



Office of the Governor of Guam

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Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

NOV 18 2009

2009 NOV 20 PM 3:12
WMA

The Honorable Judith T. Won Pat, Ed.D.
Speaker
Mina' Trenta Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

30-09-1374
Office of the Speaker
Judith T. Won Pat, Ed.D.
11/18/09
41

Dear Speaker Won Pat:

Transmitted herewith is Bill No. 116-30(COR) "AN ACT RELATIVE TO AUTHORIZING THE GUAM CENSUS PROGRAM TEMPORARY RECRUITMENT AND EMPLOYMENT OF PERSONNEL, CONSISTENT WITH U.S. CENSUS BUREAU GUIDELINES, AND TO CONDUCTING NECESSARY ACTIVITIES RELATED TO THE GUAM DECENNIAL 2010 CENSUS AND ANY FUTURE CENSUS, BY ADDING A NEW §1209.1.1 TO ARTICLE 2 OF CHAPTER 1, DIVISION 1, TITLE 5, GUAM CODE ANNOTATED" which I signed into law on November 16, 2009 as Public Law 30-58.

Sinseru yan Magåhet,

[Handwritten signature of Felix P. Camacho]

FELIX P. CAMACHO
I Maga'låhen Guåhan
Governor of Guam

Attachment: copy of Bill

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Substitute Bill No. 116-30 (COR) "AN ACT RELATIVE TO AUTHORIZING THE GUAM CENSUS PROGRAM TEMPORARY RECRUITMENT AND EMPLOYMENT OF PERSONNEL, CONSISTENT WITH U. S. CENSUS BUREAU GUIDELINES, AND TO CONDUCTING NECESSARY ACTIVITIES RELATED TO THE GUAM DECENNIAL 2010 CENSUS AND ANY FUTURE CENSUS, BY ADDING A NEW §1209.1.1 TO ARTICLE 2 OF CHAPTER 1, DIVISION 1, TITLE 5, GUAM CODE ANNOTATED,"** was on the 10th day of November, 2009, duly and regularly passed.



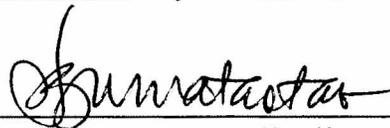
Judith T. Won Pat, Ed. D.
Speaker

Attested



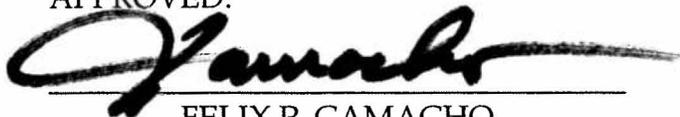
Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 13 day of Nov, 2009, at
1:30 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: November 16, 2009
Public Law No. PL30-58

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

Bill No. 116-30 (COR)

As substituted by the Committee on
Economic Development, Health &
Human Services, and Judiciary,
and amended on the Floor.

Introduced by:

F. B. Aguon, Jr.
T. R. Muña Barnes
T. C. Ada

F. F. Blas, Jr.
E. J.B. Calvo
B. J.F. Cruz
J. V. Espaldon
Judith P. Guthertz, DPA
Adolpho B. Palacios, Sr.
v. c. pangelinan
M. J. Rector
R. J. Respicio
Ray Tenorio
Telo Taitague
Judith T. Won Pat, Ed.D.

**AN ACT RELATIVE TO AUTHORIZING THE GUAM
CENSUS PROGRAM TEMPORARY RECRUITMENT AND
EMPLOYMENT OF PERSONNEL, CONSISTENT WITH U. S.
CENSUS BUREAU GUIDELINES, AND TO CONDUCTING
NECESSARY ACTIVITIES RELATED TO THE GUAM
DECENNIAL 2010 CENSUS AND ANY FUTURE CENSUS, BY
ADDING A NEW §1209.1.1 TO ARTICLE 2 OF CHAPTER 1,
DIVISION 1, TITLE 5, GUAM CODE ANNOTATED.**

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

2 **Section 1. Legislative Findings and Intent.** The Decennial Census
3 provides key socio-economic, demographic and housing information on Guam's
4 population in order to assist government and business officials to effectively plan
5 and formulate policy measures to meet public service needs and promote economic
6 development. Planning to build more schools, homes and business establishments,
7 as well as improving infrastructure development, is best achieved by determining
8 how many people there are, where they live and what their needs are. Taken every
9 ten (10) years, the census serves as the most valuable resource tool providing
10 comprehensive statistics on Guam's housing and population structure.

11 The Bureau of Statistics and Plans serves as the local lead agency
12 responsible for the management of the Census of Population and Housing on
13 Guam. Through a cooperative partnership between the U.S. Census Bureau, herein
14 referred to as the Bureau, and the government of Guam, a signed mutual agreement
15 between the Director of the Census Bureau and *I Maga'lahaen Guåhan* is made to
16 conduct the decennial census of population and housing.

17 For the 2000 Census, more than seven hundred (700) people were hired to
18 enumerate and collect detailed housing and population information on Guam's
19 resident households. In 2010, it is estimated that about one thousand (1,000)
20 people will be needed to conduct activities related to the Guam census.

21 *I Liheslaturan Guåhan* finds that due to the anticipated high turnover rate of
22 census takers, and to ensure there are sufficient applicants for the Guam Census
23 Program, herein referred to as the Program, it is the intent of *I Liheslaturan*
24 *Guåhan* to allow the temporary recruitment and outside employment of
25 Government of Guam employees and retirees to participate in the program. *I*
26 *Liheslaturan Guåhan* further finds that the U. S. Census Bureau guidelines provide
27 for the recruitment of field staff and office staff who work on an as-needed basis

1 and are not eligible for employee benefits or federal retirement, thus this provision
2 would provide for consistent application of these guiding principles.

3 **Section 2.** A new §1209.1.1 is *added* to Article 2 of Chapter 1, Division 1,
4 Title 5, Guam Code Annotated, to read:

5 **“§1209.1.1. Guam Census Program.**

6 **(a) Program Operation and Funding.** The Guam Census Program
7 will be established by the Guam Bureau of Statistics and Plans. Funds from
8 the U.S. Census Bureau will be used for the census operation, which
9 includes staff salaries, overtime, office space, office equipment, office
10 supplies, vehicle rental, travel, all forms of publicity, and all other related
11 program costs.

12 **(b) Bureau of Statistics and Plans Established Positions.** The list
13 of unclassified positions for the decennial census *shall* include:

14 Local Census Office (LCO) Manager (Census)

15 Assistant Manager for Administration (AMA) (Census)

16 Assistant Manager for Office Operations (AMOO) (Census)

17 Assistant Manager for Field Operations (AMFO) (Census)

18 Partnership/Media Specialist (Census)

19 Geographic Specialist (Census)

20 Security Officer (Census)

21 Administrative Assistant (Census)

22 Access Controller (Census)

23 Office Operations Supervisor (OOS) (Census)

24 Field Operations Supervisor (FOS) (Census)

25 Group Quarters Operations Supervisor (GQOS) (Census)

26 Crew Leader (Census)

27 Crew Leader Assistants (Census)

1 Enumerators (Census)

2 Clerks (Census)

3 Interpreters (Census)

4 For future decennial censuses, as new position(s) are created, changed
5 or deleted by the Bureau in support of the census operations and activities,
6 the Program *shall* notify *I Liheslaturan Guahan* of such changes for action.
7 All Program positions *shall* include “(Census)” after each position title.

8 **(c) Unclassified Employment, Outside Employment of**
9 **Government of Guam Employees and Retirees.** Persons recruited for the
10 Program will be hired as unclassified employees. Individuals employed with
11 the government of Guam must obtain approval for outside employment from
12 their respective department or agency head prior to employment with the
13 Program pursuant to Title 4, Chapter 4, Article 1, §4105(d)(4) of the Guam
14 Code Annotated, and such work *shall not* conflict with *or* negatively impact
15 the individual’s regular employment responsibilities, *nor shall* the employee
16 be authorized any sick, annual, administrative or other leave to perform such
17 census work. *Prior* to the employment of any government of Guam
18 employees, every effort must be exhausted to ensure that the general
19 community is provided with the initial opportunity to participate and support
20 the conduct of the Census activities. Government of Guam retirees may
21 participate in the Program without loss *or* suspension of annuity.

22 **(d) Salaries and Benefits.** The Bureau of Statistics and Plans *shall*
23 establish the salary of all Program employees. The Bureau will provide
24 funding for workers’ compensation, FICA, and overtime (OT) pay as
25 necessary to complete field work, re-interviews, field follow-ups, canvassing
26 and other related Program operations. Employees of the Program *shall* be in
27 the unclassified position. Management staff of the Program, including the

1 Local Census Office Manager, Assistant Manager for Administration,
2 Assistant Manager for Office Operations, Assistant Manager for Field
3 Operations, Partnership/Media Specialist, Geographic Specialist, Security
4 Officer, and the Administrative Assistant, *shall* be entitled to annual and sick
5 leave, and medical and dental insurance. All other census employees will be
6 excluded from such coverage and other benefits, to include salary increment.

7 **(e) Drug Screening, Police and Court Clearance Requirements.**

8 Prior to the employment of any individual with the Program, the individual
9 must undergo and pass a mandatory drug screening in which the initial
10 testing will be paid for by the Program subject to availability of funds. In
11 addition, selected individuals must provide to the Program the most recent
12 police and court clearances (both valid for one (1) month only) which will
13 also be paid for by the Program subject to availability of funds.”

14 **Section 3.** This Act *shall* be applicable to conduct and complete the 2010
15 Census and future decennial censuses thereafter.

6

I MINA' TRENTA NA LIHESLATURAN GUAHAN

2009 (FIRST) Regular Session

Date: 11-10-09

VOTING SHEET

Bill No. 116-30(COR)

Resolution No. _____

Question: _____

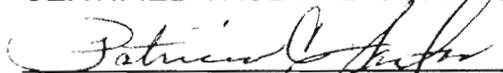
<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
ADA, Thomas C.	✓				
AGUON, Frank B., Jr.	✓				
BLAS, Frank F., Jr.	✓				
CALVO, Edward J.B.	✓				
CRUZ, Benjamin J. F.		✓			
ESPALDON, James V.	✓				
GUTHERTZ, Judith Paulette	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera		✓			
RECTOR, Matthew		✓			
RESPICIO, Rory J.	✓				
TAITAGUE, Telo	✓				
TENORIO, Ray	✓				
WON PAT, Judith T.	✓				

TOTAL

12

3

CERTIFIED TRUE AND CORRECT:


Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



**COMMITTEE ON ECONOMIC DEVELOPMENT,
HEALTH & HUMAN SERVICES, AND JUDICIARY**

I Mina' Trenta na Liheslaturan Guåhan • 30th Guam Legislature
238 Archbishop F.C. Flores St., DNA Bldg., Suite 701A, Hagatña, Guam 96910
Tel: (671) 969-1495/6 • Fax: (671) 969-1497 • Email: aguon4guam@gmail.com

FRANK B. AGUON, JR.
SENATOR, CHAIRMAN

ADOLPHO B. PALACIOS, SR.
SENATOR, VICE CHAIRMAN

JUDITH T. WON PAT
SPEAKER
EX-OFFICIO MEMBER

BENJAMIN J.F. CRUZ
VICE SPEAKER

TINA ROSE MUÑA BARNES
LEGISLATIVE SECRETARY

THOMAS C. ADA
SENATOR

JUDITH P. GUTHERTZ
SENATOR

RORY J. RESPICIO
SENATOR

FRANK F. BLAS, JR.
SENATOR

TELO TAITAGUE
SENATOR

RAY TENORIO
SENATOR

September 09, 2009

Honorable Judith T. Won Pat
Speaker
I Mina' Trenta na Liheslaturan Guåhan
155 Hesler Place
Hagatña, Guam 96910

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

RE: Committee Report – Bill No. 116 (COR)

2009 OCT 23 PM 3:16 M

Dear Speaker Won Pat:

The Committee on Economic Development, Health & Human Services, and Judiciary, to which was referred **BILL NO. 116 (COR) – “AN ACT RELATIVE TO AUTHORIZING THE GUAM CENSUS PROGRAM TEMPORARY RECRUITMENT AND EMPLOYMENT OF PERSONNEL, CONSISTENT WITH U.S. CENSUS BUREAU GUIDELINES, TO CONDUCT NECESSARY ACTIVITIES RELATED TO THE GUAM DECENNIAL 2010 CENSUS”**, hereby reports out with the recommendation TO PASS.

Committee votes are as follows:

<u>5</u>	TO PASS
<u>0</u>	NOT TO PASS
<u>0</u>	ABSTAIN
<u>2</u>	TO REPORT OUT ONLY
<u>0</u>	TO PLACE IN INACTIVE FILE

Respectfully,

SENATOR FRANK B. AGUON, JR.
Chairman
Committee on Economic Development,
Health & Human Services, and Judiciary

RECEIVED
8-23-09

RECEIVED
DATE: 9/9/09 EN
2:10 PM

10:50 AM



I MINA'TRENTA NA LIHESLATURAN GUÅHAN
(30TH GUAM LEGISLATURE)

**COMMITTEE ON
ECONOMIC DEVELOPMENT,
HEALTH & HUMAN SERVICES,
AND JUDICIARY**

SENATOR FRANK B. AGUON, JR.
Chairman

COMMITTEE REPORT

BILL NO. 116 (COR)

As substituted by the
Committee on Economic Development,
Health & Human Services, and Judiciary

AN ACT RELATIVE TO AUTHORIZING THE GUAM CENSUS PROGRAM TEMPORARY RECRUITMENT AND EMPLOYMENT OF PERSONNEL, CONSISTENT WITH U.S. CENSUS BUREAU GUIDELINES, TO CONDUCT NECESSARY ACTIVITIES RELATED TO THE GUAM DECENNIAL 2010 CENSUS.



