

*Office of the Governor of Guam*

P.O. Box 2950 Hagåtña, Guam 96932  
TEL: (670) 472-8931 • FAX: (670) 477-4826 • EMAIL: governor@mail.gov.gu

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29 APR 2004

Felix Perez Camacho  
*Governor*

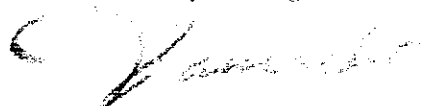
Kaleo Scott Moylan  
*Lieutenant Governor*

The Honorable Vicente C. Pangelinan  
Speaker  
*Mina' Bente Siete Na Liheslaturan Guåhan*  
Twenty-Seventh Guam Legislature  
155 Hesler Street  
Hagåtña, Guam 96910

Dear Speaker Pangelinan:

Transmitted herewith is Bill No. 49 (COR), "AN ACT *REPEAL* AND *REENACT* CHAPTER 16 AND TO *AMEND* OTHER SECTIONS OF TITLE 1, GUAM CODE ANNOTATED, TO UPDATE AND MODERNIZE THE PUBLICATION OF THE LAWS OF GUAM AND TO ESTABLISH THE COMPILER OF LAWS WITHIN THE SUPREME COURT OF GUAM," now designated as **Public Law 27-77**.

*Sinseru yan Magåhet,*



**FELIX P. CAMACHO**  
*I Maga'låhen Guåhan*  
Governor of Guam

Attachment: a copy of the overridden bill is attached

cc: The Honorable Tina Rose Muna-Barnes  
Senator and Legislative Secretary



**MINA' BENTE SIETE NA LIHESLATURAN GUÅHAN**  
TWENTY-SEVENTH GUAM LEGISLATURE  
155 Hessler Place, Hagåtña, Guam 96910

April 27, 2004

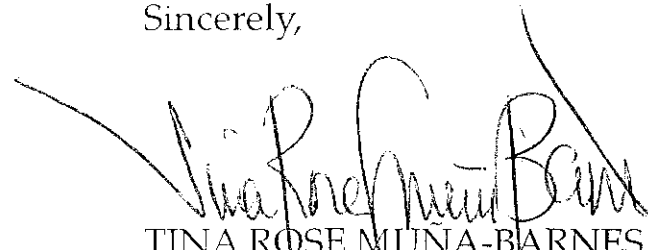
The Honorable Felix P. Camacho  
*I Maga'lahaen Guåhan*  
*Ufisinan I Maga'lahi*  
*Hagåtña, Guam 96910*



Dear *Maga'lahi* Camacho:

Transmitted herewith are Substitute Bill Nos. 49(COR) and 66(LS) which were overridden by *I Mina' Bente Siete Na Liheslaturan Guåhan* on April 26, 2004, notwithstanding your veto.

Sincerely,

  
TINA ROSE MUNA-BARNES  
Legislative Secretary

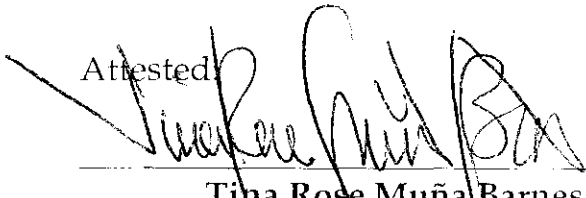
Enclosures (2)

I MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN  
2004 (SECOND) Regular Session

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

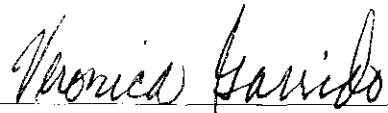
This is to certify that Substitute Bill No. 49 (COR), "AN ACT TO REPEAL AND REENACT CHAPTER 16 AND TO AMEND OTHER SECTIONS OF TITLE 1, GUAM CODE ANNOTATED, TO UPDATE AND MODERNIZE THE PUBLICATION OF THE LAWS OF GUAM AND TO ESTABLISH THE COMPILER OF LAWS WITHIN THE SUPREME COURT OF GUAM," returned without approval of *I Maga'lahen Guåhan* was reconsidered by *I Liheslaturan Guåhan* and after such consideration, did agree, on the 26<sup>th</sup> day of April, 2004, to pass said bill notwithstanding the veto of *I Maga'lahen Guåhan* by a vote of Ten (10) Members.

Attested

  
Tina Rose Muña Barnes  
Senator and Legislative Secretary

\_\_\_\_\_  
vicente (ben) c. pangelinan  
Speaker

-----  
This Act was received by *I Maga'lahen Guåhan* this 27 day of April, 2004, at 11:45  
o'clock A.M.

\_\_\_\_\_  
  
Assistant Staff Officer  
Maga'lahi's Office

Public Law No. 27-77

I MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN  
2003 (FIRST) Regular Session

**Bill No. 49 (COR)**

As substituted by the  
Committee on Judiciary and Transportation  
and further substituted by the Author and amended  
on the Floor.

Introduced by:

F. R. Cunliffe  
J. M. Quinata  
T. R. Muña Barnes  
F. B. Aguon, Jr.  
J. M.S. Brown  
C. Fernandez  
Mark Forbes  
L. F. Kasperbauer  
R. Klitzkie  
L. A. Leon Guerrero  
J. A. Lujan  
v. c. pangelinan  
R. J. Respicio  
Toni Sanford  
Ray Tenorio

**AN ACT TO REPEAL AND REENACT CHAPTER 16 AND  
TO AMEND OTHER SECTIONS OF TITLE 1, GUAM  
CODE ANNOTATED, TO UPDATE AND MODERNIZE  
THE PUBLICATION OF THE LAWS OF GUAM AND TO  
ESTABLISH THE COMPILER OF LAWS WITHIN THE  
SUPREME COURT OF GUAM.**

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

2 **Section 1.** Chapter 16 of Title 1 of the Guam Code Annotated is

3 hereby *repealed* and *reenacted* in its entirety to read:

1 "Chapter 16  
2 Compiler of Laws

3 §1600. Findings and Policy.

4 §1601. Compiler of Laws.

5 §1602. Compiler of Laws' Responsibilities.

6 §1603. Definitions.

7 §1604. Administrative Support for the Compiler of Laws.

8 §1605. Powers of the Compiler of Laws.

9 §1606. Powers of the Compiler of Laws Relative to Revision.

10 §1607. Copyright.

11 §1608. Charges for Publications; Fee Distribution.

12 §1609. Compiler of Laws as Repository for Certain Documents.

13 §1610. Publication of Administrative Rules and Regulations.

14 §1611. Guam Code Advisory Commission.

15 §1612. Compiler of Laws Fund.

16 §1613. Transition Provisions.

17 §1614. Existing Licenses and Contracts.

18 §1615. Publication by Government Entities.

19 §1600. Findings and Policy. *I Liheslaturan Guåhan*  
20 determines that as of the Year 2000, the Guam Code Annotated  
21 has been updated with a General Index, Session Laws published  
22 through the Twenty-Third (23<sup>rd</sup>) Guam Legislature, and the  
23 Administrative Rules republished. *I Liheslatura* finds that the  
24 Internet has come into wide-use and is now a preferred research  
25 vehicle since the first Compiler of Laws statute was enacted in

1 1978. Therefore, *Liheslatura* determines that a regular program of  
2 publication, indexing, updating, and annotating the laws of Guam,  
3 both on paper and on the Internet, is imperative for the regular  
4 operations of both government and private interests having  
5 dealings with Guam, and therefore adopts this Chapter to provide  
6 for an office within the Judicial Branch to assure that the laws,  
7 administrative rules, court reports and other publications of Guam  
8 are timely published and regularly distributed.

9 **§1601. Compiler of Laws.** There is hereby created within  
10 the Supreme Court of Guam, a Compiler of Laws. In addition to  
11 any other qualifications which may be established in accordance  
12 with the Personnel Rules and Regulations promulgated and  
13 adopted by the Judicial Council, the Compiler of Laws shall be an  
14 attorney licensed to practice in Guam. The Chief Justice of the  
15 Supreme Court of Guam shall appoint the Compiler of Laws, with  
16 the approval of the Judicial Council. The Compiler of Laws shall  
17 be subject to removal and shall be paid in accordance with the  
18 Personnel Rules and Regulations of the Judicial Branch  
19 promulgated by the Judicial Council.

20 **§1602. Compiler of Laws' Responsibilities.** It shall be the  
21 responsibility of the Compiler of Laws, through outsourcing,  
22 privatization, or other means, to:

- 23 (1) Cause to be published annually, together with an  
24 adequate index, all laws enacted by any given legislature in  
25 the form in which the laws were enacted, commonly known

1 as the Legislature Session Laws;

2 (2) Cause to be published, periodic revisions and  
3 updates of the Guam Code Annotated, as determined by the  
4 Compiler of Laws, including available annotations thereto,  
5 such as Attorney General's Opinions, Executive Orders, and  
6 Court cases, and distributed at least annually, or more often  
7 if practical, to *I Liheslatura*, the Courts of Guam, the  
8 Executive Branch, and other interested individuals or  
9 entities as determined by the Compiler of Laws;

10 (3) Undertake the publication of the continuing  
11 Administrative Rules and Regulations, Opinions of the  
12 Attorney General, Executive Orders of *I Maga'lahi*, and  
13 reports of cases decided in the Supreme Court of Guam; and

14 (4) Make available on CD-ROM or similar recorded  
15 medium, the publications of the Compiler of Laws and  
16 provide on the Internet, interim updates of the published  
17 material promulgated between regular publications thereof.

