

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
2023 (FIRST) Special Session
LEGISLATIVE JOURNAL

Speaker Antonio R. Unpingco Legislative Session Hall
March 20, 2023

SPEAKER TERLAJE: *BUENAS* GOOD MORNING COLLEAGUES THE FIRST SPECIAL SESSION OF *I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN* IS CALLED TO ORDER ASSISTANT MAJORITY LEADER SENATOR SAN AGUSTIN YOU ARE RECOGNIZED.

SENATOR SAN AGUSTIN: MADAM SPEAKER NOTWITHSTANDING THE HOUSE RULES I MOVED TO ADOPT TODAY'S FIRST SPECIAL SESSION AGENDA DATED MARCH 20, 2023.

SPEAKER TERLAJE: ON THAT MOTION TO ADOPT THE FIRST SPECIAL SESSION AGENDA IS THERE ANY OBJECTION SEEING NO OBJECTION MOTION MOTION CARRIES ASSISTANT MAJORITY LEADER SENATOR SAN AGUSTIN YOU'RE RECOGNIZED.

SENATOR SAN AGUSTIN: MADAM SPEAKER I MOVED TO WAIVE SPECIAL AGENDAS ITEM ONE TWO THROUGH SIX.

SPEAKER TERLAJE: THERE'S A MOTION MADE TO WAIVE ITEMS TWO THROUGH SIX THOSE INCLUDE THE PRAYER THE RECOGNITION OF A RECIPIENT OF *I MILÅYAN MÅS TAKHILO NA SAKRAFISU* THE RECITING OF INIFRESI THE SINGING OF THE GUAM HYMN SINGING OF THE NATIONAL ANTHEM IS THERE ANY OBJECTION TO THAT MOTION SEEING NO OBJECTION MOTION CARRIES WE'RE NOW UNDER ROLL CALL CLERK PLEASE CONDUCT THE ROLL.

CLERK OF THE LEGISLATURE: SENATOR BARNETT SENATOR BLAS SENATOR BROWN SENATOR DUEÑAS SENATOR FISHER SENATOR LUJAN VICE SPEAKER MUÑA BARNES SENATOR PARKINSON SENATOR PEREZ SENATOR QUINATA SENATOR SAN AGUSTIN SENATOR SAN NICOLAS SENATOR SHELTON SENATOR TAITAGUE SPEAKER TERLAJE MADAM SPEAKER THERE IS A QUORUM.

SPEAKER TERLAJE: THANK YOU MADAM CLERK WE'RE NOW ON ITEM EIGHT CALL FOR THE APPROVAL THE LEGISLATIVE JOURNALS ASSISTANT MAJORITY LEADER SENATOR SAN AGUSTIN YOU ARE RECOGNIZED.

SENATOR SAN AGUSTIN: THANK YOU MADAM SPEAKER I MOVED TO WAIVE SPECIAL SESSION AGENDA ITEMS EIGHT THROUGH NINE AND NINE CORRECTION.

SPEAKER TERLAJE: THANK YOU ITEM NINE IS COMMUNICATIONS AND PETITIONS ON THAT MOTION TO WAIVE THOSE TWO ITEMS OR IS THERE ANY OBJECTION SEEING NO OBJECTION MOTION CARRIES ASSISTANT MAJORITY LEADER SENATOR SAN AGUSTIN YOU ARE RECOGNIZED.

SENATOR SAN AGUSTIN: MADAM SPEAKER I WOULD LIKE TO ADVISE THE MEMBERS OF THE OF THE MESSAGE FROM *I MAGA'HÅGAN GUÅHAN* SPECIFIC TO THE CALL TO SPECIAL SESSION AND MOVE TO THE MESSAGE FROM *I MAGA'HÅGAN GUÅHAN* APPENDED TO TODAY'S SPECIAL SESSION JOURNAL.

SPEAKER TERLAJE: ON THAT MOTION IS THERE ANY OBJECTION SEEING NO OBJECTION MOTION CARRIES ACTIVE LEGISLATIVE ACTING LEGISLATIVE SECRETARY SENATOR BARNETT WILL YOU READ THE MESSAGE FROM *I MAGA'HÅGAN GUÅHAN* INTO THE RECORD.

SENATOR BARNETT: THANK YOU MADAM SPEAKER THE MESSAGE IS DATED MARCH 19, 2023 ADDRESSED TO THE HONORABLE THERESE M. TERLAJE SPEAKER *I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN* REGARDING THE 37TH GUAM LEGISLATURE FIRST SPECIAL SESSION *HÅFA ADAI* MADAM SPEAKER A FEW DAYS AGO I URGED THE 37TH GUAM LEGISLATURE TO QUICKLY CONSIDER AND ADOPT BILL NUMBER 24-37 COR AS AMENDED BY THE COMMITTEE ON GENERAL GOVERNMENTAL OPERATIONS AND APPROPRIATIONS TO FUND THE IMPLEMENTATION OF THE ADJUSTED GENERAL PAY PLAN THIS AMENDED BILL ADDS GPP FUNDING FOR AUTONOMOUS AGENCIES AND THE JUDICIARY OF GUAM WHICH ADOPTED RESOLUTIONS LAST THURSDAY TO

APPROVE PAY ADJUSTMENTS FOR ITS EMPLOYEES SUBJECT TO THE ENACTMENT OF BILL NUMBER 24 FOR YEARS AGENCY OFFICIALS THROUGHOUT THE EXECUTIVE BRANCH AND THE GUAM DEPARTMENT OF EDUCATION GDOE HAVE RAISED THE ALARM THAT THE GPP PAY SCALE IMPLEMENTED NEARLY A DECADE AGO IS NO LONGER COMPETITIVE ENOUGH TO RECRUIT AND RETAIN PERSONNEL CRITICAL TO THE PUBLIC INTEREST THIS FACT WAS ON STRONG DISPLAY DURING A RECENT GDOE OVERSIGHT HEARING SENATORS RIGHTLY WANTED TO KNOW WHY SCHOOLS LACK BASIC MAINTENANCE EVEN WHILE GDOE HAS APPROXIMATELY 130 MILLION DOLLARS SET ASIDE FOR THAT PURPOSE GDOE OFFICIALS WERE CLEAR MAINTENANCE LAGGED IN PART BECAUSE OUR SCHOOL SYSTEM DID NOT HAVE THE SKILLED LABOR NECESSARY TO DO THE JOB PUT SIMPLY THE GPP NO LONGER PAYS ENOUGH TO ATTRACT AND KEEP SKILLED PERSONNEL UNFORTUNATELY FUNDING IS ONLY PART OF THE PROBLEM WITHOUT IMPLEMENTING AN ADJUSTED GENERAL PAY PLAN ENACTING NEW FUNDING MEASURES IS LIKE THROWING A CHECKBOOK AT A FLAT TIRE NO MATTER HOW MUCH MONEY WE HAVE IN OUR ACCOUNT ULTIMATELY WE NEED PEOPLE TO DO THE WORK THE SAME IS TRUE FOR CRITICAL PERSONNEL LEADING THE FIGHT AGAINST DRUG ADDICTION AND MENTAL ILLNESS AT THE GUAM BEHAVIORAL HEALTH AND WELLNESS CENTER WELL IT'S TRUE FOR SOCIAL WORKERS AT THE DEPARTMENT OF YOUTH AFFAIRS AND SUPPORT STAFF AT THE DEPARTMENT OF CORRECTIONS AND IT'S TRUE FOR THE BUS DRIVERS THAT OUR STUDENTS RELY ON AT THE DEPARTMENT OF PUBLIC WORKS EVERY WEEK WE LOSE COMPETENT PERSONNEL RESPONSIBLE FOR CARRYING OUT THE DAY-TO-DAY OPERATIONS THE KEY PROGRAMS AND SERVICES ON WHICH THE COMMUNITY ON OUR CHILDREN RELY ON TO SURVIVE AND THRIVE MY ADMINISTRATION LOWERED THE DEFICIT EVERY YEAR THAT I HAVE BEEN IN OFFICE UNTIL IT WAS ELIMINATED WE IMPLEMENTED STRICT FISCAL POLICY FROM DAY ONE LONG BEFORE THE COVID-19 PANDEMIC AND ITS ASSOCIATED FEDERAL STIMULUS SPENDING MINDFUL THAT THE STABILITY OF GOVERNMENT OPERATIONS RELIES ON OUR GOVERNMENT'S FINANCIAL HEALTH WE DO NOT INTEND TO REST ON OUR LAURELS FISCAL DISCIPLINE HAS BECOME A HALLMARK OF OUR ADMINISTRATION AND WE INTEND TO CONTINUE ON A COURSE THAT SETS OUR GOVERNMENT FINANCES UP FOR SUCCESS AS WE DID LAST YEAR WE EXPECT TO COLLECT IN EXCESS OF OUR PROJECTIONS THIS YEAR WHICH WILL CONTINUE TO YIELD ADDITIONAL FUNDING FOR URGENT ITEMS THAT THE DEFICIT DID NOT ALLOW US TO ADDRESS INCLUDING THE PROPER COMPENSATION OF OUR GOVERNMENT EMPLOYEES I WRITE THIS BECAUSE I BELIEVE CHAIRMAN JOE SAN AGUSTIN AND MY FISCAL TEAM CAN ADDRESS ANY FINANCIAL QUESTIONS YOUR COLLEAGUES MAY HAVE DURING THE COMMITTEE OF THE WHOLE REGARDING FUNDING FOR THE PROPOSED GPP ADJUSTMENT AS I SAID TO YOU RECENTLY I DID NOT APPROVE THE LONG OVERDUE ADJUSTMENTS TO THE GENERAL PAY PLAN JUST BECAUSE I AM LEGALLY REQUIRED TO DO SO ALTHOUGH GUAM LOT DOES IN FACT REQUIRE REGULAR REVIEW AND UPDATES TO GOVERNMENT PAY PLANS I APPROVE THESE ADJUSTMENTS BECAUSE THEY ARE URGENTLY NEEDED TO SAFEGUARD OUR SCHOOLS AND PROTECT AND PROMOTE A PUBLIC INTEREST IT IS ALSO THE RIGHT THING TO DO *INAFI' MAOLEK* LITERALLY MEANS TO MAKE GOOD WE HAVE AN OPPORTUNITY TO MAKE RIGHT FOR OUR GOVERNMENT EMPLOYEES AN ADJUSTMENT THAT HAS BEEN WITHHELD FROM THEM FOR TOO LONG AN ADJUSTMENT THAT FOR MANY WILL DRASTICALLY IMPROVE THEIR STANDARD OF LIVING AND THE LIVES OF THEIR CHILDREN AND FAMILIES IT IS INCOMPREHENSIBLE THAT ANY LEADER WOULD CHOOSE NOT TO MAKE RIGHT THIS WRONG WHEN THE OPPORTUNITY AND THE MEANS TO DO SO ARE WELL WITHIN OUR REACH SAYING NO IS SIMPLY NOT ENOUGH IN CONSIDERATION OF THE FOREGOING AND PURSUANT TO THE ORGANIC ACT OF GUAM 48 USC SUBSECTION 1423H I HEREBY CALL A SPECIAL SESSION OF *I LIHESLATURAN GUÁHAN* TO TAKE PLACE MONDAY MARCH 20TH 2023 AT 10 A.M AT THE SPEAKER ANTONIO R. UNPINGCO LEGISLATIVE SESSION HALL WITHIN THE GUAM CONGRESS BUILDING I CALL THIS SPECIAL SESSION FOR THE SOLE PURPOSE OF THE 37 GUAM LEGISLATURE'S CONSIDERATION AND VOTE UPON THE MEASURE ATTACHED HERE TO WHICH I BELIEVE THE PUBLIC INTEREST REQUIRES *SENSEMENTE* LOURDES A. LEON GUERRERO *I MAGA'HÁGAN GUÁHAN* GOVERNOR OF GUAM.

SPEAKER TERLAJE: *SI YU'OS MA'ÁSE'* ASSISTANT ACTING LEGISLATIVE SECRETARY SENATOR BARNETT ASSISTANT MAJORITY LEADER SENATOR SAN AGUSTIN YOU ARE RECOGNIZED.

SENATOR SAN AGUSTIN: MADAM SPEAKER I MOVED TO WAIVE SPECIAL SESSION ITEMS 11 AND 12.

SPEAKER TERLAJE: THOSE ARE ITEMS REPORTS OF STANDING COMMITTEES AND REPORTS OF SELECT COMMITTEES ON THE MOTION TO WAIVE THOSE ITEMS IS THERE ANY OBJECTION SEEING NO OBJECTION MOTION CARRIES MAJORITY LEADER YOU'RE RECOGNIZED.

SENATOR SAN AGUSTIN: THANK YOU MADAM SPEAKER I MOVED TO EXCUSE SENATORS NOT PRESENT FOR TODAY'S LEGISLATIVE SESSION.

SPEAKER TERLAJE: ON THE MOTION TO EXCUSE SENATORS NOT PRESENT IS THERE ANY OBJECTION SEEING NO OBJECTION MOTION CARRIES ASSISTANT MAJORITY LEADER SENATOR SAN AGUSTIN YOU'RE RECOGNIZED.

SENATOR SAN AGUSTIN: MADAM SPEAKER NOTWITHSTANDING THE HOUSE RULE I MOVED TO PLACE BILL NUMBER 24-37 AS AMENDED ON THE SPECIAL SESSION AGENDA.

SPEAKER TERLAJE: ON THAT MOTION TO PLACE BILL NUMBER 24-37 AS AMENDED ON THE SPECIAL SESSION AGENDA IS THERE ANY OBJECTION SEEING NO OBJECTION MOTION CARRIES WE'RE STILL UNDER MOTION IS THERE ANY OTHER MOTION SENATOR BARNETT YOU ARE RECOGNIZED.

SENATOR BARNETT: THANK YOU MADAM SPEAKER IT'S NO SECRET THAT WE HAVE VERY CRITICAL AND IMPORTANT BUSINESS BEFORE THIS BODY REFERENCING OF COURSE THE CALL TO EMERGENCY SESSION THAT HAS BEEN GRANTED FOR 2 P.M. TODAY WE HEARD OVER FIVE HOURS OF TESTIMONY FRIDAY AT A PARENT-TEACHER ORGANIZATION ROUNDTABLE THAT KIND OF REITERATED FOR A LOT OF THE MEMBERS PRESIDENT AND EVEN THOSE WHO WEREN'T HOW URGENT AND IMPORTANT AND CRITICAL DEALING WITH THE SITUATION THE STATE OF OUR SCHOOLS IS AND HOW THE SITUATION OF THE STATE OF OUR SCHOOLS REQUIRES US TO FULFILL OUR RESPONSIBILITY TO WATCH OVER AND IMPROVE THE EDUCATION SYSTEM WHERE WE CAN AND YOU KNOW THAT BEING SAID MADAM SPEAKER I KNOW THAT THERE'S MUCH SUPPORT FOR PAY RAISES WITHIN THIS BODY I'VE SPOKEN TO MANY OF OUR MEMBERS HOWEVER I FEEL LIKE IT'S INCUMBENT UPON US TO DEAL WITH THE EMERGENCY SESSION THAT IS CLEARLY ON OUR PLATE AND BEFORE US TODAY AT 2 P.M. SO I WOULD JUST MOTION THAT WE RECESS THIS SPECIAL SESSION UNTIL 2 P.M. TOMORROW MADAM SPEAKER.

SPEAKER TERLAJE: THERE'S BEEN A MOTION TO RECESS TODAY'S SPECIAL SESSION UNTIL 2 P.M. TOMORROW AND THERE'S BEEN AN OBJECTION ALL IN FAVOR PLEASE RAISE YOUR HAND MOTION TO RECESS MOTION PASSES WE'RE RECESS TILL 2 P.M. ON THE SPECIAL SESSION.

RECESS

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SPEAKER TERLAJE: *I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN* IS BACK FROM RECESS OF THE FIRST SPECIAL SESSION CALLED BY THE GOVERNOR OF GUAM WHEN WE ENDED UP WE WERE IN MOTIONS AND BILL NUMBER 24 HAD BEEN PLACED ONTO THE AGENDA ONTO THE SECOND READING SO WE ARE WE ARE STILL IN MOTION IS THERE ANY MOTION SENATOR BARNETT YOU'RE RECOGNIZED.

SENATOR BARNETT: THANK YOU MADAM SPEAKER AS I'M SURE EVERYBODY KNOWS WE'RE CURRENTLY IN IN OUR EMERGENCY SESSION TO ADDRESS THE STATE OF EDUCATION AND WE'RE COMMITTED TO DISCUSS THIS PAY RAISE ISSUE IN FULL AFTER THE COMPLETION OF OUR EMERGENCY SESSION WHICH WE'RE ANTICIPATING THE BODY IS ANTICIPATING WILL BE COMPLETED TONIGHT WITH VOTING ON THE THREE MEASURES YOU KNOW KNOCK ON WOOD SO I'D ASK THAT WE RECESS THIS SPECIAL SESSION UNTIL 2 P.M. TOMORROW SO THAT WE CAN FULLY AND FINALLY DISCUSS THE ISSUE OF PAY RAISES FOR THE GENERAL PAY PLAN MA'AM.

SPEAKER TERLAJE: OKAY THERE'S BEEN A MOTION TO RECESS UNTIL 2 P.M. TOMORROW ON THE SPECIAL SESSION THERE'S BEEN AN OBJECTION ALL IN FAVOR PLEASE RAISE YOUR HAND MOTION CARRIES WE'RE RECESS UNTIL 2 P.M. TOMORROW.

RECESS

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
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March 20, 21, 22, 2023

SPEAKER TERLAJE: GOOD AFTERNOON COLLEAGUES *I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN* IS CALLED TO ORDER BACK FROM RECESS AGAIN THIS IS THE FIRST SPECIAL SESSION AS CALLED BY THE GOVERNOR MAJORITY LEADER SENATOR SHELTON YOU ARE RECOGNIZED.

SENATOR SHELTON: *SI YU'OS MA'ÅSE'* MADAM SPEAKER NOTWITHSTANDING THE HOUSE RULES I MOVE TO WAIVE LEGISLATIVE SESSION AGENDA ITEMS 15 AND 16 FOR THE INFORMATION OF THE BODY THOSE ARE LEGISLATIVE CONCURRENCE AND THE CONSENT CALENDAR.

SPEAKER TERLAJE: ON THAT MOTION TO WAIVE THOSE ITEMS ON THE AGENDA IS THERE ANY OBJECTION SEEING NO OBJECTION MOTION CARRIES WE'RE NOW IN SECOND READING SENATOR SHELTON YOU ARE RECOGNIZED.

SENATOR SHELTON: THANK YOU VERY MUCH MADAM SPEAKER I MOVE TO ACCEPT THE AMENDED VERSION OF BILL NUMBER 24-37 COR AS AMENDED BY THE COMMITTEE ON GENERAL GOVERNMENT OPERATIONS AND APPROPRIATIONS.

SPEAKER TERLAJE: SENATOR CAN YOU CLARIFY IS THAT THE SAME VERSION THAT WAS ATTACHED TO THE GOVERNOR'S LETTER.

SENATOR SHELTON: THIS IS THE VERSION AMENDED BY OUR COMMITTEE ON GENERAL GOVERNMENT OPERATIONS AND APPROPRIATIONS THAT HAS BEEN POSTED ON THE WEBSITE LET ME CLARIFY IF THERE ARE ANY CHANGES CAN I HAVE A MOMENT'S RECESS.

SPEAKER TERLAJE: YES ONE MINUTE RECES.

RECESS

SPEAKER TERLAJE: WE'RE BACK FROM RECESS MAJORITY LEADER SENATOR SHELTON YOU ARE RECOGNIZED.

SENATOR SHELTON: THANK YOU VERY MUCH MADAM SPEAKER THIS IS A DIFFERENT VERSION THAN THE ATTACHMENT FROM THE GOVERNOR THIS IS AMENDED BY THE COMMITTEE ON APPROPRIATIONS TO OPERATE GOVERNMENT OPERATIONS AND APPROPRIATIONS TO INCLUDE THE GOVERNMENT OF GUAM AGENCIES THAT WERE NOT INCLUDED IN THE ORIGINAL BILL OF THE GOVERNOR.

SPEAKER TERLAJE: ALL RIGHT.

SENATOR SHELTON: AND FOR THE INFORMATION OF THE BODY THIS HAS BEEN POSTED ON THE WEBSITE THIS HAS BEEN IN OUR SESSION DRIVE AS WELL.

SPEAKER TERLAJE: ALL RIGHT CAN I CONFIRM WITH THE CLERKS THAT THIS VERSION IS IN THE SESSION DRIVE OKAY SO THE CLERK HAS LOADED TO THE SESSION DRIVE THE GOVERNOR'S VERSION OF THE BILL SINCE THAT WAS OUR CALL TO SESSION IF YOU GIVE THEM A MINUTE THEY CAN UPLOAD THE OTHER VERSION THAT IS THE COMMITTEE REPORT VERSION THAT IT'S CURRENTLY UPLOADED ON OUR LEGISLATURE'S WEBSITE AS REPORTED OUT OF COMMITTEE SO WE'RE GOING TO TAKE A JUST A ONE MINUTE RECESS FOR THE CLERKS TO LOAD THAT VERSION BEFORE WE VOTE ON THAT MOTION SENATOR WOULD YOU BE ABLE TO JUST DESCRIBE THE DIFFERENCE BETWEEN THE TWO BILLS.

SENATOR SHELTON: YES MADAM SPEAKER I CAN EXPLAIN SOME OF THE CHANGES MADE TO THIS BILL THE AMENDED VERSION BY THE COMMITTEE THERE IS AN INCREASE OF ESTIMATED REVENUES WITHHOLDING TAXES INTEREST AND PENALTIES INCREASED BY 6 MILLION DOLLARS WITH A NEW TOTAL OF 249 459 575 PREVIOUSLY 2 143 MILLION 459 575 BUSINESS PRIVILEGE INDUSTRY.

SPEAKER TERLAJE: JUST I'M SORRY SENATOR CAN WE JUST CLARIFY YOU'RE COMPARING IT TO THE GOVERNOR'S VERSION OR THE ORIGINAL VERSION OF THE BILL CAN WE JUST CAN YOU JUST TELL US THE DIFFERENCE BETWEEN THE GOVERNOR'S VERSION BECAUSE THAT'S WE WERE CALLED ON THE GOVERNOR'S VERSION WE'VE UPLOADED THE COMMITTEE REPORT VERSION WE'D LIKE TO KNOW WHAT'S THE DIFFERENCE BETWEEN COMMITTEE REPORT AND THE GOVERNOR'S VERSION OKAY ALL RIGHT WE'LL TAKE ONE MINUTE RECESS AND THOSE ARE UPLOADED BOTH ARE UPLOADED ON YOUR DRIVES FOR SENATORS TO REVIEW.

RECESS

SPEAKER TERLAJE: WE'RE BACK FROM RECESS ACCORDING TO THE CLERKS THEY'VE DONE A COMPARISON OF THOSE TWO BILLS AND THE DIFFERENCE IS THAT THE GOVERNOR'S VERSION SHOWS STRIKETHROUGHS AND UNDERLINES AS TO WHAT CHANGES WERE MADE BY THE COMMITTEE BUT THE COMMITTEE'S VERSION IS CLEAN SO IT JUST SHOWS THE NEW NUMBERS IN IN SECTION SECTION TWO OF THE BILL WERE WHERE ALL THE REVENUES ARE LAID OUT SECTION TWO JUST A MINUTE YES SECTION TWO OF THE BILL ALL RIGHT SO ON THE MOTION TO ACCEPT THE COMMITTEE REPORT VERSION OF THE BILL ON SECOND READING IS THERE ANY OBJECTION PARDON OBJECTION THERE IS AN OBJECTION SO ALL IN FAVOR OF ACCEPTING THE COMMITTEE REPORT VERSION VERSUS THE GOVERNOR'S VERSION PLEASE RAISE YOUR HAND SO MOTION FAILS ALL RIGHT SO WE ARE ON THE GOVERNOR'S VERSION OF THE BILL WE'RE STILL IN SECOND READING AND BECAUSE IT'S AN APPROPRIATIONS BILL OUR RULES REQUIRE SENATOR DID YOU HAVE A POINT OF ORDER SENATOR BARNETT.

SENATOR BARNETT: NO MA'AM I HAD A POINT OF INQUIRY POINT OF INFORMATION WHICH ONE IS THE 16 MILLION AND WHICH ONE IS THE 23 MILLION.

SPEAKER TERLAJE: THE NUMBERS ARE THE SAME JUST ONE BILL HAS STRIKEOUTS AND UNDERLINES TO SHOW CHANGES FROM THE ORIGINAL VERSION AND ONE.

SENATOR BARNETT: SO THEY'RE BOTH FOR 23 MILLION THEY'RE BOTH.

SPEAKER TERLAJE: WHAT IS YOUR NUMBER SAY SENATOR SHELTON.

SENATOR SHELTON: A TOTAL INCREASE IN REVENUE OF 25

SPEAKER TERLAJE: NO IN THE TITLE.

SENATOR SHELTON: OH THE TITLE I'M SORRY YOU'RE CORRECT THE TITLE OF THE BILL DOES HAVE A AN ERROR IN IT SO IT SAYS LET ME JUST CLARIFY WHAT GIVE ME A MOMENT.

SPEAKER TERLAJE: ALL RIGHT ONE MINUTE RECESS.

RECESS

SPEAKER TERLAJE: OKAY WE'RE BACK FROM RECESS THANK YOU COLLEAGUES FOR YOUR PATIENCE AGAIN SO RIGHT NOW WE'RE CONSIDERING THE GOVERNOR'S THE BILL THAT THE GOVERNOR ATTACHED WHICH IS BILL 24-37 IT IS THE VERSION THAT WAS REPORTED OUT OF COMMITTEE EXCEPT THE DIFFERENCE IS THAT IT HAS UNDERLINED AND STRIKETHROUGHS AS TO THE AMOUNTS BUT THE TOTALS ARE ALL THE SAME AND I'LL ALLOW THE LEGISLATIVE SECRETARY SHELTON ON THE BILL.

SENATOR SHELTON: YES THANK YOU VERY MUCH THERE WAS A QUESTION ABOUT THE DIFFERENCE IN THE TITLE OF THE BILL AND THE ACTUAL SUBSTANTIVE PART OF THE BILL SO IN BOTH THE GOVERNOR'S VERSION AND OUR AMENDED VERSION THE THE TITLES ARE INCORRECT BUT THE SUBSTANTIVE PART OF THE BILL IS CORRECT TO READ THE TOTAL IS 25 MILLION 19451.

SPEAKER TERLAJE: ALL RIGHT SO WE ARE ON THE GOVERNOR'S VERSION OF THE BILL AND THERE'S NO OTHER MOTION WE'RE GOING TO RESOLVE INTO THE COMMITTEE OF THE WHOLE PURSUANT TO OUR STANDING.

SENATOR BLAS: THERE IS.

SPEAKER TERLAJE: PARDON.

SENATOR BLAS: I'M SORRY MADAM SPEAKER THERE BUT POINT OF CLARIFICATION I THINK THERE'S STILL SOME MASSIVE CONFUSION AS TO WHAT WE'RE THE BILL THAT I'VE GOT IN FRONT OF ME DOES NOT REFLECT ANY OF THAT CAN I HAVE A COPY OF THAT BILL THAT WE'RE SUPPOSED TO BE DISCUSSING.

SPEAKER TERLAJE: WE'RE GOING TO DISCUSS WHAT WAS ATTACHED TO THE GOVERNOR'S LETTER.

SENATOR BLAS: BUT YOU SAY WE'RE GOING TO RESOLVE IN THE COMMITTEE OF THE WHOLE.

SPEAKER TERLAJE: YES.

SENATOR BLAS: I'M NOT GONNA I'M NOT GOING TO APPROVE AND AS FAR AS HAVING THAT DISCUSSION UNTIL I SEE WHAT WE'RE GOING TO GO TO THE COMMITTEE OF THE WHOLE FOR.

SPEAKER TERLAJE: YOU MEAN YOU WANT A COPY OF THE BILL.

SENATOR BLAS: MA'AM YOU JUST FINISHED SAYING THIS THING IS GOING TO BE 25 MILLION WHAT I GOT HERE IS 23 MILLION.

SPEAKER TERLAJE: THAT'S CORRECT.

SENATOR BLAS: THAT'S NOT.

SPEAKER TERLAJE: I MEAN THAT'S WHAT WAS ATTACHED SO WE'RE GONNA CONSIDER WHAT WAS ATTACHED EVEN WITH THE ERROR WE'RE CONSIDERING IT.

SENATOR BLAS: WELL CAN I SEE A COPY OF THAT BEFORE WE HAVE COMMITTEE.

SPEAKER TERLAJE: THIS IS IT.

SENATOR BLAS: THERE'S NOTHING HERE THAT SAYS 25 MILLION DOLLAR 25 MILLION.

SPEAKER TERLAJE: THAT'S CORRECT BECAUSE THE BILL IS AN ERROR THE TITLE IS AN ERROR IT DOESN'T.

SENATOR BLAS: I WOULD SUGGEST THAT WE FIX THAT BEFORE WE MOVE.

SPEAKER TERLAJE: WE CAN'T WE ARE GOING TO CONSIDER THE BILL AS IS AND WE'RE GOING TO HAVE TO MAKE AMENDMENTS AS WE GO ALONG UNLESS YOU'RE GOING TO SUBSTITUTE THE BILL.

SENATOR BLAS: CAN I ASK FOR A RECESS TO.

SPEAKER TERLAJE: ONE MINUTE RECESS.

RECESS

SPEAKER TERLAJE: OKAY WE'RE BACK FROM RECESS THANK YOU AGAIN COLLEAGUES FOR YOUR PATIENCE SENATOR BLAS OKAY SO AGAIN WE'RE ON THE GOVERNOR'S VERSION OF THE BILL IT HAS BEEN PASSED OUT TO ALL SENATORS IT'S ON YOUR DESK IT'S ALSO IN THE DRIVE THE SESSION DRIVE THIS IS THE VERSION AND YOU CAN CONFIRM IF YOU HAVE THE RIGHT VERSION IF YOU LOOK ON PAGE TWO AND YOU SEE STRIKEOUTS AND UNDERLINES THEN YOU HAVE THE CORRECT VERSION OF THE BILL THIS OR GO BACK TO THE GOVERNOR'S LETTER AND FIND THE ATTACHMENT OKAY SO NOW I PURSUANT TO OUR STANDING RULES WE ARE GOING TO RESOLVE INTO THE COMMITTEE OF THE WHOLE IT'S SUPPOSED TO BE CHAIRED BY THE APPROPRIATIONS CHAIR WHO IS NOT HERE SO THE VICE SO SENATOR SHELTON IS GOING TO BE CHAIRING WE'RE RESOLVED INTO THE COMMITTEE OF THE WHOLE.

NOTE RESOLVED INTO THE COMMITTEE OF THE WHOLE

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NOTE SENATOR SHELTON PRESIDES OVER THE COMMITTEE OF THE WHOLE

SENATOR SHELTON: THE COMMITTEE OF THE WHOLE IS CALLED TO ORDER COLLEAGUES THE MATERIALS FOR THE COMMITTEE OF THE WHOLE ARE IN THE SHARED SESSION GOOGLE DRIVE FOLDER LABELED 32023 FIRST SPECIAL SESSION COMMITTEE OF THE WHOLE PROPOSED AMENDMENTS MUST BE SUBMITTED IN WRITING TO THE CLERKS VIA EMAIL SESSIONDRIVE@GUAMLEGISLATURE.ORG AMENDMENTS NOT IN WRITING WILL BE CALLED OUT OF ORDER AND AS A REMINDER WE ARE ADDRESSING THE GOVERNOR'S ATTACHMENT OF THE BILL WHICH INCLUDES THE STRIKETHROUGH THIS CAN BE FOUND IN OUR SESSION GOOGLE DRIVE RULES OF ENGAGEMENT FOR TODAY'S COMMITTEE OF THE WHOLE THERE WILL BE THREE ROUNDS FOR DISCUSSION WE WILL HAVE TWO ROUNDS OF QUESTIONS FOR THE PANEL WITH EACH SENATOR ALLOTTED FIVE MINUTES FOR QUESTIONS NOT INCLUDING RESPONSES TIME TO SPEAK MAY NOT BE YIELDED FROM MORE THAN ONE MEMBER TO ANOTHER A MEMBER WHO YIELDS THAT MEMBER'S TIME ON A QUESTION YIELDS ALL THAT MEMBERS TIME ON THAT QUESTION AND MAY NOT LATER SPEAK EVEN IF ALL THE TIME YIELDED WAS NOT USED AFTER THE COMPLETION OF THE TWO ROUNDS OF QUESTIONS PANELISTS WILL BE EXCUSED THIRD ROUND WILL BE USED FOR AMENDMENTS OR COMMENTS TO SPEAK ON THE BILL AFTER WE COMPLETE DISCUSSION OF THE BILL WE WILL ALLOW THE SPONSOR TO CLOSE AND WILL ENTERTAIN A MOTION FOR THE RECOMMENDATION OF THE COMMITTEE OF THE WHOLE FOLLOWED BY A MOTION TO RISE FROM THE COMMITTEE OF THE WHOLE AT WHICH TIME WE WILL REPORT OUT THE BILL AS RECOMMENDED BY THE COMMITTEE OF THE WHOLE *SI YU'OS MA'ÅSE'* COLLEAGUES FOR YOUR COOPERATION WE ARE ON BILL NUMBER 24-37 COR AS SUBMITTED BY THE GOVERNOR BILL NUMBER 32-37 EXCUSE ME AN ACT TO AMEND SECTION 2 OF CHAPTER 1 AND SECTION 2 OF PART 1 CHAPTER 3 AND TO ADD NEW SECTIONS 13 14 15 16 17 AND 18 TO CHAPTER 11 ALL OF PUBLIC LAW 36-107 GENERAL APPROPRIATIONS ACT OF 2023 RELATIVE TO APPROPRIATING 23 MILLION 365 THOUSAND 304 DOLLARS FOR THE IMPLEMENTATION OF THE ADJUSTED GENERAL PAY PLAN I NOW CALL UPON THE PANEL GUEST AND FOR THE SERGEANT-AT-ARMS TO SWEAR THEM IN AND FOR THEIR INTRODUCTION.

SERGEANT AT ARMS: PLEASE RAISE YOUR RIGHT HAND UNDER PENALTY OF PERJURY DO YOU ALL AFFIRMED THAT ANY AND ALL THE INFORMATION YOU PROVIDE TODAY WHETHER IT BE VERBALLY ELECTRONICALLY AND IN WRITING BE THE TRUTH THE WHOLE TRUTH THEN NOTHING BUT THE TRUTH SO HELP YOU GOD MADAM CHAIR THEY'RE UNDER OATH YOU MAY PROCEED.

SENATOR SHELTON: *SI YU'OS MA'ÅSE'* SERGEANT AT ARMS WE'LL BEGIN WITH INTRODUCTIONS.

EDWARD BIRN – DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION (DOA): GOOD AFTERNOON SENATORS I'M EDWARD BIRN DIRECTOR OF ADMINISTRATION.

SHANE NGATA – PERSONNEL SERVICES ADMINISTRATOR HR (DOA): GOOD AFTERNOON SENATORS SHANE NGATA PERSONNEL SERVICES ADMINISTRATOR FOR DOA HR.

SENATOR SHELTON: THANK YOU GENTLEMEN FOR BEING HERE THIS AFTERNOON WITH US WE'LL BEGIN WITH THE FIRST ROUND OF QUESTIONS FOR THE PANEL BEGINNING WITH SENATOR TOM FISHER IN THE LAST ROW.

SENATOR BLAS: MADAM CHAIR.

SENATOR SHELTON: WE HAVE FIVE MINUTES PER.

SENATOR BLAS: MADAM CHAIR.

SENATOR SHELTON: YES SENATOR BLAS.

SENATOR BLAS: MADAM CHAIR THANK YOU VERY MUCH MADAM CHAIR NOTWITHSTANDING THE RULE SET BY THE CHAIRMAN ON THE RULES OF ENGAGEMENT I'D LIKE TO BE ABLE TO MOVE TO BE ABLE TO HAVE ROUND ONE AT LEAST INSTEAD OF FIVE MINUTES TEN MINUTES PER PER MEMBER.

SENATOR SHELTON: THERE'S A MOTION THERE'S A MOTION NOTWITHSTANDING THE RULES OF ENGAGEMENT TO ALLOW FOR 10 MINUTES FOR THE FIRST ROUND THERE HAS BEEN AN OBJECTION ALL THOSE IN FAVOR OF ALLOWING 10 MINUTES FOR THE FIRST ROUND INSTEAD OF THE FIVE MINUTES AS PURSUANT TO THE RULES OF ENGAGEMENT PLEASE RAISE YOUR HAND MOTION PASSES THE FIRST ROUND WILL HAVE 10 MINUTES PER SENATOR AND WE'LL BEGIN WITH SENATOR FISHER.

SENATOR FISHER: THANK YOU MA'AM I YIELD MY TIME TO SPEAKER THERESE TERLAJE

SENATOR SHELTON: SENATOR FISHER HAS YIELDED HIS 10 MINUTES OF TIME TO SPEAKER TERLAJE SENATOR QUINATA SENATOR SAN NICOLAS.

SENATOR SAN NICOLAS: HI GOOD AFTERNOON GENTLEMEN THANK YOU FOR COMING TO EXPLAIN THIS THIS THIS BILL COULD YOU IDENTIFY THE THE MAYORS COUNCIL STAFF WHO MIGHT BE GETTING THIS RAISE FOR ME PLEASE.

DOA – DIRECTOR BIRN: THANK YOU SENATOR NO WE CAN'T THAT WAS AN ADDITION PUT IN BY THE BY THE COMMITTEE NOT BY US SO WE DON'T KNOW EXACTLY WHO IS INCLUDED IN THAT.

SENATOR SAN NICOLAS: I I'M SORRY SIR I'M WHAT IS THE TITLE OF THE OF THE POSITIONS THAT MIGHT BE GETTING THIS OR DO YOU DO YOU KNOW.

DOA – NGATA: THANK YOU FOR THE QUESTION SENATOR IN GENERAL THE MAYORS HAVE THE ABILITY TO ASSIGN TITLES BASED ON WHAT THEY NEED TYPICALLY THEY FOLLOW WHAT WE USE IN THE LINE AGENCIES SO YOU'RE LOOKING AT RECREATION LEADERS SOME PROGRAM COORDINATORS MAINTENANCE STAFF FOR THEIR DIFFERENT AREAS SO THOSE ARE THE GENERAL POSITIONS THEY USE.

SENATOR SAN NICOLAS: OKAY YEAH THANK YOU I I JUST WANTED TO CLARIFY THAT AND THEN OKAY THAT'S GOOD.

SPEAKER TERLAJE: POINT POINT OF ORDER MADAM CHAIR.

SENATOR SHELTON: PLEASE STATE YOUR POINT OF ORDER MADAM SPEAKER.

SPEAKER TERLAJE: COULD WE PLEASE ADD OFB TO THE PANEL SO THAT THE QUESTIONS CAN BE ANSWERED WHILE HE'S ON HIS ROUND.

SENATOR SHELTON: YES MADAM SPEAKER OFB IS ON THEIR WAY SO WE'LL TAKE A MOMENT'S RECESS FOR THEM TO COME IN.

RECESS

SENATOR SHELTON: THE COMMITTEE OF THE WHOLE IS BACK FROM RECESS I RECOGNIZE SENATOR SAN AGUSTIN.

SENATOR SAN AGUSTIN: THANK YOU MADAM CHAIR DUE TO THE THE CONCERNS OF OUR COLLEAGUES I'M GOING TO ASK FOR A RECESS FOR ONE HOUR AND WE WILL PREPARE A SUBSTITUTE OR AMENDED WHICHEVER IT MAY COME OUT BUT IT'D BE A CLEAN BILL AND IT WILL ADDRESS ALL THE CONCERNS THAT WERE ADDRESSED BY DOA AND OFB.

SENATOR SHELTON: THERE'S BEEN A MOTION TO RECESS.

SENATOR SAN AGUSTIN: ALRIGHT.

SENATOR SHELTON: FOR ONE HOUR.

SENATOR QUINATA: SECONDED.

SENATOR SHELTON: WE'LL COME BACK AT 4:30 COLLEAGUES.

RECESS

NOTE SENATOR SHELTON PRESIDES OVER THE COMMITTEE OF THE WHOLE

SENATOR SHELTON: THE COMMITTEE OF THE WHOLE IS BACK FROM RECESS SENATOR SAN AGUSTIN YOU ARE RECOGNIZED.

SENATOR SAN AGUSTIN: THANK YOU MADAM CHAIR I LIKE TO MOVE THAT WE ACCEPT BILL 24-37 COR AS AMENDED AND FURTHER AMENDED BY THE COMMITTEE ON GENERAL GOVERNMENT OPERATIONS AND APPROPRIATION AND THAT THAT BILL HAS BEEN PASSED OUT TO ALL MY COLLEAGUES AND I JUST ASKING FOR THEIR SUPPORT SO WE CAN ACCEPT THAT AND THAT WOULD BE THE DISCUSSION UPCOMING.

SENATOR SHELTON: THANK YOU SENATOR SAN AGUSTIN THE BILL AS AMENDED AND FURTHER AMENDED BY THE COMMITTEE ON GENERAL GOVERNMENT OR OPERATIONS AND APPROPRIATIONS HAS BEEN PASSED OUT AND IT IS UPLOADED TO THE DRIVE SO THERE'S BEEN A MOTION TO ACCEPT THIS VERSION ARE THERE ANY OBJECTIONS SPEAKER TERLAJE YOU ARE RECOGNIZED.

SPEAKER TERLAJE: I JUST IT'S JUST TECHNICAL I JUST WANTED TO CLARIFY I THINK IT'S SUPPOSED TO BE SINCE WE'RE ALREADY IN THE COMMITTEE OF THE WHOLE AMENDED BY THE COMMITTEE AND FURTHER.

SENATOR SHELTON: AMENDED BY THE COMMITTEE OF THE WHOLE.

SPEAKER TERLAJE: YEAH I HAVE NO OBJECTION TO THIS VERSION.

SENATOR SHELTON: OKAY ARE THERE ANY OTHER.

SENATOR SAN AGUSTIN: OBJECTION NO.

SENATOR SHELTON: SENATOR FISHER YOU'RE RECOGNIZED.

SENATOR FISHER: THANK YOU MA'AM I RISE FOR THE PURPOSE OF MOVING FOR A RECESS UNTIL TOMORROW.

SENATOR BARNETT: OBJECTION.

SENATOR SHELTON: THERE'S BEEN AN OBJECTION.

SENATOR BARNETT: OBJECTION THE PEOPLE AT GUAM ARE WAITING FOR US TO ADDRESS THIS ISSUE WE'RE HERE.

SENATOR FISHER: CLEARLY THE LEGISLATURE IS NOT READY WE'VE BEEN SITTING HERE FOR FOUR HOURS AT YOUR REQUEST DOING ABSOLUTELY NOTHING THERE IS A NON-DEBATABLE MOTION FOR A RECESS.

SENATOR SHELTON: THAT'S CORRECT THERE'S BEEN A MOTION TO RECESS THERE HAVE BEEN OBJECTIONS ALL THOSE IN FAVOR OF A RECESS PLEASE SIGNIFY BY RAISING YOUR HAND MOTION FAILS SO WE ARE STILL ON THE MOTION TO ACCEPT THE VERSION AS AMENDED AND FURTHER AMENDED BY THE COMMITTEE OF THE WHOLE.

SPEAKER TERLAJE: IF I COULD JUST ASK THIS THE SPONSOR OF THE MOTION TO JUST INFORM US WHAT'S THE DIFFERENCE BETWEEN THIS VERSION AND THE VERSION THAT THE GOVERNOR SENT DOWN TO US IN THE SPECIAL SESSION.

SENATOR SHELTON: DOES THE AUTHOR YIELD TO THE QUESTION.

SENATOR SAN AGUSTIN: YES I YES MADAM CHAIR THE THE VERSION THAT WAS SENT TO US IS THAT IT'S INC IT INCLUDES LET ME JUST BE ABLE TO IDENTIFY THE PAGE SO THAT EVERYONE WILL BE ABLE TO FOCUS ON IT IS ON PAGE PAGE EIGHT YOU'LL FIND THAT THE DIFFERENCE BETWEEN THE GOVERNOR'S PROPOSALS SHE ASKED FOR SIXTEEN WE ADDED ON THE JUDICIARY TO APPROPRIATE ONE POINT ONE MILLION FOUR 49 THOUSAND 363 WE ALSO IDENTIFIED WE ADD WE ADD WHEN THE DIFFERENCE BETWEEN THE GOVERNORS WAS SIXTEEN MILLION THE REASON WHY IN THE BEGINNING IT GOES UP TO TWENTY MILLION IS BECAUSE WE HAVE TO ADD TO JUDICIARY BECAUSE THEY'RE NOT A LINE AGENCY WE ALSO ADDED UNIVERSITY OF GUAM WE ADDED GUAM COMMUNITY COLLEGE THE MAYORS COUNCIL AND THE PUBLIC DEFENDERS OFFICE THAT'S THE DIFFERENCE.

SPEAKER TERLAJE: YES.

SENATOR SAN AGUSTIN: AND THAT'S WHY IT MOVED FROM SIXTEEN TO TWENTY MILLION.

SPEAKER TERLAJE: OKAY.

SENATOR SAN AGUSTIN: OR NINETEEN MILLION.

SPEAKER TERLAJE: THOSE WERE SORRY I'M TALKING ABOUT THE GOVERNOR'S VERSION ON THE CALL TO SESSION SO THE GOVERNOR SENT US THE ORIGINAL BILL TOTALING SIXTEEN MILLION THEN SHE SENT US ANOTHER VERSION DURING HER

CALL TO SESSION SO WE HAVE BEEN ON THIS COMMITTEE OF THE WHOLE WITH THE GOVERNOR'S VERSION ATTACHED TO THE CALL FOR SESSION WHICH TOTALED ABOUT TWENTY OVER TWENTY THREE YOU REMEMBER.

SENATOR SAN AGUSTIN: THAT'S CORRECT THE REASON WHY WHEN YOU LOOK AT THAT 23 IT ADDRESSED THE NUMBER ONE THAT TWENTY THREE WAS AN A-TWELVE MONTH BUDGET REQUEST WHEN IT SHOULD HAVE BEEN REFLECTED THAT IT'S REALLY WE SHOULD BE ADDRESSING ONLY A SIX MONTH BECAUSE IT GOES IN EFFECT IN APRIL SO SO THAT'S AN ERROR ON THAT PART THAT WE'RE ADDRESSING THE TWENTY THREE MILLION WHEN IT SHOULD HAVE BEEN SIXTEEN MILLION WHICH IS CUT THE THE TWENTY WHICH ACTUALLY EQUATES TO THIRTY ONE MILLION IT SHOULD WE SHOULD HAVE WENT DOWN.

SENATOR SHELTON: DOES THAT SATISFY YOUR QUESTION SPEAKER.

SPEAKER TERLAJE: COULD I IF YOU DON'T MIND BEFORE I VOTE ON THAT MOTION I JUST WANT TO CLARIFY BECAUSE THERE'S PEOPLE WATCHING US THEY CAN'T UNDERSTAND WHY WE'VE BEEN WAITING FOR HOURS TO GET THIS SESSION STARTED AND I WANT TO MAKE IT VERY CLEAR BECAUSE THE BILL'S BEEN CHANGED IT'S BEEN SUBSTITUTED ON THIS FLOOR WE'RE GOING TO ACCEPT A NEW VERSION BUT THE VERSION THAT WE'RE ACCEPTING DOES NOT CHANGE ANY OF THE PROPOSALS THAT THE GOVERNOR MADE IN HER EXECUTIVE I MEAN IN HER CALL TO SESSION UNDER THE ORGANIC ACT THE APPROPRIATIONS ARE THE SAME FOR.

SENATOR DUEÑAS: POINT OF INFORMATION MADAM CHAIR.

SPEAKER TERLAJE: SECTION FOUR DOA SECTION FIVE JUDICIARY SECTION SIX UOG SECTION SEVEN GCC SECTION EIGHT MAYORS COUNCIL THOSE ARE THE SAME AMOUNTS IN THE GOVERNOR'S BILL.

SENATOR SAN AGUSTIN: WELL THAT'S CORRECT BUT I WANT TO BE ABLE TO PROVIDE.

SENATOR SHELTON: ONE MOMENT SENATOR SAN AGUSTIN PLEASE STATE YOUR POINT OF INFORMATION SENATOR DUEÑAS.

SENATOR DUEÑAS: POINT OF INFORMATION MADAM CHAIR IF YOU GO TO.

SPEAKER TERLAJE: FUCK.

SENATOR DUEÑAS: PAGE EIGHT YOU WILL FIND AND I'M MAKING THIS POINT OF INFORMATION BECAUSE THIS IS WHAT I DISCOVERED AND ASKED TO MAKE THIS CHANGE BECAUSE THERE WAS A WORKSHEET THAT WAS ISSUED OUT ON THE PAY PLAN FROM BBMR AND IT TURNS OUT THAT THE SUBSTITUTE BILL ADOPTED FOUR MILLION DOLLARS IN REVENUES FOR GMH WHEN GMH WAS ALREADY INCLUDED IN THE SIXTEEN SO IF YOU GO TO SECTION SIX OF THE BILL GMH IS LINED OUT HERE AND THAT'S WHAT BRINGS THE APPROPRIATIONS DOWN BY FOUR MILLION DOLLARS SO THE NEW REVENUE NOW IS ADJUSTED AT A LITTLE OVER TWENTY MILLION DOLLARS AS OPPOSED TO TWENTY FOUR MILLION DOLLARS NINE WHATEVER WHICH IS AN ADJUSTMENT OF APPROXIMATELY FOUR MILLION DOLLARS THAT HAS BEEN THE CHANGE MADAM CHAIR THAT WAS DISCOVERED DURING RECONCILIATION OF THE FIRST BILL THAT WAS ADOPTED AND THEN WORKSHEETS THAT WERE PUT OUT AND THAT'S WHERE THE DIFFERENCE OF THE SUM WAS FOUND THIS NEW BILL NOW REFLECTS THE SIXTEEN MILLION WHICH WILL CONTAIN GMH APPROPRIATION AND THAT'S WHY IT'S LINED THROUGH WE'RE NOT REMOVING IT WE'VE IDENTIFIED THAT REVENUE IN THE SIXTEEN THANK YOU MADAM CHAIR.

SENATOR SAN AGUSTIN: AND AND THAT'S.

SENATOR SHELTON: THANK YOU SENATOR DUEÑAS.

SENATOR SAN AGUSTIN: MADAM CHAIR THAT'S CORRECT.

SENATOR SHELTON: SENATOR SAN AGUSTIN YOUR RECOGNIZED.

SENATOR SAN AGUSTIN: I WAS GOING TO IDENTIFY THAT BUT HE GOT IT RIGHT.

SENATOR SHELTON: THANK YOU VERY MUCH.

SPEAKER TERLAJE: THERE'S A NEW SECTION.

SENATOR SHELTON: PLEASE CLARIFY THE NEW SECTION SENATOR SAN AGUSTIN.

SENATOR SAN AGUSTIN: CLARIFY THE NEW SECTIONS IT'S IT'S LINED THROUGH SO IT ELIMINATES IT BECAUSE IT'S ALREADY INCORPORATING THE SIXTY MILLION.

SPEAKER TERLAJE: YEAH BUT ON PAGE TEN THERES A NEW SECTION SECTION NINE.

SENATOR SAN AGUSTIN: YEAH THE THE NEW SECTION MADAM CHAIR IS THE THE PUBLIC DEFENDER SERVICES CORPORATION AND ALTERNATE PUBLIC DEFENDER.

SPEAKER TERLAJE: SO THIS WAS.

SENATOR SAN AGUSTIN: THAT'S THE NEW SECTION.

SPEAKER TERLAJE: SO THIS WAS NOT IN THE GOVERNOR'S PROPOSAL CORRECT.

SENATOR SAN AGUSTIN: THAT'S CORRECT BUT IT BUT IT WAS DURING THE PUBLIC HEARING.

SPEAKER TERLAJE: RIGHT.

SENATOR SAN AGUSTIN: THAT WE NEEDED TO INCLUDE IT AND WE WERE WAITING FOR THE NUMBERS AND THE NUMBERS CAME IN.

SPEAKER TERLAJE: THOSE THOSE CHANGES SOON STRIKE OUT AND TO ADD THAT NEW SECTION AND THEN TO CHANGE THE TOTALS IN THE REVENUE PROJECTIONS AND THE TOTALS AND THE TITLE OF THE BILL THOSE WERE THE CHANGES THAT WERE MADE THANK YOU I HAVE NO OBJECTION.

SENATOR SHELTON: THANK YOU ON THE MOTION TO ACCEPT THE BILL AS SUBSTITUTED IN THE COMMITTEE OF THE WHOLE AS AMENDED THERE'S BEEN AN OBJECTION ALL THOSE IN FAVOR PLEASE SIGNIFY BY RAISING YOUR HAND MOTION CARRIES SENATOR SAN AGUSTIN.

SENATOR SAN AGUSTIN: NOW WE CAN GO AHEAD AND MOVE ON TO THE PRESENTATION OF THE BILL AND AND THE ROUNDTABLE OF WHO'S GOING TO ASK QUESTIONS OR WHATEVER.

SENATOR SHELTON: OKAY WE HAVE A NEW VERSION OF THE BILL SO WE BEGAN WITH THE FIRST ROUND OF QUESTIONS AND SINCE THIS IS A NEW VERSION OF THE BILL WE'LL ALLOW FOR TO RESTART THE ROUND OF QUESTIONS AND WE BEGAN IN THE BACK WITH SENATOR FISHER SENATOR FISHER AGAIN COLLEAGUES THIS FIRST ROUND OF QUESTIONS YOU HAVE TEN MINUTES OKAY.

SENATOR PARKINSON: OBJECTION MADAM CHAIR THIS IS A NEW BILL SO WE SHOULD GO BACK TO THE ORIGINAL FIVE MINUTES AS STANDARD.

SENATOR SHELTON: OKAY THERE'S BEEN AN OBJECTION.

SENATOR BLAS: HANG ON POINT OF ORDER POINT OF INFORMATION MADAM CHAIR WE NEVER GET OUT OF THE COMMITTEE OF THE WHOLE COMMITTEE THE WHOLE ALREADY SET THE STANDARD IT ALREADY SET THE STANDARD WE NEVER GOT OUT OF THE COMMITTEE OF THE WHOLE SO IT STILL RUNS STANDS.

SENATOR SHELTON: THERE'S BEEN AN OBJECTION TO OVERRULE THE CHAIR SO WE'LL HAVE TO TAKE A VOTE ON YOUR OBJECTION TO OVERRULE THE CHAIR TO KEEP THE TEN MINUTES FOR THIS ROUND SO ALL THOSE IN FAVOR OF OVERRULING THE CHAIR TO GO BACK TO THE FIVE MINUTES PLEASE RAISE YOUR HAND MOTION FAILS SO AGAIN COLLEAGUES WE HAVE TEN MINUTES FOR THE FIRST ROUND OF QUESTIONS SENATOR FISHER YOU MAY PROCEED.

SENATOR FISHER: THANK YOU MADAM CHAIR I YIELD TO YIELD MY TIME RATHER TO SENATOR TERLAJE.

SENATOR SHELTON: THANK YOU VERY MUCH SENATOR FISHER'S TIME HAS BEEN YIELDED TO THE SPEAKER SENATOR QUINATA SENATOR SAN NICOLAS.

SENATOR SAN NICOLAS: I USED MY TIME TO THE DISTINGUISHED GENTLEMAN OVER THERE SENATOR BLAS.

SENATOR SHELTON: SENATOR PEREZ.

SENATOR PEREZ: *SI YU'OS MA'ÁSE'* MADAM CHAIR SO AND THANK YOU TO THE PANEL FOR YOUR PATIENCE YEAH I GUESS A COUPLE OF QUESTIONS CAN YOU FOR THE LISTENING AUDIENCE CAN YOU EXPLAIN WHAT IS NOT COVERED IN THIS GENERAL PAY PLAN I UNDERSTAND THE NURSING THE TEACHERS LAW ENFORCEMENT OFFICERS HAVE THEIR SEPARATE PAY PLANS BUT WITHIN THE REST CAN YOU BASICALLY CLARIFY WHAT IS WHAT IS NOT COVERED IN THE GENERAL PAY PLAN.

SENATOR SHELTON: TAKE A BRIEF RECESS TO ADDRESS OUR TECHNICAL ISSUES.

RECESS

SENATOR SHELTON: THE COMMITTEE OF THE WHOLE IS BACK FROM RECESS WE'LL TAKE A MOMENT BEFORE WE GET INTO THE QUESTIONS I APOLOGIZE SENATOR PEREZ WILL GIVE US OUR OUR GUESTS HERE OUR PANEL TODAY TO GIVE A BRIEF OVERVIEW OF THE PAY PLAN THAT IS PROPOSED SO MR. BIRN.

DOA – DIRECTOR BIRN: THANK YOU MADAM CHAIRMAN THERE ARE FIVE PAY PLANS IN THE GOVERNMENT OF GUAM THE GENERAL PAY PLAN IS CLEARLY ONE OF THOSE PREVIOUSLY THE NURSE'S PAY PLAN THE LAW ENFORCEMENT PAY PLAN AND THE EDUCATION PLAY PLAN THE TEACHERS WERE ADDRESSED SEPARATELY AND WERE DISCUSSED BY THIS BODY IN THE PREVIOUS LEGIS IN THE IN THE 36TH LEGISLATURE AND THEY ARE IN OPERATION SO THE NEXT PLAN TO COME UP WAS THE GENERAL PAY PLAN WHICH INCLUDES THE BULK OF THE GOVERNMENT EMPLOYEES DOA HAS A STATUTORY DUTY TO STUDY THESE PAY PLANS ACTUALLY EVERY THREE YEARS DOA UNDERTOOK THIS DUTY AND AS IS MENTIONED ON PAGE TWO OF THE PAY PLAN THAT WAS SUBMITTED TO THE GOVERNOR WE ARE REQUIRED TO INCLUDE IN THIS STUDY A CONSIDERATION OF INTERNAL EQUITY AND EXTERNAL COMPETITIVENESS WHEN WE PRODUCE A RECOMMENDATION FOR THE PAY LEVELS THAT WILL BE RECOMMENDED UNDER THIS PLAN DOA CHOSE A NUMBER OF BENCHMARK POSITIONS IN ORDER TO GAUGE THE COMPETITIVE THE THE COMPETITIVE WAGES THAT ARE PAID FOR THE POSITIONS THAT ARE INCLUDED IN THIS PLAN IT ACTUALLY UNDERTOOK A FAIRLY RIGOROUS SURVEY OF TWO HUNDRED AND THREE POSITIONS IN THE GOVERNMENT PAY PLAN AND COMPARE THOSE POSITIONS WITH THE PAY THAT IS PREVAILING FOR THEIR EQUIVALENT POSITIONS ON THE MAINLAND WE AVOIDED THE TWO COASTS WHERE PAY PLANS TEND TO BE MUCH HIGHER AND WE LOOKED AT PAY PLANS THAT ARE PREVAILING IN THE CENTRAL PART OF THE UNITED STATES WHICH WAS DEEMED TO BE MUCH MORE COMPARABLE WITH THE PREVAILING COSTS AND CONDITIONS ON GUAM THESE THESE POSITIONS ARE ALL SET OUT ON PAGES FOUR FIVE AND SIX OF THE PLAN THAT WAS SUBMITTED TO THE GOVERNOR INTERNAL EQUITY WHICH I MENTIONED BEFORE IS ONE OF THE FACTORS THAT WERE USED IN ORDER TO MAKE THIS DETERMINATION AND AS A RESULT OF OF THE STUDY THAT WAS DONE AND IT WAS AN EXTENSIVE STUDY AND I WOULD LIKE TO MAKE NOTE THAT THE HR DEPARTMENT OF DOA WORKED REALLY REALLY HARD ON THIS AND I COMMEND THEM FOR THE HARD WORK AND THE THOROUGHNESS WHICH THEY APPLIED TO THE TO THE TO THIS STUDY BUT THE THE PAY DIFFERENTIAL PERCENTAGES AS A RESULT OF THE STUDY THAT WAS DONE ARE SET FORTH ON PAGE SEVEN AND THEY VARY FROM BASICALLY FROM ONE PERCENT TO ALMOST A HUNDRED PERCENT IN ORDER TO MAKE THIS WORKABLE AND IN ORDER TO MAKE THIS APPLICABLE TO THE GOVERNMENT OF GUAM DOA THEN TOOK A WEIGHTED AVERAGE OF THESE DIFFERENCES SO AS NOT TO BIAS IT IN FAVOR OF YOU KNOW THE REALLY HIGH DIFFERENTIAL AND THE REALLY LOW DIFFERENTIAL IT TOOK A WEIGHTED AVERAGE SO THE ORIGINAL UNWEIGHTED DIFFERENCE WAS ABOUT FORTY FIVE PERCENT BUT WHEN WE TOOK THE WEIGHTED AVERAGE AND CORRECTED IT FOR THE DISTORTION OF THE PREMIUM PAY FOR THE HIGHER THE HIGHER COSTING POSITIONS WE ARRIVED AT A AN OVERALL ADJUSTMENT TO THE BASE PAY OF THOSE PEOPLE THAT ARE COVERED BY THE GENERAL PAY PLAN OF TWENTY TWO PERCENT DOA THEN PUT THESE POSITIONS TOGETHER AND I WILL ACTUALLY ASK SHANE TO EXPLAIN HOW THAT WAS DONE BECAUSE HIS DEPARTMENT DID IT IN ORDER TO MAKE SURE THAT PEOPLE WERE PLACED IN THE RIGHT POSITIONS AND HE'LL EXPLAIN HOW THAT WAGE CLASSIFICATION CATEGORY SLOTTING IS DONE THERE WAS A SIMILAR PROCESS DONE FOR THE OTHER THREE PAY PLANS ALREADY IN PROCESS BUT HE'LL EXPLAIN HOW IT'S DONE FOR THIS ONE WE THEN MADE THAT RECOMMENDATION TO THE GOVERNOR AND THE GOVERNOR ACCEPTED THE PROPOSALS THAT WE MADE FOR A TWENTY TWO PERCENT INCREASE IN BASE SALARY THE BACKGROUND TO ALL THIS IS THAT THE GOVERNMENT OF GUAM EMPLOYEES AND AND IN PARTICULAR THAT THOSE EMPLOYEES COVERED BY THIS PAY PLAN HAVE RECEIVED NO INCREASE IN THEIR BASE PAY AND I WILL CLARIFY THAT IN A MINUTE BUT THEY'VE RECEIVED NO INCREASE IN THE BASE PAY AMOUNT FOR EIGHT YEARS AND EVEN THE AMOUNT THAT WAS PAID EIGHT YEARS AGO WAS BASED UPON DATA THAT WAS TWO YEARS WHICH WAS TWO YEARS OLD AT THAT POINT SO BASICALLY GOVERNMENT OF GUAM EMPLOYEES HAD FALLEN BEHIND TEN YEARS IN IN PAY EQUITY AND THAT'S WHAT THIS STUDY SEEKS TO CORRECT THAT AMOUNTS TO SOMETHING LIKE IF YOU'VE IF YOU'VE WORKED IN THE GOVERNMENT FOR ALL THOSE TEN YEARS IT AMOUNTS TO ROUGHLY ONE POINT SEVEN PERCENT INCREASE PER YEAR WHICH IS ACTUALLY MUCH LOWER THAN THE PAY INCREASES THAT WERE PREVAILING UNDER THE FEDERAL GOVERNMENT WHERE THEY THEY ATTEMPT TO MAKE THIS ADJUSTMENT ANNUALLY TO CORRECT FOR INFLATION BUT IF YOU IF YOU COMPOUND ONE POINT SEVEN PERCENT FOR TEN YEARS YOU GET TO TWENTY TWO PERCENT AND THAT'S THAT'S HOW WE WORK THAT PARTICULAR STATISTIC OUT THE LAST THING THAT WE RECOMMENDED IN THIS PAY PLAN IS THAT THIS ADJUSTMENT BE MADE ON A ON A MORE FREQUENT BASIS AND WE RECOMMENDED THAT WE SHOULD HAVE ANNUAL PAY ADJUSTMENTS STARTING NEXT YEAR IN ORDER THAT WE DON'T FALL BEHIND AGAIN QUITE WELL UNDERSTANDING THAT WE FELL BEHIND IN THE PAST FEW YEARS BECAUSE OF THE FISCAL DISTRESS OF THE GOVERNMENT AND THAT'S THE REASON WHY THESE PAY INCREASES WEREN'T WEREN'T AWARDED AT THE TIME THEY SHOULD HAVE BEEN AND AT THE TIME THEY WERE EARNED BUT THAT FISCAL DISTRESS NO LONGER EXISTS AND NOW IS THE TIME TO MAKE THE ADJUSTMENT THAT'S DUE IT'S AN ADJUSTMENT THAT WE FEEL IS FAIR IT'S AN ADJUSTMENT WHICH WE FEEL WILL HELP TO STEM THE FLOW OF PEOPLE OUT OF GOVERNMENT SERVICE IT'S IT'S BECOMING MORE AND MORE DIFFICULT TO RECRUIT PERSONNEL INTO GOVERNMENT SERVICE BECAUSE OF THE PAY PAY LEVELS SOMETIMES WE WE'RE ABLE TO RECRUIT THEM FOR A SHORT TIME AND THEY MOVE ON TO OTHER JOBS WE WANT TO KEEP PEOPLE IN GOVERNMENT SERVICE WE WANT TO MAKE SURE THAT THEY THEY WANT TO STAY THAT THEY CAN AFFORD TO STAY AND THAT WE KEEP THEIR EXPERIENCE SO THAT WE'RE NOT RETRAINING PEOPLE ALL THE TIME SO THAT ALL THAT IS BEHIND THIS PARTICULAR PAY PLAN AND THE STUDY THAT WENT BEHIND IT BUT IF I CAN JUST ASK SHANE TO TALK ABOUT THE SLOTTING AND HOW WE HOW WE ACTUALLY DO THAT ALSO WHEN WE ACTUALLY IMPLEMENT THIS PLAN.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: THANK YOU DIRECTOR BIRN BRIEFLY SO HOW EMPLOYEES GET IMPACTED ON THE IMPLEMENTATION OF THIS PLAN THE STUDY WAS CONDUCTED BASED ON THE POSITIONS IN THE GOVERNMENT AND WE PRICED THE POSITIONS ACCORDING TO MARKET THAT THE DIRECTOR WENT THROUGH THE METHODOLOGY OF HOW WE DID THAT SO BASICALLY YOU KNOW IN THE PAST IMPLEMENTATION HAS BEEN DONE NUMEROUS WAYS THE SIMPLEST MOST CONSISTENT WAY TO DO IT IS A BASIC STEP TO STEP IMPLEMENTATION SO LET'S SAY YOU HAVE AN EMPLOYEE AN EMPLOYEE WHO IS LET'S SAY A MAINTENANCE CUSTODIAN AT STEP TWO OF THEIR PAY GRADE THEY'LL BE SLOTTED STRAIGHT INTO STEP TWO OF THE RECOMMENDED SCALE WITH THE RESPECTIVE GRADE FOR THEIR POSITION THE REASON WHY WE CHOSE THIS ROUTE IS IN THE PAST WE'VE HAD ISSUES WITH COMPRESSION COMPRESSION WITHIN THE PAY SCALE COMPRESSION WITHIN THE DEPARTMENTS AND IT CAUSED A LOT OF EMPLOYEES TO PERCEIVE THE

IMPLEMENTATION AS UNFAIR AND ONE OF THE WAYS WE WENT BACK AND LOOKED AT IT WAS SAYING IN THE PAST THERE HAVE BEEN STEP TO STEP IMPLEMENTATIONS IN WHICH IT HAS A SMOOTH TRANSITION INTO THE WORKFORCE SO THAT'S OUR RECOMMENDATION FOR THIS PAY PLAN UPDATE AND IT DOES COVER A VAST ARRAY OF POSITIONS I BELIEVE THERE'S A OVER A THOUSAND CLASSIFICATIONS OR POSITIONS COVERED BY THIS PAY PLAN NOT ALL OF THEM ARE IN USE WE HAVE A BIT OF WORK AHEAD OF US AT DOA TO KIND OF SHORE THAT LIST UP BUT WITHIN THAT IT COVERS OVER THREE THOUSAND EMPLOYEES UNDER THE GENERAL PAY PLAN SO YOU KNOW IN THESE YOU HAVE YOUR REGULATORY TYPE POSITIONS YOU HAVE YOUR SCIENCE POSITIONS YOUR BIOLOGISTS YOUR CHEMISTS YOU HAVE YOUR ADMINISTRATIVE POSITIONS EVERY OTHER POSITION THAT IS NOT BASICALLY A NURSE THAT IS NOT LAW ENFORCEMENT AND THAT IS NOT A AN EDUCATOR SO THAT'S HOPEFULLY THAT ANSWERS SOME OF THE QUESTIONS ON WHO'S INCLUDED AND THE SIMPLEST WAY WE CHOSE TO GO ABOUT TRYING TO IMPLEMENT THIS IS TO JUST GIVE THEM A STRAIGHT SLOTTING INTO THE NEW PAY SCALE.

DOA – DIRECTOR BIRN: THE PEOPLE IN THIS PAY PLAN SUPPORT THE GOVERNMENT THE PEOPLE IN THIS PAY PLAN SUPPORT THE LAW ENFORCEMENT PERSONNEL THEY SUPPORT THE NURSES AND THEY SUPPORT THE TEACHERS GOVERNMENT WON'T OPERATE WITHOUT THESE THESE HARD-WORKING EMPLOYEES SO THIS PLAN SEEKS TO CORRECT THE LONG-STANDING ANOMALY THAT'S EXISTED BECAUSE WE WERE UNABLE TO PAY AS I SAID BECAUSE OF THE FISCAL DISTRESS WE'RE ABLE TO DO SO NOW SO WE'VE BROUGHT FORWARD THIS PLAN AND WE'RE ASKING FOR THIS BODY'S APPROVAL FOR THE FUNDING FOR IT WE WANT TO START PAYING FROM APRIL 1ST WHICH IS ONLY IN A FEW DAYS SO WE'RE SEEKING APPROVAL FOR SIX MONTHS OF THE REMAINING BUDGET FISCAL TWENTY THREE YEAR TO PAY THIS PLAN AND THEN GOING FORWARD THESE PAY RATES WILL BE INCLUDED IN THE ANNUAL BUDGET THAT'S SUBMITTED TO THIS BODY FOR APPROVAL WHICH WILL BE IN AUGUST SO WE THANK YOU FOR THE CONSIDERATION TO THIS WE FEEL AS THIS IS CRITICAL TO KEEP THE GOVERNMENT OPERATING AT THE LEVEL THAT IT IT CAN OPERATE AND SHOULD OPERATE.

SENATOR SHELTON: THANK YOU VERY MUCH MR BIRN AND MR NGATA NOW WE'LL GO BACK TO THE QUESTION FIRST ROUND OF QUESTIONS SENATOR PEREZ YOU'RE RECOGNIZED.

SENATOR PEREZ: THANK YOU MADAM CHAIR SO JUST TO CLARIFY DO THE AUTONOMOUS AGENCIES QUALIFY FOR THE TWENTY TWO PERCENT INCREASE .

DOA – DIRECTOR BIRN: THIS PLAN DOES NOT APPLY TO THE AUTONOMOUS AGENCIES.

SENATOR PEREZ: OKAY AND THEN I'VE ALSO HEARD THAT SO I MEAN THAT'S GOOD TO KNOW BECAUSE DEFINITELY YOU WANT TO ADDRESS THE INEQUITIES RIGHT WE ALWAYS HEAR ABOUT THE YOU KNOW AUTONOMOUS AGENCIES ATTRACTING YOU KNOW THE MORE EXPERIENCED WORKERS FROM LINE AGENCIES.

DOA – DIRECTOR BIRN: YES SENATOR.

SENATOR PEREZ: AND SO THAT'S GOOD TO HEAR IN REGARDS TO I'VE ALSO HEARD ABOUT HOW SOME LINE AGENCIES PAY MORE FOR THE SAME JOB IN FACT THEY PAY MORE FOR LESS IT'S IT'S A I'VE HEARD BASICALLY I'VE HEARD THAT THE SAME POSITION BUT ONE DOES MORE THAN THE OTHER AND THEY GET PAID MORE WITH LESS WORK IS THERE ANYTHING TO ADDRESS THAT INEQUITY WITHIN THE LINE AGENCIES.

DOA – DIRECTOR BIRN: I'M ACTUALLY NOT SURE WHAT YOU'RE REFERRING TO BUT MAYBE SHANE YOU DO KNOW.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: I THINK IF WE KNEW SPECIFICALLY GENERALLY ALL POSITIONS THAT HOLD THE SAME PAY GRADES OUTSIDE OF THOSE THAT HAVE DIFFERENTIALS FOR INSTANCE THE SOCIAL WORKERS AT CPS DO HAVE A DIFFERENTIAL SPECIFIC TO BEING AT CPS SO IN THAT CASE YES MAYBE BUT THEIR BASE PAY BASED ON THEIR PAY GRADE WILL BE THE SAME SO IF THEY HAVE THE SAME PAY GRADE THEY SHOULD HAVE THE SAME BASE PAY YEAH.

SENATOR PEREZ: OKAY THANK YOU FOR THAT SO FOR THOSE THAT ARE HIRED ABOVE STEP SO THIS WOULD ALSO GIVE THEM THE BUMP IN PAY BECAUSE IS THE THE INCREASE TIED TO THE POSITION.

DOA – DIRECTOR BIRN: THE INCREASE IS TIED TO THE BASE PAY OF THE POSITION YES.

SENATOR PEREZ: SO PEOPLE WERE HIRED ABOVE STEP WOULD GET THE INCREASE AS WELL.

DOA – DIRECTOR BIRN: YES.

SENATOR PEREZ: OKAY IN REGARDS TO SO JUST TO CLARIFY SO WE IN YOUR IN YOUR SUBMISSION THE COMPETITIVE WAGE ACT SO EVERYTHING LISTED HERE HAS BEEN INCREASED TWENTY TWO PERCENT FOR SO FOR L1 L2 L3 SO ALL OF THOSE IN THAT TABLE HAS BEEN INCREASED TWENTY TWO PERCENT ACROSS THE BOARD.

OA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: YES SENATOR THAT'S CORRECT.

SENATOR PEREZ: OKAY IS UNCLASSIFIED ALSO COVERED.

OA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: THERE ARE SOME UNCLASSIFIED POSITIONS THAT ARE COVERED THEY'RE FEW AND FAR BETWEEN MOST OF THE AND I GUESS SOME OF THE CLARIFICATION THAT'S NEEDED IS WE DO HIRE CLASSIFIED POSITIONS AS LIMITED TERM AND TEMPORARY APPOINTMENTS BUT THEY'RE IN THE UNCLASSIFIED SERVICE SO TO CLARIFY THE DIFFERENCE BETWEEN AN ACTUAL UNCLASSIFIED POSITION VERSUS A LIMITED TERM OR A TEMP APPOINTMENT EMPLOYEE IN UNCLASSIFIED SERVICE SO TO ANSWER THE QUESTION YES THERE ARE SOME THAT ARE INCLUDED BUT IT'S VERY FEW.

SENATOR PEREZ: SO I KNOW WE HAVE THE THE CUSTOMARY PRACTICE OF YOU KNOW FOR THOSE POSITIONS THAT ARE VACANT WE HIRE THOSE THAT RETIRE IS THAT ALSO INCLUDED IN THIS.

OA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: IF THEY'RE BEING HIRED IN A TEMPORARY STATUS TO A CLASSIFIED POSITION THEN YES THEY'RE INCLUDED AS WELL.

SENATOR PEREZ: SO LIKE WHEN TEACHERS RETIRE THEY COME THEY'RE OFTEN BROUGHT BACK TO FILL IN THE VACANCIES WOULD THEY GET THE INCREASE.

OA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: UNDER THE GENERAL PAY PLAN I I THINK ONE EXAMPLE IS A DEPARTMENT OF REVENUE AND TAXATION THEY GET THE ABILITY TO HIRE RETIREES IT WOULD COVER THEM AS WELL.

SENATOR PEREZ: OKAY ALL RIGHT THANK YOU SO YOU KNOW I KNOW THIS IS A HUGE YOU KNOW I GUESS MOVE FORWARD RIGHT YOU KNOW A LOT OF OUR WORKERS LIKE YOU SAID HAVE BEEN YOU KNOW CARRYING ON THE THE WORK OF THE GOVERNMENT AND NOT GETTING YOU KNOW THE INCREASES AND ESPECIALLY IN RESPONSE TO INFLATION NOW IT'S IT'S MUCH NEEDED SO I GUESS YOU KNOW ONE OF THE THE CONCERNS TOO IS PERHAPS YOU KNOW THE SUSTAINABILITY OF CAN WE SUSTAIN THIS BECAUSE I KNOW ONCE WE GIVE THE PAY RAISE WE WANT TO MAKE SURE WE CONTINUE AND NOT YOU KNOW TAKE AWAY FROM IT SO IS THAT SOMETHING WE CAN DO I MEAN I KNOW EITC IS REIMBURSED NOW THESE DAYS FOR IT BUT DO YOU FORESEE THIS AS A SUSTAINABLE.

DOA – DIRECTOR BIRN: YES SENATOR I ADDRESSED THIS IN THE PRESS RELEASE THAT WE ISSUED SHORTLY AFTER THE PAY PLAN WAS PUBLISHED THAT WE DO BELIEVE THAT THIS IS SUSTAINABLE WE DO BELIEVE THAT THE THE INCREASES THAT WE'VE SEEN IN TAX COLLECTIONS IS NOT A FLASH IN THE PAN IT'S BEEN SUSTAINED NOW FOR THREE YEARS WE'VE AS A RESULT OF THAT WE'VE ACHIEVED A SURPLUS IN THE GENERAL FUND AND WITH THE BUILD UP MILITARY BUILDUP THE AMOUNT OF CONSTRUCTION THAT'S GOING ON AND THEN WHEN THE CONSTRUCTION IS COMPLETE AND THE MARINES FOR WHOM THE CONSTRUCTION IS BEING MADE MOVED TO THE ISLAND PLUS OF COURSE THE ADDITIONAL WEALTH THAT THIS PLAN ITSELF CREATES WILL SUSTAIN A AN ONGOING ABILITY TO KEEP ON PAYING THESE THESE WAGES.

SENATOR PEREZ: SO ONE OF THE CONCERNS I HAVE SO IT'S YOU PASSED OUT A DOCUMENT THAT SHOWS THE AMOUNT PER AGENCY WHAT WAS I GUESS ESTIMATED TO BE THE AMOUNT THAT'S NEEDED PER AGENCY FOR THE THE INCREASE SO IN GUAM EPA THEY'RE ONLY THERE'S ONLY TWENTY SEVEN THOUSAND I KNOW THEY HAVE MORE WORKERS THAN THAT TWENTY SEVEN FOR THE WHOLE AGENCY AS FAR AS A TWENTY TWO PERCENT INCREASE HOW.

DOA – DIRECTOR BIRN: YES SENATOR THIS SCHEDULE THAT YOU'RE REFERRING TO ONLY INCLUDES THE SALARIES THAT ARE PAID UNDER THE LOCAL FUNDS THERE'S A NUMBER OF EMPLOYEES AND EPA IS IS CERTAINLY ONE OF THOSE THAT ARE PAID WITH FEDERAL FUNDS THAT'S NOT ACCOUNTED FOR IN THIS BECAUSE THEY THEY DON'T HAVE TO BE BUDGETED FOR AND THAT'S WHAT THIS THIS PARTICULAR SCHEDULE WAS MEANT TO ADDRESS.

SENATOR PEREZ: SO THAT'S ONE OF THE PROBLEMS BECAUSE THEY TEND TO HAVE A STATUS QUO BUDGET AND SO EVERY YEAR THEY'RE TAKING MONEY AWAY FROM THAT GRANT THEY'RE CONSOLIDATED GRANTS TO TO FUND THEIR SALARIES WHICH MEANS LESSON OPERATIONS YOU KNOW I THINK THAT'S A PROBLEM BECAUSE THAT MEANS LESS CAPACITY LESS ABILITY AND ESPECIALLY EPA THEY HAVE A CRITICAL SHORTAGE OF WORKERS THEY'RE THEY'RE YOU KNOW TRYING TO RECRUIT PEOPLE AND RETAIN PEOPLE THEY'VE STATED IN MANY PUBLIC HEARINGS MANY ENGAGEMENTS THAT WE HAD THAT THEIR WORKERS ARE GETTING POACHED RIGHT THEY'RE GETTING POACHED FROM YOU KNOW FEDERAL GOVERNMENT FOR INSTANCE WHICH CAN PAY DOUBLE PRIVATE SECTOR AND SO I THINK YOU KNOW WHAT IF WE'RE GOING TO PRIORITIZE YOU KNOW THIS CRITICAL AGENCY I THINK IT'S A PROBLEM THAT WE'RE YOU KNOW WE'RE BASICALLY COMPOUNDING THE PROBLEM FOR THESE AGENCIES TO FUNCTION AND SO I HAVE A CONCERN ABOUT HOW WE'VE DISMISSED THE ACTUAL ESTIMATE WHICH I GOT TO BE ROUGHLY ABOUT HALF A MILLION DOLLARS FOR THE YEAR BUT IT'LL BE TWO HUNDRED FIFTY FIVE THOUSAND FOR THE SIX MONTHS UNTIL THE END OF THIS BUDGET CYCLE CAN DOA COMMIT TO YOU KNOW FIXING THIS ISSUE BECAUSE YOU KNOW WE'RE DE-PRIORITIZING AN AGENCY THAT'S CRITICAL TO OUR ISLAND.

DOA – DIRECTOR BIRN: IT'S LET ME BE PRETTY CLEAR THAT WE'RE NOT SUGGESTING AND THE GENERAL PAY PLAN CERTAINLY DOESN'T CONTEMPLATE THAT FEDERALLY FUNDED EMPLOYEES WON'T ALSO RECEIVE THIS INCREASE THAT CERTAINLY NOT THE CASE FEDERAL FUNDING EMPLOYEES WILL RECEIVE THIS INCREASE AGENCIES THAT ARE CONCERNED ABOUT THEIR GRANTS NOT COVERING THIS NEED TO NEED TO RETURN TO THEIR GRANTER AND EXPLAIN THAT THIS IS A GENERAL PAY PLAN THE FEDERAL GOVERNMENT HAS NEVER YET NOT COVERED INCREASES AS THE GENERAL PAY PLAN AND AS I EXPLAINED EARLIER THE FEDERAL GOVERNMENT ITSELF PAYS PAY INCREASES TO THEIR EMPLOYEES SO THEY'RE COMMITTED TO PAY THESE INCREASES TO THE FEDERALLY FUNDED EMPLOYEES IN THE AGENCIES THAT THEY FUND EPA IS ONE OF THEM CERTAINLY MOST OF THE FEDERALLY FUNDED EMPLOYEES ARE IN PUBLIC HEALTH AND WITH ARE ARMED

WITH THIS INFORMATION AND OF COURSE IT DOES REQUIRE THIS BODY TO FUND THE LOCAL EMPLOYEES BUT EACH AND EACH AGENCY WILL GO BACK TO THEIR GRANTER TO MAKE SURE THAT THE FEDERALLY FUNDED EMPLOYEES ARE FULLY FUNDED AND THAT THERE'S NO IMPACT ON THEIR OTHER PROGRAMS.

SENATOR PEREZ: OKAY SO I GUESS THIS IS SOMETHING WE CAN CONTINUE THE DISCUSSIONS BUT I THINK ONE OF THE CONCERNS IS THAT SO WE IN IN THE LAST LEGISLATURE WE DID DID A BILL TO ALLOW THEM TO HAVE BUILD THEIR HEADQUARTERS AND SO THE CONCERN WAS THAT THEY MAY NOT BE THEY MAY HAVE TO DETRACT FROM THAT FUNDING TO GO TOWARDS THE PAY RAISES AND SO THAT'S ONE OF THE CONCERNS THAT I HAVE THAT YOU KNOW WE WANT TO ENSURE THAT THEY YOU KNOW THEY'RE ABLE TO BUILD THEIR CAPACITY AND I JUST WANT TO PUT THAT ON THE RECORD AND WE'LL DEFINITELY YOU KNOW COMMUNICATE WITH THEM FURTHER.

DOA – DIRECTOR BIRN: YES SENATOR AND OF COURSE YOU KNOW THE PURPOSE OF THIS PAY PLAN IS TO PAY THE INCREASE TO THOSE EMPLOYEES TO RETAIN THEM YOU KNOW IF WE'RE LOSING THEM BECAUSE WE'RE NOT PAYING THE ENHANCED SALARIES THIS CERTAINLY WILL IS DESIGNED TO TO HELP PREVENT THAT.

SENATOR PEREZ: OKAY APPRECIATE YOUR RESPONSES AND THANK YOU SO MUCH THANK YOU MADAM CHAIR.

SENATOR SHELTON: THANK YOU SENATOR PEREZ SENATOR BROWN.

SENATOR BROWN: THANK YOU VERY MUCH MADAM CHAIR YOU KNOW DIRECTOR BIRNS IF I LISTEN TO YOU THE WORLD IS WONDERFUL AND I THINK THAT WOULD BE A NICE PLACE TO BE BUT YOU KNOW YOU SAID THAT THE YOU BELIEVE THAT THESE INCREASES OF REVENUE CAN BE SUSTAINED SO I WOULD LIKE TO ASK OUR FINANCE OFFICE TO AT LEAST PROVIDE US AT LEAST THE LISTING OF THE THE AMOUNTS OF REVENUE AND EXPENDITURES FOR AT LEAST THE LAST TEN YEARS BECAUSE WE THINK WE'D LIKE TO SEE THAT TREND BECAUSE UP UNTIL THREE YEARS AGO WITH THIS PANDEMIC THE ONLY OTHER TIME I RECALL AT LEAST IN MY TIME IN GOVERNMENT THAT THE REVENUES EXCEEDED THE EXPENDITURES WAS DURING THE ADA BLAS ADMINISTRATION EVERY YEAR SINCE THEN WE PRETTY MUCH HAVE HAD TO ADDRESS A JUGGLING ACT FINANCIALLY TO COVER THE INCREASED COST OF GOVERNMENT AND I CERTAINLY WOULD NOT WANT TO SEE IN ANY WAY THAT WE PUT THIS PAY PLAN IN PLACE AND THEN WE END UP IN A SITUATION WHERE A YEAR OR TWO OR THREE FROM NOW WE CANNOT PAY IT YOU'RE ALLUDING THAT IF WE HAVE THE MILITARY BUILDUP ONCE THE CONSTRUCTION IS COMPLETED THAT THE REVENUES FROM THE ADDITIONAL INCREASED PRESENT SOMEHOW IS GOING TO COVER ALL THESE COSTS SO I'D ALSO LIKE TO ASK THE FINANCE OFFICE BECAUSE A NUMBER OF PAY INCREASES IS ON WHAT WE DETERMINED TO BE VERY CRITICAL POSITIONS FOR OUR NURSES OUR DOCTORS I MEAN OUR YOU KNOW LET'S GO DOWN THE LIST OF PRIORITIES OUR POLICE OFFICERS I'D ALSO LIKE TO HAVE THOSE FIGURES PROVIDED IF WE CAN TOMORROW SO CAN ACTUALLY LOOK AT HOW MUCH WE'VE INCREASED THE ACTUAL COST OF GOVERNMENT IN THOSE CASES I THINK WE COULD SAY WE DETERMINE THOSE TO BE THE MOST CRITICAL POSITIONS BECAUSE THAT'S WHAT OUR PEOPLE WANT TO SEE PRIORITIZED OUR TEACHERS LAW ENFORCEMENT THE GENERAL PAY PLAN YOU YOU PROJECTED YOU'RE SEEING ESSENTIALLY THAT THIS IS TO RETAIN EMPLOYEES BUT I THINK THE CHALLENGE IS YOU KNOW CERTAINLY FROM MY PERSPECTIVE IS WHAT WE LOOK AT AS MOST CRITICAL POSITIONS AND HOW DO WE MAINTAIN CRITICAL POSITIONS WE CONTINUE TO COMPARE THE FEDERAL GOVERNMENT WE'RE NOT THE FEDERAL GOVERNMENT WE HAVE NOWHERE NEAR THE RESOURCES OF THE FEDERAL GOVERNMENT AND IN SOME CASES WE'RE PROBABLY GOING TO CONTINUE TO LOSE CERTAIN POSITIONS TO THE FEDERAL GOVERNMENT BECAUSE THEY HAVE FAR MORE RESOURCES THAN WE HAVE YOU'RE INDICATING THAT YOU KNOW OVER THE LAST THREE YEARS THAT WE'VE HAD THIS INCREASED REVENUE AND WHAT DO YOU ATTEST THAT INCREASE TO ALL OF A SUDDEN AFTER ALL THESE MANY YEARS THE LAST THREE YEARS WHAT DO YOU WHAT DO YOU CONSIDER THOSE INCREASES OF REVENUE COMING FROM ALL OF A SUDDEN WHAT'S CHANGE THAT WE HAVE ALL THIS MONEY THAT WE'RE SWIMMING IN.

DOA – DIRECTOR BIRN: WELL THANK YOU SENATOR I'M NOT ONE NECESSARY WITH A REPUTATION FOR THINKING EVERYTHING IS IS WONDERFUL YOU SHOULD ASK MY MY STAFF IN THE IN THE AGENCY I'M I'M NOT OVER OPTIMISTIC I TRY TO BE REALISTIC SO IN RESPONSE TO YOUR YOUR QUESTION ABOUT WHY HAVE WE MANAGED TO TURN AROUND THE FISCAL DIFFICULTIES THAT THE GOVERNMENT FELL INTO I THINK THERE'S SEVERAL FACTORS THE FIRST ONE OF COURSE IS WE'VE MANAGED TO HAVE THE FEDERAL GOVERNMENT PAY OUR EITC AND CTC PAYMENTS TO HELP FUND OUR TAX REFUNDS ALWAYS A DRAIN ON GOVERNMENT FUNDING ALWAYS A CONCERN FOR CASH MANAGEMENT AT DOA IS HOW DO WE PAY THESE REFUNDS WE DON'T HAVE THAT PROBLEM IN THE SAME WAY NOW BECAUSE THOSE PAYMENTS AND THEY AMOUNT TO LIKE HUNDRED TWENTY MILLION IF YOU ADD TOGETHER THE CTC AND EITC PAYMENTS THOSE PAYMENTS ARE FUNDED BY THE FEDERAL GOVERNMENT ECONOMIC ACTIVITY HAS ALSO INCREASED AND THAT CAN BE SEEN IN THE TWO FACTORS THAT BBMR OFTEN POINT TO WHEN YOU LOOK AT OUR OUR REVENUES IN THE CRER ONE IS THE INCREASE IN TAX WITHHOLDINGS TAX WITHHOLDINGS ARE PAID BY EMPLOYERS WHO EMPLOY STAFF WHO HAVE THE WITHHOLDINGS HELD BACK FROM THEIR WAGES SO THAT IS A FAIRLY GOOD INDICATOR THAT WAGES PRIVATE SECTOR WAGES AND OF COURSE THERE'S SOME PUBLIC SECTOR WAGES IN THE WITHHOLDINGS TOO BUT AND AND OBVIOUSLY THE INCREASES THAT WE'VE BEEN ABLE TO PAY TO THOSE OTHER GOVERNMENT EMPLOYEES HAS HELPED IN THAT RESPECT ALSO BUT THE BUT THOSE HAVE INCREASED AND ALSO BPT HAS INCREASED WHICH MEANS SPENDING HAS INCREASED I I SEE AND I DON'T HAVE ANY INFORMATION THAT WOULD LEAD ME TO THINK THAT THE TREND THAT WE'VE SEEN FOR THE LAST THREE YEARS IS SUDDENLY GOING TO CHANGE ESPECIALLY WITH THESE NEW FACTORS THAT I WAS TALKING ABOUT WHEN WE HAVE FEDERAL EMPLOYEES HERE WHEN WE HAVE THE MARINES HERE OUR SECTION THIRTY RECEIPTS WILL INCREASE BECAUSE THAT IS ONE OF THE SOURCES IS SECTION THIRTY.

SENATOR BROWN: HOW MUCH DO YOU ANTICIPATE SECTION THIRTY WILL INCREASE WITH THE SO-CALLED FIVE SO I GUESS NOW WE'RE GOING AROUND THE NUMBER OF WHAT WAS EIGHT NOW ABOUT FIVE THOUSAND MARINES TO BE STATIONED ON GUAM WHAT DO YOU CALCULATE THAT TO BE.

DOA – DIRECTOR BIRN: WELL WE HAVE JUST OFF THE TOP OF MY HEAD AND I HAVEN'T BEEN ABLE TO RESEARCH THIS TO FULLY TO ANSWER YOUR QUESTION BUT WE HAVE SOMETHING LIKE THREE THOUSAND EMPLOYEES FEDERAL EMPLOYEES OR FEDERALLY BASED EMPLOYEES THAT CONTRIBUTE TO THE SEVENTY MILLION PLUS AND I THINK WE'RE GOING TO GET A LITTLE BIT MORE SEVENTY MILLION PLUS SECTION THIRTY RECEIPTS SO WITH FIVE THOUSAND MARINES I DON'T ANTICIPATE EACH MARINE IS GOING TO BE PAID AS MUCH AS SOME OTHER FEDERAL EMPLOYEES BUT I DON'T SEE WHY WOULDN'T ALMOST DOUBLE THE AMOUNT OF SECTION THIRTY RECEIPTS.

SENATOR BROWN: SO YOU THINK IT'LL GO WHAT WHAT UP TO A HUNDRED FORTY MILLION WHAT DO YOU THINK IT'S GOING TO BE.

DOA – DIRECTOR BIRN: YES IT COULD BE HUNDRED TWENTY TO HUNDRED FORTY MILLION.

SENATOR BROWN: COULD BE AND YOU DON'T THINK THAT THE MAJOR CASH INFUSION FROM THE PANDEMIC HAS ELEVATED OUR REVENUES.

DOA – DIRECTOR BIRN: WELL IT'S CERTAINLY STIMULATED SPENDING OF COURSE IT HAS.

SENATOR BROWN: WELL.

DOA – DIRECTOR BIRN: BUT BUT AS I SAID THE WE'VE HAD THE THE HUNDRED TWENTY MILLION THAT IS THAT AROSE FROM THE PANDEMIC IS AN ONGOING COMMITMENT IT DOESN'T END WHEN ARPA FUNDS END AND WE HAVEN'T YET EVEN SEEN THE IMPACT OF THE INFRASTRUCTURE SPENDING YOU KNOW THERE'S A LARGE AMOUNT OF INFRASTRUCTURE FUNDING THAT IS FUNDED BY THE FEDERAL GOVERNMENT SO I I CERTAINLY DON'T AND I'D BE VERY INTERESTED TO HEAR IF THERE WERE FIGURES THAT WOULD CONTROVERT THAT BUT I CERTAINLY DON'T THINK THAT FOR THE FORESEEABLE FUTURE THAT THAT FEDERAL SPENDING AND ECONOMIC ACTIVITY IS SUDDENLY GOING TO DECLINE CERTAINLY NOT ENOUGH TO JUSTIFY NOT PAYING THESE THESE EMPLOYEES THAT HAVE BEEN WORKING FOR THE LAST TEN YEARS AND NOT RECEIVING AN INCREASE.

SENATOR BROWN: WELL I'D LIKE TO LOOK AT SPECIFIC FIGURES THOUGH I MEAN HOW MUCH MONEY ARE WE TALKING ABOUT BECAUSE I MEAN YOU TALK ABOUT THE EITC AND WE WERE LOOKING AT WHAT ANNUALLY WE PAID ABOUT SIXTY MILLION DOLLARS A YEAR THESE PROPOSED INCREASES RIGHT NOW WOULD ESSENTIALLY EAT ALL THAT UP BECAUSE WE'RE ONLY LOOKING WHAT ARE THE REMAINING SIX MONTHS OF THE FISCAL YEAR AND THIS BILL WENT FROM SIXTEEN MILLION NOW TO TWENTY ONE MILLION.

DOA – DIRECTOR BIRN: YES SENATOR I JUST MENTIONED THAT THE EITC AND CTC PAYMENTS TOGETHER ARE ABOUT A HUNDRED TWENTY MILLION.

SENATOR BROWN: YES WELL I UNDERSTAND BUT I I MEAN I THINK I'D LIKE TO LOOK AT ACTUAL FIGURES RATHER THAN WE WE ANTICIPATE ECONOMIC ACTIVITY I MEAN WE WE KNEW THAT AT THE END OF OUR PREVIOUS ADMINISTRATION THAT YOU WERE A MEMBER OF WE ANTICIPATED THE NEXT TEN PLUS YEARS THAT WE WOULD SEE THE INCREASE OF OF FEDERAL ACTIVITY ON GUAM THAT CERTAINLY WOULD BE A BENEFIT BUT HOW MUCH ARE WE TALKING ABOUT BECAUSE WHEN YOU GET TO DOLLARS AND CENTS WE'RE LOOKING AT SPECIFIC INCREASES THAT ARE GOING TO ADD ON INDEFINITELY TO THE GOVERNMENT OF GUAM COST AND TO THE TAXPAYER BASE AND IF DECISIONS ARE MADE TO ROLL BACK THE BPT BECAUSE THEY'RE KIND OF YOU KNOW THERE ARE MEMBERS HERE OF THIS LEGISLATURE THAT WHEN THEY WERE RUNNING FOR OFFICE LAST YEAR PROMISED THAT PART OF THEIR AGENDA WAS TO ROLL BACK THE BPT AND THAT'S GOING TO TAKE A SIGNIFICANT CHUNK ASSUMING THAT IT WERE TO PASS SO I MEAN HOW MUCH MONEY ARE WE ACTUALLY TALKING IN DOLLARS AND CENTS BECAUSE WHEN YOU INCREASE COSTS BY MILLIONS NOT JUST BY A FEW MILLION BY FIFTY SIXTY MILLION ON TOP OF YOU KNOW LIKE I'D LIKE TO HAVE OUR FINANCE OFFICE REPORT HOW MUCH WE'VE INCREASED THE BUDGET JUST WITH INCREASES LAST YEAR MOVING FORWARD HOW MUCH ARE THE DOLLARS AND CENTS TO THAT BECAUSE WE LIKE TO SEE WHAT HOW DOES IT ADD UP BECAUSE WE'VE BEEN IN SITUATIONS TIME AND TIME AGAIN WE HAVE EMPLOYEES BUT THEN THEY'LL COME BACK AND REPORT THEY DON'T HAVE THE RESOURCES TO DO THEIR JOB BECAUSE THERE'S NO FUNDING FOR THEIR EQUIPMENT SUPPLIES AND OTHER THINGS THAT THEY NEED TO OPERATE AND THE PUBLIC ITSELF WANTING TO SEE YOU KNOW GREATER IMPROVED SERVICE OUT IN THE COMMUNITY I MEAN THERE'S THERE'S DEATH DEFINITELY A NEED TO SEE HOW ALL THAT MONEY IS GOING TO ADD UP INTO IMPROVED SERVICES OUT IN THE COMMUNITY SO IT WOULD BE NICE TO KNOW WHAT THOSE ANTICIPATED FIGURES ARE BECAUSE I'VE LIVED IN A TIME HERE WHERE MOST YEARS WE'VE NOT HAD THAT REVENUE AND IF WE ARE RELYING ON UNCLE SAM BECAUSE IT DOESN'T SOUND VERY IMPORTANT I GUESS FOR THE PRIVATE SECTOR OUT THERE THAT THAT'S STILL STRUGGLING IN THE TOURISM INDUSTRY DOESN'T SOUND LIKE IT MATTERS WHETHER THEY EXIST OR NOT BECAUSE IT SOUNDS LIKE WE'RE GOING TO BE RELIANT ON UNCLE SAM TO PICK UP THE TAB SO BE GOOD TO HAVE SPECIFIC DOLLARS AND CENTS OF WHAT YOU'RE LOOKING AT WITH THE INCREASED MILITARY ACTIVITY THAT YOU ASSUME IS GOING TO CONTINUE AFTER THE BASE IS COMPLETED.

DOA – DIRECTOR BIRN: THE ESTIMATED ANNUAL COSTS FOR THE PAY ADJUSTMENTS ARE SET FORTH ON ON PAGE 14 SO IT'S NOT AN UNKNOWN SO IT'S NOT AN UNKNOWN NUMBER.

SENATOR BROWN: I'M TALKING AGAIN I'M NOT TALKING ABOUT THE ANTICIPATED AMOUNTS OF THE INCREASE THAT IS BEING LOOKED AT HERE I'M TALKING ABOUT THE REVENUE.

DOA – DIRECTOR BIRN: WELL I DON'T HAVE DEFINITE AMOUNTS OF OF EXPECTED ECONOMIC ACTIVITY I'VE GIVEN YOU SOME EXAMPLES OF ADDITIONAL REVENUES THAT THE GOVERNMENT HAS BEEN ABLE TO BRING IN BECAUSE OF CHANGES IN CONDITIONS MOST OF WHICH ARE PERMANENT CHANGES LIKE THE THE HUNDRED TWENTY MILLION THAT I MENTIONED BEFORE I DON'T THINK IT'S UNREASONABLE TO SUSPECT OR EVEN OR EVEN ESTIMATE THAT FIVE THOUSAND PEOPLE FIVE THOUSAND ADDITIONAL PEOPLE LIVING ON THIS ISLAND IS NOT GOING TO BRING SOME BENEFIT TO THE LOCAL ECONOMY.

SENATOR BROWN: I UNDERSTAND BUT AGAIN I THINK IT'S ALL HYPOTHETICAL BECAUSE I WOULD LIKE TO KNOW WHAT THOSE FIGURES ARE WHAT ARE WE ANTICIPATING IN ACTUAL DOLLARS AND CENTS BECAUSE WHEN WE WE APPROVE THESE INCREASES ON TOP OF ALL THE OTHER INCREASES ON TOP OF THE OTHER ANNUAL INHERENT INCREASES THAT COME WITH GOVERNMENT EVEN IF WE DON'T ADD ANOTHER ANOTHER PERSON TO THE LIST THAT COST GOES UP AND THERE'S A VERY DEFINITE COST TO WHAT THAT IS SO BE NICE TO KNOW WHETHER THAT'S GOING TO EQUATE TO WHAT YOU MAY ANTICIPATE WE MAY BE GAINING IN REVENUE BECAUSE THERE'S GOING TO BE A SPECIFIC DOLLAR AMOUNT THAT'S GOING TO HAVE TO BE MET IN ORDER TO MEET ALL THESE ADDITIONAL COSTS THAT ARE ADDING BECAUSE THIS IS UNPRECEDENTED IN THE HISTORY NOT SO MUCH ABOUT THIS PAY INCREASE BUT THE INCREASES THAT HAVE BEEN ADDED OVER THE LAST SEVERAL YEARS IN THE GOVERNMENT'S UNPRECEDENTED AT THIS LEVEL NOT TALKING A FEW YOU KNOW MILLION DOLLARS HERE WE'RE TALKING THIRTY FORTY FIFTY SIXTY SEVENTY EIGHTY NINETY A HUNDRED MILLION DOLLARS ADDING ON AS IF IT'S NOTHING SO FROM OUR PERSPECTIVE CERTAINLY FOR MINE IN IN APPROVING INCREASES I I WANT TO MAKE SURE THAT WE'RE NOT IN THE SAME SITUATION AND COMING UP SHORT ESPECIALLY TO SEE MOST RECENTLY I MEAN IF WE'VE BEEN A TIME OF PLENTY I MEAN THE FACT THAT OUR SCHOOL SYSTEM HAS BEEN DETERIORATING TO THE LEVEL THAT OUR CHILDREN DON'T EVEN HAVE A SAFE ENVIRONMENT WHILE ALL THIS MONEY'S BEEN FLOATING AROUND I MEAN THAT'S THE KIND OF STUFF I KNOW MEMBERS OF OUR PUBLIC YOU KNOW RAISE A BIG QUESTION MARK SO WHILE WE ANTICIPATE THESE THINGS I MEAN IF WE DON'T HAVE SPECIFIC FIGURES OF WHAT THAT'S GOING TO CALCULATE AND WHAT THAT'S GOING TO BE THEN THAT'S JUST A LITTLE CONCERNING TO ME AND MOVING FORWARD WITH THESE HUGE AMOUNTS OF OBLIGATIONS WHICH EVERYTHING IN THE KITCHEN SINK LITERALLY GETS THROWN IN WHETHER IT'S VIEWED AS A PRIORITY OR NOT AND THAT THAT'S THE CONCERN THAT I HAVE WITH REGARDS TO EVERYBODY WITHOUT SPECIFIC AMOUNTS.

DOA – DIRECTOR BIRN: SENATOR EVERY BUDGET IS AN ESTIMATE.

SENATOR BROWN: I UNDERSTAND BUT IT'S BASED AT LEAST ON AN ESTIMATE OF WHAT IS WHAT YOU ANTICIPATE A PREVIOUS REVENUES COMING IN BUT IF WE'RE GOING TO DETERMINE OUR FUTURE MOVING FORWARD FOR THE NEXT UPTENTH YEAR IS INFINITUM ON THE LAST THREE YEARS AND YOU KNOW I GOTTA WONDER ABOUT THAT I DON'T KNOW THAT THAT'S NECESSARILY GOING TO BE THE CASE AND THAT'S THE CONCERN I DON'T LIKE MAKING OBLIGATIONS THAT I CANNOT PAY I DON'T DO THAT IN MY OWN PERSONAL LIFE AND MY FINANCING I CERTAINLY DON'T WANT TO OBLIGATE THE PUBLIC AND AGAIN I UNDERSTAND THE IMPORTANCE OF GOVERNMENT EMPLOYEES DIRECTOR BIRNS MANY OF US HAVE ALL WORKED WITH GOVERNMENT EMPLOYEES OVER THE YEARS WE OURSELVES HAVE BEEN GOVERNMENT EMPLOYEES SO IT'S NOT THAT WE'RE UNSYMPATHETIC TO THAT BUT I ALSO WANT TO MAKE SURE MOVING FORWARD THAT WHEN WE WE OBLIGATE OUR PEOPLE TO THESE LARGE AMOUNTS THAT THERE'S GOING TO BE LARGE AMOUNTS OF REVENUE THAT WE HAVE AN IDEA OF WHAT THOSE AMOUNTS ARE THAT ARE GOING TO COVER THAT COST I WANT TO ASK A QUESTION ALSO BECAUSE YOU TALK ABOUT HOW THERE'S JUST BEEN NO YOU KNOW WE'VE NOT ADDRESSED THIS PAY PLAN BUT HAVE INCREMENTS BEEN PAID OUT TO GOVERNMENT OF GUAM EMPLOYEES OVER THE LAST THREE FOUR FIVE SIX SEVEN YEARS.

