



Office of the Governor of Guam

P.O. Box 2950 Hagåtña, Guam 96932

TEL: (671) 472-8931 • FAX: (671) 477-4826 • EMAIL: governor@mail.gov.gu

Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

DEC 01 2009

2009 DEC -2 PM 2:31 me

The Honorable Judith T. Won Pat, Ed.D.
Speaker
Mina' Trenta Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

Dear Speaker Won Pat:

Transmitted herewith is Bill No. 176-30(COR) "AN ACT TO REPEAL AND REENACT §§33106, 33214 AND 33601 OF TITLE 5 GUAM CODE ANNOTATED, TO ESTABLISH A SEPARATE NOTARY PUBLIC REVOLVING FUND; TO ESTABLISH NEW FEES COLLECTED BY THE GOVERNMENT OF GUAM FOR NOTARY APPLICATIONS; AND FOR ISSUING CERTIFICATES OF AUTHENTICITY AND APOSTILLES, AND TO CLARIFY THAT APOSTILLES ARE ISSUED BY THE DIRECTOR OR DEPUTY DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION" which I signed into law on November 25, 2009 as **Public Law 30-59**.

Sinseru yan Magåhet,

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

Attachment: copy of Bill

30-09-14²¹~~20~~

Speaker
Judith T. Won Pat, Ed.D.
12/02/09
10-

6

I MINA' TRENTA NA LIHESLATURAN GUAHAN

2009 (FIRST) Regular Session

Date: 11-10-09

VOTING SHEET

Bill No. 176-30(COR)

Resolution No. _____

Question: _____

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
ADA, Thomas C.	✓				
AGUON, Frank B., Jr.	✓				
BLAS, Frank F., Jr. III		* ✓			
CALVO, Edward J.B. III		* ✓			
CRUZ, Benjamin J. F.	✓				
ESPALDON, James V.	✓				
GUTHERTZ, Judith Paulette	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera /		✓			
RECTOR, Matthew		✓			
RESPICIO, Rory J.	✓				
TAITAGUE, Telo	✓				
TENORIO, Ray III		* ✓			
WON PAT, Judith T.	✓				

TOTAL

10 5 _____

CERTIFIED TRUE AND CORRECT:


Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



**Thirtieth
Guam Legislature**

**COMMITTEE ON PUBLIC SAFETY,
LAW ENFORCEMENT & SENIOR CITIZENS**

I Mina'Trenta na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.

Chairman

August 26, 2009

The Honorable Judith T. Won Pat, Ed.D.
Speaker, I Mina'Trenta na Liheslaturan Guåhan
155 Hesler Place
Hagåtña, Guam 96910

2009 AUG 31 AM 9:41

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

RE: Committee Report – Bill No. 176-30 (COR)

Dear Speaker Won Pat:

The Committee on Public Safety, Law Enforcement & Senior Citizens, to which was referred **BILL NO. 176-30 (COR) "AN ACT TO REPEAL AND REENACT §33106, §33214, AND §33556 OF TITLE 5, GUAM CODE ANNOTATED, TO ESTABLISH A SEPARATE NOTARY PUBLIC REVOLVING FUND; TO ESTABLISH NEW FEES COLLECTED BY THE GOVERNMENT OF GUAM FOR NOTARY APPLICATIONS, AND FOR ISSUING CERTIFICATES OF AUTHENTICITY AND APOSTILLES, AND TO CLARIFY THAT APOSTILLES ARE ISSUED BY THE DIRECTOR OR DEPUTY DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION,"** hereby reports out with the recommendation **TO PASS**.

Committee votes are as follows:

<u>5</u>	TO PASS
<u> </u>	NOT TO PASS
<u>2</u>	TO REPORT OUT ONLY
<u> </u>	ABSTAIN
<u> </u>	INACTIVE FILE

Sincerely,

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

Attachments:

Office/Mailing Address: 155 Hesler Pl., Hagåtña GU 96910

Telephone No. (671) 472-5047/5048 • Fax No. (671) 472-5022 • Email: SenABPalacios@gmail.com

8-27-09 3:50 PM
Original

- Committee on Public Safety,
Law Enforcement &
Senior Citizens
Members:
- Senator Adolpho B. Palacios, Sr.
Chairman
 - Senator Ray Tenorio
Vice Chairman
 - Speaker Judith T. Won Pat
Member
 - Senator Thomas C. Ada
Member
 - Senator Frank B. Aguan, Jr.
Member
 - Senator Matt Rector
Member
 - Senator Edward J.B. Calvo
Member
 - Senator James V. Espaldon
Member

Other Committee Membership:

- Vice Chairman, Committee on Economic Development, Health and Human Services, & Judiciary
- Vice Chairman, Committee on Utilities, Transportation, Public Works, & Veterans Affairs
- Vice Chairman, Committee on Labor, the Public Structure, Public Libraries & Technology
- Member, Committee on Rules
- Member, Committee on Education



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT
& SENIOR CITIZENS

SENATOR ADOLPHO B. PALACIOS, SR.
CHAIRMAN

I Mina'Trenta na Liheslaturan Guåhan

COMMITTEE
REPORT
ON

BILL NO. 176-30 (COR)
Senator Adolpho B. Palacios, Sr.

"AN ACT TO REPEAL AND REENACT §33106, §33214, AND §33556 OF TITLE 5, GUAM CODE ANNOTATED, TO ESTABLISH A SEPARATE NOTARY PUBLIC REVOLVING FUND; TO ESTABLISH NEW FEES COLLECTED BY THE GOVERNMENT OF GUAM FOR NOTARY APPLICATIONS, AND FOR ISSUING CERTIFICATES OF AUTHENTICITY AND APOSTILLES, AND TO CLARIFY THAT APOSTILLES ARE ISSUED BY THE DIRECTOR OR DEPUTY DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION."



**Thirtieth
Guam Legislature**

**Committee on Public Safety,
Law Enforcement &
Senior Citizens
Members:**

**Senator Adolpho B. Palacios, Sr.
Chairman**

**Senator Roy Tenorio
Vice Chairman**

**Speaker Judith T. Wan Pat
Member**

**Senator Thomas C. Ada
Member**

**Senator Frank B. Aguon, Jr.
Member**

**Senator Matt Rector
Member**

**Senator Edward J.B. Calvo
Member**

**Senator James V. Espaldon
Member**

Other Committee Membership:

- Vice Chairman, Committee on Economic Development, Health and Human Services, & Judiciary
- Vice Chairman, Committee on Utilities, Transportation, Public Works, & Veterans Affairs
- Vice Chairman, Committee on Labor, the Public Structure, Public Libraries & Technology
- Member, Committee on Rules
- Member, Committee on Education

**COMMITTEE ON PUBLIC SAFETY,
LAW ENFORCEMENT & SENIOR CITIZENS**

I Mina'Trenta na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.

Chairman

August 19, 2009

MEMORANDUM

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

FROM: Chairman, Committee on Public Safety, Law Enforcement,
& Senior Citizens *[Signature]*

SUBJECT: Voting Sheet.

