

EDDIE BAZA CALVO
Governor



2011 APR 19 3 44 PM
RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

April 19, 2011

31-11-436


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

4/19/11
5:45 pm
Raul

Dear Madame Speaker:

Transmitted herewith is Substitute Bill No. 56-31 (COR) "AN ACT TO AMEND §4302(c) OF ARTICLE 3, CHAPTER 4, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO POLICYMAKERS PARTICIPATING IN THE GOVERNMENT OF GUAM HEALTHCARE INSURANCE NEGOTIATING TEAM", which I signed into law on April 18, 2011 as Public Law 31-24.

Senseramente,

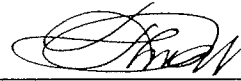

EDDIE BAZA CALVO

Attachment: copy of Bill

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

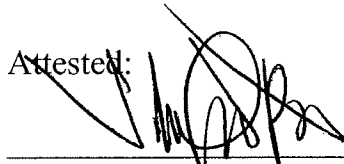
CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LAHEN GUÅHAN*

This is to certify that **Substitute Bill No. 56-31 (COR), "AN ACT TO AMEND §4302(c) OF ARTICLE 3, CHAPTER 4, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO POLICYMAKERS PARTICIPATING IN THE GOVERNMENT OF GUAM HEALTHCARE INSURANCE NEGOTIATING TEAM"**, was on the 4th day of April, 2011, duly and regularly passed.



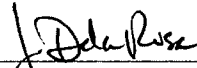
Judith T. Won Pat, Ed.D.
Speaker

Attested:



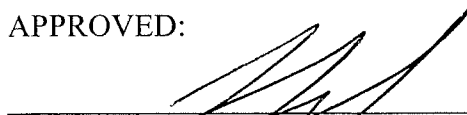
Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 7th day of April, 2011, at
09:50 o'clock A.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



EDWARD J.B. CALVO
I Maga'lahaen Guåhan

APR 18 2011

Date: _____

Public Law No. 31-24

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 56-31 (COR)

As substituted by the Committee on Appropriations,
Taxation, Public Debt, Banking, Insurance, Retirement
and Land, and amended on the Floor.

Introduced by:

Dennis G. Rodriguez, Jr.
Judith P. Guthertz, DPA
Aline A. Yamashita, Ph.D.
T. R. Muña Barnes
Chris M. Duenas
R. J. Respicio
T. C. Ada
V. Anthony Ada
B. J.F. Cruz
M. Silva Taijeron
F. F. Blas, Jr.
Sam Mabini, Ph.D.
Adolpho B. Palacios, Sr.
v. c. pangelinan
Judith T. Won Pat, Ed.D.

**AN ACT TO *AMEND* §4302(c) OF ARTICLE 3,
CHAPTER 4, TITLE 4, GUAM CODE ANNOTATED,
RELATIVE TO POLICYMAKERS PARTICIPATING IN
THE GOVERNMENT OF GUAM HEALTHCARE
INSURANCE NEGOTIATING TEAM.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds
that the recent passage of Public Law 30-227, known as the “Healthcare Insurance
Transparency Act of 2010”, was for the purpose of ensuring that the processes

1 pursuant to which the government of Guam acquires health insurance coverage for
2 its active employees and retirees are negotiated in a manner so as to ultimately
3 reflect the most economical and beneficial health plan possible. *I Liheslaturan*
4 *Guåhan* further finds that although funding for the government of Guam's annual
5 contribution to the health care insurance plan is dependant upon an appropriation
6 to be included in the upcoming fiscal year budget act, the negotiation process is
7 completed prior to the budget process without legislative input or knowledge. The
8 annual task of negotiating the upcoming fiscal year's healthcare insurance plan is
9 conducted and completed without appropriate input and feedback from policy
10 makers responsible for appropriating the available funds of the people of Guam.

11 Therefore, it is the intent of *I Liheslaturan Guåhan* to include at least two
12 (2) key Members of *I Liheslaturan Guåhan* (the Guam Legislature) in the
13 Government of Guam's Health Insurance Negotiating Team. The Chairpersons of
14 both the Committee on Health and the Committee on Appropriations will be
15 integral members in ensuring any health plan the government of Guam procures
16 for its employees and retirees is the most beneficial, while also being fiscally
17 achievable and realistically reflective of budgetary constraints. It is, further, the
18 intent of *I Liheslaturan Guåhan* to seek to ensure that by the inclusion of two (2)
19 of its Members who chair the Health and the Appropriations Committees in the
20 Negotiating Team it will better ensure the government of Guam does *not* repeat
21 the unconscionable and callous actions of entering into a health insurance plan
22 that is unanticipated and unaffordable for the taxpayers of Guam.

23 **Section 2. Inclusion of Policymakers in the Government of Guam**
24 **Health Insurance Negotiating Team.** The first paragraph of §4302(c) of Article
25 3, Chapter 4 of Title 4, Guam Code Annotated, is hereby *amended* to read:

1 “(c) The Government of Guam Health Insurance Negotiating Team
2 shall consist of the Director of Administration, who *shall* be Chairperson;
3 the Administrator of the Department of Integrated Services for Individuals
4 with Disabilities (DISID), or his or her designee; the Director of the Bureau
5 of Budget and Management Research, or his or her designee; an employee
6 representative from the Judicial Branch to be appointed by the Chief Justice
7 of the Supreme Court of Guam; an employee representative of the
8 Legislative Branch to be appointed by the Speaker of *I Liheslaturan*
9 *Guåhan*; the Superintendent of the Department of Education, or his or her
10 designee; the Director of the Government of Guam Retirement Fund, or his
11 or her designee; a retiree who is a member of the Government of Guam
12 Retirement Fund to be appointed by the Board of Trustees of the
13 Government of Guam Retirement Fund; one (1) member of the general
14 public, appointed by *I Maga’lahen Guåhan*; the Chairperson of the
15 Committee on Health or the successor committee of *I Liheslaturan Guåhan*,
16 or his or her designee, who shall sit as an ex-officio non-voting member;
17 and the Chairperson of the Committee on Appropriations, or the successor
18 committee of *I Liheslaturan Guåhan*, or his or her designee, who shall sit as
19 an ex-officio non-voting member. The Negotiating Team *shall* examine the
20 financial information of the prepaid health insurance companies, health care
21 providers or other legal entities for the purpose of developing the most
22 economical and beneficial health plan for the Government of Guam
23 employees and retirees. The Negotiating Team may obtain technical
24 support from other financial and health-related agencies. The Negotiating
25 Team *shall* develop its rules of procedure in accordance with the
26 Administrative Adjudication Law. The Negotiating Team with the approval

.. ..
1 of *I Maga'lahi* is authorized to contract an actuary competent to develop
2 proposed health insurance rates or other recognized expert to train and/or
3 advise the Negotiating Team.”

4 **Section 3. Clarification of Applicability of Amendment Pursuant to**
5 **Section 2 of this Act.** The amendment provided pursuant to Section 2 of this Act
6 *shall only* apply to the first paragraph of Subsection (c), and *shall not* affect or
7 change the existing accompanying Parts 1, 2, and 3 of Subsection (c) of §4302 of
8 Article 3, Chapter 4, Title 4, Guam Code Annotated, which *shall* remain
9 unchanged and in full force and effect.

10 **Section 4. Effective Date.** Notwithstanding any other provision of law,
11 the provisions of this Act *shall* be effective upon enactment.

6

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN

2011 (FIRST) Regular Session

Date: 4/4/11

VOTING SHEET

SBill No. 56-31(COR)

Resolution No. _____

Question: _____

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
ADA, Thomas C.	✓				
ADA, V. Anthony	✓				
BLAS, Frank F., Jr.	✓				
CRUZ, Benjamin J. F.					EA
DUENAS, Christopher M.	✓				
GUTHERTZ, Judith Paulette	✓				
MABINI, Sam	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera		✓			
RESPICIO, Rory J.	✓				
RODRIGUEZ, Dennis G., Jr.	✓				
SILVA TAIJERON, Mana	✓				
WON PAT, Judith T.	✓				
YAMASHITA, Aline A.	✓				

TOTAL

13 1 _____ _____ 1

CERTIFIED TRUE AND CORRECT:


Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

MAR 15 2011

2011 Mar 17
M. J. M. J.

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
Committee on Education

Member
Committee on Rules,
Federal, Foreign &
Micronesian Affairs and
Human & Natural
Resources

Member
Committee on
Municipal Affairs,
Tourism, Housing, and
Recreation

Member
Committee on the Guam
Military Buildup and
Homeland Security

Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

The Honorable Judith T. Won Pat, Ed.D.