**COMMITTEE ON ECONOMIC DEVELOPMENT,
HEALTH AND HUMAN SERVICES, AND JUDICIARY**
I Mina' Trenta na Liheslaturan Guåhan • 30th Guam Legislature
238 Archbishop F.C. Flores St., DNA Bldg., Suite 701A, Hagatña, Guam 96910
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FRANK B. AGUON, JR.
SENATOR, CHAIRMAN

ADOLPHO B. PALACIOS, SR.
SENATOR, VICE CHAIRMAN

JUDITH T. WON PAT
SPEAKER
EX-OFFICIO MEMBER

BENJAMIN J.F. CRUZ
VICE SPEAKER

TINA ROSE MUÑA BARNES
LEGISLATIVE SECRETARY

THOMAS C. ADA
SENATOR

JUDITH P. GUTHERTZ
SENATOR

RORY J. RESPICIO
SENATOR

FRANK F. BLAS, JR.
SENATOR

TELO TAITAGUE
SENATOR

RAY TENORIO
SENATOR

September 08, 2009

MEMORANDUM

TO: Committee Members

FROM: Chairman

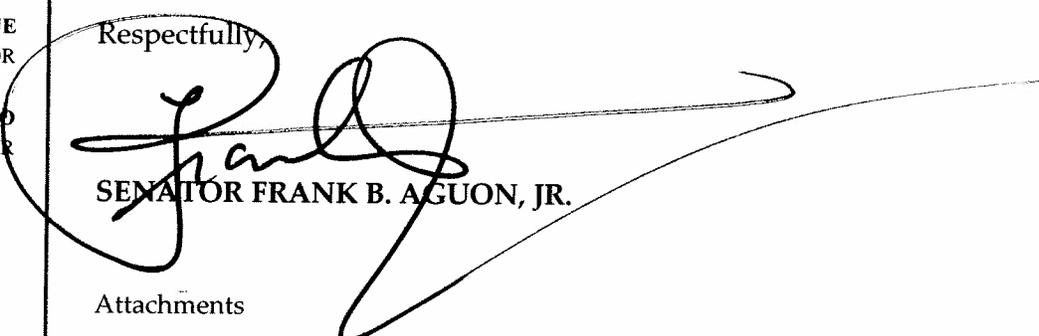
SUBJECT: Committee Report
Bill No. 116 (COR), as substituted by the Committee on
Economic Development, Health & Human Services, and Judiciary

Transmitted herewith for your information and action is the Committee Report on **BILL NO. 116 (COR)**, as substituted by the Committee on Economic Development, Health & Human Services, and Judiciary.

Please take the appropriate action on the voting sheet. Your attention and cooperation on this matter is greatly appreciated.

If you have any questions regarding the report or accompanying documents, please feel free to call my office.

Respectfully,


SENATOR FRANK B. AGUON, JR.

Attachments



COMMITTEE VOTING SHEET

BILL NO. 116 (COR) – AN ACT RELATIVE TO AUTHORIZING THE GUAM CENSUS PROGRAM TEMPORARY RECRUITMENT AND EMPLOYMENT OF PERSONNEL, CONSISTENT WITH U.S. CENSUS BUREAU GUIDELINES, TO CONDUCT NECESSARY ACTIVITIES RELATED TO THE GUAM DECENNIAL 2010 CENSUS.

	SIGNATURE	TO PASS	NOT TO PASS	REPORT OUT ONLY	ABSTAIN	PLACE IN INACTIVE FILE
FRANK B. AGUON, JR. Chairman	 9/9/09	✓				
ADOLPHO B. PALACIOS, SR. Vice Chairman	 9/9/09	✓				
BENJAMIN J.F. CRUZ Vice Speaker	 9/9/09	✓				
TINA ROSE MUÑA BARNES Legislative Secretary		✓				
THOMAS C. ADA						
JUDITH P. GUTHERTZ		✓				
RORY J. RESPICIO						
FRANK F. BLAS, JR.				✓		
TELO TAITAGUE				✓		
RAY TENORIO						

I. OVERVIEW

The Chairman of the Committee on Economic Development, Health & Human Services, and Judiciary called the public hearing to order on Wednesday, July 15, 2009, 8:07 am, at *I Liheslaturan Guåhan's* Public Hearing Room on ***BILL NO. 116 (COR), "AN ACT RELATIVE TO AUTHORIZING THE GUAM CENSUS PROGRAM TEMPORARY RECRUITMENT AND EMPLOYMENT OF PERSONNEL, CONSISTENT WITH U.S. CENSUS BUREAU GUIDELINES, TO CONDUCT NECESSARY ACTIVITIES RELATED TO THE GUAM DECENNIAL 2010 CENSUS"***, introduced by Senator Frank B. Aguon, Jr.

Notices of the public hearing were disseminated to local media via fax, email and two (2) printed publications, and are attached herein meeting the requirements of the Open Government Law.

Committee Members and Senators present:

Senator Frank B. Aguon, Jr. - Chairman
Senator Adolpho B. Palacios, Sr. - Vice Chairman
Senator Telo Taitague - Member
Senator Matt Rector - Member
Senator Vicente "Ben" C. Pangelinan

II. SUMMARY OF TESTIMONY

❖ **Mr. Alberto "Tony" Lamorena V** (Director, BSP) read his written testimony **IN SUPPORT** of Bill No. 116 (COR).

There were no other testimonies provided. All written testimonies are attached. In addition, the Chairman announced that the committee will continue to receive written testimonies for the next ten (10) days.

III. COMMENTS AND DISCUSSION

❖ **Sen. Aguon:** Thank you Sen. Lamorena, I appreciate the changes. I just want to read for information of members of the committee here a provision under Personnel Administration which reads "LCO" which is the Local Census Office. These staff and office staffs "are assigned to an intermittent work schedule; that is, they work on an *as need* basis and are not eligible for employee benefits or federal retirement"; and continues to read, "These employees will only be paid for the hours worked and their hours and schedule will vary depending on the assignment. They are not eligible for annual or sick leave, health and life insurance coverage, federal retirement, or the Thrift Savings Plan Program."

Now based on that, your provided testimony, that has been amended to be inclusive of at least key staff members for the program?

- ❖ **Mr. Lamorena:** When the Census Bureau was here a few weeks ago, they did further research. They did inform us at that time they found out that in the 50 states and other jurisdictions, they do pay those 8 positions because it's a year-round position; it's a one year position. Those are the only employees in the Census that are actually working for the full year.
- ❖ **Sen. Aguon:** Because surely I would like to provide everyone that option, based on the suggestion of the program, you're saying that that's restricted, and now I'm hearing that key staff members/personnel are going to be eligible for that.
- ❖ **Mr. Lamorena:** Yes. Again like I stated in my testimony, if the Legislature feel those benefits be paid for all Enumerators, it has to be paid out of General Fund rather than the Census Bureau, and will not reimburse GovGuam for that expense.
- ❖ **Sen. Taitague:** This is all funded by federal government; and their guidelines, and rules and regulations are controlled by them? So why do we need legislation for this?
- ❖ **Mr. Lamorena:** Yes, 100% federally funded, and controlled by federal guidelines, rules and regulations. Legislation is needed because presently, as we hire GovGuam employees through the DOA system, there's only certain classification of employees; even limited-term employment are granted various benefits such as health and life insurance and so forth, retirement as well. Because Census Bureau says they will not pay those benefits for employees, there has to be a classification made to allow that type of employment within the GovGuam system.

These employees' funds will be deposited into a GovGuam account and receive a GovGuam check. So in order for us to move forward, a new classification of employees has to be established to allow this to happen. Presently the way it stands, even limited-term employee has to be paid retirement, sick and annual leave, and so forth; the Census Bureau's fund will not allow that expense. That's the reason for legislation; to allow for that classification just to conduct the 2010 census.

- ❖ **Sen. Taitague:** And the federal government will pay for the benefits?
- ❖ **Mr. Lamorena:** Strictly for the 8 fulltime employees. They will be working for one calendar year.
- ❖ **Sen. Taitague:** What about the remaining?
- ❖ **Mr. Lamorena:** The remaining will not be paid, they will get their salary. Again, it's good salary; I believe it comes out to about \$16.80-some an hour for Enumerators. The average Enumerator will work no more than 3 months. That's the reason they don't pay benefits; they compensate it with higher pay inclusive of 25% incentive pay.
- ❖ **Sen. Taitague:** So this will not cost the government any money?

- ❖ **Mr. Lamorena:** There's no GovGuam money expended for this whole effort. We're just doing this for the decennial census. We do conduct other censuses through the years but we're only requesting this for the decennial census. We hope to open up October 1st, that's why we need to move the process forward.
- ❖ **Sen. Aguon:** When you look at the U.S. Census Bureau, they try to work with established personnel classification system within the respective jurisdiction. That's one of the reasons why this legislation has been proposed; to allow for that flexibility. Based on the guidelines and ability to be able to compensate appropriately, that in fact; provisions will be incorporated to the existing law the government structured.
- ❖ **Sen. Pangelinan:** What would happen if we said no? If you want to hire people that you're not going to pay sick leave, or when they get sick, when they go visit the doctor when bitten by a dog; what would happen if we said we don't want that? You hire them yourselves. Why do we want to hire them and provide that kind of reduced protection for an employee working on behalf of GovGuam? What's the advantage for us to say, we will do this on your behalf? We know the benefit of having the data, but what is the benefit of us doing this on their behalf?
- ❖ **Mr. Lamorena:** Most of the Enumerators will be employed anywhere from 2 to 3 months. The Census Bureau will not cover that expense, whereas, the fulltime employees who work 12 months will be covered.

If we say no, obviously the Census Bureau then will not contract with GovGuam to conduct the census and we'll probably contract a private company. We don't know; we have not gone to that discussion yet. But my thing is, the only option they would have at that point in time is contract a private company; have them conduct the census. Again, I don't want to speak on behalf of the Census Bureau, but I would think that would be their next best option. Also, because our local law requires police and court clearances, we were able to get them to cover that cost which would probably cost each employee \$25 and up; so the Census Bureau agreed to pay that expense.

Like I mentioned in my testimony, the 50 states and DC, the U.S. Census Bureau actually conducts the survey themselves; the territories, they contract with the local government to conduct it. Again, what the legislation and the laws allows, because we also realize the need of good Enumerators, GovGuam employees and retirees to participate as Enumerators and not affect their employment or retirement annuity.

- ❖ **Sen. Rector:** Government of Guam, we lead by example; we set the standards for the people of Guam as working conditions and how it is. If we as a government can't set the highest standard for the people we employ that receive a check that says Government of Guam on it, how can we expect anybody else to do the same? You're an unclassified employee; you get health insurance, retirement. Anybody that receives a GovGuam paycheck should do the same thing, and I don't think the administration, that is right now fighting in Washington DC to get a health care bill

passed that ensures health insurance for every single American is going to turn around and say, every single American except the 800 people we employ on Guam for 3 months. I have trouble believing that; I would like to see something in writing from an administrator of Census Bureau actually stating that. Do you have something in writing?

- ❖ **Mr. Lamorena:** Again, we've been in negotiation and we could request a letter. As I stated earlier, we can support, if you want, to pay benefits but the Census Bureau will not cover that expense, it has to be covered by Government of Guam.
- ❖ **Sen. Aguon:** Sen. Rector, if I can add, I just read that caption out of Personnel Administration, the Policy Book for the U.S. Census Bureau; that's verbatim, and that's why I was somewhat interested to find out about the additional 800 individual key staff members that could be eligible for additional benefits; it's fairly restrictive in terms of provision, and that is part of their guidelines.
- ❖ **Mr. Lamorena:** It's not our decision Senator, it's U.S. Census Bureau's Operating Policy; the only individuals they provide limited benefits are the 8 employees who work fulltime for the whole year, versus not providing benefits for individuals who will work 2-3 months.
- ❖ **Sen. Rector:** I understand that, but again, somebody receives a paycheck that says Government of Guam on it and says, you're kind of a GovGuam employee and it's temporary but we're not going to give you health insurance, so you're lucky enough to get this job for 2-3 months. But still if you get sick, you won't be able to take your family to the doctor or if you get bit by a dog. There goes your \$17 an hour because you're going to the hospital and have to pay for it. That just isn't acceptable to, and I don't think it should be acceptable to anybody in GovGuam; to say to GovGuam employees, there are multiple classes that don't have health care rights. I'll be more than happy to contact the people at the Census Bureau and talk to them. I don't think the President intends for Americans to work under the American flag and not have health insurance; I don't think he intends to treat the people of Guam as second-class citizens. So if I can get something in writing from them, I certainly would appreciate it so I can address it with the administration.
- ❖ **Sen. Pangelinan:** What is the total budget? Why isn't insurance being negotiated?
- ❖ **Mr. Lamorena:** 10 years ago it was \$5.5M, but we're still negotiating cost and so forth with them. Again, we have to go and see what the rental market is like and so forth. Until an MOU or contract is signed with U.S. Census Bureau and everything is finalized, then we can tell you that number. But obviously there's going to be an inflation; everything is going to be more than \$5M. Again, with insurance, we've asked, we've been pushing for that, but it's based upon their operational policies that they do not cover those benefits for Enumerators.

- ❖ **Sen. Aguon:** In terms of this, I think one thing that was re-emphasized several times by yourself, and certainly as a sponsor of this legislation I would always want to allow for flexibility in terms of benefits, especially as it applies to health care. Has there been any negotiation to set aside some funding for Workman's Compensation?
- ❖ **Mr. Lamorena:** There is Workman's Compensation. If they're injured on the job, got bit by a dog while doing enumeration, they will cover that expense. Again, every time we asked the Census Bureau in terms of benefits, it's not part of their Standard Operating Procedure and it's not done in any other jurisdiction.
- ❖ **Sen. Aguon:** So that could serve as a temporary interim health care.
- ❖ **Sen. Rector:** You say like it's not done in any other jurisdiction, but any other jurisdiction is not done how they're doing on Guam and the territories.
- ❖ **Mr. Lamorena:** Likewise the territories, they will not fund benefits for the territories as well.
- ❖ **Sen. Rector:** If it's not, we're doing things that's not in their Standard Operating Procedure even as it is. So that means to me, it's negotiable.
- ❖ **Mr. Lamorena:** Senator, like I stated and Sen. Pangelinan stated, what would happen if we don't agree with this bill and I'm not speaking on behalf of Census Bureau, but I would think their next best option was to hire a private company to conduct the census. And we all know a private company, if they don't pay the benefits either and they don't have to pay this \$16.88 an hour that we're going to be paying. This is the reason why the Census Bureau has compromised to include a 25% incentive pay in lieu of benefits. Enumerators will make about \$16.88 an hour, so based upon what other jobs are available on Guam; \$16.88 is a pretty decent salary even for a short period of time.
- ❖ **Sen. Rector:** If they contract with a private company then it falls into the Service Contract Act; all the salaries are negotiable and it's a passed supervision of the federal government. So then we can negotiate; they actually will get health benefits and retirement. So it might actually help the worker and families on Guam to allow it to go to a private company.
- ❖ **Sen. Palacios:** Keep in mind that we've been having problems in collecting accurate data of veterans residing on Guam. Could this census be an opportunity where we can collect such a data and the homeless population, this is the time where we can pick up those information we need.
- ❖ **Mr. Lamorena:** What the Census Bureau has allowed us to do is actually ask certain questions specific to information for Guam. I'm not sure about veteran data but as for individuals with disabilities and so forth, we made sure there were additional questions in the census to address those issues.

- ❖ **Monica Guerrero** (Planner, BSP): Yes, the census data/report, we currently to collect veterans' status information in terms of when they served in the service, and information such as that. We have gone through the process where Census Bureau has asked each jurisdiction any new topics because things have changed between past censuses. One additional item would be computer home use, use of cell phone, and additional questions on disability.

There being no further questions, comments or discussions, the Chairman concluded the public hearing on Bill No. 116 (COR).

IV. FINDINGS / RECOMMENDATION

The Committee on Economic Development, Health & Human Services, and Judiciary to which **BILL NO. 116 (COR)**, "**AN ACT RELATIVE TO AUTHORIZING THE GUAM CENSUS PROGRAM TEMPORARY RECRUITMENT AND EMPLOYMENT OF PERSONNEL, CONSISTENT WITH U.S. CENSUS BUREAU GUIDELINES, TO CONDUCT NECESSARY ACTIVITIES RELATED TO THE GUAM DECENNIAL 2010 CENSUS**" was referred, does hereby submit its recommendation to *I Mina'Trenta Na Liheslaturan Guåhan* **TO PASS** Bill No. 116 (COR), *as amended*.

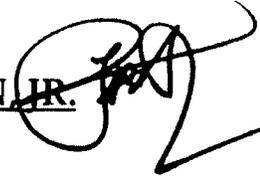
MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

2009 MAY 13 PM 1:33
EJON

Bill No. 116 (COR)

Introduced by:

FRANK B. AGUON, JR.



AN ACT RELATIVE TO AUTHORIZING THE
GUAM CENSUS PROGRAM TEMPORARY
RECRUITMENT AND EMPLOYMENT OF
PERSONNEL, CONSISTENT WITH U. S. CENSUS
BUREAU GUIDELINES, TO CONDUCT
NECESSARY ACTIVITIES RELATED TO THE
GUAM DECENNIAL 2010 CENSUS.

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 **Section 1. Legislative Findings and Intent.** The Decennial Census
2 provides key socio-economic, demographic and housing information on
3 Guam's population in order to assist government and business officials
4 effectively plan and formulate policy measures to meet public service
5 needs and promote economic development. Planning to build more
6 schools, homes and business establishments as well as improving
7 infrastructure development is best achieved by determining how many
8 people there are, where they live and what their needs are. Taken every
9 ten (10) years, the census serves as the most valuable resource tool
10 providing comprehensive statistics on Guam's housing and population
11 structure.

1 The Bureau of Statistics and Plans serves as the local lead agency
2 responsible for the management of the Census of Population and Housing
3 on Guam. Through a cooperative partnership between the U.S. Census
4 Bureau, herein referred to as the Bureau, and the Government of Guam, a
5 signed mutual agreement between the Director of the Census Bureau and
6 the Governor of Guam is made to conduct the decennial census of
7 population and housing.

8 For the 2000 Census, more than seven hundred (700) people were
9 hired to enumerate and collect detailed housing and population
10 information on Guam’s resident households. In 2010, it is estimated that
11 about one thousand (1,000) people will be needed to conduct activities
12 related to the Guam census.

13 *I Liheslaturan Guåhan* finds that due to anticipated high turnover rate
14 by census takers and to ensure there are sufficient applicants for the Guam
15 Census Program, herein referred to as the Program, it is the intent of *I*
16 *Liheslaturan Guåhan* to allow temporary recruitment and outside
17 employment by Government of Guam employees and retirees to
18 participate in the program. *I Liheslaturan Guåhan* further finds that the U. S.
19 Census Bureau guidelines provide for the recruitment of field staff and
20 office staff who “work on an as need basis and are not eligible for
21 employee benefits or federal retirement”, thus this provision would
22 provide for consistent application of these guiding principles.

1 **Section 2. Program Operation and Funding.** The Program will be
2 funded by the Bureau and used for census operation which includes staff
3 salaries, overtime, office space, office equipment, office supplies, vehicle
4 rental, travel, all forms of publicity, and all other related program costs.

5 **Section 3. Bureau Established Positions.** The list of temporary,
6 unclassified positions for the decennial census shall include:

- 7 Local Census Office (LCO) Manager (Census)
- 8 Assistant Manager for Administration (AMA) (Census)
- 9 Assistant Manager for Office Operations (AMOO) (Census)
- 10 Assistant Manager for Field Operations (AMFO) (Census)
- 11 Partnership/Media Specialist (Census)
- 12 Geographic Specialist (Census)
- 13 Security Officer (Census)
- 14 Administrative Assistant (Census)
- 15 Security Guard (Census)
- 16 Office Operations Supervisor (OOS) (Census)
- 17 Field Operations Supervisor (FOS) (Census)
- 18 Group Quarters Operations Supervisor (GQOS) (Census)
- 19 Crew Leader (Census)
- 20 Crew Leader Assistants (Census)
- 21 Enumerator (Census)
- 22 Clerk (Census)
- 23 Interpreter (Census)

1 In future decennial census, as new position(s) are created, changed or
2 deleted by the Bureau in support of the census operations and activities,
3 the Program shall notify the Department of Administration of such
4 changes. All Program positions shall include “(Census)” after each
5 position title.

6 **Section 4. Temporary, and Unclassified Employment, Outside**
7 **Employment for Government of Guam Employees, and Employment of**
8 **Retirees.** Persons recruited for the Program will be hired as temporary,
9 unclassified employees. Individuals employed with the Government of
10 Guam must obtain approval for outside employment from their respective
11 department or agency head prior to employment with the Program
12 pursuant to Title 4, Chapter 4, Article 1, §4105(d)(4) of the Guam Code
13 Annotated, and such work shall not conflict with or negatively impact the
14 individual’s regular employment responsibilities. Prior to the employment
15 of any government of Guam employees, every effort must be exhausted to
16 ensure that the general community is provided with the initial opportunity
17 to participate and support the conduct of the Census activities.
18 Government of Guam retirees may participate in the Program without loss
19 or suspension of annuity.

20 **Section 5. Salaries and Benefits.** The Bureau shall establish the
21 salary for all Program employees. The Bureau will provide funding for
22 workers’ compensation, FICA, and overtime (OT) pay as necessary to
23 complete field work, re-interviews, field follow-ups, canvassing and other

1 related Program operations. Employees of the Program shall be temporary
2 in nature, and thus shall not be entitled to life insurance, medical and
3 dental insurance, annual and sick leave, salary increment, and government
4 of Guam retirement.

5 **Section 6. Drug Screening, Police and Court Clearance**
6 **Requirements.** Prior to the employment of any individual with the
7 Program, the individual must undergo and pass a mandatory drug
8 screening in which the initial testing will be paid for by the Program
9 subject to availability of funds; in addition, selected individuals must
10 provide to the Program the most recent police and court clearances which
11 will also be paid for by the Program subject to availability of funds.

12 **Section 7.** This Act shall be applicable to the conduct and
13 completion of the 2010 Census.

MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

Bill No. 116 (COR)

As substituted by the Committee on
Economic Development, Health &
Human Services, and Judiciary

Introduced by:

FRANK B. AGUON JR. 

**AN ACT RELATIVE TO AUTHORIZING THE
GUAM CENSUS PROGRAM TEMPORARY
RECRUITMENT AND EMPLOYMENT OF
PERSONNEL, CONSISTENT WITH U. S. CENSUS
BUREAU GUIDELINES, TO CONDUCT
NECESSARY ACTIVITIES RELATED TO THE
GUAM DECENNIAL 2010 CENSUS AND THE
CONDUCT OF ANY FUTURE CENSUS, BY ADDING
A NEW §1209.1.1 TO ARTICLE 1 OF CHAPTER 1,
DIVISION 1, TITLE 5, GUAM CODE ANNOTATED.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 **Section 1. Legislative Findings and Intent.** The Decennial Census
2 provides key socio-economic, demographic and housing information on
3 Guam's population in order to assist government and business officials
4 effectively plan and formulate policy measures to meet public service
5 needs and promote economic development. Planning to build more
6 schools, homes and business establishments as well as improving
7 infrastructure development is best achieved by determining how many
8 people there are, where they live and what their needs are. Taken every

1 ten (10) years, the census serves as the most valuable resource tool
2 providing comprehensive statistics on Guam's housing and population
3 structure.

4 The Bureau of Statistics and Plans serves as the local lead agency
5 responsible for the management of the Census of Population and Housing
6 on Guam. Through a cooperative partnership between the U.S. Census
7 Bureau, herein referred to as the Bureau, and the Government of Guam, a
8 signed mutual agreement between the Director of the Census Bureau and
9 the Governor of Guam is made to conduct the decennial census of
10 population and housing.

11 For the 2000 Census, more than seven hundred (700) people were
12 hired to enumerate and collect detailed housing and population
13 information on Guam's resident households. In 2010, it is estimated that
14 about one thousand (1,000) people will be needed to conduct activities
15 related to the Guam census.

16 *I Liheslaturan Guåhan* finds that due to anticipated high turnover rate
17 by census takers and to ensure there are sufficient applicants for the Guam
18 Census Program, herein referred to as the Program, it is the intent of *I*
19 *Liheslaturan Guåhan* to allow temporary recruitment and outside
20 employment by Government of Guam employees and retirees to
21 participate in the program. *I Liheslaturan Guåhan* further finds that the U. S.
22 Census Bureau guidelines provide for the recruitment of field staff and
23 office staff who "work on an as need basis and are not eligible for

1 employee benefits or federal retirement”, thus this provision would
2 provide for consistent application of these guiding principles.

3 **Section 2.** a new §1209.1.1 is added to Article 1 of Chapter 1,
4 Division 1, Title 5, Guam Code Annotated, to read:

5 **“§1209.1.1. Guam Census.**

6 **(a) Program Operation and Funding.** The Program will be
7 funded by the U.S. Census Bureau and used for census operation
8 which includes staff salaries, overtime, office space, office equipment,
9 office supplies, vehicle rental, travel, all forms of publicity, and all
10 other related program costs.

11 **(b) Bureau Established Positions.** The list of unclassified
12 positions for the decennial census shall include:

13 Local Census Office (LCO) Manager (Census)

14 Assistant Manager for Administration (AMA) (Census)

15 Assistant Manager for Office Operations (AMOO) (Census)

16 Assistant Manager for Field Operations (AMFO) (Census)

17 Partnership/Media Specialist (Census)

18 Geographic Specialist (Census)

19 Security Officer (Census)

20 Administrative Assistant (Census)

21 Access Controller (Census)

22 Office Operations Supervisor (OOS) (Census)

23 Field Operations Supervisor (FOS) (Census)

1 Group Quarters Operations Supervisor (GQOS) (Census)

2 Crew Leader (Census)

3 Crew Leader Assistants (Census)

4 Enumerator (Census)

5 Clerk (Census)

6 Interpreter (Census)

7 In future decennial census, as new position(s) are created,
8 changed or deleted by the Bureau in support of the census operations
9 and activities, the Program shall notify *I Liheslaturan Guahan* of such
10 changes for action. All Program positions shall include “(Census)”
11 after each position title.

12 **(c) Unclassified Employment, Outside Employment for**
13 **Government of Guam Employees, and Employment of Retirees.**

14 Persons recruited for the Program will be hired as unclassified
15 employees. Individuals employed with the Government of Guam
16 must obtain approval for outside employment from their respective
17 department or agency head prior to employment with the Program
18 pursuant to Title 4, Chapter 4, Article 1, §4105(d)(4) of the Guam
19 Code Annotated, and such work shall not conflict with or negatively
20 impact the individual’s regular employment responsibilities. Prior to
21 the employment of any government of Guam employees, every effort
22 must be exhausted to ensure that the general community is provided
23 with the initial opportunity to participate and support the conduct of

1 the Census activities. Government of Guam retirees may participate
2 in the Program without loss or suspension of annuity.

