

I Mina'trentai Ocho Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
359-38 (COR)	Telo T. Taitague V. Anthony Ada Chris Barnett Shelly V. Calvo Jesse A. Lujan Sabrina Salas Matanane	AN ACT TO <i>AMEND</i> §§ 81101, 81102, 81103, 81104, 81106 AND 81111 OF CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; TO <i>ADD</i> NEW §§ 81103.2 AND 81115 TO CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; AND TO AMEND THE EXECUTIVE PAY PLAN PURSUANT TO CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING AN EXECUTIVE DIRECTOR OF THE OFFICE OF POST-MORTEM EXAMINATIONS WITHIN THE EXECUTIVE PAY PLAN, STRENGTHENING ADMINISTRATIVE AND FISCAL OVERSIGHT, ENSURING CONTINUITY OF OPERATIONS, AND PRESERVING THE PROFESSIONAL INDEPENDENCE OF THE CHIEF MEDICAL EXAMINER.	9/8/26 12:10 p.m.	9/9/26	Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement.	Request: 9/9/26 9/14/26	9/21/26 10:00 a.m.	10/23/26 As Amended.	



OFFICE OF SENATOR
Telo T. Taitague
CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
2238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

October 6, 2026

The Honorable Frank F. Blas Jr.
Speaker

I Mina'trentai Ocho na Liheslaturan Guåhan
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

VIA: Honorable Vice Speaker V. Anthony Ada 
Chairperson, Committee on Rules

RE: Committee Report on Bill No. 359-38 (COR) - As Amended

Buenas yan Håfa adai, Speaker Blas

Transmitted herewith is the Committee Report on Bill No. 359-38(COR), As Amended- Introduced by Telo T. Taitague/ V. Anthony Ada/ Chris Barnett/ Shelly V. Calvo/ Jesse A. Lujan/ Sabrina Salas Matanane, "***AN ACT TO AMEND §§ 81101, 81102, 81103, 81104, 81106 AND 81111 OF CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; TO ADD NEW §§ 81103.2 AND 81115 TO CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; AND TO AMEND THE EXECUTIVE PAY PLAN PURSUANT TO CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING AN EXECUTIVE DIRECTOR OF THE OFFICE OF POST-MORTEM EXAMINATIONS WITHIN THE EXECUTIVE PAY PLAN, STRENGTHENING ADMINISTRATIVE AND FISCAL OVERSIGHT, ENSURING CONTINUITY OF OPERATIONS, AND PRESERVING THE PROFESSIONAL INDEPENDENCE OF THE CHIEF MEDICAL EXAMINER.***"

Committee votes are as follows:

<u>2</u>	TO DO PASS
<u> </u>	TO NOT PASS
<u>3</u>	TO REPORT OUT ONLY
<u> </u>	TO ABSTAIN
<u> </u>	TO PLACE IN INACTIVE FILE

Sincerely,

TELO T. TAITAGUE
Chairperson



COMMITTEE ON RULES

RECEIVED:

October 6, 2026 4:09 p.m.

Marie Crisostomo

Revisions Received:

October 21, 2026 9:53 a.m.



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

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(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

COMMITTEE REPORT

Bill No. 359-38(COR), As Amended

Introduced by Telo T. Taitague/ V. Anthony Ada/ Chris Barnett/
Shelly V. Calvo/ Jesse A. Lujan/ Sabrina Salas Matanane

“AN ACT TO AMEND §§ 81101, 81102, 81103, 81104, 81106 AND 81111 OF CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; TO ADD NEW §§ 81103.2 AND 81115 TO CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; AND TO AMEND THE EXECUTIVE PAY PLAN PURSUANT TO CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING AN EXECUTIVE DIRECTOR OF THE OFFICE OF POST-MORTEM EXAMINATIONS WITHIN THE EXECUTIVE PAY PLAN, STRENGTHENING ADMINISTRATIVE AND FISCAL OVERSIGHT, ENSURING CONTINUITY OF OPERATIONS, AND PRESERVING THE PROFESSIONAL INDEPENDENCE OF THE CHIEF MEDICAL EXAMINER.”



OFFICE OF SENATOR
Telo T. Taitague
CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
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(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

October 6, 2026

MEMORANDUM:

TO: All Members
*Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement*

FROM: Senator Telo T. Taitague
Committee Chairperson

SUBJECT: Committee Report on Bill No. 359-38 (COR)- As Amended

Transmitted herewith for your consideration is the Committee Report on **Bill No. 359-38(COR), As Amended-** Introduced by Telo T. Taitague/ V. Anthony Ada/ Chris Barnett/ Shelly V. Calvo/ Jesse A. Lujan/ Sabrina Salas Matanane, "***AN ACT TO AMEND §§ 81101, 81102, 81103, 81104, 81106 AND 81111 OF CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; TO ADD NEW §§ 81103.2 AND 81115 TO CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; AND TO AMEND THE EXECUTIVE PAY PLAN PURSUANT TO CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING AN EXECUTIVE DIRECTOR OF THE OFFICE OF POST-MORTEM EXAMINATIONS WITHIN THE EXECUTIVE PAY PLAN, STRENGTHENING ADMINISTRATIVE AND FISCAL OVERSIGHT, ENSURING CONTINUITY OF OPERATIONS, AND PRESERVING THE PROFESSIONAL INDEPENDENCE OF THE CHIEF MEDICAL EXAMINER.***"

This report includes the following:

- Copy of COR Referral of Bill No. 359-38 (COR)
- Notice of Public Hearing
- Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Written Testimonies and Additional Documents
- Committee Vote Sheet and E-mails
- Committee Report Digest
- Copy of Bill No. 359-38 (COR), As Introduced
- Copy of Bill No. 359-38 (COR), As Amended
- Copy of Bill No. 359-38 (COR), with Committee Markup
- Copy of Fiscal Note from the Bureau of Budget & Management Research

Please take the appropriate action on the attached vote 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'!

Senator Telo T. Taitague - Chairperson



COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson
I Mina'trentai Ocho Na Liheslaturan Guåhan
38th Guam Legislature

September 9, 2026

To: **Rennae V. C. Meno**
Clerk of the Legislature

Attorney Darleen Hiton
Legislative Legal Counsel

From: **Senator Christopher M. Dueñas** *ST*
Acting Chairperson, Committee on Rules

Subject: **Referral of Bill No. 359-38 (COR)**

Håfa Adai,

As per my authority as Acting Chairperson of the Committee on Rules and subject to §6.01(d) (1), Rule VI of our Standing Rules, I am forwarding the referral of **Bill No. 359-38 (COR)** - Telo T. Taitague, V. Anthony Ada, Chris Barnett, Shelly V. Calvo, Jesse A. Lujan, Sabrina Salas Matanane. – “AN ACT TO *AMEND* §§ 81101, 81102, 81103, 81104, 81106 AND 81111 OF CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; TO *ADD* NEW §§ 81103.2 AND 81115 TO CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; RELATIVE TO ESTABLISHING AN EXECUTIVE DIRECTOR OF THE OFFICE OF POST-MORTEM EXAMINATIONS, STRENGTHENING ADMINISTRATIVE AND FISCAL OVERSIGHT, ENSURING CONTINUITY OF OPERATIONS, AND PRESERVING THE PROFESSIONAL INDEPENDENCE OF THE CHIEF MEDICAL EXAMINER.”

Please ensure that the subject bill is referred to the Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement chaired by Senator Telo T. Taitague. I also request that the same be copied to the Prime Sponsor of the subject bill and to Management Information Services (MIS) for posting on our website.

A copy of the bill is available on our legislative website.

Should you have any questions or concerns, please feel free to contact Kamarin Nelson, Committee on Rules Director at 671-472-2461.





Senator Telo Taitague <senatortelot@gmail.com>

FIRST NOTICE of Public Hearing on Monday, September 21, 2026, 10:00 a.m.

2 messages

Senator Telo Taitague <senatortelot@gmail.com>

14 September 2026 at 07:55

To: phnotice@guamlegislature.gov

Cc: Ed Pocaigue <sgtarms@guamlegislature.gov>

September 14, 2026

MEMORANDUM**To:** All Senators, Stakeholders and Media**From:** Senator Telo T. Taitague, Chairperson**Subject:** **FIRST NOTICE of Public Hearing on Monday, September 21, 2026, 10:00 a.m.**

Håfa Adai! The Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections, and Retirement will conduct a public hearing on **Monday, September 21, 2026, 10:00 a.m.** in the Guam Congress Building, Public Hearing Room on the following agenda item:

- I. **Bill No. 359-38 (COR)** – Telo T. Taitague/ V. Anthony Ada/ Chris Barnett/ Shelly V. Calvo/ Jesse A. Lujan/ Sabrina Salas Matanane – “AN ACT TO AMEND §§ 81101, 81102, 81103, 81104, 81106 AND 81111 OF CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; TO ADD NEW §§ 81103.2 AND 81115 TO CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; RELATIVE TO ESTABLISHING AN EXECUTIVE DIRECTOR OF THE OFFICE OF POST-MORTEM EXAMINATIONS, STRENGTHENING ADMINISTRATIVE AND FISCAL OVERSIGHT, ENSURING CONTINUITY OF OPERATIONS, AND PRESERVING THE PROFESSIONAL INDEPENDENCE OF THE CHIEF MEDICAL EXAMINER.”

Public Hearing Testimony: Oral testimony will be accepted at the Guam Congress Building, Public Hearing Room located at 163 Chalan Santo Papa, Hagåtña, Guam. Please arrive at least 15 minutes early to sign in. Written testimony can also be submitted via email to senatortelot@gmail.com or hand delivered to her office at Suite 407, DNA Building, 238 Archbishop Flores St. Hagåtña, Guam.

Special Accommodations: In compliance with the Americans with Disabilities Act (ADA), individuals requiring assistance or accommodation, including virtual attendance via Zoom, should contact the Office of Senator Telo T. Taitague at (671) 989-8356 or email senatortelot@gmail.com.

Broadcast and Live Streaming: The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117, and stream online via the Guam Legislature’s YouTube Channel at <https://www.youtube.com/@GuamLegislatureMedia>. A recording of the hearing will be available on the YouTube Channel after the hearing.

Public Notices: Notices for this public hearing are published on Kandit News and the Government of Guam Public Notice Portal.

Si Yu'os Ma'åse,

Create a Great Day!

Senator Telo T. Taitague
38th Guam Legislature

Chairperson

Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement

Suite 407 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910
Tel: (671) 989-8356
Email: senatortelot@gmail.com

2 attachments

 **FIRST NOTICE of Public Hearing on Monday, September 21, 2026, 10a.m..docx.pdf**
335K

 **Bill No. 359-38 (COR).pdf**
1770K

Ed Pocaigue <sgtarms@guamlegislature.gov>
To: Senator Telo Taitague <senatortelot@gmail.com>

14 September 2026 at 08:10

Hafa Adai,

Posted on calendar.

[Quoted text hidden]

--



Edward S. Pocaigue, Jr.
Sergeant-at-Arms

I Mina'trentai Ocho Na Liheslaturan Guåhan
Guam Congress Building, 1st Floor
163 Chalan Santo Papa
Hagåtña, Guam 96910

 1-671-969-3514

 sgtarms@guamlegislature.gov

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OFFICE OF SENATOR
Telo T. Taitague
CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
2238 Archbishop Flores St.
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I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

September 14, 2026

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Senator Telo T. Taitague, Chairperson

Subject: **FIRST NOTICE of Public Hearing on Monday, September 21, 2026, 10:00 a.m.**

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FIRST NOTICE of Public Hearing on Monday, September 21, 2026, 10:00 a.m.

 PRINT

FIRST NOTICE of Public Hearing on Monday, September 21, 2026, 10:00 a.m.

PUBLIC HEARING

 **Posted on:** 09/14/2026 08:38 AM

 **Posted by:** Charissa Manibusan

 **Public Hearing Date:** 09/21/2026 10:00 AM

 **Department(s):**

GUAM LEGISLATURE (/notices?department_id=92)

 **Division(s):**

OFFICE OF SENATOR TELO TAITAGUE (/notices?division_id=282)

 **Notice Topic(s):** PUBLIC HEARING (/notices?topic_id=74)

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September 14, 2026

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Senator Telo T. Taitague, Chairperson

Subject: **FIRST NOTICE of Public Hearing on Monday, September 21, 2026, 10:00 a.m.**

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Bill No. 359-38 (COR) – Telo T. Taitague/ V. Anthony Ada/ Chris Barnett/ Shelly V. Calvo/ Jesse A. Lujan/ Sabrina Salas Matanane – “AN ACT TO AMEND §§ 81101, 81102, 81103, 81104, 81106 AND 81111 OF CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; TO ADD NEW §§ 81103.2 AND 81115 TO CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; RELATIVE TO ESTABLISHING AN EXECUTIVE DIRECTOR OF THE OFFICE OF POST-MORTEM EXAMINATIONS, STRENGTHENING ADMINISTRATIVE AND FISCAL OVERSIGHT, ENSURING CONTINUITY OF OPERATIONS, AND PRESERVING THE PROFESSIONAL INDEPENDENCE OF THE CHIEF MEDICAL EXAMINER.”

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Public Access to Testimony: Testimony and other documents related to the agenda items can be viewed at: **Monday, September 21, 2026, 10AM: Bill No. 359-38 (COR)** (<https://drive.google.com/drive/folders/1NKY6PrcH7ig4dHv6lzLOUez1z69tHfsY?usp=sharing>). The drive

file is periodically updated as testimony is received. You can also contact the office of Senator Telo T. Taitague to request copies at senatortelot@gmail.com or (671) 989-8356.

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Notice of Public Hearing

FIRST NOTICE of Public Hearing, scheduled for September 21, 2026

Published on Kandit at 6:30 a.m., September 14, 2026

Notice of Public Hearing

Guam Congress Building, Public Hearing Room
Monday, September 21, 2026, at 10:00 a.m.

The Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections, and Retirement will accept testimony on the following agenda item:

I. Bill No. 359-38 (COR) – Telo T. Taitague/ V. Anthony Ada/ Chris Barnett/ Shelly V. Calvo/ Jesse A. Lujan/ Sabrina Salas Matanane – “AN ACT TO AMEND §§ 81101, 81102, 81103, 81104, 81106 AND 81111 OF CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; TO ADD NEW §§ 81103.2 AND 81115 TO CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; RELATIVE TO ESTABLISHING AN EXECUTIVE DIRECTOR OF THE OFFICE OF POST-MORTEM EXAMINATIONS, STRENGTHENING ADMINISTRATIVE AND FISCAL OVERSIGHT, ENSURING CONTINUITY OF OPERATIONS, AND PRESERVING THE PROFESSIONAL INDEPENDENCE OF THE CHIEF MEDICAL EXAMINER.”

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Senator Telo Taitague <senatortelot@gmail.com>

SECOND NOTICE of Public Hearing on Monday, September 21, 2026, 10:00 a.m.

2 messages

Senator Telo Taitague <senatortelot@gmail.com>

17 September 2026 at 07:53

To: phnotice@guamlegislature.gov

Cc: Ed Pocaigue <sgtfarms@guamlegislature.gov>

September 17, 2026

MEMORANDUM**To:** All Senators, Stakeholders and Media**From:** Senator Telo T. Taitague, Chairperson**Subject:** **SECOND NOTICE of Public Hearing on Monday, September 21, 2026, 10:00 a.m.**

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Public Access to Testimony: Testimony and other documents related to the agenda items can be viewed at: [Monday, September 21, 2026, 10AM: Bill No. 359-38 \(COR\)](#). The drive file is periodically updated as testimony is received. You can also contact the office of Senator Telo T. Taitague to request copies at senatortelot@gmail.com or (671) 989-8356.

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Si Yu'os Ma'åse,

Create a Great Day!

Senator Telo T. Taitague

38th Guam Legislature

Chairperson

Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement

Suite 407 DNA Building

238 Archbishop Flores St.

Hagatna, Guam 96910

Tel: [\(671\) 989-8356](tel:(671)989-8356)

Email: senatortelot@gmail.com

2 attachments



Bill No. 359-38 (COR).pdf

1770K



SECOND NOTICE of Public Hearing on Monday, September 21, 2026, 10a.m..docx (1).pdf

339K

Ed Pocaigue <sgtarms@guamlegislature.gov>
To: Senator Telo Taitague <senatortelot@gmail.com>

17 September 2026 at 08:13

Hafa Adai,

Second notice updated.

[Quoted text hidden]

--



Edward S. Pocaigue, Jr.
Sergeant-at-Arms

I Mina'trentai Ocho Na Liheslaturan Guåhan
Guam Congress Building, 1st Floor
163 Chalan Santo Papa
Hagåtña, Guam 96910



1-671-969-3514



sgtarms@guamlegislature.gov

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OFFICE OF SENATOR
Telo T. Taitague
CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
2238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

September 18, 2026

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Senator Telo T. Taitague, Chairperson

Subject: **SECOND NOTICE of Public Hearing on Monday, September 21, 2026, 10:00 a.m.**

Håfa Adai! The Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections, and Retirement will conduct a public hearing on **Monday, September 21, 2026, 10:00 a.m.** in the Guam Congress Building, Public Hearing Room on the following agenda item:

- I. **Bill No. 359-38 (COR)** – Telo T. Taitague/ V. Anthony Ada/ Chris Barnett/ Shelly V. Calvo/ Jesse A. Lujan/ Sabrina Salas Matanane – “*AN ACT TO AMEND §§ 81101, 81102, 81103, 81104, 81106 AND 81111 OF CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; TO ADD NEW §§ 81103.2 AND 81115 TO CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; RELATIVE TO ESTABLISHING AN EXECUTIVE DIRECTOR OF THE OFFICE OF POST-MORTEM EXAMINATIONS, STRENGTHENING ADMINISTRATIVE AND FISCAL OVERSIGHT, ENSURING CONTINUITY OF OPERATIONS, AND PRESERVING THE PROFESSIONAL INDEPENDENCE OF THE CHIEF MEDICAL EXAMINER.*”

Public Hearing Testimony: Oral testimony will be accepted at the Guam Congress Building, Public Hearing Room located at 163 Chalan Santo Papa, Hagåtña, Guam. Please arrive at least 15 minutes early to sign in. Written testimony can also be submitted via email to senatortelot@gmail.com or hand delivered to her office at Suite 407, DNA Building, 238 Archbishop Flores St. Hagåtña, Guam.

Public Access to Testimony: Testimony and other documents related to the agenda items can be viewed at: [Monday, September 21, 2026, 10AM: Bill No. 359-38 \(COR\)](#). The drive file is periodically updated as testimony is received. You can also contact the office of Senator Telo T. Taitague to request copies at senatortelot@gmail.com or (671) 989-8356.

Special Accommodations: In compliance with the Americans with Disabilities Act (ADA), individuals requiring assistance or accommodation, including virtual attendance via Zoom, should contact the Office of Senator Telo T. Taitague at (671) 989-8356 or email senatortelot@gmail.com.

Submission of Presentation Materials and Media: PowerPoint presentations and other digital materials must be emailed to senatortelot@gmail.com no later than three (3) days prior to the public hearing to allow timely submission to the Guam Legislature’s MIS Division at least forty-eight (48) hours in advance. These protocols are to ensure the security and integrity of the Legislature’s information systems.

Broadcast and Live Streaming: The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117, and stream online via the Guam Legislature’s YouTube Channel at <https://www.youtube.com/@GuamLegislatureMedia>. A recording of the hearing will be available on the YouTube Channel after the hearing.

Public Notices: Notices for this public hearing are published on Kandit News and the Government of Guam Public Notice Portal.

SECOND NOTICE of Public Hearing on Monday, September 21, 2026, 10:00 a.m.

 PRINT

SECOND NOTICE of Public Hearing on Monday, September 21, 2026, 10:00 a.m.

PUBLIC HEARING

 **Posted on:** 09/17/2026 08:23 AM

 **Posted by:** Charissa Manibusan

 **Public Hearing Date:** 09/17/2026 10:00 AM

 **Department(s):**
GUAM LEGISLATURE (/notices?department_id=92)

 **Division(s):**
OFFICE OF SENATOR TELO TAITAGUE (/notices?division_id=282)

 **Notice Topic(s):** PUBLIC HEARING (/notices?topic_id=74)

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September 17, 2026

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Senator Telo T. Taitague, Chairperson

Subject: **SECOND NOTICE of Public Hearing on Monday, September 21, 2026, 10:00 a.m.**

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I.

Bill No. 359-38 (COR) – Telo T. Taitague/ V. Anthony Ada/ Chris Barnett/ Shelly V. Calvo/ Jesse A. Lujan/ Sabrina Salas Matanane – “*AN ACT TO AMEND §§ 81101, 81102, 81103, 81104, 81106 AND 81111 OF CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; TO ADD NEW §§ 81103.2 AND 81115 TO CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; RELATIVE TO ESTABLISHING AN EXECUTIVE DIRECTOR OF THE OFFICE OF POST-MORTEM EXAMINATIONS, STRENGTHENING ADMINISTRATIVE AND FISCAL OVERSIGHT, ENSURING CONTINUITY OF OPERATIONS, AND PRESERVING THE PROFESSIONAL INDEPENDENCE OF THE CHIEF MEDICAL EXAMINER.*”

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Public Access to Testimony: Testimony and other documents related to the agenda items can be viewed at: Monday, September 21, 2026, 10AM: Bill No. 359-38 (COR) (<https://drive.google.com/drive/folders/1NKY6PrcH7jg4dHv6lzLOUez1z69tHfsY?usp=sharing>). The drive file is periodically updated as testimony is received. You can

also contact the office of Senator Telo T. Taitague to request copies at senatortelot@gmail.com or (671) 989-8356.

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Public Notices: Notices for this public hearing are published on Kandit News and the Government of Guam Public Notice Portal.

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Notice of Public Hearing

SECOND NOTICE of Public Hearing, scheduled for September 21, 2026

Published on Kandit at 6:30 a.m., September 17, 2026

Notice of Public Hearing

Guam Congress Building, Public Hearing Room
Monday, September 21, 2026, at 10:00 a.m.

The Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections, and Retirement will accept testimony on the following agenda item:

I. Bill No. 359-38 (COR) – Telo T. Taitague/ V. Anthony Ada/ Chris Barnett/ Shelly V. Calvo/ Jesse A. Lujan/ Sabrina Salas Matanane – “AN ACT TO AMEND §§ 81101, 81102, 81103, 81104, 81106 AND 81111 OF CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; TO ADD NEW §§ 81103.2 AND 81115 TO CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; RELATIVE TO ESTABLISHING AN EXECUTIVE DIRECTOR OF THE OFFICE OF POST-MORTEM EXAMINATIONS, STRENGTHENING ADMINISTRATIVE AND FISCAL OVERSIGHT, ENSURING CONTINUITY OF OPERATIONS, AND PRESERVING THE PROFESSIONAL INDEPENDENCE OF THE CHIEF MEDICAL EXAMINER.”

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Charissa Manibusan <senatortelot.charissa@gmail.com>

Public Hearing Ad - September 21, 2026, 10:00am

1 message

Alana Ungacta <senatortelot.alana@gmail.com>

Wed, Sep 9, 2026 at 4:44 PM

To: troy@kanditnews.com

Cc: Rowena Fejeran <senatortelot.rowena@gmail.com>, Charissa Manibusan <senatortelot.charissa@gmail.com>

Hafa adai Mr. Torres,

We would like to run an ad for a **Public Hearing on Monday, September 21, 2026 at 10:00 a.m.**

We kindly request that the **First (5-Day) Notice be run on Monday, September 14, 2026 and Second (48-Hour) Notice on Thursday, September 17, 2026.**

Let me know if you have any questions or need additional information.

--

Si Yu'os Ma'åse,***Alana Ungacta****Office of Senator Telo Taitague*

38th Guam Legislature

Suite 407 DNA Building

238 Archbishop Flores St.

Hagatna, Guam 96910

Tel: (671) 989-8356

Email: senatortelot.alana@gmail.com**September 21, 2026 Public Hearing Notice_TTT (2).pdf**

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Senator Telo Taitague <senatortelot@gmail.com>

OCME Invitation to Provide Testimony on Bill No. 359-38 (COR)

1 message

Senator Telo Taitague <senatortelot@gmail.com>

9 September 2026 at 11:23

To: johanna.bamba@ocme.guam.gov

Cc: Charissa Manibusan <senatortelot.charissa@gmail.com>, Isah Peredo <senatortelot.isah@gmail.com>, Alana Ungacta <senatortelot.alana@gmail.com>

Håfa adai Ms. Bamba,

Please see the attached invitation from Senator Taitague to provide testimony on **Bill No. 359-38 (COR)** at the public hearing on **Monday, September 21, 2026, at 10:00 a.m.**

Kindly confirm receipt of this email and your attendance at your earliest convenience.

Si Yu'os Ma'åse,

Create a Great Day!

Senator Telo T. Taitague

38th Guam Legislature

Chairperson

Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement

Suite 407 DNA Building

238 Archbishop Flores St.

Hagatna, Guam 96910

Tel: (671) 989-8356

Email: senatortelot@gmail.com

2 attachments**OCME Invitation to Provide Testimony on Bill No. 359-38 (COR) - Google Docs.pdf**

347K

**Bill No. 359-38 (COR).pdf**

1770K



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,
Regulatory Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

September 9, 2026

Transmitted via Electronic Mail

Johanna Bamba
Office of the Chief Medical Examiner
johanna.bamba@ocme.guam.gov

Subject: Public Hearing invitation to provide testimony on Bill No. 359-38 (COR)

Hafa Adai Ms. Bamba,

This letter is to notify you that the Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections and Retirement, will convene a Public Hearing on, **Monday, September 21, 2026 beginning at 10:00 a.m.** to hear the following agenda item(s):

- I. **Bill No. 359-38 (COR):** Introduced by *Telo T. Taitague, V. Anthony Ada, Chris Barnett, Shelly V. Calvo, Jesse A. Lujan, and Sabrina Salas Matanane* - **“AN ACT TO AMEND §§ 81101, 81102, 81103, 81104, 81106 AND 81111 OF CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; TO ADD NEW §§ 81103.2 AND 81115 TO CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; RELATIVE TO ESTABLISHING AN EXECUTIVE DIRECTOR OF THE OFFICE OF POST-MORTEM EXAMINATIONS, STRENGTHENING ADMINISTRATIVE AND FISCAL OVERSIGHT, ENSURING CONTINUITY OF OPERATIONS, AND PRESERVING THE PROFESSIONAL INDEPENDENCE OF THE CHIEF MEDICAL EXAMINER.”**

I cordially invite you or your representative(s) to attend the public hearing to provide testimony on Bill No. 359-38 (COR). Please submit a written copy of testimony via email to senatortelot@gmail.com or by delivery to the Office of Senator Telo T. Taitague at least 24 hours prior to the hearing.

Please also note that PowerPoint presentations and other digital materials that you may plan to present must be emailed to my office no later than three (3) days prior to the public hearing. This is to allow timely and required submission to the Guam Legislature's MIS Division forty-eight (48) hours in advance. These protocols are to ensure the security and integrity of the Legislature's information systems.

Please contact our office via email or at (671) 989-8356, for any questions or concerns. We look forward to your participation.

Respectfully,

Senator Telo T. Taitague
Chairperson

Attachment: Copy of Bill No. 359-38 (COR)



Senator Telo Taitague <senatortelot@gmail.com>

DOA Invitation to Provide Testimony on Bill No. 359-38 (COR)

1 message

Senator Telo Taitague <senatortelot@gmail.com>

9 September 2026 at 11:20

To: director@doa.guam.gov

Cc: Charissa Manibusan <senatortelot.charissa@gmail.com>, Isah Peredo <senatortelot.isah@gmail.com>, Alana Ungacta <senatortelot.alana@gmail.com>

Håfa adai Director Birn,

Please see the attached invitation from Senator Taitague to provide testimony on **Bill No. 359-38 (COR)** at the public hearing on **Monday, September 21, 2026, at 10:00 a.m.**

Kindly confirm receipt of this email and your attendance at your earliest convenience.

