


*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
280-35 (LS)	Telena Cruz Nelson	AN ACT TO AMEND § 76103 ARTICLE 1 OF CHAPTER 76, TITLE 21, GUAM CODE ANNOTATED RELATIVE TO ESTABLISHING PARTNERSHIP BETWEEN THE GUAM HISTORIC PRESERVATION OFFICER AND THE LEGISLATIVE COMMITTEE CHAIR OF WHICH AGENCY THE GUAM STATE HISTORIC PRESERVATION OFFICE FALLS UNDER CONCERNING PROGRAMMATIC AGREEMENT NEGOTIATIONS.	1/27/20 2:00 p.m.						

*I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN*  
2019 (FIRST) Regular Session

Bill No. 280 -35 (COR/LS)

Introduced by:

Telena Cruz Nelson 

**AN ACT TO AMEND § 76103 ARTICLE 1 OF CHAPTER 76, TITLE 21, GUAM CODE ANNOTATED RELATIVE TO ESTABLISHING PARTNERSHIP BETWEEN THE GUAM HISTORIC PRESERVATION OFFICER AND THE LEGISLATIVE COMMITTEE CHAIR OF WHICH AGENCY THE GUAM STATE HISTORIC PRESERVATION OFFICE FALLS UNDER CONCERNING PROGRAMMATIC AGREEMENT NEGOTIATIONS.**

2020 JAN 27 PM 2:00 PM

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

2 **Section 1. Legislative Findings and Intent.**

3 *I Liheslaturan* finds that the most recent draft, with the intention to create a new  
4 programmatic agreement, is evidence of unilateral signing of documents without  
5 public or legislative review and were conducted without the benefit of the open  
6 government law.

7 It is the intent of *I Liheslaturan*, in good faith to establish consistency within the  
8 provisions of open government law relative to Programmatic Agreement  
9 Negotiations, that the Committee Oversight be informed about meetings to be  
10 attended by the Guam State Historic Preservation Officer, and must ensure there is  
11 an available seat for the Committee Chair at such meetings, and must get the new

1 Programmatic Agreement to be approved, but not amended, by the Guam  
2 Legislature.

3

4 **Section 2.** § 76103, Article 1 of Chapter 76, Title 21, Guam Code Annotated  
5 is *amended* to say:

6 § 76103. Historic Preservation and Restoration. The Department in  
7 cooperation with the Territorial Land Use Commission and the Territorial Seashore  
8 Protection Commission shall establish a comprehensive program for historic  
9 preservation, restoration, and presentation, which shall include but not be limited to  
10 the following:

11 (a) Plans to acquire, restore, and preserve historic areas, buildings, and site  
12 significant to Guam's past;

13 (b) Establish and maintain the Guam Register of Historic Places; (c) Establish  
14 regulations on the uses of such areas;

15 (d) Develop a territory wide survey of historic areas, buildings, and sites with  
16 a phased preservation and restoration development plan and accompanying budget  
17 and land use recommendations;

18 (e) Provide for matching grants-in-aid to private agencies for projects which  
19 will fulfill the purposes of this Chapter;

20 (f) Seek assistance for the territorial historic preservation and restoration  
21 program by applying for technical assistance and funds from the federal government  
22 and private agencies and foundations for the purposes of this Chapter;

23 (g) Employ sufficient professional and technical staff for the purposes of this  
24 Chapter;

25 (h) Advise and cooperate with other public and private agencies engaged in  
26 similar work;

1 (i) Submit an annual report and budget to the Governor and the Legislature by  
2 February 1st of each year, with recommendations for programs of historic  
3 preservation and restoration.

4 (j) Participate in Programmatic Agreement negotiations with the Department  
5 of Defense in partnership and inclusive of the Guam Legislative Committee Chair  
6 that the Guam State Historic Preservation Office falls under, for which the document  
7 is to be submitted for Legislative approval but may not be amended by the Guam  
8 Legislature.

9 **Section 3. Effective Date.** This Act shall become effective upon enactment.

10 **Section 4. Severability.** If any provision of this Act or its application to any  
11 person or circumstance is held invalid, the invalidity *shall not* affect other provisions  
12 or applications of this Act that can be given effect without the invalid provision or  
13 application, and to this end the provisions of this Act are severable.