


MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN
TWENTY-NINTH GUAM LEGISLATURE
2007 (FIRST) Regular Session

2007 JUN-3 PM 12:00

Bill No. 19 (EC)

Introduced by:

A. B. Palacios, Sr. 

AN ACT TO APPROPRIATE UP TO FIVE HUNDRED THOUSAND DOLLARS (\$500,000) FROM THE GENERAL FUND TO THE DEPARTMENT OF LAW TO SATISFY THE COURT JUDGMENT IN THE "ALAN F. HAEUSER VS. DEPARTMENT OF LAW, ET. AL." COURT CASE NO. SP003-92.

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 **Section 1. Legislative findings and intent.** *I Liheslaturan Guåhan* finds that the
2 Attorney General's Office (AGO)/Department of Law plays a vital role in our criminal
3 justice process. The elected Attorney General of Guam represents the "people" in all
4 criminal cases. The Attorney General occupies a position in front of the police and all other
5 law enforcement agencies. The Attorney General is the Chief Law Enforcement Officer for
6 the government of Guam.

7 *I Liheslaturan Guåhan* finds that nothing moves forward in behalf of the people,
8 unless initiated by the Attorney General. It is vitally important, therefore, that the AGO be

1 funded sufficiently, to ensure adequate resources, both in staffing and supplies, to enable it
2 to provide satisfactory service to the people of Guam.

3 *I Liheslaturan Guåhan* finds that the Fiscal Year 2007 budget provides for a total
4 funding of Seven Million Two Hundred One Thousand Seven Hundred Eighty Five Dollars
5 (\$7,201,785) for the AGO. This funding level is conservative and sufficient only to fund
6 normal routine activities of the office. A substantial reduction from this funding level will
7 significantly compromise the ability of the Attorney General to protect the interest of the
8 people of Guam.

9 *I Liheslaturan Guåhan* finds that the very recent court judgment, in the case of "Alan
10 F. Haeuser vs. Department of Law (Court Case No. SP003-92) includes a stipulation that the
11 monetary judgment of Four Hundred Twenty-Nine Thousand Seven Hundred Twelve
12 Dollars and Seventy-Five Cents (\$429,712.75) in favor of petitioner Haeuser be first satisfied
13 before any funds may be expended on hiring new personnel, and further stipulated that
14 the Department of Law (AGO) **not** seek assistance from the Guam Legislature for
15 additional funding.

16 *I Liheslaturan Guåhan* finds that the Haeuser judgment of Four Hundred Twenty-
17 Nine Thousand Seven Hundred Twelve Dollars and Seventy-Five Cents (\$429,712.75) is
18 equivalent to the combined annual salary of at least four attorneys. A shortage of four
19 attorneys in the AGO for one year, will place the people of Guam at a serious disadvantage
20 in favor of the criminal elements.

1 It is therefore the intent of *I Liheslaturan Guåhan* to come to the aid of the AGO by
2 providing for an appropriation of up to Five Hundred Thousand Dollars (\$500,000) to
3 satisfy the judgment of Four Hundred Twenty-Nine Thousand Seven Hundred Twelve
4 Dollars and Seventy-Five Cents (\$429,712.75) and other costs associated with the judgment
5 in the Alan F. Haeuser vs. Department of Law case, and terminate all restrictions placed
6 against the AGO in the form of stipulation in said judgment.

7 **Section 2. Appropriation.** The sum of up to Five Hundred Thousand Dollars
8 (\$500,000) is hereby appropriated from the General Fund to the Department of Law for the
9 sole purpose of satisfying the court judgment in the "Alan F. Haeuser vs. Department of
10 Law, et. al.", Court Case No. SP003-92.