

EDDIE BAZA CALVO
Governor



RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

October 4, 2011

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Unu Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

31-11-970
Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 10/4/11
Time 4:00 PM
Received by [Signature]

Dear Madame Speaker:

Transmitted herewith is Substitute Bill No. 256-31 (COR) "AN ACT TO ADD A NEW §10313 TO ARTICLE 3 OF CHAPTER 10, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE PUBLIC DISCLOSURE OF TEMPORARY LABOR CERTIFICATIONS", which was signed into law on September 30, 2011 as **Public Law 31-124**.

Senseramente,


EDDIE BAZA CALVO

2011 OCT -5 AM 8:09

[Handwritten mark]

Attachment: copy of Bill

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

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

This is to certify that Substitute Bill No. 256-31 (COR), "AN ACT TO ADD A NEW §10313 TO ARTICLE 3 OF CHAPTER 10, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE PUBLIC DISCLOSURE OF TEMPORARY LABOR CERTIFICATIONS," was on the 19th day of September, 2011, duly and regularly passed.



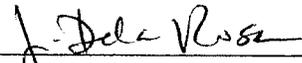
Judith T. Won Pat, Ed.D.
Speaker

Attested:



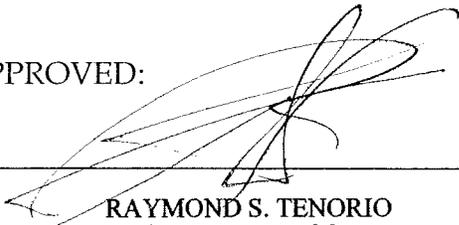
Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 20th day of Sept, 2011, at
4:10 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



RAYMOND S. TENORIO
Acting Governor of Guam

Date:

SEP 30 2011

Public Law No. 31-124

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

Bill No. 256-31 (COR)

As substituted by the Committee on Youth, Cultural Affairs,
Procurement, General Government Operations and Public Broadcasting;
and amended on the Floor.

Introduced by:

B. J.F. Cruz
M. Silva Taijeron
T. C. Ada
V. Anthony Ada
F. F. Blas, Jr.
Chris M. Dueñas
Judith P. Guthertz, DPA
Sam Mabini, Ph.D.
T. R. Muña Barnes
Adolpho B. Palacios, Sr.
v. c. pangelinan
Dennis G. Rodriguez, Jr.
R. J. Respicio
Aline A. Yamashita, Ph.D.
Judith T. Won Pat, Ed.D.

**AN ACT TO *ADD A NEW* §10313 TO ARTICLE 3 OF
CHAPTER 10, TITLE 5, GUAM CODE ANNOTATED,
RELATIVE TO THE PUBLIC DISCLOSURE OF
TEMPORARY LABOR CERTIFICATIONS.**

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

2 **Section 1.** A new §10313 is hereby *added* to Article 3 of Chapter 10, Title
3 5, Guam Code Annotated, to read as follows:

1 **“§ 10313. Special Requirement for Non-Immigrant Alien**
2 **Temporary Labor Certifications approved by *I Maga’lahi* (the**
3 **Governor)."**

4 Within six (6) calendar months of the enactment hereof, the Guam
5 Department of Labor *shall* publish and update on a quarterly basis on its
6 website a listing of *all* temporary labor certifications issued and attested to,
7 as of the date of the enactment hereof, by *I Maga’lahi* (the Governor)
8 pursuant to Chapter 7 of Title 17, Guam Administrative Rules and
9 Regulations, including the name, telephone number, and physical address of
10 the applicant for temporary labor certification; the position title for which
11 the application was made; the number of United States residents who applied
12 to fill said position; the number of qualified, willing, and available United
13 States residents who applied to fill said position; and the date said
14 application was submitted and approved.”

