

*Handwritten mark*



**EDDIE BAZA CALVO**  
Governor

**RAY TENORIO**  
Lieutenant Governor

*Office of the Governor of Guam*

31-12-1626

**Office of the Speaker**  
**Judith T. Won Pat, Ed. D.**

Date \_\_\_\_\_  
Time \_\_\_\_\_  
Received by \_\_\_\_\_

June 18, 2012

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

Dear Madame Speaker:

Transmitted herewith is Bill No. 434-31 (COR) "AN ACT TO AMEND §1107 OF ARTICLE 1, CHAPTER 1 OF TITLE 22 GUAM CODE ANNOTATED; AND TO ADD A NEW SUBSECTION (g) TO §1209.1 OF ARTICLE 2, CHAPTER 1 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO RESEARCH AND STATISTICS", which I signed into law on June 15, 2012 as **Public Law 31-226**.

*Senseramente,*

**RAY TENORIO**  
*I Maga'lahen Guåhan para pa'go*  
Acting Governor of Guam

2012 JUN 19 PM 5:04

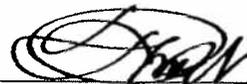
Attachment: copy of Bill

1626

**I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN**  
**2012 (SECOND) Regular Session**

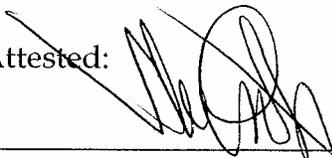
**CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN**

This is to certify that substitute Bill No. 434-31 (COR), "AN ACT TO AMEND §1107 OF ARTICLE 1, CHAPTER 1 OF TITLE 22, GUAM CODE ANNOTATED; AND TO ADD A NEW SUBSECTION (g) TO §1209.1 OF ARTICLE 2, CHAPTER 1 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO RESEARCH AND STATISTICS", was on the 4<sup>th</sup> day of June, 2012, duly and regularly passed.



Judith T. Won Pat, Ed.D.  
Speaker

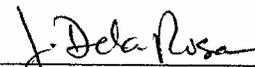
Attested:



Tina Rose Muña Barnes  
Legislative Secretary

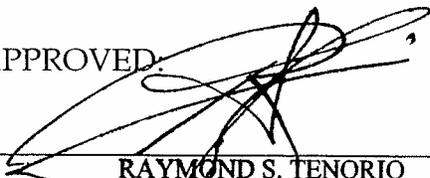
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This Act was received by *I Maga'lahen Guåhan* this 7<sup>th</sup> day of June, 2012, at  
1:10 o'clock P.M.



Assistant Staff Officer  
*Maga'lahi's Office*

APPROVED:



RAYMOND S. TENORIO  
Acting Governor of Guam

Date: JUN 15 2012

Public Law No. 31-226

***I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN***  
**2012 (SECOND) Regular Session**

**Bill No. 434-31 (COR)**

As substituted by the Committee on Rules,  
Federal, Foreign & Micronesian Affairs, and Human & Natural Resources.

Introduced by:

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

**AN ACT TO *AMEND* §1107 OF ARTICLE 1, CHAPTER 1 OF TITLE 22, GUAM CODE ANNOTATED; AND TO *ADD* A NEW SUBSECTION (g) TO §1209.1 OF ARTICLE 2, CHAPTER 1 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO RESEARCH AND STATISTICS.**

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

2        **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that there is a need to assure the individuals and organizations that provide any  
4 statistical information upon the request of the government, to the Department of

1 Labor and other agencies compiling government reports, that such information  
2 will be held in strict confidence. Without this assured confidentiality of the  
3 information and the pledge to protect the information, entities and individuals may  
4 refuse to participate in the surveys, resulting in incomplete data. Incomplete data  
5 will affect the overall accuracy and completeness of the government's economic  
6 and statistical reports.

7 *I Liheslaturan Guåhan* intends to amend §1107 of Article 1, Chapter 1,  
8 Title 22, and §1209.1 of Chapter 1, Title 5, Guam Code Annotated, relative to  
9 Research and Statistics, to ensure that information supplied by individuals or  
10 organizations to an agency for statistical purposes, under a pledge of  
11 confidentiality, is used exclusively for statistical purposes. Furthermore, the  
12 information *shall not* be disclosed in identifiable form to anyone *not* authorized by  
13 this law, or used for any purpose other than statistical in nature, and will be  
14 safeguarded pursuant to the pledge of confidentiality.

15 **Section 2.** § 1107 of Article 1, Chapter 1 of Title 22, Guam Code  
16 Annotated, is *amended* to read as follows:

17 “§ 1107. **Research and Statistics.** Notwithstanding any other  
18 provision of law, all information, statistics, or data obtained pursuant to a  
19 request by the Government, and submitted voluntarily by individuals,  
20 organizations, companies or other private entities, and *not* otherwise  
21 compelled by any law, rule or regulation, *shall* be held in full confidence  
22 and *not* subject to the open government law.

23 (a) The Director *shall* make studies and investigations, collect and  
24 compile statistical information, and report upon the conditions of labor  
25 generally. Such studies *may* include, but are *not limited to*, studies of  
26 employment and unemployment, labor supply, manpower development and

1 training, wages and hours, industrial relations, working and living  
2 conditions, cost of living and prices.

3 (b) The Director may, with the approval of *I Maga'lahi* (the  
4 Governor), enter into cooperative arrangements with the Director of the  
5 Bureau of Statistics and Plans and/or the Guam Economic Development  
6 Authority of the government of Guam for the performance by authorized  
7 representatives of the Bureau of Statistics and Plans and/or the Guam  
8 Economic Development Authority of any duties prescribed in this Section.  
9 The performance of duties so delegated to the Bureau of Statistics and Plans  
10 and/or the Guam Economic Development Authority *shall* be subject to the  
11 provisions of Title 5, Guam Code Annotated.

12 (c) Confidentiality Pledge. The Department of Labor *shall*, in all  
13 correspondence relative to the submission of statistical information, keep  
14 such information confidential when requested by the Government, and when  
15 such information is to be held confidential, such Confidentiality Pledge  
16 *shall* read as follows:

17 “The Department of Labor, its employees, agents, and partner  
18 statistical agencies, will use the information you provide for statistical  
19 purposes only, and will hold such information in confidence to the  
20 full extent permitted by law. In accordance with the Department of  
21 Labor Confidentiality Act (22 GCA, Ch. 1, §1111), our responses will  
22 *not* be disclosed in **identifiable form** without your **informed**  
23 **consent.**”

24 (d) Confidentiality of Information. Neither the Director of the  
25 Department of Labor, nor any employee of the Department of Labor and the

1 Bureau of Statistics and Plans, to include any bureau, office, or agency  
2 thereof, and except as otherwise provided by law, may:

3 (1) use the information furnished under the provisions of  
4 this Article for any purpose other than the statistical purpose for  
5 which it is supplied;

6 (2) make any publication whereby the data furnished by any  
7 particular establishment or individual under this Article can be  
8 identified, without informed consent; or

9 (3) permit anyone other than the sworn officers and  
10 employees of the Department of Labor, or bureau, office, or agency  
11 therefor to examine the individual reports.

12 (e) Disclosure to partner statistical agencies is limited to statistical  
13 purposes, and *only* if the statistical agency has statutory confidentiality  
14 protections immune from legal process and disclosure under freedom of  
15 information acts.

16 (f) Disclosure of Information. No department, bureau, agency,  
17 officer, or employee of the government, may require, for any reason, copies  
18 of census reports or statistical information which have been retained by any  
19 such establishment or individual. Copies of census reports and statistical  
20 information which have been so retained *shall* be immune from legal  
21 process, and *shall not*, without the consent of the individual or  
22 establishment concerned, be admitted as evidence or used for any purpose in  
23 any action, suit or other judicial or administrative proceeding.

24 (g) Fines and Penalties. Whoever, being an officer, employee, or  
25 agent of an agency acquiring information for exclusively statistical  
26 purposes, comes into possession of such information by reason of his or her

1 being an officer, employee, or agent and, knowing that the disclosure of the  
2 specific information is prohibited under the provisions of this Title,  
3 willingly discloses the information in any manner to a person or agency *not*  
4 entitled to receive it, *shall* be fined *not more than* One Thousand Dollars  
5 (\$1,000.00), or imprisoned *not more than* one (1) year, or both.”

6 **Section 3.** A new Subsection (g) is added to §1209.1 of Article 2, Chapter  
7 1 of Title 5, Guam Code Annotated, to read as follows:

8 “(g) Notwithstanding any other provision of law, all information,  
9 statistics, or data obtained pursuant to § 1209.1 (d) *shall* be held in full  
10 confidence and *not subject* to the open government law.”

11 **Section 4. Severability.** *If* any of the provisions of this Act or the  
12 application thereof to any person or circumstance is held invalid, such invalidity  
13 *shall not* affect any other provision or application of this Act which can be given  
14 effect without the invalid provision or application, and to this end the provisions  
15 of this Act are severable.

**I MINA' TRENTAI UNU NA LIHESLATURAN GUAHAN**  
2012 (SECOND) Regular Session

Date: 6/4/12

**VOTING SHEET**

SBill No. 434-31(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					EA
RESPICIO, Rory J.	✓				
RODRIGUEZ, Dennis G., Jr.	✓				
SILVA TAIJERON, Mana	✓				
WON PAT, Judith T.	✓				
YAMASHITA, Aline A.	✓				

<b>TOTAL</b>	<u>14</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>1</u>
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CERTIFIED TRUE AND CORRECT:

  
Clerk of the Legislature

\* 3 Passes = No vote  
EA = Excused Absence

SENATOR RORY J. RESPICIO  
MAJORITY LEADER

CHAIRPERSON  
COMMITTEE ON RULES; FEDERAL, FOREIGN & MICRONESIAN  
AFFAIRS; AND HUMAN & NATURAL RESOURCES



*I Mina'trentai Unu na Liheslaturan Guåhan*  
THIRTY-FIRST GUAM LEGISLATURE

2012 MAY 29 PM 2:42  
*[Handwritten signature]*

MAY 29 2012

The Honorable Judith T. Won Pat, Ed.D.  
Speaker  
*I Mina'trentai Unu na Liheslaturan Guåhan*  
155 Hesler Place  
Hagåtña, Guam 96910

**RE: Committee Report on Bill No. 434-31 (COR) as Substituted**

*Hafa Adai* Speaker Won Pat:

The Committee on Rules, Federal, Foreign & Micronesian Affairs, and Human and Natural Resources hereby reports out its findings and recommendations on **Substitute Bill No. 434-31 (COR) – “AN ACT TO AMEND §1107 AND ADD SUBSECTIONS (C), (D), (E), AND (F) TO CHAPTER 1, 22 GUAM CODE ANNOTATED RELATIVE TO RESEARCH AND STATISTICS.”** INTRODUCED BY V.C. PANGELINAN.

