

EDDIE BAZA CALVO
Governor



RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

October 4, 2011

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Unu Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

31-11-959
Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 10/4/11
Time 4:00 PM
Received by [Signature]

Dear Madame Speaker:

Transmitted herewith is Substitute Bill No. 220-31 (COR) "AN ACT TO AMEND §67.407 OR ARTICLE 4, CHAPTER 67, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE GUAM UNIFORM CONTROLLED SUBSTANCE ACT", which was signed into law on September 30, 2011 as Public Law 31-113.

Senseramente,


EDDIE BAZA CALVO

2011 OCT -5 PM 9:08
lww

Attachment: copy of Bill

959

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

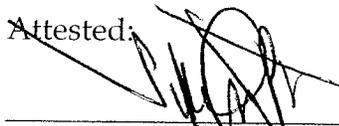
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Substitute Bill No. 220-31 (COR), "AN ACT TO AMEND §67.407 OF ARTICLE 4, CHAPTER 67, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE GUAM UNIFORM CONTROLLED SUBSTANCES ACT," was on the 19th day of September, 2011, duly and regularly passed.



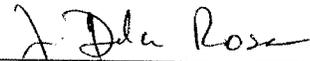
Judith T. Won Pat, Ed.D.
Speaker

Attested:



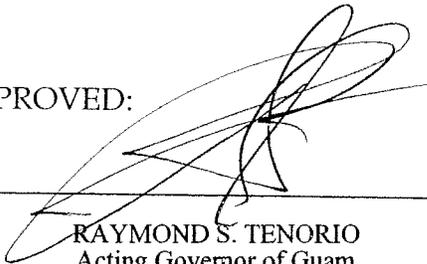
Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 20th day of Sept., 2011, at
4.10 o'clock P..M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



RAYMOND S. TENORIO
Acting Governor of Guam

SEP 30 2011

Date: _____

Public Law No. 31-113

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 220-31 (COR)

As substituted by the Committee on Public Safety,
Law Enforcement and Judiciary

Introduced by:

F. F. Blas, Jr.
V. Anthony Ada
Aline A. Yamashita, Ph.D.
M. Silva Taijeron
Chris M. Dueñas
Sam A. Mabini, Ph.D.
T. C. Ada
B. J.F. Cruz
Judith P. Guthertz, DPA
T. R. Muña Barnes
Adolpho B. Palacios, Sr.
v. c. pangelinan
Dennis G. Rodriguez, Jr.
R. J. Respicio
Judith T. Won Pat, Ed.D.

**AN ACT TO AMEND §67.407 OF ARTICLE 4, CHAPTER
67, TITLE 9, GUAM CODE ANNOTATED, RELATIVE
TO THE GUAM UNIFORM CONTROLLED
SUBSTANCES ACT.**

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

2 **Section 1.** §67.407 of Article 4, Chapter 67 of Title 9, Guam Code
3 Annotated, is hereby *amended* to read:

4 “§ 67.407. **Distribution to Persons Under Age Eighteen (18), to**
5 **Persons Suffering from a Mental Illness, Disease or Defect, or to**

1 **Pregnant Persons; Distribution Near Schools or Drug Free School**
2 **Zones; Penalties.**

3 (a) Any person who is *at least* eighteen (18) years of age who is
4 found guilty of an offense pursuant to §67.401.1(a)(1) of this Chapter by
5 distributing a substance listed in Schedule I or II as per Appendices A and B
6 of this Chapter which is a narcotic drug to a person under eighteen (18)
7 years of age, to a person suffering from a mental illness, disease or defect, or
8 to a pregnant person *shall* be sentenced to serve, in addition to the sentence
9 prescribed by §67.401.4, a term of five (5) years imprisonment. Imposition
10 or execution of such sentence *shall not* be suspended and probation *shall not*
11 be granted. Parole or work release *shall not* be granted until the offender has
12 served the additional five (5) year sentence prescribed by this Subsection.

13 (b) Any person who is *at least* eighteen (18) years of age who is
14 found guilty of an offense pursuant to §67.401.1(a)(1) of this Chapter by
15 distributing a non-narcotic controlled substance listed in Schedule I or II as
16 per Appendices A and B of this Chapter, or a substance listed in Schedules
17 III, IV, or V as per Appendices C – E of this Chapter to a person under
18 eighteen (18) years of age, to a person suffering from a mental illness,
19 disease or defect, or to a pregnant person *shall* be sentenced to serve, in
20 addition to the sentence prescribed by §67.401.4, three (3) years of
21 imprisonment. Imposition or execution of such sentence *shall not* be
22 suspended and probation *shall not* be granted. Parole or work release *shall*
23 *not* be granted until the offender has served the additional three (3) year
24 sentence prescribed by this Subsection.

25 (c) Any person who is found guilty of an offense pursuant to
26 §67.401.1(a)(1) of this Chapter by distributing a substance listed in Schedule
27 I or II as per Appendices A and B of this Chapter, which is a narcotic drug,

1 in or on a school, or within the Drug Free School Zone as defined herein,
2 *shall* be sentenced to serve, in addition to the sentence prescribed by
3 §67.401.4 of this Chapter, a term of five (5) years imprisonment. Imposition
4 or execution of such sentence *shall not* be suspended and probation *shall not*
5 be granted. Parole or work release *shall not* be granted until the offender has
6 served the additional five (5) years prescribed by this Subsection.

7 (d) Any person who is found guilty of an offense pursuant to
8 §67.401.1(a)(1) of this Chapter by distributing any non-narcotic controlled
9 substance listed in Schedule I or II as per Appendices A and B of this
10 Chapter or a substance listed in Schedules III, IV, or V as per Appendices C-
11 E of this Chapter, in or on a school, or within the Drug Free School Zone as
12 defined herein, *shall* be sentenced to serve, in addition to the sentence
13 prescribed by § 67.401.4 of this Chapter, a term of three (3) years
14 imprisonment. Imposition or execution of such sentence *shall not* be
15 suspended and probation *shall not* be granted. Parole or work release *shall*
16 *not* be granted until the offender has served the additional three (3) years
17 prescribed by this Subsection.

18 (e) It is *not* a defense to a violation of Subsections (a) and (b) that
19 the accused did not know the age of an individual to whom a controlled
20 substance was distributed.

21 (f) It is *not* a defense to a violation of Subsections (c) or (d) that
22 the accused did not know the distance involved.”

23 **Section 2. Severability.** *If any provision of this law or its application to*
24 *any person or circumstance is found to be invalid or contrary to law, such*
25 *invalidity shall not affect other provisions or applications of this law which can be*
26 *given effect without the invalid provisions or applications, and to this end the*
27 *provisions of this law are severable.*

6

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN

2011 (FIRST) Regular Session

Date: Sept. 19, 2011

VOTING SHEET

SBill No. 220-31(COR)

Resolution No. _____

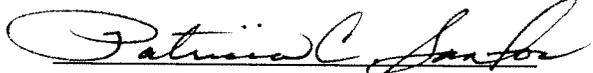
Question: _____

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
ADA, Thomas C.	✓				
ADA, V. Anthony	✓				
BLAS, Frank F., Jr.	✓				
CRUZ, Benjamin J. F.	✓				
DUENAS, Christopher M.	✓				
GUTHERTZ, Judith Paulette	✓				
MABINI, Sam	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RESPICIO, Rory J.	✓				
RODRIGUEZ, Dennis G., Jr.	✓				
SILVA TAIJERON, Mana	✓				
WON PAT, Judith T.	✓				
YAMASHITA, Aline A.	✓				

TOTAL

15 0 0 0 0

CERTIFIED TRUE AND CORRECT:


Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



Thirty-First
Guam Legislature

COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina'Trentai Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

June 29, 2011

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

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

RE : **Committee Report – Bill No. 220-31 (COR) as Substituted.**

The Committee on Public Safety, Law Enforcement and Judiciary, to which was referred, **Bill No. 220-31 (COR) - "AN ACT TO AMEND "§67.407 OF ARTICLE 4, CHAPTER 67 OF TITLE 9 OF THE GUAM CODE ANNOTATED RELATIVE TO THE GUAM UNIFORM CONTROL SUBSTANCE ACT,"** hereby reports out with the recommendation **TO PASS.**

Committee Votes are as follows:

<u>9</u>	TO PASS
<u>0</u>	NOT TO PASS
<u>0</u>	TO REPORT OUT ONLY
<u>0</u>	ABSTAIN
<u>0</u>	INACTIVE FILE

Sincerely,


ADOLPHO B. PALACIOS, MPA, BS/CJA
Chairman

Attachments

Committee Members:

Senator Thomas C. Ada
Vice Chairman

Speaker Judith T. Won Pat, Ph.D.
Member

Senator Tina R. Muna-Barnes
Member

Senator Judith P. Guthertz, DPA
Member

Senator Rory J. Respicio
Member

Senator Dennis G. Rodriguez, Jr.
Member

Senator V. Anthony Ada
Member

Senator Christopher M. Duenas
Member

Senator Mana Silva-Tajeron
Member

Senator Aline A. Yamashita, Ph.D.
Member

*Other Committee
Membership:*

Vice Chairman, Committee on
Utilities, Transportation, Public
Works and Veterans Affairs

Vice Chairman, Committee on
Health and Human Services,
Senior Citizens, Economic
Development and Election
Reform

Member, Committee on Rules,
Federal, Foreign & Micronesian
Affairs and Human & Natural
Resources

Member, Committee on
Education and Public Libraries

Member, Committee on Guam
Military Buildup and Homeland
Security

Member, Committee on
Municipal Affairs, Tourism,
Housing and Recreation

2011 JUL 15 PM 4:57




COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY

I Mina'Trentai Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.

Chairman

**COMMITTEE REPORT
ON
BILL NO. 220-31 (COR)
As Substituted by the
Committee on Public Safety, Law Enforcement & Judiciary**

**AN ACT TO *AMEND* “§67.407 OF ARTICLE 4,
CHAPTER 67 OF TITLE 9 OF THE GUAM
CODE ANNOTATED, RELATIVE TO THE
GUAM UNIFORM CONTROLLED
SUBSTANCES ACT.**

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

Telephone No. (671) 472-5047/5048 • Fax No. (671) 472-5022

Email: SenABPalacios@gmail.com • Website: www.senatorpalacios.com



Thirty-First
Guam Legislature

COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY

I Mina Trentai Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.

Chairman

June 27, 2011

MEMORANDUM

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

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

SUBJECT: Committee Report on Bill No. 220-31 (COR) as Substituted.

Transmitted herewith for your consideration is the Committee Report on **Bill No. 220-31 (COR) as Substituted- "AN ACT TO AMEND "§67.407 OF ARTICLE 4, CHAPTER 67 OF TITLE 9 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE GUAM UNIFORM CONTROLLED SUBSTANCES ACT,"** – sponsored by Senator Frank F. Blas, Jr.

This report includes the following:

- Committee Voting Sheet
- Committee Report Digest
- Copy of Bill No. 220-31 (COR) as Substituted
- Copy of Bill No. 220-31 (COR) as Introduced
- Public Hearing Sign-in Sheet(s)
- Copies of testimony submitted and supporting documents
- Copy of COR Referral of Bill No. 228-31 (COR)
- Notices of Public Hearing
- Copy of the Public Hearing Agenda
- Miscellaneous 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!

Committee Members:

Senator Thomas C. Ada
Vice Chairman

Speaker Judith T. Won Pat, Ph.D.
Member

Senator Tina R. Muna Barnes
Member

Senator Judith P. Guthertz, DPA
Member

Senator Rory J. Respicio
Member

Senator Dennis G. Rodriguez, Jr.
Member

Senator V. Anthony Ada
Member

Senator Christopher M. Duenas
Member

Senator Mana Silva-Tajerón
Member

Senator Aline A. Yamashita, Ph.D.
Member

*Other Committee
Membership:*

Vice Chairman, Committee on
Utilities, Transportation, Public
Works and Veterans Affairs

Vice Chairman, Committee on
Health and Human Services,
Senior Citizens, Economic
Development and Election
Reform

Member, Committee on Rules,
Federal, Foreign & Micronesian
Affairs and Human & Natural
Resources

Member, Committee on
Education and Public Libraries

Member, Committee on Guam
Military Buildup and Homeland
Security

Member, Committee on
Municipal Affairs, Tourism,
Housing and Recreation

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COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY

I Mina Trentai Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.

Chairman

VOTING SHEET ON:

Bill No. 220-31 (COR) as Substituted – AN ACT TO AMEND §67.407 OF ARTICLE 4, CHAPTER 67 OF TITLE 9 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE GUAM UNIFORM CONTROLLED SUBSTANCES ACT. – sponsored by Senator Frank F. Blas, Jr.

SENATOR	SIGNATURE	TO PASS	NOT TO PASS	TO REPORT OUT ONLY	ABSTAIN	INACTIVE FILE
Adolpho B. Palacios, Sr. Chairman		6/27 ✓				
Thomas C. Ada Vice Chairman		6/27 ✓				
Tina R. Muña-Barnes Member		6/24/11 ✓				
Judith P. Guthertz, DPA Member		6/28/11 ✓				
Rory J. Respicio Member						
Dennis G. Rodriguez, Jr. Member		6/29/11 ✓				
Judith T. Won Pat, Ed.D. Member						
V. Anthony Ada Member		6/27/11 ✓				
Christopher M. Duenas Member		6/27/11 ✓				
Mana Silva Tajeron Member		6/29/11 ✓				
Aline A. Yamashita, Ph.D. Member		6/27/11 ✓				

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

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COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina'Trentai Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

COMMITTEE REPORT DIGEST

Bill No. 220-31 (COR) – “An act to amend “§67.407 of Article 4, Chapter 67 of Title 9 of the Guam Code Annotated relative to the Guam Uniform Control Substance Act.” – sponsored by Senator Frank F. Blas, Jr.

I. OVERVIEW

The Committee on Public Safety, Law Enforcement and Judiciary convened the public hearing on June 15, 2011 at 9:06 a.m. in *I Liheslatura’s* Public Hearing Room. Among the items on the agenda was the consideration of Bill No. 220-31 (COR) – “An act to amend “§67.407 of Article 4, Chapter 67 of Title 9 of the Guam Code Annotated relative to the Guam Uniform Control Substance Act,” sponsored by Senator Frank F. Blas, Jr.

Public Hearing Requirements:

Notices of the hearing were disseminated via facsimile and email to all senators and all main media broadcasting outlets on June 8, 2011 (5-day Notice) and on June 13, 2011 (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 Thomas C. Ada	Vice Chairman
Senator Aline A. Yamashita, Ph.D.	Member
Senator V. Anthony Ada	Member
Senator Mana Silva Taijeron	Member
Vice Speaker Benjamin J.F. Cruz	
Senator Frank F. Blas, Jr.	
Senator Sam Mabini, Ph.D.	

Individual(s) Registered for oral or written testimony:

Phil Tydingco, Chief Deputy Attorney General, Office of the Attorney General, provided oral testimony on the Bill.

Fred E. Bordallo, Jr., Chief of Police, Guam Police Department, provided oral and written testimony in support of the Bill.

II. SUMMARY OF TESTIMONIES

Chairman Adolpho B. Palacios, Sr. convened the public hearing for the Committee on Public Safety, Law Enforcement and Judiciary at **9:06 a.m.**, read the agenda, recognized the Senators present, read the title of the Bill and deferred to the author to give an overview of the Bill. Chairman Palacios called the panel of Chief Deputy Attorney General Phil Tydingco and Chief of Police Fred E. Bordallo, Jr., to testify.

Senator Frank F. Blas, Jr., stated that the intent is to include enhanced penalties for those who distribute drugs to pregnant women. He also intends to clarify Drug Free School Zone statute. He stated that it is not apparent when one is guilty of violating the statute. Senator Blas said that there are gaps and areas which need to be strengthened in the drug codes.

Chief Deputy Attorney General Phil Tydingco stated that the Attorney General's Office supports the intent of the Bill. He said that the Bill is consistent with Bill 221.

Chief Fred E. Bordallo, Jr., stated that he supports the Bill. He thanked the author for bringing the Bill forward.

Vice Chairman Thomas C. Ada questions why those who are under eighteen (18) and those who are pregnant are singled out, while persons with disabilities are left out. He also questioned the definition of schools. Mr. Tydingco replied that Vice Chairman Ada raised some good points. He stated that generally minors and people with certain disabilities are the targets for enhancements. Mr. Tydingco stated that minors are clearly a vulnerable population. He added that people who are disabled may also be considered particularly vulnerable. Mr. Tydingco said that originally crafted, the provisions about schools are probably intended to protect minors. He believes that the intent is to prevent the distribution of drugs to a vulnerable population. Senator Blas stated that the definition of Drug Free School Zone includes post-secondary. Vice Chairman Ada asked whether the language should include persons with disabilities and Mr. Tydingco agreed.

Senator Blas stated that he considered expanding the vulnerable population. He was concerned about the reach of mental disabilities. Mr. Tydingco stated existing statutes may adequately address the definition of mental disability. He said that the prosecution would only bring a charge that there is evidence for, which would include one's mental capacity. He said that there would be no point in adding an enhancement if he believed it was unenforceable. He emphasized that doctors or psychiatrists could

testify to one's capacity. Senator Blas stated that he would support creating such an enhancement.

Chairman Palacios stated that he supports inclusion of the enhancement for the mentally disabled.

Chairman Adolpho B. Palacios, Sr., thanked the panel for their testimony and declared that Bill No. 220-31 (COR) is duly heard. The Chairman concluded the hearing and requested that written testimony be submitted. He adjourned the hearing at **10:54 a.m.**

III. WRITTEN TESTIMONIES

Fred E. Bordallo, Jr., Chief of Police, Guam Police Department. (*Summarized in Section II.*)

Wilfred G. Aflague, Director, Department of Mental Health and Substance Abuse. (*Summary follows.*)

Wilfred G. Aflague, Director, Department of Mental Health and Substance Abuse. Director Aflague stated that the Department supports the Bill. He stated that the punishment fits the crime. (*See attached written testimony.*)

No further written testimony received within the five (5) day period after the public hearing.

IV. FINDINGS AND RECOMMENDATIONS

Substitute Bill 220-31 (COR):

The Committee on Public Safety, Law Enforcement and Judiciary has created a Substitute for Bill 220-31 (COR). The Bill has undergone significant modification since its introduction.

The title was amended to correct errors. There was a stray quotation mark and the title lacked a comma to separate the clauses. Additionally, the reference to the Chapter 67 title was in error.

