



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

OFFICE OF THE LEGISLATIVE SECRETARY		
ACKNOWLEDGMENT RECEIPT		
Received By		
Time	1:20p	
Date	12	22/01

DEC 22 2001

The Honorable Joanne M. S. Brown
Legislative Secretary
I Mina'Bente Sais na Liheslaturan Guåhan
Twenty-Sixth Guam Legislature
Suite 200
130 Aspinal Street
Hagåtña, Guam 96910

Dear Legislative Secretary Brown:

Enclosed please find Substitute Bill No. 211 (LS) "AN ACT TO APPROPRIATE FUNDS FROM THE SERIES 2001A SUB-ACCOUNT OF THE YOUTH TOBACCO EDUCATION FUND TO THE DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE FOR THE PURPOSE OF YOUTH COMPLIANCE MONITORING AND TOBACCO AND DRUG PREVENTION AND EDUCATION PROGRAMS PURSUANT TO P.L. NO. 25-187" which was I have signed into law as **Public Law No. 26-68**.

This legislation directs funds from the tobacco settlement funds towards the purposes that are required in the settlement agreement. The purposes of the expenditure of the funds set aside in this legislation are for youth compliance monitoring of tobacco use and tobacco and drug prevention and education programs in Fiscal Year 2002.

Very truly yours,

Carl T. C. Gutierrez
I Maga'Lahen Guåhan
Governor of Guam

Attachments: original bill for vetoed legislation or
copy of bill for signed or overridden legislation
and legislation enacted without signature

cc: The Honorable Antonio R. Unpingco
Speaker

062D

MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2001 (FIRST) Regular Session


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

This is to certify that Substitute Bill No. 211 (LS) "AN ACT TO APPROPRIATE FUNDS FROM THE SERIES 2001A SUB-ACCOUNT OF THE YOUTH TOBACCO EDUCATION FUND TO THE DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE FOR THE PURPOSE OF YOUTH COMPLIANCE MONITORING AND TOBACCO AND DRUG PREVENTION AND EDUCATION PROGRAMS PURSUANT TO P.L. NO. 25-187," was on the 7th day of December, 2001, duly and regularly passed.



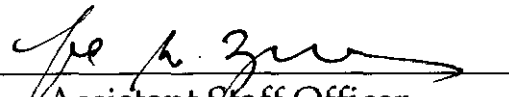
ANTONIO R. UNPINGCO
Speaker

Attested:



JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 12th day of December, 2001,
at 4:47 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



CARL T. C. GUTIERREZ
I Maga'lahaen Guåhan

Date: 12-22-01

Public Law No. 26-68

MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2001 (FIRST) Regular Session

Bill No. 211 (LS)

As substituted by the Committee on
Public Works, Health and Human
Services and amended.

Introduced by:

L. A. Leon Guerrero
J. T. Won Pat
V. C. Pangelinan
E. B. Calvo
J. F. Ada
T. C. Ada
F. B. Aguon, Jr.
J. M.S. Brown
F. P. Camacho
M. C. Charfauros
Mark Forbes
L. F. Kasperbauer
K. S. Moylan
A. L.G. Santos
A. R. Unpingco

AN ACT TO APPROPRIATE FUNDS FROM THE
SERIES 2001A SUB-ACCOUNT OF THE YOUTH
TOBACCO EDUCATION FUND TO THE
DEPARTMENT OF MENTAL HEALTH AND
SUBSTANCE ABUSE FOR THE PURPOSE OF YOUTH
COMPLIANCE MONITORING AND TOBACCO AND
DRUG PREVENTION AND EDUCATION
PROGRAMS PURSUANT TO P.L. NO. 25-187.

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 Section 1. Legislative Findings and Intent. *I* *Liheslaturan*
2 *Guåhan* finds that the Department of Mental Health and Substance

1 Abuse has within its Department a Division of Prevention and Training
2 ("Division") whose sole purpose is to develop prevention and education
3 programs to bring awareness to the community of Guam regarding the
4 implications of tobacco use. The Division works cooperatively with
5 youth groups and non-profit organizations in facilitating its mandate to
6 promote a healthy lifestyle for the community. Among the many
7 partnerships with the community, the Division co-sponsors the Youth-
8 for-Youth Conference held annually to promote awareness of the
9 negative affects of smoking/chewing tobacco and use of drugs to our
10 youth.

11 In addition, the Division works cooperatively with the
12 Department of Revenue and Taxation to conduct annual unannounced
13 Tobacco Inspection compliance to assure that retail businesses on Guam
14 are complying with the law that mandates that minors are *not* sold
15 tobacco products. Furthermore, the Division is actively involved and
16 participates with National Tobacco Prevention Associates, such as the
17 Asian Pacific Partners for Empowerment and Leadership ("APPEAL"),
18 a national network of individuals and organizations committed to
19 working towards a tobacco-free community. Other national associates
20 are the National Asian Pacific American Families Against Substance
21 Abuse ("NAPAFASA") and Regional Alcohol and Drug Abuse Resource
22 Center ("RADAR").

23 As the economic recovery of Guam continues, this source of
24 money will be utilized to support the programs necessary for the
25 Division to carry out its mandate. The Tobacco Prevention Program

1 needs stipends for its volunteers when conducting the annual
2 unannounced tobacco inspection of retail businesses, enhance its
3 resources for tobacco prevention programs and strengthen its smoking
4 cessation programs.

5 *I Liheslaturan Guåhan* finds that § 221203 of Title 5 of the Guam
6 Code Annotated, as added by Public Law Number 25-187, established
7 the Youth Tobacco Education and Prevention Fund (“YTEPF”) in which
8 ten percent (10%) of the proceeds of the sale and securitization of the
9 Guam Allocation from the Master Settlement Agreement shall be
10 deposited. This Fund is subject to legislative appropriation with monies
11 contained therein to be expended one hundred percent (100%)
12 *exclusively* for the purpose of youth compliance monitoring, and tobacco
13 and drug prevention, and education programs by the Department of
14 Mental Health and Substance Abuse.

15 On July 11, 2001 Orrick, Herrington & Sutcliffe LLP, Bond Counsel
16 for the Guam Economic Development Authority, reported that two (2)
17 endowment funds were established on June 21, 2001 for the YTEPF. The
18 Series 2001A Sub-account with a total of Nine Hundred Eighty-two
19 Thousand Two Hundred Forty-seven Dollars and Twenty-six Cents
20 (\$982,247.26) on deposit and the Series 2001B Sub-account with a total of
21 One Million One Hundred Sixty-five Thousand Seven Hundred Forty-
22 eight Dollars and Nine Cents (\$1,165,748.09) on deposit.

23 It is therefore the intent of *I Liheslaturan Guåhan* to appropriate the
24 sum of Three Hundred Twenty-seven Thousand Four Hundred Fifteen
25 Dollars (\$327,415.00) from the Series 2001A Sub-account of the YTEPF to

1 the Department of Mental Health and Substance Abuse Fund
2 established by § 2 below.

3 **Section 2. Creation of Fund.** There is hereby created
4 separate and apart from other funds of the government of Guam, a fund
5 known as the "*Department of Mental Health and Substance Abuse Fund*"
6 ("*MHSA Fund*"). All amounts specified in § 1 above shall be deposited
7 into the MHSA Fund and shall be expended *exclusively* for the purposes
8 enumerated in § 3 of this Act.

9 **Section 3. Appropriation to the Department of Mental Health**
10 **and Substance Abuse Fund.** Pursuant to Public Law Number 25-
11 187 and notwithstanding any other provision of law, there is hereby
12 appropriated Three Hundred Twenty-seven Thousand Four Hundred
13 Fifteen Dollars (\$327,415.00) from the Series 2001A Sub-account of the
14 YTEPF to the MHSA Fund to be used *exclusively* for youth compliance
15 monitoring and tobacco and drug prevention and education programs
16 for FY2002.

17 **Section 4. Restriction of Transfer Authority by *I Maga'laha***
18 ***Guåhan*.** Notwithstanding any other provision of law, *I Maga'laha*
19 *Guåhan* shall *not* use his transfer authority to utilize any monies
20 appropriated herein, and said funds shall *not* be transferred or used for
21 any other purpose, *except* as provided herein.

