

**EDDIE BAZA CALVO**  
Governor



**RAY TENORIO**  
Lieutenant Governor

*Office of the Governor of Guam*

April 12, 2013

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

RE: Bill No. 44-32 (LS) – Public Law No. 32-019

Dear Madame Speaker:

Transmitted herewith is Bill No. 44-32 (LS), "AN ACT TO AMEND §23111 OF CHAPTER 23, DIVISION 2, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE USE OF GOVERNMENT OF GUAM TRAVEL MILEAGE BENEFITS TO SUPPORT OFF-ISLAND MEDICAL REFERRALS AND OFF-ISLAND STUDENT TRAVEL INVOLVING ACADEMIC, SPORTS AND CULTURAL ACTIVITIES", which I signed into law on April 11, 2013, as Public Law 32-019.

*Senseramente,*

**EDDIE BAZA CALVO**

Attachment: Copy of Bill

0281

2013 APR 12 PM 4: 23  
32-13-281  
Office of the Speaker  
Judith T. Won Pat, Ed. D.  
Date 4/12/13  
Time 4PM  
Received by RT

*I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN*  
2013 (FIRST) Regular Session

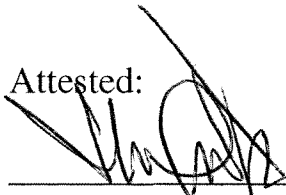
**CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN**

This is to certify that **Substitute Bill No. 44-32 (COR)**, "AN ACT TO AMEND §23111 OF CHAPTER 23, DIVISION 2, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE USE OF GOVERNMENT OF GUAM TRAVEL MILEAGE BENEFITS TO SUPPORT OFF-ISLAND MEDICAL REFERRALS AND OFF-ISLAND STUDENT TRAVEL INVOLVING ACADEMIC, SPORTS AND CULTURAL ACTIVITIES", was on the 1<sup>st</sup> day of April, 2013, duly and regularly passed.



Judith T. Won Pat, Ed.D.  
Speaker

Attested:



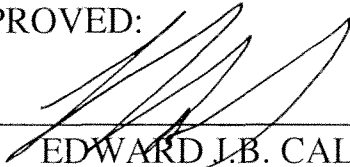
Tina Rose Muña Barnes  
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 2 day of April,  
2013, at 12:10 o'clock P.M.



Assistant Staff Officer  
*Maga'lahaen's Office*

APPROVED:



EDWARD I.B. CALVO  
*I Maga'lahaen Guåhan*

Date: APR 11 2013

Public Law No. 32-019

*I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN*  
**2013 (FIRST) Regular Session**

**Bill No. 44-32 (COR)**

As substituted by the Committee on General  
Government Operations and Cultural Affairs;  
and amended on the Floor.

Introduced by:

Judith T. Won Pat, Ed.D.  
Aline A. Yamashita, Ph.D.  
B. J.F. Cruz  
R.J. Respicio  
T. C. Ada  
V. Anthony Ada  
Frank B. Aguon, Jr.  
Chris M. Dueñas  
M. T. Limtiaco  
Brant T. McCreadie  
Tommy Morrison  
T. R. Muña Barnes  
Vicente (ben) C. Pangelinan  
Dennis G. Rodriguez, Jr.  
Michael F. Q. San Nicolas

**AN ACT TO AMEND §23111 OF CHAPTER 23,  
DIVISION 2, TITLE 5, GUAM CODE ANNOTATED,  
RELATIVE TO AUTHORIZING THE USE OF  
GOVERNMENT OF GUAM TRAVEL MILEAGE  
BENEFITS TO SUPPORT OFF-ISLAND MEDICAL  
REFERRALS AND OFF-ISLAND STUDENT TRAVEL  
INVOLVING ACADEMIC, SPORTS AND CULTURAL  
ACTIVITIES.**

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

1           **Section 1. Medical Referral and Education Mileage Bank Account.**

2 §23111 of Chapter 23, Division 2, Title 5, Guam Code Annotated, is hereby  
3 *amended* to read:

4           **“§ 23111. The Senator Edward J. Cruz Medical Referral and**  
5 **Education Mileage Program.**

6           (a) Title. This Section may be cited and referred to as the “Senator  
7 Edward J. Cruz Medical Referral and Education Mileage Program.”

