



EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

May 24, 2011

31-11-552

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

S-25-4
4 pm.
S. Dickerson

Dear Madame Speaker:

Transmitted herewith is Substitute Bill No. 101-31 (COR) "AN ACT TO ADD NEW SUBSECTIONS (y) AND (z) TO §89.01, A NEW SUBSECTION (I) TO §89.03, AND NEW SUBSECTIONS (g), (h), (i) TO §89.05, ALL OF CHAPTER 89 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO LIMITING ACCESS AND REGULATING THE USE OF SOCIAL NETWORKING WEBSITES, INSTANT MESSAGING AND CHAT ROOMS BY REGISTERED SEX OFFENDERS", which I signed into law on May 23, 2011 as Public Law 31-47.

Senseramente,



EDDIE BAZA CALVO

Attachment: copy of Bill

2011 MAY 26 AM 8:04
J

552

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. 101-31 (COR), "AN ACT TO ADD NEW SUBSECTIONS (y) AND (z) TO §89.01, A NEW SUBSECTION (i) TO §89.03, AND NEW SUBSECTIONS (g), (h), (i) TO §89.05, ALL OF CHAPTER 89 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO LIMITING ACCESS AND REGULATING THE USE OF SOCIAL NETWORKING WEBSITES, INSTANT MESSAGING AND CHAT ROOMS BY REGISTERED SEX OFFENDERS"**, was on the 10th day of May, 2011, duly and regularly passed.



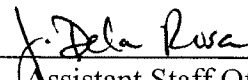
Judith T. Won Pat, Ed.D.
Speaker

Attested:



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 12th day of May, 2011, at 10:30 o'clock A.M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:



EDWARD J.B. CALVO
I Maga'lahaen Guåhan

Date: _____

MAY 23 2011

Public Law No. 31-47

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

Bill No. 101-31 (COR)

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

Introduced by:

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

AN ACT TO ADD NEW SUBSECTIONS (y) AND (z) TO §89.01, A NEW SUBSECTION (i) TO §89.03, AND NEW SUBSECTIONS (g), (h), (i) TO §89.05, ALL OF CHAPTER 89 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO LIMITING ACCESS AND REGULATING THE USE OF SOCIAL NETWORKING WEBSITES, INSTANT MESSAGING AND CHAT ROOMS BY REGISTERED SEX OFFENDERS.

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

2 **Section 1.** New Subsections (y) and (z) are *added* to §89.01 of Chapter 89
3 of Title 9, Guam Code Annotated, as *repealed and re-enacted* by Public Law 30-
4 223, to read as follows:

1 “(y) *Instant messaging or chat room* means a program that requires
2 a person to register or create an account, a user name, or a password to
3 become a member or registered user of the program and allows members or
4 authorized users to communicate over the internet in real time using typed
5 text or voice, including programs associated with online games, and other
6 online communities. The term *does not* include an electronic mail (e-mail).

7 “(z) *Social networking website/application* means an internet
8 website/application that has a primary purpose of facilitating social
9 interaction between two (2) or more persons for the purposes of friendship,
10 meeting other persons, dating, gaming, or information exchanges, and allows
11 users to create web pages or profiles that provide information about
12 themselves and are available publicly or to other users and that offers a
13 mechanism for communication with other users, such as a forum, chat room,
14 electronic mail, or instant messaging.”

15 **Section 2.** A new Subsection (i) is *added* to §89.03 of Chapter 89 of Title
16 9, Guam Code Annotated, as *repealed* and *re-enacted* by Public Law 30-223, to
17 read as follows:

18 “(i) Persons required to register under this Section *shall not* access,
19 or create or maintain a personal web page, profile, account, password, or
20 user name for: a social networking website; or an instant messaging or chat
21 room program, that permits persons under the age of eighteen (18) years to
22 become a member or to create or maintain a personal web page, *unless* such
23 social networking website, or an instant messaging or chat room, limits the
24 ability of adult members to add persons under the age of eighteen (18) years
25 as friends, buddies or associates. All computers or devices capable of
26 accessing the internet that are on the registrant’s person, vehicle or home are

1 subject to unannounced searches by law enforcement personnel acting
2 within the scope of their duties while performing a lawful investigation.”

3 **Section 3.** New Subsections (g), (h), (i) are *added* to §89.05 of Chapter 89
4 of Title 9, Guam Code Annotated, as *repealed and re-enacted* by Public Law 30-
5 223, to read as follows:

6 “(g) Any person who violates §89.03(i) of this Chapter commits a
7 misdemeanor.

8 (h) Any person who violates §89.03(i) of this Chapter and
9 intentionally adds person(s) under the age of eighteen (18) years as friends,
10 buddies or associates commits a third degree felony.

11 (i) Any person who misrepresents his or her age and/or uses a
12 pseudonym to gain membership in a social networking website, or an instant
13 messaging or chat room, accessible to persons who are under eighteen (18)
14 years of age and/or to add as friends, buddies or associates who are under
15 eighteen (18) years of age commits a third degree felony.”

6

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN

2011 (FIRST) Regular Session

Date: May 10, 2011

VOTING SHEET

SBill No. 101-31(COR)

Resolution No. _____

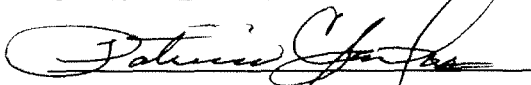
Question: _____

<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 _____ _____ _____

CERTIFIED TRUE AND CORRECT:


Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



Thirty-First
Guam Legislature

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 Tayeron
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

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

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

April 27, 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. 101-31 (COR) as Substituted.


The Committee on Public Safety, Law Enforcement and Judiciary, to which was referred, **Bill No. 101-31 (COR) – AN ACT TO ADD NEW ITEMS (y) AND (z) TO §89.01, ITEM (i) TO §89.03, AND ITEMS (g), (h), (i) §89.05 ALL OF CHAPTER 89 OF 9GCA RELATIVE TO LIMITING ACCESS AND REGULATING THE USE OF SOCIAL NETWORKING WEB SITES, INSTANT MESSAGING AND CHAT ROOMS BY REGISTERED SEX OFFENDERS,** hereby reports out with the recommendation **TO PASS.**

Committee Votes are as follows:

<u>6</u>	TO PASS
<u>0</u>	NOT TO PASS
<u>3</u>	TO REPORT OUT ONLY
<u>0</u>	ABSTAIN
<u>0</u>	INACTIVE FILE

2011 APR 29 PM 1:54

Sincerely,


ADOLPHO B. PALACIOS, MPA, BS/CJA
Chairman

Attachments

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

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



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY

I Mina'Trentai Uno Na Liheslaturan Guahan

SENATOR ADOLPHO B. PALACIOS, SR.

