



Office of the Governor of Guam

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Tel: (671) 472-8931 • Fax: (671) 477-4826 • Email: governor@guam.gov

Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

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

2010 APR 13 AM 9:37
-De

Dear Speaker Won Pat:

Transmitted herewith is Substitute Bill No. 295-30 (COR) "AN ACT TO AMEND §§37.10, 37.20 AND 37.30, AND TO ADD A NEW §37.40, ALL OF CHAPTER 37 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO AMENDING THE BURGLARY AND CRIMINAL TRESPASS STATUTES, TO INCLUDE AUTOMOBILES AND MOTOR VEHICLES" which I signed into law on April 1, 2010 as **Public Law 30-121**.

Sinseru yan Magâhet,

FELIX P. CAMACHO
I Maga'lâhen Guahan
Governor of Guahan

Attachment: copy of Bill

30-10-0315
4/12/10
4:50 PM

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) Regular Session

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

This is to certify that **Substitute Bill No. 295-30 (COR), "AN ACT TO AMEND §§37.10, 37.20 AND 37.30, AND TO ADD A NEW §37.40, ALL OF CHAPTER 37 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO AMENDING THE BURGLARY AND CRIMINAL TRESPASS STATUTES, TO INCLUDE AUTOMOBILES AND MOTOR VEHICLES,"** was on the 19th day of March, 2010, duly and regularly passed.



Judith T. Won Pat, Ed. D.
Speaker

Attested:



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 22nd day of March, 2010, at
2:15 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



FELIX P. CAMACHO
I Maga'lahaen Guåhan

APR 01 2010

Date: _____

Public Law No. P.L. 30-121

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

Bill No. 295-30 (COR)

As substituted by the Committee on
Public Safety, Law Enforcement &
Senior Citizens, and amended on the Floor.

Introduced by:

Ray Tenorio
E. J.B. Calvo
Adolpho B. Palacios, Sr.
Judith P. Guthertz, DPA
T. C. Ada
F. B. Aguon, Jr.
F. F. Blas, Jr.
B. J.F. Cruz
J. V. Espaldon
T. R. Muña Barnes
R. J. Respicio
v. c. pangelinan
Telo Taitague
Judith T. Won Pat, Ed.D.

**AN ACT TO AMEND §§37.10, 37.20 AND 37.30, AND TO
ADD A NEW §37.40, ALL OF CHAPTER 37 OF TITLE 9,
GUAM CODE ANNOTATED, RELATIVE TO
AMENDING THE BURGLARY AND CRIMINAL
TRESPASS STATUTES, TO INCLUDE AUTOMOBILES
AND MOTOR VEHICLES.**

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

2 **Section 1.** §37.10 of Chapter 37 of Title 9, Guam Code Annotated, is
3 *amended* to read:

4 **“§37.10. Definitions: Ref. to §16.10.** As used in this Chapter:

1 (a) *Habitable Property* has the meaning provided by §34.10 and
2 includes any such property whether *or* not a person is actually present
3 therein.

4 (b) *Night* means the period between thirty (30) minutes past sunset
5 and thirty (30) minutes before sunrise.

6 (c) *Deadly Weapon* has the meaning provided by §16.10, Title 9,
7 Guam Code Annotated.

8 (d) *Motor Vehicle, Semi-Trailer, Trailer, Truck, Truck-Tractor,*
9 *Vehicle, and Vehicle Combination* are defined by §5101, Title 16, Guam
10 Code Annotated; and *Motor Vehicle, Motor Bus, Motor Truck, Semi-Trailer,*
11 *Trailer, and Vehicle* are also defined by §1102, Title 16, Guam Code
12 Annotated.”

13 **Section 2.** §37.20 of Chapter 37 of Title 9, Guam Code Annotated, is
14 *amended* to read:

15 **“§37.20. Burglary: Defined, Punishment Classified.**

16 (a) A person is guilty of burglary *if* he enters *or* surreptitiously
17 remains in any habitable property, building, *or* a separately secured *or*
18 occupied portion thereof, with intent to commit a crime therein, unless the
19 premises are at the time open to the public *or* the defendant is licensed *or*
20 privileged to enter, *or* a person is guilty of burglary *if* he enters *or*
21 surreptitiously remains in any motor vehicle, semi-trailer, trailer, truck-
22 tractor, vehicle combination, motor bus, motor truck, *or* vehicle, with intent
23 to commit a crime therein. It is an affirmative defense to prosecution for
24 burglary that the property, *or* building, *or* motor vehicle was abandoned.

25 (b) Burglary is a felony of the second degree. In the case of
26 burglary as a felony of the second degree, the court *shall* impose a sentence
27 of imprisonment of a minimum term of five (5) years and may impose a

1 maximum term of up to ten (10) years; the minimum term imposed *shall not*
2 be suspended *nor* may probation be imposed in lieu of the minimum term
3 nor *shall* parole *or* work release be granted before completion of the
4 minimum term. The sentence *shall* include a special parole term of *not less*
5 *than* three (3) years in addition to such term of imprisonment. Provided,
6 however, that in the case of an offender *not* previously convicted of a felony,
7 the court may sentence the offender to *not more than* five (5) years
8 imprisonment and the provisions of this Subsection prohibiting probation,
9 suspension, parole *or* work release *shall not* be applicable to such offender.”

10 **Section 3.** §37.30 of Chapter 37 of Title 9, Guam Code Annotated, is
11 *amended* to read:

12 **“§37.30. Criminal Trespass: Defined, Punished, Defenses.**

13 (a) A person commits an offense *if*, knowing that he is *not* licensed *or*
14 privileged to do so, he enters *or* surreptitiously remains in any habitable
15 property *or* any building *or* any motor vehicle. An offense under this
16 Subsection is a misdemeanor *if* it is committed in a dwelling *or* motor
17 vehicle. Otherwise it is a petty misdemeanor.

18 (b) A person commits an offense *if*, knowing that he is *not* licensed
19 *or* privileged to do so, he enters *or* remains in any place as to which notice
20 against trespass is given by:

21 (1) actual communication to the defendant;

22 (2) posting in a manner prescribed by law *or* reasonably
23 likely to come to the attention of intruders; or

24 (3) fencing *or* other enclosure manifestly designed to
25 exclude intruders. An offense under this Subsection constitutes a petty
26 misdemeanor *if* the offender defies an order to leave personally

1 communicated to him by the owner of the premises *or* other
2 authorized person *or* a peace officer. Otherwise it is a violation.

3 (c) It is an affirmative defense to prosecution under this Section
4 that:

5 (1) the property *or* building involved in an offense under
6 Subsection (a) was abandoned;

7 (2) the premises were at the time open to members of the
8 public and the defendant complied with all lawful conditions imposed
9 on access to *or* remaining in the premises; or

10 (3) the defendant reasonably believed that the owner of the
11 premises, *or* other person empowered to license access thereto, would
12 have licensed him to enter *or* remain.”

13 **Section 4.** A new §37.40 is *added* to Chapter 37 of Title 9, Guam Code
14 Annotated, to read:

15 **“§37.40. The Breaking of Window Glass to Gain Access to**
16 **Vehicles.** (a) Any person who breaks a glass window of a vehicle, as
17 defined in §37.10(d) of this Chapter, in the process of committing, or
18 attempting to commit, burglary or criminal trespass, is guilty of an additional
19 offense as a third degree felony.

20 (b) Any person who breaks a glass window of a vehicle, as defined
21 in §37.10(d) of this Chapter, in the process of committing, or attempting to
22 commit, burglary or criminal trespass, in which the broken glass causes
23 bodily injury to an innocent person is guilty of an additional offense as a
24 second degree felony.”

6

I MINA' TRENTA NA LIHESLATURAN GUAHAN
2010 (SECOND) Regular Session

Date: 3/19/10

VOTING SHEET

3 Bill No. 295-30 (cor)

Resolution No. _____

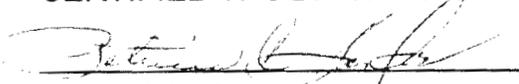
Question: _____

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

TOTAL

1312 2

CERTIFIED TRUE AND CORRECT:



Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



**Thirtieth
Guam Legislature**

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

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

**Senator Ray Tenorio
Vice Chairman**

**Speaker Judith T. Won Pat
Member**

**Senator Thomas C. Ada
Member**

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

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

**Senator James V. Espaldon
Member**

Other Committee Membership:

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

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

I Mina'Trenta na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.

