

I Mina'trentai Ocho Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
80-38 (COR)	V. Anthony Ada	AN ACT TO <i>AMEND</i> §§ 3101 AND 3103 OF ARTICLE 1, AND §§ 3109, 3111, 3113, 3115, 3117, 3119, 3121, 3123 AND 3125 OF ARTICLE 2, CHAPTER 31, TITLE 15, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE THRESHOLDS FOR ESTATES OF SMALL VALUE BY FIFTY PERCENT (50%).	3/5/25 3:45 p.m.	3/14/25 3:48 p.m.	Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement.	Request: 3/14/25 Waiver: 3/24/25	4/22/25 2:00 p.m.	5/13/25	



OFFICE OF SENATOR
Telo T. Taitague
CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
2238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

May 12, 2025

The Honorable Frank F. Blas Jr.
Speaker

I Mina'trentai Ocho na Liheslaturan Guåhan
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

VIA: Honorable Vice Speaker V. Anthony Ada 
Chairperson, Committee on Rules

RE: Committee Report on Bill No. 80-38 (COR) - As Introduced

Buenas yan Håfa adai, Speaker Blas,

Transmitted herewith is the Committee Report on Bill No. 80-38 (COR) – Introduced by Vice Speaker V. Anthony Ada- “AN ACT TO AMEND §§ 3101 AND 3103 OF ARTICLE 1, AND §§ 3109, 3111, 3113, 3115, 3117, 3119, 3121, 3123 AND 3125 OF ARTICLE 2, CHAPTER 31, TITLE 15, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE THRESHOLDS FOR ESTATES OF SMALL VALUE BY FIFTY PERCENT (50%).”

Committee votes are as follows:

<u>0</u>	TO DO PASS
<u>0</u>	TO NOT PASS
<u>5</u>	TO REPORT OUT ONLY
<u>0</u>	TO ABSTAIN
<u>0</u>	TO PLACE IN INACTIVE FILE

Sincerely,


TELO T. TAITAGUE
Senator



COMMITTEE ON RULES

RECEIVED:
May 12, 2025 11:29 a.m.
Marie Crisostomo



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
2238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

COMMITTEE REPORT

BILL NO. 80-38 (COR), AS INTRODUCED

SPONSOR: Vice Speaker V. Anthony Ada

“AN ACT TO AMEND §§ 3101 AND 3103 OF ARTICLE 1, AND §§ 3109, 3111, 3113, 3115, 3117, 3119, 3121, 3123 AND 3125 OF ARTICLE 2, CHAPTER 31, TITLE 15, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE THRESHOLDS FOR ESTATES OF SMALL VALUE BY FIFTY PERCENT (50)”



OFFICE OF SENATOR
Telo T. Taitague
CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
2238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

May 12, 2025

MEMORANDUM:

TO: All Members
*Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement*

FROM: Senator Telo T. Taitague
Committee Chairperson

SUBJECT: Committee Report on Bill No. 80-38 (COR), As Introduced

Transmitted herewith for your consideration is the Committee Report on **Bill No. 80-38 (COR)** –
*Introduced by Vice Speaker V. Anthony Ada- "AN ACT TO AMEND §§ 3101 AND 3103 OF ARTICLE 1, AND §§
3109, 3111, 3113, 3115, 3117, 3119, 3121, 3123 AND 3125 OF ARTICLE 2, CHAPTER 31, TITLE 15, GUAM
CODE ANNOTATED, RELATIVE TO INCREASING THE THRESHOLDS FOR ESTATES OF SMALL VALUE
BY FIFTY PERCENT (50%)."*

This report includes the following:

- Copy of COR Referral of Bill No. 80-38 (COR)
- Notice of Public Hearing
- Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Written Testimonies and Additional Documents
- Committee Vote Sheet and E-mails
- Committee Report Digest
- Copy of Bill No. 80-38 (COR), As Introduced
- Copy of Fiscal Note from the Bureau of Budget & Management Research

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'!

Senator Telo T. Taitague - Chairperson



COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson

I Mina'trentai Ocho Na Liheslaturan Guåhan

38th Guam Legislature

March 14, 2025

To: Rennae V. C. Meno
Clerk of the Legislature

Attorney Darleen Hiton
Legislative Legal Counsel

From: Senator Christopher M. Dueñas *CD*
Acting Chairperson, Committee on Rules

Subject: Referral of Bill No. 80-38 (COR)

Håfa Adai,

As per my authority as Acting Chairperson of the Committee on Rules and subject to §6.01(d)(1), Rule VI of our Standing Rules, I am forwarding the referral of **Bill No. 80-38 (COR)** V. Anthony Ada. – “AN ACT TO *AMEND* §§ 3101 AND 3103 OF ARTICLE 1, AND §§ 3109, 3111, 3113, 3115, 3117, 3119, 3121, 3123 AND 3125 OF ARTICLE 2, CHAPTER 31, TITLE 15, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE THRESHOLDS FOR ESTATES OF SMALL VALUE BY FIFTY PERCENT (50%).”

Please ensure that the subject bill is referred to the Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement chaired by Senator Telo T. Taitague. I also request that the same be forwarded to the Prime Sponsor of the subject bill and to Management Information Services (MIS) for posting on our website.

A copy of the bill is available on our legislative website.

Should you have any questions or concerns, please feel free to contact Kamarin Nelson, Committee on Rules Director at 671-472-2461.





Isah Peredo <senatortelot.isah@gmail.com>

FIRST NOTICE of Public Hearing – Tuesday April 22, 2025 at 2:00 p.m.

1 message

Senator Telo Taitague <senatortelot@gmail.com>

Tue, Apr 15, 2025 at 9:12 AM

To: phnotice@guamlegislature.gov

April 15, 2025**MEMORANDUM****To: All Senators, Stakeholders and Media****From: Senator Telo T. Taitague****Subject: FIRST NOTICE of Public Hearing – Tuesday April 22, 2025 at 2:00 p.m.***Håfa Adai!*

Please be advised that the *Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections, and Retirement* will conduct a public hearing on **Tuesday April 22, 2025 at 2:00 p.m.** at the Guam Congress Building in the Public Hearing Room. The Committee will hear and accept testimonies of the following items:

AGENDA FOR 2:00PM:

I. Bill No. 80-38 (COR) –V. Anthony Ada - “AN ACT TO AMEND §§ 3101 AND 3103 OF ARTICLE 1, AND §§ 3109, 3111, 3113, 3115, 3117, 3119, 3121, 3123 AND 3125 OF ARTICLE 2, CHAPTER 31, TITLE 15, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE THRESHOLDS FOR ESTATES OF SMALL VALUE BY FIFTY PERCENT (50 %).”

II. Bill No. 23-38 (COR) - Shelly V. Calvo – “AN ACT TO ADD A NEW ARTICLE TO CHAPTER 33 TITLE 15 OF GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE UNIFORM REAL PROPERTY TRANSFER ON DEATH ACT.”

If you are interested in participating in the Public Hearing to provide testimony, please contact the Office of Senator Telo T. Taitague via electronic mail at senatortelot@gmail.com or call (671) 989-8356.

In compliance with the Americans with Disabilities Act (ADA), individuals requiring assistance of accommodation should contact the Office of Senator Telo T. Taitague at (671) 989-8356 or email senatortelot@gmail.com .

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117, and stream online via *I Liheslaturan Guåhan*’s live feed on YouTube <https://www.youtube.com/@>

[GuamLegislatureMedia/streams](#). A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing.

Notice of this Hearing is also available on the [Government of Guam Public Notice Portal](#).

We are looking forward to your participation!

Si Yu'os Ma'åse,

Create a Great Day!

Senator Telo T. Taitague

38th Guam Legislature

Chairperson

Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement

Suite 407 DNA Building

[238 Archbishop Flores St.](#)

[Hagatna, Guam 96910](#)

Tel: (671) 989-8356

Email: senatortelot@gmail.com

3 attachments



4.22.25 First PH Notice MEMO.pdf
462K



Bill No. 80-38 (COR).pdf
931K



Bill No. 23-38 (COR).pdf
975K



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,
Regulatory Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

April 15, 2025

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Senator Telo T. Taitague

Subject: FIRST NOTICE of Public Hearing – Tuesday April 22, 2025 at 2:00 p.m.

Håfa Adai!

Please be advised that the *Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections, and Retirement* will conduct a public hearing on Tuesday April 22, 2025 at 2:00 p.m. at the Guam Congress Building in the Public Hearing Room. The Committee will hear and accept testimonies of the following items:

AGENDA FOR 2:00PM:

- I. Bill No. 80-38 (COR) –V. Anthony Ada - “AN ACT TO AMEND §§ 3101 AND 3103 OF ARTICLE 1, AND §§ 3109, 3111, 3113, 3115, 3117, 3119, 3121, 3123 AND 3125 OF ARTICLE 2, CHAPTER 31, TITLE 15, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE THRESHOLDS FOR ESTATES OF SMALL VALUE BY FIFTY PERCENT (50%).”
- II. Bill No. 23-38 (COR) - Shelly V. Calvo – “AN ACT TO ADD A NEW ARTICLE TO CHAPTER 33 TITLE 15 OF GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE UNIFORM REAL PROPERTY TRANSFER ON DEATH ACT.”

If you are interested in participating in the Public Hearing to provide testimony, please contact the Office of Senator Telo T. Taitague via electronic mail at senatortelot@gmail.com or call (671) 989-8356.



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,
Regulatory Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

In compliance with the Americans with Disabilities Act (ADA), individuals requiring assistance of accommodation should contact the Office of Senator Telo T. Taitague at (671) 989-8356 or email senatortelot@gmail.com.

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117, and stream online via *I Liheslaturan Guåhan's* live feed on YouTube <https://www.youtube.com/@GuamLegislatureMedia/streams>. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing.

Notice of this Hearing is also available on the Government of Guam Public Notice Portal.

We are looking forward to your participation!

Respectfully

Senator Telo T. Taitague
Chairperson

FIRST NOTICE of Public Hearing – Tuesday April 22, 2025 at 2:00 p.m.

 PRINT

FIRST NOTICE of Public Hearing – Tuesday April 22, 2025 at 2:00 p.m.

PUBLIC HEARING



 **Posted on:** 04/15/2025 08:21 AM

 **Posted by:** Keith Taliugyan

 **Public Hearing Date:** 04/22/2025 02:00 PM

 **Department(s):**
GUAM LEGISLATURE (/notices?department_id=92)

 **Division(s):**
OFFICE OF SENATOR TELO TAITAGUE (/notices?division_id=282)

 **Notice Topic(s):** PUBLIC HEARING (/notices?topic_id=74)

 **Types of Notice:** PUBLIC HEARING (/notices?type_id=7)

 **For Audience(s):** PUBLIC (/notices?public=1)

 **Share this notice**

April 15, 2025

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Senator Telo T. Taitague

Subject: FIRST NOTICE of Public Hearing – Tuesday April 22, 2025 at 2:00 p.m.

Håfa Adai!

Please be advised that the *Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections, and Retirement* will conduct a public hearing on **Tuesday April 22, 2025 at 2:00 p.m.** at the Guam Congress Building in the Public Hearing Room. The Committee will hear and accept testimonies of the following items:

AGENDA FOR 2:00PM:

I. Bill No. 80-38 (COR)

([https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%2080-38%20\(COR\).pdf](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%2080-38%20(COR).pdf)) -V.

Anthony Ada - **“AN ACT TO AMEND §§ 3101 AND 3103 OF ARTICLE 1, AND §§ 3109, 3111, 3113, 3115, 3117, 3119, 3121, 3123 AND 3125 OF ARTICLE 2, CHAPTER 31, TITLE 15, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE THRESHOLDS FOR ESTATES OF SMALL VALUE BY FIFTY PERCENT (50%).”**

II. Bill No. 23-38 (COR)

([https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%2023-38%20\(COR\)%20HISTORY.pdf](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%2023-38%20(COR)%20HISTORY.pdf)) - Shelly V. Calvo -

“AN ACT TO ADD A NEW ARTICLE TO CHAPTER 33 TITLE 15 OF GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE UNIFORM REAL PROPERTY TRANSFER ON DEATH ACT.”

If you are interested in participating in the Public Hearing to provide testimony, please contact the Office of Senator Telo T. Taitague via electronic mail at senatortelot@gmail.com (<mailto:senatortelot@gmail.com>) or call (671) 989-8356.

In compliance with the Americans with Disabilities Act (ADA), individuals requiring assistance of accommodation should contact the Office of Senator Telo T. Taitague at (671) 989-8356 or email senatortelot@gmail.com (<mailto:senatortelot@gmail.com>) .

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117, and stream online via *I Liheslaturan Guåhan's* live feed on YouTube
<https://www.youtube.com/@GuamLegislatureMedia/streams>
(<https://www.youtube.com/@GuamLegislatureMedia/streams>).
A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing.

We are looking forward to your participation!



PO BOX 368, HAGATNA, GUAM 96932

T. +1 671.637.KUAM
F. +1 671.637.9865

New Order

Revised/Add-On

Info. Update

Advertiser Name

Office of Senator Telo Taitague - 38th
Guam Legislature

Address

Suite 407 DNA Bldg; 238 Archbishop Flores
St.
Hagatna, Guam 96910

Point of Contact

Keith Taliugyan

Order Number

Order Entry Date

Customer PO #

2538PO128

Product Code

RECEIVABLES ACCOUNT

☒ Cash ☐ Trade ☐ Other

ORDER DESCRIPTION

PRODUCTION INFORMATION

Cart # Title: Length:

FOR INTERNAL PURPOSES ONLY

Media Consultant

Christie SA

Notary Required

YES

☒

NO

Billing

Per Spot

Package

☒

Trade

Station	Inc Acct	Rate	Start Date	End Date	AbsTime/Prog. Event	Length	Spot Type	Cart #	M	T	W	TH	F	SA	SU	Per Wk	Total #	Total \$
---------	----------	------	------------	----------	---------------------	--------	-----------	--------	---	---	---	----	---	----	----	--------	---------	----------

KUAM TV

1x :15 Second Commercial on TV8 or TV11 from 12am - 5:59pm - First Notice (Air date: 04/15/25)

1x :15 Second Commercial on TV8 or TV11 from 12am - 5:59pm - First Notice (KUAM Match)

1x :15 Second Commercial on TV8 or TV11 from 12am - 5:59pm - Second Notice (Air date: 04/18/25)

1x :15 Second Commercial on TV8 or TV11 from 12am - 5:59pm - Second Notice (KUAM Match)

1x :15 Second TV Production (text and music bed only)

Contract for Public Hearing on Tuesday, April 22, 2025; 1st and 2nd Notice

MONTHLY TOTALS

Jan _____ Feb _____ Mar _____ Apr 500 May _____ June _____
July _____ Aug _____ Sep _____ Oct _____ Nov _____ Dec _____

SPECIAL INSTRUCTIONS

ORDER TOTALS

Total Spots _____ PKG
Total Dollars \$ 500.00

TV COMMERCIAL FORMAT: We ask that all commercials be formatted to originate in HD 1920x1080 and conform to a 4x3 pillar for Title Safe dimensions for graphics. These will be downconverted on our SD channels. Should a commercial spot be produced in SD, it should be formatted in 720x486 DI format resolution and will be upconverted on HD Channels (DOCOMO 608 and 611).

RESTRICTIONS: 48-hour deadline is KUAM's quality control to ensure that your advertisement airing meets the highest standards. If there is a rush, KUAM is not responsible for quality and standard concerns on behalf of the client.

PAYMENT IS DUE UPON RECEIPT OF NOTICE. In the event of cancellation of this contract prior to its scheduled expiration date and/or failure to remit payment of invoice[s] within 60 days of invoice date, all spots that have run prior to the cancellation date and/or schedules adhered to will be billed at the Rate Card. Client understands and agrees that a finance charge of 10% per month shall accrue on all accounts remaining unpaid one [1] month after invoice date. Client agrees to pay a USD\$25.00 service fee per returned check. There will be a 5% surcharge for all credit card transactions. If payment is not made as required, KUAM may, its option, without notice or demand payment, declare Client's credit account in default, in which case Client's entire balance[s] that are due and payable will be forwarded for collection. Client agrees to accept all consequences and to pay all costs, including attorney's fees, court fees, court costs and other expenses incurred as deemed necessary by KUAM to settle the account.

NON DISCRIMINATION CLAUSE: KUAM/Pacific Telestations, LLC does not discriminate on the basis of race or ethnicity in the placement, scheduling and completion of purchase of advertising. Any order for advertising that includes any such restriction will not be accepted.


ACCEPTED BY CLIENT

Christie San Agustin

ACCEPTED BY STATION



OFFICE OF SENATOR
Telo T. Taitague
CHAIRWOMAN

Committee on Economic Development, Military Building, Regional Relations,
Regulatory Affairs, Technology, Justice, Education, and Retirement

I Mins'vrentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

Su. 407 DVA Building
238 Archibald Flores St.
Hagåtña, Guam 96910
(671) 989-8356
senatortelot@gmail.com

NOTICE OF PUBLIC HEARING
Tuesday, April 22, 2025 at 2:00 p.m.
Guam Congress Building, Public Hearing Room.

The Committee will hear and accept testimonies on the following items:

AGENDA for 2:00PM:

- I. **Bill No. 80-38 (COR)** – V. Anthony Ada – “AN ACT TO AMEND §§ 3101 AND 3103 OF ARTICLE 1, AND §§ 3109, 3111, 3113, 3115, 3117, 3119, 3121, 3123 AND 3125 OF ARTICLE 2, CHAPTER 31, TITLE 15, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE THRESHOLDS FOR ESTATES OF SMALL VALUE BY FIFTY PERCENT (50%).”
- II. **Bill No. 23-38 (COR)** – Shelly V. Calvo – “AN ACT TO ADD A NEW ARTICLE TO CHAPTER 33 TITLE 15 OF GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE UNIFORM REAL PROPERTY TRANSFER ON DEATH ACT.”



