

*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>202-32 (COR)</b> <b>P.L. 32-116</b>	V. Anthony Ada Chris M. Duenas	AN ADD A NEW ARTICLE 3 TO CHAPTER 37 OF 9GCA RELATIVE TO CARJACKING.	10/02/13 3:48 p.m.	10/02/13	Committee on the Guam U. S. Military Relocation, Homeland Security, Veterans's Affairs, and Judiciary	10/15/13 5:00 p.m.	11/04/13 10:56 a.m.	<b>Fiscal Note Requested 10/08/13</b>  <b>Fiscal Note Received 11/22/13</b>
	<b>DATE PASSED</b>	<b>TITLE</b>	<b>TRANSMITTED</b>		<b>DUE DATE</b>	<small>DATE SIGNED BY I MAGA'LAHEN GUAHAN</small>	<b>PUBLIC LAW NO.</b>	<b>NOTES</b>
	2/1/2014	AN ACT TO ADD NEW §§ 37.50 TO 37.55 TO CHAPTER 37 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO CARJACKING.	2/1/14	10:50 p.m.	2/13/2014	2/10/2014	32-116	

EDDIE BAZA CALVO  
Governor



RAY TENORIO  
Lieutenant Governor

*Office of the Governor of Guam*

FEB 13 2014

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

32-14-1297  
Office of the Speaker  
Judith T. Won Pat, Ed.D.  
Date: 2/14/14  
Time: 3:06 PM  
Received by:

Dear Madame Speaker:

Transmitted herewith is Bill No. 202-32 (COR) "AN ACT TO ADD NEW §§ 37.50 TO 37.55 TO CHAPTER 37 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO CARJACKING" which I signed into law on February 10, 2014 as Public Law 32-116.

2014 FEB 14 PM 4:48

*Senseramente,*

EDDIE BAZA CALVO



*I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN*  
2014 (SECOND) Regular Session

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

This is to certify that **Bill No. 202-32 (COR)**, "AN ACT TO ADD NEW §§ 37.50 TO 37.55 TO CHAPTER 37 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO CARJACKING," was on the 1<sup>st</sup> day of February, 2014, duly and regularly passed.



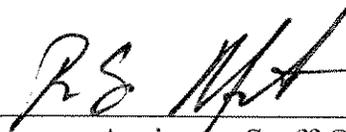
Judith T. Won Pat, Ed.D.  
Speaker

Attested:



Tina Rose Muña Barnes  
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 1<sup>st</sup> day of FEB,  
2014, at  
10:50 o'clock P.M.



Assistant Staff Officer  
*Maga'lahi's Office*

APPROVED:



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

Date: FEB 10 2014

Public Law No. 32-116



1 acting either alone or with one or more persons, such person or another participant  
2 in the crime commits or attempts to commit a violent crime against the person of  
3 another person other than a participant in the crime who is actually present in such  
4 vehicle; or (2) if any of the acts of a participant at any time during the burglary, or  
5 while attempting a burglary or while fleeing from a burglary/attempted burglary,  
6 directly or indirectly, cause the mental or emotional trauma, bodily injury, serious  
7 bodily injury or the death of an occupant of the vehicle who is *not* a participant in  
8 the burglary.

9       **§ 37.51. Armed Carjacking.** Whoever commits the offense of  
10 carjacking while armed with, or having readily available, any pistol, or other  
11 firearm or imitation thereof, or other dangerous or deadly weapon, including a  
12 firearm, dirk, knife, switchblade, razor, blackjack, billy, or metallic or other false  
13 knuckles, or any object capable of inflicting death or serious bodily injury, *shall* be  
14 guilty of armed carjacking.

15       **§ 37.52. In the Course of Committing Carjacking or Armed**  
16 **Carjacking.** An act *shall* be deemed “in the course of committing” the offense *if*  
17 it occurs in an attempt to commit the offense or flight after the attempt or  
18 commission.

19       **§ 37.53. Knowledge of Occupancy is Not a Defense.** It is *no* defense  
20 the defendant reasonably believed that the vehicle was unoccupied, by a person  
21 who was *not* a participant in the crime, at the time the carjacking or armed  
22 carjacking occurred.

23       **§ 37.54. Carjacking Punished.**

24           (a) Carjacking is a first degree felony and any person found guilty  
25 under § 37.50 *shall* be sentenced to a term of imprisonment of which *at least*  
26 ten (10) years *may not* be suspended or reduced by the court.

1 (b) The sentence imposed for carjacking *shall* run consecutively to  
2 any sentence for other crimes committed in conjunction with the carjacking.

3 **§ 37.55. Armed Carjacking Punished.**

4 (a) Armed carjacking is a first degree felony and any person found  
5 guilty under § 37.51 *shall* be sentenced to a term of imprisonment of which  
6 *at least* fifteen (15) years *may not* be suspended or reduced by the court.

7 (b) The sentence imposed for armed carjacking *shall* run  
8 consecutively to any sentence for other crimes committed in conjunction  
9 with the carjacking.”



FILE COPY

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

February 1, 2014

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

Dear *Maga'lahi* Calvo:

Transmitted herewith are Bill and Substitute Bill Nos. 61-32(COR), 70-32(COR), 71-32(COR), 130-32(COR), 146-32(COR), 169-32(COR), 179-32(COR), 180-32(COR), 190-32(COR), 192-32(COR), 197-32(COR), 201-32(COR), 202-32(COR), 204-32(COR), 206-32(COR), 214-32(COR), 221-32(COR), 225-32(COR), 226-32(COR), 231-32(COR), 232-32(COR), 235-32(COR), 236-32(COR), 237-32(COR), 242-32(COR), 245-32(COR), 247-32(COR), 248-32(COR) and 268-32(LS) which were passed by *I Mina'Trentai Dos Na Liheslaturan Guåhan* on February 1, 2014.

Sincerely,

TINA ROSE MUÑA BARNES  
Legislative Secretary

*FEB 1, 2014*  
*10:50 p.m.*  
*T.R. Muña*

*I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN*  
2014 (SECOND) Regular Session

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

This is to certify that **Bill No. 202-32 (COR)**, "AN ACT TO *ADD NEW §§ 37.50 TO 37.55 TO CHAPTER 37 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO CARJACKING,*" was on the 1<sup>st</sup> day of February, 2014, duly and regularly passed.



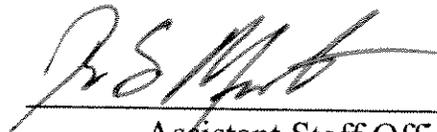
Judith T. Won Pat, Ed.D.  
Speaker

Attested:



Tina Rose Muña Barnes  
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 1<sup>st</sup> day of FEB,  
2014, at  
10:00 o'clock A.M.



Assistant Staff Officer  
*Maga'lahi's Office*

APPROVED:

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

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

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



1 acting either alone or with one or more persons, such person or another participant  
2 in the crime commits or attempts to commit a violent crime against the person of  
3 another person other than a participant in the crime who is actually present in such  
4 vehicle; or (2) if any of the acts of a participant at any time during the burglary, or  
5 while attempting a burglary or while fleeing from a burglary/attempted burglary,  
6 directly or indirectly, cause the mental or emotional trauma, bodily injury, serious  
7 bodily injury or the death of an occupant of the vehicle who is *not* a participant in  
8 the burglary.

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10 carjacking while armed with, or having readily available, any pistol, or other  
11 firearm or imitation thereof, or other dangerous or deadly weapon, including a  
12 firearm, dirk, knife, switchblade, razor, blackjack, billy, or metallic or other false  
13 knuckles, or any object capable of inflicting death or serious bodily injury, *shall* be  
14 guilty of armed carjacking.

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17 it occurs in an attempt to commit the offense or flight after the attempt or  
18 commission.

19       **§ 37.53. Knowledge of Occupancy is Not a Defense.** It is *no* defense  
20 the defendant reasonably believed that the vehicle was unoccupied, by a person  
21 who was *not* a participant in the crime, at the time the carjacking or armed  
22 carjacking occurred.

23       **§ 37.54. Carjacking Punished.**

24           (a) Carjacking is a first degree felony and any person found guilty  
25 under § 37.50 *shall* be sentenced to a term of imprisonment of which *at least*  
26 ten (10) years *may not* be suspended or reduced by the court.

1           (b) The sentence imposed for carjacking *shall* run consecutively to  
2 any sentence for other crimes committed in conjunction with the carjacking.

3 **§ 37.55. Armed Carjacking Punished.**

4           (a) Armed carjacking is a first degree felony and any person found  
5 guilty under § 37.51 *shall* be sentenced to a term of imprisonment of which  
6 *at least* fifteen (15) years *may not* be suspended or reduced by the court.

7           (b) The sentence imposed for armed carjacking *shall* run  
8 consecutively to any sentence for other crimes committed in conjunction  
9 with the carjacking.”

# LEGISLATIVE SESSION

## I MINA'TRENTAI DOS NA LIHESLATURAN

### 2014 (SECOND) Regular Session

### Voting Sheet

Speaker Antonio R. Unipingco Legislative Session Hall  
February 1, 2014

Bill No. 202-32 (COR)

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.	✓				

TOTAL

15

Yea

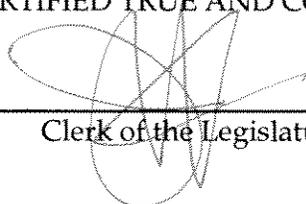
Nay

Not Voting/  
Abstained

Out During  
Roll Call

Absent

CERTIFIED TRUE AND CORRECT:



Clerk of the Legislature

I = Pass



# 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

November 22, 2013

## MEMORANDUM

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

**From:** **Senator Rory J. Respicio**

**Subject:** **Fiscal Notes & Waivers**

*Hafa Adai!*

Transmitted herewith are fiscal notes received from BBMR on the following Bill Nos. 91-32(COR), 98-32(LS), 116-32(COR), 153-32(COR), 176-32(COR), 181-32(COR), 194-32(COR), 195-32(COR), 202-32(COR), 209-32(COR), 211-32(COR) and Fiscal Note Waivers on the following Bill Nos. 94-32(COR), 165-32(COR), 170-32(COR), 189-32(COR), 193-32(COR), 210-32(COR).

Please include fiscal notes and waivers with their respective Committee Reports.

Please make the appropriate indication in your records; and forward to MIS for posting on our website. I also request that the same be forwarded to all Senators of *I Mina'trentai Dos na Liheslaturan Guåhan*.

*Si Yu'os Ma'ase'!*

2013 NOV 22 PM 4:46

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

OFFICE OF THE GOVERNOR

Post Office Box 2950, Hagåtña Guam 96932

EDDIE BAZA CALVO  
GOVERNORJOHN A. RIOS  
DIRECTORRAY TENORIO  
LIEUTENANT GOVERNOR

NOV 15 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.: 91-32(COR), ~~100-32(COR)~~, 181-32(COR), 202-32(COR), ~~203-32(COR)~~, 209-32(COR), 211-32(COR) and Fiscal Note Waiver on the following Bill Nos.: 170-32(COR).

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



JOHN A. RIOS  
Director

Enclosures  
cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research  
Fiscal Note for Bill No. 202-32 (COR)**

**AN (ACT TO) ADD A NEW ARTICLE 3 TO CHAPTER 37 OF 9 GCA RELATIVE TO CARJACKING**

Department/Agency Appropriation Information	
Dept./Agency Affected: Attorney General's Office	Dept./Agency Head: Leonardo Rapadas
Department's General Fund (GF) appropriation(s) to date:	11,817,973
Department's Other Fund (Specify) appropriation(s) to date:	-
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$11,817,973</b>

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2012 Unreserved Fund Balance <sup>1</sup>			
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 2014 (if applicable)	FY 2015	FY 2016	FY 2017	FY 2018
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>

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

Analyst: John AB Pangalinan, Supervisor      Date: 11-4-13      Director: John A. Rios, BBMR Director      Date: Nov 15 2013

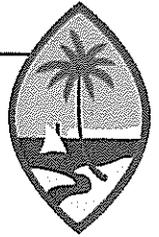
**Footnotes:**  
The intent of this bill is to provide for specific descriptions and penalties for individuals who commit burglary by means of carjacking and armed carjacking. The fiscal impact will result in these new and specific offenses. The added requirements of the proposed bill will have a fiscal impact on services provided to the government in terms of imprisonment. For example, regarding the proposed imprisonment sentences. Burglary sentences are a minimum of five (5) years with maximum of 10 years. The proposed bill requires at least a ten (10) years sentence for carjacking and at least fifteen (15) years for armed carjacking which cannot be suspended nor reduced. These requirement would potentially increase operational costs to the Department of Corrections and to other law enforcement departments/agencies that provide assistance to the Department of Corrections for such offenders. However, the potential fiscal impact cannot be determined at this time.



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

**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

October 28, 2013

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

Speaker

*I Mina'Trentai Dos Na Liheslaturan Guahan*

155 Hesler Place

Hagatna, Guam 96910

**VIA: The Honorable Rory J. Respicio**

Chairperson, Committee on Rules *[Signature]*

**RE: Committee Report on Bill No. 202-32 (COR)**

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 202-32 (COR) - An add a new Article 3 to Chapter 37 of 9GCA relative to carjacking.

Committee votes are as follows:

- 4 TO DO PASS
- 0 TO NOT PASS
- 5 ✓ TO REPORT OUT ONLY
- 0 TO ABSTAIN
- 0 TO PLACE IN INACTIVE FILE

2013 NOV -4 AM 10:56

Respectfully,

*[Signature of Frank B. Aguon, Jr.]*  
**SENATOR FRANK B. AGUON, JR.**  
Committee Chairman on Guam's S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary  
*I Mina'Trentai Dos Na Liheslaturan Guahan | 32<sup>nd</sup> Guam Legislature*



COMMITTEE ON

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

*I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN | 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

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Committee Member

**Senator**  
**V. Anthony Ada**  
Committee Member

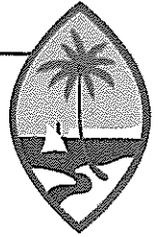
**Senator**  
**Michael Limtiaco**  
Committee Member

**Senator**  
**Thomas Morrison**  
Committee Member

# COMMITTEE REPORT

## ON

**Bill No. 202-32 (COR) - An add a new Article 3 to Chapter 37 of 9GCA relative to carjacking.**



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

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

**October 28, 2013**

**MEMORANDUM**

**To: ALL MEMBERS**  
Committee on Guam U.S. Military Relocation, Homeland Security,  
Veterans Affairs, and Judiciary

**From: Senator Frank B. Aguon, Jr.**  
Committee Chairperson

**Subject: Committee Report on Bill No. 202-32 (COR)**

Transmitted herewith for your consideration is the Committee Report on Bill No. 202-32 (COR) - An add a new Article 3 to Chapter 37 of 9GCA relative to carjacking.

This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Copy of Bill No. 202-32 (COR)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony and Supporting Documents
- Referral of the Bill No. 202-32 (COR)
- Notices of Public Hearing
- Copy of Public Hearing Agenda
- Related news Report

Please take the appropriate action on the attached vote sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Si Yu'os Ma'åse' !

**Senator  
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



COMMITTEE ON

**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. 202-32 (COR)- An add a new Article 3 to Chapter 37 of 9GCA relative to carjacking.**

**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

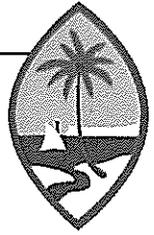
**Senator  
Thomas Morrison**  
Committee Member

COMMITTEE MEMBERS	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
AGUON, FRANK B. JR. Committee Chairperson 10/24/12				✓		
MUNA BARNES, TINA ROSE Committee Vice Chairperson				✓		
SPEAKER WON PAT, JUDITH T. Ed.D. Committee Member				✓ 10/28		
RESPICIO, RORY J. Committee Member		✓ 10/28/12				
ADA, THOMAS C. Committee Member				✓ 10/28		
RODRIGUEZ, DENNIS G. JR. Committee Member				✓ 10/27		
ADA, V. ANTHONY Committee Member		✓ 10/24				
LIMTIACO, MICHAEL Committee Member				✓ 10/24/12		
MORRISON, THOMAS Committee Member		✓ 10/28				



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

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



**COMMITTEE REPORT DIGEST**

**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

I. **OVERVIEW**

Bill No. 202-32 (COR) was introduced on October 2, 2013, by Senator Frank B. Aguon, Jr., and was subsequently referred by the Committee on Rules to the Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary on October 2, 2013.

The Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary convened a 1st public hearing on Bill No. 202-32 (COR) on October 15, 2013 at 5:00PM in *I Liheslatura's* Public Hearing Room.

**Public Notice Requirements**

Public Hearing notices were disseminated via e-mail to all senators and all main media broadcasting outlets for the October 15, 2013 hearing on October 8, 2013 (5-Day Notice), and again on October 11, 2013 (48-Hour Notice). Notices were also published in the Marianas Variety Newspaper for the October 15, 2013 hearing on October 11, 2013. Notices were also published in the Pacific Daily News Newspaper on October 7, 2013.

**Senators Present**

Senator Frank B. Aguon, Jr., Chairperson

Vice Speaker Benjamin J.F. Cruz

Senator V. Anthony Ada

Senator Michael F.Q. San Nicolas

Senator Thomas Morrison

**Appearing Before the Committee**

Phillip J. Tydingco, Deputy Attorney General, The Office of the Attorney General

The public hearing was Called-to-Order at 5:01 PM.

II. **TRANSCRIPTION OF TESTIMONY & DISCUSSION**

**Senator Frank B. Aguon Jr.**

"We are going to proceed to the second legislative proposal that is on the agenda that is Bill No. 202-32 (COR) and we do have the sponsor of the legislation Senator Tony Ada, if you could provide your brief comments."

**Senator Tony Ada:**

"Thank you Mr. Chair. Mr. Chair, since the beginning of 2013, Guam has witness several high-profile criminal acts that would meet the definition of car-jacking as defined by Bill 202. Mr. Chair just let me go back, and what it is that uh, Bill 202-32 is an act to add a new article 3 to chapter 37 of 9 gca act relative to car-jacking. As you know, just a couple of weeks ago, there was a tourist who believed he was being a good Samaritan by offering a man a ride but little known to him he was uh, he was assaulted, robbed, and his rental car was taken, his money

**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY***I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE*

was taken to the case where a woman was sexually assaulted and robbed by a man who hid in her car while she was uh, at a local business. Crimes like this can no longer go on in our community. We must stand firm and say no to these tacts, these acts of crimes. During the research for this legislation, we were looking for model legislation as we created this bill and we discovered that the laws in various states and cities differed from each other. And instead what we did was we patterned our car-jacking bill, the language of this bill, after the home invasion and burglary laws. And if there is any recommendations from our attorney general that would make this bill more effective, then I would like to work with the committee and those recommendations so that we can ensure this bill is effective and those recommendations become part of it. Thank you Mr. Chair.”

***Senator Frank B. Aguon Jr.***

“Thank-you very much Senator Ada. Mr. Attorney General, If you could identify yourself for the record. If there is anyone in the audience who would like to provide testimony on Bill No. 202, please proceed to the table to your right and register, other than that, Mr. Attorney General you may precede.”

***Attorney General Phil Tydingco***

“Uh, Phil Tydingco, Chief Deputy AG on behalf of Attorney General Lenny Rapadas and the Offices of the Attorney General. Uh, Good Evening Chairman Aguon and Senators San Nicolas, Senator Tony Ada, and Senator Tony Morrison, uh, Tommy Morrison. We thank-you for this opportunity of course, we support any bill that can become laws that will address new crimes that can be committed, as you know car-jacking, I am kinda sad to see that bill because we sorta not had this phenomena until the last couple of years, or forms of it, so it looks like it has reached our shores and normally we associate car-jacking with the mainland and the big cities and so-forth, but sadly as recent as the one down south with the tourist so, umm, again it’s sad it has reached our shores but it looks like it’s needed, we I just quickly perused it tonight and I believed that it appears consistent with our burglary home invasion of course I’ll take it back to the prosecutors and ask them to also look at it, but it looks fairly tight the only concern that I will bring again which is related to another issue is that, for example, we like the graduated punishment meaning that if the car-jacking involves a deadly weapon or armed car-jacking, that the minimum mandatory go up and then this one actually carries a minimum mandatory of 10 years without a weapon and with a weapon a minimum mandatory of 15 but again I know that uh, Senator MaCreadie has a bill that will make clear that the minimum mandatory mean what they mean, but there is also another bill kinda creates attention which is the one that would allow courts to consider moving away from the minimum mandatory but if this is added to the violent crime list, the we will be okay with that Safety Valve Law so, that violent crimes when they have minimum mandatory they won’t be, the floor won’t be lowered by the court, the court will carry out the intent of the legislature which is to tell everybody in the territory this is a serious crime, we don’t like it, we want a minimum mandatory punishment which this law provides for. So again, we support the intent and concept of the bill and it looks pretty good from a quick review I did tonight, if you could email it to me and I can other folks look at it but otherwise it looks good to go. Thank-you.”

**Senator Frank B. Aguon Jr.:**

“Thank-you very much Mr. Tydingco and I appreciate you providing a brief testimony certainly the committee will be accepting testimonies subsequent to this day for another 10 days so, that opportunity will be there. Any senators have comments? If not, the public hearing on the 2 legislative measures have concluded. The committee will continue to receive testimony.”



COMMITTEE ON

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

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



III. The following individuals submitted written testimonies to the Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary before or after the scheduled Public Hearing on 15 October 2013 at 5:00PM:

1. N/A

IV. **FINDINGS & RECOMMENDATIONS**

The Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary hereby submits these findings and reports out Bill No. 202-32 (COR) by the Committee on Guam US Military Relocation, Homeland Security, Veteran's Affairs and Judiciary, with a recommendation TO REPORT OUT ONLY.

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

Bill No. 202-32(COR)

Introduced by:

V. Anthony Ada  
Chris M. Dueñas



**AN ADD A NEW ARTICLE 3 TO CHAPTER 37 OF 9GCA  
RELATIVE TO CARJACKING.**

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

2

3 **Section 1.** . A new Article 3 is added to Chapter 37 of 9GCA to read:

4

5

**Article 3**

6

**Carjacking**

7

8 **§37.301. Carjacking.** A person is guilty of carjacking when such person commits a  
9 crime of burglary, as defined by this Chapter, in a vehicle, while a person other than a  
10 participant in the crime is actually present in such vehicle, with intent to commit a  
11 crime therein, and, in the course of committing the offense: (1) Acting either alone or  
12 with one or more persons, such person or another participant in the crime commits or  
13 attempts to commit a violent crime against the person of another person other than a  
14 participant in the crime who is actually present in such vehicle, or (2) if any of the acts  
15 of a participant at any time during the burglary, or while attempting a burglary or while  
16 fleeing from a burglary/attempted burglary, directly or indirectly, cause the mental or  
17 emotional trauma, bodily injury, serious bodily injury or the death of an occupant of  
18 the vehicle who is not a participant in the burglary.

2013 OCT -2 PM 3:48  
*MS*

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**§37.302. Armed Carjacking.** Whoever commits the offense of carjacking while armed with or having readily available any pistol or other firearm or imitation thereof or other dangerous or deadly weapon, including a firearm, dirk, knife, switchblade, razor, blackjack, billy, or metallic or other false knuckles, or any object capable of inflicting death or serious bodily injury, shall be guilty of armed carjacking.

**§37.303. In the Course of Committing Carjacking or Armed Carjacking.** An act shall be deemed "in the course of committing" the offense if it occurs in an attempt to commit the offense or flight after the attempt or commission.

**§37.304. Knowledge of occupancy is not a defense.** It is no defense the defendant reasonably believed that the vehicle was unoccupied, by a person who was not a participant in the crime, at the time the Carjacking or Armed Carjacking occurred.

**§37.305. Carjacking Punished.** (a) Carjacking is a first degree felony and any person found guilty under this section shall be sentenced to a term of imprisonment of which at least ten (10) years may not be suspended or reduced by the court.

(b) The sentence imposed for Carjacking shall run consecutively to any sentence for other crimes committed in conjunction with the Carjacking.

**§37.306. Armed Carjacking Punished.** (a) Armed Carjacking is a first degree felony and any person found guilty under this section shall be sentenced to a term of imprisonment of which at least fifteen (15) years may not be suspended or reduced by the court.

(b) The sentence imposed for armed carjacking shall run consecutively to any sentence for other crimes committed in conjunction with the Carjacking.

**COMMITTEE ON GUAM US MILITARY RELOCATION, VETERANS' AFFAIRS HOMELAND  
SECURITY & JUDICIARY**

*I Mina'Trentai Dos na Liheslaturan Guahan | 32<sup>nd</sup> Guam Legislature*



**SENATOR FRANK B. AGUON, JR  
CHAIRMAN**

**Tuesday, October 15, 2013 at 5:00PM**

**Bill No. 202-32 (COR) - An add a new Article 3 to Chapter 37 of 9GCA relative to carjacking.**

NAME ( Please Print )	Agency/Organization	Contact Number	Oral Testimony	Written Testimony	In Favor	Not In Favor
Phil Tydings AGO						



## 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

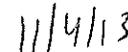
This is to certify that the Committee on Rules submitted to the Bureau of Budget and Management Research (BBMR) a request for a fiscal note, or applicable waiver, on **BILL NO. 202-32 (COR) – "AN ADD A NEW ARTICLE 3 TO CHAPTER 37 OF 9GCA RELATIVE TO CARJACKING."** – on November 4, 2013. COR hereby certifies that BBMR confirmed receipt of this request on September 24, 2013 at 12:54 P.M.

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 202-32 (COR) to be included in the committee report on said bill, is hereby waived.**

Certified by:



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



\_\_\_\_\_  
**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

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

October 8, 2013

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

VIA E-MAIL  
[john.rios@bbmr.guam.gov](mailto:john.rios@bbmr.guam.gov)

Senator  
Vicente (Ben) C. Pangelinan  
Member

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

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

RE: Request for Fiscal Notes– Bill Nos. 202-32 (COR) & 203-32 (COR)

Senator  
Dennis G. Rodriguez, Jr.  
Member

*Hafa Adai* Mr. Rios:

Vice-Speaker  
Benjamin J.F. Cruz  
Member

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

Legislative Secretary  
Tina Rose Muña Barnes  
Member

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

Senator  
Frank Blas Aguon, Jr.  
Member

Very Truly Yours,

Senator  
Michael F.Q. San Nicolas  
Member

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

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

Attachments (1)

Senator  
Aline Yamashita  
Member

Cc: Clerk of the Legislature

2013 OCT -8 PM 3:10

Bill Nos.	Sponsor	Title
202-32 (COR)	V. Anthony Ada, Chris M. Dueñas	AN ADD A NEW ARTICLE 3 TO CHAPTER 37 OF 9GCA RELATIVE TO CARJACKING.
203-32 (COR)	Chris M. Duenas D.G. Rodriguez, Jr. V.A. Ada T.A. Morrison	AN ACT TO OFFER INCENTIVES FOR THE PURCHASE OF PLUG-INELECTRIC VEHICLES.