6

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN

2011 (FIRST) Regular Session

Date: Sept. 19, 2011

VOTING SHEET

SBill No. 256-31(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. | ✓ | | | ✓ | |
| ADA, V. Anthony | ✓ | | | | |
| BLAS, Frank F., Jr. | ✓ | | | | |
| CRUZ, Benjamin J. F. | ✓ | | | | |
| DUENAS, Christopher M. | ✓ | | | | |
| GUTHERTZ, Judith Paulette | ✓ | | | | |
| MABINI, Sam | ✓ | | | | |
| MUNA-BARNES, Tina Rose | ✓ | | | | |
| PALACIOS, Adolpho Borja, Sr. | ✓ | | | | |
| PANGELINAN, vicente (ben) cabrera | ✓ | | | | |
| RESPICIO, Rory J. | ✓ | | | | |
| RODRIGUEZ, Dennis G., Jr. | ✓ | | | | |
| SILVA TAIJERON, Mana | ✓ | | | | |
| WON PAT, Judith T. | ✓ | | | | |
| YAMASHITA, Aline A. | ✓ | | | | |

TOTAL

15 0 0 0 0

CERTIFIED TRUE AND CORRECT:



Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



August 1, 2011

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

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

RE: Committee Report on Bill No. 256-31 (COR) As Substituted

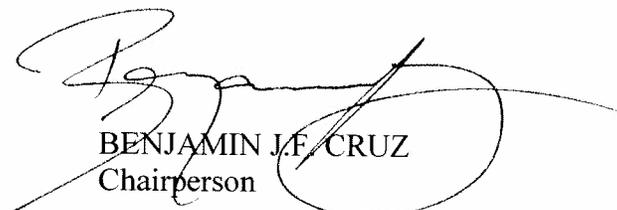
Dear Speaker Won Pat:

Transmitted herewith is the Report of Committee on Youth, Cultural Affairs, Procurement, General Government Operations and Public Broadcasting the on Substitute Bill No. 256-31 (COR) "An act add a *new* § 10313 to Article 3 of Chapter 10 of Title 5 of the Guam Code; relative to the public disclosure of temporary labor certifications." Sponsored by Senator Benjamin J.F Cruz and substituted by the Committee on Youth, Cultural Affairs, Procurement, General Government Operations and Public Broadcasting.

Committee votes are as follows:

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

Sincerely,


BENJAMIN J.F. CRUZ
Chairperson

2011 AUG - 9 PM 4: 25



COMMITTEE REPORT

ON

Substitute Bill No. 256-31 (COR)

“An act add a *new* § 10313 to Article 3 of Chapter 10 of Title 5 of the Guam Code; relative to the public disclosure of temporary labor certifications.”



August 1, 2011

MEMORANDUM

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

FROM: Vice Speaker Benjamin J.F. Cruz

SUBJECT: Committee Report on Bill No. 256-31(COR) As Substituted

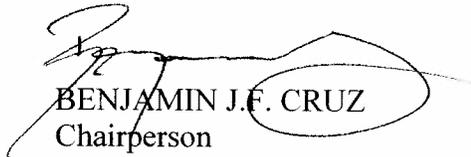
- Transmitted herewith for your consideration is the Committee Report on Substitute Bill No. 256-31(COR)- "An act add a *new* § 10313 to Article 3 of Chapter 10 of Title 5 of the Guam Code; relative to the public disclosure of temporary labor certifications."

This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Bill No. 256-31(COR)
- Substitute Bill No. 256-31(COR)
- Public Hearing Sign-in Sheet
- COR Referral of Bill No. 256-31(COR)
- Fiscal Note Requirement
- Notices of Public Hearing
- Public Hearing Agenda

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

Very truly yours,


BENJAMIN J.F. CRUZ
Chairperson



COMMITTEE VOTING SHEET

Substitute Bill No. 256-31 (COR) “An act add a new § 10313 to Article 3 of Chapter 10 of Title 5 of the Guam Code; relative to the public disclosure of temporary labor certifications.”

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



Committee Report Digest

I. OVERVIEW

The Committee on Youth, Cultural Affairs, Procurement, General Government Operations and Public Broadcasting convened a public hearing on Friday, July 15th, 2011 at 9:00 a.m. in the Public Hearing Room of *I Liheslatura*. Among the items on the agenda was the consideration of Bill No. 256-31 (COR) "An act add a *new* § 10313 to Article 3 of Chapter 10 of Title 5 of the Guam Code; relative to the public disclosure of temporary labor certifications."

Public Notice Requirements

All legal requirements for public notices were met, with requests for publication sent to all media and all senators on July 8th and 13th via email. Copies of the hearing notices are appended to the report.

