I Mina'Trentai Unu Na Liheslaturan Guahan

Bill Log Sheet

BILL NOS.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	120 DAY DEADLINE	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	STATUS
447-31 (COR)	RJ Respicio, TC Ada, JP Guthertz, TRM Barnes	AN ACT TO RENUMBER § 8116 OF TITLE 5 GCA, CHAPTER 8 OF "THE OPEN GOVERNMENT LAW" TO § 8117, AND TO ADD NEW §§ 8116 (a) AND (b) RELATIVE TO ENSURING ACCURACY AND ACCOUNTABILITY IN VERBAL AND WRITTEN POSTS, INCLUDING STATEMENTS RELEASED, DIVULGED OR PLACED ON-LINE BY GOVERNMENT OFFICIALS AND EMPLOYEES TO NEWS AND/OR INFORMATION ORGANIZATIONS, BY REQUIRING THAT A SIGNED, UNSWORN DECLARATION, AS PROVIDED IN TITLE 6 GCA § 4308, SHALL ACCOMPANY EACH SUCH STATEMENT, NEWS RELEASE, WRITING, OR ON-LINE POSTING; AND TO EXEMPT STANDARD, REQUIRED PUBLIC NOTICES FROM THIS REQUIREMENT.	4/19/12 2:51 p.m.	4/24/2012		Committee on Youth, Cultural Affairs, Procurement, General Governmental Operations and Public Broadcasting			

COMMITTEE ON RULES

I Mina'trentai Unu na Liheslaturan Guåhan • The 31st Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • *www.guamlegislature.com*
E-mail: *roryforguam@gmail.com* • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Judith P. Guthertz
VICE CHAIRPERSON
ASST. MAJORITY LEADER

MAJORITY
MEMBERS:

Speaker
Judith T. Won Pat

Vice Speaker
Benjamin J. F. Cruz

Senator
Tina Rose Muña Barnes
LEGISLATIVE SECRETARY
MAJORITY WHIP

Senator
Dennis G. Rodriguez, Jr.
ASST. MAJORITY WHIP

Senator
Thomas C. Ada

Senator
Adolpho B. Palacios, Sr.

Senator
vicente c. pangelinan

MINORITY
MEMBERS:

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

Senator
Christopher M. Duenas

April 24, 2012

MEMORANDUM

To: **Pat Santos**
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: **Senator Rory J. Respicio**
Majority Leader & Rules Chair

Subject: **Referral of Bill Nos. 446-31 (COR) thru 448-31(COR) & 449-31 (LS)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 446-31 (COR) through 448-31 (COR) and 449-31 (LS).

Please ensure that the subject bills are referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Unu na Liheslaturan Guåhan.*

Should you have any questions, please feel free to contact our office at 472-7679.

Si Yu'os Ma'åse!

(4) Attachment

2012 APR 19 PM 2:51

IMINA' TRENTAI UNU NA LIHESLATURAN GUAHAN
2012 (SECOND) REGULAR SESSION

Bill No. 447-31 **(COR)**

Introduced by: R.J. RESPICIO
T.C. ADA
J.P. GUTHERTZ/DPA
tnwbar

AN ACT TO RENUMBER § 8116 OF TITLE 5 GCA, CHAPTER 8 OF "THE OPEN GOVERNMENT LAW" TO § 8117, AND TO ADD NEW §§ 8116 (a) AND (b) RELATIVE TO ENSURING ACCURACY AND ACCOUNTABILITY IN VERBAL AND WRITTEN POSTS, INCLUDING STATEMENTS RELEASED, DIVULGED OR PLACED ON-LINE BY GOVERNMENT OFFICIALS AND EMPLOYEES TO NEWS AND/OR INFORMATION ORGANIZATIONS, BY REQUIRING THAT A SIGNED, UNSWORN DECLARATION, AS PROVIDED IN TITLE 6 GCA § 4308, SHALL ACCOMPANY EACH SUCH STATEMENT, NEWS RELEASE, WRITING, OR ON-LINE POSTING; AND TO EXEMPT STANDARD, REQUIRED PUBLIC NOTICES FROM THIS REQUIREMENT.

BE IT ENACTED BY THE PEOPLE OF GUAM:

SECTION 1. Legislative findings and intent. *I Liheslatura* finds that a growing number of statements, news releases and writings posted on-line, and officially or unofficially released to news/information organizations by government officials or employees, are of questionable accuracy. *I Liheslatura* also finds that many of these news/information organizations receiving such questionable statements, news releases and writings, oftentimes unknowingly present misinformation as if it were fact, due in part to the increasingly more common practice of regular

news/information organizations using attributions to specific sources, without ascertaining the veracity of such statements prior to their publication, broadcast or posting.

It is therefore the intent of *I Liheslatura* to ensure greater accuracy and increased accountability from government officials and government employees, relative to statements and writings released or divulged to news and/or information organizations, or posted on-line, by requiring that all such news releases, writings, or on-line postings provided by Government of Guam officials and employees must contain a signed, unsworn declaration, as provided by law.

SECTION 2. RENUMBERING: Existing § 8116 of Title 5 GCA, Chapter 8 is renumbered to § 8117.

SECTION 3. NEW § 8116 (a) and (b), "Government Statements and Releases to News/Information Organizations," are added to Chapter 8 of Title 5 Guam Code Annotated to read:

"§ 8116 (a). Government Statements and Releases to News/ Information Organizations. All statements and releases to news/information organizations from a government official or government employee authorized to interact with the public, whether posted on-line or delivered in written, audio or video format, must contain, under penalty of perjury, a signed,

"unsworn declaration" as provided for in §§ 4308 and 4309 of Title 6 of the Guam Code Annotated (and also provided below), a separate paragraph following the text of the statement or release, in a readable font type of at least 10 points in size, that reads:

> "**UNSWORN DECLARATION:** 'I hereby declare that the foregoing is true and correct to the best of my knowledge and belief, under penalty of perjury of the laws of Guam, this declaration being sworn and made in lieu of an affidavit pursuant to Title 6 Guam Code Annotated §4308, at the place and date identified herein.' [name and signature of individual releasing information]"

Statements and writings in audio format must contain an audio "Unsworn Declaration" statement by the government official or employee that the statement is made pursuant to Title 5 GCA §8116 (a); video formats must contain either the signed "Unsworn Declaration' in legible text on-screen, or an audio statement by the government official or employee, that the statement is made pursuant to **Title 6 GCA §4308.**

For the purpose of this § 8116, "News/Information Organizations" shall include but not be limited to bona-fide news organizations such as those which provide television, radio, print,

and on-line news reports, and represent themselves as such; "Information Organizations" shall include but not be limited to other information sources that can be accessed by the general public, including on-line, internet based providers of information whether amateur or professional, to include blogs, on-line forums, personal websites, social networking, and other similar sites.

(b). Exemptions. The following news releases and meeting notices are exempted from the provisions of **§ 8116 (a)** of this Chapter 8:

All standard notices required by law for regular and special public government meetings of boards, commissions, councils, hearings, Legislative meetings and sessions, and other regular government meetings requiring public notice; standard government announcements such as requests for proposals, invitations to bid, requirements for placements on websites, and other general operational notices; public safety notices for road closures, construction detours; hazard warnings, and other similar announcements and notices."

-o-