I MINA TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN RESOLUTION STATUS

Resolution No.	Sponsor	Title	Date Intro	Date of Presentation	Date Adopted	Date Referred	Referred to	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
493-34 (COR)	Régine Biscoe Lee	Relative to respectfully requesting the United States Census Bureau and the Department of Interior to include in each five- (5-) year enumeration of compact migrants on Guam a question of whether such migrants are a recipient of Earned Income Tax Credit (EITC) funds	2:11 p.m.			8/31/18	To Author.	9/14/18 10:00 a.m.	10/01/18 10:20 a.m.	





Chairman, Committee on General Government Operations and Federal, Foreign and Regional Affairs I Mina'Trentai Kuåttro na Liheslaturan Guåhan • 34th Guam Legislature



OCT 01 2018

The Honorable Therese M. Terlaje
Acting Speaker
I Mina'trentai Kuåttro na Liheslaturan Guåhan
Guam Congress Building

163 Chalan Santo Papa Hagåtña, Guam 96910

VIA: The Honorable Régine Biscoe Lee

Chairperson, Committee on Rules

RE: Sponsor's Report on Resolution No. 493-34 (COR)

Buenas yan Håfa adai Speaker Cruz,

Transmitted herewith is the Sponsor's Report on Resolution No. 493-34 (COR) – RELATIVE TO RESPECTFULLY REQUESTING THE UNITED STATES CENSUS BUREAU AND THE DEPARTMENT OF INTERIOR TO INCLUDE IN EACH FIVE- (5-) YEAR ENUMERATION OF COMPACT MIGRANTS ON GUAM A QUESTION OF WHETHER SUCH MIGRANTS ARE A RECIPIENT OF EARNED INCOME TAX CREDIT (EITC) FUNDS.

Member votes are as follows:

TO DO PASS
TO NOT PASS

TO REPORT OUT ONLY

TO ABSTAIN

TO PLACE IN INACTIVE FILE

Respectfully,
Midhael F.Q. San Nicolas





Chairman, Committee on General Government Operations and Federal, Foreign and Regional Affairs I Mina'Trentai Kuåttro na Liheslaturan Guåhan • 34th Guam Legislature



SPONSOR'S REPORT

Resolution No. 493-34 (COR)

Michael F.Q. San Nicolas Régine Biscoe Lee Thomas C. Ada Joe S. San Agustin

RELATIVE TO RESPECTFULLY REQUESTING THE UNITED **STATES** CENSUS BUREAU AND THE DEPARTMENT OF INTERIOR TO INCLUDE IN EACH (5-)YEAR **ENUMERATION COMPACT** OF MIGRANTS ON GUAM A QUESTION OF WHETHER SUCH MIGRANTS ARE A RECIPIENT OF EARNED INCOME TAX CREDIT (EITC) FUNDS.



Chairman, Committee on General Government Operations and Federal, Foreign and Regional Affairs I Mina'Trentai Kuåttro na Liheslaturan Guåhan • 34th Guam Legislature



MEMORANDUM

To:

All Members

I Mina'Trentai Kuåttro na Liheslaturan Guåhan

From:

Senator Michael F.Q. San Nicolas

Subject:

Sponsor's Report on Resolution No. 493-34 (COR)

Transmitted herewith for your consideration is the Sponsor's Report on Resolution No. 493-34 (COR) - RELATIVE TO RESPECTFULLY REQUESTING THE UNITED STATES CENSUS BUREAU AND THE DEPARTMENT OF INTERIOR TO INCLUDE IN EACH FIVE- (5-) YEAR ENUMERATION OF COMPACT MIGRANTS ON GUAM A QUESTION OF WHETHER SUCH MIGRANTS ARE A RECIPIENT OF EARNED INCOME TAX CREDIT (EITC) FUNDS.