Si Yu'os Ma'åse,

Create a Great Day!

Senator Telo T. Taitague

38th Guam Legislature

Chairperson

Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement

Suite 407 DNA Building

238 Archbishop Flores St.

Hagatna, Guam 96910

Tel: [\(671\) 989-8356](tel:6719898356)

Email: senatortelot@gmail.com

2 attachments**DOA Invitation to Provide Testimony on Bill No. 359-38 (COR).pdf**

362K

**Bill No. 359-38 (COR).pdf**

1770K



OFFICE OF SENATOR

Telo T. Taitague
CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,
Regulatory Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

September 9, 2026

Transmitted via Electronic Mail

Edward M. Birn, Director
Department of Administration
director@doa.guam.gov

Subject: Public Hearing invitation to provide testimony on Bill No. 359-38 (COR)

Hafa Adai Director Birn,

This letter is to notify you that the Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections and Retirement, will convene a Public Hearing on, **Monday, September 21, 2026 beginning at 10:00 a.m.** to hear the following agenda item(s):

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I cordially invite you or your representative(s) to attend the public hearing to provide testimony on Bill No. 359-38 (COR). Please submit a written copy of testimony via email to senatortelot@gmail.com or by delivery to the Office of Senator Telo T. Taitague at least 24 hours prior to the hearing.

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Please contact our office via email or at (671) 989-8356, for any questions or concerns. We look forward to your participation.

Respectfully,

Senator Telo T. Taitague
Chairperson

Attachment: Copy of Bill No. 359-38 (COR)



Senator Telo Taitague <senatortelot@gmail.com>

OAG Invitation to Provide Testimony on Bill No. 359-38 (COR)

2 messages

Senator Telo Taitague <senatortelot@gmail.com>

9 September 2026 at 11:19

To: Douglas Moylan <dbmoylan@oagguam.org>

Cc: Anna Nicole Perez <aperez@oagguam.org>, Austin Fortuno <afortuno@oagguam.org>, Alana Aguon <aaguon@oagguam.org>, Charissa Manibusan <senatortelot.charissa@gmail.com>, Isah Peredo <senatortelot.isah@gmail.com>, Alana Ungacta <senatortelot.alana@gmail.com>

Håfa adai General Moylan,

Please see the attached invitation from Senator Taitague to provide testimony on **Bill No. 359-38 (COR)** at the public hearing on **Monday, September 21, 2026, at 10:00 a.m.**

Kindly confirm receipt of this email and your attendance at your earliest convenience.

Si Yu'os Ma'åse,

Create a Great Day!

Senator Telo T. Taitague

38th Guam Legislature

Chairperson

Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement

Suite 407 DNA Building

238 Archbishop Flores St.

Hagatna, Guam 96910

Tel: (671) 989-8356

Email: senatortelot@gmail.com

2 attachments**OAG Invitation to Provide Testimony on Bill No. 359-38 (COR).pdf**

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**Bill No. 359-38 (COR).pdf**

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Austin Fortuno <afortuno@oagguam.org>

9 September 2026 at 14:13

To: Senator Telo Taitague <senatortelot@gmail.com>

Cc: Douglas Moylan <dbmoylan@oagguam.org>, Anna Nicole Perez <aperez@oagguam.org>, Alana Aguon <aaguon@oagguam.org>, Charissa Manibusan <senatortelot.charissa@gmail.com>, Isah Peredo <senatortelot.isah@gmail.com>, Alana Ungacta <senatortelot.alana@gmail.com>

Hafa Adai:

Acknowledging receipt of your email and attachments, on behalf of Attorney General Moylan and the Commission on Post-Mortem Examinations.

Thank you.

[Quoted text hidden]

--

Very Respectfully,



AUSTIN G. FORTUNO

Attaché to the Attorney General
Administrative Offices

Office of the Attorney General of Guam

134 W Soledad Avenue, Ste 412

Hagåtña, GU 96910

Tel: (671) 475-3324 ext. 2150

afortuno@oagguam.org

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OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,
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Ste. 407 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

September 9, 2026

Transmitted via Electronic Mail

Honorable Douglas B. Moylan, Attorney General
Office of the Attorney General of Guam
dbmoylan@oagguam.org

Subject: Public Hearing invitation to provide testimony on Bill No. 359-38 (COR)

Hafa Adai General Moylan,

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Respectfully,

Senator Telo T. Taitague
Chairperson

Attachment: Copy of Bill No. 359-38 (COR)



Senator Telo Taitague <senatortelot@gmail.com>

GMHA Invitation to Provide Testimony on Bill No. 359-38 (COR)

1 message

Senator Telo Taitague <senatortelot@gmail.com>

9 September 2026 at 11:21

To: joleen.aguon@gmha.guam.gov

Cc: Charissa Manibusan <senatortelot.charissa@gmail.com>, Isah Peredo <senatortelot.isah@gmail.com>, Alana Ungacta <senatortelot.alana@gmail.com>

Håfa adai Dr. Aguon,

Please see the attached invitation from Senator Taitague to provide testimony on **Bill No. 359-38 (COR)** at the public hearing on **Monday, September 21, 2026, at 10:00 a.m.**

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Si Yu'os Ma'åse,

Create a Great Day!

Senator Telo T. Taitague

38th Guam Legislature

Chairperson

Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement

Suite 407 DNA Building

238 Archbishop Flores St.

Hagatna, Guam 96910

Tel: [\(671\) 989-8356](tel:6719898356)

Email: senatortelot@gmail.com

2 attachments**GMHA Invitation to Provide Testimony on Bill No. 359-38 (COR) - Google Docs.pdf**

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OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,
Regulatory Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

September 9, 2026

Transmitted via Electronic Mail

Dr. Joleen Aguon, Hospital Administrator/CEO
Guam Memorial Hospital Authority
joleen.aguon@gmha.guam.gov

Subject: Public Hearing invitation to provide testimony on Bill No. 359-38 (COR)

Hafa Adai Dr. Aguon,

This letter is to notify you that the Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections and Retirement, will convene a Public Hearing on, **Monday, September 21, 2026 beginning at 10:00 a.m.** to hear the following agenda item(s):

- I. **Bill No. 359-38 (COR):** Introduced by *Telo T. Taitague, V. Anthony Ada, Chris Barnett, Shelly V. Calvo, Jesse A. Lujan, and Sabrina Salas Matanane* - **“AN ACT TO AMEND §§ 81101, 81102, 81103, 81104, 81106 AND 81111 OF CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; TO ADD NEW §§ 81103.2 AND 81115 TO CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; RELATIVE TO ESTABLISHING AN EXECUTIVE DIRECTOR OF THE OFFICE OF POST-MORTEM EXAMINATIONS, STRENGTHENING ADMINISTRATIVE AND FISCAL OVERSIGHT, ENSURING CONTINUITY OF OPERATIONS, AND PRESERVING THE PROFESSIONAL INDEPENDENCE OF THE CHIEF MEDICAL EXAMINER.”**

I cordially invite you or your representative(s) to attend the public hearing to provide testimony on Bill No. 359-38 (COR). Please submit a written copy of testimony via email to senatortelot@gmail.com or by delivery to the Office of Senator Telo T. Taitague at least 24 hours prior to the hearing.

Please also note that PowerPoint presentations and other digital materials that you may plan to present must be emailed to my office no later than three (3) days prior to the public hearing. This is to allow timely and required submission to the Guam Legislature's MIS Division forty-eight (48) hours in advance. These protocols are to ensure the security and integrity of the Legislature's information systems.

Please contact our office via email or at (671) 989-8356, for any questions or concerns. We look forward to your participation.

Respectfully,

Senator Telo T. Taitague
Chairperson

Attachment: Copy of Bill No. 359-38 (COR)



Senator Telo Taitague <senatortelot@gmail.com>

GPD Invitation to Provide Testimony on Bill No. 359-38 (COR)

2 messages

Senator Telo Taitague <senatortelot@gmail.com>

9 September 2026 at 11:23

To: Joseph Carbullido <joseph.carbullido@gpd.guam.gov>

Cc: Charissa Manibusan <senatortelot.charissa@gmail.com>, Isah Peredo <senatortelot.isah@gmail.com>, Alana Ungacta <senatortelot.alana@gmail.com>

Håfa adai Acting Chief Carbullido,

Please see the attached invitation from Senator Taitague to provide testimony on **Bill No. 359-38 (COR)** at the public hearing on **Monday, September 21, 2026, at 10:00 a.m.**

Kindly confirm receipt of this email and your attendance at your earliest convenience.

Si Yu'os Ma'åse,

Create a Great Day!

Senator Telo T. Taitague

38th Guam Legislature

Chairperson

Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement

Suite 407 DNA Building

238 Archbishop Flores St.

Hagatna, Guam 96910

Tel: (671) 989-8356

Email: senatortelot@gmail.com

2 attachments**GPD Invitation to Provide Testimony on Bill No. 359-38 (COR).pdf**

363K

**Bill No. 359-38 (COR).pdf**

1770K

Joseph Carbullido <joseph.carbullido@gpd.guam.gov>

10 September 2026 at 08:11

To: Senator Telo Taitague <senatortelot@gmail.com>

Cc: Charissa Manibusan <senatortelot.charissa@gmail.com>, Isah Peredo <senatortelot.isah@gmail.com>, Alana Ungacta <senatortelot.alana@gmail.com>

Hafa Adai Senator,

I confirm receipt of your email.

[Quoted text hidden]



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,
Regulatory Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

September 9, 2026

Transmitted via Electronic Mail

Joseph S. Carbullido, Acting Chief of Police
Guam Police Department
joseph.carbullido@gpd.guam.gov

Subject: Public Hearing invitation to provide testimony on Bill No. 359-38 (COR)

Hafa Adai Acting Chief Carbullido,

This letter is to notify you that the Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections and Retirement, will convene a Public Hearing on, **Monday, September 21, 2026 beginning at 10:00 a.m.** to hear the following agenda item(s):

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Respectfully,

Senator Telo T. Taitague
Chairperson

Attachment: Copy of Bill No. 359-38 (COR)



Senator Telo Taitague <senatortelot@gmail.com>

DPHSS Invitation to Provide Testimony on Bill No. 359-38 (COR)

1 message

Senator Telo Taitague <senatortelot@gmail.com>

9 September 2026 at 11:22

To: "Theresa C. Arriola" <theresa.c.arriola@dphss.guam.gov>

Cc: "PeterJohn D. Camacho" <peterjohn.camacho@dphss.guam.gov>, Charissa Manibusan <senatortelot.charissa@gmail.com>, Isah Peredo <senatortelot.isah@gmail.com>, Alana Ungacta <senatortelot.alana@gmail.com>

Håfa adai Director Arriola,

Please see the attached invitation from Senator Taitague to provide testimony on **Bill No. 359-38 (COR)** at the public hearing on **Monday, September 21, 2026, at 10:00 a.m.**

Kindly confirm receipt of this email and your attendance at your earliest convenience.

Si Yu'os Ma'åse,

Create a Great Day!

Senator Telo T. Taitague

38th Guam Legislature

Chairperson

Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement

Suite 407 DNA Building

238 Archbishop Flores St.

Hagatna, Guam 96910

Tel: [\(671\) 989-8356](tel:6719898356)

Email: senatortelot@gmail.com

2 attachments**DPHSS Invitation to Provide Testimony on Bill No. 359-38 (COR).pdf**

368K

**Bill No. 359-38 (COR).pdf**

1770K



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,
Regulatory Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

September 9, 2026

Transmitted via Electronic Mail

Theresa C. Arriola, Director
Department of Public Health & Social Services
theresa.c.arriola@dphss.guam.gov

Subject: Public Hearing invitation to provide testimony on Bill No. 359-38 (COR)

Hafa Adai Director Arriola,

This letter is to notify you that the Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections and Retirement, will convene a Public Hearing on, **Monday, September 21, 2026 beginning at 10:00 a.m.** to hear the following agenda item(s):

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Respectfully,

Senator Telo T. Taitague
Chairperson

Attachment: Copy of Bill No. 359-38 (COR)



Senator Telo Taitague <senatortelot@gmail.com>

GMS Invitation to Provide Testimony on Bill No. 359-38 (COR)

2 messages

Senator Telo Taitague <senatortelot@gmail.com>

9 September 2026 at 11:22

To: "Dr. Samir S. Ambrale" <[REDACTED]@gmail.com>

Cc: Charissa Manibusan <senatortelot.charissa@gmail.com>, Isah Peredo <senatortelot.isah@gmail.com>, Alana Ungacta <senatortelot.alana@gmail.com>

Håfa adai Dr. Ambrale,

Please see the attached invitation from Senator Taitague to provide testimony on **Bill No. 359-38 (COR)** at the public hearing on **Monday, September 21, 2026, at 10:00 a.m.**

Kindly confirm receipt of this email and your attendance at your earliest convenience.

Si Yu'os Ma'åse,

Create a Great Day!

Senator Telo T. Taitague

38th Guam Legislature

Chairperson

Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement

Suite 407 DNA Building

238 Archbishop Flores St.

Hagatna, Guam 96910

Tel: (671) 989-8356

Email: senatortelot@gmail.com

2 attachments**GMS Invitation to Provide Testimony on Bill No. 359-38 (COR) - Google Docs.pdf**

346K

**Bill No. 359-38 (COR).pdf**

1770K

Samir Ambrale <[REDACTED]@gmail.com>

9 September 2026 at 13:56

To: Senator Telo Taitague <senatortelot@gmail.com>

Cc: Charissa Manibusan <senatortelot.charissa@gmail.com>, Isah Peredo <senatortelot.isah@gmail.com>, Alana Ungacta <senatortelot.alana@gmail.com>

Acknowledging receipt, Senator Taitague. We will disseminate to GMS members.

Samir

[Quoted text hidden]



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,
Regulatory Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

September 9, 2026

Transmitted via Electronic Mail

Dr. Samir Ambrale, President
Guam Medical Society
[REDACTED]@gmail.com

Subject: Public Hearing invitation to provide testimony on Bill No. 359-38 (COR)

Hafa Adai Dr. Ambrale,

This letter is to notify you that the Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections and Retirement, will convene a Public Hearing on, **Monday, September 21, 2026 beginning at 10:00 a.m.** to hear the following agenda item(s):

- I. **Bill No. 359-38 (COR):** Introduced by *Telo T. Taitague, V. Anthony Ada, Chris Barnett, Shelly V. Calvo, Jesse A. Lujan, and Sabrina Salas Matanane* - **“AN ACT TO AMEND §§ 81101, 81102, 81103, 81104, 81106 AND 81111 OF CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; TO ADD NEW §§ 81103.2 AND 81115 TO CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; RELATIVE TO ESTABLISHING AN EXECUTIVE DIRECTOR OF THE OFFICE OF POST-MORTEM EXAMINATIONS, STRENGTHENING ADMINISTRATIVE AND FISCAL OVERSIGHT, ENSURING CONTINUITY OF OPERATIONS, AND PRESERVING THE PROFESSIONAL INDEPENDENCE OF THE CHIEF MEDICAL EXAMINER.”**

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Respectfully,

Senator Telo T. Taitague
Chairperson

Attachment: Copy of Bill No. 359-38 (COR)



OFFICE OF SENATOR
Telo T. Taitague
CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

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2238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guahan • 38th Guam Legislature

PUBLIC HEARING AGENDA
Monday, September 21, 2026, 10:00 a.m.
Guam Congress Building, Public Hearing Room

The Committee will accept testimony on the following agenda item:

- I. **Bill No. 359-38 (COR)** – Telo T. Taitague/ V. Anthony Ada/ Chris Barnett/ Shelly V. Calvo/ Jesse A. Lujan/ Sabrina Salas Matanane – *“AN ACT TO AMEND §§ 81101, 81102, 81103, 81104, 81106 AND 81111 OF CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; TO ADD NEW §§ 81103.2 AND 81115 TO CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; RELATIVE TO ESTABLISHING AN EXECUTIVE DIRECTOR OF THE OFFICE OF POST-MORTEM EXAMINATIONS, STRENGTHENING ADMINISTRATIVE AND FISCAL OVERSIGHT, ENSURING CONTINUITY OF OPERATIONS, AND PRESERVING THE PROFESSIONAL INDEPENDENCE OF THE CHIEF MEDICAL EXAMINER.”*

Public Hearing Testimony: Oral testimony will be accepted at the Guam Congress Building, Public Hearing Room located at 163 Chalan Santo Papa, Hagåtña, Guam. Please arrive at least 15 minutes early to sign in. Written testimony can also be submitted via email to senatortelot@gmail.com or hand delivered to her office at Suite 407, DNA Building, 238 Archbishop Flores St. Hagåtña, Guam.

Public Access to Testimony: Testimony and other documents related to the agenda items can be viewed at: [Monday, September 21, 2026, 10AM: Bill No. 359-38 \(COR\)](#). The drive file is periodically updated as testimony is received. You can also contact the office of Senator Telo T. Taitague to request copies at senatortelot@gmail.com or (671) 989-8356.

Special Accommodations: In compliance with the Americans with Disabilities Act (ADA), individuals requiring assistance or accommodation, including virtual attendance via Zoom, should contact the Office of Senator Telo T. Taitague at (671) 989-8356 or email senatortelot@gmail.com.

Submission of Presentation Materials and Media: PowerPoint presentations and other digital materials must be emailed to senatortelot@gmail.com no later than three (3) days prior to the public hearing to allow timely submission to the Guam Legislature's MIS Division at least forty-eight (48) hours in advance. These protocols are to ensure the security and integrity of the Legislature's information systems.

Broadcast and Live Streaming: The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117, and stream online via the Guam Legislature's YouTube Channel at <https://www.youtube.com/@GuamLegislatureMedia>. A recording of the hearing will be available on the YouTube Channel after the hearing.



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections, and Retirement

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Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

PUBLIC HEARING SIGN-IN SHEET

Monday, September 21, 2026, at 10:00 AM

Bill No. 359-38 (COR) – Telo T. Taitague – “AN ACT TO AMEND §§ 81101, 81102, 81103, 81104, 81106 AND 81111 OF CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; TO ADD NEW §§ 81103.2 AND 81115 TO CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; RELATIVE TO ESTABLISHING AN EXECUTIVE DIRECTOR OF THE OFFICE OF POST-MORTEM EXAMINATIONS, STRENGTHENING ADMINISTRATIVE AND FISCAL OVERSIGHT, ENSURING CONTINUITY OF OPERATIONS, AND PRESERVING THE PROFESSIONAL INDEPENDENCE OF THE CHIEF MEDICAL EXAMINER.”

NAME:	AGENCY/ ORGANIZATION	POSITION	TESTIMONY	CONTACT INFORMATION
1. AG Douglas Moylan	AG's Office	SUPPORT ☒ OPPOSE ☐	WRITTEN ☐ ORAL ☐	DBMOYLAN@OAGGUAM.ORG
2. DAG Al Gayoso	AG's Office	SUPPORT ☒ OPPOSE ☐	WRITTEN ☐ ORAL ☐	GGAYOSO@OAGGUAM.ORG
3. Austin Fortuno	AG's Office	SUPPORT ☒ OPPOSE ☐	WRITTEN ☐ ORAL ☐	AFORTUNO@OAGGUAM.ORG
4. Dr. Ricardo Eusebio	GMHA	SUPPORT ☒ OPPOSE ☐	WRITTEN ☒ ORAL ☐	
5. Jesse Quera	GMHA	SUPPORT ☒ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
6.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
7.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
8.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
9.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
10.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
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1 Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

PUBLIC HEARING SIGN-IN SHEET

Monday, September 21, 2026, at 10:00 AM

Bill No. 359-38 (COR) – Telo T. Taitague – “AN ACT TO AMEND §§ 81101, 81102, 81103, 81104, 81106 AND 81111 OF CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; TO ADD NEW §§ 81103.2 AND 81115 TO CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; RELATIVE TO ESTABLISHING AN EXECUTIVE DIRECTOR OF THE OFFICE OF POST-MORTEM EXAMINATIONS, STRENGTHENING ADMINISTRATIVE AND FISCAL OVERSIGHT, ENSURING CONTINUITY OF OPERATIONS, AND PRESERVING THE PROFESSIONAL INDEPENDENCE OF THE CHIEF MEDICAL EXAMINER.”

NAME:	AGENCY/ ORGANIZATION	POSITION	TESTIMONY	CONTACT INFORMATION
1. BAMBA, JOHANNA	OCME	SUPPORT ☐ OPPOSE ☒	WRITTEN ☐ ORAL ☒	
2.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
3.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
4.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
5.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
6.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
7.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
8.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
9.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
10.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	



GUAM MEMORIAL HOSPITAL AUTHORITY

ATURIDĀT ESPETĀT MIMURIĀT GUĀHAN

850 Governor Carlos Camacho Road, Tamuning, Guam 96913
Operator: (671) 647-2330 or 2552 | Fax: (671) 649-5508



WRITTEN TESTIMONY IN SUPPORT OF BILL NO. 359-38 (COR)

Joleen Aguon, M.D., Interim Hospital Administrator and Chief Executive Officer
38th Guam Legislature | Committee on Economic Investment, Military Buildup, Regional Relations,
Regulatory Affairs, Technology, Justice, Elections and Retirement
September 21, 2026

Honorable Chairperson Telo Taitague and Members of the Committee:

Håfa Adai, I am Dr. Joleen M. Aguon, Interim Hospital Administrator and Chief Executive Officer of the Guam Memorial Hospital Authority. I am also a pulmonary and critical care physician, and by virtue of my position as GMHA Administrator, I serve as a member of the Commission on Post-Mortem Examinations.

I respectfully submit this testimony in support of Bill No. 359-38.

My support comes from seeing this issue from two sides. As a physician, I understand why the medical judgment of a Chief Medical Examiner must remain independent. As an administrator and member of the Commission, I also understand that medical expertise alone cannot carry the administrative, financial and operational responsibilities of an entire government office.

Guam's experience has shown us why that distinction matters. The Office of the Chief Medical Examiner has existed since 1971, and for much of its history Guam benefited from long periods of stability in the Chief Medical Examiner position. One Chief Medical Examiner served from 1972 to 1992, followed by another who served from 1993 to 2018.

Since that long period of continuity ended, Guam has had a much more difficult time sustaining permanent forensic pathology coverage. I do not point to that history to criticize any physician who has served in this role. It tells us something more important: we cannot design an essential public service around the assumption that Guam will always be able to recruit and retain one highly specialized physician.

When that position becomes vacant, the work does not stop. People continue to die unexpectedly. There are still suspicious deaths, traffic fatalities, unattended deaths and cases in which the cause or manner of death must be determined. Families still need answers. Law enforcement and the courts still need reliable forensic findings. Hospitals still need cases appropriately transferred and resolved.



GUAM MEMORIAL HOSPITAL AUTHORITY

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Operator: (671) 647-2330 or 2552 | Fax: (671) 649-5508



WRITTEN TESTIMONY IN SUPPORT OF BILL NO. 359-38 (COR)

Joleen Aguon, M.D., Interim Hospital Administrator and Chief Executive Officer
38th Guam Legislature | Committee on Economic Investment, Military Buildup, Regional Relations,
Regulatory Affairs, Technology, Justice, Elections and Retirement
September 21, 2026

The workload is real. In 2023 alone, the Office investigated 842 deaths and performed 75 autopsies. That is why a vacancy in this office is not simply a personnel issue. It can become an operational issue affecting multiple parts of the Government of Guam and the people those agencies serve.

I see that connection directly at GMHA. Most deaths in a hospital have an identifiable medical cause and proceed through the normal process. Some do not. When a death falls within the jurisdiction of the medical examiner, the hospital cannot simply substitute its judgment for the forensic process. We depend on a functioning system outside of the hospital to take responsibility for that case and complete the medical and legal work that follows.

The same is true for law enforcement, prosecutors, the courts and funeral homes. Most importantly, it is true for families. A family waiting to understand why someone died should not also have to bear the consequences of a vacancy, a delayed contract, a staffing shortage or an administrative process that cannot move forward.

This is why I believe Bill 359 addresses the right structural problem. It separates two very different responsibilities. The Chief Medical Examiner remains responsible for the medicolegal, forensic, scientific and medical work of the Office. The bill expressly protects independent professional judgment over death investigations, autopsies, forensic examinations and determinations of cause and manner of death.

The proposed Executive Director would manage the administrative work necessary to support that medical mission, including budgeting, personnel, procurement, contracts, facilities, equipment, grants, reporting and day-to-day operations. As both a physician and an administrator, that separation makes sense to me.

At GMHA, we do not expect a physician to personally administer every procurement, personnel action, facility requirement and contract necessary to care for patients. We build administrative systems around clinical care so clinicians can concentrate on the work that requires their training and judgment.



GUAM MEMORIAL HOSPITAL AUTHORITY

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850 Governor Carlos Camacho Road, Tamuning, Guam 96913

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WRITTEN TESTIMONY IN SUPPORT OF BILL NO. 359-38 (COR)

Joleen Aguon, M.D., Interim Hospital Administrator and Chief Executive Officer
38th Guam Legislature | Committee on Economic Investment, Military Buildup, Regional Relations,
Regulatory Affairs, Technology, Justice, Elections and Retirement
September 21, 2026

A forensic pathologist should likewise be able to concentrate on examining the deceased, reviewing evidence, completing reports and determining cause and manner of death. That physician must remain involved in the medical direction of the Office. The entire administrative continuity of the Office should not depend on that physician being present. That is especially important during a vacancy.

Bill 359 provides that the absence or unavailability of a Chief Medical Examiner would not suspend the Office's administrative, fiscal, personnel, procurement, contractual or operational functions. It also provides mechanisms for temporary or supplemental forensic pathology coverage when necessary. This is where I believe Guam needs to change its approach. We should continue aggressively recruiting and retaining a permanent, qualified Chief Medical Examiner.

At the same time, we need a structure that assumes vacancies can happen and is prepared for them. A vacancy should be a personnel challenge. It should not become an operational crisis. I also support the bill's requirement for a formal continuity-of-operations plan addressing medical examiner coverage, staffing shortages, transportation, toxicology, refrigeration and storage, facilities, equipment, emergency contracting and succession of administrative authority.

At GMHA, continuity planning is part of running a hospital. Essential functions cannot stop because one person is unavailable or one system fails. We establish responsibility, maintain backup systems and plan for disruption because patients continue to arrive regardless of the circumstances. The Office of Post-Mortem Examinations performs a different mission, but the principle is the same.

Finally, I support this bill because it preserves something I consider non-negotiable as a physician: independent medical judgment. Administrative reform should strengthen the Chief Medical Examiner's ability to practice medicine, not interfere with it. Cause and manner of death must remain determinations made by qualified medical professionals based on evidence, science and professional standards. Bill 359 expressly protects that authority.



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Operator: (671) 647-2330 or 2552 | Fax: (671) 649-5508



WRITTEN TESTIMONY IN SUPPORT OF BILL NO. 359-38 (COR)

Joleen Aguon, M.D., Interim Hospital Administrator and Chief Executive Officer
38th Guam Legislature | Committee on Economic Investment, Military Buildup, Regional Relations,
Regulatory Affairs, Technology, Justice, Elections and Retirement
September 21, 2026

Guam has spent years confronting the same underlying challenge: how to maintain this essential function when a highly specialized position becomes difficult to fill or sustain. We should learn from that experience. We need to stop rebuilding the Office around each vacancy and build an Office that can withstand one.

The people who depend on this system are often encountering it during one of the most difficult moments of their lives. They should be able to trust that Guam has a functioning system capable of treating their loved one with dignity, determining what happened accurately and carrying out the medical and legal responsibilities that follow a death. That requires a qualified Chief Medical Examiner. It also requires a stable organization around that physician.

For these reasons, I respectfully support Bill No. 359-38 and thank the Committee for its consideration.

Un Dangkulu Na Si Yu'os Ma'åse'!



