



Office of the Governor of Guam

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Felix P. Camacho  
Governor

Michael W. Cruz, M.D.  
Lieutenant Governor

DEC 14 2010

2010 DEC 17 PM 4:04

The Honorable Judith T. Won Pat, Ed.D.  
Speaker  
Mina' Trenta Na Liheslaturan Guåhan  
155 Hessler Street  
Hagåtña, Guam 96910

Dear Speaker Won Pat:

Transmitted herewith is Substitute Bill No. 479-30 (COR): "AN ACT TO AMEND SUBSECTION (s) OF §80189, CHAPTER 80, DIVISION 4, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO EXPANDING THE BORROWING ABILITY OF THE GUAM MEMORIAL HOSPITAL AUTHORITY BY INCLUDING THE AUTHORIZATION TO ALSO ENTER INTO REVOLVING LOAN FUNDS, AND DIRECT LOANS" which was signed into law on December 9, 2010 as **Public Law 30-200**.

Sinseru yan Magåhet,

**FELIX P. CAMACHO**  
I Maga'låhen Guahan  
Governor of Guahan

Attachment: copy of Bill

I MINA'TRENTA NA LIHESLATURAN GUÅHAN  
2010 (SECOND) Regular Session

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

This is to certify that Substitute Bill No. 479-30 (COR), "AN ACT TO AMEND SUBSECTION (s) OF §80109, CHAPTER 80, DIVISION 4, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO EXPANDING THE BORROWING ABILITY OF THE GUAM MEMORIAL HOSPITAL AUTHORITY BY INCLUDING THE AUTHORIZATION TO ALSO ENTER INTO REVOLVING LOAN FUNDS, AND DIRECT LOANS", was on the 30<sup>th</sup> day of November 2010, duly and regularly passed.



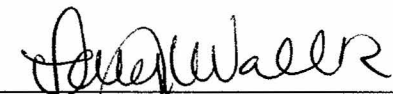
Judith T. Won Pat, Ed. D.  
Speaker

Attested:


  
Tina Rose Muña Barnes  
Legislative Secretary

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This Act was received by *I Maga'lahaen Guåhan* this 1<sup>st</sup> day of DEC, 2010, at  
1100 o'clock A.M.

  
Assistant Staff Officer  
*Maga'lahaen's Office*

APPROVED:

  
FELIX P. CAMACHO  
*I Maga'lahaen Guåhan*

Date:

9 DEC. 2010

Public Law No. P.L. 30-200

***I MINA'TRENTA NA LIHESLATURAN GUÅHAN***  
**2010 (SECOND) Regular Session**

**Bill No. 479-30 (COR)**

As substituted by Committee on Economic Development,  
Health & Human Services and Judiciary, and amended  
on the Floor.

Introduced by:

F. B. Aguon, Jr.  
v. c. pangelinan  
F. F. Blas, Jr.  
Judith T. Guthertz, DPA  
T. R. Muña Barnes  
T. C. Ada  
V. Anthony Ada  
E. J.B. Calvo  
B. J.F. Cruz  
J. V. Espaldon  
Adolpho B. Palacios, Sr.  
R. J. Respicio  
Telo Taitague  
Ray Tenorio  
Judith T. Won Pat, Ed.D.

**AN ACT TO *AMEND* SUBSECTION (s) OF §80109,  
CHAPTER 80, DIVISION 4, TITLE 10, GUAM CODE  
ANNOTATED, RELATIVE TO EXPANDING THE  
BORROWING ABILITY OF THE GUAM MEMORIAL  
HOSPITAL AUTHORITY BY INCLUDING THE  
AUTHORIZATION TO ALSO ENTER INTO  
REVOLVING LOAN FUNDS, AND DIRECT LOANS.**

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

2           **Section 1. Legislative Findings.** *I Liheslaturan Guåhan* finds that the  
3 authorization for the Guam Memorial Hospital Authority (GMHA) to only enter

1 into a line of credit, as provided pursuant to Subsection (s) of §80109, Chapter 80,  
2 Division 4, Title 10, Guam Code Annotated, is *too* restrictive. And, so as to  
3 further broaden the scope of borrowing options available, *I Liheslaturan Guåhan*  
4 finds it appropriate to additionally authorize GMHA the borrowing alternatives of  
5 entering into the establishment of a revolving loan fund, and/or a direct loan.

6 Further, *I Liheslaturan Guåhan* finds it appropriate to provide for a waiver  
7 wherein the government of Guam waives immunity from any suit or action in  
8 contract upon the loan and guaranty. This provision is necessary to encourage the  
9 participation of lending institutions by ensuring they can pursue the recovery of  
10 funds loaned.

11 **Section 2.** Subsection (s) of §80109, Chapter 80, Division 4, Title 10,  
12 Guam Code Annotated, is hereby *amended* to read:

13 “(s) Arrange a line of credit, a revolving loan fund, and/or a direct  
14 loan, the total cumulative amount *not to exceed* Twenty-five Million Dollars  
15 (\$25,000,000), with banks or other lending institutions licensed to do  
16 business on Guam. All terms of the line of credit, a revolving loan fund,  
17 and/or a direct loan agreement *shall* be negotiated by the Authority and *I*  
18 *Maga’lahen Guåhan* [Governor] in the best interests of the people of Guam.  
19 The terms of the line of credit, a revolving loan fund, and/or a direct loan  
20 *shall* include the following:

21 (1) the line of credit, a revolving loan fund, and/or a direct  
22 loan *shall* be used by the Authority when a cash shortage threatens the  
23 operation of the Hospital, and provided that the loan *shall not* be used  
24 for the hiring of non-health care professionals *not* involved with  
25 providing direct patient care or patient care support;

26 (2) *no* charge *shall* be levied by a lender for making the loan;

1           (3) the interest rate *shall* be subjected to negotiation between  
2 the Authority or designee as authorized by the Board of Trustees, *I*  
3 *Maga'lahaen Guåhan* and the lender; such interest rate *shall* be  
4 computed on a monthly average and based on the actual amount  
5 extended to the Authority; and

6           (4) interest earned by the lender *shall* be exempt from  
7 taxation by the government of Guam.

8           (5) *I Maga'lahaen Guåhan* is authorized to pledge funds  
9 which Guam *shall* receive from the State Attorneys General Tobacco  
10 Litigation, as provided by Public Law 24-174, or the General Fund, or  
11 both funds in any combination, as a security for repayment of the  
12 loan, in addition to any revenues which may be pledged by the  
13 Authority. *I Maga'lahaen Guåhan* and the Authority are hereby  
14 authorized to execute the loan agreement, a revolving loan fund,  
15 and/or a direct loan agreement and other necessary documentation.

16           (6) The line of credit authorized in this Act *shall not* be used  
17 in the calculation for rate relief in any rate methodology for any rate  
18 case before the Public Utilities Commission.

19           (7) The primary source of repayment for the line of credit,  
20 revolving loan fund, and/or a direct loan *shall* be as authorized in  
21 Public Law 30-196, Chapter III, Part I, Section 6(b) (the FY 2011  
22 Budget Act). *If* required, the Authority may pledge, in addition, *only*  
23 its revenues as a security for repayment as determined by the  
24 negotiated agreement.

25           (8) Any money borrowed *shall* be repaid in accordance with  
26 the terms established in the negotiated agreement, but *not to exceed* an  
27 amortization period of *more than* twenty-five (25) years. In *no* case

1           *shall* any amount borrowed be refinanced permitting repayment *more*  
2           *than* twenty-five (25) years after the loan is made.

3           (9) Notwithstanding the provisions of Chapter 6 of Title 5 of  
4           the Guam Code Annotated, the government of Guam hereby waives  
5           immunity from any suit or action in contract upon the loan and  
6           guaranty but *does not* waive sovereign immunity as to the personal  
7           liability of elected or appointed officials and employees of the  
8           government Guam.”

9           **Section 3. Severability.** *If* any provision of this Act or the application  
10          thereof to any person or circumstances is held invalid, such invalidity *shall not*  
11          affect any other provision or application of this Act which can be given effect  
12          without the invalid provision or application, and to this end the provisions of this  
13          Act are severable.

14          **Section 4. Effective Date.** This Act *shall* become effective upon  
15          enactment.





**COMMITTEE ON ECONOMIC DEVELOPMENT,  
HEALTH & HUMAN SERVICES, AND JUDICIARY**

*I Mina' Trenta na Liheslaturan Guåhan* • 30th Guam Legislature

238 Archbishop F.C. Flores St., DNA Bldg., Suite 701A, Hagatña, Guam 96910

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November 23, 2010

Honorable Judith T. Won Pat  
Speaker  
I Mina' Trenta na Liheslaturan Guåhan  
155 Hesler Place  
Hagatña, Guam 96910

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

**RE: Committee Report - Bill No. 479-30 (COR), as Substituted by the  
Committee.**

Dear Speaker Won Pat:

Transmitted herewith is the **Committee Report** on Transmitted herewith for your consideration is the Committee Report on **SUBSTITUTE BILL NO. 479-30 (COR); "AN ACT TO EXPAND THE BORROWING ABILITY OF THE GUAM MEMORIAL HOSPITAL AUTHORITY BY INCLUDING THE AUTHORIZATION TO ALSO ENTER INTO REVOLVING LOAN FUNDS, AND DIRECT LOANS, BY AMENDING SUBSECTION (s) OF §80109, CHAPTER 80, DIVISION 4, TITLE 10, GUAM CODE ANNOTATED,"** introduced by: F. B. Aguon, Jr., and referred to the Committee on Economic Development, Health & Human Services, and Judiciary. Bill No. 479-30 (COR) was publicly heard on November 16, 2010.

Committee votes are as follows:

|          |                                  |
|----------|----------------------------------|
| <u>7</u> | <b>TO PASS</b>                   |
| _____    | <b>NOT TO PASS</b>               |
| _____    | <b>ABSTAIN</b>                   |
| _____    | <b>TO REPORT OUT ONLY</b>        |
| _____    | <b>TO PLACE IN INACTIVE FILE</b> |

Respectfully,

**SENATOR FRANK B. AGUON, JR.**

Attachment

2010 NOV 23 PM 3:45

**FRANK B. AGUON, JR.**  
SENATOR, CHAIRMAN

**ADOLPHO B. PALACIOS, SR.**  
SENATOR, VICE CHAIRMAN

**JUDITH T. WON PAT**  
SPEAKER  
EX-OFFICIO MEMBER

**BENJAMIN J.F. CRUZ**  
VICE SPEAKER

**TINA ROSE MUÑA BARNES**  
LEGISLATIVE SECRETARY

**THOMAS C. ADA**  
SENATOR

**JUDITH P. GUTHERTZ**  
SENATOR

**RORY J. RESPICIO**  
SENATOR

**FRANK F. BLAS, JR.**  
SENATOR

**TELO TAITAGUE**  
SENATOR

**RAY TENORIO**  
SENATOR





**COMMITTEE ON ECONOMIC DEVELOPMENT,  
HEALTH AND HUMAN SERVICES, AND JUDICIARY**  
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**COMMITTEE  
REPORT  
ON**

**BILL NO. 479-30 (COR), as Substituted**

Sponsored by: F. B. Aguon, Jr.

