

MINA' TRENTA NA LIHESLATURAN GUAHAN
THIRTIETH GUAM LEGISLATURE
2009 (FIRST) Regular

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Bill No. 27239 (LS)

Introduced by:

FRANK B. AGUON, JR.



AN ACT RELATIVE TO THE DIVISION OF ENVIRONMENTAL HEALTH OF THE DEPARTMENT OF PUBLIC HEALTH & SOCIAL SERVICES; TO AMEND §6229 OF, AND ADD A NEW §6233 - §6233.12 AND §6234 TO, ARTICLE 2, CHAPTER 6 OF TITLE 4 GUAM CODE ANNOTATED; TO AMEND §20121 OF, AND ADD A NEW §20122 AND §20123 TO, CHAPTER 20 OF TITLE 10 GUAM CODE ANNOTATED; AND TO AMEND §7119 OF CHAPTER 7 OF TITLE 22 GUAM CODE ANNOTATED.

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

2 **Section 1. Legislative Intent.** The functions of the environmental public
3 health practitioners of the Department of Public Health and Social Services,
4 Division of Environmental Health (DEH) are vital in protecting the health and
5 safety of the public, therefore, the *I Liheslaturan Guahan* finds it necessary to
6 modernize the division's professional-technical personnel and revitalize their
7 functions by addressing their qualifications, shortages, recruitment, and retention.

8 The environmental public health practitioners of DEH implement programs
9 that prevent injuries, diseases, disabilities, and death. As a result, the division's
10 prevention programs promote a healthy community which in turn lessens the
11 burden placed on our island's healthcare system. However, in order to deliver
12 effective environmental public health programs to the community, DEH must be
13 appropriately organized and equipped with adequate number of qualified

1 personnel. Unfortunately, because the DEH is currently hindered by outdated job
2 classifications, recruitment and retention difficulties, and funding constraints,
3 much of its services are not adequately provided to the public.

4 Currently, there are three different professional-technical positions in the
5 DEH. They are the Environmental Health Specialists (EHS), Public Health
6 Inspectors (PHI), and the Engineers. Each position plays an integral part in
7 implementing the mission of the division. Although all three positions perform
8 environmental health tasks, each has a specific role and qualification standards,
9 which adversely impacts the overall operation of the division. The duties and
10 responsibilities of these three positions need to be consolidated so to enable the
11 division to effectively assign personnel where needed without hindrance or
12 restrictions posed by differing positions titles and specifications. Furthermore, the
13 qualification standards of the DEH staff need to be increased to reflect the demand
14 and expectation of the job and to better enable the division to recruit individuals
15 who will be sufficiently prepared to perform their duties and responsibilities in the
16 field of environmental health.

17 In addition to higher qualification standards, competitive salaries must be
18 implemented to promote the recruitment and retention of the DEH personnel.
19 Existing salaries are far below the wages offered in the private sector and similar
20 government positions of other jurisdictions. The 2008 Hay Evaluation of the
21 division's Environmental Health Specialist position alone recommended a pay
22 increase of over 30%.

23 The challenges facing DEH are issues that are similarly impacting federal,
24 state, and other local governments. Attracting, recruiting, and retaining qualified
25 individuals in the field of environmental public health have become increasingly
26 difficult due to non-competitive wages, and a shrinking and aging workforce, while
27 the need for such services have grown and expanded over the years. According to
28 a 2003 report issued by U.S. Centers for Disease Control and Prevention, a

1 revitalization of the environmental public health services is necessary because its
2 functions affect millions of people at significant costs, emerging health problems
3 require innovative interventions, environmental public health is important in
4 responding to terrorism and other emergencies, and the field is becoming more and
5 more complex.

6 For the DEH, the recruitment of environmental public health practitioners
7 has been few and far in between, and retaining them has been a struggle. The
8 many responsibilities and demands placed on the staff of DEH, along with non-
9 competitive pay, have resulted in the departure of several employees over the years
10 for better opportunities, less demanding tasks, and improved working conditions.
11 The absence of adequate number of qualified environmental public health
12 practitioners in the division has caused: a decline in the number of sanitation
13 inspections, the absence of an effective vector surveillance and control programs,
14 continued importation and sale of adulterated and misbranded consumer
15 commodities, diversion of pharmaceutical controlled substances into illicit
16 channels, inability to adequately respond to vector- and food-borne disease
17 outbreaks or any deliberate attack of our food system, and the non-existence of the
18 radiological health program to protect the community from the hazards of ionizing
19 radiation-emitting devices such as x-ray machines.