DOA – DIRECTOR BIRN: INCREMENTS HAVE BEEN PAID WHERE INCREMENTS HAVE BEEN EARNED YES.

DOA – DIRECTOR BIRN: SO I WANT TO CLARIFY THAT TOO BECAUSE I KNOW THAT QUESTION HAS BEEN RAISED WITH REGARDS TO MEMBERS BECAUSE I DON'T KNOW ABOUT YOU BUT I'VE HAD PEOPLE CALLING ME UP WITH THEIR QUESTIONS AND THEIR CONCERNS AND THE THINGS THEY WANT AND THE THINGS THEY DON'T WANT TO SEE WITH WHAT'S BEING PROPOSED AND THAT'S ONE OF THE THINGS THAT WAS BROUGHT UP I THINK WE DO NEED TO CLARIFY TO THE TAXPAYERS OUT THERE THAT INCREMENTS HAVE BEEN PAID AND GRANTED THEY'RE ON PERFORMANCE BUT THEY HAVE BEEN PAID AND THAT'S CALCULATED ACCORDING TO WHAT THEIR SALARIES ARE.

DOA – DIRECTOR BIRN: YES SENATOR BUT I WOULD POINT OUT THAT THOSE INCREMENTS HAVE STILL LEFT THE THESE EMPLOYEES WITH WAGES LESS THAN THE REFERENCE GROUP OTHERWISE YOU KNOW BECAUSE THERE'S.

SENATOR BROWN: AND WHAT IS THE REFERENCE GROUP DIRECTOR BIRNS HOW ARE WE REFERENCING HOW ARE WE DETERMINING THESE AMOUNTS WHO'S THE REFERENCE GROUP THAT THESE AMOUNTS ARE BEING DETERMINED BY OR TO.

DOA – DIRECTOR BIRN: IT'S SET FORTH IN THE PAY PLAN THE TWO HUNDRED AND THREE POSITIONS THAT WERE STUDIED.

SENATOR BROWN: AND HOW DO YOU MEASURE WHO ARE THESE POSITIONS BEING MEASURED AGAINST.

DOA – DIRECTOR BIRN: AS AGAIN IT'S SET FORTH IN THE PAY PLAN THAT IS BEING MEASURED AGAINST THEIR EQUIVALENT SALARIES THAT ARE BEING PAID TO THE PEOPLE.

SENATOR BROWN: THE PRIVATE SECTOR GOVERNMENT SECTOR.

DOA – DIRECTOR BIRN: THE SAME SAME POSITION THERE WAS SOME PRIVATE SECTOR INFORMATION TAKEN IN AND I'LL ASK SHANE TO TALK ABOUT THAT BUT THE PRINCIPAL REFERENCE GROUP IS PUBLIC SECTOR EMPLOYEES IN IN THE UNITED STATES IN IN THE IN THE AREAS THAT I JUST MENTIONED WHICH ARE NOT THE HIGH COST AREAS AND AS I ALSO MENTIONED THE THE DIFFERENCE BETWEEN THE THE SALARIES THAT ARE EARNED ON GUAM AND THE SALARIES THAT ARE EARNED IN THE MAINLAND IN SOME CASES ARE VERY VERY HIGH DO WE WANT TO ALLOW OR TO STAND BY AND WAIT FOR GOVERNMENT EMPLOYEES TO ABANDON THE CIVIL SERVICE AND GO TO THE MAINLAND SOME HAVE SOME HAVE A GOOD REASON FOR DOING SO BUT IT'S A DANGER YOU KNOW WE IN MY MIND IN MY MIND.

SENATOR BROWN: I KNOW DIRECTOR BIRNS YEAH YOU'RE SPEAKING IN GENERALITIES YOU'RE SPEAKING AS OF EVERY GOVERNMENT POSITION WOULD REQUIRE THAT AND I MEAN WHAT WHEN WE WHEN THE LEGISLATURE SOME OF THEM I DID NOT VOTE FOR BECAUSE I DIDN'T VOTE FOR THE LAST TWO BUDGETS PRIORITIZE WHAT THEY DETERMINED TO BE THE MOST CRITICAL OF POSITIONS THAT THEY WANTED TO FUND THERE ARE POSITIONS IN THE GOVERNMENT THAT WE'VE DETERMINED ARE THE MOST CRITICAL THAT WE WOULD SUPPORT SEEING THOSE TYPE OF INCREASES BUT YOU MAKE SUCH GENERALITIES AS IF EVERY POSITION IN THE GOVERNMENT IS IS CRITICAL AND NEEDED AND WE SHOULD PRIORITIZE THAT AND I APPRECIATE THE THE RELATION TO THE MAINLAND BUT WE'RE NOT THE MAINLAND WE'RE NOT GENERATING THE SAME LEVEL OF REVENUE THAT THE MAINLAND MAY GENERATE WHEN YOU'RE MAKING YOUR DETERMINATION SO.

DOA – DIRECTOR BIRN: SENATOR AS I SAID EARLIER WE CAN'T RUN THE GOVERNMENT WE CAN'T THESE THE WITHOUT THESE WITHOUT THESE

SENATOR BROWN: WE CAN'T I MEAN THE GOVERNMENT OF GUAM HAS OPERATED FOR GOODNESS MANY MANY MANY MANY MANY YEARS EVEN THROUGH THE SLIMMEST OF TIMES AND HAS STILL BEEN ABLE TO OPERATE SO I DON'T NECESSARILY AGREE WITH YOU.

DOA – DIRECTOR BIRN: WELL I GUESS I GUESS WE'LL HAVE TO.

SENATOR BROWN: THAT WE ARE HAVING MASSIVE EXODUS MASSIVE EXODUS OF EMPLOYEES BECAUSE I WOULD BE SUPPORTIVE DIRECTOR BIRNS A VERY A LOT OF THE THE LOWER PAYING POSITIONS OF THE GOVERNMENT OF GUAM THAT DEFINITELY I WOULD LIKE TO SEE THOSE POSITIONS INCREASE BUT I DON'T HAVE A LOT OF SYMPATHY AND I MYSELF HAVE BEEN ONE OF THEM FOR HIGH PAID POSITIONS THAT MAY NOT BE DETERMINED OR VIEWED BY MEMBERS OF THIS LEGISLATURE AS CRITICAL.

DOA – DIRECTOR BIRN: I WOULD LIKE TO ADDRESS ONE OF THE POINTS YOU MADE EARLIER ABOUT THE CONTINUING COMMITMENT AND I THINK AT LEAST TWO PEOPLE GOVERNMENT EMPLOYEES OF THE PUBLIC HEARING SAID THAT THEY WOULD RATHER BE PAID WHAT THEY'RE WORTH NOW EVEN IF IT MEANT THAT THEY WEREN'T PAID IN THE FUTURE I DON'T ANTICIPATE.

SENATOR BROWN: MY TIME IS UP AT THIS ROUND BUT I BEG TO DIFFER I THINK WHEN THE REALITY SETS IN I DON'T THINK THEY WOULD BE AS HAPPY IF THEIR SALARY WERE CUT IN A YEAR OR TWO BECAUSE THE REVENUE WAS NOT THERE.

DOA – DIRECTOR BIRN: WELL I CAN ONLY TELL YOU WHAT THEY SAID.

SENATOR BROWN: THANK YOU MADAM CHAIR FOR THE OPPORTUNITY TO ASK QUESTIONS AND COMMENT THANK YOU.

SENATOR SHELTON: THANK YOU SENATOR BROWN SENATOR LUJAN.

SENATOR LUJAN: THANK YOU MADAM CHAIR MR. BIRNS EARLIER YOU WERE SAYING THE SUSTAINABILITY OF THIS PAY PLAN WAS BASED ON SARGE CAN YOU MOVE THE CHAIR A LITTLE BIT SO I CAN SEE MR. BIRNS'S FACE YES THANK YOU VERY MUCH MR BIRNS YES EARLIER YOU WERE SAYING THE SUSTAINABILITY OF THE PAY PLAN WAS BASED ON A FEW THINGS THE EITC THE REIMBURSEMENT THE OR FINALLY THE EITC MILITARY BUILDUP AND THEN THE SUSTAINABILITY OF THAT IS AFTER THE MILITARY BUILDUP THE OF COURSE THE FIVE THOUSAND MARINES AND THE THE CONTINUATION OF COURSE OF OF THE THE BUILD UP AND FAMILIES COMING OUT HERE WITH THE MILITARY SIDE IS IS THAT WHAT I'M HEARING IS MY MY WHAT I HEARD CORRECT THAT THE SUSTAINABILITY IS IS BASED ON THAT.

DOA – DIRECTOR BIRN: SUSTAINABILITY IS BASED ON A NUMBER OF FACTORS AND YOU MENTIONED SOME OF THEM YES.

SENATOR LUJAN: OKAY OKAY LIKEWISE THE THE THE ROLLBACK OF THE GRT FROM FOUR TO FIVE PERCENT IS IS THE SUSTAINING OF THE THE GRT AT FIVE PERCENT IS THAT A A BIG FACTOR AS WELL.

DOA – DIRECTOR BIRN: THE GOVERNOR SAID IN HER STATE OF THE ISLAND ADDRESS THAT SHE DOES NOT RECOMMEND AND IT ISN'T HER POLICY TO REDUCE THE BPT.

SENATOR LUJAN: IT ISN'T HER POLICY.

DOA – DIRECTOR BIRN: NOT HER POLICY.

SENATOR LUJAN: NO NO I AND I'VE HEARD THE SAME THING BECAUSE I'VE I'VE PERSONALLY MET WITH HER AND SHE SAID IN ROLLING BACK THE GRT FROM FOUR TO FOUR TO FIVE PERCENT THAT WE'RE GOING TO LOSE IN EXCESS OF SIXTY MILLION DOLLARS IN IN GRT IN CONSTRUCTION THE PROBLEM I HAVE THERE IS THE THE OPA REPORT HAD JUST WAS JUST RELEASED I THINK WAS LAST WEEK A WEEK BEFORE WHERE IT SAYS THAT THE THE THE CAPTURE RATE AND MOST OF THE MOST OF THE GENERAL CONTRACTORS HAVE BEEN PAYING FOUR POINT ONE NINE PERCENT GRT BASED ON EXEMPTIONS AND THE UNFORTUNATE THING ABOUT THE EXEMPTIONS IS THAT THE UNVERIFIABLE THE SMALLER SUB SUB CONTRACTORS AS I'M GETTING NUMEROUS CALLS I'M SURE EVEN OUR COLLEAGUES HERE AS WELL THE SMALLER CONTRACTORS THAT DON'T HAVE THE EXEMPTIONS ARE PAYING AT FIVE PERCENT THE THE BIGGER CONTRACTORS THE THE GENERAL CONTRACTORS ARE MOSTLY PAYING FOUR POINT ONE PERCENT SO IF THE BURDEN OF OF OF OF THE GRT IS BASED ON THE SMALLER CONTRACTORS AT FIVE PERCENT AND THEY'RE THE ONES MAKING UP THE THE THE THE THE THE SIXTY MILLION VERSUS THE THE THE GENERAL CONTRACTOR THAT'S PAYING FOUR POINT ONE PERCENT AND LIKEWISE LIKEWISE AGAIN BECAUSE THE TECHNOLOGY AND I'D ASK THE THE OVERSIGHT CHAIR OF TECHNOLOGY TO CONDUCT AN OVERSIGHT REGARDING THE CAPTURE RATE BECAUSE UNFORTUNATELY REV AND TAX AND THE TECHNOLOGY WE HAVE RIGHT NOW ARE NOT ABLE TO TO ACCURATELY CAPTURE WHAT IS REALLY HAPPENING OUT THERE IN REGARDS TO TO TO TO MONIES THAT ARE BEING EXCHANGED AND AND CONTRACTS THAT THAT ARE OUT THERE AND THEY'RE ESTIMATING THE OPA IS ESTIMATING I THINK TO THE TUNE OF ABOUT TWENTY TWO MILLION DOLLARS THAT IS THAT IS SUSPECTED THAT IS NOT BEING COLLECTED AT THIS POINT FROM THE GENERAL CONTRACTOR MADAM MADAM CHAIR SITTING RIGHT NEXT TO YOU HER AND I AM SITTING IN THE TOURISM COMMITTEE SHE CHAIRS THE COMMITTEE YOU NEVER SAID IT SOUNDS LIKE WE'RE WRITING OFF TOURISM AT THIS POINT BECAUSE OF THE I MEAN THE THE NUMBERS ARE JUST NOT GOOD I MEAN THE PDN REPORT TODAY SAYS ARRIVALS UP SIX HUNDRED NINETY ONE PERCENT FROM LAST YEAR BUT STILL FIFTY NINE PERCENT DOWN FROM PRE-PANDEMIC FEBRUARY NUMBERS AND SO MY MY QUESTION TO YOU MR. BIRNS IS THIS SHOULD THE THE TOURISM SHOULD OUR NUMBERS JUST FLATTEN OUT AND NOT RETURN AND THERE'S AGAIN THERE'S SOME FOLKS OUT THERE THAT ARE SAYING I DON'T WE DON'T THINK THOSE NUMBERS ARE GOING TO RETURN I'M OPTIMISTIC I THINK THEY WILL BUT IF THOSE NUMBERS DON'T RETURN TO PRE-PANDEMIC NUMBERS IF TOURISM FLATTENS OUT WOULD WE STILL BE ABLE TO SUSTAIN THIS PAY PLAN BASED ON WHAT WE USED TO RELY ON A LOT FOR FOR OUR FUNDING.

DOA – DIRECTOR BIRN: THANK YOU SENATOR WE'RE ABLE FROM FROM THE NUMBERS THAT WE HAVE FROM THE CRER WHICH WAS I BELIEVE YOU GOT THE CRER EARLIER IN THE WEEK FOR THE FOR THE YEAR UP TO FEBRUARY THE NUMBERS DEMONSTRATE THAT WE CAN SUSTAIN IT AT THE TOURIST RATE WE'RE GETTING NOW SO I I SEE NO REASON WHY IT SHOULDN'T IN THE FUTURE YOU KNOW I WILL I WLL ALSO SAY THIS.

SENATOR LUJAN: SO EVEN IF IT DOESN'T RETURN WE STILL BE ABLE TO SUSTAIN IT AND THAT'S THE SCARY PART OF THAT THAT IS THE A BIG UNKNOWN WE KNOW WE HAVE A BIG MILITARY BUILDUP WE KNOW THEY'RE GOING TO CONTINUE TO COME WE KNOW WE'RE GOING TO HAVE MISSILE DEFENSE SYSTEMS OR THAT WE KNOW WE DON'T KNOW AGAIN WE'RE OPTIMISTIC WE'RE TRYING OUR DARNEST TO BE ABLE TO GET THE THE TOURISTS TO RETURN BUT AGAIN IF WE TURN INTO A BIG MILITARY INSTALLATION WOULD THEY COME HERE TO AND AND VISIT EIGHTEEN MISSILE DEFENSE SITES YOU KNOW YOU KNOW I DON'T KNOW SO SO THAT'S WHAT I'M SAYING THAT THAT PORTION OF IT AND AGAIN I MEAN OF COURSE YOU'RE NOT RELYING ON THOSE NUMBERS IT IT SOUNDS LIKE WE CAN GO AHEAD AND WRITE OFF TOURISM EVEN WITHOUT TOURISM LET'S TAKE AWAY TOURISM RIGHT NOW WE CAN SUSTAIN IT WITHOUT OUR TOURISM MARKET IS THAT WHAT YOU'RE SAYING.

DOA – DIRECTOR BIRN: WE CAN'T ANTICIPATE A DISASTER WHAT I'M SAYING IS TWO THINGS SENATOR ONE IS THAT THE NUMBERS THAT WE'VE BEEN ABLE TO GENERATE THE COLLECTIONS THAT WE'VE ABLE TO GENERATE AND YES THE THE PUBLIC AUDITOR SPOKE ABOUT SOME DIFFICULTIES AND COLLECTIONS OF BPT AND I THINK HE MENTIONED THAT IT WAS OF THE ORDER OF LIKE TWENTY MILLION.

SENATOR LUJAN: SOMETHING LIKE THAT YEAH.

DOA – DIRECTOR BIRN: THAT THAT HE THOUGHT.

SENATOR LUJAN: HE THOUGHT YES.

DOA – DIRECTOR BIRN: WAS A COST A COLLECTION THAT WE HADN'T BEEN ABLE TO COLLECT HE MENTIONED THAT BUT EVEN WITH THE CONDITIONS THAT WE'VE GOT NOW AND ASSUMING THAT NOTHING CHANGES RIGHT LIKE YOU SAY WE'RE ABLE TO SUSTAIN THIS PAY INCREASE NOW MAYBE WE SHOULD THINK OF IT THIS WAY YOU KNOW PAY THE AMOUNT WE PAY TO OUR EMPLOYEES IS A GOVERNMENT COST THE AMOUNT THAT WE PAY TO OUR VENDORS IS A GOVERNMENT COST WE WE HAVE WE TRY BUT WE ARE GENERALLY FACED WITH INCREASING COSTS FOR MATERIALS AND SUPPLIES AND AND STILL WE CAN SUSTAIN THAT PAYMENTS TO GOVERNMENT EMPLOYEES IS A GOVERNMENT COST AND IF WE DON'T PAY THOSE EMPLOYEES THE MARKET WORTH AND I I WOULD DISAGREE WITH SENATOR BROWN ON THIS WE WILL LOSE PEOPLE WE ARE LOSING PEOPLE AND WE WE DON'T WANT YOU KNOW YOU ASK US YOU YOU THE BODY HERE ASKS US TO UNDERTAKE CERTAIN TASKS THAT'S GETTING TO GET MORE AND MORE DIFFICULT IF WE DON'T HAVE THE EXPERTS ON

THOSE SUBJECTS RETAINED WITHIN THE GOVERNMENT SO IT'S A GOVERNMENT COST WE TRY AND ANTICIPATE THAT COST BOTH FOR MATERIALS AND SUPPLIES AND FOR THE COST OF EMPLOYING THE THE RIGHT PEOPLE IN IN THE GOVERNMENT.

SENATOR LUJAN: YEAH NO AND I UNDERSTAND I UNDERSTAND ALL THAT REASONING I'M JUST SAYING BECAUSE IT USED TO BE AGAIN A A YOU KNOW A MAJOR LEG OF A OF OUR ECONOMIC PROSPERITY HERE IN GUAM OUR SELF-SUSTAINABILITY BASICALLY WITH WITH THAT AND I'M HOPING WE'RE ABLE TO DO EVEN MORE WITH THAT BUT IT SEEMS LIKE NOW WE'RE RELYING MORE AND IT IS WHAT IT IS WE'RE LYING MORE ON ON ON ON THE FEDERAL SIDE YOU KNOW THE EITC WHICH IS GREAT BUT ALSO ON THE FEDERAL SIDE AND SO I AND AGAIN A SITTING IS MAYBE IN TOURISM HOW MUCH OF RELYING HOW MUCH ARE WE RELYING ON THIS IN REGARDS TO SUSTAINABILITY AND SHOULD AGAIN THE BOTTOM FALL OUT IN REGARDS TO THIS AND WE HAVE TO ANTICIPATE THAT AS WELL TO HAVE TO HAPPEN AND IF IF THE YOU KNOW AS YOU'RE SAYING IF THE NUMBERS REMAIN FLAT RIGHT NOW WE CAN STILL SUSTAIN IT BUT IF IT DECLINES IN MORE THE SUSTAINABILITY IS STILL THERE BASED ON WHAT YOU'RE SAYING IN REGARDS TO THE REVENUES THAT ARE COMING IN BASED ON FEDERAL CONTRACTS AND AND THE EITC WHAT I'M HEARING AS WELL AND I I CAN'T VERIFY I HAVEN'T BEEN ABLE TO VERIFY IS THIS AS WELL IS THAT THE THE BIDEN ADMINISTRATION IN REGARDS TO THEIR ECONOMIC PLAN BASICALLY IS IS TO REMOVE THE A COMPACT IMPACT REIMBURSEMENT NOW IF THAT SHOULD HAPPEN THAT PORTION THAT COMES TO GUAM WILL YOU KNOW HOW MUCH OF A DENT WOULD THAT PUT IN BASED ON ON THE REVENUES THAT THAT COME IN AS WELL BECAUSE THAT'S THAT'S PART OF OF OUR OF MONIES THAT WE RELY ON AS WELL.

DOA – DIRECTOR BIRN: WELL YEAH YES SENATOR IT'S BUT UNFORTUNATELY WE DON'T GET ANYTHING LIKE THE AMOUNT OF MONEY THAT WE NEED FROM.

SENATOR LUJAN: SURE

DOA – DIRECTOR BIRN: IT'S ONLY SOMETHING AROUND SIX OR SEVEN MILLION A YEAR WHEREAS WE BELIEVE IT ACTUALLY COSTS US MUCH MORE.

SENATOR LUJAN: NO NO I WE USED TO GET MORE THAN THAT.

DOA – DIRECTOR BIRN: YES.

SENATOR LUJAN: WE WE USED TO GET THAT MONEY NOW WE SHARE IT AMONGST THE OTHER ISLAND NATIONS BUT YOU KNOW AGAIN LOSING LOSING SIX MILLION DOLLARS IS SIX MILLION DOLLARS AND AGAIN YOU KNOW I MEAN THIS IS I'M JUST LOOKING AT ALL THESE THINGS THAT ARE ARE POSSIBLE SCENARIOS THAT WE MAY LOSE OR MAY EVEN EVEN WORSE A DECLINE ON ON ON REVENUES THAT WE USED TO RE RELY ON BUT YOU ALSO BUT NOW YOU'RE SAYING BASICALLY THAT THE THE SECTION THIRTY MONEY WILL INCREASE OF COURSE THE EITC THE COMING IN AND OVER THE BUILD UP AND THEN AFTER THE BUILD UP THE SUSTAINABILITY OF OF OF THAT SO BASICALLY THIS OUR OUR RELIANCE ON ON FUNDING IS BASED ON A THIS GIGANTIC FORTRESS BUILD UP HERE IN GUAM.

DOA – DIRECTOR BIRN: THAT'S YOU KNOW WHEN WE TALK TO THE RATING AGENCIES THEY ARE ALWAYS CONCERNED ABOUT OUR CONCENTRATION OF WEALTH FROM TOURISM AND FROM FROM THE MILITARY SIDE BUT THE MILITARY SIDE CERTAINLY HAS COMPENSATED FOR WHATEVER DIFFICULTIES WE ARE SUFFERING FROM ON ON TOURISM BUT ACTUALLY I THINK IT WAS TWO NIGHTS AGO WE WENT OUT TO EAT IN *TUMON* AND MY WIFE LOOKED UP AT THE NUMBER OF WINDOWS ALIGHT IN THE HYATT HOTEL AND ALMOST EVERY WINDOW HAD A LIGHT IN SO PERHAPS WE'RE NOT DOING SO BADLY.

SENATOR LUJAN: WELL I MEAN AND ONE OF THE THINGS TOO BECAUSE I KNOW IT COMES FROM CONSTRUCTION OR CONTRACTORS COMING BACK FROM OR FROM THE UNITED STATES LOOKING AT POSSIBLY BIDDING ON CONTRACTS HERE IN GUAM AND ONE OF THE THINGS THERE THAT THAT IS IS ACTUALLY DISSUADING THEM IN DOING AS SUCH IS IS THE HOUSING COMPONENT THAT THEY'RE GOING TO HAVE THE H2 WORKERS BUT AND THAT THAT'S ONE OF THE REASONS WHY I'M ASKING BECAUSE IF IN FACT TOURISM WERE TO DECLINE TO DECLINE A FLAT LINE OR EVEN JUST FOLLOW THE BOTTOM HERE THEY'RE GOING TO BE A LOT OF HOUSING HERE IN *TUMON* FOR FOR CONSTRUCTION WORKERS AND DO THAT AND I KNOW NOW THEY CAN ONLY USE A PERCENTAGE OF OF THOSE BECAUSE THEY HAVE TO BE RESERVED OF COURSE FOR FOR TOURISM BUT I I'M JUST SAYING WELL WE WE NEED TO START THINKING AGAIN AHEAD AS YOU'RE PROJECTING THESE THESE MONIES COMING IN WE ALSO LOOK AT AT THE THE AREAS IN WHICH WE WE WE WE SIT AND AND THE VICE CHAIR OF IS IS OUR SIDE OF THE HOUSE IN REGARDS TO TOURISM BECAUSE YOU HAVEN'T MENTIONED ANYTHING AND IT IS WHAT IT IS AGAIN YOU KNOW IT IT'S A IT'S IT'S IT'S NOT A MAJOR FACTOR AT THIS POINT IN IN REGARDS TO TO TO TO OUR ECONOMY RIGHT.

DOA – DIRECTOR BIRN: YES THAT'S ABSOLUTELY TRUE WE ALL HAVE A DIFFERENT WAY OF EVALUATING RISK WE'VE EVALUATED THE RISK IN THIS AND THE THE RISK TO US OF FOREGOING THIS PAY INCREASE OUTWEIGHS THE RISK THAT THAT THAT I GUESS MIGHT BE INHERENT IN THE GENERAL ECONOMIC CONDITIONS BECAUSE I DON'T SEE WE'VE WE'VE SEEN AN INCREASE.

SENATOR LUJAN: SURE.

DOA – DIRECTOR BIRN: IN IN REVENUES FOR THE LAST THREE YEARS.

SENATOR LUJAN: OKAY NOW THE LAST THING IS AS WELL HERE IS AGAIN IF THE OPA REPORT IS CORRECT IN REGARDS TO THE MAJORITY OF THE CONTRACTORS OR WITH THE EXEMPTIONS ARE PAYING FOR FOUR POINT ONE NINE PERCENT GRT AND AND AND AND SO AND AND WE'RE STILL COLLECTING THAT THAT AMOUNT IF THEY'RE NOT PAYING THE FIVE PERCENT BUT FOUR POINT ONE I THINK IT'S ABOUT TIME THAT WE CAN GO BACK TO FOUR PERCENT IF IN FACT THEY'RE NOT PAYING THE FULL FIVE PERCENT AND AND IT'S THE SMALLER GUYS THAT ARE PAYING THE FIVE PERCENT AND THE BIG THE BIGGER GUYS ARE HAVING ALL THE EXEMPTIONS AND UNVERIFIABLE.

DOA – DIRECTOR BIRN: WELL I THINK I THINK THE PUBLIC AUDITOR WASN'T REACHING THAT CONCLUSION I THINK HE WAS REACHING THE CONCLUSION THAT WE SHOULD CONTINUE THE FIVE PERCENT.

SENATOR LUJAN: WELL I'M GLAD YOU'RE NOT THE TAX GUY BECAUSE THAT TAX GUY WOULD NEVER AGREE WITH ANYTHING THE HIGHER THE TAXES THE THE MORE HE'S GONNA LOVE IT OR SHE'S GONNA LOVE IT BUT ANYWAY THANK YOU MR. BIRNS APPRECIATE IT.

SENATOR SHELTON: THANK YOU SENATOR LUJAN SENATOR BLAS.

SENATOR BLAS: THANK YOU MADAM CHAIR AND GOOD EVENING GENTLEMEN THANK YOU VERY MUCH SO I SAT THERE SEEN LISTENING VERY INTENTLY AND I TAKE A DIFFERENT APPROACH TO A LOT OF THESE THINGS AND I APPRECIATE THE STUDY THANK YOU VERY MUCH AND I'M GOING TO GO AHEAD AND MAKE REFERENCE AND THEN ALSO MY QUESTIONING IS GOING TO BE BASED ON WHAT'S ON THIS THIS DOCUMENT PAGE ONE YOU BASICALLY SAYS THERE ARE DIFFERENT THERE ARE FIVE DIFFERENT PAY PLANS WITHIN THE GOVERNMENT GUAM OKAY IS THERE OR DO YOU CURRENTLY HAVE PAY PLANS OR IS THERE PAY PLAN IN EFFECT FOR ALL FIVE CATEGORIES.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: YES SENATOR THERE ARE CURRENTLY PAY PLANS FOR ALL THE ONES THAT ARE LISTED.

SENATOR BLAS: OKAY SO LET ME GO FROM THE BOTTOM OF EXECUTIVE PAY PLAN WHO DOES THAT COVER.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: THAT COVERS ALL THE HEADS OF AGENCIES STATUTORY AND GENERALLY APPOINTED EMPLOYEES OF THE GOVERNMENT.

SENATOR BLAS: SO HAVE YOU DONE ANYTHING WITH THAT PAY PLAN OVER THE LAST THREE YEARS.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: NO.

SENATOR BLAS: SO BASICALLY IT'S NOT.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: YEAH IT'S NOT HASN'T BEEN ADDRESSED.

SENATOR BLAS: ATTORNEY PAY PLAN.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: NO WE HAVE NOT ADDRESSED THE ATTORNEY PAY PLAN.

SENATOR BLAS: OKAY YOU HAVE HERE OF COURSE THE EDUCATION OR LET ME GO AND SKIP THIS YEAR BECAUSE ONE OF THE THINGS I DON'T SEE HERE IS YOUR BUT YOU DO TALK ABOUT IT IN THE BODY OF IS THE LAW ENFORCEMENT OFFICER PAY PLAN OR PAY THAT WAS ADDRESSED RIGHT.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: YES THAT'S CORRECT.

SENATOR BLAS: IT WOULD GENERALLY FALL UNDER WHAT CATEGORY IN THE FIVE PAY PLANS.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: IT IT'LL STAND AS ITS OWN PAY PLAN THE GOVERNOR ROLLED IT INTO THE CWA AFTER THE REVIEW WAS DONE.

SENATOR BLAS: OH SO ALTHOUGH THE CWA ESTABLISHED FIVE COMPENSATION PLANS AND THESE ARE THE SPECIFIC PLANS THE GOVERNOR CREATED A SIXTH ONE.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: THE SO THE LAW ENFORCEMENT PAY PLAN WAS ALREADY IN EFFECT VIA STATUTE AND WHAT SHE DID WAS ONCE IT WAS UPDATED INCLUDED IT AS PART OF THE COMPETITIVE WAGE ACT.

SENATOR BLAS: SO BUT WHERE WOULD THAT FALL IN THE CWA LAW ENFORCEMENT.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: OH IT IT WILL FALL AS ITS OWN STANDALONE PAY SCALE AND PAY PLAN.

SENATOR BLAS: IT'S NOT WHAT I'M SAYING HERE I DON'T SEE ANYTHING HERE IT SAYS LEO IT SAYS IT THE CWA ESTABLISHED FIVE COMPENSATION PLANS.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: YES ORIGINALLY ORIGINALLY WHEN WE FIRST DID IT BACK IN I BELIEVE IT WAS 2009 IT DID HAVE AN LEO PAY PLAN COMPONENT WHEN IT WAS ROLLED BACK AND I BELIEVE 2011 IT WENT BACK TO THE WAY IT WAS PRIOR TO THAT IN 2013 2014 THE CWA OF 2014 ONLY HAD THE FIVE THAT ARE LISTED IN THE FRONT SO WHEN IT WAS UPDATED RECENTLY THAT IS WHEN THE GOVERNOR ROLLED IT BACK INTO THE CWA TO ADDRESS THEM TOGETHER.

SENATOR BLAS: WHO UPDATED RECENTLY.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: CURRENTLY I BELIEVE WE UPDATED IT IN 2022 2021.

SENATOR BLAS: THAT WAS TO ACCEPT THE PLAN.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: THAT WAS TO IT WAS TO.

SENATOR BLAS: IT WASN'T TO CREATE IT IT WAS TO ACCEPT IT.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: YES CORRECT IT WAS AMEND IT.

SENATOR BLAS: SO IN OTHER WORDS SHE CREATED HER OWN A SIX PLAN.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: IN THE CWA.

SENATOR BLAS: YEAH YEAH THANK YOU OKAY HOW MUCH DID YOU PAY LEO.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: I'M SORRY I DIDN'T HEAR THE.

SENATOR BLAS: THE LEO PAY PLAN WHAT DID IT WHAT DID IT WHAT IS IT AMOUNT TO AN AS FAR AS PERCENTAGE FOR LAW ENFORCEMENT.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: WE ADJUSTED THE BASE PAY FOR THE PAY SCALE AT EIGHTEEN PERCENT.

SENATOR BLAS: EIGHTEEN PERCENT OKAY OKAY THE NURSE PAY PLAN THAT OBVIOUSLY WENT INTO EFFECT AND WELL FIRST OFF SO THE LEO PAY PLAN HOW DID YOU HOW WAS THAT ROLLED OUT HOW WAS THAT PROMULGATED HOW WAS HOW WAS THAT MADE LEGAL THERE WAS A PLAN THEN THAT WAS SUBMITTED TO THIS LEGISLATIVE BODY.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: THERE THERE WAS ALREADY STATUTE THAT ESTABLISHED THE LAW.

SENATOR BLAS: THERE WAS A STATUTE THAT ESTABLISHED OKAY AND SO HOW WAS IT ROLLED OUT I MEAN.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: THE STATUTE IN LIKE OTHER STATUTES FOR THE PAY PLAN CONSTRUCTED DOA TO REVIEW IT AND MAKE A RECOMMENDATION TO UPDATE IT.

SENATOR BLAS: OKAY AND THEN WHAT DOA DO AFTER THE RECOMMENDATION.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: WHAT WE DID IS WE MADE THE RECOMMENDATION FOR THE EIGHTEEN PERCENT AND SUBMITTED IT TO THE GOVERNOR FOR APPROVAL.

SENATOR BLAS: OKAY AND THEN HOW WAS IT SO GOVERNOR JUST WENT AHEAD AND SAYS EIGHTEEN PERCENT GO AHEAD.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: YEAH SHE APPROVED IT.

SENATOR BLAS: BUT SHE DID THIS UNDER AN EXECUTIVE ORDER RIGHT.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: THAT'S CORRECT.

SENATOR BLAS: OKAY SO SHE USED AN EXECUTIVE ORDER WHICH IS BASICALLY A LEGAL DOCUMENT THAT BASICALLY SHE HAS IN HER POWER TO BE ABLE TO DO THAT RIGHT.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: THAT'S CORRECT.

SENATOR BLAS: THE PAY PLAN FOR THE NURSES HOW DID THAT HAPPEN.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: SAME.

SENATOR BLAS: WELL FIRST OFF WHAT DID YOU WHAT DID YOU WHAT WHAT WAS THE AVERAGE THAT YOU YOU KNOW PERCENTAGE YOU GAVE TO THE NURSES.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: THE NURSES WE GAVE A BASE OF A FIFTEEN PERCENT.

SENATOR BLAS: FIFTEEN PERCENT OKAY.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: AND THEN THEY HAD ADDITIONAL DIFFERENTIALS DEPENDING ON WHERE THE NURSES ARE.

SENATOR BLAS: BUT THE BASE WAS BASICALLY FIFTEEN PERCENT.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: YES THAT'S CORRECT.

SENATOR BLAS: OKAY AND THEN WITH THE NURSES THE FIFTEEN PERCENT AND THAT WAS PROMULGATED IF I REMEMBER CORRECTLY THERE WAS ACTUALLY A LAW THAT BASICALLY STATED THAT IT NEEDED TO BE DONE RIGHT.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: THAT'S CORRECT

SENATOR BLAS: AND JUST A MATTER JUST TURNING THE INFORMATION OVER THE LEGISLATURE JUST BLESSED IT AND LET IT GO RIGHT I REMEMBER I ALWAYS GO BECAUSE I THINK THAT WAS SENATOR TORRES'S LAW.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: YES PREVIOUSLY.

SENATOR BLAS: RIGHT SO BASICALLY IT WAS BY PROMULGATED BY PUBLIC LAW RIGHT AND THIS GENERAL PLAY PLAN I THANK YOU VERY MUCH FOR HAVING HERE I MEAN ONE OF THE REASONS WHY I GUESS I YOU'RE HERE IS BECAUSE THE BASICALLY THE CWA REQUIRES THAT AFTER YOU DO THE REVIEW AND EVERYTHING IT GOES TO THE SCRUTINY OF THIS BODY SO THEY CAN BE ABLE TO BECAUSE YOU NEED THE MONEY TO BE ABLE TO TO IMPLEMENT RIGHT SO IF IT HAS TO GO THROUGH THIS PROCESS AM I CORRECT.

DOA – DIRECTOR BIRN: THAT'S CORRECT SENATOR.

SENATOR BLAS: OKAY GOOD TEACHERS PAY OKAY SO IN MAY OF LAST YEAR AND I REMEMBER SEEING THE MEMO THAT YOU HAD YOU KNOW THAT YOU END UP YOU KNOW BY MR BIRNS THE INITIAL RECOMMENDATION WAS FOR SIXTEEN PERCENT SHE CROSSED IT OUT IT SAYS I'M GOING TO GO AHEAD AND GIVE TWENTY PERCENT YOU KNOW OKAY SO WE GET TWENTY PERCENT WHAT AUTHORITY DID WE HAVE TO BE ABLE TO SPEND TO TO GIVE THOSE RAISES AT THAT TIME.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: WELL THE STUDY WAS CONDUCTED BASED ON THE OTHER UPDATES THAT WERE DONE UNDER THE COMPETITIVE WAGE ACT SO I BELIEVE WHEN THE TWENTY FOURTEEN COMPETITIVE WAGE ACT WENT INTO PLAY IT DID ASK FOR A PLAN TO BE CREATED IN THAT PLAN THAT WAS CREATED BACK THEN WAS THE EDUCATOR PAY PLAN SO THAT THAT'S WHERE THE UPDATED UPDATE WAS.

SENATOR BLAS: YEAH THAT'S THE UPDATE AND EVERYTHING BUT HOW DID YOU PROMULGATE OR HOW WOULD IT BECOME LEGAL HOW DID YOU HOW DID YOU LEGALLY BE BEGIN TO PAY THERE WAS THERE ANY EXECUTIVE ORDER.

DOA – DIRECTOR BIRN: THAT AWARD WAS MADE UNDER THE COMPETITIVE WAGE ACT.

SENATOR BLAS: NO WAS THERE ANY EXECUTIVE WELL THE SAME THING WITH THE LAW ENFORCEMENT PAY AND THE SAME THING WITH THE TEACHER THE NURSES PAY WAS THERE ANY EXECUTIVE ORDER FOR THE TEACHERS PAY.

DOA – DIRECTOR BIRN: NO THE.

SENATOR BLAS: NO THERE WASN'T I KNOW I KNOW THAT BECAUSE.

DOA – DIRECTOR BIRN: LAW ENFORCEMENT DOESN'T COME UNDER THE COMPETITIVE WAGE.

SENATOR BLAS: BUT IT WAS UNDER THE EXECUTIVE ORDER.

DOA – DIRECTOR BIRN: AND THAT WAS WHY AN EXECUTIVE ORDER WAS NEEDED.

SENATOR BLAS: OH YEAH BUT YOU SEE THAT AGAIN THE INCOME IT DOESN'T OBVIOUSLY DOESN'T COME UNDER AN EXECUTIVE PAY PLAN THEY CAN COME UNDER THE ATTORNEY PAY PLAN DOESN'T COME UNDER AN EDUCATION PAY PLAN AND SURELY NOT THE NURSES GENERAL PAY PLAN BUT IT WAS PROMULGATED AND IT WAS AND IT WAS MADE LEGAL

BASICALLY THERE WAS A LEGAL DOCUMENT BASICALLY THE EXECUTIVE ORDER THAT SAYS IT CAN HAPPEN THE NURSES IT WAS BY PUBLIC LAW WE SITTING HERE AND THANK YOU VERY MUCH BECAUSE YOU'RE SITTING HERE JUST PROVES MY POINT THAT YOU NEED LEGISLATIVE AUTHORITY AND AUTHORIZATION TO SPEND MONEY TO BE ABLE TO START SOMETHING BUT I GO BACK TO THE TEACHERS PAY AND HERE'S THE CONCERN THAT I HAVE ALTHOUGH THIS BODY MADE IT LEGAL FROM SEPTEMBER OR OCTOBER 1ST OF 2022 ON FORWARD WHO'S THAT GAP THAT WE HAVE JUST DECIDED THAT WE WERE GOING TO GO AHEAD AND FOREGO ANYTHING ELSE I'M GOING TO JUST DO THIS UNILATERALLY AND JUST GET AWAY WITH IT OKAY.

DOA – DIRECTOR BIRN: WELL SENATOR WE HAD THAT DISCUSSION DURING.

SENATOR BLAS: YEAH WE DID.

DOA – DIRECTOR BIRN: DURING THE BUDGET HEARING.

SENATOR BLAS: YES WE DID AND YOU NEVER CAME UP WITH THE ANSWER BECAUSE THERE WAS NO ANSWER.

DOA – DIRECTOR BIRN: BUT.

SENATOR BLAS: BECAUSE YOU WANTED TO BE WE WE SAID LOOK HENCEFORCE THIS IS WHAT IT IS BUT YOU KNOW THE THING IS THERE'S STILL A LIABILITY ON THIS THING I JUST WANT TO POINT THAT OUT BECAUSE I'M NOT DONE YET OKAY.

DOA – DIRECTOR BIRN: WELL THANK YOU BUT I BUT I WOULD POINT OUT THAT THE BUDGET FUNDED THOSE INCREASES.

SENATOR BLAS: AFTER OCTOBER STARTING OCTOBER 1ST.

DOA – DIRECTOR BIRN: YES SENATOR.

SENATOR BLAS: BECAUSE OKAY THERE WAS A THERE WAS A BASICALLY FROM THE PREVIOUS BUDGET THERE WAS A PROCESS THAT WAS SUPPOSED TO HAVE HAPPENED THAT YOU GUYS NEGLECTED YOU DIDN'T WANT TO DO BECAUSE YOU FELT YOU HAD THE AUTHORITY SHOWING AND LOOKING FOR THE AUTHORITY I WAS LOOKING FOR IT THE ONLY AUTHORITY THAT I SAW WAS A MEMO SIGNED BY YOU KNOW LAST TIME I CHECKED IT'S OKAY MR. BIRNS AS GREAT AS GENTLEMAN AS YOU ARE AND AS GREAT AS I LIKE YOU I'M SORRY YOU DON'T HAVE THE AUTHORITY TO BE ABLE TO TO AUTHORIZE THE EIGHTEEN PERCENT OH BY THE WAY IT WAS EIGHTEEN PERCENT RIGHT TO THE TEACHERS HOW MUCH WAS IT HOW MUCH WAS THE EIGHTEEN TWENTY PERCENT.

DOA – DIRECTOR BIRN: EIGHTEEN.

SENATOR BLAS: EIGHTEEN AND I THINK IT'S TWENTY PERCENT BECAUSE MY WIFE GOT IT OKAY TWENTY PERCENT AND NOW WE HAVE A TWENTY TWO PAY INCREASE EIGHTEEN FIFTEEN TWENTY TO THE MOST CRITICAL PEOPLE THAT WE HAVE WORKING OUR GOVERNMENT THROUGH ALL THE SOLE REASON THE REASON WHY GOVERNMENT EXISTS YOU KNOW WHY GOVERNMENT EXISTS CONSTITUTIONALLY OKAY FOR PROTECTION OKAY FOR EDUCATION FOR HEALTH THE THREE PEOPLE THE THREE PLACES THAT WE HAVE EIGHTEEN FIFTEEN AND TWENTY AND THEN WE BASE THIS ON TWENTY TWO PERCENT TALK ABOUT PRIORITIES.

DOA – DIRECTOR BIRN: I DON'T THINK IT'S A QUESTION OF PRIORITIES.

SENATOR BLAS: I DIDN'T ASK THAT WASN'T A QUESTION THAT I'M THAT I DIDN'T USE.

DOA – DIRECTOR BIRN: YOU HAVE TO LOOK AT THE DIFFERENTIAL.

SENATOR BLAS: YES AND THAT'S WHAT YOU GAVE ME EIGHTEEN PERCENT FOR LAW ENFORCEMENT FIFTEEN PERCENT FOR NURSES AND TWENTY PERCENT WHICH I CORRECTED YOU ALL TO FOR TEACHERS DON'T WORRY IT'S NOT YOUR FAULT YOU DIDN'T MAKE THAT DECISION I'M JUST POINTING IT OUT TO THE PEOPLE OKAY NEXT AND I APPRECIATE THAT YOU IN A NUMBER OF STUDIES THAT YOU DID IN ONE OF THEM YOU DID YOUR YOUR STUDIES WAS BASED ON PREVAILING CONDITIONS IN THE UNITED STATES PRIMARILY IN THE MIDWEST AND THEN IN ANOTHER PART OF THIS REPORT YOU BASICALLY DID A COMPARISON STUDY BASED ON GOVERNMENT TO GOVERNMENT BETWEEN THE LINE AGENCIES AND THE AUTONOMOUS AGENCIES OKAY AND I YOU KNOW ONE OF THE QUESTIONS AND ONE OF THE CONCERNS THAT WAS BROUGHT UP BY BY MY GOOD COLLEAGUE SENATOR BROWN WAS YOU KNOW FIRST OFF PREVAILING CONDITIONS IN THE UNITED STATES NOT NECESSARILY OVER YOU CAN FIND SOME PLACES WHERE THEY'RE PROBABLY THE SAME SIZE AS US AND AS FAR AS YOU KNOW THE NUMBER OF PEOPLE BUT DEMOGRAPHICALLY AND GEOGRAPHICALLY MUCH MUCH MORE DIFFERENT THERE'S A LOT MORE FLEXIBILITY FOR AN INDIVIDUAL TO BE ABLE IF HE WANTS TO ONLY BE MAKE FIFTEEN DOLLARS AN HOUR IN BUTTE MONTANA OKAY AND WITH THE OPPORTUNITY FIFTY YARD FIFTY MILES DOWN THE ROAD TO BE ABLE TO GET A BETTER SALARY HE'S ABLE TO DO THAT NOT HERE ON GUAM SO YOU KNOW WHAT I'VE DONE IS I'VE GOTTEN AND I'M SURE YOU'VE GOTTEN A COPY OF THIS OKAY ON ON YOUR DESK LET'S DO SOME TRUE COMPARISONS AS TO WHAT WE'RE DOING HERE OKAY IT'S KIND OF INTERESTING THAT IN THIS DOCUMENT THAT I PASSED OUT TO ALL MY COLLEAGUES IS THIS IS A COMPARATIVE ANALYSIS OF THE SALARIES OF THE BASICALLY HOURLY EARNINGS OKAY THE PRIVATE SECTOR AND THE GOVERNMENT SECTOR BECAUSE I THINK THAT IN ONE OF THE THINGS IN IN THE CAMPAIGN TOWARDS THIS EFFORT

TOWARDS THIS PAY RAISE THERE WAS THERE WAS MENTION THIS IS WHY I WANTED THIS MORE SPECIFICALLY THERE WAS A MENTION OF THE COMPARISON OF GOVERNMENT OF GUAM EMPLOYEES WITH THE PRIVATE SECTOR EMPLOYEES THE AVERAGE PAY WE PAY FOR GOV GUAM EMPLOYEE IN JUNE TWENTY TWENTY TWO WAS THIRTY FIVE DOLLARS AND THIRTY NINE CENTS AN HOUR OKAY AND I BRING THIS YOU KNOW BECAUSE AS WE TALK ABOUT REVENUES AND WE TALK ABOUT AND DON'T GET ME WRONG I AGREE IF WE CAN AFFORD THE RAISES WE SHOULD PROVIDE IT AND I AGREE I DON'T MEAN BUT I'M ALSO TALK ABOUT THIS A LITTLE MORE THAT FOR MANY YEARS BECAUSE THE GOVERNMENT HAS BEEN IN FINANCIAL STRESS THAT IT HAS EXPERIENCED THAT WE WERE ABLE TO WE HAD TO FOREGO PAY RAISES BUT ALONG THE SAME LINES WHILE WE TALK ABOUT THE GOVERNMENT THE GOVERNMENT NEEDING THE REVENUES SOMETIMES IN GOVERNMENT WE FORGET WHERE THE REVENUES COME FROM AND I GET IT YOU'RE JUST WITH THE DEPARTMENT OF ADMINISTRATION I GET WHAT YOUR LINE RESPONSIBILITY IS I GET THAT YOU DON'T HAVE TO WORRY ABOUT WHERE THE MONEY IS COMING FROM YOU'RE MORE SO AFTER CONCERNED ABOUT HOW THE MONEY IS BEING SPENT IN THE GOVERNMENT AND QUITE HONESTLY MR BIRN ONE OF THE THINGS I GOT TO COMMEND YOU YEAH YOU ARE A HARD-NOSED WHEN IT COMES TO HAVING TO SPEND MONEY I APPRECIATE THAT OKAY BUT AS THE REPRESENTATIVE OF THE GOVERNMENT SITTING AT THE STABLE UNFORTUNATELY YOU'RE GOING TO BE THE INDIVIDUAL THAT I CAN SHOOT AT BECAUSE ALONG THOSE LINES AND AS FAR AS THE REVENUES WE HAVE A PRIVATE SECTOR COMMUNITY THAT IS STILL SUFFERING LET ME ASK YOU MR. BIRNS HAS THE GOVERNMENT OVER THE LAST THREE YEARS EXPERIENCED ANY HAD TO LAY OFF ANY OF ITS EMPLOYEES.

DOA – DIRECTOR BIRN: SENATOR YOU REMIND ME OF A OF A SAYING THAT YOU REMIND ME OF A SAYING THAT A A BRITISH CIVIL SERVANT SAID TO ME MANY YEARS AGO THAT A PROBLEM SHARED IS A PROBLEM DOUBLED.

SENATOR BLAS: IS IT WHAT.

DOA – DIRECTOR BIRN: PROBLEM DOUBLED.

SENATOR BLAS: OKAY SO CAN YOU ANSWER MY QUESTION HAS THE GOVERNMENT ANY OF THE GOVERNMENT EMPLOYEES EXPERIENCE LAYOFFS IN THE LAST THREE YEARS.

DOA – DIRECTOR BIRN: NO.

SENATOR BLAS: OKAY HAS THE GOVERNMENT HAD TO INSTITUTE FURLOUGHS FOR ITS EMPLOYEES IN THE LAST THREE YEARS.

DOA – DIRECTOR BIRN: NO.

SENATOR BLAS: OKAY.

DOA – DIRECTOR BIRN: ALTHOUGH WE WERE VERY CLOSE TO IT WHEN I FIRST CAME TO THE JOB BUT I'M VERY FORTUNATELY WE AVOIDED IT.

SENATOR BLAS: YEAH.

DOA – DIRECTOR BIRN: NO DOUBT BECAUSE.

SENATOR BLAS: I REMEMBER THOSE.

DOA – DIRECTOR BIRN: NO DOUBT BECAUSE OF MY HARD NOSE.

SENATOR BLAS: I REMEMBER THOSE DAYS OKAY BUT YOU KNOW OVER THE LAST THREE YEARS DO YOU KNOW HOW MANY PRIVATE SECTOR BUSINESSES THAT THE GOVERNMENT RELIES ON TO CONDUCT BUSINESSES SO THEY CAN GET BUSINESS SALES SO THEY CAN PAY THEIR TAX YOU KNOW WE HAVE THEM HAD TO SHUDDER OR CLOSE DOWN THEIR BUSINESS OR RESTRICT IT AND HAD TO FURLOUGH THEIR EMPLOYEES OR LAY OFF THEIR EMPLOYEES.

DOA – DIRECTOR BIRN: NO BUT I DO KNOW THAT THE LATEST FIGURES THAT CAME OUT FOR UNEMPLOYMENT WAS SOMETHING LIKE FOUR PERCENT.

SENATOR BLAS: FOUR PERCENT OF UNEMPLOYMENT THAT'S NOT INCLUDING THE NUMBER OF PEOPLE WHO HAD TO LEAVE THE ISLAND BECAUSE THEY HAD NO DO MORE JOBS RIGHT.

DOA – DIRECTOR BIRN: I DON'T KNOW I JUST SAW FOUR PERCENT.

SENATOR BLAS: MR. BIRNS I KNOW FULL WELL HOW YOU ANSWER QUESTIONS AND THAT'S WHY I SAY STICK TO THE QUESTIONS AND STICK TOGETHER THAT I'M ASKING FOR OKAY DON'T ADD CONJECTURE TO IT BECAUSE I WILL COME BACK TO IT.

DOA – DIRECTOR BIRN: I'M OKAY.

SENATOR BLAS: ANYWAYS OKAY SO.

DOA – DIRECTOR BIRN: I THINK I ANSWER THEM THE WAY I FEEL I MUST ANSWER THEM.

SENATOR BLAS: WELL YOU KNOW I TELL YOU WHAT I YOU KNOW SOMEBODY IN HERE HAS GOT TO STICK UP FOR THE PRIVATE GUY OKAY AND GAL I'M SORRY OKAY AND I'M NOT TO SAY THAT ON MY OTHER COLLEAGUES BUT I YOU KNOW I I NEED TO I NEED TO ASK THOSE QUESTIONS BECAUSE THE REALITY IS AS CONCERNING IS THIS GOVERNMENT ALL GOVERNMENT IS CONCERNED ABOUT IS SPENDING AND GETTING THE MONEY THEY'RE NOT WORRIED ABOUT HOW THE MONEY IS EARNED AND I SOMEBODY'S GOT TO STAND UP FOR THAT PERSON WHO'S REQUIRED EVERY TWENTIETH OF THE MONTH AND EVERY YEAR TO BE ABLE TO PAY FOUR OR FIVE PERCENT TAXES IN ORDER FOR THE PRIVILEGE TO DO BUSINESS YOU KNOW YOU'RE GOING YOU MADE A COMMENT EARLIER HE SAYS YOU KNOW YOU CAN'T RUN THE GOVERNMENT WITHOUT MONEY YOU'RE SO TRUE BUT GOVERNMENT A LOT OF TIMES FORGETS WHERE THE MONEY COMES FROM WHEN IT'S MAKING ITS DECISIONS YOU KNOW HOW MANY PRIVATE SECTOR EMPLOYEES ARE SITTING AT HOME RIGHT NOW AND SAYING WHAT ABOUT US.

DOA – DIRECTOR BIRN: I DON'T.

SENATOR BLAS: OKAY.

DOA – DIRECTOR BIRN: BUT PERHAPS YOU'LL TELL US.

SENATOR BLAS: YEAH WELL I'M SURE THAT'S A LITTLE A WHOLE LOT MORE THAN JUST FOUR PERCENT BECAUSE THE FOUR PERCENT REPRESENT INDIVIDUALS DON'T HAVE JOBS IT DOESN'T REPRESENT INDIVIDUALS WHO HAVE NO WHO NOW HAVE HAD TO TAKE JOBS AT LESSER PAY LESSER HOURS OKAY WHICH GOVERNMENT EMPLOYEES HADN'T EXPERIENCED OKAY YOU KNOW AND OTHER THAN THESE RAISES ANOTHER CONCERN THAT GOVERNMENT EMPLOYEES HAVE SO I'VE GOT IT SAYING OTHER THAN THE RARE BONUSES I MEAN THE THE PAY RAISES WHAT ABOUT THINGS LIKE THE MERIT BONUSES HAVE WE FACTORED THAT IN ARE WE GOING TO BE ADDRESSING THAT.

DOA – DIRECTOR BIRN: MERIT BONUSES HAVEN'T BEEN PAID.

SENATOR BLAS: YEAH MAYBE WE TAKE CARE OF THE DEBTS THAT WE OWE TO THESE EMPLOYEES THAT WE RELIED ON IN GOVERNMENT FIRST.

DOA – DIRECTOR BIRN: YES WE SHOULD.

SENATOR BLAS: YEAH I APPRECIATE THANKS YOU KNOW AND THEN I GO LET'S GO BACK TO THIS DISPARITY AND AS FAR AS YOU KNOW WHAT YOU WHAT WAS PROVIDED TO LAW ENFORCEMENT AND WHAT WAS PROVIDED TO WHAT IS BEING OFFERED TO BE OTHER EMPLOYEES EMPLOYING LAW ENFORCEMENT OFFICER WHO MAKES FORTY THOUSAND DOLLARS A YEAR GOT A SEVEN THOUSAND TWO HUNDRED DOLLAR PAY RAISE A NON-LAW ENFORCEMENT EMPLOYEE WHO'S GETTING TWENTY TWO PERCENT IS NOW GOING TO BE MAKING EIGHT THOUSAND EIGHT HUNDRED ABOUT SIXTEEN HUNDRED DOLLARS MORE THAN THE LAW ENFORCEMENT OFFICER ONLY GOT TWENTY TWO PERCENT THE THE GOVGUAM EMPLOYEE WHO JUST STARTED PROBABLY MAKING ONLY TWENTY FIVE THOUSAND A YEAR AT TWENTY TWO PERCENT IS GOING TO BE IS GOING TO HAVE A RAISE OF ABOUT FIVE THOUSAND DOLLARS SO THAT THAT MEANS AND THEN HIS ANNUAL SALARY WILL INCREASE TO THIRTY THOUSAND DOLLARS A YEAR AT THE SAME TIME A GOVERNMENT EMPLOYEE WHO WAS GOING TO GET TWENTY WHO'S MAKING A HUNDRED AND FIFTY THOUSAND DOLLARS A YEAR AND EARNING AT TWENTY TWO PERCENT PAY INCREASE IS GOING TO GET ABOUT THIRTY ONE THOUSAND DOLLARS A YEAR IN PAY INCREASE IN FACT THAT HUNDRED AND FIFTY THOUSAND DOLLAR A YEAR EMPLOYEE IS GOING TO GET A PAY INCREASE THAT EXCEEDS THE AMOUNT THAT THAT THIRTY THOUSAND DOLLAR EMPLOYEE IS GOING TO BE GETTING IN HIS ANNUAL SALARY AND WE THROW A WORD AROUND LIKE PARITY TELL THAT TO THE GUY WHO TRULY NEEDS THEIR MONEY TRULY CAN JUST APPRECIATE THE MONEY BUT IT'S ONLY FAIR LAST QUESTION FOR NOW HAVE THESE ESTIMATES IS THIS FIGURE THAT'S PROVIDED ENOUGH TO ALSO COVER THE BENEFITS THAT ARE GOING TO BE INCREASED THE AMONG THE BENEFIT OF AMOUNTS THAT ARE GOING TO BE INCREASED AS A RESULT OF THIS SALARY INCREASE OR IS THIS JUST BASE.

DOA – DIRECTOR BIRN: THAT'S THE BASE SALARY.

SENATOR BLAS: THAT'S JUST BASE SALARY WE SAW THIS THAT DID NOT INCLUDE WHAT THEN THE GOVERNMENT WHERE MORE THE GOVERNMENT WOULD HAVE TO CONTRIBUTE BECAUSE NOW WE'VE INCREASED THAT SALARY BY TWENTY TWO PERCENT.

DOA – DIRECTOR BIRN: THAT'S CORRECT.

SENATOR BLAS: OKAY THANK YOU VERY MUCH MADAM CHAIR THANK YOU VERY MUCH MR. BIRN.

SENATOR SHELTON: THANK YOU SENATOR BLAS SENATOR PARKINSON

SENATOR PARKINSON: THANK YOU MADAM CHAIR MR. BIRN MR. NGATA THANK YOU JUST A QUICK BASIC QUESTION FOR EVERYONE AT HOME CAN WE AFFORD THIS BRASS TAX CAN WE AFFORD TO DO THIS IN OUR BUDGET.

DOA – DIRECTOR BIRN: YES SENATOR THAT'S WHY I'M SITTING IN FRONT OF YOU.

SENATOR PARKINSON: FANTASTIC COULD YOU PLEASE TELL ME A LITTLE BIT ABOUT THE RETENTION RATE IN TERMS OF EMPLOYEES ARE YOU GUYS HAVING DIFFICULTY WITH RETENTION AND EMPLOYMENT.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: THANK YOU SENATOR FOR THE QUESTION YES THERE IS DIFFICULTY IN RETENTION IN THE PAST FEW YEARS WE HAVE SEEN A LOT OF TENURED EMPLOYEES LEAVE WHICH HAS LEFT A LOT OF THE LESS EXPERIENCED EMPLOYEES TO TRY AND STEP UP TO THE PLATE AND TAKE THOSE ROLES WITHIN THE GOVERNMENT BUT IT ALSO GOES BACK TO RECRUITMENT IT DOES MAKE IT DIFFICULT TO BACKFILL THOSE LESSER ROLES IN THE DEPARTMENTS THAT THEY LEFT SO YOU FIND A LOT OF EMPLOYEES WEARING TWO OR THREE HATS STEPPING UP TO THE PLATE TO BECOME A LEADER IN A LEADERSHIP ROLE WHILE STILL TRYING TO CONDUCT THEIR WORK IN THE LOWER LEVELS.

SENATOR PARKINSON: I GOTCHA SO JUST FOR THE RECORD DO YOU KNOW WHAT THE CURRENT UNEMPLOYMENT RATE IS.

DOA – DIRECTOR BIRN: THE THE LATEST FIGURE I SAW WHICH I BELIEVE I READ IN THE NEWSPAPER DAY BEFORE YESTERDAY WAS FOUR PERCENT.

SENATOR BLAS: OKAY SO THAT'S TYPICALLY PRETTY LOW AND KIND OF SUGGEST THAT WE'RE IN A LABORERS MARKET DOES THAT HAVE DOES THAT HAVE AN EFFECT ON YOUR RETENTION AS WELL.

DOA – DIRECTOR BIRN: IN ALL PROBABILITY YES.

SENATOR PARKINSON: OKAY YOU KNOW I'VE HEARD THIS PAY RAISE AS BEING CATEGORIZED AS A BIG PLOT TO GIVE SIX FIGURE EMPLOYEES IN THE LINE AGENCIES ALL THE MONIES IN THE WORLD I NOTE THAT MR. NGATA HERE IS ONE OF THE PEOPLE WHO IS RECEIVING WHO HAS A SALARY HIGHER THAN A HUNDRED K I BELIEVE MR. NGATA ACTUALLY REPRESENTS FIFTY PERCENT OF ALL THE PEOPLE AFFECTED BY THE LINE AGENCY INCREASE IS THAT DO I HAVE THAT CORRECT.

DOA – DIRECTOR BIRN: YES SIR.

SENATOR PARKINSON: MR NGATA AS SOMEBODY WHO REPRESENTS FIFTY OF THE ENTIRE HUNDRED K INCREASE CLUB DO YOU BELIEVE THIS IS A SECRET PLOT BY THE GOVERNOR TO GIVE YOU A PAY RAISE.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: MY ANSWER TO THAT'S NO AND I GUESS AS A COMMENT TO THAT YOU KNOW THE SPIRIT OF THE STUDY ISN'T BASED ON THE PERSON HOLDING THE POSITION THE STUDY IS CONDUCTED ON THE POSITIONS THAT THE PERSON HOLDS THAT'S HOW THEY'RE PRICED THAT'S HOW WE DETERMINE WHAT MARKET PAYS FOR THEM YOU KNOW THE ASPECT OF AN ACTUAL EMPLOYEE IN THE POSITION THEY HOLD AND HOW THAT'S ADDRESSED IS THROUGH PERFORMANCE AND THAT IS LINKED TO THEIR SALARY INCREMENTS ANNUALLY OR ON WHATEVER SCHEDULE THEY'RE ON FOR THEIR SALARY INCREMENTS THIS IS A FLATLINE WAY TO LOOK AT POSITIONS AND WHAT POSITIONS ARE PAID YOU KNOW WHAT YOU'LL SEE AS FAR AS THE HIGHER SALARIES WHEN WE WERE ASKED TO LOOK AT POSITIONS THAT EARN YOU KNOW UP EIGHTY THOUSAND AND ABOVE RIGHT THERE ARE A LOT LESS NOW BECAUSE OF THE RETENTION RATE THAT I SPOKE ABOUT EARLIER GENERALLY WE HAD A LOT OF MANAGERS HIGH LEVEL SUPERVISORS WHO WERE IN THAT RANGE LEAVE YOU KNOW DUE TO RETIREMENT AND OTHER REASONS BUT AS ATTRITION WAS ESCALATED THROUGH THE PANDEMIC YOU START SEEING THOSE SALARY LEVELS DROP RIGHT THE OTHER THING THAT WE HAVE TO TAKE INTO CONSIDERATION WHEN LOOKING AT THOSE SALARY LEVELS ARE TIME AND SERVICE RIGHT A LOT OF THESE EMPLOYEES WHO ARE AT THOSE LEVELS HAVE BEEN IN THE GOVERNMENT UPWARDS OF FIFTEEN YEARS PLUS SOMETIMES TWENTY TWENTY FIVE YEARS AND OVER SO THE PERCENTAGE THAT'S GIVEN ACROSS THE BOARD IS IS TO BE CONSISTENT TO MAKE SURE THAT THE TENURED EMPLOYEES THAT WE HAVE STILL WANT TO WORK WITH US AND ARE PAID FAIRLY VERSUS THE EMPLOYEES THAT HAD JUST STARTED ONE OF THE OTHER REASONS WHY YOU'RE LOOKING AT AN ACROSS THE BOARD IN THAT MANNER IS YOU KNOW THE GOVERNMENT HAS TRIED IT IN DIFFERENT WAYS AND WE HAVE HAD COMPRESSED SALARIES I BELIEVE OUR CHIEF ECONOMIST GARY HILES MENTIONED THAT AT THE PUBLIC HEARING WHERE HE STATED THAT HE FELT DISENFRANCHISED BECAUSE HE GOT CENTS TO THE DOLLAR THE LAST TIME WE DID THIS THAT WAS BY VIRTUE OF A DIFFERENT WAY OF IMPLEMENTATION THIS TIME AROUND YOU'RE LOOKING AT A STEP-TO-STEP ADJUSTMENT IN WHICH EVERYONE GETS TO TWENTY TWO PERCENT IT TOOK UPWARDS OF THREE TO FIVE YEARS TO SORT THROUGH ALL THE GRIEVANCES AND COMPLAINTS THAT CAME OUT OF THE LAST IMPLEMENTATION IN 2014 DUE TO COMPRESSION A LOT OF EMPLOYEES AFTER A WHILE UNDERSTOOD WHAT COMPRESSION WAS BUT MAY NOT HAVE ACCEPTED IT BUT UNDERSTOOD WHAT IT WAS STEP-TO-STEP IMPLEMENTATION ENSURES THAT WE MAINTAIN THAT MOVEMENT AND THE PERCENTAGE INCREASE AS STATED BEFORE YES BASED ON THE STRAIGHT MATRIX MATHEMATICAL EQUATION FOR IT SOMEONE WITH THE HIGHER SALARY WILL GET A LARGER AMOUNT OF MONEY BUT THE PERCENTAGE IS THE SAME BASED SOLELY ON THE SALARY THAT THEY EARN AS A BASE SALARY.

SENATOR PARKINSON: IF IF WE IF THIS BODY WERE TO ENTERTAIN AMENDMENTS TO GIVE THE PEOPLE ON THE HIGHER END OF THE SCALE PENNIES ON THE DOLLAR WOULD THIS LEAD TO MORE WAGE COMPRESSION.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: YES IT WILL LEAD TO WAGE COMPRESSION IT'LL ALSO PROBABLY HAVE CONSEQUENCES DEEPER THAN JUST COMPRESSION IF YOU KNOW YOU CHANGE AND AMEND HOW SOMETHING'S IMPLEMENTED WITHOUT LOOKING FURTHER INTO HOW IT ACTUALLY IMPACTS AN EMPLOYEE I MEAN IT COULD BE GROUNDS FOR GRIEVANCES FOR COMPLAINTS I MEAN IT YOU KNOW IT'LL IT'LL SET THE TONE BECAUSE IT'S ACTUALLY BASED ON AN EMPLOYEE AND NOT A POSITION WHEREAS IN THE STUDY THAT WAS DONE WAS BASED ON POSITIONS THEMSELVES.

SENATOR PARKINSON: OKAY AND FROM WHAT I UNDERSTAND THE GENERAL PAY PLAN THE LAST TIME THERE WAS AN ADJUSTMENT WAS IN 2014 CORRECT

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: IT WAS IN 2014 BUT THE DATA THAT WAS USED WAS ACTUALLY FROM 2010 SO YOU'RE ACTUALLY LOOKING AT THE ADJUSTMENT FOR THE GENERAL PAY PLAN BEING OVER TEN YEARS OVERDUE AND ON TOP OF THAT THE GENERAL PAY PLAN IS USUALLY ADDRESSED LAST AND IS USUALLY WAS USUALLY IN THE PAST GIVEN THE LEAST AMOUNT OF ATTENTION AS FAR AS PERCENTAGE SO SORRY GO AHEAD.

SENATOR PARKINSON: EXCUSE ME FOR INTERRUPTING YEAH BECAUSE YOU SAID IT WAS A DE-PRIORITIZED BUT ISN'T IT REQUIRED BY LAW THAT THERE NEEDS TO BE AN ADJUSTMENT EVERY THREE YEARS.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: IT IS REQUIRED AND OVER TIME YOU KNOW THE ADJUSTMENTS WHEN THE STUDIES ARE CONDUCTED YOU KNOW A LOT OF IT IS DUE TO FUNDING WHICH IS WHAT THE DIRECTOR MENTIONED EARLIER BUT WHEN LOOKING AT IT IN TOTALITY YOU'LL SEE A TWENTY TWO PERCENT RECOMMENDATION FOR THE GENERAL PAY PLAN FOR TWO REASONS ONE IT COVERS THE THE A VAST AMOUNT OF POSITIONS ACROSS THE GOVERNMENT A VAST AMOUNT OF INDUSTRIES RIGHT THE OTHER PAY PLANS ARE HOMOGENEOUS IN NATURE AS FAR AS THE INDUSTRIES THEY SERVE BUT IN THIS PAY PLAN IT COVERS SO MANY DIFFERENT POSITIONS AND ON TOP OF THAT THE INCREASES GIVEN IN THE PAST TO THIS PAY PLAN WEREN'T AS LARGE AS OTHER PAY PLANS.

SENATOR PARKINSON: ALL RIGHT WOULD BE FAIR TO CHARACTERIZE THESE PAY RAISES AS MORE OF A CATCH-UP THEN BECAUSE TWENTY TWO PERCENT SEEMS BIG BUT IF WE MISSED THREE PREVIOUS PAY PLAN DOES THAT KIND OF MAKE UP FOR THE PREVIOUS ONES WE MISSED.

DOA – DIRECTOR BIRN: YEAH SENATOR THAT WAS WHAT I WAS TRYING TO EXPLAIN TO SENATOR BLAS YOU CAN'T JUST LOOK AT THE PERCENTAGE BECAUSE IF THE LAW ENFORCEMENT BASED PAY THAT HE WAS REFERRING TO WAS STARTED OUT HIGHER AND WE'RE COMPARING IT TO THIS REFERENCE POINT THAT WE TALKED WE DID IT IN THE SAME WAY OBVIOUSLY THE THE INCREASE THAT HE WAS SPEAKING ABOUT WHICH I THINK HE SAID WAS EIGHTEEN PERCENT MEANS THAT THERE WAS LESS OF A CATCH-UP REQUIRED FOR THOSE EMPLOYEES THAN IS REQUIRED FOR THESE EMPLOYEES IN THE GENERAL PAY PLAN.

SENATOR PARKINSON: OKAY SO JUST IN THEORY IF WE WERE TO FOLLOW THE STATUTE OF THE LAW AND REVISIT THIS AGAIN IN THREE YEARS TIME IT WOULD BE A MUCH LESSER ADJUSTMENT BECAUSE WE'RE NOT PLAYING CATCH-UP IS THAT AM I UNDERSTANDING THAT CORRECTLY.

DOA – DIRECTOR BIRN: YES SIR.

SENATOR PARKINSON: OKAY I HEARD IN THE PREVIOUS TESTIMONY THAT TO MAKE THE PAY PLAN MORE AFFORDABLE YOU ACTUALLY WEIGHTED IT DOWN I I HEARD WEIGHTED IT DOWN BY FORTY FIVE PERCENT AND DO I GET DID I UNDERSTAND IT CORRECTLY.

DOA – DIRECTOR BIRN: YES WHAT WE DID WAS THE IF YOU TOOK A A SIMPLE AVERAGE OF THE DIFFERENTIALS IT WAS SOMETHING LIKE FORTY FIVE PERCENT BUT THAT DIDN'T ADJUST FOR THE NUMBER OF PEOPLE IN EACH WAGE BAND SO WE WEIGHTED IT FOR THE DIFFERENTIAL IN EACH IN EACH CATEGORY IN ORDER TO GET A A REASONABLE RESULT BECAUSE THAT OBVIOUSLY A FORTY FIVE PERCENT RESULT WOULD HAVE BEEN UNREASONABLE.

SENATOR PARKINSON: A LITTLE EXTREME.

DOA – DIRECTOR BIRN: THAT'S JUST A STATISTIC WE DIDN'T WANT TO JUST USE A BEAR STATISTIC WE WANTED TO USE AN INFORMED STATISTIC.

SENATOR PARKINSON: I APPRECIATE THE JUDICIOUSNESS THERE I HAVE TO ASK THOUGH WITH YOU NOT FOLLOWING THE FULL FORTY FIVE PERCENT AS IN THE FORMULA DOES THAT MEAN THAT EVEN WITH THE PAY INCREASE WE'RE STILL NOT AT OUR MOST COMPETITIVE LEVEL AT LEAST PAY WAYS RISE.

DOA – DIRECTOR BIRN: THERE ARE SOME THERE ARE SOME CATEGORIES THAT AREN'T IN THE MOST COMPETITIVE LEVEL THAT'S CERTAINLY TRUE THIS PAY RAISE I KNOW IS GOING TO GO HELP A LOT WITH RETENTION WILL THIS AFFECT OUR PROCUREMENT SPECIALIST INCLUDED IN THIS PAY RAISE.

DOA – DIRECTOR BIRN: YES SIR.

SENATOR PARKINSON: GOOD I I WOULD HOPE THAT DOE DOESN'T NEED TO BORROW FROM GPA ANYMORE IF THEIR PROCUREMENT SPECIALIST COULD BE A LITTLE BIT MORE COMPETITIVE.

DOA – DIRECTOR BIRN: IT'S CERTAINLY OUR PLAN TO MAKE SURE THAT WE HAVE A FULLY STAFFED PROCUREMENT DIVISION CERTAINLY.

SENATOR PARKINSON: HOW DOES THIS RATE COMPARE WITH THE BASIC RATE OF INFLATION SINCE THE LAST ADJUSTMENT LIKE DO WE EVEN KEEP UP WITH THE BASIC INFLATION OR WE JUST KEEP ARE WE JUST PLAYING CATCH UP ON THAT.

DOA – DIRECTOR BIRN: WELL AS I MENTIONED THIS IF IT AMOUNTS TO ABOUT ONE POINT SEVEN PERCENT PER YEAR OVER THE LAST TEN YEARS I DON'T HAVE THE ACTUAL AMOUNT OF INFLATION IN MY HEAD BUT I SUSPECT OVER TEN YEARS ONE POINT SEVEN PERCENT IS A REAL LOW END OF INFLATION.

SENATOR PARKINSON: I WOULD AGREE WITH YOU MR. BIRN COULD YOU GIVE US A AN IDEA A SENSE OF SCOPE FOR THE ATTRITION THAT THE GOVERNMENT HAS FACED FROM LACK OF PARITY AND PAY.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: AS FAR AS ATTRITION'S CONCERNED KIND OF THE DISCUSSION WENT THROUGH SIMILAR TO WHEN WE DID THE LAW ENFORCEMENT PAY PLAN YOU KNOW ATTRITION HAS OCCURRED IN ALL LEVELS IN ALL CATEGORIES BASICALLY THE MOST CRITICAL ONES YOU KNOW THE BIGGEST ISSUE IS WHEN EMPLOYEES LEAVE CATEGORIES AND POSITIONS LIKE SOCIAL WORKERS AND OTHERS LIKE THAT TRYING TO RECRUIT FAST ENOUGH AND HAVE THEM STAY HAVE A NEW APPLICANT AND EMPLOYEE STAY IS A BIG ISSUE SO ATTRITION'S COMPOUNDED ON THE THE MAIN FACT THAT A LOT OF PEOPLE END UP YOU KNOW LEAVING AND YOU KNOW FOR VARIOUS REASONS RIGHT BUT COMPENSATION BEING ONE OF THEM.

SENATOR PARKINSON: SINCE THE LAST PAY ADJUSTMENTS THAT WE'VE SEEN THAT HAVE COME RECENTLY HAVE YOU SEEN AN INCREASE IN THE APPLICANT NUMBER OF APPLICANTS FOR JOBS SINCE SENSE IMPLEMENTATION ARE YOU SEEING MORE APPLICATIONS FOR LEOS LAW ENFORCEMENT OFFICERS.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: IN REGARDS TO THE LAW ENFORCEMENT YOU KNOW IN SOME OF THE AGENCIES YES BUT SOME OF THEM KNOW YOU KNOW THERE IS INTEREST IN EMPLOYMENT IN GENERAL BUT FOR INSTANCE GPD AND DOC HAVE A HARD TIME GETTING PEOPLE TO YOU KNOW WANT TO TAKE THEIR JOB RIGHT I'VE HAD NUMEROUS DISCUSSIONS WITH THE POLICE CHIEF AND THE DOC DIRECTOR AND YOU KNOW THERE'S A LOT OF REASONS THAT GO INTO THAT BUT TRYING TO KEEP UP WITH YOU KNOW FILLING THOSE VACANCIES IS DIFFICULT ON THE GPP SIDE OF THE HOUSE I MEAN TO THE POINT OF DOE BORROWING YOU KNOW EMPLOYEES FROM GPA ON OUR SIDE OF THE HOUSE ENGINEERS FOR INSTANCE RIGHT YOU KNOW WE'VE HAD A LOT OF WORK COME THROUGH DPW AND JUST TRYING TO GET YOU KNOW BASIC ENGINEERS TO WANT TO APPLY AND AND WORK WITH US IS DIFFICULT MAINLY BECAUSE THE PAY AND OTHER POSITIONS PUBLIC HEALTH RIGHT THEY HAVE A LOT OF POSITIONS THAT BY VIRTUE OF THE PANDEMIC HAVE COME ABOUT TO BE VERY PRIORITY IN PREPARATION FOR ANYTHING THAT MIGHT COME DOWN AGAIN CDC COORDINATORS ELIGIBILITY SPECIALISTS I MEAN THINGS LIKE THAT IT'S JUST HARD TO RECRUIT OVERALL AND AND RETAIN PEOPLE THAT ARE ALREADY THERE SO HAVING AN ADDITIONAL TOOL A BETTER COMPENSATION IS SOMETHING WE WANT TO OFFER THOUGH.

SENATOR PARKINSON: YEAH I'M JUST TRYING TO GET A SENSE OF YOU KNOW HOW MUCH THE ACT OF THE PREVIOUS PAY RAISES ARE LEADING LIKE AS I UNDERSTAND IT'S HARD TO HIRE BUT I'M REALLY LOOKING AT LIKE JUST APPLICATIONS ARE PEOPLE SHOWING THE INTEREST BECAUSE THAT'S WHAT'S REALLY IMPORTANT ARE THEY EVEN SHOWING THE BASELINE INTEREST SO FOR FIREFIGHTERS ARE WE SEEING AN UPTICK IN FIREFIGHTER APPLICATIONS AS WELL.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: YES I MEAN FIREFIGHTER APP FIRE YOU KNOW FOR THE FIRE DEPARTMENT WE USUALLY DON'T HAVE HUGE ISSUES GETTING A LOT OF APPLICANTS SAME WITH THE CUSTOMS DEPARTMENT.

SENATOR PARKINSON: WHAT ABOUT WITH TEACHERS HAVE YOU SEEN AN UPTICK SINCE THE TEACHER PAY RAISE.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: I I HAVEN'T SEEN ACTUAL DATA FROM DOE SO I'M NOT SURE IF THEY ACTUALLY HAD.

SENATOR PARKINSON: WHAT ABOUT WHAT ABOUT FOR NURSES.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: WELL THE THE BIG INITIATIVE WITH THE NURSES AT THE TIME WAS TO HAVE THE ONES THAT WE HAVE STAY NURSES OVERALL I I DON'T THINK WE SEE UPTICKS IN A LOT OF THEIR RECRUITMENT BUT THAT'S NATIONWIDE FROM WHAT I UNDERSTAND IS TRYING TO KEEP THE ONES THAT WE HAVE IN PLACE AND FOR THE ONES THAT WE CAN GROW LOCALLY YOU KNOW HAVE THEM STAY HERE AND WORK BUT I HAVEN'T SEEN STATISTICS RECENT STATISTICS FROM THE HOSPITAL PUBLIC HEALTH IT'S BEEN LIMITED AT PUBLIC HEALTH.

SENATOR PARKINSON: HAS IT AT LEAST DONE SOMETHING TO HELP REDUCE OUR OUR DEPENDENCE ON FOREIGN NURSES THE THE TRAVELING THE TRAVELING NURSES CLUB.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: YES DEFINITELY THE SALARIES THAT SALARIES HELP I MEAN IN THAT RESPECT.

SENATOR PARKINSON: OKAY AND I GOT A QUESTION ABOUT STAFFING AT GRTA BECAUSE I KNOW A LOT OF THEM ARE BEING FUNDED BY LIMITED APPOINTMENTS WHEN THEY GET OFF THE TEMPORARY APPOINTMENTS WILL WE BE ABLE TO HANDLE THEM WITH THE BUDGET ON A MORE PERMANENT BASIS BECAUSE I KNOW BY STATUTE ALL THE NOT IF NOT ALL IF MOST IF NOT ALL OF THE EMPLOYEES AT GRTA NEED TO BE CLASSIFIED ARE WE DOES THIS TAKE INTO ACCOUNT THAT POTENTIAL CHANGE DOWN THE ROAD.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: IN MY OFFICE'S DISCUSSION WITH GRTA YES THEY ARE IN THE MODE OF TRYING TO CLASSIFY AND PERMANIZE THE EMPLOYEES THAT ARE UNLIMITED TERM.

SENATOR PARKINSON: OKAY IS IT TRUE THAT DURING A TIME WHEN TOURISM WAS OUR NUMBER ONE INDUSTRY AND YOU KNOW WE'RE HAVING THE PANDEMIC THAT THE GOVERNMENT WAS SUCCESSFUL IN ELIMINATING THE BUDGET OR THE BUDGET DEFICIT BEFORE THE PANDEMIC AND THE INFLUX OF FEDERAL FUNDS BECAUSE I'VE BEEN HEARING THAT THE THE ECONOMIC TURNAROUND WAS BEFORE THE PANDEMIC IS THERE ANY TRUTH TO THAT.

DOA – DIRECTOR BIRN: YEAH THE FIRST SURPLUS THAT WAS REPORTED WAS THE YEAR BEFORE THE PANDEMIC.

SENATOR PARKINSON: SO WE WERE ON THE PATH TO ECONOMIC RECOVERY AND BEFORE THE PANDEMIC IN TERMS OF CLEANING UP OUR BOOKS.

DOA – DIRECTOR BIRN: YES FISCAL DISCIPLINE PRODUCED A A SURPLUS BEFORE THE PANDEMIC.

SENATOR PARKINSON: WITH THE TOURISM BACK ON THE RISE WOULD IT BE POSSIBLE THAT GOVERNMENT GOVERNMENT REVENUES WILL INCREASE SUSTAINABLY TO COVER THESE PAY ADJUSTMENTS LONG TERM.

DOA – DIRECTOR BIRN: WELL THAT IS WHAT I WAS TRYING TO SAY EARLIER THAT BASED UPON EVERYTHING THAT WE SEE THAT IS THE MOST LIKELY OUTCOME.

SENATOR PARKINSON: OKAY I I THOUGHT THAT'S WHAT YOU'RE TRYING TO SAY EARLIER BUT I JUST NEED TO BE CLEAR YOU KNOW IT'S A LONG NIGHT SO FORGIVE ME FOR IT IF I'M NOT TREADING OVER.

DOA – DIRECTOR BIRN: THANK YOU SENATOR.

SENATOR PARKINSON: COVERED GROUND ALREADY HOW ABOUT WHEN THE MARINE CORPS BASE STARTS TO HIRE ADMINISTRATIVE ROLES AND OTHER SIMILAR ROLES EMPLOYEES TO THAT FAILED THE GENERAL PLAY PLAN DO YOU THINK YOU'D BE ABLE TO COMPETE AGAINST THE MILITARY BASES ONCE THEY START TO HAVE A NEED FOR SUPPORT PERSONNEL.

DOA – DIRECTOR BIRN: IF WE DON'T PAY COMPETITIVE WAGES I'M SURE WE WILL LOSE CIVILIAN PERSONNEL TO SUPPORT THE THE MILITARY THE MARINE CORPS BASE.

SENATOR PARKINSON: IS THIS ONE OF THE REASONS WHY IT'S IMPORTANT TO PLAN FOR THE LARGE NUMBER OF HIRES THE DOD AND FEDERAL GOVERNMENT WILL BRING ALONG LIKE ARE YOU DO YOU GUYS HAVE A LONG-TERM PLAN IN PLACE FOR HIRING TO TAKE TAKE INTO ACCOUNT THIS MASS ATTRITION WE KNOW IS COMING.

DOA – DIRECTOR BIRN: MOST OF OUR YOU KNOW WE'RE WE'RE OPERATING ON BUDGET YEAR TO BUDGET YEAR SO LONG-TERM PLANNING UNFORTUNATELY ISN'T A FACTOR THAT THAT WE CAN ALLOW OURSELVES OTHER THAN WE ARE CERTAINLY CONCERNED ABOUT THE NUMBER OF PEOPLE WHO ARE ELIGIBLE FOR RETIREMENT WHO BASED UPON THEIR SERVICE HAVE A LOT A LARGE AMOUNT OF INSTITUTIONAL KNOWLEDGE AND WHEN THEY LEAVE THEY TAKE THAT KNOWLEDGE WITH THEM I THINK THE MR. NGATA WAS TALKING ABOUT PEOPLE AT THE AT THE HIGHER LEVELS OF EXPERTISE WE'RE LEAVING AND WE'RE REPLACING THEM WITH WITH EMPLOYEES AT A MORE ENTRY-LEVEL PAY AND THAT'S ONE OF THE THINGS THAT'S BEING SEEN IN THAT'S MODERATING OUR PAY INCREASES BUT IT DOESN'T HELP RUN THE GOVERNMENT WHEN YOU LOSE YOUR MOST EXPERIENCED PERSONNEL.

SENATOR PARKINSON: YES I UNDERSTAND THAT LIKE THAT YOU KNOW HUMAN CAPITAL IS IMPORTANT TO WHAT WE DO HERE FROM WHAT I UNDERSTAND I MEAN I SPOKE TO THE IN SUPERINTENDENT OF SCHOOLS SHE HAS TOLD ME THAT THERE'S BEEN A DROP OF MAINTENANCE PEOPLE AT SCHOOLS FROM 300 TO 27 DO YOU SEE SIMILAR JUST WILD NUMBERS AND DROPS IN AND FILLS IN AROUND THE GOVERNMENT.

DOA – DIRECTOR BIRN: I DON'T THINK WE'VE SEEN ANYTHING QUITE SO DRAMATIC BUT WE DO HAVE DROPS AND MAYBE YOU WANT TO ADDRESS THAT.

SENATOR PARKINSON: DO YOU FORESEE ANY ADDITIONAL LOSSES CRIPPLING LOSSES IN INSTITUTIONAL KNOWLEDGE WITH THE UPCOMING RETIREES YOU KNOW THERE'S A WHOLE COHORT OF BABY BOOMERS THAT ARE ABOUT TO RETIRE DO YOU DO YOU FORESEE THAT BEING PROBLEMATIC IN THE NEXT FEW YEARS.

DOA – DIRECTOR BIRN: I THINK IT COULD BE A PROBLEM YES AND AND OBVIOUSLY IT'S OUR JOB TO MAKE SURE THAT WE MITIGATE THAT AS MUCH AS POSSIBLE WE WANT TO TRAIN PEOPLE WE WANT TO GIVE THEM EXPERIENCE WE WANT TO ALLOW THEM TO TRAIN THEMSELVES AND WE WANT TO ALLOW THEM TO FEEL COMFORTABLE IN THE JOB THAT THEY'RE DOING.

SENATOR PARKINSON: OKAY ONE OF THE THINGS THAT HAS ALWAYS BEEN LEVIED AGAINST THE GOVERNMENT IS THAT YOU GUYS ARE GREEDY AND SITTING ON A GIANT PILE OF GOLD AND YOU'RE PAYING PEOPLE WITH PAY RAISES AND YOU'RE NOT PRIORITIZING THE THE REST OF THE ISLAND SO JUST FOR THE RECORD I'D LIKE TO ASK YOU HOW MUCH DOES THE GOVERNMENT SPENT TOWARDS SMALL BUSINESS PANDEMIC ASSISTANCE SUBSIDIES BUSINESS RENT SUBSIDIES LEAP PROGRAMS AND OTHER PROGRAMS THAT WENT STRAIGHT INTO THE BUCKETS BOOKS OF THE AVERAGE CITIZENS.

DOA – DIRECTOR BIRN: I DON'T HAVE THAT NUMBER IN MY HEAD SENATOR BUT IT'S NORTH OF HUNDRED MILLION SIR.

SENATOR PARKINSON: WELL WOULD YOU SAY IT'S CLOSER TO TWO HUNDRED MILLION.

DOA – DIRECTOR BIRN: IT COULD WELL BE YES.

SENATOR PARKINSON: OKAY THANK YOU WHERE DO YOU THINK RAISES TO GOVERNMENT EMPLOYEES GET SPENT TYPICALLY AS IN IF A GOVERNMENT EMPLOYEE GETS A RAISE DO YOU BELIEVE THOSE FUNDS GO BACK INTO THE COMMUNITY WHERE DOES THAT MONEY GO DOES IT DISAPPEAR TO AMAZON LIKE DOES IT HELP DOES IT HELP OUR OWN COMMUNITY WHEN WE GIVE PAY RAISES.

DOA – DIRECTOR BIRN: I I'M SURE A LOT AND I I THINK I MENTIONED THIS BEFORE THAT A A LARGE PROPORTION OF ANY PAY RAISE WOULD GO BACK INTO THE COMMUNITY MOST OF THE SERVICES WE GET OUR COMMUNITY SERVICES AND WE STILL HAVE STORES OPEN WE STILL HAVE RESTAURANTS OPEN WE STILL NEED TO SPEND MONEY ON OUR OWN PERSONAL REPAIRS AND MAINTENANCE AND ALL THAT IS IS DONE ON ISLAND.

SENATOR PARKINSON: OKAY I APPRECIATE THAT SIR AND JUST TO YOU KNOW WRAP KIND OF WRAP THIS UP AND BRING US BACK TO THE BEGINNING JUST WE'RE CRYSTAL CLEAR FOR THE VIEWING AUDIENCE CAN WE AFFORD THIS IS THIS GOING TO SINK THE TITANIC IF WE PASS THIS PAYS RAISE AND BRING DOWN THE WHOLE ISLAND.

DOA – DIRECTOR BIRN: NO IT WON'T RING IT WON'T BRING DOWN THE WHOLE ISLAND IT NEEDS TO BE ADDRESSED.

SENATOR PARKINSON: MR NGATA AS REPRESENTATIVE OF FIFTY PERCENT OF THE HUNDRED K CLUB IN THE LINE AGENCIES IS THIS A SECRET PLOT TO JUST GIVE YOU A PAY RAISE.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: NO.

SENATOR PARKINSON: THIS IS ALL RIGHT THANK YOU MR. BIRNS MR. NGATA MADAM CHAIR I APPRECIATE YOUR TIME THANK YOU AND I YIELD THE REST OF IT.

SENATOR SHELTON: THANK YOU VERY MUCH SENATOR BARNETT.

SENATOR BARNETT: THANK YOU MADAM CHAIR AND GOOD EVENING MR. BIRN GOOD EVENING SHANE THANK YOU FOR JOINING US I I FIRST WANTED TO START WITH THE RETENTION I KNOW THAT THE IDEA IS THAT IF WE GIVE THESE TWENTY TWO PERCENT RAISES IT'S GOING TO HELP WITH RETAINING GOVERNMENT EMPLOYEES RIGHT BECAUSE I MEAN ALL THROUGH ALL THE LITERATURE I'VE SEEN ON ON THE RAISES THERE'S A BIG PROBLEM WITH PEOPLE LEAVING GOVERNMENT SERVICE BECAUSE THEY'RE JUST NOT GETTING PAID ENOUGH RIGHT.

DOA – DIRECTOR BIRN: YES SIR.

SENATOR BARNETT: OKAY SO I I JUST WANT TO MAYBE IF YOU COULD EXPLAIN AS THE OVERSIGHT CHAIR OF THE GUAM POLICE DEPARTMENT YOU KNOW WE JUST HAD CHIEF IGNACIO OVER HERE AND AS WELL AS THE DEPARTMENT OF CORRECTIONS WHERE WE GAVE LAW ENFORCEMENT AND IF YOU COULD JUST RUN OVER THE NUMBERS REAL QUICK SO DEPARTMENT OF CORRECTIONS GUAM POLICE DEPARTMENT WHAT PERCENTAGE INCREASE DID THEY GET WAS IT THE EIGHTEEN.

DOA – DIRECTOR BIRN: OKAY.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: THANK YOU FOR THE QUESTION WITH THE GUAM POLICE DEPARTMENT YES THEY GOT THE BASE PAY OF EIGHTEEN YOU KNOW THEY ALSO WITHIN THAT RECOMMENDATION HAD A DIFFERENTIAL PLAN TEN PERCENT AND FIFTEEN PERCENT BASED ON WHAT POSITION YOU HOLD WITHIN THE DEPARTMENT.

SENATOR BARNETT: SO IT WAS A EIGHTEEN PERCENT INCREASE WITH AN ADDITIONAL TEN FOR CERTAIN POSITIONS AND AN ADDITIONAL FIFTEEN FOR OTHERS.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: CORRECT.

SENATOR BARNETT: OKAY.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: AND THE ADDITIONAL DIFFERENTIALS THE EIGHTEEN WAS TO TRY AND HELP WITH RECRUITMENT.

SENATOR BARNETT: RIGHT.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: THE ADDITIONAL DIFFERENTIALS TO HELP WITH RETENTION.

SENATOR BARNETT: AND WHAT ABOUT DEPARTMENT OF CORRECTIONS.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: DEPARTMENT OF CORRECTIONS GOT THE EIGHTEEN BASE AND THEY HAD ALREADY HAD A TWENTY FIVE PERCENT CORRECTION INSTITUTIONAL PAY IN FOR THEIR DEPARTMENT SO THEY HAD A TWENTY FIVE PERCENT PRIOR TO THE EIGHTEEN SO THEY GET BOTH AS IT STANDS.

SENATOR BARNETT: SO UM THE GUAM POLICE DEPARTMENT CERT SOME OFFICERS PAY WAS INCREASED A TOTAL OF TWENTY EIGHT PERCENT AND OTHERS WAS THE EIGHTEEN PLUS FIFTEEN TO THIRTY THREE PERCENT.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: CORRECT GPD OF BASE EIGHTEEN TEN AND FIFTEEN PERCENT DIFFERENTIAL DOC BASE EIGHTEEN AND A TWENTY-FIVE PERCENT DIFFERENTIAL.

SENATOR BARNETT: RIGHT.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: YEAH.

SENATOR BARNETT: OKAY SEE THE QUESTION I HAVE AND I YOU KNOW I DEFINITELY SUPPORT THE THE GENERAL PAY PLAN RAISES FOR THE HARD-WORKING GENERAL PAY PLAN EMPLOYEES I DON'T WANT TO RAISE FOR ANYBODY WHO'S NOT A HARD WORKER BUT I'M JUST TRYING TO PUT IT TOGETHER IN MY MIND MAYBE YOU CAN EXPLAIN WHEN I HEAR FROM THE DEPARTMENT OF CORRECTIONS AND THE GUAM POLICE DEPARTMENT AND THEY WERE ON THE RECEIVING END OF THESE RAISES WHICH AGAIN I UNDERSTAND THE MOTIVE AND THE JUSTIFICATION FOR IT AND EVERYTHING BUT IF IF THEY RECEIVED THESE SIGNIFICANT INCREASES AND THEY ARE STILL STRUGGLING WITH NOT JUST RETENTION BUT RECRUITMENT AND YOU JUST SAID YOURSELF THAT YOU KNOW THEY'RE NOT GETTING THE NUMBER OF APPLICANTS THEY NEED AND I THINK IT'S NO SECRET THAT LAW ENFORCEMENT ACROSS THE BOARD TO INCLUDE CUSTOMS WHICH IS I BELIEVE ACCORDING TO WHAT THEY TELL ME THEY'RE STAFFED AT THIRTY PERCENT RIGHT SO IF THE THINKING IS THAT WE'RE GOING TO GIVE THESE INCREASES WHICH AGAIN I SUPPORT AND WE HAVE GIVEN SOME INCREASES WAY NORTH OF TWENTY TWO PERCENT AND IT'S NOT IMPROVING THE RECRUITMENT AND THE RETENTION COULD YOU JUST MAYBE EXPLAIN FOR THOSE PEOPLE VIEWING HOW A TWENTY TWO PERCENT INCREASE ACROSS THE BOARD FOR GENERAL PAY PLAN EMPLOYEES WOULD ACCOMPLISH WHAT THE LAW ENFORCEMENT INCREASES AND THE OTHER BONUS INCREASES THAT THEY GOT DIDN'T.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: SO ONE OF THE MAIN REASONS FOR THE RECOMMENDATIONS IS YES TO ADDRESS RECRUITMENT RETENTION BUT IT'S ALSO TO YOU KNOW WHEN LOOKING AT COMPENSATION IF YOU DON'T KEEP THE SCALE MOVING AND WITH A GENERAL PAY PLAN RIGHT AS I STATED EARLIER IT'S BASED ON DATA SINCE TWO THOUSAND TEN RIGHT SO IF WE'RE ALREADY LOOKING AT A DECADE-OLD PAY SCALE ESSENTIALLY WE'RE BRINGING IN GENERAL PAY PLAN EMPLOYEES FROM SALARIES BACK IN 2010 WHICH WE CAN ALREADY SEE IS NOT COMPETITIVE MOUNTED WITH THE COMPETITION WE GET WITH OUR OWN AUTONOMOUS AGENCIES BUT WITH THE FEDERAL GOVERNMENT AND THE MILITARY BUILDUP AND OF COURSE A LOT OF PEOPLE LEAVING ISLAND FOR OTHER OPPORTUNITIES IF WE DON'T MAKE A RECOMMENDATION IN THAT VEIN THEN WE KEEP OURSELVES IN THE POSITION THAT WE ARE CURRENTLY WITH HAVING A NON-COMPETITIVE COMPENSATION HOW THAT WILL AFFECT AND HOW THAT WILL IMPACT RECRUITMENT OF COURSE LIKE EVERYTHING ELSE WILL NEED TO BE SEEN UNDER THE GENERAL PAY PLAN RIGHT I GUESS LOOKING AT THE BUSINESS COMMUNITY YOU KNOW A LOT OF THE POSITIONS THAT ARE REGULATORY IN NATURE THAT BUSINESSES HAVE TO DEAL WITH TO OPEN UP A LOT OF THOSE POSITIONS ARE COVERED UNDER THE GENERAL PAY PLAN WHEN THOSE AGENCIES THAT HOUSE THOSE POSITIONS AREN'T ABLE TO RECRUIT IT DOES COMPLICATE THINGS LIKE GETTING PERMITS AND EVERYTHING LIKE THAT.

SENATOR BARNETT: SIR IF YOU DON'T MIND COULD YOU.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: OH.

SENATOR BARNETT: PROVIDE SOME EXAMPLES OF THOSE POSITIONS.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: SO IF WE'RE LOOKING AT YOU KNOW POSITIONS AT DEPARTMENT OF REVENUE AND TAXATION THE POSITIONS AT A GUAM EPA YOU KNOW THAT WAS REFERENCED EARLIER POSITIONS AT DPW YOU KNOW THINGS LIKE BUILDING INSPECTORS EVEN AT DEPARTMENT OF LABOR YOU HAVE A GOSH AND OSHA INSPECTORS THINGS LIKE THAT IF THEY'RE NOT ABLE TO RECRUIT OR THEY'RE NOT ABLE TO ATTRACT PEOPLE TO TAKE THOSE POSITIONS THEN IT HAS A RIPPLE EFFECT IN ALL THE SERVICES THAT THE GOVERNMENT PROVIDES YOU KNOW UNDER THE GENERAL PAY PLAN IT HOUSES ALL OF THOSE POSITIONS AND ALL OF THE SUPPORT POSITIONS TO THOSE FUNCTIONS WHICH ALSO INCLUDE THOSE POSITIONS THAT AFFECT LAW ENFORCEMENT PUBLIC SAFETY AND EVERYTHING ELSE SO A LOT OF THE CONVERSATIONS THAT OUR DEPARTMENT HAS WITH THOSE DEPARTMENT HEADS IS YOU KNOW WHAT CAN BE DONE NOT TOO LONG AGO I HAD A CONVERSATION WITH THE SHPO ON YOU KNOW HEY SHANE I'M DOWN TO ONE ARCHAEOLOGIST WHAT CAN WE DO TO YOU KNOW KIND OF GET MORE ARCHAEOLOGIST ON BOARD BECAUSE YOU KNOW WE HAVE TO WORK ON THE MILITARY BUILDUP PROJECTS AND COMPENSATION WISE I MEAN AN ARCHAEOLOGIST CAN GET PAID ALMOST WHAT THEY DICTATE BASED ON THEIR RARITY BUT YOU KNOW IT'S SITUATIONS LIKE THAT IT'S MAYBE ONE OR TWO PEOPLE THAT HE NEEDS OR THREE BUT COMPENSATION TO ADDRESS THAT IS PART OF THE TOOLS THAT ARE NEEDED TO TRY AND BRING PEOPLE IN BECAUSE EVEN WITH HIGHER COMPENSATION AS YOU'VE SEEN IT'S IT IS STILL YET TO BE SEEN ON WHETHER IT HELPS.

SENATOR BARNETT: RIGHT BUT WE CAN ONLY AFFORD TO GO SO HIGH RIGHT SO WITH THIS TWENTY TWO PERCENT INCREASE AND AND I FORGET I I READ THROUGH YOUR LETTER ON MR. BIRN HOW CLOSELY WOULD THAT ALIGN US WITH YOU KNOW COMPARING THESE SALARIES WITH THE STATES.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: THE THE RAW DIFFERENTIAL THAT DIRECTOR BIRNS SPOKE ABOUT EARLIER WAS FORTY FIVE PERCENT BUT THE WEIGHTED DIFFERENTIAL WAS TWENTY-TWO PERCENT SO THAT'S JUST TO GET SOMEWHERE IN THE NEIGHBORHOOD OF WHERE THE POSITIONS PROBABLY NEED TO BE BUT THERE ARE OTHER POSITIONS THAT WOULD REQUIRE AN EVEN FURTHER ADJUSTMENT AS FAR AS COMPENSATION IS CONCERNED.

SENATOR BARNETT: WHAT WHAT TYPES OF POSITIONS WOULD THOSE BE.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: LIKE THE ARCHAEOLOGISTS.

SENATOR BARNETT: RIGHT.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: THE ENGINEERS YOU KNOW POSITIONS THAT MARKET WILL DICTATE ASTRONOMICAL SALARIES FOR BUT WE TRY TO FIGURE OUT WHERE WE CAN MEET AT THE DEPARTMENT MIDDLE GROUND BECAUSE WE'VE GOT TO CONSIDER BUDGETS AND FUNDING SOURCES WITH THEM.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: ARE THERE OTHER FACTORS YOU THINK THAT BESIDES PAY THAT LEAD TO DISPARITIES AND OUR ABILITY TO ATTRACT CERTAIN TYPES OF POSITIONS LIKE MAYBE FOR EXAMPLE OUR GEOGRAPHIC ISOLATION ETC.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: YES DEFINITELY AS FAR AS GEOGRAPHIC ISOLATION YOU KNOW WE ONE OF THE THINGS WE TAKE INTO CONSIDERATION LIKE THE DIRECTOR SAID IS YOU KNOW TAKING A LOOK AT CENTRAL STATES IN THE MAINLAND IT'S NOT A DIRECT COMPARISON AND WE WON'T EVER GET A PERFECT COMPARISON HAWAII IS ALSO NOT A PERFECT COMPARISON FOR US RIGHT BECAUSE THERE'S TOO MANY FACTORS TO TAKE INTO CONSIDERATION BUT WHEN LOOKING AT JOBS FOR INSTANCE THERE'S A LOT OF HOUSEHOLD POSITIONS YOU KNOW THE ENGINEERS BIOLOGISTS THINGS LIKE THAT THAT EVERY STATE DISTRICT COUNTY AND CITY HAS TAKING A LOOK AT THOSE AND SEEING WHERE THOSE SALARIES LIE COMPARED TO OURS IS KIND OF WHERE WE YOU KNOW MAKE THAT COMPARISON.

DOA – DIRECTOR BIRN: WE ALSO CAN'T SHARE SERVICES BECAUSE OF THE FACT THAT WE'RE A LONG WAY FROM THE MAINLAND.

SENATOR BARNETT: SURE.

DOA – DIRECTOR BIRN: WE HAVE TO PROVIDE EVERY SERVICE OURSELVES.

