



APR 24 2015

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

Speaker

I Mina' Trentai Tres Na Liheslaturan Guahan

155 Hesler Place

Hagatna, Guam 96910

Rory J. Respicio

VIA: The Honorable Rory J. Respicio

Chairperson, Committee on Rules

RE: Committee Report on Bill No. 59-33 (COR)

2015 APR 27 AM 9:13

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 59-33 (COR) - An act to *amend* subsection § 6111(b), and to *add* new subsections § 6111(d), § 6111(e), and § 6111(f), all of Chapter 6, Title 19, Guam Code Annotated, relative to personal relations and community property.

Committee votes are as follows:

- 2 TO DO PASS
- _____ TO NOT PASS
- 6 TO REPORT OUT ONLY
- _____ TO ABSTAIN
- _____ TO PLACE IN INACTIVE FILE

Respectfully,

[Signature]

SENATOR FRANK B. AGUON, JR.

Committee Chairman on Guam U.S. Military Relocation | Public Safety | Judiciary
I Mina' Trentai Tres Na Liheslaturan Guahan | 33rd Guam Legislature

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COMMITTEE
REPORT
ON

BILL NO. 59-33 (COR)

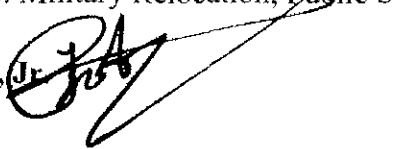
“AN ACT TO *AMEND* SUBSECTION § 6111(b),
AND TO *ADD* NEW SUBSECTIONS § 6111(d),
§ 6111(e), AND § 6111(f), ALL OF CHAPTER
6, TITLE 19, GUAM CODE ANNOTATED,
RELATIVE TO PERSONAL RELATIONS AND
COMMUNITY PROPERTY.”



April 21, 2015

MEMORANDUM

To: ALL MEMBERS
Committee on Guam U.S. Military Relocation, Public Safety, and Judiciary

From: Senator Frank B. Aguon, Jr. 
Committee Chairperson

Subject: Committee Report on Bill No. 59-33 (COR)

Transmitted herewith for your consideration is the Committee Report on Bill No. 59-33 (COR) – An act to amend subsection § 6111(b), and to add new subsections § 6111(d), § 6111(e), and § 6111(f), all of Chapter 6, Title 19, Guam Code Annotated, relative to personal relations and community property.

This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Copy of Bill No. 59-33 (COR)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony & Supporting Documents
- Referral of the Bill No. 59-33 (COR)
- Notices of Public Hearing
- Copy of Public Hearing Agenda
- Related News Report

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

Si Yu'os Ma'åse'!

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COMMITTEE VOTING SHEET

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Bill No. 59-33 (COR) – “An act to amend subsection § 6111(b), and to add new subsections § 6111(d), § 6111(e), and § 6111(f), all of Chapter 6, Title 19, Guam Code Annotated, relative to personal relations and community property.” sponsored by SENATOR MARY C. TORRES

COMMITTEE MEMBERS	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
AGUON, FRANK B., JR. Committee Chairperson				✓		
ADA, THOMAS C. Committee Vice Chairperson				✓		
VICE-SPEAKER CRUZ, BENJAMIN J. F. Committee Member		✓				
RESPICIO, RORY J. Committee Member						
RODRIGUEZ, DENNIS G. JR. Committee Member				✓		
UNDERWOOD, NERISSA B. Ph.D. Committee Member						
ADA, V. ANTHONY Committee Member				✓		
BLAS, FRANK F., JR. Committee Member				✓		
ESPALDON, JAMES V. Committee Member				✓		
MCCREADDIE, BRANT T. Committee Member		✓				
SPEAKER WON PAT, JUDITH T. Ed. D. Committee Member						



COMMITTEE REPORT DIGEST

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I. OVERVIEW

Bill No. 59-33 (COR) was introduced on March 24, 2015, by Senator Mary C. Torres, and was subsequently referred by the Committee on Rules to the Committee on Guam US Military Relocation, Public Safety and Judiciary on March 24, 2015.

The Committee on Guam US Military Relocation, Public Safety and Judiciary convened a public hearing on Bill No. 59-33 (COR) on Tuesday, April 14, 2015 at 11:00AM in I *Liheslatura*'s Public Hearing Room.

Public Notice Requirements

Public Hearing notices were disseminated via e-mail to all senators and all main media broadcasting outlets on Monday, April 6, 2015 (5-Day Notice), and again on Thursday, April 9, 2015 (48-Hour Notice).

Senators Present

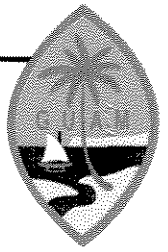
Senator Frank B. Aguon, Jr., Chairperson
Senator Tom Ada, Vice Chairperson
Vice-Speaker Benjamin J. Cruz, Committee Member
Senator Mary Torres

The public hearing was Called-to-Order at 11:00 AM.

II. SUMMARY OF TESTIMONY & DISCUSSION

Senator Aguon:

Good morning ladies and gentlemen, this public hearing on The Committee on Guam US Military Relocation, Public Safety and Judiciary is hereby convened at eleven A.M. (11AM). I would first of all like to thank my good colleagues, the vice chair of the committee Senator Tom Ada to my immediate left for joining us this morning. To my immediate right is Senator Mary Torres. Thank you Senator for joining us and to her immediate right is Vice Speaker B.J Cruz. On the agenda today, we do have the two legislative measures, Bill number fifty nine (Bill No.59), which is relative to personal relations and community property, and Bill number sixty five (Bill No.65), relative to the participation of non-immigrant aliens admitted under the Compact of Free Association in the civilian volunteer police reserve. So we will proceed with the first bill, Bill number fifty-nine dash thirty-three (Bill No.59-33), and if I can invite the following individuals, A. Lam, K. Chong, A. Reyes, and T. Rojas. If you will be providing testimony, please if I can invite you up to the front and present your comments and your testimonies. While we are waiting for you to join us, I would like to ask the sponsor of the legislation Senator Mary Torres to provide some opening comments. Senator Torres.



Senator Torres:

Thank you Mr. Chairman and I want to thank my colleagues for being here as well. Bill fifty-nine dash thirty three (Bill No.59-33) is an act to amend subsection six one one one b (6111(b)) and to add new subsections six one one one d (6111(d)), six one one one e (6111(e)) and six one one one f (6111(f)) all of chapter 6 title nineteen (19) Guam Code Annotated, relative to personal relations and community property. Title nineteen (19) Guam Code Annotated six one one one (6111) allows a husband and wife to contract with one another with respect to the support of each other and with respect to their property rights. The type of agreement between a husband and wife for support and maintenance determines whether it is subject to later modification by the court. Nineteen GCA (19 Guam Code Annotated) section eighty-four o five, which is family support, is derived from California Civil Code section one three nine (139). The California Cases construing Section one three nine (139) hold that modification of support provisions in a divorce decree is available only when the support provisions are severable from the provisions dividing property. Our Guam courts recognize that there are three categories of settlement agreement between a husband and wife to provide for support and maintenance. The first category includes agreements in which the support provisions are in the nature of alimony and are separate from the provisions that divide property. The second category includes contracts in which the support provisions are not in the nature of alimony but are part of the party's division of property, which includes also agreements that provide solely for the payments of periodic or lump sums in lieu of property. The third category includes a hybrid type of agreement, which contains both provisions for division of property and provisions for support. Now the ability to modify an order for support depends on whether the provisions relating to the division of property and those relating to support are severable rather than integrated. If they are integrated the order for support may not be modified unless the parties have provided for or agreed to such modification. As I mentioned earlier, Guam case law is based on old California Case Laws. The California statues have been drastically amended such that in California an agreement for spousal support is in general subject to subsequent modification or termination by court order unless the party specifically agreed to the contrary. These statutory amendments have eliminated the need of the California Trail court to examine each agreement to determine if it is integrated. My intention Mr. Chairman with Bill fifty-nine thirty three (Bill No. 59-33) is to enact similar statutory revisions to modernize Guam laws. So that the provisions or an agreement for support of either parties shall be deemed to be separate and severable from the provision of the agreement relating to property, and this will allow our courts to modify spousal support if substantial change and circumstances occur with the parties. Thank You.

SUITE 503, DNA BLDG. 238 ARCHBISHOP FLORES STREET HAGATNA, GUAM 96910
 PHONE: (671) 475-GUM1/2 (4861/2) | FAX: (671) 475-GUM3 (4863) | EMAIL: AGUON4GUAM@GMAIL.COM

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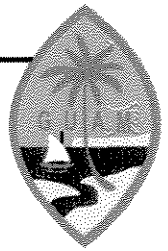
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Senator Aguon:

Thank you very much Senator Torres, and as we proceed with receiving testimony from Bill number fifty-nine dash thirty three (Bill No. 59-33) just for the information of the public, I'm going to back track just a second. The initial notification of this particular public hearing was released on Monday April sixth (6th) and initially printed in Variety on April eighth (8th). The second public notice was distributed to all the stakeholders and to the community on Thursday April ninth (9th) and the second print of this particular public hearing was printed on Friday April tenth (10th). I would like to also as Chairman of the Committee extend my appreciation to our media partners who have been very supportive and have rendered assistance in terms of insuring that the public is aware of this particular public hearing with regards to these two measures. We do have Mr. Lam, if you would like to open your statement please.

