



Territory of Guam
Territorio Guam

OFFICE OF THE GOVERNOR
UEISINAN IMAAGALAH
AGANA, GUAM 96910 U.S.A.

MAY 24 1994

RECEIVED
OFFICE OF THE SPEAKER
DATE: 5/27/94
TIME: 11:25
REC'D BY: *C. C. ...*

The Honorable Joe T. San Agustin
Speaker, Twenty-Second Guam Legislature
155 Hesler Street
Agana, Guam 96910

REFER TO
LEGISLATIVE COORDINATOR

Dear Mr. Speaker:

Transmitted herewith is Bill No. 984, which I have signed into law this date as
Public Law 22-124.

Sincerely yours,

Frank F. Blas
FRANK F. BLAS
Governor,
Acting

220716

Attachment

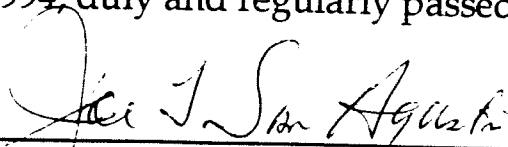


Commonwealth Now!

TWENTY-SECOND GUAM LEGISLATURE
1994 (SECOND) Regular Session


CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 984 (LS), "AN ACT TO APPROVE THE PROPOSED REGULATIONS FOR THE OFF-ISLAND EDUCATIONAL, TRAINING AND CULTURAL ENHANCEMENT FUND OF THE GUAM COUNCIL ON THE ARTS AND HUMANITIES AGENCY," was on the 13th day of May, 1994, duly and regularly passed.



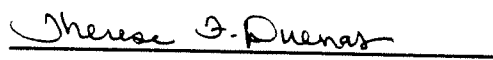
JOE T. SAN AGUSTIN
Speaker

Attested:



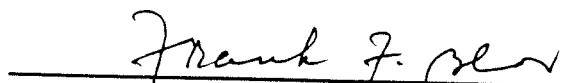
PILAR C. LUJAN
Senator and Legislative Secretary

This Act was received by the Governor this 19th day of May
1994, at 3:05 o'clock P.M.



Assistant Staff Officer
Governor's Office

APPROVED:



FRANK F. BLAS
Governor of Guam
Acting

Date: May 24, 1994

Public Law No. 22-124

TWENTY-SECOND GUAM LEGISLATURE
1994 (SECOND) Regular Session

Bill No. 984 (LS)

As amended by the Committee on
Youth, Senior Citizens, and Cultural
Affairs and as further substituted by
the Committee on Rules

Introduced by:

Chairperson, Committee on Rules

H. D. Dierking

E. P. Arriola

At the request of the Governor

F. P. Camacho

T. C. Ada

J. P. Aguon

M. Z. Bordallo

C. T. C. Gutierrez

P. C. Lujan

T. S. Nelson

V. C. Pangelinan

D. Parkinson

E. D. Reyes

J. T. San Agustin

F. E. Santos

D. L. G. Shimizu

J. G. Bamba

A. C. Blaz

D. F. Brooks

M. D. A. Manibusan

T. V. C. Tanaka

A. R. Unpingco

AN ACT TO APPROVE THE PROPOSED
REGULATIONS FOR THE OFF-ISLAND
EDUCATIONAL, TRAINING AND CULTURAL
ENHANCEMENT FUND OF THE GUAM COUNCIL
ON THE ARTS AND HUMANITIES AGENCY.

1 **BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:**
2 **Section 1. Approval.** The rules and regulations of the Guam Council
3 on the Arts and Humanities Agency as set out in the document entitled,
4 "Guam Council on the Arts and Humanities Agency Off-Island Education,
5 Training and Cultural Enhancement Fund Rules and Regulations," attached
6 hereto and incorporated in this Act by this reference, as hereby amended, are
7 approved.

**GUAM COUNCIL ON THE ARTS AND HUMANITIES AGENCY
OFF-ISLAND EDUCATIONAL, TRAINING AND
CULTURAL ENHANCEMENT FUND
RULES AND REGULATIONS**

As amended by the Legislature

**CHAPTER I
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Chapter V.....	Eligibility
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Chapter VIII.....	Disbursement of Funds
Chapter IX.....	Annual Report
Chapter X.....	Misuse of Funds
Chapter XI.....	Grant Limitations
Chapter XII.....	Severability

CHAPTER II

Legislative Authority

Public Law 22-60 establishes the Fund. It mandates the Guam Council on the Arts and Humanities Agency to set up the eligibility requirements governing usage of the Fund.

CHAPTER III

Definitions

- A. "Agency" means Guam Council on the Arts and Humanities Agency, government of Guam.
- B. "Director" means Director of the Guam Council on the Arts and Humanities Agency.
- C. "Educational training" means training that broadens the education of island residents through invitational events and competitions not offered locally.
- D. "Cultural enhancement" means the development of the visual and performing art skills of island residents through exhibits/demonstrations or performances for invitational events or competitions not offered locally.
- E. "Board" means the Council on the Arts and Humanities Agency Board, government of Guam.
- F. "Fund" means the Educational Training and Cultural Enhancement Fund for Off-Island Travel.
- G. "Grantee" means an applicant who is awarded a grant.
- H. "Vendor" means an airline office or a travel agency.

- I. "Grant" means an approved award of funds from the Off-Island Travel Educational Training and Cultural Enhancement Fund.
- J. "Government of Guam funds" means any funds received from a legislative appropriation, the Guam Visitors Bureau or from an autonomous agency.
- K. "Government" means the government of Guam.

CHAPTER IV Purpose of Grants

Grants shall be used to develop the performing and visual art skills and to broaden the education of residents of Guam by funding up to a maximum of 50% of the cost of off-island air transportation for organizations, schools or individuals for participating in educational, performing and visual arts invitational events and competitions.

CHAPTER V Eligibility

A. Organizations:

1. If the applicant is an organization, it must be registered with the government of Guam as a nonprofit organization, or be a bona fide Guam school program, sanctioned by the school's principal and endorsed by the Director of Education, school master or Superintendent of Parochial Schools.
2. Organizations that apply for a grant must be in compliance with all applicable laws and regulations.

B. Individuals:

If the applicant is an individual, he or she must be a permanent resident of Guam.

**CHAPTER VI
Grant Criteria**

Grants will be awarded only to individuals or organizations that have been locally selected for off-island participation.

**CHAPTER VII
Application Procedure**

A. Step One: Submission.

1. To qualify for a grant, an application must be filled out and submitted to the Agency, along with the following information:
 - a. A nonprofit organization requesting funds must provide a copy of its articles of incorporation or other proof of registration as a nonprofit organization with the government of Guam. A requesting school must submit a letter from the school's principal and the Director of Education, school master or Superintendent of Parochial Schools, endorsing the organization.
 - b. Written quotations from at least three vendors giving the cost of the air transportation. All written airfare quotations must reflect the total number and cost of delegation-paid tickets, including the amount of discounts as well as distinguishing free tickets from paid tickets.

- c. A list showing the names of the recipients of the grant-supported airline tickets. The list must indicate the status of each recipient; e.g., member, official, chaperone or student.
 - d. An itinerary for each delegate.
 - e. A copy of an invitation to the event or competition.
2. Grant applications which do not comply with the requirements of Step One shall not be considered complete and eligible for certification.

B. Step Two: Certification.

The Director will certify the grant application as to its completeness. If the grant application is not complete, the Agency will mail a non-certification form to the grant applicant for proper adjustment. After five working days following the submission of the grant application to the Agency, the applicant may call the Agency to determine the status of the application. If the application is incomplete, it will remain with the Agency under inactive status until the applicant completes all the requirements.

C. Step Three: Consideration.

1. A certified grant application shall be submitted by the Director of the Board for consideration at its next scheduled meeting after the date of certification. The grant application may call the Agency to inquire as to the date of the Board meeting at which the Board will be considering the application.
2. The Board shall approve grant applications in accordance with the purposes stated in Chapter IV of these regulations.
3. The Board will not consider any grant application unless Steps One and Two have been completed.

CHAPTER VIII Disbursement of Funds

- A. The Director shall manage the Fund and the Agency's certifying officer shall be the Fund's certifying officer. The three steps outlined in Chapter VII must be completed by all grant applicants prior to the departure date of the group. If any organization or individual departs the island to attend the competition or other event prior to the completion of the application procedure outlined in Chapter VII, such organization or individual shall be ineligible for a grant.
- B. Upon Board approval of the application, the Agency shall process the necessary travel request.
- C. Upon receipt of the check, the Agency becomes the "prepayer". The vendor shall provide the Agency with copies of all government-paid tickets to be issued.
- D. If the vendor issues a refund on any of the airline transportation expenses, it shall reimburse the government directly in the amount of the government's share.
- E. The grantee shall notify the Agency immediately of any changes in the airline tickets.
- F. Within thirty days after completion of travel, the grantee shall provide the Director with a narrative trip report and an accurate expense report reflecting the expenditure of all government of Guam funds.

CHAPTER IX Annual Report

The Director shall prepare and submit an annual report to the Governor and the Legislature on June 30th of each year. The annual report shall include the following information concerning the use of the Fund during the immediately preceding fiscal year (June 1 through May 31):

- A. The number of applicants.
- B. The number and amounts of grants awarded.
- C. Other pertinent data concerning management of the Fund.

CHAPTER X Misuse of Funds

- A. Any person who willfully misuses a grant received under these regulations shall be guilty of a petty misdemeanor and subject to a fine not to exceed \$500.
- B. If the grantee is delinquent in submitting the expenditure report required by Chapter VIII, Section F, the Agency shall send a written notice, certified mail, return receipt requested, to the grantee giving the grantee fifteen days from the date of receipt of the notice to submit the report, failing which such grantee may be deemed to have violated Section A of this Chapter X.

CHAPTER XI Grant Limitations

- A. Only one grant from the Fund can be awarded per organization, program or individual per year.

- B. Grant funds must be used only for the cost of air transportation at economy rates.
- C. The maximum grant amount for each organization or individual cannot under any circumstances exceed either \$30,000 or 50% of the total cost of the air transportation.
- D. All grants awarded through the Agency are contingent upon the availability of funds and final approval by the Governor.

CHAPTER XII Severability

If any part or section of these regulations is declared to be invalid by a court of law or administrative tribunal for any reason, the rest of these regulations shall not be affected thereby and shall remain valid and enforceable.

