



EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

31-11-551

May 24, 2011

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

5-25-11
4 pm
SDIENLING

Dear Madame Speaker:

Transmitted herewith is Bill No. 97-31 (COR) "AN ACT TO REPEAL AND REENACT §4502, TO AMEND §4503, AND TO ADD A NEW §4510 TO CHAPTER 4A; AND TO AMEND §3231 OF ARTICLE 2 OF CHAPTER 3, ALL OF TITLE 10, GUAM CODE ANNOTATED RELATIVE TO THE CONTROL AND DISPOSITION OF A DEAD HUMAN BODY, AND THE DUTY OF BURIAL", which I signed into law on May 23, 2011 as Public Law 31-46.

Senseramente,


EDDIE BAZA CALVO

Attachment: copy of Bill

2011 MAY 26 AM 8:04


551

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

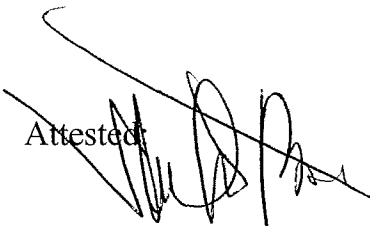
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Bill No. 97-31 (COR)**, "AN ACT TO **REPEAL AND RE-ENACT** §4502, TO **AMEND** §4503, AND TO **ADD A NEW** §4510 TO CHAPTER 4A; AND TO **AMEND** §3231 OF ARTICLE 2 OF CHAPTER 3, ALL OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE CONTROL AND DISPOSITION OF A DEAD HUMAN BODY, AND THE DUTY OF BURIAL", was on the 10th day of May, 2011, duly and regularly passed.



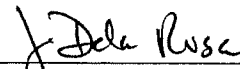
Judith T. Won Pat, Ed.D.
Speaker

Attested:



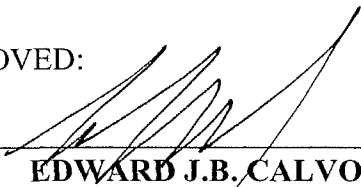
Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahren Guåhan* this 12th day of May, 2011, at 10:30 o'clock A.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



EDWARD J.B. CALVO
I Maga'lahren Guåhan

Date: _____

MAY 23 2011

Public Law No. 31-46

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

Bill No. 97-31(COR)

As amended on the Floor.

Introduced by:

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

AN ACT TO REPEAL AND RE-ENACT §4502, TO AMEND §4503, AND TO ADD A NEW §4510 TO CHAPTER 4A; AND TO AMEND §3231 OF ARTICLE 2 OF CHAPTER 3, ALL OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE CONTROL AND DISPOSITION OF A DEAD HUMAN BODY, AND THE DUTY OF BURIAL.

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

2 **Section 1.** §4502 of Chapter 4A of Title 10, Guam Code Annotated, is
3 *repealed and re-enacted* to read:

1 **“§4502. Right of Sepulcher, the Right to Choose and Control**
2 **Final Disposition of a Dead Human Body.**

3 (a) As used in this Section, the term *right of sepulcher* means the
4 right to choose and control the burial, cremation, or other final disposition of
5 a dead human body.

6 (b) The next-of-kin, as defined in §4510 of this Chapter, of the
7 deceased *shall* be entitled to control the final disposition of the remains of
8 any dead human being consistent with all applicable laws, including all
9 applicable health codes.

10 (c) A mortician or mortuary is entitled to rely on and act according
11 to the lawful instructions of any person claiming to be the next-of-kin of the
12 deceased; provided, however, in any civil cause of action against a funeral
13 director or establishment licensed pursuant to this Chapter for actions taken
14 regarding the funeral arrangements for a deceased person in the director's or
15 establishment's care, the relative fault, if any, of such mortician or mortuary
16 may be reduced if such actions are taken in reliance upon a person's claim to
17 be the deceased person's next-of-kin.

18 (d) Any person who desires to exercise the right of sepulcher and
19 who has knowledge of an individual or individuals with a superior right to
20 control disposition *shall* notify such individual or individuals prior to
21 making final arrangements.

22 (e) If an individual with a superior claim is personally served with
23 written notice from a person with an inferior claim that such person desires
24 to exercise the right of sepulcher and the individual so served does *not* object
25 within forty-eight (48) hours of receipt, such individual *shall* be deemed to
26 have waived such right. An individual with a superior right may also waive
27 such right at any time if such waiver is in writing and dated.

1 (f) If there is more than one (1) person in a class who are equal in
2 priority and the mortician has no knowledge of any objection by other
3 members of such class, the mortician or mortuary *shall* be entitled to rely on
4 and act according to the instructions of the first such person in the class to
5 make arrangements; provided that such person assumes responsibility for the
6 costs of disposition and no other person in such class provides written notice
7 of his or her objection.

8 (g) Any person may designate an individual to be his or her closest
9 next-of-kin, regardless of blood or marital relationship, by means of a
10 written instrument that is signed, dated, and verified. Such designation of
11 right of sepulcher *shall* be witnessed by two (2) persons, and *shall* contain
12 the names and last known address of each person entitled to be next-of-kin
13 but for the execution of the designation of right of sepulcher and who are
14 higher in priority than the person so designated.”

15 **Section 2.** A new §4510 is *added* to Chapter 4A of Title 10, Guam Code
16 Annotated, to read:

17 **“§4510. Next-of-Kin Defined.**

18 For purposes of this Chapter and in all cases relating to the custody,
19 control, and disposition of deceased human remains, where *not* otherwise
20 defined, the term *next-of-kin* means the following persons in the priority
21 listed if such person is eighteen (18) years of age or older, is mentally
22 competent, and is willing to assume responsibility for the costs of
23 disposition:

24 (a) The surviving spouse;

25 (b) A surviving child of the deceased. If a surviving child is
26 less than eighteen (18) years of age and has a legal or natural
27 guardian, such child *shall not* be disqualified on the basis of the

1 child's age and such child's legal or natural guardian, if any, *shall* be
2 entitled to serve in the place of the child unless such child's legal or
3 natural guardian was subject to an action in dissolution from the
4 deceased. In such event the person or persons who may serve as next-
5 of-kin *shall* serve in the order provided in Subsections (c) to (g) of
6 this Section;

7 (c) A surviving parent of the deceased; or if the deceased is a
8 minor, a surviving parent who has custody of the minor; or if the
9 deceased is a minor and the deceased's parents have joint custody, the
10 parent whose residence is the minor child's residence for purposes of
11 mailing and education;

12 (d) A surviving sibling of the deceased;

13 (e) Any person designated by the deceased to act as next-of-
14 kin pursuant to a valid designation of right of sepulcher as provided in
15 §4502(g) of this Chapter;

16 (f) The next nearest surviving relative of the deceased by
17 consanguinity or affinity;

18 (g) Any person or friend who assumes financial
19 responsibility for the disposition of the deceased's remains if no next-
20 of-kin assumes such responsibility.”

21 **Section 3.** §3231 of Article 2 of Chapter 3, Title 10, Guam Code
22 Annotated, is *amended* to read:

23 **“§3231. Disposition.**

24 (a) The right to control the disposition of a dead human body and
25 the duty of burial or other disposition and the liability for the reasonable cost
26 *shall* be pursuant to the provisions of §4502 and §4503 of Chapter 4A of
27 10GCA.”

1 **Section 4.** §4503 of Chapter 4A of Title 10, Guam Code Annotated, is
2 *amended* to read:

3 **“§4503. Indigents: Duty of Director.**

4 Where the duty of burial or other disposition of a dead human body
5 does not devolve upon any other person in Guam, or if such person cannot
6 after reasonable diligence be found within Guam, the Director shall arrange
7 for burial at sea or on land, or cremation of such body.”

8 **Section 5. Effective Date.** This Act *shall* be effective upon enactment.

6

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN

2011 (FIRST) Regular Session

Date: May 10, 2011

VOTING SHEET

ABill No. 97-31(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.	✓				
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

15 0 0 0 0

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



Ufisinan Todu Guam
SENATOR DENNIS G. RODRIGUEZ, Jr.
I Mina'trentai Unu Na Liheslaturan Guåhan
CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

April 26, 2011

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

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

RE: Committee Report – Bill No. 97-31(COR)


Dear Speaker Won Pat:

Transmitted herewith, for your consideration, is the **Committee Report on BILL NO. 97-31(COR)- An act to repeal and re-enact §4502 of 10GCA Chapter 4A; to add a new §4510 to 10GCA Chapter 4A; and to amend §3231 of 10GCA Chapter 3; relative to the control and disposition of a dead human body, and the duty of burial;** Sponsored by Senator Tina Rose Muña-Barnes, and referred to the Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform. Bill No. 97-31(COR) was publicly heard on March 16, 2011.

Committee votes are as follows:

TO PASS
 NOT TO PASS
 ABSTAIN
 TO REPORT OUT ONLY
 TO PLACE IN INACTIVE FILE

Senseramente,


Senator Dennis G. Rodriguez, Jr.
Chairman

Attachments

2011 APR 29 PM 1:55
JR



Ufisinan Todu Guam

SENATOR DENNIS G. RODRIGUEZ, Jr.

I Mina'trentai Unu Na Liheslaturan Guåhan

CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

**COMMITTEE REPORT
ON**

BILL NO. 97-31 (COR)

Sponsored by Senator Tina Rose Muña-Barnes

“An act to repeal and re-enact §4502 of 10GCA Chapter 4A; to add a new §4510 to 10GCA Chapter 4A; and to amend §3231 of 10GCA Chapter 3; relative to the control and disposition of a dead human body, and the duty of burial.”




Ufisinan Todu Guam
SENATOR DENNIS G. RODRIGUEZ, Jr.

I Mina'trentai Unu Na Liheslaturan Guåhan
CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

April 25, 2011

MEMORANDUM

To: **ALL MEMBERS**
Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform.

