Guam Legislature Clerks <clerks@guamlegislature.org>

Messages and Communications

1 message

Speaker's Office <speaker@guamlegislature.org> Wed, Apr 29, 202
To: Clerks Office <clerks@guamlegislature.org>
Cc: Rennae Meno <rennae@guamlegislature.org>

5:45 PM	04-28-20	Substitute Bill No. 326-35 (COR), Vetoed; and Proposed Legislation.	Office of the Governor of Guam	35GL-2
5:45 PM	04-28-20	Bill No. 333-35 (COR), Vetoed.	Office of the Governor of Guam	35GL-2
5:45 PM	04-28-20	Bill No. 336-35 (COR), Vetoed.	Office of the Governor of Guam	35GL-2

Sinseru yan Minagåhet,

Office of the Speaker • Tina Rose Muña Barnes
Committee on Public Accountability, Human Resources & the Guam Buildup

35th Guam Legislature
I Mina'trentai Singko na Liheslaturan Guåhan

Guam Congress Building | 163 Chalan Santo Papa | Hagatna, GU 96910
T: (671) 477-2520/1
speaker@guamlegislature.org

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Gumai pribilehu yan konfedensia este siha na mensåhi. Solo espesiåtmente para hågu ma entensioña pat ma aturisa para unrisibi. Sen prubidu kumu ti un ma aturisa para manribisa, na'setbe, pat mandespåtchi lachi rinisibu-mu nu este na mensåhi , put fabot ago' guatu gi I numa'huyong gi as speaker@guamlegislature.org yan despues destrosa todu siha I kopian mensåhi. Si Yu'os ma'åse'.

3 attachments

- **Bill 326 VETO.pdf** 4642K
- **Bill 333.pdf** 2715K
- **Bill 336.pdf** 2999K

UFISINAN I MAGA'HÅGA
OFFICE OF THE GOVERNOR

LOURDES A. LEON GUERRERO
MAGA'HÅGA • GOVERNOR

JOSHUA F. TENORIO
SIGUNDO MAGA'LÅHI • LIEUTENANT GOVERNOR

Via Email: speaker@guamlegislature.org

GUAM LEGISLATURE
CENTRAL FILES
ACKNOWLEDGEMENT RECEIPT
Received by:
4.28.2020 @ 5:45p.

April 28, 2020

HONORABLE TINA ROSE MUÑA BARNES, *Speaker*
I Mina'trentai Singko Na Liheslaturan Guåhan
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Re: VETO of Substitute Bill No. 336-35 (COR) – An Act to *Add* a New Subsection (D) to § 19803 of Article 8, Chapter 19, Title 10, Guam Code Annotated, Relative to Directing the Expedited Procurement of Critical Medical Supplies to Save Lives on Guam During the COVID-19 Pandemic

Dear Madame Speaker:

In the interest of statutory economy, I have vetoed Substitute No. Bill 336-35 (COR). While its short title brands itself as a measure that would expedite the procurement of critical emergency equipment, the actual language of the measure does little to change the status quo.

First, while the measure purports to raise my emergency transfer authority by $4million, this new authority is essentially unfunded. The relevant provision requires me to use transfer authority from FY20 appropriations without any indication of where that authority should be taken from. That legislative direction is important considering both the General Fund and most major Special Funds are in decline.

Furthermore, every healthcare worker assisting a COVID patient has the required PPEs and other equipment. At our current burn rate, that supply should last about 1 month. Despite this fact, Guam also has standing orders with certified PPE providers. And, the same is true for other vital equipment.

My existing emergency procurement authority works. However, the items we need are delayed not by our procurement laws but by world demand. Because it may be difficult to hear it from me, the following is from an article in Time Magazine published just seven days ago:

As the number of COVID-19 cases continues to grow in the U.S., health care facilities nationwide are contending with an increasing crush of patients, and growing more and more desperate for the tools they need to protect themselves from catching and spreading the virus that causes it. A portrait of a desperately ill-equipped medical workforce is emerging from an online survey with 978 respondents, built by a grassroots organization started by doctors trying to get personal protective equipment, commonly called PPE, to facilities where it is needed most.

"We could use body bags. And eye shields and gowns!" wrote an employee at a nursing facility on Long Island in New York. "Please we don't have anything," wrote an employee at a regional hospital in Miami, Florida. All its beds were full, the employee wrote. They had no gowns left, and a week or less of most other PPE.

"We are out of everything," wrote a staffer at a large hospital in Tennessee. "Providers using one mask for 3+ weeks. Many COVID patients. Zero gowns."

Given that this measure offers transfer authority from already scant sources and procurement authority I already have, Substitute Bill No. 336-35(COR) is vetoed.

