



Office of the Governor of Guahan

P.O. Box 2950 Hagåtña, GU 96932
Tel: (671) 472-8931 • Fax: (671) 477-4826 • Email: governor@guam.gov

Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

The Honorable Judith T. Won Pat, Ed.D.
Speaker
Mina' Trenta Na Liheslaturan Guahan
155 Hessler Street
Hagåtña, Guam 96910

DEC 29 2010

10-30-1096

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

Date: 12/29/2010
Time: 4:07 pm
Received by: [Signature]

2010 DEC 29 AM 8:46
W

Dear Speaker Won Pat:

Transmitted herewith is Bill 252-30 (COR) "AN ACT TO AMEND §4301(a), AND TO ADD NEW §§4301.1(d) AND 4302.1 OF ARTICLE 3, CHAPTER 4 OF TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO CREATING THE GOVERNMENT OF GUAM EMPLOYEE HEALTH BENEFITS TRUST FUND BY THE DIVISION OF ACCOUNTS OF THE DEPARTMENT OF ADMINISTRATION," which I signed into law on August 28, 2010 as **Public Law 30-187**.

Sinseru yan Magåhet,

FELIX P. CAMACHO
I Maga'låhen Guahan
Governor of Guahan

Attachment: copy of Bill

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) Regular Session

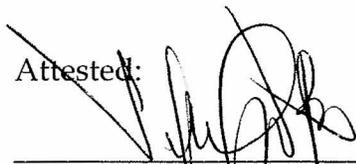
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Bill No. 252-30 (COR), "AN ACT TO AMEND §4301(a), AND TO ADD NEW §§ 4301.1(d) AND 4302.1 OF ARTICLE 3, CHAPTER 4 OF TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO CREATING THE GOVERNMENT OF GUAM EMPLOYEE HEALTH BENEFITS TRUST FUND BY THE DIVISION OF ACCOUNTS OF THE DEPARTMENT OF ADMINISTRATION"**, was on the 16th day of August, 2010, duly and regularly passed.



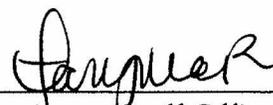
Judith T. Won Pat, Ed. D.
Speaker

Attested:



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 17th day of Aug., 2010, at 4:40 o'clock P.M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:



FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: AUG 28 2010

Public Law No. P.L. 30-187

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

Bill No. 252-30 (COR)

As amended.

Introduced by:

v. c. pangelinan
T. C. Ada
V. Anthony Ada
F. B. Aguon, Jr.
F. F. Blas, Jr.
E. J.B. Calvo
B. J.F. Cruz
J. V. Espaldon
Judith P. Guthertz, DPA
T. R. Muña Barnes
Adolpho B. Palacios, Sr.
R. J. Respicio
Telo Taitague
Ray Tenorio
Judith T. Won Pat, Ed.D.

**AN ACT TO *AMEND* §4301(a), AND TO *ADD* NEW §§
4301.1(d) AND 4302.2 OF ARTICLE 3, CHAPTER 4 OF
TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO
CREATING THE GOVERNMENT OF GUAM
EMPLOYEE HEALTH BENEFITS TRUST FUND BY
THE DIVISION OF ACCOUNTS OF THE
DEPARTMENT OF ADMINISTRATION.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that there is a need to include an authorization for self funded government of Guam
4 employee health benefits in order to provide cost effective alternatives to

1 purchasing group health insurance. Self funded health benefits reduce the
2 purchasing cost to both the government of Guam and its employees through
3 minimal administrative cost by eliminating corporate profit and premium tax
4 expenses associated with buying group health insurance. Increasing health benefit
5 options also enables the government of Guam to attract and retain qualified
6 employees by providing comprehensive health benefits similar to those commonly
7 provided in private industry at a lower cost.

8 *I Liheslaturan Guåhan* finds that the creation of a government of Guam
9 Employee Health Benefits Trust Fund (Fund) is required to protect the government
10 of Guam and its employees' contributions to pay for self funded health benefits.
11 These contributions are currently set aside for group health insurance policies
12 purchased from private industry. The Fund will serve as the source to pay for
13 expenses related to any self funded health benefit plans, including, but *not limited*
14 *to*, claims, stop-loss insurance and administrative fees.

15 **Section 2.** §4301(a) of Article 3, Chapter 4 of Title 4, Guam Code
16 Annotated, is hereby *amended* to read:

17 “(a) *I Maga’lahi* (the Governor) is authorized to enter contracts and
18 reject proposals, with the written concurrence of the Speaker of *I*
19 *Liheslaturan Guåhan* (the Guam Legislature) *or* the Presiding Judge of the
20 Superior Court of Guam whose consents may be withheld in their *sole*
21 discretion, with one (1) *or* more insurance companies, authorized to do
22 business in Guam, for group insurance, including, but *not limited to*,
23 hospitalization, medical care, life and accident, for all employees *or* separate
24 groups of employees of the government of Guam. *If* the Legislative *or*
25 Judicial Branches of government elect to enter into separate contracts for
26 their employees as authorized in §4301(c), *I Maga’lahi shall* obtain the
27 written concurrence of the Branch electing to remain with the Executive

1 Branch before the group insurance contract is entered into *or* a proposal
2 rejected. The government *shall not* be construed as an agent of any
3 insurance company in negotiating *or* administering this group insurance
4 program. Health benefits provided under this authority may be self funded
5 and administered by a third party *if* it is determined to be cost-effective.”

6 **Section 3.** A new §4301.1(d) of Article 3, Chapter 4 of Title 4, Guam
7 Code Annotated, is hereby *added* to read:

8 “(d) *Health benefits* is a defined set of benefit coverage consisting of,
9 but *not limited to*, medical *or* dental care which is provided directly, through
10 insurance *or* reimbursement, *or* otherwise, and including items and services
11 paid for considered care that is self funded *or* offered by a health insurance
12 provider.”

13 **Section 4.** A new §4302.2 of Article 3, Chapter 4 of Title 4, Guam Code
14 Annotated, is hereby *added* to read:

15 “§4302.2. Creation of the government of Guam Self Funded
16 Employee Health Benefits Trust Fund Accounts, herein referred to as “Trust
17 Fund Accounts”.

18 (a) The Trust Fund Accounts are hereby created and *shall*
19 *not* be commingled with the General Fund *or* any other funds of the
20 government of Guam;

21 (b) A separate bank account for all Trust Fund Accounts
22 *shall* be established for each Self Funded Health Benefits Plan;

23 (c) All employer and employee premium payments *shall* be
24 deposited in the respective Self Funded Health Benefits Plan Trust
25 Fund Account;

26 (d) Moneys in the Trust Fund Accounts *shall* be used by the
27 Department of Administration to pay health benefit related claims

1 and associated administrative costs for any Self Funded Health
2 Benefits Plan negotiated by the team authorized in §4302(c) of
3 Chapter 4, Article 3, Title 4, Guam Code Annotated;

4 (e) Income earned on the moneys in the Trust Fund
5 Accounts *shall* be credited to the respective Self Funded Health
6 Benefits Plan's Trust Fund Account;

7 (f) Moneys in the Trust Fund Accounts are continuously
8 appropriated in accordance with this Section and are *not* subject to
9 any transfer authority of *I Maga'lahi*;

10 (g) The Trust Fund Accounts *shall* maintain a minimum
11 reserve equal to twenty-five percent (25%) of prior fund year
12 coverage claim payments including incurred but *not* reported (IBNR)
13 claim liability for the same period;

14 (h) There *shall* be an annual audited report based on
15 generally accepted accounting principles and generally accepted
16 auditing standards, and supported by actuarial review and opinion of
17 IBNR claims and other future contingent liabilities. The report *shall*
18 include at a minimum, but *not limited to*, the following:

19 (1) Opinion of Independent Certified Public Accountant;

20 (2) Balance Sheet;

21 (3) Statement of Revenues and Expenses;

22 (4) Statement of Changes in Fund Balances;

23 (5) Statement of Cash Flows, direct method;

24 (6) Notes to Financial Statements; and

25 (7) A premium equivalency charge developed from total
26 fund year expenditures, including an estimate for IBNR claim
27 cost.”

1 **Section 5. Effective Date.** This Act *shall* become effective upon
2 enactment.

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

6

I MINA' TRENTA NA LIHESLATURAN GUÅHAN

2010 (SECOND) Regular Session

Date: 8/16/10

VOTING SHEET

Bill No. 252-30(COR)

Resolution No. _____

Question: _____

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
ADA, Thomas C.	✓				
ADA, V. Anthony	✓				
AGUON, Frank B., Jr.	✓				
BLAS, Frank F., Jr.	✓				
CALVO, Edward J.B.	✓				
CRUZ, Benjamin J. F.	✓				
ESPALDON, James V.	✓				
GUTHERTZ, Judith Paulette	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RESPICIO, Rory J.	✓				
TAITAGUE, Telo	✓				
TENORIO, Ray	✓				
WON PAT, Judith T.	✓				

TOTAL

15 _____

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



**COMMITTEE ON ECONOMIC DEVELOPMENT,
HEALTH & HUMAN SERVICES, AND JUDICIARY**

I Mina' Trenta na Liheslaturan Guåhan • 30th Guam Legislature
238 Archbishop F.C. Flores St., DNA Bldg., Suite 701A, Hagatña, Guam 96910
Tel: (671) 969-1495/6 • Fax: (671) 969-1497 • Email: aguon4guam@gmail.com

2010 AUG 12 PM 2:25
WPM

August 9, 2010

Honorable Judith T. Won Pat
Speaker
I Mina' Trenta na Liheslaturan Guåhan
155 Hesler Place
Hagatña, Guam 96910

VIA: The Honorable Rory J. Respicio
Chairperson, Committee on Rules *[Signature]*

RE: Committee Report - Bill No. 252-30 (COR).

Dear Speaker Won Pat:

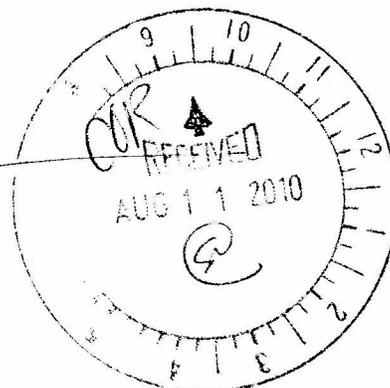
Transmitted herewith is the **Committee Report** on Transmitted herewith for your consideration is the Committee Report on **BILL NO. 252-30 (COR) — “AN ACT TO AMEND SECTION 4301(a), ADD A NEW SECTION 4301.1(d) AND ADD A NEW SECTION 4302.1 OF CHAPTER 4, ARTICLE 3, TITLE 4 GCA RELATIVE TO CREATING THE GOVERNMENT OF GUAM EMPLOYEE HEALTH BENEFITS TRUST FUND BY THE DIVISION OF ACCOUNTS OF THE DEPARTMENT OF ADMINISTRATION,”** Sponsored by Vicente C. Pangelinan, and referred to the Committee on Economic Development, Health & Human Services, and Judiciary. Bill No. 252-30 (COR) was publicly heard on February 11, 2010.