Chairman

February 17, 2010

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

Speaker

I Mina'Trenta na Liheslaturan Guåhan

155 Hesler Place

Hagåtña, Guam 96910

VIA: The Honorable Rory J. Respicio

Chairperson, Committee on Rules

RE: Committee Report – Bill No. 295-30 (COR) as Substituted by the Committee

Dear Speaker Won Pat:

The Committee on Public Safety, Law Enforcement & Senior Citizens, to which was referred **BILL NO. 295-30 (COR) "AN ACT TO AMEND §§37.10, 37.20 AND 37.30 OF, AND TO ADD A NEW §37.40 TO 9GCA, TO ADD AND AMEND THE BURGLARY AND CRIMINAL TRESPASS STATUTES TO INCLUDE AUTOMOBILES AND MOTOR VEHICLES,"** sponsored by Senator Ray Tenorio hereby reports out with the recommendation **TO REPORT OUT ONLY.**

Committee votes are as follows:

<u>2</u>	TO PASS
<u>0</u>	NOT TO PASS
<u>3</u>	TO REPORT OUT ONLY
<u>0</u>	ABSTAIN
<u>0</u>	INACTIVE FILE

Sincerely,

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

Chairperson

Attachments

67-2010-05050
[Handwritten initials]



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

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

I Mina'Trenta na Liheslaturan Guåhan

**COMMITTEE
REPORT
ON**

BILL NO. 295-30 (COR)
as Substituted by the Committee
Senator Ray Tenorio
Senator E.B. Calvo
Senator A.B. Palacios, Sr.

**"AN ACT TO ADD A NEW §43.80 TO CHAPTER 43 OF 9 GCA
RELATIVE TO THE BREAKING OF WINDOW GLASS TO
GAIN ACCESS TO AN AUTOMOBILE."**



**Thirtieth
Guam Legislature**

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

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

**Senator Ray Tenorio
Vice Chairman**

**Speaker Judith T. Won Pat
Member**

**Senator Thomas C. Ada
Member**

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

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

**Senator James V. Espaldon
Member**

Other Committee Membership:

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

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

I Mina'Trenta na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.

Chairman

February 16, 2010

MEMORANDUM

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

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

**SUBJECT: Committee Report on Bill No. 295-30 (COR) as Substituted by the
Committee.**

Transmitted herewith for your consideration is the Committee Report on **Bill No. 295-30 (COR) as Substituted by the Committee – "AN ACT TO ADD A NEW §43.80 TO CHAPTER 43 OF 9 GCA RELATIVE TO THE BREAKING OF WINDOW GLASS TO GAIN ACCESS TO AN AUTOMOBILE,"** sponsored by Senator Ray Tenorio

This report includes the following:

- Committee Voting Sheet
- Committee Report Digest
- Copy of Bill No. 295-30 (COR) as introduced
- Copy of Substitute Bill No. 295-30 (COR)
- Public Hearing Sign-in Sheets
- Copies of testimony submitted and supporting documents
- Copy of COR Referral of Bill No. 295-30 (COR)
- Notices of Public Hearing
- Copy of the Public Hearing Agenda
- Miscellaneous related documents

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

Si Yu'os ma'åse!

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

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



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & SENIOR CITIZENS

SENATOR ADOLPHO B. PALACIOS, SR. CHAIRMAN

I Mina'Trenta na Liheslaturan Guahan

VOTING SHEET ON:

Bill No. 295-30 (COR) as substituted by the Committee - An act to amend §§37.10, 37.20 and 37.30 of, and to add a new §37.40 to 9GCA, to add and amend the burglary and criminal trespass statutes to include automobiles and motor vehicles.

[Bill No. 295-30 (COR) - An act to add a new §43.80 to Chapter 43 of 9 GCA relative to the breaking of window glass to gain access to an automobile.] as introduced by Senator Ray Tenorio.

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



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT
& SENIOR CITIZENS

SENATOR ADOLPHO B. PALACIOS, SR.
CHAIRMAN

I Mina'Trenta na Liheslaturan Guåhan

COMMITTEE REPORT DIGEST

I. OVERVIEW

The Committee on Public Safety, Law Enforcement, & Senior Citizens convened a public hearing on January 7, 2010 at 9:15am in *I Liheslatura's* Public Hearing Room. Among the items on the agenda was the consideration of **Bill No. 295-30 (COR)** – “An act to add a new §43.80 to Chapter 43 of 9 GCA relative to the breaking of window glass to gain access to an automobile,” sponsored by Senators Ray Tenorio, E.J.B. Calvo, and A.B. Palacios, Sr.

Public Hearing Requirements

Notices of the hearing were disseminated via facsimile and email to all senators and all main media broadcasting outlets on December 29, 2009 (5-day notice) and on January 4, 2010 (48-hour notice) pursuant to meeting the requirements of the Open Government Law. Notice of the hearing was also posted on the Guam Legislature's website.

Senators Present

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

Individual(s) Registered for oral or written testimony:

1. Mr. Vicente Gumataotao, Mayor of Piti, Oral Testimony, In Support
2. Mr. Bobing Wolford, Resident of Guam, Oral Testimony
3. Attorney James Mitchell, GPD Attorney, Oral Testimony, In Support
4. Attorney Phil Tydingco, Office of the Attorney General, Oral Testimony, In Support
5. Chief Paul Suba, Guam Police Department, Oral Testimony, In Support
6. Mr. Cole Herndon, Resident of Guam, Oral Testimony, In Support
7. Mr. David P. Leddy, President, Guam Chamber of Commerce, In Support, Written Testimony.
8. Attorney General Alicia G. Limtiaco, Office of the Attorney General of Guam, In support, Written Testimony

II. SUMMARY OF TESTIMONIES

Chairman Adolpho B. Palacios, Sr. called the Committee on Public Safety, Law Enforcement, and Senior Citizens to order at 9:15am, welcomed and introduced Senators present. He then allowed the author of the bill, Senator Ray Tenorio, to give a brief presentation of the bill.

Senator Tenorio stated that in essence, the bill raises the offense to a third degree felony and allows for sentencing requirements. Many in our community understand that when people are shopping, car glass windows are broken where million of dollars are taken each year. The issue associated with broken glass and the window pane, people have to deal with cleaning the broken glass. There have been many recommendations to place it under criminal mischief and today we hope to receive testimony and positive criticism for the bill.

Chairman Palacios called those who are present to testify.

Mr. Vicente Gumataotao, Mayor of Piti, In Support, Oral Testimony. Mayor Gumataotao stated that he supports the intent of the bill, and that this bill has been needed for a long time because of the many problems with cars being vandalized. He pointed out that last week, he went to a 5K race where there were twenty cars broken into and were reported to police. He stated that no matter how good the bill is, it needs to be enforced. He continued by saying when he was growing up, he never had this problem, they never experienced this crime. However, with the influx of many different nationalities, there have been some people who are responsible. Section 8, food stamps, and people who are not working create these problems. In his village, there have been many that have vandalized houses. This is a good bill, but what we need is the enforcement by our police officers.

Mr. Bobing Wolford, resident of Guam, In Support, Oral Testimony. Mr. Wolford spoke in Chamorro and his testimony was translated by Jonathan Diaz. He stated, what are you saying about the broken window? We already have this law, but there have been many houses that have been broken into or burned. I like this bill and I hope that if anyone who does this, I hope they go to prison. There have been many people who have been hurt by this and we have had many police officers who have been hurt. We even have senators, who are former police officers, former legal counsel of GPD on my side, Phil Tydingco who worked for GPD. I like these police officers who are going around and looking at the welfare of the people. I even have called GPD upon occasion to patrol our village because there are people who are mischievous. I have a lot of relatives and I know a lot of people who have had this issue. There have been many people who are using motorcycles going around the village. Let us respect our police officers from Dededo all the way to Yona. There are a lot of police officers who are doing their jobs, but there have been many who leave because they are in the military armed forces.

Attorney James Mitchell, Legal Counsel of GPD, In Support, Oral Testimony. Attorney Mitchell stated that he is here today to represent the Guam Police Department, and that they are in support of the bill. He stated that they have reviewed the bill and have one

recommendation. Instead of creating a new statute, please incorporate this into the criminal mischief code.

Attorney Phil Tydingco, Office of the Attorney General, In Support, Oral Testimony. Attorney Tydingco stated that they will be submitting a written testimony at a later time. The Office of the Attorney General supports the intent of the bill. He stated that they believe the crime scenarios are already addressed in their proceedings. Perhaps it might be best to place this under the burglary section. He believes we should add a new subsection to the burglary section. A person is guilty with the intent to commit a burglary. If we amend the burglary statute, it would be a felony in the second degree. This is what we propose to better address the issue of breaking into a vehicle. If you create a new crime of theft therein, it wouldn't cover all the sections where a vehicle is used for crimes. The intent might be achieved by amending the burglary statute rather than creating another crime in the books. *(Please see written testimony attached.)*

Mr. Paul Suba, Chief of Guam Police Department, In Support, Oral Testimony. Chief Suba explains that he agrees and appreciates the eloquence of Mr. Gumataotao and Mr. Wolford in that there is a need for more law enforcement, but we need to look at prevention as well. When people begin to see that we are serious about crime and partnering with the community, the idea is that we put stiffer penalties to the law. The word is not getting out to those who wish to commit crimes. Penalties would be stiffer for those who commit the crime. Breaking a window is a serious crime and it is illegal. There should be amendments to the language in place and that we are looking at serious punishment. Their intent was of value and at some point we may look into the burglary statute. Chief Suba explains that they support the intent the bill and to create a new law would counter what is already established. Not too long ago, GPD vehicles were broken into, but perhaps we need to take a look at how accidents occur. When you have something where there is intended violence and they shatter a window, there is a higher degree to terrorize people.

