



Office of the Governor of Guam

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Felix Perez Camacho
Governor

Kaleo Scott Moylan
Lieutenant Governor

25 APR 2005

The Honorable Mark Forbes
Speaker
Mina' Bente Ocho Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

Senator Edward J.B. Calvo
SECRETARY OF THE LEGISLATURE
ACKNOWLEDGEMENT RECEIPT
Rcv'd by: Nikole VMB
Print Name & Initial
Time: 3:14 Date: 4/25/05

Dear Mr. Speaker:

Transmitted herewith is Bill No. 78 (EC), "AN ACT TO ESTABLISH A COMPENSATION PLAN REVIEW FOR CERTIFICATED PERSONNEL AND HEALTHCARE PROFESSIONALS OF THE DEPARTMENT OF EDUCATION," which I signed into law on April 22, 2005, as Public Law 28-36.

Sinseru yan Magåhet,

[Handwritten signature of Felix P. Camacho]

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

Attachment: copy attached of signed bill

cc: The Honorable Eddie Baza Calvo
Senator and Legislative Secretary

0152

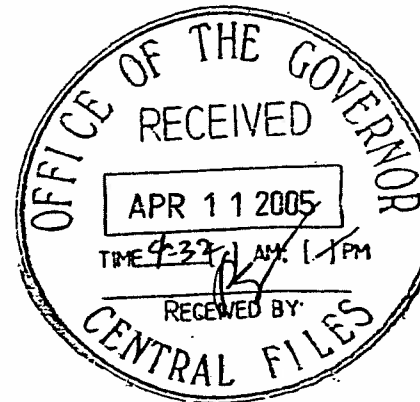
Office of the Speaker
MARK FORBES
Date: 4/26/05
Time: 3:45
Rec'd by: Emy
Print Name: Lt. Ruelhache
28-05-0151



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

April 11, 2005

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



Dear *Maga'lahi* Camacho:

Transmitted herewith are Bill Nos. 5(LS), 34(EC), 39(EC), 40(EC), 43(EC), 52(EC), 54(EC) and 83(EC); and Substitute Bill Nos. 6(LS), 9(LS), 32(EC), 56(EC), 74(EC) and 78(EC) which were passed by *I Mina'Bente Ocho Na Liheslaturan Guåhan* on April 9, 2005.

Sincerely,

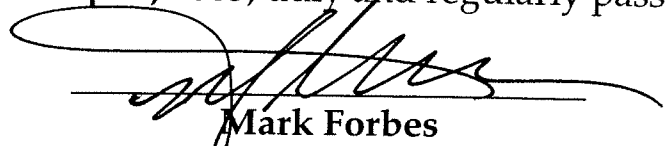
EDWARD J.B. CALVO
Senator and Secretary of the Legislature

Enclosures (14)


I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN
2005 (FIRST) Regular Session

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

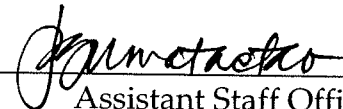
This is to certify that Substitute Bill No. 78 (EC), "AN ACT TO ESTABLISH A COMPENSATION PLAN REVIEW FOR CERTIFICATED PERSONNEL AND HEALTHCARE PROFESSIONALS OF THE DEPARTMENT OF EDUCATION," was on the 9th day of April, 2005, duly and regularly passed.


Mark Forbes
Speaker


Attested:


Edward J.B. Calvo
Senator and Secretary of the Legislature

This Act was received by *I Maga'lahen Guåhan* this 11 day of April, 2005,
at 4:32 o'clock P.M.


Assistant Staff Officer
Maga'lahi's Office

APPROVED:


FELIX P. CAMACHO
I Maga'lahen Guåhan

Date: 4/22/05

28-36
Public Law No. _____

I MINA'BENTE OCHO NA LIHESLATURAN GUAHAN
2005 (FIRST) Regular Session

Bill No. 78 (EC)

As substituted by the Committee on Judiciary,
Governmental Operations and Reorganization
and amended.

Introduced by:

J. T. Won Pat
F. B. Aguon, Jr.
R. J. Respicio
B. J.F. Cruz
J. M.S. Brown
Edward J.B. Calvo
Mike Cruz
Mark Forbes
L. F. Kasperbauer
R. Klitzkie
L. A. Leon Guerrero
J. A. Lujan
A. B. Palacios
Ray Tenorio
A. R. Unpingco

**AN ACT TO ESTABLISH A COMPENSATION PLAN
REVIEW FOR CERTIFICATED PERSONNEL AND
HEALTHCARE PROFESSIONALS OF THE DEPARTMENT
OF EDUCATION.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that an historic turnover is taking place in the teaching profession. According
4 to the National Education Association ("NEA"), while student enrollments are
5 rising rapidly, more than a million veteran teachers are nearing retirement
6 nation-wide. Experts predict that overall we will need more than 2 million

1 new teachers in the next decade. The NEA has also reported that this teacher
2 recruitment problem, which has reached crisis proportions in some areas, is
3 most acute in urban and rural schools for high-need subject areas such as
4 special education, math and science.

5 *I Liheslaturan Guåhan* finds that teacher compensation is a significant
6 deterrent to recruitment. Teachers are still paid less than professions that
7 require comparable education and skills. Moreover, teachers still are not
8 valued and respected to the extent of their actual contributions to society.
9 While *I Liheslaturan Guåhan* recognizes that solving the teacher shortage is not
10 strictly a numbers game, it also recognizes the need to bring more young
11 people into the teaching profession, as well as the need to hold onto the
12 quality teachers already hired—both the beginning teachers as well as the
13 more seasoned ones.

14 It is critical that *I Liheslaturan Guåhan* address the teacher recruitment
15 and retention issues facing the Department of Education. For too long,
16 teachers have not received the just pay they truly deserved. To avert the
17 exodus of teachers to the Department of Defense of Education Activity and
18 other educational institutions in the mainland, it is crucial that wages be
19 competitive with the U.S. national average.

20 It is therefore, the intent of *I Liheslaturan Guåhan* to require the Civil
21 Service Commission, in consultation with the Department of Education, to
22 review and implement Compensation Plans for Certificated Personnel and
23 Healthcare Professionals of the Department of Education that is competitive
24 with the U.S. national average.

25 **Section 2. Department of Education Compensation Plan Review.** The

1 Civil Service Commission ("Commission"), in consultation with the
2 Department of Education ("DOE"), immediately upon the enactment of this
3 Act and every three (3) years thereafter, shall review and upgrade as needed
4 the Compensation Plans of Certificated Personnel and Healthcare
5 Professionals of DOE. The Compensation Plans of Certificated Personnel and
6 Healthcare Professionals of DOE shall be competitive with the U.S. national
7 average. The Commission shall implement the upgraded Compensation
8 Plans of Certificated Personnel and Healthcare Professionals of DOE within a
9 period of sixty (60) days upon commencement of the review.

I MINA' BENTE OCHO NA LIHESLATURAN GUAHAN
 2005 (FIRST) Regular Session

Date: 4/9/05

VOTING SHEET

S. Bill No. 78 ^{LS} (EC)
 Resolution No. _____
 Question: _____

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
AGUON, Frank B., Jr.					EA
BROWN, Joanne M.S.	✓				
CALVO, Edward J.B.	✓				
CRUZ, Benjamin J.F.	✓				
CRUZ, Michael (Dr.)	✓				
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.	✓				
KLITZKIE, Robert	✓				
LEON GUERRERO, Lourdes A.	✓				
LUJAN, Jesse A.	✓				
PALACIOS, Adolpho B.	✓				
RESPICIO, Rory J.	✓				
TENORIO, Ray	✓				
UNPINGCO, Antonio R.	✓				
WON PAT, Judith T.	✓				

TOTAL 14 0 0 0 1

CERTIFIED TRUE AND CORRECT:

Patricia C. Santos
 Clerk of the Legislature

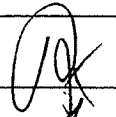

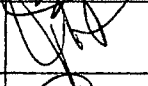

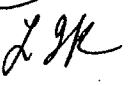
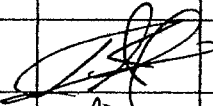

* 3 Passes = No vote
 EA = Excused Absence

I Mina' Bente Ocho Na Liheslaturan Guahan
**Committee on Judiciary, Governmental Operations,
 & Reorganization**

Voting Sheet

Bill 78 (LS)

AN ACT TO ESTABLISH A COMPENSATION PLAN REVIEW FOR
 CERTIFICATED PERSONNEL AND HEALTH CARE
 PROFESSIONALS OF THE DEPARTMENT OF EDUCATION.

