



August 1, 2011

The Honorable Judith T. Won Pat  
Speaker  
*I Mina' Trentai Unu Na Liheslatuaran Guahan*  
31<sup>st</sup> Guam Legislature  
155 Hesler Place  
Hagatna, Guam 96910

VIA: The Honorable Rory J Respicio  
Chairperson, Committee on Rules

RE: Committee Report on Bill No. 212-31 (COR)- As Substituted

Dear Speaker Won Pat:

Transmitted herewith is the Report of Committee on Youth, Cultural Affairs, Procurement, General Government Operations and Public Broadcasting the on Substitute Bill No. 212-31(COR) "An act to add a new Article 4 to Chapter 4 of 4GCA relative to sexual harassment complaints." – sponsored by Senator Anthony V. Ada, and Substituted by the Committee on Youth, Cultural Affairs, Procurement, General Government Operations and Public Broadcasting.

Committee votes are as follows:

<u>  7  </u>	TO DO PASS
<u>     </u>	TO NOT PASS
<u>     </u>	TO REPORT OUT ONLY
<u>     </u>	TO ABSTAIN
<u>     </u>	TO PLACE IN INACTIVE FILE

Sincerely,

  
BENJAMIN J.F. CRUZ  
Chairperson



## COMMITTEE REPORT

ON

Substitute Bill No. 212-31 (COR)

**“An act to add a new Article 4 to Chapter 4 of 4GCA relative to sexual harassment complaints.”**



August 1, 2011

**MEMORANDUM**

**TO: All Members**  
Committee on Youth, Cultural Affairs, Procurement, General  
Government Operations and Public Broadcasting

**FROM: Vice Speaker Benjamin J.F. Cruz**

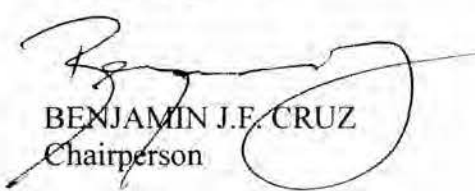
**SUBJECT: Committee Report on Bill No. 212-31(COR)**

Transmitted herewith for your consideration is the Committee Report on Bill No. 212-31(COR)-  
"An act to add a new Article 4 to Chapter 4 of 4GCA relative to sexual harassment complaints."  
This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Bill No. 212-31(COR)
- Substitute Bill No. 212-31(COR)
- Public Hearing Sign-in Sheet
- COR Referral of Bill No. 212-31(COR)
- Fiscal Note Requirement
- Notices of Public Hearing
- Public Hearing Agenda

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






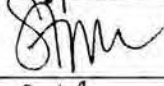

Very truly yours,

  
BENJAMIN J.F. CRUZ  
Chairperson



## COMMITTEE VOTING SHEET

**Substitute Bill No. 212-31(COR) - "An act to add a new Article 4 to Chapter 4 of 4GCA relative to sexual harassment complaints."**

COMMITTEE MEMBERS	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPO RT OUT ONLY	TO ABSTAIN	TO PLACE IN INACT IVE FILE
<b>CRUZ, BENJAMIN J.F.</b> Chairperson		✓ 8/1/11				
<b>MUÑA BARNES, TINA ROSE</b> Vice-Chairperson		✓				
<b>WON PAT, JUDITH T.</b> Speaker and Ex-Officio Member						
<b>ADA, THOMAS C.</b> Member		✓ 8/1/11				
<b>GUTHERTZ, JUDITH P.</b> Member						
<b>RESPICIO, RORY J.</b> Member						
<b>RODRIGUEZ, DENNIS G. JR.</b> Member						
<b>ADA, V. ANTHONY</b> Member		8/1/11				
<b>DUEÑAS, CHRISTOPHER</b> Member		8/1/11				
<b>MABINI, SAM</b> Member		8/1/11				
<b>YAMASHITA, ALINE</b> Member		8/1/11				



## **Committee Report Digest**

### **I. OVERVIEW**

The Committee on Youth, Cultural Affairs, Procurement, General Government Operations and Public Broadcasting convened a public hearing on Wednesday, June 22, 2011 at 10:00 a.m. in the Public Hearing Room of *I Liheslatura*. Among the items on the agenda was the consideration of Bill No. 212-31(COR) - "An act to add a new Article 4 to Chapter 4 of 4GCA relative to sexual harassment complaints."

Substitute Bill No. 212-31(COR) would codify the EEOC rules for workplace sexual harassment directly into the Guam Code Annotated. It would ensure the local mandate for reporting workplace sexual harassment is in line with the existing federal standard.

#### **Public Notice Requirements**

All legal requirements for public notices were met, with requests for publication sent to all media and all senators on June 15th and 20th via email. Copies of the hearing notices are appended to the report.

#### **Senators Present**

Vice Speaker Benjamin J.F. Cruz, Chairperson  
Senator V. Anthony Ada, Committee Member  
Senator Aline A. Yamashita, Ph.D., Committee Member  
Senator Adolpho Palacios, Committee Member  
Senator Sam Mabini Ph.D., Committee Member

The public hearing was called to order at 10:08 a.m.

### **II. SUMMARY OF TESTIMONY AND DISCUSSION**

Vice Speaker Benjamin J.F. Cruz called the public hearing to order at 10:08 a.m. and announced the morning's agenda and public hearing notices.

**Benita Manglona**, Acting Director, Director of Administration testified that while she is in support of the intent of the legislation, she was concerned with the penalty for the Director of the agency was so extreme. She felt that sometimes the Director of the Agency was unaware of abuse or harassment and that should be considered before passage of this measure.



Written Testimony was provided by:

Alberto Lamorena- CSC

Benita Manglona- DOA

Leah Beth Naholowaa- DOL

Phil Tydingco- AG's Office

### **III. FINDINGS AND RECOMMENDATION**

The Committee finds that the Government of Guam's EEO policy on Sexual Harassment does not apply to unclassified, contractual or temporary workers. The Committee further finds that sexual harassment, in any form, creates a hostile work environment, lowers employee morale and places employees in danger in the event that the harassment escalates towards sexual assault. No employee, regardless of employment status, should have to work in an environment where they face sexual advances or exposure to pornography, off-color jokes, and profanity.

Bill No. 212-31 does not define sexual harassment, it (1) expands EEO Sexual Harassment protections to all unclassified, temporary and contractual employees and (2) requires that the Department of Administration and the Civil Service Commission to routinely audit the handling of such complaints by government administrators. Although the bill establishes guidelines for EEO official to follow when addressing sexual harassment complaints, the Committee agrees with the recommendations of the Director of Administration that the existing policies and procedures that apply to classified employees are adequate for unclassified employees as well. The Committee addresses this issue in a substitute bill.


