

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) As amended on the Floor	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.	11/20/19	Committee on General Government Operations, Appropriations, and Housing	11/29/19 9:00 a.m.	12/18/19 11:45 a.m.	Request: 11/25/19 12/3/19	
	SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	PUBLIC LAW NO.	DATE SIGNED	NOTES	
	12/18/19	AN ACT TO ADD A NEW § 85102(m) OF CHAPTER 85, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO DESIGNATING THE GUAM COUNCIL ON THE ARTS AND HUMANITIES AGENCY AS THE STATE ARTS AGENCY FOR GUAM; AND TO ADD A NEW § 851(n) AND AMEND § 852(a)(2)(C) OF ARTICLE 2, CHAPTER 8, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO DEFINING THE TERM <i>WORKS OF ART</i> IN THE ARTS IN PUBLIC BUILDINGS LAW; AND TO ALLOWING THE USE OF MONEY COLLECTED THEREIN FOR THE 13TH FESTIVAL OF PACIFIC ARTS AND CULTURE.	12/20/19	12/23/19	1/3/19	35-60	1/2/20	Received: 1/2/20 Mess and Comm. Doc. No. 35GL-20-1378.	



LOURDES A. LEON GUERRERO
MAGA'HAGA • GOVERNOR

JOSHUA F. TENORIO
SIGUNDO MAGA'LÄHI • LIEUTENANT GOVERNOR

January 2, 2020

356L-20-1378
Speaker Tina Rose Muña Barnes

HONORABLE TINA ROSE MUÑA BARNES, Speaker

I Mina'trentai Singko Na Liheslaturan Guåhan

Guam Congress Building

163 Chalan Santo Papa

Hagåtña, Guam 96910

JAN . 2 2020
Time 4:04 (AM) (PM)
Received By: *AN*

Re: Bill No. 249-35 (COR) – An Act to Add a New § 85102(m) of Chapter 85, Title 5, Guam Code Annotated, Relative to Designating the Guam Council on the Arts and Humanities Agency as the State Arts Agency for Guam; and to Add a New § 851(n) and Amend § 852(a)(2)(C) of Article 2, Chapter 8, Title 1, Guam Code Annotated, Relative to Defining the Term *Works of Art* in the Arts in Public Buildings Law; and to Allowing the Use of Money Collected Therein for the 13th Festival of Pacific Arts and Culture

Dear Madame Speaker:

I am thankful for the Legislature's continuing attention towards preserving our island's cultural arts. I wholeheartedly agree with the premise behind Bill No. 249-35. As stated in its legislative intent, the bill reminds us of the importance to promote not only physical forms of art, but also other forms which enable us to foster culture and the arts and the necessity of the development of the arts.

I have signed this bill into law as **Public Law No. 35-60** so that our delegation will have the support needed to display Guam's best in arts and culture at this year's Festival of Pacific Arts and Culture.

Senseremente,

LOURDES A. LEON GUERRERO

Maga'hågan Guåhan

Governor of Guam

Enclosure(s): Bill No. 249-35 (COR) *nka Public Law 35-60*

cc via email: *Sigundo Maga'låhen Guåhan*
Compiler of Laws

2020 JAN - 2 PM 4: 25 JPT

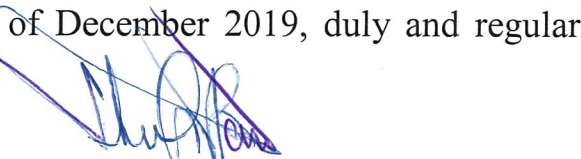
1378

2019-2261

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

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

This is to certify that **Bill No. 249-35 (COR)**, “AN ACT TO *ADD* A NEW § 85102(m) OF CHAPTER 85, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO DESIGNATING THE GUAM COUNCIL ON THE ARTS AND HUMANITIES AGENCY AS THE STATE ARTS AGENCY FOR GUAM; AND TO *ADD* A NEW § 851(n) AND *AMEND* § 852(a)(2)(C) OF ARTICLE 2, CHAPTER 8, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO DEFINING THE TERM *WORKS OF ART* IN THE ARTS IN PUBLIC BUILDINGS LAW; AND TO ALLOWING THE USE OF MONEY COLLECTED THEREIN FOR THE 13TH FESTIVAL OF PACIFIC ARTS AND CULTURE,” was on the 20th day of December 2019, duly and regularly passed.



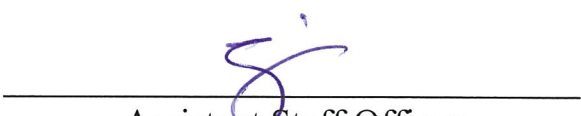
Tina Rose Muña Barnes
Speaker

Attested:



Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 23rd day of Dec,
2019, at 11:46 o'clock A.M.



