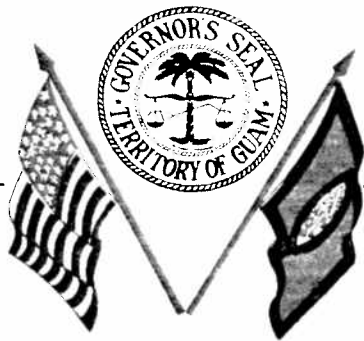




Territory of Guam
Territorio Guam

OFFICE OF THE GOVERNOR
UTINAN I MAGA LAHI
AGANA, GUAM 96910 U.S.A.

REFER TO
LEGISLATIVE SECRETARY

RECEIVED
OFFICE OF THE SPEAKER
DATE: DEC 03 1993
TIME: 4:00 PM
REC'D BY: [Signature]

DEC 02 1993

The Honorable Joe T. San Agustin
Speaker, Twenty-Second Guam Legislature
155 Hesler Street
Agana, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 541 which I have signed into law this date as
Public Law 22-54.

Sincerely yours,

A handwritten signature in cursive script, reading "Frank F. Blas".

FRANK F. BLAS
Governor of Guam,
Acting

220434

Attachment

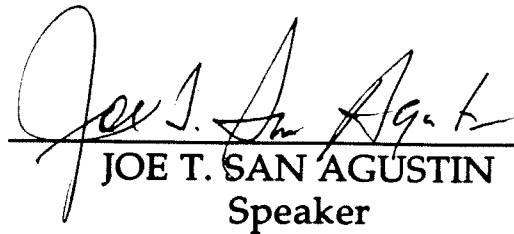


Commonwealth Now!

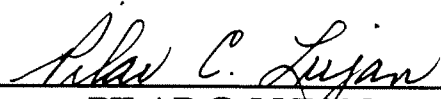
TWENTY-SECOND GUAM LEGISLATURE
1993 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

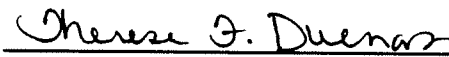
This is to certify that Substitute Bill No. 541 (LS), "AN ACT TO ADD A NEW §4119 TO TITLE 4, GUAM CODE ANNOTATED, ON MILITARY LEAVES OF ABSENCE," was on the 19th day of November, 1993, duly and regularly passed.


JOE T. SAN AGUSTIN
Speaker

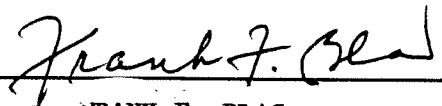
Attested:


PILAR C. LUJAN
Senator and Legislative Secretary

This Act was received by the Governor this 24th day of November,
1993, at 10:10 o'clock A.M.


Assistant Staff Officer
Governor's Office

APPROVED:


FRANK F. BLAS
Governor of Guam
Acting
DEC 02 1993

Date: _____

Public Law No. 22-54

**TWENTY-SECOND GUAM LEGISLATURE
1993 (FIRST) Regular Session**

Bill No. 541 (LS)

**As amended by the Committee on
General Governmental Operations
and Micronesian Affairs and as
substituted by the Committee on Rules**

Introduced by:

**T. C. Ada
V. C. Pangelinan
J. T. San Agustin
T. S. Nelson
C. T. C. Gutierrez
H. D. Dierking
J. P. Aguon
E. P. Arriola
M. Z. Bordallo
P. C. Lujan
D. Parkinson
E. D. Reyes
F. E. Santos
D. L. G. Shimizu
J. G. Bamba
A. C. Blaz
D. F. Brooks
F. P. Camacho
M. D. A. Manibusan
T. V. C. Tanaka
A. R. Unpingco**

**AN ACT TO ADD A NEW §4119 TO TITLE 4, GUAM
CODE ANNOTATED, ON MILITARY LEAVES OF
ABSENCE.**

- 1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:**
2 Section 1. Legislative finding and intent. The Legislature finds that

1 government of Guam employees who are members of the various branches of
2 the Guam National Guard and Reserves perform essentially the same
3 Federal missions on behalf of the people of Guam, and therefore should be
4 treated equally when undergoing Federal active duty or training.

5 Section 2. §4119 is added to Title 4, Guam Code Annotated, to read:

6 "§4119. **Military leaves of absence: National Guard or**
7 **Reserves.** All employees of the government of Guam who are members
8 of the reserve components of the Departments of Defense or
9 Transportation, including but not limited to the United States Army, the
10 United States Navy, the United States Marine Corps, the United States
11 Air Force, the Army National Guard, the Air National Guard, and the
12 United States Coast Guard, shall be entitled to leaves of absence from
13 their respective duties with the government of Guam without losses of
14 time or efficiency ratings on all days during which they are engaged in
15 active military duty ordered or authorized under the laws of the United
16 States. Such employees shall be entitled to leave with pay while
17 performing such duty not to exceed fifteen (15) working days per
18 government of Guam fiscal year."