Senators Present

Vice Speaker Benjamin J.F. Cruz, Chairperson
Senator V. Anthony Ada, Committee Member
Senator Aline A. Yamashita, Ph.D., Committee Member
Senator Adolpho Palacios, Committee Member
Senator Chris Duenas, Committee Member
Senator Thomas Ada, Committee Member
Senator Mana Silva, Committee Member
Senator Rory J. Respicio, Committee Member
Senator Sam Mabini Ph.D., Committee Member

The public hearing was called to order at 9:05 a.m.

II. SUMMARY OF TESTIMONY AND DISCUSSION

Vice Speaker Benjamin J.F. Cruz called the public hearing to order at 9:05 a.m. and announced the morning's agenda and public hearing notices.

Vice Speaker Cruz opened the hearing by explaining why he proffered Bill No. 256-31(COR), stating that the measure is intended to promote transparency in the H-2B process of certifying that qualified workers in Guam and the United States are not available to perform the required services, and that the alien's employment will not adversely affect the wages and working conditions of United States resident workers who are similarly employed on Guam.



conditions of United States resident workers who are similarly employed on Guam.

Mr. Greg Massey, Administrator for the Division of the Guam Department of Labor's (GDOL's) Division of Alien Labor Certification, was present and presented both written and oral testimony on behalf of GDOL Director Leah Beth Nahalowwa. Massey stated that the Department is in favor of Bill No. 256-31 (COR) with some specific amendments. Massey suggested that on line 13 the wording be amended to "...; the number of qualified, willing, and available United States residents who applied to fill said position;..." Massey stated that the reporting of unqualified, unwilling, or unavailable applicants would mislead users of the data posted on the website. Furthermore, Massey expressed concern over the posting of data on a bi-weekly basis as required on line 7 on the bill, stating that the requirement should quarterly so as not to overly task his division.

Senator Chris Duenas raised his concerns over the loss of professional jobs to alien workers. Massey said local authorities have no control over the H-1 program, administered by the U.S. Customs and Immigration (USCIS). Duenas said it is still a concern and that GDOL should inform USCIS of such concerns.

Senator Tom Ada expressed the concern that the Director is not present at the hearing and has not been present at number of public hearings related to GDOL. He also said the Department should do more to look into whether employer applicants for H-2B are appropriately compensating their workers particularly when they impose special requirements on positions that make them unattractive to local workers.

Sen. Aline Yamashita asked about the level of interaction GDOL engages in with other government of agencies in working to place persons seeking employment. Massey said the career one-stop center is run through a partnership of government agencies.

Sen. Mana Silva-Taijeron asked whether the GDOL maintains a working list of approved H-2B labor certifications and whether it was a simple task to post them on a bi-weekly basis, if not a daily basis. Massey said it is not difficult to do the postings and Department would do it, but it would create an additional process to a number of existing processes. He said he only has two caseworkers. Sen. Silva-Taijeron said she appreciates that he said it is not hard and definitely doable.

Sen. Sam Mabini asked how the information to be posted is being currently used to address employment needs. Massey said he didn't want to misspeak as to the level of attention One Stop Career Center staff and the Territorial Economist give to the data, but said Bill No. 256-31(COR)



would perhaps help in that regard.

Sen. Rory Respicio stated Bill No. 256-31(COR) was referred to the Committee on Youth, Cultural Affairs, Procurement, General Government Operations, and Public Broadcasting because of the technology aspect of the bill.

Sen. Tom Ada asked Massey to submit definitions of “qualified, unwilling, or unavailable” for purposes of Bill No. 256-31(COR). Massey said the Department will.

Vice Speaker Cruz aired his concerns over the prevailing wage survey conducted by GDOL. He further asked whether H-2B employers were actively seeking to recruit local workers to replace their H-2B workers. Massey said they in fact are not required to do so. Vice Speaker Cruz said he was told by employers that they were required to. Massey they said those employers are misinformed.

III. FINDINGS AND RECOMMENDATIONS

The Committee on Youth, Cultural Affairs, Procurement, General Government Operations and Public Broadcasting finds that Bill No. 256-31 would help to educate and provide the public valuable information about the Alien Labor Certification program for H-2B labor.

GDOL has suggested only the reporting of “unqualified, unwilling, or unavailable” applicants. However, the Committee finds that this suggestion does not negate the appropriateness nor the efficacy of reporting the number of initial applicants. Therefore, the Committee finds that the listing of unqualified, unwilling, or unavailable applicants should be in addition to, and not a replacement of, the original language.