Chairman

**COMMITTEE REPORT
ON
BILL NO. 101-31 (COR)
As Substituted by the
Committee on Public Safety, Law Enforcement & Judiciary**

AN ACT TO ADD NEW ITEMS (y) AND (z) TO §89.01, ITEM (i) TO §89.03, AND ITEMS (g), (h), (i) TO §89.05 ALL OF CHAPTER 89 OF 9GCA RELATIVE TO LIMITING ACCESS AND REGULATING THE USE OF SOCIAL NETWORKING WEB SITES, INSTANT MESSAGING AND CHAT ROOMS BY REGISTERED SEX OFFENDERS.

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

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

April 22, 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. 101-31 (COR) as Substituted.

Transmitted herewith for your consideration is the Committee Report on **Bill No. 101-31 (COR) as Substituted – "AN ACT TO ADD NEW ITEMS (y) AND (z) TO §89.01, ITEM (i) TO §89.03, AND ITEMS (g), (h), (i) TO §89.05 ALL OF CHAPTER 89 OF 9GCA RELATIVE TO LIMITING ACCESS AND REGULATING THE USE OF SOCIAL NETWORKING WEB SITES, INSTANT MESSAGING AND CHAT ROOMS BY REGISTERED SEX OFFENDERS."** – sponsored by Senator V. Anthony Ada.

This report includes the following:

- Committee Voting Sheet
- Committee Report Digest
- Copy of Bill No. 101-31 (COR) as substituted
- Copy of Bill No. 101-31 (COR) as introduced
- Public Hearing Sign-in Sheets

- Copy of COR Referral of Bill No. 101-31 (COR)
- Notices of Public Hearing
- Copy of the Public Hearing Agenda

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 Una R. Muna Barnes
Member
- Senator Judith P. Gurbert, DPA
Member
- Senator Rory J. Respicio
Member
- Senator Dennis G. Rodriguez, Jr.
Member
- Senator V. Anthony Ada
Member
- Senator Christopher M. Duenas
Member
- Senator Maria 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

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

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



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

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

VOTING SHEET ON:

Bill No. 101-31 (COR) as Substituted – AN ACT TO ADD NEW ITEMS (y) AND (z) TO §89.01, ITEM (i) TO §89.03, AND ITEMS (g), (h), (i) TO §89.05 ALL OF CHAPTER 89 OF 9GCA RELATIVE TO LIMITING ACCESS AND REGULATING THE USE OF SOCIAL NETWORKING WEB SITES, INSTANT MESSAGING AND CHAT ROOMS BY REGISTERED SEX OFFENDERS.

SENATOR	SIGNATURE	TO PASS	NOT TO PASS	TO REPORT OUT ONLY	ABSTAIN	INACTIVE FILE
Adolpho B. Palacios, Sr. Chairman		4/25/11 ✓				
Thomas C. Ada Vice Chairman		4/27/11 ✓				
Tina R. Muña-Barnes Member				4/25/11 ✓		
Judith P. Guthertz, DPA Member		4/24/11 ✓				
Rory J. Respicio Member		4/26/11 ✓				
Dennis G. Rodriguez, Jr. Member						
Judith T. Won Pat, Ed.D. Member				4/25/11 ✓		
V. Anthony Ada Member		4/29/11 ✓				
Christopher M. Duenas Member		4/25/11 ✓				
Mana Silva Tajeron Member						
Aline A. Yamashita, Ph.D. Member				4/25/11 ✓		



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY

I Mina'Trentai Uno Na Liheslaturan Guahan

SENATOR ADOLPHO B. PALACIOS, SR.

Chairman

COMMITTEE REPORT DIGEST

Bill No. 101-31 (COR) – “An act to add new items (y) and (z) to §89.01, item (i) to §89.03, and items (g), (h), (i) §89.05 all of Chapter 89 of 9GCA relative to limiting access and regulating the use of social networking web sites, instant messaging and chat rooms by registered sex offenders.” – sponsored by Senator V. Anthony “Tony” Ada

I. OVERVIEW

The Committee on Public Safety, Law Enforcement and Judiciary convened the public hearing on April 4, 2011 at 9:10 a.m. in *I Liheslatura's* Public Hearing Room. Among the items on the agenda was the consideration of Bill 101-31 (COR) - “An act to add new items (y) and (z) to §89.01, item (i) to §89.03, and items (g), (h), (i) §89.05 all of Chapter 89 of 9GCA relative to limiting access and regulating the use of social networking web sites, instant messaging and chat rooms by registered sex offenders,” sponsored by Senator V. Anthony “Tony” Ada.

Public Hearing Requirements

Notices of the hearing were disseminated via facsimile and email to all senators and all main media broadcasting outlets on March 28, 2011 (5-day Notice) and on March 31, 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 V. Anthony “Tony” Ada	Member
Senator Mana Silva Taijeron	Member
Senator Christopher M. Duenas	Member

Individual(s) Registered for oral or written testimony:

Jose A. San Agustin, Director, Department of Corrections, provided 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 9:10 a.m., read the title of the bill and deferred to the author, Senator V. Anthony Ada, to summarize its contents.

Senator V.A. Ada stated that the Bill limits the use of Social Networking sites by Sex Offenders who are required to register. He noted that Sex Offenders have high rates of recidivism and that this will help keep children safe from internet predators.

Chairman Palacios noted the absence of representation from the Office of the Attorney General or the Unified Judiciary of Guam and cited the need for a mark-up meeting to include legal input. The Chairman then called Director Jose San Agustin to testify on the Bill.

