

I Mina'Trentai Dos Na Lihelaturan Guahan
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
214-32 (COR) P.L. 32-118	Michael F.Q. San Nicolas	AN ACT TO ALLOW EMPLOYEES OF GOVERNMENT OF GUAM AGENCIES AND INSTRUMENTALITIES TO APPLY PAYROLL DEDUCTIONS TO REGISTERED NON-PROFITS, BY AMENDING §20111 OF ARTICLE 1, CHAPTER 20, TITLE 5, GUAM CODE ANNOTATED.	10/25/13 11a.m.	10/25/13	Committee on General Governmental Operations and Cultural Affairs	12/13/14 2:00 p.m.	1/27/14 2:50 p.m.	Fiscal Note Request Received 10/31/13 Fiscal Note Waiver 11/26/13
	DATE PASSED	TITLE	TRANSMITTED		DUE DATE	<small>DATE SIGNED BY I MAGA'LAHEN GUAHAN</small>	PUBLIC LAW NO.	NOTES
	2/1/2014	AN ACT TO AMEND § 20111 OF ARTICLE 1, CHAPTER 20 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING EMPLOYEES OF GOVERNMENT OF GUAM AGENCIES AND INSTRUMENTALITIES TO APPLY PAYROLL DEDUCTIONS TO REGISTERED NON-PROFITS.	2/1/14	10:50 p.m.	2/13/2014	2/10/2014	32-118	As amended on the Floor

EDDIE BAZA CALVO
Governor



RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

FEB 13 2014

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

32-14-1299
Office of the Speaker
Judith T. Won Pat, Ed.D.
Date: 2/14/14
Time: 4:20 PM
Received by: [Signature]

Dear Madame Speaker:

Transmitted herewith is Bill No. 214-32 (COR) "AN ACT TO AMEND §20111 OF ARTICLE 1, CHAPTER 20 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING EMPLOYEES OF GOVERNMENT OF GUAM AGENCIES AND INSTRUMENTALITIES TO APPLY PAYROLL DEDUCTIONS TO REGISTERED NON-PROFITS" which I signed into law on February 10, 2014 as Public Law 32-118.

2014 FEB 14 PM 4:49 [Signature]

Senseramente,

[Signature]
EDDIE BAZA CALVO

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2014 (SECOND) Regular Session

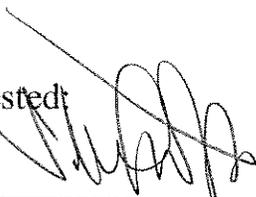
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Bill No. 214-32 (COR), "AN ACT TO *AMEND* § 20111 OF ARTICLE 1, CHAPTER 20 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING EMPLOYEES OF GOVERNMENT OF GUAM AGENCIES AND INSTRUMENTALITIES TO APPLY PAYROLL DEDUCTIONS TO REGISTERED NON-PROFITS," was on the 1st day of February, 2014, duly and regularly passed.



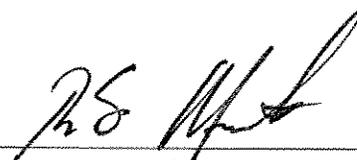
Judith T. Won Pat, Ed.D.
Speaker

Attested:



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 1st day of FEB,
2014, at
10:50 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:


EDWARD J.B. CALVO
I Maga'lahen Guåhan

Date: FEB 10 2014

Public Law No. 32-118

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

Bill No. 214-32 (COR)

As amended on the floor.

Introduced by:

Michael F. Q. San Nicolas
B. J.F. Cruz
FRANK B. AGUON, JR.
Judith T. Won Pat, Ed.D.
T. R. Muña Barnes
T. C. Ada
V. Anthony Ada
Chris M. Dueñas
Michael T. Limtiaco
Brant T. McCreadie
Tommy Morrison
Vicente (ben) C. Pangelinan
R. J. Respicio
Dennis G. Rodriguez, Jr.
Aline A. Yamashita, Ph.D.

AN ACT TO AMEND § 20111 OF ARTICLE 1, CHAPTER 20 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING EMPLOYEES OF GOVERNMENT OF GUAM AGENCIES AND INSTRUMENTALITIES TO APPLY PAYROLL DEDUCTIONS TO REGISTERED NON-PROFITS.

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

2 **Section 1. Short Title.** This Act *shall* be cited as the “Non-Profit Payroll
3 Deduction Act.”

4 **Section 2. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
5 that there are hundreds of registered non-profits which provide numerous services
6 to our community. 501(c)(3) organizations are operated for religious, charitable,

1 scientific, testing for public safety, literary, or educational purposes; to foster
2 amateur sports competitions; to promote the arts; or to prevent cruelty to children
3 or animals. Such non-profit organizations tend to receive a substantial portion of its
4 income from the public, government or charitable endowments.

5 *I Liheslatura* finds that federal sequestration has had a negative impact on
6 many non-profit organizations which serve the people of Guam. Even some of the
7 best performing organizations have had major cuts to revenue which they need to
8 operate at current service levels.

9 *I Liheslatura* further finds that contributions from the community, including
10 government of Guam employees, can have significant positive impacts to
11 sustaining these vital organizations.

12 It is, therefore, the intent of *I Liheslatura* to allow employees of government
13 of Guam agencies and instrumentalities to apply payroll deductions to registered
14 non-profits, by amending §20111, Article 1, Chapter 20, Title 5, Guam Code
15 Annotated.

16 **Section 3. Payroll Deductions to Non-Profits.** §20111 of Article 1,
17 Chapter 20 of Title 5, Guam Code Annotated, is hereby *amended* to read:

18 “§ 20111. **Payroll Deductions and Marketing Within**
19 **Government.**

20 (a) Payroll Deduction. The government of Guam may
21 provide payroll deduction services to employees of the government as
22 requested by an employee; however, if payroll deduction services are
23 provided for payment to one of a class of businesses, it must be
24 provided for payment to all members of the class. Notwithstanding
25 any other provision to the contrary, upon request by an employee of
26 an agency or instrumentality of the government of Guam, the relevant
27 personnel office for the agency or instrumentality *shall* provide a

1 payroll deduction service for such employee to contribute to a
2 501(c)(3) non-profit registered with the Department of Revenue and
3 Taxation. Such deductions *shall* be reported on a cumulative basis on
4 the pay stub of the employee, and *shall* be reported as a cumulative
5 total on the employee's W-2. Government of Guam employers *shall*
6 make available a list of qualified 501(c)(3) registered non-profits as a
7 physical copy or electronic format to government employees upon
8 request. The list provided for in this Subsection *shall* be compiled
9 from the current list of 501(c)(3) non-profit organizations registered
10 with the Department of Revenue and Taxation *not later than* ninety
11 (90) days from the enactment of this Act. Thereafter, the list of non-
12 profits *shall* be updated annually by January 1st.

13 (b) Exclusivity of Marketing. The government of Guam may
14 provide the opportunity for employees to have access to the marketing
15 of certain products during working hours at government facilities;
16 however, if this access is provided for one of a class of products, it
17 must be provided for all members of the class. All 501(c)(3)
18 organizations registered with the Department of Revenue and
19 Taxation may be provided access to market their programs during
20 working hours and on government facilities. All such marketing
21 programs *shall not* interrupt the provision of government services.”



FILE COPY

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
THIRTY-SECOND GUAM LEGISLATURE
155 Hesler Place, Hagåtña, Guam 96910

February 1, 2014

The Honorable Edward J.B. Calvo
I Maga'lahaen Guåhan
Ufisinan I Maga'lahi
Hagåtña, Guam 96910

Dear *Maga'lahi* Calvo:

Transmitted herewith are Bill and Substitute Bill Nos. 61-32(COR), 70-32(COR), 71-32(COR), 130-32(COR), 146-32(COR), 169-32(COR), 179-32(COR), 180-32(COR), 190-32(COR), 192-32(COR), 197-32(COR), 201-32(COR), 202-32(COR), 204-32(COR), 206-32(COR), 214-32(COR), 221-32(COR), 225-32(COR), 226-32(COR), 231-32(COR), 232-32(COR), 235-32(COR), 236-32(COR), 237-32(COR), 242-32(COR), 245-32(COR), 247-32(COR), 248-32(COR) and 268-32(LS) which were passed by *I Mina'Trentai Dos Na Liheslaturan Guåhan* on February 1, 2014.

