

EDDIE BAZA CALVO  
Governor



RAY TENORIO  
Lieutenant Governor

*Office of the Governor of Guam*

December 10, 2012

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

31-12-1987  
Office of the Speaker  
Judith T. Won Pat, Ed. D.  
Date 12/10/12  
Time 5:20 PM  
Received by [Signature]  
2012 DEC 11 10:31

Dear Madame Speaker:

Attached is Bill No. 466-31 (LS), entitled, "**AN ACT TO AMEND § 4101(C) OF CHAPTER 4, TITLE 4, GUAM CODE ANNOATED, RELATIVE TO REQUIRING MANDATORY SKILLS ASSESSMENT TESTING AS A REQUIREMENT FOR GOVERNMENT OF GUAM EMPLOYMENT,**" which was enacted into law without the signature of *i Maga'lahaen Guåhan* as **Public Law 31-254**.

Public Law 31-254 mandates skills assessment testing as a requirement for Government of Guam employment in entry level positions. In doing so, it requires that the Director of the Department of Administration to promulgate rules and regulations that are aligned with local and federal employment laws. Through these rules, the Department can address concerns such as funding for the cost of the testing and the implementation of the testing in relation to specific occupations such as police officer positions, as well as to persons with disabilities. The identification of entry particular entry level positions can also be defined.

*Senseramente,*

  
EDDIE BAZA CALVO

1987

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

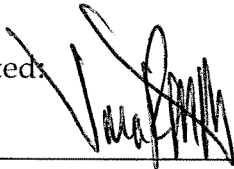
**CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN**

This is to certify that Substitute Bill No. 466-31 (LS), "AN ACT TO AMEND §4101(c) OF CHAPTER 4, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING MANDATORY SKILLS ASSESSMENT TESTING AS A REQUIREMENT FOR GOVERNMENT OF GUAM EMPLOYMENT", was on the 26<sup>th</sup> day of November 2012, duly and regularly passed.



Judith T. Won Pat, Ed.D.  
Speaker

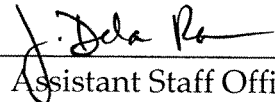
Attested:



Tina Rose Muña Barnes  
Legislative Secretary

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This Act was received by *I Maga'lahen Guåhan* this 28<sup>th</sup> day of Nov., 2012, at  
11:10 o'clock A.M.



Assistant Staff Officer  
*Maga'lahi's Office*

APPROVED:

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EDWARD J.B. CALVO  
*I Maga'lahen Guåhan*

Date: \_\_\_\_\_

Public Law No. 31-254

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

**Bill No. 466-31 (LS)**

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

Introduced by:

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

**AN ACT TO AMEND §4101(c) OF CHAPTER 4, TITLE 4,  
GUAM CODE ANNOTATED, RELATIVE TO  
REQUIRING MANDATORY SKILLS ASSESSMENT  
TESTING AS A REQUIREMENT FOR GOVERNMENT  
OF GUAM EMPLOYMENT.**

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

2        **Section 1. Legislative Findings and Intent.** *I Mina'Trentai Unu Na*  
3        *Liheslaturan Guåhan* finds that with the current financial state of the government  
4        of Guam, there needs to be a mechanism to ensure that the most qualified

employees are considered for employment to maximize the limited resources of the government of Guam.

*I Liheslaturan Guåhan* finds that with the rise in technology, the demand for skills in an occupation will increase.

*I Liheslaturan Guåhan* finds that with over eighteen thousand (18,000) job titles, the American College Testing Program, also known as ACT, has one of the most “robust” Occupational Profile Databases available. The ACT Occupational Profile Databases is comprised of occupational profiles that represent the required skills for a specific occupation. The “WorkKeys” Skills Assessment “is a job skills assessment system that helps employers select, hire, train, develop, and retain a high-performance workforce.” “WorkKeys enables you to match the work requirements important on the job to the skill levels in the pool of candidates.” This not only maximizes the candidates to their fullest potential, but also ensures that the best candidate is chosen for the the position.

*I Liheslaturan Guåhan* finds that there needs to be a requirement for the assessment of job related skills to ensure that the government of Guam has the most qualified and proficient professionals to meet the needs of our public sector.

**Section 2.** §4101(c) of Chapter 4, Title 4 of the Guam Code Annotated, is *amended* to read as follows:

“(c) All new employment in the service of the government of Guam *shall* have, as a reasonable measure of job performance, the minimum requirement of a high school diploma *or* a successful completion of a General Education Development (GED) test *or* any equivalent of a general education high school program, apprenticeship program *or* successful completion of certification program, from a recognized, accredited or certified vocational technical institution, in a specialized field required for the job. For entry-level positions, a formal nationally recognized

1       foundational skills assessment *shall* be required for consideration for  
2       employment. For government of Guam positions in which basic employment  
3       requirements are set forth by the U.S. Federal Government, a formal  
4       nationally recognized foundational skills assessment is preferred. Positions  
5       in which a formal nationally recognized foundational skills assessment is  
6       preferred include, but are *not* limited to, all entry level positions, law  
7       enforcement positions, positions that deal with public safety, and other new  
8       employment positions identified and deemed necessary by the Director. The  
9       Director *shall* implement rules and regulations that are aligned with local  
10      and federal employment laws.

11      This Subsection *shall not* be applicable to the Summer Youth Employment,  
12      and any person with a disability which prevents him or her from complying with  
13      this Section consistent with the Americans with Disabilities Act, or its successor  
14      laws.”

15      **Section 3. Effective Date.** Upon the enactment of this Act, the Director  
16      *shall* have *no more than* three hundred sixty-five (365) days to implement the  
17      provisions in this Act.

18      **Section 4. Severability.** If any provision of this Law or its application to  
19      any person or circumstance is found to be invalid or contrary to law, such  
20      invalidity shall not affect other provisions or applications of this Law which can be  
21      given effect without the invalid provisions or applications, and to this end the  
22      provisions of this Law are severable.

# I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN

2012 (SECOND) Regular Session

Date: 11/26/12

## VOTING SHEET

§Bill No. 466(LS)

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.					EA
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. III		*			
YAMASHITA, Aline A.	✓				

**TOTAL**

12      1      0      0      2

CERTIFIED TRUE AND CORRECT:

  
Clerk of the Legislature

\* 3 Passes = No vote  
EA = Excused Absence

SENATOR BENJAMIN J.F. CRUZ, VICE SPEAKER  
Chairman, Committee on Youth, Cultural Affairs, Procurement,  
General Government Operations, and Public Broadcasting.  
Web Address: [www.senatorbjcruz.com](http://www.senatorbjcruz.com)



*I MINA' TRENTAI UNU NA LIHESLATURAN GUAHAN*  
The 31<sup>st</sup> Guam Legislature • [senator@senatorbjcruz.com](mailto:senator@senatorbjcruz.com)  
155 Hesler Place, Hagatna, Guam 96910  
Telephone: (671) 477-2520/1 • Fax: (671) 477-2522

November 16, 2012

The Honorable Judith T. Won Pat  
Speaker

*I Mina' Trentai Unu Na Liheslatuaran Guahan*  
31<sup>st</sup> Guam Legislature  
155 Hesler Place  
Hagatna, Guam 96910

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

2012 NOV 20 AM 7:59

RE: Committee Report on Bill No. 466-31 (LS) **AS SUBSTITUTED**

Dear Speaker Won Pat:

Transmitted herewith is the Report of Committee on Youth, Cultural Affairs, Procurement General Government Operations and Public Broadcasting on Bill No. 466-31 (LS) - An act to amend §4101 sub-item C, Title 4 Guam Code Annotated, Chapter 4, relative to requiring mandatory skills assessment testing as a requirement for government of Guam employment.

