Solitudinem Faciunt, Legem Appellant

They create a wilderness and call it a law. With deepest apologies for misquoting Tacitus, I am compelled to set down the many mis-steps which led to the version of Bill 24-37 – the General Pay Plan appropriation bill – that the Legislature passed last week. I will use as few words as the subject permits. Tacitus gave us the modern word, taciturn, which describes his style of writing, but the story must be told and the reader may judge whether sound decisions were taken.

It should have been simple. Department of Administration has a statutory duty to conduct a compensation study for each group of government employees and make a recommendation for an adjustment every three (3) years to the Governor for any adjustment which data justifies, to compensation for government employees in those groups. The mandated criteria are internal equity, meaning comparing salaries with those paid for carrying out similar duties in other governmental agencies and external equity, meaning making a similar comparison with those carrying out similar duties in governmental agencies on the mainland in similar cost regions, carrying out similar duties.

This was done. The result from a weighted average comparison which was exhaustively studied, 203 job positions were compared, was an adjustment in compensation of 22%. Since, unlike the last time such a study and resultant adjustment was proposed, the financial status of the Government of Guam is much improved, with surpluses reported for the last three (3) years, the administration proposed full payment. Although 22% seems like a large number, it represents a much smaller 1.7% increase over ten (10) years, the period since the last adjustment was based. From there the plot thickened.

A word first about financial stability. For many years, the Government reported deficits year on year. This essentially meant that vendors were lending money to fund these deficits so that government operations could continue. With the elimination of the deficit achieved by adopting sound financial controls, vendors are paid timely; they no longer support the government balance sheet and other obligations not previously recognized, can be discharged. The Governor therefore introduced Bill 24-27 to effect this compensation adjustment knowing that the financial strength of the balance sheet can fund it. Coincidently, on the day the vote on the Bill took place, Moody's affirmed their General Fund's Ba1 rating and upgraded Guam's outlook to *"positive."*

From this simple start, some sought to influence or bend the result despite the clear pay disparity Guam government employees have tolerated during less stable times and without conducting an alternative study to support their opposition. Some Senators claimed that they had to take a decision on this obviously long needed correction without any data. This claim made even though the DOA study was professional and thorough, acknowledged by some Senators, and despite a public hearing which ran through an entire morning and a Committee of the Whole debate at which each Senator was granted fifty minutes to ask questions cannot be justified. However, this claim can be evaluated by the people of Guam.

The employment numbers data which was introduced by certain Senators who opposed the increase and subsequently voted against it, was skewed and inaccurate and when corrected did not support their opposition. When properly analyzed it supported the case for the adjustment and for the financial strength which makes it feasible. A few Senators even refused to allow the Administration panel's refutations of these erroneous figures preferring to the use the time allotted for them to ask questions which could resolve the data drift, to state and restate their entrenched opposition to the compensation adjustment primarily based on their view of a future so uncertain or perilous that the way to mitigate their fears, fears based on no study which was brought into the debate, was by punishing government employees, ironically many of whom worked hard to bring about the significant improvement in the Governments' financial position and work to better the people's lives.

I have often observed that we punish the wrong people to fix a situation for which they cannot possibly be responsible. To provide social welfare and other services, which the people demand, Government employees work hard whether locally or federally funded. They are not responsible for global conflicts or other circumstances beyond their control and, if these circumstances conspire to inhibit their ability to provide these services thoroughly and consistently, they work to provide them, undaunted.

Then there was an attempt to introduce other conditions into the language of the Bill, which were not relevant to the Bill's main purpose. The only one, which survived in the end, is a condition that University of Guam (UOG), if they should choose to use the Bill's appropriation for paying a salary adjustment, would not be permitted to raise tuition for any semester prior to September 30, 2025. Again potentially punishing the wrong people whatever your view may be on UOG tuition increases.