Committee votes are as follows:

<u>8</u>	TO DO PASS
<u>0</u>	TO NOT PASS
<u>2</u>	TO REPORT OUT ONLY
<u>0</u>	TO ABSTAIN
<u>0</u>	TO PLACE IN INACTIVE FILE

Very Truly Yours,

*Rory J. Respicio*  
Rory J. Respicio

**SENATOR RORY J. RESPICIO**  
**MAJORITY LEADER**

**CHAIRPERSON**  
COMMITTEE ON RULES; FEDERAL, FOREIGN & MICRONESIAN  
AFFAIRS; AND HUMAN & NATURAL RESOURCES



*I Mina'trentai Unu na Liheslaturan Guåhan*  
**THIRTY-FIRST GUAM LEGISLATURE**

**COMMITTEE REPORT ON**  
**BILL NO. 434-31 (COR) as Substituted**

**"AN ACT TO AMEND §1107 AND ADD  
SUBSECTIONS (C), (D), (E), AND (F) TO  
CHAPTER 1, 22 GUAM CODE ANNOTATED  
RELATIVE TO RESEARCH AND STATISTICS."**

**SENATOR RORY J. RESPICIO**  
**MAJORITY LEADER**

**CHAIRPERSON**  
COMMITTEE ON RULES; FEDERAL, FOREIGN & MICRONESIAN  
AFFAIRS; AND HUMAN & NATURAL RESOURCES



*I Minã'trentai Unu na Liheslaturan Guåhan*  
**THIRTY-FIRST GUAM LEGISLATURE**

May 25, 2012

**MEMORANDUM**

**To:** All Members  
*Committee on Rules, Federal, Foreign & Micronesia Affairs, and Human & Natural Resources*

**From:** Senator Rory J. Respicio 

**Subject:** Committee Report on Bill No. 434-31 (COR) As Substituted

Transmitted herewith for your review and consideration is the **Committee Report on Substitute Bill No. 434-31 (COR) – “An act to amend §1107 and add subsections (c), (d), (e), and (f) to Chapter 1, 22 Guam code annotated relative to research and statistics.”**

This report includes the following supporting documents:

- Committee Vote Sheet
- Committee Report Digest
- Bill No. 434-31(COR) As Substituted
- Bill No. 434-31(COR) As Introduced
- Public Hearing Sign-in Sheet
- Copy of Submitted Testimony
- Referral of Bill No. 434-31(COR)
- Fiscal Note for Bill No. 434-31(COR)
- Public Hearing Notices
- 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.

*Si Yu'os Ma'åse!*

**SENATOR RORY J. RESPICIO**  
**MAJORITY LEADER**

**CHAIRPERSON**  
 COMMITTEE ON RULES; FEDERAL, FOREIGN & MICRONESIAN  
 AFFAIRS; AND HUMAN & NATURAL RESOURCES



*I Mina'trentai Unu na Liheslaturan Guåhan*  
**THIRTY-FIRST GUAM LEGISLATURE**

**COMMITTEE VOTE SHEET**

**Substitute Bill No. 434-31 (COR) – "AN ACT TO AMEND §1107 AND ADD  
 SUBSECTIONS (C), (D), (E), AND (F) TO CHAPTER 1, 22 GUAM CODE  
 ANNOTATED RELATIVE TO RESEARCH AND STATISTICS."**

	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Senator Rory J. Respicio Chairperson		 5/25/12				
Senator Judith P. Guthertz Vice-Chairperson						
Speaker Judith T. Won Pat, Ed.D. Member		 5/29/12				
Vice-Speaker Benjamin J.F. Cruz Member		 5/29/12				
Legislative Secretary Tina Rose Muña Barnes Member		 5/29/12				
Senator Thomas C. Ada Member		 5/29/12				
Senator vicente c. pangelinan Member						
Senator Dennis G. Rodriguez, JR. Member						
Senator Adolpho B. Palacios Member		 5/29/12				
Senator Aline A. Yamashita, Ph.D. Member						
Senator Christopher M. Duenas Member		 5/29/12				

There being no further discussion, Bill 434-31 (COR) was declared to be publicly heard.

### III. FINDINGS & RECOMMENDATIONS

The Committee on Rules; Federal, Foreign & Micronesian Affairs; and Human & Natural Resources finds that **Bill No. 434-31 (COR)** shall be amended to also allow such information received and shall be kept confidential and raw data, not private information, shall also be allowed to be shared with the Federal government. **Bill No. 434-31 (COR), As Substituted by the Committee on Rules, Federal, Foreign & Micronesian Affairs, and Human & Natural Resources**, received the Committee's recommendation to do **PASS**.

**SENATOR RORY J. RESPICIO**  
**MAJORITY LEADER**

**CHAIRPERSON**  
COMMITTEE ON RULES; FEDERAL, FOREIGN & MICRONESIAN  
AFFAIRS; AND HUMAN & NATURAL RESOURCES



*I Mina'trentai Unu na Liheslaturan Guåhan*  
**THIRTY-FIRST GUAM LEGISLATURE**

**COMMITTEE REPORT DIGEST**

**Bill No. 434-31 (COR) An Act to Amend §1107 and Add Subsections (c), (d), (e), and (f) to Chapter 1, 22 Guam Code Annotated relative to research and statistics. Introduced by V.C. Pangelinan.**

**I. OVERVIEW**

The Committee on Rules; Federal, Foreign & Micronesia Affairs; and Human & Natural Resources convened a public hearing on Wednesday, April 11, 2012 at 9:15 a.m. in *Liheslatura's* Public Hearing Room. Among the items on the agenda was the consideration of **Bill No. 434-31 (COR) An Act to Amend §1107 and Add Subsections (c), (d), (e), and (f) to Chapter 1, 22 Guam Code Annotated relative to research and statistics**, introduced by V.C. Pangelinan.

**Public Notice Requirements**

Notices were disseminated via hand-delivery/fax and/or e-mail to all senators and all main media broadcasting outlets on Thursday, April 5, 2012 (5-Day Notice), and again on Monday, April 9, 2012 (2-Day Notice).

**Senators Present:**

Senator Rory J. Respicio, Chairperson  
Senator Thomas C. Ada, Committee Member  
Senator Adolpho B. Palacios, Sr., Committee Member  
Senator Vicente C. Pangelinan, Committee Member  
Senator V. Anthony Ada

**II. SUMMARY OF TESTIMONY & DISCUSSION**

One individual signed up to provide testimony, Mr. Gary Hiles from the Department of Labor, representing Director George Santos. Mr. Hiles read from written testimony, and stated that raw data from the business community (labor, health, planning, and other data) is received by the Government of Guam and used to produce research information available to everyone who needs it. Most data is submitted voluntary, and if this law is in place, when requests are sent out, the businesses will know from statute that the privacy of data will be protected and won't be released. Mr. Hiles said that the information should also be allowed to be shared with the Federal government.

Senator Pangelinan said that Mr. Hiles had provided several good suggestions, and agreed that GovGuam should be able to share certain information with the Federal Government if necessary.

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN  
2012 (SECOND) REGULAR SESSION

Bill No. 434-31 (002)

Introduced by:

V.C. Pangelinan



2012 FEBRUARY 21 19  
/

AN ACT TO AMEND §1107 AND ADD  
SUBSECTIONS (c), (d), (e), AND (f) TO CHAPTER  
1, 22 GUAM CODE ANNOTATED RELATIVE TO  
RESEARCH AND STATISTICS.

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

1           **SECTION 1. Legislative findings and intent.** *I Liheslaturan Guahan* finds

2 the need to assure the individuals and organizations who provide any statistical  
3 information upon the request of the government to the Department of Labor and other  
4 agencies needed to compile government reports, that such information will be held in  
5 strict confidence. Without this assured confidentiality of the information and the  
6 pledge to protect the information, entities and individuals may refuse to participate  
7 in the surveys resulting in incomplete data. Incomplete data will affect the overall  
8 accuracy and completeness of governments economic and statistical reports.

9           *I Liheslaturan Guahan* intends to amend §1107 Chapter 1, 22 Guam Code Annotated,  
10 relative to Research and Statistics to ensure that information supplied by individuals or  
11 organizations to an agency for statistical purposes, under a pledge of confidentiality, is used  
12 exclusively for statistical purposes. Furthermore, the information will not be disclosed in

1 identifiable form to anyone not authorized by this law or used for any purpose other than  
2 statistical in nature, and will be safeguarded pursuant to the pledge of confidentiality.

3       **SECTION 2. Amend § 1107 and Add subsections (c), (d), (e), and (f) to**  
4 **Chapter 1, 22 Guam Code Annotated to read as follows:**

5       “§ 1107 . Research and Statistics. Notwithstanding any other provision of  
6 law, all information, statistics, or data obtained pursuant to a request by the  
7 Government submitted voluntarily by individuals, organizations, companies or  
8 other private entities, not otherwise compelled by any law, rule or regulation  
9 shall be held in full confidence and not subject to the open government law.

10       (a) The Director shall make studies and investigations, collect and compile  
11       statistical information, and report upon the conditions of labor generally.  
12       Such studies may include, but are not limited to, studies of employment and  
13       unemployment, labor supply, manpower development and training, wages  
14       and hours, industrial relations, working and living conditions, cost of living  
15       and prices.

16       (b) The Director may, with the approval of the Governor, enter into cooperative  
17       arrangements with the Director of the Department of Commerce of the  
18       government of Guam for the performance by authorized representatives of  
19       the Department of Commerce of any duties prescribed in this section. The

1 performance of duties so delegated to the Department of Commerce shall  
2 be subject to the provisions of Title 5, Guam Code Annotated.

3 (c) Confidentiality Pledge. Department of Labor shall, in all correspondence  
4 relative to the submission of statistical information as requested by the  
5 Government, include a Confidentiality pledge to read as follows:

6 “The Department of Labor, its employees, agents, and  
7 partner statistical agencies, will use the information you  
8 provide for statistical purposes only and will hold the  
9 information in confidence to the full extent permitted by  
10 law. In accordance with the Department of Labor  
11 Confidentiality Act (22 GCA Ch. 1 §1111), our responses  
12 will not be disclosed in **identifiable form** without your  
13 **informed consent.**”

14 (d) Confidentiality of Information. Neither the Department of Labor Director,  
15 nor any other employee of Department of Labor or the Bureau of Statistics and  
16 Plans, or any bureau, office, or agency thereof, may except as otherwise  
17 provided by law:

- 18 1. Use the information furnished under the provisions of this article for  
19 any purpose other than the statistical purpose for which it is supplied;

- 1                   2. Make any publication whereby the data furnished by any particular  
2                               establishment or individual under this article can be identified; or  
3                   3. Permit anyone other than the sworn officers and employees of the  
4                               Department of Labor, or bureau, office, or agency therefor to examine  
5                               the individual reports.