Committee votes are as follows:

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

Sincerely,

  
BENJAMIN J.F. CRUZ

Chairperson



## COMMITTEE REPORT

ON

### Substitute Bill No. 466-31 (LS)

**Bill No. 466-31 (LS) - Sam Mabini, Ph.D. - An act to amend §4101 sub-item C, Title 4 Guam Code Annotated, Chapter 4, relative to requiring mandatory skills assessment testing as a requirement for government of Guam employment.**






November 15, 2012

**MEMORANDUM**

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

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

**SUBJECT:** Committee Report on Bill No. 466-31(LS) AS SUBSTITUTED

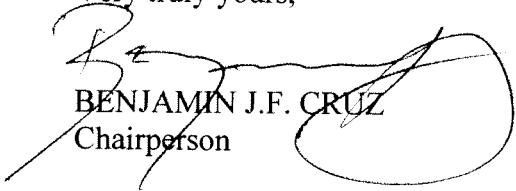
Transmitted herewith for your consideration is the Committee Report on Bill No. 466-31 (LS) - Sam Mabini, Ph.D. - An act to amend §4101 sub-item C, Title 4 Guam Code Annotated, Chapter 4, relative to requiring mandatory skills assessment testing as a requirement for government of Guam employment.

This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Bill No. 466-31(LS)
- Substitute Bill No. 466-31 (LS)
- Public Hearing Sign-in Sheet
- COR Referral of Bill No. 466-31(LS)
- Fiscal Note Requirement
- Notices of Public Hearing
- Public Hearing Agenda

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

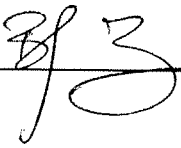
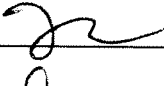





Very truly yours,

  
BENJAMIN J.F. CRUZ  
Chairperson



## COMMITTEE VOTING SHEET

**Bill No. 466-31 (LS) - Sam Mabini, Ph.D. - An act to amend §4101 sub-item C, Title 4 Guam Code Annotated, Chapter 4, relative to requiring mandatory skills assessment testing as a requirement for government of Guam employment.**

COMMITTEE MEMBERS	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
<b>CRUZ, BENJAMIN J.F.</b> Chairperson				11/16/12		
<b>MUÑA BARNES, TINA ROSE</b> Vice-Chairperson						
<b>WON PAT, JUDITH T.</b> Speaker and Ex-Officio Member						
<b>ADA, THOMAS C.</b> Member				11/16/12		
<b>GUTHERTZ, JUDITH P.</b> Member				11/16/12		
<b>RESPICIO, RORY J.</b> Member						
<b>RODRIGUEZ, DENNIS G. JR.</b> Member				11/16/12		
<b>ADA, V. ANTHONY</b> Member		11/15/12				
<b>DUEÑAS, CHRISTOPHER</b> Member						
<b>MABINI, SAM</b> Member		11/15/12				
<b>YAMASHITA, ALINE</b> Member				11/16/12		



## **Committee Report Digest**

### **I. OVERVIEW**

The Committee on Youth, Cultural Affairs, Procurement, General Government Operations and Public Broadcasting convened a public hearing on August 13, 2012 at 10:00 am in *I Liheslatura's* Public Hearing Room.

### **Public Notice Requirements**

Notices were disseminated via e-mail to all senators and all main media broadcasting outlets on August 6, 2012 (5-Day Notice), and August 8, 2012 (48 Hour Notice).

#### **(a) Committee Members and Senators Present**

1. Vice Speaker Benjamin J.F. Cruz, Member
2. Senator V. Anthony Ada
3. Senator Sam Mabini, Ph.D.
4. Senator Aline A. Yamashita, Ph.D.
5. Senator Rory J. Respicio
6. Senator Thomas C. Ada
7. Senator Mana Silva Taijeron
8. Senator Adolpho B. Palacios, Sr.

#### **(b) Appearing before the Committee**

1. Victor Rodgers – Assistant Director, Continuing Education and Workforce Development, Guam Community College

#### **(c) Written Testimonies Submitted**

1. Victor Rodgers – Assistant Director, Continuing Education and



## Workforce Development, Guam Community College

### II. SUMMARY OF TESTIMONY AND DISCUSSION

**Vice Speaker B.J.F. Cruz** announced Bill No. 466-31 (LS) then introduced Senator Mabini as the sponsor with opening remarks.

**Senator Sam Mabini, Ph.D.** stated that Bill No. 466-31 (LS) is a fairly simple legislation to require assessment testing as part of consideration for employment. Senator Mabini said, new employees have certain minimum hiring requirements. This legislation will require that entry level positions use a form of national assessment to assess their foundational skills for their respective jobs. Senator Mabini said the assessment is not arbitrarily for entry level positions. Senator Mabini asserted the assessment will be applied to law enforcement and public safety agencies as well as new positions created by directors. Senator Mabini said it is her hope that this testing method will be used for hiring in addition to promotion, transfer, and identification.

**Senator Thomas C. Ada** asked whether or not the Department of Administration had submitted written testimony or intends to provide oral testimony as the agency that does the ratings.

**Vice Speaker B.J.F. Cruz** asserted that invitations were sent to the Department of Administration, but he had not received testimony.

**Senator Sam Mabini, Ph.D.** stated that the Department of Administration was involved in the development of the bill, but that she does not know if they will attend the public hearing.

**Vice Speaker B.J.F. Cruz** called on Victor Rodgers to testify.



**Victor Rodgers – Assistant Director, Continuing Education and Workforce Development, Guam Community College** submitted and read written testimony in favor of Bill No. 466-31 (LS). Rodgers stated one aspect of our leadership in career and workforce development is to ensure skilled workers find employment and that the employee-employer relationship is mutually beneficial. Skills assessments like the American College Testing Program (ACT) provide a realistic view of how a potential employee will be able to function in a job.

**Senator Sam Mabini, Ph.D.** thanked Guam Community College for their support then she asked if the particular skill assessment in discussion is well accepted throughout the nation.

**Victor Rodgers – Assistant Director, Continuing Education and Workforce Development, Guam Community College** stated that Senator Mabini is correct. Rodger further asserted that it is the work readiness credential that is recognized by all departments of labor as well as industry leaders and businesses that use assessment as a hiring tool for succession planning and the management of human resources.

**Senator Sam Mabini, Ph.D.** asserted that members of her office had taken a similar assessment and that gave her a degree of assurance that her staff had the quality and skills need to run her office. Senator Mabini asked for an explanation for how the skill assessment is operating on Guam.

**Victor Rodgers – Assistant Director, Continuing Education and Workforce Development, Guam Community College** stated that business including the Bank of Guam partnered with Guam Community College and uses the work keys assessment as their sole hiring tool – all potential employees take the assessment and the assessment is used to place them within the ladder of the Bank of Guam organization. Rodgers asserted that the Guam Power Authority uses the assessment as do smaller agencies and they are getting ready to start a community access point that will be village specific with the first one located in Inarajan. They are working with businesses to bring computers and internet to the area so



that they will have access to the assessment tool. Rodgers asserted that while many assessments mechanisms exist, this one is among the few that ties into an occupational field and it has a tutorial component that allows an individual that tested below where they would like to be to upscale themselves by their own effort. Rodgers stated that it takes about twenty hours on the computer to go up one level – there are four primary levels for each certification level – bronze, silver, gold, and platinum – and so to go from a bronze to silver one would need about twenty hours for that particular field. We are very confident that it is EOC verified.

**Senator Sam Mabini, Ph.D.** asked how the assessment program would work with Department of Administration personnel hiring.

**Victor Rodgers – Assistant Director, Continuing Education and Workforce Development, Guam Community College** stated that the way it could possibly be integrated is to look at the entry level positions – they have over eighteen thousand occupations that have already been tested – by tested we mean they have been analyzed – the data points in order to be successful within those occupations have already been mapped out and validated – we already know they exist – so I would envision seeing those existing ones put in and seeing where the correlation is. So for example, office assistant or administrative assistant – we know where they are at – and then having those people that would potentially want to work for the government of Guam to have that score prior to being hired for that position so that we know we would be getting the most for our dollar.

**Vice Speaker B.J.F. Cruz** stated that for the information of the committee he received a text from Director Manglona at the Department of Administration that she will submit written testimony. Senator Cruz then asked how much the assessment costs.

**Victor Rodgers – Assistant Director, Continuing Education and Workforce Development, Guam Community College** stated that the final actual cost of the assessment is \$56.00.

**Vice Speaker B.J.F. Cruz** asked how current and incumbent employees would be



handled with regard to the assessment.

