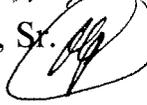


I MINA' TRENTA NA LIHESLATURAN GUÅHAN  
2009 (FIRST) Regular Session

Bill No. 216-30 (LS)

Introduced by:

Ray Tenorio   
E. J. B. Calvo   
A. B. Palacios, Sr. 

**AN ACT TO ADD A NEW CHAPTER 15 TO 5GCA, A NEW §1127 TO  
CHAPTER 1 OF 2GCA AND A NEW §2103 TO CHAPTER 2 OF 7GCA  
RELATIVE TO THE PUBLIC EXAMINATION OF GOVERNMENT  
OF GUAM CONTRACTS.**

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

**Section 1.** A new Chapter 15 is *added* to 5GCA to read as follows:

**Chapter 15**

**Public Examination of Government Contracts**

**§15101. Public Examination of Contracts.** All contracts, with total payments from any source of Government of Guam or Federal funds, of Fifty Thousand Dollars (\$50,000) or more shall be posted on the contracting agency's website for a period of not more than twenty-four (24) hours including Saturdays, Sundays and Government of Guam Holidays *subsequent* to approval unless exempted by the provisions of this Chapter.

Within twenty-four (24) hours of the posting of said contract, *supra*, notice and a copy of said contract shall be provided, by either hand-delivery, electronic mail or electronic facsimile prior to approval of said contract, to the following:

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- 1 (a) Printed newspapers that are published at least Five (5) days a week, and  
2 (b) Federal Communications Commission licensed commercial Television and Radio  
3 Stations

4  
5 **§15102. Exception for Emergencies.** Any contract described in §15101 of this Chapter  
6 that arises from and is necessitated by a *Declaration Of Emergency* by *I Maga Lahen*  
7 *Guåhan* is exempt from the provisions of §15101 of this Chapter provided that notice and  
8 a copy of said contract is provided, by either hand-delivery, electronic mail or electronic  
9 facsimile prior to approval of said contract, to the following:

- 10 (a) Printed newspapers that are published at least Five (5) days a week,  
11 (b) Federal Communications Commission licensed commercial Television and Radio  
12 Stations,  
13 (c) The Speaker of *I Liheslaturan Guåhan*, and  
14 (d) The Minority Leader of *I Liheslaturan Guåhan*

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16 **§15103. Exempt Contracts.** The following contracts are exempt from the reporting  
17 requirements of §15101 of this Chapter:

- 18 (a) Contracts for personal or professional services where the name and compensation  
19 amount of the contracted party are listed on the agency's staffing pattern,  
20 (b) Contracts where the subject matter is exempt from public disclosure by the provisions  
21 of 5GCA Chapter 10,  
22 (c) Contracts approved by an Act of *I Liheslaturan Guåhan*,  
23 (d) Contracts where the terms are approved by *I Liheslaturan Guåhan* subject to the  
24 provisions of 12GCA §51103(k), and  
25 (e) Settlement contracts where the subject matter and/or terms are sealed by a Valid Court  
26 Order.

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1 **§15104. Applicability of this Chapter.** The provisions of this Chapter shall apply to all  
2 agencies, instrumentalities and public corporations of the Executive Branch including the  
3 autonomous agencies in 12GCA and the Educational Institutions in 17GCA.

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5 **Section 2.** A new Section 1127 is *added* to Chapter 1 of 2GCA to read as follows:

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7 **§1127. Public Examination of Legislative Contracts.** (a) All legislative contracts, with  
8 total payments from any source of Government of Guam or Federal funds, of Fifty  
9 Thousand Dollars (\$50,000) or more shall be posted on the contracting agency’s website  
10 for a period of not more than twenty-four (24) hours including Saturdays, Sundays and  
11 Government of Guam Holidays prior to approval unless exempted by the provisions of  
12 this Chapter.

- 13 (b) The following contracts are exempt from the reporting requirements of this Section:
- 14 (a) Contracts for personal or professional services where the name and compensation
  - 15 amount of the contracted party are listed on the agency’s staffing pattern,
  - 16 (b) Contracts where the subject matter is exempt from public disclosure by the provisions
  - 17 of 5GCA Chapter 10, and
  - 18 (c) Settlement contracts where the subject matter and/or terms are sealed by a Valid Court
  - 19 Order.

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21  
22 **Section 3.** A new Section 2103 is *added* to Chapter 2 of 7GCA to read as follows:

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24 **§2103. Public Examination of Judiciary Contracts.** (a) All judiciary contracts, with  
25 total payments from any source of Government of Guam or Federal funds, of Fifty  
26 Thousand Dollars (\$50,000) or more shall be posted on the contracting agency’s website  
27 for a period of not not more than twenty-four (24) hours including Saturdays, Sundays

1 and Government of Guam Holidays prior to approval unless exempted by the provisions  
2 of this Chapter.

3 (b) The following contracts are exempt from the reporting requirements of this Section:

4 (a) Contracts for personal or professional services where the name and compensation  
5 amount of the contracted party are listed on the agency's staffing pattern,

6 (b) Contracts where the subject matter is exempt from public disclosure by the provisions  
7 of 5GCA Chapter 10, and

8 (c) Settlement contracts where the subject matter and/or terms are sealed by a Valid Court  
9 Order.

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