Transmitted herewith are the voting sheet and the Committee Report on BILL NO. 176-30 (COR) "AN ACT TO REPEAL AND REENACT §33106, §33214, AND §33556 OF TITLE 5, GUAM CODE ANNOTATED, TO ESTABLISH A SEPARATE NOTARY PUBLIC REVOLVING FUND; TO ESTABLISH NEW FEES COLLECTED BY THE GOVERNMENT OF GUAM FOR NOTARY APPLICATIONS, AND FOR ISSUING CERTIFICATES OF AUTHENTICITY AND APOSTILLES, AND TO CLARIFY THAT APOSTILLES ARE ISSUED BY THE DIRECTOR OR DEPUTY DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION," for your review and vote via signature.

Your attention to this matter is greatly appreciated.

Attachments



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & SENIOR CITIZENS

SENATOR ADOLPHO B. PALACIOS, SR. CHAIRMAN

I Mina'Trenta na Liheslaturan Guåhan

VOTING SHEET ON:

BILL NO. 176-30 (COR) "AN ACT TO REPEAL AND REENACT §33106, §33214, AND §33556 OF TITLE 5, GUAM CODE ANNOTATED, TO ESTABLISH A SEPARATE NOTARY PUBLIC REVOLVING FUND; TO ESTABLISH NEW FEES COLLECTED BY THE GOVERNMENT OF GUAM FOR NOTARY APPLICATIONS, AND FOR ISSUING CERTIFICATES OF AUTHENTICITY AND APOSTILLES, AND TO CLARIFY THAT APOSTILLES ARE ISSUED BY THE DIRECTOR OR DEPUTY DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION."

Table with 7 columns: SENATOR, SIGNATURE, TO PASS, NOT TO PASS, TO REPORT OUT ONLY, ABSTAIN, INACTIVE FILE. Rows include Adolpho B. Palacios, Sr., Ray Tenorio, Speaker Judith T. Won Pat, Thomas C. Ada, Frank B. Aguon, Jr., Matt Rector, Edward J.B. Calvo, and James V. Espaldon.



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT
& SENIOR CITIZENS

SENATOR ADOLPHO B. PALACIOS, SR.
CHAIRMAN

I Mina'Trenta na Liheslaturan Guåhan

PUBLIC HEARING

BILL NO. 176-30 (COR) AN ACT TO REPEAL AND REENACT §33106, §33214, AND §33556 OF TITLE 5, GUAM CODE ANNOTATED, TO ESTABLISH A SEPARATE NOTARY PUBLIC REVOLVING FUND; TO ESTABLISH NEW FEES COLLECTED BY THE GOVERNMENT OF GUAM FOR NOTARY APPLICATIONS, AND FOR ISSUING CERTIFICATES OF AUTHENTICITY AND APOSTILLES, AND TO CLARIFY THAT APOSTILLES ARE ISSUED BY THE DIRECTOR OR DEPUTY DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION.

I. OVERVIEW

The Committee on Public Safety, Law Enforcement, & Senior Citizens convened the public hearing on July 28, 2009. Hearing began at 9:36am on Bill No. 176-30 (COR). Notices of the hearing were disseminated to all local media outlets via facsimile on July 16 and on July 23, 2009, pursuant to meeting the requirements of the Open Government Law. Notice of the hearing was also posted on the Guam Legislature's website.

Committee Members and Senators present:

Senator Adolpho B. Palacios, Sr., Chairman
Senator Frank B. Aguon Jr.
Senator Ray Tenorio

Individual(s) Registered for oral or written testimony:

Mr. Phil Tydingco, Chief Deputy Attorney General, Office of the Attorney General, Oral Testimony, In Favor

II. SUMMARY OF TESTIMONIES

Chairman Adolpho B. Palacios, Sr. called the Committee on Public Safety, Law Enforcement, and Senior Citizens to order at 9:36am, welcomed and introduced Senators present.

Chairman Palacios author of Bill 176-30 (COR) gave a brief presentation of the bill.

Chairman Palacios called those who are present to testify.

Mr. Phil Tydingco, Office of the Attorney General, Oral Testimony, In Favor

The Office of the Attorney General supports this legislation, as evidenced in the findings and intent, to address the changes in subsequent budget laws. As you know, we have been administering the Notary Public and there was a fund created. We usually use our administrative costs for Notary Publics. It was important to amend the law to maintain the fund however, what had happened in previous budget laws; this fund was filtered into the General Fund. This law corrects this problem because it sets aside the appropriate funds to administer the notary public.

For those who run the notary public, on page 2, line 16, we recommend this section to read "but not limited to personnel costs, training costs." Also, on page 3, line 16 and 17, we ask the Legislature to amend "may" to "shall" in order to mandate the charge for certificates and apostilles. We clarify what apostilles means.

Chairman Palacios stated that he had to look up the definition of apostilles and it means to be a properly sealed document.

Mr. Phil Tydingco stated that we respectfully request that the Legislature enact this into law in order to maintain the Notary Public.

Chairman Palacios stated that he remembers about two or three years ago when all these special funds were consolidated because some were hardly used and the book keeping costs were so expensive. In one clean sweep, the Legislature consolidated all these funds. However, this fund is still in existence. The Attorney General's Office still does the examination and clearances but does not collect the fees. There is a need to retain the fees to support the issuance of clearances and certificates. The fee is nothing new, except that the Attorney General will retain these funds.

Chairman Palacios then allowed Senators to give comments and/or questions.

Senator Ray Tenorio questioned "What was the original fee for certificates? Apostilles? Is this sufficient to cover costs and how do these compare with other jurisdictions? The reason for the consolidation was that the Attorney General receives an appropriation from the General Fund and that if you are pulling from the same fund, then you are getting it back along with the other agencies.

Mr. Phil Tydingco stated that we are doubling the fees from \$50.00 to \$100.00 for certificates. Apostilles will be at \$50.00 or \$25.00. He was not sure of the correct amount however, the research shows that we are in the ball park in other jurisdictions and it is sufficient to cover costs.

Chairman Palacios stated that he will look up and try to find out the current fees and how these compare with other jurisdictions.

Chairman Palacios concluded the hearing and requested that written testimony be submitted within the next ten (10) days. He adjourned the hearing at 9:50am.

III. WRITTEN TESTIMONIES

No written testimony received within the ten (10) day period after the public hearing.

IV. FINDINGS AND RECOMMENDATIONS

The Committee on Public Safety, Law Enforcement, & Senior Citizens finds that Bill No. 176-30 (COR) re-establishes the Notary Public program of the Office of the Attorney General by repealing and re-enacting §33106, §33214, and §33556 of Title 5, Guam Code Annotated and establishes a separate Notary Public Revolving Fund. The bill aims to establish new fees to be collected by the Government of Guam for notary applications, and for issuing certificates of authenticity and apostilles, and to clarify that apostilles are issued by the Director or Deputy Director of the Department of Administration. Bill 176-30 (COR) intends that every application for a notary commission, except for applicants who are government employees shall pay to the Treasurer of Guam a non-refundable fee of One Hundred Dollars (\$100.00) and may authorize the Attorney General and the Department of Administration to charge a non-refundable fee of Fifty Dollars (\$50.00) for either a Certificate of Authority or Apostille. Such fees shall be deposited into the Notary Public Revolving Fund.

Accordingly, the Committee on Public Safety, Law Enforcement, & Senior Citizens to which **Bill No. 176-30 (COR)** was referred does hereby submit its findings and recommendations to *I Mina'Trenta na Liheslaturan Guåhan TO PASS Bill No. 176-30 (COR)*, "An act to repeal and reenact §33106, §33214, and §33556 of Title 5, Guam Code annotated, to establish a separate Notary Public Revolving Fund; to establish new fees collected by the Government of Guam for notary applications, and for issuing certificates of authenticity and apostilles, and to clarify that apostilles are issued by the director or deputy director of the department of administration."