This report includes the following:

- Copy of COR Referral of Resolution No. 493-34 (COR)
- Notices of Public Hearing
- Copy of the Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Committee Vote Sheet
- Sponsor's Report Digest
- Copy of Resolution No. 493-34 (COR), As Introduced

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

Respectfully

Michael F.Q. San Nicolas

Senator Thomas C. Ada, Vice Chairperson

Speaker Benjamin J.F. Cruz, Member

Vice Speaker Therese M. Terlaje. Member

Senator Frank B. Aguon, Jr., Member

Senator Telena C. Nelson, Member



COMMITTEE ON RULES SENATOR RÉGINE BISCOE LEE, CHAIR

SIKRITARIAN LIHESLATURAN GUAHAN I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN LEGISLATIVE SECRETARY • 34TH GUAM LEGISLATURE Senator Dennis G. Rodriguez, Jr., Member

> Senator Joe S. San Agustin, Member

Senator Michael F.Q. San Nicolas, Member

> Senator James V. Espaidon. Member

Senator Mary Camacho Torres, Member

August 30, 2018

MEMO

To:

Rennae Meno

Cierk of the Legislature

Attorney Julian Aguon Legislative Legal Counsel

from:

Senator Régine Biscoe Lee

Chairperson, Committee on Rules

Re:

Referral of Resolution No. 493-34 (COR)

Buenas yan Håfa adai.

As per my authority as Chairperson of the Committee on Rules, I am forwarding the referral of Resolution No. 493-34 (COR).

Please ensure that the subject resolution is referred, in my name, to **Senator Michael F.Q. San Nicolas, author of Resolution No. 493-34 (COR).**

If you have any questions or concerns, please feel free to contact the Committee on Rules Office at 472-2461.

Thank you for your attention to this important matter.

Respectfully,

Senator Régine Biscoe Lee

Chairperson, Committee on Rules



Senator Michael F.Q. San Nicolas <senatorsannicolas@gmail.com>

FIRST NOTICE OF PUBLIC HEARING-- Friday, September 14, 2018 at 10AM

2 messages

Senator Michael F.Q. San Nicolas <senatorsannicolas@gmail.com> Fri, Sep 7, 2018 at 3:16 PM To: phnotice@guamlegislature.org, Guam Legislature Protocol protocol@guamlegislature.org, mis <mis@guamlegislature.org>, sgtarms <sgtarms@guamlegislature.org>

FIRST PUBLIC NOTICE

FOR IMMEDIATE RELEASE September 7, 2018

From:

Senator Michael F.Q. San Nicolas

Chairman, Committee on General Government Operations, and

Federal, Foreign, & Regional Affairs

Subject:

FIRST NOTICE of Public Hearing - Friday, September 14, 2018 at 10:00 AM

Hafa Adai!

In accordance with the Open Government Law, relative to notices for public meetings, please be advised that the Committee on General Government Operations and Federal, Foreign, and Regional Affairs will convene a public hearing on Friday, September 14, 2018, beginning at 10:00 AM in I Liheslaturan Guåhan's Public Hearing Room. On the agenda is the following item:

RESOLUTION NO. 493-34 (COR): Senator Michael F.Q. San Nicolas/ Senator Régine Biscoe Lee / Senator Thomas C. Ada / Senator Joe S. San Agustin

"Relative to respectfully requesting the United States Census Bureau and the Department of Interior to include in each five- (5-) year enumeration of compact migrants on Guam a question of whether such migrants are a recipient of Earned Income Tax Credit (EITC) funds."

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4 and stream online via I Liheslaturan Guåhan's live feed. If written testimonies are to be presented at the Public Hearing, the Committee requests that copies be submitted prior to the public hearing date and should be addressed to Senator Michael F.Q. San Nicolas.

Testimonies may be submitted via hand delivery to the Office of Senator Michael F.Q. San Nicolas at the DNA Building, Suite 407, 238 Archbishop Flores Street Hagåtña, Guam; at the mailroom of the Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910; or via email to senatorsannicolas@gmail.com.

In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Michael F.Q. San Nicolas at (671) 472-6453 or by sending an email to senatorsannicolas@gmail.com.

Si Yu'os Ma'ase, we look forward to your attendance and participation.

