

# MAY 1 7 2001

The Honorable Joanne M. S. Brown
Legislative Secretary
I Mina'Bente Sais na Liheslaturan Guåhan
Twenty-Sixth Guam Legislature
Suite 200
130 Aspinal Street
Hagåtña, Guam 96910

OFFICE OF THE LEGISLATIVE SECRETARY
ACKNOWLEDGMENT RECEIPT
Received By
Time 10:15 am
Date 05/17/01

Dear Legislative Secretary Brown:

Enclosed please find Substitute Bill No. 087 (COR) entitled: "AN ACT TO AMEND §22205 OF TITLE 5 OF THE GUAM CODE ANNOTATED, TO REPEAL AND REENACT §2 OF P.L. 26-02, TO REPEAL AND REENACT §21 OF P.L. NO. 25-176, RELATIVE TO EXEMPTING THE DIVISION OF VOCATIONAL REHABILITATION FROM CENTRAL ACCOUNTING AND FOR FIGHTING THE ORDOT DUMP FIRE" which I have signed into law as Public Law No. 26-06.

Thank you for the corrections to Bill No. 54, now embodied in this legislation, which will allow us to expend at least \$125,000 from the Tourist Attraction Fund for fighting the ongoing Ordot dump fire.

This funding will not cover the entire expenses that are projected to put the fire under control, but is a welcome introduction to responding to the immediate needs of the people in the Ordot-Chalan Pago area and other smoke infested areas. As pointed out in previous transmittal letter for vetoed Bill No. 54, it is estimated that the Ordot dump fire will take at least a week, probably about 9 days, to fully respond to, and it costs approximately a little less than \$20,000 per day to respond to this fire.

The main body of Bill No. 87 still contains an exemption for the Division of Vocational Rehabilitation, which is a subdivision of a line agency of the government, DISID, from the General Accounting Act of the government of Guam. As previously stated in the veto message to Bill No. 54, this would be exempting a Division, within a line agency, from having funds accounted for by the Department of Administration. This is not practical, since the Division of Vocational Rehabilitation is not ultimately responsible for the misuse of funds; the government of Guam is responsible. For example, in computing disallowed costs, the Division should not attempt to separate itself from the responsible party, the government. Additionally, the Division does not

Legislative Secretary SB087/PL26-66
May, 2001 - Fage 2

have personnel and other resources to set up its own separate accounting system, as would be the case with an autonomous agency. In fact, they would have to work manually to account for the funds.

It is recommended that i Liheslaturan Guåhan reconsider the amendment made in Section 2 of Bill No. 87, which is not practical or reasonable for the handling of funds for which the government is responsible.

Very truly yours,

Carl T. C. Gutierrez
I Maga Lahen Guåhan
Governor of Guam

Attachment:

copy attached for signed bill or overridden bill

original attached for vetoed bill

cc:

The Honorable Antonio R. Unpingco

Speaker

# MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN 2001 (FIRST) Regular Session

# CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Substitute Bill No. 87 (COR) "AN ACT TO AMEND §22205 OF TITLE 5 OF THE GUAM CODE ANNOTATED, TO REPEAL AND REENACT §2 OF P.L. NO. 26-02, TO REPEAL AND REENACT §21 OF P.L. NO. 25-176, RELATIVE TO EXEMPTING THE DIVISION OF VOCATIONAL REHABILITATION FROM CENTRAL ACCOUNTING AND FOR FIGHTING THE ORDOT DUMP FIRE," was on the 16<sup>th</sup> day of May, 2001, duly and regularly passed.

ANTONIO R. UNPINGCO Speaker Attested: Senator and Legislative Secretary This Act was received by I Maga'lahen Guåhan this 16 day of may at 8:25 o'clock P.M. Maga'lahi's Office APPROVED: ARL T. C. GUTIERREZ I Maga'lahen Guåhan Date: 5-17-01 Public Law No. <u>26-06</u>

# MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN 2001 (FIRST) Regular Session

Bill No. 87 (COR)
As substituted on the Floor and amended.

Introduced by:

T. C. Ada
J. F. Ada
F. B. Aguon, Jr.
J. M.S. Brown
E. B. Calvo
F. P. Camacho
M. C. Charfauros
Mark Forbes
L. E. Kamarhayar

L. A. Leon Guerrero

L. F. Kasperbauer K. S. Moylan V. C. Pangelinan A. L. G. Santos A. R. Unpingco J. T. Won Pat

AN ACT TO AMEND §22205 OF TITLE 5 OF THE GUAM CODE ANNOTATED, TO REPEAL AND REENACT §2 OF P.L. NO. 26-02, TO REPEAL AND REENACT §21 OF P.L. NO. 25-176, RELATIVE TO EXEMPTING THE DIVISION OF VOCATIONAL REHABILITATION FROM CENTRAL ACCOUNTING AND FOR FIGHTING THE ORDOT DUMP FIRE.

### BE IT ENACTED BY THE PEOPLE OF GUAM:

- Section 1. Legislative Intent. I Liheslaturan Guåhan finds that the
  Division of Vocational Rehabilitation ("DVR") is supported primarily by
  Federal funds, requiring strict adherence to Federal reporting requirements.

  Prior to enactment of the Central Accounting Act, these Federal requirements
- 6 were met effectively by the DVR staff.
  7 Subsequent to the reorganization entitled, "The Department of Integrated
  8 Services for Individuals with Disabilities (DISID)," the reporting has been
  9 centralized at the Department of Administration ("DOA") pursuant to the
  10 Central Accounting Act of the government of Guam. Centralized accounting
- has resulted in problems with the reporting, and as a result, DVR has been deemed by the Federal government to be a "high risk grantee," due to their
- 13 failure to submit the required reports, or to report in compliance with all
- 14 mandates.

1

- It is, therefore, the intent of *I Liheslaturan Guåhan* to ensure prompt and complete Federal reimbursement of local fund expenditures by DVR, by returning the authority and mandate of DVR accounting *directly* to DVR, which has the ability and experience to, by way of a separate accounting system, comply with the Federal reporting requirements.
- Section 2. Section 22205 of Article 2, Chapter 22, Division 2 of Title 5 of the Guam Code Annotated is hereby *amended* to read as follows:
- "Section 22205. Exceptions. The provisions of this Act shall
   not apply to the accounting operations of the Guam Waterworks
   Authority, the Guam Power Authority, the Guam Telephone Authority,

the Guam International Airport Authority, the Guam Housing and Urban Renewal Authority, the Guam Housing Corporation, the Guam Economic Development Authority, the Judicial Branch, the Legislative Branch, the Guam Community College, the Department of Education, the University of Guam, the Guam Mass Transit Authority and the Division of Vocational Rehabilitation."