6                   (e) Disclosure of Information. No department, bureau, agency, officer, or  
7                               employee of the government, except the Director of Labor in carrying out the  
8                               purposes of this article, may require, for any reason, copies of census reports or  
9                               statistical information which have been retained by any such establishment or  
10                              individual. Copies of census reports and statistical information which have been  
11                              so retained shall be immune from legal process, and shall not, without the  
12                              consent of the individual or establishment concerned, be admitted as evidence  
13                              or used for any purpose in any action, suit or other judicial or administrative  
14                              proceeding.

15                   (f) Fines and Penalties. Whoever, being an officer, employee, or agent of an  
16                              agency acquiring information for exclusively statistical purposes, comes into  
17                              possession of such information by reason of his or her being an officer,  
18                              employee, or agent and, knowing that the disclosure of the specific information  
19                              is prohibited under the provisions of this title, willingly discloses the

1        information in any manner to a person or agency not entitled to receive it, shall  
2        be fined not more than \$5,000.

3        **SECTION 3. Severability.** If any of the provisions of this Act or the  
4        application thereof to any person or circumstance is held invalid, such invalidity shall  
5        not affect any other provision or application of this Act which can be given effect  
6        without the invalid provision or application, and to this end the provisions of this Act  
7        are severable.

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN  
2012 (SECOND) REGULAR SESSION

Bill No. 434-31

As Substituted by the Committee on  
Rules, Federal, Foreign & Micronesia  
Affairs and Human & Natural Resources

Introduced by:

V.C. PANGELINAN

---

**AN ACT TO AMEND §1107 AND ADD  
SUBSECTIONS (c), (d), (e), AND (f) TO CHAPTER 1,  
22 GUAM CODE ANNOTATED AND TO AMEND  
§1209.1 AND ADD SUB-ITEM (g) TO CHAPTER 1,  
TITLE 5 GUAM CODE ANNOTATED RELATIVE  
TO RESEARCH AND STATISTICS.**

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

1       **SECTION 1. Legislative findings and intent.** *I Liheslaturan Guahan* finds  
2 the need to assure the individuals and organizations ~~who~~ that provide any statistical  
3 information upon the request of the government, to the Department of Labor and other  
4 agencies ~~needed to compile~~ compiling government reports, that such information will  
5 be held in strict confidence. Without this assured confidentiality of the information  
6 and the pledge to protect the information, entities and individuals may refuse to  
7 participate in the surveys, resulting in incomplete data. Incomplete data will affect the  
8 overall accuracy and completeness of the government's economic and statistical  
9 reports.

1            *I Liheslaturan Guahan* intends to amend §1107 Chapter 1, 22 Guam Code  
2 Annotated, relative to Research and Statistics, to ensure that information supplied by  
3 individuals or organizations to an agency for statistical purposes, under a pledge of  
4 confidentiality, is used exclusively for statistical purposes. Furthermore, the  
5 information ~~will~~ shall not be disclosed in identifiable form to anyone not authorized  
6 by this law, or used for any purpose other than statistical in nature, and will be  
7 safeguarded pursuant to the pledge of confidentiality.

8            **SECTION 2. Amend § 1107 and Add subitems (c), (d), (e), and (f) to**  
9 **Chapter 1, Title 22 Guam Code Annotated to read as follows:**

10            **“§ 1107. Research and Statistics.** Notwithstanding any other provision of law,  
11 all information, statistics, or data obtained pursuant to a request by the  
12 Government, and submitted voluntarily by individuals, organizations,  
13 companies or other private entities, and not otherwise compelled by any law,  
14 rule or regulation, shall be held in full confidence and not subject to the open  
15 government law.

16            (a) The Director shall make studies and investigations, collect and compile  
17 statistical information, and report upon the conditions of labor generally.  
18 Such studies may include, but are not limited to, studies of employment and  
19 unemployment, labor supply, manpower development and training, wages

1 and hours, industrial relations, working and living conditions, cost of living  
2 and prices.

3 (b) The Director may, with the approval of the Governor, enter into cooperative  
4 arrangements with the Director of the ~~Department of Commerce~~ Bureau of  
5 Statistics and Plans and/or the Guam Economic Development Authority of  
6 the government of Guam for the performance by authorized representatives  
7 of the ~~Department of Commerce~~ Bureau of Statistics and Plans and/or the  
8 Guam Economic Development Authority of any duties prescribed in this  
9 section. The performance of duties so delegated to the ~~Department of~~  
10 ~~Commerce~~ Bureau of Statistics and Plans and/or the Guam Economic  
11 Development Authority shall be subject to the provisions of Title 5, Guam  
12 Code Annotated.

13 (c) Confidentiality Pledge. The Department of Labor shall, in all  
14 correspondence relative to the submission of statistical information, keep  
15 such information confidential when requested by the Government, and  
16 when such information is to be held confidential, such Confidentiality  
17 pledge shall read as follows:

18 “The Department of Labor, its employees, agents, and  
19 partner statistical agencies, will use the information you  
20 provide for statistical purposes only, and will hold such

1 information in confidence to the full extent permitted by  
2 law. In accordance with the Department of Labor  
3 Confidentiality Act (22 GCA Ch. 1 §1111), our responses  
4 will not be disclosed in **identifiable form** without your  
5 **informed consent.**”

6 (d) Confidentiality of Information. Neither the Director of the Department of  
7 Labor, nor any employee of the Department of Labor and the Bureau of  
8 Statistics and Plans, to include any bureau, office, or agency thereof, and except  
9 as otherwise provided by law, may:

- 10 1. Use the information furnished under the provisions of this article for  
11 any purpose other than the statistical purpose for which it is supplied;
- 12 2. Make any publication whereby the data furnished by any particular  
13 establishment or individual under this article can be identified,  
14 without informed consent; or
- 15 3. Permit anyone other than the sworn officers and employees of the  
16 Department of Labor, or bureau, office, or agency therefor to examine  
17 the individual reports.

18 (e) Disclosure to partner statistical agencies is limited to statistical purposes,  
19 and only if the statistical agency has statutory confidentiality protections  
20 immune from legal process and disclosure under freedom of information acts.

1        (f) Disclosure of Information. No department, bureau, agency, officer, or  
2        employee of the government, except the Director of Labor in carrying out the  
3        purpose of this article, may require, for any reason, copies of census reports or  
4        statistical information which have been retained by any such establishment or  
5        individual. Copies of census reports and statistical information which have been  
6        so retained shall be immune from legal process, and shall not, without the  
7        consent of the individual or establishment concerned, be admitted as evidence  
8        or used for any purpose in any action, suit or other judicial or administrative  
9        proceeding.

10       (g) Fines and Penalties. Whoever, being an officer, employee, or agent of an  
11       agency acquiring information for exclusively statistical purposes, comes into  
12       possession of such information by reason of his or her being an officer,  
13       employee, or agent and, knowing that the disclosure of the specific information  
14       is prohibited under the provisions of this title, willingly discloses the  
15       information in any manner to a person or agency not entitled to receive it, shall  
16       be fined ~~not more than \$5,000~~ not more than One Thousand Dollars  
17       (\$1,000.00), or imprisoned not more than one (1) year, or both.

18       **SECTION 3. Amend § 1209.1 and Add subitem (g) to Chapter 1, Article 2,**  
19       **Title 5 Guam Code Annotated to read as follows:**

1           **“1209.1 Additional Duties of the Bureau.** The Bureau shall carry out the  
2 following duties in addition to the functions specified in § 1209 of this Chapter:

3           (a) facilitate cooperation with the U.S. Bureau of the Census in  
4 collecting, compiling, analyzing, interpreting and disseminating information  
5 concerning demographics, agriculture, housing, manufacturing, businesses and  
6 government of Guam in such forms as to be most valuable to Guam’s  
7 businesses and industries, and of other places; and to act as the principal  
8 receiver, depository and distributor of similar information provided by its  
9 national and international counterparts;

10           (b) assume lead agency functions for the South Pacific Commission and  
11 the Economic and Social Commission for Asia and the Pacific;

12           (c) conduct the census under the auspices of the U.S. Census Bureau;

13           (d) compile, collect, develop and publish quarterly scientific indices and  
14 economic indicators, including, but not limited to, economic growth, trade  
15 balances, exports and imports, consumer prices and other information relating  
16 to economic conditions;

17           (e) compile periodically a census of businesses and industries on Guam,  
18 and analyze and publish this information in such forms as to be most valuable  
19 to Guam’s businesses and industries; and

1 (f) in the event sufficient funds are not available to the Bureau, to publish  
2 all of the material required by this Section; the information gathered shall be  
3 published, subject to the following priorities:

4 (i) consumer prices;

5 (ii) exports and imports;

6 (iii) trade balances; and

7 (iv) all other information deemed essential to be published.

8 (g) Notwithstanding any other provision of law, all information, statistics,  
9 or data obtained pursuant to § 1209.1 (d) shall be held in full confidence and  
10 not subject to the open government law.”

11 **SECTION 34. Severability.** If any of the provisions of this Act or the  
12 application thereof to any person or circumstance is held invalid, such invalidity shall  
13 not affect any other provision or application of this Act which can be given effect  
14 without the invalid provision or application, and to this end the provisions of this Act  
15 are severable.

-0-

**SENATOR RORY J. RESPICIO**  
**MAJORITY LEADER**



**CHAIRPERSON**  
 COMMITTEE ON RULES; FEDERAL, FOREIGN & MICRONESIAN  
 AFFAIRS; AND HUMAN & NATURAL RESOURCES

*I Minãtrentai Unu na Liheslaturan Guåhan*  
**THIRTY-FIRST GUAM LEGISLATURE**

**PUBLIC HEARING SIGN-IN SHEET**

Wednesday, April 11, 2012 - 9:00 AM

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

Bill No. 434-31 (COR) - v.c. pangelinan - "An act to amend §1107 and add subsections (c), (d), (e), and (f) to chapter 1, 22 guam code annotated relative to research and statistics."

NAME	AGENCY OR ORGANIZATION	SUPPORT? OPPOSE?	WRITTEN TESTIMONY	ORAL TESTIMONY	PHONE NUMBER	EMAIL ADDRESS
GARY HILES	Department of Labor	Support			475-7062	gary.hiles@do1.guam.gov



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

**GOVERNMENT OF GUAM**  
(GUBETNOMENTON GUÁHAN)  
**DEPARTMENT OF LABOR**  
(DIPÁTTMENTON HUMOTNÁT)  
**DIRECTOR'S OFFICE**  
(Ufisinan Direktot)

Post Office Box 9970 Tamuning, Guam 96931  
414 W. Soledad Avenue, GCIC Building Hagatna, Guam 96910  
Tel (671) 475-7075 · FAX: (671) 475-7045 · www.dol.guam.gov



**George A. Santos**  
Director

APR 09 2011

The Honorable Rory J. Respicio, Chairman  
Committee on Rules, Federal, Foreign & Micronesian Affairs,  
And Human & Natural Resources

Dear Chairman Respicio, Committee Members and Senators:

The Department of Labor appreciates the opportunity to testify in support of Bill 434-31 an act to amend and add subsections to the Guam Code Annotated relative to Research and Statistics as an important component of efforts to improve our statistical programs.