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

Senator Tenorio asked, Mr. Mitchell, do you agree with the AGO's opinion? I don't think the intent is not to give a felony freely to those who accidentally do damage to the car, but it is interesting that there are burglary charges because some people are now living in their cars. Perhaps we can work with Mr. Ed Lee to work out the kinks to this bill?

Attorney Mitchell stated that he does agree with him and his testimony is more comprehensive.

Attorney Phil Tydingco stated this was a good impetus to begin the conversation. In other jurisdictions, they include automobiles under burglary because people live in their vehicles. Generally speaking, these people are repeated offenders. This statute brought to the forefront to update the burglary statute to include motor vehicles as necessary. It is something to think about.

Senator Frank Aguon stated that his concern is something that the mayor shared with us, and it is really about elevating the offense. A lot of it deals with the Chief of Police and about enforcement, and about having the resources and when it gets back to the AG's office, it can have teeth. It reminded him about vandalism and graffiti. When graffiti was a major issue 6 years ago, the fine was about \$1,000 dollars. This penalty was not enough and it came back to the Legislature and the fine was decreased to \$200.00. There was a partnership with the Guam Police Department and the community because it was meant to curb graffiti. He hoped that this case could be about enforcement because they are the key entity with some of the penalties assessed. He then stated that he is supportive of the concept because it serves as a deterrent rather than a penalty assessed.

Chairman Palacios stated that he agrees to make this under the burglary statute, but how do you reconcile when a glass is not broken into? What if the car was unlocked? This can create confusion and if we can amend this section about burglary, it would be helpful. Anytime a crime is done in the vehicle, it is a burglary statute. I prefer this now because like you said, some people use a vehicle as a place of residence.

Attorney Phil Tydingco stated that the original law was breaking and entering. We eliminated that section on breaking. If that person did not break into a home or a car, and someone stole a purse or material property, it is still the intent to burglarize. Thus, the scenario that was used eliminates the breaking into. We would in fact, charge with criminal mischief, burglary and theft.

Senator Taitague asked whether breaking and entering was a crime of moral turpitude.

Attorney Phil Tydingco stated that he is unable to determine this at this time because you have to look at many factors involved.

Chief Suba stated that in relationship to various crimes, when there is a different crime such as trespassing, other charges are made to serve as a deterrent. The most serious of the crime would be burglary.

Senator Tenorio stated that it is interesting that you make this point and in many jurisdictions, capital punishment is added in order to plead guilty on a lesser charge. The severity of the crime is determined.

Mr. Cole Henderson, Resident of Guam, Oral Testimony, In support. Mr. Henderson stated that he is glad to hear about this and that he has been here a number of times. He is part of the diving community and divers get hit hard. He explained that back in 1981, he took a friend to Marbo Cave where a couple of guys were drinking, and he took down the license plate before they entered the cave. When they came out, the car was vandalized. GPD took his report. Three weeks went by and no resolution happened. After he called the village mayor, it took them three hours to solve the crime. Every part of the vehicle was gone and they released the prisoner, but charged him for breaking the window for less than \$50.00. To make a long story short, he was already up for parole. With all three cases, they sent out a Deputy Marshall and the criminal left the island. He went to the Attorney General's Office and asked why he was released on a reconnaissance charge because this was grand theft auto. To make it easier to get this through the court system, he didn't know what was worse, being victimized by the thief or the government. The insurance paid to fix it and then the insurance payments increased. The people of Guam paid for this crime instead of the person who committed the offense. From this instance, he was interested in a criminal justice system. He pointed out on the bill that it calls for a second to third degree, but it looks like a good thing, but by the time it goes through the system, a lesser charge is given. What must be done is some community service. We can come up with all kinds of community service for those who are caught.

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

III. WRITTEN TESTIMONIES

1. Mr. David P. Leddy, President, Guam Chamber of Commerce, In Support, Written Testimony received via hand-delivery on January 7, 2010. Mr. Leddy stated that the Chamber supports actions that enhance the safety of our island community. We applaud you for attempting to strengthen prevention measures to assist our law enforcement and judicial partners and ensure greater protection for our families, employees, consumers and visitors. *(See written testimony attached.)*

2. Attorney General Alicia G. Limtiaco, Office of the Attorney General of Guam, In support, Written Testimony received via hand-delivery on January 7, 2010. The Office of the Attorney General of Guam supports the intent of Bill 295-30 (COR). It appears that the intent of the bill may be to create a new crime in order to hold individuals who break the

glass window of an automobile while attempting to commit theft. However, the office believes the crime scenarios contemplated by the proposed legislation in Bill 295-30 are not only already addressed by our current assault, criminal transfer intent, restitution, theft and criminal mischief statutes, but could also be better addressed by amending our burglary statute. (*See written testimony attached.*)

IV. FINDINGS AND RECOMMENDATIONS

The Committee on Public Safety, Law Enforcement, & Senior Citizens finds that the bill intends to make it a third degree felony if any person who commits theft or attempted theft is found guilty by breaking the glass to gain access to an automobile, and a second degree felony if any person who commits theft or attempted theft is found guilty by breaking the glass to gain access to an automobile in which the broken glass causes bodily injury to an innocent person. The Bill also intends that a person convicted of this violation shall make restitution to the owner of the vehicle for all expenses incurred that are related to the damage of the vehicle from the theft or attempted theft.

After reviewing Bill No. 295-30 (COR) as introduced, the Attorney General believes the crime scenarios contemplated by the Bill is already addressed by the current assault, criminal transfer intent, restitution, theft and criminal mischief statutes. The Attorney General also believes that the intent of the Bill could be better addressed by amending the burglary statute; therefore, the Committee substituted Bill No. 295-30 (COR) with the advice of the author and the Attorney General.

The Committee on Public Safety, Law Enforcement, & Senior Citizens hereby reports out **Bill No. 295-30 (COR), as substituted by the Committee**, with the recommendation **TO REPORT OUT ONLY.**

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

2009 DEC 10 PM 3:55hr

Bill No. 295-30 (COR)

Introduced by:

Ray Tenorio
E. B. Calvo
A. B. Palacios, Sr.

**AN ACT TO ADD A NEW §43.80 TO CHAPTER 43 OF 9
GCA RELATIVE TO THE BREAKING OF WINDOW
GLASS TO GAIN ACCESS TO AN AUTOMOBILE.**

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

2 **Section 1.** A new Section 43.80 is *added* to Chapter 43 of 9GCA to read:

3 **“§43.80. Theft Committed By the Breaking of Window Glass to Gain Access**
4 **to an Automobile.** (a) Any person who commits theft or attempted theft by
5 breaking the glass to gain access to an automobile is guilty of a third degree felony.

6 (b) Any person who commits theft or attempted theft by breaking the glass to gain
7 access to an automobile in which the broken glass causes bodily injury to an
8 innocent person is guilty of a second degree felony.

9 (c) In addition to any sentence meted out for violations of paragraphs (a) and (b),
10 *supra*, a person convicted of a violation of this Section shall make restitution to the
11 owner of the vehicle for all expenses incurred that are related to the damage of the
12 vehicle from the theft or attempted theft.”

I MINA' TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) Regular Session

Bill No. 295-30 (COR)

As Substituted by the Committee on
Public Safety, Law Enforcement &
Senior Citizens

Introduced by:

Ray Tenorio
E. B. Calvo
A. B. Palacios, Sr.

AN ACT TO AMEND §§37.10, 37.20 AND 37.30 OF, AND TO ADD A NEW §37.40 TO 9GCA, TO ADD AND AMEND THE BURGLARY AND CRIMINAL TRESPASS STATUTES TO INCLUDE AUTOMOBILES AND MOTOR VEHICLES.

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

2 **Section 1.** Section 37.10 of 9GCA, is *amended* to read:

3 **“§37.10. Definitions: Ref. to §16.10.** As used in this Chapter:

4 (a) *Habitable Property* has the meaning provided by §34.10 and includes any such
5 property whether or not a person is actually present therein.

6 (b) *Night* means the period between thirty (30) minutes past sunset and thirty (30)
7 minutes before sunrise.

8 (c) *Deadly Weapon* has the meaning provided by 9 GCA §16:10.

9 (d) *Motor Vehicle, Semi-Trailer, Trailer, Truck, Truck-Tractor, Vehicle. And Vehicle*
10 *Combination* are defined by 16 GCA §5101 and *Motor Vehicle, Motor Bus, Motor Truck,*
11 *Semi-Trailer, Trailer, and Vehicle* are also defined by 16 G.C.A. §1102.”

12 **Section 2.** Section 37.20 of 9GCA, is *amended* to read:

13 **“§37.20. Burglary: Defined, Punishment Classified.**

14 (a) A person is guilty of burglary if he enters or surreptitiously remains in any
15 habitable property, building, or a separately secured or occupied portion thereof, with intent to

1 commit a crime therein, unless the premises are at the time open to the public or the defendant
2 is licensed or privileged to enter, or a person is guilty of burglary if he enters or
3 surreptitiously remains in any motor vehicle, Semi-trailer, trailer, truck-tractor, vehicle
4 combination, motor bus, motor truck, or vehicle, with intent to commit a crime therein. It is an
5 affirmative defense to prosecution for burglary that the property, or building or motor vehicle
6 was abandoned.