**“AN ACT TO EXPAND THE BORROWING ABILITY OF THE  
GUAM MEMORIAL HOSPITAL AUTHORITY BY  
INCLUDING THE AUTHORIZATION TO ALSO ENTER  
INTO REVOLVING LOAN FUNDS, AND DIRECT LOANS,  
BY AMENDING SUBSECTION (s) OF §80109, CHAPTER 80,  
DIVISION 4, TITLE 10, GUAM CODE ANNOTATED.”**



**COMMITTEE ON ECONOMIC DEVELOPMENT,  
HEALTH & HUMAN SERVICES, AND JUDICIARY**

*I Mina' Trenta na Liheslaturan Guåhan* • 30th Guam Legislature

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November 15, 2010

**FRANK B. AGUON, JR.**  
SENATOR, CHAIRMAN

**ADOLPHO B. PALACIOS, SR.**  
SENATOR, VICE CHAIRMAN

**JUDITH T. WON PAT**  
SPEAKER  
EX-OFFICIO MEMBER

**BENJAMIN J.F. CRUZ**  
VICE SPEAKER

**TINA ROSE MUÑA BARNES**  
LEGISLATIVE SECRETARY

**THOMAS C. ADA**  
SENATOR

**JUDITH P. GUTHERTZ**  
SENATOR

**RORY J. RESPICIO**  
SENATOR

**FRANK F. BLAS, JR.**  
SENATOR

**TELO TAITAGUE**  
SENATOR

**RAY TENORIO**  
SENATOR

**MEMORANDUM**

**To: ALL MEMBERS**

Committee on Economic Development, Health & Human Services, and  
Judiciary

**From: SENATOR FRANK B. AGUON, JR.**  
Committee Chairperson

**Subject: Committee Report on Bill No. 479-30 (COR), as Substituted.**

Transmitted herewith for your consideration is the Committee Report on **SUBSTITUTE BILL NO. 479-30 (COR)**; "AN ACT TO EXPAND THE BORROWING ABILITY OF THE GUAM MEMORIAL HOSPITAL AUTHORITY BY INCLUDING THE AUTHORIZATION TO ALSO ENTER INTO REVOLVING LOAN FUNDS, AND DIRECT LOANS, BY AMENDING SUBSECTION (s) OF §80109, CHAPTER 80, DIVISION 4, TITLE 10, GUAM CODE ANNOTATED," introduced by: F. B. Aguon, Jr.

This report includes the following:

- Committee Voting Sheet
- Committee Report Narrative / Digest
- Substitute Bill No. 479-30 (COR)
- Copy of Bill No.479-30 (COR)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony & Supporting Documents
- Copy of COR Referral of Bill No. 479-30 (COR)
- Notices of Public Hearing (1<sup>st</sup> and 2<sup>nd</sup>)
- Copy of the Public Hearing Agenda
- Related News Articles (Public hearing publication of public notice)

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

*Si Yu'os ma'åse'!*

Attachment



## COMMITTEE VOTING SHEET

**BILL NO. 479-30 (COR), as Substituted**

“AN ACT TO EXPAND THE BORROWING ABILITY OF THE GUAM MEMORIAL HOSPITAL AUTHORITY BY INCLUDING THE AUTHORIZATION TO ALSO ENTER INTO REVOLVING LOAN FUNDS, AND DIRECT LOANS, BY AMENDING SUBSECTION (s) OF §80109, CHAPTER 80, DIVISION 4, TITLE 10, GUAM CODE ANNOTATED.”

SPONSORED BY FRANK B. AGUON, JR.

|  | SIGNATURE    | TO<br>PASS    | NOT<br>TO<br>PASS | REPORT<br>OUT<br>ONLY | ABSTAIN | PLACE IN<br>INACTIVE<br>FILE |
|--|--------------|---------------|-------------------|-----------------------|---------|------------------------------|
| FRANK B. AGUON, JR.<br>Chairman                | <br>11/23/10 | ✓             |                   |                       |         |                              |
| ADOLPHO B. PALACIOS, SR.<br>Vice Chairman      | <br>11/23/10 | ✓             |                   |                       |         |                              |
| BENJAMIN J.F. CRUZ<br>Vice Speaker             |              |               |                   |                       |         |                              |
| TINA ROSE MUÑA BARNES<br>Legislative Secretary |              | 11/24/10<br>✓ |                   |                       |         |                              |
| THOMAS C. ADA                                  |              |               |                   |                       |         |                              |
| JUDITH P. GUTHERTZ                             | <br>11/23/10 | ✓             |                   |                       |         |                              |
| RORY J. RESPICIO                               | <br>11/24/10 | ✓             |                   |                       |         |                              |
| FRANK F. BLAS, JR.                             |              | ✓             |                   |                       |         |                              |
| TELO TAITAGUE                                  |              | ✓             |                   |                       |         |                              |
| RAY TENORIO                                    |              |               |                   |                       |         |                              |



**COMMITTEE ON ECONOMIC DEVELOPMENT,  
HEALTH AND HUMAN SERVICES, AND JUDICIARY**  
*I Mina'Trenta Na Liheslaturan Guåhan* • 30th Guam Legislature  
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**COMMITTEE REPORT DIGEST**

**Bill No. 479-30 (COR), as Substituted**

**I. OVERVIEW:** The Committee on Economic Development, Health & Human Services, and Judiciary conducted a public hearing on November 16, 2010. The Hearing convened at 09:00 A.M. in *I Liheslatura's* Public Hearing Room. Among the items on the agenda was the consideration of **BILL NO. 479-30 (COR)**; "AN ACT TO EXPAND THE BORROWING ABILITY OF THE GUAM MEMORIAL HOSPITAL AUTHORITY BY INCLUDING THE AUTHORIZATION TO ALSO ENTER INTO REVOLVING LOAN FUNDS, AND DIRECT LOANS, BY AMENDING SUBSECTION (s) OF §80109, CHAPTER 80, DIVISION 4, TITLE 10, GUAM CODE ANNOTATED," introduced by: F. B. Aguon, Jr.

**Public Notice Requirements**

Notices were disseminated via hand-delivery/fax and/or e-mail to all senators and all main media broadcasting outlets on November 08, 2010 (5-Day Notice), and again on November 13, 2010 (48-Hour Notice). Notices were published in the Marianas Variety on November 09, 2010, and in the Marianas Variety on November 12, 2010.

**Senators Present**

|                                  |                  |
|----------------------------------|------------------|
| Senator Frank B. Aguon, Jr.      | Chairperson      |
| Senator Adolpho B. Palacios, Sr. | Vice-Chairperson |
| Speaker Judith P. Guthertz       | Committee Member |
| Senator Vicente C. Pangelinan    | Senator          |

The public hearing on agenda item Bill No. 479-30 (COR) was Called-to-Order.

**II. SUMMARY OF TESTIMONY & DISCUSSION.**

**CHAIRMAN FRANK B. AGUON, JR.,** convened the Public Hearing on Bill No. 479-30 (COR). Ladies and Gentlemen. We are going to proceed with Bill 479-30(COR) - "AN ACT TO EXPAND THE BORROWING ABILITY OF THE GUAM MEMORIAL HOSPITAL AUTHORITY BY INCLUDING THE AUTHORIZATION TO ALSO ENTER INTO REVOLVING LOAN FUNDS, AND DIRECT LOANS, BY AMENDING SUBSECTION (s) OF §80109, CHAPTER 80, DIVISION 4, TITLE 10, GUAM CODE ANNOTATED."

Chairman Aguon, author of Bill NO. 479-30 (COR) explained the purpose of the Bill was relative to expanding the parameters of the borrowing authority of the Guam Memorial Hospital Authority. It

would, as well, extend the amortization period. The Bill is consistent with the intent of the existing statute, as provided in Subsection (s) of Chapter §80109, Division 4, Title 10, Guam Code Annotated. However, the existing provision only provides for GMHA to arrange a *line of credit*. However, the responding lending institutions wanted to offer loans that fell into the category of a revolving loan fund, and/or a direct loan. Additionally, the ceiling for borrowing by GMHA is currently set at \$12,000,000. The GMHA believes the borrowing level needs to be raised in light of their fiscal situation and other urgent needs.

Bill 479-30 (COR) - An Act To Expand The Borrowing Ability Of The Guam Memorial Hospital Authority By Including The Authorization To Also Enter Into Revolving Loan Funds, And Direct Loans, By Amending Subsection To Guam Code Annotated. I do have Ms. Jane Flores and Peter John Camacho, both from G.M.H. who are going to provide testimony. Ladies and Gentleman, I just want to provide for clarifications, The Code, that has been identified in Bill 479-30 (COR) ...and that has to be appropriately corrected only because there was this Legislation that was adopted in September (2010) and now, it is Public Law. And this particular Legislation was introduced shortly after that particular Legislation became law at that Legislature and now we have not received that document from the Chief Executive's Office. So the code that would be referenced here is Subsection §80109, Chapter 80 which is part of the new amended code applicable to the Administration of Guam Memorial Hospital Authority.

I want to provide that initial clarification. Also as a sponsor of this Legislation, one of the reasons why this has been brought forth forward is that , there was the authorization for GMH to go out and proceed ahead with the Line of Credit with a Million Dollar Fund set aside from the Healthy Pitcher Safety Fund, specifically to pay off the Line of Credit and in this particular case, G.M.H. Authority and Administration went out to the market. Unfortunately, a Line of Credit was not what was available out there by the Financial Institution. They had offered either the Direct Option or a Revolving Loan Fund. So, one of the things that Bill 479-30 (COR) provides is extend the authorization from a Line of Credit to also include those two other options which is the Revolving Loan Fund and the Direct Loan. So, I like to go ahead and recognize Mr. Peter John Camacho. Mr. Camacho, please identify yourself for the record and proceed with your statement, please.

**Peter John Camacho, Administrator, Guam Memorial Hospital Authority;** Provided oral testimony **IN SUPPORT** of Bill No. 479-30 (COR), and proposed amendments relative to raising the borrowing ceiling and the term of the amortization period.

Good morning. Thank you, Mr. Chairman and Members of the Committee. I am here to present all the testimony. I will submit my written testimony and to follow, Sir. But, we are here to support the passage or recommendation from this Committee to pass Bill No.479-30 (COR). And we thank you, Sir, for the clarifications that you mentioned previously. We would also like to work with your Committee, to see if we can perhaps,in terms of the limit, of the Line of Credit to perhaps increase it. And part of that is to the Government continued financial challenges and we believe that Government Cash Position goes to GMH and....so we like to have some flexibility to be able to look at perhaps...going higher than the recommended amount that was indicated in the Bill. Thank you, Sir.

**Senator Aguon:** Just on that note, Mr. Peter John Camacho. I know that the recommended adjustment would be from \$12Million as authorized by Law right now..to \$15million and you/re requesting to go above and beyond that.

**Peter John Camacho:** Yes, Sir... and simply as a contingency, so that in the event that, you know, we recognize the challenges...and we also recognize, that we need to be fiscally responsible...but we

would like to be, to see if a little bit more room in case...that there are challenges...that we do encounter. As we continue to move forward over the next several years.

**Senator Aguon:** Is there any recommended ceiling at this point in time?

**Peter John Camacho:** Yes, Sir.

**Senator Aguon:** Only because obviously the \$1million that is set aside,... is only going to carry you the \$12million to \$15million based on the terms of the revolving loan or the direct loan. So, that's one of the reasons why I was asking. Do you have any specific amount?