The most concerning misdirected assault on pay equities, which codified law demands, was the punitive way in which certain Senators have treated unclassified employees. Another example of punishing the wrong people. It is certainly a goal of DOA to foster the merit system for classified employees and set conditions for a career in governmental service sharpened by competition for positions. That goal cannot be reached by discriminating against a group of employees, unclassified employees, based on an uncertain and contested legal view that such a provision is not discriminatory. The inclusion of the prohibition against increasing the compensation of unclassified employees in the same manner and at the same rate as classified employees is discriminatory and certainly unfair as office colleagues, one classified, one unclassified may be during the same job, but will be paid differently. This distinction aimed at individuals rather than positions is vicious and concerning to the point that may imperil enactment of the Bill into law. The Legislature should be evaluating government positions, not targeting government employees when establishing compensation levels. By not doing so, they are culpable of the very same infraction which they have accused the Administration of committing.

Some Senators were critical of the apparent higher increase for GPP employees than for law enforcement. This concern is misplaced. Instead of analyzing this difference, they should be applauding the fact that law enforcement and teacher compensation, compared with their mainland peer reference group fell behind less than their colleagues in the GPP who support the work of law enforcement and educators. This is a good thing, not bad. It should be celebrated. The most important issue is that the many government positions, now vacant, are filled with talented personnel, making a contribution to public service. There is no other more important enticement for filling these vacancies than a fair day's pay for a fair day's work. Whatever the funding source, local or federal, fair and adequate compensation is needed to recruit and retain experienced employees. The private sector knows this. The private sector is not encumbered with discriminating mandates, indeed there are laws prohibiting discrimination. The public sector should also be free of them.

I will end where I began. Tacitus did not use the work *"legem"*, he used the word *"pacem"*, meaning in this case "*law and order."* Bill 24-37 as amended by the Legislature will be law without order. Tacitus was writing about the accomplishments of his father-in-law, Agricola, who was subduing the tribes of Northern Britain. He put these words in the mouth of the British tribal leader. He understood the danger of using prejudice to frustrate equality and reliability. I pray that our legislators will, too.

I Mina'trentai Siette Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
24-37 (COR) As amended by the Committee on General Government Operations and Appropriations; and further amended in the Committee of the Whole.	Committee on Rules by request of *I Maga'hågan Guåhan* , the Governor of Guam, in accordance with the Organic Act of Guam.	AN ACT TO AMEND SECTION 2 OF CHAPTER 1 AND SECTION 2 OF PART 1, CHAPTER III; AND TO ADD NEW SECTIONS 13, 14, 15, 16, 17 AND 18 TO CHAPTER XI, ALL OF PUBLIC LAW 36-107 (GENERAL APPROPRIATIONS ACT OF 2023), RELATIVE TO APPROPRIATING TWENTY THREE MILLION THREE HUNDRED SIXTY FIVE THOUSAND THREE HUNDRED FOUR DOLLARS ($23,365,304) FOR THE IMPLEMENTATION OF THE ADJUSTED GENERAL PAY PLAN.	2/1/23 9:44 a.m.	2/1/23	Committee on General Government Operations and Appropriations	2/27/23 9:00 a.m.	3/16/23 8:00 a.m. As amended by the Committee on General Government Operations and Appropriations.	Request: 2/1/23 2/3/23 Revised Request: 3/16/23 Revised: 3/20/23	Additional Testimonies 3/20/23
	SESSION DATE	**TITLE**	**DATE PASSED**	**TRANSMITTED**	**DUE DATE**	**PUBLIC LAW NO.**	**DATE SIGNED**	**NOTES**	
	3/20/23 First Special Session	AN ACT TO *AMEND* SECTION 2 OF CHAPTER 1 AND SECTION 2 OF PART 1, CHAPTER III; AND TO *ADD* NEW SECTIONS 13, 14, 15, 16, 17 AND 18 TO CHAPTER XI, ALL OF PUBLIC LAW 36-107 (GENERAL APPROPRIATIONS ACT OF 2023), RELATIVE TO APPROPRIATING TWENTY-ONE MILLION THIRTY-TWO THOUSAND SIX HUNDRED SEVENTY DOLLARS ($21,032,670) FOR THE IMPLEMENTATION OF THE ADJUSTED GENERAL PAY PLAN.	3/24/23	3/24/23	4/5/23	37-3	3/31/23	Received: 3/31/23 Messages and Communications Doc. No. 37GL-23-0315	

