

EDDIE BAZA CALVO
Governor



RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

October 4, 2011

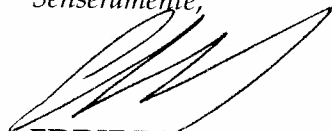
Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Unu Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

31-11-940
Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 10/4/11
Time 4:02 PM
Received by [Signature]

Dear Madame Speaker:

Transmitted herewith is Bill No. 161-31 (COR) "AN ACT TO AMEND §27003(e) OF CHAPTER 27, TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO THE REMOVAL OF MEMBERS OF THE GUAM COMMISSION FOR EDUCATOR CERTIFICATION", which was signed into law on September 30, 2011 as **Public Law 31-94**.

Senseramente,


EDDIE BAZA CALVO

2011 OCT -5 AM 8:07

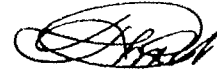
lun

Attachment: copy of Bill

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

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

This is to certify that Bill No. 161-31 (COR), "AN ACT TO *AMEND* §27003(e) OF CHAPTER 27, TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO THE REMOVAL OF MEMBERS OF THE GUAM COMMISSION FOR EDUCATOR CERTIFICATION," was on the 19th day of September, 2011, duly and regularly passed.



Judith T. Won Pat, Ed.D.
Speaker

Attested:



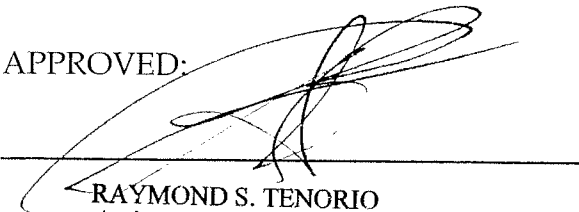
Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 20th day of Sept., 2011, at
4:10 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



RAYMOND S. TENORIO
Acting Governor of Guam

Date: SEP 30 2011

Public Law No. 31-94

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 161-31 (COR)

Introduced by:

B. J.F. Cruz
T. C. Ada
V. Anthony Ada
F. F. Blas, Jr.
Chris M. Dueñas
Judith P. Guthertz, DPA
Sam Mabini, Ph.D.
T. R. Muña Barnes
Adolpho B. Palacios, Sr.
v. c. pangelinan
Dennis G. Rodriguez, Jr.
R. J. Respicio
M. Silva Taijeron
Aline A. Yamashita, Ph.D.
Judith T. Won Pat, Ed.D.

**AN ACT TO *AMEND* §27003(e) OF CHAPTER 27, TITLE
17, GUAM CODE ANNOTATED, RELATIVE TO THE
REMOVAL OF MEMBERS OF THE GUAM
COMMISSION FOR EDUCATOR CERTIFICATION.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guahan finds that §43106 of Title 5, Guam Code Annotated, states, “Unless the provisions of law governing the removal from a particular board or commission are to the contrary, the unexcused absences of a member of a board or commission from three consecutive regular meetings of the board or commission shall constitute a cause for removal of the member from the board or commission, and the Governor may thereupon remove such a member from the board or commission.”*

1 *I Liheslatura* also finds that the Guam Commission for Educator
2 Certification (GCEC) was created by Public Law 29-73, which also provided for a
3 provision governing the removal of members from that Commission. §27003(e) of
4 Title 17, Guam Code Annotated, as added by Public Law 29-73, states “*If a*
5 *member is absent from any four (4) regularly scheduled meetings in any calendar*
6 *year, his or her office as a member of the Commission shall be deemed vacant.*”

7 *I Liheslatura* further finds that while §43106 of Title 5, Guam Code
8 Annotated, permits the Guam Commission for Educator Certification enabling
9 legislation provide its own provision for the removal of members based on four (4)
10 absences from regular meetings, there is a gross disparity between the treatment of
11 members of the GCEC and members of other boards and commissions in that
12 regard. GCEC members are subject to removal after four (4) absences, whereas
13 members of most other boards and commissions are deemed to have provided
14 cause for removal by *I Maga’lahi* (the Governor) after three (3) unexcused and
15 *consecutive* absences.

16 It is the intent of *I Liheslatura* to end this disparity by amending §27003(e)
17 of Title 17, Guam Code Annotated, so that the Guam Commission for Educator
18 Certification is then fully subject to the same law governing the removal from
19 office for absences applied to all boards and commissions government-wide.

20 **Section 2.** § 27003(e) of Chapter 27, Title 17, Guam Code Annotated, is
21 hereby *amended* to read:

22 “(e) *If a member is appointed pursuant to Items (1), (2) and (3) of*
23 *Paragraph (a), supra, and ceases to be employed as such, that member shall*
24 *be considered to have vacated his or her seat effective on the date that such*
25 *employment was terminated. The Chairperson of the Commission shall*
26 *forthwith notify I Maga’lahi that the vacancy exists.*”

6

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN

2011 (FIRST) Regular Session

Date: Sept. 19, 2011

VOTING SHEET

Bill No. 161-31(COR)

Resolution No. _____

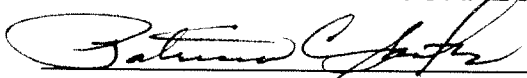
Question: _____

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
ADA, Thomas C.	✓				
ADA, V. Anthony	✓				
BLAS, Frank F., Jr.	✓				
CRUZ, Benjamin J. F.	✓				
DUENAS, Christopher M.	✓				
GUTHERTZ, Judith Paulette	✓				
MABINI, Sam	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RESPICIO, Rory J.	✓				
RODRIGUEZ, Dennis G., Jr.	✓				
SILVA TAIJERON, Mana	✓				
WON PAT, Judith T.	✓				
YAMASHITA, Aline A.	✓				

TOTAL

15 0 0 0 0

CERTIFIED TRUE AND CORRECT:


Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



OFFICE OF THE SPEAKER

JUDITH T. WON PAT, Ed.D.

