



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

JUN 18 2002

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

Dear Legislative Secretary Brown:

Enclosed please find Substitute Bill No. 237 (COR) "AN ACT TO AMEND §§ 41210(b) AND (c) OF TITLE 17 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE EMPLOYMENT OF INDIVIDUALS WITH SEVERE DISABILITIES" which I have signed into law as **Public Law No. 26-109**.

Very truly yours,

Carl T. C. Gutierrez
I Maga'Lahen Guåhan
Governor of Guam

Attachments: original bill for vetoed legislation or
copy of bill for signed or overridden legislation
and legislation enacted without signature

cc: The Honorable Antonio R. Unpingco
Speaker

OFFICE OF THE LEGISLATIVE SECRETARY
ACKNOWLEDGMENT RECEIPT

Received By EE

Time 2:53 pm.

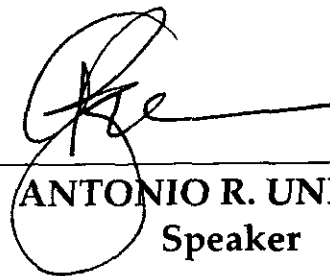
Date 06/18/02

0839


MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2002 (SECOND) Regular Session

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


This is to certify that Substitute Bill No. 237 (COR), "AN ACT TO AMEND §§ 41210(b) AND (c) OF TITLE 17 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE EMPLOYMENT OF INDIVIDUALS WITH SEVERE DISABILITIES," was on the 17th day of May, 2002, duly and regularly passed.


ANTONIO R. UNPINGCO
Speaker

Attested:


JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by I Maga'lahen Guåhan this 6th day of June, 2002,
at 11:35 o'clock 9 .M.


Assistant Staff Officer
Maga'lahi's Office

APPROVED:


CARL T. C. GUTIERREZ
I Maga'lahen Guåhan

Date: 6.18.02

Public Law No. 26-109

OFFICE OF THE LEGISLATIVE SECRETARY

ACKNOWLEDGMENT RECEIPT

Received By ES

Time 2:53pm.

Date 06/18/02

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

Bill No. 237(COR)

As substituted by the Committee
on Rules, General Governmental
Operations, Reorganization and Reform,
and Federal, Foreign and General Affairs,
and amended.

Introduced by:

V. C. Pangelinan
L. A. Leon Guerrero
J. F. Ada
T. C. Ada
F. B. Aguon, Jr.
J. M.S. Brown
E. B. Calvo
F. P. Camacho
M. C. Charfauros
Mark Forbes
L. F. Kasperbauer
K. S. Moylan
A. L.G. Santos
A. R. Unpingco
J. T. Won Pat

**AN ACT TO AMEND §§ 41210(b) AND (c) OF TITLE 17
OF THE GUAM CODE ANNOTATED, RELATIVE TO
THE EMPLOYMENT OF INDIVIDUALS WITH
SEVERE DISABILITIES.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*
3 recognizes the important purpose of the non-profit organizations employing
4 individuals with disabilities. Their effort has led to a mass population of

1 individuals with disabilities becoming contributing participants on Guam.
2 These individuals have become independent and productive members of our
3 Island community. Therefore, the need to support and encourage such non-
4 profit organizations to continue their service to society is vital.

5 *I Liheslaturan Guåhan* further recognizes that government of Guam
6 departments and/or agencies are required to employ a certain percentage of
7 individuals with severe disabilities. *I Liheslaturan Guåhan* finds that in order
8 for government of Guam departments and/or agencies to attain such
9 requirement, they need further flexibility in hiring such individuals.

10 Therefore, it is the intent of *I Liheslaturan Guåhan* to provide government
11 of Guam departments and/or agencies additional means of hiring individuals
12 with disabilities. In addition, it is also the intent of *I Liheslaturan Guåhan* to
13 assist non-profit organizations employing individuals with disabilities, in
14 order to further promote their cause, through contracts with the government
15 of Guam departments and/or agencies.

16 **Section 2.** Section 41210(b) of Article 2, Chapter 41, Division 5 of Title
17 17 of the Guam Code Annotated is hereby *amended* to read as follows:

18 “(b) Government of Guam departments and/or agencies shall
19 employ *at least* two percent (2%) of the workforce with severe
20 disabilities, meeting the criteria as defined by local or Federal agencies
21 and certified by a counselor from the Division of Vocational
22 Rehabilitation ('DVR'). Government of Guam departments and/or
23 agencies may meet such requirement through *direct* employment, or by

1 contract with non-profit organizations employing individuals with
2 disabilities.

3 Non-profit organizations contracted under this Provision shall be
4 required to have the contracted services performed by individuals with
5 disabilities who meet the criteria contained herein. Such employment
6 shall be on a temporary, limited-term employment *not* to exceed six (6)
7 months. The immediate supervisor shall complete an evaluation of the
8 individual's performance, and *if* the immediate supervisor, with the
9 concurrence of the appointing authority, determines that the individual
10 has performed satisfactorily either prior to or after the expiration of the
11 six (6) month period, the position occupied by the individual shall be
12 converted to permanent employment.

13 *If* the evaluation recommends that the individual may require an
14 extension of the employment program, the immediate supervisor and
15 the counselor at DVR shall develop a revised Individual Work
16 Rehabilitation Plan ('TWRP') to assure successful placement *not* to
17 exceed an additional six (6) months, which may include consideration of
18 a department or agency acquisition, or modification of assistive
19 technology devices or services, or placement to other positions in
20 another agency/department within the government of Guam. DVR
21 shall provide a work coach to assist the department and/or agency
22 when necessary. DVR shall be responsible to monitor compliance by
23 the departments and/or agencies."

1 **Section 3.** Section 41210(c) of Article 2, Chapter 41, Division 5 of Title
2 17 of the Guam Code Annotated is hereby *amended* to read as follows:

3 “(c) Government of Guam departments and/or agencies shall
4 consult with the Administrator of the Division of Vocational
5 Rehabilitation to advise them of which individuals with severe
6 disabilities meet the eligibility criteria. The Division of Vocational
7 Rehabilitation shall maintain a listing of those individuals and their
8 capabilities for reference by the department and/or agency. For the
9 government of Guam departments and/or agencies who meet the
10 requirement by contract with non-profit organizations, the Division of
11 Vocational Rehabilitation must first certify that such non-profit
12 organizations employing individuals with disabilities meet the
13 eligibility criteria herein.”

14 **Section 4.** The implementation of this provision shall *not* be affected by
15 current and future contract hiring restrictions of the government of Guam and
16 its departments and/or agencies.

17 **Section 5. Funding.**

18 (a) Government of Guam departments and/or agencies shall
19 reserve enough funding from their budget in order to fund the
20 requirement set forth under § 41210(b) of Title 17 of the Guam Code
21 Annotated.

22 (b) *If* government of Guam departments and/or agencies are
23 unable to employ the requirement pursuant to § 41210(b) of Title 17 of
24 the Guam Code Annotated, due to the lack of individuals with

1 disabilities who are able to work, the reserved fund shall be utilized for
2 the purchases of supplies produced by non-profit organizations
3 employing individuals with disabilities and/or products manufactured
4 by individuals with disabilities.

5 **Section 6. Severability.** *If* any provision of this Law or its
6 application to any person or circumstance is found to be invalid or contrary to
7 law, such invalidity shall *not* affect other provisions or applications of this
8 Law which can be given effect without the invalid provisions or application,
9 and to this end the provisions of this Law are severable.

