



EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

May 16, 2012

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

312-1571
Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 05/15/12
Time 4:04 PM
Received by [Signature]

Dear Madame Speaker:

Transmitted herewith is Substitute Bill No. 408-31 (COR) "AN ACT TO AMEND §3227 AND ADD A NEW §3227.1 OF ARTICLE 2, CHAPTER 3 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE OFFICE OF VITAL STATISTICS REVOLVING FUND", which lapsed into law without the signature 31-213.

Senseramente


EDDIE BAZA CALVO

Attachment: copy of Bill

2012 MAY 16 PM 8:47

1571

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

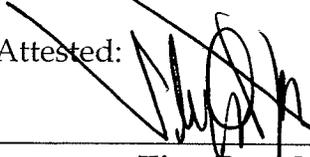
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Substitute Bill No. 408-31 (COR), "AN ACT TO AMEND §3227 AND ADD A NEW §3227.1 OF ARTICLE 2, CHAPTER 3 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE OFFICE OF VITAL STATISTICS REVOLVING FUND"**, was on the 27th day of April, 2012, duly and regularly passed.



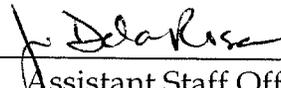
Judith T. Won Pat, Ed.D.
Speaker

Attested:



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 27th day of Apr., 2012, at 2:00 o'clock P.M.



Assistant Staff Officer
Maga'laha's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'lahaen Guåhan

Date: MAY 10 2012

Public Law No. 31-213

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

Bill No. 408-31 (COR)

As substituted by the Committee on Health & Human Services,
Economic Development, Senior Citizens & Election Reform;
and amended on the Floor.

Introduced by:

Dennis G. Rodriguez, Jr.
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.
v. c. pangelinan
R. J. Respicio
M. Silva Taijeron
Aline A. Yamashita, Ph.D.
Judith T. Won Pat, Ed.D.

**AN ACT TO *AMEND* §3227 AND *ADD* A NEW §3227.1 OF
ARTICLE 2, CHAPTER 3 OF TITLE 10, GUAM CODE
ANNOTATED, RELATIVE TO ESTABLISHING THE
OFFICE OF VITAL STATISTICS REVOLVING FUND.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that the Office of Vital Statistics under the Department of Public Health and Social
4 Services is currently responsible for issuing birth, marriage, and death certificates.
5 *I Liheslaturan* also finds that the funds generated from the services provided by the
6 Office of Vital Statistics are deposited into the General Fund of the government of

1 Guam. The Department of Public Health and Social Services is unable to realize
2 the benefits of any of the money collected for their services which are required to
3 fund the costs of operations.

4 *I Liheslaturan Guåhan* finds that the Office of Vital Statistics is underfunded
5 and understaffed. Members of the staff who have retired from the Office of Vital
6 Statistics have *not* been replaced over the years, and currently, it is staffed by only
7 the Territorial Registrar and two (2) Vital Statistics Clerks who serve the needs of
8 the entire population of Guam.

9 *I Liheslaturan Guåhan* also finds that the Office of Vital Statistics is
10 burdened with using an antiquated computer system to manage their files. The
11 staff currently hand count records to retrieve data, causing the staff to become
12 frustrated and overworked, and the process to obtain these certificates
13 unnecessarily long.

14 Therefore, it is the intent of this Act to allow the fees generated by the
15 Office of Vital Statistics to remain with this vital program, and to authorize that the
16 funds *shall* be utilized by the Office of Vital Statistics to support and enhance its
17 programs. This is accomplished by creating an Office of Vital Statistics Revolving
18 Fund. This revolving fund *shall* fund additional staff for the office, and make
19 possible the ability to upgrade to a fully automated computer system, as well as
20 ensure the continued maintenance of this system. This will facilitate a more
21 efficient service, with the critically needed ability to accommodate more clients on
22 a timely basis.

23 **Section 2.** §3227 of Article 2, Chapter 3 of Title 10, Guam Code
24 Annotated, is hereby *amended* to read:

25 **“§ 3227. Fees for Copies.**

26 (a) The Director *shall*, by regulation, establish fees for certified
27 copies of certificates or records issued; for the search of the files or records

1 when no copy or information is available; for processing a change of name
2 by court order and other means; for amending records; and for filing a
3 delayed certificate of birth or marriage.

4 (b) Fees collected under this Section by the Office of Vital
5 Statistics *shall* be deposited in the Office of Vital Statistics Revolving Fund,
6 for expenditure as provided pursuant to §3227.1 of this Chapter.”

7 **Section 3.** A new §3227.1 is hereby *added* to Article 2, Chapter 3 of Title
8 10, Guam Code Annotated, to read:

9 **“§ 3227.1. Office of Vital Statistics Revolving Fund.**

10 (a) There is hereby established an Office of Vital Statistics
11 Revolving Fund (Fund) to be maintained by the Territorial Registrar, Office
12 of Vital Statistics, of the Department of Public Health & Social Services.
13 The Fund *shall* be established and maintained in a bank account separate
14 and apart from the General Fund or any other bank account(s) of the
15 government of Guam, and *shall not* be co-mingled with, or a part of, the
16 General Fund. All funds due or accruing to the account from whatever
17 source(s), as provided or authorized pursuant to applicable law, inclusive of
18 any interest, *shall* be deposited in the Fund in its entirety immediately upon
19 receipt by the government of Guam. The Fund *shall not* be subject to the
20 transfer authority of *I Maga’lahen Guåhan*. It is further provided that:

21 (1) The Territorial Registrar of the Office of Vital Statistics,
22 of the Department of Public Health & Social Services *shall* report
23 monthly and maintain full compliance with all financial reporting
24 requirements of the government of Guam pursuant to applicable law;
25 and

1 (2) Any and all collections deposited into and/or
2 expenditures from the Fund *shall* be reported to *I Maga'lahen Guåhan*
3 and the Speaker of *I Liheslaturan Guåhan*.

4 (b) Independent Records and Accounts. The Fund *shall* be
5 maintained separate and apart from all other government funds; have an
6 independent records and accounts concerning the Fund; and audited by the
7 Public Internal Auditor or the Department of Interior for each fiscal year and
8 shall provide *I Maga'lahen Guåhan* and the Speaker of *I Liheslaturan*
9 *Guåhan* with a copy of the audited report.

10 (c) Deposits / Continuing Appropriation. All monies collected for
11 products and services rendered by the Office of Vital Statistics *shall be*
12 accounted for and deposited into the Fund and *shall* be available to pay for
13 the expenses of the Office of Vital Statistics. All monies in the Fund are
14 hereby deemed appropriated on a continuing basis and *shall not* lapse, and
15 *shall not* be subject to appropriation constraints in order to be expended.

