

VICE SPEAKER BENJAMIN J.F. CRUZ

Committee on Appropriations and Adjudication
senator@senatorbjcruz.com | www.senatorbjcruz.com



I Mina'trentai Tres na Liheslaturan Guahan

THE 33RD GUAM LEGISLATURE

155 Hesler Place, Suite 107, Hagåtña, Guam 96910

T: (671) 477-2520/1 | F: (671) 477-2522

JUN 13 2016

The Honorable Judith T. Won Pat
Speaker

I Mina'trentai Tres na Liheslaturan Guahan
33rd Guam Legislature
155 Hesler Place
Hagåtña, Guam 96910

Rory J. Respicio

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

RE: Committee Report on Bill No. 177-33 (COR), As Substituted by the Committee

Dear Speaker Won Pat:

Transmitted herewith is the Report of the Committee on Appropriations and Adjudication on Bill No. 177-33 (COR), As Substituted by the Committee - B. J.F. Cruz/ J.V. Espaldon - "An act to appropriate the sum of two hundred fifty thousand dollars (\$250,000) to the Government of Guam Retirement Fund, relative to providing incentive rewards for retirees to enroll in the Government of Guam Health Insurance Retiree Supplemental Plan in Fiscal Year."

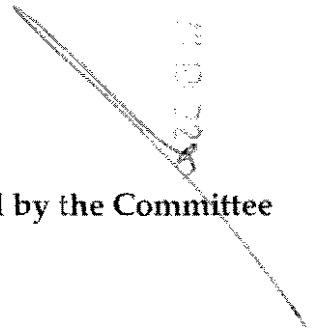
Committee votes are as follows:

- 5 TO DO PASS
- TO NOT PASS
- 2 TO REPORT OUT ONLY
- TO ABSTAIN
- TO PLACE IN INACTIVE FILE

Sincerely,

[Signature]
BENJAMIN J.F. CRUZ
Chairman

2016 JUN 14 10:22 AM



VICE SPEAKER BENJAMIN J.F. CRUZ
Committee on Appropriations and Adjudication
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COMMITTEE REPORT

**Bill No. 177-33 (COR),
As Substituted by the Committee**

“An act to appropriate the sum of two hundred fifty thousand dollars (\$250,000) to the Government of Guam Retirement Fund, relative to providing incentive rewards for retirees to enroll in the Government of Guam Health Insurance Retiree Supplemental Plan in Fiscal Year.”

VICE SPEAKER BENJAMIN J.F. CRUZ

Committee on Appropriations and Adjudication
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JUN 19 2016

MEMORANDUM

TO: All Members
FROM: Vice Speaker Benjamin J.F. Cruz
Chairman, Committee on Appropriations and Adjudication

SUBJECT: Committee Report on Bill No. 177-33 (COR), As Substituted by the Committee

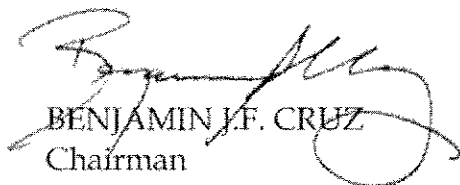
Transmitted herewith for your consideration is the Committee Report on Bill No. 177-33 (COR), As Substituted by the Committee - B. J.F. Cruz/ J.V. Espaldon - "An act to appropriate the sum of two hundred fifty thousand dollars (\$250,000) to the Government of Guam Retirement Fund, relative to providing incentive rewards for retirees to enroll in the Government of Guam Health Insurance Retiree Supplemental Plan in Fiscal Year."

This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Bill No. 177-33 (COR), As Introduced
- Bill No. 177-33 (COR), As Substituted by the Committee
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony & Supporting Documents
- COR Referral of Bill No. 177-33 (COR)
- Fiscal Note Requirement
- Notices of Public Hearing
- Public Hearing Agenda
- Related News Reports

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

Sincerely,


BENJAMIN J.F. CRUZ
Chairman

SENATOR BENJAMIN J.F. CRUZ, VICE SPEAKER

Committee on Appropriations and Adjudication
 senator@senatorbjcruz.com | www.senatorbjcruz.com



I Mina'trentai Tres na Liheslaturan Guåhan
THE THIRTY-THIRD GUAM LEGISLATURE

155 Hesler Place, Suite 107, Hagåtña, Guam 96910
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COMMITTEE VOTING SHEET

Bill No. 177-33 (COR), As Substituted by the Committee - B. J.F. Cruz/ J.V. Espaldon - "An act appropriate the sum of two hundred fifty thousand dollars (\$250,000) to the Government of Guam Retirement Fund, relative to providing incentive rewards for retirees to enroll in the Government of Guam Health Insurance Retiree Supplemental Plan in Fiscal Year 2017.

COMMITTEE MEMBERS	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
CRUZ, BENJAMIN J.F. Chairperson		<input checked="" type="checkbox"/>				
AGUON, Jr., FRANK B. Vice Chairperson	 6/10/16	<input checked="" type="checkbox"/>				
WON PAT, Ed.D., JUDITH T. Speaker and Ex-Officio Member						
MUÑA BARNES, TINA ROSE Member		<input checked="" type="checkbox"/>				
RODRIGUEZ, Jr., DENNIS G. Member	 6/13			<input checked="" type="checkbox"/>		
SAN NICOLAS, MICHAEL, F.Q. Member				<input checked="" type="checkbox"/>		
UNDERWOOD, Ph.D., NERISSA B. Member		<input checked="" type="checkbox"/>				
ADA, V. ANTHONY Member						
MORRISON, THOMAS A. Member						
TORRES, MARY C. Member		<input checked="" type="checkbox"/>				



COMMITTEE REPORT DIGEST

Bill No. 177-33 (COR) - B.J.F. Cruz / J.V. Espaldon - "An act to *amend* section 6 of Chapter XI of Public Law 33-66; relative to providing incentive rewards for retirees to enroll in the Government of Guam Health Insurance Retiree Supplemental Plan."

I. OVERVIEW

Bill No. 177-33 (COR) was introduced by Vice Speaker Benjamin J.F. Cruz and Senator James V. Espaldon on September 15, 2015 and referred to the **Committee on Appropriations and Adjudication** September 16, 2015.

The Committee on Appropriations and Adjudication convened a public hearing on Thursday, September 24, 2015, beginning at 6:00PM in the Guam Legislature Public Hearing Room. The hearing for **Bill No. 177-33 (COR)** began at 6:00 PM and ended at 6:27 PM.

Public Notice Requirements

All legal requirements for public notices were met, with requests for publication sent to all media and all Senators on September 17, 2015, and September 22, 2015, via email. Copies of the hearing notices are appended to the report.

Senators Present

Vice Speaker Benjamin J.F. Cruz, *Chairperson*
Senator Frank B. Aguon, Jr., *Vice Chairperson*
Senator Nerissa Bretania Underwood, Ph.D., *Member*
Senator Mary Camacho Torres, *Member*
Senator Thomas C. Ada
Senator James V. Espaldon

Appeared Before the Committee

Mr. Jeffrey Larsen P. Larsen, *President, TakeCare Insurance Company, Inc.*

Submitted Written Testimony

Mr. Anthony C. Blaz, *Director, Department of Administration*
Ms. Dana A. Gutierrez, *Director of Policy, Planning & Community Relations, Judiciary of Guam*
Mr. Frank J. Campillo, *Health Plan Administrator, Calvo's SelectCare Health Plans*
Mr. Jeffrey Larsen P. Larsen, *President, TakeCare Insurance Company, Inc.*

II. TESTIMONY & DISCUSSION

Vice Speaker Benjamin J.F. Cruz, Chairman of the Committee on Appropriations and Adjudication ("Committee"), announced Bill No. 177-33 (COR), acknowledged the Committee members present and receipt of written testimony from the Judiciary of Guam (Judiciary), the Department of Administration (DOA), TakeCare Insurance Company, Inc. (TakeCare), and Calvo's SelectCare Health Plans. The Chairman then recognized the co-sponsor of the legislation, **Senator James V. Espaldon**, to provide a statement.