From: **Senator Dennis G. Rodriguez, Jr.** 
Committee Chairperson

Subject: **Committee Report on Bill no. 97-31(COR)**

Transmitted herewith, for your consideration, is the **Committee Report on BILL NO. 97-31(COR)- an act to repeal and re-enact §4502 of 10GCA Chapter 4A; to add a new §4510 to 10GCA Chapter 4A; and to amend §3231 of 10GCA Chapter 3; relative to the control and disposition of a dead human body, and the duty of burial;** Sponsored by Senator Tina Rose Muña-Barnes.

This report includes the following:

- Committee Voting Sheet
- Committee Report Narrative/Digest
- Copy of Bill No. 97-31(COR)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony and Supporting Documents
- Copy of COR Referral of Bill No. 97-31(COR)
- Notices of Public Hearing (1st and 2nd)
- 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'!

Attachments



Ufisinan Todu Guam

SENATOR DENNIS G. RODRIGUEZ, Jr.

I Mina'trentai Unu Na Liheslaturan Guåhan

CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

COMMITTEE VOTING SHEET

BILL NO. 97-31(COR)- an act to repeal and re-enact §4502 of 10GCA Chapter 4A; to add a new §4510 to 10GCA Chapter 4A; and to amend §3231 of 10GCA Chapter 3; relative to the control and disposition of a dead human body, and the duty of burial.

	SIGNATURE	TO PASS	NOT TO PASS	ABSTAIN	REPORT OUT ONLY	PLACE IN INACTIVE FILE
DENNIS G. RODRIGUEZ, Jr. Chairman		4/24/11				
ADOLPHO B. PALACIOS, Sr. Vice Chairman		4/26				
JUDITH T. WON PAT, Ed.D. Speaker		4/26				
BENJAMIN J. F. CRUZ Vice-Speaker		4/26				
TINA ROSE MUÑA BARNES Legislative Secretary		4/26/11				
THOMAS C. ADA						
VICENTE C. PANGELINAN						
RORY J. RESPICIO						
JUDITH P. GUTHERTZ, DPA		4/20/11				
FRANK F. BLAS, Jr.					4/24/11	
V. ANTHONY ADA						
ALINE A. YAMASHITA, Ph.D.						
SAM MABINI, Ph.D.					4/26/11	
MANA SILVA TAIJERON						
CHRISTOPHER M. DUENAS						



Ufisinan Todu Guam
SENATOR DENNIS G. RODRIGUEZ, Jr.

I Mina'trentai Unu Na Liheslaturan Guåhan
CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,
ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

COMMITTEE REPORT DIGEST

Bill No. 97-31(COR)

I. OVERVIEW: The Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform conducted a public hearing on March 16, 2011. The hearing convened at 8:30AM in I Liheslatura's Public Hearing Room. Among the items on the agenda was the consideration of **BILL NO. 97-31(COR)-An act to repeal and re-enact §4502 of 10GCA Chapter 4A; to add a new §4510 to 10GCA Chapter 4A; and to amend §3231 of 10GCA Chapter 3; relative to the control and disposition of a dead human body, and the duty of burial.** Introduced by Senator Tina Rose Muña-Barnes.

II. Public Notice Requirements

Notices were disseminated via hand-delivery/fax and/or email to all senators and all main media broadcasting outlets on March 8, 2011 (5-day notice), and again on March 11, 2011 (48-hour notice). Notice was published *on-line* and in *print* in the Pacific Daily News on March 9, 2011 and March 14, 2011, respectively.

Senators Present

Senator Dennis G. Rodriguez, Jr.	Chairman
Senator Adolpho B. Palacios, Sr.	Vice-Chairman
Senator Vicente Pangelinan	Committee Member
Senator Mana Silva Taijeron	Committee Member
Senator V. Anthony Ada	Committee Member
Senator Christopher M. Duenas	Committee Member
Senator Aline Yamashita, Ph.D.	Committee Member
Senator Thomas C. Ada	Committee Member

The public hearing on agenda item Bill No. 97-31(COR) was called to order at 8:33AM.

II. SUMMARY OF TESTIMONY & DISCUSSION.

Chairman Dennis G. Rodriguez, Jr., convened the Public Hearing on Bill 97-31(COR). **Invited Senator Tina Rose Muña-Barnes, author of Bill No. 97-31(COR), to explain the intent of her Bill.**

Senator Muña-Barnes: Si Yu'os Ma'ase' Mr. Chair, and the committee, and the members of this committee. I would also like to extend my Un Dangkolulu Na Si Yu'os Ma'ase' to Senator Tony Ada for allowing me to make him a co-sponsor of this bill number 97-31. Mr. Chair and to the listening audience, some of you may be aware that more than a year ago, some concerns of the participants of a community organization had realized that one of its members had been in the hospital for more than a month and I say a month but it was probably months. And though he was a long time resident of Guam, he had no known next-of-kin as defined by Guam statute. And it was only through extraordinary measures that this man's

body met its final disposition, and I'm sure that this measure will be strengthened by this committee and the body at large, bill 97 (COR) clearly defines the next-of-kin, it grants the rights of disposition to a friend who assumes financial responsibility for the body in the absence of a next-of-kin, and allows a funeral director the right of disposition should no other alternative be found. Sometimes, Mr. Chair, the human consequences of public policies are lost, and yet, dignity should be given to every person of, throughout every phase of human existence and you know for me, that is from birth to final disposition. Mr. Chair, I want to thank you in advance for your action on this matter and putting it out for public hearing and your time and attention to this and I'm open to recommendations and added amendments to strengthen this bill, but as I stated earlier, Mr. Chair, as I worked closely with my good colleague Senator Ada before he became a senator and other mortuaries on Guam this concern did come up, it took a lot of creative thinking and thinking outside the box to try and find a final resting place for those who have gone and were not claimed. And you know, it hurts me and it aches me to know that even on our island, so culturally and family oriented, there are those that don't have a next-of-kin and trying to get somebody and those who need and want to do it, but because the statute doesn't allow for it, it was really hard to have those who passed away have their final resting place. So I'm hoping that my colleagues will look carefully at this bill, and work with me on this so that we can come up with a win-win for our community. So Si Yu'os Ma'ase' for giving me this opportunity and I really look forward to testimony from our community. Saina Ma'ase'!

Chairman Rodriguez: Thank you Senator (Muna-Barnes). Ms. Espinoza.

Maria GP Espinoza: (Please refer to written testimony.)

Chairman Rodriguez: Thank you. Senator Muña-Barnes.

Senator Muña-Barnes: I just want to thank Mrs. Espinoza for her testimony and I know that I will work closely with my co-sponsor on this in clarifying her concern and make the necessary amendments on this as defined by law and what we can work on and I'm hoping that my colleagues can share and work with me on the concerns Ms. Espinoza has brought up. Thank you.

Chairman Rodriguez: Thank you. (Addresses Vice-Chairman Palacios, with no questions.) Senator (Tony) Ada.

Senator Tony Ada: Thank you Mrs. Espinoza for your testimony. I would just like to let you know, that fetuses whether they were aborted or not, over the past many years, we've gotten together with, in my private sector life, we've always gotten together with the church and we always made sure that they had a proper burial. It may be after time has gone by but we always looked after them and made sure they were given that dignity. A person, regardless, whether they were miscarried or aborted, they are not deprived that right of burying their own fetus. All they have to do is let their intention known, that they want the baby or they want the fetus so they can give it a proper burial. But for those who do not want to claim their fetuses, we still, up to this day, we still do that, we still get together, so you can be rest assured that they're always buried, they're always given that dignity, given that respect. I will continue to work with Senator Barnes, so that we can take, and strengthen this law for you.

Maria Espinoza: That's good. Strengthen the law is good so that there is no room for evasiveness. That is all I'm looking for is to recognize and I hope that you all agree that they are human bodies we are looking at, so, that's just for the clarification to in the Guam law. Thank you very much.

Chairman Rodriguez: Chairman calls for Sen. Tom Ada, Senator Pangelinan, other senators, without questions). There being no other testimony, or comments by Senators, Chairman Rodriguez declared the bill as having been heard, and concluded the public hearing on Bill No. 97-31(COR).

Fiscal Note: Requested on March 08, 2011 (attached) and received on March 18, 2011 (attached).

III. FINDINGS AND RECOMMENDATIONS

No opposition was raised relative to Bill No. 97-31 (COR). Testimony provided spoke to the socially universal practice of paying proper respect for the dead, and the appropriate statutory provisions by which such is conduct is ensured.

The Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform, hereby **reports out Bill No. 97-31(COR)**, with the recommendation to Report out only.

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

Bill No. 97-31 (COR)

Introduced by:

T. R. Muña-Barnes
V. A. Ada

An Act to repeal and re-enact §4502 of 10GCA Chapter 4A; to add a new §4510 to 10GCA Chapter 4A; and to amend § 3231 of 10GCA Chapter 3; relative to the control and disposition of a dead human body, and the duty of burial.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. §4502 of Chapter 4A of 10GCA is *repealed and re-enacted* to read:

“§4502. Right of sepulcher, the right to choose and control final disposition of a dead human body.

(a) As used in this section, the term “right of sepulcher” means the right to choose and control the burial, cremation, or other final disposition of a dead human body.

(b) The next-of-kin, as defined in §4510 of this Chapter, of the deceased shall be entitled to control the final disposition of the remains of any dead human being consistent with all applicable laws, including all applicable health codes.

(c) A mortician or mortuary is entitled to rely on and act according to the lawful instructions of any person claiming to be the next-of-kin of the deceased; provided however, in any civil cause of action against a funeral director or establishment licensed pursuant to this Chapter for actions taken regarding the funeral arrangements for a deceased person in the director's or establishment's care, the relative fault, if any, of such mortician or mortuary

2011 MAR -1 AM 11:27

1 may be reduced if such actions are taken in reliance upon a person's claim to be
2 the deceased person's next-of-kin.

3 (d) Any person who desires to exercise the right of sepulcher and who
4 has knowledge of an individual or individuals with a superior right to control
5 disposition shall notify such individual or individuals prior to making final
6 arrangements.