The essence of the bill is quite simple. When the Department of Labor, Bureau of Labor Statistics (BLS) requests businesses, employers and individual residents of households to voluntarily provide information for statistical purposes only, they have a right to expect that the information will be used for statistical purposes only. This bill, if enacted into law, would add subsections to the Department of Labor's enabling legislation to provide statutory protection to protect the confidentiality of private information collected for statistical programs.

Since most of the BLS programs collect information from businesses, employers and individuals on an entirely voluntary basis, the assurance of confidentiality and use for statistical purposes only is a critical element to the successful response necessary for accurate and comprehensive statistical reports on employment, unemployment and the economy.

Statements assuring confidentiality of respondents' data are contained as standard procedure in Federal statistical data collection for the U.S. Census and U.S. Department of Labor's survey and Census programs. Federal law provides statutory protection for this. State labor departments similarly have statutory protections for statistical data collected for their statistical programs. Guam's statistical data collection at the Department of Labor is statutorily protected under federal law for cooperative federal-state statistical programs. This bill will provide such protection for statistical programs operated entirely by the local government. We have several recommendations where the language of the bill might be edited for improved clarity to better meet its objective. These recommendations are outlined in the enclosure.

Sincerely,

GEORGE A. SANTOS

Enclosure:



Eddie Baza Calvo  
Governor  
Ray Tenorio  
Lieutenant Governor

GOVERNMENT OF GUAM  
(GUBETNOMENTON GUÁHAN)  
DEPARTMENT OF LABOR  
(DIPÁTTMENTON HUMOTNÁT)  
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George A. Santos  
Director

Enclosure:

Bill 434-31

Detailed comments.

Page 1, Line 6 correct typographical errors. “protect” & “participate”

Page 1, Line 8 should read “government’s”

Page 2, Lines 5 & 6 Please confirm that the statement “Notwithstanding any other provision of law” does not supersede the intent and statement in line 9.

Page 2, Lines 16 Paragraph “(b)” could be deleted as the “Department of Commerce” no longer exists and such delegation has never been used.

Page 3, Line 5 Include an additional clause to read: “Government, include a confidentiality pledge, if the information is to be held confidential, to read as follows:  
Alternatively, such language could be included in line 4 to read: relative to the submission of statistical information, to be kept confidential, as requested by the ...  
The addition of this clause or language to that effect is necessary, because at times the Government may request information of a statistical or other nature that it intends to disclose in public documents such as reports, in that case, a statement assuring confidentiality would not be appropriate.

Page 4, Line 2 Insert a clause as noted: ...can be identified, without informed consent; or  
This addition will make the line consistent with the Page 3 Confidentiality pledge statement.

Page 4, Line 5 Add a statement. Disclosure to partner statistical agencies is limited to statistical purposes and only if the statistical agency has statutory confidentiality protections immune from legal process and disclosure under freedom of information acts.  
This line may be necessary to expressly authorize data sharing on common statistical programs with partner statistical agencies and limit release to other parties who lacked the legal authority to maintain confidentiality and could result in second party disclosure.

Page 4, Line 7 & 8 suggest deleting the clause, “except the Director of Labor in carrying out the purposes of this article,” The clause may be unnecessary since we do not intend to make statistical information which was provided on a voluntary basis to become required to be provided if copies were kept. This might discourage retention of copies and voluntary submission of requested data in the future.

Eddie Baza Calvo  
Governor of Guam



**BUREAU OF  
STATISTICS & PLANS**  
SAGAN PLANU SIHA YAN EMEOTMASION  
Government of Guam



Ray Tenorio  
Lieutenant Governor

P.O.Box 2950 Hagatna, Guam 96932  
Tel : (671) 472-4201/3  
Fax : (671) 477-1812

Thomas A. Morrison  
Director

APR 12 2012

The Honorable Rory J. Respicio  
Chairman, Committee on Human Resources  
31<sup>st</sup> Guam Legislature  
155 Hesler Street  
Hagatna, Guam 96910

Office of Senator Rory J. Respicio	
Name :	<i>R. Respicio</i>
Date/Time	APR 12 2012

Hafa Adai Senator Respicio and members of the Committee,

I am Thomas A. Morrison, Director of the Bureau of Statistics and Plans, and here to provide written testimony on Bill No. 434. This intends to contrast mandates applied to the *research and statistics* programs at the Bureau and Department of Labor as proposed in this bill and suggests amendments to both our enabling legislations.

Pursuant to Public Law 26-76 §1209.1(d), the Bureau publishes the Quarterly Consumer Price Index. In doing so, we conduct private sector surveys and possess confidential price data from retail outlets located island-wide. DOL does surveys, as well. Furthermore, our position descriptions, duties and responsibilities are similar in nature to that of the Department of Labor personnel within its research and statistics sections. Because of this we seek equal treatment in how the law applies and hope common ground be found by amending both of our statutes. With particular reference to this bill, we offer the following.

**Section 2** amends *Chapter 1, 22 GCA §1107* "... in that all information, statistics, or data obtained... not subject to the open government law."

We agree with this provision and seek similar protection in Public Law 26-76 Section 43. We request that language be added to Article 2, Chapter 1 of Title 5 GCA §1209.1, as follows:  
§1209.1(g). Notwithstanding any other provision of law all information, statistics, or data obtained pursuant to §1209.1 (d) be held in full confidence and not subject to the open government law.

**Section 2** adds *Chapter 1, 22 GCA §1107 Subsection (f) Fines and Penalties* "... in that any officer, employee or agent... willingly discloses the information in any manner to a person or agency not entitled to receive it, shall be fined not more than \$5,000.00."

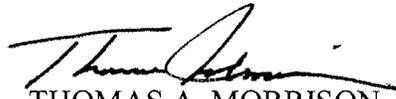
Bureau employees are also subject to fines for breaching confidentiality laws. However, they are also subject to imprisonment. Section 1209.2 (d) Article 2, Chapter 1 of Title 5 GCA imposes "a fine of not more than \$1,000.00, or imprisoned not more than one (1) year, or both" for unlawful disclosure.

It is only right that language imposing penalties and/or prison time for unlawful disclosure by anyone be applied equitably among agencies possessing confidential research and statistics information.

**Section 2** *Chapter 1, 22 GCA §1107 Subsection (b)* makes reference to the former Department of Commerce. Perhaps it should be corrected to read the Bureau of Statistics and Plans and/or the Guam Economic Development Authority.

Thank you for allowing me to provide this testimony.

Si Yu'os Ma'ase'.

  
THOMAS A. MORRISON



# COMMITTEE ON RULES

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

2012 MAR 22 PM 3:00

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

March 22, 2012

## 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 Speaker  
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 No.: 434-31 (COR)  
437-31 (LS)

Senator  
Thomas C. Ada

Senator  
Adolpho B. Palacios, Sr.

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

Senator  
vicente c. pangelinan

### MINORITY MEMBERS:

*Si Yu'os ma'åse'!*

Senator  
Aline A. Yamashita  
ASST. MINORITY LEADER

Senator  
Christopher M. Duenas

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

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

**EDDIE BAZA CALVO**  
GOVERNOR

**RAY TENORIO**  
LIEUTENANT GOVERNOR

**JOHN A. RIOS**  
DIRECTOR

**STEPHEN J. GUERRERO**  
DEPUTY DIRECTOR

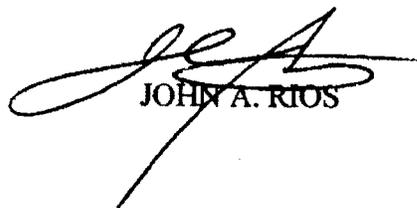
**MAR 22 2012**

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

*Hafa Adai* Senator Respicio:

Transmitted herewith are Fiscal Note on the following Bill Nos.: 434-31(COR), 437-31(LS).

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

  
JOHN A. RIOS

Enclosures

cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research  
Fiscal Note of Bill No. 434-31**

**AN ACT TO AMEND §1107 AND ADD SUBSECTIONS (c), (d), (e), AND (f) TO CHAPTER 1, 22 GUAM CODE ANNOTATED RELATIVE TO RESEARCH AND STATISTICS.**

Department/Agency Appropriation Information	
Dept./Agency Affected: Department of Labor	Dept./Agency Head: George A. Santos, Acting
Department's General Fund (GF) appropriation(s) to date:	1,982,324
Department's Other Fund (Specify) appropriation(s) to date:	552,191
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$2,534,515</b>

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2011 Unreserved Fund Balance <sup>1</sup>		\$0	\$0
FY 2012 Adopted Revenues	\$0	\$0	\$0
FY 2012 Appro. (P.L. 31-75 & 31-77)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
<b>Total:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2012 (if applicable)	FY 2013	FY 2014	FY 2015	FY 2016
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

- Does the bill contain "revenue generating" provisions? /x/ Yes    // No  
If Yes, see attachment
- Is amount appropriated adequate to fund the intent of the appropriation? // 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 impending deadline and other budgetary priorities, unable to coordinate with affected agency.

Analyst: Dina P. Rivera Date: 3/17/12 Director: John A. Rios, Director Da **MAR 21 2012**

**Footnotes:**

The Bill has potential to generate additional revenues from the proposed fine of \$5,000 as per Section 2(f) of the Bill. However, this financial impact is not determined at this time.



## COMMITTEE ON RULES

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

Senator  
**Rory J. Respicio**  
CHAIRPERSON  
MAJORITY LEADER

Senator  
**Judith P. Guthertz**  
VICE CHAIRPERSON  
ASST. MAJORITY LEADER

**MAJORITY  
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**Judith T. Won Pat**

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

Senator  
**Tina Rose Muña Barnes**  
LEGISLATIVE SECRETARY  
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ASST. MAJORITY WHIP

Senator  
**Thomas C. Ada**

Senator  
**Adolpho B. Palacios, Sr.**

Senator  
**vicente c. pangelinan**

**MINORITY  
MEMBERS:**

Senator  
**Aline A. Yamashita**  
ASST. MINORITY LEADER

Senator  
**Christopher M. Duenas**

March 5, 2012

**MEMORANDUM**

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

**Attorney Therese M. Terlaje**  
*Legislative Legal Counsel*

From: **Senator Rory J. Respicio**

Subject: **Referral of Bill Nos. 434-31(COR) & 435-31 (COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 434-31 (COR) and 435-31 (COR).