Sincerely,

TINA ROSE MUÑA BARNES
Legislative Secretary

FEB 1, 2014
10:50 p.m.
T.S. Muña

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2014 (SECOND) Regular Session

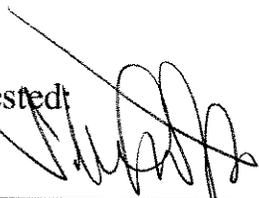
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

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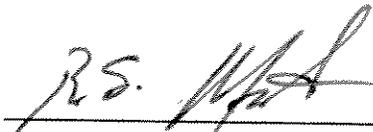
Judith T. Won Pat, Ed.D.
Speaker

Attested:



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 1st day of FEB,
2014, at
10:50 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'lahen Guåhan

Date: _____

Public Law No. _____

I MINA'TRENTAI DOS NA LIHESLATURAN GUÁHAN
2013 (FIRST) Regular Session

Bill No. 214-32 (COR)

As amended on the floor.

Introduced by:

Michael F. Q. San Nicolas
B. J.F. Cruz
FRANK B. AGUON, JR.
Judith T. Won Pat, Ed.D.
T. R. Muña Barnes
T. C. Ada
V. Anthony Ada
Chris M. Dueñas
Michael T. Limtiaco
Brant T. McCreddie
Tommy Morrison
Vicente (ben) C. Pangelinan
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25 any other provision to the contrary, upon request by an employee of
26 an agency or instrumentality of the government of Guam, the relevant
27 personnel office for the agency or instrumentality *shall* provide a

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4 the pay stub of the employee, and *shall* be reported as a cumulative
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20 working hours and on government facilities. All such marketing
21 programs *shall not* interrupt the provision of government services.”

LEGISLATIVE SESSION

I MINA'TRENTAI DOS NA LIHESLATURAN

2014 (SECOND) Regular Session

Voting Sheet

Speaker Antonio R. Unipingco Legislative Session Hall
February 1, 2014

Bill No. 214-32 (COR)
As amended on the Floor.

NAME	Yea	Nay	Not Voting/ Abstained	Out During Roll Call	Absent
Senator Thomas "Tom" C. ADA	✓				
Senator V. Anthony "Tony" ADA	✓				
Senator Frank Blas AGUON Jr.	✓				
Vice-Speaker Benjamin J.F. CRUZ	✓				
Senator Christopher M. DUENAS	✓				
Senator Michael LIMTIACO	✓				
Senator Brant McCREADIE	✓				
Senator Thomas "Tommy" MORRISON	✓				
Senator Tina Rose MUÑA BARNES	✓				
Senator Vicente (ben) Cabrera PANGELINAN	✓				
Senator Rory J. RESPICIO	✓				
Senator Dennis G. RODRIGUEZ, Jr.	✓				
Senator Michael F. Q.SAN NICOLAS	✓				
Speaker Judith T. WON PAT, Ed.D.	✓				
Senator Aline A. YAMASHITA, Ph.D.	✓				

TOTAL

15

Yea

Nay

Not Voting/
Abstained

Out During
Roll Call

Absent

CERTIFIED TRUE AND CORRECT:


 Clerk of the Legislature

I = Pass



JAN 22 2014

The Honorable Judith T. Won Pat
Speaker
I Mina' Trentai Dos Na Liheslaturan Guåhan
32nd Guam Legislature
155 Hesler Place
Hagåtña, Guam 96910

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

RE: Committee Report on Bill No. 214-32 (COR)

2014 JAN 27 PM 2:50
JMB

Dear Speaker Won Pat:

Transmitted herewith is the Report of the Committee on General Government Operations and Cultural Affairs on Bill No. 214-32 (COR) - M.F.Q. San Nicolas - An act to allow employees of government of Guam agencies and instrumentalities to apply payroll deductions to registered non-profits, by amending §20111 of Article 1, Chapter 20, Title 5, Guam Code Annotated.

Committee votes are as follows:

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

Sincerely,

Benjamin J.F. Cruz
BENJAMIN J.F. CRUZ
Chairperson



COMMITTEE REPORT

Bill No. 214-32 (COR)

An act to allow employees of government of Guam agencies and instrumentalities to apply payroll deductions to registered non-profits, by amending §20111 of Article 1, Chapter 20, Title 5, Guam Code Annotated.



JAN 22 2014

MEMORANDUM

TO: All Members

FROM: Vice Speaker Benjamin J.F. Cruz
Committee on General Government Operations and Cultural Affairs

SUBJECT: Committee Report on Bill No. 214-32 (COR)

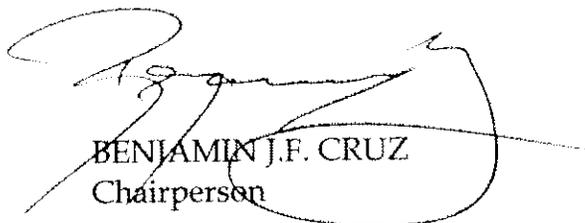
Transmitted herewith for your consideration is the Committee Report on Bill No. 214-32 (COR) - M.F.Q. San Nicolas - An act to allow employees of government of Guam agencies and instrumentalities to apply payroll deductions to registered non-profits, by amending §20111 of Article 1, Chapter 20, Title 5, Guam Code Annotated.

This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Bill No. 214-32 (COR)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony & Supporting Documents
- COR Referral of Bill No. 214-32 (COR)
- Fiscal Note Requirement
- Notices of Public Hearing
- Public Hearing Agenda
- Related News Reports

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.

Sincerely,


BENJAMIN J.F. CRUZ
Chairperson



COMMITTEE VOTING SHEET

Bill No. 214-32 (COR) - M.F.Q. San Nicolas - An act to allow employees of government of Guam agencies and instrumentalities to apply payroll deductions to registered non-profits, by amending §20111 of Article 1, Chapter 20, Title 5, Guam Code Annotated.

COMMITTEE MEMBERS	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
CRUZ, BENJAMIN J.F. Chairperson		✓				
MUÑA BARNES, TINA ROSE Vice-Chairperson						
WON PAT, JUDITH T. Speaker and Ex-Officio Member		✓				
ADA, THOMAS C. Member		✓				
PANGELINAN, C. VICENTE Member						
RESPICIO, RORY J. Member		<i>ru</i> 1-22-14				
RODRIGUEZ, DENNIS G. JR. Member						
SAN NICOLAS, MICHAEL, F.Q. Member		✓				
AGUON, Jr., FRANK B. Member		✓				
ADA, V. ANTHONY Member						
Morrison, Thomas Member		✓				
McCreadie, Brant Member						
YAMASHITA, ALINE Member						



COMMITTEE REPORT DIGEST

I. OVERVIEW

Bill No. 214-32 (COR) was introduced by M.F.Q. San Nicolas on October 25, 2013, and subsequently referred to the Committee on General Government Operations and Cultural Affairs on the same day.

The **Committee on General Government Operations and Cultural Affairs** convened a public hearing on Friday, December 13, 2013, at 2:00PM in the Public Hearing Room of *I Liheslatura*. Among the items on the agenda was Bill No. 214-32 (COR) - M.F.Q. San Nicolas - An act to allow employees of government of Guam agencies and instrumentalities to apply payroll deductions to registered non-profits, by amending §20111 of Article 1, Chapter 20, Title 5, Guam Code Annotated.

The public hearing for Bill No. 214-32 (COR) began at 2:12PM and ended at 2:17PM.

Public Notice Requirements

All legal requirements for public notices were met, with requests for publication sent to all media and all Senators on December 5, 2013, and December 11, 2013, via email. Copies of the hearing notices are appended to the report.

Senators Present

Senator Tina R. Muña Barnes, *Acting Chairperson*
Senator Thomas Morrison, *Member*
Senator Thomas C. Ada, *Member*
Senator Michael F.Q. San Nicolas, *Member*
Senator Brant McCreadie, *Member*
Senator V. Anthony Ada, *Member*
Senator Christopher M. Duenas, *Member*
Senator Aline A. Yamashita, Ph.D., *Member*

Oral Testimony

Written Testimony

Mildred Q. Lujan, Executive Director, Sanctuary Inc.

II. TESTIMONY & DISCUSSION

Senator Tina R. Muña Barnes announced Bill No. 214-32 (COR).

Senator Michael F.Q. San Nicolas thanked Senator Barnes and provided his sponsor statement.

