

MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN
2005 (FIRST) Regular Session

Bill No. 36 (EC)

Introduced by:

L.A. Leon Guerrero *LLG*

**AN ACT TO REQUIRE MANDATORY PUBLIC
HEARINGS ON CERTAIN LEGISLATIVE
RESOLUTIONS TO ENSURE PUBLIC INPUT,
THROUGH THE AMENDMENT OF SECTION 2103 OF
CHAPTER 2 OF TITLE 2, GUAM CODE ANNOTATED.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guahan*

3 finds that while public hearings are mandatory for legislative bills,
4 public hearings for legislative resolutions are not. There have been
5 many instances when a resolution of significant importance—stating the
6 Legislature’s position, on behalf of the people of Guam—had been
7 transmitted to high-ranking officials in Washington, D.C. or to heads of
8 foreign nations without public input. Such should not be the case, as the
9 public should be given the opportunity to comment on resolutions
10 containing issues that affect them to ensure that the stance the
11 Legislature is taking in the resolution is reflective of what the public
12 desires.

13 It is therefore the intent of *I Liheslaturan Guahan* to require public
14 hearings on substantive resolutions that are to be transmitted to the U.S.
15 Congress, the U.S. President, or the head of a foreign state.

16 **Section 2.** Section 2103 of Chapter 2 of Title 2, Guam Code
17 Annotated, is hereby amended to read as follows:

1 “§2103. **Public Hearings Mandatory.** (a) No bill may be
2 passed by the Legislature unless it has received a public hearing,
3 except that when the presiding officer of the Legislature certifies
4 that emergency conditions exist, involving danger to the public
5 health or safety, the requirement for a public hearing may be
6 waived and in the event the bill is identical to a bill introduced
7 earlier, which later bill received a public hearing, then a public
8 hearing for the identical bill may be waived.

9 (b) No substantive resolution that is to be transmitted to the
10 U.S. President; a member of the U.S. Congress; or a head of a
11 foreign state, may be passed by the Legislature unless it has
12 received a public hearing.”

13 **Section 3. Severability.** If any of the provisions of this Act or the
14 application thereof to any person or circumstance is held invalid, such
15 invalidity shall not affect any other provision or application of this Act
16 which can be given effect without the invalid provision or application,
17 and to this end the provisions of this Act are severable.