


DEC 22 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

  
12/22/01

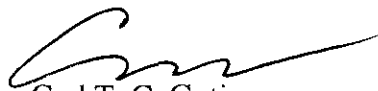
Dear Legislative Secretary Brown:

Enclosed please find Bill No. 149 (COR) "AN ACT TO *AMEND* §§ 3112(b)(2) AND (b)(4), AND TO *ADD* § 3112(b)(9), ALL OF TITLE 7 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE MEMBERSHIP OF THE PUBLIC GUARDIANSHIP REVIEW" which was I have **signed** into law as **Public Law No. 26-64**.

The Office of the Public Guardian requested this legislation. As this new office has gotten underway with offering services, it was discovered that a the membership of the Public Guardianship Review Board would be better served if there were some changes in the composition of the membership. For this reason, the membership was changed from 2 physicians and 1 psychiatrist appointed by the Administrator of the Guam Memorial Hospital Authority, to 1 physician appointed by the GMH Administrator and 1 psychiatrist appointed by the Director of the Department of Mental Health and Substance Abuse. It was also discovered that the Guam Council on Senior Citizens is the proper entity to be represented, rather than the Counsel of Aging, which is not the correct terminology.

This is corrective legislation.

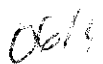
Very truly yours,



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



1           **Section 2.** Section 3112(b)(4) of Chapter 3, Division 1 of Title 7 is  
2 hereby *amended* to read as follows:

3                   “(4) one (1) representative of the Guam Council on Senior  
4 Citizens;”

5           **Section 3.** Section 3112(b)(9) is hereby *added* to Chapter 3, Division 1 of  
6 Title 7 to read as follows:

7                   “(9) one (1) psychiatrist appointed by the Director of the  
8 Department of Mental Health and Substance Abuse.”

# I MINA' BENTE SAIS NA LIHESLATURAN GUAHAN

2001 (FIRST) Regular Session

Date: 12/7/01

## VOTING SHEET

Bill No. 149 (COR)

Resolution No. \_\_\_\_\_

Question: \_\_\_\_\_

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
ADA, Joseph F.	1				
ADA, Thomas C.	1				
AGUON, Frank B., Jr.	1				
BROWN, Joanne M. S.	1				
CALVO, Eddie B.	1				
CAMACHO, Felix P.	1				
CHARFAUROS, Mark C.	1				
FORBES, Mark	1				
KASPERBAUER, Lawrence F.	1				
LEON GUERRERO, Lourdes A.	1				
MOYLAN, Kaleo S.	1				
PANGELINAN, Vicente C.	1				
SANTOS, Angel L.G.	1				
UNPINGCO, Antonio R.	1				
WON PAT, Judith T.					-

TOTAL

1
0
0
0
0

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

December 3, 2001

The Honorable Antonio R. Unpingco  
Speaker  
I Mina' Bente Sais Na Liheslaturan Guahan  
155 Hesler Street  
Hagatna GU 96910

Dear Mr. Speaker:

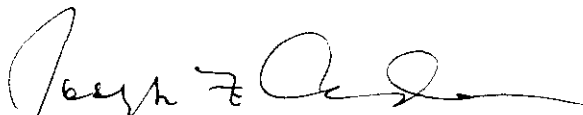
The Committee on Power, Public Safety and the Judiciary, to which was referred **Bill No. 149 (COR)**, "AN ACT TO AMEND SUBSECTION (B)(2), (B)(4), AND ADD SUBSECTION (B)(9) OF SECTION 3112 TO CHAPTER 3, DIVISION 1 OF TITLE 7 OF THE GUAM CODE ANNOTATE, RELATIVE TO THE MEMBERSHIP OF THE PUBLIC GUARDIANSHIP REVIEW BOARD," does hereby report back with the recommendation: **TO DO PASS.**

The Committee votes are as follows:

  8   To Pass  
  -   Not to Pass  
  -   To the Inactive File  
  -   Abstained  
  -   Off-Island  
  2   Not Available

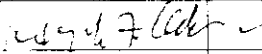
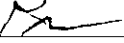
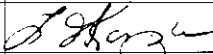
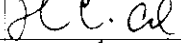


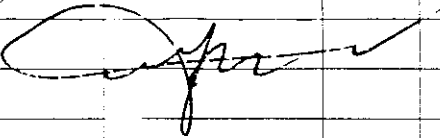
A copy of the Committee Report and all pertinent documents are attached for your information and file.

