EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor Of Guam

FEB 23 2018

GL#34-18-1569
Speaker Benjamin J.F. Cruz

FEB 23 2018
Time: 4:12 [ ] AM [ ] PM File No. ____
Received By: ____

Honorable Benjamin J.F. Cruz
Speaker
I Mina'trentai Kuåttro Na Liheslaturan Guåhan
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 3-34 (COR), **"AN ACT TO *AMEND* §§ 4301(a) and 4302(c)(2) OF ARTICLE 3, CHAPTER 4, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO ENSURING THAT ONLY THE MOST ECONOMICAL AND BENEFICIAL HEALTHCARE INSURANCE PROPOSAL PLAN FOR GOVERNMENT OF GUAM EMPLOYEES, RETIREES, AND FOSTER CHILDREN IS FORWARDED BY THE GOVERNMENT OF GUAM HEALTH INSURANCE NEGOTIATING TEAM TO *I MAGA'LÅHEN GUÅHAN* FOR CONSIDERATION; AND TO DIVESTING *I LIHESLATURAN GUÅHAN* OF FINAL APPROVAL AUTHORITY OVER ANY CONTRACT ENTERED INTO BY *I MAGA'LÅHEN GUÅHAN* FOR THE SAME"**, which was vetoed on March 20, 2017. The legislation is now designated as **Public Law 34-83**.

2018 FEB 23 PM 5:02

Senseramente,

EDDIE BAZA CALVO

1569

I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN
2018 (SECOND) Regular Session

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

This is to certify that **Bill No. 3-34 (COR), "AN ACT TO *AMEND* §§ 4301(a) AND 4302(c)(2) OF ARTICLE 3, CHAPTER 4, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO ENSURING THAT ONLY THE MOST ECONOMICAL AND BENEFICIAL HEALTHCARE INSURANCE PROPOSAL PLAN FOR GOVERNMENT OF GUAM EMPLOYEES, RETIREES, AND FOSTER CHILDREN IS FORWARDED BY THE GOVERNMENT OF GUAM HEALTH INSURANCE NEGOTIATING TEAM TO *I MAGA'LÅHEN GUÅHAN* FOR CONSIDERATION; AND TO DIVESTING *I LIHESLATURAN GUÅHAN* OF FINAL APPROVAL AUTHORITY OVER ANY CONTRACT ENTERED INTO BY *I MAGA'LÅHEN GUÅHAN* FOR THE SAME,"** was reconsidered by *I Liheslaturan Guåhan* and after such consideration, did agree, on the 19th day of February 2018, to pass said bill notwithstanding the veto of *I Maga'låhen Guåhan* by a vote of eleven (11) members.

Benjamin J.F. Cruz
Speaker

Attested:

Régine Biscoe Lee
Legislative Secretary

This Act was received by *I Maga'låhen Guåhan* this 20 day of FEB, 2018, at 3:44 o'clock P.m.

Assistant Staff Officer
Maga'låhi's Office

Public Law No. 34-83

I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN
2017 (FIRST) Regular Session

Bill No. 3-34 (COR)

Introduced by: B. J.F. Cruz
Thomas C. Ada
FRANK B. AGUON, JR.
William M. Castro
James V. Espaldon
Fernando Barcinas Esteves
Régine Biscoe Lee
Tommy Morrison
Louise B. Muña
Telena Cruz Nelson
Dennis G. Rodriguez, Jr.
Joe S. San Agustin
Michael F.Q. San Nicolas
Therese M. Terlaje
Mary Camacho Torres

AN ACT TO *AMEND* §§ 4301(a) AND 4302(c)(2) OF ARTICLE 3, CHAPTER 4, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO ENSURING THAT ONLY THE MOST ECONOMICAL AND BENEFICIAL HEALTHCARE INSURANCE PROPOSAL PLAN FOR GOVERNMENT OF GUAM EMPLOYEES, RETIREES, AND FOSTER CHILDREN IS FORWARDED BY THE GOVERNMENT OF GUAM HEALTH INSURANCE NEGOTIATING TEAM TO *I MAGA'LÅHEN GUÅHAN* FOR CONSIDERATION; AND TO DIVESTING *I LIHESLATURAN GUÅHAN* OF FINAL APPROVAL AUTHORITY OVER ANY CONTRACT ENTERED INTO BY *I MAGA'LÅHEN GUÅHAN* FOR THE SAME.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. § 4301(a) of Article 3, Chapter 4, Title 4, Guam Code Annotated, is hereby *amended* to read:

"(a) *I Maga'låhi* (the Governor) is authorized to enter into contracts and reject proposals, with the written concurrence of the Speaker of *I Liheslaturan Guåhan* (the Guam Legislature) or the Chief Justice of the Supreme Court of Guam, whose consents may be withheld in their sole discretion, with one (1) or more insurance companies, authorized to do business in Guam, for group insurance, including, but *not* limited to, hospitalization, medical care, life, and accident, for all employees or separate groups of employees, and foster children, of the government of Guam. If the Legislative or Judicial Branches of government elect to enter into separate contracts for their employees as authorized in § 4301(c), *I Magå'lahi shall* obtain the written concurrence of the Branch electing to remain with the Executive Branch before the group insurance contract is entered into or a proposal rejected. The government *shall not* be construed as an agent of any insurance company in negotiating or administering this group insurance program. Health benefits provided under this authority may be self-funded and administered by a third party if it is determined to be cost-effective. No government funds shall be authorized or expended, and no contract shall be executed with any healthcare respondent/provider for group insurance for all employees, or separate groups of employees, and foster children, of the government of Guam, whose proposal *does not* represent the most economical and beneficial healthcare insurance proposal plan, as defined in § 4302(c)(2) of this Article, and as determined by the Negotiating Team in § 4302(c) of this Article."

Section 2. § 4302(c)(2) of Article 3, Chapter 4, Title 4, Guam Code Annotated, is hereby *amended* to read:

"(2) The Negotiating Team upon selection and review of the single best available proposal by participating healthcare respondent(s)/provider(s),

which *shall* be the most economical and beneficial healthcare insurance proposal plan for government of Guam employees and retirees, and foster children, *shall* forward said proposal to *I Maga'låhen Guåhan* for consideration, and to *I Liheslaturan Guåhan* for its review *no later than* July 31, and prior to the annual legislative sessions wherein the upcoming fiscal year budget for the government of Guam is before *I Liheslaturan Guåhan* for consideration. Notwithstanding any other provision of law, rule or regulation, the most economical and beneficial healthcare insurance proposal plan for government of Guam employees and retirees, and foster children, *shall* be defined as the lowest cost option of either the exclusive or non-exclusive proposal.

The Negotiating Team *shall* forward only the single most economical and beneficial healthcare insurance proposal plan for government of Guam employees and retirees, and foster children, to *I Maga'låhen Guåhan*, and *shall not* forward both an exclusive and a non-exclusive proposal to *I Maga'låhen Guåhan.*"

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

Section 4. Severability. If any provision of this Act or its application to any person or circumstance is held invalid, the invalidity *shall not* affect other provisions or applications of this Act that can be given effect without the invalid provision or application and to this end the provisions of this Act are severable.