The only substantive change in Section 1 was the addition of "a person suffering from a mental illness, disease or defect" to the object enhancement classes in subsection (a) and (b) of §67.407, along with the already included persons under the age of eighteen (18) and the pregnant individuals added in the Bill as introduced. The term "pregnant individual" was replaced with the term "pregnant person" so that the meaning is clear. Additionally, the title of the §67.407, amended by Section 1, was changed to reflect the

enhancement for distribution to persons suffering from a mental illness, disease or defect, and a title of Section 1 was added to reflect the new title of §67.407.

The Section 1 states that it amends §67.407, but the Section failed to include subsections (e) and (f), though it had included all other subsections. For clarity that those subsections are not repealed, they are included in the text. All other changes relate to grammar or style.

Recommendations:

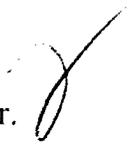
The Committee on Public Safety, Law Enforcement and Judiciary hereby reports out **Bill No. 220-31 (COR), as substituted by the Committee, with the recommendation TO PASS.**

I MINA'TRENTAI UNO NA LIHESLATURAN GUAHAN
2011 (FIRST) Regular Session

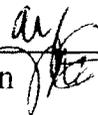
2011 MAY 31 PH 1:58

Bill No. 220-31 (COR)

Introduced by:

F. F. Blas, Jr. 

V. A. Ada

A. C. Yamashita 

M. Silva Taijeron 

C. M. Duenas

S. A. Mabini 

AN ACT TO AMEND “§67.407 OF ARTICLE 4,
CHAPTER 67 OF TITLE 9 OF THE GUAM CODE
ANNOTATED RELATIVE TO THE GUAM
UNIFORM CONTROL SUBSTANCE ACT.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. §67.407 of Article 4, Chapter 67 of Title 9 of the Guam Code
3 Annotated is hereby *amended* to read as follows:

4 “§67.407. Distribution to Individual Under Age 18 or to Pregnant
5 Individual; Distribution Near Schools or Colleges or Drug Free School
6 Zones; Penalties. (a) Any person who is at least eighteen (18) years of age
7 who is found guilty of an offense pursuant to §67.401.1(a)(1) of this Act by
8 distributing a substance listed in Schedule I or II as per Appendices A and B of
9 this Act which is a narcotic drug to a person under eighteen (18) years of age or
10 to a pregnant individual shall be sentenced to serve, in addition to the sentence
11 prescribed by §67.401.4, a term of five (5) years imprisonment. Imposition or
12 execution of such sentence shall not be suspended and probation shall not be

1 granted. Parole or work release shall not be granted until the offender has
2 served the additional five (5) year sentence prescribed by this Subsection.

3 (b) Any person who is at least eighteen (18) years of age who is found
4 guilty of an offense pursuant to §67.401.1(a)(1) of this Act by distributing a
5 non-narcotic controlled substance listed in Schedule I or II as per Appendices A
6 and B of this Act, or a substance listed in Schedules III, IV, or V as per
7 Appendices C – E of this Act to a person under eighteen (18) years of age or to
8 a pregnant individual shall be sentenced to serve, in addition to the sentence
9 prescribed by §67.401.4, three (3) years of imprisonment. Imposition or
10 execution of such sentence shall not be suspended and probation shall not be
11 granted. Parole or work release shall not be granted until the offender has
12 served the additional three (3) year sentence prescribed by this Subsection.

13 ~~(c) An individual shall not violate § 67.401.1(a)(1) of this Chapter by~~
14 ~~distributing a substance listed in Schedule I or II as per Appendices A and B of~~
15 ~~this Chapter which is a narcotic drug, in or on a school, or within the Drug Free~~
16 ~~School Zone as herein defined. An individual who violates this Subsection shall~~
17 ~~be sentenced to serve, in addition to the minimum sentence prescribed by §~~
18 ~~67.401.4 of this Act, a term of five (5) years of Imprisonment. Any person who~~
19 ~~is found guilty of an offense pursuant to §67.401.1(a)(1) of this Chapter by~~
20 ~~distributing a substance listed in Schedule I or II as per Appendices A and B of~~
21 ~~this A Chapter, which is a narcotic drug, in or on a school, or within the Drug~~
22 ~~Free School Zone as defined herein, shall be sentenced to serve, in addition to~~
23 ~~the sentence prescribed by §67.401.4 of this Act, a term of five (5) years~~
24 ~~imprisonment.~~ Imposition or execution of such sentence shall not be suspended
25 and probation shall not be granted. Parole or work release shall not be granted
26 until the offender has served the additional five (5) years prescribed by this
27 Subsection.

1 (d) ~~An individual shall not violate § 67.401.1(a)(1) of this Chapter by~~
2 ~~distributing any non-narcotic controlled substance listed in Schedule I or II as~~
3 ~~per Appendices A and B of this Chapter or a substance listed in Schedules III,~~
4 ~~IV, or V as per Appendices C-E of this Chapter, or within the Drug Free School~~
5 ~~Zone as herein defined. An individual who violates this Subsection shall be~~
6 ~~sentenced to serve, in addition to the minimum sentence prescribed by~~
7 ~~§67.401.4 of this Act, a term of three (3) years of Imprisonment. Any person~~
8 ~~who is found guilty of an offense pursuant to §67.401.1(a)(1) of this Act by~~
9 ~~distributing any non-narcotic controlled substance listed in Schedule I or II as~~
10 ~~per Appendices A and B of this Chapter or a substance listed in Schedules III,~~
11 ~~IV, or V as per Appendices C-E of this Chapter, in or on a school, or within the~~
12 ~~Drug Free School Zone as defined herein, shall be sentenced to serve, in~~
13 ~~addition to the sentence prescribed by § 67.401.4 of this Act, a term of three (3)~~
14 ~~years imprisonment.~~ Imposition or execution of such sentence shall not be
15 suspended and probation shall not be granted. Parole or work release shall not
16 be granted until the offender has served the additional three (3) years prescribed
17 by this Subsection.”

18 **Section 2. Severability.** *If any provision of this law or its application to any*
19 *person or circumstance is found to be invalid or contrary to law, such invalidity shall*
20 *not affect other provisions or applications of this law which can be given effect*
21 *without the invalid provisions or applications, and to this end the provisions of this*
22 *law are severable.*

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 220-31 (COR)

As Substituted by the Committee on Public Safety,
Law Enforcement and Judiciary

Introduced by:

F. F. Blas, Jr.

V. A. Ada

A. C. Yamashita

M. Silva Taijeron

C. M. Duenas

S. A. Mabini

**AN ACT TO AMEND “§67.407 OF ARTICLE 4,
CHAPTER 67 OF TITLE 9 OF THE GUAM CODE
ANNOTATED, RELATIVE TO THE GUAM
UNIFORM CONTROLLED SUBSTANCES ACT.**

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

2 **Section 1. Distribution to Individuals Under Age 18, to Persons Suffering**
3 **from a Mental Illness, Disease or Defect, or Pregnant Persons; Distribution Near**
4 **Schools or Drug Free School Zones; Penalties.** §67.407 of Article 4, Chapter 67, of
5 Title 9, of the Guam Code Annotated is hereby *amended* to read as follows:

6 “§67.407. Distribution to Individuals Under Age 18, to Persons
7 **Suffering from a Mental Illness, Disease or Defect, or to Pregnant Persons**
8 **Individual; Distribution Near Schools or Colleges or Drug Free School**
9 **Zones; Penalties.**

10 (a) Any person who is at least eighteen (18) years of age who is found
11 guilty of an offense pursuant to §67.401.1(a)(1) of this Act by distributing a
12 substance listed in Schedule I or II as per Appendices A and B of this Act
13 which is a narcotic drug to a person under eighteen (18) years of age, a person
14 suffering from a mental illness, disease or defect, or to a pregnant person

1 ~~individual~~ shall be sentenced to serve, in addition to the sentence prescribed by
2 §67.401.4, a term of five (5) years imprisonment. Imposition or execution of
3 such sentence shall not be suspended and probation shall not be granted. Parole
4 or work release shall not be granted until the offender has served the additional
5 five (5) year sentence prescribed by this Subsection.

6 (b) Any person who is at least eighteen (18) years of age who is found
7 guilty of an offense pursuant to §67.401.1(a)(1) of this Act by distributing a
8 non-narcotic controlled substance listed in Schedule I or II as per Appendices A
9 and B of this Act, or a substance listed in Schedules III, IV, or V as per
10 Appendices C – E of this Act to a person under eighteen (18) years of age, a
11 person suffering from a mental illness, disease or defect, or to a pregnant person
12 ~~individual~~ shall be sentenced to serve, in addition to the sentence prescribed by
13 §67.401.4, three (3) years of imprisonment. Imposition or execution of such
14 sentence shall not be suspended and probation shall not be granted. Parole or
15 work release shall not be granted until the offender has served the additional
16 three (3) year sentence prescribed by this Subsection.

17 (c) ~~An individual shall not violate § 67.401.1(a)(1) of this Chapter by~~
18 ~~distributing a substance listed in Schedule I or II as per Appendices A and B of~~
19 ~~this Chapter which is a narcotic drug, in or on a school, or within the Drug Free~~
20 ~~School Zone as herein defined. An individual who violates this Subsection shall~~
21 ~~be sentenced to serve, in addition to the minimum sentence prescribed by §~~
22 ~~67.401.4 of this Act, a term of five (5) years of Imprisonment. Any person who~~
23 ~~is found guilty of an offense pursuant to §67.401.1(a)(1) of this Chapter by~~
24 ~~distributing a substance listed in Schedule I or II as per Appendices A and B of~~
25 ~~this A Chapter, which is a narcotic drug, in or on a school, or within the Drug~~
26 ~~Free School Zone as defined herein, shall be sentenced to serve, in addition to~~
27 ~~the sentence prescribed by §67.401.4 of this Act, a term of five (5) years~~

1 imprisonment. Imposition or execution of such sentence shall not be suspended
2 and probation shall not be granted. Parole or work release shall not be granted
3 until the offender has served the additional five (5) years prescribed by this
4 Subsection.

5 (d) ~~An individual shall not violate § 67.401.1(a)(1) of this Chapter by~~
6 ~~distributing any non-narcotic controlled substance listed in Schedule I or II as~~
7 ~~per Appendices A and B of this Chapter or a substance listed in Schedules III,~~
8 ~~IV, or V as per Appendices C-E of this Chapter, or within the Drug Free School~~
9 ~~Zone as herein defined. An individual who violates this Subsection shall be~~
10 ~~sentenced to serve, in addition to the minimum sentence prescribed by~~
11 ~~§67.401.4 of this Act, a term of three (3) years of Imprisonment. Any person~~
12 ~~who is found guilty of an offense pursuant to §67.401.1(a)(1) of this Act by~~
13 ~~distributing any non-narcotic controlled substance listed in Schedule I or II as~~
14 ~~per Appendices A and B of this Chapter or a substance listed in Schedules III,~~
15 ~~IV, or V as per Appendices C-E of this Chapter, in or on a school, or within the~~
16 ~~Drug Free School Zone as defined herein, shall be sentenced to serve, in~~
17 ~~addition to the sentence prescribed by § 67.401.4 of this Act, a term of three (3)~~
18 ~~years imprisonment.~~ Imposition or execution of such sentence shall not be
19 suspended and probation shall not be granted. Parole or work release shall not
20 be granted until the offender has served the additional three (3) years prescribed
21 by this Subsection.

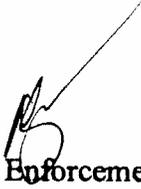
22 (e) It is not a defense to a violation of Subsections (a) and (b) that the
23 accused did not know the age of an individual to whom a controlled substance
24 was distributed.

25 (f) It is not a defense to a violation of Subsections (c) or (d) that the
26 accused did not know the distance involved.”

1 **Section 2. Severability.** *If* any provision of this law or its application to any
2 person or circumstance is found to be invalid or contrary to law, such invalidity shall
3 *not* affect other provisions or applications of this law which can be given effect
4 without the invalid provisions or applications, and to this end the provisions of this
5 law are severable.



June 15, 2011

Senator Adolpho B. Palacios, Sr. 
Committee on Public Safety, Law Enforcement & Judiciary
155 Hesler Place
Hagatna, Guam 96910

790 Gov. Carlos G. Camacho Rd
Tamuning, Guam 96913
Phone: 671-647-5330
Fax: 671-647-5402

EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

WILFRED G. AFLAGUE
Director

RE: Response to Your Letter Dated June 14, 2011,
Reference Bill 216-31(COR); Bill 220-31(COR); Bill 221-31(COR)

Hafa Adai Senator Palacios,

After reviewing Bill No. 221-31, we agree to the act to amend item 35 of 67.100 and to add item 39 to article 1 of chapter 67, relative to drug free school zones.

After reviewing Bill No 220-31, we agree to the three (3) years sentence which will be carried out for an individual who is found guilty of distributing a non-narcotic controlled substance listed in schedule I or II to a minor or a pregnant woman. The punishment fits the crime since a minor or unborn child is harmed as a result of illicit drug use.

After reviewing Bill No. 216-31, we agree to the changes made relative to updating the Guam uniform controlled substance act based on the U.S. DEA schedule listing.

Senseramente,


WILFRED G. AFLAGUE
Director

By direction of director



COMMITTEE ON RULES

I Mina'trentai Unu na Libeslaturan Guåhan • The 31st Guam Legislature

155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com

E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

June 21, 2011

Senator
Judith P. Guthertz
VICE CHAIRPERSON
ASST. MAJORITY LEADER

Memorandum

MAJORITY
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Speaker
Judith T. Won Pat

Vice Speaker
Benjamin J. F. Cruz

Senator
Tina Rose Muña Barnes
LEGISLATIVE SECRETARY
MAJORITY WHIP

Senator
Dennis G. Rodriguez, Jr.
ASST. MAJORITY WHIP

Senator
Thomas C. Ada

Senator
Adolpho B. Palacios, Sr.

Senator
vicente c. pangelinan

MINORITY
MEMBERS:

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

Senator
Christopher M. Duenas

To: **Pat C. Santos**
Clerk of the Legislature

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

Subject: **Fiscal Notes**

Hafa Adai!

Attached please find the fiscal notes for the bill numbers listed below. Please note that the fiscal notes, or waivers, are issued on the bills as introduced.

Bill Nos.:

138-31 (LS)	196-31 (COR)	211-31 (COR)	220-31 (COR)
143-31 (COR)	200-31 (COR)	214-31 (COR)	221-31 (COR)
148-31 (COR)	203-31 (COR)	215-31 (COR)	225-31 (COR)
176-31 (LS)	206-31 (COR)	216-31 (COR)	229-31 (COR)
181-31 (LS)	207-31 (COR)	217-31 (COR)	
189-31 (LS)	208-31 (COR)	218-31 (COR)	
192-31 (COR)	210-31 (COR)	219-31 (COR)	

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

Si Yu'os ma'åse'!

2011 Jun 21 PM 10:27

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

OFFICE OF THE GOVERNOR

Post Office Box 2950, Hagåtña Guam 96932

EDDIE BAZA CALVO
GOVERNORRAY TENORIO
LIEUTENANT GOVERNORBENITA A. MANGLONA
DIRECTORSTEPHEN J. GUERRERO
DEPUTY DIRECTOR**JUN 17 2011**

Senator Rory J. Respicio
Chairperson, Committee on Rules
I Mina `trentai Unu na Liheslaturan Guåhan
The 31st Guam Legislature
155 Hesler Place
Hagåtña, Guam 96932

Hafa Adai Senator Respicio:

Transmitted herewith are Fiscal Notes on the following Bill Nos.: 138-31(LS), 143-31(COR), 148-31(COR), 176-31(LS), 181-31(LS), 189-31(LS), 192-31(COR), 196-31(COR), 200-31(COR), 206-31(COR), 207-31(COR), 208-31(COR), 210-31(COR), 211-31(COR), 214-31(COR), 215-31(COR), 216-31(COR), 217-31(COR), 218-31(COR), 220-31(COR), 221-31(COR), 225-31(COR), 229-31(COR) and Fiscal Note Waivers on Bill Nos.: 203-31(COR), 219-31(COR).

If you have any question(s), please do not hesitate to call the office at 475-9412/9106.


BENITA A. MANGLONA
Director

Enclosures

cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 220-31 (COR)**

AN ACT TO AMEND §67.407 OF ARTICLE 4, CHAPTER 67 OF TITLE 9 OF THE GUAM CODE ANNOTATED RELATIVE TO THE GUAM UNIFORM CONTROL SUBSTANCE ACT.

Department/Agency Appropriation Information	
Dept./Agency Affected: Attorney General's Office	Dept./Agency Head: Leonardo Rapadas
Department's General Fund (GF) appropriation(s) to date:	10,793,965
Department's Other Fund (Specify) appropriation(s) to date:	-
Total Department/Agency Appropriation(s) to date:	\$10,793,965

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2010 Unreserved Fund Balance ¹		\$0	\$0
FY 2011 Adopted Revenues	\$0	\$0	\$0
FY 2011 Appro. (P.L. 30-196)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2011 (if applicable)	FY 2012	FY 2013	FY 2014	FY 2015
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0

- Does the bill contain "revenue generating" provisions?
If Yes, see attachment / / Yes /x/ No
- Is amount appropriated adequate to fund the intent of the appropriation?
If no, what is the additional amount required? \$ _____ /x/ N/A / / Yes / / No
- Does the Bill establish a new program/agency?
If yes, will the program duplicate existing programs/agencies? / / Yes /x/ No
Is there a federal mandate to establish the program/agency? / / Yes /x/ No
- Will the enactment of this Bill require new physical facilities? / / Yes /x/ No
- Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason:
/ / Requested agency comments not received by due date / / Yes /x/ No
/ / Other: _____

Analyst: Matt Quinata Date: 6/16/11 Director: Bernita A. Manglona Date: 6/16/11
 Matt Quinata Bernita A. Manglona, BBMR Director

Footnotes:
 The proposed bill has potential for additional costs to departments/agencies who will enforce this bill. A subsequent bill (Bill 221-31) amends the definition of a Drug Free School Zone which will broaden the scope of enforcement. The bill also proposes to include as an offense the distribution of a substance to pregnant individuals. In its present form, the fiscal impact cannot be determined at this time.



COMMITTEE ON RULES

I Mina'trentai Unu na Liheslaturan Guåhan • The 31st Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
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2011 JUN -2 PM 11:37

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Judith P. Guthertz
VICE CHAIRPERSON
ASST. MAJORITY LEADER

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Speaker
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LEGISLATIVE SECRETARY
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ASST. MAJORITY WHIP

Senator
Thomas C. Ada

Senator
Adolpho B. Palacios, Sr.

