




I MINA' TRE NTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

Bill No. 81 (COR.)

Introduced by:

Judith Won Pat, Ed.D. 
T.R. Muna Barnes 

AN ACT TO AMEND SUBSECTION (f) OF §15102,
TO ADD SUBSECTION (g) TO §15205 ALL OF
CHAPTER 15 OF TITLE 4 OF THE GUAM CODE
ANNOTATED, RELATIVE TO THE DISCLOSURE
OF CONFLICTS OF INTERESTS.

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1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent.

3 *I Liheslaturan Guåhan* finds that decisions made by officials and
4 employees of the government of Guam should be based solely on what is in
5 the best interest of the public and that it must protect the integrity of its
6 government by prohibiting any government official and employee from
7 engaging in any business or transactions, from rendering services or from
8 having contractual, financial, or personal interests, direct or indirect which are
9 in conflict with or which would create a justifiable impression in the public of
10 conflict or which would tend to impair independence or objectivity of
11 judgment or action in the performance of official duties.

12 *I Liheslatura* further finds that the government of Guam requires
13 disclosure of the assets and income of elected officials and certain employees
14 so that the public may review actual and potential conflicts of interest. It is

1 the intent of *I Liheslatura* to require government officials and employees to
2 disclose financial or personal interest in any proposed matter or decision
3 pending before him.

4 **Section 2.** Subsection (f) of §15102 of Chapter 15 of Title 4 of the Guam
5 Code Annotated is hereby *amended* to read:

6 (f) *financial interest* means an interest held by an individual, his or her
7 spouse, ~~or~~ natural, adopted, or dependent children, parents,
8 parents-in-law, siblings, or siblings-in-law which is:

- 9 (1) an ownership interest in a business;
- 10 (2) a creditor interest in an insolvent business;
- 11 (3) an employment, or prospective employment for which
12 negotiations have begun;
- 13 (4) an ownership interest in personal or real property;
- 14 (5) a loan or other debtor interest; or
- 15 (6) a directorship or officership in a business.

16 **Section 3.** Subsection (g) is hereby *added* to §15205 of Chapter 15 of
17 Title 4 of the Guam Code Annotated to read:

18 (g) All employees as defined in this section who knows or with
19 reasonable investigation should know that the employee has a financial
20 interest direct or indirect in any proposed legislation or in any decision
21 pending before that employee or the agency of which the employee is a
22 member shall not vote for or against, discuss, decide, in any way
23 participate in considering the matter or seek to influence the votes or
24 decisions of others on such matter.

1 Prior to any determination of the matter, the employee shall
2 verbally disclose at the meeting, if any, the nature of such interest, and
3 shall have such disclosure placed on the official records of the agency.
4 Should an employee be absent from that meeting or a portion of that
5 meeting, the employee is required to verbally disclose the nature of the
6 conflict at the next attended meeting and said disclosure shall be placed
7 on the official records of the agency. Further, the employee must
8 complete a Disclosure of Conflicts of Interest form with the Guam
9 Election Commission within three (3) working days upon the
10 employee's recognition of said conflict.

11 The Guam Election Commission shall be the main repository for
12 the Disclosure of Conflicts of Interest forms and shall create such form
13 to be distributed to all departments, agencies, boards and commissions.
14 Such form shall include, but not limited to, the name of the employee,
15 the entity represented, and a statement of disclosure describing the
16 matter or decision pending before the employee, and the nature and
17 description of the conflict.