OFFICE OF SENATOR
Telo T. Taitague
CHAIRWOMAN

Committee on Economic Development, Military Building, Regional Relations,
Regulatory Affairs, Technology, Justice, Education, and Retirement

I Mins'vrentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

Su. 407 DVA Building
238 Archibald Flores St.
Hagåtña, Guam 96910
(671) 989-8356
senatortelot@gmail.com

If you are interested in participating in the Public Hearing to provide testimony, please contact the Office of Senator Telo T.

Taitague via electronic mail at senatortelot@gmail.com or call (671) 989-8356.

In compliance with the Americans with Disabilities Act (ADA), individuals requiring assistance of accommodation should contact the Office of Senator Telo T. Taitague at (671) 989-8356 or email senatortelot@gmail.com.

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117, and stream online via I Liheslaturan Guåhan's live feed on YouTube <https://www.youtube.com/@GuamLegislatureMedia/streams>. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing.

This ad is paid for by legislature funds.



Isah Peredo <senatortelot.isah@gmail.com>

SECOND NOTICE of Public Hearing – Tuesday April 22, 2025 at 2:00 p.m.

1 message

Senator Telo Taitague <senatortelot@gmail.com>

Fri, Apr 18, 2025 at 11:01 AM

To: phnotice@guamlegislature.gov

April 18, 2025**MEMORANDUM****To: All Senators, Stakeholders and Media****From: Senator Telo T. Taitague****Subject: SECOND NOTICE of Public Hearing – Tuesday April 22, 2025 at 2:00 p.m.***Håfa Adai!*

Please be advised that the *Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections, and Retirement* will conduct a public hearing on **Tuesday April 22, 2025 at 2:00 p.m.** at the Guam Congress Building in the Public Hearing Room. The Committee will hear and accept testimonies of the following items:

AGENDA FOR 2:00PM:

I. Bill No. 80-38 (COR) –V. Anthony Ada - “AN ACT TO AMEND §§ 3101 AND 3103 OF ARTICLE 1, AND §§ 3109, 3111, 3113, 3115, 3117, 3119, 3121, 3123 AND 3125 OF ARTICLE 2, CHAPTER 31, TITLE 15, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE THRESHOLDS FOR ESTATES OF SMALL VALUE BY FIFTY PERCENT (50 %).”

II. Bill No. 23-38 (COR) - Shelly V. Calvo – “AN ACT TO ADD A NEW ARTICLE TO CHAPTER 33 TITLE 15 OF GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE UNIFORM REAL PROPERTY TRANSFER ON DEATH ACT.”

If you are interested in participating in the Public Hearing to provide testimony, please contact the Office of Senator Telo T. Taitague via electronic mail at senatortelot@gmail.com or call (671) 989-8356.

In compliance with the Americans with Disabilities Act (ADA), individuals requiring assistance of accommodation should contact the Office of Senator Telo T. Taitague at (671) 989-8356 or email senatortelot@gmail.com .

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117, and stream online via *I Liheslaturan Guåhan*'s live feed on YouTube <https://www.youtube.com/@>

[GuamLegislatureMedia/streams](#). A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing.

Notice of this Hearing is also available on the [Government of Guam Public Notice Portal](#).

We are looking forward to your participation!

Si Yu'os Ma'åse,

Create a Great Day!

Senator Telo T. Taitague

38th Guam Legislature

Chairperson

Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement

Suite 407 DNA Building

[238 Archbishop Flores St.](#)

[Hagatna, Guam 96910](#)

Tel: (671) 989-8356

Email: senatortelot@gmail.com

3 attachments



4.22.25 Second PH Notice MEMO.pdf

462K



Bill No. 23-38 (COR).pdf

975K



Bill No. 80-38 (COR).pdf

931K



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,
Regulatory Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

April 18, 2025

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Senator Telo T. Taitague

Subject: SECOND NOTICE of Public Hearing – Tuesday April 22, 2025 at 2:00 p.m.

Håfa Adai!

Please be advised that the *Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections, and Retirement* will conduct a public hearing on Tuesday April 22, 2025 at 2:00 p.m. at the Guam Congress Building in the Public Hearing Room. The Committee will hear and accept testimonies of the following items:

AGENDA FOR 2:00PM:

- I. Bill No. 80-38 (COR) –V. Anthony Ada - “AN ACT TO AMEND §§ 3101 AND 3103 OF ARTICLE 1, AND §§ 3109, 3111, 3113, 3115, 3117, 3119, 3121, 3123 AND 3125 OF ARTICLE 2, CHAPTER 31, TITLE 15, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE THRESHOLDS FOR ESTATES OF SMALL VALUE BY FIFTY PERCENT (50%).”
- II. Bill No. 23-38 (COR) - Shelly V. Calvo – “AN ACT TO ADD A NEW ARTICLE TO CHAPTER 33 TITLE 15 OF GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE UNIFORM REAL PROPERTY TRANSFER ON DEATH ACT.”

If you are interested in participating in the Public Hearing to provide testimony, please contact the Office of Senator Telo T. Taitague via electronic mail at senatortelot@gmail.com or call (671) 989-8356.



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,
Regulatory Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

In compliance with the Americans with Disabilities Act (ADA), individuals requiring assistance of accommodation should contact the Office of Senator Telo T. Taitague at (671) 989-8356 or email senatortelot@gmail.com.

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117, and stream online via *I Liheslaturan Guåhan's* live feed on YouTube <https://www.youtube.com/@GuamLegislatureMedia/streams>. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing.

Notice of this Hearing is also available on the Government of Guam Public Notice Portal.

We are looking forward to your participation!

Respectfully

Senator Telo T. Taitague
Chairperson

SECOND NOTICE of Public Hearing – Tuesday April 22, 2025 at 2:00 p.m.

 PRINT

**SECOND NOTICE of Public Hearing – Tuesday
April 22, 2025 at 2:00 p.m.**

PUBLIC HEARING



 **Posted on:** 04/18/2025 09:50 AM

 **Posted by:** Keith Taliugyan

 **Public Hearing Date:** 04/22/2025 02:00 PM

 **Department(s):**
GUAM LEGISLATURE (/notices?department_id=92)

 **Division(s):**
OFFICE OF SENATOR TELO TAITAGUE (/notices?division_id=282)

 **Notice Topic(s):** PUBLIC HEARING (/notices?topic_id=74)

 **Types of Notice:** PUBLIC HEARING (/notices?type_id=7)

 **For Audience(s):** PUBLIC (/notices?public=1)

 **Share this notice**

April 18, 2025

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Senator Telo T. Taitague

Subject: SECOND NOTICE of Public Hearing – Tuesday April 22, 2025 at 2:00 p.m.

Håfa Adai!

Please be advised that the *Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections, and Retirement* will conduct a public hearing on **Tuesday April 22, 2025 at 2:00 p.m.** at the Guam Congress Building in the Public Hearing Room. The Committee will hear and accept testimonies of the following items:

AGENDA FOR 2:00PM:

I. Bill No. 80-38 (COR)

([https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced/38th/Bill%20No.%2080-38%20\(COR\).pdf](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced/38th/Bill%20No.%2080-38%20(COR).pdf)) -V.

Anthony Ada - **“AN ACT TO AMEND §§ 3101 AND 3103 OF ARTICLE 1, AND §§ 3109, 3111, 3113, 3115, 3117, 3119, 3121, 3123 AND 3125 OF ARTICLE 2, CHAPTER 31, TITLE 15, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE THRESHOLDS FOR ESTATES OF SMALL VALUE BY FIFTY PERCENT (50%).”**

II. Bill No. 23-38 (COR)

([https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced/38th/Bill%20No.%2023-38%20\(COR\)%20HISTORY.pdf](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced/38th/Bill%20No.%2023-38%20(COR)%20HISTORY.pdf)) - Shelly V. Calvo -

“AN ACT TO ADD A NEW ARTICLE TO CHAPTER 33 TITLE 15 OF GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE UNIFORM REAL PROPERTY TRANSFER ON DEATH ACT.”

If you are interested in participating in the Public Hearing to provide testimony, please contact the Office of Senator Telo T. Taitague via electronic mail at senatortelot@gmail.com (<mailto:senatortelot@gmail.com>) or call (671) 989-8356.

In compliance with the Americans with Disabilities Act (ADA), individuals requiring assistance of accommodation should contact the Office of Senator Telo T. Taitague at (671) 989-8356 or email senatortelot@gmail.com (<mailto:senatortelot@gmail.com>) .

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117, and stream online via *I Liheslaturan Guåhan's* live feed on YouTube
<https://www.youtube.com/@GuamLegislatureMedia/streams>
(<https://www.youtube.com/@GuamLegislatureMedia/streams>).
A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing.

We are looking forward to your participation!



Senator Telo Taitague <senatortelot@gmail.com>

Invitation Letter to Provide Testimony on Bill No 80 & 23-38 (COR) - April 22, 2025 at 2 p.m.

2 messages

Senator Telo Taitague <senatortelot@gmail.com>
To: dbmoylan@oagguam.org

10 April 2025 at 11:28

Hafa Adai Attorney General Moylan,

Please see attached letter and kindly confirm receipt.

I look forward to hearing from you.

Si Yu'os Ma'åse,

Create a Great Day!

Senator Telo T. Taitague

38th Guam Legislature

Chairperson

**Committee on Economic Investment, Military Buildup, Regional Relations, Technology,
Regulatory Affairs, Justice, Elections, and Retirement**

Suite 407 DNA Building

238 Archbishop Flores St.

Hagatna, Guam 96910

Tel: (671) 989-8356

Email: senatortelot@gmail.com

**AG Invitation Letter - provide testimony.pdf**

475K

Douglas B. Moylan <dbmoylan@ite.net>

10 April 2025 at 12:32

Reply-To: [REDACTED]

To: Senator Telo Taitague <senatortelot@gmail.com>, dbmoylan@oagguam.org

Received, thank you.

[Quoted text hidden]



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,
Regulatory Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

April 10, 2025

Transmitted via Electronic Mail

Douglas B. Moylan – Attorney General
Office of the Attorney General of Guam

Subject: Invitation to provide testimony on Bill No. 80 & 23-38 (COR):

Hafa Adai Attorney General Moylan,

This letter is to notify you that the Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections and Retirement has set a Public Hearing on **Tuesday, April 22, 2025 at 2:00 p.m., in the Guam Congress Building, Public Hearing room**, to hear the following Bill:

- I. **Bill No. 80-38 (COR)** - V. Anthony Ada – “AN ACT TO AMEND §§ 3101 AND 3103 OF ARTICLE 1, AND §§ 3109, 3111, 3113, 3115, 3117, 3119, 3121, 3123 AND 3125 OF ARTICLE 2, CHAPTER 31, TITLE 15, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE THRESHOLDS FOR ESTATES OF SMALL VALUE BY FIFTY PERCENT (50%).”
- II. **Bill No. 23-38 (COR)** – Shelly V. Calvo – “AN ACT TO ADD A NEW ARTICLE TO CHAPTER 33 TITLE 15 OF GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE UNIFORM REAL PROPERTY TRANSFER ON DEATH ACT.”

I respectfully request your presence to provide testimony and answer questions from the senate panel.

All testimony may be submitted to my office via email to senatortelot@gmail.com or delivered to the Office of Senator Telo T. Taitague Suite 407 DNA Building 238 Archbishop Flores St, Hagatna, Guam 96910 two (2) days prior to the public hearing. Please contact our office via email or at (671) 989-8356, for any questions or concerns.

Respectfully

Senator Telo T. Taitague
Chairperson



Senator Telo Taitague <senatortelot@gmail.com>

Invitation Letter to Provide Testimony on Bill 80-38 (COR) - April 22, 2025 at 2 p.m.

1 message

Senator Telo Taitague <senatortelot@gmail.com>

9 April 2025 at 14:56

To: Stephen Hattori <sphattori@guampdsc.org>

Hafa Adai Director Hattori,

Please see attached letter and kindly confirm receipt.

I look forward to hearing from you.

Si Yu'os Ma'åse,***Create a Great Day!****Senator Telo T. Taitague*

38th Guam Legislature

Chairperson**Committee on Economic Investment, Military Buildup, Regional Relations, Technology,
Regulatory Affairs, Justice, Elections, and Retirement**

Suite 407 DNA Building

238 Archbishop Flores St.

Hagatna, Guam 96910

Tel: (671) 989-8356

Email: senatortelot@gmail.com**PDC Invitation Letter - provide testimony.pdf**

472K



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,
Regulatory Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

April 9, 2025

Transmitted via Electronic Mail

Stephen P. Hattori – Executive Director
Public Defender Service Corporation
sphattori@guampdsc.org

Subject: Invitation to provide testimony on Bill No. 80-38 (COR):

Hafa Adai Executive Director Hattori,

This letter is to notify you that the Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections and Retirement has set a Public Hearing on **Tuesday, April 22, 2025 at 2:00 p.m., in the Guam Congress Building, Public Hearing room**, to hear the following Bill:

- I. **Bill No. 80-38 (COR)** - V. Anthony Ada – “AN ACT TO AMEND §§ 3101 AND 3103 OF ARTICLE 1, AND §§ 3109, 3111, 3113, 3115, 3117, 3119, 3121, 3123 AND 3125 OF ARTICLE 2, CHAPTER 31, TITLE 15, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE THRESHOLDS FOR ESTATES OF SMALL VALUE BY FIFTY PERCENT (50%)”

I respectfully request your presence to provide testimony and answer questions from the senate panel.

All testimony may be submitted to my office via email to senatortelot@gmail.com or delivered to the Office of Senator Telo T. Taitague Suite 407 DNA Building 238 Archbishop Flores St, Hagatna, Guam 96910 two (2) days prior to the public hearing. Please contact our office via email or at (671) 989-8356, for any questions or concerns.

Respectfully

Senator Telo T. Taitague
Chairperson



Senator Telo Taitague <senatortelot@gmail.com>

Invitation Letter to Provide Testimony on Bill 80-38 (COR) - April 22, 2025 at 2 p.m.

2 messages

Senator Telo Taitague <senatortelot@gmail.com>
To: info@guambar.org

9 April 2025 at 15:09

Hafa Adai Attorney Terlaje - GBA President,

Please see attached letter and kindly confirm receipt.

I look forward to hearing from you.

Si Yu'os Ma'åse,

Create a Great Day!

Senator Telo T. Taitague

38th Guam Legislature

Chairperson

**Committee on Economic Investment, Military Buildup, Regional Relations, Technology,
Regulatory Affairs, Justice, Elections, and Retirement**

Suite 407 DNA Building

238 Archbishop Flores St.

Hagatna, Guam 96910

Tel: (671) 989-8356

Email: senatortelot@gmail.com

 **GBA Invitation Letter - provide testimony.pdf**
481K

Guam Bar Association <info@guambar.org>
To: Senator Telo Taitague <senatortelot@gmail.com>

9 April 2025 at 15:26

Håfa Adai Senator Taitague,

GBA is in receipt of your email. I will forward the invitation to President Terlaje and our Legislative & Government Liaison Committee.

Si Yu'os Ma'åse'.

Senseramente,

Mari Crisostomo

GUAM BAR ASSOCIATION

Mailing Address: 284 West Chalan Santo Papa, Hagåtña, Guam 96910

Physical Location: [392 West O'Brien Drive](#), Hagåtña

Telephone: 671.989.4227

Email: info@guambar.org

Web: guambar.org

The Guam Bar Association is administered by its Board of Governors.

President: Jacqueline T. Terlaje

Vice President: John P. Morrison

Treasurer: Phillip J. Tydingco

Secretary: Janice M. Camacho-Perez

Member at Large: Joaquin (Jay) C. Arriola, Jr.

Member at Large: Joseph (Jojo) A. Perez

Past President: Jacqueline T. Terlaje

[Quoted text hidden]



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,
Regulatory Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

April 9, 2025

Transmitted via Electronic Mail

Jacqueline Taitano Terlaje – GBA President

Guam Bar Association

info@guambar.org

Subject: Invitation to provide testimony on Bill No. 80-38 (COR):

Hafa Adai Attorney Terlaje - GBA President,

This letter is to notify you that the Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections and Retirement has set a Public Hearing on **Tuesday, April 22, 2025 at 2:00 p.m., in the Guam Congress Building, Public Hearing room**, to hear the following Bill:

- I. **Bill No. 80-38 (COR) - V. Anthony Ada – “AN ACT TO AMEND §§ 3101 AND 3103 OF ARTICLE 1, AND §§ 3109, 3111, 3113, 3115, 3117, 3119, 3121, 3123 AND 3125 OF ARTICLE 2, CHAPTER 31, TITLE 15, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE THRESHOLDS FOR ESTATES OF SMALL VALUE BY FIFTY PERCENT (50%)”**

I respectfully request your presence to provide testimony and answer questions from the senate panel.

All testimony may be submitted to my office via email to senatortelot@gmail.com or delivered to the Office of Senator Telo T. Taitague Suite 407 DNA Building 238 Archbishop Flores St, Hagatna, Guam 96910 two (2) days prior to the public hearing. Please contact our office via email or at (671) 989-8356, for any questions or concerns.

Respectfully

Senator Telo T. Taitague
Chairperson



Senator Telo Taitague <senatortelot@gmail.com>

Invitation Letter to Provide Testimony on Bill 80-38 (COR) & Bill 23-38 (COR) - April 22, 2025 at 2 p.m.