## 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

October 2, 2013

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

### MEMORANDUM

Senator  
Vicente (Ben) C. Pangelinan  
Member

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

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

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

Senator  
Dennis G. Rodriguez, Jr.  
Member

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

Vice-Speaker  
Benjamin J.F. Cruz  
Member

Subject: **Referral of Bill No. 202-32(COR)**

Legislative Secretary  
Tina Rose Muña Barnes  
Member

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 202-32(COR)**.

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

Senator  
Frank Blas Aguon, Jr.  
Member

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

Senator  
Michael F.Q. San Nicolas  
Member

*Si Yu'os Ma'åsel!*

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

Attachment

Senator  
Aline Yamashita  
Member

*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
202-32 (COR)	V. Anthony Ada Chris M. Duenas	AN ADD A NEW ARTICLE 3 TO CHAPTER 37 OF 9GCA RELATIVE TO CARJACKING.	10/2/13 3:48 p.m.	10/2/13	Committee on the Guam U. S. Military Relocation, Homeland Security, Veterans's Affairs, and Judiciary			



**FIRST NOTICE: One (1) Public Hearing & One (1) Round Table on TUESDAY 15 October 2013**

1 message

Office of Sen. Frank B. Aguon, Jr. <committee@frankaguonjr.com>

Mon, Oct 7, 2013 at 12:31 PM

To: phnotice@guamlegislature.org

Cc: Guam Legislature Clerks Office <clerks@guamlegislature.org>, mis@guamlegislature.org,

sgtarms@guamlegislature.org

Bcc: media@frankaguonjr.com

October 7, 2013

**MEMORANDUM**

**TO:** All Honorable Senators

**FROM:** Chairman, Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary

**SUBJECT:** *FIRST NOTICE of Public Hearing* on Tuesday, October 15, 2013 at **5:00PM**

*FIRST NOTICE of Round Table* on Tuesday, October 15, 2013 at **6:00PM**

***Buenas yan Hala Adai!***

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a **Public Hearing** and a **Round Table** on Tuesday, October 15, 2013 at *Liheslaturan Guåhan's* Public Hearing Room in Hagatña.

• **5:00PM Public Hearing Agenda:**

- **Bill No. 192-32 (COR)** – An act relative to protecting infants who are born alive as a result of an abortion, through the establishment of the "Infant Child's Right to Life Act"; through adding a new Chapter 91 to Title 9, Guam Code Annotated.
- **Bill No. 202-32 (COR)** - An add a new Article 3 to Chapter 37 of 9GCA relative to carjacking.

• **6:00PM Round Table Agenda**

- **Veterans Affairs' Issues on;**
  - CBOC Shortage
  - Patient Centered Community Care

◦

The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Frank B. Aguon, Jr., or via fax to 475-GUM3(4863), or via email to [aguon4guam@gmail.com](mailto:aguon4guam@gmail.com). Copies of the aforementioned Bill(s) may be obtained at *I Liheslaturan Guåhan's* website at [www.guamlegislature.com](http://www.guamlegislature.com). Individuals requiring special accommodations or service, please contact Fred "Rico" Taitague at 475-GUM1/2 or via email to [committee@frankaguonjr.com](mailto:committee@frankaguonjr.com).

*Si Yuos Ma'åse!*

cc: Clerks / MIS / Sgt.-at-Arms

--

**Thanks!**

**Committee on Guam US Military Relocation, Veterans Affairs, Homeland Security and Judiciary**

Office of Senator Frank B. Aguon, Jr.

155 Hesler PL Suite 104, Hagåtña, Guam 96910

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

Fax: (671) GUM3 (4863)

[aguon4guam@gmail.com](mailto:aguon4guam@gmail.com) | [www.frankaguonjr.com](http://www.frankaguonjr.com)

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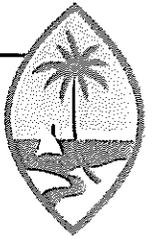
**AllSen-Memo(1st15OCT13).pdf**

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

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



October 7, 2013

MEMORANDUM

TO: All Honorable Senators

FROM: Chairman, Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary 

SUBJECT: *FIRST NOTICE of Public Hearing* on Tuesday, October 15, 2013 at 5:00PM  
*FIRST NOTICE of Round Table* on Tuesday, October 15, 2013 at 6:00PM

*Buenas yan Hafa Adai!*

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a **Public Hearing** and a **Round Table** on Tuesday, October 15, 2013 at *I Liheslaturan Guåhan's* Public Hearing Room in Hagatña.