CHAIRPERSON OF THE COMMITTEE ON EDUCATION AND PUBLIC LIBRARIES
I MINA'TRENTAI UNU NA LIHESLATURAN GUAHAN | 31st GUAM LEGISLATURE

VICE CHAIR

COMMITTEE ON TOURISM,
MUNICIPAL AFFAIRS,
HOUSING AND
RECREATION

July 19, 2011

COMMITTEE ON TAXATION,
APPROPRIATIONS, PUBLIC
DEBT, BANKING,
INSURANCE, RETIREMENT
AND LAND

The Honorable Rory J. Respicio
Chairperson, Committee on Rules
I Mina' Trentai Unu Na Liheslaturan Guahan
155 Hesler Place
Hagatna, Guam 96910

COMMISSIONER

GUAM COMMISSION ON
DECOLONIZATION

RE: Committee Report on Bill No. 161-31 (COR)

GUAM FIRST
COMMISSION

Dear Chairman Respicio:

VICE PRESIDENT

ASSOCIATION OF
PACIFIC ISLAND
LEGISLATURES
(APIL)

Transmitted herewith is the Committee Report on Bill No. 161-31 (COR) "An act to amend 17 GCA §27003, relative to the removal of members of the Guam Commission of Educator Certification," sponsored by Vice Speaker Benjamin F. Cruz and referred to the Committee on Education and Public Libraries.

Committee votes are as follows:

BOARD MEMBER

PACIFIC RESOURCES
FOR EDUCATION
AND LEARNING
(PREL)

5

TO DO PASS

0

TO NOT PASS

1

TO REPORT OUT ONLY

0

TO ABSTAIN

0

TO PLACE IN INACTIVE FILE

LEGISLATIVE REPRESENTATIVE

PACIFIC ISLAND
DEVELOPMENT BANK
(PIDB)

FESTIVAL OF THE
PACIFIC ARTS
(FESTPAC)

Copies of the Committee Report and other pertinent documents are attached. Thank you and
Si Yu'os ma'ase.

Judith T. Won Pat, Ed.D.

Chairperson

Committee on Education and Public Libraries

attachments



OFFICE OF THE SPEAKER

JUDITH T. WON PAT, Ed.D.

CHAIRPERSON OF THE COMMITTEE ON EDUCATION AND PUBLIC LIBRARIES

VICE CHAIR

COMMITTEE ON TOURISM,
MUNICIPAL AFFAIRS,
HOUSING AND
RECREATION

COMMITTEE ON
TAXATION,
APPROPRIATIONS, PUBLIC
DEBT, BANKING,
INSURANCE, RETIREMENT
AND LAND

COMMISSIONER

GUAM COMMISSION ON
DECOLONIZATION

GUAM FIRST
COMMISSION

VICE PRESIDENT

ASSOCIATION OF
PACIFIC ISLAND
LEGISLATURES
(APIL)

BOARD MEMBER

PACIFIC RESOURCES FOR
EDUCATION
AND LEARNING
(PREL)

LEGISLATIVE REPRESENTATIVE

PACIFIC ISLAND
DEVELOPMENT BANK
(PIDB)

FESTIVAL OF THE
PACIFIC ARTS
(FESTPAC)

COMMITTEE REPORT

on

Bill No. 161-31 (COR)

An act to amend 17 GCA §27003; relative to the removal of
members of the Guam Commission of Educator Certification.



OFFICE OF THE SPEAKER

JUDITH T. WON PAT, Ed.D.

CHAIRPERSON OF THE COMMITTEE ON EDUCATION AND PUBLIC LIBRARIES

VICE CHAIR

COMMITTEE ON TOURISM,
MUNICIPAL AFFAIRS,
HOUSING AND
RECREATION

COMMITTEE ON
TAXATION,
APPROPRIATIONS, PUBLIC
DEBT, BANKING,
INSURANCE, RETIREMENT
AND LAND

COMMISSIONER

GUAM COMMISSION ON
DECOLONIZATION

GUAM FIRST
COMMISSION

VICE PRESIDENT

ASSOCIATION OF
PACIFIC ISLAND
LEGISLATURES
(APIL)

BOARD MEMBER

PACIFIC RESOURCES FOR
EDUCATION
AND LEARNING
(PREL)

LEGISLATIVE REPRESENTATIVE

PACIFIC ISLAND
DEVELOPMENT BANK
(PIDB)

FESTIVAL OF THE
PACIFIC ARTS
(FESTPAC)

July 16, 2011

MEMORANDUM

To: ALL MEMBERS
Committee on Education and Public Libraries

From: Speaker Judith T. Won Pat, Ed.D. *JTW*
Committee Chairperson

Subject: Committee report on Bill No. 161-31 (COR)

Transmitted herewith for your consideration is the Committee Report on Bill No. 161-31 (COR) – “An act to amend 17 GCA §27003; relative to the removal of members of the Guam Commission of Educator Certification,,” sponsored by Vice Speaker Benjamin F. Cruz

This report includes the following:

Committee Voting Sheet
Committee Report Digest
Copy of Bill No. 161-31 (COR)
Public Hearing Sign-in Sheets
Fiscal Note
Copy of COR Referral of Bill No. 161-31 (COR)
Notices of Public Hearing
Copy of Public Hearing Agenda

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

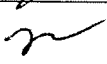
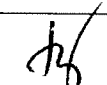
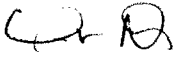
Si Yu'os ma'ase!

attachments

COMMITTEE VOTING SHEET **COMMITTEE ON EDUCATION AND PUBLIC LIBRARIES**

Bill No. 161-31 (COR) - Vice Speaker Benjamin J.F. Cruz

An act to amend 17 GCA §27003; relative to the removal of members of the Guam Commission of Educator Certification.