2 messages

Senator Telo Taitague <senatortelot@gmail.com>

9 April 2025 at 15:18

To: "Honorable Robert J. Torres" <rjtorres@guamcourts.gov>

Cc: "Sarah G. Elmore-Hernandez" <sehernandez@guamcourts.gov>

Håfa Adai Chief Justice Torres,

Please see attached letter and kindly confirm receipt.

I look forward to hearing from you.

Si Yu'os Ma'åse,

Create a Great Day!

Senator Telo T. Taitague

38th Guam Legislature

Chairperson

Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement

Suite 407 DNA Building

238 Archbishop Flores St.

Hagatna, Guam 96910

Tel: (671) 989-8356

Email: senatortelot@gmail.com



Judiciary Invitation Letter - provide testimony.pdf

482K

Sarah G. Elmore-Hernandez <sehernandez@guamcourts.gov>

9 April 2025 at 15:21

To: Senator Telo Taitague <senatortelot@gmail.com>, "Honorable Robert J. Torres" <rjtorres@guamcourts.gov>

Cc: "Danielle T. Rosete" <drosete@guamcourts.gov>

Dear Senator Taitague:

Thank you for your email. The Judiciary confirms receipt of the attached invitation.

Very Respectfully,

Sarah G. Elmore-Hernandez

Director of Policy, Planning, and Community Relations

Judiciary of Guam

[120 W. O'Brien Drive](#)

Hagåtña, Guam 96910

671.475.3186

The Judiciary of Guam is an equal opportunity employer and provider.

Confidentiality Notice: This communication may contain privileged and confidential information and is intended only for the use of the recipient(s) named above. If you are not the intended recipient, any review, disclosure, distribution, or duplication of this communication is strictly prohibited. If you have received this communication in error, please notify me immediately, delete the message and destroy any reproductions.

From: Senator Telo Taitague <senatortelot@gmail.com>

Sent: Wednesday, April 9, 2025 3:18 PM

To: Honorable Robert J. Torres <rjtorres@guamcourts.gov>

Cc: Sarah G. Elmore-Hernandez <sehernandez@guamcourts.gov>

Subject: Invitation Letter to Provide Testimony on Bill 80-38 (COR) & Bill 23-38 (COR) - April 22, 2025 at 2 p.m.

[Quoted text hidden]



Judiciary Invitation Letter - provide testimony.pdf

482K



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,
Regulatory Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

April 9, 2025

Transmitted via Electronic Mail

Honorable Robert J. Torres, Jr. – Chief Justice

Judiciary of Guam

rjtorres@guamcourts.gov

Subject: Invitation to provide testimony on Bill No. 80-38 (COR) & Bill No. 23-38 (COR):

Hafa Adai Chief Justice Torres,

This letter is to notify you that the Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections and Retirement has set a Public Hearing on **Tuesday, April 22, 2025 at 2:00 p.m., in the Guam Congress Building, Public Hearing room**, to hear the following Bill:

- I. **Bill No. 80-38 (COR)** - V. Anthony Ada – “AN ACT TO AMEND §§ 3101 AND 3103 OF ARTICLE 1, AND §§ 3109, 3111, 3113, 3115, 3117, 3119, 3121, 3123 AND 3125 OF ARTICLE 2, CHAPTER 31, TITLE 15, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE THRESHOLDS FOR ESTATES OF SMALL VALUE BY FIFTY PERCENT (50%).”
- II. **Bill No. 23-38 (COR)** - Shelly V. Calvo - “AN ACT TO ADD A NEW ARTICLE TO CHAPTER 33 TITLE 15 OF GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE UNIFORM REAL PROPERTY TRANSFER ON DEATH ACT.”

I respectfully request your presence to provide testimony and answer questions from the senate panel.

All testimony may be submitted to my office via email to senatortelot@gmail.com or delivered to the Office of Senator Telo T. Taitague Suite 407 DNA Building 238 Archbishop Flores St, Hagatna, Guam 96910 two (2) days prior to the public hearing. Please contact our office via email or at (671) 989-8356, for any questions or concerns.

Respectfully

Senator Telo T. Taitague
Chairperson



Senator Telo Taitague <senatortelot@gmail.com>

Invitation Letter to Provide Testimony on Bill 80-38 (COR) - April 22, 2025 at 2 p.m.

2 messages

Senator Telo Taitague <senatortelot@gmail.com>
To: support@guamejc.org

9 April 2025 at 14:55

Hafa Adai Managing Attorney Hinkle-Sanchez,

Please see attached letter and kindly confirm receipt.

I look forward to hearing from you.

Si Yu'os Ma'åse,

Create a Great Day!

Senator Telo T. Taitague

38th Guam Legislature

Chairperson

**Committee on Economic Investment, Military Buildup, Regional Relations, Technology,
Regulatory Affairs, Justice, Elections, and Retirement**

Suite 407 DNA Building

238 Archbishop Flores St.

Hagatna, Guam 96910

Tel: (671) 989-8356

Email: senatortelot@gmail.com

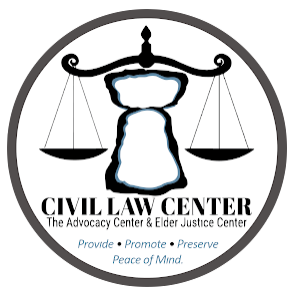
 **EJC Invitation Letter - provide testimony.pdf**
484K

Carol Hinkle-Sanchez <chinkle-sanchez@guamclc.org>
To: Senator Telo Taitague <senatortelot@gmail.com>

9 April 2025 at 18:16

Hafa Adai Senator Telo!

It is always a pleasure to see you my dear friend! I will be off-island from April 21 – 25, but I will be glad to submit written testimony and have one of my staff, possibly Dominic or Basil, present my testimony. Lets meet up again soon! Have a beautiful rest of the evening...



[Quoted text hidden]

Best Regards,

Carol Hinkle-Sanchez

Managing Attorney

The Civil Law Center

777 Route 4, Suite 104

Sinajana, Guam 96910

Tel: (671)-969-3131

Email: chinkle-sanchez@guamclc.org



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,
Regulatory Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

April 9, 2025

Transmitted via Electronic Mail

Carol Hinkle-Sanchez – Managing Attorney

Guam Elder Justice Center

support@guamejc.org

Subject: Invitation to provide testimony on Bill No. 80-38 (COR):

Hafa Adai Managing Attorney Hinkle-Sanchez,

This letter is to notify you that the Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections and Retirement has set a Public Hearing on **Tuesday, April 22, 2025 at 2:00 p.m., in the Guam Congress Building, Public Hearing room**, to hear the following Bill:

- I. **Bill No. 80-38 (COR)** - V. Anthony Ada – “AN ACT TO AMEND §§ 3101 AND 3103 OF ARTICLE 1, AND §§ 3109, 3111, 3113, 3115, 3117, 3119, 3121, 3123 AND 3125 OF ARTICLE 2, CHAPTER 31, TITLE 15, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE THRESHOLDS FOR ESTATES OF SMALL VALUE BY FIFTY PERCENT (50%)”

I respectfully request your presence to provide testimony and answer questions from the senate panel.

All testimony may be submitted to my office via email to senatortelot@gmail.com or delivered to the Office of Senator Telo T. Taitague Suite 407 DNA Building 238 Archbishop Flores St, Hagatna, Guam 96910 two (2) days prior to the public hearing. Please contact our office via email or at (671) 989-8356, for any questions or concerns.

Respectfully

Senator Telo T. Taitague

Chairperson



Senator Telo Taitague <senatortelot@gmail.com>

Invitation Letter to Provide Testimony on Bill 80-38 (COR) - April 22, 2025 at 2 p.m.

2 messages

Senator Telo Taitague <senatortelot@gmail.com>

9 April 2025 at 16:11

To: marie.lizama@revtax.guam.gov

Cc: DirectorsOffice@revtax.guam.gov

Håfa Adai Director Lizama,

Please see attached letter and kindly confirm receipt.

I look forward to hearing from you.

Si Yu'os Ma'åse,

Create a Great Day!

Senator Telo T. Taitague

38th Guam Legislature

Chairperson

**Committee on Economic Investment, Military Buildup, Regional Relations, Technology,
Regulatory Affairs, Justice, Elections, and Retirement**

Suite 407 DNA Building

238 Archbishop Flores St.

Hagatna, Guam 96910

Tel: (671) 989-8356

Email: senatortelot@gmail.com



Rev&Tax Invitation Letter - provide testimony.pdf
506K

Marie P. Lizama <Marie.Lizama@revtax.guam.gov>

16 April 2025 at 16:29

To: Senator Telo Taitague <senatortelot@gmail.com>

Cc: DRT_DirectorsOffice <DirectorsOffice@revtax.guam.gov>

Hafa Adai, Senator Taitague.

I confirm receipt of your e-mail.

Regards,

Marie P. Lizama

Director

Department of Revenue & Taxation

P.O. Box 23607

GMF, GU 96921

Phone: (671) 635-1816

Confidentiality Notice: The information contained in this electronic message and any attachments contain information that may be confidential and/or privileged. If you are not the intended recipient, you are hereby notified that any disclosure, reproduction, distribution or use of this information is strictly prohibited. If you have received this communication in error, please notify the sender immediately by email or by telephone at 671-635-1816 and destroy this communication.

From: Senator Telo Taitague <senatortelot@gmail.com>

Sent: Wednesday, April 9, 2025 4:12 PM

To: Marie P. Lizama <Marie.Lizama@revtax.guam.gov>

Cc: DRT_DirectorsOffice <DirectorsOffice@revtax.guam.gov>

Subject: Invitation Letter to Provide Testimony on Bill 80-38 (COR) - April 22, 2025 at 2 p.m.

CAUTION: This email originated from outside of the Government's Network. Do not click links or open attachments unless you recognize the sender and know the content is safe.

[Quoted text hidden]



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,
Regulatory Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

April 9, 2025

Transmitted via Electronic Mail

Marie P. Lizama – Director
Department of Revenue and Taxation
marie.lizama@revtax.guam.gov

Subject: Invitation to provide testimony on Bill No. 80-38 (COR):

Hafa Adai Director Lizama,

This letter is to notify you that the Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections and Retirement has set a Public Hearing on **Tuesday, April 22, 2025 at 2:00 p.m., in the Guam Congress Building, Public Hearing room**, to hear the following Bill:

- I. **Bill No. 80-38 (COR) - V. Anthony Ada – “AN ACT TO AMEND §§ 3101 AND 3103 OF ARTICLE 1, AND §§ 3109, 3111, 3113, 3115, 3117, 3119, 3121, 3123 AND 3125 OF ARTICLE 2, CHAPTER 31, TITLE 15, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE THRESHOLDS FOR ESTATES OF SMALL VALUE BY FIFTY PERCENT (50%)”**

I respectfully request your presence to provide testimony and answer questions from the senate panel.

All testimony may be submitted to my office via email to senatortelot@gmail.com or delivered to the Office of Senator Telo T. Taitague Suite 407 DNA Building 238 Archbishop Flores St, Hagatna, Guam 96910 two (2) days prior to the public hearing. Please contact our office via email or at (671) 989-8356, for any questions or concerns.

Respectfully

Senator Telo T. Taitague
Chairperson



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,
Regulatory Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

PUBLIC HEARING AGENDA

Tuesday, April 22, 2025 at 2:00 p.m.

Guam Congress Building, Public Hearing Room.

The Committee will hear and accept testimonies on the following items:

AGENDA for 2:00PM:

- I. **Bill No. 80-38 (COR)** –V. Anthony Ada - “AN ACT TO AMEND §§ 3101 AND 3103 OF ARTICLE 1, AND §§ 3109, 3111, 3113, 3115, 3117, 3119, 3121, 3123 AND 3125 OF ARTICLE 2, CHAPTER 31, TITLE 15, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE THRESHOLDS FOR ESTATES OF SMALL VALUE BY FIFTY PERCENT (50%).”
- II. **Bill No. 23-38 (COR)** - Shelly V. Calvo – “AN ACT TO ADD A NEW ARTICLE TO CHAPTER 33 TITLE 15 OF GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE UNIFORM REAL PROPERTY TRANSFER ON DEATH ACT.”

If you are interested in participating in the Public Hearing to provide testimony, please contact the Office of Senator Telo T. Taitague via electronic mail at senatortelot@gmail.com or call (671) 989-8356.

In compliance with the Americans with Disabilities Act (ADA), individuals requiring assistance of accommodation should contact the Office of Senator Telo T. Taitague at (671) 989-8356 or email senatortelot@gmail.com.

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117, and stream online via *I Liheslaturan Guåhan's* live feed on YouTube <https://www.youtube.com/@GuamLegislatureMedia/streams>. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing.



OFFICE OF SENATOR
Telo T. Taitague
CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations,
Regulatory Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

PUBLIC HEARING SIGN-IN SHEET

Tuesday, April 22, 2025 – 2:00 PM
Public Hearing Room, Guam Congress Building

Bill No. 80-38(COR) – V. Anthony Ada - “AN ACT TO AMEND §§ 3101 AND 3103 OF ARTICLE 1, AND §§ 3109, 3111, 3113, 3115, 3117, 3119, 3121, 3123 AND 3125 OF ARTICLE 2, CHAPTER 31, TITLE 15, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE THRESHOLDS FOR ESTATES OF SMALL VALUE BY FIFTY PERCENT (50%).”

NAME:	AGENCY/ ORGANIZATION	POSITION	TESTIMONY	CONTACT INFORMATION
1. LEE MILLER	OAG	SUPPORT ☒ OPPOSE ☐	WRITTEN ☒ ORAL ☐	nmillerjr@oagguam.org
2.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
3.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
4.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
5.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
6.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
7.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
8.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
9.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	
10.		SUPPORT ☐ OPPOSE ☐	WRITTEN ☐ ORAL ☐	



Office of the Attorney General Testimony Supporting Bill 80-38
*An Act to Update the Estates of Small Value Act in
the Guam Probate Code*

Hafa Adai. The Attorney General's Office supports Bill No. 80-38, which updates Guam's Estates of Small Value Act under the Probate Code. The goal is to help families settle a loved one's affairs without needing lawyers or courts.

The bill raises limits, allowing more people to use the law. For example, Section 3101's limit increases to \$112,500. This mirrors California's law, which sets its limit at \$166,250 and adjusts it every three years for inflation. Guam's law doesn't include automatic inflation adjustments.

However, it's important to understand the responsibilities when using these laws. For example, Section 3121 makes recipients personally liable for the deceased's debts up to \$112,500. Even if someone inherits benefits like pensions, they may need to cover debts like medical bills later on.

Legal advice is recommended to avoid financial pitfalls. This legislation provides helpful updates, but understanding the laws is key to using them wisely.

Thank you for this opportunity to comment on this legislation.

Respectfully,

Douglas B. Moylan
Attorney General of Guam

Office of the Attorney General
Douglas B. Moylan · Attorney General of Guam

590 S. Marine Corps. Drive · ITC Bldg., Ste. 902 · Tamuning, Guam 96913 · USA
671-475-3324 · 671-475-4703 (fax) · dbmoylan@oagguam.org · www.oagguam.org
"Guam's Toughest Law Enforcers"

EXECUTIVE DIRECTOR

Stephen P. Hattori

**DEPUTY DIRECTOR**

John P. Morrison

ADMINISTRATIVE DIRECTOR

Shane G.L. Ngata

PUBLIC DEFENDER SERVICE CORPORATION

(Kotperasion Setbision Defensot Pubbleku)

GOVERNMENT OF GUAM

779 Route 4

Sinajaña, Guam 96910

Tel: (671) 475-3100 ♦ Fax: (671) 477-5844

www.guampdsc.org

STAFF ATTORNEYS

Jocelyn M. Roden

Peter J. Sablan

William C. Bischoff

William B. Jones

Zachary C. Taimanglo

Renita M. Taimanao-Munoz

Brian E. Kegerreis

Chad N. Enoki

Mary L. Hill

Alisha Molyneux

Earl Anthony V. Espiritu

Kathleen A. Aguon

Christian F. Spotanski

Adam J. Gunkel

April 14, 2025

Senator Telo T. Taitague

Chairperson, Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory Affairs, Technology, Justice, Elections and Retirement

38th Guam Legislature

senatortelot@gmail.com

RE: Testimony in support of Bill 80-38: Increasing the Thresholds for Estates of Small Value

Buenas yan Håfa Adai Chairperson Senator Taitague and Honorable Members of I Liheslaturan Guåhan:

I am Stephen P. Hattori, the current Executive Director of the Guam Public Defender Service Corporation. PDSC represents indigent residents in both criminal and civil matters. We also provide legal services to our Manåmko's and qualified indigent clients as a part of our Civil Law Center.

I apologize for missing the Public Hearing on this matter. I was at a Guam Bar Association Annual Meeting that conflicted with this important hearing. I appreciate the opportunity to provide written support.

The purpose of this bill is to raise the thresholds for Estates of Small Value. This would apply to estates with no real property and which have less than \$112,500 in value. California has set their amounts at over \$180,000.00. Minnesota has a \$150,000 ceiling for summary proceedings and \$75,000 for an affidavit. Hawaii, Idaho, Illinois and Indiana have a \$100,000.00 threshold. Iowa has a \$200,000 maximum for small estates. This bill complements Bill 23-38, which would establish the Uniform Transfer on Death Act. Someone owning a single property and less than \$112,500 could designate a beneficiary for their property through a TODD and then avoid burdening their family with probate where they have less than the cap for small estates.

