



Speaker Won Pat <speaker@judiwonpat.com>

Messages and Communications

Speaker Won Pat <speaker@judiwonpat.com>
To: Guam Legislature Clerks Office <clerks@guamlegislature.org>

Mon, Dec 14, 2015 at 3:32 PM

12/14/2015 12/11/2015 Guam Council on the Arts and Humanities Agency

Pursuant to Public Law No. 31-233 attached are the following documents from CAHA's board meeting held on November 9 & December 1, 2015. 33-15-1174
1. November 9 Agenda & Attachments
2. Board Meeting Minutes of October 20, 2015
3. December 1 Agenda & Attachments

----- Forwarded message -----
From: **Sherrie Barcinas** <sherrie.barcinas@caha.guam.gov>
Date: Fri, Dec 11, 2015 at 3:57 PM
Subject: CAHA Board Meeting Requirements - November 9 & December 1, 2015
To: Speaker Won Pat <speaker@judiwonpat.com>, centralfiles@guam.gov

Pursuant to Public Law No. 31-233 attached are the following documents from CAHA's board meeting held on November 9 & December 1, 2015.

- 1. November 9 Agenda & Attachments
- 2. Board Meeting Minutes of October 20, 2015
- 3. December 1 Agenda & Attachments

**NOTE: Board Meeting Minutes of November 9, 2015 pending submission.

Thank you

Sherrie A.D. Barcinas
Administrative Officer

Guam Council on the Arts & Humanities Agency
Tel: 6713001204-8 / Fax: 671300-1209

2015 DEC 15 AM 8:59

33-15-1174
Office of the Speaker
Judith T. Won Pat, Ed.D






Date: 12/14/15
Time: 3:32 PM
Received By: C. [Signature]

1174

Ufisinan I Etmås Ge'helo'Gi Liheslaturan Guåhan
Office of Speaker Judith T. Won Pat, Ed.D.
Kumiten Idukasion Tinakhelo', Kottura, Laibirihan Pupleko siha yan Asuntan Famalao'an
155 Hesler Place, Suite 201, Hagatna, Guam 96910
Tel: (671) 472-3586 Fax: (671) 472-3589

www.guamlegislature.com / speaker@judiwonpat.com

5 attachments

-  **Nov_9_Agenda.pdf**
13K
-  **Nov_9_attachments.pdf**
925K
-  **Minutes_of_October_20.pdf**
82K
-  **Dec_1_Agenda.pdf**
15K
-  **Dec_1_attachments.pdf**
1327K

GUAM COUNCIL ON THE ARTS AND HUMANITIES AGENCY
Regular Board Meeting
October 20, 2015

I. CALL TO ORDER

The Guam Council on the Arts and Humanities Agency's regular board meeting was called to order at 3:14pm by Chairperson of the Board, Monica Guzman. Board members present were Vice Chair J. John P. Ibanez, Jenevieve Ooka, Dr. Judy Flores Donna Kloppenburg, Mayor Melissa Savares and Tes Reyes-Burrier. Also present was Department of Chamorro Affairs President Joseph Cameron and CAHA Staff Sherrie Barcinas, Administrative Officer.

II. REVIEW AND APPROVAL OF MINUTES DATED AUGUST 19 & SEPTEMBER 22, 2015

Vice Chair Ibanez moved to approve the minutes of August 19 & September 22, 2015 subject to corrections. Motion seconded by Dr. Flores.

UNANIMOUSLY APPROVED

III. PRESIDENT's REPORT
Update on Occupancy Permits for % for the Arts

President Cameron reported that the Arts & Humanities Month Celebration held at the Guam Premier Outlet on October 18, 2015 was well attended with entertainment held in the Food Court and artisans aligned in front of the store outlets.

The GUMA organization now has a new home located at the Chamorro Village. The opening will be held on October 23, 2015 at 6:00pm.

The Department of Education has been on the watch list for the % for the Arts Program as renovations will soon be made to various schools.

President Cameron congratulated Chairperson Guzman who has been elected to serve as a board member on the National Assembly of State Arts Agencies. Chairperson Guzman reported that with the tremendous work that Guam has been doing over the past years, the National Assembly of State Arts Agencies nominated her to serve as a board member. It has been twenty years since someone has been on the board. The National Assembly of State Arts Agencies has meetings every year that alternates from a Leadership Institute for Executives while the other is geared towards staff development that will be held in 2016.

A Press Release was sent out announcing the three additional Latte sponsors for the Festival of Pacific Arts which are KUAM, Guam Telephone Authority and Pepsi.

The staff and President Cameron have been working on finalizing the Memorandum of Agreement with more items to include. Before finalization it shall be sent to the Cathedral Archbishop and Rector David Quitugua for their review. President Cameron stated that Ron Castro, Chair of Visual Arts was informed of the priority in utilizing the Guam Educational Facility for museum like pieces from the other countries participating in the Festival of Pacific Arts.

President Cameron then reported that the crosswalk from the Chamorro Village to the Guam Educational Facility has been approved with permits to be obtained. Mayor Savares raised a concern that the crosswalk should have blinking lights and unlike the crosswalk located in Tumon by the Outrigger where there is none but the stripe to indicate it's a crosswalk.

The Department of Chamorro Affairs is in the process of signing off with Guam Power Authority in lighting up Hagatna. The design concept for lighting was voted on during a 2-day exhibit.

IV. OLD BUSINESS

A. Percent for the Arts Regulations & Guidelines Amendment – Triple “A” Process

Vice Chair Ibanez gave a brief update stating that the board was provided the regulations and guidelines for review and to provide comments which led to question leasebacks. And with the advise by the Attorney General it'll all be incorporated into the % for the Arts and it encompasses all government agencies to include Guam Housing.

Aside from the usage of administrative fees, a discussion was brought up for the inclusion of purchasing and refurbishing Art Bank pieces which shall be incorporated in the Triple “A” process. Vice Chair Ibanez added to say that the board has yet to be presented the updated listing of Art Bank pieces at which time President Cameron stated that CAHA Staff Mark Duenas has the listing on file. In addition, President Cameron stated that art bank pieces remain in the various government agencies and if need be, the art bank pieces requiring refurbishment would then be returned to CAHA. Vice Chair Ibanez then stated that the loan agreement specifically states the rotation of such art bank pieces and therefore should be adhered to for a complete inventory.

Vice Chair Ibanez stated that as of this date, the listing from the Department of Public Works is what's currently pending on the % projects. Chairperson Guzman requested that a timeline be set to complete the Triple “A” process with a review by the November board meeting and to begin the Triple “A” process in December 2015.

1. GCEF, Dr. Judy Flores

President Cameron reported that there is an ongoing discussion with one artist with regards to curation. The initial proposal did not include curation of such woods. All proposed artworks are ongoing with submissions.

2. GRMC - Chairperson Guzman reported that she had met up with staff of GEDA and the construction of GRMC has been completed. However, President Cameron stated that he has yet to sign off on the Occupancy Permit and that he had met Claire from GEDA who stated that upon which time the 4th and 5th floors are up and running, GRMC is required to meet with GEDA to get the Qualifying Certificate finalize and at the same time to meet with CAHA as it pertains to the 1%.

Dr. Flores then reported that GRMC has yet to make full payments to the artists commissioned for their artworks. Vendors who have installed the artworks were supposedly to be paid directly. In addition, those artists selected for their digital images have also not been paid. However, Chairperson Guzman did state that according to CAHA Staff Jackie Balbas, the artists were paid. Further clarification is to be made.

Vice Chair Ibanez then brought up the issue in possibly including in the Triple “A” process that funds be remitted to CAHA for disbursement directly to the artists due to the concern brought forth with GRMC.

Chairperson Guzman requested that a board member serve as a CAHA representative for the GRMC 1% project at which Tes Reyes-Burrier accepted.

3. Children's Library

President Cameron reported that the project is still on target with monies set aside for the artworks. The project not only includes the Children's Library, Cyber Tech Café but the redevelopment of the 1st & 2nd floor with a complete change on the 3rd floor. The expected completion date is mid November 2015. And at this time, DCA is unable to bring someone in for the conceptual of a mural based on the construction and OSHA. Occupancy would then be around 15-20 days from the opening which will not include the Cyber Tech Café as it requires to go out on bid.

4. Pending: GIAA (Airport), GCC, Children's Library, UOG, GHURA & Legislature

Chairperson Guzman reported that at the last meeting, CAHA staff Balbas reported that the Governor will be sending memos to all Directors. President Cameron stated that the memos have yet to go out.

President Cameron stated that at the request of the General Manager for the Guam International Airport Authority to include entertainment for the % for the arts and not only static exhibits.

B. Masters Nominations Update

Vice Chair Ibanez reported that the Masters Program is still on track and would require one more meeting to solidify the discussions brought forth. Call outs have been postponed.

President Cameron recommended that CAHA move forward on the Master poster for Peter Onedera rather than waiting for his return back on island.

C. Strategic Plan Progress

V. NEW BUSINESS

A. Guam Delegates Ratification (Literary) – 3rd round Auditions

Chairperson Guzman reported that Literary Arts has been having their call outs with an initial request of 12 delegates for ratification and subsequently approved. Auditions were made on October 10 and have an additional 5 delegates for ratification namely Dr. Kelly Marsh, Rick Leon Guerrero, Dr. David Atienza, Danielle Subido & Elyssa Santos.

Dr. Flores moved to approve the 5 delegate nominations to the Literary Arts Committee. Motion seconded by Mayor Savares.

UNANIMOUSLY APPROVED

Chairperson Guzman then informed the board that at a recent discussion on delegates living within the accommodations, the Sub Committee Chairs decided to include a category entitled "exhibitor/presenter". These delegates identified as such will not be living within the village but will be able to participate as presenters and will not have the benefits of being a delegate. This is basically for the fishermen / hunter men and the visual artists.

VI. BUDGET REPORTS

CAHA FY 2015

CAHA Staff Barcinas reported that CAHA's FY 2015 remains active as the account has been extended until November 30, 2015 due to the extension requests received from several sub grantees. The current balance in the account is \$4,514.90 which would have decreased with the travel of President Cameron to NASAA which he was unable to attend.

Sustainability Building Workshops (FESTPAC) – TAF Fund

The current balance in the account is \$9,751.31 with approximately \$4,500 placed in reserve.

FY 2016

CAHA has been appropriated \$585,000 in the Local/Federal Match Account while another account was created for the local overmatch with approximately \$118,564. The balance on the local/federal match account with all anticipated expenses and/or encumbrances is \$13,961.87. President Cameron highly recommended that a portion of the fund balance to be placed in travel for Chairperson Guzman to attend her national meetings. Chairperson Guzman requested to table the discussion and preferred that staff attend the upcoming conference for staff development. The funds in the local overmatch account is currently placed in reserved until justification has been provided which has already been identified for the recruitment of the two positions, Program Coordinator I & III.

President Cameron stated that he would work with the Bureau of Budget and Management Research to expedite the recruitment process.

CAHA Non-Appropriation / Revolving Accounts

The current balance on the account is \$12,031.82 with \$8,700 for Louis Vuitton Masters Project and the remaining 25% of \$375 from GVB Grant on FESTPAC Workshops leaving an actual balance for CAHA at \$2,956.82. Chairperson Guzman requested that the monies from the Louis Vuitton Masters Project be spent.

% for the Arts Account

The balance on the account still remains at \$7,981.60 from the administrative fees of completed projects.

FESTPAC Accounts

The balance on the account as of October 7, 2015 was \$250,257.90, a deposit of \$2.7million was then made from GVB Trust Account on October 15, 2015 bringing the total balance of the account to \$2,950,257.90.

CAHA Staff Barcinas also provided the board with current FESTPAC sponsors which shows the amount of funding deposited to the FESTPAC account as of October 7, 2015. Also handed out from the FESTPAC Coordinating Committee Meeting held on October 14, 2015 was the Raffle Ticket Collections showing the total monies raised was \$85,450. After some discussion on the raffle drawing, the board members felt that the raffle drawing be held publicly. Chairperson Guzman thought it would be a good idea to possibly have it live on KUAM.

CAHA Staff Barcinas reported that she has met with most of the Sub Committee Chairs for the various disciplines and has given instructions on the procurement process and its requirement in moving forward. Items below the threshold of \$15,000 are required to obtain 3 quotations while those exceeding the threshold would be brought forth to the FESTPAC Coordinating Committee to go out on a bid as a whole. As of this date, no submissions have been received.

President Cameron then reported that there was a discussion on the seafaring issue at the last FESTPAC Coordinating Committee which was brought up by CAHA Staff Barcinas with regards to not building a brand new sakman but rather refurbish what the seafarers have however, the

issue was requested to be taken off the table and work with the Sub Committee Chairs. In addition, it has been decided since the first Coordinating Committee that any monies spent towards any capital outlay expenditures belongs to CAHA but in the case where canoes are being refurbish, how would the ownership be decided, half to CAHA? This issue was requested to be discussed with Programming Chair Monica Guzman who would then bring up to the FESTPAC Executive Committee.

Vice Chair Ibanez then mentioned that there were other concerns brought up by the Literary Arts that have yet to be addressed and must be resolved immediately. President Cameron reiterated that all concerns as stated by Rose Ramsey would have to be brought up with Programming Chair Monica Guzman then up to the FESTPAC Executive Committee. However, Chairperson Guzman stated that she and President Cameron have not been able to meet with Rose Ramsey during their weekly meetings to address the concerns as they've always been cancelled. Vice Chair Ibanez stressed the need to address the issues as its causing a rift within the disciplines with pressure on CAHA Staff Barcinas to provide answers.

Dr. Flores also expressed that the seafarers should have already been teaching but the procurement process to repair the boats has made it difficult to do so. President Cameron then mentioned that of all the Sub Committees, there has been only one requesting for labor costs. This was brought up by CAHA Staff Barcinas based on one of the issues brought up by the seafarers. Dr. Flores then questioned how the procurement process would work if the boats were to be repaired.

Chairperson Guzman then stated that she had recommended to Rose Ramsey that rather than going through the procurement of having to go through the Request for Proposal process for items such as those needed by the performing arts whom basically weave their own skirts, that a process similar to CAHA's grant be done but called a "Service Agreement" so funds could be distributed in the same concept by percentage with reporting requirement. This was the last conversation brought up with regards to procurement and is not known whether a decision has been made. The alternate was to put out one whole RFP which would include all the disciplines as recommended by the government's local procurement office, GSA.

Vice Chair Ibanez questioned that if CAHA Staff Barcinas is handling a portion of the procurement for FESTPAC while the Executive Committee is handling the other, where does CAHA fall into play? If CAHA has the authority and is overseeing FESTPAC, then CAHA could make a decision on the board level based on the concerns brought up by the disciplines. President Cameron stated that CAHA couldn't as there's a Public Law that authorizes a Coordinating Committee that makes the final decision and CAHA does not have that authority. Vice Chair Ibanez then stated that if the Executive Committee nor the other committees could act on the concerns, where does it leave CAHA? The budget that hasn't grown since the past board meetings. Chairperson Guzman stated that this discussion has been brought up in the past board meetings and would present the concerns once again at a meeting that was just called for the following day with Rose Ramsey as its causing frustration between the artists and the CAHA Board. Chairperson Guzman added to say that when she presents the programming budgets, they are incomplete as not all of them have submitted their budgets and has made it difficult as well. Vice Chair Ibanez suggested that those with complete budgets be entertained while others would remain pending.

Vice Chair Ibanez questioned if the board would be entertaining the Diaspora Budget that was tabled at its last board meeting in August as it remained an open item. CAHA Staff Barcinas reported that this item was tabled at its August board meeting but Chairperson Guzman had met with the Executive Committee who had approved the Diaspora budget prior to CAHA's next scheduled board meeting. Clarification was made by CAHA Barcinas that in order for funds to be utilized under the Sustainability Building Workshops Account that it would require board approval as the account is an appropriation under CAHA.

VII. 2016 FESTIVAL OF PACIFIC ARTS

A. 2016 Guam Delegation

Chairperson Guzman reported that auditions were held in Washington DC and Diaspora has yet to submit their recommendations but had 38 people who auditioned in additions to those who auditioned in March in San Diego. The main discussion though was how to blend the Guam group with Diaspora which is key to make note of.

B. Coordinating Committee Update

C. Programming Committee Meeting

Next meeting is scheduled for November 7, 2015 at 10:00am at GCC.

VIII. OTHER ANNOUNCEMENTS & DISCUSSIONS

Ms. Kloppenburg thanked the CAHA staff for the autism project ceremony held at CAHA which she attended and suggested expanding the program.

On November 7, 2015 The Guam Council of Women's Club is coordinating a FESTPAC fundraiser at Lotte Hotel from 6-11pm. Tickets are \$50 each. The funds would go towards FESTPAC.

Chairperson Guzman invited everyone to attend the ribbon cutting ceremony for GUMA on October 23, 2015 at 6pm at the Chamorro Village.

Chairperson Guzman and Dr. Flores will be speakers at the Guam Chambers of Commerce Leadership Conference on October 23, 2015 at Leo Palace Resort.

FESTPAC pairings – Mayor Savares reported that the Mayor's Council has been working together in pairing the countries participating in FESTPAC with the various island villages. The hosting should involve the community. In addition, Mayor Savares had mentioned that there were certain groups within the East & West Coast who would like to be part of FESTPAC and how to go about doing so. Chairperson Guzman stated that the deadline for delegates have been extended until November 27, 2015 and to contact the Diaspora Chair, Thelma Hechanova or Eileen Meno of the Performing Arts.