Mr. Lam:

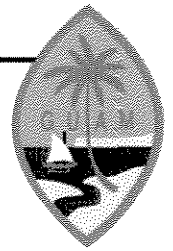
Good morning, Senator, and thank you for giving the opportunity.

Senator Aguon:

Is the light on?

Mr. Lam:

I'll speak louder. Ok anyways, good morning Senator. Thank you very much for giving me this opportunity to come and talk to you. Of course, I'm only a businessman I'm not a lawyer. I'm not come here and talk about law, but I have several occasions. I have a daughter she is also a doctor, but is not doctor for what we are talking about. Recently I encountered certain kind of legal issue actually. In that legal issue that I find out that from my lawyer and from my understanding the law in this case is very old. It's as old as me, 1939. I am just a baby that time, but the law is still using the same. So I say why we using this law, so old. Well that's the way we do we follow the rule. I say, how come you don't go to legislature and do something? Oh, certainly I hear that something that a coming from a senator that I just want to come here and say, maybe it's about time for our legislature to look forward and maybe you guy of course you all lawyer and maybe you can help us, you know. I'm not come here to defend myself. This is not the case. We are talking about the future. How about my children? My grandson? Are they going to end up the same thing like me? So I think it's good to come here and talk to you and ask your help and maybe you guy can work on it. I know this kind of thing is not easy thing, but at least you'll get it started. So thank you very much for giving me the opportunity. Thank you.



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Senator Aguon:

Thank you very much Mr. Lam, and I know that you have submitted written testimony also to the record. Please if you can identify yourself for the record and proceed.

Theresa Rojas:

Good morning Mr. Chairman Senator Aguon, Vice Chairman Senator Ada, Senator Torres, and Senator Cruz. My name is Theresa Rojas. I'm an attorney with Berman O'Connor and Mann, and I'd like to provide oral testimony this morning on Bill fifty-nine (Bill 59).

Senator Aguon:

Please Proceed.

Theresa Rojas:

[Written Testimony Attached]

Senator Aguon:

Thank you very much Ms. Rojas, and thank you also for participating in this process and at least encouraging an update of existing statute. Senator Torres? Any questions or?

Senator Torres:

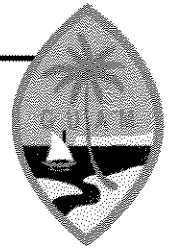
I just want to thank you very much for providing that. Often times we take for granted these old laws and in today's present society where divorce is a great, there is a great percentage of marriages that end in divorce, you know we have to think about the well being of all subjects to move on with their lives in the best way possible and in circumstances where there are substantial changes in circumstances that warrant modification, we have to be precognosce into that and allow our courts the purview and the ability to determine what the needs, the true needs are and the modification levels. So I thank you very much for providing very relevant testimony Mr. Lam in the form of a personal point of view, which I think is very valid and important for us to consider in policy decisions, and Attorney Rojas also, I appreciate your professional input into this matter. Si Yu'os Ma'ase'.

Senator Aguon:

Thank you very much Senator Torres. Senator Ada, or Vice Speaker Cruz any questions? If not, thank you for your testimony this morning.

Senator Aguon:

So aside from that, unless there are no other comments by my colleagues, this public hearing is hereby concluded. Thank you.



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III. WRITTEN TESTIMONY

The following individuals submitted written testimonies to the Committee on Guam US Military Relocation, Public Safety and Judiciary before or after the schedule public hearing on Tuesday, April 14, 2015 at 11:00AM in / *Liheslatura's* Public Hearing Room.

1. Mr. & Mrs. Alfred and Katherine Lam, Private Citizens
2. Mr. Michael J. Berman, Attorney, Berman O'Conner & Mann
3. Mrs. Theresa G. Rojas, Attorney, Berman O'Conner & Mann

IV. FINDINGS & RECOMMENDATIONS

The Committee on Guam US Military Relocation, Public Safety and Judiciary hereby reports out Bill No. 59-33 (COR) with the recommendation:

TO REPORT OUT ONLY

I MINA'TRENTAI TRES NA LIHESLATURAN GUÁHAN
2015 (FIRST) Regular Session

Bill No. 59-33(COR)

Introduced by:

Mary C. Torres *WCT*

2015 MAR 24 11:10:08

AN ACT TO AMEND SUBSECTION § 6111(b), AND TO ADD NEW SUBSECTIONS § 6111(d), § 6111(e), AND § 6111(f), ALL OF CHAPTER 6, TITLE 19, GUAM CODE ANNOTATED, RELATIVE TO PERSONAL RELATIONS AND COMMUNITY PROPERTY.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guáhan* finds that the current Guam law guiding personal relations and community property is based on decades-old California case law, which has since been updated in California and other jurisdictions.

It is, therefore, the intent of *I Liheslaturan Guáhan* to update current Guam codes to reflect more reasonable laws pertaining to the subjects of personal relations and community property.

Section 2. Subsection (b) of § 6111 of Chapter 6, Title 19, Guam Code Annotated, is amended to read:

~~“(b) A husband and wife cannot, by any contract with each other, alter their legal relations, except as to property, and except that they may agree, in writing, to an immediate separation, and may make provision for the support of either of them and of their children during such separation. The provisions of an agreement for support of either party shall be deemed to be separate and severable from the provisions of the agreement relating to property. An order for support of either party based on the agreement shall be law-imposed and shall be made under the power of the court to order spousal support.”~~

1 **Section 3.** New subsections (d), (e), and (f) are hereby *added* to § 6111 of Chapter 6,
2 Title 19, Guam Code Annotated:

3 (d) (1) Except as provided in subsections (2) and (3), the provisions of an
4 agreement for the support of either party are subject to subsequent modification or
5 termination by court order.

6 (2) An agreement may not be modified or terminated as to an amount that
7 accrued before the date of the filing of the notice of motion or order to show cause
8 to modify or terminate.

9 (3) An agreement for spousal support may not be modified or revoked to
10 the extent that a written agreement, or, if there is no written agreement, an oral
11 agreement entered into in open court between the parties, specifically provides
12 that the spousal support is not subject to modification or termination.

13 (e) If an obligation under an agreement for settlement of property to a spouse or
14 for support of a spouse is discharged in bankruptcy, the court may make all proper orders
15 for the support of the spouse, as the court determines are just, having regard for the
16 circumstances of the parties and the amount of the obligations under the agreement that
17 are discharged.

18 (f) § 6111(b) and § 6111(d) are effective only with respect to a property
19 settlement agreement entered into after the enactment of this Act into law.

20 **Section 4. Severability.** *If* any provision of this Act or its application to any person
21 or circumstance is found to be invalid or contrary to law, such invalidity *shall not* affect other
22 provisions or applications of this Act which can be given effect without the invalid provisions or
23 application, and to this end the provisions of this Act are severable.

COMMITTEE ON GUAM U.S. MILITARY RELOCATION, PUBLIC SAFETY & JUDICIARY

I Mina' Trentai Tres Na Liheslaturan Guahan | 33rd Guam Legislature

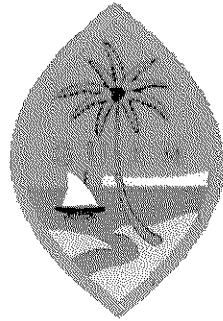


SENATOR FRANK B. AGUON, JR.

CHAIRMAN

Public Hearing

Tuesday, April 14, 2015 at 11:00am



Bill No. 59-33 (COR) - An act to amend subsection § 6111(b), and to add a new subsections § 6111(d), § 6111(c), and § 6111(f), all of Chapter 6, Title 19, Guam Code Annotated, relative to personal relations and community property.

Name (Please Print)	Agency/Organization	Contact Number	Oral Testimony	Written Testimony	In favor	Not In Favor
A. LAM	GESI			✓		
K. Chong	GESI					
A. REYES	"					
T. Rojas	Berman, O'Connor & Mann		✓			

Testimony for Bill No. 59-33

Honorable Mary Camacho Torres
Senator Guam Legislature
238 Archbishop Flores St.
Hagatna, Guam 96910

Re : Bill No. 59-33

My name is Alfred Lam and my wife Katherine Chong Lam; we are fully support your Bill No. 59-33.

We strongly believe and feel that the Guam Law is too old; our legislature have to modernize the old law and move ahead to help spousal support for all the people on Guam.

Thank you.