5:00PM Public Hearing Agenda:

- **Bill No. 192-32 (COR)** - An act to add a new § 64.15, § 64.16, and § 64.17 to Chapter 64 of Title 9 of the Guam Code Annotated; relative to the prohibition and forfeiture of electronic machines or devices to conduct sweepstakes gambling.
- **Bill No. 202-32 (COR)** - An add a new Article 3 to Chapter 37 of 9GCA relative to carjacking.

6:00PM Round Table Agenda:

- **Veterans Affairs' Issues on;**
  - CBOC Shortage
  - Patient Centered Community Care

The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Frank B. Aguon, Jr., or via fax to 475-GUM3(4863), or via email to [aguon4guam@gmail.com](mailto:aguon4guam@gmail.com). Copies of the aforementioned Bill(s) may be obtained at *I Liheslaturan Guåhan's* website at [www.guamlegislature.com](http://www.guamlegislature.com). Individuals requiring special accommodations or service, please contact Fred "Rico" Taitague at 475-GUM1/2 or via email to [committee@frankaguonjr.com](mailto:committee@frankaguonjr.com).

*Si Yu'os Ma'åse'!*

cc: Clerks / MIS / Sgt.-at-Arms

**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



**SECOND NOTICE: of One (1) Public Hearing and One (1) Round Table on Tuesday, October 15, 2013 at 5:00PM**

Office of Sen. Frank B. Aguon, Jr. <committee@frankaguonjr.com>

Thu, Oct 10, 2013 at 11:56 AM

To: phnotice@guamlegislature.org

Cc: clerks@guamlegislature.com, mis@guamlegislature.org, sgtarms@guamlegislature.org

Bcc: admin@frankaguonjr.com

October 10, 2013

MEMORANDUM

**TO:** All Honorable Senators

**FROM:** Chairman, Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary

**SUBJECT:** *SECOND NOTICE of Public Hearing* on Tuesday, October 15, 2013 at 5:00PM  
*SECOND NOTICE of Round Table* on Tuesday, October 15, 2013 at 6:00PM

*Buenas yan Hafa Adai!*

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a **Public Hearing** and a **Round Table** on Tuesday, October 15, 2013 at *Li Heslaturan Guåhan* Public Hearing Room in Hagatña.

**5:00PM Public Hearing Agenda:**

- **Bill No. 192-32 (COR)** - An act to add a new § 64.15, § 64.16, and § 64.17 to Chapter 64 of Title 9 of the Guam Code Annotated; relative to the prohibition and forfeiture of electronic machines or devices to conduct sweepstakes gambling.
- **Bill No. 202-32 (COR)** - An add a new Article 3 to Chapter 37 of 9GCA relative to carjacking.

## 6:00PM Round Table Agenda:

- **Veterans Affairs' Issues on;**
  - CBOC Shortage
  - Patient Centered Community Care

The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Frank B. Aguon, Jr., or via fax to 475-GUM3(4863), or via email to [aguon4guam@gmail.com](mailto:aguon4guam@gmail.com). Copies of the aforementioned Bill(s) may be obtained at *Liheslaturan Guåhan's* website at [www.guamlegislature.com](http://www.guamlegislature.com). Individuals requiring special accommodations or service, please contact Fred "Rico" Taitague at 475-GUM1/2 or via email to [committee@frankaguonjr.com](mailto:committee@frankaguonjr.com).

*Si Yuos Maåse!*

cc: Clerks / MIS / Sgt.-at-Arms

—

**Thanks!**

**Committee on Guam US Military Relocation, Veterans Affairs, Homeland Security and Judiciary**

Office of Senator Frank B. Aguon, Jr.

155 Hesler PL Suite 104, Hagåtña, Guam 96910

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

Fax: (671) GUM3 (4863)

[aguon4guam@gmail.com](mailto:aguon4guam@gmail.com) | [www.frankaguonjr.com](http://www.frankaguonjr.com)

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 **All Senators-2ndNotice of PHOct.15,2013.pdf**  
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GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY

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

October 10, 2013

MEMORANDUM

**TO:** All Honorable Senators

**FROM:** Chairman, Committee on Guam US Military Relocation, Veterans' Affairs  
Homeland Security and Judiciary

**SUBJECT:** *SECOND NOTICE of Public Hearing* on Tuesday, October 15, 2013 at 5:00PM  
*SECOND NOTICE of Round Table* on Tuesday, October 15, 2013 at 6:00PM

*Buenas yan Hafa Adai!*

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a **Public Hearing** and a **Round Table** on Tuesday, October 15, 2013 at *I Liheslaturan Guåhan's* Public Hearing Room in Hagatña.

5:00PM Public Hearing Agenda:

- **Bill No. 192-32 (COR)** - An act to add a new § 64.15, § 64.16, and § 64.17 to Chapter 64 of Title 9 of the Guam Code Annotated; relative to the prohibition and forfeiture of electronic machines or devices to conduct sweepstakes gambling.
- **Bill No. 202-32 (COR)** - An add a new Article 3 to Chapter 37 of 9GCA relative to carjacking.

6:00PM Round Table Agenda:

- **Veterans Affairs' Issues on;**
  - CBOC Shortage
  - Patient Centered Community Care

The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Frank B. Aguon, Jr., or via fax to 475-GUM3(4863), or via email to [aguon4guam@gmail.com](mailto:aguon4guam@gmail.com). Copies of the aforementioned Bill(s) may be obtained at *I Liheslaturan Guåhan's* website at [www.guamlegislature.com](http://www.guamlegislature.com). Individuals requiring special accommodations or service, please contact Fred "Rico" Taitague at 475-GUM1/2 or via email to [committee@frankaguonjr.com](mailto:committee@frankaguonjr.com).