LOURDES DUENAS
Chairperson, GCAHA Board

Dated: _____

ALBERTO A. LAMORENA
Director, GCAHA

Dated: _____

ELIZABETH BARRETT-ANDERSON
Attorney General

Dated: _____

PILAR C. LUJAN
Legislative Secretary

Dated: _____

TWENTY-SECOND GUAM LEGISLATURE
 1993 (FIRST) Regular Session

Date: 5/13/94

VOTING SHEET
 (AS REVISED)

Bill No. 984
 Resolution No. _____
 Question: _____

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>ABSENT/ OUT DURING ROLL CALL</u>
ADA, Thomas C.	✓			
AGUON, John P.	✓			
ARRIOLA, Elizabeth P.	✓			
BAMBA, J. George	✓			
BLAZ, Anthony C.	✓			
BORDALLO, Madeleine Z.	✓			
BROOKS, Doris F.	✓			
CAMACHO, Felix P.	✓			
DIERKING, Herminia D.	✓			
GUTIERREZ, Carl T. C.	✓			
LUJAN, Pilar C.	✓			
MANIBUSAN, Marilyn D. A.	✓			
NELSON, Ted S.	✓			
PANGELINAN, Vicente C.	✓			
PARKINSON, Don	✓			
REYES, Edward D.	✓			
SAN AGUSTIN, Joe T.	✓			
SANTOS, Francis E.				✓
SHIMIZU, David L. G.	✓			
TANAKA, Thomas V. C.	✓			
UNPINGCO, Antonio R.	✓			

TOTAL

20 0 0 1

Elizabeth P. Arriola

Committee on Youth, Senior Citizens and Cultural Affairs

May 4, 1994

The Honorable Joe T. San Agustin
Speaker
Twenty-Second Guam Legislature
155 Hesler Street
Agana, Guam 96910

Dear Mr. Speaker:

The Committee on Youth, Senior Citizens and Cultural Affairs to which was referred **Bill No. 984 "AN ACT TO ACCEPT THE PROPOSED REGULATIONS FOR THE OFF-ISLAND EDUCATIONAL, TRAINING AND CULTURAL ENHANCEMENT FUND"**, has had the same under consideration and now wishes to report back its recommendation **TO DO PASS** as amended by the Committee.

Committee votes received:

<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>REPORT OUT</u>	<u>OTHER</u>
-10-	-0-	-0-	-1-

Attached herewith are the Committee Report and other pertinent documents for your perusal.

Sincerely,

Elizabeth P. Arriola
ELIZABETH P. ARRIOLA

Attachments





TWENTY-SECOND GUAM LEGISLATURE

VOTE SHEET

COMMITTEE ON YOUTH, SENIOR CITIZENS AND CULTURAL AFFAIRS

on
Bill No. 984

As Amended by the Committee

AN ACT TO ACCEPT THE PROPOSED REGULATIONS FOR THE OFF-ISLAND EDUCATIONAL,
TRAINING AND CULTURAL ENHANCEMENT FUND.

Chairperson:	To Pass	Not To Pass	Report Out	Inactive File
<i>Elizabeth P. Arriola</i> ELIZABETH P. ARRIOLA	✓			
<i>John P. Aguon</i> JOHN P. AGUON, Vice-Chair	✓			
<i>J. George Bamba</i> J. GEORGE BAMBA	✓			
ANTHONY C. BLAZ				
<i>Madeleine Z. Bordallo</i> MADELEINE Z. BORDALLO	✓			
<i>Felix P. Camacho</i> FELIX P. CAMACHO	✓			
<i>Herminia D. Dierking</i> HERMINIA D. DIERKING	✓			
<i>Edward D. Reyes</i> EDWARD D. REYES	✓			
<i>Francis E. Santos</i> FRANCIS E. SANTOS	✓			
<i>David L. G. Shimizu</i> DAVID L. G. SHIMIZU	✓			
<i>Joe T. San Agustin</i> SPEAKER JOE T. SAN AGUSTIN, Ex-officio	✓			

TWENTY-SECOND GUAM LEGISLATURE
1994 (SECOND) Regular Session

Bill No. 984
As amended by the Committee

Chairperson, Committee on Rules

Introduced by:

At the request of the Governor

AN ACT TO ACCEPT THE PROPOSED REGULATIONS FOR THE OFF-ISLAND EDUCATIONAL, TRAINING AND CULTURAL ENHANCEMENT FUND.

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

Section 1. Acceptance of Rules.

The Guam Council on the Arts and Humanities Agency's regulations as provided for in the attached document designed as Exhibit "A" and entitled, "Guam Council on the Arts and Humanities Agency Off-Island Educational, Training and Cultural Enhancement Fund Rules and Regulations," are approved[.] as amended by the Legislature.

GUAM COUNCIL ON THE ARTS AND HUMANITIES AGENCY
OFF-ISLAND EDUCATIONAL, TRAINING AND CULTURAL ENHANCEMENT FUND

RULES AND REGULATIONS

As Amended by the Legislature

CHAPTER I

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Chapter XII	Severability

CHAPTER II

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Public Law 22-60 establishes the Fund. It mandates the Guam Council on the Arts and Humanities Agency to set up the eligibility requirements governing usage of the Fund.

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- A. "Agency" means Guam Council on the Arts and Humanities Agency, government of Guam.
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- C. "Educational training" means training that broadens the education of island residents through invitational events and competitions not offered locally.
- D. "Cultural enhancement" means the development of the visual and performing art skills of island residents through exhibits/demonstrations or performances for invitational events or competitions not offered locally.
- E. "Board" means the Guam Council on the Arts and Humanities Agency Board, government of Guam.
- F. "Fund" means the Educational Training and Cultural Enhancement Fund for Off-Island Travel.
- G. "Grantee" means an applicant who is awarded a grant.
- H. "Vendor" means an airline office or a travel agency.
- I. "Grant" means an approved award of funds from the Off-Island Travel Educational Training and Cultural Enhancement Fund.
- J. "Government of Guam funds" means any funds received from a legislative appropriation, the Guam Visitors Bureau or from an autonomous agency.
- K. "Government" means the government of Guam.