Yours very truly,

 4/14/15
Alfred Lam

 4/14/15
Katherine Chong Lam

News attachment

From

“Time” on May 27, 2013

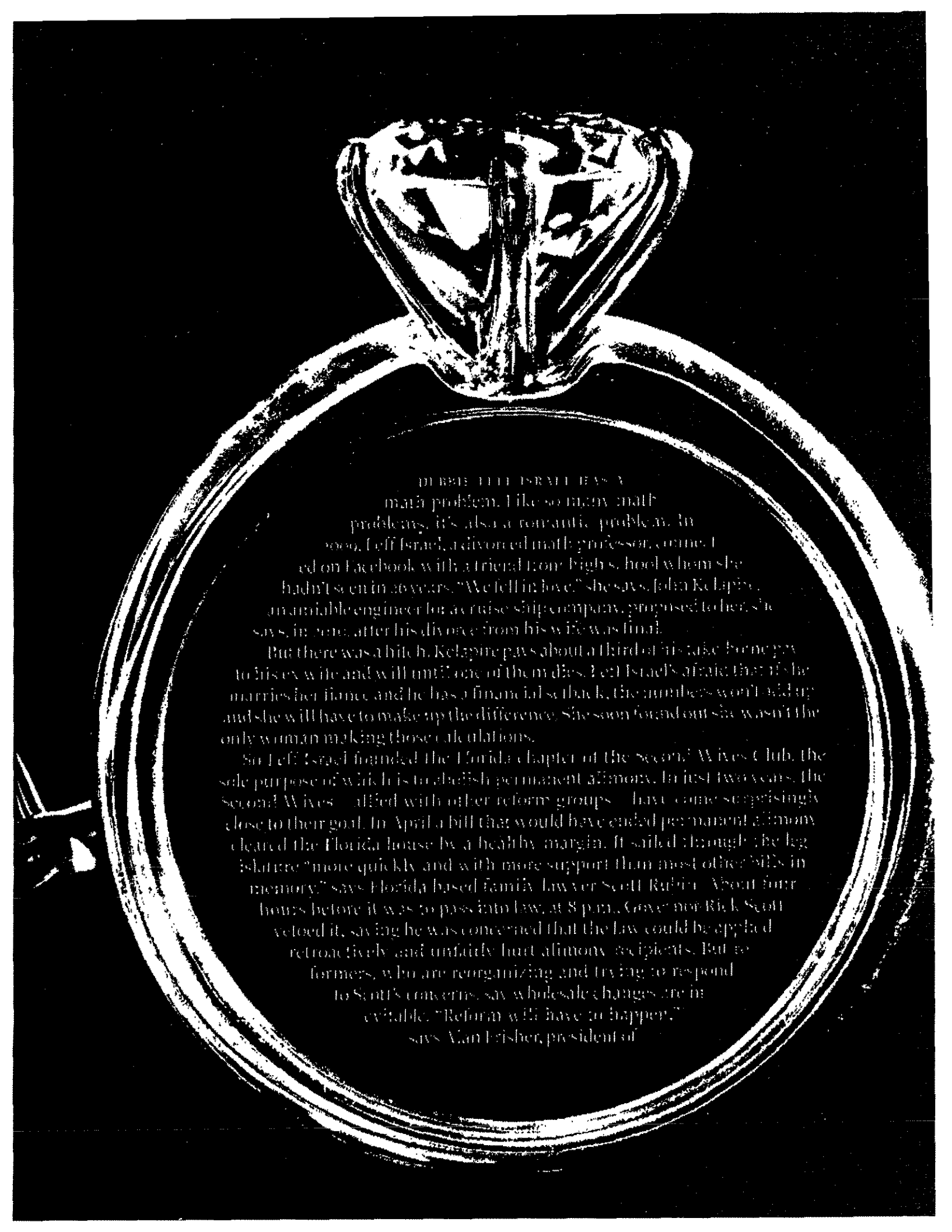
For your reference

SOCIETY



The End Of Alimony

BY BELINDA TUSCOMBE



DERBIE LEE ISRAEL HAS A math problem. Like so many math problems, it's also a romantic problem. In 2009, Lee Israel, a divorced math professor, connected on Facebook with a friend from high school whom she hadn't seen in 20 years. "We fell in love," she says. Julia Kelapire, an amiable engineer for a cruise ship company, proposed to her, she says, in 2011, after his divorce from his wife was final.

But there was a hitch. Kelapire pays about a third of his take-home pay to his ex wife and will until one of them dies. Lee Israel's afraid that if she marries her fiance and he has a financial setback, the numbers won't add up and she will have to make up the difference. She soon found out she wasn't the only woman making those calculations.

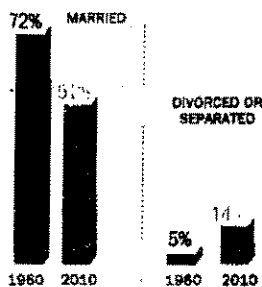
So Lee Israel founded the Florida chapter of the Second Wives Club, the sole purpose of which is to abolish permanent alimony. In just two years, the Second Wives—alleged with other reform groups—have come surprisingly close to their goal. In April a bill that would have ended permanent alimony cleared the Florida house by a healthy margin. It sailed through the legislature "more quickly and with more support than most other bills in memory," says Florida-based family lawyer Scott Rubin. About four hours before it was to pass into law, at 8 p.m., Governor Rick Scott vetoed it, saying he was concerned that the law could be applied retroactively and unfairly hurt alimony recipients. But reformers, who are reorganizing and trying to respond to Scott's concerns, say wholesale changes are inevitable. "Reform will have to happen," says Alan Frisher, president of

MARRIAGE AND ALIMONY BY THE NUMBERS

The U.S. Supreme Court ruled against gender bias in alimony awards



In 2010, barely half of U.S. adults were married, a record low

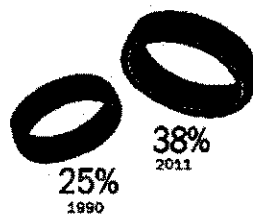


Total alimony received in the U.S., as reported to the IRS in 2011



More women are outearning their husbands

PERCENTAGE OF MARRIED COUPLES IN WHICH WIVES EARN MORE THAN HUSBANDS



Florida Alimony Reform (FAR). "Too many citizens are affected."

It may be the biggest change to the way Americans divorce since the 1970s, when the rise of no-fault dissolutions made ending a marriage more like an unpleasant root canal than open-heart surgery. Alimony—the permanent kind, which gets paid until one spouse dies or the recipient remarries—is facing extinction, or at least a significant downsizing. Although Floridians entering splitsville will still—for now—face or be able to seek permanent alimony, a growing reform movement is making headway across the U.S. State by state, legislatures and courts are taking a long, hard look at the purpose of alimony and the way it's awarded, replacing court-determined payments that can vary wildly with ones determined by a formula or scrapping them altogether. Massachusetts abolished lifetime alimony and set up a formula for future settlements in 2011, after a nine-year campaign by alimony payers. A bill was introduced in New Jersey's legislature in March, and others are in the works in Connecticut and Colorado. Vermont and Maryland have newly minted reform groups. Virginia, South Carolina, Georgia, Arkansas and Tennessee all have small groups. "Alimony is the most unstable area of family law," says Arizona State University law professor Ira Mark Ellman, who spent more than a decade studying family dissolution.

About 420,000 Americans receive alimony, by some estimates, but to reformers it is an obsolete yet ravenous dinosaur. The notion of permanence in marriage has taken a beating; arguably, anybody getting hitched these days shouldn't ignore the possibility of a solo stint sometime down the road. At the same time, the potential cost of permanent alimony keeps going up. Between rising longevity and people willing to cohabit rather than marry again, payees

can find themselves shelling out for decades longer than the marriage lasted—even after they've retired or fallen ill, even if their former spouse really doesn't need it.

This transformation of marriage has proceeded in step with changing assumptions about a woman's dependence on a man for money. To some people—especially those giving cash to an individual they despise—the idea that a woman cannot support herself financially is beyond quaint. Women are graduating from college in greater numbers than men, and while they typically don't earn as much, they have more opportunity than ever. In 2011, according to the Bureau of Labor Statistics, almost 40% of working wives earned more than their husbands. Lawyers have noted, in fact, a rise in the number of women who are being ordered to pay their ex-husbands. "Women are not helpless housewives any more," says Leff Israel.

Nor are they staying on the sidelines—and that's the real game changer propelling reform. For decades the scenario went like this: Man gets court order. Woman gets alimony. Man gets bitter. It was ex-husbands vs. first wives. But women's growing economic clout has given second wives considerable skin in the game, especially as the bumpy economy tended to punish the earning power of older men. When there isn't enough money to go around, the new wife may have to pay some of her husband's bills. It feels like her money is going to the first wife. Forever.

DONNA POLICASTRO HAS BEEN MARRIED TO an alimony payer for two years. He is obliged to pay his ex-wife of 20 years \$650 a month, and he pays \$105 a month for a life-insurance policy for which his ex-wife is the beneficiary. He gets \$2,250 a month from his pension and Social Security. His other monthly expenses, she says, include

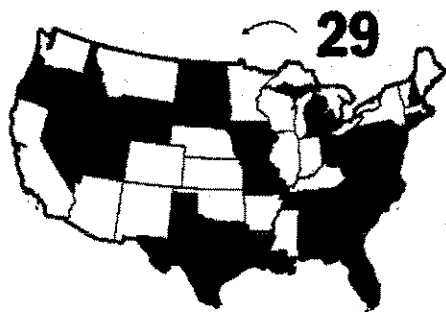
\$650 in outstanding bills from the marriage, \$250 in health insurance and \$100 toward his daughter's college loan. When he applied to the court for a modification recently, the court declined to lower his payments, noting that his new wife has income. So now she's helping him out with expenses. "Essentially I'm her alimony," she says. "We could have just lived together. I was the idiot."

But for his ex-wife, things are even worse. According to her lawyer, Policastro has not paid any alimony since July 2012. The first Mrs. Policastro says she relies on food stamps and loans from her retirement account to survive. She says she's tried to get a job. Before she had a daughter, she worked in the music business. But at 54, having taken 15 years off from full-time employment to be a full-time parent, she finds employers aren't interested. "I guess I'm not one of the desirables," she says. She's applying for disability, and the court has ordered that money be garnished from her ex-husband's Social Security wages.

