## I Mina'Trentai Kuâttro Na Liheslaturan BILL STATUS

	NOTES	
	FISCAL NOTES	Fiscal Note Request 5/16/17 Fiscal Note Waiver 5/24/17
	DATE COMMITTEE REPORT FILED	6/19/17 10:40 a.m. As amended by the Committee on Culture and Justice
	PUBLIC HEARING DATE	6/5/17 10:00 a.m.
iheslaturan	CMTE REFERRED	Committee on Culture and Justice
l Mina'Trentai Kuâttro Na Liheslaturan BILL STATUS	DATE REFERRED	21/91/5
I Min	DATE INTRODUCED	5/12/17 1:27 p.m.
	TITLE	AN ACT TO AMEND \$§ 1602 and 1603 OF CHAPTER 16, TITLE 1, GUAN CODE ANNOTATED, RELATIVE TO PROMOTING AFFORDABLE ACCESS TO UPDATED AND SEMECHABLE LAWS, RULES AND REGULATIONS, EXECUTIVE ORDERS, ATTORNEY GENERAL OPINIONS, AND COURT DECISIONS.
	SPONSOR	Therese M. Terlaje
34th GLCLERKS OFFICE Bill HISTORY 6/19/2017 10:53 AM	BILL NO.	91-34 (COR)



## OFFICE OF THE VICE SPEAKER THERESE M. TERLAJE

Chairperson of the Committee On Culture and Justice

I Mina'trentai Kuåttro na Liheslaturan Guåhan 34th Guam Legislature

June 15, 2017

## The Honorable Benjamin J.F. Cruz

Speaker I Mina'trentai Kuåttro na Liheslaturan Guåhan 34<sup>th</sup> Guam Legislature Guam Congress Building, 163 Chalan Santo Papa Hagåtña, Guam 96910

VIA: The Honorable Michael F.Q. San Nicolas



Chairperson, Committee on Rules

RE: Committee Report on Bill No. 91-34 (COR)

Dear Speaker Cruz:

Transmitted herewith is the Committee Report on Bill No. 91-34 (COR), As Amended By The Committee On Culture And Justice - "An Act to Amend §§ 1602 and 1603 of Chapter 16, Title 1, Guam Code Annotated, Relative to Promoting Affordable Access to Updated and Searchable Laws, Rules and Regulations, Executive Orders, Attorney General Opinions, and Court Decisions."

Committee votes are as follows:

TO DO PASS

TO NOT PASS

TO REPORT OUT ONLY

TO ABSTAIN

TO PLACE IN INACTIVE FILE



Si Yu'os Ma'åse',

Therese M. Terlaje

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910 T: (671) 472-3586 | F: (671) 472-3589 | Email: senatorterlajeguam@gmail.com www.senatorterlaje.com

## COMMITTEE REPORT ON

## Bill No. 91-34 (COR), As Amended By The Committee On Culture And Justice

"AN ACT TO AMEND §§ 1602 AND 1603 OF CHAPTER 16, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO PROMOTING AFFORDABLE ACCESS TO UPDATED AND SEARCHABLE LAWS, RULES AND REGULATIONS, EXECUTIVE ORDERS, ATTORNEY GENERAL OPINIONS, AND COURT DECISIONS."



## OFFICE OF THE VICE SPEAKER THERESE M. TERLAJE

Chairperson of the Committee On Culture and Justice

I Mina'trentai Kuåttro na Liheslaturan Guåhan 34<sup>th</sup> Guam Legislature

June 14, 2017

## **MEMORANDUM**

To: All Members

Committee on Culture and Justice

From: Vice Speaker Therese M. Terlaje

Committee Chairperson

Subject: Committee Report on Bill No. 91-34 (COR)

Transmitted herewith for your consideration is the Committee Report on Bill No. 91-34 (COR), As Amended By The Committee On Culture And Justice -- "An Act to Amend §§ 1602 and 1603 of Chapter 16, Title 1, Guam Code Annotated, Relative to Promoting Affordable Access to Updated and Searchable Laws, Rules and Regulations, Executive Orders, Attorney General Opinions, and Court Decisions."

This report includes the following:

- Copy of COR Referral of Bill No. 91-34 (COR)
- Copy of COR Pre-Referral Checklist on Bill No. 91-34 (COR)
- Copy of Bill No. 91-34 (COR)
- Copy of Amended Bill No. 91-34 (COR)
- Notices of Public Hearing
- Public Hearing Sign-in Sheet
- Copy of the Public Hearing Agenda
- Copies of Submitted Testimony & Supporting Documents
- Related News Reports
- Committee Report Digest
- Committee Vote Sheet

Please take the appropriate action on the attached vote sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Si Yu'os ma'åse'!



## COMMITTEE ON RULES

Senator Michael F.Q. San Nicolas, *Chairman* I Mina'Trentai Kuåttro na Liheslaturan Guåhan • 34<sup>th</sup> Guam Legislature



## MEMO

To:

Rennae Meno

Clerk of the Legislature

Attorney Julian Aguon Legislative Legal Counsel

From:

Senator Michael F.Q. San Nicolas

Chairman of the Committee on Rules

Date:

May 16, 2017

Re:

Referral of Bill No. 91-34 (COR)

Buenas yan Håfa adai.

As per my authority as Chairman of the Committee on Rules, I am forwarding the referral of Bill No. 91-34 (COR).

Please ensure that the subject bill is referred, in my name, to Vice Speaker Therese M. Terlaje, Chairperson of the Committee on Culture and Justice. I also request that the same be forwarded to the prime sponsor of the subject bill.

Attached, please see the COR pre-referral checklist for your information, which shall be attached as a committee report item to the bill.

If you have any questions or concerns, please feel free to contact Christian Valencia, Committee on Rules Director, at 472-2461.

Thank you for your attention to this important matter.

Respectfully,

Senator Michael F.Q. San Nicolas Chairman of the Committee on Rules



34th GL OLFINS OFFICE BET HESTORY \$/17/2017 9-15 AM

I Mina Trentai Kuâtro Na Liheslaturan BILL STATUS

NOTES						
HSCAL NOTES						
DATE COMMITTEE REPORT PILED						
PUBUC HEARING DATE						•
CMTE	Committee on Culture and	Justice				
DATE	5/16/17   C					
DATE ENTRODUCED	5/12/17	1:27 p.m.				
3111	AN ACT TO AMEND §§ 1602 and 1603 OF CHAPTER 16,	TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO	PROMOTING AFFORDABLE ACCESS TO UPDATED AND	SEARCHABLE LAWS, RULES AND REGULATIONS,	EXECUTIVE ORDERS, ATTORNEY GENERAL OPINIONS, AND	COURT DECISIONS.
SPONSOR	Therese M. Terlaje					
BILL NO.				91-34 (COR)		



## FIRST Notice for Public Hearing - Monday, June 5, 2017 at 10:00 AM

Senator Therese Terlaje <senatorterlajeguam@gmail.com>
To: phnotice@guamlegislature.org
Cc: Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Thu, May 25, 2017 at 2:56 PM

Håfa adai,

Please see pasted below and attached, a public hearing notice from Vice Speaker Therese M. Terlaje.

The Committee on Culture and Justice submits the request that this notice for the June 5, 2017 public hearing be posted on the Legislative Channel, and posted on the Legislative Website in a manner that is easily accessible to the public today and everyday until the public hearing on June 5, 2017.

Should you have any questions, please contact our office.

Thank you, Jocelyn de Guia Policy Analyst

## **MEMORANDUM**

From: Vice Speaker Therese M. Terlaje

Chairperson, Committee on Culture and Justice

Subject: FIRST NOTICE of Public Hearing - Monday, June 5, 2017 at 10:00 AM

## Håfa Adai!

In accordance with the Open Government Law, relative to notices for public meetings, please be advised that the Committee on Culture and Justice will convene a public hearing on Monday, June 5, 2017, beginning at 10:00 AM in I Liheslaturan Guåhan's Public Hearing Room (Guam Congress Building, Hagåtña). On the agenda are the following items:

- Confirmation Hearing for Joseph C. Wesley as a Member of the Guam Parole Board
- **Bill No. 93-34 (COR):** An Act to amend § 80.72(b) of Article 5, Chapter 80, Title 9 Guam Code Annotated; to amend § 85.10 and to add § 85.61 of Chapter 85, Title 9, Guam Code Annotated, relative to improving the Guam Parole Board Processes.
- Bill No. 91-34 (COR): An Act to amend §§ 1602 and 1603 of Chapter 16, Title 1 Guam Code Annotated; to promoting affordable access to updated and searchable laws, rules and regulations,

## executive orders, Attorney General opinions, and court decisions.

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4 and stream online via *I Liheslaturan Guåhan*'s live feed. If written testimonies are to be presented at the Public Hearing, the Committee requests that copies be submitted prior to the public hearing date and should be addressed to Vice Speaker Therese M. Terlaje. Testimonies may be submitted via hand delivery to the Office of Vice Speaker Therese M. Terlaje at the Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam; at the mail room of the Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910; or via email to senatorterlajeguam@gmail.com. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Vice Speaker Therese M. Terlaje, 163 Chalan Santo Papa, at (671) 472-3586 or by sending an email to senatorterlajeguam@gmail.com.