6

I MINA' BENTE SAIS NA LIHESLATURAN GUAHAN

2002 (SECOND) Regular Session

Date: 5/17/02

VOTING SHEET

S Bill No. 237 (COR)

Resolution No. _____

Question: _____

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
ADA, Joseph F.	✓				
ADA, Thomas C.	✓				
AGUON, Frank B., Jr.	✓				
BROWN, Joanne M. S.	✓				
CALVO, Eddie B.					✓
CAMACHO, Felix P.	✓				
CHARFAUROS, Mark C.	✓				
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.	✓				
LEON GUERRERO, Lourdes A.	✓				
MOYLAN, Kaleo S.	✓				
PANGELINAN, Vicente C.	✓				
SANTOS, Angel L.G.	✓				
UNPINGCO, Antonio R.					✓
WON PAT, Judith T.	✓				

TOTAL

13 0 0 0 2

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence

6
5/17/02

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

Bill No. 237(COR)

As substituted in the Committee
On Rules, General Governmental
Operations Reorganization and Reform,
and Federal, Foreign and General Affairs
and amended.

*

Introduced by:

- V. C. Pangelinan
- L. A. Leon Guerrero
- J. F. Ada
- T. C. Ada
- F. B. Aguon, Jr.
- J. M.S. Brown
- E. B. Calvo
- F. P. Camacho
- M. C. Charfauros
- Mark Forbes
- L. F. Kasperbauer
- K. S. Moylan
- A. L.G. Santos
- A. R. Unpingco
- J. T. Won Pat

**AN ACT TO AMEND §§ 41210(b) AND (c) OF TITLE 17
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THE EMPLOYMENT OF INDIVIDUALS WITH
SEVERE DISABILITIES.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*
3 recognizes the important purpose of the non-profit organizations employing
4 individuals with disabilities. Their effort has led to a mass population of

1 individuals with disabilities becoming contributing participants on Guam.
2 These individuals have become independent and productive members of our
3 Island community. Therefore, the need to support and encourage such non-
4 profit organizations to continue their service to the society is vital.

5 *I Liheslaturan Guåhan* further recognizes that government of Guam
6 departments and/or agencies are required to employ a certain percentage of
7 individuals with severe disabilities. *I Liheslaturan Guåhan* finds that in order
8 for government of Guam departments and/or agencies to attain such
9 requirement, they need further flexibility in hiring such individuals.

10 Therefore, it is the intent of *I Liheslaturan Guåhan* to provide government
11 of Guam departments and/or agencies additional means of hiring individuals
12 with disabilities. In addition, it is also the intent of *I Liheslaturan Guåhan* to
13 assists non-profit organizations employing individuals with disabilities, in
14 order to further promote their cause, through contracts with the government
15 of Guam departments and/or agencies.

16 **Section 2.** Section 41210(b) of Article 2, Chapter 41, Division 5 of Title
17 17 of the Guam Code Annotated is hereby *amended* to read as follows:

18 “(b) Government of Guam departments and/or agencies shall
19 employ *at least* two percent (2%) of the workforce with severe
20 disabilities, meeting the criteria as defined by local or Federal agencies
21 and certified by a counselor from the Division of Vocational
22 Rehabilitation ('DVR'). Government of Guam departments and/or
23 agencies may meet such requirement through *direct* employment, or by

1 **Section 3.** Section 41210(c) of Article 2, Chapter 41, Division 5 of Title
2 17 of the Guam Code Annotated is hereby *amended* to read as follows:

3 “(c) Government of Guam departments and/or agencies shall
4 consult with the Administrator of the Division of Vocational
5 Rehabilitation to advise them of which individuals with severe
6 disabilities meet the eligibility criteria. The Division of Vocational
7 Rehabilitation shall maintain a listing of those individuals and their
8 capabilities for reference by the department and/or agency. For the
9 government of Guam departments and/or agencies who meet the
10 requirement by contract with non-profit organizations, the Division of
11 Vocational Rehabilitation must first certify that such non-profit
12 organizations employing individuals with disabilities meet the
13 eligibility criteria herein.”

14 **Section 4.** The implementation of this provision shall *not* be affected by
15 current and future contract hiring restrictions of the government of Guam and
16 its departments and/or agencies.

17 **Section 5. Funding.**

18 (a) Government of Guam departments and/or agencies shall
19 reserve enough funding from their budget in order to fund the
20 requirement set forth under § 41210(b) of Title 17 of the Guam Code
21 Annotated.

22 (b) *If* government of Guam departments and/or agencies are
23 unable to employ the requirement pursuant to § 41210(b) of Title 17 of
24 the Guam Code Annotated, due to the lack of individuals with

1 disabilities who are able to work, the reserved fund shall be utilized for
2 the purchases of supplies produced by non-profit organizations
3 employing individuals with disabilities and/or products manufactured
4 by individuals with disabilities.

5 **Section 6. Severability.** *If* any provision of this Law or its
6 application to any person or circumstance is found to be invalid or contrary to
7 law, such invalidity shall *not* affect other provisions or applications of this
8 Law which can be given effect without the invalid provisions or application,
9 and to this end the provisions of this Law are severable.

2nd July
5/9/02 5/14/02

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

Bill No. 237 (COR)

Introduced by:
As Substituted in the Committee.

v.c. pangelinan
L.A. Leon Guerrero *HLR*

AN ACT TO AMEND §41210 OF ARTICLE 2 OF
CHAPTER 41 OF TITLE 17, GUAM CODE
ANNOTATED, RELATIVE TO THE EMPLOYMENT
OF INDIVIDUALS WITH SEVERE DISABILITIES.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Intent. *I Liheslaturan Guåhan* recognizes the
3 important purpose of the non-profit organizations employing individuals
4 with disabilities. Their effort has led to a mass population of individuals with
5 disabilities becoming contributing participants to the Territory of Guam.
6 These individuals have become independent and productive members of our
7 island community. Therefore, the need to support and encourage such non-
8 profit organizations to continue their service to the society is vital.

9 *I Liheslaturan Guåhan* further recognizes that the Government of Guam
10 departments and/or agencies are required to employ a certain percentage of
11 individuals with severe disabilities. *I Liheslaturan Guåhan* finds that in order
12 for the Government of Guam departments and/or agencies to attain such
13 requirement, it needs further flexibility in hiring such individuals.

1 Therefore, it is the intent of *I Liheslaturan Guåhan* to provide the
2 Government of Guam departments and/or agencies additional means of
3 hiring individuals with disabilities. In addition, it is also the intent of *I*
4 *Liheslaturan Guåhan* to assists non-profit organizations employing individuals
5 with disabilities, in order to further promote their cause, through contracts
6 with the Government of Guam departments and/or agencies.

7 Section 2. Subsection (b) of §41210 of Article 2 of Chapter 41 of Title 17
8 of the Guam Code Annotated is hereby amended to read as follows:

9 “(b). Government of Guam departments and/or agencies shall
10 employ at least two percent (2%) of the work force with severe
11 disabilities, meeting the criteria as defined by local or federal agencies
12 and certified by a counselor from the Division of Vocational
13 Rehabilitation ('DVR'). The Government of Guam departments and/or
14 agencies may meet such requirement through direct employment or by
15 contract with non-profit organizations employing individuals with
16 disabilities. Non-profit organizations contracted under this provision
17 shall be required to have the contracted services performed by
18 individuals with disabilities, who meet the criteria contained herein.
19 Such employment shall be on a temporary, limited-term employment
20 not to exceed six (6) months. The immediate supervisor shall complete
21 an evaluation of the individual's performance, and if the immediate
22 supervisor with the concurrence of appointing authority determines
23 that the individual has performed satisfactorily either prior to or after
24 the expiration of the six (6) month period, the position occupied by the

1 individual shall be converted to permanent employment. If the
2 evaluation recommends that the individual may require an extension of
3 the employment program, the immediate supervisor and the counselor
4 at DVR shall develop a revised Individual Work Rehabilitation Plan
5 ('IWRP') to assure successful placement not to exceed an additional six
6 (6) months, which may include consideration of a department or agency
7 acquisition or modification of assistive technology devices or services or
8 placement to other positions in another agency/department within the
9 government of Guam. DVR shall provide a work coach to assist the
10 department and/or agency when necessary. DVR shall be responsible to
11 monitor compliance by the departments and/or agencies."