“Madame Chair and members of the public, Bill 214-32 is an act to allow employees of Government of Guam agencies and instrumentalities to apply payroll deductions to registered non-profits by amending §20111 of Article 1, Chapter 20, Title 5, Guam Code Annotated. What this bill intends to do is allow for all of our GovGuam employees to be able to elect to donate to various non-profit organizations on the island directly through payroll deduction. And the bill intends to allow this service to be provided by the employer, which is the government of Guam. And the reason why it’s important that we take this step is because a lot of our non-profits right now are struggling to just maintain the service offerings that they provide to our community with federal sequestration and the reduction in federal grants that a lot of our non-profit organizations are experiencing; they’re struggling for money and fundraising is always a challenge. As a senator, I can assure you that fundraising is a very difficult thing to do. And for our non-profit organizations [that] do a lot of good for our community, they also have their own challenges when it comes to fundraising. With this bill, if we are able to enact it into law, we would allow the generosity of our people to be reflected directly in their payroll deductions. And instead of having to go out and always wash cars or trying to host very, very expensive galas and then trying to break even on them, our non-profit organizations will be able to leverage the power of the people and add up dollars [that are] sent in as real money by allowing for payroll deductions to go these non-profits. Somebody could be donating something as small as five dollars every pay period to a non-profit of their choice, but those five dollar donations will add up over the hundreds and hundreds of GovGuam employees that we have and that will turn into real solid money for our non-profits. Another benefit of the bill is that when you have payroll-deducted donations, you generate a reliable stream of cash flow to the non-profit organizations. So instead of having a carwash today and raising five hundred [dollars] and wondering where the next five hundred is going to come from, you’re going to be getting these payroll-deducted donations into your non-profits every two weeks. So you will be able to project how much money you’re going to be

bringing in over the course of the year and that would further empower our non-profits to be able to plan and execute strategies throughout the year, rather than hoping and praying that the money is going to come in to be able to do whatever new initiative or existing initiative they're trying to accomplish. So Madame Chair, I believe that this bill would be very, very good for our non-profits. It will leverage the generosity of our people across the Government of Guam, and it will mirror what currently exists in the federal government. There's a federal campaign where the federal employees are able to payroll deduct to non-profit organizations. So this will be an extension of that at the local level, and I think it will be very, very good for our non-profits and it will be good for the people of Guam. Thank you, Madame Chair."

Senator Barnes thanked Senator San Nicolas. She noted for the record that Sanctuary, Inc. submitted a letter, signed by Executive Director Mildred Lujan, to Vice Speaker Benjamin J.F. Cruz on December 12, 2013, testifying in favor of the bill.

Senator Barnes, on the account that there was no one present to provide oral testimony, adjourned the public hearing for Bill No. 214-32 (COR).

III. FINDINGS AND RECOMMENDATIONS

The Committee on General Government Operations and Cultural Affairs to which was referred "Bill No. 214-32 (COR) - M.F.Q. San Nicolas - An act to allow employees of government of Guam agencies and instrumentalities to apply payroll deductions to registered non-profits, by amending §20111 of Article 1, Chapter 20, Title 5, Guam Code Annotated" hereby submits these findings to *I Mina' Trentai Dos na Liheslaturan Guåhan* and reports out Bill No. 214-32 (COR) with a recommendation TO DO PASS.

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

Bill No. 214-32(a2)

Introduced by:

Michael F.Q. San Nicolas 

**AN ACT TO ALLOW EMPLOYEES OF GOVERNMENT
OF GUAM AGENCIES AND INSTRUMENTALITIES TO
APPLY PAYROLL DEDUCTIONS TO REGISTERED
NON-PROFITS, BY AMENDING §20111 OF ARTICLE 1,
CHAPTER 20, TITLE 5, GUAM CODE ANNOTATED.**

2013 OCT 25 AM 11:00

M

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19 make available a list of qualified 501(c)(3) registered non-profits as a physical
20 copy or electronic format to government employees upon request. The list
21 provided for in this Subsection shall be compiled from the current list of 501(c)(3)
22 non-profit organizations registered with the Department of Revenue and Taxation
23 not later than ninety (90) days from the enactment of this Act. Thereafter, the list
24 of non-profits shall be updated annually by January 1st.

25 (b) Exclusivity of Marketing. The government of Guam may provide the
26 opportunity for employees to have access to the marketing of certain products
27 during working hours at government facilities; however if this access is provided

1 for one of a class of products, it must be provided for all members of the class. All
2 501(c)(3) organizations registered with the Department of Revenue and Taxation
3 may be provided access to market their programs during working hours and on
4 government facilities. All such marketing programs shall not interrupt the
5 provision of government services.”

SENATOR BENJAMIN J.F. CRUZ, VICE SPEAKER
 Chairman, Committee on General Government Operations
 and Cultural Affairs
 Web Address: www.senatorbjcruz.com



IMINA'TRENTAIDOS NA LIHESLATURAN GUAHAN
 The 32nd Guam Legislature • senator@senatorbjcruz.com
 155 Hesler Place, Hagatna, Guam 96910
 Telephone: (671) 477-25201 • Fax: (671) 477-2522

PUBLIC HEARING SIGN-IN SHEET

Friday, December 13, 2013 - 2:00PM

I Liheslatura • Public Hearing Room • Hagåtña, Guam

Bill No. 214-32 (COR) - M.F.Q. San Nicolas - An act to allow employees of government of Guam agencies and instrumentalities to apply payroll deductions to registered non-profits, by amending §20111 of Article 1, Chapter 20, Title 5, Guam Code Annotated.

NAME	AGENCY OR ORGANIZATION	POSITION		TESTIMONY		PHONE NO.	EMAIL ADDRESS
		SUPPORT	OPPOSE	WRITTEN	ORAL		
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SANCTUARY, INCORPORATED

"Helping Youth and Families Help Themselves" since 1971
Address: 406 Mai Mai Rd., Chalan Pago, Guam 96910 * Tel: 475-7101 * Fax: 477-3117
Crisis Hotline: 475-7100 * Website: www.sanctuaryguam.org * E-mail: inquiries@sanctuaryguam.org



December 12, 2013

Benjamin J.F. Cruz
Vice Speaker
32nd Guam Legislature

Sent via Electronic Mail
senator@senatorbjcruz.com

Re: Testimony in favor of Bill No. 214-32 (COR)

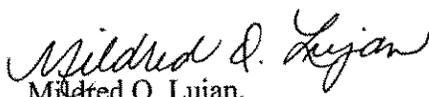
Hafa Adai Vice Speaker Cruz and Committee:

Please accept this as written testimony of Sanctuary, Incorporated's support of the proposed "Non-Profit Payroll Deduction Act." As the oldest surviving non-profit organization on the island, Sanctuary has become reliant on private contributions to the organization. Over the course of 42 years, our non-profit organization has created partnerships with local businesses and government entities, but funding is insufficient to cover the cost to operate our comprehensive programs. This being stated, the proposed act will allow Sanctuary and other local non-profits to capitalize on the giving nature of our island's people.

The potential benefits of an act such as this have been long observed by local non-profits, and a movement in this direction has been started; spear-headed by the local non-profit umbrella organization *Payu-ta*. However, due to a lack of legislation mandating a payroll deduction line be made available for non-profit donations, and due to other circumstances, a government employee giving campaign such as this one has been stifled. In addition to this, there are other mechanisms in place by the federal government through their Combined Federal Campaign or CFC, and through a local financial planning institution known as Charitable Giving Campaign. Why not have a governmental mechanism in place to support Non-Governmental Organizations or NGO's who help to fill the government gap in services?

During this tough financial era, every contribution is appreciated. A mechanism set in place to allow governmental workers to contribute to their charity of choice will allow NGO's to build on their existing partnerships with governmental entities. More than this, it will allow governmental employees to give to their charity of choice with less hassle; increasing the probability of becoming a constant supporter for human services and local non-profits. Again, please accept this as testimony in strong support of the "Non-Profit Payroll Deduction Act" on behalf of Sanctuary, Incorporated and the Youth and Families we serve.

Mas Rikuetdo,


Mildred Q. Lujan,
Executive Director

Leonardo M. Rapadas
Attorney General



Phillip J. Tydingco
Chief Deputy Attorney General

OFFICE OF THE ATTORNEY GENERAL

December 24th, 2013

The Honorable Vice Speaker Benjamin J.F. Cruz
Senator, The 32nd Guam Legislature
Chairman, Committee on General Government Operations
and Cultural Affairs
155 Hesler Place
Hagatna, Guam 96910

received
Dec 2013 9:05 AM
#32-185 BTW

Subject: Bill No. 214-32 – An act to allow employees of government of Guam agencies and instrumentalities to apply payroll deductions to registered non-profits, by amending §20111 of Article 1, Chapter 20, Title 5, Guam Code Annotated

Dear Vice Speaker/Chairman Cruz,

On behalf of Attorney General Leonardo Rapadas and the Office of the Attorney General, we submit this written testimony as the office's position on Bill No. 214-32. Bill 214-32, if passed, will allow for all Government of Guam employees the option to elect to have payroll deductions made directly to registered 501(c)(3) non-profit organizations that provide essential and vital services to the community. Our office does not oppose Bill 214-32 as the intent of such legislation is clearly a policy decision that should be left at the discretion of the Legislatures.

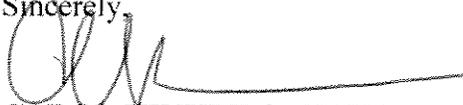
The Legislatures need to ensure that the relevant personnel offices of all Government of Guam agencies are provided with the proper support services to carry out the mandates of this law. Not only will the personnel division be required to handle the payroll deduction forms of their respective agencies, but they will be required to report such deductions on a cumulative basis on the pay stub, and then as a cumulative total on the employee's W-2. Further, the Legislatures will also need to ensure that the Department of Revenue and Taxation ("DRT") is informed as to their duties and mandates under this Bill, as DRT will be responsible in ensuring that a list of qualified registered 501(c)(3) non-profits organization is generated and made available to all Government of Guam employers to provide to their employees.

The only concern that our office does have with respect to this Bill is under §20111(b), entitled "Exclusivity of Marketing". Our office would strongly recommend that rather than allowing Government of Guam agencies the ability to provide employees with access to the marketing of registered 501(c)(3) during work hours and on government facilities, the 501(c)(3) agencies

should instead provide informational brochures, booklets, or other marketing items that can be placed at the personnel division of each respective Government of Guam agency, or at any other designated area or location of the Government agency, that will be posted and made available to all employees. Employees who elect to participate in making contributions to a registered 501(c)(3) non-profit organization, or who would like to obtain more information about a registered 501(c)(3) non-profit organization, may be permitted to contact such non-profit organization, during work hours, on any inquiries or questions they may have as to the services, programs or functions of the non-profit organization. It would be detrimental to the functions of the Government of Guam agencies to allow for all registered non-profit organizations access during work hours to market their programs. This would mean that if there are 50 – 100 registered non-profits organizations on the list established by DRT, then all of these agencies would be entitled the opportunity to present before all of the Government of Guam agencies. There is no question that if all of the Government of Guam agencies were required to accommodate this requirement under the current Bill, this process would greatly interrupt the operations and functions of the government agency and the provisions of their services.

Again, the Office of the Attorney General does not oppose the bill and/or its intent as it clearly is a policy decision that the Legislatures can decide on. However, our office does propose recommendations as to §20111(b), regarding the exclusivity of marketing, which we strongly ask the Senators to consider.

Sincerely,



CAROL HINKLE-SANCHEZ
Deputy Attorney General of Guam
Family/Juvenile Division

Approved By:



LEONARDO M. RAPADAS
Attorney General of Guam



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature

155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com

E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Senator
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Member

Senator
Michael E.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

Certification of

Waiver of

Fiscal Note Requirement

This is to certify that the Committee on Rules submitted to the Bureau of Budget and Management Research (BBMR) a request for a fiscal note, or applicable waiver, on **BILL NO. 214-32 (COR)**, "AN ACT TO ALLOW EMPLOYEES OF GOVERNMENT OF GUAM AGENCIES AND INSTRUMENTALITIES TO APPLY PAYROLL DEDUCTIONS TO REGISTERED NON-PROFITS, BY AMENDING §20111 OF ARTICLE 1, CHAPTER 20, TITLE 5, GUAM CODE ANNOTATED." – on October 29, 2013. COR hereby certifies that BBMR confirmed receipt of this request November 4, 2013 at 9:30 AM.

COR further certifies that a response to this request was not received. **Therefore, pursuant to 2 GCA §9105, the requirement for a fiscal note, or waiver thereof, on Bill 214-32 to be included in the committee report on said bill, is hereby waived.**

Certified by:



Senator Rory J. Respicio
Chairperson, Committee on Rules

January 27, 2014

Date



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
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Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

October 29, 2013

VIA E-MAIL

john.rios@bbmr.guam.gov

John A. Rios
Director
Bureau of Budget & Management Research
P.O. Box 2950
Hagåtña, Guam 96910

RE: Request for Fiscal Notes– Bill Nos. 212-32 (COR) through 215-32 (COR)

Hafa Adai Mr. Rios:

Transmitted herewith is a listing of *I Mina'trentai Dos na Liheslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

Si Yu'os ma'åse' for your attention to this matter.

Very Truly Yours,

Senator Rory J. Respicio
Chairperson, Committee on Rules

Attachments (1)

Cc: Clerk of the Legislature

Bill Nos.	Sponsor	Title
212-32 (COR)	T.R. Muña Barnes Judith T. Won Pat, Ed.D.	AN ACT TO ADD A NEW CHAPTER 59A TO TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE PROCURING, INSTALLING, OPERATING, LEASING, MAINTAINING, REFURBISHING, AND REPLACING OF ENERGY-EFFICIENT STREETLIGHTS FOR THE ENTIRE ISLAND OF GUAM ALSO KNOWN AS THE ISLAND-WIDE ENERGY EFFICIENT STREET LIGHT ACT OF 2013.
213-32 (COR)	V. Anthony Ada	AN ACT TO AUTHORIZE I MAGA'LAHEN GUAHÅN TO EXCHANGE GOVERNMENT PROPERTY IN BARRIGADA FOR PRIVATELY OWNED PROPERTY LOCATED IN BARRIGADA TO BE USED FOR THE GUAM FLOOD MITIGATION PLAN.
214-32 (COR)	Michael F.Q. San Nicolas	AN ACT TO ALLOW EMPLOYEES OF GOVERNMENT OF GUAM AGENCIES AND INSTRUMENTALITIES TO APPLY PAYROLL DEDUCTIONS TO REGISTERED NON- PROFITS, BY AMENDING §20111 OF ARTICLE 1, CHAPTER 20, TITLE 5, GUAM CODE ANNOTATED.
215-32 (COR)	T.R. Muña Barnes, Aline A. Yamashita, Ph.D.	AN ACT TO ADD A NEW ARTICLE 24 TO CHAPTER 12, TITLE 10 OF THE GUAM CODE ANNOTATED, RELATIVE TO ALLOWING THE MEDICAL USE OF CANNABIS, AMENDING PROVISIONS OF THE CONTROLLED SUBSTANCES ACT, PROVIDING PENALTIES, AND FOR OTHER PURPOSES, ALSO KNOWN AS THE JOAQUIN CONCEPCION COMPASSIONATE CANNABIS USE ACT OF 2013.



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature

155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com

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Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

October 25, 2013

rennae
25 October 2013 5:10 p. m.

MEMORANDUM

To: **Rennae Meno**
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

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

Subject: **Referral of Bill No. 214-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 214-32(COR)**.

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

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

Si Yu'os Ma'åse!

Attachment

I Mina'Trentai Dos Na Liheslaturan Guahan
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
214-32 (COR)	Michael F.Q. San Nicolas	AN ACT TO ALLOW EMPLOYEES OF GOVERNMENT OF GUAM AGENCIES AND INSTRUMENTALITIES TO APPLY PAYROLL DEDUCTIONS TO REGISTERED NON-PROFITS, BY AMENDING §20111 OF ARTICLE 1, CHAPTER 20, TITLE 5, GUAM CODE ANNOTATED.	10/25/13 11a.m.	10/25/13	Committee on General Governmental Operations and Cultural Affairs			



Tessa Weidenbacher <tessa@senatorbjcruz.com>

FIRST NOTICE of Public Hearing – December 13, 2013

Tessa Weidenbacher <tessa@senatorbjcruz.com>
 To: phnotice@guamlegislature.org
 Cc: cor@guamlegislature.org, mis <mis@guamlegislature.org>

Thu, Dec 5, 2013 at 1:31 PM

December 5, 2013

MEMORANDUM

To: All Members /All Senators
 From: Vice Speaker Benjamin J.F. Cruz, Chairman
 Re: FIRST NOTICE of Public Hearing – December 13, 2013

Håfa Adai! The Committee on General Government Operations and Cultural Affairs will conduct a **Public Hearing of Bills** beginning at **2:00PM** and a **Confirmation Hearing** beginning at **5:00PM** on Friday, December 13, 2013, in the *I Liheslatura* Public Hearing Room with the following agenda:

2:00PM - Public Hearing of Bills

- **Bill No. 214-32 (COR)** – M.F.Q. San Nicolas – An act to allow employees of Government of Guam agencies and instrumentalities to apply payroll deductions to registered non-profits, by amending §20111 of Article 1, Chapter 20, Title 5, Guam Code Annotated.
- **Bill No. 220-32 (LS)** – R.J. Respicio / T.R. Muña Barnes / J.T. Won Pat, Ed.D. – An act to require the Mayors Council of Guam (MCOG) and the Guam Environmental Protection Agency (GEPA) to collaborate on development of an operational plan for the implementation of this act, and to appropriate Two Million Dollars (\$2,000,000) from the recycling revolving fund to the Mayors Council of Guam for the purchase of heavy equipment to be utilized by the MCOG for that collection and disposal of recyclables, junk cars, green waste and other debris.
- **Bill No. 224-32 (COR)** – T.C. Ada / R.J. Respicio – An act to amend §5425, §5426, §5427, §5450, §5452, §5480, §5481, §5485(a) and §5485(b) of Article 9, and §5703, §5705, §5706(b), §5707(a), and §5708 of Article 12, Chapter 5, Title 5 of the Guam Code Annotated relative to clarifying legal and contractual remedies in Guam Procurement Law.
- **Bill No. 227-32 (COR)** – T.C. Ada / R.J. Respicio – An act to authorize the creation of the Guam Streetlight Authority to issue bonds to finance the purchase and installation of new LED streetlights.
- **Bill No. 229-32 (COR)** – M.F.Q. San Nicolas – An act to require that the Office of Technology establish a web-based meeting protocol to allow agencies to hold non-public meetings remotely by adding a new subsection (k) to §20204.1 of Article 2, Chapter 20, Title 5, Guam Code Annotated.
- **Bill No. 230-32 (COR)** – M.F.Q. San Nicolas – An act to require that the Office of Technology establish a secure web-based communications protocol to allow agencies to securely share information with authorized recipients by adding a new subsection (j) to §20204.1 of Article 2, Chapter 20, Title 5, Guam Code Annotated.
- **Bill No. 233-32 (COR)** – M.F.Q. San Nicolas – An act to require a period for public comment at every public meeting of an agency or instrumentality of the Government of Guam, by adding a new §8117 to Chapter 8, Title 5, Guam Code Annotated.

