



I MINA' TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

Bill No. 215-30 (LS)

Introduced by:

Ray Tenorio 

E. B. Calvo 

A. B. Palacios Sr. 

AN ACT TO AMEND ITEMS (d) AND (e) OF §10103 OF
CHAPTER 10 OF 5GCA RELATIVE TO THE
TIMEFRAMES FOR COMPLYING WITH FREEDOM OF
INFORMATION ACT REQUESTS.

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1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2
3 Section 1. Item (d) of §10103 of 5GCA is *amended* to read:

4
5 “(d) Each agency, upon a request for a copy of public records shall, within ~~four (4)~~
6 ~~working days~~ two (2) days, Saturdays, Sunday’s and Government of Guam
7 holidays excepted, from receipt of the request, comply with the request if the
8 records requested are disclosable public records in the possession of the agency. *If*
9 the records being requested partially contain information exempted from disclosure
10 by this Chapter or by another law, the agency shall redact the exempt information
11 only and release the nonexempt information in the records, citing the exemptions
12 in law that require the information to be redacted. *If* the records in whole contain
13 information *not* disclosable by this Chapter or another law, and contain no
14 information that can be released, the agency shall notify the person requesting the
15 records within ~~four (4) working days~~ two (2) days, Saturdays, Sunday’s and
16 Government of Guam holidays excepted, from receipt of the request, and cite the

1 exemptions in law that prohibit disclosure of the records. The Department Of
2 Administration, The Department of Revenue and Taxation, and the Bureau of
3 Budget and Management Research are allowed two (2) additional days, Saturdays,
4 Sunday's and Government of Guam holidays excepted, to comply with the
5 provisions of this Section. For records that are older than six (6) months, the
6 timeframes, *supra*, of this Section shall be extended to four (4) days, Saturdays,
7 Sunday's and Government of Guam holidays excepted. ”

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9 **Section 2.** Item (e) of §10103 of 5GCA is *amended* to read:

10 (e) In unusual circumstances, the time limit prescribed in this Section may be
11 extended up to ~~ten (10)~~ eight (8) days, including Saturdays, Sundays and legal
12 holidays, by written notice by the director of the agency or the director's designee
13 to the person making the request, setting forth the reasons for the extension and the
14 date on which a determination is expected to be dispatched. The Department Of
15 Administration, The Department of Revenue and the Bureau of Budget and
16 Management Research are allowed eight (8) additional days, Saturdays, Sunday's
17 and Government of Guam holidays excepted, to comply with the provisions of this
18 Section. As used in this Section, *unusual circumstances* means:

19 (1) the need to search for and collect the requested records from field facilities
20 or other establishments that are separate from the office processing the
21 request; *or*

22 (2) the need to search for, collect and appropriately examine more than ten
23 (10) separate and distinct records which are demanded in a single request, or
24 records that in total, are contained in five hundred (500) or more pages, or
25 contain about two hundred fifty thousand (250,000) words, whichever is
26 more.

1 (3) For records that are older than six (6) months, the eight (8) day period,
2 *supra*, shall be extended to ten (10) days.