Senator James V. Espaldon thanked the Chairman and provided a statement on Bill 177-33 (COR):

"Thank you Mr. Chair, thank you for holding this. [The] bottom line is that we introduced Bill 177-33 (COR) - actually you were the one that introduced this; I am just co-sponsoring, but I know our offices worked well together on this. To start, I would just like to give kudos to the Government of Guam negotiating team, Government of Guam insurance, as well as the insurance companies to come up with a new plan specifically for Government of Guam retirees (GovGuam retirees) ages sixty-five (65) and over.

"It's a new plan. So in the bigger picture, if we could get the GovGuam retirees who qualify to go over into this new plan, it would be a cost savings, not only for the retirees' out of pocket expenses in terms of paying their premiums, but it would also have an impact in what the Government of Guam (GovGuam) would save. And our projection shows that if we can get fifteen percent (15%) of the GovGuam retirees that are sixty-five (65) and over who have Medicare to roll over into the supplemental health insurance plan then we would actually be able to save three million dollars (\$3,000,000) from the GovGuam side and of course if we multiply that forward, if we have thirty percent (30%) of the GovGuam retirees who qualify, we would plan to save, as a government, six million dollars (\$6,000,000) that we could then use for other areas that are in need. This path in particular supports this new plan and because this is the first year it has been offered, this bill would actually have one hundred fifty thousand dollars (\$150,000) allocated toward an incentive program and in essence, it's more to bring attention to the program.

"So Mr. Chair, if I may, the whole concept is and typically - I am guilty of this also - once you're enrolled in a plan, specifically for one year and it's time to renew the plan or switch plans, a lot of GovGuam employees and retirees don't take the time to look at what's available. We will just automatically let it go and we just automatically get re-enrolled in the present plan. This incentive plan would help market and reinforce and encourage those who qualify, specifically

the retirees sixty-five (65) years and over, who have Medicare Part A and Part B, to take a look at this plan because historically in the past several plans. What would happen is that the GovGuam retirees, who have Medicare, would supplement the Medicare coverage would then have to then elect to have the Government of Guam Plan, which is usually called the HSA2000 Plan or the PPO1500 Plan. This is a whole new plan that is targeted just for the retirees. And so this money that is appropriated is more of [a] marketing tool to entice the qualified retirees to take a look at this new plan that is being offered. That has been negotiated between the government and the insurance company. Take a look and try to understand the benefits [and] - like I said - it would lower the costs. Their out-of-pocket cost to the retirees, as well as the cost to the Government and then that is the purpose of this bill. Thank you, Mr. Chairman."

Chairman Cruz thanked Senator Espaldon for his statement and proceeded to make his sponsor statement:

"I was reminded today by a news reporter that [...] - when the former Comptroller General came and talked before the Public Auditor's group last month - the one thing that he said was, "The most expensive thing for a government is not the pension plan, it is the health benefits for the retirees." And this is the first step, and again, I want to thank our negotiating team and government for approving it. This, hopefully, is going to move us in the direction of trying to get PPO1500 Plan this year, or the HSA2000 Plan, in the upcoming years of retirees on to the Retiree Supplemental Plan (RSP) so we can conceivably be saving multiples of three million dollars (\$3,000,000), according to our calculations.

"I want to thank Mr. Larsen (TakeCare), who submitted written testimony. The Judiciary submitted testimony. SelectCare submitted testimony. DOA [submitted testimony as well]. We will move this as quickly as possible because it's been stated by the other testimony that was provided by the Committee [September 16, 2015 Press Release by the Office of the Vice Speaker]. This is responsible in good self-governance to try to save the taxpayer millions of dollars by getting eligible retirees to the RSP. I encourage everybody who is sixty-five (65) or getting close to sixty-five (65) to go to the Department of Public Health and Social Services (DPHSS) - the Medicare section - and speak to them about the benefits and how it would benefit all of us who want to be able travel in our retirement age because it is an affordable plan as opposed to the other plans where you have to be on Guam for a considerable amount of time. So we're hoping this would incentivize people to move to the RSP, save us money, but more importantly provide our retirees with age appropriate medical care, hospice,

nursing care, home care - which a lot of us will be needing in the not too distant future."

Chairman Cruz thanked the audience for attending the hearing and acknowledged that although one person had signed in, nobody had signed up to provide oral testimony. He then opened the floor for comments and inquiries.

Senator Thomas C. Ada proceeded to provide comment on the bill:

"So I meet all the eligibility requirements. In fact, I got an extra year. So today I actually sat down with one of the representatives from one of the health agencies and [they] explained basically: the RSP kind of provides that twenty percent (20%) that Medicare does not cover. So if I went in for treatment and Medicare covers it, Medicare will pay for the eighty percent (80%), and then the RSP would then pay for that twenty percent (20%).

"So I understand that part, but the other part that I'm still kind of not clear in my mind is that in order to make the decision then if [I should] subscribe to the RSP or [if I should] go to the HSA2000 Plan, the regular health insurance. [It] seems to me I would need the information: What are the treatments? I don't know how to describe it - [what does] Medicare not cover? For example, if I really have a bad case of asthma and all that, and if Medicare doesn't cover the treatment for asthma, then of course I would have to stay with the regular health insurance, HSA2000 Plan or whatever the other ones are.

"But if Medicare covers that and the kind of illnesses that a lot of folks experience then fine, I would be willing to go over to Medicare. But not knowing those conditions that Medicare does not cover, seems that I would need to know that before I can make that decision cause I don't want to go with this for a premium that is certainly a lot less but then find out that I'm not covered for certain conditions. I would like some of the Medicare folks to come down and explain: What is it that Medicare would not cover? It should be clear so that everyone would want to come on to the RSP."

Chairman Cruz responded:

"Those of us that are sixty five (65) years old, have to sign up with Part A and Part B. We have to be one or both Part A and Part B. And for those of you that have your forty (40) quarters, your Part A will be minimal. For those of us that have no quarters because we worked in government, we would have to pay [an average semi-monthly] premium of a little close to five-hundred (\$500) if not, a lot more. But it would be more when you take all those numbers into account. For the government to have me on HSA2000 or PPO1500, that the [average semi-

monthly premium] premiums combined would be nine hundred dollars (\$900) and some, but this combination with the RSP would come out less than two hundred thirty dollars (\$230) with the combined premium for me as a single person and would provide me with the additional coverage that the twenty percent (20%) would provide. And [it will] also allow me to travel, to spend time in the States with my sister or my nieces. Or those of you with grandchildren in the States, you would be able to travel and take advantage of that.

“There is one woman at the Mangilao meeting that stated she had a hip replacement and she is under the Medicare Plan and she was able to go to Everett, Washington to be with her son while she was recuperating. And she claims that her out-of-pocket expense was all of two hundred dollars (\$200). And this summer she had a knee replacement and she hasn’t had a billing to see what her out-of-pocket expense would be but she was very laudatory about the Medicare coverage, which is more age-appropriate with us. You know, it’s not going to cover [obstetrician services] or having children; [rather] what we are going to be needing.

“I don’t know enough about it but I do know we have two people here from Medicare that are very knowledgeable, so just call the DPHSS Medicare Division and speak to them or go to the Government of Guam Retirement Fund (GGRF) and speak to the benefits people there. They can walk you through and ask them how this can be a benefit for those of us that are age sixty-five (65) and above. Open enrollment ends next Wednesday, October 29, 2015. Unfortunately it took a long time but we trying to move it along. I’m hoping to get the PPO1500 [recipients] to move over but knowing how late this thing is being rolled out and [the time it takes] explaining to people, I’m realistically looking at just five hundred (500) people moving over this year, and hoping by next year, by word of mouth, more people, and the following year even more people to move over. So that people understand, like Senator Espaldon has said, there are many of us that [perceive] change as something we don’t like and [resort to the mentality of], ‘Don’t bother me with the details, just sign me up and roll me over because I don’t want to have to read all that and understand it.’ So we are going to have to talk to the Medicare people, DPHSS, and people at GGRF.”

