

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

Bill No. 233-32 (COR)

Introduced by:

Michael F.Q. San Nicolas 

AN ACT TO REQUIRE A PERIOD FOR PUBLIC COMMENT AT EVERY PUBLIC MEETING OF AN AGENCY OR INSTRUMENTALITY OF THE GOVERNMENT OF GUAM, BY ADDING A NEW §8117 TO CHAPTER 8, TITLE 5, GUAM CODE ANNOTATED.

2013 DEC -3 11:07


1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Short Title. This Act *shall* be cited as the “Responsible
3 Public Comment Act.”

4 Section 2. Legislative Findings and Intent. *I Liheslaturan Guåhan*
5 finds that the people of Guam individually and collectively hold
6 considerable wisdom and experience from their lives and education. Their
7 government is formed precisely to protect them, defend them, and improve
8 their lives. As a government for the people, by the people and of the
9 people, it is fundamental that our people be allowed to participate to the
10 fullest extent possible in the establishment of policy for the Territory. A
11 basic element of this is to provide an opportunity for the voices of the
12 people of Guam to be heard.

1 *I Liheslatura* further finds that currently there is no provision of the
2 Open Government Law that requires all agencies and instrumentalities of
3 the government of Guam to allow public comment during public meetings.
4 Such public comments are an integral part of the transparency and
5 accessibility of our government to our people.

6 It is therefore the intent of *I Liheslatura* that every public meeting of
7 an agency or instrumentality of the government of Guam include a period
8 for public comment, by adding a new §8117 to Chapter 8, Title 5, Guam
9 Code Annotated.

10 **Section 3. Public Comment.** A new §8117 is hereby *added* to Chapter
11 8, Title 5, Guam Code Annotated, to read:

12 **“§ 8117. Public Comment.**

13 Every public meeting of an agency or instrumentality of the
14 government of Guam *shall* include a period for public comment. Such
15 agency *may* limit the length of each comment from a member of the
16 public, *provided* that such time limitation *shall* not be shorter than five
17 (5) minutes. *If* the agency intends either to hold an executive or
18 closed portion of the meeting, pursuant to §8111 of this Chapter, or to
19 take action on any motion, proposal, resolution or order, pertaining
20 to any fee or rate, then the period for public comment required by
21 this section *shall* precede such portion of the meeting.”