7 (e) If an individual with a superior claim is personally served with
8 written notice from a person with an inferior claim that such person desires to
9 exercise the right of sepulcher and the individual so served does not object
10 within forty-eight (48) hours of receipt, such individual shall be deemed to
11 have waived such right. An individual with a superior right may also waive
12 such right at any time if such waiver is in writing and dated.

13 (f) If there is more than one person in a class who are equal in priority
14 and the mortician has no knowledge of any objection by other members of such
15 class, the mortician or mortuary shall be entitled to rely on and act according to
16 the instructions of the first such person in the class to make arrangements;
17 provided that such person assumes responsibility for the costs of disposition
18 and no other person in such class provides written notice of his or her
19 objection.

20 (g) Any person may designate an individual to be his or her closest next-
21 of-kin, regardless of blood or marital relationship, by means of a written
22 instrument that is signed, dated, and verified. Such designation of right of
23 sepulcher shall be witnessed by two persons, and shall contain the names and
24 last known address of each person entitled to be next-of-kin but for the
25 execution of the designation of right of sepulcher and who are higher in
26 priority than the person so designated.”

27

1 **Section 2.** A new §4510 is *added* to Chapter 4A of 10GCA to read:

2 **“§4510 Next-of-kin defined.**

3 For purposes of this Chapter and in all cases relating to the custody,
4 control, and disposition of deceased human remains, where not otherwise
5 defined, the term “next-of-kin” means the following persons in the priority
6 listed if such person is eighteen (18) years of age or older, is mentally
7 competent, and is willing to assume responsibility for the costs of disposition:

8 (a) The surviving spouse;

9 (b) A surviving child of the deceased. If a surviving child is
10 less than eighteen (18) years of age and has a legal or natural guardian,
11 such child shall not be disqualified on the basis of the child's age and
12 such child's legal or natural guardian, if any, shall be entitled to serve in
13 the place of the child unless such child's legal or natural guardian was
14 subject to an action in dissolution from the deceased. In such event the
15 person or persons who may serve as next-of-kin shall serve in the order
16 provided in Subsections (c) to (g) of this Section;

17 (c) A surviving parent of the deceased; or if the deceased is a
18 minor, a surviving parent who has custody of the minor; or if the
19 deceased is a minor and the deceased's parents have joint custody, the
20 parent whose residence is the minor child's residence for purposes of
21 mailing and education;

22 (d) A surviving sibling of the deceased;

23 (e) Any person designated by the deceased to act as next-of-kin
24 pursuant to a valid designation of right of sepulcher as provided in §
25 4502(g) of this Chapter;

26 (f) The next nearest surviving relative of the deceased by
27 consanguinity or affinity;

1 (g) Any person or friend who assumes financial responsibility
2 for the disposition of the deceased's remains if no next-of-kin assumes
3 such responsibility.”
4

5 **Section 3.** §3231 of Chapter 3 of 10GCA is *amended* to read:

6 **“§ 3231. Disposition.**

7 (a) The right to control the disposition of a dead human body and the duty of
8 burial or other disposition and the liability for the reasonable cost thereof ~~devolves~~
9 ~~upon the following in the order named:~~

10 ~~(1) Surviving spouse of the decedent;~~

11 ~~(2) Surviving child or children of the decedent;~~

12 ~~(3) Surviving parent or parents of the decedent; and~~

13 ~~(4) Person or persons, respectively, in the next degrees of kindred, in the~~
14 ~~order named by the laws of Guam as entitled to succeed the estate of the~~
15 ~~decedent; provided, that liability for the cost of burial or other disposition shall~~
16 ~~be primarily upon the estate of the decedent.~~

17 ~~(b) Where the duty of burial or other disposition of the dead human body does~~
18 ~~not devolve upon any other person in Guam, or if such person cannot after reasonable~~
19 ~~diligence be found within Guam, the Director shall arrange for the burial or other~~
20 ~~disposition of such body. shall be pursuant to the provisions of §4502 and §4503 of~~
21 ~~Chapter 4A of 10GCA.~~”

22
23 **Section 4.** §4503 of Chapter 4A of 10 GCA *amended* to read

24 **“§4503. Indigents: Duty of Director.**

25 Where the duty of burial or other disposition of a dead human body does not
26 devolve upon any other person in Guam, or if such person cannot after reasonable

1 diligence be found within Guam, the Director shall arrange for the burial, cremation
2 or other appropriate disposition of such body.”

3

4 **Section 5. Effective Date.** This Act shall be effective upon enactment.



SENATOR DENNIS G. RODRIGUEZ, Jr., Chairman

COMMITTEE ON HEALTH & HUMAN SERVICES, ECONOMIC DEVELOPMENT,
SENIOR CITIZENS AND ELECTION REFORM

Mina Trentai Unu Na Liheslaturan Guahan • 31st Guam Legislature

PUBLIC HEARING DATE / TIME: March 16, 2011 / 8-30 am

AGENDA ITEM: ~~8~~ BILL-97-31(COR)

PRINT NAME	SIGNATURE	AGENCY OR ORGANIZATION	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	OPPOSE	CONTACT NUMBER
MARIA G.P. ESPINOZA	<i>Maria G.P. Espinoza</i>	NONE		✓			7344355

Maria G. P. Espinoza
P. O. Box 4910
Hagatna, Guam 96932
Resident of Mangilao

March, 16, 2010

Senaor Dennis G. Rodriguez, Jr.
Chairman:
Committee on Health & Human Services,
Senior Citizens, Economic Development, and
Election Reform

RE: TESTIMONY ON BILL 97-31

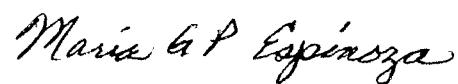
Good Morning Senators. My name is Maria Espinoza. My testimony is by way of a question. Bill 97-31 addresses the right to choose and control the final disposition of a dead human body. My question is whether or not the body of an aborted child, or "fetus" can be considered a "dead human body" under Guam law. If so, then I would recommend that the law be clarified, applied and enforced. If not, then I recommend, for the sake of clarity, that the law be amended to make an exception for the body of an aborted child or fetus.

While Roe v. Wade denied personhood to the unborn, it did not specifically deny that the fetus was a "human fetus". This lack of clarity, in my opinion, allows us as the community of Guam, to determine whether or not an aborted fetus can be considered a "dead human body".

As per the abortion reports available from Guam Medical Records for the years 2008-2009, there is an average of one abortion on Guam every 1.2 days. That's a lot of dead bodies and their final disposition should be addressed in Guam law.

Should there be a question as to whether the fetus is human or not, I offer a few pictures for your consideration so that you can more easily make the determination for yourselves.

Thank you for your consideration.



Maria G. P. Espinoza

ATTACHMENTS: THREE Pictures
OF ABORTED FETUSES















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

2011 Mar 21 AM 9:27

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

March 18, 2011

Memorandum

Senator
Judith P. Guthertz
VICE CHAIRPERSON
ASST. MAJORITY LEADER

To: Pat C. Santos
Clerk of the Legislature

MAJORITY MEMBERS:

From: Senator Judith P. Guthertz, DPA
Acting Chairperson, Committee on Rules *M*

Speaker
Judith T. Won Pat

Subject: Fiscal Notes

Vice Speaker
Benjamin J. F. Cruz

Hafa Adai!

Senator
Tina Rose Muña Barnes
LEGISLATIVE SECRETARY
MAJORITY WHIP

Attached please find the fiscal notes for the bill numbers listed below. Please note that the fiscal notes, or waivers, are issued on the bills as introduced.

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

- Bill Nos.: 93-31 (COR)
- 94-31 (COR)
- 95-31 (COR)
- 97-31 (COR)
- 98-31 (COR)
- 100-31 (COR)
- 103-31 (COR)
- 106-31 (COR)
- 110-31 (COR)

Senator
Thomas C. Ada

Senator
Adolpho B. Palacios, Sr.

Senator
vicente c. pangelinan

MINORITY MEMBERS:

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

Senator
Christopher M. Ducnas

Si Yu'os ma'åse'!

**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**MAR 18 2011**

Senator Rory J. Respicio
Chairperson, Committee on Rules
I Mina'trentai Unu na Liheslaturan Guåhan
The 31st Guam Legislature
155 Hesler Place
Hagåtña, Guam 96932

Hafa Adai Senator Respicio:

Transmitted herewith are Fiscal Notes on the following Bill Nos.: 94-31(COR), 95-31(COR), 97-31(COR), 98-31(COR), 100-31(COR), 103-31(COR), 106-31(COR) and Fiscal Note Waivers on Bill Nos.: 93-31(COR), 110-31(COR).

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

BENITA A. MANGLONA
Director

Enclosures

cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 97-31 (COR)**

AN ACT TO REPEAL AND RE-ENACT §4502 OF 10GCA CHAPTER 4A; TO ADD A NEW §4510 TO 10GCA CHAPTER 4A; AND TO AMEND §3231 OF 10GCA CHAPTER 3; RELATIVE TO THE CONTROL AND DISPOSITION OF A DEAD HUMAN BODY, AND THE DUTY OF BURIAL.

Department/Agency Appropriation Information	
Dept./Agency Affected: Office of the Chief Medical Examiner	Dept./Agency Head: Dr. Aurelio Espinola
Department's General Fund (GF) appropriation(s) to date:	411,200
Department's Other Fund (Specify) appropriation(s) to date:	-
Total Department/Agency Appropriation(s) to date:	\$411,200

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2010 Unreserved Fund Balance ¹		\$0	\$0
FY 2011 Adopted Revenues	\$0	\$0	\$0
FY 2011 Appro. (P.L. 30-196)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2011 (if applicable)	FY 2012	FY 2013	FY 2014	FY 2015
General Fund	1/	1/	1/	1/	1/	1/
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
Total	1/	1/	1/	1/	1/	1/

- Does the bill contain "revenue generating" provisions? / / Yes /x/ No
If Yes, see attachment
- Is amount appropriated adequate to fund the intent of the appropriation? /x/ N/A / / Yes / / No
If no, what is the additional amount required? \$ /x/ N/A
- Does the Bill establish a new program/agency? / / Yes /x/ No
If yes, will the program duplicate existing programs/agencies? /x/ N/A / / Yes / / No
Is there a federal mandate to establish the program/agency? / / Yes /x/ No
- Will the enactment of this Bill require new physical facilities? / / Yes /x/ No
- Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: /x/ Yes / / No
/ / Requested agency comments not received by due date /x/ Other: For lack of administrative assistance at the time, the head of the agency could only give, on March 9, 2011 his verbal approval of the passage of the Bill.