Senator James V. Espaldon asked permission from the Chairman opportunity to add comments:

“My understanding for what was negotiated, this new RSP really does cover the whole that Medicare may not cover. A lot of the benefits are really what is in line with what’s in the PPO1500 Plan and HSA2000 Plan but are more catered towards this age group that is sixty-five (65) and over. For example, there are

probably many people in that age group who have no interest in joining a gym or have gym memberships. They are more interested in making sure they have the coverage for their age-appropriate disability or illnesses or whatever they might come across as they continue to age but definitely I would like to thank the negotiating team that negotiated on behalf of the GovGuam, I also want to thank the insurance companies, in particular the three that we have right now, which is TakeCare, who has been at the table along with NetCare and SelectCare. And I think it's good that they are being good responsible corporate citizen for our island. I would like to thank them. Thank you, Mr. Chair."

Senator Nerissa Bretania Underwood, Ph.D. posed a question:

"For those retirees who are already on Medicare A and B but they are already living off island, will they be able to take advantage of the RSP?"

Chairman Cruz responded:

"That's going to have to be taken up at a later date because right now, that is the problem. I've been threatening a class action suit to address that because so many people move off-island and continue to work because they don't have health insurance and that is one reason why I haven't retired because I can't take my health insurance with me. So hopefully with this, you can finally get rid of me."

Senator Mary Camacho Torres proceeded to make an inquiry:

"I'm still a little confused about the timing of this because if this is enacted into public law, [I wonder what] it has to do with the current Budget Act [P.L. 33-66]. So unless there is some provision of payment and incentive to be made and assuming this goes into session after October 1st 2015, there has to be some provision for reward [...] is that built into this?"

Chairman Cruz replied:

"There is. The underline provision says that the amount, the twenty-one million dollars (\$21,000,000) being appropriated for the health insurance premiums. One hundred and fifty thousand dollars (\$150,000,000) shall be set aside for the retirement fund to determine to incentivize that. So we already appropriated."

Senator Torres elaborated:

"Then it's not quite an incentive. It's not really an incentive in a true sense that it's an incentive because it's after the fact as opposed to, you are not speaking about it prior to them electing. It's just the timing."

Senator Espaldon replied:

"No, there has been a concern that has been raised but unfortunately, this is the very first time it's been rolled out and we were trying to figure out how we can help. The way I believe this would eventually come into play is that at the end of the next fiscal year, right before the enrollment takes place, that's when the incentives will be handed out to those who have moved over. At this point, just by introducing the bill, it does create the awareness that there is conversation going on. It's been on talk radio, it's been on the newspaper today. There was some news on KUAM and other media [outlets] who came into my office.

"On top of it, we also have the GGRF talking to its members and sending out their notices about the viability of this program so even if it does seem a little bit late, it does create the talk and the awareness of this program and it going forward, if we can get those who are eligible to qualify just based upon this information that is being talked about now. We can achieve that three million dollar (\$3,000,000) savings in this first year and hopefully can achieve more next year as more buzz is created to further expand that pool of people who would transfer over to this RSP. And even in the end if this bill is not passed, the supplemental plan is already being offered now, but this might be a little late in terms of moving this into law but it does create the awareness right now and even though we have a very short window of opportunity, people are talking about it and like we said, we hope that we can move with the three thousand plus (3,000+) eligible retirees, if we can move fifteen percent (15%) or five hundred (500) over, that would create a significant savings. Thank you, Mr. Chair."

Chairman Cruz thanked the listening audience, those who attended the hearing, and the individuals who provided written and oral testimony. He further advised the audience to contact the Department of Public Health and Social Services Medicare Division, Government of Guam Retirement Fund, and the insurance companies should they have additional questions or would like to discuss the benefits. On account that there were neither additional questions from the Committee nor other individuals present to testify, the Chairman considered Bill No. 177-33 (COR) as heard.

III. FINDINGS AND RECOMMENDATIONS

Bill No. 177-33 (COR) has been substituted to reflect an updated fiscal year, a revised incentive amount, and an appropriation from the FY17 Budget. The appropriation is supported by the estimated savings expected by the proposed program. All other changes made to the measure are relative to form and style.

The Committee on Appropriations and Adjudication to which was referred **Bill No. 177-33 (COR)** - B.J.F. Cruz / J.V. Espaldon - "An act to *amend* section 6 of Chapter XI of Public Law 33-66; relative to providing incentive rewards for retirees to enroll in the Government of Guam Health Insurance Retiree Supplemental Plan" hereby submits these findings to *I Mina'trentai Tres na Liheslaturan Guåhan* and reports out **Bill No. 177-33 (COR), As Substituted by the Committee**, with a recommendation TO

Pass.

MINA' TRENTAI TRES NA LIHESLATURAN GUÁHAN
2015 (FIRST) Regular Session

Bill No. 177-33 (cor)

Introduced by:

B.J.F. Cruz
J.V. Espaldon

2015 SEP 15 AM 2:50
Farell

**AN ACT TO AMEND SECTION 6 OF CHAPTER XI OF
PUBLIC LAW 33-66; RELATIVE TO PROVIDING
INCENTIVE REWARDS FOR RETIREES TO ENROLL
IN THE GOVERNMENT OF GUAM HEALTH
INSURANCE RETIREE SUPPLEMENTAL PLAN.**

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

2 **Section 1.** Section 6 of Chapter XI of Public Law 33-66 is hereby
3 amended to read:

4 **"Section 6. Retiree Medical, Dental and Life Insurance**
5 **Expenses Appropriated to the Government of Guam Retirement**
6 **Fund (GGRF).**

7 (a) The sum of Twenty-Three Million Five Thousand Nine
8 Hundred Eighty-One Dollars (**\$23,005,981**) is appropriated from the
9 General Fund and One Million Two Hundred Thousand Dollars
10 (**\$1,200,000**) is appropriated from the Section 2718 Fund to the GGRF
11 to pay for retiree group medical and dental insurance premiums and
12 life insurance subsidy, including retiree group medical and dental
13 insurance premiums and coverage and life insurance subsidy for
14 Judiciary of Guam retirees, to continue existing programs currently
15 contained in the semi-monthly payments. The appropriation from the

1 unappropriated fund balance of the Section 2718 Fund in this Section
2 shall continue to be available until fully expended.

3 (b) The sum of not more than One Hundred Fifty Thousand
4 Dollars (\$150,000) shall be allocated from the appropriation in
5 Section 6(a) of this Chapter to the GGRF for the sole purpose of
6 providing incentive rewards for eligible Government of Guam retirees
7 who enroll in any Retiree Supplemental Insurance Agreement offered
8 under the Fiscal Year 2016 Government of Guam Health Insurance
9 Program. The incentive rewards may be in the form of cash or gift
10 certificate and shall be payable in equal amounts to each individual
11 enrollee's name in a manner and form as determined by GGRF."

12 **Section 2. Enactment.** This Act *shall* be effective either on October
13 1, 2016 or upon enactment, whichever is *later*.

14 **Section 3. Severability.** If any provision of this Act or its application
15 to any person or circumstance is held invalid, the invalidity *shall not* affect
16 other provisions or applications of this Act which can be given effect
17 without the invalid provision or application and to this end the provisions of
18 this Act are severable.

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2015 (FIRST) Regular Session

Bill No. 177-33 (COR)

As Substituted by the Committee on
Appropriations and Adjudication

Introduced by:

B. J.F. Cruz
James V. Espaldon

AN ACT TO *APPROPRIATE* THE SUM OF TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000) TO THE GOVERNMENT OF GUAM RETIREMENT FUND, RELATIVE TO PROVIDING INCENTIVE REWARDS FOR RETIREES TO ENROLL IN THE GOVERNMENT OF GUAM HEALTH INSURANCE RETIREE SUPPLEMENTAL PLAN IN FISCAL YEAR 2017.