Sincerely,

  
JOSEPH F. ADA

# VOTING SHEET

BILL 149 (COR)

RECOMMENDATION TO						
COMMITTEE MEMBERS	SIGNATURE	TO PASS	NOT TO PASS	TO REPORT OUT ONLY	ABSTAIN	INACTIVE FILE
Senator Joseph F. Ada		✓				
Senator Kaleo Moylan		✓				
Speaker Antonio Unpingco						
Vice Speaker Larry Kasperbauer		✗				
Senator Tom Ada		✓				
Senator Eddie Calvo		✓				
Senator Felix Camacho		✓				
Senator Mark Charfauros						
Senator Mark Forbes		✓				
Senator Angel Santos						

**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 #: **149**

**WITNESS SIGN-IN SHEET**

	PRINT NAME	Representing Self, Dept or Agency (pls specify dept or agency)	Telephone #	Mailing Address	Testimony	
					For	Against
1.	DANIEL TYDINGCO	SUPREME COURT	475-3333		<input checked="" type="checkbox"/>	
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						

*Ed. Ldy*  
*27/81*

*3r*  
*12.0.1*

AUG 15 2001

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

Bill No. 149 (COR)  
Introduced By:

J. T. Won Pat *JT*  
*J. T. Won Pat*

**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 ANNOTATE, RELATIVE TO THE MEMBERSHIP  
OF THE PUBLIC GUARDIANSHIP REVIEW BOARD.**

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

2 **Section 1.** Subsection (b)(2) of Section 3112, Chapter 3, Division 1 of  
3 Title 7 is hereby amended to read as follows:

4 **"Section 3112 (b)(2) Public Guardianship Review Board.**  
5 **(2) ~~two (2) physicians (one (1) a psychiatrist),~~ one (1) physician appointed**  
6 **by the Administrator of the Guam Memorial Hospital;"**

7 **Section 2.** Subsection (b)(4) of Section 3112, Chapter 3, Division 1  
8 of Title 7 is hereby amended to read as follows:

9 **"Section 3112 (b)(4) Public Guardianship Review Board.**  
10 **(4) one (1) representative of the Counsel of Aging Guam Council on Senior**  
11 **Citizens;"**

12 **Section 3.** Subsection (b)(9) of Section 3112, Chapter 3, Division 1  
13 of Title 7 is hereby added to read as follows:

1  
2  
3  
4  
5  
6

“Section 3112 (b)(9) Public Guardianship Review Board.

(9) one (1) psychiatrist appointed by the Director of the Department of  
Mental Health and Substance abuse.”





# 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.

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

Bill No. 144 (cc)  
Introduced By:

J. T. Won Pat

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 ANNOTATE, RELATIVE TO THE MEMBERSHIP  
OF THE PUBLIC GUARDIANSHIP REVIEW BOARD.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2           **Section 1.** Subsection (b)(2) of Section 3112, Chapter 3, Division 1 of  
3 Title 7 is hereby amended to read as follows:

4                           **"Section 3112 (b)(2) Public Guardianship Review Board.**  
5 (2) ~~two (2) physicians (one (1) a psychiatrist),~~ one (1) physician appointed  
6 by the Administrator of the Guam Memorial Hospital;"

7           **Section 2.** Subsection (b)(4) of Section 3112, Chapter 3, Division 1  
8 of Title 7 is hereby amended to read as follows:

9                           **"Section 3112 (b)(4) Public Guardianship Review Board.**  
10 (4) one (1) representative of the ~~Counsel of Aging~~ Guam Council on Senior  
11 Citizens;"

12           **Section 3.** Subsection (b)(9) of Section 3112, Chapter 3, Division 1  
13 of Title 7 is hereby added to read as follows:

1  
2  
3  
4  
5  
6

**“Section 3112 (b)(9) Public Guardianship Review Board.**

(9) one (1) psychiatrist appointed by the Director of the Department of  
Mental Health and Substance abuse.”