Chapter IV

Purpose of Grants

Grants shall be used to develop the performing and visual art skills and to broaden the education of residents of Guam by funding up to a maximum of 50% of the cost of off-island air transportation for organizations, schools or individuals for participating in educational, performing and visual arts invitational events and competitions.

CHAPTER V

Eligibility

A. Organizations:

1. If the applicant is an organization, it must be registered with the government of Guam as a nonprofit organization, or be a bona fide Guam school program, sanctioned by the school's principal and endorsed by the Director of Education, school master or Superintendent of Parochial Schools.
2. Organizations that apply for a grant must be in compliance with all applicable laws and regulations.

B. Individuals:

If the applicant is an individual, he or she must be a permanent resident of Guam.

- C. The applicant must have raised and secured at least 25% of the total costs of off-island air transportation prior to submitting the application.
- D. If in the opinion of the Board there is a misuse of funds, the organization or individual that misused the funds will be ineligible to receive further grants, even if the misused funds are returned.

CHAPTER VI

Grant Criteria

Grants will be awarded only to individuals or organizations that have been locally selected for off-island participation.

CHAPTER VII

Application Procedure

A. STEP ONE: SUBMISSION

1. To qualify for a grant, an application must be filled out and submitted to the Agency, along with the following information:

- a. A nonprofit organization requesting funds must provide a copy of its articles of incorporation or other proof of registration as a nonprofit organization with the government of Guam. A requesting school must submit a letter from the school's principal and the Director of Education, school master or Superintendent of Parochial Schools, endorsing the organization.
 - b. Written quotations from at least three vendors giving the cost of the air transportation. All written airfare quotations must reflect the total number and cost of delegation-paid tickets, including the amount of discounts as well as distinguishing free tickets from paid tickets.
 - c. A list showing the names of the recipients of the grant-supported airline tickets. The list must indicate the status of each recipient; e.g., member, official, chaperon or student.
 - d. An itinerary for each delegate.
 - e. A copy of an invitation to the event or competition.
 - f. Verification that at least 25% of the total cost of off-island air transportation has been collected; e.g., a treasurer's or accountant's affidavit, a bank statement or a grant award letter.
2. Grant applications which do not comply with the requirements of STEP ONE shall not be considered complete and eligible for certification.

B. STEP TWO: CERTIFICATION

The Director will certify the grant application as to its completeness. If the grant application is not complete, the Agency will mail a non-certification form to the grant applicant for proper adjustment. After five working days following the submission of the grant application to the Agency, the applicant may call the Agency to determine the status of the application. If the application is incomplete, it will remain with the Agency under inactive status until the applicant completes all the requirements.

C. STEP THREE: CONSIDERATION

1. A certified grant application shall be submitted by the Director to the Board for consideration at its next scheduled meeting after the date of certification. The grant applicant may call the Agency to inquire as to the date of the Board meeting at which the Board will be considering the application.
2. The Board shall approve grant applications in accordance with the purposes stated in Chapter IV of these regulations.
3. The Board will not consider any grant application unless STEPS ONE and TWO have been completed.

CHAPTER VIII

Disbursement of Funds

- A. The Director shall manage the Fund and the Agency's certifying officer shall be the Fund's certifying officer. The three steps outlined in Chapter VII must be completed by all grant applicants prior to the departure date of the group. If any organization or individual departs the island to attend the competition or other event prior to the completion of the application procedure outlined in Chapter VII, such organization or individual shall be ineligible for a grant.
- B. Upon Board approval of the application, the Agency shall process the necessary travel request.
- C. Upon receipt of the check, the Agency becomes the "prepayer." The vendor shall provide the Agency with copies of all government-paid tickets to be issued.
- D. If the vendor issues a refund on any of the airline transportation expenses, it shall reimburse the government directly in the amount of the government's share.
- E. The grantee shall notify the Agency immediately of any changes in the airline tickets.
- F. Within thirty days after completion of travel, the grantee shall provide the Director with a narrative trip report and an accurate expense report reflecting the expenditure of all government of Guam funds.

CHAPTER IX

Annual Report

The Director shall prepare and submit an annual report to the Governor and the Legislature on June 30th of each year. The annual report shall include the following information concerning the use of the Fund during the immediately preceding fiscal year (June 1 through May 31):

- A. The number of applicants.
- B. The number and amounts of grants awarded.
- C. Other pertinent data concerning management of the Fund.

CHAPTER X

Misuse of Funds

- A. Any person who willfully misuses a grant received under these regulations shall be guilty of a petty misdemeanor and subject to a fine not to exceed \$500.
- B. In the event there is a misuse of funds in the opinion of the Board, the organization or individual that misuses the funds shall not receive further grants from the Fund and shall reimburse the Fund in an amount determined by the Board.
- C. If the grantee is delinquent in submitting the expenditure report required by Chapter VIII, Section F, the Agency shall send a written notice, certified mail, return receipt requested, to the grantee giving the grantee fifteen days from the date of receipt of the notice to submit the report. If the grantee fails to submit the report within the fifteen-day limit, the Agency may exercise the remedies provided in Chapter X, Section B, and a statement to this effect shall be included in the written notice.

CHAPTER XI

Grant Limitations

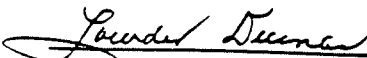
- A. Only one grant from the Fund can be awarded per organization, program or individual per year.