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

2 **Section 1. Retiree Supplemental Plan Incentives Funded.** The sum of
3 *not more than* Two Hundred Fifty Thousand Dollars (\$250,000) is hereby
4 appropriated from the General Fund revenues in Fiscal Year 2017 to the
5 Government of Guam Retirement Fund (GGRF) for the *sole* purpose of providing
6 incentive rewards for eligible Government of Guam retirees who enroll in any
7 Retiree Supplemental Insurance Agreement offered under the Fiscal Year 2017
8 Government of Guam Health Insurance Program. The incentive rewards may be in
9 the form of cash or gift certificate and *shall* be payable in equal amounts to each
10 individual enrollee's name in a manner and form as determined by the GGRF.

11 **Section 2. Effective Date.** This Act *shall* be effective on October 1, 2017.

12 **Section 3. Severability.** If any provision of this Act or its application to
13 any person or circumstance is held invalid, the invalidity *shall not* affect other

- 1 provisions or applications of this Act which can be given effect without the invalid
- 2 provision or application and to this end the provisions of this Act are severable.

SENATOR BENJAMIN J.F. CRUZ, VICE SPEAKER

Committee on Appropriations and Adjudication
senator@senatorbjcruz.com | www.senatorbjcruz.com



I Mina'trentai Tres na Liheslaturan Guåhan
THE THIRTY-THIRD GUAM LEGISLATURE

155 Hesler Place, Suite 107, Hagåtña, Guam 96910
T: (671) 477-2520/1 | F: (671) 477-2522

PUBLIC HEARING SIGN-IN SHEET

6:00PM, Thursday, September 24, 2015
Guam Legislature Public Hearing Room • Hagåtña, Guam

Bill No. 177-33 (COR) - B.J.F. Cruz / J.V. Espaldon - "An act to amend Section 6 of Chapter XI of Public Law 33-66; relative to providing incentive rewards for retirees to enroll in the Government of Guam Health Insurance Retiree Supplemental Plan."

NAME	AGENCY OR ORGANIZATION	POSITION		TESTIMONY		PHONE NO.	EMAIL ADDRESS
		SUPPORT	OPPOSE	WRITTEN	ORAL		
<i>Jeff Larsen</i>	<i>Fake Come</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>9887107</i>	<i>Jeff.Larsen@fakecome.com</i>
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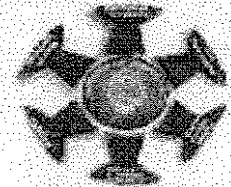
Eddie Baza Calvo
Governor
Ray Tenorio
Lieutenant Governor

GOVERNMENT OF GUĀHAN
(GUBETNAMENTON GUĀHAN)

DEPARTMENT OF ADMINISTRATION
(DIPATTAMENTON ATMENESTRASION)

DIRECTOR'S OFFICE

(Ufisinan Direktot)
Post Office Box 884 * Hagåtña, Guam 96932
TEL: (671) 475-1101/1250 * FAX: (671) 477-6788



Anthony C. Blaz
Director

SEP 24 2015

Senator Benjamin Cruz
Vice-Speaker
Chairman, Committee on
Appropriations and Adjudication
I Mina Trental Tres Na Liheslaturan Guahan
155 Hesler Street
Hagåtña, Guam 96910

Hafa Adai Vice-Speaker Cruz:

Thank you for the opportunity to provide comments on Bill No. 177-33 (COR), "An Act to amend Section 6 of Chapter XI of Public Law 33-66; Relative to providing incentive awards for retirees to enroll in the Government of Guam Health Insurance Retiree Supplemental Plan".

The Negotiating Team has spent numerous hours on the development of the Retiree Supplemental Plan (RSP). In fact, discussions for this plan started several years ago. The RSP plan, as it is called today, was also included as an alternative plan design in the FY15 Health Insurance Request for Proposal (RFP), however, was not implemented. It wasn't until this upcoming FY16 Benefit Year that the RSP plan was finally made available to all qualified retirees and their spouses.

Bill 177-33 proposes to provide incentives for enrolling into the RSP. Similarly to other plans, enrollment should be on the basis that the individual understands the plan that are enrolling into and more importantly, because the plan is in their best interest and fits their individual needs. By providing incentives, the intent to enroll is not because of one's understanding but because of the rewards. Incentives are great and encourage positive actions, but for selecting a health plan, incentives should not be a reason for enrollment. Is this the message we want to send our retirees? By providing incentives, are we also setting precedence to other benefits?

Providing incentives to a select group may also be discriminatory. Why are we only providing incentives for enrollment into the RSP? Individuals could argue that they, too, should be provided incentives for simply enrolling into a health plan, or continuing enrollment into a plan. By awarding enrollment only into one plan will cause disparity amongst others.

In closing, we wholeheartedly agree that enrollment into the RSP is a cost effective way to reduce premium costs for both the retiree and the Government of Guam. However, we have concerns that providing incentives is not the answer for ensuring enrollment into the RSP. Like any new plan or change, we will not get the desired outcome, but with due time and familiarity of the plan, we are positive that there will be full migration into the RSP. Our desire is to ensure that retirees enroll into the RSP fully aware of the benefits. Therefore, we do not support the bill in its current form.

Senseramente,

Anthony C. Blaz
Director
Department of Administration



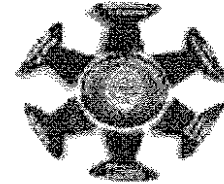
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Director

SEP 24 2015

Senator Benjamin Cruz
Vice-Speaker
Chairman, Committee on
Appropriations and Adjudication
I Mina Trentai Tres Na Liheslaturan Guahan
155 Hesler Street
Hagåtña, Guam 96910

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Senseramente,

Anthony C. Blaz
Director
Department of Administration



Judiciary of Guam

Guam Judicial Center • 120 West OBrien Dr • Hagatna Gu 96910
Tel: (671) 300-9282 • Fax: (671) 477-3184



ROBERT J. TORRES
Chief Justice

ALBERTO C. LAMORENA, III
Presiding Judge

JOSHUA E. TENORIO
Administrator of the Courts

DANA A. GUTIERREZ, Esq.
Director of Policy, Planning
and Community Relations

September 24, 2015

The Honorable Benjamin J.F. Cruz
Chairman
Committee on Appropriations and Adjudication
155 Hesler Place
Hagatna, Guam 96910

Re: Testimony on Bill No. 177-33 (COR)

Dear Chairman Cruz:

On behalf of the Judiciary of Guam (the "Judiciary"), thank you for providing the Judiciary with the opportunity to submit written testimony regarding Bill No. 177-33 (COR), *AN ACT TO AMEND SECTION 6 OF CHAPTER XI OF PUBLIC LAW 33-66; RELATIVE TO PROVIDING INCENTIVE REWARDS FOR RETIREES TO ENROLL IN THE GOVERNMENT OF GUAM HEALTH INSURANCE RETIREE SUPPLEMENTAL PLAN*, which was sponsored by you and Senator James V. Espaldon. As the Bill positively affects the Judiciary, as well as all Government of Guam retirees, we write in support of Bill 177-33.

As provided by Bill No. 177-33, the Judiciary supports incentives for its retirees to enroll in the new Retiree Supplemental Plan, or RSP. For those retirees meeting certain enrollment criteria, i.e., are currently enrolled in Medicare A and B, the projections provided on your website show that enrolling in the RSP, as opposed to the typical Government of Guam Health Insurance Plan, would result in cost savings to our retirees. Additionally, the RSP would provide more comprehensive health coverage for our retirees. Because retirees may be hesitant to enroll in the new supplemental health plan, the offer of an incentive, either by cash or gift certificate, may generate interest and provide retirees with the motivation necessary to have them review, and perhaps eventually participate in the RSP.