**Peter John Camacho:** Yes, Sir. We are looking at and we are requesting that the amount would be increased up to or not to exceed to \$25million.

**Senator Aguon:** And GMH would identify the additional funding source of every payment?

**Peter John Camacho:** Yes, Sir... and we would do our best diligence.

**Senator Aguon:** And you are going to come back to this body? Thank you, Mr. Peter John Camacho....Ms. Jane Flores.

**Jane B. Flores, M.B.A., Chief Financial Officer, Guam Memorial Hospital Authority;** Submitted written testimony (attached), and provided oral testimony, **IN SUPPORT** of Bill No. 479-30 (COR), and proposed amendments relative to raising the borrowing ceiling and the term of the amortization period.

Hafa Adai! Good morning, Senator Frank Aguon, Senator Palacios, and Senator Guthertz. My name is Jane Flores. I am the CFO for the G.M.H. Overseeing the financial aspects of the Hospital have been challenging. The operational needs, extend beyond that of the obvious, the pharmaceutical and clinical Staff...clean linen, proprietor-dietic supplements, medicinal, hazardous waste removal, physician dictation services..., even proper medical building papers are just a few of the wider range of support to provide the quality of care expected of our hospital. Also, unlike other autonomous agencies that are not able to withhold services if payment is not rendered, we are legislatively mandated to provide medical attention despite financial standing. This mandate has been a major contributing factor to our financial flux...In addition to our mandate the hospital as a facility, certified to provide as a Center of our Medical/Medicaid services. As of July 2010 we have been accredited by the Joint Commission. Because of the CMS certification, all persons who present themselves within the mortician condition in the emergency room, must be treated prior to any discussion of any Financial Obligation. Historically, we have seen that over 60%...of the total admission of patients for the Hospital on annual basis are Via our Emergency Room.

In addition to providing emergency room services, we are also capable of providing and performing major and minor surgical operations, radio surgical services, laboratory services, orthopedic services, hemo dialysis, acute and long term patient care. We are open 24 hours a day, 365 days a year. We are our Island response to Quality Medical Care. Although not directly involved in the delivery of the Hospital, I am quite mindful of our many needs. Prior to the untimely passing of our former Chairman of the Board of Trustees, Mr. Webb, he was exploring the possibility of the use of Line of Credit for the Hospital.

In August 2010, the Guam Economic Development Agency issued the RB (Revolving Bond) for the Line of Credit. Due to the insufficient number of responses, the R.B. was cancelled. The R.B.

(Revolving Bond) was re-issued again in 2010. Because the response to the proposal was deemed non-compliant with the requirements of the R.B. (Revolving Bond), it was cancelled again.

We are here before you today, in support of Bill No. 479-30. This would help to bridge the gap of the Hospitals. We have to bridge the Hospital's Current Financial Gap and the Growing Medical Needs of the Committee. There are evident in both the Hospitals Growth in Revenues and in the Expenditures. Collection continued to be difficult. This is due to the main and part to our patient mix. 60% of our patient-mix is made of Patients who are eligible for the MIP/MAP which is the Medical Aid and Medicare Programs. Another 30% represents patients that are Self-Pay Category. They include those who are truly do not have any form of insurance...as well as those who have insurance, but are still working to meet their insurance deductibles.

Given a mandate, the majority of our patients sent to our emergency room...and our patient mix , it makes that much more difficult for our physical staff to collect all that quality and medical services that have been provided. The collection challenges we faced, are reflected in our Accounts Payable. This growth in the Accounts Payable has greatly hampered the Hospital's possibility to effectively procure medical supplies, pharmaceutical and badly needed medical equipment. Notwithstanding this fact, our staff continued to maintain quality level of services to our patients.

In behalf of the hardworking employees of our Hospital, we humbly ask the Legislature to vote in favor Bill No. 479-30. The passage of this Bill will enable GEDA to once again source the Financial Market for qualified Bidders and most importantly the passage will enable the Hospital to continue to make a difference. This concludes my testimony. Thank you so much.

**Senator Aguon:** Thank you very, Ms. Flores. Thank you very much, Peter John Camacho, again for your testimonies this morning. Senators, any questions or comments? Senator Palacios?...Senator Gutherz?..

**Senator Palacios:** None, Mr. chairman

**Senator Gutherz:** None, Mr. Chairman

**Senator Aguon:** Too easy, Guys. But, for just one question. I guess one follow-up question in regards to the Timing, because of the Legislature's schedule to go on the Session next week. And then also, we do have plans for the sessions sometime in December. Are you urging us to try to expedite any consideration on this? Because I know that the adjustment number from \$15 million to \$25 million, that an issue that I would like to see in writing at least from your testimony, Mr.Peter John Camacho, that in fact that GMH would be able to try to identify any additional Funding Source just to be able to combine with the existing Health Future Fund.

**Peter john Camacho:** I will be getting to you (my written testimony) before week-end, Sir.

**Senator Aguon:** Yes, Please. Likewise again, thank you very much, Mr. Peter John Camacho and Ms. Jane Flores. For the information of the public, please forward all your information to my office no later than 12:00-noon Monday-November 22, 2010, if, by any chance, anyone would like to provide us on Bill No. 479-30. Thank you.

**Written Testimony Received. IN SUPPORT:**





MINA' TRENTA NA LIHESLATURAN GUAHAN  
THIRTIETH GUAM LEGISLATURE  
2010 (SECOND) Regular

Bill No. 479-30 (COR), as Substituted  
by Committee on Economic Development,  
Health & Human Services and Judiciary

Introduced by:

FRANK B. AGUON, JR.

AN ACT TO EXPAND THE BORROWING ABILITY OF THE  
GUAM MEMORIAL HOSPITAL AUTHORITY BY  
INCLUDING THE AUTHORIZATION TO ALSO ENTER  
INTO REVOLVING LOAN FUNDS, AND DIRECT LOANS,  
BY AMENDING SUBSECTION (s) OF §80109, CHAPTER 80,  
DIVISION 4, TITLE 10, GUAM CODE ANNOTATED.

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

2        **Section 1. Legislative Findings.** *I Liheslaturan Guahan* finds that the  
3 authorization for the Guam Memorial Hospital Authority (GMHA) to only  
4 enter into a line of credit, as provided pursuant to Subsection (s) of §80109,  
5 Chapter 80, Division 4, Title 10, Guam Code Annotated, is too restrictive.  
6 And, so as to further broaden the scope of borrowing options available, *I*  
7 *Liheslaturan Guahan* finds it appropriate to additionally authorize GMHA  
8 the borrowing alternatives of entering into the establishment of a revolving  
9 loan fund, and/or a direct loan.

1 Further, *I Liheslaturan Guahan* finds it appropriate to provide for a  
2 waiver wherein the government of Guam waives immunity from any suit  
3 or action in contract upon the loan and guaranty. This provision is  
4 necessary to encourage the participation of lending institutions by ensuring  
5 they can pursue the recovery of funds loaned.

6 **Section 2.** Subsection (s) of §80109, Chapter 80, Division 4, Title 10,  
7 Guam Code Annotated, is hereby amended to read:

8 (s) Arrange a line of credit, a revolving loan fund, and/or a  
9 direct loan, the total cumulative amount not to exceed Twenty-Five  
10 [Twelve] Million Dollars \$25,000,000 [(\$12,000,000)] with banks or  
11 other lending institutions licensed to do business on Guam. All terms  
12 of the line of credit, a revolving loan fund, and/or a direct loan  
13 agreement shall be negotiated by the Authority and I Maga'lahen  
14 Guåhan [Governor] in the best interests of the people of Guam. The  
15 terms of the line of credit, a revolving loan fund, and/or a direct loan  
16 shall include the following:

17 (1) the line of credit, a revolving loan fund, and/or a direct  
18 loan shall be used by the Authority when a cash shortage  
19 threatens the operation of the Hospital, and provided that the  
20 loan shall not be used for the hiring of non-health care  
21 professionals not involved with providing direct patient care or  
22 patient care support;

1                   (2) no charge shall be levied by a lender for making the  
2 loan;

3                   (3) the interest rate shall be subjected to negotiation  
4 between the Authority or designee as authorized by the Board  
5 of Trustees, I Maga'lahaen Guåhan and the lender; such interest  
6 rate shall be computed on a monthly average and based on the  
7 actual amount extended to the Authority; and

8                   (4) interest earned by the lender shall be exempt from  
9 taxation by the government of Guam.

10                   (5) I Maga'lahaen Guåhan is authorized to pledge funds  
11 which Guam shall receive from the State Attorneys General  
12 Tobacco Litigation, as provided by Public Law Number 24-174,  
13 or the General Fund, or both funds in any combination, as a  
14 security for repayment of the loan, in addition to any revenues  
15 which may be pledged by the Authority. I Maga'lahaen Guåhan  
16 and the Authority is hereby authorized to execute the loan  
17 agreement , a revolving loan fund, and/or a direct loan  
18 agreement and other necessary documentation.

19                   (6) The line of credit authorized in this Act shall not be  
20 used in the calculation for rate relief in any rate methodology  
21 for any rate case before the Public Utilities Commission.

22                   (7) The primary source of repayment for the line of  
23 credit, revolving loan fund, and/or a direct loan shall be as

1 authorized in P.L. 30-190, Chapter III, Part I, Section 6(b). If  
2 required, the Authority may pledge in addition only its  
3 revenues as a security for repayment as determined by the  
4 negotiated agreement.


5 (8) Any money borrowed shall be repaid in accordance  
6 with the terms established in the negotiated agreement, but not  
7 to exceed an amortization period of more than twenty-five (25)  
8 years. In no case shall any amount borrowed be refinanced  
9 permitting repayment more than twenty-five (25) years after  
10 the loan is made.

11 (9) Notwithstanding the provision of Chapter 6 of Title 5  
12 of the Guam Code Annotated, the government of Guam hereby  
13 waives immunity from any suit or action in contract upon the  
14 loan and guaranty but does not waive sovereign immunity as  
15 to the personal liability of elected or appointed officials and  
16 employees of the government Guam."

17 **Section 3. Severability.** If any provision of this Act or the  
18 application thereof to any person or circumstances is held invalid, such  
19 invalidity shall not affect any other provision or application of this Act  
20 which can be given effect without the invalid provision or application, and  
21 to this end the provisions of this Act are severable.

1           **Section 4. Effective Date.** This Act shall become effective upon  
2 enactment.

MINA' TRENTA NA LIHESLATURAN GUAHAN  
THIRTIETH GUAM LEGISLATURE  
2010 (SECOND) Regular

2010 OCT 18 PM 3:37  


Bill No. 479-30 (COR)

Introduced by:

FRANK B. AGUON, JR.

AN ACT TO EXPAND THE BORROWING ABILITY OF THE  
GUAM MEMORIAL HOSPITAL AUTHORITY BY  
INCLUDING THE AUTHORIZATION TO ALSO ENTER  
INTO REVOLVING LOAN FUNDS, AND DIRECT LOANS,  
BY AMENDING SUBSECTION (o) OF §80104, CHAPTER 80,  
DIVISION 4, TITLE 10, GUAM CODE ANNOTATED.

