



I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
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Bill No. 404-33 (LS)

Introduced by:

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AN ACT TO *AMEND* § 851 AND SUBSECTION (A) OF § 852 OF ARTICLE 2, CHAPTER 8 OF TITLE 1, GUAM CODE ANNOTATED; RELATIVE TO THE ARTS IN PUBLIC BUILDINGS AND FACILITIES.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. § 851 of Article 2, Chapter 8 of Title 1 Guam Code Annotated, is hereby amended to read as follows:

§ 851. Definitions. As used in this Chapter

(a) art and arts means the graphic arts and other arts having aesthetic value that is acceptable to the public;

(b) artist means one who produces or aids in the production of art;

(c) public building or public facility means a building or facility owned by the government of Guam or any of its instrumentalities;

(d) department means the Department of Public Works or that agency of the government which supervises the design of a public building or public facility;

(e) native art means art produced by the pre-hispanic indigenous people of Guam and any art work that is indigenous to Guam;

(f) public area means that part of a public building or facility to which the public is generally admitted during certain hours of the day.

1 Public area does not include any office space, shop space, warehouse space
2 of similar space to which the public generally has no access;

3 (g) local artists means artists who are residents of Guam;

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

19 (i) media art is a genre that encompasses artworks created with
20 new media technologies, including digital art, computer graphics, computer
21 animation, virtual art, Internet art, interactive art, video games, computer
22 robotics, 3D printing, cyborg art and art as biotechnology. The term
23 differentiates itself by its resulting cultural objects and social events, which
24 can be seen in opposition to those deriving from old visual arts (i.e.
25 traditional painting, sculpture, etc.). This concern with medium is a key
26 feature of much contemporary art and indeed many art schools and major
27 universities now offer majors in "New Genres" or "New Media"and a

1 growing number of graduate programs have emerged internationally. New
2 Media Art often involves interaction between artist and observer or between
3 observers and the artwork, which responds to them. Yet, as several theorists
4 and curators have noted, such forms of interaction, social exchange,
5 participation, and transformation do not distinguish new media art but rather
6 serve as a common ground that has parallels in other strands of
7 contemporary art practice. Such insights emphasize the forms of cultural
8 practice that arise concurrently with emerging technological platforms, and
9 question the focus on technological media, per se.

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

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

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

1 (2) Fishing and Hunting Traditions – Demonstrations. The
2 knowledge and tradition of fishing Peskadot Tasi and hunting
3 Peskadot Tano through the use of nets and tools of the ways of the
4 Peskadot Tasi and Peskadot Tano, also to develop an Apprenticeship
5 Program.

6 (3) Culinary – Food Preparation

7 (i) Hotnu (Oven) – Demonstrations. The building and
8 development of the Hotnu oven and the use of it through an
9 Apprenticeship Program.

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

12 (iii) Other forms of Food Preparation will be
13 determined by the CAHA presiding panel and must go through
14 a justification and approval process that is passed by the CAHA
15 board of directors before being added to the list of approved art
16 forms. The Arts of Food Preparation must develop as an
17 Apprenticeship Program.

18 (4) Healing Arts – Demonstrations. Healing arts
19 Practitioners are to gather, share and perpetuate the art of healing and
20 the use of local plant materials, etc. and the variety of tools used in the
21 healing traditions, and to provide health and comfort information to
22 everyday life of the Chamorro people. The Arts of healing must
23 develop an Apprenticeship Program

24 (5) Weaving/Plaiting – Demonstrations. Weaving Traditions
25 that arises from the use of local plant materials to provide utility in
26 everyday life of the Chamorro people. These plants include but are
27 not limited to the Åkgak (Pandanus spp., cultivated pandanus tree);

1 Nipa (Nypa fruticans, Nipa palm); Niyok (Cocos nucifera, coconut
2 palm); and the Pi'ao (Bambusa vulgaris, bamboo). Sharing the
3 knowledge and tradition of weaving through and the type of weaving
4 tools used through an Apprenticeship Program.

5 (6) Wood, Stone, Shell and Bone Carving – Demonstrations.
6 Carvers must continue to incorporate ancient and historic designs and
7 symbols into their pieces and practice carving to produce objects of
8 artistic excellence. Practitioners must develop an Apprenticeship
9 Program.

10 (7) Blacksmithing – Demonstrations. Blacksmithing is when
11 an object from wrought iron or steel by forging the metal by using
12 tools such as a hammer to bend, and cut into a certain form.
13 Practitioners of Blacksmithing must develop an Apprenticeship
14 Program.

15 (8) Performing Arts are forms of creative activity that take
16 place in front of an audience, who may participate and/or watch.
17 These can include traditional music and making of musical
18 instruments (such as bilembaotuyan), dance, chant, and poetry (kantan
19 chamorita), Practitioners must develop an Apprenticeship Program;
20 and

21 (9) Other forms of Traditional/Folk Arts submitted will be
22 determined by the CAHA presiding panel and must go through a
23 justification and approval process that is passed by the CAHA board
24 of directors before being added to the list of approved art forms.

25 (I) public educational institution means the Guam Department of
26 Education, the University of Guam or the Guam Community College; and

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

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

8 (a) Plans for public buildings and buildings supported by federal or
9 government of Guam subsidy which contain public areas, and plans for
10 remodeling or renovation of public buildings or facilities where the total cost
11 of construction, remodeling or renovation exceeds the sum of One Hundred
12 Thousand Dollars (\$100,000) shall contain provisions for the inclusion of
13 works of art, by local artists if available, including, but not limited to,
14 sculptures, paintings, murals or objects relating to or consisting of native art
15 as defined in § 851 of this Chapter. The owner of the building shall also
16 have the option of allotting at least one percent (1%) of the overall
17 construction, remodeling or renovation cost of a building to the Guam
18 Council on the Arts and Humanities Agency (CAHA) in lieu of the inclusion
19 of works of art. Money collected from the construction, remodeling or
20 renovation of an educational building shall be transferred no later than ten
21 (10) days to the public educational institution with jurisdiction of said
22 building. The public educational institutions shall utilized the money for art
23 projects described in § 851 of this Chapter. No money collected from this
24 chapter shall be used for travel. If artwork plans are selected, however, a
25 representation of the final selection shall be published in a newspaper of
26 general circulation and/or the online version of the newspaper for public
27 screening prior to implementation.