Furthermore, the Committee finds that GDOL should be afforded ample time to prepare a working list of specific items required under Bill No. 256-31 on a regular basis. Thus, the Committee finds that it is necessary to amend the measure so that the posting shall be on a quarterly, not bi-weekly, basis.

The Committee on Youth, Cultural Affairs, Procurement, General Government Operations and Public Broadcasting to which was referred Bill No. 256-31 (COR), hereby submits these findings to *I Mina' Trentai Unu na Liheslaturan Guahan* and reports out Substitute Bill No. 256-31(COR) with the recommendation TO DO PASS.

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

Substitute Bill No. 256-31(COR)

As substituted by the Committee on Youth, Cultural Affairs,
Procurement, General Governmental Operations, and Public Broadcasting

Introduced by:

B.J.F. Cruz
M. Silva

**AN ACT ADD A NEW § 10313 TO ARTICLE 3 OF CHAPTER
10 OF TITLE 5 OF THE GUAM CODE; RELATIVE TO THE
PUBLIC DISCLOSURE OF TEMPORARY LABOR
CERTIFICATIONS.**

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

2 **Section 1.** A new § 10313 is hereby *added* to Article 3 of Chapter 10 of Title
3 5 of the Guam Code to read as follows:

4 **“§ 10313. Special Requirement for Alien Labor Certifications**
5 **approved by the Governor.**

6 Within six (6) calendar months of the enactment hereof, the Guam
7 Department of Labor shall publish and update on a quarterly basis on its
8 website a listing of *all* temporary labor certifications issued and attested to,
9 as of the date of the enactment hereof, by the Governor pursuant to Chapter
10 7 of Title 17 of the Guam Administrative Rules and Regulations, including
11 the name, telephone number, and physical address of the applicant for
12 temporary labor certification; the position title for which the application was
13 made; the number of United States residents who applied to fill said
14 position; the number of qualified, willing, and available United States
15 residents who applied to fill said position; and the date said application was
16 submitted and approved.”



DEPARTMENT OF
LABOR

DIPATTMENTON HUMOTNÁT • LEAH BETH O. NAHOLOWAA, Director

EDDIE BAZA CALVO

Governor

RAY TENORIO

Lieutenant Governor

July 12, 2011

Honorable Benjamin J.F. Cruz
Chairman
Committee on Youth, Cultural Affairs, Procurement,
General Government Operations and Public Broadcasting
Suite 107
155 Hesler St.
Hagåtña, Guam 96910

Dear Vice Speaker Cruz,

It is with pleasure that the Guam Department of Labor offers written testimony on Bill 256-31 which will be undergoing public hearing with your committee. After careful thought and consideration, we humbly offer the following comments on the bill:

Bill No 256-31

The bill mandates posting of information on labor certifications issued by the Governor. Specifically it requires posting of data on the number of applicants who applied for job positions contained in the labor certifications. Since only qualified, willing and available U.S. resident applicants can be considered in the adjudication of a labor certification, we offer the following suggestions for changes in the verbiage:

(on line 13)

“...; the number of **qualified, willing and available** United States residents who applied to fill said position;...”

The inclusion of this language will allow proper reporting of U.S. applicants who would have a potential effect on the labor certification. Reporting of unqualified, unwilling or unavailable applicants would mislead users of the data posted on the website and would likely lead to unnecessary confusion.

Letter to Vice Speaker Cruz
Re: Testimony on Bill 256-31
Page 2 of 2

Additionally, we are a little bit concerned with the posting of data on a bi-weekly basis as required on line 7 of the Bill. Most data reporting is done on a quarterly or yearly basis. It would seem that mirroring the quarterly or yearly reporting times would minimize additional work duties to an already understaffed division of the department. We humbly suggest that the language of the Bill be changed to require updates to the listing on a quarterly basis rather than bi-weekly.

With the suggested amendments in place, the Department of Labor would be in full support of the Bill.

We hope that the comments we have provided will be helpful in fine tuning the legislation before your committee. The Department and its staff stand ready to answer any further questions that you may have with regards to the above.