Speaker

I Mina' Trentai Una Na Liheslaturan Guåhan

155 Hesler Place

Hagåtña, Guam 96910

VIA: The Honorable Rory J. Respicio

Chairperson, Committee on Rules

RE: Committee Report on Bill No. 56-31 (COR) As Substituted

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 56-31 (COR),
As Substituted: An act relative to policymakers participating in the
government of Guam healthcare insurance negotiating team, by
amending §4302(c) of Article 3, Chapter 4, Title 4, Guam Code
Annotated. Appropriations, Taxation, Public Debt, Banking, Insurance,
Retirement, and Land

Committee votes are as follows:

5 TO PASS

0 NOT TO PASS

0 TO REPORT OUT ONLY

0 TO ABSTAIN

0 TO PLACE IN INACTIVE FILE

Si Yu'os Ma'åse',

Vicente (ben) Cabrera Pangelinan
Chairman

COMMITTEE REPORT ON

Bill No. 56-31 (COR) As Substituted

**An act relative to policymakers participating
in the government of Guam healthcare
insurance negotiating team, by amending
§4302(c) of Article 3, Chapter 4, Title 4,
Guam Code Annotated.**



I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

MAR 15 2011

MEMORANDUM

To: All Members
Committee on Appropriations, Taxation, Public Debt, Banking,
Insurance, Retirement, and Land

From: Senator Vicente (ben) Cabrera Pangelinan
Committee Chairperson

Subject: Committee Report on Bill No. 56-31 (COR) As Substituted

Transmitted herewith for your consideration is the Committee Report on Bill No. 56-31 (COR), As Substituted: "An act relative to policymakers participating in the government of Guam healthcare insurance negotiating team, by amending §4302(c) of Article 3, Chapter 4, Title 4, Guam Code Annotated." sponsored by Senator D.G. Rodriguez, Jr.

This report includes the following:

1. Committee Voting Sheet
2. Committee Report Narrative
3. Copy of Bill No. 56-31 (COR)
4. Copy of Bill No. 56-31 (COR) As Substituted
5. Public Hearing Sign-in Sheet
6. Copy of submitted testimony and additional documents
7. Fiscal Notes
8. Copy of COR referral Bill No. 56-31 (COR)
9. Notices of Public Hearing
10. Copy of the Public Hearing Agenda

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 my office.

Si Yu'os Ma'åse',

Vicente (ben) Cabrera Pangelinan
Chairman

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
Committee on Education

Member
Committee on Rules,
Federal, Foreign &
Micronesian Affairs and
Human & Natural
Resources

Member
Committee on
Municipal Affairs,
Tourism, Housing, and
Recreation

Member
Committee on the Guam
Military Buildup and
Homeland Security





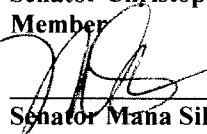
Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

I MINA' TRENTAI UNU NA LIHESLATURAN GUÁHAN

Committee Voting Sheet

**Committee on Appropriations, Taxation, Banking, Public Debt, Insurance,
Retirement, and Land**

Bill No. 56-31 (COR) As Substituted "An act relative to policymakers participating in the government of Guam healthcare insurance negotiating team, by amending §4302(c) of Article 3, Chapter 4, Title 4, Guam Code Annotated."

Committee Members	To Pass	Not To Pass	Report Out Only	Abstain	Inactive File
 Senator Vicente (ben) Cabrera Pangelinan Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Speaker Judith T. Won Pat, Ed.D Vice Chairperson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Vice Speaker Benjamin J. F. Cruz Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator Tina Rose Muña-Barnes Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator Judith P. Guthertz Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator Dennis Rodriguez, Jr. Member	<input checked="" type="checkbox"/> 3/15/11	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator V. Anthony Ada Member	<input checked="" type="checkbox"/> 3/15/11	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator Christopher M. Duenas Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator Mana Silva Taijeron Member	<input checked="" type="checkbox"/> 3/15/11	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Committee Report

Bill No. 56-31 (COR): "An act relative to policymakers participating in the government of Guam healthcare insurance negotiating team, by amending §4302(c) of Article 3, Chapter 4, Title 4, Guam Code Annotated."

I. OVERVIEW

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land convened a public hearing on March 7, 2011 at 9:00 am in *I Liheslatura's* Public Hearing Room.

Public Notice Requirements

Notices for the public hearing were disseminate via hand-delivery and electronic mail to all senators and all main media broadcasting outlets on February 28, 2011 (5 day notice), and again on March 3, 2011 (48 hour notice).

(a) Committee Members and Senators present:

Senator Vicente (ben) Cabrera Pangelinan, Chairman
Vice Speaker B. J. Cruz, Member
Senator V.A. Ada, Member
Senator Dennis Rodriguez, Jr., Member
Senator Christopher Duenas, Member
Senator Adolpho Palacios
Senator Sam Mabini

(b) Appearing before the committee:

Bobing Wolford

(c) Written Testimony Submitted:

None

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
Committee on Education

Member
Committee on Rules,
Federal, Foreign &
Micronesian Affairs and
Human & Natural
Resources

Member
Committee on
Municipal Affairs,
Tourism, Housing, and
Recreation

Member
Committee on the Guam
Military Buildup and
Homeland Security

Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

II. COMMITTEE PROCEEDINGS

(a) Bill Sponsor Summary

Senator Vicente (ben) Cabrera Pangelinan: Our next bill on the agenda is Bill 56-31 (COR) An act relative to policymakers participating in the government of Guam healthcare insurance negotiating team, by amending §4302(c) of Article 3, Chapter 4, Title 4, Guam Code Annotated. We have Senator Rodriguez who is the author of the bill and we will give him the opportunity to make a presentation on the synopsis of the bill.

Senator Dennis Rodriquez, Jr.: Thank you very much Mr. Chairman. This bill is in reaction to late last year. You had a health insurance plan that was negotiated for the Government of Guam Retirees and employees that we saw a huge jump in financial obligation of the people of Guam. I know the 30th Guam Legislature also passed the law that opened up the opportunities for other health insurance providers to look at the possibility of providing health insurance coverage's that are competitive.

What this bill does is include two members of the legislature to be part of this negotiating team. This negotiating team, as per statute, is to develop the most economical beneficial health plan for the Government of Guam employee and retirees. When you see a huge unbudgeted financial commitment then that's a big concern and I think that as policy makers we need to have a seat at that table so that we don't repeat those same actions. Thank you.

Senator Vicente (ben) Cabrera Pangelinan: Thank you very much Senator Rodriquez. We have signed up Mr. Wolford. Please come forward.

(b) Testimony

1. Bobing Wolford

Bobing Wolford: Good morning. My name is Bobing Wolford. I like you this morning Senator Ben because I am here again.

Senator Vicente (ben) Cabrera Pangelinan: A lot of people missed you, that's why they came.

Bobing Wolford: They should miss me because I like every one of you, especially Senator Mabini. How are you?

For you Senator B. J. Cruz, my nephew, the judge I like you the best in the whole island.

You Senator Rodriguez I like you and your wife is my niece.

You Cousin Ben, when I look at your beard you look like San Antonio in Tamuning.

You Cousin Ben, when I look at your beard you look like San Antonio in Tamuning.

I like all you Senators. I also like Senator Palacios because you are a fighter for the people.

Senator Duenas is laughing because he forgot the key to the submarine and the tourist might drown. But look at him now. He became a senator.

Senator Tony Ada, you are very nice. In tagalong he is handsome. I like the three of you and I like your Bill 56 and hopefully everything is good for the people of Guam.

I always listen and cannot forget the Chamorro sentiments. We are Chamorro. Chamorro week is this month. I give all of you my salute and please continue your good work for the people.

Senator Vicente (ben) Cabrera Pangelinan: Thank you and si yu'us ma'ase Mr. Wolford. With no other testimony we will move on to the next bill.

PANEL COMMENTS AND QUESTIONS

None








III. FINDINGS & RECOMMENDATIONS

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land, hereby reports Bill No. 56-31 (COR), as substituted by the Committee with the recommendation TO PASS.

I MINA 'TRENTAI UNU LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 56-31 (cor)

Introduced By:

D.G. Rodriguez, Jr. 
Judith Paulette Guthertz, DPA
Aline A. Yamashita, Ph.D. 
Tina Rose Muña Barnes
Christopher M. Duenas 
R.J. Respicio 
A.B. Palacios, Sr. 
V. Anthony Ada 
B.J. Cruz
M. Silva-Tajerón 

2011 JAN 27 PM 2:59

**AN ACT RELATIVE TO POLICYMAKERS
PARTICIPATING IN THE GOVERNMENT OF
GUAM HEALTHCARE INSURANCE
NEGOTIATING TEAM, BY AMENDING §4302(c)
OF ARTICLE 3, CHAPTER 4, TITLE 4, GUAM
CODE ANNOTATED.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative findings and intent. *I Liheslaturan Guåhan* finds that the recent passage of P.L. 30-227, known as the “Healthcare Insurance Transparency Act of 2010”, was for the purpose of ensuring that the processes pursuant to which the government of Guam acquires health insurance coverage for its active employees and retirees are negotiated in a manner so as to ultimately reflect the most economical and beneficial health plan possible. *I Liheslaturan Guahan* further finds that although funding for the government of Guam’s annual contribution to the health care insurance plan is dependant upon an appropriation to be included in the upcoming Fiscal Year Budget act, the negotiation process is

1 completed prior to the budget process without Legislative input or knowledge. The
2 annual task of negotiating the upcoming fiscal year's healthcare insurance plan is
3 conducted and completed without appropriate input and feedback from policy
4 makers responsible for appropriating the available funds of the people of Guam.

