



Senator Mike Cruz, M.D.

Chairman, Committee on Health & Human Services
I Mina'Bente Ocho Na Liheslaturan Guåhan
155 Hesler Place, Suite 107, Hagåtña, Guam 96910
Tel: 671-477-5960/2/3 • Fax: 671-477-5984

December 7, 2006

The Honorable Mark Forbes
Speaker, I Mina'Bente Ocho Na Liheslaturan Guåhan
155 Hesler Place
Hagåtña, Guam 96910

Clerk of the Legislature

ACKNOWLEDGEMENT RECEIPT

Received by: J. P. Lopez
Time: 3:40 P.M.
Date: 12-18-06


The Committee on Health and Human Services, to which **Bill No. 362(LS)**, an Act to *repeal and re-enact* Section 34117, Article 1, Chapter 34, Title 10 GCA and Section 34209, Article 2, Chapter 34, Title 10 GCA, relative to the Authority of the Director of the Guam Department of Agriculture to Impound and Dispose of Animals, and to Impose Costs therefore," was referred, wishes to report its findings and recommendations **TO PASS** Bill No. 362(LS).

The voting record for Bill No. 362(LS) is as follows:

TO PASS 7
NOT TO PASS 0
TO PLACE IN INACTIVE FILE 0

ABSTAIN 0
TO REPORT OUT 0

A copy of the Committee Report and other pertinent documents are attached. Thank you for your time and attention in this matter. *Si Yu'os Ma'åse!*


MIKE CRUZ, M.D.
Chairman

Attachments



Senator Mike Cruz, M.D.

Chairman, Committee on Health & Human Services
I Mina'Bente Ocho Na Liheslaturan Guåhan
155 Hesler Place, Suite 107, Hagåtña, Guam 96910
Tel: 671-477-5960/2/3 • Fax: 671-477-5984

December 7, 2006

MEMORANDUM

TO: Committee Members

FROM: Chairman, Committee on Health and Human Services

SUBJECT: Committee Report on **Bill No. 362(LS)**

Transmitted herewith for your information and action is the report on Bill No. 362(LS). This memorandum is accompanied by the following:

1. Committee Voting Sheet
2. Bill No. 362(LS)
3. Existing Statute – Section 34117, Article 1, Chapter 34, Title 10 GCA and Section 34209, Article 2, Chapter 34, Title 10 GCA
4. Committee Report
5. Notice of Public Hearing
6. Public Hearing Sign-in Sheet

Please take appropriate action on the attached voting sheet. If you need additional information about the report or accompanying documents, please do not hesitate to contact my office. Thank you for your time and attention regarding this matter.


MIKE CRUZ, M.D.
Chairman


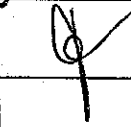
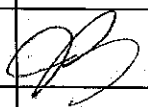

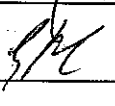
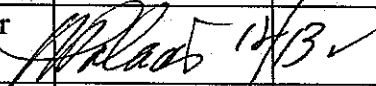
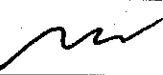
Attachments

COMMITTEE ON HEALTH AND HUMAN SERVICES

I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN

Senator Mike Cruz, M.D., Chairperson
Senator Jesse A. Lujan, Vice-Chairperson
 155 Hesler Place • Hagåtña, Guam 96910


VOTING SHEET: Bill No. 362(LS), an Act to repeal and re-enact Section 34117, Article 1, Chapter 34, Title 10 GCA and Section 34209, Article 2, Chapter 34, Title 10 GCA, relative to the Authority of the Director of the Guam Department of Agriculture to Impound and Dispose of Animals, and to Impose Costs therefore.

COMMITTEE MEMBERS:	SIGNATURE	TO PASS	NOT TO PASS	TO REPORT OUT ONLY	ABSTAIN	TO PLACE IN INACTIVE FILE
Senator Mike Cruz, M.D., Chairman		✓				
Senator Jesse Lujan, Co-Chair		12/13/06 ✓				
Speaker Mark Forbes, Ex-Officio						
Vice Speaker Joanne Brown, Member		✓				
Senator Larry Kasperbauer, Member						
Senator Ray Tenorio, Member						
Senator Antonio R. Unpingco, Member		✓				
Senator Eddie Baza Calvo, Member		✓				
Senator Frank Aguon, Jr., Member						
Senator Benjamin J. Cruz, Member						
Senator Adolpho B. Palacios, Member		12/13/06 ✓				
Senator Rory J. Respicio, Member		✓				

MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN
2006 (SECOND) Regular Session

Bill No. 362 (LS)

Introduced by:

J. M.S. Brown 

AN ACT TO REPEAL AND RE-ENACT SECTION
34117 OF ARTICLE 1, OF CHAPTER 34, OF TITLE
10, GUAM CODE ANNOTATED, AND SECTION
34209 OF ARTICLE 2, OF CHAPTER 34, OF TITLE
10, GUAM CODE ANNOTATED, RELATIVE TO
THE AUTHORITY OF THE DIRECTOR OF THE
GUAM DEPARTMENT OF AGRICULTURE TO
IMPOUND AND DISPOSE OF ANIMALS, AND
TO IMPOSE COSTS THEREFORE.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Section 34117 of Article 1, of Chapter 34, of Title 10, is hereby
3 repealed and reenacted to read:
4

- 5 (a) The Director ~~Any pet may be impounded~~ impound and held
6 hold at the facility, and pet that is ~~when it is~~ the subject of a
7 violation of this Article, ~~The Director may impound~~ any pet
8 which requires protective custody and care because of
9 mistreatment or neglect by its owner, or ~~when otherwise~~
10 ~~ordered impounded by a court~~ a pet which the Superior Court
11 orders him to impound.
12

1
2 (b) The Director may authorize the destruction of the pet as
3 provided in this Article, or may return the pet to its owner, or
4 may order the pet given up for adoption, as the Director
5 determines is in the best interests of the pet and the public.
6 The owners of any pets returned to them shall be assessed a
7 per diem fee for the animal's care based on operating costs.

8 Section 2. Section 34209 of Article 2, of Chapter 34, of Title 10, is hereby
9 repealed and reenacted to read:
10

11 (a) Any officer may issue a citation of violation as provided in
12 Title 8 Guam Code Annotated §§ 25.10 through 25.50.
13

14 (b) ~~The Director may declare an animal to be a public nuisance.~~
15 ~~Any animal found by the Director to be a public nuisance shall~~
16 ~~be impounded and may be ordered confined or destroyed.~~
17 impound any pet or wild animal which is the subject of a
18 violation of this Article, ~~The Director may impound any pet or~~
19 ~~wild animal which requires protective custody and care~~
20 ~~because of mistreatment or neglect by its owner, or when~~
21 ~~otherwise ordered impounded by a court.~~ a pet which the
22 Superior Court orders him to impound.
23

24 (c) The Director may authorize its destruction, or may return the
25 pet or wild animal to its owner or may order the pet or wild
26 animal given up for adoption, or make any other disposition
27 as the Director determines is required by this Article, and by
28 the best interests of the pet or wild animal and the public. The
29 Director may assess a per diem fee to anyone receiving the pet
30 or animal, to be on the basis of costs.

COMMITTEE REPORT

BILL NO. 362 (LS)

AUTHOR: Senator Joanne Brown

TITLE: “An Act to *repeal and re-enact* Section 34117 of Article 1, of Chapter 34, of Title 10, Guam Code Annotated, and Section 34209, Article 2, Chapter 34, Title 10 GCA, relative to the Authority of the Director of the Guam Department of Agriculture to Impound and Dispose of Animals, and to Impose Costs therefore.”

Members present: Chairman Mike Cruz, MD

Other senators present: Senator Frank B. Aguon, Jr.
Senator Joanne Brown
Senator Judy Wonpat
Senator Larry Kasperbauer
Senator Benjamin Cruz
Senator Adolfo Palacios, Sr.
Senator Robert Klitzkie

Testimonies presented today: Paul Bassler, Director of the Department of Agriculture.

Chairman called the public hearing to order.

Mr. Bassler states that since they had Article 2 move over from Department of Public Health (*to the Department of Agriculture*), one of the stipulations is that we force the treatment of inhumane animals. Since that has happened, we had to confiscate a number of animals from pet owners who have treated their animals inhumanely. With the current law, I only have one animal with that disposition. It was not the animals' fault that they were mistreated. Many are still good pets and just need some good food, better care. We were just looking for better options or disposition for these animals. There are other cases when the Director confiscated some animals, for example, exotic animals that do not have the proper licensing. We have to confiscate those animals. This bill is designed to offer other options, such as adoption or in the case of exotic animals turning over to someone who is licensed to carry that animal. So we feel this is the most humane option for these animals. So, again, I'm in favor of this bill.

Chairman Cruz requests if there are any questions or comments on Bill 361(LS). (*No response*). Thank you.

COMMITTEE RECOMMENDATION:

The Committee on Health & Human Services recommends that **Bill 362((LS))**: “An Act to *repeal and re-enact* Section 34117 of Article 1, of Chapter 34, of Title 10, Guam Code Annotated, and Section 34209, Article 2, Chapter 34, Title 10 GCA, relative to the Authority of the Director of the Guam Department of Agriculture to Impound and Dispose of Animals, and to Impose Costs therefore.” be submitted to *I Mina'Bente Ocho Na Liheslaturan Guåhan* with a recommendation **TO PASS** Bill No. 362(LS).