Rose Carbone, a mergers and acquisitions manager turned teacher, married for the first time four years ago, when she was 51. "He's the love of my life. Unfortunately I didn't realize how permanent alimony would affect all our lives," she says. Her husband, an orthodontist, has been ordered to pay \$5,200 a month in alimony to his ex-wife of 20 years. Orthodontists need good economies, and Florida hasn't had one in a while. "He has no retirement savings. None. Permanent alimony is slavery," she says. "It's worse than slavery."

These members of the Second Wives Club acknowledge that women who divorce breadwinners may need something to tide them over during a transition to independence. But they ardently believe that their spouses' ex-wives should have been able to look after themselves after a decade or so

Number of states (including D.C.) that consider marital fault a relevant factor in awarding alimony



KANSAS



Limits alimony to 10 years and one month

MASSACHUSETTS



Before the state passed reforms in 2011, the only type of alimony available was permanent alimony

TEXAS



In 1995, became the last state in the U.S. to adopt any form of alimony

NEW JERSEY



Behavior that "shocks the conscience" can be considered in lessening or increasing an alimony award

UTAH



The duration of alimony cannot exceed the length of the marriage, except in unusual circumstances

Sources: Pew Research Center; U.S. Bureau of Labor Statistics; Family Law Quarterly; state family codes and court cases

of what's known as rehabilitative alimony to rebuild their lives. It seems to them that with the kids gone, the first wives are just sitting around doing nothing.

But some family-law experts—including, yes, lawyers, who make their living when people fight in court—warn that attacking alimony is bad social policy. One concern is that eliminating alimony now will force divorced women to fall back on the state for support. Another objection is that alimony reform may alter the incentives for couples at the outset of a marriage, as forward-thinking spouses contemplate the difficulty of landing a job after years of not working. "You're telling a couple that neither of them can stay at home and raise their child," says Laura Morgan, a lawyer and the author, with Brett Turner, of the American Bar Association's forthcoming alimony handbook. "Their economic circumstances, should the marriage fail, will be so dire." Are stay-at-home moms making a huge mistake?

Issues like these get at some thorny philosophical questions about marriage and divorce. When people wed, they receive a host of benefits, from better tax treatment to the support of another human. But as the alimony-reform debate makes clear, some spouses are giving up something too. There is an opportunity cost to marriage and family care. Years spent tending the home or kids or but-tressing a partnership are also years spent not building a résumé, not networking, not honing monetizable skills. When a union founders, alimony is a way of recouping that opportunity cost.

ALIMONY—THE WORD STEMS FROM THE Latin for nourishment—has always been an awkward arrangement. Some form of monetary support for cast-off wives was mandated as early as the Babylonian era

in the Hammurabi Code. In Western law, the practice was established in about the 12th century, when divorce was not recognized; if a couple separated, a husband still had to support his wife because they were legally still married. In the modern era, alimony has often been associated with blame; one spouse was being maltreated, cheated on, abandoned, and the other spouse should pay. Or as Peggy Hopkins Joyce, a much married actress of the '20s, is reputed to have said, "Alimony's a system by which, when two people make a mistake, one of them continues to pay for it."

Then again, in Joyce's day, everyone got married. Now the divorce landscape has radically changed. While conventional wisdom says half of all marriages end in divorce, the real number is very hard to pin down—some states don't collect data on divorce, and people who marry and divorce a lot can skew the figures—but many experts say a better estimate is closer to 40%. In fact, says Ellman, the family scholar, among college-educated couples who married after age 26, the divorce rate has been dropping for the longest period in U.S. history. Among those with a high school education or less, however, divorce rates are still high.

WOMEN
HAVE QUICKLY
BECOME THE
MOST POWERFUL
WEAPON IN
BEATING BACK
PAYMENTS TO
EX-WIVES

Laws governing how people deconstruct their marriages differ from state to state, but typically, when one spouse wants to split—two-thirds of the time it's the wife—there's little the other spouse can do. (Same-sex couples are just beginning to face some of these issues now, a fact likely to generate additional legal wrinkles.) During the divorce, three major things have to be decided: how the children will be raised, how the property will be divided and, in cases of lopsided income, whether one spouse will be getting alimony. There are formulas for the first two, and agreements can often be hammered out by lawyers or mediators without getting the courts involved.

But the most vicious fights are over alimony. That's often where family court has to step in, and a judge decrees the alimony amount. In most cases the court's decisions are based on one spouse's need for money and the other spouse's ability to pay. Because each marriage is different and each judge is different, the amount and duration of alimony often varies wildly. The decisions can seem arbitrary and create an appetite for a formula, not just a judge's say-so. The more those questions get raised, the shakier the underpinnings of the alimony system can seem.

WHEN STEVE HITNER, THE PRESIDENT AND co-founder of Massachusetts Alimony Reform (MAR), which was instrumental in the state's 2011 move to eliminate permanent alimony and establish a formula for rehabilitative payments, first approached his local representative about his complaints in 2002, he was quickly rebuffed. "He said, 'It's a man-vs.-woman thing, and I'm not going to expose myself to that,'" recalls Hitner, who says he got involved in alimony reform after the costs of his divorce forced him to declare bankruptcy.

But Hitner noticed a lot of second

wives contacting him through his blog. In Massachusetts, the only kind of alimony available was permanent. Some men had been married very briefly and were paying money to their ex-wives decades later, sometimes to the impoverishment of their current family. "We met with the women speak," says Hitner. "And wow, he listened." MAR gathered together the first Second Wives Club, and Hitner, who's now a divorce mediator, has advised every state's alimony-reform group to build one. Leff Israel calls him her mentor.

She started the Florida Second Wives Club in December 2011 as an arm of the existing group Florida Alimony Reform, which was made up mostly of guys. Leff Israel's financial situation is not bad. She's a math professor at Broward Community College. Kelapire would be her second husband. She says she got limited alimony from her ex but receives more child support than the guidelines recommend so that she can keep up payments on her home and her son can continue at the local school. While it was her fiancé's situation that sparked her interest in alimony reform, she says she was moved to action by hearing the stories of those who were much worse off.

This fight is not just about money, she says. "Alimony ties you to an unhealthy relationship. You need a clean break." FAR hired a publicist and a lobbyist after a similar bill failed to make it to the floor of the Florida legislature last year, but president Alan Frisher notes, "The women have been crucial in this fight."

Studies have consistently shown that women fare worse financially after divorce than men. Census figures from 2009 found that women who had divorced in the previous 12 months were twice as likely as recently divorced men to be in poverty (22% to 11%). Even in wealthier families, the disparity is stark. "In the vast majority of cases, especially when you're talking about an older woman in her 50s, the chances of her getting a well-paid job with no work history are slim to none," says Jeffrey Landers, a divorce financial analyst who specializes in advising women. And very few families are wealthy enough that women can live for long off the money they got when the assets were divided. "Men in their 50s will be able to replenish their assets and retirement account," says Landers. "Women typically will have to deplete them for day-to-day expenses."

Jan Killilea, 53, says she is one of these

women. She and her husband of 25 years split soon after they moved from Connecticut to Florida for his work. At the time of her divorce, a vocational expert estimated that she could probably make \$29,000 a year if she were working. After what she says was a wide job search, she now works as a nanny at, indeed, about that pay level. That job runs out in August, when her charge heads off to school. She got to keep the house in the divorce but says she owes more on it than it's worth. "I couldn't survive without alimony," she says. Her ex-husband, who asked not to be named, disputes her characterization of her financial situation.

This being Florida, Killilea decided to start a First Wives First Club to combat the efforts of the Second Wives. When she went public with her story, outraged reform activists posted her address on the Internet, dug through her divorce filings, found pictures of her on a ski trip and commented ungenerously on her life choices. Leff Israel provided me with a notarized letter from one of Killilea's now grown daughters basically calling her mother a gluttonous leech. On reading the letter, Killilea gets teary-eyed but recovers. "The divorce has been hard on the kids," she

WAITING

Debbie Leff Israel worries about marrying John Kelapire (background) because he owes permanent alimony to his ex-wife

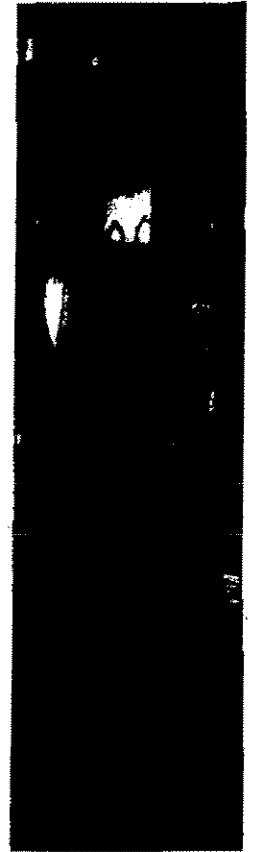
THERE'S SO MUCH ABUSE IN THE SYSTEM. IT'S VIRTUALLY IMPOSSIBLE TO TERMINATE ALIMONY!



FIRST WIFE

Jan Killilea gets permanent alimony from her husband and works as a nanny

I DID NOT EXPECT [ALIMONY REFORMERS] TO COME BACK AT ME LIKE THEY DID. IT WAS LIKE BULLYING.



says. "Two of them have sided with their dad." A day later she forwards me an e-mail about infighting at FAR that makes Leff Israel look power-hungry.