20 The need to modernize and revitalize the Division of Environmental Health
21 is even greater now in light of the pending military build-up. The anticipated
22 growth of the island in population and regulated facilities, such as barracks,
23 restaurants, bars, massage facilities, and hotels will only further place additional
24 demands on DEH. According to the latest data from the Military-Civilian Task
25 Force, Guam can expect nearly 40,000 active military personnel and their
26 dependents, and civilian growth of additional 20,000 people, in the next five years.
27 As a result, the division foresees a need for growth in personnel number. In
28 attempt to meet current mandates and the anticipated military build-up, the division

1 must be given the resources it needs to serve the people of Guam and its visitors
2 and the military.

3 Therefore, it is the intent of *I Liheslaturan Guahan* to modernize and
4 revitalize the Division of Environmental Health. A new position series within the
5 Division of Environmental Health will be created to replace the existing three
6 professional-technical positions with increased qualification standards. The DEH
7 staff impacted will be reclassified into one of the positions of this new series. An
8 updated pay structure shall be implemented for the new position series to provide
9 competitive salaries and compensation to the employees. To encourage the
10 retention of these personnel, and promote their continuing education, incentive pay
11 for professional certification shall be made available to them.

12 The funding will derive from the Environmental Health Fund, which will be
13 more readily accessible to the division, and from the creation of the Environmental
14 Health Military Build-Up Fund.

15 **Section 2.** This Act shall be known as the “*Environmental Public Health*
16 *Modernization and Revitalization Act of 2009.*”

17 **Section 3.** Section 6229 of Article 2, Chapter 6 of Title 4, Guam Code
18 Annotated, is amended to read:

19 “§6229. **Definition.** As used in this and any other applicable Act the
20 following words and phrases are defined to mean:

21 (a) ‘Basic science’ means those college courses in the
22 sciences, such as environmental health, environmental science,
23 biology, chemistry, physics, engineering, and other courses
24 acknowledged by the National Environmental Health Association as
25 part of the association’s qualification requirements for the Registered
26 Environmental Health Specialist or Registered Sanitarian
27 examination.

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~~(a)~~(b) ‘Board’ means the Guam Boards under the Healing Arts.

~~(b)~~(c) ‘Class Specifications’ means official document which describes the general characteristics of a class, including the title; nature of work; summary statement of examples of duties performed; a statement of minimum qualifications; and the minimum knowledge, abilities and skills needed to perform the work which provides the criteria for placing each position in its proper class.

(d) ‘Division of Environmental Health’ (“DEH”) means the Division of Environmental Health of the Department of Public Health and Social Services, or its successor, as provided in §20103 of Chapter 20, Title 10 Guam Code Annotated.

(e) ‘Environmental Public Health Officer’ (“EPHO”) means an environmental health practitioner within the Division of Environmental Health of the Department of Public Health and Social Services who conducts inspections, investigations, surveillance, plan review, warnings, permitting, grading, risk management, sampling, analyses, education, supervision, and other activities of environmental health programs of DEH.

~~(e)~~(f) ‘HealthCare professional(s)’ means any employee in the government agencies who is essential to the delivery of patient/client care services, and as defined in §10101 of Title 10 of the Guam Code Annotated and §5 of Public Law Number 22-87.

~~(d)~~(g) ‘Known-Promotion-Potential’ (“KPP”) means an upward career mobility in a series of positions within an organization without competition, and where at an earlier date an employee was selected under a competitive examination.

1 (h) ‘National Environmental Health Association’ (“NEHA”)
2 means the national professional society for environmental health
3 practitioners, or its successor, that issues the professional
4 credentialing of Registered Environmental Health Specialist or
5 Registered Sanitarian.

6 ~~(e)~~(i) ‘Nurse(s)’ means a professional nurse who is licensed by
7 the Guam Board of Nurse Examiners to practice as a registered nurse,
8 or as an advanced practice registered nurse on Guam.

9 (j) ‘Registered Environmental Health Specialist (“REHS”)
10 or Registered Sanitarian (“RS”) means the highest professional
11 credentialing offered by the National Environmental Health
12 Association.”