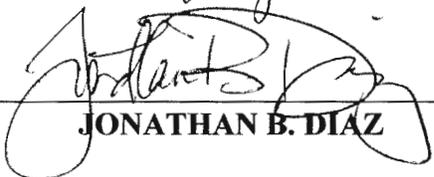
Declaration Under Penalty of Perjury of Jonathan B. Diaz

1. I am employed as a Policy Researcher at the Office of Senator Adolpho B. Palacios, Sr.
2. I am assigned the task of disseminating public hearing notices to each newspaper of general circulation, broadcasting stations, all Senators, Clerk of the Legislature, Protocol, and Audio.
3. In such notice I included all information required by the Open Government Law, §8107, Title 5, Guam Code Annotated.
4. I sent a public hearing notice via electronic mail (email) and facsimile (fax) to all local media on July 16 & July 23, 2009, (5 working days prior to hearing) in accordance with §8107, Title 5, Guam Code Annotated.
5. I sent a public hearing notice via electronic mail (email) and facsimile (fax) to all Senators on July 16, & July 23, 2009.
7. Copies of all public hearing notices were placed in boxes of the Clerk of the Legislature, Protocol, and Audio, located in the Mail Room of the Guam Legislature.
8. Copies of public hearing notices, email and fax confirmations are on file at the Office of Senator Adolpho B. Palacios, Sr.

**Declaration Under Penalty of Perjury
§4308, Title 6, Guam Code Annotated**

I declare, under penalty of perjury, that the foregoing is true and correct.

Executed on the 19th of August, 2009 on Guam by



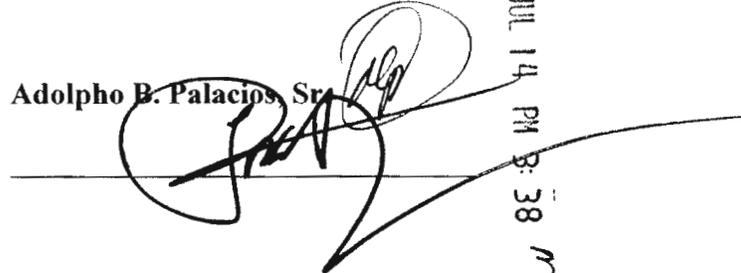
JONATHAN B. DIAZ

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

Bill No. 30-176(COR)

Introduced by:

Adolpho B. Palacios, Sr.



2009 JUL 14 PM 8:38
me

AN ACT TO REPEAL AND REENACT §33106, §33214 AND §33556 OF TITLE 5, GUAM CODE ANNOTATED, TO ESTABLISH A SEPARATE NOTARY PUBLIC REVOLVING FUND; TO ESTABLISH NEW FEES COLLECTED BY THE GOVERNMENT OF GUAM FOR NOTARY APPLICATIONS, AND FOR ISSUING CERTIFICATES OF AUTHENTICITY AND APOSTILLES, AND TO CLARIFY THAT APOSTILLES ARE ISSUED BY THE DIRECTOR OR DEPUTY DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that
3 P.L. No. 23-81 which established a Notary Public Revolving Fund, has had funds
4 originally intended for the administration of the Notary Program by the Office of the
5 Attorney General, was somehow deemed to be a special revenue fund that under
6 subsequent laws like Public Laws 24-59, 25-03, 25-72, 25-164, and 26-155 authorized
7 the Department of Administration to transfer said funds directly to the General Fund.

8 This not only prevented the Office of the Attorney General from recovering any
9 costs associated with its administration of the program, but also defeated the original
10 purpose of the fund, which *I Liheslaturan Guåhan* seeks to redress.

1 Therefore it is the intent of *I Liheslaturan Guåhan* to reestablish the Notary
2 Public program of Office of the Attorney General by repealing and reenacting §33106,
3 §33214 and §33556 of Title 5, Guam Code Annotated, to establish a separate Notary
4 Public Revolving Fund; to establish new fees collected by the Government of Guam for
5 notary applications, and for issuing certificates of authenticity and apostilles, and to
6 clarify that apostilles are issued by the Director or Deputy Director of the Department of
7 Administration.

8 **Section 2. Section 33106 of Title 5, Guam Code Annotated, is repealed and**
9 **reenacted to read:**

10 “§ 33106. Notary Public Revolving Fund. *Notwithstanding any law to the*
11 *contrary*, there is established a fund to be known as the "Notary Public Revolving Fund,"
12 (the "Fund") which shall be maintained separate and apart from other funds of the
13 government of Guam. All funds generated from fees under this Chapter for application,
14 authentication, copying, and any other government fee required by this Chapter shall be
15 deposited into the Fund. The Fund shall be used by the Attorney General for the purpose
16 of the administration of the notary program, including personnel costs for training, notary
17 educational programs and conferences, and any administrative and equipment costs.”

18 **Section 3. Section 33214 of Title 5, Guam code Annotated, is repealed and**
19 **reenacted to read:**

20 “§33214. Fees. Every application for a notary commission, except for applicants
21 who are government employees, shall pay to the Treasurer of Guam a non-refundable fee
22 of One Hundred Dollars (\$100). All fees shall be deposited into the Notary Public
23 Revolving Fund and used according to §33106 of this Chapter.”

1 **Section 4. Section 33556 of Title 5, Guam Code Annotated, is repealed and**
2 **reenacted to read:**

3 “§33556. Evidence of authenticity of notarial act. (a) The authenticity of the
4 official notarial seal and signature of a notary of Guam may be evidenced by:

5 (1) A Certificate of Authority from the Attorney General, authenticated as
6 necessary; or

7 (2) An Apostille in the form prescribed by the Hague Convention Abolishing the
8 Requirement of Legalization for Foreign Public Documents of October 5, 1961.

9 (3) An Apostille as specified by the Hague Convention must be attached to any
10 document requiring authentication that is sent to a nation that has signed and ratified the
11 Convention and, within the government of Guam, may only be issued by the Director or
12 Deputy Director of the Department of Administration, with the Great Seal of Guam
13 affixed thereto by the Lieutenant Governor. When issuing an Apostille, the Department
14 of Administration shall verify the authenticity of the notary’s commission and signature
15 with the Attorney General.

16 (b) The Attorney General may charge a Fifty Dollar non-refundable fee for a
17 Certificate of Authority. The Department of Administration may charge a Fifty Dollar
18 non-refundable fee for an Apostille. Such fees shall be deposited into the Notary Public
19 Revolving Fund.



**COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT
& SENIOR CITIZENS**

I Mina' Trenta na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
CHAIRMAN

TUESDAY, JULY 28, 2009

Bill No. 30-176 (COR) – An act to repeal and reenact §33106, §33214 and §33556 of Title 5, Guam Code Annotated, to establish a separate Notary Public Revolving Fund; to establish new fees collected by the government of Guam for notary applications, and for issuing Certificates of Authenticity and Apostilles, and to clarify that Apostilles are issued by the Director or Deputy Director of the Department of Administration. – by Senator Adolpho B. Palacios, Sr.