GOVERNMENT OF GUAM

DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES
DIPATTAMENTON SALUT PUPBLEKO YAN SETBISION SUSIAT



LOURDES A. LEONGUERRERO
MAGA' HAGAN GUAHAN
GOVERNOR OF GUAM

JOSHUA F. TENORIO
SEGUNDO MAGA' LAHEN GUAHAN
LT. GOVERNOR OF GUAM

THERESA C. ARRIOLA, MBA
DIRECTOR

PETERJOHN D. CAMACHO, MPH
DEPUTY DIRECTOR

September 21, 2026

Senator Telo T. Taitague
Committee on Economic Investment, Military Buildup, Regional Relations, Technology,
Regulatory Affairs, Justice, Elections, and Retirement
DNA Building, Suite 407
238 Archbishop Flores St.
Hagåtña, Guam 96910

RE: Testimony on Bill 359-38 (COR) An Act Relative to, Establishing an Executive
Director of the Office of Post-Mortem Examinations, Strengthening Administrative
And Fiscal Oversight, Ensuring Continuity of Operations, and Preserving the
Professional Independence of the Chief Medical Examiner

Håfa Adai and Manana Si Yu'os Madame Chair, Senator Telo T. Taitague and members of
the Committee:

I am here to present testimony supporting Bill 359-38, relative to establishing an Executive
Director for the Office of Post-Mortem Examinations.

We have seen a history of challenges for this office for many years, whether it be the lack
of a Chief Medical Examiner, challenges in securing operational needs for the office as well
as shortages of support staff. Previously, the administrative duties of leadership also rested
with the Chief Medical Examiner. Bill 359-38 proposes to correct this and rightly so.

DPHSS respectfully requests that this committee recommend passage by the Legislative
body.

Un dangkulu na si Yu'os ma'ase

THERESA C. ARRIOLA, MBA



Charissa Manibusan <senatortelot.charissa@gmail.com>

GMS Invitation to Provide Testimony on Bill No. 359-38 (COR)

Samir Ambrale [REDACTED]@gmail.com>

Mon, Sep 21, 2026 at 8:48 AM

To: Senator Telo Taitague <senatortelot@gmail.com>

Cc: Charissa Manibusan <senatortelot.charissa@gmail.com>, Isah Peredo <senatortelot.isah@gmail.com>, Alana Ungacta <senatortelot.alana@gmail.com>

Hafa Adai Senator Taitague,

I will not be able to attend the public hearing on the Bill 359.38 (COR) due to prior clinic duties.

I am in support of the Bill as written, this will support the Office of the chief medical examiner and ensure continuity of operations, strengthen inter-agency cooperation with creation of the Director position.

Respectfully,

Samir Ambrale MD., MPH

[Quoted text hidden]



OFFICE OF SENATOR
Telo T. Taitague
CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,
Regulatory Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

August 31, 2026

Transmitted via Electronic Mail:

Edward M. Birn, Director
Department of Administration
edward.birn@doa.guam.gov

RE: Request for Technical Guidance on Unclassified Positions and Executive Pay Plan

Håfa Adai Director Birn:

I am seeking general technical guidance regarding the establishment, classification, and compensation of unclassified positions within the government of Guam under Chapters 4 and 6 of Title 4, Guam Code Annotated. Specifically, I would appreciate DOA's clarification on the following:

1. When a new position is created by statute and expressly designated as unclassified, does DOA have authority under existing law to evaluate the position and assign it to the Executive Pay Plan (EXEC) and an appropriate EXEC grade or compensation range?
2. Because the Executive Pay Plan identifies specific positions covered by EXEC, must a newly established statutory unclassified position be expressly added to or designated for coverage under EXEC by law, or may DOA make that determination under its existing classification and compensation authority?
3. If DOA has authority to make such a determination, what statutory or regulatory provisions govern the evaluation and assignment of the position to the appropriate pay plan, grade, or compensation range?
4. When a position is created directly by statute, do the new-position procedures under 4 GCA § 6303 apply, including requirements relating to evaluation, documentation, funding, posting, or any waiting period before the position may be filled? If only certain requirements apply, please identify those requirements.

I recognize that 4 GCA § 4102 governs positions within the unclassified service and provides limitations on the administrative creation of unclassified positions, while Chapter 6 establishes the government's compensation framework for classified and unclassified positions.

The purpose of this inquiry is to better understand the respective roles of the Legislature and DOA when a position is established by law, particularly with respect to unclassified status, pay-plan placement, and compensation.

Thank you for your assistance and technical guidance. Any applicable statutory, regulatory, or administrative references DOA can provide would be appreciated.

Respectfully,

Telo T. Taitague
Senator



EDWARD M. BIRN
Director (Direktot)
RENA K. BORJA

Deputy Director (Sigundo Direktot)

**DEPARTMENT OF
ADMINISTRATION**
DIPATTAMENTON ATMENESTRASION

DIRECTOR'S OFFICE
(Ufisinan Direktot)

Telephone (Telifon): (671) 475-1101/1250



LOURDES A. LEON GUERRERO
Governor (Maga'håga)

JOSHUA F. TENORIO
Lt. Governor (Sigundo Maga'låhi)

September 08, 2025

Honorable Telo T. Taitague

38th Guam Legislature
Ste. 407 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910
senatortelot@gmail.com

RE: Request for Technical Guidance on Unclassified Positions and Executive Pay plan

Hafa adai Senator Taitague,

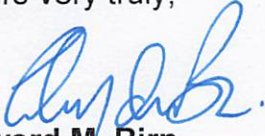
Thank you for your letter regarding the establishment, classification and compensation of unclassified positions within the Government of Guam.

1. 4GCA § 6202 contains a table of positions covered by the Executive Pay Plan (EXEC). If a new position is created by statute and included in the table, DOA would attempt to assign the new position to the pay plan and establish a compensation category under § 6302 (a).
2. DOA takes the position that specific positions covered by EXEC are unclassified positions and the Director of Administration is not permitted to establish classified positions, including assigning or re-assigning a pay grade to a new position.
3. The response to question 2 above renders this response- not applicable.
4. DOA's position is that, in general, the procedures under 4GCA § 6303 would apply, depending on the wording of the statute. Some unclassified positions are created or amended under legislation not addressing or amending Chapter 4, such as agency enabling acts or other statutory provisions such as Miscellaneous Provisions inserted into Budget laws, and that law might amend or discount § 6303 requirements.

DOA is committed to working with the Legislature with respect to ensuring fair and competitive compensation for unclassified and classified employees.

Please let me know if you have further questions.

Yours very truly,



Edward M. Birn
Director of Administration



OFFICE OF SENATOR
Telo T. Taitague
CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,
Regulatory Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

September 21, 2026

Transmitted via Electronic Mail:

Lester Carlson, Director
Bureau of Budget & Management Research
lester.carlson@bbmr.guam.gov

Subject: Request for Status of OCME FY2026 Supplemental and Prior-Year Funding

Håfa Adai Director Carlson,

I am writing to request an updated accounting of Fiscal Year 2026 funding available to the Office of the Chief Medical Examiner (OCME). BBMR's fiscal note for Bill No. 359-38 (COR) identifies \$1,322,999 in General Fund appropriations for OCME, consisting of \$822,999 for operations and a supplemental appropriation of \$500,000. In light of the ongoing discussion regarding OCME's staffing, equipment, supplies, contractual services and other operational needs, I respectfully request that BBMR provide the current status of these funds. In particular, I kindly request:

- The current status of the \$500,000 appropriated from the FY2025 net projected unobligated General Fund balance, including the amount released, obligated, expended and remaining available;
- The status of OCME's \$822,999 FY2026 operational appropriation, including amounts released, obligated, expended and remaining;
- The amount of any prior-year excess, continuing appropriation, carryover or other funds that remained available to OCME during FY2026 pursuant to the FY2026 Budget Act;
- Any OCME funds that were transferred, withheld, lapsed, reverted or are otherwise no longer available, including the amount and reason; and
- OCME's total current available operational balance, combining all FY2026 and prior-year funds that remain legally available for expenditure.

For clarity, please distinguish between amounts appropriated, allotted or released, encumbered or obligated, expended, and currently unobligated and available. If available, please also provide a breakdown of significant FY2026 obligations and expenditures for personnel, forensic pathology or other contractual services, equipment, supplies, transportation, refrigeration or facility needs, and other operational expenses.

This information will assist the Committee in determining how much funding remains available to OCME, how previously appropriated resources have been utilized, and whether identified operational needs are attributable to funding limitations or challenges in obligating and expending available resources. I appreciate BBMR's assistance and respectfully request a response at your earliest convenience.

Si Yu'os ma'åse',

Telo T. Taitague



BUREAU OF BUDGET & MANAGEMENT RESEARCH

OFFICE OF THE GOVERNOR

Post Office Box 2950, Hagåtña Guam 96932



LOURDES A. LEON GUERRERO
GOVERNOR

LESTER L. CARLSON, JR.
DIRECTOR

JOSHUA F. TENORIO
LIEUTENANT GOVERNOR

SEP 25 2026

The Honorable Telo T. Taitague
Chairwoman, Committee on Economic Investment, Military Buildup,
Regional Relations, Regulatory Affairs, Technology, Justice, Elections,
and Retirement
38th Guam Legislature
Ste. 407 DNA Building
238 Archbishop Flores St.
Hagåtña, Guam 96910

RE: Updated Status of OCME FY2026 Supplemental and Prior-Year Funding

Håfa Adai Senator Taitague,

This letter is in response to your request dated September 21, 2026 for an updated accounting of the Fiscal Year 2026 funding available to the Office of the Chief Medical Examiner (OCME). Please find the Bureau's responses to your specific questions below.

- The current status of the \$500,000 appropriated from the FY2025 net projected unobligated General Fund balance, including the amount released, obligated, expended, and remaining available**

100-26-3000002 - SUPPLEMENTAL APPROPRIATION (FY2025 EXCESS GF)							
Object Categories	Appropriation	Reserves	Allotted	Encumbrances	Expenditures	Budget Funds Available	Budget Funds Available + Reserves
111 - Salaries	\$ 138,105.00	\$ -	\$ 138,105.00	\$ -	\$ -	\$ 138,105.00	\$ 138,105.00
113 - Fringe	\$ 74,104.00	\$ -	\$ 74,104.00	\$ -	\$ -	\$ 74,104.00	\$ 74,104.00
230 - Contracts	\$ 197,951.00	\$ 7,570.00	\$ 190,381.00	\$ -	\$ -	\$ 190,381.00	\$ 197,951.00
240 - Supplies	\$ 22,410.00	\$ -	\$ 22,410.00	\$ -	\$ -	\$ 22,410.00	\$ 22,410.00
250 - Equipment	\$ 67,260.00	\$ 67,259.00	\$ 1.00	\$ -	\$ -	\$ 1.00	\$ 67,260.00
271 - Drug Testing	\$ 120.00	\$ 119.00	\$ 1.00	\$ -	\$ -	\$ 1.00	\$ 120.00
290 - Miscellaneous	\$ 50.00	\$ 49.00	\$ 1.00	\$ -	\$ -	\$ 1.00	\$ 50.00
TOTAL	\$ 500,000.00	\$ 74,997.00	\$ 425,003.00	\$ -	\$ -	\$ 425,003.00	\$ 500,000.00

- The status of OCME's \$822,999 for FY2026 operational appropriation, including amounts released, obligated, expended, and remaining**

100-26-3000001 - CHIEF MEDICAL EXAMINER-ADMIN							
Object Categories	Appropriation	Reserves	Allotted	Encumbrances	Expenditures	Budget Funds Available	Budget Funds Available + Reserves
111 - Salaries	\$ 488,983.00	\$ -	\$ 488,983.00	\$ -	\$ 420,527.02	\$ 68,455.98	\$ 68,455.98
112 - Overtime	\$ 24,851.00	\$ -	\$ 24,851.00	\$ -	\$ 11,276.24	\$ 13,574.76	\$ 13,574.76
113 - Fringe	\$ 234,402.00	\$ -	\$ 234,402.00	\$ -	\$ 177,419.07	\$ 56,982.93	\$ 56,982.93
220 - Travel	\$ 12,500.00	\$ 975.00	\$ 11,525.00	\$ -	\$ 5,367.48	\$ 6,157.52	\$ 7,132.52
230 - Contracts	\$ 55,400.00	\$ -	\$ 55,400.00	\$ -	\$ 34,045.50	\$ 21,354.50	\$ 21,354.50
271 - Drug Testing	\$ 40.00	\$ -	\$ 40.00	\$ -	\$ -	\$ 40.00	\$ 40.00
363 - Telecomm	\$ 6,823.00	\$ 2,828.55	\$ 3,994.45	\$ 425.00	\$ 1,384.45	\$ 2,185.00	\$ 5,013.55
TOTAL	\$ 822,999.00	\$ 3,803.55	\$ 819,195.45	\$ 425.00	\$ 650,019.76	\$ 168,750.69	\$ 172,554.24

- The Bureau anticipates funds for operations to be fully expended. However, there will be lapses in personnel due to the resignation of the Chief Medical Examiner.
- 3. The amount of any prior-year excess, continuing appropriation, carryover or other funds that remained available to OCME during FY2026 pursuant to the FY2026 Budget Act**
- Although the FY2026 Budget Act (P.L. 38-60) provides for the continuation of OCME's unexpended funds from prior fiscal years in FY2026, the Bureau was advised by the Department of Administration on December 01, 2025 that there are no General Fund fund balance available to carryforward. As a result, any unexpended General Fund appropriations for the OCME, similar to all the other departments as provided in the Budget Act, were not deemed available for continuation into FY2026 since the funding to support the continuing appropriation authorization is not available.
- 4. Any OCME funds that were transferred, withheld, lapsed, reverted or are otherwise no longer available including all the amount and reason**
- For FY2026, no funds appropriated to OCME have been transferred withheld, lapsed, or are otherwise unavailable.
- 5. OCME's total current available operational balance, combining all FY2026 and prior-year funds that remain legally available for expenditure**
- As of the date of this response, the OCME has a total available balance, inclusive of reserves, of **\$672,554.24** for FY2026, which remains available for expenditure until September 30, 2026. As previously stated, funds in reserve are available for release as requested by the departments. The table below provides a breakdown:

OCME FY2026 GENERAL FUND APPROPRIATIONS	Budget Funds Available	Budget Funds Available + Reserves
100-26-3000001 - CHIEF MEDICAL EXAMINER-ADMIN	\$ 168,750.69	\$ 172,554.24
100-26-3000002 - SUPPLEMENTAL APPROPRIATION	\$ 425,003.00	\$ 500,000.00
TOTAL	\$ 593,753.69	\$ 672,554.24

The Bureau submits this response to provide an overview of the FY2026 funding for the OCME. However, may I remind you that the Legislature has full and complete access to the Office of Finance and Budget, which has access to the same information in the Guam Financial Management Information System.

Senseramente,



LESTER L. CARLSON, JR.



OFFICE OF SENATOR
Telo T. Taitague
CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
2238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

August 6, 2025

Transmitted via Electronic Mail:

Senator Christopher M. Dueñas, Chairperson
Committee on Finance and Government Operations
I Mina' Trentai Ocho na Liheslaturan Guåhan

Subject: Request for FY 2026 Appropriation of \$500,000 to the Office of the Chief Medical Examiner

Håfa Adai Chairperson Dueñas:

I write to respectfully request your support in appropriating an additional Five Hundred Thousand Dollars (\$500,000) from the General Fund to the Office of the Chief Medical Examiner (OCME) in the Fiscal Year 2026 Budget Act. Given the ongoing operational crisis at the OCME and its indispensable role in Guam's justice and public health systems, this appropriation is urgently needed. As confirmed during a July 30, 2025 meeting with Speaker Blas, Vice Speaker Ada, Attorney General Moylan, and Dr. Guoxiang Su, Guam's Chief Medical Examiner, the OCME is currently unable to fulfill its core functions due to:

- Staffing shortfalls- OCME has only two personnel, with no dedicated transport team or vehicles;
- Lack of funding to hire two critical Medicolegal Death Investigators;
- A failing cadaver refrigeration system, creating serious concerns for evidence preservation and dignity of the deceased;
- Absence of toxicology testing and forensic resources vital to investigating homicides and drug-related deaths;
- Additional demands due to OCME's service to both the local and military communities, without reimbursement from federal sources.

In the interim, Speaker Frank Blas, Jr. has submitted a formal request to the Governor of Guam for emergency funding in the amount of \$71,086.00 under her statutory transfer authority to support the OCME through the remainder of Fiscal Year 2025. This stopgap measure is essential to prevent immediate disruption in death investigations, but it is not a substitute for the long-term funding needs that must be addressed in the FY 2026 budget.

For FY 2026, the OCME is set to receive a status quo budget of Eight Hundred Twenty-Two Thousand Nine Hundred Ninety-Nine Dollars (\$822,999), which falls significantly short of what is needed to address the agency's growing operational demands and public safety responsibilities. Dr. Su has estimated that an additional Five Hundred Forty-two Thousand Dollars (\$542,000) is necessary to



OFFICE OF SENATOR
Telo T. Taitague
CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
2238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

address these operational deficiencies. A targeted appropriation of \$500,000 would provide the bulk of resources necessary to begin recruiting staff, repairing equipment, and restoring investigative capabilities.

Should excess funding for this purpose not be available, I refer to your remarks during the August 6, 2025 Office of Finance & Budget meeting, where you requested that any senator wishing to address funding gaps for agencies submit their proposals along with recommended sources of funding to offset such requests. While it is with some regret that I must propose a reduction to the Guam Green Growth (G3) Initiative—an initiative I recognize as valuable to our island's future sustainability—I do so only because the crisis at the Office of the Chief Medical Examiner demands our immediate and undivided attention. The situation is a matter of public health, safety, and justice, requiring swift and decisive action to restore operational capacity and uphold the dignity owed to the deceased and their families.

I am open to any suggestions that you may have for alternative funding, as long as there is certainty that those funds will be appropriated in FY 2026. The OCME is an essential arm of Guam's public safety and justice infrastructure. Delays in forensic analysis, autopsies, and scene response directly impact the prosecution of crimes, the administration of justice, and the families awaiting closure. I urge that this request be treated with the seriousness and urgency it deserves.

Thank you for your leadership and continued commitment to ensuring the core functions of government are properly funded and equipped. I stand ready to work with you to address this urgent need.

Senseramente,

TELO T. TAITAGUE
Chairperson

cc: The Honorable Frank F. Blas, Jr., Speaker, *I Mina' Trentai Ocho na Liheslaturan Guåhan*

Attachment: *Copy of July 31, 2025 Letter from Speaker Frank Blas Jr. to Governor requesting Emergency Transfer Authority Funding to the OCME*



OFFICE OF THE SPEAKER
FRANK F. BLAS, JR.

38TH GUAM LEGISLATURE – *I Mina'trentai Ocho Na Liheslaturan Guåhan*

163 Chalan Santo Papa, Hagåtña, Guam 96910 • Tel: (671) 969-6456, (671) 969-0628, (671) 969-6023 • email: speakerblas@guamlegislature.gov

July 31, 2025

The Honorable Lourdes A. Leon Guerrero
I Maga'hågan Guåhan
Ricardo J. Bordallo Governor's Complex
Adelup, Guam 96910

RE: Emergency Transfer Authority Funding Request for the Office of the Chief Medical Examiner

Dear Governor Leon Guerrero:

Hafa Adåi! We write to urgently request your immediate consideration and approval of the emergency transfer authority funding in the amount of Seventy-One Thousand Eighty-Six Dollars (\$71,086.00) for the Office of the Chief Medical Examiner (OCME) for the remainder of Fiscal Year 2025.

This request is made in response to critical and immediate operational shortfalls that are undermining the OCME's ability to perform its essential medico-legal duties and to ensure that decedents and their families are treated with the dignity and respect they deserve.

At present, the OCME has only two personnel—Dr. Guoxiang Su, Chief Medical Examiner, and one administrative staff member—and no personnel or vehicle funded to transport deceased remains or respond to death scenes. As a result, Dr. Su must depend on the Guam Fire Department (GFD) and Guam Police Department (GPD) for assistance, stretching those agencies' resources and causing delays in post-mortem services. This situation is neither sustainable nor appropriate for the long term.

Emergency funding will cover the following:

Personnel Services	
Medicolegal Death Investigator (x2 FTE) including benefits	\$32,358.00
Clerk II (x1 FTE) including benefits	\$5,149.00
<i>*Above amounts are for remaining four (4) pay periods of FY25</i>	
Operations	
Contractual Services:	
Forensic Laboratory Services & Supplies	\$ 19,679.00
<u>Equipment:</u>	
Copier machine & desktop printer	\$ 1,500.00
Split air conditioning unit (morgue & office)	\$ 3,400.00
Complete Compressor unit for existing cadaver refrigerator	\$ 9,000.00
Estimated Projection	\$ 71,086.00

- Filling the Two (2) Medicolegal Death Investigator positions will ensure timely professional death scene response, improve coordination with law enforcement, and reduce delays to families and the justice system;
- Funding Forensic laboratory services, including toxicology testing is essential to determine cause of death in drug-related or suspicious cases, which are increasingly linked to methamphetamine and violent crime;
- A complete compressor unit is needed to repair the existing cadaver refrigeration system, which is failing and risks further compromising proper preservation of remains.

Without these urgently needed resources, investigations are delayed, forensic evidence may be lost, grieving families must wait longer for answers, and the government's ability to administer justice is compromised. Above all, the dignity owed to our deceased loved ones is put at risk when we lack the means to care for them respectfully and promptly.

Additionally, the OCME is responsible for servicing not only Guam's civilian population but also the military community, as U.S. Naval Hospital Guam currently has no assigned Chief Medical Examiner. Dr. Su is regularly called upon to provide forensic support for military deaths, further expanding his already overburdened workload. We ask that your office also explore avenues of federal or military support to help sustain these services for both local and

July 30, 2025 Letter to the Honorable Lourdes A. Leon Guererro, I Maga'hågan Guåhan
RE: Emergency Supplemental Funding Request for the Office of the Chief Medical Examiner

federal jurisdictions.

Given the severity of this crisis, I respectfully urge your administration to exercise your statutory transfer authority under 5 GCA § 22413, which authorizes the Governor to transfer appropriated funds between accounts to meet public emergencies and ensure the continued functioning of essential government services. The situation now confronting the Office of the Chief Medical Examiner meets every condition envisioned under this authority and demands immediate action.

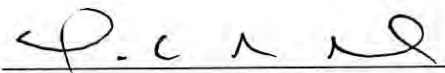
Dr. Su is prepared to brief your office further and a supporting packet and itemized funding table have been submitted for your review. My office and the Legislative Oversight Committees stand ready to collaborate with your administration to ensure that this crisis is resolved swiftly and effectively.

Thank you for your prompt attention to this urgent matter. We trust in your leadership to ensure that the OCME is given the resources it needs to serve justice, safeguard public health, and preserve the dignity of our departed loved ones.

Senseramente,



Senator Frank Blas, Jr., Speaker
I Mina'trentai Ocho na Liheslaturan Guåhan



V. Anthony Ada, Vice Speaker
I Mina'trentai Ocho na Liheslaturan Guåhan

cc:

Lester L. Carlson Jr, Director, Bureau of Budget and Management Research
All Members, Commission on Post-Mortem Examination
Dr. Guoxiang Su, Chief Medical Examiner
Douglas J. Moylan, Attorney General of Guam
Senator Christopher M. Dueñas, Chairperson, Committee on Finance

July 30, 2025 Letter to the Honorable Lourdes A. Leon Guererro, I Maga'hāgan Guåhan
RE: Emergency Supplemental Funding Request for the Office of the Chief Medical Examiner

Senator Eulogio "Shawn" Gumataotao, Chairperson, Committee on Public Safety
Senator Sabrina Salas- Matanane, Chairperson, Committee on Health
Senator Telo T. Taitague, Chairperson, Committee on Justice

**10 GCA HEALTH AND SAFETY
CH. 81 POST-MORTEM EXAMINATION ACT**

**CHAPTER 81
POST-MORTEM EXAMINATION ACT**

2025 NOTE: Pursuant to 5 GCA § 1510, *I Maga'hågan/Maga'låhen Guåhan* means the “Governor of Guam.”

- § 81101. Commission on Post-Mortem Examinations.
- § 81102. Office of Post-Mortem Examinations.
- § 81103. Chief Medical Examiner.
- § 81103.1. Minimum Qualifications for Chief Medical Examiner.
- § 81104. Deaths to Be Investigated.
- § 81105. Autopsies.
- § 81106. Same: Traffic Deaths.
- § 81107. Cooperative Action.
- § 81108. Laboratories.
- § 81109. Fees, Rules and Regulations.
- § 81110. Records and Reports.
- § 81111. Records as Evidence.
- § 81112. Fees; Fund; Annual Audit.
- § 81113. Severability.
- § 81114. Employment of Medicolegal Death Investigators.

NOTE: References to “Director of Public Safety” were amended to “Chief of Police” pursuant to P.L. 17-078:1 (Dec. 12, 1984), which repealed the existing GC § 5102 and created the Guam Police Department and the Chief of Police.

§ 81101. Commission on Post-Mortem Examinations.

A Commission on Post-Mortem Examinations is hereby established. The members of the Commission shall be the Attorney General, the Chief of Police, the Director of the Department of Public Health and Social Services, the President of the Guam Medical Society, and the Administrator of Guam Memorial Hospital. The Commission shall elect one of its members as Chairman and one as Vice-Chairman. Members of the Commission shall receive no compensation but they shall be repaid their actual expenses incurred in service of the Commission. The Commission shall meet as often as the duties require, and upon call of the Chief Medical Examiner.

SOURCE: GC § 49100; repealed and reenacted by P.L. 11-037 (May 8, 1971).

§ 81102. Office of Post-Mortem Examinations.

The Office of Post-Mortem Examinations is hereby established, to be operated under the control and supervision of the Commission. The Office shall be directed by a Chief Medical Examiner, and may employ such assistant medical examiners, pathologists, toxicologists, laboratory technicians, regional medical examiners and other staff members as the Commission may specify. The Commission shall in advance of appointments specify the qualifications required for each position in terms of education, experience and other relevant considerations. Staff members, other than Medical Examiner, shall be subject to such rules, as the Commission may prescribe, provided that such rules shall conform to the Civil Service laws of Guam.

SOURCE: GC § 49101; repealed and reenacted by P.L. 11-037 (May 8, 1971).

2023 NOTE: Reference to “territory” replaced with “Guam” pursuant to 1 GCA § 420.

**10 GCA HEALTH AND SAFETY
CH. 81 POST-MORTEM EXAMINATION ACT**

§ 81103. Chief Medical Examiner.

(a) The Chief Medical Examiner shall be named by the Commission to serve for such term and at such salary as the Commission may fix. He may as part of his duties teach medical or law school classes, conduct special classes for police investigators, and engage in other activities related to the work of his office to such extent and on such terms as may be authorized by the Commission. Similar authorizations may be given by the Commission to other members of the staff. He shall serve as Secretary to the Commission.

(b) Locum Tenens Exemption During the Absence of the Chief Medical Examiner. The Office of the Chief Medical Examiner is exempt from the government of Guam Procurement Law in contracting for the professional services of a qualified medical examiner to be provided when the Chief Medical Examiner is absent from work.

SOURCE: GC § 49102; repealed and reenacted by P.L. 11-037 (May 8, 1971). Amended by P.L. 30-017:2 (Apr. 17, 2009). Subsection (b) added as uncodified law by P.L. 32-068:XII:8 (Sept. 11, 2013). Codified to this section by the Compiler.

2013 NOTE: Pursuant the authority granted by 1 GCA § 1606, numbers and/or letters were added to adhere to the Compiler's alpha-numeric scheme.

§ 81103.1. Minimum Qualifications for Chief Medical Examiner.

The Chief Medical Examiner shall be a citizen, a permanent resident of the United States, or a person whose immigration status with the U.S. Immigration legally allows him to work in the United States, and a physician licensed to practice his profession in Guam. He must have current certification in Forensic Pathology by the American Board of Pathology or the American Osteopathic Board of Pathology or their successors.