5 Therefore, it is the intent of *I Liheslaturan Guahan* to include at least two
6 key members of the Guam Legislature in the Government of Guam's Health
7 Insurance Negotiating Team. The Chairpersons of both the Committee on Health
8 and the Committee on Appropriations will be integral members in ensuring any
9 health plan the government of Guam procures for its employees and retirees is the
10 most beneficial, while also being fiscally achievable and realistically reflective of
11 budgetary constraints. It is further, the intent of *I Liheslatura Guahan* to seek to
12 ensure that by the inclusion of two of its members who chair the Health and
13 Appropriations Committees in the Negotiating Team, it will better ensure the
14 government of Guam does not repeat the unconscionable and callous actions of
15 entering into a health insurance plan that is unanticipated and unaffordable by the
16 taxpayers of Guam.

17 **Section 2: Inclusion of Policymakers in the Government of Guam**
18 **Health Insurance Negotiating Team.** Subsection (c) of §4302 of Article 3,
19 Chapter 4, Title 4, Guam Code Annotated, is hereby *amended*, to read:

20 “(c) A Negotiating Team consisting of the Director of Administration, who
21 *shall* be Chairperson; the Administrator of the Department of Integrated Services
22 for Individuals with Disabilities (‘DISISD’), *or his or her* designee; the Director
23 of Bureau of Budget and Management Research, *or his or her* designee; an
24 employee representative from the Judicial Branch to be appointed by the Chief
25 Justice of the Supreme Court of Guam; the Chairperson of the Committee on
26 Health of *I Liheslaturan Guahan*, *or his or her* designee; the Chairperson of the

1 Committee on Appropriations of *I Liheslaturan Guahan*, or his or her designee;
2 an employee representative of the Legislative Branch to be appointed by the
3 Speaker of *I Liheslaturan Guahan*; the Superintendent of the Department of
4 Education, *or his or her designee*; the Director of the Government of Guam
5 Retirement Fund, *or his or her designee*; a retiree who is a member of the
6 Government of Guam Retirement Fund to be appointed by the Board of Trustees of
7 the Government of Guam Retirement Fund; and one (1) member of the general
8 public, appointed by *I Maga'lahaen Guahan*, shall examine the financial
9 information of the prepaid health insurance companies, health care providers or
10 other legal entities for the purpose of developing the most economical and
11 beneficial health plan for the Government of Guam employees and retirees. The
12 Negotiating Team may obtain technical support from other financial and health-
13 related agencies. The Negotiating Team shall develop its rules of procedure in
14 accordance with the Administrative Adjudication Law. The Negotiating Team with
15 the approval of *I Maga'lahi* is authorized to contract an actuary competent to
16 develop proposed health insurance rates *or* other recognized expert to train *and/or*
17 advise the Negotiating Team.”

18 **Section 3. Clarification of Applicability of Amendment pursuant to**
19 **Section 2 of this Act.** The amendment provided pursuant to Section 2 of this Act
20 shall only apply to the first paragraph of Subsection (c), and shall not affect or
21 change the existing accompanying Parts 1, 2, and 3 of Subsection (c) of §4302 of
22 Article 3, Chapter 4, Title 4, Guam Code Annotated, which shall remain unchanged
23 and in full force and effect.

24 **Section 4. Effective Date.** Notwithstanding any other provision of law, the
25 provisions of this Act shall be effective upon enactment.

I MINA 'TRENTAI UNU LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 56-31 (COR)
As Substituted by the Committee on
Appropriations, Taxation, Public Debt,
Banking, Insurance, Retirement and
Land

Introduced By:

D.G. Rodriguez, Jr.
Judith Paulette Guthertz, DPA
Aline A. Yamashita, Ph. D.
Tina Rose Muña-Barnes
Christopher M. Duenas
R.J. Respicio
A.B. Palacios, Sr.
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**AN ACT RELATIVE TO POLICYMAKERS
PARTICIPATING IN THE GOVERNMENT OF
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1 *Guahan* further finds that although funding for the government of Guam’s annual
2 contribution to the health care insurance plan is dependant upon an appropriation
3 to be included in the upcoming Fiscal Year Budget act, the negotiation process is
4 completed prior to the budget process without Legislative input or knowledge. The
5 annual task of negotiating the upcoming fiscal year’s healthcare insurance plan is
6 conducted and completed without appropriate input and feedback from policy
7 makers responsible for appropriating the available funds of the people of Guam.

8 Therefore, it is the intent of *I Liheslaturan Guahan* to include at least two
9 key members of the Guam Legislature in the Government of Guam’s Health
10 Insurance Negotiating Team. The Chairpersons of both the Committee on Health
11 and the Committee on Appropriations will be integral members in ensuring any
12 health plan the government of Guam procures for its employees and retirees is the
13 most beneficial, while also being fiscally achievable and realistically reflective of
14 budgetary constraints. It is further, the intent of *I Liheslatura Guahan* to seek to
15 ensure that by the inclusion of two of its members who chair the Health and
16 Appropriations Committees in the Negotiating Team, it will better ensure the
17 government of Guam does not repeat the unconscionable and callous actions of
18 entering into a health insurance plan that is unanticipated and unaffordable by the
19 taxpayers of Guam.

20 **Section 2: Inclusion of Policymakers in the Government of Guam**
21 **Health Insurance Negotiating Team.** Subsection (c) of §4302 of Article 3,
22 Chapter 4, Title 4, Guam Code Annotated, is hereby *amended*, to read:

23 “(c) A Negotiating Team consisting of the Director of Administration, who
24 *shall* be Chairperson; the Administrator of the Department of Integrated Services
25 for Individuals with Disabilities (‘DISISD’), *or* his *or* her designee; the Director
26 of Bureau of Budget and Management Research, *or* his *or* her designee; an

1 employee representative from the Judicial Branch to be appointed by the Chief
2 Justice of the Supreme Court of Guam; the Chairperson of the Committee on
3 Health or the successor committee of I Liheslaturan Guahan, or his or her
4 designee; the Chairperson of the Committee on Appropriations or the successor
5 committee of I Liheslaturan Guahan, or his or her designee; an employee
6 representative of the Legislative Branch to be appointed by the Legislative Branch
7 to be appointed by the Speaker of *I Liheslaturan Guahan*; the Superintendent of
8 the Department of Education, *or his or her* designee; the Director of the
9 Government of Guam Retirement Fund, *or his or her* designee; a retiree who is a
10 member of the Government of Guam Retirement Fund to be appointed by the
11 Board of Trustees of the Government of Guam Retirement Fund; and one (1)
12 member of the general public, appointed by *I Maga'lahaen Guahan*, shall examine
13 the financial information of the prepaid health insurance companies, health care
14 providers or other legal entities for the purpose of developing the most economical
15 and beneficial health plan for the Government of Guam employees and retirees.
16 The Negotiating Team may obtain technical support from other financial and
17 health-related agencies. The Negotiating Team shall develop its rules of procedure
18 in accordance with the Administrative Adjudication Law. The Negotiating Team
19 with the approval of *I Maga'lahi* is authorized to contract an actuary competent to
20 develop proposed health insurance rates *or* other recognized expert to train *and/or*
21 advise the Negotiating Team.”

22 **Section 3. Clarification of Applicability of Amendment pursuant to**
23 **Section 2 of this Act.** The amendment provided pursuant to Section 2 of this Act
24 shall only apply to the first paragraph of Subsection (c), and shall not affect or
25 change the existing accompanying Parts 1, 2, and 3 of Subsection (c) of §4302 of
26 Article 3, Chapter 4, Title 4, Guam Code Annotated, which shall remain unchanged

1 and in full force and effect.

2 **Section 4. Effective Date.** Notwithstanding any other provision of law, the
3 provisions of this Act shall be effective upon enactment.



Mina'trentai Unu Na Liheslaturan Guahan
THIRTY-FIRST GUAM LEGISLATURE

Senator Vicente "ben" Cabrera Pangelinan

**COMMITTEE ON APPROPRIATIONS, TAXATION, PUBLIC DEBT, BANKING,
INSURANCE, RETIREMENT AND LAND**

Monday, March 7, 2011

Bill No. 56

SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT	
						Yes	No
Babing Wallford	Wallford Heights				✓	✓	

**OFFICE OF THE ATTORNEY GENERAL****Leonardo M. Rapadas**

Attorney General of Guam

287 West O'Brien Drive

Hagåtña, Guam 96910

Telephone: (671) 475-3324 • Facsimile: (671) 472-2493

www.guamattorneygeneral.com**FACSIMILE TRANSMITTAL**

Date: March 8, 2011

To: Honorable Vicente (ben) Pangelinan

From: Deputy Attorney General J. Patrick Mason

Facsimile No.: (671) 473-4238


Total Pages: Two (2) – Including cover sheet

Subject: Bill No. 56-31 (COR)

Reference No.: LEG 11-0204

Remarks: Please see the attached memorandum from Deputy Attorney General J. Patrick Mason concerning the above referenced matter. The original will be hand delivered to your office.

Should there be any problems with this transmission, please contact me, Maria Blas, at 475-3324, extension 140.

Sent By: Maria Anna U. Blas 

CONFIDENTIALITY NOTICE: This facsimile contains information which may also be legally privileged and which is intended for the user of the address(s) named above. If you are not the intended recipient, you are hereby notified that any dissemination or copying of this facsimile, or the taking of any action in reliance on the contents of this telecopied information, may be strictly prohibited. If you received this transmission in error, please notify us immediately or return the entire facsimile to the address shown below via U.S. Postal Service.