CHAPTER 34
KEEPING ANIMALS

SOURCE: Article 1 was repealed in its entirety and reenacted by P.L. 22-13:1. The functions of the Department of Public Health and Social Services in Articles 1 and 3 were transferred to the Department of Agriculture by P.L. 26-76:57. References to Director and Department of Public Health and Social Services changed to Director and Department of Agriculture in Articles 1 and 3.

Article 1. Control and Licensing of Pets.

Article 2. Humane Treatment of Animals.

Article 3. Quarantine.

ARTICLE 1
CONTROL AND LICENSING OF PETS

- § 34101. Definitions.
- § 34102. Pet License Required.
- § 34103. Pet License.
- § 34104. Seeing-Eye and Hearing-Aid Dogs.
- § 34105. Issuance and Description of License.
- § 34106. Description of Pet License Tag.
- § 34107. Replacement of Pet License Tag.
- § 34108. Rabies Vaccination.
- § 34109. Vicious Pet.
- § 34110. Immediate Menace.
- § 34111. Pet Attacking Person.
- § 34112. Pet Trespassing on Private Property.
- § 34113. Liability.
- § 34114. Damages by Pet Owner Liable.
- § 34115. Pet Control Unit.
- § 34116. Dog Running at Large, Impoundment, Holding Period, Sterilization and Adoption.
- § 34117. Impoundment.
- § 34118. Facility Operation.
- § 34119. Minimum Standards.
- § 34120. Authority to Kill Pets Running at Large.
- § 34121. Authority of officers.
- § 34122. Wrongful Interference with Officers.
- § 34123. Establishment of the 'Stray Dog Revolving Fund.'
- § 34124. Penalties.

(g) No dog or cat under the age of six (6) months to be given for adoption shall be released without a written agreement from the adopter guaranteeing that such animal will be sterilized. A deposit of at least Seventy-Five Dollars (\$75) must be paid at the time of adoption of a dog, and Fifty Dollars (\$50) for a cat to guarantee for sterilization. Failure to perform the sterilization shall be a forfeiture of the amount deposited and the animal shall be returned to the pound.

SOURCE: Added by P.L. 22-13. Subsection (a) amended by P.L. 28-108:2 (April 14, 2006).

§ 34117. Impoundment.

Any pet may be impounded and held at the facility when it is the subject of a violation of this Article, when a pet requires protective custody and care because of mistreatment or neglect by its owner, or when otherwise ordered impounded by a court.

§ 34118. Facility Operation.

(a) The Director shall operate, maintain or provide for an adequate facility to receive, care for and safely confine pets delivered to the Director's custody under provisions of this Article and such facility shall be reasonably accessible to the public.

(b) The Director may contract the operation of the shelter to any qualified non-profit private organization. If the Director so contracts, the private non-profit organization must operate the facility so as to conform to the provisions provided herein. Pet control shall remain the sole responsibility of the Department of Agriculture.

(c) The enactment of any provision of this Article shall not be cause for reduction of personnel in the Pet Control Unit.

(d) The Director shall provide that a licensed veterinarian attend to the pets at the facility as necessary.

§ 34119. Minimum Standards.

The Director shall prescribe the minimum standards for humane pet care set forth in this Article.

§ 34120. Authority to Kill Pets Running At Large.

It shall be unlawful to shoot or otherwise kill any pet which has bitten or is believed to have bitten any person except to prevent further attack by the pet or to prevent otherwise unavoidable escape of the pet. In every other

(d) No person shall crop a dog's ears except when a licensed veterinarian issues a signed certificate that the operation is necessary for the dog's health and comfort and in no event shall any person except a licensed veterinarian perform such an operation.

(e) Any person who, as the operator of a motor vehicle, strikes a domestic or wild animal shall stop at once and render such assistance as may be possible and shall immediately report such injury or death to the animal's owner. In the event the owner cannot be ascertained and located, such operator shall at once report the accident to an officer.

§ 34206. Keeping of Wild Animals.

(a) No person shall keep or permit to be kept on his premises any wild or vicious animal for display or for exhibition purposes, whether gratuitously or for a fee. This section shall not be construed to apply for zoological parks, performing animal exhibitions or circuses.

(b) No person shall keep or permit to be kept any wild animal as a pet.

(c) The permitting authority shall have the power to release or order the release of any infant wild animal kept under temporary permit which is deemed capable of survival.

