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I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
THIRTY-THIRD GUAM LEGISLATURE
155 Hesler Place, Hagåtña, Guam 96910

December 30, 2016

The Honorable Edward J.B. Calvo
I Maga'låhen Guåhan
Ufisinan I Maga'låhi
Hagåtña, Guam

Dear *Maga'låhi* Calvo:

Transmitted herewith are Bill and Substitute Bill Nos. 162-33 (COR), 200-33 (COR), 299-33 (COR), 312-33 (COR), 330-33 (COR), 332-33 (COR), 336-33 (LS), 337-33 (LS), 350-33 (COR), 356-33 (COR), 357-33 (COR), 358-33 (COR), 379-33 (COR), 380-33 (COR), 385-33 (COR), 389-33 (COR), 391-33 (COR), 392-33 (COR), 397-33 (COR), 398-33 (COR), 399-33 (COR), 402-33 (COR), 403-33 (LS), 404-33 (LS), 406-33 (COR), 407-33 (COR), 409-33 (COR) and 411 (COR), which were passed by *I Mina'Trentai Tres Na Liheslaturan Guåhan* on December 30, 2016.

Sincerely,

TINA ROSE MUÑA BARNES
Legislative Secretary

Enclosure (28)

PO3 PG CORP #374
12/30/16
8:50 PM

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2016 (SECOND) Regular Session

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

This is to certify that **Bill No. 404-33 (LS)**, "AN ACT TO *ADD NEW SUBSECTIONS (h) THROUGH (m) TO § 851, AND A NEW SUBSECTION (a) TO § 852, ALL OF ARTICLE 2, CHAPTER 8, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO THE ARTS IN PUBLIC BUILDINGS AND FACILITIES,*" was on the 30th day of December 2016, duly and regularly passed.



Judith T. Won Pat, Ed.D.
Speaker

Attested:



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'låhen Guåhan* this 30th day of Dec,
2016, at 8:50 o'clock P.M.



Assistant Staff Officer
Maga'låhi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'låhen Guåhan

Date: _____

Public Law No. _____

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2016 (SECOND) Regular Session

Bill No. 404-33 (LS)

As amended by the Committee on Higher Education,
Culture, Public Libraries, and Women's Affairs;
and further amended on the Floor.

Introduced by:

Judith T. Won Pat, Ed.D.
R. J. Respicio
T. R. Muña Barnes
James V. Espaldon
Mary Camacho Torres
T. C. Ada
V. Anthony Ada
FRANK B. AGUON, JR.
Frank F. Blas, Jr.
B. J.F. Cruz
Brant T. McCreadie
Tommy Morrison
Dennis G. Rodriguez, Jr.
Michael F.Q. San Nicolas
N. B. Underwood, Ph.D.

AN ACT TO *ADD* NEW SUBSECTIONS (h) THROUGH (m) TO § 851, AND A NEW SUBSECTION (a) TO § 852, ALL OF ARTICLE 2, CHAPTER 8, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO THE ARTS IN PUBLIC BUILDINGS AND FACILITIES.

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

2 **Section 1.** New Subsections (h) through (m) are hereby *added* to § 851 of
3 Article 2, Chapter 8, Title 1, Guam Code Annotated, to read as follows:

4 “(h) Literature, in its broadest sense, is any single body of written
5 works. More restrictively, it is writing considered as an art form, or any single

1 writing deemed to have artistic or intellectual value, often due to deploying
2 language in ways that differ from ordinary usage. Contemporary definitions
3 extend the term to include texts that are spoken (oratory) or sung (oral
4 literature). Literature can be classified according to whether it is fiction or
5 non-fiction and whether it is poetry or prose; it can be further distinguished
6 according to major forms such as the novel, short story, or drama; and works
7 are often categorized according to historical periods or their adherence to
8 certain aesthetic features or expectations (genre). Literature is divided into the
9 classic three (3) forms of ancient Greece, namely poetry, drama, and prose.
10 Poetry may then be subdivided into the genres of lyric, epic, and dramatic.
11 *Kantan Chamorita*, for example, can be classified under any of these genres,
12 or as performing art. The lyric includes all the shorter forms of poetry, e.g.,
13 song, ode, ballad, elegy, sonnet.

14 (i) Media art is a genre that encompasses artworks created with new
15 media technologies, including digital art, computer graphics, computer
16 animation, virtual art, internet art, interactive art, video games, computer
17 robotics, 3D printing, cyborg art, and art as biotechnology. The term
18 differentiates itself by its resulting cultural objects and social events, which
19 can be seen in opposition to those deriving from old visual arts (i.e. traditional
20 painting, sculpture, etc.). This concern with medium is a key feature of much
21 contemporary art and indeed many art schools and major universities now
22 offer majors in "New Genres" or "New Media" and a growing number of
23 graduate programs have emerged internationally. New Media Art often
24 involves interaction between artist and observer or between observers and the
25 artwork, which responds to them. Yet, as several theorists and curators have
26 noted, such forms of interaction, social exchange, participation, and
27 transformation do not distinguish new media art but rather serve as a common

1 ground that has parallels in other strands of contemporary art practice. Such
2 insights emphasize the forms of cultural practice that arise concurrently with
3 emerging technological platforms, and question the focus on technological
4 media, per se.

5 (j) Performing arts are forms of creative activity that are performed
6 in front of an audience, such as drama, music, song, dance, poetry, and
7 oratory, to include recording(s) and in all media platforms. Performing arts
8 may be further distinguished according to genre of dance, song, and chant, in
9 traditional/folk or contemporary styles.