18 **§1603. Definitions. (a) Publication Defined.** The terms  
19 'publish, published, publishing, and publication' as used in this  
20 Chapter means any printed or duplicated material, regardless of  
21 format, which is produced, purchased for distribution, or  
22 authorized by the Compiler of law for distribution and purchase  
23 to the public, including the Guam Code Annotated, Legislature  
24 Session Laws, Attorney General's Opinions, Executive Orders,  
25 Administrative Rules, and Court cases. The offering to distribute

1 printed or duplicated materials to a group of persons for purposes  
2 of further distribution or public display constitutes publication.  
3 The distribution to other agencies or instrumentalities of the  
4 government of Guam constitutes publication. The term  
5 'publication' shall *not* include the authority to create or enable any  
6 text-based searchable or researchable database of such printed or  
7 duplicated materials.

8 (b) **Distribution Defined.** The term 'distribute or  
9 distribution' shall mean to sale, lease, assign or otherwise  
10 transfer published materials, or offer to sale, lease, assign or  
11 otherwise transfer published materials. The term  
12 'distribution' shall *not* include the authority to sale, lease,  
13 assign, transfer or offer to sale, lease, assign or transfer, or  
14 otherwise create or enable any text-based searchable or  
15 researchable database of published materials.

16 **§1604. Administrative Support for the Compiler of Laws.**

17 The Supreme Court of Guam shall provide technical, clerical, and  
18 administrative support to the Compiler of Laws. The Chief Justice  
19 of the Supreme Court of Guam shall *not* request for additional  
20 funding for personnel and operating expenses for the Compiler of  
21 Laws. However, in the exercise of the responsibilities included in  
22 this Chapter, the Supreme Court of Guam may:

- 23 (1) Accept grants, contributions, appropriations, and  
24 payments for the publications of the office;
- 25 (2) Employ such professional or clerical staff as



1 necessary for the operations of the Compiler of Laws, in  
2 accordance with the Personnel Rules and Regulations of the  
3 Judicial Branch promulgated by the Judicial Council; and

4 (3) Enter into contracts as necessary for the  
5 operations of the Compiler of Laws, in accordance with the  
6 law and the Rules and Regulations promulgated by the  
7 Judicial Council.

8 **§1605. Powers of the Compiler of Laws.** In the exercise of  
9 his or her responsibilities under this Chapter, the Compiler of  
10 Laws may:

11 (1) Request and utilize the services of any bar  
12 association, legislative committee, legislative office,  
13 profession or other organization in any matter suitable for  
14 the fulfillment of the purposes of this Chapter;

15 (2) Have access to any legislative, executive or judicial  
16 reports, opinions, orders, or documents necessary to carry  
17 out the purposes of this Chapter; and

18 (3) Conduct meetings, formal or informal, with  
19 attorneys, bar associations and others interested in the  
20 results and products of the office.

21 **§1606. Powers of the Compiler of Laws Relative to**  
22 **Revision.** In preparing the Guam Code Annotated, the Guam  
23 Administrative Rules and Regulations, court reports and other  
24 publications of the Office, the Compiler of Laws may:

25 (1) Number and renumber chapters, sections and

1 parts of sections;

2 (2) Rearrange sections so that they fit harmoniously  
3 within the publication being prepared;

4 (3) Change reference numbers to agree with  
5 renumbered chapters, parts, or sections;

6 (4) Substitute the proper selection or chapter numbers  
7 for the terms 'the preceding section', 'this act', and like  
8 terms;

9 (5) Strike out figures where they are merely a  
10 repetition of written words;

11 (6) Change capitalization for the purposes of  
12 uniformity; and

13 (7) Correct manifest clerical errors or typographical  
14 errors.

15 **§1607. Copyright.** The government of Guam shall have  
16 the right to copyright or permit any appropriate private contractor  
17 to copyright any or all of the work product developed pursuant to  
18 this Chapter; provided, that the Supreme Court of Guam shall  
19 retain the power and right to distribute within the government of  
20 Guam any or all of the products of the office at below or at no cost  
21 to the recipient agency without having first to pay any copyright  
22 fee to the copyright holder; and provided, further, that the  
23 government of Guam shall not part with any rights to the form or  
24 structure of the laws, rules or other official documents of Guam so  
25 that, should the appropriate Guam authorities wish to amend or

1 repeal such laws, rules or official documents in the future, there  
2 will exist no private claim to the form or structure.

3 **§1608. Charges for Publications; Fee Distribution.** (a) All  
4 funds required to pay for printing the publications published by  
5 the Compiler of Laws or printed by him or her at the request of  
6 other government entities shall be taken from the proceeds from  
7 sales of publications, appropriations of *I Liheslaturan Guåhan* or by  
8 transfer from the funds of the requesting agencies.

9 (b) Except as provided in Subsection (c), below, the  
10 Compiler of Laws shall charge a fee for any publications and  
11 printing jobs undertaken by the office. Such fees shall be  
12 established and approved by the Judicial Council upon  
13 submission by the Compiler of Laws as approved by the Chief  
14 Justice of the Supreme Court of Guam.

15 (c) The Compiler of Laws shall furnish legal publications of  
16 the office or its licensees free of charge to the following public  
17 officials for official use:

18 *All Senators of I Liheslaturan Guåhan;*

19 *The Clerk of I Liheslaturan Guåhan;*

20 *I Maga'lahren Guåhan;*

21 *I Segundu na Maga'lahren Guåhan;*

22 *Justices of the Supreme Court of Guam;*

23 *Judges of the Superior Court of Guam;*

24 *Guam's Delegate to the United States House of*  
25 *Representatives;*

1 Department and agency heads of the government of  
2 Guam;  
3 Office of the Attorney General;  
4 Office of the Public Auditor; and  
5 Such agencies of state, territorial, trust territory, and  
6 local governments, which provide their publications  
7 free of charge to Guam.

8 All other persons shall be required to pay for publications in  
9 accordance with the fee schedule established and approved by the  
10 Judicial Council of Guam.

11 **§1609. Compiler of Laws as Repository for Certain**  
12 **Documents.** In addition to the duties of the Compiler of Laws  
13 specified in this statute, the Compiler of Laws shall maintain a  
14 repository of all laws of Guam and all Opinions of the Attorney  
15 General, Executive Orders of *I Maga'lahi*, and court decisions used  
16 in his or her annotations to the Codes of Guam; provided, that if  
17 the materials are stored elsewhere within the Supreme Court of  
18 Guam, the Compiler of Laws need not duplicate such efforts.  
19 Such repository may be maintained on microfilm, microfiche, or  
20 other mechanical or electronic media.

21 **§1610. Publication of Administrative Rules and**  
22 **Regulations.** All rules and regulations or amendments to rules  
23 and regulations promulgated by any Director, and/or board for  
24 departments, agencies, and instrumentalities of the government of  
25 Guam, pursuant to specific statute or through the Administrative

1 Adjudication Act, having been transmitted to and received by the  
2 Legislative Secretary of *I Liheslaturan Guåhan* prior to the  
3 commencement of *I Mina'Bente Siete Na Liheslaturan Guåhan*, and  
4 not otherwise acted upon, shall be codified and published as  
5 provided for in this Act.

6 **§1611. Guam Code Advisory Commission. (a)**  
7 **Commission Duties.** There is hereby created a Guam Code  
8 Advisory Commission, which shall have the following duties:

9 (1) To conduct a review of the structure, format, and  
10 organization of Guam's laws, rules and regulations, and  
11 court reports and recommend ways by which these  
12 materials may be more accessible to the general public. The  
13 Commission shall consider all means of distribution,  
14 including both paper and electronic;

15 (2) To recommend to the Chief Justice of the Supreme  
16 Court of Guam and the Judicial Council, ways by which  
17 such changes may be implemented both as to editorial and  
18 production issues;

19 (3) To hold hearings as necessary or relative to the  
20 duties of the Commission; and

21 (4) To recommend to the Chief Justice of Supreme  
22 Court of Guam and the Judicial Council, any legislation  
23 necessary to implement the recommendations of the  
24 Commission.

25 **(b) Commission Composition.** The Guam Code

1           Advisory Commission shall be comprised as follows:

2                   (1) The Attorney General, or his or her designee;

3                   (2) The Public Defender, or his or her designee;

4                   (3) The Legal Counsel to *I Maga'lahi* (the Governor);

5                   (4) The Legislative Counsel to *I Liheslaturan Guåhan*  
6                   (the Guam Legislature);

7                   (5) The President of the Guam Bar Association, or his  
8                   or her designee;

9                   (6) The Presiding Judge of the Superior Court of  
10                   Guam, or his or her designee; and

11                   (7) The Chief Justice of the Supreme Court of Guam,  
12                   or his or her designee, who shall serve as Chairperson  
13                   of the Commission.

14           The members of the Commission shall receive no  
15           stipend for their meetings and attendance.

16                   **(c) Commission Support.** Administrative support  
17                   for the Commission shall be provided through the Office of  
18                   the Compiler of Laws for any assistance required by the  
19                   Commission, or hearing to be held in accordance with this  
20                   Chapter.

21           **§1612. Compiler of Laws Fund.** There is hereby created a  
22           special fund entitled 'Compiler of Laws Fund', for the purposes of  
23           receiving payment for all fees associated with the publication  
24           provided by the Compiler of Laws as authorized by this statute.  
25           The Fund shall be maintained by the Supreme Court of Guam,

1 separate and apart from the General Fund. All funds to be  
2 expended from the Compiler of Laws Fund shall be done in  
3 accordance with the law, and by rules and regulations  
4 promulgated by the Judicial Council. Funds shall only be used for  
5 printing, research, publication, and publication services, in  
6 whatever media designated by the Compiler of Laws.

7 **§1613. Transition Provisions: Personnel, Equipment,**  
8 **Supplies and Funds. (a) Personnel.** The incumbent Compiler of  
9 Laws shall remain an Attorney at the Office of the Attorney  
10 General subject to the appointing authority of the Attorney  
11 General and all funds appropriated for his or her personnel costs  
12 shall remain within the budget of the Office of the Attorney  
13 General, subject to his continued employment.

