

EDDIE BAZA CALVO
Governor



RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

December 10, 2012

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Unu Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

31-12-1971
Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 12/10/12
Time 5:20 PM
Received by [Signature]

2012 DEC 11 AM 10:30

Dear Madame Speaker:

Transmitted herewith is Bill No. 477-31 (COR) "AN ACT TO AMEND §23112 OF ARTICLE 1 AND §23203 OF ARTICLE 2, BOTH OF CHAPTER 23, DIVISION 2, TITLE 7, GUAM CODE ANNOTATED, RELATIVE TO LEVIES ON EARNINGS", which I signed into law on December 6, 2012 as **Public Law 31-238**.

Senseramente,


EDDIE BAZA CALVO

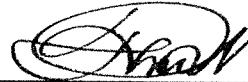
Attachment: copy of Bill

1971

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2012 (SECOND) Regular Session

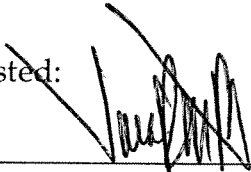
CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LAHEN GUÅHAN*

This is to certify that Bill No. 477-31 (COR), "AN ACT TO AMEND §23112 OF ARTICLE 1 AND §23203 OF ARTICLE 2, BOTH OF CHAPTER 23, DIVISION 2, TITLE 7, GUAM CODE ANNOTATED, RELATIVE TO LEVIES ON EARNINGS", was on the 26th day of November, 2012, duly and regularly passed.



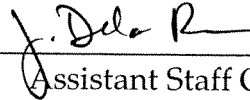
Judith T. Won Pat, Ed.D.
Speaker

Attested:



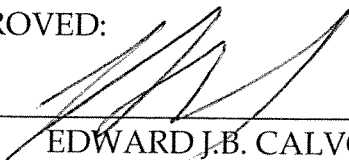
Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 28th day of Nov, 2012, at
11:10 o'clock A.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



EDWARD J.B. CALVO
I Maga'lahen Guåhan

Date: DEC 06 2012

Public Law No. 31-238

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2012 (SECOND) Regular Session

Bill No. 477-31 (COR)

As amended on the Floor.

Introduced by:

Adolpho B. Palacios, Sr.
T. C. Ada
V. A. Ada
F. F. Blas, Jr.
B. J.F. Cruz
Chris M. Dueñas
Judith P. Guthertz, DPA
Sam A. Mabini, Ph.D.
T. R. Muña Barnes
V. C. Pangelinan
R. J. Respicio
Dennis G. Rodriguez, Jr.
M. Silva Taijeron
Aline A. Yamashita, Ph.D.
Judith T. Won Pat, Ed.D.

**AN ACT TO AMEND §23112 OF ARTICLE 1 AND §23203
OF ARTICLE 2, BOTH OF CHAPTER 23, DIVISION 2,
TITLE 7, GUAM CODE ANNOTATED, RELATIVE TO
LEVIES ON EARNINGS.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that
under the relevant statutes, the remittances arising from levies upon earnings must be
made through the court system in order to be transmitted to the judgment creditor.
Therefore, it is the intent of *I Liheslaturan Guåhan* to facilitate the ease and efficiency
of processing levies upon earnings, by amending §23112 and §23203 of Title 7,

1 Guam Code Annotated, to allow for remittances directly to the judgment creditor or
2 the judgment creditor's attorney.

3 **Section 2.** §23112 of Article 1, Chapter 23, Division 2, Title 7, Guam Code
4 Annotated, is hereby *amended* to read:

5 **“§ 23112. Writ, By Whom and How Executed.**

6 *Except* in the case of a levy on earnings, the marshal must execute the
7 writ against the property of the judgment debtor, by levying on a sufficient
8 amount of property, if there be sufficient, collecting or selling the things in
9 action, and selling the other property and paying to the plaintiff or his attorney
10 so much of the proceeds as will satisfy the judgment. Any excess in the
11 proceeds over the judgment and accrued costs must be returned to the judgment
12 debtor, *unless* otherwise directed by the judgment or order of the court. When
13 there is more property of the judgment debtor than is sufficient to satisfy the
14 judgment and accrued costs within the view of the marshal, he must levy *only*
15 on such part of the property as the judgment debtor may indicate, if the property
16 indicated be amply sufficient to satisfy the judgment and costs.”

17 **Section 3.** §23203 of Article 2, Chapter 23, Division 2, Title 7, Guam Code
18 Annotated, is hereby *amended* to read:

19 **“§ 23203. Payment by Debtor of Judgment Debtor.**

20 (a) After the issuing of an execution against property and before its
21 return, any person indebted to the judgment debtor may pay to the
22 marshal the amount of his debt, or so much thereof as may be
23 necessary to satisfy the execution, and the marshal's receipt is a
24 sufficient discharge for the amount so paid.

1 (b) Notwithstanding Subsection (a), in the case of a levy on
2 earnings, the employer *shall* remit the earnings levied upon
3 directly to the judgment creditor or the judgment creditor's
4 attorney. Upon satisfaction of the judgment amount, the judgment
5 creditor or the judgment creditor's attorney *shall* file within thirty
6 (30) days a satisfaction of judgment with the court and serve such
7 document upon the employer."

8 **Section 4. Effective Date.** This provisions of this Act *shall* be effective upon
9 enactment.

6

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN

2012 (SECOND) Regular Session

Date: 11/26/12

VOTING SHEET

Bill No. 477-31(COR)

Resolution No. _____

Question: _____

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
ADA, Thomas C.	✓				
ADA, V. Anthony	✓				
BLAS, Frank F., Jr.	✓				
CRUZ, Benjamin J. F.	✓				
DUENAS, Christopher M.					EA
GUTHERTZ, Judith Paulette	✓				
MABINI, Sam	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera					EA
RESPICIO, Rory J.	✓				
RODRIGUEZ, Dennis G., Jr.	✓				
SILVA TAIJERON, Mana	✓				
WON PAT, Judith T.	✓				
YAMASHITA, Aline A.	✓				

TOTAL

13 0 0 0 2

CERTIFIED TRUE AND CORRECT:


Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



Thirty-First
Guam Legislature

Committee Members:

Senator Thomas C. Ada
Vice Chairman

Speaker Judith T. Won Pat, Ph.D.
Member

Senator Tina R. Muna-Barnes
Member

Senator Judith P. Guthertz, DPA
Member

Senator Rory J. Respicio
Member

Senator Dennis G. Rodriguez, Jr.
Member

Senator V. Anthony Ada
Member

Senator Christopher M. Duenas
Member

Senator Mana Silva-Tajerón
Member

Senator Aline A. Yamashita, Ph.D.
Member

*Other Committee
Membership:*

Vice Chairman, Committee on
Utilities, Transportation, Public
Works and Veterans Affairs

Vice Chairman, Committee on
Health and Human Services,
Senior Citizens, Economic
Development and Election
Reform

Member, Committee on Rules,
Federal, Foreign & Micronesian
Affairs and Human & Natural
Resources

Member, Committee on
Education and Public Libraries

Member, Committee on Guam
Military Buildup and Homeland
Security

Member, Committee on
Municipal Affairs, Tourism,
Housing and Recreation

COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY

I Mina'Trentai Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.

Chairman

August 2, 2012

The Honorable Judith T. Won Pat, Ed.D.

Speaker

I Mina'Trentai Unu na Liheslaturan Guåhan

155 Hesler Place

Hagåtña, Guam 96910

VIA: The Honorable Rory J. Respicio
Chairman, Committee on Rules


RE: Committee Report on Bill No. 477-31 (COR).

The Committee on Public Safety, Law Enforcement and Judiciary, to which was referred, **BILL NO. 477-31 (COR) – "AN ACT TO AMEND §23112 OF ARTICLE 1 AND §23203 OF ARTICLE 2, BOTH OF CHAPTER 23, DIVISION 2, TITLE 7, GUAM CODE ANNOTATED, RELATIVE TO LEVIES ON EARNINGS"**, hereby reports out with the recommendation **TO PASS**.

Committee Votes are as follows:

<u>8</u>	TO PASS
<u>0</u>	NOT TO PASS
<u>2</u>	TO REPORT OUT ONLY
<u>0</u>	ABSTAIN
<u>0</u>	INACTIVE FILE

Sincerely,


ADOLPHO B. PALACIOS, SR., MPA, BS/CJA
Chairman

Attachments

2012 AUG - 2 PM 1:43

Office/Mailing Address: 155 Hesler Place, Hagåtña, Guam 96910

Telephone No. (671) 472-5047/5048 • Fax No. (671) 472-5022

Email: Senator@SenatorPalacios.com • Website: www.senatorpalacios.com



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY

I Mina'Trentai Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.

Chairman

**COMMITTEE REPORT ON
Bill No. 477-31 (COR)**

**AN ACT TO AMEND §23112 OF ARTICLE 1
AND §23203 OF ARTICLE 2, BOTH OF
CHAPTER 23, DIVISION 2, TITLE 7,
GUAM CODE ANNOTATED, RELATIVE
TO LEVIES ON EARNINGS.**



Thirty-First
Guam Legislature

Committee Members:

Senator Thomas C. Ada
Vice Chairman

Speaker Judith T. Won Pat, Ph.D.
Member

Senator Tina R. Muña-Barnes
Member

Senator Judith P. Guthertz, DPA
Member

Senator Rory J. Respicio
Member

Senator Dennis G. Rodriguez, Jr.
Member

Senator V. Anthony Ada
Member

Senator Christopher M. Duenas
Member

Senator Mana Silva-Taijeron
Member

Senator Aline A. Yamashita, Ph.D.
Member

*Other Committee
Memberships:*

Vice Chairman, Committee on
Utilities, Transportation, Public
Works and Veterans Affairs

Vice Chairman, Committee on
Health and Human Services,
Senior Citizens, Economic
Development and Election
Reform

Member, Committee on
Education and Public Libraries

Member, Committee on Rules,
Federal, Foreign & Micronesian
Affairs and Human & Natural
Resources

Member, Committee on Guam
Military Buildup and Homeland
Security

Member, Committee on
Municipal Affairs, Tourism,
Housing and Recreation

COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY

I Mina'Trentai Uno Na Liheslaturan Guåhan


SENATOR ADOLPHO B. PALACIOS, SR.