12 Section 3. Subsection (c) of §41210 of Article 2 of Chapter 41 of Title 17
13 of the Guam Code Annotated is hereby amended to read as follows:

14 "(c). Government of Guam departments and/or agencies shall
15 consult with the Administrator of the Division of Vocational
16 Rehabilitation to advise them of which individuals with severe
17 disabilities meet the eligibility criteria. The Division of Vocational
18 Rehabilitation shall maintain a listing of those individuals and their
19 capabilities for reference by the department and/or agency. For the
20 Government of Guam departments and/or agencies who meet the
21 requirement by contract with non-profit organizations, the Division of
22 Vocational Rehabilitation must first certify that such non-profit
23 organizations employing individuals with disabilities meet the
24 eligibility criteria herein."

1 **Section 4.** The implementation of this provision shall not be affected by
2 current and future contract hiring restrictions of the government of Guam and
3 its departments and/or agencies.

4 **Section 5.** (a) Government of Guam departments and/or agencies shall
5 reserve enough funding from their budget in order to fund the requirement
6 set forth under Subsection (b) of §41210 of Article 2 of Chapter 41 of Title 17,
7 Guam Code Annotated.

8 (b) If government of Guam departments and/or agencies are
9 unable to employ the requirement pursuant to Subsection (b) of §41210
10 of Article 2 of Chapter 41 of Title 17 of the Guam Code Annotated, due
11 to the lack of individuals with disabilities who are able to work, the
12 reserved fund shall be utilized for the purchases of supplies produced
13 by nonprofit organizations employing individuals with disabilities
14 and/or products manufactured by individuals with disabilities.

15 **Section 6. Severability.** *If* any provision of this Law or its
16 application to any person or circumstance is found to be invalid or contrary to
17 law, such invalidity shall *not* affect other provisions or applications of this
18 Law which can be given effect without the invalid provisions or application,
19 and to this end the provisions of this Law are severable.



MINA ' BENTE SAIS NA LIHESLATURAN GUAHAN

Kumitehan Areklamento, Hinanao Gubetnamenton Hinirát, Rifotma yan Rinueba,
yan Asunton Fidirát, Taotao Hiyong yan Hinirát

*Senadot Mark Forbes, Gebilu
Kabisiyon Mayurát*

WAIVER OF FISCAL NOTE

In accordance with §9105 Title 2 GCA, I hereby certify that prompt committee action on Bill 237 is necessary to the proper conduct of legislative business. Therefore, I am waiving requirement of a fiscal note on Bill 237.

~~MARK FORBES~~

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

AKC Rott Adult Female
w/papers \$500
Call: 734-3910

AKC SILKY TERRIER Pups Toy
Dog Small House Pet w/Shot
\$500ea. 477-3749

Beautiful Sun Conure hand
fed baby birds. \$300ea
Call 640-1804 Lv. Mag.

German Rottweiler (no papers)
Swiss old For Sale 2 females
2males \$800 ea. Call 789-0725

NEAPOLITAN MASTIFF 2 Fem
puppies w/photos & Microchip ID
\$1500each Call 734-5222

Pomeranian Pups 3 months old
Some shots \$800 Call Pierre
686-2626 or 734-4288

TOP SOIL & BACKFILL
FOR SALE CALL 687-8750

ONLINE CLASSIFIEDS
www.guampacific.com

To place your ad, log on
to our website and fill out
the Classified Ad form
or call 473-1188

BUSES FOR SALE

Make: HINO
Model: R 225S
Capacity: 49 Pax
Good running condition with A/C
Well Maintained
Call tel. No. 646-1028
Attention: Pete Benavente

GENERAL ORDER

No. 00-00014

The "Pacific Daily News", a newspaper of general circulation published in Hagatna, Guam, is designated the official newspaper of the court. Unless otherwise provided by order, every notice required to be published shall be published in the "Pacific Daily News."

District Court of Guam
Territory of Guam
Filed Sept. 29, 2000

EST FOR BID

The Archdiocese of Agaña will receive sealed bids for the Proposed Addition/Alteration to the existing Redeemptoris Mater Seminary Building, Tai, Mangilao, Guam, described in the contract documents until 2:00 p.m., February 15, 2002 at the office of the Archdiocese of Agaña, 1968 Cuesta San Ramon, Agaña Guam. Bids received after closing time will not be considered.

Bid document can be examined at the office of Albert H. Tsutsui, AIA, Inc., located at the Suite 213, Juale Center, Agaña, Guam. Copies of the documents can be obtained at said location, between 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding holidays for \$100.00 for each set, nonrefundable.

Bid shall be submitted on forms supplied and submitted in a sealed envelope bearing on the outside the name of the bidder, his address and names of the project for which the bid is submitted.

The Archdiocese of Agaña, reserves the right to reject any or all bids and to waive any and all informalities, to disregard all nonconforming or conditional bids or counter proposals, to negotiate itemized materials as to be submitted in the ITEMIZED COST FORM, "ATTACHMENT A", and to provide Owner Furnished Contractor Installed (O.F.C.I.) items and substitutes.

A Pre-bid Conference for this project will be held on January 30, 2002, 10:00 a.m. at the office of the Archdiocese of Agaña, 1968 Cuesta San Ramon, Agaña, Guam. All prospective bidders are requested to be present.

For additional information contact Mr. Albert H. Tsutsui, at 472-8566, or 477-8539.

/s/ Archbishop Anthony Sablan Apuron
Archdiocese of Agaña, Guam

NOTICE OF SALE UNDER MORTGAGE

NOTICE IS HEREBY GIVEN, pursuant to Section 2932 of the Civil Code of Guam, as codified by 18 G.C.A. §36113, that the Mortgage executed and delivered by HERMAN G. GUMATAOTAO and MAURICIA C. GUMATAOTAO, whose mailing address is Post Office Box 1640, Hagåtña, Guam, 96932, Mortgage, to NORTHWEST FINANCIAL GUAM, INC. aka WELLS FARGO FINANCIAL GUAM 1, INC., Mortgage, whose mailing address is 130 East Marine Drive, Suite B-102, Hagåtña, Guam, 96910, which Mortgage was executed on November 23, 1999, and recorded with the Department of Land Management, Government of Guam, under Document No. 613351, on November 29, 1999, will be FORECLOSED pursuant to a POWER OF SALE contained in the above Mortgage. The property described below will be sold WITHOUT WARRANTY BEING GIVEN, as hereinafter described, to the highest bidder at public auction, at the Hagåtña Mayor's Office, Hagåtña, Guam, at 3:00 p.m., on January 31, 2002, to satisfy the amount due on such mortgage on the day of sale. Terms of sale are strictly cash or as otherwise deemed acceptable by Seller.

The premises that are described in such Mortgage and that will be sold to satisfy the Mortgage are more particularly described as follows:

PARCEL 1: Lot No. 1441-91-4A-1-1, Agaña, Guam, as said lot is marked and designated on Map Drawing No. CC-8909A (LHM205F89) dated March 29, 1989 and recorded on March 31, 1989 under Instrument No. 414845 in the Department of Land Management, Government of Guam. The following is shown for information purposes only: Said map shows the area to be 5002 square meters; Certificate of Title No. pending.

PARCEL 2: Lot No. 1441-91-4A-1-R1, Agaña, Guam, as said lot is marked and designated on Map Drawing No. CC-8909A (LHM205F89) dated March 29, 1989 and recorded on March 31, 1989 under Instrument No. 414845 in the Department of Land Management, Government of Guam. The following is shown for information purposes only: Said map shows the area to be 6992 square meters; Certificate of Title No. pending.