Our retirees deserve the opportunity to receive comprehensive health insurance at an affordable price, as well as have a choice in the insurance plans offered to them. For the reasons stated above, the Judiciary supports Bill 177-33.

If you have any questions regarding the above, you may contact me at dgutierrez@guamcourts.org or 300-9282.

Senseramente,

DANA A. GUTIERREZ

Director of Policy, Planning & Community Relations

Cc: All Senators



115 Chalan Santo Papa Hagåtña • P.O. Box FJ Hagåtña, Guam 96932 • Phone: (671) 477-9808 • Fax: (671) 477-4141

September 24, 2015

The Honorable Benjamin J. F. Cruz, Jr.
Chairman, Committee on Appropriations and Adjudication
33rd Guam Legislature
155 Hesler Place, Suite 107
Hagatna, Guam 96910

Re: **Bill 177-33 (COR)**

Dear Senator Cruz and members of the Committee:

We thank you for allowing us the opportunity to provide testimony on **Bill 177-33**. We would like to share our concerns with a couple of items on this bill:

1. The bill provides for incentive rewards to a group of individuals who will receive the additional following subsidies from the Government of Guam:
 - Reimbursement for payment of the Medicare B Premium
 - Reimbursement for payment of Medicare D Premium
 - Almost a 100% payment for the premiums of the newly developed retiree Supplemental Plan (RSP)
 - **A proposed new subsidy for incentives to enroll in this new RSP program**

While we are fully in agreement that individuals with a fixed income may need the subsidies for the Medicare Part B and D premiums, this may be somewhat discriminatory against all of those other retirees who do not have access to any parts of the Medicare programs, but only obtain a subsidy for one set of insurance premiums. We urge this committee to get a legal opinion from the Attorney General's Office to avoid the potential challenge based on discrimination of the other set of retirees that do not have access to this RFP program.

2. The applicability date of the bill is also problematic as it would bypass actions on items that were already negotiated and it could possibly be challenged from the perspective that this new incentive was not disclosed in the Request for Proposal to the carriers that bid.

The Honorable Benjamin J.F. Cruz
September 24, 2015
Page 2

We have also advised the negotiating committee of certain pitfalls with the RSP plan as they have not covered a number of questions that are being asked by the consumers and some items are not fully clear.

We thank you in advance for seeking our advice and we will continue to be available for further discussions on this matter. Additionally, we look forward to being engaged on healthcare legislation that would result in a greater number of insured individuals in the Island.

Respectfully yours,


Frank J. Campillo
Health Plan Administrator

Cc: Committee members
DOA Director



P.O. Box 6578 Tamuning, Guam 96931
Telephone: (671) 646-6958 Fax (671)
647-3520

September 24, 2015

VIA Email: senator@senatorbjcruz.com
AND HAND DELIVERY

Vice Speaker Benjamin J. F. Cruz
CHAIRMAN, COMMITTEE ON APPROPRIATIONS AND ADJUDICATION
33RD GUAM LEGISLATURE
155 Hesler Place Suite 107
Hagåtña, Guam 96910

Re: Bill No. 177-33

Dear Vice Speaker Cruz and Members of the Committee:

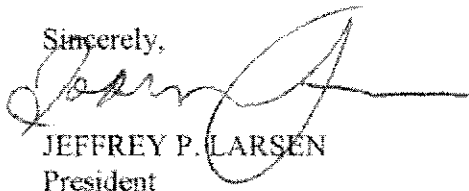
Thank you for the opportunity to submit testimony on Bill No. 177 (the "Bill"). I am the President of TakeCare Insurance Company, Inc. ("TakeCare") and provide these comments in that capacity.

At TakeCare we support the passage of Bill 177 and hope for an expeditious resolution to it becoming law. Not only is it appropriate to provide an incentive to those eligible retirees to enroll in the Retiree Supplemental Plan (RSP) offered in FY2016, it is fiscally responsible governance. In our view the incentive, if used as intended, will save the Government of Guam multiple times the amount of the incentive in premiums paid on behalf of the Government from enrollment in the "active" plan categories.

For the reasons stated herein, TakeCare supports Bill 177 and looks forward to its passage into law.

If you have any questions regarding these comments, you may contact me by email at jeffrey.larsen@takecareasia.com, or by telephone at 300-7107.

Sincerely,



JEFFREY P. LARSEN
President

cc: TakeCare Board of Directors



Vice Speaker Benjamin J.F. Cruz's Sponsor Statement on

Bill No. 177-333 (COR) -AN ACT TO AMEND SECTION 6 OF CHAPTER XI OF PUBLIC LAW 33-66; RELATIVE TO PROVIDING INCENTIVE REWARDS FOR RETIREES TO ENROLL IN THE GOVERNMENT OF GUAM HEALTH INSURANCE RETIREE SUPPLEMENTAL PLAN

September 24, 2015

Bill No. 177-33 (COR) was introduced by myself and Senator James Espaldon as one small step to encouraging eligible retirees to enroll in the new Retiree Supplemental Plan (the RSP) – a new plan offered under the Government of Guam Health Insurance Program for eligible retirees over 65 with Medicare.

The RSP is offered Class 1 and 2 retirees through each of the government's three insurance carriers to retirees who are enrolled in both Medicare Parts A and B. In the case of Class 2, both spouses must be enrolled in Medicare A and B.

Generally, the RSP pays for the portion of medical expenses that would otherwise be paid by the subscriber under Medicare. These benefits include hospital care, skilled nursing facility care, nursing home care, hospice, and home health service and services or supplies that are needed to diagnose or treat a medical condition. Benefits offered under the RSP are age-appropriate and do not cover persons under the age of 65. The benefits offered under the RSP are generally the same benefits offered under the PPO1500 Plan or the HSA2000 Plan –the other two options for retirees.

I *strongly* encourage retirees to review the benefits of the RSP and consult with the Government of Guam Retirement Fund and their favored insurance carrier to see for themselves if this plan suits their needs.

While there are many reasons for retirees to enroll in the RSP and as well as enrollment in Medicare which are better explained by the Medicare Assistance Program at the Department of Public Health and Social Services and the Benefits Section of the Retirement Fund, Bill No. 177-33 seeks specifically to reward retirees who enroll in the RSP because by doing so they are helping to save potentially millions of dollars to the taxpayer.

Based on an analysis conducted by my staff using the recently approved insurance premium rate sheet for the upcoming fiscal year and current retiree enrollment figures, the government (autonomous agencies included) could save close to \$3 million dollars if just 500 eligible retirees enroll in the RSP. There are currently about 3,000 Class 1 and 2 retirees subscribing in GovGuam's health insurance program.

When comparing actual Non-RSP to RSP premiums on an individual subscriber basis, savings of almost 70 percent could be achieved, as in the case of Calvo SelectCare Class I enrollees under the PPO1500 plan whereby the non-RSP premium is \$949.31 versus the RSP rate of \$297.00, a difference of \$652.31.

Bill No. 177-33 simply allows the Government of Guam Retirement Fund allocate up to \$150,000 of money that is already budgeted for GovGuam retiree health insurance premiums in the upcoming fiscal year. The incentive rewards may be in the form of cash or gift certificate and shall be payable to each individual enrollee in a manner and form as determined by the retirement fund. If the Retirement Fund chose to, it could reward cash or gift certificates of up to \$100 for each of 1,500 retirees who enroll in the RSP. These rewards should come at no additional cost to the government because of the resulting savings.

For many years, I have been advocating for the creation of a GovGuam retiree plan that takes advantage of Medicare because similar government plans throughout the country save millions of dollars to the taxpayers not just in premiums for retirees but also for active employees, because Medicare would absorb a greater portion of the insurance risk pool.

This is definitely a step in the right direction with the overall government insurance program and I must commend the Government's health insurance negotiating team and Lieutenant Gov. Ray Tenorio for moving the RSP forward. Thank you.