**Victor Rodgers – Assistant Director, Continuing Education and Workforce Development, Guam Community College** stated that at the Guam Community College they are in the process of having everyone test. Rodger said they have given everyone access to the Key Train component – that is the actual tutorial component – so they can have a pretest. As a result of taking the Key Train, it then builds in modules so that it is an intuitive individual program. Rodgers said if a person takes the pretest, it says this is where they are at then it builds in modules so that every time a person logs in online, they can work through their modules to get better. Rodgers asserted it is a good process because it is not like taking the same test until a person finally lucks out and passes. The assessment actually builds upon ones knowledge base so that a person goes from level to level – that is what they are doing for all the administrators and staff at GCC with the idea that they will be taking the assessment at the end of August.

**Vice Speaker B.J.F. Cruz** asked who specifically pays for the assessment at GCC.

**Victor Rodgers – Assistant Director, Continuing Education and Workforce Development, Guam Community College** stated GCC will have to determine if they have any incentive monies through Continuing Education to pay for it.

**Vice Speaker B.J.F. Cruz** said I thought you said you have implemented the assessment at GCC.

**Victor Rodgers – Assistant Director, Continuing Education and Workforce Development, Guam Community College** stated they have implemented the start of the program – the actual start of getting the certificate the end of it where we actually test everyone - my office has been tested and quite a few of our staff – but as an overall administration and staff – we want them to take the Work Keys and have an assessment – this will likely come out of my office because with Continuing Education we monitor the whole program.

**Vice Speaker B.J.F. Cruz** asked for another elaboration of the 20 hours it would



take to get to the next level.

**Victor Rodgers – Assistant Director, Continuing Education and Workforce Development, Guam Community College** stated once a person takes the assessment it provides a grade. For a person to get from bronze to silver it will take about twenty hours on the computer because the person works through the modules to get to the next level, but the twenty hours is an average because with some people it will take three hours.

**Vice Speaker B.J.F. Cruz** asked how much the additional 20 hours of testing would cost.

**Victor Rodgers – Assistant Director, Continuing Education and Workforce Development, Guam Community College** stated the initial modules that people would utilize is free through GCC.

**Senator Aline A. Yamashita, Ph.D.** stated that she is very interested in what the Director of the Department of Administration has to say about Bill No. 466-31 (LS). Yamashita asked whether Mr. Rodgers knows how the Department of Labor administers its test and who pays the fees.

**Victor Rodgers – Assistant Director, Continuing Education and Workforce Development, Guam Community College** stated Department of Labor gave the initial assessment to over seven hundred people. Rodgers stated that the \$56 payment for the assessment is done individually. Rodgers further affirmed that the assessment is national; therefore, anyone taking it can use it anywhere they live or relocate throughout the nation.

**Senator Aline A. Yamashita, Ph.D.** stated this type of 21<sup>st</sup> century reciprocity is a good reason to look into this assessment. Senator Yamashita stated hearing information from Director Manglona and the Department of Labor would help in determining a way to leverage resources. Yamashita stated that she looks forward to getting testimony from other agencies.





**Senator Adolpho B. Palacios, Sr.** stated that there are entry level positions within the government of Guam that have their own screening process. For example the Guam Police Officers require no less than a GED or High School Diploma and three types of tests – the agility test, written test, and oral test – what then would be the relationship between these tests and what Bill No 466-31 (LS) proposes to establish and require? Most positions within the government of Guam already require some type of pre-employment assessment. I am concerned that if we establish this assessment the results will not reconcile with the tests currently being used by the Department of Administration

**Victor Rodgers – Assistant Director, Continuing Education and Workforce Development, Guam Community College** stated that he agrees with Senator Palacios because when multiple tests occur, multiple problems occur. Rodgers stated that he does not mean criteria because the assessment consists of generalized criteria – rather he means different levels of assessment a problem exists. Rodgers said he cannot speak to other assessment tools being used, but the assessment they have been using at GCC has been used for twenty years and is a really good tool.

**Senator Adolpho B. Palacios, Sr.** stated that is one is applying for the position of police officer an expected skill has already been set for the prospective employee. The tests given based on the expected skill determine if a person is capable of being a police officer, for example the fitness test, is a specific requirement. If the assessment as proposed is just to assess potential for any position then it is too broad because it more about knowing where you stand as an applicant as opposed to applying for a job. Senator Palacios further stated that he is curious as to how this would fit into our government when there are existing tests for specific positions like clerk, firefighter, and EMT.

**Victor Rodgers – Assistant Director, Continuing Education and Workforce Development, Guam Community College** stated that Senator Palacios makes a great point. Rodgers stated that there are additional criteria for all types of employment. One such criterion is a high school diploma. Rodgers stated that he



tests many individuals that have graduated high school and he finds that many of them are below the 9<sup>th</sup> and 10<sup>th</sup> grade level for reading and math. Now, if the basis for employment is a high school diploma they will be equal, but an assessment allows, for example the Guam Police Department, to use another tool to determine what an applicant's foundational skills are. This assessment states that they have to perform math, reading, and writing at a certain level in addition to the expected skills required of a police officer. This gives us another indicator that we are hiring the absolute best.

**Senator Adolpho B. Palacios, Sr.** stated that he sees the value of an assessment if it perhaps is made optional as something that the Department of Administration can put credit into or honor in some capacity. Perhaps it can be a provision seen as an enhancement of qualifications as part of a promotional period as well. In that regard it would be valuable to any person to take this type of assessment.

**Senator Thomas C. Ada** stated that although Director Manglona called in to state that the Department of Administration will be submitting written testimony, he is extremely concerned that the head of the agency that actually does the ratings is not present to respond to these questions. Senator Ada asserted that he has reservations about Bill No. 466-31 (LS) because according to the legislation it makes the assessment mandatory for "Entry-level positions, a formal nationally recognized foundational skills assessment *shall* be required." Senator Ada stated this means that according to how the bill is written, whatever assessment tools we use now will be thrown out for this option. Senator Ada asked if the assessment tool removes subjectiveness that exists in current assessments.

**Victor Rodgers – Assistant Director, Continuing Education and Workforce Development, Guam Community College** stated the assessment is completely objective and confidential. Rodgers stated it is impossible to cheat on the test due to identification checks. Once complete the assessment is sent to Iowa for a certificate even though they can get immediate results.

**Senator Thomas C. Ada** stated that his reservations are in the Legislative



Findings and intent that states a need to “Ensure that the most qualified employees are considered for employment.” Senator Thomas Ada stated that when he reads that it makes him think that based on the tools in use now, we have numerous unqualified employees being hired, which he is in disagreement. Senator Thomas Ada further stated that what we are trying to achieve is that the government will get leaner, but be able to do much more. However, employees must be provided the right tools, resources, and training. If this is not done, then even the best entry-level employees will not achieve the effectiveness we expect. This is demonstrated by the fact that when Guam Waterworks Authority became a private/public partnership they brought in a Performance Management Contractor that was able to provide employees tools and training. The employees already had the skills that were necessary, but they needed the guidance. Senator Thomas Ada stated that the assessment tool may be great, but not provide entry-level employees and employees in general the tools and resources necessary to obtain the level of proficiency expected leaves him with concerns about how Bill No. 466-31 (LS) is written regarding mandatory assessment.

**Victor Rodgers – Assistant Director, Continuing Education and Workforce Development, Guam Community College** stated that Senator Thomas Ada has made great points. Rodgers stated that when he began reviewing the assessment tool he reviewed what businesses were using it for. Rodgers stated that they received feedback that the assessment saved money normally used for training employees because employees that took the assessment were more quickly able to grasp the information need for the job. Saving thousands of dollars on entry level training can then be transferred to ongoing or retraining of existing employees or into new business opportunities.

**Senator V. Anthony Ada** stated that Bill 466-31 (LS) deletes the paragraph that provides exceptions for high school students or those with disabilities that was at the end of the amended paragraph (c).

**Senator Sam Mabini, Ph.D.** asserted that as an unintentional deletion.

**Senator Rory J. Respicio** stated he too is interested to hear the Department of



Administrations position on Bill No. 466-31 (LS). Senator Respicio stated he would like to know the Department of Labor's view and what the Agency for Human Resources Development states about Bill No. 466-31 (LS). Senator Respicio stated that the bill recognizes the current state of the island of Guam by setting up qualifiers so that the government of Guam will hire the best. However, tools and resources will be needed as well as pay commensurate to these jobs due to adding additional standards. This would mean that entry-level pay would go up.

