



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

OCT 05 2001

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

Dear Legislative Secretary Brown:

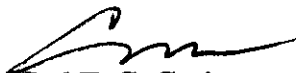
Enclosed please find Substitute Bill No. 43 (COR) entitled: "AN ACT TO ESTABLISH THE "COMMUNITY PUBLIC WELFARE DISENTITLEMENT REVIEW TASK FORCE" TO ADDRESS THE IMPENDING EMERGENCY RELATED TO THE TERMINATION OF SPECIFIC SOCIAL WELFARE BENEFITS" which I have signed into law as Public Law No. 26-46.

This legislation creates a task force consisting of government and community representatives concerning the situation that will shortly present itself to our island on July 1, 2002, where many current recipients of public assistance will no longer be eligible for this assistance.

The task force will seek to outline the impact of this termination, including statistics, calculate "cost savings" for government subsidies, and offer recommendations for the transition of these cases.

Welfare reform legislation has instituted this sunset date for receipt of public assistance to those who have received benefits for 60 months in an effort to work with the individuals and families to make them self sufficient or employed. This will be difficult in these economic times.

Very truly yours,


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

Attachment: copy attached for signed bill or overridden bill
original attached for vetoed bill

cc: The Honorable Antonio R. Unpingco
Speaker

OFFICE OF THE LEGISLATIVE SECRETARY
ACKNOWLEDGMENT RECEIPT
Received By [Signature]
Time 10:30 a.m.
Date 5 Oct 2001

0508

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

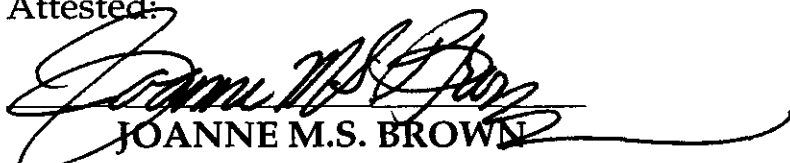
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÁHAN

This is to certify that Substitute Bill No. 43 (COR), "AN ACT TO ESTABLISH THE "COMMUNITY PUBLIC WELFARE DISENTITLEMENT REVIEW TASK FORCE" TO ADDRESS THE IMPENDING EMERGENCY RELATED TO THE TERMINATION OF SPECIFIC SOCIAL WELFARE BENEFITS," was on the 25th day of September, 2001, 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 Guáhan* this 28 day of SEPTEMBER, 2001,
at 8:45 o'clock P.M.



Henry C. Flores #514
Assistant Staff Officer
Maga'lahi's Office

APPROVED:



CARL T. C. GUTIERREZ
I Maga'lahen Guáhan

Date: 10-5-01

Public Law No. 26-46

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

Bill No. 43 (COR)

As substituted by the Committee
on Public Works, Health and
Human Services and amended.

Introduced by:

F. B. Aguon, Jr.
J. F. Ada
T. C. Ada
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
J. T. Won Pat

**AN ACT TO ESTABLISH THE "COMMUNITY PUBLIC
WELFARE DISENTITLEMENT REVIEW TASK FORCE"
TO ADDRESS THE IMPENDING EMERGENCY
RELATED TO THE TERMINATION OF SPECIFIC
SOCIAL WELFARE BENEFITS.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*
3 finds that over the past several years numerous individuals and families have
4 been recipients of public welfare services through the Department of Public
5 Health and Social Services ("DPH&SS"). The public welfare program has

1 been provided to eligible individuals and families who for years have
2 experienced difficulty in meeting their needs.

3 These programs, which in some cases have been jointly funded through
4 Federal and local funds, have provided a considerable level of support to its
5 recipients. In 1997 the U.S. Congress passed welfare reform legislation that
6 would significantly impact the program and its recipients. This included a
7 time restriction of five (5) years a recipient can receive applicable public
8 welfare benefits. The individuals and families that will be affected by this
9 restriction upon the realization of the initial five (5) years since the enactment
10 of the welfare reform Federal legislation will be *directly* impacted on July 01,
11 2002. This restriction will present a tremendous challenge to the Guam
12 community, because it may leave many individuals and families in a very
13 difficult predicament. This at a time when Guam is still in the process of
14 recovering from its economic challenges experienced over the past five (5)
15 years.