SENATOR TED S. NELSON

CHAIRMAN

Committee on General Governmental Operations and Micronesian Affairs
Twenty-Second Guam Legislature

November 8, 1993

VICE CHAIRPERSON:

Committee on Housing
and Community
Developments

MEMBER:

Committee on Rules

Committee on Ways
and Means

Committee on Water
Utilities, Electronic
Communications

Committee on Economic-
Agricultural Development,
and Insurance

Honorable Joe T. San Agustin
Speaker
21st Guam Legislature
155 Hessler Street
Agana, Guam 96910

Dear Mr. Speaker:

The Committee on General Governmental Operations and Micronesian Affairs, to which was referred **Bill No. 541** (*An Act to add a new §4119 (Military Leases of Absence) to Title 4 GCA, Chapter 4.*) has had the same consideration and now wishes to report back the same with the recommendation to do pass.

The Committee votes are as follows:

To do pass	<u>10</u>
Not to pass	<u>0</u>
To place in inactive file	<u>0</u>
Abstain	<u>0</u>

A copy of the Committee Report and other pertinent documents are enclosed for your reference and information.

Sincerely,



TED S. NELSON

Enclosures

**COMMITTEE ON GENERAL GOVERNMENTAL OPERATIONS
AND MICRONESIAN AFFAIRS
TWENTY-SECOND GUAM LEGISLATURE
155 Hessler Street, Agana, Guam 96910**

COMMITTEE REPORT

ON

BILL NO. 541

*An Act to add a new §4119 (Military Leases of
Absence) to Title 4 GCA, Chapter 4.*

COMMITTEE MEMBERS:

Chairman: Ted S. Nelson

Vice-Chairman: Edward D. Reyes

Ex-Officio Member: Speaker Joe T. San Agustin

Thomas C. Ada

Herminia D. Dierking

Carl T.C. Gutierrez

Vicente C. Pangelinan

Francis E. Santos

J. George Bamba

Anthony C. Blaz

Felix P. Camacho

Marilyn D.A. Manibusan

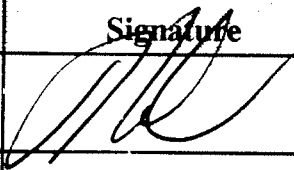
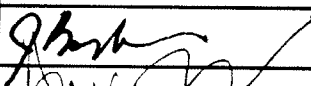
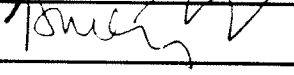
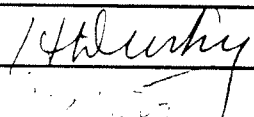
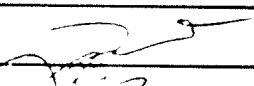
Thomas V.C. Tanaka

**COMMITTEE ON GENERAL GOVERNMENTAL OPERATIONS
AND MICRONESIAN AFFAIRS**

VOTE SHEET ON BILL NO. 541

*An Act to add a new §4119 (Military Leaves of Absence) to Title 4 GCA,
Chapter 4*

RECOMMENDATION TO DO PASS AS AMENDED

Committee Members	Signature	To Do Pass	Not to Pass	To Report Out Only	To Place in the Inactive File
Senator Ted S. Nelson <i>Chairman</i>		☒	☐	☐	☐
Senator Edward D. Reyes <i>* Vice-Chairman</i>		☒	☐	☐	☐
Speaker Joe T. San Agustin <i>* Ex-Officio Member</i>		☒	☐	☐	☐
Senator Thomas C. Ada		☒	☐	☐	☐
Senator J. George Bamba		☒	☐	☐	☐
Senator Anthony C. Blaz		☒	☐	☐	☐
Senator Felix P. Camacho		☐	☐	☐	☐
Senator Herminia D. Dierking		☒	☐	☐	☐
Senator Carl T.C. Gutierrez		☒	☐	☐	☐
Senator Marilyn D.A. Manibusan		☐	☐	☐	☐
Senator Vicente C. Pangelinan		☒	☐	☐	☐
Senator Francis E. Santos		☒	☐	☐	☐
Senator Thomas V.C. Tanaka		☐	☐	☐	☐

**TWENTY-SECOND GUAM LEGISLATURE
1993 (FIRST) Regular Session**

Bill No. 541

As amended by the
Committee on General Governmental
Operations & Micronesia Affairs.

Introduced By:

T.C. Ada
V.C. Pangelinan
J.T. San Agustin
T.S. Nelson

**AN ACT TO ADD A NEW §4119 (MILITARY
LEAVES OF ABSENCE) TO TITLE 4 GCA
CHAPTER 4.**

Section 1. Legislative Finding and Intent.

(a) The Legislature finds that Government of Guam employees, who are members of the various branches of the Guam National Guard and Reserves, perform essentially the same federal missions on behalf of the people of Guam, and therefore should be treated equally when pertaining to federal active duty or training.