NAME (Please Print)	AGENCY/ ORGANIZATION (if any)	SUPPORT? ✓	OPPOSE? ✓	WRITTEN TESTIMONY ✓	ORAL TESTIMONY ✓	CONTRACT NUMBER	EMAIL ADDRESS
Phil T. Dygo	AGU	✓					

I Mina'Trenta Na Liheslaturan Guåhan
COR Bill Referrals
15-July-2009

Bill No.	Sponsor	Description	Date/Time Introduced	Date Referred	Committee Referred
30-176 (COR)	A. B. Palacios, Sr.	An act to repeal and reenact §33106, §33214 and §33556 of Title 5, Guam Code Annotated, to establish a separate Notary Public Revolving Fund; to establish new fees collected by the government of Guam for notary applications, and for issuing Certificates of Authenticity and Apostilles, and to clarify that Apostilles are issued by the Director or Deputy Director of the Department of Administration.	7-14-09 3:38 P.M.	7-15-09	Committee on Public Safety, Law Enforcement, and Senior Citizens
30-177 (COR)	A. B. Palacios, Sr.	An act to add a new section 30119 and 30120, Chapter 30, Title 5 Guam Code Annotated, relative to authorizing the Office of the Attorney General to collect a fee for its Attorney General clearances, and to establish a separate fund for the deposit of those fees entitled the "Victim or Witness Travel-Housing Fund" for use by the Office of the Attorney General.	7-14-09 3:38 P.M.	7-15-09	Committee on Public Safety, Law Enforcement, and Senior Citizens



Adolpho Palacios <senabpalacios@gmail.com>

First Notice - Notice of Public Hearing - July 28, 2009

2 messages

Adolpho Palacios <senabpalacios@gmail.com>

Thu, Jul 16, 2009 at 9:28 AM

To: sabrina@kuam.com, mindy@kuam.com, malafunkshun@kuam.com, news@guampdn.com, cmelyan@guampdn.com, amier@mvguam.com, marvic@mvguam.com, admin@mvguam.com, jontalk@k57.com, msilva@k57.com, kstone@ite.net, news@spbguaam.com, news@k57.com

July 16, 2009

(Pursuant to §8107, Title 5 GCA – 5 days prior to hearing date)

PUBLIC HEARING NOTICE

The Committee on Public Safety, Law Enforcement, and Senior Citizens has scheduled a public hearing starting at **9:00 a.m., Tuesday, July 28, 2009**, at *1 Liheslaturan Guåhan's Public Hearing Room* in Hagåtña, on the following:

- **Bill No. 162 (LS)** – An act to add a new Article 2 to Chapter 20 of 8 GCA relative to the creation of an Online Warrant Repository – by Senator Ray Tenorio.
- **Bill No. 30-176 (COR)** – An act to repeal and reenact §33106, §33214 and §33556 of Title 5, Guam Code Annotated, to establish a separate Notary Public Revolving Fund; to establish new fees collected by the government of Guam for notary applications, and for issuing Certificates of Authenticity and Apostilles, and to clarify that Apostilles are issued by the Director or Deputy Director of the Department of Administration. – by Senator Adolpho B. Palacios, Sr.
- **Bill No. 30-177 (COR)** – An act to add a new section 30119 and 30120, Chapter 30, Title 5 Guam Code Annotated, relative to authorizing the Office of the Attorney General to collect a fee for its Attorney General Clearances, and to establish a separate fund for the deposit of those fees entitled the “Victim or Witness Travel-Housing Fund” for use by the Office of the Attorney General. – by Senator Adolpho B. Palacios, Sr.

The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Adolpho B. Palacios, Sr., or via fax to 472-5022, or via email to senabpalacios@gmail.com. Copies of the aforementioned Bills may be obtained at *1 Liheslaturan Guåhan's* website at www.guamlegislature.com. Individuals requiring special accommodations or services, please contact Jonathan Diaz or Priscilla Cruz at 472-5047/5048.

Adolpho Palacios <senabpalacios@gmail.com>

Thu, Jul 16, 2009 at 10:24 AM

To: john@marianasmedia.com, jeff@marianasmedia.com, jac@marianasmedia.com



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT
& SENIOR CITIZENS

SENATOR ADOLPHO B. PALACIOS, SR.
CHAIRMAN

I Mina Trenta na Libreslaturan Guahan

FACSIMILE TRANSMITTAL SHEET

DATE: July 16, 2009

TO: Speaker J. Won Pat 472-3589
Vice Speaker B. J. Cruz 477-2522
Senator T. Muna-Barnes 472-3400
Senator R. J. Respicio 472-3547
Senator J. P. Guthertz 472-3547
Senator T. C. Ada 473-3303
Senator Matt Rector 734-8085
Senator v. c. pangelinan 473-4238
Senator F. B. Aguon, Jr. 969-1497
Senator E. J. B. Calvo 475-8805
Senator Ray Tenorio 479-1329
Senator J. V. Espaldon 475-2000
Senator T. Taitague 969-8357
Senator F. Blas, Jr. 472-2528

FROM: Office of Senator Adolpho B. Palacios, Sr.

SUBJECT: *PUBLIC HEARING FIRST NOTICE – July 28, 2009*

PAGES: 2 (including this sheet)

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

PLEASE SEE ATTACHED NOTICE.

THANK YOU.



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT
& SENIOR CITIZENS

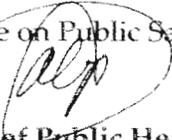
SENATOR ADOLPHO B. PALACIOS, SR.
CHAIRMAN

I Mina'Trenta na Liheslaturan Guåhan

July 16, 2009

MEMORANDUM

TO: Chairman, Committee on Rules
Members, Committee on Public Safety, Law Enforcement
and Senior Citizens
ALL SENATORS

FROM: Chairman, Committee on Public Safety, Law Enforcement
and Senior Citizens 

SUBJECT: *First Notice* – Notice of Public Hearing
Tuesday, July 28, 2009 – 9:00 am.

The Committee on Public Safety, Law Enforcement, and Senior Citizens has scheduled a public hearing starting at **9:00 a.m., Tuesday, July 28, 2009**, at *I Liheslaturan Guåhan's Public Hearing Room* in Hagatña, on the following:

- **Bill No. 162 (LS)** – An act to add a new Article 2 to Chapter 20 of 8 GCA relative to the creation of an Online Warrant Repository – by **Senator Ray Tenorio**.
- **Bill No. 30-176 (COR)** – An act to repeal and reenact §33106, §33214 and §33556 of Title 5, Guam Code Annotated, to establish a separate Notary Public Revolving Fund; to establish new fees collected by the government of Guam for notary applications, and for issuing Certificates of Authenticity and Apostilles, and to clarify that Apostilles are issued by the Director or Deputy Director of the Department of Administration. – by **Senator Adolpho B. Palacios, Sr.**
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cc: Protocol/MIS/Audio
Clerk of the Legislature



**COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT
& SENIOR CITIZENS**

**SENATOR ADOLPHO B. PALACIOS, SR.
CHAIRMAN**

I Mina'Trenta na Liheslaturan Guåhan

July 16, 2009

(Pursuant to §8107, Title 5 GCA – 5 days prior to hearing date)

PUBLIC HEARING NOTICE

The Committee on Public Safety, Law Enforcement, and Senior Citizens has scheduled a public hearing starting at **9:00 a.m., Tuesday, July 28, 2009**, at *I Liheslaturan Guåhan's Public Hearing Room* in Hagåtña, on the following:

- **Bill No. 162 (LS)** – An act to add a new Article 2 to Chapter 20 of 8 GCA relative to the creation of an Online Warrant Repository – by Senator Ray Tenorio.
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The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Adolpho B. Palacios, Sr. or via fax to 472-5022, or via email to SenABPalacios@gmail.com. Copies of the aforementioned Bills may be obtained at *I Liheslaturan Guåhan's* website at www.guamlegislature.com. Individuals requiring special accommodations or services, please contact Jonathan Diaz or Priscilla Cruz at 472-5047/5048.