Analyst: <u>Evelyn G. Fernandez</u>	Date: <u>3/18/11</u>	Director: <u>Benita A. Mangiona</u>	Date: <u>3/15/11</u>
-------------------------------------	----------------------	-------------------------------------	----------------------

Footnotes:
1/ The Bill has a potential for additional funding impact relative to the amendment to Section 4, §4503 of Chapter 4A of 10 GCA, which provides for the burials, cremation or other appropriate disposition to be exercised by the Director whenever the dead human body does not devolve to any person in Guam. However, in its present form, that impact cannot be determined at this time.



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

2011 MAR -8
MAR
PM 4:28

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

March 8, 2011

Senator
Judith P. Guthertz
VICE CHAIRPERSON
ASST. MAJORITY LEADER

VIA FACSIMILE
(671) 472-2825

MAJORITY
MEMBERS:

Speaker
Judith T. Won Pat

Ms. Benita Manglona
Director
Bureau of Budget & management Research
P.O. Box 2950
Hagåtña, Guam 96910

Vice Speaker
Benjamin J. F. Cruz

RE: Request for Fiscal Note -
Bill Nos. 90-31 (COR) through 103-31 (COR)

Senator
Tina Rose Muña Barnes
LEGISLATIVE SECRETARY
MAJORITY WHIP

Hafa Adai Ms. Manglona:

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

Transmitted herewith is a listing of *I Mina'trentai Unu na Liheslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

Senator
Thomas C. Ada

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

Senator
Adolpho B. Palacios, Sr.

Senator
vicente c. pangelinan

Very Truly Yours,

MINORITY
MEMBERS:

Senator Rory Respicio

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

Senator
Christopher M. Duenas

Attachments

Cc: Clerk of the Legislature

I Mina'Trentai Unu Na Liheslaturan Guåhan

Bill Log Sheet

March 1, 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?
97-31 (COR)	T. R. Muña-Barnes, V. C. Ada	An Act to repeal and re-enact §4502 of 10GCA Chapter 4A; to add a new §4510 to 10GCA Chapter 4A; and to amend § 3231 of 10GCA Chapter 3; relative to the control and disposition of a dead human body, and the duty of burial.	3/01/11 11:27 a.m.	3/2/11		Committee on Health & Human Services Senior Citizens, Economic Development and Election Reform			
098-31 (COR)	J.T. Won Pat, Ed.D.,T.R. Muna-Barnes, Chris M. Duenas,F.F. Blas, Jr., B.J.F. Cruz	AN ACT TO AMEND §151311, ADD A NEW §151311.1 AND DELETE §15307(C), ALL OF CHAPTER 15, ARTICLE 13 OF TITLE 17 GUAM CODE ANNOTATED RELATIVE TO THE AWARDING OF THE DR. ANTONIO C. YAMASHITA TEACHER CORPS SCHOLARSHIP TO CHAMORRO LANGUAGE AND CULTURE STUDENTS AT THE UNIVERSITY OF GUAM.	3/01/11 11:33 a.m.	3/2/11		Committee on Education and Public Library			



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
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Senator
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LEGISLATIVE SECRETARY
MAJORITY WHIP

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

Senator
Thomas C. Ada

Senator
Adolpho B. Palacios, Sr.

Senator
vicente c. panglinan

MINORITY MEMBERS:

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

Senator
Christopher M. Duenas

March 2, 2011

MEMORANDUM

To: Pat Santos
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Vice Speaker Benjamin J.F. Cruz
Acting Chairperson, Committee on Rules

Subject: Referral of Bill Nos. 97-31 (COR) and 100-31 (COR)

As Acting Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 97-31 (COR) and 100-31 (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!

(2) Attachments

2011 MAR -4 AM 9:30

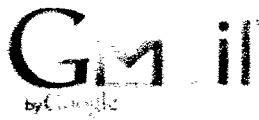
I Mina'Trentai Unu Na Liheslaturan Guåhan

Bill Log Sheet

March 1, 2011

Page 1 of 1

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Dennis Rodriguez, Jr. <senatordrodriguez@gmail.com>

FIRST Notice for Public/Informational Hearing on Wed. March 16, 2011

1 message

Dennis Rodriguez, Jr. <senatordrodriguez@gmail.com> Tue, Mar 8, 2011 at 11:33 AM
 To: "Adolpho B. Palacios, Sr." <senabpalacios@gmail.com>, ben c pangelinan <senbenp@guam.net>, "Benjamin J. Cruz" <senadotbjacruz@aol.com>, "Christopher M. Duenas" <duenasenator@gmail.com>, Ed Leon Guerrero <edleonguerrero@gmail.com>, "Frank Blas, Jr." <frank.blasjr@gmail.com>, Judith P Guthertz <judiguthertz@gmail.com>, Judith T Won Pat <speaker@judiwonpat.com>, Lauriel Manibusan <laurielisla@gmail.com>, Lisa Cipollone <cipo@guamlegislature.org>, Mana Silva Taijeron <senatormana@gmail.com>, Mary Fejeran <maryfejeran@gmail.com>, Pat Santos <psantos@guamlegislature.org>, Rory J Respicio <roryforguam@gmail.com>, Sam Mabini <senatorsam@senatormabini.com>, Therese Terlaje <tterlaje@guam.net>, "Thomas C. Ada" <office@senatorada.org>, Tina Rose Muna Barnes <tinamunabarnes@gmail.com>, Senator Tom Ada <tom@senatorada.org>, Tom Unsiog <tunsiog@guamlegislature.org>, V Anthony Ada <senatortonyada@guamlegislature.org>, Vince Arriola <vparriola@teleguam.net>, Yong <yong@guamlegislature.org>

March 8, 2011

MEMORANDUM

TO: ALL SENATORS

FROM: Senator Dennis G. Rodriguez, Jr.

SUBJECT: **FIRST NOTICE** of Public Hearing and Roundtable Meeting scheduled for Wednesday, March 16, 2011.

The Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform has scheduled a Confirmation and Public Hearing on Wednesday, March 16, 2011, 9am, at *I Liheslaturan Guåhan's* Public Hearing Room in Hagåtña, on the following:

8:30am

- **Bill 89-31(LS)**- An act to add a new §4112 to Chapter 4 of Division 1, Title 10, Guam Code Annotated, relative to establishing the Guam Early Learning Council for Guam's Early Childhood Comprehensive System. Introduced by: Senator AA Yamashita, Ph.D.
- **Bill 91-31(COR)**- An act to amend §84102, §84107 and §84108, all of Chapter 84, Title 10 of the Guam Code Annotated relative to expanding the scope of Emergency Medical Services to include Non-Medical Transport Services, Basic Life Support Ground Ambulance Services and Basic Life Support Emergency Ambulance Services; and to revise the membership composition of the Guam Emergency Medical Services Commission. Introduced by: Senator M Silva Taijeron
- **Bill 97-31(COR)**- an act to repeal and re-enact §4502 of 10GCA Chapter 4A; to add a new §4510 to 10GCA Chapter 4A; and to amend §3231 of 10GCA Chapter 3; relative to the control and disposition of a dead human body, and the duty of burial. Introduced by: Senator TR Mufia-Barnes, VA Ada

1:00pm

- Informational Hearing with the Guam Memorial Hospital Authority Management on the financial condition of the hospital, update on Accreditation Status, among other issues.

The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Dennis G. Rodriguez, Jr. at 176 Serenu Avenue Suite 107, Tamuning, Guam, at our mailbox in the Legislature Building at 155 Hesler Place, Hagåtña, Guam or via email to senatordrodriguez@gmail.com. Copies of the aforementioned Resolution and/or Bills may be obtained at *I Liheslaturan Guåhan's* website at www.guamlegislature.org.

We comply with Title II of the Americans with Disabilities Act (ADA). Individuals who require an auxiliary aid or service (i.e. qualified sign language interpreters, large print, documents in Braille, etc.) for effective communication, or a modification of policies or procedures to participate in a program, service or activity of *I Liheslatura*, should contact Clifton Herbert or Joe Mesngon at 649-8638/0511 or email at cherbert.senatordrodriguez@gmail.com.

We look forward to your presence and participation.

cc: -Clerk of the Legislature -Legislative Legal Counsel
 -Executive Director -MIS
 -Sergeant-At-Arms/Protocol

—
 Senator Dennis G. Rodriguez, Jr.
I Mind'trentai Unu Na Liheslaturan Guåhan
31st Guam Legislature
176 Serenu Avenue Suite 107
Tamuning, Guam 96913
671.649.8638

 **Public Hearing #5 First March 16 2011.docx**
 64K



Ufisinan Todu Guam

1st Senators

SENATOR DENNIS G. RODRIGUEZ, Jr.

I Mina'trentai Unu Na Liheslaturan Guåhan

CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,

ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

March 8, 2011

MEMORANDUM

TO: ALL SENATORS

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1:00pm

- Informational Hearing with the Guam Memorial Hospital Authority Management on the financial condition of the hospital, update on Accreditation Status, among other issues.

The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Dennis G. Rodriguez, Jr. at 176 Serenu Avenue Suite 107, Tamuning, Guam, at our mailbox in the Legislature Building at 155 Hesler Place, Hagåtña, Guam or via email to senatordrodriguez@gmail.com. Copies of the aforementioned Resolution and/or Bills may be obtained at *I Liheslaturan Guåhan's* website at www.guamlegislature.org.

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We look forward to your presence and participation.

cc: -Clerk of the Legislature -Legislative Legal Counsel
-Executive Director -MIS
-Sergeant-At-Arms/Protocol



Joseph Anthony Mesngon <jmesngon.senatorrodriguez@gmail.com>

Press Release-- Public Hearing 1st Notice March 16,2011

1 message

Clifton Herbert <cherbert.senatorrodriguez@gmail.com>

Tue, Mar 8, 2011 at 1:14 PM

To: "Dennis Rodriguez Jr." <senatorrodriguez@gmail.com>
 Cc: action@weareguahan.com, admin@weareguahan.com, chrisu@marianasmedia.com, clynt@spbguam.com, dcrisostomo@guampdn.com, dmgeorge@guampdn.com, dtamondong@guampdn.com, gdumat-ol@guampdn.com, gerry@mvguam.com, hottips@kuam.com, jason@kuam.com, john@kuam.com, jtyquiengco@spbguam.com, kevin@spbguam.com, marvic@mvguam.com, mindy@kuam.com, mpieper@guampdn.com, mvariety@pticom.com, news@spbguam.com, nick.delgado@kuam.com, parroyo@k57.com, reporter3@glimpsesofofguam.com, rgibson@k57.com, ricknauta@hitradio100.com, sabrina@kuam.com, slimtiaco@guampdn.com, thebigshow@k57.com, therese.hart.writer@gmail.com, zita@mvguam.com, Bill Phillips <phillipsguam@gmail.com>, Cindy Hanson <cmhanson@guam.net>, Elaine Tajalee <etajalle@guamlegislature.org>, James <officemanager@hitradio100.com>, Jesse Lujan <jesselujan27@yahoo.com>, Joseph Mesngon <jmesngon.senatorrodriguez@gmail.com>, Katrina <life@guampdn.com>, Lannie Walker <lannie@kuam.com>, Laura Matthews <lmatthews@guampdn.com>, Olivia Palacios <oliviampalacios@gmail.com>, Pacific Daily News <news@guampdn.com>, Stephanie Mendiola <sem@guamlegislature.org>, Telo Taitague <telo.taitague@guam.gov>, Tina Okada <tinaokada@gmail.com>, William Gibson <breakfastshowk57@gmail.com>, egthompson@guampdn.com, news@k57.com

Ufisanan Todu Guam
 SENATOR DENNIS G. RODRIGUEZ, Jr.
 I Mina'trentai Unu Na Liheslaturan Guåhan
 CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,
 ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

PRESS RELEASE

FIRST NOTICE OF PUBLIC HEARING
 Wednesday, March 16, 2011 8:30AM-12:00PM, 1:00PM

In accordance with the Open Government Law, Public Law 24-109, relative to notice for Public Meetings. Please be advised that the Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform will be conducting Confirmations as well as a Public Hearing on Wednesday, March 16, 2011, at *I Liheslaturan Guåhan's* Public Hearing Room in Hagåtña, on the following:

8:30AM

- **Bill 89-31 (LS)- An act to add a new §4112 to Chapter 4 of Division 1, Title 10, Guam Code Annotated, relative to establishing the Guam Early Learning Council for Guam's Early Childhood Comprehensive System. (Introduced by A.A Yamashita)**
- **Bill 91-31 (COR) - An act to amend §84102, §84107 and §84108, all of Chapter 84, Title 10 of the Guam Code Annotated relative to expanding the scope of emergency medical services to include non-medical transport services, basic life support ground ambulance services and basic life**

support emergency ambulance services; and to revise the membership composition of the Guam Emergency Medical Services Commission.
(Introduced by M.S Taijeron)

- **Bill 97-31 (COR) - An Act to repeal and re-enact §4502 of 10GCA Chapter 4A; to add a new §4510 to 10GCA Chapter 4A; and to amend § 3231 of 10GCA Chapter 3; relative to the control and disposition of a dead human body, and the duty of burial.** (Introduced by T. R. Muna-Barnes)

1:00PM

- **Informational Hearing on the Guam Memorial Hospital Authority Management** on the financial condition of the hospital, update on Accreditation Status, among other issues.

Testimony should be addressed to Senator Dennis Rodriguez, Jr., Chairman, and may be submitted via- hand delivery to our office at 176 Serenu Avenue Suite 107 Tamuning, Guam 96931 or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96910, or via email to senatordrodriguez@gmail.com.

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For further information, please contact the Office of Senator Dennis Rodriguez, Jr. at 649-8638 (TODU)

Un Dangkolo Na Si Yuos Ma'ase!
Senseramente,

Dennis G. Rodriguez, JR.
Senator, *I Mina'trentai Una Liheslaturan Guåhan*

Clifton Herbert

176 Serenu Avenue Suite 107 Tamuning, Guam 96931

Telephone: 671.649.8638

Email: Cherbert.senatordrodriguez@gmail.com

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Public Hearing 1st Notice March 16,2011.pdf

76K

15th Media



SENATOR DENNIS G. RODRIGUEZ, JR.

PRESS RELEASE

FIRST NOTICE OF PUBLIC HEARING
Wednesday, March 16, 2011 8:30AM-12:00PM, 1:00PM

In accordance with the Open Government Law, Public Law 24-109, relative to notice for Public Meetings. Please be advised that the Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform will be conducting Confirmations as well as a Public Hearing on Wednesday, March 16, 2011, at *I Liheslaturan Guåhan's* Public Hearing Room in Hagåtña, on the following:

8:30AM

- **Bill 89-31 (LS)**- An act to add a new §4112 to Chapter 4 of Division 1, Title 10, Guam Code Annotated, relative to establishing the Guam Early Learning Council for Guam's Early Childhood Comprehensive System. *(Introduced by A.A Yamashita)*
- **Bill 91-31 (COR)** - An act to amend §84102, §84107 and §84108, all of Chapter 84, Title 10 of the Guam Code Annotated relative to expanding the scope of emergency medical services to include non-medical transport services, basic life support ground ambulance services and basic life support emergency ambulance services; and to revise the membership composition of the Guam Emergency Medical Services Commission. *(Introduced by M.S Taijeron)*
- **Bill 97-31 (COR)** - An Act to repeal and re-enact §4502 of 10GCA Chapter 4A; to add a new §4510 to 10GCA Chapter 4A; and to amend § 3231 of 10GCA Chapter 3; relative to the control and disposition of a dead human body, and the duty of burial. *(Introduced by T. R. Muno-Barnes)*

1:00PM

- Informational Hearing on the Guam Memorial Hospital Authority Management on the financial condition of the hospital, update on Accreditation Status, among other issues.

Testimony should be addressed to Senator Dennis Rodriguez, Jr., Chairman, and may be submitted via hand delivery to our office at 176 Seremu Avenue Suite 107 Tamuning, Guam 96931 or our mailbox at the Main Legislature Building at 155 Heeler Place, Hagåtña, Guam 96910, or via email to senatordrodriguez@gmail.com.

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For further information, please contact the Office of Senator Dennis Rodriguez, Jr. at 649-8638 (TODU)

Un Dangko! Na Si Yua! Ma'asal!
Seaseaseamento,

Dennis G. Rodriguez, JR.
Senator, I Mina'trentai Una Liheslaturan Guåhan

Ufisinan Todu Guam • 31 Guam Legislature*

176 Seremu Avenue, Suite 107, Tamuning, Guam 96931 / Telephone: 671-649-TODU (8638) / Facsimile: 671-649-0520
E-mail: senatordrodriguez@gmail.com

Chairman,
Committee on
Health &
Human
Services,
Senior Citizens,
Economic
Development,
& Election
Reform

Member,
Committee on
Public Safety, Law
Enforcement,
& Judiciary

Member,
Committee on
Youth, Cultural
Affairs,
Procurement,
General
Government
Operations, &
Public
Broadcasting

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

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

Member,
Committee on the
Guam Military
Buildup &
Homeland Security

Member,
Committee on
Appropriations,
Taxation,
Public Debt,
Banking,
Insurance,
Retirement, & Land

Member,
Committee on
Utilities,
Transportation,
Public Works,
& Veterans Affairs

**Assistant Majority
Whip**



Clifton Herbert <cherbert.senatorrodriguez@gmail.com>

2nd Notice of Public Hearing with attached Agenda March 16, 2011

1 message

Clifton Herbert <cherbert.senatorrodriguez@gmail.com>

Fri, Mar 11, 2011 at 10:01 AM

To: "Dennis Rodriguez Jr." <senatorrodriguez@gmail.com>, "Adolpho B. Palacios" <senabpalacios@gmail.com>, Aline Yamashita <aliney74@gmail.com>, Ben Pangelinan <senbenp@guam.net>, Benjamin JF Cruz <senadotbjcruz@gmail.com>, Chris Duenas <duenasenator@gmail.com>, "Dr. Sam Mabini" <senatorsam@senatomabini.com>, "Frank Blas Jr." <frank.blasjr@gmail.com>, Judi Guthertz <judiguthertz@pticom.com>, Judi Won Pat <info@judiwonpat.com>, Mana Silva Taijeron <manasilva@hotmail.com>, "Rory J. Respicio" <roryforguam@gmail.com>, Tina Muna Barnes <tinamunabarnes@gmail.com>, Tom Ada <tom@senatorada.org>, Tony Ada <senatorTonyada@guamlegislature.org>

Cc: vparriola@teleguam.net, psantos@guamlegislature.org, yong@guamlegislature.org, tterlaje@guam.net, sgtarms@guamlegislature.org

Ufisinan Todu Guam
 SENATOR DENNIS G. RODRIGUEZ, Jr.
 I Mina'trentai Unu Na Liheslaturan Guåhan
 CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,
 ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

TO: ALL SENATORS

FROM: SENATOR DENNIS G. RODRIGUEZ, JR.
 CHAIRPERSON

SUBJECT: 2ND NOTICE OF PUBLIC HEARING
 WEDNESDAY, MARCH 16, 2011

SECOND NOTICE OF PUBLIC HEARING
 Wednesday, March 16, 2011 8:30AM-12:00PM, 1:00PM