Section 2. A new Section 4119 is added to Title 4, Guam Code Annotated, Chapter 4, to read:

"§4119. Military Leaves of Absence; National Guard / Reserves. All employees, classified , unclassified, or elected , of the government of Guam who are members of the reserve components of the Department of Defense or United States Department of Transportation to include but not limited to the United States Army, United States Navy, United States Marine Corp, United States Air Force, the Army and Air National Guard of the United States, and the United States Coast Guard, shall be entitled to leaves of absence (herein after known as military leave) from their respective duties without loss of time or efficiency rating on all days during which they shall be engaged in active duty ordered or authorized under the laws of the United States. The employees shall be entitled to leave with pay while performing such duty not to exceed fifteen (15) working days per Government of Guam fiscal year"

**COMMITTEE ON GENERAL GOVERNMENTAL OPERATIONS
AND MICRONESIAN AFFAIRS
TWENTY-SECOND GUAM LEGISLATURE
155 Hessler Street, Agana, Guam 96910**

COMMITTEE REPORT

ON

BILL NO. 541

*An Act to add a new §4119 (Military Leaves of
Absence) to Title 4 GCA, Chapter 4.*

COMMITTEE MEMBERS:

Chairman: Ted S. Nelson

Vice-Chairman: Edward D. Reyes

Ex-Officio Member: Speaker Joe T. San Agustin

Thomas C. Ada

Herminia D. Dierking

Carl T.C. Gutierrez

Vicente C. Pangelinan

Francis E. Santos

J. George Bamba

Anthony C. Blaz

Felix P. Camacho

Marilyn D.A. Manibusan

Thomas V.C. Tanaka

COMMITTEE REPORT

BILL NO. 541

AN ACT TO ADD A NEW §4119 (MILITARY LEAVES OF ABSENCE) TO TITLE 4 GCA CHAPTER 4.

I. BACKGROUND

Bill No. 541 amends Title 4, Guam Code Annotated, Chapter 4, by adding a new §4119, for the purpose of clarifying the application of entitlements for Military Leaves of Absence, for persons serving in the National Guard or reserve components (Reserves).

A Public Hearing was held on Thursday, October 28, 1993, at 7:00 p.m., in the Sinajaña Community Center.

Committee Members Present:

**Ted S. Nelson, Chairman
Thomas C. Ada
Vicente. C. Pangelinan**

Other Senators present:

Francis E. Santos

All testimony received by the Committee was favorable to the passage of Bill No. 541, with the inclusion of minor revisions, as recommended by those testifying. Whereas, the Committee found the recommendations to be appropriate, said changes have been included in Bill No. 541, as amended.

II. SUMMARY OF TESTIMONY

Testifying:

**LTC Robert W. Pearson
Judge Advocate
Guam National Guard**

**Robert B. Aguon
Acting Executive Director
Civil Service Commission**

Lt. Colonel Pearson stated that he was in **full support** of the bill with the recommendation of certain changes. Stated that the Guard

needs parity with their peers in the reserves relative to military leaves of absence. Expressed concerns that the original bill would make changes to Chapter 63 that would be inappropriate. Pointed out that Chapter 63 is the enacting legislation for the Guard and that the Committee should avoid mixing policies. Suggested a minor amendment be made to the proposed new §4119 relative to providing for leaves of absence for reservists.

Ronald B. Aguon supported Bill No. 541 but concurred with Lt. Col. Pearson as to the need for minor changes to the proposed new §4119. Mr. Aguon pointed out that the proposed changes to Title 10, Guam Code Annotated, Chapter, were undesirable due to the fact that Chapter 63 is applicable to the Guam National Guard. Policies for the Reserves should be limited to, and contained within, the proposed new §4119.

Citing the fact that Guam residents often called upon to perform reserve duty, it is necessary to provide for their equitable and fair treatment relative to leaves of absence for military duty. Mr. Aguon stated his full support of providing military leaves of absence for the members of the reserves.

III. FINDINGS

The Committee finds it appropriate to make equitable the application of leave policies relative to military leaves of absence for members of the reserves, as provided for in Bill No. 541, as amended. However, the Committee found that the proposed changes to Chapter 63 should be deleted, and that minor amendments, to the proposed new §4119, were necessary.

The Committee referred the bill to its author, Senator Tom Ada, who made the appropriate changes.

IV. RECOMMENDATION

The Committee on General Governmental Operations & Micronesian Affairs hereby reports out Bill No. 541 to the Twenty-Second Guam Legislature with the recommendation **TO DO PASS Bill No. 541, as amended.**



GOVERNMENT OF GUAM

CIVIL SERVICE COMMISSION KUMISION I SETBISION SIBIT

Century Plaza, 2nd Floor, Upper Tamuning
P.O. Box 3156, Agana, Guam 96910
Tel: (671) 649-4272, 649-7955/57 • Fax: (671) 649-1272



CSC NO. 94-056

OCT 28 1993

Senator Ted S. Nelson
Chairperson
Committee on General
Governmental Operations &
Micronesian Affairs
Twenty-Second Guam Legislature
297 West O'Brien Drive
Agana, Guam 96910

RE: Bill No. 541: An Act To Add A New §4119 To Title 4 GCA Chapter 4, To Add A New Subsection (h) To §63101 (Definitions), Title 10 GCA Chapter 63, And To Amend §63106 (Leaves of Absence) of Title 10 GCA Chapter 63.

