

I Mina'trentai Ocho Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
16-38 (COR)	Sabina Flores Perez Telo T. Taitague Therese M. Terlaje Chris Barnett	AN ACT TO <i>ADD</i> A NEW ARTICLE 2 TO CHAPTER 2, TITLE 4, GUAM CODE ANNOTATED RELATIVE TO REPORTING REQUIREMENTS ON THE USE OF UNCLASSIFIED EMPLOYMENT.	1/13/25 10:33 a.m.	1/22/25	Committee on Finance and Government Operations.	Request 1/22/25 Waiver 1/29/25	4/9/25 9:00 a.m.	7/7/25	



Office of Senator Christopher M. Dueñas
CHAIRMAN, COMMITTEE ON FINANCE AND GOVERNMENT OPERATIONS

June 20, 2025

The Honorable Frank F. Blas Jr.
Speaker, *I Mina'trentai Ocho na Liheslaturan Guahan*
163 W. Chalan Santo Papa
Hågatña, Guam 96910

Via Honorable Vice Speaker V. Anthony Ada 
Chairman, Committee on Rules

RE: Committee Report on Bill No. 16-38 (COR)

Buenas yan Håfa Adai Speaker,

Transmitted herewith is the Committee Report on Bill No. 16-38 (COR) - Sabina Flores Perez, Telo T. Taitague, Therese M. Terlaje, Chris Barnett. – “AN ACT TO ADD A NEW ARTICLE 2 TO CHAPTER 2, TITLE 4, GUAM CODE ANNOTATED RELATIVE TO REPORTING REQUIREMENTS ON THE USE OF UNCLASSIFIED EMPLOYMENT.”

Committee votes are as follows:

_____ TO DO PASS
_____ TO NOT PASS
_____ 8 TO REPORT OUT ONLY
_____ TO ABSTAIN
_____ TO PLACE IN INACTIVE FILE

Senseremente,



Senator Christopher M. Dueñas
Chairman, Committee on Finance and Government Operations



COMMITTEE ON RULES

RECEIVED:

June 26, 2025 3:16 p.m.
Marie Crisostomo

OFFICE OF SENATOR CHRISTOPHER M. DUEÑAS

259 MARTYR STREET, HAGATNA GUAM 96910 | TEL: 671-989-9554 | SENATOR.DUEÑAS@GUAMLEGISLATURE.GOV

  LIKE AND FOLLOW @SENATORDUEÑAS



Office of Senator Christopher M. Dueñas
CHAIRMAN, COMMITTEE ON FINANCE AND GOVERNMENT OPERATIONS

COMMITTEE REPORT

BILL NO. 16-38 (COR)

INTRODUCED BY:

**Sen. Sabina Perez / Sen. Chris Barnett / Sen. Telo
Taitague / Sen. Therese Terlaje**

TITLE:

**AN ACT RELATIVE TO
REPORTING REQUIREMENTS ON
THE USE OF
UNCLASSIFIED EMPLOYMENT**



Office of Senator Christopher M. Dueñas

CHAIRMAN, COMMITTEE ON FINANCE AND GOVERNMENT OPERATIONS

June 20, 2025

MEMORANDUM

To: All Members
Committee on Finance and Government Operations

From: Senator Christopher M. Dueñas
Chairperson, Finance and Government Operations

Subject: Committee Report on Bill No. 16-38 (COR)

Transmitted herewith for your consideration is the Committee Report on **Bill No. 16-38 (COR)**- “Sabina Flores Perez, Telo T. Taitague, Therese M. Terlaje, Chris Barnett. – “AN ACT TO ADD A NEW ARTICLE 2 TO CHAPTER 2, TITLE 4, GUAM CODE ANNOTATED RELATIVE TO REPORTING REQUIREMENTS ON THE USE OF UNCLASSIFIED EMPLOYMENT.”

This report includes the following:

- Copy of COR Referral of Bill No. 16-38 (COR)
- Notices of Public Hearing
- Copy of the Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Copies of Submitted Written Testimony
- Committee Vote Sheet
- Committee Report Digest
- Copy of Bill No. 16-38 (COR), As Introduced
- Fiscal Note/Fiscal Note Waiver

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

Respectfully,

Senator Christopher M. Dueñas
Chairperson, Committee on Finance and Government Operations



COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson
I Mina'trentai Ocho Na Liheslaturan Guåhan
38th Guam Legislature

January 22, 2025

To: **Rennae V. C. Meno**
Clerk of the Legislature

Attorney Darleen Hiton
Legislative Legal Counsel

From: **Senator Christopher M. Dueñas** *SD*
Acting Chairperson, Committee on Rules

Subject: **Referral of Bill No. 16-38 (COR)**

Håfa Adai,

As per my authority as Acting Chairperson of the Committee on Rules and subject to §6.01(d)(1), Rule VI of our Standing Rules, I am forwarding the referral of **Bill No. 16-38 (COR)** – Sabina Flores Perez, Telo T. Taitague, Therese M. Terlaje, Chris Barnett. – “AN ACT TO *ADD* A NEW ARTICLE 2 TO CHAPTER 2, TITLE 4, GUAM CODE ANNOTATED RELATIVE TO REPORTING REQUIREMENTS ON THE USE OF UNCLASSIFIED EMPLOYMENT.”

Please ensure that the subject bill is referred to the Committee on Finance and Government Operations chaired by Senator Christopher M. Dueñas. I also request that the same be forwarded to the Prime Sponsor of the subject bill and to Management Information Services (MIS) for posting on our website.

A copy of the bill is available on our legislative website.

Should you have any questions or concerns, please feel free to contact Kamarin Nelson, Committee on Rules Director at 671-472-2461.





Senator Chris Duenas <senator.duenas@guamlegislature.gov>

FIRST NOTICE of Public Hearing on April 9, 2025

1 message

Senator Chris Duenas <senator.duenas@guamlegislature.gov>

Wed, Apr 2, 2025 at 8:14 AM

To: phnotice@guamlegislature.gov

FOR IMMEDIATE RELEASE

April 2, 2025

MEMORANDUM**To: All Senators, Stakeholders, Media****From: Senator Christopher M. Dueñas**
Chairman, Committee on Finance and Government Operations**Re: FIRST NOTICE of Public Hearing on April 9, 2025**

The Committee on Finance and Government Operations will conduct a public hearing on **Wednesday, April 9, 2025**, beginning at **9:00 am** at the Public Hearing Room in the Guam Congress Building. The agenda is as follows:

9:00 am:

- [Bill No. 69-38 \(COR\)](#) – Frank F. Blas, Jr. - AN ACT TO ADD A NEW CHAPTER 16 TO DIVISION 1 OF TITLE 5, GUAM CODE ANNOTATED RELATIVE TO REQUIREMENTS FOR FEDERAL FUNDING ACCEPTANCE.
- [Bill No. 16-38 \(COR\)](#) – Sabina Flores Perez / Telo T. Taitague / Therese M. Terlaje / Chris Barnett - AN ACT TO ADD A NEW ARTICLE 2 TO CHAPTER 2, TITLE 4, GUAM CODE ANNOTATED RELATIVE TO REPORTING REQUIREMENTS ON THE USE OF UNCLASSIFIED EMPLOYMENT.
- [Bill No. 17-38 \(COR\)](#) – Sabina Flores Perez / Telo T. Taitague / Therese M. Terlaje / Chris Barnett - AN ACT TO AMEND § 1913 OF CHAPTER 19, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO PROCEDURES FOR IMPLEMENTATION OF AUDIT RECOMMENDATIONS BY AGENCIES.

