

SEVENTEENTH GUAM LEGISLATURE  
1983 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 151, "AN ACT TO REPEAL AND REENACT ITEM 13 AND TO ADD ITEM 15 TO SECTION 690 OF THE CODE OF CIVIL PROCEDURE SO AS TO INCREASE PROTECTION FROM EXECUTION OR ATTACHMENT OF CERTAIN RETIREMENT BENEFITS," was on the 8th day of November 1983, duly and regularly passed.




CARL T. C. GUTIERREZ  
Speaker

Attested:



ELIZABETH P. ARRIOLA  
Senator and Legislative Secretary

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This Act was received by the Governor this 15<sup>th</sup> day of November 1983, at 9:40 o'clock A.m.

  
Assistant Staff Officer  
Governor's Office

APPROVED:

  
RICARDO J. BORDALLO  
Governor of Guam

Date:

11/25/83

3:37 pm

PUBLIC LAW 17-33

SEVENTEENTH GUAM LEGISLATURE  
1983 (FIRST) Regular Session

Bill No. 151

Introduced by:

A. C. Lamorena III  
T. S. Nelson  
T. V. C. Tanaka

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A. R. Unpingco  
F. R. Santos  
C. T. C. Gutierrez

AN ACT TO REPEAL AND REENACT ITEM 13 AND TO  
ADD ITEM 15 SECTION 690 OF THE CODE OF CIVIL  
PROCEDURE SO AS TO INCREASE PROTECTION FROM  
EXECUTION OR ATTACHMENT OF CERTAIN  
RETIREMENT BENEFITS.

1           WHEREAS, present law protects certain public retirement benefits from  
2 execution or attachment; and

3           WHEREAS, garnishment laws protect enough of a wage earner's income  
4 to permit him to maintain an adequate standard of living; and

5           WHEREAS, persons without government pensions have no protection  
6 from execution or attachment for their retirement income; now therefore

7           BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:

8           Section 1. Item 13 of Section 690 of the Code of Civil Procedure is  
9 repealed and reenacted to read:

10           "13. (a) Except with regard to a judgment or order for child or  
11 spousal support payments, all money received by any person, a  
12 resident of the territory, as a pension, or as an annuity or retirement  
13 or disability or death or other benefit, or as a return of contributions  
14 and interest thereon, from the United States government, from the  
15 government of Guam, or from any other political subdivision of any  
16 jurisdiction of the United States, or any public trust, or public  
17 corporation, or from the governing body of any of them, or from any  
18 public board or boards, or from any retirement, disability or annuity  
19 system established by any of them pursuant to statute, whether the  
20 same shall be in the actual possession of such pensioner or  
21 beneficiary, or deposited by him.

1           (b) Except with regard to a judgment or order for child or  
2 spousal support payments, money held, controlled or in process of  
3 distribution by any private retirement plan, including, but not limited  
4 to, union retirement plans, or any profit-sharing plan designed and  
5 used for retirement purposes, or the payment of benefits and as an  
6 annuity, pension, retirement allowance, disability payment or death  
7 benefit from such retirement or profit-sharing plans, and all  
8 contributions and interest thereon returned to any member of any such  
9 retirement or profit-sharing plan, whether the same shall be in actual  
10 possession of such pensioner or beneficiary, or deposited by him.  
11 The exemption given by this paragraph shall apply to any money held  
12 in self-employed retirement plans and individual retirement annuities or  
13 accounts or the like provided for in the Internal Revenue Code of  
14 1954, as amended (Territorial Income Tax Law), provided that such  
15 money does not exceed the maximum amount exempted from federal  
16 income taxation."

17           Section 2. A new Item 15 is added to Section 690 of the Code of Civil  
18 Procedure to read:

19           "15. All money received by any person as child support."