Together with the buildings, improvements, tenements, rights, easements, privileges and appurtenances to the same belonging or appertaining or held and enjoyed herewith, including the reversions, remainders, rents, issues and profits thereof, all personal property, fixtures, chattels, furnishings and inventory thereon, and all of the estate, right, title and interest of the Mortgagors, both of law and in equity, thereon and there to. The undersigned is the attorney for the lawful owner of such mortgage and the note secured thereby. The Mortgagors have defaulted in performance of the terms and conditions of the note and mortgage, and the principal sum due is Twenty Thousand Three Hundred Seventy and 17/100 Dollars (\$20,317.17) as of September 8, 2001, plus interest thereon at the rate of 18% per annum from July 19, 2000 to the date of payment or sale, reasonable attorneys' fees and costs of sale. The undersigned reserves the right to withdraw this Notice to reject any bid or to accept the highest bid, and to postpone the sale from time to time.

This Notice of Sale Under Mortgage is made for the purpose of collecting a debt and any information obtained by the undersigned will be used for that purpose.

Dated this 6 day of December 2001.

HERMAN O'CONNOR MANN & SHILOV
Attorneys for Mortgage

By: /s/ DANIEL J. BERMAN
GUAM U.S.A.
CITY OF HAGATNA

On this 6th day of December 2001, before me, the undersigned notary, personally appeared DANIEL J. BERMAN, the person whose name is signed on the preceding document, and acknowledged to me that he signed it voluntarily for its stated purpose, as attorney for WELLS FARGO FINANCIAL GUAM 1, INC.

By: /s/ ANNA MARE G. CRUZ
NOTARY PUBLIC
In and for Guam U.S.A.
My Commission Expires: May 15, 2002
P.O. Box 8144, Agaña, Guam 96928

BUZZ REALTY
PH: 467-0888/9
VOICE MAIL: 720-2755
Suite 84, Can-Ton Bldg, Tamuning

Chalan Pago
Commercial land
next to Pago Bay Estate
along Route 4
\$75,000
(1472 sqm)

Mangilao
Commercial land
next to Public Health
about 1226 sqm
\$75,000
along route 10

Chalan Pago
1 acre lot (3751 sqm)
\$27,500 only
(2 lots available)

Yigo Takano Subdivision
1/4 land w/power
and water. Better
paved road!
\$29,500

Agat House
3bd, 2.2 ba newly
renovated house close to
school
\$140,000

We're looking for the right... Administrative Assistant

High school diploma or the equivalent. Two years of secretarial experience. Type at least 60 wpm and working knowledge of Microsoft Word and Microsoft Excel. Experience with other computer applications a plus. Ability to read and comprehend instructions and information. Excellent oral and written communication skill, organizational and time management skills. Must be able to use good judgment and exercise discretion and confidentiality in work performance. Professional personal appearance and able to work well with the public and others. Must be attentive, organized, detail oriented and able to work under pressure. Ability to work with minimal supervision. Must have reliable transportation to work.

...to Join Nissan Motor Corp. in Guam

We offer an excellent salary and benefit package:

- sick leave, paid vacation, birthday and holiday pay
- employee discounts, medical-dental, life and supplemental insurance
- cafeteria plan, bereavement leave, 401K profit-sharing

If you think you qualify, please apply at the Human Resources Office Upper Tumon (next to East West Rental) 1012 North Marine Drive, Rt. 1 between the hours of 8:30 a.m. to 4:30 p.m. Monday through Friday

NISSAN
DRIVEN.

Notice of Public Hearing

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

10 A.M. Friday, January 25, 2002

The following Bills will be on the Agenda:

- **Bill 143:** Relative to displaying the United States and Guam flags.
- **Bill 292:** An act relative to voter registration clerks.
- **Bill 236:** An act relative to paternity leave.
- **Bill 237:** Act relative to employment of individuals with severe disabilities.
- **Bill 242:** An act to authorize hazardous pay for solid waste technicians and overtime pay due bus drivers at the Department of Public Works.
- **Bill 244:** An act relative to the qualifications of the board members of the Procurement Appeals Board.

Confirmations of:

- Clifford Guzman to serve as Director of the Department of Administration.
- Jose S.N. Changualaf to serve as a member of the Chamorro Land Trust Commission.
- John Q. Finona to serve as a member of the Chamorro Land Trust Commission.

Hearing will take place in the Session Hall, 1 Labalaturan Guahan, Hagatna, Guam
The Public is Invited to Participate
Individuals requiring special accommodations, auxiliary aids or services are asked to contact the Office of Senator Forbes at 472-3512

GHURA
Guam Housing and Urban Renewal Authority
Ataridae Gimins Yan Rimebas Srudat Guahan
117 Ben Yenda Avenue - Sinajana, Guam 96926
Phone: (671) 477-9851 to 4 • Fax: (671) 472-7565 • TTY: (671) 472-3701

Card T.C. Gutierrez
Governor

Madeleine Z. Bordallo
Lieutenant Governor

NOTICE TO THE PUBLIC

This ad is paid with HUD Funds by GHURA

Guam Housing and Urban Renewal Authority (GHURA) will be accepting applications to establish a list for the Astumbo Subdivision Affordable Housing Program on a first come first serve basis starting January 22, 2002 through March 1, 2002, at the Sinajana GHURA office between 8:00A.M. and 5:00P.M., Monday to Friday except holidays. You can pick up the application form at the Sinajana GHURA office. All applications must be submitted no later than 5:00P.M. Friday, March 1, 2002.

GHURA under the Astumbo Subdivision Affordable Housing Program is building 40 homes within its Astumbo Subdivision Project to be sold to families or individuals who qualify for the program. To be eligible for the program, you must be a United States citizen or permanent resident alien who has resided on Guam for a period of not less than five (5) years immediately preceding the application. You must be without for simple title or leasehold to developed or developable real property in or out of Guam. If you have a current leasehold or reservation to lease a residential lot, you must cancel the lease or interest on the residential lot prior to closing the purchase of the property. In addition, your income must not exceed 80% of the median income as determined by U.S. Housing and Urban Development (HUD) and you must be able to secure a mortgage loan from a bona fide lending institution.

GHURA will make necessary arrangements for persons with disabilities upon prior notification. Should you require such arrangement, please contact Mr. Michael Duenas at the Research, Planning & Evaluation Section at 477-9851/2/3/4.

Should you need more information regarding the Astumbo Subdivision Affordable Housing Program, you can contact Mr. Jesus or Mr. Ronald Lujan at 477-9851/2/3/4.

/s/ Taling M. Taitano
Executive Director

GOVERNMENT MEETINGS

Editor's note: Government meeting submissions will be tightly edited. Meetings will run on a space-available basis. Deadline is noon Friday for publication Saturday, Sunday and Monday, and noon Monday through Thursday for next day publication. In the event of a local holiday, deadline will be noon the previous weekday.

GEDA BOARD OF DIRECTORS: 10 a.m. Jan. 25, Suite 511, fifth floor, ITC Building, Tamuning. For special accommodations, call Bernard Punzalan, 647-4332.
COMMITTEE ON PUBLIC WORKS, HEALTH AND HUMAN SERVICES: Oversight hearing on DPW 9 a.m. Jan. 25, 1 Uñeslaturan Guahan public hearing room, Hagåtña. Call office of Sen. Eddie Calvo, 472-4040.
GVB BOARD OF DIRECTORS: Jan. 24 meeting canceled due to lack of quorum. Call 646-5278/9.