In accordance with the Open Government Law, Public Law 24-109, relative to notice for Public Meetings. Please be advised that the Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform will be conducting Confirmations as well as a Public Hearing on Wednesday, March 16, 2011, at *I Liheslaturan Guåhan's* Public Hearing Room in Hagåtña, on the following:

8:30AM

- **Bill 89-31 (LS)**- An act to add a new §4112 to Chapter 4 of Division 1, Title 10, Guam Code Annotated, relative to establishing the Guam Early Learning Council for Guam's Early Childhood Comprehensive System. *(Introduced by A.A Yamashita)*
- **Bill 91-31 (COR)** - An act to amend §84102, §84107 and §84108, all of Chapter 84, Title 10 of the Guam Code Annotated relative to expanding the scope of emergency medical services to include non-medical transport services, basic life support ground ambulance services and basic life support emergency ambulance services; and to revise the membership composition of the Guam Emergency Medical Services Commission. *(Introduced by M.S Taijeron)*

- **Bill 97-31 (COR) - An Act to *repeal and re-enact* §4502 of 10GCA Chapter 4A; to *add* a new §4510 to 10GCA Chapter 4A; and to *amend* § 3231 of 10GCA Chapter 3; relative to the control and disposition of a dead human body, and the duty of burial. (Introduced by T. R. Muna-Barnes)**

1:00PM

- **Informational Hearing on the Guam Memorial Hospital Authority Management on the financial condition of the hospital, update on Accreditation Status, among other issues.**

Testimony should be addressed to Senator Dennis Rodriguez, Jr., Chairman, and may be submitted via- hand delivery to our office at 176 Serenu Avenue Suite 107 Tamuning, Guam 96931 or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96910, or via email to senatordrodriguez@gmail.com.

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For further information, please contact the Office of Senator Dennis Rodriguez, Jr. at 649-8638 (TODU)

cc: -Clerk of the Legislature -Legislative Legal Counsel
 -Executive Director -MIS
 -Sergeant-At-Arms/Protocol

Clifton Herbert

176 Serenu Avenue Suite 107 Tamuning, Guam 96931

Telephone: 671.649.8638

Email: Cherbert.senatordrodriguez@gmail.com

This e-mail may contain data that is confidential, proprietary or non-public personal information, as that term is defined in the Gramm-Leach-Bliley Act (collectively, Confidential Information).

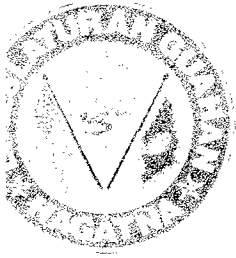
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2 attachments

 **Public Hearing Agenda March 16,2011.pdf**
69K

 **Notice to all Senators PH Mar 16,2011.pdf**
74K



Ufisinan Todu Guam

SENATOR DENNIS G. RODRIGUEZ, JR.

I Mina'trentai Unu Na Liheslaturan Guåhan


CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,

ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

March 11, 2011

MEMORANDUM

TO: ALL SENATORS

FROM: Senator Dennis G. Rodriguez, Jr. 

SUBJECT: **SECOND NOTICE** of Public Hearing and Roundtable Meeting scheduled for Wednesday, March 16, 2011.

The Committee on Health & Human Services, Economic Development, Senior Citizens and Election Reform has scheduled a Confirmation and Public Hearing on Wednesday, March 16, 2011, 8:30am, at *I Liheslaturan Guåhan's* Public Hearing Room in Hagåtña, on the following:

8:30am

- **Bill 89-31(LS)**- An act to add a new §4112 to Chapter 4 of Division 1, Title 10, Guam Code Annotated, relative to establishing the Guam Early Learning Council for Guam's Early Childhood Comprehensive System. Introduced by: Senator AA Yamashita, Ph.D.
- **Bill 91-31(COR)**- An act to amend §84102, §84107 and §84108, all of Chapter 84, Title 10 of the Guam Code Annotated relative to expanding the scope of Emergency Medical Services to include Non-Medical Transport Services, Basic Life Support Ground Ambulance Services and Basic Life Support Emergency Ambulance Services; and to revise the membership composition of the Guam Emergency Medical Services Commission. Introduced by: Senator M Silva Taijeron
- **Bill 97-31(COR)**- an act to repeal and re-enact §4502 of 10GCA Chapter 4A; to add a new §4510 to 10GCA Chapter 4A; and to amend §3231 of 10GCA Chapter 3; relative to the control and disposition of a dead human body, and the duty of burial. Introduced by: Senator TR Muña-Barnes, VA Ada

1:00pm

- Informational Hearing with the Guam Memorial Hospital Authority Management on the financial condition of the hospital, update on Accreditation Status, among other issues.

The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Dennis G. Rodriguez, Jr. at 176 Serenu Avenue Suite 107, Tamuning, Guam, at our mailbox in the Legislature Building at 155 Hesler Place, Hagåtña, Guam or via email to senatorrodriguez@gmail.com. Copies of the aforementioned Resolution and/or Bills may be obtained at *I Liheslaturan Guåhan's* website at www.guamlegislature.org.

We comply with Title II of the Americans with Disabilities Act (ADA). Individuals who require an auxiliary aid or service (i.e. qualified sign language interpreters, large print, documents in Braille, etc.) for effective communication, or a modification of policies or procedures to participate in a program, service or activity of *I Liheslatura*, should contact Clifton Herbert or Joe Mesngon at 649-8638/0511 or email at cherbert.senatorrodriguez@gmail.com.

We look forward to your presence and participation.

cc: -Clerk of the Legislature -Legislative Legal Counsel
-Executive Director -MIS
-Sergeant-At-Arms/Protocol



Clifton Herbert <cherbert.senatorrodriguez@gmail.com>

2nd Public Hearing March 16,2011 with Agenda

1 message

Clifton Herbert <cherbert.senatorrodriguez@gmail.com>

Fri, Mar 11, 2011 at 9:41 AM

To: "Dennis Rodriguez Jr." <senatorrodriguez@gmail.com>

Cc: action@weareguahan.com, admin@weareguahan.com, chrisu@marianasmedia.com, clynt@spbgum.com, dcrisostomo@guampdn.com, dmgeorge@guampdn.com, dtamondong@guampdn.com, gdumat-ol@guampdn.com, gerry@mvguam.com, hottips@kuam.com, jason@kuam.com, john@kuam.com, jtyquiengco@spbgum.com, kevin@spbgum.com, marvic@mvguam.com, mindy@kuam.com, mpieper@guampdn.com, mvariety@pticom.com, news@spbgum.com, nick.delgado@kuam.com, parroyo@k57.com, reporter3@glimpsesofguam.com, rgibson@k57.com, ricknauta@hitradio100.com, sabrina@kuam.com, slimtiaco@guampdn.com, thebigshow@k57.com, therese.hart.writer@gmail.com, zita@mvguam.com, Bill Phillips <phillipsguam@gmail.com>, Cindy Hanson <cmhanson@guam.net>, Elaine Tajalle <etajalle@guamlegislature.org>, James <officemanager@hitradio100.com>, Jesse Lujan <jesselujan27@yahoo.com>, Joseph Mesngon <jmesngon.senatorrodriguez@gmail.com>, Katrina <life@guampdn.com>, Kevin Kerrigan <news@k57.com>, Lannie Walker <lannie@kuam.com>, Laura Matthews <llmatthews@guampdn.com>, Olivia Palacios <oliviampalacios@gmail.com>, Pacific Daily News <news@guampdn.com>, Stephanie Mendiola <sem@guamlegislature.org>, Telo Taitague <telo.taitague@guam.gov>, Tina Okada <tinaokada@gmail.com>, William Gibson <breakfastshowk57@gmail.com>

Ufisinan Todu Guam
 SENATOR DENNIS G. RODRIGUEZ, Jr.
 I Mina'trentai Unu Na Liheslaturan Guahan
 CHAIRMAN, COMMITTEE ON HEALTH & HUMAN SERVICES,
 ECONOMIC DEVELOPMENT, SENIOR CITIZENS AND ELECTION REFORM

PRESS RELEASE

SECOND NOTICE OF PUBLIC HEARING Wednesday, March 16, 2011 8:30AM-12:00PM, 1:00PM

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support emergency ambulance services; and to revise the membership composition of the Guam Emergency Medical Services Commission.
(Introduced by M.S Taijeron)

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1:00PM

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###

Clifton Herbert

176 Serenu Avenue Suite 107 Tamuning, Guam 96931

Telephone: 671.649.8638

Email: Cherbert.senatordrodriguez@gmail.com

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2 attachments

 **Public Hearing 2nd Notice March 16,2011.pdf**
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 **Public Hearing Agenda March 16,2011.pdf**
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SENATOR DENNIS G. RODRIGUEZ, JR.

PRESS RELEASE

SECOND NOTICE OF PUBLIC HEARING
Wednesday, March 16, 2011 8:30AM-12:00PM, 1:00PM

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1:00PM

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###

Ufisinan Todu Guam • 31st Guam Legislature

176 Serenu Avenue, Suite 107, Tamuning, Guam 96931 / Telephone: 671-649-TODU (8638) / Facsimile: 671-649-0520
E-mail: senatordrodriguez@gmail.com

Chairman,
Committee on
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Member,
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Member,
Committee on
Utilities,
Transportation,
Public Works,
& Veterans Affairs

Assistant Majority
Whip



SENATOR DENNIS G. RODRIGUEZ, JR.

PRESS RELEASE
PUBLIC HEARING AGENDA

Wednesday March 16, 2011

8:30am-12:00pm 1:00pm

Public Hearing Room, *I Liheslaturan Guåhan*, Hagatña, Guam

- I. Call to Order
- II. Announcements
- III. Items for Public Consideration

8:30AM

- **Bill 89-31 (LS)- An act to add a new §4112 to Chapter 4 of Division 1, Title 10, Guam Code Annotated, relative to establishing the Guam Early Learning Council for Guam's Early Childhood Comprehensive System. (Introduced by A.A Yamashita)**
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IV. Recess

1:00PM

- Informational Hearing on the **Guam Memorial Hospital Authority Management** on the financial condition of the hospital, update on Accreditation Status, among other issues.