- B. Grant funds must be used only for the cost of air transportation at economy rates.
- C. The maximum grant amount for each organization or individual cannot under any circumstances exceed either \$30,000 or 50% of the total cost of the air transportation.
- D. All grants awarded through the Agency are contingent upon the availability of funds and final approval by the Governor.

CHAPTER XII


Severability

If any part or section of these regulations is declared to be invalid by a court of law or administrative tribunal for any reason, the rest of these regulations shall not be affected thereby and shall remain valid and enforceable.




LOURDES DUENAS
Chairperson, GCAHA Board

Date: 3/9/94



ALBERTO A. LAMORENA
Director, GCAHA

Date: 3/9/94



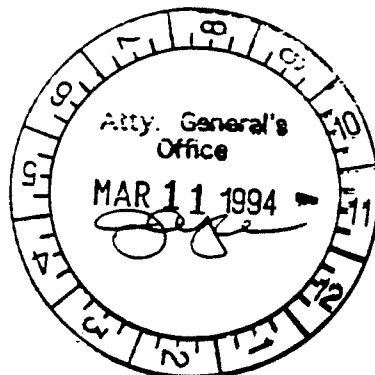
ELIZABETH BARRETT-ANDERSON
Attorney General

Date: _____

PILAR C. LUJAN
Legislative Secretary

Date: _____

caha-940.115/eah



COMMITTEE REPORT
of the
**COMMITTEE ON YOUTH, SENIOR CITIZENS
AND CULTURAL AFFAIRS**
on

Bill No. 984

*"AN ACT TO ACCEPT THE PROPOSED
REGULATIONS FOR THE OFF-ISLAND
EDUCATIONAL, TRAINING AND CULTURAL
ENHANCEMENT FUND."*

PREFACE

The Committee on Youth, Senior Citizens and Cultural Affairs held a Public Hearing at 9:30 a.m. on April 29, 1994, in the Temporary Legislative Building to receive testimony on Bill No. 984. The hearing was conducted by Committee Chairperson, Senator Elizabeth P. Arriola and attended by Speaker Joe T. San Agustin.

TESTIMONY

Guam Council on the Arts and Humanities Agency Director Alberto A. Lamorena offered oral testimony in support of Bill No. 984. He asserted that the requirements of the Administrative Adjudication Act have been complied with in approving the proposed regulations. He also stated that grants under these regulations would apply only up to a maximum of 50% of the cost of off-island air transportation.

There being no further testimony, Senator Arriola concluded the hearing on Bill No. 984.

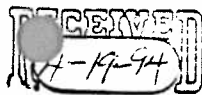
COMMITTEE FINDINGS

Public Law 22-60 mandates the Guam Council on the Arts and Humanities to adopt rules and regulations in implementing the Two Hundred Thousand Dollars (\$200,000) appropriation for "Off-Island Educational, Training and Cultural Enhancement Fund" (the Fund). The proposed regulations would

only provide educational and performing art skills. The Committee finds that limiting the grants only to educational and performing art skills would deny visual artists from participating in the program. The Committee, therefore, amends the definition of "Cultural enhancement" in Chapter III and "Purpose of Grants" in Chapter IV to include visual and performing art skills which would broaden participation in the program. The Committee finds such participation as beneficial in the development of varied art skills and broadening the education of resident participants.

COMMITTEE RECOMMENDATIONS

The Committee on Youth, Senior Citizens and Cultural Affairs recommends that Bill No. 984 be reported out to the full Legislature with the recommendation **to do pass** as amended.



Senator **HERMINIA D. DIERKING**

22nd GUAM LEGISLATURE

April 18, 1994

MEMORANDUM

Committees:

CHAIRPERSON:

Rules

VICE CHAIRPERSON:

Ways & Means

MEMBER:

Economic-
Agricultural
Development,
and Insurance

Education

Electrical
Power and
Consumer
Protection

Federal and
Foreign Affairs

General
Governmental
Operations and
Micronesian Affairs

Health,
Ecology and
Welfare

Judiciary
and
Criminal Justice

Tourism and
Transportation

Youth, Senior
Citizens and
Cultural Affairs

TO: Chairperson, Committee on Youth, Senior Citizens and Cultural Affairs

FROM: Chairperson, Committee on Rules

SUBJECT: Referral - Bill No. 984

The above Bill is referred to your Committee as the principal committee. Please note that the referral is subject to ratification by the Committee on Rules at its next meeting. It is recommended you schedule a public hearing at your earliest convenience.


HERMINIA D. DIERKING

Attachment

TWENTY-SECOND GUAM LEGISLATURE
(SECOND) Regular Session 1994

RB

Bill No. *984*

Introduced by:

Chairperson, Committee on Rules

M. Hartman

At the request of the Governor

FPCama

AN ACT TO ACCEPT THE PROPOSED REGULATIONS
FOR THE OFF-ISLAND EDUCATIONAL, TRAINING AND
CULTURAL ENHANCEMENT FUND.

1
2
3
4
5
6
7

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

Section 1. Acceptance of Rules.

The Guam Council on the Arts and Humanities Agency's regulations as provided for in the attached document designed as Exhibit "A" and entitled, "Guam Council on the Arts and Humanities Agency Off-Island Educational, Training and Cultural Enhancement Fund Rules and Regulations," are approved.



