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<tr>
<th>BILL NO.</th>
<th>SPONSOR</th>
<th>TITLE</th>
<th>DATE INTRODUCED</th>
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<th>PUBLIC HEARING DATE</th>
<th>CMTE REPORT FILED</th>
<th>FISCAL NOTES</th>
<th>NOTES</th>
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<tbody>
<tr>
<td>159-35 (COR)</td>
<td>Therese M. Terlaje, Mary Camacho-Torres</td>
<td>AN ACT TO AMEND § 1101.5(m) AND ADD A NEW SUBSECTION (e) TO § 1102.8 OF CHAPTER 1, ARTICLE 1, TITLE 26, GARR, RELATIVE TO INCREASING EMERGENCY AND TEMPORARY SHELTER CAPACITY FOR CHILDREN PLACED UNDER THE PROTECTIVE CUSTODY OF CHILD PROTECTIVE SERVICES.</td>
<td>6/6/19 4:12 p.m.</td>
<td>6/21/19</td>
<td>Committee on Higher Education and the Advancement of Women, Youth, and Senior Citizens</td>
<td>7/11/19 9:00 a.m.</td>
<td>8/5/19 8:28 a.m.</td>
<td>Request: 6/21/19 7/11/19</td>
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As amended on the Floor:

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<th>SESSION DATE</th>
<th>DATE PASSED</th>
<th>TRANSMITTED</th>
<th>DUE DATE</th>
<th>PUBLIC LAW NO.</th>
<th>DATE SIGNED</th>
<th>NOTES</th>
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HAND DELIVERED

September 4, 2019

HONORABLE TINA MUNA BARNES
Speaker
I Mina'trentai Singko Na Liheslaturan Guåhan
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96932

Re: Bill No. 135-35 (COR) – An Act To Add A New Article 9 To Chapter 1, Division 1 of Title 26, Guam Administrative Rules and Regulations, Relative To Permitting More Than Six (6) Children Per Foster Home In The Standards For Family Foster Homes On Guam; And To Add Such Updated Standards To The Guam Administrative Rules And Regulations To Reflect This Allowance.

and Bill No. 159-35 (COR) – An Act To Amend § 1101.5(m) And Add A New Subsection (e) to § 1102.8 Of Chapter 1, Article 1, Title 26, Guam Administrative Rules And Regulations, Relative To Increasing Emergency And Temporary Shelter Capacity For Children Placed Under The Protective Custody Of Child Protective Services.

Dear Madame Speaker:

Over two decades ago, I co-sponsored a bipartisan bill establishing rules and regulations relative to standards for family foster homes. Today, Bill No. 135-35 awaits my signature which supplements the bipartisan efforts that I and then senators Elizabeth Barrett-Anderson and Joanne Brown worked on long ago.

These rules and regulations have remained untouched for years. Perhaps the longevity of our twenty-year old standards is indicative of strong legislation that was born in a time during which the legislative body worked together with great fortitude. More realistically, however,
it has taken this long for the cries of our foster children to reach the ears of our lawmakers again. It is our foster families that have maintained the resolve these twenty years. They have not only opened their hearts and homes to our island’s children, but have also fought to change policy so that they could care for more when the government has not.

I am encouraged with Bill No. 135-35 and Bill No. 159-35, which I have signed into law as **Public Laws 35-34 and 35-35**, respectively. These laws provide our foster children with better opportunity for immediate shelter and care. More importantly, they direct much deserved attention to the broader issues that foster families encounter every day of their lives. We, as lawmakers, should and will do more to help tackle these issues.

*Senseremente,*

[Signature]

**LOURDES A. LEON GUERRERO**

*Maga’hågan Guåhan*

Governor of Guam

Enclosure(s): Bill No. 135-35 nka Public Law 35-34
Bill No. 159-35 nka Public Law 35-35

cc via email: **Sigundo Maga’låhen Guåhan**
Compiler of Laws
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'HÁGAN GUÁHAN

This is to certify that Bill No. 159-35 (COR), “AN ACT TO AMEND § 1101.5(m) AND ADD A NEW SUBSECTION (e) TO § 1102.8 OF CHAPTER 1, ARTICLE 1, TITLE 26, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO INCREASING EMERGENCY AND TEMPORARY SHELTER CAPACITY FOR CHILDREN PLACED UNDER THE PROTECTIVE CUSTODY OF CHILD PROTECTIVE SERVICES,” was on the 22nd day of August 2019, duly and regularly passed.

Tina Rose Muña Barnes
Speaker

Attested:

Amanda L. Shelton
Legislative Secretary

This Act was received by I Maga'hågan Guåhan this 23rd day of August, 2019, at 9:17 o'clock a.m.

Assistant Staff Officer
Maga'håga's Office

APPROVED:

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 9/4/2019

Public Law No. 35-35
I MINA'TRENTAI SINGKO NA LIHESLURURAN GUÅHAN
2019 (FIRST) Regular Session

Bill No. 159-35 (COR)
As amended on the Floor.

Introduced by:

Therese M. Terlaje
Mary Camacho Torres
Régine Biscoe Lee
Telena Cruz Nelson
Telo T. Taitague
Louise B. Muña
Tina Rose Muña Barnes
James C. Moylan
Joe S. San Agustin
William M. Castro
Kelly Marsh (Taitano), PhD
Sabina Flores Perez
Clynton E. Ridgell
Amanda L. Shelton
Jose “Pedo” Terlaje

AN ACT TO AMEND § 1101.5(m) AND ADD A NEW SUBSECTION (e) TO § 1102.8 OF CHAPTER 1, ARTICLE 1, TITLE 26, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO INCREASING EMERGENCY AND TEMPORARY SHELTER CAPACITY FOR CHILDREN PLACED UNDER THE PROTECTIVE CUSTODY OF CHILD PROTECTIVE SERVICES.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. I Lihesluran Guåhan finds that pursuant to § 13302 of Article 3, Chapter 13, Title 19, Guam Code Annotated,
a police officer, Child Protective Services (CPS) social worker, or physician shall assume protective custody of a child without a court order and without consent of the child’s family regardless of whether the child’s family is absent if, in the discretion of such police officer, Child Protective Services social worker, or physician, the child is in such circumstances or condition that the child’s continuing in the custody or care of the person responsible for the child’s welfare presents a situation of harm or threatened harm to the child.

_I Lihesluran Guåhan_ further finds that the rising number of children placed in the protective custody of CPS and a limited number of licensed foster care homes to provide emergency or temporary shelter presents a challenge to the protective placement of children. CPS has recently reported that there were two hundred seventy (270) children in foster care, twelve (12) children in emergency children shelters, and thirty-five (35) children waiting for foster placement. Furthermore, a Group Child Care Home or facility is limited in occupancy and capacity to at least seven (7) children, and not more than twelve (12) children, during all or part of a twenty-four (24)-hour period.

_I Lihesluran Guåhan_ finds that the Department of Public Health and Social Services (DPHSS) will soon complete construction of the Fourteen Million Dollars ($14,000,000) federally-funded, _I Guma Mina’ase_, “House of Mercy,” a seven thousand (7,000) square foot temporary facility planned by DPHSS and the _Rigålu_ Foundation, as a temporary home for children waiting to be placed in foster care.

It is the intent of _I Lihesluran Guåhan_ to support the increasing need for shelter for children placed in the protective custody of CPS by authorizing the Director of Public Health and Social Services to grant a waiver allowing Group Child Care Homes to exceed the maximum capacity of twelve (12) children for the protective placement of a child determined to be in a situation of harm or threatened
harm. Nothing in this Act is intended to lessen federal mandates or child-to-
caretaker ratios.

Section 2. § 1101.5(m) of Chapter 1, Article 1, Title 26, Guam
Administrative Rules and Regulations, is amended to read:

“(m) Group Child Care Home means a home or facility which
provides child care for at least seven (7), and not more than twelve (12)
children, during all or part of a twenty-four (24) hour day. The Director may
waive the maximum capacity of twelve (12) children for a Group Child Care
Home for the emergency or temporary placement of children in the protective
custody of Child Protective Services.”

Section 3. A new Subsection (e) is hereby added to § 1102.8 of Chapter 1,
Article 1, Title 26, Guam Administrative Rules and Regulations, to read:

“(e) The Director may waive the maximum capacity of twelve (12)
children for a Group Child Care Home for the emergency or temporary
placement of children in the protective custody of Child Protective Services.”

Section 4. Severability. If any provision of this Act or its application to any
person or circumstance is found to be invalid or contrary to law, such invalidity shall
not affect other provisions or applications of this Act that can be given effect without
the invalid provision or application, and to this end the provisions of this Act are
severable.