We look forward to your attendance and participation. Si Yu'os Ma'ase

The Office of Vice Speaker Therese M. Terlaje Committee on Culture and Justice I Mina'trentai Kuåttro na Liheslaturan Guåhan 34th Guam Legislature Guam Congress Bullding, 163 Chalan Santo Papa, Hagåtña, Guam 96910 T: (671) 472-3586 F: (671) 472-3589 senatorterlajeguam@gmail.com

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## OFFICE OF THE VICE SPEAKER THERESE M. TERLAJE

Chairperson of the Committee
On Culture and Justice

I Mina'trentai Kuåttro na Liheslaturan Guåhan 34<sup>th</sup> Guam Legislature

May 25, 2017

## **MEMORANDUM**

From:

Vice Speaker Therese M. Terlaje

Chairperson, Committee on Culture and Justice

Subject:

FIRST NOTICE of Public Hearing - Monday, June 5, 2017 at 10:00 AM

## Håfa Adail

In accordance with the Open Government Law, relative to notices for public meetings, please be advised that the Committee on Culture and Justice will convene a public hearing on Monday, June 5, 2017, beginning at 10:00 AM in I Liheslaturan Guåhan's Public Hearing Room (Guam Congress Building, Hagåtña). On the agenda are the following items:

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We look forward to your attendance and participation.

Si Yu'os Ma'åse



## SECOND NOTICE of Public Hearing - Monday, June 5, 2017 at 10:00 AM

Senator Therese Terlaje <senatorterlajeguam@gmail.com>
To: phnotice@guamlegislature.org

Wed, May 31, 2017 at 12:53 PM

Håfa adai.

Please see pasted below and attached, a second public hearing notice from Vice Speaker Therese M. Terlaje.

The Committee on Culture and Justice submits the request that this notice for the June 5, 2017 public hearing be posted on the Legislative Channel, and posted on the Legislative Website in a manner that is easily accessible to the public today and everyday until the public hearing on June 5, 2017.

Should you have any questions, please contact our office.

Thank you, Jocelyn de Guia Policy Analyst

## **MEMORANDUM**

From:

Vice Speaker Therese M. Terlaje

Chairperson, Committee on Culture and Justice

Subject:

SECOND NOTICE of Public Hearing - Monday, June 5, 2017 at 10:00 AM

Håfa Adail

In accordance with the Open Government Law, relative to notices for public meetings, please be advised that the Committee on Culture and Justice will convene a public hearing on Monday, June 5, 2017, beginning at 10:00 AM in I Liheslaturan Guåhan's Public Hearing Room (Guam Congress Building, Hagåtña). On the agenda are the following Items:

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- Bill No. 93-34 (COR): An Act to amend § 80.72(b) of Article 5, Chapter 80, Title 9 Guam Code Annotated; to amend § 85.10 and to add § 85.61 of Chapter 85, Title 9, Guam Code Annotated, relative to improving the Guam Parole Board Processes.
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We look forward to your attendance and participation.

Si Yu'os Ma'ase

The Office of Vice Speaker Therese M. Terlaje
Committee on Culture and Justice
I Mina'trentai Kuåttro na Liheslaturan Guåhan
34th Guam Legislature
Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910
T: (671) 472-3586 F: (671) 472-3589
senatorterlajeguam@gmail.com

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Second notice PH 6.5.17.pdf 223K



## OFFICE OF THE VICE SPEAKER THERESE M. TERLAJE

Chairperson of the Committee On Culture and Justice

I Mina'trentai Kuåttro na Liheslaturan Guåhan 34th Guam Legislature

May 31, 2017

## **MEMORANDUM**

From:

Vice Speaker Therese M. Terlaje

Chairperson, Committee on Culture and Justice

Subject:

SECOND NOTICE of Public Hearing - Monday, June 5, 2017 at 10:00 AM

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We look forward to your attendance and participation.

Si Yu'os Ma'åse

## **GOVERNMENT** MEETINGS

June 5

oute tact 735-9127. commodations, contact Lou. Sablan at 648-3002 mission on Utilities regular monthly meeting will be at 5:30 p.m. June 6 at the CCU Conference Room, tind floor, Graries Ruleson Public, Service Building, Route 15, Mangilao, For special ac

hers are urged to attend Open to the public For spe cial accommodations, con

Submissions

June 8

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A、海洋A、Y (1) 三體 6 社 (1) 1 MONDAY, JUNE 5, 2017 • Tel. 989 - PLAY (7529) m - Najor Grein Cards Acre Dag Web Side at Guam Greyhound Park ssims#00mDoors Open at 450pm, Session starts at 750p

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New Listings

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cess to updated laws, rules and regulations, executive orders, attorney general organizations, and court decisions. The public is invited some recommodations of a commodation organ special accommodations, and exact the office of Vice in Speciar Therese M. Tariage in Soil and Water Conservation of Instrict regular Doard meet M. Palomo Gram Museum and CHamo in Educations Tracities in Tariage in Special accommodations, call the Holmost in Holmost in Special accommodations, call the Holmost in Holmost in the Holmost in Alternative M. Pale M. Pagental member in the Holmost in the H

# State tests advocates for abused animals

cates, people in the judicial system who represent those affected by crime or abuse. Now, one state has created legal advocates for abused animals, an experiment be-HARTFORD, Conn. (AP)

—Many states laye victim's
advocates in child advoing watched across the na-

volunteer advocates across Connecticut — Seven lawtion for signs of success. There are eight approved



rens and a UCom law proress and a UCom law proress working with her sin.

In this May 30 photo, University of Cornecticut law professor Session

Calle whether to appoint one as animal advocates in a dog fighting case in Superior Court in

Cornecticut lay be in connected that her in connected that her in connected that is not be in the interval interval in the interval interval interval in the interval int

court, with Rubin by her asside making arguments in a dog fighting case involving of three pit bulls.

Harisen described the abuse dogs suffered talked to studies in fing animal and a furnam abuse, and explained as turnam abuse, and explained as teer advocates, this week was the first to restify in human abrise, and explained why size believed the man accused of raising them to fight, 33-year-old Reabbi is, mail, of Bloomfield, should program Wullaert used Judge Omar Williams

fened and rood throw

commoditions, contact Lou June 29 commoditions, contact Lou June 29 self-and 1648-3002. \*The Gram Parol

Paseo De Susana (Paseo St. June 13 Jine Northern, Guam information of special a

GOVERNIMENT MENT MATTHOUS repetal accommodations or special accommodat

Sablan at 648-3002

June 8

- The Gram Visitors Duben Susma (Paseo Stadium), reau regular board of directions meeting will be held at time of special accommodations and conference Room For a The Gram Pardon Research Commodation Conference Room For a The Gram Pardon Research Commodation Conference Room For a The Gram Pardon Research Commodation Research Research Commodation Research Researc

in 50#'s or less S2000 CONSOLATION

Doors Open at 400pm, Session starts at 7:30pm - Major Gredit Cards Accepted SATURDAY, JUNE 3, 2017 • Tel. 989 - PLAY (7529)

BONA

AL TA ADAL BING at Guam Greyhound Park

## the yard and look for stars

the Hunter until he returns to the sky next fall to hunt. again. The Greeks said that Orion fought a giant scorpion. Zeus put the two enemies on opposite sides of the sky so they could nev-

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er see each other. Although this was true in the sky. of the ancient Greeks, here on Guam, most of the stars of Orion are still in and the sky when the claws of the Scorpion rise. Although the whole constellation isn't visible at one hour after sunion set the brightest star of the

Scorpion is easy to find. Just look for a blood red star in the southeast tonight. That's Antares, the heart of the Scorpion By 8:30 p.m. Scorpius the Scorpion will rise in its entirety.

If you look due

south, you'll see Crux the Southern Cross. It's virtually upright in our southern sky this week. Look up tonight, the universe awaits you!

Carpials 2

Pam Eastlick is The Star Lady.

## RAYMUNDO CRUZ GUINTO .

Raymundo Cruz Guinto, also known as "Ray," of Dededo, died May 23 at the age

Rosary is being prayed at 6:30 p.m. June 1 to 3, 6:15 p.m. June 4, and 5:30 p.m. June 5 tộ 8 át Saint Anthony Catholic Church, Tamuning

Last respects will be held from 9 to 11:15 a.m. June 9 at Saint Anthony Catholic Church, Tamuning, Mass for Christian burial will be offered at noon. Interment will follow at Guam Memorial Park, Barrigada.

## LILIA REYGON DIEGO

Lilia Reygon Diego, also known as "Lily," of Dededo, died May 30 at the age of 86.

Mass of Intention followed by the rosary is being offered at 6 p.m. Monday to Friday (Lower Level) and 5 p.m. Saturday and Sunday (Upper Level) at Santa Bar-bara Catholic Church in Dededo.