Next Board Meeting scheduled for November 3, 2015 at 3:00pm

IX. ADJOURNMENT

With no further discussion, Dr. Flores moved to adjourn the meeting at 4:32pm. Motion seconded by Ms. Kloppenburg.


UNANIMOUSLY APPROVED

Minutes prepared by:



Sherrie A.D. Barcinas
Administrative Officer
Guam CAHA

Concurred by:



Joseph Artero-Cameron
President, Guam CAHA
Div. of Dept. of Chamorro Affairs

Attested to be true and correct by:



Monica Guzman
Chairperson, Guam CAHA Board of Directors

GUAM COUNCIL ON THE ARTS AND HUMANITIES AGENCY
Regular Board Meeting
November 9, 2015 – 3:00 p.m.
AGENDA

- I. CALL TO ORDER
- II. REVIEW AND APPROVAL OF MINUTES – October 20, 2015
- III. PRESIDENT'S REPORT
- IV. OLD BUSINESS
 - A. Percent for the Arts
 - 1. % for the Arts Regulations & Guidelines Amendment – Triple "A" Process
 - 2. Update – Current Projects
 - a. GCEF – Judy Flores
 - b. GRMC
 - c. GPLS Children's Library
 - d. Pending: GIAT (Airport), GCC, UOG, GHURA
 - B. Masters Nomination Update
 - C. Strategic Plan Process
- V. NEW BUSINESS
 - A. CAHA/ Louis Vuitton Masters Apprenticeship Program
 - 1. Tony Guerrero, Master Talayeru – Talaya Weaving
 - 2. Julie Benavente, Master Carver - Body Ormentation
 - B. Dakota Alcantara-Camacho – FY 2016 Grant
 - C. Establishment of New FestPac 1% Account
- VI. BUDGET REPORTS
 - A. CAHA FY 2015 & FY 2016 Appropriation Accounts
 - B. CAHA Non-Appropriation/ Revolving Accounts
 - C. FestPac Accounts
- VII. 2016 FESTIVAL OF PACIFIC ARTS
 - A. 2016 Guam Delegation
 - B. Coordinating Committee Update
 - C. Programming Committee Meeting
- VIII. OTHER ANNOUNCEMENT & DISCUSSIONS

Next Board Meeting – Dec. 1, 2015 at 3:00 p.m.
- IX. ADJOURNMENT

PROCEDURES AND GUIDELINES HANDBOOK FOR ART IN PUBLIC BUILDINGS AND BUILDINGS SUPPORTED BY FEDERAL AND GOVERNMENT OF GUAM FUNDS IN THE TERRITORY OF GUAM AND THE PERCENT FOR THE ARTS ENHANCEMENT GRANT PROGRAM

CHAPTER I. THE LAW

Public Law 20-27, Chapter 8 of Title 1 of the Guam Code Annotated, relative to “Arts in Public Buildings and Facilities” as amended by Public Law 31-118 amending subsections 850, 852 and 853 of the Guam Code Annotated.

CHAPTER II. PURPOSE

P.L. 31-118 Section 1 Subsection 850

The government of Guam recognizes its responsibility to foster culture and arts and the necessity for the development of the arts beginning with our young children and throughout the community. I Liheslatura (the legislature) declares it to be policy that a portion of appropriations for capital expenditures for public buildings be set aside either for the acquisition of works of art to be used in such buildings and in any buildings intended for use of the general public to the extent that the construction or improvement of such non-public buildings is supported by either federal or government of Guam tax incentives or other subsidy arrangement or the funds may be given to the Guam Council on the Arts and Humanities Agency for the purpose of fostering culture and the arts for the development of local artists, children and the community as a whole.

CHAPTER III. DEFINITIONS

- A. Definitions as it apply to Art in Public Buildings and buildings supported by the Federal and Government of Guam Funds in the Territory of Guam.
1. “Art and Arts” means the graphic arts and other arts having aesthetic value that is to the public as defined by P.L. 20-27.
 2. “Artist” means one who produces or aids in the production of art.
 3. “Public Building” or “Public Facility”: a building or facility owned by the government of Guam or any of its instrumentalities.
 4. “Non-Public Buildings”: Buildings that are supported by either government of Guam funds through tax abatements, rebates, loans, loan guarantee or bond financing or by Federal funds administered by the Government of Guam.
 5. “Department” means the Department of Public Works or that agency of the government which supervises the design of a public building or facility.

PROCEDURES AND GUIDELINES HANDBOOK FOR ART IN PUBLIC BUILDINGS AND BUILDINGS SUPPORTED BY FEDERAL AND GOVERNMENT OF GUAM FUNDS IN THE TERRITORY OF GUAM AND THE PERCENT FOR THE ARTS ENHANCEMENT GRANT PROGRAM

6. "Public Area" means that part of a public building or facility to which the public is generally admitted during certain hours of the day. Public area does not include any office space to which the public generally has no access.
7. "Local Artists" mean artists who are residents of Guam for at least 6 months and pay taxes on Guam.
8. "Contracting Agency": The owner of the building identified including either governmental or non-governmental.

B. Definitions as it apply to the Percent for the Arts Enhancement Grant Program.

1. "Agency" means Guam Council on the Arts and Humanities Agency, government of Guam.
2. "Director" means Director of the Guam Council on the Arts and Humanities Agency.
3. "Board" means the council on the Arts and Humanities Agency Board, government of Guam.
4. "Fund" means the Percent for the Arts Enhancement Grant Fund.
5. "Grantee" means an applicant who is awarded a grant.
6. "Grant" means an approved award of funds from the Percent for the Arts Enhancement Grant Program.
7. "Government of Guam funds" means any funds received from a legislative appropriation, the Guam Visitors Bureau or from an autonomous agency.
8. "Government" means the government of Guam.

CHAPTER IV. HOW IT WORKS

A. Art in Public Buildings and buildings supported by the Federal and Government of Guam Funds. (P.L. 31-118 Section 2 subsection 852)

1. 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 arts.
2. 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.

PROCEDURES AND GUIDELINES HANDBOOK FOR ART IN PUBLIC BUILDINGS AND BUILDINGS SUPPORTED BY FEDERAL AND GOVERNMENT OF GUAM FUNDS IN THE TERRITORY OF GUAM AND THE PERCENT FOR THE ARTS ENHANCEMENT GRANT PROGRAM

3. **If artwork plans are selected, an announcement of selected art or artists shall be published in a newspaper of general circulation after the final art is submitted for installation and/or in the online version of the newspaper. The published announcement must state that the selected art may be viewed on the CAHA website or on the Owner's website.**
4. Before issuance of the occupancy permit for such construction, remodeling or reconstruction the owner of the building must obtain clearance from the Guam Council on the Arts and Humanities Agency that the provisions of this Chapter are being complied with.
5. **At least one percent (1%) of the identified funds for the overall construction, remodeling or renovation cost of a building described in Subsection (a) of this Section shall be reserved for the purpose of the design, construction, mounting, maintenance and replacement and administration of works of art by CAHA in the public area of such a building or the owner shall give the amount to CAHA.**

Two percent (2%) of the one percent (1%) allocated for the Percent for the Arts Program must be made payable to Guam CAHA for administrative costs.

The Director of Public Works shall ensure that no construction, remodeling or renovating of a public building, or building supported by government of Guam funds, is granted an occupancy permit without this Chapter being complied with.

6. Such buildings with an overall construction cost of less than One Hundred Thousand Dollars (\$100,000) are exempted from the requirements of this Chapter unless inclusion of works of art in their design and construction is specifically authorized by the owner.
7. The artist who creates these works of art shall be selected as provided in Subsection (f) of this section.
8. The Director of CAHA shall develop rules and regulations, pursuant to the Administrative Adjudication Law, for the selection of works of art under this Chapter and shall open competition for awarding any art contract under this Chapter by:
 - a. Soliciting proposals from local artists by a project announcement published no less than three (3) times in a local publication or general circulation in print and online versions;
 - a. **Appointing a selection committee consisting of **nine (9) members** to review all proposals and report to the Director the results of its deliberations regarding the proposed art contract. Such committee shall include a representative of the building's owner or of the agency or department involved, the project architect, **the designer of the building, the municipal mayor from the project site or a designated representative OR The Executive Director of the Mayor's Council or a designated representative**, at least two (2) practicing artists from Guam, **a representative from the Business Community, a representative from the either****

PROCEDURES AND GUIDELINES HANDBOOK FOR ART IN PUBLIC BUILDINGS AND BUILDINGS SUPPORTED BY FEDERAL AND GOVERNMENT OF GUAM FUNDS IN THE TERRITORY OF GUAM AND THE PERCENT FOR THE ARTS ENHANCEMENT GRANT PROGRAM

the University of Guam, Guam Community College OR the Guam Department of Education and a representative of the Guam Council on the Arts and Humanities Agency (CAHA).

- b. The final decision regarding the use of art work and the selection committee's recommendations shall be by the Director of CAHA, who shall be the contracting officer for any art contract executed pursuant to this Chapter.
9. *The Director of CAHA shall include in the CAHA rules and regulations, pursuant to the Administrative Adjudication Law, procedures for the acceptance of funds as stated in this Section.*
- a. *An account shall be established which shall be maintained separate and apart from other funds of the government of Guam, shall be kept in a separate bank account and shall not be subject to transfer authority of I Maga'alahan Guahan. Funds shall remain in such account and expended by CAHA for the purpose mandated in this Section. Said Fund shall be examined and reported upon as required by the law by the Director of CAHA who shall serve as the certifying officer of said Fund.*
 - b. *On the first (1st) day of each fiscal quarter, the CAHA Director shall provide to I Maga'Lahan Guahan and the Speaker of I Liheslaturan Guahan and post on the CAHA website, a detailed report of how funds were allocated and utilized.*

10. *Enforcement*

- a. *CAHA shall identify public buildings in non-compliance with this Section and send written notices within ten (10) working days. Upon receipt of the notice, recipients have two (2) weeks (fourteen (14) calendar days) to acknowledge in writing, receipt. Recipients will be given up to one (1) fiscal year to comply with Section.*
- b. *The Guam Economic Development Authority (GEDA) shall ensure that current Qualifying Certificate (QC) program beneficiaries are in compliance with this Section.*
- c. *For monitoring purposes, GEDA shall provide to CAHA a list of past and current QC recipients. CAHA will determine whether former QC recipients complied with Subsections (a) and (c), and notify them in writing if non-compliance was determined. Upon receipt of the notice, recipients have two (2) weeks (fourteen (14) calendar days) to acknowledge, in writing, receipt. Recipients will be given up go one (1) fiscal year to comply with this section.*
- d. *CAHA shall provide to the Department of Revenue and Taxation a list of QC recipients who fail to comply with this Section. The Department of Revenue and Taxation shall refuse to grant renewal of business license for current and past QC recipients in noncompliance, until the CAHA Director issues a written confirmation of compliance.*

PROCEDURES AND GUIDELINES HANDBOOK FOR ART IN PUBLIC BUILDINGS AND BUILDINGS SUPPORTED BY FEDERAL AND GOVERNMENT OF GUAM FUNDS IN THE TERRITORY OF GUAM AND THE PERCENT FOR THE ARTS ENHANCEMENT GRANT PROGRAM

11. *P.L. 31-118 Section 3 subsection 853 - Inclusion of Chamorro Artistry or Guam History Elements in Government Building: Government of Guam Buildings and Structures*

All government of Guam building and structures shall contain elements of either Guam History or of Chamorro artistry costing up to a maximum of three percent (3%) of the aggregate of the architectural and engineering, the construction or the renovation budgets therefore. Such elements may be made part of the internal or external physical structure of the building or structure and may be within the main

part of the building or structure or separated from the main part. In complying with the provision of this Section, a contractor for the government agency constructing the building or structure may consult with CAHA as to the various types of Chamorro or historic Guam artistic elements. The Department of Public Works (Department) shall monitor noncompliance with this Section during its plans approval process, unless such plans are exempted in accordance with Subsection (b) of this Section. If the Department determines that a non-exempted project does not comply with this Section, it shall refuse to issue either a building permit or an occupancy permit (as the case requires) for such project until compliance.

12. *Exceptions to Applicability*

Buildings and structures constructed for use as shelters for utility facilities or utility operations are not subject to Subsection (a) of this Section.

13. *Compliance*

Government of Guam agencies found in noncompliance of this Section shall be given up to one (1) fiscal year to comply. Any Government of Guam agency found in violation must pay a fine of \$..... OR (APPROPRIATE CONSEQUENCE DETERMINED BY CAHA) to CAHA for each violation. CAHA shall ensure compliance with this Section.

14. *Government Lease Spaces*

Government of Guam agencies leasing space are not exempt from this Section, and if found in noncompliance will be given up to one (1) fiscal year to comply. CAHA shall ensure compliance with this Section.

15. SELECTION COMMITTEE

The Selection Committee shall determine the scope, direction, and particular needs of each project. **The Selection Committee shall include nine (9) members as follows:**

- a. A representative of the building's owner or of the agency or department involved.
- b. The project architect.

PROCEDURES AND GUIDELINES HANDBOOK FOR ART IN PUBLIC BUILDINGS AND BUILDINGS SUPPORTED BY FEDERAL AND GOVERNMENT OF GUAM FUNDS IN THE TERRITORY OF GUAM AND THE PERCENT FOR THE ARTS ENHANCEMENT GRANT PROGRAM

- c. **The Designer of the Building.**
- d. **The Executive Director of the Mayor's Council or a designated representative OR the Municipal Mayor from the project or a designated representative.**
- e. At least two (2) practicing artists from Guam.
- f. **A representative from the Business Community.**
- g. **A representative from the either the University of Guam, Guam Community College or the Guam Department of Education**
- h. **A representative of the Guam Council on the Arts and Humanities Agency (GCAHA).**

Voting: Each member of the selection committee will have one vote. The majority vote shall determine selection.

16. SELECTION PROCEDURE

The Building Owner shall tour the site of the project and designate the various areas where artwork is to be placed. The Selection Committee shall then consider the particular needs of the project including budget, appropriate art forms and mediums and the location based on the building owner's input.

17. Selection Method

Open Competition: The Selection Committee shall solicit artwork samples from artists by a project announcement published no less than three (3) times in a local publication of general circulation.

The selection process may be in two stages whereby a limited number of finalists, selected from the competition will be asked to submit more detailed proposals. **Each of the finalists will be paid a fee for the final commissioned work as approved by the Selection Committee.**

18. Criteria for Selection

- a. **Style and Nature:** Works of art that compliment the environment where the art work is to be displayed. The size of the artwork must also be compatible to the size of the location designated.
- b. **Quality:** The inherent quality of the artwork is the most important criterion for selection.
- c. **Media:** All visual art forms will be considered along with objects relating to or consisting of indigenous art. The artwork can be either portable or permanently

PROCEDURES AND GUIDELINES HANDBOOK FOR ART IN PUBLIC BUILDINGS AND BUILDINGS SUPPORTED BY FEDERAL AND GOVERNMENT OF GUAM FUNDS IN THE TERRITORY OF GUAM AND THE PERCENT FOR THE ARTS ENHANCEMENT GRANT PROGRAM

fixed. If the artwork is to be permanently placed the Selection Committee will decide if the location identified is structurally capable of maintaining the artwork in terms of relative maintenance of repair costs.

d. Permanence: Due consideration will be given to structural and surface soundness and to permanence in terms of relative excessive maintenance or repair costs.

e. Method of Acquisition: Existing works of art OR art specifically commissioned works are eligible.

19. BUDGET

The selection Committee shall identify the funds available for the project and approve expenditures. The funds will be dispersed as specified by P.L. 31-118.

20. USE OF FUNDS

a. Funds identified may be used for:

1. For the purchase of existing artwork selected or commissioned by the Selection Committee.

2. Design: Artist's professional design fee.

3. Construction: The actual work and materials put into the creation of the artwork.

4. Mounting: Expenses for the purposes of affixing the artwork onto the location specified.

5. Maintenance: Expenses incurred towards the mechanical maintenance of the artwork in perpetuity after installation.

6. Replacement: Artwork that are to be replaced due to irreparable damage.

7. Administration: Expenses to cover any administrative costs incurred by the Selection Committee of GCAHA in the selection of artwork. Those costs include but are not limited to hiring of contractual staff, advertisements, supplies and professional services. At least two percent (2%) of the identified funds will be awarded to the Guam Council on the Arts and Humanities Agency for the purposes of contracting administrative staff to coordinate and maintain the program. Increase of Administrative costs are subject to the discretion of the CAHA Board.

8. Plaques and Labels identifying the art work.

9. Frames, mats and pedestals necessary for the presentation of the artwork.

PROCEDURES AND GUIDELINES HANDBOOK FOR ART IN PUBLIC BUILDINGS AND BUILDINGS SUPPORTED BY FEDERAL AND GOVERNMENT OF GUAM FUNDS IN THE TERRITORY OF GUAM AND THE PERCENT FOR THE ARTS ENHANCEMENT GRANT PROGRAM

10. Waterworks and electrical and mechanical devices, equipment and site work which are integral parts of the work of art.

