

EDDIE BAZA CALVO
Governor



RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

October 4, 2011

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

31-11-963

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

Date: 10/4/11
Time: 11:06 AM
Received by: [Signature]

Dear Madame Speaker:

Transmitted herewith is Bill No. 231-31 (COR) "AN ACT TO REPEAL AND REENACT §23111 OF CHAPTER 23, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE MEDICAL REFERRAL BENEFITS BANK ACT, AND TO BE KNOWN AS "THE SENATOR EDWARD J. CRUZ MEDICAL REFERRAL MILEAGE BANK ACCOUNT ACT"", which was signed into law on September 30, 2011 as Public Law 31-117.

Senseramente,

[Signature]
EDDIE BAZA CALVO

2011 OCT -5 AM 8:09

WUN

Attachment: copy of Bill

963

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

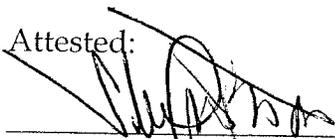
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Bill No. 231-31 (COR), "AN ACT TO REPEAL AND REENACT §23111 OF CHAPTER 23, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE MEDICAL REFERRAL BENEFITS BANK ACT, AND TO BE KNOWN AS "THE SENATOR EDWARD J. CRUZ MEDICAL REFERRAL MILEAGE BANK ACCOUNT ACT ", was on the 19th day of September, 2011, duly and regularly passed.



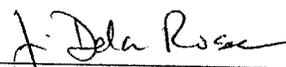
Judith T. Won Pat, Ed.D.
Speaker

Attested:



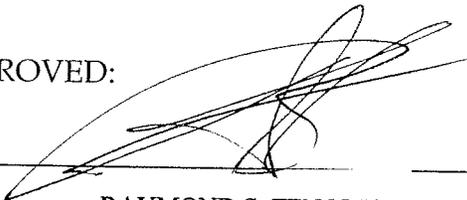
Tina Rose Muña Barnes
Legislative Secretary

This Act was received by I Maga'lahen Guåhan this 20th day of Sept, 2011, at 4:10 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



RAYMOND S. TENORIO
Acting Governor of Guam

Date: _____

SEP 30 2011

Public Law No. _____

31-117

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 231-31 (COR)

As amended on the Floor.

Introduced by:

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

AN ACT TO REPEAL AND REENACT §23111 OF CHAPTER 23, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE MEDICAL REFERRAL BENEFITS BANK ACT, AND TO BE KNOWN AS “THE SENATOR EDWARD J. CRUZ MEDICAL REFERRAL MILEAGE BANK ACCOUNT ACT.”

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that the limited amount of travel funds for patients of Guam’s indigent community, who are referred to an off-island provider for treatment, hampers the expedient departure of these patients to receive treatment. The Medical Referral Benefits

1 Bank Account (MRBBA) was created for all government employees and/or
2 consultants to deposit frequent flier miles accrued through government funded
3 travel for use by these patients. The Travel Section within the Department of
4 Administration currently captures and deposits accrued miles on government paid
5 travel through a First Hawaiian Bank (FHB) credit card account, entrusted to the
6 Treasurer of Guam, which accrues mileage through Continental's One Pass
7 Program. The MRBBA has never truly fulfilled its mandate, and still *does not*
8 capture miles accrued by government of Guam employees who *do not* use the
9 credit card account at the Department of Administration. These miles remain with
10 the employee and fees are charged for the transfer of these miles to the government
11 account.

12 *I Liheslaturan Guåhan* further finds that the *Ayuda* Foundation's "Wings for
13 Life" Program (Program) is a nonprofit organization that assists indigent patients
14 that require off-island medical care. Organizations and/or persons who deposit
15 miles into the Program are *exempted* from paying any fees associated with the
16 transfer of miles. Currently, the Program coordinates travel itineraries and offers
17 mileage credit for eligible patients with the Director of the Department of Public
18 Health and Social Services (DPHSS), who oversees the Medically Indignant
19 Program (MIP). In November of 2009, the Office of Public Accountability (OPA
20 Report #09-06) stated that it would benefit the MRBBA if the Director of DPHSS
21 was the delegated administering party. Current law mandates the Administrator of
22 the Guam Memorial Hospital Authority to oversee the MRBBA.

23 *I Liheslaturan Guåhan* recognizes that the time it takes to receive the
24 necessary signatures to authorize the patient to travel, through standard
25 government protocol, delays the patient's departure date. It is unacceptable when
26 these travel authorizations become stagnant while waiting for a signature. For
27 some patients, every moment waiting is a moment lost for care.

1 *Accrued mileage* means those miles accrued by an employee and/or
2 consultant traveling on government or federal paid travel in the government
3 account *or* in the employee's frequent flyer travel benefit program.

4 *Department* means the Department of Administration.

5 *Employee* means *all* persons employed within the government of
6 Guam, whether classified or unclassified, or full-time, part-time, temporary
7 or limited-term basis; *all* elected officials, judges, mayors, individual
8 consultants, and members of boards and commissions.

9 *Travel benefit* means a program designed by an airline that awards
10 accrued mileage and benefit programs to its clients.

11 (d) **Requirement.** *All* employees of the legislative, judicial and
12 executive branches, including, but *not* limited to, all government agencies,
13 instrumentalities, autonomous and semi-autonomous agencies, public
14 corporations, the University of Guam, the Guam Community College, the
15 Guam Visitors Bureau, the Department of Education, all elected officials,
16 individual consultants of the government of Guam, and members of boards
17 and commissions, as well as non-government persons traveling at
18 government of Guam or federal government expense, *shall*, as a condition of
19 receiving local or federal monies under a travel authorization (TA)
20 contractual allotment for travel, or any government of Guam monies, used
21 directly or indirectly for expenses incurred for official government travel,
22 *shall* donate all mileage accrued to the *Ayuda* Foundation, if the mileage
23 accrued has *not* already been credited to a government of Guam mileage
24 bank account. The employee *shall* sign a waiver form donating accrued
25 mileage from any travel benefit on whatever airline into the MRMBA, *or*
26 directly to the *Ayuda* Foundation as identified in §23117.

1 (e) **Eligibility.** (1) The following persons are eligible for
2 participation to receive the mileage for off-island medical care:

3 (A) patients under the Medically Indigent Program and
4 patients under other DPHSS income-based health programs as
5 approved by the Director of the Department of Public Health & Social
6 Services; and

7 (B) all health care staff (physicians, nurses, technicians)
8 providing direct care to the patient being transported, as approved by
9 the Medical Director of the Guam Memorial Hospital Authority *or*
10 his/her designee.

11 (2) Patient eligibility *shall* be based upon:

12 (A) financial need as identified under the requirements of the
13 Medically Indigent Program or under the requirements of other
14 DPHSS income-based health programs;

15 (B) lack of availability of required medical services on
16 Guam; and

17 (C) urgency and severity of illness, as documented by an
18 attending physician.

19 (f) **Authorized Use.** The accrued mileage account *shall* be used to
20 send patients off-island, through a certified medical referral for patients, to a
21 destination determined by the patient's duly licensed physician with the
22 concurrence of the Medically Indigent Program Coordinator of the
23 Department of Public Health & Social Services.

24 (g) **Other Travel Benefits.** All other travel benefits, including, but
25 *not* limited to, volume purchase discounts and accrued number of ticket
26 purchases for free flight benefits and promotional travel benefits *shall* be
27 accrued and used for the purpose of this Program. The Director of

1 Administration *shall* establish procedures for management of these benefits
2 and for distribution as requested by the Medically Indigent Program
3 Coordinator of the Department of Public Health & Social Services, or
4 his/her designee.

5 (h) **Deposit of Mileage.**

6 (1) The Department is hereby authorized to become a
7 member of the travel benefits program as it relates to travel mileage
8 instituted by any and all airlines serving Guam, and *shall* enter into an
9 agreement with an airline to accrue travel mileage credits for
10 employees traveling on government and/or federally funded travel.

11 (2) The Department *shall* enter into an agreement with a
12 bank on Guam for a credit card to use as payment for travel for
13 employees traveling on government and/or federally funded travel,
14 and to accrue mileage.

15 (3) Employees *not* using the Department's credit card *shall*
16 be personally liable to deposit any travel miles accrued directly to the
17 *Ayuda* Foundation via whatever airline website, which has agreed to
18 accept mileage credits on behalf of the *Ayuda* Foundation. The
19 employee *shall* be required to submit the confirmation copy of the
20 accrued mileage deposit(s) made, and *shall* be included in the required
21 travel report submitted to the Certifying Officer or equivalent of their
22 respective department within ten (10) days upon their return from off-
23 island funded travel.

24 (i) **Reporting.** The employee traveling on government and/or
25 federally funded travel who does *not* use the credit card with the Department
26 *shall* submit a copy of the form evidencing the deposit of mileage into the
27 *Ayuda* Foundation to the Certifying Officer or equivalent of the department

1 or agency, who *shall* maintain a reporting of all accrued mileage by
2 employees traveling on government and/or federally funded travel. The
3 Certifying Officer or equivalent of the department or agency *shall* submit a
4 monthly report to the Travel Section of the Department of Administration of
5 all accrued mileage. The Travel Section *shall* reconcile the report with the
6 *Ayuda* Foundation on a monthly basis to ensure that the accrued mileage
7 deposited by the department or agency is correct, and *shall* submit a
8 quarterly report to *I Liheslaturan Guåhan* to include, but *not* be limited to,
9 total miles accrued and donated per agency, total miles used for medical
10 purposes, and any balances that remain. An audit *shall* be conducted of the
11 MRMBA on an annual basis by the Office of Public Accountability, and
12 submitted to *I Liheslaturan Guåhan* no later than September 30.

13 (j) **Penalties.** Any violation of this Section *shall* result in the
14 following:

15 (1) An employee who fails to submit the confirmation copy
16 of transfer of mileage to *Ayuda* evidencing the transfer of mileage
17 pursuant to Subsection (h) of this Section, *shall* pay the amount equal
18 to the cost the airline mileage program charges for the purchase of
19 miles times the mileage accrued on the completed travel. If the
20 employee fails to submit the confirmation copy, the total amount *shall*
21 be deducted from the employee's salary for four (4) pay periods or
22 until the total amount is paid in full.

23 (2) Any penalties paid *shall* be retained by the Medically
24 Indigent Program to be used for the administration of the MRMBA.

25 (k) **Indemnification.** The government of Guam *shall* indemnify
26 and hold harmless the participating airline(s) thereof for any loss subject to
27 an agreement, and *provided* that such loss is *not* a result of the negligence of

1 the airline(s). *I Maga'lahaen Guåhan* is hereby authorized to enter into such
2 an indemnification agreement pursuant to this Section.

3 (l) **Rules and Regulations.** The Director of the Department of
4 Public Health and Social Services in collaboration with the Director of the
5 Department of Administration *shall* jointly promulgate rules and regulations
6 within sixty (60) days from the date of enactment of this Section. The rules
7 and regulations *shall* be promulgated pursuant to Article 3, Chapter 9 of Title
8 5, Guam Code Annotated, the *Administrative Adjudication Act, Rule Making*
9 *Procedures*.

10 (m) **Travel Authorization Signatory Exemption.** For the purposes
11 of this Section, any accrued mileage used out of the MRMBA for the Wings
12 for Life Program will *not* be subject to the signatory parties as required with
13 standard government travel authorization requests. Authorized signatories to
14 approve the transfer of accrued mileage to ensure expedited travel *shall* be
15 the Director of the Department of Public Health and Social Services and the
16 Director of the Department of Administration *only*.

17 (n) **Effective Date.** This Section *shall* become effective on
18 October 1, 2011.”