Adolpho Palacios <senabpalacios@gmail.com>

First Notice - Notice of Public Hearing - July 28, 2009

1 message

Adolpho Palacios <senabpalacios@gmail.com>

Thu, Jul 16, 2009 at 9:28 AM

To: sabrina@kuam.com, mindy@kuam.com, malafunkshun@kuam.com, news@guampdn.com, cmeiyan@guampdn.com, amier@mvguam.com, marvic@mvguam.com, admin@mvguam.com, jontaik@k57.com, msilva@k57.com, kstone@ite.net, news@spbguam.com, news@k57.com

July 16, 2009

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Adolpho Palacios <senabpalacios@gmail.com>

First Notice - July 28, 2009 Public Hearing

1 message

Adolpho Palacios <senabpalacios@gmail.com>

Thu, Jul 16, 2009 at 9:37 AM

To: speaker@judiwonpat.com, office@senatorada.org, "Senator Frank B. Aguon" <aguon4guam@gmail.com>, Secretary Tina Rose Muna-Barnes <tinamunabarnes@gmail.com>, "Senator Frank F. Blas, Jr." <frank.blasjr@gmail.com>, "Senator Edward J. B. Calvo" <sencalvo@gmail.com>, "Vice Speaker Benjamin J. F. Cruz" <senadotbjcruz@aol.com>, senjim@ite.net, senator@espaldon.com, judiguthertz@gmail.com, "Senator Ben C. Pangelinan" <senbenp@guam.net>, Senator Matt Rector <matt@mattrector.com>, "Majority Leader Rory J. Respicio" <roryforguam@gmail.com>, senatortelo@gmail.com, Senator Ray Tenorio <ray@raytenorio.com>, psantos@guamlegislature.org, fterlaje@guamlegislature.org, cdecastro@guamlegislature.org, yong@guamlegislature.org, sgtarms@guamlegislature.org, sem@guamlegislature.org, roeann@raytenorio.com

July 16, 2009

Please see attached Notice of Public Hearing from Senator A. B. Palacios, Sr. scheduled for 9:00 am, Tuesday, July 28, 2009. Thank you for your kind attention.

072809PHrg1st.jpg
873K

MULTI COMMUNICATION REPORT

JUL-16-2009 09:33 AM THU

FAX NUMBER :
 NAME :

REF. NAME :
 PAGES : 2

RECEIVED

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495882		
40403		
401782		
400134		

RECEIVED

	FAX NUMBER	NAME
401782		

MULTI COMMUNICATION JOURNAL

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401782	07-16	09:21AM	00:18"	ECN BC	001/001
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401782	07-16	09:31AM	00:18"	ECN BC	001/001
401782	07-16	09:32AM	00:00"	00 BC	001/001



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT
& SENIOR CITIZENS

SENATOR ADOLPHO B. PALACIOS, SR.
CHAIRMAN

T Mina Trenta na Liheslaturan Guahan

FACSIMILE TRANSMITTAL SHEET

DATE: July 16, 2009

TO: Pacific Daily News 477-3079
Marianas Variety 648-2007
KUAM/Isla 630 637-9865
Pacific News Center 477-0793
K-57/Power 98 477-3982
Hit Radio 100 472-7663
KStereo/KISH 477-6411
Glimpses 649-8883
Joy 92 FM 477-4678
Adventist Radio 565-2983
KPRG 734-2958
Guam Broadcast Services 648-0104

FROM: Office of Senator Adolpho B. Palacios, Sr.

SUBJECT: PUBLIC HEARING FIRST NOTICE – July 28, 2009

PAGES: 2 (including this sheet)

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

PLEASE SEE ATTACHED
PUBLIC HEARING NOTICE.
THANK YOU.



**COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT
& SENIOR CITIZENS**

**SENATOR ADOLPHO B. PALACIOS, SR.
CHAIRMAN**

I Mina'Trenta na Liheslaturan Guåhan

July 23, 2009

(Pursuant to §8107, Title 5 GCA – 48 hours prior to hearing date)

PUBLIC HEARING NOTICE

The Committee on Public Safety, Law Enforcement, and Senior Citizens has scheduled a public hearing starting at **9:00 a.m., Tuesday, July 28, 2009**, at *I Liheslaturan Guåhan's Public Hearing Room* in Hagåtña, on the following:

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

Telephone No. (671) 472-5047/5048 • Fax No. (671) 472-5022 • Email: SenABPalacios@gmail.com



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT
& SENIOR CITIZENS

SENATOR ADOLPHO B. PALACIOS, SR.
CHAIRMAN

T Mina'Trenta na Libeslaturan Guahan

FACSIMILE TRANSMITTAL SHEET

DATE: July 23, 2009

TO: Speaker J. Won Pat 472-3589
Vice Speaker B. J. Cruz 477-2522
Senator T. Muna-Barnes 472-3400
Senator R. J. Respicio 472-3547
Senator J. P. Guthertz 472-3547
Senator T. C. Ada 473-3303
Senator Matt Rector 734-8085
Senator v. c. pangelinan 473-4238
Senator F. B. Aguon, Jr. 969-1497
Senator E. J. B. Calvo 475-8805
Senator Ray Tenorio 479-1329
Senator J. V. Espaldon 475-2000
Senator T. Taitague 969-8357
Senator F. Blas, Jr. 472-2528

FROM: Office of Senator Adolpho B. Palacios, Sr.

SUBJECT: PUBLIC HEARING SECOND NOTICE – July 28, 2009

PAGES: 2 (including this sheet)

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

PLEASE SEE ATTACHED PUBLIC HEARING NOTICE.

THANK YOU.

MULTI COMMUNICATION REPORT

JUL-23-2009 01:17 PM THU

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NAME :

REF. NAME :
PAGES : 2

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4734238	
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4791329	
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4722528	

2. UNSUCCESSFUL

FAX NUMBER	NAME
9698357	

3. MULTI COMMUNICATION JOURNAL

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4722528		07-23 01:15PM	00' 18"	ECM BC	002/001	1/1
9698357		07-23 01:16PM	00' 00"	G3 BC	000/001	1/1



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT
& SENIOR CITIZENS

SENATOR ADOLPHO B. PALACIOS, SR.
CHAIRMAN

T Mina Trenta na Liheslaturan Guahan

FACSIMILE TRANSMITTAL SHEET

DATE: July 23, 2009

TO: Pacific Daily News 477-3079
Marianas Variety 648-2007
KUAM/Isla 630 637-9865
Pacific News Center 477-0793
K-57/Power 98 477-3982
Hit Radio 100 472-7663
KStereo/KISH 477-6411
Glimpses 649-8883
Joy 92 FM 477-4678
Adventist Radio 565-2983
KPRG 734-2958
Guam Broadcast Services 648-0104

FROM: Office of Senator Adolpho B. Palacios, Sr.

