

EDDIE BAZA CALVO
Governor



2011 NOV 22 PM 9:58

De
RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

November 21, 2011

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

311-1118

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

Date 11/21/11
Time 4:49 PM
Received by *CA*

Dear Madame Speaker:

Transmitted herewith is Bill No. 285-31 (COR) "AN ACT TO ADD A NEW §22420.1 TO ARTICLE 4, CHAPTER 22 OF TITLE 5, GUAM CODE ANNOTATED; AND A NEW §23109 TO CHAPTER 23, PART 1 OF DIVISION 2, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO MANDATING THAT HEALTHY FOODS BE SOLD IN VENDING MACHINES AT ALL GOVERNMENT OF GUAM BUILDINGS", which I signed into law on November 17, 2011 as **Public Law 31-141**.

Senseramente,

EDDIE BAZA CALVO

Attachment: copy of Bill

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. 285-31 (COR), "AN ACT TO ADD A NEW §22420.1 TO ARTICLE 4, CHAPTER 22 OF TITLE 5, GUAM CODE ANNOTATED; AND A NEW §23109 TO CHAPTER 23, PART 1 OF DIVISION 2, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO MANDATING THAT HEALTHY FOODS BE SOLD IN VENDING MACHINES AT ALL GOVERNMENT OF GUAM BUILDINGS," was on the 8th day of November, 2011, duly and regularly passed.



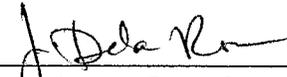
Judith T. Won Pat, Ed.D.
Speaker

Attested:



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 9th day of Nov., 2011, at A. 25 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



EDWARD J.B. CALVO
I Maga'lahaen Guåhan

Date: NOV 17 2011

Public Law No. 31-141

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

Bill No. 285-31 (COR)

As amended on the Floor.

Introduced by:

Dennis G. Rodriguez, Jr.

T. C. Ada

V. Anthony Ada

F. F. Blas, Jr.

Chris M. Dueñas

B. J.F. Cruz

Judith P. Guthertz, DPA

Sam Mabini, Ph.D.

T. R. Muña Barnes

v. c. pangelinan

Adolpho B. Palacios, Sr.

R. J. Respicio

M. Silva Taijeron

Aline A. Yamashita, Ph.D.

Judith T. Won Pat, Ed.D.

**AN ACT TO *ADD* A NEW §22420.1 TO ARTICLE 4,
CHAPTER 22 OF TITLE 5, GUAM CODE ANNOTATED;
AND A NEW §23109 TO CHAPTER 23, PART 1 OF
DIVISION 2, TITLE 10, GUAM CODE ANNOTATED,
RELATIVE TO MANDATING THAT HEALTHY FOODS
BE SOLD IN VENDING MACHINES AT ALL
GOVERNMENT OF GUAM BUILDINGS.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that there is a growing epidemic of increasing rates of obesity and unhealthy
4 weight gain that are contributing to the rise of chronic diseases, low quality of
5 health, and higher costs of health care.

1 *I Liheslatura* finds that, according to the Department of Public Health &
2 Social Services (DPHSS), in 2009, a combined total of sixty-one and two-tenths
3 percent (61.2%) of the island’s adult population was either overweight or obese;
4 and according to the 2007 Youth Risk Behavior Surveillance System (YRBS), a
5 combined total of forty and nine-tenths percent (40.9%) of middle and high school
6 students described themselves as overweight.

7 *I Liheslatura* finds that the population of Guam is composed of
8 approximately ninety percent (90%) Pacific and Asian Islanders, ethnic groups
9 which have an inherent genetic predisposition to obesity and type 2 diabetes. It
10 also finds that an unhealthy, high-fat diet can contribute to the increase of cases of
11 these health problems, and that diabetes is one (1) of the top ten (10) leading
12 causes of death for the population of Guam.

13 *I Liheslatura* finds that a healthy diet and lifestyle will help prevent the onset
14 of type 2 diabetes, metabolic syndrome, hypertension, etc., and can reduce chronic
15 disease-related health care costs.

16 *I Liheslatura* also finds that promoting healthier beverages and foods
17 through vending machines within the workplace will help with the prevention of
18 chronic diseases. With most employees spending nearly half their waking hours on
19 the job, worksites play an essential role in helping people make healthy lifestyle
20 choices.

21 *I Liheslatura* finds that mandating healthier food options at the workplace
22 and within offices and public facilities that serve island residents will be one of the
23 most cost effective changes to immediately improve employee eating habits, and to
24 provide access to healthier beverage and food options to the public. By
25 implementing this Healthy Vending Machine policy, the government is taking a
26 reasonable first step to combat the obesity epidemic.

1 It is the intent of *I Liheslaturan Guåhan* to promote a healthier workplace
2 for government of Guam workers, as well as visitors, by seeking to ensure the
3 availability of an alternative, nutritious choice of snack foods and beverages
4 available for sale in vending machines on government facilities and premises.

5 **Section 2.** A new §22420.1 is hereby *added* to Article 4 of Chapter 22,
6 Title 5, Guam Code Annotated, to read:

7 **“§ 22420.1. Policy in Favor of Healthy Food and Beverage**
8 **Products in all Vending Machines Located Within Government**
9 **Facilities.**

10 (a) Fifty percent (50%) of all foods and beverages offered for sale
11 in government-contracted food and beverage vending machines within all
12 government owned or leased buildings, facilities and/or operational spaces
13 under the control of the government *shall* adhere to specific guidelines
14 promoting good nutrition and healthy environments. This mandate covers
15 all machines designed to dispense food and/or beverages located within
16 government facilities but shall *not* apply to the vending machines within the
17 control of the Guam Department of Education or other department or agency
18 where a stricter nutrition policy in place.

19 Agency heads *shall* be responsible for the dissemination,
20 implementation, and compliance with the approved policy for all vending
21 machines, either owned or leased, that are located within their departments
22 and facilities. Failure to comply with or violation of any approved provisions
23 of this policy *shall* result in the immediate removal or disablement of the
24 vending machine.

25 (b) Development of Applicable Policy. The Director of the
26 Department of Administration, in conjunction with the Department of Public
27 Health & Social Services, *shall* promulgate rules and regulations, within one

1 hundred twenty (120) days of the enactment of this Section, establishing
2 standards pursuant to which the intent of this Section *shall* be implemented.

3 The rules and regulations *shall*, at a minimum, provide for the following:

4 (1) Nutritional Facts and Guidelines. The vending machine
5 operator *shall* provide a sign in close proximity to each and every
6 article of food/beverage, or the selection button, that includes a clear
7 and conspicuous statement disclosing the number of calories, fat,
8 sugar, and sodium contained in the article.

9 (2) *At least* fifty percent (50%) of beverages offered in a
10 vending machine must contain one (1), or a combination, of the
11 following: (A) water; (B) coffee or tea; (C) nonfat or reduced fat milk
12 (including soy or cow's milk, chocolate or other flavored milk *not*
13 containing more than fifteen (15) grams of added sugar per two
14 hundred fifty (250) gram serving or three (3) teaspoons of sugar per
15 one (1) cup of milk; (D) one hundred percent (100%) fruit/vegetable
16 juice; (E) fruit-based drinks containing one hundred percent(100%)
17 fruit juice, and *no* added caloric sweeteners; and (F) all other non-
18 caloric beverages, including diet sodas.

19 (3) *At least* fifty percent (50%) of the snacks/foods offered in
20 a vending machine *shall* meet the following criteria: (A) *not more*
21 *than* thirty-five percent (35%) of the calories shall be from fat, with
22 the exception of nuts and seeds; snack mixes and other foods of which
23 nuts are a part must meet the thirty-five percent (35%) requirement;
24 (B) *not more than* ten percent(10%) of the calories shall be from
25 saturated fat; (C) *shall not* contain trans fats that are added during
26 processing (hydrogenated oils and partially hydrogenated oils); (D)
27 *not more than* thirty-five percent (35%) of the total weight shall be

1 from sugar and caloric sweeteners, with the exception of fruits and
2 vegetables that have *not* been processed with added sweeteners or
3 fats, and not more than three hundred sixty (360) mg of sodium per
4 serving; and (E) *at least* one (1) item meeting the snack criteria in
5 each vending machine *shall* also meet the FDA definition of “Low
6 Sodium” (c 140mg per serving). Further, the policy recommends that
7 options within the vending machine contain items that include at least
8 two (2) grams of dietary fiber.

9 (4) The applicable rules and regulations establishing
10 applicable nutritional standards pursuant to this Section may be
11 amended, as necessary, to adhere to future healthy dietary and
12 nutritional standards set forth by the U.S. Food and Drug
13 Administration.

14 (c) Implementation Timeline. By January 2012, *at least* fifty
15 percent (50%) of all foods and beverages offered in government-contracted
16 food and beverage vending machines within government facilities and
17 offices *shall* adhere to the specific guidelines established pursuant to this
18 Section. Government agencies which have existing vending machine
19 contracts must ensure compliance by current vendors.

20 (d) All rules and regulations *shall* be promulgated, and may be
21 amended, pursuant to Article 3 – Rule Making Procedures, of Chapter 9,
22 Division 1, Title 5, Guam Code Annotated.

23 **Section 3.** A new §23109 is hereby *added* to Chapter 23, Part 1, Division
24 2 of Title 10, Guam Code Annotated, to read:

25 “§ 23109. **Vending Machines on Government Premises.** The
26 Department, in the regular conduct of inspections of vending machines
27 pursuant to this Chapter, *shall* additionally inspect vending machines on

1 government of Guam premises for compliance with §22420.1 - Policy in
2 Favor of Healthy Food and Beverage Products in all Vending Machines
3 Located within Government Facilities, of Article 4, Chapter 22, Title 5,
4 Guam Code Annotated.”

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

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN

2011 (FIRST) Regular Session

Date: ⁸11/07/11

VOTING SHEET

Bill No. 285-31 (COR)

Resolution No. _____

Question: _____

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
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 12 3 _____

CERTIFIED TRUE AND CORRECT:



Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



Ufisinan Todu Guam

SENATOR DENNIS G. RODRIGUEZ, Jr.

I Mina'trentai Unu Na Liheslaturan Guåhan

CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

October 25, 2011

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

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

Rory J. Respicio

2011 OCT 27 PM 11:44
Won

RE: Committee Report – Bill No. 285-31(COR)

Dear Speaker Won Pat:

Transmitted herewith, for your consideration, is the **Committee Report on BILL NO. 285-31(COR)- An act to mandate healthy foods to be sold in vending machines in all Government of Guam buildings, by adding a new §22420.1 to Article 4, Chapter 22, Title 5, Guam Code Annotated, and a new §23109 to Chapter 23, Part 1, Division 2, Title 10, Guam Code Annotated;** Sponsored by Senator Dennis G. Rodriguez, Jr., and referred to the Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform. Bill No. 285-31(COR) was publicly heard on September 15, 2011.

Committee votes are as follows:

- 05 TO PASS**
- NOT TO PASS**
- ABSTAIN**
- TO REPORT OUT ONLY**
- TO PLACE IN INACTIVE FILE**

Senseramente,

Dennis G. Rodriguez, Jr.

Senator Dennis G. Rodriguez, Jr.
Chairman

Attachments



Ufisinan Todu Guam

SENATOR DENNIS G. RODRIGUEZ, Jr.

I Mina'trentai Unu Na Liheslaturan Guåhan

CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

COMMITTEE REPORT ON

BILL NO. 285-31(COR)-

Sponsored by: Senator Dennis G. Rodriguez, Jr.

An act to mandate healthy foods to be sold in vending machines in all Government of Guam buildings, by adding a new §22420.1 to Article 4, Chapter 22, Title 5, Guam Code Annotated, and a new §23109 to Chapter 23, Part 1, Division 2, Title 10, Guam Code Annotated.



Ufisinan Todu Guam

SENATOR DENNIS G. RODRIGUEZ, Jr.

I Mina'trentai Unu Na Liheslaturan Guåhan

CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

October 20, 2011

MEMORANDUM

To: ALL MEMBERS
Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform.

From: Senator Dennis G. Rodriguez, Jr. 
Committee Chairperson

Subject: Committee Report on Bill no. 285-31(COR).

Transmitted herewith, for your consideration, is the **Committee Report on BILL NO. 285-31(COR)- An act to mandate healthy foods to be sold in vending machines in all Government of Guam buildings, by adding a new §22420.1 to Article 4, Chapter 22, Title 5, Guam Code Annotated, and a new §23109 to Chapter 23, Part 1, Division 2, Title 10, Guam Code Annotated; Sponsored by Senator Dennis G. Rodriguez, Jr..**

This report includes the following:

- Committee Voting Sheet
- Committee Report Narrative/Digest
- Copy of Bill No. 285-31 (COR)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony and Supporting Documents
- Copy of COR Referral of Bill No. 285-31 (COR)
- Notices of Public Hearing (1st and 2nd)
- Copy of the Public Hearing Agenda
- Related News Articles (Public hearing publication of public notice)

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

Si Yu'os Ma'åse'!

Attachments



Ufisinan Todu Guam

SENATOR DENNIS G. RODRIGUEZ, Jr.

I Mina'trentai Unu Na Liheslaturan Guåhan

CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

COMMITTEE VOTING SHEET

BILL NO. 285-31(COR)- An act to mandate healthy foods to be sold in vending machines in all Government of Guam buildings, by adding a new §22420.1 to Article 4, Chapter 22, Title 5, Guam Code Annotated, and a new §23109 to Chapter 23, Part 1, Division 2, Title 10, Guam Code Annotated; Introduced by Sen. Dennis G. Rodriguez, Jr.

	SIGNATURE	TO PASS	NOT TO PASS	ABSTAIN	REPORT OUT ONLY	PLACE IN INACTIVE FILE
DENNIS G. RODRIGUEZ, Jr. Chairman		✓ 10/23/11				
ADOLPHO B. PALACIOS, Sr. Vice Chairman		✓ 10/24/11				
JUDITH T. WON PAT, Ed.D. Speaker						
BENJAMIN J. F. CRUZ Vice-Speaker		✓ 10/24/11				
TINA ROSE MUÑA BARNES Legislative Secretary					✓	
THOMAS C. ADA		10/24/11				
VICENTE C. PANGELINAN						
RORY J. RESPICIO						
JUDITH P. GUTHERTZ, DPA						
FRANK F. BLAS, Jr.					10/24/11	
V. ANTHONY ADA						
ALINE A. YAMASHITA, Ph.D.					10/24/11	
SAM MABINI, Ph.D.						
MANA SILVA TAJERON					10/24/11	
CHRISTOPHER M. DUENAS		✓ 10/24/11				



Ufisinan Todu Guam
SENATOR DENNIS G. RODRIGUEZ, Jr.
I Mina'trentai Unu Na Liheslaturan Guåhan
CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

COMMITTEE REPORT DIGEST

Bill No. 285-31(COR)

I. OVERVIEW: The Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform conducted a public hearing on September 15, 2011. The hearing convened at 8:30AM in I Liheslatura's Public Hearing Room. Among the items on the agenda was the consideration of **BILL NO. 285-31(COR)- An act to mandate healthy foods to be sold in vending machines in all Government of Guam buildings, by adding a new §22420.1 to Article 4, Chapter 22, Title 5, Guam Code Annotated, and a new §23109 to Chapter 23, Part 1, Division 2, Title 10, Guam Code Annotated;** Sponsored by Senator Dennis G. Rodriguez, Jr..

Public Notice Requirements

Notices were disseminated via hand-delivery/fax and/or email to all senators and all main media broadcasting outlets on September 08, 2011 (5-day notice), and again on September 13, 2011 (48-hour notice).

Senators Present

Senator Dennis G. Rodriguez, Jr.	Chairman
Senator Adolpho B. Palacios, Sr.	Vice-Chairman
Senator Benjamin J. F. Cruz	Committee Member
Senator V. Anthony Ada	Committee Member

The public hearing on agenda item Bill No. 285-31(COR) was called to order at 8:33AM.

II. SUMMARY OF TESTIMONY & DISCUSSION.

Chairman Dennis G. Rodriguez, Jr., convened the Public Hearing on Bill 285-31(COR). **As the author of Bill 285-31 (COR), Senator Rodriguez explained the intent of the bill.**

Chairman Rodriguez: This is mandating vending machines in government buildings, that by a certain time they would make sure they offer healthy choices. It did not take this legislation to get Public Health, under Director Gillian to implement this program within Public Health facilities and the vendors in the area. I want to thank you, Jim for initiating that. I am hoping that we as a government take this effort, the private sector as well will take this and see how this is really a step in fighting obesity that is hitting our island, especially our young children.

Jim Gillian: Read written testimony in favor of Bill 285-31.

Chairman Rodriguez: I want to recognize your staff, Rose Zabala and Pat Lucas and others on the team who helped craft this legislation and your implementation of this program. I also want to ask Public Health

that if this bill passes into law that you help the other departments and agencies to implement this. Thank you for that.

Pat Luces: Read written testimony in favor of Bill 285-31.

Chairman Rodriguez: Thank you for your assistance in putting this together.

There being no other testimony, or comments by Senators, Chairman Rodriguez declared the bill as having been heard, and concluded the public hearing on Bill No. 285-31(COR). The committee would continue to accept written testimony for a period of ten (10) days subsequent to the public hearing.

Fiscal Note: Requested on August 17, 2011 (attached) and pending receipt.

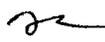
III. FINDINGS AND RECOMMENDATIONS

The Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform, hereby reports out Bill No. 285-31(COR), with the recommendation to REPORT OUT ONLY.

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

Bill No. 285-31(con)

Introduced by:

D. G. Rodriguez, Jr. 
T.C. Ada 

MAY 10 11 08
MAY 10 11 08

AN ACT TO MANDATE HEALTHY FOODS TO BE SOLD IN VENDING MACHINES IN ALL GOVERNMENT OF GUAM BUILDINGS, BY ADDING A NEW §22420.1 TO ARTICLE 4, CHAPTER 22, TITLE 5, GUAM CODE ANNOTATED, AND A NEW §23109 TO CHAPTER 23, PART 1, DIVISION 2, TITLE 10, GUAM CODE ANNOTATED.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative findings and intent. *I Liheslaturan Guåhan* finds

that there is a growing epidemic of increasing rates of obesity and unhealthy weight gain that are contributing to the rise of chronic diseases, low quality of health, and higher costs of health care.

I Liheslatura finds that According to the Department of Public Health & Social Services (DPHSS), in 2009 a combined total of 61.2% of the island's adult population was either overweight or obese and according to the 2007 Youth Risk Behavior Surveillance System (YRBS) a combined total of 40.9% middle and high school students described themselves as overweight.

I Liheslatura finds that the population of Guam is composed of approximately 90% Pacific and Asian Islanders, ethnic groups which have inherent genetic predisposition to obesity and type II diabetes. It also finds that an unhealthy, high fat diet can contribute to the increase of cases of these health problems and that diabetes is one of the top ten leading causes of death for the

1 population of Guam.

2 *I Liheslatura* finds that a healthy diet and lifestyle will help prevent the onset
3 of type 2 diabetes, metabolic syndrome, hypertension, etc. and can reduce chronic
4 disease-related health care costs.

5 *I Liheslatura* also finds that promoting healthier beverages and foods
6 through vending machines within the workplace will help with the prevention of
7 chronic diseases. With most employees spending nearly half their waking hours on
8 the job, worksites play an essential role in helping people make healthy lifestyle
9 choices.

10 *I Liheslatura* finds that mandating healthier food options at the workplace
11 and within offices and public facilities that serve island residents will be one of the
12 most cost effective changes to immediately improve employee eating habits and to
13 provide access to healthier beverage and food options to the public. By
14 implementing this Healthy Vending Machine policy, the Government is taking a
15 reasonable first step to combat the obesity epidemic.

16 It is the intent of *I Liheslaturan Guåhan* in a effort to promote a healthier
17 workplace for government of Guam workers, as well as visitors, by seeking to
18 ensure the availability of an alternative, nutritious choice of snack foods and
19 beverages available for sale in vending machines on government facilities and
20 premises.