Please ensure that the subject bills are referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all 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!*

(2) Attachment

*I Mina'Trentai Unu Na Lihestaturan Guahan*  
**Bill Log Sheet**

BILL NOS.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	120 DAY DEADLINE	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	STATUS
434-31 (COR)	v.c. pangelinan	AN ACT TO AMEND §1107 AND ADD SUBSECTIONS (c), (d), (e), AND (f) TO CHAPTER 1, 22 GUAM CODE ANNOTATED RELATIVE TO RESEARCH AND STATISTICS.	3/2/12 2:19p.m.	3/5/12		Committee on Rules, Federal, Foreign & Micronesia Affairs and Human & Natural Resources			

**SENATOR RORY J. RESPICIO**  
**MAJORITY LEADER**

**CHAIRPERSON**  
COMMITTEE ON RULES; FEDERAL, FOREIGN & MICRONESIAN  
AFFAIRS; AND HUMAN & NATURAL RESOURCES



*I Minã'trentai Unu na Libeslaturan Guãhan*  
**THIRTY-FIRST GUAM LEGISLATURE**

April 5, 2012

**MEMORANDUM**

**To: All Senators**

**From: Senator Rory J. Respicio**

Handwritten signature of Rory J. Respicio in black ink.

**Subject: First Notice of Public Hearing – Wednesday, April 11, 2012, 9:00 A.M.**

*Håfa Adai!* Please be advised that I will be conducting a **public hearing on Wednesday, April 11, 2012, beginning at 9:00 A.M.**, in the Public Hearing Room to receive testimony on the following bills and resolutions:

• **Bill No. 434-31 (COR) - v.c. pangelinan**

An act to amend §1107 and add subsections (c), (d), (e), and (f) to Chapter 1, 22 Guam Code Annotated relative to research and statistics.

• **Bill No. 439-31 (COR) - V. Anthony Ada / R.J. Respicio**

An (act to) add a new Article 5 to Chapter 3 of 22GCA relative to privacy of employees' personal information.

• **Resolution No. 330-31 (LS) - R.J. Respicio / T.C. Ada / J.P. Guthertz, DPA**

Relative to requesting that the Honorable Madeleine Z. Bordallo advocate for an adjustment of the schedule of fees charged by the U.S. Consulate in the Republic of the Philippines for B-1 and B-2 Visas; and to also formally requesting the same of the U.S. Department of State.

• **Resolution No. 369-31 (COR) – R.J. Respicio / T.C. Ada**

Relative to requesting that Guam Delegate to Congress Madeline Z. Bordallo secure authorization and funding for a United States Department of Labor (USDOL) Job Corps Center in Guam.

• **Resolution No. 370-31 (COR) - R.J. Respicio / T.C. Ada**

Relative to requesting that the Congress of the United States ensure that the Federal Medicare, Medicaid and Food Stamps programs all be fully and adequately funded in the Fiscal Year 2013 Federal Budget; and that the budget be maintained at current levels of coverage for children, seniors, the ill, the disabled, and individuals of limited means; for the 50 states and all insular areas of the United States.

**Memo to Committee**

**Re: Public Hearing – Wed, April 11, 2011, 9:00 AM**

**April 11, 2011**

**Page 2**

Written testimony should be addressed to Senator Rory J. Respicio and may be submitted via email to [cor@guamlegislature.org](mailto:cor@guamlegislature.org); fax to (671) 472-3547; or hand-delivery/mail to 155 Hesler Place, Hågatña, Guam 96910. Should special assistance or accommodations be required, please contact Elaine Tajalle at my office at (671) 472-7679 or by e-mail at [etajalle@guamlegislature.org](mailto:etajalle@guamlegislature.org). *Si Yu'os ma'åse'!*

cc: Clerk of the Legislature  
Legal Counsel  
Sergeant-at-Arms/AV  
MIS



Rory Respicio <cor@guamlegislature.org>

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## Public Hearing Notice - Wednesday, April 11, 2012 at 9am

---

Senator Rory J. Respicio <cor@guamlegislature.org>  
Bcc: phnotice@guamlegislature.org

Thu, Apr 5, 2012 at 11:47 AM

Hafa adai,

Please see attached for the first notice of the public hearing scheduled for Wednesday, April 11, 2012 at 9:00 AM in the PH Room.

Thank you,  
Rory

--

**Majority Leader Rory J. Respicio**  
Chairperson, Committee on Rules;  
Federal, Foreign & Micronesian Affairs;  
and Human & Natural Resources  
*I Mina'Trentai Unu Na Liheslaturan Guåhan*  
155 Hesler Place, Ste. 302  
Hagåtña, Guam 96910  
Phone: (671) 472-7679  
Fax: (671) 472-3547



2012.04.11\_Memo to All Sens\_RE-2012.04.11\_PH Notice1.pdf  
229K

**Listserv: [phnotice@guamlegislature.org](mailto:phnotice@guamlegislature.org)**

**As of Mar. 07, 2012**

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**SENATOR RORY J. RESPICIO**  
**MAJORITY LEADER**

**CHAIRPERSON**  
COMMITTEE ON RULES; FEDERAL, FOREIGN & MICRONESIAN  
AFFAIRS; AND HUMAN & NATURAL RESOURCES



*I Minã'trentai Unu na Libeslaturan Guåhan*  
**THIRTY-FIRST GUAM LEGISLATURE**

April 5, 2012  
For Immediate Release

**First Notice of Public Hearing**  
**Wednesday, April 11, 2012, 9:00 A.M.**

(Hagåtña, Guam) Please be advised that Majority Leader and Senator Rory J. Respicio, in his capacity as the Chairperson of the Committee on Rules; Federal, Foreign & Micronesian Affairs; and Human & Natural Resources, will be conducting a public hearing on **Wednesday, April 11, 2012, beginning at 9:00 A.M.** in the Legislature's Public Hearing Room. This hearing is scheduled to receive public testimony on the following bills and resolutions:

- **Bill No. 434-31 (COR) - v.c. pangelinan**  
An act to amend §1107 and add subsections (c), (d), (e), and (f) to Chapter 1, 22 Guam Code Annotated relative to research and statistics.
- **Bill No. 439-31 (COR) - V. Anthony Ada / R.J. Respicio**  
An (act to) add a new Article 5 to Chapter 3 of 22GCA relative to privacy of employees' personal information.
- **Resolution No. 330-31 (LS) - R.J. Respicio / T.C. Ada / J.P. Guthertz, DPA**  
Relative to requesting that the Honorable Madeleine Z. Bordallo advocate for an adjustment of the schedule of fees charged by the U.S. Consulate in the Republic of the Philippines for B-1 and B-2 Visas; and to also formally requesting the same of the U.S. Department of State.
- **Resolution No. 369-31 (COR) – R.J. Respicio / T.C. Ada**  
Relative to requesting that Guam Delegate to Congress Madeline Z. Bordallo secure authorization and funding for a United States Department of Labor (USDOL) Job Corps Center in Guam.
- **Resolution No. 370-31 (COR) - R.J. Respicio / T.C. Ada**  
Relative to requesting that the Congress of the United States ensure that the Federal Medicare, Medicaid and Food Stamps programs all be fully and adequately funded in the Fiscal Year 2013 Federal Budget; and that the budget be maintained at current levels of coverage for children, seniors, the ill, the disabled, and individuals of limited means; for the 50 states and all insular areas of the United States.

For copies of the aforementioned bills and resolutions, please visit the Guam Legislature's website at [www.guamlegislature.com](http://www.guamlegislature.com). Testimony should be addressed to Senator Rory J. Respicio, Chairperson, and

**For Immediate Release**

**"First Notice of Public Hearing: Thu, Jul 7, 2011, 9:00 AM"**

**June 29, 2011**

**Page 2**

may be submitted via hand-delivery/mail to our office or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96910; via e-mail to [cor@guamlegislature.org](mailto:cor@guamlegislature.org); or via facsimile to (671) 472-3547. Individuals requiring special accommodations, auxiliary aids, or services shall contact and submit their request to Elaine Tajalle at 472-7679.

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Rory Respicio <cor@guamlegislature.org>

## 1st Public Hearing Notice - Wednesday, April 11, 2012 at 9am

Senator Rory J. Respicio <cor@guamlegislature.org>

Thu, Apr 5, 2012 at 11:54 AM

To: hottips@kuam.com, mvariety@pticom.com, news@guampdn.com, news@k57.com  
 Bcc: kenq@kuam.com, clynt@spbgum.com, am800guam@gmail.com, info@chinesetimesguam.com, publisher@glimpsesofguam.com, managingeditor@glimpsesofguam.com, gktv23@hotmail.com, hana@guam-shinbun.com, khmg@hbcguam.net, mahoquinene@guam.net, admin@leapguam.com, richdevera@gmail.com, ajuan@kijifm104.com, koreatv@kuentos.guam.net, koreannews@guam.net, kcn.kelly@gmail.com, kstone@ite.net, kstokish@gmail.com, sabrina@kuam.com, jason@kuam.com, nick@kuam.com, nick.delgado@kuam.com, john@kuam.com, mindy@kuam.com, joan@kuam.com, jesselujan27@yahoo.com, mabuhaynews@yahoo.com, gerry@mvguam.com, amier@mvguam.com, zita@mvguam.com, janela@mvguam.com, therese.hart.writer@gmail.com, editor@mvguam.com, gina@mvguam.com, Jennifer@mvguam.com, reporter3@glimpsesofguam.com, miseke@mvguam.com, roly@ktkb.com, rgibson@k57.com, parroyo@k57.com, tcoffman@k57.com, thebigshow@guamcell.net, monty.mcdowell@amiguam.com, norman.aguilar@guamcc.edu, news@k57.com, thebigshow@k57.com, jtyquiengco@spbgum.com, onlyonguam@acubedink.com, dcrisost@guam.gannett.com, rlimtiaco@guampdn.com, slimtiaco@guampdn.com, egthompson@guampdn.com, gdumat-ol@guampdn.com, odngirairiki@guampdn.com, roneggers@sbcglobal.net, mwatanabe@guampdn.com, llmatthews@guampdn.com, bmkelman@guampdn.com, cmelyan@guampdn.com, dmgeorge@guampdn.com, dtamondong@guampdn.com, aalladi@guampdn.com, ylee2@guam.gannett.com, life@guampdn.com, kevin@spbgum.com, betsy@spbgum.com, carlsonc@pstripes.osd.mil, guam@pstripes.osd.mil, tritent@pstripes.osd.mil, AmrheinS@pstripes.osd.mil, FilePS&Sstorieshere@stripes.osd.mil, kai@spbgum.com, malainse@gmail.com, pdkprg@gmail.com, info@guamwave.com, bbautista@spbgum.com, pacificjournalist@gmail.com, editor@saipantribune.com, mcpherson.kathryn@abc.net.au, hill.bruce@abc.net.au, xiosormd@gmail.com, xiosormd@yahoo.com, action@weareguahan.com, admin@weareguahan.com, ricknauta@hitradio100.com, "Rory J. Respicio" <roryforguam@gmail.com>, tinaokada <tinaokada@gmail.com>, sem@guamlegislature.org, communications@guam.gov, oliviampalacios@gmail.com, tjaitano@cs.com, phillips@guam@gmail.com, mlwheeler2000@yahoo.com, marymaravilla19@gmail.com, mspeps4873@gmail.com, troy.torres@guam.gov, jtenorio@guamcourts.org, maria.pangelinan@gec.guam.gov, charissatenorio@gmail.com, ataligba@gmail.com

Hafa adai,

Please see attached for the first notice of the public hearing scheduled for Wednesday, April 11, 2012 at 9:00 AM in the PH Room.

