

*I Mina'Trentai Dos Na Liheslaturan Guahan*  
**Bill Log Sheet**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
<b>6-32 (LS), P.L. 32-012</b>	Brant McCreddie, D.G. Rodriguez, Jr.	AN ACT TO <i>AMEND</i> §25.15 AND §25.20 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO STRENGTHENING PENALTIES FOR CRIMES INVOLVING CRIMINAL SEXUAL CONDUCT, WHICH MAY BE CITED AS THE " <i>PREDATOR PREVENTION ACT</i> "	01/07/2013, 11:27am	1/7/13	Committee on the Guam U.S. Military Relocation, Homeland Security, Veteran's Affairs and Judiciary		03/25/13 9:27 a.m.	<b>Fiscal Note Requested 2/13/13</b>
	<b>DATE PASSED</b>	<b>TITLE</b>	<b>TRANSMITTED</b>		<b>DUE DATE</b>	DATE SIGNED BY I MAGA'LAHEN GUAHAN	<b>PUBLIC LAW NO.</b>	<b>NOTES</b>
	4/1/2013	AN ACT TO AMEND §§25.15 AND 25.20 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO STRENGTHENING THE PENALTIES FOR CRIMES INVOLVING CRIMINAL SEXUAL CONDUCT, AND TO BE CITED AS THE " <i>PREDATOR PREVENTION ACT</i> "	4/2/13	12:10PM	4/12/13	4/11/2013	32-012	As substituted by the Committee on the Guam U.S. Military Relocation, Veterans' Affairs, Homeland Security and Judiciary; and amended on the Floor.



EDDIE BAZA CALVO  
Governor

RAY TENORIO  
Lieutenant Governor

*Office of the Governor of Guam*

April 12, 2013

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

RE: Bill No. 6-32 (LS) – Public Law No. 32-012

Dear Madame Speaker:

Transmitted herewith is Bill No. 6-32 (LS), "AN ACT TO AMEND §§25.15 AND 25.20 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO STRENGTHENING THE PENALTIES FOR CRIMES INVOLVING CRIMINAL SEXUAL CONDUCT, AND TO BE CITED AS THE "PREDATOR PREVENTION ACT", which I signed into law on April 11, 2013, as Public Law 32-012.

*Senseramente,*

  
EDDIE BAZA CALVO

Attachment: Copy of Bill

2013 APR 12 PM 4: 22

32-13-274  
Office of the Speaker  
Judith T. Won Pat, Ed. D.  
Date 4:00  
Time 4/12/13  
Received by [Signature]

0274

*I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN*  
2013 (FIRST) Regular Session

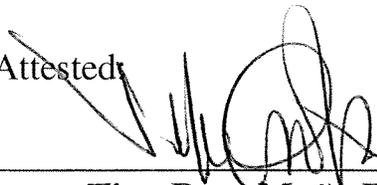
**CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN**

This is to certify that **Substitute Bill No. 6-32 (LS), "AN ACT TO AMEND §§25.15 AND 25.20 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO STRENGTHENING THE PENALTIES FOR CRIMES INVOLVING CRIMINAL SEXUAL CONDUCT, AND TO BE CITED AS THE "PREDATOR PREVENTION ACT"**, was on the 1<sup>st</sup> day of April, 2013, duly and regularly passed.



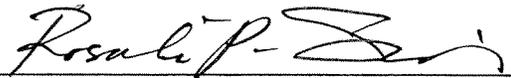
Judith T. Won Pat, Ed.D.  
Speaker

Attested:



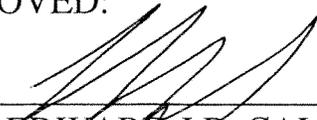
Tina Rose Muña Barnes  
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 2 day of April,  
2013, at 12:10 o'clock P.M.



Assistant Staff Officer  
*Maga'lahaen's Office*

APPROVED:



EDWARD J.B. CALVO  
*I Maga'lahaen Guåhan*

Date: APR 11 2013

Public Law No. 32-012

*I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN*  
**2013 (FIRST) Regular Session**

**Bill No. 6-32 (LS)**

As substituted by the Committee on the Guam  
U.S. Military Relocation, Veterans' Affairs,  
Homeland Security and Judiciary; and amended on the Floor.

Introduced by:

Brant T. McCreadie  
Dennis G. Rodriguez, Jr.  
Frank B. Aguon, Jr.  
V. Anthony Ada  
M. T. Limtiaco  
Tommy Morrison  
Chris M. Dueñas  
Michael F. Q. San Nicolas  
R. J. Respicio  
T. C. Ada  
B. J.F. Cruz  
T. R. Muña Barnes  
Vicente (ben) C. Pangelinan  
Aline A. Yamashita, Ph.D.  
Judith T. Won Pat, Ed.D.

**AN ACT TO AMEND §§25.15 AND 25.20 OF  
CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED,  
RELATIVE TO STRENGTHENING THE PENALTIES  
FOR CRIMES INVOLVING CRIMINAL SEXUAL  
CONDUCT, AND TO BE CITED AS THE  
“PREDATOR PREVENTION ACT.”**

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

2           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that there exists an alarming rate of incidences on Guam and throughout the nation

1 involving criminal sexual conduct. *I Liheslatura* is especially concerned as well  
2 with sex crimes involving children, the most vulnerable in our community.  
3 According to the *Crimes Against Children Research Center*, one (1) in five (5)  
4 girls and one (1) in twenty (20) boys is a victim of child sexual abuse.

5 As of December 2012, there were a total of six hundred forty-one (641) sex  
6 offenders registered with the Guam Sex Offender Registry of the Unified Judiciary  
7 of Guam. Nearly half of this figure, or three hundred fifty (350) offenders, have  
8 been convicted of a sexually violent offense.

9 *I Liheslaturan Guåhan* further finds that local media regularly report on  
10 arrests or court proceedings involving sexual crimes against children. These  
11 reports continue to expose a very dangerous problem for Guam's close knit  
12 community. Crimes involving criminal sexual conduct and crimes committed  
13 against children are heinous and further inflict unfathomable effects on the lives of  
14 victims and their families.

15 Therefore, it is the intent of *I Liheslaturan Guåhan* to strengthen existing  
16 penalties for sexual offenses involving minors, by amending §§25.15 and 25.20 of  
17 Chapter 25, Title 9, Guam Code Annotated. *I Liheslatura* further intends that these  
18 penalties serve to ultimately reduce and eliminate incidences involving such  
19 terrible acts against Guam's children.

20 **Section 2.** §§25.15 and 25.20 of Chapter 25, Title 9, Guam Code  
21 Annotated, are hereby *amended* to read:

22 **“§ 25.15. First Degree Criminal Sexual Conduct.**

23 (a) A person is guilty of criminal sexual conduct in the first degree  
24 if he or she engages in sexual penetration with the victim and if any of the  
25 following circumstances exists:

26 (1) the victim is under fourteen (14) years of age;

1           (2) the victim is *at least* fourteen (14) but *less than* sixteen  
2 (16) years of age and the actor is a member of the same household as  
3 the victim, the actor is related to the victim by blood or affinity to the  
4 fourth degree to the victim, or the actor is in a position of authority  
5 over the victim and used this authority to coerce the victim to submit;

6           (3) sexual penetration occurs under circumstances involving  
7 the commission of any other felony;

8           (4) the actor is aided or abetted by one or more other persons  
9 and either of the following circumstances exists:

10           (A) the actor knows or has reason to know that the  
11 victim is mentally defective, mentally incapacitated or  
12 physically helpless; or

13           (B) the actor uses force or coercion to accomplish the  
14 sexual penetration.

15           (5) the actor is armed with a weapon or any article used or  
16 fashioned in a manner to lead the victim to reasonably believe it to be  
17 a weapon;

18           (6) the actor causes personal injury to the victim and force or  
19 coercion is used to accomplish sexual penetration; and

20           (7) the actor causes personal injury to the victim, and the  
21 actor knows or has reason to know that the victim is mentally  
22 defective, mentally incapacitated or physically helpless.

23           (b) Criminal sexual conduct in the first degree is a felony in the  
24 first degree. Any person convicted of criminal sexual conduct under  
25 §25.15(a) *shall* be sentenced to a minimum of fifteen (15) years  
26 imprisonment, and may be sentenced to a maximum of life imprisonment  
27 without the possibility of parole. The term imposed *shall not* be suspended,

1 as indicated in §80.60 of Article 4, Chapter 80, Title 9 GCA; nor shall work  
2 release or educational programs outside the confines of prison be granted;  
3 nor shall the provisions under §80.31 of Article 2, Chapter 80, Title 9 GCA  
4 apply. Any such sentence *shall* include a special parole term of *not less than*  
5 three (3) years in addition to such time of imprisonment.

6 (c) Any person convicted of criminal sexual conduct under  
7 §25.15(a) subsequent to a first conviction of criminal sexual conduct under  
8 §25.15(a) *shall* be sentenced to a minimum of twenty-five (25) years  
9 imprisonment, and may be sentenced to life imprisonment without the  
10 possibility of parole. Said term *shall not* be suspended as indicated in  
11 §80.60 of Article 4, Chapter 80, Title 9 GCA; nor shall parole, work release  
12 or educational programs outside the confines of prison be granted.”

13 **“§ 25.20. Second Degree Criminal Sexual Conduct.**

14 (a) A person is guilty of criminal sexual conduct in the second  
15 degree if the person engages in sexual contact with another person and if any  
16 of the following circumstances exists:

17 (1) that other person is under fourteen (14) years of age;

18 (2) that other person is *at least* fourteen (14) but *less than*  
19 sixteen (16) years of age and the actor is a member of the same  
20 household as the victim, or is related by blood or affinity to the fourth  
21 degree to the victim, or is in a position of authority over the victim  
22 and the actor used this authority to coerce the victim to submit;

23 (3) sexual contact occurs under circumstances involving the  
24 commission of any other felony;

25 (4) the actor is aided or abetted by one or more other persons  
26 and either of the following circumstances exists:

1 (A) the actor knows or has reason to know that the  
2 victim is mentally defective, mentally incapacitated or  
3 physically helpless; or

4 (B) the actor uses force or coercion to accomplish the  
5 sexual contact.

6 (5) the actor is armed with a weapon or any article used or  
7 fashioned in a manner to lead a person to reasonably believe it to be a  
8 weapon;

9 (6) the actor causes personal injury to the victim and force or  
10 coercion is used to accomplish the sexual contact; and

11 (7) the actor causes personal injury to the victim and the  
12 actor knows or has reason to know that the victim is mentally  
13 defective, mentally incapacitated or physically helpless.

14 (b) Criminal sexual conduct in the second degree is a felony in the  
15 first degree, but a person convicted of criminal sexual conduct in the second  
16 degree who receives a sentence of imprisonment *shall not* be eligible for  
17 work release or educational programs outside the confines of prison. The  
18 term imposed *shall not* be suspended, as indicated in §80.60 of Article 4,  
19 Chapter 80, Title 9 GCA; nor probation be imposed in lieu of said minimum  
20 term; nor shall parole be granted; nor shall the provisions under §80.31 of  
21 Article 2, Chapter 80, Title 9 GCA apply. Any such sentence *shall* include a  
22 special parole term of *not less than* three (3) years, in addition to such time  
23 of imprisonment.

24 (c) Any person convicted of criminal sexual conduct under  
25 §25.20(a) subsequent to a first conviction of criminal sexual conduct under  
26 §25.15(a), which involves sexual penetration, *shall* be sentenced to a  
27 minimum of twenty-five (25) years imprisonment, and may be sentenced to

1 life imprisonment without the possibility of parole. Said term *shall not* be  
2 suspended; nor probation be imposed in lieu of said term, as indicated in  
3 §80.60 of Article 4, Chapter 80, Title 9 GCA; nor shall parole, work release  
4 or educational programs outside the confines of prison be granted.”

5 **Section 3. Effective Date.** This Act *shall* be effective upon enactment and  
6 *shall* apply prospectively.



# COMMITTEE ON RULES

*I Mina'trentai Dos na Liheslaturan Guåhan* • The 32nd Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
E-mail: [roryforguam@gmail.com](mailto:roryforguam@gmail.com) • Tel: (671)472-7679 • Fax: (671)472-3547

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

Senator  
Vicente (Ben) C. Pangelinan  
Member

Speaker  
Judith T.P. Won Pat, Ed.D.  
Member

Senator  
Dennis G. Rodriguez, Jr.  
Member

Vice-Speaker  
Benjamin J.F. Cruz  
Member

Legislative Secretary  
Tina Rose Muña Barnes  
Member

Senator  
Frank Blas Aguon, Jr.  
Member

Senator  
Michael F.Q. San Nicolas  
Member

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

Senator  
Aline Yamashita  
Member

March 29, 2013

## Memorandum

**To:** **Rennae Meno**  
*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.

### FISCAL NOTES:

Bill Nos.: 03-32 (LS), 06-32 (LS), 30-32 (COR), 31-32 (COR), 54-32 (COR), 61-32 (COR), 56-32 (COR), and 66-32 (COR)

### WAIVERS:

Bill Nos.: 46-32 (LS)

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'!*

2013 APR -1 AM 8:30 

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**OFFICE OF THE GOVERNOR  
Post Office Box 2950, Hagåtña Guam 96932EDDIE BAZA CALVO  
GOVERNORJOHN A. RIOS  
DIRECTORRAY TENORIO  
LIEUTENANT GOVERNOR

MAR 28 2013

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

*Hafa Adai* Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill Nos.: 03-32(LS), 06-32(LS), 30-32(COR), 31-32(COR), 54-32(COR), 61-32(COR), 66-32(COR) and Fiscal Note Waiver on the following Bill Nos.: 46-32(LS).

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

A handwritten signature in black ink, appearing to read "John A. Rios" with a stylized flourish.

JOHN A. RIOS  
Director

Enclosures

cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research  
Fiscal Note of Bill No. 06-32(LS)**

**AN ACT TO AMEND §25.15 AND §25.20 OF CHAPTER 25, TITLE 9, OF THE GUAM CODE ANNOTATED RELATIVE TO STRENGTHENING PENALTIES FOR CRIMES INVOLVING CRIMINAL SEXUAL CONDUCT, WHICH MAY BE CITED AS THE "PREDATOR PREVENTION ACT".**

Department/Agency Appropriation Information	
Dept./Agency Affected: <b>Judiciary of Guam</b>	Dept./Agency Head: <b>F. Philip Carbullido, Chief Justice</b>
Department's General Fund (GF) appropriation(s) to date:	<b>23,564,558</b>
Department's Other Fund (Specify) appropriation(s) to date: <b>Safe Streets Fund</b>	<b>145,000</b>
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$23,709,558</b>

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2012 Unreserved Fund Balance <sup>1</sup>		\$0	\$0
FY 2013 Adopted Revenues	\$0	\$0	\$0
FY 2013 Appro. (P.L. 31-233)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
<b>Total:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2013 (if applicable)	FY 2014	FY 2015	FY 2016	FY 2017
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

- Does the bill contain "revenue generating" provisions? / / Yes /x/ No  
If Yes, see attachment
  - Is amount appropriated adequate to fund the intent of the appropriation? /x/ N/A / / Yes / / No  
If no, what is the additional amount required? \$ \_\_\_\_\_ /x/ N/A
  - Does the Bill establish a new program/agency? / / Yes /x/ No  
If yes, will the program duplicate existing programs/agencies? /x/ N/A / / Yes / / 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: / / Yes /x/ No  
/ / Requested agency comments not received as of the due date /x/ Other:\*
- \*Due to other budgetary priorities and impending deadline.

Analyst: <u>Dina P. Rivera</u>	Date: <u>3-26-13</u>	Director: <u>John A. Rios, Director</u>	Date: <u>3-27-13</u>
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Footnotes:  
See attached Comments.

**COMMENTS TO BILL 06-32(COR)**

BILL NO. 06-32 IS AN ACT TO AMEND §25.15 AND §25.20 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO STRENGTHENING PENALTIES FOR CRIMES INVOLVING CRIMINAL SEXUAL CONDUCT, WHICH MAY BE CITED AS THE "*PREDATOR PREVENTION ACT*".

Although the Bill does not mention about increases in any fines, it does, however, propose to increase "jail time" to life imprisonment without parole for a first Degree Criminal Sexual Conduct. In addition to that, it proposes that "terms shall not be suspended nor probation be imposed in lieu of said term nor shall parole, work release or educational programs outside the confines of prison be granted." These could entail fiscal impact(s) to the Unified Courts and the Department of Correction's operations to insure that the Bill, if passed into Public Law, is fully implemented.



FILE COPY

**I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN**  
THIRTY-SECOND GUAM LEGISLATURE  
155 Hesler Place, Hagåtña, Guam 96910

April 1, 2013

The Honorable Edward J.B. Calvo  
*I Maga'lahen Guåhan*  
*Ufisinan I Maga'lahi*  
Hagåtña, Guam 96910

OFFICE OF THE GOVERNOR  
CENTRAL FILES

RECEIVED BY [Signature]  
TIME 12:10 DATE 4/2/13

Dear *Maga'lahi* Calvo:

Transmitted herewith are Bill and Substitute Nos. 1-32(LS), 4-32(LS), 5-32(LS), 6-32(LS), 7-32(COR), 23-32(COR), 29-32(COR), 31-32(COR), 32-32(COR), 41-32(LS), 43-32(COR), 44-32(COR), 46-32(LS) and 54-32(COR) which were passed by *I Mina'Trentai Dos Na Liheslaturan Guåhan* on April 1, 2013.