§ 34207. Performing Animal Exhibitions.

(a) No performing animal exhibition or circus shall be permitted in which animals are induced or encouraged to perform through the use of chemical, mechanical, electrical or manual devices in a manner which will cause or is likely to cause physical injury or suffering.

(b) All equipment used on performing animals shall fit properly and in good working condition. The owner of every animal shall be responsible for the removal of any excreta deposited by his animal(s) on public walks, recreation areas or private properties.

§ 34209. Authority of Officers.

(a) Any officer may issue a citation of violation as provided in §§25.10 through 25.50 of Title 8, Guam Code Annotated.

(b) The Director may declare an animal to be a public nuisance. Any animal found by the Director to be a public nuisance shall be impounded and may be ordered confined or destroyed.

§ 34210. Penalties.

Violation of §34122 of this Article shall be punishable by imprisonment not to exceed one (1) year or by a fine not to exceed One Thousand Dollars (\$1,000) or both. Violation of any other provision of this Article which provides that certain conduct shall be unlawful shall be punishable by a fine not less than Fifty Dollars (\$50), or by imprisonment not to exceed six (6) months, or both.

§ 34125. Penalties for Violation of Articles 1 and 2.

Notwithstanding the penalties created by § 34124, violations of Articles 1 and 2 of this Chapter shall be punished by a fine to be imposed on the pet owner of not less than \$25 for the first offense, \$50 for a second offense, and \$100 for a third and subsequent offense. The pet owner shall also pay all applicable costs, such as vaccination, licensing and the per diem fee for impoundment.

SOURCE: Added by P.L. 28-108:3 (April 14, 2006).

ARTICLE 2

PERMITS FOR ANIMAL FACILITIES, HUMANE ANIMAL CARE.

SOURCE: Article 2 was repealed in its entirety and reenacted by P.L. 22-13:2.

- § 34201. Definitions.
- § 34202. Permits.
- § 34203. Permit issuance and revocation.
- § 34204. Confinement.
- § 34205. Animal care.
- § 34206. Keeping of wild animals.
- § 34207. Performing animal exhibitions.
- § 34208. Animal waste.
- § 34209. Authority of officers.
- § 34210. Penalties.

§ 34201. Definitions.

For purposes of this Article:

- (a) "Animal" means any live non-human vertebrate creature, domestic or wild;

(a) Except as otherwise provided herein, any person violating any provision of this Article shall be deemed guilty of a violation and shall be punished by a fine of not less than Fifty Dollars (\$50) nor more than Five Hundred Dollars (\$500). If any violation be continuing, each day's violation shall be deemed a separate violation.

(b) The provisions of this Article shall not apply to any operator of a greyhound racing track nor to any greyhound racing dog so long as such greyhound is subject to regulation by the Department of Revenue and Taxation.

ARTICLE 3
QUARANTINE

§ 34301. Definitions.

§ 34302. Rabies Prevention.

§ 34303. Observation of Suspected Dogs.

§ 34304. Examination of Impounded or Quarantined Dogs for Rabies.

§ 34305. Rabies Outbreak.

§ 34306. Violations and Penalties.

§ 34307. Creation of Rabies Prevention Fund.

§ 34301. Definitions.

For purposes of this Article:

(a) *Carrier* means any individual, partnership, corporation or any other group or combination acting in concert which shall transport any animal into, through or upon Guam.

(b) *Designated inspection area* means an area designated by the Director of Agriculture (the *Director*).

(c) *Dog or cat* means those animals belonging to the order Carnivora, including dogs, wolves, foxes, skunks, raccoons, cats, civets, hyenas, weasels, wolverines; the order Marsupialia, including opossums, koalas, kangaroos; and the order Chiroptera, including bats.

(d) *Impoundment* means strict confinement under restraint by leash, cage or paddock upon premises specified by order of the Director.

(e) *Officer* means a member of the Guam Police Department, a Mayor of Guam, or a person authorized by the Director.



Senator Mike Cruz, M.D.

Chairman, Committee on Health & Human Services
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Committee on Health and Human Services
Public Hearing / Confirmation Hearing
Thursday, November 30, 2006, 8:30 a.m.

Agenda

Confirmation Hearings on GMHA Board Members:

- Rosalia A. Ligon
- Daniel L. Webb

Bill No. 336(EC), relative to the Licensing of Massage Practitioners to Practice in Guam.

Bill No. 346(EC), relative to providing for Greater Financial Planning for Govt. Employees, Retirees, and the Government of Guam in covering the Costs of Health Care Insurance Premiums, through expanding the term of Health and Medical Insurance Coverage from One (1) to Three (3) years.