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

2           **Section 1. Legislative Findings.** *I Liheslaturan Guahan* finds that the  
3 authorization for the Guam Memorial Hospital Authority (GMHA) to only  
4 enter into a line of credit, as provided pursuant to Subsection (o) of §80104,  
5 Chapter 80, Division 4, Title 10, Guam Code Annotated, is too restrictive.  
6 And, so as to further broaden the scope of borrowing options available, *I*  
7 *Liheslaturan Guahan* finds it appropriate to additionally authorize GMHA  
8 the borrowing alternatives of entering into the establishment of a revolving  
9 loan fund, and/or a direct loan.

10           Further, *I Liheslaturan Guahan* finds it appropriate to provide for a  
11 waiver wherein the government of Guam waives immunity from any suit

1 or action in contract upon the loan and guaranty. This provision is  
2 necessary to encourage the participation of lending institutions by ensuring  
3 they can pursue the recovery of funds loaned.

4 **Section 2.** Subsection (o) of §80104, Chapter 80, Division 4, Title 10,  
5 Guam Code Annotated, is hereby amended to read:

6 “(o) Arrange a line of credit, a revolving loan fund, and/or a direct  
7 loan, the total cumulative amount not to exceed Fifteen [~~Three~~] Million  
8 Dollars (\$15,000,000), [~~(\$3,000,000)~~] with banks or other lending institutions  
9 licensed on Guam. All terms of the line of credit, a revolving loan fund,  
10 and/or a direct loan agreement shall be negotiated by the Authority in the  
11 best interests of the people of Guam. The terms of the line of credit, a  
12 revolving loan fund, and/or a direct loan agreement shall include the  
13 following:

14 (1) The line of credit shall be used by the Authority when a  
15 cash shortage which hampers the operation of the hospital is  
16 imminent, provided that the line of credit shall not be used to finance  
17 capital improvements or non-health care professionals.

18 (2) No charge shall be levied by a lender for opening the line of  
19 credit.

20 (3) The interest rate shall be subjected to negotiation between  
21 the Authority and the lender. Such interest rate shall be computed on

1 a monthly average and based on the actual amount extended to the  
2 Authority.

3 (4) Interest earned by the lender shall be exempt from taxation  
4 by the government of Guam.

5 (5) The Authority may pledge only its revenues as a security  
6 for repayment of the loan.

7 (6) Any money borrowed shall be repaid [~~within three (3)~~] in  
8 accordance with the terms established in the agreement, but not to  
9 exceed an amortization period of more than fifteen (15) years. In no  
10 case shall any amount borrowed be refinanced permitting repayment  
11 more than fifteen (15) [~~three (3)~~] years after the loan is made.

12 (7) Notwithstanding the provision of Chapter 6 of Title 5 of the  
13 Guam Code Annotated, the government of Guam hereby waives  
14 immunity from any suit or action in contract upon the loan and  
15 guaranty but does not waive sovereign immunity as to the personal  
16 liability of elected or appointed officials and employees of the  
17 government Guam."

18 **Section 3. Effective Date.** This Act shall become effective upon  
19 enactment.





**SENATOR FRANK B. AGUON, JR., Chairman**  
**COMMITTEE ON ECONOMIC DEVELOPMENT, HEALTH & HUMAN SERVICES, AND JUDICIARY**  
*I Mina'Trenta Na Liheslaturan Guåhan • 30th Guam Legislature*

**PUBLIC HEARING DATE / TIME:** Tuesday, November 16, 2010 / 9:00 am

**AGENDA ITEM: BILL NO. 479-30 (COR) – FRANK B. AGUON, JR.**

AN ACT TO EXPAND THE BORROWING ABILITY OF THE GUAM MEMORIAL HOSPITAL AUTHORITY BY INCLUDING THE AUTHORIZATION TO ALSO ENTER INTO REVOLVING LOAN FUNDS, AND DIRECT LOANS, BY AMENDING SUBSECTION (o) OF §80104, CHAPTER 80, DIVISION 4, TITLE 10, GUAM CODE ANNOTATED.

| NAME (PLEASE PRINT) | SIGNATURE | AGENCY OR ORGANIZATION | TESTIMONY |         | IN FAVOR | OPPOSE | CONTACT # |
|---------------------|-----------|------------------------|-----------|---------|----------|--------|-----------|
|                     |           |                        | ORAL      | WRITTEN |          |        |           |
| Jane B. Flores      |           | GMHA                   |           | ✓       | ✓        |        | 647-2190  |
| Peter San Camacho   |           | GMHA                   | ✓         |         | ✓        |        | 647-2211  |
|                     |           |                        |           |         |          |        |           |
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|                     |           |                        |           |         |          |        |           |



# Guam Memorial Hospital Authority Aturidåt Espetåt Mimuriåt Guåhan



850 GOV. CARLOS CAMACHO ROAD  
OKA, TAMUNING, GUAM 96913  
TEL: (671) 647-2444 or 647-2330  
FAX: (671) 649-0145

Senators Hafa Adai and good morning. My name Jane Flores, CFO of the Hospital. Overseeing the financial aspect of the Hospital has been challenging. The operational needs extend beyond that of the obvious, pharmaceuticals and qualified clinical personnel. Clean linen, proper dietetic and nutritional supplements, medical hazardous waste removal, physician dictation services, proper medical billing forms – are just a few of the wide range of support necessary to provide the quality of care expected of our Hospital.

Unlike other autonomous agencies that are able to withhold services if payment is not rendered, we are legislatively mandated to provide medical attention despite financial standing. This mandate has been a major contributing factor to our financial flux. In addition to our mandate, the Hospital is a facility certified by the Center of Medicare and Medicaid Services and as of July 2010, accredited by *The Joint Commission*. Thus, all persons who present with an emergency medical condition must be treated prior to any discussion of financial obligation. Historically, we have seen that over sixty (60%) of total patient admissions are via our emergency room.


In addition to providing emergency room services, we are also capable of performing major and minor surgical operations, radiological services, laboratory services, orthopedic services, hemodialysis, acute and long term patient care, Being open 24 hours, 365 days a year, we are the island's response to quality medical care.

Although not directly involved in the delivery of the quality care at our Hospital, I am quite mindful of our many needs. Prior to the untimely passing of our former Chairman of the Board of Trustees, Mr. Webb was exploring the possibility of the use of a line of credit for the Hospital. In August of 2010, the Guam Economic Development Agency issued the RFP for the line of credit. Due to an insufficient number of responses, the RFP was cancelled. The RFP was reissued in September. Because the response to the proposal was deemed noncompliant with the requirements of the RFP, it was cancelled again.

We are here before you today in support of the bill 479-30. This would help to bridge the Hospital's current financial gap. The growing medical needs of our community are evident in both the growth of Hospital's revenues and operational expenditures. Collections continue to be difficult. This is due to our patient mix. Sixty percent of our payor mix is made up of patients who are eligibles for the MIP, MAP, and Medicare programs. Another 30% represent patients in the Self Pay category and includes those who truly do not have any form of health insurance as well as those with insurance who still must meet their insurance co-payment deductibles. Given our mandate, the majority of our patients are seen in our emergency room, and our patient mix, it makes that much more difficult for our fiscal staff to collect on all the quality medical services that have been provided. The collection challenges we face are reflected in our accounts payable. This growth in accounts payable has greatly hampered the Hospital's ability to efficiently procure medical supplies, pharmaceuticals, and medical equipment. Notwithstanding this fact, our staff maintains quality levels of service.

On behalf of all the hardworking employees of our Hospital, we humbly ask that the Legislature vote in favor of bill 479-30. Passage of the bill will enable GEDA to once again, source the financial market for qualified bidders. Most importantly, passage will enable the Hospital to continue to make a difference.

If you should have any questions, I hope I can offer guidance and assistance. Thank you.



Jane B. Flores, M.B.A.  
GMHA Chief Financial Officer

# Guam Memorial Hospital Authority

## Aturidat Espetat Mimuriat Guahan

850 GOV. CARLOS CAMACHO ROAD  
 OKA, TAMUNING, GUAM 96913  
 TEL.: (671) 647-2410 or 647-2443  
 FAX: (671) 649-0145

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### FACSIMILE TRANSMITTAL SHEET

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|               |  |                                     |   |
|---------------|--|-------------------------------------|---|
| TO:           | Senator Frank B. Aguon Jr  | FROM:                               | Mr. Peter John D. Camacho/ Hospital Administrator/CEO |
| COMPANY:      | Thirtieth Guam Legislature<br>Chairman, Committee on Economic Development, Health & Human Services and Judiciary | DATE:                               | NOVEMBER 8, 2010                                      |
| FAX NUMBER:   | (671) 969-1497   | TOTAL NO. OF PAGES INCLUDING COVER: | 2   |
| PHONE NUMBER: | (671) 969-1495/96  | SENDER'S REFERENCE NUMBER:          |   |
| RE:           | Support for Bill No. 479-30  | YOUR REFERENCE NUMBER:              |   |

URGENT     FOR REVIEW     PLEASE COMMENT     PLEASE REPLY     PLEASE RECYCLE

---

NOTES/COMMENTS:

Please see attach letter.

Thank you.

Regards,  


Esther S. Sablan  
 GMHA, Administration Office

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### FACSIMILE CONFIDENTIALITY NOTICE

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The documents accompanying this transmission contain confidential information that is legally privileged. This information is intended only for the use of the individual or entity named above. The authorized recipient of this information is prohibited from disclosing this information to any other party unless required to do so by law or regulation and is required to destroy the information after its stated need has been fulfilled.

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# Guam Memorial Hospital Authority Aturidåt Espetåt Mimuriåt Guåhan



850 GOV. CARLOS CAMACHO ROAD  
OKA, TAMUNING, GUAM 96913  
TEL: (671) 647-2444 or 647-2330  
FAX: (671) 649-0145

November, 23, 2010

## VIA HAND DELIVERY

The Honorable Frank B. Aguon, Jr.  
Senator and Chairman, Committee on Economic  
Development, Health & Human Services and Judiciary  
Thirtieth Guam Legislature  
Ste. 701 A, DNA Building  
238 Archbishop Flores Street  
Hagåtña, Guam, 96910

**RE: Bill No. 479-30**

Dear Senator Aguon:

Buenas yan Saludul! This is to fully endorse Bill 479-30 which enables the Hospital to bridge its current financial gap in order to meet pressing vendor liabilities. The Hospital is cognizant of the importance to sustain good customer relationships with its partners in order to meet our mission in the delivery of quality health care.

The Hospital pledges its revenues in order to match the funding from the Healthy Future Funds as the combined repayment funding source. The Hospital has seen the growth in revenue over the past five years. Although the revenues continues to stem from its main payor of MIP, MAP, Medicare, and Self Pay, the Hospital will continue to work aggressively to collect on outstanding patient accounts. We have recently hired an in-house attorney who will work with our Chief Financial Officer in the development of a collection plan. The creation of a public service announcement to educate the public of the impact of non-payment is also been identified as a means to collect on outstanding accounts.


For those accounts the Hospital has deemed uncollectible, use of the Charity care as identified in P.L. 30-196, Chapter III, Part I, Section 3, §26208.2 can also be used to supplement the additional required revenues to meet the negotiated terms of the financial instrument.

