

GOVERNMENT OF GUAM
Office of the Governor
AGANA, GUAM

EXECUTIVE ORDER NO. 3-55

Rules and Regulations

1. PURPOSE. The purpose of this Executive Order is to provide, subject to and in conformity with law, certain policies and procedures with regard to the issuance, central filing and distribution of rules and regulations issued by the Executive Branch of the Government of Guam.

2. DEFINITION. As used in this Executive Order the following definitions shall apply:

(a) "Rules and regulations" means all rules and regulations, including any amendment or repeal thereof, expressly authorized or directed by any law of Guam, or any law applicable to Guam, to be issued or promulgated by any issuing authority of the Executive Branch of the Government of Guam; but does not mean internal administrative or operating rules of procedure pertaining particularly to any department, agency, commission, board or other body.

(b) "Issuing authority" means any department, agency, commission, board or other body, or any head, chief, or chairman thereof, or any officer or official, including the Governor, of the Executive Branch of the Government of Guam, expressly authorized or directed to issue or promulgate rules and regulations.

(c) "Issued", "issue" and "issuance" with regard to rules and regulations mean the doing of all things, including signature and approval of all necessary persons required for the making of rules and regulations.

(d) "Secretary" means the Secretary of Guam.

3. RESPONSIBLE OFFICIAL. It shall be the responsibility of the head, chief or chairman of every department, agency, commission, board or other body, or any officer or official, of the Executive Branch of the Government of Guam, authorized or directed to issue or promulgate any rules or regulations under any law of Guam, or any law applicable to Guam, to comply with this Executive Order.

4. POLICY AS TO EFFECTIVE DATE OF RULES AND REGULATIONS. It shall be a general policy of the Executive Branch that rules and regulations be made effective a reasonable time after their issuance, depending upon circumstances, except where emergency or other compelling conditions require immediate action. The purpose of this policy is to permit all persons concerned an opportunity to familiarize themselves with new rules and regulations before they become effective.

5. NUMBERING. All rules and regulations shall be numbered consecutively according to each issuing authority, or by subject matter within each issuing authority where feasible. Proper numbering shall be coordinated by each issuing authority with the Secretary.

6. FILING; RULES AND REGULATIONS NOW IN FORCE. Triplicate certified true copies, or triplicate signed originals if available, of all rules and regulations in force as of the effective date of this Executive Order, shall be filed with the Secretary within sixty (60) days thereafter, unless amended or repealed in the meantime. Where there are no rules and regulations in force, a negative report shall be filed.

7. FILING; SUBSEQUENT RULES AND REGULATIONS. Triplicate signed originals of all rules and regulations issued after the effective date of this Executive Order shall be filed with the Secretary simultaneously with their issuance.

8. RULES AND REGULATIONS WHICH REQUIRE ACTION BY GOVERNOR. All rules and regulations which require action by the Governor to be valid shall be prepared in a sufficient number of copies to permit the execution of three (3) additional triplicate originals which will be filed with the Secretary by the Office of the Governor as compliance with this Executive Order. In this type of case the responsible official need not file additional copies with the Secretary.

9. DATE OF RECEIPT. The Secretary shall indicate on all rules and regulations filed with him the date and time of filing and affix his signature thereto.

10. MAINTENANCE OF FILES; PUBLIC INSPECTION. The Secretary shall keep and maintain in his office complete files of two of the triplicate sets of all rules and regulations filed with him. One triplicate set of all rules and regulations shall be open to public inspection during the regular office hours of the Secretary. The other triplicate set shall be available primarily for governmental use.

11. GUAM LEGISLATURE. The third triplicate set of all rules and regulations filed with the Secretary shall be transmitted by him to the Guam Legislature within ten (10) days after filing.

12. DISTRIBUTION. Each issuing authority shall reproduce and make available for distribution to the general public copies of all its current rules and regulations covered by this Order. Single copies of such rules and regulations shall be distributed without charge. Reasonable charges may be made for more than one copy. Typewritten or photostatic copies of any rules and regulations not coming within the foregoing class shall be furnished upon special order and upon payment of a reasonable charge

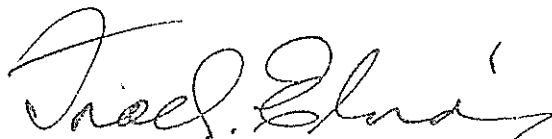
therefor in advance to cover costs. Each issuing authority shall prepare a schedule of charges which shall be coordinated with the Secretary to assure uniformity. All charges collected shall be covered into the general fund. With respect to rules and regulations in force as of the effective date of this Executive Order, this section shall become effective sixty (60) days thereafter.

13. ADMINISTRATION. The Secretary is charged with coordinating the administration of this Executive Order. Each issuing authority is directed to give him the fullest cooperation.

14. EXISTING LAWS. This Executive Order shall not be deemed to repeal or amend any law governing the issuance and validity of any rules and regulations.

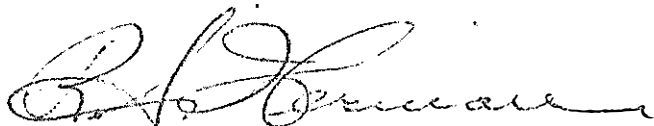
15. EFFECTIVE DATE. This Executive Order shall take effect on October 1, 1955.

Signed and issued at Agana, Guam, this 29th day of September, 1955.



FORD Q. ELVIDGE
Governor of Guam

Countersigned:



R. S. HERMAN
Secretary of Guam