SOURCE: Added by P.L. 30-017:3 (Apr. 17, 2009).

§ 81104. Deaths to Be Investigated.

The Office of Post-Mortem Examinations shall investigate all human deaths providing such deaths in the opinion of the Chief Medical Examiner arose from the following causes:

(a) Violent deaths, whether apparently homicidal, suicidal or accidental, including but not limited to deaths due to thermal, chemical, electrical or radiational injury, and deaths due to criminal abortion, whether apparently self-induced or not;

(b) Sudden deaths not caused by readily recognizable disease;

(c) Deaths under suspicious circumstances;

(d) Deaths of persons whose bodies are to be cremated, dissected, buried at sea, or otherwise disposed of so as to be thereafter unavailable for examinations.

SOURCE: GC § 49103; repealed and reenacted by P.L. 11-037 (May 8, 1971).

§ 81105. Autopsies.

Autopsies may be conducted by the Office of Post-Mortem Examinations in the following cases:

(a) Deaths caused by violent deaths whether apparently homicidal, suicidal or accidental, including but not limited to deaths due to thermal, chemical, electrical or radiational injury, and deaths due to criminal abortion, whether apparently self-induced or not;

(b) Sudden deaths not caused by readily recognizable diseases;

(c) Deaths upon suspicious circumstances;

**10 GCA HEALTH AND SAFETY
CH. 81 POST-MORTEM EXAMINATION ACT**

(d) Deaths of persons whose bodies are to be cremated, dissected, buried at sea or otherwise disposed of so as to be thereafter unavailable for examinations;

(e) Deaths related to disease which might cause a threat to public health.

(f) The Office of Post-Mortem Examinations shall further conduct autopsies whenever so ordered by the Attorney General or a court of competent jurisdiction.

SOURCE: GC § 49104; repealed and reenacted by P.L. 11-037 (May 8, 1971).

2025 NOTE: Subsection designation (f) added pursuant to authority of 1 GCA § 1606.

§ 81106. Same: Traffic Deaths.

In the event a person who was driving the car dies within four (4) hours as a result of a traffic accident related injury from the time of its occurrence and there is reasonable cause to believe that such person was driving under the influence of alcohol, a blood sample will be immediately obtained under the supervision of the Chief Medical Examiner for the purpose of determining the blood alcohol level of the deceased person which blood analysis test is to be conducted by or under the supervision and direction of the Chief Medical Examiner. The results of the test are to be provided to the Guam Police Department.

SOURCE: GC § 49104.1, as added by P.L. 13-127 (Jan. 27, 1976).

§ 81107. Cooperative Action.

(a) All law enforcement officers, prosecuting attorneys, and other officials shall cooperate fully with the Office of Post-Mortem Examinations in making the investigations and conducting the autopsies herein provided for. Such officials and all physicians, undertakers, embalmers and other persons shall promptly notify the Office of the occurrence of all deaths coming to their attention which under this Chapter are subject to investigation by the Office, and shall assist in making dead bodies and related evidence available to the Office for investigations and autopsies. In cases of apparent homicide or suicide, or of accidental death the cause of which is obscure, the scene of the event shall not be disturbed until authorization by the appropriate law enforcement officials.

(b) Any physician, undertaker or embalmer who wilfully fails to comply with this Section shall be guilty of a violation.

SOURCE: GC § 49105, as amended by P.L. 13-187 (Sept. 2, 1976).

§ 81108. Laboratories.

The Office of Post- Mortem Examinations shall maintain a laboratory or laboratories suitably equipped with medical, scientific and other facilities for performance of the duties imposed by this Chapter. Laboratories may be maintained in collaboration with Guam Police Department, Guam Memorial Hospital and other agencies in Guam which have facilities that can be usefully employed in performing the duties of the Office. The manner of compliance with this Section shall be in the discretion of the Commission.

SOURCE: GC § 49106; repealed and reenacted by P.L. 11-037 (May 8, 1971).

2023 NOTE: Reference to “Territory” replaced with “Guam” pursuant to 1 GCA § 420.

§ 81109. Fees, Rules, and Regulations.

Subject to the Administrative Adjudication Law, the Commission may promulgate fees, rules, and regulations necessary or appropriate to effectively carry out the provisions of this Chapter.

SOURCE: GC § 49107; repealed and reenacted by P.L. 11-037 (May 8, 1971). Amended and renamed by P.L. 36-116:2 (Nov. 9, 2022).

§ 81110. Records and Reports.

The Office of Post-Mortem Examinations shall keep full and complete records, properly indexed, giving the name, if known, of every person whose death is investigated, the place where the body was found, the date, cause and manner of death, and all other relevant information concerning the death, and shall issue a death certificate. The full report and detailed findings of the autopsy, if any, shall be a part of the record in each case. The Office shall promptly deliver to the prosecuting attorney having criminal jurisdiction over the case copies of all records relating to every death as to which further investigation may be advisable. The Attorney General or Chief of Police may upon request secure copies of such records or other information deemed necessary by him to the performance of his official duties. Private persons may obtain copies of records upon such conditions and payment of such fees as may be prescribed by the Commission provided no person with a legitimate interest therein shall be denied access thereto.

SOURCE: GC § 49108; repealed and reenacted by P.L. 11-037 (May 8, 1971).

§ 81111. Records as Evidence.

The records of the Office of Post-Mortem Examinations, or transcripts thereof certified by the Chief Medical Examiner, are admissible in evidence in any court of Guam, except that statements by witnesses or other persons and conclusions upon extraneous matters are not hereby made admissible. The person preparing a report or record given in evidence hereunder may be subpoenaed as a witness, in any civil or criminal case, by any party to the cause.

SOURCE: GC § 49109; repealed and reenacted by P.L. 11-037 (May 8, 1971).

2023 NOTE: Reference to “territory” replaced with “Guam” pursuant to 1 GCA § 420.

§ 81112. Fees; Fund; Annual Audit.

(a) Fees. The Commission is authorized to impose fees reasonably necessary for the Office of Post-Mortem Examinations to carry out its duties and responsibilities as required or authorized by this Chapter, or rules and regulations adopted under this Chapter. The Commission is further authorized to amend any adopted fees through the Administrative Adjudication Law-Rule Making Procedures of Article 3, Chapter 9, Title 5, Guam Code Annotated. Fees shall be paid to the Treasurer of Guam.

(b) Fund. There is hereby established a special fund known as the Office of Post-Mortem Examinations Operations Revolving Fund (Fund), specifically for use by the Office of Post-Mortem Examinations for its operations. The Fund shall be maintained separate and apart from other funds of the government of Guam, and independent records and accounts shall be maintained in connection therewith. All fees paid to the Treasurer of Guam for services provided by the Office of Post-Mortem Examination shall be deposited into the Fund. Monies in the Fund shall be appropriated continuously and shall not be subject to any transfer authority of *I Maga'hågan/Maga'låhen Guåhan*.

(c) Annual Audit. The Office of Public Accountability, or its equivalent, shall audit the fund annually with reports to be submitted to *I Maga'hågan/Maga'låhen Guåhan* and the Speaker of *I Liheslaturan Guåhan*.

SOURCE: Added by 36-116:4 (Nov. 9, 2022).

§ 81113. Severability.

If any provision or application of this Chapter is held invalid, such invalidity shall not affect other provisions or application of the Chapter which can be given effect without the invalid provisions or application, and to this end the provisions of this Chapter are declared to be severable.

SOURCE: GC § 49110. Codified by the Compiler as 10 GCA § 81112. Renumbered by P.L. 36-116:3 (Dec. 28, 2022).

§ 81114. Employment of Medicolegal Death Investigators.

(a) The Office of Post-Mortem Examinations/Chief Medical Examiner may employ registered and certified medicolegal death investigators. Medicolegal death investigators are employees that aid in the investigations that determine the cause of death of deceased persons.

(b) The Department of Administration, consistent with the provisions of Chapter 6, Title 4, Guam Code Annotated, shall develop job descriptions and pay grades for positions described in Subsection (a), *supra*. Such job descriptions shall be consistent with those recommended by the American Board of Medicolegal Death Investigators (ABMDI) or its successors and the recommendations of Office of Post-Mortem Examinations/Chief Medical Examiner. Such positions shall be created within the merit system and the classified service of the government of Guam.

(c) The Office of Post-Mortem Examinations/Chief Medical Examiner may petition the Department of Administration to develop any additional standards that might be necessary for medicolegal death investigators, beyond those recommended by the ABMDI.

(1) Notwithstanding any other provision of law to the contrary, persons appointed as a medicolegal death investigator shall:

- (A) be a resident of Guam and a U.S. citizen;
- (B) be of good health and good moral character;
- (C) be over the age of eighteen (18) years;
- (D) be a high school graduate or equivalent; and
- (E) submit to and pass a drug screening test, including, but not limited to, a urinalysis test.

(2) No person shall be appointed as a medicolegal death investigator who has been convicted in any civilian or military court of a felony, a crime involving moral turpitude, a crime of domestic or family violence, or who has been administratively pardoned of any crime.

(3) No person shall be appointed as a medicolegal death investigator before a thorough investigation of the applicant's background and moral character is completed.

(d) In the event that there are no applicants that meet the minimum knowledge, abilities and skills to be registered or certified medicolegal death investigators, the Office of Post-Mortem Examinations/Chief Medical Examiner may employ candidates as interns, with compensation, while completing the training and experience necessary to meet the minimum requirements for employment. The Office of Post-Mortem Examinations/Chief Medical Examiner shall determine the length of internship programs. Internships are limited term appointments until such time the intern is either hired as a medicolegal death investigator or terminated.

SOURCE: Added by P.L. 37-125:XII:61 (Sept. 11, 2024).



OFFICE OF SENATOR
Telo T. Taitague
CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
2238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

COMMITTEE VOTE SHEET

Bill No. 359-38(COR), As Amended- Introduced by Telo T. Taitague/ V. Anthony Ada/ Chris Barnett/ Shelly V. Calvo/ Jesse A. Lujan/ Sabrina Salas Matanane, “*AN ACT TO AMEND §§ 81101, 81102, 81103, 81104, 81106 AND 81111 OF CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; TO ADD NEW §§ 81103.2 AND 81115 TO CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; AND TO AMEND THE EXECUTIVE PAY PLAN PURSUANT TO CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING AN EXECUTIVE DIRECTOR OF THE OFFICE OF POST-MORTEM EXAMINATIONS WITHIN THE EXECUTIVE PAY PLAN, STRENGTHENING ADMINISTRATIVE AND FISCAL OVERSIGHT, ENSURING CONTINUITY OF OPERATIONS, AND PRESERVING THE PROFESSIONAL INDEPENDENCE OF THE CHIEF MEDICAL EXAMINER.*”

COMMITTEE MEMBERS	SIGNATURE/ DATE SIGN	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIV E FILE
Senator Telo T. Taitague Chairperson	 10/05/2026	✓				
Senator Darrel Christopher Barnett Vice Chairperson	EVOTE 10/05/26			✓		
Senator Sabina F. Perez Member						
Senator Therese M. Terlaje Member	EVOTE 10/06/26			✓		
Senator Shelly V. Calvo Member	EVOTE 10/06/26	✓				
Speaker Frank F. Blas, Jr. Member	EVOTE 10/05/26			✓		



Senator Telo Taitague <senatortelot@gmail.com>

REQUEST FOR EVOTE: BILL NO. 359-38 (COR) AS AMENDED

5 messages

Senator Telo Taitague <senatortelot@gmail.com>

5 October 2026 at 16:11

To: Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.gov>, Senator Therese Terlaje <senatorterlajeguam@gmail.com>, "Speaker Frank Blas, Jr." <speakerblas@guamlegislature.gov>, Office of Senator Shelly Calvo <officeofsenatorshellycalvo@guamlegislature.gov>, Office of Senator Sabina Perez <office.senatorperez@guamlegislature.gov>
Cc: senatortelot.charissa@gmail.com, Alana Ungacta <senatortelot.alana@gmail.com>, Rowena Fejeran <senatortelot.rowena@gmail.com>

Håfa Adai Committee Members,

Please see the attached Committee Report on **Bill No. 359-38(COR), As Amended-** Introduced by Telo T. Taitague/ V. Anthony Ada/ Chris Barnett/ Shelly V. Calvo/ Jesse A. Lujan/ Sabrina Salas Matanane, ***“AN ACT TO AMEND §§ 81101, 81102, 81103, 81104, 81106 AND 81111 OF CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; TO ADD NEW §§ 81103.2 AND 81115 TO CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; AND TO AMEND THE EXECUTIVE PAY PLAN PURSUANT TO CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING AN EXECUTIVE DIRECTOR OF THE OFFICE OF POST-MORTEM EXAMINATIONS WITHIN THE EXECUTIVE PAY PLAN, STRENGTHENING ADMINISTRATIVE AND FISCAL OVERSIGHT, ENSURING CONTINUITY OF OPERATIONS, AND PRESERVING THE PROFESSIONAL INDEPENDENCE OF THE CHIEF MEDICAL EXAMINER.”***

Please indicate your preferred action, based on the following options:

_____ TO DO PASS;
_____ TO NOT PASS;
_____ TO REPORT OUT ONLY;
_____ TO ABSTAIN;
_____ TO PLACE IN INACTIVE FILE

Please submit your response **ASAP**. Your responses will be logged into the Committee Vote Sheet for **Amended Bill No. 359-38 (COR)**. Should you have any questions, please do not hesitate to contact our office.

Si Yu'os Ma'åse,***Create a Great Day!****Senator Telo T. Taitague*

38th Guam Legislature

Chairperson**Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement**

Suite 407 DNA Building

238 Archbishop Flores St.
Hagatna, Guam 96910
Tel: (671) 989-8356
Email: senatortelot@gmail.com

 **Committee Report on Bill No. 359-38 (COR), As Amended.pdf**
13154K

Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.gov>
To: Senator Telo Taitague <senatortelot@gmail.com>

5 October 2026 at 16:12

To report out only

[Quoted text hidden]

--



The Office of Senator Chris Barnett

I Mina'trentai Ocho Na Liheslaturan Guåhan

Suite 202 · Calvo- Arriola Building · 259 Martyr St. · Hagåtña, Guam 96910
(671)969-3586 · malafunkshun@guamlegislature.gov

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Speaker Frank Blas Jr. <speakerblas@guamlegislature.gov>

5 October 2026 at 16:29

To: Senator Telo Taitague <senatortelot@gmail.com>

Cc: Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.gov>, Senator Therese Terlaje <senatorterlajeguam@gmail.com>, Office of Senator Shelly Calvo <officeofsenatorsHELLYCALVO@guamlegislature.gov>, Office of Senator Sabina Perez <office.senatorperez@guamlegislature.gov>, senatortelot.charissa@gmail.com, Alana Ungacta <senatortelot.alana@gmail.com>, Rowena Fejeran <senatortelot.rowena@gmail.com>

To Report Out Only



Speaker, Frank F. Blas, Jr.

I Mina'trentai Ocho na Liheslaturan Guåhan 38th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagatña

(671)969-6456

speakerblas@guamlegislature.gov

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On Mon, Oct 5, 2026 at 4:12 PM Senator Telo Taitague <senatortelot@gmail.com> wrote:

[Quoted text hidden]

6 October 2026 at
08:47**Office of Senator Shelly Calvo** <officeofsenatorshellycalvo@guamlegislature.gov>

To: Senator Telo Taitague <senatortelot@gmail.com>

Cc: Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.gov>, Senator Therese Terlaje <senatorterlajeguam@gmail.com>, "Speaker Frank Blas, Jr." <speakerblas@guamlegislature.gov>, Office of Senator Sabina Perez <office.senatorperez@guamlegislature.gov>, senatortelot.charissa@gmail.com, Alana Ungacta <senatortelot.alana@gmail.com>, Rowena Fejeran <senatortelot.rowena@gmail.com>

Hafa adai,

To do Pass

Respectfully,

Jacqueline Munoz

**Office of the People | Senator Shelly V. Calvo****Majority Whip & Chairwoman***Committee on Child Welfare, Youth Affairs, Senior Citizens, Women's Affairs, Disability Services, the Arts, Culture, Historic Preservation & Hagåtña Restoration***38th Guam Legislature**

163 Chalan Santo Papa, Hagåtña, Guam 96910

T +1 (671) 989-5682**E** officeofsenatorshellycalvo@guamlegislature.gov

On Mon, Oct 5, 2026 at 4:12 PM Senator Telo Taitague <senatortelot@gmail.com> wrote:

[Quoted text hidden]

Senator Therese M. Terlaje <senatorterlajeguam@gmail.com>

6 October 2026 at 11:47

To: Senator Telo Taitague <senatortelot@gmail.com>

Cc: Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.gov>, "Speaker Frank Blas, Jr." <speakerblas@guamlegislature.gov>, Office of Senator Shelly Calvo <officeofsenatorshellycalvo@guamlegislature.gov>, Office of Senator Sabina Perez <office.senatorperez@guamlegislature.gov>, senatortelot.charissa@gmail.com, Alana Ungacta <senatortelot.alana@gmail.com>, Rowena Fejeran <senatortelot.rowena@gmail.com>

Håfa Adai,

To Report Out Only.

si Yu'os ma'åse',**Office of Senator Therese M. Terlaje***I Mina'trentai Ocho na Liheslaturan Guåhan*Guam Congress Building, 163 Chalan Santo Papa,
Hagatna, Guam 96910**T** (671) 472-3586**E** senatorterlajeguam@gmail.com**W** www.senatorterlaje.com

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On Mon, Oct 5, 2026 at 4:12 PM Senator Telo Taitague <senatortelot@gmail.com> wrote:

[Quoted text hidden]



OFFICE OF SENATOR
Telo T. Taitague
CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
2238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

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COMMITTEE REPORT DIGEST

I. OVERVIEW

Bill No. 359-38 (COR) was introduced on September 8, 2026, by Telo T. Taitague, V. Anthony Ada, Chris Barnett, Shelly V. Calvo, Jesse A. Lujan, and Sabrina Salas Mantanane, and subsequently referred by the Committee on Rules to the Committee on *Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement*, on September 9, 2026.

The Committee convened a public hearing on Monday, September 21 2026, at 9:00 a.m. in the Public Hearing Room of the Guam Congress Building.

Public Notice Requirement:

In Compliance with Open Government Law, a five (5) day public notice of this hearing was published on Monday, September 14, 2026, and a forty-eight (48) hour notice was published on Thursday, September 17, 2026, on KANDIT News Group's website and Facebook page, and the Guam Public Notice Website. Notices were also sent to all senators, and all main media broadcasting outlets via email on the same dates.

Senators Present:

Senator Telo Taitague, Chairperson
Senator Eulogio Shawn Gumataotao

Appearing Before the Senate Panel:

Douglas Moylan, Attorney General of Guam
Dr. Ricardo Eusebio, Chief Medical Officer, Guam Memorial Hospital Authority (GMHA)
Johanna Bamba, Office of Chief Medical Examiner
Jesse Quenga, Acting Associate Hospital Administrator, GMHA

Written Testimony Submitted:

Joleen Aguon, M.D. Interim Hospital Administrator and Chief Executive Officer, GMHA
Theresa C. Arriola, MBA, Director, Department of Public Health & Social Services
Samir Ambrale, M.D. MPH, Guam Medical Society

II. **SUMMARY OF TESTIMONY & DISCUSSION:** The Public Hearing was Called-to-Order at **10:03 a.m.** Bill 359-38 (COR)- "*AN ACT TO AMEND §§ 81101, 81102, 81103, 81104, 81106 AND 81111 OF CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; TO ADD NEW §§ 81103.2 AND*

81115 TO CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; RELATIVE TO ESTABLISHING AN EXECUTIVE DIRECTOR OF THE OFFICE OF POST-MORTEM EXAMINATIONS, STRENGTHENING ADMINISTRATIVE AND FISCAL OVERSIGHT, ENSURING CONTINUITY OF OPERATIONS, AND PRESERVING THE PROFESSIONAL INDEPENDENCE OF THE CHIEF MEDICAL EXAMINER,” was the only item on the agenda.

SENATOR TELO T. TAITAGUE, CHAIRPERSON: *Buenas yan Håfa Adai.* This public hearing is now called to order and the time now is 10:03am, Monday, September 21st, 2026. This hearing is conducted by myself, *Senadot* Telo Taitague, chairwoman on the Committee on Economic Investment, Military Build-up, Regional Relations, Technology, Regulatory Affairs, Justice, Election, and Retirement. To comply with the Open Government Law, notices of this hearing was published on KANDIT News Group and the Government of Guam Public Notice Portal on Monday, September 14th, 2026, and the second notice on Thursday, September 17th, 2026. Notice of this hearing was also disseminated to all senators and media via email and is made available on the Guam Legislative website.

I would like to recognize those who are here in person and those who are watching from home. Welcome to your Guam Legislature. I would also like to welcome those who are here to testify, and thank you for taking the time out of your busy schedule to be here. For the listening public, you can access the Google Drive link on the public hearing notice published on the Government of Guam public notice portal at notices.guam.gov or on the Guam Legislative website at guamlegislature.gov. If you need assistance, please feel free to call the legislature at (671) 472-3465.

The rules before I begin, I'd like to set into place is, one, please speak directly into the microphone. There's a terrible echo here. It's hard to hear. And, for the record, state your name, position, and who you represent. I ask those who are testifying today to please stay seated for any questions that we may have. We respectfully ask that we conduct ourselves professionally and respect each other's opinions. Those individuals who do not comply of these rules will be removed from the room.

So, the following item is on the agenda for discussion this afternoon, which is bill number 359-38 (COR), introduced by myself as well as my other colleagues. Let me, just for the record, stand by one minute. Let me pull that up. Okay, so it's introduced by myself, Senator Telo T. Taitague, Senator V. Anthony Ada, Senator Chris Barnett, Senator Shelly Calvo, Senator Jesse A. Lujan, and Senator Sabrina Salas Mantanane. This is Bill 359-38 (COR)- *“AN ACT TO AMEND §§ 81101, 81102, 81103, 81104, 81106 AND 81111 OF CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; TO ADD NEW §§ 81103.2 AND 81115 TO CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; RELATIVE TO ESTABLISHING AN EXECUTIVE DIRECTOR OF THE OFFICE OF POST-MORTEM EXAMINATIONS, STRENGTHENING ADMINISTRATIVE AND FISCAL OVERSIGHT, ENSURING CONTINUITY OF OPERATIONS, AND PRESERVING THE PROFESSIONAL INDEPENDENCE OF THE CHIEF MEDICAL EXAMINER.”*

A Fiscal Note was provided, received on Monday. The Bureau notes that it sought input on the proposed bills from the Office of Chief Medical Examiner. Has not received any official comment at this time.



OFFICE OF SENATOR
Telo T. Taitague
CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
2238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

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Also, BBMR, is of the opinion that if enacted, the legislation will result in additional personnel costs for OCME. However, the Bureau currently lacks significant information to determine the exact fiscal impact. BBMR also further stated that comparable FY 2026 salaries for Executive Director positions typically range from \$73,000 to \$93,000 based on the average benchmark, including established FY2027 benefits. The proposed legislation will require the legislation to provide additional appropriation to OCME to cover the associated personal costs estimated at \$109,906.46. Legal counsel at the legislature has no questions at this time, no recommendations or changes.

Invitations to this public hearing were sent to the following individuals: the Office of the Attorney General, the Department of Administration, the Office of Chief Medical Examiner, Guam Memorial Hospital Authority, Department of Public Health Social Services, Guam Medical Society, and the Guam Police Department. So that being said, I will go ahead and do my opening statement since I've already introduced the bill.

The need for this bill comes from what we have seen at the Office of the Chief Medical Examiner. We have asked our Chief Medical Examiner to perform highly specialized work such as autopsies, death investigations and forensic determinations while working with limited staff, equipment, supplies and administrative support.

At the same time, we expect the Chief to help solve those very problems: to recruit personnel, secure supplies and equipment, manage contracts and procurement, and run the office. That places an additional burden on a physician Guam already struggles to recruit and retain.

The Legislature has responded to this problem with additional funding. Approximately \$1.3 million was provided for the OCME in FY26, including an additional \$500,000. But just throwing money at the problem does not solve it. An appropriation does not hire an investigator, purchase equipment, move a procurement or execute a contract. Someone must have the responsibility, authority and expertise to get those things done.

Furthermore, Guam's Post-Mortem Examination Act was enacted more than 55 years ago. While it has been amended over time, the basic structure of the Office remains largely the framework established in 1971. We cannot address today's challenges with a structure designed more than half a century ago. Bill 359 seeks to update that structure in six critical ways:

1. First, it separates medical work from administration. The CME remains responsible for death investigations, autopsies and other forensic decisions. A new Executive Director would manage the budget, personnel, procurement, contracts, facilities, equipment, supplies and day-to-day operations.

2. Second, it strengthens Commission oversight. The Commission must meet at least quarterly, approve OCME's proposed budget and staffing plan, and oversee both the CME and Executive Director. The Executive Director also replaces the CME as Executive Secretary to the Commission.
3. Third, it keeps the Office operating during a CME vacancy. Hiring, procurement, contracts and other administrative work can continue while Guam recruits a permanent physician or relies on temporary coverage.
4. Fourth, it expands access to temporary and supplemental forensic pathologists. Current law allows contracted coverage when the CME is absent. Bill 359 expands that authority to vacancies, backlogs and emergencies and allows standing, on-call, regional or multi-year arrangements.
5. Fifth, it formalizes interagency support. OCME can obtain specific assistance from GMH, the Attorney General's Office, GPD, GFD and other agencies without transferring control of the Office or interfering with independent medical decisions.
6. And finally, it requires a continuity plan addressing CME vacancies, staffing shortages, transportation, toxicology, refrigeration and storage, facilities, equipment and emergency contracts, so we are planning for these problems before they become crises.

These changes respond directly to what OCME is dealing with today. The Commission continues its recruitment for a permanent Chief Medical Examiner and, in the meantime, has contracted with Dr. Brett Ferguson to provide medical examiner services as needed. That provides Guam with qualified medical coverage. But temporary medical coverage does not administer the Office. The Commission has had to rely heavily on GMH, the Attorney General's Office and individual Commission members for administrative assistance. Bill 359 establishes someone within the OCME who is specifically responsible and accountable for that work.

There is also one technical issue I want to resolve through today's hearing. Bill 359 directs DOA to evaluate the Executive Director position and assign it to an appropriate pay grade or compensation range. I've asked DOA whether that language is sufficient or if an amendment to Title 4, to add the position into the EXEC Plan is necessary. If so, I will make that amendment before reporting the bill out of Committee.

I want to be clear, Bill 359 is not a substitute for a permanent Chief Medical Examiner, investigators or additional staff. We still need them, and recruitment must continue. What this bill does is build a better structure around those professionals so they have the administrative support, equipment, supplies and contracts they need to do their jobs. Ultimately, a stronger OCME means more reliable forensic services for law enforcement and fewer unnecessary delays for families waiting for answers. It means treating those who have passed with dignity and respect while better serving the families they leave behind.

And we have to recognize the larger reality that Guam is competing with jurisdictions across the country for a very limited number of qualified forensic pathologists. We may not be able to solve that national shortage, but we can decide how prepared Guam will be to operate within it.



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Telo T. Taitague
CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
2238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

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This bill modernizes a 55-year-old structure, strengthens continuity and accountability, and builds an Office that is less dependent on any one individual. And when we recruit our next permanent Chief Medical Examiner, we should give that physician an Office that is structured to help them succeed, and more importantly, give Guam a better chance of keeping them here. That is what Bill 359 seeks to do. I ask for the support of my colleagues to move this bill forward. *Si Yu'os ma'åse'!*

So, that being said, at this time I'd like to open it up for those who are testifying this morning. First on the list we have the Honorable Attorney General Douglas Moylan, to provide his testimony, so you are recognized.