The mean-girl antics hint at the bigger social forces at work. Alimony recipients are by and large stay-at-home moms; members of the Second Wives Club usually work outside the home. It's generational: the second wives cannot understand how a few years of supplemental income is not enough to get an older woman with no work history back on her feet. The first wives haven't grasped that the era of a woman having a right to be looked after is over. It's also deeply personal. Alimony ties a man to his ex-spouse, and the connection irks the current spouse. To her, writing a check to an ex is like picking at a scab, hindering its ability to heal. "Even if you are only paying \$50, you have this umbilical cord that connects you to this other person," says Leff Israel.

In 2011, Ellman and fellow ASU professor Sanford Braver polled people about the scenarios for which they thought alimony should be awarded. "What we found is that when there is a longer relationship, people are indeed more inclined to think that alimony is appropriate," Ellman says.


People were especially apt to award alimony if the couple had children, even though the survey made clear that wives were already getting child support. Surprisingly, though, people had less sympathy for so-called displaced homemakers, women who had stayed home with their kids but whose kids had left—the exact same people who frustrate the Second Wives.

But displaced homemakers, argues law professor Judith McMullen of Marquette University in a 2011 study, are those most in need of the court's protection. In her view, women are not getting enough alimony. They don't ask for it because they feel guilty about the collapsed marriage and foolish for having stayed home rather than work. "Women's tendency to assume emotional responsibility for the success of the marriage and parenting," she writes, "makes it difficult for many women to successfully negotiate for alimony."

McMullen argues that formula-based alimony, as opposed to a kind of couture decision from a judge each time, might actually be to an older woman's advantage because of its predictability. The family-court section of the Florida Bar doesn't agree. "The laws needed to be reformed,"


says Rubin, "but with a scalpel, not a machete." Many lawyers oppose formulas in favor of clearer guidelines that don't tie judges' hands. Rubin says that isn't their business interests talking—any change to alimony laws is great for lawyers. "Everybody will be calling their clients to get a modification," he says. Regardless, most lawyers will privately admit that the momentum is in favor of reform. Governor Scott has agreed to meet with Swisher, the FAR president, to discuss his reservations about the Florida legislation.

Back in Massachusetts, Steve Hitner is beginning to savor the fruits of his labor. And he's not alone. He's a former alimony payer and former realtor, and he seems to have new-found sympathy for the other side. "People were saying they'd never have to work. And now suddenly the money's not coming in," he says. He's ready to get the parties to make a deal, to agree to cutting the money off after a number of months. "A 70-plus-year-old woman asked for his help recently because her ex-husband just unilaterally decided to stop paying after 32 years. "I'm not in favor of that. You have to give people a chance to get used to the idea," he says. "That just makes us look bad." ■



ENDLESS BOND
Silvana Roncal, a financial consultant, is obligated to pay permanent alimony to her ex-husband

'IT HAS TO BE REHABILITATIVE ALIMONY FOR FIVE YEARS, AND CIAO, YOU CAN START ANYTHING AT 50.'



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April 13, 2015

VIA EMAIL [MARYCAMACHOTORRES@GMAIL.COM]
FACSIMILE [475-2422]
AND HAND DELIVERY

Honorable Mary Camacho Torres
Senator
Guam Legislature
238 Archbishop Flores St.
Hagatna, Guam 96910

Re: Bill No. 59-33 (Personal Relations)

Dear Senator Torres:

Thank you for providing our office with the opportunity to provide written comment on Bill No. 59-33.

Please note that our office believes that this bill serves the general need to modernize Guam law on the issue of spousal support, be it for men or women. Importantly, this bill makes it clear that spousal support awards should always be modifiable, like child support, provided there is a material change in circumstances, such as a party accruing substantial wealth, or should a party go into retirement, be it voluntarily or involuntarily. I believe the key facts should be a finding of continued "need" by the receiving party, and an ability to pay by the paying party.

Numerous legislatures and courts in the recent past have sought to modernize their laws in this regard. A recent key legislative development occurred when the State of Massachusetts passed into law a comprehensive new alimony law in 2011, called the Alimony Reform Act of 2011. This new law was discussed at 46 Suffolk U.L. Rev. 13,

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20-21(2013) (copy enclosed) where it made clear what is the intellectual concept underlying the concept of alimony.

The general underlying concept of spousal support is based on the relatively simple proposition that when a marriage ends, and one party who is financially dependent has needs that can be met by the other divorcing spouse, the court has discretion to order alimony. The authority of a court to award alimony continues to be grounded in the recipient spouses need for support and the supporting spouse's ability to pay (emphasis added).

For further discussion of the Alimony Reform Act of 2011 see 36 W. New Eng. L. Rev. 1 (2014) (copy enclosed).

In summary, I believe your bill should be commended for its modern approach to a complex area of law, in need of reform. This is a lack of coherence and modern thought in the current regime of laws on Guam on this issue and your Bill goes a long way to cure this.

Please note that I leave on a trip on April 14, 2015. However, attorney Theresa Rojas with our office will be pleased to testify in support of this bill on April 14, 2015, at 11:00 a.m., as circumstances may allow.

Very truly yours,


MICHAEL J. BERMAN

Enclosures will follow by Hand Delivery.

**BERMAN
O'CONNOR &
MANN**

Attorneys at Law

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April 14, 2014

Honorable Frank Blas Aguon, Jr.
Senator and Chairman Committee on the Guam U.S. Military Relocation,
Public Safety, and Judiciary
Ste. 503 DNA Bldg.
238 Archbishop Flores St.
Hagatna, Guam 96910

**RE: BILL NO. 59-33 RELATIVE TO AMENDING SUBSECTION 6116, AND TO ADD NEW
SUBSECTIONS 6111(D), 6111(E), AND 6111(F) – ALL OF WHICH ARE RELATIVE TO
CHAPTER 6, TITLE 19, GUAM CODE ANNOTATED, RELATIVE TO PERSONAL RELATIONS AND
COMMUNITY PROPERTY.**

Hafa Adai Sentar Aguon and Committee Members,

Thank you for providing our office with the opportunity to provide written
comment on Bill No. 59-33.

We believe that this bill serves the general need to modernize Guam law on
the issue of spousal support, be it for men or women. Importantly, this bill
makes it clear that spousal support awards should always be modifiable, like
child support, provided there is a material change in circumstances to either
party.

At present, Guam courts rely on abstract and unbending legal principles
drawn from a line of California cases – decided decades ago – which totally ignore
the tidal wave of change regarding this area of law and the new economic,
cultural, and familial roles of men and women in a contemporary society.

Numerous legislatures and courts in the recent past have sought to

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modernize their laws in this regard – by permitting the modification of spousal awards. And, there the key facts have been a finding of continued “need” by the receiving party, and an ability to pay by the paying party.

Again, where courts are given the authority to modify spousal support, they can do so only if there has been an unanticipated and substantial change in either spouse’s circumstances such as job loss, illness, retirement or remarriage.

Today, there are parties on Guam who have no substantial “need” for continued alimony or spousal support due to their changed circumstance – such as increased wealth and assets. On the other end, payors or obligors of alimony have also experienced change by going into retirement, be it voluntarily or involuntarily, or meeting unanticipated illness; altering their capacity to work and earn income.

The problem with Guam’s present statute is that it places a burden on our trial courts and the parties to have each agreement entered in a proceeding of divorce examined on a case by case basis – to first determine whether an award or agreement for spousal support meets specific criteria under law to permit modification. Even before determining, whether parties have raised a sincere “need” for their request to modify. Specifically, the courts must use and follow specific factors, determined decades ago, to determine if modification is permissible (most importantly searching for integration of spousal and property awards / divisions).

Here, Senator Torres’ amendment to Chapter 6, Title 19, makes it a law that in a marital settlement agreement property settlement is *always* separate from alimony (spousal support) and spousal support can always be modified unless a marital agreement says it cannot be.

The law still permits parties to retain their autonomy – allowing them to enter into an agreement to create life-long unmodifiable permanent alimony if they wish.

Even our Supreme Court has recognized the need for a change to Guam’s law in this regard – but has determined that this change is best left to our policy makers. So, any adjustment or affect on the court’s present interpretation of a party’s ability to modify spousal support within a marital settlement agreement – can only be made by a change in law.

The Supreme Court’s decision, discussing Guam’s present analysis of the court’s ability to modify spousal support can be reviewed under Supreme Court Opinion 2015 Guam 6.

In closing, we applaud and commend Senator Torres as the bill’s author

August __, 2014
Page 3

for introducing the measure – as this amendment is a modern approach to a complex area of law in need of reform.

Thank you for allowing us to express our support for this measure and we urge the committee's full support on this bill.

Thank you.

/s/ Theresa G. Rojas, Esq.



COMMITTEE ON RULES

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Senator

Rory J. Respicio

CHAIRPERSON

MAJORITY LEADER

Senator

Thomas C. Ada

VICE CHAIRPERSON

ASSISTANT MAJORITY LEADER

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Nerissa Bretania Underwood

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V. Anthony Ada

MINORITY LEADER

Mary C. Torres

MINORITY MEMBER

Certification of Waiver of Fiscal Note Requirement

This is to certify that the Committee on Rules submitted to the Bureau of Budget and Management Research (BBMR) a request for a fiscal note, or applicable waiver, on **Bill No. 59-33 (COR) – M.C. Torres, "AN ACT TO AMEND SUBSECTION § 6111(b), AND TO ADD NEW SUBSECTIONS § 6111(d), § 6111(e), AND § 6111(f), ALL OF CHAPTER 6, TITLE 19, GUAM CODE ANNOTATED, RELATIVE TO PERSONAL RELATIONS AND COMMUNITY PROPERTY."**– on March 25, 2015. COR hereby certifies that BBMR confirmed receipt of this request March 25, 2015 at 4:32 P.M.