	SIGNATURE	TO PASS	NOT TO PASS	TO REPORT OUT ONLY	ABSTAIN DUE TO POTENTIAL CONFLICT	TO PLACE IN INACTIVE FILE
Judith T. Won Pat, Ed.D., Chairperson		7/18/11 ✓				
Judith P. Guthertz, DPA, Vice Chairperson						
Tina R. Muna-Barnes Vice Chairperson						
Vicente C. Pangelinan Vice Chairperson		✓				
Thomas C. Ada		7/18/11 ✓				
Frank F. Blas, Jr.		7/18/11 ✓				
Aline A. Yamashita, Ph.D.				7/18/11		
V. Anthony Ada		7/18/11				
Sam Mabini, Ph.D.						



OFFICE OF THE SPEAKER JUDITH T. WON PAT, Ed.D.

CHAIRPERSON OF THE COMMITTEE ON EDUCATION AND PUBLIC LIBRARIES

COMMITTEE REPORT DIGEST

I. OVERVIEW

The Committee on Education and Public Libraries convened a public hearing on May 10, 2011 at 2:00 p.m. in *I Liheslatura's* Public Hearing Room. Among the items on the agenda was the consideration of Bill No. 161-31 (COR) "An act to amend 17 GCA §27003; relative to the removal of members of the Guam Commission of Educator Certification." sponsored by Vice Speaker Benjamin J.F. Cruz

Public Notice Requirements

Notices were disseminated via fax and email to all senators and all main media broadcasting outlets on May 3, 2011 (5-Day Notice), and again on May 7, 2011 (48-Hour Notice).

Senators Present

Speaker Judith T. Won Pat, Ed.D.	Committee, Chairperson
Senator v.c. pangelinan	Committee, Vice Chairperson
Vice Speaker B. J. Cruz	
Senator V. Anthony Ada	Committee, Minority Member
Senator Aline A. Yamashita, Ph.D.	Committee, Minority Member
Senator Sam Mabini, Ph.D.	Committee, Minority Member

Appearing before the Committee

Former Senator Lawrence F. Kasperbauer, Member of the Guam Commission for Educator Certification

II. SUMMARY OF TESTIMONY & DISCUSSION

Speaker Judith T. Won Pat, Ed.D. convened the public hearing to order at 2:00 p.m. and announced the agenda of the public hearing. Bill No. 161-31 (COR) was announced by Speaker Won Pat, Ed.D. as one of the items on the agenda to be heard by the Committee.

- **Former Senator Kasperbauer** testified in support of the legislation. First, he spoke about the public law that established the Guam Commission for Educator Certification. He explained the intent of the bill and the need to change the requirement dealing with the number of absences a member can miss during a calendar year. He pointed out that the current law does not afford excuse absences. He closed by stating there is a gross disparity between the treatment of members of the Guam Commission on Educators Certification (GCEC) and members of other government boards and commissions in regards to absences.

Discussion

- **Speaker Won Pat, Ed.D** asked former Senator Kasperbauer, if he foresees the commission meeting more than four (4) times in a calendar year.
- **Former Senator Kasperbauer** replied with a permanent executive director on board and the commission office fully staffed, he believes the quarterly meetings would be more than adequate.
- **Speaker Won Pat, Ed.D.** pointed out the legislation would make it three consecutive unexcused absences.
- **Former Senator Kasperbauer** acknowledged Speaker Won Pat's statement and he alluded that he is unaware of any member of a board or commission being removed because of unexcused absences.
- **Vice Chairperson v.c. pangelinan** called to attention that the current law does not qualify what is an excused absence. He stated there is a need to define the criteria what is an excused absence.
- **Former Senator Kasperbauer** stated that was an excellent observation made by the vice chairperson about defining excused absences.

There being no further comments or questions, Speaker Won Pat, Ed.D concluded the hearing on Bill No. 161-31 (COR).

III. FINDINGS & RECOMMENDATIONS

The Committee on Education and Public Libraries hereby reports out Bill No. 161-31 (COR) as introduced with the recommendation TO PASS.

MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 14-31 (cov)

Introduced by:

B.J.F. Cruz 

**AN ACT TO AMEND 17 GCA § 27003; RELATIVE TO THE
REMOVAL OF MEMBERS OF THE GUAM COMMISSION
OF EDUCATOR CERTIFICATION.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent.

I Liheslaturan Guahan finds that 5 GCA § 43106 states, "Unless the provisions of law governing the removal from a particular board or commission are to the contrary, the unexcused absences of a member of a board or commission from three consecutive regular meetings of the board or commission shall constitute a cause for removal of the member from the board or commission, and the Governor may thereupon remove such a member from the board or commission."

I Liheslatura finds the Guam Commission for Educator Certification (GCEC) was created by Public Law 29-073, which also provided for a provision governing the removal of members from that Commission. 17 GCA § 27003(e), as added by Public Law 29-073, states "(If a member is absent from any four (4) regularly scheduled meetings in any calendar year, his or her office as a member of the Commission shall be deemed vacant.)"

I Liheslatura further finds that while 5 GCA § 43106 permits the Guam Commission for Educator Certification enabling legislation provide its own

1 provision for the removal of members based on four absences from regular
2 meetings, there is a gross disparity between the treatment of members of the GCEC
3 and members of other boards and commissions in that regard. GCEC members are
4 subject to removal after four absences, whereas members of most other boards and
5 commissions are deemed to have provided cause for removal by the Governor after
6 three unexcused and *consecutive* absences.