DOUGLAS MOYLAN, ATTORNEY GENERAL OF GUAM, OFFICE OF THE ATTORNEY

GENERAL: *Håfa Adai*, and good morning, Madam Chairwoman. So, I do not speak on behalf of the Commission on Post-mortem Examinations. This was not brought up, before our board, to make a position statement. but obviously, and thank you for attending our last board meetings, Madam Chairwoman Taitague, and you've basically heard the problems that the OCME has experienced. You're aware of them. All I can say in terms of the legislation is, like you had brought up before, you had been positing the possibility because of the administrative need of this office to have somebody in direct control that the hospital or the AG's office fulfill that role. Personally, as the Attorney General, I would prefer that the hospital, Guam Memorial Hospital, be in direct control of the OCME's office. My position in general is normally trying not to increase the size of government, to build infrastructure like this because OCME clearly works hand-in-hand with law enforcement on Guam, our office, our prosecutors, the Guam Police Department but at the same time, because of the medical nature of it, it deals directly with the hospital, and as, you have pointed out, it literally is, an office inside the hospital. That's where they're located right now. So, my recognition that they do need strong administrative help. Dr. Aguon, who's on our board, clearly has indicated and is currently providing support services for the OCME.

So, that having been said, the cost of the taxpayers I'm kind of concerned about because to create more of a bureaucracy and the infrastructure, is where I'm kind of coming from, and I know that you are as well, Senator Taitague. So, as you're considering this with the committee and the senators, I just throw out there that we might be able to achieve the same end by putting the administrator of the hospital directly responsible. The AG's office could be, and we have five people there assigned right now to provide interim support. But you clearly have recognized there's a problem with the chief medical examiner. Hard for us to get one, to find one, and then to keep one. So to put that person in charge, I don't think that's a viable alternative right now but also to throw out there that the legislature may wanna consider giving a scholarship like it did, at University of Guam for professional technical awards for any doctor that wants to be certified as a CME, or just train the doctor from graduation forward, which is the nature of the professional technical awards, because Guam clearly

needs a preferably homegrown chief medical examiner from our own people, because we do have smart, obviously, students in our community and people that wanna make medicine a career. The chief medical examiner, I believe, is maybe a little bit more credentialing than the normal doctor. Not much, but a little bit more, and I'll let the physicians at this table discuss that further. So, thank you, Madam Chairwoman. Just kind of throwing it out there.

SENATOR TELO T. TAITAGUE, CHAIRPERSON: Thank you so much, Attorney General and, we have you put down as, support, and, we also have, DAG Gayoso who is here, no written, no oral, just here, support. Austin, always good to see you, Austin. It's also in support. And then next down the list, we have Dr. Eusebio who's here, marked in support, and you have also provided oral testimony. You may proceed, sir.

DR. RICARDO EUSEBIO, CHIEF MEDICAL OFFICER, GUAM MEMORIAL HOSPITAL

AUTHORITY: Thank you, Madam Chair. My name is Rick Eusebio. I'm the Chief Medical Officer at Guam Memorial Hospital, along with Jesse Quenga here, who is the interim administrative operations, for Guam Memorial Hospital. Dr. Aguon is off-island, and so I'm here to read her written testimony and also make some comments, later after I've read her written testimony. But I would like to read it first.

[Reads Dr. Joleen Aguon's testimony into the record]

Honorable Chairperson Telo Taitague and Members of the Committee:

Håfa Adai, I am Dr. Joleen M. Aguon, Interim Hospital Administrator and Chief Executive Officer of the Guam Memorial Hospital Authority. I am also a pulmonary and critical care physician, and by virtue of my position as GMHA Administrator, I serve as a member of the Commission on Post-Mortem Examinations.

I respectfully submit this testimony in support of Bill No. 359-38.

My support comes from seeing this issue from two sides. As a physician, I understand why the medical judgment of a Chief Medical Examiner must remain independent. As an administrator and member of the Commission, I also understand that medical expertise alone cannot carry the administrative, financial and operational responsibilities of an entire government office.

Guam's experience has shown us why that distinction matters. The Office of the Chief Medical Examiner has existed since 1971, and for much of its history Guam benefited from long periods of stability in the Chief Medical Examiner position. One Chief Medical Examiner served from 1972 to 1992, followed by another who served from 1993 to 2018.

Since that long period of continuity ended, Guam has had a much more difficult time sustaining permanent forensic pathology coverage. I do not point to that history to criticize any physician who has served in this role. It tells us something more important: we cannot design an essential public service



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Telo T. Taitague
CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
2238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

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around the assumption that Guam will always be able to recruit and retain one highly specialized physician.

When that position becomes vacant, the work does not stop. People continue to die unexpectedly. There are still suspicious deaths, traffic fatalities, unattended deaths and cases in which the cause or manner of death must be determined. Families still need answers. Law enforcement and the courts still need reliable forensic findings. Hospitals still need cases appropriately transferred and resolved.

The workload is real. In 2023 alone, the Office investigated 842 deaths and performed 75 autopsies. That is why a vacancy in this office is not simply a personnel issue. It can become an operational issue affecting multiple parts of the Government of Guam and the people those agencies serve.

I see that connection directly at GMHA. Most deaths in a hospital have an identifiable medical cause and proceed through the normal process. Some do not. When a death falls within the jurisdiction of the medical examiner, the hospital cannot simply substitute its judgment for the forensic process. We depend on a functioning system outside of the hospital to take responsibility for that case and complete the medical and legal work that follows.

The same is true for law enforcement, prosecutors, the courts and funeral homes. Most importantly, it is true for families. A family waiting to understand why someone died should not also have to bear the consequences of a vacancy, a delayed contract, a staffing shortage or an administrative process that cannot move forward.

This is why I believe Bill 359 addresses the right structural problem. It separates two very different responsibilities. The Chief Medical Examiner remains responsible for the medicolegal, forensic, scientific and medical work of the Office. The bill expressly protects independent professional judgment over death investigations, autopsies, forensic examinations and determinations of cause and manner of death.

The proposed Executive Director would manage the administrative work necessary to support that medical mission, including budgeting, personnel, procurement, contracts, facilities, equipment, grants, reporting and day-to-day operations. As both a physician and an administrator, that separation makes sense to me.

At GMHA, we do not expect a physician to personally administer every procurement, personnel action, facility requirement and contract necessary to care for patients. We build administrative systems around clinical care so clinicians can concentrate on the work that requires their training and judgment.

A forensic pathologist should likewise be able to concentrate on examining the deceased, reviewing evidence, completing reports and determining cause and manner of death.

That physician must remain involved in the medical direction of the Office. The entire administrative continuity of the Office should not depend on that physician being present. That is especially important during a vacancy.

Bill 359 provides that the absence or unavailability of a Chief Medical Examiner would not suspend the Office's administrative, fiscal, personnel, procurement, contractual or operational functions. It also provides mechanisms for temporary or supplemental forensic pathology coverage when necessary. This is where I believe Guam needs to change its approach. We should continue aggressively recruiting and retaining a permanent, qualified Chief Medical Examiner.

At the same time, we need a structure that assumes vacancies can happen and is prepared for them. A vacancy should be a personnel challenge. It should not become an operational crisis. I also support the bill's requirement for a formal continuity-of-operations plan addressing medical examiner coverage, staffing shortages, transportation, toxicology, refrigeration and storage, facilities, equipment, emergency contracting and succession of administrative authority.

At GMHA, continuity planning is part of running a hospital. Essential functions cannot stop because one person is unavailable or one system fails. We establish responsibility, maintain backup systems and plan for disruption because patients continue to arrive regardless of the circumstances. The Office of Post-Mortem Examinations performs a different mission, but the principle is the same.

Finally, I support this bill because it preserves something I consider non-negotiable as a physician: independent medical judgment. Administrative reform should strengthen the Chief

Medical Examiner's ability to practice medicine, not interfere with it. Cause and manner of death must remain determinations made by qualified medical professionals based on evidence, science and professional standards. Bill 359 expressly protects that authority.

Guam has spent years confronting the same underlying challenge: how to maintain this essential function when a highly specialized position becomes difficult to fill or sustain. We should learn from that experience. We need to stop rebuilding the Office around each vacancy and build an Office that can withstand one.

The people who depend on this system are often encountering it during one of the most difficult moments of their lives. They should be able to trust that Guam has a functioning system capable of treating their loved one with dignity, determining what happened accurately and carrying out the medical and legal responsibilities that follow a death. That requires a qualified Chief Medical Examiner. It also requires a stable organization around that physician.

For these reasons, I respectfully support Bill No. 359-38 and thank the Committee for its consideration.



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Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
2238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

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Un Dangkulu Na Si Yu'os Ma'åse'!

[End of Testimony]

SENATOR TELO T. TAITAGUE, CHAIRPERSON: You also mentioned you'd like to make some comments. Go ahead, please.

DR. RICARDO EUSEBIO, CHIEF MEDICAL OFFICER, GUAM MEMORIAL HOSPITAL

AUTHORITY: The other thing that I thought that was mentioned that was important is also that in terms of the structure of the medical examiner being under Guam Memorial Hospital, we have the emergency medical system that is also under Guam Memorial Hospital as a branch. Since the physicians there are authorized, credentialed by the hospital, this would basically be the same thing with the chief medical examiner, who's also a physician, would be under the Guam Memorial Hospital Authority, in terms of making sure that credentialing and those processes are ensured. So, I support the fact that the chief medical examiner, who is in close proximity to the hospital, is with the Guam Memorial Hospital Authority as recommended. Thank you.

SENATOR TELO T. TAITAGUE, CHAIRPERSON: Thank you so much for that. That's good information. Other than that, I'd like to recognize my colleagues who joined me. Senator Gumataotao, you have the floor at this time. Yeah, I know it's short, hopefully short. These guys came in, and then I think we do have... Oh, no, you know what, Senator? I apologize. I didn't see her back there. Johanna, come on up. While she's getting prepared to provide her testimony, we also received notice from Public Health, from Mr. Peter John. Sorry. Peter John Camacho. I'm a little under the weather right now. I'm trying to move forward with this. But yes, he said he will provide testimony and pretty much in support of it, but, with this new change. So at this time, I'd like to recognize Johanna, who has been working at the chief medical examiners for many years. You have the floor, ma'am. You're recognized.

JOHANNA BAMBA, OFFICE OF CHIEF MEDICAL EXAMINER: Thank you, Chairwoman. This is my testimony, in opposition of Bill 359.

SENATOR TELO T. TAITAGUE, CHAIRPERSON: Just move the microphone further down. Yeah. Okay, there. There you go.

JOHANNA BAMBA, OFFICE OF CHIEF MEDICAL EXAMINER: 359-38. there's only a section, otherwise, let me just go ahead.

SENATOR TELO T. TAITAGUE, CHAIRPERSON: Sure. Go ahead, please.

JOHANNA BAMBA, OFFICE OF CHIEF MEDICAL EXAMINER: *Buenas yan hãfa adai* Chairwoman, and members of the committee. I respectfully submit my testimony in opposition. Currently in the writing, the Executive Director position, is to be appointed by the commission and also, be an unclassified position. That is what I'm opposing today. I believe it should remain merit-based and, and shouldn't be an unclassified position. This is a specialized office whose work directly impacts death investigations, public health, the justice system, and families. Leadership should be selected based on qualifications, experience, and professional competence, not political considerations or outside influences. The chief medical examiner and the OCME staff must remain unbiased, nonpartisan, and free from outside influence, including influences from the commission members of the post-mortem examinations. Professional and forensic decisions must be based solely on medical evidence, scientific standards, and professional judgment, not on personal judgment or preferences. I also respectfully request that Section 1(c) be stricken.

The OCME's existing policies, procedures, and priorities are aligned with the standards of the name, the National Association of Medical Examiners, and practices followed by medical examiners and coroner's offices throughout the nation. Additionally, statutory requirements should not interfere with established professional standards or the ability of the OCME to maintain and update its policies as national standards evolve. Accountability and oversight are important, but they must not compromise the professional independence of the medical examiner and its staff. For these reasons, I'm respectfully asking the committee to at least look through the bill again and consider my testimony, because protecting the merit-based nature of the Executive Director position preserves the independence of the CME, the CME staff, and our practices and policies and procedures that we have continued to practice to today. I also wanna point out the testimonies that were given before me. I thank Attorney General Moylan, and Dr. Eusebio, Dr. Aguon for their testimony because I truly believe what they're saying is true and right for the CME office. That's all I wanted to say. Thank you for your time.

SENATOR TELO T. TAITAGUE, CHAIRPERSON: You're very welcome. Thank you, Johanna. The section that you were talking about earlier, can you give me that number?

JOHANNA BAMBA, OFFICE OF CHIEF MEDICAL EXAMINER: I'm sorry. It's Section C, item number one.

SENATOR TELO T. TAITAGUE, CHAIRPERSON: No, go section, it's either five or four or which section are you talking about?

JOHANNA BAMBA, OFFICE OF CHIEF MEDICAL EXAMINER: Subsection 81101 Commission on Post-Mortem Examinations and its letter C, the Powers and Responsibilities, item number one.

SENATOR TELO T. TAITAGUE, CHAIRPERSON: Okay. Can you give me the page? Because I'm not sure what it is... Okay, is that Section five?



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Telo T. Taitague
CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
2238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

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JOHANNA BAMBA, OFFICE OF CHIEF MEDICAL EXAMINER: Page number three.

SENATOR TELO T. TAITAGUE, CHAIRPERSON: Okay. Got it. So, it's Section two (2). Yeah, 'cause that's what I was trying to get to is what section, section two. Yeah, no problem. So, it is Section two (2), yeah, § 81101, Commission Post-Mortem Examinations. Okay. Your recommendation on this is to strike this whole section out. Okay. I'm gonna go ahead and begin questions now since I'm already asking you questions, if that's okay. And I would like to ask you a question right now with regards to that section, Establishment and Membership, Commission of Post-Mortem Examiners. Okay. So, you don't believe that there should be, at least a meeting with the commission every three months?

JOHANNA BAMBA, OFFICE OF CHIEF MEDICAL EXAMINER: Oh, yes, I do. I'm talking about item number one only.

SENATOR TELO T. TAITAGUE, CHAIRPERSON: Okay.

JOHANNA BAMBA, OFFICE OF CHIEF MEDICAL EXAMINER: Yeah, just item number one (1) below that.

SENATOR TELO T. TAITAGUE, CHAIRPERSON: Actually, it's letter C you mean, right?

JOHANNA BAMBA, OFFICE OF CHIEF MEDICAL EXAMINER: Yes.

SENATOR TELO T. TAITAGUE, CHAIRPERSON: Letter C. So, the only part in this section is, the Powers and Responsibilities, *Commission shall exercise control and supervision over the post...* Okay, this is the one? Okay. That's really all I had, with regards to that. I'm gonna ask the Attorney General a question regarding the Commission. You know, like, GEDA has a Commission, certain areas in the agency, like GVB has a board that oversees, you know, the work of the Guam Visitors Bureau, as well as other areas and because this was established, a while ago, this Commission, how important it is to maintain and why was this Commission first established to oversee the Chief Medical Examiner's office?

DOUGLAS MOYLAN, ATTORNEY GENERAL OF GUAM, OFFICE OF THE ATTORNEY GENERAL: So, the structure of government that we operate under, Executive Branch is the area that we're talking about here. And I have great respect for Johanna and her history and her contributions to the office. Whenever you have a Commission, as we have the Department of Education, you need to have full control over

the managing authorities under it. Otherwise, you're gonna have castle building that's going on. The chain of command is very important in most every organization, hence the president with his cabinet, the governor with her cabinet, and commissions being in control of individuals that are effectuating the will of the commission.

So, I do not agree that such a high position would be in control of the administrative function, and we have to understand, Madam Chairwoman, your bill is structured on the administrative function. You need to have an unclassified employee that is at the discretion of a Commission that is, appointed, I guess, pursuant to a statute. They are the ones that need full control over the subordinates that are working under them, especially an Executive Director, and that this office could conceivably have maybe 10 people with the death investigators and all the other personnel to it. So, if you don't do that, you're gonna have the taxpayers paying for the Commission members and potentially an adversarial Executive Director who feels that they're the Commission, and is not subject to removal if the Executive Director does not fulfill the directives of the commissioners.

SENATOR TELO T. TAITAGUE, CHAIRPERSON: Yeah, that's what I was going to ask you. Are there any other areas where there is a classified person sitting in an Executive director's position that is overseen by a Board or a Commission? Is there any at this time?

DOUGLAS MOYLAN, ATTORNEY GENERAL OF GUAM, OFFICE OF THE ATTORNEY GENERAL: Not that I'm aware of.

SENATOR TELO T. TAITAGUE, CHAIRPERSON: None. Okay.

DOUGLAS MOYLAN, ATTORNEY GENERAL OF GUAM, OFFICE OF THE ATTORNEY GENERAL: But in the examples that I usually look at is somehow, and for example, the chief medical examiner himself is under an at-will type of employment agreement so there's some control that's built into the system so that you don't have a rogue person that once they get into a classified service becomes the worst nightmare for the hiring authorities and in this case, the hiring authority is a commission. So, the structure of government, I would respectfully submit, requires that the administrator be under the direction of a Commission that was created. Same thing with the GMH. You know, they have control over the Administrator there. Thank you.

SENATOR TELO T. TAITAGUE, CHAIRPERSON: Mr. Attorney General, would the Commission, when deciding who sits in this position, a certain standard that's required of that individual in choosing? It's not like, you know, choosing anybody from the sky. I mean, they would have to have some kind of credentials, experience, in this position. What can we do to ensure that the Commission, when choosing an Executive Director, has certain things in place at least when making that choice?

DOUGLAS MOYLAN, ATTORNEY GENERAL OF GUAM, OFFICE OF THE ATTORNEY GENERAL: You trust the structure of the way the Commission was designed. You have the Administrator of GMH to cover the medical aspects. You have the Attorney General, the Chief of Police to cover the legal



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Telo T. Taitague
CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
2238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

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aspects of the Chief Medical Examiner and the function of the office. So, it's inherent and let's step back a moment. I actually had the opportunity to look at Dr. Espinola. He was actually an unclassified employee of the government of Guam, I believe.

So, you know, had we had the luxury of having available CMEs, I think the structure would have continued to work. But since we don't, we're having to deal with a problem. So, if the Legislature wishes to create a full-time Administrator for this office, it needs to recognize that the Commission is the controlling authority of the office.

SENATOR TELO T. TAITAGUE, CHAIRPERSON: Thank you so much for that. Dr. Eusebio, do you have anything to say on this matter?

DR. RICARDO EUSEBIO, CHIEF MEDICAL OFFICER, GUAM MEMORIAL HOSPITAL

AUTHORITY: No, I agree with Attorney Moylan in terms of the hierarchy and the structure that is being proposed. I think the focus of GMH is the medical aspects of the CME, and how to make sure that the person that is, at least the medical examiner that's performing the autopsies and everything, is fully qualified and abides by the rules and privileges of the hospital. That's it.

SENATOR TELO T. TAITAGUE, CHAIRPERSON: Thank you so much. And since I have ...

DOUGLAS MOYLAN, ATTORNEY GENERAL OF GUAM, OFFICE OF THE ATTORNEY

GENERAL: Pardon me, Madam Chairman. It was pointed out to me that 4 GCA, Section 4102, already required by Guam law that any Executive Director position be unclassified. So, there is an existing statute on it.

SENATOR TELO T. TAITAGUE, CHAIRPERSON: Okay. Thank you so much. And, Dr. Eusebio, since I have you on the microphone now, you were reading your testimony. I was following along, and it looked like you included something in there. So, on page two of your testimony, one, two, three, four. It's the fourth paragraph where you said, this is why I believe Bill 359 addresses the right structural problem. It separates two very different responsibilities, the Chief Medical Examiner, and I believe you incorporated, Executive Director. I just wanted to put it in the record that you just incorporated that in a testimony that I had. So, is that correct? It was missed.

DR. RICARDO EUSEBIO, CHIEF MEDICAL OFFICER, GUAM MEMORIAL HOSPITAL

AUTHORITY: Yes.

SENATOR TELO T. TAITAGUE, CHAIRPERSON: Okay. So just for the record, the Chief Medical Examiner and Executive Director remain responsible. Okay, I just wanted to make sure that's clear. Okay. Other than that, I'd now like to turn it over to my colleague, Senator Gumataotao. You are now recognized for any questions you may, or comments you may have.

SENATOR EULOGIO SHAWN GUMATAOTAO: Yes. Thank you, Madam Chair, and thank you, panel, for being with us this morning. 10 GCA, § 81102 authorizes the Office of Post-mortem Examinations to employ Assistant Medical Examiners, Pathologists, Toxicologists, Laboratory Technicians, Regional Medical Examiners, and other staff as the Commission may specify. I know, Attorney General, you do sit on that Commission. Can the Commission confirm if its existing authority to employ staff members, which conceivably includes an Executive Director or similar administrative position, has ever been put to good use at least, during your term? And if you're aware of it, prior to you becoming the Attorney General, or anyone else that might have any experience with the Commission over the last five years plus.

DOUGLAS MOYLAN, ATTORNEY GENERAL OF GUAM, OFFICE OF THE ATTORNEY

GENERAL: Thank you, Senator Gumataotao. I'm not aware. In the last four years, I've been in the position I'm in. So, I'd have to look at that further.

SENATOR EULOGIO SHAWN GUMATAOTAO: Now, if you can, if anyone on the panel can, any idea or status of the current CME recruitment, the salary range authorized, the number of applicants? Would this bill have changed the outcome of any prior recruitment? Anyone can answer, and I'm curious.

DOUGLAS MOYLAN, ATTORNEY GENERAL OF GUAM, OFFICE OF THE ATTORNEY

GENERAL: Well, that which I know of in the past four years, it is difficult to recruit a certified medical examiner on Guam since, the prior years. I'm informed that it's highly coveted in the United States as well, throughout the entire U.S. and territories that anyone who is a CME is being... Their prices are going up. That's what I'm understanding because the availability is not as abundant as our nation requires.

And that's why I say, the scholarship, we need to start planting the seeds for our own people, like lawyers, doctors, CME.

We really need to step back a moment and realize that take a few years, get us trained because I'm a recipient of the Professional Technical Award and I was barred in 1992, and all of us that were barred at the time, and I was one of the last on the attorneys, we've all aged out, and that's why, one of the reasons why we have a problem with lawyers on Guam because University of Guam was not being mandated to give out professional technical awards, and fund it for that matter. I don't know what's going on with the regents in terms of their funding. But to make it a mandate of the legislature, we need doctors, lawyers, and the Chief Medical Examiner, educate us. Send our people out. It'll take a few years, but we won't have this problem. We're going to continue to have this problem. We are paying a premium to be flying in people from all areas of the nation and the people of Guam, the taxpayers, need to find a longer-term solution to this problem. Thank you.



OFFICE OF SENATOR
Telo T. Taitague
CHAIRWOMAN

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Ste. 407 DNA Building
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Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

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SENATOR EULOGIO SHAWN GUMATAOTAO: Thank you. Dr. Eusebio or do you guys have any comments on that?

DR. RICARDO EUSEBIO, CHIEF MEDICAL OFFICER, GUAM MEMORIAL HOSPITAL

AUTHORITY: Recruitment is always a problem, is a long-term problem that we've had, and we've tried to approach this from, from different angles. We have now a foreign licensure bill that the legislature approved, so that's one aspect of things that we can utilize. The other way is, we have a relationship with NYIT Medical School that will help facilitate the pre-medical students from University of Guam to matriculate to their medical school, have those medical students, rotate here in Guam so that they can be exposed to the environment of what it's like to practice here in Guam. And, usually the case is that those physicians or students that practice in an area will get an idea of what it's like to practice in the area and stay there. So that's another aspect of things. We're, actively, as far as GMH is concerned, pursuing relationships with other institutions, so that physician assistants, nurse practitioners can do rotations at the hospital, so as to expose them well to the medical care here in Guam. So, we need to be able to approach it from many angles, and that's the only way we're going to be able to recruit physicians, qualified physicians to practice here. We can't, continue to put our heads in the sand and pretend that, "Oh, they'll just come." It's not going to happen. It hasn't happened. It's always been a problem, and we have to be able to proactively pursue this issue in order to be able to satisfy and meet the requirements of the people of Guam.

SENATOR EULOGIO SHAWN GUMATAOTAO: Now I know you're a medical doctor, and when you were going to med school, I'm sure you were thinking to yourself, "What do I want to do when completing?" So are you saying that as our potential med students are looking at their future, that work like a medical examiner doesn't bubble up to their radar at all?

DR. RICARDO EUSEBIO, CHIEF MEDICAL OFFICER, GUAM MEMORIAL HOSPITAL

AUTHORITY: Well, being a medical examiner is a specific specialty, and many specialists choose that specialty many times based on their personalities, based on the people that they were exposed to, develop models and, relationships of, with their professors that allow them to pursue that specialty, and engage their interest in that specialty.

Those are the things that we need. Certainly, if a medical student is interested in being able to be a pathologist, a forensic pathologist, we can initiate a rotation with them with the medical examiner, and that will help in terms of that. But again, choosing a specialty depends on your character, depends on your interest, depends on a number of factors but the one thing that will never happen is that you will never choose a specialty that you're not exposed to. And so that's what we want to do.

SENATOR EULOGIO SHAWN GUMATAOTAO: I know that that makes so much sense. Thank you for that, Doc. I only have one more question, Madam Chair. The commission includes the attorney general and the chief of police. In a death involving GPD custody or an officer-involved shooting, should those members recuse or be recused from decisions affecting the office's resources for that case? And would the commission support a statutory recusal rule?

DOUGLAS MOYLAN, ATTORNEY GENERAL OF GUAM, OFFICE OF THE ATTORNEY

GENERAL: I don't think that's necessary. I think that we all go in with good faith. I've always had complete faith during the past years. The two terms I served as the attorney general, I've never seen any chief of police, let alone attorney general, before or after me, be questioned of, interfering with the CME's, professional judgment. As licensed professionals, both the CME himself would, or herself, would be kept to the highest standards of ethical conduct, would not be jaded by a commission member, and even our, our whole, involvement is very limited. Apart from selecting the CME, I've never seen an attorney general or a chief of police call up a CME other than, "What's your findings?" So yeah. Thank you for the question. I would not recommend any changes to the current structure.

SENATOR EULOGIO SHAWN GUMATAOTAO: All right. And I'm sorry, maybe seek one last question, Madam Chair. Should the legislature consider expanding the measure to authorize classified personnel who might be interested and eligible to serve in the Executive Director role as a way to expeditiously recruit a potentially qualified individual to help organize and strengthen the office?

JESSE QUENGA, ACTING ASSOCIATE HOSPITAL ADMINISTRATOR, GUAM MEMORIAL

HOSPITAL AUTHORITY: Hafa Adai, Senator. Jesse Quenga, the acting associate hospital administrator for Guam Memorial Hospital. I do have to, concur with the earlier testimony, and directly to your question, to allow for the expedited recruitment, that is a viable option, and I'm glad you brought that up. I want to offer that there is probably a particular amendment that may wish to be included within the committee as you deliberate this bill, and that is, under page four, line two, as a continuation of the powers of the commission. It describes that the commission is to review and approve the proposed annual budget and staffing plan of the office. And one such tool that's made available to certain commissions, and particularly the Office of the Attorney General and GMHA, is a general exemption to BBMR budgetary allotment controls. That's found in 5 GCA, subsection 1303.1. An example would be that the attorney general's office and the subcommittee had identified and put together a *locum* contract for Dr. Ferguson, but that contract required, beyond the commission's action, that it be routed to BBMR for certification of funds. The bill, in its wisdom, had already contemplated that the Executive Director would manage the procurements and the contracting. I would recommend to the committee that you include an exemption to BBMR so that that office can proceed with its contracts and procurement as intended as the bill proposes.

SENATOR EULOGIO SHAWN GUMATAOTAO: All right. Thank you. Thank you, Madam Chair.



