

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
54-36 (COR)	V. Anthony Ada	AN ACT TO ADD A NEW ARTICLE 9 TO CHAPTER 19, TITLE 10 GUAM CODE ANNOTATED RELATIVE TO LIABILITY PROTECTION FOR PUBLIC AND PRIVATE EMPLOYERS DURING A STATE OF PUBLIC HEALTH EMERGENCY.	2/2/21 4:12 p.m.	2/4/21	Committee on Health, Land, Justice, and Culture			Request: 2/5/21 2/11/21	



Vice Speaker

TINA ROSE MUÑA BARNES

CHAIRPERSON, COMMITTEE ON RULES

I Mina'trentai Sais Na Liheslaturan Guåhan

GUAM CONGRESS BUILDING
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February 11, 2021

MEMO

To: **Rennae Meno**
Clerk of the Legislature

From: **Vice Speaker Tina Rose Muña Barnes**
Chairperson, Committee on Rules

Re: **Fiscal Note Waiver on Bill No. 54-36 (COR)**

Buenas yan Håfa adai.

Attached, please find the fiscal note waiver for the following bill:

Bill No. 54-36 (COR)

Please forward the same to Management Information Services (MIS) for posting on our website.

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.





BUREAU OF BUDGET & MANAGEMENT RESEARCH

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FEB 11 2021

Vice Speaker Tina Muña Barnes
Chairperson, Committee on Rules
I Mina'trentai Sais Na Liheslaturan Guåhan
Thirty-Sixth Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Hafa Adai Vice Speaker Barnes:

The Bureau requests that Bill No. 54-36 (COR) be granted a waiver pursuant to Public Law 12-229, as amended for the following reason(s):

BILL NO.54-36 (COR) IS "AN ACT TO ADD A NEW ARTICLE 9 TO CHAPTER 19, TITLE 10 GUAM CODE ANNOTATED RELATIVE TO LIABILITY PROTECTION FOR PUBLIC AND PRIVATE EMPLOYERS DURING A STATE OF PUBLIC HEALTH EMERGENCY."

The proposed legislation intends that every person (broadly defined to include a natural person, business, association, or governmental entity, or any of their employees or agents) shall be immune from civil liability and professional disciplinary action for any action or inaction as a result of, in response to, or arising out of a disaster or emergency declared at the federal or local level if the person complied with or made a good faith effort to comply with federal, or local regulations, executive orders, or guidance or complied with federal or local statutes passed or issued in response to the disaster or public emergency and applicable to the activity at issue. The bill adds that if two or more statutes, regulations, executive orders, or guidance apply to a person's conduct or activity, liability can be avoided through compliance with or a good faith effort to comply with any applicable federal or local regulations, executive orders, or guidance or through compliance with any applicable federal or local statutes passed or issued in response to the disaster or public emergency. The bill also adds that civil liability and professional disciplinary action for any action or inaction as a result of, in response to, or arising out of a public health emergency declared at the federal or local level should be limited to recklessness or willful misconduct in the absence of statutes, regulations, executive orders, or guidance passed or issued in response to the public health emergency and applicable to the activity at issue. Furthermore, no laws, regulations, executive orders, or guidance enacted or issued in response to a disaster or emergency declared at the federal or local level shall be construed to create a private right of action.

As such, the bill is administrative in nature and poses no fiscal impact upon any of the funds of Government of Guam.

Senseramente,

LESTER L. CARLSON, JR.