



Office of the Governor of Guam

P.O. Box 2950 Hagåtña, Guam 96932
TEL: (671) 472-8931 • FAX: (671) 477-4826 • EMAIL: governor@mail.gov.gu

Felix Perez Camacho
Governor

Kaleo Scott Moylan
Lieutenant Governor

22 JUL 2005

Senator Edward J.B. Calvo
SECRETARY OF THE LEGISLATURE
ACKNOWLEDGEMENT RECEIPT
Rcv'd by: [Signature]
Print Name & Initial
Time: 11:50 AM Date: 7-25-05

The Honorable Mark Forbes
Speaker
Mina' Bente Ocho Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 97 (EC), "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" which I signed into law on June 30, 2005, as Public Law 28-57.

Sinseru yan Magåhet,

[Signature]

FELIX P. CAMACHO
I Maga'låhen Guåhan
Governor of Guam

Attachment: copy attached of signed bill

cc: The Honorable Eddie Baza Calvo
Senator and Legislative Secretary

0313

Office of the Speaker

MARK FORBES

Date: 7/25/05

Time: 8:00 AM

Rec'd by: Emy

Print Name: Mr. Quichico

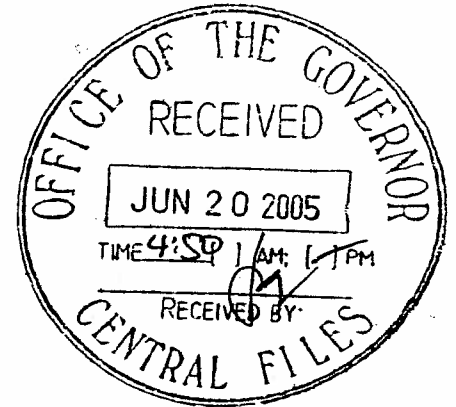
28-05-0312



**MINA' BENTE OCHO NA LIHESLATURAN GUÅHAN**  
TWENTY-EIGHTH GUAM LEGISLATURE  
155 Hessler Place, Hagåtña, Guam 96910

June 20, 2005

The Honorable Felix P. Camacho  
*I Maga'lahaen Guåhan*  
*Ufisinan I Maga'lahi*  
*Hagåtña, Guam 96910*



Dear *Maga'lahi* Camacho:

Transmitted herewith are Bill Nos. 97(EC) & 103(LS); and Substitute Bill Nos. 41(EC), 46(EC), 59(EC), 61(EC), 69(EC), 77(EC), 87(LS), 100(EC), 112(EC), 119(EC), 122(EC), 128(EC) and 137(EC) which were passed by *I Mina'Bente Ocho Na Liheslaturan Guåhan* on June 17, 2005.

Sincerely,

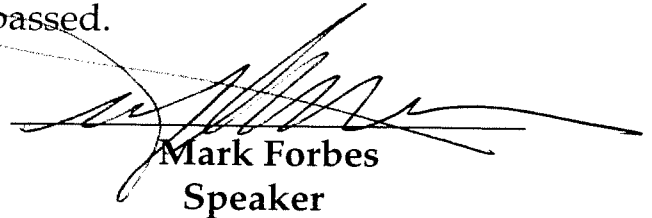
EDWARD J.B. CALVO  
Senator and Secretary of the Legislature

Enclosures (15)

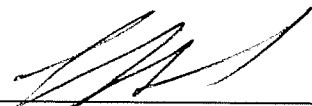
I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN  
2005 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Bill No. 97 (EC), "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'," was on the 17<sup>th</sup> day of June, 2005, duly and regularly passed.

  
Mark Forbes  
Speaker

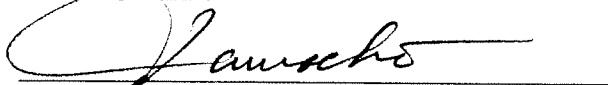
Attested:

  
Edward J.B. Calvo  
Senator and Secretary of the Legislature

-----  
This Act was received by *I Maga'lahaen Guåhan* this 20 day of June, 2005,  
at 4:50 o'clock P.M.