Senseremente,

LOURDES A. LEON GUERRERO
Maga'hågan Guåhan
Governor of Guam

Enclosure(s): Vetoed Substitute Bill No. 336-35 (COR)

cc via email: *Sigundo Maga'låhen Guåhan*
Compiler of Laws

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2020 (SECOND) Regular Session

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

This is to certify that **Substitute Bill No. 336-35 (COR), "AN ACT TO *ADD* A NEW SUBSECTION (D) TO § 19803 OF ARTICLE 8, CHAPTER 19, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO DIRECTING THE EXPEDITED PROCUREMENT OF CRITICAL MEDICAL SUPPLIES TO SAVE LIVES ON GUAM DURING THE COVID-19 PANDEMIC,"** was on the 16th day of April 2020, duly and regularly passed.

Tina Rose Muña Barnes
Speaker

Attested:

Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 16th day of April, 2020, at 6:15 o'clock P.M.

C.J. UZAHA, GOVERNMENT HOUSE
Assistant Staff Officer
Maga'håga's Office

APPROVED:

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date:_____

Public Law No._____

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2020 (SECOND) Regular Session

Bill No. 336-35 (COR)
As substituted; and amended on the Floor.

Introduced by: Therese M. Terlaje
Sabina Flores Perez
Louise B. Muña
Joe S. San Agustin
Tina Rose Muña Barnes
Telo T. Taitague
Telena Cruz Nelson
Jose "Pedo" Terlaje
Kelly Marsh (Taitano), PhD
William M. Castro
Régine Biscoe Lee
James C. Moylan
Mary Camacho Torres
Clynton E. Ridgell
Amanda L. Shelton

AN ACT TO *ADD* A NEW SUBSECTION (d) TO § 19803 OF ARTICLE 8, CHAPTER 19, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO DIRECTING THE EXPEDITED PROCUREMENT OF CRITICAL MEDICAL SUPPLIES TO SAVE LIVES ON GUAM DURING THE COVID-19 PANDEMIC.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. A new Subsection (d) is hereby *added* to § 19803 of Article 8, Chapter 19, Title 10, Guam Code Annotated, as follows:

"(d) Additional Authorization for the COVID-19 Response. In response to the COVID-19 pandemic and notwithstanding any other law, *I*

Maga'hågan Guåhan may transfer up to Four Million Dollars ($4,000,000) from FY 2020 appropriations, in addition to the amounts authorized in Subsections (a) and (c), to:

(1) immediately purchase the following critical medical supplies:

(A) ventilators;

(B) personal protective equipment (PPE);

(C) COVID-19 test kits;

(D) medicines;

(E) other essential medical equipment and supplies; and

(2) immediately provide temporary housing, meals, and incidental essentials for the following:

(A) COVID-19 exposed nurses, emergency medical services personnel and other health care workers of the Guam Memorial Hospital Authority, the Department of Public Health and Social Services, and any health care clinic, who act in accordance with the COVID-19 Unified Response Effort (CURE) Action Team instructions during the state of emergency; and

(B) COVID-19 exposed persons experiencing unsheltered homelessness (those sleeping outside or in places not meant for human habitation) during the COVID-19 outbreak due to the full capacity of homeless shelters.

I Maga'hågan Guåhan shall use her best efforts to obtain the items listed in this Subsection immediately, and in bulk or at best value, for the entire island's public health emergency response. A portion of the amount

authorized under this Subsection may be used to expedite shipping, delivery, or distribution of the items to medical facilities. Pursuant to the Emergency Health Powers Act, these supplies shall be directed to public or private medical facilities as part of the coordinated response authorized by this Act."

Section 2. Severability. If any provision of this Act or its application to any person or circumstance is found to be invalid or contrary to law, such 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.

Office of the Speaker

TINA ROSE MUÑA BARNES

I Mina'Trentai Singko Na Liheslaturan Guahan

April 9, 2020

To: All Senators

From: Speaker Tina Rose Muña Barnes

RE: Waiver of Public Hearing Requirement – Bill no. 336-35

Dear Colleagues:

Buenas yan Hafa Adai! Pursuant to Section 1.02(b)(1)(ii) of our Standing Rules I hereby certify that emergency conditions exist involving danger to the public health or safety.

Furthermore, the public hearing requirement for Bill no. 336-35 (LS) is waived in accordance with 2 GCA § 2103(a).