Tom Unsiog <sgtarms@guamlegislature.org> To: "Senator Michael F.Q. San Nicolas" <senatorsannicolas@gmail.com>

Fri, Sep 7, 2018 at 3:58 PM

Notice is now on the legislature's website calendar....si tom [Quoted text hidden]



Senator Michael F.Q. San Nicolas <senatorsannicolas@gmail.com>

SECOND NOTICE OF PUBLIC HEARING-- Friday, September 14, 2018 at 10AM

1 message

SECOND PUBLIC NOTICE

FOR IMMEDIATE RELEASE September 12, 2018

From:

Senator Michael F.Q. San Nicolas

Chairman, Committee on General Government Operations, and

Federal, Foreign, & Regional Affairs

Subject:

SECOND NOTICE of Public Hearing - Friday, September 14, 2018 at 10:00 AM

Håfa Adai!

In accordance with the Open Government Law, relative to notices for public meetings, please be advised that the Committee on General Government Operations and Federal, Foreign, and Regional Affairs will convene a public hearing on <u>Friday, September 14, 2018</u>, beginning at <u>10:00 AM</u> in *I Liheslaturan Guåhan's* Public Hearing Room. On the agenda is the following item:

<u>RESOLUTION NO. 493-34 (COR)</u>: Senator Michael F.Q. San Nicolas/ Senator Régine Biscoe Lee / Senator Thomas C. Ada / Senator Joe S. San Agustin

"Relative to respectfully requesting the United States Census Bureau and the Department of Interior to include in each five- (5-) year enumeration of compact migrants on Guam a question of whether such migrants are a recipient of Earned Income Tax Credit (EITC) funds."

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In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Michael F.Q. San Nicolas at (671) 472-6453 or by sending an email to senatorsannicolas@gmail.com.

Si Yu'os Ma'ase, we look forward to your attendance and participation.



Office of Senator Michael F.Q. San Nicolas

Committee on General Government Operations and Federal, Foreign & Regional Affairs I Mina'Trentai Kuåttro na Liheslaturan Guåhan • 34th Guam Legislature



PUBLIC HEARING

September 14, 2018 | 10:00 AM Public Hearing Room • Guam Congress Building

AGENDA

- I. Call to Order
- II. Opening Remarks and Announcements
- III. Item for Public Consideration

RESOLUTION NO. 493-34 (COR): Senator Michael F.Q. San Nicolas/ Senator Régine Biscoe Lee / Senator Thomas C. Ada / Senator Joe S. San Agustin

"RELATIVE TO RESPECTFULLY REQUESTING THE UNITED STATES CENSUS BUREAU AND THE DEPARTMENT OF INTERIOR TO INCLUDE IN EACH FIVE- (5-) YEAR ENUMERATION OF COMPACT MIGRANTS ON GUAM A QUESTION OF WHETHER SUCH MIGRANTS ARE A RECIPIENT OF EARNED INCOME TAX CREDIT (EITC) FUNDS."

- IV. Closing Remarks
- V. Adjournment



I Mina'Trentai Kuåttro Na Liheslaturan Guåhan

SENATOR MICHAEL F.Q. SAN NICOLAS

Committee on General Government Operations, and Federal, Foreign, & Regional Affairs



Friday, September 14, 2018 • 10:00 AM • Public Hearing Room, Guam Legislature Public Hearing Sign-in Sheet

a recipient of Earned Income Tax Credit (EITC) funds." Interior to include in each five- (5-) year enumeration of compact migrants on Guam a question of whether such migrants are Ada/ Senator Joe S. San Agustin "Relative to respectfully requesting the United States Census Bureau and the Department of RESOLUTION NO. 493-34 (COR): Senator Michael F.Q. San Nicolas/ Senator Régine Biscoe Lee / Senator Thomas C.