16 (d) Application. All monies deposited in the Fund *shall be*
17 available to be expended and *shall* be used *solely* in support of the functions
18 of and to pay the expenses of the Office of Vital Statistics. The Fund may
19 also be used for, but is *not* limited to, the following expenses which *shall* be
20 directly and solely applicable to the functions and operations of the Office of
21 Vital Statistics:

22 (1) payment(s) for procurement and maintenance of
23 contractual services for equipment and/or technology support, for the
24 direct use and exclusive benefit of the Office of Vital Statistics;

25 (2) payment(s) for supplies;

1 (3) payment(s) for any other expenses, which if remains
2 unpaid may result in an emergency situation within the Office of Vital
3 Statistics, as approved by the Director;

4 (4) additional personnel, as may be necessary to supplement
5 and address the staffing requirements of the Office of Vital Statistics;
6 provided, *however*, that all authorized personnel positions, regardless
7 of whether the position(s) is currently filled or vacant, which are
8 budgeted for in the FY 2012 Budget Appropriation for the Executive
9 Branch with monies from the General Fund, any Special Fund and/or
10 Federal funds, *shall* continue to be paid from these funding sources,
11 and *not* from the Fund;

12 (5) procurement, upgrade and/or maintenance of computer
13 system(s); and

14 (6) payment(s) for burials arranged by the Director pursuant
15 to §3231 of this Chapter 3, and §4503 of Chapter 4A Title 10, Guam
16 Code Annotated.

17 (e) The Director *shall* submit an annual spending plan for the Fund
18 in accordance with and at the same time as the Bureau of Budget and
19 Management Research budget call.

20 (f) The Territorial Registrar of the Office of Vital Statistics, via the
21 Director, *shall*, by *no later than* the 20th day of each month, submit a
22 financial report relative to the status and activities of the Fund. The monthly
23 report *shall* be submitted, via the Office of *I Maga'lahaen Guåhan*, to the
24 Speaker of *I Liheslaturan Guåhan*, and the Chairpersons of the Committee
25 on Finance, and the Committee on Health of *I Liheslaturan Guåhan*. The
26 report *shall*, at a minimum, contain:

- 1 (1) all expenditures and encumbrances (monthly and year to
2 date);
3 (2) funds received and source(s);
4 (3) status of accounts receivable for outstanding debts and/or
5 delinquent payment obligations owed to the Office of Vital Statistics;
6 and
7 (4) any and all other pertinent information relative to the
8 Fund.

9 (g) The Office of Vital Statistics Revolving Fund *shall* be included
10 in the government of Guam annual audit review and report.”

11 **Section 4. Review and Adoption of Updated Fee Schedule.** Within one
12 hundred twenty (120) days of the enactment of this Act, the Director of the
13 Department of Public Health & Social Services, in conjunction with the
14 Office of Vital Statistics, *shall* review and amend the fee schedules of the
15 Office of Vital Statistics, as needed, so as to provide for fee schedules
16 realistically reflective of the cost of doing business; and as provided
17 pursuant to Article 3 [Rule-Making Procedures], Chapter 9 [Administrative
18 Adjudication Law], Division 1, Title 5, Guam Code Annotated [Government
19 Operations].

20 **Section 5. Severability.** *If* any provision of this Act or its application to
21 any person or circumstance is found to be invalid or contrary to law, such
22 invalidity shall *not* affect other provisions or applications of this Act which can be
23 given effect without the invalid provisions or application, and to this end the
24 provisions of this Act are severable.

25 **Section 6. Effective Date.** This Act *shall* become effective upon its
26 enactment.

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN

2011 (SECOND) Regular Session

Date: 04/27/12

VOTING SHEET

SBill No. 408-31 (COR)

Resolution No. _____

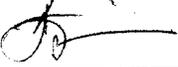
Question: _____

NAME	<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					EA
RESPICIO, Rory J.	✓				
RODRIGUEZ, Dennis G., Jr.	✓				
SILVA TAIJERON, Mana	✓				
WON PAT, Judith T.	✓				
YAMASHITA, Aline A.	✓				

TOTAL

13
1
0
0
1

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

2012 APR 18 AM 11:30

April 18, 2012

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

RE: Committee Report – Bill No. 408-31(COR), as Substituted.

Dear Speaker Won Pat:

Transmitted herewith, for your consideration, is the **Committee Report on SUBSTITUTE BILL NO. 408-31 (COR)- An Act to establish the Office of Vital Statistics Revolving Fund, by amending §3227 of Chapter 3, and adding a new §3227.1 to Chapter 3, of Article 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. 408-31(COR), as introduced, was publicly heard on March 27, 2012.

Committee votes are as follows:

TO PASS
 NOT TO PASS
 ABSTAIN
 TO REPORT OUT ONLY
 TO PLACE IN INACTIVE FILE

Senseramente,

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 408-31 (COR), as Substituted

An Act to establish the Office of Vital Statistics Revolving Fund, by amending §3227 of Chapter 3, and adding a new §3227.1 to Chapter 3, of Article 2, Title 10, Guam Code Annotated.

Sponsored by:

Senator Dennis G. Rodriguez, Jr.



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

April 18, 2012

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. 408-31(COR), as Substituted.

Transmitted herewith, for your consideration, is the **Committee Report on Substitute BILL NO. 408-31 (COR)- An Act to establish the Office of Vital Statistics Revolving Fund, by amending §3227 of Chapter 3, and adding a new §3227.1 to Chapter 3, of Article 2, Title 10, Guam Code Annotated;**

This report includes the following:

- Committee Voting Sheet
- Committee Report Narrative/Digest
- Copy of Bill No. 408-31 (COR)
- Copy of Bill No. 408-31 (COR), as Substituted
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony and Supporting Documents
- Copy of COR Referral of Bill No. 408-31 (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

Substitute Bill No. 408-31 (COR) - An Act to establish the Office of Vital Statistics Revolving Fund, by amending §3227 of Chapter 3, and adding a new §3227.1 to Chapter 3, of Article 2, Title 10, Guam Code Annotated; Sponsored by Senator Dennis G Rodriguez, Jr.

	SIGNATURE	TO PASS	NOT TO PASS	ABSTAIN	REPORT OUT ONLY	PLACE IN INACTIVE FILE
DENNIS G. RODRIGUEZ, Jr. Chairman		✓ 4/18/12				
ADOLPHO B. PALACIOS, Sr. Vice Chairman						
JUDITH T. WON PAT, Ed.D. Speaker		✓ 4/19/12				
BENJAMIN J. F. CRUZ Vice-Speaker		✓ 4/19/12				
TINA ROSE MUÑA BARNES Legislative Secretary		✓				
THOMAS C. ADA						
VICENTE C. PANGELINAN						
RORY J. RESPICIO		✓ 4/18/12				
JUDITH P. GUTHERTZ, DPA						
FRANK F. BLAS, Jr.						
V. ANTHONY ADA		✓ 4-18				
ALINE A. YAMASHITA, Ph.D.						
SAM MABINI, Ph.D.						
MANA SILVA TAIJERON					✓ 4/18/12	
CHRISTOPHER M. DUENAS					✓ 4/18/12	



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. 408-31(COR), as Substituted

I. OVERVIEW: The Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform conducted a public hearing on March 27, 2012. The hearing convened at 2:05PM in I Liheslatura's Public Hearing Room. Among the items on the agenda was the consideration of **BILL NO. 408-31 (COR) - An Act to establish the Office of Vital Statistics Revolving Fund, by amending §3227 of Chapter 3, and adding a new §3227.1 to Chapter 3, of Article 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 March 20, 2012 (5-day notice), and again on March 22, 2012 (48-hour notice).

Senators Present

Senator Dennis G. Rodriguez, Jr.	Chairman
Senator Adolpho B. Palacios, Sr.	Vice-Chairman
Senator Thomas C. Ada	Committee Member
Senator Rory J. Respicio	Committee Member
Senator Judith Guthertz, DPA	Committee Member
Senator ben pangelinan	Committee Member
Senator Sam Mabini, Ph.D.	Committee Member
Senator V. Anthony Ada	Committee Member
Senator Christopher Duenas	Committee Member

The public hearing on agenda item Bill No. 408-31(COR) was called to order at 1:35PM.

II. SUMMARY OF TESTIMONY & DISCUSSION.

Chairman Dennis G. Rodriguez, Jr., convened the Public Hearing on Bill 408-31(COR). **Senator Dennis G. Rodriguez, Jr., author of Bill 408-31 (COR), explained the intent of the bill.**

Fiscal Note: Requested on January 30, 2012 (attached).

III. FINDINGS AND RECOMMENDATIONS

Written Testimony was provided by DPHSS Director James Gillan which fully supported Bill 408-31(COR), and even provided recommended amendments to strengthen and clarify the intent. Subsequently, on February 9, 2012, the Committee received another written testimony by DPHSS Director James Gillan recommending the bill not be entertained.

The Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform, hereby **reports out Bill No. 408-31(COR), as Substituted,** with the recommendation to

TO REPORT OUT ONLY

MINA' TRENTAI UNU NA LIHESLATURAN GUAHAN
2012 (SECOND) Regular Session

2012 JUN -5
MUA
FBI 11:11

Bill No. 408-31 (Cor)

Introduced by:

D.G. RODRIGUEZ, JR. 

**AN ACT TO ESTABLISH THE OFFICE OF VITAL
STATISTICS REVOLVING FUND, BY AMENDING §3227 OF
CHAPTER 3, AND ADDING A NEW §3227.1 TO CHAPTER 3,
OF ARTICLE 2, TITLE 10, GUAM CODE ANNOTATED.**

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

2 **Section 1. Legislative Findings and Intent:** *I Liheslaturan Guåhan* finds
3 that the Office of Vital Statistics under the Department of Public Health and Social
4 Services is currently responsible for issuing birth, marriage, and death certificates.
5 *I Liheslaturan* also finds that the funds generated from the services provided by the
6 Office of Vital Statistics are deposited into the General Fund of the government of
7 Guam. The Department of Public Health and Social Services is unable to realize
8 the benefits of any of the money collected for their services which are required to
9 fund the costs of operations.

10 *I Liheslaturan* finds that the Office of Vital Statistics is underfunded and
11 understaffed. Members of the staff who have retired from the Office of Vital
12 Statistics have not been replaced over the years, and currently, it is staffed by only
13 the territorial registrar and two (2) vital statistics clerks who serve the needs of the
14 entire population of Guam.

15 *I Liheslaturan* also finds that the Office of Vital Statistics is burdened with
16 using an antiquated computer system to manage their files. The staff currently

1 hand count records to retrieve data causing the staff to become frustrated and
2 overworked and the process to obtain these certificates unnecessarily long.

3 It is the intent of this Bill to allow the fees generated by the Office of Vital
4 Statistics to remain with this vital program, and to authorize that the funds shall be
5 utilized by the Office of Vital Statistics to support and enhance its programs. This
6 is accomplished by creating an Office of Vital Statistics Revolving Fund. This
7 revolving fund shall fund additional staff for the office, and make possible the
8 ability to upgrade to a fully automated computer system, as well as ensure the
9 continued maintenance of this system. This will facilitate a more efficient service,
10 with the critically needed ability to accommodate more clients on a timely basis.

11 **Section 2.** §3227 of Chapter 3, Article 2, Title 10, Guam Code Annotated,
12 is hereby amended, to read:

13 **“§ 3227. Fees for Copies.**

14 (a) The Director shall, by regulation, establish fees for certified copies of
15 certificates or records issued; for the search of the files or records when no copy or
16 information is available; for processing a change of name by court order and other
17 means; for amending records; and for filing a delayed certificate of birth or
18 marriage.

19 (b) Fees collected under this section by the Office of Vital Statistics shall be
20 deposited in the Office of Vital Statistics Revolving Fund, for expenditure as
21 provided pursuant to §3227.1 of this Chapter [~~General Fund of the government of~~
22 ~~Guam according to procedures established by law governing collections].”~~

23 **Section 3.** A new §3227.1 is hereby added to Chapter 3, Article 2, Title 10,
24 Guam Code Annotated, to read:

1 **“§3227.1. Office of Vital Statistics Revolving Fund.**

2 (a) Office of Vital Statistics Revolving Fund. There is hereby established a
3 Office of Vital Statistics Revolving Fund (Fund) to be maintained by the
4 Administrator, Office of Vital Statistics, of the Department of Public Health &
5 Social Services. The Fund *shall* be established and maintained in a bank account
6 apart and separate from the General Fund or any other bank account(s) of the
7 government of Guam, and *shall not* be co-mingled with, or a part of, the General
8 Fund. All funds due or accruing to the account from whatever source(s), as
9 provided or authorized pursuant to applicable law, inclusive of any interest, *shall*
10 be deposited in the Fund in its entirety immediately upon receipt by the
11 government of Guam. The Fund *shall not* be subject to the transfer authority of *I*
12 *Maga’lahan Guåhan*. It is further, provided, that:

13 (1) The Administrator of the Office of Vital Statistics, of the Department of
14 Public Health & Social Services, *shall* report monthly and maintain full
15 compliance with all financial reporting requirements of the government of
16 Guam pursuant to applicable law; and

17 (2) Any and all collections deposited into and/or expenditures from the
18 Fund *shall* be reported to *I Maga’lahan Guåhan* and the Speaker of *I*
19 *Liheslaturan Guåhan*.

