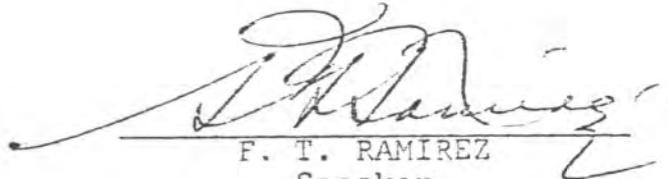


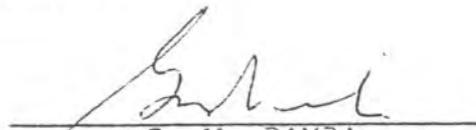
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CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

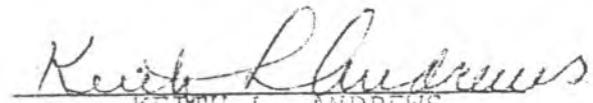
This is to certify that Bill No. 423, "An Act to add Chapter II to Title XXXVIII of the Government Code of Guam to create a Guam Law Revision Commission", was on the 20th day of December, 1973, duly and regularly passed.

  
F. T. RAMIREZ  
Speaker

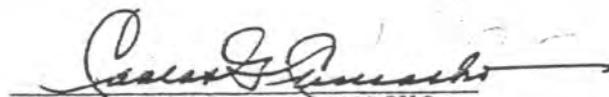
ATTESTED:

  
G. M. BAMBA  
Legislative Secretary

This Act was received by the Governor this 7<sup>th</sup> day  
of January, 1974 at 3:15 o'clock P. M.

  
KEITH L. ANDREWS  
Attorney General of Guam

APPROVED:

  
CARLOS G. CAMACHO  
Governor of Guam

DATED: JAN 16 1974  
10:40 a.m.

Public Law

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Bill No. 423  
Substitute Bill

Introduced by \_\_\_\_\_  
F. G. Lujan

AN ACT TO ADD CHAPTER II TO TITLE XXXVIII  
OF THE GOVERNMENT CODE OF GUAM TO CREATE  
A GUAM LAW REVISION COMMISSION.

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

2 Section 1. Chapter II to Title XXXVIII is hereby added to  
3 the Government Code of Guam to read as follows:

4 "Chapter II

5 Guam Law Revision Commission

6 Section 42025. Findings and declaration of policy.

7 The people of Guam hereby find and declare that their  
8 laws are in serious need of comprehensive review and  
9 revision; that their laws are unmanageable and in-  
10 efficiently organized; that the substance and pro-  
11 cedure of their laws have often been abandoned as archaic  
12 by model jurisdictions; that to resolve these deficiencies,  
13 it is necessary:

14 (a) To systematically study and review the laws of  
15 Guam with a view toward their reorganization and updating;

16 (b) To examine other jurisdictions and consider  
17 proposed changes in the law recommended by the American  
18 Law Institute, the National Conference of Commissioners  
19 on Uniform State Laws, any bar association or other  
20 learned bodies;

21 (c) To effect sweeping organizational and substantive  
22 revision of the laws based upon such study and examination;

23 (d) To create the Guam Law Revision Commission which  
24 shall study, prepare, adopt, and submit to the Legislature  
25 for implementation, changes and additions to Guam's laws,  
26

1 in accordance with the spirit and provisions of this  
2 Chapter.

3 Section 42026. Commission creation, membership  
4 and compensation. (a) The Guam Law Revision Commission  
5 is hereby created and shall consist of the following  
6 members:

7 (1) Three (3) members from the Legislative  
8 Branch appointed by the Speaker, one of whom  
9 shall be the Chairman of the Committee on  
10 Judiciary who shall be the Chairman of the  
11 Commission;

12 (2) Two (2) members appointed by the  
13 Governor;

14 (3) One (1) member from the Judicial  
15 Branch appointed by the Judicial Council;

16 (4) One (1) member from the Guam Bar  
17 Association to be appointed by the President  
18 of said Association.

19 (b) Commission members will be appointed within  
20 thirty (30) days after the enactment of this Chapter.  
21 Members shall hold office for a term of two (2) years,  
22 and may be reappointed for one (1) additional term.  
23 However, the appointment of any senator shall be  
24 automatically terminated upon the convening of the next  
25 regular session of the Legislature after election  
26 if he is not reelected.

27 (c) Any vacancy in the Commission membership shall  
28 be promptly filled in the same manner and proportions  
29 as the initial appointments.

30 (d) Commission members shall serve without compensa-  
31 tion, except that each member shall be paid a per diem  
32 of Fifty Dollars (\$50.00) for each day's attendance at a

1 meeting of the Commission. Each member shall also be allowed  
2 actual expenses incurred in the discharge of his duties.

3 Section 42027. Executive Secretary. The Chairman  
4 shall within sixty (60) days after the enactment of this  
5 Chapter, hire an Executive Secretary who shall be an  
6 attorney in good standing with the highest court of  
7 any state, territory or any federal court. The  
8 Executive Secretary shall have such powers and duties  
9 as delegated and assigned by the Commission.

10 Section 42028. Conflict of interest. In no event  
11 shall any employee or member of the Commission advocate  
12 the passage or defeat of any legislation or the approval  
13 or veto of any legislation by the Governor, in his  
14 official capacity as such employee or member.

15 Section 42029. Commission powers. In the execution  
16 of its responsibilities under this Chapter, the  
17 Commission may:

18 (a) Accept grants, contributions, and appropriations;

19 (b) Contract for any professional services if such  
20 work or services cannot be satisfactorily performed  
21 by its employees;

22 (c) Adopt any internal regulations or procedures  
23 necessary for its efficient operation and execution of  
24 its responsibilities;

25 (d) Conduct hearings and solicit the assistance  
26 of any government agency or department which shall give  
27 the Commission full information and support in any matter  
28 within its jurisdiction;

29 (e) Request and utilize the services of any bar  
30 association, legislative committee, professional association  
31 or other organization in any manner suitable for the ful-  
32 fillment of the purposes of this Chapter.

1 (f) Employ and fix the compensation, in accordance wi  
2 law, of such professional, clerical and other assistants  
3 as may be necessary.

4 Section 42030. Commission responsibilities. The  
5 Commission shall:

6 (a) Within ninety (90) days after its first meeting  
7 and thereafter semi-annually submit to the Legislature  
8 a report which outlines those objectives and projected  
9 areas of inquiry which the Commission will consider  
10 during the next six (6) months;

11 (b) Conduct a continuing, comprehensive and expeditious  
12 examination of Guam's common and statutory law and judicial  
13 decisions in order to identify and resolve defects,  
14 anachronisms and archaisms therein;

15 (c) Receive and consider suggestions from judges,  
16 justices, public officials, lawyers, and the general  
17 public as to defects and anachronisms in the law;

18 (d) Prepare, adopt, and submit to the Speaker, as  
19 completed, reports and recommendations concerning specific  
20 revisions to the law. Such reports will, wherever feasible,  
21 contain draft legislation for implementation by the  
22 Legislature;

23 (e) Recommend the express repeal of all statutes  
24 repealed by implication or held unconstitutional by the  
25 Supreme Court of the United States;

26 (f) Study and report on any topic which the  
27 Legislature, by resolution, shall refer to the  
28 Commission for action."

29 Section 2. Authorization. There is hereby authorized to be  
30 appropriated from any available funds in the Unappropriated  
31 Surplus of the General Fund the sum of Five Hundred Thousand  
32 Dollars (\$500,000) for the purposes of this Chapter.