Bill No. 347(EC), to authorize the payment of Premiums for Medicare Plan A (Hospital Insurance Coverage), Medicare Plan B (Supplemental Medical Insurance), and Medicare Plan A & B, from the Government's and Employees' Contributions for Health Insurance Rates for Retired Employees and their Survivors.

Bill No. 349(LS), to provide Immediate Relief to Government of Guam Employees, Retirees, and Survivors for the High Costs of Health Insurance By Assuming Responsibility for the Payment of all Deductible Expenses under the Government of Guam Group Health Insurance Contract and to Authorize the Payment of Premiums for Medicare Plan A

Bill No. 350(LS), relative to Modifying the Government of Guam's Employer Contribution Rate to Apply Toward the Class of Government Employees with Dependents, with Added Emphasis on Family Coverage to Assist in the Payment of Increasing Health and Medical Insurance Premiums.

Bill No. 361(LS), relative to Changing the Length of Pet Licenses.

Bill No. 362 (LS), relative to the Authority of the Director of the Guam Department of Agriculture to Impound and Dispose of Animals, and to Impose Costs therefore.

Committee on Health & Human Services

Public Hearing / Confirmation Hearing
Thursday, November 30, 2006
8:30 a.m.

I Liheslaturan Guåhan, Hagåtña

Bill No. 362 (LS), relative to the Authority of the Director of the Guam Department of Agriculture to Impound and Dispose of Animals, and to Impose Costs therefore.

NAME (please print)	AGENCY/ ORGANIZATION	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	NOT IN FAVOR	CONTACT NUMBER
1. Paul Bassler	Dept of Ag	✓		✓		734-3942
2.						
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Senator Mike Cruz, M.D.

Chairman, Committee on Health & Human Services
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November 21, 2006

MEMORANDUM

TO: General Public
Senators, 28th Guam Legislature

FROM: Senator Mike Cruz, M.D. *UC*

SUBJECT: NOTICE OF PUBLIC HEARING FOR BILL NOS. 336(EC), 346(EC), 347(EC), 349(LS), 350(LS), 361(LS), 362(LS) and CONFIRMATION HEARINGS for GMHA Board Members Rosalia A. Ligon and Daniel L. Webb

Hafa Adai! This is to inform you that the Committee on Health & Human Services will be holding a Public Hearing on **THURSDAY, November 30th, 8:30a.m. - 1:30 p.m.** at *I Liheslaturan Guåhan's* Public Hearing Room. The following bill(s) will be heard:

Bill No. 336(EC), relative to the Licensing of Massage Practitioners to Practice in Guam.

Bill No. 346(EC), relative to providing for Greater Financial Planning for Govt. Employees, Retirees, and the Government of Guam in covering the Costs of Health Care Insurance Premiums, through expanding the term of Health and Medical Insurance Coverage from One (1) to Three (3) years.

Bill No. 347(EC), to authorize the payment of Premiums for Medicare Plan A (Hospital Insurance Coverage), Medicare Plan B (Supplemental Medical Insurance), and Medicare Plan A & B, from the Government's and Employees' Contributions for Health Insurance Rates for Retired Employees and their Survivors.

Bill No. 349(LS), to provide Immediate Relief to Government of Guam Employees, Retirees, and Survivors for the High Costs of Health Insurance By Assuming Responsibility for the Payment of all Deductible Expenses under the Government of Guam Group Health Insurance Contract and to Authorize the Payment of Premiums for Medicare Plan A

Bill No. 350(LS), relative to Modifying the Government of Guam's Employer Contribution Rate to Apply Toward the Class of Government Employees with Dependents, with Added Emphasis on Family Coverage to Assist in the Payment of Increasing Health and Medical Insurance Premiums.

Bill No. 361(LS), relative to Changing the Length of Pet Licenses.

Bill No. 362 (LS), relative to the Authority of the Director of the Guam Department of Agriculture to Impound and Dispose of Animals, and to Impose Costs therefore.

Confirmation Hearings on GMHA Board Members:

Rosalia A. Ligon
Daniel L. Webb

Copies of the aforementioned bills may be obtained at *I Liheslaturan Guåhan's* website, http://guamlegislature.com/28th_Guam_Legislature/Bills-Introduced-28th.htm. Individuals wanting to submit written testimony or requiring special accommodations or services should contact the Office of Senator Mike Cruz, MD at 477-5960. Thank you.