Sincerely,

Tina Rose Muña Barnes  
Senator and Legislative Secretary

Enclosures (14)

FILE COPY

**I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN  
2013 (FIRST) Regular Session**

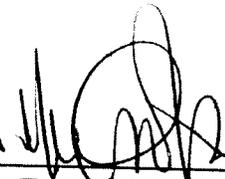
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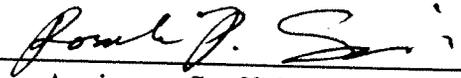
**Judith T. Won Pat, Ed.D.  
Speaker**

Attested



**Tina Rose Muña Barnes  
Legislative Secretary**

This Act was received by *I Maga'lahaen Guåhan* this 2 day of April,  
2013, at 12:10 o'clock P.M.



**Assistant Staff Officer  
*Maga'lahi's Office***

APPROVED:

**EDWARD J.B. CALVO  
*I Maga'lahaen Guåhan***

Date: \_\_\_\_\_

Public Law No. \_\_\_\_\_

*I MINA 'TRENTAI DOS NA LIHESLATURAN GUÅHAN*  
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1           (2) the victim is *at least* fourteen (14) but *less than* sixteen  
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6           (3) sexual penetration occurs under circumstances involving  
7 the commission of any other felony;

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1 as indicated in §80.60 of Article 4, Chapter 80, Title 9 GCA; nor shall work  
2 release or educational programs outside the confines of prison be granted;  
3 nor shall the provisions under §80.31 of Article 2, Chapter 80, Title 9 GCA  
4 apply. Any such sentence *shall* include a special parole term of *not less than*  
5 three (3) years in addition to such time of imprisonment.

6 (c) Any person convicted of criminal sexual conduct under  
7 §25.15(a) subsequent to a first conviction of criminal sexual conduct under  
8 §25.15(a) *shall* be sentenced to a minimum of twenty-five (25) years  
9 imprisonment, and may be sentenced to life imprisonment without the  
10 possibility of parole. Said term *shall not* be suspended as indicated in  
11 §80.60 of Article 4, Chapter 80, Title 9 GCA; nor shall parole, work release  
12 or educational programs outside the confines of prison be granted.”

13 **“§ 25.20. Second Degree Criminal Sexual Conduct.**

14 (a) A person is guilty of criminal sexual conduct in the second  
15 degree if the person engages in sexual contact with another person and if any  
16 of the following circumstances exists:

17 (1) that other person is under fourteen (14) years of age;

18 (2) that other person is *at least* fourteen (14) but *less than*  
19 sixteen (16) years of age and the actor is a member of the same  
20 household as the victim, or is related by blood or affinity to the fourth  
21 degree to the victim, or is in a position of authority over the victim  
22 and the actor used this authority to coerce the victim to submit;

23 (3) sexual contact occurs under circumstances involving the  
24 commission of any other felony;

25 (4) the actor is aided or abetted by one or more other persons  
26 and either of the following circumstances exists:

1 (A) the actor knows or has reason to know that the  
2 victim is mentally defective, mentally incapacitated or  
3 physically helpless; or

4 (B) the actor uses force or coercion to accomplish the  
5 sexual contact.

6 (5) the actor is armed with a weapon or any article used or  
7 fashioned in a manner to lead a person to reasonably believe it to be a  
8 weapon;

9 (6) the actor causes personal injury to the victim and force or  
10 coercion is used to accomplish the sexual contact; and

11 (7) the actor causes personal injury to the victim and the  
12 actor knows or has reason to know that the victim is mentally  
13 defective, mentally incapacitated or physically helpless.

14 (b) Criminal sexual conduct in the second degree is a felony in the  
15 first degree, but a person convicted of criminal sexual conduct in the second  
16 degree who receives a sentence of imprisonment *shall not* be eligible for  
17 work release or educational programs outside the confines of prison. The  
18 term imposed *shall not* be suspended, as indicated in §80.60 of Article 4,  
19 Chapter 80, Title 9 GCA; nor probation be imposed in lieu of said minimum  
20 term; nor shall parole be granted; nor shall the provisions under §80.31 of  
21 Article 2, Chapter 80, Title 9 GCA apply. Any such sentence *shall* include a  
22 special parole term of *not less than* three (3) years, in addition to such time  
23 of imprisonment.

24 (c) Any person convicted of criminal sexual conduct under  
25 §25.20(a) subsequent to a first conviction of criminal sexual conduct under  
26 §25.15(a), which involves sexual penetration, *shall* be sentenced to a  
27 minimum of twenty-five (25) years imprisonment, and may be sentenced to

1           life imprisonment without the possibility of parole. Said term *shall not* be  
2           suspended; nor probation be imposed in lieu of said term, as indicated in  
3           §80.60 of Article 4, Chapter 80, Title 9 GCA; nor shall parole, work release  
4           or educational programs outside the confines of prison be granted.”

5           **Section 3. Effective Date.** This Act *shall* be effective upon enactment and  
6           *shall* apply prospectively.

# LEGISLATIVE SESSION ATTENDANCE

## I MINA'TRENTAI DOS NA LIHESLATURAN

### 2013 (FIRST) Regular Session

### Voting Sheet

**SBill No: 6-32 (LS)**

Speaker Antonio R. Unipingo Legislative Session Hall

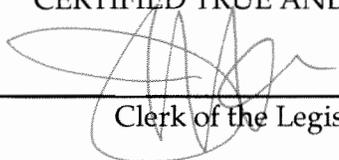
AN ACT TO AMEND §§25.15 AND 25.20 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO STRENGTHENING THE PENALTIES FOR CRIMES INVOLVING CRIMINAL SEXUAL CONDUCT, AND TO BE CITED AS THE "PREDATOR PREVENTION ACT."

NAME	Yea	Nay	Not Voting/ Abstained	Out During Roll Call	Absent
Senator Thomas "Tom" C. ADA	✓				
Senator V. Anthony "Tony" ADA	✓				
Senator Frank Blas AGUON Jr.	✓				
Vice-Speaker Benjamin J.F. CRUZ	✓				
Senator Christopher M. DUENAS	✓				
Senator Michael LIMTIACO	✓				
Senator Brant McCREADIE	✓				
Senator Thomas "Tommy" MORRISON	✓				
Senator Tina Rose MUÑA BARNES	✓				
Senator Vicente (ben) Cabrera PANGELINAN	✓				
Senator Rory J. RESPICIO	✓				
Senator Dennis G. RODRIGUEZ, Jr.	✓				
Senator Michael F. Q.SAN NICOLAS	✓				
Speaker Judith T. WON PAT, Ed.D.	✓				
Senator Aline A. YAMASHITA, Ph.D.	✓				

(15)

TOTAL

CERTIFIED TRUE AND CORRECT:

  
 Clerk of the Legislature

4/1/13



COMMITTEE ON

**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

*I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE*



March 21, 2013

The Honorable Judith T. Won Pat  
Speaker  
*I Mina' Trentai Unu Na Liheslaturan Guahan*  
32nd Guam Legislature  
155 Hesler Place  
Hagatna, Guam 96910

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

RE: Committee Report on Bill No. 6-32 (LS) as substituted.

Dear Speaker Won Pat:

Transmitted herewith is the Report of Committee on U.S. Military Relocation, Homeland Security, Veterans' Affairs and Judiciary on Bill No. 6-32 (LS) - B.T. McCreadie / D.G. Rodriguez, Jr. - An act to amend §25.15 and §25.20 of Chapter 25, Title 9, Guam Code Annotated, relative to strengthening penalties for crimes involving criminal sexual conduct, which may be cited as the "Predator Prevention Act".

Committee votes are as follows:

- 7 TO DO PASS
- 0 TO NOT PASS
- 0 TO REPORT OUT ONLY
- 0 TO ABSTAIN
- 0 TO PLACE IN INACTIVE FILE

Sincerely,

SEN. FRANK B. AGUON, JR.  
Chairperson

2013 MAR 25 AM 9:27

**Senator**  
**FRANK B. AGUON, JR.**  
Committee Chairperson

**Senator**  
**Tina Muna-Barnes**  
Committee Vice Chairperson

**Speaker**  
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Committee Member

**Senator**  
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**Senator**  
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Committee Member

**Senator**  
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## COMMITTEE REPORT

ON

### BILL NO. 6-32 (LS)

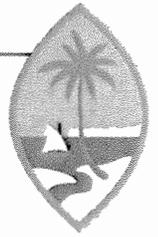
**Bill No. 6-32 (LS) - B.T. McCreadie / D.G.  
Rodriguez, Jr.**

**An act to amend §25.15 and §25.20 of Chapter  
25, Title 9, Guam Code Annotated, relative to  
strengthening penalties for crimes involving  
criminal sexual conduct, which may be cited as  
the "Predator Prevention Act". as substituted.**



**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

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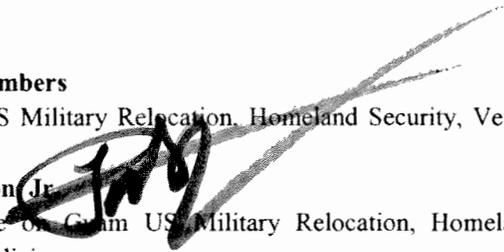
**Senator  
Michael Limtiaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

February 25, 2013

**MEMORANDUM**

**To:** **Honorable Senator Members**  
Committee on Guam US Military Relocation, Homeland Security, Veterans Affairs and Judiciary

**From:** **Senator Frank B. Aguon, Jr.**   
Chairperson, Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary

**Subject:** **First Notice – Public Hearing**  
*Monday, March 4, 2013 – 9:00 AM*

Please be advised that the Committee on Guam US Military Relocation, Homeland Security, Veterans Affairs and Judiciary will be conducting a Public Hearing on Monday, March 4, 2013 at 9:00 AM in the Legislature's Public Hearing Room. This hearing is scheduled to receive public testimony on the following items:

- **Bill No. 6-32 (LS)** - An act to amend §25.15 and §25.20 of Chapter 25, Title 9, Guam Code Annotated, relative to strengthening penalties for crimes involving criminal sexual conduct, which may be cited as the "Predator Prevention Act".
- **Bill No. 10-32 (COR)** - An act to add a new Chapter 39A to Title 7 of the Guam Code Annotated relative to creating the Uniform Child Abduction Prevention Act.
- **Bill No. 41-32 (LS)** - An act to amend Chapter 30, Title 9 Guam Code Annotated relative to strengthening the penalties for crimes of family violence.
- **Bill No. 43-32 (COR)** - An act to add a new (b) (1) and (2) to § 67.801; and to add a new § 67.802 and § 67.803 to Article 8 of Chapter 67 of Title 9 Guam Code Annotated relative to strengthening the penalties for the possession, manufacturing, selling, or distribution of any synthetic Cannabinoid or Salvia Divinorum
- **Resolution No. 33-32 (COR)** - Relative to urging the United States Congress to pass the Violence Against Women Reauthorization Act of 2013, in order to continue protecting the safety of women and children across the United States and ensure the provision of necessary services for victims of domestic violence and sexual assault.

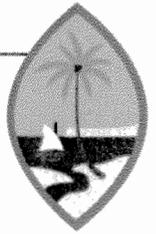
Testimony should be addressed to Senator Frank B. Aguon, Jr., Chairperson, and may be submitted via hand-delivery to our office or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagatna, Guam 96910, via e-mail to [committee@frankaguonjr.com](mailto:committee@frankaguonjr.com), or via facsimile to (671) 475-GUM3 (4863). Individuals requiring special accommodations, auxiliary aids, or services shall contact and submit their request to Karlo Dizon or Yvette Cruz at our office. We look forward to your attendance and participation. For further information, please contact the Office of Senator Frank B. Aguon, Jr. at 475-GUM1/2 (4861/2). We look forward to your attendance and participation.

*CC: All Senators/Clerk of the Legislature/Sgt.at-Arms/Protocol*



GUAM U.S. MILITARY RELOCATION VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE



COMMITTEE VOTING SHEET

Bill No. 6-32 (LS) - B.T. McCreddie / D.G. Rodriguez, Jr. - An act to amend §25.15 and §25.20 of Chapter 25, Title 9, Guam Code Annotated, relative to strengthening penalties for crimes involving criminal sexual conduct, which may be cited as the "Predator Prevention Act". as substituted.

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Senator Tina Muna-Barnes Committee Vice Chairperson

Speaker Judith T. Won Pat, Ed.D. Committee Member

Senator Rory J. Respicio Committee Member

Senator Thomas C. Ada Committee Member

Senator Dennis G. Rodriguez, Jr. Committee Member

Senator V. Anthony Ada Committee Member

Senator Michael Limtiaco Committee Member

Senator Thomas Morrison Committee Member

Table with 7 columns: COMMITTEE MEMBERS, SIGNATURE, TO DO PASS, TO NOT PASS, TO REPORT OUT ONLY, TO ABSTAIN, TO PLACE IN INACTIVE FILE. Rows include AGUON, FRANK B. Chairperson; MUNA-BARNES, TINA Vice-Chairperson; WON PAT, JUDITH T. Speaker, Member; RESPICIO, RORY J. Member; ADA, THOMAS C. Member; RODRIGUEZ, DENNIS G. JR. Member; ADA, V. ANTHONY Member; LIMTIACO, MICHAEL Member; MORRISON, THOMAS Member.



COMMITTEE ON

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## COMMITTEE REPORT DIGEST

### I. OVERVIEW

The Committee on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs and Judiciary convened a public hearing on Monday, March 4th, 2013, at 9:00 a.m. in the Public Hearing Room of *Liheslaturan Guahan*. Among the items on the agenda was Bill No. 6-32 (LS) - B.T. McCreadie / D.G. Rodriguez, Jr. - An act to amend §25.15 and §25.20 of Chapter 25, Title 9, Guam Code Annotated, relative to strengthening penalties for crimes involving criminal sexual conduct, which may be cited as the "Predator Prevention Act". as substituted.

### Public Notice Requirements

All legal requirements for public notices were met, with requests for publication sent to all media and all Senators on February 25th, 2013, and March 1st, 2013, via e-mail. Copies of the hearing notices and e-mail notifications are appended to the report.

### Senators Present

Senator Frank B. Aguon, Jr.  
Senator Anthony V. Ada  
Speaker Judith Won Pat  
Senator Brant McCreadie  
Senator Chris Duenas

The public hearing was called to order at 9:00 a.m.

### II. SUMMARY OF TESTIMONY AND DISCUSSION

Senator Aguon: Recognized colleagues. Sen. Brant McCreadie, sponsor; at his immediate right, Sen. Tony Ada. Public hearing will be discussing four measures, all of which fall under the jurisdiction of the Committee. First is Bill 6-32. Sen. Aguon delineated bills, and sponsors, and recognized. Speaker Judi Won Pat.

Early notices were circulated. Resolution on VAWA was on agenda, but will no longer be considered due to actions of Congress last Friday. Congress was able to pass that measure and as such it will no longer be discussed. The resolution would have endorsed programs under that act, but now the question is how it will be affected by sequestration.

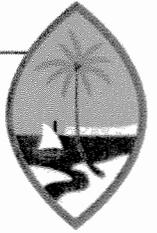
For information of body -- notices were sent out as required Open Government Law; press releases were sent out in compliance with that requirement.



COMMITTEE ON

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There are copies of newspaper clippings, with reassurance as to compliance.

First item on agenda is Bill 6-32, re Predator Prevention Act. Sen. Aguon asked Sen. McCreadie with regards to how to proceed. Mr. Josh Tenorio and Mr. Phil Tydingco are present to testify.

Sen. McCreadie: Bill 6, or Predator Prevention Act, is a concerted effort to reduce crimes of sexual violence. It ensures that predators serve 100% of their sentence; punishments are extended to life without possibility of parole. Office has received numerous phone calls, will see testimony today on victim of repeat offenders. Senator claims that Guam has one of the highest per capita in terms of repeat offenders. This bill attempts to put those offenders where they belong--in prison.

Sen. Aguon: Offers to proceed with agenda, asks whether to proceed with testimony first.

Josh Tenorio: States title and names of those accompanying them. Present to provide testimony to bill subsequent to this. States that they don't have a position yet on this, but hope to have one within 10 days. Comments on appropriateness of judges to comment on legislation. Wants to indicate to Sen. that they have circulated copies of the bill; hopes to have an opportunity to address committee before 10 days. Presiding judges have sent copies of Bill 6 to others. No position for the hearing.

Sen Aguon: Thanks that judiciary is aware of issues that affect our community.

Phil Tydingco: On behalf of Mr. Rapadas, Attorney General. Would like to make it known that they've been working with Sen. McCreadie. Supports intent of bill; supports holding offenders accountable. They like the main feature, which is the 'second strike' type language, pertaining to repeat offenders. Having said that--they realize opportunity for amendments. They request to consider submitted amendments. There is language that adds not suspending sentence, probation. They are bringing it up because of cases that they are planning to appeal, on appeal; when Legislature sets minimums, such minimums are thought to be mandatory. There are disputes by defense side of court that certain language can be ignored the court. AG believes that adding such language is good for the future. Right now, with the current statute as it stands, they are interpreting it as meaning what it says; that there is a mandatory floor. AG claims that for a number of defense attorneys, unless language is specified, statute doesn't mean having a floor. Not just for this bill but others as well. AG is concerned that the bill may get attacked--and that prosecution will no longer be able to offer plea agreements below where they agreed to. Victims may be upset that plea agreements may be reached that requires going below the minimum. They have submitted an amendment to Sec. McCreadie, but want to stress that they support the gist of the bill--the core aspect of it, with regards to second strike, especially with research showing that once they trigger a second strike, they tend to be repeat offenders.