Page 2: Letter to Senator Aguon  
RE: Support for Bill 479-30  
November 23, 2010

The Hospital is grateful for the continued support from your office. Your assistance during your tenure As Chairman of the Committee on Economic Development, Health & Human Services, and Judiciary, has helped our island's only local hospital to meet our growing community health needs.

Dangkulo Na Agradesimiento. Put Respetu!

Senseramente,

  
PETER JOHN D. CAMACHO, MPH  
Hospital Administrator/CEO



# COMMITTEE ON RULES

*I Mina'Trenta na Libeslaturan Guåhan* • 30th Guam Legislature

155 Hesler Place, Hagatña, Guam 96910 • tel: (671)472-7679 • fax: (671)472-3547 • roryforguam@gmail.com

**SENATOR  
RORY J.  
RESPICIO  
CHAIRPERSON**

**SENATOR  
Judith P. Guthertz  
VICE  
CHAIRPERSON**

**MAJORITY  
MEMBERS:**

**Judith T. Won Pat  
SPEAKER**

**Benjamin J. F. Cruz  
VICE SPEAKER**

**Tina Rose Muña Barnes  
LEGISLATIVE SECRETARY**

**Thomas C. Ada  
SENATOR**

**Frank B. Aguon, Jr.  
SENATOR**

**Adolpho B. Palacios, Sr.  
SENATOR**

**Vicente C. Pangelinan  
SENATOR**

**MINORITY  
MEMBERS:**

**Frank F. Blas, Jr.  
SENATOR**


**James V. Espaldon  
SENATOR**

## 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. 479-30 (COR) – “AN ACT TO EXPAND THE BORROWING ABILITY OF THE GUAM MEMORIAL HOSPITAL AUTHORITY BY INCLUDING THE AUTHORIZATION TO ALSO ENTER INTO REVOLVING LOAD FUNDS, AND DIRECT LOANS BY AMENDING SUBSECTION (O) OF §80104, CHAPTER 80, DIVISION 4, TITLE 10, GUAM CODE ANNOTATED”** – on October 22, 2010. COR hereby certifies that BBMR confirmed receipt of this request on October 22, 2010.

COR further certifies that a response to this request was not received by 5:00 P.M. on November 15, 2010, the fourteenth day after the request was received by BBMR. Therefore, pursuant to 2 GCA §9105, the requirement for a fiscal note, or waiver thereof, on Bill 479 to be included in the committee report on said bill, is hereby waived.

Certified by:

  
\_\_\_\_\_  
**Senator Rory J. Respicio**  
Chairperson, Committee on Rules

11/23/10  
\_\_\_\_\_  
**Date**

MESSAGE CONFIRMATION

OCT-22-2010 01:50 PM FRI

FAX NUMBER : 4772240  
NAME : GNF

NAME/NUMBER : 4722825  
PAGE : 5  
START TIME : OCT-22-2010 01:50PM FRI  
ELAPSED TIME : 00' 36"  
MODE : STD ECM  
RESULTS : [ O.K ]



COMMITTEE ON RULES

*I Mina Trenta na Libeslaturan Guåhan* • 30th Guam Legislature

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SENATOR

MINORITY  
MEMBERS:

Frank F. Blas, Jr.  
SENATOR

James V. Espaldon  
SENATOR

October 22, 2010

VIA FACSIMILE  
(671) 472-2825

Ms. Bertha Duenas  
Director  
Bureau of Budget & Management Research  
P.O. Box 2950  
Hagåtña, Guam 96910

RE: Request for Fiscal Notes – Bills No. 479-30 (COR) & 483-30 (COR)

Hafa Adai Ms. Duenas:

Transmitted herewith is a listing of *I Mina Trenta na Libeslaturan Guåhan*'s most recently introduced bills. Pursuant to 2 CCA §9103, I respectfully request the preparation of fiscal note for the referenced bill.

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

Very Truly Yours,

  
Rory J. Respicio

Attachments

*Rec'd 10/22/10  
By Justice*





**COMMITTEE ON RULES**

*I Mina' Trenta na Libeslaturan Guåhan* • 30th Guam Legislature

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SENATOR**

**Adolpho B. Palacios, Sr.  
SENATOR**

**Vicente C. Pangelinan  
SENATOR**

**MINORITY  
MEMBERS:**

**Frank F. Blas, Jr.  
SENATOR**

**James V. Espaldon  
SENATOR**

October 19, 2010

**MEMORANDUM**

**To: Pat Santos**  
*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. 479-30 (COR)**

2010 OCT 19 PM 12:25

As Chairperson of the Committee on Rules, I am forwarding my referral of Bill No. 479-30 (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 Senators of *I Mina' Trenta Na Liheslaturan Guåhan*.

Should you have any questions, please contact Stephanie Mendiola or Elaine V. Tajalle at 472-7679.

*Si Yu'os Ma'åse'!*

(1) Attachment

*I Mina'Trenta Na Liheslaturan Guåhan*

**Bill Log Sheet**

Page 1 of 2

| <b>Bill No.</b>  | <b>Sponsor(s)</b>    | <b>Title</b>  | <b>Date Introduced</b> | <b>Date Referred</b> | <b>120 Day Deadline</b> | <b>Committee Referred</b>   | <b>Public Hearing Date</b> | <b>Date Committee Report Filed</b> | <b>Status (Date)<br/>Passed?<br/>Failed?<br/>Vetoed?<br/>Overridden?<br/>Public Law?</b> |
|------------------|----------------------|---|------------------------|----------------------|-------------------------|---|----------------------------|------------------------------------|--|
| B479-30<br>(COR) | Frank. B. Aguon, Jr. | An act to expand the borrowing ability of the Guam Memorial Hospital Authority by including the authorization to also enter into revolving loan funds, and direct loans, by amending Subsection (o) of §80104, Chapter 80, Division 4, Title 10, Guam Code Annotated. | 10/18/10<br>3:31 p.m.  | 10/19/10             |                         | Committee on Economic Development, Health and Human Services, and Judiciary |                            |                                    |  |



**COMMITTEE ON ECONOMIC DEVELOPMENT,  
HEALTH AND HUMAN SERVICES, AND JUDICIARY**  
*I Mina'Trenta Na Liheslaturan Guåhan* • 30th Guam Legislature  
238 Archbishop F.C. Flores St., DNA Bldg., Suite 701A, Hagatña, Guam 96910  
Tel: (671) 969-1495/6 • Fax: (671) 969-1497 • Email: aguon4guam@gmail.com

**FRANK B. AGUON, JR.**  
SENATOR, CHAIRMAN

**ADOLPHO B. PALACIOS, SR.**  
SENATOR, VICE CHAIRMAN

**JUDITH T. WON PAT**  
SPEAKER  
EX-OFFICIO MEMBER

**BENJAMIN J.F. CRUZ**  
VICE SPEAKER

**TINA ROSE MUÑA BARNES**  
LEGISLATIVE SECRETARY

**THOMAS C. ADA**  
SENATOR

**JUDITH P. GUTHERTZ**  
SENATOR

**RORY J. RESPICIO**  
SENATOR

**FRANK F. BLAS, JR.**  
SENATOR

**TELO TAITAGUE**  
SENATOR

**RAY TENORIO**  
SENATOR

November 8, 2010

**MEMORANDUM**

**TO:** Honorable Senators/Committee Members  
*Committee on Economic Development,  
Health & Human Services, and Judiciary*

**FROM:** SENATOR FRANK B. AGUON, JR.  
*Chairman*

**SUBJECT:** FIRST NOTICE  
NOTICE OF PUBLIC HEARING AND OVERSIGHT HEARING  
TUESDAY, NOVEMBER 16, 2010, 9:00 AM

*Buenas yan Hafa Adai!*

Please be advised that the Committee on Economic Development, Health & Human Services, and Judiciary will be conducting a Public Hearing and Oversight Hearing on **TUESDAY, NOVEMBER 16, 2010, 9:00 AM** in the Guam Legislature's Public Hearing.

Please see the attachment for agenda items. Should you have any questions, please contact Mr. Ron Teehan from my office.

*Un dangkulo' na Si Yu'os Ma'ase'.*

Cc: Sergeant-at-Arms/Protocol/AV/MIS  
Stephanie Mendiola, COR  
Clerk of the Legislature

## PUBLIC HEARING - 1st NOTICE

from **Frances Lizama** <lizama.frances@gmail.com> [hide details](#) 4:42 PM (0 minutes ago) Reply

to "SEN. ADA, Thomas C." <tom@senatorada.org>,  
 "SEN. ADA, Tony" <senatoronyada@guamlegislature.org>,  
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date Mon, Nov 8, 2010 at 4:42 PM  
 subject PUBLIC HEARING - 1st NOTICE  
 mailed-by gmail.com

Hafa Adai Senators:  
 Attached is the First Notice of Public Hearing and Agenda from Sen. Frank B. Aguon, Jr. Please see notice for details.  
***Un dangkulo' na Si Yu'os Ma'ase', and have a great day!***

FRANCES S. LIZAMA  
 Office of Senator Frank B. Aguon, Jr.  
 30th Guam Legislature  
 Committee on Economic Development,  
 Health & Human Services, and Judiciary  
 238 Archbishop F.C. Flores St.  
 DNA Bldg (old PDN), Suite 701A  
 Hagatna, Guam 96910  
 Tel: 671.969.1495/6  
 Fax: 671.969.1497



# SENATOR FRANK B. AGUON, JR.

Chairman, Committee on Economic Development,  
Health & Human Services, and Judiciary  
*I Mina' Trenta Na Liheslaturan Guåhan*  
(Thirtieth Guam Legislature)



## PRESS RELEASE

FOR IMMEDIATE RELEASE

NOVEMBER 8, 2010

## NOTICE OF PUBLIC HEARING AND OVERSIGHT HEARING

In accordance with the Open Government Law 24-109, relative to notice for public meetings, please let this serve as 5-Days Notice for a Public Hearing and Oversight Hearing by the Committee on Economic Development, Health & Human Services, and Judiciary, scheduled for

**DATE: TUESDAY, NOVEMBER 16, 2010**  
**TIME: 9:00 AM**  
**PLACE: GUAM LEGISLATURE PUBLIC HEARING ROOM**

Please see attached Agenda for listing of Bills that will be heard on this day. Persons with disabilities needing special accommodations/services, or for more information, please contact Mr. Ron Teehan, Committee Director at 969-1495/6.