Thank you,  
 Rory

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**Majority Leader Rory J. Respicio**

Chairperson, Committee on Rules;  
 Federal, Foreign & Micronesian Affairs;  
 and Human & Natural Resources

*I Mina Trentai Unu Na Liheslaturan Guahan*

155 Hesler Place, Ste. 302

Hagåtña, Guam 96910

Phone: (671) 472-7679

Fax: (671) 472-3547



2012.04.05\_PR1\_PH-2012.04.11.pdf

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**SENATOR RORY J. RESPICIO**  
**MAJORITY LEADER**

**CHAIRPERSON**  
COMMITTEE ON RULES; FEDERAL, FOREIGN & MICRONESIAN  
AFFAIRS; AND HUMAN & NATURAL RESOURCES



*I Mind'trentai Unu na Libeslaturan Guåhan*  
**THIRTY-FIRST GUAM LEGISLATURE**

April 9, 2012

**MEMORANDUM**

**To: All Senators**

**From: Senator Rory J. Respicio**

Handwritten signature of Rory J. Respicio in black ink.

**Subject: 48-Hr Notice of Public Hearing – Wednesday, April 11, 2012, 9:00 A.M.**

*Håfa Adai!* Please be reminded that I will be conducting a **public hearing on Wednesday, April 11, 2012, beginning at 9:00 A.M.**, in the Public Hearing Room to receive testimony on the following bills and resolutions:

• **Bill No. 434-31 (COR) - v.c. pangelinan**

An act to amend §1107 and add subsections (c), (d), (e), and (f) to Chapter 1, 22 Guam Code Annotated relative to research and statistics.

• **Bill No. 439-31 (COR) - V. Anthony Ada / R.J. Respicio**

An (act to) add a new Article 5 to Chapter 3 of 22GCA relative to privacy of employees' personal information.

• **Resolution No. 330-31 (LS) - R.J. Respicio / T.C. Ada / J.P. Guthertz, DPA**

Relative to requesting that the Honorable Madeleine Z. Bordallo advocate for an adjustment of the schedule of fees charged by the U.S. Consulate in the Republic of the Philippines for B-1 and B-2 Visas; and to also formally requesting the same of the U.S. Department of State.

• **Resolution No. 369-31 (COR) – R.J. Respicio / T.C. Ada**

Relative to requesting that Guam Delegate to Congress Madeline Z. Bordallo secure authorization and funding for a United States Department of Labor (USDOL) Job Corps Center in Guam.

• **Resolution No. 370-31 (COR) - R.J. Respicio / T.C. Ada**

Relative to requesting that the Congress of the United States ensure that the Federal Medicare, Medicaid and Food Stamps programs all be fully and adequately funded in the Fiscal Year 2013 Federal Budget; and that the budget be maintained at current levels of coverage for children, seniors, the ill, the disabled, and individuals of limited means; for the 50 states and all insular areas of the United States.

**Memo to Committee**

**Re: 48-Hr Notice of Public Hearing - Wed, April 11, 2011, 9:00 AM**

**April 11, 2011**

**Page 2**

Written testimony should be addressed to Senator Rory J. Respicio and may be submitted via email to [cor@guamlegislature.org](mailto:cor@guamlegislature.org); fax to (671) 472-3547; or hand-delivery/mail to 155 Hesler Place, Hågatña, Guam 96910. Should special assistance or accommodations be required, please contact Elaine Tajalle at my office at (671) 472-7679 or by e-mail at [etajalle@guamlegislature.org](mailto:etajalle@guamlegislature.org). *Si Yu'os ma'åse'!*

cc: Clerk of the Legislature  
Legal Counsel  
Sergeant-at-Arms/AV  
MIS



Rory Respicio <cor@guamlegislature.org>

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**48-Hr notice of the public hearing scheduled for Wednesday, April 11, 2012 at 9:00 AM**

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**Senator Rory J. Respicio** <cor@guamlegislature.org>  
To: phnotice@guamlegislature.org

Mon, Apr 9, 2012 at 8:32 AM

Hafa adai,

Please see attached for the 48-Hr notice of the public hearing scheduled for Wednesday, April 11, 2012 at 9:00 AM in the PH Room.

Thank you,  
Rory

---  
**Majority Leader Rory J. Respicio**  
Chairperson, Committee on Rules;  
Federal, Foreign & Micronesian Affairs;  
and Human & Natural Resources  
*I Mina Trentai Unu Na Liheslaturan Guåhan*  
155 Hesler Place, Ste. 302  
Hagåtña, Guam 96910  
Phone: (671) 472-7679  
Fax: (671) 472-3547

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230K



Rory Respicio <cor@guamlegislature.org>

## 48-Hr notice of the public hearing scheduled for Wednesday, April 11, 2012 at 9:00 AM

Senator Rory J. Respicio <cor@guamlegislature.org>

Mon, Apr 9, 2012 at 8:50 AM

To: hottips@kuam.com, mvariety@pticom.com, news@guampdn.com, news@k57.com  
Bcc: kenq@kuam.com, clynt@spbgum.com, am800guam@gmail.com, info@chinesetimesguam.com, publisher@glimpsesofiguam.com, managingeditor@glimpsesofiguam.com, gktv23@hotmail.com, hana@guam-shinbun.com, khmg@hbcguam.net, mahoquinene@guam.net, admin@leapguam.com, richdevera@gmail.com, ajuan@kijifm104.com, koreatv@kuentos.guam.net, koreannews@guam.net, kcn.kelly@gmail.com, kstone@ite.net, kstokish@gmail.com, sabrina@kuam.com, jason@kuam.com, nick@kuam.com, nick.delgado@kuam.com, john@kuam.com, mindy@kuam.com, joan@kuam.com, jesselujan27@yahoo.com, mabuhaynews@yahoo.com, gerry@mvguam.com, amier@mvguam.com, zita@mvguam.com, janela@mvguam.com, therese.hart.writer@gmail.com, editor@mvguam.com, gina@mvguam.com, Jennifer@mvguam.com, reporter3@glimpsesofiguam.com, miseke@mvcguam.com, rolly@ktkb.com, rgibson@k57.com, parroyo@k57.com, tcoffman@k57.com, thebigshow@guamcell.net, monty.mcdowell@amiguam.com, norman.aguilar@guamcc.edu, news@k57.com, thebigshow@k57.com, jtyquiengco@spbgum.com, onlyonguam@acubedink.com, dcrisost@guam.gannett.com, rlimtiaco@guampdn.com, slimtiaco@guampdn.com, egthompson@guampdn.com, gdumat-ol@guampdn.com, odngirairiki@guampdn.com, roneggers@sbcglobal.net, mwatanabe@guampdn.com, llmatthews@guampdn.com, bmkelman@guampdn.com, cmelyan@guampdn.com, dmgeorge@guampdn.com, dtamondong@guampdn.com, aalladi@guampdn.com, ylee2@guam.gannett.com, life@guampdn.com, kevin@spbgum.com, betsy@spbgum.com, carlsonc@pstripes.osd.mil, guam@pstripes.osd.mil, tritrent@pstripes.osd.mil, AmrheinS@pstripes.osd.mil, FilePS&Sstorieshere@stripes.osd.mil, kai@spbgum.com, malainse@gmail.com, pdkprg@gmail.com, info@guamwave.com, bbautista@spbgum.com, pacificjournalist@gmail.com, editor@saipantribune.com, mcpherson.kathryn@abc.net.au, hill.bruce@abc.net.au, xiosormd@gmail.com, xiosormd@yahoo.com, action@weareguahan.com, admin@weareguahan.com, ricknauta@hitradio100.com, "Rory J. Respicio" <roryforguam@gmail.com>, tinaokada <tinaokada@gmail.com>, sem@guamlegislature.org, communications@guam.gov, oliviampalacios@gmail.com, tjaitano@cs.com, phillipsguam@gmail.com, mlwheeler2000@yahoo.com, marymaravilla19@gmail.com, mspeps4873@gmail.com, troy.torres@guam.gov, jtenorio@guamcourts.org, maria.pangelinan@gec.guam.gov, charissatenorio@gmail.com, ataligba@gmail.com

Hafa adai,

Please see attached for the 48-Hr notice of the public hearing scheduled for Wednesday, April 11, 2012 at 9:00 AM in the PH Room.

Thank you,  
Rory

...

### Majority Leader Rory J. Respicio

Chairperson, Committee on Rules:  
Federal, Foreign & Micronesian Affairs;  
and Human & Natural Resources  
*I Mina Trentai Unu Na Liheslaturan Guåhan*  
155 Hesler Place, Ste. 302  
Hagåtña, Guam 96910  
Phone: (671) 472-7679  
Fax: (671) 472-3547

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**SENATOR RORY J. RESPICIO**  
**MAJORITY LEADER**

**CHAIRPERSON**  
COMMITTEE ON RULES; FEDERAL, FOREIGN & MICRONESIAN  
AFFAIRS; AND HUMAN & NATURAL RESOURCES



*I Minã'trentai Unu na Libeslaturan Guåhan*  
**THIRTY-FIRST GUAM LEGISLATURE**

April 9, 2012

For Immediate Release

**48-Hr Notice of Public Hearing**  
**Wednesday, April 11, 2012, 9:00 A.M.**

(Hagåtña, Guam) Please be reminded that Majority Leader and Senator Rory J. Respicio, in his capacity as the Chairperson of the Committee on Rules; Federal, Foreign & Micronesian Affairs; and Human & Natural Resources, will be conducting a public hearing on **Wednesday, April 11, 2012, beginning at 9:00 A.M.** in the Legislature's Public Hearing Room. This hearing is scheduled to receive public testimony on the following bills and resolutions:

- **Bill No. 434-31 (COR) - v.c. pangelinan**  
An act to amend §1107 and add subsections (c), (d), (e), and (f) to Chapter 1, 22 Guam Code Annotated relative to research and statistics.
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An (act to) add a new Article 5 to Chapter 3 of 22GCA relative to privacy of employees' personal information.
- **Resolution No. 330-31 (LS) - R.J. Respicio / T.C. Ada / J.P. Guthertz, DPA**  
Relative to requesting that the Honorable Madeleine Z. Bordallo advocate for an adjustment of the schedule of fees charged by the U.S. Consulate in the Republic of the Philippines for B-1 and B-2 Visas; and to also formally requesting the same of the U.S. Department of State.
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Relative to requesting that Guam Delegate to Congress Madeline Z. Bordallo secure authorization and funding for a United States Department of Labor (USDOL) Job Corps Center in Guam.
- **Resolution No. 370-31 (COR) - R.J. Respicio / T.C. Ada**  
Relative to requesting that the Congress of the United States ensure that the Federal Medicare, Medicaid and Food Stamps programs all be fully and adequately funded in the Fiscal Year 2013 Federal Budget; and that the budget be maintained at current levels of coverage for children, seniors, the ill, the disabled, and individuals of limited means; for the 50 states and all insular areas of the United States.