Dear Senator Nelson:

The Civil Service Commission appreciates the opportunity to provide written testimony on Bill No. 541.

The Commission supports the aforementioned bill. Its passage will provide equity between the Guam National Guard and other Reserve forces. The following comments are provided for consideration.

Reserve Components of the U.S. Department of Defense (DOD) consists of both Reserves and National Guard units. The Commission believes the intent of the bill would be best applied if §4119 is changed to read: "Leaves of Absence; U.S. Department of Defense Reserve Components.

Some residents of Guam are members of Reserve Component units outside of Guam. This is because of special qualifications, nonavailability of positions, and other reasons. Examples include officers of the Army, Marine, and Naval Reserves assigned to units in Hawaii. Amending the title of §4119 would encompass all members of Reserve Components residing on Guam.

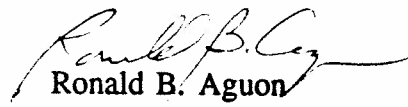


Commonwealth Now!

Chapter 63, 10 GCA, is specific to the Guam National Guard (GUARNG). A leave policy in Chapter 63 concerning other reserve forces is inappropriate since it does not apply to them. The commission recommends that the definition of Reserves be placed under §4119, 4 GCA.

§63106, 10 GCA was amended by P.L. 21-146:2. Bill No. 541 incorrectly proposes a change to §63106 as it reads prior to the amendment. In essence, Bill No. 541 moves the provisions of §63106, 10 GCA, to §4119, 4 GCA. The Commission recommends that the verbiage used in P.L. 21-146:2 be incorporated into §4119. A copy of P.L. 21-146 is attached.

The Civil Service Commission supports Bill No. 541 and the equality it provides the members of DOD Reserve Components.


Ronald B. Aguon
Acting Executive Director



Commonwealth Now!

**Department of Military Affairs
Office of the Territory Judge Advocate
622 E. Harmon Industrial Park Road
Fort Juan Muna, Tamuning, Guam 96912-4421**

**Senator Ted S. Nelson
Chairperson
Committee on General
Governmental Operations &
Micronesian Affairs
Twenty-Second Guam Legislature
155 Hesler
Agana, Guam 96910**

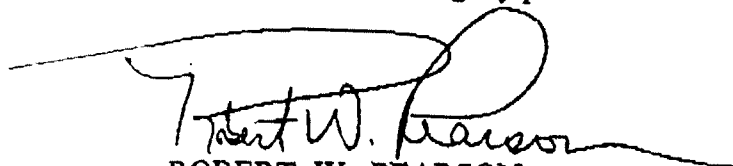
RE: Bill No. 541: An Act To Add A New §4119 To Title 4 GCA Chapter 4.

Dear Senator Nelson:

My name is Bob Pearson. I am a Lieutenant Colonel in the Guam Army National Guard. I am the Active Guard/Reserve Judge Advocate General (Military Lawyer) and presently am the Territory Judge Advocate General (ranking Military Lawyer) for the Guam National Guard. Because the United States Army Reserve Marianas (USARM) has had to depend on 9th Corps in Hawaii for legal support I have over the past seven years provided military legal assistance to members of the USARM.

There is a need for this legislation. I applaud Senator Tom Ada, Senator V.C. Pangelinan, Senator J.T. San Agustin and Senator Nelson for recognizing the need for this legislation and taking positive action to correct a problem that has been in existence for several years.

I have worked closely with Senator Ada's Office and am in full support of Bill 541 as finally presented to the Committee by Senator Ada's Office. I have talked to the Adjutant General, BG Eduardo Duenas, and he also is full support of the Bill 541 as finally submitted to the Committee. The Committee is urged to report out Bill 541 favorably and for the Senate to pass of this legislation as soon as legally practical.


ROBERT W. PEARSON
LTC JA GUARNG
AGR JUDGE ADVOCATE GENERAL

Guam Army National Guard
Facsimile Cover Sheet



Guam National Guard
FAX Numbers: 5811
671 649-2800/1020
Secure FAX: 671 646-1601

To: Senator Ada

Office Symbol: _____

Telephone Number: 477-7281

From: LTC Robert Pearson

Office Symbol: _____

Telephone Number: 647-2719

Date Sent: 1 Nov 93

Notes: _____

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Territory of Guam
Territorio Guam

OFFICE OF THE GOVERNOR
L'FISINAN I MAGA'LANI
AGANA, GUAM 96910 U.S.A.

RECEIVED
OFFICE OF THE SPEAKER
DATE: 1/26/93
TIME: 1:45 PM
RECD BY: [Signature]

JAN 26 1993

REFER TO
LEGISLATIVE SECRETARY

The Honorable Joe T. San Agustin
Speaker, Twenty-First Guam Legislature
155 Hesler Street
Agana, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 960 which was signed into law as Public Law
21-146.