22 **Section 5. Reversion of Funds.** Notwithstanding the general
23 provisions of § 22406 of Title 5 of the Guam Code Annotated, which
24 require that unused and de-appropriated funds revert to the General

I MINA' BENTE SAIS NA LIHESLATURAN GUAHAN

2001 (FIRST) Regular Session

Date: 12/7/01

VOTING SHEET

Bill No. 211 (LS)

Resolution No. _____

PL. 68

Question: _____

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
ADA, Joseph F.	✓				
ADA, Thomas C.	✓				
AGUON, Frank B., Jr.	✓				
BROWN, Joanne M. S.	✓				
CALVO, Eddie B.	✓				
CAMACHO, Felix P.	✓				
CHARFAUROS, Mark C.	✓				
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.	✓				
LEON GUERRERO, Lourdes A.	✓				
MOYLAN, Kaleo S.	✓				
PANGELINAN, Vicente C.	✓				
SANTOS, Angel L.G.	✓				
UNPINGCO, Antonio R.	✓				
WON PAT, Judith T.					✓

TOTAL

14 0 0 0 1

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



MINA BENTE SAIS NA LIHESLATURAN GUÁHAN
TWENTY-SIXTH GUAM LEGISLATURE

SENATOR EDDIE BAZA CALVO

Chairman

COMMITTEE ON PUBLIC WORKS, HEALTH AND HUMAN SERVICES

120 Father Ducñas Avenue, Capitol Plaza, Suite 109
Hagátña, Guam 96910
E-Mail address: sencalvo@ite.net

Telephone: (671) 472-4040/4518
Facsimile: (671) 472-4100

November 27, 2001

The Honorable Antonio R. Unpingco
Speaker
I Mina Bente Sais Na Liheslaturan Guáhan
155 Hesler Street
Hagátña, GU 96910

via: Committee on Rules

Håfa Adai! Mr. Speaker:

The Committee on Public Works, Public Health and Human Services to which was referred the **Bill No. 211 (LS)** by the Committee on Rules, General Government Operations, Reorganization and Reform and Federal, Foreign and General Affairs on October 24, 2001. Committee does hereby report back, with the recommendation **TO DO PASS Substitute Bill No. 211 (LS)**.

Votes of the Committee members are as follows:

To Pass 8 Abstain _____ To Report Out Only _____
Not to Pass _____ Off-Island _____

A copy of the Committee Report is attached for your consideration. Public Hearing held November 20, 2001.

Si Yu'os Ma'åse',


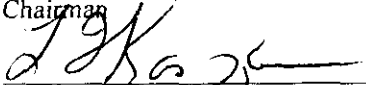
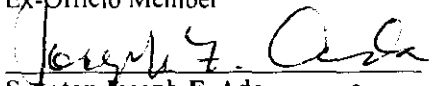
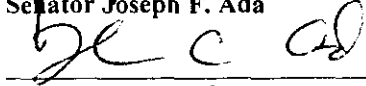
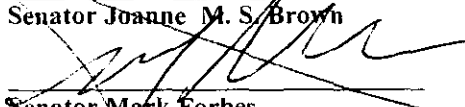


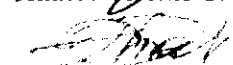

EDDIE BAZA CALVO

Attachments

**COMMITTEE ON PUBLIC WORKS,
HEALTH AND HUMAN SERVICES**
Mina' Bente Sais Na Liheslaturan Guáhan
155 Hesler Street, Hagåtña, GU 96910

VOTING SHEET:

SUBSTITUTE BILL NO. 211 (LS) "AN ACT TO APPROPRIATE THREE HUNDRED TWENTY-SEVEN THOUSAND FOUR HUNDRED AND FIFTEEN DOLLARS (\$327,415.00) FROM THE SERIES 2001A SUB ACCOUNT OF THE YOUTH TOBACCO EDUCATION FUND TO THE DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE FOR THE PURPOSE OF YOUTH COMPLIANCE MONITORING AND TOBACCO AND DRUG PREVENTION AND EDUCATION PROGRAMS PURSUANT TO PUBLIC LAW NO 25187." (By: E. B. Calvo)

<u>COMMITTEE MEMBERS</u>	<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>ABSTAIN</u>	<u>TO REPORT OUT ONLY</u>	<u>INACTIVE FILE</u>
 Senator Eddie Baza Calvo Chairman	✓				
 Vice Speaker Lawrence F. Kasperbauer Vice-Chairman	✗				
Speaker Antonio R. Unpingco Ex-Officio Member					
 Senator Joseph F. Ada	✓				
 Senator Thomas C. Ada	✓				
Senator Joanne M. S. Brown					
 Senator Mark Forbes	✓				
 Senator Lou Lon Guerrero	✓				
 Senator Vicente C. Pangelinan	✓				
 Senator Judith T. WonPat	✓				

**COMMITTEE ON PUBLIC WORKS,
HEALTH AND HUMAN SERVICES**
Mina' Bente Sais Na Liheslaturan Guåhan
155 Hesler Street, Hagåtña, GU 96910

COMMITTEE REPORT
ON
SUBSTITUTE BILL NO. 211 (LS)

“AN ACT TO APPROPRIATE THREE HUNDRED TWENTY-SEVEN THOUSAND FOUR HUNDRED AND FIFTEEN DOLLARS (\$327,415.00) FROM THE SERIES 2001A SUB ACCOUNT OF THE YOUTH TOBACCO EDUCATION FUND TO THE DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE FOR THE PURPOSE OF YOUTH COMPLIANCE MONITORING AND TOBACCO AND DRUG PREVENTION AND EDUCATION PROGRAMS PURSUANT TO PUBLIC LAW NO 25187.” (By: E. B. Calvo)

COMMITTEE MEMBERS

Chairman: Senator Eddie Baza Calvo
Vice-Chairman: Vice Speaker Lawrence F. Kasperbauer
Ex-Officio Member: Antonio R. Unpingco

Senator Joseph F. Ada
Senator Thomas C. Ada
Senator Joanne M. S. Brown
Senator Judith T. Won Pat

Senator Mark Forbes
Senator Lou Leon Guerrero
Senator Vicente C. Pangelinan

**COMMITTEE ON PUBLIC WORKS,
HEALTH AND HUMAN SERVICES**

Mina' Bente Sais Na Liheslaturan Guåhan
155 Hesler Street, Hagåtña, GU 96910

SUBSTITUTE BILL NO. 211 (LS)

“AN ACT TO APPROPRIATE THREE HUNDRED TWENTY-SEVEN THOUSAND FOUR HUNDRED AND FIFTEEN DOLLARS (\$327,415.00) FROM THE SERIES 2001A SUB ACCOUNT OF THE YOUTH TOBACCO EDUCATION FUND TO THE DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE FOR THE PURPOSE OF YOUTH COMPLIANCE MONITORING AND TOBACCO AND DRUG PREVENTION AND EDUCATION PROGRAMS PURSUANT TO PUBLIC LAW NO 25-87.”
(By: E. B. Calvo)

I. PUBLIC HEARING

BILL NO. 211 (LS) was introduced on October 24, 2001 and referred to the Committee on Public Works, Health and Human Services (“the Committee”) on November 6, 2001. Fiscal note was requested from the Bureau of Budget and Management Research (BBMR) on November 13, 2001. Committee has yet to receive response from BBMR).

The Committee called a public hearing to order at 11:25 a.m., Tuesday, June 12, 2001 to hear testimony on **BILL NO. 211 (LS)**. The hearing was held in the Public Hearing Room of *I Liheslaturan Guåhan* in *Hagåtña*. Notices were placed in the Pacific Daily News in compliance with stipulations mandated for proper notification of the public.

The hearing was called to order by Senator Eddie Baza Calvo, Chairman, Committee on Public Works, Public Health and Social Services, with Senators Lou Leon Guerrero, Larry Kasperbauer and Judy Won Pat in attendance.

<u>Present to Testify:</u>	<u>Testimony Presented</u>	<u>Herein Attached As</u>
Mr. James Underwood, Acting Director, Department of Mental Health and Substance Abuse (MHSA)	Oral/Written	Exhibit A
<u>Not Present/Testimony Submitted:</u>		
Ms. Christine Baleto, Executive Director, Sanctuary Incorporated	Written	Exhibit B
Mr. Edward Untalan, Administrator, Guam Economic Development Authority	Written	Exhibit C

II. TESTIMONY

Mr. Underwood further testified the \$327,415 identified in Bill 211 should be applied against the critical operational and capital improvement appropriation requirements not funded in the department's Fiscal Year 2002 budget. He noted Bill 211 offers an opportunity for further creative and critical use of this alternative funding source by amending the Bill to restructure the department's use identical to the Health Security Trust reducing further General Fund appropriations. Responding to Mr. Underwood's request to use as an alternative the Health Securities Fund, Senator Lou noted these funds are locally mandated and Committee can look at other means to provide for MHSA's financial shortfall.