KGTF-TV CHANNEL 12 BOARD OF TRUSTEES: 5 p.m. Jan. 24, KGTF studio, Mangilao. For special accommodations, call 734-2207.
ANCESTRAL LANDS COMMISSION: 6 p.m. Jan. 25, Building 111, A St., Tiyán. For special accommodations, call 473-5263.
PAROLE BOARD: 8:30 a.m. Jan. 25, Parole Services Division's conference room, DepCor, Tiyán. Ruben Cruz, first PED after revocation; Edward B. Perez, Alexander B. Kitano, Maximino S. Mendicola, Kitarichi Willander, first parole desirability hearing; James Castro, second PDH; Johnny S.A. Cruz, first PED after revocation; Joseph Reyes, Andrea Manglano, Carl Cales, Jude Flores, Joseph Jr. Roberto, George Paulino, Robby Aquino, Jesse Longa, Carl Olzada, Jonathan Alberto, Joseph M. Vitoria, Richard Guerrero, preliminary revocation hearing; Elizabeth Leon Guerrero, request for visitation; Glenn Leon Guerrero, Gilbert Quisingo, request for early discharge; Martha Peter, request for transfer of residence; Erin Tores, request for off-island transfer; Eiren T. Bataclan, Sunny Tram Palma, Joshua Alcanzo, Craig Roberto, Owen O. Magallanes, Juan C. Comacho, first PED (waived); David J. Borja, first PED after revocation (waived); Bruce Charfours, second PED after revocation (waived).

ANCESTRAL LANDS COMMISSION: 6 p.m. Jan. 25, 111 S St., Tiyán. For special accommodations, call 473-5262.
COMMITTEE ON RULES, GENERAL GOVERNMENTAL OPERATIONS, REORGANIZATION AND REFORM, AND FEDERAL, FOREIGN AND GENERAL AFFAIRS: Public hearing 10 a.m. Jan. 25, 1 Uñeslaturan Guahan session hall, Hagåtña. Bills 143, 202, 236, 237, 242 and 244; confirmation hearing of Clifford Guzman to serve as director of Department of Administration; and John Q. Finona and Jose S.N. Charquialaf to serve as members of the Chamorro Land Trust Commission. Call 472-3407/8.

COMMITTEE ON PUBLIC WORKS, HEALTH AND HUMAN SERVICES: Continuation of GNVH oversight hearing 9 a.m. Jan. 28, 1 Uñeslaturan Guahan public hearing room, Hagåtña. Call 472-4040/4518.
PUBLIC LIBRARY SYSTEM: 5:30 p.m. Jan. 28, Hagåtña Library conference room. For special accommodations, call 475-4753/5.

JUDICIAL COUNCIL: 12:30 p.m. Jan. 28, Presiding Judge Lamorena III's courtroom, second floor, Guam Judicial Center. Call Julie Lujan-Torres, 475-3410/3500.

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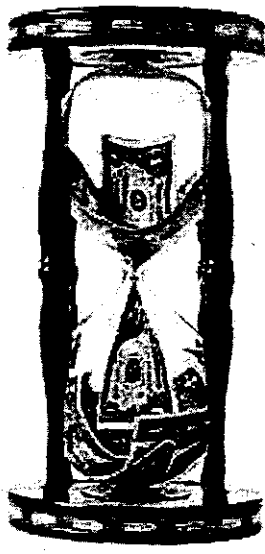


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Kumitehan Areklamento, Hinanao Gubetnamenton Hinirát, Rifotma yan Rinueba,
yan Asunton Fidirát, Taotao Hiyong yan Hinirát

*Senadot Mark Forbes, Gehilu
Kabisiyon Mayurát*

09 MAY 2002

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

20-109

Dear Mr. Speaker:

The Committee on Rules, General Governmental Operations, Reorganization and Reform, and Federal, Foreign and General Affairs, to which Bill No. 237, was referred, wishes to report its findings and recommendations **TO DO PASS BILL NO. 237, as substituted:** "An Act To Amend §41210 Of Article 2 Of Chapter 41 Of Title 17, Guam Code Annotated, Relative To The Employment Of Individuals With Disabilities."

The voting record is as follows:

TO PASS	<u>7</u>
NOT TO PASS	<u>0</u>
ABSTAIN	<u>0</u>
TO PLACE IN INACTIVE FILE	<u>0</u>
TO REPORT OUT	<u>0</u>

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



MINA ' BENTE SAIS NA LIHESLATURAN GUAHAN

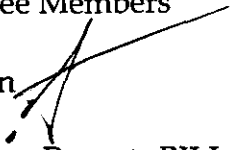
Kumitehan Areklamento, Hinanao Gubetnamenton Hinirát, Rifotma yan Rinueba,
yan Asunton Fidirát, Taotao Hiyong yan Hinirát

*Senadot Mark Forbes, Gebilu
Kabisiyon Mayurát*

09 MAY 2002

MEMORANDUM

TO: Committee Members

FROM: Chairman 

SUBJECT: Committee Report- BILL NO. 237, as substituted: "An Act To Amend §41210 Of Article 2 Of Chapter 41 Of Title 17, Guam Code Annotated, Relative To The Employment Of Individuals With Disabilities."

Transmitted herewith for your information and action is the report on Bill No. 237, as substituted, 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. 237, as substituted
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.


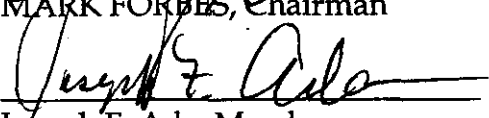

MARK FORBES

Attachments

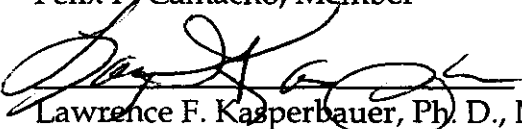
**Committee on Rules, General Governmental Operations, Reorganization and Reform, and Federal,
Foreign and General Affairs**
I Mina' Bente Sais Na Liheslaturan Guåhan


Voting Record


BILL NO. 237, as substituted: "An Act To Amend §41210 Of Article 2 Of Chapter 41 Of Title 17, Guam Code Annotated, Relative To The Employment Of Individuals With Disabilities."


	<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>TO ABSTAIN</u>	<u>INACTIVE FILE</u>	<u>TO REPORT OUT</u>
 MARK FORBES, Chairman	✓				
 Joseph F. Ada, Member	✓				
 Joanne M.S. Brown, Member	✓				

Eddie B. Calvo, Member					

Felix P. Camacho, Member					
 Lawrence F. Kasperbauer, Ph. D., Member	X				

Kaleo S. Moylan, Member					
 Antonio R. Unpingco, <i>Ex-Officio Member</i>	✓				

Thomas C. Ada, Member					
 Lou A. Leon Guerrero, Member	✓				

 Vicente C. Pangelinan, Member	✓				

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

**COMMITTEE REPORT
ON
BILL NO. 237, AS SUBSTITUTED**

**“AN ACT TO AMEND §41210 OF ARTICLE 2 OF CHAPTER 41
OF TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO THE
EMPLOYMENT OF INDIVIDUALS WITH DISABILITIES.”**

I. OVERVIEW

The Committee on Rules, General Governmental Operations, Reorganization and Reform, and Federal, Foreign and General Affairs held a public hearing at 10 a.m. on January 25, 2002 in the Public Hearing Room, I Liheslaturan Guahan. Public notice was given in the Thursday, January 24, 2002 and Friday, January 25, 2002 editions of the Pacific Daily News.

Senators present at the public hearing were:

Senator Mark Forbes, Chairman
Senator Larry Kasperbauer, Member
Senator Lou Leon Guerrero, Member
Senator Ben Pangelinan, Member
Senator Frank Aguon, Jr.

II. SUMMARY OF TESTIMONY

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

Jane Borden, citizen, (Written testimony)

Tina Rose Muna Barnes, Acting Director, Dept. of Integrated Services for Individuals with Disabilities "DISID", (Oral and written testimony)

Jacob Cruz, citizen, (Oral and written testimony)

Elia Ubedei, Program Specialist, Guma Mami, (Oral testimony)

Maria G.P. Espinoza, parent, (Written testimony)

Cerila M. Rapadas, Executive Director, Catholic Social Service, (Written testimony)

Joseph Artero-Cameron, Director, DISID, (Written testimony)

Jane Borden, a private citizen, provided written testimony in support of the bill and which she request that epilepsy be considered a severe disability prognosis and be given the same government assistance and social benefits mutually.

Tina Muna Barnes, the Acting Director of DISID, spoke briefly stating her support for the legislation and submitted her written testimony before the Committee. She asked that the Legislature ensure that each agency set aside funds reserved for the hiring of individuals with disabilities in their annual budget review process.

