

I Mina'trentai Singko Na Liheslaturan Guåhan
BILL STATUS

| BILL NO. | SPONSOR | TITLE | DATE INTRODUCED | DATE REFERRED | CMTE REFERRED | PUBLIC HEARING DATE | DATE COMMITTEE REPORT FILED | FISCAL NOTES | NOTES |
|-------------|-----------------|--|----------------------|---------------|---------------|---------------------|-----------------------------|--------------|-------|
| 18-35 (COR) | James C. Moylan | AN ACT TO AMEND §17101, §17102, AND §17103, TO CREATE §17106, §17106.1, AND §17106.2, ALL OF CHAPTER 17, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ASSISTANCE TO THE HOMELESS AND THE CREATION OF A TRANSITIONAL SERVICES CENTER FOR THE HOMELESS, AUTHORIZING THE CREATION OF RULES AND REGULATIONS, AND FUNDING ALLOCATION. | 1/14/19 3:41 p.m. | | | | | | |

1 I MINA'TRENTAI SINGKO NA LIHESLATURAN GUAHAN
2 2019 (FIRST) Regular Session
3

4
5 BILL NO. 18 -35 (FOR)

6
7 INTRODUCED BY:

8 James C. Moylan 

9 AN ACT TO AMEND §17101, §17102, AND §17103, TO CREATE §17106,
10 §17106.1, AND §17106.2, ALL OF CHAPTER 17, TITLE 10, GUAM CODE
11 ANNOTATED, RELATIVE TO ASSISTANCE TO THE HOMELESS
12 AND THE CREATION OF A TRANSITIONAL SERVICES CENTER
13 FOR THE HOMELESS, AUTHORIZING THE CREATION OF RULES
14 AND REGULATIONS, AND FUNDING ALLOCATION.

15
16 BE IT ENACTED BY THE PEOPLE OF GUAM

17
18 SECTION 1. Legislative Intent and Findings.

19
20 *I Liheslaturan Guahan* find's that with the rising concerns associated with
21 Guam's homeless population, more action is required from the government
22 in addressing this growing problem. While there are community programs
23 that provide temporary shelters and support systems, more transitional
24 services are required to assist those who qualify to acclimate back into
25 becoming contributing members of the community.

26
27 An *Assistance to the Homeless* chapter was enacted in the Guam Code
28 Annotated several decades ago, however annual appropriations were not
29 consistent and unfortunately many of its objectives were never fulfilled.
30 The services provided must be modernized, and the Department of Public
31 Health and Social Services must be afforded with additional authority to
32 gather together those government entities and instrumentalities that can
33 provide certain services to the Homeless.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33

Just as a *One Stop Business License Center* allows for potential business owners to attain a license by visiting one government entity, a Transitional Services Center should house those agencies that provide government programs such as quest cards, section 8 housing, medical programs, access to employment opportunities, and other government services for those who qualify.

Annual appropriations are required for the objectives of this legislation are to be achieved. By increasing the assessment fees on authorized gaming devices, and allowing a percentage of the proceeds to fund the Transitional Services Center for Homeless, would allow an estimation of \$250,000 to \$450,000 annually which could pay for rental, or other needed equipment for this program to be effective.

SECTION 2. §17101, §17102, and §17103 of Chapter 17, Title 10, Guam Code Annotated, are hereby *amended* to read as follows:

**“CHAPTER 17
ASSISTANCE TO THE HOMELESS**

- § 17101. Definitions.
- § 17102. Administration.
- § 17103. Eligible Activities.
- § 17104. Ineligible Activities.
- § 17105. Non-discrimination Requirements.
- § 17106. Transitional Services Center for the Homeless

§ 17101. Definitions.

As used in this Chapter, unless the context requires a different meaning:

1 (a) *Shelter* means any facility with sleeping accommodations and acceptable
2 sanitary facilities, the primary purpose of which to provide temporary
3 shelter to the homeless. This definition encompasses transitional housing
4 and similar arrangements that provide longer term accommodations, so
5 long as the maximum length of stay does not exceed
6 twelve months.

7
8 (b) *Department* means the Department of Public Health and Social Services.

9
10 (c) *Homeless* means families or individuals who are economically
11 disadvantaged and have no access to shelter.

12
13 (d) *Transitional Services Center for the Homeless* means a one stop section
14 within the *Department* which houses those government entities that provide
15 services to those qualified as *Homeless* in this Chapter.

16
17 **§ 17102. Administration.**

18
19 It is the duties and responsibility of the Department to initiate and
20 administer a pilot program for the homeless. The Department shall with its
21 own personnel and facilities:

22
23 (a) Conduct an island-wide assessment of the homeless situation. Such
24 survey must include the following: Numbers, ages, ethnicity and gender,
25 the nature and extent of the problems relating to homelessness, the
26 immediate and long term needs of the homeless in Guam;

27
28 (b) Survey existing programs that provide to the homeless population;

29
30 (c) Establish criteria for eligibility of services under this Chapter, which
31 criteria should include consideration of:

1 1. Individuals who because of personal/ domestic and/or financial
2 problems are forced to move out of their place of residence.