The Committee further agrees with the intent of the bill to allow the EEO officials to review all reports of sexual harassment that occurred prior to, but within a reasonable time prior to the enactment of this bill. By requiring every agency official who received a report of sexual harassment after October 1, 2010 to file an incident report, the EEO office can (1) assess the complaint, (2) determine if appropriate action was taken, (3) determine if any employees remain in harm's way and (4) take additional steps, if necessary, to make the workplace safer. If there is a known sexual harasser in an agency who escaped reprimand and proper counseling prior to the enactment of this bill, a hostile work environment may continue to impede the effectiveness of that agency's mission and it must be remedied.

The Committee on Youth, Cultural Affairs, Procurement, General Government Operations and Public Broadcasting hereby reports out Substitute Bill 212-31 (COR), with the recommendation **TO PASS.**

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

Bill No. 212-31(COR)

Introduced by:

V. Anthony Ada 

**AN ACT TO ADD A NEW ARTICLE 4 TO CHAPTER 4 OF  
4GCA RELATIVE TO SEXUAL HARASSMENT  
COMPLAINTS**

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

**Section 1.** A new Article 7 is *added* to Chapter 4 of 4GCA to read as follows:

**Article 7**  
**Reports of Sexual Harassment**

**§4701. Legislative Findings and intent.**

*I Liheslaturan Guåhan* finds that sexual harassment is a form of sex discrimination that violates *Title VII of the Civil Rights Act of 1964*. Title VII applies to employers with 15 or more employees, including state and local governments. It also applies to employment agencies and to labor organizations, as well as to the federal government.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment.

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1 Sexual harassment can occur in a variety of circumstances, including but not  
2 limited to the following:

- 3 • The victim as well as the harasser may be a woman or a man. The  
4 victim does not have to be of the opposite sex.
- 5 • The harasser can be the victim's supervisor, an agent of the  
6 employer, a supervisor in another area, a co-worker, or a non-  
7 employee.
- 8 • The victim does not have to be the person harassed but could be  
9 anyone affected by the offensive conduct.
- 10 • Unlawful sexual harassment may occur without economic injury to  
11 or discharge of the victim.
- 12 • The conduct may include the use of profanity, offensive language  
13 and expletives, derogatory comments or sexually offensive speech to  
14 berate, discipline or intimidate employees, subordinates.
- 15 • The harasser's conduct must be unwelcome.

16 *I Liheslatura* further finds that it is helpful for the victim to inform the harasser  
17 directly that the conduct is unwelcome and must stop. The victim should use any  
18 employer complaint mechanism or grievance system available.

19 When investigating allegations of sexual harassment, the federal Equal  
20 Employment Opportunity Commission (EEOC) looks at the whole record: the  
21 circumstances, such as the nature of the sexual advances, and the context in



1 which the alleged incidents occurred. A determination on the allegations is made  
2 from the facts on a case-by-case basis.

3 Prevention is the best tool to eliminate sexual harassment in the workplace.  
4 Employers are encouraged to take steps necessary to prevent sexual harassment  
5 from occurring. They should clearly communicate to employees that sexual  
6 harassment will not be tolerated. They can do so by providing sexual harassment  
7 training to their employees and by establishing an effective complaint or  
8 grievance process and taking immediate and appropriate action when an  
9 employee complains.

10 It is also unlawful to retaliate against an individual for opposing employment  
11 practices that discriminate based on sex or for filing a discrimination charge,  
12 testifying, or participating in any way in an investigation, proceeding, or  
13 litigation under Title VII.

14

15 **§4702. Jurisdiction Over Sexual Harassment Complaints For All Employees.**

16 As specified in this Chapter, employees in the context of Equal Employment  
17 Opportunity complaints involving Sexual Harassment as defined by *Title VII of*  
18 *the Civil Rights Act of 1964* and this Article shall include all classified and  
19 unclassified employees of the Executive Branch of the Government of Guam.

20

21 **§4703. Sexual Harassment Defined:** For purposes of this Article Sexual  
22 Harassment shall include:

23

1 (a). Sexual harassment as defined by the federal Equal Employment Opportunity  
2 Commission.

3  
4 (b). Unwelcome sexual advances, requests for sexual favors, or other verbal or  
5 physical conduct of a sexual nature when:

6 (1) Submission to such conduct was made either explicitly or implicitly a  
7 term or condition of an individual's employment,

8 (2) Submission to or rejection of such conduct by an individual was used as  
9 the basis for employment decisions affecting such individual, or

10 (3) Such conduct has the purpose or effect of unreasonably interfering with  
11 an individual's work performance or creating an intimidating, hostile, or  
12 offensive working environment.

13  
14 (c). Conduct that includes the use denotatively or connotatively defined sexual  
15 language that includes but is not limited to profanity, offensive language and  
16 expletives, derogatory comments or sexually offensive speech which is used to  
17 berate, bully, discipline or intimidate employees.

18  
19 **§4704. Reports of Sexual Harassment Complaints.** (a) The supervisor of an  
20 employee who files either an oral or written sexual harassment complaint shall  
21 submit a report to the Department of Administration and the Civil Service  
22 Commission that includes:

23 (1) The name, address and telephone number(s) of the complainant,

24 (2) That nature of the complaint,

25 (3) Actions taken to resolve the complaint including disciplinary action  
26 taken against the target of the complaint, and

1 (4) Copies of any documents submitted by the complainant, the target of the  
2 complaint and witnesses to include any transcripts and affidavits.

3 (b) In the event that the target of the complaint is the complainant's supervisor, the  
4 supervisor of the complainant's supervisor shall submit the report.

5 (c) The report shall be submitted by the earlier of ninety (90) days following the  
6 date of the complaint or twenty (20) days following resolution of the complaint.

7 In the event that the complaint is not resolved within ninety (90) days following  
8 the date of the complaint, the supervisor shall submit all documents, statements  
9 and evidence to the Department of Administration and the Civil Service  
10 Commission that are related to the complaint along with a signed statement  
11 detailing the reasons why the complaint has not been resolved.

12 (d) The reports submitted herein are confidential and are not public information  
13 but may be viewed by the complainant. The target of the complaint may also view  
14 the report following proper disposition of a discovery motion by an adjudicatory  
15 body or court of law.