14 **(b) Office, Equipment, and Supplies.** All computer  
15 equipment, including hardware and software (either  
16 prepackaged or developed by or at the direction of the  
17 Compiler of Laws), and office supplies and equipment  
18 purchased, assigned, owned, or leased by the Office of the  
19 Compiler of Laws or the Attorney General with public funds  
20 for use in the official duties of the Compiler of Laws, and the  
21 Office itself, shall be transferred from the Office of the  
22 Attorney General to the Supreme Court of Guam. Such  
23 transfer shall take place on the next most convenient date for  
24 accounting purposes following the effective date of this Act,  
25 provided, however, that such effective date of transfer shall

1           not exceed thirty (30) days from the effective date of this Act.  
2           Nothing in this Act shall require the physical transfer of the  
3           office of the Compiler of Laws, from those premises in which  
4           it is currently located.

5           **(c) Appropriations and Funds.** All funds in the  
6           custody of the Compiler of Laws or under his control,  
7           including all appropriations made to or allocated to the  
8           office, regardless of what fund, except for the personnel  
9           costs of the incumbent Compiler of Laws, shall be  
10          transferred to the Supreme Court of Guam. All  
11          encumbrances and purchase orders outstanding at the time  
12          of the transfer shall remain valid following the transfer and  
13          shall be transferred.

14          **§1614. Existing Licenses and Contracts.** Any licenses  
15          granted, or contract entered into, by the Compiler of Laws prior to  
16          the effective date of this Act, and in accordance with the laws of  
17          Guam, shall continue in full force and effect for the term of such  
18          license or contract or as allowed by the laws of Guam.

19          **§1615. Publication by Government Entities.** Nothing  
20          herein shall prevent *l Liheslaturan Guåhan, l Maga'lahren Guåhan*, the  
21          Courts of Guam, or the office of the Attorney General from  
22          publishing on their websites, in print or otherwise, any laws,  
23          decisions, executive orders, opinions, or other information  
24          promulgated by that branch or office.”

25          **Section 2.** §100 of Title 1 of the Guam Code Annotated is *amended*



1 to read as follows:

2           **"§100. Laws Applicable to Guam.** The Laws in force in  
3 Guam constitute those portions of the Constitution, treaties and  
4 laws of the United States of America applicable to Guam; Acts of *I*  
5 *Liheslaturan Guåhan*; the Guam Code Annotated; Executive Orders  
6 of *I Maga'lahaen Guåhan* promulgated pursuant to the Organic Act  
7 of Guam and pursuant to Acts of *I Liheslatura*; decisions of the  
8 Supreme Court of Guam; decisions of the Supreme Court of the  
9 United States ruling upon those portions of the Constitution,  
10 treaties and laws of the United States applicable to Guam and  
11 upon cases and controversies applicable to Guam; decisions of the  
12 appellate courts given jurisdiction to hear cases from Guam in  
13 those matters applicable to Guam; and, as to the individual case,  
14 decisions of the Superior Court of Guam."

15           **Section 3.** §101 of Title 1 of the Guam Code Annotated is *amended*  
16 to read as follows:

17           **"§101. Scope and Citation of Code.** (a) The laws embraced  
18 in this Code constitute the 'Guam Codes Annotated'. The laws as  
19 set out in this Code and in any then-current supplement as  
20 certified by the Compiler of Laws establish the permanent laws of  
21 Guam relating to and in force in Guam, other than the general and  
22 permanent laws of the United States that relate to or apply to  
23 Guam, on the date specified in this Code or applicable  
24 Supplement by the Compiler of Laws. The same are legal  
25 evidence of those laws in all of the courts of the United States, its

1 territories, possessions, and commonwealths, the District of  
2 Columbia, and the several states, and in Guam. This Code is  
3 divided into Titles, each Title containing the laws relating to one  
4 subject. Annotations and comments are not part of the law.

5 (b) This Code may be cited by the abbreviations 'GCA',  
6 preceded by the number of the Title and followed by the number  
7 of the section, chapter or part of the Title referenced. For example,  
8 this Section is cited as '1 GCA §101(b)'.

9 (c) Titles of the Guam Code Annotated published by the  
10 Compiler of Laws shall be the official publication of the codified  
11 laws of Guam. On the Title page of each Title, the Compiler of  
12 Laws shall indicate the last date on which new Public Laws were  
13 included in that Title of the Guam Code Annotated. Titles so  
14 published shall be *prima facie* evidence of the laws of Guam in  
15 effect on the date indicated on the Title page; provided, however,  
16 if a variance not authorized by this Chapter is found in a  
17 published Title, then the public law, as signed by *I Maga'lahi*, last  
18 adding, repealing or amending the appropriate statutory matter  
19 shall be the correct law of Guam and the Compiler of Laws shall  
20 make the necessary corrections to the Guam Code Annotated."

21 **Section 4.** New Subsections (1) and (2) are added to 1 GCA §103  
22 to read as follows, and all existing subsections and references in the final  
23 paragraph shall be *renumbered* accordingly:

24 "1. The Guam Code Annotated shall be the publication of  
25 the permanent codes of Guam and the publications thereof, when

1 certified by the Compiler of Laws, shall be legal evidence of the  
2 laws contained therein;

3 2. Electronic publications authorized and certified by the  
4 Compiler of Laws shall have the same validity as paper  
5 publications of the same or similar subject matter.”

6 **Section 5.** §30105 of Chapter 30 of Title 5 of the Guam Code  
7 Annotated is hereby *amended* to read as follows:

8 “§30105. **Divisions of Office.** There shall be such divisions  
9 of the Department of Law as the Attorney General shall  
10 determine; provided, however, that the Consumer Counsel shall  
11 be an identifiable entity within the Office of the Attorney  
12 General.”

13 **Section 6. Effective Date.** The provisions of this Act shall be  
14 effective immediately upon enactment.

15 **Section 7. Severability.** *If* any provision of this Law or its  
16 application to any person or circumstance is found to be invalid or  
17 contrary to law, such invalidity shall *not* affect other provisions or  
18 applications of this Law which can be given effect without the invalid  
19 provisions or application, and to this end the provisions of this Law are  
20 severable.



Office of the Governor of Guam

Office of the People's Speaker  
Vicente (Ben) C. Pangelinan

P.O. Box 2950 Hagåtña, Guam 96932  
TEL: (671) 472-8931 • FAX: (671) 477-4826 • EMAIL: governor@mail.gov.gu

17 NOV 2003

TIME: 4:43 PM (17P)  
RECEIVED BY:

Felix Perez Camacho  
Governor

Kaleo Scott Moylan  
Lieutenant Governor

17 NOV 2003

The Honorable Vicente C. Pangelinan  
Speaker  
*I Mina' Bente Siete Na Liheslaturan Guåhan*  
Twenty-Seventh Guam Legislature  
155 Hesler Street  
Hagåtña, Guam 96910

Dear Speaker Pangelinan:

Transmitted herewith is Bill No. 49 (COR), "AN ACT TO REPEAL AND REENACT CHAPTER 16 AND TO AMEND OTHER SECTIONS OF TITLE 1, GUAM CODE ANNOTATED, TO UPDATE AND MODERNIZE THE PUBLICATION OF THE LAWS OF GUAM AND TO ESTABLISH THE COMPILER OF LAWS WITHIN THE SUPREME COURT OF GUAM," which I have vetoed.

Although Bill No. 49 seeks to update and modernize the publication of the laws of Guam, transferring the Compiler of Laws from the Office of the Attorney General to the Supreme Court of Guam will not necessarily achieve that objective.

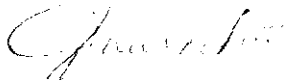
The problem is not with where it is placed, but rather the lack of funding and attention paid to it. The Legislature stopped all funding for printed publications in 1998. As a result, the last appointed attorney general decided to dissolve the former structure of the compiler's division. Only one person remained with the division. Regardless of the placement of the function, only adequate personnel and funding will achieve the objective that Bill No. 49 desires to achieve. Bill No. 49 does not address these issues but rather places the compiler within another branch in the hopes of achieving its purpose.

Furthermore, Bill No. 49 prohibits the compiler from producing and selling a text-based searchable or researchable database. As a result, the bill will create a monopoly for those private companies who provide research capabilities for the codes and materials of Guam keeping the cost high and limiting its accessibility to the people of Guam.

Again, transferring the responsibilities of the Compiler of Laws will not resolve the fundamental problems within this division. I recommend that rather than transferring this function, the Legislature should provide the Compiler of Laws division with the tools necessary to achieve its objective. I cannot sign a measure into law that only appears to

shift responsibility while failing to address the problems at hand. Nor can I sign into law a measure that would further restrict access to Guam's public laws to the citizens of our island by making such access cost prohibitive. If it is the intent of the Legislature to provide the laws of Guam to the people of Guam, then it should be reasonably accessible to the people regardless of where the responsibility lies.

Sincerely yours,



FELIX P. CAMACHO  
*I Maga'låhen Guåhan*  
Governor of Guam

Attachment: original attached for vetoed bill

cc: The Honorable Tina Rose Muna-Barnes  
Senator and Legislative Secretary

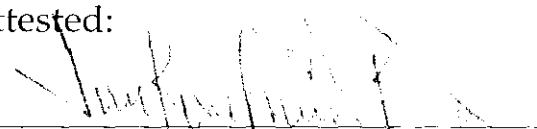
I MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN  
2003 (FIRST) Regular Session

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

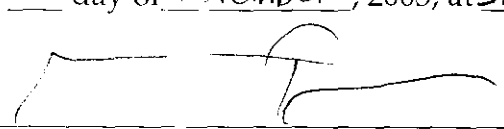
This is to certify that Substitute Bill No. 49 (COR) "AN ACT TO REPEAL AND REENACT CHAPTER 16 AND TO AMEND OTHER SECTIONS OF TITLE 1, GUAM CODE ANNOTATED, TO UPDATE AND MODERNIZE THE PUBLICATION OF THE LAWS OF GUAM AND TO ESTABLISH THE COMPILER OF LAWS WITHIN THE SUPREME COURT OF GUAM", was on the 31<sup>st</sup> day of October, 2003, duly and regularly passed.

