

I Mina'trentai Ocho Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
18-38 (COR) As amended on the Floor.	Sabina Flores Perez Telo T. Taitague Therese M. Terlaje Chris Barnett Shelly V. Calvo Frank F. Blas, Jr. Tina Rose Muña Barnes Sabrina Salas Matanane	AN ACT TO <i>AMEND</i> § 5707(a) OF ARTICLE 12, CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE PROCEDURE FOR JUDICIAL REVIEW OF DECISIONS MADE BY THE PUBLIC AUDITOR IN PROCUREMENT APPEALS.	1/13/25 10:33 a.m.	1/22/25	Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement.	Request 1/22/25 2/10/25	3/12/25 8:00 a.m.	4/8/25	
	SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	NOTES			
	5/27/25	AN ACT TO <i>AMEND</i> § 5707(a) OF ARTICLE 12, CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE PROCEDURE FOR JUDICIAL REVIEW OF DECISIONS MADE BY THE PUBLIC AUDITOR IN PROCUREMENT APPEALS.	6/3/25	6/5/25	6/17/25				

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I MINA'TRENTAI OCHO NA LIHESLATURAN GUAHAN
Thirty-Eighth Guam Legislature

June 5, 2025

The Honorable Lourdes A. Leon Guerrero
I Maga'hågan Guåhan
Ufisinan I Maga'håga
Hagåtña, Guam 96910

Dear *Maga'håga* Leon Guerrero:

Transmitted herewith are Bill Nos. 6-38 (COR), 18-38 (COR), 20-38 (COR), 23-38 (COR), 27-38 (COR), 33-38 (COR), 50-38 (COR), 53-38 (COR), 54-38 (COR), 55-38 (COR), 59-38 (COR), 66-38 (COR), 67-38 (COR), 75-38 (COR), 78-38 (COR), 80-38 (COR), 83-38 (COR), 88-38 (COR), 89-38 (COR), 95-38 (COR), 109-38 (COR), 121-38 (COR), 129-38 (COR) and 130-38 (COR), and Substitute Bill Nos. 28-38 (COR) and 118-38 (COR) which were passed by *I Mina'trentai Ocho Na Liheslaturan Guahan* on June 3, 2025.

Sincerely,

Senator Sabrina Salas Matanane
Legislative Secretary

Enclosure (26)



COPY

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

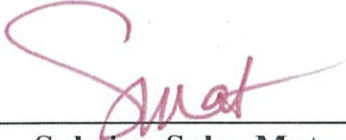
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'HÅGAN GUÅHAN

This is to certify that **Bill No. 18-38 (COR), "AN ACT TO AMEND § 5707(a) OF ARTICLE 12, CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE PROCEDURE FOR JUDICIAL REVIEW OF DECISIONS MADE BY THE PUBLIC AUDITOR IN PROCUREMENT APPEALS,"** was on the 3rd day of June 2025, duly and regularly passed.



Frank F. Blas, Jr.
Speaker

Attested:



Sabrina Salas Matanane
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 5th day of June,
2025, at 4:56 o'clock P.M.


Assistant Staff Officer
Maga'håga's Office

APPROVED:

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: _____

Public Law No. _____



I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. 18-38 (COR)

As amended on the Floor.

Introduced by:

Sabina Flores Perez
Telo T. Taitague
Therese M. Terlaje
Chris Barnett
Shelly V. Calvo
Frank F. Blas, Jr.
Tina Rose Muña Barnes
Sabrina Salas Matanane
V. Anthony Ada
Vincent A.V. Borja
Christopher M. Dueñas
Eulogio Shawn Gumataotao
Jesse A. Lujan
William A. Parkinson
Joe S. San Agustin

**AN ACT TO *AMEND* § 5707(a) OF ARTICLE 12,
CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED,
RELATIVE TO THE PROCEDURE FOR JUDICIAL
REVIEW OF DECISIONS MADE BY THE PUBLIC
AUDITOR IN PROCUREMENT APPEALS.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that currently, when a party seeks judicial review of the decision of the Office of Public Accountability (OPA) in a procurement appeal matter, the OPA is named as a defendant in a civil action in the Superior Court of Guam. The judicial review process for such OPA decisions is treated like a regular civil action between parties

1 suing for money damages, property rights, etc. This is different from the procedure
2 followed for judicial review of other administrative decisions under Guam law,
3 forcing the OPA to divert operational and human resources to respond to the civil
4 action.

5 *I Liheslatura* further finds there is uncertainty as to the proper procedure for
6 the judicial review of decisions by the Public Auditor in procurement appeals and
7 related matters; it is, therefore, the intent of *I Liheslatura* to clarify that the proper
8 procedure for such judicial review should be similar to that for judicial review of
9 other administrative agency decisions under Guam law.

10 **Section 2.** § 5707(a) of Article 12, Chapter 5, Title 5, Guam Code
11 Annotated, is hereby *amended* to read as follows:

12 **“§ 5707. Appeals and Review of Public Auditor Decisions.**

13 (a) Appeal. Any person receiving an adverse decision, the
14 government or any autonomous agency or public corporation, or both, may
15 appeal a decision by the Public Auditor to the Superior Court of Guam by
16 filing a petition for judicial review.”

17 **Section 3. Effective Date.** This Act shall be effective upon enactment.

18 **Section 4. Severability.** If any provision of this Act or its application to any
19 person or circumstance is found to be invalid or inorganic, such invalidity shall not
20 affect other provisions or applications of this Act that can be given effect without
21 the invalid provision or application, and to this end the provisions of this Act are
22 severable.