



Office of the Governor of Guam

Adelup, Guam 96932

TEL: (671) 472-8931 • FAX: (671) 477-4826 • EMAIL: gov@guam.gu

Felix Perez Camacho
Governor

APR 29 2003

Kaleo Scott Moylan
Lieutenant Governor

Office of the People's Speaker
Vicente (Ben) C. Pangelinan

APR 30 2003

TIME: 3:09 | 1 AM | 1 PM
RECEIVED BY:

The Honorable Vicente C. Pangelinan
Speaker
Mina' Bente Siete Na Liheslaturan Guåhan
Twenty-Seventh Guam Legislature
155 Hesler Street
Hagåtña, Guam 96910

Dear Speaker Pangelinan:

Transmitted herewith is Bill No. 59 (COR), "AN ACT TO CLARIFY THE STATUS OF THE GUAM ECONOMIC DEVELOPMENT AND COMMERCE AUTHORITY AS PART OF THE GOVERNMENT OF GUAM FOR PROCUREMENT PURPOSES," which I have signed into law on April 26, 2003 as Public Law 27-18.

Sincerely yours,

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

Attachment: copy attached of signed bill

cc: The Honorable Tina Rose Muña-Barnes
Senator and Legislative Secretary

Document No. 03-02164/1c

MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN
2003 (FIRST) Regular Session

Bill No. 59 (COR)

As amended on the Floor.

Introduced by:

v. c. pangelinan
L. A. Leon Guerrero
J. A. Lujan
F. B. Aguon, Jr.
J. M.S. Brown
F. R. Cunliffe
C. Fernandez
Mark Forbes
L. F. Kasperbauer
R. Klitzkie
T. R. Muña-Barnes
J. M. Quinata
R. J. Respicio
Toni D. Sanford
Ray Tenorio

AN ACT TO CLARIFY THE STATUS OF THE GUAM
ECONOMIC DEVELOPMENT AND COMMERCE
AUTHORITY AS PART OF THE GOVERNMENT OF
GUAM FOR PROCUREMENT PURPOSES.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*
3 finds that the Guam Economic Development and Commerce Authority
4 ("GEDCA") has for too long been removed from the procurement laws
5 of Guam, and that its most recent contract for lobbyist services
6 amounting to 1.5 Million Dollars in the face of government employee

1 layoffs and reductions in pay, is evidence that the power of the GEDCA
2 Board when spending government funds must be contained.
3 Accordingly, GEDCA's status will be that of an autonomous
4 instrumentality within and of the government of Guam for procurement
5 purposes.

6 **Section 2.** Notwithstanding any other provision of law, the Guam
7 Economic Development and Commerce Authority shall be subject to the
8 Freedom of Information Law and the Sunshine Information Act of 1999,
9 5 GCA Chapter 10, and the Open Government Law, 5 GCA Chapter 8.

10 **Section 3.** §5125 of Part C of Article 2 of Chapter 5 of Title 5, Guam
11 Code Annotated, is hereby *amended* to read as follows:

12 **"§5125. Application of this Chapter to Executive Branch.**
13 Every governmental body which is in the purview of the Executive
14 Branch, and including Guam Community College, the University
15 of Guam, the Department of Education, the Guam Memorial
16 Hospital Authority, Guam Economic Development and Commerce
17 Authority, and the Guam Visitor's Bureau, shall be governed by
18 Articles 1, 3, 6, 7, 10, 11 and 12 of this Chapter, except to the extent
19 that any such governmental body or other above-named body may
20 be exempted from the centralized procurement regime of Article 2
21 of this Chapter, in which event the Director of each such
22 governmental body or other above-named body shall be
23 substituted wherever there is reference to the Public Policy Office,
24 Chief Procurement Officer or Director of Public Works in Articles
25 4, 5, 8 and 9 of Chapter 5 of Title 5 of the Guam Code Annotated.

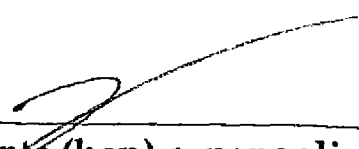
1 It is the intent of *I Liheslaturan Guåhan* to require all Executive
2 Branch governmental bodies, including autonomous agencies, and
3 other above-named bodies, to be governed to the maximum extent
4 practicable by Chapter 5 of Title 5 of the Guam Code Annotated.
5 This provision requires any governmental body, and each above-
6 named body, to conduct their procurement activities pursuant to
7 Chapter 5 of Title 5 of the Guam Code Annotated, except insofar as
8 said Chapter establishes and effects a system of centralized
9 procurement.”

10 **Section 4. Severability.** *If* any provision of this Act or its
11 application to any person or circumstance is found to be invalid or
12 contrary to law, such invalidity shall *not* affect other provisions or
13 applications of this Act which can be given effect without the invalid
14 provisions or application, and to this end the provisions of this Act are
15 severable.

I MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN
2003 (FIRST) Regular Session

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

This is to certify that Bill No. 59 (COR), "AN ACT TO CLARIFY THE STATUS OF THE GUAM ECONOMIC DEVELOPMENT AND COMMERCE AUTHORITY AS PART OF THE GOVERNMENT OF GUAM FOR PROCUREMENT PURPOSES," was on the 11th day of April, 2003, duly and regularly passed.



vicente (ben) c. pangelinan
Speaker


Attested:



Tina Rose Muña-Barnes
Senator and Legislative Secretary

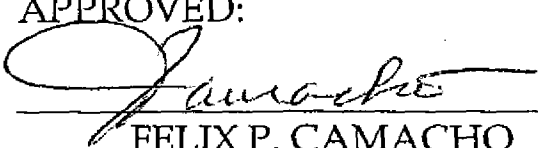
.....

This Act was received by *I Maga'lahaen Guahan* this 15 day of April, 2003, at 5:30 o'clock
P.M.



Assistant Staff Officer
Maga'laha'i's Office

APPROVED:



FELIX P. CAMACHO
I Maga'lahaen Guahan

Date: April 26, 2003

Public Law No. 27-18

U

4

I MINA' BENTE SIETE NA LIHESLATURAN GUAHAN

2003 (FIRST) Regular Session

Date: 4/11/03

VOTING SHEET

Bill No. 59(COR)

Resolution No. _____

Question: _____

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
AGUON, Frank B., Jr.	✓				
BROWN, Joanne M. S.	✓				
CUNLIFFE, F. Randall	✓				
FERNANDEZ, Dr. Carmen	✓				
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.	✓				
KLITZKIE, Robert	✓				
LEON GUERRERO, Lourdes A.	✓				
LUJAN, Jesse A.	✓				
MUÑA-BARNES, Tina Rose	✓				
pangelinan, vicente "ben" C.	✓				
QUINATA, John "JQ" M.	✓				
RESPICIO, Rory J.	✓				
SANFORD, Antoinette "Toni" D.	✓				
TENORIO, Ray	✓				

TOTAL

15 0 0 0 0

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence