



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 Bill No. 181 (COR) "AN ACT TO ADD §§ 3112(j), (k), (l) AND (m), AND TO AMEND § 3112 (e)(2), ALL OF CHAPTER 3, DIVISION 1 OF TITLE 7 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE OFFICE OF THE PUBLIC GUARDIAN" which was signed into law as **Public Law No. 26-112**.

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	<u>SC</u>
Time	<u>2:53 pm</u>
Date	<u>06/18/02</u>

0836

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

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

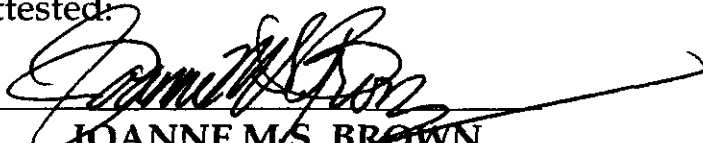
This is to certify that Bill No. 181 (COR), "AN ACT TO ADD §§ 3112(j), (k), (l) AND (m), AND TO AMEND § 3112 (e)(2), ALL OF CHAPTER 3, DIVISION 1 OF TITLE 7 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE OFFICE OF THE PUBLIC GUARDIAN," was on the 17<sup>th</sup> day of May, 2002, duly and regularly passed.



---

ANTONIO R. UNPINGCO  
Speaker


Attested:



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JOANNE M.S. BROWN  
Senator and Legislative Secretary

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



---

Assistant Staff Officer  
*Maga'lahi's Office*

APPROVED:



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CARL T. C. GUTIERREZ  
*I Maga'lahen Guåhan*

Date: 6-18-02

Public Law No. 26-112

OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<u>8</u>
Time	<u>2:53 pm</u>
Date	<u>06/18/02</u>

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

**Bill No. 181 (COR)**

As amended by the Committee  
on Power, Public Safety and the  
Judiciary, and further amended  
on the Floor.

Introduced by:

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

**AN ACT TO ADD §§ 3112(j), (k), (l) AND (m), AND  
TO AMEND § 3112 (e)(2), ALL OF CHAPTER 3,  
DIVISION 1 OF TITLE 7 OF THE GUAM CODE  
ANNOTATED, RELATIVE TO THE OFFICE OF  
THE PUBLIC GUARDIAN.**

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

2           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*  
3 finds that under Public Law Number 25-103, the Office of the Public Guardian  
4 was created for the purpose of furnishing guardianship services to the elderly  
5 and those individuals who are mentally incompetent at reduced or no cost  
6 where appropriate, and to promote general welfare that permits the elderly  
7 and individuals to participate as fully as possible in all decisions that affect  
8 them.

9           *I Liheslaturan Guåhan* further finds as of September 6, 2001, seven (7)  
10 months after the official opening of the Office of the Public Guardian, the  
11 Public Guardian, whose office is administered by that official and supported  
12 by an administrative assistant, has been appointed as the guardian of nine (9)  
13 wards and has received fifty-one (51) referrals. *I Liheslaturan Guåhan* also  
14 finds that due to budget constraints, the Office of the Public Guardian is  
15 unable to hire additional personnel at this time to assist with the caseloads.  
16 *However*, there are individuals and organizations within our Community who  
17 are willing to volunteer their services and provide charitable monetary  
18 donations to support the Office of the Public Guardian.

19           Therefore, it is the intent of *I Liheslaturan Guåhan* to authorize the Public  
20 Guardian to solicit and accept voluntary services and charitable monetary  
21 donations from the Community, and to apply for private or public grants to  
22 aid the Office of the Public Guardian in carrying out its' powers and duties.

23           **Section 2.** Section 3112(j) is hereby *added* to Chapter 3, Division 1 of  
24 Title 7 of the Guam Code Annotated to read as follows:

1           “(j) The Public Guardian is authorized to solicit and accept  
2 services of individuals and organizations on a voluntary basis in its  
3 programs in a carefully planned and supervised manner.”

4       **Section 3.** Section 3112(k) is hereby *added* to Chapter 3, Division 1 of  
5 Title 7 of the Guam Code Annotated to read as follows:

6           **“(k) Withholding Consent to Waiver of Sovereign Immunity.**

7 Notwithstanding anything in Guam law to the contrary, in accordance  
8 with § 1421a of the Organic Act of Guam, *I Liheslaturan Guåhan* therein  
9 declines to waive sovereign immunity as to the Office of the Public  
10 Guardian and the Supreme Court of Guam for any tort arising out of or  
11 committed under the voluntary program as set out in 7 G.C.A. § 3112  
12 (j).”