If you would like to participate in the Public Hearing listed above or submit written testimony, please contact the Office of Senator Christopher M. Dueñas for further assistance via email at senator.duenas@guamlegislature.gov or by phone at (671) 989-9554.

In compliance with Title II of the Americans with Disabilities Act (ADA), all government activities, programs, and services are accessible to individuals with disabilities. **If you or anyone you know requires assistance or special accommodations to participate in the public hearing, please contact the Office of Senator Christopher M. Dueñas at the contact information provided above.**

The Public Hearings will be broadcast LIVE on local television (GTA Channel 21, Docomo Channel 117) and streamed online through *I Liheslaturan Guåhan*'s YouTube Channel ([@guamlegislaturemedia](#)).

--



Office of Senator Christopher M. Dueñas

Chairman, Committee on Government Finance and Operations

259 Martyr St., Hagatna, Guam 96910

senator.duenas@guamlegislature.gov

(671) 989-9554

2 attachments



senator-duenas-headshot.jpg
70K



4.9.25-first-notice.pdf
444K



Office of Senator Christopher M. Dueñas

CHAIRMAN, COMMITTEE ON FINANCE AND GOVERNMENT OPERATIONS

FOR IMMEDIATE RELEASE

April 2, 2025

MEMORANDUM

To: All Senators, Stakeholders, Media

From: Senator Christopher M. Dueñas
Chairman, Committee on Finance and Government Operations

Re: FIRST NOTICE of Public Hearing on April 9, 2025

The Committee on Finance and Government Operations will conduct a public hearing on **Wednesday, April 9, 2025**, beginning at **9:00 am** at the Public Hearing Room in the Guam Congress Building. The agenda is as follows:

9:00 am:

- [Bill No. 69-38 \(COR\)](#) – Frank F. Blas, Jr. - AN ACT TO ADD A NEW CHAPTER 16 TO DIVISION 1 OF TITLE 5, GUAM CODE ANNOTATED RELATIVE TO REQUIREMENTS FOR FEDERAL FUNDING ACCEPTANCE.
- [Bill No. 16-38 \(COR\)](#) – Sabina Flores Perez / Telo T. Taitague / Therese M. Terlaje / Chris Barnett - AN ACT TO ADD A NEW ARTICLE 2 TO CHAPTER 2, TITLE 4, GUAM CODE ANNOTATED RELATIVE TO REPORTING REQUIREMENTS ON THE USE OF UNCLASSIFIED EMPLOYMENT.
- [Bill No. 17-38 \(COR\)](#) – Sabina Flores Perez / Telo T. Taitague / Therese M. Terlaje / Chris Barnett - AN ACT TO AMEND § 1913 OF CHAPTER 19, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO PROCEDURES FOR IMPLEMENTATION OF AUDIT RECOMMENDATIONS BY AGENCIES.

If you would like to participate in the Public Hearing listed above or submit written testimony, please contact the Office of Senator Christopher M. Dueñas for further assistance via email at senator.duenas@guamlegislature.gov or by phone at (671) 989-9554.

In compliance with Title II of the Americans with Disabilities Act (ADA), all government activities, programs, and services are accessible to individuals with disabilities. **If you or anyone you know requires assistance or special accommodations to participate in the public hearing, please contact the Office of Senator Christopher M. Dueñas at the contact information provided above.**

The Public Hearings will be broadcast LIVE on local television (GTA Channel 21, Docomo Channel 117) and streamed online through *I Liheslaturan Guåhan*'s YouTube Channel ([@guamlegislaturemedia](#)).

This ad was paid with funds by the Committee of Finance and Government Operations.

OFFICE OF SENATOR CHRISTOPHER M. DUEÑAS

259 MARTYR STREET, HAGATNA GUAM 96910 | TEL: 671-989-9554 | SENATOR.DUENAS@GUAMLEGISLATURE.GOV

  LIKE AND FOLLOW @SENATORDUENAS

FIRST NOTICE of Public Hearing April 9, 2025

 PRINT

FIRST NOTICE of Public Hearing April 9, 2025

PUBLIC HEARING



 **Posted on:** 04/02/2025 08:15 AM

 **Posted by:** Ashley Shinohara

 **Public Hearing Date:** 04/09/2025 09:00 AM

 **Department(s):** GUAM LEGISLATURE (/notices?department_id=92)

 **Division(s):** OFFICE OF SENATOR CHRISTOPHER M. DUENAS (/notices?division_id=267)

 **Notice Topic(s):** PUBLIC HEARING (/notices?topic_id=74)

 **Types of Notice:** PUBLIC HEARING (/notices?type_id=7)

 **For Audience(s):** PUBLIC (/notices?public=1)

 **Share this notice**

FOR IMMEDIATE RELEASE

April 2, 2025

MEMORANDUM**To: All Senators, Stakeholders, Media****From: Senator Christopher M. Dueñas**
Chairman, Committee on Finance and Government Operations**Re: FIRST NOTICE of Public Hearing on April 9, 2025**

The Committee on Finance and Government Operations will conduct a public hearing on **Wednesday, April 9, 2025**, beginning at **9:00 am** at the Public Hearing Room in the Guam Congress Building. The agenda is as follows:

9:00 am:**Bill No. 69-38 (COR)**

([http://guamlegislature.gov/38th Guam Legislature/Bills Introduced 38th/Bill%20No.%2069-38%20\(COR\).pdf](http://guamlegislature.gov/38th%20Guam%20Legislature/Bills%20Introduced%2038th/Bill%20No.%2069-38%20(COR).pdf)) – Frank F. Blas, Jr. - AN ACT TO ADD A NEW CHAPTER 16 TO DIVISION 1 OF TITLE 5, GUAM CODE ANNOTATED RELATIVE TO REQUIREMENTS FOR FEDERAL FUNDING ACCEPTANCE.

Bill No. 16-38 (COR)

([http://guamlegislature.gov/38th Guam Legislature/Bills Introduced 38th/Bill%20No.%2016-38%20\(COR\)%20HISTORY.pdf](http://guamlegislature.gov/38th%20Guam%20Legislature/Bills%20Introduced%2038th/Bill%20No.%2016-38%20(COR)%20HISTORY.pdf)) – Sabina Flores Perez / Telo T. Taitague / Therese M. Terlaje / Chris Barnett - AN ACT TO ADD A NEW ARTICLE 2 TO CHAPTER 2, TITLE 4, GUAM CODE ANNOTATED RELATIVE TO REPORTING REQUIREMENTS ON THE USE OF UNCLASSIFIED EMPLOYMENT.

Bill No. 17-38 (COR)

([http://guamlegislature.gov/38th Guam Legislature/Bills Introduced 38th/Bill%20No.%2017-38%20\(COR\)%20HISTORY.pdf](http://guamlegislature.gov/38th%20Guam%20Legislature/Bills%20Introduced%2038th/Bill%20No.%2017-38%20(COR)%20HISTORY.pdf)) – Sabina Flores Perez / Telo T. Taitague / Therese M. Terlaje / Chris Barnett - AN ACT TO AMEND § 1913 OF CHAPTER 19, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO PROCEDURES FOR IMPLEMENTATION OF AUDIT RECOMMENDATIONS BY AGENCIES.

If you would like to participate in the Public Hearing listed above or submit written testimony, please contact the Office of Senator Christopher M. Dueñas for further assistance via email at senator.duenas@guamlegislature.gov (<mailto:senator.duenas@guamlegislature.gov>) or by phone at (671) 989-9554.

