I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

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

This is to certify that **Bill No. 191-31 (LS), "AN ACT TO *ADD* A NEW SUBSECTION (G) TO §26603(d)(1) OF ARTICLE 6, CHAPTER 26 OF TITLE 11, GUAM CODE ANNOTATED; TO *AMEND* §§85110 AND 85111, AND *ADD* NEW §§85111.1 AND 85112.1, ALL OF CHAPTER 85, TITLE 5, GUAM CODE ANNOTATED; AND TO *AMEND* §77124 OF ARTICLE1, CHAPTER 77 OF TITLE 21, GUAM CODE ANNOTATED; RELATIVE TO THE OFF-ISLAND EDUCATIONAL TRAINING AND CULTURAL ENHANCEMENT FUND, AND THE SPORTS FUND FOR OFF-ISLAND TRAVEL; AND TO ESTABLISH A MENTORING AND LEADERSHIP PROGRAM FOR THE PREVENTION AND CESSATION OF ALCOHOL, TOBACCO AND DRUGS, TO BE KNOWN AS "THE YOUTH EDUCATIONAL TRAINING, CULTURAL ENHANCEMENT AND SPORTS OPPORTUNITIES ACT"**, was on the 8th day of November, 2011, duly and regularly passed.

Judith T. Won Pat, Ed.D.
Speaker

Attested:

Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 9th day of Nov., 2011, at 4:25 o'clock P.M.

Assistant Staff Officer
Maga'lahi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'lahen Guåhan

Date: _____
Public Law No. _____

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 191-31 (LS)
As amended by the Committee on Appropriations,
Taxation, Public Debt, Banking, Insurance, Retirement, and Land;
and further amended on the Floor.

Introduced by:

B. J.F. Cruz
T. R. Muña Barnes
M. Silva Taijeron
R. J. Respicio
Chris M. Dueñas
Aline A.Yamashita, Ph.D.
Judith P. Guthertz, DPA
V. Anthony Ada
Adolpho B. Palacios, Sr.
T. C. Ada
Sam Mabini, Ph.D.
F. F. Blas, Jr.
Dennis G. Rodriguez, Jr.
Judith T. Won Pat, Ed.D.
v. c. pangelinan

AN ACT TO *ADD* A NEW SUBSECTION (G) TO §26603(d)(1) OF ARTICLE 6, CHAPTER 26 OF TITLE 11, GUAM CODE ANNOTATED; TO *AMEND* §§85110 AND 85111, AND *ADD* NEW §§85111.1 AND 85112.1, ALL OF CHAPTER 85, TITLE 5, GUAM CODE ANNOTATED; AND TO *AMEND* §77124 OF ARTICLE1, CHAPTER 77 OF TITLE 21, GUAM CODE ANNOTATED; RELATIVE TO THE OFF-ISLAND EDUCATIONAL TRAINING AND CULTURAL ENHANCEMENT FUND, AND THE SPORTS FUND FOR OFF-ISLAND TRAVEL; AND TO ESTABLISH A MENTORING AND LEADERSHIP PROGRAM FOR THE PREVENTION AND CESSATION OF ALCOHOL, TOBACCO AND DRUGS, TO BE KNOWN AS "THE YOUTH EDUCATIONAL TRAINING, CULTURAL ENHANCEMENT AND SPORTS OPPORTUNITIES ACT".

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. This Act is to be known as "The Youth Educational Training, Cultural Enhancement and Sports Opportunities Act".

Section 2. A new Subsection (G) is *added* to §26603(d)(1) of Article 6, Chapter 26 of Title 11, Guam Code Annotated, to read as follows:

"(G) to support educational training, cultural enhancement and sports opportunities, and identify drug-free adult and youth leaders who will mentor other adolescents to live alcohol, tobacco, and drug-free lifestyles."

