



Office of the Governor of Guam

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Felix Perez Camacho
Governor

Kaleo Scott Moylan
Lieutenant Governor

Office of the Speaker
Vicente C. Pangelinan

DEC 31 2004

TIME: 4:35 (AM) (PM)
RECEIVED BY: SP

31 DEC 2004

The Honorable Vicente C. Pangelinan
Speaker
Mina' Bente Siete Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 333 (COR), "AN ACT TO AMEND §1000 OF CHAPTER 10 OF TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO FOLLOWING THE PRACTICE OF THE FEDERAL GOVERNMENT FOR FEDERAL HOLIDAYS FALLING ON SATURDAYS AND SUNDAYS," now designated as **Public Law 27-153**.

Sinseru yan Magâhet,

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

Attachment: copy attached of signed bill

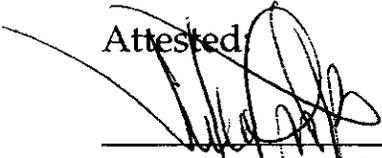
cc: The Honorable Tina Rose Muna-Barnes
Senator and Legislative Secretary

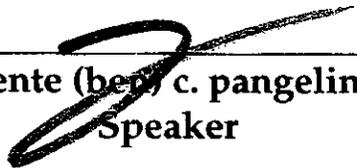
I MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN
2004 (SECOND) Regular Session

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

This is to certify that Substitute Bill No. 333 (COR), "AN ACT TO AMEND §1000 OF CHAPTER 10 OF TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO FOLLOWING THE PRACTICE OF THE FEDERAL GOVERNMENT FOR FEDERAL HOLIDAYS FALLING ON SATURDAYS AND SUNDAYS," was on the 20th day of December, 2004, duly and regularly passed.

Attested

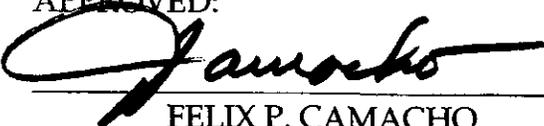

Tina Rose Muña Barnes
Senator and Legislative Secretary


vicente (ben) c. pangelinan
Speaker

This Act was received by *I Maga'lahen Guåhan* this 20 day of December, 2004,
at 5:50 o'clock P.M.


Assistant Staff Officer
Maga'lahi's Office

APPROVED:


FELIX P. CAMACHO
I Maga'lahen Guåhan

Date: December 30, 2004

Public Law No. 27-153

I MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN
2004 (SECOND) Regular Session

Bill No. 333 (COR)

As substituted by the Author
and amended on the Floor.

Introduced by:

T. R. Muña Barnes
F. B. Aguon, Jr.
R. J. Respicio
J. M.S. Brown
F. R. Cunliffe
Carmen Fernandez
Mark Forbes
L. F. Kasperbauer
R. Klitzkie
L. A. Leon Guerrero
J. A. Lujan
v. c. pangelinan
J. M. Quinata
Toni Sanford
Ray Tenorio

**AN ACT TO AMEND §1000 OF CHAPTER 10 OF TITLE 1,
GUAM CODE ANNOTATED, RELATIVE TO FOLLOWING
THE PRACTICE OF THE FEDERAL GOVERNMENT FOR
FEDERAL HOLIDAYS FALLING ON SATURDAYS AND
SUNDAYS.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*
3 finds that in 2002, Public Law 26-157 eliminated certain holidays as an
4 austerity measure because of our island's severe economic hardships. A
5 subsequent increase in revenues, an upswing in visitor arrivals, and a steadily
6 growing military presence in Guam has led the current Administration to

1 proclaim that our island is now on the road to economic recovery. *I*
2 *Liheslaturan Guåhan* finds that the action taken to eliminate certain holidays
3 may have been sound fiscal policy when implemented, however, our
4 economic recovery calls for revisiting some of our government's austerity
5 policies, including those concerning holidays.

6 *I Liheslaturan Guåhan* finds that Public Law 26-157 eliminated the
7 celebration of holidays on Fridays or Mondays when the actual holiday falls
8 on a Saturday or Sunday. This provision of the public law will eliminate days
9 off for Christmas 2004 and New Year's Day 2005 because they both fall on
10 Saturdays. It will also eliminate days off for Christmas 2005 and New Year's
11 Day 2006 because they both fall on Sundays. These are family-oriented
12 holidays for which government employees have traditionally received a day
13 off from work, and this practice should not come to an end. The Federal
14 government celebrates these and other Federal holidays on a Friday or
15 Monday if the actual date should fall on a Saturday or Sunday, and the people
16 of Guam should do the same.