13       **Section 4.** Section 3112(l) is hereby *added* to Chapter 3, Division 1 of  
14 Title 7 of the Guam Code Annotated to read as follows:

15           “(l) The office of the Public Guardian may solicit and accept  
16 voluntary charitable monetary donations and may apply for and accept  
17 public or private grants it may be eligible to receive. All expenditures  
18 for solicitation of or application for such donations or grants shall be  
19 prudent and reasonable.”

20       **Section 5.** Section 3112(m) is hereby *added* to Chapter 3, Division 1 of  
21 Title 7 of the Guam Code Annotated to read as follows:

22           “(m) There is hereby created, separate and apart from other funds  
23 of the government of Guam, a fund known as the ‘*Public Guardian Fund*’  
24 (‘Fund’). The Fund shall *not* be commingled with any other fund and

1 shall be deposited into a separate account. All fees, charitable monetary  
2 donations, and public and private grants collected pursuant to this §  
3 3112 shall be deposited into the Fund and it shall be administered by the  
4 Public Guardian. The Fund shall be used for the purpose of the  
5 administration and operation of the Office of the Public Guardian. The  
6 Public Guardian shall make an annual report to the Chief Justice of the  
7 Supreme Court of Guam and *I Liheslaturan Guåhan* of the condition of,  
8 and activity within, the Fund.”

9 **Section 6.** Section 3112(e)(2) of Chapter 3, Division 1 of Title 7 is hereby  
10 *amended* to read as follows:

11 “(2) Any fees received under this Section by the Public Guardian  
12 shall be deposited into the Public Guardian Fund.”

13 **Section 7. Severability.** *If* any of the provisions of this Code, or the  
14 application thereof to any person or circumstance, is held invalid, such  
15 invalidity shall *not* affect any other provision or application of this Code  
16 which can be given effect without the invalid provision or application, and to  
17 this end the provisions of this Code are severable.

6

# I MINA' BENTE SAIS NA LIHESLATURAN GUAHAN

2002 (SECOND) Regular Session

Date: 5/17/02

## VOTING SHEET

Bill No. 181 (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



Chairman:  
Committee on Power,  
Public Safety and  
the Judiciary

Suite 5A - Sinajana Shopping Mall II  
777 Route 4 - Sinajana, Guam 96926

Phone 1.671 472-3431  
Fax 1.671 472-3433

January 23, 2002

The Honorable Antonio R. Unpingco  
Speaker  
I Mina' Bente Sais Na Liheslaturan Guahan  
155 Hessler Street  
Hagatna, Guam 96910

24-112

Dear Mr. Speaker:

The Committee on Power, Public Safety and Judiciary, to which was referred Bill No. 181 (COR), "AN ACT TO ADD NEW SUBSECTIONS (J), (K) AND (L) TO §3112 OF CHAPTER 3, DIVISION 1 OF TITLE 7 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE OFFICE OF THE PUBLIC GUARDIAN.," does hereby report back with the recommendation **TO DO PASS AS AMENDED.**

The Committee votes are as follows:

- 7 To Pass
- 5 Not To Pass
- 0 To The Inactive File
- 0 Abstained
- 0 Off-Island
- 3 Not Available

A copy of the Committee Report and all pertinent documents are attached for your information and file.

Sincerely,

  
JOSEPH F. ADA



# VOTING SHEET

## BILL 181 (COR)

Committee on Power, Public Safety and the Judiciary

COMMITTEE MEMBER	RECOMMEND: TO PASS	NOT TO PASS	TO REPORT OUT ONLY	ABSTAIN	INACTIVE FILE	SIGNATURE
Senator Joseph F. Ada, Chairman	✓					<i>Joseph F. Ada</i>
Senator Kaleo S. Moylan, Vice Chairman	✓					<i>Kaleo S. Moylan</i>
Speaker Antonio R. Unpingco	✓					<i>Antonio R. Unpingco</i>
Vice Speaker Larry F. Kasperbauer	✓					<i>Larry F. Kasperbauer</i>
Senator Tom C. Ada						
Senator Eddie B. Calvo						
Senator Felix P. Camacho	✓					<i>Felix P. Camacho</i>
Senator Mark C. Charfauros	✓					<i>Mark C. Charfauros</i>
Senator Mark Forbes	✓					<i>Mark Forbes</i>
Senator Angel L.G. Santos						

COMMITTEE REPORT

ON

BILL NO. 181 (COR)

“AN ACT TO ADD NEW SUBSECTIONS (J), (K) AND (L) TO §3112 OF CHAPTER 3, DIVISION 1 OF TITLE 7 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE OFFICE OF THE PUBLIC GUARDIAN..”