7 It is the intent of *I Liheslatura* to end this disparity by amending 17 GCA §
8 27003 so that the Guam Commission for Educator Certification is then fully
9 subject to the same law governing the removal from office for absences applied to
10 all boards and commissions government-wide.

11 **Section 2.** 17 GCA § 27003 is hereby *amended* to read:

12 **“§ 27003. Guam Commission for Educator Certification.**

13 (a) There is hereby established the Guam Commission for Educator
14 Certification to consist of seven (7) voting members appointed by *I*
15 *Maga'lahaen Guåhan* with the advice and consent of *I Liheslaturan Guåhan*,
16 as specified in subsections (1) to (5), inclusive. The Commission shall
17 consist of the following members:

18 (1) a classroom teacher employed in a public school;

19 (2) an administrator (principal or assistant principal) employed
20 in a public school;

21 (3) a guidance counselor employed in a public school;

22 (4) two (2) members who possess a terminal degree in the
23 subject of education from an accredited college or university which,
24 as used herein, means an institution that is accredited by a United
25 States accrediting body recognized by the Council on Higher
26 Education Accreditation (CHEA) or its successor, or an equivalent
27 foreign college or university; and

1 (5) two (2) members appointed from the community at large.

2 (b) Appointments to the Commission shall be made without regard to
3 the race, color, disability, sex, religion, age, or national origin of the person
4 appointed.

5 (c) A Commission member is immune from civil suit for any act
6 performed in good faith in the execution of duties as a Commission member.

7 (d) Members shall serve a term of three (3) years and may be
8 reappointed, provided that the member continues to meet the employment
9 criteria in the event that such member was appointed to fill a seat on the
10 Commission pursuant to Items (1), (2) and (3) of Paragraph (a), supra.

11 (e) If a member is appointed pursuant to Items (1), (2) and (3) of
12 Paragraph (a), supra, and ceases to be employed as such, that member shall
13 be considered to have vacated his or her seat effective on the date that such
14 employment was terminated. ~~If a member is absent from any four (4)~~
15 ~~regularly scheduled meetings in any calendar year, his or her office as a~~
16 ~~member of the Commission shall be deemed vacant.~~ The Chairperson of the
17 Commission shall forthwith notify *I Maga'lahi* that the vacancy exists

18 (f) The Superintendent of Education or his designee, the Chairman of
19 the Guam Education Policy Board or his designee, the President of the
20 Guam Community College or his designee, and the President of the
21 University of Guam or his designee, shall serve as ex-officio member,
22 without vote in proceedings of the Commission."

May 10, 2011, 2:00 p.m.

NAME	AGENCY OR ORGANIZATION (IF ANY)	SUPPORT? OPPOSE?	WRITTEN TESTIMONY	ORAL TESTIMONY	CONTACT NUMBER	EMAIL ADDRESS
Jany Kasperbauer	GCEC	Support	[Signature]	X	632-0431	A B A B A I U G X @ Yahoo.co

Bill No. 161-31 (COR)



BUREAU OF BUDGET & MANAGEMENT RESEARCH

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

EDDIE BAZA CALVO
GOVERNOR

RAY TENORIO
LIEUTENANT GOVERNOR

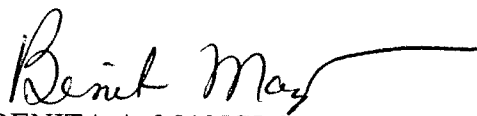
APR 27 2011

BENITA A. MANGLONA
DIRECTOR

STEPHEN J. GUERRERO
DEPUTY DIRECTOR

The Bureau requests that Bill No(s). 161-31 (COR) is/are granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

The bill is administrative in nature and poses no impact to any government of Guam funds.


BENITA A. MANGLONA
Director

7/4/22/11 8/4/26/11



COMMITTEE ON RULES

I Mina'trentai Unu na Liheslaturan Guåhan • The 31st Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Judith P. Guthertz
VICE CHAIRPERSON
ASST. MAJORITY LEADER

MAJORITY MEMBERS:

Speaker
Judith T. Won Pat

Vice Speaker
Benjamin J. F. Cruz

Senator
Tina Rose Muña Barnes
LEGISLATIVE SECRETARY
MAJORITY WHIP

Senator
Dennis G. Rodriguez, Jr.
ASST. MAJORITY WHIP

Senator
Thomas C. Ada

Senator
Adolpho B. Palacios, Sr.

Senator
vicente c. pangelinan

MINORITY MEMBERS:

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

Senator
Christopher M. Duenas

April 19, 2011

MEMORANDUM

To: Pat Santos
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Rory J. Respicio
Chairperson, Committee on Rules

Subject: Referral of Bill Nos. 158-31 (COR) and 161-31 (COR)

As Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 158-31(COR) and 161-31 (COR).

Please ensure that the subject bills are referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all Senators of *I Mina'trentai Unu na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

Si Yu'os ma'åse!

(3) Attachments

2011 APR 21 PM 5:38

I Mina'Trentai Unu Na Liheslaturan Guåhan

Bill Log Sheet

April 20, 2011

Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	120 Day Deadline	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date) Passed? Failed? Vetoed? Overridden? Public Law?
161-31 (COR)	B. J.F. Cruz	AN ACT TO AMEND 17 GCA § 27003; RELATIVE TO THE REMOVAL OF MEMBERS OF THE GUAM COMMISSION OF EDUCATOR CERTIFICATION.	4/20/11 2:46 p.m.	4/21/11		Committee on Education and Public Libraries.			