7 (b) Burglary is a felony of the second degree. In the case of burglary as a felony of the
8 second degree, the court shall impose a sentence of imprisonment of a minimum term of five
9 (5) years and may impose a maximum term of up to ten (10) years; the minimum term
10 imposed shall not be suspended nor may probation be imposed in lieu of the minimum term
11 nor shall parole or work release be granted before completion of the minimum term. The
12 sentence shall include a special parole term of not less than three (3) years in addition to such
13 term of imprisonment. Provided, however, that in the case of an offender not previously
14 convicted of a felony, the court may sentence the offender to not more than five (5) years
15 imprisonment and the provisions of this Subsection prohibiting probation, suspension, parole
16 or work release shall not be applicable to such offender.”

17 **Section 3.** Section 37.30 of 9GCA, is *amended* to read:

18 **“§37.30. Criminal Trespass: Defined, Punished, Defenses.**

19 (a) A person commits an offense if, knowing that he is not licensed or privileged to do
20 so, he enters or surreptitiously remains in any habitable property or any building or any motor
21 vehicle. An offense under this Subsection is a misdemeanor if it is committed in a dwelling or
22 motor vehicle. Otherwise it is a petty misdemeanor.

1 (b) A person commits an offense if, knowing that he is not licensed or privileged to do
2 so, he enters or remains in any place as to which notice against trespass is given by:

3 (1) actual communication to the defendant;

4 (2) posting in a manner prescribed by law or reasonably likely to come to the
5 attention of intruders; or

6 (3) fencing or other enclosure manifestly designed to exclude intruders. An
7 offense under this Subsection constitutes a petty misdemeanor if the offender defies an
8 order to leave personally communicated to him by the owner of the premises or other
9 authorized person or a peace officer. Otherwise it is a violation.

10 (c) It is an affirmative defense to prosecution under this Section that:

11 (1) the property or building involved in an offense under Subsection (a) was
12 abandoned;

13 (2) the premises were at the time open to members of the public and the
14 defendant complied with all lawful conditions imposed on access to or remaining in
15 the premises; or

16 (3) the defendant reasonably believed that the owner of the premises, or other
17 person empowered to license access thereto, would have licensed him to enter or
18 remain.”

19 **Section 4.** A new Section 37.40 is *added* to 9GCA to read:

20 **“§37.40. The Breaking of Window Glass to Gain Access to Vehicles.** (a) Any
21 person who commits burglary, criminal trespass, attempted burglary or attempted criminal
22 trespass by breaking the glass to gain or attempt to gain access to property as defined in
23 §37.10(d) of this Chapter, is guilty of a third degree felony.

1 (b) Any person who commits burglary, criminal trespass, attempted burglary or
2 attempted criminal trespass by breaking glass to gain or attempt to gain access to property as
3 defined in §37.10(d) of this Chapter, in which the broken glass causes bodily injury to an
4 innocent person is guilty of a second degree felony.

5 (c) In addition to any sentence for violations of paragraphs (a) and (b) of this Section,
6 a person convicted of a violation of this Section shall make restitution to the owner of the
7 vehicle for all expenses incurred that are related to the damage property as defined in
8 §37.10(d) of this Chapter.”



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT
& SENIOR CITIZENS

I Mina'Trenta na Liheslaturan Guahan

SENATOR ADOLPHO B. PALACIOS, SR.
CHAIRMAN

THURSDAY, JANUARY 7, 2010

Bill No. 295-30 (COR) – An act to add a new §43.80 to Chapter 43 of 9 GCA relative to the breaking of window glass to gain access to an automobile. – by Senator Ray Tenorio

NAME (Please Print)	AGENCY/ ORGANIZATION (If any)	SUPPORT? ✓	OPPOSE? ✓	WRITTEN TESTIMONY ✓	ORAL TESTIMONY ✓	CONTACT NUMBER	EMAIL ADDRESS
✓ Ben Sembrano-Tubano		✓			✓	4721292	
✓ Bobing Wilford	Resident				✓		
James Mitchell	GPD	✓			✓	475 8509	
Phil Tydingco	Abd	✓		✓	✓	475-3324	
Paul Sebata	GPD				✓	475-8508	



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT
& SENIOR CITIZENS

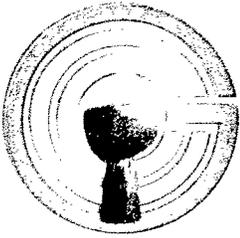
I Mina'Trenta na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
CHAIRMAN

THURSDAY, JANUARY 7, 2010

Bill No. 295-30 (COR) – An act to add a new §43.80 to Chapter 43 of 9 GCA relative to the breaking of window glass to gain access to an automobile. – by Senator Ray Tenorio

NAME (Please Print)	AGENCY/ ORGANIZATION (If any)	SUPPORT? ✓	OPPOSE? ✓	WRITTEN TESTIMONY ✓	ORAL TESTIMONY ✓	CONTACT NUMBER	EMAIL ADDRESS
Phil Tenorio	ABU	✓			✓		On Page 1
Colo Handon		✓		✓	✓		guam_diving-is- gr8@yahoo.com



GUAM CHAMBER OF COMMERCE
PARTNERS IN PROGRESS

January 7, 2010

THE HONORABLE RAY TENORIO
Senator
I Mina 'Trenta Na Liheslaturan Guåhan
155 Hesler Place
Hagåtña, Guam 96910

SUBJECT: BILL NO. 295-30 – Relative to the Breaking of Window Glass to Gain Access to an Automobile

Dear Senator Tenorio,

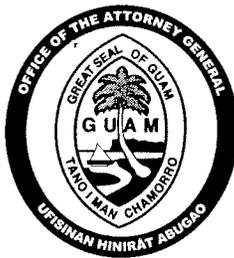
On behalf of the Board of Directors and Members of the Guam Chamber of Commerce, thank you for the opportunity to submit comments on Bill No. 295-30, relative to the breaking of window glass to gain access to an automobile.

The Chamber supports actions that enhance the safety of our island community. We applaud you for attempting to strengthen prevention measures to assist our law enforcement and judicial partners and ensure greater protection for our families, employees, consumers and visitors.

Sincerely,

DAVID P. LEDDY
President

Alicia G. Limtiaco
Attorney General



Phillip J. Tydingco
Chief Deputy Attorney General

OFFICE OF THE ATTORNEY GENERAL

January 7, 2010

Honorable Adolpho B. Palacios, Sr. 
Committee on Public Safety, Law Enforcement, and Senior Citizens
30th Guam Legislature
Suite 104
155 Hesler St.
Hagåtña, Guam 96910

Re: Bill No. 295-30(COR)

Dear Mr. Chairman,

The Office of the Attorney General supports the intent of the Bill 295-30 to make it a serious crime for an individual to break the glass window of an automobile in order to gain access or entry for the purpose of committing a theft therein or theft of the motor vehicle, as well as making it a serious crime if an individual breaks the glass window of an automobile while attempting to commit a theft therein or theft of the automobile and happens to also cause bodily injury to an innocent person inside the motor vehicle. It appears that the intent of the bill may be to create a new crime in order to hold individuals who break the glass window of an automobile while attempting to commit theft. However, we believe the crime scenarios contemplated by the proposed legislation in Bill 295-30 are not only already addressed by our current assault, criminal transfer intent, restitution, theft and criminal mischief statutes, but could also be better addressed by amending our burglary statute. Example of such amendments (which are underlined) for the burglary statutes would be as follows:

AN ACT TO REPEAL AND REENACT §37.10, §37.20 and 37.30 OF TITLE 9, GUAM CODE ANNOTATED, TO ADD AND AMEND THE BURGLARY AND CRIMINAL TRESPASS STATUTES TO INCLUDE AUTOMOBILES OR MOTOR VEHICLES.

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

Section 1. Section 37.10 of Title 9, Guam Code Annotated, is repealed and reenacted to read:

RECEIVED
R. J. Tydingco
Jan 10 2010
mt

§ 37.10. Definitions:

As used in this Chapter:

(a) *Habitable Property* has the meaning provided by § 34.10 and includes any such property whether or not a person is actually present therein.

(b) *Night* means the period between thirty (30) minutes past sunset and thirty (30) minutes before sunrise.

(c) *Deadly Weapon* has the meaning provided by 9 GCA § 16:10.

(d) *Motor Vehicle, Semi-Trailer, Trailer, Truck, Truck-Tractor, Vehicle, and Vehicle Combination* are defined by 16 GCA § 5101 and *Motor Vehicle, Motor Bus, Motor Truck, Semi-Trailer, Trailer, and Vehicle* are also defined by 16 G.C.A. §1102.

Section 2. Section 37.20 of Title 9, Guam Code Annotated, is repealed and reenacted to read:

§ 37.20. Burglary: Defined, Punishment Classified.