COR further certifies that a response to this request was not received. **Therefore, pursuant to 2 GCA §9105, the requirement for a fiscal note, or waiver thereof, on Bill 59-33 (COR) to be included in the committee report on said bill, is hereby waived.**

Certified by:

Senator Rory J. Respicio

Chairperson, Committee on Rules

April 24, 2015

Date



COMMITTEE ON RULES

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V. Anthony Ada

MINORITY LEADER

Mary C. Torres

MINORITY MEMBER

March 25, 2015

VIA E-MAIL

joey.calvo@bbmr.guam.gov

Jose S. Calvo

Acting Director

Bureau of Budget & Management Research

P.O. Box 2950

Hagåtña, Guam 96910

RE: Request for Fiscal Notes– Bill Nos. 59-33(COR) and 60-33(COR)

Hafa Adai Mr. Calvo:

Transmitted herewith is a listing of *I Mina'trentai Tres Na Liheslaturan Guahan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

Si Yu'os ma'åse' for your attention to this matter.

Very Truly Yours,

Senator Rory J. Respicio

Chairperson of the Committee on Rules

Attachment (1)

Cc: Clerk of the Legislature

Bill Nos.	Sponsor	Title
<p>59-33 (COR)</p>	<p>M. C. Torres</p>	<p>AN ACT TO AMEND SUBSECTION § 6111(b), AND TO ADD NEW SUBSECTIONS § 6111(d), § 6111(e), AND § 6111(f), ALL OF CHAPTER 6, TITLE 19, GUAM CODE ANNOTATED, RELATIVE TO PERSONAL RELATIONS AND COMMUNITY PROPERTY.</p>
<p>60-33 (COR)</p>	<p>Michael F.Q. San Nicolas B. J.F. Cruz Thomas C. Ada N.B. Underwood, Ph.D. M. C. Torres J. V. Espaldon</p>	<p>AN ACT TO REPEAL AND REENACT CHAPTER 11, TITLE 2, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE GUAM TAX COMMISSION.</p>



COMMITTEE ON RULES

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V. Anthony Ada

MINORITY LEADER

Mary C. Torres

MINORITY MEMBER

March 24, 2015

MEMORANDUM

To: Rennae Meno
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Rory J. Respicio
Chairperson, Committee on Rules

Subject: Referral of Bill No. 59-33(COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 59-33(COR)**.

Please ensure that the subject bill is 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 Tres Na Liheslaturan Guåhan*.

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

Si Yu'os Ma'åse!

Attachment

I Mina'Trentai Tres Na Liheslaturan Received

Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
59-33 (COR)	M. C. Torres	AN ACT TO AMEND SUBSECTION § 6111(b), AND TO ADD NEW SUBSECTIONS § 6111(d), § 6111(e), AND § 6111(f), ALL OF CHAPTER 6, TITLE 19, GUAM CODE ANNOTATED, RELATIVE TO PERSONAL RELATIONS AND COMMUNITY PROPERTY.	03/24/15 10:08 a.m.	03/24/15	Committee on the Guam U.S. Military Relocation, Public Safety, and Judiciary			



Office of Senator Frank B. Aguon, Jr. <admin@frankaguonjr.com>

1st Notice – Public Hearing for on Tuesday, April 14, 2015 at 11:00 AM

Office of Senator Frank Aguon, Jr. Admin <admin@frankaguonjr.com> Mon, Apr 6, 2015 at 11:02 AM

To: "Office of Senator Frank B. Aguon, Jr." <admin@frankaguonjr.com>

Cc: "Senator Frank B. Aguon Jr." <aguon4guam@gmail.com>, Ivan Palacios <communications@frankaguonjr.com>, Senator Aguon Media <media@frankaguonjr.com>, Committee <committee@frankaguonjr.com>, Lourdes Eclavea <staff@frankaguonjr.com>, Senator Aguon's Assistant <officeassistant@frankaguonjr.com>

Bcc: antoniot@guamairport.net, arthur.paulino@gpd.guam.gov, bobcamacho@guamairport.net, chuck.ada@guamairport.net, cme.guam@gmail.com, communications@guam.gov, dcaguero@portguam.com, ebanderson@guamag.org, elaine.gogue@guam.gov, emiller@guampdsc.net, eric.fisher@gpd.guam.gov, euntalan@fhh.com, faguon@portguam.com, governor@guam.gov, guamwardeny2k@yahoo.com, joey.sannicolas@gfd.guam.gov, madeleine.bordallo@mail.house.gov, matt.sablan12@yahoo.com, maurice.sayama@gpd.guam.gov, michael.cura@dpr.guam.gov, michael.uncangco@gfd.guam.gov, philip.taijeron@cqa.guam.gov, phnotice@guamlegislature.org, "Raffaele.sgambelluri@cqa.guam.gov" <raffaele.sgambelluri@cqa.guam.gov>, raymond.blas@dpr.guam.gov, Carla Borja <carla.borja@doc.guam.gov>, Christopher Budasi <cbudasi@guamcourts.org>, "clynt@spbgum.com" <clynt@spbgum.com>, Cynthia Ige <cynthia.ige@gpd.guam.gov>, "Daleno, Gaynor D" <gdumat-ol@guam.gannett.com>, "Fred E. Bordallo" <fred.bordallo@gpd.guam.gov>, "Honorable Robert J. Torres" <guamjustice@hotmail.com>, "hottips@kuam.com" <hottips@kuam.com>, Jon Calvo <jon.calvo@mail.house.gov>, "jose.sanagustin" <jose.sanagustin@doc.guam.gov>, Joshua Tenorio <jtenorio@guamcourts.org>, Joy Unpingco <joy.unpingco@guam.gov>, Ken Quintanilla <kenq@kuam.com>, "louella@mvguam.com" <louella@mvguam.com>, Mark Calvo <mark.calvo@guam.gov>, "mvariety@pticom.com" <mvariety@pticom.com>, "news@guampdn.com" <news@guampdn.com>, "Pedro A. Leon Guerrero, Jr." <pedro.leonguerrero@cqa.guam.gov>, Ray Tenorio <ray.tenorio@guam.gov>, Rose Ramsey <rose.rams@guam.gov>, "susan.reyes" <susan.reyes@gpd.guam.gov>, Valerie Cruz <vcruz@guamcourts.org>, fsm@teleguam.net, mis <mis@guamlegislature.org>, sgtarms@guamlegislature.org

April 6, 2015

MEMORANDUM

To: All Senators, Media, and Stakeholders

Fr: SENATOR FRANK B, AGUON, JR.

Subject: 1st Notice – Public Hearing on Tuesday, April 14, 2015 at 11:00 AM

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- **Bill No. 59-33 (COR)** - An act to amend subsection §6111(b), and to add new subsections § 6111(d), § 6111(e), and § 6111(f), all of Chapter 6, Title 19, Guam Code Annotated, relative to personal relations

and community property. (*Sponsor: Mary C. Torres*)

- **Bill No. 65-33 (COR)** - An act to amend §§ 66102 and 66104.2 of Chapter 66, Title 10 of the Guam Code Annotated, relative to the participation of non-immigrant aliens admitted under the Compacts of Free Associations in the Civilian Volunteer Police Reserve. (*Sponsor: Vice-Speaker B.J. Cruz*)

The Hearing will broadcast on local television, *GTA Channel 21 and Docomo Channel 117* or streamed online at: www.guamlegislature.com.

The Committee requests that, if written testimonies are to be presented at the Public Hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Frank B. Aguon, Jr. at Suite 501 DNA Bldg. 238 Archbishop Flores St. Hagatña, Guam, or via fax to 475-GUM3(4863), or via email to: aguon4guam@gmail.com. Copies of the aforementioned Bill(s) may be obtained at *I Liheslaturm Guahån 's* website at: www.guamlegislature.com. Individuals requiring special accommodations, auxiliary aids, or services should contact our office at 475-4861/62. Please feel free to contact my office should you have any questions or concerns.

Un Dangkolo Na Si Yu'os Ma'ase!

—
Thanks!

Office of Senator Frank B. Aguon, Jr.

Committee on Guam US Military Relocation, Public Safety, and Judiciary

SUITE 503, DNA BLDG. 238 ARCHBISHOP FLORES STREET HAGATÑA, GUAM 96910

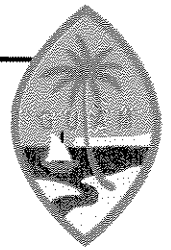
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April 6, 2015

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Un Dangko! La Si Yu'os Ma'ase!

SENATOR FRANK B. AGUON, JR.