For copies of the aforementioned bills and resolutions, please visit the Guam Legislature's website at [www.guamlegislature.com](http://www.guamlegislature.com). Testimony should be addressed to Senator Rory J. Respicio, Chairperson, and

**For Immediate Release**

**"48-Hr Notice of Public Hearing: Wednesday, April 11, 2012, 9:00 AM"**

**April 9, 2012**

**Page 2**

may be submitted via hand-delivery/mail to our office or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96910; via e-mail to [cor@guamlegislature.org](mailto:cor@guamlegislature.org); or via facsimile to (671) 472-3547. Individuals requiring special accommodations, auxiliary aids, or services shall contact and submit their request to Elaine Tajalle at 472-7679.

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Rory Respicio <cor@guamlegislature.org>

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**Notice of Public Hearing: Wed, Apr 11, 2012, 9am**

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**Senator Rory J. Respicio** <cor@guamlegislature.org>

Mon, Apr 9, 2012 at 2:45 PM

To: george.santos@dol.guam.gov

Hafa Adai, Director Santos:

Please find attached my letter regarding notice of public hearing, scheduled for 9am Wednesday, April 11, 2012, in the Public Hearing Room at the Guam Legislature.

Thank you,  
Rory

--

**Majority Leader Rory J. Respicio**  
Chairperson, Committee on Rules;  
Federal, Foreign & Micronesian Affairs;  
and Human & Natural Resources  
*I Mina'Trentai Unu Na Liheslaturan Guåhan*  
155 Hesler Place, Ste. 302  
Hagåtña, Guam 96910  
Phone: (671) 472-7679  
Fax: (671) 472-3547

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**SENATOR RORY J. RESPICIO**  
**MAJORITY LEADER**

**CHAIRPERSON**  
**COMMITTEE ON RULES; FEDERAL, FOREIGN & MICRONESIAN**  
**AFFAIRS; AND HUMAN & NATURAL RESOURCES**



*I Mind'trentai Unu na Liheslaturan Guåhan*  
**THIRTY-FIRST GUAM LEGISLATURE**

April 9, 2012

**VIA E-MAIL**

*george.santos@dol.guam.gov*

**Mr. George Santos**

Director

Guam Department of Labor

GCIC Building, 4<sup>th</sup> Floor

414 W. Soledad Ave.

Hagatna, Guam 96910

**RE: Notice of Public Hearing: Wednesday, April 11, 2012, 9:00 A.M.**

Dear Director Santos:

*Hafa adai.* Please be advised that, in my capacity as the Chairperson of the Committee on Federal, Foreign & Micronesian Affairs; and Human & Natural Resources, I will be conducting a Public Hearing on **Wednesday, April 11, 2012 at 9:00 A.M.** in the Legislature's Public Hearing Room. Among the items on the agenda are:

- **Bill No. 434-31 (COR) - v.c. pangelinan**

An act to amend §1107 and add subsections (c), (d), (e), and (f) to Chapter 1, 22 Guam Code Annotated relative to research and statistics.

- **Bill No. 439-31 (COR) - V. Anthony Ada / R.J. Respicio**

An (act to) add a new Article 5 to Chapter 3 of 22GCA relative to privacy of employees' personal information.

- **Resolution No. 330-31 (LS) - R.J. Respicio / T.C. Ada / J.P. Guthertz, DPA**

Relative to requesting that the Honorable Madeleine Z. Bordallo advocate for an adjustment of the schedule of fees charged by the U.S. Consulate in the Republic of the Philippines for B-1 and B-2 Visas; and to also formally requesting the same of the U.S. Department of State.

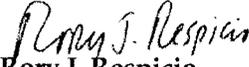
- **Resolution No. 369-31 (COR) – R.J. Respicio / T.C. Ada**

Relative to requesting that Guam Delegate to Congress Madeline Z. Bordallo secure authorization and funding for a United States Department of Labor (USDOL) Job Corps Center in Guam.

I invite you to appear before this committee and provide testimonies on **Bills No. 434-31** and **439-31** as well as **Resolutions No. 330-31** and **369-31**. Please feel free to extend this invitation to other interested members of our community. Testimony should be addressed to Majority Leader Rory J. Respicio, Chairperson, Committee on Rules, Federal, Foreign & Micronesian Affairs, and Human & Natural Resources, and may be hand-delivered or mailed to my office at 155 Hesler Place, Hagåtña, Guam 96910; e-mailed to [cor@guamlegislature.org](mailto:cor@guamlegislature.org); or faxed to (671) 472-3547. Individuals requiring special accommodations, auxiliary aids, or service shall contact and submit their request to Elaine Tajalle at my office.

Please do not hesitate to contact me, should you have any questions or concerns. I look forward to your attendance and participation.

Very truly yours,

  
Rory J. Respicio



Rory Respicio <cor@guamlegislature.org>

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## Notice of Public Hearing: Wed, Apr 11, 2012, 9am

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Senator Rory J. Respicio <cor@guamlegislature.org>

Mon, Apr 9, 2012 at 2:53 PM

To: gary.hiles@dol.guam.gov

Hafa Adai, Mr. Hiles:

Please find attached my letter regarding notice of public hearing, scheduled for 9am Wednesday, April 11, 2012, in the Public Hearing Room at the Guam Legislature.

Thank you,  
Rory

--

**Majority Leader Rory J. Respicio**

Chairperson, Committee on Rules;

Federal, Foreign & Micronesia Affairs;

and Human & Natural Resources

*I Mina'Trentai Unu Na Liheslaturan Guåhan*

155 Hesler Place, Ste. 302

Hagåtña, Guam 96910

Phone: (671) 472-7679

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**SENATOR RORY J. RESPICIO**  
**MAJORITY LEADER**

**CHAIRPERSON**  
**COMMITTEE ON RULES; FEDERAL, FOREIGN & MICRONESIAN**  
**AFFAIRS; AND HUMAN & NATURAL RESOURCES**



*I Minã'trentai Unu na Libeslaturan Guåhan*  
**THIRTY-FIRST GUAM LEGISLATURE**

April 9, 2012

**VIA E-MAIL**

*gary.hiles@dol.guam.gov*

**Mr. Gary Hiles**

Chief Economist

Guam Department of Labor

GCIC Building, 4<sup>th</sup> Floor

414 W. Soledad Ave.

Hagatna, Guam 96910

**RE: Notice of Public Hearing: Wednesday, April 11, 2012, 9:00 A.M.**

Dear Mr. Hiles:

*Hafa adai.* Please be advised that, in my capacity as the Chairperson of the Committee on Human & Natural Resources, I will be conducting a Public Hearing on **Wednesday, April 11, 2012 at 9:00 A.M.** in the Legislature's Public Hearing Room. Among the items on the agenda is **Bill No. 434-31 (COR) - v.c. pangelinan**, An act to amend §1107 and add subsections (c), (d), (e), and (f) to Chapter 1, 22 Guam Code Annotated relative to research and statistics.

I invite you to appear before this committee and provide testimony on **Bill No. 434-31 (COR)**. Please feel free to extend the invitation to other interested members of our community. Testimony should be addressed to Majority Leader Rory J. Respicio, Chairperson, Committee on Rules, Federal, Foreign & Micronesian Affairs, and Human & Natural Resources, and may be hand-delivered or mailed to my office at 155 Hesler Place, Hagåtña, Guam 96910; e-mailed to *cor@guamlegislature.org*; or faxed to (671) 472-3547. Individuals requiring special accommodations, auxiliary aids, or service shall contact and submit their request to Elaine Tajalle at my office.

Please do not hesitate to contact me, should you have any questions or concerns. I look forward to your attendance and participation.

Very truly yours,

Handwritten signature of Rory J. Respicio in cursive.

**Rory J. Respicio**

**SENATOR RORY J. RESPICIO**  
**MAJORITY LEADER**

**CHAIRPERSON**  
COMMITTEE ON RULES; FEDERAL, FOREIGN & MICRONESIAN  
AFFAIRS; AND HUMAN & NATURAL RESOURCES



*I Mina'trentai Unu na Liheslaturan Guåhan*  
**THIRTY-FIRST GUAM LEGISLATURE**

**PUBLIC HEARING**  
Wednesday, April 11, 2012 • 9:00 AM  
Legislature's Public Hearing Room • Hagåtña, Guam

**AGENDA**

- I. Call to Order**
- II. Announcements**
- III. Items for Public Consideration**
  - 1. Bill No. 434-31 (COR) - v.c. pangelinan – "AN ACT TO AMEND §1107 AND ADD SUBSECTIONS (C), (D), (E), AND (F) TO CHAPTER 1, 22 GUAM CODE ANNOTATED RELATIVE TO RESEARCH AND STATISTICS."**
  - 2. Bill No. 439-31 (COR) - V. Anthony Ada / R.J. Respicio- "AN (ACT TO) ADD A NEW ARTICLE 5 TO CHAPTER 3 OF 22GCA RELATIVE TO PRIVACY OF EMPLOYEES' PERSONAL INFORMATION."**
  - 3. Resolution No. 330-31 (LS) - R.J. Respicio / T.C. Ada / J.P. Guthertz, DPA- "RELATIVE TO REQUESTING THAT THE HONORABLE MADELEINE Z. BORDALLO ADVOCATE FOR AN ADJUSTMENT OF THE SCHEDULE OF FEES CHARGED BY THE U.S. CONSULATE IN THE REPUBLIC OF THE PHILIPPINES FOR B-1 AND B-2 VISAS; AND TO ALSO FORMALLY REQUESTING THE SAME OF THE U.S. DEPARTMENT OF STATE."**
  - 4. Resolution No. 369-31 (COR) – R.J. Respicio / T.C. Ada - "RELATIVE TO REQUESTING THAT GUAM DELEGATE TO CONGRESS MADELINE Z. BORDALLO SECURE AUTHORIZATION AND FUNDING FOR A UNITED STATES DEPARTMENT OF LABOR (USDOL) JOB CORPS CENTER IN GUAM."**

**Public Hearing Agenda**

**April 11, 2012**

**Page 2**

5. **Resolution No. 370-31 (COR) - R.J. Respicio / T.C. Ada – “RELATIVE TO REQUESTING THAT THE CONGRESS OF THE UNITED STATES ENSURE THAT THE FEDERAL MEDICARE, MEDICAID AND FOOD STAMPS PROGRAMS ALL BE FULLY AND ADEQUATELY FUNDED IN THE FISCAL YEAR 2013 FEDERAL BUDGET; AND THAT THE BUDGET BE MAINTAINED AT CURRENT LEVELS OF COVERAGE FOR CHILDREN, SENIORS, THE ILL, THE DISABLED, AND INDIVIDUALS OF LIMITED MEANS; FOR THE 50 STATES AND ALL INSULAR AREAS OF THE UNITED STATES.”**

**IV. Closing Remarks**

**V. Adjournment**

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For copies of the above mentioned bills, please visit the Guam Legislature’s website at [www.guamlegislature.com](http://www.guamlegislature.com). Testimony should be addressed to Senator Rory J. Respicio, Chairperson, and may be submitted via hand-delivery to our office or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagatna, Guam 96910, via e-mail to [cor@guamlegislature.com](mailto:cor@guamlegislature.com), or via facsimile to (671) 472-3547. Individuals requiring special accommodations, auxiliary aids, or services shall contact and submit their request to Elaine Tajalle at our office. For more information, please call 472-7679. We look forward to your attendance and participation. *Si Yu’os ma’âse’!*



## COMMITTEE ON RULES

*I Mina'trentai Unu na Libeslaturan Guåhan* • The 31<sup>st</sup> Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
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Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Judith P. Guthertz  
VICE CHAIRPERSON  
ASST. MAJORITY LEADER

**MAJORITY  
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Judith T. Won Pat

Vice Speaker  
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Tina Rose Muña Barnes  
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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

May 30, 2012

**MEMORANDUM**

**To:** Patricia C. Santos  
*Clerk of the Legislature*

**From:** Senator Rory J. Respicio  
*Majority Leader & Rules Chair*

**Subject:** Supplement to Committee Report  
Substitute Bill No. 434-31 (COR)

*Hafa Adai!*

Please include this memo and the attachments as a "Supplement" to the Committee Report on Bill No. 434-31 (COR).