 *** FAX ACTIVITY REPORT TX ***

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				1	OK 00'18

 *** FAX ACTIVITY REPORT RX ***

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*11/19 07:22	4723510	6483	AUTO RX	1	OK 00'18
*11/20 13:21	6716490145	6484	AUTO RX	1	OK 00'26
11/21 07:31	6714776666	6485	AUTO RX	7	OK 01'07
11/21 09:49	4723510	6486	AUTO RX	1	OK 00'19
11/21 11:23	+6717342983	6487	AUTO RX	2	OK 00'46
11/21 11:57	6714775946	6488	AUTO RX	2	OK 00'23
	6716481656	6489	AUTO RX	1	OK 00'17



Senator Mike Cruz, M.D.

Chairman, Committee on Health & Human Services
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November 28, 2006

MEMORANDUM

TO: General Public
Senators, 28th Guam Legislature

FROM: Senator Mike Cruz, M.D. *MC*

SUBJECT: **REMINDER NOTICE of CONFIRMATION HEARINGS for GMHA Board Members Rosalia A. Ligon and Daniel L. Webb and PUBLIC HEARING for BILL NOS. 336(EC), 346(EC), 347(EC), 349(LS), 350(LS), 361(LS), and 362(LS).**

Hafa Adai! This is to inform you that the Committee on Health & Human Services will be holding a Public Hearing on **THURSDAY, November 30th, 8:30a.m. - 1:30 p.m.** at *I Liheslaturan Guahan's* Public Hearing Room. The set agenda is as follows:

Confirmation Hearings on GMHA Board Members:

- Rosalia A. Ligon
- Daniel L. Webb

Bill No. 336(EC), relative to the Licensing of Massage Practitioners to Practice in Guam.

Bill No. 346(EC), relative to providing for Greater Financial Planning for Govt. Employees, Retirees, and the Government of Guam in covering the Costs of Health Care Insurance Premiums, through expanding the term of Health and Medical Insurance Coverage from One (1) to Three (3) years.

Bill No. 347(EC), to authorize the payment of Premiums for Medicare Plan A (Hospital Insurance Coverage), Medicare Plan B (Supplemental Medical Insurance), and Medicare Plan A & B, from the Government's and Employees' Contributions for Health Insurance Rates for Retired Employees and their Survivors.

Bill No. 349(LS), to provide Immediate Relief to Government of Guam Employees, Retirees, and Survivors for the High Costs of Health Insurance By Assuming Responsibility for the

Payment of all Deductible Expenses under the Government of Guam Group Health Insurance Contract and to Authorize the Payment of Premiums for Medicare Plan A

Bill No. 350(LS), relative to Modifying the Government of Guam's Employer Contribution Rate to Apply Toward the Class of Government Employees with Dependents, with Added Emphasis on Family Coverage to Assist in the Payment of Increasing Health and Medical Insurance Premiums.

Bill No. 361(LS), relative to Changing the Length of Pet Licenses.

Bill No. 362 (LS), relative to the Authority of the Director of the Guam Department of Agriculture to Impound and Dispose of Animals, and to Impose Costs therefore.

Copies of the aforementioned bills may be obtained at *Liheslaturan Guåhan's* website, http://guamlegislature.com/28th_Guam_Legislature/Bills-Introduced-28th.htm. Individuals wanting to submit written testimony or requiring special accommodations or services should contact the Office of Senator Mike Cruz, MD at 477-5960. Thank you.