\_\_\_\_\_  
vicente (ben) c. pangelinan  
Speaker

Attested:

  
\_\_\_\_\_  
Tina Rose Muña Barnes  
Senator and Legislative Secretary

-----  
This Act was received by *I Maga'lahen Guåhan* this 5<sup>th</sup> day of November, 2003, at 3:53<sup>00</sup>  
o'clock P.M.

  
\_\_\_\_\_  
Assistant Staff Officer  
*Maga'lahi's Office*

APPROVED:

\_\_\_\_\_  
FELIX P. CAMACHO  
*I Maga'lahen Guåhan*

Date: \_\_\_\_\_

Public Law No. \_\_\_\_\_

~~VETO~~

**I MINA'BENTE SIETE NA LIHESLATURAN GUÁHAN  
2003 (FIRST) Regular Session**

**Bill No. 49 (COR)**

As substituted by the  
Committee on Judiciary and Transportation  
and further substituted by the Author and amended  
on the Floor.

Introduced by:

F. R. Cunliffe  
J. M. Quinata  
T. R. Muña Barnes  
F. B. Aguon, Jr.  
J. M.S. Brown  
C. Fernandez  
Mark Forbes  
L. F. Kasperbauer  
R. Klitzkie  
L. A. Leon Guerrero  
J. A. Lujan  
v. c. pangelinan  
R. J. Respicio  
Toni Sanford  
Ray Tenorio

**AN ACT TO REPEAL AND REENACT CHAPTER 16 AND  
TO AMEND OTHER SECTIONS OF TITLE 1, GUAM  
CODE ANNOTATED, TO UPDATE AND MODERNIZE  
THE PUBLICATION OF THE LAWS OF GUAM AND TO  
ESTABLISH THE COMPILER OF LAWS WITHIN THE  
SUPREME COURT OF GUAM.**

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

2       **Section 1.** Chapter 16 of Title 1 of the Guam Code Annotated is  
3 hereby *repealed* and *reenacted* in its entirety to read:

4                                "Chapter 16

5                                **Compiler of Laws**



- 1        §1600. Findings and Policy.
- 2        §1601. Compiler of Laws.
- 3        §1602. Compiler of Laws' Responsibilities.
- 4        §1603. Definitions.
- 5        §1604. Administrative Support for the Compiler of Laws.
- 6        §1605. Powers of the Compiler of Laws.
- 7        §1606. Powers of the Compiler of Laws Relative to Revision.
- 8        §1607. Copyright.
- 9        §1608. Charges for Publications; Fee Distribution.
- 10       §1609. Compiler of Laws as Repository for Certain Documents.
- 11       §1610. Publication of Administrative Rules and Regulations.
- 12       §1611. Guam Code Advisory Commission.
- 13       §1612. Compiler of Laws Fund.
- 14       §1613. Transition Provisions.
- 15       §1614. Existing Licenses and Contracts.
- 16       §1615. Publication by Government Entities.

17            §1600. Findings and Policy. *I Liheslaturan Guåhan*  
18 determines that as of the Year 2000, the Guam Code Annotated  
19 has been updated with a General Index, Session Laws published  
20 through the Twenty-Third (23<sup>rd</sup>) Guam Legislature, and the  
21 Administrative Rules republished. *I Liheslatura* finds that the  
22 Internet has come into wide-use and is now a preferred research  
23 vehicle since the first Compiler of Laws statute was enacted in  
24 1978. Therefore, *I Liheslatura* determines that a regular program of  
25 publication, indexing, updating, and annotating the laws of Guam,



1 both on paper and on the Internet, is imperative for the regular  
2 operations of both government and private interests having  
3 dealings with Guam, and therefore adopts this Chapter to provide  
4 for an office within the Judicial Branch to assure that the laws,  
5 administrative rules, court reports and other publications of Guam  
6 are timely published and regularly distributed.

7       **§1601. Compiler of Laws.** There is hereby created within  
8 the Supreme Court of Guam, a Compiler of Laws. In addition to  
9 any other qualifications which may be established in accordance  
10 with the Personnel Rules and Regulations promulgated and  
11 adopted by the Judicial Council, the Compiler of Laws shall be an  
12 attorney licensed to practice in Guam. The Chief Justice of the  
13 Supreme Court of Guam shall appoint the Compiler of Laws, with  
14 the approval of the Judicial Council. The Compiler of Laws shall  
15 be subject to removal and shall be paid in accordance with the  
16 Personnel Rules and Regulations of the Judicial Branch  
17 promulgated by the Judicial Council.

18       **§1602. Compiler of Laws' Responsibilities.** It shall be the  
19 responsibility of the Compiler of Laws, through outsourcing,  
20 privatization, or other means, to:

21               (1) Cause to be published annually, together with an  
22               adequate index, all laws enacted by any given legislature in  
23               the form in which the laws were enacted, commonly known  
24               as the Legislature Session Laws;

25               (2) Cause to be published, periodic revisions and

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1 updates of the Guam Code Annotated, as determined by the  
2 Compiler of Laws, including available annotations thereto,  
3 such as Attorney General's Opinions, Executive Orders, and  
4 Court cases, and distributed at least annually, or more often  
5 if practical, to *I Liheslatura*, the Courts of Guam, the  
6 Executive Branch, and other interested individuals or  
7 entities as determined by the Compiler of Laws;

8 (3) Undertake the publication of the continuing  
9 Administrative Rules and Regulations, Opinions of the  
10 Attorney General, Executive Orders of *I Maga'lahi*, and  
11 reports of cases decided in the Supreme Court of Guam; and

12 (4) Make available on CD-ROM or similar recorded  
13 medium, the publications of the Compiler of Laws and  
14 provide on the Internet, interim updates of the published  
15 material promulgated between regular publications thereof.

16 **§1603. Definitions. (a) Publication Defined.** The terms  
17 'publish, published, publishing, and publication' as used in this  
18 Chapter means any printed or duplicated material, regardless of  
19 format, which is produced, purchased for distribution, or  
20 authorized by the Compiler of law for distribution and purchase  
21 to the public, including the Guam Code Annotated, Legislature  
22 Session Laws, Attorney General's Opinions, Executive Orders,  
23 Administrative Rules, and Court cases. The offering to distribute  
24 printed or duplicated materials to a group of persons for purposes  
25 of further distribution or public display constitutes publication.

1 The distribution to other agencies or instrumentalities of the  
2 government of Guam constitutes publication. The term  
3 'publication' shall *not* include the authority to create or enable any  
4 text-based searchable or researchable database of such printed or  
5 duplicated materials.

6 (b) **Distribution Defined.** The term 'distribute or  
7 distribution' shall mean to sale, lease, assign or otherwise  
8 transfer published materials, or offer to sale, lease, assign or  
9 otherwise transfer published materials. The term  
10 'distribution' shall *not* include the authority to sale, lease,  
11 assign, transfer or offer to sale, lease, assign or transfer, or  
12 otherwise create or enable any text-based searchable or  
13 researchable database of published materials.

14 **§1604. Administrative Support for the Compiler of Laws.**

15 The Supreme Court of Guam shall provide technical, clerical, and  
16 administrative support to the Compiler of Laws. The Chief Justice  
17 of the Supreme Court of Guam shall *not* request for additional  
18 funding for personnel and operating expenses for the Compiler of  
19 Laws. However, in the exercise of the responsibilities included in  
20 this Chapter, the Supreme Court of Guam may:

21 (1) Accept grants, contributions, appropriations, and  
22 payments for the publications of the office;

23 (2) Employ such professional or clerical staff as  
24 necessary for the operations of the Compiler of Laws, in  
25 accordance with the Personnel Rules and Regulations of the

1 Judicial Branch promulgated by the Judicial Council; and

2 (3) Enter into contracts as necessary for the  
3 operations of the Compiler of Laws, in accordance with the  
4 law and the Rules and Regulations promulgated by the  
5 Judicial Council.

6 **§1605. Powers of the Compiler of Laws.** In the exercise of  
7 his or her responsibilities under this Chapter, the Compiler of  
8 Laws may:

9 (1) Request and utilize the services of any bar  
10 association, legislative committee, legislative office,  
11 profession or other organization in any matter suitable for  
12 the fulfillment of the purposes of this Chapter;

13 (2) Have access to any legislative, executive or judicial  
14 reports, opinions, orders, or documents necessary to carry  
15 out the purposes of this Chapter; and

16 (3) Conduct meetings, formal or informal, with  
17 attorneys, bar associations and others interested in the  
18 results and products of the office.

19 **§1606. Powers of the Compiler of Laws Relative to**  
20 **Revision.** In preparing the Guam Code Annotated, the Guam  
21 Administrative Rules and Regulations, court reports and other  
22 publications of the Office, the Compiler of Laws may:

23 (1) Number and renumber chapters, sections and  
24 parts of sections;

25 (2) Rearrange sections so that they fit harmoniously

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1 within the publication being prepared;

2 (3) Change reference numbers to agree with  
3 renumbered chapters, parts, or sections;

4 (4) Substitute the proper selection or chapter numbers  
5 for the terms 'the preceding section', 'this act', and like  
6 terms;

7 (5) Strike out figures where they are merely a  
8 repetition of written words;

9 (6) Change capitalization for the purposes of  
10 uniformity; and

11 (7) Correct manifest clerical errors or typographical  
12 errors.