OFFICE OF SENATOR
Telo T. Taitague
CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
2238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

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SENATOR TELO T. TAITAGUE, CHAIRPERSON: Thank you, Senator Gumataotao. Just for the record, I wanted to also indicate that Dr. Ambrali... Is that how you pronounce his name? Am I doing it correctly? Dr. Ambrali? Okay. He sent in a testimony saying, apologizing [*Reads Dr. Samir Ambrale's testimony into to record*]

Dear Senator Taitague, I will not be able to attend the public hearing on Bill 359-38 due to prior clinic duties. I am in support of the bill as written. This will support the Office of the Chief Medical Examiner, ensure continuity of operations, strengthen interagency cooperations, and creation of the director position.

Respectfully, Dr. Ambrale.

And he is a member of the Commission that sits on the board as the, he is what is it? He's representing the... Ambrali represents ... Okay, the Guam Medical Society. Just wanted to put that in the record. We also received testimony from Public Health as well. And, again, it says, addressed to myself [*Reads DPHSS Testimony into the record*]:

Håfa Adai. Madam Chair, Senator Telo Taitague, members of the Committee,

I'm here to present testimony supporting Bill 359-38, relative to establishing the Executive Director of the Office of Post-Mortem Examination. We have seen a history of challenges for this office for many years, whether it be the lack of chief medical examiner, challenges in securing operational needs for the office, as well as shortage of support staff. Previously, administrative duties of leadership also rested with the Chief Medical Examiner. Bill 359-38 proposes to correct this and rightfully so. The Department of Public Health respectfully requests that this committee recommend passage by the legislative body.

Si Yu'os ma'åse,

Therese C. Arriola, Director, Department of Public Health and Social Services.

Now, there was one thing before I close, I probably will add some more discussion to this. Both the Attorney General has mentioned that maybe this office should be under Guam Memorial Hospital. Then we heard from Dr. Eusebio, you know, that he has no problem with taking on this task by putting this office there. So, number one, I did my due diligence in looking at prior jurisdictions as to where the Chief Medical Examiner lies, and it's very sporadic in the U.S. Somehow, it's its own office all by itself, you know, and it governs itself. There's a position there, and then he hires all his staff. Some areas under public health, and some areas actually under the

Attorney General's office. So, it's different throughout the U.S. So, there's no, main, reason why one would put it under one specific one more than the other. So that being said, it makes me wonder, okay, if your recommendation, if this goes under Guam Memorial Hospital, does that mean we don't need the Commission anymore, that Guam Memorial will oversee it? Or what is your foresight? Because I would definitely have to make some changes to this legislation to meet those needs. You know, to find a better way to make sure that this is continuous. We keep the continuity in there, the report, which is very important. I won't let that go. But what do you see, Attorney General? And of course, I'm going to ask the same for Dr. Eusebio.

DOUGLAS MOYLAN, ATTORNEY GENERAL OF GUAM, OFFICE OF THE ATTORNEY

GENERAL: First of all, I want to emphasize I do support this bill. So having that being said, it's an administrative bill, and we see it right now. Because of Dr. Su having left so abruptly, I sent five of my employees down there to provide administrative support to Johanna as well as to the administrator of GMH. The Administrator of GMH, Dr. Aguon went out of her way to provide as much administrative support, including to help us find a Chief Medical Examiner. If we speak just to the administrative area, there's already infrastructure that's been built in the AG's office and in the GMH. So, I would just throw it on the table, Madam Senator, Chairwoman, that they can do the job within the office of the GMH Authority. We could do the job also if the senators wish that to be done but when you just said something right now, in other jurisdictions they give it to the hospital or they give it to an Attorney General. Guam chose a hybrid of it. You had both offices helping 'cause both of us have services we need out of that OCME. So, I'm just going to leave it at that, Madam Chairwoman, for the senators and for you to discuss it 'cause from my perspective, it's costs. How much more is this going to cost us? But we still need death investigators. We still need the whole office infrastructure for them. So, after our public hearing here, I really see the merit in what you're saying here, but I throw it out there. Thank you.

SENATOR TELO T. TAITAGUE, CHAIRPERSON: Dr. Eusebio, or, please, yes, Jesse, please.

JESSE QUENGA, ACTING ASSOCIATE HOSPITAL ADMINISTRATOR, GUAM MEMORIAL

HOSPITAL AUTHORITY: If, if I may offer, Senator, and I think that's very wise that you ask this question. Perhaps the legislation can propose that the commission use the offices of like GMHA in its infancy. Until such time that the commission votes to move out and become an autonomous entity, they will continue to operate under Guam Memorial Hospital Authority. So that way GMHA can help build out, provide the infusion of administrative support, and then the commission, which is a membered body of the AG, GMH, Public Health can through majority vote, decide that we're now at a suitable place, and we're built up to a capacity that they wish to execute the power the legislature affords them, which is to become autonomous.

SENATOR TELO T. TAITAGUE, CHAIRPERSON: Okay. You concur, Dr. Eusebio?

DR. RICARDO EUSEBIO, CHIEF MEDICAL OFFICER, GUAM MEMORIAL HOSPITAL

AUTHORITY: Yes, I concur.



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SENATOR TELO T. TAITAGUE, CHAIRPERSON: Okay. Johanna? Yeah, does that sound good to you, too?

JOHANNA BAMBA, OFFICE OF CHIEF MEDICAL EXAMINER: I concur with everything that they said.

SENATOR TELO T. TAITAGUE, CHAIRPERSON: Okay. That sounds good. Okay, we're going to need some work on this legislation to make sure that we do put it in the right area, to ensure the Office of Medical Examiner continues to run even without a chief medical examiner or, and, provide definitely the equipment and the support staff that's needed because I can tell you right now, gentlemen, that I think, and Madam, that a lot of them leave because the lack of support that they have. That's the biggest issue. And even though this legislature, you know, like I said earlier, we gave them \$500,000, then we gave them an additional \$72,000, threw it their way, but nothing moved. In fact, if I'm not mistaken, if you look at their budget, that money's still sitting there doing absolutely nothing. So, we need to move on this as soon as possible. I'm going to do my best to do the, committee report on this, but I won't move unless, I talk with each and every one of you here, and go in front of the commission to discuss is this exactly how we should move in the direction and who should take this authority, who has the ability to ensure that we have an Executive Director that fits the merits, you know, of this and I'm hoping that the commission keeps that in mind, even if I have to put in legislation.

You know, I, I really don't want to, 'cause we saw what happened on the, what is it? Guam Mass Transit issue? There was a big problem there where the legislature came in and required certain requirements, and literally they couldn't fill it, and we don't want to get in that position either as well. So, I'll be working on this to try and get this out for the November session right away because it's most needed. In the meantime, we continue, Attorney General Moylan, you, continue to follow up with the current situation that we're in right now, just so the listening public knows that if you can explain what we have right now to address those who are natural causes on death, and of course, those are questionable causes. What is happening now, and are there people, you know, that you are aggressively looking at the possibility of getting them here to be.

DOUGLAS MOYLAN, ATTORNEY GENERAL OF GUAM, OFFICE OF THE ATTORNEY

GENERAL: So right now, the *locum tenens* is Dr. Brett Ferguson. He's located in Hawaii, which is a seven, eight-hour, plane trip away. The contract has been executed. The Commission has approved it. From all indications, he's doing exactly what he contracted for. A great individual. Johanna and our team there, and as well as with GMH, has been providing all the infrastructure needed for the autopsies and then the basic deaths that require paperwork. The paperwork, I understand, is being sent to him in Hawaii to take care of things where he doesn't have to come and do an autopsy or he doesn't have to be here in person. So, we're getting by. We also

have our office as well as GMH, trying to. We've listed on all the national listings for the CME. We're also using some out of the box... I believe we're on Indeed also. So, we're going everywhere that we can to let other CMEs know. There has been interest that has been sent to us. We're coordinating with Dr. Aguon at GMH to do some vetting, those sorts of things. So, we have Dr. Ishikawa and Dr. Ferguson that I understand are on contract and able to provide immediate interim services. We are looking for a full-time CME as we speak.

SENATOR TELO T. TAITAGUE, CHAIRPERSON: Still, there's no, hasn't there been any bites at this point?

DOUGLAS MOYLAN, ATTORNEY GENERAL OF GUAM, OFFICE OF THE ATTORNEY GENERAL: Just questions, but not an actual application to the people of Guam.

SENATOR TELO T. TAITAGUE, CHAIRPERSON: And what do we have as far as, you know, backlog over at the Chief Medical Examiner? Is there any backlog or everything has been updated? Oh, Johanna, you can answer that. What are we looking at over there?

JOHANNA BAMBA, OFFICE OF CHIEF MEDICAL EXAMINER: There currently isn't any backlog.

SENATOR TELO T. TAITAGUE, CHAIRPERSON: Oh, that's good news. That's very good news for everyone. Okay, thank you so much for everyone who continues to do a great job there and overseeing this. You know, I want to say Doug... I'm sorry, Attorney General Moylan, all your work on this, you are the Chairman of the OCME and I appreciate your hard work. And of course, Dr. Aguon, who has stepped into that role in ensuring that we have what we need here to address those who have passed away. And, our families are anxious to, you know, put them to rest, and that's what this office needs, the assistance and help so that we can achieve that goal to put our family to rest on this island.

So that being said, if there are no more further comments or questions, this concludes our discussion on Bill Number 359-38 (COR). My office will continue to accept written testimony on today's hearing, which may be mailed to my office at 238 Archbishop Flores Street, suite number 407 of the DNA Building, Hagåtña. You may also send your written testimony to my office via email, senatortelot@gmail.com. Thank you for your participation. Create a great day.

The time now is 11:05am, and this public hearing is now adjourned. Thank you so much, everyone. Thank you.

III. FINDINGS & RECOMMENDATIONS



OFFICE OF SENATOR
Telo T. Taitague
CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
2238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

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The Committee finds that Bill No. 359-38 addresses a problem that has become increasingly clear at the Office of Post-Mortem Examinations which is that the Chief Medical Examiner is being asked to do two very different jobs.

The CME is a highly specialized physician responsible for autopsies, death investigations, forensic examinations, and determining cause and manner of death. At the same time, the position has carried responsibility for many of the practical needs of running the Office, including staffing, procurement, contracts, equipment, supplies, budgeting, and other administrative matters.

Recent experience shows why that structure needs to change. In FY2026, OCME received \$822,999 for operations and an additional \$500,000 supplemental appropriation, for a total of \$1,322,999. The additional funding was intended to help address personnel, equipment, supplies, contractual services, and other operational needs. Yet significant funding remained available near the end of the fiscal year while the Office continued to face many of those needs.

This does not mean the funding was unnecessary. It shows that appropriating money is only part of the solution. Someone must recruit personnel, process contracts, procure equipment and supplies, manage the budget, and follow these matters through the government process. Those responsibilities should not compete with the medical work of the CME.

Bill No. 359-38 therefore establishes an Executive Director responsible for OCME's budget, personnel, procurement, contracts, facilities, equipment, supplies, and day-to-day administration.

This structure gives the CME more time to focus on death investigations, autopsies, forensic determinations, and families awaiting answers. It also provides dedicated administrative leadership to turn available funding into personnel, equipment, contracts, supplies, and services.

The bill also strengthens Commission oversight by requiring quarterly meetings, review of OCME's annual budget and staffing plan, and a written continuity-of-operations plan for vacancies, staffing shortages, facilities, equipment, and other operational needs. It makes the new Executive Director, rather than the CME, the Executive Secretary of the Commission, further separating administration from medical duties. It also establishes baseline guidance for the Commission to set eligibility and qualification standards for the Executive Director position, while preserving the CME's independent medical and forensic judgment.

Following the public hearing and further review, the Committee amended the bill to expressly place the Executive Director within the Government of Guam Executive Pay Plan (EXEC). The Department of Administration advised that a position created by statute and included within EXEC may be evaluated and assigned an appropriate compensation category. The amendment places the position in EXEC while directing DOA to evaluate its duties, responsibilities, qualifications, scope of authority, and comparable government positions to determine the appropriate grade or compensation range. This provides a clear statutory basis for the position and its compensation while leaving the actual pay determination to DOA.

The Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement hereby reports out **Bill No. 359-38(COR), As Amended-** Introduced by Telo T. Taitague/ V. Anthony Ada/ Chris Barnett/ Shelly V. Calvo/ Jesse A. Lujan/ Sabrina Salas Matanane , “ ***AN ACT TO AMEND §§ 81101, 81102, 81103, 81104, 81106 AND 81111 OF CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; TO ADD NEW §§ 81103.2 AND 81115 TO CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; AND TO AMEND THE EXECUTIVE PAY PLAN PURSUANT TO CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING AN EXECUTIVE DIRECTOR OF THE OFFICE OF POST-MORTEM EXAMINATIONS WITHIN THE EXECUTIVE PAY PLAN, STRENGTHENING ADMINISTRATIVE AND FISCAL OVERSIGHT, ENSURING CONTINUITY OF OPERATIONS, AND PRESERVING THE PROFESSIONAL INDEPENDENCE OF THE CHIEF MEDICAL EXAMINER,***” with the recommendation [TO REPORT OUT ONLY](#) .

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2026 (SECOND) Regular Session

Bill No. 359-38 (COR)

Introduced by:

Telo T. Taitague
V. Anthony Ada
Chris Barnett
Shelly V. Calvo
Jesse A. Lujan
Sabrina Salas Matanane

AN ACT TO *AMEND* §§ 81101, 81102, 81103, 81104, 81106 AND 81111 OF CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; TO *ADD* NEW §§ 81103.2 AND 81115 TO CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; RELATIVE TO ESTABLISHING AN EXECUTIVE DIRECTOR OF THE OFFICE OF POST-MORTEM EXAMINATIONS, STRENGTHENING ADMINISTRATIVE AND FISCAL OVERSIGHT, ENSURING CONTINUITY OF OPERATIONS, AND PRESERVING THE PROFESSIONAL INDEPENDENCE OF THE CHIEF MEDICAL EXAMINER.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that the Office of Post-Mortem Examinations is an essential component of Guam's public health, public safety, and criminal justice systems and is responsible for investigating deaths that include violent, suspicious, sudden, unexplained, and other deaths within its statutory jurisdiction.

I Liheslatura finds that Guam has experienced recurring periods of instability in the Office resulting from vacancies and turnover in the position of Chief Medical Examiner, difficulty recruiting and retaining qualified personnel, dependence upon

1 off-island forensic pathologists and locum-tenens services, limited administrative
2 staffing, facility and equipment deficiencies, and delays in converting appropriated
3 resources into needed personnel, contracts, equipment, and services. The existing
4 statutory structure places the Office under the control and supervision of the
5 Commission on Post-Mortem Examinations, while directing the Office through the
6 Chief Medical Examiner and assigning the Chief Medical Examiner administrative
7 responsibilities in addition to the professional, scientific, and medicolegal
8 responsibilities of the position. *I Liheslatura* finds that the Commission has relied
9 upon assistance from other government agencies and Commission members to
10 support personnel recruitment, procurement, contracting, and other administrative
11 functions necessary to maintain the operations of the Office, highlighting the need
12 for dedicated administrative capacity within the Office.

13 *I Liheslatura* further finds that the professional expertise required of a Chief
14 Medical Examiner is distinct from the administrative expertise necessary to manage
15 budgeting, procurement, personnel administration, contracts, facilities, grants,
16 reporting, and the day-to-day business operations of a government office.

17 It is therefore the intent of *I Liheslatura* to: (1) establish a permanent
18 Executive Director responsible for the administrative, fiscal, and operational
19 management of the Office of Post-Mortem Examinations; (2) maintain the Chief
20 Medical Examiner's authority and independence over medicolegal, forensic,
21 scientific, and professional medical matters; (3) place both the Executive Director
22 and Chief Medical Examiner under the control and supervision of the Commission
23 on Post-Mortem Examinations within their respective areas of responsibility; (4)
24 ensure that a vacancy, absence, incapacity, or other unavailability of the Chief
25 Medical Examiner does not prevent the Office from hiring employees, managing
26 appropriations, procuring necessary goods and services, or otherwise maintaining its
27 administrative operations; (5) strengthen the Commission's oversight through

1 regular meetings and financial and operational reporting; (6) facilitate the use of
2 existing Government of Guam administrative, medical, personnel, procurement, and
3 technical resources without transferring control of the Office to another agency; and
4 (7) establish reliable continuity-of-operations and temporary forensic pathology
5 capacity so that Guam is not required to rebuild emergency arrangements during a
6 vacancy or other unavailability of the Chief Medical Examiner.

7 **Section 2.** § 81101 of Chapter 81, Title 10, Guam Code Annotated, is
8 *amended* to read:

9 **“ § 81101. Commission on Post-Mortem Examinations.**

10 (a) Establishment and Membership. A Commission on Post-Mortem
11 Examinations is hereby established. The members of the Commission shall be the
12 Attorney General, the Chief of Police, the Director of the Department of Public
13 Health and Social Services, the President of the Guam Medical Society, and the
14 Administrator of Guam Memorial Hospital. The Commission shall elect one of its
15 members as Chairman and one as Vice-Chairman. Members of the Commission shall
16 receive no compensation but they shall be repaid their actual expenses incurred in
17 service of the Commission.

18 (b) Meetings. The Commission shall meet as often as the duties require, ~~and~~
19 ~~upon call of the Chief Medical Examiner.~~ but not less than once every three (3)
20 months. A meeting may be called by the Chairman, the Chief Medical Examiner, the
21 Executive Director, or any three (3) members of the Commission.

22 (c) Powers and Responsibilities. The Commission shall exercise control and
23 supervision over the Office of Post-Mortem Examinations and shall establish policy
24 and provide governance and oversight consistent with this Chapter. The Commission
25 shall:

26 (1) establish policies and priorities for the Office consistent with this Chapter;

1 (2) review and approve the proposed annual budget and staffing plan of the
2 Office;

3 (3) establish qualifications for positions as required pursuant to this Chapter;

4 (4) exercise appointment, designation, and approval authority expressly
5 assigned to the Commission by this Chapter or other law;

6 (5) approve interagency agreements pursuant to § 81115 of this Chapter;

7 (6) oversee the performance of the Chief Medical Examiner and Executive
8 Director; and

9 (7) exercise such other governance and oversight authority as provided by
10 law.

11 (d) Exercise of Commission Authority. Except as otherwise expressly
12 provided by law, the Commission shall exercise its authority as a body. No
13 individual member of the Commission shall independently exercise the authority of
14 the Commission or direct the Chief Medical Examiner, Executive Director, or
15 employees of the Office solely by virtue of membership on the Commission.

16 (e) Executive Secretary. The Executive Director shall serve as Executive
17 Secretary to the Commission and shall coordinate meeting notices, agendas,
18 minutes, records, reports, and the administrative implementation of actions approved
19 by the Commission.

20 (f) Protection of Independent Medical Judgment. Nothing in this Section shall
21 authorize the Commission, Executive Director, or any individual member of the
22 Commission to direct, alter, or interfere with the independent professional medical
23 judgment of the Chief Medical Examiner or another duly authorized medical
24 examiner concerning an individual death investigation, autopsy, forensic
25 examination, or determination of cause or manner of death.”

26 **Section 3.** § 81102 of Chapter 81, Title 10, Guam Code Annotated, is
27 *amended* to read:

1 **“ § 81102. Office of Post-Mortem Examinations.**

2 (a) Establishment and Supervision. The Office of Post-Mortem Examinations,
3 also known as the Office of the Chief Medical Examiner (OCME), is hereby
4 established, to be operated under the control and supervision of the Commission.
5 ~~The Office shall be directed by a Chief Medical Examiner, and may employ such~~
6 ~~assistant medical examiners, pathologists, toxicologists, laboratory technicians,~~
7 ~~regional medical examiners and other staff members as the Commission may~~
8 ~~specify.~~

9 (b) Medical and Forensic Authority. The professional medicolegal, forensic,
10 scientific, and medical functions of the Office shall be directed by the Chief Medical
11 Examiner. The Chief Medical Examiner shall exercise independent professional
12 medical judgment in the performance of such functions, including death
13 investigations, autopsies, forensic examinations, and determinations of cause and
14 manner of death.

15 (c) Administrative and Operational Authority. The administrative, fiscal,
16 personnel, and operational functions of the Office shall be directed by the Executive
17 Director pursuant to § 81103.2 of this Chapter. The Executive Director shall perform
18 such duties subject to the control and supervision of the Commission and shall have
19 no authority to interfere with or direct the independent professional medical
20 judgment of the Chief Medical Examiner or another medical examiner.

21 (d) Personnel. The Office may employ assistant medical examiners,
22 pathologists, toxicologists, laboratory technicians, regional medical examiners,
23 medicolegal death investigators, administrative personnel, morgue personnel, and
24 such other staff members as the Commission may specify, subject to applicable law
25 and the availability of appropriations.

26 (e) Qualifications and Civil Service. The Commission shall in advance of
27 appointments specify the qualifications required for each position in terms of

1 education, experience and other relevant considerations. Staff members, other than
2 the Chief Medical Examiner and the Executive Director, shall be subject to such
3 rules, as the Commission may prescribe, provided that such rules shall conform to
4 the Civil Service laws of Guam.

5 (f) Administrative Continuity. A vacancy, absence, incapacity, or other
6 unavailability of the Chief Medical Examiner shall not suspend or impair the
7 administrative, fiscal, personnel, procurement, contractual, or operational functions
8 of the Office. During such vacancy, absence, incapacity, or unavailability, the
9 Commission and Executive Director shall continue to exercise their respective
10 powers and duties pursuant to this Chapter. Nothing in this Subsection shall
11 authorize the Executive Director to exercise a power expressly reserved by law to
12 the Commission or Chief Medical Examiner.

13 (g) Continuity of Professional Medical Services. During a vacancy, absence,
14 incapacity, or other unavailability of the Chief Medical Examiner, the Commission
15 shall arrange for the continued performance of professional medical and
16 medicolegal functions necessary to maintain the operations of the Office. The
17 Commission may designate one (1) or more qualified medical examiners or
18 forensic pathologists, including through a rotating, on-call, temporary, or other
19 supplemental coverage arrangement, or may contract for such services pursuant to
20 § 81103(b) of this Chapter, as applicable, subject to applicable law and the
21 availability of appropriations.”

22 **Section 4.** § 81103 of Chapter 81, Title 10, Guam Code Annotated, is
23 *amended* to read:

24 **“ § 81103. Chief Medical Examiner.**

25 (a) The Chief Medical Examiner shall be named by the Commission to serve
26 for such term and at such salary as the Commission may fix. He may as part of his
27 duties teach medical or law school classes, conduct special classes for police

1 investigators, and engage in other activities related to the work of his office to such
2 extent and on such terms as may be authorized by the Commission. Similar
3 authorizations may be given by the Commission to other members of the staff. He
4 ~~shall serve as Secretary to the Commission.~~ The Chief Medical Examiner shall direct
5 the medicolegal, forensic, scientific, and professional medical functions of the
6 Office and shall exercise independent professional judgment in matters concerning
7 death investigations, autopsies, forensic examinations, and determinations of cause
8 and manner of death.

9 (b) Locum Tenens Exemption ~~During the Absence of the Chief Medical~~
10 ~~Examiner ;~~ Temporary and Supplemental Medical Examiner Services. The Office of
11 the Chief Medical Examiner is exempt from the government of Guam Procurement
12 Law in contracting for the professional services of a qualified medical examiner to
13 ~~be provided when the Chief Medical Examiner is absent from work.~~ or forensic
14 pathologist when:

15 (1) the position of Chief Medical Examiner is vacant;

16 (2) the Chief Medical Examiner is absent, incapacitated,
17 unavailable, or otherwise unable to perform the required services;

18 (3) additional medical examiner or forensic pathology services are
19 reasonably necessary to prevent or reduce a backlog in examinations,
20 autopsies, reports, or other professional services; or

21 (4) an emergency or extraordinary circumstance requires temporary
22 or supplemental professional coverage.

23 Contracts for temporary or supplemental medical examiner or forensic
24 pathology services authorized pursuant to this Subsection shall be subject to
25 approval by the Commission. The Executive Director may coordinate the
26 procurement, negotiation, execution, and administration of such contracts in
27 accordance with applicable law and Commission approval.

1 Contracts authorized pursuant to this Subsection may include standing, on-
2 call, regional, or multi-year arrangements, subject to the availability of
3 appropriations and applicable fiscal-control requirements. The exemption provided
4 by this Subsection shall apply only to the procurement of professional medical
5 examiner or forensic pathology services and shall not exempt the Office from
6 procurement requirements applicable to other goods or services.”

7 **Section 5.** A new § 81103.2 is hereby *added* to Chapter 81, Title 10, Guam
8 Code Annotated, to read:

9 **“ § 81103.2. Executive Director.**

10 (a) Establishment. There is hereby established within the Office of Post-
11 Mortem Examinations the position of Executive Director.

12 (b) Appointment and Accountability. The Executive Director shall be
13 appointed by the Commission and shall serve at the pleasure of the Commission.
14 The Executive Director shall report and be accountable to the Commission as a body
15 and shall not be under the exclusive supervision or control of any individual member
16 of the Commission or any department, agency, instrumentality, or public corporation
17 represented on the Commission.

18 (c) Employment Status. The Executive Director shall be in the unclassified
19 service pursuant to applicable law.

20 (d) Qualifications. The Commission shall establish the minimum
21 qualifications for the Executive Director prior to recruitment. Such qualifications
22 shall be commensurate with the duties, responsibilities, and level of authority of
23 the position. In establishing the minimum and preferred qualifications, the
24 Commission shall consider, as appropriate, education, professional experience,
25 executive or management experience, and demonstrated knowledge or experience
26 in the following areas:

27 (1) government or organizational administration and management;

1 (2) budgeting and financial management;
2 (3) procurement and contract administration;
3 (4) personnel and human resources administration;
4 (5) grants or federal program administration;
5 (6) interagency coordination;
6 (7) facilities, equipment, and continuity-of-operations management;
7 and
8 (8) healthcare, public safety, forensic, medicolegal, or other operations
9 relevant to the functions of the office.

10 The Commission may establish additional qualifications, preferred
11 qualifications, education or experience requirements, and other standards it
12 determines necessary for the effective administration of the Office. The Executive
13 Director shall not be required to be a physician or other licensed medical
14 professional.

15 (e) Compensation. The Executive Director shall be compensated at a rate
16 established in accordance with the applicable provisions of Chapter 6, Title 4, Guam
17 Code Annotated. The Department of Administration shall evaluate the position
18 based upon its duties, responsibilities, qualifications, scope of authority, the pay plan
19 and pay grade recommended by the Commission, and comparable government of
20 Guam executive positions and shall assign the position to the appropriate pay grade
21 or compensation range authorized by law.

22 (f) Powers and Duties. Except for matters expressly reserved by law to the
23 Commission or Chief Medical Examiner, the Executive Director shall be responsible
24 for the day-to-day administrative, fiscal, personnel, procurement, contractual, and
25 operational management of the Office, in accordance with applicable law and
26 policies established by the Commission. The Executive Director shall:

1 (1) serve as Executive Secretary to the Commission and implement the
2 policies, directives, and administrative actions approved by the Commission;

3 (2) prepare the proposed annual budget and staffing plan for approval by the
4 Commission and oversee the administration of appropriations, allotments,
5 expenditures, revenues, and other funds lawfully available to the Office;

6 (3) oversee personnel administration, including recruitment, staffing,
7 employee management, and the processing and administration of personnel actions,
8 consistent with applicable Civil Service laws and the authority reserved to the
9 Commission;

10 (4) oversee procurement and the administration of contracts, grants, and other
11 agreements in accordance with applicable law, and execute, on behalf of the Office,
12 contracts, procurement documents, grant documents, fiscal documents, and other
13 administrative instruments within the authority of the Office, including agreements
14 approved by the Commission pursuant to this Chapter, subject to all applicable
15 procurement, fiscal, and other requirements of law;

16 (5) oversee the administrative and operational needs of the Office, including
17 facilities, equipment, vehicles, information systems, supplies, property and other
18 resources necessary for its operations;

19 (6) coordinate the administrative aspects of recruitment, contracting,
20 credentialing, and other support necessary for medical, forensic, and other
21 professional services, in consultation with the Chief Medical Examiner and
22 Commission, as applicable;

23 (7) develop and coordinate interagency agreements and other cooperative
24 arrangements pursuant to § 81115 of this Chapter for approval by the Commission,
25 and oversee their implementation and administration;

1 (8) prepare and submit financial, staffing, operational, and other reports
2 required by law or the Commission, and timely advise the Commission of material
3 deficiencies or needs affecting the Office;

4 (9) develop and maintain the continuity-of-operations plan required by §
5 81115 of this Chapter, in consultation with the Chief Medical Examiner and subject
6 to approval by the Commission; and

7 (10) perform such other non-medical administrative and operational duties as
8 may be required by law or assigned by the Commission consistent with this
9 Chapter.”