Committee Chairman on Guam U.S. Military Relocation | Public Safety | Judiciary
I Mina' Trentai Tres Na Liheslaturan Guahan | 33rd Guam Legislature

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FRANK B. AGUON, JR.
Chairman

Senator
Thomas C. Ada
Vice Chairman

Vice-Speaker
Benjamin J.F. Cruz
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Member

Speaker
Dr. Judith T. Won Pat, Ed.D
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Office of Senator Frank B. Aguon, Jr. <admin@frankaguonjr.com>

2nd Notice – Public Hearing on Tuesday, April 14, 2015 at 11:00 AM

Office of Senator Frank Aguon, Jr. Admin <admin@frankaguonjr.com>

Thu, Apr 9, 2015 at 7:13 PM

To: "Office of Senator Frank B. Aguon, Jr." <admin@frankaguonjr.com>

Cc: "Senator Frank B. Aguon Jr." <aguon4guam@gmail.com>, Senator Aguon Media <media@frankaguonjr.com>, Committee <committee@frankaguonjr.com>, Ivan Palacios <communications@frankaguonjr.com>, Lourdes Eclavea <staff@frankaguonjr.com>, Senator Aguon's Assistant <officeassistant@frankaguonjr.com>

Bcc: antoniot@guamairport.net, arthur.paulino@gpd.guam.gov, bobcamacho@guamairport.net, chuck.ada@guamairport.net, cme.guam@gmail.com, communications@guam.gov, dcaguero@portguam.com, ebanderson@guamag.org, elaine.gogue@guam.gov, emiller@guampdsc.net, eric.fisher@gpd.guam.gov, euntalan@fhn.com, faguon@portguam.com, governor@guam.gov, guamwardeny2k@yahoo.com, joey.sannicolas@gfd.guam.gov, madeleine.bordallo@mail.house.gov, matt.sablan12@yahoo.com, maurice.sayama@gpd.guam.gov, michael.cura@dpr.guam.gov, michael.uncangco@gfd.guam.gov, philip.taijeron@cqa.guam.gov, phnotice@guamlegislature.org, "Raffaele.sgambelluri@cqa.guam.gov" <raffaele.sgambelluri@cqa.guam.gov>, raymond.blas@dpr.guam.gov, Carla Borja <carla.borja@doc.guam.gov>, Christopher Budasi <cbudasi@guamcourts.org>, "clynt@spbguam.com" <clynt@spbguam.com>, Cynthia Ige <cynthia.ige@gpd.guam.gov>, "Daleno, Gaynor D" <gdumat-ol@guam.gannett.com>, "Fred E. Bordallo" <fred.bordallo@gpd.guam.gov>, "Honorable Robert J. Torres" <guamjustice@hotmail.com>, "hottips@kuam.com" <hottips@kuam.com>, Jon Calvo <jon.calvo@mail.house.gov>, "jose.sanagustin" <jose.sanagustin@doc.guam.gov>, Joshua Tenorio <jtenorio@guamcourts.org>, Joy Unpingco <joy.unpingco@guam.gov>, Ken Quintanilla <kenq@kuam.com>, "louella@mvguam.com" <louella@mvguam.com>, Mark Calvo <mark.calvo@guam.gov>, "mvariety@pticom.com" <mvariety@pticom.com>, "news@guampdn.com" <news@guampdn.com>, "Pedro A. Leon Guerrero, Jr." <pedro.leonguerrero@cqa.guam.gov>, Ray Tenorio <ray.tenorio@guam.gov>, Rose Ramsey <rose.ramsey@guam.gov>, "susan. reyes" <susan.reyes@gpd.guam.gov>, Valerie Cruz <vcruz@guamcourts.org>, fsm <fsm@teleguam.net>, mis <mis@guamlegislature.org>, sgtarms@guamlegislature.org

April 9, 2015

MEMORANDUM

To: All Senators, Media, and Stakeholders

Fr: SENATOR FRANK B, AGUON, JR.

Subject: 2nd Notice – Public Hearing on Tuesday, April 14, 2015 at 11:00 AM

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Thanks!

Office of Senator Frank B. Aguon, Jr.

Committee on Guam US Military Relocation, Public Safety, and Judiciary

SUITE 503, DNA BLDG. 238 ARCHBISHOP FLORES STREET HAGATÑA, GUAM 96910

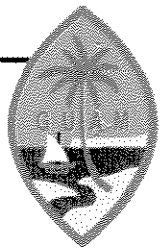
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April 9, 2015

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Un Dangkol na Si Yu'os Ma'ase!

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Committee Chairman on Guam U.S. Military Relocation | Public Safety | Judiciary
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Member

Senator
V. Anthony Ada
Member

Senator
Frank F. Blas Jr.
Member

Senator
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Member

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WEDNESDAY, APRIL 8, 2015 - MARIANAS VARIETY GUAM EDITION



Mina Trentai Tres Na Liheslaturan Guahan
33rd Guam Legislature

OFFICE OF SENATOR FRANK B. AGUON, JR.

Chairman, Committee on Guam US Military Relocation,
Public Safety and Judiciary

Public Hearing

TUESDAY, April 14, 2015 | 11:00AM

AGENDA

Bill No. 59-33 (COR) - An act to amend subsection 56111(b), and to add a new subsections 56111(d), 56111(c), and 56111(f), all of Chapter 6, Title 19, Guam Code Annotated, relative to personal relations and community property.

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If you require any special accommodations, please contact the Office of Senator Frank B. Aguon, Jr. at 475-GUM1/2 (4861/2) or e-mail: committee@frankaguonjr.com.

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Mina Trental Tres Na Lihesaturan Guahan
33rd Guam Legislature

OFFICE OF SENATOR FRANK B. AGUON, JR.

Chairman, Committee on Guam US Military Relocation
Public Safety and Judiciary

Public Hearing

TUESDAY, April 14, 2015 (11:00AM)

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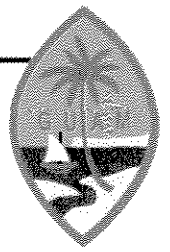
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Chairman

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Thomas C. Ada
Vice Chairman

Vice-Speaker
Benjamin J.F. Cruz
Member

Senator
Roy J. Respicio
Member

Senator
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Senator
Dr. Nerissa B. Underwood,
Ph.D.
Member

Senator
V. Anthony Ada
Member

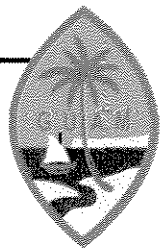
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Frank F. Blas Jr.
Member

Senator
James V. Espaldon
Member

Senator
Brant T. McCreadie
Member

Speaker
Dr. Judith T. Won Pat, Ed.D
Ex-Officio

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- Governor Eddie B. Calvo
- Lieutenant Governor Ray Tenorio
- Congresswoman Madeleine Z. Bordallo
- Chief Justice Robert J. Torres
 - Joshua Tenorio, Administrator of the Courts
- Special Assistant to the Governor on Military Buildup & Infrastructure
 - Mark Calvo
- Guam Customs & Quarantine Agency
 - Pedro Leon Guerrero, Director
 - Rafalle J. M. Sgambellure, Chief
 - Philip Tajeron, Assistant Chief
- Guam Police Department
 - Fred Bordallo, Chief
 - Maurice Sayama, Colonel
 - Eric Fisher, Captain
 - Arthur Paulino, Lieutenant
- Antonio Won Pat International Airport
 - Charles Ada, General Manager
 - Edward Untalan, Chairman of the Board
- Guam Airport Police
 - Bob Camacho, Chief
- Guam Port Authority Police
 - Doris Aguero, Chief
- Guam Fire Department
 - Joey San Nicolas, Chief
- Department of Corrections
 - Jose A. San Agustin
 - Carla Borja
- Guam Department of Parks and Recreation
 - Raymond Blas, Director
 - Mike Cura, Parks Administrator
- Office of the Attorney General
 - Attorney Elizabeth Barrett-Anderson
- Public Defender Service Corporation
 - Eric D. Miller
- FSM Consulate General in Guam
 - Robert Ruecho, Consul General
 - Robson U. Romolow, Consular Officer



April 6, 2015

The Honorable Edward J. Calvo
Governor of Guam

513 West Marine Corps Drive
Ricardo J. Bordallo Complex
Hagåtña, Guam 96910
Sent via email to: governor@guam.gov

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Committee Chairman of Guam U.S. Military Relocation | Public Safety | Judiciary
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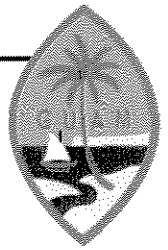
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Speaker
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Ex-Officio



April 6, 2015

The Honorable Ray Tenorio
Lieutenant Governor of Guam
513 West Marine Corps Drive
Ricardo J. Bordallo Complex
Hagåtña, Guam 96910
Sent via email to: ray.tenorio@guam.gov

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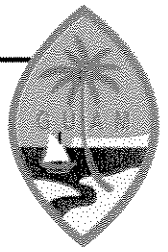
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Uy Dangkolo Na i Yu'os Ma'ase!

SENATOR FRANK B. AGUON, JR.
Committee Chairman on Guam U.S. Military Relocation | Public Safety | Judiciary
I Mina' Trentai Tres Na Liheslaturan Guåhan | 33rd Guam Legislature

- Senator
FRANK B. AGUON, JR.
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- Senator
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- Senator
Brant T. McCreadie
Member
- Speaker
Dr. Judith T. Won Pat, Ed.D
Ex-Officio



April 6, 2015

The Honorable Robert J. Torres, Jr.
Chief Justice of Guam

Suite 300, Guam Judicial Center 120 West O'Brien Drive
Hagåtña, Guam 96910

Sent via email to: rjtorres@guamsupremecourt.com

RE: Public Hearing on Tuesday, April 14, 2015 at 11:00 AM

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Um Dangkolo Na Sa'ntos Ma'ase!