Director San Agustin supports the Bill. He stated that DNA profiling will improve law enforcement. He also believes that limiting the availability of social networking sites for Sex Offenders will help reduce risks to the community. He further stated that the registration of e-mail addresses with the court and prevention of the use of aliases when a Sex Offender gets an e-mail address is an essential component for the regulation of Sex Offenders' use of the internet.

Senator Mana Silva Taijeron asked about the protocols for social networking by inmates while they are incarcerated. Director San Agustin stated that they are supposed to only use internet for educational purposes, not for social networking. Senator Taijeron suggests that they be educated about the law prior to their release. Director San Agustin agreed that there should be a program to address this.

Senator Christopher M. Duenas thanked Director San Agustin for participating and commended the author for putting the proposal forward.

Senator V.A. Ada said that the Bill takes into account the changes that were made to the Sex Offender Registry.

Chairman Adolpho B. Palacios, Sr., declared that Bill No. 101-31(COR) is duly heard. The Chairman concluded the hearing and requested that written testimony be submitted within the next ten (10) days. He adjourned the hearing at 9:30 a.m.

III. WRITTEN TESTIMONIES

No written testimony received within the ten (10) day period after the public hearing.

IV. FINDINGS AND RECOMMENDATIONS

Findings

Mark-up Meeting, Tuesday, April 12, 2011

Participants:

Senator Adolpho B. Palacios, Sr., Chairman
Edward Lee, Office of Senator V. Anthony Ada
Pete Leon Guerrero, Office of Senator V. Anthony Ada
Ann Keith, Legal Advisor, Judiciary of Guam
Ruben Payumo, Sex Offender Registry, Judiciary of Guam
Marie Reyes, Sex Offender Registry, Judiciary of Guam
Joseph Leon Guerrero, Chief Deputy Marshal
Peter Avilla, Deputy Marshal
Basil O'Mallen, Deputy Attorney General, Office of the Attorney General

Chairman Adolpho B. Palacios, Sr., convened the mark-up meeting at 2:02 p.m., and explained the purpose of the meeting and his understanding of the Bill's implications.

Deputy Attorney General Basil O'Mallen asked about the violation for family violence implicated by Bill 99 and Mr. Edward Lee stated that it is intended to be in conjunction with a sex crime.

Ruben Payumo clarified about DNA profiling, that GPD collects the DNA samples at DOC after the registration of a sex offender. Legal Advisor Ann Keith stated that DNA is not submitted to CODIS, but to the sex offender database.

Chief Deputy Marshal Joseph Leon Guerrero stated that there is a backlog of DNA that has yet to be processed by the FBI and Ms. Keith stated that GPD lacks the capacity to do DNA testing, independently. Mr. Payumo stated that GPD collects DNA then sends the specimens off-island to be tested by the FBI.

Mr. Lee said that in the states, it is standard to test sex offenders and Mr. O'Mallen stated that it already occurs on Guam.

Mrs. Keith stated that Guam is among the few jurisdictions that is compliant with the Adam Walsh Child Protection and Safety Act.

Mr. O'Mallen followed up saying that currently all DNA samples get tested by the FBI, but that it takes very long because there is a backlog.

Mr. Lee asked how many sex crimes are investigated per month and Mr. O'Mallen estimated that there are about ten (10). Mr. Lee said that Bill 99 can strengthen enforcement. Mr. O'Mallen stated that what gives him the most hope about the bill is that it shows a commitment to provide more funding. Mr. Lee responded that the capacity should be built up to use DNA as a tool of local law enforcement. Mr. O'Mallen stated that Ms. Hinkle-Sanchez would like to send comments and suggested amendments to the Bill(s).

Ms. Keith brought up that DNA testing is available on island at UOG, but that it is not for forensic testing. Mr. Lee stated that a primary concern is that DNA evidence is handled properly. Chief Deputy Marshal Leon Guerrero discussed cheek swabs and how they are handled.

Chairman Palacios proceeded to Bill 101 and explained its intent, as he understands it. Mr. Lee asked if there are occasional searches of sex offenders' computers and devices which can have access to the internet.

There was a discussion regarding who would enforce and conduct searches. From the discussion, it was clear that the law would be enforced by parole officers when a sex offender is on parole, but that generally the Guam Police Department would be the primary enforcement agency. Mr. Lee explained that the bill is largely preventative, as it would restrict the use of internet by sex offenders.

A discussion followed on social networking sites and whether there could be difficulty enforcing it. Mr. Lee pointed out that it would not totally ban the use of social networking sites, but only those which do not have a policy on the use of the site by sex offenders, like Myspace, whereas Facebook would be allowable because of their policies.

There was a discussion of computer forensics, including a recent case where an offender used the wireless connection of their neighbor.

There was a discussion about the public relations of the Judiciary, the Sex Offender Registry and the Office of the Attorney General as they relate to raising awareness of their programs. After the discussion, the meeting concluded.

Notes on Substitute Bill 101-31 (COR)

The Committee has made amendments to Bill 101-31 (COR) for the substitute Bill. The title required minor grammatical amendments.

Section 1 of the Bill required a number of amendments. First, quotation marks needed to be placed before and after the phrases that are defined and extraneous quotation marks had to be removed. The definition of “instant messaging or chat room” had to be revised so that message boards are not excluded. The term “social networking/website” was revised to reflect “social networking website/application” and the definition was expanded to include websites or applications for dating or gaming.

Section 2 of the Bill, the word “password” was included, to read (in part) as follows: “(i) Persons required to register under this section shall not access, or create or maintain a personal Web page, profile, account, password, or user name for: ...”

Section 3 of the Bill had a technical error because it cited a section of the Guam Code Annotated (GCA) that does not exist. It was corrected to reflect the subsection in GCA that was added by the previous section of the Bill.


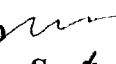

Recommendations

The Committee on Public Safety, Law Enforcement and Judiciary hereby reports out **Bill No. 101-31 (COR), as substituted by the Committee**, with the recommendation **TO PASS**.


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

Bill No. 101 31(COR)

Introduced by:

V. Anthony Ada 
R. J. Respicio 
A. B. Palacios, Sr 

AN ACT TO ADD NEW ITEMS (y) AND (z) TO §89.01, ITEM (i) TO §89.03, AND ITEMS (g), (h), (i) §89.05 ALL OF CHAPTER 89 OF 9GCA RELATIVE TO LIMITING ACCESS AND REGULATING THE USE OF SOCIAL NETWORKING WEB SITES, INSTANT MESSAGING AND CHAT ROOMS BY REGISTERED SEX OFFENDERS.