	Signature	To Pass	Not to Pass	To Report Out of Committee	Abstain	Inactive File
Senator Robert Klitzkie, Chairman		✓				
Speaker Mark Forbes, Ex-Officio		✓				
Senator Jesse Lujan, Member		4/2/06 ✓				
Senator Adolpho Palacios, Member		X				
Senator Larry Kasperbauer, Member		X				
Senator Ray Tenorio, Member		✓				
Senator BJ Cruz, Member		✓				

2nd 3rd
4-7-05 4-8-05

MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN
2005 (FIRST) Regular Session

Bill No. 78 (EC)

As substituted by the
Committee on Judiciary, Governmental
Operations and Reorganization

Introduced by:

J. T. Won Pat
F. B. Aguon
R. J. Respicio
B. J. F. Cruz

**AN ACT TO ESTABLISH A COMPENSATION PLAN
REVIEW FOR CERTIFICATED PERSONNEL AND HEALTH
CARE PROFESSIONALS OF THE DEPARTMENT OF
EDUCATION.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guahan* finds
3 that a historic turnover is taking place in the teaching profession. According
4 to the National Education Association (NEA), while student enrollments are
5 rising rapidly, more than a million veteran teachers are nearing retirement
6 nation wide. Experts predict that overall we will need more than 2 million
7 new teachers in the next decade. The NEA has also reported that this teacher
8 recruitment problem, which has reached crisis proportions in some areas, is
9 most acute in urban and rural schools; for high-need subject areas such as
10 special education, math and science.

1 *I Liheslaturan Guahan* finds that teacher compensation is a significant
2 deterrent to recruitment. Teachers are still paid less than professions that
3 require comparable education and skills. Moreover, teachers still are not
4 valued and respected to the extent of their actual contributions to society.
5 While *I Liheslaturan Guahan* recognizes that solving the teacher shortage is not
6 strictly a numbers game, it also recognizes the need to bring more young
7 people into the teaching profession, as well as the need to hold onto the
8 quality teachers already hired—both the beginning teachers as well as the
9 more seasoned ones.

10 It is critical that *I Liheslaturan Guahan* address the teacher recruitment
11 and retention issues facing the Department of Education. For too long teachers
12 have not received the just pay they truly deserved. To avert the exodus of
13 teachers to the Department of Defense of Education Activity and other
14 educational institutions in the mainland, it is crucial that wages be
15 competitive with the U.S. national average.

16 It is therefore, the intent of *I Liheslaturan Guahan* to require the Civil
17 Service Commission in consultation with the Department of Education to
18 review and implement compensation plans for certificated personnel and
19 healthcare professionals of the Department of Education that is competitive
20 with the U.S. national average.

21 **Section 2. Department of Education Compensation Plan Review.** The
22 Civil Service Commission (“Commission”) in consultation with the
23 Department of Education (“DOE”), immediately upon the enactment of this
24 Act and every three (3) years thereafter, shall review and upgrade as needed
25 the compensation plans of certificated personnel and health care professionals

1 of DOE. The compensation plans of certificated personnel and health care
2 professionals of DOE shall be competitive with the U.S. National Average.
3 The Commission shall implement the upgraded compensation plans of
4 certificated personnel and health care professionals of DOE within a period of
5 sixty (60) days upon commencement of the review.

MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN
2005 (FIRST) Regular Session

Bill No. 78 (LS)

Introduced by:

J. T. Won Pat
F. B. Aguon
R. J. Respicio

**AN ACT TO ESTABLISH A COMPENSATION PLAN
REVIEW FOR CERTIFICATED PERSONNEL AND
HEALTH CARE PROFESSIONALS OF THE DEPARTMENT
OF EDUCATION.**

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

2 **Section 1. Legislative Findings and Intent** *I Liheslaturan Guahan* finds
3 that a historic turnover is taking place in the teaching profession. According
4 to the National Education Association (NEA), while student enrollments are
5 rising rapidly, more than a million veteran teachers are nearing retirement
6 nation wide. Experts predict that overall we will need more than 2 million
7 new teachers in the next decade. The NEA has also reported that this teacher
8 recruitment problem, which has reached crisis proportions in some areas, is
9 most acute in urban and rural schools; for high-need subject areas such as
10 special education, math and science.
11 *I Liheslaturan Guahan* finds that teacher compensation is a significant deterrent
12 to recruitment. Teachers are still paid less than professions that require

1 comparable education and skills. Moreover, teachers still are not valued and
2 respected to the extent of their actual contributions to society. While *I*
3 *Liheslaturan Guahan* recognizes that solving the teacher shortage is not strictly
4 a numbers game, it also recognizes the need to bring more young people into
5 the teaching profession, as well as the need to hold onto the quality teachers
6 already hired – both the beginning teachers as well as the more seasoned ones.
7 It is critical to the Guam’s Public School System that *I Liheslaturan Guahan*
8 addresses the teacher shortage, recruitment and retention issues facing the
9 Department of Education. For too long teachers have not received the just pay
10 they truly deserved. To stop the mass exodus of teachers to DODEA and other
11 educational institutions in the mainland, it is crucial for Guam to stay
12 competitive and that salaries are maintained within the U.S. national average.
13 It is therefore, the intent of *I Liheslaturan Guahan* to compel the Civil Service
14 Commission to provide a compensation plan for certificated personnel and
15 healthcare professionals of the Department of Education that is competitive
16 with U.S. national levels.

17 **Section 2. Department of Education Compensation Pay Review.** The
18 Executive Director of the Civil Service Commission shall, in consultation with
19 the Department of Education, and not later than ninety (90) days upon the
20 enactment of this Act, and at least every three (3) years thereafter, shall
21 recommend to the Civil Service Commission a compensation plan for any and
22 all certificated personnel and health care professionals of the Department of
23 Education. The compensation plan shall be competitive with the U.S.
24 National Average levels. The Civil Service Commission shall transmit their

- 1 recommendations to I Maga'Lahen Guahan and I Liheslaturan no later than
- 2 thirty (30) days after completion of the assessment of the compensation plan.

I. Overview

The Committee on Judiciary, Governmental Operations and Reorganization held a public hearing on Friday, March 18, 2005 at 9:00 a.m. at the legislative Public Hearing Room. Bill No. 78 (EC) "An Act To Establish A Compensation Plan Review For Certificated Personnel And Health Care Professionals Of The Department Of Education" was heard at 2:30 p.m.

Senators present:

Senator Robert Klitzkie, Chairman
Senator Ray Tenorio, Member
Senator Adolpho Palacios, Member
Senator B.J. Cruz, Member
Senator Larry Kasperbauer, Member
Vice Speaker Joanne Brown
Senator Eddie Calvo
Senator Lou Leon Guerrero
Senator Judi Won Pat

II. Summaries of Testimonies.

Appearing before the committee:

1. Mr. Luis Reyes, Administrator of Personnel Services Division of the Department of Education, testified in support of the bill.

Present on the day of the Public hearing of Bill No. 78 on behalf of the Superintendent, Mr. Juan Flores with written testimony. As stated in written testimony, the Department is in full support of Bill No. 78 without reservation. Also stating the urgency of Bill 78 to be passed immediately. Expressing that the Department is not attracting certified teachers to the school system, due to non-competitiveness in salary. Adding that the Bill is promising and would the Bill to include a shorter time line for review and recommendation, since that it is common knowledge adequate information regarding salaries readily available. In closing stating that, doing less would not help the public school system's students at all thank you. Stating that, that statue is already in existence P.L. 21-59, that CSC should have reviewed the salaries. Adding that Bill 78 before as now is so much more better, because P.L. 21-59 is requiring 3 years vs. Bill 78 is requiring 90 days. But mentions he would like to see it shorten to 60 days. States that he has no problem in working with Mr. Rector and the process could be accelerated.

2. Mr. Matt Rector, President of the Guam Federation of Teachers, testified in support of the bill.

Representing all DOE teachers as well as support staff, maintenance workers, and the special education bus drivers in DOE, and cafeteria workers. Mr. Rector stating that GFT agrees with the teachers, and that GFT definitely agrees in support of the bill and adds that teachers definitely need a pay raise. Also mentions that the GFT staff have conducted a comprehensive study that's indicates that teachers on Guam are under paid by 53%. Adding that teachers on Guam are drastically under paid, and tragically under paid! Again states that GFT is in support of Bill 78. States that the staff of GFT was successful comprehensive study in a matter of 2 days. Also that he is in full agreement with Mr. Luis Reyes on shorting the time frame, given 30 days. Points out that even at \$35,000 in Hawaii they are still under paid by 15% and ready to go on strike. And says that the COLA is higher on Guam than it is in Hawaii. States that the NEA works well with GFT. Adds that GFT works with the NEA on a regular basis.

3. Mr. Robert Koss

Mentions that Mr. Rector is the official spokesperson for the union. Goes on to mention that he was present so that he may answer any questions concerning their research on salaries. Adds that Sen. Won Pat mentioned an interesting issue. And that is how is the department addressing, providing services where they have a very difficult time recruiting a very specialize personal. States that he has been informed that the employees of the division of special education. That the department has entered into a contract with a private company, who provide such services. Employees of that company understand that are paid considerable higher than the same employees who remain with DOE in the government of Guam. Points out that this is an issue that Mr. Reyes could speak at more of length. And he further states that this is a point of dissatisfaction and contention with the teachers. Where two currently two employees performing the exact same services in the department, those that work for the government are getting paid considerable less than those in the private sector.

