

# **Guam Code Annotated**

## **Title 5**

### **Government Operations**

**Updated Through P.L. 28-068  
(September 30, 2005)**

**Government of Guam**  
Office of the Compiler of Laws  
Suite 300 Guam Judicial Center  
120 West O'Brien Drive  
Hagatna, Guam 96910-5174

---

**Table of Contents**  
**Title 5**  
**Government Operations**

**Division 1**  
**Laws Applicable to Executive Branch**

- Chapter 1. Office of the Governor.
  - Article 1. Temporary Vacancies in Office. §§ 1101-1102
  - Article 2. Centralized Planning. §§ 1200-1215
  - Article 3. Bureau of Budget and Management Research.  
§§ 1301-1304
  - Article 4. Economic Planning Council. §§ 1401-1404
  - Article 5. General Provisions Concerning the Governor. §§ 1501-1513
  - Article 6. Guam Liaison Offices. §§ 1601-1604
  - Article 7. External Relations. §§ 1701-1703
  - Article 8. Bureau of Women's Affairs. §§ 1801-1805
  - Article 9. Pacific Islands Development Bank. §§ 1901-1910
  - Article 10. Office of Public Engineer. §§ 1930-1934
- Chapter 2. Lieutenant Governor. §§ 2100-2105
- Chapter 3. Departments of the Government.
  - Article 1. The Executive. §§ 3101-3129
  - Article 2. Judiciary. § 3201
- Chapter 4. Program Budgeting and Financial Management. §§ 4101-4116
- Chapter 5. Guam Procurement Law.
  - Article 1. General Provisions. §§ 5001-5030
  - Article 2. Procurement Organization. §§ 5101-5150
  - Article 3. Source Selection and Contract Formation. §§ 5201-5253
  - Article 4. Specifications. §§ 5260-5271
  - Article 5. Procurement of Construction, Architect-Engineer and Land Surveying Services. §§ 5301-5307
  - Article 6. Modification and Termination of Contracts for Supplies and Services. § 5350
  - Article 7. Cost Principles. § 5375
  - Article 8. Supply Management. §§ 5401-5403
  - Article 9. Legal and Contractual Remedies. §§ 5425-5485
  - Article 10. Compliance With Federal Requirements. § 5501
  - Article 11. Ethics in Public Contracting. §§ 5601-5677
  - Article 12. Procurement Appeals Board. §§ 5701-5710

§ 1304. Audit Fees.

**§ 1301. Creation of Bureau of Budget and Management Research.**

There is within the Office of the Governor of Guam, a Bureau of Budget and Management Research which shall be headed by a Director of Bureau of Budget and Management Research. The Director, Deputy Director and Private Secretary shall be members of the unclassified service of the government of Guam. All other positions in the Bureau of Budget and Management Research shall be in the classified service. The Director shall be appointed by the Governor with the advice and consent of the Legislature.

**SOURCE:** GC §5005 added by P.L. 12-115; amended by P.L. 15-27:1.

**§ 1302. Duties and Responsibilities of the Bureau.**

In addition to the duties and responsibilities prescribed for the Bureau by any other provision of law, the Bureau shall also have the following duties and responsibilities:

(a) Conduct necessary operational planning and management research and studies to ensure that effective planning and management methods are utilized by departments and agencies of the government of Guam and otherwise to ensure that each public school student receives an adequate public education;

(b) Subject to the approval of *I Maga'lahi* (the Governor), prescribe a budget calendar for the guidance of all executive agencies and a system of quarterly allotments to insure that appropriations and non-appropriated funds are *not* exhausted beyond the fiscal period for which such appropriations and funds are made available; provided that such budget calendar and quarterly allotments are proportionately calculated so as to ensure that every public school student receives an adequate public education;

(c) To institute a system of form control; and

(d) Perform such other duties and responsibilities as may be prescribed by *I Maga'lahi* (the Governor) or by law.

**SOURCE:** GC § 5005.1 added by P.L. 12-115:2. Amended by P.L. 28-045:5,

effective Oct. 1, 2005 in accordance with P.L.28-045:23.

**NOTE:** The original language in the first paragraph referred to Chapter III of Title X of the Government Code. However, these sections were repealed by P.L. 7-101 in 1964 and therefore the reference in this section to those laws has been eliminated. Also, the original reference was probably a misprint, as the referenced sections dealt with the Chief Medical Examiner and not the BBMR.

### **§ 1303. Management of Allotments.**

In the release of monthly or quarterly allotments by the Bureau of Budget & Management Research from appropriation acts, the Director thereof shall base such allotments on anticipated cash receipts so that the obligations incurred pursuant to such release of periodic allotments shall have sufficient cash for their payment, provided that sufficient cash shall always be released to the Guam Public School System to provide an adequate public education to every public school student.

**SOURCE:** GC § 5005.2 added by P.L. 17-24:7. Amended by P.L. 28-045:6, effective Oct. 1, 2005 in accordance with P.L.28-045:23.

### **§ 1304. Audit Fees.**

The Bureau of Budget and Management Research is authorized to use federal funds received as reimbursement for audit and program evaluation already performed on Federal Programs for purposes of recruitment, training and staff development within the Bureau. However, recruitment shall be subject to the availability of federal funds.

**SOURCE:** Section 41 of P.L. 18-15. Uncodified.

-----

## **Article 4 Economic Planning Council**

- § 1401. Economic Planning Council.
- § 1402. Purpose of Council.
- § 1403. Logistic Support.
- § 1404. Council's Authority to Recommend.

### **§ 1401. Economic Planning Council.**

There is within the Office of I Maga'lahaen Guåhan an Economic Planning Council to be comprised of nine (9) members. Of the nine (9)