

I Mina'trentai Sais Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
64-36 (COR)	Frank Blas Jr. James C. Moylan	AN ACT TO ADD A NEW CHAPTER 15 TO DIVISION 1 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE ELIMINATION OF UNNECESSARY OR UNENFORCEABLE REGULATIONS; ALSO TO BE KNOWN AS THE "BUREAUCRACY SIMPLICITY ACT OF 2021".	2/25/21 8:30 a.m.						

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session

Bill No. 64-36 (COR)

Introduced by:

Frank F. Blas Jr. 
James C. Moylan 

**AN ACT TO *ADD* A NEW CHAPTER 15 TO DIVISION 1
OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE
TO THE ELIMINATION OF UNNECESSARY OR
UNENFORCEABLE REGULATIONS; ALSO TO BE
KNOWN AS THE “*BUREAUCRACY SIMPLICITY ACT OF
2021*”.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that among the rights the people of Guam cherish the most are freedoms to pursue a
4 chosen means to earn a living. Yet of all the rights that should be fundamental,
5 economic liberty has eroded most of all, to the extent that today, the “right” to
6 receive welfare assistance enjoys greater legal protection than the right to earn an
7 honest living.

8 Licensing and regulation of businesses and professions – often placed in the
9 hands of the regulated industry - artificially limit entry and reduce competition.
10 Many entry-level opportunities are affected by licensing laws, government-imposed
11 regulations, and restrictions that make building a profession or operating a home-
12 based business daunting.

1 referred to as “agency”) *shall be* defined as any entity or instrumentality pursuant to
2 Chapter 3 of Title 5, Guam Code Annotated, and Title 12, Guam Code Annotated.

3 **§ 15102. Limitations on Regulations.**

4 All occupational and business regulations shall be limited to those
5 demonstrably necessary to fulfill legitimate public health, safety, or welfare
6 objectives.

7 **§ 15103. Elimination of Unnecessary or Unenforceable Regulations.**

8 (a) Upon enactment and within one (1) year, every agency shall conduct
9 a comprehensive review of all business and occupational regulations and
10 business and occupational license procedure within their jurisdictions, and for
11 each it shall:

12 (1) Articulate, with specificity, the public health, safety, or
13 welfare objective(s) served by the law or regulation;

14 (2) Articulate the reason(s) why the law or regulation is
15 necessary to serve the specified objective(s);

16 (3) Analyze, where information is readily available, the effects
17 of the law or regulation on opportunities for workers, consumer choices
18 and costs, general unemployment, market competition, governmental
19 costs, and other effects; and

20 (4) Compare the law or regulation to whether and how other
21 jurisdictions regulate the business or profession.

22 (b) To the extent the agency finds any law or regulation that does not
23 satisfy the standard set forth in Section 3, it shall:

24 (1) Repeal the occupational or business regulation or modify the
25 occupational or business regulation to conform with the standard of
26 Section 3, if such action is within the agency’s authority to do so; or

1 (2) Recommend to *I Liheslaturan Guåhan* actions necessary to
2 repeal or modify the occupational or business license requirement or
3 occupational or business regulation to conform to the standard pursuant
4 to § 15101 of this Chapter, if such action as it relates to a regulation that
5 is not within the agency’s authority.

6 (c) Within one (1) year following the enactment of this Act, each
7 agency shall report to *I Liheslaturan Guåhan* on all actions taken to conform
8 with this section.

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

14 **Section 5. Effective Date.** The Act shall be effective upon enactment.”