Underwood noted he has communicated to the Governor what the department identified items related to the oversight chair's concern for his department's operations this fiscal year. Stated the total shortfall funding is in excess of \$1 million for such issues related to hazardous pay, night differential, service contracts, ancillary services, etc.

In reply to Senator Won Pat's query regarding tobacco education grants, Mr. Underwood stated MHSA is primarily responsible for the compliance monitoring of the tobacco and alcohol grants with representatives of the Department of Revenue and Taxation for their issuance and requirements of tobacco licenses. Regarding education and prevention programs, DMHSA takes a proactive role through the school system.

Chairman Calvo commented that numerous legislation has been introduced related to the tobacco master settlement agreement providing for consistency and clarity with the settlement agreement. He added some states have expanded their use of the funds resulting in legal teams of the tobacco companies and the attorney generals scrutinizing the statutes that have been created to ensure they are not counter to the agreement. He further noted local legislation introduced has been slow and methodical. Committee will look at how to incorporate MHSA's request for operational requirements to see if flexibility is legally acceptable in relation to the intent of Bill 211 and the master settlement agreement.

Senator Leon Guerrero stated her support of the chairman's quest in trying to fall in trying to find necessary finances for the department's shortfall to provide for the other critical areas within MHSA. She stressed that it is incumbent of the Legislature to protect those finances for just as even critical important programs and services. She added she would like to see more expanded services for education and prevention of tobacco use in the youth. Senator Leon Guerrero expressed concern in making amendments from a court settlement legal perspective that Mr. Underwood's request could be done. Senators stated that while understanding the urgency and need to meet MHSA's shortfall, based on the settlement agreement, there are restricted uses for some of the funds. People that developed and established criteria are coming from good rationale to protect funds from the tobacco settlement to ensure there are financial resources that will target in on the youth. The youth has been seen, in literature, as the most vulnerable group in the market population for tobacco users. In the mainland, older tobacco users are declining and tobacco industries are looking for new population within their market and have been aggressively targeting the youth. Capturing the youth and have them start smoking and become addicted to the nicotine there exists 30-40 years of a captured population that will continue to provide monies for the tobacco industry. There are some much targeted reasons and rationale for making those restrictive mandates. The settlement wants to ensure the monies are protected and ear marked for certain population groups thereby identifying youth as being the most vulnerable and fragile of all population of smokers.

Senator's further emphasized the importance of protecting the use of program funds and was unsure if the Legislation can entertain Mr. Underwood's request to deviate from the use of the funds as called for in the settlement agreement. It was noted that doing so, the funds may be

jeopardized as provided for in the settlement. Agreement was specific in the use of funds for health services, youth tobacco and areas in public health. Based on the tobacco master settlement agreement, there are restricted use for some of the funds. It was noted there are some philosophical convictions in trying to protect funds for the youth tobacco educational fund. Even if the structure from a legal or a mandate can be changed, it is important to protect the funds for those programs targeted in preventing youth from smoking.

Senator Won Pat reiterated statistical information indicating the need for youth tobacco education programs - DYA 31% increase in referrals related to drugs and alcohol; MHSA reports a 32% increase in referrals for youth using substance abuse and Sanctuary reports among its own residents a 5% increase. In 1999 a 13% increase; in the year 2000 a 28% increase and in 2001 a 40% increase indicative of a need to try and reach the youth at an early age before it is too late.

Vice Speaker Kasperbauer expressed serious concern with use of the youth tobacco funds for MHSA operational costs.

Written testimony from Ms. Baleto, Sanctuary Incorporated, indicated support of any measure that would increase Drug and Alcohol prevention and education services in the community. Testimony from Mr. Untalan, Guam Economic Development Authority, fully supports the findings and intent of the for the department's Prevention and Training Division to have access to sources of funds to implement the coordinated mission of educating the community, particularly, the youth of Guam, on the negative effects of smoking/chewing tobacco and the use of drugs.

II. FINDINGS

Committee finds that Public Law 25-187 restricted the use of proceeds from the Tobacco Settlement Securitization to youth compliance monitoring and tobacco and drug prevention and education program. Committee further finds it is important to protect the funds for those programs targeted in preventing youth from smoking. The youth has been identified as the most vulnerable group in the market population for tobacco users. *I Liheslaturan Guåhan's* Committee on Public Works, Health and Human Services supports the intent of the master settlement agreement to ensure the monies are protected and ear marked for certain population groups thereby identifying youth as being the most vulnerable and fragile of all population of smokers. While understanding the urgency and need to meet MHSA's Fiscal Year 2002 budgetary shortfall, the basis contained in the settlement agreement restricts uses of the proceeds from the funds.

IV. RECOMMENDATION

The Committee on Public Works, Health and Human Services does hereby report out **SUBSTITUTE BILL NO. 211 (LS)**, to *I Liheslaturan Guåhan*, with the recommendation **TO DO PASS**.

Final
11/29/01

**MINA' BENTE SAIS NA LIHESLATURAN GUAHAN
2001 (FIRST) Regular Session**

Bill No. 211 (LS)

As Substituted by the Committee on
Public Works, Health and Human Services

L. Leon Guerrero *LD*
J. Won Pat *JP*
v. pangelinan *JP*
E. B. Calvo *EB*

AN ACT TO APPROPRIATE THREE HUNDRED TWENTY-SEVEN THOUSAND FOUR HUNDRED AND FIFTEEN DOLLARS (\$327,415.00) FROM THE SERIES 2001A SUBACCOUNT OF THE YOUTH TOBACCO EDUCATION FUND TO THE DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE FOR THE PURPOSE OF YOUTH COMPLIANCE MONITORING AND TOBACCO AND DRUG PREVENTION AND EDUCATION PROGRAMS PURSUANT TO PUBLIC LAW NO. 25-187.

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 **Section 1. Legislative Findings and Intent.** *I Liheslaturan*
2 *Guåhan* finds that the Department of Mental Health and
3 Substance has within its Department a Division of Prevention
4 and Training ("Division") whose sole purpose is to develop
5 prevention and education programs to bring awareness to the
6 community of Guam regarding the implications of tobacco use.
7 The Division works cooperatively with youth groups and non-

1 profit organizations in facilitating its mandate to promote a
2 healthy lifestyle for the community. Among the many
3 partnerships with the community, the Division co-sponsors the
4 Youth-for-Youth Conference held annually to promote
5 awareness of the negative affects of smoking/chewing tobacco
6 and use of drugs to our youth. In addition, the Division works
7 cooperatively with the Department of
8 Revenue and Taxation to conduct annual unannounced
9 Tobacco Inspection compliance to assure that retail businesses
10 on Guam are complying with the law that mandates that
11 minors are not sold tobacco products. Furthermore, the
12 Division is actively involved and participates with National
13 Tobacco Prevention Associates such as the Asian Pacific
14 Partners for Empowerment and Leadership (APPEAL), a
15 national network of individuals and organizations committed
16 to working towards a tobacco-free community. Other national
17 associates are the National Asian Pacific American Families
18 Against Substance Abuse (NAPAFASA) and Regional Alcohol
19 and Drug Abuse Resource Center (RADAR).

1 As the economic recovery of Guam continues, this source
2 of money will be utilized to support the programs necessary for
3 the Division to carry out its mandate. The Tobacco Prevention
4 Program needs stipends for its volunteers when conducting the
5 annual unannounced tobacco inspection of retail businesses,
6 enhance its resources for tobacco prevention programs and
7 strengthen its smoking cessation programs.

8 *I Liheslaturan Guåhan* finds that P.L. 25-187, Section 221203
9 established the Youth Tobacco Education and Prevention Fund
10 (“YTEPF”) in which Ten-Percent (10%) of the proceeds of the
11 sale and securitization of the Guam Allocation from the Master
12 Settlement Agreement shall be deposited. This Fund is subject
13 to legislative appropriation with moneys contained therein to
14 be expended one hundred percent (100%) exclusively for the
15 purpose for youth compliance monitoring and tobacco and
16 drug prevention and education programs by the Department of
17 Mental Health and Substance Abuse.

18 On July 11, 2001 Orrick, Herrington & Sutcliffe LLP, Bond
19 Counsel for the Guam Economic Development Authority,

1 reported that two endowment funds were established on June
2 21, 2001 for the YTEPF. The Series 2001A Sub account with a
3 total of Nine Hundred Eight-Two Thousand Two Hundred
4 Forty Seven Dollars and Twenty-Six Cents (\$982,247.26) on
5 deposit and the Series 2001B Sub account with a total of One
6 Million One Hundred Sixty-Five Thousand Seven Hundred
7 Forty-Eight Dollars and Nine Cents (\$1,165,748.09) on deposit.