Jacob Cruz, a private citizen, testified before the Committee on Bill No. 237. Mr. Cruz said that he was under the 700-hour program for four years. He said that the program should be abolished, and that DVR has done all that it can. He said he disagrees with the program's 700-hour limit, and asked Sen. Pangelinan what the intent of the bill is. Sen. Pangelinan said that he's trying to expand the opportunities for employment for people with disabilities, to allow non-profit organizations who employ individuals with disabilities to qualify for the 700-hour program. Mr. Cruz said that he was

employed at the Guam International Airport until 2000, but had to be let go because of "no budget". He was told the same thing at many other agencies.

Elia Ubedei, Program Specialist, Guma Mami, testified before the Committee on Bill No. 237. As an advocate for persons with disabilities, she said that the intent of the bill will extend the lifestyle of people with disabilities and said she supports the intent of the bill.

Maria G.P. Espinoza, parent, submitted written testimony on Bill No. 237. Mrs. Espinoza supports the bill, with recommendations: 1) define "severe disabilities", 2) the program's limit of 700 hours per fiscal year seems discriminator, and 3) allow individuals hired under this program to choose to work the same number of hours as his/her co-workers so that the 700-hour limit can be fulfilled sooner.

Cerila M. Rapadas, Executive Director, Catholic Social Service, submitted written testimony on Bill No. 237. She was supportive of the idea of expanding opportunities for persons with disabilities. Mrs. Rapadas had several concerns with the bill, including 1) the requirement that all employees be severely disabled, since supervision by non-disabled persons is necessary, 2) the program's limit of 700 hours per year, and 3) the current non-enforcement of a procurement law regarding non-profits who hire 75% disabled persons.

Joseph Artero-Cameron, Director, DISID, submitted written testimony on Bill No. 237. Mr. Cameron recommended that all profit and non-profit corporations bidding in the government of Guam include an affirmative action plan in their bid to employ individuals with disabilities at a minimum of 2% or greater of their total workforce. He also recommended that the Division of Vocational Rehab of his Department be the certifier for this program.

III. FINDINGS AND RECOMMENDATION

The Committee on Rules, General Governmental Operations, Reorganization and Reform, and Federal, Foreign and General Affairs finds that Bill No. 237, as substituted, is a recommended expansion of an existing program to give opportunities for individuals with disabilities. This expansion will not only give more opportunities for those individuals, but will expand opportunities for those non-profit organizations who employ those individuals.

Accordingly, the Committee on Rules, General Governmental Operations, Reorganization and Reform, and Federal, Foreign and General Affairs, to which Bill No. 237 was referred does hereby submit its findings and recommendations to I Mina' Bente Sais Na Liheslaturan Guahan **TO DO PASS BILL NO. 237, as substituted, "An Act To Amend §41210 Of Article 2 Of Chapter 41 Of Title 17, Guam Code Annotated, Relative To The Employment Of Individuals With Disabilities."**

TESTIMONY

This is a testimony of the Acting Director of DISID on Bill No. 237, an act to amend §4121 of Article 2 of Chapter 41 of Title 17, Guam Code Annotated, Relative to the Employment of Individuals with severe disabilities.

I have thoroughly reviewed Bill 237 and fully support its passage.

The Bill has a new provision requiring agencies to reserve enough funds from their budget for the purpose of hiring individuals with disabilities that will ensure compliance of the 2% employment requirement by each respective agency.

Our only request is for the Legislature to ensure that each agency is setting aside those funds during their annual budget review process.

Thank you for the opportunity to provide comments.



TINA ROSE MUÑA BARNES

GOVERNMENT OF GUAM
NON-AUTONOMOUS DEPARTMENT AGENCY

No. of Emp.	Department / Agency	Need
	Governor's Office / Passport (Passport 7/0)	
	Lt. Governor's Office	
28 / 0	Bureau of Budget & Management Research (BBMR)	0
17 / 0	Civil Service Commission (CSC)	0
202 / 0	Department of Administration (DOA)	4
4 / 0	Guam Election Commission (GEC)	0
188 / 2	Revenue & Taxation (R&T)	3
30 / 1	Bureau of Planning (BOP) (Developmental Disabilities Council 3/1)	1
628 / 6	Department of Public Works (DPW)	12
145 / 1	Department of Law	29
485 / 0	Guam Police Department (GPD)	9
230 / 0	Department of Corrections (DOC)	4
44 / 0	Department of Commerce	0
26 / 1	Agency for Human Resources Development (AHRD)	0
143 / 0	Department of Agriculture	2
491 / 4	Public Health & Social Services (PH&SS)	9
26 / 2	Guam Public Library	0
94 / 0	Department of Youth Affairs (DYA)	1
3 / 0	Guam Health Planning (GHP) (Under DISID)	0
	Guam Environmental Protection Agency (GEPA)	
121 / 1	Mental Health & Substance Abuse (MH&SA)	2
74 / 3	Department of Labor (DOL)	1
127 / 4	Department of Parks & Recreations (DPR)	2
38 / 0	DISID/Division of Vocational Rehabilitation (DSID/DVR)	0
	Civil Defense	
	Mayor's Council	
65 / 0	Department of Land Management (DLM)	1
3 / 0	Chief Medical Examiners Office	0
3 / 0	Veteran's Affairs	0
	Customs & Quarantine	
8 / 0	Guam Museum	0

**GOVERNMENT OF GUAM
AUTONOMOUS DEPARTMENT AGENCY**

No. of Emp.	Department / Agency	Need
43 / 0	Guam Economic Development Agency (GEDA)	0
89 / 0	Guam Housing & Urban Renewal Authority (GHURA)	1
265 / 5	Guam International Airport Authority (GIAA)	5
54 / 0	Guam Housing Cooperation (GHC)	1
	Guam Legislature	
822 / 2	Guam Memorial Hospital (GMH)	16
452 / 5	Port Authority of Guam (PAG)	9
470 / 5	Guam Telephone Authority (GTA)	9
31 / 0	Guam Visitor's Bureau (GVB)	0
	Retirement Staff	
186 / 0	University of Guam (UOG)	3
	Guam Power Authority (GPA)	
242 / 0	Guam Community College (GCC)	4
	Superior Court	
	Public Defender	
	Retirees / Survivors	
1,680 / 14	Department of Education Staff	33
1,935 / 0	Department of Education Faculty	38
383 / 2	Guam Water Works (GWA)	7