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YAHOO! SMALL BUSINESS

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Committee on Education and Public Libraries Public Hearing 3/10/11

Monday, May 2, 2011 9:58 PM

From: "Frank Torres" <fbtorres@judiwonpat.com>

To: "yamashita ph.d. aline" <aline4families@gmail.com>, "Duenas Christopher" <duenasenator@gmail.com>, "Francis Santos" <fesantos57@gmail.com>, "blas frank" <frank.blasjr@gmail.com>, "guthertz judi" <judiguthertz@gmail.com>, "Ada Thomas" <office@senatorada.org>, "Respicio Rory" <roryforguam@gmail.com>, "Palacios Adolpho" <senabpalacios@gmail.com>, "dennis rodriguez" <senatordrodriguez@gmail.com>, "Taijeron Mana" <senatormana@gmail.com>, "Sam Mabini" <senatorsam@senatormabini.com>, "ada v. anthony" <senatortonyada@guamlegislature.org>, "pangelinan vicente" <senbenp@guam.net>, "Barnes Tina" <tinamunabarnes@gmail.com>

Cc: "santos" <chechsantos@gmail.com>, "chelsa" <chelsa@tinamunabarnes.com>, "cherbert" <cherbert.senatordrodriguez@gmail.com>, "Lisa" <cipo@guamlegislature.org>, "Joshua" <Joshua.Tenorio@senatorbjcruz.com>, "angela" <leonguerrero.angela@gmail.com>, "leslie" <leslie.g@senatormabini.com>, "louise" <louise_atalig@yahoo.com>, "mary" <maryfejeran@gmail.com>, "office" <office@senatorada.org>, "olivia" <oliviampalacios@gmail.com>, "pris" <pris@senatorpalacios.com>, "Robert" <rob.tupaz@gmail.com>, "Tanya" <tanya4families@gmail.com>

May 3, 2011

MEMORANDUM

To: Members of the 31st Guam Legislature

From: Committee on Education and Public Libraries

Subject: Notice of Public Hearing – First Notice

The Committee on Education and Public Libraries has scheduled a public hearing for 2:00 p.m., Tuesday, May 10, 2011 in the Public Hearing Room of the Guam Legislature Building on the following:

- The appointment of Richard P. Sablan to serve as a member of the Guam Community College, Board of Trustees

- The appointment of Antoinette D. Sanford to serve as a member, University of Guam Board of Regents

- Bill No. 6-31 (LS) - J.P. Guthertz, DPA - An act to amend § 31109 of Chapter 31 Title 17 Guam Code Annotated and § 3112 of Chapter 3 Title 17 GCA, relative to career

and technical education programs at Department of Education schools through the Guam Community College; and to add a new sub section 31114.1 to Chapter 31 Title 17, GCA relative to reestablishing the operation of an independent, fully functioning career and technical education high school institute in Guam apart of the secondary division of GCC.

- Bill No. 150-31 (COR) - V.A. Ada / A.A. Yamashita, Ph.D. - An act to amend Paragraph (16) of §3103(c) of 17 GCA relative Department of Education Management Audits.

- Bill No. 161-31 (COR) - B.J.F. Cruz - An act to amend 17 GCA §27003; relative to the removal of members of the Guam Commission of Educator Certification.

- Bill No. 176-31 (LS) - J.T. Won Pat, Ed.D. / T.R. Muna-Barnes - An act to amend items (2) and (4) of §30102 of Title 17 GCA; to amend item (4) of §30103 of Title 17 GCA; to amend §31102 of Title 17 GCA; to repeal §31102.1 of Title 17 GCA; to amend §31107 of Title 17 GCA; items (2) and (6) of §31108 of Title 17 GCA; to amend item (5) of §31110 of Title 17 GCA; to amend §31111 of Title 17 GCA; to amend §31112 of Title 17 GCA; to repeal §31115 of Title 17 GCA; to repeal subsection (C) of §31116 of Title 17 GCA; to amend Article 1 of Chapter 32 of Title 17 GCA; to repeal §33104 of Title 17 GCA; to renumber Article 3, Chapter 32 of Title 17 GCA to Division 5 of Title 17 GCA, relative to the Guam Community College.

-Bill No. 177-31 (LS) - A.A. Yamashita, Ph.D. / A.B. Palacios, Sr. - An act to add a new § 3112.2 of Article 1, Chapter 3, Title 17, Guam Code Annotated relative to creating a safe schools program: School Crime Stoppers.

Testimonies can be submitted in advance to the Office of Speaker Judith T. Won Pat, Ed.D. through email at fbtorres@judiwonpat.com or through facsimile at 472-3589. Copies of the bills are available at www.guamlegislature.com

The Guam Legislature complies with provisions of the Americans with Disabilities Act (ADA). Individuals requiring special accommodations or services should contact Mr. Ed Pocaigue at 472-3586/7/8 or by email at edpocaigue@judiwonpat.com

Frank B. Torres
Sr. Policy Analyst
Office of the Speaker
31st Guam Legislature

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GUAM LEGISLATURE

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OFFICE OF THE SPEAKER
JUDITH T. WON PAT, Ed.D.
CHAIRPERSON OF THE COMMITTEE ON EDUCATION AND PUBLIC LIBRARIES

VICE CHAIR
COMMITTEE ON EDUCATION
AND PUBLIC LIBRARIES
REPRESENTATIVE

May 3, 2011

MEMORANDUM

COMMITTEE ON
EDUCATION
AND PUBLIC LIBRARIES
JUDITH T. WON PAT, Ed.D.
CHAIRPERSON

To: Members of the 31st Guam Legislature

From: Committee on Education and Public Libraries *6-25*

Subject: Notice of Public Hearing - First Notice

COMMITTEE ON
EDUCATION
AND PUBLIC LIBRARIES
JUDITH T. WON PAT, Ed.D.
CHAIRPERSON

The Committee on Education and Public Libraries has scheduled a public hearing for 2:00 p.m., Tuesday, May 10, 2011 in the Public Hearing Room of the Guam Legislature Building on the following:

GUAM FIRST
COMMISSION

- The appointment of Richard P. Soliman to serve as a member of the Guam Community College, Board of Trustees

VICE PRESIDENT
LEGISLATURE
PACIFIC ISLAND
LEGISLATURES
(AIPB)

- The appointment of Antoinette D. Sanford to serve as a member, University of Guam Board of Regents

BOARD MEMBER
PACIFIC RESOURCE FOR
EDUCATION
AND LEARNING
(PREL)

- Bill No. 6-31 (LSD) - J.P. Garbaza, DPA - An act to amend § 31109 of Chapter 31 Title 17 Guam Code Annotated and § 3112 of Chapter 3 Title 17 GCA, relative to career and technical education programs of Department of Education schools through the Guam Community College; and to add a new sub section 31114.1 to Chapter 31 Title 17, GCA relative to reestablishing the operation of an independent, fully functioning career and technical education high school institute in Guam apart of the secondary division of GCC.

LEGISLATIVE
REPRESENTATIVE

- Bill No. 158-31 (COR) - Y.A. Ads / A.A. Yamasaki, Ph.D. - An act to amend Paragraph (16) of § 3113N(c) of 17 GCA relative Department of Education Management Audit.

PACIFIC ISLAND
LEGISLATURES
(AIPB)

- Bill No. 161-31 (COR) - B.J.F. Cruz - An act to amend 17 GCA § 31103; relative to the removal of members of the Guam Commission of Educator Certification.

PACIFIC ISLAND
LEGISLATURES
(AIPB)

- Bill No. 176-31 (LS) - J.T. Won Pat, Ed.D. / T.R. Muno-Baron - An act to amend items (2) and (4) of § 31102 of Title 17 GCA; to amend item (4) of § 31103 of Title 17 GCA; to amend § 31102 of Title 17 GCA; to repeal § 31102.1 of Title 17 GCA; to amend § 31107 of Title 17 GCA; items (2) and (6) of § 31108 of Title 17 GCA; to amend item (5) of § 31110 of Title 17 GCA; to amend § 31111 of Title 17 GCA; to amend § 31112 of Title 17 GCA; to repeal § 31115 of Title 17 GCA; to repeal subsection (C) of § 31116 of Title 17 GCA; to amend Article 1 of Chapter 32 of Title 17 GCA; to repeal § 31104 of Title 17 GCA; to renumber Article 3, Chapter 32 of Title 17 GCA to Division 5 of Title 17 GCA, relative to the Guam Community College.

- Bill No. 177-31 (LS) - A.A. Yamasaki, Ph.D. / A.B. Palacios, Sr. - An act to add a new § 3112.2 of Article 1, Chapter 3, Title 17, Guam Code Annotated relative to creating a safe schools program: School Crime Stoppers.

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May 7, 2011

MEMORANDUM**To:** Members of the 31st Guam Legislature**From:** Committee on Education and Public Libraries**Subject:** Notice of Public Hearing – Second Notice

The Committee on Education and Public Libraries has scheduled a public hearing for Tuesday, May 10, 2011 at 2:00 p.m., in the Public Hearing Room of the Guam Legislature Building on the following:

- The appointment of Richard P. Sablan to serve as a member of the Guam Community College, Board of Trustees

- The appointment of Antoinette D. Sanford to serve as a member, University of Guam Board of Regents

- Bill No. 6-31 (LS) - J.P. Guthertz, DPA - An act to amend § 31109 of Chapter 31 Title 17 Guam Code Annotated and § 3112 of Chapter 3 Title 17 GCA, relative to career and technical education programs at Department of Education schools through the Guam Community College; and to add a new sub section 3114.1 to Chapter 31 Title 17, GCA relative to reestablishing the operation of an independent, fully functioning career and technical education high school institute in Guam apart of the secondary division of GCC.

- Bill No. 150-31 (COR) - V.A. Ada / A.A. Yamashita, Ph.D. - An act to amend Paragraph (16) of §3103(c) of 17 GCA relative Department of Education Management Audits.

- Bill No. 161-31 (COR) - B.J.F. Cruz - An act to amend 17 GCA §27003; relative to the removal of members of the Guam Commission of Educator Certification.

- Bill No. 176-31 (LS) - J.T. Won Pat, Ed.D. / T.R. Muna-Barnes - An act to amend items (2) and (4) of §30102 of Title 17 GCA; to amend item (4) of §30103 of Title 17 GCA; to amend §31102 of Title 17 GCA; to repeal §31102.1 of Title 17 GCA; to amend §31107 of Title 17 GCA; items (2) and (6) of §31108 of Title 17 GCA; to amend item (5) of §31110 of Title 17 GCA; to amend §31111 of Title 17 GCA; to amend §31112 of Title 17 GCA; to repeal §31115 of Title 17 GCA; to repeal subsection (C) of §31116 of Title 17 GCA; to amend Article 1 of Chapter 32 of Title 17 GCA; to repeal §33104 of Title 17 GCA; to renumber Article 3, Chapter 32 of Title 17 GCA to Division 5 of Title 17 GCA, relative to the Guam Community College.

~~Bill No. 177-31 (LS) - A.A. Yamashita, Ph.D. / A.B. Palacios, Sr. - An act to add a new § 3112.2 of Article 1, Chapter 3, Title 17, Guam Code Annotated relative to creating a safe schools program: School Crime Stoppers.~~ Bill No. 177-31 (LS) has been removed from the public hearing agenda at the request of Senator Yamashita.