Sincerely yours,


FRANK F. BLAS
Governor
Acting

211033

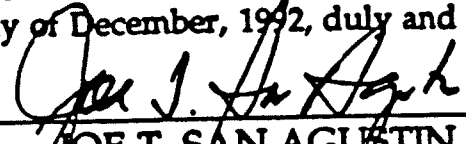
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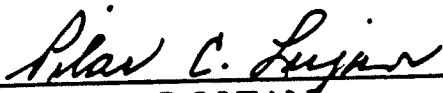
TWENTY-FIRST GUAM LEGISLATURE
1992 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

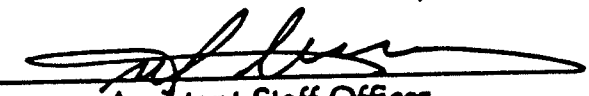
This is to certify that Substitute Bill No. 960 (LS), "AN ACT TO ENACT THE GUAM SHELTER ACT, WHICH AUTHORIZES GUAM HOUSING CORPORATION TO CONSTRUCT AT LEAST TWO HUNDRED RENTAL UNITS AND GIVING A PRIORITY FOR RENTAL OF SUCH UNITS BY VICTIMS OF TYPHOON OMAR; MAKING AN APPROPRIATION FOR CONSTRUCTION OF INFRASTRUCTURE IN THE DEDEDO AND IJA, INARAJAN SUBDIVISIONS; MAKING THE DEDEDO LOTS AVAILABLE FOR CERTAIN LANDLESS, HOMELESS VICTIMS OF TYPHOON OMAR; REZONING THE PROPERTY; AMENDING §63106 AND SUBPARAGRAPH (D) OF §63500 ON LEAVES OF ABSENCE AND PAY FOR GUAM NATIONAL GUARDSMEN; EXTENDING TEMPORARY EMPLOYMENT FOR PROCESSING TYPHOON CLAIMS; MAKING AN APPROPRIATION FOR THE HOUSING MASTER PLAN; MAKING ALL SOUL'S DAY A TERRITORIAL HOLIDAY; AND INCREASING THE FINE FOR LITTERING," was on the 31st day of December, 1992, duly and regularly passed.


JOE T. SAN AGUSTIN
Speaker

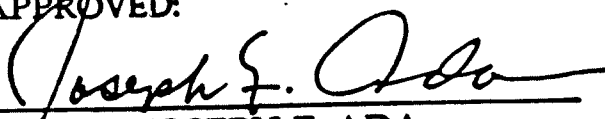
Attested:


PILAR C. LUJAN
Senator and Legislative Secretary

This Act was received by the Governor this 2 day of JANUARY 1993, at
7:45 o'clock P.M.


Assistant Staff Officer
Governor's Office

APPROVED:


JOSEPH F. ADA
Governor of Guam

Date: January 12, 1993

Public Law No. 21-146

**TWENTY-FIRST GUAM LEGISLATURE
1992 (SECOND) Regular Session**

Bill No. 960 (LS)

As substituted by the Committee on
Ways and Means and Committee on
Housing, Community Development,
Federal and Foreign Affairs and as further
substituted by the Committee on Rules

Introduced by:

Committee on Rules
At the request of the Governor

**AN ACT TO ENACT THE GUAM SHELTER ACT, WHICH
AUTHORIZES GUAM HOUSING CORPORATION TO
CONSTRUCT AT LEAST TWO HUNDRED RENTAL UNITS
AND GIVING A PRIORITY FOR RENTAL OF SUCH UNITS BY
VICTIMS OF TYPHOON OMAR; MAKING AN
APPROPRIATION FOR CONSTRUCTION OF
INFRASTRUCTURE IN THE DEDEDO AND IJA, INARAJAN
SUBDIVISIONS; MAKING THE DEDEDO LOTS AVAILABLE
FOR CERTAIN LANDLESS, HOMELESS VICTIMS OF
TYPHOON OMAR; REZONING THE PROPERTY; AMENDING
§63106 AND SUBPARAGRAPH (D) OF §63500 ON LEAVES OF
ABSENCE AND PAY FOR GUAM NATIONAL GUARDSMEN;
EXTENDING TEMPORARY EMPLOYMENT FOR
PROCESSING TYPHOON CLAIMS; MAKING AN
APPROPRIATION FOR THE HOUSING MASTER PLAN;
MAKING ALL SOUL'S DAY A TERRITORIAL HOLIDAY; AND
INCREASING THE FINE FOR LITTERING.**

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

2 Section 1. (a) Short title. This section shall be known as "The Guam
3 Shelter Act".

4 (b) Authorization. The Governor of Guam is authorized to transfer Lot
5 No. 10119-12, Dededo, containing an area of approximately 34.8 acres, as
6 shown on Drawing DLM Sketch No. 1724 (the "Property"), to the Guam

1 Housing Corporation to develop no less than two hundred (200) moderately
2 priced multi-family, multi-story housing rental units. Any remaining portion
3 of the Property shall be developed and used for public parks, open spaces and
4 recreational facilities.