Due to the shortage of attorneys on Guam and the length and cost of probate matters that unnecessarily clog the Court, this measure would divert estates with small value from burdening the Court and free up Attorney time to handle more complex probate matters. It would also facilitate the transfer of property to the heirs in a more timely and cost effective manner.

I would like to thank the Vice Speaker Antony Ada for introducing this important measure that expands this expedited and cost effective procedure for distributing the assets of a decedent. Please support this measure.

SINCERELY YOURS,

A handwritten signature in blue ink, appearing to be 'SPH' with a checkmark-like flourish at the end.

STEPHEN P. HATTORI
Executive Director,
Public Defender Service Corporation



CIVIL LAW CENTER
The Advocacy Center & Elder Justice Center
Provide • Promote • Preserve
Peace of Mind

777 Route 4, Suite 104
MVP Commercial Building
Sinajana, Guam 96910
Telephone No. 671-969-3131
Facsimile No.: 671-969-0132
Email: support@clcgum.org

April 30, 2025

Honorable Senator Telo T. Taitague

I Mina'trentai Ocho Na Liheslaturan Guåhan

Chairperson, Committee on Economic Investment, Military Buildup, Regional Relations,
Technology, Regulatory Affairs, Justice, Elections, and Retirement

Suite 407 DNA Building

238 Archbishop Flores Street

Hagåtña, Guam 96910

senatortelo@gmail.com

(671) 989-8356

Re: Letter of Support for Bill No. 80-38 (COR), relative to the “An Act to Amend §§ 3101 and 3103 of Article 1, and §§ 3109, 3111, 3113, 3115, 3117, 3119, 3121, 3123 and 3125 of Article 2, Chapter 31, Title 15, Guam Code Annotated, Relative to Increasing the Thresholds for Estates of Small Value by Fifty Percent (50%)”

Hafa Adai Honorable Senator Taitague, and all the Honorable Senators of *I Mina'trentai Ocho Na Liheslaturan Guåhan*:

My name is Carol Hinkle-Sanchez, and I am the Managing Attorney with the Civil Law Center/Elder Justice Center, which is the Civil Division a division established under the Public Defender Service Corporation Act. I am writing this letter to express my strong support of Bill No. 80-38 (COR), which seeks to “Amend §§ 3101 and 3103 of Article 1, and §§ 3109, 3111, 3113, 3115, 3117, 3119, 3121, 3123 and 3125 of Article 2, Chapter 31, Title 15, Guam Code Annotated, Relative to Increasing the Thresholds for Estates of Small Value by Fifty Percent (50%).” The Civil Law Center represents the most vulnerable populations in Guam that include the Guam’s manamko/elders, persons with disabilities, victims of family violence, sexual abuse, and stalking, as well as Veterans who are at-risk for homelessness. CLC, also assists the indigent individuals living on Guam, who qualify based on strict income guidelines, and subject to restrictions and limitations set out by our local mandates and our Board of Trustees, as well as by restrictions set out in the federal grant we receive.

I now submit this written testimony today as a representative to those in our vulnerable population who otherwise could not be present at the public hearing, or who could not submit testimony supporting this cause. I humbly ask for each of you for your support of Bill No. 80-38 (COR) as this bill will assist not only the consumers of the Civil Law Center, but all those in the community who struggle financially due to the continued high costs of living on Guam, and

whom would never be able to seek the assistance of an attorney and pay the costs and fees associated with filing of a full probate matter. This bill, simply stated, seeks to adjust the current cap under Guam's small estate probate law from its current threshold of \$75,000, excluding real property, to \$112,500. This legislative amendment is a normal practice across many jurisdictions where the jurisdiction's small estate probate laws do not provide for an automatic or periodic review and adjustment. This upward adjustment is justified based on the continuous rise in Guam's costs of living and the skyrocketing costs of the value of property. The last significant amendment to Guam's small estate probate cap was about seven (7) years ago, in 2018, at which time, the amendment was made as part of broader revisions to Title 15 of the Guam Code Annotated, which governs estates and probate.

The increase in the thresholds for estates of small value being sought in Bill No. 80-38 (COR) is justified based on Guam's current economy, and is necessary based on the current trends of today's market value. I commend the author and sponsor(s) of this Bill as the need to amend and adjust the cap amount of the threshold in Guam's small estate probate is reflective of the efforts of our legislature to simplify the probate process and make it more accessible for families or individuals with smaller estates to bring resolution of their deceased loved ones small estate in the most efficient, cost-effective and expeditious manner.

Like many of U.S. jurisdictions, Guam's probate process can last a very long time, and it often become a thorn in the side of families trying to settle an estate. Without the small estate probate laws, a probate matter can become time-consuming and very costly - something families do not want to have to deal with or expect to deal with, most especially after the passing of a loved one. Guam already has a small estate probate law, and the only intentions of the bill before the legislature is to raise the current threshold or cap of the legislation from \$75,000 to \$112,500.

Over the past decade, the cost of homes in Guam has seen a significant increase. The average cost of home prices in 2014 for a single-family home was around \$213,600. As of 2024, this price has nearly doubled to approximately \$420,000. The median price for land alone has also significantly increased. The median price for a typical house lot has gone up from about \$68,000 to over \$100,000. If you add the construction cost of building a simple concrete home, it has increased from roughly \$100 per square foot to between \$200 and \$250 per square foot. Several factors have contributed to these rising costs in Guam, including global supply chain disruptions, stringent building codes due to typhoons and earthquakes, and the impact of the military buildup on housing demand. One thing that seems very clear from the trends for the past decade is that the cost of real estate or real property will continue to go up.

Excerpts from a Pacific Daily News Article, titled "2025 economic outlook for Guam: Inflation, utilities may ease but housing costs will stay high," published by Joe Taitano II, on January 1, 2025, stated as follows:

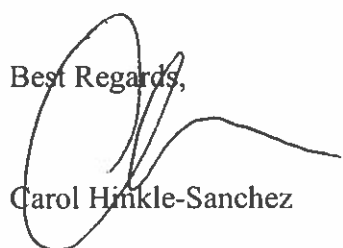
"Guam residents paid between 10% and nearly 73% more for food, electricity, rent, building materials and other everyday necessities in a year, and ended up battling the island's highest average annual inflation of 7.9% in 16 years... Between 2007 and 2021, Guam's average annual inflation was negative 0.9% to 6.8%... Guam's power bills jumped by 72.7%, egg prices jumped by 71.8%, and rent and lodging rose by 16.3% during the last quarter of 2022 compared to the

same period in 2021, according to the October-December consumer price index report from the Guam Bureau of Statistics and Plans. The bureau measures only the price changes of imported goods, since they comprise most of what's available to consumers. "Housing, energy, food, and medical care costs were the primary reasons for such a spike in inflation for Guam," Santos said, "These commodity categories have a combined relative importance of 68 out of 100, so changes in their prices significantly impact the change in overall CPI." The value of a dollar shrunk to 43 cents compared to what it was in 1996, or down to 64 cents compared to 2007... Building a new house or renovating an existing one became much costlier, with the price of construction materials, specifically floor coverings, soaring by 48.6%, the bureau report shows... Inflation is expected to ease in 2025 and local residents should see their utility bills drop, but costs for housing and home ownership aren't expected to dip any time soon, according to public and private sector experts... One thing that won't let up in 2025 is the cost of a home on Guam. The median price of a single-family home hit a new high in the first 11 months of 2024, at \$425,300, according to data from Siska Hutapea, president of Cornerstone Valuation Guam Inc. Guam home prices haven't fallen since major military buildup construction started in 2018, and the median cost for the first 11 months of 2024 is higher than any other year so far, according to Hutapea's data. The median price so far this year is only slightly higher than the \$420,000 median of 2022, and Hutapea said she believes the local housing market has peaked."

The CLC/EJC supports this bill because the increase in the threshold or cap of the small estate is supported by the rising costs of living and the continuous increase in the prices of real property in Guam. Many jurisdictions have small estate probate laws that actually provide for annual or periodic review and adjustments. The last adjustment made to Guam's small estate probate law was in 2018, and as noted above, the costs of real estate has almost doubled from its value in 2014. The adjustments being requested in Bill No 80-38 (COR) correlates with Guam's higher costs of living and the skyrocketing costs of the value of property and homes. As such, CLC/EJC provides its support the intent of this bill, and believes this practice of adjusting the threshold of the small estate probate is similar to how legislatures in other jurisdictions across the United States has done so for their small estate probate laws.

Thank you again for this opportunity. I am hopeful that our legislatures will be in favor of this piece of legislation. It does not impact the community in any negative way, but provides a more efficient, cost-effective and expeditious alternative probate to those families with small estates that are below the cap of Guam's law. Should you have any further questions, please feel free to reach my at (671) 969-3131.

Best Regards,



Carol Hinkle-Sanchez



April 28, 2025

The Honorable Vice Speaker V. Anthony Ada
The Honorable Telo T. Taitague
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

RE: Retroactivity of Bill No. 80-38 (COR)

Dear Vice Speaker Ada and Senator Taitague:

Thank you for the opportunity for the Attorney General's Office to provide testimony and input on Bill No. 80-38, An Act to Increase the Thresholds for Estate of Small Value by Fifty Percent. In our further evaluation of this valuable bill, we suggest that it be amended to make it retroactive to all estates as of the effective date of the bill.

The intent of the bill is to allow the decedents of Guam residents who have passed with small estates to be able to wind up the affairs of their loved one with a minimum of lawyers and without the need to open a probate matter in court. We believe it is equally valuable for our court system to avoid being bogged down with the small estates. Once a matter must go to probate the quantity of documents and the burden on the court system is approximately the same, whether the value of the estate is \$100,000 or \$1,000,000.

We don't currently know how many cases exist or could exist in the Guam Court system where the value of the estate is between \$75,000 and \$112,500. We do know that allowing the families with estates in this group to take advantage now of the options provided in the bill will surely be of value to families. It will also allow for the rapid closure of the cases already in the courts. As currently constructed the bill will only be of value to the families of those who pass in the future. The bill doesn't change or modify the rights or options available to decedents, it only increases the universe of estates that can use these collection options. Because a retroactive application of the bill doesn't change the rights or remedies of anyone currently in probate, we believe the retroactive application is in order.

Office of the Attorney General
Douglas B. Moylan · Attorney General of Guam

The Honorable Vice Speaker V. Anthony Ada

The Honorable Telo T. Taitague

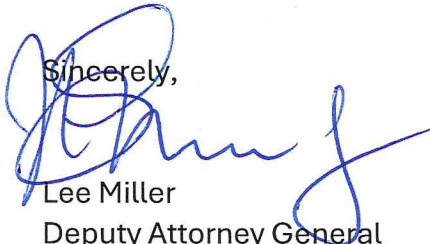
April 24, 2025

Page 2

To be clear we advocate for broad retroactivity language. We believe the options available under the bill should be retroactively available to estates where there is currently a case open in Guam probate court as well as estates that have not yet filed for probate while the family pursues an informal resolution of their loved one's affairs. To that end we attach a marked up copy of the bill that includes our proposed retroactivity language. Our draft language is found at the end of the bill in a new Section 12. Our language is in **RED**.

Please let us know of any questions or concerns. Again, thank you for the continuing opportunity to provide comment on legislative matters.

Sincerely,



Lee Miller
Deputy Attorney General
Civil Division

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. 80-38 (COR)

Introduced by:

V. Anthony Ada 

**AN ACT TO AMEND §§ 3101 AND 3103 OF ARTICLE 1,
AND §§ 3109, 3111, 3113, 3115, 3117, 3119, 3121, 3123 AND
3125 OF ARTICLE 2, CHAPTER 31, TITLE 15, GUAM
CODE ANNOTATED, RELATIVE TO INCREASING THE
THRESHOLDS FOR ESTATES OF SMALL VALUE BY
FIFTY PERCENT (50%).**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. § 3101 of Article 1, Chapter 31, Title 15, Guam Code Annotated,
is *amended* to read:

**“§ 3101. Estates Under ~~Seventy-Five Thousand Dollars (\$75,000)~~
One Hundred Twelve Thousand Five Hundred Dollars (\$112,500);
Summary Administration or Probate; Affidavit.** When a decedent leaves
no real property, nor interest therein nor lien thereon, in the territory of Guam,
and the total value of the decedent's property in the territory of Guam,
excluding any motor vehicle of which the decedent was the owner or the legal
owner, over and above any amounts due to the decedent for services in the
armed forces of the United States, and over and above the amount of salary
not exceeding Six Thousand Dollars (\$6,000), including compensation for
unused vacation, owing to the decedent for services from any employment,
does not exceed ~~Seventy-Five Thousand Dollars (\$75,000)~~ One Hundred

1 Twenty-Five Thousand Dollars (\$125,000), the surviving spouse, the children,
2 lawful issue of deceased children, a parent, brothers or sisters of the decedent,
3 the lawful issue of a deceased brother or sister, the guardian of the estate of
4 any minor or incompetent person bearing such relationship to the decedent, or
5 the trustee named under a trust agreement executed by the decedent during his
6 lifetime, the primary beneficiaries of which bear such relationship to the
7 decedent, if such person or persons has or have a right to succeed to the
8 property of the decedent, or is the sole beneficiary or are all of the beneficiaries
9 under the last will and testament of the decedent, may without procuring
10 letters testamentary, letters of administration with the will annexed or letters
11 of administration, and without awaiting administration upon the estate of an
12 intestate decedent or the probate of the will of a testate decedent, collect any
13 money due to the decedent, receive the property of the decedent, and have any
14 evidences of interest, indebtedness or right transferred to such person or
15 persons upon furnishing the person, representative, corporation, officer or
16 body owing the money, having custody of such property or acting as registrar
17 or transfer agent of such evidences of interest, indebtedness or right, with an
18 affidavit showing the right or the person or persons to receive the money or
19 property, or to have such evidences transferred.”

20 **Section 2.** § 3103 of Article 1, Chapter 31, Title 15, Guam Code Annotated,
21 *is amended* to read:

22 “§ 3103. ~~Estates Under Thirty-Five Thousand Dollars (\$35,000)~~
23 Fifty-Two Thousand Five Hundred Dollars (\$52,500); Surviving Spouse's
24 ~~Right to Two Thousand Five Hundred Dollars (\$2,500)~~ Three Thousand
25 Seven Hundred Fifty Dollars (\$3,750) From Deposits in Savings
26 **Institutions.** Whether a person dies testate or intestate, and irrespective of the
27 character of his property, if the value of the estate does not exceed ~~Thirty-Five~~
28 ~~Thousand Dollars (\$35,000)~~ Fifty-Two Thousand Five Hundred Dollars
29 (\$52,500), the decedent's surviving spouse, if entitled by succession or by the

1 last will and testament of the decedent to any money of the decedent on deposit
2 in any bank, savings and loan association, credit union or other savings
3 institution licensed to do business in the territory of Guam, may collect such
4 money, not to exceed the total sum of ~~Two Thousand Five Hundred Dollars~~
5 ~~(\$2,500)~~ Three Thousand Seven Hundred Fifty Dollars (\$3,750), without
6 procuring letters testamentary, letters of administration with the will annexed
7 or letters of administration, and without awaiting administration upon the
8 estate of an intestate decedent or the probate of the will of a testate decedent,
9 upon furnishing the bank, savings and loan association, credit union or other
10 savings institution with an affidavit showing the right of the affiant to receive
11 such money.”

12 **Section 3.** § 3109 of Article 2, Chapter 31, Title 15, Guam Code Annotated,
13 *is amended* to read:

14 “§ 3109. **Setting Aside Estates Under ~~Seventy-Five Thousand~~**
15 **~~Dollars (\$75,000)~~ One Hundred Twelve Thousand Five Hundred Dollars**
16 **(\$112,500); Authority to Set Aside.** If the decedent leaves a surviving spouse
17 or minor child or minor children, and the net value of the whole estate, over
18 and above all liens and encumbrances at the date of death and over and above
19 the value of any homestead interest set apart out of the decedent's estate under
20 the provisions of Section 2401 or Section 2409 of this Title, does not exceed
21 the sum of ~~Seventy-Five Thousand Dollars (\$75,000)~~ One Hundred Twelve
22 Thousand Five Hundred Dollars (\$112,500), the same may be set aside to the
23 surviving spouse, if there be one, and if there be none, then to the minor child
24 or minor children of the decedent.”

25 **Section 4.** § 3111 of Article 2, Chapter 31, Title 15, Guam Code Annotated, *is*
26 *amended* to read:

27 “§ 3111. **Setting Aside Estates Under ~~Seventy-Five Thousand~~**
28 **~~Dollars (\$75,000)~~ One Hundred Twelve Thousand Five Hundred Dollars**
29 **(\$112,500): Petition; Allegations; Time; Verification; Contents.**

1 Allegations showing that this Article is applicable, together with a prayer that
2 the estate be set aside as provided in this Article, may be presented without
3 filing a petition for letters testamentary, letters of administration with the will
4 annexed or letters of administration, by petition of the person named in the
5 will as the executor or of the surviving spouse or of the guardian of the minor
6 child or children of the decedent. Such allegations and prayer may also be
7 included alternatively in the petition for letters testamentary, letters of
8 administration with the will annexed or letter of administration, or such
9 allegations and prayer may be presented by separate petition filed by the
10 personal representative of the decedent, or by the surviving spouse, or by the
11 guardian of the minor child or children, filed at any time before the hearing on
12 the petition for letters testamentary, letters of administration with the will
13 annexed or letters of administration or after the filing of the inventory. In all
14 cases the petition shall be verified. The allegations shall include a specific
15 description and an estimate of the value of all of the decedent's property, a list
16 of all liens and encumbrances at the date of death, and a designation of any
17 property as to which a homestead is set apart out of the decedent's estate under
18 the provisions of Section 2401 or Section 2409 of this Title.”