20 (b) Independent Records and Accounts. The Fund shall be maintained
21 separate and apart from all other government funds; have an independent records
22 and accounts concerning the Fund; and audited by the Public Internal Auditor or
23 the Department of Interior for each fiscal year and shall provide *I Maga’lahan*

1 *Guåhan* and the Speaker of *I Liheslaturan Guåhan* with a copy of the audited
2 report.

3 (c) Deposits. All monies collected for products and services rendered by
4 the Office of Vital Statistics *shall be* accounted for and deposited into the Fund and
5 *shall be* available to pay for the expenses of the Office of Vital Statistics.

6 (d) Application. All monies deposited in the Fund *shall be* available to be
7 used to pay for the expenses of the Office of Vital Statistics. The Fund may also
8 be used for the following expenses:

9 (1) payment(s) for contractual services;

10 (2) payment(s) for supplies;

11 (3) payment(s) for any other expenses, which if remains unpaid may result
12 in an emergency situation as approved by the Director; and

13 (4) Personnel.

14 (e) The Director *shall* submit an annual spending plan for the Fund in
15 accordance with and at the same time as the Bureau of Budget and Management
16 Research budget call.

17 (f) The Administrator of the Office of Vital Statistics, via the Director,
18 *shall, by no later than* the 20th day of each month, submit a financial report
19 relative to the status and activities of the Fund. The monthly report *shall be*
20 submitted, via the Office of *I Maga'lahan Guåhan*, to the Speaker of *I*
21 *Liheslaturan Guåhan*, and the Chairpersons of the Committee on Finance, and the

1 Committee on Health of *I Liheslaturan Guåhan*. The report *shall*, at a minimum,
2 contain:

3 (1) all expenditures and encumbrances (monthly and year to date);

4 (2) funds received and source(s);

5 (3) status of accounts receivable for outstanding debts and/or delinquent
6 payment obligations owed to the Community Health Center(s); and

7 (4) any and all other pertinent information relative to the Fund.

8 (g) The Office of Vital Statistics Revolving Fund *shall* be included in the
9 government of Guam annual audit review and report.”

10 **Section 4. Review and Adoption of Updated Fee Schedule.** Within 120
11 days of the enactment of this Act, the Director of the Department of Public Health
12 & Social Services, in conjunction with the Office of Vital Statistics, *shall review*
13 *and amend* the fee schedules of the Office of Vital Statistics, as needed, so as to
14 provide for fee schedules realistically reflective of the cost of doing business; and
15 as provided pursuant to Article 3 [Rule-Making Procedures], Chapter 9
16 [Administrative Adjudication Law], Division 1, Title 5, Guam Code Annotated
17 [Government Operations].

18 **Section 5. Severability.** *If* any provision of this Act or its application to
19 any person or circumstance is found to be invalid or contrary to law, such
20 invalidity shall *not* affect other provisions or applications of this Act which can be
21 given effect without the invalid provisions or application, and to this end the
22 provisions of this Act are severable.

1 **Section 6. Effective Date.** This Act shall become immediately effective
2 upon enactment.

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

**Bill No. 408-31 (COR), as Substituted
Committee on Health & Human Services,
Economic Development, Senior Citizens, &
Election Reform**

Introduced by:

D.G. RODRIGUEZ, JR.

**AN ACT TO ESTABLISH THE OFFICE OF VITAL
STATISTICS REVOLVING FUND, BY AMENDING §3227 OF
CHAPTER 3, AND ADDING A NEW §3227.1 TO CHAPTER 3,
OF ARTICLE 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 the Office of Vital Statistics under the Department of Public Health and Social Services is currently responsible for issuing birth, marriage, and death certificates. *I Liheslaturan* also finds that the funds generated from the services provided by the Office of Vital Statistics are deposited into the General Fund of the government of Guam. The Department of Public Health and Social Services is unable to realize the benefits of any of the money collected for their services which are required to fund the costs of operations.

I Liheslaturan finds that the Office of Vital Statistics is underfunded and understaffed. Members of the staff who have retired from the Office of Vital Statistics have not been replaced over the years, and currently, it is staffed by only the territorial registrar and two (2) vital statistics clerks who serve the needs of the entire population of Guam.

I Liheslaturan also finds that the Office of Vital Statistics is burdened with using an antiquated computer system to manage their files. The staff currently

1 hand count records to retrieve data causing the staff to become frustrated and
2 overworked and the process to obtain these certificates unnecessarily long.

3 It is the intent of this Bill to allow the fees generated by the Office of Vital
4 Statistics to remain with this vital program, and to authorize that the funds shall be
5 utilized by the Office of Vital Statistics to support and enhance its programs. This
6 is accomplished by creating an Office of Vital Statistics Revolving Fund. This
7 revolving fund shall fund additional staff for the office, and make possible the
8 ability to upgrade to a fully automated computer system, as well as ensure the
9 continued maintenance of this system. This will facilitate a more efficient service,
10 with the critically needed ability to accommodate more clients on a timely basis.

11 **Section 2.** §3227 of Chapter 3, Article 2, Title 10, Guam Code Annotated,
12 is hereby amended, to read:

13 **“§ 3227. Fees for Copies.**

14 (a) The Director shall, by regulation, establish fees for certified copies of
15 certificates or records issued; for the search of the files or records when no copy or
16 information is available; for processing a change of name by court order and other
17 means; for amending records; and for filing a delayed certificate of birth or
18 marriage.

19 (b) Fees collected under this section by the Office of Vital Statistics shall be
20 deposited in the Office of Vital Statistics Revolving Fund, for expenditure as
21 provided pursuant to §3227.1 of this Chapter [~~General Fund of the government of~~
22 ~~Guam according to procedures established by law governing collections].”~~

23 **Section 3.** A new §3227.1 is hereby added to Chapter 3, Article 2, Title 10,
24 Guam Code Annotated, to read:

1 **“§3227.1. Office of Vital Statistics Revolving Fund.**

2 (a) Office of Vital Statistics Revolving Fund. There is hereby established a
3 Office of Vital Statistics Revolving Fund (Fund) to be maintained by the
4 Territorial Registrar, Office of Vital Statistics, of the Department of Public Health
5 & Social Services. The Fund *shall* be established and maintained in a bank
6 account apart and separate from the General Fund or any other bank account(s) of
7 the government of Guam, and *shall not* be co-mingled with, or a part of, the
8 General Fund. All funds due or accruing to the account from whatever source(s),
9 as provided or authorized pursuant to applicable law, inclusive of any interest,
10 *shall* be deposited in the Fund in its entirety immediately upon receipt by the
11 government of Guam. The Fund *shall not* be subject to the transfer authority of *I*
12 *Maga’lahan Guåhan*. It is further, provided, that:

13 (1) The Territorial Registrar of the Office of Vital Statistics, of the
14 Department of Public Health & Social Services, *shall* report monthly and
15 maintain full compliance with all financial reporting requirements of the
16 government of Guam pursuant to applicable law; and

17 (2) Any and all collections deposited into and/or expenditures from the
18 Fund *shall* be reported to *I Maga’lahan Guåhan* and the Speaker of *I*
19 *Liheslaturan Guåhan*.