Sinseru Yan Magahit,

Tina Rose Muña Barnes
Speaker, 35th Guam Legislature

Address: 163 W. Chalan Santo Papa Hagåtña, GU 96910
Phone: (671) 477-2520/2521/Email: speaker@guamlegislature.org/ Website: www.guamlegislature.org

Office of the Speaker
TINA ROSE MUÑA BARNES
I Mina'Trentai Singko Na Liheslaturan Guahan

REQUEST FOR PUBLIC HEARING WAIVER

Bill No: Bill 336-35 (COR) **Authored By:** Therese M. Terlaje

Bill Title AN ACT TO DIRECT THE EXPEDITED PROCUREMENT OF CRITICAL MEDICAL SUPPLIES TO SAVE LIVES ON GUAM DURING THE COVID-19 PANDEMIC THROUGH THE AMENDMENT OF § 19803 OF CHAPTER 19, TITLE 10, GUAM CODE ANNOTATED.

Does this Bill directly benefit the response efforts of the Government of Guam in its effort to protect the Health and Safety of the People of Guam from COVID-19?
Yes ✓ No _____

Does this Bill directly benefit residents of Guam during this economic crisis due to COVID-19?
Yes _____ No ✓

Does the enactment of this measure have a cost associated with it?
Yes ✓ No _____

If so, please provide the following:

Anticipated Cost: $4, 000,000.00
Funding Source: General Fund

Based on PL 35-36 will current government revenues/operations be impacted by the reduction of the anticipated funding source?
Bill 336 will increase the Governors ermergency transfer authority upon the declaration of a public health emergency pursuant § 19803 of Chapter 19, Title 10 GCA, by giving the Governor the authority to transfer up to four million dollars ($4,000,000) from the General Fund for fiscal year 2020 appropriations, specifically for the immediate purchase of ventillators, personal protective equipment (PPEs), medicines, COVID-19 test kits, and other essential medical equipment and supplies, to respond to the current COVID-19 pandemic. Bill will be amended to include the cost of housing for COVID-19 exposed nurses, EMS personnel, healthcare workers and homeless persons. The $4 million authorized in increased spending authority may be reimbursed by federal coronavirus relief funds to be given to states and territories on April 24, 2020 , an estimated amount of $111 million dollars. t therefore, not impacting the general fund.

Speaker Tina Rose Muña Barnes

APR 0 8 2020
Time 5:00 ( )AM (✓)PM
Received By: _____

Address: 163 W. Chalan Santo Papa Hagåtña, GU 96910
Phone: (671)477-2520/2521 / Email: speaker@guamlegislature.org / Website: www.guamlegislature.org

Office of the Speaker
TINA ROSE MUÑA BARNES
I Mina'Trentai Singko Na Liheslaturan Guahan

If so, please identify the estimated dollar amount reduction in revenues and a corresponding aggregate amount in appropriation reductions in PL35-36. Such reductions shall be specifically identified by fund source, by department/agency, and/or by program or miscellaneous appropriation. Is there consent or support from its respective Directors on this measure?

UP to four million in the reduction of fiscal year 2020 appropriations. A request for a fiscal impact note has been sent to the Office of Finance and Budget. THE COST ASSOCIATED WITH THE IMPLEMENTATION OF THIS LEGISLATION WILL BE SELF-REIMBURSED by federal coronavirus relief funds estimated at $111 million dollars. Therefore, not impacting the general fund 2020 appropriation.

Should we need to assemble in the Committee of the Whole, have the respective directors and stakeholders been contacted? (Please list each individual party separately):

Name/Title	Agency	Yes/No
Edward Birn, Director	Department of Administration	No- pending contact
Lester Carlson, Director	Bureau of Budget & Management Research	No- pending contact
Stephen Guerrero, Director	Office of Finance and Budget	No- pending contact

OFB/BBMR:

1) Does the Office of Finance and Budget **OR** the Bureau of Budget Management and Research concur that the statements made regarding the fiscal impact of this proposed measure are accurate?
   Yes_____ No_____

2) Are funds available in the specified funding source to support this measure?
   Yes_____ No_____

Comments:_____

Name & Signature of Certifying individual from BBMR or OFB:

Name	Agency & Title	Signature & Date

Should this section be unattainable, please submit documentation that demonstrates an effort was made.

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Office of the Speaker
TINA ROSE MUÑA BARNES
I Mina'Trentai Singko Na Liheslaturan Guahan

The above information is true and correct. This bill addresses an immediate emergency and I am requesting that the public hearing be waived.

Name of Main Author/Senator Making a request to waive Public Hearing Therese M. Terlaje

Signature Therese M. Terlaje Date April 06,2020

Note: Public concerns/comments that have been received with regards to this measure, or any other pertinent document/information can be attached to this document.

Attachments:

A. _____

B. _____

C. _____

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