

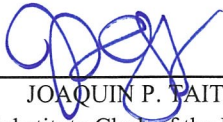
I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN

2023 (FIRST) Special Session

VOTING RECORD

| NAME | Aye | Nay | Not Voting/ Abstained | Out During Roll Call | Absent | Excused |
|------------------------------------|---|---|--------------------------------------|-------------------------------------|---------------|----------------|
| | Bill No. 24-37 (COR) As amended by the Committee on General Government Operations and Appropriations; and further amended in the Committee of the Whole. | Speaker Antonio R. Unpingco Legislative Session Hall Guam Congress Building March 24, 2023 | | | | |
| Senator Chris Barnett | ✓ | | | | | |
| Senator Frank Blas, Jr. | | ✓ | | | | |
| Senator Joanne Brown | | ✓ | | | | |
| Senator Christopher M. Dueñas | | ✓ | | | | |
| Senator Thomas J. Fisher | | ✓ | | | | |
| Senator Jesse A. Lujan | | ✓ | | | | |
| Vice Speaker Tina Rose Muña Barnes | | | | | ✓ | ✓ |
| Senator William A. Parkinson | ✓ | | | | | |
| Senator Sabina Flores Perez | ✓ | | | | | |
| Senator Roy A. B. Quinata | ✓ | | | | | |
| Senator Joe S. San Agustin | ✓ | | | | | |
| Senator Dwayne T. D. San Nicolas | ✓ | | | | | |
| Senator Amanda L. Shelton | ✓ | | | | | |
| Senator Telo T. Taitague | | | | | ✓ | ✓ |
| Speaker Therese M. Terlaje | ✓ | | | | | |
| TOTAL | 8 | 5 | | | 2 | 2 |
| | Aye | Nay | Not Voting/ Abstained | Out During Roll Call | Absent | Excused |

CERTIFIED TRUE AND CORRECT:



JOAQUIN P. TAITAGUE
Substitute Clerk of the Legislature

I = Pass

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
2023 (FIRST) Regular Session

Bill No. 24-37 (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 *I Maga'hågan*
Guåhan, the Governor of Guam,
in accordance with the Organic
Act of Guam.

**AN ACT TO *AMEND* SECTION 2 OF CHAPTER 1 AND
SECTION 2 OF PART 1, CHAPTER III; AND TO *ADD*
NEW SECTIONS 13, 14, 15, 16, 17 AND 18 TO CHAPTER
XI, ALL OF PUBLIC LAW 36-107 (GENERAL
APPROPRIATIONS ACT OF 2023), RELATIVE TO
APPROPRIATING TWENTY-ONE MILLION THIRTY-
TWO THOUSAND SIX HUNDRED SEVENTY DOLLARS
(\$21,032,670) FOR THE IMPLEMENTATION OF THE
ADJUSTED GENERAL PAY PLAN.**

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

2 **Section 1. Legislative Intent.** Pursuant to Chapters 4 and 6 of Title 4
3 Guam Code Annotated, the Director of Administration has authority to review
4 compensation structures and administrative policies for employment compensation
5 within the government of Guam, to adopt and administer a unified pay schedule
6 based on Hay methodology, to reassign pay grades as necessary, and to delegate
7 authority to assess and update the unified pay schedule to certain agencies as
8 appropriate. Pursuant to this authority, on January 30, 2023, the Director of

1 Administration submitted to the Governor of Guam recommendations for a General
2 Pay Plan (GPP) update, which the Governor approved for implementation beginning
3 April 1, 2023.

4 **Section 2.** Section 2 of Chapter 1 (General Provisions) of Public law 36-
5 107 (General Appropriations Act of 2023) is *amended* to read:

6 **“Section 2. Estimated Revenues for Fiscal Year 2023.**
7 Notwithstanding § 22436, Chapter 22, Title 5 GCA, *I Liheslaturan Guåhan*
8 adopts the following revenue estimates for Fiscal Year 2023 as the basis for
9 the appropriations contained in this Act.

10 **I. GENERAL FUND REVENUES AMOUNT**

| | | |
|----|--|-----------------------|
| 11 | TOTAL GENERAL FUND REVENUE | \$830,954,860 |
| 12 | GENERAL FUND PROVISION FOR TAX REFUND | |
| 13 | PAYMENTS | (\$62,884,123) |
| 14 | TOTAL GENERAL FUND REVENUE AVAILABLE | |
| 15 | FOR OPERATIONS | \$768,070,737 |
| 16 | A. TAXES | |
| 17 | Income Tax | |
| 18 | Corporate | \$85,716,966 |
| 19 | Individual | \$93,515,852 |
| 20 | Withholding Taxes, Interest, | |
| 21 | and Penalties | \$249,459,575 |
| 22 | Provision for Tax Refunds: | |
| 23 | Gross Provision for Tax Refund | |
| 24 | Payments [Federal and | |
| 25 | General Funds] | (\$175,604,534) |
| 26 | Earned Income Tax Credit | |
| 27 | Federal Receipt | \$52,389,766 |

