



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

MAY 18 2001

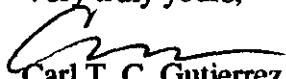
The Honorable Joanne M. S. Brown
Legislative Secretary
I Mina'Bente Sais na Liheslaturan Guåhan
Twenty-Sixth Guam Legislature
Suite 200
130 Aspinal Street
Hagåtña, Guam 96910

Dear Legislative Secretary Brown:

Enclosed please find Bill No. 050 (COR) entitled: "AN ACT TO AMEND §9124(b) OF TITLE 22 OF THE GUAM CODE ANNOTATED, RELATIVE TO HEARINGS BEFORE THE WORKERS' COMPENSATION COMMISSIONER" which I have signed into law as **Public Law No. 26-11.**

This legislation remedies one of a number of problems confronting the Workers Compensation Commission. Currently, the Commission must hire a stenographer to record its hearings. The use of stenography has been replaced in numerous instances, including the courts of Guam, with the use of other sorts of recordings of oral hearings. This legislation now allows the Workers Compensation Commission to follow suit and use tape recordings, for example, instead of stenographic reporting.

Very truly yours,


Carl T. C. Gutierrez
I Maga'Lahen Guåhan
Governor of Guam

Attachment: copy attached for signed bill or overridden bill
original attached for vetoed bill

cc: The Honorable Antonio R. Unpingco
Speaker

OFFICE OF THE LEGISLATIVE SECRETARY
ACKNOWLEDGMENT RECEIPT

Received By 

Time 11:03 am


Date 5/18/01

0189

MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2001 (FIRST) Regular Session


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

This is to certify that Bill No. 050 (COR) "AN ACT TO AMEND §9124(b) OF TITLE 22 OF THE GUAM CODE ANNOTATED, RELATIVE TO HEARINGS BEFORE THE WORKERS' COMPENSATION COMMISSIONER," was on the 11th day of May, 2001, duly and regularly passed.




ANTONIO R. UNPINGCO
Speaker

Attested:



JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 14th day of May, 2001,
at 4:15 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



CARL T. C. GUTIERREZ
I Maga'lahaen Guåhan

Date: 5-18-01

Public Law No. 26-11

MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2001 (FIRST) Regular Session

Bill No. 50 (COR)

As amended.

Introduced by:

V. C. Pangelinan
J. F. Ada
T. C. Ada
F. B. Aguon, Jr.
J. M.S. Brown
E. B. Calvo
F. P. Camacho
M. C. Charfauros
Mark Forbes
L. F. Kasperbauer
L. A. Leon Guerrero
K. S. Moylan
A. L. G. Santos
A. R. Unpingco
J. T. Won Pat

**AN ACT TO AMEND §9124(b) OF TITLE 22 OF THE
GUAM CODE ANNOTATED, RELATIVE TO
HEARINGS BEFORE THE WORKERS'
COMPENSATION COMMISSIONER.**

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

2 **Section 1.** §9124(b) of Chapter 9, Division 1 of Title 22 of the Guam
3 Code Annotated is hereby *amended* to read as follows:

4 “(b) Hearings before the Commissioner shall be open to the
5 public and shall be recorded. The Commissioner shall, by regulation,

6

I MINA' BENTE SAIS NA LIHESLATURAN GUAHAN

2001 (FIRST) Regular Session

Date: 5/11/01

VOTING SHEET

Bill No. 5D (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, Joseph F. | ✓ | | | | |
| ADA, Thomas C. | ✓ | | | | |
| AGUON, Frank B., Jr. | ✓ | | | | |
| BROWN, Joanne M. S. | ✓ | | | | |
| CALVO, Eddie B. | ✓ | | | | |
| CAMACHO, Felix P. | ✓ | | | | |
| CHARFAUROS, Mark C. | ✓ | | | | |
| FORBES, Mark | ✓ | | | | |
| KASPERBAUER, Lawrence F. | ✓ | | | | |
| LEON GUERRERO, Lourdes A. | ✓ | | | | |
| MOYLAN, Kaleo S. | ✓ | | | | |
| PANGELINAN, Vicente C. | ✓ | | | | |
| SANTOS, Angel L.G. | ✓ | | | | |
| UNPINGCO, Antonio R. | ✓ | | | | |
| WON PAT, Judith T. | ✓ | | | | |

TOTAL

15

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence

6
5/11/01

MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2001 (FIRST) Regular Session

Bill No. 50 (COR)

As amended.