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

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I MINA' TRENTAI UNU NA LIHESLATURAN GUAHAN

2011 (FIRST) Regular Session

Date: Sept. 19, 2011

VOTING SHEET

Bill No. 231-31(COR)

Resolution No. _____

Question: _____

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
ADA, Thomas C.		✓			
ADA, V. Anthony	✓				
BLAS, Frank F., Jr.	✓				
CRUZ, Benjamin J. F.	✓				
DUENAS, Christopher M.	✓				
GUTHERTZ, Judith Paulette	✓				
MABINI, Sam	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RESPICIO, Rory J.	✓				
RODRIGUEZ, Dennis G., Jr.	✓				
SILVA TAIJERON, Mana	✓				
WON PAT, Judith T.	✓				
YAMASHITA, Aline A.	✓				

TOTAL

14 1 0 0 0

CERTIFIED TRUE AND CORRECT:

Patricia Cepeda
Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence

172



Office of

the People

I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

AUG 02 2011

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

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

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

Vice Chairman
Committee on Education

RE: Committee Report on Bill No. 231-31 (COR), As Introduced

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

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report Bill No. 231-31 (COR): "An act to repeal and reenact §23111 of Chapter 23, 5 Guam Code Annotated relative to the Medical Referral Benefits Bank Act and to name it the Senator Edward J. Cruz Medical Referral Mileage Bank Account" sponsored by Senator Vicente "Ben" C. Pangelinan which was referred to the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land.

Member
Committee on
Municipal Affairs,
Tourism, Housing, and
Recreation

Committee votes are as follows:

- 4 TO PASS
0 TO NOT PASS
1 TO REPORT OUT ONLY
0 TO ABSTAIN
0 TO PLACE IN INACTIVE FILE

Member
Committee on the Guam
Military Buildup and
Homeland Security

Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

Si Yu'os Ma'åse',

Vicente (ben) Cabrera Pangelinan
Chairman

2011 AUG 19 PM 4: 25

**COMMITTEE REPORT
ON**

Bill No. 231-31(COR), As Introduced:

**Sponsored by Senator Vicente “Ben” C.
Pangelinan**

**“An act to repeal and reenact §23111 of Chapter
23, 5 Guam Code Annotated relative to the
Medical Referral Benefits Bank Act and to name
it the Senator Edward J. Cruz Medical Referral
Mileage Bank Account.”**



I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

AUG 02 2011

MEMORANDUM

To: All Members
Committee on Appropriations, Taxation, Public Debt, Banking,
Insurance, Retirement, and Land

From: Senator Vicente (ben) Cabrera Pangelinan
Committee Chairperson

Subject: Committee Report on Bill No. 231-31 (COR), As Introduced

Transmitted herewith for your consideration is the Committee Report on Bill No. 231-31 (COR): An act to repeal and reenact §23111 of Chapter 23, 5 Guam Code Annotated relative to the Medical Referral Benefits Bank Act and to name it the Senator Edward J. Cruz Medical Referral Mileage Bank Account" sponsored by Senator Vicente "Ben" C. Pangelinan.

This report includes the following:

1. Committee Voting Sheet
2. Committee Report Narrative
3. Copy of Bill No. 231-31 (COR)
4. Public Hearing Sign-in Sheet
5. Copies of Submitted Testimony & Supporting Documents
6. Copy of COR Referral of Bill No. 231-31 (COR)
7. Notices of Public Hearing
8. Copy of the Public Hearing Agenda
9. Fiscal Notes

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 my office.

Si Yu'os Ma'åse',

Vicente (ben) Cabrera Pangelinan
Chairman

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
Committee on Education

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

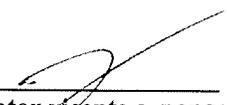
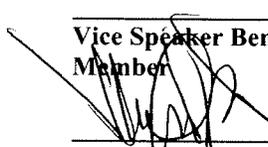
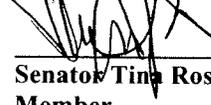
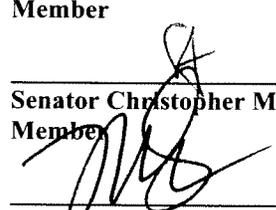
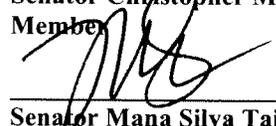
Member
Committee on
Municipal Affairs,
Tourism, Housing, and
Recreation

Member
Committee on the Guam
Military Buildup and
Homeland Security

Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN
Committee Voting Sheet
**Committee on Appropriations, Taxation, Public Debt, Banking, Insurance,
 Retirement, and Land**

Bill No. 231-31 (COR): An act to repeal and reenact §23111 of Chapter 23, 5 Guam Code Annotated relative to the Medical Referral Benefits Bank Act and to name it the Senator Edward J. Cruz Medical Referral Mileage Bank Account.

Committee Members	To Pass	To Not Pass	Report Out	Abstain	Inactive Files
 _____ Senator Vicente C. Pangelinan Chairperson	✓	_____	_____	_____	_____
_____ Speaker Judith T. Won Pat, Ed.D Vice Chairperson	_____	_____	_____	_____	_____
 _____ Vice Speaker Benjamin J.F. Cruz Member	✓	_____	_____	_____	_____
 _____ Senator Tina Rose Muña-Barnes Member	_____	_____	_____	_____	_____
_____ Senator Judith P. Guthertz Member	_____	_____	_____	_____	_____
_____ Senator Dennis Rodriguez, Jr. Member	_____	_____	_____	_____	_____
 _____ Senator V. Anthony Ada Member	✓	_____	_____	_____	_____
 _____ Senator Christopher M. Dueñas Member	✓	_____	_____	_____	_____
 _____ Senator Mana Silva Taijeron Member	_____	_____	✓	_____	_____



Office of

the People

I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

Committee Report

Bill No. 231-31 (COR): An act to repeal and reenact §23111 of Chapter 23, 5 Guam Code Annotated relative to the Medical Referral Benefits Bank Act and to name it the Senator Edward J. Cruz Medical Referral Mileage Bank Account.

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
Committee on Education

Member
Committee on Rules,
Federal, Foreign &
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Resources

Member
Committee on
Municipal Affairs,
Tourism, Housing, and
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Member
Committee on the Guam
Military Buildup and
Homeland Security

Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

I. OVERVIEW

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land convened a public hearing on July 11, 2011 at 8:30 am in *I Liheslatura's* Public Hearing Room.

Public Notice Requirements

Notices were disseminated via hand-delivery and e-mail to all senators and all main media broadcasting outlets on July 1, 2011 (5-Day Notice), and again on July 9, 2011 (48 Hour Notice).

(a) Committee Members and Senators Present

Senator Vicente (ben) Cabrera Pangelinan, Chairman
Senator V. Anthony Ada, Member
Senator Aline A. Yamashita, Ph.D.
Senator Sam Mabini, Ph.D.

(b) Appearing before the Committee

Carlotta Leon Guerrero, Ayuda Foundation

(c) Written Testimonies Submitted

None

II. COMMITTEE PROCEEDINGS

(a) Bill Sponsor Summary

Chairman Pangelinan: Bill 231 is relative to mileage bank accounts. The bill revamps or expands the ability to capture an employee or a government official, who travels on government sponsored and paid for travel. The program was first envisioned by Senator Edward Cruz, who has since passed away, to provide and opportunity to capture these mileage and putting them to use by allowing patients under MIP/Medicaid to travel using this mileage bank rather than using cash.

324 W. Soledad Ave. Suite 100, Hagåtña, Guam 96910

Tel: (671) 473-(4BEN) 4236 - Fax: (671) 473-4238 - Email: senbenp@guam.net

Website: <http://senbenp.com>

The airlines that have participated in the program, have required that any mileage that is captured, accrues to the individual account holder of a mileage bank program and not a community bank much like the one envisioned by the late Senator Cruz. Since that time, the government of Guam has been able to capture some of that mileage, not through the credit of it but by the use of a credit card used that accrues miles for travel spent and paid for by using that credit card. So we have had some mileage captured for government travel by that account. The individually paid for travel by departments and agencies other than the credit card, continue to be lost to the benefit of the mileage bank. Those that travel on government sponsored travel, can still donate that travel and capture that through the Ayuda Foundation that has been supported by Continental Micronesia, allowing no cost transfer of those miles.

The bill would enhance that partnership, allow those miles that are captured by the credit card payment, we would require those travelers, as a part of the clearance of their travel vouchers certify and prove that they have donated miles accrued from the government funded trip to the Ayuda Foundation for the care and use for MIP recipients. Allow them crediting of those miles and use of those miles to subsidize the cost of travel.

We have signed up with us, former Senator Carlotta Leon Guerrero, to testify on the bill and thank you very much, si yu'os ma'ase for your presence today.

(b) Testimony

1. Ms. Carlotta Leon Guerrero –Ayuda Foundation

Ms. Leon Guerrero: Thank you to Chairman Pangelinan, Senator Yamashita, Senator Ada, always a pleasure to be back here at the Legislature. It's a real honor to be here on a measure that is going to do so much good to so many of our people that need it the most and at the same time it continues to honor Senator Edward Cruz as this is something very special you are doing for him, as you are now adding his name to it, it was not there before.

All the work that has been done to try to grab these miles and benefit a certain portion of the population. What the government decides to undertake is always driven by the legislature or the government and it creates so much heat. Continental is one of the founders of the Ayuda foundation and we are in our 17th year and they came to us and said that we have to figure this out and come up with a program. It's not perfect and the Senator is showing way that we can add to it and capture more. Since this program has been in place, we are in our 5th year; we have moved 350 and 400 patients. Almost all of those patients have a caregiver or someone to go with them because if you need a medical referral to go off island you are usually in a very serious condition. When you look at the size of the program we have been administering, with Ayuda Foundation and Continental as well as Public Health Medically Indigent Program, everyone that comes through us has to come from that list. There are some opportunities there, I know that you were saying, Medicaid but what we have set up, the relationship we have it's just the MIP list. The reason for that is, as a small non-profit, we had no way of determining income levels so that we wouldn't get taken advantage of so that is why the MIP list has to verify that. But over the

The reason for that is, as a small non-profit, we had no way of determining income levels so that we wouldn't get taken advantage of so that is why the MIP list has to verify that. But over the years we have seen that we can determine eligibility. So, this is something we have on the agenda to talk to Continental about as well as our partners within the government of Guam to expand the program further. It was just the limiting factor at that time because we couldn't establish financial need so we grabbed one. And as you know Senator, as he is the king of amending law, once you have a tract record you can come back and see what you can add. I think it can be expanded further and different ways of viewing financial need and we stand in full support of your efforts here and I am really touched that you want to name it after Senator Cruz.

Panel Comments and Questions

Chairman Pangelinan: Right now, all the miles in the Ayuda Foundation are donated miles voluntarily. That was really one of the issues that we looked at as it was the envisioned idea by Senator Cruz because we are paying for this travel and it belongs to the Government and not the traveler. And how can we turn to those that ask our government for help and how can we capture those miles and there were no requirement. So, this I think would allow greater accumulation of miles that are being lost because the traveler keeps it even though the government has paid for his travel. Everybody that travels on government travel must clear out, their travel voucher when they return. All it is now is as part of that clearance, is that they go to the website, they donate their miles for those recently completed trip, and it gets donated to Ayuda. So we don't have to create another bureaucracy for getting the miles into a program that is able to be utilized. I think with the cooperation, with Continental and of course Ayuda Foundation, we can help more people by ensuring that we capture all of those miles that rightly belong to the government for public benefit.

Ms. Leon Guerrero: That route would build a sort of continuity to the program because right now we don't know what is going to come in because Continental put us on their website and that gets 4million hits a day. So, it is a significant advantage that they are giving to us. We can go in there today and look and there is 40 thousand miles and we can come in the next day and there is 300 thousand miles. If someone had a favorable diving experience when they were out here and who knows what motivates them, you scroll down a list and there are a whole bunch of us on there and for them to come to us. When you look at your budget and you see how much you put into travel you can see what exactly it translates into. I fully support this.

Chairman Pangelinan: Ok. I thank Ayuda for willing to work with it and support it and the government of Guam, in terms of advancing this program. I definitely thought of Senator Cruz because I remember the discussion on this bill and you remember, you were there, and I thought it would be a fitting and perpetuating a way to honor his concern and love for his people. Especially those that needed medical care and can't access it because the lack of availability on the island.

Senator Ada: Thank you Mr. Chairman. Senator, I know that if I were to transfer my miles, I pay a fee for transferring my miles. Is there some type of agreement with Continental that whatever fees there are, are waived?