Section 3. § 85110 of Chapter 85 of Title 5, Guam Code Annotated, is hereby *amended* as follows:

"**§ 85110. Off-Island Educational Training and Cultural Enhancement Fund – Program Goals.** (a) **Fund Purpose.** Educational and performing arts enhancement opportunities for island residents progressively increase each year as more organizations, schools and individuals with interests in the performing arts venture beyond Guam's shores to stage performances for invitational events or engage in competitions not offered locally. *I Liheslatura* (the Legislature) finds that such participation is beneficial in the development of performing arts skills; for broadening the education of resident participants; and for encouraging youth involvement and leadership activities that promote healthy, drug-free lifestyles. Such off-island events, however attractive or beneficial they may be, are often *not* within the financial reach of eligible participants, given the costs of airfare and accommodations. *I Liheslatura* recognizes the benefits of such events, including arts and humanities competitions, international cultural festivals and exchanges, the Junior Statesman Foundation, the National Science Fair, the Mock Trial, the Forensic League, and Close Up, among others, and is compelled to protect the opportunities they present by

extending financial support. Any off-island event in which performances of organizations or individuals from Guam are featured generates favorable attention to the island, and promotes efforts to boost the island's visitor rates. Youth *shall* be given preference in the awarding of grants.

(b) **Integration of Alcohol, Tobacco and Drug Prevention and Early Intervention Programs.** The Director of the Guam Council on the Arts and Humanities Agency and the Director of the Department of Parks and Recreation *shall* work in collaboration with the members of the Governor's Prevention and Early Intervention Advisory Community Empowerment (P.E.A.C.E) Advisory Council, such as the Department of Mental Health and Substance Abuse and the Department of Public Health and Social Services, to identify effective prevention and early intervention programs and strategies that will directly benefit youth and adult recipients of the Off-Island Educational Training and Cultural Enhancement Fund, and the Sports Fund. Such programs *shall* include a requirement that fund recipients participate in tobacco cessation programs (where warranted), youth leadership in alcohol, tobacco and drug prevention-related activities, and to include Applied Suicide Intervention Skills Training (ASIST) and safe TALK focused on suicide prevention, and *shall* focus on the following:

(1) to prevent/reduce alcohol, tobacco and drug use, including underage drinking;

(2) to promote alcohol-free, tobacco-free and drug-free lifestyles; and

(3) to reduce the harmful outcomes associated with alcohol, tobacco and drug use.

(4) At the very minimum, the program *shall* include a mentoring and leadership program."

Section 4. § 85111 of Chapter 85 of Title 5, Guam Code Annotated, is hereby *amended* to read as follows:

"**§ 85111. Off-Island Educational Training and Cultural Enhancement Fund.** Beginning on October 1, 2012, and for each year thereafter, Two Hundred Thousand Dollars ($200,000) is hereby appropriated from the Healthy Futures Fund to the Guam Council on the Arts and Humanities Agency (CAHA) to be set aside in the Treasury of Guam in a fund hereby established as the Off-Island Educational Training and Cultural Enhancement Fund (the Fund). Youth and adult chaperones who demonstrate a commitment to lifestyles without the use of alcohol, tobacco and drugs *shall* be eligible and given preference in the awarding of grants. The Fund *shall* be administered pursuant to Public Law 22-124, the Off Island Educational Training and Cultural Enhancement Fund Rules and Regulations. Such appropriation *shall* be set up in a separate account and *shall not* be considered part of CAHA's annual budget. *I Maga'lahen Guåhan* may transfer funds as may be appropriate to supplement the Off-Island Educational Training and Cultural Enhancement Fund. No portion of the Fund, including principal and interest, shall be transferred to any other fund, or used, or appropriated, *except* as provided for under this Article."

Section 5. A new § 85111.1 is hereby *added* to Chapter 85 of Title 5, Guam Code Annotated, to read as follows:

"**§ 85111.1. Gifts and Donations Authorized.** The CAHA Board is authorized to accept on behalf of, and in the name of the government of Guam, from any government or agency thereof, or any person, natural or legal, advisory services, donations and gifts for the Off-Island Educational Training and Cultural Enhancement Fund; provided, however, that any grant-in-aid or other form of assistance involving an obligation on the part of

CAHA or the government of Guam *shall* require the prior approval of *I Maga'lahi* (the Governor) and a determination by CAHA's certifying officer of the availability of funds, and *shall* be consistent with the PEACE Council's position on *not* receiving funds, promotional items or donations from alcohol and tobacco industries, and *no* beneficiaries will be sponsored by such industries."