8 It is therefore the intent of the *ILiheslaturan Guåhan* to
9 appropriate the sum of Three Hundred Twenty-Seven
10 Thousand Four Hundred Fifteen Dollars (\$327,415.00) from the
11 Series 2001A Sub account of the YTEPF to the Department of
12 Mental Health and Substance Abuse Fund established by
13 Section 2 below.

14 **Section 2. Creation of Fund.** There is hereby separate
15 and apart from other funds of the Government of Guam, a fund
16 known as the "Department of Mental Health and Substance
17 Abuse Fund ("MHSA Fund"). All amounts specified in Section
18 1 above shall be deposited into the MHSA Fund and shall be

1 expended exclusively for the purposes enumerated in Section 3
2 of this Act.

3 **Section 3. Appropriation to the Department of Mental**
4 **Health and Substance Abuse Fund from the Series 2001A Sub**
5 **account of the Youth Tobacco Education and Prevention Fund**
6 **for tobacco prevention and education programs.** Pursuant to
7 P.L. 25-187 and notwithstanding any other provision of law,
8 there is hereby appropriated Three Hundred Twenty-Seven
9 Thousand Four Hundred Fifteen Dollars (\$327,415.00) from the
10 Series 2001A Sub account of the YTEPF to the MHSA Fund to
11 be used exclusively for youth compliance monitoring and
12 tobacco and drug prevention and education programs for FY
13 2002.

14 **Section 4. Restriction of Transfer Authority by I**
15 ***Maga'lahaen Guahan*.** Notwithstanding any other provision of
16 law, *I Maga'lahaen Guahan* shall not use his transfer authority to
17 utilize any moneys appropriated herein and said funds shall
18 not be transferred or used for any other purpose except as
19 provided herein.

1 **Section 5. Reversion of Funds.** Notwithstanding the
2 general provisions of §22406 of Title 5 of the Guam Code
3 Annotated, which require that unused and de-appropriated
4 funds revert to the General Fund, or any other provision of law
5 to the contrary, all unused funds appropriated herein shall, in
6 all circumstances and whether in whole or in part, remain in
7 the MHSA Fund and shall be carried over into the next fiscal
8 year and shall be expended exclusively for youth compliance
9 monitoring and tobacco and drug prevention and education
10 programs.

11 **Section 6. Reporting Requirement.** The Department of
12 Mental Health and Substance Abuse shall submit a detailed
13 report of the expenditures of the funds appropriated by this Act
14 to the Speaker of the *I Liheslaturan Guåhan* and the Director of
15 the Guam Economic Authority within sixty (60) days following
16 the close of Fiscal Year 2002. If any unused portion of the funds
17 appropriated herein is carried over into Fiscal Year 2003, the
18 provisions contained in this Section so do apply.

1 **Section 7. Effective Date.** The provisions of this Act
2 shall become effective immediately upon enactment.

3 **Section 8. Severability.** If any provision of this Law or
4 its application to any person or circumstance is found to be
5 invalid or contrary to law, such invalidity shall not affect other
6 provisions or applications of this Law which can be given effect
7 without the invalid provisions or application, and to this end
8 the provisions of this Law are severable.

Introduced

MINA'BENTE SAIS NA LIHESLATURAN GUAHAN
2001 (FIRST) Regular Session

OCT 2 (2001)

Bill No. 20 (US)

Introduced by:

L. Leon Guerrero *lbg*
J. Won Pat *JP*

AN ACT TO APPROPRIATE THREE HUNDRED TWENTY-SEVEN THOUSAND FOUR HUNDRED AND FIFTEEN DOLLARS (\$327,415.00) FROM THE SERIES 2001A SUBACCOUNT OF THE YOUTH TOBACCO EDUCATION FUND TO THE DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE FOR THE PURPOSE OF YOUTH COMPLIANCE MONITORING AND TOBACCO AND DRUG PREVENTION AND EDUCATION PROGRAMS PURSUANT TO PUBLIC LAW NO. 25-187.

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 **Section 1. Legislative Findings and Intent.** I Liheslaturan Guahan finds
2 that the Department of Mental Health and Substance has within its Department a
3 Division of Prevention and Training ("Division") whose sole purpose is to
4 develop prevention and education programs to bring awareness to the community
5 of Guam regarding the implications of tobacco use. The Division works
6 cooperatively with youth groups and non-profit organizations in facilitating its
7 mandate to promote a healthy lifestyle for the community. Among the many
8 partnerships with the community, the Division co-sponsors the Youth-for-Youth
9 Conference held annually to promote awareness of the negative affects of
10 smoking/chewing tobacco and use of drugs to our youth. In addition, the
11 Division works cooperatively with the Department of
12 Revenue and Taxation to conduct annual unannounced Tobacco Inspection
13 compliance to assure that retail businesses on Guam are complying with the law

1 that mandates that minors are not sold tobacco products. Furthermore, the
2 Division is actively involved and participates with National Tobacco Prevention
3 Associates such as the Asian Pacific Partners for Empowerment and Leadership
4 (APPEAL), a national network of individuals and organizations committed to
5 working towards a tobacco-free community. Other national associates are the
6 National Asian Pacific American Families Against Substance Abuse
7 (NAPAFASA) and Regional Alcohol and Drug Abuse Resource Center
8 (RADAR).

9 As the economic recovery of Guam continues, this source of money will
10 be utilized to support the programs necessary for the Division to carry out its
11 mandate. The Tobacco Prevention Program needs stipends for its volunteers
12 when conducting the annual unannounced tobacco inspection of retail businesses,
13 enhance its resources for tobacco prevention programs and strengthen its smoking
14 cessation programs.

15 I Liheslaturan Guahan finds that P.L. 25-187, Section 221203 established
16 the Youth Tobacco Education and Prevention Fund ("YTEPF") in which Ten-
17 Percent (10%) of the proceeds of the sale and securitization of the Guam
18 Allocation from the Master Settlement Agreement shall be deposited. This Fund
19 is subject to legislative appropriation with moneys contained therein to be
20 expended one hundred percent (100%) exclusively for the purpose for youth
21 compliance monitoring and tobacco and drug prevention and education programs
22 by the Department of Mental Health and Substance Abuse.

1 On July 11, 2001 Orrick, Herrington & Sutcliffe LLP, Bond Counsel for
2 the Guam Economic Development Authority, reported that two endowment funds
3 were established on June 21, 2001 for the YTEPF. The Series 2001A Subaccount
4 with a total of Nine Hundred Eight-Two Thousand Two Hundred Forty Seven
5 Dollars and Twenty-Six Cents (\$982,247.26) on deposit and the Series 2001B
6 Subaccount with a total of One Million One Hundred Sixty-Five Thousand Seven
7 Hundred Forty-Eight Dollars and Nine Cents (\$1,165,748.09) on deposit.

8 It is therefore the intent of the I Liheslaturan Guahan to appropriate the
9 sum of Three Hundred Twenty-Seven Thousand Four Hundred Fifteen Dollars
10 (\$327,415.00) from the Series 2001A Subaccount of the YTEPF to the
11 Department of Mental Health and Substance Abuse Fund.

12 **Section 2. Creation of Fund.** There is hereby separate and apart from
13 other funds of the Government of Guam, a fund known as the "The Department of
14 Mental Health and Substance Abuse Fund (MHSA Fund)". All proceeds entitled
15 to the YTEPF from the Master Settlement Agreement shall be deposited into the
16 MHSA Fund and shall be expended exclusively for the purposes enumerated in
17 Section 3 of this Act.

18 **Section 3. Appropriation to the Department of Mental Health and**
19 **Substance Abuse Fund from the Series 2001A Subaccount of the Youth**
20 **Tobacco Education and Prevention Fund for tobacco prevention and**
21 **education programs.** Pursuant to P.L. 25-187 and notwithstanding any other
22 provision of law, there is hereby appropriated Three Hundred Twenty-Seven
23 Thousand Four Hundred Fifteen Dollars (\$327,415.00) from the Series 2001A

1 Subaccount to the Department of Mental Health and Substance Abuse Fund to be
2 used exclusively for youth compliance monitoring and tobacco and drug
3 prevention and education programs for FY 2002.

4 **Section 4. Restriction of Transfer Authority by the I Maga'laha**
5 **Guahan.** Notwithstanding any other provision of law, I Maga'laha Guahan shall
6 not use his transfer authority to utilize any moneys appropriated herein and said
7 funds shall not be transferred or used for any other purpose.