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Chairman, Committee on General Government Operations and Federal, Foreign and Regional Affairs I Mina'Trentai Kuåttro na Liheslaturan Guåhan • 34th Guam Legislature



MEMBER VOTE SHEET

Resolution No. 493-34 (COR) - RELATIVE TO RESPECTFULLY REQUESTING THE UNITED STATES CENSUS BUREAU AND THE DEPARTMENT OF INTERIOR TO INCLUDE IN EACH FIVE- (5-) YEAR ENUMERATION OF COMPACT MIGRANTS ON GUAM A QUESTION OF WHETHER SUCH MIGRANTS ARE A RECIPIENT OF EARNED INCOME TAX CREDIT (EITC) FUNDS.

Members of I Liheslatura	Signature	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Senator Michael F. Q. San Nicolas	MM					
Vice Speaker Therese M. Terlaje						
Legislative Secretary Régine Biscoe Lee	faring .	/				
Senator Thomas C. Ada						
Senator Joe S. San Agustin		/				
Senator Telena Cruz Nelson						
Senator Frank B. Aguon, Jr.						
Senator Dennis G. Rodriguez, Jr.						400 - 100
Senator James V. Espaldon	Fire	~				
Senator Mary Camacho Torres						
Senator Tommy A. Morrison	1	,		i		
Senator Louise B. Muña	SBU					
Senator Fernando Barcinas Esteves						
Senator William M. Castro						



Chairman, Committee on General Government Operations and Federal, Foreign and Regional Affairs I Mina'Trentai Kuåttro na Liheslaturan Guåhan • 34th Guam Legislature



SPONSOR'S REPORT DIGEST

RESOLUTION NO. 493-34 (COR): Senator Michael F.Q. San Nicolas/ Senator Régine Biscoe Lee / Senator Thomas C. Ada / Senator Joe S. San Agustin "Relative to respectfully requesting the United States Census Bureau and the Department of Interior to include in each five- (5-) year enumeration of compact migrants on Guam a question of whether such migrants are a recipient of Earned Income Tax Credit (EITC) funds."

I. OVERVIEW

Resolution No. 493-34 (COR) was introduced August 30th, 2018 by Senator Michael F.Q. San Nicolas and Co-Sponsored by Senator Régine Biscoe Lee / Senator Thomas C. Ada / Senator Joe S. San Agustin. The Resolution was subsequently referred by the Committee on Rules to its Author August 30, 2018.

Senator San Nicolas convened a public hearing on Friday, September 14, 2018 in *I Liheslatura*'s Public Hearing Room (Guam Congress Building). Amongst the items heard was Resolution No. 493-34 (COR). The Public Hearing began at 10 AM and was adjourned at 10:01am.

In accordance with the Open Government Law, public hearing notices were disseminated via electronic mail to all senators, stakeholders, and all main media broadcasting outlets. A 5-day notice was provided on September 7, 2018 and a 48-hour notice was provided on September 12, 2018. The notices were also published on *I Liheslatura*'s Calendar via the Guam Legislature website.

SENATORS PRESENT

Senator Michael F.Q. San Nicolas, Chairperson

APPEARED BEFORE THE COMMITTEE

-None-

SUBMITTED WRITTEN TESTIMONY

-None-

II. SUMMARY OF TESTIMONY AND DISCUSSION SENATOR MICHAEL F.Q. SAN NICOLAS:

Resolution No. 493 - 34 (COR) introduced by myself, Senator San Nicolas, Co-sponsored by Senator Regine Biscoe Lee, Senator Tom Ada, Senator Joe San Agustin, there will

also be an amendment on the floor to include our Senator Mary Torres who was also a co-sponsor and this resolution is relative to respectfully requesting the United States Census Bureau and the Department of Interior to include in each five-year enumeration of compact migrants on Guam a question of whether such migrants are a recipient of Earned Income Tax Credit Funds. We do have present the director Mr. Carl Dominguez who is not providing any testimony for or against at this time but was present to answer any questions. There are no questions at this time and that concludes the hearing on Resolution 493 - 34 thank you very much we are adjourned at 10:01 a.m.

