

I Mina'trentai Siette 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
13-37 (COR)	Therese M. Terlaje	AN ACT TO AMEND § 83102(d) AND ADD A NEW § 83116, TO CHAPTER 83, ALL OF TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO INCREASING PUBLIC NOTICE AND TRANSPARENCY OF THE ACTIONS BY THE GUAM TWENTY-FIRST CENTURY HEALTHCARE CENTER COMMITTEE RESPONSIBLE FOR THE PROPOSED MEDICAL HEALTHCARE CAMPUS.	1/24/23 4:53 p.m.						

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
2023 (FIRST) REGULAR SESSION

Bill No. 13-37 (COR)

Introduced By:

Therese M. Terlaje *Tmt*

AN ACT TO *AMEND* § 83102(d) AND *ADD* A NEW § 83116, TO CHAPTER 83, ALL OF TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO INCREASING PUBLIC NOTICE AND TRANSPARENCY OF THE ACTIONS BY THE GUAM TWENTY-FIRST CENTURY HEALTHCARE CENTER COMMITTEE RESPONSIBLE FOR THE PROPOSED MEDICAL HEALTHCARE CAMPUS.

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

2 **Section 1. Legislative Findings and Intent.**

3 *I Liheslaturan Guåhan* finds that the policy statement in the Open
4 Government Law in 5 GCA Chapter 8 states, “The Legislature declares it is the
5 policy of this Territory that the formation of public policy and decisions is
6 public and shall not be conducted in secret. The people of Guam do not yield
7 their individual rights to the public agencies which serve them. The people, in
8 delegating authority, do not give their public servants the right to decide what
9 is good for the people to know and what is not good for them to know. The
10 people insist on remaining informed so that they may retain control over the
11 instruments they have created.”

12 *I Liheslaturan Guåhan* further finds that Public Law 36-56 authorized
13 the Government of Guam to enter into a contract for the design, build, finance,
14 lease, transfer and long-term capital maintenance of the Guam Twenty-First

1 Century Healthcare Center with private sector contractors who can provide
2 long-term financing. The construction of the proposed medical healthcare
3 campus is currently estimated to cost \$1 billion dollars.

4 It is the intent of the *I Liheslaturan Guåhan* to ensure the people of Guam,
5 medical providers, and the Legislature are informed of the meetings, actions,
6 and decisions surrounding the design, lease, and financing of the proposed
7 medical healthcare campus by making Guam Twenty-First Century Healthcare
8 Committee meetings subject to the Open Government Law.

9 **Section 2. § 83102(d) of Chapter 83, Title 12, Guam Code Annotated is**
10 **hereby amended, to read:**

11 “(d) ‘*Guam Twenty-First Century Healthcare Center Committee*’
12 *shall* be chaired by Administrator or Deputy Administrator of the Guam
13 Economic Development Authority and include the Administrator and
14 Directors of all Healthcare Agencies, the Director or Deputy Director of
15 Department of Public Works, the Director or Deputy Director of Department
16 of Land Management, the Director or Deputy Director of the Bureau of
17 Statistics and Planning, the Director or Deputy Director of the Bureau of
18 Budget Management and Research, ~~and~~ Director or Deputy Director of the
19 Department of Administration, the Legislative committee chairperson with
20 jurisdiction on health matters or his/her designee, Chairpersons of the
21 Municipal Planning Councils of impacted villages as determined by the
22 Mayors Council of Guam or their designee, President of the Guam Medical
23 Society or their designee, and President of the Guam Medical Association
24 or their designee.”

25 **Section 3. A new § 83116 is hereby added to Chapter 83 of Title 12,**
26 **Guam Code Annotated to read:**

1 “§ 83116. Public Notices of Guam Twenty-First Century
2 Healthcare Center Committee meetings.

3 (a) All meetings, including working meetings and
4 subcommittee meetings of the Guam Twenty-First Century
5 Healthcare Center Committee shall be subject to the Open
6 Government Law pursuant to 5 GCA Chapter 8 and the public shall
7 be allowed to attend. It is intended that the Guam Medical
8 Association and the Guam Medical Society shall notify their
9 members of meetings via email.

10 (b) All meeting minutes shall be posted on the Guam
11 Economic Development Authority website, the audio recording of
12 each meeting shall be provided to the Office of Public
13 Accountability within seven (7) calendar days after the meeting, and
14 electronic copies of the meeting agendas, minutes, and other
15 attachments and addendums as discussed in each meeting shall be
16 provided to the Speaker of *I Liheslaturan Guåhan* no later than
17 fifteen (15) day after the meeting.”

18 **Section 4. Severability.** The provisions outlined in this Act are declared to
19 be separate and severable. The invalidity of any clause, sentence, paragraph,
20 subdivision, section or portion of this statute, or the invalidity of the application
21 thereof to any person or circumstance shall not affect the validity of the remainder
22 of this statute or the validity of its application to other persons or circumstances.

23 **Section 5. Effective Date.** This Act shall be effective upon enactment.