SUBJECT: PUBLIC HEARING SECOND NOTICE - July 28, 2009

PAGES: 2 (including this sheet)

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

**PLEASE SEE ATTACHED PUBLIC HEARING NOTICE.
THANK YOU.**

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

Telephone No. (671) 472-5047/5048 • Fax No. (671) 472-5022 • Email: SenABPalacios@gmail.com

MULTI COMMUNICATION REPORT

JUL-23-2009 10:51 AM THU

FAX NUMBER :
NAME :

REF. NAME :
PAGES : 2

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II. UNSUCCESSFUL

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III. MULTI COMMUNICATION JOURNAL

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07-23 10:51AM	6379865	07-23 10:51AM	00'00"	G3 BC	000/002	NO ANSWER



Adolpho Palacios <senabpalacios@gmail.com>

CORRECTION - Second Notice - Public Hearing July 28, 2009

1 message

Adolpho Palacios <senabpalacios@gmail.com>

Thu, Jul 23, 2009 at 12:01 PM

To: mindy@kuam.com, sabrina@kuam.com, malafunkshun@kuam.com, news@guampdn.com, cmelyan@guampdn.com, admin@mvguam.com, amier@mvguam.com, marvic@mvguam.com, jontalk@k57.com, msilva@k57.com, news@spbguam.com, news@k57.com, kstone@ite.net, john@marianasmedia.com, jeff@marianasmedia.com, jac.cherry@gmail.com, speaker@judiwonpat.com, office@senatorada.org, "Senator Frank B. Aguon" <aguon4guam@gmail.com>, aguonmedia@gmail.com, Secretary Tina Rose Muna-Barnes <tinamunabarnes@gmail.com>, "Senator Frank F. Blas, Jr." <frank.blasjr@gmail.com>, "Senator Edward J. B. Calvo" <sencalvo@gmail.com>, "Vice Speaker Benjamin J. F. Cruz" <senadotbjcruz@aol.com>, senjim@ite.net, senator@espaldon.com, judiguthertz@gmail.com, "Senator Ben C. Pangelinan" <senbenp@guam.net>, Senator Matt Rector <matt@mattrector.com>, "Majority Leader Rory J. Respicio" <roryforguam@gmail.com>, senatortelo@gmail.com, Senator Ray Tenorio <ray@raytenorio.com>, psantos@guamlegislature.org, fterlaje@guamlegislature.org, Rennae Perez <rennae@guamlegislature.org>, cdecastro@guamlegislature.org, yong@guamlegislature.org, sgtarms@guamlegislature.org, roeann@raytenorio.com

Correction: Should be Bill No. 162 (COR) - erroneously sent as Bill No. 162 (LS), I apologize for the inconvenience this may have caused.

July 23, 2009

(Pursuant to §8107, Title 5 GCA – 48 hours prior to hearing date)

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Adolpho Palacios <senabpalacios@gmail.com>

Second Notice - Public Hearing on July 28, 2009

1 message

Adolpho Palacios <senabpalacios@gmail.com>

Thu, Jul 23, 2009 at 10:49 AM

To: mindy@kuam.com, sabrina@kuam.com, malafunkshun@kuam.com, news@guampdn.com, cmelyan@guampdn.com, admin@mvguam.com, amier@mvguam.com, marvic@mvguam.com, jontalk@k57.com, msilva@k57.com, kstone@ite.net, news@spbgum.com, news@k57.com, john@marianasmedia.com, jeff@marianasmedia.com, jac@marianasmedia.com

July 23, 2009

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Adolpho Palacios <senabpalacios@gmail.com>

Second Notice - Public Hearing on July 28, 2009

1 message

Adolpho Palacios <senabpalacios@gmail.com>

Thu, Jul 23, 2009 at 10:52 AM

To: speaker@judiwonpat.com, office@senatorada.org, "Senator Frank B. Aguon" <aguon4guam@gmail.com>, aguonmedia@gmail.com, Secretary Tina Rose Muna-Barnes <tinamunabarnes@gmail.com>, "Senator Frank F. Blas, Jr." <frank.blasjr@gmail.com>, "Senator Edward J. B. Calvo" <senecalvo@gmail.com>, "Vice Speaker Benjamin J. F. Cruz" <senadotbjcruz@aol.com>, senjim@ite.net, senator@espaldon.com, judiguthertz@gmail.com, "Senator Ben C. Pangelinan" <senbenp@guam.net>, Senator Matt Rector <matt@mattorector.com>, "Majority Leader Rory J. Respicio" <roryforguam@gmail.com>, senatortelo@gmail.com, Senator Ray Tenorio <ray@raytenorio.com>, psantos@guamlegislature.org, fterlaje@guamlegislature.org, Rennae Perez <rennae@guamlegislature.org>, cdecastro@guamlegislature.org, yong@guamlegislature.org, sgtarms@guamlegislature.org, sem@guamlegislature.org, roeann@raytenorio.com

July 23, 2009

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- **Bill No. 162 (LS)** – An act to add a new Article 2 to Chapter 20 of 8 GCA relative to the creation of an Online Warrant Repository – by Senator Ray Tenorio.
- **Bill No. 30-176 (COR)** – An act to repeal and reenact §33106, §33214 and §33556 of Title 5, Guam Code Annotated, to establish a separate Notary Public Revolving Fund; to establish new fees collected by the government of Guam for notary applications, and for issuing Certificates of Authenticity and Apostilles, and to clarify that Apostilles are issued by the Director or Deputy Director of the Department of Administration. – by Senator Adolpho B. Palacios, Sr.
- **Bill No. 30-177 (COR)** – An act to add a new section 30119 and 30120, Chapter 30, Title 5 Guam Code Annotated, relative to authorizing the Office of the Attorney General to collect a fee for its Attorney General Clearances, and to establish a separate fund for the deposit of those fees entitled the "Victim or Witness Travel-Housing Fund" for use by the Office of the Attorney General. – by Senator Adolpho B. Palacios, Sr.

The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted

one day prior to the public hearing date, to the Office of Senator Adolpho B. Palacios, Sr., or via fax to 472-5022, or via email to SenABPalacios@gmail.com. Copies of the aforementioned Bills may be obtained at *Liheslaturan Guåhan's* website at www.guamlegislature.com. Individuals requiring special accommodations or services, please contact Jonathan Diaz or Priscilla Cruz at 472-5047/5048.

LEGISLATIVE ALERT



Thirtieth
Guam
Legislature

CHAIRPERSON:

Committee on
Public Safety, Law
Enforcement and
Senior Citizens

Office of Senator
Adolpho B. Palacios, Sr.

I Mina'Trenta Na Liheslaturan Guåhan

BILL NO: 30-176 (COR) AN ACT TO REPEAL AND REENACT §33106, §33214, AND §33556 OF TITLE 5, GUAM CODE ANNOTATED, TO ESTABLISH A SEPARATE NOTARY PUBLIC REVOLVING FUND; TO ESTABLISH NEW FEES COLLECTED BY THE GOVERNMENT OF GUAM FOR NOTARY APPLICATIONS, AND FOR ISSUING CERTIFICATES OF AUTHENTICITY AND APOSTILLES, AND TO CLARIFY THAT APOSTILLES ARE ISSUED BY THE DIRECTOR OR DEPUTY DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION.