10 **Section 6.** § 81104 of Chapter 81, Title 10, Guam Code Annotated, is
11 *amended* to read:

12 **“ § 81104. Deaths to Be Investigated.**

13 The Office of Post-Mortem Examinations shall investigate all human deaths
14 ~~providing such deaths when,~~ in the opinion of the Chief Medical Examiner or a
15 qualified medical examiner or forensic pathologist duly designated by the
16 Commission pursuant to § 81102(g) of this Chapter, such deaths arose from the
17 following causes:

18 (a) Violent deaths, whether apparently homicidal, suicidal or accidental,
19 including but not limited to deaths due to thermal, chemical, electrical or radiational
20 injury, and deaths due to criminal abortion, whether apparently self-induced or not;

21 (b) Sudden deaths not caused by readily recognizable disease;

22 (c) Deaths under suspicious circumstances;

23 (d) Deaths of persons whose bodies are to be cremated, dissected, buried at
24 sea, or otherwise disposed of so as to be thereafter unavailable for examinations.”

25 **Section 7.** § 81106 of Chapter 81, Title 10, Guam Code Annotated, is
26 *amended* to read:

27 **“ § 81106. Same: Traffic Deaths.**

1 In the event a person who was driving the car dies within four (4) hours as a
2 result of a traffic_accident_related injury from the time of its occurrence and there is
3 reasonable cause to believe that such person was driving under the influence of
4 alcohol, a blood sample will be immediately obtained under the supervision of the
5 Chief Medical Examiner or a qualified medical examiner or forensic pathologist
6 duly designated by the Commission pursuant to § 81102(g) of this Chapter for the
7 purpose of determining the blood alcohol level of the deceased person which blood
8 analysis test is to be conducted by or under the supervision and direction of the Chief
9 Medical Examiner or such duly designated qualified medical examiner or forensic
10 pathologist. The results of the test ~~are to~~ shall be provided to the Guam Police
11 Department.”

12 **Section 8.** § 81111 of Chapter 81, Title 10, Guam Code Annotated, is
13 *amended* to read:

14 **“ § 81111. Records as Evidence.**

15 The records of the Office of Post-Mortem Examinations, or transcripts thereof
16 certified by the Chief Medical Examiner or, during a vacancy, absence, incapacity,
17 or other unavailability of the Chief Medical Examiner, by a qualified medical
18 examiner duly designated by the Commission pursuant to § 81102(g) of this Chapter,
19 are admissible in evidence in any court of Guam, except that statements by witnesses
20 or other persons and conclusions upon extraneous matters are not hereby made
21 admissible. The person preparing a report or record given in evidence hereunder may
22 be subpoenaed as a witness, in any civil or criminal case, by any party to the cause.”

23 **Section 9.** A new § 81115 is hereby *added* to Chapter 81, Title 10, Guam
24 Code Annotated, to read:

25 **“ § 81115. Administrative Support; Interagency Agreements; Continuity**
26 **of Operations.**

1 (a) The Commission may approve memoranda of understanding, interagency
2 service agreements, cooperative agreements, or other lawful arrangements with
3 government entities for administrative, legal, medical, forensic, fiscal, personnel,
4 procurement, technical, logistical, or operational support necessary or appropriate
5 for the Office. The Executive Director may develop and negotiate such agreements
6 for consideration by the Commission and, upon approval, shall coordinate their
7 implementation and administration. Such agreements may include agreements with
8 the Office of the Attorney General, Guam Police Department, Guam Fire
9 Department, Guam Memorial Hospital Authority, Department of Public Health and
10 Social Services, Department of Administration, Bureau of Budget and Management
11 Research, and other government of Guam, federal, regional, or other governmental
12 entities, consistent with their respective statutory authority.

13 (b) An agreement entered into pursuant to this Section shall identify, as
14 applicable, the services and responsibilities of the parties; funding, reimbursement,
15 or cost-sharing obligations; responsibility for personnel, property, records, facilities,
16 or equipment; and the duration and terms of the agreement.

17 (c) No agreement under this Section shall transfer the statutory control or
18 supervision of the Office from the Commission, alter or interfere with the
19 professional medical authority or independent professional medical judgment of the
20 Chief Medical Examiner, or require an assisting entity to permanently assume a
21 function assigned by law to the Office. Personnel provided by another agency shall
22 remain employees of that agency unless otherwise provided by law. Interagency
23 support may supplement the staffing and operational capacity of the Office,
24 including through shared-service arrangements approved by the Commission.

25 (d) The Executive Director, in consultation with the Chief Medical Examiner
26 and subject to approval by the Commission, shall develop and maintain a written

1 continuity-of-operations plan addressing reasonably foreseeable circumstances that
2 may materially interrupt the operations of the Office, including:

3 (1) vacancy, absence, incapacity, or other unavailability of the Chief
4 Medical Examiner and temporary or off-island forensic pathology coverage;

5 (2) staffing shortages and continuity of administrative and death
6 investigation functions;

7 (3) transportation, forensic laboratory, toxicology, refrigeration,
8 storage, facility, equipment, and other critical operational needs; and

9 (4) emergency procurement, contractual arrangements, and succession
10 of administrative authority.

11 The Commission shall review the continuity-of-operations plan at least
12 annually and may require revisions as necessary.

13 (e) Nothing in this Section shall limit or supersede the duties or authority
14 established pursuant to §§ 81107 and 81108 of this Chapter.”

15 **Section 10. Rules and Regulations.** The Commission on Post-Mortem
16 Examinations shall review and update its rules and regulations, as necessary, to
17 ensure consistency with this Act, in accordance with the Administrative
18 Adjudication Law.

19 **Section 11. Effective Date.** This Act shall take effect upon enactment.

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2026 (SECOND) Regular Session

Bill No. 359-38 (COR)

As Amended by the Committee on Economic Investment,
Military Buildup, Regional Relations, Technology, Regulatory Affairs,
Justice, Elections, and Retirement

Introduced by:

Telo T. Taitague
V. Anthony Ada
Chris Barnett
Shelly V. Calvo
Jesse A. Lujan
Sabrina Salas Mantanane

AN ACT TO *AMEND* §§ 81101, 81102, 81103, 81104, 81106 AND 81111 OF CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; TO *ADD* NEW §§ 81103.2 AND 81115 TO CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; AND TO *AMEND* THE EXECUTIVE PAY PLAN PURSUANT TO CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING AN EXECUTIVE DIRECTOR OF THE OFFICE OF POST-MORTEM EXAMINATIONS WITHIN THE EXECUTIVE PAY PLAN, STRENGTHENING ADMINISTRATIVE AND FISCAL OVERSIGHT, ENSURING CONTINUITY OF OPERATIONS, AND PRESERVING THE PROFESSIONAL INDEPENDENCE OF THE CHIEF MEDICAL EXAMINER.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that
3 the Office of Post-Mortem Examinations is an essential component of Guam's public
4 health, public safety, and criminal justice systems and is responsible for
5 investigating deaths that include violent, suspicious, sudden, unexplained, and other
6 deaths within its statutory jurisdiction.

1 *I Liheslatura* finds that Guam has experienced recurring periods of instability
2 in the Office resulting from vacancies and turnover in the position of Chief Medical
3 Examiner, difficulty recruiting and retaining qualified personnel, dependence upon
4 off-island forensic pathologists and locum-tenens services, limited administrative
5 staffing, facility and equipment deficiencies, and delays in converting appropriated
6 resources into needed personnel, contracts, equipment, and services. The existing
7 statutory structure places the Office under the control and supervision of the
8 Commission on Post-Mortem Examinations, while directing the Office through the
9 Chief Medical Examiner and assigning the Chief Medical Examiner administrative
10 responsibilities in addition to the professional, scientific, and medicolegal
11 responsibilities of the position. *I Liheslatura* finds that the Commission has relied
12 upon assistance from other government agencies and Commission members to
13 support personnel recruitment, procurement, contracting, and other administrative
14 functions necessary to maintain the operations of the Office, highlighting the need
15 for dedicated administrative capacity within the Office.

16 *I Liheslatura* finds that the professional expertise required of a Chief Medical
17 Examiner is distinct from the administrative expertise necessary to manage
18 budgeting, procurement, personnel administration, contracts, facilities, grants,
19 reporting, and the day-to-day business operations of a government office.

20 *I Liheslatura* further finds that the scope of responsibility, management
21 authority, and accountability assigned to the Executive Director are executive in
22 nature and warrant placement of the position within the government of Guam
23 Executive Pay Plan (EXEC), at a grade commensurate with the duties and
24 responsibilities of the position.

25 It is therefore the intent of *I Liheslatura* to: (1) establish a permanent
26 Executive Director responsible for the administrative, fiscal, and operational
27 management of the Office of Post-Mortem Examinations; (2) maintain the Chief

1 Medical Examiner's authority and independence over medicolegal, forensic,
2 scientific, and professional medical matters; (3) place both the Executive Director
3 and Chief Medical Examiner under the control and supervision of the Commission
4 on Post-Mortem Examinations within their respective areas of responsibility; (4)
5 ensure that a vacancy, absence, incapacity, or other unavailability of the Chief
6 Medical Examiner does not prevent the Office from hiring employees, managing
7 appropriations, procuring necessary goods and services, or otherwise maintaining its
8 administrative operations; (5) strengthen the Commission's oversight through
9 regular meetings and financial and operational reporting; (6) facilitate the use of
10 existing Government of Guam administrative, medical, personnel, procurement, and
11 technical resources without transferring control of the Office to another agency; and
12 (7) establish reliable continuity-of-operations and temporary forensic pathology
13 capacity so that Guam is not required to rebuild emergency arrangements during a
14 vacancy or other unavailability of the Chief Medical Examiner.

15 **Section 2.** § 81101 of Chapter 81, Title 10, Guam Code Annotated, is
16 *amended* to read:

17 **“ § 81101. Commission on Post-Mortem Examinations.**

18 (a) Establishment and Membership. A Commission on Post-Mortem
19 Examinations is hereby established. The members of the Commission shall be the
20 Attorney General, the Chief of Police, the Director of the Department of Public
21 Health and Social Services, the President of the Guam Medical Society, and the
22 Administrator of Guam Memorial Hospital. The Commission shall elect one of its
23 members as Chairman and one as Vice-Chairman. Members of the Commission shall
24 receive no compensation but they shall be repaid their actual expenses incurred in
25 service of the Commission.

26 (b) Meetings. The Commission shall meet as often as the duties require, ~~and~~
27 ~~upon call of the Chief Medical Examiner.~~ but not less than once every three (3)

1 months. A meeting may be called by the Chairman, the Chief Medical Examiner, the
2 Executive Director, or any three (3) members of the Commission.

3 (c) Powers and Responsibilities. The Commission shall exercise control and
4 supervision over the Office of Post-Mortem Examinations and shall establish policy
5 and provide governance and oversight consistent with this Chapter. The Commission
6 shall:

7 (1) establish policies and priorities for the Office consistent with this Chapter;

8 (2) review and approve the proposed annual budget and staffing plan of the
9 Office;

10 (3) establish qualifications for positions as required pursuant to this Chapter;

11 (4) exercise appointment, designation, and approval authority expressly
12 assigned to the Commission by this Chapter or other law;

13 (5) approve interagency agreements pursuant to § 81115 of this Chapter;

14 (6) oversee the performance of the Chief Medical Examiner and Executive
15 Director; and

16 (7) exercise such other governance and oversight authority as provided by
17 law.

18 (d) Exercise of Commission Authority. Except as otherwise expressly
19 provided by law, the Commission shall exercise its authority as a body. No
20 individual member of the Commission shall independently exercise the authority of
21 the Commission or direct the Chief Medical Examiner, Executive Director, or
22 employees of the Office solely by virtue of membership on the Commission.

23 (e) Executive Secretary. The Executive Director shall serve as Executive
24 Secretary to the Commission and shall coordinate meeting notices, agendas,
25 minutes, records, reports, and the administrative implementation of actions approved
26 by the Commission.

1 (f) Protection of Independent Medical Judgment. Nothing in this Section shall
2 authorize the Commission, Executive Director, or any individual member of the
3 Commission to direct, alter, or interfere with the independent professional medical
4 judgment of the Chief Medical Examiner or another duly authorized medical
5 examiner concerning an individual death investigation, autopsy, forensic
6 examination, or determination of cause or manner of death.”

7 **Section 3.** § 81102 of Chapter 81, Title 10, Guam Code Annotated, is
8 *amended* to read:

9 **“ § 81102. Office of Post-Mortem Examinations.**

10 (a) Establishment and Supervision. The Office of Post-Mortem Examinations,
11 also known as the Office of the Chief Medical Examiner (OCME), is hereby
12 established, to be operated under the control and supervision of the Commission.
13 ~~The Office shall be directed by a Chief Medical Examiner, and may employ such~~
14 ~~assistant medical examiners, pathologists, toxicologists, laboratory technicians,~~
15 ~~regional medical examiners and other staff members as the Commission may~~
16 ~~specify.~~

17 (b) Medical and Forensic Authority. The professional medicolegal, forensic,
18 scientific, and medical functions of the Office shall be directed by the Chief Medical
19 Examiner. The Chief Medical Examiner shall exercise independent professional
20 medical judgment in the performance of such functions, including death
21 investigations, autopsies, forensic examinations, and determinations of cause and
22 manner of death.

23 (c) Administrative and Operational Authority. The administrative, fiscal,
24 personnel, and operational functions of the Office shall be directed by the Executive
25 Director pursuant to § 81103.2 of this Chapter. The Executive Director shall perform
26 such duties subject to the control and supervision of the Commission and shall have

1 no authority to interfere with or direct the independent professional medical
2 judgment of the Chief Medical Examiner or another medical examiner.

3 (d) Personnel. The Office may employ assistant medical examiners,
4 pathologists, toxicologists, laboratory technicians, regional medical examiners,
5 medicolegal death investigators, administrative personnel, morgue personnel, and
6 such other staff members as the Commission may specify, subject to applicable law
7 and the availability of appropriations.

8 (e) Qualifications and Civil Service. The Commission shall in advance of
9 appointments specify the qualifications required for each position in terms of
10 education, experience and other relevant considerations. Staff members, other than
11 the Chief Medical Examiner and the Executive Director, shall be subject to such
12 rules, as the Commission may prescribe, provided that such rules shall conform to
13 the Civil Service laws of Guam.

14 (f) Administrative Continuity. A vacancy, absence, incapacity, or other
15 unavailability of the Chief Medical Examiner shall not suspend or impair the
16 administrative, fiscal, personnel, procurement, contractual, or operational functions
17 of the Office. During such vacancy, absence, incapacity, or unavailability, the
18 Commission and Executive Director shall continue to exercise their respective
19 powers and duties pursuant to this Chapter. Nothing in this Subsection shall
20 authorize the Executive Director to exercise a power expressly reserved by law to
21 the Commission or Chief Medical Examiner.

22 (g) Continuity of Professional Medical Services. During a vacancy, absence,
23 incapacity, or other unavailability of the Chief Medical Examiner, the Commission
24 shall arrange for the continued performance of professional medical and
25 medicolegal functions necessary to maintain the operations of the Office. The
26 Commission may designate one (1) or more qualified medical examiners or
27 forensic pathologists, including through a rotating, on-call, temporary, or other

1 supplemental coverage arrangement, or may contract for such services pursuant to
2 § 81103(b) of this Chapter, as applicable, subject to applicable law and the
3 availability of appropriations.”

4 **Section 4.** § 81103 of Chapter 81, Title 10, Guam Code Annotated, is
5 *amended* to read:

6 **“ § 81103. Chief Medical Examiner.**

7 (a) The Chief Medical Examiner shall be named by the Commission to serve
8 for such term and at such salary as the Commission may fix. He may as part of his
9 duties teach medical or law school classes, conduct special classes for police
10 investigators, and engage in other activities related to the work of his office to such
11 extent and on such terms as may be authorized by the Commission. Similar
12 authorizations may be given by the Commission to other members of the staff. ~~He~~
13 ~~shall serve as Secretary to the Commission.~~ The Chief Medical Examiner shall direct
14 the medicolegal, forensic, scientific, and professional medical functions of the
15 Office and shall exercise independent professional judgment in matters concerning
16 death investigations, autopsies, forensic examinations, and determinations of cause
17 and manner of death.

18 (b) Locum Tenens Exemption ~~During the Absence of the Chief Medical~~
19 ~~Examiner ;~~ Temporary and Supplemental Medical Examiner Services. The Office of
20 the Chief Medical Examiner is exempt from the government of Guam Procurement
21 Law in contracting for the professional services of a qualified medical examiner ~~to~~
22 ~~be provided when the Chief Medical Examiner is absent from work.~~ or forensic
23 pathologist when:

- 24 (1) the position of Chief Medical Examiner is vacant;
25 (2) the Chief Medical Examiner is absent, incapacitated,
26 unavailable, or otherwise unable to perform the required services;

1 (3) additional medical examiner or forensic pathology services are
2 reasonably necessary to prevent or reduce a backlog in examinations,
3 autopsies, reports, or other professional services; or

4 (4) an emergency or extraordinary circumstance requires temporary
5 or supplemental professional coverage.

6 Contracts for temporary or supplemental medical examiner or forensic
7 pathology services authorized pursuant to this Subsection shall be subject to
8 approval by the Commission. The Executive Director may coordinate the
9 procurement, negotiation, execution, and administration of such contracts in
10 accordance with applicable law and Commission approval.

11 Contracts authorized pursuant to this Subsection may include standing, on-
12 call, regional, or multi-year arrangements, subject to the availability of
13 appropriations and applicable fiscal-control requirements. The exemption provided
14 by this Subsection shall apply only to the procurement of professional medical
15 examiner or forensic pathology services and shall not exempt the Office from
16 procurement requirements applicable to other goods or services.”

17 **Section 5.** A new § 81103.2 is hereby *added* to Chapter 81, Title 10, Guam
18 Code Annotated, to read:

19 **“ § 81103.2. Executive Director.**

20 (a) Establishment. There is hereby established within the Office of Post-
21 Mortem Examinations the position of Executive Director.

22 (b) Appointment and Accountability. The Executive Director shall be
23 appointed by the Commission and shall serve at the pleasure of the Commission.
24 The Executive Director shall report and be accountable to the Commission as a body
25 and shall not be under the exclusive supervision or control of any individual member
26 of the Commission or any department, agency, instrumentality, or public corporation
27 represented on the Commission.

1 (c) Employment Status. The Executive Director shall be in the unclassified
2 service pursuant to applicable law.

3 (d) Qualifications. The Commission shall establish the minimum
4 qualifications for the Executive Director prior to recruitment. Such qualifications
5 shall be commensurate with the duties, responsibilities, and level of authority of
6 the position. In establishing the minimum and preferred qualifications, the
7 Commission shall consider, as appropriate, education, professional experience,
8 executive or management experience, and demonstrated knowledge or experience
9 in the following areas:

10 (1) government or organizational administration and management;

11 (2) budgeting and financial management;

12 (3) procurement and contract administration;

13 (4) personnel and human resources administration;

14 (5) grants or federal program administration;

15 (6) interagency coordination;

16 (7) facilities, equipment, and continuity-of-operations management;

17 and

18 (8) healthcare, public safety, forensic, medicolegal, or other operations
19 relevant to the functions of the office.

20 The Commission may establish additional qualifications, preferred
21 qualifications, education or experience requirements, and other standards it
22 determines necessary for the effective administration of the Office. The Executive
23 Director shall not be required to be a physician or other licensed medical
24 professional.

25 (e) Compensation. The Executive Director shall be compensated pursuant to
26 the Executive Pay Plan (EXEC) established in accordance with the applicable
27 provisions of Chapter 6, Title 4, Guam Code Annotated. The Department of

1 Administration shall evaluate the position based upon its duties, responsibilities,
2 qualifications, scope of authority, comparable government of Guam executive
3 positions and shall assign the position to the appropriate Executive Pay Plan grade
4 or compensation range authorized by law.

5 (f) Powers and Duties. Except for matters expressly reserved by law to the
6 Commission or Chief Medical Examiner, the Executive Director shall be responsible
7 for the day-to-day administrative, fiscal, personnel, procurement, contractual, and
8 operational management of the Office, in accordance with applicable law and
9 policies established by the Commission. The Executive Director shall:

10 (1) serve as Executive Secretary to the Commission and implement the
11 policies, directives, and administrative actions approved by the Commission;

12 (2) prepare the proposed annual budget and staffing plan for approval by the
13 Commission and oversee the administration of appropriations, allotments,
14 expenditures, revenues, and other funds lawfully available to the Office;

15 (3) oversee personnel administration, including recruitment, staffing,
16 employee management, and the processing and administration of personnel actions,
17 consistent with applicable Civil Service laws and the authority reserved to the
18 Commission;

19 (4) oversee procurement and the administration of contracts, grants, and other
20 agreements in accordance with applicable law, and execute, on behalf of the Office,
21 contracts, procurement documents, grant documents, fiscal documents, and other
22 administrative instruments within the authority of the Office, including agreements
23 approved by the Commission pursuant to this Chapter, subject to all applicable
24 procurement, fiscal, and other requirements of law;

25 (5) oversee the administrative and operational needs of the Office, including
26 facilities, equipment, vehicles, information systems, supplies, property and other
27 resources necessary for its operations;

1 (6) coordinate the administrative aspects of recruitment, contracting,
2 credentialing, and other support necessary for medical, forensic, and other
3 professional services, in consultation with the Chief Medical Examiner and
4 Commission, as applicable;

5 (7) develop and coordinate interagency agreements and other cooperative
6 arrangements pursuant to § 81115 of this Chapter for approval by the Commission,
7 and oversee their implementation and administration;

8 (8) prepare and submit financial, staffing, operational, and other reports
9 required by law or the Commission, and timely advise the Commission of material
10 deficiencies or needs affecting the Office;

11 (9) develop and maintain the continuity-of-operations plan required by §
12 81115 of this Chapter, in consultation with the Chief Medical Examiner and subject
13 to approval by the Commission; and

14 (10) perform such other non-medical administrative and operational duties as
15 may be required by law or assigned by the Commission consistent with this
16 Chapter.”

17 **Section 6.** § 81104 of Chapter 81, Title 10, Guam Code Annotated, is
18 *amended* to read:

19 **“ § 81104. Deaths to Be Investigated.**

20 The Office of Post-Mortem Examinations shall investigate all human deaths
21 ~~providing such deaths when,~~ in the opinion of the Chief Medical Examiner or a
22 qualified medical examiner or forensic pathologist duly designated by the
23 Commission pursuant to § 81102(g) of this Chapter, such deaths arose from the
24 following causes:

25 (a) Violent deaths, whether apparently homicidal, suicidal or accidental,
26 including but not limited to deaths due to thermal, chemical, electrical or radiational
27 injury, and deaths due to criminal abortion, whether apparently self-induced or not;

1 (b) Sudden deaths not caused by readily recognizable disease;

2 (c) Deaths under suspicious circumstances;

3 (d) Deaths of persons whose bodies are to be cremated, dissected, buried at
4 sea, or otherwise disposed of so as to be thereafter unavailable for examinations.”

5 **Section 7.** § 81106 of Chapter 81, Title 10, Guam Code Annotated, is
6 *amended* to read:

7 “**§ 81106. Same: Traffic Deaths.**

8 In the event a person who was driving the car dies within four (4) hours as a
9 result of a traffic_accident_related injury from the time of its occurrence and there is
10 reasonable cause to believe that such person was driving under the influence of
11 alcohol, a blood sample will be immediately obtained under the supervision of the
12 Chief Medical Examiner or a qualified medical examiner or forensic pathologist
13 duly designated by the Commission pursuant to § 81102(g) of this Chapter for the
14 purpose of determining the blood alcohol level of the deceased person which blood
15 analysis test is to be conducted by or under the supervision and direction of the Chief
16 Medical Examiner or such duly designated qualified medical examiner or forensic
17 pathologist. The results of the test ~~are to~~ shall be provided to the Guam Police
18 Department.”

19 **Section 8.** § 81111 of Chapter 81, Title 10, Guam Code Annotated, is
20 *amended* to read:

21 “**§ 81111. Records as Evidence.**

22 The records of the Office of Post-Mortem Examinations, or transcripts thereof
23 certified by the Chief Medical Examiner or, during a vacancy, absence, incapacity,
24 or other unavailability of the Chief Medical Examiner, by a qualified medical
25 examiner duly designated by the Commission pursuant to § 81102(g) of this Chapter,
26 are admissible in evidence in any court of Guam, except that statements by witnesses
27 or other persons and conclusions upon extraneous matters are not hereby made

1 admissible. The person preparing a report or record given in evidence hereunder may
2 be subpoenaed as a witness, in any civil or criminal case, by any party to the cause.”

3 **Section 9.** A new § 81115 is hereby *added* to Chapter 81, Title 10, Guam
4 Code Annotated, to read:

5 **“ § 81115. Administrative Support; Interagency Agreements; Continuity**
6 **of Operations.**

7 (a) The Commission may approve memoranda of understanding, interagency
8 service agreements, cooperative agreements, or other lawful arrangements with
9 government entities for administrative, legal, medical, forensic, fiscal, personnel,
10 procurement, technical, logistical, or operational support necessary or appropriate
11 for the Office. The Executive Director may develop and negotiate such agreements
12 for consideration by the Commission and, upon approval, shall coordinate their
13 implementation and administration. Such agreements may include agreements with
14 the Office of the Attorney General, Guam Police Department, Guam Fire
15 Department, Guam Memorial Hospital Authority, Department of Public Health and
16 Social Services, Department of Administration, Bureau of Budget and Management
17 Research, and other government of Guam, federal, regional, or other governmental
18 entities, consistent with their respective statutory authority.

19 (b) An agreement entered into pursuant to this Section shall identify, as
20 applicable, the services and responsibilities of the parties; funding, reimbursement,
21 or cost-sharing obligations; responsibility for personnel, property, records, facilities,
22 or equipment; and the duration and terms of the agreement.

23 (c) No agreement under this Section shall transfer the statutory control or
24 supervision of the Office from the Commission, alter or interfere with the
25 professional medical authority or independent professional medical judgment of the
26 Chief Medical Examiner, or require an assisting entity to permanently assume a
27 function assigned by law to the Office. Personnel provided by another agency shall

1 remain employees of that agency unless otherwise provided by law. Interagency
2 support may supplement the staffing and operational capacity of the Office,
3 including through shared-service arrangements approved by the Commission.

4 (d) The Executive Director, in consultation with the Chief Medical Examiner
5 and subject to approval by the Commission, shall develop and maintain a written
6 continuity-of-operations plan addressing reasonably foreseeable circumstances that
7 may materially interrupt the operations of the Office, including:

8 (1) vacancy, absence, incapacity, or other unavailability of the Chief
9 Medical Examiner and temporary or off-island forensic pathology coverage;

10 (2) staffing shortages and continuity of administrative and death
11 investigation functions;

12 (3) transportation, forensic laboratory, toxicology, refrigeration,
13 storage, facility, equipment, and other critical operational needs; and

14 (4) emergency procurement, contractual arrangements, and succession
15 of administrative authority.

16 The Commission shall review the continuity-of-operations plan at least
17 annually and may require revisions as necessary.

