



Office of the Governor of Guam

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Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

02 APR 2008

Honorable Judith T. Won Pat
Speaker
I Mina' Bente Nuebi Na Liheslaturan Guåhan
155 Hesler Place
Hagåtña, Guam 96910

2008 APR - 7 PM 1: 22

Dear Speaker Won Pat:

Transmitted herewith is Bill. No 206 (EC) entitled "AN ACT TO AMEND TITLE 4 GUAM CODE ANNOTATED, CHAPTER 4, ARTICLE 3, §4302(c), RELATIVE TO INCLUDING A GOVERNMENT OF GUAM RETIREE IN THE NEGOTIATING TEAM TO ADVOCATE FOR HEALTH CARE BENEFITS," which I have vetoed.

I support the appointment of a government of Guam retiree to the health care insurance benefit negotiating team. Prior to the enactment of Public Law No. 24-143, a retiree was one of two employees from the Executive branch appointed by the Governor to represent employees' interests. The new law replaced the appointees with the Director of the Department of Education and the Director of the Guam Retirement Fund or their designee. Bill No. 206 would restore the membership of a retiree.

However, in amending 4 G.C.A. § 4302(c), Bill No. 206 did not include the second paragraph to Subsection (c) which authorizes the negotiating team to contract an actuary competent to develop health insurance rates or other recognized expert to train and/or advise the negotiating team. Since it is not clear whether this was a clerical oversight, I have vetoed Bill No. 206 because the omission of the paragraph would remove this authority. The government needs to retain an actuary to confirm or refute insurance companies' actuarial conclusions. Otherwise, the government would be placed at an unfair vantage as it negotiates with insurance companies for GovGuam insurance and health care benefits and the premiums associated with it.

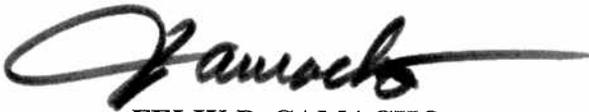
29-08-0245
Office of the Speaker
Judith T. Won Pat, Ed. D.

Date 4/02/08
Time 3:30
Received by [Signature]

Honorable Judith T. Won Pat
Speaker, *I Mina' Bente Nuebi Na Liheslaturan Guåhan*
Page 2

While I agree that a retiree should be a member of the health care insurance negotiating team, the Bill's omission of the negotiating team's authority to hire an actuary has compelled me to veto the measure.

Sinseru yan Magåhet,

A handwritten signature in black ink, appearing to read 'Felix P. Camacho', with a long horizontal flourish extending to the right.

FELIX P. CAMACHO
I Maga'låhen Guåhan
Governor of Guam

cc: Honorable Tina Rose Muna Barnes,
Senator & Legislative Secretary

Attachment

I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN
2008 (SECOND) Regular Session

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

This is to certify that **Bill No. 206 (EC), "AN ACT TO AMEND TITLE 4 GUAM CODE ANNOTATED, CHAPTER 4, ARTICLE 3, §4302(c), RELATIVE TO INCLUDING A GOVERNMENT OF GUAM RETIREE IN THE NEGOTIATING TEAM TO ADVOCATE FOR HEALTH CARE BENEFITS,"** was on the 21st day of March, 2008, duly and regularly passed.



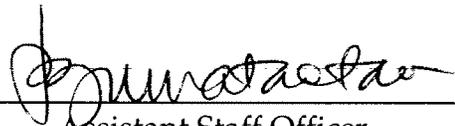
JUDITH T. WON PAT, Ed.D
Speaker

Attested:



TINA ROSE MUÑA BARNES
Senator and Secretary of the Legislature

This Act was received by *I Maga'lahaen Guåhan* this 21 day of March, 2008, at 12:45 o'clock P.M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:

FELIX P. CAMACHO
I Maga'lahaen Guåhan

VETO

Date: _____

Public Law No. _____

I MINA'BENTE NUEBI NA LIHESLATURAN GUÁHAN
2008 (SECOND) Regular Session

Bill No. 206 (EC)

As amended on the Floor.