2:58:44 PM

Leonardo M. Rapadas
Attorney General



Philip J. Tydingco
Chief Deputy Attorney General

OFFICE OF THE ATTORNEY GENERAL

March 7, 2011

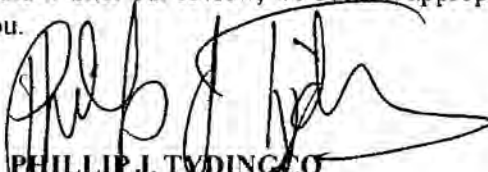
Honorable Vicente (ben) C. Pangelinan
Senator, I Mina'Trenta Unu Na Liheslaturan Guåhan
324 West Soledad Avenue
Suite 100
Hagåtña, Guam 96910

Re: Bill No. 5631(COR)
Reference: **LEG 11/0204**

Dear Senator Pangelinan:

We apologize for being unable to attend the March 7, 2011 hearing on the above bill.

We are currently reviewing the bill and if after our review, we deem it appropriate on the bill, we will forward written testimony to you.



PHILLIP J. TYDINGCO
Chief Deputy Attorney General

**OFFICE OF THE ATTORNEY GENERAL****Leonardo M. Rapadas**

Attorney General of Guam

287 West O'Brien Drive

Hagåtña, Guam 96910

Telephone: (671) 475-3324 • Facsimile: (671) 472-2493

www.guamattorneygeneral.com**FACSIMILE TRANSMITTAL**

Date: March 16, 2011

To: Honorable Vicente (ben) Pangelinan
Senator, I Mina'trenta Unu Na Liheslaturan Guåhan

From: Deputy Attorney General J. Patrick Mason

Facsimile No.: (671) 473-4238


Total Pages: Four (4) – Including cover sheet

Subject: Bill 56-31 (COR)

Reference No.: LEG 11-0204

Remarks: Please see the document from Deputy Attorney General J. Patrick Mason concerning the above referenced matter. The original will be hand delivered to your office.

Should there be any problems with this transmission, please contact me, Maria Blas, at 475-3324, extension 140.

Sent By: Maria Anna U. Blas 

CONFIDENTIALITY NOTICE: This facsimile contains information which may also be legally privileged and which is intended for the user of the address(s) named above. If you are not the intended recipient, you are hereby notified that any dissemination or copying of this facsimile, or the taking of any action in reliance on the contents of this telecopied information, may be strictly prohibited. If you received this transmission in error, please notify us immediately or return the entire facsimile to the address shown below via U.S. Postal Service.

11:56:43 AM

Leonardo M. Rapadas
Attorney General



Phillip J. Tydingco
Chief Deputy Attorney General

OFFICE OF THE ATTORNEY GENERAL

March 15, 2011

HAND DELIVER

Ref: LEG 11-0204

Hon. Vicente C. Pangelinan, Senator
Chairman, Committee on Appropriations,
Taxation, Public Debt, Banking, Insurance,
Retirement, and Land

I Mina'trentai Una Na
Liheslaturan Guahan

Ste. 101, Quan Bldg.
324 W. Soledad Ave.
Hagatna, Guam 96910

Re: Bill 56-31(COR)

Dear Senator Pangelinan:

In an earlier letter to you, this office indicated that it would review the above legislative bill and if deemed appropriate, submit our comments on the bill.

The current health insurance law for government employees – 4 GCA § 4302(c) – provides that a negotiating team consisting of certain member “shall examine the financial information of the prepaid health insurance companies, health care providers or other legal entities for the purpose of developing the most economical and beneficial health plan for the Government of Guam employees and retirees.” (emphasis in original). This task of developing the most economical and beneficial health insurance plan for employees throughout the government of Guam is essentially an executive function of the government of Guam.

Section 2 of Bill 56-31 would amend § 4302(c) by adding the following members to the employee health insurance negotiation team: “the Chairperson of the Committee on Health of *I Liheslaturan Guahan*, or his or her designee; the Chairperson of the Committee on Appropriations of *I Liheslaturan Guahan*, or his or her designee”. Hence, two members of *I Liheslaturan Guahan* or their designees would be added to the negotiation team.

We believe the addition of two Guam Senators to a negotiating team which performs what is essentially an executive function violates the separation of powers doctrine of the Guam Organic Act. The basis for our belief is, to a large extent, found in the Guam Supreme Court’s decision in *In re Request of Governor Gutierrez*, 2002 Guam 1.

Letter to Sen. Pangelinan
Ref: LEG 11-0204
Re: Bill 56-31 (COR)
Page 2

The Legislature's plenary power of appropriation includes the power to impose "conditions upon the expenditure of appropriated funds." *Santos*, 1982 WL 30790, at * 3; *Schneider*, 547 P.2d at 799 ("[T]he appropriation of money and the setting of limitations on expenditures by state executive agencies constitutes an exercise of legislative power."). * * *

However, the Legislature may not set limitations or conditions which "purport to reserve to the legislature powers of close supervision that are essentially executive in character." See *Anderson*, 579 P.2d at 624 (Colo.1978). "Staffing decision are at the core of the Governor's day-to-day administration of government." *Communications Workers*, 617 A.2d at 234. Accordingly, the legislature may not set conditions to an appropriation which impinge on the executive's power to "allocate staff and resources" for the proper fulfillment of its duty to execute the laws. See *Anderson*, 579 P.2d at 623-24.

Id., 2002 Guam 1 ¶¶ 44, 45 (emphasis added). Hence, the court emphasized that it is the legislature's reservation of authority to itself to superintend the decision-making process of the executive that is of concern to the courts.

The Supreme Court of Guam cited with approval a decision from the Supreme Court of Kansas involving a "State Finance Council" composed of the Governor and eight legislators empowered to make personnel decisions typically thought of as belonging to the department of administration, an executive branch agency.

An analogous case is *State ex rel. Schneider v. Bennet*, 219 Kan. 285, 547 P.2d 786 (1976). In *Schneider*, the plaintiff challenged the constitutional validity of the law establishing the powers and duties of the state finance council ("SFC"). The SFC was composed of the governor and eight members of the legislature. In accordance with statute, the SFC had various powers, including the powers to: (1) fix or approve the compensation paid to state officers and employees, and (2) approv[e] of assignment of positions in the civil service to classes ... assignment of classes to salary ranges, approv[e] of the pay plan containing a schedule of salary and wage ranges and steps, approv[e] of terms upon which state agencies may furnish housing, food service and other employee maintenance to state officers and employees in the civil service, and ... determin[e] ... the cost and value of such benefits.... The court held that these powers were essentially executive or administrative in nature in that they concern the day-to-day operations of the department of administration and its various divisions. Accordingly, the court invalidated the statute granting these powers to the SFC, holding:

The vesting of such powers in the state finance council in our judgment clearly grants to a legislatively oriented body control over the operation of an executive agency and constitutes a usurpation of executive power by the legislative department.

The court's holding was pronounced in light of the court's agreement that the appropriation of money and the setting of limitations on expenditures by state executive agencies constitutes an exercise of legislative power.

Letter to Sen. Pangelinan
Ref: LEG 11-0204
Re: Bill 56-31 (COR)
Page 3

Id., 2002 Guam 1 ¶¶ 49. (most citations and internal quotation marks omitted). Hence, the doctrine of separation of powers comes into play when a legislature places its own members on a council that performs an executive function.

We believe that *In re Request of Governor Gutierrez* and *State ex rel. Schneider*, which is cited with approval therein, lead to the conclusion that the amendment proposed by Bill 56-31 violates the Organic Act doctrine of separation of powers.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Patrick Mason", with a long horizontal flourish extending to the right.

J. PATRICK MASON
Deputy Attorney General



BUREAU OF BUDGET & MANAGEMENT RESEARCH

OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932

EDDIE BAZA CALVO
GOVERNOR

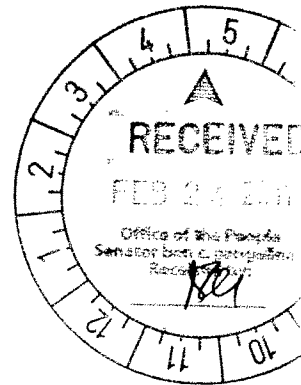
RAY TENORIO
LIEUTENANT GOVERNOR

BENITA A. MANGLONA
DIRECTOR

STEPHEN J. GUERRERO
DEPUTY DIRECTOR

FEB 24 2011

Senator Vicente (ben) Pangelinan
Chairman, Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement and Land
I Mina'trentai Unu na Liheslaturan Guåhan
The 31st Guam Legislature
324 W. Soledad Ave., Suite 100
Hagåtña, Guam 96910



Hafa Adai Senator Pangelinan:

Transmitted herewith are Fiscal Note Waivers on the following Bill Nos.: **56-31 (COR), and 59-31(COR)**

If you have any question(s), please do not hesitate to call the office at 475-9412/9106.

Benita A. Manglona
BENITA A. MANGLONA
Director

Enclosures

cc:Senator Rory Respicio



BUREAU OF BUDGET & MANAGEMENT RESEARCH

OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932

EDDIE BAZA CALVO
GOVERNOR

BENITA A. MANGLONA
ACTING DIRECTOR

RAY TENORIO
LIEUTENANT GOVERNOR

FEB 22 2011

The Bureau requests that Bill No(s): 56-31(COR) and 59-31(COR) be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

The above referenced bills are administrative in nature and do not have any potential impact upon the revenues or the expenditure of any funds of the Government of Guam.