**Victor Rodgers – Assistant Director, Continuing Education and Workforce Development, Guam Community College** stated he is not in a position to answer that question, but that he would hope pay would be commensurate with paying for the best. Certainly one of the considerations has to be that extra certification based on assessment translates either into higher pay or gets a prospective employee in the door.

**Senator Rory J. Respicio** stated that if employees are getting in at a current standard and that standard is raised due to the ACT assessment then the government should be raising salaries for entry-level positions to bring in better people for these jobs. Senator Respicio noted that Bill No. 466-31 (LS) does not provide a funding mechanism, but there could be some funding through the Workforce Reinvestment Act. Senator Respicio stated that it takes ten days to get the certification.

**Victor Rodgers – Assistant Director, Continuing Education and Workforce Development, Guam Community College** stated that applicants will get their results immediately upon completion of the test, but that the actual certification requires ten days.

**Senator Rory J. Respicio** stated it would take a multi-agency coordination to make the assessment fit, but what needs to be resolved is the \$56.00 fee for the assessment and who needs to pay – currently the government of Guam pays for drug testing not the applicant. We need to be extremely sure that we know who is going to pay for the assessment.



**Senator Mana Silva Taijeron** stated she has similar concerns to those of Senator Respicio and Senator Palacios as it relates to additional costs for applicants or the government of Guam for the assessment. Senator Taijeron inquired if it is possible to incorporate the assessment into the current curriculum being used to train employees.

**Victor Rodgers – Assistant Director, Continuing Education and Workforce Development, Guam Community College** stated there are various methods for its inclusion and that it could be built into a curriculum with the cost of the assessment included.

**Senator Sam Mabini, Ph.D.** stated that she sees the ACT assessment as a valuable tool to the individual and the government of Guam because it is a nationally recognized assessment with a nationally recognized certificate that can be transferred from one career to another. Senator Sam Mabini, Ph.D. stated her thanks and appreciation to Mr. Rodgers for his testimony.

### III. FINDINGS & RECOMMENDATIONS

The Committee on Youth, Cultural Affairs, Procurement, General Government Operations and Public Broadcasting to which was referred Bill No. 466-31 (LS) “An act to amend §4101 sub-item C, Title 4 Guam Code Annotated, Chapter 4, relative to requiring mandatory skills assessment testing as a requirement for government of Guam employment.” hereby submits these findings to *I Mina' Trentai Unu na Liheslaturan Guahan* and reports out Substitute Bill No. 466-31 (LS) with a recommendation:

To Report OUT ONLY

*I MINA 'TRENTAI UNU NA LIHESLATURAN GUÅHAN*

2012(Second) Regular Session

2012 MAY 29 PM 1:38

Bill No. 466-31 (LS)

Introduced by:

Sam Mabini, Ph.D.

**AN ACT TO AMEND §4101 SUB-ITEM C, TITLE 4 GUAM  
CODE ANNOTATED, CHAPTER 4, RELATIVE TO  
REQUIRING MANDATORY SKILLS ASSESSMENT  
TESTING AS A REQUIREMENT FOR GOVERNMENT OF  
GUAM EMPLOYMENT.**

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

1       **Section 1. Legislative findings and intent.** *I Mina 'Trentai Unu Na Liheslaturan* finds  
2 that with the current financial state of the Government of Guam, there needs to be a mechanism  
3 to ensure that the most qualified employees are considered for employment to maximize limited  
4 resources of the Government of Guam.

5       *I Liheslaturan* finds that with the rise in technology, the demand for skills in an  
6 occupation will increase.

7       *I Liheslaturan* finds that with over 18,000 job titles, The American College Testing  
8 Program, also known as ACT, has one of the most “robust” Occupational Profile Databases  
9 available. The ACT Occupational Profile Databases is comprised of Occupational profiles that  
10 represent the required skills for a specific occupation. The “WorkKeys” Skills Assessment “is a  
11 job skills assessment system that helps employers select, hire, train, develop, and retain a high-  
12 performance workforce.” “WorkKeys enables you to match the work requirements important on  
13 the job to the skill levels in the pool of candidates.” This not only maximizing the candidates to  
14 their fullest potential, but also ensuring that the best candidate is chosen for the the position.

15       *I Liheslaturan* finds that there needs to be a requirement for the assessment of job related  
16 skills to ensure that Government of Guam has the most qualified and proficient professionals to  
17 meet the needs of our public sector.

1           **Section 2:**§4101 of Chapter 4 (C), Title 4 of the Guam Code Annotated is amended to  
2 read as follows:

3       “(c) All new employment in the service of the government of Guam shall have, as a reasonable  
4 measure of job performance, minimum requirement of high school diploma or a successful  
5 completion of General Education Development (GED) test or any equivalent of a general  
6 education high school program, apprenticeship program or successful completion of certification  
7 program, from a recognized, accredited or certified vocational technical institution, in  
8 specialized field required for the job. For entry-level positions, a formal nationally recognized  
9 foundational skills assessment shall be required for consideration for employment. For  
10 Government of Guam positions in which basic employment requirements are set forth by the  
11 U.S. Federal Government, a formal nationally recognized foundational skills assessment is  
12 preferred. Positions in which a formal nationally recognized foundational skills assessment is  
13 preferred include, but are not limited to, all entry level positions, law enforcement positions,  
14 positions that deal with public safety, and other new employment positions identified and  
15 deemed necessary by the Director. The Director shall implement rules and regulations that are  
16 aligned with local and federal employment laws.”

17       **Section 3: Effective Date.** Upon enactment of this act, the Director shall have no more  
18 than 365 days to implement provisions in this act.

19       **Section 4: Severability.** If any provision of this Law or its application to any person or  
20 circumstance is found to be invalid or contrary to law, such invalidity shall not affect other  
21 provisions or applications of this Law which can be given effect without the invalid provisions  
22 or applications, and to this end the provisions of this Law are severable.

*I MINA 'TRENTAI UNU NA LIHESLATURAN GUÅHAN*

2012(Second) Regular Session

Bill No. 466-31 (LS)

As Substituted by the Committee on Youth, Cultural Affairs,  
Procurement, General Government Operations  
And Public Broadcasting.

Introduced by:

Sam Mabini, Ph.D.

AN ACT TO AMEND §4101 SUB-ITEM C, TITLE 4 GUAM  
CODE ANNOTATED, CHAPTER 4, RELATIVE TO  
REQUIRING MANDATORY SKILLS ASSESSMENT  
TESTING AS A REQUIREMENT FOR GOVERNMENT OF  
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13 Government of Guam positions in which basic employment requirements are set forth by the  
14 U.S. Federal Government, a formal nationally recognized foundational skills assessment is  
15 preferred. Positions in which a formal nationally recognized foundational skills assessment is  
16 preferred include, but are not limited to, all entry level positions, law enforcement positions,  
17 positions that deal with public safety, and other new employment positions identified and  
18 deemed necessary by the Director. The Director shall implement rules and regulations that are  
19 aligned with local and federal employment laws.”

20           This Subsection *shall* not be applicable to the Summer Youth Employment and any  
21 person with a disability which prevent him or her from complying with this Section consistent  
22 with the Americans with Disabilities Act or its successors laws.

23           **Section 3: Effective Date.** Upon enactment of this act, the Director shall have no more  
24 than 365 days to implement provisions in this act.

25           **Section 4: Severability.** If any provision of this Law or its application to any person or  
26 circumstance is found to be invalid or contrary to law, such invalidity shall not affect other  
27 provisions or applications of this Law which can be given effect without the invalid provisions  
28 or applications, and to this end the provisions of this Law are severable.

*IMINA'TRENTAI UNU'NA LIHESLATURAN GUAHAN*  
The 31<sup>st</sup> Guam Legislature • [senator@senatorbjcrutz.com](mailto:senator@senatorbjcrutz.com)  
155 Hesler Place, Hagatna, Guam 96910  
Telephone: (671) 477-2520/1 • Fax: (671) 477-2522

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

[illegible]



August 13, 2012

Honorable Benjamin J.F. Cruz  
Chairperson  
Committee on Youth, Cultural Affairs, Procurement,  
General Government Operations and Public Broadcasting  
I Mina'Trentai Unu Na Liheslaturan Guahan  
155 Hesler Place  
Hagatña, GU 96910

Hafa Adai Vice Speaker Cruz,

The Guam Community College would like to submit testimony *in support* of Bill 466-31 (LS). The mission of the Guam Community College is to be a leader in career and technical workforce development by providing the highest quality education and job training in Micronesia. One aspect of our leadership in career and workforce development is to ensure skilled workers find employment and that the employee-employer relationship is mutually beneficial.