Written testimony provided:

1. Dr. Jose Cruz, Chairperson of the Guam Education Policy Board, submitted written testimony in support of the bill.

2. Juan P. Flores, Superintendent of the Department of Education, submitted written testimony in support of the bill.

Senators Comments:

1. Senator Judith T. Won Pat, author of the bill.

Thank you Mr. Chairman. Asking Mr. Reyes about the shorting of the number of days, no later than 90 days or the three-year review. Asking which of the two are being addressed. Indicating the 30 days after completion of the plans, stating there are 3 different dates. Agrees to his comment. Adds that there are data available with GFT, and even with the National Association of Secondary School Principals, and Elementary School Journals and the knowing that the figures are readily available. Recognizes that the panel is recommending cutting from 90 days to 30 days, and the 30 days of completion to....50 days. Points out that the health professionals are included on the bill. Asks Mr. Reyes, how the health professionals handled, in terms of recruitment. Thanks and appreciates the panel for coming out and testifying on behalf of Bill 78. Put outs that it is difficult at this time of enticing the students of to take up the education studies to become a teacher. Adds that a we are looking at a lost of public school teachers as well to DODEA system and also off-island schools systems. And states that the Hawaii Schools systems have offered entry-level schoolteachers a \$35,000 pay rate.

2. Senator Adolpho Palacios, member of the Committee.

Agrees with Mr. Rector in all that he had stated.

Senator Ray Tenorio, member of the Committee.

Thank you Mr. Chairman. States that he whole heartily supports Bill 78 to add that this Bill 78 is one the many best bills he has seen.

3. Sen. L. Kasperbauer, member of the Committee.

Si yu'os ma'ase, Mr. Chair. States he would like to see Bill 87 added with Bill 78 to help resolve. And does not mention being support or against Bill 78.

III. Findings and Recommendations

The Committee on Judiciary, Governmental Operations and Reorganization finds that teacher salaries on the island ranked below those of most of U.S. states and territories. The average salary of teachers in the Department of Education ("DOE") is \$35,813.97 while the nationwide based on the American Federation of Teachers report for the school year 2002-2003 is \$45,771.00. DOE has stated difficulties recruiting and retaining qualified teachers because of the salary not being competitive. DOE anticipates the number of vacant positions to fill for the school year 2005-2006 is 362, for Elementary, Secondary and Special Programs. The Committee recognizes that teacher compensation is one important part of the effort to attract and retain qualified teachers. Bill No. 78 (EC) as substituted by the Committee addresses this issue by compelling the Civil Service Commission to work cooperatively with DOE to review and implement compensation plans for certificated personnel and health care professionals of DOE that is competitive with the U.S. national average. Accordingly the Committee on Judiciary, Governmental Operations and Reorganization directs that Bill No. 78 (EC) as substituted be reported out with the **Recommendation To Do Pass.**



I Mina' Bente Ocho Na Liheslaturan Guahan
Committee on Judiciary, Governmental Operations, & Reorganization

MINUTES

[Revised 03/23/05-7:42am]

Date: March 18, 2005

Location: Guam Legislature – Public Hearing Room
155 Hesler Street Hagatna, Guam

Called to order by Senator Robert Klitzkie, Chairman at 9:00am

Senators present:

Senator Robert Klitzkie, Chairman
Senator Ray Tenorio, Member
Senator Adolpho Palacios, Member
Senator B.J. Cruz, Member
Senator Larry Kasperbauer, Member
Senator Joanne Brown
Senator Lou Leon Guerrero
Senator Judi Won Pat
Senator Eddie Calvo

Bills on agenda: Bill 5 (LS); Bill 39 (EC); Bill 42 (EC); Bill 43 (EC); Bill 53 (EC); Bill 62 (EC); Bill 72 (EC); Bill 78 (EC); Bill 83 (EC); Bill 84 (EC)

Bill 5 (LS) heard at 9:01am

Description: AN ACT TO ADD A NEW §4203.3 TO TITLE 4 AND §5253 TO TITLE 5 OF THE GUAM CODE ANNOTATED RELATIVE TO PROHIBITING CONVICTED SEX OFFENDERS FROM BEING EMPLOYED IN THE GOVERNMENT OF GUAM OR FOR GOVERNMENT CONTRACTORS IN AREAS FREQUENTED BY CHILDREN.

Testimony:

- No individuals signed-in to present oral testimony.
- **Dr. Jose Cruz**, Chairman of the Guam Education Policy Board, presented written testimony in support of Bill 5.

Bill 39 (EC) heard at 9:02am

Description: AN ACT TO ADD A NEW SECTION 63103.1 TO ARTICLE 1, CHAPTER 63, DIVISION 6 OF TITLE 5 OF THE GUAM CODE ANNOTATED TO ENHANCE ENFORCEMENT OF NATURAL RESOURCES LAWS THROUGH THE CREATION OF A VOLUNTEER CONSERVATION OFFICER RESERVE.

Testimony:

- **Mr. Joseph Torres**, Acting Director of the Department of Agriculture, testified in support of Bill 39 at 9:03am.*

*Mr. Torres was accompanied by the following individuals for the purpose of providing technical support during questioning by Senators:

Celestino Aguon, Acting Chief of the Department of Aquatics and Wild Life

Trina Leberer, former employee and Supervisor of Aquatics

Michael Reyes, Acting Chief for the Conservation Office

- Comments and questions presented to the panel by Senator Brown, Senator Palacios, Senator Tenorio, Senator Leon Guerrero, Senator Kasperbauer, and Senator Klitzkie.

Bill 42 (EC) heard at 9:38am

Description: AN ACT TO AMEND THE COMPOSITION, RESPONSIBILITIES AND DUTIES OF THE ACCREDITATION BOARD IN THE REVIEW AND CERTIFICATION OF PRIVATE POST SECONDARY INSTITUTIONS BY REPEALING AND REENACTING §44104 OF CHAPTER 44 OF TITLE 17 OF THE GUAM CODE ANNOTATED AND TO APPEND §44105, §44106 AND §44107 TO CHAPTER 44 OF TITLE 17 OF THE GUAM CODE ANNOTATED.

Testimony:

- **Dr. Jose Nededog**, private citizen and long-time educator, testified in support of Bill 42 at 9:39am.

- **Mr. Mark Zhao**, Businessman and Representative of NAZPAC College, testified in support of Bill 42 at 9:49am.

- **Mr. Ron Moroni**, Attorney representing NAZPAC with respect to litigation issues, testified in support of Bill 42 at 9:52am.

- **Dr. Jose Cruz**, Chairman of the Guam Education Policy Board, testified in opposition of Bill 42 at 9:59am.

- **Mr. Larry Ramirez**, private citizen, testified in support of Bill 42 @ 10:46am

- Comments and questions presented to the panel by Senator Klitzkie, Senator Brown, Senator Palacios, Senator Kasperbauer, Senator Won Pat, and Senator Eddie Calvo.

Bill 43 (EC) heard at 10:54am

Description: AN TO REPEAL AND RE-ENACT ITEM (o) OF §3103 OF CHAPTER 3 OF TITLE 17, GUAM CODE ANNOTATED RELATIVE TO THE PERSONNEL TRANSFER AUTHORITY OF THE SUPERINTENDENT OF EDUCATION.

Testimony:

- **Mr. Louis Reyes**, Administrator of Personnel Services Division of the Department of Education, testified on behalf of the Chairman of the Guam Education Policy Board (unable to attend) and the Superintendent of Education in support of Bill 43 at 10:55am.

- **Mr. Robert Koss**, Director of Field Services for Guam Federation of Teachers, testified on behalf of the membership of the association and the president of the GFT (unable to attend) in support of Bill 43 at 10:55am.

- Comments and questions presented to the panel by Senator Klitzkie, Senator Palacios, Senator Leon Guerrero, Senator Kasperbauer, and Senator Won Pat.

Bill 62 (EC) heard at 11:21am

Description: AN ACT TO RECRUIT AND RETAIN PHARMACISTS IN THE GUAM MEMORIAL HOSPITAL, THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES, AND THE DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE, BY ADDING A NEW SECTION 6230 TO ARTICLE 2 OF CHAPTER 6 OF TITLE 4, GUAM CODE ANNOTATED.

Testimony:

- No individuals signed-in to present oral and/or written testimony

Bill 53 (EC) heard at 11:22am

Description: AN ACT TO AMEND SECTION 12 OF CHAPTER VI OF PUBLIC LAW 27-106 RELATIVE TO PERSONAL SERVICES CONTRACTS.

Testimony:

- **Mr. Joe Guthrie**, Deputy Attorney General, stated he was in support of Bill 53 at 11:23am. No testimony given—yielded to Attorney General.
- **Mr. Doug Moylan**, Attorney General, testified in opposition of Bill 53 in its current form at 11:23am.
- **Mr. Bill Bishoff**, limited-term employee at AG's office, testified in support of Bill 53 at 11:42am.
- **Mr. Mark "Paps" Martinez**, private citizen, presented oral and written testimony in support of Bill 53 at 11:44am.
- Comments and question presented to the panel by Senator Klitzkie, Senator Palacios, Senator Tenorio, and Senator Won Pat.