COMMITTEE MEMBERS

Chairman: Joseph F. Ada  
Vice Chairman: Kaleo S. Moylan  
Ex-Officio Member: Antonio R. Unpingco

Lawrence F. Kasperbauer, Member  
Thomas C. Ada, Member  
Eddie B. Calvo, Member  
Felix P. Camacho, Member  
Mark C. Charfauros, Member  
Mark Forbes, Member  
Angel L.G. Santos, Member

COMMITTEE REPORT  
POWER, PUBLIC SAFETY AND JUDICIARY

**BILL NO. 181(COR)**

“AN ACT TO ADD NEW SUBSECTIONS (J), (K) AND (L) TO §3112 OF CHAPTER 3, DIVISION 1 OF TITLE 7 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE OFFICE OF THE PUBLIC GUARDIAN..”

**I. PUBLIC HEARING**

The Committee on Power, Public Safety and Judiciary held a public hearing on October 30, 2001 AT 10:00 a.m. to hear testimony on Bill No. 181 (COR) “AN ACT TO ADD NEW SUBSECTIONS (J), (K) AND (L) TO §3112 OF CHAPTER 3, DIVISION 1 OF TITLE 7 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE OFFICE OF THE PUBLIC GUARDIAN..”

The hearing was called to order by Senator Joseph F. Ada, Chairman of the Committee on Power, Public Safety and Judiciary. Members present included Senators Felix P. Camacho and Senator Judi Won Pat.

Present to testify was Daniel Tydingco of the Guam Supreme Court and Zerlyn Palomo of the Office of the Public Guardian. Written testimony was provided by John Weisenberger, the Guam Public Guardian.

**II. TESTIMONY**

**JOHN WEISENBERGER, PUBLIC GUARDIAN**

Written testimony attached. Weisenberger expresses support for the legislation and states a provision to allow a government entity to utilize volunteers is not present in the enabling legislation for the Office of the Public Guardian, as required by law.

**DANIEL TYDINGO, GUAM SUPREME COURT**

Mr. Tydingo, stated he was present to represent Public Guardian Weisenberger, who Tydingco said was off-island. Tydingco summarized the written testimony of Weisenberger and expressed the support of the Supreme Court for the legislation.

During questioning from the Committee, Tydingo questioned whether the legislation would provide any form of liability insurance for volunteers or their actions.

### **ZERLYN PALOMO, OFFICE OF PUBLIC GUARDIAN**

Palomo was present to answer questions from the Committee.

### **III. FINDINGS**

The Committee finds that Bill No. 181 (COR) will benefit the office of the Public Guardian by allowing the office to enlist the support of willing volunteer individuals and organizations. The Committee further finds that amendments were necessary to allow the Office of the Public Guardian to solicit monetary donations as well as voluntary services. The Committee also finds an amendment is necessary to enable the Office of the Public Guardian to provide for liability insurance or request waiver of liability consent from prospective volunteers.

### **IV. RECOMMENDATIONS**

The Committee on Power, Public Safety and Judiciary hereby reports out Bill No. 181 (COR) with the recommendation ***TO DO PASS AS AMENDED.***



# MINA ' PENTE SAIS NA LIHES' ATURAN GUÅHAN

Kumitehan Areklamento, Hinanao Gubetnamenton Hiniråt, Rifotma yan Rinueba,  
yan Asunton Fidiråt, Taotao Hiyong yan Hiniråt

*Senadot Mark Forbes, Gehilu  
Kabisiyon Mayuråt*

**RECEIVED**  
*[Signature]* 10/07/01

03 OCT 2001

## MEMORANDUM

TO: Chairman  
Committee on Power, Public Safety and the Judiciary

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

SUBJECT: Principal Referral – Bill No. 181 (COR)