Ms. Leon Guerrero: That gets waived. The other thing about the program that we have with Continental is if somebody wanted to donate miles you could only donate a leg of that trip, 40 thousand miles. But with us, you can donate a portion of it, so if someone had a favorable diving trip out here and got 12 thousand miles on it and said, "I'll give them 6 thousand of it", that's the other thing that is unique about this. People have given us 150 miles and we are able to capture miles in a different way than how their whole system is. And they don't have to pay for that.

Senator Ada: So, the fees are waived.

Ms. Leon Guerrero: Yes, the fees are waived through this program.

Chairman Pangelinan: We were trying to set up the government account, but Continental would not waive the fee if we set up a government of Guam one pass account. They were not able or willing to, I won't say which, but they said they already had a partnership with Ayuda and we will waive any administrative fees associated with transfer of miles to Ayuda. Ayuda's mission is to help those in need and that's how they have been able to use those miles donated to them to help our MIP patients.

Ms. Leon Guerrero: All of our forms are non profit Ayuda and Continental so we've really morphed into something very interesting.

Senator Ada: Thank you Mr. Chair, thank you Senator.

Senator Yamashita: Thank you speaker Ben, good afternoon Senator. I'm relatively new to this so my questions are going to be fairly basic. I am aware of Ayuda Foundation and the work that you have been committed to for years now and I know that you help among the neighboring islands. Ayuda is a non-profit and it works closely with Department of Public Health administration so they promulgate the rules and regulations on who is going to get the travel support.

Ms. Leon Guerrero: WE have two different programs, one Continental created with us and that was putting us on their website and the other one we created with the Department of Administration is the miles coming in through the credit card and all the miles benefit Public Health MIP program. All government related travel that gets purchased on the credit card. They may not be using that for the autonomous agencies or the courts. So not all travel is on that credit card.

Senator Yamashita: And that is why there is that paragraph that says, all employees not using the credit card shall be personally liable and they would have to deposit. So this would require some information working with all of the directors so they are aware when they approve travel. Then the other question I have is how do you work with the Guam Referral Office? Because that office helps our families who need medical attention.

Ms. Leon Guerrero: There is a whole network of people that work together, the entire medical referral office will send people to our office and we have a working relationship with them and

they are aware of us. So if somebody comes in and they need help and they don't know exactly where to turn, they'll ask them if they are on the MIP list. That answer determines if you enter or don't enter the program.

Senator Yamashita: So this helps those who are on the MIP list because this is a financial need program.

Ms. Leon Guerrero: Yes. We don't have a way to determine whether someone has so much in the bank account. We want to make sure that some one isn't doing this because they want to get to Disneyland with their five kids. There is no way for us to determine that so we need some way to determine financial need.

Senator Yamashita: What happens if what is the appeal process? What if the family doesn't get the answer they want?

Ms. Leon Guerrero: If they don't get the answer they want, we all pow-wow. We know each other we can call Continental since it's a local program we can push the edges when we want. We had no rules and regulations for bringing someone from Ponhpei to Hawaii but the Doctors called and said they had a 15 year-old girl that was going to have an operation that could kill her and she doesn't have a family member here can you bring one? That's different from how we used it and we called Continental and they said ok. That's the beauty of having your own program that you kind of created because at extraordinary times you can change it.

Senator Yamashita: You can massage the bureaucracy. Senator, you said there are perhaps 400 that you have helped, can you recall the 1,2, and 3 reasons why they needed your help? Chamorros?

Ms. Leon Guerrero: Heart disease, to have heart operations, they are elderly and in pretty bad shape. Right along side with that is a tragic amount of young kids, babies that have to go. We'll move fast to get the baby there for life saving surgery. I would have to say, it's just a statistic, it's 50/50 outer island and Chamorro's, elderly, young kids. By the time they get to us it's a heartache.

Senator Yamashita: This may not be a very nice statement but I wonder if 50/50 are our neighbors and to say we help everybody and this is our tax payer money coming back to make sure we help our families, what kind of mechanism do we have since they pay very few taxes since they are under MIP. What is the equity? How do we balance?

Ms. Leon Guerrero: Then you would have to think we don't know how the miles are coming in., what if they had a wonderful diving experience in Palau. We don't know how it is coming in so it's hard to say it was generated by Guam people. Trust me Senator, I have spent decades of my life trying to calculate the impacts in the islands in all ways in so many different areas.

Senator Yamashita: We just spent some time on Compact Impact and we continuously, just to make sure that everyone is at the table and we help everyone and that what Guam should be getting should be gotten. I certainly respect you and Speaker Ben and that battle cry that you

started, so to speak. Like I said, this is new to me, the name isn't new to me but the actual working of it is. I appreciate this and think there would be many travellers out there and government of Guam travellers who will be kind of different as to where the miles are to go. Maybe it is in here and I haven't captured it but maybe the Directors are to sign off on it to verify.

Ms. Leon Guerrero: they get a confirmation of miles donated from us so that information is captured.

Chairman Pangelinan: A part of the clearance. You have to submit your receipts and your expenditures with your travel report. You have to have this form that you have donated or transferred the miles from that government paid trip to the Ayuda Foundation. That would be apart of the clearance.

Ms. Leon Guerrero: Senator, to those that would have hardships about this, I would say that everyone one of them have been asked to help out at a medical fundraiser this touches their aunties, uncles, and cousins and it could be their child that could need help some day. There are people that work in the government of Guam that get MIP. It's amazing, just because you are in the government doesn't mean you are not under the poverty line. Retiree's too.

Senator Yamashita: Absolutely Senator, the equity issue is all of us. More and more it is all of us needing different reasons for assistance.

Chairman Pangelinan: Government paid travel collects taxes so it's definitely individuals that work that come from the outer islands that works to pay those taxes to fund those travels. Also, the employee can keep the miles but he has to pay for those miles as if he was getting the miles and it would be at that bulk rate. It doesn't preclude the traveler from keeping it but there is a benefit, an economic value so if you want to keep it you have to pay for it.

Senator Mabini: Thank you chairman. My last trip is when I had the opportunity to see how many seats were taken for a patient that had to be lying down so I'm just curious if that covers the extra seats.

Ms. Leon Guerrero: we have done that. It's 7 seats and you have to have a family member and an escort. The escort has to have a round trip ticket so they can come back.

Senator Mabini: The seats are not charged miles?

Ms. Leon Guerrero: Yes they are. That's how you can gobble up a lot of miles.

Senator Mabini: now for Continental it is 120 thousand, is that 60 thousand each way? I think it depends on the different seasons high season and low season and it would be different to go to the Philippines so the mileage is dependent on where they are sending their patients. If they all go to LA there are a lot more mileage. Is that something that Ayuda has considered?

for a number of years and I don't know if it going to crack yet or if it will. These are local decisions they won't take Medicaid that's federal money. MIP is from local fund so there is leeway with the legislature on where they send it and right now there are different health care plans that send their patients to the Philippines and MIP only sends them into the US. You can send four people to the Philippines on what you can get to send one the US.

Chairman Pangelinan: thank you very much, there being no further questions we will close the hearing on Bill 231 bur we will keep the public record open in the event any other individuals would like to submit testimony on bill 231 will be free to do so. By submitting them through our office either electronically or by mail as well as through the website.

III. FINDINGS & RECOMMENDATIONS

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land hereby reports out Bill No. 231-31 (COR), As Introduced, by the committee with the recommendation To Report Out Only.

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011(FIRST) REGULAR SESSION

2011 JUN 10 PM 2:00
[Signature]

Bill No. 231-31(COR)

Introduced by:

V.C. Pangelinan

**AN ACT TO REPEAL AND REENACT §23111 OF
CHAPTER 23, 5 GUAM CODE ANNOTATED
RELATIVE TO THE MEDICAL REFERRAL
BENEFITS BANK ACT AND TO NAME IT THE
SENATOR EDWARD J. CRUZ MEDICAL
REFERRAL MILAGE BANK ACCOUNT**

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 **SECTION 1. Legislative findings and intent.** *I Liheslaturan Guahan*
2 finds that the limited amount of travel funds for patients of the island's indigent
3 community, who are referred to an off-island provider for treatment, hampers the
4 expedient departure of these patients to receive treatment. The Medical Referral
5 Benefits Bank Account (MRBBA) was created for all government employees
6 and/or or consultants to deposit one pass miles accrued through government
7 funded travel for use by these patients. The Travel Section within the Department
8 of Administration currently captures and deposits accrued miles on government
9 paid travel through a First Hawaiian Bank (FHB) credit card account, entrusted to
10 the Treasurer of Guam, which accrues mileage through Continental's One Pass
11 Program. The MRBBA has never truly fulfilled its mandate and still does not
12 capture miles accrued by government of Guam employees who do not use the
13 credit card account at the Department of Administration. These miles remain with

1 the employee and fees are charged for the transfer of these miles to the
2 government account.

3 *I Liheslaturan Guahan* further finds, the Ayudya Foundation’s “Wings for
4 Life” program (Program) is a nonprofit organization that assists indigent patients,
5 that require off-island medical care. Organizations and/or persons who deposit
6 miles into the Program are exempted from paying any fees associated with the
7 transfer of miles. Currently, the Program coordinates travel itineraries and offers,
8 mileage credit for eligible patients with the Director of the Department of Public
9 Health and Social Services (DPHSS), who oversees the Medically Indignant
10 Program (MIP). In November of 2009 the Office of Public Accountability (OPA
11 Report Number #09-06) stated that it would benefit the MRBBA if the Director of
12 DPHSS was the delegated administrating party. Current law mandates the
13 Administrator of the Guam Memorial to oversee the MRBBA.

14 *I Liheslaturan Guahan* recognizes that the time it takes to receive the
15 necessary signatures to authorize the patient to travel, through standard
16 government protocol, delays the patient’s departure date. It is unacceptable when
17 these Travel Authorizations’ become stagnant while waiting for a signature. For
18 some patients, every moment waiting is a moment lost for care.

19 *I Liheslaturan Guahan* intends to utilize the Program for all government
20 employees to deposit their miles without having to pay for any fees associated
21 with the transfer by repealing and reenacting §23111 Chapter 23, 5 Guam Code
22 Annotated, relative to the MRMBA to maximize Government resources and to
23 streamline services to better serve those in need of immediate off-island medical
24 care.