13 **Section 4.** A new §6233 is added to Article 2 of Chapter 6, Title 4, Guam
14 Code Annotated, to read:

15 **“§6233. Environmental Public Health Officer.** There shall be within the
16 Division of Environmental Health of the Department of Public Health and
17 Social Services an Environmental Public Health Officer position series to
18 replace the division’s Environmental Health Specialists, Engineers, and
19 Public Health Inspectors.”

20 **Section 5.** A new §6233.01 is added to Article 2 of Chapter 6, Title 4,
21 Guam Code Annotated, to read:

22 **“§6233.01. Duties and Responsibilities of Environmental Public Health**
23 **Officer.** The Director of Administration, in close collaboration with the
24 Department of Public Health and Social Services, shall establish class
25 specifications and updated pay schedule for the Environmental Public
26 Health Officer position series based on the following criteria:

1 (a) The nature of work; summary statement of examples of
2 duties performed; a statement of minimum qualifications; and the
3 minimum knowledge, abilities, and skills needed to perform the work
4 of the Environmental Public Health Officer positions, which shall be
5 the various combination of the class specifications of Public Health
6 Inspectors, Environmental Health Specialists, and Engineers that are
7 specific to the mission and mandates of the Division of Environmental
8 Health of the Department of Public Health and Social Services;

9 (b) Hierarchical position levels of the Environmental Public
10 Health Officer series shall begin with the Environmental Public
11 Health Officer I, followed by Environmental Public Health Officer II,
12 Environmental Public Health Officer III, Environmental Public Health
13 Officer Supervisor, Environmental Public Health Officer
14 Administrator, and concluding with the Chief Environmental Public
15 Health Officer;

16 (c) The minimum education requirements of all positions
17 within the Environmental Public Health Officer series shall be (1) a
18 bachelor's degree in any field of study from any accredited college or
19 university; (2) a college algebra course or higher level math; and (3)
20 30 semester or 45 quarter hours in basic sciences; and

21 (d) The Chief Environmental Public Health Officer of the
22 Environmental Public Health Officer series must possess a master's
23 degree in the field of environmental health, environmental science,
24 environmental engineering, biology, chemistry, public health, physical
25 science, or natural sciences.”

26 **Section 6.** A new §6233.02 is added to Article 2 of Chapter 6, Title 4,
27 Guam Code Annotated, to read:

1 **“§6233.02. Reclassification of Environmental Health Specialists,**
2 **Engineers, and Public Health Inspectors of the Division of**
3 **Environmental Health into the Environmental Public Health Officer**
4 **positions.** (a) The Director of Administration, in close collaboration with
5 the Department of Public Health and Social Services, shall reclassify
6 existing Environmental Health Specialists, Engineers, and Public Health
7 Inspectors of the Division of Environmental Health, provided the employee
8 meets the new qualification standards established in Section 6233.01, into
9 one of the Environmental Public Health Officer position series based on the
10 following:

11 (1) Employees holding the position titles of Environmental
12 Health Specialist I and any levels of Public Health Inspector shall be
13 reclassified as Environmental Public Health Officer I;

14 (2) Employees holding the position titles of Environmental
15 Health Specialist II and Engineer I shall be reclassified as an
16 Environmental Public Health Officer II;

17 (3) Employees holding the position title of Environmental
18 Health Specialist III shall be reclassified as an Environmental Public
19 Health Officer III;

20 (4) Employees holding the position title of Environmental
21 Health Specialist Supervisor shall be reclassified as either an
22 Environmental Public Health Officer Supervisor or an Environmental
23 Public Health Officer Administrator depending on the employees
24 existing duties and responsibilities that best match the duties and
25 responsibilities of the EPHO Supervisor or EPHO Administrator; and

26 (5) An employee holding the position title of Environmental
27 Health Specialist Administrator shall be reclassified as the Chief
28 Environmental Public Health Officer.

1 (b) An existing employee of the Division of Environmental Health
2 who is holding a position title within the Environmental Health Specialist,
3 Engineer, or Public Health Inspector series who does not meet the minimum
4 education standards of Section 6233.01(c) shall instead meet the following
5 requirements to be reclassified into his/her respective Environmental Public
6 Health Officer positions within 4 years of the enactment of this act:

7 (1) A course in college algebra;

8 (2) 8 semester credits in biology; and

9 (3) 6 semester credits in English from an accredited
10 university or college.