Committee votes are as follows:

<u>6</u>	TO PASS
_____	NOT TO PASS
_____	ABSTAIN
<u>2</u>	TO REPORT OUT ONLY
_____	TO PLACE IN INACTIVE FILE

Respectfully,

[Signature]
SENATOR FRANK B. AGUON, JR.
Attachment



FRANK B. AGUON, JR.
SENATOR, CHAIRMAN

ADOLPHO B. PALACIOS, SR.
SENATOR, VICE CHAIRMAN

JUDITH T. WON PAT
SPEAKER
EX-OFFICIO MEMBER

BENJAMIN J.F. CRUZ
VICE SPEAKER

TINA ROSE MUÑA BARNES
LEGISLATIVE SECRETARY

THOMAS C. ADA
SENATOR

JUDITH P. GUTHERTZ
SENATOR

RORY J. RESPICIO
SENATOR

FRANK F. BLAS, JR.
SENATOR

TELO TAITAGUE
SENATOR

RAY TENORIO
SENATOR



**COMMITTEE ON ECONOMIC DEVELOPMENT,
HEALTH AND HUMAN SERVICES, AND JUDICIARY**
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**COMMITTEE
REPORT
ON**

BILL NO. 252-30 (COR)

Sponsored by Vicente C. Pangelinan.

“AN ACT TO AMEND SECTION 4301(a), ADD A NEW SECTION 4301.1(d) AND ADD A NEW SECTION 4302.1 OF CHAPTER 4, ARTICLE 3, TITLE 4 GCA RELATIVE TO CREATING THE GOVERNMENT OF GUAM EMPLOYEE HEALTH BENEFITS TRUST FUND BY THE DIVISION OF ACCOUNTS OF THE DEPARTMENT OF ADMINISTRATION,”.



**COMMITTEE ON ECONOMIC DEVELOPMENT,
HEALTH & HUMAN SERVICES, AND JUDICIARY**

I Mina' Trenta na Liheslaturan Guåhan • 30th Guam Legislature

238 Archbishop F.C. flores St., DNA Bldg., Suite 701A, Hagatña, Guam 96910

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August 9, 2010

FRANK B. AGUON, JR.
SENATOR, CHAIRMAN

ADOLPHO B. PALACIOS, SR.
SENATOR, VICE CHAIRMAN

JUDITH T. WON PAT
SPEAKER
EX-OFFICIO MEMBER

BENJAMIN J.F. CRUZ
VICE SPEAKER

TINA ROSE MUÑA BARNES
LEGISLATIVE SECRETARY

THOMAS C. ADA
SENATOR

JUDITH P. GUTHERTZ
SENATOR

RORY J. RESPICIO
SENATOR

FRANK F. BLAS, JR.
SENATOR

TELO TAITAGUE
SENATOR

RAY TENORIO
SENATOR

MEMORANDUM

To: ALL MEMBERS
Committee on Economic Development, Health & Human Services, and Judiciary

From: SENATOR FRANK B. AGUON, JR.
Committee Chairperson

Subject: Committee Report on Bill No. 252-30 (COR).

Transmitted herewith for your consideration is the Committee Report on **BILL NO. 252-30 (COR)** — “AN ACT TO AMEND SECTION 4301(a), ADD A NEW SECTION 4301.1(d) AND ADD A NEW SECTION 4302.1 OF CHAPTER 4, ARTICLE 3, TITLE 4 GCA RELATIVE TO CREATING THE GOVERNMENT OF GUAM EMPLOYEE HEALTH BENEFITS TRUST FUND BY THE DIVISION OF ACCOUNTS OF THE DEPARTMENT OF ADMINISTRATION,” Sponsored by Vicente C. Pangelinan.

This report includes the following:

- Committee Voting Sheet
- Committee Report Narrative / Digest
- Copy of Bill No.252-30 (COR)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony & Supporting Documents
- Copy of COR Referral of Bill No. 252-30 (COR)
- Notices of Public Hearing (1st and 2nd)
- Copy of the Public Hearing Agenda
- Related News Articles (Public hearing publication of public notice)

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

Si Yu'os ma'åse'!

Attachment



COMMITTEE VOTING SHEET

BILL NO. 252-30 (COR) — “AN ACT TO AMEND SECTION 4301(a), ADD A NEW SECTION 4301.1(d) AND ADD A NEW SECTION 4302.1 OF CHAPTER 4, ARTICLE 3, TITLE 4 GCA RELATIVE TO CREATING THE GOVERNMENT OF GUAM EMPLOYEE HEALTH BENEFITS TRUST FUND BY THE DIVISION OF ACCOUNTS OF THE DEPARTMENT OF ADMINISTRATION,” Sponsored by Vicente C. Pangelinan.

	SIGNATURE	TO PASS	NOT TO PASS	REPORT OUT ONLY	ABSTAIN	PLACE IN INACTIVE FILE
FRANK B. AGUON, JR. Chairman	<i>8/10/10</i> 	✓				
ADOLPHO B. PALACIOS, SR. Vice Chairman		✓				
BENJAMIN J.F. CRUZ Vice Speaker		✓				
TINA ROSE MUÑA BARNES Legislative Secretary		✓				
THOMAS C. ADA	<i>T.C. Ada</i>	✓				
JUDITH P. GUTHERTZ						
RORY J. RESPICIO						
FRANK F. BLAS, JR.				✓		
TELO TAITAGUE				✓		
RAY TENORIO						



**COMMITTEE ON ECONOMIC DEVELOPMENT,
HEALTH AND HUMAN SERVICES, AND JUDICIARY**
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COMMITTEE REPORT DIGEST

Bill No. 252-30 (COR)

I. OVERVIEW: The Committee on Economic Development, Health & Human Services, and Judiciary conducted a public hearing on February 11, 2009. The Hearing convened at 1:30 P.M. in *I Liheslatura's* Public Hearing Room. Among the items on the agenda was the consideration of **BILL NO. 252-30 (COR)** — “AN ACT TO AMEND SECTION 4301(a), ADD A NEW SECTION 4301.1(d) AND ADD A NEW SECTION 4302.1 OF CHAPTER 4, ARTICLE 3, TITLE 4 GCA RELATIVE TO CREATING THE GOVERNMENT OF GUAM EMPLOYEE HEALTH BENEFITS TRUST FUND BY THE DIVISION OF ACCOUNTS OF THE DEPARTMENT OF ADMINISTRATION,” Sponsored by Vicente C. Pangelinan.

Public Notice Requirements

Notices were disseminated via hand-delivery/fax and/or e-mail to all senators and all main media broadcasting outlets on February 03, 2010 (5-Day Notice), and again on February 03, 2010 (48-Hour Notice). Notices were published in the Marianas Variety on February 04, 2010, and in the Marianas Variety on February 09, 2010.

Senators Present

Senator Frank B. Aguon, Jr.	Chairperson
Senator Adolpho B. Palacios, Sr.	Vice-Chairperson
Senator Tina R. Muna Barnes	Committee Member
Senator Telo T. Taitague	Committee Member
Senator Ray Tenorio	Committee Member
Senator Vicente C. Pangelinan	Senator
Senator Edward J.B. Calvo	Senator

The public hearing on agenda item Bill No. 252-30 (COR) was Called-to-Order at 1:30 P.M.

II. SUMMARY OF TESTIMONY & DISCUSSION.

CHAIRMAN FRANK B. AGUON, JR., convened the Public Hearing on Bill No. 252-30 (COR). Invited Senator Vicente C. Pangelinan, primary sponsor, to explain Bill No. 252-30 (COR).

Senator Pangelinan: Bill 252 would set up a Guam employees health benefit trust fund - and we introduced this Bill when the government of Guam made a move to self-insure for the dental program and the self insurance aspect of the program required the money be placed in a trust account use to pay the claims against the services provided for each of the employees participating in the

self-funded program. The self funded program grants another option and a mechanism that may result in lower costs for the health insurance in the dental programs for the government of Guam. Mechanically, when the program was set up in this past year there was no way of accepting the revenue of the premium payments from the employees and placing it into a account, and so this would have established this trust fund account for self insured benefits of the government employees. We are coming up for the health insurance negotiations for the FY-2011 and the establishment of this account at this time would give the government of Guam the flexibility that should they accept a self insured proposal in the upcoming fiscal year then we would have the account set up already to be able to accept the money and make the payments on behalf of the employees.

Chairman: Called the first panel to testify.

Mr. Frank Campillo, Health Plan Administrator, Calvo's Insurance: provided oral testimony **OPPOSED** to Bill No. 252-30 (COR). The government of Guam has tried this before. The government of Guam continues to pay late for M.I.P., and M.I.P. pharmacy claims. The government is already late on its tax refunds, COLA payments and many other payments due to others. So a fund like this I don't is going to be any different. We are not the only one left insuring the government of Guam, we are here because everyone else providing insurance left.

At the end of the day, the basic reason we oppose it is that the government of Guam has demonstrated that they do not have the ability to really keep up with payments. They don't have the fiscal managerial abilities to pay people on time. So I think that if this bill passes you would put the hospital in jeopardy and many other providers because they don't have the payments that they need to get on-time. They simply do not have the fiscal discipline to carry the program forward at this time..

Mr. Boobing Wolford: provided oral testimony basically IN SUPPORT of Bill No. 252-30 (COR). Addressed the need for more types of insurance coverage for all the people of Guam. Too many are without insurance and have difficulty getting help even from M.I.P.

John P. Camacho, Acting Director, Department of Administration: provided oral testimony IN SUPPORT of Bill No. 252-30 (COR), but recommended some changes. We will be preparing and submitting written testimony within the next ten days.

John Carlos, Regulatory Administrator, Department of Revenue & Taxation: Provided oral testimony IN SUPPORT of Bill No. 252-30 (COR), but recommended some changes. Suggested that the government by statute create some kind of cooperative organization, something like the Retirement Fund, with the authority to sue in its own name. Also, there should be a third party administrator with the experience and ability to administer this type of government fund. [Note: recording becomes inaudible] Also suggested the creation of a state guarantee fund like California. Stated he will be submitting written testimony. Also questioned as to how we are to initially capitalize the fund?

Rolando Borrromeo, Management Analysis IV, Division of Accounts, Department of Administration: Submitted written testimony (attached) and provided oral basically IN SUPPORT, but recommended that funding be provided to D.O.A. to handle any additional processes which will be associated with the implementation of the bill.

Senator Pangelinan: Clarified that the bill is not to set up a program, but rather, to set up an account to receive funds into a trust account. D.O.A. would not be managing a health insurance program. This is basically a ledger operation, and in this regard D.O.A. would need some assistance.

CHAIRMAN: There being for further testimony or questions, the public hearing on Bill No. 252-30 (COR) was adjourned. Written testimony would continue to be received for the next ten (10) days.