8           (b) Medical Referral and Education Mileage Program. There is  
9 hereby created within the government of Guam an accrued travel mileage  
10 program for the use of travel mileage earned as a result of travel paid by the  
11 government of Guam through the use of government of Guam credit cards.  
12 This program *shall* be known as the Senator Edward J. Cruz Medical  
13 Referral and Education Mileage Program (MREMP) to be administered by  
14 the Department of Administration for all travel conducted by employees of  
15 the Executive Branch of the government of Guam. The Guam Legislature,  
16 the Unified Judiciary of Guam, and other agencies, instrumentalities,  
17 autonomous agencies, and public corporations of the government of Guam  
18 that purchase airline tickets through the use of credit cards, *shall* administer  
19 their respective accrued travel mileage programs pursuant to the  
20 requirements of this Section.

21           (c) Definitions. For the purposes of this Section the following  
22 words and phrases are defined to mean:

23                   (1) *Account* means the Senator Edward J. Cruz Medical  
24 Referral and Education Mileage Program established under this  
25 Section.

26                   (2) *Accrued* mileage means those miles accrued by the  
27 government of Guam, specifically the Department of Administration,

1 the Guam Legislature, the Unified Judiciary of Guam, and other  
2 agencies, instrumentalities, autonomous agencies, and public  
3 corporations of the government of Guam that use credit cards to  
4 purchase airline tickets.

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

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

12 (d) Requirement. All accrued mileage earned through the use of  
13 credit cards for travel by employees of the legislative, judicial and executive  
14 branches, including, but *not* limited to, all government agencies,  
15 instrumentalities, autonomous and semi-autonomous agencies, public  
16 corporations, the University of Guam, the Guam Community College, the  
17 Guam Visitors Bureau, the Department of Education, all elected officials,  
18 individual consultants of the government of Guam, and members of boards  
19 and commissions, as well as non-government persons traveling at  
20 government of Guam or federal government expense, *shall* be available to  
21 support off-island medical care, and off-island student travel involving  
22 academic, sports and cultural activities.

23 The following agencies, instrumentalities, and autonomous agencies  
24 of the government of Guam *shall* use their respective accrued mileage  
25 account to support off-island medical referrals and off-island student travel  
26 based on the following distribution guideline:

1           (1) Department of Administration - fifty percent (50%) of  
2 the accrued mileage maintained by this entity *shall* be used to send  
3 eligible students to participate at off-island academic activities,  
4 including, but *not* limited to, Close-Up and the Junior Statesmen of  
5 America. The remaining fifty percent (50%) *shall* be used to support  
6 off-island medical referrals pursuant to Subsection (f).

7           (2) Department of Education, Guam Community College,  
8 University of Guam – one hundred percent (100%) of the  
9 accrued mileage maintained by these entities *shall* be used to send  
10 eligible students to participate at off-island academic activities,  
11 including, but *not* limited to, Close-Up and the Junior Statesmen of  
12 America.

13           (3) Guam Power Authority, Guam Waterworks Authority –  
14 one hundred percent (100%) of the accrued mileage account  
15 maintained by these entities *shall* be used to send eligible students to  
16 participate at off-island sports competitions.

17           (4) Antonio B. Won Pat Guam International Airport  
18 Authority, Guam Visitors Bureau, Jose D. Leon Guerrero Port  
19 Authority of Guam – one hundred percent (100%) of the accrued  
20 mileage maintained by this entity *shall* be used to send eligible  
21 students to participate at off-island cultural activities, including, but  
22 *not* limited to, arts and humanities competitions and international  
23 cultural festivals and exchanges.

24           (5) Guam Legislature, Unified Judiciary of Guam – one  
25 hundred percent (100%) of the accrued mileage maintained by these  
26 entities *shall* be used to send eligible students to participate at off-

1 island academic activities, including, but *not* limited to, Mock Trial  
2 and National Forensic League competitions.

3 (6) All agencies, instrumentalities, autonomous agencies,  
4 and public corporations of the government of Guam not mentioned in  
5 items (1) through (4) of this Subsection shall use their accrued  
6 mileage to send eligible students to participate at off-island academic,  
7 sports and cultural activities, as authorized by the Superintendent of  
8 Education.

9 (e) Eligibility.

10 (1) The following persons are eligible for participation to  
11 receive the mileage for off-island medical care:

12 (A) patients under the Medically Indigent Program;  
13 patients under other DPHSS income-based health programs as  
14 approved by the Director of the Department of Public Health  
15 and Social Services; and patients with serious medical illness  
16 and financial need as determined by the Director of DPHSS  
17 pursuant to the Administrative Adjudication Law.