3 **(d) Salaries and Benefits.** The Bureau shall establish the
4 salary for all Program employees. The Bureau will provide funding
5 for workers' compensation, FICA, and overtime (OT) pay as
6 necessary to complete field work, re-interviews, field follow-ups,
7 canvassing and other related Program operations. Employees of the
8 Program shall be in the unclassified position. Management staff of
9 the Program including the Local Census Office Manager, Assistant
10 Manager for Administration, Assistant Manager for Office
11 Operations, Assistant Manager for Field Operations,
12 Partnership/Media Specialist, Geographic Specialist, Security Officer,
13 and the Administrative Assistant shall be entitled to annual and sick
14 leave, and medical and dental insurance. All other census employees
15 will be excluded from such coverage and other benefits, to include
16 salary increment.

17 **(e) Drug Screening, Police and Court Clearance**
18 **Requirements.** Prior to the employment of any individual with the
19 Program, the individual must undergo and pass a mandatory drug
20 screening in which the initial testing will be paid for by the Program
21 subject to availability of funds. In addition, selected individuals must
22 provide to the Program the most recent police and court clearances

1 (both valid for one (1) month only) which will also be paid for by the
2 Program subject to availability of funds.”

3 **Section 3.** This Act shall be applicable to conduct and complete the
4 2010 Census and future decennial Censuses thereafter.



Bureau of Statistics and Plans
Government of Guam
Alberto "Tony" Lamorena V, Director



Felix P. Camacho, *Governor of Guam*
Michael W. Cruz, M.D., *Lieutenant Governor*

Testimony on Bill 116
Presented by: Alberto A. "Tony" Lamorena V
Director, Bureau of Statistics and Plans

**To the Guam Legislature's Committee on Economic Development,
Health and Human Services and Judiciary**

July 15, 2009

Hafa Adai and Good Morning,

Senator Frank B. Aguon, Jr., Chairperson and members of the Committee on Economic Development, Health and Human Services and Judiciary of the Thirtieth Guam Legislature, my name is Alberto A. "Tony" Lamorena V, Director of the Bureau of Statistics and Plans. At this time I would like to acknowledge and thank Senator Frank B. Aguon Jr. for authoring and introducing Bill 116 and the opportunity to present favorable testimony in support of "An Act Relative to Authorizing the Guam Census Program Temporary Recruitment and Employment of Personnel, Consistent with U.S. Census Bureau Guidelines, to Conduct Necessary Activities Related to the Guam Decennial 2010 Census". As the lead agency to conduct Guam's 2010 Census under the auspices of the U.S. Census Bureau, the Bureau of Statistics and Plans (BSP) has been working closely with Census Bureau officials to effectively plan and address activities to ensure a successful population and housing enumeration on Guam.

With the movement of U.S. Marine forces and their families, other military personnel, and skilled laborers, Guam's population is expected to change dramatically. Critical issues such as housing, labor force, education, social welfare, and environmental impacts must be addressed by policymakers and business leaders alike. As a result of Guam's dynamic and ever-changing population and housing structure, we know all too well the value census information brings to meet our island's health, socio-economic and infrastructure needs. While Guam lacks its ability to conduct regularly administered surveys (such as the American Community Survey and the Consumer Expenditures Survey) and maintain regular reporting of critical economic and financial data, we can agree that the census serves as one of the most reliable sources of information that planners, government and business leaders use today to make immediate and long-term planning and policymaking decisions. Federal programs use census data in funding formulas and additionally provide funding opportunities to help communities build better programs and support services.

Before I go further, I would like to point out that within the fifty states and the District of Columbia, the United States Census Bureau is the sole entity responsible for conducting the Decennial Census required by the Constitution of the United States America. With regard to U.S. territories of Puerto Rico, Virgin Islands, American Samoa, Commonwealth of the Northern Mariana Islands and Guam, the U.S. Census Bureau contracts the Decennial Census services with each political jurisdiction. The standard it establishes for the fifty states applies to the territories. In Guam's case rather than the U.S. Census Bureau hiring and overseeing the staff required to conduct the Decennial Census, this responsibility is given to the Government of Guam. In the Bureau's discussions with the U.S. Census Bureau, Department of Administration's Recruitment and Classification Branch and Civil Service Commission, it became apparent that Guam does not possess an Employee Classification system that addresses the unique needs of a group of employees who are needed only once every ten years to conduct the Decennial Census. The positions created under this legislation cannot be used for any other census, survey or purpose not directly connected to the Decennial Census required by the U.S. Constitution.

Recruitment

Planning for a successful Census requires us as stakeholders and as a community to promote maximum coverage, accuracy, and accountability in order to obtain a precise picture of Guam's housing and population make-up. While partnership efforts are critical in raising awareness and educating our residents about the 2010 Census, retaining qualified personnel and staff support becomes equally important in securing the program's overall effectiveness and output.

In the 2000 Census, Guam employed over 800 employees to conduct field and coding operations and provide managerial and administrative support. In 2010, we expect to bring on board a similar amount of employees to conduct the Census operations. Given the size and nature of the project, we must secure a sufficient applicant pool for participation in the Guam Census Program. Bill 116 supports this measure by permitting the recruitment of Government of Guam employees and retirees (without suspension of annuities) to participate in this short-term program.

Bill 116, as written in its present form, stipulates that employees under the Program shall not be entitled to benefits. However, The Bureau of Statistics and Plans has recently learned that the Census Bureau will authorize funds to cover annual leave, sick leave and health insurance for the 8-member management team only. This includes the Local Census Office (LCO) Manager, the Assistant Manager for Administration (AMA), the Assistant Manager for Office Operations (AMO), the Assistant Manager for Field Operations (AMFO), the Partnership/Media Specialist, the Geographic Specialist, the Security Officer, and the Administrative Assistant. The management staff will be working "full-time" for the entire project period from October 1, 2009 to August 31, 2010. All other census employees will be excluded from such coverage. All employees under the program will not receive other benefits such as service credit, life insurance, hazardous pay, night differential, and salary increments. Should Bill 116 be expanded to provide benefits to the Guam Census Office's other employee positions, the U.S. Census Bureau will not reimburse the Government of Guam for the cost of the benefits and the additional costs will have to be borne by the General Fund.

Benefits

The Census Bureau has established an attractive wage structure to promote the recruitment of hundreds of good-paying jobs. Given the rising cost of goods and services, business closures, and declining tourism, this comes at an opportune time to help our community. We believe that with better paying jobs, we can recruit and retain high performance census takers and support personnel for the program. In addition to the hourly base pay, all employees in the program will earn an additional 25 percent incentive pay. Guam census employees can earn as much as \$13.75 an hour for clerks to close to \$17.00 an hour for enumerators (inclusive of incentive pay). Additionally, subject to funding availability, the Census Bureau will also cover police, drug and court clearance for persons selected to the program.

Recommendations

The Bureau of Statistics and Plans in cooperation with the Department of Administration's Division of Personnel Management, present the following comments and recommendations to Bill 116:

- 1) Page 3, Section 3, line 5. Bureau Established Positions – Remove the word “temporary.” Temporary appointments utilize classified positions, must qualify and are appointed for no more than 120 working days or 960 hours, whichever comes first. Temporary appointments are limited to one calendar year. Unclassified employees are hired at the pleasure of management;
- 2) Page 3, Section 3, line 15. Bureau Established Positions – Replace “Security Guard (Census)” with “Access Controller (Census)”. The Bureau of Statistics and Plans was informed by the U.S. Census Bureau of the change. Duties of this position include verification of identification badges, entrance control of visitors to the Local Census Office, and performing reception-like duties;
- 3) Page 4, Section 3, lines 1 to 5. Bureau Established Positions – Only the Guam Legislature can create positions in the unclassified service. Recommend rewriting the section to read “In future decennial census, as new position(s) are created, changed or deleted by the Bureau in support of the census operations and activities, the Program shall notify the *Guam Legislature* of such changes *for action*. All Program positions shall include “(Census)” after each position title;
- 4) Page 4, Section 4, line 6. Temporary, and Unclassified Employment, Outside Employment for Government of Guam Employees, and Employment of Retirees – Remove the word “Temporary, and”;
- 5) Page 4, Section 4, line 8. Remove the word “temporary”;
- 6) Page 5, Section 5, lines 1 to 4. Salaries and Benefits – Remove “Employees of the Program shall be temporary in nature, and thus shall not be entitled to life insurance,

medical and dental insurance, annual and sick leave, salary increment, and government of Guam retirement.”

Replace with the following language, *“Employees of the Program shall be in the unclassified position. Management staff of the Program including the Local Census Office Manager, Assistant Manager for Administration, Assistant Manager for Office Operations, Assistant Manager for Field Operations, Partnership/Media Specialist, Geographic Specialist, Security Officer, and the Administrative Assistant shall be entitled to annual and sick leave, and medical and dental insurance. All other census employees will be excluded from such coverage. All employees under the program will not receive other benefits such as service credit, life insurance, hazardous pay, night differential, and salary increment”*;

- 7) Page 5, Section 6. Drug Screening, Police and Court Clearance Requirements – It should be noted that police and court clearances are valid for one month;
- 8) Page 5, Section 7, lines 12 to 13. Include language that will apply to the implementation and execution of 2010 Census and future decennial censuses thereafter. Amended to read “This Act shall be applicable to conduct and complete the 2010 Census and future decennial Censuses thereafter.”

Mr. Chairman and members of the Committee I want to again thank you for providing me this opportunity to express our opinion and recommendations to Bill 116. The Bureau of Statistics and Plans stands ready to assist the legislature to ensure passage of Bill 116 so that we can move forward in accomplishing the goals and objectives of the 2010 Census. If you have any questions please feel free to call on me at your convenience.

Si Yu’us Ma’ase,



Alberto A. “Tony” Lamorena V



COMMITTEE ON RULES

I Mina'Trenta na Liheslaturan Guåhan • 30th Guam Legislature

155 Hesler Place, Hagatña, Guam 96910 • tel: (671)472-7679 • fax: (671)472-3547 • roryforguam@gmail.com

MAY 14 PM 2:25

**SENATOR
RORY J.
RESPICIO
CHAIRPERSON**

May 14, 2009

**SENATOR
Judith P. Guthertz
VICE
CHAIRPERSON**

Memorandum

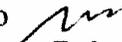
**MAJORITY
MEMBERS:**

To: Clerk of the Legislature
I Mina'Trenta Na Liheslaturan Guåhan

**Judith T. Won Pat
SPEAKER**

Attorney Therese M. Terlaje, Legislative Legal Counsel
I Mina'Trenta Na Liheslaturan Guåhan

**Benjamin J. F. Cruz
VICE SPEAKER**

From: Senator Rory J. Respicio 
Chairperson, Committee on Rules
I Mina'Trenta Na Liheslaturan Guåhan

**Tina Rose Muña Barnes
LEGISLATIVE SECRETARY**

Subject: Referral of Bill No. 116(COR)

**Thomas C. Ada
SENATOR**

As Chairperson of the Committee on Rules, I am forwarding my referral of Bill No. 116COR).

**Frank B. Aguon, Jr.
SENATOR**

Please ensure that the subject Bill is referred, in my name, to the respective Chairperson, as shown on the attachment. I am also requesting that the same be forwarded to all Senators of *I Mina'Trenta Na Liheslaturan Guåhan*.

**Adolpho B. Palacios, Sr.
SENATOR**

Should you have any questions, please contact Elaine Tajalle or Stephanie Mendiola from my office.

**Vicente C. Pangelinan
SENATOR**

Si Yu'os Ma'åse.

**Matthew Rector
SENATOR**

Attachment

**MINORITY
MEMBERS:**

**Frank F. Blas, Jr.
SENATOR**

**James V. Espaldon
SENATOR**

Bill/Resolution Introduction/Referral

Bill	Sponsor	Description	Date Introduced	Date Re- Referred	Committee Referred
116(COR)	Frank B. Aguon, Jr.	An act relative to authorizing the Guam Census Program temporary recruitment and employment of personnel, consistent with U. S. Census Bureau Guidelines, to conduct necessary activities related to the Guam Decennial 2010 Census.	5/13/09	5/14/09	Committee on Economic Development, Health and Human Services, and Judiciary



**COMMITTEE ON ECONOMIC DEVELOPMENT,
HEALTH AND HUMAN SERVICES, AND JUDICIARY**
I Mina'Trenta Na Liheslaturan Guåhan • 30th Guam Legislature
238 Archbishop F.C. Flores St., DNA Bldg., Suite 701A, Hagatña, Guam 96910
Tel: (671) 969-1495/6 • Fax: (671) 969-1497 • Email: aguon4guam@gmail.com

July 07, 2009

FRANK B. AGUON, JR.
SENATOR, CHAIRMAN

ADOLPHO B. PALACIOS, SR.
SENATOR, VICE CHAIRMAN

JUDITH T. WON PAT
SPEAKER
EX-OFFICIO MEMBER

BENJAMIN J.F. CRUZ
VICE SPEAKER

TINA ROSE MUÑA BARNES
LEGISLATIVE SECRETARY

THOMAS C. ADA
SENATOR

JUDITH P. GUTHERTZ
SENATOR

RORY J. RESPICIO
SENATOR

FRANK F. BLAS, JR.
SENATOR

TELO TAITAGUE
SENATOR

RAY TENORIO
SENATOR

Mr. Tony Lamorena
Acting Director
Bureau of Statistics & Plans & Research
Ricardo J. Bordallo Governor's Complex
Hatagna, Guam 96910

Subject: Notice of Public Hearing

Dear Mr. Lamorena,

Buenas yan Hafa Adai!

The Committee on Economic Development, Health & Human Services, and Judiciary will be conducting a public hearing on **Wednesday, July 15, 2009** beginning at **8:00 am** at the Guam Legislature Public Hearing Room.

Bill No. 116 (COR) – "An act relative to authorizing the Guam Census Program temporary recruitment and employment of personnel, consistent with U.S. Census Bureau Guidelines, to conduct necessary activities related to the Guam Decennial 2010 Census", will be on the agenda.