20 (b) Independent Records and Accounts. The Fund shall be maintained
21 separate and apart from all other government funds; have an independent records
22 and accounts concerning the Fund; and audited by the Public Internal Auditor or
23 the Department of Interior for each fiscal year and shall provide *I Maga’lahan*

1 *Guåhan* and the Speaker of *I Liheslaturan Guåhan* with a copy of the audited
2 report.

3 (c) Deposits / Continuing Appropriation. All monies collected for products
4 and services rendered by the Office of Vital Statistics *shall be* accounted for and
5 deposited into the Fund and *shall be* available to pay for the expenses of the Office
6 of Vital Statistics. All monies in the Fund are hereby deemed appropriated on a
7 continuing basis and shall not lapse, and shall not be subject to appropriation
8 constraints in order to be expended.

9 (d) Application. All monies deposited in the Fund *shall be* available to be
10 expended and *shall be* used *solely* in support of the functions of and to pay the
11 expenses of the Office of Vital Statistics. The Fund may also be used for, but is
12 not limited to, the following expenses of the Office of Vital Statistics:

13 (1) Payment(s) for contractual services;

14 (2) Payment(s) for supplies;

15 (3) Payment(s) for any other expenses, which if remains unpaid may result
16 in an emergency situation as approved by the Director; and

17 (4) Personnel.

18 (e) The Director *shall* submit an annual spending plan for the Fund in
19 accordance with and at the same time as the Bureau of Budget and Management
20 Research budget call.

21 (f) The Territorial Registrar of the Office of Vital Statistics, via the
22 Director, *shall, by no later than* the 20th day of each month, submit a financial

1 report relative to the status and activities of the Fund. The monthly report *shall* be
2 submitted, via the Office of *I Maga'lahan Guåhan*, to the Speaker of *I*
3 *Liheslaturan Guåhan*, and the Chairpersons of the Committee on Finance, and the
4 Committee on Health of *I Liheslaturan Guåhan*. The report *shall*, at a minimum,
5 contain:

- 6 (1) all expenditures and encumbrances (monthly and year to date);
- 7 (2) funds received and source(s);
- 8 (3) status of accounts receivable for outstanding debts and/or delinquent
9 payment obligations owed to the Office of Vital Statistics; and
- 10 (4) any and all other pertinent information relative to the Fund.

11 (g) The Office of Vital Statistics Revolving Fund *shall* be included in the
12 government of Guam annual audit review and report.”

13 **Section 4. Review and Adoption of Updated Fee Schedule.** Within 120
14 days of the enactment of this Act, the Director of the Department of Public Health
15 & Social Services, in conjunction with the Office of Vital Statistics, *shall review*
16 *and amend* the fee schedules of the Office of Vital Statistics, as needed, so as to
17 provide for fee schedules realistically reflective of the cost of doing business; and
18 as provided pursuant to Article 3 [Rule-Making Procedures], Chapter 9
19 [Administrative Adjudication Law], Division 1, Title 5, Guam Code Annotated
20 [Government Operations].

21 **Section 5. Severability.** *If* any provision of this Act or its application to
22 any person or circumstance is found to be invalid or contrary to law, such
23 invalidity shall *not* affect other provisions or applications of this Act which can be

1 given effect without the invalid provisions or application, and to this end the
2 provisions of this Act are severable.

3 **Section 6. Effective Date.** This Act shall become immediately effective
4 upon enactment.



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



EDDIE BAZA CALVO
 GOVERNOR

RAY TENORIO
 LIEUTENANT GOVERNOR

JAMES W. GILLAN
 DIRECTOR

LEO G. CASIL
 DEPUTY DIRECTOR

MAR 23 2012

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

OFISINAN TODU GUAM
 Received by the
 Office of Senator
 Dennis G. Rodriguez, Jr.
 2012-209
 3/27/12

Re: Bill 408- 31

Dear Mr. Chairman:

Please accept this letter as a reaffirmation of my revised position on this matter.

I do agree with the intent of this bill and when the cash situation of the Government of Guam becomes better, I will support it.

At this time however, any diversion of revenues from the General Fund only exacerbates our current cash flow problems.

Your kind attention to this matter is appreciated.

Very truly yours,

James W. Gillan

GUAM LEGISLATURE
 REPRODUCTION/MAIL ROOM
 DATE: March 26, 2012
 TIME: 10:08 [AM] [PM]
 RECEIVED BY: ATB



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

February 9, 2012

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

RE: Bill 408

Dear Mr. Chairman:

I am presenting my revised testimony on Bill 408, which would establish a funding account, separate from the General Fund. These funds would be generated by fees collected for the issuance of Vital Records.

While it is true that this concept is admirable, and should be given serious consideration, the time is not appropriate.

After consultation with the Governor's Fiscal team and the Director of the Department of Administration, I am requesting that this bill be not be entertained by the Legislature at this time. The Government of Guam's financial picture is still precarious, the daily cash demands, exacerbated by huge cash draw downs in late 2010, still place great stress on the General Fund. Any and all revenues generated by line Government Agencies that have not been separated by "lock box" accounts must be deposited in that General Fund.

When the Government's finances are more stable, our Department would support the ideas presented in this Bill.

Your kind attention and understanding is appreciated.

James W. Gillan



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

Senator
Judith P. Guthertz
VICE CHAIRPERSON
ASST. MAJORITY LEADER

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Vice Speaker
Benjamin J. F. Cruz

Senator
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LEGISLATIVE SECRETARY
MAJORITY WHIP

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

Senator
Thomas C. Ada

Senator
Adolpho B. Palacios, Sr.

Senator
vicente c. pangelinan

MINORITY MEMBERS:

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

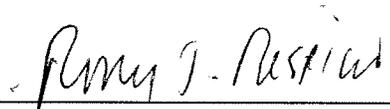
Senator
Christopher M. Duenas

Certification of Waiver of Fiscal Note Requirement

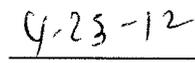
This is to certify that the Committee on Rules submitted to the Bureau of Budget and Management Research (BBMR) a request for a fiscal note, or applicable waiver, on **Bill No. 408-31 (COR) – "AN ACT TO ESTABLISH THE OFFICE OF VITAL STATISTICS REVOLVING FUND, BY AMENDING §3227 OF CHAPTER 3, AND ADDING A NEW §3227.1 TO CHAPTER 3, OF ARTICLE 2, TITLE 10, GUAM CODE ANNOTATED"** – on January 30, 2012. COR hereby certifies that BBMR confirmed receipt of this request on January 30, 2012.