5:00PM - Confirmation Hearing

- The Executive Appointment of **Donna W. Kloppenburg** as Performing Arts Member of the Council on the Arts and Humanities Agency.

Testimonies may be submitted via hand delivery to the Office of Vice Speaker Benjamin J.F Cruz at the Guam Legislature; via postal mail to 155 Hesler Street, Hagåtña Guam 96910; via facsimile to 477-2522; or via e-mail to senator@senatorbjcruz.com. Please submit testimonies at least one day prior to the date of the hearing.

All government activities, programs, and services are accessible for people with disabilities in compliance with Title II of the Americans with Disabilities Act (ADA). Should you or interested parties require assistance or special accommodations to fully participate in this public hearing, please contact Mr. Carlo J. Branch at the Office of the Vice Speaker at 477-2521 or via e-mail at carlo.branch@senatorbjcruz.com.

We look forward to your attendance and participation.

cc: COR
MIS
Media

n.b. The link for each item will open the pertinent document, e.g. Bill as introduced, Executive M&C.

—
Tessa Weidenbacher
/senior research analyst/

Vice Speaker Benjamin J.F. Cruz
/Mina'trentai Dos Na Liheslaturan Guåhan
Phone: (671) 477-2520/1 | Fax: (671) 477-2522
<http://www.senatorbjcruz.com>

2 attachments

 **1st Notice PH 12132013.pdf**
263K

 **1st Notice PR PH 12132013.pdf**
258K



Tessa Weidenbacher <tessa@senatorbjcruz.com>

SECOND NOTICE of Public Hearing – December 13, 2013 (AMENDED)

Tessa Weidenbacher <tessa@senatorbjcruz.com>

Wed, Dec 11, 2013 at 1:30 PM

To: phnotice@guamlegislature.org

Cc: cor@guamlegislature.org, mis <mis@guamlegislature.org>

December 11, 2013

MEMORANDUM

To: All Members / All Senators

From: Senator Tina R. Muña Barnes, Acting Chair

Re: SECOND NOTICE of Public Hearing – December 13, 2013

Håfa Adai! The Committee on General Government Operations and Cultural Affairs will conduct a **Public Hearing of Bills** beginning at **2:00PM** and a **Confirmation Hearing** beginning at **5:00PM** on **Friday, December 13, 2013**, in the *Liheslatura* Public Hearing Room with the following agenda:

2:00PM - Public Hearing of Bills

- **Bill No. 214-32 (COR)** – M.F.Q. San Nicolas – An act to allow employees of government of Guam agencies and instrumentalities to apply payroll deductions to registered non-profits, by amending §20111 of Article 1, Chapter 20, Title 5, Guam Code Annotated.
- **Bill No. 220-32 (LS)** – R.J. Respicio / T.R. Muña Barnes / J.T. Won Pat, Ed.D. – An act to require the Mayors Council of Guam (MCOG) and the Guam Environmental Protection Agency (GEPA) to collaborate on development of an operational plan for the implementation of this act, and to appropriate Two Million Dollars (\$2,000,000) from the recycling revolving fund to the Mayors Council of Guam for the purchase of heavy equipment to be utilized by the MCOG for that collection and disposal of recyclables, junk cars, green waste and other debris.
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- **Bill No. 230-32 (COR)** – M.F.Q. San Nicolas – An act to require that the Office of Technology establish a secure web-based communications protocol to allow agencies to securely share information with authorized recipients by adding a new subsection (j) to §20204.1 of Article 2, Chapter 20, Title 5, Guam Code Annotated.
- **Bill No. 233-32 (COR)** – M.F.Q. San Nicolas – An act to require a period for public comment at every public meeting of an agency or instrumentality of the Government of Guam, by adding a new §8117 to Chapter 8, Title 5, Guam Code Annotated.

5:00PM - Confirmation Hearing

- The Executive Appointment of **Donna W. Kloppenburg** as Performing Arts Member of the Council on the Arts and Humanities Agency.

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We look forward to your attendance and participation.

cc: COR
MIS
Media

n.b. The link for each item will open the pertinent document, e.g. Bill as introduced, Executive M&C.

—

Tessa Weidenbacher
/senior research analyst/

Vice Speaker Benjamin J.F. Cruz
I Mina'trentai Dos Na Liheslaturan Guåhan
Phone: (671) 477-2520/1 | Fax: (671) 477-2522
<http://www.senatorbjcruz.com>

2 attachments



2nd Notice PH 12132013.pdf
245K



2nd Notice PR PH 12132013.pdf
258K



December 12, 2013

Sent via Electronic Mail
csanchez@guamag.org

Carol Hinkle-Sanchez
Deputy Attorney General
Family Division
Office of the Attorney General

Re: Invitation for Testimony on Bill No. 214-32 (COR)

Dear Atty. Hinkle-Sanchez:

Håfa Adai! The Committee on General Government Operations and Cultural Affairs will conduct a Public Hearing of Bills beginning at 2:00PM on **Friday, December 13, 2013**, in the *I Liheslatura* Public Hearing Room, 155 Hesler St., Hagåtña, Guam.

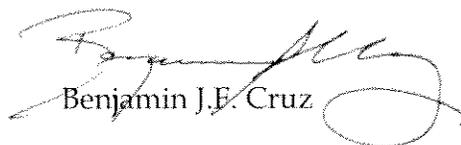
With respect to your experience and perspective, the Committee invites you to provide testimony on the following important matter:

Bill No. 214-32 (COR) - M.F.Q. San Nicolas - An act to allow employees of government of Guam agencies and instrumentalities to apply payroll deductions to registered non-profits, by amending §20111 of Article 1, Chapter 20, Title 5, Guam Code Annotated.

If you wish to provide written testimony, please transmit it at least one day prior to the hearing. Please send testimony to the Office of Vice Speaker Benjamin J.F Cruz, 155 Hesler Place, Hagåtña, Guam 96910. It may also be sent via facsimile to 477-2522, or via email to senator@senatorbjcruz.com.

We comply with Title II of the Americans with Disabilities Act (ADA). Should you require assistance or special accommodations, please contact Mr. Carlo Branch at 477-2521 or via email at carlo.branch@senatorbjcruz.com.

Respectfully,


Benjamin J.F. Cruz



December 12, 2013

Sent via Electronic Mail
mqlujan@gmail.com

Millie Lujan
Executive Director
Sanctuary, Inc. of Guam

Re: Invitation for Testimony on Bill No. 214-32 (COR)

Dear Director Lujan:

Håfa Adai! The Committee on General Government Operations and Cultural Affairs will conduct a Public Hearing of Bills beginning at 2:00PM on **Friday, December 13, 2013**, in the *I Liheslatura* Public Hearing Room, 155 Hesler St., Hagåtña, Guam.

With respect to your experience and perspective, the Committee invites you to provide testimony on the following important matter:

Bill No. 214-32 (COR) – M.F.Q. San Nicolas – An act to allow employees of government of Guam agencies and instrumentalities to apply payroll deductions to registered non-profits, by amending §20111 of Article 1, Chapter 20, Title 5, Guam Code Annotated.

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Respectfully,


Benjamin J.F. Cruz



Decembr 12, 2013

Sent via Electronic Mail

adonis.mendiola@dya.guam.gov

Adonis Mendiola
Director
Department of Youth Affairs

Re: Invitation for Testimony on Bill No. 214-32 (COR)

Dear Director Mendiola:

Håfa Adai! The Committee on General Government Operations and Cultural Affairs will conduct a Public Hearing of Bills beginning at 2:00PM on **Friday, December 13, 2013**, in the *I Liheslatura* Public Hearing Room, 155 Hesler St., Hagåtña, Guam.