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

5/17/02

MINA' BENTE SAIS NA LIHESLATURAN GUÅHAN  
2001 (First) REGULAR SESSION

SEP 10, 2001  
RECEIVED  
SEP 10 2001

Bill No. 181 (COR)

Introduced By:

J. T. Won Pat

AN ACT TO ADD A NEW SUBSECTION (J) TO §3112 OF  
CHAPTER 3, DIVISION 1 OF TITLE 7 OF THE GUAM  
CODE ANNOTATED RELATIVE TO AUTHORIZING  
THE PUBLIC GUARDIAN TO SOLICIT AND ACCEPT  
VOLUNTARY SERVICES FROM INDIVIDUALS AND  
ORGANIZATIONS TO ASSIST THE OFFICE OF THE  
PUBLIC GUARDIAN.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent. *I Liheslaturan Guahan*

3 finds that under Public Law 25-103, the Office of the Public Guardian was  
4 created for the purpose of furnishing guardianship services to the elderly  
5 and those individuals who are mentally incompetent at reduced or no cost  
6 where appropriate, and to promote general welfare that permits the elderly  
7 and individuals to participate as fully as possible in all decisions that affect  
8 them.

9 *I Liheslaturan Guahan* further finds as of September 6, 2001, seven (7)  
10 months after the official opening of the Office of the Public Guardian, the  
11 office has accumulated caseloads of nine (9) clients and fifty one (51)

1 referrals and is only administered by the Public Guardian and only staffed  
2 by an administrative assistant. *I Liheslaturan Guahan* also finds that

~~3 because of budget constraints, the Office of the Public Guardian is not able~~

4 to hire additional personnel at this time. However, there are individuals  
5 and organization within our community who are willing to volunteer their  
6 time and services to the Office of the Public Guardian.

7 Therefore, it is the intent of *I Liheslaturan Guahan* to authorize the  
8 Public Guardian to solicit and accept services of individuals and  
9 organizations from the community on a voluntary basis in assisting the  
10 Office of the Public Guardian in carrying out its responsibilities.

11 **Section 2.** A new subsection (j) is hereby added to §3112 of Chapter  
12 3, Division 1 of Title 7 of the Guam Code Annotated to read as follows:

13 “(j) The Public Guardian is authorized to solicit and  
14 accept services of individuals and organizations on a  
15 voluntary basis in its programs in a carefully planned and  
16 supervised manner.”

17 **Section 3. Severability.** If any of the provisions of this Code, or the  
18 application thereof to any person or circumstance, is held invalid, such  
19 invalidity shall not affect any other provision or application of this Code

*stop FAI section*

Confirmation hearing for:

***Francisca V. Santos***  
***Guam Parole Board***  
***10:00 a.m.***

followed immediately by public hearing  
for bills #:

<b>Bill Number</b>	<b>Description</b>
149	AN ACT TO AMEND SUBSECTION (B)(2), (B)(4), AND ADD SUBSECTION (B)(9) OF SECTION 3112 TO CHAPTER 3, DIVISION 1 OF TITLE 7 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE MEMBERSHIP OF THE PUBLIC GUARDIANSHIP REVIEW BOARD.
177	AN ACT TO REPEAL AND REENACT TITLE 16, GUAM CODE ANNOTATED, ARTICLE 3, CHAPTER 3, SECTION 3341, RELATIVE TO PEDDLING ON HIGHWAYS.
181	AN ACT TO ADD A NEW SUBSECTION (J) TO §3112 OF CHAPTER 3, DIVISION 1 OF TITLE 7 OF THE GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE PUBLIC GUARDIAN TO SOLICIT AND ACCEPT VOLUNTARY SERVICES FROM INDIVIDUALS AND ORGANIZATIONS TO ASSIST THE OFFICE OF THE PUBLIC GUARDIAN.
201	AN ACT TO ADD NEW SUBSECTIONS TO §19.50, CHAPTER 19, OF TITLE 9 OF THE GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE PENALTIES FOR TERRORISTIC CONDUCTS.