COMMITTEE ON

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Sienna Macario: Testifying as sister of victim of violence. Sister was abducted. Finished watching a movie; parked on the third floor. Mother took elevator. Sister took the stairs. When she got to her car, man came up behind her and pulled her into the car. Ms. Macario tried to fight back, but the man threatened her, pulled, threatened her with a knife. The man said that if she if called cops, he would kill sister. They eventually found her sister before anything happened to her. However they also found that the man set the back doors on child lock; the intention with her sister was there. They also found that he had past history of sexually abusing a 14-year old girl. Since those incidents, they have been paranoid about everything, and have felt helpless, as if mace isn't even enough to protect them. She thinks 15 years is not enough. Repeat offenders should suffer harsher sentencing, and as such supports Bill 6-32.

Sen. Aguon: Thanks Ms. Macario on behalf of committee. Bills like this are intended to prevent incidents in the future; testimonies like Ms. Macario's stress need for such legislation. Asks if other testimonies are needed; recognizes Sen. Chris Duenas.

Sen McCreadie: Asks Phil Tydingco regarding earlier statement. Asks whether, notwithstanding issues regarding appeal, whether additional language is needed to help victims from being repeatedly offended? Is this something we need?

Phil Tydingco: Again, agrees with the core feature regarding second strike. Believes that second strike means what it means. However, thinks that it would help having additional language explicitly saying that. Thinks that unless clarified, this could open floodgates of litigation; appeals, people wanting their sentences looked at again. There are some statutes that have that language out of caution. Otherwise second strike language is perfectly okay, as it is, and accomplishes policy.

Sen. McCreadie: Asks whether right now, in his opinion, the word 'minimum', whether it is not clear enough--whether discretion is not possible.

Phil Tydingco: AG read statute that minimum is mandatory, and that there is no discretion. However AG thinks others might reasonably argue that it does not, and that it might open the door to challenges.

Speaker Won Pat: Asks whether bill only applies to those under 14, or all victims.

Phil Tydingco: Explains that as one element of crime; there are many ways to commit sexual violence. For example, if relative or member or household, would cover incest or guardian. Legislation protects defendants under 14; first degree criminal conduct charge.

Speaker Won Pat: Asks a question on another section of the bill.

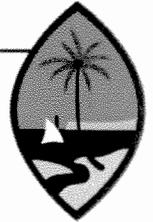
Phil Tydingco: Clarifies second strike concept; technically, seven different types of conduct. Explains second strike language in different subsection. Clarifies that only issue AG's office has is related to appeals--when bill adds language regarding no possibility of reduction of sentence, is redundant to existing possibility of life without parole; no need to add further clarification, doing so would only add obfuscation.



COMMITTEE ON

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Speaker Won Pat: Asks Josh Tenorio regarding normal position of judges regarding legislation as prescriptive, versus giving them discretion.

Joshua Tenorio: Claims that judicial discretion is a big topic for judges. States that this is a contentious issue across states. He claims no position for judges, but that it is a major topic of discussion in the judicial system, especially with regards to prescribed sentences for crimes. They are still trying to determine whether judges will offer a position.

Speaker Won Pat: States that she has reservations about legislature acting as 'judge and jury'; balancing with desire of body to ensure that sentences are strong enough. States however that with 641 sex offenders registered, whether current statutes are enough as they are; asks whether anyone has checked with the Dept. of Corrections on possible causes and effects. Reiterates possible intersections with federal jurisdiction, and need to look at issue holistically.

Josh Tenorio: Brings up past legislation by Speaker, Sen. Yamashita, Vice Speaker Cruz, that addresses lack of counseling, and lack of funding source. Claims lack of research, data, on extent to which sex offenders can truly be rehabilitated. States that the number of individuals to be placed on registry is actually over 900, and that they will provide committee with relevant reports.

Speaker Won Pat: Thanks Mr. Tenorio. Indicates to Chairman that it might be necessary to get information from DOC as well. Brings up issue of 'Romeo and Juliet' laws. Asks if there is data, and whether that can also be sent to committee.

Josh Tenorio: Answers that there is data, which can be provided.

Sen. Frank Aguon: Recognizes Lt. Arthur Paulino, and his offer of testimony.

Lt. Arthur Paulino: Introduces himself; Office of Community Affairs. Offers testimony on behalf of Chief Bordallo. Guam Police Department supports intent of bill. However, claims concern whether Dept. of Corrections has capacity to contain larger population should this bill pass. Impacts on confinement.

Sen. Frank Aguon: Thanks Lt. Paulino. Comments on adult drug court, and strict prerequisites. Local rate is lower than national rates, as indication of success. Infers that providing similar program may be beneficial to community, if such offenders can be rehabilitated.

Lt. Paulino: States that later on in the process, it may be possible. However, they are concerned about impacts in the beginning of process--when offenders are brought in; whether DOC would have capacity to process such arrests. Questions whether they have personnel to process such arrestees; once they go to lockup, whether they have capacity. Recollects a moment when he was asked whether they can make room in the bathrooms for detainees. Agrees that there are resources for rehabilitation, but the issue is with initial arrest process.



COMMITTEE ON

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Thomas Morrison**  
Committee Member

Sen. Frank Aguon: Agrees that it is a legitimate concern, and inquires that they may be need for proposal for expansion of facilities are relocation. Questions whether we are in the business of focusing on resources, or on needs and desires of victims and community.

Sen. Anthony Ada: Refers to repeat offense of first degree, sentencing of life without parole. However, claims no sentence imposed if defendant commits first degree then second degree; or second degree then first degree. What happens if individual commits second degree, then first degree--would the life sentence be triggered?

Phil Tydingco: Second strike language, as written, only applies to repeated first-degree offenses, or repeated second-language offenses. Currently, statute as written would not apply. However claims that Sen. McCreadie is contemplating this.

Sen. Tony Ada: So if it's first, then second-degree, would it trigger life sentence?

Phil Tydingco: No, it wouldn't. Second strike only triggered when it's twice of first degree, or twice of second degree.

Sen. Tony Ada: Shouldn't it trigger if it's first degree, then second degree?

Phil Tydingco: That would have to be clarified, and included into this bill. I would also however like to clarify with Speaker, regarding Romeo and Juliet--a second strike would only apply to those who haven't been incarcerated in first strike. They do acknowledge the questions with regards to rehabilitation, and its efficacy; however, incapacitation is also important, especially realizing that there are some members who may not be able to be rehabilitated.

Sen. Frank Aguon: Realizes the importance of all these programs, especially with regards to the possibility of rehabilitation. For example--after fifteen years, it is important to ask whether the offender has received proper treatment. Recognizes comment by Sen. Duenas.

Sen. Chris Duenas: Comments with regards to judicial discretion. Asks Josh Tenorio--if bill is amended to reflect "up to" sentencing, whether this would allow for flexibility.

Josh Tenorio: Hesitant to offer opinion, but realizes that this is a mathematical question.

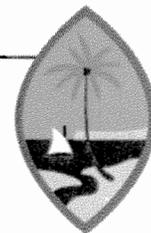
Sen. Chris Duenas: Asks whether consideration of "up to 15 years" would resolve concerns; especially with regards to courts becoming more specialized, and Romeo and Juliet issue.

Josh Tenorio: States that they will bring issue back to judiciary. Makes additional points--admission on points. For example, with drug offenses, seriousness of crime factors in to use of specialty courts. With regards to DOC, the only judge who would address offenses would be Judge Barcinas. Understands that with Dept. of Youth Affairs and youth offenders, the more serious offenders would be detained. It is not the same with the prison population. When judges are issuing sentences, there are no issues with judge regarding capacity concerns.



**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

*I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE*



**Senator  
FRANK B. AGUON, JR.**  
Committee Chairperson

**Senator  
Tina Muna-Barnes**  
Committee Vice Chairperson

**Speaker  
Judith T. Won Pat, Ed.D.**  
Committee Member

**Senator  
Rory J. Respicio**  
Committee Member

**Senator  
Thomas C. Ada**  
Committee Member

**Senator  
Dennis G. Rodriguez, Jr.**  
Committee Member

**Senator  
V. Anthony Ada**  
Committee Member

**Senator  
Michael Limtiaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

factors in to use of specialty courts. With regards to DOC, the only judge who would address offenses would be Judge Barcinas. Understands that with Dept. of Youth Affairs and youth offenders, the more serious offenders would be detained. It is not the same with the prison population. When judges are issuing sentences, there are no issues with judge regarding capacity concerns. They would check with AG's office on whether offenders would be furloughed. Capacity of facilities is not a factor for sentencing. The only opportunity that the judges would know would be at DYA, because they are juveniles, but not with adult offenders.

Sen. Chris Duenas; Wants to clarify that, especially with Romeo and Juliet issue, it is with regards to minors, and make sure that sensitivity is of concern--to ensure that we don't prosecute youth because of the ways laws are set up. But we do want to stress that we agree with the intent of the law. Would like to clarify again, however--adding "up to"--would this allow flexibility?

Phil Tydingco: This statute would not apply to Romeo and Juliet--this only applies to second convictions of offenders. Victims and their families want to know that they are able to heal within 15 years and not have to worry. But these are apples and oranges, with regards to Romeo and Juliet--as a matter of policy, this has to do with convicting those guilty of second rape, and whether we want to give the families and victims a sense of comfort. We know that Romeo and Juliet will be considered, but this is not the context for that.

Sen. Chris Duenas: Thanks the AG's office.

Sen. Brant McCreadie: Looking at Romeo and Juliet issue. But want to clarify that this legislation not intended to take away from judiciary, but to protect the victims. Don't think that our government needs to be backed up into an economic corner and give offenders a loophole. As the AG said--what is our position if offenders commit those acts again? Our intent is to put these offenders in prison for the rest of their lives if they commit a second offense.

Sen. Aguon: Thanks Sen. McCreadie and testimonies; concludes public hearing for Bill 6-32. Committee is open to further evidence and testimony over the next ten days, pursuant to the committee report.

**III. FINDINGS AND RECOMMENDATION**

The Committee on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs and Judiciary to which was referred "Bill No. 6-32 (LS) - B.T. McCreadie / D.G. Rodriguez, Jr. - An act to amend §25.15 and §25.20 of Chapter 25, Title 9, Guam Code Annotated, relative to strengthening penalties for crimes involving criminal sexual conduct, which may be cited as the "Predator Prevention Act"" hereby submits these findings to *I Mina' Trentai Dos na Lehislaturan Guahan* and reports out Bill No. 6-32 (COR) with a recommendation **TO DO PASS**.

**MINA' TRENTAI DOS NA LIHESLATURAN GUÅHAN**  
**2013 (FIRST) Regular Session**

Bill No. 6-32(25)

Introduced by:

Brant McCreadie

D.G. Rodriguez, Jr.

2013 JAN - 7 AM 11:27

**AN ACT TO AMEND §25.15 AND §25.20 OF  
CHAPTER 25, TITLE 9, GUAM CODE  
ANNOTATED, RELATIVE TO STRENGTHENING  
PENALTIES FOR CRIMES INVOLVING  
CRIMINAL SEXUAL CONDUCT, WHICH MAY BE  
CITED AS THE "PREDATOR PREVENTION ACT".**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that there exists an alarming rate of incidences on Guam and throughout the  
4 nation involving criminal sexual conduct. *I Liheslatura* is especially concerned  
5 with sex crimes involving children as well, the most vulnerable in our  
6 community. According to the *Crimes Against Children Research Center*, one (1)  
7 in five (5) girls and one (1) in twenty (20) boys is a victim of child sexual  
8 abuse.

9 As of December 2012, there were a total of Six Hundred Forty One (641)  
10 sex offenders registered with the Guam Sex Offender Registry, Unified

1 Judiciary of Guam. Nearly half of this figure, or Three Hundred Fifty (350)  
2 offenders, have been convicted of a sexually violent offense.

3 *I Liheslaturan Guåhan* further finds that local media regularly report on  
4 arrests or court proceedings involving sexual crimes against children. These  
5 reports continue to expose a very dangerous problem for Guam's close knit  
6 community. Crimes involving criminal sexual conduct and crimes committed  
7 against children are heinous and further inflict unfathomable effects in the  
8 lives of victims and their families.

9 Therefore, it is the intent of *I Liheslaturan Guåhan* to strengthen existing  
10 penalties for sexual offenses involving minors, by amending Sections 25.15  
11 and 25.20 of Chapter 25, Title 9, Guam Code Annotated. *I Liheslatura* further  
12 intends that these penalties serve to ultimately reduce and eliminate  
13 incidences involving such terrible acts against Guam's children.

14 **Section 2.** Sections 25.15 and 25.20 of Chapter 25, Title 9, Guam Code  
15 Annotated, are hereby *amended*, to read:

16 **"§ 25.15. First Degree Criminal Sexual Conduct.**

17 (a) A person is guilty of criminal sexual conduct in the first degree if he  
18 or she engages in sexual penetration with the victim and if any of the  
19 following circumstances exists:

20 (1) the victim is under fourteen (14) years of age;

21 (2) the victim is at least fourteen (14) but less than sixteen (16) years of  
22 age and the actor is a member of the same household as the victim, the actor is

1 related to the victim by blood or affinity to the fourth degree to the victim, or  
2 the actor is in a position of authority over the victim and used this authority to  
3 coerce the victim to submit;

4 (3) sexual penetration occurs under circumstances involving the  
5 commission of any other felony;

6 (4) the actor is aided or abetted by one or more other persons and either  
7 of the following circumstances exists:

8 (i) the actor knows or has reason to know that the victim is  
9 mentally defective, mentally incapacitated or physically helpless; or

10 (ii) the actor uses force or coercion to accomplish the sexual  
11 penetration.

12 (5) the actor is armed with a weapon or any article used or fashioned in  
13 a manner to lead the victim to reasonably believe it to be a weapon;

14 (6) the actor causes personal injury to the victim and force or coercion is  
15 used to accomplish sexual penetration; and

16 (7) the actor causes personal injury to the victim, and the actor knows or  
17 has reason to know that the victim is mentally defective, mentally  
18 incapacitated or physically helpless.

19 (b) Criminal sexual conduct in the first degree is a felony in the first  
20 degree. Any person convicted of criminal sexual conduct under §25.15(a)  
21 shall be sentenced to a minimum of fifteen (15) years imprisonment, and may  
22 be sentenced to a maximum of life imprisonment without the possibility of

1 parole. The term imposed shall not be suspended nor probation be imposed  
2 in lieu of said minimum term nor shall parole, Any person convicted of  
3 criminal sexual conduct in the first degree shall not be eligible for work  
4 release or educational programs outside the confines of prison be granted nor  
5 shall the provisions under §80.31 apply. Any such sentence shall include a  
6 special parole term of not less than three (3) years in addition to such time of  
7 imprisonment.

8 (c) Any person convicted of criminal sexual conduct under §25.15(a)  
9 subsequent to a first conviction of criminal sexual conduct under §25.15(a)  
10 shall be sentenced to life imprisonment without the possibility of parole. Said  
11 term shall not be suspended nor probation be imposed in lieu of said term nor  
12 shall parole, work release or educational programs outside the confines of  
13 prison be granted."

14 **"§ 25.20. Second Degree Criminal Sexual Conduct.**

15 (a) A person is guilty of criminal sexual conduct in the second degree if  
16 the person engages in sexual contact with another person and if any of the  
17 following circumstances exists:

18 (1) that other person is under fourteen (14) years of age;

19 (2) that other person is at least fourteen (14) but less than sixteen (16)  
20 years of age and the actor is a member of the same household as the victim, or  
21 is related by blood or affinity to the fourth degree to the victim, or is in a

1 position of authority over the victim and the actor used this authority to  
2 coerce the victim to submit;

3 (3) sexual contact occurs under circumstances involving the commission  
4 of any other felony;

5 (4) the actor is aided or abetted by one or more other persons and either  
6 of the following circumstances exists:

7 (i) the actor knows or has reason to know that the victim is  
8 mentally defective, mentally incapacitated or physically helpless; or

9 (ii) the actor uses force or coercion to accomplish the sexual  
10 contact.

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12 a manner to lead a person to reasonably believe it to be a weapon;

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14 used to accomplish the sexual contact; and

15 (7) the actor causes personal injury to the victim and the actor knows or  
16 has reason to know that the victim is mentally defective, mentally  
17 incapacitated or physically helpless.

18 (b) Criminal sexual conduct in the second degree is a felony in the first  
19 degree but a person convicted of criminal sexual conduct in the second degree  
20 who receives a sentence of imprisonment shall not be eligible for work release  
21 or educational programs outside the confines of prison, nor shall such  
22 sentence be suspended nor probation be imposed in lieu of said minimum

1 term nor shall parole be granted nor shall the provisions under §80.31 apply.  
2 Any such sentence shall include a special parole term of not less than three (3)  
3 years in addition to such time of imprisonment.

4 (c) Any person convicted of criminal sexual conduct under §25.20(a)  
5 subsequent to a first conviction of criminal sexual conduct under §25.20(a),  
6 which involves sexual penetration, shall be sentenced to life imprisonment  
7 without the possibility of parole. Said term shall not be suspended nor  
8 probation be imposed in lieu of said term nor shall parole, work release or  
9 educational programs outside the confines of prison be granted."

10 **Section 3. Effective Date.** This Act shall be effective upon enactment  
11 and shall apply prospectively.

***MINA' TRENTAI DOS NA LIHESLATURAN GUÅHAN***  
**2013 (FIRST) Regular Session**

**Bill No. 6-32 (LS)**

As substituted by the Committee on Guam  
US Military Relocation, Veterans' Affairs,  
Homeland Security and Judiciary

Introduced by:

Brant McCreadie  
D.G. Rodriguez, Jr.