(a) A person is guilty of burglary if he enters or surreptitiously remains in any habitable property, building, or a separately secured or occupied portion thereof, with intent to commit a crime therein, unless the premises are at the time open to the public or the defendant is licensed or privileged to enter, or a person is guilty of burglary if he enters or surreptitiously remains in any motor vehicle, semi-trailer, trailer, truck-tractor, vehicle combination, motor bus, motor truck, or vehicle, with intent to commit a crime therein. It is an affirmative defense to prosecution for burglary that the property, or building or motor vehicle was abandoned.

(b) Burglary is a felony of the second degree. In the case of burglary as a felony of the second degree, the court shall impose a sentence of imprisonment of a minimum term of five (5) years and may impose a maximum term of up to ten (10) years; the minimum term imposed shall not be suspended nor may probation be imposed in lieu of the minimum term nor shall parole or work release be granted before completion of the minimum term. The sentence shall include a special parole term of not less than three (3) years in addition to such term of imprisonment. Provided, however, that in the case of an offender not previously convicted of a felony, the court may sentence the offender to not more than five (5) years imprisonment and the provisions of this Subsection prohibiting probation, suspension, parole or work release shall not be applicable to such offender.

Section 3. Section 37.30 of Title 9, Guam Code Annotated, is repealed and reenacted to read:

§ 37.30. Criminal Trespass: Defined, Punished, Defenses.

(a) A person commits an offense if, knowing that he is not licensed or privileged to do so, he enters or surreptitiously remains in any habitable property or any building or any motor vehicle. An offense under this Subsection is a misdemeanor if it is committed in a dwelling or motor vehicle. Otherwise it is a petty misdemeanor.

(b) A person commits an offense if, knowing that he is not licensed or privileged to do so, he enters or remains in any place as to which notice against trespass is given by:

- (1) actual communication to the defendant;
- (2) posting in a manner prescribed by law or reasonably likely to come to the attention of intruders; or
- (3) fencing or other enclosure manifestly designed to exclude intruders.

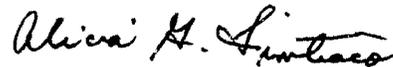
An offense under this Subsection constitutes a petty misdemeanor if the offender defies an order to leave personally communicated to him by the owner of the premises or other authorized person or a peace officer. Otherwise it is a violation.

(c) It is an affirmative defense to prosecution under this Section that:

- (1) the property or building involved in an offense under Subsection (a) was abandoned;
- (2) the premises were at the time open to members of the public and the defendant complied with all lawful conditions imposed on access to or remaining in the premises; or
- (3) the defendant reasonably believed that the owner of the premises, or other person empowered to license access thereto, would have licensed him to enter or remain.

Should you have any questions, please do not hesitate to Chief Prosecutor Dianne Corbett or me.

Sincerely,



ALICIA G. LIMTIACO
Attorney General

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932**FELIX PEREZ CAMACHO**
GOVERNOR**BERTHA M. DUENAS**
DIRECTOR**MICHAEL W. CRUZ, M.D.**
LIEUTENANT GOVERNOR**DEC 18 2009**

The Bureau requests that Bill No. 295-30(COR) be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

The above referenced Bill is administrative in nature and do not have any potential impact upon the revenues or the expenditure of any funds of the Government of Guam.

BERTHA M. DUENAS
Director



COMMITTEE ON RULES

I Mina'Trenta na Liheslaturan Guåhan • 30th Guam Legislature

155 Hesler Place, Hagatña, Guam 96910 • tel: (671)472-7679 • fax: (671)472-3547 • roryforguam@gmail.com

**SENATOR
RORY J.
RESPICIO
CHAIRPERSON**

**SENATOR
Judith P. Guthertz
VICE
CHAIRPERSON**

**MAJORITY
MEMBERS:**

**Judith T. Won Pat
SPEAKER**

**Benjamin J. F. Cruz
VICE SPEAKER**

**Tina Rose Mufia Barnes
LEGISLATIVE SECRETARY**

**Thomas C. Ada
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**Frank B. Aguon, Jr.
SENATOR**

**Adolpho B. Palacios, Sr.
SENATOR**

**Vicente C. Pangelinan
SENATOR**

**Matthew Rector
SENATOR**

**MINORITY
MEMBERS:**

**Frank F. Blas, Jr.
SENATOR**

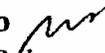
**James V. Espaldon
SENATOR**

December 11, 2009

MEMORANDUM

To: Pat Santos
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

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

Subject: Referral of Bill No. 295-30 (COR)

As Chairperson of the Committee on Rules, I am forwarding my referral of Bill No. 295-30 (COR).

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all Senators of *I Mina' Trenta Na Liheslaturan Guåhan*.

Should you have any questions, please contact Stephanie Mendiola or Elaine Tajalle at 472-7679.

Si Yu'os Ma'åse'!

(1) Attachment

2009 DEC 11 PM 2:08 

I Mina 'Trenta Na Liheslaturan Guåhan
Bill Log Sheet
Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date)
B295-30 (COR)	Ray Tenorio, E. B. Calvo, A. B. Palacios, Sr.	An act to add a new §43.80 to Chapter 43 of 9 GCA relative theft related to the breaking of window glass to gain access to an automobile.	12/01/09 3:55 p.m.	12/11/09	Committee on Public Safety, Law Enforcement, and Senior Citizens			



Adolpho Palacios <senabpalacios@gmail.com>

1st Notice of Public Hearing scheduled for January 7, 2010

1 message

Adolpho Palacios <senabpalacios@gmail.com>

Tue, Dec 29, 2009 at 3:04 PM

To: "Speaker Judith T. Won Pat, Ed.D" <info@judiwonpat.com>, speaker@judiwonpat.com, office@senatorada.org, "Senator Frank B. Aguon" <aguon4guam@gmail.com>, aguonmedia@gmail.com, Secretary Tina Rose Muna-Barnes <tinamunabarnes@gmail.com>, "Senator Frank F. Blas, Jr." <frank.blasjr@gmail.com>, "Senator Edward J. B. Calvo" <sencalvo@gmail.com>, "Sen. BJ Cruz" <senadotbjcruz@gmail.com>, senjim@ite.net, "Asst. Majority Leader Judith P. Guthertz, DPA" <judiguthertz@pticom.com>, judiguthertz@gmail.com, "Senator Ben C. Pangelinan" <senbenp@guam.net>, Senator Matt Rector <matt@mattorector.com>, "Majority Leader Rory J. Respicio" <roryforguam@gmail.com>, senartelo@gmail.com, Senator Ray Tenorio <ray@raytenorio.com>, Pat Santos <psantos@guamlegislature.org>, fterlaje@guamlegislature.org, Rennae Perez <rennae@guamlegislature.org>, Stephanie Mendiola <sem@guamlegislature.org>, roeann@raytenorio.com, yong@guamlegislature.org, vbermudes@guamlegislature.org, sgtarms@guamlegislature.org, nsantos@senatorada.org

December 29, 2009

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

PUBLIC HEARING NOTICE

The Committee on Public Safety, Law Enforcement, and Senior Citizens has scheduled a public hearing for 9:00 a.m., Thursday, January 7, 2010, at *I Liheslaturan Guåhan's* Public Hearing Room in Hagåtña, on the following:

- **Bill No. 295-30 (COR)** – An act to add a new §43.80 to Chapter 43 of 9 GCA relative to the breaking of window glass to gain access to an automobile. – by **Senator Ray Tenorio**.
- **Bill No. 296-30 (COR)** – An act to require the Guam Election Commission to verify the existence or non-existence of a criminal record of a person seeking public office by amend 3 GCA, Chapter 2, §2107. – by **Senator A. B. Palacios, Sr.**

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



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & SENIOR CITIZENS

SENATOR ADOLPHO B. PALACIOS, SR.
CHAIRMAN

I Mina Trenta na Liheslaturan Guåhan

FACSIMILE TRANSMITTAL SHEET

DATE: December 29, 2009

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

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

SUBJECT: First Notice of Public Hearing scheduled for
Thursday, January 7, 2010 - 9:00 am

PAGES: 1 (including this sheet)

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

December 29, 2009

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Bill No. 296-30 (COR) - An act to require the Guam Election Commission to verify the existence or non-existence of a criminal record of a person seeking public office by amend 3 GCA, Chapter 2, §2107. - by Senator A. B. Palacios, Sr.