As an employer, we ask the questions:

1. How can we hire the most qualified employee?
2. How can we maximize the return on investment ("ROI") on training?
3. How can we improve the retention rates of our employees?
4. Which skills are essential for our organization's future?

The singular answer to all four questions is foundational skills assessment with credentials. More specifically, industry recognized evidence-based credentials that certify the essential foundational skills needed for workplace success ensure reliable workers for any employment position and illustrates how these skills link to workplace success. Foundational skills assessments can be used to screen for communication, problem solving, and interpersonal skills. Skills assessments provide a realistic view of how a potential employee will be able to function in a job. They also help improve the selection of employees for each position and provide employees with confidence and an awareness that they can develop into something more. Additionally, assessments are used to identify essential skills and skill levels for selection, hiring, and training.

Over two decades of research validate that assessments measure "**real world**" workplace skills critical to job success. These skills are valuable for any occupation—skilled or professional—at any level of education, and in any industry. Work readiness certifications are contextualized for the workplace. The Departments of Labor in all 50 states recognize work readiness certifications. Attached to this letter of support is a document that identifies programs in 33 states that utilize the same career readiness certification currently offered by the Guam Community College.

The Government of Guam would significantly benefit from utilizing work readiness certification as a method of job screening, ensuring the right individual is selected for the right job. The work readiness certificate would certify the individual's level of:

- cognitive skills in problem solving, critical thinking, reading and using work-related text,
- applying information from workplace documents to solve problems,
- applying mathematical reasoning to work-related problems,
- setting up and performing work-related mathematical calculations,
- locating, synthesizing, and applying information that is presented graphically,
- comparing, summarizing, and analyzing information presented in multiple, related graphics.

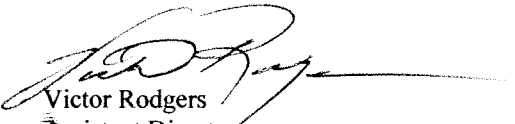
*P.O. Box 23069 GMF Barrigada, Guam 96921*



In our current financial situation, it is imperative that we only hire the absolute best. We cannot afford inefficiency or indeed anything less than excellence from those who represent the Government of Guam in our dealings with the public. By utilizing this system, we can support the Governor's vision of providing outstanding service, attention to detail, and individuals who are fundamentally prepared to move our agencies into the 21<sup>st</sup> century. The other side of the coin is the benefit assessment and credentials bring to the individual. Not only does it make them more competitive but it highlights their strengths and gives them an idea of areas they need to improve upon. Ultimately, this system will benefit not only the Government of Guam but the community and citizens of our great island.

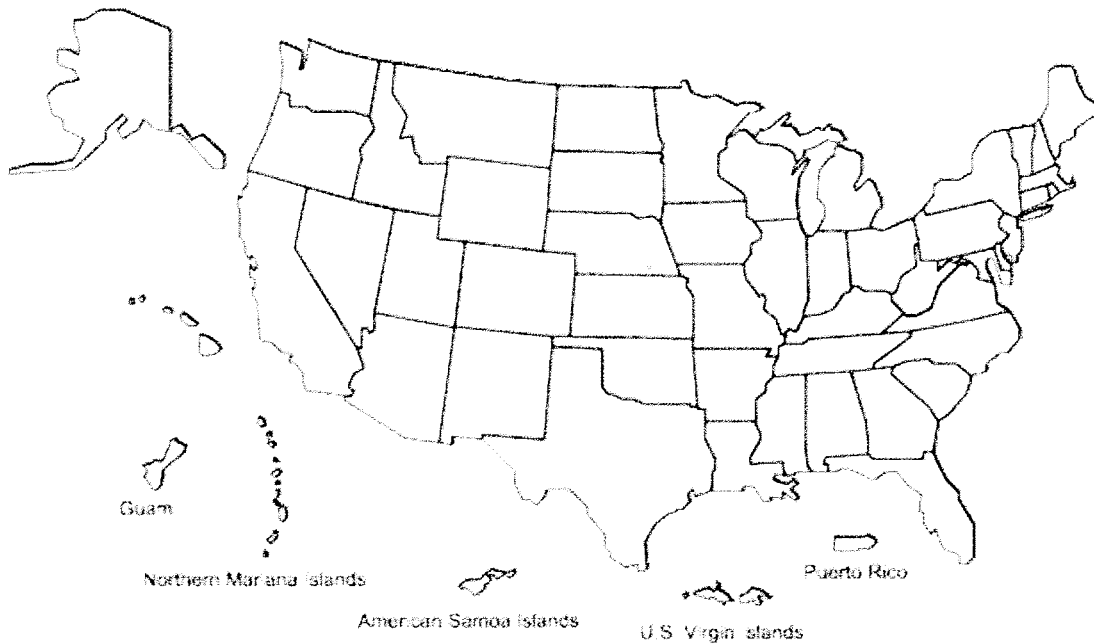
The Guam Community College fully supports Bill 466-31 (LS) and the spirit in which it was introduced as a significant step towards up-scaling the people and positions of our government.

Si Yu'us Ma'åse',



Victor Rodgers  
Assistant Director  
Continuing Education and Workforce Development  
Guam Community College

## Individuals Are Taking a Stand



### **Total Registered Certificates** *last updated October 25, 2010*

- Platinum Certificates: 3,171
- Gold Certificates: 133,518
- Silver Certificates: 370,529
- Bronze Certificates: 184,696
- **Total Certificates: 691,914**

ACT began issuing National Career Readiness Certificates in September 2006. Each Certificate is assigned a unique registration number that indicates the Certificate's authenticity. Employers can also use the registration number to verify the details of an individual's Certificate.

The numbers listed above represent the National Career Readiness Certificates registered in ACT's database.

### **National Career Readiness Certificate Programs**

*P.O. Box 23069 GMF Barrigada, Guam 96921*



*Kolehon Kominidat Guahan*

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#### Alaska

The National Career Readiness Certificate is being issued in Alaska by the Department of Labor and Department of Education. Both departments have been issuing The Certificate since the spring of 2008.

#### Arizona

Arizona has regional activity with the City of Phoenix, Tucson Unified School District, and Yavapai College.

#### Arkansas

The University of Arkansas–Fort Smith is issuing the National Career Readiness Certificate to students.

#### California

California has regional programs with the Central Coast Consortium and Work2Future. Both programs began in July 2009.

#### Connecticut

Connecticut began issuing the National Career Readiness Certificate in May 2008. Testing is done through Department of Labor locations across the state. They continue to issue credentials on a weekly basis, while raising recognition of the credential statewide.

#### Florida

The Florida Ready to Work program issues state certificates with an ACT-authorized certificate number for employers to verify using the National Career Readiness Certificate database.

#### Georgia

Georgia Work Ready was launched by Governor Sonny Perdue in August 2006. As part of Georgia Work Ready, individuals receive state certificates with an ACT-authorized certificate number for employers to verify in the National Career Readiness Certificate database.

#### Guam

In 2010, the Department of Labor and the Guam Community College began issuing National Career Readiness Certificates.

#### Hawaii

National Career Readiness Certificates are being issued by the O'ahu Workforce Investment Board.

#### Illinois

Illinois has numerous high schools and community and technical colleges, as well as a youth outreach program, issuing the National Career Readiness Certificate. This regional activity began in early 2009.

#### Indiana

*P.O. Box 23069 GMF Barrigada, Guam 96921*



*Kulohon Kummuniidat Guåhan*

The Indiana Department of Workforce Development and WorkOne have established a statewide National Career Readiness Certificate program. For more information, contact:

Patty Spencer

Product Development Coordinator WorkOne

812/941-6419

[pspencer@jobworksinc.org](mailto:pspencer@jobworksinc.org)

#### Iowa

In April 2009, The Iowa Department of Workforce Development implemented a statewide National Career Readiness Certificate program.