Last respects will be held from 9 a.m. to 12:15 p.m. June 6 at Santa Barbara Catholic Church (Lower Level) in Dededo Mass for Christian burial will be of-fered at 1 p.m. Interment will follow at Guam Memorial Park in Barrigada.

New Listings

» The Guam Legislature's Committee on Culture and Justice public hearing will begin at 10 a.m. June 5 in I Liheslatur<u>an</u> Guåhan's Public Hearing Room, Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, On the agenda are Bill." No. 93-34 (COR), an act to improve the Guam Parole Board Process; and Bill No. 91-34 (COR), an act to pro-more affordable access to updated and searchable laws, rules and regulations, executive orders, attorney general opinions, and court decisions: The public is in-vited for indre information or special accommodations; contact the Office of Vice Speaker Therese M. Terlaje at 472-3586 came OT senatorterlajeguam

@gmail.com "The Guam Parole Board regular meeting will be at 9 arm June 29 at 1 Paseo De Susana (Paseo Stadium). For more information, call Hagatha, For more information, 735-2014. tion on special accommoda

June 5

» I Kumision Fino' CHamoru yan I Fina'nå'guen I Historia yan I Lina'la' Taotao Tano' board meeting will be at 2 p.m. June 5 at the Senator Antonio M. Palomo Guam Museum and CHamoru Educational Facility in Hagatha. For special accommodations, call Patti Hernandez at 475-4278. 

June 8

» The Guam Visitors Bureau regular board of directors meeting will be held at 3:30 p.m. June 8 in GVB's Main Conference Room. For special accommodations, contact GVB at 646-5278.

June 13

" " The Northern Guam Soil and Water Conservation District regular board meeting will be at 4 p.m. June 13 at the University of Guam's Agriculture and Life Sciences Building, Room 202.

tions call 735-4133/34.

The Guam Pardon Review Board regular meeting will be at 3 p.m. June 29 at 1 dium), Hagattial Portmore information, or special accommodations, call 735 commodations, call 735 chuchuku Room All members are urged to attend.



# 

Post Haire Voorie in the Local section of the Prost—the news that concerns you the most. Do you have a news in? Feel free to binal eutor-Opostopam con

sity of Gram or Guar community Colleg to The scholarship ava nks will be to one academic year at \$54

Chaz Vincent arranged to me volice Anciano Muna Adisturbing incident began Muna told the victim the dence that fed help her if he got something

Keinedy, High School, Princess Valery Femandez and Alyssa E. Roces

te pictures deleted Munastated that he according to Santos

Public Hearing Monday, June 5, 2017

ublic Hearing Room, Guam Congr

# \*All the world's a stage, and all the men and women merely players." -- Jaques. Keep up with nonfictional world players and events in this section. Send us your thoughts to content@postguam.com.

## By Sophie Hares

**Thomson Reuters Foundation** 

CANCUN, Mexico - Governments early warning systems have a duty to invest in the projects, which could save term economic benefits, the U.N.'s of 100 countries still lacking disaster lives and property, and reap longermeteorological agency said.

the Caribbean and the Pacific Islands preparedness could help governments With vulnerable countries in Africa, among those still without early warn-Organization said better disaster improve farm outputs, boost safety in sectors such as shipping and transing systems, the World Meteorologiport, and protect people. B

"The money that we invest in the it back tenfold in terms of economic met (meteorological) service, you get Secretary-Gen-Q¥ ≷ enefits,



climate change and a lack of risk awareness in economic development, with people building in high risk areas ng, fuelled by increasing skyrocketsuch as flood zones.

"Even though often the numan impact of conflict and conflict displacement equivalent of \$520 billion in actually the displacement from natural disasters is is prominently in the press, far greater and often unreported as well," Glasser said, pointing to smaller-scale disasters that ofter Natural disasters force 26 million people into poverty lost consumption, accordgo unnoticed by the media. each year and cost th

OFFICE OF THE VICE SPEAKER MERESE M. TEMALE

Vima trentai Kuáttro na

Gi Máttes, gi diha 28 gi Mátso, 2017 (Tuesday, March 28, 2017) inekungok Papbleko (Public Hearing) Committee on Culture and Arstice Alas dies gi egga'an (10500 a.m.) Grem Legislature Public Hearing Room, Gram Congress Building, Hagalifa) (AREHA (AGENDA)

Kuátton Inekungok Puptileko gi i Liheslaturan Guátian, gi iya Hagátúa

Para Komfitmasion (Confirmation Hearing);

Copies of request for proposals will be available beginning May 01, 2017 at the Northern Region Community Health Center Administration Office Room 53, 520 West

Community Health Centers

The Department of Public Health and Social Services is soliciting proposals for Clinical Laboratory and Pathology Services for the Northern and Southern Region

RFP/DPHSS-2017-005

p.m. to 5:00 p.m., Monday through Friday. Deadline for submission for proposals

under this solicitation is due on June 02, 2017.

Santa Monica Avenue, Dededo, Guam 96929, from 8:00 a.m. to 12:00 p.m. and 1:00

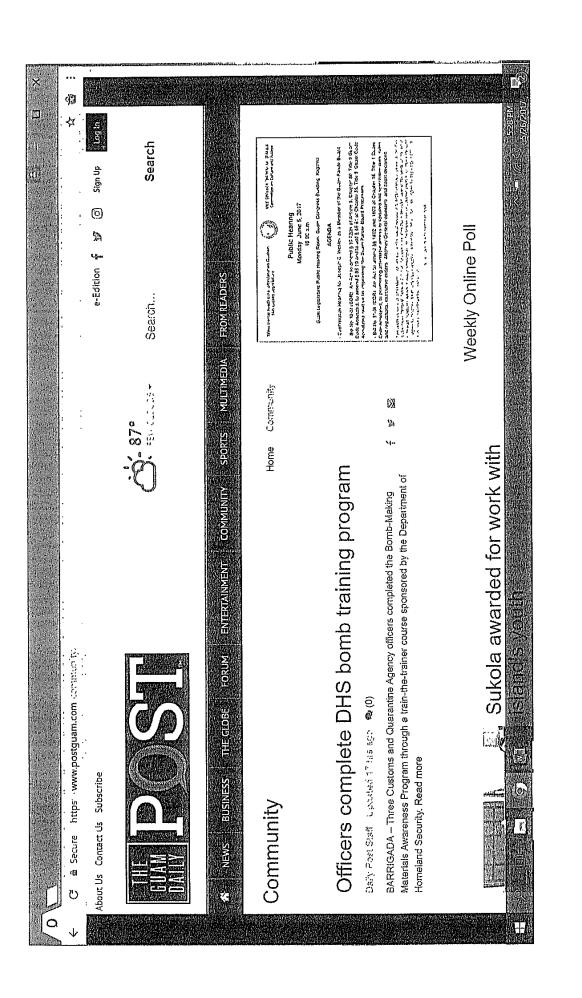
- Mr. Joseph D. Franquez, Classroom Teacher Member, KGTF/PBS Board of Trustees
   Mr. Joseph D. Cerfeza, Member, Council on the Arts and Humanities Agency (CAHA)
- Prințoni (BiB): BiB No. 14-34 (COR) introduced by Senatur Fernando Barchiras Esteves An act to add a new § 1923 to operating procedures and requiring such procedures to be posted on each agency's website

if you require any special accommodations, auxiliary aids, or other special services, or for further information, pleases rail the Office Speaker Therese M. Terlaje at 472–350s. For copies of any of the Blas of Resolutions Estad on this agenda, you may foot not the Gammae M. Terlajes at estimation to submitted agenda, or may foot on the Gammae Legislature's weeks at at wave quanties for the submitted direction in the first concess may be submitted for the control of the submitted for the formation of the protocol Office of the

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For more information, contact Linda Unpingco-DeNorcey, MPH, CHC Chief Executive

Officer, at 635-4422 or 828-7558/9.



## I Mina'trentai Kuâttro na Liheslaturan Guâhan 34th Guam Legislature



VICE SPEAKER THERESE M. TERLAJE Committee on Culture and Justice

## Public Hearing Monday, June 5, 2017 10:00 a.m.

Guam Legislature Public Hearing Room, Guam Congress Building, Hagåtña

## AGENDA

- Confirmation Hearing for Joseph C. Wesley as a Member of the Guam Parole Board
- Bill No. 93-34 (COR): An Act to amend § 80.72(b) of Article 5, Chapter 80, Title 9 Guam Code Annotated; to amend § 85.10 and to add § 85.61 of Chapter 85, Title 9, Guam Code Annotated, relative to improving the Guam Parole Board Processes.
- to promoting affordable access to updated and searchable laws, rules and regulations, executive orders, - Bill No. 91-34 (COR): An Act to amend §§ 1602 and 1603 of Chapter 16, Title 1 Guam Code Annotated; Attorney General opinions, and court decisions.

f you require any special accommodations, auxiliary aids, or other special services, or for further information, please call the Office of Vice Speaker Therese M. Terlaje at 472-3586. For copies of any of the Bills or Resolutions listed on this agenda, you may log on to the Guam Legislature's website at www.guamlegislature.com. Testimonies may be submitted directly to nur office at the Guam Congress Building at 163 Chalan Santo Papa in Hagåtña or at the Protocol Office of the Guam Congress Building, via fax at 472-3589, or via email at enatorterlajeguam@gmail.com.