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

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

BROADCAST REPORT

TIME : 12/29/2009 16:10
 NAME : SEN. PALACIOS
 FAX : 671-472-5022
 TEL :
 SER.# : G9N282826

PAGE(S)

01

DATE	TIME	FAX NO./NAME	DURATION	PAGE(S)	RESULT	COMMENT
12/29	15:56	4723589	27	01	OK	ECM
12/29	15:57	4772522	26	01	OK	ECM
12/29	15:58	4723400	28	01	OK	
12/29	15:59	4723547	26	01	OK	ECM
12/29	16:00	4733303	26	01	OK	ECM
12/29	16:02	7348085	26	01	OK	ECM
12/29	16:03	4734238	27	01	OK	ECM
12/29	16:04	9691497	27	01	OK	ECM
12/29	16:05	4758805	27	01	OK	ECM
12/29	16:06	4791329	26	01	OK	ECM
12/29	16:07	4752000	26	01	OK	ECM
12/29	16:08	9698357	38	01	OK	ECM
12/29	16:09	4722528	26	01	OK	ECM

BUSY : BUSY/NO RESPONSE
 NG : POOR LINE CONDITION
 CV : COVERPAGE
 PC : PC-FAX



Adolpho Palacios <senabpalacios@gmail.com>

1st Notice of Public Hearing scheduled for January 7, 2010

1 message

Adolpho Palacios <senabpalacios@gmail.com>

Tue, Dec 29, 2009 at 3:01 PM

To: mindy@kuam.com, malafunkshun@kuam.com, news@guampdn.com, news@k57.com, news@spbguam.com, Catriona Melyan <cmelyan@guampdn.com>, amier@mvguam.com, marvic@mvguam.com, admin@mvguam.com, advertise@mvguam.com, jontalk@k57.com, msilva@k57.com, kstone@ite.net, john@marianasmedia.com, jeff@marianasmedia.com

December 29, 2009

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

PUBLIC HEARING NOTICE

The Committee on Public Safety, Law Enforcement, and Senior Citizens has scheduled a public hearing for 9:00 a.m., Thursday, January 7, 2010, at *I Liheslaturan Guåhan's* Public Hearing Room in Hagåtña, on the following:

- **Bill No. 295-30 (COR)** – An act to add a new §43.80 to Chapter 43 of 9 GCA relative to the breaking of window glass to gain access to an automobile. – by **Senator Ray Tenorio**.
- **Bill No. 296-30 (COR)** – An act to require the Guam Election Commission to verify the existence or non-existence of a criminal record of a person seeking public office by amend 3 GCA, Chapter 2, §2107. – by **Senator A. B. Palacios, Sr.**

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COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & SENIOR CITIZENS

SENATOR ADOLPHO B. PALACIOS, SR.
CHAIRMAN

I Mina Trenta na Liheslaturan Guahan

FACSIMILE TRANSMITTAL SHEET

DATE: December 29, 2009

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

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

SUBJECT: First Notice of Public Hearing scheduled for
Thursday, January 7, 2010 - 9:00 am

PAGES: 1 (including this sheet)

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PUBLIC HEARING NOTICE

The Committee on Public Safety, Law Enforcement, and Senior Citizens has scheduled a public hearing for 9:00 a.m., Thursday, January 7, 2010, at I Liheslaturan Guahan's Public Hearing Room in Hagatna, on the following:

- Bill No. 295-30 (COR) - An act to add a new §43.80 to Chapter 43 of 9 GCA relative to the breaking of window glass to gain access to an automobile. - by Senator Ray Tenorio.
Bill No. 296-30 (COR) - An act to require the Guam Election Commission to verify the existence or non-existence of a criminal record of a person seeking public office by amend 3 GCA, Chapter 2, §2107. - by Senator A. B. Palacios, Sr.

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

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

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

BROADCAST REPORT

TIME : 12/29/2009 15:40
 NAME : SEN. PALACIOS
 FAX : 671-472-5022
 TEL :
 SER.# : G9N282826

PAGE(S)

01

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12/29	15:23	6379865	26	01	OK	ECM
12/29	15:25	6480104	25	01	OK	ECM
12/29	15:26	6482007	25	01	OK	ECM
12/29	15:27	4770793	25	01	OK	ECM
12/29	15:28	4727663	25	01	OK	ECM
12/29	15:30	5652983	37	01	OK	ECM
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12/29	15:36	4776411	25	01	OK	ECM
12/29	15:37	4774678	25	01	OK	ECM
12/29	15:38	7342958	34	01	OK	ECM
12/29	15:39	6498883	25	01	OK	ECM

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 NG : POOR LINE CONDITION
 CV : COVERPAGE
 PC : PC-FAX



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT
& SENIOR CITIZENS

SENATOR ADOLPHO B. PALACIOS, SR.
CHAIRMAN

I Mina Trenta na Liheslaturan Guåhan

FACSIMILE TRANSMITTAL SHEET

DATE: January 4, 2010

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

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

SUBJECT: *Second* Notice of Public Hearing scheduled for
Thursday, January 7, 2010 – 9:00 am

PAGES: 1 (including this sheet)

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

January 4, 2010

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

PUBLIC HEARING NOTICE

The Committee on Public Safety, Law Enforcement, and Senior Citizens has scheduled a public hearing for 9:00 a.m., Thursday, January 7, 2010, at *I Liheslaturan Guåhan's* Public Hearing Room in Hagåtña, on the following:

- **Bill No. 295-30 (COR)** – An act to add a new §43.80 to Chapter 43 of 9 GCA relative to the breaking of window glass to gain access to an automobile. – by **Senator Ray Tenorio**.
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Office/Mailing Address: 155 Hesler Place, Hagåtña Guam 96910

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

BROADCAST REPORT

TIME : 01/04/2010 11:15
 NAME : SEN. PALACIOS
 FAX : 671-472-5022
 TEL :
 SER.# : G9N282826

PAGE(S)

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01/04	11:08	4734238	27	01	OK	ECM
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01/04	11:15	4722528	26	01	OK	ECM

BUSY : BUSY/NO RESPONSE
 NG : POOR LINE CONDITION
 CV : COVERPAGE
 PC : PC-FAX



Adolpho Palacios <senabpalacios@gmail.com>

2nd Notice of Public Hearing scheduled for January 7, 2010

1 message

Adolpho Palacios <senabpalacios@gmail.com>

Mon, Jan 4, 2010 at 10:18 AM

To: speaker@judiwonpat.com, office@senatorada.org, "Senator Frank B. Aguon" <aguon4guam@gmail.com>, aguonmedia@gmail.com, Secretary Tina Rose Muna-Barnes <tinamunabarnes@gmail.com>, "Senator Frank F. Blas, Jr." <frank.blasjr@gmail.com>, "Senator Edward J. B. Calvo" <sencalvo@gmail.com>, "Sen. BJ Cruz" <senadotbjcruz@gmail.com>, senjim@ite.net, "Asst. Majority Leader Judith P. Guthertz, DPA" <judiguthertz@pticom.com>, judiguthertz@gmail.com, "Senator Ben C. Pangelinan" <senbenp@guam.net>, Senator Matt Rector <matt@mattorector.com>, "Majority Leader Rory J. Respicio" <roryforguam@gmail.com>, senatorlo@gmail.com, Senator Ray Tenorio <ray@raytenorio.com>, roeann@raytenorio.com, nsantos@senatorada.org, Stephanie Mendiola <sem@guamlegislature.org>, Pat Santos <psantos@guamlegislature.org>, fterlaje@guamlegislature.org, Rennae Perez <rennae@guamlegislature.org>, vbermudes@guamlegislature.org, yong@guamlegislature.org, sgtarms@guamlegislature.org

January 4, 2010

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

PUBLIC HEARING NOTICE

The Committee on Public Safety, Law Enforcement, and Senior Citizens has scheduled a public hearing for 9:00 a.m., Thursday, January 7, 2010, at *I Liheslaturan Guåhan's* Public Hearing Room in Hagåtña, on the following:

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- **Bill No. 296-30 (COR)** – An act to require the Guam Election Commission to verify the existence or non-existence of a criminal record of a person seeking public office by amend 3 GCA, Chapter 2, §2107. – by **Senator A. B. Palacios, Sr.**

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COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & SENIOR CITIZENS

SENATOR ADOLPHO B. PALACIOS, SR.
CHAIRMAN

I Mina Trenta na Liheslaturan Guåhan

FACSIMILE TRANSMITTAL SHEET

DATE: January 4, 2010

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

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

SUBJECT: Second Notice of Public Hearing scheduled for
Thursday, January 7, 2010 - 9:00 am

PAGES: 1 (including this sheet)

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

January 4, 2010

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

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

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

BROADCAST REPORT

TIME : 01/04/2010 10:57
 NAME : SEN. PALACIOS
 FAX : 671-472-5022
 TEL :
 SER.# : G9N282826

PAGE(S)

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01/04	10:56	6482007	25	01	OK	ECM

BUSY : BUSY/NO RESPONSE
 NG : POOR LINE CONDITION
 CV : COVERPAGE
 PC : PC-FAX



Adolpho Palacios <senabpalacios@gmail.com>

2nd Notice of Public Hearing scheduled for January 7, 2010

1 message

Adolpho Palacios <senabpalacios@gmail.com>

Mon, Jan 4, 2010 at 10:15 AM

To: mindy@kuam.com, malafunkshun@kuam.com, news@guampdn.com, news@k57.com, news@spbgum.com, Catriona Melyan <cmelyan@guampdn.com>, amier@mvguam.com, marvic@mvguam.com, admin@mvguam.com, advertise@mvguam.com, jontalk@k57.com, msilva@k57.com, kstone@ite.net, john@marianasmedia.com, jeff@marianasmedia.com

January 4, 2010

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COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT
& SENIOR CITIZENS

SENATOR ADOLPHO B. PALACIOS, SR.
CHAIRMAN

I Mina'Trenta na Liheslaturan Guåhan

PUBLIC HEARING

9:00 am, Thursday, January 7, 2010
Public Hearing Room, *I Liheslaturan Guåhan*

Notices for the public hearing were disseminated to all local media via fax and email on December 29, 2009 and on January 4, 2010, pursuant to the Open Government Law. Notice of the public hearing was also posted on the Guam Legislature's website.