Sincerely,



LEAH BETH NAHOLOWAA
Director of Labor

cc. Office of the Governor



COMMITTEE ON RULES

I Mina'trentai Unu na Libeslaturan Guåhan • The 31st Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

2011 JUL 19 10 05 AM
EAM

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

July 19, 2011

Memorandum

Senator
Judith P. Guthertz
VICE CHAIRPERSON
ASST. MAJORITY LEADER

To: Pat C. Santos
Clerk of the Legislature

MAJORITY
MEMBERS:

From: Senator Rory J. Respicio

Speaker
Judith T. Won Pat

Subject: Fiscal Notes

Vice Spcaker
Benjamin J. F. Cruz

Hafa Adai!

Senator
Tina Rose Muña Barnes
LEGISLATIVE SECRETARY
MAJORITY WHIP

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

Senator
Dennis G. Rodriguez, Jr.
ASST. MAJORITY WHIP

Bill Nos.:

Senator
Thomas C. Ada

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

Senator
Adolpho B. Palacios, Sr.

Senator
vicente c. pangelinan

MINORITY
MEMBERS:

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

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

Senator
Christopher M. Duenas

Si Yu'os ma'åse'!

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932**EDDIE BAZA CALVO**
GOVERNOR**RAY TENORIO**
LIEUTENANT GOVERNOR**BENITA A. MANGLONA**
DIRECTOR**STEPHEN J. GUERRERO**
DEPUTY DIRECTOR

JUL 18 2011

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

Hafa Adai Senator Respicio:

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

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



JOHN A. RIOS
Acting Director

Enclosures

cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 256-31**

AN ACT TO ADD A NEW §10313 TO ARTICLE 3 OF CHAPTER 10 OF TITLE 5 OF THE GUAM CODE; RELATIVE TO THE PUBLIC DISCLOSURE OF TEMPORARY LABOR CERTIFICATIONS.

| Department/Agency Appropriation Information | |
|---|--|
| Dept./Agency Affected: Department of Labor | Dept./Agency Head: Leah Beth Naholowaa, Director |
| Department's General Fund (GF) appropriation(s) to date: | 1,404,912 |
| Department's Other Fund (Specify) appropriation(s) to date: | 1,310,697 |
| Total Department/Agency Appropriation(s) to date: | \$2,715,609 |

| Fund Source Information of Proposed Appropriation | | | |
|---|---------------|-------------------------|------------|
| | General Fund: | (Specify Special Fund): | Total: |
| FY 2010 Unreserved Fund Balance ¹ | | \$0 | \$0 |
| FY 2011 Adopted Revenues | \$0 | \$0 | \$0 |
| FY 2011 Appro. (P.L. 30-196) | \$0 | \$0 | \$0 |
| Sub-total: | \$0 | \$0 | \$0 |
| Less appropriation in Bill | \$0 | \$0 | \$0 |
| Total: | \$0 | \$0 | \$0 |

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

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

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

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

Footnotes:
The Bill has a potential for additional funding impact. However, in its present form, this impact cannot be determined at this time.



COMMITTEE ON RULES

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

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Judith P. Guthertz
VICE CHAIRPERSON
ASST. MAJORITY LEADER

MAJORITY MEMBERS:

Speaker
Judith T. Won Pat

Vice Speaker
Benjamin J. F. Cruz

Senator
Tina Rose Muña Barnes
LEGISLATIVE SECRETARY
MAJORITY WHIP

Senator
Dennis G. Rodriguez, Jr.
ASST. MAJORITY WHIP

Senator
Thomas C. Ada

Senator
Adolpho B. Palacios, Sr.

Senator
vicente c. pangelinan

MINORITY MEMBERS:

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

Senator
Christopher M. Duenas

July 05, 2011

MEMORANDUM

To: **Pat Santos**
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: **Senator Rory J. Respicio**

Subject: **Referral of Bill No. 256-31 (COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill No. 256-31 (COR).

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

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

Si Yu'os Ma'åse!