SENATOR BARNETT: I WANTED TO ASK OR THE AUTONOMOUS AGENCIES IN YOUR YOUR LETTER THAT YOU PROVIDED TO THE BODY IN JANUARY IT'S A GREAT LETTER REALLY MAKES THE CASE FOR THE GENERAL PAY PLAN INCREASES BUT I JUST WANTED TO QUOTE FROM YOUR LETTER HERE RELATIVE TO AUTONOMOUS AGENCY A SLASH DEPARTMENT PAY I BELIEVE THIS IS A PAGE ELEVEN IT HAS BECOME APPARENT I ALMOST WANT TO READ THIS IN THE BRITISH ACCENT IT HAS BECOME APPARENT IN MORE RECENT YEARS THAT THE ABILITY FOR AUTONOMOUS AGENCIES AND DEPARTMENTS TO MAKE ADJUSTMENTS TO THEIR COMPENSATION STRUCTURES WHILE THE GPP HAS REMAINED STAGNANT HAS HAD AN IMPACT ON INTERNAL EQUITY AND CREATED A SITUATION WHERE LINE AND OTHER AUTONOMOUS AGENCIES AND DEPARTMENTS LOSE EMPLOYEES TO THOSE AUTONOMOUS AGENCIES AND DEPARTMENTS THAT HAVE VERY COMPETITIVE SALARIES ADJUSTMENT OF COMPENSATION SCHEDULES WITHIN THOSE AGENCIES AND DEPARTMENTS HAS CREATED A NEW FACTOR TO THE LOCAL LABOR MARKET IN REGARDS TO COMPETITION FOR CRITICAL MANPOWER RESOURCES AND THIS IS SOMETHING I HEAR ABOUT A LOT RIGHT AND SO YOU MENTIONED THAT WE LOSE PEOPLE TO THE STATES RIGHT PEOPLE

LEAVE AND THEY GO MOVE OFF TO THE STATE TO GET A BETTER JOB AND THEN I ALSO HEAR THAT YOU KNOW FOR EXAMPLE IN THE CASE OF LAW ENFORCEMENT WE HAVE OFFICERS WHO ARE GOING TO BECOME SECURITY GUARDS AT CAMP BLAZ OR YOU KNOW BECOMING A SECURITY GUARDS OF THE NAVAL BASE THAT BEING SAID HOW COMPETITIVE ARE THE AUTONOMOUS AGENCIES SALARIES COMPARED TO THEIR STATES OUT STATESIDE COUNTERPARTS AND WELL I GUESS IF YOU JUST COULD ANSWER THAT QUESTION FIRST.

DOA – DIRECTOR BIRN: YEAH I DON'T THINK WE HAVE THE INFORMATION BECAUSE WE DIDN'T STUDY THE THE THEIR RELATIVE PAY TO TO THE STATES.

SENATOR BARNETT: RIGHT OKAY.

DOA – DIRECTOR BIRN: BUT JUST SPEAKING YOU KNOW PERSONALLY I THINK IN THE LAST THREE MONTHS OF TWENTY TWENTY TWO DOA LOST THREE EMPLOYEES TO AUTONOMOUS AGENCIES OF ONE SORT OR ANOTHER AND SOME OF THEM EVEN SAID YOU KNOW THEY'RE THEY'RE DOING WORK THAT'S LESS DEMANDING BECAUSE FRANKLY DOA'S WORK IS PRETTY DEMANDING THEY'RE DOING WORK THAT'S LESS DEMANDING FOR MORE PAY AND AND WE'VE TRIED TO ADDRESS THAT IN HERE I HOPE WE'VE MANAGED TO MAKE SOME DIFFERENCE AND AND I I DON'T THINK WE'VE LOST ANYBODY IN THE FIRST THREE MONTHS OF OF THIS YEAR AT LEAST TO TO THOSE AGENCIES BUT THEIR PAY IS IS SET BY THEIR BOARDS AND I DON'T KNOW THAT THEY PROVIDE ANY JUSTIFICATION FOR SOME OF THESE ADJUSTMENTS.

SENATOR BARNETT: RIGHT ALSO THE JUDICIARY OF GUAM RIGHT I WAS KIND OF WONDERING AND I DON'T KNOW IF THIS IS A QUESTION FOR THE AUTHOR BUT I WANT TO READ FROM A LETTER A PUBLIC HEARING TESTIMONY FROM CHIEF JUSTICE ROBERT TORRES AND SO THE JUDICIARY OF GUAM AND I'LL JUST QUOTE HERE A MANDATE FOR INTERNAL EQUITY AND EXTERNAL COMPETITIVENESS TITLE IV GCA MANDATES THAT OUR EMPLOYEE COMPENSATION BE BASED ON INTERNAL EQUITY AND EXTERNAL COMPETITIVENESS WHILE WE POSSESS THE LEGAL AUTHORITY TO ADDRESS THE PAY SCALES OF OUR EMPLOYEES THE ABILITY TO IMPLEMENT THOSE ADJUSTMENTS IS SUBJECT TO THE AVAIL AVAILABILITY OF FUNDS FOR EXAMPLE AFTER THE GOVERNOR GUAM RAISED THE BASE PAY OF LAW ENFORCEMENT OFFICERS BY EIGHTEEN PERCENT LAST YEAR THE JUDICIAL COUNCIL APPROVED ONLY A SEVEN PERCENT INCREASE FOR PROBATION OFFICERS AND DEPUTY MARSHALS AND A SIX PERCENT INCREASE FOR NON-LAW ENFORCEMENT COURT EMPLOYEES TO ENSURE INTERNAL EQUITY AND MOVING ALONG HERE THEY SAY TO PREVENT FURTHER LOSS OF COURT EMPLOYEES THE JUDICIARY HAS REVIEWED THE COST OF APPLYING THE DEPARTMENT OF ADMINISTRATION'S RECOMMENDATIONS ESTIMATED IMPACT OF PAYING SALARY ADJUSTMENTS TO JUDICIARY EMPLOYEES IS ONE MILLION FORTY NINE TWO HUNDRED SIXTY THREE DOLLARS AND THAT FIGURE REPRESENTS AN APPROXIMATE FIFTEEN PERCENT UPWARD ADJUSTMENT RATHER THAN A FULL TWENTY TWO PERCENT AS EMPLOYEES HAVE ALREADY RECEIVED THEIR SIX PERCENT INCREASE JUST AND I DON'T KNOW IF THIS IS A QUESTION THAT YOU CAN ANSWER BUT IF THE JUDICIARY IS ABLE TO RAISE THEIR OWN SALARIES THEN WHY ARE THEY INCLUDED IN THE BILL.

DOA – DIRECTOR BIRN: THE FUNDING FOR THE JUDICIARY COMES FROM THE GENERAL FROM THE GENERAL FUND SO THE ANY INCREASE THAT THEY PAY THEY'RE EXPECTING TO COME FROM AN INCREASE IN THEIR ALLOCATION FROM THE GENERAL FUND SO THAT'S WHY THEY'RE ASKING.

SENATOR BARNETT: OKAY AND THEN YOU ALSO TALKED ABOUT WHAT WAS IT SENATOR PARKINSON SAID THAT THAT AND JUST A MAYBE A TRANSLATION HERE HE KEEPS SAYING YOU'RE FIFTY PERCENT OF THE EMPLOYEES WHO EARN OVER A HUNDRED THOUSAND DOLLARS IN THE LINE AGENCIES.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: YES AND I BELIEVE THE QUESTION OR THE STATEMENT IS REFERENCE TO THOSE LINE AGENCY EMPLOYEES THAT EARN A HUNDRED THOUSAND AND YOU KNOW IN MY RESPONSE YEAH THERE WERE QUITE A FEW TENURED EMPLOYEES THAT DID AND YEAH I CURRENTLY AS IT STANDS COVERED BY THE GPP THERE'S TWO.

SENATOR BARNETT: SO THERE ARE TWO EMPLOYEES IN THE GPP THIS IS JUST LINE AGENCIES RIGHT.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: CORRECT.

SENATOR BARNETT: OKAY.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: CORRECT.

SENATOR BARNETT: AND BECAUSE THERE'S YOU KNOW JUST DISCUSSING THIS ISSUE WITH SOME OF THE COLLEAGUES RIGHT I THINK THAT AND I KNOW I SPOKE WITH YOU MR. BIRN BEFORE THE HEARING WE'RE WONDERING IS THERE WAS THERE A WAY TO KIND OF CHIP AWAY AT THIS TWENTY TWO PERCENT INCREASE YOU KNOW AND JUST TRYING TO MAKE IT MAKE SENSE RIGHT BECAUSE YOU DO HAVE SOME OF THOSE HIGH-END EARNERS AND AND I'M SURE WHEN YOU DO THE MATH TO GIVE A HIGH-END EARNER AN INCREASE THAT YOU KNOW THAT REACHES AN AMOUNT THAT EQUALS YOU KNOW LIKE A LOW PAYING EMPLOYEE.

DOA – DIRECTOR BIRN: WELL TO PUT IT IN CONTEXT SENATOR THERE'S ABOUT THIRTY FIVE HUNDRED EMPLOYEES WHO ARE AFFECTED BY THE GENERAL PAY PLAN THAT THAT ARE LOCALLY FUNDED OF THOSE THERE'S TWO THAT ARE EARNING MORE THAN A HUNDRED THOUSAND AS YOU SAY THERE'S.

SENATOR BARNETT: RIGHT HOW ABOUT I MEAN WHAT HAVE WE LOWER IT AND WE SAY HOW ABOUT 80,000 AND UP.

DOA – DIRECTOR BIRN: RIGHT.

SENATOR BARNETT: DO YOU HAVE THOSE NUMBERS.

DOA – DIRECTOR BIRN: I'M JUST ABOUT TO GIVE YOU.

SENATOR BARNETT: OH THANK YOU THANK YOU.

DOA – DIRECTOR BIRN: THOSE NUMBERS THE SIXTEEN THAT ARE EARNING EIGHTY THOUSAND TO A HUNDRED THERE'S I THINK TWO HUNDRED AND EIGHTY ODD THAT ARE EARNING FIFTY THOUSAND TO EIGHTY THOUSAND BUT AS YOU CAN SEE THE VAST MAJORITY OF THOSE COVERED BY THIS PAY PLAN ARE EARNING LESS THAN FIFTY THOUSAND THE PEOPLE AT THE TOP WERE AFFECTED BY THE COMPRESSION THAT WAS PUT IN THE LAST TIME THE PAY PLAN WAS INSTITUTED SO THAT ACTUALLY COMPRESSED THEIR SALARY AND AND IS ONE OF THE REASONS THAT THEY DIDN'T EARN COMPETITIVE RATES IS BECAUSE THEY'RE THEY'RE INCREASE LAST TIME THAT THIS WAS THIS WAS DEBATED WAS ARTIFICIALLY COMPRESSED.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: AND IF I CAN ADD YOU KNOW TRYING TO I GUESS HONE IN RIGHT ONE ONE THING TO CAUTION WOULD BE TO YOU KNOW WE DON'T ADJUST PAY BASED ON THE EMPLOYEE THEMSELVES BUT WHEN YOU TAKE A LOOK AT THE POSITIONS THAT ARE IN THESE RANGES RIGHT.

SENATOR BARNETT: YEAH.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: LET'S YOU KNOW TAKE A LOOK AT THOSE THAT ARE BETWEEN EIGHTY THOUSAND TO HUNDRED THOUSAND RIGHT THESE POSITIONS ARE ARE LARGE POSITIONS THEY HAVE HIGHER PAY GRADES BECAUSE THEIR JOBS HAVE GREATER IMPACT AND GREATER SCOPE.

SENATOR BARNETT: COULD YOU JUST REEL OFF SOME OF THE POSITION TITLES.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: SURE SOME OF THEM ARE THE DEPUTY FINANCIAL MANAGER FOR DOA RIGHT TO OVERSEE ALL THE GENERAL FUND CHIEF ENVIRONMENTAL PUBLIC HEALTH OFFICER CHIEF PROCUREMENT OFFICER CHIEF OF AQUATICS AND WILDLIFE ADMINISTRATOR OF THE OFFICE OF CIVIL DEFENSE COMMUNITY HEALTH CENTER CEO CHIEF ECONOMIST CHIEF OF CATASTROPHE PERSONNEL MANAGEMENT ADMINISTRATOR PSYCHIATRIC SOCIAL SERVICE ADMINISTRATOR SO YOU SEE THESE ARE ALL THE MANAGERS THAT KEEP THE GOVERNMENT TOGETHER AND KEEP THE TEAMS MOVING SO THAT'S WHY OUR STUDIES BASED ON THE POSITIONS THEY HOLD AND NOT THE ACTUAL EMPLOYEES HOLDING THEM.

SENATOR BARNETT: UNDERSTOOD I JUST WANTED BECAUSE I HAVE THE GUAM MEMORIAL HOSPITAL AUTHORITY STAFFING PATTERN AND THEY ARE INCLUDED IN THE BILL RIGHT AND I UNDERSTAND THAT WHAT WE'RE TRYING TO DO IS MAKE SALARIES EQUITABLE EITHER WITH THE AUTONOMOUS AGENCIES OR THERE'S THE POSITION STATESIDE COUNTERPARTS AND SO THAT BEING SAID I WAS RESEARCHING THE AVERAGE PAY A STATE SIDE FOR A PHARMACIST FOR EXAMPLE AND IT'S ABOUT HUNDRED THIRTY THOUSAND DOLLARS RIGHT AND THAT'S WHAT THAT'S THE BASED ON THE RESEARCH I DID THAT WAS THE NUMBER THAT THAT CAME UP AND SO I'M JUST LOOKING AT SOME OF THESE AND NOT TO SINGLE OUT THE PHARMACISTS BUT IF WE'RE PAYING PHARMACISTS HUNDRED TWENTY FOUR THOUSAND EIGHT HUNDRED FIFTY THREE DOLLARS HUNDRED TWENTY EIGHT THOUSAND SEVEN HUNDRED TWENTY THREE HUNDRED TWENTY FOUR THOUSAND NINE HUNDRED THIRTEEN DOLLARS HUNDRED THIRTY ONE THOUSAND NINE HUNDRED NINETY NINE DOLLARS A HUNDRED TWENTY ONE THOUSAND NINETY NINE DOLLARS HUNDRED FORTY ONE THOUSAND FOR THE CHIEF HOSPITAL PHARMACIST HEALTHCARE ADMINISTRATOR HUNDRED TWENTY ONE THOUSAND THESE ARE ALL DIFFERENT POSITIONS BUT I GUESS THIS IS WHAT I WOULD ASK IS IF IF IT KIND OF LOOKS LIKE THESE POSITIONS ARE ALREADY AT A LEVEL WHERE THEY'RE COMPETITIVE WITH THEIR STATESIDE COUNTERPARTS.

DOA – DIRECTOR BIRN: YEAH I'M NOT SURE BECAUSE I I DON'T HAVE THE FIGURES THAT YOU HAVE IN FRONT OF YOU SENATOR BUT A HOSPITAL PHARMACIST IS GENERALLY PAID VERY MUCH MORE.

SENATOR BARNETT: YUP.

DOA – DIRECTOR BIRN: THAN YOU KNOW A PHARMACIST IN IN OTHER CIRCUMSTANCES.

SENATOR BARNETT: SURE.

DOA – DIRECTOR BIRN: BUT I YOU MAY BE RIGHT I JUST DON'T HAVE THOSE.

SENATOR BARNETT: I MEAN I'M NOT ARGUING THAT THEY DON'T DESERVE IT I'M JUST SAYING IF THEY'RE ALREADY GETTING PAID WHAT THE PHARMACIES IN THE STATES MAKE AND WE'RE ADDING ON AN EXTRA TWENTY TWO PERCENT I MEAN WE MIGHT HAVE LIKE A MILLION PHARMACISTS COME INTO GUAM TO WORK.

DOA – DIRECTOR BIRN: IT MAY BE BUT I CAN TELL YOU THE TIME THAT I WAS AT THE HOSPITAL THESE THESE PHARMACISTS WERE HAVING TO WORK VERY LONG HOURS BECAUSE THEY DIDN'T HAVE ENOUGH STAFF THEY COULDN'T RECRUIT ENOUGH PHARMACISTS.

SENATOR BARNETT: SO YOU ANTICIPATE THAT WON'T BE A PROBLEM IF WE PASSED THIS TWENTY TWO PERCENT INCREASE.

DOA – DIRECTOR BIRN: IT SHOULD MITIGATE THE PROBLEM.

SENATOR BARNETT: RIGHT I WANTED TO ASK FOR MY GDOE PEOPLE I DID HAVE A QUESTION IN HERE THAT WAS SENT IN FROM A CONSTITUENT THIS IS RELATIVE TO ONE TO ONE AIDES AND JUST OTHER AIDES IN THE PUBLIC SCHOOL SYSTEM WHO ARE LIMITED TIME FULL-TERM EMPLOYEES THEY QUALIFY FOR ANNUAL SICK LEAVE AND OTHER BENEFITS BUT THEY DON'T GET NO INCREMENTS YEARLY WOULD THESE TYPES OF POSITIONS BE COVERED UNDER THE GENERAL PAY PLAN INCREASE.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: YES THEY THEY WILL BE YOU KNOW IF ESPECIALLY IF THEY'RE YOU KNOW A LOT OF TIMES THE LIMITED TERM RIGHT THEY USE CLASSIFIED POSITIONS TO FILL THEM SO YES IF THEY'RE ANOTHER GENERAL PAY PLAN THEY DO GET COVERED FOR THE INCREASE.

SENATOR BARNETT: I WANTED TO KIND OF GO BACK TO THE RETENTION RIGHT AND THEN IT MAY BE A SEPARATE ISSUE BUT ARE YOU AWARE BECAUSE WITH THE LAW ENFORCEMENT RIGHT WE'VE HEARD FROM THE CHIEF OTHER THAN A LACK OF APPLICANTS MAYBE BECAUSE OF THE PAY LEVELS THERE'S ALSO AN ISSUE WITH THEM BEING ABLE TO PASS THE THE WRITTEN EXAM THAT'S REQUIRED TO BE HIRED INTO LAW ENFORCEMENT COULD YOU IF YOU DON'T MIND COULD YOU JUST SPEAK A LITTLE BIT ON THAT.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: YEAH YOU KNOW YES AND AND THAT'S THAT'S TRUE GENERALLY AND EACH EACH LAW ENFORCEMENT DEPARTMENT THE WRITTEN TEST THEY HAVE DIFFERENT TESTS FOR FOR SOME OF THE CYCLES YOU KNOW THERE IS A LOWER PASS RATE BUT GENERALLY SPEAKING FOR THE ENTRY LEVEL POSITIONS YOU'RE LOOKING AT ABOUT A FIFTY PERCENT PASS RATE LET'S SAY WE GET A TWO HUNDRED APPLICANTS FOR A POSITION HUNDRED OF THEM WILL PASS AND MOVE ON TO THE PHYSICAL TESTING AT THAT POINT.

SENATOR BARNETT: THANK YOU MR. BIRN I I WASN'T SURE IF I HEARD YOU CORRECTLY BUT RELATIVE TO MERIT BONUSES DID YOU SAY THAT THEY HAVEN'T BEEN PAID OR THEY HAVE OKAY.

DOA – DIRECTOR BIRN: SORRY THEY HAVEN'T.

SENATOR BARNETT: THEY HAVE NOT THEY HAVE NOT ARE THERE PREPARATIONS UNDERWAY TO PAY THESE MERIT BONUSES OUT.

DOA – DIRECTOR BIRN: YES.

SENATOR BARNETT: OKAY OKAY AND HOW MUCH IS THAT GONNA COST.

DOA – DIRECTOR BIRN: THE FIGURE THAT WE CAME OUT WITH SOMEWHERE BETWEEN SIX OR SEVEN MILLION.

SENATOR BARNETT: SIX OR SEVEN MILLION AND IS THIS JUST FOR LINE AGENCIES.

DOA – DIRECTOR BIRN: THAT IS JUST FOR LINE AGENCIES.

SENATOR BARNETT: OKAY YEAH IF YOU COULD EXPLAIN THE PROCESS BEHIND A MERIT BONUSES BECAUSE I WAS ON YOUR WEBSITE A FEW DAYS AGO AND I THOUGHT IT WAS INTERESTING SO YOU GET A MERIT BONUS BASICALLY WHEN YOU HAVE AN OUTSTANDING EMPLOYEE EVALUATION.

DOA – DIRECTOR BIRN: THAT'S CORRECT WE'VE WE WERE REQUIRED DOA WAS REQUIRED TO RECONSTITUTE AND UPDATE THE PROS PROCESS FOR EVALUATING THESE BONUSES TO BOTH TO COMPLY WITH THE LAW AND TO MAKE IT MORE MORE OF A TENABLE PROCESS DOA HAS COMPLETED THAT PROCESS AND THAT'S ONE OF THE FACTORS THAT PREVENTED US FROM ACTUALLY PAYING THE MERIT BONUSES AND IT'S BEEN SUBMITTED TO THE GOVERNOR AND I I BELIEVE SHE'S ON THE PRO ON THE CUSP OF ACTUALLY APPROVING THAT NEW PLAN.

SENATOR BARNETT: I WANTED TO ASK MR. SHANE ABOUT HAZARDOUS PAY AND AND AND MAYBE GOING TO PROPOSE AN ARGUMENT HERE BUT GDOE'S FACING PROBLEMS RECRUITING FACILITIES AND MAINTENANCE STAFF RIGHT WE HEAR ALL ABOUT IT RIGHT SO WOULD YOU SAY THAT WORKING IN SCHOOLS THAT POSE IMMINENT HEALTH AND SAFETY RISK TO STUDENTS WOULD WARRANT HAZARD PAY FOR FACILITIES AND MAINTENANCE A CUSTODIAN WORKER IN THOSE CONDITIONS

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: YOU KNOW I THINK I CAN ANSWER THAT IN THE FRAMEWORK OF THE CURRENT HAZARDOUS PAY POLICY FOR GOVERNMENT OF GUAM SO LET'S SAY YOU DID HAVE A MAINTENANCE PERSONNEL THAT WORKED IN CERTAIN CONDITIONS DEPARTMENTS ACCORDING TO OUR CURRENT HAZARD PAY POLICY CAN REQUEST FOR AN ASSESSMENT TO BE DONE BY THE DEPARTMENT OF LABOR ONCE THAT CERTIFICATION IS DONE THEY CAN CERTIFY WHICH CATEGORY OF HAZARD THEY CAN PAY THEY CAN GET AND AT THAT POINT THEY CAN BE PAID WHILE THEY'RE WORKING IN THAT CONDITION THE WAY THAT'S BEEN WORKED BEFORE SOME POSITIONS BECAUSE THEY'RE IN THAT CONDITION MISSION AS A PERMANENT CONDITION OF THEIR JOB HAVE BEEN GRANTED LIKE GPD RIGHT THEY'VE BEEN GRANTED HAZARD PAY FROM THE MOMENT THEY CLOCK IN TO THE MOMENT THEY LEAVE SO THAT'S THE TWO WAYS THAT THE GOVERNMENT'S ADDRESS HAZARD PAY.

SENATOR BARNETT: IN YOUR OPINION DO YOU THINK THAT GDOE MAINTENANCE AND FACILITIES PERSONNEL WOULD BE DESERVING OF HAZARDOUS PAY.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: YOU KNOW.

SENATOR SHELTON: THANK YOU SENATOR BARNETT THAT'LL BE YOUR LAST QUESTION.

SENATOR BARNETT: OH.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: I I THINK I MEAN IF THEY'VE GONE THROUGH THE PROCESS TO ESTABLISH THE HAZARD ON WHAT KIND OF CONDITION I DON'T SEE ANY REASON WHY NOT.

SENATOR BARNETT: YEAH.

SENATOR SHELTON: SPEAKER TERLAJE.

SPEAKER TERLAJE: THANK YOU JUST TO CLARIFY SHANE IF GDOE WANTED TO CLASSIFY THEM AS HAZARDOUS POSITIONS YOU'RE SAYING THERE'S NOTHING ANYONE ELSE NEEDS TO DO THAT ALREADY EXISTS THAT PROCESS.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: THERE YES THERE IS A CURRENT PROCESS I YOU KNOW I HAVEN'T TALKED TO THEIR PERSONAL OFFICE ON HOW THEY ADMINISTER THAT SO IF THEY DO USE IT THE PROCESS I DESCRIBED WOULD BE THE WAY THAT THEY WOULD BE ABLE TO GET IT OTHERWISE IT'S IT IS DONE THROUGH STATUTE.

SPEAKER TERLAJE: OKAY ALL RIGHT I'M GOING TO START WITH THE BILL ON FOR MY QUESTIONS SO ON THE FIRST PAGE OF THE BILL IT SAYS THAT YOU'RE GOING TO AS THAT DOA IS ALLOWED TO REVIEW COMPENSATION AND ESTABLISH YOU KNOW THESE POLICIES BASED ON HAY METHODOLOGY IS THIS HAY METHODOLOGY THAT YOU USED.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: YES THAT'S CORRECT SENATOR.

SPEAKER TERLAJE: ALL RIGHT AND IT SAYS AND TO DELEGATE AUTHORITY TO ASSESS AND UPDATE THE UNIFIED PAY SCHEDULE TO CERTAIN AGENCIES WHERE WAS THIS AUTHORITY DELEGATED TO ANY AGENCIES BY DOA.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: NO.

SPEAKER TERLAJE: NO YOU DID IT ALL RIGHT.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: YES.

SPEAKER TERLAJE: OKAY AND SO THEN ON THE NEXT PAGE OF THE BILL IT SAYS THAT WELL YOU YOU PURSUANT TO THIS AUTHORITY SUBMITTED TO THE GOVERNOR OF GUAM RECOMMENDATIONS FOR A GENERAL PAY PLAN UPDATE WHICH THE GOVERNOR APPROVED FOR IMPLEMENTATION BEGINNING APRIL 1, 2023 THAT MEANS THIS PAID PLANS GOING INTO EFFECT REGARDLESS OF WHAT WE DO IS THAT CORRECT.

DOA – DIRECTOR BIRN: SORRY SENATOR GOING INTO EFFECT.

SPEAKER TERLAJE: YEAH REGARDLESS OF WHAT THE LEGISLATURE DOES.

DOA – DIRECTOR BIRN: THE THE GOVERNOR HAS THE AUTHORITY TO IMPLEMENT THE PAY PLAN BUT THE LEGISLATURE HAS TO APPROPRIATE THE FUNDS TO PAY FOR THE PAY PLAN.

SPEAKER TERLAJE: ALL RIGHT WELL WE DIDN'T DO THAT FOR ANY OF THE OTHER PAY PLANS AND THE GOVERNOR WAS ABLE TO FIND MONEY AND IMPLEMENT THEM ON HER OWN SO TECHNICALLY SHE HAS THAT POWER.

DOA – DIRECTOR BIRN: YES.

SPEAKER TERLAJE: ALL RIGHT.

DOA – DIRECTOR BIRN: BUT IN THIS PARTICULAR CASE BECAUSE WE HAVE A BALANCED BUDGET THE FUNDS HAVE TO BE FOUND TO PAY FOR FOR THIS PARTICULAR PAYMENT.

SPEAKER TERLAJE: OKAY AND SO IT SAYS THAT THE GOVERNOR APPROVED FOR FOR IMPLEMENTATION THE RECOMMENDATIONS FOR A GENERAL PAY PLAN SO I WANT TO CLARIFY THIS DID SHE APPROVE ALL NINE RECOMMENDATIONS IT LOOKS LIKE YOU MADE NINE CATEGORIES OF RECOMMENDATIONS SO I'M LOOKING AT YOUR LETTER ON PAGE BECAUSE WHAT SHE APPROVED WAS BASED ON YOUR LETTER TO HER THE LETTER THAT WE'RE LOOKING AT ON THE FLOOR JANUARY 30, 2023 FROM DOA TO THE GOVERNOR AND ON PAGE TWELVE THROUGH FIFTEEN IT TALKS ABOUT OR FOURTEEN IT TALKS ABOUT THE RECOMMENDATIONS AND SO THERE ARE MANY OF THEM SO IS IT YOUR OPINION THAT ALL OF THESE RECOMMENDATIONS ARE APPROVED AND IMPLEMENTED WITHOUT I MEAN ON YOUR OWN WITHOUT ANY OTHER ACTION NECESSARY BY THE LEGISLATURE OR IS IT ONLY THE IF YOU LOOK AT IMPLEMENTATION AFTER ALL THE RECOMMENDATIONS IT SAYS DOA WILL ISSUE FORMAL GUIDANCE ON THE PROPER SLOTTING OF EMPLOYEES AND ANY OTHER ADMINISTRATIVE ACTIONS NECESSARY TO IMPLEMENT ANY APPROVED RECOMMENDATIONS SO WHICH RECOMMENDATIONS DO YOU BELIEVE ARE APPROVED.

DOA – DIRECTOR BIRN: THE GOVERNOR WAS GRACIOUS ENOUGH TO APPROVE THE WHOLE PAY PLAN SOME OF THESE RECOMMENDATIONS THOUGH ARE FUTURE ACTIVITIES THAT WE WILL UNDERTAKE ONCE WE'VE GOT THROUGH THE THE FUNDING OF THE THE MAIN PAY INCREASE.

SPEAKER TERLAJE: YES OKAY SO I JUST LIKE TO LOOK AT THESE IT LOOKS LIKE EVEN WITH THIS PAY OH SORRY AND THEN ATTACHED TO THIS IS A TABLE RIGHT SO ATTACHED TO YOUR LETTER TO THE GOVERNOR WAS A TABLE CALLED THE GOVERNMENT OF GUAM GENERAL PAY PLAN 2023 THE PREVIOUS PAY PLAN TABLE DOESN'T IT EXIST IN STATUTE.

DOA – DIRECTOR BIRN: I'M GOING TO ASK SHANE TO RESPOND TO THAT BUT MY UNDERSTANDING IS THAT IT WAS ATTACHED IT WAS ATTACHED TO THE PREVIOUS COMPETITIVE PAY LAW.

SPEAKER TERLAJE: RIGHT IT WAS ATTACHED TO THE LAW I'VE SEEN IT I THINK IN THE CODE SO I WAS WONDERING IF THIS IS INTENDED TO REPLACE THAT OR OR PEOPLE ARE JUST GOING TO FIND THIS ON YOUR WEBSITE SOMEWHERE AND HOW DOES THAT WORK.

DOA – DIRECTOR BIRN: YES I MEAN YES IT SHOULD REPLACE WHAT'S IN YOUR IT'S IN THE CODIFIED LAW AND IT SHOULD REPLACE THAT YES.

SPEAKER TERLAJE: OKAY AND AND BEFORE I GET TO THE DETAILED RECOMMENDATIONS YOU SAID THAT YOU BASED THIS PAY PLAN THE TWENTY TWO PERCENT RAISES BECAUSE YOU LOOKED AT AND I'M LOOKING NOW ON PAGE EIGHT AND NINE OF YOUR LETTER WHERE YOU LAID OUT OCCUPATIONAL CATEGORIES YOU TOLD US HOW MANY EMPLOYEES ARE AFFECTED BY THESE OCCUPATIONAL CATEGORIES YOU TELL US THE AVERAGE ANNUM AVERAGE SALARY PER ANNUM AND YOU START IT WITH LIKE A PAY SCALE OF THIRTY TWO THOUSAND AS AN AVERAGE SALARY IF A CLERICAL AND RELATED AND THEN THE HIGHEST ONE HERE I CAN FIND IS THIS FIFTY FIVE THOUSAND SIX HUNDRED SEVENTY SEVEN WHICH IS CATEGORY TWLEVE ADMINISTRATIVE MANAGERIAL AND RELATED TRADES AND IF WE ADD IT TWENTY TWO PERCENT TO THESE SO WE'RE LOOKING AT AN ORIGINAL RANGE FROM THIRTY TWO THOUSAND TO FIFTY FIVE THOUSAND IT WOULD CHANGE FROM IT WOULD CHANGE TO ABOUT THIRTY NINE THOUSAND UP TO SIXTY SEVEN THOUSAND RIGHT ADDING TWENTY TWO PERCENT MY QUESTION IS WHY DID YOU STOP AT FIFTY FIVE THOUSAND DO YOU BELIEVE THIS TO BE THE BULK OF THE EMPLOYEES OF THE GOVERNMENT OF GUAM AND I THINK YOU SAID IT WAS THAT FIFTH THE MAJORITY WERE LESS THAN FIFTY THOUSAND IS THAT WHAT YOU SAID MR BIRN.

DOA – DIRECTOR BIRN: YES WE SEPARATED OUT INTO LAYERS THOSE THAT WERE EARNING MORE THAN FIFTY THOUSAND THE BALANCE ARE OBVIOUSLY LEARNING EARNING LESS.

SPEAKER TERLAJE: OKAY SO YOU THINK IT'S IT'S YES AND AND I JUST WANT TO CLARIFY THAT I HEARD CORRECTLY THAT YOU SAID THE MAJORITY ARE EARNING LESS THAN FIFTY THOUSAND THERE ARE ONLY TWO HUNDRED EIGHTY WHO ARE MAKING BETWEEN FIFTY AND EIGHTY THOUSAND THERE ARE EIGHT SIXTEEN EMPLOYEES MAKING BETWEEN EIGHTY AND HUNDRED THOUSAND IN THE THE DOA'S ORIGINAL SUBMISSION OF THE GENERAL PAY PLAN AND THERE ARE TWO OVER ONE HUNDRED THOUSAND IS THAT WHAT.

DOA – DIRECTOR BIRN: FOR THE LINE AGENCIES.

SPEAKER TERLAJE: FOR THE LINE AGENCIES.

DOA – DIRECTOR BIRN: YES.

SPEAKER TERLAJE: OKAY SO THAT GOES TO MY NEXT QUESTION WHAT ABOUT IN THESE ALL OF THESE AGENCIES THAT WERE ADDED IN THE NEW BILL THAT WE'RE CONSIDERING BY THE GOVERNOR INCLUDING I MEAN YEAH I WOULD THINK THESE ARE THE AGENCIES WHERE THE THESE DO NOT REFLECT LIKE UNDER FIFTY THOUSAND DOES NOT REFLECT THE

SALARIES IN THESE AGENCIES WE'RE TALKING ABOUT THE JUDICIARY LET ME LOOK AT THE LIST UOG GMH I DON'T KNOW AND DO YOU KNOW DO YOU HAVE THAT BREAKDOWN AS WELL.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: WELL TO HELP ANSWER THE QUESTION WE DON'T HAVE THE SPECIFIC NUMBERS FOR LIKE THE JUDICIARY BUT WHAT WE DID SEE WHEN LOOKING AT THE DATA PROVIDED FROM GMH AND DOE IS THAT GENERALLY THAT TREND IS THE SAME A VAST MAJORITY OF THE POSITIONS DO FALL WITHIN THAT SALARY RANGE AND YOU KNOW TO HELP I GUESS CLARIFY ON PAGES FOUR THROUGH SIX THAT GIVES OUR SAMPLE SLICE OF POSITIONS THAT WE REVIEWED AND SO A LOT OF THESE POSITIONS OUTSIDE OF SPECIFIC ONES TO DEPARTMENTS A LOT OF THEM ARE SHARED WITHIN THOSE AGENCIES ESPECIALLY YOUR ADMINISTRATIVE CLERICAL ANY POSITIONS OUTSIDE OF THAT WILL FALL IN THOSE HIGHER SALARY RANGES RIGHT BUT LET'S LIKE TAKE THE HOSPITAL FOR INSTANCE IN THE POSITIONS THAT YOU'LL FIND IN THAT FIFTY THOUSAND AND BELOW RANGE YOU'RE LOOKING AT A LOT OF THERAPIST POSITIONS YOU KNOW AND THINGS THAT ARE SPECIFIC TO THE HOSPITAL SO TO ANSWER YOUR QUESTION.

SPEAKER TERLAJE: OKAY.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: YES SOME OF THEM ARE INCLUDED BUT SOME OF THEM MAY NOT BE.

SPEAKER TERLAJE: OK I'M GOING TO GET BACK TO THOSE SPECIFIC AGENCIES SEMI-AUTONOMOUS AGENCIES SOON BUT LET ME JUST GO BACK THE RECOMMENDATIONS NOW SO THAT'S ON PAGE TWELVE THIRTEEN FOURTEEN OF THE BILL OF YOUR LETTER MY QUESTION IS FOR EXAMPLE IT'S IT YOU SAY THAT YOU'RE GOING TO CREATE AN MPP A MARKET PREMIUM PAY TO TARGET SPECIFIC ISSUES RELATED TO COMPENSATION FOR POSITIONS WHICH MARKET DEMANDS HIGHER PAY THAN THE GPP STRUCTURE SO THAT MEANS AFTER THESE ARE FUNDED YOU MIGHT GO IN AND AND CREATE A HIGHER PAY SCALE FOR SOME OTHER POSITIONS.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: YES YES SPEAKER THAT'S CORRECT IN REFERENCING OUR EARLIER DISCUSSION THAT I HAVE WITH THE SHPO FOR POSITIONS LIKE ARCHAEOLOGISTS TWENTY TWO PERCENT WILL MAKE UP SOME GROUND FOR WHAT SOME POSITIONS GET PAID BUT SOME MAY REQUIRE MORE ADJUSTMENT IN AN EFFORT TO NOT ADJUST THE WHOLE SCALE TO YOU KNOW ADVERSELY IMPACT THE BUDGET IT'S A MORE STRATEGIC ROUTE TO TRY AND HONE IN ON THOSE POSITIONS LIKE ENGINEERS THAT WANTS TO PAY MORE.

SPEAKER TERLAJE: OKAY FOR I HAVE NO OBJECTION TO THAT BUT IT SAYS YOU WILL ESTABLISH THE CRITERIA THE CRITERIA FOR INCLUSION IN THE MPP AND MAKE AMENDMENTS TO THE LIST OF AUTHORIZED POSITIONS AS IS DEEMED NECESSARY AND AS APPROVED BY THE DIRECTOR OF ADMINISTRATION HOW WILL WE KNOW WHEN THIS IS DONE.

DOA – DIRECTOR BIRN: WE WILL COME TO THE WE WILL COME TO THE LEGISLATURE FIRST OF ALL YOU KNOW UNDER ALL ALL OUR PRINCIPLES RIGHT WE WE PUBLISH ON OUR WEBSITE EVERYTHING THAT WE DO BUT IN ORDER TO FUND SOME OF THESE POSITIONS WE WOULD HAVE TO COME TO THE LEGISLATURE BECAUSE THEY ARE MARKET PREMIUM POSITIONS AND WE WOULD HAVE TO FIND THE ASK YOU FOR THE FUNDS FOR THE MARKET PREMIUM.

SPEAKER TERLAJE: OKAY SO YOU HAVE THE AUTHORITY TO ESTABLISH THIS AND FUND THESE POSITIONS IF YOU HAVE THE MONEY IF YOU DON'T YOU WOULD COME TO THE LEGISLATURE FOR THE MONEY OTHERWISE YEAH I I DIDN'T REALIZE THAT YOU HAD ALL THAT AUTHORITY TO DO THIS SO AND WE WILL WE CAN FIND IT PERHAPS ON YOUR WEBSITE WITH THIS THIS MIGHT INCLUDE THE SHPO OR I MEAN SORRY ARCHAEOLOGISTS LIKE YOU SAID AND SOCIAL WORKERS.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: YES SPEAKER IT COULD INCLUDE SOCIAL WORKERS AS WELL YES.

SPEAKER TERLAJE: ALL RIGHT AND THEN YOU'RE IN RECOMMENDATION NUMBER THREE SAYING THAT YOU'RE GOING TO LIFT THE SUSPENSION OF THE MERIT BONUS PROGRAM REINSTATE THAT YOU'RE GOING TO ESTABLISH A NEW MERIT BONUS PROGRAM AND MAKE THAT EFFECTIVE IN THE NEXT FISCAL YEAR THE NEW PRO THE NEW MERIT BONUS PROGRAM AND IN THE MEANTIME YOU'RE GOING TO TRY TO CATCH UP WITH THE UNPAID MERIT BONUSES THAT ARE OWED AND YOU CALCULATED THAT TO BE SIXTY SEVEN MILLION FOR LINE AGENCIES ALL RIGHT.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: YES YES.

SPEAKER TERLAJE: ARE THE AGENCIES CURRENTLY PAYING THIS ON A LIKE A REGULAR BASIS IT SOUNDS I I'VE BEEN GETTING SOME CALLS THAT SOME PEOPLE ARE GETTING MERIT BONUSES SOME ARE NOT ACROSS DIFFERENT AGENCIES ARE THEY GIVEN A MANDATE TO GO AHEAD AND PAY THE MERIT BONUSES OR NOT.

DOA – DIRECTOR BIRN: WELL.

SPEAKER TERLAJE: OR THAT COMES THROUGH.

DOA – DIRECTOR BIRN: THERE'S A DIFFERENCE BETWEEN THE SUSPENDED MERIT BONUSES AND CURRENT YEAR MERIT BONUSES.

SPEAKER TERLAJE: AND CURRENTLY.

DOA – DIRECTOR BIRN: CURRENT YEAR.

SPEAKER TERLAJE: CURRENT YEAR.

DOA – DIRECTOR BIRN: YES DO YOU WANT TO EXPLAIN THAT.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: YEAH SO GENERALLY WELL WE HAVEN'T PAID OUT ANY ANY BONUSES BECAUSE WE HAVE TO OF COURSE COMPLY WITH THIS RECOMMENDATION AND THE DIRECTOR DID STATE EARLIER THAT WE'VE COMPLETED THE PROCESS AND ARE JUST WAITING FOR FINAL APPROVAL FOR THE NEW SYSTEM TO GO IN PLACE BUT SOME OF THE GUIDANCE WE DID GIVE THE DEPARTMENTS WERE TO GET READY TO PAY THOSE ONCE APPROVALS IN PLACE AND WE COMPLY WITH THAT RECOMMENDATION AND SO I BELIEVE THAT'S A PROCESS THEY'RE GOING THROUGH YOU KNOW WE WALK THEM THROUGH YOU KNOW WHOSE OLD MERIT BONUSES BASED ON PERFORMANCE EVALUATIONS SO THERE HAS BEEN A LOT OF COMMUNICATION WITH DEPARTMENTS.

SPEAKER TERLAJE: OKAY AND THEN IT TALKS ABOUT A NUMBER FIVE STANDALONE PAY SCALES FOR PHYSICIANS DENTISTS PHARMACISTS AND OTHER STATUTORY MEDICAL PROFESSIONALS BE UPDATED TO ENSURE THESE POSITIONS ARE ACCOUNTED FOR BUT I DIDN'T SEE THOSE THOSE PAY SCALES LISTED IN YOUR THE BEGINNING OF YOUR LETTER WHERE YOU LISTED THE FIVE PAY SCALES BUT SO IN ADDITION TO THESE FIVE PAY SCALES WE WE HAVE WE CONFIRM IT'S THROUGH SENATOR BLAS THAT YOU ALSO HAVE A LAW ENFORCEMENT PAY SCALE AND AND THEN YOU ALSO HAVE NOW MEDICAL PROFESSIONAL PAY SCALE.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: YEAH SO A LITTLE BACKGROUND ON THAT WHAT HAPPENED IN 2014 WAS WE DID COME OUT WITH RECOMMENDATIONS FOR THOSE POSITIONS A SUBSEQUENT STATUTE AMENDED THOSE POSITIONS IN PARTICULAR AND GAVE AND GAVE IT ITS OWN SCALE AND TOLD DOA TO UPDATE THAT GOING FORWARD SO ONE OF OUR RECOMMENDATIONS WAS TO ALLOW US TO MAKE THOSE RECOMMENDATIONS GOING FORWARD SO WE HAVEN'T MADE THOSE YET AND THAT WILL INCLUDE THE DENTISTS AND THE PHYSICIANS I THINK BACK THEN THERE WAS A PUSH TO KEEP THE SALARIES HIGHER THAN WHAT THE CWA BACK THEN RECOMMENDED.

SPEAKER TERLAJE: OKAY SO THAT THEY'RE STATUTORY SO THEY YOU'D HAVE TO COME THROUGH HERE TO UPDATE THOSE SCALES SO THIS GPP DOES NOT INCLUDE THOSE POSITIONS AT FOR EXAMPLE AT THE HOSPITAL.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: WELL THE PHYSICIAN POSITIONS THAT WE'RE REFERENCING MOST IN THIS WOULD BE THE ONES AT PUBLIC HEALTH AND GUAM BEHAVIORAL HEALTH I BELIEVE THE HOSPITAL THROUGH STATUTE RIGHT CAN HANDLE THEIR THEIR MEDICAL POSITIONS ON THEIR OWN SO WHETHER THEY PRESCRIBE TO OUR SCALE OR NOT WE'RE NOT 100 PERCENT SURE.

SPEAKER TERLAJE: OKAY.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: YEAH.

SPEAKER TERLAJE: SO THE THOSE POSITIONS AT PUBLIC HEALTH ARE NOT GOING TO GET THIS TWENTY TWO PERCENT INCREASE RIGHT NOW.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: WHEN WE DID TAKE A LOOK AT IT BECAUSE THEY ARE CONTRACTUAL RIGHT AND A LOT OF THAT WAS SO THAT THEY CAN PAY HIGHER WAGES AND GET THE FLEXIBILITY TO PAY HIGHER WAGES FOR THE PHYSICIANS AS IT STANDS RIGHT NOW I MEAN I THINK WE'RE LOOKING AT ONE OR TWO BUT THE REASON WHY WE NEEDED THE AUTHORIZATION TO GO AHEAD AND MAKE THAT RECOMMENDATIONS IS TO ENSURE THAT WE ADDRESS THOSE PHYSICIANS RIGHT AWAY IT COULD VERY WELL END UP AT TWENTY TWO OR HIGHER DEPENDING ON WHAT MARKET TELLS US THE PHYSICIANS ARE ARE GETTING PAID SO.

SPEAKER TERLAJE: WHAT DO YOU MEAN THEY'RE CONTRACTUAL I MEAN ARE YOU SAYING ARE THESE EMPLOYEES.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: YES.

SPEAKER TERLAJE: OR CONTRACTORS.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: NO THEY'RE THEY'RE EMPLOYEES THEY THEY DO HAVE AUTHORITY IN LAW TO GO AHEAD AND CONTRACT IN IN THE UNCLASSIFIED SERVICE THE PHYSICIANS THAT THEY INFLUENCE.

SPEAKER TERLAJE: SO ARE THEY GOING TO SORRY ARE THEY GOING TO GET THE TWENTY TWO PERCENT OR NOT.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: NO NOT AS IT STANDS AT THIS POINT.

SPEAKER TERLAJE: OKAY ALRIGHT YOUR IT SAYS YOU ARE RECOMMENDING THAT DOA GRANT THE REQUEST FROM THE PUBLIC AUDITOR SO DOES THAT MEAN SINCE THE GOVERNOR HAS APPROVED YOUR RECOMMENDATIONS THAT THIS IS NOW GOING TO BE IN PLACE THAT MEANS UPDATE PAY GRADES FOR ACCOUNTABILITY AUDITOR SERIES OPA POSITIONS ADDED ONCE THE MPP POLICY IS ESTABLISHED AND THEN REVIEW SOME OF THESE SERIES EVERY THREE YEARS SO THAT'S JUST GOING TO TAKE PLACE.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: YEAH I THAT WAS BASED ON A REQUEST PREVIOUSLY BUT I BELIEVE IT WAS ALREADY HANDLED IN THE IN THE BUDGET ACT CORRECT IN THE BUDGET ACT.

SPEAKER TERLAJE: IN THE BUDGET.

DOA – DIRECTOR BIRN: YES IT WAS FUNDED IN THE BUDGET YEAH.

SPEAKER TERLAJE: OH OKAY AND THEN IT SAYS RECOMMENDED RECOMMENDED THAT POSITIONS OF DOA BE PRIORITIZED AND THAT NEW POSITIONS BE INSTITUTED TO CAPTURE THE PROFESSIONAL LEVEL FUNCTIONS AND DUTIES YEAH I HAVE NO OBJECTION TO THAT YOU'RE GOING TO ADD POSITIONS TO DOA FOR SUCH AS HR.

DOA – DIRECTOR BIRN: YES HR AND AND ACCOUNTING.

SPEAKER TERLAJE: AND PROCUREMENT.

DOA – DIRECTOR BIRN: A PROCUREMENT AND ACCOUNTING AND I THINK THE PUBLIC AUDITOR WAS WAS GOOD ENOUGH TO MENTION THAT NO MATTER WHAT HE DOES HE RELIES UPON THE NUMBERS THAT COME FROM DOA.

SPEAKER TERLAJE: AND THEN ON NUMBER EIGHT YOU TALKED ABOUT A DISCUSSIONS ON A POSSIBLE PAUSE ON ADJUSTMENTS TO COMPENSATION FOR AN AGREED-UPON TIME FRAME TO ALLOW INCREASES MADE UNDER THE CDWA TO HAVE TWELVE TO TWENTY FOUR MONTHS OF EXPERIENCE PRIOR TO FUTURE ADJUSTMENTS TO PAY PLANS THIS IS TO ADDRESS THE DISPARITY BETWEEN THE LINE AGENCIES AND THE AUTONOMOUS AGENCIES YOU WANT TO LOOK AT IT FOR TWELVE TO TWENTY FOUR MONTHS BUT IN THE MEANTIME THERE REALLY IS NO KIND OF HOLD ON THE AUTONOMOUS AGENCIES FROM RAISING THEIR SALARIES IS THAT CORRECT.

DOA – DIRECTOR BIRN: THAT'S CORRECT.

SPEAKER TERLAJE: ISN'T THAT ONE OF THE DISCUSSIONS YOU HAD EARLIER IN HERE WHERE YOU SAID MAYBE YOU SHOULD YOU WERE SUGGESTING THAT WE SHOULD LIMIT THE DELEGATED AUTHORITY TO INDUSTRY SPECIFIC EMPLOYEES ONLY IN.

DOA – DIRECTOR BIRN: YES IF SOMEBODY'S DOING AN EQUIVALENT JOB IN ANOTHER AGENCY THERE'S VERY LITTLE REASON OR OR JUSTIFICATION FOR PAYING THEM MORE.

SPEAKER TERLAJE: IS THERE A REASON IF YOU THINK THERE'S A CASE YOU DIDN'T PUT THAT IN YOUR RECOMMENDATION THAT THAT JUST OCCURRED THAT THAT THE AUTHORITY FOR AUTONOMOUS AGENCIES TO DETERMINE NON-INDUSTRY RELATED COMPENSATION OR THAT THAT BE RETURNED BACK INTO THESE PAY SCALES.

DOA – DIRECTOR BIRN: I I THINK WE THOUGHT THAT WE'D BEEN BEEN INSISTENT ENOUGH ON SOME OF THESE THINGS WE WE REALLY WANTED TO MAKE IT A RECOMMENDATION RATHER THAN A MANDATE IN THE HOPES THAT WE WOULD BRING ALONG EVERYBODY IN IN PARTICULAR THE THE BOARDS OF THOSE AGENCIES THAT ARE RESPONSIBLE FOR SETTING THESE PAY SCALES THAT WE BRING THEM ALONG WITH WITH THE LOGIC IN IN THE IN THIS PAY PLAN.

SPEAKER TERLAJE: OKAY AND THEN IN NUMBER NINE IT'S VERY CLEAR THAT YOU ARE GOING TO HAVE YOU HAVE THE AUTHORITY EFFECTIVE SEPTEMBER ELEVEN TWENTY TWENTY-TWO FOR ANNUAL PAY ADJUSTMENTS TO THE GPP PAY STRUCTURE AT A RANGE OF TWO TO FOUR PERCENT BEGINNING FISCAL YEAR 2024.

DOA – DIRECTOR BIRN: THAT WAS ON THE BASIS THAT WE WERE GOING TO IMPLEMENT THIS EARLIER SINCE WHEN WHEN THE THE CURRENT SITUATION IS THAT WE ARE ASKING FOR THE FUNDING TO IMPLEMENT IT ON APRIL THE FIRST 2023 THE BUT EVERYTHING IS NOW DELAYED BY A YEAR BECAUSE WE DIDN'T DO IT IN 2022 SO FISCAL TWENTY FOUR BUDGETS HAVE INCLUDED THE TWENTY TWO PERCENT BUT NOT ANOTHER PAY INCREASE THAT WOULD BE DEFERRED TO THE FOLLOWING YEAR.

SPEAKER TERLAJE: OKAY BUT THAT IS UNPRECEDENTED THAT THE THAT THE SALARIES OF UNDER THE GOVERNMENT PAY SCALE WILL BE AUTOMATICALLY OR NOT AUTOMATIC BUT BY DOA INCREASE FROM TWO TO FOUR PERCENT EVERY FISCAL

YEAR AFTER THIS WITHOUT LEGISLATURE SAYING ANYTHING THAT'S THAT'S IT LOOKS LIKE THAT'S VERY POSSIBLE I MEAN THAT'S UP TO DOA AT THAT POINT.

DOA – DIRECTOR BIRN: YES BUT AS AGAIN SUBJECT TO US GETTING THE THE FUNDING FROM THE LEGISLATURE.

SPEAKER TERLAJE: IF THIS IS ALREADY APPROVED BY THE GOVERNOR DOES THAT NEED TO BE APPROVED BY THE GOVERNOR AGAIN A TWO TWO TO FOUR PERCENT INCREASE IN PAY EVERY YEAR.

DOA – DIRECTOR BIRN: YEAH YES IT PROBABLY IT DOES BECAUSE SHE WILL PRESENT THE EXECUTIVE BUDGET THAT WILL INCLUDE THAT.

SPEAKER TERLAJE: BUT NOT THE BUDGET I'M TALKING ABOUT THE AUTHORITY TO SET A SALARY FOR EXAMPLE DOES THIS GIVE AN EMPLOYEE THE RIGHT TO SUE US IF THEY DON'T GET PAID TWO TO FOUR PERCENT INCREASE EVERY YEAR.

DOA – DIRECTOR BIRN: I DON'T THINK SO IT'S A RECOMMENDATION.

SPEAKER TERLAJE: ALL RIGHT OKAY I WANT TO TALK NOW ABOUT THESE OTHER AGENCIES THAT WERE ADDED ON TO THE ORIGINAL BILL THAT THE GOVERNOR SENT DOWN SO NOW WE'RE LOOKING AT THE ADDITION OF THE UOG GCC GMH THE JUDICIARY THE MAYORS COUNCIL OF GUAM AND THE PUBLIC DEFENDER SO I UNDERSTAND THAT THE MAYORS COUNCIL EMPLOYS THEIR UNCLASSIFIED BUT THERE THERE ARE THE WAY IT SAYS IT IN THE BILL THEY ARE AFFECTED BY THE GPP GOVERNMENT PAY PLAN THEY ARE AFFECTED CAN YOU JUST DESCRIBE WHAT DO YOU MEAN BY THAT.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: THE MAYORS COUNCIL AND THE MAYORS THEMSELVES WHEN THEY DO HIRE EMPLOYEES THEY CAN DESIGNATE TITLES FOR THOSE EMPLOYEES BUT GENERALLY THEY LIKE TO STAY IN LINE WITH THE CLASSIFIED SERVICE AND THE PAY ASSOCIATED TO IT SO WHEN THEY DO HIGHER POSITIONS LIKE RECREATION LEADERS AND PROGRAM COORDINATORS THEY LIKE TO ALIGN WITH THE GENERAL PAY PLAN SO I THINK LOOKING AT IN THE SAME RESPECT THAT WE WOULD DO IT FOR LIMITED TERM EMPLOYEES ON THE REGULAR LINE AGENCY SIDE THE IMPACT WOULD OCCUR FOR THE MAYORS COUNCIL EMPLOYEES AS WELL.

SPEAKER TERLAJE: SO THAT'S IF IF THEY DESIGNATED THEIR EMPLOYEES IN THE SAME CATEGORY AS IN THE GENERAL PLAY PLAN.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: THAT'S CORRECT.

SPEAKER TERLAJE: BUT THEN BUT NOT ALL OF THEIR EMPLOYEES ARE ARE DESIGNATED THAT WAY.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: THAT'S TRUE BUT THEY DO THEY DO HAVE THE ABILITY IF THEY IF THEY I GUESS DEVIATE FROM THE REGULAR TITLES THAT WE USE THE THEY CAN SET COMPENSATION FOR THEIR EMPLOYEES YEAH.

SPEAKER TERLAJE: OKAY SO THEY ARE ABLE TO SET COMPENSATION.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: YEAH.

SPEAKER TERLAJE: JUST BY STATING A DIFFERENT TITLE OUTSIDE OF THIS GENERAL PAPER PLAN.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: CORRECT.

SPEAKER TERLAJE: THAT'S THE MAYORS COUNCIL.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: CORRECT.

SPEAKER TERLAJE: ALL RIGHT WHAT ABOUT THE UNIVERSITY OF GUAM ARE THEY ALLOWED TO SET ON COMPENSATION FOR THEIR EMPLOYEES OR ARE THERE EMPLOYEES MANDATED TO BE UNDER THE GENERAL PAY PLAN.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: I DON'T HAVE EXACT SPECIFICS FOR THE UNIVERSITY OF GUAM WHAT I DO KNOW IS THEY DO HAVE SOME POSITIONS THAT FALL UNDER THE GENERAL PAY PLAN FOR THOSE THEY DO ALIGN THEM WITH WHAT DOA ADMINISTERS EVERYTHING ELSE IS HANDLED UNDER THEIR ACADEMIC POSITIONS.

SPEAKER TERLAJE: YEAH SO THE UNIVERSITY OF GUAM HAS BEEN IN THE NEWS RECENTLY THEY'RE PROPOSING TUITION INCREASES AND LOTS OF THINGS THAT I WAS HOPING WE WOULD BE ABLE TO COVER IN THE BUDGET BUT AND THEY'RE ALSO PROPOSING I THINK FACULTY SALARY INCREASES AND BUT SO WE'RE COVERING IN THIS BILL INCREASES TO SALARIES OF EMPLOYEES AFFECTED BY THE GENERAL PAY PLAN AND YEAH I'M JUST NOT SURE HOW THAT PREVENTS A TUITION INCREASE BUT I'M HOPING SOMEHOW IT MIGHT I'M NOT SURE OKAY THE AND THEN THERE'S THE JUDICIARY WHO WHO HAS THE AUTHORITY TO SET ITS OWN SALARIES AS WE'VE SEEN THEY GAVE ALL OF THEIR EMPLOYEES RAISES WHILE THE GOVERNMENT OF GUAM PAY PLANS WERE NOT ADJUSTED OR WELL NOT THIS GENERAL PAY PLAN SO WHILE WE WERE WORKING ON THIS THEY ALREADY GAVE THEIR EMPLOYEES SIX PERCENT RAISES AND SO THEY'RE SAYING NOW THEY WANT

MORE MONEY TO GIVE TO COVER UP FROM SIX TO TWENTY TWO PERCENT WHEN THEY DID THAT THEY DID THAT BEFORE THE BUDGET AND THEN IN THE BUDGET ASKED US TO COVER WHAT THEY HAD ALREADY APPROVED YEAH.

DOA – DIRECTOR BIRN: YES I RECALL THAT.

SPEAKER TERLAJE: REMEMBER THAT YEAH AND AND NOW YEAH THEY WANT TO BE INCLUDED WITH THE REST I MEAN WITH THE REST OF THE GOVERNMENT OF GUAM I JUST THINK SOME OF THESE THINGS WE SHOULD ALL BE TOGETHER IN THESE THINGS YEAH IF WE'RE GOING TO BE PAYING THE BILL MOST ESPECIALLY THEN MAYBE ALL THE ALL OF THESE AGENCIES SHOULD HOLD THEIR PAY RAISES UNTIL ALL THE REST OF THESE GENERAL PAY PLAN PEOPLE GET THEIR RAISES.

DOA – DIRECTOR BIRN: I I THINK THERE'S A VERY STRONG ARGUMENT SPEAKER FOR WHEREVER IN WHICHEVER AGENCY AN EMPLOYEE WORKS IF HE'S DOING A A JOB HE SHOULD BE PAID THE SAME IN WHICHEVER AGENCY HE'S IN HE'S HE OR SHE IS COVERED BY THE SAME PENSION PLAN THE SAME HEALTH BENEFITS IT AWFULLY FOLLOWS THAT THEY SHOULD BE PAID THE SAME SALARY.

SPEAKER TERLAJE: SO THE APPROPRIATION THAT WE'RE GIVING TO THE JUDICIARY SAYS FOR THE PURPOSE OF PAYING SALARY ADJUSTMENT TO THE EMPLOYEES OF THE JUDICIARY OF GUAM HERE IT DOESN'T TIE TO THE GENERAL PAY PLAN AT ALL SO TECHNICALLY THEY CAN USE IT HOWEVER THEY LIKE THEY COULD GIVE ONE PERCENT IN RAISE TO ONE CLASS OF EMPLOYEES AND KIND OF DO WHATEVER THEY WANT THAT'S RIGHT.

DOA – DIRECTOR BIRN: YES.

SPEAKER TERLAJE: ALL RIGHT OKAY WHEN WHEN SOME OF THE PAY RAISES WERE GIVEN FOR EXAMPLE THE TEACHER PAY RAISES THEY USED ARP FUNDS TO COVER THAT WAS THAT A LEGITIMATE USE OF ARP FUNDS.

DOA – DIRECTOR BIRN: I BELIEVE THAT THE SUPERINTENDENT AT THE TIME SAID THAT HE SECURED USDOE APPROVAL.

SPEAKER TERLAJE: APPROVAL.

DOA – DIRECTOR BIRN: FOR IT.

SPEAKER TERLAJE: THAT'S CORRECT I REMEMBER THAT TOO SO IS IT POSSIBLE THAT ANY OF THESE COULD BE COVERED WITH ARP FUNDS.

DOA – DIRECTOR BIRN: IT'S IT'S POSSIBLE WE WE WOULD HAVE TO GET THE SIMILAR APPROVAL I GUESS IN IN ORDER TO DO THAT BUT YOU KNOW WE'VE ASKED THAT LOCAL FUNDS BE PROVIDED FOR LOCALLY FUNDED PEOPLE BECAUSE FEDERAL FUNDS WILL COVER THE FEDERALLY FUNDED EMPLOYEES.

SPEAKER TERLAJE: DO THE TOTALS IN THIS BILL REFLECT SALARIES ONLY OR SALARIES AND BENEFITS.

DOA – DIRECTOR BIRN: SALARIES ONLY.

SPEAKER TERLAJE: SO WHAT HAPPENS WITH THE BENEFITS.

DOA – DIRECTOR BIRN: THEY WILL COME YOU KNOW THEY WILL ATTACH TO TO THE SALARIES.

SPEAKER TERLAJE: THE BENEFITS WILL INCREASE RIGHT.

DOA – DIRECTOR BIRN: YES.

SPEAKER TERLAJE: AND HOW WILL THESE AGENCIES PAY FOR THOSE.

DOA – DIRECTOR BIRN: WE BELIEVE THAT THERE'S SUFFICIENT FUNDING IN IN THESE AGENCIES FOR THE ADDITIONAL BENEFITS.

SPEAKER TERLAJE: DO YOU KNOW THE AMOUNTS.

DOA – DIRECTOR BIRN: NO.

SPEAKER TERLAJE: ALL RIGHT SO IT'S POSSIBLE SOME AGENCIES MIGHT NOT BE ABLE TO AFFORD THE BENEFITS BASED ON THE INCREASED SALARIES I MEAN I JUST WANTED TO GET A BALLPARK AS TO WHAT IMPACT THAT HAS ON THE BENEFITS.

DOA – DIRECTOR BIRN: THE PRINCIPAL BENEFIT IS THE ADDITIONAL PENSION PLAN CONTRIBUTION THE OTHER BENEFITS DON'T YOU KNOW THE HEALTH INSURANCE BENEFITES DOESN'T CHANGE.

SPEAKER TERLAJE: DON'T CHANGE.

DOA – DIRECTOR BIRN: RIGHT SO THE PRINCIPLE CHANGES THE IS THE PENSION BENEFIT WHICH OF COURSE BENEFITS THE PENSION PLAN BECAUSE IT'S KIND OF PRE-FUNDING THEIR THEIR DEFICIT BUT WE BELIEVE THAT THAT'S COVERED.

SPEAKER TERLAJE: YOU BELIEVE THAT THE AGENCIES HAVE ENOUGH MONEY TO COVER THAT.

DOA – DIRECTOR BIRN: YES.

SPEAKER TERLAJE: AND WE DON'T KNOW HOW MANY OF THESE AGENCIES MAKE OVER A HUNDRED THOUSAND THAT WE'RE GIVING THESE SALARY INCREASES TO RIGHT.

DOA – DIRECTOR BIRN: NO WE DON'T I DON'T THINK WE WE DON'T HAVE THAT INFORMATION NO.

SPEAKER TERLAJE: ALL RIGHT THIS APRIL ONE DATE IT SAYS IMPLEMENTATION BEGINNING APRIL ONE IF THIS BILL DOESN'T PASS WHAT HAPPENS ON APRIL ONE THE SALARIES STILL GO INTO EFFECT CORRECT.

DOA – DIRECTOR BIRN: WELL YES BUT I THINK WE'RE RELUCTANT TO PUT THEM INTO EFFECT WITHOUT HAVING THE FUNDING ASSURANCE.

SPEAKER TERLAJE: ALL RIGHT WELL DO YOU HAVE THE AUTHORITY NOT TO PUT IT INTO EFFECT IF IT'S BEEN APPROVED BY THE GOVERNOR ALREADY.

DOA – DIRECTOR BIRN: WELL I GUESS I WOULD HAVE TO GO TO THE GOVERNOR AND SAY WE DIDN'T HAVE THE FUNDING IN ORDER TO DO IT THEREFORE IT WOULD BE DIFFICULT TO PUT IT INTO EFFECT.

SPEAKER TERLAJE: ALL RIGHT WHAT HAPPENS TO THE TEACHERS WHO GOT EIGHTEEN PERCENT INCREASES WHICH LOOKS LIKE LESS THAN THE TWENTY TWO PERCENT INCREASES THAT ALL THE OTHER EMPLOYEES ARE GOING TO GET.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: RIGHT WELL GENERALLY IN ALL THE PAY PLANS THAT WE'VE RECOMMENDED UPDATES WE DID RECOMMEND MOVEMENT SIMILAR TO THIS ONE EITHER TWO TO FOUR PERCENT OR THREE TO FIVE PERCENT SO CONTINUITY OF MOVEMENT IN ALL THE STRUCTURES WAS OUR INTENT SO YOU KNOW EACH PLAN WILL MOVE WITH ITS GROUP OF EMPLOYEES SO IN THE ORDER THAT IT WAS DONE YOU KNOW WE DID NURSES FIRST AND THEN WE DID LAW ENFORCEMENT AND THEN TEACHERS AND THEN THE GENERAL PAY PLAN SO WHEN RECOMMENDATIONS COME THEY COME OVERLAPPED IN THAT SAME ORDER SO GENERALLY WE'RE LOOKING AT CONTINUING THE MOVEMENT OF THE SCALE IN SMALLER INCREMENTS TO MAKE SURE THAT WE DON'T GET INTO THE SITUATION WE ARE TODAY.

SPEAKER TERLAJE: LIKE AN ANNUAL UPDATE.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: CORRECT.

SPEAKER TERLAJE: SO FOR EXAMPLE THE NURSES WERE FIRST SO YOU MIGHT UPDATE THAT PERCENTAGE THAT THEY RECEIVED LIKE ANY TIME NOW.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: BASED ON THE TIMING THAT WE DID ALL THE UPDATES THAT WAS OUR INTENT YES.

SPEAKER TERLAJE: ALL RIGHT SO THE TEACHERS MAY BE IN A YEAR OR SOMETHING IF NOT THIS YEAR YOU'RE SAYING MIGHT BE LOOKING AT A TWO TO FOUR PERCENT INCREASE.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: I'D HATE TO PUT AN ACTUAL DATE ON IT BUT I MEAN THAT WAS THE INTENT YES.

SPEAKER TERLAJE: I SEE.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: IN THE BEGINNING YEAH.

SPEAKER TERLAJE: OKAY SO THERE'S HOPE FOR THEM ALL RIGHT IT'S A BIG QUESTION I GET EVERYONE WANTS TO KNOW WE WERE TRYING TO HONOR TEACHERS BY GIVING THEM THEIR PAY RAISE AT EIGHTEEN PERCENT AND NOW WE'RE GIVING EVERYBODY ELSE TWENTY TWO PERCENT HOW ARE THEY SUPPOSED TO TAKE THAT BUT I I SEE HOPEFULLY THEN THEY CAN GET AN UPDATE ALL RIGHT WHAT ABOUT I THINK YOU WERE ASKED WHEN WE WERE IN RECESS ABOUT UNCLASSIFIED EMPLOYEES ARE COVERED BY THIS GENERAL PAY PLAN AND YOU SAID THERE WERE SOME COULD YOU JUST MAYBE STATE THAT ON THE RECORD UNCLASSIFIED EMPLOYEES.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: YEAH THEY'RE SO IN THE TWO CATEGORIES THAT WE'RE LOOKING AT THERE ARE THOSE THAT ARE IN THE UNCLASSIFIED SERVICE THAT HOLD LIMITED TERM POSITIONS THAT USE CLASSIFIED TITLES SO THEY ARE COVERED AND THERE ARE SOME POSITIONS THAT ARE UNCLASSIFIED AND THEY WERE

CREATED THAT WAY EITHER THROUGH STATUTE OR THROUGH THE PROCESS PREVIOUSLY WHEN THE CIVIL SERVICE COMMISSION HAD THE AUTHORITY TO CREATE SO THOSE POSITIONS WILL GET THE INCREASE.

SPEAKER TERLAJE: HOW MANY UNCLASSIFIED.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: TRULY UNCLASSIFIED POSITIONS IF I CAN REMEMBER THE DATE I WAS LOOKING AT IT'S A HANDFUL IT'S NOT THAT MANY.

SPEAKER TERLAJE: A HANDFUL.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: YEAH THERE'S THERE'S NOT A LOT THAT WE DON'T HAVE A LOT OF TRULY UNCLASSIFIED POSITIONS TO START WITH THAT WE EMPLOY SO THERE'S MAYBE A HANDFUL.

SPEAKER TERLAJE: A HANDFUL PLUS THE MAYORS COUNCIL EMPLOYEES.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: THAT'S CORRECT.

SPEAKER TERLAJE: BECAUSE ALL OF THOSE ARE UNCLASSIFIED RIGHT.

DOA – PERSONNEL SERVICES ADMINISTRATOR (HR) NGATA: THAT'S CORRECT.

SPEAKER TERLAJE: OKAY AND HANDFUL ALL RIGHT OKAY THOSE ARE ALL THE QUESTIONS I HAVE FOR THIS ROUND MADAM CHAIR THANK YOU SO MUCH MR NGATA AND MR. BIRN.

SENATOR SHELTON: THANK YOU VERY MUCH MADAM SPEAKER THANK YOU TO THE PANEL FOR THE FIRST ROUND OF QUESTIONS WE'LL NOW BEGIN THE SECOND ROUND OF QUESTIONS FOR OUR PANEL AND AS A REMINDER TO OUR AS A REMINDER TO OUR COLLEAGUES HERE THIS ROUND IS FIVE MINUTES PER ROUND SO WE'LL BEGIN IN THE SAME ORDER SENATOR FISHER YOUR MICROPHONE.

SENATOR FISHER: I MOVE TO RECESS TO A TIME CERTAIN THAT BEING JUST ONE O'CLOCK.

SENATOR PARKINSON: OBJECTION THE PEOPLE OF GUAM WANTS TO CONTINUE WORKING.

SENATOR FISHER: LET ME FINISH THE MOTION HERE.

SENATOR SHELTON: PLEASE STATE YOUR MOTION.

SENATOR FISHER: YES I MOVE TO RECESS TO A TIME CERTAIN THAT BEING TWO O'CLOCK TOMORROW AFTERNOON.

SENATOR SHELTON: THERE'S BEEN A MOTION TO RECESS UNTIL 2:00 P.M. THERE HAS BEEN A MOTION TO AN OBJECTION TO THE TO THE.

SENATOR FISHER: 2:00 P.M.

SENATOR SHELTON: OBJECTION TO THE MOTION ALL THOSE.

SENATOR BARNETT: MA'AM POINT OF INFORMATION DID HE SAY 2:00 P.M.

SENATOR SHELTON: 2:00 P.M. TOMORROW YES.

SENATOR BARNETT: THANK YOU.

SENATOR SHELTON: SO THERE'S BEEN A MOTION TO RECESS UNTIL 2:00 P.M. TOMORROW THERE HAS BEEN AN OBJECTION PLEASE SIGNIFY BY RAISING YOUR HAND TILL TOMORROW AT 2:00 P.M. ALL THOSE IN FAVOR OF RECESSING UNTIL 2:00 P.M. TOMORROW PLEASE SIGNIFY BY RAISING YOUR HAND THERE'S BEEN A THERE'S A PROPOSAL TO AMEND THE MOTION OKAY SENATOR FISHER CAN YOU STATE IT FOR THE RECORD PLEASE.

SENATOR FISHER: YES MA'AM IF I COULD AMEND THE MOTION TO RECESS TO RECESS TO A TIME CERTAIN THAT BEING TOMORROW AT 10:00 A.M.

SENATOR SHELTON: THERE'S STILL AN OBJECTION SENATOR FISHER.

SENATOR FISHER: MADAM CHAIR IF YOU WOULD ALLOW ME TO AMEND MY MOTION TO RECESS I WOULD LIKE TO AMEND IT TO STATE THAT I MOVED TO RECESS TO A TIME CERTAIN THAT BEING TWO O'CLOCK P.M. TOMORROW.

SENATOR SHELTON: THERE'S BEEN A MOTION TO RECESS UNTIL 2:00 P.M. TOMORROW.

SENATOR PARKINSON: OBJECTION WE SHOULD CONTINUE WORKING.

SENATOR SHELTON: THERE HAS BEEN AN OBJECTION ALL THOSE IN FAVOR OF RECESSING UNTIL 2:00 P.M. PLEASE RAISE YOUR HAND MOTION FAILS I APOLOGIZE I RECOUNTED MOTION PASSES WE ARE IN RECESS UNTIL 2:00 P.M. TOMORROW.

RECESS

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÁHAN
2023 (FIRST) Special Session
COMMITTEE OF THE WHOLE

Speaker Antonio R. Unpingco Legislative Session Hall

March 20, 21, 22, 23, 2023

NOTE SENATOR SAN AGUSTIN PRESIDES OVER THE COMMITTEE OF THE WHOLE

SENATOR SAN AGUSTIN: COMMITTEE OF THE WHOLE IS CALLED CALLED BACK TO ORDER MY COLLEAGUES WE ARE NOW WILL BEGIN THE SECOND ROUND OF QUESTIONS AND WE WILL BEGIN WITH SENATOR CHRIS DUEÑAS AND PROCEED TO HIS LEFT WHICH IS MY RIGHT AND THEN AS AS THE OTHER COLLEAGUES SHOW UP HOPEFULLY THEY SHOW BEFORE WE GET TO THEM BECAUSE ONCE WE REACH THAT INDIVIDUAL AND THEY'RE NOT HERE WE WILL CONTINUE ON AND IT'S NO COME BACK TO THEM WE JUST KEEP MOVING AND I HOPE EVERYBODY SHOWS UP AND WE DO HAVE OFB WHICH SHOULD BE HERE IN A FEW SECONDS OR MINUTES AND WE HAVE SHANE FROM DOA WE'LL BE HERE BUT MR. ED BIRN IS HERE AND WE'LL BEGIN WITH YOU SENATOR CHRIS DUEÑAS SIR.

SENATOR DUEÑAS: *SI YU'OS MA'ÁSE'* MR. CHAIR AND THANK YOU FOR MR. BIRN AND THE REST WHO WILL BE COMING IN NOW ONCE AGAIN FOR SHOWING UP TO THE COMMITTEE OF THE WHOLE MR. BIRN I I WANT TO AFTER LAST NIGHT AND THE A NUMBER OF QUESTIONS SURROUNDING THE DIFFERENT CATEGORIES OF PAY AND THE DIFFERENT BACK AND FORTH I WANT TO CONCENTRATE ON REVENUES I DO AGREE WITH SENATOR BROWN THAT I BELIEVE THE ISSUE OF SPECULATION AS FAR AS I'M CONCERNED WITH NOTHING IN SET IN STONE IN TERMS OF A STUDY OF FUTURE REVENUES AND AND AND THE ANTICIPATION UNDER THE WAY THAT YOU KIND OF EXPLAINED IT WITH SECTION THIRTY AND THE LIKE I'M I'M NOT COMFORTABLE WITH SPECULATION SO I'M JUST BUT I'M GOING TO GO THROUGH WHAT OUR HISTORY IS SO I GUESS NOW THAT OFB IS HERE I I'M GLAD BECAUSE THIS QUESTION IS KIND OF SIMULTANEOUS FOR THE TWO OF YOU DID WE IN FISCAL YEAR IN THE FISCAL 2023 BUDGET DID WE APPROPRIATE JUST ABOUT EVERY DOLLAR IN THE UNAUDITED SURPLUS FUNDS FROM 2022.

DOA- DIRECTOR BIRN: SENATOR WE WE APPROPRIATED 21 MILLION.

SENATOR DUEÑAS: GOOD MORNING STEVE OR GOOD AFTERNOON STEVE I I SEEM TO REMEMBER THAT THROUGHOUT THE ENTIRETY OF THE BUDGET WE APPROPRIATED PRETTY MUCH EVERY AMOUNT OF THE SER OF THE ANTICIPATED UNAUDITED SURPLUS FOR FISCAL YEAR 2022.

OFB- DIRECTOR GUERRERO: GOOD AFTERNOON SENATOR IF YOU REFERRING TO THE FY23 BUDGET I DON'T BELIEVE WE APPROPRIATED ANY MONEY IN THE FY23 BUDGET FROM THE FY 2022 EXCESS WHAT WE APPROPRIATED IN THE FY23 BUDGET IS REVENUES WE ANTICIPATE TO COLLECT IN FY23.

SENATOR DUEÑAS: BUT THERE WERE SEVERAL AMENDMENTS THAT WERE MADE IN THE MISCELLANEOUS PROVISIONS FOR THE HOSPITAL FIVE MILLION FOR SPECIALISTS I I DEFINITELY REMEMBER WE MADE COMMITMENTS FOR THAT REVENUE.

OFB- DIRECTOR GUERRERO: SENATOR I'M GOING TO HAVE TO GO BACK AND LOOK CAUSE YOU KNOW TO MY RECOLLECTION I DON'T THINK WE APPROPRIATED ANY EXCESS MONEY OF FY 22 YOU MIGHT BE RIGHT RIGHT OFF THE BAT I DON'T THINK I WOULD GET THAT IN THAT WAY BECAUSE NORMALLY IN THE FY23 BUDGET WE ONLY ACCOUNT FOR REVENUES WE ANTICIPATE TO COLLECT IN THE FISCAL YEAR ANYTHING ABOVE THAT WOULD BE IN ADDITION TO BUT WE DON'T CONSIDER IT AS PART OF THE FY23 APPROPRIATIONS IN TERMS OF REVENUES COLLECTED FOR THAT YEAR.

SENATOR DUEÑAS: YEAH I'LL GET THE RECONCILIATION BUT I KNOW WE DID MY.

DOA- DIRECTOR BIRN: SENATOR LIKE IF I COULD EXPAND ON THAT AS MR. GUERRERO SAYS WE ACTUALLY HAVE A BALANCED BUDGET SO THE REVENUES THAT ARE CONTEMPLATED ARE ALL APPROPRIATED INCLUDED IN THE BUDGET RIGHT WAS SOME SUMS THAT WERE APPROPRIATED FROM THE TWO PERCENT SET ASIDE AND THAT AMOUNTED TO THIRTEEN POINT FIVE MILLION AND THEN THERE WAS A SEPARATE AMENDMENT TO APPROPRIATE TWENTY ONE MILLION FROM THE AUDITED FISCAL 22 GENERAL FUND SURPLUS BALANCE AND I THINK THAT'S WHAT YOU'RE REFERRING TO.

SENATOR DUEÑAS: RIGHT SO WHAT I'M GOING TO SAY IS IS THAT I KNOW BECAUSE WHEN THE PUBLIC AUDITOR BJ CRUZ WAS HERE HE MADE IT CLEAR THAT ANY APPROPRIATIONS THAT WE'VE MADE PRIOR ARE OBLIGATIONS

OF THE GOVERNMENT OF GUAM I'LL MOVE ON AT THIS POINT WHEN WE LOOK AT THE CRER WITH THE FORTY FIVE MILLION REVENUES YOU'RE GOING TO CONCUR THAT OF COURSE WE ANTICIPATE THE BILL BEING SIGNED INTO LAW SO TWENTY ONE MILLION FOR DOE CORRECT.

DOA- DIRECTOR BIRN: ROUGHLY YES.

SENATOR DUEÑAS: LAST NIGHT YOU SAID THERE'S SIX MILLION DOLLARS OBLIGATION FOR THE MERIT BONUSES CORRECT.

DOA- DIRECTOR BIRN: THIS THAT'S WHAT THE TOTAL OF THE MERIT BONUSES WILL COST WHEN PAID.

SENATOR DUEÑAS: MR. BIRN YOU'VE PUT IT ON THE RECORD THAT YOU BELIEVE THE GENERAL FUND SUPPORT SPECIAL FUND REVENUE IN CASE ANY SHORTFALLS SPECIAL FUND LOOKS TO BE NINE MILLION IN DEFICIT WOULD YOU CONCUR.

DOA- DIRECTOR BIRN: TO BE PRECISE SENATOR THERE IS A SHORTFALL IN IN GENERAL FUND REVENUES OF NINE MILLION THAT'S NOT TO SAY THERE'S A DEFICIT BECAUSE THERE WILL HAVE BEEN SOME REDUCTION IN EXPENDITURES.

SENATOR DUEÑAS: I'M JUST GOING TO TAKE IT FROM WHAT'S ON THE BOOKS RIGHT NOW SO I'M GOING TO ADD NINE MILLION TO THAT MR. BIRN THERE WAS A DISCUSSION LAST NIGHT THAT THIS PAY RAISE DOES NOT INCLUDE THE SET ASIDE FOR BENEFITS WHICH IS USUALLY TWENTY PERCENT OF GROSS PAY WOULD YOU BE IN CONCURRENCE.

DOA- DIRECTOR BIRN: I KNOW SO THE THE RETIREMENT FUND CONTRIBUTION IS ABOUT TWENTY EIGHT PERCENT AND THERE'S ONE POINT FOUR FIVE PERCENT FOR MEDICARE.

SENATOR DUEÑAS: SO IF I BASE THAT ON TWENTY MILLION THAT'S PROBABLY GOING TO BE ABOUT SIX MILLION DOLLARS.

DOA- DIRECTOR BIRN: YES SIR.

SENATOR DUEÑAS: I'M AFRAID WE'VE ALREADY HIT THE FORTY FIVE MILLION SURPLUS.

DOA- DIRECTOR BIRN: IT'S THE OPINION OF BBMR. THAT THE SIX MILLION THAT IS THAT YOU YOU REFERRED TO THAT IS THE MERIT BONUS AND THE BENEFIT PART OF THE OF THE THE THE FIGURES THAT WE'RE TALKING ABOUT NOW FOR FOR THE TWENTY TWO PERCENT GPP INCREASE CAN BE COVERED BY CURRENT CURRENT AGENCY BUDGETS SO THEY HAVE AND THOSE FUNDS HAVE ALREADY BEEN APPROPRIATED TO THE AGENCIES.

SENATOR DUEÑAS: SO WHAT I'M TRYING TO ESTABLISH MR. BIRN IS A COST BASIS HERE SO IF YOU'RE SAYING THAT THEY'RE GOING TO USE THEIR LAPSES PROBABLY BECAUSE THEY'RE NOT HIRING OR WHAT FOR WHATEVER REASON OR IF THERE COULD BE A RESERVE THAT'S BEEN PUT ON THERE BUDGET I'M I'M STILL GOING TO CALL IT A COST FOR MY MATHEMATICS.

DOA- DIRECTOR BIRN: YES IT'S STILL A COST BUT IT IT'S NOT TO BE SET ASIDE SET AGAINST THE FORTY FIVE MILLION.

SENATOR DUEÑAS: SO EVEN IF I TOOK OUT THE NINE AND THE SIX WE'D BE WOULD HAVE A BALANCE POSSIBLY FOR THIS OF ABOUT TEN MILLION DOLLARS.

DOA- DIRECTOR BIRN: I'M NOT FOLLOWING YOUR YOU'RE YOUR CALCULATIONS THERE IS THAT THE TWO BILLS THE TWO BILLS THAT HAVE BEEN DISCUSSED IN THIS WEEK COME TOGETHER TO ABOUT FORTY ONE MILLION.

SENATOR DUEÑAS: YEAH THAT MEANS THAT YOU'RE NOT ACCEPTING THE FACT OF THE NINE MILLION I'LL DO MY CALCULATIONS MR. BIRN BUT I CAN AND I'LL TALK ABOUT THAT DURING MY TIME FOR THE THIRD ROUND MR. BIRN ARE YOU AWARE OF CHARTS THAT HAVE BEEN PRODUCED BY THE GUAM CHAMBER OF COMMERCE THAT SHOWS THAT ALL OF THE PRESENTATIONS MADE ON THE PRIVATE SECTOR VERSUS THE GOVERNMENT SECTOR IN TERMS OF WAGES AND BENEFITS AND COMPENSATION ARE COMPLETELY OUT OF KILTER FOR THE REPRESENTATIONS THAT HAVE BEEN MADE.

DOA- DIRECTOR BIRN: COULD YOU PLEASE GUIDE ME TO WHAT YOU'RE LOOKING AT.

SENATOR DUEÑAS: CAN WE TAKE A ONE-MINUTE RECESS I'D LIKE TO DISTRIBUTE THESE FORMS.

NOTE SENATOR SHELTON PRESIDES OVER THE COMMITTEE OF THE WHOLE

SENATOR SHELTON: WE'RE IN RECESS.

RECESS

SENATOR SHELTON: THE COMMITTEE OF THE WHOLE IS BACK FROM RECESS SENATOR DUEÑAS YOU'RE STILL RECOGNIZED.

SENATOR DUEÑAS: SO JUST FOR THE BASIS OF THE DISCUSSION THAT WE'VE BEEN HAVING IF YOU LOOK AT BOTH OF THESE STUDIES IF THE GOVGUAM TWENTY TWO PERCENT INCREASE GOES INTO EFFECT IN TERMS OF HOURLY WAGE AND THIS IS A COMPARISON THE DARKER SHADE IS JUNE OF 2022 THE LIGHTER SHADE IS JUNE OF 2019 THE HOURLY RAGE AVERAGE WAGE FOR GOVERNMENT OF GUAM WOULD BE FORTY THREE EIGHTEEN AND THE LOWEST I'M NOT GOING TO GO THROUGH EVERY SECTOR THE LOWEST WOULD BE HOTELS AND OTHER LODGING AT NINE AT ELEVEN DOLLARS AND TWENTY TWO CENTS AN HOUR THAT'S A GULF IN TERMS OF WHAT THE WAGES EARNED BY SECTOR.

DOA- DIRECTOR BIRN: SENATOR IF IF SOMEBODY IS PAID THIRTY FIVE DOLLARS AND THIRTY NINE CENTS AN HOUR THAT'S AROUND ABOUT SEVENTY FIVE THOUSAND A YEAR THE NUMBERS THAT WE GAVE YOU YESTERDAY DON'T SUPPORT EVERYBODY GETTING SEVENTY FIVE THOUSAND A YEAR SO I'M I'M REALLY UNCLEAR WHERE THESE NUMBERS COME FROM AND FURTHERMORE IF THAT WERE THE CASE I'M SURE WE SHANE WOULD HAVE A LINE OUTSIDE OF HIS OFFICE OF PEOPLE TRYING TO APPLY FOR GOVERNMENT JOBS THAT WE CAN'T NOW FILL.

SENATOR DUEÑAS: WELL WE'LL ARGUE THAT WITH THE CHAMBER OF COMMERCE THIS WAS PRODUCED BY THEM I'M GOING TO TAKE THEM AT THEIR WORD AT THIS POINT ANY WAY YOU LOOK AT IT THERE IS A HUGE DISPARITY BETWEEN THE WAGES AND COMPENSATION AS PRODUCED BY THE GUAM CHAMBER OF COMMERCE HERE SO WE'LL HOLD THEM TO THE VERACITY OF WHAT THEY PUT FORWARD THERE'S ALSO A STUDY SHOWING THAT THE GOVERNMENT OF GUAM HAS INCREASED BY FOUR POINT FVE PERCENT IN TERMS OF OVERALL EMPLOYMENT WOULD YOU SUPPORT THAT STUDY.

SENATOR SHELTON: SENATOR DUEÑAS THAT'LL BE YOUR LAST QUESTION THANK YOU.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: SORRY SENATOR I I WOULDN'T BE ABLE TO CONFIRM THAT NUMBER RIGHT NOW.

SENATOR DUEÑAS: I'LL GET YOU THE CHART THANK YOU MADAM CHAIR.

SENATOR SHELTON: THANK YOU VERY MUCH SENATOR PARKINSON.

SENATOR PARKINSON: THANK YOU MADAM CHAIR JUST WANTED TO DO A QUICK RECAP OF EVERYTHING WE TALKED ABOUT SO PLEASE FORGIVE ME IF IT'S A LITTLE BIT REDUNDANT FROM YESTERDAY SO I JUST WANT TO CLARIFY AND FIGURE OUT I KNOW THAT I UNDERSTAND WHAT I UNDERSTOOD FROM YOU YESTERDAY CAN WE AFFORD THIS FROM UNDERSTANDING WE CAN CORRECT HE'S HAVING A MICROPHONE ISSUE AGAIN.

SENATOR SHELTON: WE'LL TAKE A MOMENT'S RECESS FOR OUR TECHNICAL DIFFICULTIES.

RECESS

SENATOR SHELTON: THE COMMITTEE OF THE WHOLE IS BACK FROM RECESS SENATOR PARKINSON YOU ARE RECOGNIZED.

SENATOR PARKINSON: I WELL I ASKED A QUESTION SO IF YOU'RE WHENEVER YOU'RE READY TO ANSWER SIR.

DOA- DIRECTOR BIRN: YES SENATOR I'M COMFORTABLE THAT WE CAN AFFORD IT.

SENATOR PARKINSON: OKAY AND CAN YOU GIVE US A BRIEF RUNDOWN OF WHAT ARE THE FACTORS THAT MADE THIS AFFORDABLE THAT HAVE CHANGED IN THE LAST RECENT YEARS.

DOA- DIRECTOR BIRN: WELL THE PRINCIPAL THE PRINCIPAL THING THAT HAS CHANGED IN THE LAST THREE YEARS IS A GOVERNMENT THAT'S BEEN RUNNING A SURPLUS WHEREAS PREVIOUSLY FOR THE PREVIOUS TEN YEARS AT LEAST THE GOVERNMENT WAS RUNNING A DEFICIT ON OTHER OCCASIONS WHEN I SAT IN THIS IN IN THIS SPOT DURING BUDGET HEARINGS IN PARTICULAR I I TRY TO MAKE IT CLEAR THAT CONDITIONS ARE TOTALLY DIFFERENT WHEN YOU RUN A DEFICIT FROM WHEN YOU'RE ON A SURPLUS WHEN YOU'RE RUNNING A DEFICIT YOU'RE RELYING UPON BASICALLY YOUR VENDORS TO TO BANK THE GOVERNMENT YOU KNOW UNPAID BILLS ARE WHAT ARE KEEPING THE GOVERNMENT GOING AND YOU'RE ALWAYS TRYING TO CATCH UP WITH WITH THOSE BILLS BECAUSE THEY KEEP ON COMING IN AND NO MATTER HOW QUICKLY YOU PAY THEM THE THE BILLS WILL WILL ACCUMULATE WHEN YOU'RE RUNNING A SURPLUS YOU'RE MUCH BETTER ABLE TO DETERMINE WHERE YOU WHERE YOU CAN PRIORITIZE YOUR YOUR NEEDS WHERE YOU CAN PRIORITIZE YOUR SPENDING AND THAT'S WHAT WE'VE DONE AND OVER THE PREVIOUS TWO YEARS WE PRIORITIZED OTHER GROUPS OF GOVERNMENT EMPLOYEES WHO HAD FALLEN BEHIND THE NURSES THE TEACHERS LAW

ENFORCEMENT NOW IT'S THE TURN OF THOSE EMPLOYEES IN THE GENERAL PAY PLAN IT WASN'T THE FIRST CHOICE THAT WE MADE IT WAS ACTUALLY THE FOURTH CHOICE THAT WE MADE AND WE DIDN'T DO IT ALL AT ONCE WE SPREAD OUT THOSE COSTS UNTIL WE COULD BE ABSOLUTELY CERTAIN THAT THERE WAS FUNDING TO BE ABLE TO PAY THESE THESE THESE WAGES THAT NEED NOW TO BE PAID.

SENATOR PARKINSON: AND IS THE THE THE BALANCED BOOKS THAT WE HAVE IS THAT ENTIRELY BECAUSE OF FEDERAL FUNDS OR DID THIS ECONOMIC TURNAROUND BEGIN BEFORE THE FEDERAL FUNDS COULD YOU PLEASE ELABORATE ON THAT.

DOA- DIRECTOR BIRN: YES SIR THE FIRST SURPLUS THAT THE GOVERNMENT REPORTED WAS BEFORE THE COVID PANDEMIC AND THEREFORE WAS BEFORE THE RECEIPT OF FEDERAL FUNDS OBVIOUSLY RECEIPTS OF FEDERAL FUNDS HELP I MEAN THAT WAS THE INTENT OF THE FEDERAL FUNDS THAT THAT WOULD SUPPORT SPENDING BY STATES TERRITORIES AND MUNICIPALITIES BECAUSE OF THE ADDITIONAL SPECIAL COSTS THAT THEY WERE INCURRING AS A RESULT OF THE COVID PANDEMIC AND THE ECONOMY NEEDED STIMULATING BUT AS I MENTIONED THE FIRST SURPLUS WAS REPORTED BEFORE ALL THAT OCCURRED.

SENATOR PARKINSON: OKAY AND THE NECESSITY OF THESE RAISES IS BECAUSE OF OF A POOR RETENTION RATE OF ATTRITION DUE TO RETIREMENT AND LAW AND LOSS OF JOB OR LOSS OF EMPLOYEES BECAUSE OF NON-COMPETITIVE WAGES DO I UNDERSTAND THAT CORRECTLY.

DOA- DIRECTOR BIRN: YES YOU DO AND I'M GOING TO ASK SHANE TO SPEAK ABOUT THE NUMBER OF OPEN POSITIONS WE ACTUALLY DO HAVE THAT WE CAN'T FILL OR HAVEN'T BEEN ABLE TO FILL.

SENATOR PARKINSON: YEAH I'D LOVE TO HEAR THAT.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: SO CURRENTLY DOA IS ANNOUNCING APPROXIMATELY EIGHTY FIVE POSITIONS ON CONTINUOUS ANNOUNCEMENTS SO A CONTINUOUS ANNOUNCEMENT IS ONE THAT DOESN'T CLOSE SO WE CAN KEEP GETTING APPLICANTS THOSE EIGHTY FIVE VACANCIES REPRESENT ABOUT EIGHTY FIVE POSITIONS SORRY REPRESENT ABOUT TWO HUNDRED AND TEN VACANCIES THAT WE'RE TRYING TO FILL THESE POSITIONS ARE PREDOMINANTLY IN THE HEALTH AGENCIES RIGHT HEALTH AGENCIES ARE ABOUT THIRTY TO THIRTY FIVE PERCENT OF OUR VACANCIES WE'RE TRYING TO FILL THEN YOU HAVE ALL THE OTHER AGENCIES THAT ARE NON-LAW ENFORCEMENT THAT ARE TRYING TO RECRUIT AS WELL AND IT VARIES FROM LOWER LEVEL CLERICAL ADMINISTRATIVE MAINTENANCE POSITIONS UP TO YOUR PROFESSIONAL LEVEL AND MANAGERIAL POSITIONS IN ALL THOSE AGENCIES.

SENATOR PARKINSON: ALRIGHT AND DO I UNDERSTAND IT CORRECTLY THAT THERE'S ABOUT THIRTY FIVE HUNDRED PEOPLE COVERED UNDER THE GENERAL PAY PLAN.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: THAT'S THAT'S CORRECT AT LEAST THIRTY FIVE.

SENATOR PARKINSON: OKAY AND IN THE GENERAL PAY PLAN THERE ARE A FEW PEOPLE BY VIRTUE OF THIS SCALE WHO EARN OVER A HUNDRED THOUSAND DOLLARS AND ARE GOING TO BE GETTING AN ADJUSTMENT IS THAT CORRECT.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: THAT'S CORRECT.

SENATOR PARKINSON: FROM WHAT FROM MY ACCOUNT IT'S SEVENTEEN OUT OF THIRTY FIVE HUNDRED PEOPLE ARE ELIGIBLE IS THAT CORRECT.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: LOOKING AT THE AGENCIES THAT ARE COVERED BY THE GPP INCLUDING DOE AND GMH THAT'S CORRECT.

SENATOR PARKINSON: ALRIGHT IN THE LINE AGENCIES I SEE THERE'S TWO ONE IS YOURSELF AND IS THE AND THE OTHER IS A VETERINARIAN AND YOUR OPINION IS THE VETERINARIAN NECESSARY TO KEEP ON PAYROLL.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: VERY.

SENATOR PARKINSON: ALRIGHT I WOULD I WOULD TEND TO AGREE WITH YOU IN GDOE I NOTICED THAT TWO OF THE POSITIONS ARE ROTC OFFICERS THAT ARE FEDERAL AND THOSE ARE FEDERALLY FUNDED CORRECT AND THEN THE OTHER TWO ARE HIGH LEVEL ADMINISTRATORS.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: THAT'S CORRECT.

SENATOR PARKINSON: ALRIGHT AND THEN WITH GMH IT'S NINE PHARMACISTS AND FOUR SENIOR ADMINISTRATIVE STAFF.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: ACCORDING TO THE STAFFING DATA WE GOT YES.

SENATOR PARKINSON: ALRIGHT THEN CAN CAN WE AFFORD TO LOSE ANY OF THOSE PHARMACISTS.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: I'M SURE THE HOSPITAL WOULD AGREE WITH ME THAT WE CAN'T.

SENATOR PARKINSON: ALRIGHT I SEE THAT ONE OF THE PHARMACISTS IS MAKING ABOUT A HUNDRED THOUSAND DOLLARS AND SO EVEN WITH THIS PAY SCALE SHE WILL STILL BE AT THE BOTTOM END OF HER NATIONAL COMPETITIVE WAGE IS THAT CORRECT I I SEE I SEE THE NATIONAL AVERAGE IS ABOUT ONE THIRTY NINE AND THAT BRING HER TO ABOUT ONE THIRTY TWO.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: PART OF WELL THE PHARMACISTS IN AND OF ITSELF YOU KNOW THEY'RE PRETTY COMPLEX IN THE PAST WE HAVE HAD SCALES JUST FOR THE PHARMACIST BUT THEY'RE NOT ONLY HIGH DEMAND FOR THE HOSPITAL BUT THEY'RE ALSO UTILIZED IN BOTH PUBLIC HEALTH AND GUAM BEHAVIORAL HEALTH SO EVEN IF MARKET WERE TO DICTATE MORE MONEY IT'S JUST THE AMOUNT OF PHARMACISTS WE HAVE SO THAT'S WHY YOU START SEEING HIGHER PAY BUT IN PARTICULAR THOSE PHARMACISTS IF I'M NOT MISTAKEN AT THE HOSPITAL ALSO HAVE TENURE TIME AND SERVICE THAT'S WHY YOU SEE A LOT OF THEM HAVE HIGHER WAGES.

SENATOR PARKINSON: ALRIGHT AND IT WAS YOUR RECOMMENDATION OR IT WAS YOUR SUGGESTION THAT IF THIS BODY WERE TO ARBITRARILY REMOVE THE TOP END OF THE SCALE FROM THE WAGE ADJUSTMENT THAT THAT WOULD LEAD TO WAGE COMPRESSION DO I HAVE THAT CORRECT.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: THAT'S CORRECT YES.

SENATOR PARKINSON: WHAT WOULD YOU ANTICIPATE THAT WOULD LEAD TO ANY VIOLATION OF EQUAL PROTECTION LAWS IF WE WERE TO EXCLUDE PEOPLE ON THAT PAY SCALE WOULD IT WOULD THAT JUST DEFEAT THE PURPOSE OF THE PAY SCALE WOULD IT MAKE IT JUST AN ARBITRARY SCALE.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: IN REGARDS TO VIOLATING THE LAW I GUESS THAT WOULD REALLY DEPEND ON HOW IT'S ENACTED BUT IT WILL DEFINITELY END UP IN APPEALS IF YOU BASE IT ON THE EMPLOYEES THEMSELVES RATHER THAN THE POSITIONS.

SENATOR PARKINSON: OKAY AND I I AM DO I UNDERSTAND CORRECT THAT THIS IS NOT A WINDFALL PAY RAISE THIS IS MORE OF A CATCH-UP PAY RAISE DO I UNDERSTAND THAT RIGHT IS THAT FAIR TO CHARACTERIZES CATCH-UP PAY RAISE.

DOA- DIRECTOR BIRN: YES SENATOR WE'RE LOOKING IF YOU MEAN WE'RE LOOKING BACKWARDS TO WHAT WE SHOULD HAVE PAID OVER THE PREVIOUS YEARS WE'RE NOT LOOKING FORWARD.

SENATOR PARKINSON: AND AND SO WITH THAT YOU'RE REFERENCING THAT WE WERE SUPPOSED WE WERE MANDATED BY LAW TO HAVE THREE PREVIOUS PAY ADJUSTMENTS AND THAT'S WHY THE PAY ADJUSTMENT NOW IS SO BIG IS BECAUSE WE MISSED THREE PREVIOUS PAY ADJUSTMENTS DO I UNDERSTAND THAT CORRECTLY.

DOA- DIRECTOR BIRN: YES BECAUSE OF THE THE FUNDING SITUATION.

SENATOR PARKINSON: OKAY AND WHY WAS THE LAW NOT FOLLOWED BACK IN THOSE THREE PREVIOUS MANDATED INSTANCES WAS IT JUST A LACK OF FUNDING BECAUSE WE WERE IN A DEFICIT.

DOA- DIRECTOR BIRN: YES IT WAS A LACK OF FUNDING.

SENATOR PARKINSON: ALRIGHT AND YOU HAD SAID THAT IF YOU FOLLOW THE FORMULA IT WOULD HAVE RECOMMENDED THE FORTY FIVE PERCENT INCREASE BUT YOU HAD ACTUALLY WEIGHTED IT DOWN TO TWENTY TWO PERCENT TO MAKE IT A MUCH MORE AFFORDABLE PACKAGE DO I UNDERSTAND THAT CORRECTLY.

DOA- DIRECTOR BIRN: YES THE THE FORTY FIVE PERCENT WAS THE SIMPLE AVERAGE BUT ON LOOKING AT THE NUMBERS IT WAS CLEAR THAT THAT WAS NOT GOING TO BE AN APPROPRIATE APPROACH SO WE USED A WEIGHTED AVERAGE WHICH WEIGHTED IT FOR THE NUMBER OF PEOPLE IN EACH CATEGORY.

SENATOR PARKINSON: OKAY AND SO BECAUSE YOU HAD TO WAIT IT IN A DOWNWARD DIRECTION EVEN WITH SOME OF THESE PAY ADJUSTMENTS THEY'RE EITHER AT THE BOTTOM END OF THEIR COMPETITIVE SCALE OR STILL NOT COMPETITIVE DO I UNDERSTAND THAT CORRECTLY.

DOA- DIRECTOR BIRN: THAT WAS THE GENERAL GENERAL RESULT YES.

SENATOR PARKINSON: OKAY AND WITH THE GENERAL PAY PLAN WOULD THAT INCLUDE PROCUREMENT SPECIALISTS.

DOA- DIRECTOR BIRN: YES SIR.

SENATOR PARKINSON: WITH BEING ABLE TO PAY PROCUREMENT SPECIALISTS MAKE IT SO THAT YOU WOULDN'T NECESSARILY HAVE TO BORROW PROCUREMENT SPECIALISTS FROM GPA IN THE FUTURE.

DOA- DIRECTOR BIRN: THAT WOULD CERTAINLY BE THE CASE AND THEY'RE CERTAINLY ONE OF THE UNFILLED POSITIONS THAT WE'VE GOT AT DOA.

SENATOR PARKINSON: HOW DOES THIS RAISE COMPARE AGAINST A BASIC RATE OF INFLATION IF YOU TRACK IT FROM WHEN WE SHOULD HAVE PLAYED IT ARE WE JUST BASICALLY KEEPING UP WITH INFLATION ARE WE UNDERWATER CAN YOU KIND OF JUST TALK ON THAT A LITTLE BIT.

DOA- DIRECTOR BIRN: YES I'M NOT NOT A REAL EXPERT IN IN INFLATION BUT AS I AS I THINK I SAID YESTERDAY IT'S ABOUT ONE POINT SEVEN PERCENT PER YEAR ACCUMULATED THAT'S PROBABLY A LITTLE LESS THAN THE RATE OF INFLATION OVER THE PAST TEN YEARS BUT AS I SAY I'M NOT AN EXPERT ON THAT TWENTY TWO PERCENT OVER TEN YEARS INFLATION ESPECIALLY WITH THE ACCELERATION IN THE LAST TWO YEARS DOESN'T SEEM TO BE ON UNTOWARD.

SENATOR PARKINSON: ALRIGHT AND ARE WE SEEING MORE APPLICATIONS IN GOV GUAM SINCE WE STARTED IMPLEMENTING THE OTHER PAY RAISES THE TEACHER PAY RAISES CAN YOU SPEAK TO THAT A LITTLE BIT.

DOA - PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: I I DON'T HAVE THE SPECIFIC NUMBERS FOR GDOE OR THE HOSPITAL BUT ON OUR END THE THE NURSES WE DO GET MORE APPLICANTS RETENTION OF COURSE AS PAY MOVES RIGHT EVERY YEAR BECAUSE IT'S BEEN ABOUT MAYBE A YEAR AND A HALF SINCE WE'VE MOVED TO NURSE PAY RETENTION DOES REMAIN AN ISSUE BUT NATIONWIDE NURSES ARE HARD TO RECRUIT FROM THE HOSPITAL ITSELF IN OUR LAST CONVERSATIONS WE HAVEN'T HAD ANY INQUIRY OR ANYTHING TO THAT NATURE OF WHETHER OR NOT RETENTION HAS GONE UP OR DOWN.