Chairman

July 30, 2012

MEMORANDUM

TO: ALL MEMBERS
Committee on Public Safety, Law Enforcement, & Judiciary

FROM: Senator Adolpho B. Palacios, Sr. 
Committee Chairman

SUBJECT: Committee Report on Bill No. 477-31 (COR).

Transmitted herewith for your consideration is the Committee Report on **BILL NO. 477-31 (COR) - AN ACT TO AMEND §23112 OF ARTICLE 1 AND §23203 OF ARTICLE 2, BOTH OF CHAPTER 23, DIVISION 2, TITLE 7, GUAM CODE ANNOTATED, RELATIVE TO LEVIES ON EARNINGS.** – sponsored by Senator Adolpho B. Palacios, Sr.

This report includes the following:

- Committee Voting Sheet
- Committee Report Digest
- Copy of Bill No. 477-31 (COR) as Introduced
- Public Hearing Sign-in Sheet
- Copies of testimony submitted and supporting documents
- Fiscal Note for Bill No. 477-31 (COR)
- Copy of COR Referral of Bill No. 477-31 (COR)
- Notices of Public Hearing
- Copy of the Public Hearing Agenda
- Miscellaneous documents

Please take the appropriate action on the attached voting sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please contact this office.

Si Yu'os ma'åse!

Office/Mailing Address: 155 Hesler Place, Hagatña, Guam 96910

Telephone No. (671) 472-5047/5048 • Fax No. (671) 472-5022

Email: Senator@SenatorPalacios.com • Website: www.senatorpalacios.com

**COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY***I Mina Trentai Uno Na Liheslaturan Guahan***SENATOR ADOLPHO B. PALACIOS, SR.***Chairman***COMMITTEE VOTING SHEET:**

BILL NO. 477-31 (COR) – AN ACT TO AMEND §23112 OF ARTICLE 1 AND §23203 OF ARTICLE 2, BOTH OF CHAPTER 23, DIVISION 2, TITLE 7, GUAM CODE ANNOTATED, RELATIVE TO LEVIES ON EARNINGS. – sponsored by Senator Adolpho B. Palacios, Sr.

SENATOR	SIGNATURE	TO PASS	NOT TO PASS	TO REPORT OUT ONLY	ABSTAIN	INACTIVE FILE
Adolpho B. Palacios, Sr. Chairman		7/30/12				
Thomas C. Ada Vice Chairman		✓				
Tina R. Muña-Barnes Member		✓				
Judith P. Guthertz, DPA Member		3				
Rory J. Respicio Member		7/30/12 				
Dennis G. Rodriguez, Jr. Member		7/31/12				
Judith T. Won Pat, Ed.D. Member		7/30/12				
V. Anthony Ada Member		7/31/12				
Christopher M. Duenas Member						
Mana Silva Tajeron Member				7/31/12		
Aline A. Yamashita, Ph.D. Member				7/31/12		



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina'Trentai Unu Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

COMMITTEE REPORT DIGEST

Bill No. 477-31 (COR) – “An Act to *amend* §23112 of Article 1 and §23203 of Article 2, both of Chapter 23, Division 2, Title 7, Guam Code Annotated, relative to levies on earnings.” – authored by Chairman Adolpho B. Palacios, Sr.

I. OVERVIEW

The Committee on Public Safety, Law Enforcement and Judiciary (“Committee”) convened the public hearing on July 13, 2011 at 9:05 a.m. in *I Liheslatura’s* Public Hearing Room. Among the items on the agenda was the consideration of Bill No. 477-31 (COR) - “An Act to *amend* §23112 of Article 1 and §23203 of Article 2, both of Chapter 23, Division 2, Title 7, Guam Code Annotated, relative to levies on earnings”, authored by Chairman Adolpho B. Palacios, Sr.

Public Hearing Requirements:

Notices of the hearing were disseminated via facsimile and email to all senators and all main media broadcasting outlets on July 3 and July 6, 2012 (5-day Notice) and on July 10, 2012 (48-Hour notice) pursuant to meeting the requirements of the Open Government Law. Notice of the hearing was also posted on the Guam Legislature’s website.

Senators Present:

Senator Adolpho B. Palacios, Sr., Chairman
Vice-Speaker Benjamin J.F. Cruz
Senator Aline Y. Yamashita, Member

Individual(s) Registered for oral or written testimony:

Joshua F. Tenorio, Director of Policy Planning and Community Relations, Unified Judiciary of Guam, provided oral and written testimony, on behalf of Mr. Perry Taitano, Administrator of the Courts, in support of the Bill.
Bruce Bradley, Executive Director, Guam Bar Association, provided oral testimony in support of the Bill.
Geraldine Cepeda, Compiler of Laws, Unified Judiciary of Guam, provided oral testimony in support of the Bill.

II. SUMMARY OF TESTIMONIES

Chairman Adolpho B. Palacios, Sr., convened the public hearing at 9:05 a.m., read the agenda, recognized the Senators present, explained the procedures of the hearing, and provided brief opening remarks concerning Bill No. 477-31 (COR).

Chairman Palacios informed those in attendance that the introduction of Bill No. 477-31 (COR) was made at the request of the Unified Judiciary of Guam. Chairman Palacios recognized the importance of evaluating the efficiency of some of the current administrative processes within the Judiciary, such as payments made by debtors through an order of the Court.

Following his introductory remarks, Chairman Palacios recognized Mr. Joshua Tenorio, Director of Policy Planning and Community Relations for the Unified Judiciary of Guam, to provide testimony regarding Bill No. 477-31 (COR).

Mr. Tenorio thanked Chairman Palacios for his assistance in introducing the legislation and proceeded with reading the prepared remarks of Mr. Perry Taitano, Administrator of the Courts, in support of Bill No. 477-31 (COR).

In summary, Mr. Tenorio stated that an informal subcommittee on wage garnishment, which includes representatives from the private practice, Office of the Compiler of Laws, staff attorneys and administrators of the Unified Judiciary, has reviewed current statute pertinent to this matter. Mr. Tenorio informed the Committee that the informal subcommittee requests for 7GCA, §§23112 and 23203 to be amended so as to make clear that a wage garnishee is not required to remit earnings to the Marshal as opposed to the judgment creditor. Mr. Tenorio advised the Committee that current statute requires that the Marshal collect and then pay the plaintiff. Mr. Tenorio concluded by stating that the net effect of having the Marshal “collect” the money instead of allowing direct payment to the creditor or the creditor’s attorney is inefficiency, delay and increased transaction costs.

Mr. Bruce Bradley, Executive Director of the Guam Bar Association, followed Mr. Tenorio’s presentation and briefly commented in support of Bill No. 477-31 (COR). Mr. Bradley informed the Committee that the current process involving levies on earnings unfortunately involves delays for both creditors and debtors. Mr. Bradley suggested that the amendments proposed in Bill No. 477-31 (COR) will help streamline such process and ensure that debts owed to creditors are satisfied in a more timely manner, and that debtors are notified almost immediately after their obligations are satisfied.

Following Mr. Bradley's brief presentation, Chairman Palacios thanked him, Mr. Tenorio and Ms. Geraldine Cepeda, Compiler of Laws, for their participation at the public hearing. Chairman Palacios concluded the hearing by stating the importance of promoting accurate record keeping relative to the satisfaction of debts. Chairman Palacios applauded the efforts of the Unified Judiciary of Guam and specifically those made by the informal subcommittee to help streamline the process involving levies on earnings, which he believes will best serve both creditors and debtors.

Chairman Adolpho B. Palacios, Sr., concluded the public hearing at 9:30 a.m.

Chairman Adolpho B. Palacios, Sr., declared that Bill No. 477-31 (COR) has been duly heard and that the Committee would continue to receive written testimony following the hearing. The hearing was adjourned at 9:30 a.m.

III. WRITTEN TESTIMONIES

Perry C. Taitano, Administrator of the Courts, Unified Judiciary of Guam. (*Summarized in Section II*)

No further written testimony was received within the ten- (10-) day period following the public hearing of Bill No. 477-31 (COR).


IV. FINDINGS AND RECOMMENDATION

The Committee on Public Safety, Law Enforcement and Judiciary hereby reports out **Bill No. 477-31 (COR), as introduced**, with the recommendation **TO PASS**.


MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN
2012 (SECOND) Regular Session

Bill No. 477-31 (COR)

Introduced by:

Adolpho B. Palacios, Sr. 

**AN ACT TO AMEND §23112 OF ARTICLE 1 AND
§23203 OF ARTICLE 2, BOTH OF CHAPTER 23,
DIVISION 2, TITLE 7, GUAM CODE
ANNOTATED, RELATIVE TO LEVIES ON
EARNINGS.**

2012 JUN 21 AM 9:34 

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that under the relevant statutes, the remittances arising from levies upon
4 earnings must be made through the court system in order to be transmitted to
5 the judgment creditor. Therefore, it is the intent of *I Liheslaturan Guåhan* to
6 facilitate the ease and efficiency of processing levies upon earnings, by
7 amending §23112 and §23203 of Title 7, Guam Code Annotated, to allow for
8 remittances directly to the judgment creditor or the judgment creditor's
9 attorney.