#### Kentucky

The state of Kentucky's Office of Employment and Training implemented a statewide National Career Readiness Certificate program. The Certificate is signed by Governor Steve Beshear and Dave Adkisson, president and CEO of the Kentucky Chamber of Commerce.

#### Louisiana

The Louisiana Workforce Commission, which is made up of the Department of Labor and Department of Education, is now offering the National Career Readiness Certificate statewide.

#### Maryland

Allegany College of Maryland and Anne Arundel Community College are now issuing the National Career Readiness Certificate.

#### Michigan

In 2006, Michigan began regionally adopting the National Career Readiness Certificate by organizing and developing leadership teams across the state to advocate and drive adoption. Recently, the Department of Labor and Economic Growth (DLEG) established a statewide initiative that includes a co-branded Certificate signed by Governor Jennifer Granholm.

#### Minnesota

Minnesota has regional adoption throughout the state and has been issuing National Career Readiness Certificates since July 2009.

#### Missouri

The Missouri Division of Workforce Development is now issuing the National Career Readiness Certificate. The Missouri state seal and Governor Jay Nixon's signature are printed on The Certificate.

#### Montana

*P.O. Box 23069 GMF Barrigada, Guam 96921*



*Kolehon Kurninidat Guåhan*

The Montana Department of Labor and Industry have implemented a statewide National Career Readiness Certificate program. The Certificate is signed by Governor Brian Schweitzer.

#### Nebraska

Nebraska has one community college issuing the National Career Readiness Certificate. Mid-Plains Community College implemented the program in January 2009.

#### Nevada

Truckee Meadows Community College and Nevada State High School are issuing the National Career Readiness Certificate.

#### New Jersey

In New Jersey, National Career Readiness Certificates are being issued by the Edison Job Corps Academy.

#### New Mexico

The National Career Readiness Certificate is being issued in New Mexico by the Department of Labor, in conjunction with New Mexico Technet and the Department of Corrections. Credentials are signed by Governor Bill Richardson and Terri Cole, chair of the New Mexico Workforce Development Board. Certificates have been distributed to individuals since October 2008.

#### New York

In New York, National Career Readiness Certificates are being distributed regionally through Syracuse University, Northern Area Health Education Center (NAHEC), Corning Community College, and the South Bronx and Brooklyn Job Corps Academies.

#### North Carolina

As of October 2009, the North Carolina program issues state certificates with an ACT-authorized certificate number for employers to verify in the National Career Readiness Certificate database.

#### Ohio

Ohio has regional activity, with numerous career centers, community colleges and a school district issuing the National Career Readiness Certificate.

#### Oklahoma

The Comanche Nation College in Oklahoma is issuing the National Career Readiness Certificate.

#### Oregon

Since May 2008, the Oregon Department of Community Colleges and Workforce Development has been issuing the National Career Readiness Certificate. Learn more at [www.oregonncrc.org](http://www.oregonncrc.org).

#### Pennsylvania

*P.O. Box 23069 GMF Barrigada, Guam 96921*





*Kolehon Kummuniât Guåhan*

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The Department of Labor has organized an initiative to help career centers across the state of Pennsylvania issue the National Career Readiness Certificate.

#### South Carolina

As part of the Work Ready South Carolina program, individuals receive state certificates with an ACT-authorized certificate number for employers to verify in the National Career Readiness Certificate database.

#### South Dakota

The South Dakota Department of Labor began issuing National Career Readiness Certificates in August 2009.

#### Tennessee

Tennessee initiated statewide adoption in October 2007. In June 2009, it began issuing National Career Readiness Certificates through Technology Centers and Department of Labor sites.

#### Texas

Texas has regional programs issuing the National Career Readiness Certificate throughout the state—Concho Valley Workforce Development Board, Frenship ISD and Northeast Lakeview College.

#### Utah

The Utah Department of Workforce Services has implemented a statewide National Career Readiness Certificate program.

#### Vermont

Community colleges of Vermont and the State of Vermont began issuing the National Career Readiness Certificate in mid-April 2009. Testing is done at community college sites throughout the state.

#### Virginia

Virginia has regional activity through the Blue Ridge and Old Dominion Job Corps Centers, along with Inova Health System.

#### Wisconsin

The Wisconsin Department of Workforce Development began issuing The Certificate at testing sites across the state in September 2009.

#### Wyoming

The Wyoming career ready initiative is a joint partnership between the following entities: The Governor's Office, Wyoming Community Colleges, Wyoming Department of Education, Wyoming Department of Corrections, and Wyoming Department of Workforce Services. As part of the Wyoming program, individuals receive state certificates with an ACT-authorized certificate number for employers to verify in the National Career Readiness Certificate database

*P.O. Box 23069 GMF Barrigada, Guam 96921*



## 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

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Judith P. Guthertz  
VICE CHAIRPERSON  
ASST. MAJORITY LEADER

**MAJORITY  
MEMBERS:**

Speaker  
Judith T. Won Pat

Vice Speaker  
Benjamin J. F. Cruz

Senator  
Tina Rose Muña Barnes  
LEGISLATIVE SECRETARY  
MAJORITY WHIP

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

Senator  
Thomas C. Ada

Senator  
Adolpho B. Palacios, Sr.

Senator  
vicente c. pangelinan

**MINORITY  
MEMBERS:**

Senator  
Aline A. Yamashita  
ASST. MINORITY LEADER

Senator  
Christopher M. Duenas

June 1, 2012

**Memorandum**

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

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

**Subject:** Fiscal Notes

*Hafa Adai!*

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.

Bill No.: 462-31 (COR)  
463-31 (LS)  
466-31 (LS)  
467-31 (LS)

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

*Si Yu'os ma'åse'!*

2012 JUN -1 PM 4:37 - B

**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

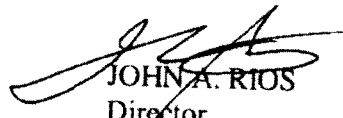
JUN 01 2012

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 is the Fiscal Note on the following Bill Nos.: 462-31(COR), 463-31(COR), 466-31(LS) and 467-31(LS).

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

  
JOHN A. RIOS  
Director

Enclosures

cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research**  
**Fiscal Note of Bill No. 466-31 (LS)**

**AN ACT TO AMEND §4101 SUB-ITEM C, TITLE 4 GUAM CODE ANNOTATED, CHAPTER 4, RELATIVE TO REQUIRING MANDATORY SKILLS ASSESSMENT TESTING AS A REQUIREMENT FOR GOVERNMENT OF GUAM EMPLOYMENT.**

**Department/Agency Appropriation Information**

Dept./Agency Affected: Department of Administration	Dept./Agency Head: Benita A. Manglona
Department's General Fund (GF) appropriation(s) to date:	29,390,261
Department's Other Fund (Specify) appropriation(s) to date: Indirect Cost Fund; Tourist Attraction Fund; & GWA Reimbursement	1,094,739
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$30,485,000</b>

**Fund Source Information of Proposed Appropriation**

	General Fund:	(Specify Special Fund):	Total:
FY 2011 Unreserved Fund Balance		\$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 1/</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

1. Does the bill contain "revenue generating" provisions? / / Yes /X/ No  
 If Yes, see attachment N/A
2. Is amount appropriated adequate to fund the intent of the appropriation? /X/ N/A / / Yes / / No  
 If no, what is the additional amount required? \$ /X/ N/A
3. 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
4. Will the enactment of this Bill require new physical facilities? / / Yes /X/ No
5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: / / Yes /X/ No  
 Requested agency comments not received by due date /X/ Other: Time Constraint

Analyst (s): Joe Certeza Date: 05/31/2012 Director: John A. Rios, Director **JUN 01 2012**

**Footnotes:**

1/ The Bill has a potential fiscal impact to the Government of Guam, specifically, procurement of outside services for a "Job Skills Assessment System" to test applicants for GovGuam employment. However, in its present form, such impact cannot be 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

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Vice Speaker  
Benjamin J. F. Cruz

Senator  
Tina Rose Muña Barnes  
LEGISLATIVE SECRETARY  
MAJORITY WHIP

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

Senator  
Thomas C. Ada

Senator  
Adolpho B. Palacios, Sr.