COR further certifies that a response to this request was not received by 5:00 P.M. on February 17, 2012, 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 408 to be included in the committee report on said bill, is hereby waived.**

Certified by:



Senator Rory J. Respicio



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

2012 JAN 31 PM 11:23 *WMM*

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Judith P. Guthertz
VICE CHAIRPERSON
ASST. MAJORITY LEADER

MAJORITY
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Speaker
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vicente c. pangelinan

MINORITY
MEMBERS:

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

Senator
Christopher M. Duenas

January 30, 2012

VIA FACSIMILE
(671) 472-2825

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

RE: Request for Fiscal Note -
Bill Nos. 408-31 (COR) through 413-31 (COR)

Hafa Adai Mr. Rios:

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

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

Very Truly Yours,

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

Attachments

Cc: Clerk of the Legislature

MESSAGE CONFIRMATION

JAN-30-2012 04:02 PM MON

FAX NUMBER : 4772240
NAME : GNF

NAME/NUMBER : 4722825
PAGE : 3
START TIME : JAN-30-2012 04:02PM MON
ELAPSED TIME : 00' 28"
MODE : STD ECM
RESULTS : [O.K]



COMMITTEE ON RULES

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155 Hester Place, Hagåtña, Guam 96910 • www.guamlegislativ.com
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Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

January 30, 2012

Senator
Judith P. Guthertz
VICE CHAIRPERSON
ASST. MAJORITY LEADER

VIA FACSIMILE
(671) 472-2825

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Vice Speaker
Benjamin J. F. Cruz

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

RE: Request for Fiscal Note -
Bill Nos. 408-31 (COR) through 413-31 (COR)

Senator
Lina Rose Miña Barnes
LEGISLATIVE SECRETARY
MAJORITY WHIP

Hafa Adu Mr. Rios.

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

Transmitted herewith is a listing of *I Minutrentai Unu na Libeslatuwan Guåhan's* most recently introduced bill. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bill.

Senator
Thomas C. Ada

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

Senator
Adolpho B. Palacios, Sr.

Very Truly Yours,

Senator
vicente c. pangelinan

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

MINORITY
MEMBERS:

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

Senator
Christopher M. Ducnas

Attachments

Clerk of the Legislature

Rec'd by. Analyn
date. 1/30/12
time 4:19pm

408-31 (COR)	D. G. Rodriguez, Jr.	AN ACT TO ESTABLISH THE OFFICE OF VITAL STATISTICS REVOLVING FUND, BY AMENDING §3227 OF CHAPTER 3, AND ADDING A NEW §3227.1 TO CHAPTER 3, OF ARTICLE 2, TITLE 10, GUAM CODE ANNOTATED	1/4/2012 4:41 p.m.	1/9/2012		Committee on Health & Human Services, Senior Citizens, Economic Development and Election Reform
409-31 (COR)	F. F. Blas, Jr.	AN ACT TO ADD CHAPTER 16 TO TITLE 19 OF THE GUAM CODE ANNOTATED RELATIVE TO ACTS OF VIOLENCE AGAINST AN UNBORN CHILD.	01/09/12 10:13 a.m.	1/9/2012		Committee on Public Safety, Law Enforcement and Judiciary
410-31 (COR)	D. G. Rodriguez, Jr.	AN ACT TO PROVIDE FOR PHARMACY PRICING UNIFORMITY BY HEALTHCARE INSURERS, BY ADDING A NEW ARTICLE 9, TO CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED	01/10/12 3:46 p.m.	1/12/2011		Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land



COMMITTEE ON RULES

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Senator
vicente c. pangelinan

MINORITY MEMBERS:

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

Senator
Christopher M. Duenas

January 9, 2012

MEMORANDUM

To: Pat Santos
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

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

Subject: Referral of Bill Nos. 408-31(COR) & 409-31 (COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 409-31 (COR) and 409-31 (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

2012 JAN 10 PM 4:11

I Mina'Trentai Unu Na Liheslaturan Guahan
Bill Log Sheet

BILL NOS.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	120 DAY DEADLINE	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	Status
408-31 (COR)	D. G. Rodriguez, Jr.	AN ACT TO ESTABLISH THE OFFICE OF VITAL STATISTICS REVOLVING FUND, BY AMENDING §3227 OF CHAPTER 3, AND ADDING A NEW §3227.1 TO CHAPTER 3, OF ARTICLE 2, TITLE 10, GUAM CODE ANNOTATED	01/16/12 4:41 p.m.	1/9/2012		Committee on Health & Human Services, Senior Citizens, Economic Development and Election Reform			

Bill Introduced/History
1/10/2012 4:31 PM



Clifton Herbert <cherbert.senatorrodriguez@gmail.com>

1st Notice of Public Hearing

2 messages

Clifton Herbert <cherbert.senatorrodriguez@gmail.com>

Tue, Mar 20, 2012 at 2:44 PM

To: "Dennis Rodriguez Jr." <senatorrodriguez@gmail.com>, "Adolpho B. Palacios" <senator@senatorpalacios.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" <sensorsam@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>

Bcc: phnotice@guamlegislature.org,

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

Dear Senators,

Buenas yan Hafa Adai!

Please see attached notice of Public Hearing. Should you have any questions or concerns please feel free to contact our office at anytime.

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).

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.

 **Senators 1st Notice Public Hearing Mar. 27, 2012.pdf**
62K



SENATOR DENNIS G. RODRIGUEZ, JR.

TO: ALL SENATORS

FROM: SENATOR DENNIS G. RODRIGUEZ, JR. 
CHAIRPERSON

SUBJECT: 1st NOTICE OF PUBLIC HEARING

1st NOTICE OF PUBLIC HEARING
Tuesday, March 27, 2012 1:30PM

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 March 27, 2012, at *Liheslaturan Guahan's* Public Hearing Room in Hagåtña, on the following:

1:30PM

- Bill 437-31(COR) - An act to authorize tax credits to the awardee of a contract for rehabilitation and renovation of public schools. (*Introduced by Senator J.P. Guthertz, DPA*)
- Bill 408-31(COR) - An act to establish the Office of Vital Statistics Revolving Fund, by amending §3227 of Chapter 3, and adding a new §3227.1 to Chapter 3, of Article 2, Title 10, Guam Code Annotated. (*Introduced by Senator Dennis G. Rodriguez, Jr.*)

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)

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

Listserv: phnotice@guamlegislature.org

As of Apr. 11, 2012

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jason@senatorpalacios.com
jblas@tinamunabarnes.com
jcamacho@senatorada.com
jean@tinamunabarnes.com
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Joseph Anthony Mesngon <jmesngon.senatorrodriguez@gmail.com>