Section 6. A new § 85112.1 is hereby *added* to Chapter 85 of Title 5, Guam Code Annotated, to read:

"**§ 85112.1. Grant Award Notices.** The Director *shall* give adequate public notice as to the availability of funds for travel awards including application submission periods."

Section 7. § 77124 of Article 1, Chapter 77 of Title 21, Guam Code Annotated, is hereby *amended* to read as follows:

"**§ 77124. Sports Fund for Off-Island Travel: Establishment: Management.**

(a) There is established in the Treasury of Guam the Sports Fund for Off-Island Travel (the Fund). Beginning on October 1, 2012, and for each year thereafter, Two Hundred Thousand Dollars ($200,000) *shall* be annually appropriated from the Healthy Futures Fund to the Sports Fund for Off-Island Travel. The Fund *shall* be managed by the Director. The Department's certifying officer *shall* be the certifying officer for the Fund. *I Maga'lahen Guåhan* may transfer funds as may be appropriate to supplement the Sports Fund for Off-Island Travel. No portion of the Fund, including principal and interest, shall be transferred to any other fund, or used, or appropriated, *except* as provided for under this Article.

(b) The Fund is to be expended to provide grants for transportation expenses for off-island travel by civilian sports organizations and individuals who engage in athletic competition. The Commission is authorized to accept on behalf of, and in the name of the government of Guam, from any government or agency thereof, or any person, natural or legal, advisory services, donations and gifts for the Sports Fund for Off-Island Travel; provided, however, that any grant-in-aid or other form of assistance involving an obligation on the part of the Department or the government of Guam *shall* require the prior approval of *I Maga'lahi* (the Governor) and a determination by the Department's certifying officer of the availability of funds. Gifts and donations authorized *shall* be consistent with the PEACE Council's position on not receiving funds, promotional items or donations from alcohol and tobacco industries, and no beneficiaries will be sponsored by such industries.

(c) The grants *shall* be used for a maximum of fifty percent (50%) of transportation expenses of team members and coaches for competitions in sports events, such as regional, national and international tournaments.

(d) Youth organizations *shall* be given preference in the awarding of grants.

(e) The Commission *shall* administer the Fund pursuant to Chapter 5, Division 1 of Title 21 of the Guam Administrative Rules and Regulations for Sports Fund for Off-Island Travel. The Director *shall* give adequate public notice as to the availability of funds for travel awards including application submission periods.

(f) The Director of the Guam Council on the Arts and Humanities Agency and the Director of the Department of Parks and Recreation *shall* work in collaboration with the members of the Governor's Prevention and Early Intervention Advisory Community Empowerment (P.E.A.C.E) Advisory Council, such as the Department of Mental Health and Substance Abuse and the Department of Public Health and Social Services, to identify effective prevention and early intervention programs and strategies that will directly benefit youth and adult recipients of the Off-Island Educational Training and Cultural Enhancement Fund and the Sports Fund, and *shall* focus on the following:

(1) to prevent/reduce alcohol, tobacco and drug use, including underage drinking;

(2) to promote alcohol-free, tobacco-free and drug-free lifestyles; and

(3) to reduce the harmful outcomes associated with alcohol, tobacco and drug use.

(4) At the very minimum, the program *shall* include a mentoring and leadership program.

(g) The Commission *shall* review all applications for awarding of the grants and may impose conditions for expenditure. The Director *shall* then disburse the grant to a representative of the organization prior to the departure of the grantees.

(h) The representative of the recipient organization shall provide the Director with an accurate accounting of the expenditure of all funds for air transportation within thirty (30) days of returning to Guam. If the report is *not* completed and filed within thirty (30) days

or if there is a misuse of funds in the opinion of the Commission, the organization *shall not* receive further grants from the Fund, and *shall* reimburse the Fund in an amount determined by the Commission.

(i) The Director *shall* make an annual report to *I Maga'lahi* (the Governor) and provide a courtesy copy to the Governor's PEACE Council and *I Liheslatura* (the Legislature) on June 30th of each year, which *shall* include the information, number of applications, number and amounts of grants actually made, information on number of participants referred to prevention and early intervention programs and activities, and other data concerning the management of the Fund.

(j) Any person who willfully misuses a grant received under this Section *shall* be guilty of a petty misdemeanor and subject to a fine *not* to exceed Five Hundred Dollars ($500)."