Territory of Guam
Territorio de Guam

OFFICE OF THE GOVERNOR
LEFINAN I MAGA LAHI
AGANA, GUAM 96910 USA

RECEIVED
OFFICE OF THE SPEAKER
DATE: 4-11-94
TIME: 9 am
RECD BY: [signature]

APR 11 1994

The Honorable Joe T. San Agustin
Speaker, Twenty-Second Guam Legislature
155 Hesler Street
Agana, Guam 96910

COPIES TO
LEGISLATIVE SECRETARY
[signature]

Dear Mr. Speaker:

Pursuant to 5 GCA §93033 (b), enclosed herewith for filing with the Legislative Secretary is the original and one (1) copy of the proposed rules and regulations governing Off-Island Educational, Training and Cultural Enhancement Fund established by Public Law 22-60. I have reviewed, approved, and am recommending the rules be approved.

The Guam Council on the Arts and Humanities Agency Board is granted the authority to adopt rules and regulations under Public Law 16-122. Public Law 22-60 mandates the Guam Council on the Arts and Humanities Agency establish the eligibility requirements governing use of the fund.

Requirements of the Administrative Adjudication Act have been met. The Guam Council on the Arts and Humanities and the Office of the Attorney General have reviewed and approved the proposed rules and regulations.

I ask that you and your colleagues act expeditiously to approve the rules and regulations.

Sincerely,

[Signature]
JOSEPH F. ADA
Governor
220628

Enclosure



TWENTY-SECOND GUAM LEGISLATURE
(SECOND) Regular Session 1994

Bill No.

Introduced by:

At the request of the Governor

AN ACT TO ACCEPT THE PROPOSED REGULATIONS
FOR THE OFF-ISLAND EDUCATIONAL, TRAINING AND
CULTURAL ENHANCEMENT FUND.

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

Section 1. Acceptance of Rules.

The Guam Council on the Arts and Humanities Agency's regulations as provided for in the attached document designed as Exhibit "A" and entitled, "Guam Council on the Arts and Humanities Agency Off-Island Educational, Training and Cultural Enhancement Fund Rules and Regulations," are approved.

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FEB 19, 1994

In managed-care plans, up from 48 per-

QVC will change name, expand beyond television

PHILADELPHIA (AP) — QVC said Thursday it was changing its name and announced a restructuring to broadly expand the business beyond television retailing in the wake of a failed bid for Paramount Communications Inc.

The company said co-founder and president Michael Boyd will retire, while Douglas Briggs will assume the new position of president of QVC Electronic Retailing, which will be the West Chester, Penn.-based firm's main operating unit.

Chairman and chief executive officer Barry Diller, who launched one of the fiercest takeover battles in recent years by challenging Viacom Inc.'s September agreement to merge with Paramount, said the company changed its name to QVC Inc. Previously, it had been called QVC Network Inc.

The new corporate structure will serve as the basis for developing other divisions and turning QVC into a multi-media company, Diller said. Diller, a former head of Paramount Pictures and the Fox television network, pursued Paramount in his bid to build a powerful media-entertainment conglomerate.

New technologies are rapidly changing the way information and entertainment are delivered to consumers, and analysts say companies that control a variety of programming sources will be in the best position to survive.

QVC said its restructuring — involving splitting a division into separate units to handle merchandising, marketing and programming — would transform the company from a single-cable TV shopping channel into a diversified business with ventures in interactive retailing and product-promotion programming.

"The success of electronic retailing is now spawning a series of new business-ops," said Briggs. "The ambitious agenda we have laid out for ourselves requires a reevaluation of our resources.

The timing of the announcement, reevaluation of our resources.

entire Japanese economy.

On Thursday, the United States announced that the trade deficit with Japan shot up 23 percent last year to a record \$69.3 billion, up from \$56.8 billion in 1997.

Japanese officials said the trade package will be voluntary, although all four areas reflect key U.S. trade demands.

But the package is unlikely to solve the key issue that caused last week's Deputy Minister for Foreign Affairs Koichiro Matsuura, referring to a collateral telephone dispute with the United States.

On Tuesday, Trade Representative Mickey Kantor said the United States was considering sanctions against Japan for having allegedly violated an agreement to open its cellular telephone market.

Tokyo insists that U.S. negotiators have failed to understand the position and that much of the trade imbalance is caused by import duties on Japanese cars.

"Takemura said the new package might be worked out before a meeting of Japanese companies in Japan. But worried officials in the Group of Seven industrial nations officials from the

Ministry official, who spoke to reporters on condition of anonymity. "But the problem is Japan's trade surplus. We need to do something to make it easier for negotiators to open its cellular telephone market."

For large knives, the blade's the thing. Typically 4 to 5 inches long and secured by a thumb-activated lock, the blades give smaller pocket knives. Tool complements are similar to those on medium knives, but the tools are larger and hence sometimes easier to use. The Victorinox Original Army Buckack (#38) scored best in this category. All large knives tested have a locking main blade, can opener, bottle opener, standard screwdriver, reamer,

By the Editors of Consumer Reports

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any such an attempt to

Washington to explain the package, he said.

Overall, Japan's strategy is to keep the trade disputes from being overt, since a trade war with the United States could cause serious economic damage.

"We ought to deal with specific issues in an objective manner. We should not handle trade issues generationally," said Deputy Minister for Foreign Affairs Koichiro Matsuura, referring to a collateral telephone dispute with the United States.