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Introduced by:

V. C. Pangelinan
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MINA ' BENTE SAIS NA LIHESLATURAN GUÅHAN

Kumitehan Areklamento, Hinanao Gubetnamenton Hinirát, Rifotma yan Rinueba,
yan Asunton Fidirát, Taotao Hiyong yan Hinirát

*Senadot Mark Forbes, Gehilu
Kabisiyon Mayurát*

11 MAY 2001

Speaker Antonio R. Unpingco
I Mina' Bente Sais Na Liheslaturan Guåhan
155 Hesler Street
Hagátña, Guam 96910

Dear Mr. Speaker:

The Committee on Rules, General Governmental Operations, Reorganization and Reform, and Federal, Foreign and General Affairs, to which Bill No. 50, was referred, wishes to report its findings and recommendations **TO DO PASS BILL NO. 50: "Relative to hearings before the Worker's Compensation Commission."**

The voting record is as follows:

TO PASS

8

NOT TO PASS

0

ABSTAIN

0

TO PLACE IN INACTIVE FILE

0

Copies of the Committee Report and other pertinent documents are attached. Thank you and si Yu'os ma'ase for your attention to this matter.


MARK FORBES

Attachments



MINA BENTE SAIS NA LIHESLATURAN GUAHAN

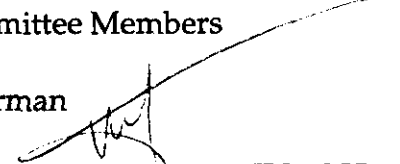
Kumitehan Areklamento, Hinanao Gubetnamenton Hinirát, Rifotma yan Rinueba,
yan Asunton Fidirát, Taotao Hiyong yan Hinirát

*Senadot Mark Forbes, Gehilu
Kabisiyon Mayurát*

11 MAY 2007

MEMORANDUM

TO: Committee Members

FROM: Chairman 

SUBJECT: Committee Report- BILL NO. 50: "Relative to hearings before the Worker's Compensation Commission."

Transmitted herewith for your information and action is the report on Bill No. 50 from the Committee on Rules, General Governmental Operations, Reorganization and Reform, and Federal, Foreign and General Affairs.

This memorandum is accompanied by the following:

1. Committee Voting Sheet
2. Committee Report
3. Bill No. 50
4. Public Hearing Sign-in Sheet
5. Fiscal Note/Fiscal Note Waiver
6. Notice of Public Hearing

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

Should you have any questions regarding the report or accompanying documents, please do not hesitate to contact me.

Thank you and si Yu'os ma'ase.

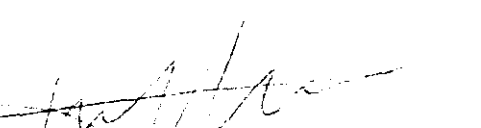
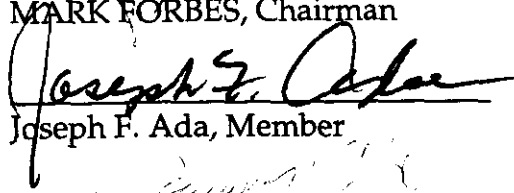
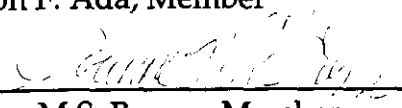
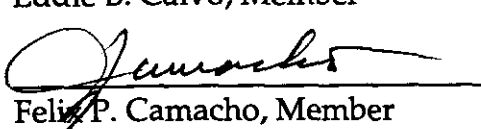
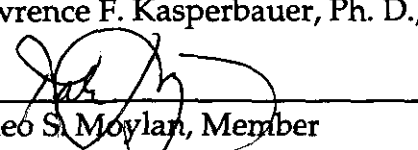
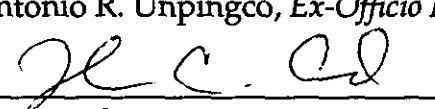
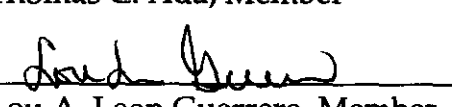
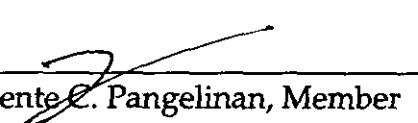
MARK FORBES

Attachments

**Committee on Rules, General Governmental Operations, Reorganization and Reform, and Federal,
Foreign and General Affairs**
I Mina' Bente Sais Na Liheslaturan Guáhan

Voting Record

BILL NO. 50 "Relative to hearings before the Worker's Compensation Commission."