In compliance with Title II of the Americans with Disabilities Act (ADA), all government activities, programs, and services are accessible to individuals with disabilities. **If you or anyone you know requires assistance or special accommodations to participate in the public hearing, please contact the Office of Senator Christopher M. Dueñas at the contact information provided above.**

The Public Hearings will be broadcast LIVE on local television (GTA Channel 21, Docomo Channel 117) and streamed online through *Liheslaturan Guåhan's* YouTube Channel ([@guamlegislaturemedia](https://www.youtube.com/@GuamLegislatureMedia) (<https://www.youtube.com/@GuamLegislatureMedia>)).



Senator Chris Duenas <senator.duenas@guamlegislature.gov>

SECOND NOTICE of Public Hearing on April 9, 2025

1 message

Senator Chris Duenas <senator.duenas@guamlegislature.gov>

Mon, Apr 7, 2025 at 8:05 AM

To: phnotice@guamlegislature.gov

FOR IMMEDIATE RELEASE

April 7, 2025

MEMORANDUM**To: All Senators, Stakeholders, Media****From: Senator Christopher M. Dueñas**
Chairman, Committee on Finance and Government Operations**Re: SECOND NOTICE of Public Hearing on April 9, 2025**

The Committee on Finance and Government Operations will conduct a public hearing on **Wednesday, April 9, 2025**, beginning at **9:00 am** at the Public Hearing Room in the Guam Congress Building. The agenda is as follows:

9:00 am:

- [Bill No. 69-38 \(COR\)](#) – Frank F. Blas, Jr. - AN ACT TO ADD A NEW CHAPTER 16 TO DIVISION 1 OF TITLE 5, GUAM CODE ANNOTATED RELATIVE TO REQUIREMENTS FOR FEDERAL FUNDING ACCEPTANCE.
- [Bill No. 16-38 \(COR\)](#) – Sabina Flores Perez / Telo T. Taitague / Therese M. Terlaje / Chris Barnett - AN ACT TO ADD A NEW ARTICLE 2 TO CHAPTER 2, TITLE 4, GUAM CODE ANNOTATED RELATIVE TO REPORTING REQUIREMENTS ON THE USE OF UNCLASSIFIED EMPLOYMENT.
- [Bill No. 17-38 \(COR\)](#) – Sabina Flores Perez / Telo T. Taitague / Therese M. Terlaje / Chris Barnett - AN ACT TO AMEND § 1913 OF CHAPTER 19, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO PROCEDURES FOR IMPLEMENTATION OF AUDIT RECOMMENDATIONS BY AGENCIES.

If you would like to participate in the Public Hearing listed above or submit written testimony, please contact the Office of Senator Christopher M. Dueñas for further assistance via email at senator.duenas@guamlegislature.gov or by phone at (671) 989-9554.

In compliance with Title II of the Americans with Disabilities Act (ADA), all government activities, programs, and services are accessible to individuals with disabilities. **If you or anyone you know requires assistance or special accommodations to participate in the public hearing, please contact the Office of Senator Christopher M. Dueñas at the contact information provided above.**

The Public Hearings will be broadcast LIVE on local television (GTA Channel 21, Docomo Channel 117) and streamed online through *I Liheslaturan Guåhan*'s YouTube Channel ([@guamlegislaturemedia](#)).

--



Office of Senator Christopher M. Dueñas

Chairman, Committee on Government Finance and Operations

259 Martyr St., Hagatna, Guam 96910

senator.duenas@guamlegislature.gov

(671) 989-9554

2 attachments



senator-duenas-headshot.jpg
70K



4.9.25-second-notice.pdf
636K



Office of Senator Christopher M. Dueñas

CHAIRMAN, COMMITTEE ON FINANCE AND GOVERNMENT OPERATIONS

FOR IMMEDIATE RELEASE

April 7, 2025

MEMORANDUM

To: All Senators, Stakeholders, Media

From: Senator Christopher M. Dueñas

Chairman, Committee on Finance and Government Operations

Re: SECOND NOTICE of Public Hearing on April 9, 2025

The Committee on Finance and Government Operations will conduct a public hearing on **Wednesday, April 9, 2025**, beginning at **9:00 am** at the Public Hearing Room in the Guam Congress Building. The agenda is as follows:

9:00 am:

- [Bill No. 69-38 \(COR\)](#) – Frank F. Blas, Jr. - AN ACT TO ADD A NEW CHAPTER 16 TO DIVISION 1 OF TITLE 5, GUAM CODE ANNOTATED RELATIVE TO REQUIREMENTS FOR FEDERAL FUNDING ACCEPTANCE.
- [Bill No. 16-38 \(COR\)](#) – Sabina Flores Perez / Telo T. Taitague / Therese M. Terlaje / Chris Barnett - AN ACT TO ADD A NEW ARTICLE 2 TO CHAPTER 2, TITLE 4, GUAM CODE ANNOTATED RELATIVE TO REPORTING REQUIREMENTS ON THE USE OF UNCLASSIFIED EMPLOYMENT.
- [Bill No. 17-38 \(COR\)](#) – Sabina Flores Perez / Telo T. Taitague / Therese M. Terlaje / Chris Barnett - AN ACT TO AMEND § 1913 OF CHAPTER 19, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO PROCEDURES FOR IMPLEMENTATION OF AUDIT RECOMMENDATIONS BY AGENCIES.

If you would like to participate in the Public Hearing listed above or submit written testimony, please contact the Office of Senator Christopher M. Dueñas for further assistance via email at senator.duenas@guamlegislature.gov or by phone at (671) 989-9554.

In compliance with Title II of the Americans with Disabilities Act (ADA), all government activities, programs, and services are accessible to individuals with disabilities. **If you or anyone you know requires assistance or special accommodations to participate in the public hearing, please contact the Office of Senator Christopher M. Dueñas at the contact information provided above.**

The Public Hearings will be broadcast LIVE on local television (GTA Channel 21, Docomo Channel 117) and streamed online through *I Liheslaturan Guåhan*'s YouTube Channel ([@guamlegislaturemedia](#)).

This ad was paid with funds by the Committee of Finance and Government Operations.

OFFICE OF SENATOR CHRISTOPHER M. DUEÑAS

259 MARTYR STREET, HAGATNA GUAM 96910 | TEL: 671-989-9554 | SENATOR.DUENAS@GUAMLEGISLATURE.GOV

  LIKE AND FOLLOW @SENATORDUENAS

SECOND NOTICE of Public Hearing on April 9, 2025

 PRINT

SECOND NOTICE of Public Hearing on April 9, 2025

PUBLIC HEARING



 **Posted on:** 04/07/2025 08:06 AM

 **Posted by:** Ashley Shinohara

 **Public Hearing Date:** 04/09/2025 09:00 AM

 **Department(s):** GUAM LEGISLATURE (/notices?department_id=92)

 **Division(s):** OFFICE OF SENATOR CHRISTOPHER M. DUENAS (/notices?division_id=267)

 **Notice Topic(s):** PUBLIC HEARING (/notices?topic_id=74)

 **Types of Notice:** PUBLIC HEARING (/notices?type_id=7)

 **For Audience(s):** PUBLIC (/notices?public=1)

 **Share this notice**

FOR IMMEDIATE RELEASE

April 7, 2025

MEMORANDUM**To: All Senators, Stakeholders, Media****From: Senator Christopher M. Dueñas**
Chairman, Committee on Finance and Government Operations**Re: SECOND NOTICE of Public Hearing on April 9, 2025**

The Committee on Finance and Government Operations will conduct a public hearing on **Wednesday, April 9, 2025**, beginning at **9:00 am** at the Public Hearing Room in the Guam Congress Building. The agenda is as follows:

9:00 am:**Bill No. 69-38 (COR)**

([http://guamlegislature.gov/38th Guam Legislature/Bills Introduced 38th/Bill%20No.%2069-38%20\(COR\).pdf](http://guamlegislature.gov/38th%20Guam%20Legislature/Bills%20Introduced%2038th/Bill%20No.%2069-38%20(COR).pdf)) – Frank F. Blas, Jr. - AN ACT TO ADD A NEW CHAPTER 16 TO DIVISION 1 OF TITLE 5, GUAM CODE ANNOTATED RELATIVE TO REQUIREMENTS FOR FEDERAL FUNDING ACCEPTANCE.