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NOTICE OF PUBLIC HEARING

A public hearing will be conducted at 6:00 p.m. Wednesday, March 2, 1994 in the GCAHA Gallery in the Retirement Fund Building in Male on Route 8. The purpose of this hearing is to discuss the eligibility requirements governing the Educational Training and Cultural Enhancement Fund (Public Law 22-60) that have been proposed of GCAHA. Any person who wants to may attend and give oral testimony or present written or documentary evidence. Five (5) copies of the proposed regulations are available for examination by any member of the public at the Director's Office in the GCAHA Building in Male.

IN THE SUPREMACY COURT OF GUAM

IN THE MATTER OF THE ESTATE OF JOAQUIN A. PANGELMAN DECEASED BY LORENZO PANGELMAN PETITIONER

PROBATE CASE NO. 1994-45 NOTICE OF HEARING FOR ORDER ALLOWING THE SALE OF REAL ESTATE

NOTICE is hereby given that LORENZO PANGELMAN, Administrator of the estate of JOAQUIN A. PANGELMAN, deceased, has filed with the Court a Petition for Order Allowing the Sale of Real Estate belonging to the above-named deceased. Reference is hereby made to the said Petition for further particulars.

A hearing on the matter is set for May 10, 1994 at 9:00 o'clock a.m. of the said date, in the courtroom of the Superior Court of Guam.

Dated the JAN 21 1994 ALFREDO M. BORJAS, Clerk of the Superior Court of Guam

By Hon. Benjamin J.F. Cruz Judge, Superior Court of Guam

Office in the GCAHA Building in Male.

tion by any member of the public at the Director's proposed regulations are available for examina-

documentary evidence. Five (5) copies of the GCAHA. Any person who wants to may attend

GUAM COUNCIL ON THE ARTS AND HUMANITIES AGENCY
OFF-ISLAND EDUCATIONAL, TRAINING AND CULTURAL ENHANCEMENT FUND
RULES AND REGULATIONS

CHAPTER I

Table of Contents

Chapter II	Legislative Authority
Chapter III	Definitions
Chapter IV	Purpose of Grants
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Chapter VI	Grant Criteria
Chapter VII	Application Procedure
A	Step One: Submission
B	Step Two: Certification
C	Step Three: Consideration
Chapter VIII	Disbursement of Funds
Chapter IX	Annual Report
Chapter X	Misuse of Funds
Chapter XI	Grant Limitations
Chapter XII	Severability

CHAPTER II

Legislative Authority

Public Law 22-60 establishes the Fund. It mandates the Guam Council on the Arts and Humanities Agency to set up the eligibility requirements governing usage of the Fund.

CHAPTER III

Definitions

- A. "Agency" means Guam Council on the Arts and Humanities Agency, government of Guam.
- B. "Director" means Director of the Guam Council on the Arts and Humanities Agency.
- C. "Educational training" means training that broadens the education of island residents through invitational events and competitions not offered locally.
- D. "Cultural enhancement" means the development of performing art skills of island residents through performances for invitation events or competitions not offered locally.
- E. "Board" means the Guam Council on the Arts and Humanities Agency Board, government of Guam.
- F. "Fund" means the Educational Training and Cultural Enhancement Fund for Off-Island Travel.
- G. "Grantee" means an applicant who is awarded a grant.
- H. "Vendor" means an airline office or a travel agency.
- I. "Grant" means an approved award of funds from the Off-Island Travel Educational Training and Cultural Enhancement Fund.
- J. "Government of Guam funds" means any funds received from a legislative appropriation, the Guam Visitors Bureau or from an autonomous agency.
- K. "Government" means the government of Guam.

CHAPTER IV

Purpose of Grants

Grants shall be used to develop the performing arts skills and to broaden the education of residents of Guam by funding up to a maximum of 50% of the cost of off-island air transportation for organizations, schools or individuals for participating in educational and performing art invitational events and competitions.

CHAPTER V

Eligibility

A. Organizations:

1. If the applicant is an organization, it must be registered with the government of Guam as a nonprofit organization, or be a bona fide Guam school program, sanctioned by the school's principal and endorsed by the Director of Education, school master or Superintendent of Parochial Schools.
2. Organizations that apply for a grant must be in compliance with all applicable laws and regulations.

B. Individuals:

If the applicant is an individual, he or she must be a permanent resident of Guam.

- C. The applicant must have raised and secured at least 25% of the total costs of off-island air transportation prior to submitting the application.
- D. If in the opinion of the Board there is a misuse of funds, the organization or individual that misused the funds will be ineligible to receive further grants, even if the misused funds are returned.

CHAPTER VI

Grant Criteria

Grants will be awarded only to individuals or organizations that have been locally selected for off-island participation.

CHAPTER VII

Application Procedure

A. STEP ONE: SUBMISSION

1. To qualify for a grant, an application must be filled out and submitted to the Agency, along with the following information:

- a. A nonprofit organization requesting funds must provide a copy of its articles of incorporation or other proof of registration as a nonprofit organization with the government of Guam. A requesting school must submit a letter from the school's principal and the Director of Education, school master or Superintendent of Parochial Schools, endorsing the organization.
 - b. Written quotations from at least three vendors giving the cost of the air transportation. All written airfare quotations must reflect the total number and cost of delegation-paid tickets, including the amount of discounts as well as distinguishing free tickets from paid tickets.
 - c. A list showing the names of the recipients of the grant-supported airline tickets. The list must indicate the status of each recipient; e.g., member, official, chaperon or student.
 - d. An itinerary for each delegate.
 - e. A copy of an invitation to the event or competition.
 - f. Verification that at least 25% of the total cost of off-island air transportation has been collected; e.g., a treasurer's or accountant's affidavit, a bank statement or a grant award letter.
2. Grant applications which do not comply with the requirements of STEP ONE shall not be considered complete and eligible for certification.