21 **Section 2.** A new §22420.1 to Article 4, Chapter 22, Title 5, Guam Code
22 Annotated, to read:

23 **“§22420.1. Policy in favor of Healthy Food and Beverage Products in**
24 **all Vending Machines Located within Government Facilities.**

25 (a) Fifty percent (50%) of all foods and beverages offered for sale in
26 government-contracted food and beverage vending machines within all
27 government owned or leased buildings, facilities and/or operational spaces under

1 the control of the government shall adhere to specific guidelines promoting good
2 nutrition and healthy environments. This mandate covers all machines designed to
3 dispense food and/or beverages located.

4 Agency Heads shall be responsible for the dissemination, implementation,
5 and compliance with the approved policy for all vending machines either owned or
6 leased that are located within their departments and facilities. Failure to comply
7 with or violation of any approved provisions of this policy shall result in the
8 immediate removal or disablement of the vending machine.

9 (b) Development of Applicable Policy. The Director of the Department of
10 Administration, in conjunction with the Department of Public Health & Social
11 Services, shall promulgate rules and regulations, within 120 days of the enactment
12 of this Section, establishing standards pursuant to which the intent of this section
13 shall be implemented. The rules and regulations shall, at a minimum, provide for
14 the following:

15 (i) Nutritional Facts and Guidelines. The vending machine operator shall
16 provide a sign in close proximity to each and every article of
17 food/beverage or the selection button that includes a clear and
18 conspicuous statement disclosing the number of calories, fat, sugar,
19 and sodium contained in the article.

20 (ii) At least 50% of beverages offered in a vending machine must contain
21 one or a combination of the following: a) water; b) coffee or tea; c)
22 nonfat or reduced fat milk (including soy or cow's milk, chocolate or
23 other flavored milk not containing more than fifteen (15) grams of
24 added sugar per 250 gram serving or three (3) teaspoons of sugar per
25 one (1) cup of milk; d) one hundred (100%) percent fruit/vegetable
26 juice; e) fruit based drinks containing one hundred (100%) percent
27 fruit juice and no added caloric sweeteners; and, f) all other non-

1 caloric beverages, including diet sodas.

2 (iii) At least 50% of the snacks/foods offered in a vending machine shall
3 meet the following criteria: a) not more than thirty-five (35%)
4 percent of the calories shall be from fat with the exception of nuts and
5 seeds; snack mixes and other foods of which nuts are a part must meet
6 the thirty five (35%) requirement, b) not more than ten (10%) percent
7 of the calories shall be from saturated fat, c) shall not contain trans
8 fats that are added during processing (hydrogenated oils and partially
9 hydrogenated oils), d) not more than thirty-five (35%) percent of the
10 total weight shall be from sugar and caloric sweeteners with the
11 exception of fruits and vegetables that have not been processed with
12 added sweeteners or fats, e) at least one (1) item meeting the snack
13 criteria in each vending machine shall also meet the FDA definition of
14 “Low Sodium” (c 140mg per serving) Further, the policy recommends
15 that options within the vending machine contain items that include at
16 least two (2) grams of dietary fiber.

17 (iv) (iv) The applicable rules and regulations establishing applicable
18 nutritional standards pursuant to this Section may be amended, as
19 necessary, to adhere to future healthy dietary and nutritional standards
20 set forth by the U.S. Food and Drug Administration.

21 (d) Implementation Timeline. By January 2012, at least 50% of all foods
22 and beverages offered in government-contracted food and beverage vending
23 machines within government facilities and offices shall adhere to the specific
24 guidelines established pursuant to this section. Government agencies which have
25 existing vending machine contracts must ensure compliance by current vendors.

26 (e) All rules and regulations shall be promulgated, and may be amended,

1 pursuant to Article 3 – Rule Making Procedures, of Chapter 9, Division 1, Title 5,
2 Guam Code Annotated.”

3 **Section 3.** A new §23109 is hereby added to Chapter 23, Part 1, Division 2,
4 Title 10, Guam Code Annotated, to read:

5 **“§23109. Vending Machines on government Premises.** The Department,
6 in the regular conduct of inspections of vending machines pursuant to this Chapter,
7 shall additionally inspect vending machines on government of Guam premises for
8 compliance with §22420.1 - Policy in favor of Healthy Food and Beverage
9 Products in all Vending Machines Located within Government Facilities, of Article
10 4, Chapter 22, Title 5, Guam Code Annotated.”

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

16 **Section 5. Effective Date.** This Act shall become effective immediately
17 upon enactment.



SENATOR DENNIS G. RODRIGUEZ, Jr., Chairman

COMMITTEE ON HEALTH & HUMAN SERVICES, ECONOMIC DEVELOPMENT,
SENIOR CITIZENS AND ELECTION REFORM

Mina'trentai Unu Na Liheslaturan Guåhan • 31st Guam Legislature

PUBLIC HEARING DATE / TIME: Thursday, September 15, 2011 1:30pm

AGENDA ITEM: Bill No. 285-31 (COR) - An act to mandate healthy foods to be sold in vending machines in all Government of Guam buildings, by adding a new §22420.1 to Article 4, Chapter 22, Title 5, Guam Code Annotated, and a new §23109 to Chapter 23, Part 1, Division 2, Title 10, Guam Code Annotated. By: Sen. DG Rodriguez, Jr.

PRINT NAME	SIGNATURE	AGENCY or ORGANIZATION	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	OPPOSE	CONTACT NUMBERS
James Gilvan		DPHSS		✓	✓		
Elizabeth Omerero		DPHSS	N/A	N/A	✓		
Pat Lucas		DPHSS					
ARCY M. CASTILLO		DPHSS			✓		
None							



EDDIE BAZA CALVO
GOVERNOR

RAY TENORIO
LIEUTENANT GOVERNOR



JAMES W. GILLAN
DIRECTOR

LEO G. CASIL
DEPUTY DIRECTOR

September 15, 2011

Honorable Dennis G. Rodriguez, Jr
Chairman, Committee on Health
and Human Services, Senior Citizens,
Economic Development and Election
Reform.

Re: BILL 285-31 AN ACT TO MANDATE HEALTHYFOODS TO BE SOLD IN
VENDING MACHINES IN ALL GOVERNMENT OF GUAM BUILDINGS BY ADDING A
NEW SECTION 22420.1 TO ARTICLE 4, CHAPTER 22, TITLE 5, GUAM CODE
ANNOTATED, AND A NEW SECTION 23109 TO CHAPTER 23, PART 1, DIVISION 2,
TITLE 10, GUAM CODE ANNOTATED (Senators D.G. Rodriguez, Jr. and T.C. Ada.

Mr. Chairman:

Thank you for allowing me to submit testimony in favor of Bill 285-31. Congratulations to you and Senator Ada for starting in a small way the building of the protections to stem the Tsunami of our very serious Chronic Disease burden. We don't need to belabor the point that unhealthy diets contribute almost entirely to our Non Communicable Disease epidemic. Studies have shown that many of our Chronic Diseases are preventable, and the adoption of a healthy diet and wise food choices can make marked inroads into stemming the tide of disease, debilitation, negative productivity and economic development. Much like our traditional Public health approach to communicable disease, we have shown that small "ounces" of prevention, lead to many, many pounds of cure. We can do the same thing with Chronic Disease.

In the Pacific Region, 75% of mortality is caused by Chronic Disease (NCDs) and much of the morbidity and mortality could be prevented, by eliminating food and beverages high in sugar, fats and sodium. It has been shown that reduction in sodium in diets could eliminate hypertension and the diseases associated with high sodium diets. Reduction or elimination of sugar added drinks would have a positive impact on reducing obesity especially in our youth.

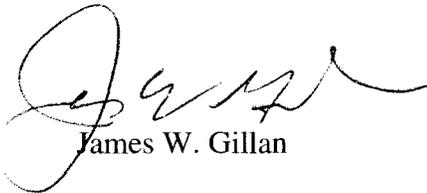
This first attempt at requiring more healthy choices is a good start. I would recommend however that you require 100% of foods and beverages in vending machine adhere to specific guidelines for health foods and beverages. If that seems too much for a start, then at least change the Section 22420.1 (a) to read "A minimum" of all foods..... This would allow administrators to decide if the percentage should be higher than 50 percent.

As you may know, the Department of Public health and Social Services has already implemented a healthy food and drink policy for its vending machines AND CANTEENS which exceeds the 50% required in your bill. I am hopeful that your bill will be amended to include food vendors of all types in or on Government of Guam premises.

I am hopeful that with your leadership, we can have an impact on the diseases that are killing our citizens at such alarming rates.

I thank you again for this opportunity to testify.

Sincerely,



James W. Gillan



EDDIE BAZA CALVO
GOVERNOR

RAY TENORIO
LIEUTENANT GOVERNOR

GOVERNMENT OF GUAM

DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES
DIPATTAMENTON SALUT PUPBLEKO YAN SETBISION SUSIAT



JAMES W. GILLAN
DIRECTOR

LEO G. CASIL
DEPUTY DIRECTOR

Hafa Adai! As the, Director of the Department of Public Health and Social Services (DPHSS), I am in full support of Bill 285-31 (COR) AN ACT TO MANDATE HEALTHY FOODS TO BE SOLD IN VENDING MACHINES IN ALL GOVERNMENT OF GUAM BUILDINGS, BY ADDING A NEW §22420.1 TO ARTICLE 4, CHAPTER 22, TITLE 5, GUAM CODE ANNOTATED, AND A NEW §23109 TO CHAPTER 23, PART 1, DIVISION 2, TITLE 10, GUAM CODE ANNOTATED.

The DPHSS recognizes the impact that the increasing rates of obesity and overweight are having on chronic diseases, quality of life, and health care costs. Consumption of just 100 extra calories a day from foods such as soda and snacks can cause a ten pound weight gain each year. Individual weight loss of as little as five to ten pounds can delay or prevent the onset of type 2 diabetes, metabolic syndrome, hypertension, etc. and can reduce chronic disease-related health care costs.