I invite the participation of you and your staff at this public hearing and to provide written or oral testimony. Written testimony may be emailed, faxed or hand-delivered to Senator Aguon's office no later than Monday, July 13, 2009.

If you have any question, please contact Frances Lizama at Senator Aguon's office.

Un Dangkulo' Na Si Yu'us Ma'ase'.

Respectfully,


ADOLPHO B. PALACIOS, SR.
Acting Chairman

I Mina'Trenta Na Liheslaturan Guåhan
(30th Guam Legislature)

NOTE: Blocked calls are not displayed on this report.
 For more information, see Junk Fax Report and the Caller ID History report.

Last 30 Transactions

Date	Time	Type	Station ID Caller ID	Duration	Pages	Result
Jul 1	6:29AM	Received		0:45	0	No fax
Jul 1	8:58AM	Received	6716322492 6490145 6716490145	0:31	1	OK
Jul 2	9:06AM	Received	6714725022	0:31	2	OK
Jul 6	10:37AM	Received	6716475684 6716475684	0:49	2	OK
Jul 6	4:13PM	Fax Sent	6482007	0:31	1	OK
Jul 7	8:17AM	Received	1111 6714758805	0:22	1	OK
Jul 7	8:53AM	Received	6714725022	0:40	2	OK
Jul 7	10:21AM	Received	6490145 6716490145	0:35	1	OK
Jul 7	10:56AM	Received	6482007 6716482007	0:33	1	OK
Jul 7	3:27PM	Received	6482007 6716482007	0:47	2	OK
Jul 7	4:01PM	Fax Sent	6482007	1:05	1	Error 350
Jul 7	5:10PM	Received	4723510 6714723589	0:19	1	OK
Jul 8	9:33AM	Received	6482007 6716482007	0:46	2	OK
Jul 8	9:36AM	Fax Sent	4773079 PDN	1:37	2	OK
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Jul 8	9:55AM	Fax Sent	6379870 KUAM	1:05	2	OK
Jul 8	9:57AM	Fax Sent	4773982 K-54	0:57	2	OK
Jul 8	9:58AM	Fax Sent	4776411 K-stereo	1:24	2	OK
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Jul 8	10:09AM	Fax Sent	7342958 KPRG	2:27	2	OK
Jul 8	10:13AM	Fax Sent	4771812 Tony Lamorena	0:31	1	OK
Jul 8	10:14AM	Fax Sent	4725003 Dr. Nerissa Britania-Schaffner	0:36	1	OK
Jul 8	10:15AM	Fax Sent	4750597 GCPB	0:28	1	OK

Last Transaction

Date	Time	Type	Station ID	Duration	Pages	Result
Jul 10	10:36AM	Fax Sent	4771812	0:32	1	OK

6/7/10/09 Julie - (BSP) requested for re fax -
10:25am

10:4am - confirmed receipt of fax, as per Julie -



*Pl. File w/ Census
Bill on*

Frank Aguon, Jr. <aguon4guam@gmail.com>

B.116

Fwd: Census 2010 - Benefits Issue

1 message

Frances Lizama <lizama.frances@gmail.com>

Tue, May 12, 2009 at 10:50 AM

To: "SEN. AGUON, Frank B., Jr." <aguon4guam@gmail.com>

----- Forwarded message -----

From: **Frances Lizama** <lizama.frances@gmail.com>
Date: Fri, May 8, 2009 at 11:37 AM
Subject: Fwd: Census 2010 - Benefits Issue
To: "SEN. AGUON, Frank B., Jr." <aguon4guam@gmail.com>

----- Forwarded message -----

From: **Monica Guerrero** <monica.guerrero@bsp.guam.gov>
Date: Fri, May 8, 2009 at 11:19 AM
Subject: Census 2010 - Benefits Issue
To: lizama.frances@gmail.com
Cc: Tony Lamorena <tlamorena@gmail.com>, Tony Lamorena <tony.lamorena@bsp.guam.gov>, Miki Leon Guerrero <miki.leonguerrero@bsp.guam.gov>

Hafa Adai Frances,

I received information from Mr. Johnn Wynn of the U.S. Census Bureau regarding Guam's concerns on the "benefits" issue. According to Mr. Wynn, the Local Census Office (LCO) field staffs and office staffs are assigned to an intermittent work schedule, that is, they work on an *as need* basis and are not eligible for employee benefits or federal retirement." The pages dealing with personnel administration are attached. Pls. refer to Chapter 8 on Personnel Administration.

Thank you for assisting our office in this matter.

Warm regards,

Monica

Monica J. Guerrero
Bureau of Statistics and Plans
P.O. Box 2950
Hagatna, Guam 96932
Ph: (671) 472-4201/2/3
FAX: (671) 477-1812

--
FRANCES S. LIZAMA
Office of Senator Frank B. Aguon, Jr.
30th Guam Legislature

Committee on Economic Development,
Health and Human Services, and Judiciary
232 Archbishop F.C. Flores St.
DNA Bldg (old PDN), Suite 701A
Hagatna, Guam 96910
Tel: 969-1495~6
Fax: 969-1497

 **Census Personnel.pdf**
43K

D-501
October 2008

Administrative Manual

Local Census Office



U.S. Department of Commerce
Economics and Statistics Administration
U.S. Census Bureau

This document does not contain any Title 13 data or other Personally Identifiable Information. All data are fictitious and any resemblance to actual data is coincidental.

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Chapter 8: Personnel Administration

Topic 1: Appointing

This chapter outlines the procedures for appointing and terminating personnel and for processing other personnel actions in the Local Census Office (LCO). It also describes functions and procedures of other areas of personnel administration. Detailed procedures for entering personnel data into the Decennial Applicant, Personnel and Payroll System (DAPPS) are described in the *D-581, DAPPS Operating Manual*.

Introduction

Before job applicants can be hired and appointed to a specific position, they must meet the basic qualifications in the vacancy announcement. This involves taking an employment test, completing the required employment forms, and taking the Oath of Office.

The LCO Manager (LCOM), Administrative Assistant, and Assistant Managers are qualified for, and appointed to their position, by an appointing official from the Regional Census Center (RCC). They are appointed to a temporary position in the excepted service with a specific not-to-exceed (NTE) date of one year. They are assigned to a mixed-tour schedule, which provides for periods of full-time, part-time, and intermittent work, as well as periods in a nonpay status, depending on operational needs. The mixed tour schedule may be changed whenever there is an increase or decrease in the workload.

All other LCO field and office employees are also appointed to a temporary position in the excepted service, but with a NTE date of six (6) to eight (8) weeks from the appointment effective date. Depending on the availability of work, the appointment may be extended, but total service cannot exceed two years. Employees are assigned to an intermittent work schedule; that is, they work on an *as needed* basis and are not eligible for employee benefits or federal retirement.

Tour of Duty for LCO Field and Office Staff

LCO field staffs and office staffs are assigned to an intermittent work schedule; that is, they work on an *as need* basis and are not eligible for employee benefits or federal retirement.

These employees will be paid only for the hours worked and their hours and schedule will vary depending on the assignment. They are not eligible for annual or sick leave, health and life insurance coverage, federal retirement, or the Thrift Savings Plan Program.

All part-time or intermittent employees who work in excess of five (5) consecutive hours in any day must take an unpaid meal period break of 30 minutes.

LCOMs are responsible for appointing all intermittent employees and ensuring the appointment procedures are followed. This responsibility is delegated in writing to first level supervisors for employees under their direct supervision.

It is very important that all employees are appointed using the procedures described in this chapter. New employees cannot be paid unless they are appointed properly.

Employment Practices and Policies

Employment practices and policies includes the following subject areas:

- Employment eligibility factors
- Nepotism and family restrictions
- Qualifying applicants for census positions
- Interpreters and individuals with special sworn status
- Dual employment
- Outside activities and conflicts of interest
- Restrictions on political activities

These topics will be covered in the sections that follow.

Employment Eligibility Factors

In addition to taking a written test to demonstrate that applicants can follow written instructions, do arithmetic, and perform in other areas related to census work, all new appointees must meet the employment eligibility factors and hiring restrictions listed below:

- Applicant must be a United States citizen by birth or naturalization, lawful permanent resident, or legally entitled to work in the United States, and meet Form I-9, Employment Eligibility Verification. Non-citizen applicants may be considered for employment in situations in which special language or cultural skills are required, but cannot be satisfied from the available pool of citizens in DAPPS, particularly in areas where bilingual



**COMMITTEE ON ECONOMIC DEVELOPMENT,
HEALTH AND HUMAN SERVICES, AND JUDICIARY**
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FRANK B. AGUON, JR.
SENATOR, CHAIRMAN

July 07, 2009

ADOLPHO B. PALACIOS, SR.
SENATOR, VICE CHAIRMAN

MEMORANDUM

JUDITH T. WON PAT
SPEAKER
EX-OFFICIO MEMBER

TO: Honorable Senators/Committee Members
*Committee on Economic Development,
Health & Human Services, and Judiciary*

BENJAMIN J.F. CRUZ
VICE SPEAKER

FROM: SENATOR ADOLPHO B. PALACIOS, SR.
Acting Chairman 

TINA ROSE MUÑA BARNES
LEGISLATIVE SECRETARY

SUBJECT: First Notice – Notice of Public Hearing
Wednesday, July 15, 2009 – 8:00 am

THOMAS C. ADA
SENATOR

JUDITH P. GUTHERTZ
SENATOR

Buenas yan Hafa Adai!

RORY J. RESPICIO
SENATOR

Please be advised that the Committee on Economic Development, Health & Human Services, and Judiciary will be conducting a public hearing on **Wednesday, July 15, 2009**, beginning at **8:00 am** in the Guam Legislature Public Hearing Room.

FRANK F. BLAS, JR.
SENATOR

Please find attached agenda for this public hearing. Should you have any questions, please call Frances Lizama at Senator Aguon's office.

TELO TAITAGUE
SENATOR

Un dangkulo' na Si Yu'us Ma'ase'.

RAY TENORIO
SENATOR

Attachment (1)

Cc: Sergeant-at-Arms/Protocol/AV
Stephanie Mendiola, COR
Clerk of the Legislature
MIS

1ST NOTICE - NOTICE OF PUBLIC HEARING Inbox X

from **Frances Lizama** <lizama.frances@gmail.com> [hide details](#) Jul 8 (2 days ago) Reply

to "SEN. ADA, Thomas C." <Tom@senatorada.org>,
 "SEN. BLAS, Frank F., Jr." <frank.blasjr@gmail.com>,
 "SEN. CALVO, Eddie J.B." <sencalvo@gmail.com>,
 "SEN. CRUZ, Benjamin J.F." <senadotbjcruz@aol.com>,
 "SEN. ESPALDON, James V." <senator@espaldon.com>,
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 "SEN. WON PAT, Judi" <speaker@judiwonpat.com>

cc "BLAS, Roland - Spkr Won Pat's Ofc." <roland@judiwonpat.com>,
 "BORJA, Dominic - Sen. Ada's Ofc." <dominic@senatorada.org>,
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 "LIDIA, Mike - Sen. Cruz ofc." <mike.lidia9@gmail.com>,
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 "MANIBUSAN, Lauriel - Sen. Espaldon's Ofc." <laurielisla@gmail.com>,
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 "UNPINGCO, Joy - Sen. Calvo's Ofc." <joyunpingco@gmail.com>,
 "WYTENBACH-SANTOS, Richard - Sen. Guthertz Ofc." <doc.wytenbachsantos@gmail.com>,
 "WHEELER, Mary Lou" <mlwheeler2000@yahoo.com>,
 teddytaz@ite.net,
 teddytaz_222@yahoo.com

date Wed, Jul 8, 2009 at 10:25 AM
 subject 1ST NOTICE - NOTICE OF PUBLIC HEARING
 mailed-by gmail.com

TO ALL:

Attached is a memo from Sen. Palacios, Acting Chairman which serves as 1st Notice of Public Hearing, scheduled for July 15, 2009. Should you have any questions, please free to call our office. Thank you.

—
FRANCES S. LIZAMA
 Office of Senator Frank B. Aguon, Jr.
 30th Guam Legislature
 Committee on Economic Development,
 Health & Human Services, and Judiciary
 238 Archbishop F.C. Flores St.
 DNA Bldg (old PDN), Suite 701A
 Hagatna, Guam 96910
 Tel: 671.969.1495/6
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to "DE CASTRO, Chris - MIS" <cdecastro@guamlegislature.org>,
 "PAK, Yong - MIS" <yong@guamlegislature.org>,
 "LG, Joe - Sgt-at-Arms" <sglatarms@guamlegislature.org>,
 "SANTOS, Pat - Clerk's Ofc." <psantos@guamlegislature.org>.

"TERLAJE, Flo - Clerk's Ofc." <fterlaje@guamlegislature.org>,
Therese Terlaje <tterlaje@guam.net>
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July 07, 2009

FRANK B. AGUON, JR.

SENATOR, CHAIRMAN

ADOLPHO B. PALACIOS, SR.

SENATOR, VICE CHAIRMAN

JUDITH T. WON PAT

SPEAKER

EX-OFFICIO MEMBER

BENJAMIN J.F. CRUZ

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RORY J. RESPICIO

SENATOR

FRANK F. BLAS, JR.

SENATOR

TELO TAITAGUE

SENATOR

RAY TENORIO

SENATOR

MEMORANDUM

TO: MEDIA

Pacific Daily News – 477-3079

KUAM – 637-9870

Pacific News Center – 477-0793

K-57/Power 98 – 477-3982

Hit Radio 100 – 472-7663

K-Stereo/KISH – 477-6411

Marianas Variety – 648-2007

I-94 – 637-9865

Glimpses – 649-8883

Adventist Radio – 565-2983

Joy 92 FM – 477-4678

KPRG - 734-2958

Guam Broadcast Services – 648-0104

FROM: SENATOR ADOLPHO B. PALACIOS, SR.