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## OFFICE OF THE VICE SPEAKER THERESE M. TERLAJE

Chairperson of the Committee
On Culture and Justice

I Mina'trentai Kuåttro na Liheslaturan Guåhan 34<sup>th</sup> Guam Legislature

## **Public Hearing**

Monday, June 5, 2017 10:00 a.m. – 1:00 p.m.

## AGENDA

## **Confirmation:**

Joseph C. Wesley as a Member of the Guam Parole Board

## Bills:

- Bill No. 93-34 (COR): An Act to amend § 80.72(b) of Article 5, Chapter 80, Title 9 Guam Code Annotated; to amend § 85.10 and to add § 85.61 of Chapter 85, Title 9, Guam Code Annotated, relative to improving the Guam Parole Board Processes.
- Bill No. 91-34 (COR): An Act to amend §§ 1602 and 1603 of Chapter 16, Title 1
  Guam Code Annotated; to promoting affordable access to updated and searchable
  laws, rules and regulations, executive orders, Attorney General opinions, and
  court decisions.

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4 and stream online via \*\*Liheslaturan Guéhan\*\*s live feed. If written testimonies are to be presented at the Public Hearing, the Committee requests that copies be submitted prior to the public hearing date and should be addressed to Vice Speaker Therese M. Terlaje. Testimonies may be submitted via hand delivery to the Office of Vice Speaker Therese M. Terlaje at the Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam; at the mail room of the Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam géatña, Guam



## I Mina'trentai Kuåttro na Liheslaturan Guåhan Office of the Vice Speaker

Senator Therese M. Terlaje Committee On Culture and Justice Monday, June 5, 2017 91-34 (COR)

Date: Bill No.:

Time: 10:00 AM

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## Supreme Court of Guam COMPILER OF LAWS



120 W. O'Brien Drive, Suite 300, Hagåtña, Guam 96910-5174 Telephone: (671) 477-7623 | Facsimile: (671) 472-1246

KATHERINE A. MARAMAN Chief Justice

GERALDINE A. CEPEDA Compiler of Laws

June 2, 2017

The Hon. Therese M. Terlaje
Vice Speaker, 34<sup>th</sup> Guam Legislature
Chairperson, Committee on Culture and Justice
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Re: Testimony on Bill 91-34 (COR)

Dear Vice Speaker Terlaje,

Thank you for providing me with the opportunity to submit testimony regarding Bill 91-34 (COR), AN ACT TO AMEND § 1602 AND 1603 OF CHAPTER 16, TITLE 1 GUAM CODE ANNOTATED; TO PROMOTING AFFORDABLE ACCESS TO UPDATED AND SEARCHABLE LAWS, RULES AND REGULATIONS, EXECUTIVE ORDERS, ATTORNEY GENERAL OPINIONS, AND COURT DECISIONS, which you sponsored.

Bill 91-34(COR) proposes to amend existing statutory language by requiring publication of Superior Court decisions, and making publications of the Compiler of Laws available on the Compiler of Laws website. The proposed language also provides the Compiler with the authority to create or enable text-based searchable databases.

The stated legislative intent of Bill 91-34(COR) is to ensure that the primary sources of Guam law are readily accessible and promptly available to all in the community – legal professionals, government officials, teachers and students, and members of the general public. Bill 91-34 (COR) represents a commendable effort to give access to the statutory code, rules, executive orders, and judicial opinions and orders. I wholeheartedly support your desire to give access to these important sources of law.

I look forward to working with you and your staff to clarify a few points in Bill 91-34(COR). First, I suggest that specificity and guidance is warranted with regard to the types of Superior Court decisions to be published on the website; for example, by excluding standard procedural and scheduling orders and documents in sealed cases. Second, I respectfully request that you allow the Compiler's Office and the Judiciary with time to implement the mandate of upgrading the access with a searchable database and including information on the Compiler's website, rather than having the language effective immediately upon passage. Third, with regard to the timing of the interim updates in 1 GCA § 1603, I suggest substituting the word "periodic" for "monthly," which will allow the Compiler's Office some flexibility. Finally, in light of the additional mandates proposed in the bill, there will be a need for additional funding to the Compiler's Office, as it will be necessary to account for the labor in preparing and creating the searchable databases and to purchase software and equipment.

We appreciate your taking the time to meet with the Compiler's Office staff to discuss the proposed amendments to the law. Thank you also for giving me the opportunity to provide written testimony on Bill No. 91-34 (COR). I regret that I am unable to give my testimony in person during the public hearing on June 5, 2017, as I have an existing commitment as a presenter at the Pacific Judicial Conference.

If you have any questions regarding the above, please feel free to contact me at gcepeda@guamcourts.org or 477-7623 (Guam Law Library).

Senseramente,

GERALDINE AMPARO CEPEDA

Compiler of Laws



Chairperson of the Committee On Culture and Justice

I Mina'trentai Kuåttro na Liheslaturan Guåhan 34<sup>th</sup> Guam Legislature

## **COMMITTEE VOTE SHEET**

Bill No. 91-34 (COR), As Amended by The Committee on Culture and Justice-"An Act to Amend §§ 1602 and 1603 of Chapter 16, Title 1, Guam Code Annotated, Relative to Promoting Affordable Access to Updated and Searchable Laws, Rules, and Regulations, Executive Orders, Attorney General Opinions, and Court Decisions."

	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Vice Speaker Therese M. Terlaje Chairperson	TW			/		
Senator Telena Cruz Nelson Vice Chairperson	R					
Speaker B.J.F. Cruz Member	20	-/				
Senator FRANK B. AGUON, JR. Member	JA)		Market.	9		
Senator Joe S. San Agustin Member						
Senator Louise B. Muña Member	JBM			V		
Senator Fernando Esteves Member						



## OFFICE OF THE VICE SPEAKER THERESE M. TERLAIE

Chairperson of the Committee On Culture and Justice

I Mina'trentai Kuåttro na Liheslaturan Guåhan 34<sup>th</sup> Guam Legislature

## COMMITTEE REPORT DIGEST

Bill No. 91-34 (COR) - As Amended By Committee On Culture And Justice - An Act to Amend §§ 1602 and 1603 of Chapter 16, Title 1, Guam Code Annotated, Relative to Promoting Affordable Access to Updated and Searchable Laws, Rules and Regulations, Executive Orders, Attorney General Opinions, and Court Decisions

## I. OVERVIEW

Bill No. 91-34 (COR) was introduced by Vice Speaker Therese Terlaje on May 12, 2017.

The Committee on Culture and Justice convened a public hearing on Monday, June 5, 2017 at 10:06 a.m. in the Guam Congress Building's Public Hearing Room.

## **Public Notice Requirements.**

Notices for this public hearing were disseminated via email to all senators and all main media broadcasting outlets on May 25, 2017 and again on May 31, 2017. The notice was also published online in the Guam Daily Post on May 26, 2017 and in print on May 27, 2017. The notice was also published in the Pacific Daily News on June 2<sup>rd</sup>, 3<sup>rd</sup> and 5<sup>th</sup>.

## **Senators Present**

Vice Speaker T. M. Terlaje, Chair Senator Telena Cruz Nelson, Vice Chair Senator Mary Torres Senator Régine Biscoe Lee Senator William M. Castro

## **Appeared Before the Committee**

Erica Eschbach, Supreme Court Staff Attorney, Judiciary of Guam Gloria Duenas Cruz, Judiciary of Guam

## **Submitted Written Testimony**

Geraldine Amparo Cepeda, Compiler of Laws

## II. SUMMARY OF TESTIMONY & DISCUSSION

Chairperson of the Committee on Culture and Justice called public hearing to order on Monday, June 5, 2017 at 10:06 a.m. Bill No. 91-34 (COR) was the third item on the Agenda.

Chairperson Terlaje: Thank you again to everyone. Thank you everybody, we're going to proceed with the hearing of another bill, Bill No. 91-34. Thank you. Bill No. 91-31 is an Act to amend §§ 1602 and 1603 of Chapter 16, Title 1, Guam Code Annotated; relative to promoting affordable access to updated and searchable laws, rules and regulations, Executive Orders, Attorney General opinions, and court decisions. I want to thank those who have signed up to testify, those who have submitted written testimony, and before I call up Erica Eschbach, from the Judiciary of Guam, representing the Supreme Court staff attorney, or are you the Supreme Court staff attorney? Thank you for being here. Bill No. 91-34 is intended to increase public access to information on the changes in the law and policy so that they can better conduct their affairs in accordance with laws of Guam, and better plan for business and personal matters. It will assure that the Compiler of Laws is authorized to put on her website free of charge, those items, laws, and court decisions, that I mentioned earlier. We will now accept testimony. Ms. Eschbach, you may now proceed.