According to the 2010 Behavioral Risk Factor Surveillance System data, 34% or 1 in 3 adults are obese in Guam. Based on the 2007 Youth Risk Behavior Surveillance System (YRBS) a combined total of 40.9% middle and high school students described themselves as overweight.

The results of the Wellness Program Employee Interest Survey which was conducted in September 2010 reported that employees would buy healthy snacks at the worksite if they were available. Because of this, our department has recently implemented a Healthy Vending Machine Policy within the DPHSS premises. The vision of the Government of Guam's Healthy Vending Machine Policy is to prevent chronic diseases by providing healthy choices from the beverages and snacks that are being sold in the vending machines within the workplace. All beverage vending machines will provide 100% healthy drink options (water and/or 100% fruit juices). Carbonated sodas will not be available. Additionally, snacks in vending machines will be in compliance with the Nutrition Standards for Snacks prescribed by the Healthy Vending Machine Rules and Regulations.

Mandating healthier food options at the workplaces and public facilities may be one of the most cost effective changes to immediately improve the eating habits of the Government of Guam's workforce and probably a practical first step to combat the obesity epidemic.

As the lead public health agency, I am encouraging everyone to support this bill.
Thank you.



COMMITTEE ON RULES

I Mina'trentai Unu na Libeslaturan 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

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

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Judith P. Guthertz
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Senator
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Senator
vicente c. pangelinan

MINORITY MEMBERS:

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ASST. MINORITY LEADER

Senator
Christopher M. Duenas

Certification of Waiver of Fiscal Note Requirement

This is to certify that the Committee on Rules submitted to the Bureau of Budget and Management Research (BBMR) a request for a fiscal note, or applicable waiver, on **Bill No. 285-31 (COR) – “AN ACT TO MANDATE HEALTHY FOODS TO BE SOLD IN VENDING MACHINES IN ALL GOVERNMENT OF GUAM BUILDINGS, BY ADDING A NEW §22420.1 TO ARTICLE 4, CHAPTER 22, TITLE 5, GUAM CODE ANNOTATED, AND A NEW §23109 TO CHAPTER 23, PART 1, DIVISION 2, TITLE 10, GUAM CODE ANNOTATED.”** – on August 17, 2011. COR hereby certifies that BBMR confirmed receipt of this request on August 17, 2011.

COR further certifies that a response to this request was not received by 5:00 P.M. on September 6, 2011, the fourteenth day after the request was received by BBMR. **Therefore, pursuant to 2 GCA §9105, the requirement for a fiscal note, or waiver thereof, on Bill 285 to be included in the committee report on said bill, is hereby waived.**

Certified by:

Rory J. Respicio
Senator Rory J. Respicio

10/27/11
Date



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

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

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Judith P. Guthertz
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vicente c. pangelinan

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Senator
Aline A. Yamashita
ASST. MINORITY LEADER

Senator
Christopher M. Duenas

August 17, 2011

VIA FACSIMILE
(671) 472-2825

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

RE: Request for Fiscal Note -
Bill Nos. 279-31 (COR) through 289-31 (COR)

Hafa Adai Mr. Rios:

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.

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

Very Truly Yours,

Rory J. Respicio

Attachments

Cc: Clerk of the Legislature

2011 AUG 17 PM 4:18
EJOM



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: rorjforquam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Judith P. Guchertz
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August 17, 2011

VIA FACSIMILE
(671) 472-2825

John A. Rios
Acting Director
Bureau of Budget & Management Research
P.O. Box 2950
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Si Yu'os nu'åse' for your attention to this matter.

Very Truly Yours,

Kory J. Respicio

Attachments
Cc: Clerk of the Legislature

Rec'd by: Analyn
date: 8/17/11
time: 1:55 pm

NAME : GNF
FAX NUMBER : 4772240

AUG-17-2011 11:10 AM WED

NAME/NUMBER : 4722825
PAGE : 12
START TIME : AUG-17-2011 11:08AM WED
ELAPSED TIME : 02'24"
MODE : STD ECM
RESULTS : [O.K]

MESSAGE CONFIRMATION

I Mina'Trentai Unu Na Liheslaturan Guåhan

Bill Log Sheet

August 8, 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?
285-31 (COR)	D. G. Rodriguez, Jr., T. C. Ada	AN ACT TO MANDATE HEALTHY FOODS TO BE SOLD IN VENDING MACHINES IN ALL GOVERNMENT OF GUAM BUILDINGS, BY ADDING A NEW §22420.1 TO ARTICLE 4, CHAPTER 22, TITLE 5, GUAM CODE ANNOTATED, AND A NEW §23109 TO CHAPTER 23, PART 1, DIVISION 2, TITLE 10, GUAM CODE ANNOTATED.	08/10/11 12:08 a.m.	8/11/11		Committee on Health & Human Services, Senior Citizens, Economic Development and Election			



COMMITTEE ON RULES

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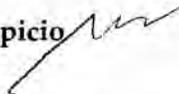
Senator
Christopher M. Duenas

August 11, 2011

MEMORANDUM

To: Pat Santos
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Rory J. Respicio 

Subject: Referral of Bill Nos. 284-31 (COR) and 285-31 (COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 284-31 (COR) and 285-31 (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 members of *I Mina'trentai Unu na Liheslaturan Guåhan*.

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

Si Yu'os Ma'åse!

(2) Attachment

2011 Aug 12 PM 3:31
MMA

I Mina'Trentai Unu Na Liheslaturan Guåhan

Bill Log Sheet

August 8, 2011

Page 1 of 1

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Joseph Anthony Mesngon <jmesngon.senatorrodriguez@gmail.com>

1st Notice of Public Hearing September 15,2011

1 message

Clifton Herbert <cherbert.senatorrodriguez@gmail.com>

Thu, Sep 8, 2011 at 9:19 AM

To: "Dennis Rodriguez Jr." <senatorrodriguez@gmail.com>, "Adolpho B. Palacios" <senabpalacios@gmail.com>, Aline Yamashita <aline4families@gmail.com>, Ben Pangelinan <senbenp@guam.net>, Benjamin JF Cruz <senadotbjacruz@gmail.com>, Chris Duenas <duenasenator@gmail.com>, "Dr. Sam Mabini" <senatorsam@senatormabini.com>, "Frank Blas Jr." <frank.blasjr@gmail.com>, Judi Guthertz <judiguthertz@pticom.com>, Judi Won Pat <speaker@judiwonpat.com>, Mana Silva Taijeron <senatormana@gmail.com>, "Rory J. Respicio" <roryforguam@gmail.com>, Tina Muna Barnes <tinamunabarnes@gmail.com>, Tom Ada <tom@senatorada.org>, Tony Ada <senatorTonyada@guamlegislature.org>
Cc: phnotice@guamlegislature.org

Ufisinan Todu Guam
SENATOR DENNIS G. RODRIGUEZ, Jr.
 I Mina'trentai Unu Na Liheslaturan Guåhan
 CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,
 ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

Senators,

Buenas yan Hafa Adai!

Please find attached first notice of public hearing for September 15, 2011. Thank you and have a great day!

Si Yu'os Ma'ase.

Sincerely,

Clifton Herbert

176 Serenu Avenue Suite 107 Tamuning, Guam 96931

Telephone: [671.649.8638](tel:671.649.8638)

Email: Cherbert.senatorrodriguez@gmail.com

This e-mail may contain data that is confidential, proprietary or non-public personal information, as that term is defined in the Gramm-Leach-Bliley Act (collectively, Confidential Information).

The Confidential Information is disclosed conditioned upon your agreement that you will treat it confidentially and in accordance with applicable law, ensure that such data isn't used or disclosed except for the limited purpose for which it's being provided and will notify and cooperate with us regarding any requested or unauthorized disclosure or use of any Confidential Information.

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 **Senators 1st Notice Public Hearing Sep.15, 2011.pdf**
86K

Listserv: phnotice@guamlegislature.org

As of Oct. 17, 2011

aguon4guam@gmail.com
alerta.jermaine@gmail.com
aline4families@gmail.com
ataylor.senatordrodriguez@gmail.com
audrey@judiwonpat.com
baza.matthew@gmail.com
berlene@senatorpalacios.com
bruce.lloyd.media@gmail.com
candasofrank@gmail.com
carlo@tinamunabarnes.com
chechsantos@gmail.com
chelsea@tinamunabarnes.com
cherbert.senatordrodriguez@gmail.com
cipo@guamlegisalature.org
clerks@guamlegisalature.org
colleen@judiwonpat.com
cor@guamlegislature.org
cyrus@senatorada.org
doc.wyppenbachsantos@gmail.com
duenasenator@gmail.com
edleonguerrero@gmail.com
edpocaigne@judiwonpat.com
edwardglee671@yahoo.com
elaine@tinamunabarnes.com
etajalle@guamlegislature.org
evelyn4families@gmail.com
faith.r@senatormabini.com
faith.r@senatormabini.com
fbtorres@judiwonpat.com
floterlaje@gmail.com
frank.blasjr@gmail.com
gavin@tinamunabarnes.com
guamnativesun@yahoo.com
jamespcastro@gmail.com
jane@tinamunabarnes.com
jason@senatorpalacios.com
jcamacho@senatorada.com
jean@tinamunabarnes.com
jeff.m@senatormabini.com
jennifer@senatorpalacios.com
jmesngon.senatordrodriguez@gmail.com
john.calvo@noaa.gov
joshua.tenorio@senatorbjcruz.com
judiguthertz@gmail.com
julian@senatorpalacios.com
leonguerrero.angela@gmail.com
lou4families@gmail.com
louise_atalig@yahoo.com
markaflague@gmail.com
maryfejeran@gmail.com
mcarlson@guamlegislature.org
mis@guamlegislature.org
msuarez.senatordrodriguez@gmail.com
mtorres.senatordrodriguez@gmail.com
myracle.m@senatormabini.com
nsantos@senatorada.org
office@senatorada.org
oliviampalacios@gmail.com
peterlg@gmail.com
phillipsguam@gmail.com
pris@senatorpalacios.com
rfteehan@yahoo.com
richard@tinamunabarnes.com
rob.tupaz@gmail.com
roryforguam@gmail.com
Santos.duenas@gmail.com
sem@guamlegislature.org
senator@senatorbjcruz.com
senator@senatorpalacios.com
senator@tinamunabarnes.com
senatordrodriguez@gmail.com
senatormabini@senatormabini.com
senatorsam@senatormabini.com
senatortonyada@guamlegislature.org
senbenp@guam.net
sgrarmes@guamlegislature.org
speaker@judiwonpat.com
tanya4families@gmail.com
tcastro@guam.net
telo.taitague@guam.gov
tinaokada@gmail.com
tom@senatorada.org
tterlaje@guam.net
uriah@tinamunabarnes.com
val.g@senatormabini.com
victoria@senatorpalacios.com
vkomiyama.senatordrodriguez@gmail.com
wilcastro671@gmail.com



SENATOR DENNIS G. RODRIGUEZ, JR.