Introduced by:

v. c. pangelinan
J. T. Won Pat, Ed.D.
David L.G. Shimizu
Tina Rose Muña Barnes
Judith Paulette Guthertz
Frank F. Blas, Jr.
Edward J.B. Calvo
B. J.F. Cruz
James V. Espaldon
Mark Forbes
Frank T. Ishizaki
J. A. Lujan
A. B. Palacios, Sr.
R. J. Respicio
Ray Tenorio

**AN ACT TO *AMEND* TITLE 4 GUAM CODE ANNOTATED,
CHAPTER 4, ARTICLE 3, §4302(c), RELATIVE TO
INCLUDING A GOVERNMENT OF GUAM RETIREE IN THE
NEGOTIATING TEAM TO ADVOCATE FOR HEALTH CARE
BENEFITS.**

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

2 **Section 1. Purpose and Legislative Intent.** For the past twenty (20)
3 years, the government of Guam has negotiated with numerous health insurance
4 companies to determine health care benefits for active government of Guam
5 employees and retirees. Existing law establishes the Negotiating Team which
6 consists of representatives of various government of Guam agencies, including the
7 Government of Guam Retirement Fund (Fund). However, the Fund representative

1 is present in the negotiations to protect the integrity of the Fund and *does not*
2 represent the retirees. The retirees and their health care needs are an important
3 component when benefits are negotiated with health insurance companies and the
4 government of Guam and currently there is no representation from this group on
5 the Negotiating Team.

6 Therefore, it is the intent of *I Liheslaturan Guåhan* that a government of
7 Guam retiree be part of the Negotiating Team to advocate for their health care
8 needs.

9 **Section 2.** Title 4 Guam Code Annotated, Chapter 4, Article 3, §4302(c) is
10 hereby *amended* to read as follows:

11 **“§4302. Same: Health Insurance or Provision of Health Care.** (c) A
12 Negotiating Team consisting of the Director of Administration, who *shall* be
13 Chairperson, the Administrator of the Department of Integrated Services for
14 Individuals with Disabilities (DISID), *or his or her* designee; the Director of the
15 Bureau of Budget and Management Research, *or his or her* designee; an employee
16 representative from the Judicial Branch to be appointed by the Presiding Judge of
17 the Superior Court of Guam; an employee representative from the Legislative
18 Branch to be appointed by the Speaker of *I Liheslaturan Guåhan*; the Director of
19 the Guam Public School System, *or his or her* designee; the Director of the
20 Government of Guam Retirement Fund, *or his or her* designee; and a retiree who is
21 a member of the Government of Guam Retirement Fund to be appointed by the
22 Board of Trustees of the Government of Guam Retirement Fund, *shall* examine the
23 financial information of the prepaid health insurance companies, the health care
24 providers *or* other legal entities for the purpose of developing the most economical
25 and beneficial health plan for government of Guam employees and retirees. The
26 Negotiating Team may obtain technical support from other financial and health-

1 related agencies. The Negotiating Team *shall* develop its rules of procedure in
2 accordance with the Administrative Adjudication Law.”

3 **Section 3. Severability.** *If* any provisions of this Act or its application to
4 any person or circumstance is found to be invalid or contrary to law, such
5 invalidity shall *not* affect other provisions or applications of this Act which can be
6 given effect without the invalid provisions or applications, and to this end the
7 provisions of this Act are severable.



**OFFICE OF THE SPEAKER
29th GUAM LEGISLATURE
JUDITH T. WON PAT, Ed.D**

March 18, 2008

To: I Mina'Bente Nuebi Na Liheslaturan Guahan

RE: Emergency Certification of Bill 206

After careful evaluation for a request to waive the requirements for a public hearing on bill 206;

Bill No. 206 (EC) An act to amend Title 4 Guam Code Annotated, Chapter 4, Article 3, Section 4302(c) relative to including a Government of Guam retiree in the negotiating team to advocate for health care benefits.

I certify, pursuant to 2 GCA §2103, that an emergency condition exists and that the requirements for a public hearing on bill 206 is accordingly waived.

Senseramente,

Judith T. Won Pat, Ed.D.
Speaker

cc: Senator vicente "ben" pangelinan
Clerk of the Legislature
