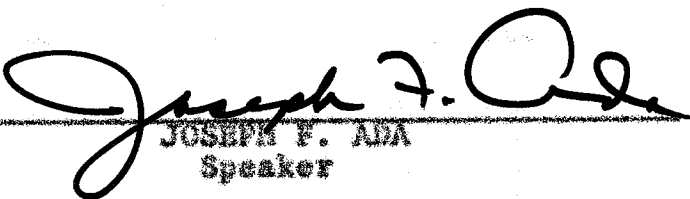


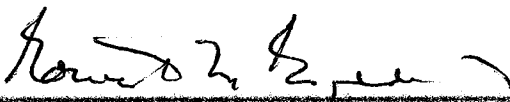
FOURTEENTH GUAM LEGISLATURE
1978 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR


This is to certify that Substitute Bill No. 32, "An Act to repeal Chapter XIV, Title X and to reenact a new Chapter XIV, Title X, all of the Government Code of Guam relative to the establishment of a Division of Senior Citizens within the Department of Public Health and Social Services", was on the 7th day of August, 1978, duly and regularly passed.


JOSEPH F. ADA
Speaker

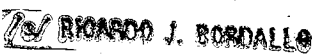
ATTESTED:


ERNESTO M. ESPALDON
Legislative Secretary

.....
This Act was received by the Governor this 17th day of August, 1978, at 1:40 o'clock P.M.


for RUTH F. WONG PAT
Assistant Staff Officer
Governor's Office

APPROVED:


RICARDO J. BORDALLO
Governor of Guam

DATED: August 28, 1978

11:53 A.M.

Public Law 14-139

FOURTEENTH GUAM LEGISLATURE
1978 (SECOND) Regular Session

Bill No. 32
(As Substituted by
the Committee on
General Governmental
Operations, Military
& Veterans' Affairs)

Introduced by

E. R. Duenas
B. M. Palomo
E. M. Espaldon
F. J. Quitugua
J. T. San Agustin
R. F. Taitano
E. T. Charfauros
A. M. Palomo
E. M. Calvo
J. F. Ada

AN ACT TO REPEAL CHAPTER XIV, TITLE X AND TO
REENACT A NEW CHAPTER XIV, TITLE X, ALL OF
THE GOVERNMENT CODE OF GUAM RELATIVE TO THE
ESTABLISHMENT OF A DIVISION OF SENIOR CITIZENS
WITHIN THE DEPARTMENT OF PUBLIC HEALTH AND
SOCIAL SERVICES.

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

2 Section 1. Chapter XIV, Title X, of the Government Code is
3 hereby repealed in its entirety.

4 Section 2. A new Chapter XIV, Title X, of the Government
5 Code is hereby reenacted to read as follows:

6 "CHAPTER XIV

7 DIVISION OF SENIOR CITIZENS

8 Section 9980. Citation. This Chapter may be cited as
9 the Senior Citizens Act of 1978.

10 Section 9981. Definitions.

11 (a) 'Division' means the Division of Senior
12 Citizens.

13 (b) 'Administrator' means the head of the division
14 to be known as the Senior Citizens Administrator.

1 (c) 'Council' means the Guam Council on Senior
2 Citizens.

3 (d) 'Senior Citizen' means any person fifty-five
4 (55) years of age or older.

5 (e) 'Director' means the Director of the Department
6 of Public Health and Social Services.

7 Section 9982. Establishment. There is hereby esta-
8 blished within the Department of Public Health and Social
9 Services the Division of Senior Citizens which shall plan,
10 coordinate or implement programs geared toward assisting
11 senior citizens in their needs and problems and in their
12 attainment or maintenance of a satisfying life-style.