16 (e) Complaints filed against a non-employee of the complainant's department shall  
17 be reported by the complainant's supervisor to the Guam Attorney General's  
18 Office within five (5) days following the complaint. In the event that a complaint  
19 is filed where the complainant believes her or she is in danger, the supervisor shall  
20 file a report with the Guam Police Department upon receipt of such complaint.

21 (f) In the event that a supervisor or other applicable official fails to submit a report  
22 required herein, the official commits a violation subject to a fine not to exceed  
23 Two Hundred Dollars (\$200). In the event that a supervisor or other applicable  
24 official willfully fails to submit a report required herein, the official commits a  
25 petty misdemeanor subject to a fine not to exceed Five Hundred Dollars (\$500).

1 Any person who impedes or interferes with the filing of a report required herein  
2 commits a third degree felony.

3  
4 **§4705. Audits of Reports of Sexual Harassment Complaints.** The Civil Service  
5 Commission shall audit all reports of filed pursuant to §4704 of this Chapter and  
6 actions taken by the complainant's department and the Department of  
7 Administration. The scope of the audit shall include, but not be limited to:

8  
9 (a) The appropriateness of the actions taken by the complainants department and  
10 the Department of Administration to resolve the complaint,

11 (b) Recommendations for improvement including the need for training and  
12 education of supervisors and employees, and

13 (c) Determination of disciplinary action taken against.

14  
15 **§4706. Whistle-blower protection.** No person who reports any incident of sexual  
16 harassment or suspected sexual harassment to a supervisor, director the  
17 Department of Administration, Civil Service Commission, Guam Attorney  
18 General or a law enforcement agency of the Government of Guam or Government  
19 of the United States shall suffer any loss of wages, title or position or employment  
20 as a result of such report.

21  
22 **§4707. Timeframe and Rights to file complaints.** The timeframe to file  
23 complaints of sexual harassment or suspected sexual harassment shall be the later  
24 of two (2) years following the incident or those timeframes established by the  
25 federal Equal Employment Opportunity Commission. The right to file complaint

1 shall not be extinguished by termination, transfer or resignation of an employee of  
2 a department where the incident occurred.

3  
4 **Section 2. Effective Date.** This Article shall be effective upon enactment except  
5 that all reports of sexual harassment that occurred between January 1, 2011 and  
6 the effective date of this Act shall be reported to the Department of Administration  
7 and the Civil Service Commission.

8  
9 **Section 3. Special Provision.** In the event that a supervisor or other applicable  
10 official fails to submit a report an incidence of sexual harassment that occurred  
11 between January 1, 2011 and the effective date of this Act, the official commits a  
12 violation subject to a fine not to exceed Two Hundred Dollars (\$200). In the event  
13 that a supervisor or other applicable official willfully fails to submit a report  
14 required herein, the official commits a petty misdemeanor subject to a fine not to  
15 exceed Five Hundred Dollars (\$500). Any person who impedes or interferes with  
16 the filing of a report required herein commits a third degree felony.

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

Bill No. 212-31 (COR)

As Substituted by the Committee on  
Youth, Cultural Affairs, Procurement,  
General Government Operations and  
Public Broadcasting

Introduced by:

V. Anthony Ada

**AN ACT TO ADD A NEW ARTICLE 4 TO CHAPTER 4 OF  
4GCA RELATIVE TO SEXUAL HARASSMENT  
COMPLAINTS**

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

**Section 1.** A new Article 7 is *added* to Chapter 4 of 4GCA to read as follows:

**Article 7**

**Reports of Sexual Harassment by Non-classified Employees**

**§4701. Legislative Findings and intent.**

*I Liheslaturan Guåhan* finds that sexual harassment is a form of sex discrimination that violates *Title VII of the Civil Rights Act of 1964*. Title VII applies to employers with 15 or more employees, including state and local governments. It also applies to employment agencies and to labor organizations, as well as to the federal government.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment.

1 Sexual harassment can occur in a variety of circumstances, including but not  
2 limited to the following:

- 3 • The victim as well as the harasser may be a woman or a man. The  
4 victim does not have to be of the opposite sex.
- 5 • The harasser can be the victim's supervisor, an agent of the  
6 employer, a supervisor in another area, a co-worker, or a non-  
7 employee.
- 8 • The victim does not have to be the person harassed but could be  
9 anyone affected by the offensive conduct.
- 10 • Unlawful sexual harassment may occur without economic injury to  
11 or discharge of the victim.
- 12 • The conduct may include the use of profanity, offensive language  
13 and expletives, derogatory comments or sexually offensive speech to  
14 berate, discipline or intimidate employees, subordinates.
- 15 • The harasser's conduct must be unwelcome.

16 *I Liheslatura* further finds that it is helpful for the victim to inform the harasser  
17 directly that the conduct is unwelcome and must stop. The victim should use any  
18 employer complaint mechanism or grievance system available.

19 When investigating allegations of sexual harassment, the federal Equal  
20 Employment Opportunity Commission (EEOC) looks at the whole record: the  
21 circumstances, such as the nature of the sexual advances, and the context in



1 which the alleged incidents occurred. A determination on the allegations is made  
2 from the facts on a case-by-case basis.

3 Prevention is the best tool to eliminate sexual harassment in the workplace.  
4 Employers are encouraged to take steps necessary to prevent sexual harassment  
5 from occurring. They should clearly communicate to employees that sexual  
6 harassment will not be tolerated. They can do so by providing sexual harassment  
7 training to their employees and by establishing an effective complaint or  
8 grievance process and taking immediate and appropriate action when an  
9 employee complains.

10 It is also unlawful to retaliate against an individual for opposing employment  
11 practices that discriminate based on sex or for filing a discrimination charge,  
12 testifying, or participating in any way in an investigation, proceeding, or  
13 litigation under Title VII.

14  
15 **§4702. Jurisdiction Over Sexual Harassment Complaints For All Employees.**  
16 As specified in this Chapter, employees in the context of Equal Employment  
17 Opportunity complaints involving Sexual Harassment as defined by *Title VII of*  
18 *the Civil Rights Act of 1964* and this Article shall include all classified and  
19 unclassified employees of the Executive Branch of the Government of Guam.

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21 **§4703. Sexual Harassment Defined:** For purposes of this Article Sexual  
22 Harassment shall include:

23

1 (a). Sexual harassment as defined by the federal Equal Employment Opportunity  
2 Commission.