***An adjourned hearing was called by the Chairman at 12:00pm to reconvene at 1:30pm**

Bill 83 (EC) heard at 1:30pm

Description:

Description: RELATIVE TO ADOPTING THE FEDERAL UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT FOR LOCAL APPLICATION AND ENFORCEMENT.

Testimony:

- **Ms. Carol Ann Butler**, Private Attorney, testified in support of Bill 72 at 1:31pm.
- **Mr. Ron Moroni**, Private Attorney, testified in support of Bill 72 at 1:33pm.
- **Mr. Daniel Somerfleck**, Director of Guam Legal Services, testified in support of Bill 72 at 1:36pm.
- **Ms. Kathy Maher**, PSC, testified in support of Bill 84 at 2:46pm
- Comments and questions were presented to the panel by Senator Klitzkie, Senator BJ Cruz, Senator Palacios, and Senator Won Pat.

Bill 84 (EC) heard at 2:03pm

Description: AN ACT TO AMEND SECTION 10 OF CHAPTER VI OF PUBLIC LAW 27-106 RELATIVE TO ALLOWING THE DEPARTMENT OF EDUCATION TO UTILIZE LIMITED-TERM EMPLOYEES UNTIL THE END OF THE 2004-2005 SCHOOL YEAR.

Testimony:

- **Mr. Luis Reyes**, Administrator of Personnel Services Division of the Department of Education, testified on behalf of the Superintendent in support of Bill 72 at 2:06pm.
- **Mr. Matt Rector**, President of the Guam Federation of Teachers, testified in support of Bill 84 at 2:08pm.
- **Mr. Ron Benoit**, Member of the Guam Education Policy Board, Guam Chamber of Commerce, and Businessman, testified in opposition of Bill 84 at 2:26pm.
- Comments and questions presented to the panel by Senator Klitzkie, Senator Tenorio, Senator Kasperbauer, Senator BJ Cruz, Senator Won Pat, and Senator Palacios.

Bill 78 (LS) heard at 2:30pm

Description: AN ACT TO ESTABLISH A COMPENSATION PLAN REVIEW FOR CERTIFICATED PERSONNEL AND HEALTH CARE PROFESSIONALS OF THE DEPARTMENT OF EDUCATION.

Testimony:

- **Mr. Luis Reyes**, Administrator of Personnel Services Division of the Department of Education, testified on behalf of the Superintendent of Education, in support of Bill 78 at 2:30pm.
- **Mr. Matt Rector**, President of the Guam Federation of Teachers, testified in support of Bill 78 at 2:34pm.
- **Mr. Robert Koss**,
- Comments and questions presented to the panel by Senator Klitzkie, Senator Palacios, Senator Tenorio, Senator Kasperbauer, Senator Cruz, and Senator Won Pat.

Bill 72 (EC) heard at 2:50pm

Description: AN ACT TO AMEND §10 OF CHAPTER VI OF PUBLIC LAW 27-106 FOR THE PURPOSE OF ALLOWING LIMITED TERM APPOINTMENTS TO CERTAIN POSITIONS WITHIN THE GUAM POLICE DEPARTMENT, THE GUAM FIRE DEPARTMENT, THE CUSTOMS AND QUARANTINE AGENCY, AND THE DEPARTMENT OF CORRECTIONS.

Testimony:

- **Mr. Fred Bordallo, Jr.**, Police Lieutenant at Guam Police Department, assigned to the Training and Staff Development Section, testified in opposition of Bill 72 at 2:50pm.
- **Mr. Frank Ishizaki**, Chief of Police, testified in support of Bill 72 at 15:03pm.
- Comments and questions presented to the panel by Senator Palacios, Senator Tenorio, Senator Won Pat, and Senator Klitzkie.

Public hearing adjourned at 3:30pm.

Declaration Under Penalty of Perjury of Audreya Punzalan

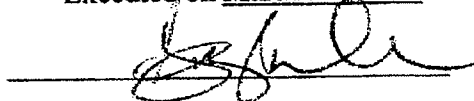
- 1.) I am employed as a Legislative Aide at the Office of Senator Robert Klitzkie.
- 2.) I was assigned the duty of disseminating a "Public Hearing Notice" (Appendix A) to each newspaper of general circulation and all broadcasting stations which air a regular local news program within Guam.
- 3.) In such notice I included all information (Appendix A) required by the Open Government Law, Title 5 GCA Sections 8101 thru 8116.
- 4.) I e-mailed notice to all local media (Appendix B: Media E-mail Listing) on March 10, 2005 (5 working days prior to hearing) in accordance with 5 GCA § 8108.
- 5.) I e-mailed notice to all local media (Appendix B: Media E-mail Listing) on March 16, 2005 (48 hours prior to hearing) in accordance with 5 GCA § 8108.
- 6.) I e-mailed notice to members of the Committee on Judiciary, *etc.* (Appendix C: Committee Member E-mails) on February 28, 2005 and March 09, 2005.
- 7.) I e-mailed notice to Speaker Mark Forbes (speakerforbes@yahoo.com) on March 11, 2005 (5 working days prior to hearing) for posting on www.guamlegislature.com, the official website of the Guam Legislature, in accordance with 5 GCA § 10306.
- 10.) I e-mailed a "Revised Public Hearing Notice" on March 14, 2005 to all senators, the Clerk of the Legislature, the Legislative Counsel, each newspaper of general circulation, and all broadcasting stations which air a regular news program within Guam. The revised notice indicated that Bill 14 was removed from the March 18th public hearing agenda.
- 8.) On March 11, 16, and 17, I confirmed which e-mails had been successfully delivered to recipients and those that were unsuccessful. I contacted the proper establishments to retrieve current updated e-mail addresses for those e-mails which indicated a bounce back of the "Notice of Public Hearing." I re-sent the "Notice of Public Hearing" to the corrected e-mail addresses. Bounce backs e-mail addresses of Sorenson Pacific Broadcasting that could not be corrected due to problems with email servers were as follows: Ray Gibson (rgibson@k57.com), Patty Arroyo (parroyo@k57.com), and ajuan@105therock.com. A fax was sent in place to these individuals at 477-3982.
- 9.) I caused notice on www.bobsoffice.org, website for the Committee on Judiciary, *etc.*, on March 09, 2005 (5 working days prior to hearing) in accordance with 5 GCA § 10306.

Declaration Under Penalty of Perjury

6 GCA Section 306

I declare under penalty of perjury that the foregoing is true and correct,

Executed on March 24, 2005 on Guam by

 (signature)

Audreya J. Punzalan

Bureau of Budget & Management Research
Fiscal Note of Bill No. 78(LS)

Bill Title (Preamble): AN ACT TO ESTABLISH A COMPENSATION PLAN REVIEW FOR CERTIFICATED PERSONNEL AND HEALTH CARE PROFESSIONALS OF THE DEPARTMENT OF EDUCATION.

Department/Agency Appropriation Information	
Dept./Agency Affected: Department of Education/Civil Service Commission	Dept./Agency Head: Juan Flores/Vernon Perez
Department's General Fund (GF) appropriation(s) to date:	\$150,466,121
Department's Other Fund (specify): _____ appropriation(s) to date:	\$0
Total Department/Agency Appropriation(s) to date:	\$150,466,121

Fund Source Information of Proposed Appropriation			
	General Fund:	Other (specify):	Total:
FY 2005 Adopted Revenues	\$447,441,000	\$100,502,170	\$547,943,170
FY Appro. to P.L. _____	(\$447,821,707)	(\$100,702,530)	(\$548,524,237)
Sub-total:	(\$380,707)	(\$200,360)	(\$581,067)
Less appropriation in Bill	\$0	\$0	\$0
Total:	(\$380,707)	(\$200,360)	(\$581,067)

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of Current FY (if applicable)	Second Year	Third Year	Fourth Year	Fifth Year
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Other Fund:	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0

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

Analyst: Jm Date: 3/14/05 Director: Carlos P. Bordallo Date: MAR 16 2005
 Carlos P. Bordallo, Acting

Footnotes: Bill No. 78(LS) is an act to establish a compensation plan review for certificated personnel and health care professionals of the Department of Education. Any fiscal impact as a result of the passage of this Bill should be minimal and should be absorbed by the budgets of the Departments/Agencies affected.

APPENDIX A: NOTICE OF PUBLIC HEARING



I Mina' Bente Ocho Na Liheslaturan Guahan
**Committee on Judiciary, Governmental Operations,
& Reorganization**
www.bobsoffice.org/judiciary

PUBLIC HEARING NOTICE

A public hearing will be held on Friday, March 18, 2005 at 9:00am in the Guam Legislature's public hearing room located at 155 Hesler Place in Hagatna. The public is invited to present oral and/or written testimony. The following bills will be heard:

BILL 5 (LS) AN ACT TO ADD A NEW §§4203.3 TO TITLE 4 AND §5253 TO TITLE 5 OF THE GUAM CODE ANNOTATED RELATIVE TO PROHIBITING CONVICTED SEX OFFENDERS FROM BEING EMPLOYED IN THE GOVERNMENT OF GUAM OR FOR GOVERNMENT CONTRACTORS IN AREAS FREQUENTED BY CHILDREN.