LOURDES A. LEON GUERRERO
GOVERNOR

JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HÅGAN GUÅHAN
OFFICE OF THE GOVERNOR OF GUAM

Transmitted via email to: speaker@guamlegislature.org

37GL-23-0315
OFFICE OF THE SPEAKER
THERESE M. TERLAJE
-03- 31 2023
Time: 4:13pm
Received:

March 31, 2023

HONORABLE THERESE M. TERLAJE
Speaker
I Mina'trentai Siette Na Liheslaturan Guåhan
37th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

RECEIVED
4/3/23 4:21pm

Re: **BILL NO. 24-37 (COR) - AN ACT TO *AMEND* SECTION 2 OF CHAPTER 1 AND SECTION 2 OF PART 1, CHAPTER III; AND TO *ADD* NEW SECTIONS 13, 14, 15, 16, 17 AND 18 TO CHAPTER XI, ALL OF PUBLIC LAW 36-107 (GENERAL APPROPRIATIONS ACT OF 2023), RELATIVE TO APPROPRIATING TWENTY-ONE MILLION THIRTY-TWO THOUSAND SIX HUNDRED SEVENTY DOLLARS ($21,032,670) FOR THE IMPLEMENTATION OF THE ADJUSTED GENERAL PAY PLAN**

Hafa Adai Madame Speaker,

Today, I sign Bill No. 24-37 into law as Public Law No. 37-3. This bill appropriates funding for the adjusted General Pay Plan ("GPP"), which the Department of Administration ("DOA") prepared pursuant to its authority under Guam law, and which I approved on January 31, 2023. The GPP, which goes into effect on April 1, 2023, provides a long overdue 22% pay adjustment for affected employees.

Last week, I called the Legislature into special session to take up the original version of this bill because implementing the GPP is simply the right thing to do. I do not believe that supporting equitable compensation for government employees is a political issue. I believe it is our job as leaders, and a fundamental part of running an efficient government. In light of the events of the past week, however, I have to acknowledge the elephant in the room, and express my disappointment with the amendments to this bill that attempted to leave many of our government employees behind.

While, as a community, we colloquially refer to pay adjustments as "raises," this misnomer may have made it easier for some legislators to justify improperly withholding these adjustments from specific government employees. It is time to set the record straight.

Guam law requires that employee compensation *shall* be based on internal equity and external competitiveness. Compensation is intended to be targeted at national average levels and compared to appropriate labor markets. The science of compensation administration is not random. It is not based on favoritism or arbitrary, subjective standards. Pay adjustments on Guam are based on the compensation adjustment methodology developed by international experts in classification and pay. Though many of our employees certainly meet even the most exacting professional standards, these adjustments are not "raises" in the sense that we are rewarding them for high achievement. Pay adjustments allow government employees to just *break even*, to attain a standard of compensation that

is comparable to their public sector counterparts in other jurisdictions and the federal government, and to support their decision to continue in service to our community. It is important to keep in mind that even with these adjustments, government employees will likely still not be receiving compensation equal to their state and federal counterparts. But these adjustments are a step in the right direction.

While the 22% pay adjustment for the GPP may seem jarring to casual observers, it is not arbitrary. It is the accumulation of prior adjustments that Guam law required but were not effectuated. Under Guam law, internal equity should be reviewed annually and external competitiveness should be reviewed every three (3) years. The General Pay Plan has not been adjusted in nine (9) years. If our government employees leave for more competitive jobs in the private sector, it is because their pay has not been adjusted in nearly a decade to equitably conform to the broader labor market.

While the decision to tighten our belts may arguably be appropriate in times of deficit, we are not in a deficit today, in part because of the efforts of the very same employees from whom the Legislature has attempted to withhold these pay adjustments. There is simply no excuse to deprive any of our employees pay adjustments required under Guam law in a time of surplus. I am not content compensating our government employees in a manner that forces them to choose between serving our people and raising the standard of living for their families, between their commitment to public service and their dignity.