11. Reproductions of up to 50 high quality limited edition prints, numbered and signed by the artist. Exclusively used for exhibition purposes and will not be for sale. (Subject to the approval by the Selection Committee and to copyright agreements with the artists.)

a. FUNDS IDENTIFIED MAY NOT BE USED FOR:

1. Reproductions, by mechanical or other means, of original works of art, unless mechanical means of reproductions are an integral part of the creative process. (Subject to approval by the selection Committee as mentioned on section (K) on USE ON FUND: Funds Identified May be used for)
2. Decorative, ornamental, or functional elements which are designed by the building architect or consultants engaged by the architect, as opposed to an artist commissioned for this purpose.
3. Those elements generally considered to be components of a landscape architectural design.
4. Art objects which are mass produced or of a standard commercial design, such as playground sculpture or fountains.
5. Directional, or other functional elements, such as super graphics, signage, color coding, maps, etc., except where these elements are an integral part of the original work of art.
6. Those items which are required to fulfill the basic purpose of the contracting agency. Examples would be works of art in the collection of a state museum, or works of art fulfilling an interpretive or educational role in a college or university art museum or gallery.
7. Preparation of the site necessary to receive the work of art.
8. Energy and water costs of operation of electrical and mechanical systems.
9. Art exhibitions and educational activities.
10. In connection with the works of art after delivery: registration, dedication, unveiling, insurance and security.
11. Architectural services.
12. Artistic staff salaries, equipment and supplies employed by the building owner.

PROCEDURES AND GUIDELINES HANDBOOK FOR ART IN PUBLIC BUILDINGS AND BUILDINGS SUPPORTED BY FEDERAL AND GOVERNMENT OF GUAM FUNDS IN THE TERRITORY OF GUAM AND THE PERCENT FOR THE ARTS ENHANCEMENT GRANT PROGRAM

21. WHO IS ELIGIBLE

Selection preference may be given to local artists who have resided in Guam for at least 6 months; who pay taxes in Guam; and are registered with CAHA. Selection preference may be given to local artists.

22. RESPONSIBILITIES

a. Guam Council on the Arts and Humanities Agency in consultation with the various Government agencies and departments needed to comply with the law and the building owner shall:

1. Be responsible for the selection of the commissioning of artist for, reviewing the design, execution and placement of, and acceptance, of works of art in consultation with the selection committee.
2. Appoint the selection committee.
3. Assist the contracting agency in contract negotiation with the artists.
4. In consultation with the contracting agency, CAHA may transfer works of art between public buildings, whenever, in its judgment, the transfer will be to the benefit of the citizens of Guam. This section only pertains to Government agencies and departments.
5. Handle public information aspects of the project. All expenses incurred will be the responsibility of the contracting agency.
6. **Identify and carry necessary maintenance procedures in perpetuity after installation, and maintain accurate records of the collection in partnership with the contracting agency.**

b. The Contracting Agency Shall:

1. Notify the Guam Council on the Arts and Humanities Agency upon Legislative approval of construction/renovation projects which costs over \$100,000. If the contracting agency in this instance must notify GCAHA upon approval of support by either government of Guam funds through tax abatements, rebates, loans, loan guarantees or bonds financing or by Federal Funds administered by the government of Guam.
2. Notify the Guam Council on the Arts Humanities Agency of the Project details.
3. Consult with GCAHA and Selection committee on the determination of budget and selection procedures.

PROCEDURES AND GUIDELINES HANDBOOK FOR ART IN PUBLIC BUILDINGS AND BUILDINGS SUPPORTED BY FEDERAL AND GOVERNMENT OF GUAM FUNDS IN THE TERRITORY OF GUAM AND THE PERCENT FOR THE ARTS ENHANCEMENT GRANT PROGRAM

4. Contract with and pay for the architect for administrative and/or design services to be rendered in connection with the commissioning of works of art.
 5. See that payment is made for all costs, professional fees, purchases and commissions in accordance with the Guam Law, these rules and GCAHA standards.
 6. Provide project coordination to assure timelines of completion.
 7. Be responsible for inventory and security of the work; and with advice and consent of the Guam Council on the Arts and Humanities Agency for maintenance and repair.
 8. Assist GCAHA with public information aspects of the project, with assistance and approval from GCAHA.
 9. The Guam Council on the Arts and Humanities Agency and the selection Committee must be informed of any changes in the proposed plans, costs, construction completion date or scope of the project before these changes are implemented.
- c. The Architect Shall:
1. Recommend to the Guam Council on the Arts and Humanities Agency and the contracting agency specific sites for works of art and the scale and type of work thought to be most appropriate.
 2. Act as a member of the selection committee.
 3. Work closely with the artist where required, provide engineering and technical assistance to the artist if requested from the contracting agency.
 4. Assure that all service requirements for the work of art met in the design documents and that the work may be installed with relative ease.
- d. The Artist shall:
1. Be commissioned by the contracting agency (Defined as both governmental and private developments) with approval of the Director of the Guam Council on the Arts and Humanities Agency to execute and complete the work in a timely and professional manner. Be in close contact with the contracting agency before and during installation, and transfer title of an existing work of art to the agency for incorporation in its building inventory.

PROCEDURES AND GUIDELINES HANDBOOK FOR ART IN PUBLIC BUILDINGS AND BUILDINGS SUPPORTED BY FEDERAL AND GOVERNMENT OF GUAM FUNDS IN THE TERRITORY OF GUAM AND THE PERCENT FOR THE ARTS ENHANCEMENT GRANT PROGRAM

2. Deal personally with the other parties in all phases of the negotiations. However, the artist (s) may, at their option designate their dealers or agents to represent them in certain aspects of the project.
3. Copyright: The artist retains those rights concerning the reproduction and of the original artwork for commercial purposes unless specified in the original contract agreed upon by the artist and the contracting agency.
4. Maintain a close working relationship with the architect and contracting agency on commissioned pieces.
5. **The artist shall submit all artwork professionally framed (when appropriate) and ready for installation as per the specifications issued by the selection committee. For art works that will require a more complicated than average installation process the artist shall make themselves available for consultation before or at the time of installation.**
6. Upon completion of the work (s) or purchased, the artist shall submit to the Guam Council on the Arts and Humanities Agency a detailed description of the work (s) with instructions on its care and maintenance, high resolution digital files, scans and two 8 X 10 glossy photos. The description form shall be submitted concurrently with the final invoice.
7. All plans, drawings, and other materials related to a proposed work of art are the property of the Guam Council on the Arts and Humanities Agency until the final work is installed, at which time such preparatory materials revert to the artist.

23. SCOPE AND NATURE EXPENDITURES

While no more than 1% can be dedicated from capital construction appropriations, it is possible that a dollar total greater than 1% can be expended for art in a project if funds are generated from other sources (i.e., governmental or private funds). The 1% figure is a minimum.

If 1% of total funds appropriated for a particular project is not required for that project, such un-required amounts can be: a) used to acquire art for existing government buildings; b) transferred to another construction project, or both, as determined by the Guam Council on the Arts and Humanities Agency, in consultation with the contracting agency. If the contracting agency is a non public building the contracting agency may use these funds to purchase art pieces that will be donated to the people of the territory of Guam, these funds can also be used to fund art related projects, although these expenditures must be approved by the Guam Council on the Arts and Humanities Agency.

Administrative costs of any particular project may be funded through the 1% appropriation and will be limited to the following area:

PROCEDURES AND GUIDELINES HANDBOOK FOR ART IN PUBLIC BUILDINGS AND BUILDINGS SUPPORTED BY FEDERAL AND GOVERNMENT OF GUAM FUNDS IN THE TERRITORY OF GUAM AND THE PERCENT FOR THE ARTS ENHANCEMENT GRANT PROGRAM

- a. Supplies and services connected with public information, and artists' prospect for specific projects.
- b. Selection committee per diem, and artist professional fees.
- c. Contractual Services.

24. GENERAL PRINCIPLES AND PROCEDURES

Integration of Art and Architecture: So that artists and architects can gain from each others' design insights and, thereby produce a more integrated solution, all parties should strive for engagement of the artist as soon as possible after the approval of the architect's schematic design phase.

Freedom of Expression: Because of the bold attempt to meld together the imaginations and talents of so many individuals and groups, freedom to reach creative solutions must always be maintained. The artists, on their part, must be sensitive to the unique qualities of public art and the guidelines and parameters which, of necessity, may have been agreed upon.

Exhibitions and Educational Aspects: To serve the public more fully the contracting agencies should consider undertaking the following, funded with monies other than those made available under the Act:

- a. Exhibition of sketches and scale models created in open competitions.
- b. Involvement of students and art instructors in workshops with artists creating works.
- c. Tours of those sites which exhibit many works, conducted by trained docents.
- d. Use of State educational and other facilities by the artist in developing concepts and creating the work, so that the people of the territory of Guam can better understand the creative process. Such facilities might studio space, foundries, machine, welding and woodworking shops, printing and photographic facilities.
- e. Filming or Videotaping the creation and installation of the work.

The Guam Council on the Arts and Humanities Agency is available to provide consultative assistance with these matters.

Accessibility of Information: All parties will strive to publicize widely all aspects of the program. All meetings of the Selection Committee are open to the public.

Community Support and advice: While firmly committed to the principle of selection of artists by the selection Committee, the Selection Committee welcomes advice from the interested public.

PROCEDURES AND GUIDELINES HANDBOOK FOR ART IN PUBLIC BUILDINGS AND BUILDINGS SUPPORTED BY FEDERAL AND GOVERNMENT OF GUAM FUNDS IN THE TERRITORY OF GUAM AND THE PERCENT FOR THE ARTS ENHANCEMENT GRANT PROGRAM

Conflict of Interest: All procedures will be conducted and all decisions will be made free of any conflict of interest. The Guam Council on the Arts and Humanities Agency will ensure that members of the Selection Committee and the Contracting Agency are not related in any way to the artists submitting portfolios either through kin and/or Business relations.

Dedication: If a dedication or “Unveiling” of work is desired, arrangements shall be the responsibility of the contracting agency in consultation with the Guam Council on the Arts and Humanities Agency.

25. DOCUMENTATION

Documentation:

- A. **Identification:** The Guam Council on the Arts and Humanities Agency will assist the contracting agency with identification which will include a brochure or labels identifying the work, which are securely affixed, unobtrusive, and well designed. Included should be the name of the artist; if any; medium; and year completed.
- B. **Registration:** The Contracting agency shall maintain accurate inventory records. Copies will be filed with the Guam Council on the Arts and Humanities Agency.
- C. **Publications:** As Collections grow, contracting agencies are encouraged to publish informative folders and booklets on works of art. The Guam Council on the Arts and Humanities Agency is available to assist with editorial and technical assistance.

CHAPTER V. HOW IT WORKS – The Percent for the Arts Enhancement Grant Program. (P.L. 31-118 Section 2 subsection 852)

Public Law 31-118 establishes the fund. It mandates the Guam Council on the Arts and Humanities Agency to set up the eligibility requirements governing usage of the fund. The Director of CAHA shall include in CAHA rules and regulations, pursuant to the Administrative Adjudication Law, for the disposition of funds to meet the purpose of fostering culture and arts for the development of local artists, our children and the community as a whole.

CHAPTER VI. Purpose of Grants

Grants are available to enhance cultural and artistic learning opportunities for our youth and youth organizations. Funds will be awarded to assist in areas of cultural and artistic development. Grant applications will be reviewed and administered according to existing CAHA grant review procedures. These projects must demonstrate that they are vital to long term learning and development, and support the continued fostering of the arts and cultural education process for the youth.

CHAPTER VII. Eligibility

A. Organizations

PROCEDURES AND GUIDELINES HANDBOOK FOR ART IN PUBLIC BUILDINGS AND BUILDINGS SUPPORTED BY FEDERAL AND GOVERNMENT OF GUAM FUNDS IN THE TERRITORY OF GUAM AND THE PERCENT FOR THE ARTS ENHANCEMENT GRANT PROGRAM

1. If the applicant is an organization, it must be registered with the government of Guam as a nonprofit organization, or be a bona fide Guam school program, sanctioned by the school's principal and endorsed by the Director of Education, school master or Superintendent of Parochial schools.
2. Organizations that apply for a grant must be in compliance with all applicable laws and regulations.

B. Individuals

1. If the applicant is an individual, he or she must be a permanent resident of Guam.
2. If the applicant is an individual under the age of eighteen years of age, their parent or legal guardian will be able to apply on the minor's behalf.

CHAPTER VIII. Grant Criteria

Grants will be awarded only to individuals or non-profit organizations.

CHAPTER IX. Application Process

A. Step One: Submission.

1. To qualify for a grant, an application must be filled out and submitted to the Agency, along with the following information:

A nonprofit organization requesting funds must provide a copy of its articles of incorporation or other proof of registration as a nonprofit organization with the government of Guam. A requesting school must submit a letter from the school's principal and the Director of Education, school master or Superintendent of Parochial Schools, endorsing the organization.

2. Grant applications which do not comply with the requirements of Step One shall not be considered complete and eligible for certification.

B. Step Two: Certification.

The Director will certify the grant application as to its completeness. If the application is not complete, the Agency will send a notification to the applicant either via email or by certified mail informing them of the application's status and that proper adjustment need to be made within 15 days of notification. The Director will certify the grant application as to its completeness. If the grant application is not complete, the Agency will mail a non-certification form to the grant applicant for proper adjustment.

C. Step Three: Consideration.

PROCEDURES AND GUIDELINES HANDBOOK FOR ART IN PUBLIC BUILDINGS AND BUILDINGS SUPPORTED BY FEDERAL AND GOVERNMENT OF GUAM FUNDS IN THE TERRITORY OF GUAM AND THE PERCENT FOR THE ARTS ENHANCEMENT GRANT PROGRAM

1. A certified grant application shall be submitted by the Director to the Board for consideration during the next grant review cycle for the program. Applications will be reviewed and considered by the Board on an annual basis, every September of a calendar year.
2. The Board shall approve grant applications in accordance with the purposes stated in Chapter VI of these regulations. Grant applications will be reviewed and administered according to existing CAHA grant review procedures.
3. The Board will not consider any grant application unless Steps One and Two have been completed.

CHAPTER X. Disbursement of Funds

- A. The Director shall manage the Fund and the Agency's certifying officer shall be the Fund's certifying officer.
- B. Upon Board approval of the application, the Agency shall process the necessary paperwork for the grant.
- C. Within thirty days after completion of project/program, the grantee shall provide the Director with a report and an accurate expenses report reflecting the expenditure of all government of Guam funds.

CHAPTER XI. Misuse of Funds

- A. Any person who willfully misuses a grant received under these regulations shall be guilty of a petty misdemeanor and subject to a fine not to exceed \$500.
- B. If the grantee is delinquent in submitting the detailed narrative and expenditure report required by Chapter X, Section C, the Agency shall send a written notice, certified mail, return receipt requested, to the grantee giving the grantee fifteen days from the date of receipt of the notice to submit the report. Grantees failure to comply may be deemed a violation of said chapter.
- C. If the grantee breaches any provision of the grant agreement or grantee fails to complete the grant project, grantee shall return immediately any all funds previously received from the grantor for which grantor has made written demand.

CHAPTER XI. Grant Limitations

- A. **Only one grant from the Fund can be awarded per organization program or individual per year.**
- A. All grants awarded through the Agency are contingent upon the availability of funds and final approval by the governor.

PROCEDURES AND GUIDELINES HANDBOOK FOR ART IN PUBLIC BUILDINGS AND BUILDINGS SUPPORTED BY FEDERAL AND GOVERNMENT OF GUAM FUNDS IN THE TERRITORY OF GUAM AND THE PERCENT FOR THE ARTS ENHANCEMENT GRANT PROGRAM

CHAPTER XII. Recording Requirements

Reporting Requirements – Art in Public Buildings and Buildings Supported by Federal and Government of Guam Funds in the Territory of Guam and the Percent for the Arts Enhancement Grants Program.

On the first (1st) day of each fiscal quarter the CAHA Director shall provide I Maga'lahen Guahan and the Speaker of I Liheslaturan Guahan and post on the CAHA website a detailed report of how the funds were allocated and utilized.

A. The quarterly report for the Art in Public Buildings and Buildings Supported by Federal and Government of Guam Funds in the Territory of Guam shall include the following information concerning the use of the Fund:

1. The number and names of projects.
2. The amount allocated towards the program per project.
3. Other pertinent data concerning management of the fund.

B. The quarterly report for the Percent for the Arts Grants Enhancement Program shall include the following information concerning the use of the Fund:

1. The number and names of applicants.
2. The number, names of grantees and amounts of grants awarded.
3. Other pertinent data concerning management of the fund.

Furthermore, the Guam Council on the Arts and Humanities Agency shall annually make a public report on all Art in Public Buildings and Buildings Projects Supported by Federal and Government of Guam Funds in the Territory of Guam and the Percent for the Arts Enhancement Grants Programs of the previous year.

CHAPTER XIII. SEVERABILITY P.L. 31-118 Section 4

If any provisions of this Law or its application to any person or circumstance is found to be invalid or contrary to law, such invalidity shall not affect other provision or applications of this Law which can be given effect without the invalid provision or applications and to this end the provisions of this Law are severable.

IN CONCLUSION

Guam's 1% Program is dedicated to placing visual art of the highest quality by contemporary and traditional artists where the people of the Territory of Guam can appreciate. In so doing, the Territory of Guam is building a significant art collection of historic value for its people. Furthermore, it will enrich the lives of our children, local artists and the community as a whole.

