JAN 13 2017

Honorable Benjamin J. F. Cruz
Speaker
I Mina’trentai Kuåtro Na Lihesluran Guåhan
155 Hesler Street
 Hagåtña, Guam 96910

Dear Speaker Cruz:

Transmitted herewith is 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,” which was signed into law on January 9, 2017, as Public Law 33-235.

Senseramente,

RAY TENORIO
1 Magå’åhen Guåhan, para pa’go
Acting Governor of Guam
I MINA'TRENTAI TRES NA LIHESLATURAN GUÁHAN
2016 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA’LÁHEN GUÁHAN

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 ___ day of ___
2016, at ___ o'clock ___M.

EDWARD J.B. CALVO
I Maga’låhen Guåhan

Date: ___

Public Law No. 33-235

Assistant Staff Officer
Maga’låhi’s Office
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.

BE IT ENACTED BY THE PEOPLE OF GUAM:

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

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

(i) Media art is a genre that encompasses artworks created with new media technologies, including digital art, computer graphics, computer animation, virtual art, internet art, interactive art, video games, computer robotics, 3D printing, cyborg art, and art as biotechnology. The term differentiates itself by its resulting cultural objects and social events, which can be seen in opposition to those deriving from old visual arts (i.e. traditional painting, sculpture, etc.). This concern with medium is a key feature of much contemporary art and indeed many art schools and major universities now offer majors in "New Genres" or "New Media" and a growing number of graduate programs have emerged internationally. New Media Art often involves interaction between artist and observer or between observers and the artwork, which responds to them. Yet, as several theorists and curators have noted, such forms of interaction, social exchange, participation, and transformation do not distinguish new media art but rather serve as a common
ground that has parallels in other strands of contemporary art practice. Such insights emphasize the forms of cultural practice that arise concurrently with emerging technological platforms, and question the focus on technological media, per se.

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

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

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

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

(3) Culinary – Food Preparation.
(A) Hotnu (Oven) – Demonstrations. The building and development of the Hotnu oven and the use of it through an apprenticeship program.

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

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

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

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

(6) Wood, Stone, Shell, and Bone Carving – Demonstrations. Carvers must continue to incorporate ancient and historic designs and
symbols into their pieces and practice carving to produce objects of artistic excellence. Practitioners must develop an apprenticeship program;

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

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

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

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

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

Section 2. Subsection (a) of § 852 of Article 2, Chapter 8, Title 1, Guam Code Annotated, is hereby amended to read as follows:
“(a) Plans for public buildings and buildings supported by federal or
government of Guam subsidy which contain public areas, and plans for
remodeling or renovation of public buildings or facilities where the total cost
of construction, remodeling or renovation exceeds the sum of One Hundred
Thousand Dollars ($100,000) shall contain provisions for the inclusion of
works of art, by local artists if available, including, but not limited to,
sculptures, paintings, murals, or objects relating to or consisting of native art
as defined in § 851 of this Chapter. The owner of the building shall also have
the option of allotting at least one percent (1%) of the overall construction,
remodeling, or renovation cost of a building to the Guam Council on the Arts
and Humanities Agency (CAHA) in lieu of the inclusion of works of art.

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