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

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

23 (A) financial need as identified under the requirements  
24 of the Medically Indigent Program, or under the requirements  
25 of other DPHSS income-based health programs, or by any other  
26 needs based requirements for patients with any medical illness  
27 as prescribed by the Director of the Department of Public

1 Health and Social Services pursuant to the Administrative  
2 Adjudication Law process;

3 (B) lack of availability of required medical services on  
4 Guam; and

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

7 (3) A student who is authorized by the Superintendent of  
8 Education to participate at an off-island academic, sports or  
9 cultural activity is also eligible for participation to receive the  
10 mileage benefits.

11 (f) Authorized Use. Fifty percent (50%) of the accrued mileage  
12 account, administered by the Department of Administration, *shall* be used to  
13 send patients off-island, through a certified medical referral for patients, to a  
14 destination determined by the patient's duly licensed physician with the  
15 concurrence of the Medically Indigent Program Coordinator of the  
16 Department of Public Health and Social Services.

17 (g) Other Travel Benefits. All other travel benefits, including, but  
18 *not* limited to, volume purchase discounts and accrued number of ticket  
19 purchases for free flight benefits and promotional travel benefits *shall* be  
20 accrued and used for the purpose of this Program. The Director of  
21 Administration *shall* establish procedures for management of these benefits  
22 and for distribution as requested by the Medically Indigent Program  
23 Coordinator of the Department of Public Health and Social Services, or  
24 his/her designee.

25 (h) Credit Card Agreement; Accrued Mileage Program. The Guam  
26 Legislature, the Unified Judiciary of Guam, and departments, agencies,  
27 instrumentalities, autonomous agencies, and public corporations of the



1 government of Guam *shall* exercise due diligence and seek to enter into an  
2 agreement with a bank(s) on Guam for a credit card(s) to use as payment for  
3 travel for employees traveling on government and/or federally funded travel,  
4 and to accrue travel mileage through a participating airline(s), which *shall* be  
5 used in accordance with the provisions of this Act. Each department,  
6 instrumentality, autonomous agency, and public corporation of the  
7 government of Guam *shall* maintain their respective accrued mileage  
8 program, which *shall* be used exclusively to support off-island medical  
9 referrals and off-island student travel involving academic, sports and cultural  
10 activities, pursuant to the distribution guidelines set forth in items (1)  
11 through (6) of Subsection (d). The Department of Administration *shall* be  
12 responsible for maintaining an accrued mileage account for all travel under  
13 its purview.

14 (i) Rules and Regulations. The Director of the Department of  
15 Public Health and Social Services in collaboration with the Director of the  
16 Department of Administration *shall* jointly promulgate rules and regulations,  
17 specifically for the use of accrued mileage for off-island medical referrals,  
18 within sixty (60) days from the date of enactment of this Section. The  
19 Superintendent of Education *shall* in collaboration with the heads of all  
20 agencies, departments, instrumentalities, autonomous agencies, and public  
21 corporations of the government of Guam, to include the Executive Director  
22 of the Guam Legislature and the Administrator of the Courts, *shall*  
23 promulgate rules and regulations, specifically for the use of accrued mileage  
24 for off-island student travel involving academic, sports and cultural  
25 activities. These rules and regulations *shall* be promulgated pursuant to  
26 Article 3, Chapter 9 of Title 5, Guam Code Annotated, the Administrative  
27 Adjudication Act, Rule Making Procedures.

1           (j) Transfer fee or other related fees and taxes. In the event a  
2 transfer fee or other related fees and taxes is required to secure off-island  
3 travel, as authorized herein, such fee(s) *shall* be borne by the traveler.”

4           **Section 2. Transition and Implementation.** The Director of the  
5 Department of Administration, the Director of the Department of Public Health  
6 and Social Services, and the *Ayuda* Foundation *shall* exercise due diligence to  
7 avoid disruption in the processing of travel for medically indigent patients during  
8 the period prior to the effective date of this Act. Unused travel mileage earned  
9 from credit card purchases, prior to the implementation of this Act, *shall* be  
10 reserved for off-island medical referrals and off-island student travel, subject to the  
11 rules and regulations promulgated in accordance with §23111(i) of Section 1 of  
12 this Act.

13           **Section 3. Effective Date.** This Act *shall* be effective no later than 90  
14 days following enactment.