SENATOR PARKINSON: ALRIGHT AND DURING THE PANDEMIC WE WERE KIND OF DEVASTATED BY OUR TOURISM INDUSTRY THERE RIGHT WILL IT BE POSSIBLE WOULD IT BE PLAUSIBLE TO SAY THAT THESE RAISES WILL BE SUSTAINABLE AS TOURISM COMES BACK AND OUR NUMBERS BEGIN TO IMPROVE OR CAN WE SUSTAIN IT IF TOURISM MAKES NO COMEBACK LIKE GIVE US A SCALE OF HOW MUCH WE'RE RELYING ON TOURISM TO KEEP THINGS IN ORDER IN THE FUTURE.

DOA- DIRECTOR BIRN: WE CAN SUSTAIN IT AT THE CURRENT LEVELS OF TOURISM THERE ARE TOURISM EBBS AND FLOWS I MEAN THERE ARE REASONS WHY PEOPLE COME HERE ON CERTAIN MONTHS AND NOT NOT ON OTHERS BUT BUT BASED ON THE AVERAGE FLOW OF TOURISM YES YES WE CAN SUSTAIN THIS THIS PAY INCREASE WE'RE SITTING BEFORE YOU BECAUSE WE BELIEVE THAT TO BE THE CASE.

SENATOR PARKINSON: ALRIGHT AND DO YOU DO YOU FORESEE PROBLEMS WITH HIRING AND RETENTION IN THE FUTURE WHEN THE MARINE CORPS BASE STARTS REQUIRING ADMINISTRATIVE STAFF.

DOA- DIRECTOR BIRN: THAT WILL CERTAINLY BE ANOTHER OPTION FOR FOR PEOPLE THAT EITHER LIVE HERE OR WANT TO LIVE HERE TO SEEK EMPLOYMENT BASICALLY FROM THE FEDERAL GOVERNMENT ON THE MARINE BASE THAT IT'S ANOTHER OPTION FOR THEM WE HAVE TO BE COMPETITIVE.

SENATOR PARKINSON: ALRIGHT AND THERE'S A PERCEPTION THAT THE GOVERNMENT IS HOARDING A BUNCH OF MONEY AND NOT SPENDING IT ON THE SCHOOLS OR ON THE PAY RAISES COULD YOU SPEAK TO HOW MUCH MONEY HAS BEEN SPENT TOWARDS SMALL BUSINESSES PANDEMICS ASSISTANT BUSINESS RENT SUBSIDY LEAPS UNEMPLOYMENT AND WHATNOT.

DOA- DIRECTOR BIRN: YES SENATOR LIKE LAST NIGHT I DON'T HAVE THAT NUMBER IN MY HEAD BUT GENERALLY IT'S IT'S WELL OVER A HUNDRED MILLION THAT'S BEEN SPENT IN SUPPORT OF BUSINESSES IN ADDITION TO THAT THERE'S BEEN MONEY SPENT THROUGH THE AGENCIES SUPPORTING INDIVIDUALS AND THAT OF COURSE GOES BACK INTO THE ECONOMY AND THE THE UNEMPLOYMENT PAYMENTS THAT WERE AVAILABLE AT THE BEGINNING OF THE PANDEMIC ALSO PRODUCED MONEY THAT WENT BACK INTO THE INTO THE ECONOMY AND ACTUALLY ALSO PRODUCED A A AN INCREASE IN THE TAX REVENUES BECAUSE TAXES WERE PAID ON ON THAT INCOME SOMETIMES PEOPLE ARE IN FACT YOU KNOW GAINED FROM BUT THEY WERE PAID MORE FROM UNEMPLOYMENT THAN THEY WERE IN THEIR PREVIOUS PRIVATE SECTOR JOBS.

SENATOR PARKINSON: ALRIGHT AND THIS IS NOT SOME SECRET PLOT TO GIVE THIRTY FIVE HUNDRED DOLLARS THIRTY FIVE HUNDRED PEOPLE A RAISE JUST GET THOSE SEVENTEEN PEOPLE ALL THE EXTRA MONEY.

DOA- DIRECTOR BIRN: NO SO THAT THAT WOULD BE REALLY I'M NOT THAT DEVIIOUS.

SENATOR PARKINSON: ALRIGHT THANK YOU VERY MUCH.

SENATOR SHELTON: THANK YOU SENATOR PARKINSON SENATOR BARNETT.

SENATOR BARNETT: THANK YOU MADAM CHAIR WE'RE IN A REALLY DIFFICULT POSITION HERE WITH WITH THESE PAY RAISES AND I KNOW THE NARRATIVE HAS BEEN THAT PEOPLE ARE LEAVING THE GOVERNMENT OF GUAM RIGHT AND AND THEY'RE NOT LEAVING TO GO TO THE PRIVATE SECTOR RIGHT.

DOA- DIRECTOR BIRN: WELL I'M NOT SURE WE HAVE REAL STATISTICS ON WHERE PEOPLE ARE GOING.

SENATOR BARNETT: BECAUSE EVERYONE I KNOW IN THE PRIVATE SECTOR IS TRYING TO GET ANOTHER GOVERNMENT OF GUAM.

DOA- DIRECTOR BIRN: WELL AS AS WE JUST HEARD THERE ARE PLENTY OF OPPORTUNITIES IN THE GOVERNMENT OF GUAM.

SENATOR BARNETT: RIGHT.

DOA- DIRECTOR BIRN: AND PLEASE MAKE SURE THEY COME THROUGH OUR DOORS.

SENATOR BARNETT: I'VE BEEN ON YOUR WEBSITE AND I'VE SEEN THIS SO I KNOW THE HIRING IS GOING ON PEOPLE STILL WANT TO WORK FOR THE GOVERNMENT OF GUAM I THINK EVEN IF THEY WERE BEING PAID WAGES FROM TEN YEARS AGO A PRIVATE SECTOR PEOPLE STILL WANT TO COME WORK FOR THE GOVERNMENT OF GUAM SO REALLY JUST COMPETING WITH THE AUTONOMOUS AGENCIES THE FEDERAL GOVERNMENT AND THEN THE STATESIDE WAGES RIGHT.

DOA- DIRECTOR BIRN: CERTAINLY I MEAN WE'VE HAD SOME SOME OF OUR EMPLOYEES ONE I THINK WAS RIGHT AT THE END OF THE DECEMBER AT DOA WHO MOVED TO THE MAINLAND BECAUSE HER HUSBAND HAD A JOB ON THE MAINLAND NO DOUBT HE WAS LOOKING FOR A BETTER OPPORTUNITY AND SHE TOOK THAT OPPORTUNITY TOO.

SENATOR BARNETT: BECAUSE IF WE'RE FORTY FIVE PERCENT THE COMPARISONS WERE FORTY FIVE PERCENT BEHIND SOME OF THE STATE SIDE WAGES AND WE'RE GIVEN A TWENTY TWO PERCENT RAISE WE'RE OBVIOUSLY NOT REALLY GOING TO BE THAT COMPETITIVE IT REALLY COMES DOWN TO THESE THESE GOVERNMENT EMPLOYEES WHO ARE INVESTED IN OUR ISLAND KIND OF STICKING AROUND RIGHT WITH WITH THIS LITTLE EXTRA BUMP OR THIS TWENTY TWO PERCENT BUMP.

DOA- DIRECTOR BIRN: YES WE WANT TO MAKE SURE THAT PEOPLE WHO WANT TO LIVE HERE AND WANT TO CONTRIBUTE CAN AND NOT SUFFER UNREASONABLY BECAUSE OF THE LOW RATES OF PAY.

SENATOR BARNETT: RIGHT LIKE I SAID WE'RE JUST IN A DIFFICULT POSITION BECAUSE I WAS SPEAKING WITH YOU DURING A RECESS YESTERDAY AND AND YOU HAD SAID THAT THIS PAY RAISE FOR THE GENERAL PAY PLAN THIS TWENTY TWO PERCENT HIKE FOR ALL THE EMPLOYEES IN THE GENERAL PAY PLAN WAS BASICALLY TAKE IT OR LEAVE IT BECAUSE YOU DON'T BELIEVE WE HAVE THE ABILITY TO GO IN AND AND KIND OF FIDDLE AROUND WITH WHO WE THINK SHOULD GET A RAISE WHO WE THINK SHOULDN'T OR YOU KNOW MAYBE INSTITUTE A SLIDING SCALE IN TERMS OF HOW HIGHLY SOMEONE'S PAID GETTING MAYBE A LESSER INCREASE VERSUS THE REAL HARD WORKERS IN THE GOVERNMENT ON THE LOWER END OF THE SCALE GETTING THAT THAT FULL TWENTY TWO.

DOA - PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: THANK YOU FOR THE QUESTION YEAH I THINK IF THAT APPROACH IS TAKEN IT IT MIXES TWO ASPECTS OF COMPENSATION THROUGH THE HAY METHOD RIGHT WE JOB SIZE ALL THE POSITIONS IN THE GOVERNMENT THOSE JOB SIZES OCCUR AND RESULT IN PAY GRADES THOSE PAY GRADES ARE GIVEN PAY RANGES ASSOCIATED TO THE SIZE OR THE VALUE OR THE IMPACT OF THAT POSITION IN THE ORGANIZATION AS A WHOLE WHEN YOU'RE LOOKING AT ACTUAL EMPLOYEE PAY AND BASING HOW MUCH AN INCREASE SHOULD BE BASED ON WHERE AN INDIVIDUAL EMPLOYEE LIES THEN YOU'RE ACTUALLY LOOKING INTO THE PERFORMANCE SIDE OF THINGS RIGHT WHICH IS HANDLED IN A TOTALLY SEPARATE PROCESS WHICH THEY MOVE WITHIN THE SCALE IN THE STEPS AND THAT THOSE TWO CAN'T BE MIXED FOR THE THREAT OF HAVING IT BEING HIGHLY INCONSISTENT WHEN YOU TRY TO APPLY IT YEAH.

SENATOR BARNETT: THAT'S WHY I SAID YOU GUYS ARE BASICALLY SAYING WE HAVE TO EITHER ACCEPT THE TWENTY TWO PERCENT PAY RAISE FOR THE ENTIRE GENERAL PAY PLAN WITHOUT FIDDLING WITH IT OR VOTE IT DOWN BASICALLY THAT THOSE ARE OUR OPTIONS ACCORDING TO YOU.

DOA- DIRECTOR BIRN: I THINK VOTED DOWN IS IS A KIND OF EXTREME EXTREME.

SENATOR BARNETT: YEAH YEAH YEAH.

DOA- DIRECTOR BIRN: WAY OF LOOKING AT IT BUT THAT IT'S EASIEST TO ACCEPT.

SENATOR BARNETT: RIGHT.

DOA- DIRECTOR BIRN: AN OVERALL INCREASE WITHOUT RUNNING INTO POSSIBLE CHALLENGES LATER.

SENATOR BARNETT: RIGHT AND I THINK WHAT MAKES IT CHALLENGING AND I'M JUST GOING TO SPEAK FOR MYSELF AND I WANT TO SPEAK FOR ANYONE ELSE AND AND THE BODY IS THAT WE CAN'T GET AN ACCURATE READ ON EXACTLY HOW MUCH IS THIS GOING TO COST AND WE CAN'T GET AN ACCURATE READ ON THE NUMBER OF YOU KNOW CERTAIN TYPES OF POSITIONS BECAUSE AND I I JUST DON'T GET THAT PART BECAUSE THERE IS SO MUCH LEAD UP TO THIS THERE WAS A FOUR SPECIAL SESSION CALLS AND YOU KNOW THE THE FULL COURT PRESS FROM ADELUP THE ATTACKS FROM THESE YOU KNOW POLITICAL ACTION GROUPS THEN ALL THAT STUFF AND THEN HERE WE COME WE GET INTO THIS SPECIAL SESSION WE COMMITTED TO WORK ON THIS ISSUE THEN WE ASK QUESTIONS AND YOU DON'T HAVE ANSWERS YOU KNOW WE ASKED DOES IT INCLUDE THE BENEFITS YOU SAID IT DOESN'T WE ASKED HOW MUCH ARE THE BENEFITS YOU SAID YOU DON'T KNOW WE ASKED HOW MANY UNCLASSIFIED EMPLOYEES ARE INCLUDED IN THE GENERAL PAY PLAN AND WE HEAR A HANDFUL AND I THINK TO MAKE A HUGE DECISION LIKE THIS BASED ON YOU KNOW TERMS LIKE WE'RE NOT SURE OR IT'S ONLY A HANDFUL I MEAN IT JUST PUTS ME IN A BECAUSE I WANT TO MAKE SURE WE'RE GETTING THE BEST DEAL RIGHT SO JUST GOING BACK TO THE UNCLASSIFIED POSITIONS WHY DO YOU THINK PEOPLE SAY UNCLASSIFIED POSITIONS ARE POLITICAL HIRES.

DOA- DIRECTOR BIRN: SENATOR FIRST OF ALL I DIDN'T SAY I DON'T KNOW ABOUT.

SENATOR BARNETT: WHAT DID YOU SAY YOU WEREN'T SURE YOU DON'T HAVE THE NUMBERS.

DOA- DIRECTOR BIRN: I I DON'T HAVE THE.

SENATOR BARNETT: RIGHT.

DOA- DIRECTOR BIRN: WELL I MEAN I'M NOT OUT HERE.

SENATOR BARNETT: RIGHT YEAH.

DOA- DIRECTOR BIRN: I GAVE YOU THE PERCENTAGES THAT THE BENEFITS WOULD COST.

SENATOR BARNETT: WHAT WAS IT.

DOA- DIRECTOR BIRN: YES PENSION IS TWENTY EIGHT IT'S TWENTY EIGHT POINT SIX PERCENT AND THE MEDICARE IS ONE POINT FOUR FIVE PERCENT THANK YOU.

SENATOR BARNETT: YEAH WELL I MEAN OBVIOUSLY YOU DIDN'T HAVE IT OR WE WOULD BE GOOD IT'S TWENTY WHAT IS IT TWENTY EIGHT.

DOA- DIRECTOR BIRN: TWENTY EIGHT POINT SIX PERCENT.

SENATOR BARNETT: SIX MILLION YEAH.

DOA- DIRECTOR BIRN: MEDICARE THE MEDICARE COUNT IS ONE POINT FOUR FIVE PERCENT.

SENATOR BARNETT: THANK YOU.

DOA- DIRECTOR BIRN: SORRY YEAH COULD YOU REPEAT YOUR LAST QUESTION.

SENATOR BARNETT: OH YEAH YEAH SO I JUST WANTED TO ASK WHY DO PEOPLE SAY UNCLASSIFIED EMPLOYEES ARE POLITICAL HIRES.

DOA- DIRECTOR BIRN: WELL I THINK YOU HAVE TO ASK THE PEOPLE THAT SAY THAT I I.

SENATOR BARNETT: WHAT'S THE PROCESS THEN OF CLASSIFIED VERSUS UNCLASSIFIED JUST TAKE ME BACK TO THE BEGINNING IF IF WE'RE HIRING SOMEONE IN A CLASSIFIED POSITION VERSUS HIRING SOMEONE IN AN UNCLASSIFIED POSITION HOW DO THOSE PROCESSES DIFFER.

DOA- DIRECTOR BIRN: GO AHEAD.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: IF WE'RE LOOKING AT LIKE THE DISTINCTION A TRULY UNCLASSIFIED EMPLOYEES LIKE LET'S SAY A SPECIAL PROJECTS COORDINATOR WHICH IS AN ACTUAL CREATED UNCLASSIFIED POSITION BASICALLY LET'S SAY A DEPARTMENT NEEDS TO UTILIZE THAT POSITION THEY'LL AND SINCE IT DOES HAVE A JOB SPECIFICATION THEY'LL ASK US HEY DOA DOES THIS

PERSON MEET THE QUALIFICATIONS FOR THE JOB WE'LL SAY YES IT DOES YES THEY DO OR NO THEY DON'T IF THEY DO.

SENATOR BARNETT: SO THEY HAVE AN APPLICANT OR THEY HAVE A PERSON PRE-SELECTED FOR THE JOB.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: YES SO THESE POSITIONS DON'T GO THROUGH THE COMPETITIVE PROCESS RIGHT WHICH IS A JOB ANNOUNCEMENT.

SENATOR BARNETT: SO IT'S ONE OF THESE WHO YOU KNOW LIKE A CONNECT KIND OF THING.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: YOU KNOW IT IT MAY BE LIKE WE DON'T CONFIRM THAT WHEN WE DO GET THE REQUESTS RIGHT WE TAKE THE REQUEST FOR FACE VALUE IF THEY DON'T QUALIFY THEN WE RECOMMEND THAT YOU KNOW THEY DON'T HIRE THEM BUT IN THAT YOU ALSO HAVE THE CLASSIFIED TITLES THAT ARE BEING PICKED UP AS LIMITED TERMS RIGHT YOUR YOUR PROGRAM COORDINATORS COMMUNITY PROGRAM AIDES THINGS LIKE THAT WE DO ALSO DO A CHECK TO MAKE SURE THEY QUALIFY THOSE POSITIONS PURSUANT TO THE RULES ALSO DON'T GO THROUGH THE COMPETITIVE PROCESS OF AN ANNOUNCEMENT THEN YOU HAVE THE YOU KNOW FULLY CLASSIFIED POSITIONS WHERE WE ANNOUNCE IT THEY APPLY WE ESTABLISH.

SENATOR BARNETT: MORE BY THE BOOK YOU MEAN.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: YEAH AND SO THE AND I GUESS TO I GUESS CLARIFY SO THE LIMITED TERMS OF THE UNCLASSIFIED THEY'RE ALL COVERED UNDER THE RULES THEY HAVE THEIR OWN ESTABLISHED PROCESSES BUT THE MAIN DIFFERENCE IS COMPETING FOR THE POSITION.

SENATOR BARNETT: RIGHT.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: VERSUS BEING APPOINTED TO IT JUST ON QUALIFYING.

SENATOR BARNETT: RIGHT AND SO YOU SAID THAT THERE ARE SOME CLASSIFIED POSITIONS OR THEY'RE UNCLASSIFIED POSITIONS WITH CLASSIFIED TITLES.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: CLASSIFIED POSITIONS OR CLASSIFIED TITLES BEING HIRED IN THE UNCLASSIFIED SERVICE LIKE THE LIMITED TERMS AND THE TEMP APPOINTMENTS.

SENATOR BARNETT: AND THIS IS THE SAME TYPE OF PROCESS WHERE THERE'S NO JOB ANNOUNCEMENT NOBODY KNOWS ABOUT IT IT'S KIND OF LIKE *PARI PARI*.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: WELL IT IT'S WHAT HAPPENS IS IF THEY NEED TO FILL IT QUICKLY WITHOUT WAITING FOR THE WHOLE ANNOUNCEMENT PERIOD.

SENATOR BARNETT: YEAH.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: AND EVERYTHING THEY'LL USUALLY PICK SOMEONE UP TO FILL THE NEED RIGHT AWAY.

SENATOR BARNETT: AND AND WHO CONTROLS HOW MUCH THESE UNCLASSIFIED POSITIONS ARE ARE PAID I MEAN I KNOW THEY'RE IN THE GENERAL PAY PLAN BUT IT GO ON.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: FOR FOR THE LIMITED TERMS AND THE TEMP APPOINTMENTS THE RULES ALLOW ONLY AT STEP ONE RIGHT OF WHATEVER POSITION THOSE WILL BE YOUR PERMANENT POSITIONS LIKE YOUR PROGRAM COORDINATOR SO THEY ONLY GET PICKED UP AT STEP ONE FOR THE UNCLASSIFIED THROUGH POLICY THEY CAN BE HIRED BETWEEN STEPS ONE AND TEN BUT THE VAST MAJORITY OF UNCLASSIFIED TYPE HIRES ARE WITH LIMITED TERM AND TEMP APPOINTMENT WITHIN THE LINE AGENCIES.

SENATOR BARNETT: RIGHT YEAH BECAUSE I DON'T I DON'T THINK THAT I MEAN AT LEAST ME I'M NOT COMFORTABLE GIVING A TWENTY TWO PERCENT PAY RAISE TO SOMEONE WHO GOT THE JOB BECAUSE THEY CAMPAIGNED REALLY HARD FOR LOU AND JOSH OR WHOEVER SO HOW DO WE HOW DO WE AND DO YOU BELIEVE THAT WE CAN CUT THESE TYPES OF POSITIONS NOT PEOPLE BECAUSE IT'S ABOUT THE POSITIONS NOT THE PEOPLE HOW DO YOU THINK WE CAN CUT THESE POSITIONS OUT WITHOUT MAYBE ACCIDENTALLY CUTTING OUT A LEGITIMATE PERSON WHO'S BEEN HIRED TO MEET A LEGITIMATE NEED BUT IS IN AN UNCLASSIFIED POSITION WITH A CLASSIFIED TITLE.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: WITHOUT RUNNING A FULL SCENARIO OF HOW THAT WOULD WORK I MEAN IT COULD BE MANDATED BUT YOU RUN THE RISK OF LET'S SAY HAVING A LIMITED TERM POSITION BEING FILLED AND A CLASSIFIED ONE AT TWO SEPARATE SALARIES RIGHT WHETHER

POLITICALLY HIRED OR NOT RIGHT SO IF BOTH ARE LEGITIMATE YOU THEN BIFURCATE HOW WE PAY A POSITION ON THE GOVERNMENT FOR THE TITLES THAT ARE ESTABLISHED TO BE IN THE GENERAL PAY PLAN YOU IF IT'S MANDATED THAT WAY OF COURSE YOU KNOW IT'LL BE CARRIED OUT THAT WAY WE DON'T RECOMMEND IT BECAUSE IF AN EMERGENCY NEED IS THERE.

SENATOR BARNETT: RIGHT.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: AND PEOPLE STILL WON'T COME IN TO FILL THE NEED BECAUSE OF THE SALARY THEN WE END UP BACK AT SQUARE ONE WE GENERALLY LIKE TO BE CONSISTENT WHEN IT COMES TO THE TITLES THAT ARE BEING USED.

SENATOR BARNETT: BUT ARE WE HERE TO PROMOTE AND PROTECT THE MERIT SYSTEM OR THE CLASSIFIED SERVICE WITH THESE PAY RAISES THAT'S KIND OF THE WHOLE INTENT OF THIS RIGHT THE GENERAL PAY PLAN AND MAYBE JUST GO BACK BECAUSE YOU DON'T HAVE THE INFORMATION HOW MANY UNCLASSIFIED POSITIONS ARE IN THE GENERAL PAY PLAN.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: I DID ASK OUR TEAM TO PULL THAT INFORMATION FOR YOU WHEN YOU REQUESTED SO WE'LL GET THE EXACT NUMBER OF UNCLASSIFIED POSITIONS.

SENATOR BARNETT: RIGHT AND OF THESE POLITICAL HIRES THAT DON'T GO THROUGH THE NORMAL COMPETITION GETTING THE JOB THE GOOD OLD-FASHIONED WAY WHO WHAT POSITION TITLE WOULD YOU SAY IN YOUR ESTIMATION BECAUSE I KNOW YOU HAVE SO MUCH EXPERIENCE RIGHT IS THE MOST PURELY POLITICAL IS IT THE SPECIAL PROJECT COORDINATORS.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: I I WOULDN'T COMMENT ON WHAT'S PURELY POLITICAL A LOT OF OUR CONVERSATIONS AT LEAST MINE WITH THE DEPARTMENTS ARE WHEN THEY DO NEED TO FILL A NEED SO THAT'S WHERE WE'RE.

SENATOR BARNETT: I MEAN BUT LET'S JUST BE REAL WITH EACH OTHER WHEN YOU TALK ABOUT SPCS RIGHT USUALLY THEY'RE THE THE POLITICAL HACKS.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: WOW POLITICAL HACKS I I WOULDN'T CATEGORIZE IT AS THAT FOR THE POSITION NOW.

SENATOR BARNETT: RIGHT.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: WE DON'T LOOK HR IN PARTICULAR DOESN'T LOOK INTO THE BACKGROUND OF AN EMPLOYEE THEIR POLITICAL AFFILIATIONS OR ANYTHING LIKE THAT.

SENATOR BARNETT: RIGHT BUT AGAIN THE SPCS SPECIFICALLY DON'T HAVE TO COMPETE WITH ANYBODY FOR THE JOB THEY JUST THEY JUST GET IT.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: THAT'S THAT'S TRUE.

SENATOR BARNETT: YEAH OKAY.

DOA- DIRECTOR BIRN: SENATOR WE I AND I I'M SURE SOME OTHER AGENCY DIRECTORS ENCOURAGE ANYBODY WHO'S NOT A A CLASSIFIED EMPLOYEE AND IN PARTICULAR THOSE WHOSE TERMS OF EMPLOYMENT ARE COMING TO AN END TO APPLY FOR THE CLASSIFIED POSITIONS THAT ARE AVAILABLE AND COMPETE SO THAT THEY CAN GET INTO THE CLASSIFIED SERVICE THE MERIT SYSTEM TO WHICH YOU REFER.

SENATOR BARNETT: YEAH THAT'S WHY I WANT TO BE CAREFUL AND I THINK THAT WE'RE A LITTLE HANDCUFFED HERE IN HOW WE CAN GO IN AND I MEAN THE WAY I LOOK AT IT I JUST FOR ME I WAS THINKING ABOUT THIS LAST NIGHT THE GENERAL PAY PLAN I MEAN IT IS JUST TOO GENERAL IT'S WIDE IT'S UNWIELDY IT DOESN'T ALLOW US THE OPPORTUNITY TO KIND OF GO IN AND WHEN YOU LOOK AT THE THE TYPES OF POSITIONS IN THIS HUGE PAY PLAN IT'S HUNDREDS OF DIFFERENT TYPES OF POSITIONS RIGHT AND SO I DON'T KNOW WE DON'T IF WE EVEN HAVE THE LEEWAY TO GO IN AND MAKE DETERMINATIONS AS TO AND I'M NOT YOU KNOW SAYING OH LET'S CUT EVERYONE THAT HALF A PERSON OR THE TWO PEOPLE ARE MAKING OVER A HUNDRED THOUSAND DOLLARS BUT I DO THINK THAT WE'RE TRYING TO TAKE A CLOSER LOOK AT THIS BUT YOU KNOW LACKING THE INFORMATION THAT WE NEED I DON'T KNOW HOW WE GO INTO THIS PROPOSAL AND AND KIND OF DO OUR JOB TO TO VET IT OR IF WE CAN EVEN VET IT.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: AND I GUESS JUST IN THE WAY I'M FRAMING IT IN MY HEAD RIGHT AND LOOKING AT A REVIEW LIKE THAT FROM THE 2014 CWA WE DIDN'T CHANGE THE CLASSIFICATIONS COVERED RIGHT SO WE'VE MAINTAINED ALL OF THOSE RIGHT AND IT'S ABOUT A THOUSAND

CLASSIFICATIONS A REVIEW LIKE THAT WOULD HAVE TO GO THROUGH AND DETERMINE AND I THINK WHEN YOU LOOK AT THE SLICE OF POSITIONS WE TOOK IN THIS STUDY YOU BASICALLY HAVE TO DETERMINE WHICH OF THOSE POSITIONS WE DON'T THINK SHOULD GET THE TWENTY TWO PERCENT.

SENATOR BARNETT: IF I JUST MAY BE ALLOWED TO CLOSE I MEAN JUST LOOK LOOK AT SOME OF THESE SO YOU HAVE THE THE CAMERA OPERATORS AT PBS AND THEN YOU'VE GOT THE CLINICAL PHARMACIST AT GMH AND THEN YOU'VE GOT THE YOU KNOW CUSTODIAN AT GDOE I MEAN THAT IS JUST SO WIDE IN SO MANY DIFFERENT TYPES OF EMPLOYEES WHEN I WAS THINKING ABOUT THE SOLUTION OF THIS I THINK IT WOULD HAVE TO BE TO GO INTO THIS GENERAL PAY PLAN AND BREAK IT UP INTO A FEW DIFFERENT PAY PLANS SO THAT WE WE HAVE THE LEEWAY TO GO IN AND YOU KNOW DO OUR JOB.

DOA- DIRECTOR BIRN: YES YOU'RE ABSOLUTELY RIGHT I DON'T THINK HOWEVER THAT THIS KIND OF GENERAL PAY PLAN IS SO UNUSUAL IN IN GOVERNMENT ENTITIES BECAUSE OF THE DIFFICULTY OF DOING WHAT YOU JUST SAY OF MAKING A WHOLE LOT OF SEPARATE PAY PLANS TO COVER EVERY ACTIVITY THAT THE GOVERNMENT DOES.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: AND AND JUST TO ADD TO THAT YOU KNOW THE THE CURRENT CLASSIFICATION PLAN IS ALREADY SEPARATED INTO CATEGORIES LIKE YOU SAID SO OF COURSE THE MAINTENANCE CUSTODIAL AND OTHER PROFESSIONS ARE CATEGORIZED IN IN OUR REPORT WE LAID OUT THE DIFFERENCES IN EACH OF THOSE CATEGORIES RIGHT THAT WE FOUND WHEN WE LOOKED AT THE EXTERNAL MARKET SO ESSENTIALLY YEAH HYPOTHETICALLY.

SENATOR BARNETT: CAN I JUST MR. SHANE SO I YEAH THERE ARE SUBCATEGORIES IN THE GPP BUT DO YOU BELIEVE THAT WE HAVE THE LEGAL AUTHORITY TO GO INTO THESE SUBCATEGORIES.

SENATOR FISHER: POINT OF INQUIRY.

SENATOR BARNETT: AND SAY OKAY YOU'RE NOT GOING TO GET THE THE RAISE.

SENATOR FISHER: POINT OF INQUIRY.

SENATOR SHELTON: PLEASE STATE YOUR POINT OF INQUIRY SENATOR FISHER.

SENATOR FISHER: YES MA'AM DOES THE TIME LIMIT CAP APPLY TO ALL SPEAKERS.

SENATOR SHELTON: IT DOES I APOLOGIZE.

SENATOR BARNETT: THANK THANK YOU SENATOR FISHER FOR THAT APPRECIATE THAT SORRY MADAM CHAIR.

SENATOR FISHER: MY PLEASURE.

SENATOR SHELTON: THANK YOU VERY MUCH SENATOR BARNETT.

SENATOR BARNETT: I WASN'T AWARE I WASN'T NOTIFIED THANK YOU THANK YOU SIR I'LL SEE YOU IN THE NEXT ROUND.

SENATOR SHELTON: SPEAKER TERLAJE YOU ARE RECOGNIZED.

SPEAKER TERLAJE: THANK YOU MADAM CHAIR ALRIGHT FIRST OF ALL WE'RE TRYING TO DO THIS PAY RAISES AS PART OF A RECRUITMENT AND RETENTION STRATEGY FOR THE GOVERNMENT OF GUAM RIGHT SO THAT'S WHAT YOU'RE SAYING WE'RE TRYING TO ADDRESS A PROBLEM OF RECRUITMENT THERE ARE SO MANY VACANCIES IN HARD TO FILL POSITIONS THERE IS ALSO A RETENTION ISSUE THAT WE'RE HAVING BUT YEAH THAT'S FOR ME THAT'S THE RELEVANCE OF THESE QUESTIONS REGARDING THE UNCLASSIFIED VERSUS CLASSIFIED RIGHT SO WE REALLY ARE TRYING TO DO THAT WHY ARE ANY UNCLASSIFIED POSITIONS INCLUDED IN THIS STRATEGY THOSE ARE NON-COMPETITIVE THEY ARE NOT PART EVEN OF THE I I GUESS PERMANENT STRATEGY AND SO WHY ARE WE PUTTING RAISES ON POSITIONS THAT WE ARE NOT HAVING A HARD TIME FILLING THOSE ARE NOT COMPETITIVE THEY SHOULDN'T BE HARD TO FILL WHERE WE REALLY NEED IT IS IN THIS MERIT SYSTEM IN THE CLASSIFIED SYSTEM SO WE CAN DO I GUESS WHAT WE'RE MANDATED TO DO UNDER THEIR ORGANIC ACT AND THAT IS REALLY ONLY THERE'S ONLY ONE PAY SYSTEM WE'RE ALLOWED TO DO AND THAT IS THE ONE WHERE APPOINTMENTS AND PROMOTIONS ARE MADE ACCORDANCE WITH THE MERIT SYSTEM.

DOA- DIRECTOR BIRN: YES MADAM SPEAKER YOU KNOW I ASKED THAT QUESTION TOO HOW WE HAVE FOR INSTANCE AT DOA WE HAVE TWO PROGRAMS THE ERA PROGRAM THE HAF PROGRAM THEY'RE FEDERALLY FUNDED AND MANY OF THESE LTAS ARE IN FEDERALLY FUNDED PROGRAMS BECAUSE THE FUNDING ONLY LASTS FOR FOR A LIMITED PERIOD I ASKED THE QUESTION IS IT REALLY FEASIBLE FOR US TO PAY PEOPLE DOING BASICALLY THE SAME JOB IT'S KIND OF WHAT WE WERE TALKING ABOUT YESTERDAY DOING THE SAME JOB AS

A CLASSIFIED PERSON DIFFERENTLY FROM THE CLASSIFIED PERSON SIMPLY BECAUSE THE TERMS OF THEIR EMPLOYMENT ARE DIFFERENT AND THE ANSWER I GOT WAS NO WE CAN'T DO THAT.

SPEAKER TERLAJE: YOU CANNOT.

DOA- DIRECTOR BIRN: WE CANNOT.

SPEAKER TERLAJE: YOU MEAN THAT'S A LEGAL ANSWER THAT YOU'VE RECEIVED.

DOA- DIRECTOR BIRN: THAT'S THE WHEN WE JUST I DIDN'T ASK THE THE ATTORNEY GENERAL BUT WHEN WE LOOKED AT THE THE LAWS AND REGULATIONS INTERNALLY AT DOA THAT'S THE CONCLUSION WE CAME TO.

SPEAKER TERLAJE: I'M THINKING THE OPPOSITE THAT IF I'M COMPETING FOR A JOB AND I GET THAT JOB AND I GET THE OR PUT THE PROMOTION AND THEN SOMEONE ELSE DOESN'T HAVE TO GO THROUGH THAT PROCESS AND GETS THE SAME PAY AS ME THEN I FEEL LIKE THAT WOULD BE THE INJUSTICE THERE BUT I WOULD LIKE TO KNOW IF YOU'VE GOT ANYTHING IN WRITING THAT EXPLAINS THAT SO WE CAN USE THAT AS A BASIS GOING FORWARD AND MAYBE YOU KNOW FASHIONING YOU KNOW WHAT WE WANT TO DO WITH THIS THESE PAY PLANS I DON'T KNOW IF THOSE UNCLASSIFIED PAY PLANS WERE JUST WERE ESTABLISHED BY THE LEGISLATURE OR NOT HOWEVER WHEN YOU DID THESE PAY PLANS WE ESTABLISHED YESTERDAY THAT YOU THESE WERE ESTABLISHED PURSUANT TO THE HAY METHODOLOGY AND YOU TOLD US THE INTERNAL AND THE EXTERNAL COMPARISONS THAT YOU DID SO LET'S TALK ABOUT THE INTERNAL ONES SO YOU COMPARED CURRENT GPP SALARIES GENERAL PAY PLANS SALARIES WITH THE SAME TYPES OF POSITIONS IN AUTONOMOUS AGENCIES AND ON PAGES SEVEN AND EIGHT OR SEVEN YOU LAY OUT A COMPARISON AND IT LOOKS TO ME LIKE IF I'M READING THIS CORRECTLY SO PLEASE CONFIRM THAT EVEN WITH THE RAISES FOR THE LINE AGENCIES THEY ARE ALL STILL GOING TO BE BELOW THE AUTONOMOUS AGENCY PAID FOR THE VERY SIMILAR CATEGORY POSITIONS EXCEPT FOR MAYBE ONE CATEGORY TEN CUSTODIAL LABOR MAINTENANCE AND RELATED THE REST NONE OF THESE LOOKS TO GO BELOW TWENTY TWO PERCENT THEY'RE ALL ABOVE THE DIFFERENCE IN OTHER WORDS BETWEEN THE AUTONOMOUS PAY AND THE LINE PAY IS WAY BEYOND TWENTY TWO PERCENT AND SO EVEN WITH THIS TWENTY TWO PERCENT RAISE OUR LINE AGENCY EMPLOYEES ARE STILL BELOW THE AUTONOMOUS AGENCIES AND YOU LAY YOU YOU DESCRIBE THAT VERY WELL IN THIS DOCUMENT AND YOU SAY THAT THAT'S REALLY ONE OF THE ISSUES THAT NEEDS TO BE ADDRESSED BUT IT'S NOT ADDRESSED IN THE RECOMMENDATIONS THAT'S MY DISAPPOINTMENT IT'S LIKE WE POINT OUT EXACTLY WHAT THE PROBLEM IS WE POINT OUT THE INEQUITY THAT WE'RE TRYING TO RESOLVE AND YET YOU ALLOW THESE AUTONOMOUS AGENCIES TO CONTINUE TO INCREASE SALARIES EVEN AFTER WE DO THIS TWENTY TWO PERCENT FOR THE LINE IN OTHER WORDS WE WILL NEVER BE ABLE TO CATCH UP TO THOSE AUTONOMOUS AGENCIES AT WITH THE RECOMMENDATIONS THAT YOU'VE YOU'VE PUT IN HERE THERE'S NO THERE'S NO CONTROL OF THAT.

DOA- DIRECTOR BIRN: WELL THE AUTONOMOUS AGENCIES THE COMPENSATION PLANS ARE APPROVED BUT I GUESS THEY'RE DEvised BY THE AGENCIES THEMSELVES.

SPEAKER TERLAJE: RIGHT.

DOA- DIRECTOR BIRN: AND THEY'RE APPROVED BY THE BOARDS OF THOSE AGENCIES WE HAVE NO CONTROL OVER THAT WE'RE POINTING OUT THE PROBLEM SENATORS YOU YOU HAVE SOME CONTROL OVER THAT.

SPEAKER TERLAJE: YEAH WE DO.

DOA- DIRECTOR BIRN: WE'RE HOPING THAT YOU WILL ADDRESS THAT BUT WE CAN'T THE GOVERNOR CAN'T BECAUSE THE GOVERNOR HAS NO AUTHORITY OVER THOSE AGENCIES.

SPEAKER TERLAJE: SHE DOESN'T.

DOA- DIRECTOR BIRN: NO SHE DOESN'T.

SPEAKER TERLAJE: WELL YOU YOU ALRIGHT WELL YOU GAVE HER SOME RECOMMENDATIONS IN THOSE REGARDS ALRIGHT WELL WHAT ABOUT WAS IT THEN WE TALK ABOUT THE EXTERNAL COMPARISONS THAT YOU DID LET ME JUST BEFORE I GET THERE I'M ALSO WORRIED THAT SO WE'RE NOT GOING TO CATCH UP TO THE AUTONOMOUS AGENCIES EVEN WITH A TWENTY TWO PERCENT PAY RAISE IN OTHER WORDS CLERKS TO CLERKS ACCOUNTING TO ACCOUNTING BIOLOGICAL SCIENCE TO BIOLOGICAL SCIENCE EMPLOYEES WE'RE NOT GOING TO CATCH UP TO THOSE AUTONOMOUS AGENCIES THE SECOND THING IS THESE OTHER AGENCIES THAT WE'VE ADDED ON HAVE THE SAME AUTHORITY TO ESTABLISH THEIR PAY A LOT OF THEM AND THEY HAVE BEEN DOING THAT AND THEY HAVE BEEN GIVING RAISES WITHOUT OUR SAYING IN THE MATTER AND NOW I FEEL LIKE YOU KNOW WE WE ARE KIND OF JUST PERPETUATING AN EQUITY WE DON'T KNOW THAT BY GIVING THEM THESE AMOUNTS THAT WE ARE CREATING ANY EQUITY OR WE ARE JUST FURTHER EXACERBATING THE INEQUITY

BETWEEN THESE AGENCIES AND I GUESS THAT'S JUST A RHETORICAL QUESTION BECAUSE THAT SEEMS VERY CLEAR SO THE OTHER QUESTIONS.

DOA- DIRECTOR BIRN: SENATOR IT GOES IT GOES.

SENATOR SHELTON: THANK YOU SPEAKER THAT IS YOUR TIME.

SPEAKER TERLAJE: OH MY GOODNESS.

SENATOR SHELTON: OKAY GO AHEAD MR. BIRN YOU CAN FINISH YOUR ANSWER.

DOA- DIRECTOR BIRN: SORRY IT'S NOT JUST PAY SENATOR IT'S THE ABILITY THEY HAVE THE ABILITY TO ESTABLISH POSITIONS OR NUMBERS OF PEOPLE IN POSITIONS FAR GREATER THAN THAN THE LINE AGENCIES WHO ARE SUBJECT TO BUDGETARY CONSTRAINTS.

SPEAKER TERLAJE: YES.

DOA- DIRECTOR BIRN: SO THIS DOES THAT FACTOR THAT WE WANT TO POINT OUT TOO.

SPEAKER TERLAJE: RIGHT AND WE NEED YOUR HELP TO FIX THIS WE CAN'T DO IT OURSELVES WE CANNOT ANALYZE THESE KIND OF THINGS WITHOUT YOU I WANTED TO ASK ABOUT THE COMPARISON TO THE PRIVATE EMPLOYEES THERE'S NOWHERE IN HERE THAT YOU SAY YOU COMPARED IT TO SALARIES AROUND GUAM AND I WANT TO KNOW IF YOU'RE SAYING THAT THIS THESE DOCUMENTS ISSUED BY THE CHAMBER ARE NOT ACCURATE THEY WERE NOT CONSIDERED IN YOUR ANALYSIS I DON'T EVEN SEE THAT FEDERAL EMPLOYEES ON GUAM SALARIES WE'RE LOSING EMPLOYEES TO GOING GOING OVER TO THE FEDERAL GOVERNMENT AS WELL THOSE SALARIES DON'T SEEM TO BE INCLUDED IN THE ANALYSIS EITHER WE COMPARED IT TO STATE SIDE SALARIES I'M NOT SURE THOSE ARE PRIVATE OR WHAT TYPE OF SECTOR THOSE ARE FROM BUT WHAT ABOUT THOSE TWO WHERE THE PRIVATE SECTOR ON GUAM AND THE FEDERAL JOBS ON GUAM.

SENATOR SHELTON: SPEAKER THANK YOU.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: OKAY TO THAT QUESTION YES YOU KNOW AS FAR AS THE FEDERAL GOVERNMENT IS CONCERNED WE DID TAKE A LOOK AT THEM AND YOU KNOW IN EXTERNAL MARKET RIGHT WE DID PREDOMINANTLY BASE IT ON BUREAU OF LABOR AND STATS DEPARTMENT OF LABOR NATIONAL U.S. IT'S YOU KNOW IT'S THE WAY THEY SPLIT UP THEIR DATA RIGHT THEY DO SPLIT IT UP INTO DIFFERENT TYPES OF GOVERNMENT AND DIFFERENT YOU KNOW SETS YOU KNOW COUNTY STATE CITY FEDERAL AS FAR AS THE PRIVATE SECTOR YOU KNOW WE WE LOOKED WHERE WE WERE GETTING FEEDBACK AS TO WHERE WE WERE LOSING PEOPLE AT THE TIME RIGHT AND YES WE WE DIDN'T GET A LOT OF FEEDBACK THAT WE WERE LOSING PEOPLE TO THE PRIVATE SECTOR SO WHEN WE'RE LOOKING AT OUR COMPETITION BASICALLY IT WAS THE AUTONOMOUS AGENCIES AND WE USED THE DEPARTMENT OF LABOR STATS AS IT WAS THE MOST COMPREHENSIVE TO INCLUDE ALL THOSE SOURCES YOU'RE TALKING ABOUT.

SPEAKER TERLAJE: YOU HAVE ANY REASONS THIS IS INCORRECT.

SENATOR SHELTON: THANK YOU MR. NGATA THANK YOU SPEAKER THAT COMPLETES OUR SECOND ROUND OF QUESTIONS AND I WOULD LIKE TO THANK THE PANEL FOR BEING HERE.

SPEAKER TERLAJE: I HAD ASKED THAT QUESTION IF THEY COULD JUST ANSWER I HAD ASKED IT IF THIS IF YOU THINK THAT THIS WAS INCORRECT.

SENATOR SHELTON: SPEAKER THANK YOU I'LL LET THE PANEL GIVE ANY CLOSING REMARKS THAT THEY'D LIKE.

SPEAKER TERLAJE: I QUESTIONED.

SENATOR DUEÑAS: MADAM CHAIR THERE'S A FULL ROUND TO GO TO ALL THESE OTHER INDIVIDUALS WHO HAVEN'T GONE YET THIS IS ONLY THE FIRST ROW OF THE SECOND ROUND.

SENATOR BLAS: YEAH YEAH AND I COULD BE THE LAST ONE.

SPEAKER TERLAJE: AND IF THEY ANSWER MY QUESTION.

SENATOR SHELTON: OKAY.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: II WOULD ANSWER THAT QUESTION SAYING I CAN'T VERIFY WHERE THEY GOT THE STATISTICS FOR THAT SO II WOULDN'T BE ABLE TO SAY THE ONLY THING IS TO REITERATE WHAT DIRECTOR BIRN SAID THIRTY FIVE DOLLARS AN HOUR AS AN AVERAGE FOR GOVERNMENT OF GUAM SEEMS VERY HIGH.

SENATOR SHELTON: THANK YOU MR. NGATA SENATOR PEREZ.

SENATOR PEREZ: THANK YOU MADAM CHAIR.

SPEAKER TERLAJE: TWENTY FIVE.

SENATOR PEREZ: SO I JUST ACTUALLY HAVE SOME VERY SIMILAR QUESTIONS REGARDS TO THE GENERAL PAY PLAN SO ARE THE SCALES TIED TO METRICS.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: METRICS OF PERFORMANCE IS WHAT YOU'RE ASKING NO THE SCALES STRAIGHT EXTERNAL AND INTERNAL ANALYSIS AS FAR AS SALARIES METRICS ARE A SEPARATE SYSTEM THAT'S HANDLED WITHIN MOVEMENT THROUGH THE STEPS SO STEP ONE STEP TWO GOVGUAM LAW ALREADY TELLS US HOW MUCH SOMEONE SHOULD GET UPON A SATISFACTORY PERFORMANCE EVALUATION WHICH IS ONE STEP WHAT DO YOU CALL IT WITHIN THEIR DESIGNATED PAY RANGE.

SENATOR PEREZ: OKAY SO YEAH I'M TRYING TO COMPARE IT TO LIKE THE TEACHER PAY PLAN THAT'S TIED TO EDUCATION AND YEARS OF SERVICE OF COURSE AND SO THERE'S NOTHING BASICALLY I I GUESS I GUESS THAT LEADS TO ANOTHER QUESTION IS HOW ARE WE ASSURED THAT THE EVALUATIONS HAVE BEEN DONE REGULARLY ON A REGULAR BASIS .

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: AND THEN AGAIN NOT TO MIX THE TWO PROCESSES EVALUATIONS ARE ARE DONE I'D SAY REGARDLESS OF A ADJUSTMENT TO THE STRUCTURE SO EVALUATIONS ARE TURNED IN BY DEPARTMENTS AND PROCESSED BY OUR OFFICE RIGHT FOR SALARY INCREMENTS THOSE WILL CONTINUE REGARDLESS OF A STRUCTURE ADJUSTMENT SO I I MEAN I I HOPE THAT ANSWERS THE QUESTION WE WOULDN'T BASE A STRUCTURE ADJUSTMENT ON THE FREQUENCY OR THE TURNING IN OF THE PERFORMANCE EVALUATIONS OF EMPLOYEES .

DOA- DIRECTOR BIRN: HR HAS A SYSTEM FOR MONITORING EVALUATIONS AND MAKING SURE THAT THEY ARE TURNED IN TIMELY.

SENATOR PEREZ: YEAH I THINK THAT'S ONE OF THE ISSUES RIGHT BECAUSE YOU HAVE EMPLOYEES HAVE BEEN WORKING FOR MANY YEARS THEY NEVER RECEIVE AN EVALUATION THEY NEVER GET RECLASSIFIED THEY STAY AT THE SAME PAY AND I THINK THAT'S REALLY AN INJUSTICE TO THE CIVIL SERVICE WORKERS AND YOU KNOW I THINK LIKE A PREVIOUS SPEAKER SAID YOU KNOW WE'RE POSSIBLY EXACERBATING THE INEQUITIES WITHIN THE LINE AGENCIES I UNDERSTAND THE PAY RAISES ACROSS THE BOARD BUT WE HAVE TO ALSO ACKNOWLEDGE THEIR INEQUITIES THAT CURRENTLY EXISTS AND HOW DO WE ADDRESS THOSE AND THAT'S WHY YOU KNOW I THINK YOU KNOW THERE'S OTHER MEASURES THAT WE NEED TO IMPLEMENT YOU KNOW OTHER THAN THE PAY RAISES OR IN ADDITION TO THE PAY RAISES SO EXIT INTERVIEWS HOW MANY EXIT INTERVIEWS WHAT PERCENTAGE OF EXIT INTERVIEWS ARE DONE AFTER EMPLOYEE LEAVES THEIR SERVICE.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: WE USED TO HAVE AN EXIT INTERVIEW PROCESS BUT DURING THE PANDEMIC WE TOOK IT DOWN TO FOCUS ON CORE FUNCTIONS WE HAVEN'T YET PUT IT BACK IN PLACE BUT WE ARE LOOKING AT OPTIONS ON HOW TO MAKE IT MORE ACCESSIBLE THE PREVIOUS PROCESS WAS BASICALLY FILL OUT AN EXIT SURVEY AND TURN IT INTO OUR OFFICE WE ARE TRYING TO WORK TO GET THAT MORE ACCESSIBLE ONLINE ELECTRONICALLY SO THEY CAN JUST FILL IT OUT AND BASICALLY TURN IT IN ANONYMOUSLY.

SENATOR PEREZ: HAS THERE BEEN ANALYSIS DONE ON THOSE EXIT INTERVIEWS AND ARE THEY DONE ACROSS THE BOARD OR IS IT JUST SPORADICALLY DONE.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: WELL THEY'RE THEY'RE VOLUNTARY IN NATURE WE WHEN WE DID DO IT WE DIDN'T REQUIRE IT SO WE BASICALLY JUST RECEIVED WHO WAS WILLING TO TURN IN AN EXIT SURVEY WHEN THEY LEFT.

SENATOR PEREZ: BECAUSE THAT'S REALLY A USEFUL INFORMATION TO ADDRESS ANY OF THESE YOU KNOW THE REASONS WHY EMPLOYEES WANT TO QUIT RIGHT IT'S NOT JUST PAY IT'S YOU KNOW I HEAR FRUSTRATIONS FRUSTRATIONS WITH HOW THINGS ARE MANAGED SO I'M GOING TO GO BACK TO LTAS WILL THE LTAS BE A PART OF THIS INCREASE.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: IT IN OUR IN OUR RECOMMENDATIONS YES IT DOES INCLUDE LTAS.

SENATOR PEREZ: ALL LTAS.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: THAT'S THAT WHOLE THE CLASSIFIED TITLES YES.

SENATOR PEREZ: OKAY SO IF WE WERE TO IMPLEMENT BREAK UP THE GENERAL PAY PLAN INTO SMALLER PAY PLANS YOU KNOW WHAT WOULD YOU RECOMMEND.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: ON A TECHNICAL ASPECT I WOULDN'T RECOMMEND DOING IT IT BECOMES IT MAY BECOME CUMBERSOME TO ADMINISTER IT MAY HAVE AN UNINTENDED EFFECT OF ADVERSELY IMPACTING EMPLOYEES DEPENDING ON WHICH POSITIONS THEY HOLD ESPECIALLY IF WE'RE LOOKING AT LET'S SAY WE JUST FOLLOWED THE THE RAW PERCENTAGES LIKE THE DIRECTOR SAID FOR THOSE CATEGORIES THEN YOU'LL HAVE ONE CATEGORY PROBABLY PITTED AGAINST ANOTHER BECAUSE ONE GOT FORTY ONE PERCENT AND ONE GOT TWELVE PERCENT AND THEY'LL PROBABLY END UP IN OUR OFFICE ASKING HOW COME THAT PERSON OVER THERE GOT FORTY ONE PERCENT INSTEAD OF TWELVE PERCENT OR SOMETHING LIKE THAT SO IT'S HAPPENED IN THE PAST YOU KNOW AND EVERY PAY PLAN IMPLEMENTATION IS LIKE THAT I MEAN NONE OF THEM ARE PERFECT EVERY TIME THEY GO IN THEY ALWAYS HAVE ISSUES AND PROBLEMS BUT WHEN THEY DO COME WE DO TRY TO MANAGE IT ONE OF THE BEST WAYS WE'VE BEEN ABLE TO MANAGE IT IS HAVING CONSISTENCY IN HOW WE PUT IT IN OTHERWISE IF IT BECOMES SEPARATED OUT THEN YOU KNOW IT BECOMES A LOT OF EXPLAINING ONTO WHY WE DID IT THAT WAY HOW WE DID IT THAT WAY AND AT THAT POINT WE'D BE STUDYING DIFFERENT CATEGORIES OF POSITIONS EVERY DAY TO MAKE ADJUSTMENTS ANNUALLY VERSUS A PAY PLAN AND TOTALITY AND IT WILL GET VERY DIFFICULT ADMINISTRATIVELY TO TO HANDLE.

DOA- DIRECTOR BIRN: AND SENATOR THAT'S KIND OF WHAT THE AUTONOMOUS AGENCIES DID WHEN THEY SET UP THEIR OWN PAY SCALES AND THAT THAT IS PART OF THE ORIGIN OF THE PROBLEM THAT THE SPEAKER WAS TALKING ABOUT.

SENATOR PEREZ: OKAY I'M GOING TO GO BACK TO THE COST SO WHAT THIS BILL DOES WOULD PAY FOR HALF A YEAR AND IF WE LOOK AT WHERE WE'RE GOING TO SUSTAIN THIS IT'S GOING TO BE PRAC YOU KNOW BASICALLY DOUBLE AND SO FROM WHAT I UNDERSTAND IS THAT THE AMOUNT DOES NOT INCLUDE BENEFITS RIGHT SO WHAT IS THE ESTIMATED AMOUNT THAT WE'RE GOING TO INCLUDE BENEFITS FOR THE WHOLE YEAR.

DOA- DIRECTOR BIRN: SENATOR DUE DUEÑAS GAVE ME THE NUMBER SAID IT WAS SIX MILLION.

SENATOR PEREZ: CAN YOU CAN REPEAT IT FOR THE RECORD PLEASE.

DOA- DIRECTOR BIRN: HE SAID IT WAS SIX MILLION AND I WOULD AGREE WITH THAT.

SENATOR PEREZ: SIX SIX.

DOA- DIRECTOR BIRN: IN A FULL YEAR THERE WOULD BE TWELVE MILLION BUT AS WAS STATED PREVIOUSLY THESE PAY INCREASES HAVE BEEN EMBEDDED INTO THE FISCAL TWENTY FOUR EXECUTIVE BUDGET THAT WAS SUBMITTED TO THE LEGISLATURE AND THOSE BENEFITS WERE ALSO INCLUDED IN THE EMBEDDED NUMBERS.

SENATOR PEREZ: OKAY SO THE UPCOMING BUDGETS WILL INCLUDE THE INCREASES PLUS BENEFITS.

DOA- DIRECTOR BIRN: YES SENATOR.

SENATOR PEREZ: SO WE'RE NOT GOING TO BE TAKEN AWAY FROM SURPLUS IS THAT CORRECT WILL IT BE TAKEN FROM SURPLUS FUNDS.

DOA- DIRECTOR BIRN: NO WELL THE FISCAL 24 BUDGET LIKE OTHER BUDGETS SHOULD BE BALANCED AND THEREFORE THERE WON'T BE ANY SO WHEN YOU WHEN YOU FIX THE BUDGET THERE'S NO THERE'S NO SURPLUS ANTICIPATED.

SENATOR PEREZ: ARE WE ANTICIPATING EITC REIMBURSEMENT WITH THIS UPCOMING BUDGET WHEN YOU DID THE BUDGET.

DOA- DIRECTOR BIRN: YES BECAUSE IT'S EMBEDDED NOW IN IN FEDERAL LAW.

SENATOR PEREZ: SO HOW MUCH WAS ESTIMATED.

DOA- DIRECTOR BIRN: I THAT THE NUMBER IS ROUND ABOUT A HUNDRED TWENTY MILLION I DON'T REMEMBER THE EXACT AMOUNT THAT WAS IN THE BUDGET.

SENATOR PEREZ: SO I THOUGHT HISTORICALLY IT'S BEEN ROUGHLY FIFTY MILLION HOW DID IT GET TO HUNDRED TWENTY MILLION.

DOA- DIRECTOR BIRN: FIFTY MILLION IS THE EITC AND THE BALANCE IS A CTC CHILD TAX CREDIT.

SENATOR PEREZ: BUT ISN'T THERE A SUNSET FOR THAT ONE.

DOA- DIRECTOR BIRN: NO NO THEY'RE BOTH THEY'RE BOTH IN THE FEDERAL LAW.

SENATOR PEREZ: ALRIGHT LET ME THINK ANY OTHER QUESTIONS I THINK THAT'S ALL MY QUESTIONS YEAH THANK YOU MADAM CHAIR.

SENATOR SHELTON: THANK YOU SENATOR PEREZ SENATOR BROWN.

SENATOR BROWN: THANK YOU VERY MUCH MADAM CHAIR I JUST WANTED TO FOLLOW UP IF THE FINANCE OFFICE WAS ABLE TO GET THE INFORMATION I'D ASKED FOR YESTERDAY WITH REGARDS TO OUR BUDGETS FOR AT LEAST A TEN YEAR PERIOD FOR THE GOVERNMENT OF GUAM AND THEN ALSO JUST A NUMBER OF EMPLOYEES THAT WE'VE HAD ANNUALLY FOR THAT PERIOD AS WELL SO WE KNOW HOW MANY ACTUAL EMPLOYEES WE'VE HAD IN THE GOVERNMENT FOR EACH OF THOSE YEARS.

OFB- DIRECTOR GUERRERO: YES SENATOR YES SENATOR I WAS ABLE TO YES SENATOR I WAS ABLE TO COMPILE SOME INFORMATION REGARDING YOUR REQUEST YESTERDAY.

SENATOR BROWN: OKAY.

OFB- DIRECTOR GUERRERO: WHAT WE HAD HERE IS AS FAR AS THE TOTAL NUMBER OF EMPLOYEES IN GOVERNMENT OF GUAM I CANNOT GIVE YOU AN EXACT NUMBER SIMPLY BECAUSE THE STAFFING PATTERNS THAT WE USE BASICALLY ARE THESE STAFFING PATTERNS THAT WERE PROVIDED IN THE BUDGET FOR FY 22 WE TOOK THE ACTUALS AS OF SEPTEMBER BUT YOU KNOW IT IS NOW MARCH SIX MONTHS LATER AND I'M SURE THOSE NUMBERS HAVE ALREADY CHANGED BUT IN TOTALITY YOU KNOW WHERE I'M STILL TRYING TO GATHER THAT THAT INFORMATION BUT AS FAR AS I BELIEVE WHAT YOU REQUESTED YOU WANTED TO KNOW WHAT THE HAY PLAN I MEAN THE GPP OR THE TWENTY TWO PERCENT WOULDN'T WOULD INCLUDE BY BY THE FIVE PAY PLANS THAT YOU WERE REQUESTING SO WE GOT THAT INFORMATION AND I PROVIDED TO YOU IT'S KIND OF HAS ALL THE INFORMATION THAT WE HAD SO I CAN DISPERSE THAT YOU WANT ME TO READ IT I CAN TELL YOU.

SENATOR BROWN: THAT WOULD BE FINE BUT EVEN EVEN IF YOU HAVE INFORMATION FROM LAST YEAR I MEAN WHATEVER YOU YOU LOOKED AT AS THE OFFICIAL FOR THAT TIME OF DOING THE BUDGET BECAUSE I REALLY WANT TO GET TO THE BOTTOM OF THIS IDEA THAT THE NUMBER OF EMPLOYEES ARE DECREASING IN GOVERNMENT I'D LIKE TO KNOW I THINK THE PUBLIC WOULD LIKE TO KNOW I MEAN I WANT TO MAKE SURE WHEN WE'RE WE'RE MAKING THESE GENERALIZED STATEMENTS THAT THEY'RE ACTUALLY BASED ON FACT SO WHAT WHAT DO YOU OFFICIALLY HAVE AND HOW MANY YEARS BACK IN TERMS OF A NUMBER OF EMPLOYEES IN THE GOVERNMENT OF GUAM AND AGAIN WHAT WHAT ARE THE ANNUAL AMOUNTS OF THE BUDGET FOR THOSE FISCAL YEARS.

OFB- DIRECTOR GUERRERO: SENATOR WE'RE KIND OF LIKE FINALIZING THAT I'M LOOKING AT MY STAFF NOW SO HOPEFULLY BY HOPEFULLY WITHIN AN HOUR I CAN GET YOU THAT INFORMATION TO BE EXACT AS TO HOW MANY POSITIONS OR HOW MANY EMPLOYEES WERE ON BOARD AS OF SEPTEMBER 30TH LAST YEAR AND THE COST.

SENATOR BROWN: OKAY IN FAIRNESS THEN MADAM CHAIR BECAUSE I THINK IT'S IMPORTANT INFORMATION I DON'T KNOW I MIGHT ASK YOU KNOW WE HAVE ANOTHER ROUND BECAUSE I THINK THIS IS SUCH AN IMPORTANT SUBJECT THAT IF YOU KNOW WE'RE REQUESTING INFORMATION THAT WE HAVE THE OPPORTUNITY TO GET IT AND THEN HAVE THE OPPORTUNITY FOR THE PUBLIC TO BE AWARE OF IT SO I'M GOING TO ASK ON THE RECORD WHEN THAT INFORMATION IS PROVIDED IF WE CAN HAVE THE FINANCE OFFICE ANNOUNCE THOSE FIGURES IF THERE'S NO OBJECTION TO THAT MADAM CHAIR.

SENATOR SHELTON: YES THANK YOU VERY MUCH SENATOR BROWN.

SENATOR BROWN: YOU KNOW I KNOW WE'VE HAD A LOT OF QUESTIONS AND DISCUSSIONS WITH REGARDS TO SOME OF THE DISPARITY AND I JUST WANT TO BRING UP AN EXAMPLE AGAIN BECAUSE YOU KNOW ESPECIALLY WHEN SENATOR BLAS ELABORATED YESTERDAY AND OUTLINED ESSENTIALLY THAT SOME OF THE MOST CRITICAL POSITIONS THAT WE FUNDED LAST YEAR THAT WE DETERMINED TO BE MOST CRITICAL PRIORITIES IN THE GOVERNMENT ARE AT A LOWER AMOUNT THAN WHAT WE'RE PROPOSING WITH REGARDS TO THIS GENERAL PLAN THAT'S THAT WE ARE LOOKING AT RIGHT NOW AND I WANT TO GIVE AN EXAMPLE AND THIS IS SOMETHING MIGHT BE FAMILIAR TO THE DEPARTMENT OF ADMINISTRATION WHERE THE DISPARITY IS AND WHERE EVEN THOUGH I RECOGNIZE THIS GENERAL PAY PLAN HAS YOU KNOW BEEN PUT IN PLACE I DIDN'T VOTE FOR IT I MIGHT VOTE TO CHANGE IT I MIGHT VOTE TO MAKE A DECISION THAT THIS IS NOT HOW WE'RE GOING TO DETERMINE HOW WE'RE GOING TO GIVE INCREASES IF WE'RE GOING TO GIVE INCREASES BUT JUST AN EXAMPLE YOU CAN HAVE A PERSONNEL SPECIALIST THE DEPARTMENT OF ADMINISTRATION WHO YOU KNOW SOME PEOPLE MAY SAY HEY FORTY THREE THOUSAND DOLLARS IS A LOT OF MONEY BUT I'D LOOK AT POSITIONS UNDER FORTY FIVE OR FIFTY THOUSAND DOLLARS OR MAYBE IN FIFTY FIVE BECAUSE THAT'S KIND OF WHAT THE LEGISLATURE HERE IS EARNING AND ON A MONTHLY BASIS THE INCREASE FOR THIS INDIVIDUAL ON A

TWENTY TWO INCREASE IS GOING TO BE SEVEN HUNDRED AND TWENTY EIGHT DOLLARS ABOUT DIVIDE THAT BY THE PAY PERIOD AND THIS INDIVIDUAL IS GOING TO TAKE HOME THREE HUNDRED AND SIXTY FOUR DOLLARS MORE AND I'M SURE THAT WOULD MATTER THE COST OF GAS AND OTHER THINGS AT GROCERIES THEY'RE PROBABLY JUST GOING TO BARELY BREAK EVEN LET'S TAKE THE PERSONAL SERVICES ADMINISTRATOR WHO'S EARNING A HUNDRED AND ONE THOUSAND THREE HUNDRED SEVENTY ONE DOLLARS ANNUALLY PER HOUR FORTY EIGHT DOLLARS AND SEVENTY FOUR CENTS A TWENTY TWO PERCENT INCREASE WILL AMOUNT TO ABOUT TWENTY TWO THOUSAND THREE HUNDRED AND ONE DOLLARS INCREASE ON A MONTHLY BASIS FOR THAT POSITION AT A HUNDRED AND ONE THOUSAND IS ONE THOUSAND SEVEN HUNDRED AND FIFTEEN DOLLARS PER MONTH SO I I DON'T KNOW I HAVE A DIFFICULT TIME YOU KNOW BALANCING THAT THAT THAT'S SOMEHOW THE PRIORITY OF WHAT WE SHOULD FUND BECAUSE I UNDERSTAND I THINK WE ALL RECOGNIZE THE INCREASED COST OF LIVING RIGHT NOW EVEN THOUGH AGAIN IN COMPARISON TO THE PRIVATE SECTOR AND THE FIGURES THAT HAVE BEEN PROVIDED GOVERNMENT EMPLOYEES RIGHT NOW EARN FAR MORE AND THE MOST AVERAGE SALARY SO I THINK IT'S IMPORTANT TO RECOGNIZE THAT AND THAT'S SOMETHING THAT YOU KNOW I'M REALLY CONCERNED ABOUT AS TO WHETHER OR NOT THIS IS THE BEST OPTION OF MOVING FORWARD WITH THIS PLAN WITH THE EXPECTATION THAT WE SHOULD GO AHEAD AND FUND IT IRRELEVANT OF THE FUNDING SOURCE AND THAT'S WHY I ALSO WANTED TO TO GET THE INFORMATION ON OUR ANNUAL BUDGETS BECAUSE YOU KNOW MR. BIRN YOU MENTIONED YESTERDAY THAT ON THE BASIS OF THE LAST THREE YEARS THAT WE'VE HAD THESE INCREASED REVENUES THAT THAT'S SOMEHOW IS GOING TO SET THE PATTERN MOVING FORWARD BUT YOU WEREN'T ABLE TO PROVIDE SPECIFICS ON WHAT YOU THINK THOSE AMOUNTS ARE GOING TO BE AND I THINK IT'S WOULDN'T IT BE FAIR TO SAY ISN'T HARD TO PREDICT WOULDN'T IT BE HARD TO PREDICT EXACTLY WHAT OUR REVENUES ARE GOING TO BE THREE YEARS FROM NOW FOUR YEARS FROM NOW SIX YEARS FROM NOW.

DOA- DIRECTOR BIRN: I THINK IT'S HARD TO PREDICT THAT THEY'RE GOING TO INCREASE AS THE AS YOU MIGHT WANT TO POSTULATE THAT THEY DECREASE.

SENATOR BROWN: WELL I'M GOING TO GIVE AN EXAMPLE BECAUSE AS I MENTIONED I KNOW I'M RUNNING OUT OF TIME DURING THE ADA BLAS ADMINISTRATION WE ALSO HAD HIGH REVENUES BUT WHEN THE JAPANESE BUBBLE BURST EVERYTHING AFTER THAT WAS A DOWNHILL SLIDE IN TERMS OF OUR ABILITY TO TO FUND THE GOVERNMENT AND I THINK THAT'S IMPORTANT TO RECOGNIZE THINGS ARE UNPREDICTABLE IT'S UNPREDICTABLE AS THIS PANDEMIC AND IT'S HARD FOR ME TO MAKE DECISIONS MOVING FORWARD BASED ON AN EXTRAORDINARY CIRCUMSTANCE OF THE PANDEMIC AND THE LARGE AMOUNT OF FINANCIAL INFUSION BY THE FEDERAL GOVERNMENT I THINK IT'S HARD TO DETERMINE WHAT OUR ANNUAL REVENUE STREAM IS GOING TO BE MOVING FORWARD AND WITH THAT I WILL END AT THIS POINT AS MY TIME IS COMING TO A CLOSE BUT I'LL PROBABLY ASK FOR ANOTHER ROUND THANK YOU MADAM MADAM CHAIR.

SENATOR SHELTON: THANK YOU VERY MUCH SENATOR BROWN SENATOR LUJAN.

SENATOR LUJAN: THANK YOU MADAM CHAIR GOOD EVENING PAN OR GOOD AFTERNOON PANEL HOW YOU DOING THIS AFTERNOON GOOD.

DOA- DIRECTOR BIRN: GOOD AFTERNOON OKAY I WANT TO AND GO BACK TO SOME OF MY QUESTIONING FROM FROM FROM LAST NIGHT IN REGARDS TO THE SUSTAINABILITY OF THIS PAY PLAN THIS TWENTY TWO PERCENT RAISED IN THIS THIS PAY PLAN NOW WE HAVE POINTED OUT OR YOU HAD POINTED OUT THAT EITC SECTION THIRTY OF COURSE MILITARY BUILDUP AND AND OF COURSE THE SECTION THIRTY AS SOON AS THE FIVE THOUSAND MARINES ENTER AND THEIR FAMILIES COME TO GUAM THAT OKAY THE THE SECTION THIRTY MONEY WILL WILL RISE RIGHT I MEAN THOSE THOSE ARE BIG PORTIONS OF THE SUSTAINABILITY AM I CORRECT IN THAT.

DOA- DIRECTOR BIRN: YES AND AND YOU KNOW THERE'S PARTLY ANSWERS SENATOR BROWN'S QUESTION YES IN ALL PROBABILITY TAKING INTO ACCOUNT ALL THESE FACTORS AND ALL THE UNCERTAINTIES THAT THAT MIGHT HAPPEN YES THE PROBABILITY IS THAT THEY WILL CONTINUE TO INCREASE.

SENATOR LUJAN: OKAY OKAY AND THE REASON WHY I'M I'M ASKING THIS BECAUSE THIS IS SOMETHING I MEAN OF COURSE THE EITC FOR THE LONGEST TIME WE THEN GET THE REIMBURSEMENT WE JUST RECENTLY GOTTEN THAT AND AT ANY AT ANY POINT IN TIME THE CONGRESS CAN PULL THIS BACK AS WELL AND SAY WE'RE NO LONGER GOING TO FUND EITC AND AND THE REASON WHY I'M THE REASON WHY I'M ASKING THIS IS BECAUSE FEW YEARS BACK FORMER DELEGATE MADELEINE BORDALLO WAS PUSHING FOR OF COURSE THE WAR REPARATIONS WHICH WE WE FINALLY PAID PAID OUT AND WHEN CONGRESS DID NOT WANT TO PAY THAT OUT AND THEMSELVES SHE HAD TO RESORT TO SECTION THIRTY MONEY AS A PAYMENT FOR THAT BUT SHE WAS ASSURED BY CONGRESS THAT THIS WAS JUST A PLACE HOLDER THAT THAT WOULD BE REIMBURSED THAT THE SECTION THIRTY USING SECTION THIRTY MONEY FOR THE REIMBURSEMENT OR FOR FOR WAR REPARATIONS

WAS GOING TO BE A AGAIN A PLACE HOLDER THAT WOULD BE REIMBURSED WHEN CONGRESS AND THAT WAS THAT WAS YEARS AGO WHEN SHE WAS STILL IN IN CONGRESS DO YOU DO YOU KNOW IF WE GOT THAT REIMBURSEMENT HAVE WE GOTTEN REIMBURSED FOR FOR FOR THAT THAT WE WERE ASSURED THAT WE WERE PROMISED THAT TO GET THE REIMBURSEMENT.

DOA- DIRECTOR BIRN: SENATOR IF YOU'RE REFERRING TO THE FUNDING OF THE WAR CLAIMS REPARATIONS.

SENATOR LUJAN: YES.

DOA- DIRECTOR BIRN: BY BY THE FED PAID OUT BY THE FEDERAL GOVERNMENT THAT WAS FUNDED BY A RESTRICTION ON OUR SECTION THIRTY SECTION THIRTY RECEIPTS WE'VE NOW GOT THROUGH THAT AND OUR SECTION THIRTY RECEIPTS HAVE NOW RECOVERED TO FORMER LEVELS AND AND WE WE DON'T HAVE THAT ISSUE BUT I THINK YOU'RE REFERRING TO.

SENATOR LUJAN: NO NO WHAT I'M SAYING OKAY THE SECTION THIRTY OF COURSE HAS RISEN BUT WHAT I'M SAYING IS THAT BECAUSE WE BASICALLY HAD TO PAY IT OUT OURSELVES IT WAS OUR MONEY THAT PAID FOR IT I MEAN THE MONEY IT WAS SUPPOSED TO BE SEPARATE WHAT WHAT HAD HAPPENED WAS CONGRESS WAS ASKED TO PAY FOR IT OUTSIDE LIKE THEIR PROPOSING FOR FOR SAN FRANCISCO RIGHT NOW LIKE THEY'RE PROPOSING I DON'T KNOW HOW MANY BILLIONS OF THAT FOR FOR AFRICAN-AMERICAN REPARATIONS I THINK THAT THAT'S WHY THAT'S THAT'S WHAT THEY'RE PROPOSING THAT'S THAT WAS THE SAME PROPOSAL IN THE VERY BEGINNING BUT CONGRESS DIDN'T WANT I MEAN IT WAS IT WAS A SENATOR I THINK SENATOR MCCAIN THAT THEY DIDN'T WANT TO I MEAN I NO SENATOR MCCAIN I THINK WAS WAS WILLING TO GIVE THAT BUT BECAUSE WE WE SAID IT WAS ALL OR NOTHING HE SAID OKAY NEVER MIND NOT WE'RE NOT GONNA WE'RE NOT GOING TO GIVE IT TO YOU WE FINALLY SAID OKAY LET'S GO AHEAD AND DO IT WITH THESE WITH THESE PROVISIONS AFTER A CERTAIN A CERTAIN DATE BUT NOW IT THAT WAS MCCAIN'S OFFER WAS NOT ON THE TABLE SO NOW WE HAD TO PAY IT WE WE LOOKED FOR THE SOURCE OF FUNDING AND THIS IS THE SECTION THIRTY THIRTY MONEY WHICH WAS NEVER IDENTIFIED THAT WAS NEVER IDENTIFIED IN THE VERY BEGINNING IT WAS SUPPOSED TO BE A SEPARATE PAYMENT FROM FROM CONGRESS BUT WE INSTEAD USE A SECTION THIRTY MONEY AND THAT PORTION OF THE SECTION THIRTY MONEY THAT WAS SUPPOSED TO PAY IT OUT WAS SUPPOSED TO BE JUST A A AGAIN A PLACE ORDER TO BE REPLACED NOT NECESSARILY THAT IT SAYS BECAUSE SECTION THIRTY MONEY HAS GONE UP BECAUSE OF THE MILITARY THE MORE MILITARY HERE JUST BECAUSE IT'S GOING UP IT DOESN'T MEAN THAT HAS BEEN REPLACED TO TO REIMBURSE US FOR FOR FOR FOR THE SECTION THIRTY MONEY THAT WE WE USED TO PAY FOR OUR OWN WAR REPARATIONS.

DOA- DIRECTOR BIRN: THAT THAT MAY BE TRUE BUT I THINK THE DIFFERENCE THAT YOU'RE REFERRING TO SENATOR IS THE DIFFERENCE BETWEEN A PROMISE AND WHAT'S ALREADY IN LAW AND WHAT'S ALREADY IN LAW IS EITC.

SENATOR LUJAN: WELL WELL CONGRESS COULD MAKE ANY LAWS THEY WANT TO DO AS WELL.

DOA- DIRECTOR BIRN: OF COURSE THEY CAN.

SENATOR LUJAN: I MEAN A GOOD EXAMPLE AGAIN IS IS THE COMPACT IMPACT AT THIS POINT THEY'RE PUTTING ZERO MONEY IN THERE AT THIS POINT BUT THEY'RE WANTING THEY'RE WANTING THE COMPACT THE THE THE THE THE THE THE THE FOLKS THAT THAT COME FROM THE COMPACT IMPACT STATES TO THEIR PUSH IT TO BE ABLE FOR THEM TO HAVE ALL THE BENEFITS THAT U.S. CITIZENS HAVE AND AND THAT BEING SAID THAT WE'RE GOING TO HAVE TO FUND THAT IT'S ZERO FUNDING AT THIS POINT SO THAT'S WHAT I'M SAYING YEAH A LAW IS A LAW BUT WHO MAKES THE LAWS AND THE ONES THAT MAKES MAKE THE LAWS CAN COME BACK AND AND AND REMOVE THE LAWS YOU KNOW THE CURRENT LEGISLATURE IS NOT BE CONGRESS WITHOUT BEHOLDING TO THE PREVIOUS LEGISLATURE.

DOA- DIRECTOR BIRN: ANY CONGRESS.

SENATOR LUJAN: THAT'S RIGHT.

DOA- DIRECTOR BIRN: AND ANY LEGISLATURE CONTAINED ANY LAW.

SENATOR LUJAN: YEAH.

DOA- DIRECTOR BIRN: OF ANY NATURE.

SENATOR LUJAN: OF COURSE.

DOA- DIRECTOR BIRN: BOTH BOTH CREATING REVENUE STREAMS AND DECREASING REVENUE STREAMS BUT I HOPE SINCERELY THAT WERE WE EVER IN THE IN DANGER OF LOSING THIS VERY VALUABLE NEW REVENUE

STREAM THAT WE'VE GOT BUT I'M GOING TO BE RIGHT BEHIND THE GOVERNOR AND I HOPE YOU'LL BE RIGHT NEXT TO ME TRYING TO MAKE SURE THAT THAT DOESN'T HAPPEN.

SENATOR LUJAN: YEAH WELL I MEAN THAT'S THAT'S WHAT I'M SAYING IN REGARDS TO HAVE WE GOT THE REIMBURSEMENT WENT BACK TO SOME OF THE RESEARCH WE HAVE DONE LIKE FOR EXAMPLE IN REGARDS TO PARITY LIKE THE THE TREASURERS OF GUAM THAT'S MAKING EIGHTY SEVEN THOUSAND THREE HUNDRED THE TWENTY TWO PERCENT RAISE WOULD WILL PUT THAT PERSON AT NINETEEN THOUSAND TWO HUNDRED DOLLARS GETTING THE GETTING ONE THOUSAND FOUR HUNDRED SEVENTY SEVEN OR SIXTY SEVEN CENTS PER MONTH COMPARED TO THE CASHIER THAT'S MAKING TWENTY FOUR THOUSAND THAT TWENTY TWO THOUSAND RAISE WILL BE ACTUALLY AT FIFTY FOUR FORTY THIRTY EIGHT AND THAT PERSON WILL BE MAKING FOUR HUNDRED EIGHTEEN FORTY NINE PER PER MONTH AND SO I'M JUST SAYING IN IN THE PARITY AND THE EQUITY IN IN THE TWENTY TWO PERCENT RAISE IS IS AGAIN THE THE HIGHER INCOMES THAT AT THAT SAME LEVEL WILL BE MAKING A LOT MORE THAN THE FOLKS IN IN THE BOTTOM TIER.

SENATOR SHELTON: THANK YOU SENATOR LUJAN.

SENATOR LUJAN: AND MY TIME IS UP BUT THANK YOU VERY MUCH.

SENATOR SHELTON: OKAY THANK YOU VERY MUCH SENATOR FISHER.

SENATOR FISHER: THANK YOU MADAM CHAIR AND GOOD AFTERNOON LADY AND GENTLEMEN I GUESS THIS SHOULD GO TO MR. BIRN MR. BIRNS WE HEAR A LOT ABOUT AT LEAST WE HAVE HEARD A LOT ABOUT THE MERIT BONUSES WHAT ARE THOSE.

DOA- DIRECTOR BIRN: SENATOR JUST AS EVERYBODY KNOW IT'S BIRN NOT BIRNS RIGHT.

SENATOR FISHER: I'M SORRY.

DOA- DIRECTOR BIRN: THE NAME IS BIRN NOT BIRNS.

SENATOR FISHER: OKAY MR. BIRN WHAT IS A MERIT BONUS.

DOA- DIRECTOR BIRN: ACTUALLY I'M GOING TO ASK THE PERSONNEL SERVICES ADMINISTRATOR TO ANSWER THAT.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: MERIT BONUS IS A BONUS RECEIVED BASED ON AN EMPLOYEE'S PERFORMANCE EVALUATION IN WHICH THEY CURRENTLY IF THEY RECEIVE AN OUTSTANDING FINAL RATING FOR THEIR EVALUATION THEY GET GRANTED A THREE POINT FIVE PERCENT BONUS.

SENATOR FISHER: THOSE WHO HAVE BEEN AWARDED MERIT BONUSES WHEN THEY ARE AWARDED THE BONUS DOES THE RIGHT TO THAT MONEY VEST IN THE EMPLOYEE.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: IT ONCE IT'S ACHIEVED THE OBLIGATION FOR US TO PAY THE MERIT BONUSES STAYS WITH THE GOVERNMENT YES.

SENATOR FISHER: OKAY SO IT FAILURE TO PAY IT DOESN'T CONSTITUTE A WAIVER OR A LAPSE OR ANYTHING THEN RIGHT.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: NO IT DOES NOT.

SENATOR FISHER: HAS THE GOVERNMENT OF GUAM PAID ALL MERIT BONUSES THAT ARE DUE TO EMPLOYEES.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: THE LAST MERIT BONUSES THAT WERE PAID WERE I BELIEVE CALENDAR YEAR 2012.

SENATOR FISHER: OKAY.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: SO NONE HAVE BEEN PAID SINCE THEN.

SENATOR FISHER: SO SINCE 2012 WE HAVEN'T WE HAVEN'T KEPT CURRENT WITH THE MERIT BONUSES.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: THEY HAVEN'T BEEN PAID SINCE THEN NO.

SENATOR FISHER: HOW MUCH DO YOU THINK WE OWE OUR EMPLOYEES IN FOR MERIT BONUSES JUST YOU CAN BALLPARK THAT'S FINE.

DOA- DIRECTOR BIRN: I THINK I I ALREADY ANSWERED THAT QUESTION SENATOR IT'S AROUND ABOUT SIX MILLION.

SENATOR FISHER: I'M SORRY.

DOA- DIRECTOR BIRN: IT'S AROUND ABOUT SIX MILLION.

SENATOR FISHER: SIX MILLION DOLLARS OKAY MR. BIRN WHY DON'T WE JUST INSTEAD OF YOU KNOW WHY DON'T WE GET OUR HOUSE IN ORDER BEFORE WE START GIVING AWAY MORE MONEY WHY DON'T WE PAY THE WHY DON'T WE USE SOME OF THIS MONEY TO PAY THE MERIT BONUS FIRST.

DOA- DIRECTOR BIRN: WELL WE ARE DOING JUST THAT SENATOR THE HR DEPARTMENT WAS REQUIRED BY LAW TO RECONSIDER AND RECONFIGURE AND MAKE A PROPOSAL FOR UPDATING THE MERIT BONUS EVALUATION IN ORDER THAT IT SHOULD BE PAID AND THAT'S IN THE LAW SO WE'VE DONE THAT AND IT HAS WE'VE RECENTLY COMPLETED IT AND IT'S BEEN PROVIDED TO THE GOVERNOR FOR FOR HER APPROVAL AND UPON HER APPROVAL WE HAVE THE LISTS ALREADY PREPARED FOR THE PAYMENT OUT OF THE OF THE MERIT BONUS.

SENATOR FISHER: GOOD HEAVENS SOME OF THESE PEOPLE HAVE BEEN WAITING 11 YEARS WHAT'S THE HOLD UP.

DOA- DIRECTOR BIRN: THE THE HOLD UP IS WE HAD TO WE HAD TO DO THAT THAT TASK ALONG WITH ALL THE OTHER TASKS THAT WE'RE DOING IN IN HR IN ORDER TO INCLUDING THIS INCLUDING THE PAY PLANS FOR THE FOR THE LAW ENFORCEMENT AND OTHER GROUPS THAT WE'RE DOING ALL AT THE SAME TIME.

SENATOR FISHER: WHAT'S THE.

DOA- DIRECTOR BIRN: SO WE'VE COMPLETED BUT WE'VE COMPLETED ALL THESE TASKS NOW AND AND JUST TO BE CLEAR WHAT IS GOING TO THE THE GOVERNOR HAS HAS MADE IT CLEAR THAT SHE IS GOING TO PAY THE MERIT BONUSES FOR THE YEARS IN WHICH HER ADMINISTRATION WAS IN IN PROCESS SO.

SENATOR FISHER: IN PROCESS WHAT DOES THAT MEAN.

DOA- DIRECTOR BIRN: FOR IT IT'S FOR YEARS BECAUSE SHE WAS ELECTED IN 2018 IT'S FOR THE YEAR FISCAL YEAR 2017 ONWARDS WITH THE EXCEPTION OF THE YEAR IS 2019 RIGHT THE 2019 WHERE THIS BODY DETERMINED THAT THE MERIT BONUS SHOULD NOT BE PAID OUT SO NO PAYMENTS WILL BE PAID FOR 2019.

SENATOR FISHER: I'M OKAY DO YOU KNOW WHY THE GOVERNOR HAS DECIDED THAT SHE WILL ONLY PAY MERIT BONUSES FOR THE ONLY PAY THE MERIT BONUSES THAT ACCRUED WHILE SHE WAS IN OFFICE SECOND PART OF THE QUESTION IS DO YOU AGREE THAT SHE IS ESSENTIALLY STIFFING THE EMPLOYEES WHO WERE WORKING FOR THE GOVERNMENT OF GUAM BETWEEN 2012 AND FISCAL YEAR 2017.

DOA- DIRECTOR BIRN: I I DON'T KNOW I CAN JUST SURMISE THAT SHE FELT RESPONSIBLE FOR THIS OMISSION DURING THE COURSE OF HER ADMINISTRATION BUT TO ANSWER THE SECOND PART OF YOUR QUESTION I THINK YOU HAVE TO ASK PREVIOUS GOVERNORS WHY THEY DIDN'T PAY OUT THE MERIT BONUS.

SENATOR FISHER: WELL I THINK THAT I THINK THAT'S A FAIR QUESTION BUT THE FACT IS THEY'RE NO LONGER GOVERNOR THEY DON'T HAVE THE POWER TO DO IT AND MAKE IT RIGHT TODAY WHEREAS LOURDES LEON GUERRERO DOES HAVE THE POWER TO MAKE IT RIGHT TODAY I SEE NO RATIONAL REASON FOR SKIPPING OVER SO MANY YEARS OF PEOPLE WHO HAVE BEEN WAITING FOR SO LONG JUST TO PAY PEOPLE WHO MAY OR MAY NOT HAVE VOTED FOR HER I SUPPOSE IN HER FIRST ADMINISTRATION DO YOU SEE A RATIONAL REASON.

DOA- DIRECTOR BIRN: YES I DO.

SENATOR FISHER: PLEASE EXPLAIN.

DOA- DIRECTOR BIRN: I I THE THE THE THE THE MERIT BONUS I CAN'T SAY THIS IS NECESSARY THE GOVERNOR'S REASONING BUT AS FAR AS I'M CONCERNED IT SEEMS NOT UNREASONABLE TO ASSUME THE LIABILITIES OF YOUR OWN ADMINISTRATION AND NOT ASSUME THE LIABILITIES OF SOMEONE ELSE'S OMISSION.

SENATOR FISHER: WELL THIS ISN'T A PERSONAL QUESTION SIR SHE IS THE GOVERNOR OF GUAM HER RESPONSIBILITIES EXTEND TO THE ENTIRE ISLAND NO MATTER WHEN A DEBT OR A LIABILITY ACCRUES THE FACT IS THE GOVERNMENT STILL OWES THE MONEY SHE DOESN'T GET TO CHOOSE WHAT SHE CAN DO SIMPLY BECAUSE SHE WAS ELECTED TO OFFICE IN A CERTAIN YEAR DO YOU AGREE THAT THAT MONEY IS OWED TO THE PEOPLE OF GUAM TO THE EMPLOYEES OF GUAM RATHER.

DOA- DIRECTOR BIRN: I THINK THIS IS A DEBATE THAT YOU YOU NEED TO HAVE WITH HER.

SENATOR FISHER: NO IT'S OKAY AND THAT'S FINE I'M ASKING YOU THE QUESTION DO YOU THINK IT'S FAIR.

DOA- DIRECTOR BIRN: I I THINK IT'S I THINK IT'S FAIR I THINK IT'S FAIR THAT IT'S BEING ADDRESSED I THINK IT'S FAIR THAT IT'S FINALLY BEING TAKEN OF TAKEN CARE OF NOW I THINK IT'S FAIR THAT IT'S IT'S IT'S

SYSTEMATIC AND THE ALTERNATIVE WOULD SEEM TO BE NOT TO ADDRESS IT AT ALL WHICH IS WHAT HAPPENED BEFORE AND THAT CLEARLY ISN'T AN APPROPRIATE WAY FORWARD.

SENATOR FISHER: WELL I AGREE BUT I DISAGREE THAT SHE'S BEING AGGRESSIVE AT ALL OR IN ANY WAY I DON'T KNOW THAT A PERSON WHO'S BEEN WAITING FOR TWELVE YEARS FOR EARNED INCOME AND IT WAITS AND WAITS AND WAITS I DON'T KNOW THAT THEY WOULD AGREE THAT GOVERNOR LEON GUERRERO IS TREATING THEM FAIRLY PERHAPS THEY WOULD I THINK SIR THERE WAS A DOCUMENT WAS CIRCULATED TO US AND I BELIEVE IT WAS GENERATED BY THE GUAM CHAMBER OF COMMERCE IT'S ENTITLED GUAM AVERAGE HOURLY HOURLY EARNINGS BY SECTOR DO YOU HAVE THAT.

DOA- DIRECTOR BIRN: YES I DO HAVE THAT PIECE OF PAPER THAT WAS HANDED OUT AT THE BEGINNING OF THIS SESSION.

SENATOR FISHER: THANK YOU IT SEEMS TO SAY ON THE I'M GOING TO CALL THIS THE FIRST PAGE SAYS THAT THE GOVERNMENT OF GUAM'S AVERAGE HOURLY EARNINGS BY SECTOR IS THIRTY FIVE DOLLARS AND THIRTY NINE CENTS DO YOU SEE THAT.

DOA- DIRECTOR BIRN: I DO.

SENATOR FISHER: OKAY.

DOA- DIRECTOR BIRN: I I DON'T KNOW WHAT BY SECTOR MEANS BUT.

SENATOR FISHER: WELL THEY SEEM TO HAVE BROKEN OUT SECTOR AND BY SECTOR I THINK WE CAN ASSUME THAT THEY MEAN TRANSPORTATION AND PUBLIC UTILITIES HEAVY CONSTRUCTION ALL OTHER MANUFACTURING ALL OTHER SERVICES MANUFACTURING CONSTRUCTION ETC DO YOU AGREE SIR THAT AT LEAST ACCORDING TO THIS CHART GOVGUAM IS COMPENSATED HIGHER THAN ANY OF THE ANY OF THE SECTORS I JUST MENTIONED.

DOA- DIRECTOR BIRN: WELL I ADDRESSED THIS THIS ISSUE EARLIER IN THIS SESSION.

SENATOR FISHER: PLEASE ADDRESS IT AGAIN.

DOA- DIRECTOR BIRN: THIRTY FIVE DOLLARS AND THIRTY NINE CENTS PER HOUR IS ROUGHLY IT'S SOMETHING OVER SEVENTY FIVE THOUSAND DOLLARS A YEAR.

SENATOR FISHER: WOW OKAY.

DOA- DIRECTOR BIRN: I DON'T FROM THE STATISTICS THAT WE GAVE YOU YESTERDAY THERE ARE VERY FEW PEOPLE IN THE GENERAL PAY PLAN EARNING THIRTY FIVE DOLLARS AND THIRTY NINE CENTS I.E SEVENTY FIVE THOUSAND DOLLARS A YEAR SO I I CAN'T VERIFY OR EVEN SYMPATHIZE WITH THESE NUMBERS THAT WERE PRODUCED BY THE GUAM CHAMBER OF COMMERCE.

SENATOR FISHER: OKAY.

DOA- DIRECTOR BIRN: SO THEY WOULD HAVE TO EXPLAIN WHERE THEY GOT THEIR NUMBERS FROM IT CERTAINLY DOESN'T AGREE WITH OUR NUMBERS.

SENATOR FISHER: IF YOU COULD EDUCATE ME THE THE CALCULATION OF THE TWENTY TWO PERCENT INCREASE IS THAT BASED ON THE ACTUAL SALARY SOMEBODY IS EARNING TODAY OR IS THE TWENTY TWO PERCENT BASED ON THE SALARY THAT IT SHOULD BE HAD THEY RECEIVED THEIR MERIT BONUSES.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: JUST TO CLARIFY SHOULD AN EMPLOYEE RECEIVE A MERIT BONUS IT WOULDN'T FACTOR INTO THEIR BASE PAY SO WE WOULDN'T TAKE THE MERIT BONUSES INTO CONSIDERATION.

SENATOR FISHER: OKAY OKAY THAT'S EXACTLY OKAY SO THE MERIT BONUS IS AS YOU CALCULATE THE TWENTY TWO PERCENT ARE NOT TAKEN INTO INTO YOUR ANALYSIS.

DOA- DIRECTOR BIRN: THEY'RE NOT CONSOLIDATED INTO BASE PAY THEY'RE JUST A A ONE-OFF PAYMENT.

SENATOR FISHER: THE MERIT BONUSES.

DOA- DIRECTOR BIRN: YES SIR.

SENATOR FISHER: OKAY ALRIGHT SO THE TWENTY TWO PERCENT IS BASED ON JUST THE BASE PAY.

DOA- DIRECTOR BIRN: YES SIR.

SENATOR FISHER: OKAY THIS IS JUST A KIND OF A HYPOTHETICAL I'VE GOT SOME EVIDENCE BEFORE ME THAT THERE IS A PROCUREMENT OFFICER THE GOVERNMENT OF GUAM WHO'S MAKING A HUNDRED AND ONE THOUSAND DOLLARS A YEAR AND THAT WORKS OUT TO SEVEN THOUSAND SEVEN HUNDRED NINETY EIGHT DOLLARS PER MONTH AND THEY'RE TWENTY TWO PERCENT BONUS OR RAISE RATHER WILL GIVE THEM TWENTY TWO THOUSAND ANOTHER ANOTHER INDIVIDUAL WHO'S SIMPLY WHO IS A SUPPLY CLERK IS MAKING TWENTY SIX THOUSAND DOLLARS A YEAR AT THIS AGENCY AND WITH THE TWENTY TWO PERCENT THEY WILL GET ROUGHLY A QUART A QUARTER OF THE HIGHLY PAID INDIVIDUAL THEY WILL GET FIVE THOUSAND EIGHT HUNDRED AND ONE DOLLARS AS AN INCREASE TWENTY TWO PERCENT INCREASE DO YOU THINK THAT PERSON MIGHT FEEL AGGRIEVED.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: I I THINK WHEN LOOKING AT THOSE SALARIES OF THOSE POSITIONS RIGHT YOU KNOW THESE POSITIONS THAT WE'RE DISCUSSING WITH THE HIGHER SALARIES THEY'RE HIGHER GRADED YOU KNOW THESE ARE HEADS OF DIVISIONS THAT PERFORM CRITICAL FUNCTIONS FOR THE GOVERNMENT THEY'RE THEY'RE NOT YES THEY DO HAVE POSITIONS UNDER THEM THAT OF COURSE GET PAID LOWER BUT THAT'S BASED ON THEIR JOB SIZE THE HAY METHOD IS A WAY TO KIND OF STANDARDIZE HOW WE LOOK AT JOBS AND YEAH MATHEMATICALLY SPEAKING TWENTY TWO PERCENT APPLIED ACROSS THE BOARD WILL EQUAL A HIGHER INCREASE FOR THOSE IN HIGHER SALARIES BUT I I DON'T THINK IT DILUTES THE THE IMPORTANCE OR THE FUNCTION OF THE POSITION THAT THEY HOLD AND TO EQUATE THAT TO I GUESS ADJUST PERCENTAGES TO PENALIZE THOSE IN LEADERSHIP POSITIONS THAT HOLD THE FUNCTIONS OF THE GOVERNMENT AND RUN ALL THESE DEPARTMENTS AT THAT POINT I THINK THE AGGRIEVED EMPLOYEE WOULD BE THE MANAGER.

SENATOR FISHER: OKAY WELL I GUESS THIS IS MORE OF A COMMENT THAN A QUESTION BUT THIS TWENTY TWO PERCENT PAY RAISE APPEARS TO BE ARBITRARY AND INEQUITABLE UNEQUITABLE THANK YOU VERY MUCH.

SENATOR SHELTON: THANK YOU SENATOR FISHER SENATOR QUINATA.

SENATOR QUINATA: IS THE GUAM LEGISLATURE UNDER THE GBP.

DOA- DIRECTOR BIRN: EMPLOYEES OF THE GUAM LEGISLATURE ARE NOT COVERED BY THE GPP.

SENATOR QUINATA: DOES THE LEGISLATURE HAVE UNCLASSIFIED EMPLOYEES.

DOA- DIRECTOR BIRN: FRANKLY SENATOR I DON'T KNOW.

SENATOR QUINATA: WELL THEY'RE ALL UNCLASSIFIED CAN WE PHYSICALLY AFFORD THIS.

DOA- DIRECTOR BIRN: ARE YOU TALKING ABOUT THE LEGISLATURE OR.

SENATOR QUINATA: THE GBP.

DOA- DIRECTOR BIRN: YES.

SENATOR QUINATA: WE CAN AFFORD IT RIGHT WE HAVE MONEY IN THE BANK.

DOA- DIRECTOR BIRN: YES.

SENATOR QUINATA: THIS IS NOT 2017 WHEN PEOPLE TOOK PAY RAISES AND EIGHTY FOUR PERCENT OF THE CABINET HAD SIX FIGURE SALARIES.

DOA- DIRECTOR BIRN: THIS CERTAINLY ISN'T TWO THAT THE THE FINANCES ARE DIFFERENT FROM 2017 AND THE CIRCUMSTANCES ARE DIFFERENT.

SENATOR QUINATA: YEAH AND THEN SOME OF THEM DIDN'T EVEN PAY BACK THOSE SALARIES IS DPR IN IS DPR COVERED ON THIS GBP.

DOA- DIRECTOR BIRN: PARKS AND REC YES.

SENATOR QUINATA: DPR PARKS AND REC.

DOA- DIRECTOR BIRN: YEAH.

SENATOR QUINATA: OKAY.

DOA- DIRECTOR BIRN: FOR THE FOR THOSE PEOPLE IN THE IN THIS PLAN YES.

SENATOR QUINATA: HOW ABOUT GUAM ELECTION COMMISSION.

DOA- DIRECTOR BIRN: NO.

SENATOR QUINATA: YES.

DOA- DIRECTOR BIRN: THE COMMISSION SETS THEIR PAY.

SENATOR QUINATA: OKAY.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: SO IF I CAN JUST CLARIFY A LITTLE BIT ON GEC THEY DO TRY TO STAY CONSISTENT WITH OUR POSITIONS AND PAY ESTABLISHED FOR OUR POSITIONS THAT'S ALWAYS BEEN WHAT THEY'VE BEEN WORKING WITH WITH THE DOA SO IN THAT BEING YES WHAT WE MEAN BY THE COMMISSION SETS THE PAY IS WHENEVER THEY LOOK AT ADJUSTING PAY OF COURSE FOR THEIR EMPLOYEES THEY CONSULT WITH THE COMMISSION TO GET APPROVAL TO DO SO.

SENATOR QUINATA: OKAY THEIR EMPLOYEES ARE UNCLASSIFIED.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: THAT'S CORRECT.

SENATOR QUINATA: YEAH THEY'RE NOT ALL POLITICALLY HIRED EITHER STARBASE SPC WHICH IS UNDER DOE IS A LINE WHICH IS A LINE AGENCY HAS TO HAVE THEIR EMPLOYEES UNCLASSIFIED BECAUSE THERE IS NO GENERAL PAY PLAN PARTICULAR FOR THEM TO BE HIRING IN DOE CORRECT.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: I BELIEVE IN MY INITIAL DISCUSSIONS WITH THAT DEPARTMENT THAT'S CORRECT.

SENATOR QUINATA: OKAY THEY'RE NOT POLITICAL HIRES THERE'S JUST NO PAY PLAN FOR THEM SIX MILLION DOLLARS ARE OWED TO OUR PEOPLE AND MERIT BONUSES THIS WILL JUSTIFY THAT CORRECT I MEAN IT WILL PAY THEM.

DOA- DIRECTOR BIRN: NOT THIS BUT WE ARE SEPARATELY INSTITUTING A PROCESS TO PAY THEM.

SENATOR QUINATA: IT DOES THE GOVGUAM YOU KNOW WE'RE TALKING ABOUT PRIVATE SECTOR EARNINGS BY SECTOR I GUESS AND THEY'RE STATING THAT THE GOVERNMENT OF GUAM CONTRIBUTES OR I GUESS IS SEVERELY GAPPED IN SALARY CORRECT IF IF WE IMPLEMENT THIS RAISE FROM TWENTY TWO TO 2019 I GUESS THERE'S A SEVERE PAY GAP PAYMENT GAP RIGHT AND SALARY.

DOA- DIRECTOR BIRN: WELL WELL THAT IF YOU'RE REFERRING TO THIS SHEET YES.

SENATOR QUINATA: YEAH.

DOA- DIRECTOR BIRN: BUT WE I'M NOT CLEAR WHERE THESE NUMBERS COME FROM AND THEY CERTAINLY DON'T APPEAR TO BE REASONABLE COMPARED WITH THE NUMBERS THAT WE HAVE ALREADY PROVIDED TO YOU.

SENATOR QUINATA: SO THEN I THINK IT WOULD BE SOUND FOR US TO JUST RAISE THE MINIMUM WAGE TO BRIDGE THE GAP.

DOA- DIRECTOR BIRN: WELL YES BUT.

SENATOR QUINATA: BECAUSE WE DON'T KNOW IF THESE NUMBERS ARE CORRECT WE DON'T KNOW WHAT THESE NUMBERS ARE CORRECT SO IF WE BOTTOM LINE JUST RAISE THE MINIMUM WAGE WE'LL CLOSE THE GAP.

DOA- DIRECTOR BIRN: SO LONG AS YOU KNOW WHAT THE GAP IS YES.

SENATOR QUINATA: YEAH WE'RE STILL LOOKING FOR THE GAP.

DOA- DIRECTOR BIRN: YES.

SENATOR QUINATA: WHERE YOU SHOULD PAY FOR GAP INSURANCE BECAUSE WE'RE IN A COLLISION COURSE OKAY THAT'S ALL YOU HAVE A GOOD DAY THANK YOU GUYS FOR YOUR HARD WORK.

DOA- DIRECTOR BIRN: THANK YOU.

SENATOR SHELTON: THANK YOU SENATOR QUINATA SENATOR SAN AGUSTIN.

SENATOR SAN AGUSTIN: THANK YOU MADAM CHAIR JUST A SIMPLE QUESTION YOU KNOW MAYBE A REMINDER THAT FOR THE PREVIOUS YEARS WHEN WE PASSED THE BUDGET THE BUDGET ALWAYS STATES EVERY AGENCY SHOULD PAY THEIR PRIOR YEAR OBLIGATIONS AM I CORRECT MR. BIRN AND OFB YOU CAN ANSWER THAT ALSO MR. BIRN.

DOA- DIRECTOR BIRN: PRIOR YEAR OBLIGATIONS SHOULD BE PAID CERTAINLY.

SENATOR SAN AGUSTIN: OKAY CAN YOU CONFIRM THAT STEVE.

OFB- DIRECTOR GUERRERO: YES SENATOR THERE IS A POSITION IN IN THE ANNUAL BUDGET THAT WOULD HAVE FOR THE LAST COUPLE YEARS THAT AUTHORIZE THE ADMINISTRATION TO LIQUIDATE OR AT LEAST PAY ALL OUTSTANDING PRIOR YEAR OBLIGATIONS OF THE GOVERNMENT.

SENATOR SAN AGUSTIN: OKAY AND FOUR YEARS AGO WHEN WE TOOK OVER I BECAME APPROPRIATION WE MADE SURE THAT WAS IN THE BUDGET SO WHEN ANYONE HERE WOULD LIKE TO SAY THAT THE CURRENT GOVERNOR IS NOT HANDLING THAT PRIOR YEAR IT WAS IT'S THE ADMINISTRATION OR NOT THE AGENCY STILL WE'RE PUTTING THEIR NUMBERS TOGETHER THEY WE'RE STILL TRYING TO FIGURE SO EVEN SIX MILLION TODAY IN SIX MILLION BECAUSE THEY DRAGGED IT THEY DIDN'T DO IT NUMBER TWO WHEN WE WANT TO TALK ABOUT LIMITED TERM OR MERIT BONUS I DON'T KNOW HOW MANY OF YOU WERE A CLASSIFIED EMPLOYEE IN 2012 OR SIXTEEN BUT I WAS I WAS AWARDED A MERIT BONUS WAS I GIVEN THE PAY NO WERE THERE LIMITED TERM EMPLOYEES IN THE GOV GUAM IN THE PREVIOUS ADMINISTRATION YES AT REVENUE AND TAX THERE WAS THERE WAS QUITE A FEW AND THAT HAS ALWAYS BEEN THE INTENT THAT IF YOUR HIRED AS A LIMITED TERM HOPEFULLY YOU WOULD QUALIFY TO APPLY FOR A POSITION OF CLASSIFIED I KNOW THAT FOR A FACT BECAUSE THERE WAS MANY EFFORTS DONE WHERE I WORKED AT REVENUE AND TAX TO GET THEM QUALIFIED AND MANY OF THEM COULDN'T QUALIFY THEY WERE VETTED THAT THEY MET THE MINIMUM BECAUSE THAT'S THE PROCESS FOR MY COLLEAGUES IF YOU'RE NOT AWARE OF HOW THEY DO A LIMITED TERM THEY HAVE TO BE VETTED AND MR. BIRN MAYBE YOU CAN VALIDATE HAVE TO BE VETTED FIRST THEY MEET THE MINIMUM AND HOPEFULLY THE POSITION THEY APPLIED FOR THEY WOULD QUALIFY MR. BIRN.