11 (c) If the existing Environmental Health Specialist Administrator
12 of the Division of Environmental Health does not meet the education
13 requirement of Section 6233.01(d), the employee shall instead be
14 reclassified into the next highest EPHO position that employee is qualified
15 to hold.

16 (d) Existing employees who does not meet the requirements for
17 reclassification into their respective EPHO position shall remain in his/her
18 current position and continue to perform the duties and responsibilities of
19 that position until such time the employee meets the minimum
20 qualifications outlined in Section 6233.01(c) or Section 6233.02(b), and
21 shall be eligible and receive the updated salary for their existing positions as
22 provided in Section 6233.04; and

23 (e) The Director of Administration shall provide within 4 years of
24 enactment of this act, on a one-time basis, priority placement for any
25 employee who is impacted by this act and who wishes to transfer out of the
26 Division of Environmental Health to any vacant, funded classified position
27 within government of Guam for which the employee applies and qualifies.”

1 **Section 7.** A new §6233.03 is added to Article 2 of Chapter 6, Title 4,
2 Guam Code Annotated, to read:

3 **“§6233.03. Deletion of Public Health Inspector Position Series and the**
4 **Class Specifications amendments of Environmental Health Specialist**
5 **Position Series.** The Director of Administration shall:

6 (a) immediately delete the Public Health Inspector position
7 series within the government of Guam upon the reclassification or
8 departure of all existing applicable DEH employees, and its place
9 there shall be a creation of a new position called, Environmental
10 Health Technician, which shall possess the classification
11 specifications for performing the lower level duties and
12 responsibilities of the DEH that are left vacant in the establishment of
13 the Environmental Public Health Officer series;

14 (b) within 60 days of the implementation of this Act make any
15 necessary revisions to the class specifications of the Environmental
16 Health Specialist series to remove reference of the job specifications
17 relevant to the mandates of the DEH; and

18 (c) permit existing DEH employees not reclassified into his/her
19 respective EPHO position to continue to utilize their existing class
20 specifications until such time the employee is reclassified to EPHO or
21 separates from DEH.”

22 **Section 8.** A new §6233.04 is added to Article 2 of Chapter 6, Title 4,
23 Guam Code Annotated, to read:

24 **“§6233.04. Competitive Salary and Incentives for Environmental Public**
25 **Health Officer.** The Director of Administration shall establish updated
26 competitive salaries, using the Hay methodology or any other classification
27 methods and salary administration deemed appropriate, and provide

1 incentives for the recruitment and retention of Environmental Public Health
2 Officers in the Division of Environmental Health of the Department of
3 Public Health and Social Services. The review and implementation of
4 salaries shall also include existing Public Health Inspector, Environmental
5 Health Specialist, and Engineer positions of DEH that will remain in
6 existence until such time the holder of these positions are reclassified to the
7 EPHO position series or separates from the division within 4 years of
8 enactment of this act.”

9 **Section 9.** A new §6233.05 is added to Article 2 of Chapter 6, Title 4,
10 Guam Code Annotated, to read:

11 “**§6233.05. Salary and Incentive Review.** The salary schedules of the
12 Environmental Public Health Officers are to be reviewed by the Director of
13 Administration every three (3) years, and upgraded as needed. The salary
14 for each of the Environmental Public Health Officer classifications in the
15 Division of Environmental Health shall be established so to be competitive
16 in their recruitment and retention. The Director of Administration is to
17 annually meet with the Director of the Department of Public Health and
18 Social Services and the Chief Environmental Public Health Officer of the
19 Division of Environmental Health to address recruitment and retention
20 incentives for Environmental Public Health Officers.”

21 **Section 10.** A new §6233.06 is added to Article 2 of Chapter 6, Title 4,
22 Guam Code Annotated, to read:

23 “**§6233.06. Class Specifications Review.** The Director of Administration,
24 in close collaboration with the Director of the Department of Public Health
25 and Social Services and the Chief Environmental Public Health Officer is to
26 evaluate and update, if necessary, the class specifications pertaining to the

1 duties, requirements, and experience of all Environmental Public Health
2 Officer classifications when deemed necessary by both departments.”