4 (b). Unwelcome sexual advances, requests for sexual favors, or other verbal or  
5 physical conduct of a sexual nature when:

6 (1) Submission to such conduct was made either explicitly or implicitly a  
7 term or condition of an individual's employment,

8 (2) Submission to or rejection of such conduct by an individual was used as  
9 the basis for employment decisions affecting such individual, or

10 (3) Such conduct has the purpose or effect of unreasonably interfering with  
11 an individual's work performance or creating an intimidating, hostile, or  
12 offensive working environment.

14 (c). Conduct that includes the use denotatively or connotatively defined sexual  
15 language that includes but is not limited to profanity, offensive language and  
16 expletives, derogatory comments or sexually offensive speech which is used to  
17 berate, bully, discipline or intimidate employees.

19 **§4704. Reports of Sexual Harassment Complaints.** ~~(a) The supervisor of an~~  
20 ~~employee who files either an oral or written sexual harassment complaint shall~~  
21 ~~submit a report to the Department of Administration and the Civil Service~~  
22 ~~Commission that includes:~~

23 ~~(1) The name, address and telephone number(s) of the complainant,~~

24 ~~(2) That nature of the complaint,~~

25 ~~(3) Actions taken to resolve the complaint including disciplinary action~~  
26 ~~taken against the target of the complaint, and~~

1       ~~(4) Copies of any documents submitted by the complainant, the target of the~~  
2       ~~complaint and witnesses to include any transcripts and affidavits.~~

3       ~~(b) In the event that the target of the complaint is the complainant's supervisor, the~~  
4       ~~supervisor of the complainant's supervisor shall submit the report.~~

5       ~~(c) The report shall be submitted by the earlier of ninety (90) days following the~~  
6       ~~date of the complaint or twenty (20) days following resolution of the complaint.~~

7       ~~In the event that the complaint is not resolved within ninety (90) days following~~  
8       ~~the date of the complaint, the supervisor shall submit all documents, statements~~  
9       ~~and evidence to the Department of Administration and the Civil Service~~  
10       ~~Commission that are related to the complaint along with a signed statement~~  
11       ~~detailing the reasons why the complaint has not been resolved.~~

12       ~~(d) The reports submitted herein are confidential and are not public information~~  
13       ~~but may be viewed by the complainant. The target of the complaint may also view~~  
14       ~~the report following proper disposition of a discovery motion by an adjudicatory~~  
15       ~~body or court of law.~~

16       ~~(e) Complaints filed against a non-employee of the complainant's department shall~~  
17       ~~be reported by the complainant's supervisor to the Guam Attorney General's~~  
18       ~~Office within five (5) days following the complaint. In the event that a complaint~~  
19       ~~is filed where the complainant believes her or she is in danger, the supervisor shall~~  
20       ~~file a report with the Guam Police Department upon receipt of such complaint.~~

21       ~~(f) In the event that a supervisor or other applicable official fails to submit a report~~  
22       ~~required herein, the official commits a violation subject to a fine not to exceed~~  
23       ~~Two Hundred Dollars (\$200). In the event that a supervisor or other applicable~~  
24       ~~official willfully fails to submit a report required herein, the official commits a~~  
25       ~~petty misdemeanor subject to a fine not to exceed Five Hundred Dollars (\$500).~~

~~Any person who impedes or interferes with the filing of a report required herein commits a third degree felony.~~

Notwithstanding any other provision of law, rules and regulations unclassified, contractual, temporary and other non-classified employees may file complaints for sexual harassment in the same manner that classified employees may file such complaints. Unclassified, contractual, temporary and other non-classified employees are entitled to all rights, privileges and remedies that are afforded to classified employees to resolve sexual harassment complaints.

**§4705. Audits of Reports of Sexual Harassment Complaints.** ~~The Civil Service Commission shall audit all reports of filed pursuant to §4704 of this Chapter and actions taken by the complainant's department and the Department of Administration. The scope of the audit shall include, but not be limited to:~~

~~(a) The appropriateness of the actions taken by the complainants department and the Department of Administration to resolve the complaint,~~

~~(b) Recommendations for improvement including the need for training and education of supervisors and employees, and~~

~~(c) Determination of disciplinary action taken against.~~

Complaints of Sexual harassment filed pursuant to this Chapter shall be audited periodically in the same manner as complaints filed by classified employees.

**§4706. Whistle-blower protection.** No person, including witnesses and counselors and confidants of the victim; who reports any incident of sexual harassment or suspected sexual harassment to a supervisor, agency head, director the Department of Administration, Civil Service Commission, Guam Attorney

1 General or a law enforcement agency of the Government of Guam or Government  
2 of the United States shall suffer any loss of wages, title or position or employment  
3 as a result of such report.

4  
5 **§4707. Timeframe and Rights to file complaints.** The timeframe to file  
6 complaints of sexual harassment or suspected sexual harassment shall be the later  
7 of two (2) years following the incident or those timeframes established by the  
8 federal Equal Employment Opportunity Commission. The right to file complaint  
9 shall not be extinguished by termination, transfer or resignation of an employee of  
10 a department where the incident occurred.

11  
12 **§4708. Personnel Rules and Regulations.** All personnel rules and regulations on  
13 sexual harassment that applicable to the agency/branch for which the victim is  
14 employed shall apply to Unclassified, contractual, temporary and other non-  
15 classified employees. In the event that an agency or office is not covered by  
16 personnel rules and regulations, the sexual harassment provisions of the  
17 Department of Administration's Personnel Rules and Regulations shall apply.

18  
19 **Section 2. Effective Date.** This Article shall be effective upon enactment. except  
20 ~~that all reports of sexual harassment that occurred between January 1, 2011 and~~  
21 ~~the effective date of this Act shall be reported to the Department of Administration~~  
22 ~~and the Civil Service Commission as provided by Section 3 of this Act.~~

23  
24 **Section 3. Special Provision.** ~~In the event that a supervisor or other applicable~~  
25 ~~official fails to submit a report an incidence of sexual harassment that occurred~~  
26 ~~between January 1, 2011 and the effective date of this Act, the official commits a~~

1 ~~violation subject to a fine not to exceed Two Hundred Dollars (\$200). In the event~~  
2 ~~that a supervisor or other applicable official willfully fails to submit a report~~  
3 ~~required herein, the official commits a petty misdemeanor subject to a fine not to~~  
4 ~~exceed Five Hundred Dollars (\$500). Any person who impedes or interferes with~~  
5 ~~the filing of a report required herein commits a third degree felony.~~

6 **Reporting of Prior Sexual Harassment Complaints by Unclassified**  
7 **Employees. (a) Legislative Intent:** *I Liheslaturan Guåhan* finds reports of  
8 Sexual Harassment that occurred prior to the enactment of Section 1 of this Act  
9 were likely ignored or addressed internally within the complainant's agency.  
10 Unlike other abuses that may be reported by all classes of employees, sexual  
11 harassment, like sex crimes, have high rates of recidivism and are likely to be  
12 repeated if not properly addressed. While sexual harassment cases may have been  
13 properly and judiciously addressed, there is no clear way to ensure that work  
14 places have been made safe and hostile work environments diffused unless the  
15 cases have been thoroughly reviewed by EEO officials.