Senator
vicente c. pangelinan

MINORITY MEMBERS:

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

Senator
Christopher M. Ducnas

June 1, 2011

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 Nos. 220-31 (COR) through 222-31 (COR)

As Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 220-31(COR) through 222-31 (COR).

Please ensure that the subject bills are 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'trentai Unu na Liheslaturan Guåhan*.

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

Si Yu'os ma'åse!

(2) Attachments

I Mina'Trentai Unu Na Liheslaturan Guåhan

Bill Log Sheet

May 31, 2011

Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	120 Day Deadline	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date) Passed? Failed? Vetoed? Overridden? Public Law?
220-31 (COR)	F. F. Blas, Jr., A. A. Yamashita, M. Silva Tajjeron, S. A. Mabini	AN ACT TO AMEND "§67.407 OF ARTICLE 4, CHAPTER 67 OF TITLE 9 OF THE GUAM CODE ANNOTATED RELATIVE TO THE GUAM UNIFORM CONTROL SUBSTANCE ACT.	5/31/11 1:58 p.m.	6/1/11		Committee on Public Safety, Law Enforcement & Judiciary			
221-31 (COR)	F. F. Blas, Jr., A. A. Yamashita, V. A. Ada, M. Silva Tajjeron, S. A. Mabini	AN ACT TO AMEND ITEM (35) OF §67.100 AND TO ADD ITEM (39) TO ARTICLE 1 OF CHAPTER 67 RELATIVE TO DRUG FREE SCHOOL ZONES.	5/31/11 1:58 p.m.	6/1/11		Committee on Public Safety, Law Enforcement & Judiciary			

From: Priscilla Cruz (pris@senatorpalacios.com)
To: phnotice@guamlegislature.org; telo.taitague@guam.gov;
Date: Wed, June 8, 2011 9:12:15 AM
Cc:
Subject: First Notice of Public Hearing scheduled for June 15, 2011

June 8, 2011

Please see attached First Notice of Public Hearing scheduled for June 15, 2011.
Thank you for your kind attention.

Priscilla T. Cruz
Administrative Officer
Office of Senator A. B. Palacios, Sr.
155 Hesler Pl.
Hagatna, Guam 96910
472-5047/5048

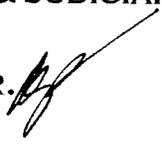
Listserv: phnotice@guamlegislature.org

aline4families@gmail.com
audrey@judiwonpat.com
berleneranae@hotmail.com
bruce.lloyd.media@gmail.com
carlo@tinamunabarnes.com
chechsantos@gmail.com
chelsa@tinamunabarnes.com
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clerks@guamlegislature.org
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steve@judiwonpat.com
tanya4families@gmail.com
tom@senatorada.org
tterlaie@guam.net



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina'Trentai Unu Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR. 
Chairman

PRESS RELEASE

FIRST NOTICE OF PUBLIC HEARING
Wednesday, June 15, 2011 – 9:00 am

FOR IMMEDIATE RELEASE
(Hagatna, Guam – June 8, 2011)

In accordance with the Open Government Law, Public Law No. 24-109, relative to notice for public meetings, please be advised that the Committee on Public Safety, Law Enforcement, and Judiciary will be conducting a public hearing starting at **9:00 am, Wednesday, June 15, 2011**, at *I Liheslaturan Guåhan's Public Hearing Room* in *Hagåtña*, on the following:

- **Bill No. 214-31 (COR)** – AN ACT TO AMEND §40105(b) OF 7GCA, TO AMEND §§30.80, 30.80.1, 30.80.2, 30.80.3, OF 8GCA AND TO REPEAL §30.80.4 OF 8GCA RELATIVE TO **DEFERRED PLEAS FOR DOMESTIC VIOLENCE ABUSERS**. – sponsored by **Senator V. Anthony Ada**.
- **Bill No. 216-31 (COR)** – AN ACT TO AMEND (C), (D), (E), AND TO ADD A NEW ITEM (F) TO APPENDIX A, TO AMEND (A)(1), (B), AND (C) OF APPENDIX B, TO AMEND (B), (D), (E), AND ADD A NEW (F) TO APPENDIX C, TO AMEND (B) OF APPENDIX D, TO AMEND (D) OF APPENDIX D, TO AMEND (D) OF APPENDIX E OF CHAPTER 67 OF TITLE 9, TO ADD A NEW §3106.1 TO ARTICLE 1 OF CHAPTER 3 OF TITLE 10 OF THE GUAM CODE ANNOTATED RELATIVE TO **UPDATING THE GUAM UNIFORM CONTROLLED SUBSTANCE ACT** BASED ON THE U.S. DRUG ENFORCEMENT ADMINISTRATION SCHEDULE LISTING. – sponsored by **Vice Speaker Benjamin J. F. Cruz**.
- **Bill No. 220-31 (COR)** – AN ACT AMEND “§67.407 OF ARTICLE 4, CHAPTER 67 OF TITLE 9 OF THE GUAM CODE ANNOTATED RELATIVE TO THE **GUAM UNIFORM CONTROL SUBSTANCE ACT**. – sponsored by **Senator Frank F. Blas, Jr.**
- **Bill No. 221-31 (COR)** – AN ACT AMEND ITEM (35) OF §67.100 AND TO ADD ITEM (39) TO ARTICLE 1 OF CHAPTER 67 RELATIVE TO **DRUG FREE SCHOOL ZONES**. – sponsored by **Senator Frank F. Blas, Jr.**
- **Bill No. 228-31 (COR)** – AN ACT TO AMEND §78106 OF CHAPTER 78, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE GUAM COMMUNITY POLICE REVIEW COMMISSION TO CONDUCT MEETINGS AND RELEVANT ACTIVITIES WITHIN GUAM POLICE DEPARTMENT FACILITIES. – sponsored by **Senator Adolpho B. Palacios, Sr.**

Copies of the aforementioned Bills may be obtained at *I Liheslaturan Guåhan's* website at www.guamlegislature.com. Testimonies should be addressed to Senator Adolpho B. Palacios, Sr., Chairperson, and will be accepted via hand delivery to our office, our mailbox at the main Legislature Building at 155 Hesler Place, Hagatna, Guam 96910, or via email to SenABPalacios@gmail.com, or via facsimile to (671) 472-5022, until 5:00 pm, **June 6, 2011**. Individuals requiring special accommodations or services, please contact Julian Janssen or Jennifer Dulla at (671) 472-5047/5048.

From: Priscilla Cruz (pris@senatorpalacios.com)
To: mindy@kuam.com; jason@kuam.com; sabrina@kuam.com; news@guampdn.com;
cmeylan@guampdn.com; dmgeorge@guampdn.com; mpieper@guampdn.com;
dcrisost@guampdn.com; amier@mvguam.com; zytaitano@mvguam.com; news@spbguam.com;
clynt@spbguam.com; jtyquiengco@spbguam.com; jontalk@k57.com; breakfastshowk57@gmail.com;
kstone@ite.net;
Date: Wed, June 8, 2011 9:15:21 AM
Cc:
Subject: First Notice of Public Hearing scheduled for June 15, 2011

June 8, 2011

Please see attached Press Release regarding first notice of public hearing scheduled for June 15, 2011. Thank you for your kind attention.

Priscilla T. Cruz
Administrative Officer
Office of Senator A. B. Palacios, Sr.
155 Hesler Pl.
Hagatna, Guam 96910
472-5047/5048

Destination	Start Time	Time	Prints	Result	Note
PDN	06-08 08:43	00:00:40	001/001	OK	
KUAM	06-08 08:44	00:00:23	001/001	OK	
PNC	06-08 08:45	00:00:26	001/001	OK	
K57	06-08 08:46	00:00:25	001/001	OK	
HIT RADIO 100	06-08 08:46	00:00:21	001/001	OK	
KSTO	06-08 08:48	00:00:46	001/001	OK	
GLIMPSES	06-08 08:49	00:01:10	001/001	OK	
MARIANAS VARIETY	06-08 08:50	00:00:25	001/001	OK	
KSTEREO/KISH	06-08 08:51	00:00:47	001/001	OK	
JOY 92 FM	06-08 08:52	00:00:21	001/001	OK	
KPRG	06-08 08:53	00:00:27	001/001	OK	

Note TMR: Timer TX, POL: Polling, ORG: Original Size Setting, FME: Frame Erase TX,
 MIX: Mixed Original TX, CALL: Manual TX, CSRC: CSRC, FWD: Forward, PC: PC-Fax,
 BND: Double-Sided Binding Direction, SP: Special original, FCODE: F-code, RTX: Re-TX,
 RLY: Relay, MBX: Confidential, BUL: Bulletin, SIP: SIP Fax, IPADR: IP Address Fax,
 I-FAX: Internet Fax

Result OK: Communication OK, S-OK: Stop Communication, PW-OFF: Power Switch OFF,
 TEL: RX from TEL, NG: Other Error, Cont: Continue, No Ans: No Answer,
 Refuse: Receipt Refused, Busy: Busy, M-Full: Memory Full,
 LOVR: Receiving length Over, POVER: Receiving page Over, FIL: File Error,
 DC: Decode Error, MDN: MDN Response Error, DSN: DSN Response Error.



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Miaz Trental Unu Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
 Chairman

PRESS RELEASE

FIRST NOTICE OF PUBLIC HEARING
 Wednesday, June 15, 2011 – 9:00 am

FOR IMMEDIATE RELEASE
 (Hagåtña, Guam – June 8, 2011)

In accordance with the Open Government Law, Public Law No. 24-109, relative to notice for public meetings, please be advised that the Committee on Public Safety, Law Enforcement, and Judiciary will be conducting a public hearing starting at 9:00 am, Wednesday, June 15, 2011, at *I Liheslaturan Guåhan's* Public Hearing Room in Hagåtña, on the following:

- **Bill No. 214-31 (COR)** – AN ACT TO AMEND §40105(b) OF 7CCA, TO AMEND §§30.80, 30.80.1, 30.80.2, 30.80.3, OF 8GCA AND TO REPEAL §30.80.4 OF 8GCA RELATIVE TO DEFERRED PLEAS FOR DOMESTIC VIOLENCE ABUSERS. – sponsored by Senator V. Anthony Ada.
- **Bill No. 216-31 (COR)** – AN ACT TO AMEND (C), (D), (E), AND TO ADD A NEW ITEM (F) TO APPENDIX A, TO AMEND (A)(1), (B), AND (C) OF APPENDIX B, TO AMEND (B), (D), (E), AND ADD A NEW (F) TO APPENDIX C, TO AMEND (B) OF APPENDIX D, TO AMEND (D) OF APPENDIX D, TO AMEND (D) OF APPENDIX E OF CHAPTER 67 OF TITLE 9, TO ADD A NEW §3106.1 TO ARTICLE 1 OF CHAPTER 3 OF TITLE 10 OF THE GUAM CODE ANNOTATED RELATIVE TO UPDATING THE GUAM UNIFORM CONTROLLED SUBSTANCE ACT BASED ON THE U.S. DRUG ENFORCEMENT ADMINISTRATION SCHEDULE LISTING. – sponsored by Vice Speaker Benjamin J. F. Cruz.
- **Bill No. 220-31 (COR)** – AN ACT AMEND §67.407 OF ARTICLE 4, CHAPTER 67 OF TITLE 9 OF THE GUAM CODE ANNOTATED RELATIVE TO THE GUAM UNIFORM CONTROL SUBSTANCE ACT. – sponsored by Senator Frank F. Blas, Jr.
- **Bill No. 221-31 (COR)** – AN ACT AMEND ITEM (35) OF §67.100 AND TO ADD ITEM (39) TO ARTICLE 1 OF CHAPTER 67 RELATIVE TO DRUG FREE SCHOOL ZONES. – sponsored by Senator Frank F. Blas, Jr.
- **Bill No. 228-31 (COR)** – AN ACT TO AMEND §78106 OF CHAPTER 78, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE GUAM COMMUNITY POLICE REVIEW COMMISSION TO CONDUCT MEETINGS AND RELEVANT ACTIVITIES WITHIN GUAM POLICE DEPARTMENT FACILITIES. – sponsored by Senator Adolpho B. Palacios, Sr.

Copies of the aforementioned Bills may be obtained at *I Liheslaturan Guåhan's* website at www.guamlegislature.com. Testimonies should be addressed to Senator Adolpho B. Palacios, Sr., Chairperson, and will be accepted via hand delivery to our office, our mailbox at the main Legislature Building at 155 Hester Place, Hagåtña, Guam 96910, or via email to SenABPalacios@gmail.com, or via facsimile to (671) 472-5022, until 5:00 pm, June 8, 2011. Individuals requiring special accommodations or services, please contact Julian Janssen or Jennifer Dulla at (671) 472-5047/5048.

Destination	Start Time	Time	Prints	Result	Note
GPD	06-08 08:54	00:00:22	001/001	OK	
AGO	06-08 08:54	00:00:25	001/001	OK	
Gov.	06-08 08:55	00:00:21	001/001	OK	

Note TMR: Timer TX, POL: Polling, ORG: Original Size Setting, FME: Frame Erase TX,
 MIX: Mixed Original TX, CALL: Manual TX, CSRC: CSRC, FWD: Forward, PC: PC-Fax,
 BND: Double-Sided Binding Direction, SP: Special original, FCODE: F-code, RTX: Re-TX,
 RLY: Relay, MBX: Confidential, BUL: Bulletin, SIP: SIP Fax, IPADR: IP Address Fax,
 I-FAX: Internet Fax

Result OK: Communication OK, S-OK: Stop Communication, PW-OFF: Power Switch OFF,
 TEL: RX from TEL, NG: Other Error, Cont: Continue, No Ans: No Answer,
 Refuse: Receipt Refused, Busy: Busy, M-Full: Memory Full,
 LOVR: Receiving length Over, POVER: Receiving page Over, FIL: File Error,
 DC: Decode Error, MDN: MDN Response Error, DSN: DSN Response Error.



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina Trental Unu Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
 Chairman

PRESS RELEASE

FIRST NOTICE OF PUBLIC HEARING
 Wednesday, June 15, 2011 – 9:00 am

FOR IMMEDIATE RELEASE
 (Hagatna, Guam – June 8, 2011)

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COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina'Trentai Unu Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

PRESS RELEASE

SECOND NOTICE OF PUBLIC HEARING
Wednesday, June 15, 2011 – 9:00 am

FOR IMMEDIATE RELEASE
(Hagatna, Guam – June 13, 2011)

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From: Priscilla Cruz (pris@senatorpalacios.com)
To: phnotice@guamlegislature.org; telo.taitague@guam.gov;
Date: Mon, June 13, 2011 8:35:12 AM
Cc:
Subject: Second Notice of Public Hearing scheduled for June 15, 2011

PRESS RELEASE

SECOND NOTICE OF PUBLIC HEARING
Wednesday, June 15, 2011 – 9:00 am

FOR IMMEDIATE RELEASE
(Hagatna, Guam – June 13, 2011)

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POLICE

DEPARTMENT FACILITIES. – sponsored by Senator Adolpho B. Palacios, Sr.

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Priscilla T. Cruz
Administrative Officer
Office of Senator A. B. Palacios, Sr.
155 Hesler Pl.
Hagatna, Guam 96910
472-5047/5048

Destination	Start Time	Time	Prints	Result	Note
PDN	06-13 08:14	00:00:41	001/001	OK	
KUAM	06-13 08:15	00:00:26	001/001	OK	
PNC	06-13 08:16	00:00:25	001/001	OK	
K57	06-13 08:17	00:00:21	001/001	OK	
HIT RADIO 100	06-13 08:17	00:00:21	001/001	OK	
KSTO	06-13 08:18	00:00:43	001/001	OK	
GLIMPSES	06-13 08:19	00:00:22	001/001	OK	
MARIANAS VARIETY	06-13 08:20	00:00:25	001/001	OK	
KSTEREO/KISH	06-13 08:21	00:00:47	001/001	OK	
JOY 92 FM	06-13 08:22	00:00:21	001/001	OK	
KPRG	06-13 08:23	00:00:20	001/001	OK	

Note TMR: Timer TX, POL: Polling, ORG: Original Size Setting, FME: Frame Erase TX, MIX: Mixed Original TX, CALL: Manual TX, CSRC: CSRC, FWD: Forward, PC: PC-Fax, BND: Double-Sided Binding Direction, SP: Special original, FCODE: F-code, RTX: Re-TX, RLY: Relay, MBX: Confidential, BUL: bulletin, SIP: SIP Fax, IPADR: IP Address Fax, I-FAX: Internet Fax

Result OK: Communication OK, S-OK: Stop Communication, PW-OFF: Power Switch OFF, TEL: RX from TEL, NG: Other Error, Cont: Continue, No Ans: No Answer, Refuse: Receipt Refused, Busy: Busy, M-Full: Memory Full, LOVR: Receiving length Over, POVER: Receiving page Over, FIL: File Error, DC: Decode Error, MDN: MDN Response Error, DSN: DSN Response Error.



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina Trental Unu Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

PRESS RELEASE

SECOND NOTICE OF PUBLIC HEARING
Wednesday, June 15, 2011 - 9:00 am

FOR IMMEDIATE RELEASE
(Hagåtña, Guam - June 13, 2011)

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From: Priscilla Cruz (pris@senatorpalacios.com)

To: sabrina@kuam.com; jason@kuam.com; mindy@kuam.com; news@guampdn.com; dcrisost@guampdn.com; dmgeorge@guampdn.com; mpieper@guampdn.com; amier@mvguam.com; zytaitano@mvguam.com; news@spbg Guam.com; clynt@spbg Guam.com; jtyquiengco@spbg Guam.com; jontalk@k57.com; rgibson@k57.com; breakfastshowk57@gmail.com; kstone news@ite.net;

Date: Mon, June 13, 2011 8:37:20 AM

Cc:

Subject: Press Release - Second Notice of Public Hearing

PRESS RELEASE

SECOND NOTICE OF PUBLIC HEARING

Wednesday, June 15, 2011 – 9:00 am

FOR IMMEDIATE RELEASE

(Hagatna, Guam – June 13, 2011)

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GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE GUAM COMMUNITY
POLICE REVIEW
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Priscilla T. Cruz
Administrative Officer
Office of Senator A. B. Palacios, Sr.
155 Hesler Pl.
Hagatna, Guam 96910
472-5047/5048

GOVERNMENT MEETINGS

Tomorrow

Civil Service Commission: Board meeting 5:45 p.m., seventh floor conference room, ITC Building, Tamuning. Hearing on merits:

Melanie Aguan vs. Guam Memorial Hospital; motion hearing; Laura Mooney vs. Department of Education; hearing on merits continuation; James S. Cruz vs. Guam Police Department; bills and laws relating to CSC. For special accommodations, call Tillie at 647-1855/7 or TDD 647-1872.

Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land: Round-table meeting 2 to 4 p.m., Legislature's public hearing room, Hagåtña. The Department of Revenue and Taxation, Department of Administration and Bureau of Budget Management and Research have been invited to provide the legislature with information on the status of refunds. For special accommodations, call 473-4236.

Committee on Municipal Affairs, Tourism,

Housing and Recreation: Public hearing 9 a.m., Legislature's public hearing room, Hagåtña. Executive appointment of Evelyn Casil and Elizabeth Gayle to serve as members of Parks and Recreation Commission; executive appointment of Annmarie T. Muna to serve as member of Hagåtña Restoration and Redevelopment Authority Board of Commissioners; Bill 204-31, requiring Department of Parks and Recreation to conduct review of beaches and near-shore areas surrounding Guam. Email written testimony to: senator@tinamunabarnes.com. For special accommodations, call 472-3455/6.

June 15

Committee on Public Safety, Law Enforcement and Judiciary: Public hearing 9 a.m., Legislature's public hearing room, Hagåtña. Bill 214-31 (cor), relative to deferred pleas for domestic violence abusers; Bill 216-31 (cor), relative to updating Guam Uniform Controlled Substance Act based on U.S. Drug Enforcement

ment Administration schedule list; Bill 220-31 (cor), relative to Guam Uniform Control Substance Act; Bill 221-31 (cor), relative to drug free school zones; Bill 228-31 (cor), authorizing Guam Community Police Review Commission to conduct meetings and relevant activities within Guam Police Department facilities. Email testimony to: senapalacios@gmail.com. For special accommodations, call 472-5047/5048.

Guam Board of Medical Examiners: Regular meeting room, Guam Memorial Hospital Authority's Dan L. Webb conference room, Tamuning. Agenda copies available. For special accommodations, call 735-7407 or TDD 649-1801.

Guam Contractors License Board: Regular meeting 5:30 p.m., board conference room, 542 North Marine Corps Drive, upper Tumon. For special accommodations, call 649-2211/9676.

Mayors Council of Guam: Special meeting 10 a.m., J&G Commercial Center, Suite 111F, Hagåtña. Call Elaine Schaar, 472-6940 or 477-8461.

June 16

Chamorro Land Trust Commission: Board meeting 1 p.m., Department of Land Management conference room, third floor, ITC building, Tamuning. For special accommodations, call 642-4247.

Civil Service Commission: Board meeting 5:45 p.m., seventh floor conference room, ITC Building, Tamuning. Continuation on hearing on merits: James S. Cruz vs. Guam Police De-

partment; bills and laws relating to CSC. For special accommodations, call Tillie at 647-1855/7 or TDD 647-1872.

Guam Board of Accountancy: Meeting 4 p.m., Suite 101, 335 South Marine Corps Drive, Tamuning. For special accommodations, call 647-0813.

Guam Board of Examiners for Pharmacy: Regular meeting 7:30 a.m., Health Professional Licensing Office, Suite 9, Legacy Square Commercial Complex, Route 10, Mangilao. For special accommodations, call 735-7407.

Guam Environmental Protection Agency: Board of directors' regular meeting 4 p.m., GEPA main conference room, Mariner Ave., Tivan. Public is invited. For special accommodations, call 475-1658/9.

June 23

Port Authority of Guam: Board of directors' regular meeting 11:45 a.m., board conference room, Cabras Island, Piti. For special accommodations, call Simeon Delos Santos, 477-5931/4, ext. 430.

June 24

Government of Guam Retirement Fund Board of Trustees: Regular meeting noon, Retirement Fund conference room, Route 8, Maite. For special accommodations, call 475-8900/1.

June 28

Guam Board of Examiners for Optometry: Regular meeting 8:30 a.m., Health Professional Licensing Office, Suite 9, Legacy Square Commercial Complex, Route 10, Mangilao. For special accommodations, call 735-7407.

Keyless Nook beats out the Kindle for easy e-reading

Bloomberg News

can go weeks between charges. **'Special offers'** Both cost \$139 for a Wi-Fi version, though Amazon gives you more choices, including a higher-priced model with built-in 3G access as well as other versions that knock the price down in return for subjecting you to "special offers" (read: "adver-

on an iPad, or use physical buttons — they're more like ridges, really — on the bezel framing the screen. There are four of them, a pair on each side, to accommodate both righties and lefties. I didn't much like them: Besides being redundant, they required too much pressure.

Barnes & Noble has also found out a way to reduce by

WITH SINCERE APPRECIATION
We, the family of the late

Henry Baculi Ong

Would like to express our most heartfelt gratitude to all those who in one way or another have shown compassion, generosity and their presence during our family's most difficult moments.

Special thanks to: GMH ICU, Surgical Ward & SNU Staff, Dr. Olivia Cruz, Carlos & Cely Mangrobang, Father Jason Granado, Mt. Carmel Church, Mayor Carol Tayama & Vice Mayor Augustin Quimantilla of the Agat Mayor's Office, OCP Mayor's Office, Guahan Caregiving, Health Services of the Pacific, Catholic Social Services, UOG Family Caregiver Support Program, Faculty & Staff of Adacao & Chief Brodie Elementary & Agueda & Untalan Middle School, SDA Clinic Employees, MHI & Sanko Employees, Emily Marquez & Lawrence Luces, Degoma, Poblete & Quilit Family, Gigi's Catering, OLOP and most especially to all those who have faithfully stood by us during the rosaries, memorial mass and burial service of our beloved brother, father and grandfather. To each of you we are eternally grateful and will cherish





COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina'Trentai Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

PUBLIC HEARING

9:00 am, Wednesday, June 15, 2011

I Liheslaturan Guåhan's Public Hearing Room, Hagåtña

AGENDA

I. Call to Order

II. Opening Remarks/Announcements

III. Items for Public Consideration

- **Bill No. 214-31 (COR)** – AN ACT TO AMEND §40105(b) OF 7GCA, TO AMEND §§30.80, 30.80.1, 30.80.2, 30.80.3, OF 8GCA AND TO REPEAL §30.80.4 OF 8GCA RELATIVE TO DEFERRED PLEAS FOR DOMESTIC VIOLENCE ABUSERS. – sponsored by **Senator V. Anthony Ada**.
- **Bill No. 216-31 (COR)** – AN ACT TO AMEND (C), (D), (E), AND TO ADD A NEW ITEM (F) TO APPENDIX A, TO AMEND (A)(1), (B), AND (C) OF APPENDIX B, TO AMEND (B), (D), (E), AND ADD A NEW (F) TO APPENDIX C, TO AMEND (B) OF APPENDIX D, TO AMEND (D) OF APPENDIX D, TO AMEND (D) OF APPENDIX E OF CHAPTER 67 OF TITLE 9, TO ADD A NEW §3106.1 TO ARTICLE 1 OF CHAPTER 3 OF TITLE 10 OF THE GUAM CODE ANNOTATED RELATIVE TO **UPDATING THE GUAM UNIFORM CONTROLLED SUBSTANCE ACT** BASED ON THE U.S. DRUG ENFORCEMENT ADMINISTRATION SCHEDULE LISTING. – sponsored by **Vice Speaker Benjamin J. F. Cruz**.
- **Bill No. 220-31 (COR)** – AN ACT AMEND "§67.407 OF ARTICLE 4, CHAPTER 67 OF TITLE 9 OF THE GUAM CODE ANNOTATED RELATIVE TO THE **GUAM UNIFORM CONTROL SUBSTANCE ACT**. – sponsored by **Senator Frank F. Blas, Jr.**
- **Bill No. 221-31 (COR)** – AN ACT AMEND ITEM (35) OF §67.100 AND TO ADD ITEM (39) TO ARTICLE 1 OF CHAPTER 67 RELATIVE TO **DRUG FREE SCHOOL ZONES**. – sponsored by **Senator Frank F. Blas, Jr.**
- **Bill No. 228-31 (COR)** – AN ACT TO AMEND §78106 OF CHAPTER 78, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO **AUTHORIZING THE GUAM COMMUNITY POLICE REVIEW COMMISSION TO CONDUCT MEETINGS AND RELEVANT ACTIVITIES WITHIN GUAM POLICE DEPARTMENT FACILITIES**. – sponsored by **Senator Adolpho B. Palacios, Sr.**

IV. Closing Remarks

V. Adjournment

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 Bill(s) may be obtained at *I Liheslaturan Guåhan's* website at www.guamlegislature.com. Individuals requiring special accommodations or services, please contact Julian Janssen or Jennifer Dulla at 472-5047/5048.

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

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

From: Priscilla Cruz (pris@senatorpalacios.com)
To: frank.blasjr@gmail.com; maryfejeran@gmail.com;
Date: Wed, June 8, 2011 10:11:36 AM
Cc:
Subject: Bill 220 and 221 scheduled for public hearing.

June 8, 2011

Please see attached memorandum from Senator A. B. Palacios, Sr., regarding Bills Nos. 220 and 221, which are scheduled for public hearing on June 15, 2011.
Thank you for your kind attention.

Priscilla T. Cruz
Administrative Officer
Office of Senator A. B. Palacios, Sr.
155 Hesler Pl.
Hagatna, Guam 96910
472-5047/5048



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
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SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

June 8, 2011

MEMORANDUM

TO: Senator Frank F. Blas, Jr.

FROM: Chairman, Committee on Public Safety, Law Enforcement & Judiciary 

SUBJECT: **Public Hearing scheduled for June 15, 2011.**

The Committee on Public Safety, Law Enforcement and Judiciary will conduct a public hearing starting at **9:00 a.m.** on **Wednesday, June 15, 2011** at the Guam Legislature's Public Hearing Room, and among the items on the agenda are the following Bills of which you are the author:

Bill No. 220-31 (COR) – AN ACT AMEND “§67.407 OF ARTICLE 4, CHAPTER 67 OF TITLE 9 OF THE GUAM CODE ANNOTATED RELATIVE TO THE GUAM UNIFORM CONTROL SUBSTANCE ACT.

Bill No. 221-31 (COR) – AN ACT AMEND ITEM (35) OF §67.100 AND TO ADD ITEM (39) TO ARTICLE 1 OF CHAPTER 67 RELATIVE TO DRUG FREE SCHOOL ZONES.

You may notify the appropriate government agencies, organizations, and persons who may wish to provide written and/or oral testimony on these bills. Thank you for your kind attention.



Thirty-First
Guam Legislature

Committee Members:

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Vice Chairman

Speaker Judith T. Won Pat, Ph.D.
Member

Senator Tina R. Muña-Barnes
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Senator Judith P. Guthertz, DPA
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Reform

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Chairman

June 14, 2011

Wilfred Aflague

Director

Department of Mental Health and Substance Abuse

790 Governor Carlos G. Camacho Rd.

Tamuning, Guam 96913

RE: Public Hearing
Wednesday, June 15, 2011

Dear Wilfred Aflague,

Buenas yan Håfa Adai! The Committee on Public Safety, Law Enforcement and Judiciary has scheduled a public hearing on Wednesday, June 15, 2011 beginning at 9:00 a.m. Included on the agenda are the following bills which concern the Department of Mental Health and Substance Abuse:

Bill 216-31 (COR) — "An act to amend (C), (D), (E), and to add a new Item (F) to Appendix A, to amend (A)(1), (B), and (C) of Appendix B, to amend (B), (D), (E), and add a new (F) to Appendix C, to amend (B) of Appendix D, to amend (D) of Appendix D, to amend (D) of Appendix E of Chapter 67 of Title 9, to add a new §3106.1 to Article 1 of Chapter 3 of Title 10 of the Guam Code Annotated relative to updating the Guam Uniform Controlled Substance Act based on the U.S. Drug Enforcement Administration schedule listing. " —Sponsored by Vice Speaker Benjamin J.F. Cruz

Bill 220-31 (COR) — "An act to amend "§67.407 of Article 4, Chapter 67 of Title 9 of the Guam Code Annotated relative to the Guam Uniform Control Substance Act. " —Sponsored by Senator Frank F. Blas, Jr.

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Your attendance in this public hearing would be very helpful. If you are unable to attend, a written comment would be appreciated. Please contact me or my office for further information or concerns.

Sincerely,


Senator Adolpho B. Palacios, Sr., MPA, BS/CJA

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Destination	Start Time	Time	Prints	Result	Note
DMHSA Dir	06-14 10:14	00:00:26	001/001	OK	

Note TMR: Timer TX, POL: Polling, ORG: Original Size Setting, FME: Frame Erase TX,
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 BND: Double-Sided Binding Direction, SP: Special original, FCODE: F-Code, RTX: Re-TX,
 RLY: Relay, MBX: Confidential, BUL: Bulletin, SIP: SIP Fax, IPADR: IP Address Fax,
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June 14, 2011

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Director

Department of Mental Health and Substance Abuse
790 Governor Carlos G. Camacho Rd.
Tamuning, Guam 96913

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Wednesday, June 15, 2011

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Senator Adolpho B. Palacios, Sr., MPA, BS/CJA



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- Senator Aline A. Yamashita, Ph.D.
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Education and Public Libraries
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Security
- Member, Committee on
Municipal Affairs, Tourism,
Housing and Recreation

June 13, 2011

James W. Gillan
Director
Department of Public Health and Social Services
123 Chalan Kareta
Tiyán, Guam 96913

RE: Public Hearing
Wednesday, June 15, 2011

Dear James W. Gillan,

Buenas yan Háfa Adai! The Committee on Public Safety, Law Enforcement and Judiciary has scheduled a public hearing on Wednesday, June 15, 2011 beginning at 9:00 a.m. Included on the agenda are the following bills which concern the Department of Public Health and Social Services:

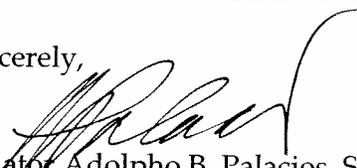
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Your attendance in this public hearing would be very helpful. If you are unable to attend, a written comment would be appreciated. Please contact me or my office for further information or concerns.

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Senator Adolpho B. Palacios, Sr., MPA, BS/CJA

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

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

Destination	Start Time	Time	Prints	Result	Note
DPHSS Director	06-14 14:32	00:00:32	001/001	OK	

Note TMR: Timer TX, POL: Polling, ORG: Original Size Setting, FME: Frame Erase TX, MIX: Mixed Original TX, CALL: Manual TX, CSRC: CSRC, FWD: Forward, PC: PC-Fax, BND: Double-Sided Binding Direction, SP: Special original, FCODE: F-Code, RTX: Re-TX, RLY: Relay, MBX: Confidential, BUL: Bulletin, SIP: SIP Fax, IPADR: IP Address Fax, I-FAX: Internet Fax

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June 13, 2011

James W. Gillan
Director
Department of Public Health and Social Services
123 Chalan Kareta
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Wednesday, June 15, 2011

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June 13, 2011

The Honorable Leonardo Rapadas
Attorney General
Office of the Attorney General
287 West O'Brien Drive
Hagåtña, Guam 96910

RE: Public Hearing
Wednesday, June 15, 2011

Dear Attorney General Leonardo Rapadas,

Buenas yan Håfa Adai! The Committee on Public Safety, Law Enforcement and Judiciary has scheduled a public hearing on Wednesday, June 15, 2011 beginning at 9:00 a.m. Included on the agenda are the following bills which concern the Office of the Attorney General:

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Bill 221-31 (COR) – “An act to amend Item (35) of §67.100 and to add Item (39) to Article 1 of Chapter 67 relative to drug free school zones.” – Sponsored by Senator Frank F. Blas, Jr.

Bill 228-31 (COR) – “An act to amend §78106 of Chapter 78, Title 10, Guam Code Annotated, relative to authorizing the Guam Community Police Review Commission to conduct meetings and relevant activities within Guam Police Department facilities.” – Sponsored by Senator Adolpho B. Palacios, Sr.

Your attendance in this public hearing would be very helpful. If you are unable to attend, a written comment would be appreciated. Please contact me or my office for further information or concerns.

Sincerely,

Senator Adolpho B. Palacios, Sr., MPA, BS/CJA

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Destination	Start Time	Time	Prints	Result	Note
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Note TMR: Timer TX, POL: Polling, ORG: Original Size Setting, FME: Frame Erase TX,
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Attorney General
Office of the Attorney General
287 West O'Brien Drive
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Your attendance in this public hearing would be very helpful. If you are unable to attend, a written comment would be appreciated. Please contact me or my office for further information or concerns.

Sincerely,


Senator Adolpho B. Palacios, Sr., MPA, BS/CJA



Thirty-First
Guam Legislature

Committee Members:

Senator Thomas C. Ada
Vice Chairman

Speaker Judith T. Won Pat, Ph.D.
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Senator Tina R. Muña-Barnes
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Reform

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Education and Public Libraries

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Military Buildup and Homeland
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Member, Committee on
Municipal Affairs, Tourism,
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COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina'Trentai Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

June 13, 2011

Fred E. Bordallo
Chief of Police
Guam Police Department
Building 233 Central Avenue
Tiyan, Guam 96912

RE: Public Hearing
Wednesday, June 15, 2011

Dear Chief Fred E. Bordallo,

Buenas yan Háfa Adai! The Committee on Public Safety, Law Enforcement and Judiciary has scheduled a public hearing on Wednesday, June 15, 2011 beginning at 9:00 a.m. Included on the agenda are the following bills which concern the Guam Police Department:

Bill 214-31 (COR) – “An act to amend §40105b_ of 7GCA, to amend §§30.80, 30.80.2, 30.80.3 of 8GCA and to repeal §30.80.4 of 8GCA relative to deferred pleas for domestic violence abusers.” – Sponsored by Senator V. Anthony Ada

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Your attendance in this public hearing would be very helpful. If you are unable to attend, a written comment would be appreciated. Please contact me or my office for further information or concerns.