Bill No. 16-38 (COR)

([http://guamlegislature.gov/38th Guam Legislature/Bills Introduced 38th/Bill%20No.%2016-38%20\(COR\)%20HISTORY.pdf](http://guamlegislature.gov/38th%20Guam%20Legislature/Bills%20Introduced%2038th/Bill%20No.%2016-38%20(COR)%20HISTORY.pdf)) – Sabina Flores Perez / Telo T. Taitague / Therese M. Terlaje / Chris Barnett - AN ACT TO ADD A NEW ARTICLE 2 TO CHAPTER 2, TITLE 4, GUAM CODE ANNOTATED RELATIVE TO REPORTING REQUIREMENTS ON THE USE OF UNCLASSIFIED EMPLOYMENT.

Bill No. 17-38 (COR)

([http://guamlegislature.gov/38th Guam Legislature/Bills Introduced 38th/Bill%20No.%2017-38%20\(COR\)%20HISTORY.pdf](http://guamlegislature.gov/38th%20Guam%20Legislature/Bills%20Introduced%2038th/Bill%20No.%2017-38%20(COR)%20HISTORY.pdf)) – Sabina Flores Perez / Telo T. Taitague / Therese M. Terlaje / Chris Barnett - AN ACT TO AMEND S 1913 OF CHAPTER 19, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO PROCEDURES FOR IMPLEMENTATION OF AUDIT RECOMMENDATIONS BY AGENCIES.

If you would like to participate in any of the Public Hearings listed above or submit written testimony, please contact the Office of Senator Christopher M. Dueñas for further assistance via email at senator.duenas@guamlegislature.gov (<mailto:senator.duenas@guamlegislature.gov>) or by phone at (671) 989-9554.

In compliance with Title II of the Americans with Disabilities Act (ADA), all government activities, programs, and services are accessible to individuals with disabilities. **If you or anyone you know requires assistance or special accommodations to participate in the public hearing, please contact the Office of Senator Christopher M. Dueñas at the contact information provided above.**

The Public Hearings will be broadcast LIVE on local television (GTA Channel 21, Docomo Channel 117) and streamed online through *Liheslaturan Guåhan's* YouTube Channel ([@guamlegislaturemedia \(https://www.youtube.com/@GuamLegislatureMedia\)](https://www.youtube.com/@GuamLegislatureMedia)).



**P.O. Box 21449
GMF, Guam 96921
Phone # 671-734-5483**

Date	Invoice No.
4/21/2025	2025-22

Bill To
Office of Senator Christopher Duenas Calvo Arriola Bldg. Ste 101-13 259 Martyr St. Hagatna, Guam 96910

P.O. No.	Due Date	Rep	MOU No.
2538PO083	5/21/2025	CDC	

Item	Description	Qty	Rate	Amount
Air-Time	Public Notice for: 3/21/25 Hearing 1st Notice 3/14/25 2nd Notice 3/19/25 4/9/25 Hearing 1st Notice 4/2/25 2nd Notice 4/7/25		500.00	500.00
Certified to be true and correct:  Ina Marie V. Carillo General Manager				
THANK YOU FOR SUPPORTING PUBLIC TV!! IF PBS DOESN'T DO IT, WHO WILL? WE WILL TOGETHER!		Total		\$500.00



Senator Chris Duenas <senator.duenas@guamlegislature.gov>

Invitation to Public Hearing on Bill No. 16 & 17- 38 (COR)

1 message

Senator Chris Duenas <senator.duenas@guamlegislature.gov>

Wed, Apr 2, 2025 at 12:09 PM

Cc: admin@guamopa.com, Bertha Pereda <Bertha.Pereda@doa.guam.gov>

Buenas yan Hafa Adai!

The Committee on Finance and Government Operations invites you to participate in a public hearing on Bill Nos. 16-38 and 17-38 (COR) scheduled for Wednesday, April 9, 2025 at 9:00 a.m. in the Guam Congress Building.

Your input is valuable, and we encourage you to attend and share your testimony. If you are unable to participate in person, we welcome written testimony, which may be submitted via email to senator.duenas@guamlegislature.gov.

Should you have any questions or require additional information, please do not hesitate to contact our office at (671) 989-9554.

Si Yu'os Ma'ase!

--



Office of Senator Christopher M. Dueñas

Chairman, Committee on Government Finance and Operations

259 Martyr St., Hagatna, Guam 96910

senator.duenas@guamlegislature.gov

(671) 989-9554

**4.9.25-first-notice.pdf**

444K



UPDATE: Bill 16-38 (COR)2 messages

Senator Chris Duenas <senator.duenas@guamlegislature.gov>

Fri, Apr 18, 2025 at 2:19 PM

To: office.senatorperez@guamlegislature.gov

Cc: karl.p@guamlegislature.gov, [REDACTED] Chris Duenas

Buenas Senator Perez!

We would like to provide an update regarding the status of Bill No. 16-38 (COR) within the Committee on Finance and Government Operations.

The Committee notes that during the public hearing, one (1) oral testimony was presented and no written testimony was submitted. As of now, no additional written testimony has been received, and the seven (7) day deadline to submit testimony has now lapsed.

In light of this, Senator Dueñas, as Chairman of the Committee, has determined that it is not necessary to convene a Committee Mark-Up for Bill 16 at this time. We will move forward with its Committee Report *as introduced*.

We hope this update is helpful and look forward to seeing Bill 16 continue through the legislative process for further discussion and consideration.

Kindly confirm receipt of this email.

--

Senseremente,

Office of Senator Christopher M. Dueñas*I Mina'trentai Ocho Na Liheslaturan Guahan*

Office Senator Perez <office.senatorperez@guamlegislature.gov>

Sat, Apr 19, 2025 at 6:29 PM

To: Senator Chris Duenas <senator.duenas@guamlegislature.gov>

Cc: karl.p@guamlegislature.gov, [REDACTED] Chris Duenas

Hafa adai,

Acknowledging receipt of your email.

Si Yu'os ma'ase,

Senator Perez

[Quoted text hidden]



Office of Senator Christopher M. Duenas
CHAIRMAN, COMMITTEE ON FINANCE AND GOVERNMENT OPERATIONS

PUBLIC HEARING AGENDA

Wednesday, April 9, 2025 – Guam Congress Building

9:00AM:

- **Bill No. 69-38 (COR)** – Frank F. Blas, Jr. - AN ACT TO ADD A NEW CHAPTER 16 TO DIVISION 1 OF TITLE 5, GUAM CODE ANNOTATED RELATIVE TO REQUIREMENTS FOR FEDERAL FUNDING ACCEPTANCE.
- **Bill No. 16-38 (COR)** – Sabina Flores Perez - AN ACT TO ADD A NEW ARTICLE 2 TO CHAPTER 2, TITLE 4, GUAM CODE ANNOTATED RELATIVE TO REPORTING REQUIREMENTS ON THE USE OF UNCLASSIFIED EMPLOYMENT.
- **Bill No. 17-38 (COR)** – Sabina Flores Perez - AN ACT TO AMEND § 1913 OF CHAPTER 19, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO PROCEDURES FOR IMPLEMENTATION OF AUDIT RECOMMENDATIONS BY AGENCIES.