19 **Section 5.** § 3113 of Article 2, Chapter 31, Title 15, Guam Code Annotated, is
20 *amended* to read:

21 “§ 3113. **Setting Aside Estates Under ~~Seventy-Five Thousand~~**
22 **~~Dollars (\$75,000)~~ One Hundred Twelve Thousand Five Hundred Dollars**
23 **(\$112,500): Notice of Hearing; Proceedings Included in Petition for**
24 **Letters.** If the allegations and prayer as provided in Section 3111 of this Title
25 are included in the petition for letters testamentary, letters of administration
26 with the will annexed or letters of administration, the notice of hearing shall
27 include a statement that a prayer for setting aside the estate to the surviving
28 spouse or minor child or minor children, as the case may be, is included in the
29 petition.”

1 **Section 6.** § 3115 of Article 2, Chapter 31, Title 15, Guam Code Annotated, is
2 *amended* to read:

3 “§ 3115. **Setting Aside Estates Under ~~Seventy-Five Thousand~~**
4 **~~Dollars (\$75,000)~~ One Hundred Twelve Thousand Five Hundred Dollars**
5 **(\$112,500): Notice of Hearing; Proceedings Under Separate Petition.**

6 (a) If a separate petition is filed under the provisions of Section 3111
7 of this Title without there having been any other petition filed, there shall be
8 no notice of any type other than as prescribed in this subsection. In such cases,
9 the Clerk of the Superior Court shall set the petition for hearing, and notice of
10 the hearing shall be given in the manner provided in Section 3401 of this Title.

11 (b) If the hearing of the original petition for letters testamentary,
12 letters of administration with the will annexed, or letters of administration is
13 set for a day more than ten (10) calendar days after the filing of a separate
14 petition filed with respect the same estate, the latter shall be set for hearing at
15 the same time as the former and notice thereof shall be given in the manner
16 provided in Section 3401 of this Title; if not, the separate petition shall be set
17 for hearing at least ten (10) calendar days after the date on which it is filed,
18 and if the original petition has not already been heard it shall be continued
19 until such date and heard at the same time.”

20 **Section 7.** § 3117 of Article 2, Chapter 31, Title 15, Guam Code Annotated, is
21 *amended* to read:

22 “§ 3117. **Setting Aside Estate Under ~~Seventy-Five Thousand Dollars~~**
23 **~~(\$75,000)~~ One Hundred Twelve Thousand Five Hundred Dollars**
24 **(\$112,500): Inventory and Appraisement; Filing.** Upon the filing of any
25 petition provided for in this Article, the personal representative shall, within
26 such time as the Superior Court shall allow, cause an inventory and
27 appraisement of the decedent's estate to be made and filed in the manner
28 prescribed by law.”

1 **Section 8.** § 3119 of Article 2, Chapter 31, Title 15, Guam Code Annotated, is
2 *amended* to read:

3 “§ 3119. **Setting Aside Estates Under ~~Seventy-Five Thousand~~**
4 **Dollars (\$75,000) One Hundred Twelve Thousand Five Hundred Dollars**
5 **(\$112,500): Decree Assigning Estate to Surviving Spouse, Child or**
6 **Children; Title to Property; Restriction on Right.** If, upon the hearing of
7 any petition provided for in this Article, the Superior Court finds that the net
8 value of the estate over and above all liens and encumbrances at the death of
9 the decedent and over and above the value of any homestead interest set apart
10 out of the decedent's estate under the provisions of Section 2401 or Section
11 2409 of this Title does not exceed the sum of ~~Seventy-Five Thousand Dollars~~
12 ~~(\$75,000)~~ One Hundred Twelve Thousand Five Hundred Dollars (\$112,500),
13 as of the date of such death, and that the expenses of the last illness, funeral
14 charges and expenses of administration have been paid, it shall, by decree for
15 that purpose, assign to the surviving spouse of the decedent, if there be a
16 surviving spouse, provided said surviving spouse shall not have theretofore
17 remarried, or, if there be no surviving spouse, then to such child or children of
18 the decedent as may then be minors, if any, the whole of the estate, subject to
19 whatever mortgages, liens or encumbrances there may be upon said estate at
20 the time of the death of the decedent. The title thereto shall vest absolutely in
21 such surviving spouse, or if there be no such surviving spouse, in the minor
22 child or children, subject to whatever mortgages, liens and encumbrances
23 there may be upon said estate at the time of the death of the decedent, and
24 there must be no further proceedings in the administration, unless further
25 estate be discovered.”

26 **Section 9.** § 3121 of Article 2, Chapter 31, Title 15, Guam Code Annotated,
27 *is amended* to read:

28 “§ 3121. **Setting Aside Estates Under ~~Seventy-Five Thousand~~**
29 **Dollars (\$75,000) One Hundred Twelve Thousand Five Hundred Dollars**

1 **(\$112,500): Personal Liability for Unsecured Debts of Decedent;**

2 **Duration.** A surviving spouse or a minor child or children in whom title has
3 vested pursuant to the provisions of Section 3119 of this Title shall be
4 personally liable for the unsecured debts of the decedent. The personal liability
5 shall not exceed the value of the estate at the date of the decedent's death, less
6 the amount of any liens and encumbrances and any homestead and other
7 property set apart pursuant to the provisions of Section 2401 or Section 2409
8 of this Title. Such personal liability shall cease one (1) year after title to the
9 estate vests, except with respect to any actions or proceedings then pending in
10 court. In any action based upon such an unsecured debt, the surviving spouse,
11 or the minor child or children, or the guardian of such minor child or children,
12 may assert any defenses, counterclaims or set offs which would have been
13 available to the decedent if the decedent had not died.”

14 **Section 10.** § 3123 of Article 2, Chapter 31, Title 15, Guam Code Annotated,
15 is *amended* to read:

16 “§ 3123. **Setting Aside Estates Under ~~Seventy-Five Thousand~~**
17 **~~Dollars (\$75,000) One Hundred Twelve Thousand Five Hundred Dollars~~**
18 **(\$112,500): Denial of Assignment; Grounds; Effect.** If the Superior Court
19 finds that the net value of the estate exceeds ~~Seventy-Five Thousand Dollars~~
20 ~~(\$75,000) One Hundred Twelve Thousand Five Hundred Dollars (\$112,500),~~
21 or that there is neither a surviving spouse nor a minor child, it shall act upon
22 the petition for letters testamentary, letters of administration with the will
23 annexed or letters of administration in the same manner as though no petition
24 to set aside the estate had been included, and the estate shall then be
25 administered in the usual manner.”

26 **Section 11.** § 3125 of Article 2, Chapter 31, Title 15, Guam Code Annotated,
27 is *amended* to read:

28 “§ 3125. **Setting Aside Estates Under ~~Seventy-Five Thousand~~**
29 **~~Dollars (\$75,000) One Hundred Twelve Thousand Five Hundred Dollars~~**

1 **(\$112,500): Exclusion of Joint Tenancy, Life Estate, or Other Estate**

2 **Terminable at Death.** For the purposes of this Article, any property or
3 interest therein or lien thereon which, at the time of the decedent's death, was
4 held by the decedent as joint tenant, or in which the decedent had a life estate
5 or other estate terminable upon the decedent's death, shall be excluded in
6 determining the property or estate of the decedent or its value.”

7 **Section 12. Retroactive Application of This Act.**

8 **(a) Scope of Retroactivity.** Notwithstanding any provision of law to the
9 contrary, all provisions contained in this Act shall apply retroactively to estates and
10 probate proceedings initiated or pending before the effective date of this Act. This
11 retroactive application shall include, but not be limited to, any dispositional,
12 evidentiary, or procedural benefits provided herein.

13 **(b) Pending Proceedings.** Any probate proceedings that are pending as of the
14 effective date of this Act shall be deemed to have been commenced under the
15 provisions of this Act, and all actions taken in such proceedings shall be reviewed
16 and adjudicated consistent with its standards and requirements.

17 **Section 13. 12. Effective Date.** This Act *shall* be effective upon enactment.

15 GCA ESTATES AND PROBATE
CH. 31 DISPOSITION OF ESTATES OF SMALL VALUE

CHAPTER 31
DISPOSITION OF ESTATES OF SMALL VALUE

2014 NOTE: Unless otherwise indicated, this Title includes annotations drafted by the Law Revision Commission from the enactment of Title 15 GCA by P.L. 16-052 (Dec. 17, 1981). The Source notes have been updated to reflect subsequent changes to each provision. The Comments from the Law Revision Commission were retained in past print publications of the GCA, and are included herein as originally published, for historical purposes.

Pursuant to the authority granted by 1 GCA § 1606, “Subchapter” designations altered to “Article” to adhere to the Compiler’s general codification scheme.

- Article 1. Transfer of Personal Property Not Exceeding \$75,000.00 in Value.
- Article 2. Setting Aside Estates Not Exceeding \$75,000.00.

ARTICLE 1
TRANSFER OF PERSONAL PROPERTY NOT
EXCEEDING \$75,000.00 IN VALUE

- § 3101. Estates Under Seventy-Five Thousand Dollars (\$75,000); Summary Administration or Probate; Affidavit.
- § 3101.1 Estates of Deceased COLA Awardees; Summary Administration or Probate; Affidavit.
- § 3102. [Vacant.]
- § 3103. Estates Under Thirty-Five Thousand Dollars (\$35,000); Surviving Spouse's Right to Two Thousand Five Hundred Dollars (\$2,500) from Deposits in Savings Institutions.
- § 3105. Affidavit of Right; Effect of Receipt; Claim Against Estate in Probate; Procedure.
- § 3107. Exclusion of Joint Tenancy, Life Estate or Other Estate Terminable at Death.

§ 3101. Estates Under Seventy-Five Thousand Dollars (\$75,000); Summary Administration or Probate; Affidavit.

When a decedent leaves no real property, nor interest therein nor lien thereon, in the territory of Guam, and the total value of the decedent's property in the territory of Guam, excluding any motor vehicle of which the decedent was the owner or the legal owner, over and above any amounts due to the decedent for services in the armed forces

15 GCA ESTATES AND PROBATE
CH. 31 DISPOSITION OF ESTATES OF SMALL VALUE

of the United States, and over and above the amount of salary not exceeding Six Thousand Dollars (\$6,000), including compensation for unused vacation, owing to the decedent for services from any employment, does not exceed Seventy-Five Thousand Dollars (\$75,000), the surviving spouse, the children, lawful issue of deceased children, a parent, brothers or sisters of the decedent, the lawful issue of a deceased brother or sister, the guardian of the estate of any minor or incompetent person bearing such relationship to the decedent, or the trustee named under a trust agreement executed by the decedent during his lifetime, the primary beneficiaries of which bear such relationship to the decedent, if such person or persons has or have a right to succeed to the property of the decedent, or is the sole beneficiary or are all of the beneficiaries under the last will and testament of the decedent, may without procuring letters testamentary, letters of administration with the will annexed or letters of administration, and without awaiting administration upon the estate of an intestate decedent or the probate of the will of a testate decedent, collect any money due to the decedent, receive the property of the decedent, and have any evidences of interest, indebtedness or right transferred to such person or persons upon furnishing the person, representative, corporation, officer or body owing the money, having custody of such property or acting as registrar or transfer agent of such evidences of interest, indebtedness or right, with an affidavit showing the right or the person or persons to receive the money or property, or to have such evidences transferred.

SOURCE: California Probate Code, § 630 (as amended). Amended by P.L. 33-213:1 (Dec. 15, 2016).

COMMENT: The effect of § 3101 is not markedly different from that of § 630 of the Probate Code of Guam (1970): basically, it allows the people with the right to a decedent's property to receive that property without the decedent's estate going through formal administration. Since its original enactment in California in 1931, however, the statute (which began its life very much like prior § 630 of the Probate Code of Guam (1970),) has been amended a number of times, for two basic reasons: (1) to raise the amount of the decedent's estate, to which the provisions apply; and (2) to increase the class of persons who may take advantage of the Section. Virtually all of the changes made in California are also useful in Guam, and have thus been included in § 3101.

§ 3101.1. Estates of Deceased COLA Awardees; Summary Administration or Probate; Affidavit.

When a COLA awardee as defined by Title 4 GCA § 7101(4) dies before receiving the award and the Director of Administration determines that Title 4 GCA § 7102 does not apply, the Director shall

15 GCA ESTATES AND PROBATE
CH. 31 DISPOSITION OF ESTATES OF SMALL VALUE

pay over the COLA award as defined by Title 4 GCA § 7101 (3) as follows:

(a) If no proceeding regarding the awardee's estate was brought pursuant to Title 15 GCA, a person who has a right to succeed to the awardee's property may, without bringing such a proceeding, submit to the Director the COLA awardee's death certificate and an affidavit showing the name, age and address of every person entitled to the COLA award pursuant to the laws of intestate succession. If the Director determines that the affidavit is correct, he shall distribute the COLA award accordingly.

(b) If a proceeding regarding the COLA awardee's estate pursuant to Title 15 GCA is pending, the court in said proceeding shall order the Director to pay over the award to the decedent's personal representative.

(c) If a proceeding regarding the COLA awardee's estate was brought pursuant to Title 15 GCA but is closed, the personal representative or an heir of the COLA awardee may request payment of the COLA award and present the Director of Administration with a certified copy of the Final Decree of Distribution. The Director shall pay over the COLA award according to said Decree in the appropriate amounts to the heirs named therein or to their personal representatives or successors in interest.

The Director shall develop form affidavits to assist applicants for COLA awards.

SOURCE: Added by P.L. 28-151:7 (Oct. 31, 2006).

NOTE: This section was added by P.L. 28-151 in relation to the authorization of the Governor to make COLA payments pursuant to *Rios v. Camacho*, Superior Court Case No. SP0206-93. Pursuant to P.L. 28-151, this section "shall be repealed and cease to be of any further force and effect upon the Superior Court's determination in SP0206-93 that all COLA awards have been paid over."

§ 3102. [Vacant.]

2017 NOTE: During the codification process from the Probate Code of Guam to Title 15 of the Guam Code Annotated, the Law Revision Commission did not include a provision for § 3102; it was left vacant.

§ 3103. Estates Under Thirty-Five Thousand Dollars (\$35,000); Surviving Spouse's Right to Two Thousand Five Hundred Dollars (\$2,500) From Deposits in Savings Institutions.

15 GCA ESTATES AND PROBATE
CH. 31 DISPOSITION OF ESTATES OF SMALL VALUE

Whether a person dies testate or intestate, and irrespective of the character of his property, if the value of the estate does not exceed Thirty-Five Thousand Dollars (\$35,000), the decedent's surviving spouse, if entitled by succession or by the last will and testament of the decedent to any money of the decedent on deposit in any bank, savings and loan association, credit union or other savings institution licensed to do business in the territory of Guam, may collect such money, not to exceed the total sum of Two Thousand Five Hundred Dollars (\$2,500), without procuring letters testamentary, letters of administration with the will annexed or letters of administration, and without awaiting administration upon the estate of an intestate decedent or the probate of the will of a testate decedent, upon furnishing the bank, savings and loan association, credit union or other savings institution with an affidavit showing the right of the affiant to receive such money.

SOURCE: Probate Code of Guam (1970), § 630a; Guam Law Revision Commission. Amended by P.L. 33-213:2 (Dec. 15, 2016).

COMMENT: The purpose of § 3103 is to provide the surviving spouse with enough money to live on pending the award of a family allowance once administration commences. Under § 630a of the Probate Code of Guam (1970), the most the surviving spouse could receive was \$100.00, if the estate did not exceed \$1,000.00. The Commission is of the opinion that those amounts are far too low, given present economic reality and the declining value of money, and has thus raised the amount from \$100.00 to \$1,000.00, if the estate does not exceed \$10,000.00.

§ 3105. Affidavit of Right; Effect of Receipt; Claim Against Estate in Probate; Procedure.

(a) The receipt of the affiant or affiants referred to in Sections 3101 and 3103 of this Title shall constitute sufficient acquittance for the payment of money or delivery of property made pursuant to the provisions of Section 3101 and 3103 of this Title and shall fully discharge such person, representative, corporation, officer or body from any further liability with respect thereto, without the necessity of inquiring into the truth of any of the facts stated in the affidavit. But such payment or transfer shall not preclude administration upon the decedent's estate when necessary to enforce payment of the decedent's debts.

(b) When the money or property claimed under the provisions of Section 3101 or Section 3103 of this Title is that of a deceased heir or legatee of a person whose estate is in probate, the personal representative of the person whose estate is in probate shall first present the affidavit referred to in Section 3101 or Section 3103 of this Title to the Superior

15 GCA ESTATES AND PROBATE
CH. 31 DISPOSITION OF ESTATES OF SMALL VALUE

Court and the Superior Court shall direct such personal representative to pay the money or deliver the property to the affiant or affiants to the extent that the decree of distribution shall determine that such heir or legatee was entitled thereto under the will or the laws of succession.

SOURCE: Subsection (a): California Probate Code, § 631 (as amended).
Subsection (b): California Probate Code, § 631.1.

§ 3107. Exclusion of Joint Tenancy, Life Estate or Other Estate Terminable at Death.

For the purposes of this Article, any property or interest therein or lien thereon which, at the time of the decedent's death, was held by the decedent as joint tenant, or in which the decedent had a life estate or other estate terminable upon the decedent's death, shall be excluded in determining the property or estate of the decedent or its value.

SOURCE: California Probate Code, § 632.