#####

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|                                  |          |
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| KUAM TV/Radio                    | 637-9870 |
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| PNC News                         | 477-0793 |
| Marianas Variety                 | 648-2007 |
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| K-Stereo / KISH                  | 477-6411 |
| KPRG News                        | 734-2958 |
| KGTF                             | 734-3476 |
| Adventist Radio                  | 565-2983 |
| Harvest Radio                    | 477-7136 |
| Joy 92FM                         | 477-4678 |

**NOTICE OF PUBLIC HEARING**

from **Frances Lizama** <lizama.frances@gmail.com>  
to gerry@mvguam.com,  
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date Mon, Nov 8, 2010 at 4:48 PM  
subject NOTICE OF PUBLIC HEARING  
mailed-by gmail.com

Hafa Adai to All:

Attached is the First Notice of Public Hearing and Agenda from Sen. Frank B. Aguon, Jr. Please see notice for details.  
***Un dangkulo' na Si Yu'os Ma'ase', and have a great day!***

--

FRANCES S. LIZAMA  
Office of Senator Frank B. Aguon, Jr.  
30th Guam Legislature  
Committee on Economic Development,  
Health & Human Services, and Judiciary  
238 Archbishop F.C. Flores St.  
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**MEDIA - 1st NOTICE.docx**

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| Oct 25 | 1:37PM  | Received | 7341988<br>6717341988      | 0:53     | 2     | OK        |
| Oct 25 | 3:35PM  | Received | 7341988<br>6717341988      | 1:22     | 6     | OK        |
| Oct 25 | 3:56PM  | Received | 6714722229                 | 0:45     | 0     | No fax    |
| Oct 27 | 10:38AM | Fax Sent | 5655034                    | 3:23     | 8     | OK        |
| Oct 28 | 9:18AM  | Received | 671 649 2290<br>6716492290 | 2:19     | 6     | OK        |
| Oct 28 | 1:56PM  | Received | 475 3449<br>6714727593     | 4:40     | 14    | Error 232 |
| Oct 28 | 2:02PM  | Received | 475 3449<br>6714727593     | 3:58     | 14    | OK        |
| Nov 5  | 10:40AM | Received | 4723510<br>6714723589      | 0:28     | 1     | OK        |
| Nov 5  | 10:47AM | Received | 4723510<br>6714723589      | 0:19     | 1     | OK        |
| Nov 5  | 10:49AM | Received | 6716460799                 | 0:51     | 3     | OK        |
| Nov 5  | 3:48PM  | Received | 4723510<br>6714723589      | 0:19     | 1     | OK        |
| Nov 8  | 5:37PM  | Fax Sent | 7357413                    | 0:35     | 0     | Error 420 |
| Nov 8  | 5:39PM  | Fax Sent | 7357413                    | 0:40     | 1     | Cancel    |
| Nov 8  | 5:40PM  | Fax Sent | 7357413                    | 0:35     | 0     | Error 420 |
| Nov 8  | 5:44PM  | Fax Sent | 7357413                    | 0:37     | 0     | Error 420 |
| Nov 8  | 5:45PM  | Fax Sent | 7347413                    | 0:10     | 0     | Cancel    |
| Nov 9  | 10:18AM | Fax Sent | 6379870 - KUAM TV/RADIO    | 1:29     | 2     | OK        |
| Nov 9  | 10:20AM | Fax Sent | 4773982 - K57/POWER 98     | 0:51     | 2     | OK        |
| Nov 9  | 10:41AM | Fax Sent | 4773079 - PDN              | 1:22     | 2     | OK        |
| Nov 9  | 12:06PM | Fax Sent | 4770793 - PNC NEWS         | 0:50     | 2     | OK        |
| Nov 9  | 12:08PM | Fax Sent | 4786402 - GUAM NEWS WATCH  | 1:31     | 2     | OK        |
| Nov 9  | 12:10PM | Fax Sent | 4727663 - HIT RADIO 100    | 0:53     | 2     | OK        |
| Nov 9  | 12:11PM | Fax Sent | 4776411 - K-STEREO/KISH    | 1:13     | 2     | OK        |
| Nov 9  | 12:13PM | Fax Sent | 7342958 - KPRG NEWS        | 0:52     | 2     | OK        |
| Nov 9  | 12:16PM | Fax Sent | 7343476 - KGTF             | 0:54     | 2     | OK        |
| Nov 9  | 12:17PM | Fax Sent | 5652983                    | 1:10     | 1     | Error 403 |
| Nov 9  | 12:19PM | Fax Sent | 4777136 - HARVEST RADIO    | 0:59     | 2     | OK        |
| Nov 9  | 12:44PM | Fax Sent | 4774678 - JOY 92FM         | 0:51     | 2     | OK        |
| Nov 9  | 12:47PM | Fax Sent | 5652983 - ADVENTIST RADIO  | 1:41     | 2     | OK        |
| Nov 9  | 12:50PM | Fax Sent | 6482007 - MARIANAS VARIETY | 1:28     | 2     | OK        |

## Scientists and Administrators' Convention



The Asian Association of Agricultural Colleges and Universities (AAACU) held their biennial convention in Guam from Oct. 27 to 30. Dean of the College of Natural and Applied Sciences Lee Yudin is the AAACU president. The convention included scientists and administrators from universities and colleges from around Asia and the Pacific including Guam, Taiwan, Philippines, Malaysia, Korea, China, India, Thailand, Nepal, the CNMI and others. Pictured from left, front row, are: Dr. Israel Bau-Jen Jiang, National Chong-Hsing University, Taiwan; Dr. Victoria Alcala, Laguna State Polytechnic University, Philippines; Dr. Duina Chavez, Central State University; Dr. Evelyn Sangpin, Cavite State University, Philippines; Ms. Thelma Wagon, Laguna State Polytechnic University, Philippines; Ms. Annie Santos, University of Guam; Guam; Dr. Editha Gerficio, SEAMEO - SEARCA, Philippines; Dr. Minnie Pascoa, Mariano Marcos State University, Philippines; Dr. Aris Ibitis, Universiti Putra, Malaysia; Dr. Lee Yudin, President AAACU, University of Guam, Guam; Dr. Esbalina Serrano, University of Philippines Los Baños, Philippines; Ms. Feunnie Kil, Seoul National University, Korea; Dr. Aurora Del Rosario, Palau Community College, Palau; Dr. Eun Woo Park, Seoul National University, Korea; Dr. Ragh Singh, Indian Agricultural Universities Assoc., India; Dr. Chawali Hongpraporn, Kasetsart University, Thailand; Dr. Gil Sagugua Jr., Director of SEARCA, Philippines; Dr. Kama Sato, Mie University, Japan; Pictured from left, back row, are: Mr. Ross Mangiona, Northern Marianas Community College, Saipan; Dr. Domingo Angeles, University of Philippines Los Baños, Philippines; Mr. Mike Ogo, Northern Marianas Community College, Saipan; Dr. Jang Ho Kim, Northern Marianas Community College, Saipan; Dr. Mad Nasser Shamsudin, Universiti Putra, Malaysia; Dr. Jose Bacusmo, Visaya State University, Philippines; Dr. Shigeki Hattori, Nagoya University, Japan; Dr. Dainik Nepal Karki, Tribhuvan University, Nepal; Dr. Shiwachi Hiratsuka, Tokyo University of Agriculture, Japan; Mr. James Curran, College of Micronesia, Federated States of Micronesia; Dr. N. Nopchai Chamsila, Rajamangala University of Technology, Thailand; and Dr. Ricardo Wagon, Laguna State Polytechnic University, Philippines. [www.aaacu.org](http://www.aaacu.org)

## Annual storytelling festival this Saturday

**(HISTORIC Inalahan)** - Gief Pa'go Chamorro Cultural Village in Historic Inalahan has hosted a storytelling festival every year since 2009 and this year, the event will take place from 9 a.m. to 4 p.m. on Saturday.

The schedule of events includes a free narrated trolley ride through the Inalahan Historic District, stopping at five painted houses where the village youths will tell stories about the colorful scenes they helped to paint.

The painted history provides a nostalgic look into scenes of the 1950s, depicting families and relatives of many of today's youths going about their daily lives.

This on-going project, which began with painting the scenes drawn by artist Judy Flores from her childhood memories, helps engage the new generation in

learning about their heritage. The storytelling festival will help them learn to share these stories as junior tour guides for Historic Inalahan. After the Painted History Tour, village youths and the general public are invited to performances on stage at Gief Pa'go, featuring storytellers, dancers,

charters, and poets.

While enjoying the stories, the audience can visit booths and huts in the park to sample delicious Chamorro foods and see how many of these delicacies are made. While admission to the stories and tours is free, food tasting tickets are being sold to raise funds to continue the youth programs in historic Inalahan.

Traditional folkways, arts, and crafts will be demonstrated and sold. Coconut candy, sea salt, and woven items are produced daily and sold at the Gief Pa'go Gift Shop. Other traditional and contemporary crafters will join the Gief Pa'go staff with their demonstrations for this special day. Local authors will be on hand to tell stories and sell their books just in time for Christmas gifts.

## SBA opens nominations for small business awards

**(SBA)** - Each year during National Small Business Week, the U. S. Small Business Administration (SBA) recognizes outstanding small business owners for their contribution to the American economy and society.

The President has declared May 15 to 22, 2011, as National Small Business Week.

As part of National Small Business Week, the U.S. Small Business Administration takes the opportunity to highlight the impact of outstanding entrepreneurs, small business owners, and others from all 50 states and U.S. territories.

SBA is currently accepting nominations for several SBA award categories including the

2011 Small Business of the Year Award.

Last year's winner, Mr. Fong Wu of Sunny Wholesale, represented Guam in Washington DC at the National Small Business Week ceremonies. This year, another winner will be representing Guam in the national event.

In 2010, National Small Business Week honored an estimated 26.8 million small businesses in America.

Business entrepreneurs throughout the Pacific Region area will be honored during Small Business Week 2011 with many local events.

Through the work of entrepreneurs, jobs are created,

families are given a better life and whole communities are transformed. Please join us in the National Small Business Week celebration.

Nomination criteria and deadline dates for all award categories can be found by visiting the local SBA Guam Branch Office or by contacting Kenneth Lujan at (671) 472-7277.

This is an opportunity to recognize an individual or an organization dedicated to the support of the small business community. Please deliver all nominations to the U. S. Small Business Administration, 400 Route 8, FHB Bldg., Maile, Guam. Nominations are due on Friday, Nov. 12.



**SENATOR FRANK B. AGUIO, JR., Chairman**  
**COMMITTEE ON ECONOMIC DEVELOPMENT, HEALTH & HUMAN SERVICES, AND JUDICIARY**  
1550e Terrace and Liberdade Gardens • 9th Guam Legislature  
218 Architecture C. Plaza St., GPO Bldg., 9th Fl., Hagåtña, GUAM 96910  
Tel: (671) 498-1876 • Fax: (671) 498-1877 • Email: [senator@senate.guam.gov](mailto:senator@senate.guam.gov)

### NOTICE OF PUBLIC HEARING TUESDAY, NOVEMBER 16, 2010 PUBLIC HEARING ROOM AND OVERSIGHT HEARING GUAM LEGISLATURE PUBLIC HEARING ROOM

#### 2:00 PM - PUBLIC HEARING

- **BILL NO. 427-00 (CGR)** - To provide annual trainings for women aged 40 and over who are clients of the Medically Indigent Program, who medically necessary and as otherwise stipulated, by amending Title 30 GCA, Ch. 1, Chapter 2, § 2907.2(a).
- **BILL NO. 474-00 (CGR)** - To expand the borrowing ability of GMSB by including the institutions to also enter into revolving loan funds, and direct loans, by amending Subchapter (c) of 30GCA Ch. 30, Sec. 4, 30GCA.
- **BILL NO. 482-00 (CGR)** - To add Sub items 11144(2)(3), amend Subchapter 43039(c) of Art. 3, Ch. 4, 40GCA to establish an open process in HEALTHCARE INSURANCE negotiations for employers and retirees of the Government of Guam and to add items 14(2) and amend Subchapter 15500 of Art. 3, Ch. 15, 22GCA. This Act shall be known as the "Healthcare Insurance Transparency Act of 2010".