13 **§1607. Copyright.** The government of Guam shall have  
14 the right to copyright or permit any appropriate private contractor  
15 to copyright any or all of the work product developed pursuant to  
16 this Chapter; provided, that the Supreme Court of Guam shall  
17 retain the power and right to distribute within the government of  
18 Guam any or all of the products of the office at below or at no cost  
19 to the recipient agency without having first to pay any copyright  
20 fee to the copyright holder; and provided, further, that the  
21 government of Guam shall not part with any rights to the form or  
22 structure of the laws, rules or other official documents of Guam so  
23 that, should the appropriate Guam authorities wish to amend or  
24 repeal such laws, rules or official documents in the future, there  
25 will exist no private claim to the form or structure.

1           §1608. **Charges for Publications; Fee Distribution.** (a) All  
2 funds required to pay for printing the publications published by  
3 the Compiler of Laws or printed by him or her at the request of  
4 other government entities shall be taken from the proceeds from  
5 sales of publications, appropriations of *I Liheslaturan Guåhan* or by  
6 transfer from the funds of the requesting agencies.

7           (b) Except as provided in Subsection (c), below, the  
8 Compiler of Laws shall charge a fee for any publications and  
9 printing jobs undertaken by the office. Such fees shall be  
10 established and approved by the Judicial Council upon  
11 submission by the Compiler of Laws as approved by the Chief  
12 Justice of the Supreme Court of Guam.

13           (c) The Compiler of Laws shall furnish legal publications of  
14 the office or its licensees free of charge to the following public  
15 officials for official use:

- 16                   All Senators of *I Liheslaturan Guåhan*;
- 17                   The Clerk of *I Liheslaturan Guåhan*;
- 18                   *I Maga'lahaen Guåhan*;
- 19                   *I Segundu na Maga'lahaen Guåhan*;
- 20                   Justices of the Supreme Court of Guam;
- 21                   Judges of the Superior Court of Guam;
- 22                   Guam's Delegate to the United States House of  
23                   Representatives;
- 24                   Department and agency heads of the government of  
25                   Guam;

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1 Office of the Attorney General;  
2 Office of the Public Auditor; and  
3 Such agencies of state, territorial, trust territory, and  
4 local governments, which provide their publications  
5 free of charge to Guam.

6 All other persons shall be required to pay for publications in  
7 accordance with the fee schedule established and approved by the  
8 Judicial Council of Guam.

9 **§1609. Compiler of Laws as Repository for Certain**  
10 **Documents.** In addition to the duties of the Compiler of Laws  
11 specified in this statute, the Compiler of Laws shall maintain a  
12 repository of all laws of Guam and all Opinions of the Attorney  
13 General, Executive Orders of *I Maga'lahi*, and court decisions used  
14 in his or her annotations to the Codes of Guam; provided, that if  
15 the materials are stored elsewhere within the Supreme Court of  
16 Guam, the Compiler of Laws need not duplicate such efforts.  
17 Such repository may be maintained on microfilm, microfiche, or  
18 other mechanical or electronic media.

19 **§1610. Publication of Administrative Rules and**  
20 **Regulations.** All rules and regulations or amendments to rules  
21 and regulations promulgated by any Director, and/or board for  
22 departments, agencies, and instrumentalities of the government of  
23 Guam, pursuant to specific statute or through the Administrative  
24 Adjudication Act, having been transmitted to and received by the  
25 Legislative Secretary of *I Liheslaturan Guåhan* prior to the

1 commencement of *I Mina'Bente Siete Na Liheslaturan Guåhan*, and  
2 not otherwise acted upon, shall be codified and published as  
3 provided for in this Act.

4 **§1611. Guam Code Advisory Commission. (a)**  
5 **Commission Duties.** There is hereby created a Guam Code  
6 Advisory Commission, which shall have the following duties:

7 (1) To conduct a review of the structure, format, and  
8 organization of Guam's laws, rules and regulations, and  
9 court reports and recommend ways by which these  
10 materials may be more accessible to the general public. The  
11 Commission shall consider all means of distribution,  
12 including both paper and electronic;

13 (2) To recommend to the Chief Justice of the Supreme  
14 Court of Guam and the Judicial Council, ways by which  
15 such changes may be implemented both as to editorial and  
16 production issues;

17 (3) To hold hearings as necessary or relative to the  
18 duties of the Commission; and

19 (4) To recommend to the Chief Justice of Supreme  
20 Court of Guam and the Judicial Council, any legislation  
21 necessary to implement the recommendations of the  
22 Commission.

23 **(b) Commission Composition.** The Guam Code  
24 Advisory Commission shall be comprised as follows:

25 (1) The Attorney General, or his or her designee;





- 1 (2) The Public Defender, or his or her designee;
- 2 (3) The Legal Counsel to *I Maga'lahi* (the Governor);
- 3 (4) The Legislative Counsel to *I Liheslaturan Guåhan*
- 4 (the Guam Legislature);
- 5 (5) The President of the Guam Bar Association, or his
- 6 or her designee;
- 7 (6) The Presiding Judge of the Superior Court of
- 8 Guam, or his or her designee; and
- 9 (7) The Chief Justice of the Supreme Court of Guam,
- 10 or his or her designee, who shall serve as Chairperson
- 11 of the Commission.

12 The members of the Commission shall receive no  
13 stipend for their meetings and attendance.

14 (c) **Commission Support.** Administrative support  
15 for the Commission shall be provided through the Office of  
16 the Compiler of Laws for any assistance required by the  
17 Commission, or hearing to be held in accordance with this  
18 Chapter.

19 **§1612. Compiler of Laws Fund.** There is hereby created a  
20 special fund entitled 'Compiler of Laws Fund', for the purposes of  
21 receiving payment for all fees associated with the publication  
22 provided by the Compiler of Laws as authorized by this statute.  
23 The Fund shall be maintained by the Supreme Court of Guam,  
24 separate and apart from the General Fund. All funds to be  
25 expended from the Compiler of Laws Fund shall be done in

1 accordance with the law, and by rules and regulations  
2 promulgated by the Judicial Council. Funds shall only be used for  
3 printing, research, publication, and publication services, in  
4 whatever media designated by the Compiler of Laws.

5 **§1613. Transition Provisions: Personnel, Equipment,**  
6 **Supplies and Funds. (a) Personnel.** The incumbent Compiler of  
7 Laws shall remain an Attorney at the Office of the Attorney  
8 General subject to the appointing authority of the Attorney  
9 General and all funds appropriated for his or her personnel costs  
10 shall remain within the budget of the Office of the Attorney  
11 General, subject to his continued employment.

12 **(b) Office, Equipment, and Supplies.** All computer  
13 equipment, including hardware and software (either  
14 prepackaged or developed by or at the direction of the  
15 Compiler of Laws), and office supplies and equipment  
16 purchased, assigned, owned, or leased by the Office of the  
17 Compiler of Laws or the Attorney General with public funds  
18 for use in the official duties of the Compiler of Laws, and the  
19 Office itself, shall be transferred from the Office of the  
20 Attorney General to the Supreme Court of Guam. Such  
21 transfer shall take place on the next most convenient date for  
22 accounting purposes following the effective date of this Act,  
23 provided, however, that such effective date of transfer shall  
24 not exceed thirty (30) days from the effective date of this Act.  
25 Nothing in this Act shall require the physical transfer of the

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1 office of the Compiler of Laws, from those premises in which  
2 it is currently located.

3 (c) **Appropriations and Funds.** All funds in the  
4 custody of the Compiler of Laws or under his control,  
5 including all appropriations made to or allocated to the  
6 office, regardless of what fund, except for the personnel  
7 costs of the incumbent Compiler of Laws, shall be  
8 transferred to the Supreme Court of Guam. All  
9 encumbrances and purchase orders outstanding at the time  
10 of the transfer shall remain valid following the transfer and  
11 shall be transferred.

12 **§1614. Existing Licenses and Contracts.** Any licenses  
13 granted, or contract entered into, by the Compiler of Laws prior to  
14 the effective date of this Act, and in accordance with the laws of  
15 Guam, shall continue in full force and effect for the term of such  
16 license or contract or as allowed by the laws of Guam.

17 **§1615. Publication by Government Entities.** Nothing  
18 herein shall prevent *I Liheslaturan Guåhan, I Maga'lahen Guåhan*, the  
19 Courts of Guam, or the office of the Attorney General from  
20 publishing on their websites, in print or otherwise, any laws,  
21 decisions, executive orders, opinions, or other information  
22 promulgated by that branch or office."

23 **Section 2.** §100 of Title 1 of the Guam Code Annotated is *amended*  
24 to read as follows:

25 "§100. **Laws Applicable to Guam.** The Laws in force in



1 Guam constitute those portions of the Constitution, treaties and  
2 laws of the United States of America applicable to Guam; Acts of *I*  
3 *Liheslaturan Guåhan*; the Guam Code Annotated; Executive Orders  
4 of *I Maga'lahen Guåhan* promulgated pursuant to the Organic Act  
5 of Guam and pursuant to Acts of *I Liheslatura*; decisions of the  
6 Supreme Court of Guam; decisions of the Supreme Court of the  
7 United States ruling upon those portions of the Constitution,  
8 treaties and laws of the United States applicable to Guam and  
9 upon cases and controversies applicable to Guam; decisions of the  
10 appellate courts given jurisdiction to hear cases from Guam in  
11 those matters applicable to Guam; and, as to the individual case,  
12 decisions of the Superior Court of Guam.”