If you would like to participate in any of the Public Hearings listed above or submit written testimony, please contact the Office of Senator Christopher M. Duenas for further assistance via email at senator.duenas@guamlegislature.gov or by phone at (671) 989-9554.



I Mina'trentai Ocho na Liheslaturan Guahån
Office of Senator Christopher M. Duenas
Chairman, Committee on Finance and Government Operations

Date: April 9, 2025

Time: 9:00 a.m.

Bill No. 16-38 (COR) - Sabina Flores Perez

AN ACT TO ADD A NEW ARTICLE 2 TO CHAPTER 2, TITLE 4, GUAM CODE ANNOTATED RELATIVE TO REPORTING REQUIREMENTS ON THE USE OF UNCLASSIFIED EMPLOYMENT.

	Name	Agency / Address	Contact No.	Email	Type of Testimony		Support	
					Oral	Written	Yes	No
1	BENJAMIN CRUZ	OPA						
2								
3								
4								
5								
6								
7								
8								
9								
10								
11								
12								
13								
14								
15								



Office of Senator Christopher M. Dueñas
CHAIRMAN, COMMITTEE ON FINANCE AND GOVERNMENT OPERATIONS

COMMITTEE VOTE SHEET

Bill No. 16-38 (COR) - "AN ACT RELATIVE TO REPORTING REQUIREMENTS ON THE USE OF UNCLASSIFIED EMPLOYMENT."

Committee Members	Signature	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Senator Christopher M. Dueñas <i>Chairperson</i>				X		
Senator V. Anthony Ada <i>Vice Chairperson</i>	E-Vote 6/20/2025			X		
Senator Frank F. Blas, Jr. <i>Member</i>	E-Vote 6/20/2025			X		
Senator Sabrina Salas Matanane <i>Member</i>	E-Vote 6/20/2025			X		
Senator Jesse A. Lujan <i>Member</i>	E-Vote 6/20/2025			X		
Senator Vincent A.V. Borja <i>Member</i>	E-Vote 6/20/2025			X		
Senator Tina Rose Muña Barnes <i>Member</i>	E-Vote 6/20/2025			X		
Senator Joe S. San Agustin <i>Member</i>	E-Vote 6/20/2025			X		

Karl Pangelinan <karl.p@guamlegislature.gov>

Fri, Jun 20, 2025 at
1:33 PM

To: cmdcommittee@guamlegislature.gov

Cc: La’Kiesha Pereda <lakieshapereda@gmail.com>, Chirag Bhojwani
<strategy@bluecontinent.solutions>, Senator Chris Duenas
<senator.duenas@guamlegislature.gov>

Hafa adai Committee Members:

Please see attached **Bill No. 16–38 (COR) As introduced by the Committee on Finance and Government Operations** – Sabina F. Perez Chris Barnett Therese Terlaje Telo Taitague - “**AN ACT RELATIVE TO REPORTING REQUIREMENTS ON THE USE OF UNCLASSIFIED EMPLOYMENT**,” in which your action is respectfully requested.

Please indicate your preferred action, based on the following options:

- TO DO PASS
- TO NOT PASS
- TO REPORT OUT ONLY
- TO ABSTAIN
- TO PLACE IN INACTIVE FILE

Please submit your response **ASAP**. In addition, kindly sign the attached vote sheet which will be submitted as part of the final Committee Report to the Committee on Rules.

Please contact our office if you have any questions or concerns.

Respectfully,

Karl Pangelinan - Office of Sen. Chris M. Duenas

2 attachments

... **Bill 16-38 CR.pdf**

5220K

... **CMTE-VOTE-SHEET-Bill 16-38.docx**

1014K

Office of Senator Vince Borja <contact@senatorvinceborja.com>

Fri, Jun 20, 2025 at
1:35 PM

Reply-To: Office of Senator Vince Borja <contact@senatorvinceborja.com>

To: karl.p@guamlegislature.gov

Cc: cmdcommittee@guamlegislature.gov, lakieshapereda@gmail.com,
strategy@bluecontinent.solutions, senator.duenas@guamlegislature.gov

Hafa Adai,

To report out only.

Respectfully,

Office of Senator Vincent A.V. Borja

Committee on Education, Libraries, & Public Broadcasting

38th Guam Legislature

Suite 502, DNA Bldg. [238 Archbishop Flores St.](#)

[Hagåtña, Guam 96910](#)

T +1 (671) 969-8423

E contact@senatorvinceborja.com

[Quoted text hidden]

5744:3785669

Senator Jesse Lujan <senator.lujan@guamlegislature.gov>

Fri, Jun 20, 2025 at
1:42 PM

To: Office of Senator Vince Borja <contact@senatorvinceborja.com>

Cc: karl.p@guamlegislature.gov, cmdcommittee@guamlegislature.gov,
lakieshapereda@gmail.com, strategy@bluecontinent.solutions,
senator.duenas@guamlegislature.gov

To Report Out Only

Office of Majority Leader Jesse A. Lujan

*Chairman, Committee on Transportation, Tourism, Customs, Utilities
and Federal & Foreign Affairs*

[259 Martyr St., Hagatna, Guam 96910](#)

senator.lujan@guamlegislature.gov

(671) 969-6525

[Quoted text hidden]

Fri, Jun 20,
Senator Sabrina Salas Matanane <office.senatorbri@guamlegislature.gov> 2025 at 1:48
PM

To: Senator Jesse Lujan <senator.lujan@guamlegislature.gov>

Cc: Office of Senator Vince Borja <contact@senatorvinceborja.com>,
karl.p@guamlegislature.gov, cmdcommittee@guamlegislature.gov,
lakieshapereda@gmail.com, strategy@bluecontinent.solutions,
senator.duenas@guamlegislature.gov

To report out only

[Quoted text hidden]

--

The email message is intended only for the individual or entity named above and may contain confidential and privileged information. If you are not the intended recipient, any disclosure, copying, distribution, or use of the information contained in this transmission is strictly PROHIBITED. If you have received this transmission in error, please immediately notify me by replying to office.senatorbri@guamlegislature.gov and delete the message immediately. Thank you.

Phillip Leon Guerrero <phill.senatortmb@gmail.com>

Fri, Jun 20, 2025 at
2:46 PM

To: Senator Sabrina Salas Matanane <office.senatorbri@guamlegislature.gov>

Cc: Senator Jesse Lujan <senator.lujan@guamlegislature.gov>, Office of Senator Vince Borja <contact@senatorvinceborja.com>, karl.p@guamlegislature.gov, cmdcommittee@guamlegislature.gov, lakieshapereda@gmail.com, strategy@bluecontinent.solutions, senator.duenas@guamlegislature.gov

To report out only.

SYM.