Note: As of the date of the issuance of this committee report, no written testimonies were received relative to Bill No. 252-30 (COR).

III. FINDINGS & RECOMMENDATIONS

The Committee finds that it is in the best interests of government employees that a trust account be established pursuant to this Bill, in an effort aimed towards reducing dental health care costs.

No substantive or technical amendments were made to Bill No. 252-30 (COR).

The Committee on Economic Development, Health & Human Services, and Judiciary, hereby reports out Bill No. 252-30 (COR), with the recommendation to TO PASS.

I MINA' TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) REGULAR SESSION

Bill No. 252-30(corr)

Introduced by:

v.c. pangelinan

2009 OCT - 8 PM 2: 53 AM

AN ACT TO AMEND SECTION 4301(a), ADD A NEW SECTION 4301.1(d) AND TO ADD A NEW SECTION 4302.1 OF CHAPTER 4, ARTICLE 3, TITLE 4 GUAM CODE ANNOTATED RELATIVE TO CREATING THE GOVERNMENT OF GUAM EMPLOYEE HEALTH BENEFITS TRUST FUND BY THE DIVISION OF ACCOUNTS OF THE DEPARTMENT OF ADMISTRATION

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guahan* finds the
2 need to include an authorization for self funded government of Guam employee health
3 benefits in order to provide cost effective alternatives to purchasing group health
4 insurance. Self funded health benefits reduce the purchasing cost to both the government
5 of Guam and its employees through minimal administrative cost by eliminating corporate
6 profit and premium tax expenses associated with buying group health insurance.
7 Increasing health benefit options also enables the government of Guam to attract and
8 retain qualified employees by providing comprehensive health benefits similar to those
9 commonly provided in private industry at a lower cost.

10 *I Liheslaturan Guahan* finds the creation of a Government of Guam Employee
11 Health Benefits Trust Fund (Fund) is required to protect the government of Guam and its
12 employee's contributions to pay for self funded health benefits. These contributions are
13 currently set aside for group health insurance policies purchased from private industry.
14 The Fund will serve as the source to pay for expenses related to any self funded health
15 benefit plans including but not limited to claims, stop-loss insurance and administrative
16 fees.

17 **Section 2. Section 4301(a) of Chapter 4, Article 3, Title 4 Guam Code**
18 **Annotated is hereby amended to read:**

1 “4301. Group Insurance.

2 (a) The Governor is authorized to enter contracts and reject proposals, with the
3 written concurrence of the Speaker of the Guam Legislature or the Presiding Judge of the
4 Superior Court of Guam whose consents may be withheld in their sole discretion, with one
5 (1) or more insurance companies, authorized to do business in Guam, for group insurance,
6 including, but not limited to hospitalization, medical care, life and accident, for all employees
7 or separate groups of employees of the government of Guam. If the Legislative or Judicial
8 Branches of government elect to enter into separate contracts for their employees as
9 authorized in § 4301(c), the Governor shall obtain the written concurrence of the Branch
10 electing to remain with the Executive Branch before the group insurance contract is entered
11 into or a proposal rejected. The government shall not be construed as an agent of any
12 insurance company in negotiating or administering this group insurance program. Health
13 Benefits provided under this authority may be self-funded and administered by a third party
14 if it is determined to be cost-effective.”

15 **Section 3. Section 4301.1 (d) of Chapter 4, Article 3, Title 4 Guam Code**
16 **Annotated is hereby added to read:**

17 “§ 4301.1. Definitions.

18 (d) Health benefits is a defined set of benefit coverage consisting of but not
19 limited to medical or dental care which is provided directly, through insurance or
20 reimbursement, or otherwise, and including items and services paid for considered
21 care that is self funded or offered by a health insurance provider.”

22 **Section 4. Section 4302.1 of Chapter 4, Article 3, Title r Guam Code Annotated**
23 **is hereby added to read:**

24 “§4301.2. Creation of the Government of Guam Self Funded Employee Health
25 Benefits Trust Fund Accounts, herein referred to as “Trust Fund Accounts”.

26 (a) The Trust Fund Accounts are hereby created and shall not be commingled with
27 the General Fund or any other funds of the government of Guam;

28 (b) A separate bank account for all Trust Fund Accounts shall be established for each
29 self funded health benefits plan;

30 (c) All employer and employee premium payments shall be deposited in the
31 respective self funded health benefits plan Trust Fund Account;

1 (d) Moneys in the Trust Fund Accounts shall be used by the Department of
2 Administration to pay health benefit related claims and associated administrative costs for
3 any self funded health benefits plan negotiated by the team authorized in § 4302(c) of
4 Chapter 4, Article 3, Title 4 Guam Code Annotated;

5 (e) Income earned on the moneys in the Trust Fund Accounts shall be credited to the
6 respective self funded health benefits plan's Trust Fund Account;

7 (f) Moneys in the Trust Fund Accounts are continuously appropriated in accordance
8 with this section and are not subject to any transfer authority of the Governor;

9 (g) The Trust Fund Accounts shall maintain a minimum reserve equal to Twenty-Five
10 percent (25%) of prior fund year coverage claim payments including incurred but not
11 reported (IBNR) claim liability for the same period;

12 (h) Annual audited report based on generally accepted accounting principles and
13 generally accepted auditing standards, and supported by actuarial review and opinion of
14 IBNR claims and other future contingent liabilities. Report *shall* include at a minimum but
15 not limited to the following:

16 (1) Opinion of Independent Certified Public Accountant;

17 (2) Balance Sheet;

18 (3) Statement of Revenues and Expenses;

19 (4) Statement of Changes in Fund Balances;

20 (5) Statement of Cash Flows, direct method; and

21 (6) Notes to Financial Statements.

22 (7) A premium equivalency charge developed from total fund year
23 expenditures, including an estimate for IBNR claim cost.

24 **Section 5. Effective Date.** This Act shall become effective upon enactment.

25 **Section 6. Severability.** If any provisions of this Act or the application thereof to
26 any person or circumstance is held invalid, such invalidity shall not affect any other
27 provision or application of this Act which can be given effect without the invalid provision or
28 application, and to this end the provisions of this Act are severable.

Date: 2-11-2010

Written Testimony in support of Bill No. 252-30 on the creation of the Government of Guam Employee Health Benefits Trust Fund.

Good afternoon, my name is Rolando Borrromeo and I am a Management Analyst working with the Division of Accounts, Department of Administration.

The intent of Bill No. 252-30 is to provide cost effective alternatives to purchasing group health insurance and it is commendable. However, the bill in its current form may need to undergo several revisions before it is considered for passage.

One of the concerns that will need to be addressed is the limited resources of the Division of Accounts and the Human Resources Division of the Department of Administration. At this point, the current staffing levels of the divisions will be inadequate to handle any additional processes which will be associated with the implementation of the bill.

I would like to recommend that Bill No. 252-30 be revised so that it identifies a funding source and appropriates it to the Department of Administration to allow the Division of Accounts and the Human Resources Division to hire additional staff. Doing so will ensure the effective implementation of the bill.

Sincerely,

Rolando Borrromeo
Management Analyst IV
Division of Accounts
Department of Administration

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 252-30 (COR)**

AN ACT TO AMEND SECTION 4301(a), ADD A NEW SECTION 4301.1(d) AND TO ADD A NEW SECTION 4302.1 OF CHAPTER 4, ARTICLE 3, TITLE 4 GUAM CODE ANNOTATED RELATIVE TO CREATING THE GOVERNMENT OF GUAM EMPLOYEE HEALTH BENEFITS TRUST FUND BY THE DIVISION OF ACCOUNTS OF THE DEPARTMENT OF ADMINISTRATION.

Department/Agency Appropriation Information

Dept./Agency Affected: Department of Administration	Dept./Agency Head: Lourdes M. Perez
Department's General Fund (GF) appropriation(s) to date:	\$30,037,499
Dept's Other Fund (specify): Tourist Attraction Fund (TAF); Guam Highway Fund (GHF); Streetlight Fund; Indirect Cost Fund, appropriation(s) to date:	\$4,347,788
Total Department/Agency Appropriation(s) to date:	\$34,385,287

Fund Source Information of Proposed Appropriation

	General Fund:	Other:	Total:
FY 2010 Adopted Revenues	\$540,218,638	\$112,566,011	\$652,784,649
FY 2010 Appro. (P.L. 30-55)	(\$540,228,723)	(\$113,243,583)	(\$653,472,306)
Sub-total:	(\$10,085)	(\$677,572)	(\$687,657)
Less appropriation in Bill	\$0	\$0	\$0
Total:	(\$10,085)	(\$677,572)	(\$687,657)

Estimated Fiscal Impact of Bill

	One Full Fiscal Year	For Remainder of FY 2010 (if applicable)	FY 2011	FY 2012	FY 2013	FY 2014
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Employee Benefit Trust Fund Accounts	1/	1/	1/	1/	1/	1/
Total	1/	1/	1/	1/	1/	1/

- | | | | |
|---|---------|-------------------------------|----------------------------|
| 1. Does the bill contain "revenue generating" provisions?
If Yes, see attachment | | / / Yes | /X/ No |
| 2. Is amount appropriated adequate to fund the intent of the appropriation?
If no, what is the additional amount required? \$ _____ | /X/ N/A | / / Yes | / / No |
| 3. Does the Bill establish a new program/agency?
If yes, will the program duplicate existing programs/agencies?
Is there a federal mandate to establish the program/agency? | / / N/A | /X/ Yes
/X/ Yes
/ / Yes | / / No
/ / No
/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:
/ / Requested agency comments not received by due date | | /X/ Yes | / / No |
| | | / / Other: _____ | |

Analyst: BJN/12 **Date:** 11/9/2009 **Director:** Bertha M. Duenas **Date:** NOV 10 2009
Bertha M. Duenas, Director, BBMR

Footnotes: 1/ Enactment of the proposed legislation entails the creation of a Government of Guam Employee Health Benefits Trust Fund Accounts to be used by the Department of Administration to pay health benefit related claims and associated administrative costs for any self funded health benefits plan, as negotiated in §4302(c) of Chapter 4, Article 3, Title 4 Guam Code Annotated. The proposal has a potential for additional funding impact, however in its present form, that impact cannot be determined at this time.



COMMITTEE ON RULES

I Mina' Trenta na Liheslaturan Guåhan • 30th Guam Legislature

155 Hesler Place, Hagatña, Guam 96910 • tel: (671)472-7679 • fax: (671)472-3547 • roryforguam@gmail.com

**SENATOR
RORY J.
RESPICIO
CHAIRPERSON**

**SENATOR
Judith P. Guthertz
VICE
CHAIRPERSON**

**MAJORITY
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SPEAKER**

**Benjamin J. F. Cruz
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LEGISLATIVE SECRETARY**

**Thomas C. Ada
SENATOR**

**Frank B. Aguon, Jr.
SENATOR**

**Adolpho B. Palacios, Sr.
SENATOR**

**Vicente C. Pangelinan
SENATOR**

**Matthew Rector
SENATOR**

**MINORITY
MEMBERS:**

**Frank F. Blas, Jr.
SENATOR**

**James V. Espaldon
SENATOR**

October 14, 2009

MEMORANDUM

To: Pat Santos
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Judith P. Guthertz, DPA
Acting Chairperson, Committee on Rules

Subject: Referral of Bill Nos. 252-30(COR) – 258-30(COR)

As Acting Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 252-30(COR) – 258-30(COR).