17 It is the intent of *I Liheslaturan Guåhan* to amend the current law to adopt
18 the Federal practice of celebrating Federal holidays on Fridays or Mondays
19 when the holiday falls on a weekend, and also adopting the Federal practice
20 of considering only those employees working on the respective Friday or
21 Monday as being eligible for holiday pay.

22 **Section 2. Amendment.** §1000 (b) of Chapter 10 of Title 1 of the
23 Guam Code Annotated, is *amended* to read:

24 "(b) Whenever a holiday listed in Subsection (a) of this Section
25 falls on a Saturday or Sunday, the government of Guam shall follow the
26 Federal government's practice for that holiday."



FRANK B. AGUON, JR.

Vice Speaker

December 15, 2004

MEMORANDUM

The Honorable ben c. pangelinan
Speaker, *I Mina' Bente Siete Na Liheslaturan Guåhan*
155 Hesler Street
Hagåtña, Guam 96910

Via: Honorable Senator Lou Leon Guerrero, Committee on Rules & Health

Dear Speaker pangelinan:

The Committee on Appropriations and Budgeting, General Governmental Operations, Reorganization and Reform, to which was referred, Bill No. 333 (COR) as substituted by the Author - An Act to amend Section 1000 of Chapter 10 of Title 1, Guam Code Annotated to add Good Friday as a legal holiday and to follow the practice of the Federal Government for Federal holidays falling on Saturdays and Sundays, has had the same under consideration, and now wishes to report back the same with the recommendation **TO DO PASS**.

The voting record is as follows:

| | |
|--------------------------------------|----------|
| TO PASS | <u>6</u> |
| NOT TO PASS | <u>0</u> |
| TO ABSTAIN DUE TO POTENTIAL CONFLICT | <u>0</u> |
| TO PLACE IN INACTIVE FILE | <u>0</u> |

Copies of the Committee Report and other pertinent documents are attached. Thank you for your attention to this matter. **Dangkolo' Na Si Yu'os Ma'ase.**

Respectfully,

FRANK BLAS AGUON, JR.

Vice Speaker/Senator

I Mina' Bente Siete Na Liheslaturan Guåhan

Respetu Para Todu (Respect for All)

I Mina Bente-Siete Na Liheslaturan Guåhan * Twenty-Seventh Guam Legislature
Suite 101-A * Ada's Commercial and Professional Center * 118 East Marine Drive * Hagåtña, Guam 96910
Phone (671) 479-4GUM (4486/4828) * Fax (671) 479-4827





FRANK B. AGUON, JR.

Vice Speaker

December 15, 2004

MEMORANDUM

TO: Members, Committee on Appropriations and Budgeting, General Governmental Operations, Reorganization and Reform

FROM: Vice Speaker Frank B. Aguon, Jr.
Chairman, Committee on Appropriations and Budgeting, General Governmental Operations, Reorganization and Reform

SUBJECT: Committee Report – Bill No. 333 (COR) as substituted by the Author: An Act to amend Section 1000 of Chapter 10 of Title 1, Guam Code Annotated to add Good Friday as a legal holiday and to follow the practice of the Federal Government for Federal holidays falling on Saturdays and Sundays.

Transmitted herewith for your information and action is the report on Bill No. 333 (COR) as substituted by the Author from the Committee on Appropriations and Budgeting, General Governmental Operations, Reorganization and Reform.

This memorandum is accompanied by the following:

1. Committee Voting Sheet
2. Committee Report
3. Bill 333 (COR) as substituted by the Author
4. Public Hearing Sign-in Sheet
5. Notice of Public Hearing

Please take the appropriate action on the attached voting sheet. Your attention and cooperation in this matter is greatly appreciated.

Should you have any questions regarding the report or accompanying documents, please do not hesitate to contact me. **Dangkolo' Na Si Yu'os Ma'ase.**

Respectfully,

FRANK BLAS AGUON, JR.