[Quoted text hidden]

--

Sinseru yan Magåhet,

Phill Leon Guerrero

Director of policy & communications

phill.senatortmb@gmail.com

Office of Senator Tina Rose Muña Barnes

38th Guam Legislature

I Mina'trentai Ocho na Liheslaturan Guåhan

[134 W. Soledad Avenue, Suite #411 | Hagåtña, GU 96910](#) | (671) 989-8762

senator.munabarnes@guamlegislature.gov

Vice Speaker V. Anthony Ada <vicespeakertonyada@guamlegislature.gov> Fri, Jun 20,
2025 at 3:16 PM

To: Karl Pangelinan <karl.p@guamlegislature.gov>

Cc: cmdcommittee@guamlegislature.gov, La'Kiesha Pereda
<lakieshapereda@gmail.com>, Chirag Bhojwani <strategy@bluecontinent.solutions>,
Senator Chris Duenas <senator.duenas@guamlegislature.gov>

To Report Out Only

[Quoted text hidden]

--

Office of Vice Speaker V. Anthony Ada

38th Guam Legislature

I Mina'trentai Ocho Na Liheslaturan Guåhan

Guam Congress Building, 2nd Floor

163 Chalan Santo Papa

Hagåtña, Guam 96910

Phone: (671) 989-0855

Email: vicespeakertonyada@guamlegislature.gov

Electronic Privacy Notice: This e-mail and any attachment(s), contains information that is, or may be, covered by electronic communications privacy laws and legal privileges, and is also confidential and proprietary in nature. If you are not the intended recipient, please be advised that you are legally prohibited from retaining, using, copying, distributing, or otherwise disclosing the information in this e-mail or any attachment in any manner. Instead, please reply to the sender that you have received this communication in error, and then immediately delete it. Thank you in advance for your cooperation.

Joe S. San Agustin <senatorjoessanagustin@gmail.com>

Fri, Jun 20, 2025 at
3:32 PM

To: "Vice Speaker V. Anthony Ada" <vicespeakertonyada@guamlegislature.gov>

Cc: Karl Pangelinan <karl.p@guamlegislature.gov>, cmdcommittee@guamlegislature.gov,
La'Kiesha Pereda <lakieshapereda@gmail.com>, Chirag Bhojwani
<strategy@bluecontinent.solutions>, Senator Chris Duenas
<senator.duenas@guamlegislature.gov>

To report out

[Quoted text hidden]

Speaker Frank Blas Jr. <speakerblas@guamlegislature.gov>

Fri, Jun 20,
2025 at 3:35
PM

To: "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>

Cc: "Vice Speaker V. Anthony Ada" <vicespeakertonyada@guamlegislature.gov>, Karl Pangelinan <karl.p@guamlegislature.gov>, cmdcommittee@guamlegislature.gov, La’Kiesha Pereda <lakieshapereda@gmail.com>, Chirag Bhojwani <strategy@bluecontinent.solutions>, Senator Chris Duenas <senator.duenas@guamlegislature.gov>

To Report Out Only

Speaker, Frank F. Blas, Jr.

I Mina’trentai Ocho na Liheslaturan Guåhan 38th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagatña

(671)969-6456

speakerblas@guamlegislature.gov

Electronic Privacy Notice: This e-mail and any attachment(s), contains information that is, or may be, covered by electronic communications privacy laws and legal privileges, and is also confidential and proprietary in nature. If you are not the intended recipient, please be advised that you are legally prohibited from retaining, using, copying, distributing, or otherwise disclosing the information in this e-mail or any attachment in any manner. Instead, please reply to the sender that you have received this communication in error, and then immediately delete it. Thank you in advance for your cooperation.

[Quoted text hidden]

COMMITTEE REPORT DIGEST

Committee on Finance and Government Operations

Senator Chirstopher M. Dueñas, Chairman

In accordance with Section 6.04(c)(1) of the Standing Rules of *I Liheslaturan Guåhan*, this committee digest provides a *summary* of the public hearing detailed below. To assist the general public in navigating this report, please note that all **blue-highlighted** text contains hyperlinks. Clicking on these links will direct you to the corresponding referenced sections/documents. For any questions or assistance regarding this digest, please contact our office at (671) 989-9554 or email us at senator.duenas@guamlegislature.gov.

PUBLIC HEARING ON BILL No. 16-38 / APRIL 9, 2025

I. OVERVIEW

Bill No. 16-38 was introduced on 1/13/2025 by Senators Sabina Perez, Telo Taitague, Therese Terlaje and Chris Barnett, and was subsequently referred by the Committee on Rules to the **Committee on Finance and Government Operations** on **1/22/2025**.

The **Committee on Finance and Government Operations** convened a Public Hearing on Bill No. 16-38 (COR) on **4/09/2025** at **9AM** in the Guam Congress Building's Public Hearing Room.

PUBLIC NOTICE REQUIREMENTS

Public Hearing Notices were posted to the Government Public Notices Portal and disseminated via electronic mail to all senators and all main media broadcasting outlets on **4/2/2025** (5-Day Notice), and again on **4/7/2025** (48-Hour Notice).

SENATORS PRESENT:

Chair – Sen. Chris M. Duenas

Sen. Shawn Gumataotao

Sen. Telo Taitague
Sen. Sabina Perez
Sen. Therese Terlaje

ORAL TESTIMONY:

Public Auditor – Speaker BJ Cruz

WRITTEN TESTIMONY:

N/A

II. SUMMARY OF TESTIMONY & DISCUSSION

The public hearing for **Bill No. 16-38 (COR)** was called to order at **0905**

Sen. Chris M. Duenas:

Next bill on the agenda which is Bill No. 16-38 COR introduced by Sabina Flores Perez, Telo T. Taitague, Therese Terlaje, Chris Barnett, and this is an act to add a new article 2 chapter 2 title 4 Guam code annotated relative to reporting requirements for the use of unclassified employment. And before I go to the author, I want to mention once again that we did make multiple email requests for the appearance of the Department of Administration. So with that, Senator Perez, you're recognized on your bill.

Sen. Perez:

Thank you Chairman Duenas for scheduling, and also rescheduling the hearing on this bill. I did get a text from Director Birn. He's in a meeting but he'll be coming here afterwards to testify. So Bill No. 16-38 aims to strengthen transparency and accountability in government hiring specifically by requiring biannual reporting of hiring unclassified employees and for classified positions occupied by unclassified incumbent. Classified positions could be administrative in nature such as accounting, human resources, procurement, IT. Or it could be maintenance, custodial, educational, law enforcement, healthcare, engineering, to name a few. The information that will be required by all branches, agencies, autonomous agencies, instrumentalities and public corporations of the government of Guam are the following: the position's title and number the position's pay grade and step

position salary and the reasons why it is not practicable to use the merit system for such a position. Guam's Organic Act requires a merit-based system for public employment, ensuring that hiring decisions are based on qualifications. The Organic Act requires a legislature to create a merit system for government civil service and requires that the government use it wherever practicable. In legal terms, practicable means something that is feasible or capable of being done, especially with available means or with reason or prudence; it's often used in statutes to indicate when or how or if something should be done. Unclassified employment means that these employees need not compete for their jobs and the appointing authority can hire them up to step 10 of their pay grade. The intent of this bill is not to eliminate unclassified employees but to have agencies and their directors to be transparent and disclose why they believe that it is not practicable to fill such positions with classified employees pursuant to the merit system. Transparency is always important when public funds are spent. We have open procurement processes and the Sunshine Act for public documents. We must also ensure that government leaders are transparent when they opt to not use a merit system for hiring government workers. It is understandable that the policy staff of elected officials should be employed only for the term of the office that the officials elected for; there are however instances where individuals are hired for jobs that are normally held by classified employees for positions without clear justification. By mandating biannual reporting we provide the public and policymakers the transparency needed to ensure fair hiring practices protect career opportunities for our people and promote good governance. For too long, qualified individuals have faced barriers to stable government employment because of a system that lacks oversight, and this bill helps to restore trust in our government and how our government hires and retains its workforce. I would like to thank my colleagues and co-sponsors for their support on this important measure to ensure that our government remains fair, accountable and truly representative of the people it serves. *Si Yu'os Ma'ase*.