10 **Section 2.** Section 23112 of Article 1, Chapter 23, Division 2, Title 7,
11 Guam Code Annotated, is hereby *amended* to read:

1 “Except in the case of a levy on earnings, tThe marshall must
2 execute the writ against the property of the judgment debtor, by levying
3 on a sufficient amount of property, if there be sufficient, collecting or
4 selling the things in action, and selling the other property and paying to
5 the plaintiff or his attorney so much of the proceeds as will satisfy the
6 judgment. Any excess in the proceeds over the judgment and accrued
7 costs must be returned to the judgment debtor, unless otherwise
8 directed by the judgment or order of the court. When there is more
9 property of the judgment debtor than is sufficient to satisfy the
10 judgment and accrued costs within the view of the marshal, he must
11 levy only on such part of the property as the judgment debtor may
12 indicate, if the property indicated be amply sufficient to satisfy the
13 judgment and costs.”

14 **Section 3.** Section 23203 of Article 2, Chapter 23, Division 2, Title 7,
15 Guam Code Annotated, is hereby *amended* to read:

16 **“§23203. Payment of Debtor of Judgment Debtor.**

17 (a)After the issuing of an execution against property and
18 before its return, any person indebted to the judgment
19 debtor may pay to the marshal the amount of his debt, or
20 so much thereof as may be necessary to satisfy the
21 execution, and the marshal's receipt is a sufficient
22 discharge for the amount so paid.

1 (b)Notwithstanding subsection (a), in the case of a levy on
2 earnings, the employer shall remit the earnings levied
3 upon directly to the judgment creditor or the judgment
4 creditor's attorney. Upon satisfaction of the judgment
5 amount, the judgment creditor or the judgment creditor's
6 attorney shall file a satisfaction of judgment with the
7 court and serve such document upon the employer."

8 **Section 4. Effective Date.** This Act shall be effective upon enactment.



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY

I Mina'Trentai Unu na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
CHAIRMAN

FRIDAY, JULY 13, 2012

Bill No. 477-31 (COR) – AN ACT TO AMEND §23112 OF ARTICLE 1 AND §23203 OF ARTICLE 2, BOTH OF CHAPTER 23, DIVISION 2, TITLE 7, GUAM CODE ANNOTATED, RELATIVE TO LEVIES ON EARNINGS. – sponsored by Senator Adolpho B. Palacios, Sr.

NAME (Please Print)	AGENCY/ORGANIZATION	CONTACT NUMBER	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	NOT IN FAVOR
Geri Cepeda	Judiciary	477-7623	J	✓	✓	
Bruce Bradley	Judiciary	475-3118	J		✓	
Joshua F. Tenorio	Judiciary	475-3278	✓	✓	✓	



Judiciary of Guam

ADMINISTRATIVE OFFICE OF THE COURTS
120 WEST O'BRIEN DRIVE, HAGÄTÑA, GUAM 96910-5174
TEL: (671) 475-3544 / FAX: (671) 477-3184



F. PHILIP CARBULLIDO
CHIEF JUSTICE

ALBERTO C. LAMORENA III
PRESIDING JUDGE

PERRY C. TAITANO
ADMINISTRATOR OF THE COURTS

July 13, 2012

The Honorable Adolpho B. Palacios, Sr.
Chairman
Committee on Public Safety, Law Enforcement, and Judiciary
I Mina' Trentai Unu Na Liheslaturan Guåhan
155 Hesler Place
Hagåtña, Guam 96910

Dear Chairman Palacios:

Thank you for introducing Bill No. 477-31(COR), AN ACT TO AMEND §23112 OF ARTICLE 1 AND §23203 OF ARTICLE 2, BOTH OF CHAPTER 23, DIVISION 2, TITLE 7, GUAM CODE ANNOTATED, RELATIVE TO LEVIES ON EARNINGS, at the request of the Judiciary.

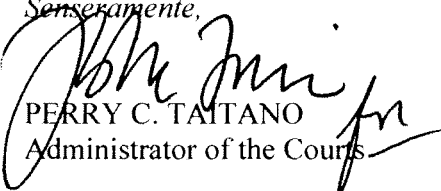
If passed into law, Bill 477-31(COR) would amend 7 GCA 23112 and 23203 to make clear that a wage garnishee is not required to remit earnings to the marshal as opposed to the judgment creditor. Section 23112 currently requires that the marshal collect and then pay the plaintiff.

An informal subcommittee on wage garnishment procedures recommended the language contained in Bill 477-31(COR). The subcommittee is chaired by Justice Robert J. Torres and is made up of local debtor/creditor attorneys and judiciary staff. The members include Attorneys Oliver Bordallo, Mark Beggs, Terry Brooks, Charles McDonald, Michael Berman and Ray Haddock, Guam Bar Association Executive Director Bruce Bradley, Compiler of Laws Geri Cepeda, Superior Court Clerk of Court Richard Martinez, Deputy Clerk of Court Jessica Cruz and Court Controller Anthony Meno.

After looking closely at the statute, our subcommittee on wage garnishment concluded there was no discretion to allow direct payments to the judgment creditor rather than the marshal. The net effect of having the marshal "collect" the money instead of allowing direct payment to the creditor or the creditor's attorney is inefficiency, delay and increased transaction costs.

Our financial management division spends a significant amount of time each month processing payments with no direct benefit to the judiciary. Passage of this legislation would remove an unfunded mandate to perform these unnecessary services.

Sensesamento,


PERRY C. TAITANO
Administrator of the Courts

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

OFFICE OF THE GOVERNOR

Post Office Box 2950, Hagåtña Guam 96932

EDDIE BAZA CALVO
GOVERNOR**RAY TENORIO**
LIEUTENANT GOVERNOR**JOHN A. RIOS**
DIRECTOR**STEPHEN J. GUERRERO**
DEPUTY DIRECTOR

JUL 10 2012

Senator Rory J. Respicio
Chairperson, Committee on Rules
I Mina'trentai Unu na Liheslaturan Guåhan
The 31st Guam Legislature
155 Hesler Place
Hagåtña, Guam 96932

Hafa Adai Senator Respicio:

Transmitted herewith are Fiscal Notes on the following Bill Nos.: 476-31(COR) and 477-31(COR).

If you have any question(s), please do not hesitate to call the office at 475-9412/9106.

JOHN A. RIOS

Enclosures

cc: Senator Vicente (ben) Pangelinan

Bureau of Budget & Management Research
Fiscal Note of Bill No. 477-31(COR)

AN ACT TO AMEND §23112 OF ARTICLE 1 AND §23203 OF ARTICLE 2, BOTH OF CHAPTER 23, DIVISION 2, TITLE 7, GUAM CODE ANNOTATED, RELATIVE TO LEVIES ON EARNINGS.

Department/Agency Appropriation Information

Dept./Agency Affected: Judiciary of Guam	Dept./Agency Head: Chief Justice, F. Philip Carbullido
Department's General Fund (GF) appropriation(s) to date:	24,738,596
Department's Other Fund (Specify) appropriation(s) to date:	145,000
Total Department/Agency Appropriation(s) to date:	\$24,883,596

Fund Source Information of Proposed Appropriation

	General Fund:	(Specify Special Fund):	Total:
FY 2011 Unreserved Fund Balance ¹		\$0	\$0
FY 2012 Adopted Revenues	\$0	\$0	\$0
FY 2012 Appro. (P.L. 31-75 & 31-77)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill

	One Full Fiscal Year	For Remainder of FY 2012 (if applicable)	FY 2013	FY 2014	FY 2015	FY 2016
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
Total	1/	\$0	\$0	\$0	\$0	\$0

1. Does the bill contain "revenue generating" provisions?

If Yes, see attachment

/ / Yes /x/ No

2. Is amount appropriated adequate to fund the intent of the appropriation?

/x/ N/A

/ / Yes / / No

If no, what is the additional amount required? \$ _____

/x/ N/A

3. Does the Bill establish a new program/agency?

/ / Yes /x/ No

If yes, will the program duplicate existing programs/agencies?

/x/ N/A

/ / Yes / / No

Is there a federal mandate to establish the program/agency?

/ / Yes /x/ No

4. Will the enactment of this Bill require new physical facilities?

/ / Yes /x/ No

5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason:

/ / Yes /x/ No*

/ / Requested agency comments not received by due date

/ / Other: _____

*Due to other budgetary priorities and impending deadline, insufficient time to coordinate with affected agency.

Analyst: 129

Date: 6/27/12

Director: [Signature]

John A. Rios, Director

Date:

JUL 06 2012

Footnotes:

1/ The Bill may provide potential cost savings to the Judiciary of Guam. However, in its present form, that impact cannot be determined at this time.



COMMITTEE ON RULES

I Mina'trentai Unu na Liheslaturan Guåhan • The 31st Guam Legislature

155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com

E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Judith P. Guthertz
VICE CHAIRPERSON
ASST. MAJORITY LEADER

MAJORITY MEMBERS:

Speaker
Judith T. Won Pat

Vice Speaker
Benjamin J. F. Cruz

Senator
Tina Rose Muña Barnes
LEGISLATIVE SECRETARY
MAJORITY WHIP

Senator
Dennis G. Rodriguez, Jr.
ASST. MAJORITY WHIP

Senator
Thomas C. Ada

Senator
Adolpho B. Palacios, Sr.

Senator
vicente c. pangelinan

MINORITY MEMBERS:

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

Senator
Christopher M. Duenas

June 22, 2012

MEMORANDUM

To: Pat Santos
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Rory J. Respicio
Majority Leader & Rules Chair

Subject: Referral of Bill Nos. 475-31 (COR) thru 477-31 (COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 474-31 (COR) through 477-31 (COR).

