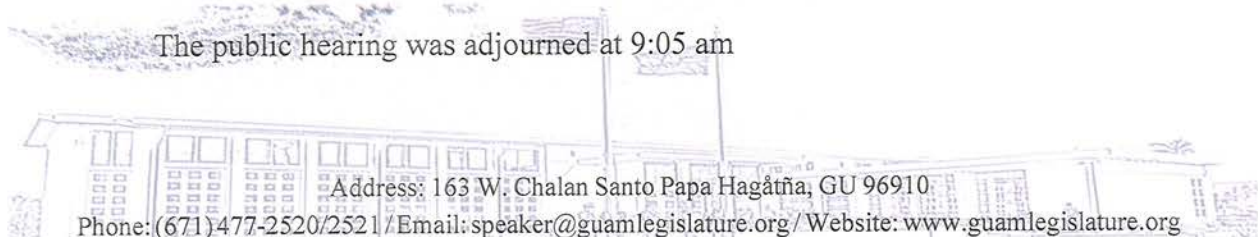
Also, it was asked to me about the fiscal note that is automatically submitted by COR and I will make sure that that gets included for for session when it gets put into session agenda I do support the efforts. I remember a time maybe, maybe several terms ago or a little bit more than that when this subject was broached. And at that time, we were working closely with those that weren't included like probation and the members of the judiciary probation and trying to acquire the information from them was a little bit more difficult back then. And your commitment when the administration came in was to look at this do the investigative work, work with your support staff in moving this efforts forward and I want to say I want to applaud your efforts Director and Deputy for making this happen for the men and women in black and I just want to say that it should have been done back then when you were in the judiciary and having had to work with the probation and the marshals and the other law enforcement community members within the government of Guam.

**Director Melanie Brennan, Department of Youth Affairs:** Thank you so much Speaker for acknowledging that I appreciate your efforts.

**Chairperson Tina Rose Muña Barnes:** So with that being said ladies and gentlemen if there's no one else to testify at this public hearing today I would have called this public hearing today on Bill No. 231- 35 (COR) publicly heard. I will note for the record, those in the listening audience if you would like to present written testimony you can do so by sending it to [speaker@guamlegislature.org](mailto:speaker@guamlegislature.org) or if you want to hand deliver or mail to the oversight chair it would be at 163 Chalan Santo Papa, Hagåtña, Guam 96910.

Ladies and gentlemen, it is 9:05 in the morning we are now adjourned. Thank you, Happy New Year and God bless each and every one of you.

The public hearing was adjourned at 9:05 am



III. FINDING & RECOMMENDATIONS

The Committee finds Bill 231-35 (COR) received support from the Department of Youth Affairs and Department of Administration. The Committee Chair spoke with the Director Paula M. Blas seeking input on the impact to the Retirement Fund. Director Blas advised that the bill will impact approximately eight employees.

The committee amended the bill, incorporating recommended changes to better clarify the objective of the bill.

The Committee on Public Accountability, Human Resources, and the Guam Buildup hereby reports out Bill No. 231-35 (COR), as amended, an act to amend § 8104(p) of Article 1, Chapter 8, Title 4, Guam Code Annotated, Relative to including Department of Youth Affairs Peace Officers as Uniformed Personnel for retirement purposes with the recommendation TO REPORT OUT ONLY.





*I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN*  
2019 (FIRST) Regular Session

Bill No. 251 -35 (COR)

Introduced by:

Telena Cruz Nelson 

**AN ACT TO AMEND § 8104 OF ARTICLE 1, CHAPTER 8,  
TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO  
IDENTIFYING DEPARTMENT OF YOUTH AFFAIRS PEACE  
OFFICER AS A MEMBER OF THE UNIFORMED  
PERSONNEL COMMUNITY**

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

**Section 1. Legislative Findings and Intent.**

*I Liheslaturan Guåhan* finds that uniformed personnel are afforded the opportunity to retire five (5) years earlier, based on age, than the typical public employee. It is therefore the intent of *I Liheslaturan Guåhan* to afford the same retirement opportunity to the uniformed personnel of the Department of Youth Affairs to maintain the integrity of the law enforcement community.

**Section 2.** § 8104 of Article 1, Chapter 8, Title 4, Guam Code Annotated is hereby *amended* to read:

**§ 8104. Definitions.**

(p) Uniformed Personnel means Guam Police Department Officers; Guam Fire Department Firemen; Customs and Quarantine Officers of the Customs and Quarantine Agency; Conservation Officers, Commodity Inspectors, and Entomologists of the Department of Agriculture; Territorial Park Patrol Officers of the Department of Parks and Recreation; Corrections Officers of the Department of

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1 Corrections; Airport Police Officers and Security Personnel at the Antonio B. Won  
2 Pat International Airport Authority, Guam; Jose D. Leon Guerrero Commercial  
3 Port Security personnel; Marshals of the Supreme Court of Guam and the Superior  
4 Court of Guam; Probation Officers of the Judiciary of Guam; ~~and~~ Firefighters of  
5 the Antonio B. Won Pat International Airport Authority, Guam; and Peace Officers  
6 with the Department of Youth Affairs engaged in juvenile detention and  
7 rehabilitation. In all matters involving the uniformed personnel at the Antonio B.  
8 Won Pat International Airport Authority, Guam, the Jose D. Leon Guerrero  
9 Commercial Port, or the Department of Parks and Recreation, the Supreme Court  
10 of Guam and the Superior Court of Guam Marshals, and the Guam Police  
11 Department shall have concurrent jurisdiction with such personnel.