Sen. Chris M. Duenas

Si Yu'os Ma'ase Senator Perez. I'd like, since you said that Director Birn is en route, I'd like to offer you that we take a recess on this bill and then move to your next bill in respect to the auditors, who's here for that. Do you agree with that?

Sen. Sabina Perez

Yes, I do.

Sen. Chris M. Duenas

Ok, so we will now consider this bill having been in recess for this morning while the director of the Department of Administration is en route; and then, I will now reconvene after that recess to hear the next bill on the agenda.

Continued from Recess...

Sen. Chris M. Duenas

Senator Perez, unfortunately it appears that as though DOA was not able to make it in the time allotted for this hearing. I hope we will be able to get written testimony from them, but Senator I will consider your bill heard as well. And you know you can proceed, we can proceed with the bill. And like I said, I'm sure we can do our due diligence with you to try to ensure that we at least get a written testimony in preparation for the committee report process.

Public Auditor BJ Cruz

Mr Chairman.

Sen. Chris M. Duenas

Yes, Mr. Speaker.

Public Auditor BJ Cruz:

If I might comment just on that one bill. On the classified employee, I really think the legislature needs to closely look at how unclassified are used. Because, as a judge, one of the decisions that I made that was one of the most costly was coming to the realization that The Organic Act mandates to have a classified system (a classified system) includes everybody. Senator Terlaje, as a lawyer, I thought and most lawyers thought that we're only employed because, you know, if the client wants us that we can be fired at will. And an attorney at the attorney general's office who was unclassified was fired and he sued for his his position and I thought that as an attorney it's in our model rules that we're only there at the be you know at the on the good graces and the behest of our clients and when our clients decide they no

longer want us, we just go. But the 9th Circuit said no. The Organic Act said classified employees for everybody including attorneys. And the government had to pay this guy back almost more than half a million dollars for the number of years that he was out. So having too many unclassified employees could make the government liable if they get fired, because they may be able to come back and say I should have been a classified employee and I should have the protections of classified service. The expansion of unclassified to anything, is not supported by the Organic Act. Everything has to be merit-based, except for maybe the limited term, because of the federal grant. And if you can show that they're just there for that specific period. But to make them all unclassified is really dangerous, because it can cost you money if they decide that they're going to insist that they have classified protections.

Sen. Chris M. Duenas

Thank you Mr. Speaker. Yeah, I'll recognize you Speaker.

Senator Terlaje:

Mr. Speaker, if I could ask a question—yes, we have, I think, a whole list in statute of what the Legislature has deemed to be unclassified positions. The Legislature has authorized unclassified positions, and then we add to that in every budget cycle another list of what we say can be unclassified.

We've kind of justified that—past legislatures have—by saying these positions are hard to recruit for, or there was a big shortage. For example, nurses are always on that list. So, hard-to-recruit positions or positions where there's a great need—like teachers.

But, do you think... First of all, are all the LTAs receiving the 22%?"

Public Auditor BJ Cruz:

I think so.

Senator Terlaje:

I think so too. I think that was something determined while we were deliberating. I'm going to look back on that. But this bill doesn't tell us. It just says that they have to report now, with their justification.

Do you have any standard justification that we should consider?

I like the one that says 'short-term federal grant funding – that's what you described as the grant-funded LTAs. Those should be LTAs. But we don't see that across the board. We have all kinds of unclassified people all over the government. For many years, some of these employees have held positions for a very long time.

Public Auditor BJ Cruz:

All I'm saying is: just be careful—because they could sue for civil service protection. They could go to the Civil Service Commission and insist that they had protection. And under the Housing decision, we may find that they do have protections.

Senator Terlaje:

Is there any audit on the use of LTAs or verified positions?"

Public Auditor BJ Cruz:

No. Then we may need to look at that. All right, thank you.

Senator Perez:

Just a point of order, Mr. Chair. Did we come back from recess for Bill 16?

Sen Chris M. Duenas:

We did. The purpose for coming back was to receive testimony.

Senator Taitague:

Okay, but I didn't have an opportunity to speak on Bill 16 earlier.

Sen Chris M. Duenas:

You know what—I'll correct myself. That's correct. I'll take that back. We came back to hear from OPA, so that's my mistake. You may proceed.

Senator Taitague:

Thank you. This is very concerning, what you mentioned—as Public Auditor—with respect to the case law. Case law becomes precedent sometimes, and it puts things in a whole new perspective.

For instance, even with the Legislature hiring unclassified employees—it's only for a limited term, because we ourselves are only elected to serve two years. What is the status on that?

Public Auditor BJ Cruz:

Senator Terlaje, there is a section in code that has a list of who can hire unclassified employees that will not fall under the Civil Service. The Legislature has statutorily given authority for certain positions to be unclassified.

Senator Taitague:

Okay, and this is in the Organic Act of Guam as well?

Public Auditor BJ Cruz:

To justify the act. And the local Legislature has defined, for purposes of these entities—such as the Governor's Office and a few others—that certain positions may be created as unclassified.

Yes, but it should be limited only to those that are in statute. After the Housing decision, I'm not sure how broadly anyone wants to interpret that. Somebody could say, 'I got hired'—it could be your niece—and then you fire her, and she says, 'I had classified protection.'

Senator Taitague:

Thank you Mr. Chair for the opportunity to speak on bill no. 16-38

Sen Chris M. Duenas:

Si Yu'os Ma'ase Senator Taitague and certainly the committee will be welcoming any emails comments transferred to our committee for consideration in the markup so Senator Gumataotao did you have anything on Bill #16

Sen. Sabina Perez

Okay, yes thank you Mr. Chair, and the other issue that I've seen in addition to unclassified is the detailed assignments of how employees get shifted even to a higher level and they get repeatedly assigned to that level even though they don't

meet the qualifications. This bill doesn't cover that but at least it's a step in that direction. Would you like to make a comment on that?

Public Auditor BJ Cruz:

I think I broke open Pandora's box enough that I don't want to make any.

Sen. Sabina Perez

Yeah, I mean when we talk about the merit system this is something that we really have to make our way back towards, and unclassified, getting a good handle on the classifieds is just one step, but I think there's other issues that we have to deal with as well. I thank you for being here to provide any kind of input and I look forward to any testimonies from the public as well as by any agencies, including director Birn who unfortunately couldn't be here today. But I do want to push for more transparency and accountability on the hiring practices of the government, because you know really who hurts too is not our people but also those employees that are doing the hard work. And seeing the missteps by our agencies that continue to do, you know, these hirings and unfortunately it happens a lot of times where there the individuals that are hired are being trained by those that are already in the system, only to see that they're getting paid less than who they're who's being hired. And so you know it's really an injustice to the civil service. It's not, we're not doing our job if we don't fix this problem, and this bill is just a small step in that direction and so, thank you so much.