(1) Attachment

2011 JUL -5 AM 11:57

I Mina' Trentai Unu Na Lihelaturan Guåhan
Bill Log Sheet
July 01, 2011
 Page 1 of 1

| Bill No. | Sponsor(s) | Title | Date Introduced | Date Referred | 120 Day Deadline | Committee Referred | Public Hearing Date | Date Committee Report Filed | Status (Date) Passed? Failed? Vetoed? Overridden? Public Law? |
|-----------------|------------------------------------|---|-----------------------|---------------|------------------|---|---------------------|-----------------------------|---|
| 256-31 (COR) | B. J.F. Cruz., M. Silva Tajeron | AN ACT ADD A NEW § 10313 TO ARTICLE 3 OF CHAPTER 10 OF TITLE 5 OF THE GUAM CODE; RELATIVE TO THE PUBLIC DISCLOSURE OF TEMPORARY LABOR CERTIFICATIONS. | 07/01/11 1:24 p.m. | 7/5/11 | | Committee on Municipal Affairs, Tourism, Housing and Recreation | | | |

Chris Carillo

From: Chris Carillo [chris.carillo@senatorbjcruz.com]
Sent: Friday, July 08, 2011 8:30 AM
To: 'speaker@judiwonpat.com'; 'Senator Tom Ada'; 'senatortonyada@guamlegislature.org'; 'senator@tinamunabarnes.com'; 'Senator Frank F. Blas, Jr.'; 'senator@senatorbjcruz.com'; 'duenasenator@gmail.com'; 'judiguthertz@gmail.com'; 'senatorsam@senatormabini.com'; 'Senator Ben C. Pangelinan'; 'cor@guamlegislature.org'; 'senatorrodriguez@gmail.com'; 'senatormana@gmail.com'; 'Aline Yamashita'; 'phnotice@guamlegislature.org'; 'dmgeorge@guampdn.com'; 'hottips@kuam.com'; 'Sabrina Salas'; 'mindy@kuam.com'; 'dcrisostomo@guampdn.com'; 'Janela'; 'thebigshow@k57.com'; 'therese.hart.writer@gmail.com'; 'Therese Hart'; 'Ray Gibson'; 'bmkelman@guampdn.com'; 'William Gibson'; 'krystal@kuam.com'
Cc: 'clerks@guamlegislature.org'; 'Pat Santos'; 'Rennae Perez'; 'Atty. Therese Terlaje'; 'yong@guamlegislature.org'; 'mis@guamlegislature.org'; 'sgtarms@guamlegislature.org'; 'Steven A. Dierking'; 'cyrus@senatorada.org'; 'louise_atalig@yahoo.com'; 'chelsea@tinamunabarnes.com'; 'Mary Fejeran'; 'garrett.duenas@senatorbjcruz.com'; 'joshua.tenorio@senatorbjcruz.com'; 'leonguerrero.angela@gmail.com'; 'leslie.g@senatormabini.com'; 'cipo@guamlegislature.org'; 'Stephanie Mendiola'; 'cherbert.senatorrodriguez@gmail.com'; 'chechsantos@gmail.com'; 'alerta.jermaine@gmail.com'; 'evelyn4families@gmail.com'; 'phnotice@guamlegislature.org'
Subject: 1st Notice of Public Hearing- July 15th, 2011
Attachments: 1st notice of Public Hearing- July 15th 2011.pdf

Hafa Adai All,

Please see the attached...

July 8, 2011

MEMORANDUM

TO: All Members/All Senators

FROM: Vice Speaker Benjamin J.F. Cruz

RE: First Notice of Public Hearing – July 15th, 2011

Hafa Adai! Please be advised that the Committee on Youth, Cultural Affairs, Procurement, General Government Operations, and Public Broadcasting will conduct a Public Hearing on Friday July 15th, 2011 at 9:00 A.M. in *I Liheslaturan*'s Public Hearing Room with the following agenda:

- Bill No. 186-31 (LS)- J.T. Won Pat, Ed.D. / T.R. Muna-Barnes- “An act to add a new §43119 to Chapter 43 of Title 5 Guam Code Annotated, relative to protecting the rights of persons to petition a public board, public commission, or public corporation of the government of Guam for redress of grievances by establish a grievance policy, rules, and procedures.”
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Please provide written testimonies at least one day prior to the hearing to the Office of the Vice Speaker Benjamin J.F Cruz, 155 Hesler Place, Hagatna Guam 96910. They may be sent via facsimile to 477-2522, or via email to chris.carillo@senatorbjcruz.com.