Sincerely,

Senator Adolpho B. Palacios, Sr., MPA, BS/CJA

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

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

TX Result Report

P 1
06/14/2011 08:55
Serial No. A02E011003085
TC: 136443

Destination	Start Time	Time	Prints	Result	Note
GPD	06-14 08:55	00:00:23	001/001	OK	

Note TMR: Timer TX, POL: Polling, ORG: Original Size Setting, FME: Frame Erase TX,
MIX: Mixed Original TX, CALL: Manual TX, CSRC: CSRC, FWD: Forward, PC: PC-Fax,
BND: Double-Sided Binding Direction, SP: Special Original, FCODE: F-Code, RFX: Re-TX,
RLY: Relay, MBX: Confidential, BUL: Bulletin, SIP: SIP Fax, IPADR: IP Address Fax,
I-FAX: Internet Fax

Result OK: Communication OK, S-OK: Stop Communication, PW-OFF: Power Switch OFF,
TEL: RX from TEL, NG: Other Error, Cont: Continue, No Ans: No Answer,
Refuse: Receipt Refused, Busy: Busy, M-Full: Memory Full,
LOVR: Receiving length Over, POVER: Receiving page Over, FIL: File Error,
DC: Decode Error, MDN: MDN Response Error, DSN: DSN Response Error.



Thirty-First
Guam Legislature

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- Member, Committee on
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COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina Trental Uno Na Liheslaturan Guahan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

June 13, 2011

Fred E. Bordallo
Chief of Police
Guam Police Department
Building 233 Central Avenue
Tiyan, Guam 96912

RE: Public Hearing
Wednesday, June 15, 2011

Dear Chief Fred E. Bordallo,

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Your attendance in this public hearing would be very helpful. If you are unable to attend, a written comment would be appreciated. Please contact me or my office for further information or concerns.

Sincerely,


Senator Adolpho B. Palacios, Sr., MPA, BS/CJA

Office/Mailing Address: 135 Healer Place, Hagatha Guam 96910
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Thirty-First
Guam Legislature

COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina'Trentai Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

June 29, 2011

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

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

RE : **Committee Report – Bill No. 220-31 (COR) as Substituted.**

The Committee on Public Safety, Law Enforcement and Judiciary, to which was referred, **Bill No. 220-31 (COR) - "AN ACT TO AMEND "§67.407 OF ARTICLE 4, CHAPTER 67 OF TITLE 9 OF THE GUAM CODE ANNOTATED RELATIVE TO THE GUAM UNIFORM CONTROL SUBSTANCE ACT,"** hereby reports out with the recommendation **TO PASS.**

Committee Votes are as follows:

<u>9</u>	TO PASS
<u>0</u>	NOT TO PASS
<u>0</u>	TO REPORT OUT ONLY
<u>0</u>	ABSTAIN
<u>0</u>	INACTIVE FILE

Sincerely,


ADOLPHO B. PALACIOS, MPA, BS/CJA
Chairman

Attachments

2011 JUL 15 PM 4:57


Committee Members:

- Senator Thomas C. Ada
Vice Chairman
- Speaker Judith T. Won Pat, Ph.D.
Member
- Senator Tina R. Muna-Barnes
Member
- Senator Judith P. Guthertz, DPA
Member
- Senator Rory J. Respicio
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COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY

I Mina'Trentai Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.

Chairman

**COMMITTEE REPORT
ON
BILL NO. 220-31 (COR)
As Substituted by the
Committee on Public Safety, Law Enforcement & Judiciary**

**AN ACT TO *AMEND* “§67.407 OF ARTICLE 4,
CHAPTER 67 OF TITLE 9 OF THE GUAM
CODE ANNOTATED, RELATIVE TO THE
GUAM UNIFORM CONTROLLED
SUBSTANCES ACT.**

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

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Thirty-First
Guam Legislature

COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY

I Mina'Trentai Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.

Chairman

June 27, 2011

MEMORANDUM

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

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

SUBJECT: Committee Report on Bill No. 220-31 (COR) as Substituted.

Transmitted herewith for your consideration is the Committee Report on **Bill No. 220-31 (COR) as Substituted- "AN ACT TO AMEND "§67.407 OF ARTICLE 4, CHAPTER 67 OF TITLE 9 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE GUAM UNIFORM CONTROLLED SUBSTANCES ACT,"** – sponsored by Senator Frank F. Blas, Jr.

This report includes the following:

- Committee Voting Sheet
- Committee Report Digest
- Copy of Bill No. 220-31 (COR) as Substituted
- Copy of Bill No. 220-31 (COR) as Introduced
- Public Hearing Sign-in Sheet(s)
- Copies of testimony submitted and supporting documents
- Copy of COR Referral of Bill No. 228-31 (COR)
- Notices of Public Hearing
- Copy of the Public Hearing Agenda
- Miscellaneous 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!

Committee Members:

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Vice Chairman

Speaker Judith T. Won Pat, Ph.D.
Member

Senator Tina R. Muna-Barnes
Member

Senator Judith P. Guthertz, DPA
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I Mina Trentai Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.

Chairman

VOTING SHEET ON:

Bill No. 220-31 (COR) as Substituted – AN ACT TO AMEND §67.407 OF ARTICLE 4, CHAPTER 67 OF TITLE 9 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE GUAM UNIFORM CONTROLLED SUBSTANCES ACT. – sponsored by Senator Frank F. Blas, Jr.

SENATOR	SIGNATURE	TO PASS	NOT TO PASS	TO REPORT OUT ONLY	ABSTAIN	INACTIVE FILE
Adolpho B. Palacios, Sr. Chairman		6/27 ✓				
Thomas C. Ada Vice Chairman		6/27 ✓				
Tina R. Muña-Barnes Member		6/24/11 ✓				
Judith P. Guthertz, DPA Member		6/28/11 ✓				
Rory J. Respicio Member						
Dennis G. Rodriguez, Jr. Member		6/29/11 ✓				
Judith T. Won Pat, Ed.D. Member						
V. Anthony Ada Member		6/27/11 ✓				
Christopher M. Duenas Member		6/27/11 ✓				
Mana Silva Tajeron Member		6/29/11 ✓				
Aline A. Yamashita, Ph.D. Member		6/27/11 ✓				

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COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina'Trentai Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

COMMITTEE REPORT DIGEST

Bill No. 220-31 (COR) – “An act to amend “§67.407 of Article 4, Chapter 67 of Title 9 of the Guam Code Annotated relative to the Guam Uniform Control Substance Act.” – sponsored by Senator Frank F. Blas, Jr.

I. OVERVIEW

The Committee on Public Safety, Law Enforcement and Judiciary convened the public hearing on June 15, 2011 at 9:06 a.m. in *I Liheslatura’s* Public Hearing Room. Among the items on the agenda was the consideration of Bill No. 220-31 (COR) – “An act to amend “§67.407 of Article 4, Chapter 67 of Title 9 of the Guam Code Annotated relative to the Guam Uniform Control Substance Act,” sponsored by Senator Frank F. Blas, Jr.

Public Hearing Requirements:

Notices of the hearing were disseminated via facsimile and email to all senators and all main media broadcasting outlets on June 8, 2011 (5-day Notice) and on June 13, 2011 (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 Thomas C. Ada	Vice Chairman
Senator Aline A. Yamashita, Ph.D.	Member
Senator V. Anthony Ada	Member
Senator Mana Silva Taijeron	Member
Vice Speaker Benjamin J.F. Cruz	
Senator Frank F. Blas, Jr.	
Senator Sam Mabini, Ph.D.	

Individual(s) Registered for oral or written testimony:

Phil Tydingco, Chief Deputy Attorney General, Office of the Attorney General, provided oral testimony on the Bill.

Fred E. Bordallo, Jr., Chief of Police, Guam Police Department, provided oral and written testimony in support of the Bill.

II. SUMMARY OF TESTIMONIES

Chairman Adolpho B. Palacios, Sr. convened the public hearing for the Committee on Public Safety, Law Enforcement and Judiciary at **9:06 a.m.**, read the agenda, recognized the Senators present, read the title of the Bill and deferred to the author to give an overview of the Bill. Chairman Palacios called the panel of Chief Deputy Attorney General Phil Tydingco and Chief of Police Fred E. Bordallo, Jr., to testify.

Senator Frank F. Blas, Jr., stated that the intent is to include enhanced penalties for those who distribute drugs to pregnant women. He also intends to clarify Drug Free School Zone statute. He stated that it is not apparent when one is guilty of violating the statute. Senator Blas said that there are gaps and areas which need to be strengthened in the drug codes.

Chief Deputy Attorney General Phil Tydingco stated that the Attorney General's Office supports the intent of the Bill. He said that the Bill is consistent with Bill 221.

Chief Fred E. Bordallo, Jr., stated that he supports the Bill. He thanked the author for bringing the Bill forward.

Vice Chairman Thomas C. Ada questions why those who are under eighteen (18) and those who are pregnant are singled out, while persons with disabilities are left out. He also questioned the definition of schools. Mr. Tydingco replied that Vice Chairman Ada raised some good points. He stated that generally minors and people with certain disabilities are the targets for enhancements. Mr. Tydingco stated that minors are clearly a vulnerable population. He added that people who are disabled may also be considered particularly vulnerable. Mr. Tydingco said that originally crafted, the provisions about schools are probably intended to protect minors. He believes that the intent is to prevent the distribution of drugs to a vulnerable population. Senator Blas stated that the definition of Drug Free School Zone includes post-secondary. Vice Chairman Ada asked whether the language should include persons with disabilities and Mr. Tydingco agreed.

Senator Blas stated that he considered expanding the vulnerable population. He was concerned about the reach of mental disabilities. Mr. Tydingco stated existing statutes may adequately address the definition of mental disability. He said that the prosecution would only bring a charge that there is evidence for, which would include one's mental capacity. He said that there would be no point in adding an enhancement if he believed it was unenforceable. He emphasized that doctors or psychiatrists could

testify to one's capacity. Senator Blas stated that he would support creating such an enhancement.

Chairman Palacios stated that he supports inclusion of the enhancement for the mentally disabled.

Chairman Adolpho B. Palacios, Sr., thanked the panel for their testimony and declared that Bill No. 220-31 (COR) is duly heard. The Chairman concluded the hearing and requested that written testimony be submitted. He adjourned the hearing at **10:54 a.m.**

III. WRITTEN TESTIMONIES

Fred E. Bordallo, Jr., Chief of Police, Guam Police Department. (*Summarized in Section II.*)

Wilfred G. Aflague, Director, Department of Mental Health and Substance Abuse. (*Summary follows.*)

Wilfred G. Aflague, Director, Department of Mental Health and Substance Abuse. Director Aflague stated that the Department supports the Bill. He stated that the punishment fits the crime. (*See attached written testimony.*)

No further written testimony received within the five (5) day period after the public hearing.

IV. FINDINGS AND RECOMMENDATIONS

Substitute Bill 220-31 (COR):

The Committee on Public Safety, Law Enforcement and Judiciary has created a Substitute for Bill 220-31 (COR). The Bill has undergone significant modification since its introduction.

The title was amended to correct errors. There was a stray quotation mark and the title lacked a comma to separate the clauses. Additionally, the reference to the Chapter 67 title was in error.

The only substantive change in Section 1 was the addition of "a person suffering from a mental illness, disease or defect" to the object enhancement classes in subsection (a) and (b) of §67.407, along with the already included persons under the age of eighteen (18) and the pregnant individuals added in the Bill as introduced. The term "pregnant individual" was replaced with the term "pregnant person" so that the meaning is clear. Additionally, the title of the §67.407, amended by Section 1, was changed to reflect the

enhancement for distribution to persons suffering from a mental illness, disease or defect, and a title of Section 1 was added to reflect the new title of §67.407.

The Section 1 states that it amends §67.407, but the Section failed to include subsections (e) and (f), though it had included all other subsections. For clarity that those subsections are not repealed, they are included in the text. All other changes relate to grammar or style.

Recommendations:

The Committee on Public Safety, Law Enforcement and Judiciary hereby reports out **Bill No. 220-31 (COR), as substituted by the Committee, with the recommendation TO PASS.**

I MINA'TRENTAI UNO NA LIHESLATURAN GUAHAN
2011 (FIRST) Regular Session

2011 MAY 31 PH 1:58

Bill No. 220-31 (COR)

Introduced by:

F. F. Blas, Jr.

V. A. Ada

A. C. Yamashita

M. Silva Taijeron

C. M. Duenas

S. A. Mabini

AN ACT TO AMEND “§67.407 OF ARTICLE 4,
CHAPTER 67 OF TITLE 9 OF THE GUAM CODE
ANNOTATED RELATIVE TO THE GUAM
UNIFORM CONTROL SUBSTANCE ACT.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. §67.407 of Article 4, Chapter 67 of Title 9 of the Guam Code
3 Annotated is hereby amended to read as follows:

4 “§67.407. Distribution to Individual Under Age 18 or to Pregnant
5 Individual; Distribution Near Schools or Colleges or Drug Free School
6 Zones; Penalties. (a) Any person who is at least eighteen (18) years of age
7 who is found guilty of an offense pursuant to §67.401.1(a)(1) of this Act by
8 distributing a substance listed in Schedule I or II as per Appendices A and B of
9 this Act which is a narcotic drug to a person under eighteen (18) years of age or
10 to a pregnant individual shall be sentenced to serve, in addition to the sentence
11 prescribed by §67.401.4, a term of five (5) years imprisonment. Imposition or
12 execution of such sentence shall not be suspended and probation shall not be

1 granted. Parole or work release shall not be granted until the offender has
2 served the additional five (5) year sentence prescribed by this Subsection.

3 (b) Any person who is at least eighteen (18) years of age who is found
4 guilty of an offense pursuant to §67.401.1(a)(1) of this Act by distributing a
5 non-narcotic controlled substance listed in Schedule I or II as per Appendices A
6 and B of this Act, or a substance listed in Schedules III, IV, or V as per
7 Appendices C – E of this Act to a person under eighteen (18) years of age or to
8 a pregnant individual shall be sentenced to serve, in addition to the sentence
9 prescribed by §67.401.4, three (3) years of imprisonment. Imposition or
10 execution of such sentence shall not be suspended and probation shall not be
11 granted. Parole or work release shall not be granted until the offender has
12 served the additional three (3) year sentence prescribed by this Subsection.

13 ~~(c) An individual shall not violate § 67.401.1(a)(1) of this Chapter by~~
14 ~~distributing a substance listed in Schedule I or II as per Appendices A and B of~~
15 ~~this Chapter which is a narcotic drug, in or on a school, or within the Drug Free~~
16 ~~School Zone as herein defined. An individual who violates this Subsection shall~~
17 ~~be sentenced to serve, in addition to the minimum sentence prescribed by §~~
18 ~~67.401.4 of this Act, a term of five (5) years of Imprisonment. Any person who~~
19 ~~is found guilty of an offense pursuant to §67.401.1(a)(1) of this Chapter by~~
20 ~~distributing a substance listed in Schedule I or II as per Appendices A and B of~~
21 ~~this A Chapter, which is a narcotic drug, in or on a school, or within the Drug~~
22 ~~Free School Zone as defined herein, shall be sentenced to serve, in addition to~~
23 ~~the sentence prescribed by §67.401.4 of this Act, a term of five (5) years~~
24 ~~imprisonment.~~ Imposition or execution of such sentence shall not be suspended
25 and probation shall not be granted. Parole or work release shall not be granted
26 until the offender has served the additional five (5) years prescribed by this
27 Subsection.

1 (d) ~~An individual shall not violate § 67.401.1(a)(1) of this Chapter by~~
2 ~~distributing any non-narcotic controlled substance listed in Schedule I or II as~~
3 ~~per Appendices A and B of this Chapter or a substance listed in Schedules III,~~
4 ~~IV, or V as per Appendices C-E of this Chapter, or within the Drug Free School~~
5 ~~Zone as herein defined. An individual who violates this Subsection shall be~~
6 ~~sentenced to serve, in addition to the minimum sentence prescribed by~~
7 ~~§67.401.4 of this Act, a term of three (3) years of Imprisonment. Any person~~
8 ~~who is found guilty of an offense pursuant to §67.401.1(a)(1) of this Act by~~
9 ~~distributing any non-narcotic controlled substance listed in Schedule I or II as~~
10 ~~per Appendices A and B of this Chapter or a substance listed in Schedules III,~~
11 ~~IV, or V as per Appendices C-E of this Chapter, in or on a school, or within the~~
12 ~~Drug Free School Zone as defined herein, shall be sentenced to serve, in~~
13 ~~addition to the sentence prescribed by § 67.401.4 of this Act, a term of three (3)~~
14 ~~years imprisonment.~~ Imposition or execution of such sentence shall not be
15 suspended and probation shall not be granted. Parole or work release shall not
16 be granted until the offender has served the additional three (3) years prescribed
17 by this Subsection.”

18 **Section 2. Severability.** *If any provision of this law or its application to any*
19 *person or circumstance is found to be invalid or contrary to law, such invalidity shall*
20 *not affect other provisions or applications of this law which can be given effect*
21 *without the invalid provisions or applications, and to this end the provisions of this*
22 *law are severable.*

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 220-31 (COR)

As Substituted by the Committee on Public Safety,
Law Enforcement and Judiciary

Introduced by:

F. F. Blas, Jr.

V. A. Ada

A. C. Yamashita

M. Silva Taijeron

C. M. Duenas

S. A. Mabini

**AN ACT TO AMEND “§67.407 OF ARTICLE 4,
CHAPTER 67 OF TITLE 9 OF THE GUAM CODE
ANNOTATED, RELATIVE TO THE GUAM
UNIFORM CONTROLLED SUBSTANCES ACT.**

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

2 **Section 1. Distribution to Individuals Under Age 18, to Persons Suffering**
3 **from a Mental Illness, Disease or Defect, or Pregnant Persons; Distribution Near**
4 **Schools or Drug Free School Zones; Penalties.** §67.407 of Article 4, Chapter 67, of
5 Title 9, of the Guam Code Annotated is hereby *amended* to read as follows:

6 “§67.407. **Distribution to Individuals Under Age 18, to Persons**
7 **Suffering from a Mental Illness, Disease or Defect, or to Pregnant Persons**
8 **Individual; Distribution Near Schools or Colleges or Drug Free School**
9 **Zones; Penalties.**

10 (a) Any person who is at least eighteen (18) years of age who is found
11 guilty of an offense pursuant to §67.401.1(a)(1) of this Act by distributing a
12 substance listed in Schedule I or II as per Appendices A and B of this Act
13 which is a narcotic drug to a person under eighteen (18) years of age, a person
14 suffering from a mental illness, disease or defect, or to a pregnant person

1 ~~individual~~ shall be sentenced to serve, in addition to the sentence prescribed by
2 §67.401.4, a term of five (5) years imprisonment. Imposition or execution of
3 such sentence shall not be suspended and probation shall not be granted. Parole
4 or work release shall not be granted until the offender has served the additional
5 five (5) year sentence prescribed by this Subsection.