Chairman,
Committee on
Health & Human
Services,
Senior Citizens,
Economic
Development,
& Election Reform

Member,
Committee on
Public Safety, Law
Enforcement,
& Judiciary

Member,
Committee on
Youth, Cultural Affairs,
Procurement, General
Government
Operations, & Public
Broadcasting

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

Member,
Committee on Rules,
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Affairs, & Human &
Natural Resources

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Committee on the
Guam Military Buildup
& Homeland Security

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Committee on
Appropriations,
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Public Debt, Banking,
Insurance,
Retirement, & Land

Member,
Committee on Utilities,
Transportation, Public
Works,
& Veterans Affairs

Assistant Majority Whip

TO: ALL SENATORS
FROM: SENATOR DENNIS G. RODRIGUEZ, JR.
CHAIRPERSON *R*
SUBJECT: 1ST NOTICE OF PUBLIC HEARING /

1ST NOTICE OF PUBLIC HEARING
Thursday, September 15, 2011 8:30AM

In accordance with the Open Government Law, Public Law 24-109, relative to notice for Public Meetings. Please be advised that the Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform will be conducting a Public Hearing on September 15, 2011, at *Liheslaturan Guåhan's* Public Hearing Room in Hagåtña, on the following:

8:30AM

- *Bill No. 267-31 (COR) - An act to amend §90A101 and §90A102 of Chapter 90A of Title 10 of the Guam Code Annotated relative to the prohibition and sale of candy cigarettes. (By B.J.F. Cruz)*
- *Bill No. 274-31 (COR) - An act to add a new Article 23 to Chapter 12 of 10GCA relative to creating the Physician Education Incentive Program. (By V.A. Ada)*
- *Bill No. 275-31 (COR)- to add a new Item 15 to §58104 of Chapter 58 Title 12 relative to authorizing the granting of qualifying certificates as an incentive to attract Physicians/Clinics practicing in specialties where Guam patients are required to seek treatment outside of Guam. (By V.A. Ada)*
- *Bill No. 276-31 (COR)- An act to require the Department of Public Health and Social Services to conduct a feasibility study on providing after-hour urgent care services in the public health centers. (By V.A. Ada)*

1:30PM

- *Bill No. 285-31 (COR)- An act to mandate healthy foods to be sold in vending machines in all Government of Guam buildings, by adding a new §22420.1 to Article 4, Chapter 22, Title 5, Guam Code Annotated, and a new §23109 to Chapter 23, Part 1, Division 2, Title 10, Guam Code Annotated. (By D. G. Rodriguez, Jr.)*
- *Bill No. 292-31 (COR)- An act to authorize the Community Health Centers of the Department of Public Health and Social Services to obtain reimbursement for services rendered to Medically Indigent Program Patients, by amending §3812 of Article 8, Chapter 3, and by*

Ufisinan Todu Guam • 31st Guam Legislature

176 Serenu Avenue, Suite 107, Tamuning, Guam 96931 / Telephone: 671-649-TODU (8638) / Facsimile: 671-649-0520

E-mail: senatordrodriguez@gmail.com

- **amending §2912.10 of Article 9, Chapter 2, of Title 10, Guam Code Annotated. (By D. G. Rodriguez, Jr.)**
- **The Executive Appointment of Dr. Gregory Miller to be a Board Member on Guam Board of Allied Health Examiners**

Testimony should be addressed to Senator Dennis Rodriguez, Jr., Chairman, and may be submitted via- hand delivery to our office at 176 Serenu Avenue Suite 107 Tamuning, Guam 96931 or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96910, or via email to senatordrodriguez@gmail.com.

We comply with Title II of the Americans with Disabilities Act (ADA). Individuals who require an auxiliary aid or service (i.e. qualified sign language interpreters, documents in Braille, large print, etc.) for effective communication, or a modification of policies or procedures to participate in a program service, or activity of Senator Dennis Rodriguez, Jr. should contact Clifton Herbert at 649-8638 (TODU) as soon as possible but no later than 48 hours before this scheduled event. We look forward to your attendance and participation.

For further information, please contact the Office of Senator Dennis Rodriguez, Jr. at 649-8638 (TODU)



Joseph Anthony Mesngon <jmesngon.senatorrodriguez@gmail.com>

1st Notice of Public Hearing for September 15, 2011

1 message

Clifton Herbert <cherbert.senatorrodriguez@gmail.com>

Thu, Sep 8, 2011 at 9:21 AM

To: clynt@spbguam.com, dcrisostomo@guampdn.com, dmgeorge@guampdn.com, dtamondong@guampdn.com, gdumat-oi@guampdn.com, gerry@mvguam.com, hottips@kuam.com, jason@kuam.com, john@kuam.com, jtyquiengco@spbguam.com, marvic@mvguam.com, mindy@kuam.com, mpieper@guampdn.com, mvariety@pticom.com, news@spbguam.com, nick.delgado@kuam.com, parroyo@k57.com, reporter3@glimpsesofiguam.com, rgibson@k57.com, ricknauta@hitradio100.com, sabrina@kuam.com, slimtiaco@guampdn.com, thebigshow@k57.com, therese.hart.writer@gmail.com, zita@mvguam.com, James <officemanager@hitradio100.com>, Jesse Lujan <jesselujan27@yahoo.com>, "Jon A. Anderson" <editor@mvguam.com>, Katrina <life@guampdn.com>, Kevin Kerrigan <kevin@spbguam.com>, Kevin Kerrigan <news@k57.com>, Lannie Walker <lannie@kuam.com>, Laura Matthews <llmatthews@guampdn.com>, Pacific Daily News <news@guampdn.com>, William Gibson <breakfastshowk57@gmail.com>, Oyaol Ngirairikl <odngirairikl@guampdn.com>

Bcc: jmesngon.senatorrodriguez@gmail.com

Ufisinan Todu Guam
 SENATOR DENNIS G. RODRIGUEZ, Jr.
 I Mina'trentai Unu Na Liheslaturan Guåhan
 CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,
 ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

PRESS RELEASE

FIRST NOTICE OF PUBLIC HEARING

Thursday, September 15, 2011 8:30AM

In accordance with the Open Government Law, Public Law 24-109, relative to notice for Public Meetings. Please be advised that the Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform will be conducting a Public Hearing on, September 15, 2011, at *I Liheslaturan Guåhan's* Public Hearing Room in Hagåtña, on the following:

8:30AM

- ***Bill No. 267-31 (COR) - An act to amend §90A101 and §90A102 of Chapter 90A of Title 10 of the Guam Code Annotated relative to the prohibition and sale of candy cigarettes. (By B.J.F. Cruz)***
- ***Bill No. 274-31 (COR) - An act to add a new Article 23 to Chapter 12 of 10GCA relative to creating the Physician Education Incentive Program. (By V.A. Ada)***
- ***Bill No. 275-31 (COR)- to add a new Item 15 to §58104 of Chapter 58 Title 12 relative to authorizing the granting of qualifying certificates as an incentive to attract***

Physicians/Clinics practicing in specialties where Guam patients are required to seek treatment outside of Guam. (By V.A. Ada)

- **Bill No. 276-31 (COR)- An act to require the Department of Public Health and Social Services to conduct a feasibility study on providing after-hour urgent care services in the public health centers. (By V.A. Ada)**

1:30PM

- **Bill No. 278-31 (COR)- An act relative to the credentialing of qualified individuals applying for a dental license in Guam, by adding a new subsection (c) to §12411 of Article 4, Part 1, Title 10, Guam Code Annotated. (By D. G. Rodriguez, Jr.)**

- **Bill No. 285-31 (COR)- An act to mandate healthy foods to be sold in vending machines in all Government of Guam buildings, by adding a new §22420.1 to Article 4, Chapter 22, Title 5, Guam Code Annotated, and a new §23109 to Chapter 23, Part 1, Division 2, Title 10, Guam Code Annotated. (By D. G. Rodriguez, Jr.)**

- **Bill No. 292-31 (COR)- An act to authorize the Community Health Centers of the Department of Public Health and Social Services to obtain reimbursement for services rendered to Medically Indigent Program Patients, by amending §3812 of Article 8, Chapter 3, and by amending §2912.10 of Article 9, Chapter 2, of Title 10, Guam Code Annotated. (By D. G. Rodriguez, Jr.)**

- **The Executive Appointment of Dr. Gregory Miller to be a Board Member on Guam Board of Allied Health Examiners**

Testimony should be addressed to Senator Dennis Rodriguez, Jr., Chairman, and may be submitted via- hand delivery to our office at 176 Serenu Avenue Suite 107 Tamuning, Guam 96931 or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96910, or via email to senatordrodriguez@gmail.com.

We comply with Title II of the Americans with Disabilities Act (ADA). Individuals who require an auxiliary aid or service (i.e. qualified sign language interpreters, documents in Braille, large print, etc.) for effective communication, or a modification of policies or procedures to participate in a program service, or activity of Senator Dennis Rodriguez, Jr. should contact our office at 649-8638 (TODU) as soon as possible but no later than 48 hours before this scheduled event. We look forward to your attendance and participation.

For further information, please contact the Office of Senator Dennis Rodriguez, Jr. at 649-8638 (TODU)

###

Clifton Herbert

176 Serenu Avenue Suite 107 Tamuning, Guam 96931

Telephone: 671.649.8638

Email: Cherbert.senatordrodriguez@gmail.com

This e-mail may contain data that is confidential, proprietary or non-public personal information, as that term is defined in the Gramm-Leach-Bliley Act (collectively, Confidential Information).