BILL 14 (LS) AN ACT TO ADD A NEW CHAPTER 2A TO 5 GCA; TO REPEAL 1 GCA §1800, CHAPTER 11 OF 5 GCA; TO ESTABLISH EDUCATION, HEALTH AND PUBLIC SAFETY AS THE TOP PRIORITIES OF THE GOVERNMENT, TO RECOGNIZE THE GOVERNOR'S AUTHORITY TO REORGANIZE THE EXECUTIVE BRANCH OF THE GOVERNMENT, TO REMOVE IMPEDIMENTS TO REORGANIZATION, TO PROVIDE THE GOVERNOR THE TOOLS NECESSARY FOR SUCH REORGANIZATION AND PRIORITIZATION AND TO ENACT THE GOVERNMENT PRIORITIES ACT OF 2005. POSTPONED

BILL 39 (EC) AN ACT TO ADD A NEW SECTION 63103.1 TO ARTICLE 1, CHAPTER 63, DIVISION 6 OF TITLE 5 OF THE GUAM CODE ANNOTATED TO ENHANCE ENFORCEMENT OF NATURAL RESOURCES LAWS THROUGH THE CREATION OF A VOLUNTEER CONSERVATION OFFICER RESERVE.

BILL 42 (EC) AN ACT TO AMEND THE COMPOSITION, RESPONSIBILITIES AND DUTIES OF THE ACCREDITATION BOARD IN THE REVIEW AND CERTIFICATION OF PRIVATE POST SECONDARY INSTITUTIONS BY REPEALING AND REENACTING §44104 OF CHAPTER 44 OF TITLE 17 OF THE GUAM CODE ANNOTATED AND TO APPEND §44105, §44106 AND §44107 TO CHAPTER 44 OF TITLE 17 OF THE GUAM CODE ANNOTATED.

BILL 43 (EC) AN TO REPEAL AND RE-ENACT ITEM (o) OF §3103 OF CHAPTER 3 OF TITLE 17, GUAM CODE ANNOTATED RELATIVE TO THE PERSONNEL TRANSFER AUTHORITY OF THE SUPERINTENDENT OF EDUCATION.

BILL 53 (EC) AN ACT TO AMEND SECTION 12 OF CHAPTER VI OF PUBLIC LAW 27-106 RELATIVE TO PERSONAL SERVICES CONTRACTS.

BILL 62 (EC) AN ACT TO RECRUIT AND RETAIN PHARMACISTS IN THE GUAM MEMORIAL HOSPITAL, THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES, AND THE DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE, BY ADDING A NEW SECTION 6230 TO ARTICLE 2 OF CHAPTER 6 OF TITLE 4, GUAM CODE ANNOTATED.

BILL 72 (EC) AN ACT TO AMEND §10 OF CHAPTER VI OF PUBLIC LAW 27-106 FOR THE PURPOSE OF ALLOWING LIMITED TERM APPOINTMENTS TO CERTAIN POSITIONS WITHIN THE GUAM POLICE DEPARTMENT, THE GUAM FIRE DEPARTMENT, THE CUSTOMS AND QUARANTINE AGENCY, AND THE DEPARTMENT OF CORRECTIONS.

BILL 78 (LS) AN ACT TO ESTABLISH A COMPENSATION PLAN REVIEW FOR CERTIFICATED PERSONNEL AND HEALTH CARE PROFESSIONALS OF THE DEPARTMENT OF EDUCATION.

BILL 83 (EC) RELATIVE TO ADOPTING THE FEDERAL UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT FOR LOCAL APPLICATION AND ENFORCEMENT.

BILL 84 (EC) AN ACT TO AMEND SECTION 10 OF CHAPTER VI OF PUBLIC LAW 27-106 RELATIVE TO ALLOWING THE DEPARTMENT OF EDUCATION TO UTILIZE LIMITED-TERM EMPLOYEES UNTIL THE END OF THE 2004-2005 SCHOOL YEAR.

***Written testimony can be submitted via e-mail to judiciary@bobsoffice.org**

For ADA assistance, please contact the Office of Senator Robert Klitzkie at (671) 472-9355 ext. 3 or send request via email to judiciary@bobsoffice.org.

APPENDIX B: MEDIA E-MAIL LISTING

<p align="center">Notice to all media : Outlet Managers, Publishers, Producers</p>	<p align="center">Notice to all media : News Directors, Editors, Reporters</p>
<p><u>PRINT</u> Marianas Variety – Amier Younis, Ops Mgr, amier@mvguam.com Directions – Jerry Roberts, Publisher, jroberts@directionsguam.com Guam Business – Steve Nygard, Publisher, snygard@glimpses.guam.net Pacific Daily News – Government Meetings Section, life@guampdn.com Marianas Business Journal – Steve Nygard, Publisher, snygard@glimpses.guam.net Guahan Magazine – Carlene Cooper-Nurse, Publisher, carlene@guahanmagazine.com Mabuhay News – Ritchie Lim, Publisher, paciwire@ite.net Mariana’s Variety – Ad Section, ads@mvguam.com</p> <p><u>TV</u> KUAM Ch. 8 – generalmanager@KUAM.com KUAM Ch. 11 – generalmanager@KUAM.com ABC 14 – David Larson, Gen Mgr, david@go14.tv KGTF – kgtf12@ite.net</p> <p><u>RADIO</u> K57 – Ray Gibson, General Mgr, rgibson@k57.com Power98 – Roque Aguon, General Mgr, raguon@power98.com 105 Rock – Albert Juan, General Mgr, ajuan@105therock.com I-94 FM – Fredalynn Mortera Hecita, fredalynn@kuam.com 610 AM – Ryan San Nicolas, ryan@kuam.com K-StereO – Ed Poppe, General Mgr, ksto@ite.net KISH (102.9 FM) – Ed Poppe, General Mgr, ksto@ite.net Hit Radio 100 – Vince Limuaco, Sales Mgr., marketing@hitradio100.com KPRG (89.3 FM) – General Manager, kprg@kprg.org Harvest Family Radio – khmg@harvestministries.net KTKB – ktkb@ktkb.com KOLG 90.0 FM – Contact, chuck@kolg.org KTWG 800 AM – Ops Mgr, Kleilani63@hotmail.com</p>	<p><u>PRINT</u> Pacific Daily News – Rindraty Limtiaco, Exec. Editor, rlimtiaco@guampdn.com Marianas Variety – Mar-Vic Cagurangan, marvic@mvguam.com Directions – Gennette Quan, Editor, editor@directionsguam.com Guam Business – Maureen Maratita, Editor, mmaratita@glimpses.guam.net Marianas Business Journal – Maureen Maratita, Editor, mmaratita@glimpses.guam.net Guahan Magazine – Jayne Flores, Editor, jayne@guahanmagazine.com Mabuhay News – Ritchie Lim, Editor, mabuhaynews@yahoo.com Mariana’s Variety – Ad Section, ads@mvguam.com</p> <p><u>TV</u> KUAM Ch.8 – Sabrina Matanane, News Dir, Sabrina@KUAM.com KUAM Ch. 11 – Sabrina Matanane, News Dir, Sabrina@KUAM.com</p> <p><u>RADIO</u> I-94 FM – Fredalynn Mortera Hecita, News (Radio) fredalynn@kuam.com 610 AM – Ryan San Nicolas, ryan@kuam.com K57, Power98, 105 Rock – Patty Arroyo, News Director, parroyo@k57.com K-StereO – Jean Hudson, News Director, kstonews@ite.net KISH (102.9 FM) – Jean Hudson, News Director, kstonews@ite.net</p>

APPENDIX C: COMMITTEE MEMBER E-MAILS

Senator Robert Klitzkie, Chairman
 Speaker Mark Forbes, Ex-Officio
 Senator Jesse A. Lujan, Member
 Senator Larry Kasperbauer, Ph.D., Member
 Senator Ray Tenorio, Member
 Senator Benjamin J.F. Cruz, Member
 Senator Adolpho B. Palacios, Sr., Member

bob@bobsoffice.org
speakerforbes@yahoo.com
jal@netpci.net
lk4kids@ite.net
ray@raytenorio.com
cjbjcruz@ite.net
patrickcepeda@hotmail.com

Guam Education Policy Board (GEPB)
Guam Department of Education
P.O. Box DE, Hagatna, Guam 96932

Testimony on Bill 78, A Compensation plan review for certificated personnel and health care professionals of the Department of Education
By Dr. Jose Q. Cruz, Chairman, GEPB
March 18, 2005

Senator Kasperbauer, Chairman of the Committee on Education and Community Development, Honorable Senators and members of the Committee, my name is Dr. Jose Q. Cruz, Chairman of the Guam Education Policy Board. I speak most specifically as Chair of the Legislative Affairs Subcommittee of our Board consisting of myself, Mrs. Rosa S. Palomo, GEPB voting member, Mr. Ron Benoit, business representative, Mrs. Neeti Prakash, GFT representative, Mr. Luis Reyes, Superintendent liaison to the Committee and with summary consultation with Superintendent of Education, Mr. Juan P. Flores. The Subcommittee fully supports Bill 78. Action by the full Board is not possible because our Board meetings are called every 2nd & 4th Wednesdays of the month. However, I feel GEPB will have no objections to the Bill. Bill 78 will mandate a study to be done by the Executive Director of the Civil Service Commission within 90 days after enactment of the Bill with a corollary obligation to do the same study every 3 years thereafter. Additionally, the Bill proposes that a benchmark for the study be U.S. National averages. Finally, the study and recommendations are to be submitted to I Maga'lahaen and I Liheslaturan Guahan.