ARTICLE 2

SETTING ASIDE ESTATES NOT EXCEEDING \$75,000.00

- § 3109. Setting Aside Estates Under Seventy-Five Thousand Dollars (\$75,000); Authority to Set Aside.
- § 3111. Setting Aside Estates Under Seventy-Five Thousand Dollars (\$75,000): Petition; Allegations; Time; Verification; Contents.
- § 3113. Setting Aside Estates Under Seventy-Five Thousand Dollars (\$75,000): Notice of Hearing; Proceedings Included in Petition for Letters.
- § 3115. Setting Aside Estates Under Seventy-Five Thousand Dollars (\$75,000): Notice of Hearing; Proceedings Under Separate Petition.
- § 3117. Setting Aside Estate Under Seventy-Five Thousand Dollars (\$75,000): Inventory and Appraisement; Filing.
- § 3119. Setting Aside Estates Under Seventy-Five Thousand Dollars (\$75,000): Decree Assigning Estate to Surviving Spouse, Child or Children; Title to Property; Restriction on Right.
- § 3121. Setting Aside Estates Under Seventy-Five Thousand Dollars (\$75,000): Personal Liability for Unsecured Debts of Decedent; Duration.

15 GCA ESTATES AND PROBATE
CH. 31 DISPOSITION OF ESTATES OF SMALL VALUE

- § 3123. Setting Aside Estates Under Seventy-Five Thousand Dollars (\$75,000): Denial of Assignment; Grounds; Effect.
- § 3125. Setting Aside Estates Under Seventy-Five Thousand Dollars (\$75,000): Exclusion of Joint Tenancy, Life Estate, or Other Estate Terminable at Death.

§ 3109. Setting Aside Estates Under Seventy-Five Thousand Dollars (\$75,000); Authority to Set Aside.

If the decedent leaves a surviving spouse or minor child or minor children, and the net value of the whole estate, over and above all liens and encumbrances at the date of death and over and above the value of any homestead interest set apart out of the decedent's estate under the provisions of Section 2401 or Section 2409 of this Title, does not exceed the sum of Seventy-Five Thousand Dollars (\$75,000), the same may be set aside to the surviving spouse, if there be one, and if there be none, then to the minor child or minor children of the decedent.

SOURCE: California Probate Code, § 640 (as amended). Amended by P.L. 33-213:3 (Dec. 15, 2016).

COMMENT: Section 3109, and the remaining Sections in this subchapter, replace §§ 640 - 649 of the Probate Code of Guam (1970). The California versions of the corresponding statutes have been extensively reworked since their original adoption in 1931, and they now provide a far more workable -- and much fairer -- scheme than that included in the Probate Code of Guam (1970).

§ 3111. Setting Aside Estates Under Seventy-Five Thousand Dollars (\$75,000): Petition; Allegations; Time; Verification; Contents.

Allegations showing that this Article is applicable, together with a prayer that the estate be set aside as provided in this Article, may be presented without filing a petition for letters testamentary, letters of administration with the will annexed or letters of administration, by petition of the person named in the will as the executor or of the surviving spouse or of the guardian of the minor child or children of the decedent. Such allegations and prayer may also be included alternatively in the petition for letters testamentary, letters of administration with the will annexed or letter of administration, or such allegations and prayer may be presented by separate petition filed by the personal representative of the decedent, or by the surviving spouse, or by the guardian of the minor child or children, filed at any time before the hearing on the petition for letters testamentary, letters of administration with the will annexed or letters of administration or after the filing of the inventory. In

15 GCA ESTATES AND PROBATE
CH. 31 DISPOSITION OF ESTATES OF SMALL VALUE

all cases the petition shall be verified. The allegations shall include a specific description and an estimate of the value of all of the decedent's property, a list of all liens and encumbrances at the date of death, and a designation of any property as to which a homestead is set apart out of the decedent's estate under the provisions of Section 2401 or Section 2409 of this Title.

SOURCE: California Probate Code, § 641 (as amended). Amended by P.L. 33-213:4 (Dec. 15, 2016).

COMMENT: See Comment to § 3109, *supra*.

§ 3113. Setting Aside Estates Under Seventy-Five Thousand Dollars (\$75,000): Notice of Hearing; Proceedings Included in Petition for Letters.

If the allegations and prayer as provided in Section 3111 of this Title are included in the petition for letters testamentary, letters of administration with the will annexed or letters of administration, the notice of hearing shall include a statement that a prayer for setting aside the estate to the surviving spouse or minor child or minor children, as the case may be, is included in the petition.

SOURCE: California Probate Code, § 642 (as amended). Amended by P.L. 33-213:5 (Dec. 15, 2016).

COMMENT: See Comment to § 3109, *supra*.

§ 3115. Setting Aside Estates Under Seventy-Five Thousand Dollars (\$75,000): Notice of Hearing; Proceedings Under Separate Petition.

(a) If a separate petition is filed under the provisions of Section 3111 of this Title without there having been any other petition filed, there shall be no notice of any type other than as prescribed in this subsection. In such cases, the Clerk of the Superior Court shall set the petition for hearing, and notice of the hearing shall be given in the manner provided in Section 3401 of this Title.

(b) If the hearing of the original petition for letters testamentary, letters of administration with the will annexed, or letters of administration is set for a day more than ten (10) calendar days after the filing of a separate petition filed with respect the same estate, the latter shall be set for hearing at the same time as the former and notice thereof shall be given in the manner provided in Section 3401 of this Title; if not, the separate petition shall be set for hearing at least ten (10) calendar days after the date on which it is filed, and if the original petition has not

already been heard it shall be continued until such date and heard at the same time.

SOURCE: California Probate Code, § 643 (as amended). Amended by P.L. 33-213:6 (Dec. 15, 2016).

COMMENT: See Comment to § 3109, *supra*.

§ 3117. Setting Aside Estate Under Seventy-Five Thousand Dollars (\$75,000): Inventory and Appraisement; Filing.

Upon the filing of any petition provided for in this Article, the personal representative shall, within such time as the Superior Court shall allow, cause an inventory and appraisement of the decedent's estate to be made and filed in the manner prescribed by law.

SOURCE: California Probate Code, § 644 (as amended). Amended by P.L. 33-213:7 (Dec. 15, 2016).

COMMENT: See Comment to § 3109, *supra*.

§ 3119. Setting Aside Estates Under Seventy-Five Thousand Dollars (\$75,000): Decree Assigning Estate to Surviving Spouse, Child or Children; Title to Property; Restriction on Right.

If, upon the hearing of any petition provided for in this Article, the Superior Court finds that the net value of the estate over and above all liens and encumbrances at the death of the decedent and over and above the value of any homestead interest set apart out of the decedent's estate under the provisions of Section 2401 or Section 2409 of this Title does not exceed the sum of Seventy-Five Thousand Dollars (\$75,000), as of the date of such death, and that the expenses of the last illness, funeral charges and expenses of administration have been paid, it shall, by decree for that purpose, assign to the surviving spouse of the decedent, if there be a surviving spouse, provided said surviving spouse shall not have theretofore remarried, or, if there be no surviving spouse, then to such child or children of the decedent as may then be minors, if any, the whole of the estate, subject to whatever mortgages, liens or encumbrances there may be upon said estate at the time of the death of the decedent. The title thereto shall vest absolutely in such surviving spouse, or if there be no such surviving spouse, in the minor child or children, subject to whatever mortgages, liens and encumbrances there may be upon said estate at the time of the death of the decedent, and there must be no further proceedings in the administration, unless further estate be discovered.

15 GCA ESTATES AND PROBATE
CH. 31 DISPOSITION OF ESTATES OF SMALL VALUE

SOURCE: California Probate Code, § 645 (as amended). Amended by P.L. 33-213:8 (Dec. 15, 2016).

COMMENT: See Comment to § 3109, *supra*.

§ 3121. Setting Aside Estates Under Seventy-Five Thousand Dollars (\$75,000): Personal Liability for Unsecured Debts of Decedent; Duration.

A surviving spouse or a minor child or children in whom title has vested pursuant to the provisions of Section 3119 of this Title shall be personally liable for the unsecured debts of the decedent. The personal liability shall not exceed the value of the estate at the date of the decedent's death, less the amount of any liens and encumbrances and any homestead and other property set apart pursuant to the provisions of Section 2401 or Section 2409 of this Title. Such personal liability shall cease one (1) year after title to the estate vests, except with respect to any actions or proceedings then pending in court. In any action based upon such an unsecured debt, the surviving spouse, or the minor child or children, or the guardian of such minor child or children, may assert any defenses, counterclaims or set offs which would have been available to the decedent if the decedent had not died.

SOURCE: California Probate Code, § 646 (as amended). Amended by P.L. 33-213:9 (Dec. 15, 2016).

COMMENT: See Comment to § 3109, *supra*.

§ 3123. Setting Aside Estates Under Seventy-Five Thousand Dollars (\$75,000): Denial of Assignment; Grounds; Effect.

If the Superior Court finds that the net value of the estate exceeds Seventy-Five Thousand Dollars (\$75,000), or that there is neither a surviving spouse nor a minor child, it shall act upon the petition for letters testamentary, letters of administration with the will annexed or letters of administration in the same manner as though no petition to set aside the estate had been included, and the estate shall then be administered in the usual manner.

SOURCE: California Probate Code, § 646 (as amended). Amended by P.L. 33-213:10 (Dec. 15, 2016).

COMMENT: See Comment to § 3109, *supra*.

§ 3125. Setting Aside Estates Under Seventy-Five Thousand Dollars (\$75,000): Exclusion of Joint Tenancy, Life Estate, or Other Estate Terminable at Death.

15 GCA ESTATES AND PROBATE
CH. 31 DISPOSITION OF ESTATES OF SMALL VALUE

For the purposes of this Article, any property or interest therein or lien thereon which, at the time of the decedent's death, was held by the decedent as joint tenant, or in which the decedent had a life estate or other estate terminable upon the decedent's death, shall be excluded in determining the property or estate of the decedent or its value.

SOURCE: California Probate Code, § 647. Amended by P.L. 33-213:11 (Dec. 15, 2016).

COMMENT: See Comment to § 3109, *supra*.



OFFICE OF SENATOR
Telo T. Taitague
CHAIRWOMAN

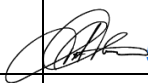
Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
2238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

COMMITTEE VOTE SHEET

Bill No. 80-38 (COR) -Introduced by Vice Speaker V. Anthony Ada- "AN ACT TO AMEND §§ 3101 AND 3103 OF ARTICLE 1, AND §§ 3109, 3111, 3113, 3115, 3117, 3119, 3121, 3123 AND 3125 OF ARTICLE 2, CHAPTER 31, TITLE 15, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE THRESHOLDS FOR ESTATES OF SMALL VALUE BY FIFTY PERCENT (50%)."

COMMITTEE MEMBERS	SIGNATURE/ DATE SIGN	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Senator Telo T. Taitague Chairperson	 5.10.25			✓		
Senator Darrel Christopher Barnett Vice Chairperson	E-vote 5/10/25			✓		
Senator Sabina F. Perez Member						
Senator Therese M. Terlaje Member	E-Vote 5.12.25			✓		
Senator Shelly V. Calvo Member	E-Vote 5/12/25			✓		
Speaker Frank F. Blas, Jr. Member	E-Vote 5/12/25			✓		



Senator Telo Taitague <senatortelot@gmail.com>

REQUEST FOR E-VOTE: COMMITTEE REPORT ON BILL NO. 80-38 (COR)6 messages

Senator Telo Taitague <senatortelot@gmail.com>

10 May 2025 at 07:59

To: Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.gov>, Senator Therese Terlaje <senatorterlajegum@gmail.com>, "Speaker Frank Blas, Jr." <speakerblas@guamlegislature.gov>, Office of Senator Shelly Calvo <officeofsenatorshellycalvo@guamlegislature.gov>, Office of Senator Sabina Perez <office.senatorperez@guamlegislature.gov>

Cc: Rowena Fejeran <senatortelot.rowena@gmail.com>, senatortelot.charissa@gmail.com, Isah Peredo <senatortelot.isah@gmail.com>, senatortelot.alana@gmail.com

Håfa Adai Committee Members,

Please see attached Committee Report on **Bill No. 80-38 (COR)** – Introduced by Vice Speaker V. Anthony Ada - “**AN ACT TO AMEND §§ 3101 AND 3103 OF ARTICLE 1, AND §§ 3109, 3111, 3113, 3115, 3117, 3119, 3121, 3123 AND 3125 OF ARTICLE 2, CHAPTER 31, TITLE 15, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE THRESHOLDS FOR ESTATES OF SMALL VALUE BY FIFTY PERCENT (50%).**”

Please indicate your preferred action, based on the following options:

_____ TO DO PASS;
_____ TO NOT PASS;
_____ TO REPORT OUT ONLY;
_____ TO ABSTAIN;
_____ TO PLACE IN INACTIVE FILE.

Please submit your response **ASAP**. Your responses will be logged into the Committee Vote Sheet for **Bill No. 80-38 (COR)**. Should you have any questions, please do not hesitate to contact our office.

Si Yu'os Ma'åse,

Create a Great Day!

Senator Telo T. Taitague

38th Guam Legislature

Chairperson

Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement

Suite 407 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910
Tel: (671) 989-8356

Email: senatortelot@gmail.com



Committee Report on Bill 80.38 (COR), As Introduced_Routing.pdf
12457K

Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.gov>
To: Senator Telo Taitague <senatortelot@gmail.com>

10 May 2025 at 16:49

Report out only.



The Office of Senator Chris Barnett

I Mina'trentai Ocho Na Liheslaturan Guåhan

Suite 202 · Calvo- Arriola Building · 259 Martyr St. · Hagåtña, Guam 96910
(671)969-3586 · malafunkshun@guamlegislature.gov

Electronic Privacy Notice: This e-mail and any attachment(s), contains information that is, or may be, covered by electronic communications privacy laws and legal privileges, and is also confidential and proprietary in nature. If you are not the intended recipient, please be advised that you are legally prohibited from retaining, using, copying, distributing, or otherwise disclosing the information in this e-mail or any attachment in any manner. Instead, please reply to the sender that you have received this communication in error, and then immediately delete it. Thank you in advance for your cooperation.

[Quoted text hidden]

Senator Telo Taitague <senatortelot@gmail.com>

12 May 2025 at 06:52

To: Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.gov>, Senator Therese Terlaje <senatorterlajegum@gmail.com>, "Speaker Frank Blas, Jr." <speakerblas@guamlegislature.gov>, Office of Senator Shelly Calvo <officeofsenatorshellycalvo@guamlegislature.gov>, Office of Senator Sabina Perez <office.senatorperez@guamlegislature.gov>
Cc: Rowena Fejeran <senatortelot.rowena@gmail.com>, senatortelot.charissa@gmail.com, Isah Peredo <senatortelot.isah@gmail.com>, senatortelot.alana@gmail.com

Hafa Adai,

Good morning Committee! Please kindly review and vote on Bill 80 as soon as possible. The goal is to submit the report today per COR deadlines.

Si Yu'os Ma'åse,

Create a Great Day!

Senator Telo T. Taitague

38th Guam Legislature

Chairperson

Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement

Suite 407 DNA Building
238 Archbishop Flores St.
Hagatna, Guam 96910

Tel: (671) 989-8356

Email: senatortelot@gmail.com

[Quoted text hidden]

Senator Therese M. Terlaje <senatorterlajeguam@gmail.com>
To: Senator Telo Taitague <senatortelot@gmail.com>

12 May 2025 at 07:42

Håfa Adai,

To Report Out Only.

Si Yu'os Ma'ase'

[Quoted text hidden]

Office of Senator Shelly Calvo <officeofsenatorshellycalvo@guamlegislature.gov>

12 May 2025 at 10:40

To: Senator Telo Taitague <senatortelot@gmail.com>

Cc: Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.gov>, Senator Therese Terlaje <senatorterlajeguam@gmail.com>, "Speaker Frank Blas, Jr." <speakerblas@guamlegislature.gov>, Office of Senator Sabina Perez <office.senatorperez@guamlegislature.gov>, Rowena Fejeran <senatortelot.rowena@gmail.com>, senatortelot.charissa@gmail.com, Isah Peredo <senatortelot.isah@gmail.com>, senatortelot.alana@gmail.com

Hafa Adai,

To Report Out Only

Respectfully,



Office of the People • Senator Shelly V. Calvo

Majority Whip & Chairwoman

Committee on Child Welfare, Youth Affairs, Senior Citizens, Women's Affairs, Disability Services, the Arts, Culture, Historic Preservation & Hagåtña Restoration

38th Guam Legislature

163 Chalan Santo Papa, Hagåtña, Guam 96910

T +1 (671) 989-5682

E officeofsenatorshellycalvo@guamlegislature.gov

[Quoted text hidden]

Speaker Frank Blas Jr. <speakerblas@guamlegislature.gov>

12 May 2025 at 11:08

To: Office of Senator Shelly Calvo <officeofsenatorshellycalvo@guamlegislature.gov>

Cc: Senator Telo Taitague <senatortelot@gmail.com>, Senator Darrel Christopher Barnett <malafunkshun@guamlegislature.gov>, Senator Therese Terlaje <senatorterlajeguam@gmail.com>, Office of Senator Sabina Perez <office.senatorperez@guamlegislature.gov>, Rowena Fejeran <senatortelot.rowena@gmail.com>, senatortelot.charissa@gmail.com, Isah Peredo <senatortelot.isah@gmail.com>, senatortelot.alana@gmail.com

To Report Out Only

Speaker, Frank F. Blas, Jr.