| | <u>TO PASS</u> | <u>NOT TO PASS</u> | <u>ABSTAIN</u> | <u>INACTIVE FILE</u> |
|--|--------------------|------------------------|----------------|--------------------------|
|  MARK FORBES, Chairman | ✓ | _____ | _____ | _____ |
|  Joseph F. Ada, Member | ✓ | _____ | _____ | _____ |
|  Joanne M.S. Brown, Member | ✓ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| Eddie B. Calvo, Member | _____ | _____ | _____ | _____ |
|  Felix P. Camacho, Member | ✓ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| Lawrence F. Kasperbauer, Ph. D., Member | _____ | _____ | _____ | _____ |
|  Kaleo S. Moylan, Member | ✓ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| Antonio R. Unpingco, Ex-Officio Member | _____ | _____ | _____ | _____ |
|  Thomas C. Ada, Member | ✓ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
|  Lou A. Leon Guerrero, Member | ✓ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
|  Vicente C. Pangelinan, Member | ✓ | _____ | _____ | _____ |

I. OVERVIEW

The Committee on Rules, General Governmental Operations, Reorganization and Reform, and Federal, Foreign and General Affairs held a public hearing on Monday, April 23, 2001 at 2:00 p.m. at the Conference Room, Office of Senator Mark Forbes, and on Friday, May 11, 2001 at 10:00 a.m. at the Public Hearing Room, I Liheslaturan Guahan. Public Notice was advertised on the Pacific Daily News on Wednesday, 4/18/01 and Saturday, 4/21/01.

Senators present were:

Senator Mark Forbes, Chairman
Senator Tom Ada, Member
Senator Joanne M.S. Brown, Member
Senator Lou Leon Guerrero, Member
Senator Ben Pangelinan, Member
Senator Judy WonPat, Senator

II. SUMMARY OF TESTIMONY

Individuals appearing before the Committee to present oral testimony on the bill are as follows:

Leilanie V. Baza, of the Worker's Compensation Commission, Department of Labor
Manny Pablo, of the Worker's Compensation Commission, Department of Labor
David Dell'Isola, Director, Department of Labor

Leilanie V. Baza, of the Worker's Compensation Commission, Department of Labor, testified before the Committee in favor of **Bill No. 50**.

Manny Pablo, of the Worker's Compensation Commission, Department of Labor, testified before the Committee in favor of **Bill No. 50**.

David Dell'Isola, Director of the Department of Labor, testified before the Committee in favor of **Bill No. 50**. Dell'Isola said there is another problem that needs to be solved in order for the Worker's Compensation Commission to conduct formal hearings: the law requires an attorney from the Attorney General's office, but the AG's office is short on attorneys. Dell'Isola recommended that either 1) the Legislature line budget money to hire attorneys and pay for holding formal hearings, or 2) the Legislature add a section (c) to the law for the appropriation for the Worker's Compensation Commission, to allow the money be spent on holding formal hearings. Dell'Isola said that since 1995, only two formal hearings have been held, and there are 10 cases on backlog.

Sen. Pangelinan said that using a private attorney creates inherent legal conflicts, and said that an attorney at the Attorney General's office needs to be hired specifically for this purpose.

III. FINDINGS AND RECOMMENDATION

The Committee on Rules, General Governmental Operations, Reorganization and Reform, and Federal, Foreign and General Affairs finds that Bill No. 50 removes an obstacle to holding formal hearings for the Worker's Compensation Commission, which has been unable to hold hearings on backlogged cases because of a lack of funds for hiring a stenographer.

2nd Reading 3rd 6
5/11/01 5/11/01 5/11/01

1721

**MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2001 (FIRST) Regular Session**

Bill No. 50(CR)

Introduced by:

v. c. pangelinan 

**AN ACT TO AMEND §9124(b) OF TITLE 22, GUAM
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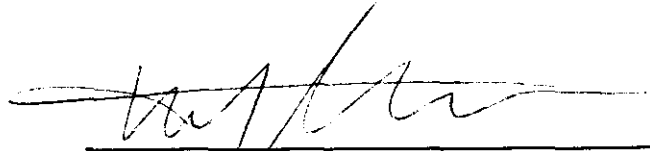
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5 public and shall be ~~stenographically reported~~ recorded. The
6 Commissioner shall, by regulation, provide for the preparation of a
7 record of the hearings and other proceedings before the Commissioner.”

WAIVER OF FISCAL NOTE

In accordance with §9105 Title 2 GCA, I hereby certify that prompt committee action on Bill 50 is necessary to the proper conduct of legislative business. Therefore, I am waiving requirement of a fiscal note on Bill 50.

A handwritten signature in black ink, appearing to read 'Mark Forbes', is written over a horizontal line.

MARK FORBES


Chairman,

Committee on Rules, General Governmental Operations,
Reorganization and Reform, and Federal, Foreign
and General Operations

MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2001 (FIRST) Regular Session

Bill No. 50(002)

Introduced by:

v. c. pangelinan 

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