6 (b) Any person who is at least eighteen (18) years of age who is found
7 guilty of an offense pursuant to §67.401.1(a)(1) of this Act by distributing a
8 non-narcotic controlled substance listed in Schedule I or II as per Appendices A
9 and B of this Act, or a substance listed in Schedules III, IV, or V as per
10 Appendices C – E of this Act to a person under eighteen (18) years of age, a
11 person suffering from a mental illness, disease or defect, or to a pregnant person
12 ~~individual~~ shall be sentenced to serve, in addition to the sentence prescribed by
13 §67.401.4, three (3) years of imprisonment. Imposition or execution of such
14 sentence shall not be suspended and probation shall not be granted. Parole or
15 work release shall not be granted until the offender has served the additional
16 three (3) year sentence prescribed by this Subsection.

17 (c) ~~An individual shall not violate § 67.401.1(a)(1) of this Chapter by~~
18 ~~distributing a substance listed in Schedule I or II as per Appendices A and B of~~
19 ~~this Chapter which is a narcotic drug, in or on a school, or within the Drug Free~~
20 ~~School Zone as herein defined. An individual who violates this Subsection shall~~
21 ~~be sentenced to serve, in addition to the minimum sentence prescribed by §~~
22 ~~67.401.4 of this Act, a term of five (5) years of Imprisonment. Any person who~~
23 is found guilty of an offense pursuant to §67.401.1(a)(1) of this Chapter by
24 distributing a substance listed in Schedule I or II as per Appendices A and B of
25 this A Chapter, which is a narcotic drug, in or on a school, or within the Drug
26 Free School Zone as defined herein, shall be sentenced to serve, in addition to
27 the sentence prescribed by §67.401.4 of this Act, a term of five (5) years

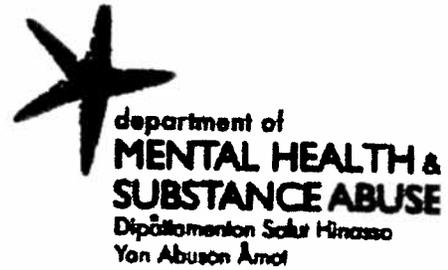
1 imprisonment. Imposition or execution of such sentence shall not be suspended
2 and probation shall not be granted. Parole or work release shall not be granted
3 until the offender has served the additional five (5) years prescribed by this
4 Subsection.

5 (d) ~~An individual shall not violate § 67.401.1(a)(1) of this Chapter by~~
6 ~~distributing any non-narcotic controlled substance listed in Schedule I or II as~~
7 ~~per Appendices A and B of this Chapter or a substance listed in Schedules III,~~
8 ~~IV, or V as per Appendices C-E of this Chapter, or within the Drug Free School~~
9 ~~Zone as herein defined. An individual who violates this Subsection shall be~~
10 ~~sentenced to serve, in addition to the minimum sentence prescribed by~~
11 ~~§67.401.4 of this Act, a term of three (3) years of Imprisonment. Any person~~
12 ~~who is found guilty of an offense pursuant to §67.401.1(a)(1) of this Act by~~
13 ~~distributing any non-narcotic controlled substance listed in Schedule I or II as~~
14 ~~per Appendices A and B of this Chapter or a substance listed in Schedules III,~~
15 ~~IV, or V as per Appendices C-E of this Chapter, in or on a school, or within the~~
16 ~~Drug Free School Zone as defined herein, shall be sentenced to serve, in~~
17 ~~addition to the sentence prescribed by § 67.401.4 of this Act, a term of three (3)~~
18 ~~years imprisonment.~~ Imposition or execution of such sentence shall not be
19 suspended and probation shall not be granted. Parole or work release shall not
20 be granted until the offender has served the additional three (3) years prescribed
21 by this Subsection.

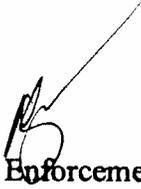
22 (e) It is not a defense to a violation of Subsections (a) and (b) that the
23 accused did not know the age of an individual to whom a controlled substance
24 was distributed.

25 (f) It is not a defense to a violation of Subsections (c) or (d) that the
26 accused did not know the distance involved.”

1 **Section 2. Severability.** *If* any provision of this law or its application to any
2 person or circumstance is found to be invalid or contrary to law, such invalidity shall
3 *not* affect other provisions or applications of this law which can be given effect
4 without the invalid provisions or applications, and to this end the provisions of this
5 law are severable.



June 15, 2011

Senator Adolpho B. Palacios, Sr. 
Committee on Public Safety, Law Enforcement & Judiciary
155 Hesler Place
Hagatna, Guam 96910

790 Gov. Carlos G. Camacho Rd
Tamuning, Guam 96913
Phone: 671-647-5330
Fax: 671-647-5402

EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

WILFRED G. AFLAGUE
Director

RE: Response to Your Letter Dated June 14, 2011,
Reference Bill 216-31(COR); Bill 220-31(COR); Bill 221-31(COR)

Hafa Adai Senator Palacios,

After reviewing Bill No. 221-31, we agree to the act to amend item 35 of 67.100 and to add item 39 to article 1 of chapter 67, relative to drug free school zones.

After reviewing Bill No 220-31, we agree to the three (3) years sentence which will be carried out for an individual who is found guilty of distributing a non-narcotic controlled substance listed in schedule I or II to a minor or a pregnant woman. The punishment fits the crime since a minor or unborn child is harmed as a result of illicit drug use.

After reviewing Bill No. 216-31, we agree to the changes made relative to updating the Guam uniform controlled substance act based on the U.S. DEA schedule listing.

Senseramente,


WILFRED G. AFLAGUE
Director

By direction of director



COMMITTEE ON RULES

I Mina'trentai Unu na Libeslaturan Guåhan • The 31st Guam Legislature

155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com

E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

June 21, 2011

Senator
Judith P. Guthertz
VICE CHAIRPERSON
ASST. MAJORITY LEADER

Memorandum

MAJORITY
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Judith T. Won Pat

Vice Speaker
Benjamin J. F. Cruz

Senator
Tina Rose Muña Barnes
LEGISLATIVE SECRETARY
MAJORITY WHIP

Senator
Dennis G. Rodriguez, Jr.
ASST. MAJORITY WHIP

Senator
Thomas C. Ada

Senator
Adolpho B. Palacios, Sr.

Senator
vicente c. pangelinan

MINORITY
MEMBERS:

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

Senator
Christopher M. Duenas

To: **Pat C. Santos**
Clerk of the Legislature

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

Subject: **Fiscal Notes**

Hafa Adai!

Attached please find the fiscal notes for the bill numbers listed below. Please note that the fiscal notes, or waivers, are issued on the bills as introduced.

Bill Nos.:

138-31 (LS)	196-31 (COR)	211-31 (COR)	220-31 (COR)
143-31 (COR)	200-31 (COR)	214-31 (COR)	221-31 (COR)
148-31 (COR)	203-31 (COR)	215-31 (COR)	225-31 (COR)
176-31 (LS)	206-31 (COR)	216-31 (COR)	229-31 (COR)
181-31 (LS)	207-31 (COR)	217-31 (COR)	
189-31 (LS)	208-31 (COR)	218-31 (COR)	
192-31 (COR)	210-31 (COR)	219-31 (COR)	

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

Si Yu'os ma'åse'!

2011 Jun 21 PM 10:27

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

OFFICE OF THE GOVERNOR

Post Office Box 2950, Hagåtña Guam 96932

EDDIE BAZA CALVO
GOVERNORRAY TENORIO
LIEUTENANT GOVERNORBENITA A. MANGLONA
DIRECTORSTEPHEN J. GUERRERO
DEPUTY DIRECTOR**JUN 17 2011**

Senator Rory J. Respicio
Chairperson, Committee on Rules
I Mina'trentai Unu na Liheslaturan Guåhan
The 31st Guam Legislature
155 Hesler Place
Hagåtña, Guam 96932

Hafa Adai Senator Respicio:

Transmitted herewith are Fiscal Notes on the following Bill Nos.: 138-31(LS), 143-31(COR), 148-31(COR), 176-31(LS), 181-31(LS), 189-31(LS), 192-31(COR), 196-31(COR), 200-31(COR), 206-31(COR), 207-31(COR), 208-31(COR), 210-31(COR), 211-31(COR), 214-31(COR), 215-31(COR), 216-31(COR), 217-31(COR), 218-31(COR), 220-31(COR), 221-31(COR), 225-31(COR), 229-31(COR) and Fiscal Note Waivers on Bill Nos.: 203-31(COR), 219-31(COR).

If you have any question(s), please do not hesitate to call the office at 475-9412/9106.


BENITA A. MANGLONA
Director

Enclosures

cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 220-31 (COR)**

AN ACT TO AMEND §67.407 OF ARTICLE 4, CHAPTER 67 OF TITLE 9 OF THE GUAM CODE ANNOTATED RELATIVE TO THE GUAM UNIFORM CONTROL SUBSTANCE ACT.

Department/Agency Appropriation Information	
Dept./Agency Affected: Attorney General's Office	Dept./Agency Head: Leonardo Rapadas
Department's General Fund (GF) appropriation(s) to date:	10,793,965
Department's Other Fund (Specify) appropriation(s) to date:	-
Total Department/Agency Appropriation(s) to date:	\$10,793,965

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2010 Unreserved Fund Balance ¹		\$0	\$0
FY 2011 Adopted Revenues	\$0	\$0	\$0
FY 2011 Appro. (P.L. 30-196)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2011 (if applicable)	FY 2012	FY 2013	FY 2014	FY 2015
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0

- Does the bill contain "revenue generating" provisions?
If Yes, see attachment / / Yes /x/ No
- Is amount appropriated adequate to fund the intent of the appropriation?
If no, what is the additional amount required? \$ _____ /x/ N/A / / Yes / / No
- Does the Bill establish a new program/agency?
If yes, will the program duplicate existing programs/agencies? / / Yes /x/ No
Is there a federal mandate to establish the program/agency? / / Yes /x/ No
- Will the enactment of this Bill require new physical facilities? / / Yes /x/ No
- Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason:
/ / Requested agency comments not received by due date / / Yes /x/ No
/ / Other: _____

Analyst: Matt Quinata Date: 6/16/11 Director: Bernita A. Manglona Date: 6/16/11
 Matt Quinata Bernita A. Manglona, BBMR Director

Footnotes:
 The proposed bill has potential for additional costs to departments/agencies who will enforce this bill. A subsequent bill (Bill 221-31) amends the definition of a Drug Free School Zone which will broaden the scope of enforcement. The bill also proposes to include as an offense the distribution of a substance to pregnant individuals. In its present form, the fiscal impact cannot be determined at this time.



COMMITTEE ON RULES

I Mina'trentai Unu na Liheslaturan Guåhan • The 31st Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

2011 JUN -2 PM 11:37
WMM

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Judith P. Guthertz
VICE CHAIRPERSON
ASST. MAJORITY LEADER

MAJORITY MEMBERS:

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ASST. MAJORITY WHIP

Senator
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Senator
Adolpho B. Palacios, Sr.

Senator
vicente c. pangelinan

MINORITY MEMBERS:

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

Senator
Christopher M. Ducnas

June 1, 2011

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 Nos. 220-31 (COR) through 222-31 (COR)

As Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 220-31(COR) through 222-31 (COR).

Please ensure that the subject bills are 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'trentai Unu na Liheslaturan Guåhan*.

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

Si Yu'os ma'åse!

(2) Attachments

I Mina'Trentai Unu Na Liheslaturan Guåhan

Bill Log Sheet

May 31, 2011

Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	120 Day Deadline	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date) Passed? Failed? Vetoed? Overridden? Public Law?
220-31 (COR)	F. F. Blas, Jr., A. A. Yamashita, M. Silva Tajjeron, S. A. Mabini	AN ACT TO AMEND "§67.407 OF ARTICLE 4, CHAPTER 67 OF TITLE 9 OF THE GUAM CODE ANNOTATED RELATIVE TO THE GUAM UNIFORM CONTROL SUBSTANCE ACT.	5/31/11 1:58 p.m.	6/1/11		Committee on Public Safety, Law Enforcement & Judiciary			
221-31 (COR)	F. F. Blas, Jr., A. A. Yamashita, V. A. Ada, M. Silva Tajjeron, S. A. Mabini	AN ACT TO AMEND ITEM (35) OF §67.100 AND TO ADD ITEM (39) TO ARTICLE 1 OF CHAPTER 67 RELATIVE TO DRUG FREE SCHOOL ZONES.	5/31/11 1:58 p.m.	6/1/11		Committee on Public Safety, Law Enforcement & Judiciary			

From: Priscilla Cruz (pris@senatorpalacios.com)
To: phnotice@guamlegislature.org; telo.taitague@guam.gov;
Date: Wed, June 8, 2011 9:12:15 AM
Cc:
Subject: First Notice of Public Hearing scheduled for June 15, 2011

June 8, 2011

Please see attached First Notice of Public Hearing scheduled for June 15, 2011.
Thank you for your kind attention.

Priscilla T. Cruz
Administrative Officer
Office of Senator A. B. Palacios, Sr.
155 Hesler Pl.
Hagatna, Guam 96910
472-5047/5048

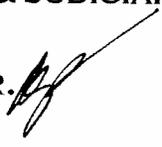
Listserv: phnotice@guamlegislature.org

aline4families@gmail.com
audrey@judiwonpat.com
berleneranae@hotmail.com
bruce.lloyd.media@gmail.com
carlo@tinamunabarnes.com
chechsantos@gmail.com
chelsa@tinamunabarnes.com
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speaker@judiwonpat.com
steve@judiwonpat.com
tanya4families@gmail.com
tom@senatorada.org
tterlaie@guam.net



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina'Trentai Unu Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR. 
Chairman

PRESS RELEASE

FIRST NOTICE OF PUBLIC HEARING
Wednesday, June 15, 2011 – 9:00 am

FOR IMMEDIATE RELEASE
(Hagatna, Guam – June 8, 2011)

In accordance with the Open Government Law, Public Law No. 24-109, relative to notice for public meetings, please be advised that the Committee on Public Safety, Law Enforcement, and Judiciary will be conducting a public hearing starting at **9:00 am, Wednesday, June 15, 2011**, at *I Liheslaturan Guåhan's Public Hearing Room* in *Hagåtña*, on the following:

- **Bill No. 214-31 (COR)** – AN ACT TO AMEND §40105(b) OF 7GCA, TO AMEND §§30.80, 30.80.1, 30.80.2, 30.80.3, OF 8GCA AND TO REPEAL §30.80.4 OF 8GCA RELATIVE TO **DEFERRED PLEAS FOR DOMESTIC VIOLENCE ABUSERS**. – sponsored by **Senator V. Anthony Ada**.
- **Bill No. 216-31 (COR)** – AN ACT TO AMEND (C), (D), (E), AND TO ADD A NEW ITEM (F) TO APPENDIX A, TO AMEND (A)(1), (B), AND (C) OF APPENDIX B, TO AMEND (B), (D), (E), AND ADD A NEW (F) TO APPENDIX C, TO AMEND (B) OF APPENDIX D, TO AMEND (D) OF APPENDIX D, TO AMEND (D) OF APPENDIX E OF CHAPTER 67 OF TITLE 9, TO ADD A NEW §3106.1 TO ARTICLE 1 OF CHAPTER 3 OF TITLE 10 OF THE GUAM CODE ANNOTATED RELATIVE TO **UPDATING THE GUAM UNIFORM CONTROLLED SUBSTANCE ACT** BASED ON THE U.S. DRUG ENFORCEMENT ADMINISTRATION SCHEDULE LISTING. – sponsored by **Vice Speaker Benjamin J. F. Cruz**.
- **Bill No. 220-31 (COR)** – AN ACT AMEND “§67.407 OF ARTICLE 4, CHAPTER 67 OF TITLE 9 OF THE GUAM CODE ANNOTATED RELATIVE TO THE **GUAM UNIFORM CONTROL SUBSTANCE ACT**. – sponsored by **Senator Frank F. Blas, Jr.**
- **Bill No. 221-31 (COR)** – AN ACT AMEND ITEM (35) OF §67.100 AND TO ADD ITEM (39) TO ARTICLE 1 OF CHAPTER 67 RELATIVE TO **DRUG FREE SCHOOL ZONES**. – sponsored by **Senator Frank F. Blas, Jr.**
- **Bill No. 228-31 (COR)** – AN ACT TO AMEND §78106 OF CHAPTER 78, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE GUAM COMMUNITY POLICE REVIEW COMMISSION TO CONDUCT MEETINGS AND RELEVANT ACTIVITIES WITHIN GUAM POLICE DEPARTMENT FACILITIES. – sponsored by **Senator Adolpho B. Palacios, Sr.**

Copies of the aforementioned Bills may be obtained at *I Liheslaturan Guåhan's* website at www.guamlegislature.com. Testimonies should be addressed to Senator Adolpho B. Palacios, Sr., Chairperson, and will be accepted via hand delivery to our office, our mailbox at the main Legislature Building at 155 Hesler Place, Hagatna, Guam 96910, or via email to SenABPalacios@gmail.com, or via facsimile to (671) 472-5022, until 5:00 pm, **June 6, 2011**. Individuals requiring special accommodations or services, please contact Julian Janssen or Jennifer Dulla at (671) 472-5047/5048.

From: Priscilla Cruz (pris@senatorpalacios.com)
To: mindy@kuam.com; jason@kuam.com; sabrina@kuam.com; news@guampdn.com; cmeylan@guampdn.com; dmgeorge@guampdn.com; mpieper@guampdn.com; dcrisost@guampdn.com; amier@mvguam.com; zytaitano@mvguam.com; news@spbguam.com; clynt@spbguam.com; jtyquiengco@spbguam.com; jontalk@k57.com; breakfastshowk57@gmail.com; kstone@ite.net;
Date: Wed, June 8, 2011 9:15:21 AM
Cc:
Subject: First Notice of Public Hearing scheduled for June 15, 2011

June 8, 2011

Please see attached Press Release regarding first notice of public hearing scheduled for June 15, 2011. Thank you for your kind attention.

