

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

Bill No. 19131 (LS)

Introduced by:

2011 MAY 10
[Handwritten signatures and initials]
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THE YOUTH EDUCATIONAL TRAINING, CULTURAL ENHANCEMENT AND SPORTS OPPORTUNITIES ACT; AN ACT TO ADD A NEW SUB-ITEM (G) TO § 26603(d)(1) OF CHAPTER 26 OF TITLE 11 OF THE GUAM CODE ANNOTATED; TO AMEND §§ 85110 AND 85111 AND ADD NEW §§ 85111.1 AND 85112.1 TO CHAPTER 85 OF TITLE 5 OF THE GUAM CODE ANNOTATED; AND TO AMEND §77124 OF CHAPTER 77 OF TITLE 21 OF THE 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 FOR RECIPIENTS OF SUCH FUNDS.

- 1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**
- 2 **Section 1.** This Act is to be known as ‘The Youth Educational Training,
- 3 Cultural Enhancement and Sports Opportunities Act’.

1 **Section 2.** A new sub-item (G) is *added* to §26603(d)(1) of Chapter 26 of
2 Title 11 of the Guam Code Annotated to read as follows:

3 “(G) to support educational training, cultural enhancement and sports
4 opportunities and identify mentors to combat adolescent alcohol,
5 drugs and tobacco consumption;”

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

8 **“§ 85110. Off-Island Educational Training and Cultural Enhancement**

9 **Fund – Program Goals Legislative Intent. (a) Fund Purpose.** Educational

10 and performing art enhancement opportunities for island residents each year
11 progressively increase as more organizations, schools and individuals with
12 interests in the performing arts, venture beyond Guam’s shores to stage
13 performances for invitational events or engage in competitions not offered
14 locally. The Legislature finds such participation as beneficial in the
15 development of performing art skills and for broadening the education of
16 resident participants. Such off-island events, however attractive or beneficial
17 they may be, are often not within the financial reach of eligible participants,
18 given the costs of airfare and accommodations. The Legislature recognizes
19 the benefits of such events as arts and humanities competitions including
20 international cultural festivals and exchanges, the Junior Statesman
21 Foundation, National Science Fair, Mock Trial, Forensic League and Close
22 Up, among others and is compelled to protect the opportunities they present
23 by extending financial support. Any off-island event in which performances
24 of organizations or individuals from Guam are featured, generates favorable
25 attention to the island and promotes efforts to boost the island’s visitor rates.
26 Youth shall be given preference in the awarding of grants.

27 **(b) Integration of Drug, Tobacco and Alcohol Prevention and**

1 Cessation Programs. The Director of the Guam Council on the Arts and
2 Humanities Agency, on behalf of the Guam Council on the Arts and
3 Humanities, shall develop an appropriate drug, tobacco and alcohol
4 prevention and cessation program strategy that includes individuals, groups
5 or organizations that receive any award from the Off-Island Educational
6 Training and Cultural Enhancement Fund. Such drug, tobacco and alcohol
7 prevention and cessation program strategies shall be developed in
8 collaboration with the Prevention and Early Intervention Advisory
9 Community Empowerment (P.E.A.C.E) Advisory Council or the Department
10 of Mental Health and Substance Abuse and shall focus on the following:

11 (1) To prevent/reduce alcohol, tobacco and other drug use, including
12 underage drinking;

13 (2) To promote alcohol-free, tobacco-free and other drug-free,
14 tobacco-free and other drug-free lifestyles;

15 (3) To reduce the harmful outcomes associated with alcohol, tobacco
16 and other drug use.

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

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

21 **“§ 85111. Off-Island Educational Training and Cultural Enhancement**
22 **Fund ~~–Creation. Appropriation.~~ Beginning on October 1, 2012 and for**
23 **each year thereafter, Two Hundred Thousand Dollars (\$200,000) are hereby**
24 **appropriated from the ~~General Fund~~ Healthy Futures Fund to the Guam**
25 **Council on the Arts and Humanities Agency (CAHA) to be set aside in the**
26 **Treasury of Guam in a fund hereby established as the Off-Island Educational**
27 **Training and Cultural Enhancement Fund (the Fund). Youth shall be given**

1 preference in the awarding of grants. The Fund shall be administered
2 pursuant to Public Law 22-124, the Off Island Educational Training and
3 Cultural Enhancement Fund Rules and Regulations. Such appropriation shall
4 be set up in a separate account and shall not be considered part of CAHA’s
5 annual budget. I Maga’lahen Guåhan may transfer funds as may be
6 appropriate to supplement the Off-Island Educational Training and Cultural
7 Enhancement Fund. No portion of the Fund, including principal and interest,
8 shall be transferred to any other fund, or used, or appropriated, except as
9 provided for under this Article.”