**Mina' Bente Sais na Liheslaturan Guahan**  
*The 26th Guam Legislature*

The Office of  
**Senator Joseph F. Ada**, Chairman

DATE: 10/31/01

Committee on Power, Public  
 Safety & the Judiciary

BILL #: **181**

***WITNESS SIGN-IN SHEET***

	PRINT NAME	Representing Self, Dept or Agency (pls specify dept or agency)	Telephone #	Mailing Address	Testimony	
					For	Against
1.	Zerlyn Palomo	ODG			<input checked="" type="checkbox"/>	
2.	Daniel Tydingco	Supreme Court			<input checked="" type="checkbox"/>	
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						



# OFFICE OF THE PUBLIC GUARDIAN

## Supreme Court of Guam

Suite 104 Calvo & Arriola Bldg., 259 Martyr Street, Hagatna, Guam 96910

Telephone: (671) 475-3173 Facsimile: (671) 472-0381

Email: [publicguardian@mail.justice.gov.gu](mailto:publicguardian@mail.justice.gov.gu)



**John Weisenberger**

Public Guardian

October 29, 2001

The Honorable Joseph F. Ada  
Senator, Twenty-Sixth Guam Legislature  
Chairman-Committee on the Judiciary,  
Power, and Public Safety  
155 Hesler Street  
Hagatna, Guam 96910

**RE: BILL NO. 149 and BILL NO. 181**

Dear Senator Ada:

I apologize for my inability to attend this public hearing. I am off-island on business and annual leave and I will not be returning to Guam until November 1, 2001.

I am writing to you in support of Bill No. 149 and Bill No. 181. Both of these Bills have been prepared by Senator Judith Won Pat at the request of the Office of the Public Guardian. These bills intend to address three concerns.

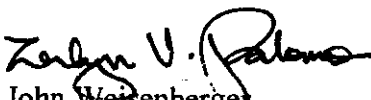
First, an amendment to the composition of the Public Guardian Review Board. This amendment will provide for one member to serve on the Board representing the Council on Senior Citizens, instead of a representative from the 'Council on Aging'. To my knowledge, there is no such organization known as the 'Council on Aging'. Hopefully, with this amendment, the chairman of the Council on Senior Citizens will appoint a member of that organization to serve on the Public Guardian Review Board.

Second, an amendment to the enabling legislation which changes the means by which a psychiatrist is appointed to the Public Guardian Review Board. This amendment will provide that a psychiatrist be appointed to the Board by the Director of the Department of Mental Health and Substance Abuse, instead of by the Administrator of Guam Memorial Hospital. Up until now, the Administrator of GMH has been unable to appoint a psychiatrist to the Board because there are no psychiatrists employed at the hospital. Hopefully, with this amendment, a psychiatrist will soon be serving on the Public Guardian Review Board.

Third, an amendment to the enabling legislation for the Office of the Public Guardian which will permit the Public Guardian to use the volunteer services of qualified members of our community to assist the Public Guardian in his duties. Currently, Guam law does not permit a government entity, such as the Office of the Public Guardian, to use volunteers unless the enabling legislation for that entity specifically permits the use of volunteers. I am requesting that the Legislature empower me to use volunteers in my work on behalf of adults who are deemed incompetent and for whom I am guardian.

For these reasons, and in these respects, I request that you amend the enabling legislation for the Office of the Public Guardian.

Sincerely,

  
for John Weisenberger  
Public Guardian

cc: Chief Justice Peter Siguenza, Supreme Court of Guam  
Dan Tydingco, Executive Officer, Supreme Court of Guam  
The Honorable Kaleo S. Moylan, Vice Chairman  
The Honorable Antonio R. Unpingco, Ex-Officio  
The Honorable Thomas C. Ada, Member  
The Honorable Eduardo B. Calvo, Member  
The Honorable Mark C. Charfauros, Member  
The Honorable Mark Forbes, Member  
The Honorable Lawrence F. Kasperbauer, Member  
The Honorable Angel L.G. Santos, Member  
The Honorable Felix P. Camacho, Member  
The Honorable Judith T. Won Pat, Assistant Minority Whip

**Vehicle & Heavy Equipment Mechanic**  
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 VOICE MAIL: 720-2755  
 Suite B4, Cen-Tom Bldg, Tamuning

Ellen Wilkinson, Principal Broker  
 Thomas Zhang

<p>Tumon Condo                  w/Ocean View                  2bd. 1ba                  Behind DFS  <b>\$59,000</b></p>	<p>Dededo                  1 acre land  <b>\$60,000</b>                  bank foreclosed property</p>
<p>Yigo                  Newly Built 4bd. 2ba House                  with large yard  <b>\$138,000</b></p>	<p>Yigo Takano                  Subdivision                  Newly Build House                  3bd 2ba. Carport. French Windows.                  Ceramic Tile. Unique Design  <b>\$119,000</b>                  0 down \$811.79/mo plus 1 s L</p>