5 Without further legislative authority, the Guam Housing Corporation
6 and the Guam Rental Corporation are authorized to borrow such sums as
7 may be necessary for construction of the units and may secure such loans with
8 any real property owned by either corporation. First preference for rental of
9 the units so developed shall be given to persons who are landless and who
10 have been verified homeless as a result of Typhoon Omar or subsequent
11 typhoon. Second preference for rental of the units so developed shall be
12 given to persons who are landless.

13 (c) Amendment to P.L. 21-60. Subsection (b) of §9 of Public Law 21-60,
14 as amended by Public Law 21-72, is further amended to read:

15 "(b) All U.S. citizens and/or permanent resident aliens who
16 are legal residents of Guam, are landless and are living upon
17 government land pursuant to a valid Land Use Permit who were
18 rendered and verified homeless as a result of Typhoons Russ, Yuri
19 or Omar, whose disaster relief loan applications were approved
20 and are pending with the U.S. Small Business Administration or
21 who have been approved for participation in a housing assistance
22 program administered by the Federal Emergency Management
23 Administration and are willing to relocate to the subdivision sites
24 established herein shall be given second preference."

25 (d) Limitation to five-year residents. No U.S. citizen or permanent
26 resident alien, at least eighteen (18) years of age, shall be eligible for the
27 benefits provided in Sections 1, 2 or 3 of this Act who has not been domiciled

1 in Guam for a minimum of five (5) years immediately preceding such person's
2 application for benefits.

3 (e) Housing Trust Fund. The rents charged by the Guam Housing
4 Corporation to lessees of the rental units authorized by this section shall be
5 held in a separate, restricted trust account, and the funds held in such trust
6 account shall be used for only the following purposes:

7 (i) Repairs and maintenance of the rental units.

8 (ii) As a source of funds to obtain financing for the construction
9 of additional low or moderately priced housing units.

10 (f) Appropriation for infrastructure for subdivisions. Nine Million
11 Dollars (\$9,000,000) are hereby appropriated from the unappropriated bond
12 proceeds or earnings in the construction funds of the following bonds: The
13 1985 Highway Bond, the 1989 Water Bond, the 1989 Infrastructure Bond and
14 the 1992 Highway Bond to the Department of Public Works, to construct on-
15 site infrastructure in the Dededo subdivision created pursuant to Subsection
16 (d) of §7 of Public Law 21-60, as amended by Public Law 21-72, and in the Ija,
17 Inarajan subdivision. The on-site infrastructure shall include water and
18 sewer lines, power lines, and roadways in Dededo and water lines, power
19 lines and roadways in Ija, Inarajan. Sidewalks, curbs and gutters shall be
20 required in these two (2) subdivisions.

21 (g) Rules for rental units. The Guam Housing Corporation is
22 authorized to establish rules and regulations relative to the rental units
23 authorized in this section in accordance with the Administrative Adjudication
24 Law.

25 (h) Property rezoned. The Property is hereby rezoned from
26 Agricultural ("A") to Multi-Family Residential ("R-2").

1 (i) Severability. If any part or application of this section is held invalid,
2 the remainder, or its application to other situations or persons, shall not be
3 affected.

4 Section 2. §63106 of Title 10, Guam Code Annotated, is amended to
5 read:

6 "§63106. Leaves of absence. All officers and employees of
7 the government of Guam who are members of the Guam
8 National Guard shall be entitled to leaves of absence from their
9 respective duties without loss of time or efficiency rating on all
10 days during which they shall be engaged on duty ordered or
11 authorized under the laws of the United States or under this
12 Chapter. The officers and employees shall be entitled to leave
13 with pay for such active duty not to exceed fifteen (15) workdays
14 per fiscal year, and thereafter the officers and employees shall
15 receive leave without pay. Leave under this section accrues for an
16 employee or individual at the rate of fifteen (15) workdays per
17 fiscal year and, to the extent not used in a fiscal year, accumulates
18 in the succeeding fiscal year until it totals fifteen (15) days at the
19 beginning of a fiscal year.

20 Section 3. (a) Subparagraph (D) of §63500 of Title 10, Guam Code
21 Annotated, is amended to read:

22 "(D) All members of the Guam National Guard shall
23 receive pay as set out in §63502 of this Chapter, but in no case
24 shall the total pay and allowances received be less, unless waived
25 by the guard member or unless the guard member's employer
26 authorizes leave, other than annual leave, with pay, than that
27 earned at the guard member's civilian employment for a normal

