

## Legislature fails to provide journal

Written by

**Tim Rohr**

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Guam has issues -- lots of them. Legislatures and administrations come and go, but our problems not only remain, they compound. Why? Because we are not willing to engage our elected leaders and hold them to account. Thus, we get what we deserve: issues -- lots of them.

I have a certain sympathy for those who shy away from the engagement. During the debate over Bill 54-30, Marjorie DeBenedictis called out Sen. Rory Respicio for his misleading statements regarding the bill's status. For engaging her duties as a citizen, Respicio impugned DeBenedictis as a Republican operative and angrily castigated her at a public hearing on another bill.

When, during a radio talk show, I questioned Respicio's actions regarding his elimination of all the information requirements in a bill which had the word "information" in its title (Bill 52-31), Respicio, grew hostile, said, "You're not worth my time", and hung up.

Because I had an inkling Respicio was going to do the same thing to Bill 52-31 that he did to Bill 54-30 (gut it of its content), I asked for a copy of the legislative journal

for the session in which Respicio questionably substituted his much altered version of Bill 54-30.

The Organic Act requires the Legislature to keep a journal, and the Legislature's Standing Rules require that the journal be "archived by the Legislature in a manner conveniently retrievable by the public ... and posted to the Legislature's website."

The debate on Bill 54-30 was held last November. I asked for a copy of the journal in December, January and February, and was told each time it wasn't available. Thinking that there was something fishy about a document of a daily nature not being available 90 days hence, I sent a special request to Speaker Judith Won Pat on March 17.

On March 23, the speaker advised that my request would be honored in "three to four weeks" by Patricia Santos, the clerk of the Legislature.

Won Pat has introduced Bill 90-31, which

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would require all other public agencies to do what she is already required to do but is NOT doing. Bill 90-31 would require public agencies to post the minutes of their meetings on the agency's website within 10 days of approval. Not only are the minutes of legislative sessions not available on the Legislature's website, the minutes (at least for the session I am requesting) are not available in any form for months.

The speaker (said) the minutes (journal) exist because there are video recordings of the Legislature's meetings. However, the Organic Act and the Legislature's Standing Rules, in referring to the journal, uses phrases such as "shall be entered" and "shall be printed," a clear indication that the Legislative Journal is to be a concurrent *written* record.

In another news story in explaining the unavailability of the journal, Won Pat referred to the journal as a transcript, stating that "transcribing takes time." As the members of any organization know, the minutes are *not* a transcript, but "a record of what is done by the members, not a transcript of what is said" (Robert's Rules of Order).

This is so incredibly elementary, and with years of legislative journals in print and on file, I am left to assume that Won Pat is careless or complicit in the shady doings of Respicio relative to Bill 54-30.

The incredulity continues. When Won Pat was asked if the Legislature approves the journal of the previous session as required by the Standing Rules, she replied, "We

approve them ... because we know they exist." Huh?

Perhaps Won Pat will amend Bill 90 to allow public agencies to post the words "they exist" in place of the required minutes. But probably not. She's betting we won't care, which is why we get the leaders we deserve.

*Tim Rohr is a resident of Agat.*

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