12 **Section 3. Effective Date.** All sections of this Act *shall* be effective upon  
13 enactment.

14



***I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN***  
**2019 (FIRST) Regular Session**

**Bill No. 231-35 (COR)**

As amended by the Committee on Public Accountability  
Human Resources, and the Guam Buildup.

Introduced by:

Telena Cruz Nelson  

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**AN ACT TO *AMEND* § 8104(p) OF ARTICLE 1, CHAPTER 8,  
TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO  
INCLUDING DEPARTMENT OF YOUTH AFFAIRS PEACE  
OFFICERS AS UNIFORMED PERSONNEL FOR  
RETIREMENT PURPOSES.**

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

**Section 1. Legislative Findings and Intent.**

*I Liheslaturan Guåhan* finds that Guam's uniformed personnel are afforded the opportunity to retire from government service five (5) years earlier, based on age, than the typical public employee.

It is, therefore, the intent of *I Liheslaturan Guåhan* to afford the same retirement opportunity to the Department of Youth Affairs Peace Officers by including them as uniformed personnel for retirement purposes and to maintain the integrity of the law enforcement community.

**Section 2.** § 8104(p) of Article 1, Chapter 8, Title 4, Guam Code Annotated, is hereby *amended* to read:

“(p) Uniformed Personnel means Guam Police Department Officers; Guam Fire Department Firemen; Customs and Quarantine Officers of the Customs and Quarantine Agency; Conservation Officers, Commodity Inspectors, and

1 Entomologists of the Department of Agriculture; Territorial Park Patrol Officers of  
2 the Department of Parks and Recreation; Corrections Officers of the Department of  
3 Corrections; Airport Police Officers and Security Personnel at the Antonio B. Won  
4 Pat International Airport Authority, Guam; Jose D. Leon Guerrero Commercial Port  
5 Security personnel; Marshals of the Supreme Court of Guam and the Superior Court  
6 of Guam; Probation Officers of the Judiciary of Guam; ~~and~~ Firefighters of the  
7 Antonio B. Won Pat International Airport Authority, Guam; and Peace Officers of  
8 the Department of Youth Affairs engaged in juvenile detention and rehabilitation.  
9 In all matters involving the uniformed personnel at the Antonio B. Won Pat  
10 International Airport Authority, Guam, the Jose D. Leon Guerrero Commercial Port,  
11 or the Department of Parks and Recreation, the Supreme Court of Guam and the  
12 Superior Court of Guam Marshals, and the Guam Police Department shall have  
13 concurrent jurisdiction with such personnel.”

14 **Section 3. Effective Date.** This Act *shall* be effective upon enactment.

Committee Markup – Bill No. 231-35 (COR)

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*I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN*  
2019 (FIRST) Regular Session

Bill No. 231-35 (COR)

As amended by the Committee on Public Accountability  
Human Resources, and the Guam Buildup

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Introduced by:

Telena Cruz Nelson

AN ACT TO AMEND § 8104<sup>(p)</sup> OF ARTICLE 1, CHAPTER 8,  
TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO  
~~IDENTIFYING INCLUDING~~ DEPARTMENT OF YOUTH  
AFFAIRS PEACE OFFICERS AS ~~A MEMBER OF THE~~  
UNIFORMED PERSONNEL ~~COMMUNITY FOR~~  
RETIREMENT PURPOSES.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent.

*I Liheslaturan Guåhan* finds that Guam's uniformed personnel are afforded  
the opportunity to retire from government service five (5) years earlier, based on  
age, than the typical public employee.

It is, therefore, the intent of *I Liheslaturan Guåhan* to afford the same  
retirement opportunity to the ~~uniformed personnel of the~~ Department of Youth  
Affairs Peace Officers by including them as uniformed personnel for retirement  
purposes and to maintain the integrity of the law enforcement community.

Section 2. § 8104<sup>(p)</sup> of Article 1, Chapter 8, Title 4, Guam Code Annotated,  
is hereby *amended* to read:

**§ 8104. — Definitions.**

“(p) Uniformed Personnel means Guam Police Department Officers; Guam  
Fire Department Firemen; Customs and Quarantine Officers of the Customs and

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Committee Markup – Bill No. 231-35 (COR)

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1 Quarantine Agency; Conservation Officers, Commodity Inspectors, and  
2 Entomologists of the Department of Agriculture; Territorial Park Patrol Officers of  
3 the Department of Parks and Recreation; Corrections Officers of the Department of  
4 Corrections; Airport Police Officers and Security Personnel at the Antonio B. Won  
5 Pat International Airport Authority, Guam; Jose D. Leon Guerrero Commercial Port  
6 Security personnel; Marshals of the Supreme Court of Guam and the Superior Court  
7 of Guam; Probation Officers of the Judiciary of Guam; ~~and~~ Firefighters of the  
8 Antonio B. Won Pat International Airport Authority, Guam; and Peace Officers with  
9 of the Department of Youth Affairs engaged in juvenile detention and rehabilitation.