I Mina'trentai Ocho na Liheslaturan Guåhan 38th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagatña

(671)969-6456

speakerblas@guamlegislature.gov

Electronic Privacy Notice: This e-mail and any attachment(s), contains information that is, or may be, covered by electronic communications privacy laws and legal privileges, and is also confidential and proprietary in nature. If you are not the intended recipient, please be advised that you are legally prohibited from retaining, using, copying, distributing, or otherwise disclosing the information in this e-mail or any attachment in any manner. Instead, please reply to the sender that you have received this communication in error, and then immediately delete it. Thank you in advance for your cooperation.

[Quoted text hidden]



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
2238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

COMMITTEE REPORT DIGEST

I. OVERVIEW

Bill No. 80-38 (COR) - "AN ACT TO AMEND §§ 3101 AND 3103 OF ARTICLE 1, AND §§ 3109, 3111, 3113, 3115, 3117, 3119, 3121, 3123 AND 3125 OF ARTICLE 2, CHAPTER 31, TITLE 15, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE THRESHOLDS FOR ESTATES OF SMALL VALUE BY FIFTY PERCENT (50%)." was introduced on March 5, 2025, by Senator V. Anthony Ada. Bill No. 80-38 (COR) was referred by the Committee on Rules to the Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement, on March 14, 2025. The Committee convened a public hearing on Tuesday, April 22, 2025 at 2:00p.m. in the Guam Congress Building, Public Hearing Room.

Public Notice Requirement:

In Compliance with Open Government Law, a five (5) day public notice of this hearing was published on Tuesday, April 15, 2025, and a forty-eight (48) hour notice was published Friday, April 18, 2025, on KUAM-TV and the Guam Public Notice Website. Notices were also sent to all senators, and all main media broadcasting outlets via email on the same dates.

Senators Present:

Senator Telo Taitague, Chairperson
Vice Speaker Senator Tony Ada, Bill Sponsor
Senator Shelly V. Calvo, Member
Senator Shawn Gumataotao
Senator Vincent Borja

Appearing Before the Senate Panel:

Deputy Attorney General Lee Miller, Civil Division,
Office of the Attorney General of Guam

Written Testimony Submitted:

Douglas B. Moylan, Attorney General of Guam

Executive Director Stephen P. Hattori, Public Defender Service Corporation

Attorney Carol Hinkle-Sanchez, Civil Law Center

II. SUMMARY OF TESTIMONY & DISCUSSION

The Public Hearing was Called-to-Order at 2:49 p.m. Bill No. 80-38 (COR) was the second item on the agenda.

SENATOR TELO T. TAITAGUE, CHAIRPERSON: And at this time, I'd like to move into the next bill to be heard, introduced by Vice Speaker Tony Ada. And this bill is Bill No. 80-38 (COR) Introduced by Vice Speaker V. Anthony Ada. It is "*AN ACT TO AMEND §§ 3101 AND 3103 OF ARTICLE 1, AND §§ 3109, 3111, 3113, 3115, 3117, 3119, 3121, 3123 AND 3125 OF ARTICLE 2, CHAPTER 31, TITLE 15, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE THRESHOLDS FOR ESTATES OF SMALL VALUE BY FIFTY PERCENT (50%).*"

Vice Speaker Ada, you are now recognized.

VICE SPEAKER V. ANTHONY ADA: Thank you, Madam Chair. Bill 80-38 increases the value of small estates in Guam's probate and estate laws with the goal of adjusting values to prevent small estates from becoming statutorily obligated for probate. values to prevent small estates from becoming statutorily obligated for probate.

Madam Chair, if Bill 80-38 COR is enacted into law, it will be the first time since enactment of Public Law 33-213 in 2016 that the value of small estates have been adjusted for inflation. This bill proposes a 50% increase in the values established by Public Law 33-213, given a conservative estimate in the annual change of the Guam Consumer Price Index, or 4.5%.

The value of the price of the property should be 50% higher compared to nine years ago. I should point out that a little more a more realistic annual inflation rate over the past nine years could be between eight and nine percent. Since 2021, you know, we've emerged from the COVID-19 lockdown and anecdotal evidence could place inflation at an average of 10 to 14 percent per year over the next four years.

If 8 percent inflation over the last nine years was used, the value of the property will double. Using a conservative inflation rate of 4.5 percent, the value of property should increase by 50



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
2238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

percent, which is the basis for the change in this bill. Probate is an expensive process. Like Guam, all states have laws to exempt small estate from probate.

Although the law does not exempt small estates from probate, although the law does exempt small estates from probate, creditors at any time can attach liens or collect on existing notes on the property regardless if the estate is exempt from probate.

It is my hope that when this bill, should this bill pass, that we'll be able to see it into the laws for our people. Thank you.

SENATOR TELO T. TAITAGUE, CHAIRPERSON: You're very welcome, Vice Speaker. And just to reiterate that Bill 80-38 received a waiver from BBMR pursuant to 12-229. Also, legal counsel has reviewed with no recommendations, changes, or amendments at this time. We also invited the Judiciary of Guam, Guam Bar Association, Public Defender, Office of Attorney General, Guam Elder Justice Center, and Department of Revenue and Taxation was invited to this public hearing.

At this time, I'd like to recognize those who are here to testify. We have from the Attorney General's office, Attorney Lee Miller. Sir, you are recognized. Please state your name and title for the record before you begin.

LEE MILLER, DEPUTY ATTORNEY GENERAL, CIVIL DIVISION, OFFICE OF THE ATTORNEY GENERAL: Good afternoon, Madam Chairman. My name is Lee Miller. I serve as the Deputy Attorney General responsible for the Civil Division at the Attorney General's Office. The Attorney General's Office is here this afternoon in support of Bill number 8038 which updates Guam's Estates of Small Value Act, which is part of the probate code. The goal is to help families settle a loved one's affairs without needing lawyers or courts.

The bill raises limits allowing more people to use the law. For example, section 3101 increases the limit under which the law is accessible to \$112,500. This mirrors California's law, which sets its limit at \$166,250, and the California law adjusts every three years for inflation. As currently drafted, Guam's law does not include automatic inflation adjustments.

However, similar to our testimony on the previous bill, it is important to understand the responsibilities when using these laws. Section 3121 makes recipients personally liable for the

deceased's debts up to \$112,500. Even if someone inherits benefits like pensions or bank accounts, they may need to cover debts of the deceased, such as medical bills, later on.

We recommend anybody taking advantage of the law receive some legal advice to avoid financial pitfalls. The legislation provides helpful updates, but understanding the law is key to using them wisely. Thank you for the opportunity to comment on this legislation.

SENATOR TELO T. TAITAGUE, CHAIRPERSON: Thank you, Attorney Miller, and thank you so much for being here today to testify.

At this time, I'd like to have the sponsor open up with any questions.

VICE SPEAKER V. ANTHONY ADA: Thank you, Madam Chair. I don't have any questions, but I do thank the attorney for coming down and testifying on both bills on behalf of the Attorney General, Doug Moylan. And I think it's always prudent to say that legal advice is always recommended and that these types of legislations are helpful for our people. And it just avoids the courts and lawyers when these estates are so small that it's more beneficial to the owners and they don't lose that much from going to court or paying attorney fees so thank you attorney Miller for coming down to testify on behalf of both bills and we appreciate your testimony today.

SENATOR TELO T. TAITAGUE, CHAIRPERSON: Thank You senator or vice speaker at this time I would like to open up to Senator Shelley Calvo.

SENATOR SHELLEY V. CALVO: Thank you, Madam Chair. I just want to thank Attorney Miller for being here and for all your testimonies and guidance, especially for my other bill, the earlier bill. *Si Yu'os ma'ase* for your time and your effort and your energy. And thank you so much, Madam Chair. I really don't have any question regarding this bill. I think this is a well-intended bill.

SENATOR TELO T. TAITAGUE, CHAIRPERSON: Thank you, Senator Calvo. Senator Gumataotao, you are recognized.

SENATOR SHAWN GUMATAOTAO: Thank you, Madam Chair, and thank you again, Lee, for being with us today. I only have just a couple questions, and I mean, I'm in support of this one and the previous, but I just wanted to ask what information is available regarding the possibility of adjusting the small value thresholds impacted by Bill 80-38 without legislation moving forward perhaps tying future increases to changes in the consumer price index?



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
2238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

LEE MILLER, DEPUTY ATTORNEY GENERAL, CIVIL DIVISION, OFFICE OF THE ATTORNEY GENERAL: Madam Chair, Senator Gumataotao, Guam's law on these estates of small value was taken from California law. California law has included in it a statutory obligation of the California Budget Office to every three years to calculate the rate of inflation from the last adjustment to 36 months later and the California Budget Office simply publishes a notice that says we take the baseline we grow it by the rate of inflation, and here's the new baseline, and no legislative action is required to change the number. Budget office simply informs the judiciary and sends a letter over to the California Bar Association, and everybody operates under the new number.

SENATOR SHAWN GUMATAOTAO: Which is kind of a good segue to my second question. I think you might have answered it. So, I'm asking, how helpful could it be if the legislature considered creating and designating maybe an independent group of attorneys and economists to propose future increases to policymakers maybe every five to ten years and for the recommendations to be automatically adopted if no action is taken by the legislature within 90 days of receipt?

LEE MILLER, DEPUTY ATTORNEY GENERAL, CIVIL DIVISION, OFFICE OF THE ATTORNEY GENERAL: Madam chair senator you know there's a wide variety of mechanisms excuse me the legislature could craft to come up with these adjustments the the most accessible one is just look up how California has done this and copy what California has already done. But we are happy to consult with you and the chair and the sponsor on whatever type of mechanism the legislature thinks most appropriate to make sure it's good public policy to move these numbers around

SENATOR SHAWN GUMATAOTAO: All right Thank You Lee and thank you madam chair again I'm in support of this bill and the previous thank you so much.

SENATOR TELO T. TAITAGUE, CHAIRPERSON: Thank You Senator Gumataotao. Senator Borja you are recognized

SENATOR VINCENT ANTHONY V. BORJA: Thank You madam chair no questions. Of course, I support the proposal. And, you know, this is good policy that really modernizes the outdated thresholds and reduces a lot of the red tape. Thank you to the Attorney General's

Office for coming down and supporting this as well. And I look forward to seeing this measure and its passage. Thank you, Madam Chair.

SENATOR TELO T. TAITAGUE, CHAIRPERSON: Thank you, Senator Borja. Attorney Miller, I appreciate you being here, as well as my colleagues. You're the only one here. I'm hoping to get in and out of this public hearing right away, but this is very important. There's a lot of people who have been texting me who are watching this public hearing because it deals a lot with their families. And of course, this bill is just an excellent bill when it comes to assisting, especially when it comes to smaller states. But can you give me an example for the layman who's watching? Why the 50% was utilized or what does this actually help, you know, the person taking advantage of this legislation? In layman's terms, because someone is texting me saying that, what exactly does this do? As an example, you can give an example. Thank you

LEE MILLER, DEPUTY ATTORNEY GENERAL, CIVIL DIVISION, OFFICE OF THE ATTORNEY GENERAL: Madam Chair, members, perhaps the most obvious example I could give you is where a government employee has a pension account while they're receiving benefits from that pension, there is a principal amount and that principal amount, they've authorized that principal amount to continue to be invested and up until very recently the stock market was doing very well in the United States, and those pension accounts were getting bigger every year. And somebody who, when they retired from the government of Guam, the value of their pension account may have been under \$75,000 when they finally pass and somebody in the family goes and looks, can we go and collect the death benefit under that pension account because of the past several years of growth of the stock market. Now that account is worth more than \$75,000. If this bill doesn't pass, that estate will have to be probated in order to collect that amount. And so, there are similar types of assets that we've had where, you know, frankly, just the market inflation has pushed the value of the asset up beyond what we paid for it way back when. And now we're over 75,000 bucks. And if the bill doesn't pass, we'll be going to probate with those assets.

SENATOR TELO T. TAITAGUE, CHAIRPERSON: So it has to do a lot with taxes, especially on taxing. They cut the capital. Because if you're looking at funding, you're talking about also having to bar that against taxes as well. Is that correct?

LEE MILLER, DEPUTY ATTORNEY GENERAL, CIVIL DIVISION, OFFICE OF THE ATTORNEY GENERAL: Usually not, Madam Chairman. Under American Tax Law. Whatever the asset used to be worth for tax purposes, we change the value of the asset for estate tax purposes, only estate tax purposes, to the value of the asset on the day the owner passes. The best example I can give you of what I'm talking about there is farmland. If I paid \$10,000 an acre



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
2238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

for some farmland way back when, I carried on the books of my farming company at \$10,000 an acre, but I pass tomorrow and tomorrow's value is actually \$100,000 an acre.

There is no capital gain on the difference between \$10,000 and \$100,000 because American tax law says, nope, move the value for estate tax purposes to the value on the day I pass. So the value would automatically shift from \$10,000 an acre to \$100,000 an acre, no capital gain, no estate taxes to pay.

SENATOR TELO T. TAITAGUE, CHAIRPERSON: And this has nothing to do with the 50% that we're talking about today?

LEE MILLER, DEPUTY ATTORNEY GENERAL, CIVIL DIVISION, OFFICE OF THE ATTORNEY GENERAL: No. today no what the bill in front of us has to do with our other assets stock accounts, pension accounts, bank accounts if we had a partnership interest in a you know a business if I and a couple of fellows all owned a construction business together and you know we were each 33 partners in the business that 33 is worth something uh worth certainly worth something to my family.

And so if it, today, if it's worth \$75,000 or if the bill passes, if it's worth \$112,500, we wouldn't have to go through the effort of probate in order to convert my 33 percent interest in the business into some cash that would pass to my heirs. We'd simply go to my two surviving partners and say, hey, fellas, it's time to buy the estate out and take that 33%, turn it into cash. As long as that interest was worth under \$112,500, we wouldn't have to do all the probate rigamarole to just move that value into the family.

SENATOR TELO T. TAITAGUE, CHAIRPERSON: Which is something that I think is an excellent idea to do this bill. I stand in full support of this legislation and I'm gonna do everything I can to get that committee report out and get it into the next session agenda. And at this time, thank you for answering my question. I'd like to have the author of the legislation close on his legislation.

VICE SPEAKER V. ANTHONY ADA: Thank you, Madam Chair. I'd just like to thank, again, Attorney Miller for coming down and testifying on behalf of Attorney General Doug Moylan, and I look forward to having this bill go to the session floor as soon as we can. Thank you, Madam Chair.

SENATOR TELO T. TAITAGUE, CHAIRPERSON: You're very welcome, Vice Speaker. As I mentioned, there are a lot of families out there that have to deal with this type of unforeseeable situation when people pass on. The cost especially during a time like that, they have to be burdened with additional cost. There is something that we can do at this legislature to avoid this. So, I appreciate it again. I thank the Attorney General for providing his testimony and for sending you here to answer our questions. I greatly appreciate it.

At this time, we can say that it has been duly heard. Bill 80-38 has been heard. This will conclude the public hearing. My office will continue to accept written testimony on today's hearing within five business days, which may be mailed to my office at 238 Archbishop Flores, Suite 407 of the DNA Building in Hagåtña. You may also send your written testimony to my office via email, to senatortelot@gmail.com. Thank you for your participation and create a great day. *Si Yu'os ma'ase*. Thank you.

Public Hearing Adjourned at: 3:06 PM

III. FINDINGS & RECOMMENDATIONS

- Assistant Attorney General Lee Miller appeared before the Committee representing the Attorney General's office, and provided testimony in support of the bill, highlighting the following:
 - The bill would help families settle loved ones' affairs without requiring lawyers or courts, reducing the financial burden and legal complexities associated with probate. Examples provided include pension accounts, stock accounts, and partnership interests that may exceed the current \$75,000 threshold due to market growth or inflation, necessitating probate under current laws.
 - The bill would allow families to bypass probate for assets valued under \$112,500, simplifying the process of transferring these assets to heirs.
 - Asst. AG Miller clarified that recipients of small estates under the updated law would remain personally liable for the deceased's debts up to \$112,500, emphasizing the importance of seeking legal advice to avoid financial pitfalls.
 - Asst. AG Miller explained that American tax law adjusts the value of assets for estate tax purposes to their value on the day of the owner's passing, eliminating capital gains or estate taxes on the difference between original and current values.



OFFICE OF SENATOR

Telo T. Taitague

CHAIRWOMAN

Committee on Economic Investment, Military Buildup, Regional Relations, Regulatory
Affairs, Technology, Justice, Elections, and Retirement

Ste. 407 DNA Building
2238 Archbishop Flores St.
Hagatna, Guam 96910
(671) 989-8356
senatortelot@gmail.com

I Mina'trentai Ocho Na Liheslaturan Guåhan • 38th Guam Legislature

- Asst. AG Miller stated that California law adjusts thresholds every three years for inflation, and Guam could adopt similar mechanisms to ensure regular updates without legislative action.
- Written testimony was submitted by Attorney General Douglas Moylan in support of the bill, emphasizing the importance of understanding the responsibilities under these laws, such as personal liability for the deceased's debts up to \$112,500. AG Moylan views the updates as helpful but stresses the need for informed use of the legislation, and recommended seeking legal advice to avoid financial risks.
- Asst. AG Miller submitted additional testimony during the bill Markup meeting held on April 28, 2025, recommending amendments to make the Act retroactive, to allow families with estates valued between \$75,000 and \$112,500 to benefit from the bill's provisions immediately. According to Miller, this would help close existing probate cases more quickly, and the retroactive application would not alter the rights or remedies of anyone currently in probate; it would simply expand the range of estates eligible for simplified collection options.
- Public Defender Service Corp. Executive Director Stephen Hattori submitted written testimony in support of the bill. Hattori compared Guam's proposed threshold to other states, noting higher limits in places like California (\$180,000) and Iowa (\$200,000). He emphasized the bill's alignment with Bill 23-38, which introduces the Uniform Transfer on Death Act (TODD), allowing property owners to designate beneficiaries and avoid probate. He urged support for the bill, citing its benefits in expediting asset distribution and reducing costs for families.
- Carol Hinkle-Sanchez, Managing Attorney of the Civil Law Center/Elder Justice Center, submitted written testimony in support of the bill, stating that the bill would benefit Guam's vulnerable populations, including elders, persons with disabilities, victims of abuse, veterans, and indigent individuals, who often cannot afford legal fees for full probate matters, and that the bill aligns with practices in other U.S. jurisdictions, where small estate probate thresholds are periodically reviewed and adjusted.
- Senator Shawn Gumataotao inquired about the possibility of tying future threshold increases to changes in the Consumer Price Index or creating an independent group to propose adjustments every five to ten years. Attorney Miller suggested adopting California's approach, where the California Budget Office calculates inflation rates every three years and updates thresholds without legislative action, as a model for Guam.