Vice Speaker/Senator

I Mina Bente-Siete Na Liheslaturan Guåhan

Respetu Para Todu (Respect for All)

I Mina Bente-Siete Na Liheslaturan Guåhan * Twenty-Seventh Guam Legislature
Suite 101-A * Ada's Commercial and Professional Center * 118 East Marine Drive * Hagåtña, Guam 96910
Phone (671) 479-4GUM (4486/4828) * Fax (671) 479-4827





FRANK B. AGUON, JR.

Vice Speaker

**Committee on Appropriations and Budgeting, General Governmental
Operations, Reorganization and Reform
VOTING SHEET**

Bill 333 as substituted by the Author: An Act to amend Section 1000 of Chapter 10 of Title 1, Guam Code Annotated to add Good Friday as a legal holiday and to follow the practice of the Federal Government for Federal holidays falling on Saturdays and Sundays.

| Committee Members | To Pass | Not to Pass | To Abstain due to potential Conflict | To place in Inactive File |
|---|---------|-------------|--------------------------------------|---------------------------|
| <i>[Signature]</i> FRANK B. AGUON, JR. Chair | _____ | _____ | _____ | _____ |
| <i>[Signature]</i> ANTOINETTE D. SANFORD Vice Chair | ✓ | _____ | _____ | _____ |
| <i>[Signature]</i> LOU LEON GUERRERO Member | ✓ | _____ | _____ | _____ |
| <i>[Signature]</i> TINA R. MUÑA-BARNES Member | ✓ | _____ | _____ | _____ |
| <i>[Signature]</i> JOHN M. QUINATA Member | _____ | _____ | _____ | _____ |
| <i>[Signature]</i> RORY J. RESPICIO Member | _____ | _____ | _____ | _____ |
| <i>[Signature]</i> CARMEN FERNANDEZ Member | _____ | _____ | _____ | _____ |
| MARK FORBES Member | _____ | _____ | _____ | _____ |
| LAWRENCE F. KASPERBAUER Member | _____ | _____ | _____ | _____ |

Respetu Para Todu (Respect for All)





FRANK B. AGUON, JR.

Vice Speaker

I MINA' BENTE SIETE NA LIHESLATURAN GUÅHAN

Committee on Appropriations and Budgeting,
General Governmental Operations,
Reorganization and Reform

**VICE SPEAKER FRANK B. AGUON, JR.
CHAIRMAN**

Committee Report
On
Bill No. 333 (COR)
As substituted by the Author

"AN ACT TO AMEND SECTION 1000 OF CHAPTER 10 OF TITLE 1, GUAM CODE ANNOTATED TO ADD GOOD FRIDAY AS A LEGAL HOLIDAY AND TO FOLLOW THE PRACTICE OF THE FEDERAL GOVERNMENT FOR FEDERAL HOLIDAYS FALLING ON SATURDAYS AND SUNDAYS."



Respetu Para Todu (Respect for All)

I Mina Bente-Siete Na Libeslaturan Guåhan * Twenty-Seventh Guam Legislature
Suite 101-A * Ada's Commercial and Professional Center * 118 East Marine Drive * Hagåtña, Guam 96910
Phone (671) 479-4GUM (4486/4828) * Fax (671) 479-4827



I. Overview

The Committee on Appropriations and Budgeting, General Governmental Operations, Reorganization and Reform held a public hearing on Bill No. 333 (COR) at 9:00 a.m. on Friday, November 19, 2004 in the Public Hearing Room, *I Liheslaturan Guåhan*. Public notice for this hearing was made on: Friday, November 12, 2004 and Thursday, November 18, 2004 in the Pacific Daily News in the form of a paid advertisement.

Senators present at the public hearing were:

Vice Speaker Frank B. Aguon, Jr., Chairman
Senator Toni Sanford, Vice-Chair
Senator Carmen Fernandez, Member
Speaker ben pangelinan, ex-officio member
Senator Robert Klitzkie, non-member

II. Summary of testimony

Patricia Terlaje submitted written testimony via e-mail in support of Bill 333 (Attachment A).

Claudette McGhee of Guam's Martin Luther King Jr. Human Rights Commission submitted written testimony to the Committee on December 13 (Attachment B). In her statement Mrs. McGhee requests the Legislature to reinstate as a local holiday the federal holiday Dr. Martin Luther King Day.