25 **SECTION 2. Section 23111 of Chapter 23, 5 Guam Code Annotated is**
26 **hereby repealed and re-enacted to read as follows:**

1 (c) ~~Definitions. For purposes of this Act the following words and phrases are~~
2 ~~defined to mean:~~

3 (i) ~~Account means the Medical Referral Benefits Bank Account~~
4 ~~established under this Act.~~

5 (ii) ~~Accrued mileage means those miles accrued by a traveler on a frequent~~
6 ~~flyer benefit program.~~

7 (iii) ~~Employee means all persons employed within the government of~~
8 ~~Guam, whether classified or unclassified, or full time, part time, temporary or~~
9 ~~limited term basis; all elected officials, judges, mayors and individual~~
10 ~~consultants.~~

11 (iv) ~~Travel benefit means a program designed by an airline that awards~~
12 ~~accrued mileage and benefit programs to its clients.~~

13 (d) ~~Requirement.~~

14 (i) ~~All employees of the Legislative, Judicial and Executive Branches,~~
15 ~~including, but not limited to, all autonomous and semi-autonomous and those~~
16 ~~agencies, public corporations, the University of Guam, the Guam Visitors~~
17 ~~Bureau, the Department of Education, all elected officials and individual~~
18 ~~consultants of the government of Guam, as well as non-government persons~~
19 ~~traveling at government expense, shall, as a condition of receiving local or~~
20 ~~Federal monies under a travel authorization (TA) contractual allotment for~~
21 ~~travel, or any government of Guam monies, used directly or indirectly for~~
22 ~~expenses incurred for official government travel, sign a waiver form donating~~
23 ~~accrued mileage credits from any travel benefit on whatever airline, into the~~
24 ~~MRBB Account. = The executed waiver form shall be required by the~~

1 ~~certifying officer of the respective entity prior to the certification of the~~
2 ~~availability of the funds for travel.~~

3 ~~(ii) All employees of the Legislative, Judicial and Executive Branches,~~
4 ~~including, but not limited to, all autonomous, semi autonomous and those~~
5 ~~agencies, public corporations, the University of Guam, the Guam Visitors~~
6 ~~Bureau, the Department of Education, all elected officials and individual~~
7 ~~consultants of the government of Guam traveling in an official capacity shall~~
8 ~~be required to sign a waiver form donating accrued mileage credits from any~~
9 ~~travel benefit on whatever airline into the MRBB Account=.~~

10 ~~(e) Eligibility. The following persons are eligible for participation:~~

11 ~~(i) patients and health care staff necessary for the transport of patients~~
12 ~~being medically referred to be treated off Island;~~

13 ~~(ii) patients under the Medically Indigent Program;~~

14 ~~(iii) all health care staff (physicians, nurses, technicians) providing direct~~
15 ~~care to the patient being transported, as approved by the Medical Director of~~
16 ~~Guam Memorial Hospital Authority.~~

17 ~~Patient Eligibility shall be based upon:~~

18 ~~(i) financial need;~~

19 ~~(ii) lack of availability or required medical services on Guam; and~~

20 ~~(iii) urgency and severity of illness, as documented by an attending~~
21 ~~physician.~~

22 ~~(f) Authorized Use. The accrued mileage account shall be used to send off-~~
23 ~~island medical referrals patients to the destination as determined by the patient=s~~

1 ~~duly licensed physician with the concurrence of the Guam Memorial Hospital~~
2 ~~Medical Director. Persons authorized to withdraw from the Account shall be the~~
3 ~~Medical Referral Office Manager and the Administrator of the Guam Memorial~~
4 ~~Hospital Authority, or his/her designee.~~

5 ~~(g) Membership. The government of Guam is hereby authorized to become a~~
6 ~~member of the travel benefits program instituted by any and all airlines serving~~
7 ~~Guam. All persons covered by this Act are required to become members of travel~~
8 ~~benefit programs sponsored by any and all airlines serving Guam, if required by~~
9 ~~the respective airlines, to satisfy the purpose of this Act.~~

10 ~~(h) Other Travel Benefits. All other travel benefits, including, but not limited~~
11 ~~to, volume purchase discounts and accrued number of ticket purchases for free~~
12 ~~flight benefits and promotional travel benefits shall be accrued and used for the~~
13 ~~purpose of this Program. The Director of Administration shall establish~~
14 ~~procedures for management of these benefits and for distribution as requested by~~
15 ~~the Medical Referral Office Manager or the Hospital Administrator, or his/her~~
16 ~~designee.~~

17 ~~(i) Negotiation. For the purposes of this Act, the Director of Administration~~
18 ~~may negotiate with any and all airlines serving Guam.~~

19 ~~(j) Deposit of Benefits. All mileage accrued by a government of Guam~~
20 ~~employee shall be deposited directly into the Account by the air carrier no later~~
21 ~~than ninety (90) days after the date of departure.~~

22 ~~(k) Penalties. Violation of this Act shall result in the following:~~

23 ~~(1) For those cited in Subsection (d) of this Act shall result in forfeiture of~~
24 ~~government funded travel or any government expense, including, but not~~

- 1 § 23103. Persons Authorized to Travel at Government Expense.
2 § 23104. Per Diem Allowance.
3 § 23105. Mileage Allowance.
4 § 23106. Indirect Travel: Dependents.
5 § 23107. Advancements. [Repealed]
6 § 23108. Reporting and Accounting.
7 § 23109. Rules and Regulations.
8 § 23110. Limitation on Use of Travel Funds. [Repealed]
9 § 23111. The Medical Referral Benefits Bank Act.
10 § 23112. Definitions.
11 § 23113. Requirement.
12 § 23114. Eligibility.
13 § 23115. Authorized Use.
14 § 23116. Other Travel Benefits.
15 § 23117. Deposit of Mileage.
16 § 23118. Reporting.
17 § 23119. Penalties.
18 § 23120. Indemnification.
19 § 23121. Rules and Regulations.
20 § 23122. Travel Authorization Signatory Exemption.
21 § 23123. Effective Date.

22 **§23111. The Medical Referral Mileage Bank Act.**

23 (a) Title. This Section may be cited and referred to as *the ' Senator Edward J.*
24 *Cruz Medical Referral Mileage Bank Act.'*

1 (b) Medical Referral Mileage Bank Account. There is hereby created within
2 the government of Guam a fund for the banking of travel mileage earned as a
3 result of travel paid by the government of Guam. This fund shall be known as the
4 *Senator Edward J. Cruz Medical Referral Mileage Bank Account* (the 'MRMBA')
5 to be administered by the Department of Administration for all employees of
6 government agencies, instrumentalities, autonomous agencies, public corporations
7 and branches of the government of Guam to deposit all accrued travel mileage, by
8 virtue of receiving travel authorization payments into the MRMBA.

9 **§23112. Definitions.** For purposes of this Act the following words and
10 phrases are defined to mean:

11 *Account* means the Senator Edward J. Cruz Medical Referral Mileage
12 Bank Account established under this Act.

13 *Accrued mileage* means those miles accrued by an employee and/or
14 consultant traveling on government or federal paid travel in the government
15 account or in the employee's frequent flyer travel benefit program.

16 *Department* means the Department of Administration.

17 *Employee* means all persons employed within the government of Guam,
18 whether classified or unclassified, or full-time, part-time, temporary or limited
19 term basis; all elected officials, judges, mayors and individual consultants and
20 members of Boards and Commissions.

21 *Travel benefit* means a program designed by an airline that awards accrued
22 mileage and benefit programs to its clients.

23 **§23113. Requirement.** All employees of the Legislative, Judicial and
24 Executive Branches, including, but not limited to, all autonomous and semi-

1 autonomous and those agencies, public corporations, the University of Guam, the
2 Guam Community College, the Guam Visitors Bureau, the Department of
3 Education, all elected officials, individual consultants of the government of Guam
4 and members of Boards and Commissions, as well as non-government persons
5 traveling at government of Guam or Federal government expense, shall, as a
6 condition of receiving local or Federal monies under a travel authorization ('TA')
7 contractual allotment for travel, or any government of Guam monies, used directly
8 or indirectly for expenses incurred for official government travel shall donate all
9 mileage accrued to the Ayuda Foundation, if the milage accrued has not already
10 been credited to a government of Guam milage bank account. The employee shall
11 sign a waiver form donating accrued mileage from any travel benefit on whatever
12 airline into the MRBB or directly to the Ayuda Foundation as identified in
13 §23117.

14 **§23114. Eligibility.** (a) The following persons are eligible for participation to
15 receive the mileage for off-island medical care:

16 (i) patients under the Medically Indigent Program as approved by the
17 Director of the Department of Public Health & Social Services;

18 (ii) all health care staff (physicians, nurses, technicians) providing direct
19 care to the patient being transported, as approved by the Medical Director of
20 Guam Memorial Hospital Authority or his/her designee.

21 (b) Patient Eligibility shall be based upon:

22 (i) financial need as identified under the requirement of the Medically
23 Indigent Program; and

24 (ii) lack of availability or required medical services on Guam; and

1 (iii) urgency and severity of illness, as documented by an attending
2 physician.

3 **§23115. Authorized Use.** The accrued mileage account shall be used to send
4 patients off-island through a certified medical referral for patients to a destination
5 determined by the patient's duly licensed physician with the concurrence of the
6 Medical Indigent Program Coordinator of the Department of Public Health &
7 Social Services.

8 **§23116. Other Travel Benefits.** All other travel benefits, including, but not
9 limited to, volume purchase discounts and accrued number of ticket purchases for
10 free flight benefits and promotional travel benefits shall be accrued and used for
11 the purpose of this Program. The Director of Administration shall establish
12 procedures for management of these benefits and for distribution as requested by
13 the Medical Indigent Program Coordinator with the Department of Public Health
14 & Social Services or his/her designee.

15 **§23117. Deposit of Mileage.**

16 (a) The Department is hereby authorized to become a member of the travel
17 benefits program as it relates to travel mileage instituted by any and all airlines
18 serving Guam and shall enter into an agreement with an airline to accrue travel
19 mileage credits for employees traveling on government and/or federally funded
20 travel.

21 (b) The Department shall enter into an agreement with a bank on Guam for a
22 credit card to use as payment for travel for employees traveling on government
23 and/or federally funded travel and to accrue mileage.

1 (c) Employees *not* using the Department's credit card shall be personally
2 liable to deposit any travel miles accrued directly to the Ayuda Foundation via
3 whatever airline website, which has agreed to accept mileage credits on behalf of
4 the Ayuda Foundation. The employee shall be required to submit the
5 confirmation copy of the accrued mileage deposit(s) made and shall be included in
6 the required travel report submitted to the Certifying Officer or equivalent of their
7 respective department within ten (10) days upon their return from off-island
8 funded travel.

9 **§23118. Reporting.** The employee traveling on government and/or federal
10 funding who does *not* use the credit card with the Department shall submit a copy
11 of the form evidencing the deposit of mileage into the Ayuda Foundation to the
12 Certifying Officer or equivalent of the department or agency who shall maintain a
13 reporting of all accrued mileage by employees traveling on government and/or
14 federal funds. The Certifying Officer or equivalent of the department or agency
15 shall submit a monthly report to the Travel Section of the Department of
16 Administration of all accrued mileage. The Travel Section shall reconcile the
17 report with the Ayuda Foundation on a monthly basis to ensure that the accrued
18 mileage deposited by the department or agency are correct and shall submit an
19 quarterly report to *I Liheslaturan Guahan* to include but not limited to, total miles
20 accrued and donated per agency, total miles used for medical purposes and any
21 balances that remain. An audit shall be conducted of the MRRB on an annual
22 basis by the Office of Public Accountability and submitted to *I Liheslaturan*
23 *Guahan* no later than September 30.

24 **§23119. Penalties.** Violation of this Act shall result in the following:

1 (a) An employee who fails to submit the confirmation copy of transfer of
2 mileage to Ayuda evidencing the transfer of mileage pursuant to §23117 in this
3 Act, shall pay the amount equal to the cost the airline mileage program charges for
4 the purchase of miles times the mileage accrued on the completed travel. If the
5 employee fails to submit the confirmation copy, the total amount shall be
6 deducted from the employee's salary for four (4) pay periods or until the total
7 amount is paid in full.

8 (b) Any penalties paid shall be retained by the Medically Indignant Program to
9 be used for the administration of the MRBBA.

10 **§23120. Indemnification.** The government of Guam shall indemnify and
11 hold harmless the participating airline(s) thereof for any loss subject to an
12 agreement, and provided that such loss is not a result of the negligence of the
13 airline(s). *I Maga'lahaen Guåhan* is hereby authorized to enter into such an
14 indemnification agreement pursuant to this Act.

15 **§23121. Rules and Regulations.** The Director of Department of Public
16 Health and Social Services in collaboration with the Director of the Department of
17 Administration shall jointly promulgate rules and regulations within sixty (60)
18 days from the date of enactment of this Act. The rules and regulations shall be
19 promulgated pursuant to Article 3, Chapter 9 of Title 5 of the Guam Code
20 Annotated, through the *Administrative Adjudication Law, Rule Making*
21 *Procedures*.

22 **§23122. Travel Authorization Signatory Exemption.** For purposes of this
23 Act, any accrued mileage used out of the MRBBA for the Wings for Life
24 Program, will *not* be subject to the signatory parties as required with standard
25 government travel authorization requests. Authorized signatories to approve the

1 transfer of accrued mileage to ensure expedited travel shall be the Director of the
2 Department of Public Health and Social Services and the Director of the
3 Department of Administration only.

4 **§23123. Effective Date.** This Act shall become effective on October 1,
5 2011.”

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



Mina'trentai Unu Na Liheslaturan Guahan
THIRTY-FIRST GUAM LEGISLATURE

Senator Vicente "ben" Cabrera Pangelinan

**COMMITTEE ON APPROPRIATIONS, TAXATION, PUBLIC DEBT, BANKING,
 INSURANCE, RETIREMENT AND LAND**

Monday, July 11, 2011

Bill No. 231-31 (COR)

SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT	
						Yes	No
Walter Leon Guerrero	181-E Marine Dr. Hagatna	96910473	carlohtaguarma@yahoo.com -3003		✓		✓



COMMITTEE ON RULES

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2011 JUN 17 2:12:00

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

June 14, 2011

Senator
Judith P. Guthertz
VICE CHAIRPERSON
ASST. MAJORITY LEADER

VIA FACSIMILE
(671) 472-2825

MAJORITY
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Ms. Benita Manglona
Director
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P.O. Box 2950
Hagåtña, Guam 96910

Vice Speaker
Benjamin J. F. Cruz

**RE: Request for Fiscal Note -
Bill Nos. 231-31 (COR through 238-31 (COR))**

Senator
Tina Rose Muña Barnes
LEGISLATIVE SECRETARY
MAJORITY WHIP

Hafa Adai Ms. Manglona:

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

Transmitted herewith is a listing of *I Mina'trentai Unu 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.

Senator
Thomas C. Ada

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

Senator
Adolpho B. Palacios, Sr.

Senator
vicente c. pangelinan

Very Truly Yours,

MINORITY
MEMBERS:

Rory J. Respicio

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

Senator
Christopher M. Duenas

Attachments

Cc: Clerk of the Legislature

I Mina'Trentai Unu Na Liheslaturan Guåhan
Bill Log Sheet
June 10, 2011
 Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	120 Day Deadline	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date) Passed? Failed? Vetoed? Overridden? Public Law?
231-31 (COR)	v.c. pangelinan	AN ACT TO REPEAL AND REENACT §23111 OF CHAPTER 23, 5 GUAM CODE ANNOTATED RELATIVE TO THE MEDICAL REFERRAL BENEFITS BANK ACT AND TO NAME IT THE SENATOR EDWARD J. CRUZ MEDICAL REFERRAL MILAGE BANK ACCOUNT.	6/10/11 2:00 p.m.	6/13/11		Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land.			



COMMITTEE ON RULES

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

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Rory J. Respicio
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MAJORITY LEADER

Senator
Judith P. Guthertz
VICE CHAIRPERSON
ASST. MAJORITY LEADER

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Senator
Adolpho B. Palacios, Sr.

Senator
vicente c. pangelinan

MINORITY MEMBERS:

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

Senator
Christopher M. Duenas

June 13, 2011

MEMORANDUM

To: Pat Santos
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Rory J. Respicio *[Signature]*
Chairperson, Committee on Rules

Subject: Referral of Bill Nos. 231-31 (COR) and 232-31 (COR)

As Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 231-31(COR) and 232-31 (COR).

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

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

Si Yu'os ma'åse!

(2) Attachments

I Mina' Trentai Unu Na Liheslaturan Guåhan

Bill Log Sheet

June 10, 2011

Page 1 of 1

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Senator Vicente (ben) Cabrera Pangelinan and the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land will hold a public hearing on Monday, July 11, 2011 at the Guam Legislature Public Hearing Room beginning at 8:30 am and again at 2:00pm. The agenda is as follows:

INEKUNGOK PUPBLEKO (PUBLIC HEARING)

gi Lunes, gi diha 11 gi Hulio, 2011 (Monday, July 11, 2011)

Kuátton Inekungok Pubbleko gi I Liheslaturan Guåhan (Guam Legislature Public Hearing Room)

Alas ocho i media gi egga'an (8:30 AM)

TAREHA (AGENDA)

Priniponi Siha (Bills)

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Yanggen un nisisita espesiát na setbision, put fabot ágang i Ifisinan Sinadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7. Yanggen un nisisita kopian i priniponi siha ginenc este na tarcha, hálom gi i uepsait i Liheslaturan Guåhan gi www.guamlegislature.com. Yanggen para un na'háalom testigu-mu, chule' para i ifisinan-mámi gi 324 West Soledad Avenue gi iya Hagåtña, pat guatto gi i Kuafton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi senbenp@guam.net. Este na nisisiu inapási nu i fendon gubetnamento

If you require any special accommodations, please call the Office of Senator Vicente (ben) Cabrera Pangelinan at 473-4236/7. For copies of any of the Bills or Resolutions listed on this agenda, you may log on to the Guam Legislature's website at www.guamlegislature.com. Testimonies may be submitted directly to our office at 324 West Soledad Avenue in Hagåtña or at the Mail Room of the Guam Legislature, via fax at 473-4238, or via email at senbenp@guam.net

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Lisa Cipollone
Chief of Staff
Office of Senator ben c. pangelinan
(671) 473-4236
cipo@guamlegislature.org

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Senator Vicente (ben) Cabrera Pangelinan and the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land will hold a public hearing on Monday, July 11, 2011 at the Guam Legislature Public Hearing Room beginning at 8.30 am and again at 2.00pm. The agenda is as follows

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gi Lunes, gi diha 11 gi Hulio, 2011 (Monday, July 11, 2011)

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Alas ocho i media gi egga'an (8:30 AM)

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Chat

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Alas dos gidespues di talo'ñni
(2:00pm)

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Yanggen un nisisita espesiât na setbision, put fabot âgang i Ifisinan Sinadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7 Yanggen un nisisita kopian i priniponi siha ginén este na tareha, hâlom gi i uepsait i Liheslaturan Guåhan gi www.guamlegislature.com Yanggen para un na'hâlom testigu-mu, chule' para i ifisinan-mâmi gi 324 West Soledad Avenue gi iya Hagåtña, pat guatto gi i Kuanton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi senbep@guam.net Este na nutisiu inapâsi nu i fendon gubetnamento

If you require any special accommodations, please call the Office of Senator Vicente (ben) Cabrera Pangelinan at 473-4236/7 For copies of any of the Bills or Resolutions listed on this agenda, you may log on to the Guam Legislature's website at www.guamlegislature.com Testimonies may be submitted directly to our office at 324 West Soledad Avenue in Hagåtña or at the Mail Room of the Guam Legislature, via fax at 473-4238, or via email at senbep@guam.net.

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Lisa Cipollone
Chief of Staff
Office of Senator ben c. pangelinan
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Senator Vicente "ben" Cabrera Pangelinan
 Office of the People
 Website: www.senben.com

INEKUNGOK PUPBLEKO
(PUBLIC HEARING)

gi Lunes, gi diha 11 gi Hulio, 2011
 (Monday, July 11, 2011)

Kuátton Inekungok Pubbleko gi I Liheslaturan Guåhan
 (Guam Legislature Public Hearing Room)

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gi Lunes, gi diha 11 gi Hulio, 2011 (Monday, July 11, 2011)

Kuåtton Inekungok Pubbleko gi I Liheslaturan Guåhan (Guam Legislature Public Hearing Room)

Alas ocho i media gi egga'an (8:30 AM)

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Lisa Cipollone
Chief of Staff
Office of Senator ben c. pangelinan
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 To: news@guampdn.com, news@k57.com, Sabrina Salas <sabrina@kuam.com>, jason@kuam.com, Mindy Aguon <mindy@kuam.com>, nick@kuam.com, lannie@kuam.com, Josh Tyquiengco <jtyquiengco@k57.com>, clynt@k57.com, Betsy Brown <betsy@k57.com>, Kevin Kerrigan <kevin@k57.com>, gerry@mvguam.com, Therese Hart <therese.hart.writer@gmail.com>, zita@mvguam.com, Janela <janela@gmail.com>, publisher@glimpsesofguam.com, rgibson@k57.com, ALICIA PEREZ <aliciaperez69@hotmail.com>, Alicia Perez <perezksto@gmail.com>, Gaynor Daleno <gdumat-ol@guampdn.com>, slimtiaco@guampdn.com, Erin Thompson <eglhompson@guampdn.com>, bmkelman@guampdn.com, "Alladi, Amritha" <aalladi@guam.gannett.com>, Oyaol Ngirainki <odngirainki@guampdn.com>, "Melyan, Catriona" <cmelyan@guam.gannett.com>
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I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

July 1, 2011

Mr. John P. Camacho
Director
Department of Revenue & Taxation
P.O. Box 23607
Barrigada, Guam
96921



Håfa Adai Mr. Camacho,

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance and Land will conduct a public hearing beginning at **8:30am and 2:00pm on Monday, July 11, 2011** at the Guam Legislature's Public Hearing Room. Please note below the time allotted for bills we are requesting you to submit testimony:

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Letter to Director Camacho
July 1, 2011
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Letter to Director Camacho
July 1, 2011
Page 3

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For copies of the bill, log on to: <http://guamlegislature.com> or www.senbenp.com.

Si Yu'os Ma'åse',



Vicente (ben) Cabrera Pangelinan
Senator



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the People

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Committee on Appropriations,
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Insurance, Retirement, and
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I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

July 1, 2011

Ms. Benita Manglona
Acting Director
Department of Administration
Hagatna, Guam

Re: Public Hearing Notice

Hafa Adai Ms. Manglona,

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DIRECTOR'S OFFICE

Letter to Ms. Benita Manglona
July 1, 2011
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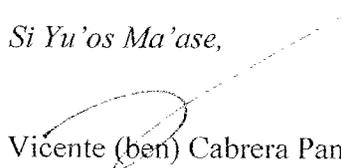
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5:30pm-6:30pm – Bill No. 141-31 (COR): An Act to promote Early Childhood Learning and Development opportunities through the promotion of Modern Child Care Facilities by providing a Business Privilege Tax Exemption for Child Care Centers and Group Child Care Homes by adding a new Part (3&) to Subsection (k) of §26203, Chapter 26, Title 11 Guam Code Annotated.

This letter invites you to provide written and/or oral testimony. Please do not hesitate to contact me should you have any questions or comments.

For copies of the bills, you can log onto www.guamlegislature.com or contact our office at 473-4236.

Si Yu'os Ma'ase,



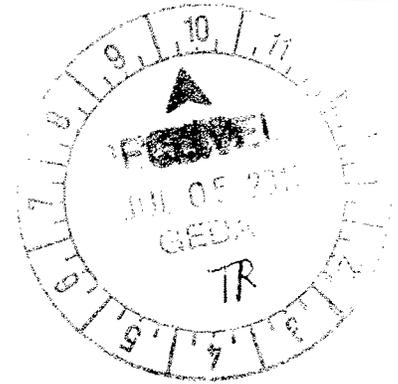
Vicente (ben) Cabrera Pangelinan
Senator



the People

July 1, 2011

Mr. Karl A. Pangelinan
GEDA Administrator
590 S. Marine Corps. Dr.
Suite 511 GTC Building
Tamuning, Guam 96913



Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Håfa Adai Mr. Pangelinan,

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance and Land will conduct a public hearing beginning at **8:30am and 2:00pm on Monday, July 11, 2011** at the Guam Legislature's Public Hearing Room. Please note below the time allotted for bills we are requesting you to submit testimony:

Vice Chairman
Committee on Education

3:30pm-4:00pm – Bill No. 231-31 (COR): An Act to Repeal and Reenact §23111 of Chapter 23, 5 Guam Code Annotated relative to the Medical Referral Benefits Bank Act and name it the Senator Edward J. Cruz Medical Referral Mileage Bank Account.

Member
Committee on Rules,
Federal, Foreign &
Micronesia Affairs and
Human & Natural
Resources

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Member
Committee on
Municipal Affairs,
Tourism, Housing, and
Recreation

Testimonies can delivered to our office at 324 West Soledad Avenue in Hagåtña or at the Mail Room of the Guam Legislature, via fax at 473-4238, or via email at senbenp@guam.net prior to the public hearing. For copies of the bill, log on to: <http://guamlegislature.com> or www.senbenp.com.