RAMIFICATIONS/IMPLICATIONS:

1. Re-establishes the Notary Public program of the Office of the Attorney General by repealing and re-enacting §33106, §33214, and §33556 of Title 5, Guam Code Annotated, to establish a separate Notary Public Revolving Fund.
2. Establishes new fees to be collected by the Government of Guam for notary applications, and for issuing certificates of authenticity and apostilles, and to clarify that apostilles are issued by the Director or Deputy Director of the Department of Administration.
3. Every application for a notary commission, except for applicants who are government employees shall pay to the Treasurer of Guam a non-refundable fee of One Hundred Dollars (\$100.00).

FLAWS/SHORTCOMINGS:

REMARKS: A public hearing will be held **Tuesday, July 28, 2009 at 9:00am at the Guam Legislature's Public Hearing Room**. A copy of this bill is available at the Legislature, or my office can fax one to you. Written testimony may be submitted to SenABPalacios@gmail.com or fax: **472-5022** on or before the hearing date. After the public hearing, you may submit or fax your testimony to my office for up to 10 days after the hearing. I would appreciate any comments you can provide. It would be very helpful to me when this Bill comes up for Legislative debate on whether to pass the Bill or not.

By: Jonathan B. Diaz, Policy Researcher

Date: July 17, 2009

CONSTITUENTS

Governor's Office: 477-GUAM (4826), 472-7549, 477-8934

Lt. Governor's Office: 477-2007

AG's Office: (671) 472-2493, (671) 477-3390, (671) 475-3203

Guam Bar Association: (671) 475-3400

superior court 475-3184, 472-5450, 472-2856, 4753192,

U.S. Attorney's Office: 472-7334

Supreme Court: 475-3164, 475-3140

Guam Legal Services: 477-1320

Guam Public Defender: 477-5844, 475-3238

Mayor's Council: 477-8777

Notary Public: 969-1040, 646-4971, 734-7273, 649-1010, 649-1219, 637-7763, 477-5761, 649-0633, 646-3543, 648-7213, 648-7214, 649-2919, 646-2417, 637-6460, 477-5873,



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT
& SENIOR CITIZENS

SENATOR ADOLPHO B. PALACIOS, SR.
CHAIRMAN

I Mina'Trenta na Liheslaturan Guåhan

PUBLIC HEARING

Tuesday, July 28, 2009

9:00 a.m.

Public Hearing Room, *I Liheslaturan Guåhan*

Notices for the public hearing were disseminated to all local media via fax and email on July 16, 2009 and on July 23, 2009, pursuant to the Open Government Law.

AGENDA

- **Bill No. 162 (COR)** – An act to add a new Article 2 to Chapter 20 of 8 GCA relative to the creation of an Online Warrant Repository – by Senator Ray Tenorio.
- **Bill No. 30-176 (COR)** – An act to repeal and reenact §33106, §33214 and §33556 of Title 5, Guam Code Annotated, to establish a separate Notary Public Revolving Fund; to establish new fees collected by the government of Guam for notary applications, and for issuing Certificates of Authenticity and Apostilles, and to clarify that Apostilles are issued by the Director or Deputy Director of the Department of Administration. – by Senator Adolpho B. Palacios, Sr.
- **Bill No. 30-177 (COR)** – An act to add a new section 30119 and 30120, Chapter 30, Title 5 Guam Code Annotated, relative to authorizing the Office of the Attorney General to collect a fee for its Attorney General Clearances, and to establish a separate fund for the deposit of those fees entitled the "Victim or Witness Travel-Housing Fund" for use by the Office of the Attorney General. – by Senator Adolpho B. Palacios, Sr.

The Committee will prepare and submit the Committee Report on Bills Nos. 162 (COR), 30-176 (COR), and 30-177 (COR) within next 10 days, in preparation for consideration by the legislative body. However, the Committee will continue to receive written testimonies until August 7, 2009. Please fax, e-mail, or drop testimonies to the Office of Senator Adolpho B. Palacios, Sr., Chairman, Committee on Public Safety, Law Enforcement, and Senior Citizens or the Legislature's mail room.

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

Telephone No. (671) 472-5047/5048 • Fax No. (671) 472-5022 • Email: SenABPalacios@gmail.com

I MINA'TRENTA NA LIHESLATURÁN GUÅHAN
2009 (FIRST) Regular Session

Bill No. 30-176(COR)

Introduced by:

Adolpho B. Palacios, Sr.



2009 JUL 14 PM 3:38
me

AN ACT TO REPEAL AND REENACT §33106, §33214 AND §33556 OF TITLE 5, GUAM CODE ANNOTATED, TO ESTABLISH A SEPARATE NOTARY PUBLIC REVOLVING FUND; TO ESTABLISH NEW FEES COLLECTED BY THE GOVERNMENT OF GUAM FOR NOTARY APPLICATIONS, AND FOR ISSUING CERTIFICATES OF AUTHENTICITY AND APOSTILLES, AND TO CLARIFY THAT APOSTILLES ARE ISSUED BY THE DIRECTOR OR DEPUTY DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that
3 P.L. No. 23-81 which established a Notary Public Revolving Fund, has had funds
4 originally intended for the administration of the Notary Program by the Office of the
5 Attorney General, was somehow deemed to be a special revenue fund that under
6 subsequent laws like Public Laws 24-59, 25-03, 25-72, 25-164, and 26-155 authorized
7 the Department of Administration to transfer said funds directly to the General Fund.

8 This not only prevented the Office of the Attorney General from recovering any
9 costs associated with its administration of the program, but also defeated the original
10 purpose of the fund, which *I Liheslaturan Guåhan* seeks to redress.

1 Therefore it is the intent of *I Liheslaturan Guåhan* to reestablish the Notary
2 Public program of Office of the Attorney General by repealing and reenacting §33106,
3 §33214 and §33556 of Title 5, Guam Code Annotated, to establish a separate Notary
4 Public Revolving Fund; to establish new fees collected by the Government of Guam for
5 notary applications, and for issuing certificates of authenticity and apostilles, and to
6 clarify that apostilles are issued by the Director or Deputy Director of the Department of
7 Administration.

8 **Section 2. Section 33106 of Title 5, Guam Code Annotated, is repealed and**
9 **reenacted to read:**

10 “§ 33106. Notary Public Revolving Fund. *Notwithstanding any law to the*
11 *contrary*, there is established a fund to be known as the "Notary Public Revolving Fund,"
12 (the "Fund") which shall be maintained separate and apart from other funds of the
13 government of Guam. All funds generated from fees under this Chapter for application,
14 authentication, copying, and any other government fee required by this Chapter shall be
15 deposited into the Fund. The Fund shall be used by the Attorney General for the purpose
16 of the administration of the notary program, including personnel costs for training, notary
17 educational programs and conferences, and any administrative and equipment costs.”

18 **Section 3. Section 33214 of Title 5, Guam code Annotated, is repealed and**
19 **reenacted to read:**

20 “§33214. Fees. Every application for a notary commission, except for applicants
21 who are government employees, shall pay to the Treasurer of Guam a non-refundable fee
22 of One Hundred Dollars (\$100). All fees shall be deposited into the Notary Public
23 Revolving Fund and used according to §33106 of this Chapter.”