V. Announcements

VI. Adjournment

Testimony should be addressed to Senator Dennis Rodriguez, Jr., Chairman, and may be submitted via- hand delivery to our office at 176 Serenu Avenue Suite 107 Tamuning, Guam 96931 or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagatña, Guam 96910, or via email to senatordrodriguez@gmail.com.

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Ufisinan Todu Guam • 31st Guam Legislature

176 Serenu Avenue, Suite 107, Tamuning, Guam 96931 / Telephone: 671-649-TODU (8638) / Facsimile: 671-649-0520

E-mail: senatordrodriguez@gmail.com

Chairman,
Committee on
Health &
Human
Services,
Senior Citizens,
Economic
Development,
& Election
Reform

Member,
Committee on
Public Safety, Law
Enforcement,
& Judiciary

Member,
Committee on
Youth, Cultural
Affairs,
Procurement,
General
Government
Operations, &
Public
Broadcasting

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

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

Member,
Committee on the
Guam Military
Buildup &
Homeland Security

Member,
Committee on
Appropriations,
Taxation,
Public Debt,
Banking,
Insurance,
Retirement, & Land

Member,
Committee on
Utilities,
Transportation,
Public Works,
& Veterans Affairs

Assistant Majority
Whip



SENATOR DENNIS G. RODRIGUEZ, JR.

PRESS RELEASE
PUBLIC HEARING AGENDA

Wednesday March 16, 2011

8:30am-12:00pm 1:00pm

Public Hearing Room, *I Liheslaturan Guåhan*, Hagatña, Guam

Chairman,
Committee on
Health &
Human
Services,
Senior Citizens,
Economic
Development,
& Election
Reform

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Federal, Foreign &
Micronesian
Affairs, & Human &
Natural Resources

Member,
Committee on the
Guam Military
Buildup &
Homeland Security

Member,
Committee on
Appropriations,
Taxation,
Public Debt,
Banking,
Insurance,
Retirement, & Land

Member,
Committee on
Utilities,
Transportation,
Public Works,
& Veterans Affairs

Assistant Majority
Whip

- I. Call to Order
- II. Announcements
- III. Items for Public Consideration

8:30AM

- **Bill 89-31 (LS)- An act to add a new §4112 to Chapter 4 of Division 1, Title 10, Guam Code Annotated, relative to establishing the Guam Early Learning Council for Guam's Early Childhood Comprehensive System. (Introduced by A.A Yamashita)**
- **Bill 91-31 (COR) - An act to amend §84102, §84107 and §84108, all of Chapter 84, Title 10 of the Guam Code Annotated relative to expanding the scope of emergency medical services to include non-medical transport services, basic life support ground ambulance services and basic life support emergency ambulance services; and to revise the membership composition of the Guam Emergency Medical Services Commission. (Introduced by M.S Taijeron)**
- **Bill 97-31 (COR) - An Act to repeal and re-enact §4502 of 10GCA Chapter 4A; to add a new §4510 to 10GCA Chapter 4A; and to amend § 3231 of 10GCA Chapter 3; relative to the control and disposition of a dead human body, and the duty of burial. (Introduced by T. R. Muna-Barnes)**

IV. Recess

1:00PM

- **Informational Hearing on the Guam Memorial Hospital Authority Management on the financial condition of the hospital, update on Accreditation Status, among other issues.**

V. Announcements

VI. Adjournment

Testimony should be addressed to Senator Dennis Rodriguez, Jr., Chairman, and may be submitted via- hand delivery to our office at 176 Serenu Avenue Suite 107 Tamuning, Guam 96931 or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagatña, Guam 96910, or via email to senatordrodriguez@gmail.com.

We comply with Title II of the Americans with Disabilities Act (ADA). Individuals who require an auxiliary aid or service (i.e. qualified sign language interpreters, documents in Braille, large print, etc.) for effective communication, or a modification of policies or procedures to participate in a program service, or activity of Senator Dennis Rodriguez, Jr. should contact Clifton Herbert at 649-8638 (TODU) as soon as possible but no later than 48 hours before this scheduled event. We look forward to your attendance and participation.

For further information, please contact the Office of Senator Dennis Rodriguez, Jr. at 649-8638 (TODU)

Ufsinan Todu Guam • 31st Guam Legislature

176 Serenu Avenue, Suite 107, Tamuning, Guam 96931 / Telephone: 671-649-TODU (8638) / Facsimile: 671-649-0520

E-mail: senatordrodriguez@gmail.com

GOVERNMENT MEETINGS

March 15

Civil Service Commission: Board meeting 5:45 p.m., seventh-floor conference room, ITC Building, Tamuning. Motion hearing: Sylvia Taylor vs. Department of Education; signing, decision and judgment: Luong T. Truong vs. Guam Environmental Protection Agency, Wade C. Roberto vs. Department of Public Health and Social Services; whistle blower hearing preliminary assessment: Martha C. Babauta vs. Guam Memorial Hospital; signing, decision and judgment: Arleen U. Pierce vs. Department of Administration; bills and laws relating to CSC. For special accommodations, call Tillie at 647-1855/7 or TDD 647-1872.

Legislative Public Hearing: 9 a.m., Legislature's public hearing room, Hagåtña. Bill 25-31 (cor), providing relief to businesses and their employees impacted by road construction projects at busy intersections throughout Guam; Bill 38-31 (cor), facilitating timely issuance of general operators drivers licenses by allowing off-duty road exams for license endorsement A class licenses; Bill 82-31, authorizing Department of Revenue & Taxation to hire necessary personnel for the Passport Division; Bill 103-31 (cor), to reprogram \$36,673,370 from Object Class 111 and 113 from Guam Department of Education fiscal 2011 budget to Object Class 450 for ongoing and continuing capital expenditure projects; resolution 12-31 (cor), expressing sense of Legislature's expenditure priority of Compact Impact Act funds for fiscal 2012 to the governor and to the Secretary of the Interior to support capital improvement projects and operations of various impacted government agencies and departments. For special accommodations, call 473-4236.

March 16

Committee on Health and Human Services, Economic Development, Senior Citizens and Election Reform: Public hearing 8:30 a.m. to noon, Legislature's public hearing room, Hagåtña. Bill 89-31, establishing Guam Early Learning Council for Guam's Early Childhood Comprehensive System; Bill 91-31, expanding scope of emergency medical services to include non-medical transport services, basic life support ground ambulance services

and basic life support emergency ambulance services, and to revise membership composition of Guam Emergency Medical Services Commission; Bill 97-31, relative to control and disposition of dead human body and duty of burial. Information hearing 1 p.m. on Guam Memorial Hospital Authority management on financial condition of the hospital, update on accreditation status, and other matters. E-mail testimony: senatorrodriguez@gmail.com. For special accommodations, call 649-8638.

Contractors License Board: Regular meeting 5:30 p.m., board conference room, 542 N. Marine Corps Drive, upper Tumon. For special accommodations, call 649-2211/9676.

Guam Board of Registration for Professional Engineers, Architects and Land Surveyors: Special meeting 4 p.m., board conference room, Suite 208, East-West Business Center, upper Tumon. For special accommodations, call 646-3113/3115.

Mayors Council of Guam: Special meeting 10 a.m., J&G Commercial Center, Suite 111F, Hagåtña. Call Jo Ann Aguero, 472-6940 or 477-8461.

March 17

Civil Service Commission: Board meeting 5:45 p.m., seventh-floor conference room, ITC Building, Tamuning. Hearing on merits: Jose Mendez vs. Guam Memorial Hospital; motion hearings: Jeffrey P. Duenas vs. Guam Police Department, Mark C. Charfauros vs. GPD, Jeffery L.G. Santos vs. GPD, Tracey L. Volta vs. GPD; signing, judgment of dismissal: Anthony L.G. Ramirez vs. Department of Parks and Recreation; bills and laws relating to CSC. For special accommodations, call Tillie at 647-1855/7 or TDD 647-1872.

Committee on Education and Public Libraries: Public hearing 2 p.m., Legislature's public hearing room, Hagåtña. Bill 32-31 (cor), relative to duties of Guam Education Board; Bill 42-31 (cor), relative to Superintendent and Deputy Superintendent not part of the governor's Cabinet; Bill 93-31, relative to duties of Guam Education Board; Bill 94-31 (cor), relative to requiring Department of Education to administer career interest inventory to middle and high school students; Bill 100-31 (cor), relative to encompassing Internet safety in public education curricula. E-mail testimony to ftorres@judiwonpat.com. For special

accommodations, call 472-3586/7/8.

Committee on Municipal Affairs, Tourism, Housing and Recreation: Public hearing 9 a.m., Legislature's public hearing room, Hagåtña. Executive appointment of Romeo A. Angel to serve as member of Guam Housing Corp. board of directors; Resolution 40-31 (cor), requesting Del. Madeleine Bordallo to introduce legislation in the U.S. House of Representatives to amend the Tourism Promotion Act of 2009, ensuring Guam's access to millions of tourism-related dollars from the federal government. Send written testimony to the office of Sen. Tina Muna Barnes via e-mail: tina-munabarnes@gmail.com. For special accommodations, call Rhea Taitano, 472-3455/6.

Guam Board of Accountancy: Meeting 4 p.m., Suite 101, 335 S. Marine Corps Drive, Tamuning. For special accommodations, call 647-0813.

March 18

Committee on Public Safety, Law Enforcement and Judiciary: Round-table meeting with Guam Police Department 6:30 p.m., Legislature's public hearing room, Hagåtña. Presentation on department policy for handling citizens' complaints on police service and police conduct, and to provide information to the public as to where to file a complaint, feedback on status of complaint after the department's investigation is completed. There will also be a presentation on progress made in proposed police headquarters — location, financing options and relocation of current offices. For special accommodations, call Julian Janssen or Priscilla Cruz, 472-5047/5048.

