

I MINA' BENTE NUEBI NA LIHESLATURAN GUÅHAN  
2008 (SECOND) Regular Session

2008 FEB 28 PM 11:21

Bill No. 224(LS)

Introduced by:

Ray Tenorio  
*[Handwritten signatures and initials]*

**AN ACT TO ADD A NEW CHAPTER 13 TO TITLE 2 GUAM  
CODE ANNOTATED RELATIVE TO REFINING THE MEANS  
OF PROVIDING TRANSPARANCY IN THE LEGISLATIVE  
PROCESS BY REQUIRING THAT CERTAIN INFORMATION  
BE PLACED ON THE LEGISLATIVE WEBSITE.**

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

**Section 1.** A new Chapter 13 is hereby added to 2GCA to read:

**Chapter 13  
Legislative Website**

§13101. Legislative Findings and Intent.

§13102. Information Not Limited To The Requirements Of This  
Chapter.

§13103. Definitions.

§13104. Public Laws To Be Posted On The Legislative Website.

§13105. Bills To Be Posted On The Legislative Website.

§13106. Resolutions To Be Posted On The Legislative Website.

§13107. Audio of Public Hearings and Legislative Sessions To Be Posted On  
The Legislative Website.

1           §13108.     Video of Public Hearings and Legislative Sessions To Be Posted On  
2 The Legislative Website.

3           §13109.     Notices of Public Hearings.

4           §13110.     Timeframe for postings.

5           §13111.     Administration Of The Provisions Of This Chapter.

6

7           **§13101. Legislative Findings and Intent.** *I Liheslaturan Guåhan finds*  
8 that the internet offers the simplest means for government officials, the local  
9 press and the public in general to obtain information on their government and the  
10 work of their elected public representatives.

11           I Liheslatura further finds that advances in technology coupled with the  
12 falling prices of hardware, software and internet related services has made it  
13 affordable and easy for the Legislature to make information on nearly all its  
14 activities available to the public. As of July 2007, there are dozens of web  
15 hosting companies that provide suitable services for less than \$20 per month.  
16 Several companies provide as much as 500,000 GB of or unlimited hosting  
17 space, 3,000 email addresses and 4,000,000 GB of monthly transfer volume for  
18 less than \$20 month. Software is available free of charge or at very low prices  
19 that would allow audio of sessions and public hearings to be encoded as  
20 downloadable MP3 files. For less than \$500, hardware & software can be  
21 procured to capture video of sessions and hearings for internet streaming or as  
22 downloadable avi, wmv or mpeg video files. All of this can be done with most  
23 inexpensive office computers and require little, if any, formal instruction for  
24 most personnel to perform.

25           It is the intent of I Liheslatura to make such audio and video available to  
26 the public via its website along with other legislative information such as (1)  
27 notices of public hearings, (2) committee reports with testimony on bills and

1 substantive resolutions, (3) all versions of the bill from introduction to passage  
2 including substitute versions (4) and all floor amendments as proposed and voted  
3 on whether or not the amendment passed or not. It is also the intent of I  
4 Liheslatura to ensure that such information is available on a timely basis. It is not  
5 the intent of I Liheslatura in the adoption of this Chapter to create a legislative  
6 website or to specify the form, appearance or organization of the website, but to  
7 require that certain information as specified herein shall be included on the  
8 website.

9

10 **§13102. Information Not Limited To The Requirements Of This**  
11 **Chapter.** Nothing in this Chapter shall be construed as to limit or prevent *I*  
12 *Liheslatura* from posting information *not* expressly required by this Chapter on  
13 its website.

14

15 **§13103. Definitions.**

16 **MP3** Stands for "MPEG-1 Audio Layer-3." It is the most popular  
17 compressed audio file format. An MP3 file is about one tenth the size of the  
18 original audio file, but the sound is nearly CD-quality.

19 **WMV** (Windows Media Video) is a generic name for video encoding  
20 solutions developed by Microsoft. The format is a part of the Windows Media  
21 framework that also includes formats like Windows Media Audio (WMA),  
22 Advanced Systems Format (ASF) and High Definition Photo (HDP).

23 **AVI** stands for Audio Video Interleave. It is a special case of the RIFF  
24 (Resource Interchange File Format). AVI is defined by Microsoft. AVI is the most  
25 common format for audio/video data on the PC.