---

**AN ACT TO AMEND §25.15 AND §25.20 OF  
CHAPTER 25, TITLE 9, GUAM CODE  
ANNOTATED, RELATIVE TO STRENGTHENING  
PENALTIES FOR CRIMES INVOLVING  
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**6** community. According to the *Crimes Against Children Research Center*, one (1)  
**7** in five (5) girls and one (1) in twenty (20) boys is a victim of child sexual  
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1 As of December 2012, there were a total of Six Hundred Forty One (641)  
2 sex offenders registered with the Guam Sex Offender Registry, Unified  
3 Judiciary of Guam. Nearly half of this figure, or Three Hundred Fifty (350)  
4 offenders, have been convicted of a sexually violent offense.

5 *I Liheslaturan Guåhan* further finds that local media regularly report on  
6 arrests or court proceedings involving sexual crimes against children. These  
7 reports continue to expose a very dangerous problem for Guam’s close knit  
8 community. Crimes involving criminal sexual conduct and crimes committed  
9 against children are heinous and further inflict unfathomable effects in the  
10 lives of victims and their families.

11 Therefore, it is the intent of *I Liheslaturan Guåhan* to strengthen existing  
12 penalties for sexual offenses involving minors, by amending Sections 25.15  
13 and 25.20 of Chapter 25, Title 9, Guam Code Annotated. *I Liheslatura* further  
14 intends that these penalties serve to ultimately reduce and eliminate  
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20 or she engages in sexual penetration with the victim and if any of the  
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1 (2) the victim is at least fourteen (14) but less than sixteen (16) years of  
2 age and the actor is a member of the same household as the victim, the actor is  
3 related to the victim by blood or affinity to the fourth degree to the victim, or  
4 the actor is in a position of authority over the victim and used this authority to  
5 coerce the victim to submit;

6 (3) sexual penetration occurs under circumstances involving the  
7 commission of any other felony;

8 (4) the actor is aided or abetted by one or more other persons and either  
9 of the following circumstances exists:

10 (i) the actor knows or has reason to know that the victim is  
11 mentally defective, mentally incapacitated or physically helpless; or

12 (ii) the actor uses force or coercion to accomplish the sexual  
13 penetration.

14 (5) the actor is armed with a weapon or any article used or fashioned in  
15 a manner to lead the victim to reasonably believe it to be a weapon;

16 (6) the actor causes personal injury to the victim and force or coercion is  
17 used to accomplish sexual penetration; and

18 (7) the actor causes personal injury to the victim, and the actor knows or  
19 has reason to know that the victim is mentally defective, mentally  
20 incapacitated or physically helpless.

21 (b) Criminal sexual conduct in the first degree is a felony in the first  
22 degree. Any person convicted of criminal sexual conduct under §25.15(a)

1 shall be sentenced to a minimum of fifteen (15) years imprisonment, and may  
2 be sentenced to a maximum of life imprisonment without the possibility of  
3 parole. The term imposed shall not be suspended, as indicated in §80.60 of  
4 Chapter 80, Title 9 GCA, nor will ~~Any person convicted of criminal sexual~~  
5 ~~conduct in the first degree shall not be eligible for~~ work release or educational  
6 programs outside the confines of prison be granted nor shall the provisions  
7 under §80.31 apply. Any such sentence shall include a special parole term of  
8 not less than three (3) years in addition to such time of imprisonment.

9 (c) Any person convicted of criminal sexual conduct under §25.15(a)  
10 subsequent to a first conviction of criminal sexual conduct under §25.15(a)  
11 shall be sentenced to a minimum of twenty five (25) years imprisonment, and  
12 may be sentenced to life imprisonment without the possibility of parole. Said  
13 term shall not be suspended as indicated in §80.60 of Chapter 80, Title 9 GCA,  
14 nor shall parole, work release or educational programs outside the confines of  
15 prison be granted.”

16 **“§ 25.20. Second Degree Criminal Sexual Conduct.**

17 (a) A person is guilty of criminal sexual conduct in the second degree if  
18 the person engages in sexual contact with another person and if any of the  
19 following circumstances exists:

20 (1) that other person is under fourteen (14) years of age;

21 (2) that other person is at least fourteen (14) but less than sixteen (16)  
22 years of age and the actor is a member of the same household as the victim, or

1 is related by blood or affinity to the fourth degree to the victim, or is in a  
2 position of authority over the victim and the actor used this authority to  
3 coerce the victim to submit;

4 (3) sexual contact occurs under circumstances involving the commission  
5 of any other felony;

6 (4) the actor is aided or abetted by one or more other persons and either  
7 of the following circumstances exists:

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9 mentally defective, mentally incapacitated or physically helpless; or

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11 contact.

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13 a manner to lead a person to reasonably believe it to be a weapon;

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15 used to accomplish the sexual contact; and

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17 has reason to know that the victim is mentally defective, mentally  
18 incapacitated or physically helpless.

19 (b) Criminal sexual conduct in the second degree is a felony in the first  
20 degree but a person convicted of criminal sexual conduct in the second degree  
21 who receives a sentence of imprisonment shall not be eligible for work release  
22 or educational programs outside the confines of prison. The term imposed

1 shall not be suspended, as indicated in §80.60 of Chapter 80, Title 9 GCA, nor  
2 probation be imposed in lieu of said minimum term nor shall parole be  
3 granted nor shall the provisions under §80.31 apply. Any such sentence shall  
4 include a special parole term of not less than three (3) years in addition to  
5 such time of imprisonment.

6 (c) Any person convicted of criminal sexual conduct under §25.20(a)  
7 subsequent to a first conviction of criminal sexual conduct under §25.15(a),  
8 which involves sexual penetration, shall be sentenced to a minimum of twenty  
9 five (25) years imprisonment, and may be sentenced to life imprisonment  
10 without the possibility of parole. Said term shall not be suspended nor  
11 probation be imposed in lieu of said term as indicated in §80.60 of Chapter 80,  
12 Title 9 GCA, nor shall parole, work release or educational programs outside  
13 the confines of prison be granted.”

14 **Section 3. Effective Date.** This Act shall be effective upon enactment  
15 and shall apply prospectively.



Karlo Dizon &lt;committee@frankaguonjr.com&gt;

## Substituted Bill 6-32

1 message

**Office of Sen. Frank B. Aguon, Jr.** <committee@frankaguonjr.com>  
To: Rory Respicio <cor@guamlegislature.org>

Fri, Mar 22, 2013 at 11:16 AM

Hello COR Team,

Please see attached the substituted Bill 6-32, for your records and reference.

Thank you,

Karlo

——— Forwarded message ———

From: **Matthew Baza** <baza.matthew@gmail.com>

Date: Wed, Mar 13, 2013 at 9:05 AM

Subject: bill 6-32 sponsor's amendments

To: admin@frankaguonjr.com

Cc: committee@frankaguonjr.com, Brant McCreadie <brantforguam@gmail.com>

Good morning,

Please see attached Bill 6 which reflects Senator Brant McCreadie's proposed amendments for consideration by the committee. Changes are indicated by yellow highlight.

Thank you,

—

**Matthew S. Baza**

Senior Policy Advisor

Office of Senator Brant McCreadie

*I Mina' Trentai Dos na Liheslaturan Guahan*

472-3462/3

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**Please consider the environment before printing this message.**



**bill 6-32 Sponsors AMENDMENTS.doc**

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

Senator FRANK B. AGUON, Jr.  
 CHAIRMAN

**MONDAY, MARCH, 4, 2013**

**Bill No. 6-32 (LS)** - An act to amend §25.15 and §25.20 of Chapter 25, Title 9, Guam Code Annotated, relative to strengthening penalties for crimes involving criminal sexual conduct, which may be cited as the "Predator Prevention Act". - B.T. McCreadie / D.G. Rodriguez, Jr.

NAME (Please Print)	AGENCY/ORGANIZATION	CONTACT NUMBER	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	NOT IN FAVOR
SIRI WILSON	Judiciary	475-3115	/			
RW) Tyngco	ABO		/			
Shienna Magario	Student	685-1119	/			
LT. ART JACULINO	EPD	475-8006	/	/		



COMMITTEE COPY

# GUAM POLICE DEPARTMENT

DIPATTAMENTON POLISIAN GUAHAN  
Government of Guam



EDDIE BAZA CALVO  
Governor

RAY TENORIO  
Lieutenant Governor

Bldg. 13-16A Mariner Avenue, Tiyan  
Barrigada, Guam 96913  
P.O. Box 23909 Barrigada, Guam 96921  
Telephone: (671) 475-8473 (Switchboard); (671) 475-8508 / 8509 / 8512  
Fax: (671) 472-4036

FRED E. BORDALLO, JR.  
Chief of Police

MAURICE J.Q. SAYAMA, Colonel  
Police Commander

March 1, 2013

The Honorable Frank B. Aguon, Jr.  
Senator and Chairperson, Committee on  
Guam U.S. Military Relocation, Veterans'  
Affairs, Homeland Security, Judiciary  
32<sup>nd</sup> Guam Legislature  
155 Hesler Place  
Hågatña, Guam 96910

**Subject: Written Testimony**  
**Re: Bill 6-32 (LS)**

Dear Senator Aguon:

*Buenas yan Hafa Adai!* The Guam Police Department is submitting this testimony regarding Bill 6-32 (LS) -- An act to amend §25.15 and §25.20 of Chapter 25, Title 9, Guam Code Annotated, relative to strengthening penalties for crimes involving criminal sexual conduct, which may be cited as the "Predator Prevention Act."

The Guam Police Department supports the intent of Bill 6-32(LS) which addresses criminal sexual conduct punishments. However, there may be a concern whether or not the Department of Corrections and the Government is able to properly sustain a larger prison population with the addition of more perpetrators serving out life sentences should this Bill pass. Although this could be a Department of Corrections and Judiciary issue, the Guam Police Department works within the Criminal Justice System. There have been some impacts of arrest confinement with the Department of Corrections due to overcrowding of detainees at the Hågatña Lock-up.

We thank you for giving us the opportunity to provide our comments on this Bill. *Dangkulo na si Yu'os ma'ase!*

*Senseramente,*

FRED E. BORDALLO, JR.  
Chief of Police

My name is Shienna Macario and my sister is a victim of sexual violence. On January 5, 2012, my sister was abducted. My family and I had just finished watching a movie @ Micawber's Mall theaters. We headed to the parking garage nearest the theaters where she had parked on the 3rd floor. We had a stroller with us so ~~we~~ <sup>my mother and I</sup> decided to take the elevator. My sister took the stairs because she had received a call from her husband who she had married only two days before the incident happened. When she got to her car (while my mother and I were lat trying to look for her) a man came up from behind her, chided her into the passenger seat and got into the car. My sister tried to escape through the other door but the ~~guy~~ <sup>man</sup> kept pulling and lifting her. He was able to cut her left hand.

As she tried to fight back, he repeatedly punched ~~her~~ <sup>her</sup> the face until she gave the other hand. <sup>He also had a knife with him. He threatened her w/ a knife</sup> Meanwhile, <sup>my mother and I arrived on the</sup> ~~my mother and I~~ <sup>only to hear screaming</sup> ~~got to the third floor, we heard something~~

so I decided to run and check where it was coming from. I saw my sister's car's tail light. Although I didn't know the door.

As I opened it, I saw the ~~guy~~ <sup>man</sup> leaning towards my sister.

He turned around and saw me. When he did, he quickly slammed the door shut and leaned out. He told my sister ~~to take my~~ He called down the elevator a little and told my sister to take my phone away from me because I might call the cops. He also said that if I do, he would kill my sister.

I didn't want to give my phone so he drove off with my sister in the car. Luckily they were able to locate my sister before anything had happened to her.

A week after the incident, we found out that he had set the back door on child lock, which made it even more obvious that his intentions to abuse my sister was there. He also had a history of abusing sexually abusing a 14 y/o girl.

Since the incident, my sister and I still suffer from paranoia. I believe that repeat offenders should suffer harsher sentencing because they were <sup>offered</sup> given the opportunity to change. With that, I support Bill 6-32, introduced by Senator Blunt McEadie.

I don't know how long it'll take ~~before~~ for us to recover but ~~15 years~~ 15 years is surely not enough.

→ have been paranoid about almost everything. We're too afraid to be alone, especially at night. Every time a man would pass by, my heart would be racing and I can't help but cry because I feel so helpless. It's like ~~more~~ is not even enough to protect me.



# COMMITTEE ON RULES

*I Mina'trentai Dos na Liheslaturan Guåhan* • The 32nd Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
E-mail: [roryfor Guam@gmail.com](mailto:roryfor Guam@gmail.com) • Tel: (671)472-7679 • Fax: (671)472-3547

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

Senator  
Vicente (Ben) C. Pangelinan  
Member

Speaker  
Judith T.P. Won Pat, Ed.D.  
Member

Senator  
Dennis G. Rodriguez, Jr.  
Member

Vice-Speaker  
Benjamin J.F. Cruz  
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Legislative Secretary  
Tina Rose Muña Barnes  
Member

Senator  
Frank Blas Aguon, Jr.  
Member

Senator  
Michael F.Q. San Nicolas  
Member

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

Senator  
Aline Yamashita  
Member

February 13, 2013

**VIA FACSIMILE**  
(671) 472-2825

**John A. Rios**  
Director  
Bureau of Budget & Management Research  
P.O. Box 2950  
Hagåtña, Guam 96910

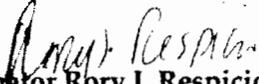
**RE: Request for Fiscal Note – Bill Nos. 01-32 through 6-32 (LS) and Bill Nos. 7-32 through 17-32 (COR)**

*Hafa Adai* Mr. Rios:

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

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

Very Truly Yours,

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

Attachments

Cc: Clerk of the Legislature

2013 FEB 14 AM 9:09



## COMMITTEE ON RULES

*I Mina'trentai Dos na Liheslaturan Guåhan* • The 32nd Guam Legislature

155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)

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

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

Senator  
Vicente (Ben) C. Pangelinan  
Member

Speaker  
Judith T.P. Won Pat, Ed.D.  
Member

Senator  
Dennis G. Rodriguez, Jr.  
Member

Vice-Speaker  
Benjamin J.F. Cruz  
Member

Legislative Secretary  
Tina Rose Muña Barnes  
Member

Senator  
Frank Blas Aguon, Jr.  
Member

Senator  
Michael F.Q. San Nicolas  
Member

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

Senator  
Aline Yamashita  
Member

## Certification of

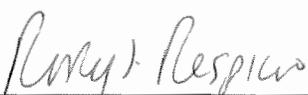
## Waiver of

## 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. 6-32 (LS) – “AN ACT TO AMEND §25.15 AND §25.20 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO STRENGTHENING PENALTIES FOR CRIMES INVOLVING CRIMINAL SEXUAL CONDUCT, WHICH MAY BE CITED AS THE “PREDATOR PREVENTION ACT”**” – on March 22, 2013. COR hereby certifies that BBMR confirmed receipt of this request on February 13, 2013 at 10:04 AM.

COR further certifies that a response to this request was not received. **Therefore, pursuant to 2 GCA §9105, the requirement for a fiscal note, or waiver thereof, on Bill 6-32 (LS) to be included in the committee report on said bill, is hereby waived.**

Certified by:



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

March 22, 2013

**Date**



## COMMITTEE ON RULES

*I Mina'trentai Dos na Liheslaturan Guåhan* • The 32nd Guam Legislature

155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)

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

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MAJORITY LEADER

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Member

Senator  
Michael F.Q. San Nicolas  
Member

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

Senator  
Aline Yamashita  
Member

January 7, 2013

### MEMORANDUM

**To:** **Rennae Meno**  
*Clerk of the Legislature*

**Attorney Therese M. Terlaje**  
*Legislative Legal Counsel*

**From:** **Senator Rory J. Respicio**  
*Majority Leader & Rules Chair*

**Subject:** **Referral of Bill Nos. 1-32 through 6-32 (LS)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 1-32 through 6-32(LS).

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members 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!*

(1) Attachment

*I Mina'Trentai Dos Na Liheshlaturan Guahan*  
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	STATUS
6-32 (LS)	Brant McCreadie, D.G. Rodriguez, Jr.	AN ACT TO AMEND §25.15 AND §25.20 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO STRENGTHENING PENALTIES FOR CRIMES INVOLVING CRIMINAL SEXUAL CONDUCT, WHICH MAY BE CITED AS THE "PREDATOR PREVENTION ACT"	01/07/2013, 11:27am	1/7/13	Committee on the Guam U.S. Military Relocation, Homeland Security, Veteran's Affairs and Judiciary			Fiscal Note Requested 2/13/13



Gina Reilly &lt;media@frankaguonjr.com&gt;

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## Public Hearing Notice

---

**Gina Reilly** <media@frankaguonjr.com>

Mon, Feb 25, 2013 at 4:15 PM

To: "Frank Aguon Jr." <aguon4guam@gmail.com>, Aline Yamashita <Aline4families@gmail.com>, Ben Pangelinan <senbenp@guam.net>, BJ Cruz <senator@senatorbjcruz.com>, Brant McCreadie <brantforguam@gmail.com>, Christopher Duenas <duenasenator@gmail.com>, Dennis Rodriguez <senatordiaz@gmail.com>, Judi Won Pat <speaker@judiwonpat.com>, Mike Limtiaco <mike@mikelimtiaco.com>, Mike San Nicholas <senatorsannicolas@gmail.com>, Rory Respicio <cor@guamlegislature.org>, Tina Muna Barnes <senator@tinamunabarnes.com>, Tom Ada <tom@senatorada.org>, Tommy Morrison <tommy@senatormorrison.com>, Tony Ada <senatorTonyada@guamlegislature.org>

Cc: dena.mafnas@gmail.com, friar\_70dylan@yahoo.com, Christine Chan <christinechan1130@yahoo.com>, "Gina T. Reilly" <ginatreilly@gmail.com>, Joe Crisostomo <jacrisostomo1940@yahoo.com>, Karlo Dizon <karlo.dizon@gmail.com>, Nicholas Santos <nicksantos.design@gmail.com>, Yvette Cruz <yvettelgcruz@gmail.com>, Guam Legislature Clerks Office <clerks@guamlegislature.org>, sgtarms@guamlegislature.org, mis@guamlegislature.org

Hafa Adai Senators,

Please see attached Memo regarding our scheduled Public Hearing on March 4, 2013 at 9AM.