New Retiree Health Plan to Save Gov't Millions

LEGISLATION INTRODUCED TO REWARD NEW ENROLLEES

HAGÁTÑA (Sept. 16, 2015) - With open enrollment in full swing, Vice Speaker Benjamin J.F. Cruz, along with Senator Jim Espaldon, has introduced legislation this afternoon to incentivize enrollment for GovGuam retirees in a new health plan that could save taxpayers millions. Under Bill No. 177-33 (COR), eligible retirees who are enrolled in Medicare could receive cash or gift certificates for entering the new program, the Retiree Supplemental Plan (RSP).

Under the Government of Guam Health Insurance Program, the premium for the RSP is substantially lower than the typical PPO1500 or HSA2000 plan, with a cost reduction ranging from 21 percent to 44 percent (See Table 1). About 3,000 Class 1 and 2 retirees currently subscribe to GovGuam's health insurance programs.

When comparing actual Non-RSP to RSP premiums, savings of almost 70 percent could be achieved, as in the case of Calvo SelectCare Class 1 enrollees under the PPO1500 plan whereby the non-RSP premium is \$949.31 versus the RSP rate of \$297.00, a difference of \$652.31.

As an enrollment incentive, Bill No. 177-33 (COR) allocates up to \$150,000 of the government's budget for group health insurance premiums for fiscal year 2016. This amount would be paid out in equal amounts to each RSP enrollee, with the final details to be determined by the Government of Guam Retirement Fund (GGRF). GGRF could reward cash or gift certificates of up to \$100 for each of the first 1,500 RSP enrollees.

"For many years, I have been advocating for the creation of a GovGuam retiree plan that takes full advantage of Medicare because similar government health plans throughout the country save taxpayers millions," Cruz said. "This is definitely a step in the right direction with the overall government insurance program, and I must commend the government's health insurance negotiating team and Lt. Gov. Ray Tenorio for moving the RSP forward."

The RSP is offered through each of the government's three insurance carriers to retirees who are enrolled in both Medicare A and B. It pays for the portion medical expenses that would otherwise be paid by the subscriber under Medicare A or B. These benefits include hospital care, skilled nursing facility care, nursing home care, hospice, and home health service and services or supplies for the diagnosis or treatment of a medical condition.

Covering persons 65 and older, benefits under the RSP are generally the same benefits offered under the PPO1500 Plan or HSA2000 Plan. Additionally, the RSP offers a Vision Coverage benefit of up to \$150 for glasses, contact lenses and other hardware. Dental coverage and access to healthcare in the Philippines is also available under the RSP.

For more information, contact the Mr. Carlos Pangelinan at 477-2520/1.

Plan		Ave. Semi-monthly Premium	% Reduction with Switch to RSP
Class 1	RSP	\$227.35	
	HSA2000	\$288.44	21.2%
	PPO1500	\$610.61	43.1%
Class 2	RSP	\$476.50	
	HSA2000	\$610.61	22%
	PPO1500	\$864.01	43.7%

Table 1. Comparison of the rate of the average semi-monthly premiums for the three insurance carriers under the Government of Guam Health Insurance Program and projected cost savings with switch to the respective Retiree Supplemental Plan.



COMMITTEE ON RULES

I Mina'trentai Tres na Liheslaturan Guåhan • The 33rd Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

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

Vice-Speaker
Benjamin J.F. Cruz
Member

Legislative Secretary
Tina Rose Muna Barnes
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Senator
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Senator
Frank Blas Aguon, Jr.
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Senator
Michael F.Q. San Nicolas
Member

Senator
Nerissa Bretania Underwood
Member

V. Anthony Ada
MINORITY LEADER

Mary C. Torres
MINORITY MEMBER

Certification of Waiver of Fiscal Note Requirement

This is to certify that the Committee on Rules submitted to the Bureau of Budget and Management Research (BBMR) a request for a fiscal note, or applicable waiver, on **Bill No. 177-33(COR) –B.J.F. Cruz, James V. Espaldon, “AN ACT TO AMEND SECTION 6 OF CHAPTER XI OF PUBLIC LAW 33-66; RELATIVE TO PROVIDING INCENTIVE REWARDS FOR RETIREES TO ENROLL IN THE GOVERNMENT OF GUAM HEALTH INSURANCE RETIREE SUPPLEMENTAL PLAN,”**– on September 17, 2015. COR hereby certifies that BBMR confirmed receipt of this request September 17, 2015 at 2:26 P.M.

COR further certifies that a response to this request was not received. **Therefore, pursuant to 2 GCA §9105, the requirement for a fiscal note, or waiver thereof, on Bill 177-33(COR) to be included in the committee report on said bill, is hereby waived.**

Certified by:

Senator Rory J. Respicio
Chairperson of the Committee on Rules

June 13, 2016
Date



COMMITTEE ON RULES

I Mina'trentai Tres na Liheslaturan Guåhan • The 33rd Guam Legislature

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

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Member

V. Anthony Ada

MINORITY LEADER

Mary C. Torres

MINORITY MEMBER

September 17, 2015

VIA E-MAIL

joey.calvo@bbmr.guam.gov

Jose S. Calvo

Director

Bureau of Budget & Management Research

P.O. Box 2950

Hagåtña, Guam 96910

RE: Request for Fiscal Notes – Bill Nos. 176-33(LS) through 181-33(COR)

Hafa Adai Mr. Calvo:

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

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

Very Truly Yours,

Senator Rory J. Respicio

Chairperson of the Committee on Rules

Attachment (1)

Cc: Clerk of the Legislature

Bill Nos.	Sponsor	Title
176-33 (LS)	Dennis G. Rodriguez, Jr. R. J. Respicio FRANK B. AGUON, JR.	AN ACT TO ADD A NEW ITEM (5) TO SUBSECTION (o) OF SECTION 1, CHAPTER V OF PUBLIC LAW 33-66 RELATIVE TO THE CLASSIFICATION OF PERSONNEL VITAL TO THE PROTECTION OF GUAM'S NATURAL RESOURCES.
177-33 (COR)	B. J. F. Cruz James V. Espaldon	AN ACT TO AMEND SECTION 6 OF CHAPTER XI OF PUBLIC LAW 33-66; RELATIVE TO PROVIDING INCENTIVE REWARDS FOR RETIREES TO ENROLL IN THE GOVERNMENT OF GUAM HEALTH INSURANCE RETIREE SUPPLEMENTAL PLAN.
178-33 (COR)	Michael F.Q. San Nicolas	AN ACT TO ADD A NEW §26217 TO 11 GCA, RELATIVE TO REQUIRING THE ESCROW OF BUSINESS PRIVILEGE TAX FOR CONTRACTS OVER ONE MILLION DOLLARS (\$1,000,000).
179-33 (COR)	T. C. Ada	AN ACT TO ADD A NEW SUBSECTION (d) TO §2107 OF CHAPTER 2, TITLE 2, OF THE GUAM CODE ANNOTATED TO REQUIRE A DEPARTMENT OF LAND MANAGEMENT RECORDED MAP BE INCLUDED IN LAND BILLS.
180-33 (COR)	T. C. Ada	AN ACT TO TITLE LOT 5138-2-R3 NEW-1-1, IPAO-TUMON, MUNICIPALITY OF DEDEDO IN THE NAME OF THE CHAMORRO LAND TRUST COMMISSION AND TO AUTHORIZE THE COMMERCIAL LEASING OF SAID LOT.
181-33 (COR)	T. C. Ada	AN ACT TO AMEND § 3102.1 OF CHAPTER 3 OF TITLE 16 GUAM CODE ANNOTATED, RELATIVE TO WAIVER OF FEES FOR SPOUSE AND LEGAL GUARDIAN OF 100% DISABLED VETERANS AND FOR GOLDSTAR WIDOWS/WIDOWERS AND PARENTS.