13 **Section 3.** §101 of Title 1 of the Guam Code Annotated is *amended*  
14 to read as follows:

15 “§101. **Scope and Citation of Code.** (a) The laws embraced  
16 in this Code constitute the ‘Guam Codes Annotated’. The laws as  
17 set out in this Code and in any then-current supplement as  
18 certified by the Compiler of Laws establish the permanent laws of  
19 Guam relating to and in force in Guam, other than the general and  
20 permanent laws of the United States that relate to or apply to  
21 Guam, on the date specified in this Code or applicable  
22 Supplement by the Compiler of Laws. The same are legal  
23 evidence of those laws in all of the courts of the United States, its  
24 territories, possessions, and commonwealths, the District of  
25 Columbia, and the several states, and in Guam. This Code is

1 divided into Titles, each Title containing the laws relating to one  
2 subject. Annotations and comments are not part of the law.

3 (b) This Code may be cited by the abbreviations 'GCA',  
4 preceded by the number of the Title and followed by the number  
5 of the section, chapter or part of the Title referenced. For example,  
6 this Section is cited as '1 GCA §101(b)'.

7 (c) Titles of the Guam Code Annotated published by the  
8 Compiler of Laws shall be the official publication of the codified  
9 laws of Guam. On the Title page of each Title, the Compiler of  
10 Laws shall indicate the last date on which new Public Laws were  
11 included in that Title of the Guam Code Annotated. Titles so  
12 published shall be *prima facie* evidence of the laws of Guam in  
13 effect on the date indicated on the Title page; provided, however,  
14 if a variance not authorized by this Chapter is found in a  
15 published Title, then the public law, as signed by *I Maga'lahi*, last  
16 adding, repealing or amending the appropriate statutory matter  
17 shall be the correct law of Guam and the Compiler of Laws shall  
18 make the necessary corrections to the Guam Code Annotated."

19 **Section 4.** New Subsections (1) and (2) are added to 1 GCA §103  
20 to read as follows, and all existing subsections and references in the final  
21 paragraph shall be *renumbered* accordingly:

22 "1. The Guam Code Annotated shall be the publication of  
23 the permanent codes of Guam and the publications thereof, when  
24 certified by the Compiler of Laws, shall be legal evidence of the  
25 laws contained therein;

1           2.     Electronic publications authorized and certified by the  
2     Compiler of Laws shall have the same validity as paper  
3     publications of the same or similar subject matter.”

4     **Section 5.** §30105 of Chapter 30 of Title 5 of the Guam Code  
5     Annotated is hereby *amended* to read as follows:

6           “§30105. **Divisions of Office.** There shall be such divisions  
7     of the Department of Law as the Attorney General shall  
8     determine; provided, however, that the Consumer Counsel shall  
9     be an identifiable entity within the Office of the Attorney  
10    General.”

11    **Section 6. Effective Date.** The provisions of this Act shall be  
12    effective immediately upon enactment.

13    **Section 7. Severability.** *If* any provision of this Law or its  
14    application to any person or circumstance is found to be invalid or  
15    contrary to law, such invalidity shall *not* affect other provisions or  
16    applications of this Law which can be given effect without the invalid  
17    provisions or application, and to this end the provisions of this Law are  
18    severable.

# Office of Senator F. Randall Cunliffe

*I Mina Benté Siete Na Liheslaturan Guåhan*



Twenty-Seventh  
Guam Legislature

Chairman,  
Committee  
on  
Judiciary  
&  
Transportation

March 25, 2003

The Honorable Vicente C. Pangelinan  
Speaker  
I Mina' Bente Siete Na Liheslaturan Guahan  
155 Hessler Street  
Hagatna, Guam 96910

VIA: Clerk of the Legislature

Dear Speaker Pangelinan:


The Committee on Judiciary & Transportation, to which Bill# 49 (COR), was referred, wishes to report its findings and recommendations **TO DO PASS BILL NO. 49 (COR), As Substituted by the Committee on Judiciary & Transportation, "AN ACT TO REPEAL AND REENACT TITLE 1 GCA, CHAPTER 16 AND OTHER SECTIONS, TO UPDATE AND MODERNIZE THE PUBLICATION OF THE LAWS OF GUAM AND TO ESTABLISH THE COMPILER OF LAWS WITHIN THE SUPREME COURT OF GUAM"**.

The voting record is as follows:

|                        |   |
|------------------------|---|
| TO PASS                | 6 |
| NOT TO PASS            | 0 |
| ABSTAIN                | 0 |
| TO PLACE INACTIVE FILE | 0 |
| TO REPORT OUT          | 0 |

Copies of the Committee Report and other pertinent documents are attached. Thank you for your consideration.

Sincerely,

  
F. RANDALL CUNLIFFE  
CHAIRMAN

Attachments

2003 MAR 25 PM 4:53

Ada's  
Commercial &  
Professional Center

138 E. Marine Dr.  
Hagatna, Guam  
(USA) 96910

Tel: 671.477.5310  
Fax: 671.477.5300

Email:  
atorcunliffe@email.com



Twenty-Seventh  
Guam Legislature

Chairman,  
Committee  
on  
Judiciary  
&  
Transportation

Ada's  
Commercial &  
Professional Center

138 E. Marine Dr.  
Hagatna, Guam  
(USA) 96910

Tel: 671.477.5310  
Fax: 671.477.5300

Email:  
senatorcunliffe@email.com

# Office of Senator F. Randall Cunliffe

*I Mina Benté Siete Na Liheslaturan Guåhan*

March 24, 2003

## MEMORANDUM

**TO:** COMMITTEE MEMBERS  
**FROM:** CHAIRMAN  
**SUBJECT:** COMMITTEE REPORT - Bill No. 49 (COR)

Transmitted for your information and action is the committee report on **Bill No. 49(COR)**, as Substituted by the Committee on Judiciary & Transportation, "AN ACT TO REPEAL AND REENACT TITLE 1 GCA, CHAPTER 16 AND OTHER SECTIONS, TO UPDATE AND MODERNIZE THE PUBLICATION OF THE LAWS OF GUAM AND TO ESTABLISH THE COMPILER OF LAWS WITHIN THE SUPREME COURT OF GUAM" from the Committee on Judiciary & Transportation.

This memorandum is accompanied by the following:

1. Committee Voting Sheet
2. Committee Report
3. Bill No. 49 (COR), As Substituted by the Committee on Judiciary & Transportation
4. Public Hearing Sign-in Sheet
5. Notice of Public Hearing

Please take the appropriate action on the attached voting sheet. Your attention and cooperation in this matter is greatly appreciated.

Should you have any questions regarding the report or the accompanying documents, please do not hesitate to contact me or my Committee Director, Mr. Joshua Tenorio.

Sincerely,

F. RANDALL CUNLIFFE

Attachments




**I MINA' BENTE SIETE NA LIHESLATURAN GUAHAN**  
**COMMITTEE ON JUDICIARY & TRANSPORTATION**

**VOTING RECORD SHEET**

**BILL 49(COR): (AS SUBSTITUTED BY THE COMMITTEE ON JUDICIARY & TRANSPORTATION) "AN ACT TO REPEAL AND REENACT TITLE 1 GCA, CHAPTER 16 AND OTHER SECTIONS, TO UPDATE AND MODERNIZE THE PUBLICATION OF THE LAWS OF GUAM AND TO ESTABLISH THE COMPILER OF LAWS WITHIN THE SUPREME COURT OF GUAM"**

**COMMITTEE MEMBERS:**

| TO PASS | NOT TO PASS | TO ABSTAIN | TO PLACE INACTIVE | REPORT OUT |
|---------|-------------|------------|-------------------|------------|
|---------|-------------|------------|-------------------|------------|

  
 CUNLIFFE, F. RANDALL  
 CHAIRMAN

✓

  
 QUINATA, JOHN M.  
 VICE CHAIRMAN

✓

  
 LEON GUERRERO, LOU A.

✓

off-island

MUÑA-BARNES, TINA R.

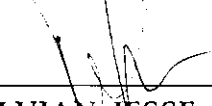
  
 RESPICIO, RORY J.

✓

  
 SANFORD, ANTOINETTE D.

✓

  
 KLITZKIE, ROBERT

  
 LUJAN, JESSE A.

✓

non-voting member

PANGELINAN, VICENTE C.  
 SPEAKER & EX-OFFICIO MEMBER

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*I MINA' BENTE SIETE NA LIHESLATURAN GUAHAN*

COMMITTEE ON JUDICIARY & TRANSPORTATION  
F. RANDALL CUNLIFFE, CHAIRMAN

COMMITTEE REPORT

ON

**BILL: 49 (COR) as substituted by the Committee on Judiciary &  
Transportation**

“AN ACT TO REPEAL AND REENACT TITLE 1 GCA, CHAPTER 16 AND OTHER SECTIONS, TO UPDATE AND MODERNIZE THE PUBLICATION OF THE LAWS OF GUAM AND TO ESTABLISH THE COMPILER OF LAWS WITHIN THE SUPREME COURT OF GUAM”

March 21, 2003

## **I. OVERVIEW**

The Committee on Judiciary and Transportation held a public hearing at 9:00 a.m. on Wednesday, March 19, 2003 on the following measure:

### **BILL NUMBER & SHORT TITLE:**

**Bill 49(COR)** – “AN ACT TO REPEAL AND REENACT TITLE 1 GCA, CHAPTER 16 AND OTHER SECTIONS, TO UPDATE AND MODERNIZE THE PUBLICATION OF THE LAWS OF GUAM AND TO ESTABLISH THE COMPILER OF LAWS WITHIN THE SUPREME COURT OF GUAM”

Introduced by: F.R. Cunliffe, J.M. Quinata, and T.R. Muna-Barnes

Date of Introduction: March 7, 2003

Date of Referral by Committee on Rules & Health: March 12, 2003

### **COMMITTEE MEMBERS PRESENT AT THE PUBLIC HEARING WERE:**

F. Randall Cunliffe, Chairman  
John M. Quinata, Vice Chairman  
Tina R. Muna-Barnes  
John M. Quinata  
Rory J. Respicio  
Antoinette D. Sanford  
Robert Klitzkie  
Jesse A. Lujan

### **OTHER SENATORS PRESENT AT THE PUBLIC HEARING WERE:**

Carmen Fernandez  
Ray Tenorio  
Lawrence Kasperbauer

The proceedings of the hearing were recorded by the Audio Department of the Guam Legislature. A copy of the proceedings is available upon written request to the Committee on Judiciary & Transportation.