We count on government employees to provide services that are essential to our community and our economy. Our government competes with other employers to recruit the skilled workers necessary to do the work of government. We need social workers and tax collection agents. We need nurses aides and labor law enforcement specialists. We need victims advocates and, yes, we need bus drivers. Anyone who says that these workers are not working hard, or don't deserve to be compensated properly, should be held to account for their words and actions. Many of these employees worked during the pandemic to deliver critical services. I reject any implication that government employees are somehow less deserving of adequate pay.

I am also disturbed by efforts at the Legislature to keep unclassified employees from receiving the same pay adjustment that is provided to classified employees performing the same work. While the classified service comes with many benefits and protections compared to the unclassified service, disparate pay for the same work is not one of them. Implementing a pay plan that discriminates against a class of government employees based on their status would violate the equal protection clause of the Fourteenth Amendment as interpreted by the courts. The amendment, if effectuated, would have descended even further in its discriminatory impact by authorizing payment of the 22% adjustment to unclassified employees of agencies favored by Senator Chris Barnett, the amendment's author. The true irony of this amendment is that the author criticized the hiring of unclassified employees, whom he described as "political hacks," while in the same breath conferring a benefit on his favored agencies.

This exemption underscores that the funding of certain employees' pay adjustments but not others was arbitrary and capricious, and lacked a rational basis. The amendment, if implemented, would embroil our government in class-action litigation to resolve the clear violation of the rights of affected unclassified employees.

I believe the GPP may be implemented as approved notwithstanding the attempted restrictions in this bill. By its own terms, this bill is not effective immediately, but rather will go into effect upon the submission of certain plans to the Legislature. Further, the bill is not intended to apply retroactively.

Accordingly, because the GPP goes into effect tomorrow, April 1, 2023, by operation of existing Guam law, the pay adjustment accrued thereunder will not be affected by the restrictions in this bill, which have yet to go into effect. I intend to perfect the conditions to effectuate the funding provisions of this bill as soon as is practicable, but the restrictions, which, as described, are unconstitutional and inorganic, cannot be applied to restrict adjustments that will already be in effect pursuant to Guam law. The funding sections of the bill are severable from the remaining sections, however, as provided in the severability clause of the Budget Act, Public Law No. 36-107, and may be implemented as provided in the bill.

The bill's imprecision further affects the enforceability of the restrictions. Specifically, though the DOA provided extensive testimony before the Legislature regarding the distinctions between classified and unclassified *employees* as opposed to classified and unclassified *positions*, it appears that this distinction was lost on the author of the amendment, both during the testimony and in the ultimate language of the amendment itself. Words matter, and the conflation of these terms may not be casually disregarded. The author's interchangeable use of these terms has created ambiguity within the amendment itself that renders the restrictions unenforceable from a human resources and administrative standpoint, and the committee report does not provide the necessary clarity to adequately instruct the DOA or notify affected employees. Simply put, it is unclear from the bill which employees the restrictions are intended to apply to, and the lack of clarity further renders the restrictions unenforceable. Compensation adjustment studies require months of work by teams of experts in classification and pay, and should not be haphazardly altered by politicians with no background in compensation administration. This amendment was made without regard for standards and practices in classification and pay, and it shows in the work.

I assure our government employees who are compensated under the GPP, classified and unclassified alike, that your pay adjustments will go forward as intended. I thank you for your patience in this process, and for your continued dedicated work for our community and our island.

For these reasons stated above, Bill No. 24-37 is now signed into law as ***Public Law No. 37-3.***

Senseremente,

LOURDES A. LEON GUERRERO
Maga'hågan Guåhan
Governor of Guam

Enclosure: Bill No. 24-37 (COR) *nka P.L. No. 37-3*

cc via email: *Honorable* Joshua F. Tenorio, *Sigundo Maga'låhen Guåhan*, Lt. Governor of Guam
Compiler of Laws

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

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

This is to certify that **Bill No. 24-37 (COR), "AN ACT TO *AMEND* SECTION 2 OF CHAPTER 1 AND SECTION 2 OF PART 1, CHAPTER III; AND TO *ADD* NEW SECTIONS 13, 14, 15, 16, 17 AND 18 TO CHAPTER XI, ALL OF PUBLIC LAW 36-107 (GENERAL APPROPRIATIONS ACT OF 2023), RELATIVE TO APPROPRIATING TWENTY-ONE MILLION THIRTY-TWO THOUSAND SIX HUNDRED SEVENTY DOLLARS ($21,032,670) FOR THE IMPLEMENTATION OF THE ADJUSTED GENERAL PAY PLAN,"** was on the 24th day of March 2023, duly and regularly passed.