8 **Section 5. Reversion of Funds.** Notwithstanding the general provisions
9 of §22406 of Title 5 of the Guam Code Annotated, which require that unused and
10 de-appropriated funds revert to the General Fund, or any other provision of law to
11 the contrary, all unused funds appropriated herein shall, in all circumstances and
12 whether in whole or in part, remain in the Department of Mental Health and
13 Substance Abuse Fund and shall be carried over into the next fiscal year and shall
14 be expended exclusively for youth compliance monitoring and tobacco and drug
15 prevention and education programs.

16 **Section 6. Reporting Requirement.** The Department of Mental Health
17 and Substance Abuse shall submit a detailed report of the expenditures of the
18 funds appropriated by this Act to the Speaker of the I Liheslaturan Guahan and
19 the Director of the Guam Economic Authority within sixty (60) days following
20 the close of Fiscal Year 2002. If any unused portion of the funds appropriated
21 herein is carried over into Fiscal Year 2003, the provisions contained in this
22 Section so do apply.

1
2
3
4
5
6
7
8

Section 7. Effective Date. The provisions of this Act shall become effective immediately upon enactment.

Section 8. Severability. If any provision of this Law or its application to any person or circumstance is found to be invalid or contrary to law, such invalidity shall not affect other provisions or applications of this Law which can be given effect without the invalid provisions or application, and to this end the provisions of this Law are severable.



DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE
DIPATTAMENTON SALUT HINASSO YAN ABUSON AMOT

790 Gov. Carlos G. Camacho Road
Tamuning, Guam 96911
Telephone:(671) 647-5045/5330 • Fax (671) 649-6948

Exhibit A
Ψ

CARL T.C. GUTIERREZ
Governor of Guam

NOV 19 2001

JAMES H. UNDERWOOD
Acting Director

MADELEINE Z. BORDALLO
Lieutenant Governor

AURORA F. CABANERO
Deputy Director

DMHSA 01-11015

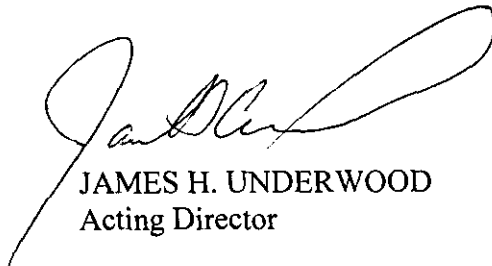
Senator Eddie Baza Calvo
Chairman, Committee on Public Works, Health & Human Services
26th Guam Legislature
120 Father Duenas Avenue
Capitol Plaza, Suite 109
Hagatna, Guam 96910

Re: Bill No. 211 (LS)

Buenas!

Submitted herewith is my written testimony for the above subject bill regarding the appropriation of funds to the Department of Mental Health and Substance Abuse for drug prevention and education programs.

Dangkolo Na Si Yu'os Ma'ase



JAMES H. UNDERWOOD
Acting Director

Attachment

JHU:tl

*Received 8:05 Am
11/20/01
J. Clymer*



TESTIMONY ON BILL NO. 211

The Department of Mental Health and Substance Abuse recognizes that the Legislative Statement enacting P.L. 25-187 correctly acknowledged that declining revenues of the General Fund warranted the identification of alternative funding sources and the creative use of future revenues. The department acknowledges even further decline in revenues as evidenced by shortfalls in the department's operational budget for FY2002.

The department still has critical operational and capital improvement appropriation requirements not yet funded. Personnel Costs are still under-appropriated for basic personnel costs of overtime, holiday pay, night differential, hazardous pay and nurses' certification and incentive pays in excess of \$676,538. Contractual Services for psychiatric contractual services of \$295,200 is still needed for the full year. Meals for our inpatient units, ancillary services and security services are likewise not fully funded and require an additional \$388,126. Medications still requires an additional \$349,262 for our clients after December 31, 2001. \$289,000 has been identified since FY2000 for replacement of our deteriorating air-conditioning system.

While P.L. 25-187 permitted the use of Tobacco Settlement Securitization proceeds for Health Security at the Guam Memorial Hospital for funding operations and capital expenditures, the Department of Mental Health and Substance Abuse's use of these proceeds was restricted to "youth compliance monitoring and tobacco and drug prevention and education programs". These monitoring, prevention and education programs are already receiving federal funding.

Bill No. 211 offers an opportunity for further creative and critical use of this alternative funding source by amending the bill to restructure the departments' use identical to the Health Security Trust, that of operational and capital improvement purposes. Bill No. 211 should be amended to reprioritize current use of available alternative funding sources consistent with current critical budget requirements. In the future, when departmental budgets become properly funded from the General fund, future use of trust funds could be restored to tobacco prevention and control activities sponsored by the Department of Mental Health and Substance Abuse, rather than the current restriction to youth related programs.

The \$327,415 in Bill No. 211 should be applied against the critical operational appropriation requirements listed above reducing further General Fund appropriations.

JAMES H. UNDERWOOD
Acting Director
Department of Mental Health & Substance Abuse

Dated: Nov. 16, 2001

marijuana, ice and inhalants. Also that year, the Department of Youth Affairs reported that 31% of the youth arrested were referred to drug and alcohol services. The Department of Mental Health and Substance Abuse likewise reported a 32% increase in referrals for youth to substance abuse treatment between January and July 1998. In 1998, Sanctuary's residential client statistics indicated that 5% reported issues with Drug and Alcohol (D&A) use. In 1999, that number increased to 13%, In 2000, 28% reported it as a problem, and in 2001, 40% of the youth serviced in Sanctuary indicated issues with Drugs and/or Alcohol. This represents a 35% increase since 1998. Although more updated D&A numbers are not available for other agencies, it is suspected that these statistics reflect the same substantial increase.

It is for this reason that Sanctuary is in full support of any measure that would increase Drug and Alcohol prevention and education services in the community. Should you have any questions, or require additional information, please do not hesitate to contact me at 735-1400. Thank you for allowing me the opportunity to provide input on this very important bill.

Sincerely,



Christine Baletto
Executive Director

Aturidad Inadilanton

Ikunumihan Guahan

Governor
Carl T.C. Gutierrez



Lieutenant Governor
Madeleine Z. Bordallo

November 20, 2001

Testimony of Mr. Edward Untalan
Administrator
Guam Economic Development Authority
On Bill No. 211

I would like to thank Senator Calvo and the members of the Committee on Public Works, Health and Human Services for the opportunity to provide testimony today on Bill No. 211, introduced by Senators Leon Guerrero and Won Pat. **Bill 211 "AN ACT TO APPROPRIATE THREE HUNDRED TWENTY-SEVEN THOUSAND FOUR HUNDRED AND FIFTEEN DOLLARS (\$327, 415.00) FROM THE SERIES 2001A SUBACCOUNT OF THE YOUTH TOBACCO EDUCATIONS FUND TO THE DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE FOR THE PURPOSE OF YOUTH COMPLIANCE MONITORING AND TOBACCO AND DRUG PREVENTION AND EDUCATION PROGRAMS PURSUANT TO PUBLIC LAW NO. 25-187."**

The Guam Economic Development Authority (GEDA) fully supports the findings and intent of Bill No. 211. GEDA recognizes the Division of Prevention and Training within the Department of Mental Health and Substance Abuse and its mission, "to develop prevention and education programs to bring awareness to the community of Guam regarding the implications of tobacco use." GEDA is well aware of the need for the continuing efforts of the Division of Prevention and Training to have access to sources of funds to implement the coordinated mission of educating the community, particularly, the youth of Guam, on the negative effects smoking/chewing tobacco and the use of drugs.

I am happy to report to the Committee today that my staff has been in contact with staff from Senator Lou Leon Guerrero's office and the language of Bill 211, as written, is consistent with the requirements GEDA has instituted with respects to accessing monies received from the securitization of Guam's share of proceeds resulting from the Master Settlement Agreement.(MSA) between the four major tobacco manufacturers and the Attorney General's of states and territories who elected to settle their individual lawsuits with tobacco manufacturers. Senators Leon Guerrero and Won Pat are to be commended for their efforts in drafting Bill 211 in an effort to address these much needed educational programs.

In closing, I would again like to thank the members of the Committee on Public Works, Health and Human Services for the opportunity to provide testimony today in full support of Bill 211.

Thank you.

Signature: *[Handwritten Signature]*
Date: 11/20/01
Printed Name: *[Handwritten Name]*

Guam USA ~ The Ultimate Destination

LOCAL

GOVERNMENT MEETINGS

Editor's note: Government meeting submissions will be highly edited. Meetings will run on a space-avoidable basis. Deadline is noon Friday for publication Saturday, Sunday and Monday, and noon Monday through Thursday for next day publication. In the event of a local holiday, agenda copies available at 1304 E. Sunset Blvd., Tyron. For special accommodations, call 475-0251/2.