**Sinajana**  
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**DEPARTMENT OF LAND MANAGEMENT  
 PUBLIC HEARING NOTICE  
 ZONE CHANGE (P.L. 21-82:4)**

November 5, 2001  
 6:30 pm Monday  
 Agat Mayor's Office

Julian G. and Eileen V.M.  
 Quintanilla, Lot 194-2-2-5-1, Agat,  
 Summary Zone Change to rezone the  
 property from "R-1" to "R-2" zone  
 for future expansion, to add  
 2-units to an existing 2-storey  
 residence for family and rentals.  
 (SZC 2001-003)

The Committee on Power, Public Safety and the Judiciary will be holding a  
 confirmation hearing followed by a public hearing on Wednesday, October  
 31, 2001, 10:00 a.m. in 1 Liheslaturan Guahan's Public Hearing Room.

**Confirmation Hearing:** - Ms. Francisca V. Santos to the Guam Parole  
 Board;

**Public Hearing:**

Bill Number	Description
149	An Act To Amend Subsection (b)(2), (b)(4), And Add Subsection (b)(9) Of Section 3112 To Chapter 3, Division 1 Of Title 7 Of The Guam Code Annotated, Relative To The Membership Of The Public Guardianship Review Board.
177	An Act To Repeal And Reenact Title 16, Guam Code Annotated, Article 3, Chapter 3, Section 3341, Relative To Peddling On Highways.
181	An Act To Add A New Subsection (J) To §3112 Of Chapter 3, Division 1 Of Title 7 Of The Guam Code Annotated Relative To Authorizing The Public Guardian To Solicit And Accept Voluntary Services From Individuals And Organizations To Assist The Office Of The Public Guardian.
201	An Act To Add New Subsections To §19.50, Chapter 19, Of Title 9 Of The Guam Code Annotated, Relative To Increasing The Penalties For Terroristic Conducts.

Persons requiring assistance or auxiliary aids should contact the office of  
 Senator Joseph F. Ada at 472-3431/2.

**GUAM LAND USE COMMISSION  
 PUBLIC HEARING NOTICE**

November 13, 2001  
 6:00pm Tuesday  
 Dededo Mayor's Office

Shell Guam, Inc. c/o Jeff Miller,  
 Lot 10060 REM-4-R1, Dededo,  
 Zone Variance for a proposed  
 free standing sign for the Shell  
 Finegayan Service Station in an  
 "C" zone. (No. 2001-27)

**NOTICE OF SALE UNDER MORTGAGE**

NOTICE IS HEREBY GIVEN, pursuant to § 2932 of the Civil Code of Guam, as codified by 18 GCA § 36113, that the Mortgage executed and delivered by OLIVA F. SAN NICOLAS nka OLIVA F.S.N. PARK ("Mortgagors") to PACIFIC FINANCIAL CORPORATION, ("Mortgagee"), dated October 19, 1992 and recorded on October 26, 1992, in the Office of the Recorder, Department of Land Management, Government of Guam, as Instrument No. 478646, will be foreclosed pursuant to a power of sale contained in the Mortgage by sale of the premises encumbered by such Mortgage, as hereinafter described to the highest bidder at public auction at the Mayor's Office, Municipality of Dededo, Territory of Guam, at 10:00 a.m., on November 9, 2001, to satisfy the amount due on such Mortgage on the day of sale, the terms of the sale are strictly cash, certified or cashier's check. The sale will be made without covenant or warranty regarding title, possession, or encumbrances, to satisfy the obligation secured by and under said power of sale. The premises that are described in such Mortgage and that will be sold to satisfy the Mortgage as follows: LOT NUMBER 19, UNIT 138, TRACT 303, DEDEDO, GUAM, ESTATE NUMBER 21176, URBAN, AS SAID LOT IS MARKED AND DESIGNATED ON MAP DRAWING NUMBER 3008-34, DATED MARCH 5, 1972 AND RECORDED IN THE DEPARTMENT OF LAND MANAGEMENT, GOVERNMENT OF GUAM UNDER DOCUMENT NUMBER 114439. THIS LAND IS REGISTERED LAND. AREA: 5,731 ± SQUARE METERS.

