

TENTH GUAM LEGISLATURE
1969 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This certifies that Bill No. 18, "An Act to amend Sections 7001, 7101, 7102, 7103, and 7104 of the Government Code of Guam, to repeal Section 7100 of said Code, relative to the organization of the Department of Law," was on the 22nd day of January, 1969, duly and regularly passed.



JOAQUIN C. ARRIOLA
Speaker

ATTESTED:

/s/ James T. Sablan

JAMES T. SABLAN
Legislative Secretary

This Act was received by the Governor this 27th day of January, 1969 at 3:42 o'clock P.M.

/s/ DENVER DICKERSON

DENVER DICKERSON
Secretary of Guam

APPROVED:

/s/ MANUEL F. L. GUERRERO

MANUEL F. L. GUERRERO
Governor of Guam

DATED: Feb. 3, 1969
8:10 P.M.

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TENTH GUAM LEGISLATURE
1969 (FIRST) Regular Session

Bill No. 18

Substitute Bill by Committee on Judiciary

AN ACT TO AMEND SECTIONS 7001, 7101,
7102, 7103, AND 7104 OF THE GOVERNMENT
CODE OF GUAM, TO REPEAL SECTION 7100 OF
SAID CODE, AND TO ADD A NEW SECTION 7005
TO SAID CODE, RELATIVE TO THE ORGANIZATION
OF THE DEPARTMENT OF LAW.

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

2 Section 1. Section 7001 of the Government Code of Guam is
3 hereby amended to read as follows:

4 "Section 7001. Department of Law, cognizance. The
5 Department of Law shall have cognizance of all legal matters
6 in which the government of Guam is in anywise interested.
7 The Attorney General shall not delegate to any attorney in
8 private practice in Guam the collection of any account or
9 other obligation owing to the government of Guam, or to any
10 agency or instrumentality thereof. It shall have cognizance
11 of all matters pertaining to public prosecution."

12 Section 2. A new Section 7005 is hereby added to the Govern-
13 ment Code of Guam to read as follows:

14 "Section 7005. Divisions of Office. The Department
15 of Law is composed of a Criminal Division and a Civil Division,
16 under the general cognizance of the Attorney General. Each
17 division shall be headed by a Deputy Attorney General. Every
18 reference in law, rule or regulation to the Island Attorney,
19 as to criminal matters, shall read and mean the Deputy Attorney
20 General in charge of the Criminal Division. Every reference
21 in law, rule or regulation to the Island Attorney as to civil
22 matters, shall be read and mean the Deputy Attorney General
23 in charge of the Civil Division."

24 Section 3. Section 7100 is hereby repealed in its entirety.

1 Section 4. Section 7101 of the Government Code of Guam is
2 hereby amended to read as follows:

3 "Section 7101. Duties. The Attorney General is the
4 public prosecutor and, by himself or a deputy, shall:

5 (1) Conduct on behalf of the government of Guam
6 the prosecution of all offenses against the laws of
7 Guam which are prosecuted in the District Court or the
8 Island Court and the prosecution of those offenses which
9 are prosecuted in the Police Court;

10 (2) Institute proceedings for the arrest of persons
11 charged with or reasonably suspected of offense under the
12 laws of Guam, when he has information that any such offenses
13 have been committed; and for that purpose, when not engaged
14 in criminal proceedings in the courts or in civil cases
15 on behalf of the government of Guam, may attend pre-
16 liminary investigations before the Director of Public
17 Safety or before any magistrate in cases of arrest;

18 (3) Draw all informations, conduct grand jury
19 proceedings, conduct on behalf of the government of Guam
20 all civil actions in which the government is a party *or*
21 interested, prosecute all recognizances forfeited in the
22 courts and all actions for the recovery of debts, fines,
23 penalties, and forfeitures accruing to the government of
24 Guam;

25 (4) Deliver receipts for money or property received
26 by him in his official capacity and file duplicates
27 thereof with the Director of Revenue and Taxation;

28 (5) As soon as practical after the receipt of any
29 money in his official capacity, turn the money over to
30 the Director of Revenue and Taxation, and on the first
31 Monday of each month file with the Director of Revenue
32 and Taxation, an account, verified by his oath, of all
33 moneys received by him in his official capacity for the
34 government of Guam during the preceding month;

1 (6) Be diligent in protecting the rights and
2 properties of the government of Guam; and

3 (7) Perform such other duties as are required by
4 law or assigned to him."

5 Section 5. Section 7102 of the Government Code of Guam is
6 hereby amended to read as follows:

7 "Section 7102. Attorney General not to favor claims.
8 The Attorney General, except for his own services, may not
9 present any claim, account or demand for allowance against
10 the government of Guam nor in any way advocate the relief
11 asked on any claim or demand made by another."

12 Section 6. Section 7103 of the Government Code of Guam is
13 hereby amended to read as follows:

14 "Section 7103. Abating public nuisances. The Attorney
15 General shall bring civil action to abate public nuisances in
16 Guam."

17 Section 7. Section 7104 of the Government Code of Guam is
18 hereby amended to read as follows:

19 "Section 7104. Not to defend persons accused of crime.
20 The Attorney General and his deputies, during their incumbency,
21 shall not defend or assist in the defense of, or act as
22 counsel for, any person or persons, association or corporation
23 accused of any crime in Guam."

24 Section 8. This Act is an urgency measure.