1 eight (8) hour day for each day or fraction served on Territorial
2 Active Duty under the provisions of this Chapter unless such pay
3 exceeds the current government of Guam per diem allowance as
4 set out in §23104(A)(1), Title 5, Guam Code Annotated, in which
5 event, members of the Guam National Guard who are ordered or
6 called into service of the territory will not receive more than the
7 per diem allowance existing at the time of such territorial duty. If
8 the per diem allowance is less than military pay and allowances,
9 the guard member shall receive military pay and allowances. It
10 shall be the responsibility of the guard member to furnish his or
11 her unit commander documentation of his or her civilian salary
12 for a normal eight (8) hour day. The unit commander shall certify
13 days or fractions thereof served on territorial active duty and
14 documentation of the normal eight (8) hour day civilian salary, if
15 any, and forward the same to the office of the Adjutant General
16 or his designee for approval and calculation of territorial active
17 duty pay. Calculations approved by the Adjutant General or his
18 designee shall be forwarded to the Department of Administration
19 for payment. The calculation shall determine the daily amount of
20 military pay as set out in §63502 of this Chapter and the civilian
21 pay a guard member would have earned in a normal eight (8)
22 hour day. If the civilian pay is greater the guard member, unless
23 he or she declines the differential, shall receive the military pay
24 plus the difference between the military pay and the civilian pay
25 for each day or fraction thereof. Methods of determining normal
26 eight (8) hour daily pay calculations for various civilian business,
27 to include but not be limited to sole proprietorships, partnerships,

1 and corporations, or employments and methods of pay, including
2 government and private sector civilian jobs, shall established by
3 the Adjutant General."

4 (b) Retroactive. The provisions of this section shall be retroactive for
5 members of the Guam National Guard who were ordered to and served any
6 territorial active duty from August 29, 1992 to October 31, 1992.

7 Section 4. (a) Legislative statement. The Guam Legislature has been
8 informed that the Individual and Family Grant Program, a fully funded
9 federal program, continues to process cases for assistance to individuals and
10 families who suffered damage and losses due to Typhoon Omar. To date,
11 approximately 5,000 of 12,500 cases have been processed with over \$7,000,000
12 in assistance having been extended. To continue this much needed
13 processing, the Governor has requested the Legislature to extend, for a
14 period of one hundred twenty (120) days, the authorization for temporary
15 employees utilized in the processing, first granted in Section 2(b) of Public
16 Law 21-134. As the program is federally funded in its entirety, the Legislature
17 concurs with the desirability of the extension request.

18 (b) Extension. An extension of one hundred twenty (120) days, up to
19 April 30, 1993, for ten (10) temporary employees, employed pursuant to the
20 provisions of Section 2(b) of Public Law 21-134, for the administration of the
21 Individual and Family Grant Program is hereby granted.

22 Section 5. Appropriation for master plan. Nine Hundred Eighty
23 Thousand Dollars (\$980,000) are hereby appropriated from the General Fund
24 to the Guam Housing Corporation to complete the master plan described in
25 Section 9 of Public Law 21-99.

26 Section 6. (a) Legislative findings. The Legislature finds that the
27 observance of All Soul's Day is a deeply-rooted Guam tradition and an

1 integral part of the cultural heritage of the people of Guam, the observation
2 of which serves to strengthen family ties and promote respect for the memory
3 of one's ancestors.

4 (b) Creation of holiday. §1000 of Title 1, Guam Code Annotated, is
5 hereby amended to read as follows:

6 "§1000. Holidays. The holidays of this Territory are:

- 7 1. Every Sunday.
- 8 2. Christmas Day, December 25.
- 9 3. New Year's Day, January 1.
- 10 4. President's Day, third Monday in February.
- 11 5. Good Friday.
- 12 6. Memorial Day, last Monday in May.
- 13 7. Independence Day, July 4.
- 14 8. Liberation Day, July 21.
- 15 9. Labor Day, first Monday in September.
- 16 10. Guam Discovery Day, first Monday in March.
- 17 11. All Soul's Day, November 2.
- 18 12. Veteran's Day, November 11.
- 19 13. Thanksgiving Day, fourth Thursday in November.
- 20 14. Every day on which an election is held throughout Guam,
21 except for elections to the Youth Congress.
- 22 15. Our Lady of Camarin Day, December 8.
- 23 16. Every day appointed by the President of the United States or
24 the Governor of Guam for a public fast, thanksgiving day,
25 or holiday."

26 Section 7. Increase in fine for littering. Paragraph (a) of §51207 of Title
27 10, Guam Code Annotated, is amended to read:

1 "(a) Littering and defacement shall be punishable by a fine
2 of not less than Five Hundred Dollars (\$500) nor more than One
3 Thousand Dollars (\$1,000) which shall not be suspended by the
4 Court. Additionally, any person convicted under this section may
5 be ordered to pick up and remove litter or defacement, as the case
6 may be, from a public place under the supervision of the agency,
7 or as the Court shall otherwise provided, for a period not less
8 than eight (8) hours for each offense. Furthermore, persons
9 convicted under this section may be required to pay the costs of
10 removing any litter or defacement that they caused."