Attorney Erica Eschbach: Hafa Adai. Hafa Adai Madam Vice Speaker, Senators Castro, Nelson, and Torres. My name is Erica Eschbach, I am the staff attorney for the Supreme Court of Guam, and I am here today to share testimony on behalf of Geraldine Cepeda, the Compiler of Laws, in support of Bill No. 91-34. So, if I may read into the record a letter that Ms. Cepeda has already sent to the Vice Speaker. (See the attached testimony.)

Chairperson Terlaje: Thank you very much, Ms. Eschbach. I'd like to acknowledge that there is also present in support of the bill, I think it's Joe Wesley, Bernie Borja, Joseph Borja, Lisa Ibanez, and Gloria Duenas Cruz, also from the Compiler's office. Thank you very much for being here today. Do my colleagues have any questions for the panel? Senator Lee?

**Senator Régine Biscoe Lee:** Thank you very much and please thank the Compiler for her testimony. You alluded to a number of suggestions that you had to make to the bill, and the last was additional funding to the Compiler's office for labor and equipment. My question was does the Compiler's office have the labor, or the manpower, to issue monthly interim reports of these materials?

Erica Eschbach: So, the Compiler's office is currently comprised of three staff members, the Compiler and her two assistant Compilers, which are Gloria Duenas Cruz and Lisa Ibanez, who are seated behind me. So, it's an office of three and I believe that's the reason there was a request to have more flexible language rather than requiring monthly updates, in the event that that's not feasible for the office, as currently staffed.

Committee on Culture and Justice Committee Report Digest for Bill No. 91-34 (COR), As Amended Page 3 of 6

Senator Régine Biscoe Lee: Okay. In the beginning of the term, I had the opportunity to meet with the Compiler, to just have a conversation about my role as Legislative Secretary, and how we could maybe increase transparency in that aspect and we've been working really well together, I think. The Compiler's office and our office have done a great deal to increase transparency, which I think is the aim of this bill, so I'm definitely in support of this bill. I can see how we can look into some of the other things that you had mentioned, giving the Compiler a little bit more time, specifying which information should be available, and substituting "periodic" to "monthly." So again, I really appreciate her testimony and thank you for your time and for coming down here. Thank you Madam Vice Speaker.

Chairperson Terlaje: Thank you very much, Senator. Senator Torres, did you have questions?

**Senator Mary Torres:** Thank you, Attorney Eschbach. Is there presently a way for the general public to access these court orders and opinions, aside from the Compiler?

Attorney Erica Eschbach: On the Judiciary website, you have free access to Supreme Court of Guam opinions. Also on the Compiler's website, of course there's access to the opinions and also Guam law and all the other regulations and rules that are required of them. But currently, there is not, I believe, there is not access to Superior Court decisions, on the Compiler's website. There is a paid service, called Juris Pacific and that is how people are able to do a search for Superior Court decisions, so it's not free access. It is a private service.

Chairperson Terlaje: I believe also, or they could go—

Attorney Erica Eschbach: Or they could go to the library, that's correct.

Chairperson Terlaje: And physically, use the resources of the Law Library, to look these up on their computers, they've got them already digitized. But we have to use your computers. Is that correct Gloria? Yes.

**Senator Mary Torres:** And there would be no concern with people having access to these types of documents anyways, would there?

**Attorney Erica Eschbach:** No. That's why there's a request to be more specific as to what kinds of decisions and orders would be readily accessible to the public. Such as, we would, of course, want to continue to protect sealed documents. Anything that's public record, there should be no concern as to having access to that.

Senator Mary Torres: Okay, thank you.

**Chairperson Terlaje:** Thank you, Senator Torres. Senator Castro? No questions. Senator Nelson?

**Senator Telena Cruz Nelson:** Did they, in this letter submitted by the Compiler of Laws, Ms. Cepeda, did she have an idea of the specific funding that she would need? Perhaps the dollar amount and what it would be used for?

Committee on Culture and Justice Committee Report Digest for Bill No. 91-34 (COR), As Amended Page 4 of 6

**Attorney Erica Eschbach:** That I do not have the information on. Not right now, she can certainly provide further testimony on more specifics.

**Senator Telena Cruz Nelson:** Sure. One more question. Would you still be able to, should this pass into law, would you still be able to execute this law with the current staffing pattern that you have today?

**Attorney Erica Eschbach:** I think if, some of the requests are implemented, such as providing more time for implementation and more funding, I believe, and I speak on behalf of myself here, because I haven't discussed this fully with the Compiler, I do think that they should be able to implement the law.

Senator Telena Cruz Nelson: Okay, very good. Thank you. Thank you, Madam Chair.

Chairperson Terlaje: Senator Castro?

**Senator William M. Castro:** Madam Chair, I am in support of the bill, but I just had a question. How does this compare to, maybe, other jurisdictions? First, I'd like to commend you folks for being very progressive in the expansion of the technology services and data that you currently provide. How does it compare maybe to the CNMI or to Pacific jurisdictions, or even the most progressive of jurisdictions, for an office like yours?

Attorney Erica Eschbach: I haven't personally done research to see what other jurisdictions have, accessible online or in other mediums. Ms. Cruz is here. She can probably provide more information.

Chairperson Terlaje: Thank you, Gloria. Gloria has been a staff at the Compiler's office since I've been a lawyer, I think. So thank you for helping us here, Gloria.

Gloria Duenas Cruz: Senator, I believe that up in the CNMI, they've actually contracted Lexus Nexus. And they handle the databases.

**Senator William M. Castro:** To include all that you're describing, or at least that the author's describing in this proposed legislation?

Gloria Duenas Cruz: As far as I recall, I think it's everything. They've actually outsourced it.

Senator William M. Castro: Okay, thank you.

Chairperson Terlaje: Thank you. Gloria and Erica, could you just confirm...so currently, the Compiler does an excellent job of providing all the laws and updates periodically, and puts that online in a searchable format. So that's already being done. The rules and regulations that she has confirmed to date, those are online also, and I know you are working and doing your best to update the rules and regulations, there are issues with those, but that is part of what is supposed to be available on the Compiler's website currently. You can confirm, is that correct?

Gloria Duenas Cruz: Yes.

Committee on Culture and Justice Committee Report Digest for Bill No. 91-34 (COR), As Amended Page 5 of 6

**Chairperson Terlaje:** And the Supreme Court decisions, they are available already. Those also are searchable? Those opinions?

Gloria Duenas Cruz: Yes, the opinions are searchable on the Supreme Court's website.

Chairperson Terlaje: So this bill actually just adds the Superior Court decisions, and I am thankful for those suggestions to the amendments. Sealed documents, of course, that's a great amendment that I would happily add to this bill, and the time that you would need to do this. And the Superior Court...If you could just explain again for the record, the Superior Court opinions are currently available at the Law Library, under the Compiler's efforts, is that correct?

Gloria Duenas Cruz: I can't speak on behalf of the Library, but I do know that they have it on their server. But I don't believe it's searchable per say with, for example, dtSearch, which is what we use for the laws as well as the opinions. I believe what they have is a list. So the user just has to come in and go through that list.

Chairperson Terlaje: Yes, just for the benefit of my colleagues, I remember...so our practice has evolved from, we'd have to go to the Law Library, look manually through the binders, and they would have a table of contents in the binders as to the case name or number, and if we could find it in that list, that would help us. And now we are able to search this list electronically, and the decisions have all been scanned and we can find those electronically, download them, print them, forward them, and whatever we like at the Law Library. So this is intended to just ease the efficiency of the public and those practicing law to obtain those decisions electronically on the website. I look forward to working with the Compiler's office to further implement these and thank you for your assistance to date with this. It also removes existing prohibition on the law as to the distribution of those, and allows you to distribute all the other types of laws in the same fashion. We just passed a bill recently regarding the executive orders. I haven't heard from the Governor's office whether that's been signed, but that was also to mandate that they transmit the executive orders to the Compiler's so that they would be published more regularly than they are right now. I know it's already in your mandate that they publish those, but this was just to compel that to be done. Thank you very much.

Does anyone have any other questions? Thank you to the Judiciary, the Compiler's office, for your assistance and your recommendations, and for your testimony today. Si Yu'os Ma'ase'.

Thank you to my colleagues for being here this morning, for listening to the testimony, and for those who presented testimony. This Committee will continue to accept testimony until June 14, on the two bills and on the confirmation of Joseph Wesley. You may submit testimony directly to my office at the Guam Congress Building, to the mailroom at the Guam Legislature, or through email at <a href="mailto:senatorterlajeguam@gmail.com">senatorterlajeguam@gmail.com</a>. The public hearing is now adjourned. The time is 12:20 p.m. Si Yu'os Ma'åse'.

## III. FINDINGS AND RECOMMENDATIONS

Committee on Culture and Justice Committee Report Digest for Bill No. 91-34 (COR), As Amended Page 6 of 6

The Committee On Culture And Justice has amended Bill No. 91-34 (COR) after receiving testimony from the Compiler's Office. The amended version specifies the types of Superior Court decisions to be published on the website, and specifies the effective date to be one hundred and eighty (180) days from enactment. The Committee On Culture And Justice hereby reports out Bill No. 91-34 (COR), As Amended by the Committee On Culture And Justice, with the recommendation To Report out only.