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

**Section 3.** Section 2 of Public Law Number 26-02 is hereby *repealed and reenacted* to read as follows:

"Section 2. Appropriation Authorization. To provide for expenditures incurred in fighting, controlling and extinguishing the fire at the Department of Public Work's Dededo Solid Waste Transfer Station on or about March 11, 2001, and for providing for emergency services to care for citizens who may have had to be evacuated as a result of said fire, the sum of One Hundred Thousand Dollars (\$100,000.00) is hereby appropriated from the General Fund to the Department of Military Affairs, Office of Civil Defense, for the purpose of reimbursing agencies and departments which may have incurred expenditures as a result of the declaration of emergency. unexpended amount from this appropriation shall be available for the purposes of funding expenditures incurred in fighting, controlling and extinguishing the fire at the Ordot Dump on or about May 14, 2001, and for providing for emergency services for citizens who may have had to be evacuated as a result of said fire."

**Section 4.** Section 21 of Public Law Number 25-176 is hereby *repealed* and reenacted to read as follows:

# "Section 21. Appropriation to the Guam Visitors Bureau.

The sum of Two Hundred Eighty-five Thousand Dollars (\$285,000.00) is hereby appropriated from the Tourist Attraction Fund to the Guam Visitors Bureau for the following:

- (a) Thirty-five Thousand Dollars (\$35,000.00) shall be used for the specific purpose of supplementing Guam's participation in the 2001 IJSBA U.S. Pro Watercross Racing Tour and the 2001 IJSBA Skat-Trak World Championships;
- (b) One Hundred Fifty Thousand Dollars (\$150,000.00) shall be used for the specific purpose of professionally producing a promotional video of the Guam Smokin' Wheels Off-Road Races; and
- (c) One Hundred Thousand Dollars (\$100,000.00) for the specific purposes of designing the renovation, improvement and upgrade of the Joseph Flores Memorial Park (Ypao Beach Park). The government of Guam shall *not* enter into any contracts involving a public-private partnership, nor renovate, improve or upgrade the Ypao Beach Park, without the *prior* approval of *I Liheslaturan Guåhan*. Any contracts which attempt to form a public-private partnership, or renovate, improve or upgrade the Ypao Beach Park, shall be void *ab initio*.

The funds appropriated herein shall be used for the purpose described and shall *not* be used for any other project of the Guam Visitors Bureau.

Within ninety (90) days following the completion of the programs outlined in Subsections (a), (b) and (c), the Guam Visitors Bureau shall submit a report to I Maga'Lahen Guahan, the Speaker of I Liheslaturan Guåhan and the Chairman of the Legislative Committee having oversight of the Tourist Attraction Fund, a complete accounting of expenditures incurred. Any unexpended funds shall be returned to the Fund."

Section 5. Ordot Dump Fire Appropriation. There is hereby appropriated from the Tourist Attraction Fund the sum of One Hundred Twenty-five Thousand Dollars (\$125,000.00) to the Department of Military Affairs, Office of Civil Defense, for the purposes of: (i) funding expenditures incurred in fighting, controlling and extinguishing the fire at the Ordot Dump on or about May 14, 2001; (ii) for providing for emergency services for citizens who may have had to be evacuated as a result of said fire; *and* (iii) for daily air quality testing and monitoring as may be necessary.

Section 6. Reporting Requirement. I Maga'lahen Guåhan shall prepare, or have prepared, a report no later than thirty (30) days after the enactment of this Act on all transfers, expenditures and reimbursements by all and any agency(ies) or department(s), directly related to the fighting, controlling and extinguishing of the fire at the Ordot Dump.

# Section 7. Prior Expenses Incurred for Ordot Dump Fire.

Notwithstanding any other provision of law, the appropriations made in §3 of this Act may be used to cover any Ordot Dump fire emergency expenses incurred *prior to* the enactment date of this Act.

6

# I MINA' BENTE SAIS NA LIHESLATURAN GUAHAN

2001 (FIRST) Regular Session

Date: 5/16/01

# **VOTING SHEET**

S Bill No. 87(COR)  Resolution No  Question:	VOTIN	IG SHEE			
NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
ADA, Joseph F.					
ADA, Thomas C.	V				
AGUON, Frank B., Jr.	V				
BROWN, Joanne M. S.	V				
CALVO, Eddie B.	~				
CAMACHO, Felix P.					
CHARFAUROS, Mark C.					V
FORBES, Mark					
KASPERBAUER, Lawrence F.	~				
LEON GUERRERO, Lourdes A.	V				
MOYLAN, Kaleo S.	1				
PANGELINAN, Vicente C.					<u></u>
SANTOS, Angel L.G.					
UNPINGCO, Antonio R.	4		<del>_</del>		
WON PAT, Judith T.	V				
TOTAL	13	0	0		2
CERTIFIED TRUE AND CORRECT:  Clerk of the Legislature			e E	* 3 Passes = No EA = Excused Al	

6 5/16/01

# MINA'BENTE SAIS NA LIHESLATURAN GUAHAN 2001 (FIRST) Regular Session

**Bill No. 87** As Substituted on the floor.

Introduced by:

1

L. Leon Guerrero<sup>-</sup> T.Ada

ACT TO AMEND §22205 OF TITLE 5 OF THE GUAM CODE ANNOTATED AND SECTION 2 OF PUBLIC LAW 26-02, RELATIVE TO EXEMPTING THE DIVISION OF VOCATIONAL REHABILITATION FROM CENTRAL ACCOUNTING AND FOR FIGHTING THE ORDOT DUMP FIRE.

#### BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Intent. I Liheslaturan Guahan finds that the 2 Division of Vocational Rehabilitation ("DVR") is supported primarily by 3 federal funds, requiring strict adherence to federal reporting requirements. 4 Prior to enactment of the Central Accounting Act, these federal requirements 5 were met effectively by the DVR staff. Subsequent to the reorganization 6 under entitled "The Department of Integrated Services for Individuals with 7 Disabilities (DISID)," the reporting has been centralized at DOA pursuant to 8 9 the Central Accounting Act of the government of Guam. Centralized accounting has resulted in problems with the reporting, and as a result, DVR 10 has been deemed by the federal government to be a "high risk grantee" due to 11 failure to submit the required reports or to report in compliance with all 12 mandates. It is, therefore, the intent of LIHESLATURAN GUÅHAN to ensure 13

- 1 prompt and complete federal reimbursement of local fund expenditures by
- 2 DVR, by returning the authority and mandate of DVR accounting directly to
- 3 DVR, which has the ability and experience to, by way of a separate accounting
- 4 system, comply with the federal reporting requirements.

Section 2. §22205 of Article 2, Chapter 22, Title 5 of the Guam Code
 Annotated is hereby amended to read as follows:

"§22205. Exceptions. The provisions of this Act shall not apply to the accounting operations of the Public Utility Agency of Guam Guam Waterworks Authority, the Guam Power Authority, the Guam Telephone Authority, the Guam Airport Authority, the Guam Housing and Urban Renewal Authority, the Guam Housing Corporation, the Guam Economic Development Authority, the Judicial Branch, the Legislative Branch, the Guam Community College, the Department of Education, the University of Guam and the Guam Mass Transit Authority and the Division of Vocational Rehabilitation."

**Section 3**. Section 2 of Public Law Number 26-02 is hereby repealed and reenacted to read as follows:

"Section 2. Appropriation Authorization. To provide for expenditures incurred in fighting, controlling and extinguishing the fire at the Department of Public Work's Dededo Solid Waste Transfer Station on or about March 11, 2001, and for providing for emergency services to care for citizens who may have had to be evacuated as a result of said fire, the sum of One Hundred Thousand Dollars (\$100,000) is hereby appropriated from the General Fund to the Department of Military Affairs, Office of Civil Defense, for the purpose of reimbursing agencies and departments which may have incurred expenditures as a

result of the declaration of emergency. Any unexpended amount from this appropriation shall be available for the purposes of funding expenditures incurred in fighting, controlling and extinguishing the fire at the Ordot Dump on or about May 14, 2001, and for providing for emergency services for citizens who may have had to be evacuated as a result of said fire."

**Section 4.** Section 21 of Public Law Number 25-176 is hereby repealed and reenacted to read:

"Section 21. Appropriation to the Guam Visitors Bureau. The sum of Two Hundred Eighty Five Thousand Dollars (\$285,000.00) is hereby appropriated from the Tourist Attraction Fund to the Guam Visitors Bureau for the following:

- (a) Thirty-five Thousand Dollars (\$35,000.00) shall be used for the specific purpose of supplementing Guam's participation in the 2001 IJSBA U.S. Pro Watercross Racing Tour and the 2001 IJSBA Skat-Trak World Championships;
- (b) One Hundred Fifty Thousand Dollars (\$150,000.00) shall be used for the specific purpose of professionally producing a promotional video of the Guam Smokin' Wheels Off-Road Races."
- (c) One Hundred Thousand Dollars (\$100,000.00) for the specific purposes of designing the renovation, improvement and upgrade of the Joseph Flores Memorial Park (Ypao Beach Park). The government of Guam shall *not* enter into any contracts involving a public-private partnership, nor renovate, improve or upgrade the Ypao Beach Park, without the *prior* approval of *I*

Liheslaturan Guahan. Any contracts which attempt to form a public-private partnership, or renovate, improve or upgrade the Ypao Beach Park, shall be *void ab initio*.

The funds appropriated herein shall be used for the purpose described and shall *not* be used for any other project of the Guam Visitors Bureau.

Within ninety (90) days following the completion of the programs outlined in Subsections (a), (b) and (c), the Guam Visitors Bureau shall submit a report to *I Maga'Lahen Guahan*, the Speaker of *I Liheslaturan Guahan* and the Chairman of the Legislative Committee having oversight of the Tourist Attraction Fund, a complete accounting of expenditures incurred. Any unexpended funds shall be returned to the Fund.

Section 5. Ordot Dump Fire Appropriation. There is hereby appropriated from the Tourist Attraction Fund the sum of One Hundred Twenty-Five Thousand Dollars (\$125,000.00) to the Department of Military Affairs, Office of Civil Defense, for the purpose of funding expenditures incurred in fighting, controlling, and extinguishing the fire at the Ordot Dump on or about May 14, 2001, and for providing for emergency services for citizens who may have had to be evacuated as a result of said fire, and for daily air quality testing and monitoring as may be necessary.

**Section 6. Reporting Requirement.** *I Maga'lahen Guahan* shall prepare, or have prepared, a report no later than thirty (30) days after the enactment of this Act on all transfers, expenditures and reimbursements by all and any agency or department, directly related to the fighting, controlling and extinguishing of the fire at the Ordot Dump.

- Section 7. Notwithstanding any other provision of law, the
- 2 appropriations made in Section 3 of this Act may be used to cover any Ordot
- 3 Dump fire emergency expenses incurred prior to enactment date.

# MINA'BENTE SAIS NA LIHESLATURAN GUAHAN 2001 (FIRST) Regular Session

Bill	No.	87	[[	OR	)
	-		_		_

Introduced by:

L. Leon Guerrero

T.Ada 2 MARK FORRES A

ACT TO AMEND 5 GCA. CHAPTER 22, ARTICLE 22, \$22205 TO EXEMPT THE DEPARTMENT OF VOCATIONAL REHABILITATION FROM CENTRAL ACCOUNTING

#### BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. §22205 of Article 22, Chapter 22, Title 5 of the Guam Connotated

, Code

- 3 Annotated shall be amended to read:
- 4 "§22205. Exceptions. The provisions of this Act shall not apply to the
- 5 accounting operations of the Public Utility Agency of Guam Guam Waterworks
- 6 Authority, the Guam Power Authority, the Guam Telephone Authority, the Guam Airport
- 7 Authority, the Guam Housing and Urban Renewal Authority, the Guam Housing
- 8 Corporation, the Guam Economic Development Authority, the Judicial Branch, the
- 9 Legislative Branch, the Guam Community College, the Department of Education, the
- 10 University of Guam and the Guam Mass Transit Authority and the Department of
- 11 Vocational Rehabilitation."