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

12 **“§ 85111.1. Gifts & Donations Authorized.** The CAHA Board is
13 authorized to accept on behalf of, and in the name of the government of
14 Guam, from any government or agency thereof, or any person, natural or
15 legal, advisory services, donations and gifts for the Off-Island Educational
16 Training and Cultural Enhancement Fund provided, however, that any grant-
17 in-aid or other form of assistance involving an obligation on the part of
18 CAHA or the government of Guam shall require the prior approval of the
19 Governor and a determination by CAHA’s certifying officer of the
20 availability of funds.”

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

23 **“§ 85112.1. Grant Award Notices.** The Director shall give adequate public
24 notice as to the availability of funds for travel awards including application
25 submission periods.

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

1 **“§ 77124. Sports Fund for Off-Island Travel: Establishment:**
2 **Management.**

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

13 (b) The Fund is to be expended to provide grants for transportation expenses
14 for off-island travel by civilian sports organizations and individuals who
15 engage in athletic competition and ROTC Drill Teams. The Commission is
16 authorized to accept on behalf of, and in the name of the government of
17 Guam, from any government or agency thereof, or any person, natural or
18 legal, advisory services, donations and gifts for the Sports Fund for Off-
19 Island Travel provided, however, that any grant-in-aid or other form of
20 assistance involving an obligation on the part of the Department or the
21 government of Guam shall require the prior approval of the Governor and a
22 determination by the Department's certifying officer of the availability of
23 funds.

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

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

1 (e) The Commission shall ~~promulgate regulations to establish procedures for~~
2 ~~application for grants, priorities of funding, limitations by type of sport and~~
3 ~~event on the number of team members or coaches supported by the grant and~~
4 ~~other necessary procedures for making the grants.~~ administer the fund
5 pursuant to Chapter 5, Division 1 of Title 21 of the Guam Administrative
6 Rules and Regulations for Sports Fund for Off-Island Travel. The Director
7 shall give adequate public notice as to the availability of funds for travel
8 awards including application submission periods.

9 (f) The Director of the Department of Parks and Recreation shall develop an
10 appropriate drug, tobacco and alcohol prevention and cessation program
11 strategy that includes individuals, groups or organizations that receive any
12 awards from the Sports Fund for Off-Island Travel. Such drug, tobacco and
13 alcohol prevention and cessation program strategies shall be developed in
14 collaboration with the Prevention and Early Intervention Advisory
15 Community Empowerment (P.E.A.C.E) Advisory Council or the
16 Department of Mental Health and Substance Abuse and shall focus on the
17 following:

18 (1) To prevent/reduce alcohol, tobacco and other drug use, including
19 underage drinking;

20 (2) To promote alcohol-free, tobacco-free and other drug-free,
21 tobacco-free and other drug-free lifestyles;

22 (3) To reduce the harmful outcomes associated with alcohol, tobacco
23 and other drug use.

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

26 (fg) The Commission shall review all applications and make the grants and
27 may impose conditions for expenditure. The Director shall then disburse the

1 grant to a representative of the organization prior to the departure of the
2 grantees.

3 (gh) The representative of the recipient organization shall provide the
4 Director with an accurate accounting of expenditure of all funds for air
5 transportation within thirty (30) days of returning to Guam. If the report is
6 not completed and filed within thirty (30) days or if there is a misuse of
7 funds in the opinion of the Commission, the organization shall not receive
8 further grants from the fund and shall reimburse the fund in an amount
9 determined by the Commission.

10 (hi) The Director shall make an annual report to the Governor and the
11 Legislature on June 30th of each year, which shall include the information,
12 number of applications, number and amounts of grants actually made and
13 other data concerning the management of the fund.

14 (ij) Any person who willfully misuses a grant received under this Section
15 shall be guilty of a petty misdemeanor and subject to a fine not to exceed
16 Five Hundred Dollars (\$500).”

17 **Section 8. Effective Date.** This Act shall be effective upon
18 enactment into law.