NAME	AGENCY/DIVISION	# OF EMP.	POSITION TITLE	EFFECTIVE DATE	PERMANENT DATE
Paz Adame Manganop	Guam Mass Transit Authority	14	Messenger Clerk	Oct. 8, 1997	Nov. 25, 1998
Jose c. Quinene	Guam Mass Transit Authority		Building Custodian	May 5, 1997	LT (ends Dec.)
Evelyn Rapolla	Guam Int'l. Airport Authority	265	Clerk III	Jul 22, 1997	Jul 22, 1998
Mailei Jamero	Guam Int'l. Airport Authority		Clerk III	Jul 2, 1996	Jan. 2, 1997
Margie Francisco	Guam Int'l. Airport Authority		Word Processing Secretary II	Nov. 15, 1993	Sept. 14, 1994
Jacob B.L. Cruz	Guam Int'l. Airport Authority		Clerk III	Jul 19, 1999	On Going
Thomas Manibusan	Guam Int'l. Airport Authority		Clerk III	Mar. 24, 1997	Oct. 27, 1997
Jesse J. Cruz	Department of Public Works	628	Solid Waste Technician	Dec. 22, 1990	Jun 18, 1992
Micheal F. Sablan	Department of Public Works		Solid Waste Technician	Nov. 30, 1995	Mar. 3, 1995
Eugene San Nicolas	Department of Public Works		Automotive Service Worker I	Jul. 15, 1993	Jul. 15, 1993
Allan Cruz	Department of Public Works		Storekeeper I	Feb. 2, 1993	Jun. 11, 1997
Andres S. Bautista	Department of Public Works		Maintenance Custodian	Oct. 4, 1996	Feb. 2, 1997
Patrick M. Benavente	Department of Public Works		Administrative Aide	Jan, 2, 1996	Jun. 15, 1996
Maryann B. Castro	DOE - M.U. Lujan Elementary	3,615	School Aide III	Mar. 21, 1991	Nov. 7, 1991
Evelyn R. Duenas	DOE - Talafofo Elementary		Telephone Operator	May 6, 1991	Jan. 7, 1992
Stella A. Franco	DOE - Tamuning Elementary		Cook Assistant	May 13, 1991	Apr. 14, 1992
Romona C. Ignacio	DOE - Astumbo Elementary		School Aide II	May 4, 1992	Sept. 3, 1992
Juan B. Mesa	DOE - Facilities & Maintenance Division		Trades Helper	Nov. 12, 1991	Mar. 13, 1992
Mary C. Palomo	DOE - Special Education Division		School Aide I	May 18, 1992	Sept. 17, 1992
Pedro P. Pangelinan Jr.	DOE - Special Education Division		School Aide II	May 4, 1992	Sept. 3, 1992
Frances J. R. Perez	DOE - John F. Kennedy High		Cook Assistant	Apr. 4, 1991	Dec. 31, 1991
Lavina Quinata	DOE - Personnel Service Division		Clerk Typist III	Sept. 30, 1996	Jan. 29, 1997
Judy M.G. Sablan	DOE - Marcial Sablan Elementary		Library Technician I	Nov. 13, 1991	Mar, 16, 1992
Martyn S. Taianao	DOE - Jose Rios Middle School		School Aide I	Nov. 21, 1991	Mar. 13, 1992
Daniel S. Tydingco	DOE - FB Leon Guerrero Middle School		Maintenance Custodian	May 4, 1992	Sept. 3, 1992
Bruce D. Aguiqui	DOE - GW High School		School Aide I	Dec. 6, 1993	Apr. 4, 1
Angela M. Camacho	DOE - CL Taitano Elementary		School Adie I	May 26, 1992	Sept. 26, 1992
Arthur Hopkins	Port Authority of Guam	452	Clerk I	Aug. 25, 1997	Aug. 25, 1997
Joseph W. Santos	Port Authority of Guam		Transportation Supervisor	Oct. 2, 1997	Oct. 2, 19973
Micheal B. Diaz	Port Authority of Guam		Supply Technician I	Jul. 30, 1990	Jul. 30 1990
Felix M. Reyes	Port Authority of Guam		Cargo Checker Supervisor	Feb. 24, 1993	Feb. 24, 1993
Roque S.N. Santos	Port Authority of Guam		Administrative Assistance	Aug. 7, 1995	Aug. 7, 1995
Christopher Pangelinan	Agency for Human Resources Development	26	Messenger Clerk	Dec. 30, 1998	On Going

January 25, 2002

Dear Senator Forbes:

HAFA ADAI!

Thanks for bringing up Bill 237 and I understand it is about hiring severe disabled.

My question here is who are the severe disabled. What I am noticing for a very long time is that any service provider for the disabled people here in Guam only considers the mental people as severe disabled. I as a disabled person with a hidden disability that no-one can predict when it is going to happen, why it can not be consider also as a severe disability. Is it because service providers here in Guam have knowledge in all kinds of disability or they just don't have knowledge with different disabilities but they are getting paid to be a service provider?

Senator, my disability is epilepsy, does any of the service provider have knowledge about it. To me, none of the service providers here in Guam knew what is this disability.

For any service that I asked from the service providers for the disabled, I am just getting ignored. This is why I am saying that none of them have full knowledge about disability but they are just pretending that they knew everything about disability so that they could get pay.

This is all, and if there is any question, I am more than happy to answer. Just call me at Tel. #472-8985.

Si Yuus Maase,

Jane A. Borden
Jane A. BORDEN



Maria G. P. Espinoza
P. O. Box 4910
Hagatna, Guam 96932

January 25, 2002

Honorable Senator Lou a. Leon Guerrero
Honorable Senator Vicente. C. Pangelinan
26th Guam Legislature

Dear Senators:

As a parent of a son with several disabilities, I am here to support this amendment which will increase job opportunities among individuals with severe disabilities.

This amendment does not define "severe disabilities"; if it doesn't in the actual law, then it should be included in this amendment. My son is now thirteen, and because I feel that the traditional classroom setting is very limiting, I am one parent who hopes to see him providing a service shortly after he is 16 years.

My second recommendation is that under "Legislative Intent", there is also a summary behind the statement on page 2, section 2 (b), to explain why the law says, "Such employment shall be on a temporary, limited-term employment not to exceed a total seven hundred (700) hours for that particular fiscal year". Not understanding where that statement came from, the law in itself appears discriminatory: If a qualified individual is hired, why is he/she limited to part-time employment?

Third, again on the issue of "700 hour" limitation, it is not clear to me (someone who is not versed on the historical background of this bill) whether these hours are defined as "per person hired" or "per contract per fiscal year". "Non-profit organizations...performed by individuals with disabilities... The plural form reinforces my confusion: The individuals will perform a job limited to 700 hours per fiscal year.

And lastly, I recommend that the individual employed be given a choice whenever applicable, the choice to work the same number of hours expected by his/her co-workers so that those 700 hours can be fulfilled sooner so that he/she can expect the evaluation process to begin sooner (forgive the repetition) and hopefully the individual can expect a full time position sooner!

Thank you for giving me an opportunity to provide input to your amendment.

Respectfully,

Maria G. P. Espinoza



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U.S. Army Juan C. Fejeran Street, Building-A 234, Barrigada Heights
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Archbishop Anthony S. Apuron
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President/Chairman
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Executive Director

Sr. M. Cellista Camacho, RSM
Deputy Director

January 31, 2002

Senator Eddie Calvo
Committee on Health and Human Services
120 Father Duenas Ave.
Capitol Plaza, Suite 109
Hagatna, Guam 96932

Dear Senator Calvo:

This written testimony is in response to Bill No. 237, which is an act to amend section 41210 of Article 2 of Chapter 41 of Title 17, Guam Code Annotated, relative to the employment of individuals with severe disabilities. Catholic Social Service, an employer of persons with significant disabilities, is supportive of any effort to expand the employment opportunities for persons with disabilities. We feel that in order for this bill to be effective that certain changes and clarification will have to be made.

We understand that each Government of Guam department or agency is required to hire at least 2 severely disabled individuals or 2% of their workforce whichever is higher. The Division of Vocational Rehabilitation must certify these individuals. Bill No. 237 offers the opportunity for agencies to meet their quotas by working with non-profit organizations to have them hire severely disabled individuals through a contract with non-profit organizations. All employees performing the contract should be severely disabled employees certified by DVR. These employments shall be on a temporary, limited-term employment not to exceed a total of seven hundred (700) hours for that particular fiscal year.

It is also our understanding that this is to be funded by Government of Guam departments and agencies who shall reserve enough funding from their budget in order to fund the requirement set forth under Subsection (b) of section 41210 of Article 2 of Chapter 41 of Title 17, Guam Code Annotated. The bill also provides that any lapses in the reserve fund may be used to procure supplies produced by nonprofit organizations employing individuals with disabilities and/or products manufactured by individuals with disabilities.