| | | |
|----|--|----------------------|
| 1 | Child Tax Credit (Advance | |
| 2 | and Regular) Federal | |
| 3 | Receipts | \$36,210,366 |
| 4 | Additional Child Tax Credit | |
| 5 | Federal Receipt | \$24,120,279 |
| 6 | General Fund Provision for Tax Refund Payments | (\$62,884,123) |
| 7 | TOTAL INCOME TAXES | \$365,808,270 |
| 8 | Business Privilege Tax | |
| 9 | Business Privilege Tax | \$317,148,835 |
| 10 | GMHA Pharmaceuticals Fund | (\$19,631,513) |
| 11 | Tax Credit: Rehabilitation and Improvements – | |
| 12 | Harmon Industrial Park Roadway [P.L. 33-191] | (\$175,000) |
| 13 | Other Taxes | \$3,992,878 |
| 14 | TOTAL BUSINESS PRIVILEGE | |
| 15 | TAXES | \$301,335,200 |
| 16 | TOTAL TAXES | \$667,143,470 |
| 17 | B. FEDERAL SOURCES | |
| 18 | Federal Income Tax Collection – Section 30 | |
| 19 | Funds | \$74,943,377 |
| 20 | Immigration and Passport Fees | \$1,277,844 |
| 21 | TOTAL FEDERAL SOURCES | \$76,221,221 |
| 22 | C. USE OF MONEY AND PROPERTY | \$197,481 |
| 23 | D. LICENSES, FEES, AND PERMITS | |
| 24 | Licenses, Fees, and Permits | \$3,496,755 |
| 25 | Better Public Service Fund | (\$349,676) |
| 26 | TOTAL LICENSES, FEES, AND PERMITS | \$3,147,079 |
| 27 | E. DEPARTMENT CHARGES | \$1,205,297 |

| | | |
|----|--|-----------------------|
| 1 | TOTAL GENERAL FUND REVENUE | \$747,914,548 |
| 2 | 2% GENERAL FUND RESERVE (DEFICIT REDUCTION/ | |
| 3 | RAINY DAY FUND) | (\$14,958,291) |
| 4 | TOTAL GENERAL FUND REVENUE | |
| 5 | AVAILABLE FOR APPROPRIATION | \$732,956,257 |
| 6 | II. SPECIAL FUND REVENUES AMOUNT | |
| 7 | A. Banking and Insurance Enforcement Fund | \$433,783 |
| 8 | B. Better Public Service Fund | \$1,250,802 |
| 9 | C. <i>Chamorro</i> Land Trust Operations Fund | \$854,963 |
| 10 | D. <i>Chamorro</i> Land Trust Survey and Infrastructure Fund | \$128,099 |
| 11 | E. Contractors License Board Fund | \$737,262 |
| 12 | F. Corrections Revolving Fund | \$1,546,392 |
| 13 | G. Customs, Agriculture, and Quarantine Inspection | |
| 14 | Services Fund | \$2,067,005 |
| 15 | H. DPHSS Sanitary Inspection Revolving Fund | \$158,878 |
| 16 | I. Enhanced 911 Emergency Reporting System Fund | \$2,173,500 |
| 17 | J. Environmental Health Fund | \$1,302,065 |
| 18 | K. Fire, Life and Medical Emergency Fund | \$1,129,368 |
| 19 | L. GMHA Pharmaceuticals Fund | \$19,631,513 |
| 20 | M. Guam Ancestral Lands Commission Survey, | |
| 21 | Infrastructure, and Development Fund | \$408,553 |
| 22 | N. Guam Board of Accountancy Fund | \$789,780 |
| 23 | O. Guam Educational Facilities Fund | \$35,758,107 |
| 24 | P. Guam Environmental Trust Fund | \$435,837 |
| 25 | Q. Guam Highway Fund | \$19,197,264 |
| 26 | Better Public Service Fund | (\$901,126) |
| 27 | Public Transit Fund | (\$215,823) |