Member
Committee on the Guam
Military Buildup and
Homeland Security

Si Yu'os Ma'åse',

Vicente (ben) Cabrera Pangelinan
Senator

Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform



the People

I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

July 1, 2011

Chief Fred Bordallo
Police Chief
Guam Police Department
Building 233 Central Avenue
Tiyan, Guam 96912

*11:55 am
07/05/2011
guyte*

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Håfa Adai Chief Bordallo,

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Vice Chairman
Committee on Education

8:30 am

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

Bill No. 134-31 (COR): An Act to Renumber §59111 and to add new §§59111 and 59111.1 through 59111.9 to Chapter 59 of Title 5 Guam Code Annotated, Relative to establishing the Guam Police Department Headquarters Building Fund, and to identifying sources of revenue required to pay obligations authorized through §59103 and §59110 of this Chapter.

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Committee on
Municipal Affairs,
Tourism, Housing, and
Recreation

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Member
Committee on the Guam
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Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

For copies of the bill, log on to: <http://guamlegislature.com> or www.senbenp.com.

Si Yu'os Ma'åse',

Vicente (ben) Cabrera Pangelinan
Senator

Office of



the People

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
Committee on Education

Member
Committee on Rules,
Federal, Foreign &
Micronesia Affairs and
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Member
Committee on
Municipal Affairs,
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Member
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Military Buildup and
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Human Services, Senior
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Reform

I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

July 1, 2011

A.B. WON PAT
JUL 10 2011
TIME: 11:58 AM
REC'D BY: [Signature]

Ms. Mary Torres
Executive Manager
Guam International Airport Authority
A.B. Won Pat International Airport

Håfa Adai Ms. Torres,

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Si Yu'os Ma'åse',

[Signature]
Vicente (ben) Cabrera Pangelinan
Senator



the People

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
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Committee on Rules,
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Committee on the Guam
Military Buildup and
Homeland Security

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Human Services, Senior
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Reform

I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

July 1, 2011

Mr. John Benavente
General Manager
Guam Waterworks Authority
578 N. Marine Corps. Dr.
Hagatna, Guam 96932

Håfa Adai Mr. Benavente,

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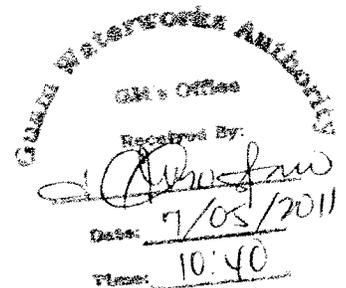
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Si Yu'os Ma'åse',

Vicente (ben) Cabrera Pangelinan
Senator





I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

July 1, 2011

Simon A. Sanchez II
Chairman
Consolidated Utility Services (GPA/GWA)
P.O. Box 2977
Hagatna, GU 96932

Håfa Adai Mr. Sanchez,

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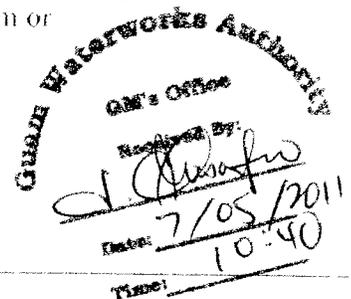
4:00pm-4:30pm -- Bill No. 255-31 (COR): An Act to Appropriate Five Hundred Twenty-Five Thousand Dollars (\$525,000) to the Guam Department of Education for air-conditioning equipment and maintenance and collateral equipment for George Washington High School, Simon Sanchez High School, Southern High School and Agueda Johnston Middle School.

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Si Yu'os Ma'åse,

Vicente (ben) Cabrera Pangelinan
Senator



324 W. Soledad Ave. Suite 100, Hagåtña, Guam 96910

Tel: (671) 473-(4BEN) 4236 - Fax: (671) 473-4238 - Email: senbenp@guam.net

Website: http://senbenp.com

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
Committee on Education

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

Member
Committee on
Municipal Affairs,
Tourism, Housing, and
Recreation

Member
Committee on the Guam
Military Buildup and
Homeland Security

Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform



the People

I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

July 1, 2011

Ms. Joanne Brown
Acting Director
Department of Public Works
542 North Marine Corps Drive
Tamuning, Guam 96913

Håfa Adai Ms. Brown,

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Si Yu'os Ma'åse',

Vicente (ben) Cabrera Pangelinan
Senator

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
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Military Buildup and
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Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

July 1, 2011

Carlos Untalan
Acting Director
Department of Land Management
590 South Marine Corps Drive
Tamuning Guam, 96913

RECEIVED
JUL 05 2011

Department of Land Management
Time: 9:53 AM Int: RC

Re: Public Hearing
Monday, July 11, 2011

Hafa Adai Mr. Untalan,

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land will be conducting a public hearing beginning at 8:30am and 2:00pm on **Monday, July 11, 2011** at the Guam Legislature's Public Hearing Room. Please note below the time allotted for bills we are requesting you to submit testimony. The following bills are on the agenda:

8:30am

Bill No. 164-31 (COR): An Act to rezone Lot Nos.'s 10060-REM-R6-NEW, 10060-REM-1-R2 and 10129-1, all in the Municipality of Dededo from Agricultural "A" to Commercial "C" Zone.

Bill No. 215-31 (COR): An Act to rezone Lot No. 1068-1-1NEW-A-R1 in the Municipality of Barrigada from "C" Commercial to "M-1" Light Industrial Zone.

Bill No. 218-31 (COR): An Act to rezone Lot No. 3, Track 1942, in the Municipality of Barrigada from Single-Family Dwelling (R-1) to Multiple-Family Dwelling (R-2) Zone.

Bill No. 243-31 (COR): An Act to rezone Lot 6, Block 2, Track 148 in the Municipality of Barrigada from "A" to "M-1" Light Industrial.

Bill No. 241-31 (COR): An Act to exempt maps of the Chamorro Land Trust lease sites previously approved by the Chamorro Land Trust Commission from the requirements of Article 2, Chapter 62 of the Guam Code Annotated, relative to subdivision and recordation procedures.

Letter to Carlos Untalan
July 1, 2011
Page 2

3:30pm-4:00pm – Bill No. 231-31 (COR): An Act to Repeal and Reenact §23111 of Chapter 23, 5 Guam Code Annotated relative to the Medical Referral Benefits Bank Act and name it the Senator Edward J. Cruz Medical Referral Mileage Bank Account.

This letter invites you to provide written and/or oral testimony. Please do not hesitate to contact me should you have any questions or comments.

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Si Yu'os Ma'åse',

Vicente (ben) Cabrera Pangelinan
Senator



Angelica Okada <aokada@guamlegislature.org>

Public Hearing Notice 07.11.11

1 message

Anjelica Okada <aokada@guamlegislature.org>

Fri, Jul 8, 2011 at 9:44 AM

To: alberto.lamorena@csc.guam.gov, thomas.morrison@bsp.guam.gov, rey.vega@gmha.org, catherine.mccollum@gmha.org

This is considered an official public hearing notification.
Please confirm receipt of this notice.

Håfa Adai!

The Committee on Appropriations, Taxation, Public Debt, Retirement, Banking, Insurance, and Land will be conducting a public hearing beginning at **8:30 am** and **2:00pm** on **July 11, 2011** at the Guam Legislature's Public Hearing Room.

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Si Yu'os Ma'dse'

—
Anjelica Kulani I. Okada
Policy Research Analyst
I MINATRENTI UNU NA LIHESLATURAN GUAHAN
Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Taxation, Retirement, Public Debt, Banking, Insurance, and Land.
(671) 473-4236 (office)
(671) 473-4238 (fax)
senbenp.com
www.guamlegislature.org



Angelica Okada <aokada@guamlegislature.org>

Public Hearing Notice for 07.11.11

11 messages

Anjelica Okada <aokada@guamlegislature.org>

Fri, Jul 1, 2011 at 11:15 AM

To: thomas.morrison@bps.guam.gov, ed.cruz@bit.guam.gov, hrra@ite.net, chuck.ada@ghs.guam.gov, john.unpingco@gvao.guam.gov, director@cltc.guam.gov, teny.lamarena@esc.guam.gov, claudia.acfalle@gsa.guam.gov, doagridir@yahoo.com, joseph.cameron@hrra.guam.gov, jose.sanagustin@doc.guam.gov, frankpangelinan08@yahoo.com, leahbeth.naholowaa@dol.guam.gov, wilfred.aflague@mail.dmhsa.guam.gov, benny.m.paulino@ng.army.mil, peter.calvo@dpr.guam.gov, deputy@dphss.guam.gov, eduardo.ordonez@clb.guam.gov, adonis.mendiola@dya.guam.gov, "Paula M. Blas" <pmblas@ite.net>, ancestrallandsguam@yahoo.com, mary.okada@guamcc.edu, raffaele.sgambelluri@cqa.guam.gov, cgogue@pbsguam.org, director@gec.guam.gov, ivan.quinata@epa.guam.gov, john.salas@gfd.guam.gov, mcamacho@ghura.org, peterjohn.camacho@gmha.org, jflores@gpagwa.com, mdroberto@gdoe.net, educationsuruhanu@gdoe.net, gperez@visitguam.org, paleonguerrero@portguam.com, raunderwood@uguam.uog.edu, mcogadmin@teleguam.net, cynthia_palacios@gud.uscourts.gov

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Please confirm receipt of this notice.

Håfa Adai!

The Committee on Appropriations, Taxation, Public Debt, Retirement, Banking, Insurance, and Land will be conducting a public hearing beginning at **8:30 am** and **2:00pm** on **July 11, 2011** at the Guam Legislature's Public Hearing Room.

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Si Yu'os Ma'åse'

Anjelica Kulani I. Okada
Policy Research Analyst
I MINA'TRENTI UNU NA LIHESLATURAN GUAHAN
Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Taxation, Retirement, Public Debt, Banking, Insurance, and Land.
(671) 473-4236 (office)
(671) 473-4238 (fax)
senbenp.com
www.guamlegislature.org

Mail Delivery Subsystem <mailer-daemon@googlemail.com>

Fri, Jul 1, 2011 at 11:15 AM

To: aokada@guamlegislature.org



Angelica Okada <aokada@guamlegislature.org>

Public Hearing Notification 07.11.11

Anjelica Okada <aokada@guamlegislature.org>

To: lou.sanchez@coair.com

Cc: paula.monk@coair.com

Mon, Jul 11, 2011 at 12:06 PM

This is considered an official public hearing notification.
Please confirm receipt of this email.

Lou Sanchez
Sales & Marketing Director
Continental Micronesia

Håfa Adai Ms. Sanchez,

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Si Yu'os Ma'åse'.

--

Anjelica Kulani I. Okada
Policy Research Analyst
I MINA'TRENTI UNU NA LIHESLATURAN GUAHAN
Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Taxation, Retirement, Public Debt, Banking, Insurance, and Land.
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Angelica Okada <aokada@guamlegislature.org>

Public Hearing Notice 07.11.11

Anjelica Okada <aokada@guamlegislature.org>

Fri, Jul 8, 2011 at 9:44 AM

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Si Yu'os Ma'åse'

--

Anjelica Kulani I. Okada
Policy Research Analyst
I MINA'TRENTI UNU NA LIHESLATURAN GUAHAN
Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Taxation, Retirement, Public Debt, Banking, Insurance, and Land.
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Angelica Okada <aokada@guamlegislature.org>

Public Hearing Notice for 07.11.11

Anjelica Okada <aokada@guamlegislature.org>

Fri, Jul 1, 2011 at 11:15 AM

To: thomas.morrison@bps.guam.gov, ed.cruz@bit.guam.gov, hrra@ite.net, chuck.ada@ghs.guam.gov, john.unpingco@gvao.guam.gov, director@cltc.guam.gov, tony.lamorena@csc.guam.gov, claudia.acfalle@gsa.guam.gov, doagridir@yahoo.com, joseph.cameron@hrra.guam.gov, jose.sanagustin@doc.guam.gov, frankpangelinan08@yahoo.com, leahbeth.naholowaa@dol.guam.gov, wilfred.aflague@mail.dmhsa.guam.gov, benny.m.paulino@ng.army.mil, peter.calvo@dpr.guam.gov, deputy@dphss.guam.gov, eduardo.ordonez@clb.guam.gov, adonis.mendiola@dya.guam.gov, "Paula M. Blas" <pmbblas@ite.net>, ancestrallandsguam@yahoo.com, mary.okada@guamcc.edu, raffaele.sgambelluri@cqa.guam.gov, cgogue@pbsguam.org, director@gec.guam.gov, ivan.quinata@epa.guam.gov, john.salas@gfd.guam.gov, mcamacho@ghura.org, peterjohn.camacho@gmha.org, jflores@gpagwa.com, mdroberto@gdoe.net, educationsuruhanu@gdoe.net, gperez@visitguam.org, paleonguerrero@portguam.com, raunderwood@uguam.uog.edu, mcogadmin@teleguam.net, cynthia_palacios@gud.uscourts.gov

This is considered an official public hearing notification.
Please confirm receipt of this notice.

