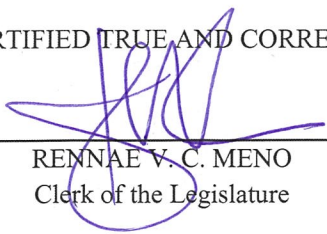


I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2019 (FIRST) Regular Session
LEGISLATIVE SESSION VOTING RECORD

Bill No. 249-35 (COR) As amended on the Floor.		Speaker Antonio R. Unpingco Legislative Session Hall Guam Congress Building December 20, 2019				
NAME	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Senator William M. CASTRO	✓					
Senator Régine Biscoe LEE	✓					
Senator Kelly G. MARSH (TAITANO), PhD	✓					
Senator James C. MOYLAN		✓				
Senator Louise B. MUÑA	✓					
Speaker Tina Rose MUÑA BARNES	✓					
Vice Speaker Telen Cruz NELSON	✓	II				
Senator Sabina Flores PEREZ	✓					
Senator Clynton E. RIDGELL	✓					
Senator Joe S. SAN AGUSTIN	✓					
Senator Amanda L. SHELTON	✓					
Senator Telo T. TAITAGUE		✓				
Senator Jose "Pedro" TERLAJE	✓					
Senator Therese M. TERLAJE	✓					
Senator Mary Camacho TORRES	✓					

TOTAL:	13	2				
	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused

CERTIFIED TRUE AND CORRECT:



 RENNAE V. C. MENO
 Clerk of the Legislature

I = Pass

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

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.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that Public Law 16-122 designates the Guam Council on the Arts and Humanities Agency (CAHA) as the state arts agency for Guam, and that the Governor of Guam has accordingly appointed CAHA as the lead agency for the Festival of Pacific Arts and Culture (FESTPAC), essentially since CAHA’s inception in the 1980s.

1 However, this process has been found to have shortfalls. In some years, there were
2 significant delays in CAHA's appointment, which had a detrimental effect of not
3 providing enough time to prepare for successful organization and participation.

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

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

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

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

25 It is, therefore, the intent of *I Liheslatura* to allow for the use of money
26 collected therein for travel exclusively for Guam's participation in and

1 representation at the 13th Festival of Pacific Arts and Culture, which seeks to foster
2 the revitalization of the *CHamoru* culture.

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

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

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

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

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

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

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