Please make the appropriate indication in your records; and forward to MIS for posting on our website. I also request that the same be forwarded to all Senators of *I Mina'trentai Unu na Liheslaturan Guåhan*.

*Si Yu'os ma'åse'!*

2012 MAY 30 PM 4:46



## COMMITTEE ON RULES

*I Mina'trentai Unu na Libeslaturan Guåhan* • The 31<sup>st</sup> Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
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vicente c. pangelinan

### MINORITY MEMBERS:

Senator  
Aline A. Yamashita  
ASST. MINORITY LEADER

Senator  
Christopher M. Duenas

# Supplement to the Committee Report on Substitute Bill No. 434-31 (COR)

**"AN ACT TO AMEND §1107 AND ADD  
SUBSECTIONS (c), (d), (e), AND (f) TO  
CHAPTER 1, 22 GUAM CODE ANNOTATED  
RELATIVE TO RESEARCH AND STATISTICS."**

\*NOTE: The original Committee Report on  
Substitute Bill No. 434-31 (COR)  
was filed on May 29, 2012.

SENATOR RORY J. RESPICIO  
MAJORITY LEADER

CHAIRPERSON  
COMMITTEE ON RULES; FEDERAL, FOREIGN & MICRONESIAN  
AFFAIRS; AND HUMAN & NATURAL RESOURCES



*I Mina'trentai Unu na Liheslaturan Guåhan*  
THIRTY-FIRST GUAM LEGISLATURE

COMMITTEE REPORT DIGEST

**Bill No. 434-31 (COR) An Act to Amend §1107 and Add Subsections (c), (d), (e), and (f) to Chapter 1, 22 Guam Code Annotated relative to research and statistics. Introduced by V.C. Pangelinan.**

*I. OVERVIEW*

The Committee on Rules; Federal, Foreign & Micronesian Affairs; and Human & Natural Resources convened a public hearing on Wednesday, April 11, 2012 at 9:15 a.m. in *I Liheslatura's* Public Hearing Room. Among the items on the agenda was the consideration of **Bill No. 434-31 (COR) An Act to Amend §1107 and Add Subsections (c), (d), (e), and (f) to Chapter 1, 22 Guam Code Annotated relative to research and statistics**, introduced by V.C. Pangelinan.

*Public Notice Requirements*

*Notices were disseminated via hand-delivery/fax and/or e-mail to all senators and all main media broadcasting outlets on Thursday, April 5, 2012 (5-Day Notice), and again on Monday, April 9, 2012 (2-Day Notice).*

*Senators Present:*

*Senator Rory J. Respicio, Chairperson*  
*Senator Thomas C. Ada, Committee Member*  
*Senator Adolpho B. Palacios, Sr., Committee Member*  
*Senator Vicente C. Pangelinan, Committee Member*  
*Senator V. Anthony Ada*

*II. SUMMARY OF TESTIMONY & DISCUSSION*

*One individual signed up to provide testimony, Mr. Gary Hiles from the Department of Labor, representing Director George Santos.*

*Mr. Hiles read from written testimony, and stated that raw data from the business community (labor, health, planning, and other data) is received by the Government of Guam and used to produce research information available to everyone who needs it. Most data is submitted voluntarily, and if this law is in place, when requests are sent out, the businesses will know from statute that the privacy of data will be protected and won't be released. Mr. Hiles said that the information should also be allowed to be shared with the Federal government.*

*Mr. Thomas A. Morrison, Director of the Bureau of Statistics and Plans, submitted written testimony which proposes changes to existing law to ensure that some information not be subject to the open government law, Mr.*

*Morrison also notes that BSP employees are also subject to imprisonment if they breach confidentiality laws, and asked that the punishment and fines be made equitable to all entities. Senator Pangelinan said that Mr. Hiles had provided several good suggestions, and agreed that GovGuam should be able to share certain information with the Federal Government if necessary.*

*There being no further discussion, Bill 434-31 (COR) was declared to be publicly heard.*

### *III. FINDINGS & RECOMMENDATIONS*

*The Committee on Rules; Federal, Foreign & Micronesia Affairs; and Human & Natural Resources finds that **Bill No. 434-31 (COR)** shall be amended to also allow such information received and shall be kept confidential and raw data, not private information, shall also be allowed to be shared with the Federal government. **Bill No. 434-31 (COR), As Amended by the Author**, received the Committee's recommendation to do adopt.*

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN  
2012 (SECOND) REGULAR SESSION

Bill No. 434-31(002)

Introduced by:

V.C. Pangelinan



2012 FEB 29 PM 2:19  


AN ACT TO AMEND §1107 AND ADD  
SUBSECTIONS (c), (d), (e), AND (f) TO CHAPTER  
1, 22 GUAM CODE ANNOTATED RELATIVE TO  
RESEARCH AND STATISTICS.

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

1           **SECTION 1. Legislative findings and intent.** *I Liheslaturan Guahan* finds  
2 the need to assure the individuals and organizations who provide any statistical  
3 information upon the request of the government to the Department of Labor and other  
4 agencies needed to compile government reports, that such information will be held in  
5 strict confidence. Without this assured confidentiality of the information and the  
6 pledge to protect the information, entities and individuals may refuse to participate  
7 in the surveys resulting in incomplete data. Incomplete data will affect the overall  
8 accuracy and completeness of governments economic and statistical reports.

9           *I Liheslaturan Guahan* intends to amend §1107 Chapter 1, 22 Guam Code Annotated,  
10 relative to Research and Statistics to ensure that information supplied by individuals or  
11 organizations to an agency for statistical purposes, under a pledge of confidentiality, is used  
12 exclusively for statistical purposes. Furthermore, the information will not be disclosed in

1 identifiable form to anyone not authorized by this law or used for any purpose other than  
2 statistical in nature, and will be safeguarded pursuant to the pledge of confidentiality.

3 **SECTION 2. Amend § 1107 and Add subsections (c), (d), (e), and (f) to**  
4 **Chapter 1, 22 Guam Code Annotated to read as follows:**

5 **“§ 1107 . Research and Statistics. Notwithstanding any other provision of**  
6 **law, all information, statistics, or data obtained pursuant to a request by the**  
7 **Government submitted voluntarily by individuals, organizations, companies or**  
8 **other private entities, not otherwise compelled by any law, rule or regulation**  
9 **shall be held in full confidence and not subject to the open government law.**

- 10 (a) The Director shall make studies and investigations, collect and compile  
11 statistical information, and report upon the conditions of labor generally.  
12 Such studies may include, but are not limited to, studies of employment and  
13 unemployment, labor supply, manpower development and training, wages  
14 and hours, industrial relations, working and living conditions, cost of living  
15 and prices.
- 16 (b) The Director may, with the approval of the Governor, enter into cooperative  
17 arrangements with the Director of the Department of Commerce of the  
18 government of Guam for the performance by authorized representatives of  
19 the Department of Commerce of any duties prescribed in this section. The

1 performance of duties so delegated to the Department of Commerce shall  
2 be subject to the provisions of Title 5, Guam Code Annotated.

3 (c) Confidentiality Pledge. Department of Labor shall, in all correspondence  
4 relative to the submission of statistical information as requested by the  
5 Government, include a Confidentiality pledge to read as follows:

6 “The Department of Labor, its employees, agents, and  
7 partner statistical agencies, will use the information you  
8 provide for statistical purposes only and will hold the  
9 information in confidence to the full extent permitted by  
10 law. In accordance with the Department of Labor  
11 Confidentiality Act (22 GCA Ch. 1 §1111), our responses  
12 will not be disclosed in **identifiable form** without your  
13 **informed consent.**”

14 (d) Confidentiality of Information. Neither the Department of Labor Director,  
15 nor any other employee of Department of Labor or the Bureau of Statistics and  
16 Plans, or any bureau, office, or agency thereof, may except as otherwise  
17 provided by law:

- 18 1. Use the information furnished under the provisions of this article for  
19 any purpose other than the statistical purpose for which it is supplied;

- 1                   2. Make any publication whereby the data furnished by any particular  
2                   establishment or individual under this article can be identified; or  
3                   3. Permit anyone other than the sworn officers and employees of the  
4                   Department of Labor, or bureau, office, or agency therefor to examine  
5                   the individual reports.

6                   (e) Disclosure of Information. No department, bureau, agency, officer, or  
7                   employee of the government, except the Director of Labor in carrying out the  
8                   purposes of this article, may require, for any reason, copies of census reports or  
9                   statistical information which have been retained by any such establishment or  
10                  individual. Copies of census reports and statistical information which have been  
11                  so retained shall be immune from legal process, and shall not, without the  
12                  consent of the individual or establishment concerned, be admitted as evidence  
13                  or used for any purpose in any action, suit or other judicial or administrative  
14                  proceeding.

15                  (f) Fines and Penalties. Whoever, being an officer, employee, or agent of an  
16                  agency acquiring information for exclusively statistical purposes, comes into  
17                  possession of such information by reason of his or her being an officer,  
18                  employee, or agent and, knowing that the disclosure of the specific information  
19                  is prohibited under the provisions of this title, willingly discloses the

1        information in any manner to a person or agency not entitled to receive it, shall  
2        be fined not more than \$5,000.

3        **SECTION 3. Severability.** If any of the provisions of this Act or the  
4        application thereof to any person or circumstance is held invalid, such invalidity shall  
5        not affect any other provision or application of this Act which can be given effect  
6        without the invalid provision or application, and to this end the provisions of this Act  
7        are severable.