




I Mina'trentai Singko Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
377-35 (COR)	Telo T. Taitague James C. Moylan Joe S. San Agustin	AN ACT TO AMEND § 30107 OF ARTICLE 1, CHAPTER 30, DIVISION 3, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE TIMELY ISSUANCE OF OPINIONS REQUESTED OF THE OFFICE OF THE ATTORNEY GENERAL OF GUAM.	7/7/20 11:23 a.m.						

I MINA'TRENTAISINGKO NA LIHESLATURAN GUÅHAN
2020 (SECOND) Regular Session

Bill No. 377-35 (COR)

Introduced by:

Telo T. Taitague 
James C. Moylan 
Joe S. San Agustin 

AN ACT TO *AMEND* § 30107 OF ARTICLE 1, CHAPTER 30, DIVISION 3, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE TIMELY ISSUANCE OF OPINIONS REQUESTED OF THE OFFICE OF THE ATTORNEY GENERAL OF GUAM.

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

2 **Section 1.** § 30107 of Article 1, Chapter 30, Division 3, Title 5, Guam Code
3 Annotated, is *amended* to read:

4 **“§ 30107. Opinions.**

5 The Attorney General shall give, when requested or required, and without
6 fee, except as provided in § 30102, his opinion in writing to public officers, and
7 written instructions to commissioners or others acting for the courts of Guam on all
8 matters relating to service of writs and process. The Attorney General shall also,
9 when requested, give, without fee, his opinion to the Legislature, or members
10 thereof, regarding matters relating to enacted laws or the status of case law on a
11 given subject. All legal memoranda or opinions, except those prepared with regard
12 to actual or pending litigation, or which give opinions on matters which, in
13 themselves are not public, shall be public documents. The Attorney General shall

1 give each such legal memorandum or opinion to the member of I Liheslaturan
2 Guåhan requesting such memorandum or opinion ~~Legislative Secretary and the~~
3 ~~Compiler of Laws for publication~~ as soon as reasonably practicable but no later
4 than ~~seven (7)~~ten (10) working days ~~subsequent to the date of delivery of such~~
5 ~~memorandum or opinion to the person or agency requesting such memorandum or~~
6 ~~opinion,~~ after receiving the request for such memorandum or opinion, or be subject
7 to a fine of One Hundred Dollars (\$100.00) for each opinion or memorandum
8 which is not delivered within the aforementioned time frame. Government funds
9 shall not be used to pay such fine. Within seven (7) working days of the date of
10 delivery of such memorandum or opinion, the Attorney General shall give each
11 such memorandum or opinion to the Legislative Secretary and the Compiler of
12 Laws for publication, and the Compiler of Laws shall provide such memorandum
13 or opinion to the public for examination and copying if it is not yet published.

14 A document shall not be deemed an opinion or memorandum until such has
15 been signed by the Attorney General or persons authorized by him and delivered to
16 the person, ~~or~~ agency, or member of I Liheslaturan Guåhan requesting such
17 opinion or memorandum. The Attorney General shall be personally responsible for
18 insuring that all opinions and memoranda are delivered to the Legislative Secretary
19 and the Compiler of Laws pursuant to this Section and shall be subject to a fine of
20 One Hundred Dollars (\$100.00) for each opinion or memorandum which is not
21 delivered to both the Legislative Secretary and the Compiler of Laws within the
22 time period prescribed by this Section. Government funds shall not be used to pay
23 such fine. Fines collected pursuant to this Section shall be deposited in the
24 Government Ethics Fund, and shall be used by the Guam Ethics Commission,
25 subject to legislative appropriation, for ethics investigations, audits, and analyses
26 of financial disclosure forms.”

1 **Section 2. Severability.** If any provision of this Act or its application to any
2 person or circumstance is found to be invalid or contrary to law, such invalidity
3 shall not affect other provisions or application, and to this end the provisions of
4 this Act are severable.

5 **Section 3. Effective Date.** If any provision of this Act or its application to
6 any person or circumstance is found to be invalid or contrary to law, such
7 invalidity shall not affect other provisions or application, and to this end the
8 provisions of this Act are severable.