All the provisions above are laudable and important to assisting us in the public school system to remain competitive in our recruitment and retention of certificated personnel. I recommend that funds be authorized to undertake the study. Section 4 of Bill 87 proposed by Senator Kasperbauer directs \$50,000 for the study and stipulates related issues that may be incorporated. May such languages be included if not integrated altogether?

As Chair of the Guam Education Policy Board, I believe we will fully support Bill 78 to include the recommended addition. I will subsequently submit an official resolution on GEPB's position of support.

Thank you and Si Yuos Maase for the opportunity to speak on behalf of the Guam Education Policy Board. I will remain to answer any questions or need for clarification.



DEPARTMENT OF EDUCATION

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



JUAN P. FLORES
Superintendent of Education

March 18, 2005

Honorable Senator Robert Klitzkie
Chairman, Committee on Judiciary Governmental
Operation and Reorganization
28th Guam Legislature
Hagatna, Guam 96932

Dear Honorable Senator Klitzkie and members of the committee:

Thank you for giving the Department of Education the opportunity to provide testimony on bill 78. The department fully supports bill 78 without reservation.

The anticipated number of vacant positions to fill for school year 2005-2006 is 362, for Elementary, Secondary and Special Programs. Before the end of the current school year, we anticipate additional vacancy. For your information, we refer you to the attached report as of March 17, 2005.

It is very important that bill 78 be passed immediately. The current salary for teachers is far below the national average. The department is not attracting certified teachers to our school system because of the salary that is not competitive at all. For example, the average salary of teachers in the Guam Department of Education is \$35,813.97 while the average salary nationwide based on the American Federation of Teachers report for school year 2002-2003 is \$45,771.00. The beginning teacher salary on Guam classified as teacher II, without teaching experience is \$26,197.00. The average salary for teacher II however is \$30,441.55 per annum since some teachers initially were on limited term status and are subsequently certified.

We are afraid that as long as the teachers' salaries remain as they are the department will continue to experience severe shortage of certified teachers. Bill number 78 seems to be promising but we would like the bill to include a shorter timeline for review and recommendation since it is common knowledge that adequate information regarding salaries is readily available.

In closing, I thank you for giving us this opportunity to address the much needed salary increase for our teachers. Doing less would not help the public school students at all.

Sincerely,

JUAN P. FLORES
Superintendent of Education

COMMONWEALTH NOW!



SUMMARY OF TEACHER VACANCIES FOR SY 2005-06

As of March 17, 2005

	CURRENT VACANCIES	RETIRED TEACHERS	LIMITED TERM TEACHERS	TOTAL
Elementary	8	54	68	130
Secondary	16	60	87	163
Special Programs	30	30	8	69
TOTAL	54	144	163	362

SUMMARY OF TEACHER VACANCIES FOR SY 2005-06

As of March 17, 2005

	CURRENT VACANCIES	RETIRED TEACHERS	LIMITED TERM TEACHERS	TOTAL
Elementary	8	54	68	130
Secondary	16	60	87	163
Special Programs	30	30	8	69
TOTAL	54	144	163	362

ELEMENTARY RETIRED TEACHERS

As of: 03/17/2005

SCHOOLS	Kinder	1 st Grade	2 nd Grade	3 rd Grade	4 th Grade	5 th Grade	LOTE	Chamorro	Special Education	Guidance Counselor	SHC	Librarian	GRAND TOTAL
Agana Heights Elem.						1		1				1	3
Astumbo Elem.						1		1		1			3
B.P. Carbullido Elem.					1	1							2
C.L. Taitano Elem.													0
Chief Brodie Elem.	1			2									3
D.L. Perez Elem.				1									1
F.Q. Sanchez Elem.													0
Finegayan Elem.	1		1	1		1		1					5
H.S. Truman Elem.										1			1
Inarajan Elem.		1				1					1		3
J.M. Guerrero Elem.		1				1							2
J.Q. San Miguel Elem.				1				1					2
L.B.J. Elem.								1					1
M.A. Ulloa Elem.	1			1				1			1		4
M.U. Lujan Elem.		2								1			3
Machanaonao		1			1		1						3
Marcial Sablan Elem.										1			1
Merizo Elem.		1								1			2
Ordot/Chalan Pago Elem.		1						1	1 Gate				3
P.C. Lujan Elem.		1	1					1					3
Price Elem.										1			1
Talofofa Elem.		1											1
Tamuning Elem.									1	1		1	3
Upi Elem.	1			1					1				3
Wettengel Elem.								1					1
GRAND TOTAL:	4	9	2	7	2	6	1	9	3	7	2	2	54

ELEMENTARY LIMITED TERM TEACHERS

As of: 03/17/2005

SCHOOLS	Kinder	1 st Grade	2 nd Grade	3 rd Grade	4 th Grade	5 th Grade	LOTE	Chamorro	Special Education	Guidance Counselor	SHC	Librarian	GRAND TOTAL
Agana Heights Elem.													0
Astumbo Elem.						1							1
B.P. Carbullido Elem.	1		2							1	1		5
C.L. Taitano Elem.					1			1	1				3
Chief Brodie Elem.	1		3	1				2					7
D.L. Perez Elem.	1	2						3					6
F.Q. Sanchez Elem.													0
Finegayan Elem.	1	3								1			5
H.S. Truman Elem.			1										1
Inarajan Elem.													0
J.M. Guerrero Elem.		1			1								2
J.Q. San Miguel Elem.	1							2					3
L.B.J. Elem.								1					1
M.A. Ulloa Elem.				1									1
M.U. Lujan Elem.	1	1											2
Machanaonoo		4			1								5
Marcial Sablan Elem.				1							1		2
Merizo Elem.		1						1					2
Ordot/Chalan Pago Elem.								1		1			2
P.C. Lujan Elem.	1	1											2
Price Elem.	2	1	1					1					5
Talofofa Elem.			1										1
Tamuning Elem.					1	1			2				4
Upi Elem.	1	2		1	2								6
Wettengel Elem.					1					1			2
GRAND TOTAL:	10	16	8	4	7	2	0	12	3	4	2	0	68

SECONDARY RETIRED TEACHERS

As of: 3/17/05

SUBJECT/ AREA	Agueda Johnston Middle	Vicente S.A. Benavente Middle	F.B.L.G. Middle	Inarajan Middle	Jose L.G. Rios Middle	L.P. Untalan Middle	Oceanview Middle	G.W. High	J.F.K. High	Simon Sanchez High	Southern High	GRAND TOTAL
6th Grade												0
Art								1				1
Business Education												0
Career Education						1						1
Chamorro												0
Computer Education												0
CRT	1							2		1		4
Dance	1											1
Driver's Education												0
GATE												0
Graphic Arts												0
Guidance Counselor	1	2			2			4	1			10
HEALTH	1									1		2
Home Economics												0
Japanese				1								1
Language Arts	1								1			4
Librarian						1		1				2
LOTE					2					1		5
Math					2			1			1	8
Music (General)												0
Music (Instrumental)												0
Music (Vocal)												0
Physical Education (Boys)						1						1
Physical Education (Girls)						2						4
Reading		2										3
School Health Counselor					1					1		0
School-To-Work												0
Science										1		5
Social Studies											1	6
Spanish												0
Special Education		2				1						2
Video Production												0
Vocational Education												0
GRAND TOTAL:	5	13	4	1	3	8	4	10	4	3	5	60

SECONDARY LIMITED TERM TEACHERS

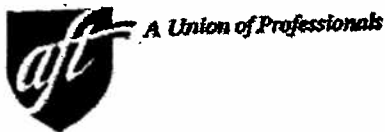
As of: 3/17/05

SUBJECT/ AREA	Agueda Johnston	Vicente S.A. Benavente	F.B.L.G. Inarajan	Jose L.G. Rios Middle	L.P. Untalan	Oceanview Middle	E.W. High	J.F.K. High	Simon Sanchez High	Southern High	GRAND TOTAL
6 th Grade											
Art		1						1			2
Business Education					1						1
Career Education											1
Chamorro									1		1
Computer Education			1								1
CRT											1
Dance						1					1
Driver's Education											1
GATE											
Graphic Arts											
Guidance Counselor			2	1					1	2	7
HEALTH		2									5
Home Economics									2		3
Japanese								1			1
Language Arts	1		1	1			1	2	1	1	8
Librarian								1			1
LOTE			1				1				3
Math					1		4	2	3	1	11
Music (General)											
Music (Instrumental)											
Music (Vocal)											
Physical Education (Boys)											
Physical Education (Girls)								1			1
Reading		2	1	1							4
School Health Counselor											
School-To-Work											
Science		2	1	1	1		1	2	6	6	20
Social Studies					1			2			7
Spanish							1	1			2
Special Education	4						1	1		1	9
Video Production											
Vocational Education											
GRAND TOTAL:	5	9	3	5	3	8	9	14	17	13	87

SPECIAL PROGRAMS VACANCIES

As of March 17, 2005

	Current Vacancies	Retired Teachers	Limited Term Teachers	Total
Local Special Education	1	5	2	8
Head Start	1	0	0	1
Federal Special Education	14	12	4	30
Federal Programs	15	13	2	30
Total	31	30	8	69



Home (<http://test.aft.org/index.htm>) > Salary Surveys
(<http://test.aft.org/salary/index.htm>) >

AFT Salary Surveys

2003 Survey & Analysis of Teacher Salary Trends

The latest AFT salary survey shows that efforts to make education salaries competitive with other professions face a stiff headwind—in the form of skyrocketing costs for health benefits. The 2002-03 average teacher salary was \$45,771, up 3.3 percent from the previous year, and average beginning teacher salaries rose 3.2 percent to \$29,564 for the same period. But those gains are dwarfed by staggering increases in the cost of health insurance benefits—which spiked an astounding 13 percent, the Bureau of Labor Statistics reports.