# MINA' BENTE SAIS NA LIHESLATURAN GUÅHAN

TWENTY-SIXTH GUAM LEGISLATURE 155 Hesler Street, Hagātīna, Guam 96910

May 18, 2001 (DATE)

Memorandum

To:

Senator Lou Leon Guerrero

From:

Clerk of the Legislature

Subject:

Committee Report on Bill No. 87 (COR)

Pursuant to §7.04 of Rule VII of the 26<sup>th</sup> Standing Rules, transmitted herewith is a copy of the Committee Report on Bill No. 87 (COR), for which you are the prime sponsor.

Should you have any questions or need further information, please contact the undersigned at 472-3464/5.

Cecile E. Taitano

Cecile &

Attachment



# MINA ' ENTE SAIS NA LIHE LATURAN GUÅHAN

Kumitehan Areklamento, Hinanao Gubetnamenton Hinirat, Rifotma yan Rinueba, yan Asunton Fidirat, Taotao Hiyong yan Hinirat

> Senadot Mark Forbes, Gebilu Kabisiyon Mayurat

16 MAY 2001

Speaker Antonio R. Unpingco I Mina' Bente Sais Na Liheslaturan Guåhan 155 Hesler Street Hagåtña, Guam 96910

Dear Mr. Speaker:

The Committee on Rules, General Governmental Operations, Reorganization and Reform, and Federal, Foreign and General Affairs, to which Bill No. 87, was referred, wishes to report its findings and recommendations TO DO PASS BILL NO. 87: "Act to amend 5 GCA, Chapter 22, Article 22, §22205 to exempt the Department of Vocational Rehabilitation from Central Accounting."

The voting record is as follows:

TO PASS	
NOT TO PASS	0
ABSTAIN	<del>-0</del>
TO PLACE IN INACTIVE FILE	0

Copies of the Committee Report and other pertinent documents are attached. Thank you and si Yu'os ma'ase for your attention to this matter.

MARK FORBES

**Attachments** 

# CONTINA, GUIP

# MINA ' LENTE SAIS NA LIHE LATURAN GUÅHAN

Kumitehan Areklamento, Hinanao Gubetnamenton Hinirat, Rifotma yan Rinueba, yan Asunton Fidirat, Taotao Hiyong yan Hinirat

> Senadot Mark Forbes, Gehilu Kabisiyon Mayurat

16 MAY 2001

#### **MEMORANDUM**

TO:

Committee Members

FROM:

Chairman I

**SUBJECT:** 

Committee Report- BILL NO. 87: "Act to amend 5 GCA, Chapter 22, Article 22,

§22205 to exempt the Department of Vocational Rehabilitation from Central

Accounting."

Transmitted herewith for your information and action is the report on Bill No. 87, from the Committee on Rules, General Governmental Operations, Reorganization and Reform, and Federal, Foreign and General Affairs.

This memorandum is accompanied by the following:

- 1. Committee Voting Sheet
- 2. Committee Report
- 3. Bill No. 87
- 4. Public Hearing Sign-in Sheet
- 5. Fiscal Note/Fiscal Note Waiver
- 6. Notice of Public Hearing

Please take the appropriate action on the attached voting sheet. Your attention and cooperation in this matter is greatly appreciated.

Should you have any questions regarding the report or accompanying documents, please do not hesitate to contact me.

Thank you and si Yu'os ma'ase.

#### MARK FORBES

Attachments

# Committee on Rules, General Governmental Operations, Reorganization and Reform, and Federal, Foreign and General Affairs I Mina' Bente Sais Na Liheslaturan Guåhan

**Voting Record** 

BILL NO. 87, "Act to amend 5 GCA, Chapter 22, Article 22, §22205 to exempt the Department of Vocational Rehabilitation from Central Accounting."

	TO PASS	NOT TO PASS	<u>ABSTAIN</u>	INACTIVE FILE
MARK FORBES, Chairman				
arent to the	<u>V</u>			·
Joseph F. Ada, Member		/		e e
Jun 7101/20		<del></del>		
Joanne M.S. Brown, Member				
Eddie B. Calvo, Member				
Felix P. Camacho, Member				
Lawrence F, Kasperbauer, Ph. D., Mem	ber			
J3/4-75	K			<u></u> -
Kaleo S. Moyl <del>an, Me</del> mber				
Antonio R. Unpingco, Ex-Officio Membe	er —	<u>-</u>		
JCC. Col				
Thomas C. Ada, Member				
Lou A. Leon Guerrero, Member		<del></del>	<del></del>	
Lou 11. Leon Guerrero, Member				
Vicente C. Pangelinan, Member			<del></del>	

# I MINA' BENTE SAIS NA LIHESLATURAN GUÅHAN

# COMMITTEE ON RULES, GENERAL GOVERNMENTAL OPERATIONS, REORGANIZATION AND REFORM, AND FEDERAL, FOREIGN AND GENERAL AFFAIRS

# SENATOR MARK FORBES, CHAIRMAN

# ON BILL NO. 87,

"Act to amend 5 GCA, Chapter 22, Article 22, §22205 to exempt the Department of Vocational Rehabilitation from Central Accounting."

#### I. OVERVIEW

Bill No. 87 is substantially the same as Bill No. 54, for which the Committee on Rules, General Governmental Operations, Reorganization and Reform, and Federal, Foreign and General Affairs held a public hearing on Monday, April 23, 2001 at 2:00 p.m. at the Conference Room, Office of Senator Mark Forbes, and on Friday, May 11, 2001 at 10:00 a.m. at the Public Hearing Room, I Liheslaturan Guahan. Public Notice was advertised on the Pacific Daily News on Wednesday, 4/18/01 and Saturday, 4/21/01.

#### Senators present were:

Senator Mark Forbes, Chairman Senator Tom Ada, Member Senator Joanne M.S. Brown, Member Senator Lou Leon Guerrero, Member Senator Ben Pangelinan, Member Senator Judy WonPat, Senator

#### II. SUMMARY OF TESTIMONY

Individuals appearing before the Committee to present oral and written testimony on the bill are as follows:

Albert San Agustin, Administrator, Division of Vocational Rehabilitation, (Oral & Written testimony) Rita Sotomayer, Administrative Service Officer, D.I.S.I.D. (Oral testimony)

Albert San Agustin, administrator of the Division of Vocational Rehabilitation, D.I.S.I.D., testified before the Committee in favor of the bill. San Agustin said that the Department of Administration has lagged significantly in its financial reports to RSA, resulting in a jeopardizing of federal reimbursement funds of about \$4 million. DOA has also submitted financial reports containing numerous errors, according to San Agustin, who recommends that DVR be allowed to submit its own reports to RSA.

