




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

Bill No. 137 (EC)

Introduced by:

L. F. Kasperbauer 
Mark Forbes 
Robert Klitzkie 

AN ACT TO AMEND §§80106, 80107, 80109 & 80117, TO ADD NEW §§80124 & 80125 AND TO REPEAL AND RE-ENACT SUBSECTION (d) §3122 TITLE 5, GUAM CODE ANNOTATED RELATIVE TO PROVIDING BROAD COMMUNITY-BASED REPRESENTATION ON THE BOARD OF DIRECTORS OF THE GUAM PUBLIC LIBRARY SYSTEM, TO ALLOW FOR A MASTER OF EDUCATION DEGREE IN LIBRARY SCIENCE TO FULFILL THE EDUCATIONAL REQUIREMENTS & REQUIRE MANAGERIAL EXPERIENCE OR EQUIVALENT EDUCATION FOR THE LIBRARY DIRECTOR POSITION, TO ALLOW FOR VOLUNTEERISM AND FUNDRAISING, TO PROVIDE A MEANS OF BUDGETING FOR THE BRANCH LIBRARIES AND TO REQUIRE ADHERENCE TO THE OPEN-GOVERNMENT LAW.

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

2 **Section 1. Short Title.** This Act shall be known as the “*Guam Community-*
3 *Based Library Act*”.

4

5 **Section 2.** Section 80106 of Chapter 80 of Title 5, Guam Code Annotated is
6 hereby *amended* to read:

7 “§80106. **Library Board Members.** The Board shall be composed of seven
8 (7) members, ~~of which one (1) member shall be a secondary student, in compliance~~
9 ~~with Public Law No. 22-160, Section 7,~~ to be appointed by the Governor with the
10 advice and consent of the Guam Legislature. Of the appointed members one (1)
11 member shall be a full-time student, in compliance with 4GCA: §2105.1, at least one

1 (1) shall be employed as a librarian throughout the term of appointment, at least one
2 (1) shall be a classroom teacher throughout the term of appointment, at least one (1)
3 shall be employed in the field of Information Technology throughout the term of
4 appointment, at least one (1) shall be a business owner or a senior manager employed
5 with a private business throughout the term of appointment.”
6

7 **Section 3. Length of Terms.** Section 80107 of 5G.C.A. is hereby *amended* to
8 read:

9 “§80107. **Library Board Tenure.** Except for the student member, the
10 members of the Board shall serve for a term of three years commencing with the date
11 of appointment, and until their successors are appointed and qualified; provided, that
12 of the members first appointed, two shall serve two years and two shall serve one
13 year as designated by the Governor. The term for the student member shall be one
14 (1) year.”
15

16 **Section 4.** Item (d) of Section 3122 of Chapter 3 of Title 5 Guam Code
17 Annotated, is hereby *repealed and re-enacted* to read:

18 “(d) (1) **Qualifications for Director.** The minimum qualifications for the
19 Library are:

20 (1) An earned a Master's Degree in Library Science (MLS), Library and
21 Information Science (MLIS) or a Masters degree in Education with concentration on
22 Library Science from a United States accredited college or university or from a
23 college or university accredited by the American Library Association (ALA) *and*
24 (2) have a minimum of four (4) years general *Managerial* experience *or* an
25 earned Bachelor’s or Master’s degree in Business Administration, Commerce,
26 Business Information Systems, Public Administration or related field from a United
27 States Accredited College or University.

1 **(2) Primary Job Duties.** The Director shall administer the day-to-day
2 operations of the Guam Public Library System, implement Board Policy and perform
3 other duties as assigned by the Board.”
4

5 **Section 5. Fundraising authorized.** Section 80117 of Chapter 80 of 5G.C.A.
6 is hereby *amended* to read:

7 “**§80117. Gifts to the Library and Fundraising.** The Board shall have
8 authority to solicit for and/or accept on behalf of, and in the name of, the government
9 of Guam from any government or agency thereof, or any person, advisory services,
10 grants-in-aids, gifts, donations of money and other property for the benefit of the
11 Library System, or the Guam Archives; provided, that any grants-in-aid, gifts,
12 donations or other form of assistance involving an obligation on the part of the
13 Library System or the Guam Archives or the government of Guam shall require the
14 approval of the Governor. The Guam Public Library system shall have the authority
15 , upon approval of the Board, to engage in fundraising activities for the benefit of the
16 Public Libraries.”
17

18 **Section 6. Use of Volunteers Authorized.** A New Section 80124 is hereby
19 *added* to Chapter 80 of 5G.C.A. to read:

20 “**§80124. Library Volunteers.** The Board is authorized to institute a program
21 within the Guam Public Library System to be entitled, "Library Volunteers." The
22 Board shall, by its policies, make needful rules and regulations for the utilization of
23 said volunteers within the System. The Board is authorized to obtain liability
24 insurance coverage for said volunteers. The provisions of 4G.C.A.: §2112 shall apply
25 to volunteers herein.”
26

1 **Section 7. Separate Budgeting for Branch Libraries.** A New Section 80125
2 is hereby *added* to Chapter 80 of 5G.C.A. to read:

3 “**§80125. Separate Budget for Branch Libraries.** The Board shall submit a
4 separate budget to *I Liheslatura* annually for the operations of the branch libraries.
5 The budget shall include sufficient funding for personnel, utilities, books,
6 periodicals, computers, internet access, etc. necessary to operate a branch for not less
7 than Twenty (20) hours per week.”

8

9 **Section 8. Open Government Requisite.** Section 80109 of 5G.C.A. is
10 hereby *amended* to read:

11 “**§80109. Board Meetings.** Meetings of the Board shall be open to the public
12 and held at a regular time and place each month. Special meetings may be called by
13 the Chairperson, ~~and, at his discretion, shall be open or closed.~~ All meetings shall be
14 subject to the provisions of 5.G.C.A. Chapter 8; “Open Government Law”.”

15

16 **Section 9. Effective Date.** Section 2 Act shall take affect thirty (30) days
17 following the enactment hereof or upon appointment of members required to meet
18 the conditions of Section 2 of this Act whichever is sooner. If any Board members
19 serving on the Board, who have been confirmed by *I Liheslatura*, prior to the
20 enactment hereof are re-appointed by *I Maga Lahi*, such members may serve out
21 their remaining terms without legislative confirmation. All other Sections of this Act
22 shall take affect upon enactment.