The Confidential Information is disclosed conditioned upon your agreement that you will treat it confidentially and in accordance with applicable law, ensure that such data isn't used or disclosed except for the limited purpose for which it's being provided and will notify and cooperate with us regarding any requested or unauthorized disclosure or use of any Confidential Information.

By accepting and reviewing the Confidential information, you agree to indemnify us against any losses or expenses, including attorney's fees that we may incur as a result of any unauthorized use or disclosure of this data due to your acts or omissions. If a party other than the intended recipient receives this e-mail, he or she is requested to instantly notify us of the erroneous delivery and return to us all data so delivered.

 **Public Hearing 1st Notice Sep 15, 2011.pdf**

86K



Joseph Anthony Mesngon <jmesngon.senatorrodriguez@gmail.com>

2nd Notice of Public Hearing

1 message

Clifton Herbert <cherbert.senatorrodriguez@gmail.com>

Tue, Sep 13, 2011 at 11:41 AM

To: "Dennis Rodriguez Jr." <senatorrodriguez@gmail.com>, "Adolpho B. Palacios" <senabpalacios@gmail.com>, Aline Yamashita <aline4families@gmail.com>, Ben Pangelinan <senbenp@guam.net>, Benjamin JF Cruz <senadotbjcruz@gmail.com>, Chris Duenas <duenasenator@gmail.com>, "Dr. Sam Mabini" <senatorsam@senatormabini.com>, "Frank Blas Jr." <frank.blasjr@gmail.com>, Judi Guthertz <judiguthertz@pticom.com>, Judi Won Pat <speaker@judiwonpat.com>, Mana Silva Taijeron <senatormana@gmail.com>, "Rory J. Respicio" <roryforguam@gmail.com>, Tina Muna Barnes <tinamunabarnes@gmail.com>, Tom Ada <tom@senatorada.org>, Tony Ada <senatorTonyada@guamlegislature.org>
Cc: phnotice@guamlegislature.org
Bcc: jmesngon.senatorrodriguez@gmail.com

--

Ufisinan Todu Guam
SENATOR DENNIS G. RODRIGUEZ, Jr.
I Mina'trentai Unu Na Liheslaturan Guåhan
CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

Senators,

Buenas yan Hafa Adai!

Please find attached 2nd Notice of Public Hearing for September 15, 2011. Thank you and have a great day!

Sincerely,

Clifton Herbert

176 Serenu Avenue Suite 107 Tamuning, Guam 96931

Telephone: 671.649.8638

Email: Cherbert.senatorrodriguez@gmail.com

This e-mail may contain data that is confidential, proprietary or non-public personal information, as that term is defined in the Gramm-Leach-Bliley Act (collectively, Confidential Information).

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 **Senators 2nd Notice Public Hearing Sep.15, 2011.pdf**
86K



SENATOR DENNIS G. RODRIGUEZ, JR.

Chairman,
Committee on
Health & Human
Services,
Senior Citizens,
Economic
Development,
& Election Reform

Member,
Committee on
Public Safety, Law
Enforcement,
& Judiciary

Member,
Committee on
Youth, Cultural Affairs,
Procurement, General
Government
Operations, & Public
Broadcasting

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

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

Member,
Committee on the
Guam Military Buildup
& Homeland Security

Member,
Committee on
Appropriations,
Taxation,
Public Debt, Banking,
Insurance,
Retirement, & Land

Member,
Committee on Utilities,
Transportation, Public
Works,
& Veterans Affairs

Assistant Majority Whip

TO: ALL SENATORS

FROM: SENATOR DENNIS G. RODRIGUEZ, JR. 
CHAIRPERSON

SUBJECT: 2nd NOTICE OF PUBLIC HEARING

2nd NOTICE OF PUBLIC HEARING
Thursday, September 15, 2011 8:30AM

In accordance with the Open Government Law, Public Law 24-109, relative to notice for Public Meetings. Please be advised that the Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform will be conducting a Public Hearing on September 15, 2011, at *I Liheslaturan Guåhan's* Public Hearing Room in Hagåtña, on the following:

8:30AM

- **Bill No. 267-31 (COR) - An act to amend §90A101 and §90A102 of Chapter 90A of Title 10 of the Guam Code Annotated relative to the prohibition and sale of candy cigarettes. (By B.J.F. Cruz)**
- **Bill No. 274-31 (COR) - An act to add a new Article 23 to Chapter 12 of 10GCA relative to creating the Physician Education Incentive Program. (By V.A. Ada)**
- **Bill No. 275-31 (COR)- to add a new Item 15 to §58104 of Chapter 58 Title 12 relative to authorizing the granting of qualifying certificates as an incentive to attract Physicians/Clinics practicing in specialties where Guam patients are required to seek treatment outside of Guam. (By V.A. Ada)**
- **Bill No. 276-31 (COR)- An act to require the Department of Public Health and Social Services to conduct a feasibility study on providing after-hour urgent care services in the public health centers. (By V.A. Ada)**

1:30PM

- **Bill No. 285-31 (COR)- An act to mandate healthy foods to be sold in vending machines in all Government of Guam buildings, by adding a new §22420.1 to Article 4, Chapter 22, Title 5, Guam Code Annotated, and a new §23109 to Chapter 23, Part 1, Division 2, Title 10, Guam Code Annotated. (By D. G. Rodriguez, Jr.)**
- **Bill No. 292-31 (COR)- An act to authorize the Community Health Centers of the Department of Public Health and Social Services to obtain reimbursement for services rendered to Medically Indigent Program Patients, by amending §3812 of Article 8, Chapter 3, and by**

Ufisinan Todu Guam • 31st Guam Legislature

176 Serenu Avenue, Suite 107, Tamuning, Guam 96931 / Telephone: 671-649-TODU (8638) / Facsimile: 671-649-0520

E-mail: senatordrodriguez@gmail.com

- **amending §2912.10 of Article 9, Chapter 2, of Title 10, Guam Code Annotated. (By D. G. Rodriguez, Jr.)**
- **The Executive Appointment of Dr. Gregory Miller to be a Board Member on Guam Board of Allied Health Examiners**

Testimony should be addressed to Senator Dennis Rodriguez, Jr., Chairman, and may be submitted via- hand delivery to our office at 176 Serenu Avenue Suite 107 Tamuning, Guam 96931 or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96910, or via email to senatordrodriguez@gmail.com.

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For further information, please contact the Office of Senator Dennis Rodriguez, Jr. at 649-8638 (TODU)



Joseph Anthony Mesngon <jmesngon.senatorrodriguez@gmail.com>

Public Hearing 2nd Notice September 15, 2011

1 message

Clifton Herbert <cherbert.senatorrodriguez@gmail.com>

Tue, Sep 13, 2011 at 11:45 AM

To: clynt@spbgum.com, dcrisostomo@guampdn.com, dmgeorge@guampdn.com, dtamondong@guampdn.com, gdumat-ol@guampdn.com, gerry@mvguam.com, hottips@kuam.com, jason@kuam.com, john@kuam.com, jtyquiengco@spbgum.com, marvic@mvguam.com, mindy@kuam.com, mpieper@guampdn.com, mvaryety@pticom.com, news@spbgum.com, nick.delgado@kuam.com, parroyo@k57.com, reporter3@glimpsesofguam.com, rgibson@k57.com, ricknauta@hitradio100.com, sabrina@kuam.com, slimtiaco@guampdn.com, thebigshow@k57.com, therese.hart.writer@gmail.com, zita@mvguam.com, James <officemanager@hitradio100.com>, Jesse Lujan <jesselujan27@yahoo.com>, "Jon A. Anderson" <editor@mvguam.com>, Katrina <life@guampdn.com>, Kevin Kerrigan <kevin@spbgum.com>, Kevin Kerrigan <news@k57.com>, Lannie Walker <lannie@kuam.com>, Laura Matthews <llmatthews@guampdn.com>, Pacific Daily News <news@guampdn.com>, William Gibson <breakfastshowk57@gmail.com>, Oyaol Ngirairikl <odngirairikl@guampdn.com>

Bcc: jmesngon.senatorrodriguez@gmail.com

Ufisinan Todu Guam
 SENATOR DENNIS G. RODRIGUEZ, Jr.
 I Mina'trentai Unu Na Liheslaturan Guahan
 CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,
 ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

Clifton Herbert

176 Serenu Avenue Suite 107 Tamuning, Guam 96931

Telephone: 671.649.8638

Email: Cherbert.senatorrodriguez@gmail.com

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2 attachments

 **Public Hearing 2nd Notice Sep 15, 2011.doc**
94K

 **Public Hearing 2nd Notice Sep 15, 2011.pdf**
400K



SENATOR DENNIS G. RODRIGUEZ, JR.