16 *I Liheslaturan Guåhan* further finds that the timeframe eligibility
17 restriction would apply to the General Assistance Program and the
18 Temporary Assistance for Needy Families Program of DPH&SS, and it will
19 affect the other public welfare programs that are administered by DPH&SS.

20 Therefore, this provision would require the establishment of a
21 community task force which will review this impending ineligibility
22 restriction for public benefits, and insure the formulation of a plan necessary
23 to address this situation. Due to the huge impact that this would have on the
24 community, with the potential for many individuals and families to be left
25 without the support of these much-needed programs and services, it is

1 (c) two (2) representatives from the business community, to be
2 recommended by the Guam Chamber of Commerce and appointed by *I*
3 *Maga'lahaen Guåhan*;

4 (d) a mayor from the Mayor's Council of Guam, to be appointed
5 by the President of the Council;

6 (e) the Chairperson of the Committee on Health of *I Liheslaturan*
7 *Guåhan*;

8 (f) a Senator to be appointed by the Speaker of *I Liheslaturan*
9 *Guåhan*;

10 (g) two (2) representatives from the general community, a
11 representative from a faith-based organization currently providing
12 social services for Guam's indigent population and a community-based
13 organization;

14 (h) two (2) present recipients of the programs, to be selected and
15 appointed by *I Maga'lahaen Guåhan*;

16 (i) a representative from the Bureau of Budget and
17 Management Research ("BBMR");

18 (j) a representative from the One Stop Career Center; *and*

19 (k) a representative from DPH&SS's Medically Indigent
20 Program Advisory Council.

21 DPH&SS shall provide the personnel and logistics support necessary for
22 the Task Force to carry out its responsibilities and duties. Such support shall
23 cease upon the termination of the Task Force.

2

I MINA' BENTE SAIS NA LIHESLATURAN GUAHAN

2001 (FIRST) Regular Session

Date: 9/23/01

VOTING SHEET

5 Bill No. 43 (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

15 _____

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



MINA' BENTE SAIS NA LIHESLATURAN GUÁHAN
TWENTY-SIXTH GUAM LEGISLATURE

SENATOR EDDIE BAZA CALVO

Chairman

COMMITTEE ON PUBLIC WORKS, HEALTH AND HUMAN SERVICES

E-Mail address: sencalvo@ite.net

120 Father Dueñas Avenue, Capitol Plaza, Suite 109
Hagåtña, Guam 96910

Telephone: (671) 472-4040/4518

Facsimile: (671) 472-4100

August 28, 2001

The Honorable Antonio R. Unpingco
Speaker
I Mina' Bente Sais Na Liheslaturan Guáhan
155 Hesler Street
Hagåtña, GU 96910

via: Committee on Rules

Håfa Adai! Mr. Speaker:

The Committee on Public Works, Public Health and Human Services, to which was referred Bill No. 43 (COR) – An Act to establish the “Community Public Welfare Disentitlement Review Task Force” to address the impending emergency related to the termination of specific public benefits due to the five-year welfare reform restriction which commences on July 01, 2002, Committee on Rules, General Government Operations, Reorganization and Reform and Federal, Foreign and General Affairs on March 30, 2001. Committee does hereby report back, with the recommendation **TO DO PASS** as substituted by Committee.

Votes of the Committee members are as follows:

To Pass 7 Abstain _____ Inactive File _____
Not to Pass _____ To Report Out Only _____

A copy of the Committee Report is attached for your consideration. (NOTE: Public Hearing held June 12, 2001. Fiscal Note requested from the Bureau of Budget and Management Research May 1, 2001 was received on June 18, 2001.)