## I MINA 'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN 2017 (FIRST) Regular Session

Bill No. 9 -34 (COR)

Introduced by:

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Therese M. Terlaje

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AN ACT TO AMEND §§ 1602 and 1603 OF CHAPTER 16, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO PROMOTING AFFORDABLE ACCESS TO UPDATED AND SEARCHABLE LAWS, RULES AND REGULATIONS, EXECUTIVE ORDERS, ATTORNEY GENERAL OPINIONS, AND COURT DECISIONS.

## BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent.

I Liheslatura finds that, pursuant to 1 GCA § 101(c), "Titles of the Guam Code Annotated published by the Compiler of Laws shall be the official publication of the codified laws of Guam and shall be prima facie evidence of the laws of Guam in effect on the date indicated on the Title page." I Liheslatura further finds that in order to keep up with constantly changing law and policy, the people of Guam can better conduct their affairs in accordance with the laws of Guam and can better plan for and conduct business matters, if applicable laws and court decisions are readily accessible and promptly available to the public on the internet in a searchable format, free of charge. It is therefore the intent of I Liheslatura to ensure that laws, rules and regulations, executive orders, attorney

1	general opinions, and court decisions are made available and promptly updated on
2	the Compiler of Laws' website in a searchable format.
3	Section 2. § 1602 of Chapter 16, Title 1, Guam Code Annotated, is amended
4	to read as follows:
5	"§ 1602. Compiler of Laws' Responsibilities. It shall be the responsibility
6	of the Compiler of Laws, through outsourcing, privatization, or other means,
7	to:
8	(a) Cause to be published annually, together with an adequate index,
9	all laws enacted by any given legislature in the form in which the laws were
10	enacted, commonly known as the Legislature Session Laws;
11	(b) Cause to be published, periodic revisions and updates of the Guam
12	Code Annotated, as determined by the Compiler of Laws, including
13	available annotations thereto, such as Attorney General's Opinions,
14	Executive Orders, and Court cases, and distributed at least annually, or more
15	often if practical, to I Liheslatura, the Courts of Guam, the Executive
16	Branch, and other interested individuals or entities as determined by the
17	Compiler of Laws;
18	(c) Undertake the publication of the continuing Administrative Rules
19	and Regulations, Opinions of the Attorney General, Executive Orders of I
20	Maga'lahi, and reports of cases decided in the Superior and Supreme Courts
21	of Guam; and
22	(d) Make available on the Compiler's website and other CD ROM or
23	similar recorded mediums, the publications of the Compiler of Laws and
24	provide on the Internet, monthly interim updates of the published material
25	promulgated between regular publications thereof."
26	Section 3. § 1603 of Chapter 16, Title 1, Guam Code Annotated, is
27	amended to read as follows:

## "§ 1603. Definitions.

- (a) Publication Defined. The terms 'publish, published, publishing, and publication' as used in this Chapter mean any printed or duplicated material, regardless of format, which is produced, purchased for distribution, or authorized by the Compiler of Laws for distribution and purchase to the public, including the Guam Code Annotated, Legislature Session Laws, Attorney General's Opinions, Executive Orders, Administrative Rules, and court cases. The offer to distribute printed or duplicated materials to a group of persons for purposes of further distribution or public display constitutes publication. The distribution to other agencies or instrumentalities of the government of Guam constitutes publication. With the exception of the Guam Code Annotated and Session Laws of the Legislature, the term 'publication' shall not include the authority to create or enable any text-based searchable or researchable database of such printed or duplicated materials.
- (b) Distribution Defined. The term 'distribute or distribution' shall mean to sell, lease, assign or otherwise transfer published materials, or offer to sell, lease, assign or otherwise transfer published materials." With the exception of the Guam Code Annotated and Session Laws of the Legislature, the term 'distribution' shall not include the authority to sell, lease, assign, transfer or offer to sell, lease, assign or transfer, or otherwise create or enable any textbased searchable or researchable database of published materials.



## COMMITTEE ON RULES

Senator Michael F.Q. San Nicolas, Chairman I Mina'Trentai Kuattro na Liheslaturan Guahan • 34th Guam Legislature



## PRE-REFERRAL CHECKLIST

BILL NO. 91-34 (COR) AN ACT TO AMEND §§ 1602 AND 1603 OF CHAPTER 16, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO PROMOTING AFFORDABLE ACCESS TO UPDATED AND SEARCHABLE LAWS, RULES AND REGULATIONS, EXECUTIVE ORDERS, ATTORNEY GENERAL OPINIONS, AND COURT DECISIONS. (1) One subject matter? Notice to Legal Bureau: [SR § 6.01(a), 2 GCA § 2108(a)] **YES** 5/12/17 □ NO (Return to Prime Sponsor) Completed by Legal Bureau: (A) Legal Bureau (2) Conform to Standing Rules as to 5/16/17 10:01 am form and style? [SR §§ 6.02(b) and (d), 6.03(d)] ✓ YES □ NO (Return to Prime Sponsor) (1) Does the Bill contain appropriations or authorizations for appropriations from any fund Notice to OFB: sources? ₩NO □ YES 5/12/17 (2) Does the Bill contain an (B) Office of Finance & Completed by OFB: authorization to expend Budget (OFB) government funds? 5/15/17 4:58pm □ N/A ₪NO - YES (3) Does the Bill contain provisions that have potential fiscal impacts on the government of Guam budget? □ N/A □νNO □ YES Is the fiscal impact revenue negative to the government of Guam budget? □ YES (Refer to Committee on COR Action Appropriations) □ NO M/A



## PRE-REFERRAL CHECKLIST

BILL NO. 91-34 (COR)						
ANNOTATED, RELATI AND SEARCHABLE I	§ 1602 AND 1603 OF CHAPTER VE TO PROMOTING AFFORDAN AWS, RULES AND REGULATION OPINIONS, AND COURT DECISION	16, TITLE 1, GUAM CODE BLE ACCESS TO UPDATED ONS, EXECUTIVE ORDERS,				
(C) DEBT						
(1) SR § 6.01 (b)(1)(A) Land, Infrastructure, Building Projects, Capital Improvement Projects	☑ N/A □ YES □ NO (Return to Prime Sponsor)	Received by:				
(2) SR § 6.01 (b)(1)(B) Refinancing of existing debt (not less than 2%)	☑ N/A □ YES □ NO (Return to Prime Sponsor)	Completed by: (Signature, Date & Time)				
(3) SR § 6.01 (b)(2) Authorize public debt to fund operations of agency, instrumentality, public corporation	☑N/A ☐ YES (Return to Prime Sponsor) ☐ NO ☐ Waived (per official state of emergency, as attached)	AM2504 5/1/17				
COR Action	Return to Prime Sponsor Refer to:  MTE S-51/2 TMT.	Date & Time:				

	Pursuant to COR decision (COR Meeting, April 3, 2017):	Initial:		
For COR Office Use Only	Completed within five (5) working days?  EYES  NO	If NO: Provide letter of explanation (see attached).		



## I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN 2017 (FIRST) Regular Session

Bill No. 91-34 (COR)

As Amended By The Committee On Culture And Justice

Introduced By:

1

Therese M. Terlaje

AN ACT TO AMEND §§ 1602 and 1603 OF CHAPTER 16, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO PROMOTING AFFORDABLE ACCESS TO UPDATED AND SEARCHABLE LAWS, RULES AND REGULATIONS, EXECUTIVE ORDERS, ATTORNEY GENERAL OPINIONS, AND COURT DECISIONS.

## BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent.

I Liheslatura finds that, pursuant to 1 GCA § 101(c), "Titles of the Guam 3 Code Annotated published by the Compiler of Laws shall be the official 4 publication of the codified laws of Guam and shall be prima facie evidence of the 5 laws of Guam in effect on the date indicated on the Title page." I Liheslatura 6 further finds that in order to keep up with constantly changing law and policy, the 7 people of Guam can better conduct their affairs in accordance with the laws of 8 Guam and can better plan for and conduct business matters, if applicable laws and 9 court decisions are readily accessible and promptly available to the public on the 10 internet in a searchable format, free of charge. It is therefore the intent of I 11 Liheslatura to ensure that laws, rules and regulations, executive orders, attorney 12 general opinions, and court decisions, excluding standard procedural and 13

1	scheduling orders and documents in sealed cases, are made available and promptly
2	updated on the Compiler of Laws' website in a searchable format.