Please ensure that the subject bills are referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Unu na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

Si Yu'os Ma'åse!

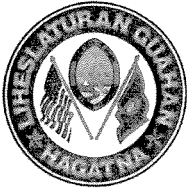
(3) Attachment

01/17

I Mina Trentai Unu Na Liheslaturan Guahan

Bill Log Sheet

BILL NOS.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	120 DAY DEADLINE	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	STATUS
477-31 (COR)	Adolpho B. Palacios, Sr.	AN ACT TO AMEND §23112 OF ARTICLE 1 AND §23203 OF ARTICLE 2, BOTH OF CHAPTER 23, DIVISION 2, TITLE 7, GUAM CODE ANNOTATED, RELATIVE TO LEVIES ON EARNINGS.	06/21/12 9:34 a.m.	6/22/12		Committee on Public Safety, Law Enforcement, and Judiciary			



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina'Trentai Unu Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.

Chairman

PRESS RELEASE

**FIRST NOTICE OF PUBLIC HEARING
FRIDAY, JULY 13, 2012**

**FOR IMMEDIATE RELEASE
(Hagåtña, Guam – July 3, 2012)**

In accordance with the Open Government Law, Public Law No. 24-109, relative to notice for public meetings, please be advised that the Committee on Public Safety, Law Enforcement and Judiciary will be conducting a Public Hearing beginning at **9:00 a.m., Friday, July 13, 2012** at *I Liheslaturan Guåhan's* **Public Hearing Room** in *Hagåtña*, based on the following schedule:

- **Bill No. 476-31 (COR)** - AN ACT TO ADD A NEW SUBSECTION (i) TO §28.40 OF ARTICLE 2, CHAPTER 28, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO DEFINING THE TERM "PORNOGRAPHIC". - by Senator Adolpho B. Palacios, Sr.
- **Bill No. 477-31 (COR)** - AN ACT TO AMEND §23112 OF ARTICLE 1 AND §23203 OF ARTICLE 2, BOTH OF CHAPTER 23, DIVISION 2, TITLE 7, GUAM CODE ANNOTATED, RELATIVE TO LEVIES ON EARNINGS. - by Senator Adolpho B. Palacios, Sr.
- **Bill No. 482-31 (COR)** - AN ACT TO AMEND §§25.01.20, 25.01.30 AND 25.01.40 OF CHAPTER 25.01, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE SOLICITATION OF CHILDREN AND CHILD PORNOGRAPHY. - by Senator Adolpho B. Palacios, Sr.

Copies of the aforementioned Bills may be obtained thru Senator Palacios' website at www.senatorpalacios.com. Testimonies should be addressed to Senator Adolpho B. Palacios, Sr., Chairperson, and will be accepted via hand delivery to our office, our mailbox at the main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96910, or via email: senator@senatorpalacios.com, or via facsimile to (671) 472-5022. Individuals requiring special accommodations or services, or for more information, please contact Jennifer Dulla at (671) 472-5047/5048.

###

Subject: First Notice of Public Hearing scheduled for July 13, 2012

From: Adolpho B. Palacios, Sr. (senator@senatorpalacios.com)

To: phnotice@guamlegislature.org;

Cc: amier@mvguam.com; clynt@spbgum.com; dcrisost@guampdn.com; dmgeorge@guampdn.com; editor@mvguam.com; egthompson@guampdn.com; jason@kuam.com; jtyquiengco@spbgum.com; kstokish@gmail.com; kstone@ite.net; life@guampdn.com; mabuhaynews@yahoo.com; mindy@kuam.com; mpieper@guampdn.com; news@guampdn.com; news@spbgum.com; nick.delgado@kuam.com; officemanager@hitradio100.com; ricknauta@hitradio100.com; rlimtiaco@guampdn.com; sabrina@kuam.com; slimtiaco@guampdn.com; therese.hart.writer@gmail.com; zita@mvguam.com;

Date: Tuesday, July 3, 2012 3:23 PM

Hafa Adai! Please see attached First Notice of Public Hearing scheduled for Friday, July 13, 2012 beginning at 9:00am in the Legislature's Public Hearing Room. Thank you for your kind attention!

*Committee on Public Safety, Law Enforcement & Judiciary
Senator Adolpho B. Palacios, Sr., Chairman
155 Hesler Place, Hagåtña, Guam 96910
477-5047/5048
477-5022 (fax)*

Broadcast Report

P 1

07/03/2012 15:06

Serial No. A02E011003085

TC: 187982

Destination	Start Time	Time	Prints	Result	Note
PDN	07-03 14:57	00:00:37	001/001	OK	
KJAM	07-03 14:58	00:00:32	001/001	OK	
PNC	07-03 14:59	00:00:22	001/001	OK	
K57	07-03 15:00	00:00:19	001/001	OK	
HIT RADIO 100	07-03 15:00	00:00:20	001/001	OK	
KSTO	07-03 15:01	00:00:43	001/001	OK	
GLIMPSES	07-03 15:02	00:00:20	001/001	OK	
MARIANAS VARIETY	07-03 15:03	00:00:20	001/001	OK	
KSTEREO/KISH	07-03 15:04	00:00:43	001/001	OK	
JOY 92 FM	07-03 15:05	00:00:19	001/001	OK	
KPRG	07-03 15:06	00:00:19	001/001	OK	

Note

TMR: Timer TX, POL: Polling, ORG: Original Size Setting, FME: Frame Erase TX,
 MIX: Mixed Original TX, CALL: Manual TX, CSRC: CSRC FWD: Forward, PC: PC-Fax,
 BND: Double-Sided Binding Direction, SP: Special original, FCODE: F-code, RTX: Re-TX,
 RLV: Relay, MBX: Confidential, BUL: Bulletin, SIP: SIP Fax, IPADR: IP Address Fax,
 I-FAX: Internet Fax

Result OK: Communication OK, S-OK: Stop Communication, PW-OFF: Power Switch OFF,
 TEL: RX from TEL, NG: Other Error, Cont: Continue, No Ans: No Answer,
 Refuse: Receipt Refused, Busy: Busy, M-Full: Memory Full,
 LOVR: Receiving length Over, POVER: Receiving page Over, FIL: File Error,
 DC: Decode Error, MDN: MDN Response Error, DSN: DSN Response Error.



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina Trental Unu Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR. *adp*
 Chairman

PRESS RELEASE

**FIRST NOTICE OF PUBLIC HEARING
 FRIDAY, JULY 13, 2012**

**FOR IMMEDIATE RELEASE
 (Hagatña, Guam – July 3, 2012)**

In accordance with the Open Government Law, Public Law No. 24-109, relative to notice for public meetings, please be advised that the Committee on Public Safety, Law Enforcement and Judiciary will be conducting a Public Hearing beginning at 9:00 a.m., Friday, July 13, 2012 at *I Liheslaturan Guåhan's* Public Hearing Room in Hagatña, based on the following schedule:

- **Bill No. 476-31 (COR)** - AN ACT TO ADD A NEW SUBSECTION (i) TO §28.40 OF ARTICLE 2, CHAPTER 28, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO DEFINING THE TERM "PORNOGRAPHIC". - by Senator Adolpho B. Palacios, Sr.
- **Bill No. 477-31 (COR)** - AN ACT TO AMEND §23112 OF ARTICLE 1 AND §23203 OF ARTICLE 2, BOTH OF CHAPTER 23, DIVISION 2, TITLE 7, GUAM CODE ANNOTATED, RELATIVE TO LEVIES ON EARNINGS. - by Senator Adolpho B. Palacios, Sr.
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Copies of the aforementioned Bills may be obtained thru Senator Palacios' website at www.senatorpalacios.com. Testimonies should be addressed to Senator Adolpho B. Palacios, Sr., Chairperson, and will be accepted via hand delivery to our office, our mailbox at the main Legislature Building at 155 Hesler Place, Hagatña, Guam 96910, or via email: senator@senatorpalacios.com, or via facsimile to (671) 472-5022. Individuals requiring special accommodations or services, or for more information, please contact Jennifer Dulla at (671) 472-5047/5048.

###



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina'Trentai Unu Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

PRESS RELEASE

FIRST NOTICE OF PUBLIC HEARING
FRIDAY, JULY 13, 2012

FOR IMMEDIATE RELEASE
(Hagatna, Guam – July 6, 2012)

In accordance with the Open Government Law, Public Law No. 24-109, relative to notice for public meetings, please be advised that the Committee on Public Safety, Law Enforcement and Judiciary will be conducting a Public Hearing beginning at **9:00 a.m., Friday, July 13, 2012** at *1 Liheslaturan Guåhan's Public Hearing Room* in *Hagåtña*, based on the following schedule:

- **Bill No. 476-31 (COR)** - AN ACT TO *ADD* A NEW SUBSECTION (i) TO §28.40 OF ARTICLE 2, CHAPTER 28, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO DEFINING THE TERM "PORNOGRAPHIC". - by Senator Adolpho B. Palacios, Sr.
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###

Subject: First Notice of Public Hearing scheduled for July 13, 2012

From: Adolpho B. Palacios, Sr. (senator@senatorpalacios.com)

To: phnotice@guamlegislature.org;
amier@mvguam.com; clynt@spbgum.com; dcrisost@guampdn.com; dmgeorge@guampdn.com;
editor@mvguam.com; egthompson@guampdn.com; jason@kuam.com; jtyquiengco@spbgum.com;
Cc: kstokish@gmail.com; kstone@ite.net; life@guampdn.com; mabuhaynews@yahoo.com; mindy@kuam.com;
mpieper@guampdn.com; news@guampdn.com; news@spbgum.com; nick.delgado@kuam.com;
officemanager@hitradio100.com; ricknauta@hitradio100.com; rlimtiaco@guampdn.com; sabrina@kuam.com;
slimtiaco@guampdn.com; therese.hart.writer@gmail.com; zita@mvguam.com;