16 It may not be practical to review all prior complaints of sexual harassment,  
17 it is, however, the intent of *I Liheslatura* to allow EEO officials to review recent  
18 sexual harassment complaints and determine whether the complaints were  
19 properly and adequately addressed.

20 **(b) Reporting:** For the period from October 1, 2010 to the effective date of  
21 this Act, any person who, directly or through a third party, received a written or  
22 oral sexual harassment complaint from an unclassified, temporary or contractual  
23 employee, shall furnish a report of the incident to the Equal Employment  
24 Opportunity Office of the Department of Administration. The report shall include  
25 but not be limited the following:

26 (a) The name and position of the complainant,

- 1           (b) The name and position of the accused harasser,  
2           (c) The work relationship of the complainant to the harasser,  
3           (d) The nature of the incident(s) that led to the complaint,  
4           (e) The names of witnesses to the incident(s) that led to the  
5           complaint,  
6           (f) The contact information of the complainant, accused and  
7           witnesses,  
8           (g) Any action taken to resolve or attempt to resolve the complaint,  
9           and  
10          (h) The current employment/position status of the complainant and  
11          the accused and the current work relationship.

12          The complainant may also file a report on his or her behalf.

13          The information contained in this report is not public information or subject  
14          to the provisions of Chapter 10 of 5GCA. The information shall be available to  
15          the complainant at any reasonable time. The information shall be available to the  
16          accused through a request for discovery.

17          The Director of the Department of Administration shall, through existing  
18          rules, regulations and policies, determine the disposition of complaint reports filed  
19          herein.



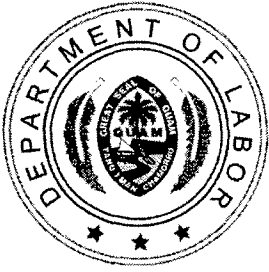
Web Address: [www.senatorbjcruz.com](http://www.senatorbjcruz.com)



Telephone: (671) 477-2520/1 • Fax: (671) 477-2522

**/ Liheslatura • Public Hearing Room • Hagåtña, Guam**

[illegible]



DEPARTMENT OF  
**LABOR**

DIPATTMENTON HUMOTNĀT • LEAH BETH O. NAHOLOWAA, Director

---

**EDDIE BAZA CALVO**

*Governor*

**RAY TENORIO**

*Lieutenant Governor*

July 20, 2011

The Honorable Benjamin J.F. Cruz  
Vice-Speaker, 31<sup>st</sup> Guam Legislature  
Chairperson, Committee on Youth, Cultural Affairs,  
Procurement, General Government Operations  
and Public Broadcasting  
155 Hesler Place, Ste. 107  
Hagatna, Guam 96910

Dear Vice-Speaker Cruz:

Hafa Adai! Guam Department of Labor (GDOL) appreciates the opportunity to comment on **Bill No. 212-31 (COR)**, "AN ACT TO ADD A NEW ARTICLE 4 TO CHAPTER 4 OF 4GCA RELATIVE TO SEXUAL HARASSMENT COMPLAINTS". GDOL supports the intent of the bill, whereby unclassified, contractual, temporary, and other non-classified employees are entitled to all rights, privileges, and remedies that are afforded to classified employees on the issue of sexual harassment. GDOL agrees, as well, with the Bill's Subsections, and we offer our comments and suggestions on selected Subsections, as follows:

§4701. LEGISLATIVE FINDINGS AND INTENT. We agree with the Bill that prevention is the best tool to eliminate sexual harassment in the workplace, to include (a) training for all employees and (b) an effective complaint/grievance process.

Suggestion: Include multiple paths in the complaint process. Example: If the harasser is the victim's supervisor, the employee can go directly to another supervisor, HR officer, or the agency's manager.

§4702. JURISDICTION OVER SEXUAL HARASSMENT COMPLAINTS FOR ALL EMPLOYEES.

Re: "...and this Article shall include all classified and unclassified employees of the Executive Branch of the Government of Guam."

Suggestion: Employees in the Legislative and Judicial Branches must be included, as well, not just employees in the Executive Branch.

§4704. REPORTS OF SEXUAL HARASSMENT COMPLAINTS; AND

§4705. AUDITS OF REPORTS OF SEXUAL HARASSMENT COMPLAINTS.

Suggestion: Monitor enforcement of these two Subsections.

Thank you for the opportunity to submit our feedback on Bill No. 212-31 (COR). Should you have any questions, please contact GDOL/Fair Employment Practice Division at 475-7083/75. Si Yu'os Ma'ase.

Best regards,

Leah Beth O. Naholowaa  
Director



**Eddie Baza Calvo**  
Governor  
**Ray Tenorio**  
Lieutenant Governor

JUL 26 2011

GOVERNMENT OF GUÅHAN  
(GUBETNAMENTON GUÅHAN)

DEPARTMENT OF ADMINISTRATION  
(DIPATTAMENTON ATMENESTRASION)

**DIRECTOR'S OFFICE**  
(Ufisinan Direktot)  
Post Office Box 884 \* Hagåtña, Guam 96932  
TEL: (671) 475-1101/1250 \* FAX: (671) 477-6788



**Benita A. Manglona**  
Acting Director  
**George A. Santos**  
Deputy Director

**HRD NO.: OG-11-0941**

The Honorable Benjamin J.F. Cruz  
Vice-Speaker  
31<sup>st</sup> Guam Legislature  
Chairperson, Committee on Youth, Cultural Affairs,  
Procurement, General Government Operations  
and Public Broadcasting  
155 Hesler Place, Ste. 107  
Hagatna, Guam 96910

Dear Vice-Speaker Cruz:

Buenas yan Hafa Adai! Thank you for the opportunity to comment on Substitute Bill 212 (COR) "An Act to Add a New Article 4 to Chapter 4 of 4 GCA Relative to Sexual Harassment Complaints".