Si Yu'os Ma'åse',



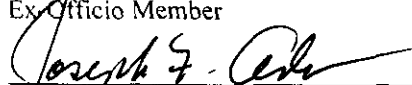
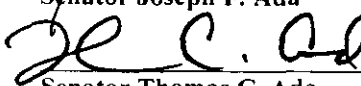



EDDIE BAZA CALVO

Attachments

**COMMITTEE ON PUBLIC WORKS,
HEALTH AND HUMAN SERVICES**
Mina' Bente Sais Na Liheslaturan Guåhan
155 Hesler Street, Hagåtña, GU 96910

VOTING SHEET:

SUBSTITUTE BILL NO. 43 (COR) "AN ACT TO ESTABLISH THE "COMMUNITY PUBLIC WELFARE DISENTITLEMENT REVIEW TASK FORCE" TO ADDRESS THE IMPENDING EMERGENCY RELATED TO THE TERMINATION OF SPECIFIC PUBLIC BENEFITS DUE TO THE FIVE-YEAR WELFARE REFORM RESTRICTION WHICH COMMENCES ON JULY 01, 2002." (By: F. B. Aguon, Jr.)

<u>COMMITTEE MEMBERS</u>	<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>ABSTAIN</u>	<u>TO REPORT OUT ONLY</u>	<u>INACTIVE FILE</u>
 Senator Eddie Baza Calvo Chairman	✓				
 Vice Speaker Lawrence F. Kasperbauer Vice-Chairman	X				
Speaker Antonio R. Unpingco Ex-Officio Member					
 Senator Joseph F. Ada	✓				
 Senator Thomas C. Ada	✓				
Senator Joanne M. S. Brown					
Senator Mark Forbes					
 Senator Lou Lon Guerrero	✓				
Senator Vicente C. Pangelinan	✓				
 Senator Judith T. WonPat	✓				

**COMMITTEE ON PUBLIC WORKS,
HEALTH AND HUMAN SERVICES**
Mina' Bente Sais Na Liheslaturan Guáhan
155 Hesler Street, Hagåtña, GU 96910

COMMITTEE REPORT

ON

BILL NO. 43 (COR)

**“AN ACT TO ESTABLISH THE “COMMUNITY PUBLIC WELFARE
DISENTITLEMENT REVIEW TASK FORCE” TO ADDRESS THE
IMPENDING EMERGENCY RELATED TO THE TERMINATION OF
SPECIFIC PUBLIC BENEFITS DUE TO THE FIVE-YEAR WELFARE
REFORM RESTRICTION WHICH COMMENCES ON JULY 01, 2002.”**

(By: F. B. Aguon, Jr.)

COMMITTEE MEMBERS

Chairman: Senator Eddie Bazá Calvo

Vice-Chairman: Vice Speaker Lawrence F. Kasperbauer

Ex-Officio Member: Antonio R. Unpingco

Senator Joseph F. Ada
Senator Thomas C. Ada
Senator Joanne M. S. Brown
Senator Judith T. WonPat

Senator Mark Forbes
Senator Lou Leon Guerrero
Senator Vicente C. Pangelinan

**COMMITTEE ON PUBLIC WORKS,
HEALTH AND HUMAN SERVICES**

Mina' Bente Sais Na Liheslaturan Guåhan
155 Hesler Street, Hagåtña, GU 96910

BILL NO. 43 (COR)

“AN ACT TO ESTABLISH THE “COMMUNITY PUBLIC WELFARE DISENTITLEMENT REVIEW TASK FORCE” TO ADDRESS THE IMPENDING EMERGENCY RELATED TO THE TERMINATION OF SPECIFIC PUBLIC BENEFITS DUE TO THE FIVE-YEAR WELFARE REFORM RESTRICTION WHICH COMMENCES ON JULY 01, 2002.” (By: F. B. Aguon, Jr.)

I. PUBLIC HEARING

BILL NO. 43 (COR) was introduced on March 14, 2001 and referred to the Committee on Public Works, Health and Human Services (“the Committee”) on March 30, 2001. Fiscal note was requested from the Bureau of Budget and Management Research on May 1, 2001 and was received on June 18, 2001. (See attachment B)

The Committee called a public hearing to order at 9:15 a.m., Tuesday, June 12, 2001 to hear testimony on **BILL NO. 43 (COR)**. The hearing was held in the Public Hearing Room of *Liheslaturan Guåhan* in Hagåtña. Notices were placed in the Pacific Daily News in compliance with stipulations mandated for proper notification of the public.

