

I Mina' Trentai Dos Na Liheslaturan Guåhan

Resolutions Log Sheet

Resolution No.	Sponsor	Title	Date Intro	Date of Presentation	Date Referred	Committee / Ofc Referred	Date Adopted
330-32 (COR)	R. J. Respicio	RELATIVE TO THE CREATION OF THE GUAM LEGISLATIVE FREEDOM OF INFORMATION ADVISORY COUNCIL TO PROMOTE TRANSPARENCY IN THE GOVERNMENT OF Guam.	3/10/14 2:57 p.m.	SUB			03/14/14

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

Resolution No. 330-32 (COR)

As amended by Author.

Introduced by:

R. J. Respicio
T. C. Ada
V. Anthony Ada
FRANK B. AGUON, JR.
T. R. Muña Barnes
B. J.F. Cruz
Chris M. Dueñas
Michael T. Lintiaco
Brant T. McCreadie
Tommy Morrison
Vicente (ben) C. Pangelinan
Dennis G. Rodriguez, Jr.
Michael F. Q. San Nicolas
Judith T. Won Pat, Ed.D.
Aline A. Yamashita, Ph.D.

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

1 transparency in the government of Guam; and

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

- 3 • the Attorney General of Guam or designee;
- 4 • the Administrator of the Unified Judiciary of Guam or designee;
- 5 • the Executive Director of *I Liheslaturan Guåhan* or designee;
- 6 • four members appointed by the Chairperson of the Legislative
7 Committee on Rules, Federal, Foreign & Micronesian Affairs, Human &
8 Natural Resources, and Election Reform, one of whom *shall* be a
9 Member of *I Liheslaturan Guåhan*; and three non-legislative citizen
10 members, at least one of whom *shall* be or have been a representative of
11 the news media;
- 12 • three non-legislative citizen members appointed by the Speaker of *I*
13 *Liheslaturan Guåhan*, at least one of whom *shall* be or have been a
14 representative of the news media; one who *shall* be a non-legislative
15 citizen at-large member; and one Member of the Legislative Minority;
16 and
- 17 • two non-legislative citizen members appointed by *I Maga'lahi* (the
18 Governor), one of whom *shall not* be a government of Guam employee;
19 and

20 **WHEREAS**, all appointments *shall* be made *no later than* thirty days after
21 adoption of this resolution; appointees *shall* serve four-year terms, *except* that
22 appointments to fill vacancies *shall* be for the unexpired terms in the same manner as
23 the original appointment. No non-legislative citizen member shall be eligible to serve
24 for more than two successive four-year terms. *However*, after the expiration of a term
25 of three years or less, or after the expiration of the remainder of a term to which an
26 appointee to fill a vacancy, two additional terms may be served by such member if

1 appointed thereto; and

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

5 **WHEREAS**, the Council *shall* be chaired by the Legislative Chairperson of the
6 Committee on Rules, Federal, Foreign & Micronesian Affairs, Human & Natural
7 Resources, and Election Reform. The members of the Council *shall* select from
8 among its membership a Vice-Chairperson to serve for a two-year term. Vice-
9 Chairpersons may *not* succeed themselves in the same position. The Council *shall*
10 hold meetings quarterly, or upon the call of the Chairman. A majority of the Council
11 *shall* constitute a quorum; and

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

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

18 **WHEREAS**, the Council *shall* itself comply with the Sunshine Reform Act of
19 1999 (5GCA Chapter 10) and the Open Government Law (5GCA Chapter 8); and

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

25 **WHEREAS**, the powers and the duties of the Council *shall* include conducting
26 training seminars and educational programs for the members and staff of public bodies

1 and other interested persons on the requirements of the Sunshine Reform Act of 1999
2 and the Open Government Law; and

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

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

9 **WHEREAS**, the powers and the duties of the Council *shall* include identifying
10 within two months all government of Guam agencies and instrumentalities *not* in
11 compliance with the provisions of 5GCA, Chapter 10, Article 3, §10305: Home Page
12 for Each Department or Agency of Government; and § 10306: Information Required
13 on Official Home Page; and provide a report to *I Liheslaturan Guåhan*; and

14 **WHEREAS**, the powers and the duties of the Council *shall* include reporting
15 annually on or before December 1 of each year on its activities and findings regarding
16 the Sunshine Reform Act of 1999 (5GCA Chapter 10), the Open Government Law
17 (5GCA Chapter 8), and any related laws, including recommendations for changes to
18 the law, to *I Liheslaturan Guåhan*. The annual report *shall* be published as a public
19 document; and

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

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


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

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


5 **RESOLVED**, that the Committee on Rules of *I Mina'Trentai Dos Na*
6 *Liheslaturan Guåhan* does hereby, on behalf of *I Liheslaturan Guåhan* and the people
7 of Guam, create the Guam Legislative Freedom of Information Advisory Council as
8 an advisory council of the Legislative branch to encourage and facilitate compliance
9 with the Freedom of Information Act, and to provide more transparency in the
10 government of Guam; and be it further

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


**DULY AND REGULARLY ADOPTED BY THE COMMITTEE ON RULES OF
I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN ON THE 14TH DAY OF
MARCH 2014.**



JUDITH T. WON PAT, Ed.D.
Speaker



RORY J. RESPICIO
Chairperson, Committee on Rules



THOMAS C. ADA
Acting Legislative Secretary



COMMITTEE ON RULES

I Mina'trentai Dos na Libeslaturan Guåhan • 32ND Guam Legislature
www.guamlegislature.com • 155 Hesler Place, Hagåtña, Guam 96910
www.roryforguam.com • email: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

VOTING SHEET

Resolution No. 330-32 (COR) As amended by Author. R. J. Respicio - "Relative to the creation of the Guam Legislative Freedom of Information Advisory Council to promote transparency in the government of Guam."

	SIGNATURE	DATE	TO ADOPT	TO NOT ADOPT	TO ABSTAIN
SENATOR RORY J. RESPICIO Chairperson	e-vote	3/13/14	✓		
SENATOR THOMAS C. ADA Vice-Chairperson	e-vote	3/13/14	✓		
SPEAKER JUDITH T. WON PAT, Ed.D. Member	e-vote	3/14/14	✓		
VICE-SPEAKER BENJAMIN J.F. CRUZ Member	e-vote	3/13/14	✓		
LEGISLATIVE SECRETARY TINA ROSE MUÑA BARNES Member					
SENATOR VICENTE (Ben) C. PANGELINAN Member					
SENATOR DENNIS G. RODRIGUEZ, JR. Member	e-vote	3/13/14	✓		
SENATOR FRANK BLAS AGUON, JR. Member					
SENATOR MICHAEL F.Q. SAN NICOLAS Member	e-vote	3/13/14	✓		
SENATOR V. ANTHONY ADA Minority Member					
SENATOR ALINE YAMASHITA Minority Member	e-vote	3/14/14	✓		

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For Sponsor's Office Use Only
 Sponsor Signature: Rory J. Respicio
 Staff Contact Person: Jennifer Louise Della
 Date: 3/13/14

For COR/Clerk's Office Use Only
 Certified 7 Returned _____
 Name: [Signature]
 Date: 3/14/14
 Notes: _____