CIVIL SERVICE COMMISSION BOARD: 5:30 p.m. Nov. 20, 490 Chdon Palosyo, Agaña Heights. Hearing on six police officers vs. GPD, motion hearing of J.C. Montano vs. GWA. Call 475-1300/01.

GUAM STATE REHABILITATION COUNCIL: Noon-2 p.m. Nov. 20, DISD, Division of Voc. Rehab. conference room. All members urged to attend. For special accommodations, call Albert T. San Agustin, 476-4637/8. 24 hours prior to meeting.


COMMITTEE ON PUBLIC WORKS, HEALTH AND HUMAN SERVICES: Public hearing on appointments of Jesse G. Corrao, DPW Director; James H. Underwood, Department of Mental Health Director; Guam Board of Medical Examiners' administrative rules and regulations; Bill 211, 8 a.m. Nov. 20. For special accommodations, call 472-4040. Public invited.

GMA BOARD OF DIRECTORS: 6 p.m. Nov. 21, board conference room, second floor, Route 16, Harmon. All members urged to attend; public invited. For special accommodations, call 649-6805. For agenda copy, call 649-6912.

AGANA HEIGHTS: Hearing on six police officers vs. GPD, motion hearing of J.C. Montano vs. GWA. Call 475-1300/01.

PERSONAL LOANS
HOME & AUTO
INSURANCE
 Low down • Easy payments
FAMILY FINANCE CO.
 Serving Guam since 1959
 AGANA TUMON DEDDO
 475-4544/6 647-5626/28 633-4772/3
 477-5662 Fax 646-6840 Fax 633-4774

Todo Manteq



- REPIPING
- SEWER HOOK UP
- PLUMBING REPAIRS
- PORTABLE TOILET
- RENTAL & SERVICE
- SEPTIC PUMPING
- CAMERA INSPECTION

Leak & Line Locating • Leaching Field Rejuvenation
 Sewer Snaking & Pipe Cleaning
 Tel.: 477-3968/477-PUMP (7867) • Fax: 849-7863

PIRELLI
 POWER IS NOTHING WITHOUT CONTROL

P400 THE #1 RATING TIRE
 > EXCELLENT DRY / WET BRAKING
 > EXCELLENT EMERGENCY HANDLING
 175/70R13 \$39.95 Buy 2/\$79.00
 175/65R14 \$52.00
 185/65R14 \$57.00
 \$99.00
 \$110.00

EVERYDAY LOW PRICE TIRE
CAPITOL DAYTON
 NEW TIRE VALUES

FREE MOUNTING & BALANCING

DAYTON

175/70R13 \$34.95
 195/75R14 \$47.95
 195/70R14 \$46.00
 205/75R14 \$49.95
 185/60R14 \$57.00
 215/75R14 \$57.00
 195/60R14 \$59.00
 205/65R14 \$59.00
 235/75R15 \$67.00
 215/65R15 \$69.00
 AND MANY MORE

ADDELCO UNITED TIRE SERVICE CENTER
 ONE YEAR/12000 MILES WARRANTY, PARTS & LABOR

WORLD CLASS SERVICE GUARANTEED BEST PRICE ON GUAM

Call for details

6000/15000/30000 ml. Service,
35.00 (MOST COMPACT CARS)

LASER ALIGNMENT
 \$45.95 (Road & off road)
 \$65.95 (Road & off road)

MINOR TUNE-UP
REPLACE SERPENTINE BELT \$69.95

OIL & FILTER CHANGE
 \$19.95 (up to 5 qt. 10W40)
 \$49.95 FULLY SYNTHETIC

BRAKE SERVICE
 \$79.95 REPLACE PADS OR FREE BRAKE SHOCK. MOST CARS. ANY OTHER WILL BE EXTRA CHECK

“Get Ready For

TEL: 649-6162 Hours: 8:00 - 17:00, Mon. - Sat. Airport Industrial Center Behind Oceanic Lumber & PMC

WRESTLING

Islanders clean up at meet

By G. Marsh

For Pacific Sunday News

Before a large and noisy crowd, the John F. Kennedy Islanders dominated their interscholastic wrestling matches with rival George Washington Geckos, winning six of eight matches and another five matches by forfeit yesterday afternoon at the Simon Sanchez High School gym. The score was 66-12.

In the second meet of the day, the Father Duenas Friars rolled over the Simon Sanchez Sharks by winning eight matches by forfeit.

In the 105-pound division, Mark Avery-Sesai got the Islanders off to a good start when he pinned the Geckos' Jerome Ibanez at 4 minutes and 35 seconds into the match.

In the 114-pound division, the Islanders' Jed Monforte pinned Daniel Perez in 3:10. The Geckos' Andrew Cortez broke the Islanders' winning streak when he pinned the Islanders' Larry Borja in 2:36 in the 125-pound division.

Cowboys beat Eagles

By Akash Shringi

For Pacific Sunday News

The Southern Cowboys have won their third straight game in the 2001 CSX Guam Youth Football League's Junior Midget Division.

The Cowboys scored two touchdowns to down the Island Eagles 14-0 yesterday at Wettengel field in Dededo. The Cowboys improve to 3-6 for the season and will play their final game of the season next Monday against the Guam Raiders.

In yesterday's game, Leonard Brooks caught a 35-yard touchdown pass from A.J. Concepcion, and P.J. Guerrero scored on a 10-yard touchdown run to lead the Cowboys.

In other action, the Cowboys defeated the Eagles 14-0 in the Midget Division.

Chris Delfin caught a 25-yard touchdown pass from Corey Roberto, and Ignacio Meno scored on a 40-yard run for the Cowboys' touchdowns. The Cowboys improve to 5-5.

On Friday night, the Hal's Angels became the first team this season to beat the Guam Saints in the Midget Division. The Angels won the game 27-

LOCAL ROUNDUP

25.

The Angels improve to 8-1, and the Saints finish the season 9-1. The Angels will face the Raiders at 8 p.m. Friday at Wettengel.

If the Angels win, they will face the Saints in a winner-take-all game. If the Angel lose, the Saints will be crowned the champs.

Basketball

St. Paul Christian School still is winning big in the Christian Fellowship Basketball League.

Deryl Pangelinan scored a day-high 42 points, and St. Paul ran all over Campus Ministry 89-52 yesterday at Vicente S.A. Benavente Middle School in Dededo.

Stu Schaefer added 21 points for St. Paul, which improves to 8-0. Ef Love led Campus Ministry with 21 points.

In other action, Derek Camacho scored 14 points to lead St. Jude past Guam Christian Church 71-47. Roger Dequina scored 18 points for Guam Christian Church.

Calvary Baptist Church up-

set Life in the Son Church 90-75. Shintaro Okada and Andrew Borja scored 24 and 21 points, respectively for Calvary, which improves to 4-4. John Gutierrez scored 30 points, and Nick Dela Cruz added 24 for Life in the Son, which drops to 5-3.

Harvest Baptist defeated Church of Nazarene 90-75.

In the late game, Kosrae Church beat International Christian Academy 45-44.

Umatac defeated Inarajan 92-85 in the Southern Basketball League.

Bruce Aguon led Umatac with 34 points.

Soccer

The game between the Jose L.G. Rios Voyagers and Vicente S.A. Benavente Roadrunners at John F. Kennedy High School and the game between the Inarajan Warriors and Oceanview Knights at Southern High School both were canceled because the fields were unplayable.

In the games that weren't canceled, the Agueda Johnston Pirates defeated the F.B. Leon Guerrero Red Hawks 2-1, and the Untalan Wildcats blanked the White Hawks 4-0.

Fad race coming early next month

By Akash Shringi

For Pacific Sunday News

the race right now."

If anyone is interested in joining the race, contact

owned by Pablo Torres, Friedensels said.

Winsome Gold completed

NOTICE OF PUBLIC HEARING



Mina Bente Sais Na Liheslaturan Guahan
Committee on Public Works,
Health and Human Services
Senator Eddie Baza Calvo, Chairman

NOVEMBER 20, 2001 8:00 A.M.

AGENDA

APPOINTMENTS: JESSE G. GARCIA, Director, Department of Public Works;
JAMES H. UNDERWOOD, Director, Department of Mental Health & Substance Abuse.

ADMINISTRATIVE RULES AND REGULATIONS GOVERNING THE GUAM BOARD OF MEDICAL EXAMINERS.