- **Section 2.** § 1602 of Chapter 16, Title 1, Guam Code Annotated, is *amended* to read as follows:
- 5 "§ 1602. Compiler of Laws' Responsibilities. It shall be the responsibility 6 of the Compiler of Laws, through outsourcing, privatization, or other means, 7 to:
  - (a) Cause to be published annually, together with an adequate index, all laws enacted by any given legislature in the form in which the laws were enacted, commonly known as the Legislature Session Laws;
  - (b) Cause to be published, periodic revisions and updates of the Guam Code Annotated, as determined by the Compiler of Laws, including available annotations thereto, such as Attorney General's Opinions, Executive Orders, and Court cases, and distributed at least annually, or more often if practical, to *I Liheslatura*, the Courts of Guam, the Executive Branch, and other interested individuals or entities as determined by the Compiler of Laws;
  - (c) Undertake the publication of the continuing Administrative Rules and Regulations, Opinions of the Attorney General, Executive Orders of *I Maga'lahi*, and reports of cases decided in the <u>Superior and Supreme Courts</u> of Guam; and
  - (d) Make available on the Compiler's website and other CD-ROM or similar recorded mediums, the publications of the Compiler of Laws and provide on the Internet, monthly interim updates of the published material promulgated between regular publications thereof."
  - **Section 3.** § 1603 of Chapter 16, Title 1, Guam Code Annotated, is amended to read as follows:

## "§ 1603. Definitions.

- (a) Publication Defined. The terms 'publish, published, publishing, and publication' as used in this Chapter mean any printed or duplicated material, regardless of format, which is produced, purchased for distribution, or authorized by the Compiler of Laws for distribution and purchase to the public, including the Guam Code Annotated, Legislature Session Laws, Attorney General's Opinions, Executive Orders, Administrative Rules, and court cases. The offer to distribute printed or duplicated materials to a group of persons for purposes of further distribution or public display constitutes publication. The distribution to other agencies or instrumentalities of the government of Guam constitutes publication. With the exception of the Guam Code Annotated and Session Laws of the Legislature, tThe term 'publication' shall not-include the authority to create or enable any text-based searchable or researchable database of such printed or duplicated materials.
- (b) Distribution Defined. The term 'distribute or distribution' shall mean to sell, lease, assign or otherwise transfer published materials, or offer to sell, lease, assign or otherwise transfer published materials." With the exception of the Guam Code Annotated and Session Laws of the Legislature, the term 'distribution' shall *not* include the authority to sell, lease, assign, transfer or offer to sell, lease, assign or transfer, or otherwise create or enable any textbased searchable or researchable database of published materials.

#### Section 4.

The Compiler of Laws will be allowed one hundred and eighty (180) days from enactment to prepare and fully comply with this Act relative to Superior Court cases.

## MARK-UP VERSION - Amended By Committee

## I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN 2017 (FIRST) Regular Session

Bill No. 91-34 (COR)

As Amended By The Committee On Culture And Justice

Introduced By:

1

2

Therese M. Terlaje

AN ACT TO AMEND §§ 1602 and 1603 OF CHAPTER 16, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO PROMOTING AFFORDABLE ACCESS TO UPDATED AND SEARCHABLE LAWS, RULES AND REGULATIONS, EXECUTIVE ORDERS, ATTORNEY GENERAL OPINIONS, AND COURT DECISIONS.

#### BE IT ENACTED BY THE PEOPLE OF GUAM:

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I Liheslatura finds that, pursuant to 1 GCA § 101(c), "Titles of the Guam 3 Code Annotated published by the Compiler of Laws shall be the official 4 publication of the codified laws of Guam and shall be prima facie evidence of the 5 laws of Guam in effect on the date indicated on the Title page." I Liheslatura 6 further finds that in order to keep up with constantly changing law and policy, the 7 people of Guam can better conduct their affairs in accordance with the laws of 8 Guam and can better plan for and conduct business matters, if applicable laws and 9 court decisions are readily accessible and promptly available to the public on the 10 internet in a searchable format, free of charge. It is therefore the intent of I 11 Liheslatura to ensure that laws, rules and regulations, executive orders, attorney 12 general opinions, and court decisions, excluding standard procedural and 13

## MARK-UP VERSION – Amended By Committee

1	scheduling orders and documents in sealed cases, are made available and promptly
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6	of the Compiler of Laws, through outsourcing, privatization, or other means,
7	to:
8	(a) Cause to be published annually, together with an adequate index,
9	all laws enacted by any given legislature in the form in which the laws were
10	enacted, commonly known as the Legislature Session Laws;
11	(b) Cause to be published, periodic revisions and updates of the Guam
12	Code Annotated, as determined by the Compiler of Laws, including
13	available annotations thereto, such as Attorney General's Opinions,
14	Executive Orders, and Court cases, and distributed at least annually, or more
15	often if practical, to I Liheslatura, the Courts of Guam, the Executive
16	Branch, and other interested individuals or entities as determined by the
17	Compiler of Laws;
18	(c) Undertake the publication of the continuing Administrative Rules
19	and Regulations, Opinions of the Attorney General, Executive Orders of I
20	Maga'lahi, and reports of cases decided in the Superior and Supreme Courts
21	of Guam; and
22	(d) Make available on the Compiler's website and other CD ROM or
23	similar recorded mediums, the publications of the Compiler of Laws and
24	provide on the Internet, monthly interim updates of the published material
25	promulgated between regular publications thereof."
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## MARK-UP VERSION - Amended By Committee

## "§ 1603. Definitions.

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### Section 4.

The Compiler of Laws will be allowed one hundred and eighty (180) days from enactment to prepare and fully comply with this Act relative to Superior Court cases.



## COMMITTEE ON RULES

Senator Michael F.Q. San Nicolas, Chairman I Mina'Trentai Kuåttro na Liheslaturan Guåhan • 34<sup>th</sup> Guam Legislature



## MEMO

To:

Rennae Meno

Clerk of the Legislature

From:

Senator Michael F.Q. San Nicolas

Chairman of the Committee on Rules

Date:

May 31, 2017

Re:

**Fiscal Note Waiver** 

Buenas yan Håfa adai.

Attached, please find the fiscal note waiver (as advised by BBMR) for the following bill:

Bill No. 93-34 (COR)

Please forward the same to Management Information Services (MIS) for posting on our website.

For any questions or concerns, please feel free to contact Christian Valencia, Committee on Rules Director, at 472-6453.

Thank you for your attention to this important matter.

Respectfully

Senator Michael F.Q. San Nicolas Chairman of the Committee on Rules



GUAM CONGRESS BUILDING • 163 CHALAN SANTO PAPA • HAGÅTÑA, GUAM 96910 Telephone: (671) 472-6453 • Email address: corguamlegislature@gmail.com



## **BUREAU OF BUDGET & MANAGEMENT RESEARCH**

OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagátña Guam 96932

EDDIE BAZA CALVO GOVERNOR LESTER L. CARLSON, JR. ACTING DIRECTOR

RAY TENORIO
LIEUTENANT GOVERNOR
MAY 3 1 2017

Senator Michael F.Q. San Nicolas Chairman, Committee on Rules I Mina'Trentai Kuåttro na Liheslaturan Guåhan 34<sup>th</sup> Guam Legislature Guam Congress Building 163 Chalan Santo Papa Hagåtña, Guam 96910

Hafa adai! Senator San Nicolas:

The Bureau requests that Bill No(s). 93-34 (COR) be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

The Bill seeks to amend §80.72 (b) of Article 5 of Chapter 80 and §§85.10 and 85.14 of Chapter 85, all of Title 9 Guam Code Annotated relative to improving the parole processes of the Guam Parole Board. The amendment to §80.72 (b) places a new restriction on violent criminals that have been denied for two (2) consecutive years and makes them ineligible to apply for parole for at least four (4) years. The amendments to §§85.10 and 85.14 reduces the number of Board members from seven (7) to five (5) and also the necessary members for a quorum from four (4) to three (3), respectively. Members of the Guam Parole Board receive no compensation for their service pursuant to §85.22 of Chapter 85 of 9 GCA.

The proposed amendments are administrative in nature and would not fiscally impact the appropriations for FY 2017.

Si Yu'os Ma'ase.

LESTER L. CARLSON, IR.

# I Minq'Trentai Kuâttro Na Liheslaturan BILL STATUS

MOTES
FISCAL MOTES FISCAL MOTES FISCAL MOTE Request 5/24/17 Fiscal Note Walver 5/31/17
DATE COMMUTEE REPORT FLED.
uic Vie
nd Hra
CANTE REEDRED Committee on Culture and Justice
DATE REFERGED \$/24/17
DATE INTRODUCED 5/22/17 4:24 p.m.
ICLE S, CHAPTER 80, 10 AMEND § 85.10 85, TITLE 9, GUAM MPROVING GUAM
TITLE AN ACT TO AMEND § 80.72[b] OF ARTICLE S, CHAPTER 80, TITLE 9 CHAN CODE BANDOTATED, TO AMEND § 85.1D AND TO ADD § 85.61 OF CHAPTER 83, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO IMPROVING GUAM PAROLE BOARD PROCESSES.
AN ACT TO TITLE 9 GL AND TO AL CODE AND PARDLE BO
SPONSOR Therese M. Terlaje Telena Cruz Nelson
#ILL NG. 13-34 (COR)



## OFFICE OF THE VICE SPEAKER THERESE M. TERLAJE

Chairperson of the Committee
On Culture and Justice

I Mina'trentai Kuåttro na Liheslaturan Guåhan 34<sup>th</sup> Guam Legislature

## TERLAJE BILLS INCREASE TRANSPARENCY IN THE GOVERNMENT

FOR IMMEDIATE NEWS RELEASE (May 26, 2017 – Hagåtña) – On this date last year, Therese M. Terlaje officially announced that she would run for senator with one of her primary goals being to make the government of Guam more transparent and equip the people of Guam with knowledge and information so that they can make decisions, and be inspired to act on things that make sense for their families. Exactly one year later, Bill No. 71-34 (COR), introduced by Senator Therese Terlaje (D-Yoña), was passed by the Guam Legislature setting the effective date of an Executive Order to be midnight of the day it is transmitted to the Guam Legislature and to the Compiler of Laws, who is responsible for publishing legal evidence of the Executive Orders and all the laws of Guam.