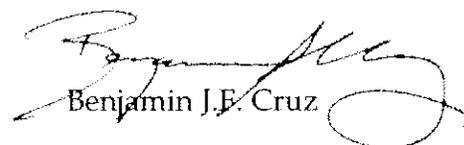
With respect to your experience and perspective, the Committee invites you to provide testimony on the following important matter:

Bill No. 214-32 (COR) – M.F.Q. San Nicolas – An act to allow employees of government of Guam agencies and instrumentalities to apply payroll deductions to registered non-profits, by amending §20111 of Article 1, Chapter 20, Title 5, Guam Code Annotated.

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Respectfully,


Benjamin J.F. Cruz



December 12, 2013

Sent via Electronic Mail

gayle.osborn@mail.dmhsa.guam.gov

Gayle Osborn
Prevention Specialist / Program Coordinator III
Prevention and Training Branch
Division of Clinical Services
Guam Behavioral Health and Wellness Center

Re: Invitation for Testimony on Bill No. 214-32 (COR)

Dear Ms. Osborn:

Håfa Adai! The Committee on General Government Operations and Cultural Affairs will conduct a Public Hearing of Bills beginning at 2:00PM on **Friday, December 13, 2013**, in the *I Liheslatura* Public Hearing Room, 155 Hesler St., Hagåtña, Guam.

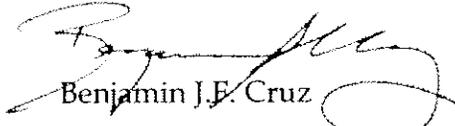
With respect to your experience and perspective, the Committee invites you to provide testimony on the following important matter:

Bill No. 214-32 (COR) - M.F.Q. San Nicolas - An act to allow employees of government of Guam agencies and instrumentalities to apply payroll deductions to registered non-profits, by amending §20111 of Article 1, Chapter 20, Title 5, Guam Code Annotated.

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We comply with Title II of the Americans with Disabilities Act (ADA). Should you require assistance or special accommodations, please contact Mr. Carlo Branch at 477-2521 or via email at carlo.branch@senatorbjcruz.com.

Respectfully,


Benjamin J.F. Cruz



December 12, 2013

Sent via Electronic Mail
yrengiil@gmail.com

Yoichi K. Rengiil
Director
TRIO Programs
University of Guam

Re: Invitation for Testimony on Bill No. 214-32 (COR)

Dear Mr. Rengiil:

Håfa Adai! The Committee on General Government Operations and Cultural Affairs will conduct a Public Hearing of Bills beginning at 2:00PM on Friday, **December 13, 2013**, in the *I Liheslatura* Public Hearing Room, 155 Hesler St., Hagåtña, Guam.

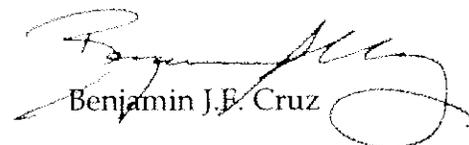
With respect to your experience and perspective, the Committee invites you to provide testimony on the following important matter:

Bill No. 214-32 (COR) - M.F.Q. San Nicolas - An act to allow employees of government of Guam agencies and instrumentalities to apply payroll deductions to registered non-profits, by amending §20111 of Article 1, Chapter 20, Title 5, Guam Code Annotated.

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Respectfully,


Benjamin J.F. Cruz



December 12, 2013

Sent via Electronic Mail
jrespicio@guamcourts.org

Joleen F. Respicio
Program Coordinator
Unified Courts of Guam

Re: Invitation for Testimony on Bill No. 214-32 (COR)

Dear Ms. Respicio:

Håfa Adai! The Committee on General Government Operations and Cultural Affairs will conduct a Public Hearing of Bills beginning at 2:00PM on **Friday, December 13, 2013**, in the *I Liheslatura* Public Hearing Room, 155 Hesler St., Hagåtña, Guam.

With respect to your experience and perspective, the Committee invites you to provide testimony on the following important matter:

Bill No. 214-32 (COR) - M.F.Q. San Nicolas - An act to allow employees of government of Guam agencies and instrumentalities to apply payroll deductions to registered non-profits, by amending §20111 of Article 1, Chapter 20, Title 5, Guam Code Annotated.

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Respectfully,


Benjamin J.F. Cruz



December 12, 2013

Sent via Electronic Mail
linda.rodriguez@dphss.guam.gov

Linda Rodriguez
Administrator
Child Protective Services
Department of Public Health & Social Services

Re: Invitation for Testimony on Bill No. 214-32 (COR)

Dear Ms. Rodriguez:

Håfa Adai! The Committee on General Government Operations and Cultural Affairs will conduct a Public Hearing of Bills beginning at 2:00PM on **Friday, December 13, 2013**, in the *I Liheslatura* Public Hearing Room, 155 Hesler St., Hagåtña, Guam.

With respect to your experience and perspective, the Committee invites you to provide testimony on the following important matter:

Bill No. 214-32 (COR) - M.F.Q. San Nicolas - An act to allow employees of government of Guam agencies and instrumentalities to apply payroll deductions to registered non-profits, by amending §20111 of Article 1, Chapter 20, Title 5, Guam Code Annotated. *(A copy of the bill is attached.)*

If you wish to provide written testimony, please transmit it at least one day prior to the hearing. Please send testimony to the Office of Vice Speaker Benjamin J.F Cruz, 155 Hesler Place, Hagåtña, Guam 96910. It may also be sent via facsimile to 477-2522, or via email to senator@senatorbjcruz.com.

We comply with Title II of the Americans with Disabilities Act (ADA). Should you require assistance or special accommodations, please contact Mr. Carlo Branch at 477-2521 or via email at carlo.branch@senatorbjcruz.com.

Respectfully,

A handwritten signature in black ink, appearing to read "Benjamin J.F. Cruz", with a large circular flourish at the end.

Benjamin J.F. Cruz

Attachment

**Listserv: phnotice@guamlegislature.org
As of October 1, 2013**

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As of October 1, 2013**

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PUBLIC HEARING AGENDA

Friday, December 13, 2013

I Liheslatura • Public Hearing Room • Hagåtña, Guam

Public Hearing of Bills - 2:00PM

Bill No. 214-32 (COR) - M.F.Q. San Nicolas - An act to allow employees of government of Guam agencies and instrumentalities to apply payroll deductions to registered non-profits, by amending §20111 of Article 1, Chapter 20, Title 5, Guam Code Annotated.

Bill No. 220-32 (LS) - R.J. Respicio / T.R. Muña Barnes / J.T. Won Pat, Ed.D. - An act to require the Mayors Council of Guam (MCOG) and the Guam Environmental Protection Agency (GEPA) to collaborate on development of an operational plan for the implementation of this act, and to appropriate Two Million Dollars (\$2,000,000) from the recycling revolving fund to the Mayors Council of Guam for the purchase of heavy equipment to be utilized by the MCOG for that collection and disposal of recyclables, junk cars, green waste and other debris.

Bill No. 224-32 (COR) - T.C. Ada / R.J. Respicio - An act to amend §5425, §5426, §5427, §5450, §5452, §5480, §5481, §5485(a) and §5485(b) of Article 9, and §5703, §5705, §5706(b), §5707(a), and §5708 of Article 12, Chapter 5, Title 5 of the Guam Code Annotated relative to clarifying legal and contractual remedies in Guam Procurement Law.

Bill No. 227-32 (COR) - T.C. Ada / R.J. Respicio - An act to authorize the creation of the Guam Streetlight Authority to issue bonds to finance the purchase and installation of new LED streetlights.

Bill No. 229-32 (COR) - M.F.Q. San Nicolas - An act to require that the Office of Technology establish a web-based meeting protocol to allow agencies to hold non-public meetings remotely by adding a new subsection (k) to §20204.1 of Article 2, Chapter 20, Title 5, Guam Code Annotated.

Bill No. 230-32 (COR) - M.F.Q. San Nicolas - An act to require that the Office of Technology establish a secure web-based communications protocol to allow agencies to securely share information with authorized recipients by adding a new subsection (j) to §20204.1 of Article 2, Chapter 20, Title 5, Guam Code Annotated.

Bill No. 233-32 (COR) - M.F.Q. San Nicolas - An act to require a period for public comment at every public meeting of an agency or instrumentality of the Government of Guam, by adding a new §8117 to Chapter 8, Title 5, Guam Code Annotated.

Confirmation Hearing - 5:00PM

The Executive Appointment of Donna W. Kloppenburg as Performing Arts Member of the Council on the Arts and Humanities Agency.