A handwritten signature in cursive script that reads "Benita Manglona".

BENITA A. MANGLONA
Acting Director

sp 2/21/11



COMMITTEE ON RULES

I Mina'trentai Unu na Liheslaturan Guåhan • The 31st Guam Legislature

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

E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Judith P. Guthertz
VICE CHAIRPERSON
ASST. MAJORITY LEADER

MAJORITY MEMBERS:

Speaker
Judith T. Won Pat

Vice Speaker
Benjamin J. F. Cruz

Senator
Tina Rose Muña Barnes
LEGISLATIVE SECRETARY
MAJORITY WHIP

Senator
Dennis G. Rodriguez, Jr.
ASST. MAJORITY WHIP

Senator
Thomas C. Ada

Senator
Adolpho B. Palacios, Sr.

Senator
vicente c. pangelinan

MINORITY MEMBERS:

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

Senator
Christopher M. Duenas

January 28, 2011

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 Nos. 54-31 (COR) through 56-31 (COR)

As Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 54-31 (COR) through 56-31 (COR).

Please ensure that the subject bills are referred, in my name, to the respective committees, as shown on the attachment. I also request that the same be forwarded to all Senators of *I Mina'trentai Unu na Liheslaturan Guåhan*.

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

Si Yu'os ma'åse!

(3) Attachments

2011 JAN 31 PM 3:08

I Mina'Trentai Unu Na Liheslaturan Guåhan

Bill Log Sheet

January 27, 2011

Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	120 Day Deadline	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date) Passed? Failed? Vetoed? Overridden? Public Law?
56-31 (COR)	D. G. Rodriguez, Jr., Judith Paulette Guthertz, DPA, Aline A. Yamashita Tina Rose Muña Barnes, Christopher M. Duenas, R. J. Respicio, A. B. Palacios, Sr., V. A. Ada, F.F. Blas, Jr.	AN ACT RELATIVE TO POLICYMAKERS PARTICIPATING IN THE GOVERNMENT OF GUAM HEALTHCARE INSURANCE NEGOTIATING TEAM, BY AMENDING §4302(c) OF ARTICLE 3, CHAPTER 4, TITLE 4, GUAM CODE ANNOTATED..	1/27/11 2:59 p.m.	1/28/11		Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land			



I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

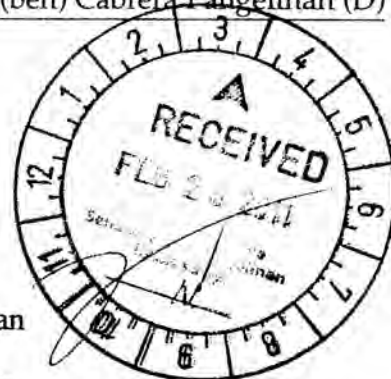
February 28, 2011

Memorandum

To: All Senators

From: Senator Vicente (ben) Cabrera Pangelinan

Re: Public Hearing Notice – FIRST NOTICE



Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
Committee on Education

Member
Committee on Rules,
Federal, Foreign &
Micronesian Affairs and
Human & Natural
Resources

Member
Committee on
Municipal Affairs,
Tourism, Housing, and
Recreation

Member
Committee on the Guam
Military Buildup and
Homeland Security

Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance and Land will conduct a public hearing beginning at **9:00am on Monday, March 7, 2011** at the Guam Legislature's Public Hearing Room. The following is on the agenda:

Presentation by the Chamorro Land Trust Commission.

Confirmation Hearings for the following:

Mr. Michael J.G. Borja, Member, Chamorro Land Trust Commission

Ms. Rita T. Franquez, Member, Chamorro Land Trust Commission

Bill No. 45-31 (COR): An Act relative to Authorizing the Guam Police Department the continual operations of its Headquarters and Administrative Offices in Tiyan, until a permanent Headquarters and Administrative Office Facility is constructed or identified through amending a restrictive provision contained in Public Law 26-100.

Bill No. 56-31 (COR): An Act relative to policymakers participating in the government of Guam HealthCare Insurance Negotiating Team by amending §4302 (c) of Article 3, Chapter 4, Title 4, Guam Code Annotated.

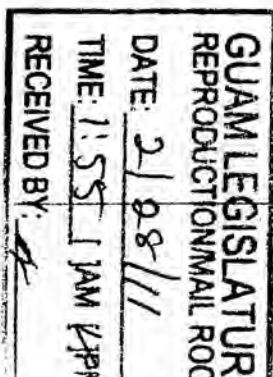
Bill No. 59-31 (COR): An Act to amend Section 20 of Chapter XIII of Public Law 30-196 relative to requiring all government of Guam agencies to comply with the staffing pattern disclosure mandates inclusive of the fourth quarter of fiscal year 2010.

Bill No. 68-31 (COR): An Act relative to Lot #54-2 REM, consisting of approximately 1,161 square meters, located in the Municipality of Agaña Heights, which would allow for the government of Guam's acceptance of a deeded 10 foot easement property amounting to a 30 foot total easement property, a

324 W. Soledad Ave. Suite 100, Hagåtña, Guam 96910

Tel: (671) 473-(4BEN) 4236 - Fax: (671) 473-4238 - Email: senbenp@guam.net

Website: <http://senbenp.com>



Notice to Senators
February 28, 2011
Page 2

grating of a setback variance to a total of four sides of the property and the deletion of the dotted easement down the middle of the existing lot, resulting in solving a fifty eight year dispute in the Municipality of Agana Heights.

Bill No. 73-30 (COR): An Act to appropriate funds to the Guam Environmental Protection Agency (GEPA) for actions arising from the enforcement of 10 GCA Chapter 76.

cc: Tom Unsiong, Sergeant-at-Arms
Clerk's Office
MIS
Protocol



Scott Mendiola <smendiola@guamlegislature.org>

First Notice Public Hearing

2 messages

Scott Mendiola <smendiola@guamlegislature.org>

Mon, Feb 28, 2011 at 2:12 PM

To: speaker@judiwonpat.com, senadotbjcruz@gmail.com, tinamunabarnes@gmail.com, roryforguam@gmail.com, judiguthertz@pticom.com, office@senatorada.org, senabpalacios@gmail.com, senatordrodriguez@gmail.com, frank.blasjr@gmail.com, aline4families@teleguam.net, senatortonyada@guamlegislature.org, duenasenator@gmail.com, info@senatormabini.com, senatormana@gmail.com
Bcc: Napu Castro <tcastro@guam.net>



I Mina'Trentai Unu Na

Liheislaturan Guahan

THIRTY-FIRST GUAM LEGISLATURE

Senator Vicente "ben" Cabrera Pangelinan Office of the People

INEKUNGOK PUPBLEKO

(PUBLIC HEARING)

gi Lunes, gi diha 7 gi Mátso na mes, 2011

(Monday, March 7, 2011)

Kuátton Inekungok Pupbleko gi I Liheislaturan Guáhan

(Guam Legislature Public Hearing Room)

Alas 9 gi ega'an

(9:00 AM)

TAREHA

(AGENDA)

Huntan Inanokdha'

Report from the Chamorro Land Trust Commission

Komfitmasion Siha:

(Confirmation hearings)

Mr. Michael J.G. Borja, Member, Chamorro Land Trust Commission

Ms. Rita T. Franquez, Member, Chamorro Land Trust Commission

Priniponi Siha

(Bills)

Bill No. 45-31 (COR): An Act relative to Authorizing the Guam Police Department the continual operations of its Headquarters and Administrative Offices in Tiyan, until a permanent Headquarters and Administrative Office Facility is constructed or identified through amending a restrictive provision contained in Public Law 26-100.

Bill No. 56-31 (COR): An Act relative to policymakers participating in the government of Guam HealthCare Insurance Negotiating Team by amending §4302 (c) of Article 3, Chapter 4, Title 4, Guam Code Annotated.

Bill No. 59-31 (COR): An Act to amend Section 20 of Chapter XIII of Public Law 30-196 relative to requiring all government of Guam agencies to comply with the staffing pattern disclosure mandates inclusive of the fourth quarter of fiscal year 2010.

Bill No. 68-31 (COR): An Act relative to Lot #54-2 REM, consisting of approximately 1,161 square meters, located in the Municipality of Agana Heights, which would allow for the government of Guam's acceptance of a deeded 10 foot easement property amounting to a 30 foot total easement property, a grating of a setback variance to a total of four sides of the property and the deletion of the dotted easement down the middle of the existing lot, resulting in solving a fifty eight year dispute in the Municipality of Agana Heights.

Bill No. 73-30 (COR): An Act to appropriate funds to the Guam Environmental Protection Agency (GEPA) for actions arising from the enforcement of 10 GCA Chapter 76.

Yanggen un nisisita espesiât na setbisio put fabot âgang i lfinan Senadot ben pangelinan gi 473-4236/7, i-mel si senbenp@guam.net, patsino hâlom gi i uepsait gi www.senbenp.com. Este na nutisiu inapâsi nu i fendon gubetnamento.