The following are questions and concern regarding this bill:



Dedicated To The Dignity Of The Human Person

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EDDIE CALVO
2-4-02 3:30
JC



1. Requiring that all employees should be severely disabled is not realistic since supervision may have to be done by a non-disabled individual or job coaches may be necessary to help them to function satisfactorily on the job. This passes on the responsibility of hiring 2% persons with severe disabilities to non-profit organizations.
2. Is there a reason why employment is limited to 700 hours per fiscal year? Training alone may take 700 hours or more. Once exceeding 700 hours, then what happens? A few may find a job elsewhere or absorbed into other programs, but the majority may not be job ready yet. What will happen to these individuals? We do not train them and send them home to sit out the rest of the year.
3. Are contracts to be bid out? There is a procurement law already in place that provides for non-competitive bidding for non-profit who hires 75% disabled in the workforce. This is not being implemented to the fullest extent possible as qualified non-profit organizations are being bypassed in favor of the for profit private sector. There has to be a provision that will penalize individuals for not following the law. Give non-profits the contracts to hire the disabled, to provide them with trainers and allow them to continue to work.

Thank you for considering our questions and concerns regarding Bill No. 237.

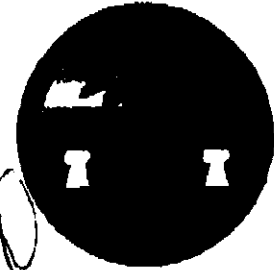
Sincerely,


Cerila M. Rapadas
Executive Director

Cc: Senator Ben Pangelinan
Senator Lou Leon Guerrero

CARL T.C. GUTIERREZ
Governor of Guam

MADELINE Z. BORDALLO
D. Governor



FEB 04 2002

Joseph Artero-Cameron
Director

Tina Maña Barnes
Deputy Director / Operations

Eduardo S. Bernal
Deputy Director / Administration

To: Honorable Vicente C. Pangelinan
Senator
Mina 'Bente Sais Na Liheslatura

From: Joseph Artero-Cameron
Director

OK

Date: February 4, 2002

Subject: Bill 237

Hafa Adai. Thank you for affording DISID another opportunity to further comment on the merits of Bill 237. As my Deputy Director of Operations had testified in the public hearing, DISID is generally supportive of your efforts in advocating jobs for persons with significant disabilities.

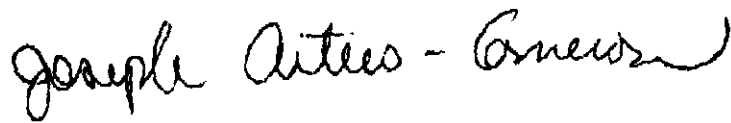
The Government of Guam outsourcing its needs to non-profit organization(s) must assure parity in comparison to any other bidder be it profit or nonprofit corporations. Credentialling for both entities must not be compromised or made any lesser in being considered or selected award(s) of bid(s). The continued success for permanent job placements for persons with disabilities hinges on the whole concept that potential employers are providing the best possible training opportunities by qualified persons employed... assuring best practices work environment.

I would also like to recommend that all corporations i.e., profit and nonprofits...incorporate in their bid and AFFIRMATIVE ACTION PLAN to employ individuals with disabilities at a minimum of 2% or greater of their total workforce. This requirement would apply to a contractor with a minimum bid of \$50,000.00. This method would generally apply to all Government of Guam contract awardees. It is notably worthwhile to also inject a provision that should a contract awardee fail to fulfill its

AFFIRMATIVE ACTION PLAN, that contract awardee SHALL be excluded from participating in future Government of Guam bid(s).

Lastly, I am strongly recommending that the Division of Vocational Rehabilitation of DISID be the certifying entity for determining disability certification of those to be employed by profit or nonprofit contract awardee(s).

Si Yu'os Maase for your continued good work and advocacy for individuals with disabilities living on Guam!

A handwritten signature in cursive script that reads "Joseph Artero-Cameron".

JOSEPH ARTERO-CAMERON

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

Bill No. 237 (WL)

Introduced by:

v.c. pangelinan 
L.A. Leon Guerrero 

AN ACT TO AMEND §41210 OF ARTICLE 2 OF
CHAPTER 41 OF TITLE 17, GUAM CODE
ANNOTATED, RELATIVE TO THE EMPLOYMENT
OF INDIVIDUALS WITH SEVERE DISABILITIES.

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

2 **Section 1. Legislative Intent.** *I Liheslaturan Guåhan* recognizes the
3 important purpose of the non-profit organizations employing individuals
4 with disabilities. Their effort has led to a mass population of individuals with
5 disabilities becoming contributing participants to the Territory of Guam.
6 These individuals have become independent and productive members of our
7 island community. Therefore, the need to support and encourage such non-
8 profit organizations to continue their service to the society is vital.

9 *I Liheslaturan Guåhan* further recognizes that the Government of Guam
10 departments and/or agencies are required to employ a certain percentage of
11 individuals with severe disabilities. *I Liheslaturan Guåhan* finds that in order
12 for the Government of Guam departments and/or agencies to attain such
13 requirement, it needs further flexibility in hiring such individuals.

14 Therefore, it is the intent of *I Liheslaturan Guåhan* to provide the
15 Government of Guam departments and/or agencies additional means of

1 hiring individuals with disabilities. In addition, it is also the intent of *I*
2 *Liheslaturan Guåhan* to assists non-profit organizations employing individuals
3 with disabilities, in order to further promote their cause, through contracts
4 with the Government of Guam departments and/or agencies.

5 **Section 2.** Subsection (b) of §41210 of Article 2 of Chapter 41 of Title 17
6 of the Guam Code Annotated is hereby amended to read as follows:

7 “(b). Government of Guam departments and/or agencies shall
8 employ at least two percent (2%) of the work force or two (2)
9 individuals with severe disabilities, whichever is greater and certified
10 by the Division of Vocational Rehabilitation (DVR). The Government of
11 Guam departments and/or agencies may meet such requirement
12 through direct employment or by contract with non-profit organizations
13 employing individuals with disabilities. Non-profit organizations
14 contracted under this provision shall be required to have the contracted
15 services performed by individuals with disabilities, who meet the
16 criteria contained herein. Such employment shall be on a temporary,
17 limited-term employment not to exceed a total of seven hundred (700)
18 hours for that particular fiscal year. The Division of Vocational
19 Rehabilitation shall monitor compliance by the departments and/or
20 agencies.”

21 **Section 3.** Subsection (c) of §41210 of Article 2 of Chapter 41 of Title 17
22 of the Guam Code Annotated is hereby amended to read as follows:

23 “(c). Government of Guam departments and/or agencies shall
24 consult with the Administrator of the Division of Vocational

1 Rehabilitation to advise them of which individuals with severe
2 disabilities meet the eligibility criteria. The Division of Vocational
3 Rehabilitation shall maintain a listing of those individuals and their
4 capabilities for reference by the department and/or agency. For the
5 Government of Guam departments and/or agencies who meet the
6 requirement by contract with non-profit organizations, the Division of
7 Vocational Rehabilitation must first certify that such non-profit
8 organizations employing individuals with disabilities meet the
9 eligibility criteria herein."

10 **Section 4.** The implementation of this provision shall not be affected by
11 current and future contract hiring restrictions of the government of
12 Guam and its departments and/or agencies.

13 **Section 5.** (a) Government of Guam departments and/or agencies shall
14 reserve enough funding from their budget in order to fund the
15 requirement set forth under Subsection (b) of §41210 of Article 2 of
16 Chapter 41 of Title 17, Guam Code Annotated.

17 (b) If government of Guam departments and/or agencies are
18 unable to employ the requirement pursuant to Subsection (b) of §41210
19 of Article 2 of Chapter 41 of Title 17 of the Guam Code Annotated, due
20 to the lack of individuals with disabilities who are able to work, the
21 reserved fund shall be utilized for the purchases of supplies produced
22 by nonprofit organizations employing individuals with disabilities
23 and/or products manufactured by individuals with disabilities.

1 **Section 6. Severability.** *If* any provision of this Law or its
2 application to any person or circumstance is found to be invalid or contrary to
3 law, such invalidity shall *not* affect other provisions or applications of this
4 Law which can be given effect without the invalid provisions or application,
5 and to this end the provisions of this Law are severable.