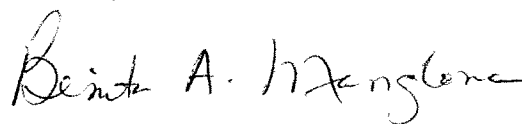
We are in support of the substitute bill which allows all unclassified, contractual, temporary and other non-classified employees to file sexual harassment complaints in the same manner that classified employees file such complaints. There is a current process in the Personnel Rules and Regulation that outline the procedures in which government employees must follow in order to resolve sexual harassment complaints. We agree that all employees, regardless of employment status, must be protected with regards to discrimination complaints.

However, the two (2) year timeframe in which to file complaints seems excessive. Our local department of Labor mirrors the federal Equal Employment Opportunity Commission (EEOC) filing deadline of up to 300 calendar days from the day the discrimination took place. A suggestion would be to mirror EEOC's timeframes for consistency purposes.

Office of the Vice Speaker  
**Benjamin JF Cruz**  
Rcd. By CR Date 7-27-11  
8-52

Si Yu'os Ma'ase for the opportunity to comment of on substitute Bill 212-31 (COR). You may contact the Human Resources Division at 475-1132/1294 if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink that reads "Benita A. Manglona". The script is cursive and fluid, with the first name "Benita" and last name "Manglona" clearly legible.

**BENITA A. MANGLONA**  
**Acting**



## COMMITTEE ON RULES

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

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Judith P. Guthertz  
VICE CHAIRPERSON  
ASST. MAJORITY LEADER

### MAJORITY MEMBERS:

Speaker  
Judith T. Won Pat

Vice Speaker  
Benjamin J. F. Cruz

Senator  
Tina Rose Muña Barnes  
LEGISLATIVE SECRETARY  
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Senator  
Dennis G. Rodriguez, Jr.  
ASST. MAJORITY WHIP

Senator  
Thomas C. Ada

Senator  
Adolpho B. Palacios, Sr.

Senator  
vicente c. pangelinan

### MINORITY MEMBERS:

Senator  
Aline A. Yamashita  
ASST. MINORITY LEADER

Senator  
Christopher M. Duenas

July 19, 2011

### Memorandum

To: Pat C. Santos  
Clerk of the Legislature

From: Senator Rory J. Respicio

Subject: Fiscal Notes

*Hafa Adai!*

Attached please find the fiscal notes for the bill numbers listed below. Please note that the fiscal notes, or waivers, are issued on the bills as introduced.

#### Bill Nos.:

77-31 (COR)	237-31 (COR)	246-31 (COR)
172-31 (COR)	239-31 (COR)	249-31 (COR)
209-31 (COR)	240-31 (COR)	251-31 (COR)
212-31 (COR)	242-31 (COR)	252-31 (COR)
226-31 (LS)	243-31 (COR)	253-31 (COR)
228-31 (COR)	244-31 (COR)	254-31 (COR)
233-31 (COR)	245-31 (COR)	256-31 (COR)

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

*Si Yu'os ma'åse'!*

2011 JUL 19 11:05 AM  
5235  
EAM

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

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

**EDDIE BAZA CALVO**  
GOVERNOR

**RAY TENORIO**  
LIEUTENANT GOVERNOR

**BENITA A. MANGLONA**  
DIRECTOR

**STEPHEN J. GUERRERO**  
DEPUTY DIRECTOR

**JUL 18 2011**

Senator Rory J. Respicio  
Chairperson, Committee on Rules  
I Mina'trentai Unu na Liheslaturan Guåhan  
The 31<sup>st</sup> Guam Legislature  
155 Hesler Place  
Hagåtña, Guam 96932

*Hafa Adai* Senator Respicio:

Transmitted herewith are Fiscal Notes on the following Bill Nos.: 77-31(COR), 172-31(COR), 209-31(COR), 212-31(COR), 226-31(LS), 228-31(COR), 233-31(COR), 237-31(COR), 239-31(COR), 240-31(COR), 243-31(COR), 244-31(COR), 245-31(COR), 246-31(COR), 249-31(COR), 251-31(COR), 252-31(COR), 254-31(COR), 256-31(COR) and Fiscal Note Waivers on Bill Nos.: 242-31(COR), 253-31(COR).

If you have any question(s), please do not hesitate to call the office at 475-9412/9106.

**JOHN A. RIOS**  
Acting Director

Enclosures

cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research**  
**Fiscal Note of Bill No. 212-31**

**AN ACT TO ADD A NEW ARTICLE 4 TO CHAPTER 4 OF 4 GCA RELATIVE TO SEXUAL HARASSMENT COMPLAINTS.**

**Department/Agency Appropriation Information**

Dept./Agency Affected: Department of Administration	Dept./Agency Head: Benita A. Manglona, Acting Director
Department's General Fund (GF) appropriation(s) to date:	41,281,957
Department's Other Fund (Specify) appropriation(s) to date:	8,196,091
Total Department/Agency Appropriation(s) to date:	\$49,478,048

**Fund Source Information of Proposed Appropriation**

	General Fund:	(Specify Special Fund):	Total:
FY 2010 Unreserved Fund Balance <sup>1</sup>		\$0	\$0
FY 2011 Adopted Revenues	\$0	\$0	\$0
FY 2011 Appro. (P.L. 30-196)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

**Estimated Fiscal Impact of Bill**

	One Full Fiscal Year	For Remainder of FY 2011 (if applicable)	FY 2012	FY 2013	FY 2014	FY 2015
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0

- Does the bill contain "revenue generating" provisions? /x/ Yes    / / No  
If Yes, see attachment
- Is amount appropriated adequate to fund the intent of the appropriation? /x/ N/A    / / Yes    / / No  
If no, what is the additional amount required? \$ /x/ N/A
- Does the Bill establish a new program/agency? / / Yes    /x/ No  
If yes, will the program duplicate existing programs/agencies? /x/ N/A    / / Yes    / / No  
Is there a federal mandate to establish the program/agency? / / Yes    /x/ No
- Will the enactment of this Bill require new physical facilities? / / Yes    /x/ No
- Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: / / Yes    /x/ No\*  
/ / Requested agency comments not received by due date    / / Other: \_\_\_\_\_

\*Due to other Budgetary priorities and deadline of review of fiscal note, insufficient time to coordinate with the affected dept/agency.

Analyst: Dina P. Rivera Date: 7/13/11 Director: John A. Rios, Acting Director Date: 7/18/11

**Footnotes:**

The Bill has a potential to generate revenues as per Section 3 of the proposed Bill which imposes a fine of \$200 and \$500 for two separate reporting violations of the proposed Act. However, this impact is undetermined at this time.