Senator  
vicente c. pangelinan

### MINORITY MEMBERS:

Senator  
Aline A. Yamashita  
ASST. MINORITY LEADER

Senator  
Christopher M. Duenas

May 30, 2012

### MEMORANDUM

To: Pat Santos  
Clerk of the Legislature

Attorney Therese M. Terlaje  
Legislative Legal Counsel

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

Subject: Referral of Bill Nos. 466-31 (LS) & 467-31 (LS)

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 466-31 (LS) and 467-31 (LS).

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 Liheslaturan 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
466-31 (LS)	Sam Mabini, Ph.D.	AN ACT TO AMEND §4101 SUB-ITEM C, TITLE 4 GUAM CODE ANNOTATED, CHAPTER 4, RELATIVE TO REQUIRING MANDATORY SKILLS ASSESSMENT TESTING AS A REQUIREMENT FOR GOVERNMENT OF GUAM EMPLOYMENT.	05/29/12 1:38 p.m.	5/30/12		Committee on Youth, Cultural Affairs, Procurement, General Governmental Operations and Public Broadcasting			



August 6, 2012

**MEMORANDUM**

**To:** All Members/All Senators  
**From:** Vice Speaker Benjamin J.F. Cruz  
**Re:** First Notice of Public Hearing – August 13, 2012

*Hafa Adai!* Please be advised that the Committee on Youth, Cultural Affairs, Procurement, General Government Operations, and Public Broadcasting will conduct a Public Hearing on **Monday, August 13, 2012, beginning at 10:00AM in I Liheslatura's Public Hearing Room** with the following agenda:

**Bill No. 466-31 (LS)** - Sam Mabini, Ph.D. - An act to amend §4101 sub-item C, Title 4 Guam Code Annotated, Chapter 4, relative to requiring mandatory skills assessment testing as a requirement for government of Guam employment.

**Bill No. 494-31 (COR)** - Aline A. Yamashita, Ph.D. / M. Silva Taijeron / Sam Mabini, Ph.D. - An act to amend subsection 3132, Chapter 3, Title 5, Guam Code Annotated relative to adding veterans to the better customer service policy.

**Bill No. 497-31 (COR)** - D.G. Rodriguez, Jr. - An act relative to mandating the timely establishment of the Environmental Health Officer position series of the Division of Environmental Health, Department of Public Health & Social Services, as provided pursuant to P.L. 30-138, enacted on May 17, 2010, by amending §6233 of Article 2, Chapter 6, Title 4, Guam Code Annotated.

Please provide written testimonies at least one day prior to the hearing to the Office of Vice Speaker Benjamin J.F. Cruz, 155 Hesler Place, *Hagåtña* Guam 96910. They may be sent via facsimile to 477-2522, or via email to [mike.lidia@senatorbjcruz.com](mailto:mike.lidia@senatorbjcruz.com).

We comply with Title II of the Americans with Disabilities Act (ADA). Should you require assistance or special accommodations, please contact Mike Lidia at the Office of the Vice Speaker Benjamin J.F. Cruz at 477-2521 or via email at [mike.lidia@senatorbjcruz.com](mailto:mike.lidia@senatorbjcruz.com).

Senseramente,

Mike Lidia  
Research Analyst  
Office of Vice Speaker Cruz  
477-2520



Mike Lidia &lt;mike.lidia@senatorbjcruz.com&gt;

## First Notice of Public Hearing – August 13, 2012 (Two Attachments Enclosed)

24 messages

Mike Lidia &lt;mike.lidia@senatorbjcruz.com&gt;

Mon, Aug 6, 2012 at 2:47 PM

To: Adonis Mendiola <adonis.mendiola@gmail.com>, AJ Balajada <albert.balajadia@gpd.guam.gov>, aline4families@gmail.com, Amanda Lawson <alawson@visitguam.org>, Andy Arceo <andy.arceo@gmail.com>, Angel Sablan <anghet@hotmail.com>, Anisia Terlaje <anisiaterlaje@hotmail.com>, Annette Donner <annette.donner@fe.navy.mil>, Anthony Tamayo <anthony.tamayo@guam.gov>, Antone Aguon <afaguon@gmail.com>, Art Perez <aperez@gpagwa.com>, Arthur Clark <arthur.clark@guam.gov>, Arthur San Agustin <arthur.sanagustin@dphss.guam.gov>, Barry Mead <bigb@guam.net>, Ben Servino <benito.servino@disid.guam.gov>, Benita Manglona <bmanglonacpa@gmail.com>, Bernadette Artero <bernieartero@yahoo.com>, Bernadette Stern-Meno <bmeno@portguam.com>, Bertha Taijeron <bertha.taijeron@dphss.guam.gov>, Bryan Cruz <bacruz@guamattorneygeneral.com>, Carl Dominguez <carl.dominguez@dpw.guam.gov>, Carlene Okiyama <carlene.okiyama@guam.gov>, Carmelita Santos <carmelita.santos@clb.guam.gov>, Catherine Cruz Norton <catherine.norton@fe.navy.mil>, Cathy Gogue <cathy.gogue@gmail.com>, Charlyne Guerrero <charlyne.guerrero@epa.guam.gov>, Chief Fred Bordallo <fred.bordallo@gpd.guam.gov>, Christine Camacho <christine.camacho@gmail.com>, Chuck Ada <chuck.ada@ghs.guam.gov>, "Col. Ralph Sgambelluri" <rsgamby@yahoo.com>, Coleen Perez <coleen.perez@fe.navy.mil>, CPT Kenneth Ola <kenneth.ola@us.army.mil>, Dave Camacho <davidvcamacho@gmail.com>, David Camacho <ancestrallandsguam@yahoo.com>, Dong Choe <dong.choe@guam.gov>, "Dr. Anita Enriquez" <abe@uguam.uog.edu>, "Dr. Aurelio Espinola" <cme.guam@gmail.com>, "Dr. Helen Whippy" <hwhippy@uguam.uog.edu>, "Dr. Larry Lizama" <larry.lizama@gmha.org>, "Dr. Mary Okada" <mary.okada@guamcc.edu>, "Dr. Paul Pineda" <ppineda.spcs@gmail.com>, "Dr. Robert Underwood" <anacletus2010@gmail.com>, Ed Cruz <ed.cruz@bit.guam.gov>, Ed Ordonez <eduardo.ordonez@clb.guam.gov>, Eric Palacios <eric.palacios@guam.gov>, Evert Arevalo <evert.arevalo@guam.gov>, Felix Pangelinan <frpangelinan@portguam.com>, Ferdinand Soriano <ferdinand.soriano@cqa.guam.gov>, Florence Blas <florescesgro@gmail.com>, Francis Santos <fsantos@staywellguam.com>, Frank Pangelinan <frankpangelinan08@yahoo.com>, Franklin Arriola <franklin.arriola@guam.gov>, Gener Deliquina <gfdeliquina@yahoo.com>, General Benny Paulino <benny.m.paulino@us.army.mil>, Gerald Perez <geap43@yahoo.com>, Geri Castillo <geraldine.castillo@guam.gov>, Gerry Cruz <gerry.cruz@epa.guam.gov>, Heidi Ballendorf <heidi@guamwaterworks.org>, Henry Taitano <henry.taitano@guam.gov>, "Hinson, Carrie K MSgt USAF" <carrie.hinson@andersen.af.mil>, Ivan Quinata <ivan.quinata@epa.guam.gov>, Jack Casey <jackwcasey@yahoo.com>, Jackie Balbas <jacqueline.balbas@caha.guam.gov>, James Canto <james.canto@guam.gov>, James Casey <jimcasey352@yahoo.com>, Jayne Flores <jayne.flores@guamcc.edu>, Jesse Alig <jesse.alig@guam.gov>, Jim McDonald <jim.mcdonald@ghs.guam.gov>, Joann Camacho <fljoann@hotmail.com>, Joanne Brown <j.msbrown@yahoo.com>, Joaquin Flores <jflores@gpagwa.com>, Joe Cameron <jacam57@ite.net>, Joey San Nicolas <joey.sannicolas@gfd.guam.gov>, John Benavente <gpagm@ite.net>, John Camacho <jpcamacho@revtax.gov.gu>, Jose San Agustin <tankaila@hotmail.com>, Joseph Cameron <joseph.cameron@dca.guam.gov>, Josephine Torres <josephine.torres@dpw.guam.gov>, Josette Javelosa <jjavelosa@portguam.com>, judiguthertz@pticom.com, Karl Pangelinan <kpangelinan@guamedia.net>, Kelly Basilia <kelly.basilia@guam.gov>, law@guamattorneygeneral.com, Leah Beth Oligario Naholowaa <lnaholowaa@yahoo.com>, Leila Uong <leila.uong@guam.gov>, Leo Casil <leo.casil@dphss.guam.gov>, Linda DeNorcey <jilinda@teleguam.net>, "Lt Jodie K. Cornell" <jodie.cornell@fe.navy.mil>, LtCol Aisha Bakkar <aisha.bakkar@fe.navy.mil>, LTJG Wade Thomson <Wade.P.Thomson@uscg.mil>, manasilva@hotmail.com, Marcel Camacho <mcamacho@ghura.org>, Maria Cenzone <mcenzone@mail.justice.gov.gu>, Mariquita Taitague <doagridir@yahoo.com>, Martin Benavente <martin2ndwind@gmail.com>, Mary Torres <marytorres@guamairport.net>, May Camacho <maycamacho52@gmail.com>, Mayor Andrew Villagomez <mtm\_mayors\_office@yahoo.com>, Mayor Ben Gumataotao <piti\_mayor@yahoo.com>, Mayor Carol Tayama <agatmayorsoffice@hotmail.com>, Mayor Dean