Therese M. Terlaje

Therese M. Terlaje
Speaker

Attested:

Amanda Shelton

Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 24th day of March, 2023, at 9:47 o'clock P.M.

PCS CCChong562

Assistant Staff Officer
Maga'håga's Office

APPROVED:

Lou Leon Guerrero

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 3/31/2023

Public Law No. 37-3

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

Bill No. 24-37 (COR)
As amended by the Committee on
General Government Operations
and Appropriations; and further amended
in the Committee of the Whole.

Introduced by: Committee on Rules
by request of *I Maga'hågan Guåhan*, the Governor of Guam, in accordance with the Organic Act of Guam.

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

BE IT ENACTED BY THE PEOPLE OF GUAM:

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

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

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

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

I. GENERAL FUND REVENUES AMOUNT	
TOTAL GENERAL FUND REVENUE	**$830,954,860**
GENERAL FUND PROVISION FOR TAX REFUND PAYMENTS	**($62,884,123)**
TOTAL GENERAL FUND REVENUE AVAILABLE FOR OPERATIONS	**$768,070,737**
A. TAXES	
Income Tax	
Corporate	$85,716,966
Individual	$93,515,852
Withholding Taxes, Interest, and Penalties	$249,459,575
Provision for Tax Refunds:	
Gross Provision for Tax Refund Payments [Federal and General Funds]	($175,604,534)
Earned Income Tax Credit Federal Receipt	$52,389,766

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

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

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

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

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

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

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

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

"**Section 13. Appropriation to the Department of Administration.** The sum of Sixteen Million Dollars **($16,000,000)** *shall* be appropriated from the General Fund to the Department of Administration (DOA) for the purpose of paying salary adjustments to employees affected by the GPP. DOA is hereby authorized to allocate funding to other departments and agencies under the Executive Branch and Guam Memorial Hospital Authority for implementation of the GPP."

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

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

for the purpose of paying salary adjustment to the employees of the Judiciary of Guam."

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

"**Section 15. Appropriation to the University of Guam.**

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

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

"**Section 16. Appropriation to the Guam Community College.**

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

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

"**Section 17. Appropriation to the Mayor's Council of Guam.**

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

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

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

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

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

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

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

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

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

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

I Mina'trentai Siette Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
24-37 (COR) As amended by the Committee on General Government Operations and Appropriations; and further amended in the Committee of the Whole.	Committee on Rules by request of *I Maga'hågan Guåhan* , the Governor of Guam, in accordance with the Organic Act of Guam.	AN ACT TO AMEND SECTION 2 OF CHAPTER 1 AND SECTION 2 OF PART 1, CHAPTER III; AND TO ADD NEW SECTIONS 13, 14, 15, 16, 17 AND 18 TO CHAPTER XI, ALL OF PUBLIC LAW 36-107 (GENERAL APPROPRIATIONS ACT OF 2023), RELATIVE TO APPROPRIATING TWENTY THREE MILLION THREE HUNDRED SIXTY FIVE THOUSAND THREE HUNDRED FOUR DOLLARS ($23,365,304) FOR THE IMPLEMENTATION OF THE ADJUSTED GENERAL PAY PLAN.	2/1/23 9:44 a.m.	2/1/23	Committee on General Government Operations and Appropriations	2/27/23 9:00 a.m.	3/16/23 8:00 a.m. As amended by the Committee on General Government Operations and Appropriations.	Request: 2/1/23 2/3/23 Revised Request: 3/16/23 Revised: 3/20/23	Additional Testimonies 3/20/23
	SESSION DATE	**TITLE**	**DATE PASSED**	**TRANSMITTED**	**DUE DATE**	**NOTES**			
	3/20/23 First Special Session	AN ACT TO *AMEND* SECTION 2 OF CHAPTER 1 AND SECTION 2 OF PART 1, CHAPTER III; AND TO *ADD* NEW SECTIONS 13, 14, 15, 16, 17 AND 18 TO CHAPTER XI, ALL OF PUBLIC LAW 36-107 (GENERAL APPROPRIATIONS ACT OF 2023), RELATIVE TO APPROPRIATING TWENTY-ONE MILLION THIRTY-TWO THOUSAND SIX HUNDRED SEVENTY DOLLARS ($21,032,670) FOR THE IMPLEMENTATION OF THE ADJUSTED GENERAL PAY PLAN.	3/24/23	3/24/23	4/5/23				