1 **Section 4. Section 33556 of Title 5, Guam Code Annotated, is repealed and**
2 **reenacted to read:**

3 “§33556. Evidence of authenticity of notarial act. (a) The authenticity of the
4 official notarial seal and signature of a notary of Guam may be evidenced by:

5 (1) A Certificate of Authority from the Attorney General, authenticated as
6 necessary; or

7 (2) An Apostille in the form prescribed by the Hague Convention Abolishing the
8 Requirement of Legalization for Foreign Public Documents of October 5, 1961.

9 (3) An Apostille as specified by the Hague Convention must be attached to any
10 document requiring authentication that is sent to a nation that has signed and ratified the
11 Convention and, within the government of Guam, may only be issued by the Director or
12 Deputy Director of the Department of Administration, with the Great Seal of Guam
13 affixed thereto by the Lieutenant Governor. When issuing an Apostille, the Department
14 of Administration shall verify the authenticity of the notary’s commission and signature
15 with the Attorney General.

16 (b) The Attorney General may charge a Fifty Dollar non-refundable fee for a
17 Certificate of Authority. The Department of Administration may charge a Fifty Dollar
18 non-refundable fee for an Apostille. Such fees shall be deposited into the Notary Public
19 Revolving Fund.

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

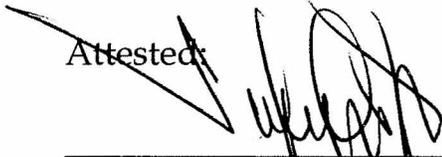
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Bill No. 176-30 (COR) "AN ACT TO REPEAL AND REENACT §§33106, 33214 AND 33601 OF TITLE 5, GUAM CODE ANNOTATED, TO ESTABLISH A SEPARATE NOTARY PUBLIC REVOLVING FUND; TO ESTABLISH NEW FEES COLLECTED BY THE GOVERNMENT OF GUAM FOR NOTARY APPLICATIONS; AND FOR ISSUING CERTIFICATES OF AUTHENTICITY AND APOSTILLES, AND TO CLARIFY THAT APOSTILLES ARE ISSUED BY THE DIRECTOR OR DEPUTY DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION," was on the 10th day of November, 2009, duly and regularly passed.

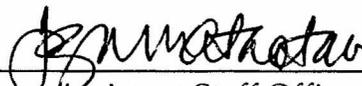


Judith T. Won Pat, Ed. D.
Speaker

Attested:


Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 13 day of Nov., 2009, at
1:30 o'clock P.M.


Assistant Staff Officer
Maga'lahi's Office

APPROVED:



FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: 25 Nov. 2009

Public Law No. 30-59

I MINA'TRENTA NA LIHESLATURAN GUÁHAN
2009 (FIRST) Regular Session

Bill No. 176-30 (COR)

As amended on the Floor.

Introduced by:

Adolpho B. Palacios, Sr.

T. C. Ada

F. B. Aguon, Jr.

F. F. Blas, Jr.

E. J.B. Calvo

B. J.F. Cruz

J. V. Espaldon

Judith P. Guthertz, DPA

T. R. Muña Barnes

v. c. pangelinan

M. J. Rector

R. J. Respicio

Ray Tenorio

Telo Taitague

Judith T. Won Pat, Ed.D.

AN ACT TO *REPEAL* AND *REENACT* §§33106, 33214 AND 33601 OF TITLE 5, GUAM CODE ANNOTATED, TO ESTABLISH A SEPARATE NOTARY PUBLIC REVOLVING FUND; TO ESTABLISH NEW FEES COLLECTED BY THE GOVERNMENT OF GUAM FOR NOTARY APPLICATIONS; AND FOR ISSUING CERTIFICATES OF AUTHENTICITY AND APOSTILLES, AND TO CLARIFY THAT APOSTILLES ARE ISSUED BY THE DIRECTOR OR DEPUTY DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that P.L. No. 23-81 which established a Notary Public Revolving Fund, with the
4 funds originally intended for the administration of the Notary Program by the
5 Office of the Attorney General, was somehow deemed to be a Special Revenue
6 Fund, and that under subsequent laws, including Public Laws 24-59, 25-03, 25-72,
7 25-164, and 26-155, authorized the Department of Administration to transfer said
8 funds directly to the General Fund.

9 This not only prevented the Office of the Attorney General from recovering
10 any costs associated with its administration of the program, but also defeated the
11 original purpose of the fund, which *I Liheslaturan Guåhan* seeks to redress.

12 Therefore, it is the intent of *I Liheslaturan Guåhan* to reestablish the Notary
13 Public program of the Office of the Attorney General by *repealing* and *reenacting*
14 §§33106, 33214 and 33601 of Title 5, Guam Code Annotated, to establish a
15 separate Notary Public Revolving Fund; to establish new fees collected by the
16 government of Guam for notary applications; and for issuing certificates of
17 authenticity and apostilles, and to clarify that apostilles are issued by the Director
18 *or* Deputy Director of the Department of Administration.

19 **Section 2.** §33106 of Title 5, Guam Code Annotated, is *repealed* and
20 *reenacted* to read:

21 “**§33106. Notary Public Revolving Fund.** Notwithstanding any
22 law to the contrary, there is established a fund to be known as the “Notary
23 Public Revolving Fund” (the Fund), which *shall* be maintained separate and
24 apart from other funds of the government of Guam. All funds generated
25 from fees under this Chapter for application, authentication, copying, and
26 any other government fee required by this Chapter *shall* be deposited into
27 the Fund. The Fund *shall* be used by the Office of the Attorney General for

1 the purpose of the administration of the notary program, including personnel
2 costs for training, notary educational programs, conferences and any
3 administrative and equipment costs, subject to appropriation by *I*
4 *Liheslaturan Guåhan*.”

5 **Section 3.** §33214 of Title 5, Guam Code Annotated, is *repealed* and
6 *reenacted* to read:

7 “**§33214. Fees.** Every applicant for a notarial commission, except
8 for applicants who are government employees, *shall* pay to the Treasurer of
9 Guam a non-refundable fee of One Hundred Dollars (\$100). All fees *shall*
10 be deposited into the Notary Public Revolving Fund and used according to
11 §33106 of this Chapter.”

12 **Section 4.** §33601 of Title 5, Guam Code Annotated, is *repealed* and
13 *reenacted* to read:

14 “**§33601. Evidence of Authenticity of Notarial Act.** (a) The
15 authenticity of the official notarial seal and signature of a notary of Guam
16 may be evidenced by:

17 (1) A Certificate of Authority from the Attorney General,
18 authenticated as necessary;

19 (2) An Apostille in the form prescribed by the Hague
20 Convention Abolishing the Requirement of Legalization for Foreign
21 Public Documents of October 5, 1961; *or*

22 (3) An Apostille as specified by the Hague Convention must
23 be attached to any document requiring authentication that is sent to a
24 nation that has signed and ratified the Convention and, within the
25 government of Guam, may *only* be issued by the Director *or* Deputy
26 Director of the Department of Administration, with the Great Seal of
27 Guam affixed thereto by *I Segundu na Maga’lahi* (the Lieutenant

1 Governor). When issuing an Apostille, the Department of
2 Administration *shall* verify the authenticity of the notary's
3 commission and signature with the Attorney General.

4 (b) The Attorney General may charge a Fifty Dollar (\$50) non-
5 refundable fee for a Certificate of Authority. The Department of
6 Administration may charge a Fifty Dollar (\$50) non-refundable fee for an
7 Apostille. Such fees *shall* be deposited into the Notary Public Revolving
8 Fund.”