3 **Section 11.** A new §6233.07 is added to Article 2 of Chapter 6, Title 4,
4 Guam Code Annotated, to read:

5 “**§6233.07. Compensation for Professional Certification.** Environmental
6 Public Health Officers in the Division of Environmental Health who possess
7 professional certification of REHS or RS shall be entitled to professional
8 certification pay differential which shall be the rate of their base salary plus
9 ten percent (10%) to promote competency in the knowledge and application
10 of environmental health principles and for the continuation of their
11 education. The loss of such certification, for example by failing to maintain
12 the required continuing education credits, shall result in the loss of the ten
13 percent incentive pay differential until such time the certification is
14 regained.”

15
16 **Section 12.** A new §6233.08 is added to Article 2 of Chapter 6, Title 4,
17 Guam Code Annotated, to read:

18 “**§6233.08. Promoting Training and Professional Certification.** The
19 Department of Public Health and Social Services shall make every
20 reasonable efforts to provide opportunities for Environmental Public Health
21 Officers to pursue continuing education credits and college credits by
22 allowing them to attend environmental health related training, conferences,
23 seminars, certification and recertification courses, etc. to broaden their
24 knowledge of environmental health and to keep abreast of new and
25 improving technology of the field and to pursue and retain professional
26 certification. The department shall also provide, as funding permits, the cost

1 for the training, education, examination, certification, and renewal of REHS
2 or RS for the Environmental Health Officers.”

3 **Section 13.** A new §6233.09 is added to Article 2 of Chapter 6, Title 4,
4 Guam Code Annotated, to read:

5 “**§6233.09. Promoting and Enhancing Environmental Public Health.**
6 The Division of Environmental Health shall pursue for possible adoption and
7 implementation, activities that will promote and enhance the field and
8 services of environmental public health. Such activities may include, but not
9 limited to, updating existing rules and regulations; awareness and education
10 campaigns; public outreach programs; development of partnerships with
11 stakeholders; and review of innovative practices, projects, or technologies to
12 improve the delivery of environmental public health services to the people of
13 Guam.”

14 **Section 14.** A new §6233.10 is added to Article 2 of Chapter 6, Title 4,
15 Guam Code Annotated, to read:

16 “**§6233.10. Implementation.** (a) Unless otherwise indicated, the
17 Director of Administration shall closely coordinate with the
18 Department of Public Health and Social Services to implement the
19 provisions of this Act within ninety (90) days of enactment.”

20 **Section 15.** A new §6233.11 is added to Article 2 of Chapter 6, Title 4,
21 Guam Code Annotated, to read:

22 “**§6233.11. Salary Structure for Division Heads of the Department of**
23 **Public Health and Social.** The Department of Administration shall review,
24 and adjust as necessary, the pay structure of classified employees serving as
25 the head of the division within the Department of Public Health Social
26 Services to ensure their pay grades reflect the department’s organizational

1 structure whereby division heads are hierarchically above supervisors of
2 bureaus, sections, units, and other organizational levels of the department
3 regardless of the division. Pursuant to Title 10 GCA, Part 1, the divisions of
4 the Department of Public Health and Social Services shall be the Division of
5 Public Health, Division of Public Welfare, Division of Environmental
6 Health, and the Division of Senior Citizens.”

7 **Section 16.** A new §6233.12 is added to Article 2 of Chapter 6, Title 4,
8 Guam Code Annotated, to read:

9 **“§6237.12. Acknowledging the Functions of the Division of**
10 **Environmental as Vital Component in Protecting Public Health.** It shall
11 be acknowledged by the government of Guam that the services provided by
12 the Division of Environmental of the Department of Public Health and
13 Social Services are vital in protecting the health of the people of Guam and
14 the duties and responsibilities of the Environmental Public Health Officers
15 and other supporting personnel of DEH are critical to the mission of the
16 division.”

17 **Section 17.** Section 20121 of Chapter 20, Division 2, Title 10, Guam Code
18 Annotated, is amended to read:

19 **“§20121. Environmental Health Fund.** There is hereby created, separate
20 and apart from other funds of the government of Guam, a fund known as the
21 “Environmental Health Fund.” The Fund shall *not* be commingled with any
22 other fund and shall be deposited into a separate bank account. Any and all
23 fees collected pursuant to this Part, unless otherwise specifically provided,
24 shall be deposited into the Fund and it shall be expended upon Legislative
25 appropriation solely in support of the functions of the Division of
26 Environmental Health of the Department of Public Health & Social Services.
27 *I Liheslaturan Guåhan* shall every fiscal year appropriate and authorize the

1 Department of Public Health & Social Services to expend up to the level of
2 revenues collected in the Fund for the operation of the Division of
3 Environmental Health. Any unexpended balance of the Fund shall be
4 carried over into the next fiscal year. These funds are not subject to the
5 transfer authority of the Director of the Department of Public Health &
6 Social Services or *I Maga'lahaen Guahan* unless specifically cited by name
7 and authorized in any appropriation law.”