  
Assistant Staff Officer  
*Maga'lahaen's Office*

APPROVED:

  
FELIX P. CAMACHO  
*I Maga'lahaen Guåhan*

Date: 6/30/05

Public Law No. 28-57

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

**Bill No. 97 (EC)**

As amended on the Floor.

Introduced by:

Mark Forbes  
L. F. Kasperbauer  
R. J. Respicio  
F. B. Aguon, Jr.  
J. M.S. Brown  
Edward J.B. Calvo  
B. J.F. Cruz  
Mike Cruz  
R. Klitzkie  
L. A. Leon Guerrero  
J. A. Lujan  
A. B. Palacios  
Ray Tenorio  
A. R. Unpingco  
J. T. Won Pat

**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".**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*  
3 finds that many departments and agencies of the government of Guam do not  
4 maintain homepages or websites on the world-wide web for the purpose of  
5 providing necessary information to the public. In other cases, the web pages

1 are out of date or contain such a paucity of information as to be useless. *I*  
2 *Liheslaturan Guåhan* intends to mandate that each department or agency of the  
3 government of Guam shall maintain an updated website or homepage openly  
4 accessible to the general public, and to describe such information as must be  
5 available through such websites or homepages.

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

8 **“§10305. HomePage for Each Department or Agency of**  
9 **Government.** Within one hundred and twenty (120) days of the  
10 enactment hereof, every department or agency of the Executive Branch  
11 of the government of Guam, inclusive of all autonomous agencies, the  
12 Department of Education, the Guam Visitors Bureau, the Guam  
13 Economic Development and Commerce Authority, the Guam  
14 Waterworks Authority and the Guam Power Authority, shall develop  
15 and post on the Internet a homepage or website. Each homepage or  
16 website shall be designated as the official website or homepage for such  
17 department, agency, autonomous agency or public corporation. The  
18 provisions of this Section, as well as Section 10306 of this Chapter, shall  
19 apply to *I Liheslaturan Guåhan* as a single agency, and the Unified  
20 Judiciary as a single agency.”

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

23 **“§10306. Information Required.** The following information must  
24 be posted, at a minimum, on each official website or homepage required  
25 pursuant to Section 10305 above.

- 1            1. Notice of all meetings, hearings and public events as required  
2            by public law and for such duration as required by public law  
3            and containing such information as is required by public law.
- 4            2. The official name of the department, agency, autonomous  
5            agency or public corporation in both English and Chamorro,  
6            the e-mail address, public phone numbers, mailing address  
7            and physical location of the department, agency, autonomous  
8            agency or public corporation.
- 9            3. The names and titles of the Director, Deputy Director or  
10           official in charge of the department, agency, autonomous  
11           agency or public corporation, as appropriate, as well as the  
12           names and titles of the administrators of each and all offices,  
13           programs, services, units or divisions under its purview, and  
14           the names of all board members of every board or commission  
15           associated with or appurtenant thereto, and an organizational  
16           chart demonstrating the relationships between all, as relevant.
- 17           4. A list of all fees charged for any services.
- 18           5. All rules and regulations in force as promulgated by the  
19           department, agency, autonomous agency or public  
20           corporation, or links thereto, as well as all proposed rules and  
21           regulations, or amendments thereto, as are progressing  
22           through the administrative adjudication process as detailed in  
23           the Administrative Adjudication Act.
- 24           6. The budget for the department, agency, autonomous agency  
25           or public corporation as is in force and approved by *I*

1 *Liheslaturan Guåhan* or the governing board as appropriate, as  
2 well as the proposed budget for the upcoming fiscal year, and  
3 in such form as is submitted to or approved by *I Liheslaturan*  
4 *Guåhan* or the governing board as appropriate, and all  
5 expenditures of the department, agency, autonomous agency  
6 or public corporation, such entries to be updated on a  
7 quarterly basis.

8 7. The awardee, amount, duration and a general description of  
9 all contracts of any nature as entered into by the department,  
10 agency, autonomous agency or public corporation, such  
11 entries to be updated on a quarterly basis.