| | | |
|----|--|--------------|
| 1 | Total Guam Highway Fund | \$18,080,315 |
| 2 | R. Guam Invasive Species Inspection Fee Fund | \$641,466 |
| 3 | S. Guam Museum Fund | \$285,997 |
| 4 | T. Guam Plant Inspection and Permit Fund | \$96,880 |
| 5 | U. Health Professional Licensing Office Revolving Fund | \$300,975 |
| 6 | V. Healthy Futures Fund | \$40,116,775 |
| 7 | W. Host Community Fund | \$300,000 |
| 8 | X. Indirect Cost Fund | \$1,331,459 |
| 9 | Y. Land Survey Revolving Fund | \$3,378,351 |
| 10 | Z. Limited Gaming Fund | \$1,200,711 |
| 11 | AA. Manpower Development Fund | \$7,905,600 |
| 12 | AB. Mental Health and Substance Abuse Services Fund | \$402,117 |
| 13 | AC. Office of Vital Statistics Revolving Fund | \$230,705 |
| 14 | AD. Police Patrol Vehicle and Equipment Revolving Fund | \$320,924 |
| 15 | AE. Police Services Fund | \$983,826 |
| 16 | AF. Professional Engineers, Architects | |
| 17 | and Land Surveyors Board Fund | \$273,064 |
| 18 | AG. Public Recreation Services Fund | \$65,675 |
| 19 | AH. Public School Library Resources Fund | \$686,994 |
| 20 | AI. Public Transit Fund | \$215,823 |
| 21 | AJ. Rabies Prevention Fund | \$41,696 |
| 22 | AK. Recycling Revolving Fund | \$2,776,824 |
| 23 | AL. Safe Streets Fund | \$85,697 |
| 24 | AM. School Lunch/SAE/Child Nutritional Meal | |
| 25 | Reimbursement Fund - Federal Sources | |
| 26 | (100% Federal Grant)/Cash Collections | \$12,504,000 |
| 27 | AN. Solid Waste Operations Fund | \$18,750,860 |

| | | |
|----|--|----------------------|
| 1 | Host Community Fund | (\$300,000) |
| 2 | Total Solid Waste Operations Fund | \$18,450,860 |
| 3 | AO. Street Light Fund | \$4,185,868 |
| 4 | AP. Tax Collection Enhancement Fund | \$704,824 |
| 5 | AQ. Tourist Attraction Fund | \$16,083,004 |
| 6 | AR. Water Research and Development Fund | \$68,336 |
| 7 | TOTAL SPECIAL FUND REVENUE | \$200,524,673 |
| 8 | III. FEDERAL MATCHING GRANTS-IN-AID | |
| 9 | Federal Grants-in-Aid Requiring Local Match: | |
| 10 | A. Guam Community College | \$543,354 |
| 11 | B. Guam Council on the Arts and Humanities Agency | \$321,300 |
| 12 | C. Guam Police Department | \$2,269,479 |
| 13 | D. Department of Agriculture | \$545,398 |
| 14 | E. Department of Integrated Services for Individuals | |
| 15 | with Disabilities | \$2,085,461 |
| 16 | F. Department of Labor | \$47,000 |
| 17 | G. Office of the Attorney General | \$4,833,849 |
| 18 | H. Department of Military Affairs | \$2,496,615 |
| 19 | I. Department of Public Health and Social Services | \$93,665,833 |
| 20 | J. University of Guam | \$2,659,997 |
| 21 | TOTAL FEDERAL MATCHING GRANTS-IN-AID REVENUE | \$109,468,286 |
| 22 | IV. REVENUE SUMMARY: | |
| 23 | TOTAL GENERAL FUND REVENUE | |
| 24 | AVAILABLE FOR APPROPRIATION | \$732,956,257 |
| 25 | TOTAL SPECIAL FUND REVENUE | \$200,524,673 |
| 26 | TOTAL FEDERAL MATCHING GRANTS-IN-AID | |
| 27 | REVENUE | \$109,468,286 |

1 **GRAND TOTAL** **\$1,042,949,216**

2 **Section 3.** Section 2 of Chapter III, Part 1 (Health) of Public Law 36-107
3 (The General Appropriations Act of 2023) is *amended* to read as follows:

4 **“Section 2. GMHA Pharmaceuticals Fund Appropriation.**

5 Pursuant to §§ 26208 and 26208.1 of Article 2, Chapter 26, Title 11 GCA, the
6 sum of Nineteen Million Six Hundred Thirty-One Thousand Five Hundred
7 Thirteen Dollars **(\$19,631,513)** is appropriated from the GMHA
8 Pharmaceuticals Fund to GMHA for Fiscal Year 2023. Notwithstanding §§
9 26208.2 and 26208.3 of Article 2, Chapter 26, Title 11 GCA, *I Maga'hågan*
10 *Guåhan* is authorized to determine that one hundred percent (100%) of the
11 appropriation in this Section can be expended for GMHA in FY 2023 as a
12 direct subsidy; this determination shall be made via Executive Order, issued
13 no later than September 1, 2023.”

14 **Section 4.** A new Section 13 is hereby *added* to Chapter XI (Miscellaneous
15 Appropriations) of Public Law 36-107 to read as follows:

16 **“Section 13. Appropriation to the Department of Administration.**

17 The sum of Sixteen Million Dollars **(\$16,000,000)** *shall* be appropriated from
18 the General Fund to the Department of Administration (DOA) for the purpose
19 of paying salary adjustments to employees affected by the GPP. DOA is
20 hereby authorized to allocate funding to other departments and agencies under
21 the Executive Branch and Guam Memorial Hospital Authority for
22 implementation of the GPP.”