DOA- DIRECTOR BIRN: YES AND I'LL I'LL ASK THE PERSONNEL ADMINISTRATOR TO TO SPEAK TO THIS TOO BUT WE MAKE SURE THAT EVERYONE WHO APPLIES FOR A JOB IN THE GOVERNMENT IS QUALIFIED FOR THE POSITION FOR WHICH THEY'RE APPLYING CLASSIFIED OR UNCLASSIFIED AND AND HR HAS A PROCESS AND I'LL ASK SHANE TO TAKE YOU THROUGH THAT PROCESS.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: YES YOU'RE CORRECT WITH A LIMITED TERM IN PLACE GENERALLY THE COMPETITIVE PROCESS RIGHT YOU HAVE TO APPLY THEY MAY MEET THE MINIMUM QUALIFICATION BUT THEY'RE ALSO RANKED AMONGST EVERYONE ELSE THAT THEY COMPETED WITH AND I THINK THAT'S WHAT YOU'RE ALLUDING TO HOPEFULLY HOPEFULLY THEY RANK HIGH ENOUGH ON THAT LIST TO GET CONSIDERATION TO BE SELECTED FOR THE POSITION.

SENATOR SAN AGUSTIN: THANK YOU IF I IF I HEARD IT CORRECTLY YOU MENTIONED EARLIER MR. BIRN IT WAS ACTUALLY FORTY FIVE PERCENT BUT BECAUSE OF THE COST THE RECOMMENDATION WAS TWENTY TWO INCREASE BECAUSE THE FUNDING AM I CORRECT.

DOA- DIRECTOR BIRN: YES THE FUNDING AND TO TAKE OUT THE ANOMALIES THAT WE FOUND BY JUST TAKING A SIMPLE AVERAGE BUT FUNDING IS OBVIOUSLY IN ALL THAT WE DO FUNDING IS OBVIOUSLY A PRIME CONSIDERATION.

SENATOR SAN AGUSTIN: OKAY SO THAT BEING SAID AND WITH THE ISSUE OF CERTAIN PEOPLE WITH HIGHER SALARIES I HATE TO ASK SHANE THIS BUT IF WE'RE GOING TO TALK ABOUT PEOPLE THAT MAKE A CERTAIN AMOUNT WOULD THAT IMPACT YOU AND I HATE TO USE YOU AS AN EXAMPLE BUT YOU DO A LOT AND YOU PRETTY MUCH DO A LOT BY YOURSELF IN DOA I KNOW THAT YOU HAVE A FEW STAFF BUT IF WE WERE SUPPOSED TO USE THE BASIS OF ANYBODY MAKING A CERTAIN AMOUNT BECAUSE I KNOW FOR A FACT IF I WAS STILL AT REVENUE AND TAX I WOULDN'T BE QUALIFIED BASED ON HOW PEOPLE ARE TALKING HERE TODAY DON'T REACH THIS AMOUNT YOU DON'T GET THE PAY RAISE AND THAT WOULDN'T BE FAIR SIR I HATE FOR YOU PUT YOU ON THE SPOT BUT YOU KNOW YOU DO A LOT I KNOW THAT I CALL YOU ON MANY ISSUES DEALING WITH PERSONNEL SIR.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: YOU KNOW NOT JUST IN REFERENCE TO ME BUT WHEN LOOKING AT THE POSITIONS THAT EARN EVEN FROM THE 80000 DOLLAR SALARY RANGE UP AGAIN THESE ARE THE CRITICAL MANAGERS AND HIGH-END SUPERVISORS RIGHT YOU'RE TALKING ABOUT THE HEADS OF PUBLIC HEALTH YOU'RE TALKING ABOUT THE HEADS OF DRT YOU'RE TALKING ABOUT ALL THOSE AGENCIES THAT NEED TO MOVE FORWARD YOU KNOW CHOOSING HOW TO IMPLEMENT BASED ON AN INDIVIDUAL'S SALARY IS INCONSISTENT AT BEST RIGHT AND WE DO THAT WHENEVER WE IMPLEMENT THESE SCALES AND WE'VE WE'VE DONE THEM QUITE OFTEN IS YOU KNOW IT WHEN YOU MOVE TO DO IT IN THAT VEIN IT'S REALLY NOT TAKING A LOOK AT THE POSITION AND TAKING A LOOK AT THE EMPLOYEE BUT THE PERFORMANCE EVALUATION SYSTEM WAS DESIGNED TO TAKE A LOOK AT THE EMPLOYEE WHICH HAS ITS OWN PROCESS SEPARATE AND ASIDE FROM A PAY STRUCTURE INCREASE.

SENATOR SAN AGUSTIN: THANK YOU ALSO TO MENTION THAT THERE ARE SOME POSITIONS I'M FAMILIAR WITH THAT DEALS IN FINDING OUT IF WE'RE GETTING THE PROPER AMOUNT ON EITC OR ANY REIMBURSEMENT FROM FEDERAL GOVERNMENT AND THAT'S HANDLED AT REVENUE AND TAX I KNOW THAT FOR A FACT AND THE

INDIVIDUAL THAT WOULD DO IT IS SOMEBODY AT A POSITION THAT UNDER THE GENERAL PAY PLAN WOULD GET PAID THE TWENTY TWO PERCENT BUT IT'S THE GUY THAT GOES AND LOOKS AND VALIDATES AND GETS US MILLIONS OF DOLLARS THAT WE'RE ENTITLED TO BECAUSE YOU'RE NOT GOING TO SEND A JANITOR TO DO IT YOU'RE GOING TO SEND THE PERSON BASED ON THE QUALIFICATION AND THEIR EXPERTISE TO GO AND GET IT AND I UNDERSTAND WHEN MY COLLEAGUES WOULD TALK ABOUT THERE'S A THERE'S A DIFFERENCE BETWEEN A JANITOR OR CUSTODIAN AN ADMINISTRATOR LOOK AT THE JOB DESCRIPTION *PUT FABOT* YOU PAY THEM FOR WHAT THEY'RE SUPPOSED TO DO YOU'RE NOT GOING TO HIRE A CUSTODIAN TO DO AN ADMINISTRATOR'S JOB YOU HIRE AN ADMINISTRATOR TO MANAGE AND ADMINISTER THE PROGRAMS THEY'RE REQUIRED TO DO AND WITH THAT UNLESS YOU WANTED TO RESPOND MR. BIRN OTHERWISE I REALLY HAVE NOTHING ELSE TO SAY I SUPPORT THE GENERAL PAY PLAN IT'S ACROSS THE BOARD I BELIEVE IT'S FAIR AND IF I'M GOING TO LOOK AT THE CHAMBER OF COMMERCE WHICH I'VE LOOKED AT MANY OF THE RESPONSE IT'S ONLY AS GOOD AS WHEN WE KNOW WHERE IT CAME FROM AND WHAT WAS THE BASIS AND I DON'T KNOW WHERE IT CAME FROM OTHER THAN IT'S HERE IT.

DOA- DIRECTOR BIRN: SENATOR OF NECESSITY YOU KNOW RUNNING A GOVERNMENT IS A COMPLEX BUSINESS AND REQUIRES EVERYBODY TO CONTRIBUTE MANY OF THESE PEOPLE IN THE GENERAL PAY PLAN LIKE I SAID YESTERDAY ARE NEEDED THEY'RE THEY'RE PART OF THE WHOLE SYSTEM TO MAKE THE WHOLE GOVERNMENT WORK AND SUPPORT SOME OF THESE FRONTLINE WORKERS THAT WE TALKED ABOUT YESTERDAY IN LAW ENFORCEMENT AND AND NURSING EVERYBODY IS CRITICAL TO THIS WHETHER WHATEVER JOB THEY'RE DOING YOU KNOW A A PERSON LIKE SHANE HAS A COMPLEX JOB MANAGING ALL THESE PRIORITIES MANAGING A COMPLEX SYSTEM AND AND A MAJOR DEPARTMENT WE'RE RESPONSIBLE FOR LIKE THIRTY LINE AGENCIES AND WE'RE RESPONSIBLE FOR LIKE THREE BILLION OF CASH MOVING THROUGH THROUGH DOA THESE AREN'T TRIVIAL THESE ARE SERIOUSLY DEMANDING JOBS AND PEOPLE DESERVE TO BE PAID FOR THE EFFORT THEY PUT IN TO SUPPORT THIS GOVERNMENT WHO SUPPORT THE PEOPLE.

SENATOR SAN AGUSTIN: THANK YOU WOULD YOU SAY THEN AT ALSO THE SAME TOKEN YOU KNOW GOVGUAM WHEN YOU REACH THIRTY SIX YEARS YOU PRETTY MUCH TOP OFF AT EIGHTY PERCENT OR WHATEVER THE RATE IS WOULD YOU SAY THAT THAT ALSO IMPACTS WHERE YOU'RE AT IN PAY THAT THE TWENTY TWO WOULD TAKE YOU TO THE EIGHTH OR HUNDRED THOUSAND AND THEN MAYBE WE NEED TO TAKE A LOOK AT HOW MANY YEARS YOU CAN STAY IN GOVGUAM BECAUSE RIGHT NOW IN GOVGUM ON THE RETIREMENT SYSTEM YOU CAN STAY UNTIL YOUR A HUNDRED YEARS OLD MAYBE YOU CAN COMMENT TO THAT THAT ALSO CONTRIBUTES TO THE END THEY PAY GOING UP HIGHER.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: I THINK I'D HAVE TO TAKE A DEEPER LOOK TO THAT BEFORE I COMMENT ON THAT.

SENATOR SAN AGUSTIN: THE REASON WHY I SAY THIS BECAUSE I KNOW FOR A FACT THERE'S PEOPLE IN GOVGUAM THAT ARE OVER THIRTY SIX YEARS THEY'RE ALREADY AT THE SEVENTY EIGHTY THOUSAND. IF WE TAKE THEM OFF THEY'RE NOT GOING TO GET AN INCREASE THEY'RE NOT GOING TO GET ANY RETIREMENT BENEFITS WHEN THEY DO RETIRE IF THERE'S NO TWENTY TWO PERCENT THEY ROCK BOTTOM THANK YOU VERY MUCH MADAM CHAIR.

SENATOR SHELTON: THANK YOU SENATOR SAN AGUSTIN SENATOR SAN NICOLAS.

SENATOR SAN NICOLAS: I JUST WANT TO SAY FOR THE RECORD I DON'T WANT TO STAY IN GOVERNMENT FOR A HUNDRED YEARS GOOD AFTERNOON MR. BIRN AND SIR THANK YOU FOR COMING AGAIN TO ENTERTAIN US AND TO I I SUPPORT THE THE GENERAL PAY PLAN I I THINK I MIGHT HAVE MISSED IT BUT I THINK THE STUDY DID INDICATE THAT THERE WAS A HIGHER RATE OF THAT THAT WAS RECOMMENDED BUT IS TWENTY TWO PERCENT THE COMPROMISE.

DOA- DIRECTOR BIRN: THANK YOU SENATOR FOR SUPPORTING US COMPROMISE IS A WORD THAT SOMETIMES HAS DIFFICULT CONNOTATIONS I THINK IT WAS A REASONABLE RESULT BASED UPON THE RAW DATA THAT WE THAT THAT WE WERE LOOKING AT WE HAD TO REFINE THAT RAW DATA SO MAYBE A REFINED RESULT WOULD BE A HAPPIER WAY OF DESCRIBING IT.

SENATOR SAN NICOLAS: OH OKAY SO SO TWENTY TWO PERCENT IS TAKEN INTO ACCOUNT THE OUR CONDITION IN THE GOVERNMENT AND AND MAYBE LOOKING FORWARD AND IF WE'RE ABLE TO SUSTAIN THIS TWENTY TWO PERCENT.

DOA- DIRECTOR BIRN: YES AND MUCH AS I I WOULD ENJOY THE LOOK ON SOME OF YOUR COLLEAGUES FACES IF I COME HERE AND SAID WE NEED TO PAY FORTY FIVE PERCENT I I DON'T THINK THAT WAS GOING TO WORK.

SENATOR SAN NICOLAS: YES SIR OKAY THANK YOU YOU KNOW IT'S IT'S VERY IMPORTANT THAT I MEAN I THANK GOODNESS I WAS CONSCIOUS AND PAYING ATTENTION TO YOU KNOW WHEN I WAS GROWING UP TO TO

GOVERNMENT I REMEMBER THE FIFTY FOUR FORTY AND I REMEMBER ALL THE OTHER RAISES AND I REMEMBER POLITICAL PROMISES TO GIVE RAISES AND THEN WE'D END UP YOU KNOW HAVING TO FIGURE OUT AND OUR WAY OUT OF A CRISIS AND I DON'T WANT TO DO THAT ANYMORE I I I WANT TO MAKE SURE THAT WHATEVER WE'RE DOING IS GOING TO BE APPROPRIATE AND SUSTAINABLE FOR FOR THE NEXT GENERATION AND THE PEOPLE THAT'S GOING TO HAVE TO TAKE OVER AFTER WE LEAVE AND SO AGAIN WE CAN DO THIS RIGHT TWENTY TWO PERCENT.

DOA- DIRECTOR BIRN: YES SIR.

SENATOR SAN NICOLAS: ALRIGHT SO THE THE MISS JEN DOWN AT SOUTHERN HIGH WHO'S A PARA PRO OR SHE'S GOING TO GET HER TWENTY TWO PERCENT RIGHT.

DOA- DIRECTOR BIRN: IF SHE'S ON THE LIST.

SENATOR SAN NICOLAS: OKAY AND AND THE AND THE NICE FOLKS AT CUSTOMS.

DOA- DIRECTOR BIRN: THE NICE FOLKS AT CUSTOMS WILL GET.

SENATOR SAN NICOLAS: AND AND AND THE MAYORS COUNCIL.

DOA- DIRECTOR BIRN: YES.

SENATOR SAN NICOLAS: OKAY THANK YOU THAT'S ALL I WANTED TO SAY THANK YOU FOR COMING HAVE A NICE DAY.

DOA- DIRECTOR BIRN: THANK YOU.

SENATOR SHELTON: THANK YOU SENATOR SAN NICOLAS AND LASTLY SENATOR BLAS.

SENATOR BLAS: THANK YOU MADAM CHAIR AND I THANK YOU FOR THE FOR THE PANEL THANK YOU FOR BEING HERE TODAY MR. BIRN AND AND YOU YOU KNOW SERVED AT THIS POSITION FOR FOR MANY YEARS AND THROUGH THE YEARS YOU'VE YOU'VE YOU KNOW GAINED YOU KNOW A LOT OF INSIGHT A LOT OF KNOWLEDGE AND A LOT OF EXPERTISE AND DESPITE THE NUMBER OF TIMES WE'RE CONFRONTATIONAL I APPRECIATE THE CONVERSATIONS AND THE CANDOR AS WELL AS THE TRUTHFULNESS AND APPRECIATE IT OKAY SO IN YOUR YOUR ASSESSMENT COULD THIS SCENARIO HAVE OCCURRED IN 2019 THE REQUEST FOR I MEAN TWENTY TWO PERCENT PAY RAISE A PAY INCREASE OF ANY KIND IN 2019.

DOA- DIRECTOR BIRN: WELL SENATOR AS YOU SAY IN 2019 IS WHEN I WAS IN TWENTY NINETEEN. I'D BEEN I THINK AT THE DEPARTMENT OF ADMINISTRATION LIKE EIGHTEEN MONTHS.

SENATOR BLAS: OKAY.

DOA- DIRECTOR BIRN: I DIDN'T HAVE THAT EXPERIENCE THAT YOU SO KINDLY REFERRED TO COULD IT HAVE HAPPENED IN 2019 I DON'T I I GUESS MY RESPONSE WOULD BE THIS RIGHT IF WE'RE UNCERTAIN ABOUT THE FUTURE REVENUES AND THE FUTURE ECONOMY NOW I THINK IT WAS EVEN MORE UNCERTAIN IN 2019 WHICH WAS AFFECTED WITH THE FIRST SURPLUS THAT WAS REPORTED SO IT WAS POSSIBLE BUT MUCH LESS LIKELY I I THINK WE ALL FEEL MUCH MORE COMFORTABLE NOW.

SENATOR BLAS: OKAY AND COULD YOU BASICALLY OVER THE LAST THREE YEARS IS IT VERY SAFE TO SAY THAT A LOT OF THE A LOT OF WHAT WE'VE GAINED IN THE ECONOMY WAS A LOT FROM ACTIVITY REVENUE ACTIVITY THAT WAS INORGANIC TO GUAM I MEAN IN OTHER WORDS IT'S UNUSUAL PANDEMIC ASSISTANCE FEDERAL ASSISTANCE AID IN THE FORM CLOSE TO FOUR BILLION DOLLARS COULD THAT HAVE GREATLY CONTRIBUTED TO WHERE WE'RE AT TODAY.

DOA- DIRECTOR BIRN: AS I SAID BEFORE SENATOR THE FEDERAL ASSISTANCE THAT WAS GIVEN TO GUAM GIVEN TO OTHER STATES ALSO WAS DESIGNED TO STIMULATE ECONOMIES WHEN THEY APPEARED TO BE IN PERIL BECAUSE OF A A GLOBAL PANDEMIC.

SENATOR BLAS: OKAY.

DOA- DIRECTOR BIRN: IT THE THE MONIES THAT THAT CAME IN DID THAT THEY STIMULATED THE ECONOMY WE WERE LUCKY ENOUGH RIGHT TO DURING THAT PERIOD TO ENTERTAIN A LOT A GROWING NUMBER OF MILITARY VISITORS YOU RECALL WE HAD MILITARY SHIPS INCLUDING I BELIEVE THE QUEEN ELIZABETH II VISITING GUAM AND THEY SPENT MONEY HERE THAT I PROBABLY THEY WOULDN'T HAVE DONE HAD THE PANDEMIC NOT OCCURRED BUT THEY DID AND AND GLOBAL CONDITIONS HAVE CHANGED SO YES THERE WAS A CONTRIBUTION FOR FEDERAL FUNDS BUT I WOULD CERTAINLY BE COMFORTABLE SAYING THAT THE STIMULUS THAT THIS THESE FUNDS WERE DESIGNED TO PRODUCE HAS STIMULATED THE ECONOMY AND THAT'S WHY WE'RE FEELING MUCH MORE COMFORTABLE ABOUT THE PROSPECTS NOW.

SENATOR BLAS: YEAH SO THANK YOU THANK YOU FOR THE STIMULUS THANK YOU FOR US AND BEING ABLE TO GET IT YOU KNOW LISTEN VERY INTENTLY A COUPLE QUESTIONS FIRST OFF LET'S LET ME GO BACK TO THE ISSUE WITH REGARD TO THE THE MERIT BONUS DO YOU KNOW ROUGHLY HOW MANY EMPLOYEES AND FORMER EMPLOYEES AND RETIREES THAT WE HAVE THAT HAVE NOT RECEIVED THEIR THEIR MERIT BONUS.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: THERE'S AT LEAST BECAUSE SOME OF THEM RECEIVE MULTIPLE MULTIPLE BONUSES THROUGHOUT THE YEARS I WANT TO SAY THERE'S AT LEAST EIGHT HUNDRED.

SENATOR BLAS: SO EIGHT HUNDRED ENOUGH LIKE EIGHT HUNDRED PEOPLE HOW MANY OF THEM FIT IN THE FY 12 TO FY 17 CATEGORY AND I MEAN WELL HOW MANY OF THEM FIT IN THAT CATEGORY THAT ACCORDING TO YOU THIS GOVERNOR HAS GOT NO HAS PILLS THERE'S NO OBLIGATION TO BE ABLE TO TO PAY HOW MANY OF THOSE EIGHT HUNDRED EMPLOYEES ARE THOUGH IN THAT.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: I'M SORRY SENATOR I WAS LOOKING AT A WHOLE NUMBER FOR THE WHOLE PERIOD FROM TWELVE TO CURRENT I'D HAVE I'D HAVE TO SPLIT IT UP LIKE

SENATOR BLAS: OKAY I WOULD TRULY.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: YES.

SENATOR BLAS: APPRECIATE THAT INFORMATION BEFORE WE VOTE ON THIS OKAY BEFORE WE EVEN DECIDE WHERE THIS IS GOING MR. BIRN YOU YOU'VE MENTIONED THAT WITH REGARD TO THE ANNUAL INCREMENTS OKAY LET'S TALK ABOUT ANY INCREMENTS ARE WE UP TO DATE WITH OUR ANNUAL INCREMENTS.

DOA- DIRECTOR BIRN: NOT REALLY SURE WHAT YOU'RE ASKING.

SENATOR BLAS: WELL THOSE INDIVIDUALS THAT YOU KNOW ARE AS A RESULT OF YOU SATISFACTORY TO OUTSTANDING PERFORMANCES AND THEY GET THEIR EVALUATION AND THEY'RE ENTITLED TO THEIR INCREMENT.

DOA- DIRECTOR BIRN: IF WE HAVE THE IF YOU'RE REFERRING TO THE EMPLOYEES WHO ARE UNDER THE PURVIEW OF DOA IF WE HAVE THE PAPERWORK WITH US THEN THEY WILL HAVE BEEN PAID.

SENATOR BLAS: OKAY THAT'S THE EASY WAY OF SAYING YOU DON'T KNOW THE INFORMATION BECAUSE AGENCIES HAVE NOT SUBMITTED THEIR PAPERWORK TO YOU YOU CAN ONLY ANSWER TO WHAT DOA HAS.

DOA- DIRECTOR BIRN: I CAN ONLY ANSWER TO WHAT WHAT WE KNOW AS AS.

SENATOR BLAS: OKAY SO WHAT IS IT THAT YOU DO KNOW.

DOA- DIRECTOR BIRN: AS I DO AS I SAID EARLIER WE DO HAVE A SYSTEM HR HAS A SYSTEM FOR MONITORING THESE PERFORMANCE EVALUATIONS THAT GIVE RISE TO THE ANNUAL INCREMENT AND AGENCIES ARE OF FORMED IF THEY'RE DELINQUENT.

SENATOR BLAS: OKAY SO WE DON'T KNOW WHAT THAT NUMBER IS THAT WHAT WE'RE SAYING.

DOA- DIRECTOR BIRN: I DON'T KNOW WHAT THE NUMBER IS.

SENATOR BLAS: OKAY I I APPRECIATE THAT WOULDN'T BE ALSO PRUDENT YOU KNOW THAT IF AN INDIVIDUAL WAS GOING TO GET A TWENTY TWO PERCENT PAY INCREASE THAT HE WOULD BE ABLE TO GET IT AT THE RATE AND THEN THAT'S THAT SKILL HAD HIS INCREMENTS BEEN IN PLACE THAT HE WOULD IT WOULD BE BETTER TO GET IT AT THAT RATE THAN AT THE RATE THAN HE'S CURRENTLY GETTING.

DOA- DIRECTOR BIRN: YES NO ONE WOULD ADVOCATE FOR AN OUT OF DATE.

SENATOR BLAS: SOMETHING ELSE THAT WE NEED TO THINK ABOUT AND AND DISCUSS AND AND WORK ON BEFORE WE WE PASS THIS THIS BILL ANYWAYS SO AND YOU KNOW I'M GONNA SKIP DOWN TO THIS ONE YOU MENTIONED EARLIER THAT WHEN WE WERE DISCUSSING WITH REGARD TO HOW MUCH THIS MORE THIS IS GOING TO COST IN AS FAR AS THE BENEFITS THAT IT WAS ALREADY EMBEDDED INTO THE 2024 BUDGET YOU KNOW ON THE VERY ASSUMPTION THAT THIS WAS GOING TO PASS SO HAVE YOU ALREADY EMBEDDED IT IN THERE.

DOA- DIRECTOR BIRN: THAT IS OUR HOPE AND RECOMMENDATION.

SENATOR BLAS: OKAY I MEAN YOU KNOW OKAY WELL LET ME ASK YOU SOMETHING ELSE TOO HAVE YOU EMBEDDED WHAT YOU ANTICIPATE AND HOW YOU'RE GOING TO USE THE COMPACT IMPACT FUNDS YOU'RE YOU ANTICIPATE TO RECEIVE INTO THE BUDGET.

DOA- DIRECTOR BIRN: WELL THE COMPACT IMPACT FUNDS ARE FEDERAL FUNDS.

SENATOR BLAS: RIGHT.

DOA- DIRECTOR BIRN: SO THEY'RE NOT IN IN THE BUDGET AS SUBMITTED.

SENATOR BLAS: BUT HAVE YOU CONSIDERED IT IN THE BUDGET.

DOA- DIRECTOR BIRN: HAVE WE CONSIDERED IT.

SENATOR BLAS: YEAH.

DOA- DIRECTOR BIRN: OVERALL YES.

SENATOR BLAS: YEAH OKAY SO THERE COULD BE A POSSIBILITY SOMEWHERE IF THE BIDEN ADMINISTRATION HOLDS TRUE WITH WHAT IT INTENDS TO DO THAT WILL PROBABLY BE ANYWHERE BETWEEN SIXTEEN TO EIGHTEEN MILLION DOLLARS SHORT ALREADY.

DOA- DIRECTOR BIRN: I THINK IT'S ABOUT SIX MILLION SENATOR.

SENATOR BLAS: ALRIGHT I THINK IT'S MORE THAT BECAUSE IF YOU CAN'T COUNT ALL OF THE THE OTHER PROGRAMS THAT IT'S THE ASSOCIATED WITH COMPACT IMPACT I'M VERY FAMILIAR WITH COMPACT IMPACT TRUST ME.

DOA- DIRECTOR BIRN: WELL I THANK YOU BUT I BELIEVE IT'S SIX MILLION.

SENATOR BLAS: OKAY YOU KNOW I I I'VE GOT I'VE GOT A TON OF OTHER QUESTIONS AND I'M GOING TO USE WHAT I HAVE IN AS FAR AS MY REMAINING TIME MADAM CHAIR TO NOW PROPOSE A I MEAN A MOTION FOR A ANOTHER ROUND THERE'S A LOT OF QUESTIONS THAT THAT WE HAVE SO PROMOTION A MOTION FOR NOT JUST THE THIRD ROUND A FOURTH ROUND ACTUALLY AND THIS NEXT ROUND ACTUALLY FOR ALL OF MY COLLEAGUES IS IS NOT LIMITED TO FIVE MINUTES TO TEN MINUTES PER ROUND OKAY SO THAT'S MY MOTION.

SENATOR PARKINSON: OBJECTION.

SENATOR SHELTON: THERE'S A MOTION ON THE FLOOR TO ADD ANOTHER QUESTIONS FOR THE PANEL FOR TEN MINUTES PER SENATOR THERE HAVE BEEN OBJECTIONS MADE ALL THOSE IN FAVOR PLEASE SIGNIFY BY RAISING YOUR HAND MOTION FAILS SENATOR BLAS YOU STILL HAVE FIFTEEN SECONDS.

SENATOR BLAS: I'M DONE ALRIGHT.

SENATOR SHELTON: THANK YOU VERY MUCH THAT COMPLETES OUR SECOND ROUND OF QUESTIONS FOR THE PANEL I'D LIKE TO THANK MR. BIRN AND MR. NGATA FOR BEING HERE THIS MORNING OR THIS AFTERNOON IF YOU'D LIKE TO MAKE ANY CLOSING REMARKS.

DOA- DIRECTOR BIRN: THANK YOU SENATORS FOR LISTENING TO US IN IN MY VIEW THIS IS ONE OF THE MOST IMPORTANT REASONS THAT I'VE EVER HAD TO SIT IN THIS SEAT SO THANK YOU SO MUCH FOR YOUR ATTENTION THANK YOU FOR YOUR QUESTIONS SOME OF THE QUESTIONS THAT THAT YOU'VE BEEN ASKING REQUIRE RESPONSES AND WE WILL MAKE SURE YOU YOU GET THOSE RESPONSES BUT WE DO APPRECIATE AND I KNOW THOSE EMPLOYEES WHO WILL BENEFIT FROM FROM THIS BILL SHOULD YOU PASS IT WILL WILL BE VERY GRATEFUL FOR THE CONSIDERATION THAT YOU'VE GIVEN THEM THANK YOU.

SENATOR SHELTON: THANK YOU VERY MUCH MR. BIRN.

SENATOR BARNETT: POINT OF INQUIRY MADAM CHAIR.

SENATOR SHELTON: PLEASE STATE YOUR POINT OF INQUIRY.

SENATOR BARNETT: I'M SORRY MR. BIRN JUST YOU KNOW I THINK IT WOULD BEHOVE YOU TO IF YOU WOULD WILLINGLY STAY FOR ANOTHER ROUND JUST SO THAT WE CAN FLESH OUT MORE INFORMATION WHICH I THINK WOULD LEAD TO MORE SUPPORT I FEEL LIKE SOME OF OUR COLLEAGUES ARE STILL ON THE FENCE GETTING *KAKANU* ABOUT THIS SO AGAIN I JUST YOU KNOW FOR FOR THE SAKE OF THE SUPPORT OF THIS BILL AND YOU KNOW I MEAN IT'S VERY PASSAGE I WOULD JUST ASK IF YOU WOULD WILLINGLY STAY FOR ANOTHER ROUND THANK YOU MA'AM.

SENATOR SHELTON: SENATOR BARNETT THE YOU ARE OUT OF ORDER SINCE THE MOTION TO ADD ANOTHER ROUND HAS FAILED.

SENATOR BARNETT: CAN I ASK TO RECONSIDER THE MOTION.

SENATOR SHELTON: OKAY THERE'S BEEN A REQUEST TO RECONSIDER THE MOTION THERE IS AN OBJECTION THERE HAVE BEEN OBJECTIONS ALL THOSE IN FAVOR OF RECONSIDERING THE MOTION PLEASE SIGNIFY BY RAISING YOUR HAND MOTION PASSES PLEASE STATE THE MOTION.

SENATOR BARNETT: YES MA'AM I WOULD MAKE A MOTION THAT WE DO AN ADDITIONAL TWO ROUNDS OF QUESTIONS BUT I'M GONNA GO FOR FIVE MINUTES FOR EACH SENATOR FOR FOR TWO ROUNDS.

SENATOR SHELTON: TWO ROUNDS IN ADDITION TO THE LAST ROUND OF COMMENTS AND AMENDMENTS TWO ROUNDS YEAH.

SENATOR QUINATA: OBJECTION

SENATOR SHELTON: THERE HAVE BEEN OBJECTIONS MADE ARE YOU RESTATING YOUR AMENDMENT AMENDING YOUR AMENDMENT.

SENATOR BARNETT: YEAH I WOULD LIKE TO MAKE TWO ROUNDS OF QUESTIONS FIRST ROUND TEN MINUTES SECOND ROUND FIVE MINUTES FOR EACH SENATOR PLEASE.

SENATOR SHELTON: OKAY THERE.

SENATOR BARNETT: I MEAN I WOULD JUST YOU KNOW IMPRESS UPON MY COLLEAGUES THAT THIS IS A HUGE CONSIDERATION AND I THINK I DON'T SEE THE HARM IN US BEING ABLE TO ASK MORE QUESTIONS TO FLESH OUT MORE DETAILS BECAUSE I DON'T BELIEVE THAT MANY OF US HAVE ENOUGH INFORMATION TO TO MAKE AN INFORMED DECISION ABOUT THIS PROPOSAL MA'AM.

SENATOR SHELTON: OKAY THERE HAS BEEN A MOTION TO ADD AN ADDITIONAL TWO ROUNDS AT TEN MINUTES PER ROUND FOR TEN MINUTES FOR THE FIRST ROUND.

SENATOR BARNETT: TEN MINUTES FOR THE FIRST ROUND.

SENATOR SHELTON: FIVE MINUTES FOR THE SECOND ROUND OKAY THERE IS A AN OBJECTION IN THE BACK.

SENATOR FISHER: MADAM CHAIR I MADE A MOTION TO DIVIDE THE PROPOSAL I'M WITHDRAWING THAT.

SENATOR SHELTON: OKAY THANK YOU VERY MUCH SO WE STILL HAVE AROUND A THIRD JUST TO CLARIFY FOR EVERYONE THERE IS ANOTHER ROUND FOR COMMENTS AND AMENDMENTS SO THIS IS AN AMENDMENT OR THIS IS A MOTION TO ADD TWO ADDITIONAL ROUNDS BEFORE THE FINAL ROUND.

SENATOR BARNETT: YES MA'AM.

SENATOR SHELTON: FOR QUESTIONS THAT WILL BE THE THIRD ROUND FOR TEN MINUTES A FOURTH ROUND FOR FIVE MINUTES AND TO CONCLUDE WITH OUR FIFTH ROUND FOR COMMENTS AND AMENDMENTS ALL THOSE IN FAVOR OF ADDING THE ADDITIONAL ROUNDS TWO ROUNDS SENATOR SAN AGUSTIN.

SENATOR SAN AGUSTIN: MADAM CHAIR IF IT WAS FOR TWO MORE ROUNDS THEN IT SHOULD BE JUST ONE IF IT'S TEN MINUTES NOT TWO NOT TEN AND FIVE IT'S AS IF WE DIDN'T DO TWO ROUNDS ALREADY AND IF ANYTHING IF HE WAS TO ASK FOR TWO ROUNDS OF FIVE MINUTES THAT'S KIND OF TOL THAT'S ACCEPTABLE AND TOLERABLE BUT.

SENATOR SHELTON: ARE YOU MAKING AN AMENDMENT TO THE MOTION SIR.

SENATOR SAN AGUSTIN: YES.

SENATOR SHELTON: OKAY THERE'S BEEN AN AMENDMENT PROPOSED TO ALLOW FOR TWO ROUND TWO MORE ROUNDS OF QUESTIONS AT FIVE MINUTES PER ROUND ARE THERE ANY OBJECTIONS NO OBJECTIONS ALL THOSE IN NO OBJECTIONS MOTION CARRIES SO ON THE AMEN AS ON THE MOTION AS AMENDED TO ALLOW FOR TWO ADDITIONAL ROUNDS AT FIVE MINUTES PER ROUND ARE THERE ANY OBJECTIONS HEARING NONE MOTION CARRIES WE ARE NOW WE WILL TAKE A BRIEF RECESS.

SENATOR BARNETT: OKAY SO MA'AM JUST FOR JUST FOR A POINT OF CLARITY SO WE'RE GONNA HAVE TWO ADDITIONAL ROUNDS AT FIVE MINUTES PER SENATOR AND.

SENATOR SHELTON: THAT'S CORRECT.

SENATOR BARNETT: AND A THIRD ROUND FOR COMMENTS AND AMENDMENTS.

SENATOR SHELTON: TWO ROUNDS COMING UP FIVE MINUTES PER ROUND FOR QUESTIONS FOR THE PANEL I'M SORRY YOU GAVE YOUR CLOSING REMARKS ALREADY BUT YOU'RE GONNA HAVE TO DO THAT AGAIN AND WE WILL TAKE A BRIEF RECESS NOW BEFORE THIS NEXT ROUND OF QUESTIONS.

RECESS

NOTE SENATOR SHELTON PRESIDES OVER THE COMMITTEE OF THE WHOLE

SENATOR SHELTON: THE COMMITTEE OF THE WHOLE IS BACK FROM RECESS WE ARE NOW IN THE THIRD ROUND OF QUESTIONS AND EVERY SENATOR HAS FIVE MINUTES WE'LL NOW START WITH SENATOR BLAS WE WILL TAKE A BRIEF RECESS TECHNICAL ISSUES.

RECESS

SENATOR SHELTON: THE COMMITTEE OF THE WHOLE IS BACK FROM RECESS SENATOR BLAS YOU ARE RECOGNIZED.

SENATOR BLAS: THANK YOU MADAM CHAIR AND YOU KNOW BEFORE I START I THINK THAT WAS JUST TO CLARIFY THE SOME OF THE I GUESS THE CHARTS THAT HAVE BEEN PRESENTED HAS BEEN PROVIDED IN WHAT PARTICULAR I THINK THAT ONE OF THE CONCERNS THAT WE HAD WAS OR THAT WAS EXPRESSED WAS WITH REGARD TO THE CHART THAT WAS GENERATED FROM THE DEPARTMENT MORE FROM THE CHAMBER OF COMMERCE I JUST GOT WORD FROM THE CHAMBER THAT THEY WEREN'T THE ONES ALTHOUGH THEY PUT ALL THE INFORMATION TOGETHER THEY GOT THE INFORMATION FROM THE THESE STATISTICS POSTED BY THE BUREAU OF STATISTICS AND PLANS AND SO THEY EVEN GAVE THE WEBSITE YOU KNOW OR BUREAU OF LABOR STATISTICS FROM THE DEPARTMENT OF LABOR I APOLOGIZE BLS.GOV.GUAM.GOV SO THAT'S WHERE THIS CAME FROM THIS CAME THIS INFORMATION CAME FROM THERE OKAY SO I JUST WANTED TO POINT OF CLARIFICATION YOU KNOW BEFORE I ENDED THE IN THE LAST ONE I GUESS SHANE OR OR MR. BIRN I HAD INQUIRED ABOUT THE NUMBER OF EMPLOYEES THAT ARE STILL ENTITLED TO THEIR MERIT BONUS BUT IF THEY DIDN'T SO I'M GOING TO BE VERY CLEAR IT HAS BEEN THE DECISION THAT THOSE MERIT BONUSES THAT WERE OWED BETWEEN FISCAL YEARS 2012 AND 2017 ARE NOT GOING TO BE CONSIDERED OR OR ARE NOT GOING TO BE ENTERTAINED IN ANY RIGHT NOW PROPOSED PLAN THAT YOU'VE GOT THAT YOU'RE GOING TO PRESENT TO THE GOVERNOR.

DOA – DIRECTOR BIRN: THE THE GOVERNOR MADE A COMMITMENT TO PAY FROM 2017 ONWARDS.

SENATOR BLAS: OKAY.

DOA – DIRECTOR BIRN: WE PROVIDED HER WITH THE INFORMATION OF WHAT THAT WOULD COST AND WHO WAS INVOLVED.

SENATOR BLAS: OKAY AND CAN YOU AGAIN EXPLAIN THE REASONING FOR NOT WANTING TO GO ALL THE WAY BACK TO 2012.

DOA – DIRECTOR BIRN: AS I SAID TO SENATOR FISHER IF YOU WANT TO ASK THE GOVERNOR THAT THAT CERTAINLY THE APPROPRIATE THING TO DO MY UNDERSTANDING IS THAT THE THE REASONING WAS THAT SHE FELT RESPONSIBLE FOR UNPAID COMMITMENTS DURING THE TERM OF HER ADMINISTRATION SHE DID NOT FEEL RESPONSIBLE FOR UNPAID COMMITMENTS MADE BY OTHER ADMINISTRATIONS.

SENATOR BLAS: ALTHOUGH IT'S A RESPONSIBILITY OF THE GOVERNMENT OF GUAM.

DOA – DIRECTOR BIRN: WELL I'M NOT REALLY SURE WHAT YOU MEAN.

SENATOR BLAS: WHO'S RESPONSIBLE THEN FOR PAYING THIS WHETHER IT BECOME FROM 2013 TO OR 2020 OR OR 2019 WHO IS ULTIMATELY RESPONSIBLE WHO.

DOA – DIRECTOR BIRN: THE LAW THAT THIS IS PAYABLE UNDER MADE CERTAIN PRECONDITIONS TO THE PAYMENT DURING THE COURSE OF OTHER ADMINISTRATIONS THOSE PRECONDITIONS WEREN'T MET SO I I THINK THERE'S AN ARGUMENT TO SAY THAT THEY SHOULD ONLY BE PAID WHEN THE CONDITIONS ARE MET BUT THAT WAS THE DECISION OF THE GOVERNOR AND IF YOU.

SENATOR BLAS: RIGHT I APPRECIATE IT.

DOA – DIRECTOR BIRN: THAT'S WHAT WE THAT'S THE MANDATE THAT WE CARRIED OUT.

SENATOR BLAS: OH I KNOW I UNDERSTAND THAT AGAIN I'M NOT BLAMING YOU ON THIS THING I JUST BASICALLY YOUR UNDERSTANDING OF OF THAT OKAY AND QUITE HONESTLY THE GOVERNOR MAY HAVE A DIFFERENT BUT THAT WAS YOUR INTERPRETATION OF IT AND I UNDERSTAND THAT I'M NOT GOING TO HOLD THAT AGAINST YOU OKAY SO I APPRECIATE THAT BUT THAT SAID YOU BRING UP SOMETHING AND I NEED TO ASK ARE MERIT BONUS PAYMENTS AND ANNUAL INCREMENTS ARE THEY BY STATUTE OR THEY JUST.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: YES SENATOR THAT'S CORRECT THEY'RE BOTH BY STATUTE.

SENATOR BLAS: SO THEY'RE BOTH BY STATUTE OKAY SO THERE IS THEN A LEGAL OBLIGATION TO BE ABLE TO PROVIDE IT.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: YES ONCE THE CONDITIONS OF EACH OF THOSE WERE MET BY IN STATUTE YES THERE IS.

SENATOR BLAS: OKAY SO WE HAVE A LEGAL OBLIGATION TO DO THIS BUT LET ME ASK YOU SOMETHING SO THIS IS A LEGAL OBLIGATION IS THE TWENTY TWO PERCENT INCREASE A LEGAL OBLIGATION.

DOA – DIRECTOR BIRN: DOA HAS A LEGAL OBLIGATION TO REVIEW PAY SCALES EVERY THREE YEARS AND THAT'S WHAT WE DID AND THAT WAS WHAT WAS THE RESULT.

SENATOR BLAS: OKAY BUT IS IT NOW A LEGAL OBLIGATION

DOA – DIRECTOR BIRN: LEGAL OBLIGATION LEGAL OBLIGATION OF WHAT

SENATOR BLAS: ARE WE LEGALLY BOUND TO PAY IT.

DOA – DIRECTOR BIRN: THAT THAT'S REALLY NOT A CONSIDERATION FOR FOR DOA OUR OUR OBLIGATION IS TO COMPUTE IT.

SENATOR BLAS: YEAH AND YOU.

DOA – DIRECTOR BIRN: A BILL HAS BEEN PUT TOGETHER IN ORDER TO PAY IT.

SENATOR BLAS: SO THAT'S WHY.

DOA – DIRECTOR BIRN: IF YOU PASS THE BILL I GUESS IT'S A LEGAL OBLIGATION.

SENATOR BLAS: YEAH AND IF WE PASS THE.

DOA – DIRECTOR BIRN: AND IF WE PASS IT DON'T PASS THE BILL.

SENATOR BLAS: YEAH AND THAT'S WHAT I'M GETTING AT.

DOA – DIRECTOR BIRN: IT MAY NOT BE.

SENATOR BLAS: OKAY SO SO AT THIS POINT IN TIME IT'S IT'S SIMPLY A PIECE OF LEGISLATION THAT IS BEING DELIBERATED BEING DISCUSSED BUT YET NOT HAS REACHED OR PASSED THE THRESHOLD OF BEING LEGALLY BOUND TO PAY IT.

DOA – DIRECTOR BIRN: IT'S OUR OUR EARNEST HOPE ON BEHALF OF THE GOVERNMENT EMPLOYEES THAT IT WILL BECOME PAYABLE.

SENATOR BLAS: IS THAT A ELONGATED YES OR NO.

DOA – DIRECTOR BIRN: THAT'S THAT'S MY ANSWER SIR.

SENATOR BLAS: OKAY IF I WAS TO ASK YOU THEN TO LIMIT YOUR ANSWER TO YES OR NO WHAT WOULD IT BE.

DOA – DIRECTOR BIRN: IT WOULD BE NEITHER I GAVE YOU MY ANSWER.

SENATOR BLAS: OKAY THAT'S FAIR BUT YET THERE'S THESE LEGAL OBLIGATIONS THAT WE HAVE THAT HAVEN'T BEEN DONE YOU KNOW WHEN YOU MENTION COMPETITORS ONE OF THE THINGS I WANTED TO GET AND I MAY NOT HAVE ENOUGH TIME TO BE ABLE TO GET TO IT MAYBE IN THE NEXT ROUND BUT I WANT YOU TO BE ABLE TO THINK ABOUT THIS BECAUSE I'M GOING TO ASK IT AGAIN LET'S GIVE A SCENARIO OF IT LET'S SAY THAT THIS THIS WAS TO PASS AND AN INDIVIDUAL IS AT A CERTAIN PAY SCALE AND GRADE OKAY LET'S SAY THAT THEY'RE AT YOU KNOW M OR L4 OKAY MAKING SO MUCH NOW YOU GIVE THEM A TWENTY TWO PERCENT PAY INCREASE WHERE WOULD THIS NOW INDIVIDUAL FIT IN THE PAY SCALE OR HOW WOULD YOU IF HE FALLS IN BETWEEN A PAY SCALE OKAY AND AS FAR AS WHAT HE GETS BECAUSE I UNDERSTAND MAYBE IF YOU'RE USING THE SAME METHODOLOGY AS THE HAY OKAY SO IF HE FALLS WITHIN MORE OR MORE OF THE LESSER AMOUNT OF A PAY SCALE THAN IT IS ON THE NEXT SCALE WHICH ONE WOULD HE FALL UNDER OKAY LET'S SAY

YOU KNOW HE IS NOW HE'S GOING TO MAKE NINETEEN FORTY THREE OKAY AT STEP M6 ALL RIGHT AND NINE AND THAT'S THAT NINETEEN THIRTY FIVE BUT M7 IS NINETEEN EIGHTY NINE WHICH WHICH ONE WOULD HE FALL UNDER.

SENATOR SHELTON: THANK YOU SENATOR BLAS THAT'S YOUR TIME.

SENATOR BLAS: WELL THEY CAN ANSWER THE QUESTION.

SENATOR SHELTON: YES THEY CAN.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: THE SLOTTING FOR EMPLOYEES WOULD BE UM STEP TO STEP SO IF IN THAT SCENARIO IF AN EMPLOYEE WITH THAT PAY GRADE L STEP FOUR THEY WOULD BE SLOTTED STRAIGHT TO PAY GRADE L STEP FOUR INTO THE NEW PAY SCALE.

SENATOR BLAS: SO YOU ADJUST NEW SCALE.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: SO THEY JUST GO STRAIGHT INTO THE PAY SCALE THAT THEYRE CURRENTLY IN.

SENATOR BLAS: I'LL CONTINUE THAT QUESTION IN MY NEXT ROUND THANK YOU MA'AM.

SENATOR SHELTON: THANK YOU VERY MUCH SENATOR BLAS SENATOR DUEÑAS.

SENATOR DUEÑAS: *SI YU'OS MA'ÁSE'* MADAM CHAIR JUST TO GET IT ON THE RECORD BECAUSE I NEED THE TOTAL AMOUNT AND I JUST WANT TO BE ABLE TO ASK ONCE AGAIN DIRECTLY TO THE DI'ECTOR SO YOU'VE MADE REPRESENTATIONS ONCE AGAIN THAT THESE SPECIAL FUNDS IF THEY'RE LAGGING OR THEY'RE SHORT IT'S NOT AN ISSUE BECAUSE OF THE CURRENT SURPLUSES IN GENERAL FUND AND GENERAL FUND WILL COVER ANY REQUIREMENTS UNDER THE SPEC'L FUNDS THAT'S BEEN YOUR STATEMENT BEFORE IS THAT STILL YOUR STATEMENT.

DOA – DIRECTOR BIRN: TO ANSWER YOUR QUESTION MOST PRECISELY OR THE MOST PRECISE WAY I CAN A DEFICIT IN THE GENERAL FUNDS WHEN IDENTIFIED OF THE YEAR END IS ELIMINATED BY TRANSFERRING FUNDS FROM THE GENERAL FUND TO ELIMINATE THAT DEFICIT.

SENATOR DUEÑAS: SO THERE'S A THERE'S THERE'S AN OBLIGATION OF THE GOVERNMENT OF GUAM IF THE SPECIAL FUNDS ARE LAGGING BEHIND THE ADOPTED REVENUE AND HAVE BEEN EXPENDED FOR THE GENERAL FUND TO SUBSIDIZE THOSE SPECIAL FUNDS DELINQUENCY.

DOA – DIRECTOR BIRN: SENATOR I TRY TO ANSWER THAT QUESTION BEFORE IT DOES NOT DEPEND SOLELY ON REVENUES IF IF REVENUE SHORTFALLS ARE OFFSET BY EXPENDITURE CONTROL THEN THE RESULTANT DEFICIT IS NOT WILL BE LESS THAN THE REVENUE SHORTFALL THAT RESULTANT DEFICIT THERE'S NOT AN OBLIGATION BUT IT'S PRUDENT ACCOUNTING PRACTICE TO ELIMINATE THAT DEFICIT ON THE GENERAL FUND IN THE YEAR THAT IT ARISES YOU COULD CHOOSE JUST TO LET IT RUN THROUGH YEAR BY YEAR UNTIL THAT DEFICIT WAS ELIMINATED BY THE GENERAL FUND ITSELF BUT THAT'S NOT PRUDENT ACCOUNTING PRACTICE.

SENATOR DUEÑAS: WELL I THINK YOU'RE RIGHT AND IT'S NOT PRUDENT ACCOUNTING PRACTICE IN MY OPINION NOW THAT WE'RE DEBATING THIS IN THE SCENARIO OF A BUDGET TO ACT LIKE WE DON'T HAVE THIS SNAPSHOT AND WE'VE ADOPTED THESE REVENUES AND WE'RE NEGATIVE IN THOSE REVENUES SO FOR THE PURPOSES OF THIS BODY AT LEAST FOR MYSELF PRUDENT BUDGETING I WOULD HAVE TO TAKE THAT NINE MILLION OFF THE TABLE DOE I THINK THIS IS AN EASY ONE TWENTY ONE MILLION CORRECT IN THE BILL THAT JUST PASSED FOR DEPARTMENT OF EDUCATION.

DOA – DIRECTOR BIRN: YEAH BUT YOU MIGHT WANT TO DO THAT SENATOR I CANNOT AGREE THAT THAT'S NECESSARY THE RESULT JUST BY EXAMPLE THE SHORTFALL IN THE GENERAL FUNDS FOR FISCAL 22 WAS I I BELIEVE LIKE THIRTEEN MILLION IN REVENUES BUT THE REQUIRED TRANSFER THAT WE'RE PROPOSING TO MAKE IS ABOUT SIX.

SENATOR DUEÑAS: SO WE DON'T NEED A BUDGET MR. BIRN IF WE JUST ROLL LIKE THAT I MEAN WE DON'T YOU DON'T NEED TO ADOPT REVENUES IN A BUDGET THEN JUST SAY IT'S TWENTY TWO PERCENT WE'RE DONE YOU WE'RE NOT DEBATING A BUDGET THEN ANYMORE IS THAT WHAT YOU'RE SAYING.

DOA – DIRECTOR BIRN: NO I WAS MERELY TRYING TO BE MORE PRECISE THAN EVER ABOUT THE MECHANISM FOR MAKING UP DEFICIT ON ON SPECIAL FUND SHORTFALLS.

SENATOR DUEÑAS: SO MOVING ON TO THE TWENTY ONE MILLION DO YOU DO YOU AGREE WITH THAT NUMBER.

DOA – DIRECTOR BIRN: THE BILL THAT THAT YOU CURRENTLY CONSIDERED IS TWENTY IS COST IS TWENTY ONE MILLION DOLLARS WORTH OF COST.

SENATOR DUEÑAS: OKAY SO YOU'RE ON THE RECORD ALSO SIX MILLION THAT YOU ARE IDENTIFYING AND RECORDING FOR MERIT BONUSES AT SIX MILLION DOLLARS.

DOA – DIRECTOR BIRN: YES.

SENATOR DUEÑAS: AS FAR AS THIS GOVERNOR'S CONCERNED HER LEGAL OBLIGATION UNDER HER TERM IS SIX MILLION DOLLARS.

DOA – DIRECTOR BIRN: WE DEBATED THE LEGAL OBLIGATION I'M NOT SURE ABOUT THAT BUT THE AMOUNT THAT IS GOING TO BE PAID IS SIX MILLION DOLLARS.

SENATOR DUEÑAS: AND WE AGREE NOW ALTHOUGH I COMPLETELY DISAGREE WITH YOU THAT IT SHOULD BE DONE WITHIN THEIR BUDGET THAT SOMEWHERE IN THE AMOUNT OF SIX MILLION DOLLARS WILL BE REQUIRED FOR THE PURPOSES OF CARRYING THE BENEFIT COST TO THIS PAY PLAN.

DOA – DIRECTOR BIRN: YES SIR.

SENATOR DUEÑAS: STEVE I GOT TO ASK YOU A QUESTION DO YOU CONCUR THAT IT WOULD BE PRUDENT TO CONSIDER THE SIX MILLION DOLLARS IN OBLIGATIONS FOR THESE THIS PAY PLAN THAT WOULD BE REQUIRED FOR THE BENEFITS TO NOT BE FACTORED INTO THIS PAY SCHEME.

OFB – DIRECTOR GUERRERO: AND THE SIX MILLION YOU REFERRING TO SENATOR IS FOR FOR WHAT WHAT ARE YOU WHAT ARE YOU REFERRING TO SIX MILLION TO.

SENATOR DUEÑAS: IF YOU IF YOU HIRED ME LAST YEAR STEVE AND YOU GAVE ME A COMPENSATION PLAN THAT WAS A BASE SALARY OF FORTY FIVE THOUSAND DOLLARS AND MY CONTRIBUTION REQUIREMENT WAS FIFTEEN THOUSAND DOLLARS AND THAT WAS A TOTAL OF SIXTY THOUSAND DOLLARS AND THEN YOU GAVE ME A RAISE OF TWENTY TWO PERCENT AND YOU WERE OBLIGATED TO PAY ME WOULD YOU THINK THAT THE ONLY TWENTY TWO PERCENT RAISE THAT YOU GAVE ME FOR IS JUST FOR THE FORTY FIVE THOUSAND DOLLARS OR WOULD IT BE COMPLETE WITH THE FORTY FIVE THOUSAND AND THE FIFTEEN THOUSAND FOR BENEFITS IN TERMS OF WHAT YOU NEED TO ALLOCATE FOR MY PAY RAISE.

OFB – DIRECTOR GUERRERO: SENATOR MY POSITION IS AND IT'S ALWAYS BEEN IS THAT ALL EXPENDITURES INCURRED BY THE GOVERNMENT SHOULD HAVE AN APPROPRIATION TO BACK UP THOSE EXPENDITURES DURING THE COURSE OF WHEN WE PREPARE THE BUDGET OF COURSE WE'VE PREPARED THE BUDGET AND END UP AT THE END OF THE DAY WITH A BALANCED BUDGET SO I'M ASSUMING THAT ALL THE EXPENDITURES THAT ARE ANTICIPATE TO HAPPEN WITHIN THAT FISCAL YEAR ARE SUPPORTED BY THE APPROPRIATE APPROPRIATIONS TO COVER THOSE EXPENSES NOW IN INSTANCES LIKE THIS WHEN WE ARE TRYING TO ADDRESS A TWENTY TWO PERCENT INCREASE IN SALARY IT IS MY OPINION THAT IF THE GOVERNMENT IS GOING TO DO THIS THE GOVERNMENT SHOULD HAVE SUFFICIENT FUNDS TO IMPLEMENT THIS TWENTY TWO PERCENT SALARY INCREASE.

SENATOR DUEÑAS: BECAUSE MR. BIRN THE REASON I KEEP HEARING AND I'VE HEARD THIS YEAR AFTER YEAR AFTER YEAR WHEN EVERY SINGLE AGENCY COMES BEFORE US AND WE LOOK AT THEIR BUDGET REQUEST CONSISTENTLY SALARIES AND BENEFITS ARE ANYWHERE BETWEEN EIGHTY EIGHT TO SOMETIMES AS HIGH AS NINETY FVIE PERCENT OF THEIR ENTIRE BUDGET LEAVING BASICALLY ALMOST NOTHING FOR OPERATIONS AND THIS IS WHY I COMPLETELY DISAGREE WITH YOU WHEN YOU SAY THAT LAPSES AND OTHER FUNDS THAT ARE CURRENTLY IN AGENCY BY AGENCY BUDGET WILL COVER THE BENEFITS IS BECAUSE WHAT YOU'RE GOING TO DO BY AND LARGE IS YOU ARE GOING TO CUT THEIR OPERATIONS BECAUSE THEY'RE GOING TO HAVE TO COVER THE BENEFITS PORTION OF THE INCREASE THAT YOU'VE JUST MADE THAT MONEY IS NOT GOING TO FALL OUT OF THE SKY.

DOA – DIRECTOR BIRN: SENATOR AND I THINK DURING THE BUDGET NEGOTIATIONS EXCUSE ME LAPSES ARE OFTEN DISCUSSED LAPSES GENERALLY HAPPEN WHEN PERSONNEL COSTS REMAIN UNSPENT SHANE HAS

ALREADY SPOKEN ABOUT THE NUMBER OF VACANCIES IN THE GOVERNMENT WE DON'T RECRUIT SOMEBODY UNLESS THE FUNDS ARE THERE IF THOSE POSITIONS GO UNFILLED LAPSES WILL OCCUR.

SENATOR DUEÑAS: I'M GOING TO JUST RESPECTFULLY DISAGREE AND SAY THAT FOR BUDGETING PURPOSES AND THIS IS WHY I CONTINUE TO SAY THIS SHOULD BE DONE IN THE CONTEXT OF BUDGETS NOT A ONE-OFF IN THE MIDDLE OF THE YEAR SO FOR THE RECORD I'M GOING TO STAKE MY CLAIM THAT THIS TOTAL OBLIGATION IS FORTY FOUR MILLION DOLLARS I THINK IN JUST A LITTLE WHILE YOU'RE GOING TO FIND OUT WHY WE HAVE PERSONNEL ISSUES AND THERE'S GOING TO BE A BIG DIFFERENCE BETWEEN WHAT YOU PRESENTED *SI YU'OS MA'ÁSE'* MADAM CHAIR.

SENATOR SHELTON: THANK YOU SENATOR DUEÑAS SENATOR PARKINSON.

SENATOR PARKINSON: THANK YOU MADAM CHAIR I WANT TO TALK A LITTLE BIT ABOUT UNCLASSIFIED EMPLOYEES AND LIMITED TERM APPOINTMENTS BECAUSE I'M CURRENTLY THE CHAIR FOR THE GRTA THE OVERSIGHT CHAIR FOR GRTA SO I'M KIND OF CURIOUS ABOUT IT WE HAVE A LARGE NUMBER OF RANK AND FILE EMPLOYEES WITH GRTA THAT ARE LIMITED TERM APPOINTMENTS THESE ARE BUS DRIVERS AND CUSTOMER AND SERVICE EMPLOYEES WOULD YOU CLASSIFY THEM AS POLITICAL HACKS.

DOA – DIRECTOR BIRN: NO SIR.

SENATOR PARKINSON: GRT RECENTLY GOT TEN ADDITIONAL BUSES WOULD YOU SAY THERE'S A SHORTAGE OF MANPOWER AT GRTA RIGHT NOW AND THE NEED TO HIRE MORE BUS DRIVERS.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: BASED ON MY DISCUSSIONS WITH THEM THAT'S YES THAT'S WHAT THEY'RE CONVEYING TO US.

SENATOR PARKINSON: SO IS IT FAIR TO SAY THAT MANY OF THE LTA POSITIONS AT GRTA ARE NECESSARY DIFFICULT TO FILL AND CURRENTLY UNDERPAID.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: WELL THE POSITIONS THAT THEY ARE UTILIZING ARE CLASSIFIED POSITIONS BY PICKING THEM UP IN THE UNCLASSIFIED STATUS BUT VERY NECESSARY TO THEIR OPERATIONS THEIR TRANSPORTATION OPERATIONS.

SENATOR PARKINSON: OKAY LET'S SWITCH GEARS TO DOE TO YOUR KNOWLEDGE WHO IS IN CHARGE OF HIRING A DOE THE SUPERINTENDENT OR THE GOVERNOR.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: THAT WOULD BE THE SUPERINTENDENT.

SENATOR PARKINSON: I AM TOLD OF ONE-TO-ONE AIDES FOR STUDENTS WITH DISABILITIES ARE LIMITED TERM UNCLASSIFIED EMPLOYEES BECAUSE OF THE NATURE OF THEIR EMPLOYMENT WOULD YOU SUPPORT REMOVING THESE INDIVIDUALS SIMPLY BECAUSE WE ASSUME THAT THE WORD UNCLASSIFIED MEANS POLITICAL.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: BASED ON MY DISCUSSIONS WITH DOE HR AND THEIR DIFFICULTIES IN TRYING TO FILL POSITIONS I WOULDN'T RECOMMEND ANYTHING THAT WOULD HAMPER THEIR ABILITY TO DO SO ON A YEAR-TO-YEAR BASIS.

SENATOR PARKINSON: OKAY AND SO JUST WE'RE HERE AIDES THAT HELP STUDENTS WITH DISABILITIES EVEN THOUGH THEY'RE UNCLASSIFIED YOU WOULDN'T CONSIDER THEM POLITICAL HACKS.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: I WOULDN'T CONSIDER CONSIDER AGAIN.

SENATOR BLAS: POINT OF ORDER MADAM CHAIR.

SENATOR SHELTON: PLEASE STATE YOUR POINT OF ORDER SENATOR BLAS.

SENATOR BLAS: IN DIFFERENCE TO THE GOOD SENATOR AND THEN FOR THE DIGNITY OF THOSE IN THE OF THOSE EMPLOYEES I WOULD ASK THAT YOU DIRECT THAT HE DO NOT REFER TO NOT UNCLASSIFIED EMPLOYEES AS UNCLASSIFIED HACKED OR POLITICAL HACKS.

SENATOR SHELTON: THANK YOU.

SENATOR PARKINSON: MADAM MADAM CHAIR YOU HAD NO SUCH COMPLAINTS WHEN THAT TERM WAS USED BY A PREVIOUS MEMBER OF THIS BODY SO HIS OUT HIS POINT OF ORDER IS LATE THE DOOR HAS ALREADY BEEN OPENED MA'AM.

SENATOR BLAS: I'M SORRY.

SENATOR BARNETT: POINT OF INFORMATION MA'AM I WAS REFERRING TO A SPECIAL PROJECT COORDINATORS AS POLITICAL HACKS NOT THE ENTIRE UNCLASSIFIED NOT THE ENTIRE UNCLASSIFIED SERVICE OF THE GOVERNMENT OF GUAM.

SENATOR SHELTON: THANK YOU FOR YOUR POINT AND PRIVILEGE SENATOR BARNETT SENATOR PARKINSON YOU MAY PROCEED.

SENATOR PARKINSON: THANK YOU MADAM CHAIR ALL RIGHT LET'S SWITCH GEARS A LITTLE BIT AGAIN I WANT TO CLEAR UP A DISTINCTION ABOUT CWAS AND JUDGING AN INDIVIDUAL'S PERFORMANCE THESE ARE TWO SEPARATE THINGS CORRECT.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: THE PAY SCALE AND ADJUSTMENTS WE'RE RECOMMENDING ARE SEPARATE FROM THE PERFORMANCE EVALUATION SYSTEM.

SENATOR PARKINSON: OKAY AND I JUST WANT TO MAKE SURE I'M CLEAR ABOUT IT SO PROCUREMENT LIKE SO FOR EXAMPLE PROCUREMENT SPECIALISTS ALL SHARE THE SAME PAY SCALE BUT AS THEIR PERFORMANCE SHOWS MERIT THEN THEY GO UP IN STEPS TO JUDGE THEIR INDIVIDUAL PERFORMANCE IS THAT CORRECT.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: THAT'S CORRECT IF THEIR PERFORMANCE IS SATISFACTORY THEY GET AN ADDITIONAL STEP.

SENATOR PARKINSON: OKAY ARE ANY UNCLASSIFIED EMPLOYEES COVERED BY THE GPP PAID FOR BY FEDERAL GRANTS.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: QUITE A FEW LIMITED TERM EMPLOYEES ARE.

SENATOR PARKINSON: IS IT IS IT USUAL OR PERMISSIBLE TO PAY A FEDERAL GRANT EMPLOYEE DOING A JOB UNDER THE GPP LESS THAN HIS LOCALLY FUNDED COUNTERPART.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: BASED ON CONSISTENCY OF HOW WE ADMINISTER PAY WE TRY TO KEEP EVERYTHING EQUITABLE IF A POSITION IS BEING FILLED TO UTILIZE THE SAME PAY GRADE AND STEP THAT WE'VE ESTABLISHED FOR IT.

SENATOR PARKINSON: OKAY THIS IS FOR THE DIRECTOR OF OFB TYPICALLY THE BUDGET OUTLINES ALL REVENUES SUBJECT TO LEGISLATIVE APPROPRIATION CORRECT.

OFB – DIRECTOR GUERRERO: YOU'RE CORRECT.

SENATOR PARKINSON: OKAY SO CAN YOU POINT OUT WHERE IN THE CURRENT BUDGET THIS LEGISLATURE RECOGNIZES COMPACT FUNDING FOR AVAILABLE AS AVAILABLE FOR APPROPRIATION.

OFB – DIRECTOR GUERRERO: CAN YOU REPEAT YOUR QUESTION SIR.

OFB – DIRECTOR GUERRERO: COULD YOU POINT OUT WHERE IN THIS CURRENT BUDGET THE LEGISLATURE RECOGNIZES COMPACT FUNDING AS AVAILABLE FOR APPROPRIATION.

OFB – DIRECTOR GUERRERO: MY UNDERSTANDING SENATOR IS COMPACT IMPACT FUNDS ARE AT THE DISCRETION OF THE GOVERNOR IT IS NOT THOSE FUNDS ARE NOT AVAILABLE FOR APPROPRIATION TO THE LEGISLATURE.

SENATOR PARKINSON: OKAY SO IT'S TRUE THAT THE COMPACT FUNDS ARE NOT AVAILABLE FOR APPROPRIATION BY A LEGISLATURE SO UH WHATEVER THE FEDS DO IT DOESN'T SPECIFICALLY TAKE AWAY REVENUES APPROPRIATIONS TRADITIONALLY RECOGNIZED BY THIS BODY THIS SO WHATEVER THE FEDS DO IT'S NOT GOING TO AFFECT WHAT THIS BODY DOES.

OFB – DIRECTOR GUERRERO: THAT'S CORRECT.

SENATOR PARKINSON: I THIS IS FOR OFB AS WELL WHAT POSITIONS IN THE LEGISLATIVE BRANCH ARE CONSIDERED UNCLASSIFIED.

OFB – DIRECTOR GUERRERO: I BELIEVE SENATOR ALL THE POSITIONS IN THE LEGISLATURE ARE UNCLASSIFIED.

SENATOR PARKINSON: WOULD YOU WOULD YOU CATEGORIZE THEM AS POLITICAL HACKS BECAUSE THEY'RE ALL UNCLASSIFIED.

OFB – DIRECTOR GUERRERO: SENATOR THAT IS NOT FOR ME TO ANSWER I DON'T THINK I'M IN A POSITION TO ANSWER THAT QUESTION.

SENATOR PARKINSON: DON'T WORRY ABOUT IT SIR IT'S NOT NECESSARY WHAT ARE THE QUALIFICATIONS YOU WHENEVER SOMEBODY SEEKS TO APPLY FOR THE OFB OFFICE WHAT QUALIFICATIONS ARE REQUIRED.

OFB – DIRECTOR GUERRERO: I WOULDNT THINK SENATOR THAT AT ANY POSITION WITHIN THE WITHIN THE LEGISLATURE.

SENATOR FISHER: POINT POINT OF OBJECTION.

SENATOR SHELTON: PLEASE STATE YOUR POINT OF INQUIRY SENATOR FISHER.

SENATOR FISHER: YES MA'AM PARDON ME MADAM CHAIR OH I WAS UNDER THE IMPRESSION THAT THE DEBATE THIS AFTERNOON THIS EVENING IS LIMITED TO THE PROPOSAL BEFORE THE HOUSE I DO NOT SEE A QUESTION BEFORE THE HOUSE RELATING TO THE HIRING OF INDIVIDUALS WITHIN THAT GENTLEMAN'S OFFICE SO THE QUESTION IS ESSENTIALLY OR THE OBSERVATION I SUPPOSE IS THAT THIS IS NOT GERMANE.

SENATOR PARKINSON: IT IS GERMANE BECAUSE WE'RE TALKING ABOUT THE QUALIFICATIONS OF UNCLASSIFIED EMPLOYEES AND I WANTED TO I WANT TO COMPARE THE DIFFERENCES BETWEEN THE BRANCHES TO KIND OF JUDGE THE QUALIFICATIONS NECESSARY.

SENATOR SHELTON: OKAY THANK YOU PLEASE KEEP WITHIN THE SCOPE OF THE BILL THANK YOU SENATOR PARKINSON.

SENATOR PARKINSON: ALL RIGHT THIS IS FOR SHANE COULD YOU GIVE SOME EXAMPLES OF UNCLASSIFIED UNCLASSIFIED EMPLOYEES THAT ARE NOT WORKING AT *ADELUP* AND ARE NOT HEADS OF AGENCIES.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: SOME EXAMPLES OF POSITIONS THAT ARE UTILIZED AS LIMITED TERM RIGHT I DID I MENTIONED COMMUNITY PROGRAM AIDES PROGRAM COORDINATORS WE DO HAVE WE HAVE TRIED TO GET SOME ELIGIBILITY SPECIALISTS ADMINISTRATIVE ASSISTANTS SOME CLERKS CUSTOMER SERVICE REPRESENTATIVES POSITIONS LIKE THOSE ARE CLASSIFIED POSITIONS THAT ARE HIRED IN THE UNCLASSIFIED SERVICE AS LIMITED TERM I DID MENTION A FEW ACTUAL UNCLASSIFIED POSITIONS SPECIAL PROJECTS COORDINATOR THERE I BELIEVE IS A PROPERTY CONTROL OFFICER THESE ARE GENERALLY STATUTORILY CREATED OR WERE CREATED IN IN THE PAST BY THE CIVIL SERVICE COMMISSION WHEN THEY HAD NON-ADJUDICATORY AUTHORITY AND THE ABILITY TO CREATE UNCLASSIFIED POSITIONS WHICH DOA NO LONGER HAS OR HAS NEVER HAD THE ABILITY TO CREATE.

SENATOR PARKINSON: IN DOA'S HIRING PROCESS FOR UNCLASSIFIED EMPLOYEES ARE THERE CLASSIFIED OTHER UNCLASSIFIED EMPLOYEES ON THE GENERAL PLAY PLAN THAT HAVE TO MEET MINIMUM REQUIREMENTS FOR THE ROLES THEY ARE TAKING.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: IF IF ONE IS TO GET EMPLOYED IN A LIMITED TERM CAPACITY WITH A CLASSIFIED POSITION THEN YES WE ENSURE THAT THEY MEET THE QUALIFICATIONS FOR THOSE POSITIONS.

SENATOR PARKINSON: SO THERE MUST BE THEY HAVE TO MEET SOME MINIMUM QUALIFICATION YOU JUST CAN'T HIRE A POLITICAL HACK.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: WELL IN TERMS OF THE QUALIFICATIONS WHAT IS PRESCRIBED ON THE JOB SPECIFICATION FOR THAT POSITION IS WHAT THEY HAVE TO MEET.

SENATOR PARKINSON: OKAY I SEEM TO RECALL THAT WE HAD TWO PREVIOUS CWAS ONE WAS IN 2014 WERE THERE UNCLASSIFIED EMPLOYEES IN THAT GPP THAT YEAR .

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: YES THERE WERE.

SENATOR PARKINSON: WAS THERE A DEFICIT THAT YEAR.

DOA – DIRECTOR BIRN: YES SENATOR.

SENATOR PARKINSON: WHO WAS THE GOVERNOR AT THE TIME.

DOA – DIRECTOR BIRN: I DON'T THINK I WAS ON ISLAND SO I'M GOING TO ASK THE SHANE.

SENATOR FISHER: MA'AM I HAVE A POINT OF.

SENATOR SHELTON: YOU CAN STATE A POINT OF INQUIRY OR A POINT OF.

SENATOR FISHER: OH I'M SORRY.

SENATOR BARNETT: CAN YOU TURN ON YOUR MIC.

SENATOR SHELTON: YOU CAN USE YOUR MIC AND YOU CAN STAY SEATED SENATOR FISHER IN THE COMMITTEE OF THE WHOLE YOU CAN STAY SEATED YOU DON'T HAVE TO STAND EVERY TIME JUST TURN ON YOUR MIC.

SENATOR PARKINSON: MADAM MADAM MADAM CHAIR THIS QUESTION IS GERMANE BECAUSE IT SEEMS WE HAVE THE EXACT SAME SET OF CIRCUMSTANCES BUT IF WE ONLY HAVE ONE DIFFERENCE MAYBE THAT UH YOU KNOW MIGHT IT MIGHT SPEAK TO SOME OF THE RESISTANCE WE HAVE TOWARDS PAY RAISES IN THIS BODY IS THAT A MOTION.

SENATOR SHELTON: SENATOR FISHER YOU MAY STATE YOUR POINT OF INQUIRY SENATOR FISHER.

SENATOR FISHER: THANK YOU MADAM CHAIR THE MEMBER IS OUT OF ORDER THESE QUESTIONS ARE NOT GERMANE TO THE PROPOSAL BEFORE THE HOUSE.

SENATOR SHELTON: OKAY IS THAT A POINT OF INQUIRY.

SENATOR FISHER: I SUPPOSE IT'S LET ME CONVERT THAT TO A POINT OF INQUIRY MAY A MEMBER ADDRESS MATTERS NOT BEFORE THE HOUSE.

SENATOR PARKINSON: I DON'T UNDERSTAND HOW A PREVIOUS CWA IS NOT GERMANE TO THIS CONVERSATION.

SENATOR SHELTON: THANK YOU PLEASE PROCEED SENATOR PARKINSON.

SENATOR PARKINSON: OKAY LET ME LET ME REPEAT I RECALL IN 2014 WERE THERE CLASSIFIED UNCLASSIFIED EMPLOYEES IN THE GPP PLAY PLAN THAT YEAR.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: YES SIR.

SENATOR PARKINSON: WAS THERE A DEFICIT THAT YEAR.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: YES SIR.

SENATOR PARKINSON: WHO WAS THE GOVERNOR THAT YEAR.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: GOVERNOR CALVO.

SENATOR PARKINSON: THERE WAS THERE WAS ANOTHER CWW AND A CWA IN 09 WAS THERE A DEFICIT THAT YEAR

DOA – DIRECTOR BIRN: I DON'T RECALL BUT I BELIEVE SO.

SENATOR PARKINSON: THERE WAS A DEFICIT VERY GOOD MEMORY SIR WERE THERE UNCLASSIFIED EMPLOYEES IN THAT GPP PLAN.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: YES THERE WERE.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: AND WHO WAS THE GOVERNOR. IN 09.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: GOVERNOR CAMACHO.

SENATOR PARKINSON: OKAY AND IS IT TRUE FOR THE VAST MAJORITY OF GPP EMPLOYEES THEY ONLY GOT THE THREE POINT EIGHT PERCENT PAY RAISE THE LAST TIME WE DID RAISES.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: IT WAS ADJUSTED BY FOURTEEN PERCENT THREE POINT EIGHT WAS A CONSIDERATION TO TRY AND ADDRESS COMPRESSION AT THAT TIME.

SENATOR PARKINSON: ALL RIGHT AND I'D LIKE YOU I'D LIKE TO THANK BOTH OF YOU FOR CLARIFYING FOR ME THAT UNCLASSIFIED EMPLOYEES ESPECIALLY BUS DRIVERS ARE NOT POLITICAL HACKS I'D LIKE TO YIELD THE REST OF MY TIME THANK YOU MADAM CHAIR.

SENATOR SHELTON: THANK YOU VERY MUCH SENATOR PARKINSON SENATOR BARNETT YOU ARE RECOGNIZED.

SENATOR BARNETT: THANK YOU MADAM CHAIR I'D LIKE TO CONTINUE ASKING QUESTIONS ABOUT THE UNCLASSIFIED EMPLOYEES IF YOU DON'T MIND SPECIFICALLY THE PROCESS WHEN YOU TALK ABOUT THESE LTAS ARE THESE ARE THESE JOBS ANNOUNCED TO THE PUBLIC SO THERE'S AN OPPORTUNITY FOR UH YOU KNOW THE AVERAGE JOE OR JOSEFA CRUZ TO APPLY FOR THESE JOBS.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: IN SOME CASES THESE JOBS WILL BE ANNOUNCED THEY NEED TO FILL IT MORE EXPEDIENTLY THAN THE PROCESS WOULD ALLOW FOR HIRING OF A CLASSIFIED EMPLOYEE SO IN THAT TIME IN THE INTERIM THEY DO PICK SOMEONE UP IN THE LIMITED TURN CAPACITY.

SENATOR BARNETT: SO WHEN THE JOB IS NOT ANNOUNCED HOW ARE IS THE PERSON WHO'S HIRED SELECTED.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: LET'S SAY THE DEPARTMENT'S IN THE PROCESS OF PROCESSING A RECRUITMENT.

SENATOR BARNETT: RIGHT.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: TO COME DOWN TO US TO ANNOUNCE AND THEY NEED SOMEONE TO UH FILL THE POSITION RIGHT AWAY THEY WOULD ASK US TO PROFILE SOMEONE TO SEE IF THEY QUALIFY AND IF THEY DO QUALIFY THEY'LL PICK THEM UP IN THE LIMITED TERM.

SENATOR BARNETT: RIGHT CAN YOU CAN YOU GO A LITTLE BIT MORE INTO THE QUALIFICATION SO LIKE A SPECIAL PROJECTS COORDINATOR WHAT WHAT THE MINIMUM QUALIFICATIONS MUST SOMEONE WHO'S BEING HIRED AS A SPECIAL PROJECTS COORDINATOR MEET.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: WITHOUT HAVING THE JOB SPECIFICATION IN FRONT OF ME I BELIEVE IT DOES REQUIRE A BACHELOR'S DEGREE I BELIEVE IT DOES HAVE ANY EQUIVALENCY CLAUSE TO ACCOUNT FOR EXPERIENCE THAT'S RELEVANT TO I GUESS THE JOB THEY'RE GOING TO PERFORM.

SENATOR BARNETT: SO WOULD YOU SAY THAT THE THE PROCESS FOR HIRING A LIMITED TERM APPOINTMENTS AND UNCLASSIFIED HIRES IS FASTER THAN HIRING IN THE CLASSIFIED SERVICE.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: YES IT IS FASTER.

SENATOR BARNETT: WHY IS THAT SIR.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: IT'S FASTER BECAUSE IT'S LIMITED TERM THE NATURE OF IT IS THAT IT'D BE THEY'D BE HIRED IMMEDIATELY AND GENERALLY DEPARTMENTS WILL TRY TO RECRUIT FOR IT IN THE CLASSIFIED SERVICE WHILE THAT LIMITED TERM PERSON IS EMPLOYED MANY TIMES NOT ALL THE TIME SOMETIMES THE PERSON HOLDING THIS CAPACITY HAS THE OPPORTUNITY TO APPLY FOR THAT CLASSIFIED POSITION ONCE THE ANNOUNCEMENT IS PUT OUT AND AT THAT POINT THE SYSTEM FOR RECRUITING CLASSIFIED EMPLOYEES TAKES TAKES OVER.

SENATOR BARNETT: COULD YOU ASK ANSWER THIS WHAT IS THE POINT OF HAVING PEOPLE COMPETE AND APPLY FOR JOBS THAT ARE AVAILABLE.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: GENERALLY FIRST AND FOREMOST TO UPHOLD THE MERIT SYSTEM AND A SECOND TO TRY AND FILL THOSE VACANCIES THOSE THAT ARE TRULY CLASSIFIED IN NATURE AND SHOULD BE PERMANENT TO TRY AND GET QUALIFIED CANDIDATES IN AND.

SENATOR BARNETT: WOULD YOU AGREE THAT COMPETITION BREEDS EXCELLENCE.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: IN MOST CASES IN MOST CASES YEAH.

SENATOR BARNETT: RIGHT YEAH SO JUST GOING BACK TO CLASSIFIED HIRES IN THE MERIT SYSTEM AND HAVING PEOPLE COMPETE FOR JOBS DO YOU BELIEVE THAT THAT IS SOMETHING THAT SHOULD BE THE PRIORITY OVER HIRING UNCLASSIFIED AND LIMITED TERM APPOINTMENTS SHOULD IT SHOULD SHOULD THAT BE THE NORM.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: IF IF I LOOK AT THAT QUESTION AS FAR AS UH WHAT WE CONSIDER OUR CORE FUNCTION AT DOA THE CLASSIFIED POSITIONS ARE THE PRIORITY.

SENATOR BARNETT: RIGHT.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: WE DO SPEND YOU KNOW A LOT OF TIME AND RESOURCES TO SATISFY THAT PROCESS BUT YES I MEAN THERE ARE LIMITED TERM APPOINTMENTS THAT.

SENATOR BARNETT: RIGHT IT JUST SEEMS TO ME LIKE A SITUATION WHERE IT'S THE EASY WAY HIRING LTAS HIRING PEOPLE YOU KNOW NOT ALLOWING PEOPLE TO COMPETE FOR GOOD JOBS THAT ARE AVAILABLE IS A LOT EASIER THAN FINDING THE BEST PERSON FOR THE JOB AND SO I I JUST WOULD ASK HOW MANY HOW MANY LTAS AND UNCLASSIFIED AND I'VE ASKED THIS THIS IS THE THIRD TIME MR. SHANE HOW MANY UNCLASSIFIED EMPLOYEES ARE IN THE GENERAL PAY PLAN HOW MANY POSITIONS.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: POSITIONS.

SENATOR BARNETT: YEAH.

SENATOR PARKINSON: AGAIN GOING BACK TO TRULY UNCLASSIFIED EMPLOYEES TRULY UNCLASSIFIED POSITIONS YOU'RE PROBABLY LOOKING AT APPROXIMATELY TEN POSITIONS.

SENATOR BARNETT: TEN TITLES.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: TEN TITLES.

SENATOR BARNETT: CAN YOU AGAIN SO THERE'S SPECIAL PROJECTS COORDINATOR.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: RIGHT SPECIAL PROJECT COORDINATORS THE LAW ALLOWS.

SENATOR BARNETT: BECAUSE I DIDN'T SEE THE I'M LOOKING AT YOUR YOUR LETTER HERE THE LIST OF POSITIONS OCCUPATIONAL CATEGORY AND THIS IS THE BENCHMARK LIST OF POSITIONS.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: THAT'S CORRECT YEAH.

SENATOR BARNETT: YEAH CORRECT ME IF I'M WRONG BECAUSE I DIDN'T BRING MY GLASSES BUT I DIDN'T SEE SPECIAL PROJECTS COORDINATOR HERE.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: RIGHT WHAT WE DID WAS WE LOOKED AT THOSE CORE POSITIONS IN THOSE CATEGORIES BUT WE ARE.

SENATOR BARNETT: CORE POSITIONS SIR.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: CORRECT.

SENATOR BARNETT: CORE POSITIONS.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: RIGHT.

SENATOR BARNETT: OKAY CAN YOU DEFINE A CORE POSITION FOR ME.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: CORE POSITIONS BASED ON THE CATEGORY ARE THOSE FOR THAT SPECIFIC CATEGORY WHOSE DUTIES ARE INHERENT AND SIMILAR IN NATURE SO FOR INSTANCE YOU SEE A LOT OF THE CLERICAL POSITIONS TOGETHER YOU SEE A LOT OF THE PROFESSIONAL REGULATORY POSITIONS TOGETHER HIGHLY TECHNICAL SCIENTIFIC POSITIONS TOGETHER.

SENATOR BARNETT: RIGHT.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: SO THOSE ARE THE POSITIONS THAT WE LOOKED AT WE ALSO TOOK A CROSS-REFERENCE OF THE WARM BODIES WITHIN THE LINE AGENCIES TO ENSURE

THAT WE'RE LOOKING AT POSITIONS BEING UTILIZED WE DO HAVE A LOT OF POSITIONS CLASSIFIED POSITIONS THAT ARE OBSOLETE WHICH WE'RE TRYING TO ADDRESS SO WE WANTED TO MAKE SURE THAT WE'RE LOOKING AT POSITIONS DEPARTMENTS ARE HIRING FOR AND ARE CURRENTLY FILLING WITH CLASSIFIED EMPLOYEES.

SENATOR BARNETT: HOW LONG HAVE YOU BEEN WITH THE DEPARTMENT ADMINISTRATION SIR.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: I'M GOING ON SEVENTEEN YEARS.

SENATOR BARNETT: SEVENTEEN YEARS THANK YOU FOR YOUR SERVICE.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: YEAH THANK YOU.

SENATOR BARNETT: I WANTED TO ASK THE NUMBER OF LTAS UNCLASSIFIED EMPLOYEES THAT WE SEE NOW JUST AGENCY TO AGENCY BECAUSE YOU KNOW WHEN I TALK TO PEOPLE I JUST HEAR THAT THERE ARE SO MANY WHY DO WE HAVE SO MANY EMPLOYEES THAT WE'RE HIRING UNDER THE GOVERNMENT OF GUAM THAT ARE NOT HAVING TO COMPETE FOR JOBS LIKE EVERYBODY ELSE ELSE WHO DOESN'T HAVE A CONNECT.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: A LOT OF TIMES THE FEEDBACK I GET FROM AGENCIES IS BECAUSE OF THE EXPEDIENCY OF THE PROCESS.

SENATOR BARNETT: RIGHT SO IT'S EASY.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: YEAH IT'S QUICKER.

SENATOR BARNETT: YEAH IT'S EASY.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: IT'S DEFINITELY QUICKER YEAH.

SENATOR BARNETT: YEAH QUICK AND EASY ISN'T ALWAYS THE BEST WAY RIGHT YOU KNOW WHAT I HEAR ABOUT ABOUT AND THIS IS I'M GONNA WHEN I WAS ON THE CAMPAIGN TRAIL EVEN BEFORE BEING A MEMBER OF THE MEDIA I HAD ALWAYS RECEIVED A LOT OF COMPLAINTS AND AGAIN I'M NOT GENERALIZING BUT I WOULD RECEIVE A LOT OF COMPLAINTS ABOUT LTAS AND HOW THEY WERE WHAT DID YOU SAY ABOUT BODIES WARM BODIES

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: YES.

SENATOR BARNETT: YES WARM BODIES AND THE AGENCIES COMPLAINTS FROM TENURED CLASSIFIED EMPLOYEES WHO WOULD SAY FOR EXAMPLE DEPARTMENT OF LAND MANAGEMENT I RECEIVED NUMEROUS COMPLAINTS THAT THERE WERE SO MANY LTAS TAKING UP SPACE THEY DON'T KNOW WHAT THEY'RE DOING THE GUAM DEPARTMENT OF EDUCATION HIRED A WHOLE BUNCH OF LTAS LAST YEAR I MEAN I THINK OVER YEAH OVER YEAH OVER THERE WAS QUITE A FEW IT'S QUITE A FEW AND SO I HAVE TO ASK AND YOUR HONEST ANSWER PLEASE DO YOU THINK THAT THAT THE GOVERNMENT OF GUAM IS ABUSING THE SYSTEM BY HIRING PLENTY TT LTAS AND POLITICAL HIRES BECAUSE IT DOES SEEM TO BE A WAY TO CIRCUMVENT THE THE PROCESS THE MERIT SYSTEM AND I BELIEVE THAT'S WHAT WE'RE TRYING TO PROTECT HERE RIGHT IS THAT WHAT WE'RE TRYING TO DO HERE.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: YEAH YOU KNOW LOOKING AT WHY A DEPARTMENT WOULD HIRE AN LTA RIGHT AND AND IN MY DISCUSSIONS WITH THOSE DIRECTORS RIGHT A LOT OF WHAT WE HAVE TO HANDLE IN OUR DIVISION IS OF COURSE ALL THE ISSUES AND THE MANDATES THAT THE DEPARTMENT HEADS HAVE TO FILL AND YOU KNOW ON TOP OF THAT PERSONNEL ISSUES THAT THEY HAVE TO TAKE CARE OF YOU KNOW A LOT OF TIMES WHAT FEEDBACK WE GET ESPECIALLY WHEN DEALING WITH LTAS IS LET'S SAY THEY DO HAVE AN EMPLOYEE WHO'S ON MEDICAL PROFILE FOR A LONG TIME THEY NEED SOMEONE TO COME IN AND FILL THE JOB THAT HAPPENS MORE FREQUENTLY THAN PEOPLE KNOW OTHER ISSUES THAT COME UP IS YOU KNOW NON-PERFORMANCE LET'S SAY THEY HAD TO GET RID OF SOMEONE FOR NON-PERFORMANCE.

SENATOR BARNETT: RIGHT.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: THEY NEED SOMEONE IMMEDIATELY TO CONDUCT THAT THE DUTIES OF THAT POSITION ABUSED FROM MY DISCUSSIONS WITH UH THE DIRECTORS THAT WE WORK WITH I I DON'T KNOW IF I CAN CLASSIFY IT AS ABUSE.

SENATOR BARNETT: OKAY.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: YEAH.

SENATOR BARNETT: BUT DO YOU GUYS MAINTAIN A LIST OF QUALIFIED APPLICANTS THAT ARE PRE-SCREENED AND CAN BE HIRED PURSUANT TO THE MERIT SYSTEM.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: IF IF YOU'RE IF A DEPARTMENT REQUESTS FOR US TO SEE IF SOMEONE QUALIFIES FOR THAT POSITION WE DO HAVE A PROFILE ON HAND TO SEE IF THEY QUALIFIED.

SENATOR BARNETT: OKAY AND SO IN THE EVENT OF AGENCY DIRECTOR OR OR SOMEONE COMES TO YOU AND SAYS OH MY GOD WE NEED TO HIRE SOMEONE ASAP WE'RE GOING TO HIRE THIS GUY.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: NO WE WE WON'T WE WON'T GO TO THAT LIST EVEN IF WE PROFILED AN EMPLOYEE BEFORE.

SENATOR BARNETT: RIGHT.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: WE WON'T GO TO THAT AND SAY THIS PERSON IS QUALIFIED WE GENERALLY.

SENATOR BARNETT: SO YOU JUST PUT IT IN THEY PUT IT IN ANOTHER WAY.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: WHAT WE WE WHEN THEY COME TO US WE KIND OF LOOK AT WHAT VACANCIES WE'RE TRYING TO FILL.

SENATOR BARNETT: RIGHT.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: ON THE CLASSIFIED SIDE FOR LTAS WE KIND OF YOU KNOW WE DON'T OFFER UP I GUESS THE ONES THAT WE'VE ALREADY PROFILED.

SENATOR BARNETT: YEAH.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: WE KIND OF JUST WAIT FOR THEM TO TALK TO US AND AND YOU KNOW ASK US WHAT CAN WE DO.

SENATOR BARNETT: I MEAN BECAUSE I CAN UNDERSTAND HOW THE UNCLASSIFIED AND LTAS ARE USED AS A TOOL RIGHT AND AND WHAT SEEMS TO ME WOULD BE LIKE AN EMERGENCY SITUATION BUT I MEAN ARE WE AS A WHOLE ARE ALL THE LINE AGENCIES IN AN EMERGENCY SYSTEM BECAUSE IT SEEMS LIKE THEY'VE BEEN HIRING A LOT OF LTAS AND AND THAT'S WHY I WOULD SAY IT'S ABUSE IS BECAUSE WHEN WE'RE HIRING LTAS HARD-WORKING PEOPLE WHO WANT TO COMPETE FOR JOBS EVEN SOME WHO ARE ALREADY WORKING FROM THE GOVERNOR FOR THE GOVERNMENT OF GUAM AREN'T GETTING THAT OPPORTUNITY AND AGAIN THAT'S WHAT WE'RE TRYING TO PROTECT IS THE MERIT SYSTEM WE'RE TRYING TO TO MAKE PEOPLE GET JOBS THAT THEY DESERVE TO GET BY COMPETING FOR THEM AND BY COMPETING FOR THE JOBS USUALLY THE BEST PERSON GETS THE JOB RIGHT.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: I'D AGREE WITH YOU.

SENATOR BARNETT: OKAY.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: THAT THE MERIT SYSTEM IS DESIGNED FOR THAT AND YEAH MANY TIMES THEY DO GET QUALIFIED PEOPLE THAT END UP BECOMING A VALUED MEMBER OF THEIR ORGANIZATION.

SENATOR BARNETT: RIGHT.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: SO YES A LOT OF TIMES THE MERIT SYSTEM DOES WORK.

SENATOR BARNETT: RIGHT THAT'S IT'S DESIGNED TO WORK RIGHT.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: CORRECT.

SENATOR BARNETT: TO BREED THE BEST EMPLOYEES.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: RIGHT.

SENATOR BARNETT: AND THOSE ARE THE THE CLASSIFIED EMPLOYEES THE TENURED EMPLOYEES ARE THE EMPLOYEES WHO ARE HOLDING UP THE GOVERNMENT OF GUAM RIGHT LTAS COME AND GO ADMINISTRATION OF ADMINISTRATION RIGHT LET ME ASK YOU THIS SO THESE UNCLASSIFIED EMPLOYEES IN 2024 RIGHT AFTER THIS ELECTION AND LET'S SAY THERE'S A CHANGE IN ADMINISTRATIONS WHAT WOULD HAPPEN TO THESE UNCLASSIFIED EMPLOYEES.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: IF WELL IF YOU'RE LOOKING AT LTAS IN THOSE AGENCIES THAT HIRE THEM AND CLASSIFY TITLES MANY TIMES YOU KNOW I I HAVEN'T LOOKED AT YOU KNOW.

SENATOR BARNETT: I MEAN BUT YOU'VE BEEN IN IN DOA FOR SEVENTEEN YEARS RIGHT SO WHEN WE HAVE A CHANGEOVER IN ADMINISTRATIONS LIKE LET'S SAY FOR EXAMPLE GOVERNOR CALVO CHANGE OVER TO THE LEON GUERRERO TENORIO ADMINISTRATION WHAT HAPPENED TO ALL THOSE UNCLASSIFIED EMPLOYEES.

SENATOR SHELTON: THANK YOU SENATOR BARNETT THAT WILL BE THE LAST QUESTION BUT PLEASE ANSWER.

SENATOR BARNETT: THANK YOU MA'AM THANK YOU SHANE.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: GENERALLY I MEAN IT'S I WANT TO SAY IT'S A MIX THERE ARE A LOT OF LTAS THAT ONCE THEIR TERM EXPIRES THEY LEAVE RIGHT BUT THOSE THAT ARE END UP BEING GREAT EMPLOYEES FOR THE AGENCIES AGENCIES WILL REACH OUT AND TRY TO KEEP KEEP THOSE EMPLOYEES THERE BUT A LOT OF FACTORS GO INTO THAT FUNDING RIGHT AND EVERYTHING LIKE THAT SO YEAH I MEAN IT'S A MIX OF WHAT HAPPENS TO THEM.

SENATOR SHELTON: THANK YOU VERY MUCH SENATOR PEREZ.

DOA – DIRECTOR BIRN: CAN I JUST ADD TO THAT.

SENATOR SHELTON: YES MR. BIRNS PLEASE MADAM CHAIRMAN.

DOA – DIRECTOR BIRN: DOA CERTAINLY ADVOCATES THAT THE MERIT SYSTEM AS THE METHOD BY WHICH GOVERNMENT EMPLOYEES SHOULD BE EMPLOYED THERE'S NO DOUBT ABOUT THAT BUT SOME OF THE QUESTIONS THAT YOU'VE JUST ASKED HIGHLIGHT AND WE'VE SPOKEN ABOUT THE DIFFICULTIES IN RECRUITING PEOPLE YOU KNOW WE WE HAVE A LIST WERE WE TO HAVE A FULL A FULL RANGE OF APPLICANTS FOR THAT LIST WE WE WOULDN'T BE EMPLOYING SOME OF THE TECHNIQUES THAT WE HAVE TO TO SHORT CIRCUIT IF YOU LIKE AND I GUESS YOU DIDN'T USE THAT WORD BUT I THINK THAT WAS THE WORD THAT YOU WERE.

SENATOR BARNETT: I THINK IT WAS CIRCUMVENT MAYBE.

DOA – DIRECTOR BIRN: WE WE WOULDN'T WE WOULDN'T DO IT WE WOULD WE WOULD RELY UPON THE TRIED AND TRUSTED SYSTEM BUT THE THE SOME OF THE THINGS THAT SHANE WAS TALKING ABOUT ARE FEDERAL PROGRAMS THAT DON'T LAST IF SENATORS ARE WORRIED ABOUT ONGOING COMMITMENTS A A A LIMITED FEDERAL PROGRAM WHICH HAS AN END DATE REALLY KIND OF DEMANDS THAT YOU DON'T EMPLOY SOMEONE AND MAKE A LIFETIME COMMITMENT BUT YOU DO USE THE THE LTA PROCESS BUT AS I SAY THE DOA IS AN ADVOCATE FOR THE MERIT SYSTEM.

SENATOR BARNETT: THANK YOU MR. BIRNS THANK YOU MADAM CHAIR.

SENATOR SHELTON: THANK YOU VERY MUCH SENATOR PEREZ.

SENATOR PEREZ: THANK YOU MADAM CHAIR I YIELD MY TIME TO SENATOR BARNETT.

SENATOR SHELTON: OKAY YOU MAY CONTINUE FIVE MINUTES ON THE CLOCK SENATOR BARNETT.

SENATOR BARNETT: THANK THANK YOU SENATOR PEREZ FOR YOUR GENEROSITY IT JUST SEEMS TO ME THAT THAT AGAIN WE GET INTO THIS HABIT AND AND THE GOVERNMENT OF GUAM AND I SAY WE IT'S INTERESTING BECAUSE I WASN'T ALWAYS ON THIS SIDE OF THINGS BUT IT JUST KIND OF KIND OF SEEMS TO ME LIKE WE'VE GOTTEN USED TO JUST HIRING PEOPLE THE QUICK AND EASY WAY INSTEAD OF AND THE REASON WHY I'M REALLY TRYING TO HIGHLIGHT THIS POINT IS BECAUSE I GET SO MANY COMPLAINTS ABOUT ABUSES OF THE MERIT SYSTEM THE CIVIL SERVICE COMMISSION AND YOU KNOW THE THE POLITICS OVER THERE AND AND TENURED CLASSIFIED EMPLOYEES FEEL LIKE THEY'RE LOSING OUT RIGHT BECAUSE IT SEEMS AGAIN LIKE WE'VE WE'VE GOTTEN USED TO THIS LTA PROCESS AND THIS UNCLASSIFIED PROCESS AND IT'S WHO YOU KNOW AND THEY'RE NOT HAVING TO COMPETE FOR THESE JOBS LIKE EVERYONE ELSE IS RIGHT SO YOU SEE WHERE I'M

COMING FROM AND AND AGAIN I'M JUST GOING TO GO BACK TO GIVEN THE TEMPORARY NATURE OF THEIR EMPLOYMENT SHOULD WE REALLY PUT TWENTY TWO PERCENT OF YOU KNOW AN INCREASE OF TWENTY TWO PERCENT ON ON THESE UNCLASSIFIED POSITIONS.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: I THINK WHETHER WE SHOULD OR SHOULDN'T YOU KNOW WE'VE YOU KNOW IN AS MANY YEARS AS I'VE WORKED WITH MY PREDECESSORS ON STUDIES LIKE THIS RIGHT AND CONSULTANTS I MEAN WHAT WE'VE PRESENTED WAS A HOLISTIC PLAN FOR MOVEMENT RIGHT AND I THINK THAT'S THAT'S WHAT WE'RE LOOKING AT FOR CONSISTENCY THAT'S I THINK THAT'S WHERE WE COME FROM WHETHER YOU YOU SHOULD CATEGORIZE YOU KNOW AND AND GIVE PAY RAISES BASED ON STATUS I THINK WE WOULD WANT TO STAY CONSISTENT WITH US UH WITH HOW WE PRESENTED THIS TODAY.

SENATOR BARNETT: RIGHT AND AGAIN THAT JUST GOING BACK TO MY FIRST ROUND THAT'S THE PROBLEM WE'RE HAVING IS IT'S HIS PROPOSAL HAS BECOME TAKEN OR LEAVE IT AND I'M NOT SURE HOW THIS BODY CAN CAN GO IN AND AND MAKE CHANGES THAT WE FEEL WOULD YOU KNOW BE MORE PRUDENT OR MORE PALATABLE RIGHT FOR SOME OF THE MEMBERS YES MR. BIRN.

DOA – DIRECTOR BIRN: AGAIN SENATOR MANY OF THESE POSITIONS IF NOT THE MAJORITY OF THESE POSITIONS ARE FEDERALLY FUNDED POSITIONS.

SENATOR BARNETT: I WOULDN'T KNOW BECAUSE WE HAVEN'T WE DON'T HAVE THE NUMBERS YOU HAVEN'T PROVIDED US WITH IT WITH ANY NUMBERS FOR UNCLASSIFIED EMPLOYEES.

DOA – DIRECTOR BIRN: BUT YEAH BECAUSE IT YOU KNOW IT'S NOT PART OF THE BILL BECAUSE THEY'RE FUNDED BY BY THE FEDERAL GOVERNMENT.

SENATOR BARNETT: NOT ALL OF THEM THOUGH RIGHT.

DOA – DIRECTOR BIRN: THERE'S A VERY FEW AND AND THAT'S WHAT HAPPENS.

SENATOR BARNETT: HANDFUL.

DOA – DIRECTOR BIRN: REFERRING TO A HANDFUL BUT CAN I PLEASE FINISH MY THOUGHTS.

SENATOR BARNETT: YES SIR.

DOA – DIRECTOR BIRN: THE SO THE THE FACT THAT THEY'RE FEDERALLY FUNDED AND AS I JUST MENTIONED HAVE POSSIBLY LIMITED GRANTS TO WHICH THEY'RE THEY'RE IN THEY'RE ENTITLED BUT THEY'RE ACTUALLY WORKING UNDER BUT THEY'RE SITTING NEXT TO AND DOING THE SAME JOB IN THE IN MANY CASES AS SOMEONE WHO IS OR HAS BEEN EMPLOYED UNDER THE MERIT SYSTEM THAT THOSE THOSE WHEREAS THE EMPLOYEE WHO HAS BEEN HIRED ON THE MERIT SYSTEM MAY FEEL AGGRIEVED BY THE FACT THAT SOMEBODY SITTING NEXT TO THEM WAS HIRED AS AN UNCLASSIFIED EMPLOYEE EQUALLY WELL WITH THE UNCLASSIFIED EMPLOYEE MIGHT FEEL AGGRIEVED IF THEY DIDN'T GET THE SAME COMPENSATION FOR DOING THE SAME WORK AS THE.

SENATOR BARNETT: YEAH BUT WOULDN'T YOU WOULDN'T YOU THEN SAY HEY GO APPLY FOR A JOB AND COMPETE FOR JUST LIKE EVERYONE ELSE AND EARN THAT TWENTY TWO PERCENT.

DOA – DIRECTOR BIRN: I WOULD CERTAINLY ENCOURAGE ANYBODY THAT CAN TO APPLY FOR A JOB ON THE OPEN LISTINGS AND I DO.

SENATOR BARNETT: SHANE WERE YOU TALKING EARLIER ABOUT UNCLASSIFIED EMPLOYEES MOVING TO CLASSIFIED POSITIONS CAN YOU GIVE ME MORE DETAIL ON THAT.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: I THINK IF WE'RE TALKING ABOUT THOSE EMPLOYEES WHO ARE HIRED USING THE LTA PROCESS AND THEY DO APPLY FOR AN OPENING YES THEY CAN APPLY AND THEY'LL GET PUT ON A LIST RIGHT BASED ON THEIR QUALIFICATIONS AND RANKED AGAINST EVERYONE ELSE WHO APPLIED THAT QUALIFIED THAT PROCESS I MEAN THEY'LL STILL HAVE TO GO THROUGH INTERVIEWS RIGHT DEPARTMENTS WILL STILL SELECT SO THAT'S GENERALLY HOW ANYONE RIGHT WOULD MAKE IT INCLUDING THE LTAS WOULD MAKE IT INTO THE CLASSIFIED SERVICE.

SENATOR BARNETT: IS THERE A WAITING PERIOD AFTER YOU'RE UNCLASSIFIED DO YOU HAVE TO WAIT A CERTAIN AMOUNT OF TIME TO BE HIRED INTO THE CLASSIFIED SERVICE.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: NO THERE'S NO WAITING PERIOD FOR THAT.

SENATOR BARNETT: YOU SURE.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: THERE WAS A STATUE THAT PRESCRIBED ONE I BELIEVE THERE'S AN AG OPINION THAT STATED THAT IT WAS INORGANIC IN NATURE.

SENATOR BARNETT: WOW.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: BUT SO AND THAT WAS YEARS AGO RIGHT.

SENATOR BARNETT: RIGHT.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: SO BUT IT STILL STANDS TODAY THAT WE DON'T IMPOSE A WAITING PERIOD ON THAT.