12 8. The amount of and a general description of all grants received  
13 by the department, agency, autonomous agency or public  
14 corporation.

15 9. The hours of operation of the department, agency,  
16 autonomous agency or public corporation, and all programs,  
17 units or services under its purview.

18 10. A general description of the areas of responsibility of the  
19 department, agency, autonomous agency or public  
20 corporation, and all offices, programs, services, units or  
21 divisions under its purview, as well as any public reports,  
22 studies and publications as the public might expect access to  
23 under Guam law, or links thereto, and forms, notices or  
24 circulars required to be used by the public while interacting  
25 with the department, agency, autonomous agency or public

1 corporation, and all offices, programs, services, units or  
2 divisions under its purview.

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

6 12. In the case of a department, agency, autonomous agency or  
7 public corporation that generates its own income through fees  
8 for services or other fees, an annual statement detailing  
9 collection and income derived from such fees.

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





***I Mina' Bente Ocho Na Liheslaturan Guahan***  
**The 28<sup>th</sup> Guam Legislature**

155 Hesler Place  
Hagatna, Guam 96910  
Office (671) 472-3409 • Fax (671) 472-3510

**Speaker Mark Forbes**

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May 6, 2005

**Speaker Mark Forbes**  
**I Mina' Bente Ocho Na Liheslaturan Guahan**  
**155 Hesler Place**  
**Hagatna, Guam 96910**

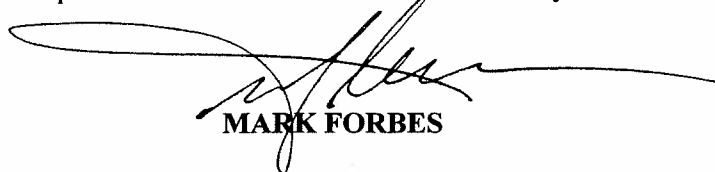
The Committee on General & Omnibus Matters to which Bill No. 97 was referred, wishes to report its findings and recommendations **TO DO PASS BILL No. 97 (EC): "An Act To Repeal And Re-Enact Sections 10305. And 10306 Of Chapter 10, 5GCA To Require Each Government Department Or Agency To Post And Maintain An Internet Home Page Or Web-Site And Provide Information To The General Public, Otherwise To Be Known As The Transparency Act Of 2005"**.

Transmitted herewith for your consideration and action is our committee report on the above subject matter.

The voting record is as follows:

  5   TO PASS  
       NOT TO PASS  
       TO REPORT OUT ONLY  
       ABSTAIN  
       INACTIVE FILE

Copies of the Committee Report and other pertinent documents are attached. Thank you and si Yu'os ma'ase for your attention to this matter.

  
**MARK FORBES**

Attachments

**MEMORANDUM**

**TO:** Committee Members

**FROM:** Chairman

**SUBJECT:** Committee Report- BILL No. 97 (EC): "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".

Transmitted herewith for your information and action is the report on BILL No. 97 (EC) from the Committee on General and Omnibus Matters.

This memorandum is accompanied by the following:

1. Committee Voting Sheet
2. Committee Report
3. BILL No. 97 (EC)
4. Public Hearing Sign-In Sheet
5. Fiscal Note/ Fiscal Note Waiver
6. Notice of Public Hearing

Please take the appropriate action on the voting sheet. Your attention and cooperation in this matter is greatly appreciated.

Should you have questions regarding the report or accompanying documents, please do not hesitate to contact me.

Thank you and si Yu'os ma'ase.

**MARK FORBES**

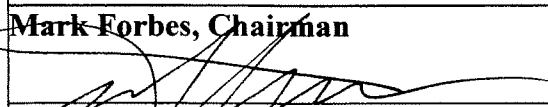

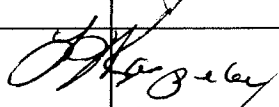
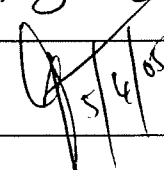

Attachments

# COMMITTEE ON GENERAL AND OMNIBUS MATTERS

*I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN*  
155 HESLER PLACE, HAGÅTNA, GUAM 96910

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.