Si Yu'use Maase!

Gina Tabonares-Reilly  
**Office of Senator Frank B. Aguon, Jr.**  
Communications Manager  
671-475-GUM1/2 (4861/2)

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 **PublicHearingMarch4.pdf**  
524K

## Press Release Public Hearing

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Gina Reilly <media@frankaguonjr.com>

Mon, Feb 25, 2013 at 4:34 PM

To: geraldine@mvguam.com, guamforum671@gmail.com, janela@spbguam.com, joy@mvguam.com, mabuhaynews@yahoo.com, managingeditor@glimpsesofiguam.com, reporter1@glimpsesofiguam.com, uogtritonscall@gmail.com, Alicia Perez <perezksto@gmail.com>, Bob Gaeth <bgaeth@k57.com>, Brett Kelman <bmkelman@guampdn.com>, Clynt Ridgell <clynt@spbguam.com>, Coleen R San Nicolas-Perez <coleen.perez@fe.navy.mil>, David Crisostomo <dcrisost@guampdn.com>, Duane George <dmgeorge@guampdn.com>, Gaynor Dumat-ol Daleno <gdumat-ol@guampdn.com>, Gerry Partido <gerry@mvguam.com>, Jason Salas <jason@kuam.com>, Jesse Lujan <jessthebuzz@gmail.com>, JoAnna Delfin <joanna.delfin.ctr@fe.navy.mil>, John Davis <john@kuam.com>, Jon Anderson <editor@mvguam.com>, K57 <news@k57.com>, Ken Quintanilla <kenq@kuam.com>, Kevin Kerrigan <kevin@spbguam.com>, Korean News <koreannews@guam.net>, KPRG <kprg@guam.net>, KUAM Tip Line <hottips@kuam.com>, Louella Losinio <louella@mvguam.com>, "Lt. William Knight" <william.knight@fe.navy.mil>, Mar-Vic Cagurangan <mar\_vic\_cagurangan@yahoo.com>, Maureen Maratita <publisher@glimpsesofiguam.com>, Mindy Aguon <mindy@kuam.com>, Oyaol Ngirairikl <odngirairikl@guampdn.com>, Pacific Daily News <news@guampdn.com>, Patti Arroyo <parroyo@k57.com>, PDN Lifestyle <life@guampdn.com>, Ray Gibson <rgibson@k57.com>, Romeo Carlos <guamblog@ymail.com>, Sabrina Salas Matanane <sabrina@kuam.com>, Shaina Santos <shaina.santos.ctr@fe.navy.mil>, Sorensen <news@spbguam.com>, Stars & Stripes <Guam@pstripes.osd.mil>, Steve Limtiaco <slimtiaco@guampdn.com>, Travis Coffman <travis.coffman@gmail.com>, dena.mafnas@gmail.com, friar\_70dylan@yahoo.com, Christine Chan <christinechan1130@yahoo.com>, "Frank Aguon Jr." <aguon4guam@gmail.com>, "Gina T. Reilly" <ginatreilly@gmail.com>, Joe Crisostomo <jacrisostomo1940@yahoo.com>, Karlo Dizon <karlo.dizon@gmail.com>, Nicholas Santos <nicksantos.design@gmail.com>, Yvette Cruz <yvettelgcruz@gmail.com>, Guam Legislature Clerks Office <clerks@guamlegislature.org>, Rory Respicio <cor@guamlegislature.org>, sgtarms@guamlegislature.org, mis@guamlegislature.org

Hafa Adai All!

Please see attached Press Release re a scheduled Public Hearing on March 4, 2013, Monday.

Thank You!

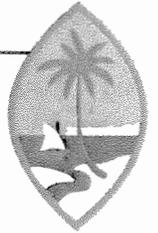
Gina Tabonares-Reilly  
**Office of Senator Frank B. Aguon, Jr.**  
Communications Manager  
671-475-GUM1/2 (4861/2)

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508K



**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

*I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE*



**Senator  
FRANK B. AGUON, JR.**  
Committee Chairperson

**Senator  
Tina Muna-Barnes**  
Committee Vice Chairperson

**Speaker  
Judith T. Won Pat, Ed.D.**  
Committee Member

**Senator  
Rory J. Respicio**  
Committee Member

**Senator  
Thomas C. Ada**  
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**Senator  
Dennis G. Rodriguez, Jr.**  
Committee Member

**Senator  
V. Anthony Ada**  
Committee Member

**Senator  
Michael Limtiaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

**PRESS RELEASE**

**FIRST NOTICE OF PUBLIC HEARING**

**MONDAY, MARCH 4, 2013 9:00 AM**

**FOR IMMEDIATE RELEASE**

Please be advised that the Committee on Guam US Military Relocation, Homeland Security, Veterans Affairs, and Judiciary will be conducting a Public Hearing on **Monday, March 4, 2013 at 9:00 AM** in the Legislature's Public Hearing Room. This hearing is scheduled to receive public testimony on the following items:

- **Bill No. 6-32 (LS)** - An act to amend §25.15 and §25.20 of Chapter 25, Title 9, Guam Code Annotated, relative to strengthening penalties for crimes involving criminal sexual conduct, which may be cited as the "Predator Prevention Act".
- **Bill No. 10-32 (COR)** - An act to add a new Chapter 39A to Title 7 of the Guam Code Annotated relative to creating the Uniform Child Abduction Prevention Act.
- **Bill No. 41-32 (LS)** - An act to amend Chapter 30, Title 9 Guam Code Annotated relative to strengthening the penalties for crimes of family violence.
- **Bill No. 43-32 (COR)** - An act to add a new (b) (1) and (2) to § 67.801; and to add a new § 67.802 and § 67.803 to Article 8 of Chapter 67 of Title 9 Guam Code Annotated relative to strengthening the penalties for the possession, manufacturing, selling, or distribution of any synthetic Cannabinoid or Salvia Divinorum .
- **Resolution No. 33-32 (COR)** - Relative to urging the United States Congress to pass the Violence Against Women Reauthorization Act of 2013, in order to continue protecting the safety of women and children across the United States and ensure the provision of necessary services for victims of domestic violence and sexual assault.

Testimony should be addressed to Senator Frank B. Aguon, Jr., Chairperson, and may be submitted via hand-delivery to our office or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagatna, Guam 96910, via e-mail to [committee@frankaguonjr.com](mailto:committee@frankaguonjr.com), or via facsimile to (671) 475-GUM3 (4863). Individuals requiring special accommodations, auxiliary aids, or services shall contact and submit their request to Karlo Dizon or Yvette Cruz at our office. We look forward to your attendance and participation.

-30-

For further information, please contact the Office of Senator Frank B. Aguon, Jr. at 475-GUM1/2 (4861/1).



**OFFICE OF SENATOR FRANK B. AGUON, JR.**

Chairman, Committee on Guam US Military Relocation  
Homeland Security, Veterans Affairs and Judiciary  
*Mina' Trentai Dos Na Liheslaturan Guahan - 32nd Guam Legislature*

**PUBLIC HEARING**

Monday, March 4, 2013

**AGENDA**

9:00AM

**Bill No. 6-32 (LS)**

An act to amend §25.15 and §25.20 of Chapter 25, Title 9, Guam Code Annotated, relative to strengthening penalties for crimes involving criminal sexual conduct, which may be cited as the "Predator Prevention Act".

**Bill No. 10-32 (COR)**

An act to add a new Chapter 39A to Title 7 of the Guam Code Annotated relative to creating the Uniform Child Abduction Prevention Act.

**Bill No. 41-32 (LS)**

An act to amend Chapter 30, Title 9 Guam Code Annotated relative to strengthening the penalties for crimes of family violence.

**Bill No. 43-32 (COR)**

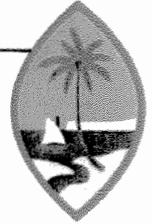
An act to add a new (b) (1) and (2) to § 67.801; and to add a new § 67.802 and § 67.803 to Article 8 of Chapter 67 of Title 9 Guam Code Annotated relative to strengthening the penalties for the possession, manufacturing, selling, or distribution of any synthetic Cannabinoid or Salvia Divinorum

**Resolution No. 33-32**

Relative to urging the United States Congress to pass the Violence Against Women Reauthorization Act of 2013, in order to continue protecting the safety of women and children across the United States and ensure the provision of necessary services for victims of domestic violence and sexual assault.

Should you require any special accommodations, please contact the Office of Senator Frank B. Aguon, Jr. at 475-GUM1/2 (4861/2) or e-mail [committee@frankaguonjr.com](mailto:committee@frankaguonjr.com).

THIS AD PAID FOR WITH GOVERNMENT FUNDS



**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

*I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE*

March 1, 2013

**MEMORANDUM**

**To:** **Honorable Senator Members**  
Committee on Guam US Military Relocation, Homeland Security, Veterans Affairs and Judiciary

**From:** **Senator Frank B. Aguon, Jr.**  
Chairperson, Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary

**Subject:** **Second Notice – Public Hearing**  
*Monday, March 4, 2013 – 9:00 AM*

Please be advised that the Committee on Guam US Military Relocation, Homeland Security, Veterans Affairs and Judiciary will be conducting a Public Hearing on Monday, March 4, 2013 at 9:00 AM in the Legislature's Public Hearing Room. This hearing is scheduled to receive public testimony on the following items:

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- ~~**Resolution No. 33-32 (COR)** - Relative to urging the United States Congress to pass the Violence Against Women Reauthorization Act of 2013, in order to continue protecting the safety of women and children across the United States and ensure the provision of necessary services for victims of domestic violence and sexual assault.~~

Testimony should be addressed to Senator Frank B. Aguon, Jr., Chairperson, and may be submitted via hand-delivery to our office or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagatna, Guam 96910, via e-mail to [committee@frankaguonjr.com](mailto:committee@frankaguonjr.com), or via facsimile to (671) 475-GUM3 (4863). Individuals requiring special accommodations, auxiliary aids, or services shall contact and submit their request to Karlo Dizon or Yvette Cruz at our office. We look forward to your attendance and participation. For further information, please contact the Office of Senator Frank B. Aguon, Jr. at 475-GUM1/2 (4861/2). We look forward to your attendance and participation.

*CC: All Senators/Clerk of the Legislature/Sgt.at-Arms/Protocol*

**Senator  
FRANK B. AGUON, JR.**  
Committee Chairperson

**Senator  
Tina Muna-Barnes**  
Committee Vice Chairperson

**Speaker  
Judith T. Won Pat, Ed.D.**  
Committee Member

**Senator  
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Committee Member

**Senator  
Thomas Morrison**  
Committee Member



**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE



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Committee Member

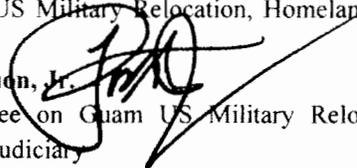
**Senator  
Michael Limtiaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

March 1, 2013

MEMORANDUM

To: **Honorable Senator Members**  
Committee on Guam US Military Relocation, Homeland Security, Veterans Affairs and Judiciary

From: **Senator Frank B. Aguon, Jr.**   
Chairperson, Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary

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Testimony should be addressed to Senator Frank B. Aguon, Jr., Chairperson, and may be submitted via hand-delivery to our office or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagatna, Guam 96910, via e-mail to [committee@frankaguonjr.com](mailto:committee@frankaguonjr.com), or via facsimile to (671) 475-GUM3 (4863). Individuals requiring special accommodations, auxiliary aids, or services shall contact and submit their request to Karlo Dizon or Yvette Cruz at our office. We look forward to your attendance and participation. For further information, please contact the Office of Senator Frank B. Aguon, Jr. at 475-GUM1/2 (4861/2). We look forward to your attendance and participation.

CC: All Senators/Clerk of the Legislature/Sgt.at-Arms/Protocol

## Press Release - 2nd Notice of Public Hearing

---

Gina Reilly <media@frankaguonjr.com>

Fri, Mar 1, 2013 at 12:45 PM

To: geraldine@mvguam.com, guamforum671@gmail.com, janela@spbg Guam.com, joy@mvguam.com, mabuhaynews@yahoo.com, managingeditor@glimpsesoFGuam.com, reporter1@glimpsesoFGuam.com, uogtritonscall@gmail.com, Alicia Perez <perezksto@gmail.com>, Bob Gaeth <bgaeth@k57.com>, Brett Kelman <bmkelman@guampdn.com>, Clynt Ridgell <clynt@spbg Guam.com>, Coleen R San Nicolas-Perez <coleen.perez@fe.navy.mil>, David Crisostomo <dcrisost@guampdn.com>, Duane George <dmgeorge@guampdn.com>, Gaynor Dumat-ol Daleno <gdumat-ol@guampdn.com>, Gerry Partido <gerry@mvguam.com>, Jason Salas <jason@kuam.com>, Jesse Lujan <jessthebuzz@gmail.com>, JoAnna Delfin <joanna.delfin.ctr@fe.navy.mil>, John Davis <john@kuam.com>, Jon Anderson <editor@mvguam.com>, K57 <news@k57.com>, Ken Quintanilla <kenq@kuam.com>, Kevin Kerrigan <kevin@spbg Guam.com>, Korean News <koreannews@guam.net>, KPRG <kprg@guam.net>, KUAM Tip Line <hottips@kuam.com>, Louella Losinio <louella@mvguam.com>, "Lt. William Knight" <william.knight@fe.navy.mil>, Mar-Vic Cagurangan <mar\_vic\_cagurangan@yahoo.com>, Maureen Maratita <publisher@glimpsesoFGuam.com>, Mindy Aguon <mindy@kuam.com>, Oyaol Ngirairikl <odngirairikl@guampdn.com>, Pacific Daily News <news@guampdn.com>, Patti Arroyo <parroyo@k57.com>, PDN Lifestyle <life@guampdn.com>, Ray Gibson <rgibson@k57.com>, Romeo Carlos <guamblog@ymail.com>, Sabrina Salas Matanane <sabrina@kuam.com>, Shaina Santos <shaina.santos.ctr@fe.navy.mil>, Sorensen <news@spbg Guam.com>, Stars & Stripes <Guam@pstripes.osd.mil>, Steve Limtiaco <slimtiaco@guampdn.com>, Travis Coffman <travis.coffman@gmail.com>

Hafa Adai All!

Please see attached Notice/Press Release regarding our scheduled Public Hearing on Monday, March 4, 2013 at 9AM.

Si Yu'us Ma'ase!

Gina Tabonares-Reilly  
**Office of Senator Frank B. Aguon, Jr.**  
Communications Manager  
671-475-GUM1/2 (4861/2)

 **2ndNoticeMedia.pdf**  
495K

## 2nd Notice of Public Hearing

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Gina Reilly <media@frankaguonjr.com>

Fri, Mar 1, 2013 at 12:49 PM

To: phnotice@guamlegislature.org, "Frank Aguon Jr." <aguon4guam@gmail.com>, Aline Yamashita <Aline4families@gmail.com>, Ben Pangelinan <senbenp@guam.net>, BJ Cruz <senator@senatorbjcruz.com>, Brant McCreadie <brantforguam@gmail.com>, Christopher Duenas <duenasenator@gmail.com>, Dennis Rodriguez <senatordrodriguez@gmail.com>, Judi Won Pat <speaker@judiwonpat.com>, Mike Limtiaco <mike@mikelimtiaco.com>, Mike San Nicholas <senatorsannicholas@gmail.com>, Rory Respicio <cor@guamlegislature.org>, Tina Muna Barnes <senator@tinamunabarnes.com>, Tom Ada <tom@senatorada.org>, Tommy Morrison <tommy@senatormorrison.com>, Tony Ada <senatortonyada@guamlegislature.org>  
Cc: Karlo Dizon <committee@frankaguonjr.com>, Yvette Cruz <admin@frankaguonjr.com>, Guam Legislature Clerks Office <clerks@guamlegislature.org>, sgtarms@guamlegislature.org, mis@guamlegislature.org

Hafa Adai Senators!

Please see attached notice of our scheduled Public Hearing on Monday, March 4, 2013 at 9AM.

Si Yu'us Ma'ase!