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August 6, 2012

## **MEMORANDUM**

**To:** All Members/All Senators

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

**Re:** First Notice of Public Hearing – August 13, 2012

*Hafa Adai!* Please be advised that the Committee on Youth, Cultural Affairs, Procurement, General Government Operations, and Public Broadcasting will conduct a Public Hearing on **Monday, August 13, 2012, beginning at 10:00AM in / Liheslatura's Public Hearing Room** with the following agenda:

**Bill No. 466-31 (LS)** - Sam Mabini, Ph.D. - An act to amend §4101 sub-item C, Title 4 Guam Code Annotated, Chapter 4, relative to requiring mandatory skills assessment testing as a requirement for government of Guam employment.

**Bill No. 494-31 (COR)** - Aline A. Yamashita, Ph.D. / M. Silva Taijeron / Sam Mabini, Ph.D. - An act to amend subsection 3132, Chapter 3, Title 5, Guam Code Annotated relative to adding veterans to the better customer service policy.

**Bill No. 497-31 (COR) - D.G. Rodriguez, Jr. -** An act relative to mandating the timely establishment of the Environmental Health Officer position series of the Division of Environmental Health, Department of Public Health & Social Services, as provided pursuant to P.L. 30-138, enacted on May 17, 2010, by amending §6233 of Article 2, Chapter 6, Title 4, Guam Code Annotated.

Please provide written testimonies at least one day prior to the hearing to the Office of Vice Speaker Benjamin J.F Cruz, 155 Hesler Place, *Hagåtña* Guam 96910. They may be sent via facsimile to 477-2522, or via email to [mike.lidia@senatorbjcruz.com](mailto:mike.lidia@senatorbjcruz.com).

We comply with Title II of the Americans with Disabilities Act (ADA). Should you require assistance or special accommodations, please contact Mike Lidia at the Office of the Vice Speaker Benjamin J.F Cruz at 477-2521 or via email at [mike.lidia@senatorbjcruz.com](mailto:mike.lidia@senatorbjcruz.com).

Senseramente,

Mike Lidia


Research Analyst

Office of Vice Speaker Cruz  
477-2520

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**2 attachments**

 **08062012 B.J. Cruz First Notice of Public Hearing for Bills 466, 494, and 497.docx**  
146K

 **08062012 B.J. Cruz Agenda PH for Bills 466, 494, and 497.docx**  
146K

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**Mail Delivery Subsystem** <[mailer-daemon@googlemail.com](mailto:mailer-daemon@googlemail.com)>  
To: [mike.lidia@senatorbjcruz.com](mailto:mike.lidia@senatorbjcruz.com)

Mon, Aug 6, 2012 at 2:47 PM



## **PUBLIC HEARING AGENDA**

Monday, August 13, 2012 – 10:00AM

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

**Bill No. 466-31 (LS)** - Sam Mabini, Ph.D. - An act to amend §4101 sub-item C, Title 4 Guam Code Annotated, Chapter 4, relative to requiring mandatory skills assessment testing as a requirement for government of Guam employment.

**Bill No. 494-31 (COR)** - Aline A. Yamashita, Ph.D. / M. Silva Taijeron / Sam Mabini, Ph.D. - An act to amend subsection 3132, Chapter 3, Title 5, Guam Code Annotated relative to adding veterans to the better customer service policy.

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Notice of the Public Hearing was provided to all Senators and the Media on August 6 and 8, 2012.

*I MINA 'TRENTAI UNU NA LIHESLATURAN GUAHAN*

2012(Second) Regular Session

2012 MAY 29 PM 1:38

Bill No. *466-31 (LS)*

Introduced by:

Sam Mabini, Ph.D.

*Sam*

**AN ACT TO AMEND §4101 SUB-ITEM C, TITLE 4 GUAM CODE ANNOTATED, CHAPTER 4, RELATIVE TO REQUIRING MANDATORY SKILLS ASSESSMENT TESTING AS A REQUIREMENT FOR GOVERNMENT OF GUAM EMPLOYMENT.**

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

1       **Section 1. Legislative findings and intent.** *I Mina'Trentai Unu Na Liheslaturan* finds  
2 that with the current financial state of the Government of Guam, there needs to be a mechanism  
3 to ensure that the most qualified employees are considered for employment to maximize limited  
4 resources of the Government of Guam.

5       *I Liheslaturan* finds that with the rise in technology, the demand for skills in an  
6 occupation will increase.

7       *I Liheslaturan* finds that with over 18,000 job titles, The American College Testing  
8 Program, also known as ACT, has one of the most “robust” Occupational Profile Databases  
9 available. The ACT Occupational Profile Databases is comprised of Occupational profiles that  
10 represent the required skills for a specific occupation. The “WorkKeys” Skills Assessment “is a  
11 job skills assessment system that helps employers select, hire, train, develop, and retain a high-  
12 performance workforce.” “WorkKeys enables you to match the work requirements important on  
13 the job to the skill levels in the pool of candidates.” This not only maximizing the candidates to  
14 their fullest potential, but also ensuring that the best candidate is chosen for the the position.

15       *I Liheslaturan* finds that there needs to be a requirement for the assessment of job related  
16 skills to ensure that Government of Guam has the most qualified and proficient professionals to  
17 meet the needs of our public sector.

1           **Section 2:**§4101 of Chapter 4 (C), Title 4 of the Guam Code Annotated is amended to  
2 read as follows:

3           “(c) All new employment in the service of the government of Guam shall have, as a reasonable  
4 measure of job performance, minimum requirement of high school diploma or a successful  
5 completion of General Education Development (GED) test or any equivalent of a general  
6 education high school program, apprenticeship program or successful completion of certification  
7 program, from a recognized, accredited or certified vocational technical institution, in  
8 specialized field required for the job. For entry-level positions, a formal nationally recognized  
9 foundational skills assessment shall be required for consideration for employment. For  
10 Government of Guam positions in which basic employment requirements are set forth by the  
11 U.S. Federal Government, a formal nationally recognized foundational skills assessment is  
12 preferred. Positions in which a formal nationally recognized foundational skills assessment is  
13 preferred include, but are not limited to, all entry level positions, law enforcement positions,  
14 positions that deal with public safety, and other new employment positions identified and  
15 deemed necessary by the Director. The Director shall implement rules and regulations that are  
16 aligned with local and federal employment laws.”

17           **Section 3: Effective Date.** Upon enactment of this act, the Director shall have no more  
18 than 365 days to implement provisions in this act.

19           **Section 4: Severability.** If any provision of this Law or its application to any person or  
20 circumstance is found to be invalid or contrary to law, such invalidity shall not affect other  
21 provisions or applications of this Law which can be given effect without the invalid provisions  
22 or applications, and to this end the provisions of this Law are severable.