#### 3:00 PM - OVERSIGHT HEARING

Overnight hearing on the Guam Board of Allied Health Examiners.

To view the bill full content, visit the Guam Legislature's website at [www.guamlegislator.com](http://www.guamlegislator.com) (2010, Bill, 2010). Individuals requiring special accommodations or assist, or for further information, please contact Rep. Tebas at 969-3495/6.

THIS IS A UNPAID COPY OF GOVERNMENT PRINTING

### GOVERNMENT OF GUAM BEFORE THE COMMISSIONER OF BANKING & INSURANCE

#### "UNION SECURITY INSURANCE COMPANY" Petitioner

In the matter of the Application for Withdrawal and to Permanently Discontinue the Transaction of Insurance Business in Guam Pursuant to Title 22 GCA §15113

#### NOTICE OF INTENTION TO WITHDRAW

Notice is hereby given that UNION SECURITY INSURANCE COMPANY of 2325 GRAND BOULEVARD, KANSAS CITY, MO 64108 intends to Withdraw and to Permanently Discontinue the Transaction of Insurance Business in Guam, as of December 1, 2010. All outstanding policies issued in Guam by UNION SECURITY INSURANCE COMPANY have expired. All persons interested in this matter should write to THE COMPANY at the above address or call 1-800-214-2333, or the Office of the Commissioner of Banking and Insurance at Hagåtña, Guam at 671-1843-4346.





**COMMITTEE ON ECONOMIC DEVELOPMENT,  
HEALTH AND HUMAN SERVICES, AND JUDICIARY**

*I Mina'Trenta Na Liheslaturan Guåhan* • 30th Guam Legislature

238 Archbishop F.C. Flores St., DNA Bldg., Suite 701A, Hagatña, Guam 96910

Tel: (671) 969-1495/6 • Fax: (671) 969-1497 • Email: aguon4guam@gmail.com

**FRANK B. AGUON, JR.**

SENATOR, CHAIRMAN

**ADOLPHO B. PALACIOS, SR.**

SENATOR, VICE CHAIRMAN

**JUDITH T. WON PAT**

SPEAKER

EX-OFFICIO MEMBER

**BENJAMIN J.F. CRUZ**

VICE SPEAKER

**TINA ROSE MUÑA BARNES**

LEGISLATIVE SECRETARY

**THOMAS C. ADA**

SENATOR

**JUDITH P. GUTHERTZ**

SENATOR

**RORY J. RESPICIO**

SENATOR

**FRANK F. BLAS, JR.**

SENATOR

**TELO TAITAGUE**

SENATOR

**RAY TENORIO**

SENATOR

November 13, 2010

**MEMORANDUM**

**TO: Honorable Senators/Committee Members**

*Committee on Economic Development,  
Health & Human Services, and Judiciary*

**FROM: SENATOR FRANK B. AGUON, JR.**

*Chairman*

**SUBJECT: SECOND NOTICE  
NOTICE OF PUBLIC HEARING AND OVERSIGHT HEARING  
TUESDAY, NOVEMBER 16, 2010, 9:00 AM**

*Buenas yan Hafa Adai!*

Please be advised that the Committee on Economic Development, Health & Human Services, and Judiciary will be conducting a Public Hearing and Oversight Hearing on **TUESDAY, NOVEMBER 16, 2010, 9:00 AM** in the Guam Legislature's Public Hearing.

Please see the attachment for agenda items. Should you have any questions, please contact Mr. Ron Teehan from my office.

*Un dangkulo' na Si Yu'os Ma'ase'.*

Cc: Sergeant-at-Arms/Protocol/AV/MIS

Stephanie Mendiola, COR

Clerk of the Legislature

**SECOND NOTICE OF PUBLIC HEARING** P.H. NOTICES X

from **Frances Lizama** <lizama.frances@gmail.com>  
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date Sat, Nov 13, 2010 at 6:44 PM  
 subject SECOND NOTICE OF PUBLIC HEARING  
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Hafa Adai Senators:

Please see attached Notice of Public Hearing from Sen. Frank B. Aguon, Jr. Also attached is the Agenda.  
***Un dangkulo' na Si Yu'os Ma'ase', and have a great day.***

--

FRANCES S. LIZAMA  
 Office of Senator Frank B. Aguon, Jr.  
 30th Guam Legislature  
 Committee on Economic Development,  
 Health & Human Services, and Judiciary  
 238 Archbishop F.C. Flores St.  
 DNA Bldg (old PDN), Suite 701A  
 Hagatna, Guam 96910  
 Tel: 671.969.1495/6  
 Fax: 671.969.1497

2 attachments — [Download all attachments](#)

-  **SENATORS - 2nd NOTICE OF PUBLIC HRG.docx**  
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## **SENATOR FRANK B. AGUON, JR.**

Chairman, Committee on Economic Development,  
Health & Human Services, and Judiciary  
*I Mina' Trenta Na Liheslaturan Guåhan*  
(Thirtieth Guam Legislature)



---

# **PRESS RELEASE**

FOR IMMEDIATE RELEASE

NOVEMBER 13, 2010

## **NOTICE OF PUBLIC HEARING AND OVERSIGHT HEARING**

In accordance with the Open Government Law 24-109, relative to notice for public meetings, please let this serve as 48 Hrs Notice for a Public Hearing and Oversight Hearing by the Committee on Economic Development, Health & Human Services, and Judiciary, scheduled for

**DATE: TUESDAY, NOVEMBER 16, 2010**  
**TIME: 9:00 AM**  
**PLACE: GUAM LEGISLATURE PUBLIC HEARING ROOM**

Please see attached Agenda for listing of Bills that will be heard on this day. Persons with disabilities needing special accommodations/services, or for more information, please contact Mr. Ron Teehan, Committee Director at 969-1495/6.

#####

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**SECOND NOTICE OF PUBLIC HEARING** Inbox X P.H. NOTICES X


from **Frances Lizama** <lizama.frances@gmail.com>  
to gerry@mvguam.com,  
john@marianasmedia.com,  
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"TYQUIENGCO, Josh - SPB" <jtyquiengco@spbguam.com>,  
"WATANABE, Masako - Guam Gannett" <mwatanabe@guam.gannett.com>  
date Sat, Nov 13, 2010 at 6:48 PM  
subject SECOND NOTICE OF PUBLIC HEARING  
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Hafa Adai to All:

Please see attached Second Notice of Public Hearing and Agenda from Sen. Frank B. Aguon, Jr.  
***Un dangkulo' na Si Yu'os Ma'ase', and have a great day.***

--

FRANCES S. LIZAMA  
Office of Senator Frank B. Aguon, Jr.  
30th Guam Legislature  
Committee on Economic Development,  
Health & Human Services, and Judiciary  
238 Archbishop F.C. Flores St.  
DNA Bldg (old PDN), Suite 701A  
Hagatna, Guam 96910  
Tel: 671.969.1495/6  
Fax: 671.969.1497

 **MEDIA - 2nd NOTICE.docx**  
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# Court orders GovGuam to pay \$16M

By Jennifer Naylor Gesick  
jennifer@mvguam.com  
Variety News Staff

FEDERAL court visiting Judge Consuelo Marshall issued an order on Wednesday mandating the Government of Guam to deposit almost \$16 million over the next three years to come into compliance with the amended permanent injunction over the Department of Mental Health and Substance Abuse and the Department of Integrated Services for Individuals with Disabilities. By Nov. 30, \$2 million must be

deposited and regular payments must be made, thereafter, every year.

The Federal Management Team appointed in March to oversee the two departments and former court monitors, Dr. James Kiffer and Attorney Jim Casey, submitted their Plan of Action to come into compliance within three years in September.

Key features of the \$21 million plan included building a new \$8.3 million service center, hiring 113 new employees and implementing a training program for personal care attendants.

The order to pay comes one day after Marshall met with the team, and approving its request for \$15,950,000 which represents implementing the Plan of Action and implementation of the amended permanent injunction minus the costs for the service center.

Marshall ordered GovGuam and parties to work cooperatively to prepare a funding schedule for the costs of the center.

Several individuals and groups submitted objections to the Federal Management Team's Plan of Action

soon after it was revealed in federal court, arguing the plan's cost, lack of data and input from patients make it inadequate to fulfill the 6-year-old permanent injunction.

Plaintiffs' attorney, Daniel Somerfleck, said the plan "unbelievably" excluded consumers' input making it a "deeply flawed instrument."

Somerfleck said instead of a "roadmap to completion" the team has provided a "plan to plan" which is "almost guaranteed to result in nothing being accomplished."

## Volunteers needed to plant trees at Masso Reservoir

(GEA) - The Guam Environmental Alliance is seeking volunteers to help plant trees from 7:30 a.m. to 11 a.m. tomorrow at the Masso Reservoir in Piti.

Volunteers should meet at the USO Beach across from the GPA Power Plant at 7:30 a.m.

"We hope to help make this area a showcase of native plants, and reforest one of Guam's most beautiful watersheds," stated Ann Marie Gawal, GEA board member. "By planting trees in the Masso watershed,

we hope to reduce the erosion and the amount of soil filling the river. Roots help keep the soil in place and that helps the fish, plants and corals in the river and beach waters."

Volunteers should meet on

Saturday at 7:30 a.m. at Veteran's Cemetery. The project will be completed by 11 a.m. and refreshments will be provided throughout the day.

GEA is a nonprofit organization recently developed to create and facilitate projects that will enable the community to actively improve and clam about the environment of Guam.

GEA is currently seeking project proposals - should you have a project idea that requires further support and resources, please contact the organization through the website or email [guamEA@gmail.com](mailto:guamEA@gmail.com).

GEA looks forward to working with the community to implement projects throughout the island.

For more information about this event please contact Jimmy T. Camacho at 486-9494 or [Camacho.jimmy@gmail.com](mailto:Camacho.jimmy@gmail.com).

## Tri-intersection traffic woes up for oversight hearing

By Zita Y. Taitano  
zita@mvguam.com  
Variety News Staff

DEPARTMENT of Public Works officials are scheduled to appear at the Legislature tonight where an oversight hearing has been called to discuss ongoing traffic problems that emanated from the construction work at the tri-intersection area of Routes 8, 10, and 16.

Re-elected Democrat Sen. Tom Ada, who chairs the Committee on Utilities, Transportation, Public Works, and Veterans Affairs, will preside at the oversight hearing, which starts at 6 p.m. tonight and is open to the public.

"The questions are what we have learned so far so that we can improve and minimize further the traffic congestion occurring there and the impact that it's having to the businesses and residences in the neighborhood," he said.

During the meeting, Ada expects to get more information about the impact of the \$400 million road projects Guam would see over the next few years.

Aside from DPW, Ada also expects Parsons Transportation Group to be present at the meeting.

"They'll be given a power point presentation and it will be televised so for those who cannot make it, certainly we're going to do our best to get the information to the living room," he said.

But the senator said they won't be bringing up the recent report by the Office of Public Accountability on DPW's selection of contractors who do shoddy work on projects.

"We really want to focus this on that tri-intersection project and how much we can improve our construction management," he said.

No Ka Oi Pest Control is among the businesses affected in the ongoing road construction in the area.