**AMENDED NOTICE OF SALE UNDER POWER OF SALE IN MORTGAGE**

On February 25, 1991 TERESITA G. SABLAN, ("Mortgagor"), gave to Bancorp Finance of Hawaii-Guam, Inc. ("Mortgagee"), a Promissory Note in the principal sum of \$70,000.00. Payment of said Note is secured by a Mortgage given by Mortgagor to Mortgagee, dated February 25, 1991 and, recorded in the Department of Land Management of the Government of Guam on February 25, 1991, under Document No. 450647. Such Mortgage affects the following described real property: Lot No. 136-1-1, Sinajana, Guam, Estate No. 14247, as said lot is marked and designated on Drawing No. B.G.H. 70-004, as recorded in the Department of Land Management, Government of Guam on October 13, 1971 under Document No. 106358. AREA: 929.03± Square Meters Certificate of Title No. 18871 The MORTGAGOR has defaulted in payment of the Note secured by the mortgage and, by reason of said default, Bancorp Finance of Hawaii-Guam, Inc. issued and recorded a Notice of Default and of Acceleration of Indebtedness on December 29, 2000, under Document Number 631599. NOTICE IS HEREBY GIVEN, pursuant to Section 2932 of the Civil Code of Guam, as codified by 18 G.C.A. §36113 that Bancorp Finance of Hawaii-Guam, Inc. will, on November 2, 2001 at 10:30 o'clock A.M., at the Office of the Mayor of Sinajana, under the power of sale contained in the mortgage, sell the above-

**Monkeying-Around**  
 has never been  
 this Cool!!!

Introducing....



MINA' BENTE SAIS NA LIHESLATURAN GUÅHAN  
2001 (First) REGULAR SESSION

Bill No. 18P (COR)  
Introduced By:

J. T. Won Pat *JT*

AN ACT TO ADD A NEW SUBSECTION (J) TO §3112 OF  
CHAPTER 3, DIVISION 1 OF TITLE 7 OF THE GUAM  
CODE ANNOTATED RELATIVE TO AUTHORIZING  
THE PUBLIC GUARDIAN TO SOLICIT AND ACCEPT  
VOLUNTARY SERVICES FROM INDIVIDUALS AND  
ORGANIZATIONS TO ASSIST THE OFFICE OF THE  
PUBLIC GUARDIAN.

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

2                   **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guahan*

3 finds that under Public Law 25-103, the Office of the Public Guardian was  
4 created for the purpose of furnishing guardianship services to the elderly  
5 and those individuals who are mentally incompetent at reduced or no cost  
6 where appropriate, and to promote general welfare that permits the elderly  
7 and individuals to participate as fully as possible in all decisions that affect  
8 them.

9                   *I Liheslaturan Guahan* further finds as of September 6, 2001, seven (7)  
10 months after the official opening of the Office of the Public Guardian, the  
11 office has accumulated caseloads of nine (9) clients and fifty one (51)

1 referrals and is only administered by the Public Guardian and only staffed  
2 by an administrative assistant. *I Liheslaturan Guahan* also finds that  
3 because of budget constraints, the Office of the Public Guardian is not able  
4 to hire additional personnel at this time. However, there are individuals  
5 and organization within our community who are willing to volunteer their  
6 time and services to the Office of the Public Guardian.

7 Therefore, it is the intent of *I Liheslaturan Guahan* to authorize the  
8 Public Guardian to solicit and accept services of individuals and  
9 organizations from the community on a voluntary basis in assisting the  
10 Office of the Public Guardian in carrying out its responsibilities.

11 **Section 2.** A new subsection (j) is hereby added to §3112 of Chapter  
12 3, Division 1 of Title 7 of the Guam Code Annotated to read as follows:

13 “(j) The Public Guardian is authorized to solicit and  
14 accept services of individuals and organizations on a  
15 voluntary basis in its programs in a carefully planned and  
16 supervised manner.”

17 **Section 3. Severability.** If any of the provisions of this Code, or the  
18 application thereof to any person or circumstance, is held invalid, such  
19 invalidity shall not affect any other provision or application of this Code

- 1 which can be given effect without the invalid provision or application, and
- 2 to this end the provisions of this Code are severable.