1st Notice of Public Hearing

Clifton Herbert <cherbert.senatorrodriguez@gmail.com>

Tue, Mar 20, 2012 at 2:43 PM

To: clynt@spbgum.com, dcrisostomo@guampdn.com, dmgeorge@guampdn.com, dtamondong@guampdn.com, editor@mvariety.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, mvariety@pticom.com, news@spbgum.com, nick.delgado@kuam.com, parroyo@k57.com, reporter3@glimpsesofiguam.com, ricknauta@hitradio100.com, sabrina@kuam.com, slimtiaco@guampdn.com, thebigshow@k57.com, therese.hart.writer@gmail.com, zita@mvguam.com, Amritha Alladi <aalladi@guampdn.com>, Erin Thompson <egthompson@guampdn.com>, "George, Duane M" <dmgeorge@guam.gannett.com>, gerry partido <gerrypartido.mvguam3@gmail.com>, James <officemanager@hitradio100.com>, Janela <janela@mvguam.com>, Jesse Lujan <jesselujan27@yahoo.com>, "Jon A. Anderson" <editor@mvguam.com>, Jr <news@lifenev.com>, Katrina <life@guampdn.com>, Kevin Kerrigan <kevin@spbgum.com>, Kevin Kerrigan <news@k57.com>, Laura Matthews <lmatthews@guampdn.com>, Oyaol Ngirairikl <odngirairikl@guampdn.com>, Pacific Daily News <news@guampdn.com>, "rgibson@k57.com" <rgibson@k57.com>, William Gibson <breakfastshowk57@gmail.com>

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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

Hafa Adai Newsrooms!

Please see attached notice of public hearing. Should you have any questions or concerns, please contact our office at anytime. Thanks 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).

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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SENATOR DENNIS G. RODRIGUEZ, JR.

PRESS RELEASE

FIRST NOTICE OF PUBLIC HEARING

Tuesday, March 27, 2012 1:30PM

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

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1:30PM

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- Bill 408-31(COR) - An act to establish the Office of Vital Statistics Revolving Fund, by amending §3227 of Chapter 3, and adding a new §3227.1 to Chapter 3, of Article 2, Title 10, Guam Code Annotated. (*Introduced by Senator Dennis G. Rodriguez, Jr.*)

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 senatorrodriguez@gmail.com.

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

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: senatorrodriguez@gmail.com



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

2nd Notice of Public Hearing

2 messages

Clifton Herbert <cherbert.senatorrodriguez@gmail.com>

Thu, Mar 22, 2012 at 10:20 AM

To: "Dennis Rodriguez Jr." <senatorrodriguez@gmail.com>, "Adolpho B. Palacios" <senator@senatorpalacios.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 Tajeron <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>
Bcc: 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

Dear Senators,

Buenas yan Hafa Adai!

Please see attached 2nd Notice of Public Hearing. Should you have any questions or concerns please feel free to contact our office at anytime. Thanks 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).

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.

 **Senators 2nd Notice Public Hearing Mar. 27, 2012.pdf**
62K

Clifton Herbert <cherbert.senatorrodriguez@gmail.com>

Thu, Mar 22, 2012 at 10:24
AM

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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

Hafa Adai Newsrooms!

Please see attached 2nd notice of public hearing. Should you have any questions or concerns please feel free to contact our office. Thanks and have a great day!

Sincerely,

[Quoted text hidden]

2 attachments

 **Public Hearing 2nd Notice Mar. 27, 2012.doc**
543K

 **Public Hearing 2nd Notice Mar. 27, 2012.pdf**
386K



SENATOR DENNIS G. RODRIGUEZ, JR.

TO: ALL SENATORS
FROM: SENATOR DENNIS G. RODRIGUEZ, JR. CHAIRPERSON
SUBJECT: 2nd NOTICE OF PUBLIC HEARING

2nd NOTICE OF PUBLIC HEARING
Tuesday, March 27, 2012 1:30PM

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 March 27, 2012, at *I Liheslaturan Guåhan's* Public Hearing Room in Hagåtña, on the following:

1:30PM

- Bill 437-31(COR) - An act to authorize tax credits to the awardee of a contract for rehabilitation and renovation of public schools. (*Introduced by Senator J.P. Guthertz, DPA*)
- Bill 408-31(COR) - An act to establish the Office of Vital Statistics Revolving Fund, by amending §3227 of Chapter 3, and adding a new §3227.1 to Chapter 3, of Article 2, Title 10, Guam Code Annotated. (*Introduced by Senator Dennis G. Rodriguez, Jr.*)

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 11 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.

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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



SENATOR DENNIS G. RODRIGUEZ, JR.

PRESS RELEASE

SECOND NOTICE OF PUBLIC HEARING

Tuesday, March 27, 2012 1:30PM

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

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Appropriations,
Taxation,
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Retirement, & Land

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

Assistant Majority Whip

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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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Ufisinan Todu Guam • 31st Guam Legislature

176 Serenu Avenue, Suite 107, Tamuning, Guam 96931 / Telephone: 671-649-TODU (8638) / Facsimile: 671-649-0520
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SENATOR DENNIS G. RODRIGUEZ, JR.

Chairman,
Committee on
Health & Human
Services,
Senior Citizens,
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Retirement, & Land

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

Assistant Majority Whip

AGENDA

Tuesday, March 27, 2012

1:30PM

Public Hearing Room, I Liheslatura

I. Call to Order

II. Items for Public Consideration:

- Bill 437-31(COR) - An act to authorize tax credits to the awardee of a contract for rehabilitation and renovation of public schools. *(Introduced by Senator J.P. Guthertz, DPA)*
- Bill 408-31(COR) - An act to establish the Office of Vital Statistics Revolving Fund, by amending §3227 of Chapter 3, and adding a new §3227.1 to Chapter 3, of Article 2, Title 10, Guam Code Annotated. *(Introduced by Senator Dennis G. Rodriguez, Jr.)*

III. Adjournment / Recess

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For more information, please contact the Office of Senator Dennis Rodriguez, Jr. at 649-8638/0511.

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

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

2012 JUL - 5
MWA
FBI 48:111

Bill No. 408-31 (Cor)

Introduced by:

D.G. RODRIGUEZ, JR. 

**AN ACT TO ESTABLISH THE OFFICE OF VITAL
STATISTICS REVOLVING FUND, BY AMENDING §3227 OF
CHAPTER 3, AND ADDING A NEW §3227.1 TO CHAPTER 3,
OF ARTICLE 2, TITLE 10, GUAM CODE ANNOTATED.**

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

2 **Section 1. Legislative Findings and Intent:** *I Liheslaturan Guåhan* finds
3 that the Office of Vital Statistics under the Department of Public Health and Social
4 Services is currently responsible for issuing birth, marriage, and death certificates.
5 *I Liheslaturan* also finds that the funds generated from the services provided by the
6 Office of Vital Statistics are deposited into the General Fund of the government of
7 Guam. The Department of Public Health and Social Services is unable to realize
8 the benefits of any of the money collected for their services which are required to
9 fund the costs of operations.