Sen. Chris M. Duenas: *Si yu'os ma'asi* Senator Perez. So now that will conclude and consider bill no. 16-38 having been heard by the committee. And for this morning, this will conclude this morning's public hearings on bills number 69, 16 and 17-38, respectively. The committee will continue to accept written testimony on these bills within 7 days from today, which may be addressed to myself, Senator Christopher M. Duenas, as chairman of the Committee, and mail to 163 West Chalan Santo Papa in Hagatna. You may also send your testimonies to senator.duenas@guamlegislature.gov.

Hearing Adjourned at 1036.

I. FINDINGS & RECOMMENDATIONS:

The Committee finds that the continued use of unclassified appointments across government agencies, often without clear justification, may conflict with the merit-based hiring requirements of the Organic Act. Testimony from the Public Auditor highlighted the legal and financial risks of bypassing classified service protections. The absence of testimony from the Department of Administration limited the Committee's ability to fully assess the scope and justification for current unclassified practices.

RECOMMENDATIONS:

The Committee concludes that based on the testimony received and the committee's deliberations, Bill No. 16-38 (COR) has been reported out of committee with no substantive amendments. While the public hearing offered thoughtful discussion on the importance of transparency and adherence to merit-based hiring practices, the absence of testimony from the Department of Administration, the agency most critical to implementing the proposed reporting requirements – left important questions unanswered. As such, the committee was unable to fully evaluate the operational or fiscal impact of the measure on government entities.

Given the significance of the issues raised and the clear intent to promote greater accountability in public hiring, the committee has chosen to report Bill No. 16-38 (COR) for further consideration out of the committee. However, members note that meaningful insight from executive agencies remains necessary to ensure the measure's enforceability and alignment with existing law. The committee encourages continued dialogue and submission of written testimony to address these remaining concerns before any final action is taken on the measure.

Accordingly, the Committee therefore reports Bill No. 16-38 (COR) as heard, with the recommendation to **Report out Only**.

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. 16-38 (COR)

Introduced by:

Sabina Flores Perez 
Telo T. Taitague 
Therese M. Terfaje 
Chris Barnett 

**AN ACT TO *ADD* A NEW ARTICLE 2 TO CHAPTER 2,
TITLE 4, GUAM CODE ANNOTATED RELATIVE TO
REPORTING REQUIREMENTS ON THE USE OF
UNCLASSIFIED EMPLOYMENT.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan*

finds that according to the Organic Act of Guam (48 U.S.C. § 1422c clause 2), “The legislature shall establish a merit system and, as far as practicable, appointments and promotions shall be made in accordance with such merit system.”

I Liheslatura recognizes that the appointment of the staff of elected and appointed (directors, judges and justices) officials are generally not subject to the merit system and are at-will appointments.

I Liheslatura further finds that at-will (unclassified) appointments have become common place for a variety of factors. These factors may include the following: a) federally funded positions, where funding is limited by the term of the grant funds, b) difficult to recruit positions, where above-step recruitment may involve a lengthy process, such as Information Technology (IT) positions, and c) speedy hiring.

I Liheslatura further finds that current law already has the tools to apply the merit system to these types of appointments. They include: a) Limited Term Classified

1 appointments as provided by Public Law 28-187 (§ 4103(g) and (h) all of 4 GCA);
2 b) Employment lists of qualified applicants (§ 4106 (a) of 4 GCA) where prescreened
3 applicants be expediently hired, and c) Above-step recruitment for those with
4 exceptional qualifications or whenever recruitment difficulties exist (§ 6205 of 4
5 GCA). All employees that are hired pursuant to the merit system in the classified
6 service are required to serve a 9-month probationary period.

7 *I Liheslaturan Guåhan* further finds that other than the immediate
8 subordinates of elected and appointed officials, there remains little justification or
9 lack of practicability to appoint individuals as unclassified employees of the
10 Government of Guam. This is especially true of administrative services fields
11 (accounting, human resources, payroll procurement), Information Technology (IT),
12 maintenance, custodial, education, health care , engineering and law.

13 As the Organic Act stewards of the merit system, it is the intent of *I*
14 *Liheslaturan Guåhan* to require annual reporting by agencies of the Government of
15 Guam on the hiring of unclassified positions and why it was impracticable to appoint
16 such positions in the classified service pursuant to the merit system.

17 **Section 2.** A new Article 2 is *added* to Chapter 2, Title 4, Guam Code
18 Annotated to read as follows:

19 **“Article 2**

20 **Justification Reporting for Appointments of**

21 **Unclassified Employees**

22 **§ 2201. Scope of Article.**

23 The reporting requirements of this Article are applicable to all government of
24 Guam branches, agencies, instrumentalities, autonomous agencies and public
25 corporations. This Article is not applicable to elected officials, appointed officials,
26 including judges and justices, and their immediate subordinates or positions
27 designated as unclassified by Public Law. Administrative (accounting, human
28 resources, payroll, procurement), Information Technology (IT), maintenance,

1 custodial, educational, law enforcement, health care and engineering services
2 positions are not immediate subordinates of elected and appointed officials for
3 purposes of this Section.

4 **§ 2202. Applicable Positions.**

5 The reporting requirements of this Article apply to unclassified positions and
6 classified positions that are occupied by an unclassified incumbent not excluded by
7 § 2201 of this Article.

8 **§ 2203. Information Reporting Requirements.**

9 The reports filed herein, by branches, agencies, autonomous agencies,
10 instrumentalities and public corporations of the Government of Guam, including the
11 Guam Visitors Bureau, pursuant to this Article, shall be submitted to *I Liheslaturan*
12 *Guåhan* twice annually for the periods of October 1st through March 31st and April
13 1st through September 30th based on staffing for each period. The reporting
14 requirements of information on each unclassified position and each classified
15 position occupied by an unclassified employee are as follows:

16 (a) the position's title and number (if applicable),

17 (b) the position's pay grade and step,

18 (c) the position's salary, and

19 (d) the reason(s) why it is not practicable to use the merit system (classified
20 employment) for such position.”



COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson

I Mina'trentai Ocho Na Liheslaturan Guahan

38th Guam Legislature

January 29, 2025

To: **Rennae V. C. Meno**
Clerk of the Legislature

From: **Vice Speaker V. Anthony Ada** 
Chairperson, Committee on Rules

Subject: **Fiscal Note Waiver for Bill No. 16-38 (COR)**

Håfa Adai!

Find the attached, Fiscal Note Waiver for the following bill:

Bill No. 16-38 (COR).

I also request that the same be sent to the respective Chairperson of the Standing Committee, to which this bill has been referred. Kindly forward the same to Management Information Services (MIS) for posting on our website.





BUREAU OF BUDGET & MANAGEMENT RESEARCH

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



LOURDES A. LEON GUERRERO
GOVERNOR

LESTER L. CARLSON, JR.
DIRECTOR

JOSHUA F. TENORIO
LIEUTENANT GOVERNOR

JAN 29 2025

Vice Speaker V. Anthony Ada
Chairperson, Committee on Rules
I Mina'trentai Ocho Na Liheslaturan Guåhan
Thirty-Eighth Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Hafa Adai Senator Ada:

The Bureau requests that Bill No. 16-38 (COR) be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

Bill 16-38 (COR) is an Act to add a new Article 2 to Chapter 2, Title 4, Guam Code Annotated relative to reporting requirements on the use of Unclassified Appointment.

The proposed legislation identifies the applicable positions that are subject to the reporting requirement, and states that the report shall be submitted twice annually for the periods of October 1st through March 31st and April 1st through September 30th.

As such, the Bill is administrative in nature and poses no fiscal impact upon any funds of the Government of Guam.

Senseramente:

LESTER L. CARLSON, JR.