Department of Public Health and Social Services: Annual public hearing on current fee schedules for application of license or renewal of license of child day care facilities on Guam 9 to 11 a.m., Bureau of Social Services Administration conference room, third floor, Terfaje building, Suite 309, Herman Cortez Ave., Hagåtña. Copies of license fees may be picked up at the BOSSA office. Call Elizabeth Ignacio or Lerna Durosan, 475-2653/2672.

Guam Board of Registration for Professional Engineers, Architects and Land Surveyors: Special meeting 4 p.m., board confer-

ence room, Suite 208, East-West Business Center, upper Tumon. For special accommodations, call 646-3113/3115.

March 25

Government of Guam Retirement Fund: Board of trustees' regular meeting noon, Retirement Fund conference room, Route 8, Maite. For special accommodations, call 475-8900/1.

March 31

Guam Parole Board: Regular hearing 8:30 a.m., Parole Services Division Suite 505, DNA building, Hagåtña. For special accommodations, call 473-7001.

April 6

Mayors Council of Guam: Regular meeting 10 a.m., J&G Commercial Center, Suite 111F, Hagåtña. Call Jo Ann Aguero, 472-6940 or 477-8461

April 20

Mayors Council of Guam: Special meeting 10 a.m., J&G Commercial Center, Suite 111F, Hagåtña. Call Jo Ann Aguero, 472-6940 or 477-8461

May 4

Mayors Council of Guam: Regular meeting 10 a.m., J&G Commercial Center, Suite 111F, Hagåtña. Call Jo Ann Aguero, 472-6940 or 477-8461.

May 18

Mayors Council of Guam: Special meeting 10 a.m., J&G Commercial Center, Suite 111F, Hagåtña. Call Jo Ann Aguero, 472-6940 or 477-8461.

HOLLYWOOD

\$6.25

PHONE:

<p>MARS NEEDS MONS 3D [PG] (Animation) <small>rec. @ 30</small> <small>100 Mar 21</small> (V) Seth Green (V) Dan Fogler 130-430-605-870</p> <p>DRIVE ANGRY 3D [R] (Action) <small>rec. @ 30</small> Nicolas Cage 130-540 <small>rec. @ 30</small></p> <p>JUSTIN TREMBLE: NEVER SAY NEVER 3D [G] (Biography) <small>rec. @ 30</small> 130-395-500-815</p> <p>BATTLE: LOS ANGELES [PG-13] (Sci-Fi Action) Aaron Eckhart 130-400-630-900 <small>100 Mar 21</small></p> <p>MARS NEEDS MONS 3D [PG] (Animation) (V) Seth Green (V) Dan Fogler 130-430-605-870</p> <p>RED RIDING HOOD [PG13] (Fantasy Thriller) <small>rec. @ 30</small> (V) Amanda Seyfried 130-350-815-100</p>	<p>WE ADJUST (Drama) Matt I 130-395-605-</p> <p>RANGO [PG] (V) Johnny Depp 125-140-345-825-850</p> <p>TAKE ME HOME (Comedy) <small>rec. @ 30</small> 125-340-550-</p> <p>BEASTLY [PGK] Vanessa Hudgen 130-340-545-</p> <p>HALL PASS [R] Owen Wilson, Ja 140-610</p> <p>I AM NUMBER 1 (Sci-Fi Thriller) 140-405-620-</p> <p style="text-align: center; margin-top: 10px;">www.GOHOLLYWOOD.com</p>
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Hagatna

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

Aug. 2011

Legislature's public hearing room
Hagatna, GU 96910
Phone: (671)649-8638

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Committee on Health and Human Services, Economic Development, Senior Citizens and Election Reform: Public hearing 8:30 a.m. to noon March 16, Legislature public hearing room, Hagatna. Bill 89-31, establishing Guam Early Learning Council for Guam Early Childhood Comprehensive System; Bill 91-31, expanding scope of emergency medical services to include non-medical transport services, basic life support ground ambulance services and basic life support emergency ambulance services, and to revise membership composition of Guam Emergency Medical Services Commission; Bill 97-31, relative to control and disposition of dead human body and duty of burial. Information hearing 1 p.m. on Guam Memorial Hospital Authority management on financial condition of the hospital, update on accreditation status, and other matters. Local testimony: senator@hagatna.guam.gov. For special: www.legis.gov.gu call 649-8638

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

Bill No. 97-31 (COR)

Introduced by:

T. R. Muña-Barnes
V. A. Ada

An Act to repeal and re-enact §4502 of 10GCA Chapter 4A; to add a new §4510 to 10GCA Chapter 4A; and to amend § 3231 of 10GCA Chapter 3; relative to the control and disposition of a dead human body, and the duty of burial.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. §4502 of Chapter 4A of 10GCA is *repealed and re-enacted* to read:

“§4502. Right of sepulcher, the right to choose and control final disposition of a dead human body.

(a) As used in this section, the term “right of sepulcher” means the right to choose and control the burial, cremation, or other final disposition of a dead human body.

(b) The next-of-kin, as defined in §4510 of this Chapter, of the deceased shall be entitled to control the final disposition of the remains of any dead human being consistent with all applicable laws, including all applicable health codes.

(c) A mortician or mortuary is entitled to rely on and act according to the lawful instructions of any person claiming to be the next-of-kin of the deceased; provided however, in any civil cause of action against a funeral director or establishment licensed pursuant to this Chapter for actions taken regarding the funeral arrangements for a deceased person in the director's or establishment's care, the relative fault, if any, of such mortician or mortuary

2011 MAR -1 AM 11:27

1 may be reduced if such actions are taken in reliance upon a person's claim to be
2 the deceased person's next-of-kin.

3 (d) Any person who desires to exercise the right of sepulcher and who
4 has knowledge of an individual or individuals with a superior right to control
5 disposition shall notify such individual or individuals prior to making final
6 arrangements.

7 (e) If an individual with a superior claim is personally served with
8 written notice from a person with an inferior claim that such person desires to
9 exercise the right of sepulcher and the individual so served does not object
10 within forty-eight (48) hours of receipt, such individual shall be deemed to
11 have waived such right. An individual with a superior right may also waive
12 such right at any time if such waiver is in writing and dated.

13 (f) If there is more than one person in a class who are equal in priority
14 and the mortician has no knowledge of any objection by other members of such
15 class, the mortician or mortuary shall be entitled to rely on and act according to
16 the instructions of the first such person in the class to make arrangements;
17 provided that such person assumes responsibility for the costs of disposition
18 and no other person in such class provides written notice of his or her
19 objection.

20 (g) Any person may designate an individual to be his or her closest next-
21 of-kin, regardless of blood or marital relationship, by means of a written
22 instrument that is signed, dated, and verified. Such designation of right of
23 sepulcher shall be witnessed by two persons, and shall contain the names and
24 last known address of each person entitled to be next-of-kin but for the
25 execution of the designation of right of sepulcher and who are higher in
26 priority than the person so designated.”

1 **Section 2.** A new §4510 is *added* to Chapter 4A of 10GCA to read:

2 **“§4510 Next-of-kin defined.**

3 For purposes of this Chapter and in all cases relating to the custody,
4 control, and disposition of deceased human remains, where not otherwise
5 defined, the term “next-of-kin” means the following persons in the priority
6 listed if such person is eighteen (18) years of age or older, is mentally
7 competent, and is willing to assume responsibility for the costs of disposition:

8 (a) The surviving spouse;

9 (b) A surviving child of the deceased. If a surviving child is
10 less than eighteen (18) years of age and has a legal or natural guardian,
11 such child shall not be disqualified on the basis of the child's age and
12 such child's legal or natural guardian, if any, shall be entitled to serve in
13 the place of the child unless such child's legal or natural guardian was
14 subject to an action in dissolution from the deceased. In such event the
15 person or persons who may serve as next-of-kin shall serve in the order
16 provided in Subsections (c) to (g) of this Section;

17 (c) A surviving parent of the deceased; or if the deceased is a
18 minor, a surviving parent who has custody of the minor; or if the
19 deceased is a minor and the deceased's parents have joint custody, the
20 parent whose residence is the minor child's residence for purposes of
21 mailing and education;

22 (d) A surviving sibling of the deceased;

23 (e) Any person designated by the deceased to act as next-of-kin
24 pursuant to a valid designation of right of sepulcher as provided in §
25 4502(g) of this Chapter;

26 (f) The next nearest surviving relative of the deceased by
27 consanguinity or affinity;

1 (g) Any person or friend who assumes financial responsibility
2 for the disposition of the deceased's remains if no next-of-kin assumes
3 such responsibility.”

4
5 **Section 3.** §3231 of Chapter 3 of 10GCA is *amended* to read:

6 **“§ 3231. Disposition.**

7 (a) The right to control the disposition of a dead human body and the duty of
8 burial or other disposition and the liability for the reasonable cost thereof devolves
9 upon the following in the order named:

10 (1) ~~Surviving spouse of the decedent;~~

11 (2) ~~Surviving child or children of the decedent;~~

12 (3) ~~Surviving parent or parents of the decedent; and~~

13 (4) ~~Person or persons, respectively, in the next degrees of kindred, in the~~
14 ~~order named by the laws of Guam as entitled to succeed the estate of the~~
15 ~~decedent; provided, that liability for the cost of burial or other disposition shall~~
16 ~~be primarily upon the estate of the decedent.~~

17 (b) ~~Where the duty of burial or other disposition of the dead human body does~~
18 ~~not devolve upon any other person in Guam, or if such person cannot after reasonable~~
19 ~~diligence be found within Guam, the Director shall arrange for the burial or other~~
20 ~~disposition of such body. shall be pursuant to the provisions of §4502 and §4503 of~~
21 Chapter 4A of 10GCA.”

22
23 **Section 4.** §4503 of Chapter 4A of 10 GCA *amended* to read

24 **“§4503. Indigents: Duty of Director.**

25 Where the duty of burial or other disposition of a dead human body does not
26 devolve upon any other person in Guam, or if such person cannot after reasonable

1 diligence be found within Guam, the Director shall arrange for the burial, cremation
2 or other appropriate disposition of such body.”

3

4 **Section 5. Effective Date.** This Act shall be effective upon enactment.