## COMMITTEE ON RULES

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ASST. MAJORITY WHIP

Senator  
Thomas C. Ada

Senator  
Adolpho B. Palacios, Sr.

Senator  
vicente c. pangelinan

### MINORITY MEMBERS:

Senator  
Aline A. Yamashita  
ASST. MINORITY LEADER

Senator  
Christopher M. Duenas

May 26, 2011

### MEMORANDUM

To: Pat Santos  
Clerk of the Legislature

Attorney Therese M. Terlaje  
Legislative Legal Counsel

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

Subject: Referral of Bills No. 211-31 (COR) and 212-31 (COR)

As Chairperson of the Committee on Rules, I am forwarding my referral of Bills No. 211-31 (COR) and 212-31 (COR).

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

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

*Si Yu'os ma'åse!*

(1) Attachments

2011 MAY 27 AM 9:02

*I Mina'Trentai Unu Na Liheslaturan Guåhan*

**Bill Log Sheet**

**May 24, 2011**

Page 1 of 1

<b>Bill No.</b>	<b>Sponsor(s)</b>	<b>Title</b>	<b>Date Introduced</b>	<b>Date Referred</b>	<b>120 Day Deadline</b>	<b>Committee Referred</b>	<b>Public Hearing Date</b>	<b>Date Committee Report Filed</b>	<b>Status (Date)</b> Passed? Failed? Vetoed? Overridden? Public Law?
211-31 (COR)	T. C. Ada	AN ACT TO AMEND §3102.1, CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO FACILITATING THE PROCEDURE FOR OBTAINING WAIVER OF DRIVER LICENSE FEES FOR VETERANS.	5/25/11 4:33 p.m.	5/26/11		Committee on Appropriation s, Taxation, Public Debt, Banking, Insurance, Retirement and Land.			
212-31 (COR)	V. A. Ada	AN ACT TO ADD A NEW ARTICLE 4 TO CHAPTER 4 OF 4GCA RELATIVE TO SEXUAL HARASSMENT COMPLAINTS.	5/26/11 9:33 a.m.	5/26/11		Committee on Youth, Cultural Affairs, Procurement, General Government Operations and Public Broadcasting			

## Chris Carillo

---

**From:** Chris Carillo [chris.carillo@senatorbjcruz.com]  
**Sent:** Wednesday, June 15, 2011 8:53 AM  
**To:** 'Chris Carillo'; 'speaker@judiwonpat.com'; 'Senator Tom Ada'; 'senatortonyada@guamlegislature.org'; 'senator@tinamunabarnes.com'; 'Senator Frank F. Blas, Jr.'; 'senator@senatorbjcruz.com'; 'duenasenator@gmail.com'; 'judiguthertz@gmail.com'; 'senatorsam@senatormabini.com'; 'Senator Ben C. Pangelinan'; 'cor@guamlegislature.org'; 'senatordrodriguez@gmail.com'; 'senatormana@gmail.com'; 'Aline Yamashita'; 'phnotice@guamlegislature.org'; 'dmgeorge@guampdn.com'; 'hottips@kuam.com'; 'Sabrina Salas'; 'mindy@kuam.com'; 'dcrisostomo@guampdn.com'; 'Janela'; 'thebigshow@k57.com'; 'therese.hart.writer@gmail.com'; 'Therese Hart'; 'Ray Gibson'; 'bmkelman@guampdn.com'; 'William Gibson'  
**Cc:** 'clerks@guamlegislature.org'; 'Pat Santos'; 'Rennae Perez'; 'Atty. Therese Terlaje'; 'yong@guamlegislature.org'; 'mis@guamlegislature.org'; 'sgtarms@guamlegislature.org'; 'Steven A. Dierking'; 'cyrus@senatorada.org'; 'louise\_atalig@yahoo.com'; 'chelsea@tinamunabarnes.com'; 'Mary Fejeran'; 'garrett.duenas@senatorbjcruz.com'; 'joshua.tenorio@senatorbjcruz.com'; 'leonguerrero.angela@gmail.com'; 'leslie.g@senatormabini.com'; 'cipo@guamlegislature.org'; 'Stephanie Mendiola'; 'cherbert.senatordrodriguez@gmail.com'; 'chechsantos@gmail.com'; 'alerta.jermaine@gmail.com'; 'evelyn4families@gmail.com'; 'phnotice@guamlegislature.org'  
**Subject:** First Notice Of Public Hearing- 6/22/2011  
**Attachments:** 062211PH.pdf

Hafa Adai All,

June 15, 2011

### **MEMORANDUM**

**TO:** All Members/All Senators

**FROM:** Vice Speaker Benjamin J.F. Cruz

**RE:** First Notice of Public Hearing – June 22, 2011

*Hafa Adai!* Please be advised that the Committee on Youth, Cultural Affairs, Procurement, General Government Operations, and Public Broadcasting will conduct a Public Hearing on Wednesday, June 22nd, 2011, at 10:00 A.M. in *I Liheslaturan*'s Public Hearing Room with the following agenda:

- **Bill No. 209-31 (COR)** - T.R. Muna-Barnes / B.J.F. Cruz- "An act to amend §1033 of Chapter 10, Title 1, Guam Code Annotated; relative to including the Guam Ko'Ko' Road Race as part of the Guam-Micronesian Island Fair, and to provide for support from the Guam Police Department and Guam Fire Department."
- **Bill No. 212-31 (COR)** - V.A. Ada- "An act to add a new Article 4 to Chapter 4 of 4GCA relative to sexual harassment complaints."
- **Bill No. 224-31 (COR)** -V.A. Ada- "An act to add a § 23112 to Chapter 23 of 5GCA relative to the requiring the posting of travel itineraries on the agency' s website."
- **Bill No. 225-31 (LS)** - T.R. Muna Barnes, B.J.F. Cruz- " An act to add a new §5011 § 5012 to Chapter 5 of Title 5 of the Guam Code Annotated; Relative to the adoption of a procurement policy in favor of

service-disabled veteran owned businesses which may be cited as “The Support for Disabled Veteran Businesses Act.”

Please provide written testimonies at least one day prior to the hearing to the Office of the Vice Speaker Benjamin J.F Cruz, 155 Hesler Place, Hagatna Guam 96910. They may be sent via facsimile to 477-2522, or via email to [chris.carillo@senatorbjcruz.com](mailto:chris.carillo@senatorbjcruz.com).

We comply with Title II of the Americans with Disabilities Act (ADA). Should you require assistance or special accommodations, please contact Garrett Duenas at the Office of the Vice Speaker Benjamin J.F Cruz at 477-2521 or via email at [garrett.duenas@senatorbjcruz.com](mailto:garrett.duenas@senatorbjcruz.com).