1           **MPEG (or MPG)** stands for "Moving Picture Experts Group." The MPEG  
2 organization, which works with the International Organization for Standardization  
3 (ISO), develops standards for digital audio and video compression.

4           The term MPEG also refers to a type of multimedia file, which is denoted by the  
5 file extension ".mpg" or ".mpeg." These files are compressed movies that can contain  
6 both audio and video. Though they are compressed, MPEG files maintain most of the  
7 original quality of the uncompressed movie.

8           **Streaming Audio/video** is a one-way audio transmission over a data network. It  
9 is widely used on the Web as well as private intranets to deliver audio/video on demand  
10 or an audio/video broadcast (Internet radio/TV). Unlike sound files (WAV, MP3, AVI,  
11 WMV, etc.) that are played after they are downloaded, streaming audio/video is played  
12 within a few seconds of requesting it, and the data is not stored permanently in the  
13 computer.

14           If the streaming audio/video is broadcast live, then it may be called "real-time  
15 audio/video."

16           **PDF** Stands for "Portable Document Format." PDF is a multi-platform file  
17 format developed by Adobe Systems. A PDF file captures document text, fonts, images,  
18 and even formatting of documents from a variety of applications. .

19           **Searchable text:** refers to web page or electronic document or file where words  
20 or phrases can be *searched for* using search capabilities of a browser, word processor,  
21 document view, operating system or similar application.

22           **DOC file (DOCument file)** is a file created in a version of Microsoft's word  
23 processing application prior to Microsoft Office 2007. Doc files use a .DOC extension  
24 and differ from text files (.TXT extension) because they contain proprietary codes that  
25 must be opened in Word or software that reads the Word format. Many competing  
26 word processing applications have, however, the capability of opening Microsoft Word  
27 documents.

1            *TXT file* is a filename extension for files consisting of text with very little  
2 formatting (ex: no **bolding** or *italics*). This kind of text format is also called a plain text  
3 file to differentiate them from other kinds of binary files, which, at the time the  
4 distinction was made, were not supposed to have human readable text. The txt format is  
5 typically matches the format accepted by the system terminal or simple text editor. Files  
6 with the .txt extension can easily be read or opened by any program that reads text and,  
7 for that reason, are considered universal.

8            *HTML* short for **Hypertext Markup Language**, is the predominant markup  
9 language for the creation of web pages. It provides a means to describe the structure of  
10 text-based information in a document — by denoting certain text as headings,  
11 paragraphs, lists, and so on — and to supplement that text with *interactive forms*,  
12 embedded *images*, and other objects.

13            *Voice vote* for purpose of this Chapter means any vote cast on the session floor or  
14 in the Committee of the Whole by means of (1) voicing a yes or no (yea or nay) (2)  
15 show of hands or (3) agreed to without objection.

16            *Roll Call vote* or a “vote on the record” for purpose of this Chapter means any  
17 vote cast on the session floor or in the Committee of the Whole where each members of  
18 the Legislature states a vote after his or her name is called by the Clerk of the  
19 Legislature with a “yes” or “no” or other affirmation or negation. Unless otherwise  
20 provided for by the Legislature’s Standing Rules or who are absent or excused from  
21 voting, those members who *do not vote* shall be consider as voting “no” for purposes of  
22 the voting record posted on the legislature’s website.

23            *Technical amendments* are amendments to correct fonts, spacing, formatting,  
24 spelling, punctuation or other amendment that does not change the substance of the  
25 legislation.

26

1           **§13104. Public Laws To Be Posted On The Legislative Website.** Beginning  
2 with the 24<sup>th</sup> Guam Legislature, all Public Laws shall be posted on the Legislative  
3 Website.

4           Beginning with the 29<sup>th</sup> Guam Legislature, all Public Laws posted on the  
5 Legislative Website shall include the following:

6           (a) The Governor’s approval or veto message

7           (b) The voting record for passage and if the bill was vetoed, the voting record on  
8 the override of the veto.

9           (c) All passed amendments to the bill that are not technical amendments shall be  
10 listed separately and include: (1) main sponsor and co-sponsors of the amendment, (2)  
11 the voting record on the amendment unless the amendment was carried by a voice vote  
12 and (3) all amendments to the amendment including the sponsors and the voting record  
13 unless carried by a voice vote.

