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
102-36 (COR) As amended on the Floor.	Joanne Brown Therese M. Terlaje Telo T. Taitague V. Anthony Ada Frank Blas Jr. Christopher M. Dueñas James C. Moylan Tina Rose Muña Barnes Telena Cruz Nelson Sabina Flores Perez Clynton E. Ridgell Joe S. San Agustin Amanda L. Shelton Jose "Pedo" Terlaje Mary Camacho Torres	AN ACT TO *ADD* NEW §§ 8103(d), 8103.1, AND 8107(d), *ALL* OF CHAPTER 8, AND TO *AMEND* § 43122(a) OF ARTICLE 1, CHAPTER 43, *ALL* OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO INCREASING PUBLIC ACCESS TO INFORMATION ON GOVERNMENT MEETINGS, DELIBERATIONS, AND DECISION MAKING BY REQUIRING BROADCASTING OF PUBLIC MEETINGS AND NOTICE OF AGENDA ITEMS.	4/5/21 12:03 p.m.	4/5/21	Committee on General Government Operations, Appropriations, and Housing	4/21/21 9:00 a.m.	5/20/21 7:38 p.m.	Request: 4/5/21 4/14/21	

SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	PUBLIC LAW NO.	DATE SIGNED	NOTES
5/21/21	AN ACT TO *ADD* NEW §§ 8103(d), 8103.1, AND 8107(d) OF CHAPTER 8, AND *AMEND* § 43122(a) OF ARTICLE 1, CHAPTER 43, ALL OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO INCREASING PUBLIC ACCESS TO INFORMATION ON GOVERNMENT MEETINGS, DELIBERATIONS, AND DECISION-MAKING BY REQUIRING BROADCASTING OF PUBLIC MEETINGS AND NOTICE OF AGENDA ITEMS.	5/28/21	6/1/21	6/12/21	36-34	6/11/21	Received: 6/11/21 Mess and Comm. Doc. No. 36GL-21-0687

LOURDES A. LEON GUERRERO
GOVERNOR

JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HÅGAN GUÅHAN
OFFICE OF THE GOVERNOR OF GUAM

Doc Type: 36GL-21-0687
OFFICE OF THE SPEAKER
THERESE M. TERLAJE
06 11 2021
Time: 4:53pm
Received:

June 11, 2021

HONORABLE THERESE M. TERLAJE
Speaker
I Mina'trentai Sais Na Liheslaturan Guåhan
36th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Re: Bill No. 102-36 (COR) - An Act to *Add* New §§ 8103 (d), 8103.1 and 8107 (d) of Chapter 8, and Amend § 43122(a) of Article 1, Chapter 43, All of Title 5, Guam Code Annotated, Relative to Increasing Public Access to Information on Government Meetings, Deliberations, and Decision-Making by Requiring Broadcasting of Public Meetings and Notice of Agenda Items

Buenas yan Hafa Adai Madame Speaker:

Modernization of government processes, including utilizing technology to provide better public access to information, was a cornerstone of our administration's platform. Bill No. 102-36 echoes this priority of ours, and we are pleased that the Legislature has joined us in this mission. Unfortunately, as many of our residents have experienced firsthand during the COVID-19 public health emergency, there are real costs associated with purchase and installation of new technology. Implementing modern broadcasting of government meetings requires more than simply pushing buttons on a cellular phone. Many government agencies face challenges to their technological capabilities, from structural barriers to accomplishing physical installation to lack of trained staff to operate necessary equipment. Resolving these problems will come at significant expense, and despite its best intentions, the Legislature does not acknowledge, let alone provide any funding, for the obvious costs associated with its broad mandate. Without proper funding, the bill would have fallen short of its promise and potential as another unfunded mandate.

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COMMITTEE ON RULES
RECEIVED:
June 11, 2021
5:29 P.M.

However, Lieutenant Governor Josh Tenorio and I believe that the COVID-19 pandemic has placed our administration's platform priority of modernization at the forefront, and that these measures will help our people access public information and, consequently, services, during this critical time. To this end, we believe the initial investment for our modernization efforts constitutes a proper use of American Rescue Plan funds, and that the Legislature will be able to do their part to appropriate the necessary funds to carry the effort forward in subsequent budgets. Bill No. 102-36 is therefore signed into law as ***Public Law No.*** **36-34** .