Gina Tabonares-Reilly

**Office of Senator Frank B. Aguon, Jr.**

Communications Manager

671-475-GUM1/2 (4861/2)

 **2ndNoticeSenators.pdf**  
510K

phnotice@guamlegislature.org - Corresponding Distribution List

Name	Email address	Role
admin@frankaguonjr.com	admin@frankaguonjr.com	Member
aguon4guam@gmail.com	aguon4guam@gmail.com	Member
Artemio Hernandez	ahernandez@guamlegislature.org	Member
alerta.jermaine@gmail.com	alerta.jermaine@gmail.com	Member
aline4families@gmail.com	aline4families@gmail.com	Member
amanda@toduguam.com	amanda@toduguam.com	Member
ang.duenas@gmail.com	ang.duenas@gmail.com	Member
angela.lgrios@gmail.com	angela.lgrios@gmail.com	Member
Angelica Okada	aokada@guamlegislature.org	Member
ataligba@gmail.com	ataligba@gmail.com	Member
Ariana Villaverde	avillaverde@guamlegislature.org	Member
avon.guam@gmail.com	avon.guam@gmail.com	Member
baza.matthew@gmail.com	baza.matthew@gmail.com	Member
bdydasco@yahoo.com	bdydasco@yahoo.com	Member
berthaduenas@gmail.com	berthaduenas@gmail.com	Member
brantforguam@gmail.com	brantforguam@gmail.com	Member
bruce.lloyd.media@gmail.com	bruce.lloyd.media@gmail.com	Member
carlos.pangelinan@senatorbjcruz.com	carlos.pangelinan@senatorbjcruz.com	Member
ccastro@guamchamber.com.gu	ccastro@guamchamber.com.gu	Member
charissatenorio@gmail.com	charissatenorio@gmail.com	Member
chechsantos@gmail.com	chechsantos@gmail.com	Member
cheerfulcatunao@yahoo.com	cheerfulcatunao@yahoo.com	Member
cherbert.senatordrodriguez@gmail.com	cherbert.senatordrodriguez@gmail.com	Member
Chris Budasi	chris.budasi@guamlegislature.org	Member
chris.carillo@senatorbjcruz.com	chris.carillo@senatorbjcruz.com	Member
Lisa Dames	cipo@guamlegislature.org	Member
Guam Legislature Clerks	clerks@guamlegislature.org	Member
clifton@toduguam.com	clifton@toduguam.com	Member
committee@frankaguonjr.com	committee@frankaguonjr.com	Member
conedera@mikelimtiaco.com	conedera@mikelimtiaco.com	Member
Rory Respicio	cor@guamlegislature.org	Member
coy@senatorada.org	coy@senatorada.org	Member
cyrus@senatorada.org	cyrus@senatorada.org	Member
desori623@hotmail.com	desori623@hotmail.com	Member
dleddy@guamchamber.com.gu	dleddy@guamchamber.com.gu	Member
duenasenator@gmail.com	duenasenator@gmail.com	Member
ed@tonyada.com	ed@tonyada.com	Member
edelynn1130@hotmail.com	edelynn1130@hotmail.com	Member
editor@mvguam.com	editor@mvguam.com	Member
edleonguerrero@gmail.com	edleonguerrero@gmail.com	Member
edpocaigne@judiwonpat.com	edpocaigne@judiwonpat.com	Member
elaine@tinamunabarnes.com	elaine@tinamunabarnes.com	Member
emqcho@gmail.com	emqcho@gmail.com	Member
Elaine Tajalle	etajalle@guamlegislature.org	Member

evelyn4families@gmail.com	evelyn4families@gmail.com	Member
faith@judiwonpat.com	faith@judiwonpat.com	Member
fbtorres@judiwonpat.com	fbtorres@judiwonpat.com	Member
floterlaje@gmail.com	floterlaje@gmail.com	Member
frank@judiwonpat.com	frank@judiwonpat.com	Member
gerry@mvguam.com	gerry@mvguam.com	Member
guamnativesun@yahoo.com	guamnativesun@yahoo.com	Member
hottips@kuam.com	hottips@kuam.com	Member
jason@judiwonpat.com	jason@judiwonpat.com	Member
jblas@tinamunabarnes.com	jblas@tinamunabarnes.com	Member
jcamacho@senatorada.org	jcamacho@senatorada.org	Member
jean@tinamunabarnes.com	jean@tinamunabarnes.com	Member
jennifer.lj.dulla@gmail.com	jennifer.lj.dulla@gmail.com	Member
jimespaldon@yahoo.com	jimespaldon@yahoo.com	Member
jmesngon.senatorrodriguez@gmail.com	jmesngon.senatorrodriguez@gmail.com	Member
joe@toduguam.com	joe@toduguam.com	Member
john.calvo@noaa.gov	john.calvo@noaa.gov	Member
jpmanuel@gmail.com	jpmanuel@gmail.com	Member
jtenorio@guamcourts.org	jtenorio@guamcourts.org	Member
juliette@senatorada.org	juliette@senatorada.org	Member
lou4families@gmail.com	lou4families@gmail.com	Member
louise@tonyada.com	louise@tonyada.com	Member
m.salaila@yahoo.com	m.salaila@yahoo.com	Member
maryfejeran@gmail.com	maryfejeran@gmail.com	Member
marymaravilla19@gmail.com	marymaravilla19@gmail.com	Member
Michael Carlson	mcarlson@guamlegislature.org	Member
menchu@toduguam.com	menchu@toduguam.com	Member
mike.lidia@senatorbjcruz.com	mike.lidia@senatorbjcruz.com	Member
mike@mikelimtiaco.com	mike@mikelimtiaco.com	Member
MIS	mis@guamlegislature.org	Member
mvariety@pticom.com	mvariety@pticom.com	Member
news@guampdn.com	news@guampdn.com	Member
news@spbg Guam.com	news@spbg Guam.com	Member
nicole@toduguam.com	nicole@toduguam.com	Member
Nichole Santos	nsantos@guamlegislature.org	Member
office@senatorada.org	office@senatorada.org	Member
pete@tonyada.com	pete@tonyada.com	Member
phillipsguam@gmail.com	phillipsguam@gmail.com	Member
qduenas_8@yahoo.com	qduenas_8@yahoo.com	Member
responsibleguam@gmail.com	responsibleguam@gmail.com	Member
rfteehan@yahoo.com	rfteehan@yahoo.com	Member
rob@judiwonpat.com	rob@judiwonpat.com	Member
roryforguam@gmail.com	roryforguam@gmail.com	Member
ryanjames@senatormorrison.com	ryanjames@senatormorrison.com	Member
santos.duenas@gmail.com	santos.duenas@gmail.com	Member
senator@senatorbjcruz.com	senator@senatorbjcruz.com	Member
senator@tinamunabarnes.com	senator@tinamunabarnes.com	Member

senatordrodriguez@gmail.com	senatordrodriguez@gmail.com	Member
senatorsannicolas@gmail.com	senatorsannicolas@gmail.com	Member
Office of Senator Tony Ada	senatortonyada@guamlegislature.org	Member
senbenp@guam.net	senbenp@guam.net	Member
sgflores@tinamunabarnes.com	sgflores@tinamunabarnes.com	Member
Tom Unsiog	sgtarms@guamlegislature.org	Member
sitarose2@yahoo.com	sitarose2@yahoo.com	Member
smendiola@guamlegilature.org	smendiola@guamlegilature.org	Member
sonedera-salas@guamlegilature.org	sonedera-salas@guamlegilature.org	Member
Selina Onedera-Salas	sonedera-salas@guamlegislature.org	Member
speaker@judiwonpat.com	speaker@judiwonpat.com	Member
steve@judiwonpat.com	steve@judiwonpat.com	Member
tanya4families@gmail.com	tanya4families@gmail.com	Member
tcastro@guam.net	tcastro@guam.net	Member
telo.taitague@guam.gov	telo.taitague@guam.gov	Member
therese@judiwonpat.com	therese@judiwonpat.com	Member
tinamunabarnes@gmail.com	tinamunabarnes@gmail.com	Member
tjtaitano@cs.com	tjtaitano@cs.com	Member
tom@senatorada.org	tom@senatorada.org	Member
tommy@senatormorrison.com	tommy@senatormorrison.com	Member
tony@tonyada.com	tony@tonyada.com	Member
tterlaje@guam.net	tterlaje@guam.net	Member
uriah@tinamunabarnes.com	uriah@tinamunabarnes.com	Member
val@tonyada.com	val@tonyada.com	Member
wil@judiwonpat.com	wil@judiwonpat.com	Member

FRIDAY, MARCH 1, 2013 - MARIANAS VARIETY GUAM EDITION



**OFFICE OF SENATOR FRANK B. AGUON, JR.**  
Chairman, Committee on Guam US Military Relocation  
Homeland Security, Veterans Affairs and Judiciary  
*Miina' Trentai Dos Na Liheslaturan Guahan - 32nd Guam Legislature*

## **PUBLIC HEARING**

Monday, March 4, 2013

### **AGENDA**

9:00AM

#### **Bill No. 6-32 (LS)**

An act to amend §25.15 and §25.20 of Chapter 25, Title 9, Guam Code Annotated, relative to strengthening penalties for crimes involving criminal sexual conduct, which may be cited as the "Predator Prevention Act".

#### **Bill No. 10-32 (COR)**

An act to add a new Chapter 39A to Title 7 of the Guam Code Annotated relative to creating the Uniform Child Abduction Prevention Act.

#### **Bill No. 41-32 (LS)**

An act to amend Chapter 30, Title 9 Guam Code Annotated relative to strengthening the penalties for crimes of family violence.

#### **Bill No. 43-32 (COR)**

An act to add a new (b) (1) and (2) to § 67.801, and to add a new § 67.802 and § 67.803 to Article 8 of Chapter 67 of Title 9 Guam Code Annotated relative to strengthening the penalties for the possession, manufacturing, selling, or distribution of any synthetic Cannabinoid or Salvia Divinorum.

#### **Resolution No. 33-32**

Relative to urging the United States Congress to pass the Violence Against Women Reauthorization Act of 2013, in order to continue protecting the safety of women and children across the United States and ensure the provision of necessary services for victims of domestic violence and sexual assault.

Should you require any special accommodations, please contact the Office of Senator Frank B. Aguon, Jr. at 475-GUM1/2 (4861/2) or e-mail [committee@frankaguonjr.com](mailto:committee@frankaguonjr.com).

**THIS AD PAID FOR WITH GOVERNMENT FUNDS**



**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE



**Senator  
FRANK B. AGUON, JR.**  
Committee Chairperson

**Senator  
Tina Muna-Barnes**  
Committee Vice Chairperson

**Speaker  
Judith T. Won Pat, Ed.D.**  
Committee Member

**Senator  
Rory J. Respicio**  
Committee Member

**Senator  
Thomas C. Ada**  
Committee Member

**Senator  
Dennis G. Rodriguez, Jr.**  
Committee Member

**Senator  
V. Anthony Ada**  
Committee Member

**Senator  
Michael Limtiaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

PRESS RELEASE

**SECOND NOTICE OF PUBLIC HEARING**

**MONDAY, MARCH 4, 2013 9:00 AM**



**FOR IMMEDIATE RELEASE**

Please be advised that the Committee on Guam US Military Relocation, Homeland Security, Veterans Affairs, and Judiciary will be conducting a Public Hearing on **Monday, March 4, 2013 at 9:00 AM** in the Legislature's Public Hearing Room. This hearing is scheduled to receive public testimony on the following items:

- **Bill No. 6-32 (LS)** - An act to amend §25.15 and §25.20 of Chapter 25, Title 9, Guam Code Annotated, relative to strengthening penalties for crimes involving criminal sexual conduct, which may be cited as the "Predator Prevention Act".
- **Bill No. 10-32 (COR)** - An act to add a new Chapter 39A to Title 7 of the Guam Code Annotated relative to creating the Uniform Child Abduction Prevention Act.
- **Bill No. 41-32 (LS)** - An act to amend Chapter 30, Title 9 Guam Code Annotated relative to strengthening the penalties for crimes of family violence.
- **Bill No. 43-32 (COR)** - An act to add a new (b) (1) and (2) to § 67.801; and to add a new § 67.802 and § 67.803 to Article 8 of Chapter 67 of Title 9 Guam Code Annotated relative to strengthening the penalties for the possession, manufacturing, selling, or distribution of any synthetic Cannabinoid or Salvia Divinorum .
- ~~**Resolution No. 33-32 (COR)** - Relative to urging the United States Congress to pass the Violence Against Women Reauthorization Act of 2013, in order to continue protecting the safety of women and children across the United States and ensure the provision of necessary services for victims of domestic violence and sexual assault.~~

Testimony should be addressed to Senator Frank B. Aguon, Jr., Chairperson, and may be submitted via hand-delivery to our office or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagatna, Guam 96910, via e-mail to [committee@frankaguonjr.com](mailto:committee@frankaguonjr.com), or via facsimile to (671) 475-GUM3 (4863). Individuals requiring special accommodations, auxiliary aids, or services shall contact and submit their request to Karlo Dizon or Yvette Cruz at our office. We look forward to your attendance and participation.

-30-

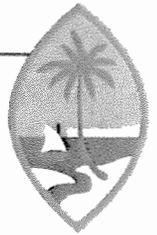
For further information, please contact the Office of Senator Frank B. Aguon, Jr. at 475-GUM1/2 (4861/1).



COMMITTEE ON

**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

*I MINA'TRENTAI DOS NA LIHESLATURAN GUÁHAN | 32ND GUAM LEGISLATURE*



February 25, 2013

**To:** Senator Brant T. McCreadie

**From:** Senator Frank B. Aguon, Jr.  
Chairperson, Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary

**Subject:** Public Hearing scheduled for March 4, 2013.

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary will conduct a public hearing at 9:00 a.m. on Monday, March 4, 2013 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. 6-32 (LS)** - An act to amend §25.15 and §25.20 of Chapter 25, Title 9, Guam Code Annotated, relative to strengthening penalties for crimes involving criminal sexual conduct, which may be cited as the "Predator Prevention Act".

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.

**Senator  
FRANK B. AGUON, JR.**  
Committee Chairperson

**Senator  
Tina Muna-Barnes**  
Committee Vice Chairperson

**Speaker  
Judith T. Won Pat, Ed.D.**  
Committee Member

**Senator  
Rory J. Respicio**  
Committee Member

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Thomas C. Ada**  
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Committee Member

**Senator  
Michael Limtiaco**  
Committee Member

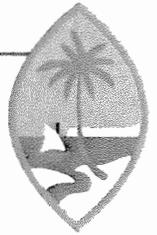
**Senator  
Thomas Morrison**  
Committee Member



COMMITTEE ON

**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

*I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE*



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**Senator  
V. Anthony Ada**  
Committee Member

**Senator  
Michael Limtiaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

February 25, 2013

**To:** Vice Speaker Benjamin J. F. Cruz  
**From:** Senator Frank B. Aguon, Jr.   
Chairperson, Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary  
**Subject:** Public Hearing scheduled for March 4, 2013.

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary will conduct a public hearing at 9:00 a.m. on Monday, March 4, 2013 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. 10-32 (COR)** - An act to add a new Chapter 39A to Title 7 of the Guam Code Annotated relative to creating the Uniform Child Abduction Prevention Act.

**Bill No. 43-32 (COR)** - An act to add a new (b) (1) and (2) to § 67.801; and to add a new § 67.802 and § 67.803 to Article 8 of Chapter 67 of Title 9 Guam Code Annotated relative to strengthening the penalties for the possession, manufacturing, selling, or distribution of any synthetic Cannabinoid or Salvia Divinorum.

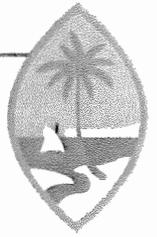
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COMMITTEE ON

**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

*I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE*



**Senator  
FRANK B. AGUON, JR.**  
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**Senator  
V. Anthony Ada**  
Committee Member

**Senator  
Michael Limtiaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

February 26, 2013

**The Honorable Edward J. Calvo**  
Governor of Guam  
513 West Marine Corps Drive  
Ricardo J. Bordallo Complex  
Hagatna, Guam 96910

**RE: Public Hearing**  
Monday, March 4, 2013

Dear Governor Calvo,

Buenas yan Hafa Adai! The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, March 4, 2013 beginning at 9:00am. Included on the agenda are the following bills:

**Bill No. 6-32 (LS)** - An act to amend §25.15 and §25.20 of Chapter 25, Title 9, Guam Code Annotated, relative to strengthening penalties for crimes involving criminal sexual conduct, which may be cited as the "Predator Prevention Act".

**Bill No. 10-32 (COR)** - An act to add a new Chapter 39A to Title 7 of the Guam Code Annotated relative to creating the Uniform Child Abduction Prevention Act.

**Bill No. 41-32 (LS)** - An act to amend Chapter 30, Title 9 Guam Code Annotated relative to strengthening the penalties for crimes of family violence.

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**Resolution No. 33-32 (COR)** - Relative to urging the United States Congress to pass the Violence Against Women Reauthorization Act of 2013, in order to continue protecting the safety of women and children across the United States and ensure the provision of necessary services for victims of domestic violence and sexual assault.

Your presence in this public hearing is highly encouraged. Please contact me or my office at (671) 475-GUM1/2 (4861/2) for further information or concerns.

Respectfully,

SENATOR FRANK B. AGUON, JR.

PHONE: (671)475-GUM1/2 (4861/2) | FAX: (671)475-GUM3 (4863)  
155 HESLER PLACE HAGATNA, GUAM 96910 | EMAIL: AGUON4GUAM@GMAIL.COM

[WWW.FRANKAGUONJR.COM](http://WWW.FRANKAGUONJR.COM)



COMMITTEE ON

**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

*I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE*



February 26, 2013

**The Honorable Raymond S. Tenorio**  
Lieutenant Governor of Guam  
513 West Marine Corps Drive  
Ricardo J. Bordallo Complex  
Hagatna, Guam 96910

**RE: Public Hearing**  
Monday, March 4, 2013

Dear Lieutenant Governor Tenorio,

Buenas yan Hafa Adai! The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, March 4, 2013 beginning at 9:00am. Included on the agenda are the following bills:

**Bill No. 6-32 (LS)** - An act to amend §25.15 and §25.20 of Chapter 25, Title 9, Guam Code Annotated, relative to strengthening penalties for crimes involving criminal sexual conduct, which may be cited as the "Predator Prevention Act".

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**Resolution No. 33-32 (COR)** - Relative to urging the United States Congress to pass the Violence Against Women Reauthorization Act of 2013, in order to continue protecting the safety of women and children across the United States and ensure the provision of necessary services for victims of domestic violence and sexual assault.

Your presence in this public hearing is highly encouraged. Please contact me or my office at (671) 475-GUM1/2 (4861/2) for further information or concerns.

Respectfully,

SENATOR FRANK B. AGUON, JR.

