

TWENTY-FIRST GUAM LEGISLATURE  
1991 (FIRST) Regular Session

Bill No. 135 (COR)

Introduced by:

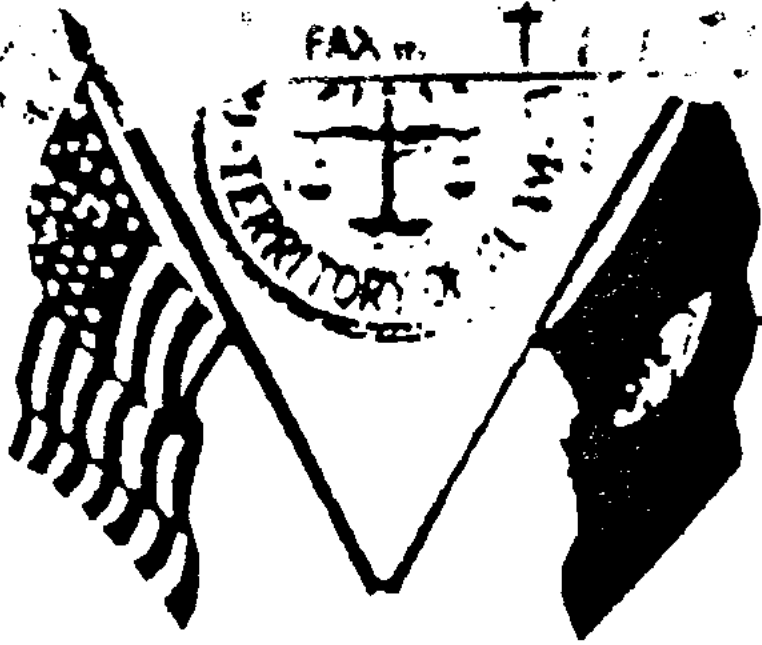
C. T. C. Gutierrez  
E. P. Arriola  
J. T. San Agustin  
P. C. Lujan  
M. C. Ruth  
J. P. Aguon  
J. G. Bamba  
A. C. Blaz  
D. F. Brooks  
H. D. Dierking  
E. R. Duenas  
E. M. Espaldon  
G. Mailloux  
M. D. A. Manibusan  
D. Parkinson  
M. J. Reidy  
F. R. Santos  
D. L. G. Shimizu  
T. V. C. Tanaka  
A. R. Unpingco

AN ACT TO REPEAL AND REENACT §13985.80 OF THE GOVERNMENT CODE AND TO ADD §§13985.83, 13985.84, 13985.85 AND 13985.86 THERETO TO PROVIDE GUAM PRESERVATION TRUST FUNDS FOR ARCHAEOLOGICAL SERVICES FOR NON-PROFIT AND NON-COMMERCIAL PURPOSES, ALLOWING THE TRUST TO SUE IN ITS OWN NAME, HIRE ITS OWN LEGAL COUNSEL, HIRE PERSONNEL, MANAGE ITS ASSETS, TO EXEMPT THE FUND FROM THE EXECUTIVE BUDGET ACT AND PROCUREMENT LAW, AND TO ESTABLISH A FIDUCIARY DUTY AND AN ANNUAL AUDIT.

BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:

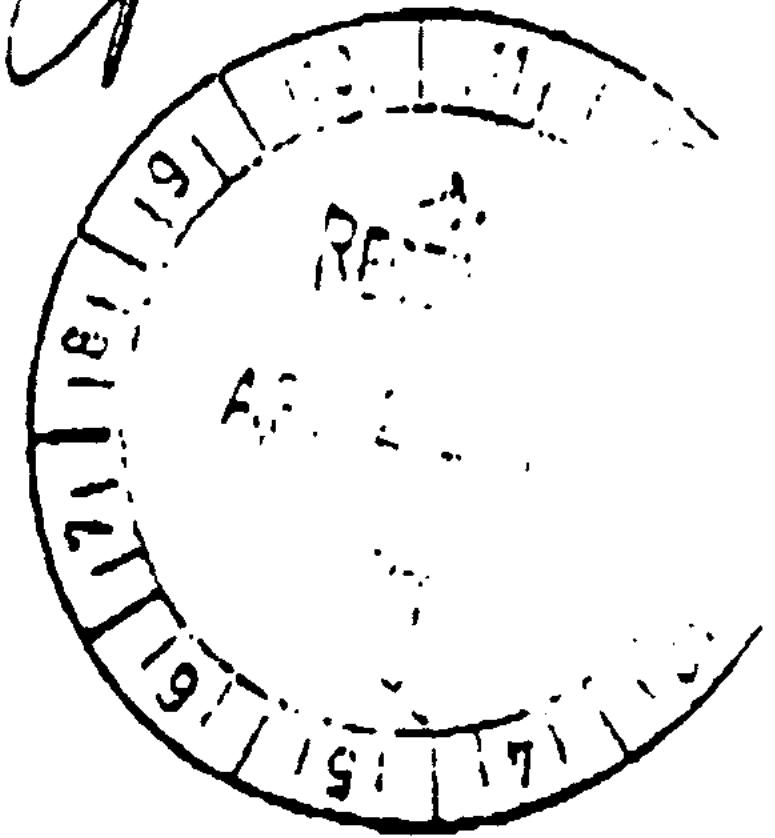
Section 1. §13985.80 of the Government Code is repealed and reenacted to read:

§13985.80. Guam Preservation Trust. There is hereby established as a public non-profit corporation the Guam



Secretary of Tourism  
Department of Tourism

APR 19 1991

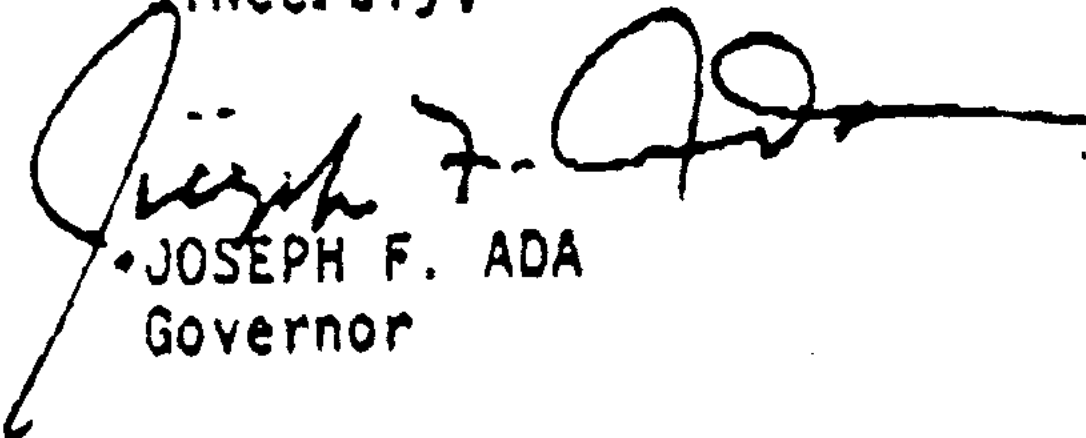


The Honorable Joe T. San Agustin  
Speaker, Twenty-First Guam Legislature  
155 Hessler Street  
Agana, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 135, which I have signed into law this date as Public Law 21-07.

Sincerely,

  
JOSEPH F. ADA  
Governor

Attachment

210135



Commonwealth of Guam



TWENTY-FIRST GUAM LEGISLATURE  
1991 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

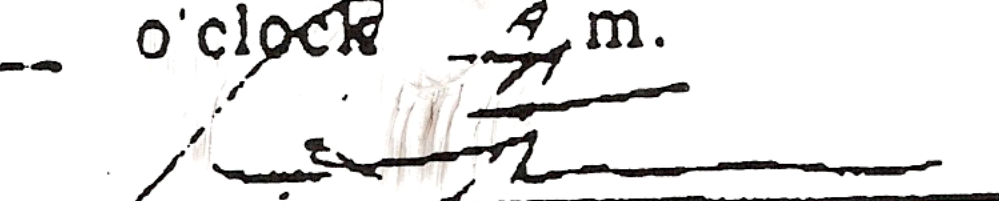
This is to certify that Bill No. 135 (COR), "AN ACT TO REPEAL AND REENACT §§13985.80 OF THE GOVERNMENT CODE AND TO ADD §§13985.83, 13985.84, 13985.85 AND 13985.86 THERETO TO PROVIDE GUAM PRESERVATION TRUST FUNDS FOR ARCHAEOLOGICAL SERVICES FOR NON-PROFIT AND NON-COMMERCIAL PURPOSES, ALLOWING THE TRUST TO SUE IN ITS OWN NAME, HIRE ITS OWN LEGAL COUNSEL, HIRE PERSONNEL, MANAGE ITS ASSETS, TO EXEMPT THE FUND FROM THE EXECUTIVE BUDGET ACT AND PROCUREMENT LAW, AND TO ESTABLISH A FIDUCIARY DUTY AND AN ANNUAL AUDIT." was on the 3rd day of April, 1991, duly and regularly passed.