Date: Friday, July 6, 2012 10:46 AM

PRESS RELEASE
FIRST NOTICE OF PUBLIC HEARING
FRIDAY, JULY 13, 2012

FOR IMMEDIATE RELEASE
(Hagatna, Guam – July 6, 2012)

In accordance with the Open Government Law, Public Law No. 24-109, relative to notice for public meetings, please be advised that the Committee on Public Safety, Law Enforcement and Judiciary will be conducting a Public Hearing beginning at **9:00 a.m., Friday, July 13, 2012** at ***I Liheslaturan Guåhan's Public Hearing Room*** in *Hagåtña*, based on the following schedule:

- **Bill No. 476-31 (COR)** - AN ACT TO *ADD* A NEW SUBSECTION (i) TO §28.40 OF ARTICLE 2, CHAPTER 28, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO DEFINING THE TERM "PORNOGRAPHIC". - by Senator Adolpho B. Palacios, Sr.
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###

Committee on Public Safety, Law Enforcement & Judiciary
Senator Adolpho B. Palacios, Sr., Chairman
155 Hesler Place, Hagåtña, Guam 96910
477-5047/5048
477-5022 (fax)

Broadcast Report

P 1
07/06/2012 10:33
Serial No. A02E011003085
TC: 188278

Destination	Start Time	Time	Prints	Result	Note
PDN	07-06 10:24	00:00:37	001/001	OK	
MV GUAM	07-06 10:25	00:00:19	001/001	OK	
KUAM	07-06 10:25	00:00:35	001/001	OK	
PNC	07-06 10:26	00:00:22	001/001	OK	
K57	07-06 10:27	00:00:18	001/001	OK	
HIT RADIO 100	07-06 10:27	00:00:20	001/001	OK	
KSTO	07-06 10:28	00:00:42	001/001	OK	
GLIMPSES	07-06 10:30	00:00:20	001/001	OK	
KSTEREO/KISH	07-06 10:31	00:00:42	001/001	OK	
JOY 92 FM	07-06 10:31	00:00:29	001/001	OK	
KPRG	07-06 10:32	00:00:19	001/001	OK	

Note TMR: Timer TX, POL: Polling, ORG: Original Size Setting, FME: Frame Erase TX,
MIX: Mixed Original TX, CALL: Manual TX, CSAC: CSAC, FWD: Forward, PC: PC-Fax,
BND: Double-Sided Binding Direction, SP: Special original, FCODE: F-code, RTX: Re-TX,
RLV: Relay, MEX: Confidential, BUL: Bulletin, SIP: SIP Fax, IPADR: IP Address Fax,
I-FAX: Internet Fax

Result OK: Communication OK, S-OK: Stop Communication, PW-OFF: Power Switch OFF,
TEL: RX from TEL, NG: Other Error, Cont: Continue, No Ans: No Answer,
Refuse: Receipt Refused, Busy: Busy, M-Full: Memory Full,
LOVR: Receiving length Over, POVER: Receiving page Over, FIL: File Error,
DC: Decode Error, MDN: MDN Response Error, DSN: DSN Response Error.



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina' Trental Unu Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

PRESS RELEASE

**FIRST NOTICE OF PUBLIC HEARING
FRIDAY, JULY 13, 2012**

**FOR IMMEDIATE RELEASE
(Hagatña, Guam – July 6, 2012)**

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###



Adolpho Palacios <senabpalacios@gmail.com>

Second Notice of Public Hearing scheduled for July 13, 2012

2 messages

Senator Adolpho B. Palacios, Sr. <senator@senatorpalacios.com>

Tue, Jul 10, 2012 at 3:35 PM

Bcc: jason@kuam.com, life@guampdn.com, mindy@kuam.com, news@guampdn.com, news@spbguam.com, phnotice@guamlegislature.org, sabrina@kuam.com, slimtiaco@guampdn.com, telo.taitague@guam.gov, "amier@mvguam.com" <amier@mvguam.com>, "clynt@spbguam.com" <clynt@spbguam.com>, "dcrisost@guampdn.com" <dcrisost@guampdn.com>, "dmgeorge@guampdn.com" <dmgeorge@guampdn.com>, "editor@mvguam.com" <editor@mvguam.com>, "jtyquiengco@spbguam.com" <jtyquiengco@spbguam.com>, "kstkish@gmail.com" <kstkish@gmail.com>, "mabuhaynews@yahoo.com" <mabuhaynews@yahoo.com>, "mpieper@guampdn.com" <mpieper@guampdn.com>, "nick.delgado@kuam.com" <nick.delgado@kuam.com>, "officemanager@hitradio100.com" <officemanager@hitradio100.com>, "ricknauta@hitradio100.com" <ricknauta@hitradio100.com>, "rlimtiaco@guampdn.com" <rlimtiaco@guampdn.com>, "therese.hart.writer@gmail.com" <therese.hart.writer@gmail.com>, "zita@mvguam.com" <zita@mvguam.com>, Adolpho Palacios <senator@senatorpalacios.com>, Ben Degayo <ben@senatorpalacios.com>, Berlene Taitano <berlene@senatorpalacios.com>, James Lujan <james@senatorpalacios.com>, Jason Tedtaotao <jason@senatorpalacios.com>, Jennifer Louise Dulla <jennifer@senatorpalacios.com>, Priscilla Cruz <pris@senatorpalacios.com>

PRESS RELEASE **48-HOUR NOTICE OF PUBLIC HEARING** **FRIDAY, JULY 13, 2012**

FOR IMMEDIATE RELEASE

(Hagatna, Guam – July 10, 2012)

In accordance with the Open Government Law, Public Law No. 24-109, relative to notice for public meetings, please be advised that the Committee on Public Safety, Law Enforcement and Judiciary will be conducting a Public Hearing beginning at **9:00 a.m., Friday, July 13, 2012** at **/ Liheslaturan Guåhan's Public Hearing Room** in **Hagåtña**, based on the following schedule:

- **Bill No. 476-31 (COR)** - AN ACT TO **ADD** A NEW SUBSECTION (i) TO §28.40 OF ARTICLE 2, CHAPTER 28, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO DEFINING THE TERM "PORNOGRAPHIC". - by Senator Adolpho B. Palacios, Sr.
- **Bill No. 477-31 (COR)** - AN ACT TO **AMEND** §23112 OF ARTICLE 1 AND §23203 OF ARTICLE 2, BOTH OF CHAPTER 23, DIVISION 2, TITLE 7, GUAM CODE ANNOTATED, RELATIVE TO LEVIES ON EARNINGS. – by Senator Adolpho B. Palacios, Sr.

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by Senator Adolpho B. Palacios, Sr.

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Committee on Public Safety, Law Enforcement & Judiciary
Senator Adolpho B. Palacios, Sr., Chairman
155 Hesler Place, Hagåtña, Guam 96910
477-5047/5048
477-5022 (fax)



PH NOTICE 07102012.pdf
443K

Adam S. Bearce <adam@guamlegislature.org>

Tue, Jul 10, 2012 at 4:34 PM

To: "Senator Adolpho B. Palacios, Sr." <senator@senatorpalacios.com>, Yong Pak
<yong@guamlegislature.org>

Hi. Confirmed posted.

From: senabpalacios@gmail.com [<mailto:senabpalacios@gmail.com>] **On Behalf Of** Senator Adolpho B. Palacios, Sr.

Sent: Tuesday, July 10, 2012 3:35 PM

To: undisclosed-recipients:

Subject: Second Notice of Public Hearing scheduled for July 13, 2012

[Quoted text hidden]

07/10/2012 14:27

Serial No. A02E011003085

TC: 188820

Destination	Start Time	Time	Prints	Result	Note
PDN	07-10 14:11	00:00:36	001/001	OK	
MV GUAM	07-10 14:12	00:00:18	001/001	OK	
KUAM	07-10 14:12	00:00:34	001/001	OK	
PNC	07-10 14:13	00:00:22	001/001	OK	
KS7	07-10 14:14	00:00:18	001/001	OK	
HIT RADIO 100	07-10 14:14	00:00:19	001/001	OK	
KSTO	07-10 14:15	00:00:41	001/001	OK	
MARIANAS VARIETY	07-10 14:17	00:00:18	001/001	OK	
KSTEREO/KISH	07-10 14:18	00:00:42	001/001	OK	
JOY 92 FM	07-10 14:19	00:00:27	001/001	OK	
KPRG	07-10 14:20	00:00:18	001/001	OK	
Gov.	07-10 14:22	00:00:18	001/001	OK	
Lt. Gov.	07-10 14:22	00:00:20	001/001	OK	
GLIMPSES	07-10 14:26	00:00:19	001/001	OK	
GUAM BROADCASTING SE	07-10 14:26	00:00:56	000/001	No Ans	

Note

TMR: Timer TX, POL: Polling, ORG: Original Size Setting, FME: Frame Erase TX,
 MIX: Mixed Original TX, CALL: Manual TX, CSRC: CSRC, FWD: Forward, PC: PC-Fax,
 BND: Double-Sided Binding Direction, SP: Special original, FCODE: F-code, RTX: Re-TX,
 RLV: Relay, MBX: Confidential, BUL: Bulletin, SIP: SIP Fax, IPADR: IP Address Fax,
 I-FAX: Internet Fax