2011 MAR - 1 PM 3:57 

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

2 **Section 1.** New Items (y) and (z) are *added* to Section 89.01 of Chapter 89 of 9GCA,
3 as repealed and re-enacted by Public Law 30-223, to read as follows:

4
5 (y) "Instant messaging or chat room" means a program that requires a person to register
6 or create an account, a user name, or a password to become a member or registered user
7 of the program and allows members or authorized users to communicate over the
8 Internet in real time using typed text or voice, including programs associated with
9 online games, and other online communities. The term does not include an electronic
10 mail (e-mail) or message board program.

11
12
13 (z) "Social networking Web site" means an Internet Web site that has a primary
14 purpose of facilitating social interaction between two or more persons for the purposes
15 of friendship, meeting other persons, or information exchanges, and allows users to
16 create Web pages or profiles that provide information about themselves and are

1 available publicly or to other users and that offers a mechanism for communication with
2 other users, such as a forum, chat room, electronic mail, or instant messaging.

3
4
5 **Section 2.** A new Item (i) is *added* to Section 89.03 of Chapter 89 of 9GCA, as
6 repealed and re-enacted by Public Law 30-223, to read as follows:

7
8 (i) Persons required to register under this section shall not access, or create or maintain
9 a personal Web page, profile, account, or user name for: a social networking Web site;
10 or an instant messaging or chat room program, that permits persons under the age of
11 eighteen (18) to become a member or to create or maintain a personal Web page unless
12 the such a social networking web site or an instant messaging or chat room limit the
13 ability of adult members to add children under the age of eighteen (18) as friends,
14 buddies or associates. All computers or devices capable of accessing the internet that
15 are on the registrant's person, vehicle or home are subject to unannounced searches by
16 law enforcement personnel acting within the scope of their duties while performing a
17 lawful investigation.

18
19 **Section 3.** New Items (g), (h), (i) are *added* to Section 89.05 of Chapter 89 of 9GCA,
20 as repealed and re-enacted by Public Law 30-223, to read as follows:

21
22 (g) A person who violates §89.03(k) of this Chapter commits a misdemeanor.

23
24 (h) Any person who violates §89.03(k) of this Chapter and intentionally adds person(s)
25 under the age of eighteen (18) as friends, buddies or associates commits a third degree
26 felony.

27

1 (i) Any person who misrepresents his or her age and/or uses a pseudonym to gain
2 membership in a social networking web site or an instant messaging or chat room
3 accessible to persons who are under eighteen (18) years of age and/or to add as friends,
4 buddies or associates who are under eighteen (18) years of age commits a third degree
5 felony.

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

Bill No. 101-31 (COR)

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

Introduced by:

V. Anthony Ada
R. J. Respicio
A. B. Palacios, Sr.

AN ACT TO ADD NEW ITEMS (y) AND (z) TO §89.01, ITEM (i) TO §89.03, AND ITEMS (g), (h), (i) TO §89.05 ALL OF CHAPTER 89 OF 9GCA RELATIVE TO LIMITING ACCESS AND REGULATING THE USE OF SOCIAL NETWORKING WEB SITES, INSTANT MESSAGING AND CHAT ROOMS BY REGISTERED SEX OFFENDERS.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. New Items (y) and (z) are *added* to Section 89.01 of Chapter 89 of 9GCA, as repealed and
3 re-enacted by Public Law 30-223, to read as follows:

4 “(y) [“]Instant messaging or chat room[“] means a program that requires a
5 person to register or create an account, a user name, or a password to become a member
6 or registered user of the program and allows members or authorized users to
7 communicate over the Internet in real time using typed text or voice, including programs
8 associated with online games, and other online communities. The term does not include
9 an electronic mail (e-mail) ~~or message board program.~~

10 “(z) [“]Social networking Website/application[“] means an internet
11 website/application that has a primary purpose of facilitating social interaction between
12 two or more persons for the purposes of friendship, meeting other persons, dating,
13 gaming, or information exchanges, and allows users to create Web pages or profiles that
14 provide information about themselves and are available publicly or to other users and that
15 offers a mechanism for communication with other users, such as a forum, chat room,
16 electronic mail, or instant messaging.”

17 Section 2. A new Item (i) is *added* to Section 89.03 of Chapter 89 of 9GCA, as repealed and re-
18 enacted by Public Law 30-223, to read as follows:

1 “(i) Persons required to register under this section shall not access, or create or
2 maintain a personal Web page, profile, account, password, or user name for: a social
3 networking Web site; or an instant messaging or chat room program, that permits persons
4 under the age of eighteen (18) to become a member or to create or maintain a personal
5 Web page unless the such a social networking web site or an instant messaging or chat
6 room limit the ability of adult members to add children under the age of eighteen (18) as
7 friends, buddies or associates. All computers or devices capable of accessing the internet
8 that are on the registrant’s person, vehicle or home are subject to unannounced searches
9 by law enforcement personnel acting within the scope of their duties while performing a
10 lawful investigation.”

11 **Section 3.** New Items (g), (h), (i) are *added* to Section 89.05 of Chapter 89 of 9GCA, as repealed and
12 re-enacted by Public Law 30-223, to read as follows:

13 “(g) A person who violates §89.03~~(k)~~(i) of this Chapter commits a misdemeanor.

14 (h) Any person who violates §89.03~~(k)~~(i) of this Chapter and intentionally adds
15 person(s) under the age of eighteen (18) as friends, buddies or associates commits a third
16 degree felony.

17 (i) Any person who misrepresents his or her age and/or uses a pseudonym to gain
18 membership in a social networking web site or an instant messaging or chat room
19 accessible to persons who are under eighteen (18) years of age and/or to add as friends,
20 buddies or associates who are under eighteen (18) years of age commits a third degree
21 felony.”