Please ensure that the subject bills are referred, in my name, to the respective committees, as shown on the attachment. I also request that the same be forwarded to all Senators of *I Mina' Trenta Na Liheslaturan Guåhan*.

Should you have any questions, please contact Stephanie Mendiola or Elaine V. Tajalle at 472-7679.

Si Yu'os Ma'åse'!

(1) Attachment

2009 OCT 15 PM 2:57

I Mina'Trenta Na Liheslaturan Guåhan

Bill Log Sheet

Page 1 of 3

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date)
B252-30 (COR)	v. c. pangelinan	An act to amend Section 4301(a), add a new Section 4301.1(d) and to add a new Section 4302.1 of Chapter 4, Article 3, Title 4 Guam Code Annotated relative to creating the Government of Guam Employee Health Benefits Trust Fund by the Division of Accounts of the Department of Administration	10/08/09 2:53 p.m.	10/13/09	Committee on Economic Development, Health and Human Services, and Judiciary			
B253-30 (COR)	J. P. Guthertz, DPA	An act to address the frustrating lack of action on the priority concerns of Guam relative to federal-territorial issues by adding a new Title 5 Guam Code Annotated, Division 5 Public Works, Chapter 54A, entitled "Priority Concerns Toll Booths" to impose a toll on all vehicles entering and leaving United States Federal Government Property in Guam until all amounts due to the people of Guam are fully reimbursed, and to add a new § 51821 (a) to Article 8 of Chapter 51 of Title 10 of the Guam Code Annotated to authorize the use of \$5,000,000 (Five Million Dollars) in excess bond proceeds for the	10/08/09 4:27 p.m.	N/A	N/A	N/A	N/A	Withdrawn (10-12-09)



**COMMITTEE ON ECONOMIC DEVELOPMENT,
HEALTH AND HUMAN SERVICES, AND JUDICIARY**

I Mina'Trenta Na Liheslaturan Guåhan • 30th Guam Legislature

238 Archbishop F.C. Flores St., DNA Bldg., Suite 701A, Hagatña, Guam 96910

Tel: (671) 969-1495/6 • Fax: (671) 969-1497 • Email: aguon4guam@gmail.com

February 3, 2010

FRANK B. AGUON, JR.

SENATOR, CHAIRMAN

ADOLPHO B. PALACIOS, SR.

SENATOR, VICE CHAIRMAN

JUDITH T. WON PAT

SPEAKER

EX-OFFICIO MEMBER

BENJAMIN J.F. CRUZ

VICE SPEAKER

TINA ROSE MUÑA BARNES

LEGISLATIVE SECRETARY

THOMAS C. ADA

SENATOR

JUDITH P. GUTHERTZ

SENATOR

RORY J. RESPICIO

SENATOR

FRANK F. BLAS, JR.

SENATOR

TELO TAITAGUE

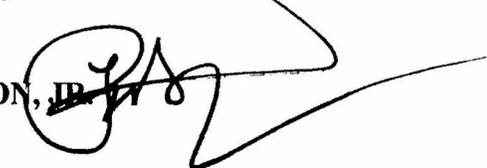
SENATOR

RAY TENORIO

SENATOR

MEMORANDUM

TO: All Senators/Members
*Committee on Economic Development, Health & Human Services
and Judiciary*

FROM: SENATOR FRANK B. AGUON, JR. 
SUBJECT: First Notice
Public Hearing –
Thursday, February 11, 2010- 1:30PM

Buenas yan Hafa Adai!

The Committee on Economic Development, Health & Human Services and Judiciary will be conducting a Public Hearing on **Thursday, February 11, 2010, 1:30pm** in the Legislature's Public Hearing Room.

On the agenda will be the following:

1:30PM to 6PM

✓ **BILL NO. 252-30 (COR)** An act to amend Section 4301(a), add a new Section 4301.1(d) and to add a new Section 4302.1 of Chapter 4, Article 3, Title 4 GCA relative to creating the Government of Guam Employee Health Benefits Trust Fund by the Division of Accounts of the Department of Administration.,

✓ **BILL NO. 268-30 (COR)** An act to add a new Article 23 to Chapter 12 of Division 1 of Title 10 GCA, relative to the licensing of massage practitioners to practice in Guam.

✓ **BILL NO. 272-30 (LS)** An act relative to the Division of Environmental Health of DPHSS; to amend §6229 of Article 2, Chapter 6 of Title 4 GCA; to add new §6233 to §6233.12 and §6234 to Article 2, Chapter 6 of Title 4 GCA; to amend §20121 of Chapter 20 of Title 10 GCA; add new §20122 and §20123 to Chapter 20 of Title 10 GCA; and to amend §7119 of Chapter 7, Title 22 GCA.

✓ **BILL NO. 275-30 (LS)** An act relative to providing clarification and flexibility to DPHSS in the management of its financial resources for the direct operation of the Community Health Centers by amending Subsection (a) of §3811, Chapter 3, Title 10 GCA.

BILL NO. 280-30 (LS) An act to amend Subsections (a) (b) (c) (d) (e) and to add Subsections (f) (g) and (h) of Section 3811 and to add Subsections (6) and (7) to Section 3814 of Chapter 3 of Article 8 of Title 10 GCA relative to the establishment and use of the Community Health Center Revolving Fund.



**COMMITTEE ON ECONOMIC DEVELOPMENT,
HEALTH AND HUMAN SERVICES, AND JUDICIARY**

I Mina'Trenta Na Liheslaturan Guahan • 30th Guam Legislature

238 Archbishop F.C. Flores St., DNA Bldg., Suite 701A, Hagatña, Guam 96910

Tel: (671) 969-1495/6 • Fax: (671) 969-1497 • Email: aguon4guam@gmail.com

Agenda Continuation...

FRANK B. AGUON, JR.
SENATOR, CHAIRMAN

ADOLPHO B. PALACIOS, SR.
SENATOR, VICE CHAIRMAN

JUDITH T. WON PAT
SPEAKER
EX-OFFICIO MEMBER

BENJAMIN J.F. CRUZ
VICE SPEAKER

TINA ROSE MUÑA BARNES
LEGISLATIVE SECRETARY

THOMAS C. ADA
SENATOR

JUDITH P. GUTHERTZ
SENATOR

RORY J. RESPICIO
SENATOR

FRANK F. BLAS, JR.
SENATOR

TELO TAITAGUE
SENATOR

RAY TENORIO
SENATOR

BILL NO. 309-30 (COR)- An act to add a new Chapter 91 entitled "Childs Right To Live Act" to title 9 of the GCA relative to the protection of infants born alive as a result of an abortion.

BILL NO. 312(COR) An act to add a new article 4 to Chapter 70 of 9 GCA Relative to penalties for those convicted of furnishing alcohol to minors.

6PM

BILL NO. 266-30 (COR)An act to provide capital improvement funds for the Guam Veterans Cemetery by adding a new Subsection (i) to §51821 of Article 8, Chapter 51, Division 2, Title 10 GCA, relative to the reallocation of excess funding proceeds from the 2009 Solid Waste Management System Bond Funds.

Should you have any question, please feel free to contact my office at 9691495/96.

Un Dangkolo Si Yu'os Si Ma'ase!

Cc: Clerk of the Legislature
Sgt-at-Arms/Protocol/AV
MIS



**COMMITTEE ON ECONOMIC DEVELOPMENT,
HEALTH AND HUMAN SERVICES, AND JUDICIARY**
I Mina'Trenta Na Liheslaturan Guåhan • 30th Guam Legislature
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February 3, 2010

MEMORANDUM

FRANK B. AGUON, JR.
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TELO TAITAGUE
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RAY TENORIO
SENATOR

TO: MEDIA

Pacific Daily News – 477-3079 KUAM- 637-9870
Pacific News Center – 477-0793 K-57/Power98-477-3982
Hit Radio 100 – 472-7663 K-Stereo/KISH – 477-6411
Marianas Variety – 648-2007 I-94-637-9865
Glimpses-649-8883 Adventist Radio-565-2983
JOY 92FM- 4774678 KPRG-734-2958
Guam Broadcast Services -648-0104

FROM: SENATOR FRANK B. AGUON, JR.

SUBJECT: First Notice --Public Hearing
Thursday, February 11, 2010- 1:30PM

Buenas yan Hafa Adai!

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On the agenda will be the following:

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BILL NO. 252-30 (COR) An act to amend Section 4301(a), add a new Section 4301.1(d) and to add a new Section 4302.1 of Chapter 4, Article 3, Title 4 GCA relative to creating the Government of Guam Employee Health Benefits Trust Fund by the Division of Accounts of the Department of Administration.,

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BILL NO. 275-30 (LS) An act relative to providing clarification and flexibility to DPHSS in the management of its financial resources for the direct operation of the Community Health Centers by amending Subsection (a) of §3811, Chapter 3, Title 10 GCA.



**COMMITTEE ON ECONOMIC DEVELOPMENT,
HEALTH AND HUMAN SERVICES, AND JUDICIARY**

***I Mina'Trenta Na Liheslaturan Guåhan* • 30th Guam Legislature**

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Agenda Continuation...

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SENATOR

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Should you have any question, please feel free to contact my office at 9691495/96.

Un Dangkolo Si Yu'os Si Ma'ase!

NOTE: Blocked calls are not displayed on this report.
For more information, see Junk Fax Report and the Caller ID History report.

Last 30 Transactions

Date	Time	Type	Station ID Caller ID	Duration	Pages	Result
Feb 3	1:35PM	Fax Sent	4773982	0:54	2	OK
Feb 3	1:37PM	Fax Sent	4773079	1:23	2	OK
Feb 3	1:39PM	Fax Sent	4770793	0:55	2	OK
Feb 3	1:43PM	Fax Sent	6482007	1:34	2	OK
Feb 3	1:45PM	Fax Sent	4777663	0:00	0	No answer
Feb 3	1:47PM	Fax Sent	4777663	0:00	0	No answer
Feb 3	1:49PM	Fax Sent	4776411	1:19	2	OK
Feb 3	1:51PM	Fax Sent	7343476	1:11	2	OK
Feb 3	1:53PM	Fax Sent	4727663	0:56	2	OK
Feb 3	1:55PM	Fax Sent	7347342958	0:17	0	Cancel
Feb 3	1:56PM	Fax Sent	5652983	0:56	2	OK
Feb 3	1:57PM	Fax Sent	4777136	0:57	2	OK
Feb 3	1:59PM	Fax Sent	4774678	0:57	2	OK
Feb 3	2:06PM	Fax Sent	7342958	1:08	2	OK
Feb 3	2:08PM	Fax Sent	4772240	1:46	2	OK
Feb 3	3:08PM	Fax Sent	4723589	0:52	2	OK
Feb 3	3:10PM	Fax Sent	4733303	1:19	2	OK
Feb 3	3:12PM	Fax Sent	4723400	1:21	2	OK
Feb 3	3:15PM	Fax Sent	4722528	1:37	2	OK
Feb 3	3:18PM	Fax Sent	4758805	0:52	2	OK
Feb 3	3:19PM	Fax Sent	4772522	0:58	2	OK
Feb 3	3:21PM	Fax Sent	4752000	0:56	2	OK
Feb 3	3:23PM	Fax Sent	4723547	0:55	2	OK
Feb 3	3:25PM	Fax Sent	4725022	1:22	2	OK
Feb 3	3:26PM	Received	6482007 6716482007	0:38	1	OK
Feb 3	3:31PM	Fax Sent	4734238	1:06	2	OK
Feb 3	3:34PM	Fax Sent	4723547	0:51	2	OK
Feb 3	3:36PM	Fax Sent	9698357	2:40	2	OK
Feb 3	3:39PM	Fax Sent	4791329	1:11	2	OK
Feb 3	3:41PM	Fax Sent	4728896	1:07	2	OK

NOTE: Blocked calls are not displayed on this report.
For more information, see Junk Fax Report and the Caller ID History report.

Last Transaction

Date	Time	Type	Station ID Caller ID	Duration	Pages	Result
Feb 3	3:26PM	Received	6482007 6716482007	0:38	1	OK

→ 9AM →

W Kendall

→

William Kendall

→



SENATOR FRANK B. AGUON, JR.

Chairman, Committee on Economic Development,
Health & Human Services, and Judiciary
I Mina' Trenta Na Liheslaturan Guåhan
(Thirtieth Guam Legislature)



PRESS RELEASE

FOR IMMEDIATE RELEASE

February 03, 2010

NOTICE OF PUBLIC HEARING

In accordance with the Open Government Law 24-109, relative to notice for public meetings, please let this serve as 5 days notice for a Public Hearing by the Committee on Economic Development, Health & Human Services, and Judiciary, scheduled for

DATE: THURSDAY, February 11, 2010
TIME: 1:30 PM
PLACE: Guam Legislature Public Hearing Room

Please see attached Agenda for listing of Bills that will be heard on this day. Persons with disabilities needing special accommodations/services, or for more information, please contact Gina Tabonares, Committee Special Assistant at 969-1495/6.

#####

MEDIA DISTRIBUTION: (fax, email or hand delivery)

KUAM TV/Radio	637-9870
News Talk K57 / Power98	477-3982
PDN	477-3079
PNC News	477-0793
Marianas Variety	648-2007
Marianas Media / Guam News Factor	477-2240
Hit Radio 100	472-7663
K-Stereo / KISH	477-6411
KPRG News	734-2958
KGTF	734-3476
Adventist Radio	565-2983
Harvest Radio	477-7136
Joy 92FM	477-4678

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For more information, see Junk Fax Report and the Caller ID History report.

Last 30 Transactions

Date	Time	Type	Station ID Caller ID	Duration	Pages	Result
Feb 3	3:12PM	Fax Sent	4723400	1:21	2	OK
Feb 3	3:15PM	Fax Sent	4722528	1:37	2	OK
Feb 3	3:18PM	Fax Sent	4758805	0:52	2	OK
Feb 3	3:19PM	Fax Sent	4772522	0:58	2	OK
Feb 3	3:21PM	Fax Sent	4752000	0:56	2	OK
Feb 3	3:23PM	Fax Sent	4723547	0:55	2	OK
Feb 3	3:25PM	Fax Sent	4725022	1:22	2	OK
Feb 3	3:26PM	Received	6482007 6716482007	0:38	1	OK
Feb 3	3:31PM	Fax Sent	4734238	1:06	2	OK
Feb 3	3:34PM	Fax Sent	4723547	0:51	2	OK
Feb 3	3:36PM	Fax Sent	9698357	2:40	2	OK
Feb 3	3:39PM	Fax Sent	4791329	1:11	2	OK
Feb 3	3:41PM	Fax Sent	4728896	1:07	2	OK
Feb 3	3:45PM	Fax Sent	4773079	1:24	2	OK
Feb 3	3:47PM	Fax Sent	4770793	0:55	2	OK
Feb 3	3:49PM	Fax Sent	4727663	0:52	2	OK
Feb 3	3:51PM	Fax Sent	6482007	0:51	1	Error 363
Feb 3	3:53PM	Fax Sent	6482007	1:21	2	OK
Feb 3	3:55PM	Fax Sent	6498883	0:56	2	OK
Feb 3	3:56PM	Fax Sent	6491924	0:28	0	Cancel
Feb 3	3:57PM	Fax Sent	6482007	0:46	1	Error 403
Feb 3	4:00PM	Fax Sent	6482007	1:53	2	OK
Feb 3	4:02PM	Fax Sent	4774678	0:59	2	OK
Feb 3	4:04PM	Fax Sent	6480104	0:53	2	OK
Feb 3	4:12PM	Fax Sent	6379870	1:02	2	OK
Feb 3	4:14PM	Fax Sent	4773982	0:52	2	OK
Feb 3	4:16PM	Fax Sent	4776411	1:13	2	OK
Feb 3	4:19PM	Fax Sent	6379865	0:58	2	OK
Feb 3	4:21PM	Fax Sent	5652983	0:54	2	OK
Feb 3	4:23PM	Fax Sent	7342958	1:01	2	OK



**COMMITTEE ON ECONOMIC DEVELOPMENT,
HEALTH AND HUMAN SERVICES, AND JUDICIARY**
I Mina'Trenta Na Liheslaturan Guåhan • 30th Guam Legislature
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Tel: (671) 969-1495/6 • Fax: (671) 969-1497 • Email: aguon4guam@gmail.com

February 8, 2010

MEMORANDUM

FRANK B. AGUON, JR.
SENATOR, CHAIRMAN

ADOLPHO B. PALACIOS, SR.
SENATOR, VICE CHAIRMAN

JUDITH T. WON PAT
SPEAKER
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SENATOR

RAY TENORIO
SENATOR

TO: Honorable Senators/ Committee Members
Committee on Economic Development, Health & Human Services and Judiciary

FROM: SENATOR FRANK B. AGUON, JR.
Chairman

SUBJECT: Notice Public Hearing – Second Notice
Thursday, February 11, 2010- 1:30PM

The Committee on Economic Development, Health & Human Services and Judiciary will be conducting a Public Hearing on **Thursday, February 11, 2010, 1:30pm** in the Guam Legislature's Public Hearing Room.

On the agenda will be the following:

BILL NO. 252-30 (COR) An act to amend Section 4301(a), add a new Section 4301.1(d) and to add a new Section 4302.1 of Chapter 4, Article 3, Title 4 GCA relative to creating the Government of Guam Employee Health Benefits Trust Fund by the Division of Accounts of the Department of Administration.,

BILL NO. 266-(COR) An act to provide capital improvement funds for the Guam Veterans Cemetery by adding a new Subsection (i) to §51821 of Article 8, Chapter 51, Division 2, Title 10 of GCA relative to reallocation of excess funding proceeds from the 2009 Solid Waste Management System Bond Funds

BILL NO. 268-30 (COR) An act to add a new Article 23 to Chapter 12 of Division 1 of Title 10 GCA, relative to the licensing of massage practitioners to practice in Guam.

BILL NO. 272-30 (LS) An act relative to the Division of Environmental Health of DPHSS; to amend §6229 of Article 2, Chapter 6 of Title 4 GCA; to add new §6233 to §6233.12 and §6234 to Article 2, Chapter 6 of Title 4 GCA; to amend §20121 of Chapter 20 of Title 10 GCA; add new §20122 and §20123 to Chapter 20 of Title 10 GCA; and to amend §7119 of Chapter 7, Title 22 GCA.

BILL NO. 275-30 (LS) An act relative to providing clarification and flexibility to DPHSS in the management of its financial resources for the direct operation of the Community Health Centers

BILL NO. 280-30 (LS) An act to amend Subsections (a) (b) (c) (d) (e) and to add Subsections (f) (g) and (h) of Section 3811 and to add Subsections (6) and (7) to Section 3814 of Chapter 3 of Article 8 of Title 10 GCA relative to the establishment and use of the Community Health Center Revolving Fund.

BILL NO. 309-30 (COR) An act to add a new Chapter 91 entitled "Childs Right to Live Act" to title 9 of the GCA relative to the protection of infants born alive as a result of an abortion.

BILL NO. 312 (COR) An act to add a new Art 4 to Chapter 70 of 9GCA Relative to penalties for those convicted of furnishing alcohol to minors.

Please call my office if you have any questions. *Un Dangkulo' na Si Yu'use Ma'ase.*

Cc: Sergeant-at-Arms/Protocol/AV



**COMMITTEE ON ECONOMIC DEVELOPMENT,
HEALTH AND HUMAN SERVICES, AND JUDICIARY**
I Mina'Trenta Na Liheslaturan Guåhan • 30th Guam Legislature
238 Archbishop F.C. Flores St., DNA Bldg., Suite 701A, Hagatña, Guam 96910
Tel: (671) 969-1495/6 • Fax: (671) 969-1497 • Email: aguon4guam@gmail.com

February 8, 2010

MEMORANDUM

TO: Media

Pacific Daily News – 477-3079	KUAM- 637-9870	Glimpses 649-8883
Pacific News Center – 477-0793	K-57/Power98-477-3982	KPRG-734-2958
Hit Radio 100 – 472-7663	K-Stereo/KISH – 477-6411	I-94- 637-9865
Marianas Variety – 648-2007	Glimpses-649-8883	Adventist Radio-565-2983
JOY 92FM- 4774678	Guam Broadcast Services -648-0104	

FROM: SENATOR FRANK B. AGUON, JR.

I Mina' Trenta na Liheslaturan Guåhan

SUBJECT: Second Notice --Public Hearing

Thursday, February 11, 2010- 1:30PM

The Committee on Economic Development, Health & Human Services and Judiciary will be conducting a Public Hearing on **Thursday, February 11, 2010, 1:30pm** in the Legislature's Public Hearing Room. On the agenda will be the following:

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BILL NO. 275-30 (LS) An act relative to providing clarification and flexibility to DPHSS in the management of its financial resources for the direct operation of the Community Health Centers by amending Subsection (a) of §3811, Chapter 3, Title 10 GCA.

BILL NO. 280-30 (LS) An act to amend Subsections (a) (b) (c) (d) (e) and to add 3814 of Chapter 3 of Article 8 of Title 10 GCA relative to the establishment and use of the Community Health Center Revolving Fund.

