

I Mina'trentai Ocho Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
213-38 (COR)	Sabina Flores Perez Therese M. Terlaje Chris Barnett V. Anthony Ada Shelly V. Calvo	AN ACT TO AMEND § 76102, § 76103, § 76104 ALL OF ARTICLE 1, AND CHAPTER 76, TITLE 21 GUAM CODE ANNOTATED, RELATIVE TO CLARIFYING THE ROLE OF THE GUAM HISTORIC RESOURCES DIVISION IN REVITALIZING AND PROMOTING PRESERVATION OF HISTORIC SITES AND CULTURAL LANDSCAPES OF GUÅHAN.	10/28/25 8:24 a.m.						

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. 213-38 (COR)

Introduced by:

Sabina Flores Perez 
Therese M. Terlaje 
Chris Barnett 
V. Anthony Ada 
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**AN ACT TO *AMEND* § 76102, § 76103, § 76104 ALL OF
ARTICLE 1, AND CHAPTER 76, TITLE 21 GUAM CODE
ANNOTATED, RELATIVE TO CLARIFYING THE ROLE
OF THE GUAM HISTORIC RESOURCES DIVISION IN
REVITALIZING AND PROMOTING PRESERVATION
OF HISTORIC SITES AND CULTURAL LANDSCAPES
OF GUÅHAN.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan*
finds that the preservation of archeological sites together with the surrounding
natural landscape is critical to preserving the cultural heritage of the indigenous
people, the *CHamorus*, who have lived for over Three Thousand Five Hundred
(3,500) years on *Guåhan* and the Mariana Island archipelago. Additionally,
connection to the environment was intertwined with culture characteristic of
indigenous societies that cultivated sustainability.

I Liheslatura finds that there is an urgent need to revitalize this balanced
relationship due to increased developmental pressures and rapid destruction of our
natural and cultural sites. The practice of salvage archeology that documents the site

1 prior to removal of artifacts, burials, latte structures, and other historic properties
2 destroys and disrupts our connection to our past, because our culture, like an
3 ecosystem, needs its environment to sustain itself. With each artifact, with each
4 pottery shard and the flora and fauna, they provide information to sustain a culture,
5 information of where we come from and how we have come to be. With every
6 destruction of native habitat and of our archeological sites, it's the same as cutting
7 roots of our culture. If this destruction continues we have less and less connection to
8 our origins as a people that ties into preserving our culture and environment.
9 Therefore, it is necessary to promote and support preservation in place within our
10 island community.

11 *I Liheslatura* further finds that the Guam Historic Resources Division within
12 the Department of Parks and Recreation serves the critical regulatory function of
13 reviewing and determining cultural and historic properties throughout Guam, and
14 therefore, this Division is the prime candidate to establish a comprehensive program
15 for historic preservation, restoration, and presentation for both public and private
16 property, which does not currently exist, but it is urgently needed.

17 *I Liheslatura Guåhan* intends to update our historic preservation statute to
18 include the cultural landscape that hold clues of our ancestral past and to clarify the
19 Guam Historic Resources Division to be the lead government entity in historic
20 preservation.

21 **Section 2.** § 76102, § 76103, § 76104, all of Article 1, Chapter 76, Title 21
22 of Guam Code Annotated, are hereby *amended* to read:

23 **“§ 76102. Definitions.**

24 When used in this Chapter, ~~department~~ ‘Department’ means the *Department of*
25 *Parks and Recreation.*

1 (a) Cultural landscape means a geographical area that is significant due to
2 their cultural, natural, aesthetic and historical values and resources, particularly
3 in connection to indigenous practices and heritage.

4 ~~(a)~~(b) Historic preservation means the research, protection, restoration,
5 ~~and~~ rehabilitation, and interpretation of ~~sites~~, buildings, structures, ~~and~~ objects,
6 districts, areas, and sites, including underwater sites and burial sites, significant
7 ~~in~~ to the history, architecture, archaeology, cultural landscape, or culture of
8 Guam.

9 ~~(b)~~(c) Historic property means any building, structure, object, district,
10 area, or site that is significant in the history, architecture, archaeology, or
11 culture of Guam or the nation or included in or eligible for inclusion in the
12 National Register of Historic Places or the Guam Register of Historic Places.

13 **§ 76103. Historic Preservation and Restoration.**

14 The Department with the Guam Historic Resources Division ~~in cooperation~~
15 ~~with the Territorial Land Use Commission and the Territorial Seashore Protection~~
16 ~~Commission~~ shall establish a comprehensive program for historic preservation,
17 restoration, and presentation, which shall include but not be limited to the following:

18 (a) Plans to acquire, restore, and preserve historic areas, buildings, and site
19 significant to Guam's past;

20 (b) Establish, preserve, and maintain the Guam Register of Historic Places;

21 (c) Establish regulations on the uses of such areas;

22 (d) Develop ~~a territory~~ an island-wide survey of historic areas, buildings,
23 and sites with a phased preservation and restoration development plan and
24 accompanying budget and land use recommendations;

25 (e) Provide for matching grants-in-aid to private agencies for projects
26 which will fulfill the purposes of this Chapter;

1 (f) Seek assistance for the ~~territorial~~ Guam historic preservation and
2 restoration program by applying for technical assistance and funds from the
3 federal government and private agencies and foundations for the purposes of
4 this Chapter;

5 (g) Employ sufficient professional and technical staff for the purposes of
6 this Chapter;

7 (h) Advise and cooperate with other public and private agencies engaged
8 in similar work;

9 (i) Promulgate regulations as are necessary or proper to carry out the
10 purposes of this Chapter pursuant to Administrative Adjudication Law found in
11 Chapter 9, Title 5 Guam Code Annotated;

12 (†) (j) Submit an annual report and budget to the Governor and the
13 Legislature by ~~February 1st~~ December 1st of each year, with recommendations
14 for programs of historic preservation and restoration.

15 **§ 76104. Administration.**

16 All ~~territorial~~ Guam projects and programs relating to historic preservation
17 and restoration shall come under the authority of the Guam Historic Resources
18 Division within the Department.”

19 **Section 3. Promulgation of Regulations.** The Department of Parks and
20 Recreation with the Guam Historic Resources Division shall promulgate regulations,
21 in accordance with this Act, within one (1) year after enactment.

22 **Section 4. Severability.** If any provision of this Act or its application
23 to any person or circumstance is found to be invalid or inorganic, such invalidity
24 shall not affect other provisions or applications of this Act that can be given effect
25 without the invalid provision or application, and to this end the provisions of this
26 Act are severable.

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