Acting Chairman

SUBJECT: First Notice – Notice of Public Hearing

Wednesday, July 15, 2009 – 8:00 am

Buenas yan Hafa Adai!

Please be advised that the Committee on Economic Development, Health & Human Services, and Judiciary will be conducting a public hearing on **Wednesday, July 15, 2009**, beginning at **8:00 am** in the Guam Legislature Public Hearing Room.

Please see attached agenda for this public hearing. If you have any questions, please call Frances Lizama at Senator Aguon's office.

Un Dangkulo' Na Si Yu'us Ma'ase'.

Attachment (1)

NOTE: Blocked calls are not displayed on this report.
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Jul 1	8:58AM	Received	6716322492 6490145 6716490145	0:31	1	OK
Jul 2	9:06AM	Received	6714725022	0:31	2	OK
Jul 6	10:37AM	Received	6716475684 6716475684	0:49	2	OK
Jul 6	4:13PM	Fax Sent	6482007	0:31	1	OK
Jul 7	8:17AM	Received	1111 6714758805	0:22	1	OK
Jul 7	8:53AM	Received	6714725022	0:40	2	OK
Jul 7	10:21AM	Received	6490145 6716490145	0:35	1	OK
Jul 7	10:56AM	Received	6482007 6716482007	0:33	1	OK
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Jul 8	9:33AM	Received	6482007 6716482007	0:46	2	OK
Jul 8	9:36AM	Fax Sent	4773079 PDN	1:37	2	OK
Jul 8	9:38AM	Fax Sent	4770793 PNC	1:03	2	OK
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Jul 8	10:14AM	Fax Sent	4725003 Dr. Norissa Britania-Schoffer	0:36	1	OK
Jul 8	10:15AM	Fax Sent	4750597 GEPB	0:28	1	OK

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from **Frances Lizama** <lizama.frances@gmail.com>
 to **"GLIMPSES - PALACIOS, Ivan"** <reporter1@glimpsesofiguam.com>,
"K57 / POWER 98 - GIBSON, Ray" <rgibson@k57.com>,
"KSTO/KISH - PEREZ, Alicia" <kstone@ite.net>,
"KUAM - MATANANE, Sabrina" <sabrina@kuam.com>,
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"PDN - DALENO, Gaynor" <gdumat-ol@guampdn.com>,
"PNC - DELGADO, Nick" <news@spbgum.com>,
"PNC - SEBASTIAN, Stephen" <ssebastian@spbgum.com>
 date **Wed, Jul 8, 2009 at 10:44 AM**
 subject **1ST NOTICE - NOTICE OF PUBLIC HEARING**
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Attached is a memo from Sen. Palacios, Acting Chairman, Comm. on Economic Development, Health & Human Services, and Judiciary reference to public hearing on July 15, 2009.

—
FRANCES S. LIZAMA
 Office of Senator Frank B. Aguon, Jr.
 30th Guam Legislature
 Committee on Economic Development,
 Health & Human Services, and Judiciary
 238 Archbishop F.C. Flores St.
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Distance Education within easy reach at UOG

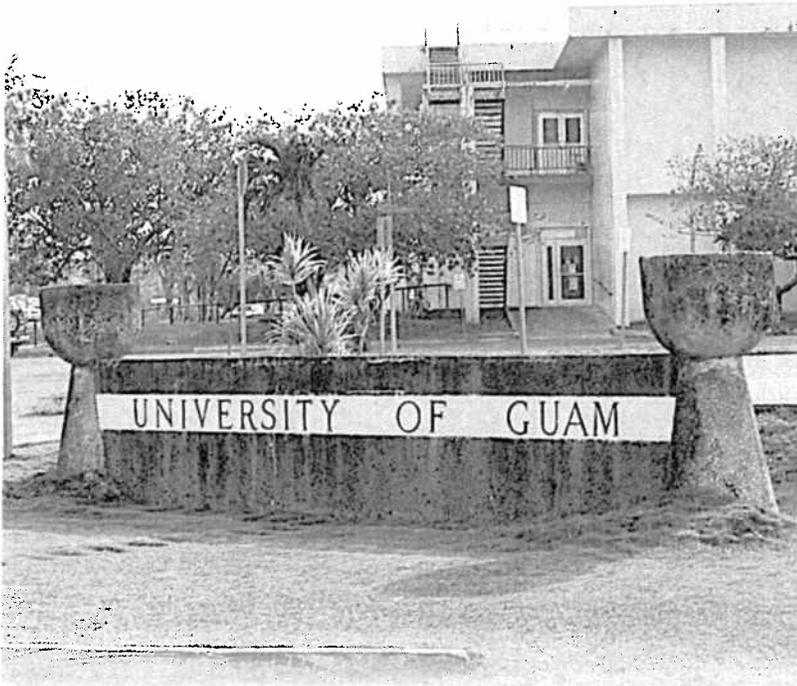


Photo by Wikimedia

(UOG) – THE UNIVERSITY of Guam will hold a Distance Education training workshop on July 14. Assistant professor in the College of Education at the University of Hawaii, Manoa Kavita Rao, will be the featured presenter.

Distance education – or distance learning as it is often called – is a student-centered instructional format that allows learners (students) to take courses without having to commit to regular campus attendance. Rather than attending courses in person, teachers and students may communicate at times of their own choosing by exchanging printed or electronic media, or through technology that allows them to communicate in real time and through other online methods.

The biggest driver of distance learning has been due to social changes. Over the years, individuals, institutions, businesses and the military have continuously sought alternative means of access to higher education as they strive to cope with lifestyles and changing demands of the economies and societies in which they live.

Areas to be covered in the UOG workshop include best practices in Distance Education for rural settings; technologies that work for Pacific island scenarios; and addressing cross-cultural and local contexts in Micronesia.

The workshop will also

review a quarter century of lessons learned with the Micronesia experience. Presenters will discuss considerations for bachelors and masters programs online, instructional strategies for virtual classes, and addressing the needs and preferences of students via distance education.

Participants will receive some hands-on practice with distance education technologies, such as Moodle and Elluminate, social software

that supports group communication and is used in distance learning environments.

The workshop is free of charge and will be held in the new distance education classroom next to the Science Building on the Mangilao campus. The workshop starts at 9:45 a.m. Persons interested in registering for this exciting training workshop may contact Verna Marquez at vernabm@uog.edu or give her a call at 735-2620-1.

Community Calendar

Service Commission Conference Room. Call 647-1855/7.

Guam Board of Examiners for Pharmacy will hold a regular session meeting on Thursday, July 16, 7:30 a.m., at the Health Professional Licensing Board Room. Call 735-7406-11.

Guam Memorial Hospital Authority Board of Trustees will hold a meeting on Thursday, July 9, 6 p.m. at the GMHA Board Room. Call 647-2218/2418.

University of Guam Board of Regents will hold a regular meeting on Thursday, July 15, at 5:30 p.m., in AV Room #1 of the RK Library. Call 735-2244.

Civilian Military Task Force Social & Culture Sub-Committee will hold a meeting on Tuesday, July 14, 2 p.m. at the Department of Chamorro Affairs Conference Room. Call 475-4278/9.

Guam Housing Corporation will hold a regular board of Director's meeting on Wednesday, July 15, at 2 p.m., in the GHC conference room. Call 641-4143 ext. 133.

Guam Memorial Hospital Employee Association is sponsoring, "6000 steps towards a Healthier Heart," a 5K walk/run event to be held early morning on Saturday, July 18, 5 a.m., in the Guam Memorial employee parking lot. Go time is 6 a.m. Registrations can be taken at the GMHA Security booth in the front lobby or at Hornet Sporting Goods store. Call 647-2430.

Guam Board of Medical Examiners will hold a regular session meeting on Wednesday, July 15, at noon, at the Guam Memorial Hospital Authority Board Room. Call 735-7406-11.

Department of Chamorro Affairs Board of Trustees will hold a regular meeting on Thursday, July 16, 4 p.m. in the Department of Chamorro Affairs conference room. Call 475-4278/9.

Guam Education Policy Board will hold a regular meeting on Wednesday, July 29, 6 p.m. at Upi Elementary School, Yigo. Call 300-1627/9.

Committee on Public Safety, Law Enforcement and Senior Citizens will hold a public hearing on Thursday, July 9, 9 a.m. in the Public Hearing Room of I Liheslaturan. Call 472-5047/5048.

Guam Parole Board will hold a regular scheduled hearing on Thursday, July 30, 8:30 a.m. at the Parole Services Division office. Call 473-7001.

Civil Service Commission Board will hold a meeting on Thursday, July 9, 5:30 p.m. in the Civil

Guam Pardon Review Board will hold a regular scheduled hearing on Thursday, July 30, 3 p.m. at the Parole Services Division office. Call 473-7001.

SENATOR FRANK B. AGUON, JR., Chairman
COMMITTEE ON ECONOMIC DEVELOPMENT, HEALTH & HUMAN SERVICES, AND JUDICIARY
I Mina' Trenta na Liheslaturan Guahan • 30th Guam Legislature
 238 Archbishop F.C. Flores St., DNA Bldg., Ste. 701A, Hagatna, Guam 96910
 Tel. (671) 969-1495 6 • Fax (671) 969-1497 • Email: aguonfguam@gmail.com

NOTICE OF PUBLIC HEARING
WEDNESDAY, JULY 15, 2009.
GUAM LEGISLATURE PUBLIC HEARING ROOM

8:00 AM:

BILL NO. 101 (COR) - Relative to smoking within 20 feet of an entrance of a public place where smoking is prohibited.
BILL NO. 107 (LS) - Relative to removing the continuing clause provisions to health insurance companies on Guam who contract with Government of Guam and to require all companies or other legal entities providing health insurance to Government of Guam to make available electronically de-identified demographic, medical, dental, vision and pharmacy claims utilization and cost information subject to meeting HIPAA Regulations.

BILL NO. 116 (COR) - Relative to authorizing Guam Census Program temporary recruitment and employment of personnel related to the Guam Decennial 2010 Census.

BILL NO. 118 (COR) - Relative to reprogramming of bond proceeds to fund GPSS FY2009 Child Nutrition Program and remaining balance to MCOG.

1:30 PM:

BILL NO. 119 (COR) - Relative to establishment of "GUAMS Hospital Foundation Act of 2009", through adding a new 580119 to Ch. 80, Div. 4, 106CA

BILL NO. 133 (COR) - Relative to authorizing the Governor of Guam to contract services of a professionally qualified individual related to services provided by DMHSA to serve as Director of DMHSA.

BILL NO. 135 (COR) - Relative to authorizing DPHSS to contract independent environmental health inspection company(ies) to conduct sanitary inspections on behalf of DPHSS and fund inspection services from authorized fees collected.

5:00 PM:

BILL NO. 138 (COR) - Relative to legalization of same sex civil unions.

If written testimonies are to be presented at the hearing, the Committee requests that copies be submitted one day prior to the public hearing date to the Office of Senator Frank B. Aguon, Jr., 238 Archbishop F.C. Flores St., DNA Bldg., Ste. 701A, Hagatna, GU 96910, or emailed to aguonfguam@gmail.com.

Individuals requiring special accommodations or services, or for further information, please contact Natasha Aguon, Gina Tabonares or Ronald Qurtigua at 969-1295/6.

THIS AD WAS PAID FOR BY GOVERNMENT FUNDS

GAIN PETS OF THE WEEK

Opal will make your days glitter and glisten with her colorful ideas on how to spend spare time. Her showcases of entertainment are sure to motivate an exhausted body into participation. She has a black coat with distinct golden-brown accents dotted over each eye and painted on her muzzle like a big grin. Even though she is a petite girl at 8 months old she manages to hold her own ground when she shares the park with bigger dogs.



Lance will only charm those who wish to be under his spell. It will seem as though he is demanding to be petted when he mews at you but he is really asking politely in cat lingo. Once you get past his uniquely handsome coat and into his mind you will find his feline personality irresistible. The buff and chocolate colors against the linen white fur of his coat are heightened by eyes like azure crystals.

Come to the GAIN Animal Shelter in Yigo or call 653-4246. See other adoptable pets at www.Petfinder.com. UNDERWATER WORLD will donate one adult admission ticket for every Pet of the Week adopted.



**COMMITTEE ON ECONOMIC DEVELOPMENT,
HEALTH AND HUMAN SERVICES, AND JUDICIARY**
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Tel: (671) 969-1495/6 • Fax: (671) 969-1497 • Email: aguon4guam@gmail.com

FRANK B. AGUON, JR.
SENATOR, CHAIRMAN

July 10, 2009

ADOLPHO B. PALACIOS, SR.
SENATOR, VICE CHAIRMAN

MEMORANDUM

JUDITH T. WON PAT
SPEAKER
EX-OFFICIO MEMBER

TO: Honorable Senators/Committee Members
*Committee on Economic Development,
Health & Human Services, and Judiciary*

BENJAMIN J.F. CRUZ
VICE SPEAKER

FROM: SENATOR ADOLPHO B. PALACIOS, SR.
Acting Chairman 

TINA ROSE MUÑA BARNES
LEGISLATIVE SECRETARY

SUBJECT: Second Notice – Notice of Public Hearing
Wednesday, July 15, 2009 – 8:00 am

THOMAS C. ADA
SENATOR

JUDITH P. GUTHERTZ
SENATOR

Buenas yan Hafa Adai!

RORY J. RESPICIO
SENATOR

Please be advised that the Committee on Economic Development, Health & Human Services, and Judiciary will be conducting a public hearing on **Wednesday, July 15, 2009**, beginning at **8:00 am** in the Guam Legislature Public Hearing Room.

FRANK F. BLAS, JR.
SENATOR

Please find attached agenda for this public hearing. Should you have any questions, please call Frances Lizama at Senator Aguon's office.