**COMMITTEE ON GENERAL GOVERNMENTAL OPERATIONS
AND MICRONESIAN AFFAIRS**

Twenty-Second Guam Legislature

Chaired by

Senator Ted S. Nelson

Public/Oversight Hearing Agenda

7:00 p.m., October 28, 1993 (Thursday)

Sinajana Community Center

Bill No. 88 An Act to add §4108.1 to Chapter 4, Title 4, Guam Code Annotated, relative to granting bereavement leave for Government of Guam employees. (*Introduced by: M.Z. Bordallo*)

Bill No. 439 An Act to allow for appeal and enforcement of Civil Service Commission decision on adverse actions. (*Introduced by: T.S. Nelson*)

Bill Nos. 468 and 511 An Act to amend 4 GCA, Chapter 4, Section 4405, requiring the Civil Service Commission to appoint the Executive Director and Deputy Director. (*Introduced by: T.S. Nelson*)

Bill No. 541 An Act to add a new §4119 to Title 4 GCA Chapter 4, to add a new Subsection (h) to §63101 (Definitions), Title 10 GCA Chapter 63, and to amend §63106 (Leaves of Absence) of Title 10 GCA Chapter 63. (*Introduced by: T.S. Nelson*)

OVERSIGHT HEARING with the Department of Public Works, the Department of Land Management, Guam Power Authority and the Public Utility Agency of Guam, to provide the following:

- A. Status of infrastructure improvements for the Village of Sinajana.
- B. Status of completed, on-going and pending Capital Improvement Projects for the Village of Sinajana

**COMMITTEE ON GENERAL GOVERNMENTAL OPERATIONS
AND MICRONESIAN AFFAIRS
Twenty-Second Guam Legislature
PUBLIC HEARING
Bill Nos. 88, 439, 468/511 and 541
OVERSIGHT HEARING w/DPW, GPA and PUAG
7:00 p.m., Thursday, October 28, 1993
Sinajana Community Center**

ATTENDANCE SHEET

Committee Members	Present	Absent	Signature
Sen. Ted S. Nelson Chairman	✓		
Sen. Edward D. Reyes Vice-Chairman			
Speaker Joe T. San Agustin Ex-Officio Member			
Sen. Thomas C. Ada	✓		
Sen. J. George Bamba			
Sen. Anthony C. Blaz			
Sen. Felix P. Camacho	✗		
Sen. Herminia D. Dierking			
Sen. Carl T.C. Gutierrez			

**TWENTY-SECOND GUAM LEGISLATURE
1993 (FIRST) Regular Session**

Bill No. 541

Introduced By:

T.C. Ada *TC*

V.C. Pangelinan *VP*

J.T. San Agustin *JS*

**AN ACT TO ADD A NEW §4119 TO TITLE
4 GCA CHAPTER 4, TO ADD A NEW SUB-
SECTION (h) TO §63101 (DEFINITIONS),
TITLE 10 GCA CHAPTER 63, AND TO
AMEND §63106 (LEAVES OF ABSENCE) OF
TITLE 10 GCA CHAPTER 63.**

Section 1. Legislative Finding and Intent.

(a) The Legislature finds that Government of Guam employees, who are members of the various branches of the Guam National Guard and Reserves, perform essentially the same missions on behalf of the people of Guam, and therefore should be treated equally.

Section 2. A new Section 4119 is added to Title 4, Guam Code Annotated, Chapter 4, to read:

"§4119. Leaves of Absence; National Guard / Reserves. All employees of the government of Guam who are members of the Guam National Guard and the Reserve, as defined in Title 10, Guam Code Annotated, Chapter 63, shall be entitled to leaves of absence (herein after known as military leave) from their respective duties without loss of time or efficiency rating on all days during which they shall be engaged in Territorial or active duty ordered or authorized under the laws of the United States or under this Chapter. The employees shall be entitled to leave with pay while performing such duty not to exceed fifteen (15) working days per Government of Guam fiscal year"

Section 3. A new Sub-Section (h) is added to §63101 (Definitions), Title 10 Guam Code Annotated, Chapter 63, to read:

"(h) Reserves means the federal military forces which comprise the military reserve component of the U.S. Department of

1 Defense and the U.S. Treasury Department, e.g. the Army, Navy, Air
2 Force, and Coast Guard Reserves."

3 Section 4. §63106 (Leaves of Absence), Title 10 Guam Code
4 Annotated, Chapter 63 is amended to read:

5 "§63106. Same. Leaves of Absence. All ~~[officers and]~~
6 employees of the government of Guam who are members of the Guam
7 National Guard and the Reserve shall be entitled to leaves of absence
8 pursuant to Section 4119 of Title 4, Guam Code Annotated, Chapter 4
9 ~~[from their respective duties without loss of time or efficiency~~
10 ~~rating on all days during which they shall be engaged on duty ordered~~
11 ~~or authorized under the laws of the United States or under this~~
12 ~~Chapter. The officers and employees shall be entitled to leave with~~
13 ~~pay for such active duty not to exceed fifteen (15) days per year~~
14 ~~then the officers and employees shall receive leave without pay ———]."~~