COMMITTEE ON RULES

I Mina'trentai Tres na Liheslaturan Guåhan • The 33rd Guam Legislature

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Member

V. Anthony Ada
MINORITY LEADER

Mary C. Torres
MINORITY MEMBER

September 16, 2015

MEMORANDUM

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

Attorney Therese M. Terlaje
Legislative Legal Counsel

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

Subject: **Referral of Bill No. 177-33(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 177-33(COR)**.

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

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

Si Yu'os Ma'åse!

Attachment

I Mina'Trentai Tres Na Liheslaturan Received
 Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
177-33 (COR)	B. J. F. Cruz James V. Espaldon	AN ACT TO AMEND SECTION 5 OF CHAPTER XI OF PUBLIC LAW 33-66; RELATIVE TO PROVIDING INCENTIVE REWARDS FOR RETIREES TO ENROLL IN THE GOVERNMENT OF GUAM HEALTH INSURANCE RETIREE SUPPLEMENTAL PLAN.	09/15/15 3:50 p.m.	09/16/15	Committee on Appropriations and Adjudication			



Dani Reyes <danireyes@senatorbjcruz.com>

FIRST NOTICE of Public Hearing – September 24, 2015

Dani Reyes <danireyes@senatorbjcruz.com>

Thu, Sep 17, 2015 at 12:00 PM

To: PH Notice <phnotice@guamlegislature.org>

Cc: Clerks <clerks@guamlegislature.org>, Management Information System <mis@guamlegislature.org>, "Senator Rory J. Respicio" <cor@guamlegislature.org>, "Sergeant-at-Arms (Legislature)" <sgtarms@guamlegislature.org>

Bcc: reporters@kuam.com, sabrina@kuam.com, jason@kuam.com, krystal@kuam.com, joan@kuam.com, kenq@kuam.com, isa@kuam.com, slimtiaco@guampdn.com, kjdaly@guampdn.com, sraymundo@guampdn.com, lmartinez@guampdn.com, jsantotoma@guampdn.com, editor@postguam.com, gerry@postguam.com, gerrypartido@gmail.com, jackie@postguam.com, john@postguam.com, robert@postguam.com, marvic@postguam.com, jasmine@postguam.com, news@k57.com, clynt@spbguam.com, janela@spbguam.com, roselle@spbguam.com, brittany@spbguam.com, joanna@spbguam.com, blake@spbguam.com, tim@spbguam.com, rgibson@k57.com, parroyo@k57.com, phill@k57.com, publisher@glimpsesofofguam.com, managingeditor@glimpsesofofguam.com, assist_editor@glimpsesofofguam.com, reporter1@glimpsesofofguam.com, reporter4@glimpsesofofguam.com

September 17, 2015

MEMORANDUM

To: All Members / All Senators

From: Vice Speaker Benjamin J.F. Cruz, Chairman

Re: **FIRST NOTICE of Public Hearing – September 24, 2015**

Håfa Adai! The **Committee on Appropriations and Adjudication** will conduct a Public Hearing on **Thursday, September 24, 2015**, in the **Liheslatura Public Hearing Room** starting at **6:00PM** on the following:

- **Bill No. 177-33 (COR) – B.J.F. Cruz / J.V. Espaldon – “An act to amend Section 6 of Chapter XI of Public Law 33-66; relative to providing incentive rewards for retirees to enroll in the Government of Guam Health Insurance Retiree Supplemental Plan.”**

(The links provided above, as shown in the boldfaced and underlined text, direct to the respective PDF documents posted on the Guam Legislature website. For direct access, go to <http://www.guamlegislature.org>; bills are found under Bills > Introduced > 33rd).

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

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

We look forward to your attendance and participation.

cc: COR
Sgt-at-Arms
MIS
Clerks
Media

–
Dani Reyes
Policy Analyst

Vice Speaker Benjamin J.F. Cruz
I Mina'trentai Tres na Liheslaturan Guåhan
T 671-477-2520 | F 671-477-2522

<http://www.senatorbjcruz.com>

2 attachments

 **FIRST NOTICE PH 09242015.pdf**
197K

 **FIRST NOTICE PR PH 09242015.pdf**
197K

VICE SPEAKER BENJAMIN J.F. CRUZ

Committee on Appropriations and Adjudication
senator@senatorbjcruz.com | www.senatorbjcruz.com



I Mina'trentai Tres na Liheslaturan Guåhan

THE 33RD GUAM LEGISLATURE

155 Hesler Place, Suite 107, Hagåtña, Guam 96910

T: (671) 477-2520/1 | F: (671) 477-2522

September 17, 2015

MEMORANDUM

To: All Members/All Senators
From: Vice Speaker Benjamin J.F. Cruz, Chairman

Re: **FIRST NOTICE of Public Hearing - September 24, 2015**

Håfa Adai! The **Committee on Appropriations and Adjudication** will conduct a Public Hearing on **Thursday, September 24, 2015**, in the *I Liheslatura Public Hearing Room* starting at **6:00PM** on the following:

- **Bill No. 177-33 (COR)** - B.J.F. Cruz / J.V. Espaldon - "An act to *amend* Section 6 of Chapter XI of Public Law 33-66; relative to providing incentive rewards for retirees to enroll in the Government of Guam Health Insurance Retiree Supplemental Plan."

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We look forward to your attendance and participation.

VICE SPEAKER BENJAMIN J.F. CRUZ

Committee on Appropriations and Adjudication
senator@senatorbjcruz.com | www.senatorbjcruz.com



I Mina'trentai Tres na Liheslaturan Guahan

THE 33RD GUAM LEGISLATURE

155 Hesler Place, Suite 107, Hagåtña, Guam 96910

T: (671) 477-2520/1 | F: (671) 477-2522

FOR IMMEDIATE RELEASE

September 17, 2015

FIRST NOTICE OF PUBLIC HEARING

In accordance with the Open Government Law, P.L. 24-109, relative to notice for public meetings, let this release serve as five (5) days' notice for a series of Public Hearings by the **Committee on Appropriations and Adjudication** scheduled on **Thursday, September 24, 2015**, in the Guam Legislature Hearing Room in Hagåtña, on the following:

6:00PM

- **Bill No. 177-33 (COR)** - B.J.F. Cruz / J.V. Espaldon - "An act to *amend* Section 6 of Chapter XI of Public Law 33-66; relative to providing incentive rewards for retirees to enroll in the Government of Guam Health Insurance Retiree Supplemental Plan."

Testimonies may be submitted in person to the Office of Vice Speaker Benjamin J.F. Cruz at the Guam Legislature; by postal mail to 155 Hesler Place, Hagåtña Guam 96910; by facsimile to 477-2522; or by e-mail to senator@senatorbjcruz.com. Copies of written testimonies received at least one day before the scheduled date will be available at the hearing.

Individuals requiring assistance or special accommodations should contact Mr. Carlo J. Branch at the Office of the Vice Speaker at 477-2521, or by e-mail at carlo.branch@senatorbjcruz.com.