BILL NO. 211 (LS) "AN ACT TO APPROPRIATE THREE HUNDRED TWENTY-SEVEN THOUSAND FOUR HUNDRED AND FIFTEEN DOLLARS (\$327,000) FROM THE SERIES 2001A SUBACCOUNT OF THE YOUTH TRUST EDUCATION FUND TO THE DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE FOR THE PURPOSE OF YOUTH COMPLIANCE MONITORING AND TOBACCO AND DRUG PREVENTION AND EDUCATION PROGRAMS PURSUANT TO PUBLIC LAW NO. 25-187."

Hearing will take place in the SESSION HALL of the Liheslaturan Guahan, 155 Heister Street, Hagåtña, Guam. Those in need of special accommodations please call 472-4084/4516 or fax 472-4100.

THE PUBLIC IS ENCOURAGED TO ATTEND.

Job Notice

1 Accountant, High School Graduate w/a Bachelor's Degree in Accounting (maybe foreign equivalent, w/4 yrs. exp., \$15.60 per hour. One way airfare to point of hire. Duties: Applies principles of accounting to analyze financial information and prepare financial reports. Compiles and analyzes financial information to prepare entries to accounts, such as general ledger accounts, documenting business transactions. Analyzes financial information detailing assets, liabilities, and capital, and prepares balance sheet, profit and loss statement, and other reports to summarize current and projected company financial position, using calculator or computer. Audits contracts, orders, and vouchers, and prepares reports to substantiate individual transactions prior to settlement. Establish, modify, do, and coordinate implementation of accounting and accounting control procedures. Devise and implement manual or computer-based system for general accounting. Direct and coordinate activities of other accountants and clerical workers performing accounting and bookkeeping tasks.

Interested applicants, apply immediately at Guam Employment Service at the One Stop Career Center, 125 Tun Jesus Crisostomo St., Suite 101, Sunny Plaza, Tamuning, Guam.



FIVE STAR WHOLESALE FOODS

Immediate openings are available for qualified individuals.

CUSTOMER SERVICE REPRESENTATIVE

Must have basic computer skills including experience in

LOCAL

GOVERNMENT MEETINGS

Editor's note: Government meeting submissions will be tightly edited. Meetings will run on a space-available basis. Deadline is noon Friday for publication Saturday, Sunday and Monday, and noon Monday through Thursday for next day publication. In the event of a local holiday, deadline will be noon the previous weekday.

AFGE: 5 p.m., Nov. 19, AFGE union office, Naval Station. COLA back pay and budget committee appointments.


BOARD OF NURSE EXAMINERS: Special executive session meeting at 4 p.m., Nov. 20, Health Professional licensing office. Agenda copies available at 1304 E. Sunset Blvd., Tiyon. For special accommodations, call 475-0251/2.

CIVIL SERVICE COMMISSION BOARD: 5:30 p.m., Nov. 20, 490 Chalan Palasyo, Agaña Heights. Hearing on six police officers vs. Guam Police Department; motion hearing of J.C. Manglana vs. GWA. Call 475-1300/D1.

GUAM STATE REHABILITATION COUNCIL: Noon to 2 p.m., Nov. 20, DISID, Division of Vocational Rehabilitation conference room. All members urged to attend. For special accommodations, call Albert T. San Agustin, 476-4637/8.

COMMITTEE ON PUBLIC WORKS, HEALTH AND HUMAN SERVICES: Public hearing on appointments of Jesse G. Garcia, DPW director; James H. Underwood, Department of Mental Health director; Guam Board of Medical Examiners' administrative rules and regulations; Bill 211, 8 a.m., Nov. 20. For special accommodations, call 472-4040. Public invited.

DO YOU PUMP YOUR SEPTIC TANK EVERY 3 YEARS? CALL TODO MAULEG AND AVOID LEACHFIELD PROBLEMS.

Todo MAULEG Porta Toilet Rental & Service, Snaking & Plumbing Service

 TEL: 477-PUMP (7867) 477-3369

GOOD YEAR  **OPEN ON SUNDAY**

CHAMPIRO/FEDERAL TIRE SALE

	EA	2 For	EA	For 2
175/70R13	\$31.00	\$59.00	185/60R14	\$51.00 \$100.00
185/70R13	\$38.00	\$74.00	195/60R14	\$55.00 \$100.00
175/65R14	\$49.00	\$96.00	185/65R14	\$53.00 \$104.00
			185/70R14	\$44.00 \$86.00
			195/70R14	\$45.00 \$86.00
			195/75R14	\$47.50 \$92.00
			205/70R14	\$50.00 \$98.00
			205/60R15	\$59.95 \$118.00
			205/65R15	\$59.95 \$118.00
			31/1050R15	\$89.95 \$178.00
			245/75R16	\$99.00 \$196.00

GOOD YEAR TIRE CENTER
 TEL: 646-8600
 ATLANTICA BUILDING
 UPPER TUMON, MARINE DRIVE
 HOURS: 8:00AM-8:30PM MON-SAT
 SUNDAY 8:00AM-4:00PM
 PRICES GOOD UNTIL NOV 18, 2001.

FREE MOUNTING/BALANCING & ROTATION W/PURCHASE

REDUCED PRICES!!!

US LUMBER (STD&BTR) K.D. Treated .40 CCA

2X4X12	\$4.50	\$6.43
14	4.90	-
16	6.40	8.90
18	6.75	9.67
20	7.33	10.75

REBARS (#3, #4, #5) \$283.50/TON
 PLYFORMS (MAH.) \$21.00/BDL.PR.
 WIRE MESH (17X200) \$125.85
 GYPSUM BD 1/2" \$8.01
 5/8"(FX) 10.12
 ELECTRICAL CONDUITS
 1/2"X10" \$1.83
 3/4" 1.93
 2" 5.99
 4" 20.54

CERAMIC TILES
 12"x12" (All Designs) .70/pc
 8"x10" (Wall Tiles) .45/pc

BATH TUB ENCLOSURES 15%^{off}
 MEDICINE CABINETS 15%^{off}
 COVE BASE (All Colors) 37.53

Dealer for **KOHLER**

CLEARANCE SALE
 4-1/4X4-1/4 TILE .80/SF
 ALL MOSAIC TILES .85/SF
 DIAMOND WOOD CABINET
 80% - 75% DISC.



Guam Hardwood KITCHEN & BATH
 Tel: 649-8821 Fax: 649-8828
 1797 RT. 16, Dededo
 Tel: 649-8801 Fax: 649-8828

NOTICE TO ALL BANK OF GUAM CUSTOMERS!

Due to Computer System Upgrades, the following services will NOT be available from 4:00PM Saturday, November 17, 2001 to Noon Sunday, November 18, 2001:

- Pacific Express® Point-of-Sale System Services
- network ATM Access (Cirrus, Plus, Star, AFFN, The Exchange, American Express, and JCB)
- Pacific Express® Access, Pacific Express® OnLine & Cash Management

(This system upgrade will not affect Merchant Credit Card Services as well as local access to ATM/CDs with your Pacific Express® ATM card.)


We apologize for any inconvenience this system upgrade may

CHAMPAIN DINNERS

were stricken with the one fatally. DC count, 17 people have been stricken with anthrax in an outbreak of the disease and the with a less serious skin type. Department spokesman Boucher told reporters that samples out of 55 that were collected from the agency's facility in Sterling, Va., tested for anthrax. He said two samples were obtained from the mail sorters and the results from a third sorter. Boucher said the results are not final because they support the theory that a letter like the one from Tom Daschle has moved through the mail system. He said the agency is now proceeding to look for anthrax in mailrooms in the building, in annexes and in the world," he said. Boucher noted that the State Department closed its mail system on Nov. 24 and notified posts around the world to seal and shut down such mail. Boucher, on a conference call with reporters, said, "We have

are not at risk by working in our buildings," the notice said. It said that existing low level contamination does not pose any risk of inhalation anthrax. "We are cleaning all our mail rooms proactively, both domestic and overseas, to be certain that we are doing what we can to best protect our employees."

Investigators on Tuesday found the flight data recorder, which they also hope will yield evidence on the cause of the crash. A source close to the investigation said the board also was looking at whether the engines failed after ingesting birds. Kennedy Airport, running along Jamaica Bay, has had problems with birds on the runway.



GUAM TELEPHONE AUTHORITY
ATURIDÁT TILIFON GUÁHAN

Post Office Box 9008 - Tamuning, Guam 96931
 Tel: (671) 649-7070 - Fax (671) 649-2458 or 649-3044

CARL T. C. GUTIERREZ
Governor of Guam

MADELEINE Z. BORDALLO
Lt. Governor of Guam

INVITATION FOR BIDS

GTA-03-02

"Vehicle Engines/Transmissions Repair"


Due Date: November 26, 2001 Time: 9:00 a.m.