Senator San Nicolas Proposes GovGuam Agencies Allow Payroll Deductions for Those Who Want to Donate to Non-Profits

Last Updated on Friday, 25 October 2013 11:52
Written by Kevin Kerrigan
Friday, 25 October 2013 10:40



Guam News - Guam News

Guam - Senator Michael San Nicolas has introduced a bill to address the up to 20% reduction in federal funding for various non-profit programs on Guam.

Bill #214 would require all government of Guam agencies to offer payroll deductions to 501(c)(3) organizations so that GovGuam employees can donate directly to the island non-profits.

READ Bill #214 HERE

In addition, Senator San Nicolas says he is working with Assistant Attorney General Carol Sanchez to begin establishing more non-profit 501(c)(3) organizations within GovGuam agencies that receive federal grants in order to boost their ability to generate donations.

San Nicolas says in a release that it seems likely that the federal government will continue to cut spending by reducing grants Guam needs *"to be prepared to offset the loss or reduction of federal grants with local support in order to protect and continue critical government and non-profit services to our community."*

READ Senator San Nicolas' release below:

Senator San Nicolas Seeks Solution to Federal Funding Cuts

In a roundtable discussion held by Senator San Nicolas and the Legislative Committee on Future Generations on Wednesday Oct. 23 with various government and non-profit Youth Service providers, it was determined that programs dependent on federal funding have seen a reduction in federal monies to support their programs over the last few years, in some cases up to 20%. Senator San Nicolas is concerned that this trend will continue.

"The budgetary environment of the federal government appears to be on a long-term trend to reduce expenses, to include grant awards. We need to be prepared to offset the loss or reduction of federal grants with local support in order to protect and continue critical government and non-profit services to our community."

One of the programs at risk of being eliminated is Sanctuary's Transitional Living Program, which helps transition homeless youth into stable environments. The roundtable also revealed that TRIO programs that help our youth attend the University of Guam, as well as programs within Child Protective Services, and Guam Behavioral Health and Wellness are all at risk of service reductions as a result of lower federal grants.

Other programs throughout the Government of Guam and the non-profit community are likely facing similar funding threats.

To address this issue, Senator San Nicolas has enlisted the support of the Attorney General's Office through attorney Carol Sanchez to begin establishing non-profit 501(c)(3) organizations within government agencies that receive federal grants, in order to boost their ability to generate donation based revenue. Additionally, Senator San Nicolas has introduced Bill 214-32 (COR) that would require all government of Guam agencies to offer payroll deduction services to 501(c)(3) organizations for their employees so that they can donate directly to these non-profits.

"The people of Guam are extraordinarily generous, especially when it comes to causes championed by our non-profit organizations. The best response to lower federal grants is a community response where we are able to match our generosity with the causes we support. Establishing 501(c)(3) non-profit channels in our government agencies will provide a new way for community support to go directly to the agency mission they support. Additionally, facilitating the donation process through payroll deductions makes it easier for donors to directly support our local 501(c)(3) non-profit organizations, track donor donations for tax filing purposes, and provide a steady stream of cash that would be consistent for the organizations to plan around," stated Senator San Nicolas.

In addition to Bill 214-32 (COR) that will enable non-profit donations to be payroll deducted in the Government of Guam, Senator San Nicolas hopes to further expand this payroll deduction drive to include federal employees and the private sector.

Sanctuary, other youth programs affected by budget cuts

Written by BY LOUELLA LOSINIO | VARIETY NEWS STAFF

Monday, 28 Oct 2013 03:00am

CUTS in federal grants have impacted much-needed youth service agencies and organizations on the island such as Sanctuary Inc., whose operating budget has shrunk from \$3.2 million to \$2.5 million.

The cuts have prompted Sanctuary to increase the percentage of their local funding to sustain its programs.

Sanctuary implements a 24-hour crisis intervention service, temporary safe refuge during family conflicts and abuse, as well as supportive counseling, outreach, prevention and education programs.

Representatives of the nonprofit organization confirmed the budget cuts during a roundtable discussion convened by Sen. Michael San Nicolas and the legislative committee on future generations. The hearing covered various government and nonprofit youth service providers.

O.J. Taitano, a program director at Sanctuary, said because of the effects of sequestration, Sanctuary last fiscal year had lost its federal funding of around \$584,000.

"We may not get that amount this fiscal year as well," Taitano warned.

Funding

In fiscal 2012, he said the organization was 60 percent directly funded by federal grants and 40 percent funded by local or direct sources. This current fiscal year, the organization is 70 percent locally funded, according to Taitano.

"Our operating budget has shrunk from \$3.2 million for all of our services to \$2.5 million. So we have a shortfall of about \$1.2 million," Taitano said.

The budget reduction has decreased the capacity of most of their services, he added.

One of the programs at risk of being eliminated, according to San Nicolas, is Sanctuary's Transitional Living Program, which helps homeless youth transition into stable environments.

TRIO

University of Guam TRIO Programs Director Yoichi Rengiil said the TRIO Programs are also a "victim of circumstance" as federal cuts have been occurring in various federal agencies nationwide.

TRIO is a 100 percent federally funded program which provides assistance to students so they can complete secondary education and continue to pursue and complete post-secondary education. Qualified students are from disadvantaged backgrounds, are first-generation college-bound, and/or are from low-income households.

Sanctuary, other youth programs affected by budget cuts

Written by BY LOUELLA LOSINIO | VARIETY NEWS STAFF

Monday, 28 Oct 2013 03:00am

Two years ago, Rengiil said the TRIO Programs across the board realized a budget cut of 3.8 percent. This year, funding was further reduced and the program is now operating under a 5.23 percent budget cut. Cumulatively, the program had an almost 10 percent reduction since two years ago.

The cuts, according to Rengiil, have impacted their services and forced the program to do two things. "First, we have reduced the number of students we are funded to serve; and two, if I wish to retain the same number of staff, there is very little room to consider either an annual increment or raise," he said.

Rengiil cited Upward Bound, one of the programs under their wing, as an example.

"You may think that 10 percent is small, but if you consider a program like Upward Bound which has a \$380,000 annual budget, that is still a big chunk of money," he said.

At risk

San Nicolas said the budgetary environment of the federal government appears to be on a long-term trend to reduce expenses, including the giving out of grant awards.

"We need to be prepared to offset the loss or reduction of federal grants with local support in order to protect and continue critical government and nonprofit services to our community," he added.

Aside from Sanctuary and UOG's TRIO Programs, Child Protective Services and the Guam Behavioral Health and Wellness Center are also at risk of service reductions as a result of lower federal grants.

To address this issue, San Nicolas has enlisted the support of the Office of the Attorney General through attorney Carol Sanchez, to begin establishing nonprofit 501(c)(3) organizations within government agencies that receive federal grants, in order to boost their ability to generate donation-based revenue.

San Nicolas has also introduced Bill 214-32 (COR) which would require all government of Guam agencies to offer payroll deduction services to 501(c)(3) organizations for their employees so they can donate directly to these nonprofits.

San Nicolas hopes to further expand this payroll deduction drive to include federal employees and the private sector.



COMMITTEE ON RULES

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Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Senator
Vicente (Ben) C. Pangelinan
Member

Speaker
Judith T.P. Won Pat, Ed.D.
Member

Senator
Dennis G. Rodriguez, Jr.
Member

Vice-Speaker
Benjamin J.F. Cruz
Member

Legislative Secretary
Tina Rose Muña Barnes
Member

Senator
Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

November 26, 2013

Memorandum

To: **Rennae Meno**
Clerk of the Legislature

From: **Senator Thomas C. Ada** 
Acting Chairperson of the Committee on Rules

Subject: **Fiscal Notes /Waivers**

Hafa Adai!

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

FISCAL NOTES:

Bill Nos. ~~91~~-32(COR), ~~98~~-32(LS), ~~116~~-32(COR), ~~153~~-32(COR),
~~171~~-32(COR), ~~176~~-32(COR), ~~181~~-32(COR), ~~182~~-32(COR), ~~183~~-32(COR),
~~194~~-32(COR), ~~195~~-32(COR), ~~202~~-32(COR), ~~203~~-32(COR), ~~206~~-32(COR),
~~207~~-32(COR), ~~209~~-32(COR), and ~~211~~-32(COR)

WAIVERS:

Bill No. ~~94~~-32(COR), ~~165~~-32(COR), ~~170~~-32(COR), ~~189~~-32(COR),
~~193~~-32(COR), ~~199~~-32(COR), ~~210~~-32(COR), and ~~214~~-32(COR)

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'!

2013 NOV 26 PM 3:18 

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932EDDIE BAZA CALVO
GOVERNORRAY TENORIO
LIEUTENANT GOVERNORJOHN A. RIOS
DIRECTORJOEY S. CALVO
DEPUTY DIRECTOR

NOV 15 2013

The Bureau requests that Bill No(s). 214-32 (COR) be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

Bill No. 214-32(COR) is an act to allow employees of Government of Guam agencies and instrumentalities to apply for payroll deductions to registered non-profit organizations, by amending §20111 of Article 1, Chapter 20, Title 5, Guam Code Annotated.