## VOTING SHEET

	SIGNATURE	TO PASS	NOT TO PASS	TO REPORT OUT OF COMMITTEE	ABSTAIN	INACTIVE FILE
Mark Forbes, Chairman		✓				
Edward J.B. Calvo		✓				
Lawrence F. Kasperbauer, Ph.D.		✗				
Jesse A. Lujan		✓				
Ray Tenorio						
Michael Cruz, M.D.						
Lou A. Leon Guerrero						
Judith T. Won Pat						
Benjamin J.F. Cruz		✓				

# I MINA' BENTE OCHO NA LIHESLATURAN GUAHAN

2005 (FIRST) Regular Session

Date: 6/17/05

## VOTING SHEET

Bill No. 97(EC)

Resolution No. \_\_\_\_\_

Question: \_\_\_\_\_  
 \_\_\_\_\_

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
AGUON, Frank B., Jr.	✓				
BROWN, Joanne M.S.	✓				
CALVO, Edward J.B.	✓				
CRUZ, Benjamin J.F.	✓				
CRUZ, Michael (Dr.)	✓				
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.	✓				
KLITZKIE, Robert	✓				
LEON GUERRERO, Lourdes A.					✓
LUJAN, Jesse A.	✓				
PALACIOS, Adolpho B.	✓				
RESPICIO, Rory J.	✓				
TENORIO, Ray	✓				
UNPINGCO, Antonio R.	✓				
WON PAT, Judith T.	✓				

TOTAL

14
0
0
0
1

CERTIFIED TRUE AND CORRECT:

\_\_\_\_\_  
 Clerk of the Legislature

\* 3 Passes = No vote  
 EA = Excused Absence

P.L. 28-57

**I MINA' BENTE OCHO NA LIHESLATURAN GUÅHAN  
COMMITTEE ON GENERAL & OMNIBUS MATTERS  
SPEAKER MARK FORBES, CHAIRMAN**

**COMMITTEE REPORT**

**ON**

**BILL NO. 97 (EC)**

**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.**

## I. OVERVIEW

The Committee on General and Omnibus Matters held a public hearing at 2:00 p.m. on April 27, 2005 in the Public Hearing Room, I Liheslaturan Guåhan. Public notice was given to all media (see facsimile confirmation page) on April 20 and April 25, 2005 and posted in the Government Meetings Section in the April 26, 2005 edition of the PDN.

Senators present at the public hearing were:

Speaker Mark Forbes, Chairman  
Senator Lawrence F. Kasperbauer, Ph.D., Member  
Senator Lou A. Leon Guerrero, Member  
Vice Speaker Joanne M.S. Brown  
Senator Robert Klitzkie  
Senator Frank B. Aguon, Jr.  
Senator Adolpho B. Palacios, Sr.

## II. SUMMARY OF TESTIMONY

Individuals that appeared before the Committee to present oral and written testimony on the bill were as follows:

There were no individuals who testified before the committee on Bill No. 97, nor any written testimonies submitted to the committee.

## III. FINDINGS AND RECOMMENDATION

The Committee on General and Omnibus Matters finds that the intent of Bill No. 97 mandates that each department and agency or instrumentality of the Executive Branch of the government of Guam develop and update on the internet a homepage or web site. The intent is to allow for individuals to easily seek information about a department's or agency's mission, public services, public announcements or to download documents pertinent to the department or agency and the services they provide. The intent is to make our government more transparent in its operations and services to the people and to the allow for public input and comment.

Accordingly, the Committee on General and Omnibus Matters to which BILL No. 97 (EC) was referred does hereby submit its findings and recommendations to I Mina' Bente Ocho Na Liheslaturan Guåhan **TO DO PASS BILL No. 97 (EC)**, "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."

#### **IV. PUBLIC HEARING AGENDA**

### **AGENDA COMMITTEE ON GENERAL & OMNIBUS MATTERS, and EXECUTIVE COMMITTEE**

**Public Hearing  
Wednesday, April 27, 2005, 2:00 p.m.**

**Governor's Appointment of Mr. Lawrence P. Perez to serve as the Director of the Department of Public Works.**

**Lai Priniponi. 58 (EC) - *Inintrodusi Nu As Mark Forbes***

Un Ákto Na U Ta Na'dañña' Nuebu Na Seksion 834.2. (Ocho Tres Kuattro Punto Dos) Para I '1GCA' Ni' Para U Ma Desikna I Chalan 'Route 4' Tåt Kumu Chalan Chamorro Ni' Para U Ta Onra I Manchamorro Espesiátmente Ayu Siha Na Taotâogues Ni' Manma Sá'pet, Manmesngon Yan Manggai Ánimu Yan Espiritu Gi Durânten I Gera II.

(An Act To Add A New Section 834.2.To 1GCA To Designate Route 4 As "Chalan Chamorro" To Honor The Chamorro People Of Guam, Especially Those Who Suffered And Demonstrated Such Fortitude, Courage And Strength Of Spirit During The Second World War).

**Bill No. 94 (EC) - *by L. A. Leon Guerrero***

An Act To Transfer The Barrigada Public Library Building From The Guam Public Library System To The Office Of The Mayor Of Barrigada For The Purpose Of A Barrigada Senior Citizen Center.

**Bill No. 97 (EC) - *by Mark Forbes***

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.

**Bill No. 101 (EC) - *by L. F. Kasperbauer***

An Act To Amend Chapter 58 To Title 5 Of The Guam Code Annotated; Relative To Establishing A Means For Education Facilities Construction.

**Bill No. 111 (EC) - *by J. A. Lujan***

An Act To Repeal Sections 2 And 3 Of Public Law 24-259, Relative To Leasing A Portion Of Lot No. 10142 New PTN Tract 100, Also Known As The Dededo Sports Complex, And To Authorize And Direct The Governor Of Guam To Lease A Portion Of Paseo De Susana For A Baseball/Softball Training Center

**Bill No. 118 (EC) - Mark Forbes**

An Act To Authorize Interest Only Payments And To Add A New Subsection 8137(h). To 4 GCA, All For The Purpose Of Permitting Employees Eligible To Retire From The Department Of Education And The Guam Memorial Hospital Authority To Retire In Fact.

#### **IV. SIGN IN SHEET**

**There were individuals who signed to testify on Bill No. 97 at the public hearing.**



***I Mina' Bente Ocho Na Liheslaturan Guahan***  
**The 28<sup>th</sup> Guam Legislature**

155 Hesler Place  
Hagatna, Guam 96910  
Office (671) 472-3409 • Fax (671) 472-3510

**Speaker Mark Forbes**

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**WAIVER OF FISCAL NOTE**

In accordance with §9105 Title 2 GCA, I hereby certify that prompt committee action on Bill 97 is necessary to the proper conduct of legislative business. Therefore, I am waiving requirement of a fiscal note on Bill 97.

MARK FORBES  
Speaker and Chairman,  
Committee on General and Omnibus Matters



# VI. PUBLIC HEARING NOTICES

To PDN Government Meetings Section, April 20, 2005

## Transmission Report

Date/Time  
Local ID  
Local Name  
Company Logo

4-20-05; 5:13PM  
4723510  
Guam Legislature

This document was confirmed.  
(reduced sample and details below)  
Document Size Letter-S



*I Muna' Banta Ocho Na L'freasturan Guahan*  
The 28<sup>th</sup> Guam Legislature

185 Hender Place  
Hagatna, Guam 96910  
Office (871) 472-3408 • Fax (871) 472-3510

Speaker Mark Forbes

### FACSIMILE

Date: April 20, 2005 Time:

Ref No.: 477-3079 No. of Pages:

To: PDN Government Meetings

From: The Office of Speaker Mark Forbes

Re: Public Hearing Notice- April 21, 2005

Note: We would like to reserve space in the government meeting notice section of the Pacific Daily News for Thursday, April 21 and Friday, April 22 to read:

**\*Committee on General and Oversight Matters & Executive Committee:**  
Public Hearing, Wednesday, April 27, 2005, 2:00 PM., Public Hearing Room, Temporary Legislative Building, Hagatna, Guam. To be heard;