RECEIVED
12/7/15

September 25, 2015

Ms. Jackie Balbas
Program Coordinator
Guam Council on the Arts and Humanities Agency
P.O. Box 2950
Hagåtña, Guam 96932



Dear Jackie:

As a recipient of the distinguished Maga'Lahi Art Awards for Folk Arts (1997), in recognition of Masters in the industry of the Arts, as well as, an acknowledged CAHA Master, thank you for the invitation to participate in the Masters' Apprenticeship Program.

In keeping with my goals to continue in the footsteps of my father, I would like to promote the fine art and tradition of talaya making and casting, creating my own tools of the trade, through instruction of a new generation of individuals interested in the arts of Talaya weaving.

I humbly request the favorable consideration and approval of this endeavor by the CAHA Board.

If approved, please contact me at 483-4653 or email me at didit@guam.uog.edu all information regarding the necessary documentation to begin this endeavor of continuing the great tradition of Talaya weaving and casting.

Si Yu'os Ma'ãse!

A handwritten signature in black ink, appearing to read "Tony Guerrero".

Tony Guerrero, CAHA Master Talayero

**Master Talayero & Fishnet Maker
Anthony C. Guerrero**

I propose to implement a 125 hr. apprenticeship program in Fishnet making, repair and casting. I will like to instruct on a one-to-one, casual environment. I will select as much as eight (8) individuals interested in Fishnet making, repair and casting.

Upon completion of this program, my apprentice should be able to make and repair nets, properly cast the talaya, and built tools of the trade.

Funds requested will be used towards materials and instructional fees.

BUDGET BREAKDOWN:



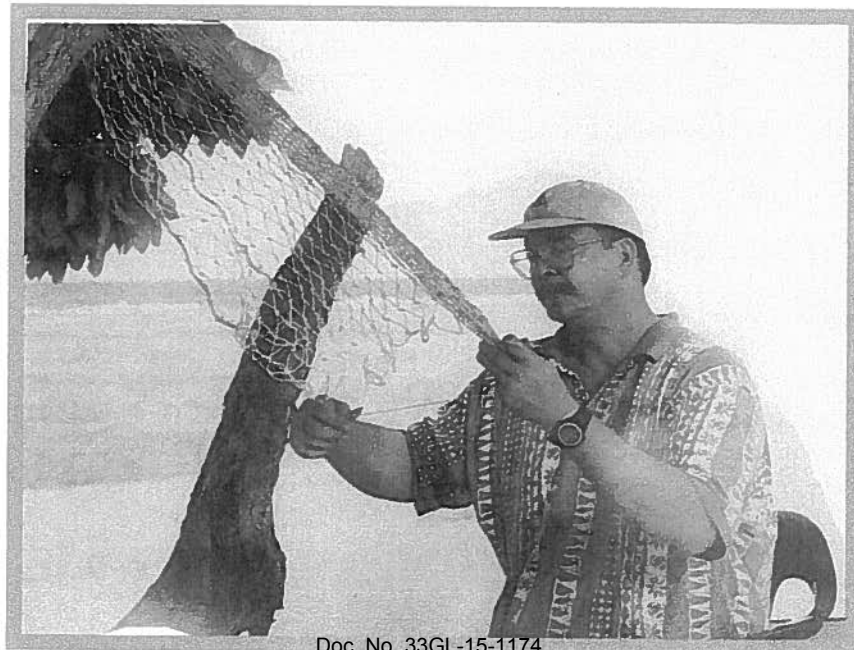
Instructional fees	(\$25.00 pr. hr. X 125 hrs.)	\$3,125.00
Materials & supplies		<u>\$ 875.00</u>
		\$4,000.00

Master Talayero & Fishnet Maker – Anthony C. Guerrero

Tony's interest in mastering the art of Talaya casting and fishnet making came at a very young age. His father, as well as his grandfather were fishermen with a history of making a name for themselves at the island beaches. Whether it be for supplying their family with a meal, or for the enjoyment, these fishermen were dedicated to preserving their tradition in the art of fishing.

As a young man, Tony's interest peaked when, by accompanying his father on a fishing expedition to scan the waters for the seasonal arrival of ti'ao, manahak', or ie'ie', his father shared the priceless knowledge of talaya casting. Eventually, Tony took over the trade, and mastered the technique.

Today, Tony spends his free time fishing and excitedly teaches his five (5) grandsons the art of talaya casting. He is still in the process of teaching his grandsons to repair their own talaya. All of Tony's grandsons are arden fishermen, which makes him a proud grandparent, and a success in handing down the trade of Talaya casting to the next generation.





Description of Apprenticeship Program Project
Body Ornamentation
FY 2016 (October 1, 2015 - September 30, 2016)

The aim of this Apprenticeship Program Project is to support our efforts to perpetuate the Traditional Arts in Body Ornamentation through the sharing of skills and knowledge.

This program will be conducted during the FY 2016 (October 1, 2015 - September 30, 2016) as noted in the letter in the letter of request for proposal and will support a maximum of five (5) apprentices in the art of creating ornamental jewelry in both traditional and contemporary styles. The purpose is to pass this trade down to the next generation to insure that there is continuity.

The project will commence upon approval of this proposal and end within the time allotted for this grant.

Classes will be held at my shop at Guinahan Chamoru, 431 Rt. 10, Mangilao or at the Sagan Kotturan Chamoru as to be scheduled.

Students will learn about the...

History of Body Ornamentation through a PowerPoint presentation;
Introduction to Equipment/Tool Use and safety; and
the usage of raw materials to create various types of jewelry.

Classes will be held in two hour sessions each week and will be scheduled for the duration of the program project.

Funds will go towards artistic and instructional fees and the acquisition of equipment, tools and raw materials such as Ifit (Guam's indigenous and national tree), Bone (cow), Stone, Shell, (Alileng (top shell), and Hima (giant clam).

Start of Projects

Ifit (Guam's indigenous and national tree) – Six (6) Hours for Two (2) projects

Bone (cow) – Six (6) Hours for Two (2) projects

Stone – Ten (10) Hours for Two (2) projects

Shell (Alileng (top shell)– Ten (10) Hours for Two (2) projects

Hima (giant clam) – Twenty (20) Hours for Two (2) projects (2 hours each)

Additionally, each apprentice will be required to do a special project to showcase their creativity and skills learned.

The program project will end with an Apprenticeship showing at the Sagan Kotturan Chamoru or the CAHA Gallery to feature the student's accomplishments. Apprentices will be invited continue to participate in the apprenticeship program to further their skills and creative inspirations at the Sagan Kotturan Chamoru. All equipment and tools acquired in this project will further this opportunity.

Julie "Jill" Quichocho-Benavente

P.O. Box 1609
Hagatna, Guam 96932
179 Semon Cr. Quichocho St.
Mangilao
Home Phone (671) 734-9017
Cellular (671) 997-5461

jillq.benavente@gmail.com

Weaver, carver and creator of body ornamentation and sole proprietor of "Guinahan Chamoru" since October 28, 1998. Born in Hawaii, parents are Manuel Baza (deceased) and Vicenta Santos Quichocho of Maga, Mangilao. Married to Ed Benavente, daughters Amber and Tasi, grand-daughters, Ha'ani, Sinahi, Na'ina, Nina'i and grandson Rai.

As the sole proprietor of Guinahan Chamoru, Jill features her creations along with the work of over 70 artists. In addition, Jill has conducted numerous artistic demonstrations at many local schools, Chamoru month celebrations and cultural functions in Guam and in the Pacific, including: Chamoru Language and Cultural conferences; South Pacific Games; Archdiocese of Agana – Jubilee 2000 for artists; Gef Pago with PA'A Organization; 9th Festival of Pacific Arts in Palau; 10th Festival of Pacific Arts in American Samoa; Micronesian Island Fairs; Flame Tree Festivals in Saipan; 3rd & 4th Annual Woman's Art Show – Nissan Infiniti Art Gallery and recently completed an Apprentice program through CAHA grant October 2008 thru December 2008.

March 11-13, 1995	14 th Annual Flame Tree Festival	Saipan
July 1995	Liberation Day Carnival – Weaving for duration	Ipao Beach
April 27-28, 1996	15 th Annual Flame Tree Festival	Saipan
December 14, 1996	Guam Gallery of Art – 1996 Cultural Arts Festival	Hagatna
March 22, 1997	Guam Gallery of Art- 1997 Chamorro Artist Festival	Hagatna
March 31, 1997	Untalan Middle School - Chamorro Week Activities	Barrigada
May 22-25, 1997	10 th Guam Micronesia Island Fair – Ypao Beach	Tumon
June 18-20, 1997	16 th Annual PIBBA Conference – University of Guam (Pacific Islands Bilingual Bicultural Association's)	Mangilao

December 6-7, 2005	University of Guam – Annual Holiday Bizarre	Mangilao
March 10-12, 2006	Kaha – Chamorro Cultural Festival - “Festian Kottura Chamorro” Chamorro Village	Agana
April 26- May 1, 2006	25 th Flame Tree Festival	Saipan
May 26-28, 2006	19 th Guam Micronesia Fair	Ipao Beach
June 15, 2006 to Present	Inetnon Gef Pago Dance Troupe – Started designs producing their annual pendants	Mangilao
October 11-14, 2007	20 th Micronesia Island Fair	Ipao Beach
March 2-8, 2008	Soroptimist International – 3 rd Annual Women’s Art Show	Tumon
March 28, 2008	PA’A Taotao Tano – Created design for their 25 th Anniversary	Mangilao
March 31, 2008	Mount Carmel 50 th Anniversary – Donation for Silent Auction	Santa Rita
July 11-19, 2008	Infiniti Show Room - Art of the Coconut – weaving	Tumon
July 19, 2008 to August 2, 2008	10 th Festival of the Pacific – American Samoa - Body ornamentation	A. Samoa
August 2008	Inadahen I Lina’la Kotturan Chamoru, Inc – Pulan Festival	Tumon
October 1, 2008 to December 30, 2008	Kaha Grant for apprentice program – Angela Santos, Carlo Cabrera, Steve Jackson, Jacob Cruz & Jamela Santos	Mangilao
October 17-19, 2008	21 st Micronesia Island Fair “Inadahen I Lina’la Kotturan Chamoru, Inc.	Ipao Beach
March 8, 2009	Nissan Infiniti Gallery “Women Artists in Motion”	Tumon
March 24, 2009	George Washington High School – Donation of Prizes for Mes Chamoru	Mangilao

April 6, 2012	Miss Earth Guam Alexandra Benavente- Creation of necklace, choker & matching arm band	Mangilao
April 11-13, 2012	PHARE-Pacific Hotel & Restaurant Expo- Exhibit & sale Hyatt Regency Guam	Tumon
Oct. 24, 2012 to Dec. 5, 2012	Guampedia's Chamorro Heritage Series- Living History Exhibition & sales body ornamentation	Adelup
December 1, 2012	Maila Halum gi Guma DFS - Workshop	Tumon
February 10, 2013	5 th Annual Gupot Fanha'aniyan Pulan Chamoru Guam Fishermans Cooperative Association	Agana
February 12, 2013	Kaha Work Shop – Cultural Design with History in Mind Latte of Freedom	Adelup
March 1-8, 2013	Infiniti Show – 8 th Annual Women's Art Show	Tumon
August 10, 2013	Kaha- Workshop – Protecting Intellectual Property Workshop	Agana
November 2012 to June 2016	Guam 2016 12 th Festival of Pacific Arts	Guam
October 21, 2014,	"Sainan Minehalom Manlasgue-Adotnon I Tatãotao," or Master Carver-Body Ornamentation from CAHA	
2006 – Present Chamoru, Inc.	Board Member, Board of Directors, Inadahen I Lina'la' I Kotturan	

CAHA/Louis Vuitton Inc. Grant Proposal Budget
Body Ornamentation

Category	Description	Quantity	Cost	Total	Category Total
Instructor	Instructor Costs include... Preparation Instruction Final Projects Showing				2,590.61
Equipment/Tools	Dremel Tool Medium 3000 Flex Shaft	5 5	76.99 36.99	384.95 184.95	569.90
Accessories	Diamond Bit Set (50 pcs) Sm Diamond Cut off Disc Set (pkg of 6) Lg Diamond Cut off Disc Shank for Diamond Cut off Disc Sanding Drums (coarse) (pkg of 6) Sanding Drums with Shank Sanding Discs - coarse (pkg) Sanding Discs - Medium (pkg) Sanding Discs - Fine (pkg) Sm Polishing Pads (pkg of 6) Polishing Disc Pad Sand Paper 120 Grit Sand Paper 220 Grit Sand Paper 320 Grit Sand Paper 120 Grit Safety Glasses Dust Mask (pkg of 20)	5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 1	25.99 7.99 24.99 11.99 3.99 3.99 3.99 3.99 3.99 3.79 3.79 1.49 1.29 1.29 1.25 4.49 27.99	129.95 39.95 124.95 59.95 19.95 19.95 19.95 19.95 19.95 18.95 18.95 7.45 6.45 6.45 6.25 22.45 27.99	569.49
Materials	Ifit Wood Blanks Length 2" x Width 1 1/2" x Depth 1/4 "	2	15.00	30.00	
	Cow Bone Blanks Length 2" x Width 1 1/2" x Depth 1/4 "	2	10.00	20.00	
	Stone Blanks Length 2" x Width 1 1/2" x Depth 1 1/2 "	2	15.00	30.00	
	Shell Blanks Length 2" x Width 1 1/2" x Depth 1/4 "	2	15.00	30.00	
	Hima (giant clam) Blanks Length 2" x Width 1 1/2" x Depth 1/2 "	2	30.00	60.00	
	Special Project Materials	1	100	100.00	
					270.00
CAHA Grant Proposal Budget Total					4,000.00



Jacqueline Balbas <jacqueline.balbas@caha.guam.gov>

Re: Contact Number

Dakota Alcantara-Camacho <dakotacamacho@gmail.com>
To: Sherrie Barcinas <sherrie.barcinas@caha.guam.gov>
Cc: Jacqueline Balbas <jacqueline.balbas@caha.guam.gov>

Thu, Oct 8, 2015 at 8:28 PM

Håfa Adai Sherrie,

I've been in email communication with Jacqueline Balbas regarding my residency (Post-dated August 26).

As per the grant guidelines, I am "a U.S. citizen or permanent residents and have resided in the Territory of Guam, for at least six months."

I have resided continuously in Guåhan for 11 months between August 2011 and July 2012 -- and recently for three months between July 2015 to September 2015.

I am currently in New Zealand working on the project that I will bring to Guåhan as per this application.

I'm very excited about this wonderful opportunity to create and share work in Guåhan.

Si Yu'os Ma'åse
si dåkot-ta alcantara-camacho

On Thu, Oct 8, 2015 at 8:41 PM, Sherrie Barcinas <sherrie.barcinas@caha.guam.gov> wrote:
Dakota,

Do you reside on Guam? and since when? If there is a break in residency, please provide that information.

Thanks
Sherrie

On Thu, Oct 8, 2015 at 5:24 PM, Dakota Alcantara-Camacho <dakotacamacho@gmail.com> wrote:
Håfa Adai

Great news to receive today :)

I am currently in New Zealand/Aotearoa working with the cohort of artists on the project that will come and contribute to the platform we've begun building. The conversations have been thrilling and will be so beautiful to create our cultural innovations.

Is there anyway you can scan the documents and I can print them out and sign them or send them back with digital signature?