Senator Michael F.Q. San Nicolas:

-- End of Public Hearing on Resolution No. 493-34 (COR) -

III. FINDINGS AND RECOMMENDATIONS

I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN 2018 (SECOND) Regular Session

Resolution No. 493-34 (COR)

Introduced by:

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Michael F.Q. San Nicolas Régine Biscoe Lee Re-Thomas C. Ada . The Joe S. San Agustin

Relative to respectfully requesting the United States Census Bureau and the Department of Interior to include in each five- (5-) year enumeration of compact migrants on Guam a question of whether such migrants are a recipient of Earned Income Tax Credit (EITC) funds.

BE IT RESOLVED BY I LIHESLATURAN GUÂHAN:

WHEREAS, the Compacts of Free Association were finalized by the finent of the Compact of Free Association Acts IIC Division.

2 enactment of the Compact of Free Association Acts, U.S. Public Law 99-239 (for 3

the Federated States of Micronesia (FSM) and the Republic of the Marshall Islands

(Marshall Islands)) and Public Law 99-658 (for the Republic of Palau (Palau)); and

WHEREAS, under Section 141(a) of each of the Compacts of Free 6

Association, citizens of the Freely Associated States, which include the FSM,

Marshall Islands, and Palau, may enter, engage in occupations, and establish

residence as a nonimmigrant in the United States; and

WHEREAS, the United States Congress has provided for annual 10 11

reimbursements, commonly referred to as compact impact grants, to defray

jurisdictions' costs for services to compact migrants; and 12

WHEREAS, Guam and other affected jurisdictions report compact-related 1

costs to the Department of Interior to both document the costs of compact 2

migration and make a case for increased funding from the United States Congress; 3

4 and

WHEREAS, during fiscal year 2018, Guam was allocated fourteen million 5 6

nine hundred thousand dollars (\$14,900,000); and

WHEREAS, the Supreme Court of Guam held in an Opinion filed February 7

9, 2001, that the Earned Income Tax Credit (EITC) applied in Guam under the 8

Guam Territorial Income Tax levied under the Organic Act of Guam, 48 U.S.C. 9

10 §1421i; and

19

WHEREAS, as residents of Guam, compact migrants are taxed under the 11

Guam Territorial Income Tax and thus their tax liability is reduced through the 12

EITC when they qualify. The requirement to pay EITC to compact migrants is 13

unique to Guam since it is required to mirror the federal income tax code. EITC 14

liabilities are thus paid by the taxpayers of Guam and are not reimbursed to Guam 15

16 by the U.S. Treasury; and

WHEREAS, when the government of Guam is able to show the number of 17 18

compact migrants that receive the EITC, the documented costs of compact

migration will be more accurately reflected and will make a stronger case for more

equitable reimbursement when the cost to the taxpayers of Guam includes the 20

EITC liability, which comprises a portion of the EITC payments, which have 21 22

grown from approximately six million two hundred thousand dollars (\$6,200,000)

for tax year 2000 to approximately fifty-five million two hundred thousand dollars 23

(\$55,200,000) for tax year 2016, the most recent year reported in a Government-24

wide financial audit; and 25

	REGINE B. LEE Legislative Secretary
	BENJAMIN J.F. CRUZ Speaker REGINE B. LEE Chairperson, Committee on Rules
	DULY AND REGULARLY ADOPTED ON THE DAY OF, 2018.
18	Calvo, I Maga'lahen Guåhan.
17	Guam's Delegate to the United States Congress; and the Honorable Eddie Baza
16	Bureau; Ryan Zinke, Secretary of Interior; the Honorable Madeleine Z. Bordallo,
15	copies of the same be thereafter transmitted to Dr. Ron S. Jarmin, U.S. Census
14	Rules certify, and the Legislative Secretary attest to, the adoption hereof, and that
13	RESOLVED, that the Speaker and the Chairperson of the Committee on
12	are a recipient of Earned Income Tax Credit (EITC) funds; and be it further
11	enumeration of compact migrants on Guam a question of whether such migrants
10	Census Bureau and the Department of Interior to include in each five- (5-) year
9	hereby, on behalf of the people of Guam, respectfully request the United States
8	RESOLVED, that I Mina'Trentai Kuåttro Na Liheslaturan Guåhan does
7	therefore be it
6	Guam will be documented by the United States federal government; and now
5	Credit (EITC) funds, then this extraordinary cost faced by the government of
4	includes a question of whether such migrants are a recipient of Earned Income Tax
3	WHEREAS, if the enumeration of compact migrants in this and future years
2	years, with the next enumeration to occur in December 2018; and
1	WHEREAS, the enumeration of compact migrants occurs every five (5)