10 In all matters involving the uniformed personnel at the Antonio B. Won Pat  
11 International Airport Authority, Guam, the Jose D. Leon Guerrero Commercial Port,  
12 or the Department of Parks and Recreation, the Supreme Court of Guam and the  
13 Superior Court of Guam Marshals, and the Guam Police Department shall have  
14 concurrent jurisdiction with such personnel.”

15 **Section 3. Effective Date.** ~~All sections of t~~Ihis Act *shall* be effective upon  
16 enactment.

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Senator Régine Biscoe Lee,  
Chair

Senator Amanda L. Shelton,  
Vice Chair

Speaker Tina Rose Muña Barnes,  
Member

Vice Speaker Telen Cruz Nelson,  
Member

Senator Kelly Marsh (Taitano), PhD,  
Member

Senator Sabina Flores Perez,  
Member



**COMMITTEE ON RULES**  
*I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN*  
**35<sup>TH</sup> GUAM LEGISLATURE**

November 27, 2019

Senator Clynton E. Ridgell,  
Member

Senator Joe S. San Agustin,  
Member

Senator Jose "Pedo" Terlaje,  
Member

Senator Therese M. Terlaje,  
Member

Senator James C. Moylan,  
Member

Senator Mary Camacho Torres,  
Member and Chair, Subcommittee on Protocol

# MEMO

To: Rennae Meno  
Clerk of the Legislature

From: Senator Régine Biscoe Lee  
Chair, Committee on Rules

Re: Fiscal Note Waiver

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*Buenas yan Håfa adai.*

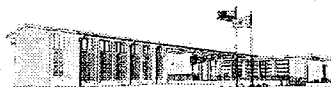
Attached, please find the fiscal note waiver for the following bill:

Bill No. 231-35 (COR)

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

For 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

OFFICE OF THE GOVERNOR  
Post Office Box 2950, Hagåtña Guam 96932



LOURDES A. LEON GUERRERO  
GOVERNOR

LESTER L. CARLSON JR.  
DIRECTOR

JOSHUA F. TENORIO  
LIEUTENANT GOVERNOR

NOV 26 2019

Senator Régine Biscoe Lee  
Chairperson, Committee on Rules  
*I Mina'Trentai Singko Na Liheslaturan Guåhan*  
35<sup>th</sup> Guam Legislature  
Guam Congress Building  
163 Chalan Santo Papa  
Hagåtña, Guam 96910

*Hafa adai!* Senator Biscoe Lee:

The Bureau requests that Bill No. 231-35 (COR) be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

Legislative Bill 231-35 (COR) seeks to amend §8104 of Article 1, Chapter 8, Title 9 of the Guam Code Annotated. The Bill, if passed, would amend the article to include the Peace Officers with the Department of Youth Affairs (DYA) engaged in juvenile detention and rehabilitation as members of the uniformed personnel community. The passage would allow those individuals employed in those positions to retire under the same circumstances as other law enforcement officials currently included as Peace Officers.

The Bureau requested fiscal comments from the DYA and the Government of Guam Retirement Fund (GGRF). DYA stated that it does not appear that there will be a fiscal impact due the fact that the monies are vested monies are paid by statute. Comments were not received by GGRF as of the date of the fiscal note.

The intent of the proposed measure is administrative in nature and, as such, poses no additional fiscal impact on any funds of the Government of Guam.

*Si Yu'os Ma'ase*

LESTER L. CARLSON, JR.





Office of the Speaker

**TINA ROSE MUÑA BARNES**

*I Mina'trentai Singko Na Liheslaturan Guåhan*

Committee on Public Accountability, Human Resources, and the Guam Buildup

**COMMITTEE VOTING SHEET**

Bill No. 231-35 (COR), as amended, - Telená Cruz Nelson - " An act to amend § 8104(p) of Article 1, Chapter 8, Title 4, Guam Code Annotated, relative to including Department of Youth Affairs Peace Officers as uniformed personnel for retirement purposes."

	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
TINA ROSE MUÑA BARNES Speaker Chairperson		✓				
KELLY G. MARSH (TAITANO), PH.D. Vice Chairperson						
TELENA CRUZ NELSON Vice Speaker Member		✓				
AMANDA L. SHELTON Legislative Secretary Member		✓				
RÉGINE BISCOE LEE Member						
JOE S. SAN AGUSTIN Member				✓		
THERESE M. TERLAJE Member						
CLYNTON E. RIDGELL Member	1/17/2020			✓		
JOSE T. TERLAJE Member				✓		
SABINA FLORES PEREZ Member	1/17/2020	✓				
WILLIAM M CASTRO Member						
LOUISE B. MUÑA Member						
TELO TAITAGUE Member						
JAMES C. MOYLAN Member				✓		
MARY CAMACHO TORRES Member	1/17/2020			✓		