- During the Markup meeting, Attorney Jacqueline Terlaje suggested revamping the probate code to allow designated administrative authority to draw funds for funeral costs (e.g. up to \$30,000).

The Committee hereby reports out Bill No. 80-38 (COR) as introduced, and advises that should the sponsor or any other senator desire to incorporate recommended amendments relative to retroactivity, that an amendment be proffered during Session floor debate and discussion.

The Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement hereby reports our **Bill No. 80-38 (COR)** – Introduced by Vice Speaker V. Anthony Ada- ***“AN ACT TO AMEND §§ 3101 AND 3103 OF ARTICLE 1, AND §§ 3109, 3111, 3113, 3115, 3117, 3119, 3121, 3123 AND 3125 OF ARTICLE 2, CHAPTER 31, TITLE 15, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE THRESHOLDS FOR ESTATES OF SMALL VALUE BY FIFTY PERCENT (50%),”*** with the recommendation

[To Report Out Only](#) .

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. 80-38 (COR)

Introduced by:

V. Anthony Ada 

AN ACT TO *AMEND* §§ 3101 AND 3103 OF ARTICLE 1, AND §§ 3109, 3111, 3113, 3115, 3117, 3119, 3121, 3123 AND 3125 OF ARTICLE 2, CHAPTER 31, TITLE 15, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE THRESHOLDS FOR ESTATES OF SMALL VALUE BY FIFTY PERCENT (50%).

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. § 3101 of Article 1, Chapter 31, Title 15, Guam Code Annotated, is *amended* to read:

“§ 3101. Estates Under ~~Seventy-Five Thousand Dollars~~
~~(\$75,000)~~ One Hundred Twelve Thousand Five Hundred Dollars
(\$112,500); Summary Administration or Probate; Affidavit. When a decedent leaves no real property, nor interest therein nor lien thereon, in the territory of Guam, and the total value of the decedent's property in the territory of Guam, excluding any motor vehicle of which the decedent was the owner or the legal owner, over and above any amounts due to the decedent for services in the armed forces of the United States, and over and above the amount of salary not exceeding Six Thousand Dollars (\$6,000), including compensation for unused vacation, owing to the decedent for services from any employment, does not exceed ~~Seventy-Five Thousand Dollars (\$75,000)~~ One Hundred Twenty-Five Thousand Dollars (\$125,000), the surviving

1 spouse, the children, lawful issue of deceased children, a parent, brothers or
2 sisters of the decedent, the lawful issue of a deceased brother or sister, the
3 guardian of the estate of any minor or incompetent person bearing such
4 relationship to the decedent, or the trustee named under a trust agreement
5 executed by the decedent during his lifetime, the primary beneficiaries of
6 which bear such relationship to the decedent, if such person or persons has or
7 have a right to succeed to the property of the decedent, or is the sole
8 beneficiary or are all of the beneficiaries under the last will and testament of
9 the decedent, may without procuring letters testamentary, letters of
10 administration with the will annexed or letters of administration, and without
11 awaiting administration upon the estate of an intestate decedent or the probate
12 of the will of a testate decedent, collect any money due to the decedent, receive
13 the property of the decedent, and have any evidences of interest, indebtedness
14 or right transferred to such person or persons upon furnishing the person,
15 representative, corporation, officer or body owing the money, having custody
16 of such property or acting as registrar or transfer agent of such evidences of
17 interest, indebtedness or right, with an affidavit showing the right or the
18 person or persons to receive the money or property, or to have such evidences
19 transferred.”

20 **Section 2.** § 3103 of Article 1, Chapter 31, Title 15, Guam Code Annotated,
21 *is amended* to read:

22 “§ 3103. Estates Under ~~Thirty-Five Thousand Dollars (\$35,000)~~
23 Fifty-Two Thousand Five Hundred Dollars (\$52,500); Surviving Spouse's
24 Right to Two Thousand Five Hundred Dollars (\$2,500) Three Thousand
25 Seven Hundred Fifty Dollars (\$3,750) From Deposits in Savings
26 Institutions. Whether a person dies testate or intestate, and irrespective of the
27 character of his property, if the value of the estate does not exceed ~~Thirty-Five~~

1 ~~Thousand Dollars (\$35,000)~~ Fifty-Two Thousand Five Hundred Dollars
2 (\$52,500), the decedent's surviving spouse, if entitled by succession or by the
3 last will and testament of the decedent to any money of the decedent on
4 deposit in any bank, savings and loan association, credit union or other savings
5 institution licensed to do business in the territory of Guam, may collect such
6 money, not to exceed the total sum of ~~Two Thousand Five Hundred Dollars~~
7 ~~(\$2,500)~~ Three Thousand Seven Hundred Fifty Dollars (\$3,750), without
8 procuring letters testamentary, letters of administration with the will annexed
9 or letters of administration, and without awaiting administration upon the
10 estate of an intestate decedent or the probate of the will of a testate decedent,
11 upon furnishing the bank, savings and loan association, credit union or other
12 savings institution with an affidavit showing the right of the affiant to receive
13 such money.”

14 **Section 3.** § 3109 of Article 2, Chapter 31, Title 15, Guam Code Annotated,
15 is *amended* to read:

16 “§ 3109. **Setting Aside Estates Under ~~Seventy-Five Thousand~~**
17 **~~Dollars (\$75,000)~~ One Hundred Twelve Thousand Five Hundred Dollars**
18 **(\$112,500); Authority to Set Aside.** If the decedent leaves a surviving
19 spouse or minor child or minor children, and the net value of the whole estate,
20 over and above all liens and encumbrances at the date of death and over and
21 above the value of any homestead interest set apart out of the decedent's estate
22 under the provisions of Section 2401 or Section 2409 of this Title, does not
23 exceed the sum of ~~Seventy-Five Thousand Dollars (\$75,000)~~ One Hundred
24 Twelve Thousand Five Hundred Dollars (\$112,500), the same may be set
25 aside to the surviving spouse, if there be one, and if there be none, then to the
26 minor child or minor children of the decedent.”

1 **Section 4.** § 3111 of Article 2, Chapter 31, Title 15, Guam Code Annotated,
2 is *amended* to read:

3 “§ 3111. **Setting Aside Estates Under ~~Seventy-Five Thousand~~**
4 **~~Dollars (\$75,000) One Hundred Twelve Thousand Five Hundred Dollars~~**
5 **(\$112,500): Petition; Allegations; Time; Verification; Contents.**

6 Allegations showing that this Article is applicable, together with a prayer that
7 the estate be set aside as provided in this Article, may be presented without
8 filing a petition for letters testamentary, letters of administration with the will
9 annexed or letters of administration, by petition of the person named in the
10 will as the executor or of the surviving spouse or of the guardian of the minor
11 child or children of the decedent. Such allegations and prayer may also be
12 included alternatively in the petition for letters testamentary, letters of
13 administration with the will annexed or letter of administration, or such
14 allegations and prayer may be presented by separate petition filed by the
15 personal representative of the decedent, or by the surviving spouse, or by the
16 guardian of the minor child or children, filed at any time before the hearing
17 on the petition for letters testamentary, letters of administration with the will
18 annexed or letters of administration or after the filing of the inventory. In all
19 cases the petition shall be verified. The allegations shall include a specific
20 description and an estimate of the value of all of the decedent's property, a list
21 of all liens and encumbrances at the date of death, and a designation of any
22 property as to which a homestead is set apart out of the decedent's estate under
23 the provisions of Section 2401 or Section 2409 of this Title.”

24 **Section 5.** § 3113 of Article 2, Chapter 31, Title 15, Guam Code Annotated,
25 is *amended* to read:

26 “§ 3113. **Setting Aside Estates Under ~~Seventy-Five Thousand~~**
27 **~~Dollars (\$75,000) One Hundred Twelve Thousand Five Hundred Dollars~~**

1 **(\$112,500): Notice of Hearing; Proceedings Included in Petition for**
2 **Letters.** If the allegations and prayer as provided in Section 3111 of this Title
3 are included in the petition for letters testamentary, letters of administration
4 with the will annexed or letters of administration, the notice of hearing shall
5 include a statement that a prayer for setting aside the estate to the surviving
6 spouse or minor child or minor children, as the case may be, is included in the
7 petition.”

8 **Section 6.** § 3115 of Article 2, Chapter 31, Title 15, Guam Code Annotated,
9 is *amended* to read:

10 “§ 3115. **Setting Aside Estates Under ~~Seventy-Five Thousand~~**
11 **~~Dollars (\$75,000) One Hundred Twelve Thousand Five Hundred Dollars~~**
12 **(\$112,500): Notice of Hearing; Proceedings Under Separate Petition.**

13 (a) If a separate petition is filed under the provisions of Section 3111 of
14 this Title without there having been any other petition filed, there shall be no
15 notice of any type other than as prescribed in this subsection. In such cases,
16 the Clerk of the Superior Court shall set the petition for hearing, and notice of
17 the hearing shall be given in the manner provided in Section 3401 of this Title.

18 (b) If the hearing of the original petition for letters testamentary,
19 letters of administration with the will annexed, or letters of administration is
20 set for a day more than ten (10) calendar days after the filing of a separate
21 petition filed with respect the same estate, the latter shall be set for hearing at
22 the same time as the former and notice thereof shall be given in the manner
23 provided in Section 3401 of this Title; if not, the separate petition shall be set
24 for hearing at least ten (10) calendar days after the date on which it is filed,
25 and if the original petition has not already been heard it shall be continued
26 until such date and heard at the same time.”

1 **Section 7.** § 3117 of Article 2, Chapter 31, Title 15, Guam Code Annotated,
2 is *amended* to read:

3 “§ 3117. **Setting Aside Estate Under ~~Seventy-Five Thousand~~**
4 **~~Dollars (\$75,000) One Hundred Twelve Thousand Five Hundred Dollars~~**
5 **(\$112,500): Inventory and Appraisement; Filing.** Upon the filing of any
6 petition provided for in this Article, the personal representative shall, within
7 such time as the Superior Court shall allow, cause an inventory and
8 appraisement of the decedent's estate to be made and filed in the manner
9 prescribed by law.”

10 **Section 8.** § 3119 of Article 2, Chapter 31, Title 15, Guam Code Annotated,
11 is *amended* to read:

12 “§ 3119. **Setting Aside Estates Under ~~Seventy-Five Thousand~~**
13 **~~Dollars (\$75,000) One Hundred Twelve Thousand Five Hundred Dollars~~**
14 **(\$112,500): Decree Assigning Estate to Surviving Spouse, Child or**
15 **Children; Title to Property; Restriction on Right.** If, upon the hearing of
16 any petition provided for in this Article, the Superior Court finds that the net
17 value of the estate over and above all liens and encumbrances at the death of
18 the decedent and over and above the value of any homestead interest set apart
19 out of the decedent's estate under the provisions of Section 2401 or Section
20 2409 of this Title does not exceed the sum of ~~Seventy-Five Thousand Dollars~~
21 **~~(\$75,000) One Hundred Twelve Thousand Five Hundred Dollars (\$112,500),~~**
22 as of the date of such death, and that the expenses of the last illness, funeral
23 charges and expenses of administration have been paid, it shall, by decree for
24 that purpose, assign to the surviving spouse of the decedent, if there be a
25 surviving spouse, provided said surviving spouse shall not have theretofore
26 remarried, or, if there be no surviving spouse, then to such child or children
27 of the decedent as may then be minors, if any, the whole of the estate, subject

1 to whatever mortgages, liens or encumbrances there may be upon said estate
2 at the time of the death of the decedent. The title thereto shall vest absolutely
3 in such surviving spouse, or if there be no such surviving spouse, in the minor
4 child or children, subject to whatever mortgages, liens and encumbrances
5 there may be upon said estate at the time of the death of the decedent, and
6 there must be no further proceedings in the administration, unless further
7 estate be discovered.”

8 **Section 9.** § 3121 of Article 2, Chapter 31, Title 15, Guam Code Annotated,
9 is *amended* to read:

10 “§ 3121. **Setting Aside Estates Under ~~Seventy-Five Thousand~~**
11 **~~Dollars (\$75,000)~~ One Hundred Twelve Thousand Five Hundred Dollars**
12 **(\$112,500): Personal Liability for Unsecured Debts of Decedent;**
13 **Duration.** A surviving spouse or a minor child or children in whom title has
14 vested pursuant to the provisions of Section 3119 of this Title shall be
15 personally liable for the unsecured debts of the decedent. The personal
16 liability shall not exceed the value of the estate at the date of the decedent's
17 death, less the amount of any liens and encumbrances and any homestead and
18 other property set apart pursuant to the provisions of Section 2401 or Section
19 2409 of this Title. Such personal liability shall cease one (1) year after title to
20 the estate vests, except with respect to any actions or proceedings then
21 pending in court. In any action based upon such an unsecured debt, the
22 surviving spouse, or the minor child or children, or the guardian of such minor
23 child or children, may assert any defenses, counterclaims or set offs which
24 would have been available to the decedent if the decedent had not died.”

25 **Section 10.** § 3123 of Article 2, Chapter 31, Title 15, Guam Code Annotated,
26 is *amended* to read:

1 “§ 3123. Setting Aside Estates Under ~~Seventy-Five Thousand~~
2 ~~Dollars (\$75,000)~~ One Hundred Twelve Thousand Five Hundred Dollars
3 (\$112,500): **Denial of Assignment; Grounds; Effect.** If the Superior Court
4 finds that the net value of the estate exceeds ~~Seventy-Five Thousand Dollars~~
5 ~~(\$75,000)~~ One Hundred Twelve Thousand Five Hundred Dollars (\$112,500),
6 or that there is neither a surviving spouse nor a minor child, it shall act upon
7 the petition for letters testamentary, letters of administration with the will
8 annexed or letters of administration in the same manner as though no petition
9 to set aside the estate had been included, and the estate shall then be
10 administered in the usual manner.”

11 **Section 11.** § 3125 of Article 2, Chapter 31, Title 15, Guam Code Annotated,
12 is *amended* to read:

13 “§ 3125. Setting Aside Estates Under ~~Seventy-Five Thousand~~
14 ~~Dollars (\$75,000)~~ One Hundred Twelve Thousand Five Hundred Dollars
15 (\$112,500): **Exclusion of Joint Tenancy, Life Estate, or Other Estate**
16 **Terminable at Death.** For the purposes of this Article, any property or
17 interest therein or lien thereon which, at the time of the decedent's death, was
18 held by the decedent as joint tenant, or in which the decedent had a life estate
19 or other estate terminable upon the decedent's death, shall be excluded in
20 determining the property or estate of the decedent or its value.”

21 **Section 12. Effective Date.** This Act *shall* be effective upon enactment.



COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson

I Mina'trentai Ocho Na Liheslaturan Guåhan

38th Guam Legislature

March 24, 2025

To: **Rennae V. C. Meno**
Clerk of the Legislature

From: **Vice Speaker V. Anthony Ada** 
Chairperson, Committee on Rules

Subject: **Fiscal Note Waiver for Bill No. 80-38 (COR)**

Håfa Adai!

Find the attached, Fiscal Note Waiver for the following bill:

Bill No. 80-38 (COR).

I also request that the same be sent to the respective Chairperson of the Standing Committee, to which this bill has been referred. Kindly copy the same to Management Information Services (MIS) for posting on our website.





BUREAU OF BUDGET & MANAGEMENT RESEARCH



OFFICE OF THE GOVERNOR

Post Office Box 2950, Hagåtña Guam 96932

LOURDES A. LEON GUERRERO
GOVERNOR

LESTER L. CARLSON, JR.
DIRECTOR

JOSHUA F. TENORIO
LIEUTENANT GOVERNOR

MAR 24 2025

Vice Speaker V. Anthony Ada
Chairperson, Committee on Rules
I Mina'trentai Ocho Na Liheslaturan Guåhan
38th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Hafa Adai! Vice Speaker Ada:

The Bureau requests that Bill No. 80-38 (COR) be granted a waiver pursuant to Public Law 12-229, as amended for the following reason(s):

Bill No. 80-38 (COR) is an act to amend §§ 3101 and 3103 of Article 1 and §§ 3109, 3111, 3113, 3115, 3117, 3119, 3121, 3123 and 3125 of Article 2, Chapter 31 Title 15, Guam Code Annotated; relative to increasing the thresholds for estates of small value by fifty percent (50%).

According to comments received, the Judiciary has reviewed the proposed Bill and finds that it is administrative in nature and that there is no anticipated fiscal impact to the branch at this time.

The Bureau has also determined that the Bill is administrative in nature and poses no additional fiscal impact upon any of the funds of the Government of Guam.

Senseramente,

LESTER L. CARLSON, JR.