Testimonies can be submitted in advance to the Office of Speaker Judith T. Won Pat, Ed.D. through email at fbtorres@judiwpnpat.com or through facsimile at 472-3589. Copies of the bills are available at www.guamlegislature.com

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Frank B. Torres
Sr. Policy Analyst
Office of the Speaker
31st Guam Legislature

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JUDITH T. WON PAT, Ed.D.

CHAIRPERSON OF THE COMMITTEE ON EDUCATION AND PUBLIC LIBRARIES

VICE CHAIR

CHAIRPERSON OF THE COMMITTEE ON EDUCATION AND PUBLIC LIBRARIES

CHAIRPERSON OF THE COMMITTEE ON EDUCATION AND PUBLIC LIBRARIES

COMMISSIONER

GUAM COMMISSION ON DEVELOPMENT

GUAM FIRST COMMISSION

VICE PRESIDENT

ADMINISTRATIVE OF PACIFIC ISLANDS EDUCATION (APLE)

BOARD MEMBER

PACIFIC ISLANDS EDUCATION AND LEARNING (PIL)

LEGISLATIVE REPRESENTATIVE

PACIFIC ISLANDS EDUCATION (PIL)

CHAIRMAN OF THE PACIFIC ISLANDS EDUCATION (PIL)

May 7, 2011

MEMORANDUM

To: Media

From: Committee on Education and Public Libraries

Subject: Notice of Public Hearing - Second Notice

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- The appointment of Richard P. Subban to serve as a member of the Guam Community College Board of Trustees

- The appointment of Annette D. Sanford to serve as a member, University of Guam Board of Regents

- Bill No. 4-31 (LS) - J.P. Gutierrez, DPA - An act to amend § 31104 of Chapter 31 Title 17 Guam Code Annotated and § 3112 of Chapter 3 Title 17 GCA relative to career and technical education programs at Department of Education schools through the Guam Community College and to add a new sub section 31114.1 to Chapter 31 Title 17, GCA relative to reestablishing the operation of an independent, fully functioning career and technical education high school institute in Guam as part of the secondary division of GCC.

- Bill No. 150-31 (COR) - Y.A. Adia / A.A. Yamasan, Ph.D. - An act to amend Paragraph (1a) of § 3103(a) of 17 GCA relative Department of Education Management Audit.

- Bill No. 164-31 (COR) - R.L.P. Cruz - An act to amend 17 GCA § 27002 relative to the removal of members of the Guam Commission of Education Certification.

- Bill No. 176-31 (LS) - J.T. Won Pat, Ed.D. / T.B. Muno-Munoz - An act to amend items (3) and (4) of § 31102 of Title 17 GCA; to amend item (4) of § 31103 of Title 17 GCA; to amend § 31102 of Title 17 GCA; to repeal § 31102.1 of Title 17 GCA; to amend § 31107 of Title 17 GCA; items (2) and (5) of § 31108 of Title 17 GCA; to amend item (5) of § 31110 of Title 17 GCA; to amend § 31111 of Title 17 GCA; to amend § 31112 of Title 17 GCA; to repeal § 31118 of Title 17 GCA; to amend § 31119 of Title 17 GCA; to repeal subsection (C) of § 31116 of Title 17 GCA; to amend Article 1 of Chapter 32 of Title 17 GCA; to repeal § 31104 of Title 17 GCA; to renumber Article 3, Chapter 32 of Title 17 GCA to Division 5 of Title 17 GCA relative to the Guam Community College.

- Bill No. 177-31 (LS) - A.A. Yamasan, Ph.D. / A.B. Pabalan, Ed.D. - An act to add a new § 31113.3 of Article 3, Chapter 3, Title 17, Guam Code Annotated relative to creating a public school programs-School-Career-Readiness. Bill No. 177-31 (LS) has been removed from the public files as available at the request of Senator Yamasan.

Comments can be submitted in person to the Office of Speaker Judith T. Won Pat, Ed.D. through email at judith.wonpat@legis.gov.gu or through facsimile at 472-1589. Copies of the bill are available at <http://www.legis.gov.gu>

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Abbreviations:

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HR: Host receive

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PR: Polled remote

MS: Mailbox save

MP: Mailbox print

CP: Completed

FA: Fail

TU: Terminated by user

TS: Terminated by system

RP: Report

G3: Group 3

EC: Error Correct



OFFICE OF THE SPEAKER JUDITH T. WON PAT, Ed.D.

CHAIRPERSON OF THE COMMITTEE ON EDUCATION AND PUBLIC LIBRARIES

VICE CHAIR

COMMITTEE ON TOURISM,
MUNICIPAL AFFAIRS,
HOUSING AND
RECREATION

May 10, 2011 – 2:00 p.m.

Public Hearing Agenda

COMMITTEE ON
TAXATION,
APPROPRIATIONS, PUBLIC
DEBT, BANKING,
INSURANCE, RETIREMENT
AND LAND

- The appointment of Richard P. Sablan to serve as a member of the Guam Community College, Board of Trustees
- The appointment of Antoinette D. Sanford to serve as a member, University of Guam Board of Regents

COMMISSIONER

GUAM COMMISSION ON
DECOLONIZATION

GUAM FIRST
COMMISSION

- Bill No. 6-31 (LS) - J.P. Guthertz, DPA - An act to amend § 31109 of Chapter 31 Title 17 Guam Code Annotated and § 3112 of Chapter 3 Title 17 GCA, relative to career and technical education programs at Department of Education schools through the Guam Community College; and to add a new sub section 31114.1 to Chapter 31 Title 17, GCA relative to reestablishing the operation of an independent, fully functioning career and technical education high school institute in Guam apart of the secondary division of GCC.