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BILL NO. 312-30(COR) An act to provide Article 4 to Chapter 70 of 9GCA Relative to penalties for those convicted of furnishing alcohol to minors.

Please call my office if you have any questions. *Un Dangkulo' na Si Yu'use Ma'ase!*

Cc: Sergeant-at-Arms/Protocol/AV

FRANK B. AGUON, JR.
SENATOR, CHAIRMAN

ADOLPHO B. PALACIOS, SR.
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EX-OFFICIO MEMBER

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SENATOR

RORY J. RESPICIO
SENATOR

FRANK F. BLAS, JR.
SENATOR

TELO TAITAGUE
SENATOR

RAY TENORIO
SENATOR



Gina Tabonares <aguonmedia@gmail.com>

2nd Notice on Public Hearing on THURSDAY, FEB. 11, 2010

1 message

Gina Tabonares <aguonmedia@gmail.com>

Mon, Feb 8, 2010 at 4:21 PM

To: judiguthertz@pticom.com, senadotbjcruz@aol.com, senjim@ite.net, "Adolpho B. Palacios" <senabpalacios@gmail.com>, Ben Pangelinan <senbenp@guam.net>, Benjamin JF Cruz <senadotbjcruz@gmail.com>, "Edward J. B. Calvo" <sencalvo@gmail.com>, "Frank B. Aguon, Jr." <aguon4guam@gmail.com>, "Frank F. Blas, Jr." <frank.blasjr@gmail.com>, Jimmy Espaldon <senator@espaldon.com>, Judi Won Pat <info@judiwonpat.com>, Ray Tenorio <ray@raytenorio.com>, "Rory J. Respicio" <roryforguam@gmail.com>, Telo Taitague <senatortelo@gmail.com>, Tina Muna Barnes <tinamunabarnes@gmail.com>, Tom Ada <tom@senatorada.org>

Cc: alfredduenas@guamlegislature.org, andrasgrandma@yahoo.com, aokada@guamlegislature.org, bfartero@guamlegislature.org, bruce.lloyd.media@gmail.com, chris.budasi@guamlegislature.org, coy@senatorada.org, cyrus@senatorada.org, dcchaco@guamlegislature.org, doc.wyittenbachsantos@gmail.com, ed@raytenorio.com, edpocaigne@judiwonpat.com, edpocaigne@yahoo.com, epogue@guamlegislature.org, epogue@hotmail.com, fba_irenem@yahoo.com, fbtorres@yahoo.com, gtmarcos612@yahoo.com, herbie@judiwonpat.com, hmcruz55@guam.net, jameleng_91@yahoo.com, jamespcastro@gmail.com, jcamacho@senatorada.org, jenniferdulla@gmail.com, jessica@raytenorio.com, joe_kamudo@yahoo.com, jonbdiaz@gmail.com, josie.mendiola@gmail.com, joyunpingco@guamlegislature.org, juliette@senatorada.org, legislativesecretary1@gmail.com, lizama.frances@gmail.com, mark@judiwonpat.com, markafague@gmail.com, maryfejeran@gmail.com, mcarlson@ite.net, mermae@raytenorio.com, mjperez48@yahoo.com, mona.duenas@gmail.com, natashaguon@hotmail.com, nenamillondaga@yahoo.com, patrickcepeda@hotmail.com, paul@raytenorio.com, peterig@gmail.com, pjtcruz@yahoo.com, remytaijeron@yahoo.com, rlikeke05@gmail.com, rob.tupaz@gmail.com, roberto.phil@gmail.com, roeann@raytenorio.com, roland@judiwonpat.com, rsmuna45@gmail.com, rsmuna@yahoo.com, sahara@judiwonpat.com, santos222@gmail.com, sayama01@yahoo.com, smendiola@guamlegislature.org, stefcepeda@yahoo.com, tcamacho@senatorada.org, teddytaz_222@yahoo.com, tpmatane@yahoo.com, trespicio@gmail.com, typhoonjvr@yahoo.com, vel.komiyama@yahoo.com, victoria.phillips@live.com, vquenga@judiwonpat.com, wndycruz@gmail.com, zunior0831@hotmail.com, anaaleah <anaaleah@yahoo.com>, bill phillips <phillipsguam@gmail.com>, Chetsa Muna-Brecht <cmunabrecht@guamlegislature.org>, Derick Hills <derickhills@live.com>, Ed LeonGuerrero <edleonguerrero@gmail.com>, Elaine Tajalle <elainevtll@gmail.com>, Frank Torres <fbtorres@judiwonpat.com>, Fred Burgos <feaburgos@gmail.com>, Gina Tabonares <aguonmedia@gmail.com>, Jay Sunga <ajsunga@senatorada.org>, Jose Cruz <josecruzjr17@yahoo.com>, Joy Unpingco <joyunpingco@gmail.com>, Lisa Cipollone <cipo@guamlegislature.org>, Mary Lou Wheeler <mlwheeler2000@yahoo.com>, Maya Alonso <maya@guamlegislature.org>, Mike Lidia <mike.lidia9@gmail.com>, Nicole Santos <nsantos@senatorada.org>, Phillip Leon Guerrero <phill@raytenorio.com>, Ron Taitague <ez2plez57@yahoo.com>, ron teehan <rteehan@yahoo.com>, Selina Onedera-Salas <sonedera-salas@guamlegislature.org>, "teddytaz@ite.net" <teddytaz@ite.net>, tinaokada <tinaokada@gmail.com>, Toby Castro <tcastro@guam.net>, Tony Quitugua <tq@guamlegislature.org>, Daniel Perez <dperez@guamlegislature.org>, Dorothy Cruz <dot@guamlegislature.org>, Elvy Mew <emew@guamlegislature.org>, Flo Terlaje <fterlaje@guamlegislature.org>, Maria Nieves Materne <nieves@guamlegislature.org>, Martha Cruz <mcruz@guamlegislature.org>, Pat Santos <psantos@guamlegislature.org>, Rennae Perez <rennae@guamlegislature.org>, vbermudes@guamlegislature.org, Yong Pak <yong@guamlegislature.org>, tunsigog@guamlegislature.org, Joe Leon Guerrero <sgtarms@guamlegislature.org>, Stephanie Mendiola <sem@guamlegislature.org>

Buenas All!

Please see attached memo from Senator Frank B. Aguon Jr regarding the public hearing scheduled for Thursday, February 11, 2010, at 1:30 PM.

Si Yu'os Ma'ase!

GINA TABONARES

Office of Sen. Frank B. Aguon Jr.

Committee on Economic Development, Health and Human Services, and Judiciary

969-1495/6



2ndNoticeSENATORS.pdf

578K



SENATOR FRANK B. AGUON, JR.

Chairman, Committee on Economic Development,
Health & Human Services, and Judiciary
I Mina' Trenta Na Liheslaturan Guåhan
(Thirtieth Guam Legislature)



PRESS RELEASE

FOR IMMEDIATE RELEASE

February 08, 2010

SECOND NOTICE OF PUBLIC HEARING

In accordance with the Open Government Law 24-109, relative to notice for public meetings, please let this serve as 5 days notice for a Public Hearing by the Committee on Economic Development, Health & Human Services, and Judiciary, scheduled for

DATE: THURSDAY, February 11, 2010
TIME: 1:30 PM
PLACE: Guam Legislature Public Hearing Room

Please see attached Agenda for listing of Bills that will be heard on this day. Persons with disabilities needing special accommodations/services, or for more information, please contact Gina Tabonares or Ron Teehan at 969-1495/6.

#####

MEDIA DISTRIBUTION: (fax, email or hand delivery)

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PDN	477-3079
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Marianas Variety	648-2007
Marianas Media / Guam News Factor	477-2240
Hit Radio 100	472-7663
K-Stereo / KISH	477-6411
KPRG News	734-2958
KGTF	734-3476
Adventist Radio	565-2983
Harvest Radio	477-7136
Joy 92FM	477-4678

AGENDA
Public Hearing
THURSDAY, Feb.11, 2010

1:30PM -6PM

BILL NO. 252-30 (COR)

An act to amend Section 4301(a), add a new Section 4301.1(d) and to add a new Section 4302.1 of Chapter 4, Article 3, Title 4 GCA relative to creating the Government of Guam Employee Health Benefits Trust Fund by the Division of Accounts of the Department of Administration.

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An act to add a new article 4 to Chapter 70 of 9 GCA Relative to penalties for those convicted of furnishing alcohol to minors.

6:00PM

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HP Officejet 6310
Personal Printer/Fax/Copier/Scanner

Log for
Sen. Frank B. Aguon, Jr.
(671) 969-1497
Feb 08 2010 2:12PM

NOTE: Blocked calls are not displayed on this report.
For more information, see Junk Fax Report and the Caller ID History report.

Last 30 Transactions

Date	Time	Type	Station ID Caller ID	Duration	Pages	Result
Feb 3	4:12PM	Fax Sent	6379870	1:02	2	OK
Feb 3	4:14PM	Fax Sent	4773982	0:52	2	OK
Feb 3	4:16PM	Fax Sent	4776411	1:13	2	OK
Feb 3	4:19PM	Fax Sent	6379865	0:58	2	OK
Feb 3	4:21PM	Fax Sent	5652983	0:54	2	OK
Feb 3	4:23PM	Fax Sent	7342958	1:01	2	OK
Feb 3	8:20PM	Received	4723510	0:18	1	OK
			6714723589			
Feb 4	11:39AM	Received	671 472 5022	0:34	1	OK
			6714725022			
Feb 4	3:03PM	Received	671 734 2066	0:20	1	OK
			6717342066			
Feb 4	5:20PM	Received	+6716472000	0:33	1	OK
			6716472000			
Feb 8	9:35AM	Received	671 472 5022	1:21	3	OK
			6714725022			
Feb 8	10:13AM	Received	4773736	0:22	1	OK
			6714773736			
Feb 8	11:53AM	Fax Sent	6482007	0:47	1	OK
Feb 8	12:16PM	Received	6351444	0:29	2	OK
			6716351444			
Feb 8	12:59PM	Fax Sent	6482007	0:50	1	OK
Feb 8	1:45PM	Fax Sent	6379870 - KUAM	0:55	2	OK
Feb 8	1:46PM	Fax Sent	4773982 - K57 / Power 98	0:51	2	OK
Feb 8	1:48PM	Fax Sent	4773079 - PDN	1:16	2	OK
Feb 8	1:50PM	Fax Sent	4770793 - PNC	0:50	2	OK
Feb 8	1:51PM	Fax Sent	6482007 - Marianas Variety	1:19	2	OK
Feb 8	1:53PM	Fax Sent	6482007	0:47	1	OK
Feb 8	1:55PM	Fax Sent	4772240	1:17	2	OK
Feb 8	1:57PM	Fax Sent	4727663 - Hit Radio 100	0:51	2	OK
Feb 8	1:58PM	Fax Sent	4776411 - K Stereo / KISH	1:21	2	OK
Feb 8	2:00PM	Fax Sent	7342958	1:34	2	OK
Feb 8	2:03PM	Fax Sent	7343476	1:10	2	OK
Feb 8	2:05PM	Fax Sent	5652983 - Adventist Radio	1:06	2	OK
Feb 8	2:07PM	Fax Sent	4777136	0:58	2	OK
Feb 8	2:08PM	Fax Sent	4774678 - Joy 92PM	1:02	2	OK
Feb 8	2:10PM	Fax Sent	4774678	0:51	2	OK