13 Section 9983. Duties and Responsibilities. The Division
14 shall:

15 (a) formulate plans and policies, develop a
16 comprehensive approach, coordinate or implement programs
17 and services to enable senior citizens to develop or
18 maintain their full potential skills, abilities,
19 community participation and citizenship;

20 (b) extend senior citizens services and programs
21 to all areas of Guam;

22 (c) encourage, through direct or indirect means,
23 all senior citizens, especially those in need of
24 assistance, guidance and motivation, to make use of
25 existing senior citizens facilities, services and
26 programs;

1 (d) establish a comprehensive approach to
2 providing or making available services and programs to
3 senior citizens taking into consideration the coordina-
4 tion or consolidation of existing programs and services
5 and planning and implementing new programs and services
6 where deemed necessary;

7 (e) cooperate with civic, business, fraternal and
8 community organizations or groups which provide or
9 sponsor programs and services beneficial to senior
10 citizens;

11 (f) conduct research and disseminate information
12 relative to senior citizens needs and problems;

13 (g) keep the Governor, the Guam Legislature, the
14 District Commissioners and the general public informed
15 on all major developments and achievements in senior
16 citizens programs and services;

17 (h) be the principal agency which has general pur-
18 view of senior citizens' activities, programs and func-
19 tion within the territory of Guam; and

20 (i) initiate a program to provide for proper and
21 appropriate housing facilities for senior citizens.

22 Section 9984. Guam Council on Senior Citizens. There
23 is established within the division the Guam Council on
24 Senior Citizens. The Council shall function consistent with
25 Section 9985 of this Act and pursuant to the federal guide-
26 lines contained under Section 10, a (3) of Title III of the
27 Old American Act of 1965, as amended. The Council shall con-
28 sist of fifteen (15) members, fifty percent (50%) of whom
29 shall be at least fifty-five (55) years or older, appointed
30 by the Governor. The members shall be so selected that there
31 be representatives from each of the following entities as
32 indicated:

- 1 (a) District Government Council - one (1) member
2 (b) Guam Association of Retired
3 Persons - one (1) member
4 (c) Southern Region Community - two (2) members
5 (d) Central Region Community - two (2) members
6 (e) Northern Region Community - two (2) members
7 (f) Guam Ministerial Association - one (1) member
8 (g) Guam Bar Association - one (1) member
9 (h) Guam Medical Association - one (1) member
10 (i) Guam Memorial Hospital
11 Authority Board - one (1) member
12 (j) Young Men's League of Guam - one (1) member
13 (k) Guam Women's Club - one (1) member
14 (l) Pacific Jaycees - one (1) member

15 At its initial meeting, the Council members shall elect
16 from among its ranks a Chairman and Vice Chairman. Six (6)
17 members of the Council shall constitute a quorum. The affirm-
18 ative votes of eight (8) members shall be necessary for
19 Council action. Of the initial appointments, five (5) members
20 of the Council shall serve for one (1) year, five (5) members
21 shall serve for a period of three (3) years and five (5)
22 members shall serve for a period of two (2) years. At the
23 expiration of these terms, all members shall be appointed for
24 three (3) year periods. Members of the Council shall serve
25 until their successors are appointed and qualified. Members
26 of the Council shall serve without compensation but shall
27 be reimbursed for reasonable travel and out of pocket
28 expenses to be certified to the Treasurer of Guam by the
29 Administrator.

1 Section 9985. Council Powers. Although the Director
2 maintains general supervision and control, the Council shall
3 provide initial review of the senior citizens programs under
4 this Act and for that purpose it shall:

5 (a) furnish leadership needed for long-range
6 planning;

7 (b) accept, with the approval of the Director, on
8 behalf of and in the name of the government of Guam, from
9 any government or agency thereof or any person, natural
10 or legal advisory services, donations and gifts, pro-
11 vided, however, that any grants-in-aid or other form of
12 assistance involving a financial obligation on the part
13 of the government of Guam shall require the prior
14 approval of the Governor and a determination by the
15 division's Certifying Officer of the availability of
16 funds;

17 (c) adopt such rules and regulations as may be
18 necessary to implement the provisions of this Chapter;

19 (d) work along with the Director for the coordina-
20 tion or implementation of programs, activities and
21 services for the elderly;

22 (e) serve as a Senior Citizens Housing Board and
23 in this capacity shall undertake the following:

24 (1) To make or cause to be made feasibility
25 studies regarding the size, cost, site, financing
26 and planning for the proposed construction of
27 senior citizens' homes;

28 (2) To select an appropriate site for the
29 senior citizens' homes;

1 (3) To prepare or cause to be prepared pre-
2 liminary plans for the construction of the senior
3 citizens' homes; and

4 (4) To engage architects, engineers, contrac-
5 tors, subcontractors, clerical and any other
6 technical assistance necessary to carry out these
7 purposes and enter into any and all agreements
8 necessary to carry out these purposes.