10 *I Liheslaturan* finds that the Office of Vital Statistics is underfunded and
11 understaffed. Members of the staff who have retired from the Office of Vital
12 Statistics have not been replaced over the years, and currently, it is staffed by only
13 the territorial registrar and two (2) vital statistics clerks who serve the needs of the
14 entire population of Guam.

15 *I Liheslaturan* also finds that the Office of Vital Statistics is burdened with
16 using an antiquated computer system to manage their files. The staff currently

1 hand count records to retrieve data causing the staff to become frustrated and
2 overworked and the process to obtain these certificates unnecessarily long.

3 It is the intent of this Bill to allow the fees generated by the Office of Vital
4 Statistics to remain with this vital program, and to authorize that the funds shall be
5 utilized by the Office of Vital Statistics to support and enhance its programs. This
6 is accomplished by creating an Office of Vital Statistics Revolving Fund. This
7 revolving fund shall fund additional staff for the office, and make possible the
8 ability to upgrade to a fully automated computer system, as well as ensure the
9 continued maintenance of this system. This will facilitate a more efficient service,
10 with the critically needed ability to accommodate more clients on a timely basis.

11 **Section 2.** §3227 of Chapter 3, Article 2, Title 10, Guam Code Annotated,
12 is hereby amended, to read:

13 **“§ 3227. Fees for Copies.**

14 (a) The Director shall, by regulation, establish fees for certified copies of
15 certificates or records issued; for the search of the files or records when no copy or
16 information is available; for processing a change of name by court order and other
17 means; for amending records; and for filing a delayed certificate of birth or
18 marriage.

19 (b) Fees collected under this section by the Office of Vital Statistics shall be
20 deposited in the Office of Vital Statistics Revolving Fund, for expenditure as
21 provided pursuant to §3227.1 of this Chapter [~~General Fund of the government of~~
22 ~~Guam according to procedures established by law governing collections~~].”

23 **Section 3.** A new §3227.1 is hereby added to Chapter 3, Article 2, Title 10,
24 Guam Code Annotated, to read:

1 **“§3227.1. Office of Vital Statistics Revolving Fund.**

2 (a) Office of Vital Statistics Revolving Fund. There is hereby established a
3 Office of Vital Statistics Revolving Fund (Fund) to be maintained by the
4 Administrator, Office of Vital Statistics, of the Department of Public Health &
5 Social Services. The Fund *shall* be established and maintained in a bank account
6 apart and separate from the General Fund or any other bank account(s) of the
7 government of Guam, and *shall not* be co-mingled with, or a part of, the General
8 Fund. All funds due or accruing to the account from whatever source(s), as
9 provided or authorized pursuant to applicable law, inclusive of any interest, *shall*
10 be deposited in the Fund in its entirety immediately upon receipt by the
11 government of Guam. The Fund *shall not* be subject to the transfer authority of *I*
12 *Maga’lahan Guåhan*. It is further, provided, that:

13 (1) The Administrator of the Office of Vital Statistics, of the Department of
14 Public Health & Social Services, *shall* report monthly and maintain full
15 compliance with all financial reporting requirements of the government of
16 Guam pursuant to applicable law; and

17 (2) Any and all collections deposited into and/or expenditures from the
18 Fund *shall* be reported to *I Maga’lahan Guåhan* and the Speaker of *I*
19 *Liheslaturan Guåhan*.

20 (b) Independent Records and Accounts. The Fund shall be maintained
21 separate and apart from all other government funds; have an independent records
22 and accounts concerning the Fund; and audited by the Public Internal Auditor or
23 the Department of Interior for each fiscal year and shall provide *I Maga’lahan*

1 *Guåhan* and the Speaker of *I Liheslaturan Guåhan* with a copy of the audited
2 report.

3 (c) Deposits. All monies collected for products and services rendered by
4 the Office of Vital Statistics *shall be* accounted for and deposited into the Fund and
5 *shall* be available to pay for the expenses of the Office of Vital Statistics.

6 (d) Application. All monies deposited in the Fund *shall be* available to be
7 used to pay for the expenses of the Office of Vital Statistics. The Fund may also
8 be used for the following expenses:

9 (1) payment(s) for contractual services;

10 (2) payment(s) for supplies;

11 (3) payment(s) for any other expenses, which if remains unpaid may result
12 in an emergency situation as approved by the Director; and

13 (4) Personnel.

14 (e) The Director *shall* submit an annual spending plan for the Fund in
15 accordance with and at the same time as the Bureau of Budget and Management
16 Research budget call.

17 (f) The Administrator of the Office of Vital Statistics, via the Director,
18 *shall, by no later than* the 20th day of each month, submit a financial report
19 relative to the status and activities of the Fund. The monthly report *shall be*
20 submitted, via the Office of *I Maga'lahan Guåhan*, to the Speaker of *I*
21 *Liheslaturan Guåhan*, and the Chairpersons of the Committee on Finance, and the

1 Committee on Health of *I Liheslaturan Guåhan*. The report *shall*, at a minimum,
2 contain:

- 3 (1) all expenditures and encumbrances (monthly and year to date);
- 4 (2) funds received and source(s);
- 5 (3) status of accounts receivable for outstanding debts and/or delinquent
6 payment obligations owed to the Community Health Center(s); and
- 7 (4) any and all other pertinent information relative to the Fund.

8 (g) The Office of Vital Statistics Revolving Fund *shall* be included in the
9 government of Guam annual audit review and report.”

10 **Section 4. Review and Adoption of Updated Fee Schedule.** Within 120
11 days of the enactment of this Act, the Director of the Department of Public Health
12 & Social Services, in conjunction with the Office of Vital Statistics, *shall review*
13 *and amend* the fee schedules of the Office of Vital Statistics, as needed, so as to
14 provide for fee schedules realistically reflective of the cost of doing business; and
15 as provided pursuant to Article 3 [Rule-Making Procedures], Chapter 9
16 [Administrative Adjudication Law], Division 1, Title 5, Guam Code Annotated
17 [Government Operations].

18 **Section 5. Severability.** *If* any provision of this Act or its application to
19 any person or circumstance is found to be invalid or contrary to law, such
20 invalidity shall *not* affect other provisions or applications of this Act which can be
21 given effect without the invalid provisions or application, and to this end the
22 provisions of this Act are severable.

1 **Section 6. Effective Date.** This Act shall become immediately effective
2 upon enactment.