The bill proposes to allow employees of the Government of Guam payroll deduction service to contribute to a 501(c)(3) non-profit organizations registered with the Department of Revenue and Taxation. The Department of Administration (DOA) has an existing policy which limits the number of voluntary payroll deductions to five (5) per employee. If employees are at the maximum payroll deduction allowed, the DOA may waive these employees from the limitation if the additional deductions are for non-profit organizations.

The intent of the Bill is administrative in nature and poses no fiscal impact upon any funds of the Government of Guam.

A handwritten signature in black ink, appearing to read "John A. Rios".
JOHN A. RIOS
Director



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Senator
Vicente (Ben) C. Pangelinan
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Legislative Secretary
Tina Rose Muña Barnes
Member

Senator
Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

October 29, 2013

VIA E-MAIL
john.rios@bbmr.guam.gov

John A. Rios
Director
Bureau of Budget & Management Research
P.O. Box 2950
Hagåtña, Guam 96910

RE: Request for Fiscal Notes– Bill Nos. 212-32 (COR) through 215-32 (COR)

Hafa Adai Mr. Rios:

Transmitted herewith is a listing of *I Mina'trentai Dos na Liheslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

Si Yu'os ma'åse' for your attention to this matter.

Very Truly Yours,

Senator Rory J. Respicio
Chairperson, Committee on Rules

Attachments (1)

Cc: Clerk of the Legislature

2013 OCT 31 AM 9:48
JMB

Bill Nos.	Sponsor	Title
212-32 (COR)	T.R. Muña Barnes Judith T. Won Pat, Ed.D.	AN ACT TO ADD A NEW CHAPTER 59A TO TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE PROCURING, INSTALLING, OPERATING, LEASING, MAINTAINING, REFURBISHING, AND REPLACING OF ENERGY-EFFICIENT STREETLIGHTS FOR THE ENTIRE ISLAND OF GUAM ALSO KNOWN AS THE ISLAND-WIDE ENERGY EFFICIENT STREET LIGHT ACT OF 2013.
213-32 (COR)	V. Anthony Ada	AN ACT TO AUTHORIZE I MAGA'LAHEN GUAHÃN TO EXCHANGE GOVERNMENT PROPERTY IN BARRIGADA FOR PRIVATELY OWNED PROPERTY LOCATED IN BARRIGADA TO BE USED FOR THE GUAM FLOOD MITIGATION PLAN.
214-32 (COR)	Michael F.Q. San Nicolas	AN ACT TO ALLOW EMPLOYEES OF GOVERNMENT OF GUAM AGENCIES AND INSTRUMENTALITIES TO APPLY PAYROLL DEDUCTIONS TO REGISTERED NON- PROFITS, BY AMENDING §20111 OF ARTICLE 1, CHAPTER 20, TITLE 5, GUAM CODE ANNOTATED.
215-32 (COR)	T.R. Muña Barnes, Aline A. Yamashita, Ph.D.	AN ACT TO ADD A NEW ARTICLE 24 TO CHAPTER 12, TITLE 10 OF THE GUAM CODE ANNOTATED, RELATIVE TO ALLOWING THE MEDICAL USE OF CANNABIS, AMENDING PROVISIONS OF THE CONTROLLED SUBSTANCES ACT, PROVIDING PENALTIES, AND FOR OTHER PURPOSES, ALSO KNOWN AS THE JOAQUIN CONCEPCION COMPASSIONATE CANNABIS USE ACT OF 2013.



Rory Respicio <cor@guamlegislature.org>

Request for Fiscal Notes– Bill Nos. 212-32 (COR) through 215-32 (COR)

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

Tue, Oct 29, 2013 at 2:26 PM

To: john.rios@bbmr.guam.gov

Cc: admin@bbmr.guam.gov, analyn.eustaquio@bbmr.guam.gov, Guam Legislature Clerks <clerks@guamlegislature.org>

Bcc: Mary Maravilla <marymaravilla19@gmail.com>

October 29, 2013

VIA E-MAIL

john.rios@bbmr.guam.gov

John A. Rios

Director

Bureau of Budget & Management Research

P.O. Box 2950

Hagåtña, Guam 96910

Received by:
Analyn
Date: 10/29/13
Time: 3:00pm

RE: Request for Fiscal Notes– Bill Nos. 212-32 (COR) through 215-32 (COR)

Hafa Adai Mr. Rios:

Transmitted herewith is a listing of *I Mina'trentai Dos na Liheslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

Si Yu'os ma'åse' for your attention to this matter.

–
Majority Leader Rory J. Respicio
Chairperson, Committee on Rules;
Federal, Foreign & Micronesian Affairs;

Human & Natural Resources; and Election Reform
I Mina'Trentai Dos na Liheslaturan Guåhan
155 Hesler Place, Ste. 302
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 2013.10.29_FN_Request_212-215.pdf

770K



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October 25, 2013

MEMORANDUM

To: **Rennae Meno**
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

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

Subject: **Referral of Bill No. 214-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 214-32(COR)**.

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

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

Si Yu'os Ma'åse!

Attachment

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

Bill No. 214-32(ap)

Introduced by:

Michael F.Q. San Nicolas 

**AN ACT TO ALLOW EMPLOYEES OF GOVERNMENT
OF GUAM AGENCIES AND INSTRUMENTALITIES TO
APPLY PAYROLL DEDUCTIONS TO REGISTERED
NON-PROFITS, BY AMENDING §20111 OF ARTICLE 1,
CHAPTER 20, TITLE 5, GUAM CODE ANNOTATED.**

2013 OCT 25 AM 11:00 

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

2 **Section 1. Short Title.** This Act *shall* be cited as the “Non-Profit Payroll
3 Deduction Act.”

4 **Section 2. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
5 that there are hundreds of registered non-profits which provide numerous services
6 to our community. 501(c)(3) organizations are operated for religious, charitable,
7 scientific, testing for public safety, literary, or educational purposes, to foster
8 amateur sports competition, to promote the arts or to prevent cruelty to children or
9 animals. Such non-profit organizations tend to receive a substantial portion of its
10 income from the public, government or charitable endowments.

11 *I Liheslatura* finds that federal sequestration has had a negative impact on
12 many non-profit organizations which serve the people of Guam. Even some of the
13 best performing organizations have had major cuts to revenue which they need to
14 operate at current service levels.

15 *I Liheslatura* further finds that contributions from the community, including
16 government of Guam employees can have significant positive impacts to
17 sustaining these vital organizations.

1 It is therefore the intent of *I Liheslatura* to allow employees of government
2 of Guam agencies and instrumentalities to apply payroll deductions to registered
3 non-profits, by *amending* Subsection (a) of §20111, Article 1, Chapter 20, Title 5,
4 Guam Code Annotated.

5 **Section 3. Payroll Deductions to Non-Profits.** §20111 is hereby of of
6 Article 1, Chapter 20, Title 5, Guam Code Annotated, is hereby *amended*, to read:

7 **“§ 20111. Payroll Deductions and Marketing within Government.**

8 (a) Payroll Deduction. The government of Guam may provide payroll
9 deduction services to employees of the government as requested by an employee;
10 however, if payroll deduction services are provided for payment to one of a class
11 of businesses, it must be provided for payment to all members of the class.
12 Notwithstanding any other provision to the contrary, upon request by an employee
13 of an agency or instrumentality of the government of Guam, the relevant personnel
14 office for the agency or instrumentality shall provide a payroll deduction service
15 for such employee to contribute to a 501(c)(3) non-profit registered with the
16 Department of Revenue and Taxation. Such deductions shall be reported on a
17 cumulative basis on the pay stub of the employee, and shall be reported as a
18 cumulative total on the employee’s W-2. Government of Guam employers shall
19 make available a list of qualified 501(c)(3) registered non-profits as a physical
20 copy or electronic format to government employees upon request. The list
21 provided for in this Subsection shall be compiled from the current list of 501(c)(3)
22 non-profit organizations registered with the Department of Revenue and Taxation
23 not later than ninety (90) days from the enactment of this Act. Thereafter, the list
24 of non-profits shall be updated annually by January 1st.

25 (b) Exclusivity of Marketing. The government of Guam may provide the
26 opportunity for employees to have access to the marketing of certain products
27 during working hours at government facilities; however if this access is provided

1 for one of a class of products, it must be provided for all members of the class. All
2 501(c)(3) organizations registered with the Department of Revenue and Taxation
3 may be provided access to market their programs during working hours and on
4 government facilities. All such marketing programs shall not interrupt the
5 provision of government services.”