

PUBLIC LAW 28-57

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

Bill No. 97 (EC)

As amended on the Floor.

Introduced by:

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AN ACT TO *REPEAL* AND *REENACT* SECTIONS 10305 AND 10306 OF CHAPTER 10 OF TITLE 5 GCA TO REQUIRE EACH GOVERNMENT DEPARTMENT OR AGENCY TO POST AND MAINTAIN AN INTERNET HOMEPAGE OR WEBSITE AND PROVIDE INFORMATION TO THE GENERAL PUBLIC, OTHERWISE TO BE KNOWN AS "THE TRANSPARENCY ACT OF 2005".

BE IT ENACTED BY THE PEOPLE OF GUAM:

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 In other cases, the web pages are out of date or contain such a paucity of information as to be useless.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

Section 2. Section 10305 of Chapter 10 of Title 5 GCA is hereby repealed and re-enacted to read:

“§10305. HomePage for Each Department or Agency of Government.

Within one hundred and twenty (120) days of the enactment hereof, every department or agency of the Executive Branch of the government of Guam, inclusive of all autonomous agencies, the Department of Education, the Guam Visitors Bureau, the Guam Economic Development and Commerce Authority, the Guam Waterworks Authority and the Guam Power Authority, shall develop and post on the Internet a homepage or website. Each homepage or website shall be designated as the official website or homepage for such department, agency, autonomous agency or public corporation. The provisions of this Section, as well as Section 10306 of this Chapter, shall apply to *I Liheslaturan Guåhan* as a single agency, and the Unified Judiciary as a single agency.”

Section 3. Section 10306 of Chapter 10 of Title 5 GCA is hereby repealed and re-enacted to read:

“§10306. Information Required. The following information must be posted, at a minimum, on each official website or homepage required pursuant to Section 10305 above.

1. Notice of all meetings, hearings and public events as required by public law and for such duration as required by public law and containing such information as is required by public law.
2. The official name of the department, agency, autonomous agency or public corporation in both English and Chamorro, the e-mail address, public phone numbers, mailing address and physical location of the department, agency, autonomous agency or public corporation.
3. The names and titles of the Director, Deputy Director or official in charge of the department, agency, autonomous agency or public corporation, as appropriate, as well as the names and titles of the administrators of each and all offices, programs, services, units or divisions under its purview, and the names of all board members of every board or commission associated with or appurtenant thereto, and an organizational chart demonstrating the relationships between all, as relevant.
4. A list of all fees charged for any services.
5. All rules and regulations in force as promulgated by the department, agency, autonomous agency or public corporation, or links thereto, as well as all proposed rules and regulations, or amendments thereto, as are progressing through the administrative adjudication process as detailed in the Administrative Adjudication Act.
6. The budget for the department, agency, autonomous agency or public corporation as is in force and approved by *I Liheslaturan Guåhan* or the governing board as appropriate, as well as the proposed budget for the upcoming fiscal year, and in such form as is submitted to or approved by *I Liheslaturan Guåhan* or the governing board as appropriate, and all expenditures of the department, agency, autonomous agency or public corporation, such entries to be updated on a quarterly basis.
7. The awardee, amount, duration and a general description of all contracts of any nature as entered into by the department, agency, autonomous agency or public corporation, such entries to be updated on a quarterly basis.
8. The amount of and a general description of all grants received by the department, agency, autonomous agency or public corporation.
9. The hours of operation of the department, agency, autonomous agency or public corporation, and all programs, units or services under its purview.
10. A general description of the areas of responsibility of the department, agency, autonomous agency or public corporation, and all offices, programs, services, units or divisions under its purview, as well as

any public reports, studies and publications as the public might expect access to under Guam law, or links thereto, and forms, notices or circulars required to be used by the public while interacting with the department, agency, autonomous agency or public corporation, and all offices, programs, services, units or divisions under its purview.

11. The results of audits, or links thereto, of the department, agency, autonomous agency or public corporation, or any component or service of same.
12. In the case of a department, agency, autonomous agency or public corporation that generates its own income through fees for services or other fees, an annual statement detailing collection and income derived from such fees.

Nothing in this Section shall be construed as limiting the information that a department, agency, autonomous agency or public corporation may provide to the general public via a homepage or website.”