Rita Sotomayer, Administrative Service Officer of D.I.S.I.D., testified before the Committee on the bill. Sotomayer said that the Department has met with DOA several times, along with people from Region 9, to get DOA to become more timely and accurate in its financial reports for DVR. However, DVR isn't DOA's priority. Since DOA doesn't keep up with federal rules, they don't complete the reports correctly, Sotomayer said.

#### III. FINDINGS AND RECOMMENDATION

The Committee on Rules, General Governmental Operations, Reorganization and Reform, and Federal, Foreign and General Affairs finds that Bill No. 87, is needed to allow the Division of Vocational Rehabilitation to submit financial reports to the federal government correctly and in a timely fashion, thereby ensuring that federal funds continue to come to Guam for this important program. It will also remove red tape from the division so that it can purchase items for its clients that are direly needed.

Accordingly, the Committee on Rules, General Governmental Operations, Reorganization and Reform, and Federal, Foreign and General Affairs, to which Bill No. 87 was referred does hereby submit its findings and recommendations to I Mina' Bente Sais Na Liheslaturan Guahan **TO DO PASS BILL NO. 87**, "Act to amend 5 GCA, Chapter 22, Article 22, §22205 to exempt the Department of Vocational Rehabilitation from Central Accounting."



# MINA 'LENTE SAIS NA LIHE! ATURAN GUÅHAN

Kumitehan Areklamento, Hinanao Gubetnamenton Hinirat, Rifotma yan Rinueba, yan Asunton Fidirat, Taotao Hiyong yan Hinirat

> Senadot Mark Forbes, Gehilu Kabisiyon Mayurat

16 MAY 2001

# **MEMORANDUM**

TO:

Chairman

Committee on Rules, General Governmental Operations, Reorganization and

Reform, and Federal, Foreign and General Affairs

FROM:

Chairman

Committee on Rules, General Governmental Operations, Reorganization and

Reform, and Federal, Foreign and General Affairs

SUBJECT:

Principal Referral – Bill No. 87

The above bill is referred to your Committee as the Principal Committee, in accordance with Section 6.04.05.01. of the Standing Rules. Your Committee is the Committee authorized to perform the public hearing on this bill and to amend or substitute the bill, as well as report the bill out to the Body. It is recommended that you schedule a public hearing at your earliest convenience.

Thank you for your attention to this matter.

MARK FORBES

Attachment

Martz de la constitución

MAY 15 /200

# MINA'BENTE SAIS NA LIHESLATURAN GUAHAN 2001 (FIRST) Regular Session

Bill No. 87 (COR)

Introduced by:

L. Leon Guerrero 19.

T.Ada 2

MARK FORETS.

ACT TO AMEND 5 GCA. CHAPTER 22, ARTICLE 22, \$22205 TO EXEMPT THE DEPARTMENT OF VOCATIONAL REHABILITATION FROM CENTRAL ACCOUNTING

#### BE IT ENACTED BY THE PEOPLE OF GUAM:

- 2 Section 1. §22205 of Article 22, Chapter 22, Title 5 of the Guam Connotated
- 3 Annotated shall be amended to read:
- 4 "§22205. Exceptions. The provisions of this Act shall not apply to the
- 5 accounting operations of the Public Utility Agency of Guam Guam Waterworks
- 6 Authority, the Guam Power Authority, the Guam Telephone Authority, the Guam Airport
- 7 Authority, the Guam Housing and Urban Renewal Authority, the Guam Housing
- 8 Corporation, the Guam Economic Development Authority, the Judicial Branch, the
- 9 Legislative Branch, the Guam Community College, the Department of Education, the
- 10 University of Guam and the Guam Mass Transit Authority and the Department of
- 11 Vocational Rehabilitation."

# Committee on Rules, General Governmental Operations, Reorganization & Reform, and Federal, Foreign & General Affairs Senator Mark Forbes, Chairman

Public Hearing May 11, 2001 10:00 A.M. I Liheslaturan Guahan, Hagåtña

Bill No. 54: Act to amend 5 GCA, Chapter 22, Article 22, §22205 to exempt the Department of Vocational Rehabilitation

from Central Accounting.

NAME (please print)	AGENCY/ ORGANIZATION	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	NOT IN FAVOR	CONTACT NUMBER
Albut Sp. HIVE	DVn_					475420
Albut Sin Aluc Bite deterrition	DUN- PISID/DVR	V				475-4642
ļ					[	
<del></del>		<u> </u>				
				<del> </del>		
<del> </del>	<del> </del>		<del> </del>			
<del></del>	<del>-</del>		<del> </del>	<del>                                     </del>		

wistes

Kith +

# Bill #54

The Central Accounting Act (P.L. 13-96) empowered the Director of Administration to establish and administer a central accounting agency for the efficient management of a system of accounts. He shall maintain all federal grant award funds including maintenance of encumbrances and expenditure, and obtain reports as are required for the effective administration of a central accounting system.

In order to accomplish P.L. 13-96, The Director of Administration centralized the supporting accounting technicians from the various line agencies to the Dept. of Administration. However, DVR accounting staff was exempted from the transfer of its staff to the DOA. This act was to ensure the accounting and reporting integrity of fiscal reports to RSA.

The use of indirect service charges were authorized to DOA in the provision of payroll, personnel, and related services.

Subsequently, DOA assumed the position that financial reports to the federal government remain the responsibly of DOA.

Generally, DOA accounting system are behind 1-2 months and updated before the beginning of the ensuing fiscal year. However, for the period of 1992-1995, financial reports to RSA lagged significantly behind and remained unaudited annually pursuant to federal requirements. This situation became the basis for Guam as a high risk grantee under RSA.

The RSA in 1995 financed four (4) officials from GovGuam to Washington, D.C. to resolve the financial reporting requirements. The direct result brought all RSA reports up to date as of 1995.