III. Findings and recommendation

The Committee on Appropriations and Budgeting, General Governmental Operations, Reorganization and Reform was **requested by the prime sponsor to defer action** on Bill 333 pending completion of amendments for consideration. The Committee **received a substituted Bill 333** from the prime sponsor on December 15. All references to the Good Friday holiday are removed from Sections 1 and 2 in the substitute version; the substitute bill proposes to follow the federal government's practice of celebrating federal holidays that fall on a Saturday or Sunday. The bill's original title has not been amended.

The Committee on Appropriations and Budgeting, General Governmental Operations, Reorganization and Reform finds that Bill No. 333 (COR) as substituted by the author amends current law to adopt the federal practice of celebrating federal holidays that fall on a weekend.

Accordingly, the Committee on Appropriations and Budgeting, General Governmental Operations, Reorganization and Reform, to which Bill No. 333 (COR) was referred does hereby submit to *I Mina' Bente Siete Na Liheslaturan Guåhan* **TO DO PASS** Bill No. 333 as substituted by the author: "An Act to amend Section 1000 of Chapter 10 of Title 1, Guam Code Annotated to add Good Friday as a legal holiday and to follow the practice of the Federal Government for Federal holidays falling on Saturdays and Sundays".

See, Committee Report
[Signature]

ATTACHMENT A

Vice Speaker Frank B. Aguon, Jr.

From: Patricia Terlaje [lale96928@yahoo.com]
Sent: Thursday, November 18, 2004 11:53 AM
To: fbaguon@ite.net
Subject: Bill 333

Thank you for thinking of the working majority in the Government of Guam. It's bad enough that we are already considered "non essential", and now we don't have that many holidays to give us a break. The re-establishment of Good Friday will give us a brief respite during the months of January thru May. It's only one day. Also, giving the Friday and/or Monday day off will be more equivalent to the shift workers. Once again, thank you.

Do you Yahoo!?
The all-new My Yahoo! - Get yours free!
<http://my.yahoo.com>

**GUAM'S MARTIN LUTHER KING JR.
HUMAN RIGHTS COMMISSION**
Post Office Box 3268
Hagatna, Guam, 96932

December 13, 2004

To the Honorable Twenty Seventh Guam Legislators:

Pursuant to Bill No. 333 (COR) "AN ACT TO AMEND Section 1000 OF CHAPTER 10 OF TITLE 1 GUAM CODE ANNOTATED TO ADD GOOD FRIDAY AS A LEGAL HOLIDAY AND TO FOLLOW THE PRACTICE OF THE FEDERAL GOVERNMENT FOR FEDERAL HOLIDAYS FALLING ON SATURDAYS AND SUNDAYS." INTRODUCED August 2, 2004 by Senator Tina Muna Barnes.

UPON REVIEWING THE BILL NO, 333, Section 2. Amendment. Section 100 of Chapter 10 of Title 1 of the Guam Code Annotated, it was discovered that Dr. Martin Luther King Jr. Federal Holiday was omitted from the listing. This letter is transmitted to request that Dr. Martin Luther King Jr, Federal Holiday be included in the amended listing on page 3 as a holiday focused on community service and bridging the racial divide through planned programs and activities.

The questions that are now arising from the eliminated federal holiday are as follows:

1. Has this Twenty Seventh Guam Legislature action of eliminating the local holiday contributed to dishonoring the legacy of Dr. King's Jr. work and his vision to achieve equality, justice and peace for all people that struggle with injustices, violence, hate and discrimination?

If Guam is now recovering economically, it is a desire that this Legislature be encouraged to join the United States Congress and President Clinton in amending Section 1000 of Chapter 10 of Title 1 of Guam Code Annotated, to reinstate Dr. Martin Luther King Jr. Day, as AN AMERICAN LOCAL HOLIDAY. To do this, it is recommended that a commission be established within the Governors' office to focus on planning effort that makes such a holiday a Day of Community Service for Government workers.

2. If the elimination of the Guam Martin Luther King jr. local Holiday served a legitimate austerity measure in responding to Guam's severe economic hardships, we now ask, that the local holiday Dr. Martin Luther King Jr. holiday be reinstated. It is now reasonable to expect reinstatement, if Guam's economy is now on the rise. The expectation centers around demonstrating a commitment to service and the revitalization of government agencies workers to serve that one day as volunteers to beautify the island. This day can serve as a time when volunteer services can be extended to agencies and community service organizations in need.

Claudette M. John
Claudette McGhee
735-5598 (w) 477-9128 (h)

RECEIVED
DEC 14 2004
JK. 10:06 A.M.