Result OK: Communication OK, S-OK: Stop Communication, PW-OFF: Power Switch OFF,
 TEL: RX from TEL, NG: Other Error, Cont: Continue, No Ans: No Answer,
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COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina' Trental Uno Na Liheslaturan Guahan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

PRESS RELEASE

48-HOUR NOTICE OF PUBLIC HEARING
FRIDAY, JULY 13, 2012

FOR IMMEDIATE RELEASE
(Hagatna, Guam – July 10, 2012)

In accordance with the Open Government Law, Public Law No. 24-109, relative to notice for public meetings, please be advised that the Committee on Public Safety, Law Enforcement and Judiciary will be conducting a Public Hearing beginning at 9:00 a.m., Friday, July 13, 2012 at *I Liheslaturan Guahan's* Public Hearing Room in Hagatna, based on the following schedule:

- **Bill No. 476-31 (COR) - AN ACT TO ADD A NEW SUBSECTION (i) TO §28.40 OF ARTICLE 2, CHAPTER 28, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO DEFINING THE TERM "PORNOGRAPHIC".** - by Senator Adolpho B. Palacios, Sr.
- **Bill No. 477-31 (COR) - AN ACT TO AMEND §23112 OF ARTICLE 1 AND §23203 OF ARTICLE 2, BOTH OF CHAPTER 23, DIVISION 2, TITLE 7, GUAM CODE ANNOTATED, RELATIVE TO LEVIES ON EARNINGS.** - by Senator Adolpho B. Palacios, Sr.
- **Bill No. 482-31 (COR) - AN ACT TO AMEND §§25.01.20, 25.01.30 AND 25.01.40 OF CHAPTER 25.01, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE SOLICITATION OF CHILDREN AND CHILD PORNOGRAPHY.** - by Senator Adolpho B. Palacios, Sr.

Copies of the aforementioned Bills may be obtained thru Senator Palacios' website at www.senatorpalacios.com. Testimonies should be addressed to Senator Adolpho B. Palacios, Sr., Chairperson, and will be accepted via hand delivery to our office, our mailbox at the main Legislature Building at 155 Hesler Place, Hagatna, Guam 96910, or via email: senator@senatorpalacios.com, or via facsimile to (671) 472-5022. Individuals requiring special accommodations or services, or for more information, please contact Jennifer Dulla at (671) 472-5047/5048.



Thirty-First
Guam Legislature

Committee Members:

Senator Thomas C. Ada
Vice Chairman

Speaker Judith T. Won Pat, Ph.D.
Member

Senator Tina R. Muña-Barnes
Member

Senator Judith P. Guthertz, DPA
Member

Senator Rory J. Respicio
Member

Senator Dennis G. Rodriguez, Jr.
Member

Senator V. Anthony Ada
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Senator Christopher M. Duenas
Member

Senator Mana Silva Tajeron
Member

Senator Aline A. Yamashita, Ph.D.
Member

*Other Committee
Membership:*

Vice Chairman, Committee on
Utilities, Transportation, Public
Works and Veterans Affairs

Vice Chairman, Committee on
Health and Human Services,
Senior Citizens, Economic
Development and Election
Reform

Member, Committee on
Education and Public Libraries

Member, Committee on Rules,
Federal, Foreign & Micronesian
Affairs and Human & Natural
Resources

Member, Committee on Guam
Military Buildup and Homeland
Security

Member, Committee on
Municipal Affairs, Tourism,
Housing and Recreation

COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY

I Mina'Trentai Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.

Chairman

July 3, 2012

The Honorable Leonardo Rapadas
Attorney General
Office of the Attorney General of Guam
287 W. O'Brien Drive
Hagåtña, Guam 96910

RE: Notice of Public Hearing Scheduled for July 13, 2012

Håfa adai, Attorney General Rapadas:

The Committee on Public Safety, Law Enforcement and Judiciary ("Committee") has scheduled a public hearing on **Friday, July 13, 2012**, beginning at **9:00 a.m.**, at the Legislative Hearing Room in *Hagåtña*. Included on the agenda are the following bills which concern the Office of the Attorney General of Guam:

1. **Bill No. 476-31 (COR):** An Act to *add* a new subsection (i) to §28.40 of Article 2, Chapter 28, Title 9, Guam Code Annotated, Relative to Defining the term "Pornographic".;
2. **Bill No. 477-31 (COR):** An Act to *amend* §23112 of Article 1 and §23203 of Article 2, Both of Chapter 23, Division 2, Title 7, Guam Code Annotated, Relative to levies on earnings.; and,
3. **Bill No. 482-31 (COR):** An Act to *amend a* §§25.01.20 25.01.30 and 25.01.40 of Chapter 25.01, Title 9, Guam Code Annotated, Relative to the solicitation of children and child pornography.

The Committee invites the Office of the Attorney General of Guam to provide testimony relative to the bills referenced above. If you are unable to attend, a written comment would be appreciated. For your convenience, a copy of the aforementioned bills may be viewed via *I Liheslaturan Guåhan's* website: www.guamlegislature.com/31st_bills_intro.

Should you have questions regarding this matter, please contact me directly at 688-2671 or thru e-mail at senator@senatorpalacios.com.

Senseramente,

ADOLPHO B. PALACIOS, SR., MPA, BS/CJA
Chairman

Office/Mailing Address: 155 Hesler Place, Hagåtña, Guam 96910

Telephone No. (671) 472-5047/5048 • Fax No. (671) 472-5022

Email: senator@senatorpalacios.com • Website: www.senatorpalacios.com

TX Result Report

P 1

07/03/2012 15:39

Serial No. A02ED11003085

TC: 187987

Destination	Start Time	Time	Prints	Result	Note
AGO	07-03 15:38	00:00:23	001/001	OK	

Note

TMR: Timer TX, POL: Polling, ORG: Original Size Setting, FME: Frame Erase TX,
 MR: Mixed Original TX, CALL: Manual TX, CSRC: CSRC, FDB: Forward, PC: PC Fax,
 BND: Double-Sided Binding Direction, SP: Special Original, FCODE: F-code, RTX: Re-TX,
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 TEL: RX from TEL, NG: Other Error, Cont: Continue, No Ans: No Answer,
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Thirty-First
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 Senator Dennis G. Rodriguez, Jr.
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 Senator Mane Silva Taljeron
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 Senator Aline A. Yamashita, Ph.D.
Member

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COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina'Trental Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

July 3, 2012

The Honorable Leonardo Rapadas
 Attorney General
 Office of the Attorney General of Guam
 287 W. O'Brien Drive
 Hagåtña, Guam 96910

RE: Notice of Public Hearing Scheduled for July 13, 2012

Håfa adai, Attorney General Rapadas:

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- Bill No. 476-31 (COR):** An Act to *add* a new subsection (i) to §28.40 of Article 2, Chapter 28, Title 9, Guam Code Annotated, Relative to Defining the term "Pornographic";
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- Bill No. 482-31 (COR):** An Act to *amend* a §§25.01.20 25.01.30 and 25.01.40 of Chapter 25.01, Title 9, Guam Code Annotated, Relative to the solicitation of children and child pornography.

The Committee invites the Office of the Attorney General of Guam to provide testimony relative to the bills referenced above. If you are unable to attend, a written comment would be appreciated. For your convenience, a copy of the aforementioned bills may be viewed via *I Liheslaturan Guåhan's* website: www.guamlegislature.com/31st_bills_intro.

Should you have questions regarding this matter, please contact me directly at 688-2671 or thru e-mail at senator@senatorpalacios.com.

Senseramente,

ADOLPHO B. PALACIOS, SR., MPA, BS/CJA
 Chairman

Office/Mailing Address: 155 Hester Place, Hagåtña, Guam 96910
 Telephone No. (671) 472-5047/5048 • Fax No. (671) 472-5022
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Reform

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COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY

I Mina'Trentai Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.

Chairman

July 3, 2012

Cynthia Ecube, Esq.
President
Guam Bar Association
Guam Judicial Center
Hagåtña, Guam 96910

RE: Notice of Public Hearing Scheduled for July 13, 2012

Håfa adai, Attorney Ecube:


The Committee on Public Safety, Law Enforcement and Judiciary ("Committee") has scheduled a public hearing on **Friday, July 13, 2012**, beginning at **9:00 a.m.**, at the Legislative Hearing Room in *Hagåtña*. Included on the agenda are the following bills which concern the Guam Bar Association:

1. **Bill No. 476-31 (COR):** An Act to *add* a new subsection (i) to §28.40 of Article 2, Chapter 28, Title 9, Guam Code Annotated, Relative to Defining the term "Pornographic".;
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3. **Bill No. 482-31 (COR):** An Act to *amend* a §§25.01.20 25.01.30 and 25.01.40 of Chapter 25.01, Title 9, Guam Code Annotated, Relative to the solicitation of children and child pornography.

The Committee invites the Guam Bar Association to provide testimony relative to the bills referenced above. If you are unable to attend, a written comment would be appreciated. For your convenience, a copy of the aforementioned bills may be viewed via *I Liheslaturan Guåhan's* website: www.guamlegislature.com/31st_bills_intro.

Should you have questions regarding this matter, please contact me directly at 688-2671 or thru e-mail at senator@senatorpalacios.com.