B. STEP TWO: CERTIFICATION

The Director will certify the grant application as to its completeness. If the grant application is not complete, the Agency will mail a non-certification form to the grant applicant for proper adjustment. After five working days following the submission of the grant application to the Agency, the applicant may call the Agency to determine the status of the application. If the application is incomplete, it will remain with the Agency under inactive status until the applicant completes all the requirements.

C. STEP THREE: CONSIDERATION

1. A certified grant application shall be submitted by the Director to the Board for consideration at its next scheduled meeting after the date of certification. The grant applicant may call the Agency to inquire as to the date of the Board meeting at which the Board will be considering the application.
2. The Board shall approve grant applications in accordance with the purposes stated in Chapter IV of these regulations.
3. The Board will not consider any grant application unless STEPS ONE and TWO have been completed.

CHAPTER VIII

Disbursement of Funds

- A. The Director shall manage the Fund and the Agency's certifying officer shall be the Fund's certifying officer. The three steps outlined in Chapter VII must be completed by all grant applicants prior to the departure date of the group. If any organization or individual departs the island to attend the competition or other event prior to the completion of the application procedure outlined in Chapter VII, such organization or individual shall be ineligible for a grant.
- B. Upon Board approval of the application, the Agency shall process the necessary travel request.
- C. Upon receipt of the check, the Agency becomes the "prepayer." The vendor shall provide the Agency with copies of all government-paid tickets to be issued.
- D. If the vendor issues a refund on any of the airline transportation expenses, it shall reimburse the government directly in the amount of the government's share.
- E. The grantee shall notify the Agency immediately of any changes in the airline tickets.
- F. Within thirty days after completion of travel, the grantee shall provide the Director with a narrative trip report and an accurate expense report reflecting the expenditure of all government of Guam funds.

CHAPTER IX

Annual Report

The Director shall prepare and submit an annual report to the Governor and the Legislature on June 30th of each year. The annual report shall include the following information concerning the use of the Fund during the immediately preceding fiscal year (June 1 through May 31):

- A. The number of applicants.
- B. The number and amounts of grants awarded.
- C. Other pertinent data concerning management of the Fund.

CHAPTER X

Misuse of Funds

- A. Any person who willfully misuses a grant received under these regulations shall be guilty of a petty misdemeanor and subject to a fine not to exceed \$500.
- B. In the event there is a misuse of funds in the opinion of the Board, the organization or individual that misuses the funds shall not receive further grants from the Fund and shall reimburse the Fund in an amount determined by the Board.
- C. If the grantee is delinquent in submitting the expenditure report required by Chapter VIII, Section F, the Agency shall send a written notice, certified mail, return receipt requested, to the grantee giving the grantee fifteen days from the date of receipt of the notice to submit the report. If the grantee fails to submit the report within the fifteen-day limit, the Agency may exercise the remedies provided in Chapter X, Section B, and a statement to this effect shall be included in the written notice.

CHAPTER XI

Grant Limitations

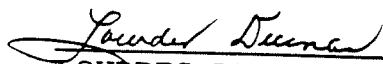
- A. Only one grant from the Fund can be awarded per organization, program or individual per year.

- B. Grant funds must be used only for the cost of air transportation at economy rates.
- C. The maximum grant amount for each organization or individual cannot under any circumstances exceed either \$30,000 or 50% of the total cost of the air transportation.
- D. All grants awarded through the Agency are contingent upon the availability of funds and final approval by the Governor.

CHAPTER XII

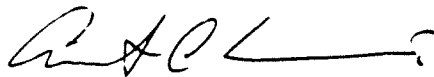
Severability

If any part or section of these regulations is declared to be invalid by a court of law or administrative tribunal for any reason, the rest of these regulations shall not be affected thereby and shall remain valid and enforceable.




LOURDES DUENAS
Chairperson, GCAHA Board

Date: 3/9/94



ALBERTO A. LAMORENA
Director, GCAHA

Date: 3/9/94



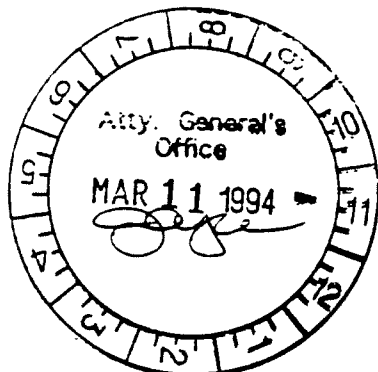
ELIZABETH BARRETT-ANDERSON
Attorney General

Date: _____

PILAR C. LUJAN
Legislative Secretary

Date: _____

caha-940.115/ear



APR 25 '94

TWENTY-SECOND GUAM LEGISLATURE
(SECOND) Regular Session 1994

Bill No. 984(2)

Chairperson, Committee on Rules

Introduced by:

Albertina
At the request of the Governor

AN ACT TO ACCEPT THE PROPOSED REGULATIONS
FOR THE OFF-ISLAND EDUCATIONAL, TRAINING AND
CULTURAL ENHANCEMENT FUND.

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

2 Section 1. Acceptance of Rules.

3 The Guam Council on the Arts and Humanities Agency's
4 regulations as provided for in the attached document designed as
5 Exhibit "A" and entitled, "Guam Council on the Arts and Humanities
6 Agency Off-Island Educational, Training and Cultural Enhancement
7 Fund Rules and Regulations," are approved.