Here is my current contact number: +64 21 33 84 77

Si Yu'os Ma'åse
si dåkot-ta alcantara-camacho

On Thu, Oct 8, 2015 at 2:55 PM, Sherrie Barcinas <sherrie.barcinas@caha.guam.gov> wrote:

12th Festival of Pacific Arts

Raffle Report

as of September 30, 2015

Collections

June	5,180.00	
July	32,325.00	
August	19,740.00	
September	<u>13,230.00</u>	
Net Collections		\$ 70,475.00

Expenses

Debit Memo		100.00
Harland Check Order		24.00
Tickets, Banner & Posters		11,337.72
Raffle Prizes: July - September		5,400.00
Chargeback Fees		
<i>July</i>	<i>135.00</i>	
<i>August</i>	<i>230.00</i>	
<i>September</i>	<i><u>0.00</u></i>	
Total	365.00	365.00
Bank Fees		12.00
Form 3260 - Monthly Return		
<i>June</i>	<i>282.00</i>	
<i>July</i>	<i>718.78</i>	
<i>August</i>	<i>747.53</i>	
<i>September</i>	<i>379.18</i>	
Total	2,127.49	<u>2,127.49</u>

Total Expenses **\$ 19,366.21**

Net Total

\$ 51,108.79

GUAM COUNCIL ON THE ARTS AND HUMANITIES AGENCY
Regular Board Meeting
November 9, 2015 – 3:00 p.m.
AGENDA

- I. CALL TO ORDER
- II. REVIEW AND APPROVAL OF MINUTES – October 20, 2015
- III. PRESIDENT'S REPORT
- IV. OLD BUSINESS
 - A. Percent for the Arts
 - 1. % for the Arts Regulations & Guidelines Amendment – Triple "A" Process
 - 2. Update – Current Projects
 - a. GCEF – Judy Flores
 - b. GRMC
 - c. GPLS Children's Library
 - d. Pending: GIAT (Airport), GCC, UOG, GHURA
 - B. Masters Nomination Update
 - C. Strategic Plan Process
- V. NEW BUSINESS
 - A. CAHA/ Louis Vuitton Masters Apprenticeship Program
 - 1. Tony Guerrero, Master Talayeru – Talaya Weaving
 - 2. Julie Benavente, Master Carver - Body Ormentation
 - B. Dakota Alcantara-Camacho – FY 2016 Grant
 - C. Establishment of New FestPac 1% Account
- VI. BUDGET REPORTS
 - A. CAHA FY 2015 & FY 2016 Appropriation Accounts
 - B. CAHA Non-Appropriation/ Revolving Accounts
 - C. FestPac Accounts
- VII. 2016 FESTIVAL OF PACIFIC ARTS
 - A. 2016 Guam Delegation
 - B. Coordinating Committee Update
 - C. Programming Committee Meeting
- VIII. OTHER ANNOUNCEMENT & DISCUSSIONS

Next Board Meeting – Dec. 1, 2015 at 3:00 p.m.
- IX. ADJOURNMENT

GUAM COUNCIL ON THE ARTS AND HUMANITIES AGENCY
Regular Board Meeting
December 1, 2015 – 3:00 pm
A G E N D A

I. CALL TO ORDER

II. REVIEW AND APPROVAL OF MINUTES NOVEMBER 9, 2015

III. PRESIDENT'S REPORT

-Update on Occupancy Permits for % for the Arts

IV. OLD BUSINESS

A. Percent for the Arts

1. % for the Arts Regulations & Guidelines Amendment - Triple "A" Process

2. Update – Current Projects

a. GCEF, Judy Flores

b. GRMC

c. GPLS Children's Library

d. Pending: GIAT (Airport), GCC, UOG, GHURA, Legislature

B. Masters Nominations Update

C. Strategic Plan Progress

D. Grant Award – Dakota Alacantara-Camacho

E. Establishment of FESTPAC 1% Bank Account

V. NEW BUSINESS

A. Grant Extension Request – Elizabeth Bowman

VI. BUDGET REPORTS

A. CAHA FY 2015 & FY 2016 Appropriation Accounts

B. CAHA Non-Appropriation / Revolving Accounts

C. FESTPAC Accounts

VII. 2016 FESTIVAL OF PACIFIC ARTS

A. 2016 Guam Delegation

B. Coordinating Committee Update

C. Programming Committee Meeting

VIII. OTHER ANNOUNCEMENT & DISCUSSIONS

Next Board Meeting scheduled for January 5, 2016 at 3pm

IX. ADJOURNMENT

PROCEDURES AND GUIDELINES HANDBOOK FOR ART IN PUBLIC BUILDINGS AND BUILDINGS SUPPORTED BY FEDERAL AND GOVERNMENT OF GUAM FUNDS IN THE TERRITORY OF GUAM AND THE PERCENT FOR THE ARTS ENHANCEMENT GRANT PROGRAM

CHAPTER I. THE LAW

Public Law 20-27, Chapter 8 of Title 1 of the Guam Code Annotated, relative to “Arts in Public Buildings and Facilities” as amended by Public Law 31-118 amending subsections 850, 852 and 853 of the Guam Code Annotated.

CHAPTER II. PURPOSE

P.L. 31-118 Section 1 Subsection 850

The government of Guam recognizes its responsibility to foster culture and arts and the necessity for the development of the arts beginning with our young children and throughout the community. I Liheslatura (the legislature) declares it to be policy that a portion of appropriations for capital expenditures for public buildings be set aside either for the acquisition of works of art to be used in such buildings and in any buildings intended for use of the general public to the extent that the construction or improvement of such non-public buildings is supported by either federal or government of Guam tax incentives or other subsidy arrangement or the funds may be given to the Guam Council on the Arts and Humanities Agency for the purpose of fostering culture and the arts for the development of local artists, children and the community as a whole.

CHAPTER III. DEFINITIONS

- A. Definitions as it apply to Art in Public Buildings and buildings supported by the Federal and Government of Guam Funds in the Territory of Guam.
1. “Art and Arts” means the graphic arts and other arts having aesthetic value that is to the public as defined by P.L. 20-27.
 2. “Artist” means one who produces or aids in the production of art.
 3. “Public Building” or “Public Facility”: a building or facility owned by the government of Guam or any of its instrumentalities.
 4. “Non-Public Buildings”: Buildings that are supported by either government of Guam funds through tax abatements, rebates, loans, loan guarantee or bond financing or by Federal funds administered by the Government of Guam.
 5. “Department” means the Department of Public Works or that agency of the government which supervises the design of a public building or facility.

PROCEDURES AND GUIDELINES HANDBOOK FOR ART IN PUBLIC BUILDINGS AND BUILDINGS SUPPORTED BY FEDERAL AND GOVERNMENT OF GUAM FUNDS IN THE TERRITORY OF GUAM AND THE PERCENT FOR THE ARTS ENHANCEMENT GRANT PROGRAM

6. "Public Area" means that part of a public building or facility to which the public is generally admitted during certain hours of the day. Public area does not include any office space to which the public generally has no access.
 7. "Local Artists" mean artists who are residents of Guam for at least 6 months and pay taxes on Guam.
 8. "Contracting Agency": The owner of the building identified including either governmental or non-governmental.
- B. Definitions as it apply to the Percent for the Arts Enhancement Grant Program.
1. "Agency" means Guam Council on the Arts and Humanities Agency, government of Guam.
 2. "Director" means Director of the Guam Council on the Arts and Humanities Agency.
 3. "Board" means the council on the Arts and Humanities Agency Board, government of Guam.
 4. "Fund" means the Percent for the Arts Enhancement Grant Fund.
 5. "Grantee" means an applicant who is awarded a grant.
 6. "Grant" means an approved award of funds from the Percent for the Arts Enhancement Grant Program.
 7. "Government of Guam funds" means any funds received from a legislative appropriation, the Guam Visitors Bureau or from an autonomous agency.
 8. "Government" means the government of Guam.

CHAPTER IV. HOW IT WORKS

A. Art in Public Buildings and buildings supported by the Federal and Government of Guam Funds. (P.L. 31-118 Section 2 subsection 852)

1. 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 arts.
2. 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.

PROCEDURES AND GUIDELINES HANDBOOK FOR ART IN PUBLIC BUILDINGS AND BUILDINGS SUPPORTED BY FEDERAL AND GOVERNMENT OF GUAM FUNDS IN THE TERRITORY OF GUAM AND THE PERCENT FOR THE ARTS ENHANCEMENT GRANT PROGRAM

3. Original Verbiage: 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.

Revision: If artwork plans are selected, an announcement of selected art or artists shall be published in a newspaper of general circulation after the final art is submitted for installation and/or in the online version of the newspaper. The published announcement must state that the selected art may be viewed on the CAHA website or on the Owner's website.

4. Before issuance of the occupancy permit for such construction, remodeling or reconstruction the owner of the building must obtain clearance from the Guam Council on the Arts and Humanities Agency that the provisions of this Chapter are being complied with.
5. Original Verbiage: At least one percent (1%) of the overall construction, remodeling or renovation cost of a building described in Subsection (a) of this Section shall be reserved for the purpose of the design, construction, mounting, maintenance and replacement and administration of works of art by CAHA in the public area of such a building or the owner shall give the amount to CAHA.

Addition: Two percent (2%) of the one percent (1%) allocated for the Percent for the Arts Program must be made payable to Guam CAHA for administrative costs.

Latest Comment: Does this need to be included? Having it in the Rules and Regs then prevents CAHA from increasing this amount should we find that there is more work than anticipated. The original language of CAHA being able to charge for administrative costs should be sufficient.

The Director of Public Works shall ensure that no construction, remodeling or renovating of a public building, or building supported by government of Guam funds, is granted an occupancy permit without this Chapter being complied with.

6. Such buildings with an overall construction cost of less than One Hundred Thousand Dollars (\$100,000) are exempted from the requirements of this Chapter unless inclusion of works of art in their design and construction is specifically authorized by the owner.
7. The artist who creates these works of art shall be selected as provided in Subsection (f) of this section.
8. The Director of CAHA shall develop rules and regulations, pursuant to the Administrative Adjudication Law, for the selection of works of art under this Chapter and shall open competition for awarding any art contract under this Chapter by:
 - a. Soliciting proposals from local artists by a project announcement published no less than three (3) times in a local publication or general circulation in print and online versions;

PROCEDURES AND GUIDELINES HANDBOOK FOR ART IN PUBLIC BUILDINGS AND BUILDINGS SUPPORTED BY FEDERAL AND GOVERNMENT OF GUAM FUNDS IN THE TERRITORY OF GUAM AND THE PERCENT FOR THE ARTS ENHANCEMENT GRANT PROGRAM

- b. Appointing a selection committee consisting of five (5) members to review all proposals and report to the Director the results of its deliberations regarding the proposed art contract. Such committee shall include a representative of the building' owner or of the agency or department involved, the project architect, the municipal mayor from the project site and at least two (2) practicing artists from Guam. The final decision regarding the use of art work and the selection committee's recommendations shall be by the Director of CAHA, who shall be the contracting officer for any art contract executed pursuant to this Chapter.

Revision: Appointing a selection committee consisting of **nine (9) members** to review all proposals and report to the Director the results of its deliberations regarding the proposed art contract. Such committee shall include a representative of the building's owner or of the agency or department involved, the project architect, **the designer of the building, the municipal mayor from the project site or a designated representative OR The Executive Director of the Mayor's Council or a designated representative**, at least two (2) practicing artists from Guam, **a representative from the Business Community, a representative from the either the University of Guam, Guam Community College OR the Guam Department of Education and a representative of the Guam Council on the Arts and Humanities Agency (CAHA).**

- c. **Addition: The final decision regarding the use of art work and the selection committee's recommendations shall be by the Director of CAHA, who shall be the contracting officer for any art contract executed pursuant to this Chapter.**

9. *The Director of CAHA shall include in the CAHA rules and regulations, pursuant to the Administrative Adjudication Law, procedures for the acceptance of funds as stated in this Section.*

a. *An account shall be established which shall be maintained separate and apart from other funds of the government of Guam, shall be kept in a separate bank account and shall not be subject to transfer authority of I Maga'alahren Guahan. Funds shall remain in such account and expended by CAHA for the purpose mandated in this Section. Said Fund shall be examined and reported upon as required by the law by the Director of CAHA who shall serve as the certifying officer of said Fund.*

b. *On the first (1st) day of each fiscal quarter, the CAHA Director shall provide to I Maga'Lahren Guahan and the Speaker of I Liheslaturan Guahan and post on the CAHA website, a detailed report of how funds were allocated and utilized.*

10. Enforcement

- a. *CAHA shall identify public buildings in non-compliance with this Section and send written notices within ten (10) working days. Upon receipt of the notice, recipients have two (2) weeks (fourteen (14) calendar days) to acknowledge in*

PROCEDURES AND GUIDELINES HANDBOOK FOR ART IN PUBLIC BUILDINGS AND BUILDINGS SUPPORTED BY FEDERAL AND GOVERNMENT OF GUAM FUNDS IN THE TERRITORY OF GUAM AND THE PERCENT FOR THE ARTS ENHANCEMENT GRANT PROGRAM

writing, receipt. Recipients will be given up to one (1) fiscal year to comply with Section.

- b. The Guam Economic Development Authority (GEDA) shall ensure that current Qualifying Certificate (QC) program beneficiaries are in compliance with this Section.*
- c. For monitoring purposes, GEDA shall provide to CAHA a list of past and current QC recipients. CAHA will determine whether former QC recipients complied with Subsections (a) and (c), and notify them in writing if non-compliance was determined. Upon receipt of the notice, recipients have two (2) weeks (fourteen (14) calendar days) to acknowledge, in writing, receipt. Recipients will be given up to one (1) fiscal year to comply with this section.*
- d. CAHA shall provide to the Department of Revenue and Taxation a list of QC recipients who fail to comply with this Section. The Department of Revenue and Taxation shall refuse to grant renewal of business license for current and past QC recipients in noncompliance, until the CAHA Director issues a written confirmation of compliance.*

11. P.L. 31-118 Section 3 subsection 853 - Inclusion of Chamorro Artistry or Guam History Elements in Government Building: Government of Guam Buildings and Structures

All government of Guam building and structures shall contain elements of either Guam History or of Chamorro artistry costing up to a maximum of three percent (3%) of the aggregate of the architectural and engineering, the construction or the renovation budgets therefore. Such elements may be made part of the internal or external physical structure of the building or structure and may be within the main

part of the building or structure or separated from the main part. In complying with the provision of this Section, a contractor for the government agency constructing the building or structure may consult with CAHA as to the various types of Chamorro or historic Guam artistic elements. The Department of Public Works (Department) shall monitor noncompliance with this Section during its plans approval process, unless such plans are exempted in accordance with Subsection (b) of this Section. If the Department determines that a non-exempted project does not comply with this Section, it shall refuse to issue either a building permit or an occupancy permit (as the case requires) for such project until compliance.

12. Exceptions to Applicability

Buildings and structures constructed for use as shelters for utility facilities or utility operations are not subject to Subsection (a) of this Section.

PROCEDURES AND GUIDELINES HANDBOOK FOR ART IN PUBLIC BUILDINGS AND BUILDINGS SUPPORTED BY FEDERAL AND GOVERNMENT OF GUAM FUNDS IN THE TERRITORY OF GUAM AND THE PERCENT FOR THE ARTS ENHANCEMENT GRANT PROGRAM

13. Compliance

Original Verbiage: Government of Guam agencies found in noncompliance of this Section shall be given up to one (1) fiscal year to comply. CAHA shall ensure compliance with this Section.

Revision: Government of Guam agencies found in noncompliance of this Section shall be given up to one (1) fiscal year to comply. Any Government of Guam agency found in violation must pay a fine of \$ (INSERT DOLLAR AMOUNT) OR (APPROPRIATE CONSEQUENCE DETERMINED BY CAHA) to CAHA for each violation. CAHA shall ensure compliance with this Section.

14. Government Lease Spaces

Government of Guam agencies leasing space are not exempt from this Section, and if found in noncompliance will be given up to one (1) fiscal year to comply. CAHA shall ensure compliance with this Section.

15. SELECTION COMMITTEE

The Selection Committee shall determine the scope, direction, and particular needs of each project. Original Verbiage: The Selection Committee shall include. **Revision: The Selection Committee shall include nine (9) members as follows:**

- a. A representative of the building's owner or of the agency or department involved.
- b. The project architect.
- c. Addition: The Designer of the Building.**
- d. Revision: The Executive Director of the Mayor's Council or a designated representative OR the Municipal Mayor from the project or a designated representative.**
- e. At least two (2) practicing artists from Guam.
- f. Addition: A representative from the Business Community.**
- g. Addition: A representative from the either the University of Guam, Guam Community College or the Guam Department of Education**
- h. Addition: A representative of the Guam Council on the Arts and Humanities Agency (GCAHA).**

PROCEDURES AND GUIDELINES HANDBOOK FOR ART IN PUBLIC BUILDINGS AND BUILDINGS SUPPORTED BY FEDERAL AND GOVERNMENT OF GUAM FUNDS IN THE TERRITORY OF GUAM AND THE PERCENT FOR THE ARTS ENHANCEMENT GRANT PROGRAM

Voting: Each member of the selection committee will have one vote. The majority vote shall determine selection. **Addition: The Committee then makes recommendations to the Director of GCAHA who makes the final decision.**

16. SELECTION PROCEDURE

The Building Owner shall tour the site of the project and designate the various areas where artwork is to be placed. The Selection Committee shall then consider the particular needs of the project including budget, appropriate art forms and mediums and the location based on the building owner's input.

17. Selection Method

Open Competition: The Selection Committee shall solicit artwork samples from artists by a project announcement published no less than three (3) times in a local publication of general circulation.

The selection process may be in two stages whereby a limited number of finalists, selected from the competition will be asked to submit more detailed proposals. **Original Verbiage: Each of the finalists will be paid a professional design fee. Revision: Each of the finalists will be paid a fee for the final commissioned work as approved by the Selection Committee.**

18. Criteria for Selection

- a. **Style and Nature:** Works of art that compliment the environment where the art work is to be displayed. The size of the artwork must also be compatible to the size of the location designated.
- b. **Quality:** The inherent quality of the artwork is the most important criterion for selection.
- c. **Media:** All visual art forms will be considered along with objects relating to or consisting of indigenous art. The artwork can be either portable or permanently fixed. If the artwork is to be permanently placed the Selection Committee will decide if the location identified is structurally capable of maintaining the artwork in terms of relative maintenance of repair costs.
- d. **Permanence:** Due consideration will be given to structural and surface soundness and to permanence in terms of relative excessive maintenance or repair costs.
- e. **Original Verbiage: Method of Acquisition:** Existing works of art specifically commissioned are eligible. **Revision: Method of Acquisition: Existing works of art OR art specifically commissioned works are eligible.**

PROCEDURES AND GUIDELINES HANDBOOK FOR ART IN PUBLIC BUILDINGS AND BUILDINGS SUPPORTED BY FEDERAL AND GOVERNMENT OF GUAM FUNDS IN THE TERRITORY OF GUAM AND THE PERCENT FOR THE ARTS ENHANCEMENT GRANT PROGRAM

19. BUDGET

The selection Committee shall identify the funds available for the project and approve expenditures. The funds will be dispersed as specified by P.L. 31-118.