9 Section 9986. Council Meetings. The Council shall meet
10 at such times and places as it shall prescribe by rule or
11 resolution, at least, once per month. All its meetings shall
12 be public and notice of such meetings shall be given three (3)
13 days prior to the date scheduled.

14 Section 9987. Chief Administrative Officer. The Senior
15 Citizens Administrator shall be the Chief Administrative
16 Officer of the division and the Executive Secretary of the
17 Council.

18 Section 9988. Functions. The division shall carry out
19 such functions geared towards responding to the needs and
20 problems of the elderly including but not limited to the
21 following:

22 (a) Make contact with all senior citizens in
23 various districts and provide at the district level such
24 services as outreach, intake processing, referrals and
25 other such services as are necessary;

26 (b) Plan, coordinate, oversee or implement recrea-
27 tional and leisure activities and other cultural
28 programs;

1 (c) Plan, oversee, coordinate or implement pro-
2 grams and activities to enhance or promote self-develop-
3 ment, including but not limited to arts and crafts,
4 counseling, continuing education, music appreciation, job
5 development and skill training;

6 (d) Plan, oversee, coordinate or implement pro-
7 grams relative to the nutritional home service and
8 transportation needs of senior citizens; and

9 (e) Plan, oversee, coordinate or implement pro-
10 grams and activities for health care, including but not
11 limited to the medical, health and social services and
12 special homes for the aged.

13 Section 9989. Criteria for Senior Citizens' Home.

14 (a) The senior citizens' home may consist of apart-
15 ments, condominiums, cooperatives or other similar
16 congregate types of structures ;

17 (b) The home may be located in an area that will
18 provide easy access for the elderly to the centers of
19 shopping and government ;

20 (c) Such home shall be designed so as to include
21 facilities for the physical and medical care of its
22 senior citizens residents ; and

23 (d) Such home shall be operated in such a manner so
24 as to provide, as much as practical, for the continuing
25 independence of the senior citizens residing therein,
26 may be institutional or non-institutional and shall have
27 the features of a 'home'.

28 Section 9990. Appropriations and Expenditures. All
29 requests or proposals for appropriations from the public
30 funds of Guam and from the Federal Government for the general
31 operation and programs of the division shall be prepared by

1 the Administrator subject to the review of the Council and
2 approval of the Director prior to submission to the Governor.

3 Section 9991. Federal Grants. The division shall
4 comply with all federal requirements and adopt such rules
5 and regulations as needed relative to federal grants and
6 grants-in-aid for the aging programs.

7 Section 9992. Division of Senior Citizens Auxiliary
8 Service and Development Fund. (a) For the purpose of
9 securing, insofar as possible, self-supporting activities of
10 some programs of the division, there is hereby established
11 a fund to be known as the 'Division of Senior Citizens
12 Auxiliary Service and Development Fund' which shall be
13 maintained in connection therewith.

14 (b) All monies received by the division from its
15 auxiliary services, donations and gifts shall be deposited in
16 said Division of Senior Citizens Auxiliary Service and
17 Development Fund. All debts, liabilities and obligations of
18 any such services shall be paid from said fund. The
19 Administrator of the division shall render monthly to the
20 Council a statement reflecting the correct and up-to-date
21 financial condition of said fund.

22 Section 9993. Annual Report. The Council shall make
23 an annual report to the Director, who in turn shall provide
24 a copy of said report to the Governor and the Legislature at
25 the termination of each fiscal year setting forth a summation
26 of its activities and general recommendations.

1 Section 9994. Voluntary Services. The division is
2 authorized to accept services of individuals and organizations
3 on a voluntary basis, in its programs under a carefully
4 planned and supervised manner."

5 Section 3. Effective Date. This Act shall take effect upon
6 its enactment into law, but in order that there be no interruption
7 of the business of the government, the Governor may postpone imple-
8 mentation no later than six (6) months from the date of its enact-
9 ment.

10 Section 4. Section 3 of Public Law 14-117 is hereby amended
11 to read:

12 "Section 3. There is hereby appropriated from any
13 available balance of the General Fund the sum of Ten Thousand
14 Dollars (\$10,000) to the Department of Education for reloca-
15 tion of temporary classrooms."