PRESS RELEASE

SECOND NOTICE OF PUBLIC HEARING

Thursday, September 15, 2011 8:30AM

Chairman,
Committee on
Health & Human
Services,
Senior Citizens,
Economic
Development,
& Election Reform

Member,
Committee on
Public Safety, Law
Enforcement,
& Judiciary

Member,
Committee on
Youth, Cultural Affairs,
Procurement, General
Government
Operations, & Public
Broadcasting

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

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

Member,
Committee on the
Guam Military Buildup
& Homeland Security

Member,
Committee on
Appropriations,
Taxation,
Public Debt, Banking,
Insurance,
Retirement, & Land

Member,
Committee on Utilities,
Transportation, Public
Works,
& Veterans Affairs

Assistant Majority Whip

In accordance with the Open Government Law, Public Law 24-109, relative to notice for Public Meetings. Please be advised that the Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform will be conducting a Public Hearing on, September 15, 2011, at / *Liheslaturan Guahan's* Public Hearing Room in Hagatña, on the following:

8:30AM

- **Bill No. 267-31 (COR) - An act to amend §90A101 and §90A102 of Chapter 90A of Title 10 of the Guam Code Annotated relative to the prohibition and sale of candy cigarettes. (By B.J.F. Cruz)**
- **Bill No. 274-31 (COR) - An act to add a new Article 23 to Chapter 12 of 10GCA relative to creating the Physician Education Incentive Program. (By V.A. Ada)**
- **Bill No. 275-31 (COR)- to add a new Item 15 to §58104 of Chapter 58 Title 12 relative to authorizing the granting of qualifying certificates as an incentive to attract Physicians/Clinics practicing in specialties where Guam patients are required to seek treatment outside of Guam. (By V.A. Ada)**
- **Bill No. 276-31 (COR)- An act to require the Department of Public Health and Social Services to conduct a feasibility study on providing after-hour urgent care services in the public health centers. (By V.A. Ada)**

1:30PM

- **Bill No. 278-31 (COR)- An act relative to the credentialing of qualified individuals applying for a dental license in Guam, by adding a new subsection (c) to §12411 of Article 4, Part 1, Title 10, Guam Code Annotated. (By D. G. Rodriguez, Jr.)**
- **Bill No. 285-31 (COR)- An act to mandate healthy foods to be sold in vending machines in all Government of Guam buildings, by adding a new §22420.1 to Article 4, Chapter 22, Title 5, Guam Code Annotated, and a new §23109 to Chapter 23, Part 1, Division 2, Title 10, Guam Code Annotated. (By D. G. Rodriguez, Jr.)**

Ufisinan Todu Guam • 31st Guam Legislature

176 Serenu Avenue, Suite 107, Tamuning, Guam 96931 / Telephone: 671-649-TODU (8638) / Facsimile: 671-649-0520
E-mail: senatordrodriguez@gmail.com

- **Bill No. 292-31 (COR)- An act to authorize the Community Health Centers of the Department of Public Health and Social Services to obtain reimbursement for services rendered to Medically Indigent Program Patients, by amending §3812 of Article 8, Chapter 3, and by amending §2912.10 of Article 9, Chapter 2, of Title 10, Guam Code Annotated. (By D. G. Rodriguez, Jr.)**
- **The Executive Appointment of Dr. Gregory Miller to be a Board Member on Guam Board of Allied Health Examiners**

Testimony should be addressed to Senator Dennis Rodriguez, Jr., Chairman, and may be submitted via- hand delivery to our office at 176 Serenu Avenue Suite 107 Tamuning, Guam 96931 or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96910, or via email to senatordrodriguez@gmail.com.

We comply with Title II of the Americans with Disabilities Act (ADA). Individuals who require an auxiliary aid or service (i.e. qualified sign language interpreters, documents in Braille, large print, etc.) for effective communication, or a modification of policies or procedures to participate in a program service, or activity of Senator Dennis Rodriguez, Jr. should contact our office at 649-8638 (TODU) as soon as possible but no later than 48 hours before this scheduled event. We look forward to your attendance and participation.

For further information, please contact the Office of Senator Dennis Rodriguez, Jr. at 649-8638 (TODU)

###



Joseph Anthony Mesngon <jmesngon.senatorrodriguez@gmail.com>

Invitation for testimony at Public Hearing

1 message

Joseph Anthony Mesngon <jmesngon.senatorrodriguez@gmail.com>

Thu, Sep 8, 2011 at 12:49
PM

To: James Gillan <james.gillan@dphss.guam.gov>

Hafa Adai!

Attached is a letter inviting you to testify on bills relative to public health. We look forward to your participation and/or attendance.

Thank you!
Joseph A. Q. Mesngon
Office of Senator Dennis G. Rodriguez, Jr.
I Mina'trentai Unu Na Liheslaturan Guahan
31st Guam Legislature
176 Serenu Avenue Suite 107
Tamuning, Guam 96913
671.649.8638



Ltr to DPHSS Director 9-15.pdf

65K



SENATOR DENNIS G. RODRIGUEZ, JR.

September 8, 2011

Chairman,
Committee on
Health & Human
Services,
Senior Citizens,
Economic
Development,
& Election Reform

Member,
Committee on
Public Safety, Law
Enforcement,
& Judiciary

Member,
Committee on
Youth, Cultural Affairs,
Procurement, General
Government
Operations, & Public
Broadcasting

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

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

Member,
Committee on the
Guam Military Buildup &
Homeland Security

Member,
Committee on
Appropriations,
Taxation,
Public Debt, Banking,
Insurance,
Retirement, & Land

Member,
Committee on Utilities,
Transportation, Public
Works,
& Veterans Affairs

Assistant Majority Whip

James W. Gillan
Director
Department of Public Health and Social Services
Mangilao, Guam

Dear Mr. Gillan

Buenas yan Håfa Adai! I would like to invite you, members of your team and the respective Boards/Commissions that fall under your administrative purview to provide testimony at a public hearing on the following:

8:30am

- **Bill 267-31 (COR)**- An act to amend §90A101 and §90A102 of Chapter 90A of Title 10 of the Guam Code Annotated relative to the prohibition and sale of candy cigarettes, introduced by Sen. Benjamin J. F. Cruz.
- **Bill 276-31 (COR)**- An act to require the Department of Public Health and Social Services to conduct a feasibility study on providing after-hour urgent care services in the public health centers. Introduced by Sen. V. Anthony Ada.

1:30pm

- **Bill 278-31 (COR)**- An act relative to the credentialing of qualified individuals applying for a dental license in Guam, by adding a new subsection (c) to §12411 of Article 4, Part 1, Title 10, Guam Code Annotated, introduced by myself.
- **Bill 285-31 (COR)**- An act to mandate healthy foods to be sold in vending machines in all Government of Guam buildings, by adding a new §22420.1 to Article 4, Chapter 22, Title 5, Guam Code Annotated, and a new §23109 to Chapter 23, Part 1, Division 2, Title 10, Guam Code Annotated, introduced by myself.
- **Bill 292-31 (LS)**- An act to authorize the Community Health Centers of the Department of Public Health & Social Services to obtain reimbursement for services rendered to Medically Indigent Program Patients, by amending §3812 of Article 8, Chapter 3, and by amending §2912.10 of Article 9, Chapter 2, of Title 10, Guam Code Annotated, introduced by myself.

The public hearing is scheduled for Thursday, September 15, 2011 at 8:30am & 1:30pm at *I Liheslatura's* Public Hearing Room in *Hagåtña*. Written testimony may be submitted to me at: senatordrodriguez@gmail.com or delivered to my office or at *I Liheslatura's* Mailroom.

You may read the bills on our legislature website at www.guamlegislature.org.

I look forward to your attendance and participation. For more information, please contact my office. *Si Yu'os Ma'åse'!*

Senseramente,

Dennis G. Rodriguez, Jr.

Ufisinan Todu Guam • 31st Guam Legislature

176 Serenu Avenue, Suite 107, Tamuning, Guam 96931 / Telephone: 671-649-TODU (8638) / Facsimile: 671-649-0520
E-mail: senatordrodriguez@gmail.com

 **NOTICE of PUBLIC HEARING**

The Committee on Health & Human Services, Economic Development, Senior Citizens & Election Reform is conducting a Public Hearing on Thurs., Sept. 15, 2011 at 8:30am on the following:

Bill 267-31 (COR)- An act to amend §90A101 and §90A102 of Chapter 90A of Title 10 of the Guam Code Annotated relative to the prohibition and sale of candy cigarettes, by Sen. B. J. Cruz.

Bill 274-31 (COR)- An act to add a new Article 23 to Chapter 12 of 10GCA relative to creating the Physician Education Incentive Program, by Sen. Tony Ada.

Bill 275-31 (COR)- An act to add a new Item 15 to §58104 of Chapter 58, Title 12 relative to authorizing the granting of Qualifying Certificates as an incentive to attract Physicians/Clinics practicing in specialties where Guam patients are required to seek treatment outside of Guam, by Sen. Tony Ada.

Bill 276-31 (COR)- An act to require the Department of Public Health and Social Services to conduct a feasibility study on providing after-hour urgent care services in the public health centers, by Sen. Tony Ada.

Testimonies should be addressed to Sen. Dennis Rodriguez, Jr., Chairman, and may be submitted via hand delivery to our office at 176 Serenu Ave. Ste 107 Tamuning, Guam or our mailbox at Liheslatura's Mailroom or via email to: senatordrodriguez@gmail.com

Senator Dennis G. Rodriguez, Jr.

Public Hearing on Thursday, Sept. 15, 2011

 **NOTICE of PUBLIC HEARING**

The Committee on Health & Human Services, Economic Development, Senior Citizens & Election Reform is conducting a Public & Confirmation Hearing on Thurs., Sept. 15, 2011 at 1:30pm on the following:

Bill 285-31 (COR)- An act to mandate healthy foods to be sold in vending machines in all Government of Guam buildings, by adding a new § 22420.1 to Article 4, Chapter 22, Title 5, GCA, and a new §23109 to Chpt. 23, Part 1, Division 2, Title 10, GCA, by Sen. DG Rodriguez, Jr.

Bill 292-31 (COR)- An act to authorize the Community Health Centers of the Dept. of Public Health & Social Services to obtain reimbursement for services rendered to MIP Patients, by amending §3812 of Article 8, Chpt. 3, and by amending §2912.10 of Article 9, Chpt. 2 of Title 10, GCA, by Sen. DG Rodriguez, Jr.

The Confirmation Hearing for Dr. Gregory Miller to serve as Member on the Guam Board of Allied Health Examiners.

Testimonies should be addressed to Sen. Dennis Rodriguez, Jr., Chairman, and may be submitted via hand delivery to our office at 176 Serenu Ave. Ste 107 Tamuning, Guam or our mailbox at Liheslatura's Mailroom or via email to: senatordrodriguez@gmail.com

Senator Dennis G. Rodriguez, Jr.

Public Hearing on Thursday, Sept. 15, 2011



SENATOR DENNIS G. RODRIGUEZ, JR.

