

*I Mina'Trentai Dos Na Liheslaturan Received*  
**Bill Log Sheet**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
<b>406-32 (COR)</b>	Dennis G. Rodriguez, Jr.	AN ACT TO EXPAND THE AUTHORIZED PROGRAMS OF THE GUAM CANCER TRUST FUND, BY AMENDING SUBSECTION (d)(2) AND (e)(2) OF \$26603 OF ARTICLE 6, CHAPTER 26, TITLE 11, GUAM CODE ANNOTATED.	10/07/14 3:37 p.m.	10/08/14	Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic			



## COMMITTEE ON RULES

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October 8, 2014

### MEMORANDUM

**To:** **Rennae Meno**  
*Clerk of the Legislature*

**Attorney Therese M. Terlaje**  
*Legislative Legal Counsel*

**From:** **Senator Rory J. Respicio**   
*Chairperson of the Committee on Rules*

**Subject: Referral of Bill No. 406-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 406-32(COR)**.

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Dos na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

*Si Yu'os Ma'åse!*

Attachment

**MINA' TRENTAI DOS NA LIHESLATURAN GUAHAN**  
**2014 (SECOND) Regular Session**

**Bill No. 406-32 (COR)**

Introduced by:

**D.G. RODRIGUEZ, JR.** 

**AN ACT TO EXPAND THE AUTHORIZED PROGRAMS OF  
THE GUAM CANCER TRUST FUND, BY AMENDING  
SUBSECTION (d)(2) AND (e)(2) OF §26603 OF ARTICLE 6,  
CHAPTER 26, TITLE 11, GUAM CODE ANNOTATED.**

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

**Section 1. Legislative Findings and Intent:** *I Liheslaturan Guåhan* finds that the Guam Cancer Trust Fund can support additional essential program activities germane to the intent of the trust, and which are critical components in combating cancer. Public Law 30-80, codified in Chapter 26 of Title 11, Guam Code Annotated, restricts the use of the Guam Cancer Trust Fund to only non-profit and charitable organizations providing cancer screenings, treatment and support services. In accordance with this law, it is unclear whether education and outreach programs and activities that seek to increase prevention and awareness of cancer issues can be funded through the trust fund. As a result, vital programs, trainings, and events used to combat cancer may be forced to find alternate sources of funding.

*I Liheslaturan Guåhan* takes due notice that cancer remains the second leading cause of death on Guam, although cancer incidences are rising. With nearly 316 people being diagnosed with cancer, almost half of them succumb to this disease. Many of the diagnoses are detected during the late stages, where the survival rate decreases dramatically due to the aggressiveness or extensive spread

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1 of the cancer in those patients. To reverse this trend, many programs that provide  
2 free or low cost screenings and coverage for cancer treatment options are  
3 increasing through the support of the Guam Cancer Trust Fund. However, these  
4 programs are not able to provide funding for cancer education and outreach to the  
5 Guam community.

6 *I Liheslaturan Guåhan* further finds that cancer education and outreach is a  
7 major component of every public health campaign. Without a cancer education  
8 and outreach program, no matter how great a service is to the community, unless  
9 there is a proactive effort to publicize that service, it will likely be underutilized.  
10 Many cancer patient organizations focus on education and outreach to promote  
11 screening and treatment services, as well as cancer prevention strategies that could  
12 reduce the cancer burden on Guam. All of these programs provide a vital role to  
13 eliminating cancer in our community.

14 It is the intent of *I Liheslaturan Guåhan* to provide an expanded  
15 authorization for cancer education and outreach programs to promote prevention,  
16 early detection and advanced treatment options that may not be considered direct  
17 services for cancer screening, treatment and support. It is further the intent to  
18 amend the cap imposed on the use of grant funds for administrative purposes from  
19 5%- to 15%, in anticipation of the expanded programs organizations will take on in  
20 cancer education and outreach efforts.