10 (k) Traditional arts is part of the culture of a group of people, skills,
11 and knowledge of which are passed down through generations from master
12 craftsmen to apprentices. In an online art archive, any art created through the
13 use of real or natural media, such as the following:

14 (1) Canoe and Navigation – Demonstrations. Carving and
15 modern adaptation of canoes; paddles and other general seafaring
16 items; rope and binding displays, such as rope making and knot tying;
17 adze skills and use; and weaving techniques used in creating traditional
18 sails and woven containers used during open-ocean voyages. The art of
19 navigation must record history of seafaring through storytelling of
20 seafaring legends and lore; and recounts of voyages past, toward
21 developing an apprenticeship program;

22 (2) Fishing and Hunting Traditions – Demonstrations. The
23 knowledge and tradition of fishing (*Peskadot Tasi*) and hunting
24 (*Peskadot Tano*) through the use of nets and tools of the ways of the
25 *Peskadot Tasi* and *Peskadot Tano*, also to develop an apprenticeship
26 program;

27 (3) Culinary – Food Preparation.

1 (A) *Hotnu* (Oven) – Demonstrations. The building and
2 development of the *Hotnu* oven and the use of it through an
3 apprenticeship program.

4 (B) *Chahan*. The making, cooking, and sharing of food
5 cooked in an underground oven.

6 (C) Other forms of food preparation will be determined
7 by the CAHA presiding panel and must go through a justification
8 and approval process that is passed by the CAHA Board of
9 Directors before being added to the list of approved art forms.
10 The arts of food preparation must develop as an apprenticeship
11 program;

12 (4) Healing Arts – Demonstrations. Healing arts practitioners
13 are to gather, share, and perpetuate the art of healing and the use of local
14 plant materials, etc., and the variety of tools used in the healing
15 traditions, and to provide health and comfort information to everyday
16 life of the *Chamorro* people. The arts of healing must develop an
17 apprenticeship program;

18 (5) Weaving/Plaiting – Demonstrations. Weaving traditions
19 that arise from the use of local plant materials to provide utility in
20 everyday life of the *Chamorro* people. These plants include, but are not
21 limited to, the *åkgak* (pandanus spp., cultivated pandanus tree); *nipa*
22 (*nypa fruticans*, nipa palm); *niyok* (*cocos nucifera*, coconut palm); and
23 the *pi'ao* (*bambusa vulgaris*, bamboo). Sharing the knowledge and
24 tradition of weaving through, and the type of weaving tools used
25 through an apprenticeship program;

26 (6) Wood, Stone, Shell, and Bone Carving – Demonstrations.
27 Carvers must continue to incorporate ancient and historic designs and

1 symbols into their pieces and practice carving to produce objects of
2 artistic excellence. Practitioners must develop an apprenticeship
3 program;

4 (7) Blacksmithing – Demonstrations. Blacksmithing is when
5 an object is created from wrought iron or steel by forging the metal by
6 using tools such as a hammer to bend, and cut into a certain form.
7 Practitioners of blacksmithing must develop an apprenticeship
8 program;

9 (8) Performing arts are forms of creative activity that take
10 place in front of an audience, who may participate and/or watch. These
11 can include traditional music and making of musical instruments (such
12 as *bilembaotuyan*), dance, chant, and poetry (such as *kantan*
13 *chamorita*). Practitioners must develop an apprenticeship program; and

14 (9) Other forms of traditional/folk arts submitted will be
15 determined by the CAHA presiding panel and must go through a
16 justification and approval process that is passed by the CAHA Board of
17 Directors before being added to the list of approved art forms.

18 (l) Public educational institution means the Guam Department of
19 Education, the University of Guam, or the Guam Community College.

20 (m) Visual arts are art forms such as ceramics, drawing, painting,
21 sculpture, printmaking, design, crafts, photography, video, filmmaking,
22 literature, and architecture. Many artistic disciplines (performing arts,
23 conceptual arts, textile arts) involve aspects of the visual arts as well as arts
24 of other types.”

25 **Section 2.** Subsection (a) of § 852 of Article 2, Chapter 8, Title 1, Guam
26 Code Annotated, is hereby *amended* to read as follows:

1 “(a) Plans for public buildings and buildings supported by federal or
2 government of Guam subsidy which contain public areas, and plans for
3 remodeling or renovation of public buildings or facilities where the total cost
4 of construction, remodeling or renovation exceeds the sum of One Hundred
5 Thousand Dollars (\$100,000) *shall* contain provisions for the inclusion of
6 works of art, by local artists if available, including, but not limited to,
7 sculptures, paintings, murals, or objects relating to or consisting of native art
8 as defined in § 851 of this Chapter. The owner of the building *shall* also have
9 the option of allotting at least one percent (1%) of the overall construction,
10 remodeling, or renovation cost of a building to the Guam Council on the Arts
11 and Humanities Agency (CAHA) in lieu of the inclusion of works of art.

12 (1) Money collected from the construction, remodeling, or
13 renovation of any building within or on the premises of any public
14 educational institution *shall* be transferred no later than ten (10) days
15 of receipt to the public educational institution with jurisdiction of said
16 building. The public educational institutions *shall* utilize the money for
17 art projects/programs described in § 851 of this Chapter subject to the
18 approval of their governing boards. No money collected pursuant to this
19 Section shall be used for travel. If artwork plans are selected, however,
20 a representation of the final selection *shall* be published in a newspaper
21 of general circulation and/or the online version of the newspaper for
22 public screening prior to implementation.”