SENATOR FRANK B. AGUON, JR., *Chairman*
**COMMITTEE ON ECONOMIC DEVELOPMENT,
HEALTH & HUMAN SERVICES, AND JUDICIARY**
I Mina'Trenta Na Liheslaturan Guåhan
30th Guam Legislature
238 Archbishop F.C. Flores St., DNA Bldg., Ste. 701A, Hagatña,
Guam 96910 • Tel: (671) 969-1495/6 • Fax: (671) 969-1497
Email: aguon4guam@gmail.com

**NOTICE OF PUBLIC HEARING
THURSDAY, FEBRUARY 11, 2010 1:30 PM
GUAM LEGISLATURE PUBLIC HEARING ROOM**

AGENDA

- BILL NO. 252-30 (COR)-AN ACT TO AMEND SECTION 4301 (a), ARTICLE 3, TITLE 4 GCA RELATIVE TO CREATING GOVGUAM EMPLOYEE HEALTH BENEFITS TRUST FUND
- BILL NO. 268-30(COR)-AN ACT TO ADD NEW ARTICLE 23 TO CHAPTER 12 of TITLE 10 GCA RELATIVE TO THE LICENSING OF MASSAGE PRACTITIONERS TO PRACTICE IN GUAM
- BILL NO. 272-30 (COR) AN ACT RELATIVE TO THE DIVISION OF ENVIRONMENTAL HEALTH OF DPSS; TO AMEND §6229 OF, AND A NEW §6233 6233.12 §6234 TO ARTICLE 2, CHAPTER 6 OF TITLE 4 OF GCA; TO AMEND §20121 OF, AND ADD A NEW §20122 AND §20123 TO, CHAPTER 20 OF TITLE 10 GCA
- BILL NO. 275-30(LS)AN ACT RELATIVE TO PROVIDING CLARIFICATION TO DPHSS IN THE MANAGEMENT OF ITS FINANCIAL RESOURCES FOR THE DIRECT OPERATION OF THE COMMUNITY HEALTH CENTERS BY AMENDING SUBSECTION (a) of §3811, CHAPTER 3, TITLE 10 GCA
- BILL NO.280-30(LS)-AN ACT TO AMEND SUBSECTIONS (a) (b) (c) (d) (e) AND ADD SUBSECTIONS (f) (g) (h) of SECTION 3811 OF ARTICLE 8 OF TITLE 10 GCA
- BILL 266-30 (COR)-AN ACT TO PROVIDE CAPITAL IMPROVEMENT FUNDS FOR THE GUAM VETERANS CEMETARY BY ADDING A NEW SUBSECTION (i) TO §51821.

Testimonies maybe submitted in advance to the Office of
Senator Frank B. Aguon Jr.

238 Archbishop FC Flores St. DNA Bldg. Ste. 701A Hagatna, GU 96910 or
e-mailed to aguon4guam@gmail.com

Individuals requiring special accommodations/services, or for more
information, please contact Gina Tabonares or Frances Lizama at 969-1495/6.

THIS AD WAS PAID FOR BY GOVERNMENT FUNDS

Palau's Toribiong meets RP Foreign Secretary

By Bernadette H. Carreon
For Variety

KOROR (Palau Horizon) – Philippine Secretary of Foreign Affairs Alberto Romulo welcomed President Johnson Toribiong at the Ninoy Aquino International Airport during the Palau leader's four-hour layover in Manila, Sunday.

Toribiong and his entourage briefly made a stop in the Philippines on their way back to Palau from a Taiwan trip.

The president said Romulo, in behalf of President Gloria Macapagal Arroyo, apologized for the Philippine head of state's cancelled trip to Palau.

"He said that President Arroyo cannot visit Palau due to other commitments," Toribiong said.

In the short meeting, Romulo



Palau Horizon photo

and Toribiong discussed issues involving Philippine workers in Palau.

Workers from the Philippines are the biggest foreign worker labor force in Palau.

There are over 5,000 Philippine nationals employed in Palau.

"I assured Romulo that foreign workers in Palau are

well taken cared of according to the contracts and laws of Palau," he said.

In the brief meeting, he also

Philippine Secretary of Foreign Affairs Alberto Romulo, right, welcomed Palau President Johnson Toribiong at the Ninoy Aquino International Airport during the Palau leader's four-hour layover in Manila.

told Romulo about the contribution of Filipino workers to Palau's development.

Prior to his stop in Manila, Toribiong was in Taiwan as one of the guests at the 2010 World

Freedom Day Celebrations in Taipei.

The World Freedom Day celebration featured a number of special activities, including an exhibition of photographs and an international academic symposium.

"I assured Romulo that foreign workers in Palau are well taken cared of according to the contracts and laws of Palau."

More than 60 representatives including prominent political leaders and scholars from around the world participated in the event.

Toribiong said he also met officials of Taiwan's legislature.



SENATOR FRANK B. AGUON, JR., *Chairman*
COMMITTEE ON ECONOMIC DEVELOPMENT,
HEALTH & HUMAN SERVICES, AND JUDICIARY
I Mina Trenta Na Liheslaturan Gudhan
30th Guam Legislature

238 Archbishop F.C. Flores St., DNA Bldg., Ste. 701A, Hagatna,
Guam 96910 • Tel. (671) 969-1495/6 • Fax: (671) 969-1497
Email: aguon4guam@gmail.com

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- BILL NO. 312 (COR) -AN ACT TO ADD A NEW ARTICLE 4 TO CHAPTER 70 OF 9 GCA RELATIVE TO PENALTIES FOR THOSE CONVICTED OF FURNISHING ALCOHOL TO MINORS.
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Testimonies maybe submitted in advance to the
Office of Senator Frank B. Aguon Jr

238 Archbishop FC Flores St. DNA Bldg. Ste. 701A Hagatma, GU 96910 or
e-mailed to aguon4guam@gmail.com

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THIS AD WAS PAID FOR BY GOVERNMENT FUNDS

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Marianas Variety Edition



Vendor Soon Hee Won stands next to her jewelry shop, one of the stalls that operate daily at the Chamorro Village.

Friday nights at Chamorro Village can be profitable

By Zita Y. Taitano
zita@mvguam.com
Variety News Staff

AFTER a flip-flop by Department of Chamorro Affairs board of trustees on what to do about the Friday Ocean Night Market at the Chamorro Village, the decision to give it some more time to grow is sitting well with some at the Hagåtña landmark.

DCA director Sylvia Flores said the Friday Ocean Night Market is a collaborative project initiated by all stakeholders in the local tourism industry and not a project of a single entity.

Flores is confident that the golf tournament being organized by Ken Corp. can raise enough funds to subsidize the operations of the Friday market.

She also clarified that at least two dozen vendors – not three as claimed by Chamorro Village manager Mike Cura – participate in the Friday Night Market.

Filamore Alcon, owner of

"I will tell you from a Chamorro Village merchant's perspective, it is building up... We need to keep the Friday Ocean Night Market going because in the long run, it's going to benefit the tourism industry."

Guam Art Gallery who has been in business at Chamorro Village for 15 years, believes that despite earlier reports about the Friday night market's failure, and Chamorro Village could sustain revenue.

"I will tell you from a Chamorro Village merchant's perspective, it is building up," Alcon said. "We need to keep the Friday Ocean Night Market going because in the long run, it's going to benefit the tourism industry."

Alcon noted that when the Wednesday Night Market first started, it took some time for it to draw visitors. The gallery owner said this was achieved

with the help of tour operators in Japan.

He said it made perfect sense to allow the project to develop its own capacity and patronage. Alcon commended the department of Chamorro Affairs trustees for reconsidering closing down the four-month activity.

Alcon said things will get better as Japanese tour operators become aware of the Friday night event and begin to promote it in Japan.

Alcon claimed a colleague in the tourism industry informed him of plans to launch promotions in Japan in April for the Friday Night Ocean Market at Chamorro Village.

He added that until tour group operators know there is something regularly scheduled and consistently available on Fridays at the Chamorro Village then it will be a challenge to build a second successful night there and contribute to the growing revitalization of Hagåtña in the coming year.

Guam Army to train CNMI recruits

(GANG) – Guam Gov. P. Felix Camacho and CNMI Gov. Benigno Fitial, will be signing a memorandum of understanding on Saipan today to allow the Guam Guard to train new soldier recruits in the CNMI.

Also present at this historic event will be Major General Donald J. Goldhorn, The Adjutant General of the Guam National Guard. The signing is set to take place at the Government Office of the CNMI, Capitol Hill, Saipan.

The Guam National Guard recently started recruiting efforts in the CNMI as part of its CNMI initiative.

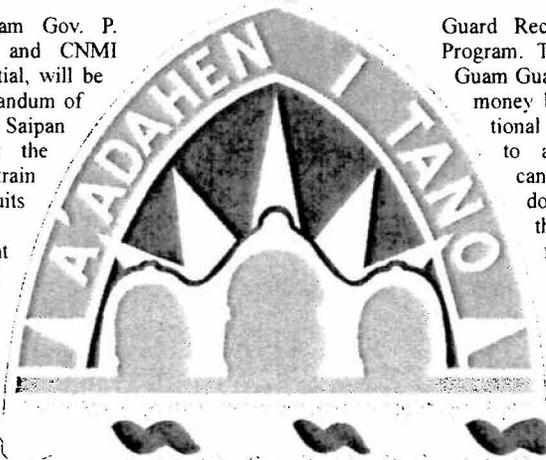
The Guam Army National Guard embarked on this ground-breaking initiative to augment its force with CNMI recruits. This initiative enables the Guam Guard to meet its

Guard Recruiting Assistance Program. The program allows Guam Guard Soldiers to earn money by providing additional leads (prospects) to a recruiter. They can earn up to \$3,000 dollars per recruit that they are responsible for bringing into the Guard."

"The new recruits from Saipan will be training on island after their initial enlistment in March. Planning for

the enlistment of these new recruits in March is ongoing and the initial interest by the general public is high. Much of the success of this recruiting effort is a result of intense collaboration from all levels of both governments of Guam and the CNMI, to include local and federal entities," Crisostomo said.

There are currently no Guard units in the CNMI.