Bid packages may be picked up at the GTA Procurement Office, 1st Floor, 642 North Marine Drive, Upper Tumon, Guam. All bids must be received no later than the specified due date/times as indicated above, at the GTA Procurement Office. At this time, the bids will be opened and publicly read.

VINCENT P. ARRIOLA
General Manager

This ad paid with government funds by GTA

NOTICE OF PUBLIC HEARING



Mina' Bente Sais Na Liheslaturan Guåhan
 Committee on Public Works,
 Health and Human Services
Senator Eddie Baza Calvo, Chairman

NOVEMBER 20, 2001 8:00 A.M.

AGENDA

APPOINTMENTS: JESSE G. GARCIA, Director, Department of Public Works; JAMES H. UNDERWOOD, Director, Department of Mental Health & Substance Abuse.

ADMINISTRATIVE RULES AND REGULATIONS GOVERNING THE GUAM BOARD OF MEDICAL EXAMINERS.

BILL NO. 211 (LS) "AN ACT TO APPROPRIATE THREE HUNDRED TWENTY SEVEN THOUSAND FOUR HUNDRED AND FIFTEEN DOLLARS (\$327,415.00) FROM THE SERIES 2001A SUBACCOUNT OF THE YOUTH TOBACCO EDUCATION FUND TO THE DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE FOR THE PURPOSE OF YOUTH COMPLIANCE MONITORING AND TOBACCO AND DRUG PREVENTION AND EDUCATION PROGRAMS PURSUANT TO PUBLIC LAW NO. 25-187."

Hearing will take place in the **SESSION HALL** of *Liheslaturan Guåhan*, 155 Hesler Street, *Hagåtña*, Guam. Those in need of special accommodations please call 472-4040/4518 or fax 472-4100.

THE PUBLIC IS ENCOURAGED TO ATTEND



MINA BENTE SAIS NA LIHESLATURAN GUAHAN
TWENTY-SIXTH GUAM LEGISLATURE

SENATOR EDDIE BAZA CALVO

CHAIRMAN

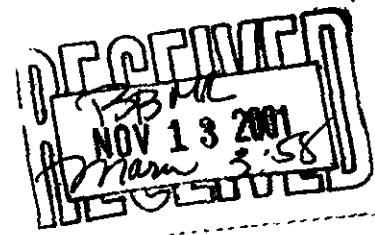
COMMITTEE ON PUBLIC WORKS, HEALTH AND HUMAN SERVICES

file copy

E-MAIL ADDRESS: SENCALVO@ITENET
120 FATHER DUEÑAS AVENUE, CAPITOL PLAZA, SUITE 109
HAGATÑA, GUAM 96910

TELEPHONE (671) 472-4040/4518
FACSIMILE (671) 472-4100

November 13, 2001



MEMORANDUM

TO: Mr. Paul Leon Guerrero, Acting Director
Bureau of Budget & Management Research

FROM: Chairman, Committee on Public Works, Health and
Human Services, *I Mina Bente Sais Na Liheslaturan Guahan*

SUBJECT: REQUEST FOR FISCAL NOTE

I am respectfully requesting your assistance in expediting a fiscal note for the following measure:

BILL NO. 211 (LS) "AN ACT TO APPROPRIATE THREE HUNDRED TWENTY-SEVEN THOUSAND FOUR HUNDRED AND FIFTEEN DOLLARS (\$327,415.00) FROM THE SERIES 2001A SUBACCOUNT OF THE YOUTH TOBACCO EDUCATION FUND TO THE DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE FOR THE PURPOSE OF YOUTH COMPLIANCE MONITORING AND TOBACCO AND DRUG PREVENTION AND EDUCATION PROGRAMS PURSUANT TO PUBLIC LAW NO. 25-187."

Attached herewith is a copy of the bill for your analysis. *Dangkolo na si Yu'os ma'ase'.*

[Signature]
Senator Eddie Baza Calvo

attachment (01)

MINA'BENTE SAIS NA LIHESLATURAN GUAHAN
2001 (FIRST) Regular Session

Bill No. 211 (LS)

Introduced by:

L. Leon Guerrero *LGG*
J. Won Pat *JP*

AN ACT TO APPROPRIATE THREE HUNDRED TWENTY-SEVEN THOUSAND FOUR HUNDRED AND FIFTEEN DOLLARS (\$327,415.00) FROM THE SERIES 2001A SUBACCOUNT OF THE YOUTH TOBACCO EDUCATION FUND TO THE DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE FOR THE PURPOSE OF YOUTH COMPLIANCE MONITORING AND TOBACCO AND DRUG PREVENTION AND EDUCATION PROGRAMS PURSUANT TO PUBLIC LAW NO. 25-187.

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 **Section 1. Legislative Findings and Intent.** I Liheslaturan Guahan finds
2 that the Department of Mental Health and Substance has within its Department a
3 Division of Prevention and Training ("Division") whose sole purpose is to
4 develop prevention and education programs to bring awareness to the community
5 of Guam regarding the implications of tobacco use. The Division works
6 cooperatively with youth groups and non-profit organizations in facilitating its
7 mandate to promote a healthy lifestyle for the community. Among the many
8 partnerships with the community, the Division co-sponsors the Youth-for-Youth
9 Conference held annually to promote awareness of the negative affects of
10 smoking/chewing tobacco and use of drugs to our youth. In addition, the
11 Division works cooperatively with the Department of
12 Revenue and Taxation to conduct annual unannounced Tobacco Inspection
13 compliance to assure that retail businesses on Guam are complying with the law

1 that mandates that minors are not sold tobacco products. Furthermore, the
2 Division is actively involved and participates with National Tobacco Prevention
3 Associates such as the Asian Pacific Partners for Empowerment and Leadership
4 (APPEAL), a national network of individuals and organizations committed to
5 working towards a tobacco-free community. Other national associates are the
6 National Asian Pacific American Families Against Substance Abuse
7 (NAPAFASA) and Regional Alcohol and Drug Abuse Resource Center
8 (RADAR).

9 As the economic recovery of Guam continues, this source of money will
10 be utilized to support the programs necessary for the Division to carry out its
11 mandate. The Tobacco Prevention Program needs stipends for its volunteers
12 when conducting the annual unannounced tobacco inspection of retail businesses,
13 enhance its resources for tobacco prevention programs and strengthen its smoking
14 cessation programs.

15 I Liheslaturan Guahan finds that P.L. 25-187, Section 221203 established
16 the Youth Tobacco Education and Prevention Fund (“YTEPF”) in which Ten-
17 Percent (10%) of the proceeds of the sale and securitization of the Guam
18 Allocation from the Master Settlement Agreement shall be deposited. This Fund
19 is subject to legislative appropriation with moneys contained therein to be
20 expended one hundred percent (100%) exclusively for the purpose for youth
21 compliance monitoring and tobacco and drug prevention and education programs
22 by the Department of Mental Health and Substance Abuse.

1 On July 11, 2001 Orrick, Herrington & Sutcliffe LLP, Bond Counsel for
2 the Guam Economic Development Authority, reported that two endowment funds
3 were established on June 21, 2001 for the YTEPF. The Series 2001A Subaccount
4 with a total of Nine Hundred Eight-Two Thousand Two Hundred Forty Seven
5 Dollars and Twenty-Six Cents (\$982,247.26) on deposit and the Series 2001B
6 Subaccount with a total of One Million One Hundred Sixty-Five Thousand Seven
7 Hundred Forty-Eight Dollars and Nine Cents (\$1,165,748.09) on deposit.

8 It is therefore the intent of the I Liheslaturan Guahan to appropriate the
9 sum of Three Hundred Twenty-Seven Thousand Four Hundred Fifteen Dollars
10 (\$327,415.00) from the Series 2001A Subaccount of the YTEPF to the
11 Department of Mental Health and Substance Abuse Fund.

12 **Section 2. Creation of Fund.** There is hereby separate and apart from
13 other funds of the Government of Guam, a fund known as the “The Department of
14 Mental Health and Substance Abuse Fund (MHSA Fund)”. All proceeds entitled
15 to the YTEPF from the Master Settlement Agreement shall be deposited into the
16 MHSA Fund and shall be expended exclusively for the purposes enumerated in
17 Section 3 of this Act.

18 **Section 3. Appropriation to the Department of Mental Health and**
19 **Substance Abuse Fund from the Series 2001A Subaccount of the Youth**
20 **Tobacco Education and Prevention Fund for tobacco prevention and**
21 **education programs.** Pursuant to P.L. 25-187 and notwithstanding any other
22 provision of law, there is hereby appropriated Three Hundred Twenty-Seven
23 Thousand Four Hundred Fifteen Dollars (\$327,415.00) from the Series 2001A