## II. SYNOPSIS OF BILL 49(COR):

BILL 49(COR) repeals and reenacts Title 1 GCA Chapter 16 relative to the Compiler of Laws. The Bill seeks to place the Compiler of Laws and his or her duties within the Supreme Court of Guam. The Compiler of Laws shall be appointed by the Chief Justice of the Supreme Court.

The Compiler of Laws is currently a division of the Department of Law (Office of the Attorney General). The bill will transfer the equipment, supplies and unexpended funds from the Department of Law to the Supreme Court of Guam within 30 days of passage of the Act. The Supreme Court of Guam shall provide all administrative support for the Compiler of Laws. The budget of the Compiler of Laws and its operations shall be part of the Supreme Court of Guam annual budget submission.

Under the proposed legislation, the duties of the Compiler of Laws shall remain mostly unchanged, in codifying and publishing laws passed by the Guam Legislature, Executive Orders promulgated by the Governor, Rules and Regulations promulgated by the Government of Guam through the Triple A process, precedent rulings of court cases from the courts of Guam, and opinions of the Attorney General of Guam.

This proposed legislation also creates a Guam Code Advisory Commission, whose duties are to review the current structure of Guam's laws, rules & regulations, etc. to ensure that these are easily available for research; to recommend to the Chief Justice of the Supreme Court and Judicial Council, areas for change or improvement; to hold hearings concerning such matters; and to recommend any legislation necessary to implement the recommendations of the Commission. The Commission will be composed of key government officials including representatives from the Executive Branch, Judiciary, Legislative Branch, Guam Bar Association, the Office of the Attorney General, and the Public Defenders Service Corporation.

The legislation also provides for fees to be assessed and collected into the Compiler of Laws Fund, to offset the administrative costs of the Compiler of Laws.

The legislation was introduced at the request of the Supreme Court of Guam.

### III. SUMMARY OF TESTIMONY

Individuals appearing before the Committee to present oral and written testimony on the bill were as follows:

- Chief Justice F. Philip Carbullido, Chief Justice of the Supreme Court of Guam, who submitted written testimony in favor of the bill, with proposed amendment (attached)
- Attorney Charles Troutman, Compiler of Laws, Office of the Attorney General (Department of Law) who presented and submitted written testimony opposed to the bill and submitted a substitute version (attached)
- Attorney Mitch Thompson, Partner, Mair, Mair, Spade & Thompson LLP, Member of the Guam Bar Association, who presented oral testimony in favor of the bill

### TRANSCRIPT OF PUBLIC HEARING ON BILL NO. 49(COR):

Chairman: The next matter on the agenda is Bill 49, it's an act to update and modernize the publication of the laws of Guam and to establish the Compiler of Laws within the Supreme Court of Guam. This bill was introduced on behalf and at the request of the Supreme Court of Guam. I have an indication that Mr. Charles Troutman and Mr. Mitch Thompson wish to testify on behalf of this Bill, please step forward. .... Welcome again, Mr. Troutman, are you representing the Attorney General Office or yourself?

Troutman: Myself, chiefly, although the AG does agree with my conclusions.

Chairman: Please proceed, Mr. Troutman.

Troutman: Mr. Chairman and members of the Committee, since my opposition to a nearly identical Bill No. 134 in the 26<sup>th</sup> Guam Legislature, much has changed mostly for the better in the Compiler's Division of the AG's Office. Number one, the Attorney General has indicated his support of keeping it there, a distinct difference from his predecessor. The Guam Code Annotated is now on-line at the Attorney General's website. The Code is updated to the last law in the 26<sup>th</sup> Guam Legislature, but is not searchable at the moment, because the Code is being hosted, as well as the whole AG's site, by the National Association of Attorneys General, and they do not yet have a search engine for their site. They are working on it, but not yet. Soon, a selected rules and regulations will be added as I can convert the formats.

Also, I'm supplying the Guam Code Annotated and the Administrative Rules and the Public Laws to Jurispacific, which they then make searchable, and charge a fee for their use. Likewise the Guam Code Annotated is on Westlaw along with the Supreme Court cases, and they're planning in the future to put the Public

Laws up there as well. As far as West goes, I was notified that they have a royalty check for us in the sum of \$7,000 to cover some of their previous sales.

The Compiler of Laws now has the right to sell our own version of the searchable CD with our own databases, as West believes it is necessary for the government to provide an "official" set of publications. West Group part of Thompson Publishing, believes that setting up what is "official" is a governmental, not a private function. They got into serious trouble in Illinois, rather Illinois got into serious trouble several years ago, because it was a reverse situation. Due to historical precedent there, where West actually held the copyright on the Illinois revised statute, and the Legislature couldn't do a major amendment about them without repealing the whole thing and starting from scratch, and passing a law saying that you can't copyright this stuff privately anymore.

What we are lacking is personnel on a full-time basis, as I mentioned during the budget hearings, and also we need direction more than just implication from this Legislature as to what you want published. It's well known that publishing electronically now is definitely the cheaper route. In fact, the National Association of AG, because of their own budget cuts is now publishing some of their bulletins of state law, constitutional law bulletin and others, only on the internet. They're discontinuing the paper of vocation of that particular bulletin. So, therefore, I believe the Legislature needs to decide does it want the Public Laws of the various Legislatures to be a waste in paper. I know a lot of people don't have computers, of course the libraries do, but still it's a nuisance. There are places where you can't take electronic books, and these so-called "E-books" at the moment is a technology that either hasn't come to light or is on its way down, I don't know, but it's not working, that is commercially. So, again it's a matter of cost, but a direction, the last time this law was amended was at a time before personnel communications even had been invented. Therefore, it's time to make a determination, because I remember when our duties were first put in law, it was actually a couple of years after the invention of the integrated CPU, and wasn't until a number of years after that the you could actually use PCs for large scaled publishing. So, there are some superfluous things in the current law that never happened, due to funding and the race of technology. From a personal standpoint, the way the law is actually written it will essentially dissolve all Compiler's functions everywhere, and require the Supreme Court to start up with other personnel in the private sector. So, personally, I'm not particularly happy with that thought.

Also, with the continuation of the database we've developed, which is from the 13<sup>th</sup> Legislature, it exists. It's a matter of finding the best way and the best means to make it available. I've attached a intermediate proposal of my own to my testimony, which would transfer the whole operation to the Supreme Court. I don't particularly like doing it this way, but it would do it and continue the operations to the best extent possible. The Chief Justice has indicated to me that he would get the personnel from the consolidation of what will happen through

Bill 48. This is sort of dependent on Bill 48 to begin with. In talking about consolidation, the biggest the court needs by the way is to consolidate its MIS services, Management and Information Services, because even though I provide the Supreme Court with searchable CDs, they can't use them because their computers have Windows NP of a version that's incompatible with my CDs, which are advertised by the manufacturer of the programs for Windows 2000 XP and that particular series. That's one area where consolidation is definitely necessary. The substance, I believe, there are plenty of places for improvement and change, but I don't think a movement is necessary at this point to another branch. Most of the data exists, what we need is to be able to organize that data, get it in a searchable form onto at least an electronic form. I would say, as far as time goes and availability, that would be the best route to go. Paper, we live in a paper world, there are places where you can take paper books, but you cannot take and use PCs. For instance in the court, while you can use PCs in a court, what happens when you get into a case where the judge says, "I need a copy of this section, plus would you give it to your co-counsel and opposition counsel and whoever else is involved," you still can't just crank out multiple copies right on your desk. Things haven't quite gone that far. Furthermore, if you try to do too much research on a PC, you get bug-eyed. They haven't got their screens up to easy reading yet, that will come, but it's not here yet. In talking with our AG, I propose a tentative organization for the Compiler's office, but he requested it. If I could say, devote less time to being a word processing officer, I you read my testimony carefully, you'll see that I need to have somebody else do that job. There's plenty of things that we can do efficiently, and get it out to those that need it. First of all, you deciding what you want and then they bring us to do the job.

The reason I've attached my budget, that you basically already rejected, is simply to show the categories where money is required, in addition to personnel, of course, the outsourcing. We have a problem here on Guam, which is unique to small jurisdictions, that is the number of copies and demand for the Code. It's not great when you're talking about book printing and publishing. California West can publish the California Code, because there are well over 30,000 lawyers in the state, and that makes a good commercial market. The maximum effective production for the Guam Code Annotated is about 800, and that is below the minimum for high-speed presses. The minimum for high-speed presses is usually 1,000. That means that we have to pay up front for any paper publication, and then recoup the price for our sales. That's another substance matter that this Legislature needs to change, regarding how we charge for our sales, because over the years you've changed other laws dealing with electronic develop ability of government documents, which seem to be in conflict with our job with charging a fair amount for what our duties which includes a certain degree of editorial effort, not just the copying. You need to decide how much you want to charge the public, not exact dollars, but how much you want to subsidize our publications. There's quite a bit of substance of law that needs to be changed with regards to our office, if it's changed and we get a good direction from the Legislature, then the personnel requirements will be much clearer. In other words, if you say all

you want is electronic publication, then my projection of personnel needs will be different, probably less, in fact, definitely less, but certainly different, than if you say we want to concentrate on paper, ....

Chairman: Mr. Troutman, it shouldn't take more people to determine what the law is and how to put it on paper, just because one's going to be on a computer and one's going to be on a piece of paper, that should change the number of persons you need.