SENATOR BARNETT: EARLIER I TALKED ABOUT OUR ABILITY OR INABILITY TO TO GO INTO THIS PROPOSAL AND YOU KNOW I MEAN SOME OF THE COLLEAGUES WERE TALKING ABOUT SLIDING SCALE SOME WERE TALKING ABOUT THEY DON'T WANT ANYONE MAKING OVER X AMOUNT OF DOLLARS TO GET THE THE TWENTY TWO PERCENT OR WHATEVER BUT BUT IN YOUR OPINION IF WE WERE TO EXCLUDE UNCLASSIFIED EMPLOYEES LET'S SAY WITH THE EXEMPTION OF THE MAYOR'S STAFF RIGHT BECAUSE WELL THOSE GUYS WORK HARD MAN THEY DESERVE THIRTY TWO PERCENT WHAT WOULD WHAT WOULD THE THE IMPACT OF THAT BE AND AND DO YOU THINK THAT THAT'S SOMETHING THAT THAT WE'RE ABLE TO DO AS A BODY.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: YOU KNOW I BELIEVE THE BODY CAN BASICALLY PASS WHAT WHAT THEY WHAT THEY NEED TO IN LAW BUT I GUESS THE ONLY THING ABOUT CAUTION IS WITHOUT YOU KNOW SEEING WHAT ACTUALLY COMES OUT OF IT IS WE WOULDN'T UNDERSTAND THE FULL IMPACT OF WHAT IT WOULD DO TO AN ORGANIZATION IF YOU START YOU KNOW CHANGING OR HAVING SLIDING SCALES OR THE RATIONALE BEHIND THAT HOW THAT WOULD AFFECT UNCLASSIFIED EMPLOYEES AND THE OPERATIONS RIGHT THERE ARE A LOT OF LTAS THAT DO SUPPORT CLASSIFIED EMPLOYEES AND IF A RESIDUAL EFFECT OF ANY ACTION HAS A LOT OF THOSE CURRENT LTA EMPLOYEES LEAVING THEN THERE WILL BE AN IMPACT ON THE CLASSIFIED EMPLOYEES THAT ARE THERE AND AGAIN AND AND I KNOW WE STATED THAT IT'S YOU KNOW CONSISTENCY IS WHAT WE'RE LOOKING FOR.

SENATOR BARNETT: RIGHT.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: AND BUT IN THAT NOTION IF YOU START LOOKING AT CHANGING HOW PAY IS ADMINISTERED BASED ON STATUS THERE'S A LOT OF WORK THAT WOULD HAVE TO GO INTO THAT.

SENATOR BARNETT: RIGHT.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: TO MAKE SURE THAT DEPARTMENTS DON'T GET ADVERSELY AFFECTED.

SENATOR BARNETT: I'M LOOKING FOR CONSISTENCY TOO AND I WOULD JUST SAY THAT THE TENURED CLASSIFIED EMPLOYEES IN THE GOVERNMENT OF GUAM ARE THE MOST CONSISTENT THEY'RE CONSISTENTLY ON THE JOB FROM ADMINISTRATION TO ADMINISTRATION THEY DON'T NEED TO GO OUT AND CAMPAIGN FOR ANYBODY TO TO KEEP THEIR JOB WHEN WE CHANGE FROM A REPUBLICAN GOVERNOR TO A DEMOCRAT GOVERNOR A DEMOCRAT GOVERNOR TO A DIFFERENT DEMOCRAT GOVERNOR OR WHATEVER THE SITUATION MAY BE THEY STILL HAVE A JOB YEAH AND I THINK THAT YOU KNOW THAT THAT SHOULD BE OUR PRIMARY FOCUS IS UPHOLDING AND REWARDING THE EMPLOYEES IN THE CLASSIFIED SERVICE AND AND I JUST HAVE TO SAY I DON'T KNOW WHAT THE NUMBERS ARE BECAUSE WE DON'T SEE THEM THAT BASED ON MY READ OF THE ROOM WE ARE ABUSING THE PROCESS FOR HIRING UNCLASSIFIED EMPLOYEES WHETHER THEIR POLITICAL HACKS OR NOT AND LTAS RIGHT I UNDERSTAND IT'S A IT'S A TOOL THAT ALLOWS THE GOVERNMENT OF GUAM TO REACT QUICKLY TO FILL A VACANCY OR WHATEVER BUT I MEAN WHEN WE'RE SEEING YOU KNOW LTAS TO THE TUNE OF A HUNDRED FIFTY IN AN AGENCY TO ME THAT JUST IT SMELLS BAD AND AND IT'S AGAIN PERVERTING THIS THE SYSTEM THE SYSTEM IN WHICH WE ALLOW OUR PEOPLE TO TO COMPETE FOR JOBS AND HIRE THE BEST APPLICANT RIGHT.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: YEAH I I DEFINITELY AGREE WITH YOU THAT THE CLASSIFIED EMPLOYEES RIGHT ENSURE CONTINUITY OF BUSINESS RIGHT AND THAT'S THE WHOLE PURPOSE

OF THAT CLASS OF EMPLOYEE AND BUT I I WOULD ALSO BE REMISS IF I DIDN'T SAY THAT SOME LTAS POSITIONS THAT ARE FILLED DO SERVE A FUNCTION YEAH.

SENATOR BARNETT: I AGREE WITH YOU ALL THE WAY BUT THE PROBLEM IS I I I I DON'T HAVE A CLEAR READ ON HOW MANY OF THOSE EMPLOYEES ACTUALLY DO PLAY A VITAL ROLE AND HOW MANY OF THOSE EMPLOYEES MAY PLAY A VITAL ROLE THAT COULD BE PLAYED BY SOMEONE WHO ACTUALLY COMPETED FOR THE JOB THE GOOD OLD-FASHIONED WAY.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: RIGHT AND AND WE YOU KNOW AT TIMES WE DO HAVE THOSE DISCUSSIONS WITH DEPARTMENTS THEY THEY ARE THE THEY KNOW THEIR ORGANIZATIONS THE BEST.

SENATOR BARNETT: YEAH.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: AND SO HOW THEY UTILIZE THOSE APPOINTMENTS IN LINE AND WITH THEIR CLASSIFIED EMPLOYEES I MEAN.

SENATOR BARNETT: YEAH BECAUSE YOU HEAR IT ALL THE TIME FROM THE CLASSIFIED WORKERS RIGHT AND THEY'RE AND AND YOU DON'T HEAR IT VERY LOUDLY BECAUSE THEY'RE SCARED TO TALK BUT THEY SAY THINGS LIKE OH THIS LTA OR THIS SPECIAL PROJECTS COORDINATOR IS CONNECTED OR WHATEVER SO YOU KNOW WE GOT TO BE CAREFUL AROUND THEM OR THEY DON'T HAVE TO DO ANYTHING OR THEY DON'T EVEN COME TO WORK OR THEIR BUDDY BUDDY WITH THE DIRECTOR AND I JUST HEAR TOO MANY OF THOSE STORIES SO AGAIN THAT'S WHY I WOULD PREFER TO UPHOLD THE CLASSIFIED AND THE MERIT SYSTEM BUT I DO UNDERSTAND THAT CERTAIN UNCLASSIFIED POSITIONS AND EMPLOYEES ARE THERE YOU KNOW FOR GOOD REASON AND PERFORMING GOOD ROLES LIKE THE SITUATIONS OF MR. BIRN EXPLAINED BUT AGAIN WITHOUT ANY OF THAT IN BLACK AND WHITE AND WHEN SOME OF THESE UNCLASSIFIED POSITIONS AREN'T EVEN LISTED OR AREN'T EVEN A CORE POSITION ENOUGH TO BE CONSIDERED AS PART OF YOUR BENCHMARK LIST OF POSITIONS THEN I JUST GET THE QUESTIONS RIGHT AND AND I DON'T WANT THIS TO BE PAINTED AS I DON'T SUPPORT THESE THESE RAISES BECAUSE I DO I DEFINITELY FEEL LIKE THERE ARE A LOT OF HARD-WORKING PEOPLE IN THE GENERAL PAY PLAN WHEN I THINK OF GOOD HARD-WORKING PEOPLE IN THE CLASSIFIED SERVICE I THINK THAT THOSE ARE THE THE PEOPLE THAT WE SHOULD BE REWARDING FIRST.

SENATOR BARNETT: THANK YOU MA'AM.

SENATOR SHELTON: THANK YOU VERY MUCH THAT'S YOUR TIME YOU MAY RESPOND.

DOA – PERSONNEL SERVICES ADMINISTRATOR SHANE NGATA: I AGREE WITH YOU AS FAR AS THE CLASSIFIED EMPLOYEES ARE CONCERNED.

SENATOR BARNETT: THANK YOU MR. SHANE.

SENATOR SHELTON: THANK YOU VERY MUCH SENATOR BROWN.

SENATOR BROWN: THANK YOU VERY MUCH MADAM CHAIR I JUST WANTED TO FOLLOW UP BECAUSE THE FINANCE STAFF PROVIDED ME WITH SOME OF THE INFORMATION THAT I INQUIRED FROM YESTERDAY AND I WANTED TO GO OVER WITH THEM THE INFORMATION THAT THEY HAVE CONTAINED IN THE WRITE-UP THAT THEY PROVIDED TO ME I'M GONNA ASK THE SERGEANT OF ARMS IF YOU COULD PASS OUT THE COPIES TO THOSE THAT DON'T HAVE A COPY OF THIS THIS IS CONCERNING THE PERSONNEL BREAKDOWN I'M SURE THERE SHOULD BE MORE THAN ENOUGH HERE FOR THE BODY AND NUMBERS THAT ARE HERE THEY'LL JUST PASS IT OUT TO THE I WANT TO GO OVER THESE FIGURES AND JUST TO GET CLARIFICATION BECAUSE WE HAVE BEEN TOLD WE'VE BEEN TOLD THAT WE HAVE A DECLINING NUMBER OR YOU KNOW WE HAVE A REAL CHALLENGE IN TRYING TO MAINTAIN GOVERNMENT OF GUAM PERSONNEL AND SO I WANTED TO GO OVER THE FIGURES WITH THE INFORMATION THAT WAS PROVIDED FOR OUR INFORMATION HERE AND CERTAINLY FOR THE GENERAL PUBLIC SO IF I COULD GO OVER I DON'T KNOW WHO WOULD LIKE ON THE FINANCE TEAM THERE TO GO OVER THESE NUMBERS IF WE COULD IF YOU COULD READ OUT THE NUMBERS AT LEAST FROM THE INFORMATION FROM 2017 TO 2021 THE NUMBER OF EMPLOYEES.

OFB – DIRECTOR GUERRERO: YES SENATOR I'LL.

SENATOR BROWN: IF YOU DON'T MIND STEVE TO READ THAT OUT.

OFB – DIRECTOR GUERRERO: YES I'LL HAVE LLEWELYN GO OVER IT.

SENATOR BROWN: I APPRECIATE IT.

OFB – DIRECTOR GUERRERO: SHE'S THE ONE THAT COMPILED INFORMATION SO SHE KNOWS THE DETAILS.

SENATOR BROWN: THANK YOU VERY MUCH LLEWELYN THANK YOU IF YOU COULD PROVIDE THAT INFORMATION I MEAN WE HAVE THE COPIES HERE BUT FOR THE GENERAL PUBLIC THAT MIGHT BE LISTENING.

OFB – CHIEF FISCAL ANALYST TERLAJE: SO SENATOR FOR 2017 WE HAVE THREE THOUSAND SIX HUNDRED SIXTY EIGHT EMPLOYEES 2018 THREE THOUSAND THREE HUNDRED EIGHTY TWO 2019 FIVE THOUSAND ONE HUNDRED EIGHTY FIVE IN 2020 FIVE THOUSAND FOUR HUNDRED TWENTY THREE AND IN 2021 FIVE THOUSAND FOUR HUNDRED SEVENTY NINE WE TOOK THESE NUMBERS FROM THE GOV GUAM AUDIT FOR 2020 2021 THERE WAS NO GENERAL FUND COUNT THIS IS STRICTLY GENERAL FUND SO WE UTILIZED AN AVERAGE OF SIXTY SIX POINT SIX PERCENT BASED ON WHAT WAS REPORTED IN 2019 TO GET THE THE COUNTS FOR 2020 AND 2021.

SENATOR BROWN: AND THESE YOU MENTIONED ARE AUDITED FIGURES THIS IS FROM OUR PUBLIC AUDITOR.

OFB – CHIEF FISCAL ANALYST TERLAJE: THIS IS IN THE FINANCIAL AUDIT THE GOV GUAM FINANCIAL AUDIT.

SENATOR BROWN: AND ARE THESE JUST EMPLOYEES ON THE GENERAL FUND.

OFB – CHIEF FISCAL ANALYST TERLAJE: YES.

SENATOR BROWN: SO IT WOULDN'T INCLUDE ANY AUTONOMOUS AGENCIES.

OFB – CHIEF FISCAL ANALYST TERLAJE: I DID NOT SEE NO.

SENATOR BROWN: DOES IT INCLUDE THE LEGISLATURE THE JUDICIAL.

OFB – CHIEF FISCAL ANALYST TERLAJE: YES.

SENATOR BROWN: WHY DON'T WE DO A MARKING POINT THEN FROM 2018 TO 2019 SINCE WE WANT TO TALK ABOUT PREVIOUS GOVERNORS LET'S TALK ABOUT MINE 2018 YOU INDICATED THERE WERE THREE THOUSAND THREE HUNDRED EIGHTY TWO EMPLOYEES IN THE GENERAL FUND 2019 THAT INCREASED ACCORDING TO THESE AUDITED NUMBERS TO FIVE THOUSAND ONE HUNDRED EIGHTY FIVE CAN YOU TELL ME HOW MANY HOW MUCH WAS THAT INCREASE JUST IN THIS PERIOD FROM 2018 TO 2019.

OFB – DIRECTOR GUERRERO: SIXTY-FIVE.

OFB – CHIEF FISCAL ANALYST TERLAJE: HUH.

OFB – CHIEF FISCAL ANALYST TERLAJE: ONE THOUSAND EIGHT HUNDRED THREE.

OFB – DIRECTOR GUERRERO: SHE'S ASKING FOR THE DIFFERENCE BETWEEN THE TWO SEVENTY AND THE TWO TWENTY-TWO.

OFB – CHIEF FISCAL ANALYST TERLAJE: WHICH ONE.

OFB – DIRECTOR GUERRERO: SHE'S ASKING WHAT'S THE DIFFERENCE BETWEEN THOSE TWO.

OFB – CHIEF FISCAL ANALYST TERLAJE: OH THIS ONE COUNT.

OFB – DIRECTOR GUERRERO: YEAH.

OFB – CHIEF FISCAL ANALYST TERLAJE: ONE THOUSAND EIGHTY ONE THOUSAND EIGHT HUNDRED THREE.

SENATOR BROWN: IF THESE ARE INDEED EXACT FIGURES AND THESE ARE AUDITED AMOUNTS WE WENT FROM 2018 ON THE GENERAL FUND WITH THREE AND THIS INCLUDES THE DEPARTMENT OF EDUCATION.

OFB – CHIEF FISCAL ANALYST TERLAJE: YES.

SENATOR BROWN: I JUST WANT TO MAKE SURE THIS INCLUDES THE DEPARTMENT OF EDUCATION AS WELL.

OFB – CHIEF FISCAL ANALYST TERLAJE: YES.

SENATOR BROWN: THREE THOUSAND THREE HUNDRED EIGHTY TWO EMPLOYEES IN 2018 TO FIVE THOUSAND ONE HUNDRED EIGHTY FIVE EMPLOYEES AND YOU SAID THAT'S AN INCREASE OF ONE THOUSAND.

OFB – CHIEF FISCAL ANALYST TERLAJE: EIGHT HUNDRED.

SENATOR BROWN: EIGHT HUNDRED AND THREE EMPLOYEES IF IT WAS MINUS ONE THOUSAND EIGHT HUNDRED EMPLOYEES I MIGHT BE A LITTLE CONCERNED YOU KNOW THAT WOULD JUMP OUT AT ME ALL TOGETHER WHAT WHAT IS THE INCREASE OF THE INFORMATION YOU HAVE HERE FROM 2021 MINUS WHAT WE HAD IN 2017 HOW MANY HOW MANY EMPLOYEES ALTOGETHER IS THE DIFFERENCE BETWEEN WHAT WE HAD IN 2017 AND 2021.

OFB – CHIEF FISCAL ANALYST TERLAJE: ONE THOUSAND EIGHT HUNDRED ELEVEN.

SENATOR BROWN: SO FROM 2017 TO 2021 THESE FIGURES SHOW ALMOST AN INCREASE OF MINUS I GUESS ABOUT MAYBE EIGHTY NINE EMPLOYEES TWO THOUSAND ADDITIONAL MORE EMPLOYEES INTO THE GENERAL FUND LINE AGENCIES DO WE HAVE ANY IDEA WHERE THESE EMPLOYEES ARE OR WHERE DID THIS INCREASE GO TO.

OFB – DIRECTOR GUERRERO: AGENCIES BUT ALSO.

OFB – CHIEF FISCAL ANALYST TERLAJE: YEAH WE DIDN'T AN ANALYSIS OF THAT OF WHAT AGENCY EXACTLY CAME CAME FROM WE JUST DID THE BOTTOM LINE.

SENATOR BROWN: CAN YOU LET ME KNOW OKAY IN 2020 SEVENTEEN HOW MANY HOW MUCH WAS THE COST OF THESE THREE THOUSAND SIX HUNDRED SIXTY EIGHT EMPLOYEES IN 2017.

OFB – CHIEF FISCAL ANALYST TERLAJE: TWO HUNDRED TWENTY THREE MILLION FOUR HUNDRED TWENTY SEVEN THOUSAND SIX HUNDRED FORTY THREE DOLLARS.

SENATOR BROWN: DOES THIS INCLUDE ALL THEIR BENEFITS I MEAN THIS IS JUST IS THIS JUST PAYROLL DOES THIS INCLUDE ANY SUPPLIES RESOURCE EQUIPMENT IS THIS JUST PERSONNEL COST.

OFB – CHIEF FISCAL ANALYST TERLAJE: FOR THE SCHEDULE IT JUST SAYS PERSONNEL COSTS SO I ASSUME IT'S EVERYTHING THAT WOULD BE CAPTURED AND.

SENATOR BROWN: OKAY IN THE MOST RECENT AUDIT YOU SAY HERE IS 2021 WHAT IS THE COST OF THE EMPLOYEES LISTED I SEE IT SAYS FIVE THOUSAND FOUR HUNDRED SEVENTY NINE EMPLOYEES ON THE LINE AGENCIES.

OFB – CHIEF FISCAL ANALYST TERLAJE: YES.

SENATOR BROWN: AND WHAT IS THAT COST AT.

OFB – CHIEF FISCAL ANALYST TERLAJE: TWO HUNDRED NINETY SIX MILLION SEVENTY FOUR THOUSAND SEVEN HUNDRED TWENTY NINE.

SENATOR BROWN: WHAT IS THE DIFFERENCE BETWEEN THE EMPLOYEE COSTS FROM 2021 MINUS THE EMPLOYEE COSTS IN 2017 I'M HAPPY YOU'RE THE NUMBERS PERSON YOU CAN HELP ME ADD THAT UP FASTER THAN I CAN.

OFB – CHIEF FISCAL ANALYST TERLAJE: SIX FOUR THREE SEVENTY TWO MILLION SIX HUNDRED FORTY SEVEN THOUSAND EIGHTY SIX DOLLARS.

SENATOR BROWN: SO FROM 2017 ON THESE AUDITED FIGURES THAT YOU PROVE YOUR OFFICE HAS PROVIDED WE'VE HAD AN INCREASE OF SEVENTY TWO MILLION SIX HUNDRED THOUSAND PLUS ADDITIONAL COSTS FROM THE GENERAL FUND.

OFB – CHIEF FISCAL ANALYST TERLAJE: CORRECT CORRECT.

SENATOR BROWN: JUST PERSONNEL COSTS THIS IS ONE TWO THREE FOUR FIVE WITHIN A FIVE-YEAR PERIOD IS THAT CORRECT.

OFB – CHIEF FISCAL ANALYST TERLAJE: YES CORRECT.

SENATOR BROWN: COLLEAGUES AGAIN THESE ARE NOT MY FIGURES AND IF THESE ARE INDEED CORRECT IT'S LISTED AS AUDITED EMPLOYEE NUMBERS I I DON'T I'M I'M BAFLED ON THE ARGUMENT THAT THE GOVERNMENT OF GUAM IS SOMEHOW HAVING DIFFICULTY RETAINING EMPLOYEES IF ANYTHING THE FIGURES HERE SHOW THAT WE'VE HAD SUCH A SIGNIFICANT INCREASE OF EMPLOYEES ON THE GENERAL FUND IN LINE AGENCIES SEVENTY TWO MILLION PLUS DOLLARS AND THAT DOESN'T INCLUDE ANY ADDITIONAL COSTS WE'VE HAD THIS OF COURSE THIS DOESN'T REFLECT YET BECAUSE THOSE NUMBERS I ASSUME AREN'T COMPLETED FOR 2022.

OFB – CHIEF FISCAL ANALYST TERLAJE: CORRECT IT'S NOT COMPLETED.

SENATOR BROWN: AND DOESN'T INCLUDE THE COST OF ANY ADDITIONAL RAISES FOR POLICE OFFICERS NURSES TEACHERS.

OFB – DIRECTOR GUERRERO: SENATOR IF IT INCLUDED ANY ONE OF THOSE PAY RAISES ADJUSTMENTS OR ANYTHING THAT IT IS CAPTURED WITHIN THE TOTAL WHEN WE LOOK AT THE AUDIT WE JUST TAKE THE BOTTOM LINE AND TAKE WHAT IT IS FROM THE GENERAL FUND IT'S IT WILL BE AN ENORMOUS TASK FOR GOAL TO GO BACK AND TRY TO BREAK THAT AMOUNT DOWN INTO SPECIFIC ITEMS OF EXPENDITURES BUT IN ALL FAIRNESS I THINK MAYBE MR. BIRNS WOULD LIKE TO KIND OF QUANTIFY THE THE NUMBERS IN THE AUDIT ITSELF BECAUSE ALL WE'RE TAKING THIS IS THE WHOLE NUMBERS SUBTRACTING THE GENERAL FUND AND THAT IS WHAT WE'RE REPORTING HERE.

DOA – DIRECTOR BIRN: SENATOR I'M LOOKING AT THE SCHEDULE I HAPPEN TO HAVE THE 2021 AUDIT STATEMENTS IN FRONT OF ME HERE SO I'M LOOKING AT THE 2021 AUDIT AND LET ME BE REALLY PRECISE ABOUT THIS IT'S INCLUDED IN THE AUDIT BECAUSE THE BUDGET REQUIRES THAT THESE NUMBERS BE INCLUDED IN THE AUDIT BUT THEY'RE NOT SUBJECT TO AUDIT IF YOU LOOK AT THE AUDIT REPORT THE AUDIT REPORTS SPECIFICALLY DISCLAIMS THE AUDIT THE AUDIT PROCEDURES ON THIS PARTICULAR SCHEDULE SO I WANT TO BE REALLY CLEAR ABOUT THAT.

SENATOR BROWN: I I.

DOA – DIRECTOR BIRN: THE ACTUAL NUMBER THE ACTUAL NUMBER OF EMPLOYEES THAT'S LISTED IN THIS SCHEDULE IS EIGHT HOUSE EIGHT EIGHT THOUSAND TWO HUNDRED AND THIRTY THAT INCLUDES EVERY EMPLOYEE HOWEVER FUNDED.

SENATOR BROWN: DOES THAT INCLUDE AUTONOMOUS AGENCIES.

DOA – DIRECTOR BIRN: NO IT DOESN'T INCLUDE AUTONOMOUS AGENCIES BUT IT DOES INCLUDE THE ATTORNEY GENERAL THE JUDICIARY AND THE LEGISLATURE BECAUSE THEY'RE PART OF THE GENERAL FUND.

SENATOR BROWN: WELL I THINK IT'D BE GOOD TO GET THOSE.

DOA – DIRECTOR BIRN: AND MAY I FINISH.

SENATOR BROWN: NO I NO I'M GONNA I'M INTERJECTING I'M SORRY IT'S MY TIME I GET TO DO. THAT.

DOA – DIRECTOR BIRN: THEN I'M AFRAID YOU WILL BE MISLED.

SENATOR BROWN: WELL I'M THAT'S I'M ASKING THE FINANCE COMMITTEE TO STAFF TO CLARIFY THIS INFORMATION BECAUSE THEY'RE THE ONES THAT PROVIDED THE INFORMATION IF THERE'S DIFFERENT INFORMATION THEN PERHAPS YOU WE CAN GET THAT FROM WHAT YOU HAVE ON THE EIGHT THOUSAND AND GET GIVE US FIGURES AND AMOUNTS THAT WILL CLARIFY EXACTLY WHAT BECAUSE IT'S A VERY DIRECT QUESTION IT'S NOT A COMPLICATED QUESTION.

DOA – DIRECTOR BIRN: NO THE QUESTION ISN'T COMPLICATED MAY I FINISH.

SENATOR BROWN: I DON'T THINK IT'S COMPLICATED AT ALL I I DISAGREE AND I'M RUNNING OUT OF TIME FOR THIS ROUND BUT IF THESE AMOUNTS HAVE INDEED INCREASED AND NUMBERS HAVE INDEED INCREASED UNLESS YOU HAVE INFORMATION TO THE CONTRARY THAT THE NUMBERS ARE LESS I THINK WE'D LIKE TO SEE THEM PERHAPS YOU CAN COMPILE THEM AND PROVIDE THEM FOR US.

DOA – DIRECTOR BIRN: YES CERTAINLY.

SENATOR BROWN: BY ALL MEANS I THINK THE PUBLIC HAS A RIGHT TO KNOW AT LEAST I'M ASSUMING AND I KNOW I HAVE A FEW SECONDS LEFT BUT BUT I WANTED TO ASK STEVE MR. GUERRERO JUST TO CLARIFY THIS IS THE INFORMATION YOU HAVE WHERE DID YOU OBTAIN THIS INFORMATION BECAUSE IT APPEARS IF MR. BIRNS HAS DIFFERENT INFORMATION OR DOESN'T AGREE WITH THIS INFORMATION BECAUSE I DIDN'T GENERATE IT.

OFB – CHIEF FISCAL ANALYST TERLAJE: HI I'LL GO AHEAD YEAH SO AGAIN I COMPILED IT BASED ON THE AUDITED FIGURES AND MR. BIRN IS REFERENCING THE EIGHT THOUSAND TWO HUNDRED THIRTY AMOUNT AND IT DIDN'T BREAK OUT PER GENERAL FUND IT LIKE THE OTHER AUDIT IN 2018 WHICH IT BROKE DOWN OF THE EIGHT EIGHT THOUSAND TWO HUNDRED SO SO MUCH IS FOR GENERAL FUND.

SENATOR BROWN: SO.

OFB – CHIEF FISCAL ANALYST TERLAJE: I USE A A RATIO TO TRY AND AT LEAST GET SOME KIND OF FIGURE FOR ANALYSIS.

SENATOR BROWN: SO SO ARE THESE FIGURES FROM GENERAL FUND THESE ARE FUNDED BY THE GENERAL FUND I WANT TO CLARIFY THAT ARE THESE POSITIONS FUNDED BY THE GENERAL FUND.

OFB – CHIEF FISCAL ANALYST TERLAJE: CORRECT IF THE COUNT AGAIN IS AN ESTIMATE.

SENATOR BROWN: YES.

OFB – CHIEF FISCAL ANALYST TERLAJE: BUT THE COST IS THAT'S WHAT'S BROKEN DOWN IN THE AUDIT YES IN THE SCHEDULE.

SENATOR BROWN: I'M SO DO YOU STAND BY THIS FIGURE AT LEAST FROM THESE FIGURES HERE OF AN INCREASE OF SEVENTY TWO MILLION ABOUT FROM 2017 TO 2021.

OFB – CHIEF FISCAL ANALYST TERLAJE: I MEAN IT'S BASED ON THE SOURCE THAT'S WHAT WE GOT IT FROM.

SENATOR BROWN: WELL ULTIMATELY OF COURSE I MEAN I.

OFB – DIRECTOR GUERRERO: AGAIN AGAIN SENATOR THESE THESE FIGURES ARE FROM THE AUDIT SO WE JUST TAKE THE AUDIT AND TAKE THESE FIGURES TO VERBATIM ALL WE DID IN 20 AND 21 BECAUSE IT DID NOT BREAK IT DOWN WE USED TO WE USE A PERCENTAGE OF 20 TO CALCULATE THE AMOUNT WITH 20 WITH 21 SO IF YOU LOOK ON THE ON THE ORDER FOR 20 WE SHOW THAT THERE IS ACTUALLY A TOTAL OF EIGHT THOUSAND ONE HUNDRED FORTY SIX POSITIONS BUT BECAUSE IT DIDN'T BREAK IT DOWN INTO THE GENERAL FUND WHAT WE DID SHE TOOK A PERCENTAGE OF THE 2020 AND APPLIED IT TO THE 21 TO COME UP WITH A REASONABLE NUMBER AND THAT'S HOW I KNOW MY MR. BIRNS IS CORRECT.

SENATOR BROWN: I KNOW MY TIME IS UP SO WOULD YOU SAY THESE ARE REASONABLE NUMBERS.

SENATOR PARKINSON: POINT OF ORDER MADAM CHAIR TIME IS UP.

SENATOR BROWN: EXCUSE ME.

SENATOR SHELTON: YES SENATOR BROWN YOUR TIME IS UP.

SENATOR BROWN: I UNDERSTAND I'M JUST WRAPPING UP I JUST WANT TO VERIFY IF YOU DON'T MIND.

SENATOR PARKINSON: POINT OF ORDER MADAM CHAIR.

SENATOR BROWN: I DON'T THINK WE ALL HAVE TO RAISE OUR VOICE OR INTERJECT AND BE RUDE I JUST WANT TO VERIFY IF YOU DON'T MIND.

SENATOR PARKINSON: POINT OF ORDER MADAM CHAIR SHE'S OUT OF TIME.

SENATOR SHELTON: MR. GUERRERO PLEASE CLOSE UP MR. GUERRERO.

SENATOR BROWN: MR. GUERRERO I JUST WANT TO VERIFY THAT YOU STAND BY THE INFORMATION THAT YOU HAVE PROVIDED.

OFB – DIRECTOR GUERRERO: YES I DO SENATOR.

SENATOR BROWN: I APPRECIATE IT THANK YOU VERY MUCH MR. GUERREO THANK YOU.

SENATOR SHELTON: THANK YOU SENATOR BROWN.

SENATOR PARKINSON: POINT OF INQUIRY MADAM CHAIR.

SENATOR SHELTON: YES.

SENATOR PARKINSON: DOES THE TIME MATTER OR CAN WE JUST GO OVER IT ARBITRARILY.

SENATOR SHELTON: YES WE ALLOW SOME LEEWAY FOR COLLEAGUES TO WRAP UP SO WE'VE ALLOWED IT FOR OTHERS AND WE WE DO THAT AS A COURTESY WE TRY TO KEEP THE TIME AS BEST WE CAN SENATOR LUJAN.

SENATOR LUJAN: THANK YOU MADAM CHAIR THANK YOU TO MY COLLEAGUE SENATOR JOANNE BROWN AS NANA WILL SAY *LECHE MA'CHUDA* CARNATION MILK ANYWAY I WOULD LIKE TO JUST IT WAS PRETTY PREVIOUSLY ASKED AND AND ANSWERED IN REGARDS TO WHETHER OR NOT THE ACTIONS OR BUDGETING PROCESS OR WHATEVER IT MAY BE FROM THE FEDS HAVE ANY REFLECTION OR ANYTHING TO DO WITH WITH THE BUDGETING OF THIS HOUSE AND I HAVE TO GO BACK TO THE LAST TWO DAYS IN REGARDS TO MY MY QUESTION REGARDING THE SUSTAINABILITY OF THESE THIS TWENTY TWO PERCENT PAY RAISES HERE AND IT'S BEEN NOTED AND EVERY TIME I IT'S MY TURN TO SPEAK IT'S LIKE BECAUSE OF THE EITC REIMBURSEMENT SECTION THIRTY MONEY'S GOING UP LAST I HEARD THOSE WERE FEDERAL PROGRAMS FEDERAL REIMBURSEMENTS THE PAST THREE YEARS THIS CUP THIS GOVERNMENT HAS BEEN KEPT AFLOAT BECAUSE OF THE FEDERAL MONIES INFUSED INTO THIS ISLAND AND TO SAY THAT THE FEDERAL MONIES AND REIMBURSEMENTS WHATEVER THEY MAY BE HAS NOTHING TO DO WITH THE BUDGETING OF OF OF OF THIS HOUSE IS INCORRECT SO IF THAT HAS NOTHING TO DO WITH WITH ENERGY ANY BUDGETING PROCESS MY QUESTION WOULD BE IF THE FEDS WERE TO QUIT THE REIMBURSEMENTS LIKE THEY DID AT ONCE AND THEY DIDN'T REIMBURSE THE EITC COMPACT IMPACT SECTION THIRTY WHICH IS THE SOURCE I MEAN SOURCE OF OF THIS THIS TWENTY TWO PERCENT RAISES HERE IF THESE THINGS WERE NOT TO HAPPEN OR THE FEDS WOULD YANK THESE WOULD WE NOT BE IN A WORLD OF HURT ANYBODY DOESN'T MATTER I MEAN I THINK I KNOW THE QUESTION I MEAN THE ANSWER TO THAT SO I'LL ANSWER MYSELF YEAH WE WOULD BE WE WILL BE IN A WORLD OF HURT YOU KNOW OUR MAIN IN IN YEARS PAST PRE-PANDEMIC TIMES WE WOULD BE SITTING HERE TALKING ABOUT TOURISM NUMBERS OVER TWO MILLION YES THIS YEAR WE ARE ABOUT SIX HUNDRED NINETY SIX PERCENT FROM LAST YEAR BUT WE ARE FIFTY NINE PERCENT STILL DOWN FROM PRE-PANDEMIC NUMBERS NOTHING AT ALL IN THE PAST TWO DAYS WAS WAS TALKED ABOUT IN OR IN REGARDS TO TOURISM NUMBERS AND AND THE THE THE THE THE VITAL SITUATION THAT THAT THAT HAS OR IMPACT IN INTO OUR BUDGETING AND SO THAT'S WHY EVEN LAST NIGHT I SAID WE'VE WRITTEN OFF TOURISM AND AGAIN AND AGAIN I I SAY WHAT IS THE SUSTAINABILITY WHAT THE SOURCES WHAT SOURCE OF INCOME OR OR REVENUE WOULD SUSTAIN THIS IS ALL THROUGH FORTRESS MONEY UNCLE JOE AND PREVIOUSLY UNCLE DONALD AND WHOEVER OUR NEXT UNCLE MAY BE *AI* UNCLE SO AGAIN I'M JUST I'M JUST BAFFLED THAT THAT OUR BUDGETING PROCESS AND AND AND CALCULATIONS OF BUDGETING HAVE NOTHING TO DO WITH WITH WHAT THE FEDS DO YEAH MAYBE THEY'RE NOT THE ONES PUTTING THE NUMBERS TOGETHER BUT IT'S CERTAINLY THEY'RE GREEN BACK THAT'S THAT'S THAT'S VERY VITAL WE LOVE THAT GREENBACK SO I AGAIN I JUST SAY IT'S BEEN SAID OVER AND OVER THE SUSTAINABILITY IS WITH THESE FEDERAL PROGRAMS THESE FEDERAL REIMBURSEMENTS I HOPE AND PRAY TO GOD THAT THEY CONTINUE I HOPE AND PRAY TO GOD UNCLE REMAINS OUR UNCLE THANK YOU VERY MUCH.

SENATOR SHELTON: THANK YOU VERY MUCH.

SENATOR QUINATA: MADAM CHAIR MADAM CHAIR.

SENATOR SHELTON: SENATOR QUINATA.

SENATOR QUINATA: *ESTA GUE YU.*

SENATOR SHELTON: SENATOR QUINATA.

SENATOR QUINATA: MADAM CHAIR NOTWITHSTANDING THE HOUSE RULES I MOVE TO RISE FROM THE COMMITTEE ON THE WHOLE WITH THE RECOMMENDATIONS TO PLACE BILL 24 AS AMENDED TO THE THIRD READING FILE.

SENATOR DUEÑAS: OBJECTION.

SENATOR SHELTON: THERE HAS BEEN.

SENATOR QUINATA: CALL FOR THE VOTE.

SENATOR SHELTON: OBJECTIONS ALL THOSE IN FAVOR OF RISING FROM THE COMMITTEE OF THE WHOLE WITH THE RECOMMENDATION TO PASS AND MOVING THE BILL TO THE THIRD READING FILE PLEASE SIGNIFY BY RAISING YOUR HAND MOTION FAILS WE'LL CONTINUE WITH THE QUESTIONS SENATOR FISHER YOU ARE RECOGNIZED.

SENATOR FISHER: THANK YOU MADAM CHAIR I'M GOING TO FOLLOW UP ON SENATOR BROWN'S QUESTIONS I'M I THANK YOU VERY MUCH AND WHOEVER IT WAS THAT WHOEVER WAS THAT CREATED OR COLLECTED THE INFORMATION THAT WE HAVE ON THIS DOCUMENT I IT I BY ANY MEASURE IT'S SHOCKING TO I'M SORRY I DON'T KNOW THE NAME OF THE LADY WHO'S SEATED TO MR. GUERRERO'S LEFT.

OFB – DIRECTOR GUERRERO: LLEWELYN LLEWELYN.

SENATOR FISHER: LLEWELA OKAY THANK YOU YES SIR OKAY MISS LLEWELYN A IF I COULD ADDRESS THIS QUESTION TO YOU MA'AM AM I READING THIS CORRECTLY THAT IN 2017 THE COUNT OF EMPLOYEES WAS THREE THOUSAND SIX HUNDRED SIXTY EIGHT.

OFB – CHIEF FISCAL ANALYST TERLAJE: CORRECT GENERAL FUND.

SENATOR FISHER: AND IN IN FISCAL YEAR 2018 WHICH WOULD HAVE BEEN THE LAST YEAR OF GOVERNOR CALVO'S ADMINISTRATION THERE WERE THREE THOUSAND THREE HUNDRED EIGHTY TWO.

OFB – CHIEF FISCAL ANALYST TERLAJE: YES.

SENATOR FISHER: SO ROUGHLY THE VERY I'M SORRY FUNDED BY THE GENERAL FUND SO IS IT FAIR TO IS IT FAIR TO CHARACTERIZE THE EMPLOYMENT LEVELS THAT ARE FUNDED BY THE GENERAL FUND IN 2017 AND 2018 IS BEING RELATIVELY STABLE.

OFB – CHIEF FISCAL ANALYST TERLAJE: YEAH ABOUT THREE THOUSAND THIRTY FIVE HUNDRED YES.

SENATOR FISHER: OKAY AND THEN THEN AS WE COME INTO THE LEON GUERRERO ADMINISTRATION THE NUMBER OF EMPLOYEES IN THE GOVERNMENT OF GUAM JUMPS FROM IN 2019 JUMPS FROM THREE THOUSAND THREE HUNDRED EIGHTY TWO TO FIVE THOUSAND ONE HUNDRED EIGHTY FIVE IS THAT CORRECT.

OFB – CHIEF FISCAL ANALYST TERLAJE: CORRECT.

SENATOR FISHER: AND THEN OF COURSE IN 2020 THE NUMBER IS AT FIVE THOUSAND FOUR HUNDRED TWENTY THREE IS THAT CORRECT.

OFB – CHIEF FISCAL ANALYST TERLAJE: CORRECT.

SENATOR FISHER: AND THEN IN 2021 AS WE BEGIN PREPARATIONS FOR THE GENERAL ELECTION GENERAL GUBERNATORIAL ELECTION WE SEE THAT NUMBER CLIMB YET AGAIN TO FIVE THOUSAND FOUR HUNDRED SEVENTY NINE IS THAT CORRECT.

OFB – CHIEF FISCAL ANALYST TERLAJE: THAT'S CORRECT.

SENATOR FISHER: IN 2017 IS IT THE COSTS WERE TWO THOUSAND TWO OR EXCUSE ME TWO HUNDRED TWENTY THREE MILLION FOUR HUNDRED TWENTY SEVEN THOUSAND SIX HUNDRED FORTY THREE CORRECT.

OFB – CHIEF FISCAL ANALYST TERLAJE: CORRECT.

SENATOR FISHER: AND THEN IN AS THE ADMINISTRATION PREPARED FOR RE-ELECTION THE NUMBER CLIMBS TO TWO THOUSAND TWO MILI TWO HUNDRED AND NINETY SIX MILLION SEVENTY FOUR THOUSAND SEVEN HUNDRED AND TWENTY NINE IS THAT CORRECT.

OFB – CHIEF FISCAL ANALYST TERLAJE: IN TWENTY EIGHTEEN.

SENATOR FISHER: IN 2021.

OFB – CHIEF FISCAL ANALYST TERLAJE: OH IN 2021 TWO HUNDRED NINETY SIX MILLION SEVENTY FOUR THOUSAND SEVEN HUNDRED TWENTY NINE.

SENATOR FISHER: THAT'S CORRECT.

OFB – CHIEF FISCAL ANALYST TERLAJE: CORRECT.

SENATOR FISHER: OKAY AND MS. LLEWELA IS THAT THE DIFFERENCE BETWEEN 2017 AND 2021 THAT'S SEVENTY TWO MILLION DOLLARS IN CHANGE CORRECT.

OFB – CHIEF FISCAL ANALYST TERLAJE: CORRECT.

SENATOR FISHER: IS THAT CORRECT.

OFB – CHIEF FISCAL ANALYST TERLAJE: CORRECT YES.

SENATOR FISHER: SO WE ARE WAIT A MINUTE ARE COSTS IN FOUR YEARS JUST FOR THE EMPLOYMENT OF THESE BRAND NEW EMPLOYEES CLIMBED WE SPENT AN ADDITIONAL SEVENTY TWO MILLION IS THAT CORRECT.

OFB – CHIEF FISCAL ANALYST TERLAJE: YES.

SENATOR FISHER: OKAY MY INCLINATION FROM WHAT I'VE BEEN TOLD AND THIS IS YOU KNOW OBVIOUSLY SUBJECTIVE IS THAT GUAM'S POPULATION IN THAT PERIOD ACTUALLY FELL DO YOU KNOW WHETHER OR NOT THAT IS TRUE OR.

OFB – CHIEF FISCAL ANALYST TERLAJE: I DON'T HAVE THAT INFORMATION I'M NOT TOO SURE.

SENATOR FISHER: I'M SORRY MA'AM.

OFB – CHIEF FISCAL ANALYST TERLAJE: NO I I DON'T HAVE THAT INFORMATION

SENATOR FISHER: OKAY THAT'S FAIR ENOUGH MY NOTION MY INCLINATION FROM YOU KNOW PEOPLE I'VE TALKED TO IS THAT THE THE POPULATION DID IN FACT DECREASE BY MAYBE AS MUCH AS FIFTEEN THOUSAND FOR VARIOUS REASONS YET THE NUMBER OF EMPLOYEES WITHIN THE GOVERNMENT OF GUAM INCREASED BY THIRTY EIGHT PERCENT CORRECT.

OFB – CHIEF FISCAL ANALYST TERLAJE: FROM 2017 TO 2021 IS THAT WHAT YOU'RE TALKING ABOUT.

SENATOR FISHER: YES MA'AM.

OFB – CHIEF FISCAL ANALYST TERLAJE: PERSONNEL ACCOUNT.

SENATOR FISHER: YES MA'AM.

OFB – CHIEF FISCAL ANALYST TERLAJE: LET ME JUST VERIFY THAT I HAVE FORTY NINE PERCENT.

SENATOR FISHER: OH SO IT INCREASED FORTY NINE PERCENT OKAY THE REASON I'M GOING OVER THIS AGAIN IS BECAUSE I NEVER KNEW THIS INFORMATION AND I WOULD WAGER THAT THE VAST MAJORITY OF THE POPULATION OF GUAM HAD NO IDEA THAT SO MANY PEOPLE WERE BEING ADDED TO THE PAYROLL WHICH THE TAXPAYERS BEAR THE BURDEN TO MEET I AM QUITE CERTAIN THEY HAD NO IDEA THAT THE ADMINISTRATION HAD INCREASED THE PUBLIC PAYROLL BY SEVENTY TWO MILLION FORTY WHICH EQUALS FORTY NINE PERCENT AND SO THE REASON I BRING THAT UP IS BECAUSE THIS IS SO IMPORTANT FOR THE PEOPLE TO KNOW AND IT I'M SADDENED THAT WE THAT THIS WAS NOT WIDELY DISSEMINATED BEFORE THANK YOU VERY MUCH FOR YOUR ANSWERS MA'AM THANK YOU MR. CHAIR.

NOTE SENATOR SAN AGUSTIN PRESIDES OVER THE COMMITTEE OF THE WHOLE

SENATOR SAN AGUSTIN: THANK YOU SENATOR TOM WOULD YOU LIKE THIS SIDE TO TO KIND OF LIKE GIVE SOME INFORMATION REFERENCE TO THAT NOT NOT A QUESTION BUT ACTUALLY GIVE YOU SOMETHING BECAUSE AS I'M SPEAKING TO MR. BIRN HE HAS SOME INFORMATION TO TELL YOU EXACTLY WHERE THEY'RE ALL AT PRETTY MUCH KIND OF LIKE WOULD YOU LIKE TO GET THAT THAT RESPONSE FROM.

SENATOR FISHER: NO THANK YOU.

SENATOR SAN AGUSTIN: OKAY.

SENATOR FISHER: I'M ACTUALLY I'M ACTUALLY SATISFIED WITH THE INFORMATION.

SENATOR SAN AGUSTIN: OKAY.

SENATOR FISHER: THAT WAS GIVEN GIVEN US BY AN INDIVIDUAL WHO APPEARS TO HAVE QUITE A BIT OF EXPERTISE AND WAS ALREADY INDICATED SHE IS SATISFIED WITH THE ACCURACY OF THE NUMBERS.

SENATOR SAN AGUSTIN: OKAY.

SENATOR FISHER: BUT THANK YOU FOR THE OPPORTUNITIES.

SENATOR SAN AGUSTIN: ALL RIGHT SENATOR ROY DO YOU HAVE ANY QUESTIONS FOR THE PANEL

SENATOR QUINATA: LADIES AND GENTLEMEN THE TWO HUNDRED OF YOU WHO ARE WATCHING THE YOUTUBE CHANNEL I ASKED FOR THE VOTE AND THEY JUST DON'T WANT TO VOTE SO AGAIN I'M GOING TO ASK FOR THOSE.

SENATOR FISHER: OBJECTION I BELIEVE THE HOUSE IS OUT OF ORDER.

SENATOR QUINATA: NOTWITHSTANDING HOUSE RULES I MOTION AGAIN TO MOVE OUT OF THE RISE OUT OF THE COMMITTEE ON THE WHOLE WITH THE RECOMMENDATIONS OF PLACE BILL NUMBER TWENTY FOUR AS AMENDED TO THE THIRD READING FILE WITH LEGAL CORRECTIONS ROLL CALL.

SENATOR SAN AGUSTIN: MY COLLEAGUES.

SENATOR BARNETT: POINT OF INFORMATION I THINK THAT WE'RE TRYING TO MAKE A GOOD DECISION HERE AND I DON'T SEE THE POINT IN RUSHING TO A VOTE WHEN SOME OF US HAVE NOT FULLY GOTTEN ALL THE INFORMATION THAT WE NEED TO MAKE AN INFORMED DECISION ON THE THE MEASURE AND I ALSO REFUSE TO BE BULLIED INTO VOTING ON THIS MEASURE BEFORE THE TIME HAS COME.

SENATOR QUINATA: I'M NOT BULLYING I'M ASKING FOR THE VOTE.

SENATOR SAN AGUSTIN: UNDERSTOOD OKAY STAND BY.

SENATOR SHELTON PRESIDES OVER THE COMMITTEE OF THE WHOLE

SENATOR SHELTON: THERE'S BEEN A NOTWITHSTANDING MOTION TO RISE FROM THE COMMITTEE OF THE WHOLE PLACE THE BILL IN THE THIRD READING FILE.

SPEAKER TERLAJE: POINT OF INQUIRY.

SENATOR SHELTON: STATE YOUR POINT OF INQUIRY SPEAKER.

SPEAKER TERLAJE: HAVE WE DONE THE AMENDMENTS ROUND YET.

SENATOR SHELTON: NO WE HAVE NOT WE ARE STILL IN THE QUESTIONS ROUND.

SPEAKER TERLAJE: THERE ARE AMENDMENTS I SEE IN THE DRIVE SO THEY'VE NOT BEEN ADDRESSED YET THANK YOU.

SENATOR SHELTON: THANK YOU THERE'S STILL A MOTION NOTWITHSTANDING THE RULES OF THE COMMITTEE OF THE WHOLE THERE HAVE BEEN OBJECTIONS REGISTERED ALL THOSE IN FAVOR OF RISING FROM THE COMMITTEE OF THE WHOLE WE NEED ONE MORE OKAY THAT'S THREE FOR ROLL CALL CLERK CAN YOU TAKE THE ROLL PLEASE.

SUBSTITUTE CLERK OF THE LEGISLATURE: SENATOR BARNETT.

SENATOR BARNETT: EXCUSE ME WHAT ARE WE DOING MA'AM SORRY.

SENATOR SHELTON: WE ARE VOTING ON THE NOTWITHSTANDING MOTION TO RISE FROM THE COMMITTEE OF THE WHOLE AND PLACE THE BILL IN THE THIRD READING FILE.

SENATOR BARNETT: NAY

SUBSTITUTE CLERK OF THE LEGISLATURE: SENATOR BARNETT (NAY) SENATOR BLAS (NAY) SENATOR BROWN (NO) SENATOR DUEÑAS.

SENATOR DUEÑAS: *AHE.*

SUBSTITUTE CLERK OF THE LEGISLATURE: SENATOR DUEÑAS (NAY) SENATOR FISHER (NAY) SENATOR LUJAN (NAY) VICE SPEAKER MUÑA BARNES.

SENATOR QUINATA: PARDON I MAKE A MOTION TO EXCUSE MEMBERS NOT ABSENT I MEAN MEMBERS ABSENT NOT PRESENT.

SUBSTITUTE CLERK OF THE LEGISLATURE: VICE SPEAKER MUÑA BARNES (EXCUSED) SENATOR PARKINSON.

SENATOR PARKINSON: I CHOOSE TO SUPPORT THE WORKERS I VOTE AYE.

SUBSTITUTE CLERK OF THE LEGISLATURE: SENATOR PARKINSON (AYE) SENATOR PEREZ (NAY) SENATOR QUINATA.

SENATOR QUINATA: I STAND WITH THE PEOPLE THAT CONTINUE TO WATCH OUR WORK YES.

SUBSTITUTE CLERK OF THE LEGISLATURE: SENATOR QUINATA (AYE) SENATOR SAN AGUSTIN (AYE) SENATOR SAN NICOLAS (AYE) SENATOR SHELTON (AYE) SENATOR TAITAGUE (EXCUSED) SPEAKER TERLAJE (NAY).

SENATOR SHELTON: FIVE AYES AND EIGHT NAYS MOTION FAILS WE ARE STILL IN THIS ROUND OF QUESTION SENATOR SAN AGUSTIN OR SENATOR QUINATA YOU STILL HAVE TIME ON THE CLOCK.

SENATOR QUINATA: PASS IT WE'RE JUST GOING TO KEEP GOING AROUND IN CIRCLES MIGHT AS WELL BE A CIRCUS IN HERE.

SENATOR SHELTON: SENATOR SAN AGUSTIN.

SENATOR SAN AGUSTIN: THANK YOU MADAM CHAIR EARLIER THE QUESTION WAS POSED TO THE OFB FOLKS I'D LIKE TO GET AN ANSWER FROM THE ADMINISTRATION THE DEPARTMENT OF ADMINISTRATION AS WE IDENTIFY THE INCREASE OF FOLKS I'LL JUST STATE THAT NUMBER ONE I KNOW THERE'S AN INCREASE AT REVENUE AND TAX THAT I THINK THERE ARE BECAUSE THEN THERE'S MORE TAXES OUT REFUNDS BUT MAYBE MR. MR. BIRN CAN BASICALLY TELL US WHERE THEY'RE WHERE GENERALLY THEY'RE AT SO WE DON'T HAVE TO DEBATE WHERE THEY'RE AT WE'LL KNOW.

DOA – DIRECTOR BIRN: WELL FIRST OF ALL SENATOR THIS THIS DISCUSSION REALLY DOESN'T ALTER THE NUMBER OF VACANT VACANT POSITIONS WE HAVE IN THE IN THE CIVIL SERVICE AND THAT'S WHAT WE'RE TRYING TO ADDRESS HERE BY BY THE GPP PLAN YOU KNOW I'M A QUALIFIED ACCOUNTANT I'VE GOT QUALIFICATIONS IN TWO TWO COUNTRIES AND I JUST MUST POINT OUT THAT YOU REALLY NEED TO LOOK AT THE WHOLE PICTURE WHEN YOU'RE LOOKING AT AT NUMBERS THE NUMBERS OF EMPLOYEES THAT ARE INCLUDED ON PAGE HUNDRED NINETY SIX OF THE AUDIT REPORT FOR 2021 IS EIGHT THOUSAND TWO HUNDRED THIRTY THAT INCLUDES OBVIOUSLY THE INCREASE OF EMPLOYEES THAT OCCURRED BECAUSE WE HAD FEDERAL FUNDS IN TWENTY AND FISCAL TWENTY AND FISCAL TWENTY ONE WE HAD FEDERAL FUNDS ARPA FUNDS CARES ACT FUNDS WHICH WERE USED TO EMPLOY PEOPLE WHO ARE ENGAGED IN THE FIGHT AGAINST COVID IN IN 2017 AND 2018 THE NUMBERS YOU'RE LOOKING AT ON THIS ON THIS SHEET HERE GDOE WASN'T INCLUDED GDOE WAS INCLUDED IN 2019 BUT 2019 WAS BEFORE THE COVID PANDEMIC AND BEFORE WE RECEIVED COVID FUNDS SO TO ALLOCATE ARBITRARILY BETWEEN GENERAL FUNDS AND FEDERAL FUNDS BASED UPON A 2019 PERCENTAGE IS TOTALLY MISLEADING IT DOESN'T DO THIS BODY A SERVICE TO USE ALLOCATED FIGURES BASED UPON OUT-OF-DATE NUMBERS I I THINK IT WAS MENTIONED THAT THE PREVIOUS YEAR I DON'T HAVE THE NUMBERS IN FRONT OF ME BUT IN 2020 THE NUMBER OF EMPLOYEES WAS EIGHT HUNDRED EIGHT THOUSAND ONE HUNDRED ODD AND HERE IT'S EIGHT THOUSAND TWO HUNDRED ODD THAT'S NOT SUCH A STARTLING INCREASE SO BUT BUT AGAIN IT DOESN'T CHANGE THE NUMBERS OF VACANCIES WE HAVE THAT WE'RE TRYING TO FILL IN ORDER TO GET THE JOB DONE AND THAT'S WHAT WE'RE TRYING TO ADDRESS BY THIS GENERAL PAY PLAN.

SENATOR SAN AGUSTIN: THANK YOU MR. BIRN WITH THAT SAID I THINK THAT KIND OF CLEARS IT UP A LITTLE BIT BUT WE GOT ANOTHER ROUND TO ASK THE QUESTION ABOUT IT AGAIN AND JUST DO THE RHETORIC AND MOVE ON WITH THAT I'M IN SUPPORT OF THE BILL THANK YOU MADAM CHAIR.

SENATOR SHELTON: THANK YOU SENATOR SAN NICOLAS.

SENATOR SAN NICOLAS: THANK YOU MADAM CHAIR I I THINK OUR YOU KNOW WE'VE I'VE TALKED WITH MY OTHER COLLEAGUES FROM THE OTHER SIDE AND YOU KNOW HEARD THEIR CONCERNS AND AND I TOO I'M CONCERNED YOU KNOW WITH THE ECONOMY MOVING FORWARD I TOO I'M A BUSINESSMAN AND AND BUT I AM VERY OPTIMISTIC WITH THE FUTURE AND I THINK I I THINK THIS IS A THIS IS A GREAT BILL AND WITH THE PREVIOUS QUESTIONS THAT I ASKED ON THE OTHER ROUND AND THE TWENTY TWO PERCENT THAT WAS ALLOTTED I GUESS FOR THIS PAY PLAN I THINK IT'S IT'S A GOOD THING AND I DON'T THINK WE'RE NEAR WHERE WE WANT TO BE WITH OUR HIRING WHEN IT COMES TO CUSTOMS OR THE POLICE DRUGS HAVE COME DOWN SIGNIFICANTLY I MEAN THE COST OF METHAMPHETAMINES COME DOWN SO SIGNIFICANTLY AND WE RUSHED IN THE PAST COUPLE DAYS TO GIVE TWENTY FIVE MILLION TWENTY MILLION TO DOE WHO CONSTANTLY TOLD US THAT THEY DIDN'T NEED THE MONEY BECAUSE THEY HAD A HUNDRED AND THREE MILLION THEY WERE SITTING ON AND IF THAT WAS THE CASE AND WE DISCUSSED IT.

SPEAKER TERLAJE: POINT OF ORDER.

SENATOR SAN NICOLAS: WE DISCUSSED IN THE BODY.

SPEAKER TERLAJE: POINT OF ORDER.

SENATOR SAN NICOLAS: EARLIER I'M TRYING TO GET THROUGH SOMETHING.

SENATOR SHELTON: PLEASE STATE YOUR POINT OF ORDER.

SPEAKER TERLAJE: I DON'T BELIEVE I HEARD GDOE COME IN AND SAY THAT THEY DID NOT NEED THAT MONEY THEY SAID IF WE GAVE THEM MONEY THEY WOULD THEY WOULD USE IT.

SENATOR SHELTON: THANK YOU SPEAKER SENATOR SAN NICOLAS YOU MAY CONTINUE.

SENATOR SAN NICOLAS: RIGHT SO THANK YOU AND THEY WERE DISCUSSING ABOUT MERIT BONUSES THAT HAVEN'T BEEN PAID OUT SO THAT WAS MONEY THAT WAS THAT WAS SITTING IN THE COFFERS WHICH WE COULD HAVE DONE HAD I KNOWN THAT I'M STILL NEW STILL NEW TO THIS BUT WE COULD HAVE USED THAT MONEY ALSO TO SOLVE THE THE MERIT BONUSES BUT I I ALSO WANT TO SAY I MEAN THANK YOU MR. BIRN AND THE PANEL THERE FOR COMING OUT AND YOU KNOW YOUR HARD WORK AND TRYING TO GET THIS THROUGH I DO SUPPORT THE RAISE AND I'M VERY OPTIMISTIC LOOKING FORWARD I THINK WE CAN AFFORD THIS AND THIS MERRY-GO-ROUND IS JUST WASTING A LOT OF TIME THANK YOU.

SENATOR SHELTON: THANK YOU SENATOR SAN NICOLAS THAT COMPLETES THE THIRD ROUND OF QUESTIONS WE'LL NOW MOVE INTO THE FOURTH ROUND OF QUESTIONS AS A REMINDER COLLEAGUE WE HAVE FIVE MINUTES PER SENATOR IF YOU'D LIKE TO YIELD YOUR TIME YOUR TIME CAN ONLY BE YIELDED TO ONE SENATOR AND YOU CANNOT TAKE YOUR TIME BACK WE'RE GOING TO START IN THE MIDDLE ROW NOW SENATOR LUJAN.

SENATOR LUJAN: THANK YOU MADAM CHAIR I'LL YIELD MY TIME TO SENATOR DUEÑAS.

SENATOR SHELTON: THANK YOU VERY MUCH SENATOR LUJAN HAS YIELDED HIS TIME TO SENATOR DUEÑAS SENATOR BROWN.

SENATOR LUJAN: CHRIS GOOD.

SENATOR BROWN: THANK YOU VERY MUCH MADAM CHAIR I HAD ASKED ALSO AND I I WOULD HOPE YOU KNOW THAT THE CHAIRMAN OF THE COMMITTEE ON FINANCE I CERTAINLY WOULD HOPE HE WAS NOT DISCREDITING THE INFORMATION PROVIDED BY HIS STAFF BECAUSE WE CERTAINLY WOULD WANT TO RELY ON THE INFORMATION PROVIDED BY THE FINANCE STAFF AND MAKING DECISIONS HERE WITH REGARDS TO APPROPRIATIONS BUT IF THE SERGEANT OF ARMS COULD PASS THIS OUT AGAIN THIS IS INFORMATION PROVIDED TO ME BY THE FINANCE CHAIRS COMMITTEE STAFF AND I JUST WANTED TO GO OVER THE REVENUES WHAT WAS ULTIMATELY APPROVED IN THE BUDGET FOR THESE FISCAL YEARS AND YOU PROVIDED FOR ME FROM TWENTY SEVEN TO TWENTY THREE WHAT'S BEEN APPROVED IN THE BUDGET CAN WE GO OVER THOSE FIGURES BECAUSE I I JUST WANT TO CLARIFY THE SOURCE OF THIS FUNDING DOES IT INCLUDE THE FEDERAL FUNDING IS THIS JUST

LOCAL FUNDING OR COMBINATION OF BOTH WITH REGARDS TO WHAT'S BEEN AUTHORIZED BECAUSE WE'VE TALKED ABOUT THIS SIGNIFICANT INCREASE IN REVENUES COMING IN I JUST WANTED TO SEE IS IT REFLECTED IN THE BUDGET WHAT WAS AUTHORIZED.

SENATOR SHELTON: WE'LL JUST TAKE A BRIEF RECESS SENATOR BROWN WHILE EVERYONE GETS A COPY.

RECESS

SENATOR SHELTON: WE ARE BACK FROM RECESS SENATOR BROWN YOU'RE RECOGNIZED.

SENATOR BROWN: THANK YOU VERY MUCH MADAM CHAIR AND AGAIN I JUST WANT TO SAY THAT THIS IS INFORMATION THAT HAD BEEN PROVIDED TO ME BY THE FINANCE STAFF HERE AT THE LEGISLATURE WITH REGARDS TO BECAUSE I DID INQUIRE WHAT WERE OUR BUDGET AMOUNTS FOR THE PREVIOUS YEARS LEADING UP TO WHERE WE'RE AT IN TERMS OF WHAT WAS AUTHORIZED AND IF I COULD ASK THE FINANCE COMMITTEE I DON'T KNOW IF MR. IF YOU WANT TO PROVIDE HER YOU WANT LLEWELYN TO ELABORATE ON IT BUT IF WE CAN GO FROM EACH YEAR FROM 2017 ALL THE WAY TO 2023 I MEAN WE HAVE A COPY IN FRONT OF US BUT ANY MEMBERS OF THE PUBLIC LISTENING YOU KNOW DON'T HAVE A COPY SO IF YOU COULD JUST GO IN TERMS OF WHAT THOSE BUDGET AMOUNTS WERE FOR EACH YEAR FROM 2017 ON AND THESE AND JUST TO CLARIFY THESE ARE AMOUNTS THAT WERE AUTHORIZED IN THE BUDGET FOR THAT FISCAL YEAR.

OFB – DIRECTOR GUERRERO: YES SENATOR THE INFORMATION THAT YOU'RE SEEING HERE ON THIS SPREADSHEET BASICALLY IS THE APPROPRIATIONS IN THE BUDGET ACT WITH EACH ONE OF THESE YEARS FROM 2017 ALL THE WAY TO 2023.

SENATOR BROWN: OKAY COULD YOU SINCE IT'S GOING TO BE ON YOUR TIME MR. GUERRERO COULD IF YOU OR MISS LLEWELYN COULD RELAY TO WHAT THOSE NUMBERS ARE TO THE PUBLIC FOR EACH YEAR.

OFB – DIRECTOR GUERRERO: SURE FOR 2017 THE GROSS REVENUES WITH THE GENERAL FUND WAS EIGHT HUNDRED FORTY ONE MILLION FIVE HUNDRED AND FIFTY THREE THOUSAND NINE HUNDRED AND THIRTY DOLLARS FOR FY 20 FOR FY 2018 THE AMOUNT WAS FOUR HUNDRED FORTY NINE MILLION SEVEN HUNDRED THIRTY SEVEN THOUSAND TWO SEVENTY EIGHT DOLLARS FOR FY 2019 THIS WAS BASED ON THE ADJUSTMENT IT'S SEVEN HUNDRED SEVENTY FIVE MILLION SIX HUNDRED TWENTY EIGHT THOUSAND NINE HUNDRED SIXTY EIGHT DOLLARS FOR 2020 WAS EIGHT HUNDRED AND THREE MILLION SIX HUNDRED FORTY ONE THOUSAND FIVE HUNDRED AND THIRTY THREE DOLLARS FOR TWENTY FY 2021 WAS SEVEN HUNDRED SEVENTY FOUR MILLION SIX HUNDRED NINETY SEVEN THOUSAND THREE HUNDRED AND FIVE DOLLARS AND THEN OF COURSE WE AMENDED FY 21'S BUDGET WHICH WAS MADE IN THIRTY SIX FIFTY FOUR THAT INCREASED TO SEVEN HUNDRED NINETY FOUR THOUSAND SIX HUNDRED NINETY SEVEN THOUSAND THREE HUNDRED AND FIVE DOLLARS THEN FOR FY 22 THE ORIGINAL APPROPRIATE ORIGINAL BUDGET IN THIRTY SIX FIFTY FOUR WAS SEVEN HUNDRED AND SIX MILLION EIGHT HUNDRED SIXTY SIX THOUSAND SIX HUNDRED FIFTY NINE DOLLARS BUT THAT ALSO WAS AMENDED BY PUBLIC LAW THIRTY SIX ONE O SIX TO THE TO SEVEN HUNDRED SIXTY FIVE MILLION AS ZERO ONE ZERO THOUSAND EIGHT HUNDRED AN EIGHTY FIVE DOLLARS AND THEN FOR FY 23 WE ARE AT EIGHT HUNDRED AND NINE MILLION NINE HUNDRED AND TWENTY TWO THOUSAND ONE HUNDRED AND NINETY DOLLARS.

SENATOR SHELTON: WE'LL TAKE A BRIEF RECESS TO ADDRESS THE MIC ISSUE.

RECESS

SENATOR SHELTON: OUR TECHNICAL ISSUES SENATOR BROWN YOU ARE RECOGNIZED.

SENATOR BROWN: THANK YOU VERY MADAM CHAIR AND THANK YOU TO OUR AUDIO FOR ADDRESSING WHATEVER THE CONCERN WAS IN OUR HERE WITH OUR MICROPHONES JUST GOING BACK TO THE FIGURES THAT WE HAD HERE I JUST WANT TO CLARIFY BECAUSE I MEAN WE'VE SEEN AT LEAST LOOKING AT THESE NUMBERS IF I CAN ASK FROM FROM SINCE THE INFORMATION STARTS HERE AT 2017 IF I CAN ASK MR. GUERRERO IF YOU CAN SUBTRACT THAT LET'S JUST GO TO 2023 I KNOW THE NUMBERS FLUCTUATE BUT CAN YOU TELL ME WHAT THE DIFFERENCES BETWEEN THE REVENUES LISTED HERE IN 2017 SUBTRACTING I GUESS BECAUSE IT'S LESS THERE'S ACTUALLY LESS THAN 2023 FROM THE EIGHT O NINE TWO TWO THAT YOU RELAYED WHAT IS THE DIFFERENCE I'M JUST AGAIN JUST BETWEEN THOSE TWO YEARS I KNOW THERE'S FLUCTUATIONS IN BETWEEN.

OFB – DIRECTOR GUERRERO: WHAT WERE THE YEARS YOU WERE ASKING SENATOR.

SENATOR BROWN: 2017 MINUS 2023 BECAUSE IT LOOKS LIKE YOU MENTIONED THERE'S LESS REVENUE HERE IN 2023 I'M TRYING TO UNDERSTAND THIS WHAT'S THE DIFFERENCE MINUS 2017 MINUS 2023 SINCE IT'S A DECREASE.

OFB – DIRECTOR GUERRERO: IT'S THIRTY ONE POINT SIX MILLION SENATOR.

SENATOR BROWN: HOW MUCH.

OFB – DIRECTOR GUERRERO: THIRTY ONE POINT SIX MILLION.

SENATOR BROWN: CAN YOU EXPLAIN THEM THE DECLINE BECAUSE I'M ASSUMING DURING THIS TIME WE WENT THROUGH THE PANDEMIC WE HAD ALL THESE FEDERAL INFUSIONS WE HAD ALL THE STIMULUS MONEY WHY IS THAT KIND OF NOT REFLECTED IN THE GENERAL FUND REVENUES.

OFB – DIRECTOR GUERRERO: WELL IF YOU'RE LOOKING AT 2017 SENATOR YOU GOT TO RECALL BACK ALSO YOU WAS DOING A TRUMP ACT TAXING THOSE YEARS WE ALREADY ANTICIPATED YOU KNOW LOSING ROUGHLY ABOUT SIXTY SEVENTY MILLION DOLLARS THAT'S WHY I BELIEVE THE BPT WAS RAISED BY ONE PERCENT TO MAKE UP THAT THAT SHORTFALL ANTICIPATING SHORTFALL.

SENATOR BROWN: OKAY.

OFB – DIRECTOR GUERRERO: AND I I WOULD BELIEVE I WOULD ASSUME THAT'S THE REASON WHY IS BECAUSE IF YOU LOOK AT FROM SEVENTEEN FROM SEVENTEEN 2018 ON IT'S KIND OF CONSTANT IN ALL THE TAXES WHEREAS IN SEVEN 2017 YOU NOTICE THAT THE TOTAL TAXES ALONE WAS FIVE HUNDRED AND EIGHT MILLION AND THEN IN IN 2018 IT WENT UP TO FIVE HUNDRED AND TWELVE BUT THE CATEGORIES BASICALLY KIND OF KIND OF LIKE KIND OF SWITCHED BUT THE REASON WHY I BELIEVE THAT THE BOTTOM LINE KIND OF LIKE WENT DOWN IS BECAUSE ALSO I BELIEVE LET'S SEE FOR 2023 WE'RE COMPARING 2023 AND 2017 CORRECT.

SENATOR BROWN: I'M JUST AGAIN.

OFB – DIRECTOR GUERRERO: OKAY YEAH.

SENATOR BROWN: I MEAN YOU READ THE NUMBERS THERE'S FLUCTUATIONS ON EVERY YEAR.

OFB – DIRECTOR GUERRERO: YEAH I'M JUST EYEBALLING IT.

SENATOR BROWN: YES.

OFB – DIRECTOR GUERRERO: AND IF YOU LOOK AT ALL THREE TAX CATEGORIES THERE'S ACTUALLY A A DIFFERENCE OF ALMOST ABOUT ABOUT SIXTY SEVEN EIGHTY MILLION DOLLARS FROM FIVE O EIGHT DOWN TO FOUR TWENTY TWO SO THAT'S ROUGHLY ABOUT SEVENTY MILLION DOLLARS IN THOSE THREE CATEGORIES ALONE.

SENATOR BROWN: IF YOU CAN IF YOU CAN RELAY THE TAX FOR 2017 THE AMOUNT THERE FOR INCOME TAX WHAT'S THAT NUMBER THERE CAN YOU JUST READ ACROSS FOR EACH YEAR WHAT'S THE INCOME TAX.

OFB – DIRECTOR GUERRERO: OKAY FOR FOR INCOME TAX WE HAVE THREE CATEGORIES THE FIRST ONE IS INDIVIDUAL TAX.

SENATOR BROWN: OKAY.

OFB – DIRECTOR GUERRERO: FOR 2017 IT WAS ELEVEN A HUNDRED MILLION EIGHT HUNDRED FIFTY FIVE THOUSAND FIVE HUNDRED THIRTY NINE DOLLARS IN 2023 THE SAME CATEGORY IT WAS NINETY THREE MILLION FIVE HUNDRED FIFTEEN THOUSAND EIGHT HUNDRED FIFTY TWO DOLLARS I BELIEVE THAT'S PROBABLY A SEVEN MILLION DOLLAR DIFFERENCE DECREASE IN CORPORATION FOR 2017 WE ESTIMATE A HUNDRED FORTY TWO MILLION NINE HUNDRED NINETY SEVEN THOUSAND FIVE HUNDRED AND SEVENTY FOUR DOLLARS FOR THE SAME CATEGORY IN 2023 WAS EIGHTY FIVE MILLION SEVEN HUNDRED AND SIXTEEN THOUSAND NINE HUNDRED AND SIXTY SIX DOLLARS THAT CONSTITUTES ROUGHLY ABOUT FORTY TWO FIFTY TWO ALMOST SIXTY MILLION DOLLAR DIFFERENCE IN REDUCTION.

SENATOR BROWN: I'M TRYING TO UNDERSTAND THAT WHY THE SUBSTANTIAL DECREASE THEN DURING A TIME OF WHEN WE'RE SUPPOSED TO BE INFUSED WITH ALL THIS FEDERAL MONEY WHY WHY WOULD THESE NUMBERS EVEN CORPORATION WHY WOULD THAT BE GOING DOWN INDIVIDUAL WE WOULD HAVE HAD THE STIMULUS

MONEY I KNOW I MEAN THAT WASN'T TAXED I ASSUME BUT IF ALL THIS MONEY WAS FREE-FLOWING WHY WHY IS THIS SIGNIFICANT DECREASE.

OFB – DIRECTOR GUERRERO: AGAIN SENATOR IN 2017 2018 AND 2019 THOSE WERE BASICALLY THE END OF THE HEYDAYS OF GOVERNMENT OF GUAM WHILE WE WERE ACTUALLY COLLECTING MONEY IN THOSE YEARS IN 2019 IT WAS THE HEIGHT OF OF COLLECTION IN GOVGUAM WE HAD ONE POINT SIX MILLION TOURISTS VISITING US THAT YEAR AND THAT ALSO ATTRIBUTED TO YOU KNOW BPT I GUESS EMPLOYMENT MOST HIGHER PEOPLE WERE WORKING SO THESE CATEGORIES IF YOU LOOK AT ALSO BPT ALTHOUGH IT SHOWS A REDUCTION I MEAN IT SHOWS AN INCREASE IN IN 2023 I I BELIEVE THAT YOU KNOW IT STILL HOLD ITS COURSE EVEN THOUGH THROUGH THROUGH THE PANDEMIC AND EVEN THROUGH THE TAX.

SENATOR BROWN: IT'S ALL.

OFB – DIRECTOR GUERRERO: TUMP.

SENATOR BROWN: TUMP TRUMP.

OFB – DIRECTOR GUERRERO: TRUMP TAX ACT.

SENATOR BROWN: YEAH.

OFB – DIRECTOR GUERRERO: PERIOD WE WERE STILL ABLE TO MANAGE AND I I WOULD ASSUME THAT THE ONE ONE PERCENT INCREASE IN BBT REALLY HELPED IN THAT CATEGORY TO KEEP US AFLOAT.

SENATOR BROWN: THE ONLY THING I'M CONFUSED WITH IS THESE FIGURES I WOULD ASSUME WOULD BE HIGHER EVEN IN SPITE OF THE THINGS YOU TALKED ABOUT 2017 AND 2018 JUST BECAUSE OF THE INCREDIBLE FEDERAL INFUSION OF HUNDREDS OF MILLIONS OF DOLLARS INTO OUR ECONOMY WHY IS THAT NOT REFLECTED IN THESE NUMBERS FOR 2022 EVEN 2023.

OFB – DIRECTOR GUERRERO: SENATOR I'VE BEEN REACHING OUT TO ACTUALLY EVERYBODY LOCALLY EVEN BEFORE WE PUT THIS BUDGET TOGETHER AND TALK TO THE ECONOMIST TALK TO THE CHAMBER TALKED TO BUSINESSES EVERYBODY AND NOBODY REALLY COULD GIVE ME A I MEAN PINPOINT WHY THINGS ARE WHAT ARE THE WAY THEY ARE BUT AGAIN REMEMBER IN FY 22 WE ENDED THE FISCAL YEAR WITH HUNDRED SIXTY ONE MILLION IN EXCESS REVENUES OVER WHAT WE BUDGETED FOR FY 22 SO YOU KNOW THAT IF YOU LOOK AT IF YOU LOOK AT THE FY 23 WELL EVEN IF WITH THE FY 22 AND YOU ADD IN SAY THE HUNDRED SIXTY ONE MILLION THAT THAT'S ACTUALLY GOING TO BUMP UP THE BOTTOM LINE OF SEVEN O SIX TO ABOUT GOSH EIGHT O EIGHT SIXTY THREE.

SENATOR BROWN: BUT FOR INCOME TAX YOU HAD FIVE O EIGHT IN 2017 AND THEN YOU HAD THE LOWEST AMOUNT SO FAR IN 2022 WITH THREE HUNDRED EIGHTY MILLION.

OFB – DIRECTOR GUERRERO: FOR INCOME TAX.

SENATOR BROWN: YEAH JUST THE INCOME TAX I MEAN BY AM I READING THAT CORRECTLY.

SENATOR BROWN: YOU'RE COMPARING 2018 AND 2023

SENATOR BROWN: 2022.

OFB – DIRECTOR GUERRERO: 2022.

SENATOR BROWN: THE PUBLIC LAW THIRTY SIX DASH FIFTY ONE DO I HAVE FIFTY FOUR I'M SORRY.

OFB – DIRECTOR GUERRERO: YES YES IT SHOWS ROUGHLY ABOUT A FORTY FIVE MILLION DOLLAR DECREASE BUT AGAIN MAY I EMPHASIZE THAT IN THE END OF FY 22 WE ACTUALLY SAW A SURPLUS IN ALL THREE TAX CATEGORIES SO AT THIS.

SENATOR BROWN: I DON'T KNOW I'M JUST LOOKING AT THE NUMBERS I DON'T KNOW YOU KNOW I GRADUATED FROM GRADUATE SCHOOL BUT I YOU KNOW FOUR TWENTY TWO LOOKS A LOT LESS TO ME THAN FIVE HUNDRED AND EIGHT MILLION I HAD EXPECTED THIS TO YOU KNOW TO ACTUALLY CURVE UPWARD AND BE MUCH HIGHER NUMBER WITH EVERYTHING THAT WE'VE BEEN TOLD I'M ASSUMING THESE NUMBERS SHOULD HAVE BEEN ESCALATING WAY UP IF I'M GOING TO LOOK AT A GRAPH IT SHOULD BE CURVING WAY UP RIGHT AT LEAST THAT'S WHAT I'M HEARING AND I'M NOT SEEING THAT HERE.

OFB – DIRECTOR GUERRERO: FOR BUDGETARY PURPOSES SENATOR I MEAN ESPECIALLY FOR ME I'M MORE ON THE CONSERVATIVE SIDE WHEN I DO THE BUDGETING BUT I'M ALSO OPEN TO ANY TYPE OF ADJUSTMENTS ON AN UPWARD MOVEMENT PROVIDED THOSE THOSE THOSE NUMBERS CAN BE SUBSTANTIATED AND JUSTIFIED SO THESE IN THE NUMBERS YOU SEE FOR FY 22 IS IS ARE THE LEVELS THAT ACTUALLY OFB AND BBMR AGREED THAT THESE WERE NUMBERS THAT WERE ATTAINABLE TO BE REACHED IN FY TWENTY TWO BUT AT THE END OF THE FY 22 WE ACTUALLY EXCEEDED THESE THESE THESE AMOUNTS SO WHAT YOU'RE LOOKING AT HERE IS JUST MAYBE NUMBERS THAT YOU KNOW AT THE TIME WE DID THIS WAS WHAT WE FELT WAS REASONABLE TO ACHIEVE AND AND WITHIN WITH BEING REALISTIC TO TO BASICALLY ACCOMPLISH BUT AT THE END OF THE YEAR WE ACTUALLY GENERATED MORE.

SENATOR BROWN: SO CAN YOU PROVIDE US THE INFORMATION ON WHAT THOSE ADDITIONAL AMOUNTS WERE BECAUSE I'M JUST LOOKING AT WHAT WAS AUTHORIZED RIGHT WHAT WAS APPROVED.

OFB – DIRECTOR GUERRERO: YEAH OKAY SENATOR YEAH YOU ALSO LOOK AT THE NEXT ROW NEXT TO IT FY 22 IT'S IT'S AMENDED BY THE ORIGINAL BUDGET WAS THIRTY SIX FIFTY FOUR BUT IT WAS AMENDED BY THIRTY SIX ONE O SIX WE ACTUALLY INCREASE I I BELIEVE THE BUDGET BY ALMOST SIXTY SIXTY THREE MILLION DOLLARS SO IF YOU NOTICE THE CHANGE IN THE INDIVIDUAL TAXES IN THE ORIGINAL BUDGET WAS SEVENTY ONE POINT TWO MILLION.

SENATOR BROWN: YES.

OFB – DIRECTOR GUERRERO: ON THE AMEND ON THE AMENDED IT WENT UP TO SIXTY FIVE SEVENTY FIVE POINT SIX SO IS CORPORATION WELL ACTUALLY CORPORATIONS STAYED THE SAME BUT ON THE WITHHOLDING IT WENT UP TWO MILLION SO WE SAW AN INCREASED GRADUAL INCREASE WE MADE THE AMENDMENTS BUT AGAIN AT THE END OF THE DAY AT THE END OF THE FISCAL YEAR WE ACTUALLY SAW MORE THAN WHAT WE ANTICIPATE TO COLLECT.

SENATOR BROWN: WELL IT'D BE GOOD TO HAVE INFORMATION THAT'S REFLECTED ABOUT THAT BECAUSE AGAIN I LOOK AT THAT AS A SHORT TERM I MEAN I I CAN'T EVEN THOUGH DIRECTOR BIRNS RELAYED THAT IT'S BASED ON THE LAST THREE YEARS OF THESE REVENUES COMING IN I DON'T KNOW HOW WE DETERMINE MOVING FORWARD YOU KNOW AS BUZZ LIGHTYEAR SAYS FROM INFINITY TO BEYOND YEAH.

OFB – DIRECTOR GUERRERO: I AGREE SENATOR.

SENATOR BROWN: I I I JUST WANT TO KNOW BECAUSE WE'RE WE'RE NOT ADDING FIVE THREE MILLION MORE I MEAN WE'RE ADDING THIRTY FORTY FIFTY SIXTY MILLION MORE ON TOP OF ALL THE OTHER ADDITIONAL INCREASES THAT WERE AUTHORIZED LAST YEAR CAN I ASK HOW HOW MUCH COLLECTIVELY DID WE INCREASE ADDITIONAL COSTS LAST YEAR.

OFB – DIRECTOR GUERRERO: ADDITIONAL COSTS.

SENATOR BROWN: YES IN TERMS OF JUST EVEN IF IT'S JUST PAY INCREASES BECAUSE I KNOW WE INHERIT LIKE INSURANCE ALL THOSE THINGS EVERY YEAR ARE GOING TO GO UP IN THE GOVERNMENT OF GUAM BUT JUST JUST THE INCREASES HOW MUCH HOW MANY MILLIONS MORE DOLLARS ARE WE TALKING TO INCLUDE WHAT'S BEING PROPOSED TODAY WITH THIS BILL.

OFB – DIRECTOR GUERRERO: THAT THAT SENATOR I DON'T HAVE THAT INFORMATION NOW THE INFORMATION THAT PROVIDED YOU ON THE PRIOR YEARS GOING BACK THAT WAS BASED ON THE AUDIT SO HOPEFULLY WHEN THE AUDIT COMES OUT I CAN GIVE YOU MORE OF A SOUND NUMBER RIGHT NOW I DON'T HAVE THAT NUMBER AVAILABLE I CAN PROBABLY DO MY BEST TO GET IT BUT AGAIN THAT'S A VERY FLUID NUMBER IT REQUIRES ADJUSTMENTS IT MAY REQUIRE TRANSMISSIONS AND OUTS I MEAN A WHOLE SLEW SO WHAT'S RECORDED AS SO SEPTEMBER THIRD IF YOU'RE STILL SUBJECT TO ADJUSTMENTS IN THE IN THE FINAL AUDIT.

SENATOR BROWN: I GUESS MY CONCERN IS IF WE'RE MAKING THESE KIND OF DECISIONS ON THE BLIND WITHOUT REALLY KNOWING WHAT THE COST IS AND WHAT WE'VE ENCUMBERED ALREADY AND WHAT WE'RE ENCUMBERING FURTHER WITH THIS ADDITIONAL AMOUNT I MEAN HOW DO WE KNOW WHERE TO GO FROM HERE IF WE DON'T EVEN KNOW WHAT THE TOTAL AMOUNT IS WE'VE INCREASED THE GOVERNMENT OF GUAM OVERALL COST THAT'S A BIG QUESTION MARK.

OFB – DIRECTOR GUERRERO: AND AND I AGREE SENATOR BUT AT LEAST FOR THE INFORMATION PROVIDED I WANTED TO MAKE SURE THAT YOU KNOW THE COMPARISON WAS APPLES AND APPLES AND THAT AREN'T APPLES AND ORANGES SO WHAT I PROVIDED HERE WAS BASICALLY THE DIFFERENCES IN BUDGET AS AS APPROPRIATED IN THE LAW WE CAN DO A COMPARISON BASICALLY OF ACTUAL REVENUES COLLECTED.

SENATOR BROWN: THAT WOULD BE VERY HELPFUL YEAH THE ACTUAL REVENUES COLLECTED WILL BE HELPFUL.

OFB – DIRECTOR GUERRERO: YEAH THE ACTUAL REVENUE IS CONNECTED AND SEE THE COMPARISON BETWEEN THAT AND THE ACTUAL BUDGET AND WHAT THE VARIANCE WAS WE CAN DO THAT BUT I JUST NEED TIME TO PUT THAT TOGETHER.

SENATOR BROWN: HOW MUCH HOW MUCH TIME I GOT NINETEEN SECONDS EIGHTEEN SECONDS NO UNLESS I ASKED SENATOR FISHER TO YIELD HIS TIME TO ME.

OFB – DIRECTOR GUERRERO: SENATORS YOU KNOW INFORMATION LIKE THIS ESPECIALLY ME I LET IT I NEED TO TAKE MY TIME TO MAKE SURE THE INFORMATION I GIVE YOU IS CORRECT AND I NEED TO VET IT AND MAKE SURE THAT THE SOURCE IS CORRECT AND SO WHEN I GIVE IT OUT I CAN STAND BY IT BUT WHEN I'M GIVING LIKE A VERY SHORT WINDOW TO DO THINGS WE DO OUR BEST AND THERE IS ALL THAT THERE'S ALL THAT POSSIBILITY THAT WE DON'T PICK UP SOMETHING WE DON'T INCLUDE IT CASE IN POINT IS THAT THE FIVE-YEAR PROJECTION I GAVE YOU ON PERSONAL COSTS I NEED TO MAKE AN CORRECTION ON THAT BECAUSE AGAIN I MADE THE STATEMENT EARLIER THAT WHEN WE GAVE THIS INFORMATION THIS WAS BASED ON THE BOTTOM LINE OF WHAT WE PULLED FROM THE AUDIT NOW GIVEN TIME TO GO BACK AND REVIEW BASICALLY THE DETAILS WE FOUND FOR LIKE FOR 2017 AND 2018 THE COUNT THAT WE SAW IN THE ON THE IN THE AUDIT EXCLUDED DOE BUT IN TWENTY NINETEEN IT INCLUDED IT SO I CAN JUST DO THE ASSUMPTION THAT FOR THE AMOUNT FOR TWENTY NINETEEN IF THEY'RE INSANE THAT THAT AMOUNT OF THE FIVE THOUSAND ON HUNDRED EIGHT FIVE COUNT INCLUDED DOE AND DOE IS LISTED AT THREE THOUSAND FIVE HUNDRED NINETY FIVE IF YOU TOTAL THE SUM OF THAT YOU'LL COME UP TO SIX THOUSAND NINE HUNDRED SEVENTY SEVEN EMPLOYEES I'LL DO OUT AGAIN JUST FOR CONSISTENCY TAKING THE SAME THIRTY FIVE HUNDRED AND APPLY IT TO FY 2017 THAT COUNT WILL COME UP TO SEVEN THOUSAND TWO HUNDRED AND TWENTY THREE AGAIN THESE ARE NUMBERS THAT WE'RE YOU KNOW I MEAN I'LL EXTRACT OUT OF THE OUT OF THE AUDIT BUT IF IT DOESN'T GIVE ME APPLES TO APPLES APPLES AND ORANGE WE'RE GOING TO DO OUR BEST TO FIGURE OUT HOW WE CAN GET YOU SOME INFORMATION AND WE TRY TO GIVE YOU THE INFORMATION AS MUCH I MEAN AS AS FLUID AS PRECISE AS POSSIBLE.

SENATOR DUEÑAS: MADAM CHAIR POINT OF INFORMATION.

OFB – DIRECTOR GUERRERO: YEAH GO AHEAD.

SENATOR SHELTON: PLEASE SHARE YOUR POINT OF INFORMATION SENATOR DUEÑAS.

SENATOR DUEÑAS: I I I DON'T THINK THAT WE SHOULD BE ACCEPTING THEN THE KIND OF TOP OF THE NAPKIN AUDIT HERE BECAUSE THAT WOULD MAKE NO SENSE THEN BECAUSE THERE'S IT'S IMPOSSIBLE TO GO FROM NOT HAVING DOE INCLUDED IN SEVENTEEN AND EIGHTEEN GO DOWN BY A THOUSAND SOME PLUS EMPLOYEES.

SENATOR BROWN: DO WE HAVE THE VOTES TO DO IT.

SENATOR DUEÑAS: BUT GO UP.

SENATOR BROWN: OKAY LET'S DO IT AS SOON AS I FINISH THE QUESTIONS.

SENATOR DUEÑAS: IN THE COST TO TWO HUNDRED SEVENTY NINE MILLION THAT MAKES NO SENSE AT ALL.

SENATOR BROWN: THAT'S NOT RIGHT TO DECIDE.

SENATOR DUEÑAS: IF YOU'RE GOING TO GO DOWN BY THAT AMOUNT OF EMPLOYEES YOU SHOULD HAVE A CORRESPONDING DROP IN THE COST SO I I WOULD SAY THAT WE NEED A NEW CHART THAT IS IS MORE EXPANSIVE TO SHOW THE DIFFERENCE BECAUSE THEN I MEAN WE WE CANNOT ACCEPT THIS AT ALL IT MATHEMATICALLY IT MAKES ABSOLUTELY NO SENSE.

OFB – DIRECTOR GUERRERO: AND SENATOR I CAN BASICALLY AGREE WITH YOU I MEAN GIVE ME THE TIME TO GO BACK AND VET THIS I CAN GIVE YOU MORE REALISTIC TRUE NUMBERS BUT WHEN I'M GIVING LIKE FIVE MINUTES TO COME UP WITH MILLIONS AND MILLIONS OF DOLLARS OF FIGURES I NEED TIME TO VET THIS INFORMATION.

SENATOR DUEÑAS: I MADAM CHAIR.

OFB – DIRECTOR GUERRERO: YEAH.

SENATOR DUEÑAS: POINT OF INFORMATION I YOU KNOW A FURTHER POINT OF INFORMATION SO EXACTLY.

SENATOR SHELTON: PLEASE STATE YOUR POINT OF INFORMATION.

SENATOR DUEÑAS: SO I THINK WE SHOULD THEN NOT ACCEPT THE FACT THAT THERE'S GOING TO BE AN ADJUSTMENT TO THESE NUMBERS UNTIL WE SEE THE FULL AUDITED NUMBERS BECAUSE I DON'T WANT TO MAKE US LOOK COMPLETELY OFF BASE BY HAVING A CORRESPONDING INCREASE DECREASE IN EMPLOYEES BY OVER A THOUSAND AND AN INCREASE IN IN IN THE COST BY ABOUT FIFTY MILLION DOLLARS THAT MAKES NO SENSE AT ALL.

SENATOR SHELTON: THANK YOU.

OFB – DIRECTOR GUERRERO: AND AND LIKE I SAID SENATOR WE PULL THESE NUMBERS OUT FROM THE AUDIT I MEAN IF IF THERE'S A SOURCE THAT YOU WANT TO USE IT'S THE AUDIT REPORT BUT IN THE AUDIT REPORT IT DOESN'T GIVE YOU EXACTLY WHAT YOU WANT ALL THE TIME SO WE NEED TO DO OUR BEST TO GO IN THERE AND EXTRACT THESE NUMBERS MAKE SOME DECISIONS I MEAN GOOD DECISIONS ON HOW WE COME UP WITH THESE NUMBERS AND EXPLAIN IT TO YOU AND AND I DID THAT EARLIER BUT I ALSO WANTED TO QUALIFY SAID YOU KNOW THESE ARE RAW NUMBERS THAT WE'RE WORKING WITH AND THE AUDIT DOESN'T REALLY BREAK IT DOWN TO THE PENNY SO I GOT TO DO MY BEST TO GIVE YOU A NUMBER THAT YOU GUYS CAN WORK WITH IT'S NOT THE PERFECT NUMBER BUT IT'S PROBABLY GOING TO BE THE BEST NUMBER WE CAN IT WE CAN DERIVE OUT OF THIS IMPORTANT DOCUMENT.

SENATOR DUEÑAS: SO MADAM CHAIR I WOULD STATE THEN THAT WE SHOULD WITHDRAW THIS AND PUT GET A NEW CHART THAT INDICATES EDUCATION NOT EDUCATION AND THE RIGHT NUMBERS BECAUSE OTHER THAN THAT IT'S GOING TO MAKE NO SENSE AND AND IT'S JUST NOT GOING TO BE A DOCUMENT WE CAN WORK WITH.

SENATOR BARNETT: MA'AM I WOULD LIKE TO MAKE A MOTION TO RECESS WITH ALL THE CONVERSATION THAT JUST HAPPENED IT'S CLEAR.

SENATOR SAN AGUSTIN: OBJECT.

SENATOR BARNETT: OFB NEEDS MORE TIME TO GET US SOME ACCURATE NUMBERS AND I WOULD UH JUST MOTION THAT WE RECESS UNTIL 4:00 PM TOMORROW AND WE GO INTO.

SENATOR SAN AGUSTIN: OBJECT.

SENATOR BARNETT: THE THIRD ROUND FOR AMENDMENTS AND COMMENTS MA'AM AND I'D LIKE TO THANK MR. BIRNS AND MR. SHANE FOR THEIR TIME HERE TODAY I KNOW THAT I'VE EXHAUSTED THE QUESTIONS ON MY END THERE'S A LOT OF INFORMATION TO DIGEST TO MAKE THIS A BIG DECISION FOR THE WORKING PEOPLE OF GOVGUAM SO I WOULD JUST ASK FOR THIS RECESS TO KIND OF UH COMPUTE ALL THE ALL THE INFORMATION THAT WAS GATHERED HERE TODAY MA'AM.

SENATOR SHELTON: THERE'S BEEN A MOTION TO RECESS AND UNTIL 4:00 P.M. TOMORROW AND GO DIRECTLY INTO THE AMENDMENTS AND COMMENTS ROUND.

SENATOR SAN AGUSTIN: OKAY.

SENATOR SHELTON: THERE HAS BEEN AN OBJECTION.

SENATOR FISHER: POINT OF INQUIRY.

SENATOR SAN AGUSTIN: MADAM CHAIR I HAD A PUBLIC HEARING TODAY I MOVED IT TO TOMORROW AT TWO AND TONIGHT THEY WANTED A SECOND ROUND IF WE GO RIGHT INTO THE AMENDMENT WE'LL BE DONE I'M JUST CONCERNED IS THAT WHAT DOES THIS HAVE TO DO WITH THE GENERAL PAY PLAN I'M TRYING TO UNDERSTAND ALL THE RATIONALE BECAUSE GENERAL PAY PLAN IS VERY SIMPLE TWENTY TWO PERCENT THE MONEY IS THERE WE MOVE ON AND I'M AND I'M JUST OBJECTING TO.

SENATOR BARNETT: MA'AM I'M NOT SURE THIS MOTION IS DEBATABLE.

SENATOR SHELTON: OKAY THERE HAS BEEN HE'S REGISTERING HIS OBJECTION.

SENATOR SAN AGUSTIN: THANK YOU.

SENATOR SHELTON: THERE HAS BEEN AN OBJECTION MADE TO THE MOTION TO RECESS UNTIL 4:00 P.M. TOMORROW ALL THOSE IN FAVOR OF RECESS.

SENATOR FISHER: POINT POINT OF INQUIRY.

SENATOR SHELTON: PLEASE STATE YOUR POINT OF INQUIRY YOU CAN SIT SIR.

SENATOR FISHER: YEAH YES WHY DO I SIT THE RULES SAY STAND.

SENATOR SHELTON: IN THE COMMITTEE OF THE WHOLE WE CAN REMAIN SEATED YES THANK YOU.

SENATOR FISHER: RIGHT IT'S NOT MANDATORY BUT THIS IS THAT'S I'M GOING TO STOP WASTING YOUR TIME MADAM CHAIR NOT SENATOR BROWN STILL HAS EIGHTEEN SECONDS AND I HAVEN'T EXHAUSTED ALL MY ROUNDS SO I'M WONDERING WHY WE ARE GOING IMMEDIATELY INTO AMENDMENTS I DON'T OBJECT TO THE RECESS.

SENATOR SHELTON: WOULD YOU LIKE TO AMEND THE MOTION SENATOR FISHER.

SENATOR FISHER: I MOVE I JOIN IN THE MOTION TO RECESS BUT I WOULD AMEND TO FINISH THE ROUNDS ALLOW SENATOR BROWN TO COMPLETE HER TIME AND THEN THERE ARE FOUR SENATORS THAT ARE ON THE BACK ROW THAT HAVEN'T HAD THE OPPORTUNITY YET.

SENATOR SAN AGUSTIN: OBJECT OBJECT GO TO THE AMENDMENT.

SENATOR PARKINSON: OBJECTION MA'AM LET'S PUT IT INTO THE STALLING.

SENATOR SHELTON: OKAY THERE'S BEEN AN OBJECTION TO THE PROPOSED AMENDMENT TO THE MOTION TO RECESS ALL THOSE IN FAVOR OF AMENDING THE MOTION.

SENATOR BARNETT: SORRY MA'AM IM SORRY MADAM CHAIR I'M SO SORRY TO INTERRUPT HIS POINT OF INFORMATION CAN YOU PLEASE STATE EXACTLY WHAT THE AMENDMENT IS.

SENATOR SHELTON: YES I WILL THE AMENDMENT IS TO CHANGE YOUR MOTION TO RECESS FROM RECESSING AND GOING RIGHT INTO THE ROUND OF COMMENTS AND AMENDMENTS AND TO PICK UP WHERE WE LEFT OFF TODAY SO TO FINISH THE ROUND OF QUESTIONING.

SENATOR FISHER: MA'AM I WITHDRAW THE MOTION TO AMEND.

SENATOR SHELTON: OKAY THE AMENDMENT TO HAS BEEN WITHDRAWN WE ARE ON THE ORIGINAL MOTION TO RECESS UNTIL 4:00 P.M. TOMORROW AND GO DIRECTLY INTO THE LAST AND FINAL ROUND WITHOUT A PANEL AND TO PROPOSE AMENDMENTS AND COMMENT ON THE BILL THERE HAS BEEN AN OBJECTION ARE THERE ANY OBJECTIONS.

SENATOR PARKINSON: OBJECTION.

SENATOR SHELTON: THERE IS THERE HAVE OKAY OBJECTIONS ALL THOSE IN FAVOR MOTION CARRIES WE ARE IN RECESS UNTIL 4:00 P.M. TOMORROW WE'D LIKE TO THANK THE PANEL FOR BEING HERE WITH US THANK YOU VERY MUCH.

RECESS

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÁHAN
2023 (FIRST) Special Session
COMMITTEE OF THE WHOLE

Speaker Antonio R. Unpingco Legislative Session Hall

March 20, 21, 22, 23, 24, 2023

NOTE SENATOR SHELTON PRESIDES OVER THE COMMITTEE OF THE WHOLE

SENATOR SHELTON: *BUENAS YAN HÁFA ADAI* THE COMMITTEE OF THE WHOLE IS BACK FROM RECESS WE ARE STILL ON BILL NUMBER 24-37 (COR) AS AMENDED AND FURTHER AMENDED BY THE COMMITTEE OF THE WHOLE AN ACT TO AMEND SECTION TWO OF CHAPTER ONE AND SECTION TWO OF PART ONE CHAPTER THREE AND TO ADD NEW SECTIONS THIRTEEN FOURTEEN FIFTEEN SIXTEEN SEVENTEEN AND EIGHTEEN TO CHAPTER ELEVEN ALL OF PUBLIC LAW THIRTY SIX DASH ONE O SEVEN GENERAL APPROPRIATIONS ACT OF 2023 RELATIVE TO APPROPRIATING TWENTY ONE MILLION THIRTY TWO THOUSAND SIX HUNDRED SEVENTY DOLLARS FOR THE IMPLEMENTATION OF THE ADJUSTED GENERAL PAY PLAN COLLEAGUES WE ARE NOW IN THE LAST ROUND FOR COMMENTS AND AMENDMENTS WE CAN FIND AMENDMENTS IN THE DRIVE OUR SESSION DRIVE UNDER FLOOR AMENDMENTS EVERYONE WILL HAVE FIVE MINUTES IN THIS ROUND FOR THEIR FINAL COMMENTS AND IN THE DRIVE I SEE TWO AMENDMENTS HERE SO IF YOU WOULD LIKE TO FOREGO YOUR TIME YOU'D LIKE TO YIELD YOUR TIME FOR CLOSING REMARKS TO A COLLEAGUE PLEASE REMEMBER THAT TIME CAN ONLY BE YIELDED TO ONE COLLEAGUE AND YOU CANNOT HAVE YOUR TIME BACK EVEN IF IT IS NOT USED SO WE WILL BEGIN IN THE FRONT ROW WITH SENATOR BLAS SENATOR BLAS HAS AN AMENDMENT THAT CAN BE FOUND IN THE DRIVE AND THAT IS B24FBJP10COTW SENATOR BLAS YOU ARE RECOGNIZED.

SENATOR BLAS: THANK YOU MADAM CHAIR MADAM CHAIR THE AMENDMENT IS A PROPOSED WOULD ACTUALLY GO AND IF YOU TO LOOK AT THE BILL ITSELF IT WOULD ACTUALLY BE A NEW SECTION TEN AND IT ACTUALLY MOVE SECTION TEN AS IT IS HERE TO SECTION ELEVEN BUT WHAT THIS BILL WHAT WHAT THIS AMENDMENT PROPOSES FIRST OFF IS TO ADD A NEW SECTION AGAIN IN A NEW SECTION TO THE BILL ENTITLED ENACTMENT AND WHAT THIS WHAT IT WOULD PROVIDE IS THE IMPLEMENTATION OF THIS ACT SHALL ONLY OCCUR AFTER A *I MAGA'HÁGAN GUÁHAN* SUBMITS TO *I LIHESLATURAN GUÁHAN* WRITTEN PLANS TO ADDRESS THE PAYMENTS OF NUMBER ONE MERIT BONUSES OWED TO EMPLOYEES FROM 2012 TO PRESENT TWO ANNUAL INCREMENTS OWED TO EMPLOYEES AND THREE THE FINANCIAL ASSISTANCE PROMISED TO GUAM ON BUSINESSES IN THE 2023 STATE OF THE ISLAND ADDRESS REGARDING THE MERIT BONUSES AND INCREMENTS THESE PLANS SHALL INCLUDE BUT NOT LIMITED TO THE NUMBER OF EMPLOYEES OWED THE THE BONUS OR INCREMENT THE AMOUNTS OWED FOR BONUSES AND INCREMENTS THE FUNDING SOURCE THAT WILL BE USED TO PAY THE BONUSES AND INCREMENTS AND THE TIME FRAME FOR WHICH THE OLD BUSINESSES AND INCREMENTS WILL BE FULLY PAID REGARDING THE PROMISED FINANCIAL ASSISTANCE TO GUAM ON BUSINESSES THE PLANS SHALL INCLUDE BUT NOT LIMITED TO THE INITIAL FUNDING AMOUNT ANTICIPATED TO TO BE PROVIDED THE PROCESS BY WHICH ELIGIBILITY FOR THE ASSISTANCE WILL BE IMPLEMENTED AND THE TIME FRAME FOR WHEN THE ASSISTANCE WILL BE MADE AVAILABLE MADAM CHAIR I PROPER THIS AMENDMENT BECAUSE IN THE DISCUSSIONS WE HAD IN THE COMMITTEE OF THE WHOLE THERE WAS THE CONCERN AND THERE WAS THE ISSUES THAT WERE BROUGHT UP WITH REGARD TO MERIT BONUSES THAT WERE OWED TO THAT CONTINUED TO BE OWED AND STATUTORILY OWED TO NOT JUST THOSE CURRENT EMPLOYEES BUT THE RETIREES SOME OF THE INDIVIDUALS THAT HAVE SINCE REP RETIRED FROM THE GOVERNMENT THERE WAS A PRESENTATION EARLIER THAT FROM MR. BIRN THAT THE GOVERNOR HAS TAKEN AND HAS DECIDED THAT SHE WOULD BE RESPONSIBLE JUST FOR THOSE MERIT BONUSES THAT WERE OWED TO EMPLOYEES FROM 2017 TO PRESENT BUT IT STILL LEFT YOU KNOW THE THAT UNPAID OBLIGATION TO TO THE OTHER EMPLOYEES AND THE RETIREES AFFORD FROM AS FAR BACK AS 2012 YOU KNOW MADAM CHAIR AS WE MOVE CONTINUE TO MOVE FORWARD AND WANTING TO NOW NOW ADD ON ANOTHER OBLIGATION TO TO THE GOVERNMENT I THINK IT'S INCUMBENT UPON THIS GOVERNMENT AND INCUMBENT UPON US TO BE ABLE TO ADDRESS THOSE THOSE OBLIGATIONS THAT ARE THAT STILL YOU KNOW REMAIN AS WELL AS YOU KNOW THESE AGAIN I HAVE TO SAY THE STATUTORY YOU KNOW WITH REGARDS TO STATUTORY OBLIGATED THESE THESE MERIT BONUSES THE ANNUAL INCREMENTS IT'S YOU KNOW YOU KNOW THAT SOME OF THESE EMPLOYEES ARE STILL OWED THIS IF

THIS WERE TO THE THE THE THE PAY RAISE WERE TO PASS YOU KNOW AND YOU'VE GOT AN EMPLOYEE WHO'S HASN'T HAD THEIR INCREMENTS PROVIDED TO THEM THAT FACTORS IN CONSIDERABLY TO YOU KNOW WHAT THAT TWENTY TWO PERCENT WOULD MEAN THEN THE THIRD AREA IS YOU KNOW WE JUST FINISHED A SERIES OF PUBLIC HEARINGS OR A PUBLIC HEARING FOR A SERIES OF BILLS TO TO ADDRESS THE CONTINUED ASSISTANCE THE THE ASSISTANCE THAT OUR BUSINESSES NEED OUR BUSINESSES ARE THE ARE THE DRIVERS TO YOU KNOW OUR ECONOMY AND GUAM BUSINESSES ARE THE ONES THAT YOU KNOW DERIVED THE TAXES OR EMPLOY THE INDIVIDUALS THAT THAT IN TURN PAY THE TAXES WHAT ARE THOSE TAXES BASICALLY MEAN THOSE TAXES MEAN THAT THAT'S WHERE THE GOVERNMENT GETS ITS REVENUE AND IF WE DON'T HELP THOSE BUSINESSES YOU KNOW AS WAS STATED IN THE PUBLIC HEARING AND THAT WE KNOW YOU KNOW THEN YOU KNOW WHERE WHERE THEN DOES OUR ECONOMY CONTINUE TO DRIVE OR CONTINUE TO GO AND AND THIS IS A PROMISE THAT THE GOVERNOR HAD MADE IN HER RECENT STATE OF THE ISLAND ADDRESS AND IN KEEPING WITH THAT PROMISE AND EVERYTHING WE I FEEL THAT UH BEFORE WE WE CAN IMPLEMENT THIS THIS ACT I'M NOT ASKING HER THIS THIS FIRST OFF I MUST SAY THIS DOES NOT ASK HER TO IMPLEMENT A PLAN THIS ONLY ASKS THAT PLANS BE PROVIDED TO THIS BODY ON HOW THEY'RE GOING TO BE ABLE TO ADDRESS YOU KNOW THESE THREE THESE THREE AREAS THESE THREE CONCERNS AND THEN UPON PROVIDING THIS BODY WITH WITH THOSE PLANS THEN IT CAN BE IMPLEMENTED IT DOESN'T SAY THAT WE HAVE TO APPROVE THE PLAN JUST WE HAVE TO RECEIVE IT.

SENATOR SHELTON: YES THANK YOU SENATOR BLAS.

SENATOR BLAS: SO THANK YOU.

SENATOR SHELTON: OKAY THANK YOU ON THE AMENDMENT ON THE BLAS AMENDMENT.

SENATOR PARKINSON: OBJECTION MADAM CHAIR THIS THESE AMENDMENT IS NOT GERMANE NO.

SENATOR SHELTON: YOU ARE RECOGNIZED SENATOR PARKINSON PLEASE STATE YOUR OBJECTION.

SENATOR PARKINSON: OBJECTION MADAM CHAIR THESE THIS AMENDMENT IS NOT GERMANE AT ALL TO THIS BILL AND NOWHERE THE PUBLIC HEARINGS THAT WE TALKED ABOUT MERIT BONUSES OR ANNUAL INCREMENTS AND THE FINANCE WHAT WHAT THE GOVERNOR SAID IN HER A STATE OF THE ISLAND ADDRESS IS NOT GERMANE TO THIS BILL YEAH.

SENATOR SHELTON: THANK YOU ON THE BILL THERE'S BEEN AN OBJECTION ON THE BILL ANYONE WISHING TO DISCUSS I MEAN ON THE AMENDMENT EXCUSE ME SPEAKER TERLAJE.

SPEAKER TERLAJE: THANK YOU JUST SAYS TO THE OH GERMANNESS YEAH IF YOU LOOK AT THE LETTER THAT WAS ACTUALLY SENT DOWN AS AS THE THE PAY PLAN RIGHT IT INCLUDES THE LETTER TO THE GOVERNOR AND REPORTEDLY THE GOVERNOR'S APPROVAL OF THAT ENTIRE PACKAGE WHICH DOES GO INTO DETAIL ABOUT PART OF WHAT WE'RE APPROVING IN THE PAY PLAN IS A PLAN THAT MERIT BONUSES WILL BE PAID UP TO DATE AND THAT THEY'RE GOING TO MAKE A PLAN FOR THE PAYMENT I I DON'T REALLY THINK WE MIGHT NEED THIS BECAUSE IT'S VERY CLEAR TO ME THAT PAY PLAN THAT THAT'S PART OF WHAT WE'RE MANDATING BY WELL SHE MANDATED BY APPROVING THE PAY PLAN AND SO SO BUT I GUESS DETAILS ON HOW IT WILL BE FUNDED ARE ARE THOSE WOULD BE GOOD AND THE SAME THING WITH WELL THE INCREMENTS ARE THEY'RE NOT MENTIONED BUT THEY'RE THEY'RE DEFINITELY REFLECTED AS WELL BECAUSE IT'S VERY CLEAR AND WE TALKED WITH THEM ABOUT THIS THAT THE INCREMENTS HAD CONTINUED ALL ALONG THEY SAID THERE WERE NO PAY INCREASES BUT THE INCREMENTS HAD CONTINUED AND I'M NOT AWARE OF ANY THAT ARE OWED I THINK THEY HAVE KEPT UP TO DATE THE GOVERNMENT OF GUAM THE INCREMENTS THAT'S THE KNOWLEDGE I HAVE SO UM SO I DON'T HAVE ANY OBJECTION TO JUST ASKING THE GOVERNOR FOR MORE PLANS ON THESE THREE THING.

SENATOR SHELTON: THANK YOU ON THE AMENDMENT.

SENATOR FISHER: POINT OF INQUIRY MA'AM.

SENATOR SHELTON: PLEASE STAY AT YOUR POINT OF INCREASED SENATOR FISHER.

SENATOR FISHER: ARE WE DISCUSSING SENATOR PARKINSON'S OBJECTION.

SENATOR SHELTON: WE ARE DISCUSSING THE AMENDMENT SO THERE HAS BEEN AN OBJECTION REGISTERED AND YOU CAN SPEAK ON THE AMENDMENT IN FAVOR OR IN OBJECTION.

SENATOR FISHER: UNDER UNDERSTOOD THANK YOU.

SENATOR SHELTON: ON THE AMENDMENT SENATOR DUEÑAS.

SENATOR DUEÑAS: *SI YU'OS MA'ÁSE'* MADAM CHAIR I SUPPORT THE AMENDMENT I THINK IT'S A GOOD HOUSEKEEPING THE A LOT OF THE CONTEXT OF HOW THE DEPARTMENT OF ADMINISTRATION REPRESENTED THE VIABILITY OF THIS PROPOSAL WERE QUESTIONED IN CONTEXT OF YOU KNOW COMPENSATION OUTSTANDING THAT'S DUE WHICH IS A LIABILITY OF THIS GOVERNMENT IT HAS A DIRECT BEARING ON THE FUNDING AND THE CAPABILITY TO FUND IN IN THE TOTALITY OF WHAT IS THE BUDGET THERE WAS NO DENYING ON THE RECORD BY THE DIRECTOR OF DOA THAT THIS IS A RIGHTEOUS DEBT AND THAT IT HAS AN IMPACT ON THE FUND BALANCE AND THE CAPABILITY AND VIABILITY OF THE PROPOSAL SO I RESPECTFULLY DISAGREE WITH THE OBJECTION AND I THINK THIS AMENDMENTS NOT ONLY RESPONSIBLE BUT GOOD HOUSEKEEPING *SI YU'OS MA'ÁSE'* MADAM CHAIR.

SENATOR SHELTON: *SI YU'OS MA'ÁSE'* SENATOR DUEÑAS SENATOR BARNETT ON THE AMENDMENT.

SENATOR BARNETT: THANK THANK YOU MADAM CHAIR I TOO WOULD LIKE TO JUST VOICE MY OBJECTION TO THE OBJECTION YOU KNOW WE OUTSIDE OF MR. BIRNS VERY WELL WRITTEN UM GENERAL PAY PLAN UH LITERALLY WAS SENT DOWN TO THE BODY IN JANUARY I FELT THAT WE WERE ABSURDLY SHORT OF ANYTHING IN WRITING DURING THE COMMITTEE OF THE WHOLE THAT WE HAD ASKED NUMEROUS QUESTIONS THAT MR. BIRN MR. SHANE AND ALTHOUGH WE RECEIVE VERBAL COMMITMENTS I'M MORE OF A DOCUMENTS PERSON AND SO I WOULD ENCOURAGE ANYTHING REALLY IN WRITING BE SUBMITTED TO THIS BODY ESPECIALLY BECAUSE YOU KNOW I FELT WE WERE KIND OF RUSHED ALONG AND IN THIS DEBATE WITHOUT GETTING A LOT OF THE PERTINENT INFORMATION AGAIN IN BLACK AND WHITE MA'AM SO II JUST WOULD STATE THAT FOR THE RECORD THANK YOU.

SENATOR SHELTON: THANK YOU SENATOR BARNETT SENATOR FISHER ON THE AMENDMENT.

SENATOR FISHER: YES THANK YOU MADAM CHAIR I SUPPORT THE AMENDMENT I THINK THIS PARTICULAR AMENDMENT SHOWS BOTH CONSISTENCY AND REAL CARE FOR THE PEOPLE WHO ARE WHO WORK FOR GUAM WE CAN'T LEAVE THESE PEOPLE BEHIND THE THOSE FOLKS FROM 2012 FORWARD WE CANNOT LEAVE THEM BEHIND THEY ARE OWED THIS MONEY JUST AS MUCH AS ANYONE ELSE DOES AND WHAT UH WHAT THE OFFER OF THE AMENDMENT IS DOING IS HE'S BRINGING THE LEGISLATURE INTO LINE WITH OUR OBLIGATION TO TAKE CARE OF GOVERNMENT WORKERS NOT JUST IN THIS ADMINISTRATION BUT GOING BACK GOING BACK TO 2012 SO I I THANK HIM FOR THE AMENDMENT AND I THANK HIM FOR KIND OF BRINGING THE LEGISLATURE UP STRAIGHT ON WHAT THE UH WHAT OUR OBLIGATIONS ARE TO THE PEOPLE THANK YOU VERY MUCH.

SENATOR SHELTON: THANK YOU SENATOR FISHER SENATOR SAN AGUSTIN ON THE AMENDMENT.

SENATOR SAN AGUSTIN: THANK YOU MADAM CHAIR I'D LIKE TO ASK THE AUTHOR WOULD HE BE ACCEPTABLE TO MAKING AN AMENDMENT THAT ON THE PART THERE THE ENACT THE INFORMATION ACT SHALL ONLY OCCUR AFTER THAT IT THAT THAT THE *MAGA'HÁGA* WILL SUBMIT A PLAN SO WE CAN TAKE A LOOK ON HOW SHE'S GOING TO DO IT BUT NOT TIE THIS GENERAL PAY PLAN TO THAT TO THAT PLAN.

SENATOR SHELTON: SENATOR BLAS DO YOU YIELD TO THE QUESTION.

SENATOR BLAS: YES I YIELD TO THE QUESTION THANK YOU VERY MUCH FOR THE QUESTION I THINK THAT THIS IS VERY CLEAR OF WHAT THIS AMENDMENT INTENDS TO DO IS THAT WE'VE GOT TO ACKNOWLEDGE THAT AND IT WAS IN THE DISCUSSIONS OF THE COMMITTEE OF THE WHOLE AND YOU KNOW IT'S AGAIN THIS THIS IS THIS AMENDMENT THIS PROFFERED IS JUST FOR A PLANS OR PLANS TO BE SUBMITTED TO TO TO THE LEGISLATURE THAT WOULD DETAIL THESE THINGS AND AND YOU KNOW IT DOESN'T SAY THAT IT HAS TO BE IMPLEMENTED IT'S JUST THESE PLANS TO BE DETAILED BEFORE YOU CAN IMPLEMENT YOU KNOW THIS PAY THIS IS SO THAT WE CAN ACKNOWLEDGE THAT FIRST LET'S ACKNOWLEDGE THAT WE SAY IN IN TWO OF THESE AREAS IT'S STATUTORILY REQUIRED WE I THINK WE HAVE A RESPONSIBILITY IN BEING ABLE TO TO TO ADDRESS THESE STATUTORY REQUIREMENTS AND AND THIS IS THE FIRST WAY WE'RE GOING TO DO THIS IS GET A PLAN YOU KNOW I MEAN THANK GOD FOR THE COMMITTEE OF THE WHOLE I APPRECIATE THE GOOD THE GOOD CHAIRMAN AS FAR AS YOU KNOW YOU KNOW CHAIRING SHARING IT BUT THIS IS WHERE THIS IS THIS DISCUSSION YOU

KNOW CAME OUT AND AND IT'S WE'VE GOT TO BE ABLE TO ADDRESS IT AND I AM GOING TO HOLD FIRM THAT AS AS THIS HAS PROVIDED THAT IT JUST ASKS THAT THESE PLANS BE SUBMITTED PRIOR TO THE IMPLEMENTATION OF THE OF THE PAY IT DOESN'T SAY IT STOPS IT IT DOESN'T SAY YOU'RE NOT YOU CAN'T DO IT YOU JUST SUBMIT THE PLANS TO THE LEGISLATURE IT DOESN'T REQUIRE FOR US TO HAVE TO REVIEW IT TO SAY OKAY YOU KNOW I WE WE AGREE WITH YOUR PLAN SUBMIT YOUR PLAN SO THAT WE SO THAT THAT WAY OUR PEOPLE THOSE PEOPLE TOO WHO HAVE RECEIVED OR RECIPIENTS OF MERIT BONUSES YOU KNOW IN THE ANNUAL INCREMENTS CAN GET SOME ASSURANCE YOU KNOW FIRST OFF RETIREES ARE NOT WHO WHO ARE OWED THE MERIT BONUS HOW DO YOU THINK THEY FEEL WAIT A MINUTE YOU HAVEN'T EVEN DEALT WITH MY MERIT BONUS AND YOU WANT TO GIVE HAY PAY TO OTHER PEOPLE WHAT ABOUT MY MY MERIT BONUS OKAY AND THEN WHEN YOU TALK ABOUT THE BUSINESS COMMUNITY OKAY ARE THOSE PEOPLE THOSE BUSINESSES THOSE EMPLOYEES THOSE THAT THAT WORK IN BUSINESSES THAT OUR ECONOMY RELIES ON SO THAT YOU KNOW TAXES CAN BE GAINED REVENUE AND THE REVENUES CAN BE RECEIVED BY THIS GOVERNMENT TO OPERATE AND RECEIVED AND RECEIVE THEIR THEIR THEIR PAY RAISES WE GOT TO GIVE THEM WE'D LIKE TO BE ABLE TO GIVE THEM ASSURANCES TOO THAT THE GOVERNMENT RECOGNIZES THEIR THEIR THEIR THEIR SUFFERINGS THEIR GOVERNMENT RECOGNIZES YOU KNOW WHAT THEIR WHAT THEY HAVE TO GO THROUGH REMEMBER IT WASN'T THE OKAY ONE OF THE THINGS IN THIS WITH REGARDS TO THE THE THE FINANCIAL ASSISTANCE TO THE BUSINESSES WE'RE TALKING ABOUT PEOPLE WHO WERE FURLOUGHED WE'RE TALKING ABOUT PEOPLE WHO WERE LAID OFF WE'RE TALKING ABOUT PEOPLE WHO DIDN'T RECEIVE PAYCHECKS IN THE MIDDLE OF A PANDEMIC OKAY WHEN THE INDIVIDUALS THAT WE'RE GOING TO BE PROVIDING PAY RAISES IN THIS DIDN'T HAVE THOSE FEARS DIDN'T HAVE THOSE CONCERNS SO APPRECIATE THE THE THE THE YOU KNOW THE THE REQUEST OR WHETHER OR NOT I'D BE ABLE TO TO YOU KNOW CHANGE UP THE THE WORDS NO I WON'T THANK YOU VERY MUCH.

SENATOR SAN AGUSTIN: MADAM MADAM CHAIR.

SENATOR SHELTON: SENTAOR SAN AGUSTIN YOU ARE STILL RECOGNIZED.

SENATOR SAN AGUSTIN: ALSO AS I READ HIS AMENDMENT AND AND ON THE THIRD LINE AND THE THREE FINANCIAL ASSISTANCE PROMISED TO GUAM BUSINESS WE JUST FINISHED THE BILL WE STILL NEED TO SIT DOWN AND DISCUSS WHICH BILL WE'RE GOING TO PUT IN SO OR OR OR SUBMIT TO THE FLOOR SO TO PUT THAT IN EVEN IS IS PREMATURE AT THIS TIME *KALAN NI' GAP HA NA MA CHO'GUE LAO AHE PÂGUGU-HA NA MA'NANA YAN* AND THEN AND THE REASON WHY I BRING THIS UP IS BECAUSE I UNDERSTAND WHERE IT'S COMING FROM THAT HE WANTS A PLAN IT'S NOT FOR US TO APPROVE BUT BECAUSE THE TIMELINE I'M ONLY CONCERNED ABOUT THE TIMELINE OF THE PLAN VERSUS THE IMPLEMENTATION OF THE THE PAY PLAN THE ACT APRIL 1ST DON'T EVEN NEED TWO HANDS TO COUNT HOW MANY MORE DAYS FROM NOW IF THIS BILL IS PASSED THAT'S MY CONCERN AND I JUST I WOULD JUST LIKE TO BE ABLE TO COMMUNICATE WITH MR. BIRN AND FIND OUT BECAUSE I I HAVE REACHED OUT TO THEM IN REFERENCE TO WHERE IS THE MERIT WHAT AGENCY DOES IT IMPACT SO THAT WE CAN COME TO TERMS EXACTLY WHAT'S BEEN GOING ON BECAUSE FOR FOUR YEARS WE HAVE INTRODUCED A BUDGET ACT THAT MY COLLEAGUES MY *PRIMUM* FRANK SUPPORTED THAT THEY PAY THEIR PRIOR YEAR OBLIGATIONS AND THAT'S WHERE I WOULD LIKE TO KNOW WHAT DID THEY NOT PAY ANYTHING IT'S INCLUSIVE OF MERIT BUT THAT IS A PROCESS THAT I'M ASKING NOW AND TO TIE IT UP TO THE PAY TO THIS ACT I'M JUST SAYING JUST DAYS ARE JUST TOO CLOSE SO I COULDN'T SUPPORT THIS BUT I UNDERSTAND WHERE IT'S GO IT'S ONLY A PLAN UNDERSTOOD BUT THE PART THERE WHEN THE SECOND PART LIKE I SAID THESE DEALS WITH THE BUSINESSES WE JUST FINISHED THE BILL NOT EVEN NOT EVEN THIRTY MINUTES AGO WE'RE STILL IN DISCUSSION ON WHICH BILL BUT WE'RE IN AGREEMENT GENERALLY OF HOW TO HELP THE BUSINESSES AND THE BUSINESS ARE VERY THANKFUL THAT THERE ARE THREE OF US SENATORS THAT ARE PURSUING TO ASSIST THEM BUT WE GOT TO GET OVER THE HURDLE AND I JUST RECOMMEND THAT IF HE CAN MAKE THE ADJUSTMENT OTHERWISE I'D HAVE TO JUST OBJECT BECAUSE THERE'S TWO PARTS HERE I'M NOT IN AGREEMENT WITH THANK YOU MADAM CHAIR.

SENATOR SHELTON: THANK YOU SENATOR SAN AGUSTIN ON THE BLAS AMENDMENT SENATOR BROWN FOLLOWED SENATOR LUJAN SENATOR BROWN YOU'RE RECOGNIZED.

SENATOR BROWN: WELL THANK YOU I APPRECIATE THE COURTESY OF SENATOR LUJAN YOU KNOW MADAM CHAIR WE'RE WORRIED ABOUT TIMELINES OF APRIL 1ST I MEAN YOU KNOW THE GOVERNOR CAN DECIDE WHAT SHE WANTS TO DO BUT AS A BODY HERE A DELIBERATIVE BODY I MEAN WE HAVE EVERY RIGHT TO PUT OUR INPUT WITH WHAT WE THINK OUR PRIORITIES AND IT WAS VERY CONCERNING WHEN DIRECTOR BIRNS WAS

TALKING ABOUT THESE MERIT BONUSES AND RELAY THAT THE GOVERNOR IS ONLY GOING TO ADDRESS MERIT BONUSES THAT HAVE BEEN PUT IN PLACE DURING HER TERM WHICH REALLY POLITICIZED THAT PROCESS BECAUSE THESE ARE OBLIGATIONS OF THE GOVERNMENT AND THEIR OBLIGATIONS THAT EXIST REGARDLESS OF WHO'S GOVERNOR I THINK WE PLAY TOO MUCH IMPORTANCE I DON'T KNOW IF IT'S PART OF OUR COLONIAL HISTORY THAT WE PLACE SO MUCH IMPORTANCE ABOUT THIS GOVERNOR THAT GOVERNOR WHEN THERE ARE RESPONSIBILITIES THAT WE HAVE IN OUR POSITIONS TO ADDRESS THE NEEDS OF OUR COMMUNITY IN THIS PARTICULAR CASE THESE ARE OBLIGATIONS THAT ARE OWED TO GOVERNMENT EMPLOYEES AND THE BACK AND FORTH CAN BE THERE'S TO WHY THEY WERE NOT PAID IN A TIMELY FASHION PROBABLY THE REALITY HAD TO DO WITH PRIORITIZING WHAT FUNDS WERE AVAILABLE BUT MY GOSH SINCE NOW WE WANT TO BRAG THAT WE'RE IN A DAY OF WE KNOW OUR WASH WITH MONEY AND MONEY'S FALLING FROM THE SKY AND WE CAN HAVE ANYTHING AND EVERYTHING AND APPROPRIATE ANYTHING AND EVERYTHING FOR WHATEVER BECAUSE WE HAVE ALL THIS MONEY THEN THERE'S NO REASON WHY THIS CANNOT BE ADDRESSED ESPECIALLY IF WE'RE LOOKING AT ASKING FOR A PLAN I MEAN LANGUAGE COULD BE FURTHER AMENDED TO HERE TO SAY THAT ESSENTIALLY YOU CAN'T PAY OUT A PAY RAISE UNTIL THE MERIT BONUS IS ARE ADDRESS BECAUSE THEY HAVE BEEN SO LONG-STANDING I MEAN NOW WE'RE TALKING ABOUT MAYBE 11 YEARS AS THEY WERE DELAYED THAT THE LAST MERIT BONUSES WERE PAID OUT AND THEN ALSO COLLEAGUES WE NEED TO REMEMBER EVEN THOUGH IT SEEMS KIND OF STRANGE IN THIS HALL THAT WE ARE ONLY FOCUSED SINGULARLY ON THE GOVERNMENT OF GUAM IS IF OUR WORLD BEGINS AND ENDS WE KIND OF FORGET THAT THE GOVERNMENT OF GUAM IS HERE TO SERVE THE PUBLIC AND THE PUBLIC IS FAR BROADER THAN SIMPLY THE GOVERNMENT OF GUAM ITSELF SOME COLLEAGUES MAY WANT TO CATER ONLY TO THE GOVERNMENT OF GUAM SOME COLLEAGUES SEEM TO ONLY WANT TO CATER TO THE GOVERNOR LIKE I SAID IF YOU WANT TO WORK FOR THE ADMINISTRATION SKIP A STEP GO GO GET A JOB THE STARTING RATE'S NINETY GRAND BUT FOR THOSE OF US THAT ACTUALLY WANT TO SERVE THE PUBLIC I THINK WE NEED TO LOOK AT THE BIGGER PICTURE AND ENSURING THAT IT'S NOT JUST CERTAIN EMPLOYEES THAT BENEFIT FROM THIS BUT LONG-TERM OBLIGATIONS OF THIS GOVERNMENT ARE ADDRESSED AND NOT POLITICIZED IF THERE'S A PLAN IN PLACE AND BY ALL MEANS THAT'S THAT WOULD BE NICE TO SEE BECAUSE LATELY WE'RE SEEING SO MANY ARBITRARY DECISIONS BEING MADE WITHOUT INCLUDING THIS LEGISLATIVE BRANCH I DON'T KNOW EVEN HOW SOME PEOPLE CAN GO OUT AND CAMPAIGN TO THE PEOPLE OF GUAM TO SAY I'M HERE TO SERVE YOU MY DEAR PEOPLE BUT WHEN YOU GET IN HERE YOU KNOW THE BACK DOOR DEALS AND DISCUSSIONS IS WHERE THOSE DECISIONS GET MADE THEY DON'T GET MADE OUT IN THE LIGHT OF DAY AND THEN WHEN WE HAVE A RESPONSIBILITY TO VOTE TO MAKE SURE THAT THESE ISSUES ARE TRANSPARENT FOR ALL THE TALK IT DOESN'T HAPPEN WE ALREADY KNOW THE ALIGNMENTS AND HOW THEY'RE GOING TO FALL AROUND HERE LET'S NOT KID OURSELVES SO BY ALL MEANS I SUPPORT THIS AMENDMENT I THANK SENATOR BLAS FOR PUTTING THIS FORTH TO MAKE SURE THAT THESE LONG-STANDING ISSUES ARE ADDRESSED AND ALSO THE THE FINAL SECTION HERE OF THIS PARTICULAR AMENDMENT TO ADDRESS A PLAN FOR THE PRIVATE SECTOR HOW SIMPLY WE FORGET HOW EASILY WE FORGET BECAUSE WE'RE SITTING HERE AND YES YOU'RE RIGHT THE GOVERNMENT OF GUAM DID NOT LOSE A PAYCHECK LATELY IT'S ALL ABOUT THE GOVERNMENT OF GUAM HAIL HAIL TO THE GOVERNMENT OF GUAM THERE ARE OTHER REALITIES BEING FACED BY MANY OF OUR MANY WHO'VE HAD TO LEAVE THE ISLAND SAD TO SAY HARD- WORKING PEOPLE THAT HAVE PAID INTO OUR TAX BASE HERE THAT LITERALLY HAVE HAD TO LEAVE THE ISLAND OR HAVE HAD TO SACRIFICE OR EVEN TAKE ON ADDITIONAL JOBS JUST TO MAKE IT BY BECAUSE THEIR HOURS HAVE BEEN CUT BUT I DON'T HEAR US YOU KNOW BANGING THE DOORS TO ADDRESS THIS ISSUE I DON'T SEE US PUTTING TOO MUCH EFFORT TO BE OVERLY CONCERNED IT'S LIKE WELL LET THEM EAT CAKE BECAUSE WE'VE GOT OUR OWN PARTY IN HERE AND THIS IS WHERE OUR PRIORITIES ARE SAD TO SAY WELL THAT'S FOR THE PEOPLE I GUESS TO DECIDE YOU KNOW THERE'S SOMEONE TOLD ME AS I MENTIONED MANY YEARS AGO YOU KNOW WHO'S TRIED AND TRUE AND WHO ARE EXPERIMENTS SO WE'LL SEE WHAT THE PEOPLE AT GUAM THINK ABOUT THE EXPERIMENTS BUT I THINK MORE SEASONED LEADERSHIP PERHAPS HERE AS WHAT HAS BEEN EXEMPLIFIED WITH THIS PARTICULAR AMENDMENT SHOULD MOVE FORWARD SO I STAND WHOLEHEARTEDLY IN SUPPORT OF SENATOR BLAS'S AMENDMENT THANK YOU VERY MUCH MADAM CHAIR.

SENATOR SHELTON: THANK YOU SENATOR BROWN SENATOR LUJAN.

SENATOR LUJAN: THANK YOU VERY MUCH MADAM CHAIR MADAM CHAIR I WHOLEHEARTEDLY SUPPORT THIS AMENDMENT IN ITS TOTALITY YOU KNOW AS PREVIOUSLY MENTIONED THE OBLIGATION IS THE DEBT IS A DEBT THAT HAS TO BE PAID AND IF A PLAN HASN'T BEEN DERIVED AT THIS POINT SOME OF THEM GOING BACK TO 2012 THAT'S ELEVEN YEARS AGO I'M SURE QUITE A FEW OF THE FOLKS THAT THAT ARE DUE THE MERIT BONUS BONUSES HAVE RETIRED OR PROBABLY PASSED AWAY I JUST GOT A CALL TODAY PRIOR TO COMING TO UM THE

LEGISLATURE REGARDING A MERIT BONUS THAT THIS INDIVIDUAL WAS TOLD THAT SHE NO LONGER IS ELIGIBLE FOR THE UH THE THE MERIT BONUS THAT SHE IS SHE SUPPOSED TO RECEIVE BECAUSE SHE HAD BEEN TRANSFERRED TO ANOTHER AGENCY AND AND I'M SAYING IF A PLAN IS NOT DERIVED AT THIS POINT YOU SHOULD HAVE BECAUSE THE PLAN AT THIS POINT HAS NOT BEEN DERIVED AND HOW TO PAY OUT THESE MERIT BONUSES THAT MEANS THE GOVERNMENT HAD NO INTENTION OF PAYING IT OUT AND ON THESE SUBJECTS YOU KNOW IN REGARDS TO MERIT BONUSES AND AND THE THE LIABILITIES THE OBLIGATIONS THE GOVERNMENT HAS HAS BEEN BROUGHT OUT IN THE PAST A FEW DAYS IN REGARDS TO THIS PAY PLAN SO TO SAY THAT THIS IS NON-GERMANE IS ABSOLUTELY ABSURD BECAUSE ALL THESE ISSUES WERE BROUGHT UP IN THE DIFFERENT ROUNDS OF OF DISCUSSIONS REGARDING THIS THIS PAY PLAN AND AGAIN THESE FOLKS A GREAT DEAL OF OF FOLKS THAT ARE DESERVING OR HAVE THESE MERIT BONUSES COME IN ARE EITHER RETIRED OR PASSED ON AND SO AGAIN I WANT TO THANK OUR CAUCUS LEADER SENATOR FRANK BLAS, JR. FOR THIS AMENDMENT AND AGAIN IN ITS TOTALITY UM IT IT'S JUST THE RIGHT THING TO DO THANK YOU VERY MUCH MADAM CHAIR.

SENATOR SHELTON: THANK YOU ON THE AMENDMENT SENATOR SAN NICOLAS.

SENATOR SAN NICOLAS: HELLO *HÁFA ADAI* MADAM CHAIR THANK YOU SO MUCH I SUPPORT THE AMENDMENT I THINK IT'S A GOOD AMENDMENT I THINK IT'S A FAIR AND REASONABLE REQUEST AND I DID MENTION YESTERDAY THAT I WAS CONCERNED ABOUT MAKING THE THE PEOPLE WITH MERIT BONUSES HALL AND I THINK AT LEAST WITH THIS WE WE CAN HAVE A PLAN AND SO I SUPPORT MY COLLEAGUE THE DISTINGUISHED GENTLEMAN OVER THERE SENATOR BLAS THANK YOU.

SENATOR SHELTON: THANK YOU SENATOR SAN NICOLAS ON THE AMENDMENT.

SENATOR BARNETT: OH GO AHEAD I JUST HAD A POINT OF INQUIRY MA'AM RELATIVE TO.

SENATOR SHELTON: PLEASE STATE YOUR POINT OF INQUIRY.

SENATOR BARNETT: THANK YOU RELATIVE TO THE CONCERNS RAISED BY SENATOR SAN AGUSTIN JUST SO I CAN HAVE A BETTER UNDERSTANDING THE FINANCIAL ASSISTANCE PLANS I KNOW WE DID JUST FINISH THE PUBLIC HEARING FOR THAT SO I WOULD JUST ASK THE AUTHOR OF THE AMENDMENT HOW THOROUGH DOES DOES THE WRITTEN PLAN FOR THE FINANCIAL ASSISTANCE YOU KNOW I MEAN BECAUSE WE LIKE WE JUST FINISHED THE HEARING ARE YOU JUST LOOKING FOR SOMETHING GENERAL OR OR A DETAILED IMPLEMENTATION PLAN TO BE SUBMITTED TO US.

SENATOR BLAS: WELL FIRST OFF I I WILL YIELD TO THE QUESTION.

SENATOR SHELTON: THANK YOU VERY MUCH SENATOR BLAS RECOGNIZED.

SENATOR BLAS: AND FIRST FIRST OFF I THANK YOU FOR THE QUESTION AND AND I RECOGNIZE THAT THAT YEAH WE JUST THERE WAS A HEARING THERE WAS AGAIN BUT SHE OBVIOUSLY HAD SOME NOTION OF OF OF DOING THIS IN HER IN IN HER STATE OF THE THE ISLAND ADDRESS OKAY SO THERE IS I WOULD ASSUME A A PLAN YOU KNOW OUR THE HEARINGS THAT WE HAD JUST MINUTES BEFORE THAT WAS HEARING THAT YOU KNOW WAS ON THE FIRST OFF I THINK ALL THREE OF OUR ALL THREE OF THE BILLS BASICALLY CALLED FOR GENERAL FUND APPROPRIATIONS I MUST REMIND THAT YOU KNOW OTHER THAN THAT THERE STILL EXISTING ANOTHER PART OF MONEY THAT THIS LEGISLATURE HAS NO CONTROL OF AND MAYBE IN THIS PLAN THAT SHE CAN PROVIDE TO US CAN BE TAKEN ENTIRELY FROM THERE AND SO IF THE IF THERE IS A PLAN THAT EXISTS YOU KNOW AND THAT YOU CAN I THINK ALSO TOO WITH THE SENSE OF URGENCY AS YOU AS YOU KNOW A GOOD SENATOR ASKS A QUESTION AND NOT ONLY THIS THIS IS FINANCIAL ASSISTANCE THAT THEY'VE BEEN ASKING THAT THEY THEY NEEDED SINCE YESTERDAY IF SHE HAS THE ABILITY TO BE ABLE TO PROVIDE THAT ASSISTANCE YOU KNOW DESPITE OR WITHOUT THE GENERAL FUND FUNDING AND AND PROVIDED THROUGH THE OTHER SOURCE OF FUNDING THAT THAT'S MADE TOTALLY AVAILABLE TO HER THAT WOULD WORK TOO SO AGAIN I I MUST YOU KNOW EMPHASIZE HERE WE'RE NOT ASKING FOR A PLAN THAT TO BE IMPLEMENTED WHAT WE'RE ASKING FOR IS A PLAN AND AS BEST YOU CAN PROVIDE SOME SOME SPECIFICITY THAT CAN GIVE THE ASSURANCE THAT GIVES THAT THAT LEVEL OF COMFORT THAT THAT THE BUSINESS IS SO DIRELY AND SO DESPERATELY WOULD LIKE TO HAVE A NEED RIGHT NOW.

SENATOR SHELTON: THAT SATISFY YOUR QUESTION SENATOR BARNETT.

SENATOR BARNETT: THANK YOU YES IT DOES.

SENATOR SHELTON: ON THE AMENDMENT SENATOR PARKINSON YOU SPOKE ON THE AMENDMENT ALREADY YOU HAVE A POINT OF INQUIRY OKAY THANK YOU VERY MUCH ON THE AMENDMENT SENATOR PEREZ YOU'RE RECOGNIZED.

SENATOR PEREZ: *SI YU'OS MA'ÁSE'* MADAM CHAIR YEAH I THINK THIS AMENDMENT DOES NOT HINDER THE THE INCREASE I THINK IT'S PRETTY IT'S A REASONABLE AMENDMENT IN FACT YOU KNOW I THINK WHEN WE'RE TALKING ABOUT INCREASING THE PAY SCALES IT WAS TO ADDRESS INEQUITIES THAT EXIST MOSTLY BETWEEN LINE AND AUTONOMOUS AGENCIES AND I THINK WHAT THIS DOES IT ALSO ADDRESSES ANOTHER INEQUITY BETWEEN PUBLIC AND PRIVATE SECTOR ESPECIALLY SINCE YOU KNOW IT'S BEEN SAID THAT YOU KNOW THE THE REVENUES COME FROM THE BUSINESS COMMUNITY AND I THINK IT MAKES SENSE IT'S ACTUALLY IT'S A IT SUPPORTS THE PAY RAISE BECAUSE YOU KNOW THERE'S TALK ABOUT WHETHER IT CAN BE SUSTAINED AND SO WE NEED TO LOOK OUT FOR ALL SECTORS OF OUR OUR COMMUNITY TO ENSURE YOU KNOW SUSTAINABILITY OF THESE RAISES BUT ALSO YOU KNOW MORE IMPORTANTLY I THINK IT'S YOU KNOW WE STILL ARE COMING IN A RECOVERY PHASE IN OUR ECONOMY IT'S A CRITICAL TIME WHEN IN OUR ECONOMY AND IT'S IMPORTANT THAT YOU KNOW WE PROVIDE THE ASSISTANCE TO BUSINESSES DURING THIS TIME I MEAN WE'VE WE CAN SAY THAT WE'VE RECOVERED I THINK PRETTY MUCH FROM THE PANDEMIC BUT THE BUSINESS IS STILL TRYING TO RECOVER FROM THAT THE THE EFFECTS OF THE PANDEMIC SO YOU KNOW I RISE IN SUPPORT OF THIS AMENDMENT THANK YOU.

SENATOR SHELTON: THANK YOU ON THE BLAS AMENDMENT I THINK EVERYONE HAS SPOKEN WOULD YOU LIKE TO CLOSE SENATOR BLAS.

SENATOR BLAS: THANK YOU MADAM CHAIR AND THANK YOU FOR THE DISCUSSION AND I REALLY APPRECIATE AND THE CONCERNS THAT WERE BROUGHT UP I ALSO APPRECIATE MOST APPRECIATE THE SUPPORT THAT WAS THAT WAS ALSO ARTICULATED IN IN THIS AMENDMENT AGAIN ONCE AGAIN WHAT THIS AMENDMENT SIMPLY CALLS FOR IS BEFORE YOU IMPLEMENT IT BEFORE YOU IMPLEMENT THE PAY RAISES THAT YOU PROVIDE THE PLANS ON HOW TO BE ABLE TO ADDRESS SOME LONG-STANDING ISSUES AND SOME ISSUES WITH REGARD TO THE PARITY THAT WE SHOULD HAVE ALSO FOR THE OTHER SECTOR OF OUR COMMUNITY THAT WE SO MUCH RELY ON TO BE ABLE TO CONTINUE TO THRIVE AND THAT'S THAT'S OUR BUSINESSES THOSE ARE THOSE EMPLOYEES AGAIN THAT YOU KNOW THEY DIDN'T HAVE TO WORRY ABOUT NOT GETTING ABOUT NOT GETTING A PAYCHECK THESE ARE EMPLOYEES THAT ARE STILL WORKING RIGHT NOW DON'T HAVE INSURANCE IN FACT THEY USE THEIR INSURANCE TO BE ABLE TO TO CONTINUE TO SURVIVE AND JUST TO PROVIDE THEM THAT SENSE THAT SENSE OF ASSURANCE THAT THIS GOVERNMENT HAS NOT FORGOTTEN ABOUT THEM THAT IN THE THE ABILITY FOR THE GOVERNMENT TO BE ABLE TO HELP THEM THE GOVERNMENT WILL HELP OKAY BUT THEN ALSO FOR THOSE INDIVIDUALS THAT RIGHTLY DESERVED THEIR THEIR BONUSES AND THEIR INCREMENTS YOU KNOW IT'S AN OBLIGATION WE NEED TO TAKE CARE OF AND I THINK IT'S WRONG FOR US TO BE ABLE TO JUST BASICALLY SET THOSE THINGS ASIDE BEFORE WE PUT ON ANOTHER PRIORITY AND AGAIN ALL I'M ASKING ALL WE'RE ASKING FOR IS A PLAN BEFORE IT STARTS THANK YOU VERY MUCH MADAM CHAIR AND I HOPE FOR THE SUPPORT OF MY COLLEAGUES ON THIS.

SENATOR SHELTON: THANK YOU SENATOR BLAS THERE HAS BEEN AN OBJECTION TO THE AMENDMENT ALL THOSE IN FAVOR PLEASE SIGNIFY BY RAISING YOUR HAND IN FAVOR OF THE AMENDMENT AMENDMENT CARRIES SENATOR BLAS STILL I'M SORRY YOU DID USE YOUR TIME THANK YOU SENATOR DUEÑAS COMMENTS ON THE BILL.

SENATOR DUEÑAS: *SI YU'OS MA'ÁSE'* MADAM CHAIR JUST WANT TO THANK THE ENTIRE BODY FOR THE LAST SEVERAL DAYS OF DISCUSSION AND CONVERSATION OVER THIS ISSUE OF COURSE MANY OF US DISAGREED WITH THE WAY WE WERE CALLED INTO SESSION WE'RE BEYOND THAT WE'RE NOW GOING TO MOVE AMENDMENTS GOING FORWARD AND SEE WHAT THE DISPOSITION OF THE BILL IS MADAM CHAIR I HAVE TO SAY THAT I REMAIN SKEPTICAL ON THE VIABILITY OF THE FUNDING I BELIEVE THAT IT WAS CLEAR WHEN WE QUESTION MR. BIRN ON ALL OF THE OTHER OUTSTANDING OBLIGATIONS THE TWENTY ONE MILLION DOLLARS THAT I PRAY WILL GET SIGNED INTO LAW FOR LONG-STANDING ISSUES AT DEPARTMENT OF EDUCATION TO REPLACE THE ARP FUNDS THAT I BELIEVE WERE STOLEN FOR PAY RAISES INSTEAD OF BEING USED INSTEAD OF USING THE GENERAL FUND MADAM CHAIR I ALSO BELIEVE THAT IS UNCONSCIONABLE TO THINK THAT IN THE CURRENT FISCAL YEAR THE DEPARTMENT OF EDUCATION WOULD HAVE TO USE TWENTY TWO MILLION DOLLARS AGAIN OF ITS ARP FUNDS TO FUND UTILITY BILLS AND OTHER OPERATIONS SO THAT FUNDING SOURCE I BELIEVE WILL COME IN TO BE MADAM CHAIR I DISAGREE WITH THE POSITION OF DOA TAKEN ON THE NINE MILLION DOLLARS

SHORTFALL AND SPECIAL FUNDS THAT NEED TO BE SUPPORTED FOR A BALANCED BUDGET IN THE CONTEXT OF HAVING THE GENERAL FUND TO SUBSIDIZE THAT NINE MILLION DOLLAR SHORTFALL FIVE MILLION OF WHICH IS DEDICATED TO EDUCATION MADAM CHAIR I ALSO BELIEVE IN I'M THANKFUL FOR MY GOOD MINORITY LEADER REPUBLICAN CAUCUS LEADER FOR PASSING AN AMENDMENT THAT AT LEAST WILL GIVE SOME ASSURANCES TO THOSE WHO ARE OWED THOSE MERIT BONUSES SIX MILLION AND COUNTING THAT IS DUE TO THEM ON THE BASIS OF THIS REPORTING REQUIREMENT WE HAVE SOMETHING THAT WE CAN AT LEAST SHOW THEM IN BLACK AND WHITE BUT THAT'S A RIGHTEOUS OBLIGATION OF THE GOVERNMENT MADAM CHAIR IN A BALANCED BUDGET AND THEN PROBABLY PROBABLY ONE OF THE MOST EGREGIOUS THINGS THAT I FEEL WAS LEFT OUT WHEN IT COMES TO THE PREPARATION OF THIS PROPOSAL IS SIX MILLION DOLLARS THAT'S REQUIRED FOR BENEFITS MADAM CHAIR IF BENEFITS ARE NOT PAID THROUGH AN APPROPRIATION AND AGENCIES ARE EXPECTED TO ABSORB THESE BENEFITS BASED ON THE NEW PAY SCALE THEN WHAT THAT MEANS IS IS THAT THAT'S GOING TO COST THEM IN THEIR OPERATIONS THAT WILL COST THEM AND MONEY THAT THEY HAVE AVAILABLE FOR EQUIPMENT SUPPLIES GAS FOR THEIR VEHICLES BUSH CUTTERS ALL THE THINGS THAT A LOT OF THESE LINE AGENCIES ARE ARE SET OUT TO DO BY PROVIDING FUNDING FOR THEIR OPERATIONS OTHER THAN SALARIES AND BENEFITS THAT SHOULD HAVE BEEN PART OF THE ORIGINAL PACKAGE THIS SHOULD HAVE BEEN A REQUEST FOR TWENTY SEVEN MILLION DOLLARS BUT IT'S NOT AND SO FOR THAT REASON I ALSO HAVE MUCH MUCH RESERVATION SO MADAM SPEAKER MADAM CHAIR I CONTINUE TO BE SKEPTICAL AND I THINK THAT HAD WE DONE THIS HAD WE DEBATED THIS IN THE BUDGET PROPOSAL AS IT SHOULD BE IN JUST A FEW SHORT MONTHS FROM NOW WE WOULD HAVE HAD A MUCH CLEARER PICTURE ON WHAT THE PRIORITIES OF OUR GOVERNMENT ARE I DO NOT STAND IN OPPOSITION TO PAY RAISES WHAT I STAND IN OPPOSITION TO IS PUTTING THOSE BEFORE THE PRIORITIES OF OUR GOVERNMENT AND NOT IN CONTEXT OF THE HARMONIZATION OF THE BUDGET AND THE AVAILABLE RESOURCES MADAM CHAIR IT COULD HAVE EVEN BEEN OPPORTUNITY IN THE BUDGET TOO SCALE IT OUT OVER A FEW FISCAL YEARS BUT KNOW WHAT HAS TO BE NOW AND SO FOR THAT REASON I HAVE SOME SERIOUS CONCERNS AND THANK YOU FOR ALLOWING ME TO CLOSE WITH MY REMARKS ON THIS BILL WHERE I BELIEVE THE FUNDING SOURCE IS UNVIABLE *SI YU'OS MA'ÁSE* MADAM CHAIR.

SENATOR SHELTON: THANK YOU SENATOR DUEÑAS SENATOR PARKINSON FINAL COMMENTS ON THE BILL.

SENATOR PARKINSON: THANK YOU MADAM CHAIR THOUGH I HAVE HAD SOME RESERVATIONS WITH THE AMENDMENT PROFFERED BY SENATOR BLAS I DO HAVE TO ADMIT THAT I DO LIKE THE CONTENTS OF THEM EVEN IF I DON'T AGREE WITH THE FORM I THINK IT'S COMMENDABLE THAT THIS BODY HAS COMMITTED ITSELF TO PAYING BACK THESE MERIT BONUSES THAT HAVE NOT BEEN PAID SINCE 2012 AND I THINK THAT IT'S COMMENDABLE THAT THIS BODY HAS COMMITTED ITSELF TO MAKING SURE THESE INCREMENTS ARE UP TO DATE SO YOU KNOW I I DIDN'T THINK THAT THIS AMENDMENT WAS A GOOD SPOT TO BE HERE BUT I AM I'M VERY PLEASED BY THE CONTENT OF THE SHOW THAT THAT THIS ADJUSTMENT ON THE GPP WILL NOT BE THE LAST WE'RE GOING TO LOOK AT MERIT BONUSES WE'RE GOING TO LOOK AT PAY ADJUSTMENTS AND UH I THANK THIS BODY FOR SUPPORTING IN THAT ENDEAVOR BECAUSE I DO BELIEVE EVERY GOVERNMENT WORKER SHOULD BE GETTING PAID WHAT THEY'RE WORTH IF WE WANT TO MAINTAIN A STRONG CORE OF SERVICES HERE ON THE ISLAND WITH THAT MA'AM I YIELD THE REST OF MY TIME.

SENATOR SHELTON: THANK YOU VERY MUCH SENATOR PARKINSON SENATOR BARNETT.

SENATOR BARNETT: THANK YOU MADAM CHAIR THIS HAS BEEN QUITE A PROCESS YOU KNOW FROM THE THE BUILD UP THE POLITICAL BUILDUP TO THE NARRATIVE THAT WAS PUT OUT THERE ABOUT THESE TWENTY TWO PERCENT GENERAL PAY PLAN RAISES AND YOU KNOW HONESTLY THIS IS SOMETHING THAT I HAD CAMPAIGNED ON NOT FOR THE GOVERNMENT ACROSS THE BOARD GOVERNMENT-WIDE BUT WHEN WE GAVE THE THE RAISES WE USE THE THE FEDERAL FUNDS TO GIVE RAISES TO THE TEACHERS AND ADMINISTRATORS OF GDOE WE LEFT BEHIND ALL OF THE SCHOOL SUPPORT STAFF AND YOU KNOW OFTEN TIMES YOU COULD HAVE A SCHOOL AIDE WHO YOU KNOW IS DOING THE JOB OF A TEACHER WHO IS DOING THE JOB OF A CAFETERIA WORKER WHO'S DOING THE JOB OF A ONE-TO-ONE AIDE AND I FELT LIKE WE HAD WE HAD LEFT THESE PEOPLE BEHIND YOU KNOW TO INCLUDE THE BUS DRIVERS AND SO AND GOING AROUND CAMP NOT EVEN CAMPAIGNING JUST BEING IN THE MEDIA BEING AROUND BEING MALAFUNKSHUN FOR YOU KNOW OVER TWENTY YEARS RUN INTO PEOPLE HARD-WORKING PEOPLE IN THE GOVERNMENT OF GUAM WHO ARE IN THE GENERAL PAY PLAN AND I I JUST STRUGGLE WITH THE FACT THAT THAT WE TALK ABOUT THE COST OF LIVING AND WE'RE IN A POSITION NOW IF WE'RE GOING TO TAKE THE WORD OF THE GOVERNOR AND THE DEPARTMENT OF ADMINISTRATION WE'RE IN A POSITION NOW TO TO TO BRING THESE HARD-WORKING EMPLOYEES TO A BETTER STATE AND AND THAT'S KIND OF WHAT OUR CULTURE IS ABOUT YOU KNOW I HAVE I HAVE RESERVATIONS AND THAT WE DON'T HAVE THE

LEEWAY I DON'T BELIEVE WE DO HAVE THE LEEWAY TO ACT ESPECIALLY IN THE SMALL WINDOW YOU KNOW IT'S NOT OUR FAULT THE GOVERNOR PROMISED THESE EMPLOYEES THAT THEY WERE GOING TO GET A RAISE ON APRIL 1ST AND IT'S A LITTLE BIT OF YOU KNOW TO KIND OF EXPAND ON SOMETHING MY VICE CHAIR SAYS IT'S A LITTLE BIT OF THE CART BEFORE THE HORSE RIGHT I FEEL LIKE SHE COULD HAVE MARKETED THIS PLAN AND THIS PROPOSAL BETTER SHE COULD HAVE AND HAD SHE DONE THAT THERE MIGHT HAVE BEEN MORE BUY-IN AND MORE INVESTMENT FROM THIS BODY IN IT AND INSTEAD YOU KNOW WE WE'RE JUST UP AGAINST THE WALL RIGHT WITH THESE SPECIAL SESSION CALLS AND AND JUST REALLY THE THE LACK OF INFORMATION BUT IF IT'S A IF IT'S A CASE OF WE CAN'T GO IN AND AND AND EXEMPT EVERYONE WHO MAKES OVER EIGHTY THOUSAND DOLLARS FROM GETTING THIS TWENTY TWO PERCENT OR WE CAN'T GO IN AND TAKE OUT BIG CHUNKS OF THIS GENERAL PAY PLAN BECAUSE AGAIN IT'S JUST SO GENERAL AND SO WIDE WHERE YOU HAVE A JANITOR AND A TERRITORIAL VETERINARIAN IN THE SAME PAY PLAN AND SO I JUST WASN'T SURE IF WE COULD AS A BODY GO IN AND AND FIDDLE WITH IT AND AND YOU KNOW MAKE IT CHEAPER OR MAKE IT MORE EQUITABLE SO THAT WE'RE REALLY REWARDING THE THE PEOPLE WHO ARE BELOW THE POVERTY LINE AND WORKING IN THE SCHOOLS RIGHT BUT I'M JUST NOT SURE THAT WE A HAVE THAT ABILITY AND AND B HAVE THE TIME TO DO IT BECAUSE WE'RE CAUGHT IN THIS GAME WHERE THE GOVERNOR HAS MADE A PROMISE TO THE PEOPLE OF GUAM AND NOW THE BALL'S IN OUR COURT AND IF IT IF IF THE CHOICE THAT'S PUT BEFORE ME IS THAT I CAN LIFT UP SOME PEOPLE OR LEAVE EVERYONE BEHIND I I HAVE TO GO WITH LIFTING PEOPLE UP AS DIFFICULT AS A DECISION AS IT MAY BE AND SO I I JUST FEEL LIKE THERE ARE STILL THINGS THAT WE CAN DO WITH THIS MEASURE AND THEN MAYBE AT A LATER TIME WE CAN GO BACK AND AND LOOK AT THIS GENERAL PAY PLAN AND MAYBE BREAK IT INTO SMALLER MORE MANAGEABLE PAY PLANS SO WHEN WE HAVE THIS CONVERSATION AGAIN YOU KNOW LIKE A SCHOOL SUPPORT STAFF PAY PLAN WHERE YOU HAVE BUS DRIVERS YOU HAVE YOU KNOW THE SCHOOL SUPPORT STAFF WE GO AND WE DO THE DESK AUDITS WE'LL RECLASSIFY POSITIONS IN THE AGENCIES LIKE YOU KNOW THE GUAM DEPARTMENT EDUCATION YOU KNOW INSTEAD OF HAVING A CLERK TYPIST THREE WHO'S ALSO A ONE TO ONE AIDE WHO'S ALSO A CAFETERIA WORKER WHO'S ALSO A SCHOOL AIDE YOU KNOW WE CLASSIFY THEM AS AN EDUCATION AIDE OR AN EDUCATION TYPIST AND THEN WE CAN HAVE MORE ABILITY TO GO IN AND CREATE LITTLE SUB PLANS UNDER THE GENERAL PAY PLAN AND ALLOW US THE FLEXIBILITY THAT THAT YOU KNOW IT IT'S IN OUR AUTHORITY TO GO IN AND AND KIND OF DICTATE WHO DESERVES TO GET WHAT BECAUSE AGAIN AND I'M NOT I DON'T WANT TO SINGLE OUT THE PHARMACIST BUT I JUST THINK THAT THAT ON THE HIGHER END OF THE SCALE IF YES ON THE HIGHER END OF THE SCALE IF WE'RE LOOKING AT PEOPLE WHO ARE ALREADY BEING PAID NEAR THE NATIONAL AVERAGE THEN I'M NOT SURE THAT YOU KNOW IT'S A REALLY AN EMERGENCY TO ADDRESS THOSE BUT I DO HAVE A COUPLE AMENDMENTS MA'AM THAT ARE IN THE DRIVE THAT I WOULD LIKE TO PROFFER THE FIRST AMENDMENT BECAUSE YOU KNOW SO MUCH HAS COME OUT OF THE UNIVERSITY OF GUAM ABOUT THEY NEED TO GET THEIR FULL BUDGET OR ELSE THEY'RE GOING TO SOCK IT TO THE STUDENTS AND THERE'S GOING TO BE A TUITION HIKE AND SO MY FIRST AMENDMENT IT JUST MANDATES AT THE UNIVERSITY OF GUAM SHALL NOT RAISE TUITION RATES AT ANY TIME BETWEEN APRIL 1ST 2023 THROUGH MARCH 31ST 2025 BECAUSE IF THEY'RE SAYING THAT THEY NEED THESE TWENTY TWO PERCENT RAISES THEN I JUST DON'T THINK IT SHOULD COME ON ON THE BACKS OF OF THE STUDENTS YOU KNOW IF WE'RE GOING TO GIVE THIS TO THEM AND YOU KNOW WE'RE WE'RE ALSO TRYING TO ELEVATE THE PEOPLE AND AND LET THEM GO TO SCHOOL HERE ON ISLAND AND I DON'T THINK THAT THEY SHOULD FALL VICTIM TO A TUITION RATE IF OUT OF ONE SIDE OF THE MOUTH THE UNIVERSITY OF GUAM IS SAYING THAT EVERYONE DESERVES TO BE PAID MORE BUT THEN ON THE OTHER SIDE OF THE AMOUNT THEY'RE SAYING THEY'RE STRUGGLING SO HARD THAT THEY'VE GOT TO RAISE THE TUITION RATES AND SO I WOULD JUST PRAY THAT MY COLLEAGUES WOULD SUPPORT THIS AMENDMENT I ALSO HAVE ANOTHER ONE I'M NOT SURE THE PROCESS HOW DO I ONE AT A TIME.

SENATOR SHELTON: WE'LL TAKE IT ONE AMENDMENT AT A TIME.

SENATOR BARNETT: THANK YOU MADAM CHAIR.

SENATOR SHELTON: SO ON THE FIRST AMENDMENT THAT IS B24CBL512P9 COTW ON THE AMENDMENT THERE'S BEEN AN OBJECTION ANYONE WISHING TO SPEAK ON THE AMENDMENT SENATOR FISHER YOU ARE RECOGNIZED.

SENATOR FISHER: THANK YOU MA'AM I APPRECIATE I APPRECIATE THE SENATORS SENTIMENT HERE IN NOT WANTING TO FOIST AN ADDITIONAL BURDEN ON THE BACK OF THE STUDENTS BUT I DON'T KNOW IF YOU'VE SEEN THE PERFORMANCE OF THE UNIVERSITY OF GUAM'S ENDOWMENT FUND IT'S MISERABLE AND UNTIL THEY

GET THEIR HOUSE IN ORDER I'VE GOTTEN NO FAITH IN THEM SO I OBJECT TO IT THEY'RE NOT EVEN USING IT THEIR ENDOWMENT FUND IS MAKING NOTHING SO I CAN'T SUPPORT THIS THANK YOU.

SENATOR SHELTON: ON THE AMENDMENT SENATOR SAN AGUSTIN YOU'RE RECOGNIZED.

SENATOR SAN AGUSTIN: I KIND OF LIKE SUPPORT IT BUT NOT SUPPORT IT AND THE REASON WHY I BRING THIS UP IS BECAUSE IT'S BECAUSE I DID SPEAK WITH THE CHAIRWOMAN OF THE REGENTS AND AND SHE DID ASK IF THEY CAN GET A BUMP UP IN THEIR BUDGET IN 2024 THEY WOULD AVOID THEIR THEIR THEY'VE BEEN TRYING THEIR BEST TO AVOID A TUITION INCREASE FOR STUDENTS SO AND LIKE THE COLLEAGUE MENTIONED EARLIER BUT I'M NOT GOING TO DISCUSS THAT PART BUT BUT THAT'S WHAT THEY'RE THEY'RE TRYING TO DO IS AVOID IT THEY NEED THEY NEED MORE FUNDS BUT GOSH SHALL NOT RAISE TUITION RATES I DON'T SUPPORT RAISING TUITION RATES BUT I'M JUST TRYING TO FIGURE OUT I KIND OF LIKE THE AMENDMENT SO I'M NOT GOING TO MAKE COMMENT TO OBJECT OR NOT BUT IT'S JUST THAT THE UNIVERSITY WANTS MORE MONEY MORE FUNDS IN 2024 AND THEY ACTUALLY WELCOME THIS PAY INCREASE THANK YOU MADAM CHAIR.

SENATOR SHELTON: THANK YOU SENATOR SAN AGUSTIN ON THE AMENDMENT ON THE BARNETT AMENDMENT SENATOR PARKINSON YOU'RE RECOGNIZED.

SENATOR PARKINSON: YEAH I HAVE TO ECHO THE SENTIMENTS OF MY COLLEAGUE SENATOR JOE SAN AGUSTIN I I LIKE IT AND I DON'T LIKE IT UH THERE'S THERE'S THERE'S DEFINITELY THINGS IN THIS PROVISION I DO THINK I LIKE BUT REALLY I THINK THIS NEEDS TO BE ITS OWN BILL I THINK THIS NEEDS A LITTLE BIT MORE DISCUSSION I THINK IT NEEDS TO BE COOKED A LITTLE BIT MORE SO AT THIS TIME I CANNOT SUPPORT WELL MAN I'M IN THE SAME WAY AS JOE SAN AGUSTIN I LIKE IT AND I DON'T LIKE IT I WOULD RECOMMEND TO THE AUTHOR TO POTENTIALLY CONSIDER THIS AS ITS OWN BILL.

SENATOR SHELTON: THANK YOU SENATOR PARKINSON ON THE AMENDMENT SENATOR BROWN.

SENATOR BROWN: THANK YOU VERY MUCH MADAM CHAIR I MEAN I THINK WE YOU KNOW THE UNIVERSITY HAS ALREADY SET THE STAGE PUBLICLY TO CREATE THE AGENDA THAT THEY ARE GOING TO RAISE TUITION RATES IF THE LEGISLATURE AND THIS UPCOMING BUDGET DOESN'T APPROPRIATE ADDITIONAL FUNDS AND YOU KNOW AGAIN IT KIND OF PLAYS INTO THE COMMENTS MADE EARLIER BY SOME OF OUR COLLEAGUES HOW IT WOULD HAVE BEEN MORE BENEFICIAL THAT THIS WHOLE PROPOSAL THIS BILL HAD BEEN INCORPORATED INTO LOOKING AT THE OVERALL BUDGET BECAUSE THIS PARTICULAR PROPOSAL OF THIS BILL WHICH THIS AMENDMENT IS UH INTENDED FOR IS QUITE A SUBSTANTIAL AMOUNT IN THIS PARTICULAR CASE I GUESS IF IF THIS MONEY IS APPROPRIATE THE UNIVERSITY IS ONE POINT ONE MILLION ON TOP OF THE EXPECTATION THAT IN A FEW MONTHS THE LEGISLATURE WILL HAVE EVEN MORE MONEY AVAILABLE TO APPROPRIATE FOR THEIR OPERATIONS HENCE THE THREAT OF CONTINUED INCREASES I HOPE THE UNIVERSITY ALSO IS READY TO AND PREPARED TO JUSTIFY THE NEED FOR THEIR FUNDS BECAUSE THEY'RE GOING TO BE COMPETING AMONG THE REST OF THE GOVERNMENT OF GUAM WHO ALSO I'M SURE WILL HAVE SIGNIFICANT NEEDS AS WELL IN THIS PARTICULAR CASE WE'RE APPROPRIATING THIS MONEY FOR PAY RAISES AND THEN ON TOP OF THAT WE'RE BEING ASKED TO PROVIDE MORE MONEY FOR THE OPERATIONS OF THE UNIVERSE I LOVE THE UNIVERSITY I GRADUATED FROM THE UNIVERSITY I HAVE TAUGHT AT THE UNIVERSITY I'VE WORKED ADMINISTRATIVELY AT THE UNIVERSITY OF GUAM BUT AGAIN IN OUR CURRENT CAPACITY I MEAN WE HAVE RESPONSIBILITIES TO ALL OPERATIONS AND ALL SEGMENTS OF OUR GOVERNMENT AND I HOPE OTHER ASPECTS PARTICULARLY OUR STUDENTS DON'T END UP SHORTCHANGE BECAUSE THERE'S A THERE'S AN IMPRESSION AND THE UNIVERSITY YOU KNOW UNLIKE THE PREVIOUS SPEAKER THE IT THE AMOUNTS THAT THEY'RE ASKING ARE QUITE SUBSTANTIAL YOU KNOW IT'S NOT A SLIGHT LITTLE BUMP YOU KNOW IT'S PROBABLY THE WHOLE ROAD AT THIS POINT AND I'M SURE AS WE WILL ASK THEM AS WE'LL ASK OTHER GOVERNMENT AGENCIES TO PROPERLY JUSTIFY THE NEED FOR ADDITIONAL FUNDS BECAUSE I'M A LITTLE CONCERNED ABOUT THE AMOUNTS THAT ARE BEING ASKED AND I'M WONDERING WHY AT THIS JUNCTURE THAT LARGE AMOUNT IS BEING ASKED AND WHY ADMINISTRATIVELY THESE ISSUES AREN'T ADDRESSED SO THAT WE DON'T END UP IN THESE CIRCUMSTANCES TIME AND TIME AGAIN WITH THREATS TO OUR STUDENTS OF RAISING TUITION SO THANK YOU VERY MUCH MADAM CHAIR FOR THE OPPORTUNITY TO COMMENT ON THIS AMENDMENT.

SENATOR SHELTON: THANK YOU SENATOR BROWN ON THE AMENDMENT SENATOR DUEÑAS FOLLOWED BY SPEAKER TERLAJE.

SENATOR DUEÑAS: I'LL JUST BE REAL SHORT MADAM CHAIR I THINK THIS IS A RESPONSIBLE AMENDMENT I I DO SHARE THE ISSUES OF YOU KNOW THE COMPLEXITIES AND WHAT MAY BE GOING ON AT THE UNIVERSITY WE'RE

GOING TO DEBATE THEIR BUDGET AND I BELIEVE THAT THEY WILL HAVE MERIT TO YOU KNOW A PORTION OF THE PROPOSAL THAT THEY'VE PUT BEFORE US AND AND NOW NOW WE'RE TALKING ABOUT BUDGET SO THIS IS A GOOD IDEA BUT I UNDERSTAND THE CONCERNS BUT I THINK THAT IN IN EVERY MOVE THAT WE MAKE BECAUSE IN THIS ECONOMY RIGHT NOW YOU KNOW WITH OUR CHILDREN AND YOUNG PEOPLE THAT ARE THAT ARE STRUGGLING TO GO TO COLLEGE YOU KNOW EVEN THOUGH IT'S VERY AFFORDABLE AND I KNOW THEY HAVE ACCREDITATION ISSUES I'M GOING TO MEET WITH SOME OF THE BOARD OF REGENTS THEY'VE ASKED ME TO HAVE LUNCH WITH THEM AND I'M GOING TO DISCUSS THIS WE'RE GOING TO DISCUSS THEIR BUDGET AND SEE WHAT WE NEED IN THE CONTEXT OF EVERYTHING BUT I JUST THINK AT EVERY STEP RIGHT NOW THIS LEGISLATURE HAS TO SUPPORT THE YOUNG PEOPLE WHO ARE TRYING TO GET THEIR EDUCATION AND AND AND MANDATE THAT IN ANY EVENT THAT WE CAN SUPPORT THE UNIVERSITY OF GUAM TO TO STAVE OFF OF TUITION INCREASES WE MUST DO THAT IN THIS CRAZY ECONOMY WHERE KIDS YOUNG PEOPLE THAT ARE GOING TO COLLEGE RIGHT NOW I MEAN THEY'RE THEY'RE REALLY DOING THAT A GREAT DEAL OF SACRIFICE SO THAT IS THE MAIN REASON I I SUPPORT THIS AMONGST AND ASIDE FROM THE CONCERNS EXPRESSED BY MY GOOD COLLEAGUE *SI YU'OS MA'ÁSE'*.

SENATOR SHELTON: THANK YOU SENATOR DUEÑAS ON THE BARNETT AMENDMENT OH SPEAKER TERLAJE YOUR RECOGNIZE.

SPEAKER TERLAJE: THANK YOU MADAM CHAIR I SUPPORT THE AMENDMENT I LIKE IT IT'S I THINK IT'S FAIR WE DO WANT TO DO WHAT WE CAN AFTER UOG'S ANNOUNCEMENT THAT THEY ARE LOOKING TO FOR A TUITION HIKE IN THE UPCOMING YEARS I DON'T THINK THAT'S APPROPRIATE AT THIS TIME WE JUST FINISHED TALKING ABOUT COST OF LIVING AND HOW IT HAS INCREASED FOR THESE STUDENTS HOW IT HAS INCREASED FOR ACROSS OUR OUR ENTIRE POPULATION AND WE REALLY DO IF I COULD GIVE THEM FREE TUITION I WOULD SO I THINK IF EVERY EFFORT THAT WE CAN TO HOLD THE TUITION RATE DOWN THAT WE SHOULD AND AND THIS COMES YOU KNOW AFTER SOME OTHER RAISES AT THE UNIVERSITY ACCORDING TO THIS RESOLUTION TWENTY TWO DASH FIFTY THREE THEY RAISED FACULTY SALARIES IN 2022 THEY FOR A TOTAL FORTY PERCENT OVER TWO TO FOUR YEARS SO THE FIRST INCREASE WAS TWENTY PERCENT AND THEN THEY STRETCHED THEY'RE GOING TO STRETCH OUT THE REST OF THAT FORTY PERCENT INCREASE OVER THE YEARS WE DON'T CONTROL THE UNIVERSITY OF GUAM SALARIES THEY DETERMINE THOSE AND THEY'VE AND WE'VE ALSO GIVEN THEM SOME VERY SPECIAL ACCOMMODATIONS TO CONTROL OTHER THINGS UP THERE INCLUDING THE LAND INCLUDING THE RESEARCH CORPORATION PROCUREMENT AND AND SPECIAL ACCOMMODATIONS TO GIVE THEM THE FLEXIBILITY THAT THEY NEED THERE WAS ALSO IT LOOKS LIKE THE FACULTY SALARY INCREASE CAME ON THE HILLS OF A ADMINISTRATORS INCREASE ADMINISTRATOR SALARY PLAN WAS UPDATED IN 2021 AND IT SAYS THE INCREASES RANGING FROM THIRTY NINE TO A HUNDRED AND FIVE PERCENT INCREASE SO I REALLY DON'T LIKE TO SEE TALK OF RAISING THE TUITION AFTER THOSE TYPES OF THINGS I THINK WE HAVE TO DO WHAT WE CAN TO KEEP THE TUITION DOWN AND LIKE I SAID WE CANNOT CONTROL SOME OF THESE SEMI-AUTONOMOUS AGENCIES OR THE UNIVERSITY FOR THE SALARIES THAT THEY SET BUT BECAUSE WE ARE FUNDING THIS SALARY INCREASE TO FOR THEIR EMPLOYEES THAT MATCH UP WITH THE GPP I I AM VERY MUCH SUPPORT THAT WE TIE THEM AT THIS TIME TO NOT RAISING TUITION AND THAT WE DO THAT FOR THE STUDENTS AND WE TAKE CARE OF THE EMPLOYEES BY THIS THIS PAY RAISE AS WELL *SI YU'OS MA'ÁSE'* MADAM CHAIR.

SENATOR SHELTON: THANK YOU MADAM SPEAKER ON THE AMENDMENT SENATOR QUINATA.

SENATOR QUINATA: IT IS MY UNDERSTANDING THAT THE UNIVERSITY OF GUAM IS ACCREDITED BY THE WESTERN ASSOCIATION OF SCHOOLS AND COLLEGES AKA WASC SENIOR FOR THE EDUCATIONAL FACILITY RIGHT SO WITH THAT BEING SAID ARE WE IS IT SAFE TO SAY THAT THE AUTHOR OF THIS WILL NOT THREATEN ACCREDITATION OF THE UNIVERSITY OF GUAM.

SENATOR SHELTON: SENATOR BARNETT DO YOU YIELD TO THE QUESTION.

SENATOR BARNETT: MA'AM IF YOU DON'T MIND THE QUESTION AGAIN IS WOULD THIS AMENDMENT JEOPARDIZE.

SENATOR QUINATA: ACCREDITATION INTO THE UNIVERSITY OF GUAM BECAUSE IT NEEDS TO HAVE ITS INDEPENDENCE OF GOVERNANCE.

SENATOR BARNETT: I DON'T BELIEVE IT WILL MA'AM IN FACT I HAVE ADDITIONAL LANGUAGE TO AMEND MY AMENDMENT THAT IS TO MAKE A LITTLE SAFER BUT I DON'T I DON'T BELIEVE IT WILL MA'AM THE INTENT OF THIS AMENDMENT REALLY IS VERY SIMPLE I DON'T WANT TO BE I WANT TO GIVE UOG EVEN THOUGH THEY

COULD DO IT ON THEIR OWN THE TWENTY PERCENT BUT I DON'T WANT US TO BE CAUGHT IN A POSITION WHERE WE DO THIS TO ELEVATE THE WORKERS AND I KNOW THERE'S A LOT OF HARD WORKERS AT UOG I KNOW SOME OF THEM YOU KNOW THEY'RE MY FRIENDS BUT I DON'T WANT TO CREATE A SITUATION WHERE WE DO THIS AND THEN YOU KNOW A COUPLE MONTHS DOWN THE ROAD THEY ANNOUNCED THAT THEY'RE GOING TO SOCK IT TO THE STUDENTS THEY'RE GOING TO *NGUKUT* US IF THAT HAPPENS SO I DON'T BELIEVE THAT IT WILL UH JEOPARDIZE THEIR ACCREDITATION MA'AM UOG IS A FINE INSTITUTION AND I THINK THAT IT'S FINE.

SENATOR SHELTON: THANK YOU DOES THAT SATISFY YOUR QUESTION SENATOR QUINATA.

SENATOR QUINATA: I JUST WANTED TO CLARIFY THAT THANK YOU.

SENATOR SHELTON: THANK YOU ON THE AMENDMENT SENATOR SAN NICOLAS YOU ARE RECOGNIZED.

SENATOR SAN NICOLAS: HELLO AND *HÁFA ADAI* AGAIN MADAM CHAIR I GOT BOTH MY DEGREES UP AT THE UNIVERSITY IF THEY EVER RAISE THE TUITION THERE WHEN I WAS GOING TO SCHOOL I PROBABLY WON'T BE HERE I THINK THIS IS A FAIR REQUEST AND AND A FAIR AMENDMENT PROFFERED BY SENATOR BARNETT AND I SUPPORT IT THANK YOU.

SENATOR SHELTON: THANK YOU SENATOR SAN NICOLAS ON THE AMENDMENT SENATOR PEREZ.

SENATOR PEREZ: THANK YOU MADAM CHAIR I RISE IN SUPPORT OF THIS AMENDMENT I THINK YOU KNOW THIS WHOLE EXERCISE HAS BEEN ABOUT ADDRESSING INEQUITIES AND I THINK IT'S REALLY CRITICAL THAT WE YOU KNOW SUPPORT I GUESS THOSE THAT THE HAVES THE HAVE-NOTS RIGHT THE HAVE-NOTS ARE YOU KNOW THE STUDENT POPULATION WITH THE THE LEAST AMOUNT OF RESOURCES AT THIS POINT RIGHT IF THEY'RE NOT IF THEY DON'T HAVE A JOB THEMSELVES AND YOU KNOW IT'S REALLY CRITICAL TO SUPPORT STUDENTS YOU KNOW IF WE CAN EVEN YOU KNOW HOPEFULLY ONE DAY PAY FOR THEIR TUITION RIGHT BECAUSE SO THEY CAN FOCUS ON THEIR STUDIES YOU KNOW IT REALLY WOULD SUPPORT THEIR ADVANCEMENT AND YOU KNOW AS YOU KNOW UOG HAS SAID MANY TIMES THE INVESTMENT THAT WE PUT INTO STUDENTS HAS A MULTIPLIER EFFECT AND IT HAS BOOSTED OUR ECONOMY MANY TIMES AND I THINK THIS IS YOU KNOW A WISE THING TO DO IT'S A FAIRER THING TO DO AND IT'S AN EQUITABLE THING TO DO AND SO I RISE IN SUPPORT THANK YOU.

SENATOR SHELTON: THANK YOU ON THE AMENDMENT SENATOR BARNETT WOULD YOU LIKE TO CLOSE.

SENATOR BARNETT: YES MA'AM I'M NOT SURE HOW TO DO THIS PROCEDURALLY IT'S MY FIRST TIME BUT IF I WANTED TO AMEND THE LANGUAGE IN MY AMENDMENT WHICH I BELIEVE IT'S ALREADY IN THE DRIVE.

SENATOR SHELTON: OKAY SO GO AHEAD SPEAK ON THE AMENDMENT TO YOUR AMENDMENT.

SENATOR BARNETT: OKAY SO ALL I'M DOING IS I'M JUST CHANGING THE LAST PART AND IT'S IN THE DRIVE TO TO READ THE UNIVERSITY OF GUAM WE SHALL NOT RAISE TUITION RATES AT ANY TIME BETWEEN APRIL 1ST 2023 THROUGH MARCH 31ST 2025 AS A CONDITION OF RECEIVING THIS APPROPRIATION BECAUSE I BELIEVE THE AMENDMENT AS PREVIOUS WRITTEN PREVIOUSLY WRITTEN MAY HAVE PROVIDED A LOOPHOLE THAT UOG COULD DRIVE THAT TUITION INCREASE THROUGH AND SO I THINK THAT THIS LANGUAGE TIGHTENS IT UP A LITTLE BIT MORE MADAM CHAIR.

SENATOR SHELTON: WE'LL TAKE A BRIEF RECESS TO MAKE SURE IT'S ON THE DRIVE THANK YOU.

SENATOR BARNETT: OH THANK YOU.

RECESS

SENATOR SHELTON: THE COMMITTEE OF THE WHOLE IS BACK FROM RECESS WE ARE CURRENTLY ON THE BARNETT AMENDMENT WE WERE WAITING FOR THE PROPOSED AMENDMENT SO COLLEAGUES IT HAS BEEN DISTRIBUTED AND IT IS IN YOUR DRIVE SENATOR BARNETT.

SENATOR BARNETT: THANK YOU MA'AM AM I CLOSING.

SENATOR SHELTON: YOU CAN READ YOUR AMENDMENT TO THE BODY.

SENATOR BARNETT: OH LET ME READ MY AMENDMENT YES SORRY.

SENATOR SHELTON: YOUR AMENDMENT TO THE AMENDMENT.

SENATOR BARNETT: MY AMENDMENT TO THE AMENDMENT IS YOU CAN SEE IT IT'S RIGHT HERE IT SAYS THERE'S A CONDITION OF RECEIVING THIS APPROPRIATION THE UNIVERSITY OF GUAM SHOULD NOT RAISE TUITION

RATES AT ANY TIME BETWEEN APRIL 1ST 2023 THROUGH MARCH 31ST UH SORRY THERE'S A TYPO THERE YEAH SUPPOSED TO SAY 2025 BECAUSE THE WAY THIS AMENDMENT IS WRITTEN OUT REQUIRE US TO GO BACK IN TIME LET'S SORRY SIR THERE WAS A TYPO THANK YOU DO YOU KIND OF LIKE I WOULD JUST TECHNICAL CORRECTION TO SO IT'LL READ MARCH 31ST 2025.

SENATOR SHELTON: THANK VERY MUCH ON THE AMEND ON THE AMENDMENT TO THE AMENDMENT ANYONE WISH TO SPEAK ON THE AMENDMENT TO THE AMENDMENT.

SENATOR SAN AGUSTIN: MA MA MADAM CHAIR

SENATOR SHELTON: SENATOR SAN AGUSTIN YOU ARE RECOGNIZED.

SENATOR SAN AGUSTIN: I'M TRYING TO UNDERSTAND WHEN WHEN THE AUTHOR SAID TECHNICAL THERE'S NOTHING TECHNICAL HERE TECHNICALLY THERE'S NOTHING TECHNICAL AND AND LEGAL YOU KNOW THAT YOU CAN'T SAY THERE IS BECAUSE WHY IT STARTS WITH APRIL 1ST AND MARCH 31ST AND MARCH 31ST IS THE DAY BEFORE APRIL 1ST SO ALL YOU DO THE TECHNICAL WORD IS TO FLIP THE MONTH THAT'S ALL YOU DO NOTHING ELSE SO I'M JUST SAYING I SUPPORT IT BASED ON THE WAY IT IS YOU CAN ONLY FLIP THE MARK THE MONTH YOU CAN'T FLIP ANYTHING ELSE.

SENATOR SHELTON: WE'LL WE'LL TAKE A MOMENT TO RECESS.

SENATOR SAN AGUSTIN: THANK YOU.

SENATOR BARNETT: THANK YOU.

SENATOR SAN AGUSTIN: AND FIX IT *NAI*.

RECESS

SENATOR SHELTON: THE COMMITTEE OF THE WHOLE IS BACK FROM RECESS SENATOR BARNETT YOU ARE RECOGNIZED.

SENATOR BARNETT: THANK YOU MADAM CHAIR IF YOU DON'T MIND WALKING ME THROUGH THIS SO I I HAVE AN AMENDMENT I WANTED TO I BELIEVE I WANT TO WITHDRAW THE AMENDMENT I PREVIOUSLY PROFFERED AND REPLACED IT WITH THIS I DO.

SENATOR SHELTON: OKAY THERE IS A MOTION TO WITHDRAW THE AMENDMENT ANY OBJECTION HEARING NONE MOTION PASSES.

SENATOR BARNETT: OKAY AND SO I'D NOW LIKE TO PROFFER THIS UH NEW AMENDMENT THAT'S IN THE DRIVE AND IT'S ALSO BEEN PASSED OUT AND IT BASICALLY SAYS AS A CONDITION OF RECEIVING THIS APPROPRIATION THE UNIVERSITY OF GUAM SHALL NOT RAISE TUITION RATES AT ANY TIME BETWEEN APRIL 1ST 2023 THROUGH SEPTEMBER 30TH 2025 AND THE REASON FOR THE CHANGE IS THAT THE SUGGESTION OF OUR APPROPRIATIONS CHAIR TRYING TO ALIGN IT WITH THE END OF THE FISCAL YEAR MADAM CHAIR THAT'S WHAT I WOULD AGAIN YOU KNOW AND TO ECHO THE COMMENTS OF A PREVIOUS SPEAKER AND SENATOR PEREZ THIS WHOLE EXERCISE AND GRANTING THESE PAY RAISES IS REALLY TO ADDRESS THE INEQUITIES RIGHT WITH THE PAY SCALES OF GOVERNMENT HARD-WORKING GOVERNMENT EMPLOYEES AND UH THEIR YOU KNOW STATESIDE AND EVEN IN SOME CASES THEIR AUTONOMOUS AGENCY COUNTERPARTS SO I JUST WANT TO BE CAREFUL THAT IN ADDRESSING INEQUITIES WE DON'T CREATE NEW ONES AND SO THAT AGAIN IS THE PURPOSE OF THIS AMENDMENT YOU KNOW IF WE'RE GOING TO GRANT THE UNIVERSITY OF GUAM THE TWENTY TWO PERCENT RAISES THEN I JUST WANT TO MAKE SURE THAT THEY'RE NOT GOING TO TURN AROUND AND PASS THE THAT COST TO THE STUDENTS THANK YOU MA'AM.

SENATOR SHELTON: THANK YOU ON THE AMENDMENT ON THE BARNETT AMENDMENT SPEAKER TERLAJE.

SPEAKER TERLAJE: YES I SUPPORT THIS AMENDMENT THAT LOCKS IN TUITION RATES AS A CONDITION FOR RECEIVING THE APPROPRIATION IN FACT I THINK IT'S A MUCH BETTER AMENDMENT THIS WAY BECAUSE IT GIVES THEM THE OPTION THEY DON'T WANT THE MONEY FOR SOME REASON THEN THEY DON'T HAVE TO TAKE IT AND AND THEY CAN PURSUE WHAT THEIR COURSE IS AND AGAIN I JUST WANT TO SAY FOR THE RECORD I THINK IT'S THIS IS THIS IS TO GIVE THEM MONEY IT'S NOT NECESSARILY TO GIVE THEM THE AUTHORITY BECAUSE IT LOOKS LIKE YOU VERSUS THE UNIVERSITY OF GUAM HAS THE AUTHORITY TO RAISE THE PAY OF THESE PEOPLE AND THEY JUST HAVEN'T DONE IT THOSE WHO WHOSE SALARIES ALIGN WITH THE GENERAL PAY PLAN OF THE LINE AGENCIES THEY HAVE ON THEIR OWN AUTHORITY RAISED THE SALARIES OF FACULTY FORTY

PERCENT TWENTY PERCENT IN ONE YEAR AND THEN IN INCREMENTS IN THE NEXT TWO YEARS THEY'VE ALSO RAISED ADMINISTRATION PAY FROM THIRTY NINE TO HUNDRED AND FIVE PERCENT PRIOR TO THAT BUT AGAIN WE'RE TALKING ABOUT KEEPING THE SALARIES AT A CERTAIN RATE FOR THE STUDENTS BECAUSE WE WANT AS MANY PEOPLE TO GO THROUGH THE UNIVERSITY AS POSSIBLE TO MAKE IT AFFORDABLE FOR THEM TO HELP THEM TO IMPROVE THE QUALITY OF THEIR LIFE AND WE ARE FACING INFLATION ONE OF THE UNIVERSITY DOCUMENTS SHOWS INFLATION TO BE A HUNDRED AND SEVENTEEN PERCENT OVER THE LAST FEW YEARS SO I THINK IT'S A AN EXCELLENT AMENDMENT THAT WE'RE GOING TO TIE THIS GRANTING OF THIS ADDITIONAL MONEY TO A A HOLD ON THE TUITION RATES THANK YOU THANK YOU MADAM CHAIR.

SENATOR SHELTON: THANK YOU SPEAKER TERLAJE ON THE AMENDMENT SENATOR FISHER.

SENATOR FISHER: MADAM SPEAKER I RISE FOR THE PURPOSE OF ASKING THE GENTLEMAN SENATOR BARNETT A QUESTION.

SENATOR SHELTON: PLEASE STATE YOUR POINT OF INQUIRY.

SENATOR FISHER: MY POINT MY POINT OF INQUIRY MA'AM IS WHETHER HE BELIEVES THAT THE PHRASE AS A CONDITION OF RECEIVING THIS APPROPRIATION THE UNIVERSITY OF GUAM SHALL NOT RAISE TUITION RATES AT ANY TIME BETWEEN APRIL 1ST 2023 THROUGH SEPTEMBER 30TH 2025 WOULD ALLOW THE UNIVERSITY TO HYPOTHETICALLY MEET ON MARCH 31ST 2023 AND ENTER A RATE OF TUITION FOR THE UPCOMING YEARS.

SENATOR SHELTON: SENATOR BARNETT DO YOU YIELD TO THE QUESTION.

SENATOR BARNETT: WELL THANK MY COLLEAGUE SENATOR FISHER FOR THAT VERY THOROUGH EXAMINATION OF THE LANGUAGE I MEAN IT IS WHAT IT IS ANYTHING COULD HAPPEN.

SENATOR FISHER: MADAM CHAIR I THINK THAT THE PROBLEM WE COULD SOLVE THAT PROBLEM BY SIMPLY STRIKING THROUGH THE WORDS THE WORD RATES AFTER TUITION.

SENATOR SHELTON: SO IS THAT A PROPOSED AMENDMENT TO THE AMENDMENT SENATOR FISHER.

SENATOR FISHER: IF IT'S APPROPRIATE TO MAKE IT WITHOUT WITHOUT BEING IN WRITING.

SENATOR SHELTON: OKAY THERE HAS BEEN A PROPOSED AMENDMENT AND TO BE ALLOWED WITHOUT ANOTHER DOCUMENT BE PRINTED TO STRIKE THE WORD RATES AFTER TUITION SO THE AMENDMENT WOULD READ.

SENATOR BARNETT: I'M SORRY POINT OF ASKING THE AUTHOR A QUESTION.

SENATOR SHELTON: OKAY.

SENATOR BARNETT: IF YOU COULD JUST EXPLAIN SIR YOUR LOGIC AND HOW YOU THINK THAT STRIKING THROUGH THE WORD RATES.

SENATOR FISHER: YES.

SENATOR BARNETT: WOULD PREVENT THE UNIVERSITY OF GUAM FROM I MEAN THAT WOULD BE SNEAKY IF THEY DID THAT BUT HOW DO YOU FEEL THAT DOING THAT WOULD PREVENT THEM FROM RAISING TUITION YOU KNOW TOMORROW.

SENATOR FISHER: YEAH BECAUSE A RATE IS MAY I ANSWER MA'AM.

SENATOR SHELTON: YES SENATOR FISHER YOU'RE RECOGNIZED BUT PLEASE GET CLOSER TO THE MIC.

SENATOR FISHER: YES THANK YOU MA'AM UM A RATE IS NOT NECESSARILY THE AMOUNT THAT IS PAID BUT IS THE AMOUNT THAT IS ASKED FOR SO I'M TRYING TO DECIDE WHETHER OR NOT THE UNIVERSITY COULD MEET YOU KNOW TEN MINUTES TO MIDNIGHT ON MARCH 31ST 2023 AND SAID FOR CALENDAR SCHOOL YEARS 2024 AND 2025 OUR RATES WILL BE THIS AND THEREBY EVADING THIS PROHIBITION I THINK THAT THAT COULD BE AVOIDED IF WE STRIKE THE WORD RATES AND IT WOULD READ AS A CONDITION OF RECEIVING THIS APPROPRIATION THE UNIVERSITY OF GUAM SHALL NOT RAISE TUITION HOW ABOUT THIS TUITION FOR ANY SCHOOL YEAR BETWEEN SCHOOL YEARS I'LL WAIT FOR THE AUTHOR TO MA'AM CAN I I DON'T KNOW IF THIS IS APPROPRIATE CAN I ASK FOR A RECESS.

SENATOR SHELTON: WE'LL TAKE A BRIEF RECESS.

RECESS

SENATOR SHELTON: THE COMMITTEE OF THE WHOLE IS BACK FROM RECESS SENATOR BARNETT.

SENATOR BARNETT: THANK YOU MA'AM AND I ALSO WOULD LIKE TO THANK MY GOOD COLLEAGUE FROM *IPAN* SENATOR FISHER FOR HIS SUGGESTION AND I I'M AMENDING MY AMENDMENT AGAIN THIS AMENDMENT TO THE AMENDMENT TO I THINK I MADE A JOKE ABOUT THIS IT'S AMENDMENT TO THE AMENDMENT TO THE AMENDMENT AND IT NOW READS AS A CONDITION OF RECEIVING THIS APPROPRIATION THE UNIVERSITY OF GUAM SHALL NOT RAISE TUITION FOR ANY SEMESTER PRIOR TO SEPTEMBER 30TH 2025 MA'AM.

SENATOR SHELTON: ON THE AMENDMENT TO THE AMENDMENT ARE THERE ANY OBJECTIONS HEARING NONE AMENDMENT TO THE AMENDMENT PASSES.

SENATOR BARNETT: BECAUSE OF FISCAL YEAR.

SENATOR SHELTON: AMENDMENT PASSES.

SENATOR BARNETT: THANK YOU.

SENATOR SHELTON: WE ARE NOW ON THE AMENDMENT AS AMENDED ANYONE WISHING TO SPEAK ON THE AMENDMENT AS AMENDED ARE THERE ANY OBJECTIONS HEARING NONE AMENDMENT CARRIES SENATOR BARNETT YOU STILL HAVE ONE MORE AMENDMENT.

SENATOR BARNETT: ALL RIGHT YES MA'AM I HAVE ANOTHER AMENDMENT BUT I THINK WE'RE JUST FINALIZING IT THAT'S DONE OKAY MA'AM IF I COULD JUST SPEAK ON THIS AMENDMENT WHICH IS GOING TO BE PASSED OUT SO I BELIEVE THE INTENT OF OF THESE ACROSS THE BOARD RAISES TWENTY TWO PERCENT RAISES FOR EMPLOYEES IN THE GENERAL PAY PLAN AT LEAST FOR ME THE INTENT HERE IS TO PROTECT THE CLASSIFIED SYSTEM AND ENCOURAGE PEOPLE TO APPLY FOR CLASSIFIED JOBS UNCLASSIFIED JOBS I UNDERSTAND THAT SOME AGENCIES USE THEM AS A TOOL TO REACT QUICKLY BUT I THINK THAT THAT PRACTICE HAS BECOME THE NORM RATHER THAN THE EXCEPTION I BELIEVE IT SHOULD BE THE EXCEPTION AND WHEN YOU TALK TO THE GOVERNMENT EMPLOYEES THERE'S THERE'S A BIG PROBLEM THEY HAVE WHEN WHEN THEY'RE WORKING NEXT TO SOMEONE WHO COMES INTO THE JOB ON DAY ONE BECAUSE OF WHO THEY KNOW NOT WHAT THEY KNOW AND THEY RECEIVE THE SAME AMOUNT OF PAY THAT A TENURED CLASSIFIED GOVERNMENT EMPLOYEE TAKES YEARS TO RECEIVE MA'AM AND SO I'M JUST PROFFERING THIS AMENDMENT TO EXEMPT UNCLASSIFIED EMPLOYEES FROM THIS TWENTY TWO PERCENT PAY INCREASE AGAIN BECAUSE I THINK WE NEED TO ENCOURAGE PEOPLE TO APPLY INTO THE CLASSIFIED SERVICE OF WHERE IF WE'RE TALKING ABOUT RECRUITMENT AND RETENTION AND THIS TWENTY TWO PERCENT ACROSS THE BOARD PAY RAISE IS SUPPOSED TO ADDRESS THOSE TWO ISSUES THEN I DON'T KNOW WHY WE WOULD GIVE A TWENTY TWO PERCENT PAY RAISE FOR POSITIONS THAT WE HAVE NO PROBLEM FILLING AT ALL MA'AM AND SO I DID HAVE A COUPLE OF EXEMPTIONS IN HERE ONE OF THEM IS FOR THE MAYORS COUNCIL OF GUAM BECAUSE THEIR STAFF THERE'S UNCLASSIFIED AND THERE'S SIMILAR SITUATION TO OUR STAFF HERE AT THE LEGISLATURE IS EVERY ELECTION IF THERE'S A CHANGE IN OFFICE THERE'S USUALLY A CHANGEOVER AND THE EMPLOYEES THUS THAT THEY HAVE THAT UNCLASSIFIED STATUS AND I ALSO HAVE PROFFERED TO EXEMPT THE GUAM ELECTION COMMISSION AND AGAIN WITH THIS AMENDMENT NO UNCLASSIFIED EMPLOYEE IS GOING TO LOSE THEIR JOB THEY'RE JUST NOT GOING TO BE ABLE TO AVAIL AND ALSO I'M GOING TO EXEMPT FEDERALLY FUNDED POSITIONS MA'AM BUT THEY'RE JUST NOT GOING TO BE AVAIL THAT TWENTY TWO PERCENT RAISE WHICH I BELIEVE WILL MAKE THE CLASSIFIED SERVICE THAT MUCH MORE ATTRACTIVE IS THAT IF THAT'S OUR INTENT AS TO REALLY STRENGTHEN RECRUITMENT AND RETENTION THEN I THINK THAT THAT IS A GREAT WAY TO DO IT IN MY HUMBLE OPINION MA'AM SO I'D JUST ASK THE SUPPORT OF MY COLLEAGUES IF THEY HAVE ANY AMENDMENTS THEY WOULD LIKE TO MAKE TO THIS AMENDMENT I'M ALL EARS SO THANK YOU MA'AM.

SENATOR SHELTON: THANK YOU ON THE AMENDMENT SENATOR PEREZ.

SENATOR PEREZ: THANK YOU MADAM CHAIR SO THE ORIGINAL AMENDMENT DIDN'T INCLUDE THE FEDERALLY FUNDED POSITION SO I WOULD LIKE TO AMEND MAKING A MOTION TO AMEND THE AMENDMENT.

SENATOR BARNETT: POINT OF INFORMATION MA'AM CAN WE TAKE A SHORT RECESS TO MAKE SURE EVERYONE HAS THE THE RIGHT AMENDMENT.

SENATOR SHELTON: YES AND WE ARE READING B24CBL1P10 COTW AND I BELIEVE IT DOES STATE NO GOVERNMENT OF GUAM FUNDS OR FEDERAL FUNDS SHALL BE EXPENDED FOR ANY PAY RAISES FOR UNCLASSIFIED.

SENATOR BARNETT: MA'AM I JUST ASKED FOR A SHORT RECESS BECAUSE I DON'T BELIEVE THAT'S THE PROPER ONE.

SENATOR SHELTON: OKAY WELL A MOMENT'S RECESS.

SENATOR BARNETT: OKAY THANK YOU.

RECESS

SENATOR SHELTON: THE COMMITTEE OF THE WHOLE IS BACK FROM RECESS WE ARE ON THE BARNETT AMENDMENT B24CBL1P10COTW TWO THIS HAS BEEN PASSED OUT COLLEAGUES AND CAN BE FOUND IN OUR DRIVE SENATOR BARNETT YOU'RE RECOGNIZED.

SENATOR BARNETT: THANK YOU MA'AM I WOULD LIKE TO SPEAK ON THE AMENDMENT OH I'D LIKE TO WITHDRAW THE PREVIOUS AMENDMENT WAIT DID I PROFFER I DID SO I'D LIKE TO WITHDRAW THE PREVIOUS AMENDMENT.

SENATOR SHELTON: ON THE MOTION TO WITHDRAW THE PREVIOUS AMENDMENT ARE THERE ANY OBJECTIONS HEARING NONE MOTION CARRIES YOU MAY SPEAK ON THE NEW AMENDMENT THANK YOU MADAM CHAIR.

SENATOR BARNETT: THANK YOU MADAM CHAIR AND SO THERE'S A NEW AMENDMENT THAT'S BEEN PASSED OUT B24CBL1P10COTW PARENTHETICAL TWO AN AMENDMENT READS UNCLASSIFIED EMPLOYEES NOTWITHSTANDING ANY OTHER PROVISION OF LAW AND CLASSIFIED POSITIONS COVERED BY THIS ACT SHALL NOT RECEIVE AN INCREASE IN COMPENSATION FOR FISCAL YEAR 2023 ANY UNCLASSIFIED EMPLOYEE WHO RESIGNS AFTER MARCH 21ST 2023 AND IS REHIRED TO THE SAME POSITION PRIOR TO SEPTEMBER 30TH 2023 SHALL NOT BE SLOTTED IN A PAY GRADE INSTEAD THAT PAYS HIGHER THAN THE EMPLOYEE SALARY AT THE TIME OF THE RESIGNATION THIS SECTION SHALL NOT APPLY TO UNCLASSIFIED EMPLOYEES OF MAYORAL OFFICES THE GUAM ELECTION COMMISSION AND FEDERALLY FUNDED POSITIONS AND AGAIN MA'AM YOU KNOW THE THE MESSAGING AHEAD OF THIS PROPOSAL TO INCREASE THE GENERAL PAY PLAN PAY BY TWENTY TWO PERCENT A LOT OF IT WAS PEPPERED WITH TERMS LIKE RECRUITMENT AND RETENTION AND I'M JUST GOING TO BE CONSISTENT AND GO BACK TO MY PREVIOUS ARGUMENT THAT I DON'T THINK THAT WE NEED TO GIVE A TWENTY TWO PERCENT RAISE YOU KNOW TO EMPLOYEES THAT WE DON'T HAVE OUR POSITIONS WE DON'T HAVE A PROBLEM RECRUITING OR EVEN FILLING FOR THAT MATTER AND THESE THESE POSITIONS THAT WE'RE TALKING ABOUT AND THIS WHAT I BELIEVE WAS AN ABUSE AND I WE HAD IN THE QUESTIONING WITH THE DEPARTMENT OF ADMINISTRATION IT WAS FRUSTRATING BECAUSE THEY DIDN'T GIVE US ANYTHING IN BLACK AND WHITE YOU KNOW WHEN I ASKED ABOUT THE UNCLASSIFIED EMPLOYEES THE RESPONSE I GOT WAS IT WAS A HANDFUL AND YET THE MINUTE I INTRODUCED AN AMENDMENT TO EXEMPT THESE UNCLASSIFIED EMPLOYEES NOW WE'RE FINDING OUT THAT THEY'RE EVERYWHERE AND SO THE TOOL OF OF HIRING UNCLASSIFIED OUTSIDE OF AND I GET THE ARGUMENT IS THAT SOMETIMES AGENCIES ARE IN A PINCH OR THERE'S A GRANT THAT THEY HAVE TO MANAGE SO THEY HAVE TO HIRE SOMEBODY WHO'S UNCLASSIFIED BUT WHAT I'M HEARING ABOUT AGENCIES THAT HAVE HAD LTAS YOU KNOW WHO HAVE BEEN AT THESE AGENCIES IN THESE UNCLASSIFIED POSITIONS IN THESE LIMITED TERM APPOINTMENTS FOR SEVERAL YEARS THEN IT BECOMES CLEAR TO ME THAT WE'RE CIRCUMVENTING THE COMPETITIVE PROCESS TO GET THESE PEOPLE INTO THESE POSITIONS AND THE END GOAL SHOULD BE TO CLASSIFY THESE EMPLOYEES OR NOT HIRE THEM IF THEY'RE NOT NEEDED CORRECT THANK YOU AND SO AGAIN THAT'S THE THE INTENT OF THIS AMENDMENT I BELIEVE THAT BY EXEMPTING THE FEDERALLY FUNDED POSITIONS ADDRESSES SOME OF THE CONCERNS THAT WERE RAISED BY MY COLLEAGUES DURING THE RECESS AND ALSO BY EXEMPTING THE GUAM ELECTION COMMISSION BECAUSE THEY HAVE UNCLASSIFIED EMPLOYEES BUT THOSE UNCLASSIFIED EMPLOYEES GO THROUGH THE COMPETITIVE APPLICATION PROCESS AND AGAIN THE MAYORAL STAFF BECAUSE I THEY WORK HARD AND THEY DEFINITELY DESERVE TWENTY TWO PERCENT AND JUST THE NATURE OF THEIR EMPLOYMENT I FEEL IS DIFFERENT FROM THE RUN-OF-THE-MILL UNCLASSIFIED LTAS THAT WE'RE TALKING ABOUT BECAUSE THEIR THEIR EMPLOYMENT IS TIED TO AN ELECTED OFFICE SIMILAR TO THE STAFF THAT WE HAVE HERE AT THE LEGISLATURE SO AGAIN I WOULD JUST ASK FOR MY COLLEAGUES SUPPORT OF THIS AMENDMENT AND THANK YOU.

SENATOR SHELTON: ON THE BARNETT AMENDMENT SENATOR FISHER.

SENATOR FISHER: MA'AM YES THANK YOU MA'AM I RISE TO ASK THE GENTLEMAN A QUESTION.

SENATOR SHELTON: PLEASE STATE YOUR POINT OF INQUIRY SENATOR FISHER.

SENATOR FISHER: MY POINT OF INQUIRY THANK YOU IN LIGHT OF WHAT THE GENTLEMAN JUST SAID DOES HE INTEND TO WORK ON LEGISLATION PERHAPS TO ASSIST THESE LIMITED TERM UH EMPLOYEES ACTUALLY GET IN TO THE CLASSIFIED SERVICE SO THEY TOO CAN ENJOY THE BENEFITS OF A PAY RAISE THANK YOU.

SENATOR SHELTON: DO YOU YIELD TO THE QUESTION SENATOR BARNETT.

SENATOR BARNETT: I SURE DO MA'AM I WOULD IMPLORE THE GOVERNOR TO DO HER BEST TO ENCOURAGE THESE LIMITED TERM EMPLOYEES AND THESE UNCLASSIFIED HIRES AND EVEN HE UNCLASSIFIED POLITICAL HIRES TO APPLY AND COMPETE FOR JOBS JUST LIKE EVERYONE ELSE WHO YOU KNOW IS IN THE CLASSIFIED SERVICE AND SO IT HAD THE DEPARTMENT OF ADMINISTRATION COME PREPARED AND IT'S IT'S REALLY UPSETTING YOU KNOW THIS IS A HUGE PROPOSAL AND HAVING QUESTIONS AND ASKING FOR INFORMATION HAS BEEN PAINTED AS SAYING NO TO THESE RAISES AND NOTHING COULD BE FURTHER FROM THE TRUTH WE HAVE AN OBLIGATION AND A DUTY TO FIND OUT AS MUCH AS WE CAN AND WITH THIS HUGE PROPOSAL WE HAD THE DEPARTMENT OF ADMINISTRATION COMING DOWN HERE TO THE GUAM CONGRESS HALL THEY DIDN'T REALLY HAVE ANY SUPPORTING DOCUMENTS THEY DIDN'T HAVE ANY CHARTS THEY DIDN'T HAVE ANY STAFFING PATTERNS WE ASKED REPEATEDLY ABOUT UNCLASSIFIED HIRING THEY COULDN'T EVEN TELL US HOW MANY UNCLASSIFIED PEOPLE WERE WE WERE THAT WERE GOING TO BE AFFECTED BY THIS GENERAL PAY PLAN INSTEAD THE ANSWER WE GOT WAS IT WAS JUST A HANDFUL AND SO HAD THERE BEEN A GENUINE EFFORT TO INFORM US OF JUST THE BASIC INFORMATION I DON'T THINK WE WOULD BE A I DON'T THINK MY COLLEAGUES WOULD HAVE THIS LEVEL OF UNCERTAINTY AND SO YES I WOULD IMPLORE THE DEPARTMENT OF ADMINISTRATION IF THERE IS LANGUAGE OR IF THERE IS A PROCESS THAT YOU BELIEVE WE CAN ENTERTAIN HERE WITH THIS BODY THEN I'M COMMITTED TO TO ENTERTAIN THAT LANGUAGE WHAT I DON'T WANT TO DO THOUGH IS FURTHER ENABLE THIS CIRCUMVENTING OF THE CLASSIFIED SYSTEM BECAUSE AGAIN I UNDERSTAND THAT THERE ARE CERTAIN SITUATIONS WHERE YOU'RE IN A PINCH AND YOU HAVE TO PUT SOMEBODY IN A WARM BODY QUICKLY TO MOVE BUT WHEN WHEN WE HEAR ABOUT THE PREVALENCE OF THESE LTAS AND THESE LTAS WERE JUST ROLLED OVER YEAR AFTER YEAR AFTER YEAR I MEAN IT'S NOT FAIR TO THEM EITHER BECAUSE THEY DON'T GET TO AVAIL OF THEIR RETIREMENT THEY DON'T GET TO AVAIL THE BENEFITS BUT WHEN THEY DO GET TO AVAIL OF IS A SALARY THAT'S COMMENSURATE WITH CLASSIFIED EMPLOYEES WHO OFTENTIMES HAVE WORKED HARD FOR THE PEOPLE OF GUAM FOR A NUMBER OF YEARS TO ACHIEVE THAT LEVEL OF PAY THANK YOU I HOPE THAT THAT ANSWERS THE THE GENTLEMAN FOR ME *IPAN*'S QUESTION MA'AM.

SENATOR SHELTON: DOES THAT SATISFY YOUR QUESTION.

SENATOR FISHER: YES MADAM CHAIR THANK YOU AND I WOULD THANK THE GENTLEMAN AS WELL.

SENATOR SHELTON: THANK YOU SENATOR FISHER ON THE BARNETT AMENDMENT SENATOR BROWN FOLLOWED BY SENATOR PARKINSON SENATOR BROWN.