If you require any special accommodations, please contact the Office of Senator ben pangelinan at 473-4236 , email at senbenp@guam.net or log onto www.senbenp.com

This ad paid for with government funds

Scott T. Mendiola
Policy Research Analyst
Office of Senator Vicente (ben) Cabrera Pangelinan
Committee on Appropriations, Taxation, Public Debt,
Retirement, Banking, Insurance, and Land.
(671) 473-4236 (office)
(671) 473-4238 (fax)
<http://guamlegislature.org/>
<http://www.senbenp.com>

Scott Mendiola <smendiola@guamlegislature.org>

Mon, Feb 28, 2011 at 2:21 PM

To: speaker@judiwonpat.com, senadotbjcruz@gmail.com, tinamunabarnes@gmail.com,
roryforguam@gmail.com, judiguthertz@pticom.com, Senator ben pangelinan <senbenp@guam.net>,
office@senatorada.org, senatordrodriguez@gmail.com, frank.blasjr@gmail.com, aline4families@teleguam.net,
senatortonyada@guamlegislature.org, duenasenator@gmail.com, info@senatormabini.com,
senatormana@gmail.com
Bcc: Napu Castro <tcastro@guam.net>

[Quoted text hidden]



Agenda_Mar 7.doc
51K



Scott Mendiola <smendiola@guamlegislature.org>

First Notice Public Hearing

5 messages

Scott Mendiola <smendiola@guamlegislature.org>

Mon, Feb 28, 2011 at 2:14 PM

To: news@guampdn.com, news@k57.com, sabrina@kuam.com, jason@kuam.com, nick@kuam.com, mindy@kuam.com, lannie@kuam.com, jtyquiengco@spbgum.com, clynt@spbgum.com, betsy@spbgum.com, kevin@k57.com, gerry@mvgum.com, therese@mvgum.com, zita@mvgum.com, managingeditor@glimpsesofigum.com, rgibson@k57.com, aliciaperez69@hotmail.com, perezksto@gmail.com, gdumat-ol@guampdn.com, egthompson@guampdn.com, slimtiaco@guampdn.com, odngirairikll@guampdn.com



I Mina'Trentai Unu Na

Liheslaturan Guahan

THIRTY-FIRST GUAM LEGISLATURE

Senator Vicente "ben" Cabrera Pangelinan Office of the People

INEKUNGOK PUPBLEKO**(PUBLIC HEARING)*****gi Lunes, gi diha 7 gi Mátso na mes, 2011*****(Monday, March 7, 2011)*****Kuátton Inekungok Pupbleko gi I Liheslaturan Guáhan*****(Guam Legislature Public Hearing Room)*****Alas 9 gi ega'an***

(9:00 AM)

TAREHA

(AGENDA)

Huntan Inanokdha'

Report from the Chamorro Land Trust Commission

Komfitmasion Siha:

(Confirmation hearings)

Mr. Michael J.G. Borja, Member, Chamorro Land Trust Commission

Ms. Rita T. Franquez, Member, Chamorro Land Trust Commission

Priniponi Siha

(Bills)

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Bill No. 56-31 (COR): An Act relative to policymakers participating in the government of Guam HealthCare Insurance Negotiating Team by amending §4302 (c) of Article 3, Chapter 4, Title 4, Guam Code Annotated.

Bill No. 59-31 (COR): An Act to amend Section 20 of Chapter XIII of Public Law 30-196 relative to requiring all government of Guam agencies to comply with the staffing pattern disclosure mandates inclusive of the fourth quarter of fiscal year 2010.

Bill No. 68-31 (COR): An Act relative to Lot #54-2 REM, consisting of approximately 1,161 square meters, located in the Municipality of Agana Heights, which would allow for the government of Guam's acceptance of a deeded 10 foot easement property amounting to a 30 foot total easement property, a grating of a setback variance to a total of four sides of the property and the deletion of the dotted easement down the middle of the existing lot, resulting in solving a fifty eight year dispute in the Municipality of Agana Heights.

Bill No. 73-30 (COR): An Act to appropriate funds to the Guam Environmental Protection Agency (GEPA) for actions arising from the enforcement of 10 GCA Chapter 76.

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Senator Vicente "Ben" Cabrera Pangolinan
Office of the People

INEKUNGOK PUBLIKO (PUBLIC HEARING)

gi Lunes, gi dha 7 gi Milla na mes, 2011 (Thursday, January 27, 2011)

Kaulon Inekungok Publiko gi Liheslaturan Guahan
(Guam Legislature Public Hearing Room)

Alas 9 gi oga'an (9:00 AM)

TAREHA (AGENDA)

Hutan Inekungok
Report from the Chamorro Land Trust Commission

Komision Sisa (Confirmation Hearing)

Mr. Michael J.G. Borja, Member, Chamorro Land Trust Commission
Mr. Rita T. Franquez, Member Chamorro Land Trust Commission
Prinsipio Sisa (Bills)

Bill No. 45-31 (COR): An Act relative to Authorizing the Guam Police Department the continued operations of its Headquarters and Administrative Offices in Tiyan, until a permanent Headquarters and Administrative Office Facility is constructed or identified through amending a restrictive provision contained in Public Law 26-100.

Bill No. 56-31 (COR): An Act relative to policymakers participating in the government of Guam Health Care Insurance Negotiating Team by amending §302 (c) of Article 3, Chapter 4, Title 4, Guam Code Annotated.

Bill 59-31 (COR): An Act to amend Section 20 of Chapter XIII of Public Law 30-196 relative to requiring all government of Guam agencies to comply with the staffing pattern disclosure mandates inclusive of the fourth quarter of fiscal year 2010.

Bill No. 66-31 (COR): An Act relative to Lot #54-2 REM, consisting of approximately 1,161 square meters, located in the Municipality of Agaña Heights, which would allow for the government of Guam's acceptance of a divided 10 foot easement property amounting to a 30 foot total easement property, a grating of a setback variance to a total of four sides of the property and the deletion of the dotted easement down the middle of the existing lot, resulting in solving a fifty eight year dispute in the Municipality of Agaña Heights.

Bill No. 73-30 (COR): An Act to appropriate funds to the Guam Environmental Protection Agency (GEPA) for actions arising from the enforcement of 10 GCA Chapter 76.

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SPORTS

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Pacific Daily News, Monday, February 28, 2011 guampdn.com

MMA

Penn, Fitch draw at UFC 127

SYDNEY — B.J. Penn and Jon Fitch fought to a majority draw Sunday at UFC 127, the UFC's second major show in Australia. English middleweight Michael Bisping stopped Jorge Rivera early in the second round of the co-main event with a brutal flurry of punches, later taunting his fallen opponent at Acer Arena. Former two-division champion Penn (16-7-2) spent most of the fight wrestling near the cage with Fitch, who has lost just once in the past seven years. Fitch (26-3-1) specializes in grinding victories, and he posted a dominant third round after Penn badly injured Fitch's nose in the second round. Two judges scored the bout as a draw, while a third favored Fitch 29-28. Both fighters say they're open to a rematch.

Baseball

Torre hired as VP of operations

SCOTTSDALE, Ariz. — Joe Torre has been hired as Major League Baseball's executive vice president of baseball operations. He confirmed the appointment to The Associated Press on Saturday before Commissioner Bud Selig was to make the announcement at the spring facility for the Arizona Diamondbacks and Colorado Rockies. The 70-year-old Torre likely will help Selig in a variety of roles. MLB lost chief operating of-

ficer Bob DuPuy last fall after he spent more than eight years as the commissioner's top aide. Torre won four World Series titles for the New York Yankees during a 29-year career as a manager. He retired after last season following three years with the Los Angeles Dodgers. He played parts of 18 seasons in the majors.

Football

Goodell updates NFL owners

INDIANAPOLIS — NFL Commissioner Roger Goodell and the league's top labor negotiator used this week's annual scouting combine to update owners on the collective bargaining negotiations. In an e-mail to The Associated Press, league spokesman Greg Aiello confirmed Saturday that Goodell and Jeff Pash met Friday with the owner's labor committee at the Colts' team complex. Colts owner Jim Irsay, Aiello said, did not participate because he was out of town. "There was a meeting yesterday at the Colts' offices of the ownership's labor committee for another update from the negotiating team," Aiello wrote. The NFL Players Association and league owners are trying to work out a new collective bargaining agreement before the old expires at the end of Thursday. The two sides spent seven straight days negotiating in front of federal mediator George Cohen in Washington before talks ended Thursday. They are scheduled to resume Tuesday.

The Associated Press

Cycling: Saipan's Carey leads women

▲ Continued from Page 32

The views were gorgeous and I would most definitely come back to Guam again," said Peariso.

Rounding out the top five in the men's division were riders from Japan — Hamada Shimpei and Kenji Hashimoto. The two finished with times of 3:12:55 and 3:16:20, respectively. The first local male rider to finish the race was Peter Lombard who finished in sixth place with a 3:17:20 time.

Women's race

In the women's division, Saipan's Mielko Carey cruised through the course and beat out her nearest opponent by a little more than 10 minutes. Carey's time of 3:30:27 bettered second-place finisher Ji Hyun Lee's time of 3:40:47. Finishing in third for the ladies was Michelle Peariso, who had an official time of 4:02:01. Rounding out the top

five for the women was Guam's Mylene Garcia (4:31:45) and Japan's Fumiko Yamaguchi (4:55:36).