PUBLIC HEARING AGENDA

THURSDAY SEPTEMBER 15, 2011

8:30AM

Public Hearing Room, *I Liheslaturan Guåhan*, Hagatña, Guam

Chairman,
Committee on
Health & Human
Services,
Senior Citizens,
Economic
Development,
& Election Reform

Member,
Committee on
Public Safety, Law
Enforcement,
& Judiciary

Member,
Committee on
Youth, Cultural Affairs,
Procurement, General
Government
Operations, & Public
Broadcasting

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

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

Member,
Committee on the
Guam Military Buildup
& Homeland Security

Member,
Committee on
Appropriations,
Taxation,
Public Debt, Banking,
Insurance,
Retirement, & Land

Member,
Committee on Utilities,
Transportation, Public
Works,
& Veterans Affairs

Assistant Majority Whip

I. Call to Order

II. Announcements

III. Items for Public Consideration

8:30AM

- **Bill No. 267-31 (COR) - An act to amend §90A101 and §90A102 of Chapter 90A of Title 10 of the Guam Code Annotated relative to the prohibition and sale of candy cigarettes. (By B.J.F. Cruz)**
- **Bill No. 274-31 (COR) - An act to add a new Article 23 to Chapter 12 of 10GCA relative to creating the Physician Education Incentive Program. (By V.A. Ada)**
- **Bill No. 275-31 (COR)- to add a new Item 15 to §58104 of Chapter 58 Title 12 relative to authorizing the granting of qualifying certificates as an incentive to attract Physicians/Clinics practicing in specialties where Guam patients are required to seek treatment outside of Guam. (By V.A. Ada)**
- **Bill No. 276-31 (COR)- An act to require the Department of Public Health and Social Services to conduct a feasibility study on providing after-hour urgent care services in the public health centers. (By V.A. Ada)**

1:30PM

- **Bill No. 285-31 (COR)- An act to mandate healthy foods to be sold in vending machines in all Government of Guam buildings, by adding a new §22420.1 to Article 4, Chapter 22, Title 5, Guam Code Annotated, and a new §23109 to Chapter 23, Part 1, Division 2, Title 10, Guam Code Annotated. (By D. G. Rodriguez, Jr.)**
- **Bill No. 292-31 (COR)- An act to authorize the Community Health Centers of the Department of Public Health and Social Services to obtain reimbursement for services rendered to Medically Indigent Program Patients, by amending §3812 of Article 8, Chapter 3, and by amending §2912.10 of Article 9, Chapter 2, of Title 10, Guam Code Annotated. (By D. G. Rodriguez, Jr.)**
- **The Executive Appointment of Dr. Gregory Miller to be a Board Member on Guam Board of Allied Health Examiners**

IV. Announcements

V. Adjournment

The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Dennis G. Rodriguez, Jr. at 176 Serenu Avenue Suite 107, Tamuning, Guam, at our mailbox in the Legislature Building at 155 Hesler Place, Hagatña, Guam or via email to senatordrodriguez@gmail.com. Copies of the aforementioned Resolution and/or Bills may be obtained at *I Liheslaturan Guåhan's* website at www.guamlegislature.org. Individuals requiring special accommodations or services, please contact our office at 649-8638. We look forward to your presence and participation.

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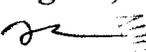
176 Serenu Avenue, Suite 107, Tamuning, Guam 96931 / Telephone: 671-649-TODU (8638) / Facsimile: 671-649-0520

E-mail: senatordrodriguez@gmail.com

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

Bill No. 285-31 (con)

Introduced by:

D. G. Rodriguez, Jr. 
T.C. Ada 

**AN ACT TO MANDATE HEALTHY FOODS TO BE
SOLD IN VENDING MACHINES IN ALL
GOVERNMENT OF GUAM BUILDINGS, BY
ADDING A NEW §22420.1 TO ARTICLE 4,
CHAPTER 22, TITLE 5, GUAM CODE
ANNOTATED, AND A NEW §23109 TO CHAPTER
23, PART 1, DIVISION 2, TITLE 10, GUAM CODE
ANNOTATED.**

MWA
PM 12:08

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative findings and intent. *I Liheslaturan Guåhan* finds that there is a growing epidemic of increasing rates of obesity and unhealthy weight gain that are contributing to the rise of chronic diseases, low quality of health, and higher costs of health care.

I Liheslatura finds that According to the Department of Public Health & Social Services (DPHSS), in 2009 a combined total of 61.2% of the island's adult population was either overweight or obese and according to the 2007 Youth Risk Behavior Surveillance System (YRBS) a combined total of 40.9% middle and high school students described themselves as overweight.

I Liheslatura finds that the population of Guam is composed of approximately 90% Pacific and Asian Islanders, ethnic groups which have inherent genetic predisposition to obesity and type II diabetes. It also finds that an unhealthy, high fat diet can contribute to the increase of cases of these health problems and that diabetes is one of the top ten leading causes of death for the

1 population of Guam.

2 *I Liheslatura* finds that a healthy diet and lifestyle will help prevent the onset
3 of type 2 diabetes, metabolic syndrome, hypertension, etc. and can reduce chronic
4 disease-related health care costs.

5 *I Liheslatura* also finds that promoting healthier beverages and foods
6 through vending machines within the workplace will help with the prevention of
7 chronic diseases. With most employees spending nearly half their waking hours on
8 the job, worksites play an essential role in helping people make healthy lifestyle
9 choices.

10 *I Liheslatura* finds that mandating healthier food options at the workplace
11 and within offices and public facilities that serve island residents will be one of the
12 most cost effective changes to immediately improve employee eating habits and to
13 provide access to healthier beverage and food options to the public. By
14 implementing this Healthy Vending Machine policy, the Government is taking a
15 reasonable first step to combat the obesity epidemic.

16 It is the intent of *I Liheslaturan Guåhan* in a effort to promote a healthier
17 workplace for government of Guam workers, as well as visitors, by seeking to
18 ensure the availability of an alternative, nutritious choice of snack foods and
19 beverages available for sale in vending machines on government facilities and
20 premises.

21 **Section 2.** A new §22420.1 to Article 4, Chapter 22, Title 5, Guam Code
22 Annotated, to read:

23 **“§22420.1. Policy in favor of Healthy Food and Beverage Products in**
24 **all Vending Machines Located within Government Facilities.**

25 (a) Fifty percent (50%) of all foods and beverages offered for sale in
26 government-contracted food and beverage vending machines within all
27 government owned or leased buildings, facilities and/or operational spaces under

1 the control of the government shall adhere to specific guidelines promoting good
2 nutrition and healthy environments. This mandate covers all machines designed to
3 dispense food and/or beverages located.

4 Agency Heads shall be responsible for the dissemination, implementation,
5 and compliance with the approved policy for all vending machines either owned or
6 leased that are located within their departments and facilities. Failure to comply
7 with or violation of any approved provisions of this policy shall result in the
8 immediate removal or disablement of the vending machine.

9 (b) Development of Applicable Policy. The Director of the Department of
10 Administration, in conjunction with the Department of Public Health & Social
11 Services, shall promulgate rules and regulations, within 120 days of the enactment
12 of this Section, establishing standards pursuant to which the intent of this section
13 shall be implemented. The rules and regulations shall, at a minimum, provide for
14 the following:

15 (i) Nutritional Facts and Guidelines. The vending machine operator shall
16 provide a sign in close proximity to each and every article of
17 food/beverage or the selection button that includes a clear and
18 conspicuous statement disclosing the number of calories, fat, sugar,
19 and sodium contained in the article.

20 (ii) At least 50% of beverages offered in a vending machine must contain
21 one or a combination of the following: a) water; b) coffee or tea; c)
22 nonfat or reduced fat milk (including soy or cow's milk, chocolate or
23 other flavored milk not containing more than fifteen (15) grams of
24 added sugar per 250 gram serving or three (3) teaspoons of sugar per
25 one (1) cup of milk; d) one hundred (100%) percent fruit/vegetable
26 juice; e) fruit based drinks containing one hundred (100%) percent
27 fruit juice and no added caloric sweeteners; and, f) all other non-

1 caloric beverages, including diet sodas.

2 (iii) At least 50% of the snacks/foods offered in a vending machine shall
3 meet the following criteria: a) not more than thirty-five (35%)
4 percent of the calories shall be from fat with the exception of nuts and
5 seeds; snack mixes and other foods of which nuts are a part must meet
6 the thirty five (35%) requirement, b) not more than ten (10%) percent
7 of the calories shall be from saturated fat, c) shall not contain trans
8 fats that are added during processing (hydrogenated oils and partially
9 hydrogenated oils), d) not more than thirty-five (35%) percent of the
10 total weight shall be from sugar and caloric sweeteners with the
11 exception of fruits and vegetables that have not been processed with
12 added sweeteners or fats, e) at least one (1) item meeting the snack
13 criteria in each vending machine shall also meet the FDA definition of
14 “Low Sodium” (c 140mg per serving) Further, the policy recommends
15 that options within the vending machine contain items that include at
16 least two (2) grams of dietary fiber.

17 (iv) (iv) The applicable rules and regulations establishing applicable
18 nutritional standards pursuant to this Section may be amended, as
19 necessary, to adhere to future healthy dietary and nutritional standards
20 set forth by the U.S. Food and Drug Administration.

21 (d) Implementation Timeline. By January 2012, at least 50% of all foods
22 and beverages offered in government-contracted food and beverage vending
23 machines within government facilities and offices shall adhere to the specific
24 guidelines established pursuant to this section. Government agencies which have
25 existing vending machine contracts must ensure compliance by current vendors.

26 (e) All rules and regulations shall be promulgated, and may be amended,

1 pursuant to Article 3 – Rule Making Procedures, of Chapter 9, Division 1, Title 5,
2 Guam Code Annotated.”

3 **Section 3.** A new §23109 is hereby added to Chapter 23, Part 1, Division 2,
4 Title 10, Guam Code Annotated, to read:

5 **“§23109. Vending Machines on government Premises.** The Department,
6 in the regular conduct of inspections of vending machines pursuant to this Chapter,
7 shall additionally inspect vending machines on government of Guam premises for
8 compliance with §22420.1 - Policy in favor of Healthy Food and Beverage
9 Products in all Vending Machines Located within Government Facilities, of Article
10 4, Chapter 22, Title 5, Guam Code Annotated.”

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

16 **Section 5. Effective Date.** This Act shall become effective immediately
17 upon enactment.