

***I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN***  
**2014 (SECOND) Regular Session**

**Resolution No. 330-32 (COR)**

As amended by Author and further amended.

Introduced by:

R. J. Respicio

**Relative to the creation of the Guam Legislative Freedom of Information Advisory Council to promote transparency in the government of Guam.**

1           **BE IT RESOLVED BY THE COMMITTEE ON RULES OF *I***  
2 ***MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN:***

3           **WHEREAS**, the Guam Legislative Freedom of Information Advisory Council  
4 (the Council) is hereby created as an advisory council of the Legislative branch to  
5 advise the legislature on the status of freedom of information requests, encourage and  
6 facilitate compliance with the Freedom of Information Act, and to provide more  
7 transparency in the government of Guam; and

8           **WHEREAS**, the following shall be invited to be members of the Council:

- 9           • the Attorney General of Guam or designee;
- 10          • the Administrator of the Unified Judiciary of Guam or designee;
- 11          • the Executive Director of *I Liheslaturan Guåhan* or designee;
- 12          • four members appointed by the Chairperson of the Legislative  
13 Committee on Rules, Federal, Foreign & Micronesia Affairs, Human &  
14 Natural Resources, and Election Reform, one of whom *shall* be a  
15 Member of *I Liheslaturan Guåhan*; and three non-legislative citizen

1 members, at least one of whom *shall* be or have been a representative of  
2 the news media;

- 3 • three members appointed by the Speaker of *I Liheslaturan*  
4 *Guåhan*, at least one of whom *shall* be or have been a representative  
5 of the news media; and one Member of the Legislative Minority.

6 The Speaker shall not appoint a legislative employee in this  
7 capacity; and

- 8 • two non-legislative citizen members appointed by *I Maga'lahi* (the  
9 Governor), one of whom *shall not* be a government of Guam employee;  
10 and

11 **WHEREAS**, all appointments *shall* be made *no later than* thirty days after  
12 adoption of this resolution; appointees *shall* serve four-year terms, *except* that  
13 appointments to fill vacancies *shall* be for the unexpired terms in the same manner as  
14 the original appointment. No non-legislative citizen member shall be eligible to serve  
15 for more than two successive four-year terms. *However*, after the expiration of a term  
16 of three years or less, or after the expiration of the remainder of a term to which an  
17 appointee to fill a vacancy, two additional terms may be served by such member if  
18 appointed thereto; and

19 **WHEREAS**, Legislative members and other government of Guam officials  
20 *shall* serve terms coincident with their terms of office. Legislative members may be  
21 reappointed for successive terms; and

22 **WHEREAS**, the Council *shall* be chaired by the Legislative Chairperson of the  
23 Committee on Rules, Federal, Foreign & Micronesian Affairs, Human & Natural  
24 Resources, and Election Reform. The members of the Council *shall* select from  
25 among its membership a Vice-Chairperson to serve for a two-year term. Vice-  
26 Chairpersons may *not* succeed themselves in the same position. The Council *shall*

1 hold meetings quarterly, or upon the call of the Chairman. A majority of the Council  
2 *shall* constitute a quorum; and

3 **WHEREAS**, the Council meetings *shall* be open to the public and broadcast on  
4 the public television channel provided for by *I Liheslaturan Guåhan*; and

5 **WHEREAS**, members of the Council *shall* receive *no* compensation for their  
6 services, but *shall* be reimbursed for all reasonable and necessary expenses incurred in  
7 the performance of their duties, as appropriate. Funding for expenses of the members  
8 *shall* be provided from existing appropriations to *I Liheslaturan Guåhan*; and

9 **WHEREAS**, the Council *shall* itself comply with the Sunshine Reform Act of  
10 1999 (5GCA Chapter 10) and the Open Government Law (5GCA Chapter 8); and

11 **WHEREAS**, the powers and the duties of the Council *shall* include furnishing  
12 upon request, advisory opinions or guidelines, and other appropriate information  
13 regarding the Sunshine Reform Act of 1999 (5GCA Chapter 10), the Open  
14 Government Law (5GCA Chapter 8), and any related laws, to any person or agency of  
15 the government of Guam, in an expeditious manner; and

16 **WHEREAS**, the powers and the duties of the Council *shall* include conducting  
17 training seminars and educational programs for the members and staff of public bodies  
18 and other interested persons on the requirements of the Sunshine Reform Act of 1999  
19 and the Open Government Law; and

20 **WHEREAS**, the powers and the duties of the Council *shall* include publishing  
21 such educational materials as it deems appropriate on the provisions of the Sunshine  
22 Reform Act of 1999 and the Open Government Law; and

23 **WHEREAS**, the powers and the duties of the Council *shall* include requesting  
24 from any agency of the government such assistance, services and information as will  
25 enable the Council to effectively carry out its responsibilities; and

26 **WHEREAS**, the powers and the duties of the Council *shall* include identifying

1 within two months all government of Guam agencies and instrumentalities *not* in  
2 compliance with the provisions of 5GCA, Chapter 10, Article 3, §10305: Home Page  
3 for Each Department or Agency of Government; and § 10306: Information Required  
4 on Official Home Page; and provide a report to *I Liheslaturan Guåhan*; and

5       **WHEREAS**, the powers and the duties of the Council *shall* include reporting  
6 annually on or before December 1 of each year on its activities and findings regarding  
7 the Sunshine Reform Act of 1999 (5GCA Chapter 10), the Open Government Law  
8 (5GCA Chapter 8), and any related laws, including recommendations for changes to  
9 the law, to *I Liheslaturan Guåhan*. The annual report *shall* be published as a public  
10 document; and

11       **WHEREAS**, the powers and the duties of the Council *shall* include performing  
12 any other duties relevant to the intent of the creation of the Guam Legislative Freedom  
13 of Information Advisory Council; and

14       **WHEREAS**, staff assistance to the Council *shall* be provided by *I Liheslaturan*  
15 *Guåhan*. Staff *shall* perform those duties assigned to it by the Council; and

16       **WHEREAS**, the Council *shall* publish a website for the Council, and website  
17 assistance to the Council shall be provided by *I Liheslaturan Guåhan*; and

18       **WHEREAS**, every department, division, board, bureau, commission, authority  
19 or subdivision of all government of Guam agencies and instrumentalities *shall*  
20 cooperate with, and provide assistance to, the Council as the Council may request;  
21 now therefore, be it

22       **RESOLVED**, that the Committee on Rules of *I Mina'Trentai Dos Na*  
23 *Liheslaturan Guåhan* does hereby, on behalf of *I Liheslaturan Guåhan* and the people  
24 of Guam, create the Guam Legislative Freedom of Information Advisory Council as  
25 an advisory council of the Legislative branch to encourage and facilitate compliance  
26 with the Freedom of Information Act, and to provide more transparency in the

1 government of Guam; and be it further

2           **RESOLVED**, that the Speaker and the Chairperson of the Committee on Rules  
3 certify, and the Legislative Secretary attest to, the adoption hereof, and that copies of  
4 the same be thereafter transmitted to the Honorable Edward J.B. Calvo, *I Maga'laha*  
5 *Guåhan*; to members of the media; and to those individuals appointed to the Council.