Senseremente,

LOURDES A. LEON GUERRERO
Maga'hågan Guåhan
Governor of Guam

Enclosure(s): Substitute Bill No. 102-36 (COR) *nka P.L. 36-34*

cc: *Honorable* Joshua F. Tenorio, *Sigundo Maga'låhen Guåhan*
Compiler of Laws

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session

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

This is to certify that **Bill No. 102-36 (COR), "AN ACT TO *ADD* NEW §§ 8103(d), 8103.1, AND 8107(d) OF CHAPTER 8, AND *AMEND* § 43122(a) OF ARTICLE 1, CHAPTER 43, ALL OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO INCREASING PUBLIC ACCESS TO INFORMATION ON GOVERNMENT MEETINGS, DELIBERATIONS, AND DECISION-MAKING BY REQUIRING BROADCASTING OF PUBLIC MEETINGS AND NOTICE OF AGENDA ITEMS,"** was on the 28th day of May 2021, duly and regularly passed.

Therese M. Terlaje
Speaker

Attested:

Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 1st day of June, 2021, at 1:45 o'clock P.M.

Assistant Staff Officer
Maga'håga's Office

APPROVED:

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 6/11/2021

Public Law No. 36-34

2021-13806
RCVD AT CENTRAL FILES
JUN 1 '21 PM1:45
Elaine Tajalle

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session

Bill No. 102-36 (COR)
As amended on the Floor.

Introduced by:

Joanne Brown
Therese M. Terlaje
Telo T. Taitague
V. Anthony Ada
Frank Blas Jr.
Christopher M. Dueñas
James C. Moylan
Tina Rose Muña Barnes
Telena Cruz Nelson
Sabina Flores Perez
Clynton E. Ridgell
Joe S. San Agustin
Amanda L. Shelton
Jose "Pedo" Terlaje
Mary Camacho Torres

AN ACT TO *ADD* NEW §§ 8103(d), 8103.1, AND 8107(d) OF CHAPTER 8, AND *AMEND* § 43122(a) OF ARTICLE 1, CHAPTER 43, ALL OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO INCREASING PUBLIC ACCESS TO INFORMATION ON GOVERNMENT MEETINGS, DELIBERATIONS, AND DECISION-MAKING BY REQUIRING BROADCASTING OF PUBLIC MEETINGS AND NOTICE OF AGENDA ITEMS.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that it is essential to the maintenance of our democracy that public business be performed in an open and transparent manner and that every stakeholder be fully

aware of and able to observe the performance of public officials and attend and listen to the deliberations and decision-making that go into the making of public policy, and stakeholders must be adequately informed with sufficient detail on matters to be discussed at public meetings.

I Liheslatura further finds that as a result of the effects of the COVID-19 pandemic, stakeholders must also be informed of and granted access to regular and special meetings of a public agency via video live streaming applications on the website of each respective agency.

Therefore, *I Liheslatura* intends to increase public access to information on government meetings, deliberations, and decision-making by requiring broadcasting of public meetings and notice of agenda items.

Section 2. A new Subsection (d) is hereby *added* to § 8103 of Chapter 8, Title 5, Guam Code Annotated, to read:

"(d) Except for executive sessions and other meetings expressly authorized by law to be closed, regular and special meetings of a public agency shall be broadcast via video live streaming applications as announced in the notice of meeting and on the agency's website."

Section 3. A new § 8103.1 is hereby *added* to Chapter 8 of Title 5, Guam Code Annotated, to read:

"**§ 8103.1. Action Voided–Noncompliance.** Any action of a public agency taken at a meeting is void and of no effect if the public agency failed to comply with the public notice of agenda matters to be discussed pursuant to § 8107(d) of this Chapter or failed to comply with the broadcasting requirement pursuant to § 8103(d) of this Chapter."

Section 4. A new Subsection (d) is hereby *added* to § 8107 of Chapter 8, Title 5, Guam Code Annotated, to read:

"(d) Notices must contain the agenda of matters to be discussed at the respective meeting. Agenda items must be in sufficient detail to put the public on notice as to what is to be discussed."

Section 5. § 43122(a) of Article 1, Chapter 43, Title 5, Guam Code Annotated, is *amended* to read:

"(a) Boards and commissions shall broadcast regular and special meetings via video live streaming applications."

Section 6. Effective Date. This Act shall be effective thirty (30) days after enactment.