VICE PRESIDENT

ASSOCIATION OF
PACIFIC ISLAND
LEGISLATURES
(APIL)

- Bill No. 150-31 (COR) - V.A. Ada / A.A. Yamashita, Ph.D. - An act to amend Paragraph (16) of §3103(c) of 17 GCA relative Department of Education Management Audits.

BOARD MEMBER

PACIFIC RESOURCES FOR
EDUCATION
AND LEARNING
(PREL)

- Bill No. 161-31 (COR) - B.J.F. Cruz - An act to amend 17 GCA §27003; relative to the removal of members of the Guam Commission of Educator Certification.

LEGISLATIVE REPRESENTATIVE

PACIFIC ISLAND
DEVELOPMENT BANK
(PIDB)

- Bill No. 176-31 (LS) - J.T. Won Pat, Ed.D. / T.R. Muna-Barnes - An act to amend items (2) and (4) of §30102 of Title 17 GCA; to amend item (4) of §30103 of Title 17 GCA; to amend §31102 of Title 17 GCA; to repeal §31102.1 of Title 17 GCA; to amend §31107 of Title 17 GCA; items (2) and (6) of §31108 of Title 17 GCA; to amend item (5) of §31110 of Title 17 GCA; to amend §31111 of Title 17 GCA; to amend §31112 of Title 17 GCA; to repeal §31115 of Title 17 GCA; to repeal subsection (C) of §31116 of Title 17 GCA; to amend Article 1 of Chapter 32 of Title 17 GCA; to repeal §33104 of Title 17 GCA; to renumber Article 3, Chapter 32 of Title 17 GCA to Division 5 of Title 17 GCA, relative to the Guam Community College.

FESTIVAL OF THE
PACIFIC ARTS
(FESTPAC)

- Bill 177 -31 has been removed from the agenda at the request of the author Senator Yamashita.

MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 161-31 (cov)

Introduced by:

B.J.F. Cruz



**AN ACT TO AMEND 17 GCA § 27003; RELATIVE TO THE
REMOVAL OF MEMBERS OF THE GUAM COMMISSION
OF EDUCATOR CERTIFICATION.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent.

I Liheslaturan Guahan finds that 5 GCA § 43106 states, "Unless the provisions of law governing the removal from a particular board or commission are to the contrary, the unexcused absences of a member of a board or commission from three consecutive regular meetings of the board or commission shall constitute a cause for removal of the member from the board or commission, and the Governor may thereupon remove such a member from the board or commission."

I Liheslatura finds the Guam Commission for Educator Certification (GCEC) was created by Public Law 29-073, which also provided for a provision governing the removal of members from that Commission. 17 GCA § 27003(e), as added by Public Law 29-073, states "(If a member is absent from any four (4) regularly scheduled meetings in any calendar year, his or her office as a member of the Commission shall be deemed vacant."

I Liheslatura further finds that while 5 GCA § 43106 permits the Guam Commission for Educator Certification enabling legislation provide its own

1 provision for the removal of members based on four absences from regular
2 meetings, there is a gross disparity between the treatment of members of the GCEC
3 and members of other boards and commissions in that regard. GCEC members are
4 subject to removal after four absences, whereas members of most other boards and
5 commissions are deemed to have provided cause for removal by the Governor after
6 three unexcused and *consecutive* absences.

7 It is the intent of *I Liheslatura* to end this disparity by amending 17 GCA §
8 27003 so that the Guam Commission for Educator Certification is then fully
9 subject to the same law governing the removal from office for absences applied to
10 all boards and commissions government-wide.

11 **Section 2.** 17 GCA § 27003 is hereby *amended* to read:

12 **“§ 27003. Guam Commission for Educator Certification.**

13 (a) There is hereby established the Guam Commission for Educator
14 Certification to consist of seven (7) voting members appointed by *I*
15 *Maga'lahaen Guåhan* with the advice and consent of *I Liheslaturan Guåhan*,
16 as specified in subsections (1) to (5), inclusive. The Commission shall
17 consist of the following members:

18 (1) a classroom teacher employed in a public school;

19 (2) an administrator (principal or assistant principal) employed
20 in a public school;

21 (3) a guidance counselor employed in a public school;

22 (4) two (2) members who possess a terminal degree in the
23 subject of education from an accredited college or university which,
24 as used herein, means an institution that is accredited by a United
25 States accrediting body recognized by the Council on Higher
26 Education Accreditation (CHEA) or its successor, or an equivalent
27 foreign college or university; and

1 (5) two (2) members appointed from the community at large.

2 (b) Appointments to the Commission shall be made without regard to
3 the race, color, disability, sex, religion, age, or national origin of the person
4 appointed.

5 (c) A Commission member is immune from civil suit for any act
6 performed in good faith in the execution of duties as a Commission member.

7 (d) Members shall serve a term of three (3) years and may be
8 reappointed, provided that the member continues to meet the employment
9 criteria in the event that such member was appointed to fill a seat on the
10 Commission pursuant to Items (1), (2) and (3) of Paragraph (a), supra.

11 (e) If a member is appointed pursuant to Items (1), (2) and (3) of
12 Paragraph (a), supra, and ceases to be employed as such, that member shall
13 be considered to have vacated his or her seat effective on the date that such
14 employment was terminated. ~~If a member is absent from any four (4)~~
15 ~~regularly scheduled meetings in any calendar year, his or her office as a~~
16 ~~member of the Commission shall be deemed vacant.~~ The Chairperson of the
17 Commission shall forthwith notify *I Maga'lahi* that the vacancy exists

18 (f) The Superintendent of Education or his designee, the Chairman of
19 the Guam Education Policy Board or his designee, the President of the
20 Guam Community College or his designee, and the President of the
21 University of Guam or his designee, shall serve as ex-officio member,
22 without vote in proceedings of the Commission.”