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155 HESLER PLACE HAGATNA, GUAM 96910 | EMAIL: AGUON4GUAM@GMAIL.COM

[WWW.FRANKAGUONJR.COM](http://WWW.FRANKAGUONJR.COM)

**Senator  
FRANK B. AGUON, JR.**  
Committee Chairperson

**Senator  
Tina Muna-Barnes**  
Committee Vice Chairperson

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**Senator  
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Committee Member

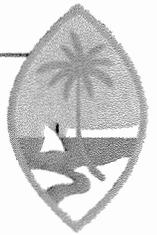
**Senator  
Thomas Morrison**  
Committee Member



COMMITTEE ON

**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

*I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE*



February 26, 2013

**Mr. Angel R. Sablan**  
Executive Director  
Mayors' Council of Guam  
P.O.Box 786  
Hagatna, Guam 96932

**ATTENTION:** All Mayors

**RE:** Public Hearing  
Monday, March 4, 2013

Dear Mr. Sablan,

Buenas yan Hafa Adai! The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, March 4, 2013 beginning at 9:00am. Included on the agenda are the following bills:

**Bill No. 6-32 (LS)** - An act to amend §25.15 and §25.20 of Chapter 25, Title 9, Guam Code Annotated, relative to strengthening penalties for crimes involving criminal sexual conduct, which may be cited as the "Predator Prevention Act".

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**Resolution No. 33-32 (COR)** - Relative to urging the United States Congress to pass the Violence Against Women Reauthorization Act of 2013, in order to continue protecting the safety of women and children across the United States and ensure the provision of necessary services for victims of domestic violence and sexual assault.

Your presence in this public hearing is highly encouraged. Please contact me or my office at (671) 475-GUM1/2 (4861/2) for further information or concerns.

Respectfully,

SENATOR FRANK B. AGUON, JR.

PHONE: (671)475-GUM1/2 (4861/2) | FAX: (671)475-GUM3 (4863)  
155 HESLER PLACE HAGATNA, GUAM 96910 | EMAIL: AGUON4GUAM@gmail.com

[WWW.FRANKAGUONJR.COM](http://WWW.FRANKAGUONJR.COM)

**Senator  
FRANK B. AGUON, JR.**  
Committee Chairperson

**Senator  
Tina Muna-Barnes**  
Committee Vice Chairperson

**Speaker  
Judith T. Won Pat, Ed.D.**  
Committee Member

**Senator  
Rory J. Respicio**  
Committee Member

**Senator  
Thomas C. Ada**  
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Committee Member

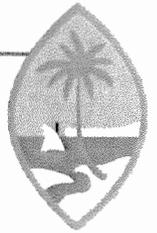
**Senator  
Thomas Morrison**  
Committee Member



COMMITTEE ON

**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

*I MINA'TRENTAI DOS NA LIHESLATURAN GUÁHAN | 32ND GUAM LEGISLATURE*



**Senator  
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Committee Member

**Senator  
Thomas Morrison**  
Committee Member

February 26, 2013

**The Honorable Madeleine Z. Bordallo**  
Guam Delegate - US House of Representative  
120 Father Duenas Avenue , Suite 107  
Hagatna Guam 96910

RE: Public Hearing  
Monday, March 4, 2013

Dear Congresswoman Bordallo,

Buenas yan Hafa Adai! The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, March 4, 2013 beginning at 9:00am. Included on the agenda are the following bills:

**Bill No. 6-32 (LS)** - An act to amend §25.15 and §25.20 of Chapter 25, Title 9, Guam Code Annotated, relative to strengthening penalties for crimes involving criminal sexual conduct, which may be cited as the "Predator Prevention Act".

**Bill No. 10-32 (COR)** - An act to add a new Chapter 39A to Title 7 of the Guam Code Annotated relative to creating the Uniform Child Abduction Prevention Act.

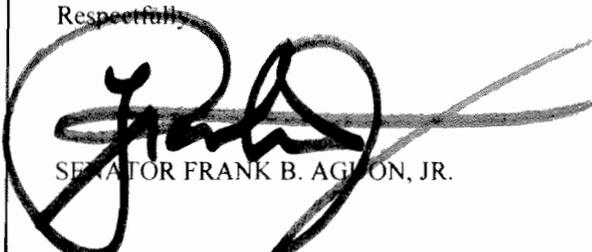
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Your presence in this public hearing is highly encouraged. Please contact me or my office at (671) 475-GUM1/2 (4861/2) for further information or concerns.

Respectfully,

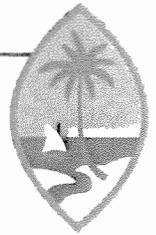
  
SENATOR FRANK B. AGUON, JR.

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COMMITTEE ON



**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

*I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE*

February 26, 2013

**Dr. Julie Ulloa-Heath**  
President of the Board  
Victims Advocates Reaching Out (VARO)  
P.O.Box 2045  
Hagatna Guam 96932

RE: Public Hearing  
Monday, March 4, 2013

Dear Dr. Ulloa-Heath,

Buenas yan Hafa Adai! The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, March 4, 2013 beginning at 9:00am. Included on the agenda are the following bills:

**Bill No. 6-32 (LS)** - An act to amend §25.15 and §25.20 of Chapter 25, Title 9, Guam Code Annotated, relative to strengthening penalties for crimes involving criminal sexual conduct, which may be cited as the "Predator Prevention Act".

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Respectfully,

SENATOR FRANK B. AGUON, JR.

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Committee Chairperson

**Senator  
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Committee Vice Chairperson

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COMMITTEE ON

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*I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE*



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**Senator  
Michael Limtiaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

February 26, 2013

**Mr. Fred E. Bordallo**  
Chief of Police  
Guam Police Department  
Bldg. 13-16A Mariner Ave.  
Tiyan, Barrigada Guam 96913

RE: Public Hearing  
Monday, March 4, 2013

Dear Chief Bordallo,

Buenas yan Hafa Adai! The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, March 4, 2013 beginning at 9:00am. Included on the agenda are the following bills:

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Your presence in this public hearing is highly encouraged. Please contact me or my office at (671) 475-GUM1/2 (4861/2) for further information or concerns.

Respectfully,

  
SENATOR FRANK B. AGUON, JR.

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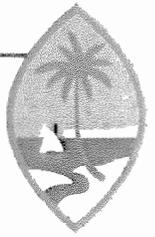
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COMMITTEE ON

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VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

*I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE*



February 26, 2013

**Ms. Mildred Lujan**  
Executive Director  
Sanctuary Incorporated  
406 Mai Mai Road  
Chalan Pago Guam 96910

RE: Public Hearing  
Monday, March 4, 2013

Dear Ms.Lujan,

Buenas yan Hafa Adai! The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, March 4, 2013 beginning at 9:00am. Included on the agenda are the following bills:

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Respectfully,

SENATOR FRANK B. AGUON, JR.

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**Senator  
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Committee Chairperson

**Senator  
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Committee Vice Chairperson

**Speaker  
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Committee Member

**Senator  
Rory J. Respicio**  
Committee Member

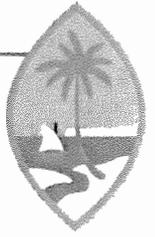
**Senator  
Thomas C. Ada**  
Committee Member

**Senator  
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Committee Member

**Senator  
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Committee Member

**Senator  
Thomas Morrison**  
Committee Member



**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

*I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE*

February 26, 2013

**The Honorable Judge F. Philip Carbullido**  
Chief Justice of Guam  
Supreme Court of Guam  
Suite 300 Guam Judicial Center  
120 West O'Brien Drive  
Hagatna, Guam 96910-5174

**RE: Public Hearing**  
Monday, March 4, 2013

Dear Chief Justice Carbullido,

Buenas yan Hafa Adai! The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, March 4, 2013 beginning at 9:00am. Included on the agenda are the following bills:

**Bill No. 6-32 (LS)** - An act to amend §25.15 and §25.20 of Chapter 25, Title 9, Guam Code Annotated, relative to strengthening penalties for crimes involving criminal sexual conduct, which may be cited as the "Predator Prevention Act".

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Your presence in this public hearing is highly encouraged. Please contact me or my office at (671) 475-GUM1/2 (4861/2) for further information or concerns.

Respectfully,

SENATOR FRANK B. AGUON, JR.

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Committee Chairperson

**Senator  
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Committee Vice Chairperson

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**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

*I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE*

February 26, 2013

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

RE: Public Hearing  
Monday, March 4, 2013

Dear Honorable Leonardo Rapadas,

Buenas yan Hafa Adai! The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, March 4, 2013 beginning at 9:00am. Included on the agenda are the following bills which concern the Office of the Attorney General:

**Bill No. 6-32 (LS)** - An act to amend §25.15 and §25.20 of Chapter 25, Title 9, Guam Code Annotated, relative to strengthening penalties for crimes involving criminal sexual conduct, which may be cited as the "Predator Prevention Act".

**Bill No. 10-32 (COR)** - An act to add a new Chapter 39A to Title 7 of the Guam Code Annotated relative to creating the Uniform Child Abduction Prevention Act.

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Committee Chairperson

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Committee Member



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**Senator  
V. Anthony Ada**  
Committee Member

**Senator  
Michael Limtiaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

February 26, 2013

**Ms. Maria Teresa Aguon**  
Program Manager  
Healing Hearts Crisis Center- Department of Mental Health and Substance Abuse  
215 Duenas Drive  
Tamuning, Guam 96913

RE: Public Hearing  
Monday, March 4, 2013

Dear Ms. Aguon,

Buenas yan Hafa Adai! The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, March 4, 2013 beginning at 9:00am. Included on the agenda are the following bills:

**Bill No. 6-32 (LS)** - An act to amend §25.15 and §25.20 of Chapter 25, Title 9, Guam Code Annotated, relative to strengthening penalties for crimes involving criminal sexual conduct, which may be cited as the "Predator Prevention Act".

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Your presence in this public hearing is highly encouraged. Please contact me or my office at (671) 475-GUM1/2 (4861/2) for further information or concerns.

Respectfully,

SENATOR FRANK B. AGUON, JR.



**GUAM U.S. MILITARY RELOCATION  
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Committee Chairperson

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V. Anthony Ada**  
Committee Member

**Senator  
Michael Lintiac**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

February 26, 2013

Sister Bridgid Perez  
Program Director  
Alee Shelter  
234-A US Army Juan C. Fejeran St.  
Barrigada, Guam 96913

RE: Public Hearing  
Monday, March 4, 2013

Dear Sister Bridgid,

Buenas yan Hafa Adai! The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, March 4, 2013 beginning at 9:00am. Included on the agenda are the following bills:

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Respectfully,

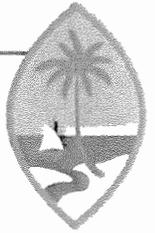
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COMMITTEE ON

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**Senator  
Michael Lintiaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

February 26, 2013

**Ms. Monica Taimanglo**  
Program Director  
Erica's House  
1102 East Sunset Bvd  
Barrigada, Guam 96913

RE: Public Hearing  
Monday, March 4, 2013

Dear Ms. Taimanglo,

Buenas yan Hafa Adai! The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, March 4, 2013 beginning at 9:00am. Included on the agenda are the following bills:

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**Resolution No. 33-32 (COR)** - Relative to urging the United States Congress to pass the Violence Against Women Reauthorization Act of 2013, in order to continue protecting the safety of women and children across the United States and ensure the provision of necessary services for victims of domestic violence and sexual assault.

Your presence in this public hearing is highly encouraged. Please contact me or my office at (671) 475-GUM1/2 (4861/2) for further information or concerns.

Respectfully,

SENATOR FRANK B. AGUON, JR.

PHONE: (671)475-GUM1/2 (4861/2) | FAX: (671)475-GUM3 (4863)  
155 HESLER PLACE HAGATNA, GUAM 96910 | EMAIL: AGUON4GUAM@GMAIL.COM

[WWW.FRANKAGUONJR.COM](http://WWW.FRANKAGUONJR.COM)



COMMITTEE ON

**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

*I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE*



**Senator  
FRANK B. AGUON, JR.**  
Committee Chairperson

**Senator  
Tina Muna-Barnes**  
Committee Vice Chairperson

**Speaker  
Judith T. Won Pat, Ed.D.**  
Committee Member

**Senator  
Rory J. Respicio**  
Committee Member

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V. Anthony Ada**  
Committee Member

**Senator  
Michael Lintiac**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

February 26, 2013

**The Honorable Judge Alberto C. Lamorena II**  
Presiding Judge, Superior Court of Guam  
Guam Judicial Center  
120 West O'Brien Drive  
Hagatna, Guam 96910

**RE: Public Hearing**  
Monday, March 4, 2013

Dear Presiding Judge Lamorena,

Buenas yan Hafa Adai! The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, March 4, 2013 beginning at 9:00am. Included on the agenda are the following bills:

**Bill No. 6-32 (LS)** - An act to amend §25.15 and §25.20 of Chapter 25, Title 9, Guam Code Annotated, relative to strengthening penalties for crimes involving criminal sexual conduct, which may be cited as the "Predator Prevention Act".

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SENATOR FRANK B. AGUON, JR.

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Committee Member

**Senator  
Michael Limtiaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

February 26, 2013

**The Honorable Alicia Limtiaco**  
US Attorney  
US Attorney's Office  
Sirena Plaza Suite 500  
108 Hernan Cortez Avenue  
Hagatna, Guam 96950

**RE: Public Hearing**  
Monday, March 4, 2013

Dear Honorable Alicia Limtiaco,

Buenas yan Hafa Adai! The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, March 4, 2013 beginning at 9:00am. Included on the agenda are the following bills:

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**Resolution No. 33-32 (COR)** - Relative to urging the United States Congress to pass the Violence Against Women Reauthorization Act of 2013, in order to continue protecting the safety of women and children across the United States and ensure the provision of necessary services for victims of domestic violence and sexual assault.

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SENATOR FRANK B. AGUON, JR.

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Committee Member

**Senator  
Thomas Morrison**  
Committee Member

**PUBLIC HEARING**

**MONDAY MARCH 4, 2013**

*I Liheslaturan Guåhan's Public Hearing Room, Hagåtña*

**AGENDA**

- I. Call to Order
- II. Opening Remarks/Announcements
- III. Items for Discussion:

**9:00 a.m.:**

**Bill No. 6-32 (LS)** - An act to amend §25.15 and §25.20 of Chapter 25, Title 9, Guam Code Annotated, relative to strengthening penalties for crimes involving criminal sexual conduct, which may be cited as the "Predator Prevention Act".

**Bill No. 10-32 (COR)** - An act to add a new Chapter 39A to Title 7 of the Guam Code Annotated relative to creating the Uniform Child Abduction Prevention Act.

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~~**Resolution No. 33-32 (COR) As Introduced** - Relative to urging the United States Congress to pass the Violence Against Women Reauthorization Act of 2013, in order to continue protecting the safety of women and children across the United States and ensure the provision of necessary services for victims of domestic violence and sexual assault.~~

- IV. Closing Remarks
- V. Adjournment



## COMMITTEE ON RULES

*I Mina'trentai Dos na Liheslaturan Guåhan* • The 32nd Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
E-mail: [roryforguam@gmail.com](mailto:roryforguam@gmail.com) • Tel: (671)472-7679 • Fax: (671)472-3547

Senator  
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MAJORITY LEADER

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Member

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

Senator  
Aline Yamashita  
Member

February 13, 2013

**VIA FACSIMILE**

(671) 472-2825

**John A. Rios**  
Director  
Bureau of Budget & Management Research  
P.O. Box 2950  
Hagåtña, Guam 96910

**RE: Request for Fiscal Note – Bill Nos. 01-32 through 6-32 (LS) and Bill Nos. 7-32 through 17-32 (COR)**

*Hafa Adai* Mr. Rios:

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

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

Very Truly Yours,

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

Attachments

Cc: Clerk of the Legislature

2013 FEB 14 AM 9:09 

**Bill No. 1-32(LS) – J. T. Won Pat, Ed. D. / T.R. Muna Barnes**

An act relative to authorizing the Guam Economic Development Authority to procure the installation and maintenance of electronic security systems throughout Guam public schools also known as the Secure Our Schools Act of 2013, and for other purposes.

**Bill No. 2-32 (LS) – A. A. Yamashita**

An act to repeal and reenact Section 1105 of Chapter1, Title2, Guam Code Annotated, relative to term limits for senators of the Guam Legislature.

**Bill No. 3-32 (LS) – B.J.F. Cruz./ T.R. Muna-Barnes / V.A. Ada**

AN ACT TO ADD A NEW CHAPTER 82 TO TITLE 12 OF THE GUAM CODE ANNOTATED; RELATIVE TO AUTHORIZING CERTAIN CONTRACTUAL ARRANGEMENTS FOR PUBLIC PRIVATE PARTNERSHIPS IN ORDER TO MOBILIZE PRIVATE RESOURCES FOR THE PURPOSE OF FINANCING THE CONSTRUCTION, OPERATION AND MAINTENANCE OF INFRASTRUCTURE AND DEVELOPMENT PROJECTS NORMALLY FINANCED AND UNDERTAKEN BY THE GOVERNMENT.

**Bill No. 4-32 (LS) – T.A. Morrison / B.J.F. Cruz / V.A. Ada**

AN ACT TO REPEAL AND RE-ENACT ARTICLE 2 OF CHAPTER 20 OF TITLE 5, GUAM CODE ANNOTATED RELATIVE TO ESTABLISHING THE OFFICE OF TECHNOLOGY.

**Bill No. 5-32 (LS) – T.A. Morrison**

AN ACT TO ADD A NEW §40128 CHAPTER 40 OF 5GCA RELATIVE TO PLACING THE FORMER FQ SANCHEZ ELEMENTARY SCHOOL FACILITY UNDER THE JURISDICTION OF THE UMATAC MAYOR'S OFFICE.

