EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor Of Guam

OCT 17 2018

Vice Speaker Therese M. Terlaje
34GL-18-2460
OCT 23 2018
Time: 10:37am
Received by: [illegible]

Honorable Therese M. Terlaje
Acting Speaker
I Mina'trentai Kuåttro Na Liheslaturan Guåhan
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Dear Madam Speaker:

Transmitted herewith is Bill No. 292-34 (COR), **"AN ACT TO *ADD* NEW §§ 43121 AND 43122 TO ARTICLE 1 OF CHAPTER 43, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING THE USE OF VIDEO TELECONFERENCING APPLICATIONS AT MEETINGS OF GOVERNMENT BOARDS AND COMMISSIONS TO GUARANTEE A QUORUM, FOR CONVENIENCE, AND TO EXPAND THE ELIGIBILITY OF MEMBERSHIP TO THOSE COMMUNITY MEMBERS THAT MAY BE HOMEBOUND; AND ENCOURAGING THE USE OF VIDEO LIVE STREAMING AT MEETINGS IN ORDER TO INCREASE TRANSPARENCY IN GOVERNMENT,"** which was signed on October 17, 2018, as **Public Law 34-133.**

2018 OCT 23 PM 12:28

Senseramente,

EDDIE BAZA CALVO

I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN
2018 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LÅHEN GUÅHAN*

This is to certify that **Bill No. 292-34 (COR), "AN ACT TO *ADD* NEW §§ 43121 AND 43122 TO ARTICLE 1 OF CHAPTER 43, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING THE USE OF VIDEO TELECONFERENCING APPLICATIONS AT MEETINGS OF GOVERNMENT BOARDS AND COMMISSIONS TO GUARANTEE A QUORUM, FOR CONVENIENCE, AND TO EXPAND THE ELIGIBILITY OF MEMBERSHIP TO THOSE COMMUNITY MEMBERS THAT MAY BE HOMEBOUND; AND ENCOURAGING THE USE OF VIDEO LIVE STREAMING AT MEETINGS IN ORDER TO INCREASE TRANSPARENCY IN GOVERNMENT,"** was on the 4th day of October 2018, duly and regularly passed.

Therese M. Terlaje
Acting Speaker

Attested:

Régine Biscoe Lee
Legislative Secretary

This Act was received by *I Maga'låhen Guåhan* this 5th day of OCTOBER, 2018, at 1:04 o'clock P .M.

Assistant Staff Officer
Maga'låhi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'låhen Guåhan

Date: OCT 17 2018

Public Law No. 34-133

I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN
2018 (SECOND) Regular Session

Bill No. 292-34 (COR)
As amended on the Floor.

Introduced by: Dennis G. Rodriguez, Jr.
Thomas C. Ada
FRANK B. AGUON, JR.
William M. Castro
James V. Espaldon
Fernando Barcinas Esteves
Régine Biscoe Lee
Tommy Morrison
Louise B. Muña
Telena Cruz Nelson
Joe S. San Agustin
Michael F.Q. San Nicolas
Therese M. Terlaje
Mary Camacho Torres

AN ACT TO *ADD* NEW §§ 43121 AND 43122 TO ARTICLE 1 OF CHAPTER 43, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING THE USE OF VIDEO TELECONFERENCING APPLICATIONS AT MEETINGS OF GOVERNMENT BOARDS AND COMMISSIONS TO GUARANTEE A QUORUM, FOR CONVENIENCE, AND TO EXPAND THE ELIGIBILITY OF MEMBERSHIP TO THOSE COMMUNITY MEMBERS THAT MAY BE HOMEBOUND; AND ENCOURAGING THE USE OF VIDEO LIVE STREAMING AT MEETINGS IN ORDER TO INCREASE TRANSPARENCY IN GOVERNMENT.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that a great deal of government inefficiency is due to the lack of a quorum at several, if not all, board and commission meetings. Without a quorum, actions are delayed

and pushed back to the next meeting. Meetings are often conducted monthly and these delays result in inefficient methodology. In addition to the concerns about having enough members present to move actions forward, the requirement for physical presence at meetings excludes many in our community from participating in government service. Oftentimes, lack of transportation, physical disability, care-taking responsibilities, and a myriad of other personal life concerns, prevent members from attending board and commission meetings. In our present day, technology affords an answer. The rapid advance in teleconferencing applications and the improvements in internet access and speed now allow for the use of these applications in our government. Applications such as FaceTime, ZOOM, GotoMeeting and Skype are used extensively in the private sector and used for personal convenience. These applications are now capable of more than just seeing someone's face on a telephone call. These applications now have options to record proceedings, project slides and video to the group, screen sharing, and automatically generate transcripts. One great advantage is these applications are free or cost a minimal monthly fee currently around Fifteen Dollars ($15.00) per month, and can be used across various platforms.

Using these applications will allow members to participate from home, when traveling, and even while parked along the road using their phone.

I Liheslaturan Guåhan further finds that the use of video live streaming, currently used in legislative proceedings, is an effective way of engaging with the community and increases transparency of government operations.

I Liheslaturan Guåhan finds that the time is right to take further advantage of this technology to reduce government inefficiency and to allow greater access to our people and participation in government service.

I Liheslaturan Guåhan therefore intends to allow and encourage government boards and commissions to use video teleconferencing and to develop rules and

processes within their bylaws and according to existing statutes, depending on the uniqueness of their missions and functions. There is currently no timeframe for implementation of this process and it is dependent on each board or commission's process and consideration.

Section 2. Use of Video Teleconferencing at Board and Commission Meetings. A new § 43121 is *added* to Article 1 of Chapter 43, Title 5, Guam Code Annotated, to read:

"§ 43121. Use of Video Teleconferencing at Meetings.

(a) Board and commission members may participate in regular and special meetings via video teleconferencing. The board or commission member *shall* submit a written request to participate in regular and special meetings via video teleconferencing to the Chairperson. Such request *shall* be attached to the minutes of said meeting.

(b) Participation via video teleconferencing *shall* meet the requirements for a quorum.

(c) Boards and commissions *shall* develop rules and regulations and education on the use of video teleconferencing for their members, in consultation with the Office of Technology (OTECH) and the Office of the Attorney General, in accordance with their individual missions and functions, and in accordance with existing statute, specifically the Open Government Law, contained in Chapter 8 of this Title.

(d) Executive sessions and due process hearings *shall not* be conducted via video teleconferencing."

Section 3. Use of Live Streaming at Board and Commission Meetings. A new § 43122 is *added* to Article 1 of Chapter 43, Title 5, Guam Code Annotated, to read:

"§ 43122. Use of Video Live Streaming at Meetings.

(a) Boards and commissions may elect to broadcast regular and special meetings via video live streaming applications.

(b) Boards and commissions *shall* develop rules and regulations and education on the use of video live streaming for their members, in consultation with the Office of Technology (OTECH) and the Office of the Attorney General, in accordance with their individual missions and functions, and in accordance with existing statute, specifically the Open Government Law, contained in Chapter 8 of this Title.

(c) Boards and commissions *shall* provide instructions on how the public can access these video live streams on their meeting notices."

Section 4. Effective Date. This Act *shall* become effective upon enactment.