Assistant Staff Officer
***Maga'håga's* Office**

APPROVED:



Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 1/2/2020

Public Law No. 35-60

2019-8361

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

Bill No. 249-35 (COR)

As amended on the Floor.

Introduced by:

Kelly Marsh (Taitano), PhD
Tina Rose Muña Barnes
Amanda L. Shelton
Jose "Pedo" Terlaje
Clynton E. Ridgell
Joe S. San Agustin
Louise B. Muña
William M. Castro
Régine Biscoe Lee
James C. Moylan
Telena Cruz Nelson
Sabina Flores Perez
Telo T. Taitague
Therese M. Terlaje
Mary Camacho Torres

AN ACT TO ADD A NEW § 85102(m) OF CHAPTER 85, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO DESIGNATING THE GUAM COUNCIL ON THE ARTS AND HUMANITIES AGENCY AS THE STATE ARTS AGENCY FOR GUAM; AND TO ADD A NEW § 851(n) AND AMEND § 852(a)(2)(C) OF ARTICLE 2, CHAPTER 8, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO DEFINING THE TERM *WORKS OF ART* IN THE ARTS IN PUBLIC BUILDINGS LAW; AND TO ALLOWING THE USE OF MONEY COLLECTED THEREIN FOR THE 13TH FESTIVAL OF PACIFIC ARTS AND CULTURE.

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 Guam Council on the Arts and Humanities

1 Agency (CAHA) as the state arts agency for Guam, and that the Governor of Guam
2 has accordingly appointed CAHA as the lead agency for the Festival of Pacific Arts
3 and Culture (FESTPAC), essentially since CAHA's inception in the 1980s.
4 However, this process has been found to have shortfalls. In some years, there were
5 significant delays in CAHA's appointment, which had a detrimental effect of not
6 providing enough time to prepare for successful organization and participation.

7 It is, therefore, the intent of *I Liheslatura* to explicitly identify CAHA as the
8 official lead agency for planning and administering Guam's participation and
9 representation at FESTPAC.

10 *I Liheslatura* also finds that the Arts in Public Buildings Law recognizes and
11 defines various forms of art; however, the law is commonly interpreted to only
12 provide for the inclusion of physical forms of art in public buildings.

13 It is, therefore, the intent of *I Liheslatura* to define the term *works of art* to
14 include the various forms of art which are already recognized and defined in the law
15 so that these forms of art may be included in public buildings in order to fulfill the
16 government of Guam's responsibility to foster culture and the arts and the necessity
17 of the development of the arts, beginning with our young children and throughout
18 the community.

19 *I Liheslatura* further finds that the Arts in Public Buildings Law currently
20 prohibits the use of money collected therein for travel. However, *I Liheslatura* also
21 finds that other local programs provide for the travel of individuals representing
22 Guam in such other competitions for cultural and educational purposes and that it
23 would undermine the intent of *I Liheslatura* if money collected by Guam's state arts
24 agency could not be equitably used to foster the opportunity for participation in arts
25 and humanities programs and festivals, such as FESTPAC, which seeks to halt the
26 erosion of traditional practices through ongoing cultural exchanges and strengthen
27 relationships between the nations of Oceania.

1 It is, therefore, the intent of *I Liheslatura* to allow for the use of money
2 collected therein for travel exclusively for Guam’s participation in and
3 representation at the 13th Festival of Pacific Arts and Culture, which seeks to foster
4 the revitalization of the *CHamoru* culture.

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

7 “(m) To serve and act as the official lead agency for planning and
8 administering Guam’s participation and representation at the Festival of
9 Pacific Arts and Culture.”

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

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

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

16 “(C) No money collected pursuant to this Section shall be used for
17 travel, unless the travel is exclusively for Guam’s participation and
18 representation at the 13th Festival of Pacific Arts and Culture (13th
19 FESTPAC). The money collected pursuant to this Section *may* be used to pay
20 for airfare expenses for Guam’s delegates to the 13th FESTPAC, shipping
21 expenses for pertinent cargo, and other logistical support as approved by a
22 resolution by the governing board of CAHA. *No more than* Three Hundred
23 Fifty Thousand Dollars (\$350,000) may be expended pursuant to this
24 Subsection for the 13th FESTPAC. In compliance with 1 GCA § 852(g)(2),
25 the CAHA Director’s report *shall* include an expenditure report of funds spent
26 pursuant to this Subsection.”

27 **Section 5. Effective Date.** This Act *shall* be effective upon enactment.