 *** FAX ACTIVITY REPORT TX ***

ST. TIME	CONNECTION TEL/ID	NO.	MODE	PGS.	RESULT
*11/24 13:12		4776666 1775	TX ECM	4	OK 02'16
*11/24 13:22		4776666 1776	TX ECM	3	OK 01'44
*11/24 15:06		4722856 1778	TX ECM	2	OK 00'44
*11/27 08:43		4750577 1779	SEQ. BROADCAST ECM	2	OK 00'39
*11/27 08:44		7347472 1779	SEQ. BROADCAST ECM	2	OK 00'34
*11/27 09:34		6476126 1781	TX ECM	1	OK 01'32
*11/27 09:36		6464332 1782	TX	1	OK 01'07
*11/27 09:39		6491455 1783	TX	1	OK 01'32
*11/27 09:42		6465333 1784	TX	1	OK 01'47
*11/27 12:04		6332643 1785	TX ECM	2	OK 00'45
*11/27 12:22		6467841 1786	TX	0	NG 00'00
				0	#018
11/28 08:54		4727549 1787	TX ECM	3	OK 01'38
11/28 09:21		7357413 1788	SEQ. BROADCAST ECM	2	OK 01'02
11/28 09:22		7346569 1788	SEQ. BROADCAST ECM	2	OK 00'29
11/28 09:23		7345910 1788	SEQ. BROADCAST ECM	2	OK 00'31
11/28 09:24		4759165 1788	SEQ. BROADCAST ECM	2	OK 00'27
11/28 09:25		6490145 1788	SEQ. BROADCAST ECM	2	OK 00'31
11/28 09:26	PDN	4773079 1788	SEQ. BROADCAST ECM	2	OK 00'53
11/28 09:28	Hit Radio	4727663 1788	SEQ. BROADCAST ECM	2	OK 00'26
11/28 09:29	KUAM	6379870 1788	SEQ. BROADCAST ECM	2	OK 00'30
11/28 09:30	Glimpses	6498883 1788	SEQ. BROADCAST ECM	2	OK 00'27
11/28 09:31	K-57 Radio / Power 98	4773982 1788	SEQ. BROADCAST ECM	2	OK 00'59
11/28 09:32	Marianas Variety	6482007 1788	SEQ. BROADCAST ECM	2	OK 00'54
11/28 09:34	K-Stere0	4776411 1788	SEQ. BROADCAST ECM	2	OK 00'31
11/28 09:35	Senator Eddie Calvo	4758805 1788	SEQ. BROADCAST ECM	2	OK 00'47
11/28 09:36	Senator B.J. Cruz	4772522 1788	SEQ. BROADCAST ECM	2	OK 00'27
11/28 09:37	Senator Mark Forbes	4723510 1788	SEQ. BROADCAST ECM	2	OK 00'59
11/28 09:38	Senator L. Kasperbauer	4752000 1788	SEQ. BROADCAST ECM	2	OK 00'26
11/28 09:44		4727549 1789	TX ECM	1	NG 00'36
				1	
11/28 09:45		6460440 1790	TX ECM	2	OK 00'31
11/28 09:50		4727549 1789	TX ECM	2	OK 01'37
11/28 10:00		4776666 1791	TX ECM	2	OK 01'10
11/28 13:21		4723510 1792	TX ECM	1	OK 00'24

CITY OF HAGATNA

On this 3rd day of November, 2006 before me, a Notary Public in and for the Territory of Guam, personally appeared JOEL F. TRIBAUDINI, known to me to be the duly authorized representative of the corporation that executed the within instrument on behalf of the corporation therein named and acknowledged to me that such corporation executed the same.

NEW YORK (Reuters)—Slugging first baseman Ryan Howard of the Philadelphia Phillies' Ryan Howard reacts to a teammates' pre-recorded joke during a news conference in Philadelphia Monday, after Howard was voted the National League's Most Valuable Player.



Howard dismissed any notion of a sophomore slump with a prodigious power performance.

He capped off his first full big league season by being named MVP of the Japan All-Star Series.

Schmidt's franchise record of 48 roundtrippers in a season. Howard looked likely to become the sixth player to reach 60 homers in a season, but by September pitchers grew wary of throwing him strikes and he hit just two homers in his final 23 games.

Soriano balked initially last season when he was switched to left field from second base by the Washington Nationals, but compiled a .277 batting average with 46 home runs, 41 doubles, 95 runs batted in, and 41 stolen bases. He also led National League outfielders

CITY OF HAGATNA

Philadelphia Phillies' Ryan Howard reacts to a teammates' pre-recorded joke during a news conference in Philadelphia Monday, after Howard was voted the National League's Most Valuable Player.

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Legislature fully booked next week

By Mar-Vic Cagurangan
Variety News Staff

GEARING up for the final session, the lame duck Legislature is facing a busy week with a number of bills scheduled for public hearing.

A full plate is awaiting the committee on judiciary and governmental operations and reorganization, chaired by Sen. Bob Klitzkie, R-Yigo, who is scheduled to hold a public hearing on six bills on Nov. 27.

Klitzkie, who did not run for reelection, recently introduced a number of bills including Bill 375, which would establish the Certified Augmentation Teacher Service Act or the "CATS Act."

The CATS Act, which is among the bills to be heard by the committee, would allow the Guam Public School System superintendent to rehire government retirees to fill certain positions required by the Adequate

which would raise the number of Superior Court judges to six; Bill 381, which would provide for the appointment of magistrates and the definition of their duties; and Bill 388, which would allow the compiler of laws to provide a searchable database via the Internet.

The health and community development, chaired by Sen. Milke Cruz, the lieutenant governor-elect, will hear five health related bills on Nov. 30.

One of the bills to be tackled by Cruz's committee is Sen. Judy Won Pat's Bill 336, which would set high standards for the massage therapy industry by requiring massage practitioners to obtain license from the Board of Allied Health.

The bill seeks to weed out illegitimate massage businesses that offer inappropriate services other than massage therapy. The committee will also hear

lutions to government employees' health insurance problems. Sen. Frank Aguon's Bill 346 proposes to extend from one to three years the term of government negotiated health insurance plan for government employees.