COPY

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
Thirty-Seventh Guam Legislature

March 24, 2023

The Honorable Lourdes A. Leon Guerrero
I Maga'hågan Guåhan
Ufisinan I Maga'håga
Hagåtña, Guam 96910

Dear *Maga'håga* Leon Guerrero:

Transmitted herewith is **Bill No. 24-37 (COR)**, which was passed by *I Mina'trentai Siette Na Liheslaturan Guåhan* on March 24, 2023.

Sincerely,

AMANDA L. SHELTON
Legislative Secretary

Enclosure (1)

POB CCChong #562
3/24/23 2147 hrs.

COPY

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

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

This is to certify that **Bill No. 24-37 (COR), "AN ACT TO *AMEND* SECTION 2 OF CHAPTER 1 AND SECTION 2 OF PART 1, CHAPTER III; AND TO *ADD* NEW SECTIONS 13, 14, 15, 16, 17 AND 18 TO CHAPTER XI, ALL OF PUBLIC LAW 36-107 (GENERAL APPROPRIATIONS ACT OF 2023), RELATIVE TO APPROPRIATING TWENTY-ONE MILLION THIRTY-TWO THOUSAND SIX HUNDRED SEVENTY DOLLARS ($21,032,670) FOR THE IMPLEMENTATION OF THE ADJUSTED GENERAL PAY PLAN,"** was on the 24th day of March 2023, duly and regularly passed.

Therese M. Terlaje

Therese M. Terlaje
Speaker

Attested:

Amanda Shelton

Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 24TH day of March, 2023, at 9:47 o'clock P .M.

B. Cl
POS CC Chong #562

Assistant Staff Officer
Maga'håga's Office

APPROVED:

_____
Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date:_____

Public Law No._____

COPY

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

Bill No. 24-37 (COR)
As amended by the Committee on General Government Operations and Appropriations; and further amended in the Committee of the Whole.

Introduced by:

Committee on Rules
by request of *I Maga'hågan Guåhan*, the Governor of Guam, in accordance with the Organic Act of Guam.

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

BE IT ENACTED BY THE PEOPLE OF GUAM:

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

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

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

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

I. GENERAL FUND REVENUES AMOUNT	
TOTAL GENERAL FUND REVENUE	**$830,954,860**
GENERAL FUND PROVISION FOR TAX REFUND PAYMENTS	**($62,884,123)**
TOTAL GENERAL FUND REVENUE AVAILABLE FOR OPERATIONS	**$768,070,737**
A. TAXES	
Income Tax	
Corporate	$85,716,966
Individual	$93,515,852
Withholding Taxes, Interest, and Penalties	$249,459,575
Provision for Tax Refunds:	
Gross Provision for Tax Refund Payments [Federal and General Funds]	($175,604,534)
Earned Income Tax Credit Federal Receipt	$52,389,766

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

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

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

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

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

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

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

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

"**Section 13. Appropriation to the Department of Administration.** The sum of Sixteen Million Dollars **($16,000,000)** *shall* be appropriated from the General Fund to the Department of Administration (DOA) for the purpose of paying salary adjustments to employees affected by the GPP. DOA is hereby authorized to allocate funding to other departments and agencies under the Executive Branch and Guam Memorial Hospital Authority for implementation of the GPP."

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

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

for the purpose of paying salary adjustment to the employees of the Judiciary of Guam."

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

"**Section 15. Appropriation to the University of Guam.**

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

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

"**Section 16. Appropriation to the Guam Community College.**

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

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

"**Section 17. Appropriation to the Mayor's Council of Guam.**

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

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

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

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

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

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

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

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

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

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