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

Senseramente,

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

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

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Chris Carillo

From: Chris Carillo [chris.carillo@senatorbjcruz.com]
Sent: Wednesday, July 13, 2011 9:27 AM
To: 'speaker@judiwonpat.com'; 'Senator Tom Ada'; 'senatortonyada@guamlegislature.org'; 'senator@tinamunabarnes.com'; 'Senator Frank F. Blas, Jr.'; 'senator@senatorbjcruz.com'; 'duenasenator@gmail.com'; 'judiguthertz@gmail.com'; 'senatorsam@senatormabini.com'; 'Senator Ben C. Pangelinan'; 'cor@guamlegislature.org'; 'senatorrodriguez@gmail.com'; 'senatormana@gmail.com'; 'Aline Yamashita'; 'phnotice@guamlegislature.org'; 'dmgeorge@guampdn.com'; 'hottips@kuam.com'; 'Sabrina Salas'; 'mindy@kuam.com'; 'dcrisostomo@guampdn.com'; 'Janela'; 'thebigshow@k57.com'; 'therese.hart.writer@gmail.com'; 'Therese Hart'; 'Ray Gibson'; 'bmkelman@guampdn.com'; 'William Gibson'; 'krystal@kuam.com'
Cc: 'Mary Fejeran'; 'garrett.duenas@senatorbjcruz.com'; 'joshua.tenorio@senatorbjcruz.com'; 'leonguerrero.angela@gmail.com'; 'leslie.g@senatormabini.com'; 'cipo@guamlegislature.org'; 'Stephanie Mendiola'; 'cherbert.senatorrodriguez@gmail.com'; 'chechsantos@gmail.com'; 'alerta.jermaine@gmail.com'; 'evelyn4families@gmail.com'; 'phnotice@guamlegislature.org'; 'clerks@guamlegislature.org'; 'Pat Santos'; 'Rennae Perez'; 'Atty. Therese Terlaje'; 'yong@guamlegislature.org'; 'mis@guamlegislature.org'; 'sgtarms@guamlegislature.org'; 'Steven A. Dierking'; 'cyrus@senatorada.org'; 'louise_atalig@yahoo.com'; 'chelsea@tinamunabarnes.com'; 'mike.lidia@senatorbjcruz.com'
Subject: 2nd Notice of Public Hearing- July 15th 2011
Attachments: 2nd Notice of Public Hearing- July 15th 2011.pdf

Hafa Adai all,

July 13, 2011

MEMORANDUM

TO: All Members/All Senators

FROM: Vice Speaker Benjamin J.F. Cruz

RE: Second Notice of Public Hearing – July 15th, 2011

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Senseramente,

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

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

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July 13, 2011

MEMORANDUM

TO: All Members/All Senators

FROM: Vice Speaker Benjamin J.F. Cruz

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PUBLIC HEARING AGENDA

July 15, 2011

©Public Hearing Notices were sent via E-mail to All Senators and Media on July 8th, 2011 & July 13th, 2011. ©

9:00 A.M. Public Hearing Room

- **Bill No. 186-31 (LS)**- J.T. Won Pat, Ed.D. / T.R. Muna-Barnes- "An act to add a new §43119 to Chapter 43 of Title 5 Guam Code Annotated, relative to protecting the rights of persons to petition a public board, public commission, or public corporation of the government of Guam for redress of grievances by establish a grievance policy, rules, and procedures."
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MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

2011 JUL - 1 PM 1:24 EAM

Bill No. 256-31(COR)

Introduced by:

B.J.F. Cruz 
M. Silva 

AN ACT ADD A *NEW* § 10313 TO ARTICLE 3 OF CHAPTER 10 OF TITLE 5 OF THE GUAM CODE; RELATIVE TO THE PUBLIC DISCLOSURE OF TEMPORARY LABOR CERTIFICATIONS.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. A new § 10313 is hereby *added* to Article 3 of Chapter 10 of Title 5 of the Guam Code to read as follows:

“§ 10313. Special Requirement for Alien Labor Certifications approved by the Governor.

Within six (6) calendar months of the enactment hereof, the Guam Department of Labor shall publish and update on a bi-weekly basis on its website a listing of *all* temporary labor certifications issued and attested to, as of the date of the enactment hereof, by the Governor pursuant to Chapter 7 of Title 17 of the Guam Administrative Rules and Regulations, including the name, telephone number, and physical address of the applicant for temporary labor certification; the position title for which the application was made; the number of United States residents who applied to fill said position; and the date said application was submitted and approved.”