Priscilla T. Cruz
Administrative Officer
Office of Senator A. B. Palacios, Sr.
155 Hesler Pl.
Hagatna, Guam 96910
472-5047/5048

Destination	Start Time	Time	Prints	Result	Note
PDN	06-08 08:43	00:00:40	001/001	OK	
KUAM	06-08 08:44	00:00:23	001/001	OK	
PNC	06-08 08:45	00:00:26	001/001	OK	
K57	06-08 08:46	00:00:25	001/001	OK	
HIT RADIO 100	06-08 08:46	00:00:21	001/001	OK	
KSTO	06-08 08:48	00:00:46	001/001	OK	
GLIMPSES	06-08 08:49	00:01:10	001/001	OK	
MARIANAS VARIETY	06-08 08:50	00:00:25	001/001	OK	
KSTEREO/KISH	06-08 08:51	00:00:47	001/001	OK	
JOY 92 FM	06-08 08:52	00:00:21	001/001	OK	
KPRG	06-08 08:53	00:00:27	001/001	OK	

Note TMR: Timer TX, POL: Polling, ORG: Original Size Setting, FME: Frame Erase TX,
 MIX: Mixed Original TX, CALL: Manual TX, CSRC: CSRC, FWD: Forward, PC: PC-Fax,
 BND: Double-Sided Binding Direction, SP: Special original, FCODE: F-code, RTX: Re-TX,
 RLY: Relay, MBX: Confidential, BUL: Bulletin, SIP: SIP Fax, IPADR: IP Address Fax,
 I-FAX: Internet Fax

Result OK: Communication OK, S-OK: Stop Communication, PW-OFF: Power Switch OFF,
 TEL: RX from TEL, NG: Other Error, Cont: Continue, No Ans: No Answer,
 Refuse: Receipt Refused, Busy: Busy, M-Full: Memory Full,
 LOVR: Receiving length Over, POVER: Receiving page Over, FIL: File Error,
 DC: Decode Error, MDN: MDN Response Error, DSN: DSN Response Error.



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Miaz Trental Unu Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
 Chairman

PRESS RELEASE

FIRST NOTICE OF PUBLIC HEARING
 Wednesday, June 15, 2011 – 9:00 am

FOR IMMEDIATE RELEASE
 (Hagåtña, Guam – June 8, 2011)

In accordance with the Open Government Law, Public Law No. 24-109, relative to notice for public meetings, please be advised that the Committee on Public Safety, Law Enforcement, and Judiciary will be conducting a public hearing starting at 9:00 am, Wednesday, June 15, 2011, at *I Liheslaturan Guåhan's* Public Hearing Room in Hagåtña, on the following:

- **Bill No. 214-31 (COR)** – AN ACT TO AMEND §40105(b) OF 7CCA, TO AMEND §§30.80, 30.80.1, 30.80.2, 30.80.3, OF 8GCA AND TO REPEAL §30.80.4 OF 8GCA RELATIVE TO DEFERRED PLEAS FOR DOMESTIC VIOLENCE ABUSERS. – sponsored by Senator V. Anthony Ada.
- **Bill No. 216-31 (COR)** – AN ACT TO AMEND (C), (D), (E), AND TO ADD A NEW ITEM (F) TO APPENDIX A, TO AMEND (A)(1), (B), AND (C) OF APPENDIX B, TO AMEND (B), (D), (E), AND ADD A NEW (F) TO APPENDIX C, TO AMEND (B) OF APPENDIX D, TO AMEND (D) OF APPENDIX D, TO AMEND (D) OF APPENDIX E OF CHAPTER 67 OF TITLE 9, TO ADD A NEW §3106.1 TO ARTICLE 1 OF CHAPTER 3 OF TITLE 10 OF THE GUAM CODE ANNOTATED RELATIVE TO UPDATING THE GUAM UNIFORM CONTROLLED SUBSTANCE ACT BASED ON THE U.S. DRUG ENFORCEMENT ADMINISTRATION SCHEDULE LISTING. – sponsored by Vice Speaker Benjamin J. F. Cruz.
- **Bill No. 220-31 (COR)** – AN ACT AMEND §67.407 OF ARTICLE 4, CHAPTER 67 OF TITLE 9 OF THE GUAM CODE ANNOTATED RELATIVE TO THE GUAM UNIFORM CONTROL SUBSTANCE ACT. – sponsored by Senator Frank F. Blas, Jr.
- **Bill No. 221-31 (COR)** – AN ACT AMEND ITEM (35) OF §67.100 AND TO ADD ITEM (39) TO ARTICLE 1 OF CHAPTER 67 RELATIVE TO DRUG FREE SCHOOL ZONES. – sponsored by Senator Frank F. Blas, Jr.
- **Bill No. 228-31 (COR)** – AN ACT TO AMEND §78106 OF CHAPTER 78, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE GUAM COMMUNITY POLICE REVIEW COMMISSION TO CONDUCT MEETINGS AND RELEVANT ACTIVITIES WITHIN GUAM POLICE DEPARTMENT FACILITIES. – sponsored by Senator Adolpho B. Palacios, Sr.

Copies of the aforementioned Bills may be obtained at *I Liheslaturan Guåhan's* website at www.guamlegislature.com. Testimonies should be addressed to Senator Adolpho B. Palacios, Sr., Chairperson, and will be accepted via hand delivery to our office, our mailbox at the main Legislature Building at 155 Hester Place, Hagåtña, Guam 96910, or via email to SenABPalacios@gmail.com, or via facsimile to (671) 472-5022, until 5:00 pm, June 8, 2011. Individuals requiring special accommodations or services, please contact Julian Janssen or Jennifer Dulla at (671) 472-5047/75048.

Destination	Start Time	Time	Prints	Result	Note
GPD	06-08 08:54	00:00:22	001/001	OK	
AGO	06-08 08:54	00:00:25	001/001	OK	
Gov.	06-08 08:55	00:00:21	001/001	OK	

Note TMR: Timer TX, POL: Polling, ORG: Original Size Setting, FME: Frame Erase TX,
 MIX: Mixed Original TX, CALL: Manual TX, CSRC: CSRC, FWD: Forward, PC: PC-Fax,
 BND: Double-Sided Binding Direction, SP: Special original, FCODE: F-code, RTX: Re-TX,
 RLY: Relay, MBX: Confidential, BUL: Bulletin, SIP: SIP Fax, IPADR: IP Address Fax,
 I-FAX: Internet Fax

Result OK: Communication OK, S-OK: Stop Communication, PW-OFF: Power Switch OFF,
 TEL: RX from TEL, NG: Other Error, Cont: Continue, No Ans: No Answer,
 Refuse: Receipt Refused, Busy: Busy, M-Full: Memory Full,
 LOVR: Receiving length Over, POVER: Receiving page Over, FIL: File Error,
 DC: Decode Error, MDN: MDN Response Error, DSN: DSN Response Error.



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina Trental Unu Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
 Chairman

PRESS RELEASE

FIRST NOTICE OF PUBLIC HEARING
 Wednesday, June 15, 2011 – 9:00 am

FOR IMMEDIATE RELEASE
 (Hagatna, Guam – June 8, 2011)

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- **Bill No. 214-31 (COR)** – AN ACT TO AMEND §40105(b) OF 7GCA, TO AMEND §§30.80, 30.80.1, 30.80.2, 30.80.3, OF 8GCA AND TO REPEAL §30.80.4 OF 8GCA RELATIVE TO DEFERRED PLEAS FOR DOMESTIC VIOLENCE ABUSERS. – sponsored by Senator V. Anthony Ada.
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COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina'Trentai Unu Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

PRESS RELEASE

SECOND NOTICE OF PUBLIC HEARING
Wednesday, June 15, 2011 – 9:00 am

FOR IMMEDIATE RELEASE
(Hagatna, Guam – June 13, 2011)

In accordance with the Open Government Law, Public Law No. 24-109, relative to notice for public meetings, please be advised that the Committee on Public Safety, Law Enforcement, and Judiciary will be conducting a public hearing starting at **9:00 am, Wednesday, June 15, 2011**, at *I Liheslaturan Guåhan's Public Hearing Room* in *Hagåtña*, on the following:

- **Bill No. 214-31 (COR)** – AN ACT TO AMEND §40105(b) OF 7GCA, TO AMEND §§30.80, 30.80.1, 30.80.2, 30.80.3, OF 8GCA AND TO REPEAL §30.80.4 OF 8GCA RELATIVE TO DEFERRED PLEAS FOR DOMESTIC VIOLENCE ABUSERS. – sponsored by **Senator V. Anthony Ada**.
- **Bill No. 216-31 (COR)** – AN ACT TO AMEND (C), (D), (E), AND TO ADD A NEW ITEM (F) TO APPENDIX A, TO AMEND (A)(1), (B), AND (C) OF APPENDIX B, TO AMEND (B), (D), (E), AND ADD A NEW (F) TO APPENDIX C, TO AMEND (B) OF APPENDIX D, TO AMEND (D) OF APPENDIX D, TO AMEND (D) OF APPENDIX E OF CHAPTER 67 OF TITLE 9, TO ADD A NEW §3106.1 TO ARTICLE 1 OF CHAPTER 3 OF TITLE 10 OF THE GUAM CODE ANNOTATED RELATIVE TO **UPDATING THE GUAM UNIFORM CONTROLLED SUBSTANCE ACT** BASED ON THE U.S. DRUG ENFORCEMENT ADMINISTRATION SCHEDULE LISTING. – sponsored by **Vice Speaker Benjamin J. F. Cruz**.
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From: Priscilla Cruz (pris@senatorpalacios.com)
To: phnotice@guamlegislature.org; telo.taitague@guam.gov;
Date: Mon, June 13, 2011 8:35:12 AM
Cc:
Subject: Second Notice of Public Hearing scheduled for June 15, 2011

PRESS RELEASE

SECOND NOTICE OF PUBLIC HEARING
Wednesday, June 15, 2011 – 9:00 am

FOR IMMEDIATE RELEASE
(Hagatna, Guam – June 13, 2011)

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POLICE

DEPARTMENT FACILITIES. – sponsored by Senator Adolpho B. Palacios, Sr.

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Priscilla T. Cruz
Administrative Officer
Office of Senator A. B. Palacios, Sr.
155 Hesler Pl.
Hagatna, Guam 96910
472-5047/5048

Destination	Start Time	Time	Prints	Result	Note
PDN	06-13 08:14	00:00:41	001/001	OK	
KUAM	06-13 08:15	00:00:26	001/001	OK	
PNC	06-13 08:16	00:00:25	001/001	OK	
K57	06-13 08:17	00:00:21	001/001	OK	
HIT RADIO 100	06-13 08:17	00:00:21	001/001	OK	
KSTO	06-13 08:18	00:00:43	001/001	OK	
GLIMPSES	06-13 08:19	00:00:22	001/001	OK	
MARIANAS VARIETY	06-13 08:20	00:00:25	001/001	OK	
KSTEREO/KISH	06-13 08:21	00:00:47	001/001	OK	
JOY 92 FM	06-13 08:22	00:00:21	001/001	OK	
KPRG	06-13 08:23	00:00:20	001/001	OK	

Note TMR: Timer TX, POL: Polling, ORG: Original Size Setting, FME: Frame Erase TX,
MIX: Mixed Original TX, CALL: Manual TX, CSRC: CSRC, FWD: Forward, PC: PC-Fax,
BND: Double-Sided Binding Direction, SP: Special original, FCODE: F-code, RTX: Re-TX,
RLY: Relay, MBX: Confidential, BUL: bulletin, SIP: SIP Fax, IPADR: IP Address Fax,
I-FAX: Internet Fax

Result OK: Communication OK, S-OK: Stop Communication, PW-OFF: Power Switch OFF,
TEL: RX from TEL, NG: Other Error, Cont: Continue, No Ans: No Answer,
Refuse: Receipt Refused, Busy: Busy, M-Full: Memory Full,
LOVR: Receiving length Over, POVER: Receiving page Over, FIL: File Error,
DC: Decode Error, MDN: MDN Response Error, DSN: DSN Response Error.



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina Trental Unu Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

PRESS RELEASE

SECOND NOTICE OF PUBLIC HEARING
Wednesday, June 15, 2011 - 9:00 am

FOR IMMEDIATE RELEASE
(Hagåtña, Guam - June 13, 2011)

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From: Priscilla Cruz (pris@senatorpalacios.com)

To: sabrina@kuam.com; jason@kuam.com; mindy@kuam.com; news@guampdn.com; dcrisost@guampdn.com; dmgeorge@guampdn.com; mpieper@guampdn.com; amier@mvguam.com; zytaitano@mvguam.com; news@spbg Guam.com; clynt@spbg Guam.com; jtyquiengco@spbg Guam.com; jontalk@k57.com; rgibson@k57.com; breakfastshowk57@gmail.com; kstone news@ite.net;

Date: Mon, June 13, 2011 8:37:20 AM

Cc:

Subject: Press Release - Second Notice of Public Hearing

PRESS RELEASE

SECOND NOTICE OF PUBLIC HEARING

Wednesday, June 15, 2011 – 9:00 am

FOR IMMEDIATE RELEASE

(Hagatna, Guam – June 13, 2011)

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GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE GUAM COMMUNITY
POLICE REVIEW
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Priscilla T. Cruz
Administrative Officer
Office of Senator A. B. Palacios, Sr.
155 Hesler Pl.
Hagatna, Guam 96910
472-5047/5048

GOVERNMENT MEETINGS

Tomorrow

Civil Service Commission: Board meeting 5:45 p.m., seventh floor conference room, ITC Building, Tamuning. Hearing on merits: Melanie Aguon vs. Guam Memorial Hospital; motion hearing: Laura Mooney vs. Department of Education; hearing on merits continuation: James S. Cruz vs. Guam Police Department; bills and laws relating to CSC. For special accommodations, call Tillie at 647-1855/7 or TDD 647-1872.

Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land: Round-table meeting 2 to 4 p.m., Legislature's public hearing room, Hagåtña. The Department of Revenue and Taxation, Department of Administration and Bureau of Budget Management and Research have been invited to provide the legislature with information on the status of refunds. For special accommodations, call 473-4236.

Committee on Municipal Affairs, Tourism,

Housing and Recreation: Public hearing 9 a.m., Legislature's public hearing room, Hagåtña. Executive appointment of Evelyn Casil and Elizabeth Gayle to serve as members of Parks and Recreation Commission; executive appointment of Annmarie T. Muna to serve as member of Hagåtña Restoration and Redevelopment Authority Board of Commissioners; Bill 204-31, requiring Department of Parks and Recreation to conduct review of beaches and near-shore areas surrounding Guam. Email written testimony to: senator@tinamunabarnes.com. For special accommodations, call 472-3455/6.

June 15

Committee on Public Safety, Law Enforcement and Judiciary: Public hearing 9 a.m., Legislature's public hearing room, Hagåtña. Bill 214-31 (cor), relative to deferred pleas for domestic violence abusers; Bill 216-31 (cor), relative to updating Guam Uniform Controlled Substance Act based on U.S. Drug Enforcement

ment Administration schedule list; Bill 220-31 (cor), relative to Guam Uniform Control Substance Act; Bill 221-31 (cor), relative to drug free school zones; Bill 228-31 (cor), authorizing Guam Community Police Review Commission to conduct meetings and relevant activities within Guam Police Department facilities. Email testimony to: senapalacios@gmail.com. For special accommodations, call 472-5047/5048.

Guam Board of Medical Examiners: Regular meeting room, Guam Memorial Hospital Authority's Dan L. Webb conference room, Tamuning. Agenda copies available. For special accommodations, call 735-7407 or TDD 649-1801.

Guam Contractors License Board: Regular meeting 5:30 p.m., board conference room, 542 North Marine Corps Drive, upper Tumon. For special accommodations, call 649-2211/9676.

Mayors Council of Guam: Special meeting 10 a.m., J&G Commercial Center, Suite 111F, Hagåtña. Call Elaine Schaar, 472-6940 or 477-8461.

June 16

Chamorro Land Trust Commission: Board meeting 1 p.m., Department of Land Management conference room, third floor, ITC building, Tamuning. For special accommodations, call 642-4247.

Civil Service Commission: Board meeting 5:45 p.m., seventh floor conference room, ITC Building, Tamuning. Continuation on hearing on merits: James S. Cruz vs. Guam Police De-

partment; bills and laws relating to CSC. For special accommodations, call Tillie at 647-1855/7 or TDD 647-1872.

Guam Board of Accountancy: Meeting 4 p.m., Suite 101, 335 South Marine Corps Drive, Tamuning. For special accommodations, call 647-0813.

Guam Board of Examiners for Pharmacy: Regular meeting 7:30 a.m., Health Professional Licensing Office, Suite 9, Legacy Square Commercial Complex, Route 10, Mangilao. For special accommodations, call 735-7407.

Guam Environmental Protection Agency: Board of directors' regular meeting 4 p.m., GEPA main conference room, Mariner Ave., Tivan. Public is invited. For special accommodations, call 475-1658/9.

June 23

Port Authority of Guam: Board of directors' regular meeting 11:45 a.m., board conference room, Cabras Island, Piti. For special accommodations, call Simeon Delos Santos, 477-5931/4, ext. 430.

June 24

Government of Guam Retirement Fund Board of Trustees: Regular meeting noon, Retirement Fund conference room, Route 8, Maite. For special accommodations, call 475-8900/1.

June 28

Guam Board of Examiners for Optometry: Regular meeting 8:30 a.m., Health Professional Licensing Office, Suite 9, Legacy Square Commercial Complex, Route 10, Mangilao. For special accommodations, call 735-7407.

Keyless Nook beats out the Kindle for easy e-reading

Bloomberg News

can go weeks between charges. **'Special offers'** Both cost \$139 for a Wi-Fi version, though Amazon gives you more choices, including a higher-priced model with built-in 3G access as well as other versions that knock the price down in return for subjecting you to "special offers" (read: "adver-

on an iPad, or use physical buttons — they're more like ridges, really — on the bezel framing the screen. There are four of them, a pair on each side, to accommodate both righties and lefties. I didn't much like them: Besides being redundant, they required too much pressure.

Barnes & Noble has also found out a way to reduce by

WITH SINCERE APPRECIATION

We, the family of the late

Henry Baculi Ong

Would like to express our most heartfelt gratitude to all those who in one way or another have shown compassion, generosity and their presence during our family's most difficult moments.

