

I Mina'trentai Singko Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
249-35 (COR)	Kelly Marsh (Taitano), PhD Tina Rose Muña Barnes Amanda L. Shelton Jose "Pedro" Terlaje Clynton E. Ridgell Joe S. San Agustin	AN ACT TO ADD A NEW (m) TO § 85102 OF CHAPTER 85, TITLE 5, GCA, RELATIVE TO DESIGNATING THE COUNCIL ON THE ARTS AND HUMANITIES AS THE STATE ARTS AGENCY FOR GUAM; TO ADD A NEW (n) TO § 851 OF CHAPTER 8, TITLE 1, GCA, RELATIVE TO DEFINING THE TERM <i>WORKS OF ART</i> IN THE ARTS IN PUBLIC BUILDINGS LAW; AND TO AMEND § 852(a)(2)(C) OF CHAPTER 6, TITLE 1 GCA, RELATIVE TO ALLOWING THE USE OF MONEY COLLECTED THEREIN FOR TRAVEL TO FESTPAC.	11/18/19 4:38 p.m.						

I MINA TRENDAI SINGKO NA LIHESLATURAN GUÅHAN
2019 (FIRST) Regular Session

Bill No. 249-35 (COR)

Introduced by:

Kelly Marsh (Taitano), PhD
Tina Muña Barnes
Amanda L. Shelton
Jose "Pedo" Terlaje
Clynton E. Ridgell
Joe S. San Agustin

2019 NOV 18 PM 4:38

AN ACT TO ADD A NEW (m) TO § 85102 OF CHAPTER 85, TITLE 5, GCA, RELATIVE TO DESIGNATING THE COUNCIL ON THE ARTS AND HUMANITIES AS THE STATE ARTS AGENCY FOR GUAM; TO ADD A NEW (n) TO § 851 OF CHAPTER 8, TITLE 1, GCA, RELATIVE TO DEFINING THE TERM *WORKS OF ART* IN THE ARTS IN PUBLIC BUILDINGS LAW; AND TO AMEND § 852(a)(2)(C) OF CHAPTER 6, TITLE 1 GCA, RELATIVE TO ALLOWING THE USE OF MONEY COLLECTED THEREIN FOR TRAVEL TO FESTPAC.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that Public Law 16-122 designates the Council on the Arts and Humanities (CAHA)
4 as the state arts agency for Guam and that the Governor of Guam has accordingly
5 appointed CAHA as the lead agency for the Festival of Pacific Arts, essentially since
6 CAHA's inception in the 1980s. However, this process has been found to have
7 shortfalls. In some years, there were significant delay in CAHA's appointment to the
8 detriment of having enough time to prepare for successful organization and
9 participation. It is, therefore, the intent of *I Liheslatura* to explicitly identify CAHA

1 as the official lead agency for planning and administering for Guam’s participation
2 and representation in the Festival of Pacific Arts (FESTPAC).

3 *I Liheslatura* also finds that the Arts in Public Buildings Law recognizes and
4 defines various forms of art; however, the law is commonly interpreted to only
5 provide for the inclusion of physical forms of art in public buildings. It is, therefore,
6 the intent of *I Liheslatura* to define the term *works of art* to include the various forms
7 of art which are already recognized and defined in the law so that these forms of art
8 may be included in public buildings in order to fulfill the government of Guam’s
9 responsibility to foster culture and the arts and the necessity for the development of
10 the arts, beginning with our young children and throughout the community.

11 *I Liheslatura* further finds that the Arts in Public Buildings Law currently
12 prohibits the use of money collected therein for travel. However, *I Liheslatura* also
13 finds that other local programs provide for the travel of individuals representing
14 Guam in such other competitions for cultural and educational purposes and that it
15 would undermine the intent of *I Liheslatura* if money collected by Guam’s state arts
16 agency could not be equitably used to foster the opportunity for participations in arts
17 and humanities programs and festivals, such as FESTPAC. The festival seeks to halt
18 the erosion of traditional practices through ongoing cultural exchange and to
19 strengthen relationships between the nations of Oceania. It is, therefore, the intent of
20 *I Liheslatura* to allow the use of money collected therein for travel exclusively for
21 Guam’s participation and representation in the Festival of Pacific Arts, which has
22 fostered the revitalization of the CHamoru culture.

23 **Section 2.** A new (m) is hereby *added* to § 85102 of Chapter 85, Title 5,
24 Guam Code Annotated, to read:

25 “(m) To serve and act as the official lead agency for planning and
26 administering for Guam’s participation and representation in the Festival of Pacific
27 Arts.”

1 **Section 3.** A new (n) is hereby *added* to § 851 of Chapter 8, Title 1, Guam
2 Code Annotated, to read:

3 “(n) Works of art shall include the arts as defined in (a), (e), (h), (i), (j), (k),
4 and (m) of this Section.”

5 **Section 4.** § 852(a)(2)(C) of Chapter 8, Title 1, Guam Code Annotated, is
6 *amended* to read:

7 “(C) No money collected pursuant to this Section shall be used for travel,
8 unless the travel is exclusively for Guam’s participation and representation in the
9 Festival of Pacific Arts (FestPac). The money collected pursuant to this Section may
10 be used to pay for airfare expenses for Guam’s delegates to FestPac, shipping
11 expenses for pertinent cargo, and other logistical support as deemed necessary by
12 the governing board of CAHA.”

13 **Section 5. Effective Date.** This Act *shall* become effective immediately
14 upon enactment.