- Download the survey tables in pdf format
Table I
(<http://test.aft.org/salary/2003/download/2003Table1.pdf>)
| Table II
(<http://test.aft.org/salary/2003/download/2003Table2.pdf>)
- Read the press release
(<http://test.aft.org/presscenter/releases/2004/071504.htm>)

2004 AFT Public Employees Compensation Survey



(<http://www.aft.org/presscenter/releases/2004/090604.htm>)

Public Employee Salaries Stagnant, Says AFT Survey

(<http://www.aft.org/presscenter/releases/2004/090604.htm>)
States have slashed the number of public employees in key safety positions and workers' salaries are at a standstill—a result of continuing budget pressures plaguing the states.

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American Federation of Teachers
| 555 New Jersey Avenue NW
Washington, DC 20001

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Table 1

Average Teacher Salary in 2002-03, State Rankings

Rank	State	Teachers	2002-03 Average Salary		2001-02 Average Salary	Percent Change
1	California	313,330	\$ 55,693	b	\$ 54,348	2.5%
2	Michigan	96,506	54,020	c	52,428	3.0%
3	Connecticut	42,754	53,962		52,376	3.0%
4	New Jersey	105,580	53,872		50,115	7.5%
5	District of Columbia	5,235	53,194		51,796	2.7%
6	New York	213,072	53,017	d	51,020	3.9%
7	Rhode Island	10,754	52,879		51,619	2.4%
8	Massachusetts	68,003	51,942		48,732	6.6%
9	Illinois	133,377	51,496	e	49,679	3.7%
10	Pennsylvania	120,015	51,425		50,589	1.6%
11	Maryland	57,050	50,410		48,251	4.5%
12	Delaware	7,402	49,821		49,011	1.7%
13	Alaska	8,120	49,694		49,028	1.4%
14	Oregon	29,915	47,463		46,033	3.1%
15	Ohio	119,954	45,515		44,266	2.8%
16	Georgia	101,977	45,414		43,933	3.4%
17	Indiana	61,623	44,966	f	44,609	0.8%
18	Washington	52,983	44,861		43,470	3.4%
19	Minnesota	57,471	44,745		42,175	6.1%
20	Virginia	90,952	42,778	f	41,752	2.5%
21	Hawaii	10,943	42,768		44,306	-3.5%
22	Colorado	43,519	42,679		40,659	5.0%
23	North Carolina	86,325	42,411		42,118	0.7%
24	Vermont	8,167	42,038		39,771	5.7%
25	New Hampshire	13,676	41,909		39,915	5.0%
26	Nevada	20,781	41,795		44,621	-6.3%
27	Wisconsin	59,442	41,617	g	41,056	1.4%
28	South Carolina	46,508	40,362	h	39,923	1.1%
29	Florida	125,798	40,281		39,275	2.6%
30	Texas	276,719	39,972		39,230	1.9%
31	Arizona	45,656	39,955		38,744	3.1%
32	Idaho	14,505	39,784		39,184	1.5%
33	Alabama	46,316	39,524		37,206	6.2%
34	Tennessee	58,984	39,186		38,515	1.7%
35	Maine	16,895	38,518		37,300	3.3%
36	West Virginia	20,190	38,497		36,775	4.7%
37	Kentucky	40,937	38,486		37,457	2.7%
38	Utah	21,900	38,268		38,153	0.3%
39	Kansas	32,207	38,030		37,059	2.6%
40	Iowa	38,000	38,000		37,243	2.0%
41	Nebraska	21,180	37,896		36,236	4.6%
42	Wyoming	6,897	37,789		37,853	-0.2%
43	Missouri	62,952	37,641		36,053	4.4%
44	Arkansas	30,134	37,536	g	36,026	4.2%
45	Louisiana	50,727	37,116	g	36,328	2.2%
46	New Mexico	20,085	37,054	i	36,716	0.9%
47	Montana	10,427	35,754		34,379	4.0%
48	Mississippi	34,184	35,135		33,295	5.5%
49	North Dakota	8,300	33,869		32,468	4.3%
50	Oklahoma	41,180	33,277		32,870	1.2%
51	South Dakota	8,783	32,414		31,383	3.3%

U.S. Average 2002-03 \$ 45,771

*U.S. Average 2001-02 \$ 44,327

Change in Current Dollars \$ 1,444

Percent Change 3.3%

Virgin Islands	1,660	\$ 34,764	a
Guam	750	34,738	
Puerto Rico	37,777	22,164	a

* Note: These averages are based on revised data from state departments of education. a. figures from 2001-02. b. includes benefits where applicable. c. AFT estimate. d. median. e. includes fringe benefits, pension pick-up and extra-duty pay where applicable. f. includes supplemental pay. g. includes extra-duty pay. h. includes incentives. i. includes health insurance where applicable. j. revised AFT estimate

Sources: American Federation of Teachers, annual survey of state departments of education. *Early Estimates of Public Elementary and Secondary Education Statistics 2001-02*, U.S. Department of Education, April 2003. *National Occupational Employment and Wage Estimates*, U.S. Department of Labor, Bureau of Labor Statistics, May 2002, May 2003.

Table 2
Actual Average Beginning Teacher Salaries 2002-03, Estimated 2004
2001-02

Rank	State	2002-03 Beginning Salary		Beginning Salary	Percent Change	2003-04 Estimated Beginning Salary
1	Alaska	\$ 37,401		\$ 36,035 *	3.8%	\$ 38,597
2	New Jersey	35,673	a	35,311	1.0%	36,815
3	District of Columbia	35,260		33,581	5.0%	36,388
4	New York	35,259		32,549 *	8.3%	36,387
5	California	34,805	c	34,180	1.8%	35,919
6	Illinois	34,522	d	31,761	8.7%	35,627
7	Hawaii	34,000		32,000 *	6.3%	35,088
8	Georgia	33,919		32,561 *	4.2%	35,005
9	Delaware	33,811		32,868	2.9%	34,893
10	Michigan	33,596	a	32,649	2.9%	34,671
11	Massachusetts	33,168	a	32,746	1.3%	34,230
12	Maryland	32,939		31,940 *	3.1%	33,993
13	Pennsylvania	32,897		31,866	3.2%	33,950
14	Oregon	32,804		31,726 *	3.4%	33,854
15	Nevada	32,169		31,665 *	1.6%	33,198
16	Colorado	32,063		30,576 *	4.9%	33,080
17	Texas	31,874		30,938	3.0%	32,894
18	Virginia	31,414	a, e	31,238	0.6%	32,420
19	Rhode Island	31,025	a	30,272	2.5%	32,018
20	Alabama	31,000		29,538 *	4.9%	31,992
21	Florida	30,491		29,733 *	2.5%	31,467
22	Louisiana	29,288		28,229	3.8%	30,225
23	Indiana	29,144	e	28,352 *	2.8%	30,077
24	Washington	29,118		28,348	2.7%	30,050
25	Tennessee	29,045		28,074 *	3.5%	29,974
26	Kentucky	28,886		26,813	7.7%	29,770
27	Ohio	28,866		27,484 *	5.0%	29,790
28	Connecticut	28,848		26,525 *	8.8%	29,771
29	South Carolina	28,672	f	28,295	1.3%	29,590
30	Minnesota	28,600		27,400 *	4.4%	29,515
31	New Mexico	28,120	g	27,579	2.0%	29,020
32	Missouri	28,075		27,602	1.7%	28,973
33	Oklahoma	27,884		27,215 *	1.7%	28,570
34	North Carolina	27,572		27,572 *	0.0%	28,454
35	Wisconsin	27,277	h	27,397	-0.4%	28,150
36	Utah	27,135	a	26,806	1.2%	28,003
37	Nebraska	27,127		26,010	4.3%	27,995
38	Iowa	26,967		26,893 *	0.3%	27,830
39	Kansas	26,855	a	26,596	1.0%	27,714
40	West Virginia	26,692		25,633	4.1%	26,692
41	New Hampshire	26,479		25,611	3.4%	27,326
42	Mississippi	26,120		24,482 *	6.7%	26,956
43	Idaho	26,072		25,316	3.0%	26,908
44	Wyoming	25,694	a	24,898	3.2%	26,516
45	Vermont	25,240		25,229	0.0%	26,048
46	Arkansas	24,972		24,291 *	2.8%	25,771
47	Maine	24,631		24,054	2.4%	25,419
48	South Dakota	24,311		23,938	1.8%	25,089
49	North Dakota	23,591		22,004 *	7.2%	24,346
50	Arizona	23,548	h	24,972 *	-5.7%	24,302
51	Montana	23,052		22,344 *	3.2%	23,790
U.S. Average		\$ 29,564		\$ 28,661	3.2%	\$ 30,496
Difference 2002-03		\$ 903				
Percent change		3.2%				
Guam		\$ 29,878		\$ 29,878 *		
Puerto Rico		18,000	i	18,000		
Virgin Islands		na		na		