SENATOR FRANK B. AGUON, JR.

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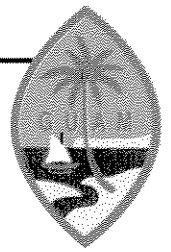
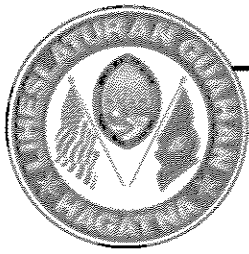
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Senator
James V. Espaldon
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Senator
Brant T. McCreddie
Member

Speaker
Dr. Judith T. Won Pat, Ed.D
Ex-Officio



April 6, 2015

Mr. Joshua Tenorio
Administrator of Courts
Judiciary of Guam

Suite 300, Guam Judicial Center 120 West O'Brien Drive
Hagåtña, Guam 96910
Sent via email to: jtenorio@guamcourts.org

RE: Public Hearing on Tuesday, April 14, 2015 at 11:00 AM

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Un Pangkolo Na Si Ya os Ma'ase!

SENATOR FRANK B. AGUON, JR.

Committee Chairman on Guam U.S. Military Relocation | Public Safety | Judiciary
I Mina' Trentai Tres Na Liheslaturan Guåhan | 33rd Guam Legislature

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April 6, 2015

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Dr. Judith T. Won Pat, Ed.D
Ex-Officio

Chief Fred Bordallo, Jr.

Chief of Police,

Guam Police Department

Bldg 13-16A Mariner Ave.

Tiyan, Barrigada, Guam 96913

Sent via email to: fred.bordallo@gpd.guam.gov

RE: **Public Hearing on Tuesday, April 14, 2015 at 11:00 AM**

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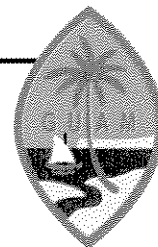
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Un Pangkalo' In Si Yafa' Ma'ase!

SENATOR FRANK B. AGUON, JR.
Committee Chairman - Guam U.S. Military Relocation | Public Safety | Judiciary
Min' Trentai Tres na Liheslaturan Guåhan | 33rd Guam Legislature



April 6, 2015

Colonel Maurice Sayama
Police Commander
Guam Police Department

Sent via email to: maurice.sayama@gpd.guam.gov

RE: Public Hearing on Tuesday, April 14, 2015 at 11:00 AM

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Un Dangkolo Na Si... (Chamorro phrase)

SENATOR FRANK B. AGUON, JR.

Committee Chairman of Guam U.S. Military Relocation | Public Safety | Judiciary
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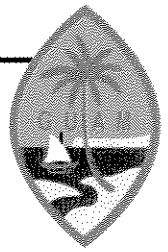
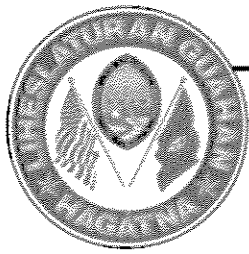
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Brant T. McCreddie
Member

Speaker
Dr. Judith T. Won Pat, Ed.D
Ex-Officio



April 6, 2015

Lt. Arthur Paulino
Commander for the Volunteer Services Command
Guam Police Department

Sent via email to: arthur.paulino@gpd.guam.gov

RE: Public Hearing on Tuesday, April 14, 2015 at 11:00 AM

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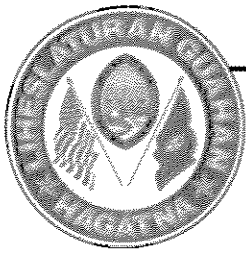
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Un Dangkolo Na Si Yu'os Ma'ase!

SENATOR FRANK B. AGUON, JR.
Committee Chairman on Guam U.S. Military Relocation | Public Safety | Judiciary
I Mina' Trentai Tres Na Liheslaturan Guåhan | 33rd Guam Legislature

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Dr. Judith T. Won Pat, Ed.D
Ex-Officio



April 6, 2015

Captain Eric Fisher
Guam Police Department

Sent via email to: eric.fisher@gpd.guam.gov

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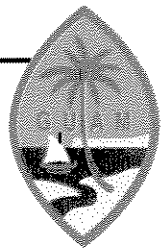
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Speaker
Dr. Judith T. Won Pat, Ed.D
Ex-Officio



April 6, 2015

The Honorable Elizabeth Barrett Anderson
Attorney General of Guam
Office of the Attorney General
590 S. Marine Corps Drive
ITC Bldg., Suite 706
Tamuning, Guam 96913
Sent via email to: ebanderson@guamag.org

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An Dangkon na Si Yu'os Ma'ase!

SENATOR FRANK B. AGUON, JR.

Committee Chairman on Guam U.S. Military Relocation | Public Safety | Judiciary
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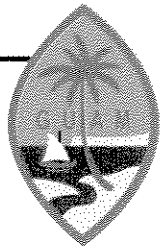
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Ex-Officio



April 6, 2015

Eric D. Miller

Executive Director, Public Defender Service Corporation

MVP Sinajana Commercial Bldg., Unit B

Sinajana, Guam 96910

Sent via email to: emiller@guampdsc.net

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Un Pangkolo Na Gi Yamos Ma'ase!

SENATOR FRANK B. AGUON, JR.

Committee Chairman of Guam U.S. Military Relocation | Public Safety | Judiciary
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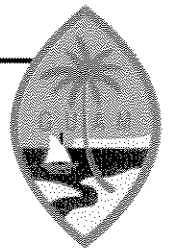
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Dr. Judith T. Won Pat, Ed.D.
Ex-Officio



April 6, 2015

Honorable Robert A. Ruecho,
Consul General
FSM Consulate General in Guam

P.O. Box 10630
590 South Marine Drive
Tamuning, Guam 96931
Sent via email to: fsm@teleguam.net

RE: **Public Hearing on Tuesday, April 14, 2015 at 11:00 AM**

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- **Bill No. 59-33 (COR)** - An act to amend subsection §6111(b), and to add new subsections § 6111(d), § 6111(e), and § 6111(f), all of Chapter 6, Title 19, Guam Code Annotated, relative to personal relations and community property. (*Sponsor: Mary C. Torres*)
- **Bill No. 65-33 (COR)** - An act to amend §§ 66102 and 66104.2 of Chapter 66, Title 10 of the Guam Code Annotated, relative to the participation of non-immigrant aliens admitted under the Compacts of Free Associations in the Civilian Volunteer Police Reserve. (*Sponsor: Vice-Speaker B.J. Cruz*)

The Hearing will broadcast on local television, *GTA Channel 21 and Docomo Channel 117* or streamed online at: www.guamlegislature.com.

If you feel the above mentioned items impact your agency or organization, we encourage you to participate in this upcoming Public Hearing. 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 Frank B. Aguon, Jr. at Suite 501 DNA Bldg. 238 Archbishop Flores St. Hagatña, Guam, or via fax to 475-GUM3(4863), or via email to aguon4guam@gmail.com. Copies of the aforementioned Bill(s) may be obtained at *I Liheslaturan Guåhan*'s website at www.guamlegislature.com. Individuals requiring special accommodations, auxiliary aids, or services should contact our office at 475-4861/62. Please feel free to contact my office should you have any questions or concerns.

Ili Dangkolo Na... Y'os Ma'ase!

SENATOR FRANK B. AGUON, JR.
Committee Chairman on Guam U.S. Military Relocation | Public Safety | Judiciary
I Mina' Trentai Tres Na Liheslaturan Guåhan | 33rd Guam Legislature

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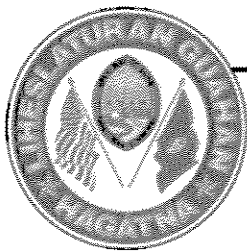
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James V. Espaldon
Member

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Brant T. McCreddie
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Speaker
Dr. Judith T. Won Pat, Ed.D.
Ex-Officio



April 6, 2015

Robson U. Romolow,
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FSM Consulate General in Guam

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Un Pangkolo im Si Yu'os Ma'ase!

SENATOR FRANK B. AGUON, JR.

Committee Chairman on Guam U.S. Military Relocation | Public Safety | Judiciary
I Mina' Trentai Tres Na Liheslaturan Guåhan | 33rd Guam Legislature

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Updated as of March 25, 2015

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Updated as of March 25, 2015

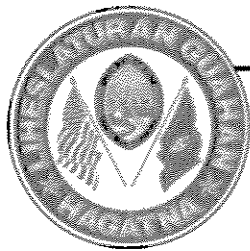
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PUBLIC HEARING AGENDA

Tuesday, April 14, 2015 at 11:00 AM

I Liheslaturan Guahan's Public Hearing Room, Hagåtña

AGENDA

- I. Call to Order at 11:00AM
- II. Opening remarks/Announcements
 - **Bill No. 59-33 (COR)** - An act to amend subsection §6111(b), and to add new subsections § 6111(d), § 6111(e), and § 6111(f), all of Chapter 6, Title 19, Guam Code Annotated, relative to personal relations and community property. (*Sponsor: Mary C. Torres*)
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- III. Closing Remarks
- IV. Adjournment