**Bill No. 6-32 (LS) – B.T. McCreddie, D.G. Rodriguez, Jr**

AN ACT TO AMEND §25.15 AND §25.20 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO STRENGTHENING PENALTIES FOR CRIMES INVOLVING CRIMINAL SEXUAL CONDUCT, WHICH MAY BE CITED AS THE "PREDATOR PREVENTION ACT"

**Bill No. 7-32 (COR) – J.T. Won Pat, Ed.D.**

AN ACT TO ADD A NEW §80105 (i) TO CHAPTER 80 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE TRANSFER OF PROPERTY UNDER THE JURISDICTION OF PROPERTY UNDER THE JURISDICTION OF THE PORT AUTHORITY OF GUAM TO THE JURISDICTION OF THE GUAM ANCESTRAL LANDS COMMISSION.

**Bill No. 8-32 (COR) – R.J. Respicio**

AN ACT TO APPROPRIATE TO THE DEPARTMENT OF EDUCATION ALL ADDITIONAL REVENUE DERIVED FROM THE EXPIRATION OF ANY PART OF THE BUSH TAX CUTS.

**Bill No. 9-32 (COR) – V.C. Pangelinan**

AN ACT TO ADD NEW §§ 58148, 58148.1, 58148.2, 58148.3, AND 58149 TO CHAPTER 58 OF TITLE 12, GUAM CODE ANNOTATED, AND AMEND SECTIONS OF CHAPTER 58 OF TITLE 12 GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE QUALIFYING CERTIFICATE REVIEW BOARD, THE QUALIFYING CERTIFICATE ACCOUNTABILITY AND TRANSPARENCY WEBSITE, AND FOR OTHER PURPOSES.

**Bill No. 10-32 (COR) – B.J.F. Cruz**

AN ACT TO ADD A NEW CHAPTER 39A TO TITLE 7 OF THE GUAM CODE ANNOTATED RELATIVE TO CREATING THE UNIFORM CHILD ABDUCTION PREVENTION ACT.

**Bill No. 11-32 (COR) - B.J.F. Cruz**

AN ACT TO ADD A NEW ARTICLE 9, TO CHAPTER 63, AND TO AMEND §5215 OF CHAPTER 5; AND TO AMEND § 63101, TO ADD A NEW (c) AND (d) TO § 63116, AND TO AMEND § 63129 OF CHAPTER 63 OF TITLE 5, GUAM CODE ANNOTATED RELATIVE TO CREATING THE GUAM CORAL AND MARINE LIFE PROTECTION ACT.

**Bill No. 12-32 (COR) - B.J.F. Cruz**

AN ACT TO AMEND §90A101 AND §90A102 OF CHAPTER 90A OF TITLE 10 OF THE GUAM CODE ANNOTATED RELATIVE TO THE PROHIBITION AND SALE OF CANDY CIGARETTES.

**Bill No. 13-32 (COR) - B.J.F. Cruz**

AN ACT TO ADD A NEW § 3123 TO ARTICLE 1 AND TO ADD A NEW § 3436 AND § 3437 TO ARTICLE 4 OF CHAPTER 3 OF TITLE 11 GUAM CODE ANNOTATED RELATIVE TO INTOXICATION OF PERSONS UNDER AGE TWENTY-ONE.

**Bill NO. 14-32 (COR) – C.M. Duenas / V.A. Ada**

AN ACT TO ADD A NEW §(e) TO §5123 OF CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO MANDATING THE PURCHASE OR LEASE OF VEHICLES BY THE GOVERNMENT OF GUAM SHALL MEET OR EXCEED A MINIMUM AVERAGE COMBINED CITY AND HIGHWAY MILES PER GALLON (MPG) OF TWENTY-FIVE MILES PER GALLON (25 MPG); TO ADD A NEW §(f) TO §5123 OF CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, TO ALLOW CERTAIN SPECIALTY VEHICLES TO BE EXCLUDED FROM THE PROVISION OF THIS ACT.

**Bill NO. 15-32 (COR) – T.R. Muna Barnes**

AN ACT TO REZONE LOT NO. 3, TRACT 1942, IN THE MUNICIPALITY OF BARRIGADA FROM SINGLE-FAMILY DWELLING (R-1) TO MULTIPLE FAMILY DWELLING (R-2)

**Bill No. 16-32 (COR) – R.J. Respicio / C.M. Duenas**

AN ACT TO REZONE LOT 2181-4NEW1NEW-R2, LOT 2181-4NEW-R1NEW-2, LOT 2181-4NEW-1-1, LOT 2181-4NEW-1-2, LOT 2181-4NEW-1-3, LOT 2181-4NEW-1-4, LOT PARCEL 4) IN THE MUNICIPALITY OF 2181-4NEW-1-R4 AND LOT NAVAL AIR STATION AGANA-21-R1 (AIRPORT PARCEL 4) IN THE MUNICIPALITY OF TIYAN, BARRIGADA FROM AGRICULTURAL ZONE (A) TO LIGHT INDUSTRIAL ZONE (M-1); AND TO CHANGE THE REFERENCE OF LIMITED INDUSTRIAL TO LIGHT INDUSTRIAL.

**Bill No. 17-32 (COR) – R.J. Respicio / T.C. Ada**

AN ACT TO ALLOW FOR CONDITIONAL USE OF PROPERTY SITUATED IN THE MUNICIPALITY OF DEDEDO FOR MEETINGS AND CULTURAL PURPOSES, SPECIFICALLY LOTS 15-3 AND 15-R3, BOTH OF TRACT 1413, WHICH ARE CURRENTLY ZONED "A" (AGRICULTURAL), CONTAINING AN AREA OF 4,208.7± SQUARE METERS, AND TIYAN, BARRIGADA FROM BORDERED BY ALAGETA ROAD.

MESSAGE CONFIRMATION

FEB-13-2013 05:22 PM WED

FAX NUMBER : 4772240  
NAME : GNF

NAME/NUMBER : 4722825  
PAGE : 3  
START TIME : FEB-13-2013 05:21PM WED  
ELAPSED TIME : 01'00"  
MODE : STD ECM  
RESULTS : [ O.K ]



COMMITTEE ON RULES

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February 13, 2013

VIA FACSIMILE  
(671) 472-2825

**John A. Rios**  
Director  
Bureau of Budget & Management Research  
P.O. Box 2950  
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RE: Request for Fiscal Note – Bill Nos. 01-32 through 6-32 (LS) and Bill Nos. 7-32 through 17-32 (COR)

*Hafa Adai* Mr. Rios:

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

Very Truly Yours,

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

Attachments

Cc: Clerk of the Legislature

*Recvd by: Anahyn Estagnio  
2/14/13  
Confirmed via phone w/ Sec 9:03am 2/14/13*



## COMMITTEE ON RULES

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MINORITY LEADER

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Member

January 7, 2013

### MEMORANDUM

**To:** **Rennae Meno**  
*Clerk of the Legislature*

**Attorney Therese M. Terlaje**  
*Legislative Legal Counsel*

**From:** **Senator Rory J. Respicio**  
*Majority Leader & Rules Chair*

**Subject:** **Referral of Bill Nos. 1-32 through 6-32 (LS)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 1-32 through 6-32(LS).

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members 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!*

(1) Attachment

**MINA' TRENTAI DOS NA LIHESLATURAN GUÅHAN**  
**2013 (FIRST) Regular Session**

Bill No. 6-32(25)

Introduced by:

Brant McCreadie  
D.G. Rodriguez, Jr.

---

2013 JAN - 7  
JAN 14 27

**AN ACT TO AMEND §25.15 AND §25.20 OF  
CHAPTER 25, TITLE 9, GUAM CODE  
ANNOTATED, RELATIVE TO STRENGTHENING  
PENALTIES FOR CRIMES INVOLVING  
CRIMINAL SEXUAL CONDUCT, WHICH MAY BE  
CITED AS THE "PREDATOR PREVENTION ACT".**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that there exists an alarming rate of incidences on Guam and throughout the  
4 nation involving criminal sexual conduct. *I Liheslatura* is especially concerned  
5 with sex crimes involving children as well, the most vulnerable in our  
6 community. According to the *Crimes Against Children Research Center*, one (1)  
7 in five (5) girls and one (1) in twenty (20) boys is a victim of child sexual  
8 abuse.

9 As of December 2012, there were a total of Six Hundred Forty One (641)  
10 sex offenders registered with the Guam Sex Offender Registry, Unified

1 Judiciary of Guam. Nearly half of this figure, or Three Hundred Fifty (350)  
2 offenders, have been convicted of a sexually violent offense.

3 *I Liheslaturan Guåhan* further finds that local media regularly report on  
4 arrests or court proceedings involving sexual crimes against children. These  
5 reports continue to expose a very dangerous problem for Guam’s close knit  
6 community. Crimes involving criminal sexual conduct and crimes committed  
7 against children are heinous and further inflict unfathomable effects in the  
8 lives of victims and their families.

9 Therefore, it is the intent of *I Liheslaturan Guåhan* to strengthen existing  
10 penalties for sexual offenses involving minors, by amending Sections 25.15  
11 and 25.20 of Chapter 25, Title 9, Guam Code Annotated. *I Liheslatura* further  
12 intends that these penalties serve to ultimately reduce and eliminate  
13 incidences involving such terrible acts against Guam’s children.

14 **Section 2.** Sections 25.15 and 25.20 of Chapter 25, Title 9, Guam Code  
15 Annotated, are hereby *amended*, to read:

16 **“§ 25.15. First Degree Criminal Sexual Conduct.**

17 (a) A person is guilty of criminal sexual conduct in the first degree if he  
18 or she engages in sexual penetration with the victim and if any of the  
19 following circumstances exists:

20 (1) the victim is under fourteen (14) years of age;

21 (2) the victim is at least fourteen (14) but less than sixteen (16) years of  
22 age and the actor is a member of the same household as the victim, the actor is

1 related to the victim by blood or affinity to the fourth degree to the victim, or  
2 the actor is in a position of authority over the victim and used this authority to  
3 coerce the victim to submit;

4 (3) sexual penetration occurs under circumstances involving the  
5 commission of any other felony;

6 (4) the actor is aided or abetted by one or more other persons and either  
7 of the following circumstances exists:

8 (i) the actor knows or has reason to know that the victim is  
9 mentally defective, mentally incapacitated or physically helpless; or

10 (ii) the actor uses force or coercion to accomplish the sexual  
11 penetration.

12 (5) the actor is armed with a weapon or any article used or fashioned in  
13 a manner to lead the victim to reasonably believe it to be a weapon;

14 (6) the actor causes personal injury to the victim and force or coercion is  
15 used to accomplish sexual penetration; and

16 (7) the actor causes personal injury to the victim, and the actor knows or  
17 has reason to know that the victim is mentally defective, mentally  
18 incapacitated or physically helpless.

19 (b) Criminal sexual conduct in the first degree is a felony in the first  
20 degree. Any person convicted of criminal sexual conduct under §25.15(a)  
21 shall be sentenced to a minimum of fifteen (15) years imprisonment, and may  
22 be sentenced to a maximum of life imprisonment without the possibility of

1 parole. The term imposed shall not be suspended nor probation be imposed  
2 in lieu of said minimum term nor shall parole, Any person convicted of  
3 criminal sexual conduct in the first degree shall not be eligible for work  
4 release or educational programs outside the confines of prison be granted nor  
5 shall the provisions under §80.31 apply. Any such sentence shall include a  
6 special parole term of not less than three (3) years in addition to such time of  
7 imprisonment.

8 (c) Any person convicted of criminal sexual conduct under §25.15(a)  
9 subsequent to a first conviction of criminal sexual conduct under §25.15(a)  
10 shall be sentenced to life imprisonment without the possibility of parole. Said  
11 term shall not be suspended nor probation be imposed in lieu of said term nor  
12 shall parole, work release or educational programs outside the confines of  
13 prison be granted.”

14 **“§ 25.20. Second Degree Criminal Sexual Conduct.**

15 (a) A person is guilty of criminal sexual conduct in the second degree if  
16 the person engages in sexual contact with another person and if any of the  
17 following circumstances exists:

18 (1) that other person is under fourteen (14) years of age;

19 (2) that other person is at least fourteen (14) but less than sixteen (16)  
20 years of age and the actor is a member of the same household as the victim, or  
21 is related by blood or affinity to the fourth degree to the victim, or is in a

1 position of authority over the victim and the actor used this authority to  
2 coerce the victim to submit;

3 (3) sexual contact occurs under circumstances involving the commission  
4 of any other felony;

5 (4) the actor is aided or abetted by one or more other persons and either  
6 of the following circumstances exists:

7 (i) the actor knows or has reason to know that the victim is  
8 mentally defective, mentally incapacitated or physically helpless; or

9 (ii) the actor uses force or coercion to accomplish the sexual  
10 contact.

11 (5) the actor is armed with a weapon or any article used or fashioned in  
12 a manner to lead a person to reasonably believe it to be a weapon;

13 (6) the actor causes personal injury to the victim and force or coercion is  
14 used to accomplish the sexual contact; and

15 (7) the actor causes personal injury to the victim and the actor knows or  
16 has reason to know that the victim is mentally defective, mentally  
17 incapacitated or physically helpless.

18 (b) Criminal sexual conduct in the second degree is a felony in the first  
19 degree but a person convicted of criminal sexual conduct in the second degree  
20 who receives a sentence of imprisonment shall not be eligible for work release  
21 or educational programs outside the confines of prison, nor shall such  
22 sentence be suspended nor probation be imposed in lieu of said minimum

1 term nor shall parole be granted nor shall the provisions under §80.31 apply.  
2 Any such sentence shall include a special parole term of not less than three (3)  
3 years in addition to such time of imprisonment.

4 (c) Any person convicted of criminal sexual conduct under §25.20(a)  
5 subsequent to a first conviction of criminal sexual conduct under §25.20(a),  
6 which involves sexual penetration, shall be sentenced to life imprisonment  
7 without the possibility of parole. Said term shall not be suspended nor  
8 probation be imposed in lieu of said term nor shall parole, work release or  
9 educational programs outside the confines of prison be granted."

10 **Section 3. Effective Date.** This Act shall be effective upon enactment  
11 and shall apply prospectively.

**From:** [Guam Legislature Clerks Office](#)  
**To:** ["speaker@judiwonpat.com"](#); ["senator@senatorbjcruz.com"](#); ["tom@senatorada.org"](#); ["senatortonyada@guamlegislature.org"](#); ["duenasenator@gmail.com"](#); ["senator@tinamunabarnes.com"](#); ["senbenp@guam.net"](#); ["roryforguam@gmail.com"](#); ["senatordrodriguez@gmail.com"](#); ["aline4families@gmail.com"](#); ["mlimtiaco671@gmail.com"](#); ["brantforguam@gmail.com"](#); ["morrison671@gmail.com"](#); ["responsibleguam@gmail.com"](#); ["aguon4guam@gmail.com"](#)  
**Cc:** ["tmterlaje@gmail.com"](#); ["mis@guamlegislature.org"](#); ["yong@guamlegislature.org"](#); ["adam@guamlegislature.org"](#)  
**Bcc:** ["colleenw@guamlegislature.org"](#); ["vparriola@gmail.com"](#); ["etajalle@guamlegislature.org"](#); ["marymaravilla19@gmail.com"](#); ["fbtorres@yahoo.com"](#); ["mike.lidia9@gmail.com"](#); ["carlospguam@yahoo.com"](#); ["chris.carillo@senatorbjcruz.com"](#); ["garrett.duenas@senatorbjcruz.com"](#); ["jcamacho@senatorada.org"](#); ["cyrus@senatorada.org"](#); ["nsantos@senatorada.org"](#); ["maryfejeran@gmail.com"](#); ["sayama01@yahoo.com"](#); ["leonguerrero.angela@gmail.com"](#); ["santos.duenas@gmail.com"](#); ["rob.tupaz@gmail.com"](#); ["phillipsguam@gmail.com"](#); ["richard@tinamunabarnes.com"](#); ["jean@tinamunabarnes.com"](#); ["elaine@tinamunabarnes.com"](#); ["peterlg@gmail.com"](#); ["jmesngon.senatordrodriguez@gmail.com"](#); ["jmanibusan.senatordrodriguez@gmail.com"](#); ["cherbert.senatordrodriguez@gmail.com"](#); ["cipo@guamlegislature.org"](#); ["chris.budasi@guamlegislature.org"](#); ["sonedera-salas@guamlegislature.org"](#); ["jennifer.lj.dulla@gmail.com"](#); ["jason@judiwonpat.com"](#); ["tanya4families@gmail.com"](#); ["lou4families@gmail.com"](#); ["evelyn4families@gmail.com"](#); ["chechsantos@gmail.com"](#); ["alerta.jermaine@gmail.com"](#); ["charisha.hualde@gmail.com"](#); ["doreen.garcia80@gmail.com"](#); ["josecruzjr17@yahoo.com"](#); ["baza.matthew@gmail.com"](#); ["director@gec.guam.gov"](#)  
**Subject:** Ref. of Bill Nos. 1-32 (COR) through 7-32 (COR)  
**Date:** Tuesday, January 08, 2013 4:15:00 PM  
**Attachments:** [Bill No. 1-32 \(LS\) jtwp HISTORY.pdf](#)  
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[Bill No. 3-32 \(LS\) bjfc.pdf](#)  
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[Bill No. 6-32 \(LS\) bm.pdf](#)  
[Bill No. 7-32 \(COR\) jtwp.pdf](#)  
**Importance:** High

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Please see attached.

*Colleen*

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