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY

I Mina'Trentai Uno na Liheslaturan Guahan

SENATOR ADOLPHO B. PALACIOS, SR.
CHAIRMAN

Monday, April 4, 2011

Bill No. 101-31 (COR) – AN ACT TO ADD NEW ITEMS (Y) AND (Z) TO §89.01, ITEM (I) TO §89.03, AND ITEMS (G), (H), (I) §89.05 ALL OF CHAPTER 89 OF 9GCA RELATIVE TO LIMITING ACCESS AND REGULATING THE USE OF SOCIAL NETWORKING WEB SITES, INSTANT MESSAGING AND CHAT ROOMS BY REGISTERED SEX OFFENDERS. – by Senator V. Anthony Ada

NAME (Please Print)	AGENCY/ORGANIZATION	CONTACT NUMBER	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	NOT IN FAVOR
Jose A. San Agustin	DOC	688-5117			✓	



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

Senator
Judith P. Guthertz
VICE CHAIRPERSON
ASST. MAJORITY LEADER

MAJORITY MEMBERS:

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Judith T. Won Pat

Vice Speaker
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Senator
Tina Rose Muña Barnes
LEGISLATIVE SECRETARY
MAJORITY WHIP

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Senator
vicente c. pangelinan

MINORITY MEMBERS:

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

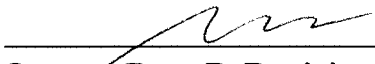
Senator
Christopher M. Duenas

Certification of Waiver of Fiscal Note Requirement

This is to certify that the Committee on Rules submitted to the Bureau of Budget and Management Research (BBMR) a request for a fiscal note, or applicable waiver, on **Bill No. 101-31 (COR) – AN ACT TO ADD NEW ITEMS (y) AND (z) TO §89.01, ITEM (i) TO §89.03, AND ITEMS (g), (h), (i) §89.05 ALL OF CHAPTER 89 OF 9GCA RELATIVE TO LIMITING ACCESS AND REGULATING THE USE OF SOCIAL NETWORKING WEB SITES, INSTANT MESSAGING AND CHAT ROOMS BY REGISTERED SEX OFFENDERS** – on March 8, 2011. COR hereby certifies that BBMR confirmed receipt of this request on March 8, 2011.

COR further certifies that a response to this request was not received by 5:00 P.M. on March 28, 2011, the fourteenth day after the request was received by BBMR. **Therefore, pursuant to 2 GCA §9105, the requirement for a fiscal note, or waiver thereof, on Bill 487 to be included in the committee report on said bill, is hereby waived.**

Certified by:



Senator Rory R. Respicio
Chairperson, Committee on Rules

4/27/11

Date



COMMITTEE ON RULES

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2011 MAR -8 PM 11: 28
MAR

Senator
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MAJORITY LEADER

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VICE CHAIRPERSON
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Senator
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March 8, 2011

VIA FACSIMILE
(671) 472-2825

Ms. Benita Manglona
Director
Bureau of Budget & management Research
P.O. Box 2950
Hagåtña, Guam 96910

RE: Request for Fiscal Note -
Bill Nos. 90-31 (COR) through 103-31 (COR)

Hafa Adai Ms. Manglona:

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

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

Very Truly Yours,


Senator Rory Respicio

Attachments

Cc: Clerk of the Legislature

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?
101-31 (COR)	V. A. Ada, R. J. Respicio, A. B. Palacios, Sr.	AN ACT TO ADD NEW ITEMS (y) AND (z) TO §89.01, ITEM (i) TO §89.03, AND ITEMS (g), (h), (i) §89.05 ALL OF CHAPTER 89 OF 9GCA RELATIVE TO LIMITING ACCESS AND REGULATING THE USE OF SOCIAL NETWORKING WEB SITES, INSTANT MESSAGING AND CHAT ROOMS BY REGISTERED SEX OFFENDERS	3/01/11 3:57 p.m.	3/2/11		Committee on Public Safety, Law Enforcement and Judiciary			
102-31 (COR)	V. A. Ada, R. J. Respicio, A. B. Palacios, Sr.	AN ACT TO ADD A NEW §89.13 TO CHAPTER 89 OF 9 GCA RELATIVE TO THE E-MAIL ADDRESSES OF REGISITERED SEX OFFENDERS.	3/01/11 3:57 p.m.	3/2/11		Committee on Public Safety, Law Enforcement and Judiciary			



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vicente c. pangelinan

MINORITY MEMBERS:

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

Senator
Christopher M. Duenas

March 3, 2011

MEMORANDUM

To: Pat Santos
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Vice Speaker Benjamin J.F. Cruz
Acting Chairperson, Committee on Rules

Subject: Referral of Bill Nos. 101-31 (COR) and 102-31 (COR)

As Acting Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 101-31 (COR) and 102-31 (COR).

Please ensure that the subject bills are referred, in my name, to the respective committees, 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

2011 MAR - 7 PM 1:46
etm

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101-31 (COR)	V. A. Ada, R. J. Respicio, A. B. Palacios, Sr.	AN ACT TO ADD NEW ITEMS (y) AND (z) TO §89.01, ITEM (i) TO §89.03, AND ITEMS (g), (h), (i) §89.05 ALL OF CHAPTER 89 OF 9GCA RELATIVE TO LIMITING ACCESS AND REGULATING THE USE OF SOCIAL NETWORKING WEB SITES, INSTANT MESSAGING AND CHAT ROOMS BY REGISTERED SEX OFFENDERS	3/01/11 3:57 p.m.	3/2/11		Committee on Public Safety, Law Enforcement and Judiciary			
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COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina'Trentai Unu Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

March 28, 2011

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

The Committee on Public Safety, Law Enforcement, and Judiciary has scheduled a public hearing starting at **9:00 am, Monday, April 4, 2011**, at *I Liheslaturan Guåhan's* Public Hearing Room in Hagåtña, on the following:

- **Bill No. 99-31 (COR) – AN ACT TO ADD A NEW ARTICLE 3 TO CHAPTER 120 OF 8GCA RELATIVE TO REQUIRING CONVICTED SEX OFFENDERS, INTER ALIOS, TO SUBMIT TO DNA PROFILING. – by Senator V. Anthony Ada**
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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, 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
SPEAKER JUDI WON PAT	03-28 12:45	00:00:20	001/001	OK	
VICE SPRAKER BJ CRUZ	03-28 12:45	00:00:19	001/001	OK	
SENATOR TINA MUNA-BA	03-28 12:46	00:00:19	001/001	OK	
SENATOR RORY RESPICI	03-28 12:52	00:00:21	001/001	OK	
SENATOR JUDI GUTHERT	03-28 12:53	00:00:21	001/001	OK	
SENATOR THOMAS ADA	03-28 12:54	00:00:17	001/001	OK	
SENATOR BEN PANGELIN	03-28 12:54	00:00:18	001/001	OK	
SENATOR FRANK BLAS J	03-28 12:55	00:00:18	001/001	OK	
SENATOR V ANTHONY AD	03-28 12:56	00:00:37	001/001	OK	
SENATOR RODRIGUEZ	03-28 12:58	00:00:22	001/001	OK	
9898678	03-28 12:59	00:01:13	001/001	OK	
4784727	03-28 13:00	00:00:36	001/001	OK	
SENATOR CHRIS DUENAS	03-28 13:04	00:00:56	000/001	No Ans	

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,
RLV: 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,
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COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
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Destination	Start Time	Time	Prints	Result	Note
4772240	03-28 12:47	00:05:38	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,
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Chairman

FACSIMILE TRANSMITTAL SHEET

DATE: March 28, 2011

TO: Pacific Daily News 477-3079 (Attention: Government Meetings)
Marianas Variety 648-2007 (Attention: Community Page)
KUAM/Isle 630 637-9865/9870
Pacific News Center 477-0793
Marianas Media 477-2240
K-57/Power 98 477-3982
Hit Radio 100 472-7663
KStereo/KISH 477-6411
Glimpess 649-8883

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

SUBJECT: FIRST Notice of Public Hearing scheduled for April 4, 2011

PAGES: 1 (including this sheet)

March 28, 2011
(Pursuant to §8107, Title 5 GCA - 5 day notice prior to hearing date)

The Committee on Public Safety, Law Enforcement, and Judiciary has scheduled a public hearing starting at 9:00 am, Monday, April 4, 2011, at I Liheslaturan Guåhan's Public Hearing Room in Hagåtña, on the following:

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PDN	03-28 12:31	00:00:33	001/001	OK	
KUAM	03-28 12:32	00:00:29	001/001	OK	
PNC	03-28 12:33	00:00:20	001/001	OK	
K57	03-28 12:33	00:00:18	001/001	OK	
HIT RADIO 100	03-28 12:34	00:00:18	001/001	OK	
GLIMPSES	03-28 12:34	00:00:19	001/001	OK	
MARIANAS VARIETY	03-28 12:35	00:00:25	001/001	OK	
KSTEREO/KISH	03-28 12:36	00:00:38	001/001	OK	
K57	03-28 12:37	00:00:17	001/001	OK	

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March 28, 2011
(Pursuant to §8107, Title 5 GCA - 5 day notice prior to hearing date)

The Committee on Public Safety, Law Enforcement, and Judiciary has scheduled a public hearing starting at 9:00 am, Monday, April 4, 2011, at I Liheslaturan Guåhan's Public Hearing Room in Hagåtña, on the following:

- Bill No. 99-31 (COR) - AN ACT TO ADD A NEW ARTICLE 3 TO CHAPTER 120 OF 8GCA RELATIVE TO REQUIRING CONVICTED SEX OFFENDERS, INTER ALIOS, TO SUBMIT TO DNA PROFILING. - by Senator V. Anthony Ada
- Bill No. 101-31 (COR) - AN ACT TO ADD NEW ITEMS (Y) AND (Z) TO §89.01, ITEM (I) TO §89.03, AND ITEMS (G), (H), (I) §89.05 ALL OF CHAPTER 89 OF 9GCA RELATIVE TO LIMITING ACCESS AND REGULATING THE USE OF SOCIAL NETWORKING WEB SITES, INSTANT MESSAGING AND CHAT ROOMS BY REGISTERED SEX OFFENDERS. - by Senator V. Anthony Ada
- Bill No. 102-31 (COR) - AN ACT TO ADD NEW §89.13 TO CHAPTER 89 OF 9GCA RELATIVE TO THE E-MAIL ADDRESSES OF REGISTERED SEX OFFENDERS. - by Senator V. Anthony Ada

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.



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

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

March 31, 2011

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

The Committee on Public Safety, Law Enforcement, and Judiciary has scheduled a public hearing starting at **9:00 am, Monday, April 4, 2011**, at *I Liheslaturan Guahan's* Public Hearing Room in Hagåtña, on the following:

- **Bill No. 99-31 (COR) – AN ACT TO ADD A NEW ARTICLE 3 TO CHAPTER 120 OF 8GCA RELATIVE TO REQUIRING CONVICTED SEX OFFENDERS, INTER ALIOS, TO SUBMIT TO DNA PROFILING. – by Senator V. Anthony Ada**
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Office/Mailing Address: 155 Hesler Place, Hagåtña Guam 96910

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



Adolpho Palacios <senabpalacios@gmail.com>

2nd Notice of Public Hearing scheduled for April 4, 2011

1 message

Adolpho Palacios <senabpalacios@gmail.com>

Thu, Mar 31, 2011 at 10:49 AM

To: speaker@judiwonpat.com, Senator Tom Ada <tom@senatorada.org>, senatortonyada@guamlegislature.org, senator@tinamunabarnes.com, "Senator Frank F. Blas, Jr." <frank.blasjr@gmail.com>, senator@senatorbjacruz.com, duenasenator@gmail.com, "Asst. Majority Leader Judith P. Guthertz, DPA" <judiguthertz@pticom.com>, judiguthertz@gmail.com, senatorsam@senatormabini.com, "Senator Ben C. Pangelinan" <senbenp@guam.net>, "Majority Leader Rory J. Respicio" <rorryforguam@gmail.com>, senatordrodriguez@gmail.com, senatormana@gmail.com, Aline Yamashita <Aline4families@gmail.com>, cor@guamlegislature.org