SENATOR BROWN: THANK YOU VERY MUCH MADAM CHAIR I JUST WANT TO INQUIRE THE SPONSOR OF THIS AMENDMENT BECAUSE I SEE THE AMENDMENT NOW INCLUDES FEDERALLY FUNDED POSITIONS I MEAN DO WE HAVE ANY IDEA I MEAN HE MENTIONED ABOUT THE ISSUE THAT WE REALLY DIDN'T HAVE A LOT OF INFORMATION FROM THE ADMINISTRATION WITH REGARDS TO THESE POSITIONS SO DO WE HAVE ANY IDEA YOU KNOW BECAUSE THESE ARE VERY GENERAL COMMENTS THAT ARE BEING MADE ON POSITIONS THAT WE DO RECOGNIZE ARE HIRED AS AN ALTERNATIVE OF GOING THROUGH THE CLASSIFIED SYSTEM WITH REALLY WITHOUT ANY REAL COMPETITION IN SPITE OF THE PRESENTATION THAT WAS TRIED YOU KNOW THE ADMINISTRATION REPRESENTS HERE TRIED TO MAKE TO GIVE US SOME LOGIC TO THIS BUT WHAT ARE WE TALKING ABOUT HOW MANY FEDERALLY FUNDED POSITIONS ARE WE TALKING ABOUT AND WHAT EXACTLY ARE THEY DOING THAT IS IT TEMPORARY POSITIONS THAT THEY'RE ASSIGNED TO WHAT WHAT IS WHAT IS THIS ALL HERE THAT WE'RE ADDING ON THIS TO THIS AMENDMENT.

SENATOR SHELTON: SENATOR BARNETT DO YOU YIELD TO THE QUESTION.

SENATOR BARNETT: I'M SORRY MA'AM WAS THERE A QUESTION.

SENATOR SHELTON: YES.

SENATOR BARNETT: CAN YOU RESTATE IT PLEASE.

SENATOR SHELTON: HOW MANY FEDERAL EMPLOYEES FEDERALLY FUNDED POSITIONS ARE WE TALKING ABOUT.

SENATOR BARNETT: I'M NOT QUITE SURE MA'AM BECAUSE AGAIN WHEN WE MADE THE ASK WITH THE DEPARTMENT OF ADMINISTRATION THE INFORMATION WASN'T READILY AVAILABLE.

SENATOR BROWN: WELL AGAIN ONCE AGAIN I JUST WANT TO SPEAK ON THIS AND I DON'T HAVE A MAJOR OBJECTION TO THE OVERALL AMENDMENT BUT I BUT AGAIN IT BRINGS TO LIGHT HERE WE ARE AT THIS HOUR ON A FRIDAY EVENING WHILE SOME ARE RUSHING TO TRY TO DELIVER THIS BILL IN A NICE FANCY BOAT TO THE ADMINISTRATION WE ARE ONCE AGAIN ACTING AND MAKING DECISIONS WITHOUT INFORMATION AND WE ULTIMATELY REALLY DON'T KNOW WHAT WE'RE APPROVING HOW MUCH IT'S GOING TO COST WHAT THE IMPACT'S GOING TO BE TO OUR COMMUNITY AND TO OUR OUR COMMUNITY HERE THAT'S GOING TO BE SADDLED WITH SUCH A SUBSTANTIAL BILL MOVING FORWARD THAT RIGHT NOW IS UNDEFINED INCLUDING THIS AND I DO WANT TO RELAY THAT BECAUSE AGAIN THIS WHOLE PROCESS HAD BEEN RUSHED AND INSTEAD OF TRYING TO MAKE REALLY RESPONSIBLE DECISIONS REVIEWING THIS WHERE WE COULD REALLY HELP OUT THOSE THAT ARE REALLY IN NEED OF THE SUPPORT THAT COULD REALLY BENEFIT FROM THIS YOU KNOW THE INTENT IS TO MOVE FORWARD AND NOT HAVE THE INFORMATION AVAILABLE WHICH THIS INFORMATION SHOULD BE I'M MUCH TO MY SURPRISE AFTER YESTERDAY TO START REALIZING THAT REALLY I I WOULD BE CURIOUS AS TO WHETHER OR NOT EVEN THE GOVERNMENT OF GUAM DEPARTMENT OF ADMINISTRATION OR WHOEVER WOULD BE THE RESPONSIBLE ENTITY ACTUALLY IS KEEPING TRACK OF THIS INFORMATION THAT SHOULD BE READILY AVAILABLE IN TERMS OF HOW MANY EMPLOYEES WE HAVE WHERE ARE THEY HOW MANY CLASSIFIED EMPLOYEES WHAT AREAS ARE THEY SERVING IN HOW MANY UNCLASSIFIED WHERE ARE THEY SERVING IN AND WHAT ARE THEY DOING AND I'M SPEAKING AS A CAREER UNCLASSIFIED EMPLOYEE I'VE NEVER BEEN A CLASSIFIED EMPLOYEE OF THE GOVERNMENT NOR HAVE I EVER ASPIRED TO BE ONE THAT THAT HAS BEEN MY CHOICE BUT I'M A LITTLE CONCERNED AS WE MOVE FORWARD IN THIS PROCESS INCLUDING THIS BILL WITH THIS AMENDMENT HERE OF MAKING DECISIONS REALLY WITHOUT INFORMATION BECAUSE I DON'T KNOW IF WE'RE APPROVING A HUNDRED POSITIONS TWO HUNDRED POSITIONS THREE HUNDRED POSITIONS AND UNDER THIS UMBRELLA WE DON'T EVEN KNOW WHAT THEY'RE PERFORMING AND IS IT'S SO CRITICAL THAT WE NEED TO INCLUDE THEM BECAUSE SOMEONE DECIDED TO SAY OH BECAUSE IT'S FEDERALLY FUNDED WE SHOULD INCLUDE IT IT STILL DOESN'T JUSTIFY AT THE END OF THE DAY THE WHOLE ARGUMENT WITH REGARDS TO THOSE IN THE CLASSIFIED SERVICE RECEIVING THIS BENEFIT AND THEN THOSE THAT ARE NOT IN THE CLASSIFIED SERVICE THAT HAVE NOT HAD TO DEAL ANY REAL COMPETITION FOR THE POSITION THEY HAVE AND IN REALITY I MEAN WE KNOW WHY THEY AND THEN MAYBE WE NEED TO GO BACK ANOTHER DAY AND EXAMINE THE NEED FOR THESE POSITIONS AND WHAT AND HOW LONG WE SHOULD ALLOW THEM BECAUSE THERE'S SUCH AN AVENUE UNFORTUNATELY FOR ABUSE OF THE PROCESS MORE THAN THEY ARE REALLY BENEFICIAL TO THE COMMUNITY WHEN YOU GET RIGHT DOWN TO IT IT'S NOT AN OFFENSE THE PEOPLE THAT ARE HOLDING THESE POSITIONS I MEAN IT'S UNFORTUNATE AS THE SPONSOR MENTIONED YOU HAVE SOME THAT HAVE BEEN IN THESE POSITIONS FOR YEARS HOPING THAT THEY WILL HAVE AN OPPORTUNITY TO ACTUALLY BE HIRED YOU KNOW AS A FULL-TIME CLASSIFIED EMPLOYEE IN THE GOVERNMENT AND THEY'RE NOT AND THEY'RE DRUGGED ALONG FOR YEARS AND YEARS AND YEARS AND THAT'S UNFORTUNATE BECAUSE IN SOME WAYS THESE THESE INDIVIDUALS ARE ALSO BEING TAKEN ADVANTAGE OF SO I JUST WANT TO RELAY THAT WITH REGARDS TO THIS PROPOSED AMENDMENT THANK YOU VERY MUCH MADAM CHAIR.

SENATOR SHELTON: THANK YOU SENATOR BROWN.

SENATOR SAN AGUSTIN: POINT OF INFORMATION.

SENATOR SHELTON: PLEASE STATE YOUR POINT OF INFORMATION.

SENATOR SAN AGUSTIN: IF I'M CORRECT I HEARD THAT THE QUESTION OF LIMITED TERM ON CLASSIFIED DON'T RECEIVE THE BENEFITS THEY RECEIVED ALL THE BENEFITS LIKE A CLASSIFIED EMPLOYEE JUST JUST TO MAKE SURE THAT'S KNOWN THAT'S EVERYTHING THANK YOU.

SENATOR SHELTON: THANK YOU FOR YOUR POINT OF INFORMATION SENATOR SAN AGUSTIN ON THE AMENDMENT OH SENATOR PARKINSON FOLLOWED BY SENATOR PEREZ.

SENATOR PEREZ: SO YEAH JUST A POINT OF INFORMATION REGARDING THE QUESTION.

SENATOR SHELTON: PLEASE STATE YOUR POINT OF INFORMATION.

SENATOR PEREZ: YEAH SO I JUST WANT TO PROVIDE INFORMATION REGARDING THE THE LANGUAGE OF FEDERALLY FUNDED POSITIONS SO THE CONCERN WAS THAT MANY OF LIKE MY CONCERN WAS BASICALLY DERIVED FROM GUAM EPA WHERE MANY OF THE POSITIONS ARE FEDERALLY FEDERALLY FUNDED AND SO THE SITUATION IS IS THAT THE FEDERAL GOVERNMENT IS WILLING FROM WHAT I UNDERSTAND TO HONOR THE INCREASES FROM THE GENERAL PAY PLAN AND YEAH I'M NOT FAMILIAR I'M NOT FAMILIAR WITH THE LTAS BUT ACCORDING TO THE DEPUTY DIRECTOR HAS TWELVE UNCLASSIFIEDS YEAH SO I MEAN I GUESS MY CONCERN WAS THAT I DIDN'T WANT TO HAVE THE NEGATIVE EFFECT OF LIMITING THEM FROM GETTING A PAY RAISE IN WHICH THE FEDERAL GOVERNMENT WAS WILLING TO REIMBURSE AND I THINK YOU KNOW THE OTHER AGENCY THAT HAS A LOT OF UNCLASSIFIEDS THAT ARE CRITICAL IS DEPARTMENT OF PUBLIC HEALTH SO I DIDN'T WANT IT TO HAVE UNINTENDED CONSEQUENCES IF THE FEDERAL GOVERNMENT WAS ALREADY WILLING TO REIMBURSE THEM.

SENATOR SHELTON: THANK YOU SENATOR PEREZ FOR YOUR POINT OF INFORMATION ON THE BARNETT AMENDMENT SENATOR PARKINSON.

SENATOR PARKINSON: THANK YOU MADAM CHAIR THANK YOU I JUST WANT TO SPEAK OUT ABOUT THIS AMENDMENT BECAUSE I UNDERSTAND THE SPONSORS HESITANCY AND SEEING THIS PAY RAISE GO TO WHAT ARE PERCEIVED AS POLITICAL HIRES AND YOU CAN SEE THAT WHERE HE'S EXEMPTING MAYOR OFFICES AND THE GUAM ELECTION COMMISSION BUT I THINK THOSE EXEMPTIONS DON'T COVER ENOUGH I THINK IT'S GOING TO MISS SOME PEOPLE WHO DESERVE THIS RAISE AND MORE IMPORTANTLY I THINK TO SPEAK OF UNINTENDED CONSEQUENCES THAT THIS BILL MAY OR THIS AMENDMENT MAY BE A POISON PILL TO THE ENTIRE THING THIS POTENTIALLY LEAVES US OPEN TO LITIGATION FOR VIOLATING VIOLATING EQUAL EMPLOYMENT OPPORTUNITY PROTECTIONS BECAUSE WE TREAT SOME CLASSIFIED EMPLOYEES DIFFERENT THAN OTHER CLASSIFIED EMPLOYEES AND ARE DIFFERENT THAN OTHER UNCLASSIFIED EMPLOYEES AND SO I I DON'T WANT THIS AMENDMENT TO POTENTIALLY SINK THE ENTIRE THING AND FOR THAT REASON I HAVE TO STAND AND SPEAK UP AGAINST THIS AMENDMENT AND WITH THAT I YIELD THE REST OF MY TIME MADAM CHAIR.

SENATOR SHELTON: THANK YOU THAT IS AN OBJECTION AGAINST THE AMENDMENT AND ANYONE ELSE WANTING TO SPEAK ON THE BARNETT AMENDMENT SENATOR QUINATA YOU ARE RECOGNIZED.

SENATOR QUINATA: CAN WE JUST ASK LEGAL COUNSEL IF THAT'S A VALID MOTION BY SENATOR PARKINSON.

SENATOR BARNETT: AND I WOULD ALSO LIKE TO ASK LEGAL COUNSEL IF THESE JOBS ARE NOT COMPETITIVE AND YOU JUST GET THE JOB IS ARE IS THAT AN EVEN AN EQUAL EMPLOYMENT OPPORTUNITY BECAUSE YOU KNOW I WOULD JUST ASK ALSO LEGAL COUNSEL THAT BECAUSE IT'S MY UNDERSTANDING THAT WHEN YOU ANNOUNCE A JOB AND PEOPLE ARE COMPETING FOR IT THEN THAT'S WHERE THE EEO PROTECTIONS COME IN BUT IF A JOB IS NOT ANNOUNCED AND PEOPLE JUST GET THE JOB WITHOUT OTHER PEOPLE KNOWING ABOUT IT I'M JUST NOT SURE IF I MEAN I DON'T KNOW I'M NOT A LAWYER IF THOSE PROTECTIONS ARE OR WOULD BE IN PLACE.

SENATOR SHELTON: WE'LL TAKE A BRIEF RECESS.

RECESS

SENATOR SHELTON: SENATOR SAN AGUSTIN WERE BACK FROM RECESS.

SENATOR SAN AGUSTIN: THANK YOU MADAM CHAIR.

SENATOR SHELTON: SENATOR SAN AGUSTIN PLEASE STATE YOUR POINT OF INFORMATION.

SENATOR SAN AGUSTIN: JUST JUST IT'S JUST SMALL BECAUSE I WAS IN THE CLASSIFIED AT REVENUE AND TAX AND THERE ARE FOLKS THAT WERE LTAS AND UNCLASSIFIED WHEN THE POSITIONS ARE OPEN AND THEY'RE FILLED BY FOLKS THAT ARE QUALIFIED THE PERSON THAT WAS AN LTA IN THOSE POSITIONS WERE RELEASED THEY WEREN'T EMPLOYED THERE NO MORE THAT I KNOW FOR A FACT BECAUSE I WAS DEALING WITH THAT IN THE COMPLIANCE BRANCH AND THE PROCESS WAS GOING THROUGH AND I SAID SORRY GO AND APPLY FOR THE NEXT POSITION AND THAT'S HOW IT WAS WORKING THANK YOU.

SENATOR SHELTON: THANK YOU WE ARE IN RECESS TO ANSWER QUESTIONS FROM THE LEGAL COUNSEL.

RECESS

SENATOR SHELTON: THE COMMITTEE OF THE WHOLE IS BACK FROM RECESS ON THE BARNETT AMENDMENT ON THE BARNETT AMENDMENT ON THE BARNETT AMENDMENT.

SENATOR BARNETT: MA'AM POINT OF INFORMATION WE DID SPEAK WITH LEGAL AND THEY THINKING WAS THAT THERE IS THERE'S NO DISCRIMINATION MA'AM.

SENATOR SHELTON: THANK YOU SENATOR BARNETT ON THE BARNETT AMENDMENT THERE HAS BEEN AN OBJECTION SPEAKER TERLAJE YOU ARE RECOGNIZED.

SPEAKER TERLAJE: THANK YOU MADAM CHAIR I AGREE IT'S BEEN VERY CONFUSING BECAUSE WHEN WE ASKED THESE QUESTIONS OF THE PANEL WHEN THEY WERE HERE THEY TOLD US THERE'S ONLY A HANDFUL OF CLASSIFIED POSITIONS THAT THIS PAY PLAN IS GOING TO AFFECT AND THEY TOLD US EXACTLY WHO THOSE ARE THEY ARE SPECIAL PROJECT COORDINATORS AND THEY SAID I CAN'T REMEMBER THE OTHERS THERE WERE JUST A COUPLE MORE THEN THEY WE ASKED THEM MANY THINGS WE ASKED THEM DOES THIS COVER *ADELUP* THEY SAID IT ONLY IT ONLY COVERS BBMR AND BSP WHO ARE UP THERE AND BUT NOT ANYONE ELSE IT'S THEY SAID THIS THESE RAISES YOU KNOW WHEN WHEN I TALKED ABOUT THE DISPARITY BETWEEN GIVING A RAISE TO SOMEONE WHO WAS NOT HIRED COMPETITIVELY WITH THOSE WHO ARE HIRED COMPETITIVELY I GUESS THAT'S THE ISSUE THAT THIS AMENDMENT IS TRYING TO GO FOR AND THIS AMENDMENT EXCLUDES THOSE WHO WHO ARE NOT GOING TO BE HIRED COMPETITIVELY BECAUSE THEY ARE ONLY HIRED VERY TEMPORARILY SUCH AS FOR FEDERAL POSITIONS SUCH AS ALL OF THOSE EMPLOYEES HIRE HIRED BY THE CARES ACT THE ARPA FUNDS THE BLOCK GRANTS AND AND ALL OTHER THOSE FEDERAL GRANT PROGRAMS THEY HAVE EXPIRATION DATES SO THESE EMPLOYEES ARE NOT CLASSIFIED BECAUSE THE GOVERNMENT OF GUAM'S NOT GOING TO YOU KNOW KEEP THOSE POSITIONS PAST THE GRANT PERIOD SO THE GOOD THING ABOUT THE AMENDMENT IS THAT IT EXEMPTS ALL FEDERALLY FUNDED POSITIONS MEANING IF THE FEDERAL GRANT ALLOWS THEM TO GET THEIR RAISE THEY WILL GET THEIR RAISE BUT AND AND THIS AMENDMENT DOES NOT AFFECT THEM AT ALL WHO IT AFFECTS IT LOOKS TO ME YOU KNOW IT'S JUST A DISPARITY BETWEEN DOES IT AFFECT THE HANDFUL OF PEOPLE THAT THEY TOLD US OR DOES IT AFFECT THE OTHER PEOPLE WHO ARE CALLING AND SENDING MESSAGES SAYING THEY ARE PART OF THE ONE THOUSAND SO THERE'S A THOUSAND FEDERAL LTA POSITIONS IN THE GOVERNMENT OF GUAM AND THAT THERE ARE ALSO SOME POSITIONS CREATED THAT ARE UNCLASSIFIED IN THE GOVERNMENT OF GUAM THAT THESE ALSO COVER SO I I WAS JUST LOOKING AT YOU KNOW TITLE FOUR OF THE STATUTE WHICH LISTS WHO ARE SUPPOSED TO BE OUR UNCLASSIFIED POSITIONS IN THE GOVERNMENT OF GUAM THE UNCLASSIFIED SERVICE SHALL INCLUDE ELECTIVE OFFICIALS JUDGES SUPERIOR COURT MARSHALLS CHIEF CLERK CHIEF PROBATION OFFICER AND COURT ADMINISTRATOR HEADS OF AGENCIES ONE SECRETARY FOR EACH SUCH OFFICER THE FIRST ASSISTANT BY WHATEVER TITLE DENOMINATED TO THE HEADS OF AGENCIES PERSONS EMPLOYED ON A TEMPORARY BASIS I THINK THIS IS ACTUALLY THE BIG LOOPHOLE THAT WE WE CAN'T GET THE GOOD DETAILED INFORMATION ABOUT THE THE REST OF THE LIST IS MEMBERS OF BOARDS AND COMMISSIONS EXECUTIVE DIRECTOR OF THE COMMISSIONERS COUNCIL OFFICES AND EMPLOYMENT IN THE EXECUTIVE BRANCH WHOSE APPOINTMENT ARE REQUIRED TO BE CONFIRMED BY THE GUAM LEGISLATURE ALL OFFICES AND EMPLOYMENT MADE BY LAW TO BE AT THE PLEASURE OF ANY BOARD COMMISSION OR OFFICER ALL LEGISLATIVE EMPLOYEES MEMBERS OF THE GUAM GAMING COMMISSION PHYSICIAN AND HEALTH CARE ADMINISTRATORS EMPLOYED AT THE GUAM MEMORIAL HOSPITAL AND POSITIONS IN THE DEPARTMENT OF MILITARY AFFAIRS INCLUDING THE EXECUTIVE SECRETARY AND EXECUTIVE SERVICES COORDINATOR WITH THE EXCEPTION OF CIVILIAN NON-UNIFORMED POSITIONS EMPLOYEES OF THE OFFICE OF GOVERNOR AND LIEUTENANT GOVERNOR INCLUDING OFF ISLAND OFFICES AND GOVERNMENT HOUSE PROPERTY MANAGEMENT OFFICER AT THE DEPARTMENT OF CORRECTIONS PERSONS EMPLOYED ON A SEASONAL BASIS NOT MORE THAN ONE SPECIAL ASSISTANT EACH TO THE AG AND THE PUBLIC AUDITOR UOG STUDENT EMPLOYEES AND THEN IT SAYS THE CLASSIFIED SERVICE SHALL INCLUDE ALL OTHER POSITIONS IN THE GOVERNMENT OF GUAM SO I THINK THERE'S ONLY TWO CATEGORIES HERE THAT YOU KNOW WE DON'T HAVE THE LIST FOR THAT WE WE ASKED THOSE ARE THE PERSONS EMPLOYED ON A SEASONAL BASIS THAT MIGHT BE WHEN THEY NEED INCREASED TAX COLLECTORS OR TAX PROCESSORS AND THE PERSONS EMPLOYED ON A TEMPORARY BASIS AND I THINK THAT'S WHAT YOU KNOW THIS AMENDMENT'S TRYING TO TARGET IS THOSE WHO WHO MAYBE ARE JUST WE'VE HEARD OF THESE SOME OF THEM ARE HAVE BEEN IN THESE TYPES OF TEMPORARY BASES FOR TWO YEARS IS THAT STILL TEMPORARY AND WHY AREN'T THEY THEY BEING YOU KNOW MADE TO MEET THE CLASSIFIED POSITION QUALIFICATIONS OR OR JUST MOVE INTO THE CLASSIFIED SERVICE SO WE DON'T KNOW THE ANSWERS THAT'S REALLY THE BOTTOM LINE FOR ME RIGHT HERE IS I WOULD LIKE TO HONOR THE MERIT SYSTEM AND HONOR THOSE EMPLOYEES WHO HAVE HAD TO COMPETE AND HONOR

THAT THEY THEY ARE THE ONES WHO ARE TRYING TO GIVE SALARY INCREASES TO TO TO GET TO THE WHOLE POINT OF THIS WHOLE PROJECT IS FOR RECRUITMENT AND RETENTION WE WANT TO RECRUIT AND RETAIN CLASSIFIED EMPLOYEES THOSE WHO COMPETE AND SO I MEAN I SUPPORT THE AMENDMENT THE PROBLEM IS I AM JUST VERY UNCOMFORTABLE WITH THE AMOUNT OF INFORMATION THAT WE HAVE BEEN GIVEN BUT I DO WANT TO SAY SOMETHING BECAUSE THERE'S SOME STUFF GOING AROUND LIKE OH THIS IS GOING TO AFFECT EMPLOYEES AT THE COURTS AND EMPLOYEES THAT ARE SOME OF THESE OTHER AGENCIES THAT WERE ADDED ON IN THE BILL AFTER YOU KNOW IN ADDITION TO LINE AGENCIES BUT THAT WAS THE WHOLE POINT OF SOME OF THE POINTS THAT WE RAISED DURING OUR DISCUSSION IS THAT THE JUDICIARY CONTROLS ITS SALARIES SO THEY'VE ALREADY GIVEN PAY RAISES TO ALL OF THEIR EMPLOYEES BEFORE THE GOVERNMENT OF GUAM IN THIS PAY PLAN AFFECTED ANY SALARIES AND AND THEY CAN THERE'S NOTHING TO PREVENT THEM FROM CONTINUING TO DO THAT.

SENATOR SHELTON: THANK YOU SPEAKER YOUR TIME UP.

SPEAKER TERLAJE: AFTER AFTER THIS HAS PASSED SO I I DON'T THINK THAT YOU KNOW ALL WE'RE DOING IN THIS BILL IS THE APPROPRIATION PART WE'RE NOT AFFECTING ANYBODY'S AUTHORITY TO GIVE RAISES OR NOT GIVE RAISES WE ARE FUNDING THE GOVERNOR'S MANDATE OF RAISES ACCORDING TO THE PLAN THAT SHE HAS APPROVED.

SENATOR SHELTON: THANK YOU SPEAKER.

SPEAKER TERLAJE: THANK YOU.

SENATOR SHELTON: ON THE BARNETT AMENDMENT SENATOR BLAS MINORITY LEADER BLAS.

SENATOR BLAS: THANK YOU MADAM CHAIR YOU KNOW MADAM CHAIR WHAT I CAN APPRECIATE APPRECIATE ABOUT THIS WHOLE CONVERSATION IS THAT THIS BILL ISN'T READY TO GO THERE ARE A NUMBER OF DIFFERENT QUESTIONS THAT NEED TO BE ASKED AND ANSWERED GIVEN THE APPROPRIATE TIME AND THE APPROPRIATE RESOURCES AND THE YOU KNOW DOCUMENTATION NOT TO SAY ALSO THAT I REMEMBER DISTINCTLY THAT WHEN THE QUESTION WAS ASKED TO HOW MANY PEOPLE ARE ON AS FAR AS THE UNCLASSIFIED THE RESPONSE WAS ONLY A HANDFUL BUT NOW THERE APPARENTLY THERE'S SOME I GUESS CLARIFICATION WHEN HE SAID ONLY A HANDFUL THEY ONLY TALKED ABOUT THE POSITIONS NO THE QUESTION WAS VERY SUCCINCT THE VERY QUESTION IS VERY DIRECT HOW MANY EMPLOYEES AND RIGHT NOW THE CONCERN HERE LIES IN THIS OKAY WHO ARE THESE EMPLOYEES AND WHAT FUNCTIONS DO THEY HAVE I RECOGNIZE AND I UNDERSTAND YOU KNOW THE THE AUTHOR OF THE AMENDMENT OF WHAT THE INTENT IS AND AND I I TRULY BELIEVE IN THAT TOO BUT MORE IMPORTANTLY IS IT'S NOT JUST THE DISCUSSION OF THIS AMENDMENT BUT NO OTHER AMENDMENTS AND AND EVEN THE DISCUSSIONS OUTSIDE OF THE AMENDMENTS ARE WE MAKING ARE WE GOING TO EXERCISE DUE DILIGENCE AND PRUDENCE AND COMPLETENESS IN BEING ABLE TO MAKE A DECISION ON SOMETHING THAT'S GOING TO COST THE PEOPLE OF GUAM MILLIONS OF DOLLARS ARE WE GOING TO CONTINUE TO MAKE TO YOU KNOW THE FEAR OF THE EMPLOYEES THAT THIS IS SUPPOSED TO GO TO THAT YOU KNOW WHO WERE WELL DESERVING AS TO WHETHER OR NOT THIS WILL SUSTAIN ITSELF YOU JUST SAY THIS BUT IF I SEE THE MAKINGS OF I SEE THE MAKINGS OF LAWSUITS HERE AND HOW MUCH MORE IS THAT GOING TO COST US YOU KNOW I CAUTION THAT IS WE CONTINUE TO GO DOWN THIS ROAD AND IF WE DON'T MAKE THESE DECISIONS PROPERLY AND WITH IN WITH COMPLETENESS YOU KNOW YOU KNOW WHEN YOU GO BACK TO TO OTHER PAY PLANS THAT WERE THAT WERE IMPLEMENTED AND WHATNOT IT TOOK MONTHS AND A NUMBER OF DIFFERENT DISCUSSIONS BETWEEN BOTH BRANCHES TO BE ABLE TO COME TO A CONSENSUS A DECISION ON THIS WE'RE DOING THIS BECAUSE WE WANT TO MEET A DEADLINE THAT WAS IMPOSED AND THAT WAS STATED WAY BEFORE WE EVEN HAD THE DISCUSSION THE DISCUSSIONS CAME TO US FORCED UPON US AND I FOR ONE MADAM CHAIR I'M NOT GOING TO MAKE A DECISION BASED ON SOMEBODY WHO WANTS TO FORCE IT I WANT TO MAKE A DECISION THAT'S RIGHT THAT'S JUST THAT'S FAIR THAT'S EQUITABLE THAT'S REASONABLE THAT'S FISCALLY RESPONSIBLE I DON'T THINK THAT OUR THE PEOPLE OF GUAM SHOULD EXPECT ANYTHING LESS THAN THAT THANK YOU FOR THE TIME MADAM CHAIR.

SENATOR SHELTON: THANK YOU SENATOR BLAS MINORITY LEADER ON THE BARNETT AMENDMENT ON THE BARNETT AMENDMENT SENATOR LUJAN.

SENATOR LUJAN: THANK YOU MADAM CHAIR MADAM CHAIR I I SUPPORT THIS THIS AMENDMENT I AM WE'RE JUST GETTING INFORMATION AGAIN IT KEEPS POURING IN BASICALLY OF QUESTIONS THAT WE'VE ASKED THE PAST FEW DAYS FROM MR. BIRNS AND OBVIOUSLY THE INFORMATION AS OUR CAUCUS LEADER HAD

MENTIONED THAT WHEN ASKED AND NUMEROUS TIMES REGARDING HOW MANY EMPLOYEES WERE IN THIS IN THESE POSITION THE UNCLASS OR WHAT IS IT LIMITED TERM THERE IT WAS IT SAID IT WAS A HANDFUL AND NOW WE'RE FINDING OUT IT'S OVER A THOUSAND MADAM CHAIR WHEN WHEN WHEN HE CAME IN HERE HE SWORE THE OATH AND THE RULES OF PERJURY IF THERE'S MISINFORMATION OR INACCURATE INFORMATION GIVEN TO US BY THEN IS SUBJECT TO TO PERJURY AND IT SEEMS THAT AND THE SERGEANT AT ARMS HAD ASKED THEM TO SWEAR UNDER OATH AND IF INACCURATE OR MISINFORMATION IS GIVEN TO THIS HOUSE THE PEOPLE'S HOUSE TO MAKE DECISIONS ON INACCURATE INFORMATION AND AND TO FALSELY SWAY THIS BODY A DIFFERENT WAY I THINK THIS BODY SHOULD COME DOWN EXTREMELY HARD ON THE CHARGE OF PERJURY THANK YOU MADAM CHAIR.

SENATOR SHELTON: THANK YOU SENATOR LUJAN ON THE BARNETT AMENDMENT ON THE BARNETT AMENDMENT THERE ANY OBJECTIONS HEARING NO OBJECTIONS HEARING NO OBJECTIONS AMENDMENT PASSES SENATOR BARNETT.

SENATOR BARNETT: YES.

SENATOR SHELTON: YOU HAVE ANOTHER AMENDMENT.

SENATOR BARNETT: THAT'S IT PANCIT.

SENATOR SHELTON: OKAY THANK YOU.

SENATOR BARNETT: THANK YOU MA'AM.

SENATOR SHELTON: THANK YOU VERY MUCH OKAY SPEAKER TERLAJE DO YOU HAVE A POINT OF INFORMATION SENATOR QUINATA.

SENATOR QUINATA: NO IT'S GOING TO MAKE A MOTION TO RISE OUT OF THE COMMITTEE OF THE WHOLE.

SENATOR PARKINSON: I THOUGHT THIS WAS AN AMENDMENT OF THE AMENDMENT OR SO I WAS A LITTLE CONFUSED BUT THE THE ORIGINAL AMENDMENT HAD A STANDING OBJECTION.

SENATOR SHELTON: OKAY SO I GAVELED DOWN ALREADY SENATOR PARKINSON OH I ASKED MULTIPLE TIMES IF THERE WERE ANY OBJECTIONS SO I IT WAS NOT REGISTERED AGAIN AT THE END BUT IF YOU'D LIKE TO OVERRULE THE CHAIR YOU MAY DO SO NOW MAKE A MOTION TO DO THAT.

SENATOR PARKINSON: I WOULD LIKE A MAKE A MOTIONS TO OVERRULE THE CHAIR.

SENATOR SHELTON: THERE'S A MOTION TO OVERRULE THE CHAIR IS THERE AN OBJECTION HEARING NO OBJECTION OKAY THERE'S AN OBJECTION ALL THOSE IN FAVOR OF OVER ROLLING THE CHAIR.

SENATOR FISHER: POINT OF POINT OF INQUIRY.

SENATOR SHELTON: PLEASE STATE YOUR POINT OF INCREASE SENATOR FISHER YES I NEED TO KNOW EXACTLY WHAT IT IS WE'RE TALKING ABOUT I'VE GOT FOUR DIFFERENT PIECES OF PAPER FLOATING ON THE DESK ALL OF THE MASQUERADING IS AN AMENDMENT OF SOME SORT OR ANOTHER I'M JUST LOOKING FOR THE INFORMATION WHAT IS THIS VOTE BEING CAST ON.

SENATOR SHELTON: SURE WE JUST GAVELED DOWN ON THE BARNETT AMENDMENT B24CBL1P10 COTW2.

SENATOR FISHER: OKAY.

SENATOR SHELTON: AND I GAVEL DOWN AFTER ASKING IF THERE ARE ANY OBJECTIONS THERE WAS AN INITIAL OBJECTION REGISTERED DURING THE DISCUSSION WITH ALL OF THE BACK AND FORTH AND RECESSES I ASKED AGAIN BUT THERE WAS NONE REGISTERED AND SO I GAVELED DOWN ALREADY WITHOUT OBJECTION WITH ALLOWING THE AMENDMENT SENATOR PARKINSON HAS ASKED TO OVERRULE THE CHAIR THERE HAS BEEN AN OBJECTION TO THAT MOTION ALL THOSE IN FAVOR OF OVERRULING THE CHAIR PLEASE SIGNIFY BY RAISING YOUR HAND MOTION FAILS.

SENATOR PARKINSON: IT'S ALL RIGHT MADAM CHAIR THE VOTE WOULD HAVE GONE THE SAME WAY ANYWAY.

SENATOR SHELTON: THANK YOU SENATOR PARKINSON SPEAKER TERLAJE YOU'RE RECOGNIZED FOR A FINAL COMMENTS ON THE BILL.

SPEAKER TERLAJE: ON THE BILL SO I SUPPORT THESE THE ADJUSTMENTS TO PAY FOR OUR LINE AGENCY EMPLOYEES THESE ARE THESE ARE REALLY THOSE EMPLOYEES SUCH AS CLERKS AND ALL THE OTHER MAINTENANCE AND SOCIAL WORKERS THEY'RE OUR ADMINISTRATIVE AND PROFESSIONAL TECHNICAL EMPLOYEES THEY ARE OUR SOCIAL SERVICE EMPLOYEES AND OUR REGULATORY EMPLOYEES OUR CUSTODIAL LABOR AND MAINTENANCE RELATED TRADES PLANT OPERATIONS RELATED ALL OF THOSE EMPLOYEES I SUPPORT THAT THEY'RE GOING TO GET INCREASES I SUPPORT THAT THE POSITIONS THAT ARE HARD TO FEEL ARE GOING TO GET FILLED HOPEFULLY BY THESE INCREASED INCENTIVES I THINK WE NEED TO GET A HANDLE ON ON A COUPLE THINGS ONE IS OF COURSE WHAT WAS POINTED OUT EARLIER THAT IF THAT IF THERE IS A SYSTEM BEING USED TO BYPASS THE CLASSIFIED SYSTEM THE COMPETITIVE SYSTEM THE MERIT SYSTEM THAT THAT REALLY THAT DOA SHOULD REALLY TAKE A LOOK AT THAT BECAUSE THERE'S NO INCENTIVE THAT WE'RE GONNA PAY THAT'S GOING TO MAKE UP FOR THAT FEELING OF UNFAIRNESS IF THAT EXISTS IN THESE AGENCIES SO I THINK THEY SHOULD THEY SHOULD ADDRESS ANY TYPE OF UNFAIR FILLING OF POSITIONS IF THOSE ARE SUPPOSED TO BE CLASSIFIED POSITIONS AND TRY TO YOU KNOW GET US BACK IN LINE THE OTHER THING THAT THIS PLAN DOES NOT ADDRESS IS THE DISPARITY THAT WAS DISCUSSED AT LENGTH IN THE LETTER FROM DOA TO THE GOVERNOR AND THERE WAS NO REAL SOLUTION PUT INTO THIS THIS ACT BY THE GOVERNOR TO SETTLE THE DISPARITY BETWEEN AUTONOMOUS AGENCIES AND LINE AGENCIES AND IT WAS CLEAR FROM THEIR STUDY THAT EVEN WITH A TWENTY TWO PERCENT INCREASE THAT OUR LINE AGENCY EMPLOYEES ARE NOT GOING TO BECOME EQUAL TO THE AUTONOMOUS EMPLOYEES IN THE SAME POSITIONS AND THAT NOTHING IN HERE PREVENTS OR SLOWS DOWN THE AUTONOMOUS AGENCIES FROM CONTINUING TO GIVE PAY RAISES TO THOSE IN THE SAME POSITIONS THAT WE WE ARE JUST BRINGING UP TO THESE LEVELS RIGHT NOW SO THIS GAP CONTINUES AND I I THINK IT'S UNFAIR THERE'S ALSO A GAP BETWEEN YOU KNOW THE SALARIES THAT OUR LINE AGENCIES ARE GOING TO RECEIVE AND FEDERAL JOBS ON GUAM AND WE'VE HEARD LOTS OF TESTIMONY AND DIFFERENT HEARINGS THAT THESE PEOPLE IN THESE LINE AGENCIES ARE BEING RECRUITED BY BY THE FEDERAL GOVERNMENT FOR JOBS HERE ON GUAM AND AND EVEN WITH ITS TWENTY TWO PERCENT INCREASE IT DOES NOT LOOK LIKE WE ARE GOING TO BE MATCHING THOSE SALARIES EITHER OF COURSE I DON'T BELIEVE THAT ALL POSITIONS ARE CRITICAL BUT I DO BELIEVE THAT WE HAVE SOME THAT ARE HARD TO FILL AND THAT WE NEED TO DO EVEN MORE THAN THIS TO FILL THOSE POSITIONS SUCH AS THE SOCIAL WORK POSITIONS ACROSS THE BOARD THE PSYCHIATRIST POSITIONS THE THOSE IN THOSE CRITICAL SERVICES THAT THAT THE NEED JUST CONTINUES TO GROW SO I I WOULD HOPE THAT THE DEPARTMENT OF ADMINISTRATION IS GOING TO YOU KNOW IN ADDITION TO DOING A DIFFERENT SCALE FOR THE ACCOUNTABILITY OFFICE OF PUBLIC ACCOUNTABILITY AUDITOR SERIES AND FOR THEIR OWN DEPARTMENT OF ADMINISTRATION POSITIONS THEY'RE GOING TO RE-ESTABLISH PROFESSIONAL LEVEL FUNCTIONS AND DUTIES AND PAY SCALES THAT THEY DO THAT ALSO FOR THESE SOCIAL WORK POSITIONS BECAUSE THEIR VACANCIES HAVE BEEN THEY ARE LONG THESE ARE HIGH BURNOUT POSITIONS AND I THINK WE SHOULD ADDRESS ALL OF THE PAY SCALES OF THESE SOCIAL WORKERS AS SOON AS WE CAN THE SOCIAL WORKERS ARE THE ONES WHO ARE HELPING US TO TAKE CARE OF OUR CHILDREN THROUGHOUT THROUGHOUT ALL THE SERVICES PROVIDED TO THEM THEY ADMINISTRATION IN THIS IN PART OF THE PAY PLAN THAT THEY APPROVED HAS PROMISED TO DO ADDITIONAL INCREASES OF TWO TO FOUR PERCENT EVERY YEAR AND WE HAVE YOU KNOW I'M I'D LIKE TO SEE HOW THAT'S GOING TO PLAY OUT AND THAT BUT I DO HOPE THAT TEACHERS ARE GOING TO BE BROUGHT UP UNDER THE CURRENT AUTHORITY THAT THEY HAVE THAT THE ADMINISTRATION HAS THAT THE TEACHERS ARE GOING TO BE BROUGHT UP TO TO BE EQUIVALENT TO JUST TWENTY TWO PERCENT AS WELL *SI YU'OS MA'ÁSE'* MADAM CHAIR.

SENATOR SHELTON: THANK YOU VERY MUCH MADAM SPEAKER SENATOR PEREZ.

SENATOR PEREZ: THANK YOU MADAM CHAIR FOR THIS OPPORTUNITY SO YEAH I THINK THAT YOU KNOW THE PACE THE PAY RAISE IS IS MUCH NEEDED FOR MANY OF OUR HARD-WORKING CIVIL SERVICE WORKERS THAT HAVE PROBABLY NOT HAD INCREASES IN THEIR IN THEIR PAY FOR SUCH A LONG TIME BUT WHAT IT'S WHAT'S VERY CLEAR TO ME IS THAT ALTHOUGH WE TRIED TO ADDRESS THE GAP BETWEEN THE LINE AND AUTONOMOUS AGENCIES THERE ARE MANY DISCREPANCIES WITHIN THE LINE AGENCIES THEMSELVES AND IT DOESN'T MAKE SENSE THAT SOMEBODY WITH A HIGHER RANK IS IS PAID LESS THAN SOMEBODY WITH A LOWER RANK AND YOU'LL SEE THIS SITUATION THROUGHOUT THE THE GOVERNMENT I THINK ALSO YOU KNOW I THINK THERE ARE THINGS THAT NEED TO BE DONE TO ADDRESS THE LTA SITUATION WHERE THEY'RE KEPT BEYOND THE WHAT'S REQUIRED BY REGULATION SO I SEE THAT MANY LTAS GO BEYOND I BELIEVE IT'S SIX MONTHS TIME FRAME AND SO THERE'S NEVER REALLY THIS THIS EFFORT TO YOU KNOW AT LEAST OR A PATHWAY THAT'S PROVIDED TO PERMANIZE THEM IN A QUALIFIED MANNER SO I THINK A LOT OF WORK NEEDS TO BE DONE TO STAND UP THE MERIT SYSTEM AND AS WE HEARD IN THE DISCUSSIONS OF THESE PAST COUPLE DAYS THERE'S STILL A LOT OF

INEQUITIES I THINK THERE'S IT'S VERY IMPORTANT WHAT I'M HEARING TOO IS THAT A LOT OF WORKERS HAVE NOT BEEN EVALUATED AND THEREFORE NEVER GOT THE PROMOTION THAT THEY DESERVE AND SO NOW WE'RE PUTTING SO MUCH EMPHASIS ON THE INCREASING THE PAY SCALE RATHER THAN REALLY GOING TO THE ROOT OF THE PROBLEM WHICH IS ADDRESSING YOU KNOW THEIR MERIT INCREASE BASED ON MERIT I THINK THIS HAS TO CHANGE IT HAS TO BE UNIFORM THROUGHOUT THE GOVERNMENT TO TO HELP STAND UP THE MERIT SYSTEM YEAH I THINK YOU KNOW IT HAS TO BE DONE QUICKLY BECAUSE IT'S STILL YEAH WE'RE PERPETUATING THIS UNFAIR SYSTEM IF WE DON'T ASSURE THAT THEY'RE GETTING THE VALUATIONS ON A TIMELY MANNER AS WELL AS THE PROMOTIONS THEY DESERVE SO I'M WILLING TO WORK WITH MY COLLEAGUES HERE TO ADDRESS THESE LONG-STANDING ISSUES BUT I AM IN SUPPORT OF OF INCREASING THE PAY AS YOU HEARD IN SOME OF THE TESTIMONY BY DIRECTOR BIRN YOU KNOW THE THE INCREASES DOESN'T MATCH THE INFLATION THE RATE OF INFLATION AND THAT'S THAT'S REALLY SOMETHING THAT I'M GLAD THAT WE'RE WE'RE ADDRESSING NOW BUT ESPECIALLY NOW WITH INFLATION BEING MUCH HIGHER THAN IT WAS BEFORE YEAH I JUST THINK WE REALLY NEED TO HAVE A LONG HARD LOOK AT OUR POSITION SO THAT WE TRULY CAN STAND UP A MERIT SYSTEM AND ADDRESS THESE THE THE LTA POSITIONS THAT HAVE BEEN KEPT INDEFINITELY YOU KNOW ONE ONE OF THE WAYS THAT I FEEL THAT WE NEED TO ADDRESS IS OF COURSE IS IS YOU KNOW EDUCATION APPRENTICESHIPS THOSE SORT OF THINGS NEED TO BE REALLY PROMOTED MORE RATHER THAN YOU KNOW USING CIRCUMVENTING YEAH SO I THINK IT'S NOT FAIR TO THE EMPLOYEES THAT HAVE GONE THROUGH THE EDUCATION ONLY TO FIND THAT THESE POLITICAL HIRES ARE GETTING HIGHER PAY AND YOU KNOW WHAT I HEAR IS THAT A LOT OF THEM ARE HAVING TO GO BACK AND AND FIX THE WORK THAT THESE POLITICAL HIRES ARE DOING SO IT'S REALLY UNFAIR FOR THESE FOR THESE EMPLOYEES THAT ARE DOING THE HARD WORK AND HAVE GONE THROUGH THE YOU KNOW THE REQUIRED EDUCATION AND HAVING TO PICK UP AFTER THESE POLITICAL HIRES AND I THINK THE YEAH IT'S IT'S JUST IMPORTANT THAT YOU KNOW WE YOU KNOW IF WE WANT TO MAKE GUAM A BETTER PLACE YOU KNOW WE HAVE TO HOLD OURSELVES ACCOUNTABLE TOO YOU KNOW HOLD OUR WORKERS ACCOUNTABLE THERE HAS TO BE AN ACCOUNTABILITY IN THE SYSTEM YEAH SO THANK YOU.

SENATOR SHELTON: THANK YOU SENATOR PEREZ SENATOR BROWN.

SENATOR BROWN: THANK YOU VERY MUCH MADAM CHAIR YOU KNOW WE'VE BEEN FORCED INTO THIS DISCUSSION WITH REGARDS TO THESE THIS PARTICULAR BILL AND I DON'T THINK ANY OF US ULTIMATELY REALLY HAVE AN OBJECTION OF WANTING TO ENSURE THAT WE CONTINUE TO HAVE A CAPABLE TRAINED EXPERIENCED WORKFORCE IN THE GOVERNMENT OF GUAM I'VE SPENT GOSH THIRTY PLUS YEARS OF MY LIFE WORKING IN THE GOVERNMENT OF GUAM AND CERTAINLY RUNNING SOME VERY SIZABLE AGENCIES IN THIS GOVERNMENT THAT HAD IMPORTANT MISSIONS I KNOW THE IMPORTANCE OF HAVING A QUALIFIED TEAM TO EXECUTE THE WORK THAT WE ARE TASKED TO DO BUT I ALSO ON THE POLITICAL SIDE OF THIS ISSUE THAT'S VERY CONCERNING TO ME AND WHILE WE SAY WE SUPPORT THE GOVERNMENT OF GUAM WORKER REALLY THE AVERAGE RANK AND FILE OF THE GOVERNMENT OF GUAM IS NOT REALLY GAINING AS MUCH WITH REGARDS TO THIS LEGISLATION THAT'S BEING PUT BEFORE US AS DEMONSTRATED YESTERDAY WHEN WE ACTUALLY LOOKED AT THE NUM YOU KNOW THE DOLLARS AND CENTS OF WHAT THESE EMPLOYEES WOULD BE RECEIVING SOME MAYBE BARELY A COUPLE HUNDRED DOLLARS EVERY TWO WEEKS OTHERS IN THE THOUSANDS SO I DON'T KNOW WHERE THE EQUITY IS THERE WHEN PROBABLY MOST OF THOSE THAT ARE EARNING MAYBE FORTY THOUSAND OR LESS EVEN FIFTY THOUSAND NOWADAYS OR LESS REALLY ARE NOT GOING TO WALK OUT WITH A LOT OF MONEY THAT'S REALLY GOING TO HELP THEM ADDRESS THE CHALLENGES WE'RE FACING WITH THE INCREASED COSTS OF FOOD POWER GAS MAYBE THEY'LL BE ABLE TO BUY A FEW EXTRA TRIPS TO THE GAS STATION AND THAT'S PROBABLY ABOUT IT AND WE REALLY HAVE NOT ADDRESSED THAT WITH REGARDS TO THOSE RANK AND FILE THAT WE TALK ABOUT AND THE REASON IS BECAUSE THIS BILL IS BEING RUSHED THROUGH FOR POLITICAL REASONS THIS DEADLINE THAT'S BEEN SET BY THE ADMINISTRATION AND YOU KNOW WE'LL SEE WHAT THE MAJORITY OF THE MEMBERS OF THIS LEGISLATURE DO BECAUSE THEY'RE REALLY NOT HELPING THE AVERAGE GUY AND GIRL OUT THERE THAT WE SAY WE'RE SUPPOSED TO AND WE WANT TO HELP JUST THIS VERY QUESTION OF UNCLASSIFIED EMPLOYEES WE DON'T EVEN KNOW HOW MANY THERE ARE EVEN THE FACT THAT THIS MANY HAVE BEEN PUT INTO THE GOVERNMENT AT GUAM AND WE'RE GOING TO MAKE DECISIONS EVEN WITHOUT THAT INCLUDING FEDERALLY FUNDED POSITIONS HOW MANY SHORT-TERM FEDERALLY FUNDED POSITIONS ARE BEING INCLUDED WE HAVE NO IDEA BUT WE'RE GOING TO GO AHEAD AND VOTE FOR IT RIGHT BECAUSE THE GOVERNOR WANTS IT AND YET WE GO OUT PUBLICLY AND SAY OH NO WE'RE HERE TO REPRESENT THE INTERESTS OF THE PEOPLE THIS DECISION IS GOING TO ADD ANOTHER FIFTY PLUS MILLION DOLLARS TO THE ANNUAL BUDGET OF THE GOVERNMENT OF GUAM OH FIFTY FOUR OKAY HEY MAYBE

EVEN MORE THAN THAT WE HAVEN'T EVEN FULLY CALCULATED THE BENEFITS BECAUSE IT'S ONE OF THE THINGS THAT CAME UP WITH REGARDS TO THE DISCUSSION IS THAT THOSE FIGURES WERE NOT EVEN INCLUDED SO COLLEAGUES I I HOPE AND PRAY THE MONEY'S GOING TO BE THERE BECAUSE I HATE TO MAKE FALSE PROMISES TO PEOPLE BECAUSE WE'VE BEEN DOWN THAT ROAD BEFORE WHERE WE FUND THESE WE WANT TO GO AND FUND ALL THESE RAISES AND IMPROVEMENTS AND I'M CONCERNED AND WANT TO SEE IT SUSTAINED BECAUSE I DON'T THINK WE'RE BEING UPFRONT AND HONEST WITH OUR PEOPLE OTHERWISE IT'S A SHORT-TERM BENEFIT WITH LONG-TERM SUFFERING AND THAT I DON'T WANT TO SEE ESPECIALLY AT A TIME OF UNCERTAINTY I DON'T FEEL THAT THIS IS A TIME OF CERTAINTY WHEN THEY'RE WANTING TO PUT ALL THESE MISSILE LOCATIONS AROUND THE ISLAND I DON'T FEEL CERTAIN ABOUT ANYTHING AND I COME FROM A MILITARY FAMILY THAT'S BEEN MY ORIENTATION OF MY UPBRINGING AND YET WE THINK THE MONEY THAT LISTENING TO DEPARTMENT OF ADMINISTRATION DIRECTOR IT SOUNDS LIKE OH THE MONEY'S GOING TO KEEP FLOWING BECAUSE OF ALL THESE FEDERAL PROJECTS UGH FEDERAL PROJECTS PREPARING US FOR WAR SO COLLEAGUES I'LL TELL YOU MAN IF YOU CAN'T STAND THE HEAT WHEN YOU GO OUT THERE AND SAY YOU'RE GOING TO SAY I'M GOING TO BE THERE FOR THE PEOPLE BUT THIS DOESN'T REALLY HELP THE AVERAGE PERSON OUT THERE AND YET IT PUTS SUCH A TREMENDOUS BURDEN ON THE PEOPLE OF GUAM SO WHEN THE BUDGETS COME UP AND THERE'S OTHER CRITICAL SERVICE WE CAN'T FUND I HOPE YOU'RE GOING TO FIGURE OUT HOW THAT MONEY IS GOING TO APPEAR AND HOW YOU'RE GOING TO ADDRESS THOSE NEEDS OUT THERE THAT ARE VERY REAL BECAUSE WE'RE REALLY NOT LOOKING AT THIS AS CRITICALLY WHEN WE'RE PASSING A PERCENTAGE HIGHER THAN WE'RE PAID TO THE TEACHERS THAN WE PAID TO THE POLICE OFFICERS AND THE OTHER CRITICAL POSITIONS LAST YEAR WE SAID WE'RE ABSOLUTELY PRIORITY AND ABSOLUTELY NECESSARY BY PASSING THIS BILL YOU'RE GIVING THEM LESS THAN EVERYONE ELSE IT'S ACTUALLY UPSIDE DOWN RATHER THAN RIGHT SIDE UP WHICH IS WHERE IT SHOULD BE AND YOU'RE MAKING A DECISION TO PUT THIS ADDITIONAL BURDEN ON OUR PEOPLE WITHOUT EVEN REALLY KNOWING WHAT THE FULL IMPLICATIONS ARE AS IF MONEY OF THE LAST THREE YEARS IS GOING TO FLOW FOREVER THAT THE NEXT FIVE TEN FIFTEEN YEARS YOU'RE GOING TO BE ABLE TO SUSTAIN THIS LONG-TERM OBLIGATION WITHOUT KNOWING REALLY WHAT YOU'RE SUPPORTING SO I I HAVE TO SAY COLLEAGUES I HOPE YOU'RE A LITTLE MORE MINDFUL OF THAT BECAUSE THE TIME WILL COME AND TRUST ME IF I'M HERE I'M GOING TO BE HERE TO REMIND YOU I'M GOING TO REMIND YOU ABOUT THE IRRESPONSIBLE DECISIONS YOU MADE AND THE FALSE PROMISES AND THE FALSE ILLUSION YOU'RE CREATING EVEN TO THE GOVGUAM WORKERS THAT YOU'RE SAYING YOU'RE HERE TO HELP BECAUSE THAT FEW HUNDRED DOLLARS OF PAYDAY AIN'T GOING TO MAKE A DIFFERENCE TO THEM AND YET THE HIGH END.

SENATOR QUINATA: MADAM CHAIR MADAM CHAIR TIMES UP.

SENATOR BROWN: AT THE HIGH END I'M GOING TO WRAP UP DON'T WORRY STOP BEING SO SMUG AND SNOTTY YOU HAVEN'T EVEN ARRIVED YET.

SENATOR QUINATA: OH JUST LIKE WHEN YOU GOT HUNDRED SIXTY NINE THOUSAND DOLLAR SALARY.

SENATOR SHELTON: ORDER ORDER SENATOR BROWN.

SENATOR BROWN: HEY POINT OF PERSONAL PRIVILEGE HERE.

SENATOR SHELTON: PLEASE STATE YOUR PERSONAL.

SENATOR QUINATA: POINT OF PRIVILEGE AS WELL.

SENATOR BROWN: I NEED TO BRING UP EXCUSE ME.

SENATOR SHELTON: SENATOR QUINATA SENATOR QUINATA.

SENATOR BROWN: YOU KNOW THESE SOME OF THESE COLLEAGUES HERE WHO'VE JUST ARRIVED ARE SO RUDE AND OBNOXIOUS AND MAKING STATEMENTS OF THEIR OWN REALITY IT'S NOT FACTUAL I CAN SPEAK FOR MYSELF I DON'T NEED YOU TO INTERJECT I'M GOING TO WRAP UP MY COMMENTS MADAM CHAIR BUT I THINK THIS IS A KIND OF NONSENSE OUR PEOPLE REALLY NEED TO BE MINDFUL OF WHAT THEY'RE SEEING HERE BECAUSE THEY'RE THE ONES ULTIMATELY THEY'RE GOING TO SUFFER THE CONSEQUENCES WITH THAT I HAVE NO FURTHER COMMENT THANK YOU VERY MUCH.

SENATOR SHELTON: THANK YOU SENATOR BROWN SENATOR LUJAN.

SENATOR BROWN: YOU BETTER WATCH YOUR SMUG ATTITUDE.

SENATOR QUINATA: YOU TOO.

SENATOR BROWN: OH YEAH YEAH JUST RUN YOUR MOUTH AND TALKING BACK IT'S NOT OKAY.

SENATOR LUJAN: YEP YEP FIVE MINUTE RECESS.

SENATOR SHELTON: WE'RE IN RECESS.

RECESS

SENATOR SHELTON: WE'RE BACK FROM RECESS SENATOR LUJAN YOU'RE RECOGNIZED.

SENATOR LUJAN: THANK YOU MADAM CHAIR MADAM CHAIR AS I SAID PREVIOUSLY YOU KNOW THE THE PAST FEW DAYS WE SAT HERE AND TRIED TO GET AS MUCH ACCURATE INFORMATION AS POSSIBLE AND WE'RE STILL GETTING INFORMATION THAT YOU KNOW SOME OF THE INFORMATION THAT OR QUITE A FEW OF THE INFORMATION THAT WE WE GATHERED THE PAST FEW DAYS HAVE BEEN INACCURATE OR MISLEADING AND WHEN I CONSTANTLY ASK ABOUT THE LONGEVITY AND AND THE SOURCE OF FUNDING AND THE SUSTAINABILITY IS ALWAYS ALWAYS SAID THAT SECTION 30 MILITARY BUILDUP WITH THE SOURCES THERE WAS NOT ONE ONE WORD ABOUT OUR TOURISM RECOVERY TOURISM RECOVERY HAS BEEN BIG NEWS BIG NEWS SINCE THE THE PANDEMIC AND EVEN I GUESS POST-PANDEMIC AND IT SAID THAT OUR TOURISM RECOVERY WILL PROBABLY NOT HAPPEN IN ABOUT TWENTY TWENTY FIVE AND BEYOND THAT WAS THAT'S A BIG CONCERN AND THAT THAT'S A THAT'S A MAJOR FACTOR IN MOVING ON AND AND HOW THE TOURISM INDUSTRY AND THE PRIVATE INDUSTRY IS LOOKING AT AGAIN BUDGETING AND NOT ONE MENTION ABOUT THAT NOT NOT ONE MENTION IN TWENTY SEVENTEEN THE BPT WAS RAISED BASED ON THE TEMPORARILY RAISED WAS SUPPOSED TO BE TEMPORARY BASED ON THE TAX TRUMP ACT CAN'T SEEM TO DO WITHOUT IT NOW WE CAN'T SEEM TO ROLL IT BACK NOW IT MUST STAY WHAT IS THAT TELLING US WHAT IS THAT TELLING US WHAT HAS BAILED THIS GOVERNMENT OUT THE PAST THREE YEARS IS THE FEDERAL MONEY THAT CAME IN ALL OF US OUT THERE WAS A PUBLIC HEARING A FEW HOURS AGO FOR MORE LEAP FUNDS PEOPLE STILL HURTING BUSINESS IS STILL HURTING OBVIOUSLY THEY'RE NOT THEY'RE NOT PART OF THE SUSTAINABILITY AT THIS POINT THE SAME SOURCE OF FUNDING THAT KEPT US AFLOAT IS THE SAME SOURCE OF FUNDING THAT KEPT THE CNMI AFLOAT BUT LOOK AT WHERE THEY'RE AT AT THIS POINT LOOK AT WHERE THEY'RE AT AT THIS POINT ARE WE LOOKING IN THE FUTURE HERE FOR THE GOVERNMENT OF GUAM TO GO DOWN TO THIRTY TWO HOURS OR EVEN FURLOUGH WITH THESE NUMBERS THAT THAT AGAIN ARE INACCURATE IT STARTED OFF WITH TWENTY MILLION IT'S BALLOONED UP TO ABOUT FIFTY I I DON'T KNOW HOW WE CAN MOVE ON AND AND MAKE A DECISION AT A THEY VERY QUALIFIED AND GOOD DECISION BASED INACCURACIES THAT WE'VE HAD OF THE PAST FEW DAYS AND I'M AFRAID AS WE SAID FROM THE VERY BEGINNING THESE ARE FALSE PROMISES AND PROMISES THAT ARE GOING TO BE THAT ARE MADE THAT I DON'T KNOW HOW LONG IT'S GOING TO BE SUSTAINED SO WITH THAT SAID MADAM CHAIR AGAIN I'M JUST DISAPPOINTED WE'VE SAT HERE FOR THE PAST A FEW DAYS TRYING TO GET US ACCURATE INFORMATION THAT INFORMATION WAS NOT FORTHCOMING OR OR AGAIN GIVING US THIS INFORMATION AND I DON'T KNOW HOW WE CAN MOVE ON AND AND MAKE TRY TO MAKE THE RIGHT DECISION BASED ON BASED ON THE INFORMATION THAT WE GOT WHICH IS ALL OVER THE PLACE WITH THAT THANK YOU THANK YOU MADAM CHAIR.

SENATOR SHELTON: THANK YOU SENATOR LUJAN SENATOR FISHER.

SENATOR FISHER: THANK YOU MADAM CHAIR I WOULD I WOULD I WOULD ADOPT WHAT SENATOR LUJAN AND SENATOR BROWN AND AND OTHERS IN OUR CAUCUS HAVE SAID I DON'T UNDERSTAND WHY WE ARE RUSHING SO HEADLONG TO A DECISION IN THIS AS MY COLLEAGUE SENATOR LUAN JUST OBSERVED WE ARE OPERATING ON INACCURATE INFORMATION WE'RE OPERATING ON APPARENTLY FALSE INFORMATION WE'RE OPERATING IN A VOID AS WELL AND WE ARE ASKED TO MAKE A DECISION AS SENATOR BROWN OBSERVED WHICH IS JUST IN ONE FISCAL YEAR ALONE IS GOING TO ADD FIFTY MILLION DOLLARS TO THE BUDGET AND YOU KNOW THE MONEY ALARMING AS IT IS IS HARDLY THE DRIVING FORCE JUSTICE IS THE DRIVING FORCE HERE IT'S YOU KNOW WE'VE GOT THIS PROPOSAL THAT WE'RE GOING TO GIVE TO TWENTY TWO PERCENT RAISE PRACTICALLY ACROSS THE BOARD AND IT'S UNNECESSARY TO APPROACH THIS ISSUE WITH THAT SORT OF A HAMMER WE COULD EASILY EASILY LOOK AT THIS BILL AGAIN WE COULD EASILY TAKE THIS BILL BACK INTO A COMMITTEE WE COULD EASILY VOTE THE BILL DOWN AND START OVER AGAIN WHY DON'T WE MAKE AN ATTEMPT AT JUSTLY

PAYING ALL OF THE PEOPLE OF GUAM AND THAT ALSO INCLUDES A CLASSIFIED EMPLOYER THE CLASSIFIED AND THE UNCLASSIFIED EMPLOYEES IT I AM I AM SORRY FOR LTAS AND OTHERS WHO ARE NOT INCLUDED IN THIS PAY PLAN I CAN PERFECTLY UNDERSTAND HOW THEY MIGHT FEEL SITTING THERE WATCHING US ON TV REALIZING AT THE END OF THE WEEK THAT THEY JUST PUT IN FORTY HOURS PLUS SIXTY EIGHTY HOURS PLUS ALL HOURS ESPECIALLY SOCIAL WORKERS YOU KNOW THEY'RE UP ALL ALL AT ALL HOURS OF THE NIGHT TAKING CARE OF OUR KIDS AS THE SPEAKER OBSERVED AND THEY'RE NOT ALONE IN THAT MISSION AND THEY'RE NOT ALONE IN THAT SACRIFICE BUT THEY ARE ALONE IN IS GETTING PROTECTION FROM US AND FROM THE GOVERNMENT OF GUAM THEY ARE SUBJECT TO TERMINATION AT ALMOST ANY TIME ALTHOUGH THEY PUT IN MORE WORK OR AT LEAST AS MUCH WORK AS ANY CLASSIFIED INDIVIDUAL BUT THEY COME TO WORK EVERY DAY WITH A FEAR THAT THAT MIGHT BE THEIR LAST DAY THAT THEY COULD GET TERMINATED THAT THEY HAVE NO PROTECTION THAT IS UNJUST THAT IS NOT THE WAY WE SHOULD BE TREATING OUR WORKFORCE AT ALL I WAS GRATIFIED TO HEAR ON A QUESTION FROM TO SENATOR BARNETT THAT HE WOULD WORK ON LEGISLATION WHICH I'M SURE WE WOULD ALL BE HAPPY TO TO MAKE IT RIGHT FOR THE LTAS AND ONE OF THE WAYS WE CAN DO THAT IS BY EXTENDING MERIT SYSTEM PROTECTION TO THEM YOU KNOW HAVING SAID THAT IT'S ALSO SHOCKING THAT THE EMPLOYEE FORCE FOR GOVERNMENT OF GUAM IN THE LAST THREE YEARS HAS DOUBLED BUT NEVERTHELESS WE SHOULD GET DOWN TO THE EQUITIES OF THE MATTER AND THAT'S THAT IS TO GET PEOPLE PAID AS THEY SHOULD BE I YOU KNOW ANOTHER METAPHOR THIS CAKE IS NOT BAKED IT'S A MESS LET'S PUT IT BACK IN THE OVEN AND SEE IF WE CAN COME UP WITH SOMETHING MUCH BETTER MORE PALATABLE MORE EDIBLE WE OUGHT NOT TO BE RUSHING HEADLONG INTO THIS MULTI MULTI MULTI-MILLION DOLLAR COMMITMENT THAT DOES NOT TREAT THE WORKFORCE FAIRLY MERELY TO SO THAT WE MIGHT SAY TO THE CONSTITUENTS HEY I GAVE YOU A RAISE WELL THERE'S TWO THERE'S TWO SIDES TO THAT YES WE'RE GIVING YOU A RAISE BUT WE'RE ALSO ASKING MINIMUM WAGE EMPLOYEES WHO ARE NOT WITH THE GOVERNMENT OF GUAM TO SUBSIDIZE THAT RAISE THEY ARE AGGRIEVED AS WELL NONE OF THIS INJURY HAS TO OCCUR IF WE DO OUR JOBS AND LOOK AT THIS CAREFULLY AND DO OUR JOBS AS THE PEOPLE EXPECT US TO AND MADAM CHAIR THANK YOU FOR GIVING ME THE OPPORTUNITY TO ADDRESS THIS BILL I WILL NOT BE SUPPORTING IT THANK YOU.

SENATOR SHELTON: THANK YOU SENATOR FISHER SENATOR QUINATA.

SENATOR QUINATA: THANK YOU MADAM CHAIR TWO THOUSAND TWELVE HAS COME AND GONE IT'S TWO THOUSAND TWENTY THREE OUR PEOPLE DESERVE BETTER I WANT TO MAKE IT RIGHT BY OUR PEOPLE IF THE MONEY IS THERE IT'S FISCALLY THERE LET'S GIVE IT TO OUR PEOPLE IT'S APPALLING THAT WE HAVE WAITED THIS FAR THIS LONG FOR FAR TOO LONG TWO THOUSAND TWELVE SHOULD HAVE BEEN RESOLVING THESE MERIT BONUSES OR WHATEVER WE NEED TO CALL IT I UNDERSTAND THAT'S FAR BEYOND MY TURN I WAS STILL IN HIGH SCHOOL AT THAT TIME THE REALITY IS THE MONEY IS THERE AND LET'S GET IT OUT TO THE PEOPLE WE HAVE HEARD THE CONCERNS OF THE BUSINESS COMMUNITY AND WE WILL ADDRESS THEIR CONCERNS WE HAVE THREE BILLS ALL FOR THE SAME REASON LEAP TO ENSURE THAT OUR EMPLOYEES OUR PRIVATE SECTOR IS GAINFULLY EMPLOYED SO WITH THAT BEING SAID I KNOW THAT WE HAVE TWO MORE COLLEAGUES AFTER ME I MOVE TO RISE FROM THE COMMITTEE OF THE HOME WITH THE RECOMMENDATION TO PLACE BILL NUMBER TWENTY FOUR AS AMENDED AS TO THE THIRD READING FILE.

SENATOR SHELTON: THANK YOU SENATOR QUINATA ON THE MOTION.

SENATOR QUINATA: OH AND FOR LEGAL TO MAKE TECHNICAL CORRECTIONS.

SENATOR SHELTON: AND.

SENATOR QUINATA: AND FURTHER AMENDED AS ON THE FLOOR.

SENATOR SHELTON: IN THE COMMITTEE OF THE WHOLE.

SENATOR QUINATA: SORRY FIRST TIME FIRST TIME.

SENATOR SHELTON: THANK YOU ON THE MOTION TO MOVE BILL TWENTY FOUR DASH THIRTY SEVEN COR AS AMENDED BY THE COMMITTEE ON GENERAL GOVERNMENT OPERATIONS AND APPROPRIATIONS AND FURTHER AMENDED IN THE COMMITTEE OF THE WHOLE WITH THE RECOMMENDATION OF THE COMMITTEE OF THE WHOLE

TO BE PLACED IN THE THIRD READING FILE THERE ARE ANY OBJECTIONS HEARING NONE MOTION CARRIES WE ARE IN RECESS.

RECESS

NOTE ROSE FROM THE COMMITTEE OF THE WHOLE

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
2023 (FIRST) Special Session
LEGISLATIVE JOURNAL

Speaker Antonio R. Unpingco Legislative Session Hall
March 20, 21, 22, 23, 24, 2023

NOTE SPEAKER TERLAJE PRESIDES

SPEAKER TERLAJE: *I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN* IS BACK FROM RECESS SENATOR SAN AGUSTIN YOU ARE RECOGNIZED.

SENATOR SAN AGUSTIN: THANK YOU MADAM SPEAKER I WISH TO REPORT BACK TO THE BODY AFTER THE DELIBERATION ON BILL TWENTY FOUR DASH THIRTY SEVEN COR AS AMENDED BY THE COMMITTEE ON GENERAL GOVERNMENT OPERATION AND APPROPRIATION AND FURTHER AMENDED IN THE COMMITTEE OF THE WHOLE WITH THE RECOMMENDATION OF THE COMMITTEE OF THE WHOLE TO PLACE ON THE THIRD READING FILE.

SPEAKER TERLAJE: ON THAT MOTION TO ACCEPT THE RECOMMENDATION OF THE COMMITTEE OF THE HOME AND PLACE A BILL IN THE THIRD READING IS THERE ANY OBJECTION SEEING NO OBJECTION MOTION CARRIES WE'VE EXHAUSTED OUR SECOND READING FILE WE'RE NOW ON THE THIRD READING SENATOR SAN AGUSTIN DO YOU HAVE A MOTION OH.

SENATOR SAN AGUSTIN: IF I'M CORRECT MADAM SPEAKER I THINK IT'S ONLY A FEW MINUTES AND I THINK THE THE BILL IS READY IF WE JUST TAKE A QUICK RECESS.

SENATOR TAITAGUE: ALRIGHT IS THERE IS THERE A MOTION TO.

SENATOR SAN AGUSTIN: A SHORT RECESS.

SPEAKER TERLAJE: WE'RE GONNA THE BILL CAN WE CAN VOTE IN FORTY FIVE MINUTES.

SENATOR SAN AGUSTIN: FORTY FIVE OH YEAH.

SPEAKER TERLAJE: OR ACTUALLY NOW IN ABOUT THIRTY MINUTES.

SENATOR SAN AGUSTIN: OKAY IN THIRTY MINUTES THEN.

SPEAKER TERLAJE: SO WE'RE GONNA RECESS FOR THIRTY MINUTES.

SENATOR SAN AGUSTIN: YES PLEASE THANK YOU MADAM SPEAKER.

SPEAKER TERLAJE: WE'LL RESUME IN THIRD READING OKAY RECESS FOR THIRTY MINUTES.

RECESS

SPEAKER TERLAJE: *I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN* IS BACK AGAIN WE ARE IN OUR FIRST SPECIAL SESSION CALLED BY THE GOVERNOR OF GUAM WE ARE NOW ON ITEM EIGHTEEN OF THE AGENDA CONSIDERATION OF THE DAILY FILE WE DO HAVE A ONE ITEM IN THE THIRD READING FILE THAT IS BILL NUMBER TWENTY FOUR DASH THIRTY SEVEN COR CLERKS PLEASE READ THE TITLE.

CLERKS STAFF: BILL NUMBER TWENTY FOUR DASH THIRTY SEVEN COR AS AMENDED BY THE COMMITTEE ON GENERAL GOVERNMENT OPERATIONS AND APPROPRIATIONS AND FURTHER AMENDED IN THE COMMITTEE OF THE WHOLE INTRODUCED BY COMMITTEE ON RULES BY REQUEST OF *IMAGA'HÅGAN GUÅHAN* THE GOVERNOR OF GUAM IN ACCORDANCE WITH THE ORGANIC ACT OF GUAM AN ACT TO AMEND SECTION TWO OF CHAPTER ONE AND SECTION TWO OF PART ONE CHAPTER THREE AND TO ADD NEWS SECTIONS THIRTEEN FOURTEEN FIFTEEN SIXTEEN SEVENTEEN AND EIGHTEEN TO CHAPTER ELEVEN ALL OF PUBLIC LAW THIRTY SIX DASH ONE O SEVEN GENERAL APPROPRIATIONS ACT OF TWENTY TWENTY THREE RELATIVE TO APPROPRIATING TWENTY ONE

MILLION THIRTY TWO THOUSAND SIX HUNDRED SEVENTY DOLLARS FOR THE IMPLANTATION OF THE ADJUSTED GENERAL PAY PLAN.

SPEAKER TERLAJE: ROLL CALL.

SUBSTITUTE CLERK OF THE LEGISLATURE: SENATOR BARNETT (AYE) SENATOR BLAS (NAY) SENATOR BROWN (NAY) SENATOR DUEÑAS (NAY) VICE SPEAKER MUÑA BARNES.

SPEAKER TERLAJE: MAJORITY LEADER SENATOR SHELTON YOU ARE RECOGNIZED.

SENATOR SHELTON: *SI YU'OS MA'ÁSE'* MADAM SPEAKER I MOVE TO EXCUSE SENATORS NOT PRESENT.

SPEAKER TERLAJE: ON THE MOTION TO EXCUSE MEMBERS NOT PRESENT IS THERE ANY OBJECTION SEEING NO OBJECTION MOTION CARRIES.

SUBSTITUTE CLERK OF THE LEGISLATURE: VICE SPEAKER MUÑA BARNES (EXCUSED) SENATOR FISHER (NAY) SENATOR LUJAN (NAY) SENATOR PARKINSON (AYE) SENATOR PEREZ (AYE) SENATOR QUINATA (AYE) SENATOR SAN AGUSTIN (AYE) SENATOR SAN NICOLAS (AYE) SENATOR SHELTON (AYE) SENATOR TAITAGUE (EXCUSED) SPEAKER TERLAJE (AYE).

SPEAKER TERLAJE: BILL NUMBER TWENTY FOUR DASH THIRTY SEVEN COR RECEIVED EIGHT AYES AND FIVE NAYS BILL NUMBER TWENTY FOUR DASH THIRTY SEVEN COR IS DULY PASSED BY THE BODY THERE WERE TWO EXCUSED ON THAT VOTE AS WELL THAT EXHAUSTS OUR OUR CONSIDERATION OF THE DAILY FILE WE'RE NOW ON A BRIEF EXTENSION OF REMARKS WOULD ANYONE LIKE TO BE RECOGNIZED ON BRIEF EXTENSION OF REMARKS SENATOR PARKINSON YOU ARE RECOGNIZED.

SENATOR PARKINSON: THANK YOU MADAM SPEAKER I JUST WANTED TO YOU KNOW COMMENT ABOUT THIS BILL THAT WE JUST PASSED THERE HAVE BEEN I'M REALLY DISAPPOINTED THAT IT DIDN'T PASS UNANIMOUSLY BECAUSE THERE WAS A LOT OF TALK ABOUT EVERYBODY IN THIS CHAMBER SUPPORTING THE WORKERS AND I'M DISAPPOINTED IT CAME DOWN TO A PARTY LINE VOTE SOME OF THE CRITICISM THIS BILL HAS BEEN ALL OVER THE PLACE VERY CONTRADICTORY COMMENTS WE HEAR SOME OF OUR COLLEAGUES ARGUING THAT WE REQUIRE MERIT BONUSES BEFORE WE MOVE ON WITH ANY OF THIS BUT THEN WE GOT NO MONEY THEY'LL OPINE THAT WE CANNOT AFFORD THIS RAISE AND THEN THEY'RE GOING TO GO OUT OF THE WAY TO MAKE IT LESS AFFORDABLE WHAT IT REALLY SEEMS TO STRIKE ME IS THAT SOME OF THESE DEFENSES ARE SOMEWHAT DISINGENUOUS AND INTENDED TO MUDDY THE WATERS IN TWO THOUSAND NINE WHEN WE LOOK AT A PREVIOUS PAY RAISE THEY WERE IN A DEFICIT SITUATION HUNDREDS OF MILLIONS OF DOLLARS UNDERWATER AND THEY PASSED A PAY RAISE THEN IN TWO THOUSAND FOURTEEN THEY AGAIN HAD MASSIVE DEFICITS BUT THEY DECIDED TO PASS THAT PAY RAISE THEN SOME EVEN INCLUDE IMPROVING THEIR OWN PAY RAISES AND IN TWENTY TWENTY THREE NOW THAT WE ARE IN A SURPLUS SITUATION IN THE HEALTHIEST BOOKS THE HEALTHIEST OUR BOOKS HAVE EVER BEEN NOW SUDDENLY WE ARE GOING TO BE HAWKS ON DUE DILIGENCE NOW THAT WE COULD AFFORD IT ALL OF A SUDDEN THESE PAY RAISES ARE NOW TRULY PROBLEMATIC SO I JUST WANT FOR THE PEOPLE WATCHING AT HOME TO UNDERSTAND THAT WHAT HAPPENED HERE TODAY THOUGH IT PASSED WAS OBSTRUCTION DISGUISED AS DUE DILIGENCE AND I COMMEND MY DEMOCRATIC COLLEAGUES FOR PASSING THIS BILL BECAUSE IT IS LONG OVERDUE AND I'M JUST SO DISAPPOINTED THAT SOMEONE THIS BODY THAT WE WOULD USE DUE DILIGENCE SO SELECTIVELY JUST TO DENY SOMEBODY POLITICAL POINTS OR FOR POLITICAL GAMESMANSHIP WHEN WE KNOW THESE PEOPLE NEED IT WE HAVE COMING OUT OF THIS PANDEMIC WE ARE EXPERIENCING RECORD INFLATION AND WE WANT TO DENY THESE PEOPLE A PAY RAISE AFTER NINE YEARS AND THEN WE WANT TO TRY AND TIE IT UP SAYING WELL WE CAN'T PAY IT NOW BECAUSE WE GOT TO DO MERIT BONUSES TOO AND THEN WE ALSO GOT TO GIVE A GIVEAWAY TO THE LEAP TO THE PRIVATE BUSINESSES BEFORE WE TAKE CARE OF THE WORKERS THAT HAVE BEEN WORKING FOR OUR ISLAND SO IN A SPIRIT OF FULL TRANSPARENCY I WANT THE PEOPLE OF GUAM TO KNOW THAT THIS WAS NEVER A QUESTION OF DUE DILIGENCE THIS WAS ALWAYS OBSTRUCTION IN DISGUISE WITH THAT I THANK MY DEMOCRATIC COLLEAGUES FOR PASSING THIS BILL AND GETTING THE PEOPLE THE PAY RAISE THEY NEED AND WITH THAT I YIELD THE REST OF MY TIME MADAM SPEAKER THANK YOU.

SPEAKER TERLAJE: THANK YOU SENATOR PARKINSON ON EXTENSION OF REMARKS SENATOR BLAS YOU ARE RECOGNIZED.

SENATOR BLAS: THANK YOU VERY MUCH MADAM SPEAKER MY HAVE WE A LOT HAS CHANGED IN THIS BODY OVER THE YEARS AND I SEEM TO HIT A NEW LOW THIS BODY AT ONE TIME WAS PRIDED ITSELF IN DECORUM PRIDED ITSELF IN HEALTHY DEBATES PRIDED ITSELF IN WANTING TO STICK TO THE FACTS DIDN'T RELY ON CONJECTURE DIDN'T RELY ON ASSUMPTIONS HELPED EACH OTHER OUT BECAUSE ANYBODY WHO HAS BEEN SINCERELY AND ACTIVELY INVOLVED IN POLICY MAKING IN GOVERNANCE RECOGNIZES THERE ARE TIMES WE'RE GOING TO AGREE AND TIMES WE'RE GOING TO DISAGREE THERE ARE TIMES THAT WE'RE GOING TO VEHEMENTLY ARGUE ONE POINT OR ANOTHER BUT WHEN THE DECISION IS MADE AND THE DECISION IS MADE YOU MOVE ON BECAUSE DOWN THE ROAD WHILE TODAY YOU MAY BE ENEMIES FOR LACK OF A BETTER TERM YOU'RE GOING TO BE THE BEST OF FRIENDS IN ANOTHER MATTER AND THAT WHEN YOU'RE OUT IN THE COMMUNITY WORKING TOGETHER THE COMMUNITY WANTS TO SEE YOU WORKING TOGETHER NOT NAME CALLING NOT BASHING NOT ATTACKING IN THE WAY AND PERSONALLY AND IN THE PERSON'S PERSONALLY OR AGAINST HIS CHARACTER THAT'S WHAT THIS BODY SHOULD BE AND AT THE END OF THE DAY IF I DON'T AGREE TO IT AND YOU DO THEN WE AGREE TO DISAGREE I DON'T BEAT MY CHEST AND PUMMEL YOU AND DO AND BERATE YOU AND DEGRADE YOU FOR NOT SEEING YOUR WAY THAT'S DEMOCRACY WHAT WAS VERY DISAPPOINTING IN THIS EXERCISE THAT WE JUST WENT THROUGH AS THE BULLYING THE NAME CALLING MY COLLEAGUE DID NOT DESERVE WHAT WAS EXACTED TO HER THAT HAS NO PLACE ON THIS HOUSE NO PLACE ON THIS FLOOR AND HOPEFULLY THAT AS WE MOVE ON BECAUSE WE'RE JUST IN THE FIRST QUARTER OF THIS TERM THAT WE LEARN THAT THERE'S GOING TO BE DIFFERENCES WE LEARN HOW TO GET PAST THOSE DIFFERENCES YOU KNOW THERE'S A REASON WHY PEOPLE ARE NOT ALLOWED ON THIS FLOOR WHEN WE'RE DISCUSSING SO THAT WE CAN HAVE FRANK OPEN DISCUSSIONS RESPECTFUL BUT IF YOU'RE GOING TO DISPLAY THE ARROGANCE IF YOU'RE GOING TO DISPLAY THE IMMATURITY IF YOU'RE GOING TO RESORT TO BULLYING AND NAME CALLING WHAT DOES THAT SAY THE KIND OF LEGISLATION THAT YOU'RE WORKING ON I FOR ONE AM GOING TO TAKE OKAY THAT WAS THE VOTE WE MOVE ON BUT DON'T ATTACK MY COLLEAGUES IN THE WAY YOU DID DON'T ATTACK AND I'LL WRAP UP OKAY SENATOR JOANNE DID NOT DESERVE WHAT SHE GOT FAIR WARNING THANK YOU VERY MUCH.

SPEAKER TERLAJE: THANK YOU SENATOR ON AN EXTENSION OF REMARKS IS THERE ANYONE ELSE YOU'D LIKE TO BE RECOGNIZED SENATOR SAN NICOLAS YOU ARE RECOGNIZED

SENATOR SAN NICOLAS: THANK YOU MADAM SPEAKER I'VE BEEN A CUSTOMS OFFICER FOR A PRETTY LONG TIME AND I SPENT MY A LOT OF YEARS SUPERVISING PEOPLE AND I WATCHED AS EACH OF THEM YOU KNOW WENT TO GREENER PASTORS AND EVERY TIME I WOULD ALWAYS TELL THEM HANGING IN THERE THINGS ARE GOING TO GET BETTER KEPT SAYING THAT FOR MANY YEARS I THINK MORE THAN A DECADE HANG IN THERE THINGS ARE GOING TO GET BETTER WELL WE HAVE A SURPLUS AND NO DEFICIT AND I WISH THEY WERE HERE TO HEAR ME THINGS ARE BETTER AND I HOPE THEY GET BETTER AS WE MOVE ALONG AND I REALLY BELIEVE FROM THE VERY BEGINNING THAT THE PEOPLE WHO ARE OWED THIS RAISE ACTUALLY GET THE RAISE AND I'M VERY THANKFUL FOR THE MY COLLEAGUES FOR PASSING IT AND I'M ONE GUY WHO BEARS NO ILL WILL ON ANYBODY I THINK PEOPLE ARE TIRED OF US BELITTLING OR ANGRY AT EACH OTHER THEY REALLY WANT US TO WORK TOGETHER AND SO IN THE COURSE OF THIS DIALOGUE I ACTUALLY GAVE SOME TIME TO MY REPUBLICAN COLLEAGUE BECAUSE I REALLY WANTED TO FIND A AND GET TO THE YOU KNOW THE TRUTH IN THE BOTTOM THE YOU KNOW TO THE TO THE MEAT OF IT ALL BECAUSE EVEN I WANT TO MAKE SURE THAT WHAT WE'RE DOING IS RIGHT AND PROPER SO I HAD TO MULL THIS OVER WE'VE BEEN HERE MANY LONG NIGHTS MY WIFE TELLS ME JUST GET UP AND LEAVE I SAID NO I CAN'T DO THAT IT'S VERY IMPORTANT BUT I FEEL THAT I CAN REACH OVER TO THE OTHER SIDE AND ACTUALLY WORK WITH HIM AND I UNDER ADVISEMENT I WENT AHEAD AND JUST DID IT ANYWAY BUT BECAUSE I WANTED TO SHOW THE PEOPLE AND MY COLLEAGUES ON THE OTHER SIDE THAT WE CAN WORK TOGETHER AND IF IT'S TRUTH THAT WE'RE LOOKING FOR I'M FOR THAT AND I DON'T WANT TO MISLEAD ANYBODY SO WHAT I WANTED TO MAKE SURE THAT WHAT WE WERE DOING HERE WAS GOOD AND PROPER AND THAT THE PEOPLE WHO NEEDED THESE PAY RAISES GOT THEM BECAUSE I'VE BEEN PROMISING FOR A LONGEST TIME THAT THINGS WERE GOING TO GET BETTER AND IN FACT THEY ACTUALLY DID THANK YOU MADAM SPEAKER.

SPEAKER TERLAJE: THANK YOU SENATOR ON BRIEF EXTENSION OF REMARKS IS THERE ANYONE ELSE WHO'D LIKE TO BE RECOGNIZED SENATOR LUJAN YOU ARE RECOGNIZED.

SENATOR LUJAN: THANK YOU VERY MUCH MADAM SPEAKER MADAM SPEAKER I WANT TO EXPOUND ON WHAT OUR CAUCUS LEADER HAD EXPRESSED EARLIER YOU KNOW WE EVERY SINGLE ONE OF US AND THE CAMPAIGN TRAIL OR EVEN IN OUR DAILY LIVES IS BEING INTERVIEWED WE ALSO HAVE SOMETHING IN COMMON IN SAYING

WE'RE GOING TO AGREE TO DISAGREE THAT'S WHAT DEMOCRACY IS ALL ABOUT TONIGHT WAS A PERFECT EXAMPLE OF AGREEING TO DISAGREE AGREEING TO DISAGREE BUT THERE IS NO ROOM OR PLACE FOR WHAT HAD HAPPENED EARLIER TONIGHT WHEN THE DEGRATION OF WHAT ONE OF OUR COLLEAGUES THESE HALLOWED HALLS THAT WE GO BY THEIR MEANING IT MEANS BASICALLY RESPECTED AND ADMIRED WE DON'T USE IT FRIVOUSLY THIS VERY HALL THAT WE SIT IN RIGHT NOW IS NAMED AFTER THE ULTIMATE STATESMAN SPEAKER ANTONIO R. UNPINGCO LEGISLATIVE SESSION HALL I HAD THE OPPORTUNITY A FEW OF US HAD THE OPPORTUNITY TO SERVE WITH THE DISTINGUISHED GENTLEMAN FROM *SANTA RITA* AND I REMEMBER YEAH I WAS A YOUNG YOUNGER BUCK BACK THEN AND A LITTLE BIT RADICAL AT TIMES AND THE ULTIMATE GENTLEMAN WOULD CALL ME TO THE SIDE BOY LET'S GO *FAN* TO MY OFFICE SIT ME DOWN AND THE ANTONIO ANTONIO UNPINGCO WAY SPEAKER UNPINGCO WAY HE HAS HIS WAY I MEAN HE WOULDN'T CHASTISE YOU YOU JUST HAD HIS WAY BY THE TIME YOU WERE DONE SPEAKING AND YOU KNOW IN HIS ANTONIO UNPINGCO VERY NICE GENTLEMANLY WAY YOU WALKED OUT OF THERE YOU SAID I JUST GOT AN ASS WHIPPING BUT YOU LEARN YOU LEARN AND SO I'M PROUD TO SAY THAT I WAS THE AUTHOR OF THAT THAT BILL THAT NAME THIS HALLOWED HALL AFTER SPEAKER ANTONIO R. UNPINGCO LEGISLATIVE SESSION HALL ALMOST IMMEDIATELY AFTER HE PASSED WHY NOT JUST BECAUSE WE WANTED TO NAME A PLACE AFTER SPEAKER UNPINGCO BUT BECAUSE HE WAS THE ULTIMATE STATESMAN ABSOLUTELY LET'S GIVE HIS NAME LET'S GIVE THIS HALLOWED HALLS HERE THAT RESPECT THAT IT DESERVES IT WAS NAMED AFTER A DESERVING STATESMAN SO I'VE BEEN PRAYING AGAIN AS WE SAY AND WE'RE WE'RE ONLY THREE MONTHS INTO THIS TERM WE'RE GOING TO HAVE WE'RE GOING INTO SESSION AGAIN NEXT WEEK WE'RE GOING TO AGREE THAT THIS WE'RE GOING TO AGREE TO DISAGREE BUT I ASK CAN I AGAIN I ASK AND I PRAY THAT OUR MEMBERS HERE AGAIN DEMOCRACY PREVAIL TONIGHT AS IT WILL AFTER EVERY SESSION AND EVERY VOTE SO AGAIN PLEASE REMEMBER WHERE YOU'RE AT REMEMBER THE NAMESAKE OF THIS HALL THAT WE SIT IN WITH THAT BEING SAID I WANT TO THANK ALL MY COLLEAGUES HERE TONIGHT HAVE A GREAT WEEKEND GOD BLESS YOU WITH EACH AND EVERY ONE OF YOU THANK YOU VERY MUCH MADAM SPEAKER.

SPEAKER TERLAJE: THANK YOU SENATOR ON EXTENSION OF REMARKS SENATOR FISHER YOU ARE RECOGNIZED.

SENATOR FISHER: THANK YOU MADAM CHAIR I'LL BE BRIEF I WOULD JOIN WITH MY COLLEAGUES SENATOR BLAS AND SENATOR LUJAN WE HAVE AN OBLIGATION TO BE RESPECTFUL IN THIS HALL BECAUSE WHEN WE ARE BEING RESPECTFUL IN THIS HALL WE ARE SHOWING RESPECT TO THE PEOPLE TO WHOM THIS HALL BELONGS IF THE PEOPLE WHO ARE WATCHING THIS FEEL IN ANY WAY THAT WE HAVE BEEN DISRESPECTFUL I DEEPLY APOLOGIZE IT WAS NOT OUR INTENT I ALSO APOLOGIZE TO THE PEOPLE WE HAVE LEFT BEHIND IN THIS BILL I WANT TO ASSURE THEM THROUGH THEIR DISAPPOINTMENT THAT WE ARE NOT FINISHED IN OUR WORK IN ENSURING JUST COMPENSATION FOR ALL OF THE EMPLOYEES OF THE GOVERNMENT OF GUAM THANK YOU AND I ALSO JOINED WITH SENATOR LUJAN AND EXPRESS MY THANKS FOR SERVING WITH ALL OF MY COLLEAGUES IT HAS BEEN IT IS ONE OF THE GREATEST HONORS OF MY LIFE THANK YOU.

SPEAKER TERLAJE: THANK YOU SENATOR SENATOR SHELTON.

NOTE SENATOR SHELTON PRESIDED

SENATOR SHELTON: FOR BRIEF EXTENSION OF REMARKS SPEAKER TERLAJE YOU ARE RECOGNIZED.

SPEAKER TERLAJE: THANK YOU I JUST WANTED TO ALSO AGAIN WE WERE CALLED HERE A SPECIAL SESSION BY THE GOVERNOR TO ADDRESS THIS ONE BILL THAT'S PAY RAISES TO GIVE THE THE MAJORITY OF THE GOVERNMENT OF GUAM EMPLOYEES A TWENTY TWO PERCENT RAISE SO WE DID THAT AFTER MUCH DEBATE AND I THINK WE WE COULD HAVE HAD ADDITIONAL INFORMATION BUT HOPEFULLY WE WILL BE ABLE TO RESOLVE THESE THINGS GOING FORWARD HOWEVER I JUST WANT EVERYONE TO REMIND EVERYBODY THAT THIS IS A POWER THAT WAS GIVEN TO THE GOVERNOR BY LAW TO AND TO DOA TO REVIEW THE PAY WE HAD CRITICIZED THEM WHEN THE NURSE'S PAY WAS SO FAR BEHIND THAT THEY HAD NOT DONE THAT QUICKER EARLIER YEARS AGO AND SO THEY DID THEY STARTED TO DO THE NURSES AND THEN THEY DID THE TEACHERS THEY DID THE LAW ENFORCEMENT AND NOW THEY DID THE GENERAL PAY PLAN AND SO I AM GLAD THAT WE WERE ABLE TO FIND ENOUGH MONEY TO TO BRING THESE SALARIES UP TO CLOSER TO NATIONAL STANDARDS AND THE LAW SAYS THAT WE SHOULD TRY TO GO FOR NATIONAL AVERAGES WE'RE STILL FAR FROM THOSE IN MANY INSTANCES WE'RE STILL VERY FAR FROM THE AUTONOMOUS AGENCY SALARIES FOR THE SAME POSITIONS HOWEVER I AM CONCERNED THAT WE WE GAVE INCREASES TO TEACHERS EARLIER FOR EIGHTEEN PERCENT TRYING TO INCENTIVIZE TEACHERS AND SHOW THEM HOW IMPORTANT THEY ARE FOR YOU KNOW

REALLY OUR ENTIRE COMMUNITY AND I KNOW SOME TEACHERS AND THEY ARE A LITTLE BIT DISAPPOINTED THAT NOW THEY SEE YOU KNOW THIS OTHER PAY PLAN AT TWENTY TWO PERCENT WHILE THEIRS WAS ONLY EIGHTEEN SO WE DID TALK TO DIRECTOR BIRN WHEN HE WAS IN HERE AND HE HE REMINDED US THAT HE HAS THE POWER I GUESS WHENEVER THEY DECIDE TO DO IT ON AN ANNUAL BASIS TO INCREASE SOME OF THESE PAID PLANS BY AMOUNTS THAT THEY FEEL ARE JUSTIFIED AND SO HE MENTIONED INCREASING THEM BY TWO TO FOUR PERCENT ANNUALLY I'M JUST HOPING THAT DOESN'T OCCUR RIGHT BEFORE ELECTIONS BUT AND IT LOOKS LIKE THIS GENERAL PAY PLAN AND ALL THE OTHER PAY PLANS THAT THEY THEY MIGHT ALSO HAVE THAT AUTHORITY AS WELL TO CONTINUE TO DO THE INCREASES GOVERNMENT OF GUAM EMPLOYEES ARE GOING TO CONTINUE TO RECEIVE THEIR INCREMENTS THEY'RE GOING TO CONTINUE TO RECEIVE THEIR MERIT BONUSES AND SO THERE'S A LOT OF BENEFITS AFFORDED TO THEM AS CLASSIFIED EMPLOYEES NOT EVEN RETIREMENT OF COURSE BUT I JUST WANT TO SAY SO WHILE WE ARE TRYING TO MAKE THEIR PAY YOU KNOW EQUITABLE I HAVE NOT LOST SIGHT THAT THERE ARE SO MANY IN OUR COMMUNITY THAT ARE STILL SUFFERING FROM THE EFFECTS OF THE PANDEMIC FROM THE LOSS OF JOBS FROM THE SHUTDOWN OF TOURISM FROM THE SHUTDOWN OF BUSINESSES FROM YOU KNOW WHILE WE WAIT FOR THE SOME SEGMENTS OF OUR TOURISM INDUSTRY TO TO RESTART TO PICK UP AND AND WE HOPE WE HOPED THAT WE WOULD BE BACK TO THE NEW A NEW NORMAL A NEW WAY A NEW LIKE SHIFT OF JOBS WE HAVE A LOT OF JOBS STILL OPEN AVAILABLE TRAINING STILL AVAILABLE BUT NOT NECESSARILY YOU KNOW MAXED OUT YET I THINK BUT ONE THING I ALSO JUST WANT TO REMIND IS THAT YOU KNOW INFLATION'S HIGH AND SO WE NEED TO ALLOW OUR EMPLOYEES TO LIVE YOU KNOW WITH DECENT SALARIES BUT WE ALSO HAVE TO REMIND OUR EMPLOYEES THAT WE CAN DO BETTER AND I THINK ALMOST IN EVERY AGENCY WE CAN DO BETTER WE STILL HAVE A FIVE MILLION DOLLAR APPROPRIATION FOR FOOD THAT HAS NOT BEEN DISPERSED AFTER TWO YEARS OR LONGER AND ALL OF THAT IS COULD BE DONE BETTER I MEAN WE'VE GOT PEOPLE HURTING IN OUR COMMUNITY WE'VE DONE A VERY GOOD JOB WITH SOME PROGRAMS BUT IN SOME PROGRAMS WE COULD DO SO MUCH BETTER TO TAKE CARE OF THOSE IN OUR COMMUNITY WHO ARE NOT AS FORTUNATE AS THE GOVERNMENT OF GUAM EMPLOYEES WHO WHO KEPT THEIR JOBS THROUGHOUT THE PANDEMIC AND WORKED VERY HARD BUT KEPT THEIR JOBS AND SO I JUST WANT TO CONTINUE TO ASK THEM TO HELP US TO HELP EVERYONE IN OUR COMMUNITY AND TO DO OUR BEST THAT'S THAT'S REALLY WHAT I WANT TO ASK YOU KNOW WE WANT TO DO OUR BEST FOR YOU BUT WE WE ALSO NEED YOU TO DO YOUR BEST FOR THE ENTIRE COMMUNITY *SI YU'OS MA'ÅSE'* MADAM SPEAKER.

SENATOR SHELTON: THANK YOU MADAM SPEAKER FOR BRIEF EXTENSION OF REMARKS SENATOR BARNETT YOU ARE RECOGNIZED.

SENATOR BARNETT: THANK YOU MADAM CHAIR THIS WAS A VERY DIFFICULT DECISION FOR ME TO MAKE I'M NOT HERE TO CELEBRATE MY YES VOTE BUT I DO KNOW THAT DESPITE THE MANY UNCERTAINTIES THAT WE HEARD HERE IN COMMITTEE OF THE WHOLE DESPITE THE LACK OF REAL INFORMATION FROM THE ADMINISTRATION DESPITE ALL OF THOSE THINGS ONE THING I KNOW FOR SURE IS THAT IF WE HAVE AN OPPORTUNITY TO TO LIFT UP SOME OF OUR PEOPLE ESPECIALLY THOSE WHO DESERVE TO BE LIFTED UP THEN IT'S IN MY HEART TO DO THAT WHEN WE GAVE RAISES TO THE TO THE TEACHERS BUT NOT THE SCHOOL AIDES NOT THE BUS DRIVERS NOT THE ONE TO ONE AIDES WHEN WE GAVE RAISES TO LAW ENFORCEMENT BUT NOT TO THE SUPPORT STAFF THAT HELP LAW ENFORCEMENT CARRY OUT THEIR DUTIES TO PROTECT THE PUBLIC WHEN WE GAVE RAISES TO THE NURSES BUT NOT THE MEDICAL STAFF THAT HOLD UP THE NURSES WE LEFT WORKERS BEHIND AND IF WE'RE IN A POSITION TO TO LIFT UP AS MANY PEOPLE AS WE CAN THAT'S SOMETHING I SUPPORT THE GOVERNOR'S FISCAL TEAM CAME HERE AND TOLD US THAT WE COULD AFFORD THESE INCREASES THEY CAME HERE AND THEY TOLD US THAT SUPPORTING THESE INCREASES IN PAY FOR THE GENERAL PAY PLAN WORKERS WOULD NOT JEOPARDIZE THE CRITICAL SERVICES THAT THE PEOPLE OF GUAM DESERVE TO HAVE IMPROVED AND WHILE I VOTED FOR A TWENTY TWO PERCENT PAY INCREASE FOR GENERAL PAY PLAN WORKERS TODAY AND SOME MIGHT CALL THAT MOVE IRRESPONSIBLE I'M GOING TO CONTINUE TO DO WHAT YOU EXPECT ME TO DO AND THAT'S TO HOLD OUR ELECTED LEADERS FEET TO THE FIRE INCLUDING MY OWN FEET BUT IT'S TOUGH OUT THERE IT'S TOUGH OUT THERE IF THERE WAS A WAY THAT WE COULD HAVE LIMITED THESE INCREASES IF THERE WAS A WAY THAT WE COULD CAP THESE INCREASES AT A CERTAIN INCOME LEVEL IN THE GENERAL PAY PLAN I FEEL WE WE COULD HAVE DONE IT BUT I DIDN'T SEE THAT OPPORTUNITY AND OUR WORKERS HAVEN'T GOT AN INCREASE IN PAY AND AND OVER TEN YEARS AND MEANWHILE TO QUOTE TESTIMONY FROM THE HEARING WE HAD ACROSS THE HALL TODAY EVERYTHING IS RISING IT'S NO SECRET PEOPLE ARE STRUGGLING AND SO THIS IDEA THAT THAT WE CAN'T LIFT A SINGLE PERSON UP BECAUSE WE JUST WEREN'T SURE ABOUT THE INFORMATION WE GOT I CAN'T SUPPORT I'M NOT ONE WHO BELIEVES EASILY THE WORDS OF GOVERNMENT OFFICIALS AND I'M NOT SAYING THAT I BELIEVE WHAT THE DEPARTMENT

ADMINISTRATION CAME DOWN HERE TO SAY BECAUSE THEY DIDN'T REALLY SAY MUCH OF ANYTHING AND I UNDERSTAND THE GREAT COSTS THAT WE'RE PLACING ON THE BACKS OF THE TAXPAYERS BY VOTING YES ON THESE RAISES BUT LIKE MY GRANDMA USED TO SAY IF YOU GIVE ONE YOU HAVE TO GIVE ALL THESE RAISES WERE COMING ONE WAY OR ANOTHER BECAUSE WE OPENED AND I DON'T EVEN WANT TO CALL IT A PANDORA'S BOX BECAUSE WE ADDRESS THE INEQUITY AND PAY FOR OUR OUR CRITICAL STAFF AND TEACHERS NURSES AND AND LAW ENFORCEMENT BUT I BELIEVE THAT THE WORKERS IN THE GENERAL PAY PLAN ARE JUST AS CRITICAL AS THOSE EMPLOYEES AND I HEAR EVERY DAY ABOUT THE STRUGGLES THAT THEY GO THROUGH TRYING TO MAKE ENDS MEET BUS DRIVERS WHO TRANSPORT OUR CHILDREN TO AND FROM SCHOOL BUT THEY DIDN'T GET THE INCREASE THAT THE TEACHERS GOT ONE TO ONE AIDES WHO PLAY THE ROLE OF TEACHER WHEN THE TEACHERS OUT DIDN'T GET THE INCREASE AND SO I JUST ASKED THAT USE IT WISELY BECAUSE I'M NOT SURE I CAN SUPPORT ANY FURTHER PAY INCREASES FOR GOVERNMENT OF GUAM EMPLOYEES WE CALLED THIS THE CATCH UP MOVE CLEARLY WE CAN'T AFFORD TO PAY YOU WHAT YOU WOULD MAKE IN THE STATES BUT I FEEL LIKE I DID MY BEST HERE TODAY AND GIVING YOU THAT TWENTY TWO PERCENT BUT THAT'S GOING TO BE IT FOR A WHILE SO MAKE IT LAST BECAUSE I DON'T THINK THAT WE HAVE THE SUPPORT OR THE CONSCIENCE TO SUPPORT FURTHER PAY RAISES SO THAT'S WHY I VOTED YES TODAY BECAUSE I FEEL LIKE WE WE HAVE AN OBLIGATION TO HELP AS MANY OF OUR PEOPLE AS WE CAN AND I SAY THAT WE CONTINUE TO DO THAT WITH THE LEAP PROGRAM LET'S UPLIFT THE PRIVATE SECTOR LET'S CREATE CONDITIONS THAT THAT ALLOW OUR PRIVATE SECTOR WORKERS AND BUSINESSES TO THRIVE AND THAT'S MY COMMITMENT TO THIS BODY AND AGAIN MADAM SPEAKER I WANT TO COMMEND MY COLLEAGUES AND AND I UNDERSTAND WHY FIVE OF THEM VOTED NO ON THIS MEASURE AND I KNOW THE DEBATE WAS HEATED BUT I'M JUST GOING TO SAY I'M ALL FOR DECORUM BUT WHEN YOU FIGHT FIRE WITH FIRE EVERYBODY BURNS THANK YOU MADAM SPEAKER MAY GOD BLESS THE PEOPLE OF GUAM.

SPEAKER TERLAJE: THANK YOU SENATOR AN EXTENSION OF REMARKS IS THERE ANYONE ELSE YOU'D LIKE TO BE RECOGNIZED IF NOT WE'RE ON ANNOUNCEMENTS I JUST LIKE TO MAKE ONE ANNOUNCEMENT THAT IS THAT SESSION OUR REGULAR SESSION IS GOING TO BE CALLED TO ORDER AT TEN A.M. ON MONDAY MARCH 27TH ANY OTHER ANNOUNCEMENTS IF NOT MAJORITY LEADER LEGISLATIVE SECRETARY SENATOR SHELTON YOU ARE RECOGNIZED.

SENATOR SHELTON: *SI YU'OS MA'ÁSE'* MADAM SPEAKER I MOVED TO ADJOURN THE SESSION SUBJECT TO THE CALL OF THE SPEAKER.

SPEAKER TERLAJE: ON THE MOTION TO ADJOURN THIS FIRST SPECIAL SESSION IS THERE ANY OBJECTION SEEING AN OBJECTION WE ARE ADJOURNED SUBJECT TO THE CALL OF THE SPEAKER.

END