Terlaje stated, "Prior to this legislation, there was no existing guarantee that the people of Guam would be notified of any of the Governor's Executive Orders. In fact, none of the Executive Orders issued in 2017 were transmitted to the Legislature or to the Compiler of Laws, and none were published on the Governor's or the government of Guam's websites to date. The public should have immediate access to any vital information regarding changes in government operations, laws, and rules and regulations."

Expanding on the objective of Bill No. 71-34 (COR) to improve government transparency, Senator Terlaje introduced three additional bills this month focused on increasing the public's access to information on changes in agency fees for services, rules and regulations, and operational changes. Bill 91-34 (COR) is related to promoting affordable access to updated and searchable laws, rules and regulations, Executive Orders, Attorney General opinions, and court decisions. Bill 101-34 (LS) is relative to ensuring a public hearing is held prior to the adoption of any agency rules and regulations. Bill 102-34 (LS) is relative to increasing public awareness of the economic impact of rules and regulations.

"Once all the people of Guam can access all relevant information, our discussions will be more productive and the people of Guam will not be vulnerable to being fooled over and over. I think this is a huge task but crucial. I hope to gain the support of my colleagues to embrace the input of the people, and in turn to use the checks and balance of the legislative branch seriously as it was designed," stated Terlaje.

###

For more information, please call the Office of Vice Speaker Therese M. Terlaje at (671) 472-3586.



## COMMITTEE ON RULES

Senator Michael F.Q. San Nicolas, Chairman I Mina'Trentai Kuåttro na Liheslaturan Guåhan • 34th Guam Legislature



## COMMITTEE REPORT CHECKLIST

Part \_ \ / \

## BILL NO. 91-34 (COR)

As Amended by the Committee

AN ACT TO AMEND §§ 1602 AND 1603 OF CHAPTER 16, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO PROMOTING AFFORDABLE ACCESS TO UPDATED AND SEARCHABLE LAWS, RULES AND REGULATIONS, EXECUTIVE ORDERS, ATTORNEY GENERAL OPINIONS, AND COURT DECISIONS.

#### REFERRED TO: Committee on Culture and Justice; Vice Speaker Therese M. Terlaje, Chairperson Date & Time: (1) Requested by COR YES □ NO 5/16/17 4:11 pm (2) Received by COR Date & Time: 5/24/17 8:55 am YES □ NO Date & Time: (3) Waived by COR □ YES NO If YES: (4/5)(a) Funding Availability Note/Waiver (OFB) attached? (4) Bill contains appropriations or authorizations for appropriations □ NO (Unable to file CMTE Report) from any fund sources? NO □ YES (4/5)(b) Funding source identified? 2 GCA § 9101 □ YES $\square$ NO (Proceed to (A)(6)) (A) FISCAL NOTE or WAIVER (4/5)(c) Funds available and (5) Bill contains an authorization sufficient? to expend government funds? 2 GCA § 9101 □ YES NO. □ YES $\square$ NO (Proceed to (A)(6)) (6) Restrictions Against Unfunded Appropriations (2 GCA § 9101) If no boxes checked: ☐ Identifies specific alternate funding source **UNABLE TO PLACE ON** ☐ De-appropriates from previous SESSION AGENDA appropriation with available funds 2 GCA § 9102 and fiscal note ☐ Written certification by CMTE Chair that a situation exists which "threatens the safety, health and welfare of the community"



Committee Report Checklist on Bill No. 91-34 (COR), As Amended by the Committee Part \_\_\_\_\_/\_\_\_

	(1) HEARING SR §§ 6.04(a)(1) and 6.04(a)(2), Open		
	(ALL Senators & ALL Media)	Date and Time of Notice: 5/25/17 2:56 pm	
	☑ (b) Forty-eight (48) hours prior (ALL Senators & ALL Media)	Date and Time of Notice: 5/3/1/7 12:53 pm	
	(2) Date and Time of Hearing:	or (4) HEARING WAIVED by Speaker in case of emergency	
	G/5/17 10:00 am	SR § 6.04(a)(1)  □ YES □ NO ☑ N/A	
	(3) Location: Public Hearing Room, Guam Congress Building	If YES: Attach memo indicating WAIVER	
	(5) AMENDMENTS or SUBSTITUTIONS BY COMMITTEE  SR § 6.04(b)		
(B) PUBLIC		If YES: Date and Time:	
HEARING	(a) Committee elects to substitute bill? □ YES NO	(a)(1) Vote sheet affirmative?  □ YES □ NO	
		(a)(2) Preliminary report filed with COR? SR § 6.04(b)(2)	
		□ YES □ NO  (a)(3) Public Hearing noticed? □ YES □ NO	
	(b) Bill materially different after committee amendment or substitution?  □ YES ■ NO	If YES: SECONDARY PUBLIC HEARING MAY BE REQUIRED SR § 6.04(c)(3)	
		COR Chair	



Committee Report Checklist on Bill No. 91-34 (COR), As Amended by the Committee Part \_\_/\_\_\_

	(1) Committee Report filed with COR?  ☑ YES □ NO  If YES: Date & Time: ⓒ   6   1	If NO: UNABLE TO PLACE ON SESSION AGENDA SR § 6.04(d)(1)
	(2) LAND LEGISLATION	
(C) COMMITTEE REPORT	(a) Bill involves government taking, transfer, purchase, or lease of land?  □ YES □ NO □ N/A  (a)(1) Please indicate on both columns:  (i) Type of transaction: □ Government □ Taking □ Non-government □ Transfer □ Purchase □ Lease	If YES: ATTACH TWO (2) PROPERTY APPRAISALS TO CMTE REPORT SR § 6.04(c)(4) 2 GCA § 2107(b)
rezon  YE  (b)(1)  of pro	(b) Bill involves legislative land rezoning?  □ YES ☑ NO □ N/A	If YES: INCLUDE Land Zoning Consideration Report 2 GCA § 2110
	(b)(1) Bill involves legislative rezoning of property zoned Agricultural (A)?  □ YES NO □ N/A	If YES: INCLUDE Agricultural Consideration Report (Dept. of Agriculture) 2 GCA § 2110 [Proceed to (b)(2)]
	(b)(2) Proof of Agricultural consideration Land Use Commission? 21 GCA § 61637  ☐ YES NO ☐ N/A	report reviewed by Guam

Committee Report Checklist on Bill No. 91-34 (COR), As Amended by the Committee Part \_\_\_\_\_/\_\_\_

	(3) G.A.R.R. LEGISLATION			
	SR § 6.04(c)(1)			
	5 GCA §§ 9301 and 9303  a) Bill involves approving or If YES	~		
	a) Bill involves approving or amending Rules and INCLU			
	Regulations? Economic Impac		nt	
	☐ YES ☐ NO			
	(4) COMMITTEE REPORT COMPONENTS			
	(a) Front Page Transmittal to Speaker		✓,	
	(a)(1) COR Chair Signature Line		M	
	(b) Title Page		N.	
	(c) Committee Chair Memo to All Committee Members		✓,	
	(d) COR Referral Memorandum		V	
	(e) Notice of Public Hearing & Other Correspondence		₩,	
(D) COMMITTEE	(f) Public Hearing Agenda		N/	
REPORT	(g) Public Hearing Sign-in Sheet		4	
(continued)	(h) Written Testimonies & Additional Documents		₩.	
	(i) Committee Vote Sheet(s)		<b>√</b>	
	(j) Committee Report Digest(s)		⊭	
	(k) Bill History		₫,	
	(k)(1) Copy of Bill as introduced		V	
	(k)(2) COR Pre-Referral Checklist		☑	
	(k)(3) Copy of Bill as corrected by Prime Sponsor (if applic	able) with		
	(k)(4) Copy of Bill as amended/substituted by Committee (if applicable)		₫	
	(I) Fiscal Note/Waiver and Funding Availability Note (OF	FB)		
	(m) Two (2) Property Appraisals (if applicable)	MA		
	(n) Related News Reports (optional)		<b>□</b>	
	(o) Miscellaneous (optional)			
	(p) Committee Report Checklist(s)		4	
(E) COR Action	CMTE Report duly filed; Available for Placement on Session Agenda  COR CE  CMTE Report non-conforming for acceptance; Return to		)	
	Committee	-411		