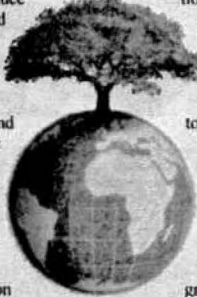
Its CEO, Joey Lopez, is wondering why the people responsible for the road construction couldn't have taken an alternative route citing the road way behind the Main Post Office in Barrigada.

The area is privately owned and also an environmental assessment may be needed because of the pipeline that leads up to Andersen Air Force Base. Lopez said there shouldn't be any excuses.

"There are certain things they can get waivers for. This is temporary. Why can't they put a bridge," he said.

He also criticized Parsons who he thought was brought here because of its expertise with road construction projects in the U.S. mainland.

Parsons could not be immediately reached for comment.



## Marijuana...

continued from page 1

obtain marijuana and its distribution would be done under strict guidelines.

According to the National Institute on Drug Abuse, marijuana is the most commonly abused illegal drug in the United States, impairing one's judgment and causing distorted perception.

Dr. Chris Dombrowski, Shieh, Dr. Arnold Wax, and Registered Nurse practitioner Mark Cain representing the medical community all weighed in on the issue.

UOG Professor Ron McNinch, Ph.D., acted as the moderator.

Questions were asked about the addictiveness of marijuana compared to alcohol and tobacco, the difference Guam's culture might make on the final legislation, the potential for the drug to fall into the wrong hands, and how patients might factor into the workplace.

Respicio made clear his bill's intent was to make cannabis available to patients who need it for medical purposes.

Cain commended Respicio for the restrictions in his legislation that would make it different from California's which he called a "failure," since there have been people getting prescriptions for marijuana quite easily.

On the addictiveness of marijuana, Dombrowski, a general practitioner said if at all marijuana is a "soft addiction" and that it does not cause people to lose their jobs or go out and commit crimes if their drug of choice is not available.

Cain responded by referencing the murder of Vincent Peredo earlier this year, where several perpetrators stole large bags of marijuana from his home.

However, he said that, "In its pure, use I do not see the body damage that we do with alcohol or tobacco, but the collateral damage is still there."

Dombrowski does not believe in recreational use of drugs and that all use is medicinal in nature because people are trying to self medicate, whether it be to cure boredom, depression, anxiety stress, or tension.

In response to the question of whether legalizing Cannabis for medical use might possibly make it easier for minors or criminals to access it, Respicio said that in bill 423, "We are recognizing a Supreme Court decision that said doctors [must] certify patients who need to avail themselves of cannabis for medical purposes."

He said in no way were they trying to make it available for recreational purposes and under the bill they will only give out three types of licenses, and there are tighter controls than those in California.

"I just want the focus to be on the people who need this for medicinal purposes. You regulate it the same way you do prescription drugs," the senator said.

**SENATOR FRANK B. AGUON, JR., Chairman**  
**COMMITTEE ON ECONOMIC DEVELOPMENT, HEALTH & HUMAN SERVICES, AND JUDICIARY**  
1 Miña Treva sa Likelikean Guahan - 30th Guam Legislature  
228 Archibishop P.C. Tower St., 12th Fl., Suite 701-A, Hagatña, Guam 96910  
Tel: (671) 969-1495 • Fax: (671) 969-1497 • Email: [aguonfrank@ag.gov.gu](mailto:aguonfrank@ag.gov.gu)

**NOTICE OF PUBLIC HEARING**  
**TUESDAY, NOVEMBER 16, 2010**  
**PUBLIC HEARING ROOM AND OVERSIGHT HEARING**  
**GUAM LEGISLATURE PUBLIC HEARING ROOM**

- 8:00 AM - PUBLIC HEARING:**
- **BILL NO. 477-30 (COR)** - To provide annual mammograms for women aged 40 and over who are clients of the Medically Indigent Program, when medically necessary and as otherwise stipulated, by amending Title 10 GCA, Div. 1, Chapter 2, § 2907.2 (a).
  - **BILL NO. 479-30 (COR)** - To expand the borrowing ability of GMAHA by including the authorization to also enter into Revolving Loan Funds, and Direct Loans, by amending Subsection (o) of §80104, Ch. 80, Div. 4, 10GCA.
  - **BILL NO. 482-30 (COR)** - To add Sub Items (1)(aa)(2)(3), amend Subsection 4309(1)(C) of Art. 3, Ch. 4, 48GCA to establish an open process in HEALTHCARE INSURANCE negotiations for employees and retirees of the Government of Guam and to add Items (a)(b) and amend Subsection 15302 of Art. 1, Ch. 15, 22GCA. This Act shall be known as the "HealthCare Insurance Transparency Act of 2010".

**1:00 PM - OVERSIGHT HEARING:**  
Oversight Hearing on the Guam Board of Allied Health Examiners

To view the bills' full content, visit the Guam Legislature's website at [www.guamlegislature.com/30th\\_bills\\_intro](http://www.guamlegislature.com/30th_bills_intro). Individuals requiring special accommodations or services, or for further information, please contact Ron Teehan at 969-1495/A.

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**COMMITTEE ON ECONOMIC DEVELOPMENT,  
HEALTH AND HUMAN SERVICES, AND JUDICIARY**  
*I Mina'Trenta Na Liheslaturan Guåhan* • 30th Guam Legislature  
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November 8, 2010

**FRANK B. AGUON, JR.**  
SENATOR, CHAIRMAN

**ADOLPHO B. PALACIOS, SR.**  
SENATOR, VICE CHAIRMAN

**JUDITH T. WON PAT**  
SPEAKER  
EX-OFFICIO MEMBER

**BENJAMIN J.F. CRUZ**  
VICE SPEAKER

**TINA ROSE MUÑA BARNES**  
LEGISLATIVE SECRETARY

**THOMAS C. ADA**  
SENATOR

**JUDITH P. GUTHERTZ**  
SENATOR

**RORY J. RESPICIO**  
SENATOR

**FRANK F. BLAS, JR.**  
SENATOR

**TELO TAITAGUE**  
SENATOR

**RAY TENORIO**  
SENATOR

**Mr. PeterJohn Camacho, MPH**  
Hospital Administrator/CEO  
Guam Memorial Hospital Authority  
850 Gov. Carlos Camacho Rd.  
Tamuning, Guam 96913

Dear Mr. Camacho:

*Buenas yan Hafa Adai!*

The Committee on Economic Development, Health & Human Services, and Judiciary will be conducting a Public Hearing and Oversight Hearing on **Tuesday, November 16, 2010 beginning at 9am** in the Guam Legislature's Public Hearing Room.

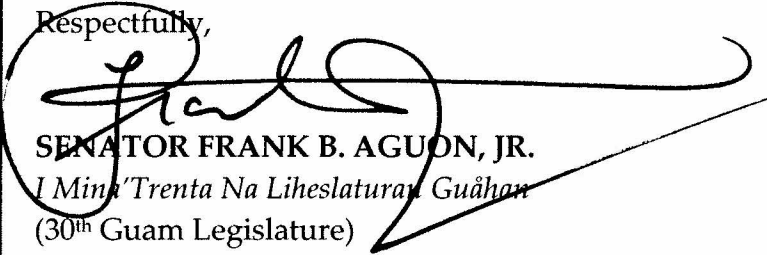
The following will be on the agenda:

- **BILL NO. 479-30 (COR)** – An act to expand the borrowing ability of the Guam Memorial Hospital Authority by including the authorization to also enter into revolving loan funds, and direct loans, by amending Subsection (o) of §80104, Chapter 80, Division 4, Title 10 Guam Code Annotated.

I would like to invite you and/or your representative for participation as you deem necessary. Testimonies may be submitted in advance to the Office of Senator Frank B. Aguon, Jr., 238 Archbishop F.C. Flores St., DNA Bldg., Suite 701A, Hagatna, Guam 96910, or emailed to [aguon4guam@gmail.com](mailto:aguon4guam@gmail.com) no later than Monday, November 15, 2010. If you have any questions, you may call Mr. Ron Teehan from my office.

*Un dangkulo' na Si Yu'os Ma'ase'.*

Respectfully,

  
**SENATOR FRANK B. AGUON, JR.**  
*I Mina'Trenta Na Liheslaturan Guåhan*  
(30<sup>th</sup> Guam Legislature)

## NOTICE OF PUBLIC HEARING

from **Frances Lizama** <lizama.frances@gmail.com>  
to "CAMACHO, PeterJohn, MPH - GMHA Admin/CEO" <peterjohn.camacho@gmha.org>  
date Mon, Nov 8, 2010 at 5:55 PM  
subject NOTICE OF PUBLIC HEARING  
mailed-by gmail.com

Hafa Adai Mr. Camacho:

Please find attached is a Notice of Public Hearing from Sen. Frank B. Aguon, Jr. See notice for details.

Please confirm receipt of this notice via email to [lizama.frances@gmail.com](mailto:lizama.frances@gmail.com)

***Un dangkulo' na Si Yu'os Ma'ase', and have a great day!***

--

FRANCES S. LIZAMA  
Office of Senator Frank B. Aguon, Jr.  
30th Guam Legislature  
Committee on Economic Development,  
Health & Human Services, and Judiciary  
238 Archbishop F.C. Flores St.  
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**AGENDA**

**PUBLIC HEARING  
AND  
OVERSIGHT HEARING**

TUESDAY, NOVEMBER 16, 2010, 9:00 AM  
GUAM LEGISLATURE PUBLIC HEARING ROOM

**9:00 AM – PUBLIC HEARING:**

- **BILL NO. 477-30 (COR)**  
AN ACT TO PROVIDE ANNUAL MAMMOGRAMS FOR WOMEN AGED 40 AND OLDER WHO ARE CLIENTS OF THE MEDICALLY INDIGENT PROGRAM, WHEN MEDICALLY NECESSARY AND AS OTHERWISE STIPULATED, BY AMENDING TITLE 10 GCA, DIVISION 1, CHAPTER 2, § 2907.2. (a).
- **BILL NO. 479-30 (COR)**  
AN ACT TO EXPAND THE BORROWING ABILITY OF THE GUAM MEMORIAL HOSPITAL AUTHORITY BY INCLUDING THE AUTHORIZATION TO ALSO ENTER INTO REVOLVING LOAN FUNDS, AND DIRECT LOANS, BY AMENDING SUBSECTION (o) OF §80104, CHAPTER 80, DIVISION 4, TITLE 10 GUAM CODE ANNOTATED.
- **BILL NO. 482-30 (COR)**  
AN ACT TO ADD SUB ITEMS (1)(aa)(2)(3) AMEND SUB SECTION 43029(C) OF ARTICLE 2, CHAPTER 4, OF TITLE 4 GUAM CODE ANNOTATED TO ESTABLISH AN OPEN PROCESS IN HEALTHCARE INSURANCE NEGOTIATIONS FOR EMPLOYEES AND RETIREES OF THE GOVERNMENT OF GUAM AND TO ADD ITEMS (a)(b) AND AMEND SUB SECTION 15102 OF ARTICLE 1, CHAPTER 15, TITLE 22 GCA. THIS ACT SHALL BE KNOWN AS THE 'HEALTHCARE INSURANCE TRANSPARENCY ACT OF 2010'.

**1:30 PM – OVERSIGHT HEARING:**

- OVERSIGHT HEARING ON THE GUAM BOARD OF ALLIED HEALTH EXAMINERS