23 **Section 5.** A new Section 14 is hereby *added* to Chapter XI
24 (Miscellaneous Appropriations) of Public law 36-107 to read as follows:

25 **“Section 14. Appropriation to Judiciary of Guam.** The sum of One
26 Million Forty-Nine Thousand Two Hundred Sixty-Three Dollars
27 **(\$1,049,263)** is appropriated from the General Fund to the Judiciary of Guam

1 for the purpose of paying salary adjustment to the employees of the Judiciary
2 of Guam.”

3 **Section 6.** A new Section 15 is hereby *added* to Chapter XI
4 (Miscellaneous Appropriations) of Public Law 36-107 to read as follows:

5 **“Section 15. Appropriation to the University of Guam.**

6 The Sum of One Million One Hundred Thirty-Four Thousand Two
7 Hundred Forty-Nine Dollars (**\$1,134,249**) is appropriated from the General
8 Fund to the University of Guam for the purpose of paying salary adjustment
9 to the employees affected by the GPP under the University of Guam. As a
10 condition of receiving this appropriation, the University of Guam shall not
11 raise tuition for any semester prior to September 30, 2025.”

12 **Section 7.** A new Subsection 16 is hereby *added* to Chapter XI
13 (Miscellaneous Appropriations) of Public Law 36-107 to read as follows:

14 **“Section 16. Appropriation to the Guam Community College.**

15 The Sum of Four Hundred Thirty-Seven Thousand Five Hundred
16 Ninety-Five Dollars (**\$437,595**) is appropriated from the General Fund to the
17 Guam Community College for the purpose of paying salary adjustment to
18 employees affected by the GPP under the Guam Community College.”

19 **Section 8.** A new Subsection 17 is hereby *added* to Chapter XI
20 (Miscellaneous Appropriations) of Public Law 36-107 to read as follows:

21 **“Section 17. Appropriation to the Mayor’s Council of Guam.**

22 The Sum of Seven Hundred Forty-Four Thousand One Hundred
23 Ninety-Seven Dollars (**\$744,197**) is appropriated from the General Fund to
24 the Mayors’ Council of Guam for the purpose of paying the salary adjustment
25 to employees affected by the GPP under the Mayor’s Council of Guam.”

26 **Section 9.** A new Subsection 18 is hereby *added* to Chapter XI
27 (Miscellaneous Appropriations) of Public Law 36-107 to read as follows:

1 **“Section 18.** Appropriation to the Public Defender Service
2 Corporation and Alternate Public Defender. The sum of Three Hundred
3 Thirty-Four Thousand Eight Hundred One Dollars (**\$334,801**) is appropriated
4 from the General Fund to the Guam Public Defender Service Corporation
5 (PDSC) and Alternate Public Defender (APD) for the purpose of paying the
6 salary adjustment to employees affected by the GPP under the Guam Public
7 Defender Service Corporation (PDSC) and Alternate Public Defender
8 (APD).”

9 **Section 10. Enactment.** The implementation of this Act shall only occur
10 after *I Måga'hågan* submits to *I Liheslatura* written plans to address the payments
11 of (1) Merit Bonuses owed to employees from 2012 to present, (2) Annual
12 Increments owed to employees, and (3) the financial assistance promised to Guam
13 businesses in the 2023 State of the Island Address.

14 Regarding the Merit Bonuses and Increments, these plans shall include but
15 not be limited to the number of employees owed the Bonus or Increment, the
16 amounts owed for bonuses and increments, the funding source that will be used to
17 pay the bonuses and increments, and the timeframe for which the owed bonuses and
18 increments will be fully paid.

19 Regarding the promised financial assistance to Guam businesses, the plan
20 shall include but not be limited to the initial funding amount anticipated to be
21 provided, the process by which eligibility for the assistance will be implemented,
22 and the timeframe for when the assistance will be made available.

23 **Section 11. Unclassified Employees.** Notwithstanding any other provision
24 of law, unclassified positions covered by this Act shall not receive an increase in
25 compensation for Fiscal Year 2023.

1 Any unclassified employee who resigns after March 21, 2023, and is rehired
2 to the same position prior to September 30, 2023, shall not be slotted in a pay grade
3 and step that pays higher than the employee’s salary at the time of their resignation.

4 This section shall not apply to unclassified employees of Mayoral Offices, the
5 Guam Election Commission and federally funded positions.

6 **Section 12. Severability.** If any provision of this Act or its application to any
7 person or circumstance is found to be invalid or inorganic, such invalidity shall not
8 affect other provisions or applications of this Act that can be given effect without
9 the invalid provision or application, and to this end the provisions of this Act are
10 severable.