Bill 346 points out that the process of negotiating for health insurance for employees and retirees is done "within a relatively short period of time," making it "difficult for their families to adequately plan for their financial requirements due to unanticipated increases in healthcare premiums."

Sen. Benjamin Cruz's Bill 347 proposes to authorize GovGuam to pay the premiums for Medicare plans out of the government's and employees' contributions for health insurance rates for retired employees and their survivors.

The proposed payment would be used to pay for Medicare

Plan A, which covers hospital insurance, Medicare Plan B for supplemental medical insurance, and plan combination.

Also in the health committee's agenda are:

- Bill 349, which would mandate GovGuam to shoulder the deductible expenses otherwise being paid by GovGuam employees and retirees;
- Bill 350, which would modify GovGuam's contribution rate applicable to certain class of government employees;
- Bill 361, which would amend the length of pet licenses; and
- Bill 362, which would authorize the agriculture director to impound and dispose of stray animals.

Speaker Mark Forbes' committee on general and omnibus matters will resume on Nov. 28 the hearing on Bill 329, which seeks to approve the governor's proposed master plan for a program in Dos Amantes.



Bob Klitzkie

Also in the agenda is Bill 383, also authored by Klitzkie, which would abolish the Guam Election Commission and replace it with a Bureau of Elections and a Board of Canvass and Appeals.

Klitzkie's Bill 390 would exempt the Superior Court presiding judge and Supreme Court chief justice from prohibition on the use of governor vehicles for personal use.



Senator Mike Cruz, M.D.

Chairman, Committee on Health & Human Services
I Mina'Bente Ocho Na Liheslaturan Guåhan
155 Hesler Place, Suite 107, Hagåtña, Guam 96910
Tel: 671-477-5960/2/3 • Fax: 671-477-5984

November 21, 2006

MEMORANDUM

TO: Director, Bureau of Budget Management and Research

FROM: Senator Mike Cruz, M.D. *MC*
Chairman, Committee on Health and Human Services

SUBJECT: REQUEST FOR FISCAL NOTE - Bill No. 336(EC), 346(EC), 347(EC),
349(LS), 350(LS), 361(LS), and 362(LS).

Hafa Adai! Pursuant to 2 GCA §9102, I respectfully request BBMR to prepare fiscal notes for the following measures:

Bill No. 336(EC), relative to the Licensing of Massage Practitioners to Practice in Guam.

Bill No. 346(EC), relative to providing for Greater Financial Planning for Govt. Employees, Retirees, and the Government of Guam in covering the Costs of Health Care Insurance Premiums, through expanding the term of Health and Medical Insurance Coverage from One (1) to Three (3) years.

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**Bureau of Budget & Management Research
Fiscal Note of Bill No. 362 (LS)**

Bill Title (Preamble): AN ACT TO REPEAL AND RE-ENACT SECTION 34117 OF ARTICLE 1, OF CHAPTER 34, OF TITLE 10, GUAM CODE ANNOTATED, AND SECTION 34209 OF ARTICLE 2, OF CHAPTER 34, OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE AUTHORITY OF THE DIRECTOR OF THE GUAM DEPARTMENT OF AGRICULTURE TO IMPOUND AND DISPOSE OF ANIMALS, AND TO IMPOSE COSTS THEREFORE.

Department/Agency Appropriation Information	
Dept./Agency Affected: AGRICULTURE	Dept./Agency Head: PAUL BASSLER
Department's General Fund (GF) appropriation(s) to date:	\$923,649
Department's Other Fund (specify): <u>Guam Plant Inspection and Permit Fund</u> appropriation(s) to date:	\$44,507
Total Department/Agency Appropriation(s) to date:	\$968,156

Fund Source Information of Proposed Appropriation			
	General Fund:	Other (specify):	Total:
FY 2007 Adopted Revenues	\$456,347,922	\$0	\$456,347,922
FY Appro. to <u>P.L. 28-156</u>	(\$456,347,922)	\$0	(\$456,347,922)
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 Current FY (if applicable)	Second Year	Third Year	Fourth Year	Fifth Year
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Other Fund:	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0

- 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? \$ _____
- 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 / / Other: _____

Analyst: Angela Noyes Date: 12/7/06 Director: Carlos P. Bordallo Date: 12-07-2006

Footnotes: Enactment of Bill No. 361 (LS) will provide more options to the Director of the Department of Agriculture regarding the disposition of confiscated animals. The language of the bill states that per diem costs may be assessed to those receiving pets, and also for owners of returned pets based on costs associated in the care of such pets. As such, it appears that costs which will result through enactment of this bill will be defrayed through assessments of per diem to owners.