TELO TAITAGUE
SENATOR

Un dangkulo' na Si Yu'us Ma'ase'.

RAY TENORIO
SENATOR

Attachment (1)

Cc: Sergeant-at-Arms/Protocol/AV
Stephanie Mendiola, COR
Clerk of the Legislature
MIS

2ND NOTICE - NOTICE OF PUBLIC HEARING

from **Frances Lizama** <lizama.frances@gmail.com> [hide details](#) 4:41 PM (18 hours ago) [Reply](#)

to "SEN. ADA, Thomas C." <Tom@senatorada.org>,
 "SEN. BLAS, Frank F., Jr." <frank.blasjr@gmail.com>,
 "SEN. CALVO, Eddie J.B." <sencalvo@gmail.com>,
 "SEN. CRUZ, Benjamin J.F." <senadotbjcruz@aol.com>,
 "SEN. ESPALDON, James V." <senator@espaldon.com>,
 "SEN. ESPALDON, James V." <senjim@ite.net>,
 "SEN. GUTHERTZ, Judith P." <judiguthertz@pticom.com>,
 "SEN. MUNA BARNES, Tina Rose" <tinamunabarnes@gmail.com>,
 "SEN. PALACIOS, Adolpho B., Sr." <ABPalacios@gmail.com>,
 "SEN. PANGELINAN, ben" <senbenp@guam.net>,
 "SEN. RECTOR, Matt" <matt@mattrector.com>,
 "SEN. RESPICIO, Rory J." <roryforguam@gmail.com>,
 "SEN. TAITAGUE, Telo" <senatortelo@gmail.com>,
 "SEN. TENORIO, Ray" <ray@raytenorio.com>,
 "SPEAKER WON PAT, Judi" <speaker@judiwonpat.com>

cc "BLAS, Roland - Spkr Won Pat's Ofc." <roland@judiwonpat.com>,
 "BORJA, Dominic - Sen. Ada's Ofc." <dominic@senatorada.org>,
 "BURGOS, Fred - Sen. Rector's Ofc." <fred@mattrector.com>,
 "CASTRO, James P. - Sen. Blas Ofc." <jamespcastro@gmail.com>,
 "CIPOLLONE, Lisa - Sen. Pangelinan's ofc." <cipo@guam.net>,
 "CEPEDA, Patrick - Sen. Palacios' Ofc." <patrickcepeda@hotmail.com>,
 "DUARTE, Mark - Spkr Won Pat's Ofc." <mark@judiwonpat.com>,
 "DUENAS, Mona - Sen. Espaldon's Ofc." <mona.duenas@gmail.com>,
 dot@guamlegislature.org,
 "DEFENSOR, Sahara - Spkr Won Pat's Ofc." <sahara@judiwonpat.com>,
 "DIAZ, Jonathan - Sen. Palacios' Ofc." <jonbdiaz@gmail.com>,
 elg@guamlegislature.org,
 "EVARISTO, Jessica - Sen. Tenorio's Ofc." <jessica@raytenorio.com>,
 "FEJERAN, Mary - Sen. Blas' Ofc." <maryfejeran@gmail.com>,
 "HILLS, Derick - Sen. Pangelinan's Ofc." <derickhills@live.com>,
 "KOMIYAMA, Velma - Sen. Barnes' Ofc." <vel.komiyama@yahoo.com>,
 "LIDIA, Mike - Sen. Cruz ofc." <mike.lidia9@gmail.com>,
 "LG, Phillip - Sen. Tenorio's Ofc." <phill@raytenorio.com>,
 "MENDIOLA, Stephanie - Sen. Respicio's Ofc." <sem@guamlegislature.org>,
 "MANIBUSAN, Lauriel - Sen. Espaldon's Ofc." <laurielisia@gmail.com>,
 "QUITUGUA, Tony" <tq@guamlegislature.org>,
 "QUINATA, Carl - Sen. Taitague's Ofc." <ciquinata@gmail.com>,
 "ROBERTO, Phil - Sen. Espaldon's Ofc." <roberto.phil@gmail.com>,
 "TABONARES, Gina" <aguonmedia@gmail.com>,
 "TAJALLE, Elaine - Sen. Respicio's Ofc." <elainevtll@gmail.com>,
 "TORRES, Frank B. - Spkr Won Pat's Ofc." <ftorres@judiwonpat.com>,
 "UNPINGCO, Joy - Sen. Calvo's Ofc." <joyunpingco@gmail.com>,
 "WYTTENBACH-SANTOS, Richard - Sen. Guthertz Ofc." <doc.wyppenbachsantos@gmail.com>,
 "WHEELER, Mary Lou" <mlwheeler2000@yahoo.com>,
 "LG, Joe - Sgt-at-Arms" <sglarms@guamlegislature.org>,
 "SANTOS, Pat - Clerk's Ofc." <psantos@guamlegislature.org>,
 "TERLAJE, Flo - Clerk's Ofc." <fterlaje@guamlegislature.org>,
 "DE CASTRO, Chris - MIS" <cdecastro@guamlegislature.org>,
 "PAK, Yong - MIS" <yong@guamlegislature.org>

date Thu, Jul 9, 2009 at 4:41 PM

subject 2ND NOTICE - NOTICE OF PUBLIC HEARING

mailed-by gmail.com

TO ALL:

Please find attached memo from Sen. Palacios, Acting Chairman, reference to scheduled public hearing. If you have any questions, please call our office. Thank you.

FRANCES S. LIZAMA
 Office of Senator Frank B. Aguon, Jr.
 30th Guam Legislature
 Committee on Economic Development,
 Health & Human Services, and Judiciary
 238 Archbishop F.C. Flores St.
 DNA Bldg (old PDN), Suite 701A
 Hagatna, Guam 96910
 Tel: 671.969.1495/6
 Fax: 671.969.1497

 **2009.07.15 - PH - 2nd Notice.pdf**
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**COMMITTEE ON ECONOMIC DEVELOPMENT,
HEALTH AND HUMAN SERVICES, AND JUDICIARY**

I Mina'Trenta na Liheslaturan Guåhan • 30th Guam Legislature

238 Archbishop F.C. Flores St., DNA Bldg., Suite 701A, Hagatña, Guam 96910

Tel: (671) 969-1495/6 • Fax: (671) 969-1497 • Email: aguon4guam@gmail.com

July 10, 2009

FRANK B. AGUON, JR.
SENATOR, CHAIRMAN

ADOLPHO B. PALACIOS, SR.
SENATOR, VICE CHAIRMAN

JUDITH T. WON PAT
SPEAKER
EX-OFFICIO MEMBER

BENJAMIN J.F. CRUZ
VICE SPEAKER

TINA ROSE MUÑA BARNES
LEGISLATIVE SECRETARY

THOMAS C. ADA
SENATOR

JUDITH P. GUTHERTZ
SENATOR

RORY J. RESPICIO
SENATOR

FRANK F. BLAS, JR.
SENATOR

TELO TAITAGUE
SENATOR

RAY TENORIO
SENATOR

MEMORANDUM

TO: MEDIA

Pacific Daily News – 477-3079 KUAM – 637-9870
Pacific News Center – 477-0793 K-57/Power 98 – 477-3962
Hit Radio 100 – 472-7663 K-Stereo/KISH – 477-6411
Marianas Variety – 648-2007 I-94 – 637-9865
Glimpses – 649-8883 Adventist Radio – 565-2983
Joy 92 FM – 477-4678 KPRG - 734-2958
Guam Broadcast Services – 648-0104

FROM: SENATOR ADOLPHO B. PALACIOS, SR.
Acting Chairman 

SUBJECT: Second Notice – Notice of Public Hearing
Wednesday, July 15, 2009 – 8:00 am

Buenas yan Hafa Adai!

Please be advised that the Committee on Economic Development, Health & Human Services, and Judiciary will be conducting a public hearing on **Wednesday, July 15, 2009**, beginning at 8:00 am in the Guam Legislature Public Hearing Room.

Please see attached agenda for this public hearing. If you have any questions, please call Frances Lizama at Senator Aguon's office.

Un Dangkulo' Na Si Yu'us Ma'ase'.

Attachment (1)

NOTE: Blocked calls are not displayed on this report.
 For more information, see Junk Fax Report and the Caller ID History report.

Last 30 Transactions

Date	Time	Type	Station ID Caller ID	Duration	Pages	Result
Jul 8	10:15AM	Fax Sent	4750597	0:28	1	OK
Jul 8	11:53AM	Fax Sent	4776788	0:34	1	OK
Jul 8	6:01PM	Received		0:22	1	OK
Jul 9	9:35AM	Received	6716473540 4778598 6714778596	0:46	1	OK
Jul 9	10:27AM	Received	6714723547	0:21	1	OK
Jul 9	3:16PM	Received	6714723547	0:21	1	OK
Jul 9	5:13PM	Received	477 2522 6714772522	1:40	9	OK
Jul 9	5:15PM	Received	477 2522 6714772522	1:45	10	OK
Jul 10	9:22AM	Received	6490145 6716490145	0:34	1	OK
Jul 10	10:36AM	Fax Sent	4771812	0:32	1	OK
Jul 10	10:48AM	Fax Sent	4773079	0:47	1	OK
Jul 10	10:49AM	Fax Sent	4770793	0:34	1	OK
Jul 10	10:50AM	Fax Sent	4727663	0:28	1	OK
Jul 10	10:51AM	Fax Sent	6379870	0:24	1	Cancel
Jul 10	10:53AM	Fax Sent	4773079 - PACIFIC DAILY NEWS	1:21	2	OK
Jul 10	10:58AM	Fax Sent	6379870 - KUAM	0:53	2	OK
Jul 10	11:00AM	Fax Sent	4773982 - K57/POWER 98	0:56	2	OK
Jul 10	11:02AM	Fax Sent	6482007 - MARIANAS VARIETY	1:03	2	OK
Jul 10	11:03AM	Fax Sent	6379870	0:00	0	Cancel
Jul 10	11:03AM	Fax Sent	6378819	0:11	0	Cancel
Jul 10	11:04AM	Fax Sent	4776411 - K-STEREO/KISH	1:39	2	OK
Jul 10	11:07AM	Fax Sent	4727663 - HIT RADIO 100	0:56	2	OK
Jul 10	11:08AM	Fax Sent	6498883 - GLIMPSES	0:57	2	OK
Jul 10	11:10AM	Fax Sent	5652983 - ADVENTIST RADIO	2:27	2	OK
Jul 10	11:13AM	Fax Sent	4774678 - JOY 92 FM	0:54	2	OK
Jul 10	11:15AM	Fax Sent	7342958	1:37	1	Error 346
Jul 10	11:18AM	Fax Sent	6379865 - I94	0:55	2	OK
Jul 10	11:19AM	Fax Sent	7342958 - KPRG	3:05	2	OK
Jul 10	11:23AM	Fax Sent	4770793 - PACIFIC NEWS CENTER	1:04	2	OK
Jul 10	11:24AM	Fax Sent	6480104 - GUAM BROADCAST SERV	1:03	2	OK

2ND NOTICE - NOTICE OF PUBLIC HEARING [Inbox](#) X

from **Frances Lizama** <lizama.frances@gmail.com> [hide details](#) 4:43 PM (17 hours ago) [Reply](#)
to **"GLIMPSES - PALACIOS, Ivan"** <reporter1@glimpsesofofguam.com>,
"K57 / POWER 98 - GIBSON, Ray" <rgibson@k57.com>,
"KSTO/KISH - PEREZ, Alicia" <kstonews@ite.net>,
"KUAM - MATANANE, Sabrina" <sabrina@kuam.com>,
"MARIANAS VARIETY - WOLFORD, Shawn" <advertise@mvguam.com>,
"MELYAN, Catriona - PDN" <cmelyan@guampdn.com>,
"PDN - DALENO, Gaynor" <gdumat-ol@guampdn.com>,
"PNC - DELGADO, Nick" <news@spbguam.com>,
"PNC - SEBASTIAN, Stephen" <ssebastian@spbguam.com>
date Thu, Jul 9, 2009 at 4:43 PM
subject 2ND NOTICE - NOTICE OF PUBLIC HEARING
mailed by gmail.com

TO ALL:

Please find attached memo from Sen. Palacios, Acting Chairman, reference to scheduled public hearing. If you have any questions, please contact our office. Thank you.

—
FRANCES S. LIZAMA
Office of Senator Frank B. Aguon, Jr.
30th Guam Legislature
Committee on Economic Development,
Health & Human Services, and Judiciary
238 Archbishop F.C. Flores St.
DNA Bldg (old PDN), Suite 701A
Hagatna, Guam 96910
Tel: 671.969.1495/6
Fax: 671.969.1497

 **2009.07.15 - PH - 2nd Notice.pdf**
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SAIPAN – The court ruling on the government's debt to the Retirement Fund will result in the imposition of austerity measures in fiscal year 2010, which starts on Oct. 1.

"The shortfall will be \$8 million and this will mean significant budget cuts – 392 jobs will be lost," Sen. Maria T. Pangelinan said.

"This makes austerity measures imperative. So where do we cut and who do we cut? Maybe we should ask the Retirement Fund," she added.

Without austerity measures (work-hour reductions and pay cuts) over 1,000 government employees will lose their jobs, said Pangelinan, D-Saipan and chairwoman of the Senate Fiscal Affairs Committee.

She noted that the Retirement Fund now wants to negotiate with the administration and the Legislature.

"They should have sat down with us from the very beginning without going through litigation which cost this government a lot of money. So now what is the court saying? That we should all sit down, but that's what we've been saying all this time. So now we're back to square one," Pangelinan said.

The Retirement Fund, the sena-

"They didn't want the Legislature to be involved but now they want us to sit down with them," she added. "I'll say it again. The Fund sued the administration and not the Legislature. Now the administration must come to the Legislature to discuss the

file an appeal we need to adjust the distribution of expenditures because there will be a shortfall and that will mean cuts."