  
JOE T. SAN AGUSTIN  
Speaker

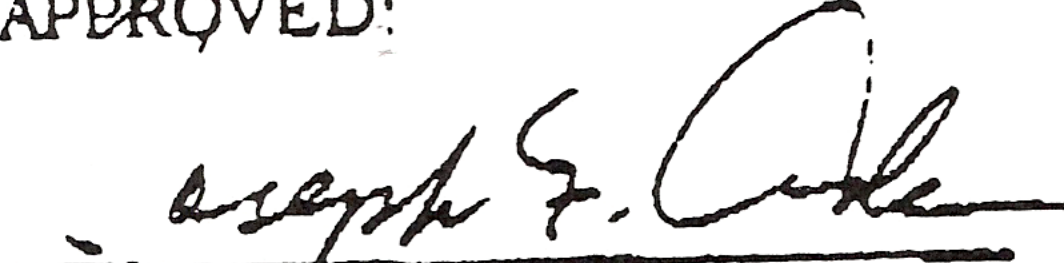
Attested:

  
PILAR C. LUJAN  
Senator and Legislative Secretary

.....  
This Act was received by the Governor this 12 day of April, 1991, at 1:30 o'clock A m.

  
Assistant Staff Officer  
Governor's Office

APPROVED:

  
JOSEPH F. ADA  
Governor of Guam  
Date: APR 19 1991

Public Law No. 21-07

1 Preservation Trust (the "Trust"). The Trust shall have the following  
2 purposes, which are within its powers:

3 (a) To seek grants and donations;

4 (b) To acquire title to threatened Guam properties for the  
5 preservation of their historical value, whether in fee simple, by  
6 leasehold, or by easement, and whether through donation, transfer,  
7 dedication, purchase, or eminent domain;

8 (c) To award grants for archaeological investigations, for  
9 the recording and salvage of sites of historic or prehistoric interest  
10 and value, for locating, recording and saving prehistoric and  
11 historic remains on sites that will be utilized for non-profit and  
12 non-commercial purposes, such as private homes, schools,  
13 churches, and other similar purposes;

14 (d) To support other activities directly related to  
15 increasing the public appreciation of and benefit from historical  
16 places."

17 **Section 2.** §13985.83 is added to the Government Code to read:

18 **"§13985.83. Limitation to purposes of Trust.**  
19 Expenditures by the Trust shall be limited to purposes of the Trust  
20 and may not be used for any operation of the Department."

21 **Section 3.** §13985.84. is added to the Government Code to read:

22 **"§13985.84. Power of the Trust.** The Trust shall have the  
23 following powers in coordination with its purposes:

24 (a) To sue and be sued in its own name;

25 (b) To hire its own legal counsel;

26 (c) To hire or contract for the management of Trust assets  
27 and the conduct of Trust business."

28 **Section 4.** §13985.85 is added to the Government Code to read:

29 **"§13985.85. Exemption from Executive Budget Act and**  
30 **Government Procurement Law.** The Trust is exempt from the  
31 provisions of the Executive Budget Act (P.L. 12-115, as amended)  
32 and the Government Procurement Law (P.L. 16-124, as amended)."

33 **Section 5.** §13985.86 is added to the Government Code to read:



1           §13985.86.   **Responsibilities of the Trust.** The Trust is  
2 subject to the following responsibilities:

3           (a) A fiduciary duty toward the funds and purposes of the  
4 Trust;

5           (b) The preparation of an annual audit report which is to be  
6 submitted to the Governor and to the Legislature within sixty (60)  
7 days after the end of each fiscal year."