18 (e) Nothing in this Section shall limit or supersede the duties or authority
19 established pursuant to §§ 81107 and 81108 of this Chapter.”

20 **Section 10. Rules and Regulations.** The Commission on Post-Mortem
21 Examinations shall review and update its rules and regulations, as necessary, to
22 ensure consistency with this Act, in accordance with the Administrative
23 Adjudication Law.

24 **Section 11. Executive Pay Plan.** The Executive Pay Plan (EXEC), as
25 established pursuant to the Government of Guam Competitive Wage Act of 2014
26 and applicable law, is hereby amended to include the following position:

1 “Executive Director (Office of Post-Mortem Examinations/Office of the
2 Chief Medical Examiner)”

3 **Section 12. Effective Date.** This Act shall take effect upon enactment.

COMMITTEE MARKUP VERSION

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÁHAN
2026 (SECOND) Regular Session

Bill No. 359-38 (COR)

As Amended by the Committee on Economic Investment,
Military Buildup, Regional Relations, Technology, Regulatory Affairs,
Justice, Elections, and Retirement

Introduced by:

Telo T. Taitague
V. Anthony Ada
Chris Barnett
Shelly V. Calvo
Jesse A. Lujan
Sabrina Salas Mantanane

AN ACT TO *AMEND* §§ 81101, 81102, 81103, 81104, 81106 AND 81111 OF CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; TO *ADD* NEW §§ 81103.2 AND 81115 TO CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; AND TO *AMEND* THE EXECUTIVE PAY PLAN PURSUANT TO CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING AN EXECUTIVE DIRECTOR OF THE OFFICE OF POST-MORTEM EXAMINATIONS WITHIN THE EXECUTIVE PAY PLAN, STRENGTHENING ADMINISTRATIVE AND FISCAL OVERSIGHT, ENSURING CONTINUITY OF OPERATIONS, AND PRESERVING THE PROFESSIONAL INDEPENDENCE OF THE CHIEF MEDICAL EXAMINER.

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BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guáhan* finds that the Office of Post-Mortem Examinations is an essential component of Guam's public health, public safety, and criminal justice systems and is responsible for investigating deaths that include violent, suspicious, sudden, unexplained, and other deaths within its statutory jurisdiction.

COMMITTEE MARKUP VERSION

1 *I Liheslatura* finds that Guam has experienced recurring periods of instability
2 in the Office resulting from vacancies and turnover in the position of Chief Medical
3 Examiner, difficulty recruiting and retaining qualified personnel, dependence upon
4 off-island forensic pathologists and locum-tenens services, limited administrative
5 staffing, facility and equipment deficiencies, and delays in converting appropriated
6 resources into needed personnel, contracts, equipment, and services. The existing
7 statutory structure places the Office under the control and supervision of the
8 Commission on Post-Mortem Examinations, while directing the Office through the
9 Chief Medical Examiner and assigning the Chief Medical Examiner administrative
10 responsibilities in addition to the professional, scientific, and medicolegal
11 responsibilities of the position. *I Liheslatura* finds that the Commission has relied
12 upon assistance from other government agencies and Commission members to
13 support personnel recruitment, procurement, contracting, and other administrative
14 functions necessary to maintain the operations of the Office, highlighting the need
15 for dedicated administrative capacity within the Office.

16 *I Liheslatura* finds that the professional expertise required of a Chief Medical
17 Examiner is distinct from the administrative expertise necessary to manage
18 budgeting, procurement, personnel administration, contracts, facilities, grants,
19 reporting, and the day-to-day business operations of a government office.

20 *I Liheslatura* further finds that the scope of responsibility, management
21 authority, and accountability assigned to the Executive Director are executive in
22 nature and warrant placement of the position within the government of Guam
23 Executive Pay Plan (EXEC), at a grade commensurate with the duties and
24 responsibilities of the position.

25 It is therefore the intent of *I Liheslatura* to: (1) establish a permanent
26 Executive Director responsible for the administrative, fiscal, and operational
27 management of the Office of Post-Mortem Examinations; (2) maintain the Chief

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COMMITTEE MARKUP VERSION

1 Medical Examiner's authority and independence over medicolegal, forensic,
2 scientific, and professional medical matters; (3) place both the Executive Director
3 and Chief Medical Examiner under the control and supervision of the Commission
4 on Post-Mortem Examinations within their respective areas of responsibility; (4)
5 ensure that a vacancy, absence, incapacity, or other unavailability of the Chief
6 Medical Examiner does not prevent the Office from hiring employees, managing
7 appropriations, procuring necessary goods and services, or otherwise maintaining its
8 administrative operations; (5) strengthen the Commission's oversight through
9 regular meetings and financial and operational reporting; (6) facilitate the use of
10 existing Government of Guam administrative, medical, personnel, procurement, and
11 technical resources without transferring control of the Office to another agency; and
12 (7) establish reliable continuity-of-operations and temporary forensic pathology
13 capacity so that Guam is not required to rebuild emergency arrangements during a
14 vacancy or other unavailability of the Chief Medical Examiner.

15 **Section 2.** § 81101 of Chapter 81, Title 10, Guam Code Annotated, is
16 *amended* to read:

17 **“§ 81101. Commission on Post-Mortem Examinations.**

18 (a) Establishment and Membership. A Commission on Post-Mortem
19 Examinations is hereby established. The members of the Commission shall be the
20 Attorney General, the Chief of Police, the Director of the Department of Public
21 Health and Social Services, the President of the Guam Medical Society, and the
22 Administrator of Guam Memorial Hospital. The Commission shall elect one of its
23 members as Chairman and one as Vice-Chairman. Members of the Commission shall
24 receive no compensation but they shall be repaid their actual expenses incurred in
25 service of the Commission.

26 (b) Meetings. The Commission shall meet as often as the duties require, ~~and~~
27 ~~upon call of the Chief Medical Examiner.~~ but not less than once every three (3)

COMMITTEE MARKUP VERSION

months. A meeting may be called by the Chairman, the Chief Medical Examiner, the Executive Director, or any three (3) members of the Commission.

(c) Powers and Responsibilities. The Commission shall exercise control and supervision over the Office of Post-Mortem Examinations and shall establish policy and provide governance and oversight consistent with this Chapter. The Commission shall:

(1) establish policies and priorities for the Office consistent with this Chapter;

(2) review and approve the proposed annual budget and staffing plan of the Office;

(3) establish qualifications for positions as required pursuant to this Chapter;

(4) exercise appointment, designation, and approval authority expressly assigned to the Commission by this Chapter or other law;

(5) approve interagency agreements pursuant to § 81115 of this Chapter;

(6) oversee the performance of the Chief Medical Examiner and Executive Director; and

(7) exercise such other governance and oversight authority as provided by law.

(d) Exercise of Commission Authority. Except as otherwise expressly provided by law, the Commission shall exercise its authority as a body. No individual member of the Commission shall independently exercise the authority of the Commission or direct the Chief Medical Examiner, Executive Director, or employees of the Office solely by virtue of membership on the Commission.

(e) Executive Secretary. The Executive Director shall serve as Executive Secretary to the Commission and shall coordinate meeting notices, agendas, minutes, records, reports, and the administrative implementation of actions approved by the Commission.

COMMITTEE MARKUP VERSION

1 (f) Protection of Independent Medical Judgment. Nothing in this Section shall
2 authorize the Commission, Executive Director, or any individual member of the
3 Commission to direct, alter, or interfere with the independent professional medical
4 judgment of the Chief Medical Examiner or another duly authorized medical
5 examiner concerning an individual death investigation, autopsy, forensic
6 examination, or determination of cause or manner of death.”

7 **Section 3.** § 81102 of Chapter 81, Title 10, Guam Code Annotated, is
8 *amended* to read:

9 **“ § 81102. Office of Post-Mortem Examinations.**

10 (a) Establishment and Supervision. The Office of Post-Mortem Examinations,
11 also known as the Office of the Chief Medical Examiner (OCME), is hereby
12 established, to be operated under the control and supervision of the Commission.
13 ~~The Office shall be directed by a Chief Medical Examiner, and may employ such~~
14 ~~assistant medical examiners, pathologists, toxicologists, laboratory technicians,~~
15 ~~regional medical examiners and other staff members as the Commission may~~
16 ~~specify.~~

17 (b) Medical and Forensic Authority. The professional medicolegal, forensic,
18 scientific, and medical functions of the Office shall be directed by the Chief Medical
19 Examiner. The Chief Medical Examiner shall exercise independent professional
20 medical judgment in the performance of such functions, including death
21 investigations, autopsies, forensic examinations, and determinations of cause and
22 manner of death.

23 (c) Administrative and Operational Authority. The administrative, fiscal,
24 personnel, and operational functions of the Office shall be directed by the Executive
25 Director pursuant to § 81103.2 of this Chapter. The Executive Director shall perform
26 such duties subject to the control and supervision of the Commission and shall have

COMMITTEE MARKUP VERSION

1 no authority to interfere with or direct the independent professional medical
2 judgment of the Chief Medical Examiner or another medical examiner.

3 (d) Personnel. The Office may employ assistant medical examiners,
4 pathologists, toxicologists, laboratory technicians, regional medical examiners,
5 medicolegal death investigators, administrative personnel, morgue personnel, and
6 such other staff members as the Commission may specify, subject to applicable law
7 and the availability of appropriations.

8 (e) Qualifications and Civil Service. The Commission shall in advance of
9 appointments specify the qualifications required for each position in terms of
10 education, experience and other relevant considerations. Staff members, other than
11 the Chief Medical Examiner and the Executive Director, shall be subject to such
12 rules, as the Commission may prescribe, provided that such rules shall conform to
13 the Civil Service laws of Guam.

14 (f) Administrative Continuity. A vacancy, absence, incapacity, or other
15 unavailability of the Chief Medical Examiner shall not suspend or impair the
16 administrative, fiscal, personnel, procurement, contractual, or operational functions
17 of the Office. During such vacancy, absence, incapacity, or unavailability, the
18 Commission and Executive Director shall continue to exercise their respective
19 powers and duties pursuant to this Chapter. Nothing in this Subsection shall
20 authorize the Executive Director to exercise a power expressly reserved by law to
21 the Commission or Chief Medical Examiner.

22 (g) Continuity of Professional Medical Services. During a vacancy, absence,
23 incapacity, or other unavailability of the Chief Medical Examiner, the Commission
24 shall arrange for the continued performance of professional medical and
25 medicolegal functions necessary to maintain the operations of the Office. The
26 Commission may designate one (1) or more qualified medical examiners or
27 forensic pathologists, including through a rotating, on-call, temporary, or other

COMMITTEE MARKUP VERSION

supplemental coverage arrangement, or may contract for such services pursuant to
§ 81103(b) of this Chapter, as applicable, subject to applicable law and the
availability of appropriations.”

Section 4. § 81103 of Chapter 81, Title 10, Guam Code Annotated, is
amended to read:

“ § 81103. Chief Medical Examiner.

(a) The Chief Medical Examiner shall be named by the Commission to serve
for such term and at such salary as the Commission may fix. He may as part of his
duties teach medical or law school classes, conduct special classes for police
investigators, and engage in other activities related to the work of his office to such
extent and on such terms as may be authorized by the Commission. Similar
authorizations may be given by the Commission to other members of the staff. ~~He~~
~~shall serve as Secretary to the Commission.~~ The Chief Medical Examiner shall direct
the medicolegal, forensic, scientific, and professional medical functions of the
Office and shall exercise independent professional judgment in matters concerning
death investigations, autopsies, forensic examinations, and determinations of cause
and manner of death.

(b) Locum Tenens Exemption ~~During the Absence of the Chief Medical~~
~~Examiner ;~~ Temporary and Supplemental Medical Examiner Services. The Office of
the Chief Medical Examiner is exempt from the government of Guam Procurement
Law in contracting for the professional services of a qualified medical examiner ~~to~~
~~be provided when the Chief Medical Examiner is absent from work, or forensic~~
pathologist when:

(1) the position of Chief Medical Examiner is vacant;

(2) the Chief Medical Examiner is absent, incapacitated,
unavailable, or otherwise unable to perform the required services;

COMMITTEE MARKUP VERSION

1 (3) additional medical examiner or forensic pathology services are
2 reasonably necessary to prevent or reduce a backlog in examinations,
3 autopsies, reports, or other professional services; or

4 (4) an emergency or extraordinary circumstance requires temporary
5 or supplemental professional coverage.

6 Contracts for temporary or supplemental medical examiner or forensic
7 pathology services authorized pursuant to this Subsection shall be subject to
8 approval by the Commission. The Executive Director may coordinate the
9 procurement, negotiation, execution, and administration of such contracts in
10 accordance with applicable law and Commission approval.

11 Contracts authorized pursuant to this Subsection may include standing, on-
12 call, regional, or multi-year arrangements, subject to the availability of
13 appropriations and applicable fiscal-control requirements. The exemption provided
14 by this Subsection shall apply only to the procurement of professional medical
15 examiner or forensic pathology services and shall not exempt the Office from
16 procurement requirements applicable to other goods or services.”

17 **Section 5.** A new § 81103.2 is hereby *added* to Chapter 81, Title 10, Guam
18 Code Annotated, to read:

19 **“ § 81103.2. Executive Director.**

20 (a) Establishment. There is hereby established within the Office of Post-
21 Mortem Examinations the position of Executive Director.

22 (b) Appointment and Accountability. The Executive Director shall be
23 appointed by the Commission and shall serve at the pleasure of the Commission.
24 The Executive Director shall report and be accountable to the Commission as a body
25 and shall not be under the exclusive supervision or control of any individual member
26 of the Commission or any department, agency, instrumentality, or public corporation
27 represented on the Commission.

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1 (c) Employment Status. The Executive Director shall be in the unclassified
2 service pursuant to applicable law.

3 (d) Qualifications. The Commission shall establish the minimum
4 qualifications for the Executive Director prior to recruitment. Such qualifications
5 shall be commensurate with the duties, responsibilities, and level of authority of
6 the position. In establishing the minimum and preferred qualifications, the
7 Commission shall consider, as appropriate, education, professional experience,
8 executive or management experience, and demonstrated knowledge or experience
9 in the following areas:

10 (1) government or organizational administration and management;

11 (2) budgeting and financial management;

12 (3) procurement and contract administration;

13 (4) personnel and human resources administration;

14 (5) grants or federal program administration;

15 (6) interagency coordination;

16 (7) facilities, equipment, and continuity-of-operations management;

17 and

18 (8) healthcare, public safety, forensic, medicolegal, or other operations
19 relevant to the functions of the office.

20 The Commission may establish additional qualifications, preferred
21 qualifications, education or experience requirements, and other standards it
22 determines necessary for the effective administration of the Office. The Executive
23 Director shall not be required to be a physician or other licensed medical
24 professional.

25 (e) Compensation. The Executive Director shall be compensated pursuant to
26 the Executive Pay Plan (EXEC) established in accordance with the applicable
27 provisions of Chapter 6, Title 4, Guam Code Annotated. The Department of

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COMMITTEE MARKUP VERSION

Administration shall evaluate the position based upon its duties, responsibilities, qualifications, scope of authority, comparable government of Guam executive positions and shall assign the position to the appropriate Executive Pay Plan grade or compensation range authorized by law.

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(f) Powers and Duties. Except for matters expressly reserved by law to the Commission or Chief Medical Examiner, the Executive Director shall be responsible for the day-to-day administrative, fiscal, personnel, procurement, contractual, and operational management of the Office, in accordance with applicable law and policies established by the Commission. The Executive Director shall:

(1) serve as Executive Secretary to the Commission and implement the policies, directives, and administrative actions approved by the Commission;

(2) prepare the proposed annual budget and staffing plan for approval by the Commission and oversee the administration of appropriations, allotments, expenditures, revenues, and other funds lawfully available to the Office;

(3) oversee personnel administration, including recruitment, staffing, employee management, and the processing and administration of personnel actions, consistent with applicable Civil Service laws and the authority reserved to the Commission;

(4) oversee procurement and the administration of contracts, grants, and other agreements in accordance with applicable law, and execute, on behalf of the Office, contracts, procurement documents, grant documents, fiscal documents, and other administrative instruments within the authority of the Office, including agreements approved by the Commission pursuant to this Chapter, subject to all applicable procurement, fiscal, and other requirements of law;

(5) oversee the administrative and operational needs of the Office, including facilities, equipment, vehicles, information systems, supplies, property and other resources necessary for its operations;

COMMITTEE MARKUP VERSION

1 (6) coordinate the administrative aspects of recruitment, contracting,
2 credentialing, and other support necessary for medical, forensic, and other
3 professional services, in consultation with the Chief Medical Examiner and
4 Commission, as applicable;

5 (7) develop and coordinate interagency agreements and other cooperative
6 arrangements pursuant to § 81115 of this Chapter for approval by the Commission,
7 and oversee their implementation and administration;

8 (8) prepare and submit financial, staffing, operational, and other reports
9 required by law or the Commission, and timely advise the Commission of material
10 deficiencies or needs affecting the Office;

11 (9) develop and maintain the continuity-of-operations plan required by §
12 81115 of this Chapter, in consultation with the Chief Medical Examiner and subject
13 to approval by the Commission; and

14 (10) perform such other non-medical administrative and operational duties as
15 may be required by law or assigned by the Commission consistent with this
16 Chapter.”

17 **Section 6.** § 81104 of Chapter 81, Title 10, Guam Code Annotated, is
18 *amended* to read:

19 **“ § 81104. Deaths to Be Investigated.**

20 The Office of Post-Mortem Examinations shall investigate all human deaths
21 ~~providing such deaths when,~~ in the opinion of the Chief Medical Examiner ~~or a~~
22 qualified medical examiner or forensic pathologist duly designated by the
23 Commission pursuant to § 81102(g) of this Chapter, such deaths arose from the
24 following causes:

25 (a) Violent deaths, whether apparently homicidal, suicidal or accidental,
26 including but not limited to deaths due to thermal, chemical, electrical or radiational
27 injury, and deaths due to criminal abortion, whether apparently self-induced or not;

COMMITTEE MARKUP VERSION

(b) Sudden deaths not caused by readily recognizable disease;

(c) Deaths under suspicious circumstances;

(d) Deaths of persons whose bodies are to be cremated, dissected, buried at sea, or otherwise disposed of so as to be thereafter unavailable for examinations.”

Section 7. § 81106 of Chapter 81, Title 10, Guam Code Annotated, is amended to read:

“ § 81106. Same: Traffic Deaths.

In the event a person who was driving the car dies within four (4) hours as a result of a traffic_accident-related injury from the time of its occurrence and there is reasonable cause to believe that such person was driving under the influence of alcohol, a blood sample will be immediately obtained under the supervision of the Chief Medical Examiner or a qualified medical examiner or forensic pathologist duly designated by the Commission pursuant to § 81102(g) of this Chapter for the purpose of determining the blood alcohol level of the deceased person which blood analysis test is to be conducted by or under the supervision and direction of the Chief Medical Examiner or such duly designated qualified medical examiner or forensic pathologist. The results of the test ~~are to~~ shall be provided to the Guam Police Department.”

Section 8. § 81111 of Chapter 81, Title 10, Guam Code Annotated, is amended to read:

“ § 81111. Records as Evidence.

The records of the Office of Post-Mortem Examinations, or transcripts thereof certified by the Chief Medical Examiner or, during a vacancy, absence, incapacity, or other unavailability of the Chief Medical Examiner, by a qualified medical examiner duly designated by the Commission pursuant to § 81102(g) of this Chapter, are admissible in evidence in any court of Guam, except that statements by witnesses or other persons and conclusions upon extraneous matters are not hereby made

COMMITTEE MARKUP VERSION

admissible. The person preparing a report or record given in evidence hereunder may be subpoenaed as a witness, in any civil or criminal case, by any party to the cause.”

Section 9. A new § 81115 is hereby *added* to Chapter 81, Title 10, Guam Code Annotated, to read:

“ § 81115. Administrative Support; Interagency Agreements; Continuity of Operations.

(a) The Commission may approve memoranda of understanding, interagency service agreements, cooperative agreements, or other lawful arrangements with government entities for administrative, legal, medical, forensic, fiscal, personnel, procurement, technical, logistical, or operational support necessary or appropriate for the Office. The Executive Director may develop and negotiate such agreements for consideration by the Commission and, upon approval, shall coordinate their implementation and administration. Such agreements may include agreements with the Office of the Attorney General, Guam Police Department, Guam Fire Department, Guam Memorial Hospital Authority, Department of Public Health and Social Services, Department of Administration, Bureau of Budget and Management Research, and other government of Guam, federal, regional, or other governmental entities, consistent with their respective statutory authority.

(b) An agreement entered into pursuant to this Section shall identify, as applicable, the services and responsibilities of the parties; funding, reimbursement, or cost-sharing obligations; responsibility for personnel, property, records, facilities, or equipment; and the duration and terms of the agreement.

(c) No agreement under this Section shall transfer the statutory control or supervision of the Office from the Commission, alter or interfere with the professional medical authority or independent professional medical judgment of the Chief Medical Examiner, or require an assisting entity to permanently assume a function assigned by law to the Office. Personnel provided by another agency shall

COMMITTEE MARKUP VERSION

remain employees of that agency unless otherwise provided by law. Interagency support may supplement the staffing and operational capacity of the Office, including through shared-service arrangements approved by the Commission.

(d) The Executive Director, in consultation with the Chief Medical Examiner and subject to approval by the Commission, shall develop and maintain a written continuity-of-operations plan addressing reasonably foreseeable circumstances that may materially interrupt the operations of the Office, including:

(1) vacancy, absence, incapacity, or other unavailability of the Chief Medical Examiner and temporary or off-island forensic pathology coverage;

(2) staffing shortages and continuity of administrative and death investigation functions;

(3) transportation, forensic laboratory, toxicology, refrigeration, storage, facility, equipment, and other critical operational needs; and

(4) emergency procurement, contractual arrangements, and succession of administrative authority.

The Commission shall review the continuity-of-operations plan at least annually and may require revisions as necessary.

(e) Nothing in this Section shall limit or supersede the duties or authority established pursuant to §§ 81107 and 81108 of this Chapter.”

Section 10. Rules and Regulations. The Commission on Post-Mortem Examinations shall review and update its rules and regulations, as necessary, to ensure consistency with this Act, in accordance with the Administrative Adjudication Law.

Section 11. Executive Pay Plan. The Executive Pay Plan (EXEC), as established pursuant to the Government of Guam Competitive Wage Act of 2014 and applicable law, is hereby amended to include the following position:

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COMMITTEE MARKUP VERSION

1 “ Executive Director (Office of Post-Mortem Examinations/Office of the
2 Chief Medical Examiner)”

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3 **Section 12, Effective Date.** This Act shall take effect upon enactment.

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COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson
I Mina'trentai Ocho Na Liheslaturan Guåhan
38th Guam Legislature

September 14, 2026

To: **Rennae V. C. Meno**
Clerk of the Legislature

From: **Vice Speaker V. Anthony Ada** 
Chairperson, Committee on Rules

Subject: **Fiscal Note for Bill No. 359-38 (COR)**

Håfa Adai!

Find the attached, Fiscal Note for the following bill:

Bill No. 359-38 (COR).

I also request that the same be sent to the respective Chairperson of the Standing Committee, to which this bill has been referred. Kindly copy the same to Management Information Services (MIS) for posting on our website.



**Bureau of Budget & Management Research
Fiscal Note of Bill No. 359-38 (COR)**

AN ACT TO AMEND §§ 81101, 81102, 81103, 81104, 81106 AND 81111 OF CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED; TO ADD NEW §§ 81103.2 AND 81115 TO CHAPTER 81, TITLE 10 GUAM CODE ANNOTATED; RELATIVE TO ESTABLISHING AN EXECUTIVE DIRECTOR OF THE OFFICE OF POST-MORTEM EXAMINATIONS, STRENGTHENING ADMINISTRATIVE AND FISCAL OVERSIGHT, ENSURING CONTINUITY OF OPERATIONS, AND PRESERVING THE PROFESSIONAL INDEPENDENCE OF THE CHIEF MEDICAL EXAMINER.

Department/Agency Appropriation Information	
Dept./Agency Affected: Office of the Attorney General (OAG)	Dept./Agency Head: Douglas Moylan, Attorney General
Department's General Fund (GF) appropriation(s) to date: Operations (\$822,999); Supplemental (\$500,000)	1,322,999
Department's Other Fund (Specify) appropriation(s) to date:	-
	\$1,322,999

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2025 Unreserved Fund Balance		\$0	\$0
FY 2026 Adopted Revenues	\$0	\$0	\$0
FY 2026 Appro. (P.L. 38-60)	\$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 2026 (if applicable)	FY 2027	FY 2028	FY 2029	FY 2030
General Fund	\$0	1/	1/	1/	1/	1/
Special Fund	\$0	1/	1/	1/	1/	1/
Total	\$0	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
/ X / Requested agency comments not received by due date / / Other:

Analyst: 	Date: 09/14/26	Director: 	Date: SEP 14 2026
Gianni Foves, BMA I Lester L. Carlson, Jr., Director			

Comments:
1/ See attached comments on Bill No. 359-38 (COR).

**BUREAU OF BUDGET AND MANAGEMENT RESEARCH
COMMENTS ON BILL NO. 359-38 (COR)**

The proposed Bill No. 359-38 (COR) is an act to amend §§ 81101, 81102, 81103, 81104, 81106 and 81111 of Chapter 81, Title 10, Guam Code Annotated; To add new §§ 81103.2 and 81115 to Chapter 81, Title 10, Guam Code Annotated; Relative to establishing an Executive Director of the Office of Post-Mortem Examinations, strengthening administrative and fiscal oversight, ensuring continuity of operations, and preserving the professional independence of the Chief Medical Examiner.

The proposed legislative intent of Bill No. 359-38 (COR) is to establish a permanent Executive Director within the Office of Post-Mortem Examinations to oversee its administrative, fiscal, and operational functions, while maintaining the Chief Medical Examiner's authority over medicolegal, forensic, scientific, and professional medical matters. The proposed legislation also seeks to strengthen the Commission on Post-Mortem Examinations' oversight, ensure continuity of administrative operations during a vacancy or unavailability of the Chief Medical Examiner, and provide for the continued use of existing Government of Guam resources to support the Office's operations.

The Bureau has sought input on the proposed Bill 359-38 (COR) from the Office of the Chief Medical Examiner and has not received any official comments as of the date of this fiscal note. If enacted, the Bureau anticipates that the proposed legislation will result in additional personnel cost for the OCME; however, the Bureau currently lacks sufficient information to determine the exact fiscal impact.

The table below provides the FY 2026 comparable salaries for Executive Director positions, which typically range from \$73,000 to \$93,000 and the corresponding benefits for FY 2027. As such, the proposed legislation would require the Legislature to provide an additional appropriation to the OCME to cover the associated personnel cost estimate of \$109,906.46 based on the average benchmark.

AGENCY	POSITION	PAY GRADE & STEP	HOURLY	ANNUAL BASE SALARY	ESTIMATED BENEFITS 1/	TOTAL
Professional Engineers, Architects, and Land Surveyors	Executive Board Administrator	O6	\$ 35.25	\$ 73,315.00	\$ 22,375.11	\$ 95,690.11
Contractor's License Board	Executive Director	EQ-09	\$ 38.69	\$ 80,476.00	\$ 24,494.05	\$ 104,970.05
Hagatna Restoration and Redevelopment Authority	Executive Director	EO-19	\$ 43.44	\$ 90,350.00	\$ 27,415.77	\$ 117,765.77
Office of Veteran Affairs	Executive Director	-	\$ 44.71	\$ 93,000.00	\$ 28,199.90	\$ 121,199.90
AVERAGE BENCHMARK	Executive Director		\$ 40.52	\$ 84,285.25	\$ 25,621.21	\$ 109,906.46

Footnote:

1/ Estimated FY 2027 benefit rates include: Retirement (28.14%); DDI (\$19.01); Medicare (1.45%); Life (\$7.19).