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Dani Reyes <danireyes@senatorbjcruz.com>

SECOND NOTICE of Public Hearing – September 24, 2015

Dani Reyes <danireyes@senatorbjcruz.com>

Tue, Sep 22, 2015 at 12:01 PM

To: PH Notice <phnotice@guamlegislature.org>

Cc: Clerks <clerks@guamlegislature.org>, Management Information System <mis@guamlegislature.org>, "Senator Rory J. Respicio" <cor@guamlegislature.org>, "Sergeant-at-Arms (Legislature)" <sgtarms@guamlegislature.org>

Bcc: reporters@kuam.com, sabrina@kuam.com, jason@kuam.com, krystal@kuam.com, joan@kuam.com, kenq@kuam.com, isa@kuam.com, slimiaco@guampdn.com, kjdaly@guampdn.com, sraymundo@guampdn.com, lcmartinez@guampdn.com, jsantotoma@guampdn.com, editor@postguam.com, gerry@postguam.com, gerrypartido@gmail.com, jackie@postguam.com, john@postguam.com, robert@postguam.com, marvic@postguam.com, jasmine@postguam.com, news@k57.com, clynt@spbguam.com, janela@spbguam.com, roselle@spbguam.com, brittany@spbguam.com, joanna@spbguam.com, blake@spbguam.com, tim@spbguam.com, rgibson@k57.com, parroyo@k57.com, phill@k57.com, publisher@glimpsesofguam.com, managingeditor@glimpsesofguam.com, assist_editor@glimpsesofguam.com, reporter1@glimpsesofguam.com, reporter4@glimpsesofguam.com

September 22, 2015

MEMORANDUM

To: All Members / All Senators

From: Vice Speaker Benjamin J.F. Cruz, Chairman

Re: **SECOND NOTICE of Public Hearing – September 24, 2015**

Håfa Adai! The **Committee on Appropriations and Adjudication** will conduct a Public Hearing on **Thursday, September 24, 2015**, in the **I Liheslatura Public Hearing Room**, starting at **6:00PM** on the following:

- **Bill No. 177-33 (COR)** – B.J.F. Cruz / J.V. Espaldon – "An act to amend Section 6 of Chapter XI of Public Law 33-66; relative to providing incentive rewards for retirees to enroll in the Government of Guam Health Insurance Retiree Supplemental Plan."

(The links provided above, as shown in the boldfaced and underlined text, direct to the respective PDF documents posted on the Guam Legislature website. For direct access, go to <http://www.guamlegislature.org>; bills are found under Bills > Introduced > 33rd).

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We look forward to your attendance and participation.

cc: COR
Sgt-at-Arms
MIS
Clerks
Media

~
Dani Reyes
Policy Analyst

Vice Speaker Benjamin J.F. Cruz
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2 attachments



SECOND NOTICE PH 09242015.pdf
196K



SECOND NOTICE PR PH 09242015.pdf
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VICE SPEAKER BENJAMIN J.F. CRUZ

Committee on Appropriations and Adjudication
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I Mina'trentai Tres na Liheslaturan Guåhan

THE 33RD GUAM LEGISLATURE

155 Hesler Place, Suite 107, Hagåtña, Guam 96910

T: (671) 477-2520/1 | F: (671) 477-2522

September 22, 2015

MEMORANDUM

To: All Members/ All Senators
From: Vice Speaker Benjamin J.F. Cruz, Chairman

Re: SECOND NOTICE of Public Hearing – September 24, 2015

Håfa Adai! The **Committee on Appropriations and Adjudication** will conduct a Public Hearing on **Thursday, September 24, 2015**, in the *I Liheslatura Public Hearing Room*, starting at **6:00PM** on the following:

- **Bill No. 177-33 (COR)** – B.J.F. Cruz / J.V. Espaldon – “An act to *amend* Section 6 of Chapter XI of Public Law 33-66; relative to providing incentive rewards for retirees to enroll in the Government of Guam Health Insurance Retiree Supplemental Plan.”

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

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We look forward to your attendance and participation.

VICE SPEAKER BENJAMIN J.F. CRUZ

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THE 33RD GUAM LEGISLATURE

155 Hester Place, Suite 107, Hagåtña, Guam 96910

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FOR IMMEDIATE RELEASE

September 22, 2015

SECOND NOTICE OF PUBLIC HEARING

In accordance with the Open Government Law, P.L. 24-109, relative to notice for public meetings, let this release serve as forty-eight (48) hours' notice for a Public Hearing of Bills by the **Committee on Appropriations and Adjudication** scheduled on **Thursday, September 24, 2015**, in the Guam Legislature Hearing Room in Hagåtña, on the following:

6:00PM

Bill No. 177-33 (COR) - B.J.F. Cruz / J.V. Espaldon - "An act to *amend* Section 6 of Chapter XI of Public Law 33-66; relative to providing incentive rewards for retirees to enroll in the Government of Guam Health Insurance Retiree Supplemental Plan."

Testimonies may be submitted in person to the Office of Vice Speaker Benjamin J.F. Cruz at the Guam Legislature; by postal mail to 155 Hester Place, Hagåtña Guam 96910; by facsimile to 477-2522; or by e-mail to senator@senatorbjcruz.com. Copies of written testimonies received at least one day before the scheduled date will be available at the hearing.

Individuals requiring assistance or special accommodations should contact Mr. Carlo J. Branch at the Office of the Vice Speaker at 477-2521, or by e-mail at carlo.branch@senatorbjcruz.com.

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Public Hearing Notice Listserv
phnotice@guamlegislature.org (Media, All Senators, and Staff)

Updated: August 31, 2015

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Public Hearing Notice Listserv
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Updated: August 31, 2015

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VICE SPEAKER BENJAMIN J.F. CRUZ

Committee on Appropriations and Adjudication
senator@senatorbjcruz.com | www.senatorbjcruz.com



I Mina'trentai Tres na Liheslaturan Guåhan

THE 33RD GUAM LEGISLATURE

155 Hesler Place, Suite 107, Hagåtña, Guam 96910

T: (671) 477-2520/1 | F: (671) 477-2522

PUBLIC HEARING AGENDA

Thursday, September 24, 2015

Guam Legislature Public Hearing Room • Hagåtña, Guam

6:00PM

Bill No. 177-33 (COR) – B.J.F. Cruz / J.V. Espaldon – “An act to *amend* Section 6 of Chapter XI of Public Law 33-66; relative to providing incentive rewards for retirees to enroll in the Government of Guam Health Insurance Retiree Supplemental Plan.”



I Mina'trentai Tres Na Liheslaturan Guåhån

33rd GUAM LEGISLATURE

Vice Speaker Benjamin J.F. Cruz

Chairman, Committee on Appropriations and Adjudication

OPA Tax Records Access, In-house Counsel Bills Reintroduced

(January 26, 2015 - Hagåtña) Separate pieces of legislation, one to facilitate compliance audits on hotel occupancy tax (HOT) assessment and the other to end exorbitant legal billing for government agencies, were reintroduced last week by appropriations and adjudications chair Vice Speaker Benjamin J.F. Cruz.

The Tax Records Access bill, Bill No. 31-33 (COR), allows the Public Auditor access to certain tax records, provided the U.S. Internal Revenue Code does not specifically privilege such information. This measure was introduced last year after the Guam Department of Revenue and Taxation denied a request from the Office of Public Accountability relative to a compliance audit of HOT data.

Reintroduced as Bill No. 30-33 (COR), the In-house Counsel bill mandates the employ of unclassified internal counsel for government agencies and autonomous public corporations permitted to retain outside counsel. In 2014 Cruz's bill came in the wake of news regarding outrageous legal fees at the Port Authority of Guam.

"Good legal counsel is essential but taxpayers shouldn't have to pay hundreds of thousands of dollars when a more cost-effective option exists," said Cruz. "Under this bill, taxpayers save money and agencies still receive sound legal advice."

Under existing procurement law, agencies permitted to retain counsel other than the Attorney General (AG), have no limitations on the amount it pays for outside legal services.

The new bill would require the AG's Office to certify the need for outside counsel in writing to the Speaker of the Guam Legislature and the Governor. The outside counsel must have at least five years' experience in the relevant subject matter or specialized area. Additionally, the bill provides ten percent (10%) differential pay for such full-time classified in-house attorneys, with maximum additional credit for seniority and experience.

Despite the Governor's veto of the In-house Counsel bill last year, the Vice Speaker said he is confident that the composition of 33rd Legislature will allow the bill to secure the necessary votes for an override.

Cruz has been a staunch opponent of excessive legal billing within the Government of Guam; in response to mounting legal fees of over \$800,000 for the Guam International Airport Authority for fiscal year 2008, Cruz had also introduced legislation in 2009 relative to designating the Airport's staff attorney to represent the agency during litigation.

The referenced documents are appended. For more information, call the Office of the Vice Speaker at 477-2520/1.

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