Håfa Adai!

The Committee on Appropriations, Taxation, Public Debt, Retirement, Banking, Insurance, and Land will be conducting a public hearing beginning at **8:30 am** and **2:00pm** on **July 11, 2011** at the Guam Legislature's Public Hearing Room.

The following bill is on the agenda:

2:00 pm

3:30pm-4:00pm – Bill No. 231-31 (COR): An Act to Repeal and Reenact §23111 of Chapter 23, 5 Guam Code Annotated relative to the Medical Referral Benefits Bank Act and name it the Senator Edward J. Cruz Medical Referral Mileage Bank Account.

Testimonies can delivered to our office at 324 West Soledad Avenue in Hagåtña or at the Mail Room of the Guam Legislature, via fax at 473-4238, or via email at senbenp@guam.net prior to the public hearing.

For copies of the bill, log on to: <http://guamlegislature.com> or www.senbenp.com.

Si Yu'os Ma'åse'

Anjelica Kulani I. Okada
Policy Research Analyst
I MINA'TRENTI UNU NA LIHESLATURAN GUAHAN
Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Taxation, Retirement, Public Debt, Banking, Insurance, and Land.
(671) 473-4236 (office)
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**I Mina'Trentai Unu Na
Liheslaturan Guahan
THIRTY-FIRST GUAM LEGISLATURE**

**Senator Vicente "ben" Cabrera Pangelinan
Office of the People
Website: www.senbenp.com**

***INEKUNGOK PUPBLEKO
(PUBLIC HEARING)***

***gi Lunes, gi diha 11 gi Hulio, 2011
(Monday, July 11, 2011)***

***Kuátton Inekungok Pubbleko gi I Liheslaturan Guahan
(Guam Legislature Public Hearing Room)***

***Alas ocho i media gi egga'an
(8:30 AM)***

***TAREHA
(AGENDA)***

**Priniponi Siha
(Bills)**

Bill No. 164-31 (COR): An Act to rezone Lot No.'s 10060-REM-R6-NEW, 10060-REM-1-R2 and 10129-1, all in the Municipality of Dededo from Agricultural "A" to Commercial "C" Zone.

Bill No. 215-31 (COR): An Act to rezone Lot No. 1068-1-1NEW-A-R1 in the Municipality of Barrigada from "C" Commercial to "M-1" Light Industrial Zone.

Bill No. 218-31 (COR): An Act to Rezone Lot No. 3, Track 1942, in the Municipality of Barrigada from Single-Family Dwelling (R-1) to Multiple-Family Dwelling (R-2) Zone.

Bill No. 243-31 (COR): An Act to re-zone Lot 6, Block 2, Track 148 in the Municipality of Barrigada from "A" to "M-1" Light Industrial.

Bill No. 241-31 (COR): An Act to exempt maps of the Chamorro Land Trust lease sites previously approved by the Chamorro Land Trust Commission from the

3:30pm-4:00pm – Bill No. 231-31 (COR): An Act to Repeal and Reenact §23111 of Chapter 23, 5 Guam Code Annotated relative to the Medical Referral Benefits Bank Act and name it the Senator Edward J. Cruz Medical Referral Mileage Bank Account.

4:00pm-4:30pm – Bill No. 255-31 (COR): An Act to Appropriate Five Hundred Twenty-Five Thousand Dollars (\$525,000) to the Guam Department of Education for air-conditioning equipment and maintenance and collateral equipment for George Washington High School, Simon Sanchez High School, Southern High School and Agueda Johnston Middle School.

4:30pm-5:30pm - Bill No. 222-31 (COR): An Act to Amend Section 4 of Public Law 28-71 and §§14229 and 14235 of Title 12 Guam Code Annotated relative to the authorization of Guam Water-Works Authority to issue debt for the purpose of reimbursing the General Fund for debt service paid or to be paid on bonds issued by the government to pay capital costs of the island water and wastewater systems, and relative to a guarantee of such debt by the government.

5:30pm-6:30pm – Bill No. 141-31 (COR): An Act to promote Early Childhood Learning and Development opportunities through the promotion of Modern Child Care Facilities by providing a Business Privilege Tax Exemption for Child Care Centers and Group Child Care Homes by adding a new Part (3&) to Subsection (k) of §26203, Chapter 26, Title 11 Guam Code Annotated.

Yanggen un nisisita espesiât na setbision, put fabot âgang i Ifsinan Sinadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7. Yanggen un nisisita kopian i priniponi siha ginen este na tareha, hâlom gi i uepsait i Liheslaturan Guåhan gi www.guamlegislature.com. Yanggen para un na'hâlom testigu-mu, chule' para i ifsinan-mâmi gi 324 West Soledad Avenue gi iya Hagåtña, pat guatto gi i Kuatton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi senbenp@guam.net. Este na nutisiu inapâsi nu i fendon gubetnamento.

If you require any special accommodations, please call the Office of Senator Vicente (ben) Cabrera Pangelinan at 473-4236/7. For copies of any of the Bills or Resolutions listed on this agenda, you may log on to the Guam Legislature's website at www.guamlegislature.com. Testimonies may be submitted directly to our office at 324 West Soledad Avenue in Hagåtña or at the Mail Room of the Guam Legislature, via fax at 473-4238, or via email at senbenp@guam.net. This notice was paid for with government funds.

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011(FIRST) REGULAR SESSION

2011 JUN 10 PM 2:00 GPM

Bill No. 231-31 (COR)

Introduced by:

V.C. Pangelinan



AN ACT TO REPEAL AND REENACT §23111 OF
CHAPTER 23, 5 GUAM CODE ANNOTATED
RELATIVE TO THE MEDICAL REFERRAL
BENEFITS BANK ACT AND TO NAME IT THE
SENATOR EDWARD J. CRUZ MEDICAL
REFERRAL MILAGE BANK ACCOUNT

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 **SECTION 1. Legislative findings and intent.** *I Liheslaturan Guahan*
2 finds that the limited amount of travel funds for patients of the island's indigent
3 community, who are referred to an off-island provider for treatment, hampers the
4 expedient departure of these patients to receive treatment. The Medical Referral
5 Benefits Bank Account (MRBBA) was created for all government employees
6 and/or or consultants to deposit one pass miles accrued through government
7 funded travel for use by these patients. The Travel Section within the Department
8 of Administration currently captures and deposits accrued miles on government
9 paid travel through a First Hawaiian Bank (FHB) credit card account, entrusted to
10 the Treasurer of Guam, which accrues mileage through Continental's One Pass
11 Program. The MRBBA has never truly fulfilled its mandate and still does not
12 capture miles accrued by government of Guam employees who do not use the
13 credit card account at the Department of Administration. These miles remain with

1 the employee and fees are charged for the transfer of these miles to the
2 government account.

3 *I Liheslaturan Guahan* further finds, the Ayudya Foundation’s “Wings for
4 Life” program (Program) is a nonprofit organization that assists indigent patients,
5 that require off-island medical care. Organizations and/or persons who deposit
6 miles into the Program are exempted from paying any fees associated with the
7 transfer of miles. Currently, the Program coordinates travel itineraries and offers,
8 mileage credit for eligible patients with the Director of the Department of Public
9 Health and Social Services (DPHSS), who oversees the Medically Indignant
10 Program (MIP). In November of 2009 the Office of Public Accountability (OPA
11 Report Number #09-06) stated that it would benefit the MRBBA if the Director of
12 DPHSS was the delegated administrating party. Current law mandates the
13 Administrator of the Guam Memorial Hospital to oversee the MRBBA.

14 *I Liheslaturan Guahan* recognizes that the time it takes to receive the
15 necessary signatures to authorize the patient to travel, through standard
16 government protocol, delays the patient’s departure date. It is unacceptable when
17 these Travel Authorizations’ become stagnant while waiting for a signature. For
18 some patients, every moment waiting is a moment lost for care.

19 *I Liheslaturan Guahan* intends to utilize the Program for all government
20 employees to deposit their miles without having to pay for any fees associated
21 with the transfer by repealing and reenacting §23111 Chapter 23, 5 Guam Code
22 Annotated, relative to the MRMBA to maximize Government resources and to
23 streamline services to better serve those in need of immediate off-island medical
24 care.

25 **SECTION 2. Section 23111 of Chapter 23, 5 Guam Code Annotated is**
26 **hereby repealed and re-enacted to read as follows:**

1 ~~(c) Definitions. For purposes of this Act the following words and phrases are~~
2 ~~defined to mean:~~

3 ~~(i) *Account* means the Medical Referral Benefits Bank Account established~~
4 ~~under this Act.~~

5 ~~(ii) *Accrued mileage* means those miles accrued by a traveler on a frequent~~
6 ~~flyer benefit program.~~

7 ~~(iii) *Employee* means all persons employed within the government of~~
8 ~~Guam, whether classified or unclassified, or full time, part time, temporary or~~
9 ~~limited term basis; all elected officials, judges, mayors and individual~~
10 ~~consultants.~~

11 ~~(iv) *Travel benefit* means a program designed by an airline that awards~~
12 ~~accrued mileage and benefit programs to its clients.~~

13 ~~(d) Requirement.~~

14 ~~(i) All employees of the Legislative, Judicial and Executive Branches,~~
15 ~~including, but not limited to, all autonomous and semi-autonomous and those~~
16 ~~agencies, public corporations, the University of Guam, the Guam Visitors~~
17 ~~Bureau, the Department of Education, all elected officials and individual~~
18 ~~consultants of the government of Guam, as well as non-government persons~~
19 ~~traveling at government expense, shall, as a condition of receiving local or~~
20 ~~Federal monies under a travel authorization (TA) contractual allotment for~~
21 ~~travel, or any government of Guam monies, used directly or indirectly for~~
22 ~~expenses incurred for official government travel, sign a waiver form donating~~
23 ~~accrued mileage credits from any travel benefit on whatever airline, into the~~
24 ~~MRBB Account. The executed waiver form shall be required by the~~

1 ~~certifying officer of the respective entity prior to the certification of the~~
2 ~~availability of the funds for travel.~~

3 ~~(ii) All employees of the Legislative, Judicial and Executive Branches,~~
4 ~~including, but not limited to, all autonomous, semi autonomous and those~~
5 ~~agencies, public corporations, the University of Guam, the Guam Visitors~~
6 ~~Bureau, the Department of Education, all elected officials and individual~~
7 ~~consultants of the government of Guam traveling in an official capacity shall~~
8 ~~be required to sign a waiver form donating accrued mileage credits from any~~
9 ~~travel benefit on whatever airline into the MRBB Account=.~~

10 ~~(e) Eligibility. The following persons are eligible for participation:~~

11 ~~(i) patients and health care staff necessary for the transport of patients~~
12 ~~being medically referred to be treated off Island;~~

13 ~~(ii) patients under the Medically Indigent Program;~~

14 ~~(iii) all health care staff (physicians, nurses, technicians) providing direct~~
15 ~~care to the patient being transported, as approved by the Medical Director of~~
16 ~~Guam Memorial Hospital Authority.~~

17 ~~Patient Eligibility shall be based upon:~~

18 ~~(i) financial need;~~

19 ~~(ii) lack of availability or required medical services on Guam; and~~

20 ~~(iii) urgency and severity of illness, as documented by an attending~~
21 ~~physician.~~

22 ~~(f) Authorized Use. The accrued mileage account shall be used to send off-~~
23 ~~island medical referrals patients to the destination as determined by the patient=s~~