14           (d) All failed amendments to the bill that are not technical amendments shall be  
15 listed separately and include: (1) main sponsor and co-sponsors of the amendment and  
16 (2) the voting record on the amendment unless the amendment was defeated by a voice  
17 vote

18           (e) Public Laws must be posted in searchable text formats that include but are not  
19 limited to pdf, doc, html and txt.

20           (f) The Public Law should include either on the page the law is posted or on a  
21 summary page of the Public Law or both, links to the Committee Report and the  
22 different versions of the bill to include (1) the bill as introduced (2) any substitute bills  
23 and the bill as engrossed prior to transmittal to the Governor.

24

25           **§13105. Bills To Be Posted On The Legislative Website.** Beginning with the  
26 24<sup>th</sup> Guam Legislature, all Bills shall be posted on the Legislative Website.

1 Beginning with the 29<sup>th</sup> Guam Legislature, all Bills posted on the Legislative  
2 Website shall include the following:

- 3 (1) The Bill as introduced, the main sponsor and co-sponsors and the date of  
4 introduction.
- 5 (2) The date of the Public Hearing.
- 6 (3) The Committee Report on the Bill
- 7 (4) Any substitute Bills and the date of substitution.

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9 **§13106. Resolutions To Be Posted On The Legislative Website.** Beginning  
10 with the 29<sup>th</sup> Guam Legislature, all Resolutions shall be posted on the Legislative  
11 Website and shall include the following:

- 12  
13 (1) The Resolution as introduced, the main sponsor and co-sponsors and the date  
14 of introduction.
- 15 (2) The date of the Public Hearing if a public hearing is required by the Standing  
16 rules.
- 17 (3) The Committee Report on the Resolution if a Committee Report is required  
18 by the Standing Rules
- 19 (4) Any substitute Resolutions and the date of substitution.
- 20 (5) The Engrossed Resolution
- 21 (6) The voting record unless the Resolution is commendatory or congratulatory  
22 in nature or the Resolution is agreed to by a voice vote.

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24 **§13107. Audio of Public Hearings and Legislative Sessions To Be Posted On**  
25 **The Legislative Website.**

26 (a) Effective January 1, 2008 the following shall be posted on the Legislative  
27 Website in MP3 format:

1 (1) All Public Hearings and round table discussions or other meeting that  
2 can suffice as meeting the requirements of a Public Hearing.

3 (2) All Legislative Sessions and meetings of the Committee of the Whole.

4 (b) Nothing herein shall preclude the use of real-time or near real-time streaming  
5 audio via the Legislative Website but such streaming audio can not be used as a  
6 substitute for the downloadable files required by item (a) of this Section.

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8 **§13108. Video of Public Hearings and Legislative Sessions To Be Posted On**  
9 **The Legislative Website.**

10 (a) Effective January 1, 2008 the following shall be posted on the Legislative  
11 Website in either avi, wmv or mpeg format:

12 (1) All Public Hearings and round table discussions or other meeting that  
13 can suffice as meeting the requirements of a Public Hearing.

14 (2) All Legislative Sessions and meetings of the Committee of the Whole.

15 (b) Nothing herein shall preclude the use of real-time or near real-time streaming  
16 video via the Legislative Website but such streaming video can not be used as a  
17 substitute for the downloadable files required by item (a) of this Section.

18  
19 **§13109. Notices of Public Hearings.** All notices of Public Hearings shall be  
20 posted on the Legislative Website within twenty-four (24) hours of the date that the  
21 notice was issued by the Committee scheduling the Public Hearing. The form for  
22 posting such notice shall be either a digitized photo of the actual hearing notice or a  
23 digitized photo in pdf format of the actual hearing notice. Round table discussion and  
24 meetings that suffice for meeting the Public Hearing requirements of Public Law shall  
25 be posted in the same manner, *supra*.

26



1           **§13110. Timeframe for postings.** Unless otherwise expressly provided for  
2 herein, all information required to be posted on the Legislative Website shall be posted  
3 within three (3) days, Saturdays, Sundays and Government of Guam holidays excepted.  
4

5           **§13111. Administration Of The Provisions Of This Chapter.** Each  
6 Legislature shall include in its Standing Rules, provisions for the administration of the  
7 Legislative Website that are not inconsistent with this Chapter.  
8

9           **Section 2. Repeal of Prior Law.** §10309 of Chapter 10 of 5GCA is hereby  
10 *repealed* in its entirety.