Team races

The event also had a team division that was divided into several categories including: two-man male, two-man female, two-man coed, and a four-man.

The two-man male division was captured by Saipan's team Kinoath (Kieran Daly and Matt Macau) who finished with a time of 3:51:07. The female top duo was team Hormagesty (Julie Magee, Monessa Horton) of Guam. Capturing the coed title was Guam's Joe Dela Cruz and Karly O'Neal (4:09:04).

Four-man team honors went to another Guam group — Aki Ito, Yoshio Ito, Mikiya Fukimoto and Isa Kawasaki. Kawasaki finished the team's final leg with an official race time of 4:28:53.

Rainbows for All Children Guam
23rd Annual 3.5 Mi. Run Walk for Youth 2011
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Pre-registration: MARKS SPORTING GOODS • Fee: \$10 • Deadline: Friday March 4, 2011, 5pm

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Maria Buelto 646-9648 • Sara Telford 473-6901 682-7343 • Frances Yu 949-9839

Philippines marks 25 years since 'People Power'



MANILA (AP) — Philippine President Benigno Aquino III said Friday that the struggle for good governance and the fight against the corruption that characterized the brutal regime of Ferdinand Marcos continues 25 years after the late dictator's ouster in the "People Power" revolution. In a speech to mark the four-day revolt in 1986 that restored democracy and ended Marcos' 20-year regime, Aquino recalled that Marcos ruled with an iron fist as he enriched his family and associates amid the nation's poverty. Marcos died in exile in Hawaii three years after his ouster. Poverty, corruption and insurgency are still major problems in the Philippines.

Aquino said the revolt raised hopes that democracy would also bring prosperity and a government that would safeguard the people's money, but said that did not happen in the decade under his predecessor, Gloria Macapagal Arroyo.

"There were some who betrayed the public trust and

raided government coffers," he said. "With good governance to fight corruption, we can free our people from poverty."

Arroyo held power for nine years, surviving several coup attempts by disgruntled military officers and impeachment bids by the opposition, who accused her of corruption, election fraud and human rights abuses. She has denied the charges.

Aquino is the son of the country's two democracy icons. His mother, Corazon Aquino, claimed victory against Marcos in the fraud-marred elections two weeks before the revolt, and was installed as his successor. His father and Marcos' archrival, former Senator Benigno "Ninoy" Aquino, was assassinated by soldiers in 1983.

Aquino has resumed peace talks with communist insurgents and Muslim separatist rebels to end more than four decades of armed conflict that has also stunted the country's economic growth.

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2011 GROUP LIFE INSURANCE PROGRAM REQUEST FOR PROPOSAL (RFP) Procurement No: RFP/DOA/HR-010-11

The Department of Administration is accepting proposals from interested life insurance companies, agents or brokers of life insurance companies licensed to do business of Guam under the laws of Guam to provide Life Insurance coverage to eligible government of Guam active employees, retired employees, survivors of retired employees and covered dependents, thereof.

A copy of the Request For Proposal (RFP) may be obtained at the Department of Administration, Human Resources Division, Employee Benefits Branch. A non-refundable fee of \$ 25.00 per RFP package will be charged at the time an RFP package is picked up. A certified check or cashier's check will be accepted and must be made payable to the Treasurer of Guam. The RFP is also available on the Department of Administration, Human Resources Division's website at www.hr.doa.guam.gov at no charge.

All written inquiries regarding the RFP should be submitted to the Director of the Department of Administration, as identified in the RFP no later than 2:00 p.m., February 25, 2011, Guam time.

All proposals, proposal modifications, or late withdrawals must be received no later than 4:00 p.m., March 14, 2011, Guam time.

Should you have any questions regarding this RFP, please call the Human Resources Division, Department of Administration at (671) 475-1179/1296

/s/ by: Benita A. Manglona
Acting Director, Department of Administration

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THIRTY-FIRST GUAM LEGISLATURE
Senator Vicente "ben" Cabrera Pangelinan
Office of the People**
INAKUNGON PUPLEKO
(PUBLIC HEARING)
gi Lunes, gi diha 7 gi Matsa na mes, 2011
(Monday, March 7, 2011)
Kaddten Inakungon Pupleko gi Lihelaturan Guahan
(Guam Legislative Public Hearing Room)
8las 9 gi eyuan
(9:00 AM)
TAREHA
(AGENDA)

Heimian Inakungon
Report from the Chamorro Land Trust Commission

Rekomendasyon Saka
(Confirmation Hearings)
Mr. Michael J.G. Borja, Member, Chamorro Land Trust Commission
Mr. Rita T. Francisco, Member, Chamorro Land Trust Commission
Proposed Saka
(Bills)

Bill No. 45-31 (COR): An Act relative to Authorizing the Guam Police Department the continued operations of its Headquarters and Administrative Offices in Tapan, until a permanent Headquarters and Administrative Office facility is constructed or identified through amending a restrictive provision contained in Public Law 26-100

Bill No. 56-31 (COR): An Act relative to policymakers participating in the government of Guam Health Insurance Negotiating Team by amending 5-0302 (2) of Article 1, Chapter 4, Title 4, Guam Code Annotated.

Bill No. 59-31 (COR): An Act to amend Section 20 of Chapter 381 of Public Law 30-196 relative to requiring all government of Guam agencies to comply with the staffing pattern disclosure mandates inclusive of the fourth quarter of fiscal year 2010.

Bill No. 68-31 (COR): An Act relative to the 25-4-2010, consisting of approximately 1,161 square meters, located in the Municipality of Agaña Heights, which would allow for the government of Guam's acceptance of a dredged 10 foot easement property amounting to a 30 foot total easement property, a granting of a setback variance to a total of four sides of the property and the deletion of the dotted easement down the middle of the existing lot, resulting in taking a 100 right year dispute in the Municipality of Agaña Heights.

Bill No. 73-38 (COR): An Act to appropriate funds to the Guam Environmental Protection Agency (GEPA) for actions arising from the enforcement of 10 GCA Chapter 76.

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▲ Philippine President Benigno Aquino III, center, Vice-President Jovmar Binay, left, and former President Fidel Ramos, right, link arms as they sing a patriotic song to celebrate the 25th People Power Anniversary Friday Feb. 25 at the People Power Monument along EDSA highway at suburban Quezon city, northeast of Manila, Philippines. Ramos was one of the leaders of the near bloodless four-day people power revolution 25 years ago that ousted the late strongman Ferdinand Marcos from 20-year rule and helped install Aquino's mother Corazon "Cory" Aquino to the presidency

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Senator Vicente (ben) Cabrera Pangelinan (D)

March 3, 2011

Memorandum

To: All Senators

From: Senator Vicente (ben) Cabrera Pangelinan

Re: Public Hearing Notice – SECOND NOTICE

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
Committee on Education

Member
Committee on Rules,
Federal, Foreign &
Micronesian Affairs and
Human & Natural
Resources

Member
Committee on
Municipal Affairs,
Tourism, Housing, and
Recreation

Member
Committee on the Guam
Military Buildup and
Homeland Security

Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance and Land will conduct a public hearing beginning at **9:00am on Monday, March 7, 2011** at the Guam Legislature's Public Hearing Room. The following is on the agenda:

Presentation by the Chamorro Land Trust Commission.

Confirmation Hearings for the following:

Mr. Michael J.G. Borja, Member, Chamorro Land Trust Commission
Ms. Rita T. Franquez, Member, Chamorro Land Trust Commission

Bill No. 45-31 (COR): An Act relative to Authorizing the Guam Police Department the continual operations of its Headquarters and Administrative Offices in Tiyan, until a permanent Headquarters and Administrative Office Facility is constructed or identified through amending a restrictive provision contained in Public Law 26-100.

Bill No. 56-31 (COR): An Act relative to policymakers participating in the government of Guam HealthCare Insurance Negotiating Team by amending §4302 (c) of Article 3, Chapter 4, Title 4, Guam Code Annotated.

Bill No. 59-31 (COR): An Act to amend Section 20 of Chapter XIII of Public Law 30-196 relative to requiring all government of Guam agencies to comply with the staffing pattern disclosure mandates inclusive of the fourth quarter of fiscal year 2010.

Bill No. 68-31 (COR): An Act relative to Lot #54-2 REM, consisting of approximately 1,161 square meters, located in the Municipality of Agana Heights, which would allow for the government of Guam's acceptance of a deeded 10 foot easement property amounting to a 30 foot total easement property, a

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Notice to Senators
February 28, 2011
Page 2

grating of a setback variance to a total of four sides of the property and the deletion of the dotted easement down the middle of the existing lot, resulting in solving a fifty eight year dispute in the Municipality of Agana Heights.

Bill No. 73-30 (COR): An Act to appropriate funds to the Guam Environmental Protection Agency (GEPA) for actions arising from the enforcement of 10 GCA Chapter 76.