SENATOR FRANK B. AGUON, JR., *Chairman*
COMMITTEE ON ECONOMIC DEVELOPMENT,
HEALTH & HUMAN SERVICES, AND JUDICIARY
I Mino'Trenta Na Liheslaturan Guåhan
30th Guam Legislature
238 Archbishop F.C. Flores St., DNA Bldg., Ste. 701A, Hagåtña,
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NOTICE OF PUBLIC HEARING
THURSDAY, FEBRUARY 11, 2010 1:30 PM
GUAM LEGISLATURE PUBLIC HEARING ROOM

AGENDA

- BILL NO. 252-30 (COR)-TO AMEND SECTION 4301 (a), OF CH. 4 ART. 3, 4 GCA RELATIVE TO CREATING A GOVQUAM EMPLOYEE HEALTH BENEFITS TRUST FUND
 - BILL NO. 268-30(COR)-TO ADD NEW ART 23 TO CH.12 OF 10 GCA RELATIVE TO THE LICENSING OF MASSAGE PRACTITIONERS TO PRACTICE IN GUAM
 - BILL NO. 272-30 (COR)-RELATIVE TO THE DIVISION OF ENVIRONMENTAL HEALTH OF DPHSS; TO AMEND §6229 OF ART 2, CH. 6 OF 4 GCA; TO AMEND §20121 OF CH 20 OF 10 GCA
 - BILL NO. 275-30(LS) RELATIVE TO PROVIDING CLARIFICATION TO DPHSS IN THE MANAGEMENT OF ITS FINANCIAL RESOURCES FOR THE DIRECT OPERATION OF THE COMMUNITY HEALTH CENTERS
 - BILL NO.280-30(LS)-AN ACT TO AMEND SECTION 3811 OF ART 8 OF 10 GCA, RELATIVE TO ESTABLISHMENT AND USE OF COMMUNITY HEALTH CENTER REVOLVING FUND.
 - BILL NO. 309(COR)-TO ADD NEW CH 91 ENTITLED "CHILD'S RIGHT TO LIVE ACT TO 9 GCA RELATIVE TO THE PROTECTION OF INFANTS BORN ALIVE AS A RESULT OF AN ABORTION
 - BILL NO.312(COR)-TO ADD NEW ART 4 TO CH 70 OF 9GCA RELATIVE TO PENALTIES FOR THOSE CONVICTED OF FURNISHING ALCOHOL TO MINORS.
- 6:00 PM**
- BILL 266-30(COR)-AN ACT TO PROVIDE CAPITAL IMPROVEMENT FUNDS FOR THE GUAM VETERANS CEMETARY BY ADDING A NEW SUBSECTION (I) TO §51821.

To view full text of the Bills, visit the Guam Legislature website at www.guamlegislature.com. If written testimonies are to be presented, the Committee requests copies be submitted 1 day prior to hearing date via mail to Office of Senator Frank B. Aguon Jr. 238 Archbishop FC Flores St. DNA Bldg. Ste. 701A Hagatna, GU 96910, e-mail aguon4guam@gmail.com or fax to 9691497. Individuals requiring special accommodations/services, or for more information, please contact Gina Tabonares or Ron Teehan at 9691495/6



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AGENDA

FRIDAY, FEBRUARY 11, 2010, 1:30PM
GUAM LEGISLATURE PUBLIC HEARING ROOM

**B.M.O.
Frank Aguon
Rep.*

1:30PM – 6:00PM

• **BILL NO. 252-30 (COR)**

✓ An act to amend Section 4301(a), add a new Section 4301.1(d) and to add a new Section 4302.1 of Chapter 4, Article 3, Title 4 GCA relative to creating the Government of Guam Employee Health Benefits Trust Fund by the Division of Accounts of the Department of Administration.

• **BILL NO. 268-30 (COR)**

✓ An act to add a new Article 23 to Chapter 12 of Division 1 of Title 10 GCA, relative to the licensing of massage practitioners to practice in Guam.

• **BILL NO. 272-30 (LS)**

✓ An act relative to the Division of Environmental Health of DPHSS; to amend §6229 of Article 2, Chapter 6 of Title 4 GCA; to add new §6233 to §6233.12 and §6234 to Article 2, Chapter 6 of Title 4 GCA; to amend §20121 of Chapter 20 of Title 10 GCA; add new §20122 and §20123 to Chapter 20 of Title 10 GCA; and to amend §7119 of Chapter 7, Title 22 GCA.

• **BILL NO. 275-30 (LS)**

✓ An act relative to providing clarification and flexibility to DPHSS in the management of its financial resources for the direct operation of the Community Health Centers by amending Subsection (a) of §3811, Chapter 3, Title 10 GCA.

• **BILL NO. 280-30 (LS)**

✓ An act to amend Subsections (a) (b) (c) (d) (e) and to add Subsections (f) (g) and (h) of Section 3811 and to add Subsections (6) and (7) to Section 3814 of Chapter 3 of Article 8 of Title 10 GCA relative to the establishment and use of the Community Health Center Revolving Fund.

• **BILL NO. 309-30 (COR)**

✓ An act to add a new Chapter 91 entitled "Childs Right To Live Act" to title 9 of the GCA relative to the protection of infants born alive as a result of an abortion.

• **BILL NO. 312(COR)**

✓ An act to add a new article 4 to Chapter 70 of 9 GCA Relative to penalties for those convicted of furnishing alcohol to minors.

6:PM

• **BILL NO. 266-30 (COR)**

✓ An act to provide capital improvement funds for the Guam Veterans Cemetery by adding a new Subsection (i) to §51821 of Article 8, Chapter 51, Division 2, Title 10 GCA, relative to the reallocation of excess funding proceeds from the 2009 Solid Waste Management System Bond Funds.

I MINA' TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) REGULAR SESSION

Bill No. 252-30(COR)

Introduced by:

v.c. pangelinan

2009 OCT 1 - 8 PM 2: 53 *me*

AN ACT TO AMEND SECTION 4301(a), ADD A NEW SECTION 4301.1(d) AND TO ADD A NEW SECTION 4302.1 OF CHAPTER 4, ARTICLE 3, TITLE 4 GUAM CODE ANNOTATED RELATIVE TO CREATING THE GOVERNMENT OF GUAM EMPLOYEE HEALTH BENEFITS TRUST FUND BY THE DIVISION OF ACCOUNTS OF THE DEPARTMENT OF ADMISTRATION

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guahan* finds the
2 need to include an authorization for self funded government of Guam employee health
3 benefits in order to provide cost effective alternatives to purchasing group health
4 insurance. Self funded health benefits reduce the purchasing cost to both the government
5 of Guam and its employees through minimal administrative cost by eliminating corporate
6 profit and premium tax expenses associated with buying group health insurance.
7 Increasing health benefit options also enables the government of Guam to attract and
8 retain qualified employees by providing comprehensive health benefits similar to those
9 commonly provided in private industry at a lower cost.

10 *I Liheslaturan Guahan* finds the creation of a Government of Guam Employee
11 Health Benefits Trust Fund (Fund) is required to protect the government of Guam and its
12 employee's contributions to pay for self funded health benefits. These contributions are
13 currently set aside for group health insurance policies purchased from private industry.
14 The Fund will serve as the source to pay for expenses related to any self funded health
15 benefit plans including but not limited to claims, stop-loss insurance and administrative
16 fees.

17 **Section 2. Section 4301(a) of Chapter 4, Article 3, Title 4 Guam Code**
18 **Annotated is hereby amended to read:**

1 “4301. Group Insurance.

2 (a) The Governor is authorized to enter contracts and reject proposals, with the
3 written concurrence of the Speaker of the Guam Legislature or the Presiding Judge of the
4 Superior Court of Guam whose consents may be withheld in their sole discretion, with one
5 (1) or more insurance companies, authorized to do business in Guam, for group insurance,
6 including, but not limited to hospitalization, medical care, life and accident, for all employees
7 or separate groups of employees of the government of Guam. If the Legislative or Judicial
8 Branches of government elect to enter into separate contracts for their employees as
9 authorized in § 4301(c), the Governor shall obtain the written concurrence of the Branch
10 electing to remain with the Executive Branch before the group insurance contract is entered
11 into or a proposal rejected. The government shall not be construed as an agent of any
12 insurance company in negotiating or administering this group insurance program. Health
13 Benefits provided under this authority may be self-funded and administered by a third party
14 if it is determined to be cost-effective.”

15 **Section 3. Section 4301.1 (d) of Chapter 4, Article 3, Title 4 Guam Code**
16 **Annotated is hereby added to read:**

17 “§ 4301.1. Definitions.

18 (d) *Health benefits* is a defined set of benefit coverage consisting of but not
19 limited to medical or dental care which is provided directly, through insurance or
20 reimbursement, or otherwise, and including items and services paid for considered
21 care that is self funded or offered by a health insurance provider.”

22 **Section 4. Section 4302.1 of Chapter 4, Article 3, Title r Guam Code Annotated**
23 **is hereby added to read:**

24 “§4301.2. Creation of the Government of Guam Self Funded Employee Health
25 Benefits Trust Fund Accounts, herein referred to as “Trust Fund Accounts”.

26 (a) The Trust Fund Accounts are hereby created and shall not be commingled with
27 the General Fund or any other funds of the government of Guam;

28 (b) A separate bank account for all Trust Fund Accounts shall be established for each
29 self funded health benefits plan;

30 (c) All employer and employee premium payments shall be deposited in the
31 respective self funded health benefits plan Trust Fund Account;

1 (d) Moneys in the Trust Fund Accounts shall be used by the Department of
2 Administration to pay health benefit related claims and associated administrative costs for
3 any self funded health benefits plan negotiated by the team authorized in § 4302(c) of
4 Chapter 4, Article 3, Title 4 Guam Code Annotated;

5 (e) Income earned on the moneys in the Trust Fund Accounts shall be credited to the
6 respective self funded health benefits plan's Trust Fund Account;

7 (f) Moneys in the Trust Fund Accounts are continuously appropriated in accordance
8 with this section and are not subject to any transfer authority of the Governor;

9 (g) The Trust Fund Accounts shall maintain a minimum reserve equal to Twenty-Five
10 percent (25%) of prior fund year coverage claim payments including incurred but not
11 reported (IBNR) claim liability for the same period;

12 (h) Annual audited report based on generally accepted accounting principles and
13 generally accepted auditing standards, and supported by actuarial review and opinion of
14 IBNR claims and other future contingent liabilities. Report *shall* include at a minimum but
15 not limited to the following:

16 (1) Opinion of Independent Certified Public Accountant;

17 (2) Balance Sheet;

18 (3) Statement of Revenues and Expenses;

19 (4) Statement of Changes in Fund Balances;

20 (5) Statement of Cash Flows, direct method; and

21 (6) Notes to Financial Statements.

22 (7) A premium equivalency charge developed from total fund year
23 expenditures, including an estimate for IBNR claim cost.

24 **Section 5. Effective Date.** This Act shall become effective upon enactment.

25 **Section 6. Severability.** If any provisions of this Act or the application thereof to
26 any person or circumstance is held invalid, such invalidity shall not affect any other
27 provision or application of this Act which can be given effect without the invalid provision or
28 application, and to this end the provisions of this Act are severable.