Troutman: Yes, it will, because of the technical matter of formatting, again, right now if we had the money, I would put out an RFP and determine how much of the typesetting could be done by the outside printers. In the past, they had been reluctantly to do it, because the much greater cost will be to us and their time. We have done the basic typesetting. Everything that you see now on the Code, the typesetting was done in our office. If we can change that, that's great, there's a chance, but I can't get too much detail on this, I know if I had the money to do it. Yes, there is a difference, because you have to take what we get electronically and put into paper format. Also, there's the question of paper indexing, one cannot do that electronically, at this point. West Publishing has stacks of files from failed projects in trying to create an electronic indexing system, for paper you'll still need humans for that.

Chairman: Do you have further comments directed to directly to the Bill itself?

Troutman: Well, yes, to the Bill, I have the substitute that will transfer it, but it wouldn't destroy it the process of transfer, and I would like to submit another bill that will not transfer it, but correct some of the problems that we do need correcting.

Chairman: We'll be glad to receive that from you. Thank you, Mr. Troutman. Mr. Thompson.

Thompson: Mr. Chair, Committee Members, my name is Mitch Thompson, I'm an attorney whose been practicing on Guam for over 15 years, I'm here to speak in favor of Bill 49. I think the short answer here is that the current system is not working. It's almost a futile exercise for the Legislature to pass laws, if lawyers and other people can't find them. It's been my experience that that's a difficult process on Guam, especially finding current amendments and recent changes to the Guam Code Annotated. The system has to be changed. I don't know if the current Bill is the most perfect or the most optimum way of doing it, but most attorneys agree that something has to be done. The current system is simply not working. I've heard a lot of excuses from Mr. Troutman, and it's unfortunate because he's held the position of Compiler of Laws, which many attorneys on Guam refer to as the "Concealer of Laws," for a number of years. We've heard excuses about the lack of money, this problem, that problem, and some of them may very well be true, but the problem is that we need results not excuses. Reference was made to the fact that Guam is a small jurisdiction, if one goes over to the Law Library, one can



see that the Virgin Islands Code, which has been updated, is there, the Virgin Island Reports, which lists, going back for many years, the decisions of the Virgin Island Courts, and for that matter, printed bound volumes of the Attorney General's of the Virgin Islands opinions. Virgin Islands is not much bigger than Guam, in fact Guam may have more people than the Virgin Islands. They can do it, Guam can't. The Compiler of Laws, to my understanding, is one of the highest paid official of the government of Guam currently. We need results not excuses. There's an old saying, if it's not broke don't fix it, it's broke we need to fix it. Thank you.

Chairman: Thank you very much. Senator Klitzkie, you have any questions?

Klitzkie: I have no questions, Mr. Chairman.

Chairman: Senator Lujan.....Senator Tenorio....no, no questions.... thank you both for coming, we appreciate your testimony on the Bill, and Mr. Troutman, we be glad to receive anything else you wish to submit on that matter. The next matter on the agenda, and just for my colleagues' information, we have a number of people here to sit as board members of the GIAA, so we're going to work until we get done, because they've been waiting their time, and we're not going to send them out and come back after lunch. So, the next bill and the last bill before the confirmation hearing is Bill No. 50, relative to the sentencing for first time offenders of third degree felonies charged with possession of methamphetamine and to expunge such charges upon completion of the Superior Court of Guam Drug Court Program. This bill was submitted at the request of the Superior Court, so that they may avail themselves of federal funding for a drug court. I believe there are some testimony, people here to testify, Ms. Ada, Mr. Arens, Mr. Littlepage, anyone else to testify on this Bill. Please step forward. .... Ms. Ada will you just identify yourself and please feel free to go first.

# Supreme Court of Guam

Suite 300 Guam Judicial Center, 120 West O'Brien Drive, Hagatña, Guam 96910-5174

Telephone: 671-475-3162 • Facsimile: 671-475-3140 • Email: justice@guamsupremecourt.com • Website: www.justice.gov.gu/supreme

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Chamber of the Honorable F. Philip Carbullido  
Chief Justice

Direct Line: (671) 475-3413

Direct Email: fpcarbullido@guamsupremecourt.com

**Testimony of the Honorable F. Philip Carbullido  
Chief Justice of Guam  
on Bill No. 49  
Wednesday, March 19, 2003**

Hafa Adai and good morning Mr. Chairman and members of the Committee on Judiciary and Transportation. Thank you for the opportunity to testify on Bill No. 49 which will transfer the Office of the Compiler of Laws from the Office of the Attorney General and establish it within the Supreme Court of Guam.

The Supreme Court as the final arbiter of cases and conflicts in Guam, knows full well the importance of providing correct and timely updates of the laws, not just to governmental entities but to everyone concerned, especially practitioners of the law who come before the courts for interpretation. Correct and timely updates are not a luxury for the courts, but a necessity. We cannot function without having at hand the latest amendments to the laws of Guam. The quality of our opinions which interpret the laws of Guam demands correct and timely updates.

Thus, if it is within the Supreme Court, the Office of the Compiler will be afforded the resources and priority it needs to accomplish its mission as set forth in Bill No. 49. In turn, the Compiler of Laws will face our heavy demands to timely publish the updates on paper and especially by electronic means which will provide far greater and more cost efficient access for everyone.

So that the transfer of the Office of the Compiler of Laws will be complete, I suggest the following amendment to Section 1611:

**Transition Provisions. Equipment, Supplies and Funds.** All computer equipment, including hardware and software (either prepackaged or developed by or at the direction of the Compiler of Laws), and office supplies and equipment purchased, assigned, owned or leased by the Compiler of Laws or the Attorney General with public funds for use in the official duties of the Office of the Compiler of Laws, and the office itself, shall be transferred by the Office of the Attorney General to the Supreme Court of Guam. Such transfer shall take place on the next most convenient date for accounting purposes following the effective date of this Act, provided, however, that such effective date of transfer shall not exceed thirty (30) days from the effective date of this Act. Nothing in this Act shall require the physical transfer of the Office of the Compiler of Laws, from those premises in which it is currently located. All funds in the custody of the Compiler of Laws or under his control, including all appropriations made to or allocated to the Office regardless of what fund, shall be transferred to the Supreme Court of Guam. All encumbrances and purchase orders outstanding at the time of the transfer shall remain valid following the transfer and shall be transferred.

Once again, thank you for the opportunity to testify in support of Bill No. 49.

Douglas B. Moylan  
Attorney General



Charles H. Troutman  
Compiler of Laws

## Office of the Attorney General

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March 17, 2003

Senator F. Randall Cunliffe  
Chairman, Committee on Judiciary and Transportation  
27<sup>th</sup> Guam Legislature  
Hagåtña, Guam

Re; Bill No. 4849

Dear Mr. Chairman,

Since my opposition to a nearly identical Bill No. 134 in the 26<sup>th</sup> Guam Legislature, much has changed for the better in the Compiler's Division of the Attorney General's Office. The Guam Code Annotated is now on-line in the Attorney General's web site at [www.guamattorneygeneral.com](http://www.guamattorneygeneral.com). The Code is updated through the last law of the 26<sup>th</sup> Guam Legislature, but the Code is not searchable with any full-text search engine on the web. It is being hosted without charge by the National Association of Attorneys General. I have been informed that they may be able to add a search engine within four or more months as they develop one for their entire site. Selected Rules and Regulations will be added as I can convert the format.

Also, I am supplying the GCA and GAR and the Public Laws to Jurispacific where it is available for a fee. Likewise the Guam Code Annotated is on Westlaw along with the Supreme Court cases, also for a fee and these are commercial services. Lexis/Nexis is working on providing similar material.

The Compiler of Laws now has the right to sell our own version of the searchable CD with our own databases, as West believes it is necessary for the government to provide an "official" set of publications. West believes that setting up what is o"official" is a governmental, not a private function.

What we are lacking is personnel on a full-time basis to update these publications, as well as the AG Opinions, and annotate the Supreme Court Reports. It is up to the Legislature to determine whether or not it wants to provide paper publications and a paper index (or digest) of the Public Laws, GCA, GAR and Supreme Court Reports for which there is enough copy for the first hard volume. The Legislature must also determine if we are to primarily publish electronically, which costs much less and is updatable much sooner, or on both paper and electronically. Without such a determination, you cannot effectively amend this law and hope to see anything happen.

Therefore, I am opposed to the passage of Bill No. 48 as written. It will accomplish nothing and, probably, cause much delay as the Supreme Court starts up the office from nothing. As written, other staff (apparently) to the Supreme Court while providing the position in the Attorney

Douglas B. Moylan  
Attorney General



Charles H. Troutman  
Compiler of Laws

## Office of the Attorney General

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February 17, 2003

To: Attorney General

Subject: Compiler Budget Estimates for Remainder of 2003

The Budget I am presenting presumes an active Division with staff to enable it to catch up on old paper publications and to keep up-to-date the material that is on the Web.

|  |               |               |
|--|---------------|---------------|
| Personnel  |               | \$ 297,154.00 |
| Salaries   | \$ 215,453.58 |               |
| Benefits   | \$ 81,700.78  |               |
| Contractual Services   |               |               |
| Indexing of new GCA  |               | \$ 125,000    |
| Printing GCA with updates  |               | 40,000        |
| Printing Session Laws (24 <sup>th</sup> through 26 <sup>th</sup> GL) |               | 18,000        |
| Office Rent (for re-constituted Division)<br>5,250 sq. ft x 8 months |               | 98,700        |
| Capital Outlay for computers and Printers                            |               | 29,000        |
| <br>   |               |               |
| TOTAL  |               | \$ 617,854    |

(See attached staffing pattern. Staff includes existing staff (Charles Troutman and Manuel Fejeran) plus 3 WP operators, 3 Paralegals and one attorney. Time frame is from 3/03/2003 to 10/04/03)

CHARLES H. TROUTMAN *Charles H. Troutman*

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