21 **Section 2.** Paragraph (2) of Subsection (d) of § 26603 of Article 6, Chapter  
22 26, Title 11, Guam Code Annotated, is hereby *AMENDED*, to read:

23 “(2) Fifteen percent (15%) of the taxes collected and any subsequent  
24 gains shall be transferred into the Guam Cancer Trust Fund for programs

1 supporting cancer screening, treatment, ~~and~~ support services cancer  
2 education, and outreach programs;”

3 **Section 4.** Paragraph (2) of Subsection (e) of § 26603 of Article 6, Chapter  
4 26, Title 11, Guam Code Annotated, is hereby *AMENDED*, to read:

5 “(e) Creation of the Guam Cancer Trust Fund. There is hereby created the  
6 Guam Cancer Trust Fund, which shall be used to provide financial assistance to  
7 organizations that provide patient directed services for the prevention of cancers,  
8 its treatment, diagnosis, and other services that may be required to access  
9 treatment, including, but not limited to, off-island transportation and temporary  
10 housing. The Guam Cancer Trust Fund shall be subject to the following:

11 (1) Fifteen percent (15%) of the Healthy Futures Fund into the Guam  
12 Cancer Trust Fund, which shall be held in an account at a Guam financial  
13 institution separate and apart from all other accounts and funds of the  
14 government of Guam and shall not be subject to the transfer authority of I  
15 Maga'lāhen Guåhan.

16 (2) The University of Guam, for each fiscal year, may allocate up to  
17 seventy-five percent (75%) of the funds balance to non-profit and charitable  
18 organizations providing cancer screenings, treatment, ~~and~~ support services  
19 cancer education, and outreach programs; provided, however, no more than  
20 ten percent (10%) of the available funds shall be utilized for cancer  
21 education and outreach programs. The University of Guam shall promulgate  
22 rules and regulations pursuant to Title 5 GCA, Chapter 9 regarding the  
23 administration of the Guam Cancer Trust Fund, as well as the application,

1 distribution, review and investigation of such funds. Such rules and  
2 regulations shall be posted on the University's website.

3 (A) The initial rules and regulations governing the Guam  
4 Cancer Trust Fund shall be submitted to *I Liheslatura* within ninety  
5 (90) days from the effective date of this Act.

6 (3) The Guam Cancer Trust Fund may receive additional  
7 appropriations, contributions, endowments, or gifts in cash or otherwise  
8 from any source, including the Territory of Guam, corporations or other  
9 businesses, individuals, and interested parties.

10 (4) The aggregate principal sum deposited in the Guam Cancer Trust  
11 Fund shall be invested by the University of Guam, subject to its investment  
12 policy as established by the Board of Regents.

13 (5) If the Guam Cancer Trust Fund is terminated, the monies  
14 remaining in the Trust Fund shall revert back to the Healthy Futures Funds.

15 (6) The President of the University of Guam shall submit a report on a  
16 quarterly basis to the Speaker of I Liheslaturan Guåhan of the revenues  
17 collected, gained, and expended from the Guam Cancer Trust Fund and shall  
18 post such report on the University's website.”

19 **Section 5. Amendment of Guam Cancer Trust Fund Rules and**  
20 **Regulations.** Section .07 of the Guam Cancer Trust Fund Rules and Regulations,  
21 established pursuant to the authority of P.L. 30-80, is hereby amended, to read:

22 **“.07 Allowable Uses of the Grant Funds.**

1           A. A grantee that is funded by the GCTF may use the grant funds only for  
2 cancer programs consistent with the purposes of P.L. 30-80, for the prevention of  
3 cancer (includes screenings), diagnosis, treatment, and services that may be  
4 required to access treatment, in accordance with the contract between a grantee  
5 and the University.

6           B. A grantee must use the grant funds solely for authorized expenses.  
7 Authorized expenses are determined by the terms of the agreement between the  
8 grantee and the University.

9           C. While these funds may not be budgeted for indirect costs, a grantee may  
10 propose up to fifteen ~~five~~ percent (15%) ~~(5%)~~ of the amount requested in order to  
11 administer the funds and comply with reporting requirements.”

12           **Section 6. Severability.** *If* any provision of this Act or its application to  
13 any person or circumstance is found to be invalid or contrary to law, such  
14 invalidity shall not affect other provisions or applications of this Act which can be  
15 given effect without the invalid provisions or application, and to this end the  
16 provisions of this Act are severable.

17           **Section 7. Effective Date.** This Act shall become immediately effective  
18 upon enactment.