Senseramente,


ADOLPHO B. PALACIOS, SR., MPA, BS/CJA
Chairman

Office/Mailing Address: 155 Hesler Place, Hagåtña, Guam 96910

Telephone No. (671) 472-5047/5048 • Fax No. (671) 472-5022

Email: senator@senatorpalacios.com • Website: www.senatorpalacios.com

TX Result Report

P 1

07/03/2012 15:41

Serial No. A02E011003085

TC: 187988

Destination	Start Time	Time	Prints	Result	Note
Guam Bar	07-03 15:41	00:00:20	001/001	OK	

Note

TMR: Timer TX, POL: Polling, ORG: Original Size Setting, FME: Frame Erase TX,
 MIX: Mixed Original TX, CALL: Manual TX, CSRC: CSRC, FWD: Forward, PC: PC-Fax,
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 I-FAX: Internet Fax

Result

OK: Communication OK, S-OK: Stop Communication, PW-OFF: Power Switch OFF,
 TEL: RX from TEL, NG: Other Error, Cont: Continue, No Ans: No Answer,
 Refuse: Receipt Refused, Busy: Busy, M-Full: Memory Full,
 LOVR: Receiving length Over, POVER: Receiving page Over, FIL: File Error,
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Thirty-First
Guam Legislature

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COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina Trental Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

July 3, 2012

Cynthia Ecube, Esq.
President
 Guam Bar Association
 Guam Judicial Center
 Hagåtña, Guam 96910

RE: Notice of Public Hearing Scheduled for July 13, 2012

Håfa adai, Attorney Ecube:

The Committee on Public Safety, Law Enforcement and Judiciary ("Committee") has scheduled a public hearing on **Friday, July 13, 2012, beginning at 9:00 a.m.**, at the Legislative Hearing Room in *Hagåtña*. Included on the agenda are the following bills which concern the Guam Bar Association:

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Should you have questions regarding this matter, please contact me directly at 688-2671 or thru e-mail at senator@senatorpalacios.com.

Senseramente,

Adolpho B. Palacios, Sr.
ADOLPHO B. PALACIOS, SR., MPA, BS/CJA
 Chairman

Office/Mailing Address: 155 Hesler Place, Hagåtña, Guam 96910
 Telephone No. (671) 472-5047/5048 • Fax No. (671) 472-5022
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Thirty-First
Guam Legislature

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Senior Citizens, Economic
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Reform

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Military Buildup and Homeland
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Municipal Affairs, Tourism,
Housing and Recreation

COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY

I Mina'Trentai Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.

Chairman

July 3, 2012

Perry Taitano
Administrator of the Courts
Unified Judiciary of Guam
120 W. O'Brien Drive
Hagåtña, Guam 96910

RE: Notice of Public Hearing Scheduled for July 13, 2012

Håfa adai, Mr. Taitano:

The Committee on Public Safety, Law Enforcement and Judiciary ("Committee") has scheduled a public hearing on **Friday, July 13, 2012**, beginning at **9:00 a.m.**, at the Legislative Hearing Room in *Hagåtña*. Included on the agenda are the following bills which concern the Unified Judiciary of Guam:

1. **Bill No. 476-31 (COR):** An Act to *add* a new subsection (i) to §28.40 of Article 2, Chapter 28, Title 9, Guam Code Annotated, Relative to Defining the term "Pornographic".;
2. **Bill No. 477-31 (COR):** An Act to *amend* §23112 of Article 1 and §23203 of Article 2, Both of Chapter 23, Division 2, Title 7, Guam Code Annotated, Relative to levies on earnings.; and,
3. **Bill No. 482-31 (COR):** An Act to *amend* a §§25.01.20 25.01.30 and 25.01.40 of Chapter 25.01, Title 9, Guam Code Annotated, Relative to the solicitation of children and child pornography.

The Committee invites the Unified Judiciary of Guam to provide testimony relative to the bills referenced above. If you are unable to attend, a written comment would be appreciated. For your convenience, a copy of the aforementioned bills may be viewed via *I Liheslaturan Guåhan's* website: www.guamlegislature.com/31st_bills_intro.

Should you have questions regarding this matter, please contact me directly at 688-2671 or thru e-mail at senator@senatorpalacios.com.

Senseramente,

ADOLPHO B. PALACIOS, SR., MPA, BS/CJA
Chairman

Office/Mailing Address: 155 Hesler Place, Hagåtña, Guam 96910

Telephone No. (671) 472-5047/5048 • Fax No. (671) 472-5022

Email: senator@senatorpalacios.com • Website: www.senatorpalacios.com

TX Result Report

P 1
07/03/2012 15:55
Serial No. A02E011003085
TC: 187999

Destination	Start Time	Time	Prints	Result	Note
Court Admin	07-03 15:55	00:00:20	001/001	OK	

Note TMR: Timer TX, POL: Polling, ORG: Original Size Setting, FME: Frame Erase TX,
MIX: Mixed Original TX, CALL: Manual TX, CSRC: CSRC, FWD: Forward, PC: PC-Fax,
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COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina Trental Uno Na Liheslaturan Guåhan

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Chairman

July 3, 2012

Perry Taitano
Administrator of the Courts
Unified Judiciary of Guam
120 W. O'Brien Drive
Hagåtña, Guam 96910

RE: Notice of Public Hearing Scheduled for July 13, 2012

Håfa adai, Mr. Taitano:

The Committee on Public Safety, Law Enforcement and Judiciary ("Committee") has scheduled a public hearing on **Friday, July 13, 2012**, beginning at **9:00 a.m.**, at the Legislative Hearing Room in *Hagåtña*. Included on the agenda are the following bills which concern the Unified Judiciary of Guam:

- Bill No. 476-31 (COR):** An Act to *add* a new subsection (i) to §28.40 of Article 2, Chapter 28, Title 9, Guam Code Annotated, Relative to Defining the term "Pornographic".;
- Bill No. 477-31 (COR):** An Act to *amend* §23112 of Article 1 and §23203 of Article 2, Both of Chapter 23, Division 2, Title 7, Guam Code Annotated, Relative to levies on earnings.; and,
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Senseramente,

ADOLPHO B. PALACIOS, SR., MPA, BS/CJA
Chairman

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COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY

I Mina'Trentai Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.

Chairman

July 3, 2012

Eric D. Miller
Executive Director
Public Defender Services Corporation
Sinajana, Guam 96910

RE: Notice of Public Hearing Scheduled for July 13, 2012

Håfa adai, Mr. Miller:


The Committee on Public Safety, Law Enforcement and Judiciary ("Committee") has scheduled a public hearing on **Friday, July 13, 2012**, beginning at **9:00 a.m.**, at the Legislative Hearing Room in *Hagåtña*. Included on the agenda are the following bills which concern the Public Defender Services Corporation of Guam:

1. **Bill No. 476-31 (COR):** An Act to *add* a new subsection (i) to §28.40 of Article 2, Chapter 28, Title 9, Guam Code Annotated, Relative to Defining the term "Pornographic".;
2. **Bill No. 477-31 (COR):** An Act to *amend* §23112 of Article 1 and §23203 of Article 2, Both of Chapter 23, Division 2, Title 7, Guam Code Annotated, Relative to levies on earnings.; and,
3. **Bill No. 482-31 (COR):** An Act to *amend* a §§25.01.20 25.01.30 and 25.01.40 of Chapter 25.01, Title 9, Guam Code Annotated, Relative to the solicitation of children and child pornography.

The Committee invites the Public Defender Services Corporation of Guam to provide testimony relative to the bills referenced above. If you are unable to attend, a written comment would be appreciated. For your convenience, a copy of the aforementioned bills may be viewed via *I Liheslaturan Guåhan's* website: www.guamlegislature.com/31st_bills_intro.

Should you have questions regarding this matter, please contact me directly at 688-2671 or thru e-mail at senator@senatorpalacios.com.

Senseramente,


ADOLPHO B. PALACIOS, SR., MPA, BS/CJA
Chairman

TX Result Report

P 1
07/03/2012 15:46
Serial No. A02E011003085
TC: 187996

Destination	Start Time	Time	Prints	Result	Note
Public Defender	07-03 15:45	00:00:29	001/001	OK	

Note TMR: Timer TX, POL: Polling, ORG: Original Size Setting, FME: Frame Erase TX,
MIX: Mixed Original TX, CALL: Manual TX, CSRC: CSRC, FWD: Forward, PC: PC-Fax,
BND: Double-Sided Binding Direction, SP: Special Original, FCODE: F-code, RTX: Re-TX,
RLY: Relay, MBX: Confidential, BUL: Bulletin, SIP: SIP Fax, IPADR: IP Address Fax,
I-FAX: Internet Fax

Result OK: Communication OK, S-OK: Stop Communication, PW-OFF: Power Switch OFF,
TEL: RX from TEL, NG: Other Error, Cont: Continue, No Ans: No Answer,
Refuse: Receipt Refused, Busy: Busy, M-Full: Memory Full,
LOVR: Receiving length Over, POVER: Receiving page Over, FIL: File Error,
DC: Decode Error, MDN: MDN Response Error, DSN: DSN Response Error.