Unfortunately, DOA continued to send delayed reports which put Guam DVR in jeopardy of RSA reimbursement funds to the tune of four (4) million dollars.

In order to maintain DVR's relationship with RSA, DVR fiscal staff started to submit its expenditures report directly to RSA. The DVR submission became the foundation for draw down and reimbursement of local funds from RSA.

DOA, however, reminded DVR that DOA was the official agency to report financial reports to RSA and that GovGuam would not be held responsible for financial errors. DVR deferred to DOA.

Because of the negative publicity, DOA submitted its updated financial report with the knowledge that it contained numerous errors. DVR initiated its own financial report to RSA as an alternative for RSA to consider.

DOA is willing to concede that DVR submit its own financial report on the condition that DVR staff learn the oracle system. We accept the challenge of submitting our own fiscal report, but we find the learning of the oracle to be counter productive.

We support the fiscal intent of Bill #54 on the premise that the submission of fiscal reports by DOA to RSA as a non-priority item. The accounting staff at DOA are constantly reassigned to greater priorities. Bill #54 will also address the high risk issue.

(671) 475-4637 8 Facsimile (671) 475-4661 TDD (671) 477-8642

dyrsana@ite.net



1313 Central / Tiyan, Guam 9

Albert T. SanAgustin Ed. D.

\*\*Foculional Rehabilitation Administrator\*\*

Division of Vocational Rehabilitation

GUAM

## **WAIVER OF FISCAL NOTE**

In accordance with §9105 Title 2 GCA, I hereby certify that prompt committee action on Bill 87 is necessary to the proper conduct of legislative business. Therefore, I am waiving requirement of a fiscal note on Bill 87.

MARK FORBES

Chailman,

Committee on Rules, General Governmental Operations, Reorganization and Reform, and Federal, Foreign and General Operations

49 Ē 2001

Tel: 637-4188/635-6087 DEBT COUNSELING BANKRUPICY YOU CAN STILL EDRGE M. BUTLER, ESQ.

WANTED

SAVE YOUR

HOME!

BUTTUR & TRUTORD

BUTLER

CALL 475-0206

FREE CONSULTATION

Full-time & Part-time Wedding Coordinator anese speaking preferred Please apply in person.

森敦 ウェディングコーディ ネーター フルタイム・パートタイム可 高等船・各种ベネフィット名 詳細は高級のと

ikada Enterprises, Inc. .a. Fukada Vedding Servic 646-1242/646-5861 between 11AN-5PN

### Foreclosures Or Credit Problems?

Bankruptcy may be the answer.

Free Consultation Law Office of Wilson Quinley 477-0730





GOVERNMENT OF GUAM DEPARTMENT OF ADMINISTRATION

Corl T.C. Guriarras

# PUBLIC NOTICE

PUBLIC EMPLOYEE-MANAGEMENT **RELATIONS ACT OF GUAM** (P.L. 9-240)

Pursuant to the Regulations implementing the Public Employee-Management Relations Act of Guam (PEMRA), public notice is hereby served that:

The Guam Federation of Teachers, Local 1581 AFT/AFL-CIO, has filed a petition for exclusive recognition of all Eligibility Specialists I and II of the Department of Public Health and Social Services.

Appropriateness for the proposed unit is under review.

JOSEPH T. DUENAS, Acting Director of Administration

# Informed Choice Coordinator

StayWell Insurance has an immediate opening for an Informed Choice Coordinator.

If you hold a Bachelor's Degree in nursing or are a M.D., with at least one-year professional work experience in heath care utilization management, you have an excellent opportunity to be part of a team working hard being the Plan of Choice. The following summarizes the work that may be assigned.

- review and process on- and off-island medical referrals;
- do case management of off-island inpatient/outpatient care and on-island ambulatory care;
- coordinate with on- and off-island medical providers and patient care services;
- prepare reports and perform other related duties.

The right person must have a valid driver's license and willingness to use personal vehicle in the course of employment.

StayWell offers competitive salary and excellent benefits including paid vacation, sick leave, health and life insurance, and 401(k) retirement plan.

Apply in person at StayWell, 430 W. Soledad Ave., Hagatna between 8 a.m. - 5 p.m. Monday-Friday and 9 a.m. - 1 p.m. Saturday.

> STAYWELL IS AN EQUAL EMPOYMENT OPORTUNITY EMPLOYER Administered by: D.B. Davis & Associates, Inc., General Agents



Are you willing to be part of a team working hard being the Plan of Cholon? StayWell Insurance is a locally owned company focused on exceeding its customer's expectations through dedicated employees who care about their customers, who care about their work and who care about each other. If you share these work ethics and possess the required credentials, you have an excellent opportunity to be considered for the following managerial position.

#### MEDICAL UTILIZATION MANAGEMENT MANAGER

StayWell Insurance is seeking the right person to manage its Informed Choice Department. This managerial position directs, oversees, and performs the daily utilization activities of the department and in acting as liaison between participating hospitals/providers, both on-island and off-island. Under general direction of StayWell administrator and the Medical Director, the Medical Utilization Management Manager will take responsibility for daily management of prospective, concurrent and retrospective utilization reviews including precertification, case management, quality management, hospital claims review; generate reports and perform other related work assigned.

Successful performance in this occupation will require:

- Minimum education and experience: Doctor of Medicine degree plus two years professional work experience in heath care utilization management, and one year of supervisory experience.
- Has knowledge or experience with health insurance/HMO operations and managed care utilization techniques.
- Proficient in using personal computer and AS/400.
- Can command respect of subordinates, peers, superiors and customers.
- Must have a valid driver's license and willingness to use personal vehicle in the course of employment.

StayWell offers competitive salary and excellent benefits including paid vacation, sick leave, health and life insurance, and 401(k) retirement plan.

Apply in person at StayWell, 430 W. Soledad Ave., Hagātīja between 8 a.m. - 5 p.m. Monday-Friday and 9 a.m. - 1 p.m. Saturday.

> STAYWELL IS AN EQUAL EMPOYMENT OPORTUNITY EMPLOYER Administered by: D.B. Davis & Associates, Inc., General Agents

Notice ( Public Hearing

Committee on Rules, General Governmental Operations, Reorganization and Reform, and Federal, Foreign and General Affairs Senator Mark Forbes, Chairman 2 P.M. MONDAY, APRIL 23, 2001

The following Bills will be on the Agenda:

Bill No. 35: Relative to the Antonio B. WonPat International Airport Authority, Guam, and all references inGuam Laws to amend, §1101 and §1102 of Article 1, Cho. 1, Trile 12, GCA.