Cc: mark@judiwonpat.com, "Steven A. Dierking" <steve@believeinguam.com>, cyrus@senatorada.org, louise_atalig@yahoo.com, chelsea@tinamunabarnes.com, Mary Fejeran <maryfejeran@gmail.com>, garrett.duenas@senatorbjacruz.com, chris.carillo@senatorbjacruz.com, leonguerrero.angela@gmail.com, leslie.g@senatormabini.com, cipo@guamlegislature.org, Stephanie Mendiola <sem@guamlegislature.org>, chechsantos@gmail.com, alerta.jermaine@gmail.com, evelyn4families@gmail.com, cherbert.senatordrodriguez@gmail.com, clerks@guamlegislature.org, mis@guamlegislature.org, sgtarms@guamlegislature.org, yong@guamlegislature.org

March 31, 2011

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

The Committee on Public Safety, Law Enforcement, and Judiciary has scheduled a public hearing starting at 9:00 am, **Monday, April 4, 2011**, at *I Liheslaturan Guåhan's* Public Hearing Room in Hagåtña, on the following:

- **Bill No. 99-31 (COR) – AN ACT TO ADD A NEW ARTICLE 3 TO CHAPTER 120 OF 8GCA RELATIVE TO REQUIRING CONVICTED SEX OFFENDERS, INTER ALIOS, TO SUBMIT TO DNA PROFILING. – by Senator V. Anthony Ada**
- **Bill No. 101-31 (COR) – AN ACT TO ADD NEW ITEMS (Y) AND (Z) TO §89.01, ITEM (I) TO §89.03, AND ITEMS (G), (H), (I) §89.05 ALL OF CHAPTER 89 OF 9GCA RELATIVE TO LIMITING ACCESS AND REGULATING THE USE OF SOCIAL NETWORKING WEB SITES, INSTANT MESSAGING AND CHAT ROOMS BY REGISTERED SEX OFFENDERS. – by Senator V. Anthony Ada**
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Adolpho Palacios <senabpalacios@gmail.com>

2nd Notice of Public Hearing scheduled for April 4, 2011

1 message

Adolpho Palacios <senabpalacios@gmail.com>**Thu, Mar 31, 2011 at 10:42 AM**

To: sabrina@kuam.com, jason@kuam.com, mindy@kuam.com, malafunkshun@kuam.com, news@guampdn.com, Catriona Melyan <cmelyan@guampdn.com>, dmgeorge@guampdn.com, mpieper@guampdn.com, amier@mvguam.com, advertise@mvguam.com, zytaitano@gmail.com, news@spbguaam.com, clynt@spbguaam.com, jtyquiengco@spbguaam.com, jontalk@k57.com, breakfastshowk57@gmail.com, kstone@ite.net, kstokish@gmail.com, rgibson@k57.com

March 31, 2011

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

The Committee on Public Safety, Law Enforcement, and Judiciary has scheduled a public hearing starting at **9:00 am, Monday, April 4, 2011**, at *LiheSlaturan Guåhan's* Public Hearing Room in Hagåtña, on the following:

- **Bill No. 99-31 (COR) – AN ACT TO ADD A NEW ARTICLE 3 TO CHAPTER 120 OF 8GCA RELATIVE TO REQUIRING CONVICTED SEX OFFENDERS, INTER ALIOS, TO SUBMIT TO DNA PROFILING. – by Senator V. Anthony Ada**
- **Bill No. 101-31 (COR) – AN ACT TO ADD NEW ITEMS (Y) AND (Z) TO §89.01, ITEM (I) TO §89.03, AND ITEMS (G), (H), (I) §89.05 ALL OF CHAPTER 89 OF 9GCA RELATIVE TO LIMITING ACCESS AND REGULATING THE USE OF SOCIAL NETWORKING WEB SITES, INSTANT MESSAGING AND CHAT ROOMS BY REGISTERED SEX OFFENDERS. – by Senator V. Anthony Ada**
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COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina'Trentai Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

FACSIMILE TRANSMITTAL SHEET

DATE: March 31, 2011

TO: Pacific Daily News 477-3079 (Attention: Government Meetings)
Marianas Variety 648-2007 (Attention: Community Page)
KUAM/Isla 630 637-9865/9870
Pacific News Center 477-0793
Marianas Media 477-2240
K-57/Power 98 477-3982
Hit Radio 100 472-7663
KStereo/KISH 477-6411
Glimpses 649-8883

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

SUBJECT: *SECOND Notice of Public Hearing scheduled for April 4, 2011*

PAGES: 1 (including this sheet)

March 31, 2011

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

The Committee on Public Safety, Law Enforcement, and Judiciary has scheduled a public hearing starting at 9:00 am, Monday, April 4, 2011, at *I Liheslaturan Guåhan's* Public Hearing Room in Hagåtña, on the following:

- Bill No. 99-31 (COR) – AN ACT TO ADD A NEW ARTICLE 3 TO CHAPTER 120 OF 8GCA RELATIVE TO REQUIRING CONVICTED SEX OFFENDERS, INTER ALIOS, TO SUBMIT TO DNA PROFILING. – by Senator V. Anthony Ada
- Bill No. 101-31 (COR) – AN ACT TO ADD NEW ITEMS (Y) AND (Z) TO §89.01, ITEM (I) TO §89.03, AND ITEMS (G), (H), (I) §89.05 ALL OF CHAPTER 89 OF 9GCA RELATIVE TO LIMITING ACCESS AND REGULATING THE USE OF SOCIAL NETWORKING WEB SITES, INSTANT MESSAGING AND CHAT ROOMS BY REGISTERED SEX OFFENDERS. – by Senator V. Anthony Ada
- Bill No. 102-31 (COR) – AN ACT TO ADD NEW §89.13 TO CHAPTER 89 OF 9GCA RELATIVE TO THE E-MAIL ADDRESSES OF REGISTERED SEX OFFENDERS.– by Senator V. Anthony Ada

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, 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
PDN	03-31 09:22	00:00:34	001/001	OK	
KUAM	03-31 09:23	00:00:32	001/001	OK	
PNC	03-31 09:24	00:00:20	001/001	OK	
K57	03-31 09:25	00:00:17	001/001	OK	
HIT RADIO 100	03-31 09:25	00:00:19	001/001	OK	
KSTO	03-31 09:26	00:00:37	001/001	OK	
GLIMPSES	03-31 09:27	00:00:19	001/001	OK	
MARIANAS VARIETY	03-31 09:28	00:00:24	001/001	OK	
KSTEREO/KISH	03-31 09:29	00:00:37	001/001	OK	
JOY 92 FM	03-31 09:29	00:00:22	001/001	OK	
KPRG	03-31 09:30	00:00:18	001/001	OK	