1 ~~duly licensed physician with the concurrence of the Guam Memorial Hospital~~
2 ~~Medical Director. Persons authorized to withdraw from the Account shall be the~~
3 ~~Medical Referral Office Manager and the Administrator of the Guam Memorial~~
4 ~~Hospital Authority, or his/her designee.~~

5 ~~(g) Membership. The government of Guam is hereby authorized to become a~~
6 ~~member of the travel benefits program instituted by any and all airlines serving~~
7 ~~Guam. All persons covered by this Act are required to become members of travel~~
8 ~~benefit programs sponsored by any and all airlines serving Guam, if required by~~
9 ~~the respective airlines, to satisfy the purpose of this Act.~~

10 ~~(h) Other Travel Benefits. All other travel benefits, including, but not limited~~
11 ~~to, volume purchase discounts and accrued number of ticket purchases for free~~
12 ~~flight benefits and promotional travel benefits shall be accrued and used for the~~
13 ~~purpose of this Program. The Director of Administration shall establish~~
14 ~~procedures for management of these benefits and for distribution as requested by~~
15 ~~the Medical Referral Office Manager or the Hospital Administrator, or his/her~~
16 ~~designee.~~

17 ~~(i) Negotiation. For the purposes of this Act, the Director of Administration~~
18 ~~may negotiate with any and all airlines serving Guam.~~

19 ~~(j) Deposit of Benefits. All mileage accrued by a government of Guam~~
20 ~~employee shall be deposited directly into the Account by the air carrier no later~~
21 ~~than ninety (90) days after the date of departure.~~

22 ~~(k) Penalties. Violation of this Act shall result in the following:~~

23 ~~(1) For those cited in Subsection (d) of this Act shall result in forfeiture of~~
24 ~~government funded travel or any government expense, including, but not~~

1 limited to, salaries paid while off Island per diem, for a period of one (1) year
2 from the date of last travel.

3 ~~(2) The Certifying Officer of the responsible government department or~~
4 ~~agency identified in Subsection (d) of this Act shall be individually or~~
5 ~~personally liable for the payment of any amounts due on any of the official~~
6 ~~trips made under the provisions of the Government Travel Law and shall be~~
7 ~~guilty of a petty misdemeanor.~~

8 ~~(l) Indemnification. The government of Guam shall indemnify and hold~~
9 ~~harmless the participating airline(s) thereof for any loss subject to an agreement,~~
10 ~~and provided that such loss is not a result of the negligence of the airline(s). *I*~~
11 ~~*Maga'lahañ Guåhan* is hereby authorized to enter into such an indemnification~~
12 ~~agreement pursuant to this Section.~~

13 ~~(m) Rules and Regulations. The Administrator of the Guam Memorial~~
14 ~~Hospital and the Director of the Department of Administration shall jointly~~
15 ~~promulgate rules and regulations within sixty (60) days from the date of~~
16 ~~enactment providing for the implementation of this Program on January 1, 1999.~~
17 ~~These rules and regulations shall include provisions for non-compliance with this~~
18 ~~Act and shall provide for the determination of eligibility as provided in this Act.~~
19 ~~The rules and regulations shall be promulgated pursuant to Article 3, Chapter 9 of~~
20 ~~Title 5 of the Guam Code Annotated, through the *Administrative Adjudication*~~
21 ~~*Law, Rule Making Procedures.*~~

22 "CHAPTER 23

23 GOVERNMENT TRAVEL LAW

24 § 23101. Definitions.

25 § 23102. Short Title.

- 1 § 23103. Persons Authorized to Travel at Government Expense.
2 § 23104. Per Diem Allowance.
3 § 23105. Mileage Allowance.
4 § 23106. Indirect Travel: Dependents.
5 § 23107. Advancements. [Repealed]
6 § 23108. Reporting and Accounting.
7 § 23109. Rules and Regulations.
8 § 23110. Limitation on Use of Travel Funds. [Repealed]
9 § 23111. The Medical Referral Benefits Bank Act.
10 § 23112. Definitions.
11 § 23113. Requirement.
12 § 23114. Eligibility.
13 § 23115. Authorized Use.
14 § 23116. Other Travel Benefits.
15 § 23117. Deposit of Mileage.
16 § 23118. Reporting.
17 § 23119. Penalties.
18 § 23120. Indemnification.
19 § 23121. Rules and Regulations.
20 § 23122. Travel Authorization Signatory Exemption.
21 § 23123. Effective Date.

22 **§23111. The Medical Referral Mileage Bank Act.**

23 (a) Title. This Section may be cited and referred to as *the ‘ Senator Edward J.*
24 *Cruz Medical Referral Mileage Bank Act.’*

1 (b) Medical Referral Mileage Bank Account. There is hereby created within
2 the government of Guam a fund for the banking of travel mileage earned as a
3 result of travel paid by the government of Guam. This fund shall be known as the
4 *Senator Edward J. Cruz Medical Referral Mileage Bank Account* (the ‘MRMBA’)
5 to be administered by the Department of Administration for all employees of
6 government agencies, instrumentalities, autonomous agencies, public corporations
7 and branches of the government of Guam to deposit all accrued travel mileage, by
8 virtue of receiving travel authorization payments into the MRMBA.

9 **§23112. Definitions.** For purposes of this Act the following words and
10 phrases are defined to mean:

11 *Account* means the Senator Edward J. Cruz Medical Referral Mileage
12 Bank Account established under this Act.

13 *Accrued mileage* means those miles accrued by an employee and/or
14 consultant traveling on government or federal paid travel in the government
15 account or in the employee’s frequent flyer travel benefit program.

16 *Department* means the Department of Administration.

17 *Employee* means all persons employed within the government of Guam,
18 whether classified or unclassified, or full-time, part-time, temporary or limited
19 term basis; all elected officials, judges, mayors and individual consultants and
20 members of Boards and Commissions.

21 *Travel benefit* means a program designed by an airline that awards accrued
22 mileage and benefit programs to its clients.

23 **§23113. Requirement.** All employees of the Legislative, Judicial and
24 Executive Branches, including, but not limited to, all autonomous and semi-

1 autonomous and those agencies, public corporations, the University of Guam, the
2 Guam Community College, the Guam Visitors Bureau, the Department of
3 Education, all elected officials, individual consultants of the government of Guam
4 and members of Boards and Commissions, as well as non-government persons
5 traveling at government of Guam or Federal government expense, shall, as a
6 condition of receiving local or Federal monies under a travel authorization ('TA')
7 contractual allotment for travel, or any government of Guam monies, used directly
8 or indirectly for expenses incurred for official government travel shall donate all
9 mileage accrued to the Ayuda Foundation, if the milage accrued has not already
10 been credited to a government of Guam milage bank account. The employee shall
11 sign a waiver form donating accrued mileage from any travel benefit on whatever
12 airline into the MRBB or directly to the Ayuda Foundation as identified in §23117.

13 **§23114. Eligibility.** (a) The following persons are eligible for participation to
14 receive the mileage for off-island medical care:

15 (i) patients under the Medically Indigent Program as approved by the
16 Director of the Department of Public Health & Social Services;

17 (ii) all health care staff (physicians, nurses, technicians) providing direct
18 care to the patient being transported, as approved by the Medical Director of
19 Guam Memorial Hospital Authority or his/her designee.

20 (b) Patient Eligibility shall be based upon:

21 (i) financial need as identified under the requirement of the Medically
22 Indigent Program; and

23 (ii) lack of availability or required medical services on Guam; and

1 (iii) urgency and severity of illness, as documented by an attending
2 physician.

3 **§23115. Authorized Use.** The accrued mileage account shall be used to send
4 patients off-island through a certified medical referral for patients to a destination
5 determined by the patient's duly licensed physician with the concurrence of the
6 Medical Indigent Program Coordinator of the Department of Public Health &
7 Social Services.

8 **§23116. Other Travel Benefits.** All other travel benefits, including, but not
9 limited to, volume purchase discounts and accrued number of ticket purchases for
10 free flight benefits and promotional travel benefits shall be accrued and used for
11 the purpose of this Program. The Director of Administration shall establish
12 procedures for management of these benefits and for distribution as requested by
13 the Medical Indigent Program Coordinator with the Department of Public Health
14 & Social Services or his/her designee.

15 **§23117. Deposit of Mileage.**

16 (a) The Department is hereby authorized to become a member of the travel
17 benefits program as it relates to travel mileage instituted by any and all airlines
18 serving Guam and shall enter into an agreement with an airline to accrue travel
19 mileage credits for employees traveling on government and/or federally funded
20 travel.

21 (b) The Department shall enter into an agreement with a bank on Guam for a
22 credit card to use as payment for travel for employees traveling on government
23 and/or federally funded travel and to accrue mileage.

1 (c) Employees *not* using the Department's credit card shall be personally
2 liable to deposit any travel miles accrued directly to the Ayuda Foundation via
3 whatever airline website, which has agreed to accept mileage credits on behalf of
4 the Ayuda Foundation. The employee shall be required to submit the confirmation
5 copy of the accrued mileage deposit(s) made and shall be included in the required
6 travel report submitted to the Certifying Officer or equivalent of their respective
7 department within ten (10) days upon their return from off-island funded travel.

8 **§23118. Reporting.** The employee traveling on government and/or federal
9 funding who does *not* use the credit card with the Department shall submit a copy
10 of the form evidencing the deposit of mileage into the Ayuda Foundation to the
11 Certifying Officer or equivalent of the department or agency who shall maintain a
12 reporting of all accrued mileage by employees traveling on government and/or
13 federal funds. The Certifying Officer or equivalent of the department or agency
14 shall submit a monthly report to the Travel Section of the Department of
15 Administration of all accrued mileage. The Travel Section shall reconcile the
16 report with the Ayuda Foundation on a monthly basis to ensure that the accrued
17 mileage deposited by the department or agency are correct and shall submit an
18 quarterly report to *I Liheslaturan Guahan* to include but not limited to, total miles
19 accrued and donated per agency, total miles used for medical purposes and any
20 balances that remain. An audit shall be conducted of the MRRB on an annual
21 basis by the Office of Public Accountability and submitted to *I Liheslaturan*
22 *Guahan* no later than September 30.

23 **§23119. Penalties.** Violation of this Act shall result in the following:

24 (a) An employee who fails to submit the confirmation copy of transfer of
25 mileage to Ayuda evidencing the transfer of mileage pursuant to §23117 in this

1 Act, shall pay the amount equal to the cost the airline mileage program charges for
2 the purchase of miles times the milage accrued on the completed travel. If the
3 employee fails to submit the confirmation copy, the total amount shall be deducted
4 from the employee's salary for four (4) pay periods or until the total amount is
5 paid in full.

6 (b) Any penalties paid shall be retained by the Medically Indignant Program to
7 be used for the adminstration of the MRBBA.

8 **§23120. Indemnification.** The government of Guam shall indemnify and
9 hold harmless the participating airline(s) thereof for any loss subject to an
10 agreement, and provided that such loss is not a result of the negligence of the
11 airline(s). *I Maga'lahren Guâhan* is hereby authorized to enter into such an
12 indemnification agreement pursuant to this Act.

13 **§23121. Rules and Regulations.** The Director of Department of Public
14 Health and Social Services in collaboration with the Director of the Department of
15 Administration shall jointly promulgate rules and regulations within sixty (60)
16 days from the date of enactment of this Act. The rules and regulations shall be
17 promulgated pursuant to Article 3, Chapter 9 of Title 5 of the Guam Code
18 Annotated, through the *Administrative Adjudication Law, Rule Making*
19 *Procedures*.

20 **§23122. Travel Authorization Signatory Exemption.** For purposes of this
21 Act, any accrued mileage used out of the MRBBA for the Wings for Life Program,
22 will *not* be subject to the signatory parties as required with standard government
23 travel authorization requests. Authorized signatories to approve the transfer of
24 accrued mileage to ensure expedited travel shall be the Director of the Department

1 of Public Health and Social Services and the Director of the Department of
2 Administration only.

3 **§23123. Effective Date.** This Act shall become effective on October 1,
4 2011.”

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