**Governor's Appointment of Mr. Lawrence F. Pava to serve as the Director of the Department of Public Works.**

**Lal Priblagant, SR (SEC) - Amended No. 40 Mark Forbes**  
De Ato Na U To Maktakal Munda Na Salasas ES4.2, (Ocho Tin Kastin Pava Din) Pua I 'IGCA' Na Pua U Ma Daulin I Chalan Yona 'Tir Kastin Chalan Chamorro Na Pua U To Oon I Manhachorro Repulhante Ayo Sika Na Teologian Na Mencia MPet, Manganaga Yon Manganag Aalon Yan Espiritu Gi Daulin I Gura B.

**(An Act To Add A New Section ES4.2 To IGCA To Designate Rank 4 As "Chalan Chamorro" To Honor The Chamorro People Of Guam, Especially Those Who Suffered And Demonstrated Such Fortitude, Courage And Strength Of Spirit During The Second World War).**

Total Pages Scanned : 2 Total Pages Confirmed : 2

No.	Doc	Remote Station	Start Time	Duration	Pages	Mode	Comments	Results
1	633	94773079	4-20-05; 5:12PM	1'04"	2 / 2	EC		CP 14.4

Notes :

EC: Error Correct	RE: Resend	PD: Polled by Remote	MB: Receive to Mailbox
BC: Broadcast Send	MP: Multi-Poll	PG: Polling a Remote	PI: Power Interruption
CP: Completed	RM: Receive to Memory	DR: Document Removed	TM: Terminated by user
HS: Host Scan	HP: Host Print	FO: Forced Output	WT: Waiting Transfer
HF: Host Fax	HR: Host Receive	FM: Forward Mailbox Doc.	WS: Waiting Send

guampdn.com Pacific Daily News, Tuesday, April 26, 2005

# LOCAL

## GOVERNMENT MEETINGS

### ▲ Continued from Page 6

Commercial Complex, Route 10, Mangilao. Call Jane Diego, 735-7408/11.

▲ **GUAM MENTAL HEALTH PLANNING COUNCIL:** Noon, April 26, Guam Identified Families' Terrific Strength, or GIFTS, office (left side), Mangilao mayor's office. Call 482-2560.

▲ **SOUTHERN SOIL & WATER CONSERVATION DISTRICT:** 7 p.m. April 26, University of Guam Experiment Station, Inarajan. Call 735-2080.

#### April 27

▲ **ALCOHOL BEVERAGE CONTROL BOARD:** 5 p.m. April 27, Compliance Branch Office, second floor, Pacific News Building, Archbishop Flores St., Hagåtña. Call 475-1802.

▲ **CHAMORRO LAND TRUST COMMISSION:** Rescheduled meeting 4 p.m. April 27, Department of Land Management conference room, first floor, Anigua. Call 475-4251.

▲ **COMMITTEE ON GENERAL AND OMNIBUS MATTERS AND EXECUTIVE COMMITTEE:** Public hearing 2 p.m. April 27, Legislature's public hearing room, Hagåtña. Governor's appointment of Lawrence P. Perez to serve as director of the Department of Public Works. Bill 58, designating Route 4 as Chalan Chamorro honoring the Chamorro people of Guam, especially those who suffered and demonstrated such fortitude, courage and strength of spirit during World War II; Bill 94, transferring the Barrigada Public Library building from the Guam Public Library System to the Barrigada mayor's office for the purpose of a Barrigada Senior Citizens Center; Bill 97, requiring each government department or agency to post and maintain an Internet home page or Web site and provide information to the general public — the Transparency Act of 2005; Bill 101, establishing a means for education facilities construction; Bill 111, leasing a portion in Dededo, also known as the Dededo Sports Complex, and to authorize and direct the governor to lease a portion of Paseo de Susana for a baseball/softball training center; Bill 118, permitting employees eligible to retire from the Department of Education and Guam Memorial Hospital Authority to retire in fact.

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

Bill No. 97 (EC)

Introduced by:

Mark Forbes   
\_\_\_\_\_

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  
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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.”