A G E N D A

- **Bill No. 295-30 (COR)** – An act to add a new §43.80 to Chapter 43 of 9 GCA relative to the breaking of window glass to gain access to an automobile. – by **Senator Ray Tenorio**.

- **Bill No. 296-30 (COR)** – An act to require the Guam Election Commission to verify the existence or non-existence of a criminal record of a person seeking public office by amend 3 GCA, Chapter 2, §2107. – by **Senator A. B. Palacios, Sr.**

The Committee will continue to receive written testimonies within the next 10 days. Please fax, e-mail, or drop testimonies to the Office of Senator Adolpho B. Palacios, Sr., Chairman, Committee on Public Safety, Law Enforcement, and Senior Citizens or the Legislature's mail room. Copies of the above said Bill(s) may be found on the Guam Legislature website (www.guamlegislature.com). Please contact this office should you have any questions or concerns.

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

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

LEGISLATIVE ALERT



Thirtieth
Guam
Legislature

CHAIRPERSON:

Committee on
Public Safety, Law
Enforcement and
Senior Citizens

Office of Senator
Adolpho B. Palacios, Sr. 

I Mina'Trenta Na Liheslaturan Guåhan

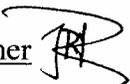
BILL NO: 295-30 (COR) AN ACT TO ADD A NEW §43.80 TO CHAPTER 43 OF 9 GCA RELATIVE TO THE BREAKING OF WINDOW GLASS TO GAIN ACCESS TO AN AUTOMOBILE.

RAMIFICATIONS/IMPLICATIONS/ISSUES/HIGHLIGHTS:

1. Bill intends to make it a third degree felony if any person who commits theft or attempted theft is found guilty by breaking the glass to gain access to an automobile.
2. Bill intends to make it a second degree felony if any person who commits theft or attempted theft is found guilty by breaking the glass to gain access to an automobile in which the broken glass causes bodily injury to an innocent person.
3. Bill intends that a person convicted of a violation of this section shall make restitution to the owner of the vehicle for all expenses incurred that are related to the damage of the vehicle from the theft or attempted theft.

REMARKS:

A public hearing will be held thirty on **January 7, 2009 beginning at 9:00am** at the **Guam Legislature's Public Hearing Room**. A copy of this bill is available at http://www.guamlegislature.com/30th_bills_intro.htm or my office can fax a copy to you. Written testimony may be submitted to SenABPalacios@gmail.com or fax: to 472-5022 on or before the public hearing date. After the public hearing, you may submit or fax your testimony to my office for up to 10 days after the hearing. I would appreciate any comments you can provide. Your comments would be very helpful to me when this Bill comes up for Legislative debate on whether to pass the Bill or not.

By: Jonathan B. Diaz, Policy Researcher 

Date: December 30, 2009

CONSTITUTENTS

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

Lt. Governor's Office: 477-2007

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

Guam Election Commission: 477-1895

Democratic Chair (Pilar Lujan): SPIMA 477-9015

Republican Chair (Jesse Torres)

Mayor's Council: 477-8777, 472-6124, 565-4826, 472-6446, 734-1988, 477-7131, 637-1129, 477-6686, 828-2543, 734-4130, 828-2429, 472-6494, 477-2674, 565-3222, 472-5084, 789-5251, 646-5210, 828-2676, 653-3434, 789-1821

Guam Public Auditor: 472-7951

Guam Police Department: 475-8460, 472-4036

Insurance Companies: ALFAC 647-5080, AIOI 648-5373, Alpha 477-4683, AM477-2602, AON 649-6098, AON 646-5754, Paulino 477-7377, Calvo's 477-5273, Cassidy's 477-3127, Fidelity 648-5373, Great National 649-2418, IAC 472-1556, MCMV 647-1914, Moylans 472-2598, 477-1837, Nanbo 477-2315, Personal Finance 646-1249, Pioneer 647-8867, Prudential 475-8889, Staywell 477-5096, Sterling 649-3654, Takagi 648-5373, Take Care 647-3542, Universal 475-8889, Young 646-9044

Speaker WonPat: 472-3589

CCU: 648-3290

Guam Education Policy Board: 475-0597

BROADCAST REPORT

TIME : 12/30/2009 15:31
 NAME : SEN. PALACIOS
 FAX : 671-472-5022
 TEL :
 SER.# : G9N282826

PAGE(S)

01

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BUSY : BUSY/NO RESPONSE
 NG : POOR LINE CONDITION
 CV : COVERPAGE
 PC : PC-FAX

FAX JOURNAL REPORT

TIME : 12/30/2009 12:35
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 FAX : 671-472-5022
 TEL :
 SER.# : G9N282826

NO.	DATE	TIME	FAX NO./NAME	DURATION	PAGE(S)	RESULT	COMMENT
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#002	12/29	16:05	4758805	27	01	OK	TX ECM
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#002	12/29	16:07	4752000	26	01	OK	TX ECM
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BUSY : BUSY/NO RESPONSE
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 PC : PC-FAX

BROADCAST REPORT

TIME : 12/30/2009 13:49
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 FAX : 671-472-5022
 TEL :
 SER. # : G9N282826

PAGE(S)

05

DATE	TIME	FAX NO./NAME	DURATION	PAGE(S)	RESULT	COMMENT
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12/30	11:53	4773390	01:25	05	OK	ECM
12/30	11:55	4753203	01:25	05	OK	ECM
12/30	11:57	4771895	01:28	05	OK	ECM
12/30	11:59	4779015	02:08	05	OK	ECM
12/30	12:02	4778777	03:01	05	OK	
12/30	12:05	4726124	01:25	05	OK	ECM
12/30	12:08	5654826	01:25	05	OK	ECM
12/30	12:10	4726446	02:31	05	OK	ECM
12/30	12:13	7341988	01:25	05	OK	ECM
12/30	12:15	4777131	01:25	05	OK	ECM
12/30	12:17	6371129	02:26	05	OK	ECM
12/30	12:20	4776586	01:25	05	OK	ECM
12/30	12:22	8282543	03:12	05	OK	ECM
12/30	12:25	7344130	01:26	05	OK	ECM
12/30	12:28	8282429	01:25	05	OK	ECM
12/30	12:30	4726494	01:26	05	OK	ECM
12/30	12:32	4772674	02:26	05	OK	ECM
12/30	12:35	5653222	02:26	05	OK	ECM
12/30	12:39	4725084	00	00	CANCEL	
12/30	12:39	7895251	01:26	05	OK	ECM
12/30	12:41	6465210	01:25	05	OK	ECM
12/30	12:43	8282676	01:25	05	OK	ECM
12/30	12:45	6533434	01:25	05	OK	ECM
12/30	12:47	7891821	01:50	05	OK	ECM
12/30	12:50	4727951	04:10	05	OK	ECM
12/30	12:55	4724036	01:44	05	OK	ECM
12/30	12:58	6485373	01:25	05	OK	ECM
12/30	13:00	4774683	01:25	05	OK	ECM
12/30	13:02	4772602	01:25	05	OK	ECM
12/30	13:04	6496098	02:12	05	OK	ECM
12/30	13:08	4777377	01:25	05	OK	ECM
12/30	13:10	4775273	01:28	05	OK	ECM
12/30	13:12	4773127	01:25	05	OK	ECM
12/30	13:15	4721556	01:25	05	OK	ECM
12/30	13:17	6471914	02:23	05	OK	ECM
12/30	13:20	4722598	03:07	05	OK	
12/30	13:24	4771837	03:55	05	OK	
12/30	13:29	6461249	01:22	04	CANCEL	ECM
12/30	13:31	6478867	01:38	05	OK	
12/30	13:33	4758889	01:26	05	OK	ECM
12/30	13:35	4775096	01:29	05	OK	ECM
12/30	13:42	4727549	00	00	BUSY	
12/30	13:43	4758460	00	00	BUSY	
12/30	13:44	6475080	00	00	BUSY	
12/30	13:45	6465754	01:28	05	OK	ECM

BUSY : BUSY/NO RESPONSE
 NG : POOR LINE CONDITION
 CV : COVERPAGE
 PC : PC-FAX

BROADCAST REPORT

TIME : 12/30/2009 13:49
NAME : SEN. PALACIOS
FAX : 671-472-5022
TEL :
SER.# : G9N282826

PAGE(S)

05

DATE	TIME	FAX NO./NAME	DURATION	PAGE(S)	RESULT	COMMENT
12/30 12/30	13:47 13:49	6492418 4772315	01:25 00	05 00	OK BUSY	ECM

