


I Mina'trentai Singko 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
346-35 (COR)	James C. Moylan	AN ACT TO ADD § 2103(c) TO CHAPTER 2, TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE GUAM LEGISLATURE TO CONDUCT PUBLIC HEARINGS BY ELECTRONIC MEANS IN THE EVENT OF A STATE OF A PUBLIC HEALTH EMERGENCY, WHERE A PROHIBITION OF SOCIAL GATHERINGS EXIST.	4/20/20 12:32 p.m.						

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2020 (SECOND) Regular Session

Bill No.346-35 (COR)

Introduced by:

James C. Moylan 

AN ACT TO ADD § 2103(c) TO CHAPTER 2, TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE GUAM LEGISLATURE TO CONDUCT PUBLIC HEARINGS BY ELECTRONIC MEANS IN THE EVENT OF A STATE OF A PUBLIC HEALTH EMERGENCY, WHERE A PROHIBITION OF SOCIAL GATHERINGS EXIST.

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

2 **Section 1.** § 2103(c) is hereby *added* to Chapter 2, Title 2, Guam Code
3 Annotated, to read as follows:

4 **§ 2103. Public Hearings Mandatory.**

5 (a) No bill may be passed by *I Liheslatura* unless it has received a public
6 hearing, except that when the presiding officer of *I Liheslatura* certifies that
7 emergency conditions exist, involving danger to the public health or safety, the
8 requirement for a public hearing may be waived and in the event the bill is
9 identical to a bill introduced earlier, which later bill received a public hearing, then
10 a public hearing for the identical bill may be waived.

11 (b) No substantive resolution that is to be transmitted to the U.S. President, a
12 member of the U.S. Congress, or a head of a foreign state, may be passed by *I*
13 *Liheslatura* unless it has received a public hearing. Said public hearing shall be

1 conducted by the primary author of the resolution. The resolution may then be
2 placed on *I Liheslatura*'s agenda upon the written request of the primary author to
3 the Speaker without further committee action and without a committee report.

4 (c) Notwithstanding any other provisions of the law, in the event *I*
5 *Maga'Hagan Guåhan* declares a State of a Public Health Emergency pursuant to
6 Chapter 19, Title 10, Guam Code Annotated, where a prohibition of social
7 gatherings takes place, during that declaration period, *I Liheslaturan Guåhan* may
8 officially conduct a public hearing on any bill by electronic means, and if
9 conducted, shall allow for a public comment period of no less than ten (10) days.
10 All public comments that are submitted electronically within the ten (10) days
11 shall be entered as part of the official record of the meeting. If feasible, the public
12 hearing may allow for a live electronic participation of the community, and in this
13 situation, the presiding officer of the public hearing may impose a time limit per
14 participant. The presiding officer shall also announce all procedures at the start of
15 the hearing. All public hearing notices conducted pursuant to this subsection shall
16 be subject to the stipulations pursuant to § 8107 of Chapter 8, Title 5, Guam Code
17 Annotated, and the public hearing shall be streamed live.

18 **Section 2. Severability.** If any provision of this Act or its application to any
19 person or circumstance is found to be invalid or contrary to law, such invalidity
20 shall not affect other provisions or applications of this Act that can be given effect
21 without the invalid provision or application, and to this end the provisions of this
22 Act are severable.

23 **Section 3. Effective Date.** This Act shall become effective immediately upon
24 enactment.