20. USE OF FUNDS

a. Funds identified may be used for:

1. For the purchase of existing artwork selected or commissioned by the Selection Committee.
2. Design: Artist's professional design fee.
3. Construction: The actual work and materials put into the creation of the artwork.
4. Mounting: Expenses for the purposes of affixing the artwork onto the location specified.

5. Original Verbiage: Maintenance: Expenses incurred towards the mechanical maintenance of the artwork for up to one year after installation. **Revision: Maintenance: Expenses incurred towards the mechanical maintenance of the artwork in perpetuity after installation. Latest comment: I'm not comfortable with the language of "in perpetuity" as this can be forever and can possibly eat all the funds.**

6. Replacement: Artwork that are to be replaced due to irreparable damage.

7. Original Verbiage: Administration: Expenses to cover any administrative costs incurred by the Selection Committee of GCAHA in the selection of artwork. Those costs include but are not limited to hiring of contractual staff, advertisements, supplies and professional services. At least one percent (1%) of the identified funds will be awarded to the Guam Council on the Arts and Humanities Agency for the purposes of contracting administrative staff to coordinate and maintain the program.

Revision: Administration: Expenses to cover any administrative costs incurred by the Selection Committee of GCAHA in the selection of artwork. Those costs include but are not limited to hiring of contractual staff, advertisements, supplies and professional services. At least two percent (2%) of the identified funds will be awarded to the Guam Council on the Arts and Humanities Agency for the purposes of contracting administrative staff to coordinate and maintain the program. Increase of Administrative costs are subject to the discretion of the CAHA Board. Latest comment: My same comments from above about the 2% - Does this need to be included? Having it in the Rules and

PROCEDURES AND GUIDELINES HANDBOOK FOR ART IN PUBLIC BUILDINGS AND BUILDINGS SUPPORTED BY FEDERAL AND GOVERNMENT OF GUAM FUNDS IN THE TERRITORY OF GUAM AND THE PERCENT FOR THE ARTS ENHANCEMENT GRANT PROGRAM

Regs then prevents CAHA from increasing this amount should we find that there is more work than anticipated. The original language of CAHA being able to charge for administrative costs should be sufficient.

8. Plaques and Labels identifying the art work.
9. Frames, mats and pedestals necessary for the presentation of the artwork.
10. Waterworks and electrical and mechanical devices, equipment and site work which are integral parts of the work of art.
11. Original Verbiage: Reproductions of up to 50 high quality limited edition prints, numbered and signed by the artist. Exclusively used for exhibition purposes and will not be for sale. (Subject to approval by the Selection Committee).

Revision: Reproductions of up to 50 high quality limited edition prints, numbered and signed by the artist. Exclusively used for exhibition purposes and will not be for sale. (Subject to the approval by the Selection Committee and to copyright agreements with the artists.)

12. Latest Addition: Funds may also be used to purchase art to be included in the Guam Art Bank managed by GCAHA, it's maintenance and repair when deemed necessary by GCAHA

a. FUNDS IDENTIFIED MAY NOT BE USED FOR:

1. Reproductions, by mechanical or other means, of original works of art, unless mechanical means of reproductions are an integral part of the creative process. (Subject to approval by the selection Committee as mentioned on section (K) on USE ON FUND: Funds Identified May be used for)
2. Decorative, ornamental, or functional elements which are designed by the building architect or consultants engaged by the architect, as opposed to an artist commissioned for this purpose.
3. Those elements generally considered to be components of a landscape architectural design.
4. Art objects which are mass produced or of a standard commercial design, such as playground sculpture or fountains.
5. Directional, or other functional elements, such as super graphics, signage, color coding, maps, etc., except where these elements are an integral part of the original work of art.
6. Those items which are required to fulfill the basic purpose of the contracting agency. Examples would be works of art in the collection of a state museum,

PROCEDURES AND GUIDELINES HANDBOOK FOR ART IN PUBLIC BUILDINGS AND BUILDINGS SUPPORTED BY FEDERAL AND GOVERNMENT OF GUAM FUNDS IN THE TERRITORY OF GUAM AND THE PERCENT FOR THE ARTS ENHANCEMENT GRANT PROGRAM

or works of art fulfilling an interpretive or educational role in a college or university art museum or gallery.

7. Preparation of the site necessary to receive the work of art.
8. Energy and water costs of operation of electrical and mechanical systems.
9. Art exhibitions and educational activities.
10. In connection with the works of art after delivery: registration, dedication, unveiling, insurance and security.
11. Architectural services.
12. Artistic staff salaries, equipment and supplies employed by the building owner.

21. WHO IS ELIGIBLE

Original Verbiage: Selection preference may be given to local artists who have resided in Guam for at least 6 months; who pay taxes in Guam; and are registered with CAHA. Selection preference may be given to local artists.

Revision with latest comment: Selection preference may be given to local artists who have resided in Guam for at least 6 months prior to the first public announcement of the specific project; who pay taxes in Guam; and are registered with CAHA. Selection preference may be given to local artists.

22. RESPONSIBILITIES

- a. Guam Council on the Arts and Humanities Agency in consultation with the various Government agencies and departments needed to comply with the law and the building owner shall:
 1. Be responsible for the selection of the commissioning of artist for, reviewing the design, execution and placement of, and acceptance, of works of art in consultation with the selection committee.
 2. Appoint the selection committee.
 3. Assist the contracting agency in contract negotiation with the artists.
 4. In consultation with the contracting agency, CAHA may transfer works of art between public buildings, whenever, in its judgment, the transfer will be to the benefit of the citizens of Guam. This section only pertains to Government agencies and departments.

PROCEDURES AND GUIDELINES HANDBOOK FOR ART IN PUBLIC BUILDINGS AND BUILDINGS SUPPORTED BY FEDERAL AND GOVERNMENT OF GUAM FUNDS IN THE TERRITORY OF GUAM AND THE PERCENT FOR THE ARTS ENHANCEMENT GRANT PROGRAM

5. Handle public information aspects of the project. All expenses incurred will be the responsibility of the contracting agency.
6. Original Verbiage: Identify and carry necessary maintenance procedures (for up to one year after installation), and maintain accurate records of the collection in partnership with the contracting agency.

Revision with latest comment: Identify and carry necessary maintenance procedures in perpetuity after installation, and maintain accurate records of the collection in partnership with the contracting agency. Same concern about the use of in perpetuity.... - I'm not comfortable with the language of "in perpetuity" as this can be forever and can possibly eat all the funds.

b. The Contracting Agency Shall:

1. Notify the Guam Council on the Arts and Humanities Agency upon Legislative approval of construction/renovation projects which costs over \$100,000. If the contracting agency in this instance must notify GCAHA upon approval of support by either government of Guam funds through tax abatements, rebates, loans, loan guarantees or bonds financing or by Federal Funds administered by the government of Guam.
2. Notify the Guam Council on the Arts Humanities Agency of the Project details.
3. Consult with GCAHA and Selection committee on the determination of budget and selection procedures.
4. Contract with and pay for the architect for administrative and/or design services to be rendered in connection with the commissioning of works of art.
5. See that payment is made for all costs, professional fees, purchases and commissions in accordance with the Guam Law, these rules and GCAHA standards.
6. Provide project coordination to assure timelines of completion.
7. Be responsible for inventory and security of the work; and with advice and consent of the Guam Council on the Arts and Humanities Agency for maintenance and repair.
8. Assist GCAHA with public information aspects of the project, with assistance and approval from GCAHA.

PROCEDURES AND GUIDELINES HANDBOOK FOR ART IN PUBLIC BUILDINGS AND BUILDINGS SUPPORTED BY FEDERAL AND GOVERNMENT OF GUAM FUNDS IN THE TERRITORY OF GUAM AND THE PERCENT FOR THE ARTS ENHANCEMENT GRANT PROGRAM

9. The Guam Council on the Arts and Humanities Agency and the selection Committee must be informed of any changes in the proposed plans, costs, construction completion date or scope of the project before these changes are implemented.
- c. The Architect Shall:
1. Recommend to the Guam Council on the Arts and Humanities Agency and the contracting agency specific sites for works of art and the scale and type of work thought to be most appropriate.
 2. Act as a member of the selection committee.
 3. Work closely with the artist where required, provide engineering and technical assistance to the artist if requested from the contracting agency.
 4. Assure that all service requirements for the work of art met in the design documents and that the work may be installed with relative ease.
- d. The Artist shall:
1. Be commissioned by the contracting agency (Defined as both governmental and private developments) with approval of the Director of the Guam Council on the Arts and Humanities Agency to execute and complete the work in a timely and professional manner. Be in close contact with the contracting agency before and during installation, and transfer title of an existing work of art to the agency for incorporation in its building inventory.
 2. Deal personally with the other parties in all phases of the negotiations. However, the artist (s) may, at their option designate their dealers or agents to represent them in certain aspects of the project.
 3. Copyright: The artist retains those rights concerning the reproduction and of the original artwork for commercial purposes unless specified in the original contract agreed upon by the artist and the contracting agency.
 4. Maintain a close working relationship with the architect and contracting agency on commissioned pieces.
 5. **Addition: The artist shall submit all artwork professionally framed (when appropriate) and ready for installation as per the specifications issued by the selection committee. For art works that will require a more complicated than average installation process the artist shall make themselves available for consultation before or at the time of installation.**

PROCEDURES AND GUIDELINES HANDBOOK FOR ART IN PUBLIC BUILDINGS AND BUILDINGS SUPPORTED BY FEDERAL AND GOVERNMENT OF GUAM FUNDS IN THE TERRITORY OF GUAM AND THE PERCENT FOR THE ARTS ENHANCEMENT GRANT PROGRAM

6. Upon completion of the work (s) or purchased, the artist shall submit to the Guam Council on the Arts and Humanities Agency a detailed description of the work (s) with instructions on its care and maintenance, high resolution digital files, scans and two 8 X 10 glossy photos. The description form shall be submitted concurrently with the final invoice.
7. All plans, drawings, and other materials related to a proposed work of art are the property of the Guam Council on the Arts and Humanities Agency until the final work is installed, at which time such preparatory materials revert to the artist.

23. SCOPE AND NATURE EXPENDITURES

While no more than 1% can be dedicated from capital construction appropriations, it is possible that a dollar total greater than 1% can be expended for art in a project if funds are generated from other sources (i.e., governmental or private funds). The 1% figure is a minimum.

If 1% of total funds appropriated for a particular project is not required for that project, such un-required amounts can be: a) used to acquire art for existing government buildings; b) transferred to another construction project or both, as determined by the Guam Council on the Arts and Humanities Agency, in consultation with the contracting agency. If the contracting agency is a non public building the contracting agency may use these funds to purchase art pieces that will be donated to the people of the territory of Guam, these funds can also be used to fund art related projects, although these expenditures must be approved by the Guam Council on the Arts and Humanities Agency.

Administrative costs of any particular project may be funded through the 1% appropriation and will be limited to the following area:

- a. Supplies and services connected with public information, and artists' prospect for specific projects.
- b. Selection committee per diem, and artist professional fees.
- c. Contractual Services.

24. GENERAL PRINCIPLES AND PROCEDURES

Integration of Art and Architecture: So that artists and architects can gain from each others' design insights and, thereby produce a more integrated solution, all parties should strive for engagement of the artist as soon as possible after the approval of the architect's schematic design phase.

Freedom of Expression: Because of the bold attempt to meld together the imaginations and talents of so many individuals and groups, freedom to reach creative solutions must always be maintained. The artists, on their part, must be sensitive to the unique qualities

PROCEDURES AND GUIDELINES HANDBOOK FOR ART IN PUBLIC BUILDINGS AND BUILDINGS SUPPORTED BY FEDERAL AND GOVERNMENT OF GUAM FUNDS IN THE TERRITORY OF GUAM AND THE PERCENT FOR THE ARTS ENHANCEMENT GRANT PROGRAM

of public art and the guidelines and parameters which, of necessity, may have been agreed upon.

Exhibitions and Educational Aspects: To serve the public more fully the contracting agencies should consider undertaking the following, funded with monies other than those made available under the Act:

- a. Exhibition of sketches and scale models created in open competitions.
- b. Involvement of students and art instructors in workshops with artists creating works.
- c. Tours of those sites which exhibit many works, conducted by trained docents.
- d. Use of State educational and other facilities by the artist in developing concepts and creating the work, so that the people of the territory of Guam can better understand the creative process. Such facilities might studio space, foundries, machine, welding and woodworking shops, printing and photographic facilities.
- e. Filming or Videotaping the creation and installation of the work.

The Guam Council on the Arts and Humanities Agency is available to provide consultative assistance with these matters.

Accessibility of Information: All parties will strive to publicize widely all aspects of the program. All meetings of the Selection Committee are open to the public.

Community Support and advice: While firmly committed to the principle of selection of artists by the selection Committee, the Selection Committee welcomes advice from the interested public.

Conflict of Interest: All procedures will be conducted and all decisions will be made free of any conflict of interest. The Guam Council on the Arts and Humanities Agency will ensure that members of the Selection Committee and the Contracting Agency are not related in any way to the artists submitting portfolios either through kin and/or Business relations.

Dedication: If a dedication or "Unveiling" of work is desired, arrangements shall be the responsibility of the contracting agency in consultation with the Guam Council on the Arts and Humanities Agency.

25. DOCUMENTATION

Documentation:

- A. Original Verbiage: Identification: The Guam Council on the Arts and Humanities Agency will assist the contracting agency with identification which will include plaques or labels identifying the work, which are securely affixed, unobtrusive, and

PROCEDURES AND GUIDELINES HANDBOOK FOR ART IN PUBLIC BUILDINGS AND BUILDINGS SUPPORTED BY FEDERAL AND GOVERNMENT OF GUAM FUNDS IN THE TERRITORY OF GUAM AND THE PERCENT FOR THE ARTS ENHANCEMENT GRANT PROGRAM

well designed. Included should be the name of the artist; if any; medium; and year completed.

Revision: Identification: The Guam Council on the Arts and Humanities Agency will assist the contracting agency with identification which will include a brochure or labels identifying the work, which are securely affixed, unobtrusive, and well designed. Included should be the name of the artist; if any; medium; and year completed.

- B. Registration: The Contracting agency shall maintain accurate inventory records. Copies will be filed with the Guam Council on the Arts and Humanities Agency.
- C. Publications: As Collections grow, contracting agencies are encouraged to publish informative folders and booklets on works of art. The Guam Council on the Arts and Humanities Agency is available to assist with editorial and technical assistance.

CHAPTER V. HOW IT WORKS – The Percent for the Arts Enhancement Grant Program. (P.L. 31-118 Section 2 subsection 852)

Public Law 31-118 establishes the fund. It mandates the Guam Council on the Arts and Humanities Agency to set up the eligibility requirements governing usage of the fund. The Director of CAHA shall include in CAHA rules and regulations, pursuant to the Administrative Adjudication Law, for the disposition of funds to meet the purpose of fostering culture and arts for the development of local artists, our children and the community as a whole.

CHAPTER VI. Purpose of Grants

Original Verbiage: Grants are available to enhance cultural and artistic learning opportunities for our youth and youth organizations. Funds of no more than \$3,000 per project will be awarded to assist in areas of cultural and artistic development. These projects must demonstrate that they are vital to long term learning and development, and support the continued fostering of the arts and cultural education process for the youth.

Revision: Grants are available to enhance cultural and artistic learning opportunities for our youth and youth organizations. Funds will be awarded to assist in areas of cultural and artistic development. Grant applications will be reviewed and administered according to existing CAHA grant review procedures. These projects must demonstrate that they are vital to long term learning and development, and support the continued fostering of the arts and cultural education process for the youth. Latest comment: Will these grants just be folded into the existing grant program? This should be clear. Latest revision to address comment: Revision: The Percent for the Arts Enhancement Grant Program is a program separate of GCAHA's Annual Grant Program. Percent for the Arts Enhancement Grants are available to enhance cultural and artistic learning opportunities for our youth and youth organizations. Funds will be awarded to assist in areas of cultural and artistic development. Grant applications will be reviewed and administered according to existing CAHA grant review procedures. These projects must

PROCEDURES AND GUIDELINES HANDBOOK FOR ART IN PUBLIC BUILDINGS AND BUILDINGS SUPPORTED BY FEDERAL AND GOVERNMENT OF GUAM FUNDS IN THE TERRITORY OF GUAM AND THE PERCENT FOR THE ARTS ENHANCEMENT GRANT PROGRAM

demonstrate that they are vital to long term learning and development, and support the continued fostering of the arts and cultural education process for the youth.

CHAPTER VII. Eligibility

A. Organizations

1. If the applicant is an organization, it must be registered with the government of Guam as a nonprofit organization, or be a bona fide Guam school program, sanctioned by the school's principal and endorsed by the Director of Education, school master or Superintendent of Parochial schools.
2. Organizations that apply for a grant must be in compliance with all applicable laws and regulations.

B. Individuals

1. If the applicant is an individual, he or she must be a permanent resident of Guam.
2. If the applicant is an individual under the age of eighteen years of age, their parent or legal guardian will be able to apply on the minor's behalf.

CHAPTER VIII. Grant Criteria

Revision: Percent for the Arts Enhancement Grants will be awarded only to individuals or non-profit organizations.

