

MINA' TRENTAI DOS NA LIHESLATURAN GUÅHAN
2012 (FIRST) Regular Session

Bill No. 26-32 (COR)

Introduced by:

B.J.F. Cruz
V. Anthony Ada
T.R.Muna Barnes

AN ACT TO ADD A NEW § 8107.1 TO CHAPTER 8 OF TITLE 5, GUAM CODE ANNOTATED; RELATIVE TO MANDATING THE CREATION OF THE ‘GUAM PUBLIC NOTICE WEBSITE’; AMENDING (A) OF §8104 CHAPTER 8 OF TITLE 5 GUAM CODE ANNOTATED AND ADDING (C) OF §8104 CHAPTER 8 OF TITLE 5 GUAM CODE ANNOTATED.

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

2 **Section 1. A *new* §8107.1 of Chapter 8 of Title 5 Guam Code**
3 **Annotated is hereby *added* to read as follows:**

4 “§8107.1 Guam Public Notice Website – Creation, establishment and
5 administration.

6 (a) As used in this part:

7 (1) "Website" means the “Guam Public Notice Website”
8 created under this section.

9 (b) There is created the “Guam Public Notice Website” to be
10 administered by the Department of Administration.

11 (c) The website *shall* provide assistance to the public to find posted
12 public notices for public agencies of the government of Guam and its
13 political subdivisions as required under Title 5, Chapter 8, Open
14 Government Law.

1 (d) The Department of Administration shall create the website which
2 shall:

3 (1) allow a public agency, or other certified entity, to easily post
4 any public notice information that the public body or other entity is required
5 to post under statute;

6 (2) allow the public to search the public notices by:

7 (A) public agency name;

8 (B) date of posting of the notice;

9 (C) date of any meeting or deadline included as part of
10 the public notice; and

11 (D) any other criteria approved by the Department of
12 Administration;

13 (3) allow the public to search and view past, archived public
14 notices;

15 (4) allow a person to subscribe to receive updates and notices
16 associated with a public body or a particular type of notice;

17 (5) be easily accessible by the public from the Government of
18 Guam home page;

19 (6) have a unique and simplified website address;

20 (7) be directly accessible via a link from the main page of the
21 official government website; and

22 (8) include other links, features, or functionality that will assist
23 the public in obtaining and reviewing information in relation to public
24 notices posted on the website, as may be approved by the Department of
25 Administration.

26 (e) The Department of Administration shall be responsible for:

1 (1) establishing and maintaining the website, including the
2 provision of equipment, resources, and personnel as is necessary;

3 (2) providing a mechanism for public agencies to have access to
4 the website for the purpose of posting and modifying notices; and

5 (3) maintaining an archive of all notices posted to the website.

6 (f) The time period for posting and the content of the public notices
7 posted to the website shall be the responsibility of the public agency or other
8 entity posting the notice. The agency or entity posting or publishing the
9 public notice required under this section *must meet all* requirements for
10 public notice under the Open Government Law.

11 **Section 2. Subsection 5 (A) of §8104 of Chapter 8 Title 5 of the**
12 **Guam Code Annotated is hereby *amended* to read as follows:**

13 “(5) (A) Public Notice, as used in this Chapter, means a publication
14 by newspaper of general circulation or by radio or television which is
15 reasonably calculated to provide notice of the facts it announces to the
16 public at large or the legal publication of a public agency’s meeting that
17 requires publication under Title 5, Chapter 8, Open Government Law.”

18 **Section 3. Subsection 5 (C) §8104 of Chapter 8 Title 5 of the**
19 **Guam Code Annotated is hereby *added* to read as follows:**

20 “(C) Public Notice of notice of public hearings may be published
21 through electronic means, including, but not limited to, the ‘Guam Public
22 Notice Website’, cable access channels that provide government access shall
23 also be required to broadcast public notices on that channel.”