According to Pangelinan, no one said that the government did not owe money to the Retirement Fund.



SENATOR FRANK B. AGUON, JR., Chairman
COMMITTEE ON ECONOMIC DEVELOPMENT,
HEALTH & HUMAN SERVICES, AND JUDICIARY
J Mina' Trenta na Liheslaturan Guåhan • 30th Guam Legislature
238 Archbishop F.C. Flores St., DNA Bldg., Ste. 701A, Hagatña, Guam 96910
Tel: (671) 969-1495/6 • Fax (671) 969-1497 • Email: aguon4guam@gmail.com

NOTICE OF PUBLIC HEARING
WEDNESDAY, JULY 15, 2009,

GUAM LEGISLATURE PUBLIC HEARING ROOM

8:00 AM:

BILL NO. 101 (COR) - Relative to smoking within 20 feet of an entrance of a public place where smoking is prohibited.

BILL NO. 107 (LS) - Relative to removing the continuing clause provisions to health insurance companies on Guam who contract with Government of Guam and to require all companies or other legal entities providing health insurance to Government of Guam to make available electronically de-identified demographic, medical, dental, vision and pharmacy claims utilization and cost information subject to meeting HIPAA Regulations.

BILL NO. 116 (COR) - Relative to authorizing Guam Census Program temporary recruitment and employment of personnel related to the Guam Decennial 2010 Census.

BILL NO. 118 (COR) - Relative to reprogramming of bond proceeds to fund GPSS FY2009 Child Nutrition Program and remaining balance to MCOG.

1:30 PM:

BILL NO. 119 (COR) - Relative to establishment of "GUAMS Hospital Foundation Act of 2009"; through adding a new 580119 to Ch. 80, Div. 4, 10GCA.

BILL NO. 133 (COR) - Relative to authorizing the Governor of Guam to contract services of a professionally qualified individual related to services provided by DMHSA to serve as Director of DMHSA.

BILL NO. 135 (COR) - Relative to authorizing DPHSS to contract independent environmental health inspection company(s) to conduct sanitary inspections on behalf of DPHSS and fund inspection services from authorized fees collected.

5:00 PM:

BILL NO. 138 (COR) - Relative to legalization of same sex civil unions.

If written testimonies are to be presented at the hearing, the Committee requests that copies be submitted one day prior to the public hearing date to the Office of Senator Frank B. Aguon, Jr., 238 Archbishop F.C. Flores St., DNA Bldg., Ste 701A, Hagatña, GU 96910, or emailed to aguon4guam@gmail.com.

Individuals requiring special accommodations or services, or for further information, please contact Natasha Aguon, Gina Tabonares or Ronald Quitugua at 969-1495/6.

THIS AD WAS PAID FOR BY GOVERNMENT FUNDS

Battle for Supreme Court Justice

Nation 14 TUESDAY, JULY 14, 2009



COMMITTEE ON ECONOMIC DEVELOPMENT, HEALTH & HUMAN SERVICES, AND JUDICIARY

I Mina'Trenta Na Liheslaturan Guåhan • 30th Guam Legislature

238 Archbishop F.C. Flores St., DNA Bldg., Suite 701A, Hagatña, Guam 96910

Tel: (671) 969-1495/6 • Fax: (671) 969-1497 • Email: aguon4guam@gmail.com

AGENDA

WEDNESDAY, JULY 15, 2009

GUAM LEGISLATURE PUBLIC HEARING ROOM

8:00 AM:

- **BILL NO. 101 (COR)**

An act to *amend* §90105 of Chapter 90, Title 10, Guam Code Annotated; relative to smoking within twenty (20) feet of an entrance of a public place where smoking is prohibited.

- **BILL NO. 107 (COR)**

An act to repeal Section 4301(g) and to repeal and re-enact Section 4302(g) Chapter 4, Article 3, Title 4 Guam Code Annotated relative to removing the continuing clause provisions to health insurance companies on Guam who contract with the Government of Guam and to require all companies or other legal entities providing health insurance to the Government of Guam to make available electronically de-identified detailed demographic, medical, dental, vision and pharmacy claims utilization and cost information subject to meeting HIPAA Regulations.

- **BILL NO. 116 (COR)**

An act relative to authorizing the Guam Census Program temporary recruitment and employment of personnel, consistent with U.S. Census Bureau Guidelines, to conduct necessary activities related to the Guam Decennial 2010 Census.

- **BILL NO. 118 (COR)**

An act to add a new Subsection (k) (11) to Section 22435 of Chapter 22, Title 5 Guam Code Annotated relative to the reprogramming of bond proceeds to fund the Guam Public School System Fiscal Year 2009 Child Nutrition Program and to reprogram the remaining balance to the Mayors Council of Guam.

1:30 PM:

- **BILL NO. 119 (COR)**

An act relative to the establishment of the "GUAMS Hospital Foundation Act of 2009", to provide for the formation of a non-profit public corporation for the express purpose of soliciting public and private donations and grants in support of capital improvement projects and equipment needs of the Guam Memorial Hospital Authority through the creation of the "Guam Universal Assistance for Medical Services (GUAMS) Hospital Foundation"; through adding a new subsection §80119 to Chapter 80, Division 4, of Title 10, Guam Code Annotated.

- **BILL NO. 133 (COR)**

An act relative to authorizing the Governor of Guam to contract the services of a professional qualified individual related to the services provided by the Department of Mental Health and Substance Abuse to serve as the Director for the Department.

- **BILL NO. 135 (COR)**

An act to add a new Chapter 55 to Division 2 of Title 10, Guam Code Annotated, relative to authorizing the Department of Public Health and Social Services (DPHSS) to contract an independent environmental health inspection company(s) to conduct sanitary inspections on behalf of DPHSS and to fund inspection services from fees authorized to be collected under §7119 of Chapter 7, Title 22 of Guam Code Annotated.

5:00 PM:

- **BILL NO. 138 (COR)**

An act to amend Chapter 3 of Title 19 of the Guam Code Annotated; relative to the legalization of same sex civil unions within the territory of the island of Guam.



COMMITTEE ON ECONOMIC DEVELOPMENT, HEALTH & HUMAN SERVICES, AND JUDICIARY

I Mina'Trenta Na Liheslaturan Guåhan • 30th Guam Legislature

238 Archbishop F.C. Flores St., DNA Bldg., Suite 701A, Hagatña, Guam 96910

Tel: (671) 969-1495/6 • Fax: (671) 969-1497 • Email: aguon4guam@gmail.com

AGENDA

WEDNESDAY, JULY 15, 2009

GUAM LEGISLATURE PUBLIC HEARING ROOM

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• **BILL NO. 118 (COR)**

An act to add a new Subsection (k) (11) to Section 22435 of Chapter 22, Title 5 Guam Code Annotated relative to the reprogramming of bond proceeds to fund the Guam Public School System Fiscal Year 2009 Child Nutrition Program and to reprogram the remaining balance to the Mayors Council of Guam.

1:30 PM:

• **BILL NO. 119 (COR)**

An act relative to the establishment of the "GUAMS Hospital Foundation Act of 2009", to provide for the formation of a non-profit public corporation for the express purpose of soliciting public and private donations and grants in support of capital improvement projects and equipment needs of the Guam Memorial Hospital Authority through the creation of the "Guam Universal Assistance for Medical Services (GUAMS) Hospital Foundation"; through adding a new subsection §80119 to Chapter 80, Division 4, of Title 10, Guam Code Annotated.

• **BILL NO. 133 (COR)**

An act relative to authorizing the Governor of Guam to contract the services of a professional qualified individual related to the services provided by the Department of Mental Health and Substance Abuse to serve as the Director for the Department.

• **BILL NO. 135 (COR)**

An act to add a new Chapter 55 to Division 2 of Title 10, Guam Code Annotated, relative to authorizing the Department of Public Health and Social Services (DPHSS) to contract an independent environmental health inspection company(s) to conduct sanitary inspections on behalf of DPHSS and to fund inspection services from fees authorized to be collected under §7119 of Chapter 7, Title 22 of Guam Code Annotated.

5:00 PM:

• **BILL NO. 138 (COR)**

An act to amend Chapter 3 of Title 19 of the Guam Code Annotated; relative to the legalization of same sex civil unions within the territory of the island of Guam.

MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

2009 MAY 13 PM 1:33
EJYK

Bill No. 116 (FOR)

Introduced by:

FRANK B. AGUON, JR.



AN ACT RELATIVE TO AUTHORIZING THE
GUAM CENSUS PROGRAM TEMPORARY
RECRUITMENT AND EMPLOYMENT OF
PERSONNEL, CONSISTENT WITH U. S. CENSUS
BUREAU GUIDELINES, TO CONDUCT
NECESSARY ACTIVITIES RELATED TO THE
GUAM DECENNIAL 2010 CENSUS.

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 **Section 1. Legislative Findings and Intent.** The Decennial Census
2 provides key socio-economic, demographic and housing information on
3 Guam's population in order to assist government and business officials
4 effectively plan and formulate policy measures to meet public service
5 needs and promote economic development. Planning to build more
6 schools, homes and business establishments as well as improving
7 infrastructure development is best achieved by determining how many
8 people there are, where they live and what their needs are. Taken every
9 ten (10) years, the census serves as the most valuable resource tool
10 providing comprehensive statistics on Guam's housing and population
11 structure.

1 The Bureau of Statistics and Plans serves as the local lead agency
2 responsible for the management of the Census of Population and Housing
3 on Guam. Through a cooperative partnership between the U.S. Census
4 Bureau, herein referred to as the Bureau, and the Government of Guam, a
5 signed mutual agreement between the Director of the Census Bureau and
6 the Governor of Guam is made to conduct the decennial census of
7 population and housing.

8 For the 2000 Census, more than seven hundred (700) people were
9 hired to enumerate and collect detailed housing and population
10 information on Guam's resident households. In 2010, it is estimated that
11 about one thousand (1,000) people will be needed to conduct activities
12 related to the Guam census.

13 *I Liheslaturan Guåhan* finds that due to anticipated high turnover rate
14 by census takers and to ensure there are sufficient applicants for the Guam
15 Census Program, herein referred to as the Program, it is the intent of *I*
16 *Liheslaturan Guåhan* to allow temporary recruitment and outside
17 employment by Government of Guam employees and retirees to
18 participate in the program. *I Liheslaturan Guåhan* further finds that the U. S.
19 Census Bureau guidelines provide for the recruitment of field staff and
20 office staff who "work on an as need basis and are not eligible for
21 employee benefits or federal retirement", thus this provision would
22 provide for consistent application of these guiding principles.

1 **Section 2. Program Operation and Funding.** The Program will be
2 funded by the Bureau and used for census operation which includes staff
3 salaries, overtime, office space, office equipment, office supplies, vehicle
4 rental, travel, all forms of publicity, and all other related program costs.

5 **Section 3. Bureau Established Positions.** The list of temporary,
6 unclassified positions for the decennial census shall include:

- 7 Local Census Office (LCO) Manager (Census)
- 8 Assistant Manager for Administration (AMA) (Census)
- 9 Assistant Manager for Office Operations (AMOO) (Census)
- 10 Assistant Manager for Field Operations (AMFO) (Census)
- 11 Partnership/Media Specialist (Census)
- 12 Geographic Specialist (Census)
- 13 Security Officer (Census)
- 14 Administrative Assistant (Census)
- 15 Security Guard (Census)
- 16 Office Operations Supervisor (OOS) (Census)
- 17 Field Operations Supervisor (FOS) (Census)
- 18 Group Quarters Operations Supervisor (GQOS) (Census)
- 19 Crew Leader (Census)
- 20 Crew Leader Assistants (Census)
- 21 Enumerator (Census)
- 22 Clerk (Census)
- 23 Interpreter (Census)

1 In future decennial census, as new position(s) are created, changed or
2 deleted by the Bureau in support of the census operations and activities,
3 the Program shall notify the Department of Administration of such
4 changes. All Program positions shall include “(Census)” after each
5 position title.

6 **Section 4. Temporary, and Unclassified Employment, Outside**
7 **Employment for Government of Guam Employees, and Employment of**
8 **Retirees.** Persons recruited for the Program will be hired as temporary,
9 unclassified employees. Individuals employed with the Government of
10 Guam must obtain approval for outside employment from their respective
11 department or agency head prior to employment with the Program
12 pursuant to Title 4, Chapter 4, Article 1, §4105(d)(4) of the Guam Code
13 Annotated, and such work shall not conflict with or negatively impact the
14 individual’s regular employment responsibilities. Prior to the employment
15 of any government of Guam employees, every effort must be exhausted to
16 ensure that the general community is provided with the initial opportunity
17 to participate and support the conduct of the Census activities.
18 Government of Guam retirees may participate in the Program without loss
19 or suspension of annuity.

20 **Section 5. Salaries and Benefits.** The Bureau shall establish the
21 salary for all Program employees. The Bureau will provide funding for
22 workers’ compensation, FICA, and overtime (OT) pay as necessary to
23 complete field work, re-interviews, field follow-ups, canvassing and other

1 related Program operations. Employees of the Program shall be temporary
2 in nature, and thus shall not be entitled to life insurance, medical and
3 dental insurance, annual and sick leave, salary increment, and government
4 of Guam retirement.

5 **Section 6. Drug Screening, Police and Court Clearance**
6 **Requirements.** Prior to the employment of any individual with the
7 Program, the individual must undergo and pass a mandatory drug
8 screening in which the initial testing will be paid for by the Program
9 subject to availability of funds; in addition, selected individuals must
10 provide to the Program the most recent police and court clearances which
11 will also be paid for by the Program subject to availability of funds.

12 **Section 7.** This Act shall be applicable to the conduct and
13 completion of the 2010 Census.