

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

Bill No. 97 (EC)

Introduced by:

Mark Forbes   
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AN ACT TO REPEAL AND RE-ENACT SECTIONS 10305.  
AND 10306 OF CHAPTER 10, 5GCA TO REQUIRE EACH  
GOVERNMENT DEPARTMENT OR AGENCY TO POST  
AND MAINTAIN AN INTERNET HOME PAGE OR WEB-  
SITE AND PROVIDE INFORMATION TO THE GENERAL  
PUBLIC, OTHERWISE TO BE KNOWN AS THE  
TRANSPARENCY ACT OF 2005.

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

2           **Section 1. Legislative Intent.**       *I Liheslaturan Guåhan* finds that many  
3 departments and agencies of the government of Guam do not maintain homepages  
4 or websites on the world-wide web for the purpose of providing necessary  
5 information to the public. In other cases, the web pages are out of date or contain  
6 such a paucity of information as to be useless. *I Liheslaturan Guåhan* intends to  
7 mandate that each department or agency of the government of Guam shall maintain  
8 an updated web site or home page openly accessible to the general public, and to  
9 describe such information as must be available through such web sites or home  
10 pages.

11           **Section 2.** Section 10305. of Chapter 10, 5GCA is repealed and re-  
12 enacted to read:

1           **"§10305. Home Page for Each Department or Agency of Government.**

2   Within one hundred and twenty (120) days of the enactment hereof, each department or  
3   agency of the Executive Branch of the government of Guam, inclusive of all autonomous  
4   agencies, the department of Education, the Guam Visitors Bureau, the Guam Economic  
5   Development and Commerce Authority, the Guam Waterworks Authority and the Guam  
6   Power Authority, shall develop and post on the Internet a homepage or web site. Each  
7   homepage or web site shall be designated as the official web site or home page for such  
8   department, agency, autonomous agency or public corporation. The provisions of this  
9   section, as well as section 10306. of this chapter, shall apply to the *I Liheslaturan Guahan*, as a  
10   single agency, and the Unified Judiciary, as a single agency."

11           **Section 3.** Section 10306. of Chapter 10, 5GCA is repealed and re-  
12   enacted to read:

13           **"§10306. Information Required.** The following information must be posted,  
14   at a minimum, on each official web site or home page required pursuant to section 10305.

- 15           1.           Notice of all meetings, hearings and public events as required  
16                        by public law and for such duration as required by public law  
17                        and containing such information as is required by public law.
- 18           2.           The e-mail address, public phone numbers, mailing address and  
19                        physical location of the department, agency, autonomous  
20                        agency or public corporation.
- 21           3.           The names and titles of the Director, Deputy Director or official  
22                        in charge of the department, agency, autonomous agency or  
23                        public corporation, as appropriate, as well as the names and  
24                        titles of the administrators of each and all offices, programs,  
25                        services, units or divisions under its purview, and the names of

1 all board members of each board or commission associated or  
2 appurtenant thereto, and an organizational chart demonstrating  
3 the relationships between all, as relevant.

4 4. A list of all fees charged for any services.

5 5. All rules and regulations in force, or links thereto, as  
6 promulgated by the department, agency, autonomous agency or  
7 public corporation, or links thereto, as well as all proposed rules  
8 and regulations, or amendments thereto, as are progressing  
9 through the administrative adjudication process as detailed in  
10 the Administrative Adjudication Act.

11 6. The budget for the department, agency, autonomous agency or  
12 public corporation, as is in force and approved by *I Liheslaturan*  
13 *Guahan* or the governing board as appropriate, as well as the  
14 proposed budget for the upcoming fiscal year, and in such form  
15 as is submitted to or approved by *I Liheslaturan Guahan* or the  
16 governing board as appropriate.

17 7. The awardee, amount, duration and a general description of all  
18 contracts of any nature as entered into by the department,  
19 agency, autonomous agency or public corporation.

20 8. The amount and a general description of all grants received by  
21 the department, agency, autonomous agency or public  
22 corporation.

23 9. The hours of operation of the department, agency, autonomous  
24 agency or public corporation, and all programs, units or  
25 services under its purview.

1           10.           A general description of the areas of responsibility of the  
2                   department, agency, autonomous agency or public corporation,  
3                   and all offices, programs, services, units or divisions under its  
4                   purview, as well as any public reports, studies and publications  
5                   as the public might expect access to under Guam law, or links  
6                   thereto, or forms, notices or circulars required by the public  
7                   while interacting with the department, agency, autonomous  
8                   agency or public corporation, and all offices, programs, services,  
9                   units or divisions under its purview.

10           11.           The results of audits, or links thereto, of the department,  
11                   agency, autonomous agency or public corporation, or any  
12                   component or service of same.

13           12.           In the case of a department, agency, autonomous agency or  
14                   public corporation that generates its own income through fees  
15                   for service or other fees, an annual statement detailing collection  
16                   and income derived from such fees.

17           Nothing in this section shall be construed as limiting the information that a  
18                   department, agency, autonomous agency or public corporation may provide  
19                   to the general public via a home page or web site.”