Senator Thomas C. Ada, Vice Chairperson

Acting Speaker Therese M. Terlaje, Member

Senator Frank B. Aguon, Jr., Member

Senator Telena C. Nelson, Member COMMITTEE ON RULES
SENATOR RÉGINE BISCOE LEE, CHAIR

SIKRITARIAN LIHESLATURAN GUAHAN I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÁHAN LEGISLATIVE SECRETARY • 34TH GUAM LEGISLAT**UR**E Senator Dennis G. Rodriguez, Jr., Member

> Senator Joe S. San Agustin, Member

Senator Michael F.Q. San Nicolas, Member

> Senator James V. Espaldon, Member

Senator Mary Camacho Torres, Member

COMMITTEE REPORT CHECKLIST Part _1 __/__1

	RESOLUTION NO. 493-34 (CO	R)	
Relative to respect	ully requesting the United States	Census Bureau and the	
Department of Interior	to include in each five- (5-) year	enumeration of compact	
Inigiants on Guarn a c	juestion of whether such migrants		
	Income Tax Credit (EITC) fund: Referred to:	5.	
Ser	nator Michael F.Q. San Nicolas, S	ponsor	
	(1) HEARING SR §§ 6.04(a)(1) and 6.04(a)(2), Ope	G NOTICES	
	(a) Five (5) working days prior (ALL Senators & ALL Media)	Date and Time of Notice: Tr., Sept. 7,2018@100m.	
	(b) Forty-eight (48) hours prior (ALL Senators & ALL Media)	Date and Time of Notice: Wed., Sept. 12, 2018 (2013)	a.M
(A) PUBLIC HEARING	(2) Date and Time of Hearing:	or	
	Tri., Sept. 14, 2018@	(4) HEARING WAIVED by Speaker	
	(3) Location:	in case of emergency SR § 6.04(a)(1) DYES DNO DN/A	
	The Public Hearing Room, Guam Congress Building	If YES: Attach memo indicating WAIVER	



	with COR? X YES	ETO ON ON IDA			
	(2) COMMITTEE REPORT COMPONENTS				
	(a) Front Page Transmittal to Speaker	×			
(B) COMMITTEE	(a)(1) COR Chair Signature Line	XXXX			
REPORT	(b) Title Page				
	(c) Committee Chair Memo to All Committee Members (d) COR Referral Memorandum				
	(e) Notice of Public Hearing & Other Correspondence				
	(f) Public Hearing Agenda				
	(g) Public Hearing Sign-in Sheet				
	(h) Written Testimonies & Additional Documents				
	(i) Committee Vote Sheet(s) (j) Committee Report Digest(s) (k) Resolution History				
	(j) Committee Report Digest(s)				
	(k) Resolution History				
	(k)(1) Copy of Resolution as introduced				
	(k)(2) Copy of Bill as amended/substituted by Committee (if applicable)				
	(n) Related News Reports (optional)				
	(o) Miscellaneous (optional)				
	(p) Committee Report Checklist(s)				
	Originals Originals				
	Single-Sided				
	Letter Size				
	No Staples/ Paper Cli	Ds X			
	CMTE Report duly filed; Available for				
(0)	Placement on Session Agenda COR CHAIR				
(C) COR Action	□ CMTE Report non-conforming for acceptance; Return to Committee (Signature, Date of the Committee)	te &)			