



EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam.

DEC 31 2014

33-15-0024

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Dos Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

Office of the Speaker
Judith T. Won Pat, Ed.D.

Date: 1/6/15
Time: 4:05 PM
Received By: CARL SANCHEZ, MPA

Dear Madame Speaker:

Transmitted herewith is Bill No. 406-32 (COR) "AN ACT TO AMEND SUBSECTION (d)(2) AND (e)(2) OF § 26603 OF ARTICLE 6, CHAPTER 26, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO EXPANDING THE AUTHORIZED PROGRAMS OF THE GUAM CANCER TRUST FUND" which I signed into law on December 29, 2014 as **Public Law 32-216**.

Senseramente,


EDDIE BAZA CALVO

2015 JAN - 6 PM 4: 32

0024

I MINA'TRENTAI DOS NA LIHESLATURAN GUÁHAN
2014 (SECOND) Regular Session

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

This is to certify that Bill No. 406-32 (COR), "AN ACT TO *AMEND* SUBSECTION (d)(2) AND (e)(2) OF § 26603 OF ARTICLE 6, CHAPTER 26, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO EXPANDING THE AUTHORIZED PROGRAMS OF THE GUAM CANCER TRUST FUND," was on the 17th day of December, 2014, 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 Guáhan* this 21 day of Dec,
2014, at
6:35 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



EDWARD J.B. CALVO
I Maga'lahen Guáhan

DEC 29 2014

Date: _____

Public Law No. 32-216

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2014 (SECOND) Regular Session

Bill No. 406-32 (COR)

Introduced by:

Dennis G. Rodriguez, Jr.
T. C. Ada
V. Anthony Ada
FRANK B. AGUON, JR.
B. J.F. Cruz
Chris M. Dueñas
Michael T. Limtiaco
Brant T. McCreddie
Tommy Morrison
T. R. Muña Barnes
R. J. Respicio
Michael F. Q. San Nicolas
Aline A. Yamashita, Ph.D.
Judith T. Won Pat, Ed.D.

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

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that the Guam Cancer Trust Fund can support additional essential program
4 activities germane to the intent of the Trust Fund, and which are critical
5 components in combating cancer. Public Law 30-80, codified in Chapter 26 of
6 Title 11, Guam Code Annotated, restricts the use of the Guam Cancer Trust Fund
7 to *only* non-profit and charitable organizations providing cancer screenings,

1 treatment and support services. In accordance with this law, it is unclear whether
2 education and outreach programs and activities that seek to increase prevention and
3 awareness of cancer issues can be funded through the Trust Fund. As a result, vital
4 programs, trainings, and events used to combat cancer may be forced to find
5 alternate sources of funding.

6 *I Liheslaturan Guåhan* takes due notice that cancer remains the second
7 leading cause of death on Guam, although cancer incidences are rising. With
8 nearly three hundred sixteen (316) people being diagnosed with cancer, almost half
9 of them succumb to this disease. Many of the diagnoses are detected during the late
10 stages, where the survival rate decreases dramatically due to the aggressiveness or
11 extensive spread of the cancer in those patients. To reverse this trend, many
12 programs that provide free or low cost screenings and coverage for cancer
13 treatment options are increasing through the support of the Guam Cancer Trust
14 Fund. However, these programs are *not* able to provide funding for cancer
15 education and outreach to the Guam community.

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

24 It is the intent of *I Liheslaturan Guåhan* to provide an expanded
25 authorization for cancer education and outreach programs to promote prevention,
26 early detection and advanced treatment options that may not be considered direct
27 services for cancer screening, treatment and support. It is further the intent to

1 amend the cap imposed on the use of grant funds for administrative purposes from
2 five percent (5%) to fifteen percent (15%), in anticipation of the expanded
3 programs organizations will take on in cancer education and outreach efforts.

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

6 “(2) Fifteen percent (15%) of the taxes collected and any subsequent
7 gains *shall* be transferred into the Guam Cancer Trust Fund for programs
8 supporting cancer screening, treatment, support services, cancer education,
9 and outreach programs;”

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

12 “(2) The University of Guam, for each fiscal year, may allocate up
13 to seventy-five percent (75%) of the funds balance to non-profit and
14 charitable organizations providing cancer screenings, treatment, support
15 services, cancer education, and outreach programs; provided, however, no
16 more than ten percent (10%) of the available funds *shall* be utilized for
17 cancer education and outreach programs. The University of Guam *shall*
18 promulgate rules and regulations pursuant to Title 5 GCA, Chapter 9
19 regarding the administration of the Guam Cancer Trust Fund, as well as the
20 application, distribution, review and investigation of such funds. Such rules
21 and regulations shall be posted on the University’s website.

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

25 **Section 4. Amendment to the Guam Cancer Trust Fund Rules and**
26 **Regulations.** Section .07 of the Guam Cancer Trust Fund Rules and Regulations,
27 established pursuant to the authority of P.L. 30-80, is hereby *amended* to read:

1 **“.07 Allowable Uses of the Grant Funds.**

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

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

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

14 **Section 5. Severability.** *If* any provision of this Act or its application to
15 any person or circumstance is found to be invalid or contrary to law, such
16 invalidity shall not affect other provisions or applications of this Act which can be
17 given effect without the invalid provisions or application, and to this end the
18 provisions of this Act are severable.

19 **Section 6. Effective Date.** This Act *shall* become effective upon
20 enactment.