The hearing was called to order by Senator Eddie Baza Calvo, Chairman, Committee on Public Works, Public Health and Social Services, with Senators Tom C. Ada and Frank B. Aguon, Jr. in attendance.

<u>Present to Testify:</u>	<u>Testimony Presented</u>	<u>Herein Attached As</u>
Mr. Dennis G. Rodriguez, Director, Department of Public Health and Social Services	Oral/Written	“Exhibit A”
<u>Not Present/Testimony Submitted:</u>		
Dr. H. Delos Santos, Ed.D., President, Guam Community College	Written	“Exhibit B”
Ms. Diana Calvo, Administrator, Department of Public Health and Social Services, Division of Public Welfare	Oral	

II. TESTIMONY

Mr. Dennis Rodriguez, Ms. Diana Calvo and Mr. Delos Santos testified in support of the measure.

II. FINDINGS

Federal reforms created the Temporary Assistance for Needy Families (TANF) block grant in August 1996 which added time limits, work requirements and new sanctions while expanding support services to help recipients find and keep jobs. In 1997 the U.S. Congress passed welfare reform legislation that would significantly impact the program and its recipients that included a time restriction of five (5) years a recipient can receive applicable public welfare benefits. The Committee finds that in September 2000, Guam adopted its own welfare reform, Public Law 25-163, revising the Medically Indigent Program (MIP). The reform affords greater access to program services, provides for efficiency in program operations, better allocation of scarce government resources and to more efficiently provide health care services to our families most in need effective October 1, 2001. Along with emphasis on work, reform recognizes the necessity of helping recipients overcome barriers that have kept them from employment such as childcare and transportation. The Committee further finds the five-year restriction directly impacts individuals and families under the General Assistance Program and the Temporary Assistance for Needy Families Program on July 01, 2002. The Committee further finds it is of utmost importance to establish a community task force to review the impending ineligibility restriction for public benefits. The Committee finds that a proactive discussion can insure the formulation of a plan of action on identifying solutions addressing the potential impact for many individuals and families to be left without the support of these much needed programs and services. The Committee recommends the composition of the Community Public Welfare Disentitlement Review Task Force include a member of the Medically Indigent Program Advisory Council.

IV. RECOMMENDATION

The Committee on Public Works, Health and Human Services does hereby report out **SUBSTITUTE BILL NO. 43 (COR)**, to *I Liheslaturan Guåhan*, with the recommendation **TO DO PASS.**

**MINA BENTE SAIS NA LIHESLATURAN GUAHAN
(TWENTY SIXTH GUAM LEGISLATURE)
2001 (FIRST) REGULAR SESSION**

Bill No. 43 (COR)
Introduced By:

F. B. Aguon, Jr. 

AN ACT TO ESTABLISH THE "COMMUNITY PUBLIC WELFARE DISENTITLEMENT REVIEW TASK FORCE" TO ADDRESS THE IMPENDING EMERGENCY RELATED TO THE TERMINATION OF SPECIFIC PUBLIC BENEFITS DUE TO THE FIVE-YEAR WELFARE REFORM RESTRICTION WHICH COMMENCES ON JULY 01, 2002.

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 **Section 1. Legislative Findings/Intent.**

2 The Liheslaturan Guahan finds that over the past several years numerous
3 individuals and families have been recipients of public welfare services through
4 the Department of Public Health and Social Services. The public welfare program
5 has been provided to eligible individuals and families who for years have
6 experienced difficulty in meeting their needs. These programs, which in some
7 cases have been jointly funded through federal and local funds, have provided a
8 considerable level of support to its recipients. In 1997 the U. S. Congress passed
9 welfare reform legislation that would significantly impact the program and its
10 recipients, this included a time restriction of five (5) years a recipient can receive
11 applicable public welfare benefits. The individuals and families that will be
12 affected by this restriction upon the realization of the initial five years since the

1 enactment of the welfare reform federal legislation will be directly impacted on
2 July 01, 2002. This restriction will present a tremendous challenge to the island
3 community because it may leave many individuals and families in a very difficult
4 predicament. This at a time when the island is still in the process of recovering
5 from its economic challenges experienced over the past three years.