* Note: These averages are based on revised data from state departments of education. a. AFT estimate. b. fifth percentile considered beginning salary. c. includes benefits where applicable. d. includes fringe benefits, pension pick-up and extra-duty pay where applicable. e. includes supplemental pay. f. includes incentives. g. includes health insurance where applicable. h. includes extra-duty pay. i. figures from 2001-02. j. 2003-04 beginning salary provided by state department of education.
Sources: American Federation of Teachers, annual survey of state departments of education. *Early Estimates of Public Elementary and Secondary Education Statistics 2001-02*. U.S. Department of Education, April 2003. National Occupational Employment and Wage Estimates. U.S. Department of Labor, Bureau of Labor Statistics, May 2002. *Employment Cost Index 2004*, U.S. Department of Labor, Bureau of Labor Statistics, April 2004.

DOE TEACHER'S AVERAGE SALARY

March 16, 2005

2005		
Teacher Classification	Total Number of Teachers	Average Teacher's Salary
Teacher IA	21	\$22,163.94
Teacher IB	34	\$25,720.41
Teacher IC	128	\$26,130.73
Teacher ID	9	\$25,705.89
Teacher II/Voc. Inst.	999	\$30,441.55
Teacher III	480	\$36,423.00
Teacher IV	738	\$41,117.94
Teacher V	127	\$43,117.15
Teacher VI	9	\$39,873.89
TOTAL: ▶▶▶	2123	\$35,813.97

2004		
Teacher Classification	Total Number of Teachers	Average Teacher's Salary
Teacher IA	21	\$24,274.12
Teacher IB	38	\$24,100.54
Teacher IC	103	\$26,276.51
Teacher ID	6	\$25,368.00
Teacher II/Voc. Inst.	739	\$29,003.11
Teacher III	427	\$35,794.67
Teacher IV	634	\$39,992.24
Teacher V	110	\$41,557.01
Teacher VI	7	\$39,484.29
TOTAL: ▶▶▶	2085	\$34,363.69

2003		
Teacher Classification	Total Number of Teachers	Average Teacher's Salary
Teacher IA	20	\$24,991.08
Teacher IB	39	\$24,485.07
Teacher IC	84	\$27,022.13
Teacher ID	6	\$24,936.00
Teacher II/Voc. Inst.	708	\$30,020.79
Teacher III	444	\$36,162.41
Teacher IV	664	\$40,409.53
Teacher V	106	\$42,367.80
Teacher VI	8	\$39,225.13
TOTAL: ▶▶▶	2077	\$35,031.95

2002		
Teacher Classification	Total Number of Teachers	Average Teacher's Salary
Teacher IA	21	\$26,059.82
Teacher IB	50	\$24,136.61
Teacher IC	116	\$26,253.70
Teacher ID	5	\$25,213.20
Teacher II/Voc. Inst.	738	\$30,424.18
Teacher III	447	\$36,596.67
Teacher IV	652	\$40,689.15
Teacher V	101	\$42,674.46
Teacher VI	8	\$40,475.83
TOTAL: ▶▶▶	2136	\$34,997.39

2001		
Teacher Classification	Total Number of Teachers	Average Teacher's Salary
Teacher IA	23	\$25,432.74
Teacher IB	48	\$25,103.02
Teacher IC	126	\$25,670.71
Teacher ID	8	\$25,282.50
Teacher II/Voc. Inst.	714	\$30,840.49
Teacher III	451	\$36,953.84
Teacher IV	700	\$41,814.60
Teacher V	116	\$40,475.83
Teacher VI	6	\$40,475.83
TOTAL: ▶▶▶	2192	\$35,270.85

I Mina' Bente Ocho Na Liheslaturan Guahan

**Committee on Judiciary, Governmental Operations,
& Reorganization**

**PUBLIC HEARING NOTICE
(Revised)**

A public hearing will be held on **March 18, 2005 at 9:00am** in the **Guam Legislature's public hearing room** located at **155 Hesler Place in Hagatna**. Set out below is a revised list of bills to be heard:

Bill 5 (LS) Prohibiting convicted sex offenders from being employed in GovGuam or GovGuam contractors in areas frequented by children

Bill 14 (LS) Government reorganization **POSTPONED**

Bill 39 (EC) Creation of Volunteer Conservation Officer Reserve

Bill 42 (EC) Amend Composition and Certification of Private Post Secondary Institutions

Bill 43 (EC) Transfer Authority of the Superintendent of Education

Bill 53 (EC) Personal Service Contracts

Bill 62 (EC) To recruit and retain pharmacists at GMH, DPH and SS, and DMH and SA

Bill 72 (EC) Allow limited term appointments within GPD, GFD, Customs and Quarantine, and DOC

Bill 78 (LS) Compensation plan for certificated personnel and health care professionals of DOE

Bill 83 (EC) Adopt Federal Uniform Child Custody Jurisdiction & Enforcement Act

Bill 84 (EC) DOE to utilize LTES until end of school year 04-05

*Written testimony can be submitted via e-mail to judiciary@bobsoffice.org

For ADA assistance, please contact the Office of Senator Robert Klitzkie at (671) 472-9355 ext. 3 or send request via email to judiciary@bobsoffice.org.

Committee Members:

Senator Robert Klitzkie, Chairman
Speaker Mark Forbes, Ex-Officio
Senator Jesse A. Lujan, Member
Senator Larry Kasperbauer, Ph.D., Member
Senator Ray Tenorio, Member



Senator Benjamin J.F. Cruz, Member
Senator Adolpho B. Palacios, Sr., Member

MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN
2005 (FIRST) Regular Session

Bill No. 78 (LS)

Introduced by:

J. T. Won Pat

F. B. Aguen

R. J. Respicio

B. J. Cruz

**AN ACT TO ESTABLISH A COMPENSATION PLAN
REVIEW FOR CERTIFICATED PERSONNEL AND
HEALTH CARE PROFESSIONALS OF THE DEPARTMENT
OF EDUCATION.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent *I Liheslaturan Guahan* finds

that a historic turnover is taking place in the teaching profession. According to the National Education Association (NEA), while student enrollments are rising rapidly, more than a million veteran teachers are nearing retirement nation wide. Experts predict that overall we will need more than 2 million new teachers in the next decade. The NEA has also reported that this teacher recruitment problem, which has reached crisis proportions in some areas, is most acute in urban and rural schools; for high-need subject areas such as special education, math and science.

I Liheslaturan Guahan finds that teacher compensation is a significant deterrent to recruitment. Teachers are still paid less than professions that require

1 comparable education and skills. Moreover, teachers still are not valued and
2 respected to the extent of their actual contributions to society. While *I*
3 *Liheslaturan Guahan* recognizes that solving the teacher shortage is not strictly
4 a numbers game, it also recognizes the need to bring more young people into
5 the teaching profession, as well as the need to hold onto the quality teachers
6 already hired – both the beginning teachers as well as the more seasoned ones.
7 It is critical to the Guam’s Public School System that *I Liheslaturan Guahan*
8 addresses the teacher shortage, recruitment and retention issues facing the
9 Department of Education. For too long teachers have not received the just pay
10 they truly deserved. To stop the mass exodus of teachers to DODEA and other
11 educational institutions in the mainland, it is crucial for Guam to stay
12 competitive and that salaries are maintained within the U.S. national average.
13 It is therefore, the intent of *I Liheslaturan Guahan* to compel the Civil Service
14 Commission to provide a compensation plan for certificated personnel and
15 healthcare professionals of the Department of Education that is competitive
16 with U.S. national levels.

17 **Section 2. Department of Education Compensation Pay Review.** The
18 Executive Director of the Civil Service Commission shall, in consultation with
19 the Department of Education, and not later than ninety (90) days upon the
20 enactment of this Act, and at least every three (3) years thereafter, shall
21 recommend to the Civil Service Commission a compensation plan for any and
22 all certificated personnel and health care professionals of the Department of
23 Education. The compensation plan shall be competitive with the U.S.
24 National Average levels. The Civil Service Commission shall transmit their

- 1 recommendations to I Maga'Lahen Guahan and I Liheslaturan no later than
- 2 thirty (30) days after completion of the assessment of the compensation plan.