BUSY : BUSY/NO RESPONSE
NG : POOR LINE CONDITION
CV : COVERPAGE
PC : PC-FAX

BROADCAST REPORT

TIME : 12/30/2009 14:24
 NAME : SEN. PALACIOS
 FAX : 671-472-5022
 TEL :
 SER.# : G9N282826

PAGE(S)

05

DATE	TIME	FAX NO./NAME	DURATION	PAGE(S)	RESULT	COMMENT
12/30	13:56	6461249	01:28	05	OK	ECM
12/30	13:59	6478867	01:37	05	OK	
12/30	14:01	4758889	01:26	05	OK	ECM
12/30	14:03	4775096	01:28	05	OK	ECM
12/30	14:05	6473542	01:24	05	OK	ECM
12/30	14:08	6469044	03:17	05	OK	
12/30	14:11	4723589	01:28	05	OK	ECM
12/30	14:13	6483290	01:31	05	OK	ECM
12/30	14:15	4750597	01:25	05	OK	ECM
12/30	14:22	6493654	00	00	BUSY	
12/30	14:23	6485373	01:25	05	OK	ECM

BUSY : BUSY/NO RESPONSE
 NG : POOR LINE CONDITION
 CV : COVERPAGE
 PC : PC-FAX

FAX JOURNAL REPORT

TIME : 12/30/2009 14:59
 NAME : SEN. PALACIOS
 FAX : 671-472-5022
 TEL :
 SER. # : G9N282826

NO.	DATE	TIME	FAX NO./NAME	DURATION	PAGE(S)	RESULT	COMMENT
#004	12/30	12:35	5653222	02:26	05	OK	TX ECM
#004	12/30	12:39	7895251	01:26	05	OK	TX ECM
#004	12/30	12:41	6465210	01:25	05	OK	TX ECM
#004	12/30	12:43	8282676	01:25	05	OK	TX ECM
#004	12/30	12:45	6533434	01:25	05	OK	TX ECM
#004	12/30	12:47	7891821	01:50	05	OK	TX ECM
#004	12/30	12:50	4727951	04:10	05	OK	TX ECM
#004	12/30	12:55	4724036	01:44	05	OK	TX ECM
#004	12/30	12:58	6485373	01:25	05	OK	TX ECM
#004	12/30	13:00	4774683	01:25	05	OK	TX ECM
#004	12/30	13:02	4772602	01:25	05	OK	TX ECM
#004	12/30	13:04	6496098	02:12	05	OK	TX ECM
#004	12/30	13:08	4777377	01:25	05	OK	TX ECM
#004	12/30	13:10	4775273	01:28	05	OK	TX ECM
#004	12/30	13:12	4773127	01:25	05	OK	TX ECM
#004	12/30	13:15	4721556	01:25	05	OK	TX ECM
#004	12/30	13:17	6471914	02:23	05	OK	TX ECM
#004	12/30	13:20	4722598	03:07	05	OK	TX ECM
#004	12/30	13:24	4771837	03:55	05	OK	TX ECM
#004	12/30	13:29	6461249	01:22	04	CANCEL	TX ECM
#004	12/30	13:31	6478867	01:38	05	OK	TX ECM
#004	12/30	13:33	4758889	01:26	05	OK	TX ECM
#004	12/30	13:35	4775096	01:29	05	OK	TX ECM
#004	12/30	13:42	4727549	00	00	BUSY	TX ECM
#004	12/30	13:43	4758460	00	00	BUSY	TX ECM
#004	12/30	13:44	6475080	00	00	BUSY	TX ECM
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#004	12/30	13:49	4772315	00	00	BUSY	TX ECM
#005	12/30	13:52	4722825	24	01	OK	TX ECM
#006	12/30	13:56	6461249	01:28	05	OK	TX ECM
#006	12/30	13:59	6478867	01:37	05	OK	TX ECM
#006	12/30	14:01	4758889	01:26	05	OK	TX ECM
#006	12/30	14:03	4775096	01:28	05	OK	TX ECM
#006	12/30	14:05	6473542	01:24	05	OK	TX ECM
#006	12/30	14:08	6469044	03:17	05	OK	TX ECM
#006	12/30	14:11	4723589	01:28	05	OK	TX ECM
#006	12/30	14:13	6483290	01:31	05	OK	TX ECM
#006	12/30	14:15	4750597	01:25	05	OK	TX ECM
#006	12/30	14:22	6493654	00	00	BUSY	TX ECM
#006	12/30	14:23	6485373	01:25	05	OK	TX ECM
#007	12/30	14:43	6473542	01:24	05	OK	TX ECM
#007	12/30	14:45	4758889	26	00	CANCEL	TX ECM
#007	12/30	14:47	6469044	03:20	05	OK	TX ECM
#007	12/30	14:51	4723589	01:28	05	OK	TX ECM
#007	12/30	14:53	6483290	01:30	05	OK	TX ECM
#007	12/30	14:54	4750597	01:25	05	OK	TX ECM
#008	12/30	14:56	7894751	28	01	OK	TX ECM
#008	12/30	14:57	4773079	35	01	OK	TX ECM
#008	12/30	14:59	6379865	34	01	OK	TX ECM

BUSY : BUSY/NO RESPONSE
 NG : POOR LINE CONDITION / OUT OF MEMORY
 CV : COVERPAGE
 POL : POLLING
 RET : RETRIEVAL
 PC : PC-FAX

BROADCAST REPORT

TIME : 12/30/2009 14:56
 NAME : SEN. PALACIOS
 FAX : 671-472-5022
 TEL :
 SER.# : G9N282826

PAGE(S)

05

DATE	TIME	FAX NO./NAME	DURATION	PAGE(S)	RESULT	COMMENT
12/30	14:43	6473542	01:24	05	OK	ECM
12/30	14:45	4758889	26	00	CANCEL	ECM
12/30	14:47	6469044	03:20	05	OK	
12/30	14:51	4723589	01:28	05	OK	ECM
12/30	14:53	6483290	01:30	05	OK	ECM
12/30	14:54	4750597	01:25	05	OK	ECM

BUSY : BUSY/NO RESPONSE
 NG : POOR LINE CONDITION
 CV : COVERPAGE
 PC : PC-FAX

TRANSMISSION VERIFICATION REPORT

TIME : 12/30/2009 11:36
NAME : SEN. PALACIOS
FAX : 671-472-5022
TEL :
SER.# : G9N282826

DATE, TIME 12/30 11:34
FAX NO./NAME 4774826
DURATION 00:01:25
PAGE(S) 05
RESULT OK
MODE STANDARD
ECM

Office/Mailing Address: Suite 104, Guam Legislature Building, 155 Hester Place, Hagåtña GU 96910
Telephone No. (671) 472-5047/8 - Fax No. (671) 472-5022 - Email: SenABPalacios@gmail.com

Date: December 30, 2009

By: Jonathan B. Diaz, Policy Researcher

A public hearing will be held thirty on January 7, 2009 beginning at 9:00am at the Guam Legislature's Public Hearing Room. A copy of this bill is available at http://www.guamlegislature.com/30th_bills_intro.htm or my office can fax a copy to you. Written testimony may be submitted to SenABPalacios@gmail.com or fax: to 472-5022 on or before the public hearing date. After the public hearing, you may submit or fax your testimony to my office for up to 10 days after the hearing. I would appreciate any comments you can provide. Your comments would be very helpful to me when this Bill comes up for Legislative debate on whether to pass the Bill or not.

REMARKS:

2. Bill intends to make it a second degree felony if any person who commits theft or attempted theft is found guilty by breaking the glass to gain access to an automobile in which the broken glass causes bodily injury to an innocent person.
3. Bill intends that a person convicted of a violation of this section shall make restitution to the owner of the vehicle for all expenses incurred that are related to the damage of the vehicle from the theft or attempted theft.

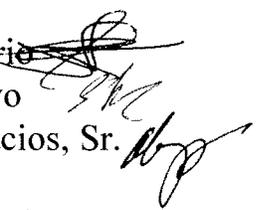
I MINA' TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

2009 DEC 10 PM 3:55 AM

Bill No. 295-30 (COR)

Introduced by:

Ray Tenorio
E. B. Calvo
A. B. Palacios, Sr.



**AN ACT TO ADD A NEW §43.80 TO CHAPTER 43 OF 9
GCA RELATIVE TO THE BREAKING OF WINDOW
GLASS TO GAIN ACCESS TO AN AUTOMOBILE.**

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

2 **Section 1.** A new Section 43.80 is *added* to Chapter 43 of 9GCA to read:

3 **“§43.80. Theft Committed By the Breaking of Window Glass to Gain Access**
4 **to an Automobile.** (a) Any person who commits theft or attempted theft by
5 breaking the glass to gain access to an automobile is guilty of a third degree felony.

6 (b) Any person who commits theft or attempted theft by breaking the glass to gain
7 access to an automobile in which the broken glass causes bodily injury to an
8 innocent person is guilty of a second degree felony.

9 (c) In addition to any sentence meted out for violations of paragraphs (a) and (b),
10 *supra*, a person convicted of a violation of this Section shall make restitution to the
11 owner of the vehicle for all expenses incurred that are related to the damage of the
12 vehicle from the theft or attempted theft.”