Bill No. 50: Relative to hearings before the Worker's Compensation Commission

Bill No. 51: Relative to requiring any public notice, advertisement or message issued by a government agency using government funds to include a disclosure statement. Bill 53: An act to repeal and to reenact Section 16104.5 of Chapter 16, Division 3 of Title 17, GCA, relative to the establishment of the Regent Nominating Council. Bill No. 54: Act to amend 5 GCA, Chp. 22, Article 22, §22205 to exempt the Department of Vocational Rehabilitation from Central Accounting. Bill No. 57: Act to reorganize the governance of the

Public Utilities and to mandate the privitization of certain functions within those Utilities.

Bill No. 58: Act to clarify and broaden the authority of the Public Auditor.

The following apppointments will be on the Agenda:

- \* Mr. John Q. Finona as member of the Chamorro Land Trust Commission
- \* Ms. Antonia V. Evarieto as member of the Kottura Board of Advisors, Dept. of Chamorro Affairs.
- \* Mr. Richard J. Untalan as member of the Civil Service Commission

· Hearing will take place in the Conference Room, Office of Senator Mark Forbes J Libeslaturan Guahan, Hagatua, Guam The Public is Invited to Participate

Individuals requiring special accomodations, auxiliary oids or services are asked to contact the Office of Senator Forbes at 472-3512.

- TATE - -

windows 15, 20 years old or older? It's time to change n with AMS's elegant and energy efficient French Windows

Size (W x H)	On Sale Now	!
2 x 2	\$60	╛
3' x 3'	\$90	
4' x 3'	\$105	l'applic Mariemen
4' x 4'	\$125	Geneh
5' x 4'	\$145	
6' x 4' (xox)	\$185	ַ '
6' x 6'-8" sliding door	\$445	Tet
(other sizes al	so in stock)	

Sat. Barn - 4pm E--- A49.0767



TARWOOD

Enroll in Starwood

Preferred Planner

and you could with

One Million Starpoints

er blackout dates.



ROOFING PORTLAND CEMENT \$5.70 JAPAN MADE/GA26 8'/10'/12'/14'/16' REBAR #3-#6 \$290/S.T.

34-7:17 #3. #0 Aman.	0/10/12/11/10
JS LUMBER NON-TREATED	TREATED GREEN BROWN
OV 4V10 \$ 335 \$ 370	\$ 5 <sup>90</sup> \$ 6 <sup>15</sup>
2V 4V14 \$ 385 \$ 405	5 7~\$ /**
2X4X16\$ 4 <sup>85</sup> \$ 5 <sup>35</sup> \$ 2X4X18\$ 5 <sup>∞</sup> \$ 5\$	\$ 8 <sup>85</sup> \$ 9 <sup>55</sup>
2X4X20\$ 550\$ 620	\$10°5\$11°°
526 SO (US) /\$22.00 (MA)	H-BNDL1/S25.50 (FILMCOA

appear two days. Decalline is noon Friday for publication Saturday, Sunday and Monday, and noon Monday-Thursday for nest day publication. In the event of a lo cal holiday, deadline will be noon the pre-

Editor's note: Government meet

vious weekdoy.

GEDA BOARD OF DIRECTORS: Special
meeting 10 a.m. April 23, Suite 511, fifth
floor, ITC Building, Tamuning, WEFA contract; tobacco resolution on agenda. Public welcome. Those who need special ac-commodations should coll Bernard Pun-

GOVERNMENT MEETINGS

PUBLIC LERARY BOARD: 5:30 p.m. April Hagátria library conference room.
 Those who need special accommodations should call 475-4753.

COMMITTEE ON RIJES, GENERAL GOV-ERNMENTAL OPERATIONS, REORGA-NIZATION AND REFORM, AND FEDER-AL FOREIGN AND GENERAL AFFAIRS: Public hearing 2 p.m. April 23, Sen. Mark Forbes' conference room, Legislature, Hagatina, on Bills no. 35, 50, 51, 53, 54, 57, 58, Appointment hearings for John Q. Finance as member of Chamorra Land Trust Commission, Antonia V. Evansio as member of Koliura board of advisers, Department of Chamorro Affairs, and Richard J. Untalan as member of Civil Service Commission, Call 472-3407/8.
AMERICAN FEDERATION OF GOVERN-MENT EMPLOYEES, LOCAL 1689, INC. 5 p.m. April 23, union office, Naval Sta-tion. Nominations for office of executive vice president for AFGE. All members d to atte

urged to offend. NORTHERN GUAM SOIL AND WATER CONSERVATION DISTRICE Special meet

ing 6 p.m. April 23, NRCS field office, Route 8, Barrigada. All interested people welcome. Call 734-3948.

CIVIL SERVICE COMMISSION: 5:30 p.m April 24, CSC conference room, 490 Cholon Polosyo, Agano Heights. Adverse action appeal of Jennifer C. Badar vs. GWA, motion hearing on merits; odvene action appeal of Ricky S. Carbullido vs. DOE, motion hearing; general business; executive session. Call 475-1300/01.
26TH GUAM LEGISLATURE: Session 2

p.m. April 24, Legislature session hall,

MENTAL HEALTH PANINING COUNCIL: Noon April 24, Lodera Towers restourant Those who need special accommodations should call 647-5407

BOARD OF EXAMINERS FOR OPTOME TRY: 8:30 a.m. April 24, Health professional Licensing office, 1304 E. Sunset Blvd., Tiyon. Agenda copies available at 1302 E. Sunset Blvd. Those who need special accommodations should call 475-0251/2.

OUTHERN GLIAM SOIL & WATER CON-SERVATION DISTRICT: 7 p.m. April 24 UOG Experiment Storion, Indrajon. All terested people welcome. Call 734-

PORT AUTHORITY OF GUAM BOARD OF DIRECTORS: 10 a.m. April 25, board conference room, Cobras island, Piti. Agenda copies will be available. Those who need special accommodations should be applied to the commodation of the commodation call Simeon Delos Santos, 477-5931, ed.