**Senseramente,**

**Chris Carillo**  
**Office of the Vice-Speaker, Senator Benjamin J.F.Cruz**  
**Chairman, Committee on Youth, Cultural Affairs, Procurement,**  
**General Government Operations, and Public Broadcasting**

**I Mina'Trentai Unu na Liheslaturan Guåhan**  
**The 31st Guam Legislature**  
**155 Hesler Place**  
**Hagåtña, Guam 96910**  
**Phone: (671) 477-2520/1**  
**Fax: (671) 477-2522**  
**Web Address: <http://www.senatorbjcruz.com>**  
**E-mail: [chris.carillo@senatorbjcruz.com](mailto:chris.carillo@senatorbjcruz.com)**

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June 15, 2011

## MEMORANDUM

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## Chris Carillo

---

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**Sent:** Monday, June 20, 2011 9:03 AM  
**To:** 'Chris Carillo'; 'speaker@judiwonpat.com'; 'Senator Tom Ada'; 'senatortonyada@guamlegislature.org'; 'senator@tinamunabarnes.com'; 'Senator Frank F. Blas, Jr.'; 'senator@senatorbjcruz.com'; 'duenasenator@gmail.com'; 'judiguthertz@gmail.com'; 'senatorsam@senatormabini.com'; 'Senator Ben C. Pangelinan'; 'cor@guamlegislature.org'; 'senatordrodriguez@gmail.com'; 'senatormana@gmail.com'; 'Aline Yamashita'; 'phnotice@guamlegislature.org'; 'dmgeorge@guampdn.com'; 'hottips@kuam.com'; 'Sabrina Salas'; 'mindy@kuam.com'; 'dcrisostomo@guampdn.com'; 'Janela'; 'thebigshow@k57.com'; 'therese.hart.writer@gmail.com'; 'Therese Hart'; 'Ray Gibson'; 'bmkelman@guampdn.com'; 'William Gibson'  
**Cc:** 'clerks@guamlegislature.org'; 'Pat Santos'; 'Rennae Perez'; 'Atty. Therese Terlaje'; 'yong@guamlegislature.org'; 'mis@guamlegislature.org'; 'sgtarms@guamlegislature.org'; 'Steven A. Dierking'; 'cyrus@senatorada.org'; 'louise\_atalig@yahoo.com'; 'chelsa@tinamunabarnes.com'; 'Mary Fejeran'; 'garrett.duenas@senatorbjcruz.com'; 'joshua.tenorio@senatorbjcruz.com'; 'leonguerrero.angela@gmail.com'; 'leslie.g@senatormabini.com'; 'cipo@guamlegislature.org'; 'Stephanie Mendiola'; 'cherbert.senatordrodriguez@gmail.com'; 'chechsantos@gmail.com'; 'alerta.jermaine@gmail.com'; 'evelyn4families@gmail.com'; 'phnotice@guamlegislature.org'  
**Subject:** Second Notice of Public Hearing – June 22, 2011  
**Attachments:** 6.20.20112NDNOTICE.pdf

June 20, 2011

### MEMORANDUM

**TO:** All Members/All Senators

**FROM:** Vice Speaker Benjamin J.F. Cruz

**RE:** Second Notice of Public Hearing -- June 22, 2011

*Hafa Adai!* Please be advised that the Committee on Youth, Cultural Affairs, Procurement, General Government Operations, and Public Broadcasting will conduct a Public Hearing on Wednesday, June 22nd, 2011, at 10:00 A.M. in *I Liheslaturan's* Public Hearing Room with the following agenda:

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**Senseramente,**

**Chris Carillo**  
**Office of the Vice-Speaker, Senator Benjamin J.F.Cruz**  
**Chairman,Committee on Youth, Cultural Affairs,Procurement,**  
**General Government Operations, and Public Broadcasting**

**I Mina'Trentai Unu na Liheslaturan Guåhan**  
**The 31st Guam Legislature**  
**155 Hesler Place**  
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June 20, 2011

## MEMORANDUM

**TO:** All Members/All Senators

**FROM:** Vice Speaker Benjamin J.F. Cruz

**RE:** Second Notice of Public Hearing – June 22, 2011

*Hafa Adai!* Please be advised that the Committee on Youth, Cultural Affairs, Procurement, General Government Operations, and Public Broadcasting will conduct a Public Hearing on Wednesday, June 22nd, 2011, at 10:00 A.M. in *I Liheslaturan's* Public Hearing Room with the following agenda:

- **Bill No. 209-31 (COR)** - T.R. Muna-Barnes / B.J.F. Cruz- "An act to amend §1033 of Chapter 10, Title 1, Guam Code Annotated; relative to including the Guam Ko'Ko' Road Race as part of the Guam-Micronesian Island Fair, and to provide for support from the Guam Police Department and Guam Fire Department."
- **Bill No. 212-31 (COR)** - V.A. Ada- "An act to add a new Article 4 to Chapter 4 of 4GCA relative to sexual harassment complaints."
- **Bill No. 224-31 (COR)** - V.A. Ada- "An act to add a § 23112 to Chapter 23 of 5GCA relative to the requiring the posting of travel itineraries on the agency's website."
- **Bill No. 225-31 (LS)** - T.R. Muna Barnes, B.J.F. Cruz- "An act to add a new §5011 § 5012 to Chapter 5 of Title 5 of the Guam Code Annotated; Relative to the adoption of a procurement policy in favor of service-disabled veteran owned businesses which may be cited as "The Support for Disabled Veteran Businesses Act."

Please provide written testimonies at least one day prior to the hearing to the Office of the Vice Speaker Benjamin J.F Cruz, 155 Hesler Place, Hagatna Guam 96910. They may be sent via facsimile to 477-2522, or via email to [chris.carillo@senatorbjcruz.com](mailto:chris.carillo@senatorbjcruz.com).

We comply with Title II of the Americans with Disabilities Act (ADA). Should you require assistance or special accommodations, please contact Garrett Duenas at the Office of the Vice Speaker Benjamin J.F Cruz at 477-2521 or via email at [garrett.duenas@senatorbjcruz.com](mailto:garrett.duenas@senatorbjcruz.com).





## **Public Hearing Agenda**

June 22, 2011

Public Hearing Notices were sent via Email to all Seantors and Media on  
June 15<sup>th</sup> 2011 and June 20<sup>th</sup> 2011

### **10:00 A.M. Public Hearing Room**

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