6 The Liheslaturan Guahan further finds that the timeframe eligibility
7 restriction would apply to the General Assistance Program and the Temporary
8 Assistance for Needy Families Program of the Department of Public Health and
9 Social Services, and it will may not affect the other public welfare programs that
10 are administered by the agency.

11 Therefore this provision would require the establishment of a community
12 task force which will review this impending ineligibility restriction for public
13 benefits and insure the formulation of a plan necessary to address this situation.
14 Due to the huge impact that this would have on the community, with the potential
15 for many individuals and families to be left without the support of these much-
16 needed programs and services, it is imperative that proactive discussion commence
17 immediately and ideas be formulated to work on identifying solutions to address
18 this community concern.

19 **Section 2. Establishment of the “Community Public Welfare**
20 **Disentitlement Review Task Force”.**

21 There is hereby established the “Community Public Welfare Disentitlement
22 Review Task Force” (the “Task Force”) which shall be responsible for the overall
23 review of the five-year federal welfare reform timeframe restriction imposed upon
24 specific public welfare programs of the Department of Public Health and Social
25 Services (the “Department”), and its impending impact on the local community.

1 The review and analysis of the five-year restriction for public welfare
2 recipients by the Task Force shall conclude the formulation of a plan of action
3 which shall incorporate the following:

- 4 1.) Identify the number of individuals and families within the respective
5 programs who will be affected by such restrictions commencing with
6 July 01, 2002 and to include each of the following three years;
- 7 2.) Identify the cumulative financial impact or loss of benefits for
8 General Assistance and Temporary Assistance for Needy Families
9 recipients who will be immediately impacted;
- 10 3.) Prepare a proposal, to contain solutions, for addressing the significant
11 impact the loss of such benefits would have on these welfare
12 recipients.
- 13 4.) Present ideas for assisting these individuals and families to transition
14 from the program to a situation with no or minimal public welfare
15 support from pertinent public benefits programs.

16 **Section 3. Composition of the Community Public Welfare Disentitlement**
17 **Review Task Force.**

18 The Community Public Welfare Task Disentitlement Review Task Force
19 shall be composed of the following individuals or representatives:

- 20 1. The Director of the Department of Public Health and Social Services,
21 who shall be the Chairperson;
- 22 2. The Director of the Bureau of Planning;
- 23 3. Two representatives from the business community, to be
24 recommended by the Guam Chamber of Commerce and appointed by
25 I Maga'Lahen Guahan (Governor of Guam);

- 1 4. A mayor from the Mayor's Council of Guam, to be appointed by the
- 2 President of the Council;
- 3 5. The Chairperson of the Committee on Health of the Liheslaturan
- 4 Guahan;
- 5 6. A Senator to be appointed by the Speaker of the Liheslaturan Guahan;
- 6 and
- 7 7. Four additional individuals representing the general community, two
- 8 of whom shall be present recipients of the programs, to be selected
- 9 and appointed by the Maga'Lahen Guahan.

10 The Department shall provide the personnel and logistics support necessary

11 for the Task Force to carry out its responsibilities and duties. Such support shall

12 cease upon the termination of the Task Force.

13 The Task Force shall be formed and meet no later than thirty (30) days upon

14 the enactment of this Act.

15 **Section 4. Formulation of a Written Report of Findings and**

16 **Recommendations.**

17 A written comprehensive report shall be prepared by the Task Force which

18 shall include its findings, recommendations and proposed plan of action for

19 addressing the community concern. The Chairperson of the Task Force shall

20 present copies of the report to the Maga'lauen Guahan (Governor of Guam) and to

21 the Lihelsaturan Guahan (Guam Legislature) no later than fifteen days upon the

22 completion and acceptance of the report by the Task Force.

23 **Section 5. Termination of the Community Public Welfare Disentitlement**

24 **Review Task Force.**

25 The Community Public Welfare Disentitlement Review Task Force shall

26 have one hundred and eighty (180) days from its initial meeting to complete its

1 work as outlined above, and shall immediately terminate upon the completion and
2 transmittal of the written report as required in the previous section above. The
3 members of the Task Force may be called upon at any time subsequent to its
4 termination to provide information or to respond to inquiries about its findings and
5 recommendations contained within the written report.