430, or pager 720-6056. ALCOHOL BEVERAGE CONTROL BOARD: 5 p.m. April 25, Department of Revenue and Taxation director's confe room, second floor, Building 13-01, Mariner Ave., Tiyan, Those with disabili-fies should call 475-1790.

GUAM HISTORIC PRESERVATION RE-VIEW BOARD AND GUAM PRESERV TION TRUST BOARD OF DIRECTORS: 5:30 p.m April 25, GPT conference room, Building 13-8, Tryon, Public invited, DEPARTMENT OF CHAMORRO AFFAIRS

BOARD OF TRUSTEES: 5:30 p.m. April 26, Chamorro Language and Culture Division, 103 H St., Tryan. Public invited. Those who need special accommodations should call 475-4226/4279.

PAROLE BOARD: B:30 a.m. April 26, Parole Services Division conference room, Department of Corrections, Tryan, Franklin Actalle, first porole desirability hearing; Johnnie Del Rosario, second PDH; Anthony Perez, Victor C. Duenas, Ernest Chunan, Robby Aquino, first PDH; Jerry D. Ausec, Jonathan P. Santos, John L. Agustine, first PED/after revocation; Marc Shishido, Jesse

Lango, second PED/after revacation, Jesse M. Santos, fourth PED/after revacation. Lenny Borjo, John Wells, Leonard Corpus, Herman Polacios, Emesio Jimenez, pre-liminary revocation hearing; Faustino F.D. Domingo, Agustine Dela Cruz, June Ro-dinguez, Bill Tamon, Steven Bombo, Inst PDH/waived: Cheryl Miller, second PDH/waived; Richard V. Salakan, second

PED offer revocation/worked.
CIVIL SERVICE COMMISSION: 5:30 p.m. April 26, CSC conference room, 490 Cholan Palasyo, Agana Heights, Adverse action oppeal of Cisopatra C. Manzon vs. GMHA, motion hearing, pay grade re-assignment for building facilities and main-tenance manager, DOE; new, general renance manager, DOE; new, general business; executive session. Call 475-1700/01 1300/01

GOVGUAM RETIREMENT FUND BOARD OF TRUSTEES: 5:30 p.m. April 25, Retirement Fund's conference room, Maite Coll 475-8919

GTA BOARD OF DIRECTORS 6 p.m. April 26, GTA conference room, upper Tumon. Agenda copies available at meeting. Those who need special accommodations should call 479-8607

GUAM WORKFORCE INVESTMENT BOARD: 10 a.m. April 26, GEDA conference room, fifth floor, ITC Building, ference room, first land, the first ference room, first land in those who need special accommodations should call 647-7161.

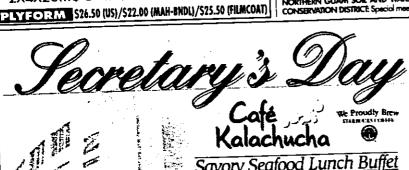
GVB BOARD OF DIRECTORS: 4 p.m. April

26, GVB's main conference room, Tumon. Those who need special accommodations should call 646-5278/9.

COMMITTEE ON PUBLIC WORKS, HEALTH AND HUMAN SERVICES: Public hearing on appointments of Lorena B. Argallon, Dr. Pablo S. Guzman, Annie M. Makepeace, Dr. Walter Chris Perez, Dr. Ronald J. San Nicolas and Jeanette S Tanos to serve as GMH board of trustees members, 9 a.m. April 26, Legislature public hearing room, Hogaina. Those who sed special accommodations should call 472-4040 or fax 472-4100. Public invit-

PLANING COUNCIL: 9 a.m. April 26, Governor's conference room, RJB com plex, Adelup. DOE 10-year capital facilplex, Adelup. 500 to year ities plan; GavGuam Emergency Response Plan; strategy to develop Land Use component; other matters. Call the Santos, 472-9771/0

COUNCIL ON THE ARTS & HUMANITIES AGENCY: 4:30 p.m. April 26, CAHA conference room, 703 Central Ave., Tryan. Those who need special accommodations should call Jackie Balbas, 475-2242/3 or fox 472-2781.



Savory Seafood Lunch Buffet

April 27, 2001 11:30am - 2:30pm \$14.95 per person plus 10% service charge

Experience the culinary delights of our Savory Seafood lunch buffet and have a little fun at the same time! Buffet includes our salad bar, soup, and desserts!

> Westin & Mandara Spa gift certificates raffled! DFS Galleria door prizes!

Mandara Spa mini massage!

Tell us "Why Your Secretary is the Best" and you could win delicious pastries from The Westin for you and your work mates to enjoy with your morning coffee! We'll personally deliver them to your office!



K Bri Reach Road, Tumon Guam 96911 of reservations call 647-0915/16

Pastor Rob New Message SUNDAY MORNING SERIVCES ARE AT 8:30 A.M. & 10:00 A.M. NURSERY & CHILDCARE ARE PROVIDED AT BOTH SERVICES To Tumon --BAYVIEW BAPTIST CHURCH PHONE: 472-8108/9 E-mail: bayview@netpci.com :WEB: www.netpci.com/~bayview

## MINA'BENTE SAIS NA LIHESLATURAN GUAHAN 2001 (FIRST) Regular Session

Bill No. 87 (COR)

Introduced by:

L. Leon Guerrero

T.Ada 2 MARK FORETS &

ACT TO AMEND 5 GCA. CHAPTER 22, ARTICLE 22, EXEMPT THE DEPARTMENT OF VOCATIONAL REHABILITATION FROM CENTRAL ACCOUNTING

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

- Section 1. §22205 of Article 22, Chapter 22, Title 5 of the Guam Connotated 2
- 3 Annotated shall be amended to read:
- 4 "§22205. Exceptions. The provisions of this Act shall not apply to the
- accounting operations of the Public Utility Agency of Guam Guam Waterworks 5
- 6 Authority, the Guam Power Authority, the Guam Telephone Authority, the Guam Airport
- 7 Authority, the Guam Housing and Urban Renewal Authority, the Guam Housing
- Corporation, the Guam Economic Development Authority, the Judicial Branch, the 8
- 9 Legislative Branch, the Guam Community College, the Department of Education, the
- 10 University of Guam and the Guam Mass Transit Authority and the Department of
- 11 Vocational Rehabilitation."