CHAPTER IX. Application Process

A. Step One: Submission.

1. **Original Verbiage:** To qualify for a grant, an application must be filled out and submitted to the Agency, along with the following information: **To qualify for a grant, an application must be filled out and submitted to the Agency** **Latest comment: which agency? CAHA? Should be clarified**, along with the following information: **Latest Revision based on comment: To qualify for a grant, an application must be filled out and submitted to the Agency - GCAHA along with the following information:**

A nonprofit organization requesting funds must provide a copy of its articles of incorporation of other proof of registration as a nonprofit organization with the government of Guam. A requesting school must submit a letter from the school's principal and the Director of Education, school master or Superintendent of Parochial Schools, endorsing the organization.

2. Grant applications which do not comply with the requirements of Step One shall not be considered complete and eligible for certification.

B. Step Two: Certification.

PROCEDURES AND GUIDELINES HANDBOOK FOR ART IN PUBLIC BUILDINGS AND BUILDINGS SUPPORTED BY FEDERAL AND GOVERNMENT OF GUAM FUNDS IN THE TERRITORY OF GUAM AND THE PERCENT FOR THE ARTS ENHANCEMENT GRANT PROGRAM

The Director will certify the grant application as to its completeness. If the application is not complete, the Agency will send a notification to the applicant either via email or by certified mail informing them of the application's status and that proper adjustment need to be made within 15 days of notification. The Director will certify the grant application as to its completeness. If the grant application is not complete, the Agency will mail a non-certification form to the grant applicant for proper adjustment.

C. Step Three: Consideration.

1. **Original Verbiage:** A certified grant application shall be submitted by the Director to the Board for consideration during the next grant review cycle for the program. Applications will be reviewed and considered by the Board on a biannual basis, every January and June of a calendar year. **Revision:** A certified grant application shall be submitted by the Director to the Board for consideration during the next grant review cycle for the Percent for the Arts Enhancement Program. Applications will be reviewed and considered by the Board on an annual basis, every September of a calendar year.
2. The Board shall approve grant applications in accordance with the purposes stated in Chapter VI of these regulations. Grant applications will be reviewed and administered according to existing CAHA grant review procedures.
3. The Board will not consider any grant application unless Steps One and Two have been completed.

CHAPTER X. Disbursement of Funds

- A. The Director shall manage the Fund and the Agency's certifying officer shall be the Fund's certifying officer.
- B. Upon Board approval of the application, the Agency shall process the necessary paperwork for the grant.
- C. Within thirty days after completion of project/program, the grantee shall provide the Director with a report and an accurate expenses report reflecting the expenditure of all government of Guam funds.

CHAPTER XI. Misuse of Funds

- A. Any person who willfully misuses a grant received under these regulations shall be guilty of a petty misdemeanor and subject to a fine not to exceed \$500.
- B. If the grantee is delinquent in submitting the detailed narrative and expenditure report required by Chapter X, Section C, the Agency shall send a written notice, certified mail, return receipt requested, to the grantee giving the grantee fifteen days from the date of receipt of the notice to submit the report. Grantees failure to comply may be deemed a violation of said chapter.

PROCEDURES AND GUIDELINES HANDBOOK FOR ART IN PUBLIC BUILDINGS AND BUILDINGS SUPPORTED BY FEDERAL AND GOVERNMENT OF GUAM FUNDS IN THE TERRITORY OF GUAM AND THE PERCENT FOR THE ARTS ENHANCEMENT GRANT PROGRAM

- C. Addition: If the grantee breaches any provision of the grant agreement or grantee fails to complete the grant project, grantee shall return immediately any all funds previously received from the grantor for which grantor has made written demand.

CHAPTER XI. Grant Limitations

- A. Only one grant from the Fund can be awarded per organization program or individual per year.

Delete B: The maximum grant amount for each organization or individual cannot under any circumstances exceed \$3,000.

- B. All grants awarded through the Agency are contingent upon the availability of funds and final approval by the governor.

CHAPTER XII. Recording Requirements

Reporting Requirements – Art in Public Buildings and Buildings Supported by Federal and Government of Guam Funds in the Territory of Guam and the Percent for the Arts Enhancement Grants Program.

On the first (1st) day of each fiscal quarter the CAHA Director shall provide I Maga'lahaen Guahan and the Speaker of I Liheslaturan Guahan and post on the CAHA website a detailed report of how the funds were allocated and utilized.

- A. The quarterly report for the Art in Public Buildings and Buildings Supported by Federal and Government of Guam Funds in the Territory of Guam shall include the following information concerning the use of the Fund:

1. The number and names of projects.
2. The amount allocated towards the program per project.
3. Other pertinent data concerning management of the fund.

- B. The quarterly report for the Percent for the Arts Grants Enhancement Program shall include the following information concerning the use of the Fund:

1. The number and names of applicants.
2. The number, names of grantees and amounts of grants awarded.
3. Other pertinent data concerning management of the fund.

Furthermore, the Guam Council on the Arts and Humanities Agency shall annually make a public report on all Art in Public Buildings and Buildings Projects Supported by Federal and Government of Guam Funds in the Territory of Guam and the Percent for the Arts Enhancement Grants Programs of the previous year.

CHAPTER XIII. SEVERABILITY P.L. 31-118 Section 4

PROCEDURES AND GUIDELINES HANDBOOK FOR ART IN PUBLIC BUILDINGS AND BUILDINGS SUPPORTED BY FEDERAL AND GOVERNMENT OF GUAM FUNDS IN THE TERRITORY OF GUAM AND THE PERCENT FOR THE ARTS ENHANCEMENT GRANT PROGRAM

If any provisions of this Law or its application to any person or circumstance is found to be invalid or contrary to law, such invalidity shall not affect other provision or applications of this Law which can be given effect without the invalid provision or applications and to this end the provisions of this Law are severable.

IN CONCLUSION

Guam's 1% Program is dedicated to placing visual art of the highest quality by contemporary and traditional artists where the people of the Territory of Guam can appreciate. In so doing, the Territory of Guam is building a significant art collection of historic value for its people. Furthermore, it will enrich the lives of our children, local artists and the community as a whole.

EDDIE BAZA CALVO
Governor



RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

October 4, 2011

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Unu Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 10/4/11
Time 4:00P
Received by [Signature]

Dear Madame Speaker:

Transmitted herewith is Substitute Bill No. 240-31 (COR) "AN ACT TO AMEND §§850, 852 AND 853 OF ARTICLE 2, CHAPTER 8 OF TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO ARTS IN BUILDINGS AND FACILITIES", which was signed into law on September 30, 2011 as Public Law 31-118.

Senseramente,


EDDIE BAZA CALVO

Attachment: copy of Bill

Ricardo J. Bordallo Governor's Complex • Adelup, Guam 96910
Tel: (671) 472-8931/6 • Fax: (671) 477-4826 • www.governor.guam.gov

**I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session**

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

This is to certify that Substitute Bill No. 240-31 (COR), "AN ACT TO AMEND §§850, 852 AND 853 OF ARTICLE 2, CHAPTER 8 OF TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO ARTS IN BUILDINGS AND FACILITIES," was on the 19th day of September, 2011, duly and regularly passed.



Judith T. Won Pat, Ed.D.
Speaker

Attested:



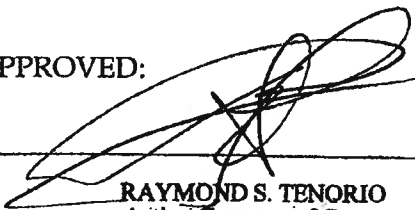
Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 20th day of Sept., 2011, at 4:10 o'clock P.M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:



RAYMOND S. TENORIO
Acting Governor of Guam

Date:

SEP 30 2011

Public Law No. 31-118

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 240-31 (COR)

As substituted by the Committee on Youth,
Cultural Affairs, Procurement, General Government Operations
and Public Broadcasting, and the Author.

Introduced by:

Aline A. Yamashita, Ph.D.
T. C. Ada
V. Anthony Ada
F. F. Blas, Jr.
B. J.F. Cruz
Chris M. Dueñas
Judith P. Guthertz, DPA
Sam Mabini, Ph.D.
T. R. Muña Barnes
Adolpho B. Palacios, Sr.
v. c. pangelinan
Dennis G. Rodriguez, Jr.
R. J. Respicio
M. Silva Taijeron
Judith T. Won Pat, Ed.D.

**AN ACT TO AMEND §§850, 852 AND 853 OF ARTICLE
2, CHAPTER 8 OF TITLE 1, GUAM CODE
ANNOTATED, RELATIVE TO ARTS IN BUILDINGS
AND FACILITIES.**

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

2 **Section 1.** §850 of Article 2, Chapter 8 of Title 1, Guam Code Annotated,
3 is hereby *amended* to read as follows:

4 **“§ 850. Purpose.**

1 The government of Guam recognizes its responsibility to foster
2 culture and the arts and the necessity for the development of the arts,
3 beginning with our young children and throughout the community. *I*
4 *Liheslatura* (the Legislature) declares it to be policy that a portion of
5 appropriations for capital expenditures for public buildings be set aside for
6 the acquisition of works of art to be used in such buildings and in any
7 buildings intended for use of the general public to the extent that the
8 construction or improvement of such non-public buildings is supported by
9 either federal or government of Guam tax incentives or other subsidy
10 arrangement.”

11 **Section 2.** §852 of Article 2, Chapter 8 of Title 1, Guam Code Annotated,
12 is hereby *amended* to read as follows:

13 **“§ 852. Arts in Public Buildings and Buildings Supported by**
14 **Public Funds.**

15 (a) Plans for public buildings and buildings supported by federal or
16 government of Guam subsidy which contain public areas, and plans for
17 remodeling or renovation of public buildings or facilities where the total cost
18 of construction, remodeling or renovation exceeds the sum of One Hundred
19 Thousand Dollars (\$100,000) *shall* contain provisions for the inclusion of
20 works of art, by local artists if available, including, but *not* limited to,
21 sculptures, paintings, murals or objects relating to or consisting of native art
22 as defined in §851 of this Chapter. The owner of the building *shall* also
23 have the option of allotting *at least* one percent (1%) of the overall
24 construction, remodeling or renovation cost of a building to the Guam
25 Council on the Arts and Humanities Agency (CAHA) in lieu of the inclusion
26 of works of art. If artwork plans are selected, however, a representation of
27 the final selection *shall* be published in a newspaper of general circulation

1 and/or the online version of the newspaper for public screening prior to
2 implementation.

3 (b) Before issuance of the occupancy permit for such construction,
4 remodeling or reconstruction the owner of the building must obtain
5 clearance from the Guam Council on the Arts and Humanities Agency that
6 the provisions of this Chapter are being complied with.

7 (c) *At least* one percent (1%) of the overall construction,
8 remodeling or renovation cost of a building described in Subsection (a) of
9 this Section *shall* be reserved for the purposes of the design, construction,
10 mounting, maintenance and replacement, and administration of works of art
11 by CAHA in the public area of such a building, or the owner *shall* give the
12 amount to CAHA.

13 The Director of CAHA *shall* include in CAHA rules and regulations,
14 pursuant to the Administrative Adjudication Law, for the disposition of
15 funds to meet the purpose of fostering culture and the arts for the
16 development of local artists, our children and the community as a whole.

17 The Director of Public Works *shall* ensure that no construction,
18 remodeling or renovating of a public building, or building supported by
19 government of Guam funds, is granted an occupancy permit without this
20 Chapter being complied with.

21 (d) Such buildings with an overall construction cost of *less than*
22 One Hundred Thousand Dollars (\$100,000) are exempted from the
23 requirements of the Chapter *unless* inclusion of works of art in their design
24 and construction is specifically authorized by the owner.

25 (e) The artist who creates these works of art *shall* be selected as
26 provided in Subsection (f) of this Section.

1 (f) The Director of CAHA *shall* develop rules and regulations,
2 pursuant to the Administrative Adjudication Law, for the selection of works
3 of art under this Chapter, and *shall* open competition for awarding any art
4 contract under this Chapter by:

5 (1) soliciting proposals from local artists by a project
6 announcement published *no less than* three (3) times in a local
7 publication of general circulation in print and online versions; and

8 (2) appointing a selection committee consisting of five (5)
9 members to review all proposals and report to the Director the results
10 of its deliberations regarding the proposed art contract. Such
11 committee *shall* include a representative of the building's owner or of
12 the agency or department involved, the project architect, the
13 municipal commissioner from the project site, and *at least* two (2)
14 practicing artists from Guam. The final decision regarding the use of
15 art work and the selection committee's recommendations *shall* be by
16 the Director of CAHA, who *shall* be the contracting officer for any art
17 contract executed pursuant to this Chapter.

18 (g) The Director of CAHA *shall* include in CAHA rules and
19 regulations, pursuant to the Administrative Adjudication Law, procedures
20 for the acceptance of funds as stated in this Section.

21 (1) An account *shall* be established which *shall* be
22 maintained separate and apart from other funds of the government of
23 Guam, *shall* be kept in a separate bank account, and *shall not* be
24 subject to any transfer authority of *I Maga'lahaen Guåhan*. Funds
25 *shall* remain in such account and expended by CAHA for the purposes
26 mandated in this Section. Said Fund *shall* be examined and reported

1 upon as required by law by the Director of CAHA who will serve as
2 the certifying officer of said Fund.

3 (2) On the first (1st) day of each fiscal quarter, the CAHA
4 Director *shall* provide to *I Maga'lahaen Guåhan* and the Speaker of *I*
5 *Liheslaturan Guåhan*, and post on the CAHA website, a detailed
6 report of how funds were allocated and utilized.

7 **(h) Enforcement.**

8 (1) CAHA *shall* identify public buildings in non-compliance
9 with this Section and send written notices within ten (10) working
10 days. Upon receipt of the notice, recipients have two (2) weeks
11 (fourteen (14) calendar days) to acknowledge, in writing, receipt.
12 Recipients will be given *up to* one (1) fiscal year to comply with this
13 Section.

14 (2) The Guam Economic Development Authority (GEDA)
15 *shall* ensure that current Qualifying Certificate (QC) program
16 beneficiaries are in compliance with this Section.

17 (3) For monitoring purposes, GEDA *shall* provide to CAHA
18 a list of past and current QC recipients. CAHA will determine
19 whether former QC recipients complied with Subsections (a) and (c),
20 and notify them in writing if non-compliance was determined. Upon
21 receipt of the notice, recipients have two (2) weeks (fourteen (14)
22 calendar days) to acknowledge, in writing, receipt. Recipients will be
23 given *up to* one (1) fiscal year to comply with this Section.

24 (4) CAHA *shall* provide to the Department of Revenue and
25 Taxation a list of QC recipients who fail to comply with this Section.
26 The Department of Revenue and Taxation *shall* refuse to grant
27 renewal of business licenses for current and past QC recipients in

1 noncompliance, until the CAHA Director issues a written
2 confirmation of compliance.”

3 **Section 3.** §853 of Article 2, Chapter 8 of Title 1, Guam Code Annotated,
4 is hereby *amended* to read as follows:

5 **“§ 853. Inclusion of Chamorro Artistry or Guam History**
6 **Elements in Government Buildings.**

7 (a) **Government of Guam Buildings and Structures.** All
8 government of Guam buildings and structures *shall* contain elements of
9 either Guam history or of *Chamorro* artistry costing up to a maximum of
10 three percent (3%) of the aggregate of the architectural and engineering, the
11 construction or the renovation budgets therefore. Such elements may be
12 made part of the internal or external physical structure of the building or
13 structure and may be within the main part of the building or structure or
14 separated from the main part. In complying with the provisions of this
15 Section, a contractor for the government agency constructing the building or
16 structure may consult with CAHA as to the various types of *Chamorro* or
17 historic Guam artistic elements. The Department of Public Works
18 (Department) *shall* monitor noncompliance with this Section during its plans
19 approval process, *unless* such plans are exempted in accordance with
20 Subsection (b) of this Section. If the Department determines that a non-
21 exempted project does *not* comply with this Section, it *shall* refuse to issue
22 either a building permit or an occupancy permit (as the case requires) for
23 such project until compliance.

24 (b) **Exceptions to Applicability.** Buildings and structures
25 constructed for use as shelters for utility facilities, or utility operations, are
26 *not* subject to Subsection (a) of this Section.

1 (c) **Compliance.** Government of Guam agencies found in non-
2 compliance of this Section *shall* be given up to one (1) fiscal year to comply.
3 CAHA *shall* ensure compliance with this Section.

4 (d) **Government Leased Spaces.** Government of Guam agencies
5 leasing spaces are *not* exempt from this Section, and if found in non-
6 compliance will be given up to one (1) fiscal year to comply. CAHA *shall*
7 ensure compliance with this Section.”

8 **Section 4. Severability.** *If* any provision of this Law or its application to
9 any person or circumstance is found to be invalid or contrary to law, such
10 invalidity *shall not* affect other provisions or applications of this Law which can be
11 given effect without the invalid provisions or application, and to this end the
12 provisions of this Law are severable.

I MINA'TRENTAI TRES NA LIHESLATURAN GUÁHAN
2015 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÁHAN

This is to certify that Bill No. 19-33 (COR), "AN ACT TO ADD A NEW § 852(f)(3) OF CHAPTER 8, ARTICLE 2 OF TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO ARTS IN BUILDINGS AND FACILITIES," was on the 20th day of February, 2015, duly and regularly passed.