8
9 **Section 18.** A new Section 20122 is added to Chapter 20 of Division 2,
10 Title 10, Guam Code Annotated, to read:

11 **“§20122. Fee Schedule Review.**

12 (a) The Division of Environmental Health shall annually review, and
13 revise if necessary, all fee schedule(s) of the division to determine if there is
14 a need to adjust such fees for recouping costs incurred, or will be incurring,
15 by the division for issuing permits, certificates, and registrations; conducting
16 inspections; and any other services provided by the division as required by
17 law.

18 (b) The economic impact statement exemption provided in §9301(i)
19 of Article 3, Chapter 9 of Title 5 Guam Code Annotated for the purpose of
20 fee adoption shall be applied to any proposed fee increase of the division
21 only *if* the difference of such increase is Five Hundred Thousand Dollars
22 (\$500,000.00) or less as determined by the Department of Public Health and
23 Social Services.”

24 **Section 19.** A new §20123 is added to Chapter 20 of Division 2, Title 10,
25 Guam Code Annotated, to read:

26 **“Section 20123. Environmental Health Military Build-Up Fund.** (a)
27 There is hereby created the Environmental Health Military Build-Up Fund,

1 which shall be separate and apart from the General Fund in its own bank
2 account. Monies in this fund shall not lapse at the end of a fiscal year but
3 shall roll-over until used by the DPHSS for the overall cost in the operation
4 of the Division of Environmental Health of the Department of Public Health
5 and Social Services. The fund may also be used for personnel expenses.”

6 **Section 20.** Section 7119 of Chapter 7 of Division 1, Title 22, Guam Code
7 Annotated is amended to read:

8 **“§7119. Registration Fee.**

9 (a) The Guam Department of Labor is authorized to collect a
10 registration fee of One Thousand Dollars (\$1,000) annually per non-
11 immigrant temporary worker for each calendar year or a fraction thereof
12 from the employer of each non-immigrant temporary worker, payable at the
13 time of registration by the non-immigrant worker.

14 (b) Fund collected pursuant thereto shall be subject to legislative
15 appropriation, and shall be used solely to support §7120, Chapter 7, Title 22
16 GCA (Manpower Development Fund), ~~and the Skills Training Programs and~~
17 the activities of the Department of Public Health and Social Service,
18 Environmental Health Division. Eighty point Forty-five percent (80.45%) of
19 funds collected shall go to the MDF and appropriated pursuant to §7120,
20 Chapter 7 of Title 22 GCA; the remaining Nineteen point Forty-five percent
21 (19.55%) shall be deposited into the Environmental Health Military Build-
22 Up Fund. Funds allocated for the Manpower Development and Skills
23 Training Programs are used for Guam residents in order to eliminate the
24 needs to bring non-immigrant temporary workers on Guam. Environmental
25 Health Military Build-Up Fund is used to ensure that worker’s dormitories
26 and other facilities regulated by the Division of Environmental Health of the
27 Department of Public Health and Social Services comply with sanitary

1 requirements of governing rules and regulations, and for the implementation
2 of other environmental public health programs of the division, to protect the
3 health of the non-immigrant temporary workers, island visitors, and the
4 people of Guam from environmental hazards. In preparation for the large
5 number of workers' dormitories and other regulated facilities that will open
6 as a result of the military expansion on Guam, the Division of
7 Environmental Health may recruit temporary, limited term employees until
8 September 30, 2015."

9 **Section 21. Interpretation.** The provisions of this Act shall be liberally
10 construed to ensure the spirit and intent of the act are applied and implemented for
11 the modernization and revitalization of the Division of Environmental Health in the
12 protection of public health.

13 **Section 22. Severability.** If any provision of this Act or its application to
14 any person or circumstance is held invalid, the invalidity does not affect other
15 provisions or applications of this Act which can be given effect without the invalid
16 provision or application, and to this end the provisions of this Act are severable.

17 **Section 20. Effective Date.** This Act shall take effect immediately upon
18 enactment.