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Public Hearing - Second Notice

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cc **Audrey Ward** <audrey@judiwonpat.com>, **Joshua Tenorio** <joshua.tenorio@senatorbjcruz.com>, **chelsea@tinamunabarnes.com**, **Elaine Tajalle** <elainevtl@gmail.com>, **Robert Tupaz** <rob.tupaz@gmail.com>, **Cyrus Luhr** <cyrus@senatorada.org>, **pjtacruz@yahoo.com**, **Joseph Anthony Mesngon** <jmesngon.senatordrodriguez@gmail.com>, **Mary Fejeran** <maryfejeran@gmail.com>, **tanya4families@gmail.com**, **Peter Leon Guerrero** <peterlg@gmail.com>, **"Michael D. Carlson"** <mcarlson@ite.net>, **razelgonzaless@gmail.com**, **chechsantos@gmail.com**, **Yong Pak** <yong@guamlegislature.org>, **sgtatarms@guamlegislature.org**, **Tom Unslog** <tunslog@guamlegislature.org>

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Hafa Adai,

The Office of Appropriations, Taxation, Public Debt, Banking, Insurance Retirement and Land will have a public hearing on Monday, March 7, 2011 beginning at 9:00am. Please see attached agenda.

Lisa Cipollone
 Chief of Staff
 Office of Senator ben c. pangerman
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cipo@guamlegislature.org

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Subject: Public Hearing - Second Notice

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To: Judi Won Pat <speaker@judiwonpat.com>, senator@senatorbjcruz.com,

Tina Muna Barnes <tinamunabarnes@gmail.com>, "Rory J. Respicio" <roryforguam@gmail.com>,

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From the Office of Senator Vicente (ben) Cabrera Pangelinan.

**INEKUNGOK PUPBLEKO
(PUBLIC HEARING)**

gi Lunes, gi diha 7 gi Måtso na mes, 2011
(Monday, March 7, 2011)

Kuåtton Inekungok Pupbleko gi I Liheslaturan Guåhan
(Guam Legislature Public Hearing Room)

Alas 9 gi ega'an
(9:00 AM)

**TAREHA
(AGENDA)**

Huntan Inanokdha'
Report from the Chamorro Land Trust Commission

Komfitmasion Siha:
(Confirmation hearings)

Mr. Michael J.G. Borja, Member, Chamorro Land Trust Commission
Ms. Rita T. Franquez, Member, Chamorro Land Trust Commission

Priniponi Siha
(Bills)

Bill No. 45-31 (COR): An Act relative to Authorizing the Guam Police Department the continual operations of its Headquarters and Administrative Offices in Tiyon, until a permanent Headquarters and Administrative Office Facility is constructed or identified through amending a restrictive provision contained in Public Law 26-100.

Bill No. 56-31 (COR): An Act relative to policymakers participating in the government of Guam HealthCare Insurance Negotiating Team by amending §4302 (c) of Article 3, Chapter 4, Title 4, Guam Code Annotated.

Bill No. 59-31 (COR): An Act to amend Section 20 of Chapter XIII of Public Law 30-196 relative to requiring all government of Guam agencies to comply with the staffing pattern disclosure mandates inclusive of the fourth quarter of fiscal year 2010.

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I Mina'Trentai Unu Na Lihseslaturan Guahan

THIRTY-FIRST GUAM LEGISLATURE

Senator Vicente "ben" Cabrera Pangelinan Office of the People

INEKUNGOK PUPBLEKO (PUBLIC HEARING)

***gi Lunes, gi diha 7 gi Måtso na mes, 2011
(Monday, March 7, 2011)***

***Kuåtton Inekungok Pupbleko gi I Lihseslaturan Guahan
(Guam Legislature Public Hearing Room)***

***Alas 9 gi ega'an
(9:00 AM)***

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Bill No. 59-31 (COR): An Act to amend Section 20 of Chapter XIII of Public Law 30-196 relative to requiring all government of Guam agencies to comply with the staffing pattern disclosure mandates inclusive of the fourth quarter of fiscal year 2010.

Bill No. 68-31 (COR): An Act relative to Lot #54-2 REM, consisting of approximately 1,161 square meters, located in the Municipality of Agana Heights, which would allow for the government of Guam's acceptance of a deeded 10 foot easement property amounting to a 30 foot total easement property, a grating of a setback variance to a total of four sides of the property and the deletion of the dotted easement down the middle of the existing lot, resulting in solving a fifty eight year dispute in the Municipality of Agana Heights.

Bill No. 73-31 (COR): An Act to appropriate funds to the Guam Environmental Protection Agency (GEPA) for actions arising from the enforcement of 10 GCA Chapter 76.






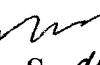




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I MINA 'TRENTAI UNU LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 56-31 (cor)

Introduced By:

D.G. Rodriguez, Jr. 
Judith Paulette Guthertz, DPA 
Aline A. Yamashita, Ph.D. 
Tina Rose Muña Barnes 
Christopher M. Duenas 
R.J. Respicio 
A.B. Palacios, Sr. 
V. Anthony Ada 
B.J. Cruz 
M. Silva-Tajerón 

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**AN ACT RELATIVE TO POLICYMAKERS
PARTICIPATING IN THE GOVERNMENT OF
GUAM HEALTHCARE INSURANCE
NEGOTIATING TEAM, BY AMENDING §4302(c)
OF ARTICLE 3, CHAPTER 4, TITLE 4, GUAM
CODE ANNOTATED.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative findings and intent. *I Liheslaturan Guåhan* finds that the recent passage of P.L. 30-227, known as the “Healthcare Insurance Transparency Act of 2010”, was for the purpose of ensuring that the processes pursuant to which the government of Guam acquires health insurance coverage for its active employees and retirees are negotiated in a manner so as to ultimately reflect the most economical and beneficial health plan possible. *I Liheslaturan Guahan* further finds that although funding for the government of Guam’s annual contribution to the health care insurance plan is dependant upon an appropriation to be included in the upcoming Fiscal Year Budget act, the negotiation process is

1 completed prior to the budget process without Legislative input or knowledge. The
2 annual task of negotiating the upcoming fiscal year's healthcare insurance plan is
3 conducted and completed without appropriate input and feedback from policy
4 makers responsible for appropriating the available funds of the people of Guam.

5 Therefore, it is the intent of *I Liheslaturan Guahan* to include at least two
6 key members of the Guam Legislature in the Government of Guam's Health
7 Insurance Negotiating Team. The Chairpersons of both the Committee on Health
8 and the Committee on Appropriations will be integral members in ensuring any
9 health plan the government of Guam procures for its employees and retirees is the
10 most beneficial, while also being fiscally achievable and realistically reflective of
11 budgetary constraints. It is further, the intent of *I Liheslatura Guahan* to seek to
12 ensure that by the inclusion of two of its members who chair the Health and
13 Appropriations Committees in the Negotiating Team, it will better ensure the
14 government of Guam does not repeat the unconscionable and callous actions of
15 entering into a health insurance plan that is unanticipated and unaffordable by the
16 taxpayers of Guam.

17 **Section 2: Inclusion of Policymakers in the Government of Guam**
18 **Health Insurance Negotiating Team.** Subsection (c) of §4302 of Article 3,
19 Chapter 4, Title 4, Guam Code Annotated, is hereby *amended*, to read:

20 “(c) A Negotiating Team consisting of the Director of Administration, who
21 *shall* be Chairperson; the Administrator of the Department of Integrated Services
22 for Individuals with Disabilities (‘DISISD’), *or his or her* designee; the Director
23 of Bureau of Budget and Management Research, *or his or her* designee; an
24 employee representative from the Judicial Branch to be appointed by the Chief
25 Justice of the Supreme Court of Guam; the Chairperson of the Committee on
26 Health of *I Liheslaturan Guahan*, *or his or her* designee; the Chairperson of the

1 Committee on Appropriations of *I Liheslaturan Guahan*, or his or her designee;
2 an employee representative of the Legislative Branch to be appointed by the
3 Speaker of *I Liheslaturan Guahan*; the Superintendent of the Department of
4 Education, *or his or her designee*; the Director of the Government of Guam
5 Retirement Fund, *or his or her designee*; a retiree who is a member of the
6 Government of Guam Retirement Fund to be appointed by the Board of Trustees of
7 the Government of Guam Retirement Fund; and one (1) member of the general
8 public, appointed by *I Maga'lahaen Guahan*, shall examine the financial
9 information of the prepaid health insurance companies, health care providers or
10 other legal entities for the purpose of developing the most economical and
11 beneficial health plan for the Government of Guam employees and retirees. The
12 Negotiating Team may obtain technical support from other financial and health-
13 related agencies. The Negotiating Team shall develop its rules of procedure in
14 accordance with the Administrative Adjudication Law. The Negotiating Team with
15 the approval of *I Maga'lahi* is authorized to contract an actuary competent to
16 develop proposed health insurance rates *or* other recognized expert to train *and/or*
17 advise the Negotiating Team.”

18 **Section 3. Clarification of Applicability of Amendment pursuant to**
19 **Section 2 of this Act.** The amendment provided pursuant to Section 2 of this Act
20 shall only apply to the first paragraph of Subsection (c), and shall not affect or
21 change the existing accompanying Parts 1, 2, and 3 of Subsection (c) of §4302 of
22 Article 3, Chapter 4, Title 4, Guam Code Annotated, which shall remain unchanged
23 and in full force and effect.

24 **Section 4. Effective Date.** Notwithstanding any other provision of law, the
25 provisions of this Act shall be effective upon enactment.