Special thanks to: GMH ICU, Surgical Ward & SNU Staff, Dr. Olivia Cruz, Carlos & Cely Mangrobang, Father Jason Granado, Mt. Carmel Church, Mayor Carol Tayama & Vice Mayor Augustin Quimtanilla of the Agat Mayor's Office, OCP Mayor's Office, Guahan Caregiving, Health Services of the Pacific, Catholic Social Services, UOG Family Caregiver Support Program, Faculty & Staff of Adacao & Chief Brodie Elementary & Agueda & Untalan Middle School, SDA Clinic Employees, MHI & Sanko Employees, Emily Marquez & Lawrence Lutes, Degoma, Poblete & Quilit Family, Gigi's Catering, OLOP and most especially to all those who have faithfully stood by us during the rosaries, memorial mass and burial service of our beloved brother, father and grandfather. To each of you we are eternally grateful and will cherish





COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina'Trentai Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

PUBLIC HEARING

9:00 am, Wednesday, June 15, 2011

I Liheslaturan Guåhan's Public Hearing Room, Hagåtña

AGENDA

I. Call to Order

II. Opening Remarks/Announcements

III. Items for Public Consideration

- **Bill No. 214-31 (COR)** – AN ACT TO AMEND §40105(b) OF 7GCA, TO AMEND §§30.80, 30.80.1, 30.80.2, 30.80.3, OF 8GCA AND TO REPEAL §30.80.4 OF 8GCA RELATIVE TO DEFERRED PLEAS FOR DOMESTIC VIOLENCE ABUSERS. – sponsored by **Senator V. Anthony Ada**.
- **Bill No. 216-31 (COR)** – AN ACT TO AMEND (C), (D), (E), AND TO ADD A NEW ITEM (F) TO APPENDIX A, TO AMEND (A)(1), (B), AND (C) OF APPENDIX B, TO AMEND (B), (D), (E), AND ADD A NEW (F) TO APPENDIX C, TO AMEND (B) OF APPENDIX D, TO AMEND (D) OF APPENDIX D, TO AMEND (D) OF APPENDIX E OF CHAPTER 67 OF TITLE 9, TO ADD A NEW §3106.1 TO ARTICLE 1 OF CHAPTER 3 OF TITLE 10 OF THE GUAM CODE ANNOTATED RELATIVE TO **UPDATING THE GUAM UNIFORM CONTROLLED SUBSTANCE ACT** BASED ON THE U.S. DRUG ENFORCEMENT ADMINISTRATION SCHEDULE LISTING. – sponsored by **Vice Speaker Benjamin J. F. Cruz**.
- **Bill No. 220-31 (COR)** – AN ACT AMEND "§67.407 OF ARTICLE 4, CHAPTER 67 OF TITLE 9 OF THE GUAM CODE ANNOTATED RELATIVE TO THE **GUAM UNIFORM CONTROL SUBSTANCE ACT**. – sponsored by **Senator Frank F. Blas, Jr.**
- **Bill No. 221-31 (COR)** – AN ACT AMEND ITEM (35) OF §67.100 AND TO ADD ITEM (39) TO ARTICLE 1 OF CHAPTER 67 RELATIVE TO **DRUG FREE SCHOOL ZONES**. – sponsored by **Senator Frank F. Blas, Jr.**
- **Bill No. 228-31 (COR)** – AN ACT TO AMEND §78106 OF CHAPTER 78, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO **AUTHORIZING THE GUAM COMMUNITY POLICE REVIEW COMMISSION TO CONDUCT MEETINGS AND RELEVANT ACTIVITIES WITHIN GUAM POLICE DEPARTMENT FACILITIES**. – sponsored by **Senator Adolpho B. Palacios, Sr.**

IV. Closing Remarks

V. Adjournment

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 Bill(s) may be obtained at *I Liheslaturan Guåhan's* website at www.guamlegislature.com. Individuals requiring special accommodations or services, please contact Julian Janssen or Jennifer Dulla at 472-5047/5048.

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

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

From: Priscilla Cruz (pris@senatorpalacios.com)
To: frank.blasjr@gmail.com; maryfejeran@gmail.com;
Date: Wed, June 8, 2011 10:11:36 AM
Cc:
Subject: Bill 220 and 221 scheduled for public hearing.

June 8, 2011

Please see attached memorandum from Senator A. B. Palacios, Sr., regarding Bills Nos. 220 and 221, which are scheduled for public hearing on June 15, 2011.
Thank you for your kind attention.

Priscilla T. Cruz
Administrative Officer
Office of Senator A. B. Palacios, Sr.
155 Hesler Pl.
Hagatna, Guam 96910
472-5047/5048



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
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SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

June 8, 2011

MEMORANDUM

TO: Senator Frank F. Blas, Jr.

FROM: Chairman, Committee on Public Safety, Law Enforcement & Judiciary 

SUBJECT: **Public Hearing scheduled for June 15, 2011.**

The Committee on Public Safety, Law Enforcement and Judiciary will conduct a public hearing starting at **9:00 a.m.** on **Wednesday, June 15, 2011** at the Guam Legislature's Public Hearing Room, and among the items on the agenda are the following Bills of which you are the author:

Bill No. 220-31 (COR) – AN ACT AMEND “§67.407 OF ARTICLE 4, CHAPTER 67 OF TITLE 9 OF THE GUAM CODE ANNOTATED RELATIVE TO THE GUAM UNIFORM CONTROL SUBSTANCE ACT.

Bill No. 221-31 (COR) – AN ACT AMEND ITEM (35) OF §67.100 AND TO ADD ITEM (39) TO ARTICLE 1 OF CHAPTER 67 RELATIVE TO DRUG FREE SCHOOL ZONES.

You may notify the appropriate government agencies, organizations, and persons who may wish to provide written and/or oral testimony on these bills. Thank you for your kind attention.



Thirty-First
Guam Legislature

Committee Members:

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Vice Chairman

Speaker Judith T. Won Pat, Ph.D.
Member

Senator Tina R. Muña-Barnes
Member

Senator Judith P. Guthertz, DPA
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I Mina'Trentai Uno Na Liheslaturan Guåhan

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Chairman

June 14, 2011

Wilfred Aflague

Director

Department of Mental Health and Substance Abuse

790 Governor Carlos G. Camacho Rd.

Tamuning, Guam 96913

RE: Public Hearing
Wednesday, June 15, 2011

Dear Wilfred Aflague,

Buenas yan Håfa Adai! The Committee on Public Safety, Law Enforcement and Judiciary has scheduled a public hearing on Wednesday, June 15, 2011 beginning at 9:00 a.m. Included on the agenda are the following bills which concern the Department of Mental Health and Substance Abuse:

Bill 216-31 (COR) — "An act to amend (C), (D), (E), and to add a new Item (F) to Appendix A, to amend (A)(1), (B), and (C) of Appendix B, to amend (B), (D), (E), and add a new (F) to Appendix C, to amend (B) of Appendix D, to amend (D) of Appendix D, to amend (D) of Appendix E of Chapter 67 of Title 9, to add a new §3106.1 to Article 1 of Chapter 3 of Title 10 of the Guam Code Annotated relative to updating the Guam Uniform Controlled Substance Act based on the U.S. Drug Enforcement Administration schedule listing. " —Sponsored by Vice Speaker Benjamin J.F. Cruz

Bill 220-31 (COR) — "An act to amend "§67.407 of Article 4, Chapter 67 of Title 9 of the Guam Code Annotated relative to the Guam Uniform Control Substance Act. " —Sponsored by Senator Frank F. Blas, Jr.

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Your attendance in this public hearing would be very helpful. If you are unable to attend, a written comment would be appreciated. Please contact me or my office for further information or concerns.

Sincerely,


Senator Adolpho B. Palacios, Sr., MPA, BS/CJA

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

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Destination	Start Time	Time	Prints	Result	Note
DMHSA Dir	06-14 10:14	00:00:26	001/001	OK	

Note TMR: Timer TX, POL: Polling, ORG: Original Size Setting, FME: Frame Erase TX,
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June 14, 2011

Wilfred Aflague
Director

Department of Mental Health and Substance Abuse
790 Governor Carlos G. Camacho Rd.
Tamuning, Guam 96913

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Sincerely,


Senator Adolpho B. Palacios, Sr., MPA, BS/CJA



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- Senator Christopher M. Duenas
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- Senator Aline A. Yamashita, Ph.D.
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Security
- Member, Committee on
Municipal Affairs, Tourism,
Housing and Recreation

June 13, 2011

James W. Gillan
Director
Department of Public Health and Social Services
123 Chalan Kareta
Tiyán, Guam 96913

RE: Public Hearing
Wednesday, June 15, 2011

Dear James W. Gillan,

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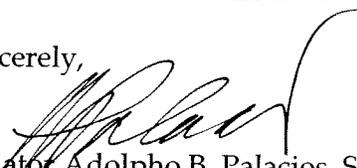
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Your attendance in this public hearing would be very helpful. If you are unable to attend, a written comment would be appreciated. Please contact me or my office for further information or concerns.

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Senator Adolpho B. Palacios, Sr., MPA, BS/CJA

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DPHSS Director	06-14 14:32	00:00:32	001/001	OK	

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Director
Department of Public Health and Social Services
123 Chalan Kareta
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Senator Adolpho B. Palacios, Sr., MPA, BS/CJA



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June 13, 2011

The Honorable Leonardo Rapadas
Attorney General
Office of the Attorney General
287 West O'Brien Drive
Hagåtña, Guam 96910

RE: Public Hearing
Wednesday, June 15, 2011

Dear Attorney General Leonardo Rapadas,

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Bill 221-31 (COR) – “An act to amend Item (35) of §67.100 and to add Item (39) to Article 1 of Chapter 67 relative to drug free school zones.” – Sponsored by Senator Frank F. Blas, Jr.

Bill 228-31 (COR) – “An act to amend §78106 of Chapter 78, Title 10, Guam Code Annotated, relative to authorizing the Guam Community Police Review Commission to conduct meetings and relevant activities within Guam Police Department facilities.” – Sponsored by Senator Adolpho B. Palacios, Sr.

Your attendance in this public hearing would be very helpful. If you are unable to attend, a written comment would be appreciated. Please contact me or my office for further information or concerns.

Sincerely,

Senator Adolpho B. Palacios, Sr., MPA, BS/CJA

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

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

Destination	Start Time	Time	Prints	Result	Note
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Note TMR: Timer TX, POL: Polling, ORG: Original Size Setting, FME: Frame Erase TX,
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Attorney General
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Your attendance in this public hearing would be very helpful. If you are unable to attend, a written comment would be appreciated. Please contact me or my office for further information or concerns.

Sincerely,


Senator Adolpho B. Palacios, Sr., MPA, BS/CJA



Thirty-First
Guam Legislature

Committee Members:

Senator Thomas C. Ada
Vice Chairman

Speaker Judith T. Won Pat, Ph.D.
Member

Senator Tina R. Muña-Barnes
Member

Senator Judith P. Guthertz, DPA
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*Other Committee
Membership:*

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Utilities, Transportation, Public
Works and Veterans Affairs

Vice Chairman, Committee on
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Senior Citizens, Economic
Development and Election
Reform

Member, Committee on Rules,
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Affairs and Human & Natural
Resources

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COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina'Trentai Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

June 13, 2011

Fred E. Bordallo
Chief of Police
Guam Police Department
Building 233 Central Avenue
Tiyan, Guam 96912

RE: Public Hearing
Wednesday, June 15, 2011

Dear Chief Fred E. Bordallo,

Buenas yan Háfa Adai! The Committee on Public Safety, Law Enforcement and Judiciary has scheduled a public hearing on Wednesday, June 15, 2011 beginning at 9:00 a.m. Included on the agenda are the following bills which concern the Guam Police Department:

Bill 214-31 (COR) – "An act to amend §40105b_ of 7GCA, to amend §§30.80, 30.80.2, 30.80.3 of 8GCA and to repeal §30.80.4 of 8GCA relative to deferred pleas for domestic violence abusers." – Sponsored by Senator V. Anthony Ada

Bill 216-31 (COR) – "An act to amend (C), (D), (E), and to add a new Item (F) to Appendix A, to amend (A)(1), (B), and (C) of Appendix B, to amend (B), (D), (E), and add a new (F) to Appendix C, to amend (B) of Appendix D, to amend (D) of Appendix D, to amend (D) of Appendix E of Chapter 67 of Title 9, to add a new §3106.1 to Article 1 of Chapter 3 of Title 10 of the Guam Code Annotated relative to updating the Guam Uniform Controlled Substance Act based on the U.S. Drug Enforcement Administration schedule listing." – Sponsored by Vice Speaker Benjamin J.F. Cruz

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Senator Adolpho B. Palacios, Sr., MPA, BS/CJA

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

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

TX Result Report

P 1
06/14/2011 08:55
Serial No. A02E011003085
TC: 136443

Destination	Start Time	Time	Prints	Result	Note
GPD	06-14 08:55	00:00:23	001/001	OK	

Note TMR: Timer TX, POL: Polling, ORG: Original Size Setting, FME: Frame Erase TX,
MIX: Mixed Original TX, CALL: Manual TX, CSRC: CSRC, FWD: Forward, PC: PC-Fax,
BND: Double-Sided Binding Direction, SP: Special Original, FCODE: F-Code, RFX: Re-TX,
RLY: Relay, MBX: Confidential, BUL: Bulletin, SIP: SIP Fax, IPADR: IP Address Fax,
I-FAX: Internet Fax

Result OK: Communication OK, S-OK: Stop Communication, PW-OFF: Power Switch OFF,
TEL: RX from TEL, NG: Other Error, Cont: Continue, No Ans: No Answer,
Refuse: Receipt Refused, Busy: Busy, M-Full: Memory Full,
LOVR: Receiving length Over, POVER: Receiving page Over, FIL: File Error,
DC: Decode Error, MDN: MDN Response Error, DSN: DSN Response Error.



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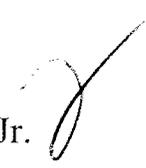
Office/Mailing Address: 135 Healer Place, Hagatha Guam 96910
Telephone No. (671) 472-5047/5048 • Fax No. (671) 472-5022 • Email: SenABPalacios@gmail.com

I MINA'TRENTAI UNO NA LIHESLATURAN GUAHAN
2011 (FIRST) Regular Session

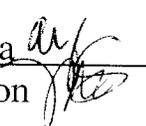
2011 MAY 31 14:58

Bill No. 220-31 (COR)

Introduced by:

F. F. Blas, Jr. 

V. A. Ada

A. C. Yamashita 

M. Silva Taijeron 

C. M. Duenas

S. A. Mabini 

AN ACT TO AMEND “§67.407 OF ARTICLE 4,
CHAPTER 67 OF TITLE 9 OF THE GUAM CODE
ANNOTATED RELATIVE TO THE GUAM
UNIFORM CONTROL SUBSTANCE ACT.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. §67.407 of Article 4, Chapter 67 of Title 9 of the Guam Code
3 Annotated is hereby *amended* to read as follows:

4 “§67.407. **Distribution to Individual Under Age 18 or to Pregnant**
5 **Individual; Distribution Near Schools ~~or Colleges~~ or Drug Free School**
6 **Zones; Penalties.** (a) Any person who is at least eighteen (18) years of age
7 who is found guilty of an offense pursuant to §67.401.1(a)(1) of this Act by
8 distributing a substance listed in Schedule I or II as per Appendices A and B of
9 this Act which is a narcotic drug to a person under eighteen (18) years of age or
10 to a pregnant individual shall be sentenced to serve, in addition to the sentence
11 prescribed by §67.401.4, a term of five (5) years imprisonment. Imposition or
12 execution of such sentence shall not be suspended and probation shall not be

1 granted. Parole or work release shall not be granted until the offender has
2 served the additional five (5) year sentence prescribed by this Subsection.

3 (b) Any person who is at least eighteen (18) years of age who is found
4 guilty of an offense pursuant to §67.401.1(a)(1) of this Act by distributing a
5 non-narcotic controlled substance listed in Schedule I or II as per Appendices A
6 and B of this Act, or a substance listed in Schedules III, IV, or V as per
7 Appendices C – E of this Act to a person under eighteen (18) years of age or to
8 a pregnant individual shall be sentenced to serve, in addition to the sentence
9 prescribed by §67.401.4, three (3) years of imprisonment. Imposition or
10 execution of such sentence shall not be suspended and probation shall not be
11 granted. Parole or work release shall not be granted until the offender has
12 served the additional three (3) year sentence prescribed by this Subsection.

13 (c) ~~An individual shall not violate § 67.401.1(a)(1) of this Chapter by~~
14 ~~distributing a substance listed in Schedule I or II as per Appendices A and B of~~
15 ~~this Chapter which is a narcotic drug, in or on a school, or within the Drug Free~~
16 ~~School Zone as herein defined. An individual who violates this Subsection shall~~
17 ~~be sentenced to serve, in addition to the minimum sentence prescribed by §~~
18 ~~67.401.4 of this Act, a term of five (5) years of Imprisonment. Any person who~~
19 ~~is found guilty of an offense pursuant to §67.401.1(a)(1) of this Chapter by~~
20 ~~distributing a substance listed in Schedule I or II as per Appendices A and B of~~
21 ~~this A Chapter, which is a narcotic drug, in or on a school, or within the Drug~~
22 ~~Free School Zone as defined herein, shall be sentenced to serve, in addition to~~
23 ~~the sentence prescribed by §67.401.4 of this Act, a term of five (5) years~~
24 ~~imprisonment.~~ Imposition or execution of such sentence shall not be suspended
25 and probation shall not be granted. Parole or work release shall not be granted
26 until the offender has served the additional five (5) years prescribed by this
27 Subsection.

1 (d) ~~An individual shall not violate § 67.401.1(a)(1) of this Chapter by~~
2 ~~distributing any non-narcotic controlled substance listed in Schedule I or II as~~
3 ~~per Appendices A and B of this Chapter or a substance listed in Schedules III,~~
4 ~~IV, or V as per Appendices C-E of this Chapter, or within the Drug Free School~~
5 ~~Zone as herein defined. An individual who violates this Subsection shall be~~
6 ~~sentenced to serve, in addition to the minimum sentence prescribed by~~
7 ~~§67.401.4 of this Act, a term of three (3) years of Imprisonment. Any person~~
8 ~~who is found guilty of an offense pursuant to §67.401.1(a)(1) of this Act by~~
9 ~~distributing any non-narcotic controlled substance listed in Schedule I or II as~~
10 ~~per Appendices A and B of this Chapter or a substance listed in Schedules III,~~
11 ~~IV, or V as per Appendices C-E of this Chapter, in or on a school, or within the~~
12 ~~Drug Free School Zone as defined herein, shall be sentenced to serve, in~~
13 ~~addition to the sentence prescribed by § 67.401.4 of this Act, a term of three (3)~~
14 ~~years imprisonment. Imposition or execution of such sentence shall not be~~
15 ~~suspended and probation shall not be granted. Parole or work release shall not~~
16 ~~be granted until the offender has served the additional three (3) years prescribed~~
17 ~~by this Subsection.”~~

18 **Section 2. Severability.** *If any provision of this law or its application to any*
19 *person or circumstance is found to be invalid or contrary to law, such invalidity shall*
20 *not affect other provisions or applications of this law which can be given effect*
21 *without the invalid provisions or applications, and to this end the provisions of this*
22 *law are severable.*