3
4 2. Newly arrived immigrants to the Guam.

5
6 3. Elderly and disabled adults who are not wanted by their families.

7
8 4. Persons who temporarily reside with friends or families.

9
10 5. Persons in transit on island who do not have living accommodations.

11
12 6. Families with children.

13
14 (d) Coordinate Transitional Services as defined in §17106 of this Chapter.
15 ~~Formulate plans and policies with the Agency for Human Resources~~
16 ~~Development or the Department of Labor for job training and job~~
17 ~~placement for the homeless in order to enable them to develop and~~
18 ~~maintain their potential skills and abilities;~~

19
20 (e) Cooperate with civic, businesses and community organizations or
21 groups which provide or sponsor programs and services beneficial to the
22 homeless;

23
24 (f) Keep the Governor, the Legislature, the municipal mayors and the
25 general public informed on all major developments and achievements in
26 programs and services for the homeless;

27
28 (g) Apply and receive Federal grants or other forms of assistance for the
29 homeless.

30
31 **§ 17103. Eligible Activities.**

1 Notwithstanding any other provisions of the law, other than those funds
2 allocated to § 17106 of this Chapter, any other aAppropriations under this
3 Chapter may be used for:

4
5 (a) Contracting shelter for the homeless;

6
7 (b) Renovation or conversion of government-owned buildings for use as
8 shelters for the homeless;

9
10 ~~(c) Essential services to the homeless, including, but not limited to, services~~
11 ~~concerned with employment, physical health, mental health, substance~~
12 ~~abuse, education or food.~~

13
14 **§ 17104. Ineligible Activities.**

15
16 Appropriation under this Chapter may not be used for:

17
18 (a) Acquisition or construction of shelters for the homeless;

19
20 (b) Renovation, rehabilitation, or converting buildings owned by religious
21 organizations or by private entities.

22
23 **§ 17105. Non-Discrimination Requirements.**

24
25 Shelter provided under this Chapter may not be denied on the basis of
26 race, color, age, religion, sex, or national origin.”

27
28 **SECTION 3: §17106, §17106.1, and §17106.2 of Chapter 17, Title 10, Guam**
29 **Code Annotated, are hereby *created* and *enacted* to read as follows:**

30
31 **“§ 17106. Transitional Services Center for the Homeless.**
32

1 Notwithstanding any other provisions of the law, the Department shall be
2 authorized to establish within their parameters, a Transitional Services
3 Center for the Homeless, which will be tasked to provide the following
4 essential government services, including but not limited to:

5
6 (a) Access to the Agency for Human Resources Development and the
7 Department of Labor for job training and job placement for the
8 homeless in order to enable them to develop and maintain their
9 potential skills and abilities;

10 (b) Access to programs that provide public assistance for food and
11 women's and infant products.

12 (c) Access to qualified education programs.

13 (d) Access to qualified medical and mental health programs, including
14 access to emergency medical care if needed.

15 (e) Access to qualified substance abuse programs.

16 (f) Access to qualified housing programs.

17 (g) Access to programs that provide access to airline mileage, if a ticket
18 to relocate to family members abroad is needed.

19 (h) Access to Child Protective Services if neglected children are
20 identified.

21 (i) Access to professional care if abused spouses or domestic partners
22 are identified.

23 (j) Access to civic, businesses and community organizations or groups
24 which provide or sponsor programs and services beneficial to the
25 homeless.

26 (k) Access to public assistance programs not stated in this subsection.

27
28 **§ 17106.1. Rules and Regulations.**

29
30 Notwithstanding any other provisions of the law, the Department shall
31 have ninety (90) days from the enactment to establish rules and regulations
32 on the administration of the Transitional Services Center for the Homeless.
33 This includes, among other items, identifying the location of the Center,

1 agreements with partnering departments, available services, and timelines
2 on when and how to execute the plan . The plan shall be ratified by I
3 Maga'haga Guahan within thirty (30) days after submittal from the
4 Department.

5
6 The Department shall submit a copy of the rules and regulations to the I
7 Liheslaturan Guahan within five (5) days after ratification.

8
9 **§ 17106.2 Funding for the Transitional Services Center for the Homeless.**

10
11 Notwithstanding any other provisions of the law, the taxes collected
12 pursuant to §97102(b)(2) of Chapter 97, Title 10, Guam Code Annotated
13 shall be annually allocated and is hereby appropriated, annually, to the
14 Department of Public Health and Social Services for the sole and specific
15 purposes of funding the Transitional Services Center for the Homeless, as
16 identified in §17106 of this Chapter.”

17
18
19 **SECTION 4. EFFECTIVE DATE.** This Act *shall* be effective on October 1,
20 2019.

21
22 **SECTION 5: SEVERABILITY.** If any provision of this Act or its
23 application to any person or circumstances is found to be invalid or
24 contrary to law, such invalidity *shall* not affect other provisions or
25 applications of this Act that can be given effect without the invalid
26 provision or application, and to this end the provisions of this Act are
27 severable.