Note

THR: 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, MEX: 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 Trenta Uno Na Lihelaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

FACSIMILE TRANSMITTAL SHEET

DATE: March 31, 2011

TO: Pacific Daily News 477-3079 (Attention: Government Meetings)
Marianas Variety 648-2007 (Attention: Community Page)
KUAM/Isa 630 637-9865/9870
Pacific News Center 477-0793
Marianas Media 477-2280
K-57/Power 98 477-3982
Hit Radio 100 472-7663
KStereo/KISH 477-6411
Glimpse 649-8883

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

SUBJECT: SECOND Notice of Public Hearing scheduled for April 4, 2011

PAGES: 1 (including this sheet)

March 31, 2011
(Pursuant to §8107, Title 5 GCA - 48 hour notice prior to hearing date)

The Committee on Public Safety, Law Enforcement, and Judiciary has scheduled a public hearing starting at 9:00 am, Monday, April 4, 2011, at I Lihelaturan Guåhan's Public Hearing Room in Hagåtña, on the following:

- Bill No. 99-31 (COR) - AN ACT TO ADD A NEW ARTICLE 3 TO CHAPTER 120 OF 8CCA RELATIVE TO REQUIRING CONVICTED SEX OFFENDERS, INTER ALIOS, TO SUBMIT TO DNA PROFILING. - by Senator V. Anthony Ada
- Bill No. 101-31 (COR) - AN ACT TO ADD NEW ITEMS (Y) AND (Z) TO §89.01, ITEM (I) TO §89.03, AND ITEMS (G), (H), (I) §89.05 ALL OF CHAPTER 89 OF 9CCA RELATIVE TO LIMITING ACCESS AND REGULATING THE USE OF SOCIAL NETWORKING WEB SITES, INSTANT MESSAGING AND CHAT ROOMS BY REGISTERED SEX OFFENDERS. - by Senator V. Anthony Ada
- Bill No. 102-31 (COR) - AN ACT TO ADD NEW §89.13 TO CHAPTER 89 OF 9CCA RELATIVE TO THE E-MAIL ADDRESSES OF REGISTERED SEX OFFENDERS. - by Senator V. Anthony Ada

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 Lihelaturan Guåhan's website at www.guamlegislature.com. Individuals requiring special accommodations or services, please contact Julian Janssen or Jennifer Dulla at 472-5047/5048.



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, Monday, April 4, 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. 99-31 (COR) – AN ACT TO ADD A NEW ARTICLE 3 TO CHAPTER 120 OF 8GCA RELATIVE TO REQUIRING CONVICTED SEX OFFENDERS, INTER ALIOS, TO SUBMIT TO DNA PROFILING. – by Senator V. Anthony Ada**
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 - **Bill No. 102-31 (COR) – AN ACT TO ADD NEW §89.13 TO CHAPTER 89 OF 9GCA RELATIVE TO THE E-MAIL ADDRESSES OF REGISTERED SEX OFFENDERS.– by Senator V. Anthony Ada**
- 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.


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

Bill No. 101-31(COR)

Introduced by:

V. Anthony Ada 

R. J. Respicio 

A. B. Palacios, Sr 

AN ACT TO ADD NEW ITEMS (y) AND (z) TO §89.01, ITEM (i) TO §89.03, AND ITEMS (g), (h), (i) §89.05 ALL OF CHAPTER 89 OF 9GCA RELATIVE TO LIMITING ACCESS AND REGULATING THE USE OF SOCIAL NETWORKING WEB SITES, INSTANT MESSAGING AND CHAT ROOMS BY REGISTERED SEX OFFENDERS.

2011 MAR -1 PM 3:57

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. New Items (y) and (z) are *added* to Section 89.01 of Chapter 89 of 9GCA, as repealed and re-enacted by Public Law 30-223, to read as follows:

(y) "Instant messaging or chat room" means a program that requires a person to register or create an account, a user name, or a password to become a member or registered user of the program and allows members or authorized users to communicate over the Internet in real time using typed text or voice, including programs associated with online games, and other online communities. The term does not include an electronic mail (e-mail) or message board program.

(z) "Social networking Web site" means an Internet Web site that has a primary purpose of facilitating social interaction between two or more persons for the purposes of friendship, meeting other persons, or information exchanges, and allows users to create Web pages or profiles that provide information about themselves and are

1 available publicly or to other users and that offers a mechanism for communication with
2 other users, such as a forum, chat room, electronic mail, or instant messaging.

3
4

5 **Section 2.** A new Item (i) is *added* to Section 89.03 of Chapter 89 of 9GCA, as
6 repealed and re-enacted by Public Law 30-223, to read as follows:

7

8 (i) Persons required to register under this section shall not access, or create or maintain
9 a personal Web page, profile, account, or user name for: a social networking Web site;
10 or an instant messaging or chat room program, that permits persons under the age of
11 eighteen (18) to become a member or to create or maintain a personal Web page unless
12 the such a social networking web site or an instant messaging or chat room limit the
13 ability of adult members to add children under the age of eighteen (18) as friends,
14 buddies or associates. All computers or devices capable of accessing the internet that
15 are on the registrant's person, vehicle or home are subject to unannounced searches by
16 law enforcement personnel acting within the scope of their duties while performing a
17 lawful investigation.

18

19 **Section 3.** New Items (g), (h), (i) are *added* to Section 89.05 of Chapter 89 of 9GCA,
20 as repealed and re-enacted by Public Law 30-223, to read as follows:

21

22 (g) A person who violates §89.03(k) of this Chapter commits a misdemeanor.

23

24 (h) Any person who violates §89.03(k) of this Chapter and intentionally adds person(s)
25 under the age of eighteen (18) as friends, buddies or associates commits a third degree
26 felony.

27

1 (i) Any person who misrepresents his or her age and/or uses a pseudonym to gain
2 membership in a social networking web site or an instant messaging or chat room
3 accessible to persons who are under eighteen (18) years of age and/or to add as friends,
4 buddies or associates who are under eighteen (18) years of age commits a third degree
5 felony.