Thirty-First
Guam Legislature

Committee Members:

Senator Thomas C. Ada
Vice Chairman
Speaker Judith T. Won Pat, Ph.D.
Member
Senator Tina R. Muña-Barnes
Member
Senator Judith P. Gutierrez, DPA
Member
Senator Rory J. Respicio
Member
Senator Dennis G. Rodriguez, Jr.
Member
Senator V. Anthony Ada
Member
Senator Christopher M. Duenas
Member
Senator Mane Silva Taljeron
Member
Senator Aline A. Yameshita, Ph.D.
Member

Other Committee Membership:

Vice Chairman, Committee on
Utilities, Transportation, Public
Works and Veterans Affairs
Vice Chairman, Committee on
Health and Human Services,
Senior Citizens, Economic
Development and Election
Reform
Member, Committee on
Education and Public Libraries
Member, Committee on Rules,
Federal, Foreign & Micronesian
Affairs and Human & Natural
Resources
Member, Committee on Guam
Military Buildup and Homeland
Security
Member, Committee on
Municipal Affairs, Tourism,
Housing and Recreation

COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY *I Mina Trental Uno Na Liheslaturan Guåhan*

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

July 3, 2012

Eric D. Miller
Executive Director
Public Defender Services Corporation
Sinajana, Guam 96910

RE: Notice of Public Hearing Scheduled for July 13, 2012

Håfa adai, Mr. Miller:

The Committee on Public Safety, Law Enforcement and Judiciary ("Committee") has scheduled a public hearing on **Friday, July 13, 2012**, beginning at **9:00 a.m.**, at the Legislative Hearing Room in *Hagåtña*. Included on the agenda are the following bills which concern the Public Defender Services Corporation of Guam:

- Bill No. 476-31 (COR):** An Act to *add* a new subsection (i) to §28.40 of Article 2, Chapter 28, Title 9, Guam Code Annotated, Relative to Defining the term "Pornographic".;
- Bill No. 477-31 (COR):** An Act to *amend* §23112 of Article 1 and §23203 of Article 2, Both of Chapter 23, Division 2, Title 7, Guam Code Annotated, Relative to levies on earnings.; and,
- Bill No. 482-31 (COR):** An Act to *amend* a §§25.01.20 25.01.30 and 25.01.40 of Chapter 25.01, Title 9, Guam Code Annotated, Relative to the solicitation of children and child pornography.

The Committee invites the Public Defender Services Corporation of Guam to provide testimony relative to the bills referenced above. If you are unable to attend, a written comment would be appreciated. For your convenience, a copy of the aforementioned bills may be viewed via *I Liheslaturan Guåhan's* website: www.guamlegislature.com/31st_bills_intro.

Should you have questions regarding this matter, please contact me directly at 688-2671 or thru e-mail at senator@senatorpalacios.com.

Senseramente,

ADOLPHO B. PALACIOS, SR., MPA, BS/CJA
Chairman



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COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina'Trentai Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

July 3, 2012

David Leddy
President
Guam Chamber of Commerce
173 Aspinall Avenue, Suite 101, Ada Plaza Center
Hagåtña, GU 96910

RE: Notice of Public Hearing Scheduled for July 13, 2012

Håfa adai, Mr. Leddy:

The Committee on Public Safety, Law Enforcement and Judiciary ("Committee") has scheduled a public hearing on **Friday, July 13, 2012**, beginning at **9:00 a.m.**, at the Legislative Hearing Room in *Hagåtña*. Included on the agenda is the following bill which concerns the membership of the Guam Chamber of Commerce:

Bill No. 478-31 (COR): An Act to *amend* §23112 of Article 1 and §23203 of Article 2, Both of Chapter 23, Division 2, Title 7, Guam Code Annotated, Relative to levies on earnings.

For your information, Section 3 of Bill No. 478-31 (COR) proposes to require that creditors notify employers when a judgement of the Court, which involves a levy on earnings, is satisfied.

The Committee invites the Guam Chamber of Commerce to provide testimony relative to the bill referenced above. If you are unable to attend, a written comment would be appreciated. For your convenience, a copy of the aforementioned bill may be viewed via *I Liheslaturan Guåhan's* website: www.guamlegislature.com/31st_bills_intro.

Should you have questions regarding this matter, please contact me directly at 688-2671 or thru e-mail at senator@senatorpalacios.com.

Senseramente,


ADOLPHO B. PALACIOS, SR., MPA, BS/CJA
Chairman

TX Result Report

P 1

07/03/2012 15:43

Serial No. A02E011003085

TC: 187993

Destination	Start Time	Time	Prints	Result	Note
GCOC	07-03 15:43	00:00:20	001/001	OK	

Note

TMR: Timer TX, POL: Polling, ORG: Original Size Setting, FME: Frame Erase TX,
 MIX: Mixed Original TX, CALL: Manual TX, CSRC: CSRC, FWD: Forward, PC: PC-Fax,
 BND: Double-Sided Binding Direction, SP: Special original, FCODE: F-code, RTX: Re-TX,
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 I-FAX: Internet Fax

Result

OK: Communication OK, S-OK: Stop Communication, PW-OFF: Power Switch OFF,
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COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina Trental Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

July 3, 2012

David Leddy
President
Guam Chamber of Commerce
173 Aspinall Avenue, Suite 101, Ada Plaza Center
Hagåtña, GU 96910

RE: Notice of Public Hearing Scheduled for July 13, 2012

Håfa adai, Mr. Leddy:

The Committee on Public Safety, Law Enforcement and Judiciary ("Committee") has scheduled a public hearing on Friday, July 13, 2012, beginning at 9:00 a.m., at the Legislative Hearing Room in Hagåtña. Included on the agenda is the following bill which concerns the membership of the Guam Chamber of Commerce:

Bill No. 47¹-31 (COR): An Act to amend §23112 of Article 1 and §23203 of Article 2, Both of Chapter 23, Division 2, Title 7, Guam Code Annotated, Relative to levies on earnings.

For your information, Section 3 of Bill No. 47¹-31 (COR) proposes to require that creditors notify employers when a judgement of the Court, which involves a levy on earnings, is satisfied.

The Committee invites the Guam Chamber of Commerce to provide testimony relative to the bill referenced above. If you are unable to attend, a written comment would be appreciated. For your convenience, a copy of the aforementioned bill may be viewed via *I Liheslaturan Guåhan's* website: www.guamlegislature.com/31st_bills_intro.

Should you have questions regarding this matter, please contact me directly at 688-2671 or thru e-mail at senator@senatorpalacios.com.

Senseramente,

ADOLPHO B. PALACIOS, SR., MPA, BS/CJA
 Chairman



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina'Trentai Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

PUBLIC HEARING

FRIDAY, JULY 13, 2012

I Liheslaturan Guåhan's Public Hearing Room, Hagatña

AGENDA

- I. Call to Order**
- II. Opening Remarks/Announcements**
- III. Items for Discussion:**

9:00 am:

- **Bill No. 476-31 (COR)** – AN ACT TO *ADD* A NEW SUBSECTION (i) TO §28.40 OF ARTICLE 2, CHAPTER 28, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO DEFINING THE TERM “PORNOGRAPHIC”. – **sponsored by Senator Adolpho B. Palacios, Sr.**
- **Bill No. 477-31 (COR)** – AN ACT TO *AMEND* §23112 OF ARTICLE 1 AND §23203 OF ARTICLE 2, BOTH OF CHAPTER 23, DIVISION 2, TITLE 7, GUAM CODE ANNOTATED, RELATIVE TO LEVIES ON EARNINGS. – **sponsored by Senator Adolpho B. Palacios, Sr.**
- **Bill No. 482-31 (COR)** – AN ACT TO *AMEND* §§25.01.20, 25.01.30 AND 25.01.40 OF CHAPTER 25.01, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE SOLICITATION OF CHILDREN AND CHILD PORNOGRAPHY. – **sponsored by Senator Adolpho B. Palacios, Sr.**


- IV. Closing remarks.**
- V. Recess/Adjournment.**

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MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN
2012 (SECOND) Regular Session

Bill No. 477-31 (COR)

Introduced by:

Adolpho B. Palacios, Sr. 

**AN ACT TO AMEND §23112 OF ARTICLE 1 AND
§23203 OF ARTICLE 2, BOTH OF CHAPTER 23,
DIVISION 2, TITLE 7, GUAM CODE
ANNOTATED, RELATIVE TO LEVIES ON
EARNINGS.**

2012 JUN 21 AM 9:34


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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that under the relevant statutes, the remittances arising from levies upon
4 earnings must be made through the court system in order to be transmitted to
5 the judgment creditor. Therefore, it is the intent of *I Liheslaturan Guåhan* to
6 facilitate the ease and efficiency of processing levies upon earnings, by
7 amending §23112 and §23203 of Title 7, Guam Code Annotated, to allow for
8 remittances directly to the judgment creditor or the judgment creditor's
9 attorney.

10 **Section 2.** Section 23112 of Article 1, Chapter 23, Division 2, Title 7,
11 Guam Code Annotated, is hereby *amended* to read:

1 "Except in the case of a levy on earnings, tThe marshall must
2 execute the writ against the property of the judgment debtor, by levying
3 on a sufficient amount of property, if there be sufficient, collecting or
4 selling the things in action, and selling the other property and paying to
5 the plaintiff or his attorney so much of the proceeds as will satisfy the
6 judgment. Any excess in the proceeds over the judgment and accrued
7 costs must be returned to the judgment debtor, unless otherwise
8 directed by the judgment or order of the court. When there is more
9 property of the judgment debtor than is sufficient to satisfy the
10 judgment and accrued costs within the view of the marshal, he must
11 levy only on such part of the property as the judgment debtor may
12 indicate, if the property indicated be amply sufficient to satisfy the
13 judgment and costs."

14 **Section 3.** Section 23203 of Article 2, Chapter 23, Division 2, Title 7,
15 Guam Code Annotated, is hereby *amended* to read:

16 **"§23203. Payment of Debtor of Judgment Debtor.**

17 (a) After the issuing of an execution against property and
18 before its return, any person indebted to the judgment
19 debtor may pay to the marshal the amount of his debt, or
20 so much thereof as may be necessary to satisfy the
21 execution, and the marshal's receipt is a sufficient
22 discharge for the amount so paid.

1 (b) Notwithstanding subsection (a), in the case of a levy on
2 earnings, the employer shall remit the earnings levied
3 upon directly to the judgment creditor or the judgment
4 creditor's attorney. Upon satisfaction of the judgment
5 amount, the judgment creditor or the judgment creditor's
6 attorney shall file a satisfaction of judgment with the
7 court and serve such document upon the employer."

8 **Section 4. Effective Date.** This Act shall be effective upon enactment.