Judith T. Won Pat, Ed.D.
Speaker

Attested:



Tina Rose Mufia Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guáhan* this 23rd day of FEB, 2015, at 4:38 o'clock P..M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



RAYMOND S. TENORIO
Acting Governor of Guam

Date: FEB 25 2015

Public Law No. 33-05

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2015 (FIRST) Regular Session

Bill No. 19-33 (COR)

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

Introduced by:

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

**AN ACT TO *ADD* A NEW § 852(f)(3) OF CHAPTER 8,
ARTICLE 2 OF TITLE 1, GUAM CODE ANNOTATED,
RELATIVE TO ARTS IN BUILDINGS AND
FACILITIES.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that in 2016, Guam will host the Festival of the Pacific Arts (FestPac), a region-
4 wide festival celebrating the various arts and cultures of the Pacific. *I Liheslaturan*
5 *Guåhan* further finds that as the host of FestPac 2016, Guam will choose what

1 kinds of events to highlight, although traditional performances, arts and craft
2 displays and demonstrations, music and story-telling are often part of the many
3 activities available for participants. Hosting the Pacific-wide festival represents an
4 important and exciting opportunity to highlight cultural identity and heritage
5 among a diverse group of Pacific islanders and adequate funding is necessary to
6 have a successful event.

7 **Section 2.** A new § 852(f)(3) of Chapter 8, Article 2 of Title 1, Guam
8 Code Annotated, is hereby *added* to read as follows:

9 “(3) Notwithstanding any rules or regulations governing the Arts in
10 Public Buildings and Facilities, FestPac *shall* be exempted from the number
11 of grants the organization may receive per year and the maximum amount of
12 the grant(s) the organization may receive. The aforementioned exemption
13 *shall* sunset on June 30, 2016.”



Office of the Governor of Guam

P.O. Box 2950 Hagåtña, Guam 96932

TEL: (671) 472-8931 • FAX: (671) 477-4826 • EMAIL: governor@mail.gov.gu

Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

FEB 16 2010

The Honorable Judith T. Won Pat, Ed.D.
Speaker
Mina' Trenta Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

RECEIVED
FEB 16 2010
10:45 AM
[Signature]

Dear Speaker Won Pat:

Transmitted herewith is Bill No. 189-30(COR) "AN ACT TO CREATE THE 12TH FESTIVAL OF PACIFIC ARTS COORDINATING COMMITTEE" which I signed into law on February 8, 2010 as **Public Law 30-83**.

Sinseru yan Magåhet,

FELIX P. CAMACHO
I Maga'låhen Guåhan
Governor of Guam

Attachment: copy of Bill

30-10-0155
[Signature] 2/17/10
3:40p

1624

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) Regular Session

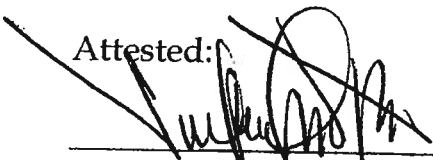
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Substitute Bill No. 189-30 (COR), "AN ACT TO CREATE THE 12TH FESTIVAL OF PACIFIC ARTS COORDINATING COMMITTEE," was on the 22nd day of January, 2010, duly and regularly passed.



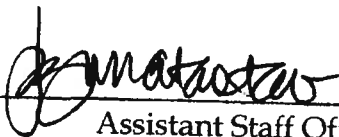
Judith T. Won Pat, Ed. D.
Speaker

Attested:



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 27 day of Jan, 2010, at
4:00 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



FELIX P. CAMACHO
I Maga'lahen Guåhan

Date: FEB 08 2010

Public Law No. P.L. 30-83

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

Bill No. 189-30 (COR)

As substituted by the Committee on Tourism,
Cultural Affairs, Youth, and Public Broadcasting,
amended on the Floor.

Introduced by:

J. V. Espaldon
B. J.F. Cruz
R. J. Respicio
Telo Taitague
T. C. Ada
F. B. Aguon, Jr.
F. F. Blas, Jr.
E. J.B. Calvo
Judith P. Guthertz, DPA
T. R. Muña Barnes
Adolpho B. Palacios, Sr.
v. c. pangelinan
Ray Tenorio
Judith T. Won Pat, Ed.D.

**AN ACT TO CREATE THE 12TH FESTIVAL OF
PACIFIC ARTS COORDINATING COMMITTEE.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings. The Festival of Pacific Arts is recognized as a major international cultural event, and is the largest gathering in which Pacific peoples unite to gain respect for, and appreciation of, one another within the context of the changing Pacific. The hosting of the 12th Festival of Pacific Arts in 2016 will be one of Guam's major cultural, technical, and economic challenges, requiring broad community participation and cooperation. The Festival

1 will also provide tremendous opportunities for social and cultural exchanges,
2 especially with the exposure of local products, all of which can be used to enhance
3 tourism within our island. The hosting of this Festival in 2016 will be an
4 opportune time for the people of Guam to involve and educate the thousands of
5 newcomers to our island about who we are as *Chamorros*, coupled with the
6 uniqueness of our culture as Pacific Islanders, and the importance of maintaining,
7 perpetuating, and respecting our cultural identity.

8 **Section 2. Coordinating Committee Created.** There is hereby
9 established, under the Office of *I Maga'lahañ Guåhan* (the Governor of Guam),
10 the 12th Festival of Pacific Arts Coordinating Committee, whose duties and
11 responsibilities shall include:

12 (a) The organization of committees and sub-committees for the
13 implementation of programs and other work deemed necessary and requisite for
14 the successful conduct of the 12th Festival Of Pacific Arts to be held on Guam in
15 2016;

16 (b) The preparation and execution of plans, programs, and budgets
17 requisite for the preparation for and successful conduct of the 12th Festival of
18 Pacific Arts by Guam;

19 (c) The management of funds, equipment, and other properties,
20 appropriated, loaned, contributed to, or raised for the purpose of preparing for and
21 conducting the 12th Festival of Pacific Arts in Guam;

22 (d) The submission of regular reports to *I Maga'lahañ Guåhan* (the
23 Governor of Guam) and to the Speaker of *I Liheslatura* (the Legislature), itemizing
24 and detailing the progress being made for and toward the purposes set out in this
25 Section; and

1 (e) The submission of such other reports as may be, from time to time,
2 required by *I Maga'lahi* (the Governor) or the Speaker of *I Liheslatura* (the
3 Legislature).

4 **Section 3. Composition.** The following *shall* constitute the membership
5 of the 12th Festival of Pacific Arts Coordinating Committee (the "Committee"):

6 (a) The President of the Department of *Chamorro* Affairs; JOSEPH CANEYON

7 (b) the Executive Director of the Guam Council on the Arts and
8 Humanities Agency; MELICA GUZMAN - CHAIRPERSON
JACKIE PALPITAS - STAFF

9 (c) three (3) members, to be appointed by *I Maga'lahi* (the Governor),
10 representing the organizations active in the promotion of the arts on
11 Guam; AND MARIE ARCO
JUDY FIGUEROA
FRANK CAMBON

12 (d) a member of the Mayors' Council of Guam, appointed by the
13 President of the Mayors Council; MELISSA SERRANO

14 (e) two (2) members of *I Liheslatura*, to be appointed by the Speaker,
15 who may designate himself; SPEAKER WOLFE
FRANK HERRERA
FRANK BOYD

16 (f) the Chairperson of the Committee on Cultural Affairs of *I*
17 *Liheslaturan Guåhan* or its successor; PRESIDENT TUDY ADDA
SENATOR B. J. CRUTE

18 (g) the Chairperson of the Board of Directors of the Guam Visitors
19 Bureau or his designee; and THESE APPOINTED

20 (h) the Speaker of the Guam Youth Congress or his designee. ALLAN ANDREW ORSINI
PRESIDENT ANTHONY QUENG

21 **Section 4. Officers.** The Committee *shall* elect its chairperson, who *shall*
22 be the Committee's presiding officer, its vice chairperson, its secretary and its
23 treasurer, and *shall* assign such duties to each office as it deems necessary. The
24 Committee *shall* establish such rules of order or procedure as it deems appropriate.



Guam Council on the Arts & Humanities Agency

Kahan I Kutturán Guahan

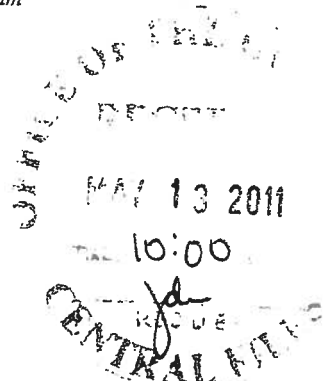
Honorable Edward J.B. Calvo
Governor of Guam

Honorable Ray S. Ternorio
Lieutenant Governor of Guam

Joseph Artero-Cameron

The Honorable Eddie Baza Calvo
Governor of Guam
Office of the Governor
P.O. Box 2950
Hagatna, Guam 96932

May 12, 2011



RE: 11th Festival of Pacific Arts

Dear Governor Calvo:

Hafa Adai. As you are aware, Guam secured the bid to host the 12th Festival of Pacific Arts in 2016. An event of that magnitude would require major funding, early strategic planning, organization and board community participation to ensure its success. This event will bring global attention to Guam and is an opportunity to showcase our unique culture to the world. As a result, Public Law 30-83 was enacted. This law was the enabling legislation that established the 12th Festival of Pacific Arts Coordinating Committee. Held every four years, FestPac is the largest cultural gathering in which 27 Pacific island nations come together to share and appreciate their culture. Typically, Guam's participation in the festivals is coordinated by the lead agency appointed by the Governor. Guam's participation in past festivals has been spearheaded by the Guam Council on the Arts and Humanities Agency (1988, 1992, 1996 and 2008), Department of Chamorro Affairs (2004) and Bureau of Statistic and Planning (2000).

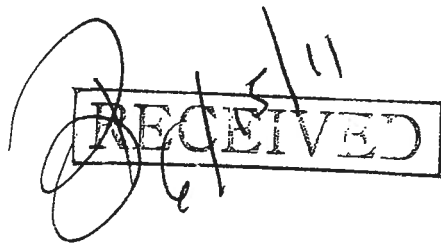
The 11th Festival of Pacific Arts is scheduled for 2012 in the Solomon Islands. As the next host of the festival, Guam will be highlighted and a focus of attention during that event. Since the festival is only one year away, it is crucial that you designate an authority soon to oversee Guam's participation in the 11th Festival of Pacific Arts in the Solomon Islands. At the last two meeting of the 12th Festival of Pacific Arts Coordinating Committee, the membership concurred that for purposes of continuity, that the same committee also organize and oversee Guam's involvement at the 2012 festival in the Solomon Islands. (See attached minutes) Therefore, I humbly request the following:

1. That the 12th Festival of Pacific Arts Organizing Committee be appointed to oversee Guam's participation at the 11th Festival of Pacific Arts in the Solomon Islands in 2012; and
2. That the Guam Council on the Arts and Humanities Agency serve as the lead Government of Guam Agency to fundraise and coordinate Guam's participation at the 11th Festival of Pacific Arts in the Solomon Islands in 2012; and
3. That June 26 – July 9, 2016 be sanctioned as the official dates of the 12th Festival of Pacific Arts in Guam.

Si Yu'os Ma'ase for your prompt attention and consideration to this matter.

Sincerely,

Joseph Artero-Cameron



Attachments

Cc: Ray Ternorio, Lt. Governor
Frank Arriola, Chief of Staff
Rose Ramsey, Deputy Chief of Staff
Troy Torres, Director of Communications

CF00511-1804

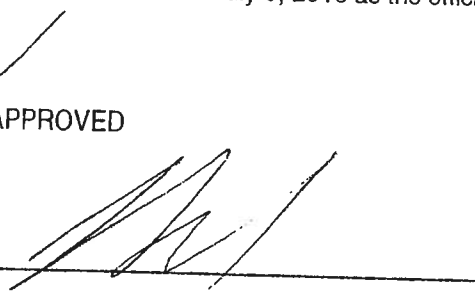
In the spirit of continuity and efficient planning, I, the Honorable Edward B. Calvo, Governor of Guam, hereby:

- Appoint the 12th Festival of Pacific Arts of Pacific Arts Coordinating Committee to oversee Guam's participation in the 11th Festival of Pacific Arts scheduled for July 1 – 14, 2012 in the Solomon Islands.
- Appoint the Guam Council on the Arts and Humanities Agency to serve as the lead Government of Guam Agency to fundraise and coordinate Guam's participation at the 11th Festival of Pacific Arts.
- Sanction June 26 – July 9, 2016 as the official dates of the 12th Festival of Pacific Arts in Guam.

APPROVED

DISAPPROVED

Signature



Date

11.12.15
VIA EMAIL

Dear Siñot Cameron and CAHA Board Members:

With humility, I apologize that I must report that my project is not yet completed. I have tasked our artist with the portraits but he has not yet completed them. We expect that they may be submitted within one month. I have also tasked our translator/transcribers with their duties, which they have not yet completed, but are expected to be completed by the end of the year. I have also been told by our IT friend that one interview unfortunately was destroyed and another one has not been transmitted to me as it was held by our cameraman in Saipan and the typhoon has still impaired communications. We are seeking to do what we can about this at present. I will do follow-up interviews as possible.

I sincerely apologize as I am very late at this point and I must write to request an extension of some time from you. I ask humbly that you will allow us until December 2015, if possible, to submit our final project. We are most grateful for your very generous assistance and support on this project and are excited to complete it and launch our CAHA-sponsored website art and Chamorro-language interview project.

Best,
Isa

Elizabeth Kelley Bowman, Ph.D.
Assistant Professor of Comparative Literature
Chair/Coordinator, Women and Gender Studies
Unibetsedât Guåhan

FY 2015 APPROPRIATION ACCOUNTS

FY2015 CAHA Appropriation - As of: 12.01.15

<u>General Fund</u>	<u>Total</u>		<u>Outstanding</u>		<u>Unallotted</u>
	<u>Appropriation</u>	<u>Expenditures</u>	<u>Encumbrance</u>	<u>Available</u>	<u>Monthly Release</u>
Salaries	205932	211522.56		\$ 84.84	+
Benefits	76867	81186.25		\$ 45.79	+
In Direct Cost					

Anticipated Salaries/Benefits Expense til end of fiscal year:

<u>Operations</u>					
Travel	6691	9743.67	835	\$ 3,590.33	+
Contractual	55564	30442.63	4149.67	\$ 6,274.40	+
Office Space Rental	75352	75352		\$ -	
Supplies	3094	3629.6	6.45	\$ 210.95	+
Equipment	690	504	4000	266	+
Sub Grants	155310	145898.72	2490.97	\$ 110.31	+
Miscellaneous				\$ -	
Telephone	3500	2655.75		\$ 0.11	+
	\$ 583,000.00	\$ 560,935.18	\$ 11,482.09	\$ 10,582.73	\$ -

SUSTAINABILITY BLDG WORKSHOPS (FESTPAC) - Tourist Attraction Fund
 Balance as of 11.23.2015 Available Reserve
 \$ 9,751.31 + \$ 4,500.00

FY 2016 APPROPRIATION ACCOUNTS

FY2016 CAHA Appropriation - As of: 12.01.2015 (Local / Federal Match Account)

	Total	Outstanding	Unallotted
<u>General Fund</u>	<u>Appropriation</u>	<u>Expenditures</u> <u>Encumbrance</u>	<u>Monthly Release</u>
Salaries	217313	24692	\$ 183,853.00
Benefits	79444	9047.85	\$ 70,396.15
In Direct Cost			
			\$ 263,017.15
			\$ (259,880.45)
			\$ 3,136.70
Operations			
Travel		0	\$ -
Contractual	39391	14486.95	\$ 15,346.80
Office Space Rental	80852	74114.7	\$ 6,737.30
Supplies	5000	20.95	\$ 4,100.00
Equipment			\$ -
Sub Grants	160000		\$ 160,000.00
Miscellaneous			\$ -
Telephone	3000	277.39	\$ 2,722.61
	\$ 585,000.00	\$ 43,318.05	\$ 192,043.41
		\$ 89,758.09	\$ 254,817.00
			(12,000.00) Copier Lease
			(6,737.70) Office/Gallery Lease
			(4,100.00) Supplies
			(159,700.00) Sub Grants
			(3,058.00) Tel / DSL (\$278 x 11 mos)
			\$ 6,447.71 Balance

Anticipated Salaries/Benefits Expense til end of fiscal year:

FY2016 CAHA Appropriation - As of: 12.01.15 (Local Overmatch Account)

	Total	Outstanding	Reserve
<u>General Fund</u>	<u>Appropriation</u>	<u>Expenditures</u> <u>Encumbrance</u>	<u>Available</u>
Salaries	78925		\$ 78,925.00
Benefits	38546		\$ 38,546.00
Contractual	1093		\$ 1,093.00
			\$ 117,471.00

NON-APPROPRIATED / REVOLVING ACCOUNTS

12.01.2015

Revolving Fund Account

Balance on Register as of 11.18.2015 \$ 14,641.82
Louis Vuitton Masters Project \$ (8,700.00)
FESTPAC Workshops (GVB Sponsorship) \$ (2,875.00)
Actual Balance to Date \$ 3,066.82

% for the Arts Account

Balance on Register as of 04.09.15 \$ 7,981.60

FESTPAC Revolving Fund Account

Balance on Register as of 11.24.2015 \$ 2,550,957.79