*Si Yu'os Ma'åse'!*

cc: Clerks / MIS / Sgt.-at-Arms

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**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**  
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## REMINDER: Public Hearing Tomorrow on Bill Nos. 192 & 202 followed by a Quarterly Veterans Round Table

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Senator Aguon Communications <media@frankaguonjr.com> Mon, Oct 14, 2013 at 12:34 PM  
To: Senator Aguon Communications <media@frankaguonjr.com>, "Frank B. Aguon, Jr." <aguon4guam@gmail.com>  
Bcc: betsy@spbgum.com, Bob Gaeth <bgaeth@k57.com>, Clynt Ridgell <clynt@spbgum.com>, Coleen R San Nicolas-Perez <coleen.perez@fe.navy.mil>, David Crisostomo <dcrisost@guampdn.com>, Duane George <dmgeorge@guampdn.com>, Jon Anderson <editor@mvguam.com>, jon.calvo@mail.house.gov, Gaynor Dumat-ol Daleno <gdumat-ol@guampdn.com>, Gerry Partido <gerry@mvguam.com>, Gerry Partido <gerrypartido@gmail.com>, "gina@mvguam.com" <gina@mvguam.com>, Stars & Stripes <Guam@pstripes.osd.mil>, Romeo Carlos <guamblog@ymail.com>, guamforum671@gmail.com, KUAM Tip Line <hottips@kuam.com>, Janela Buhain Carrera <janela@spbgum.com>, Jason Salas <jason@kuam.com>, Jesse Lujan <jessthebuzz@gmail.com>, JoAnna Delfin <joanna.delfin.ctr@fe.navy.mil>, John Davis <john@kuam.com>, Kelly Toves <kelly.toves@mail.house.gov>, Ken Quintanilla <kenq@kuam.com>, Kevin Kerrigan <kevin@spbgum.com>, Korean News <koreannews@guam.net>, KPRG <kprg@guam.net>, PDN Lifestyle <life@guampdn.com>, Louella Losinio <louella@mvguam.com>, mabuhaynews@yahoo.com, Bruce Lloyd <managingeditor@glimpsesofiguam.com>, Mar-Vic Cagurangan <mar\_vic\_cagurangan@yahoo.com>, Mindy Aguon <mindy@kuam.com>, Pacific Daily News <news@guampdn.com>, K57 <news@k57.com>, Sorensen <news@spbgum.com>, Oyaol Ngirairikl <odngirairikl@guampdn.com>, Patti Arroyo <parroyo@k57.com>, Alicia Perez <perezksto@gmail.com>, Maureen Maratita <publisher@glimpsesofiguam.com>, reporter1@glimpsesofiguam.com, Ray Gibson <rgibson@k57.com>, Sabrina Salas Matanane <sabrina@kuam.com>, Shaina Santos <shaina.santos.ctr@fe.navy.mil>, Steve Limtiaco <slimtiaco@guampdn.com>, Travis Coffman <travis.coffman@gmail.com>, uogtritonscall@gmail.com, "Lt. William Knight" <william.knight@fe.navy.mil>, "Comm. on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary" <committee@frankaguonjr.com>, Senator Aguon Legislative Policy <policy@frankaguonjr.com>, Senator Aguon Staff <staff@frankaguonjr.com>, ewmilicito@gmail.com, "Office of Senator Frank B. Aguon, Jr." <admin@frankaguonjr.com>

### **MEDIA ADVISORY**

#### ***Buenas yan Håta Adai!***

Please be advised the Committee on Guam U.S. Military Relocation, Veterans' Affairs, Homeland Security and Judiciary will host two (2) legislative events tomorrow, 15 October 2013 in the Public Hearing Room of the Guam Legislature Building.

#### **5:00PM Agenda**

**Bill No. 192-32 (COR) - "ANTI SWEEPSTAKES CAFE"** - An act to add a new § 64.15, § 64.16, and § 64.17 to Chapter 64 of Title 9 of the Guam Code Annotated; relative to the prohibition and forfeiture of electronic machines or devices to conduct sweepstakes gambling.

**Bill No. 202-32 (COR)** - An add a new Article 3 to Chapter 37 of 9GCA relative to carjacking.

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#### **6:00PM Agenda**

Quarterly Veterans Round Table

The Guam Legislature complies with provisions of the Americans with Disabilities Act (ADA). Individuals requiring special accommodations or services should contact Fred "Rico" Taitague at 475-GUM1/2 (4861/2) or by email at [committee@frankaguonjr.com](mailto:committee@frankaguonjr.com).

The public hearing will be broadcasted on MCV Channel 13 or GUdTV Channel 21.

***Si Yu'os Ma'åse'!***

###

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**Thanks!**

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

Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary

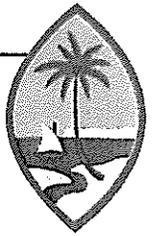
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**Senator  
Tina Muna-Barnes**  
Committee Vice Chairperson

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

**Senator  
Rory J. Respicio**  
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Michael Limtiaco**  
Committee Member

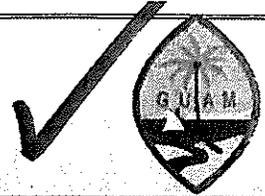
**Senator  
Thomas Morrison**  
Committee Member

- **All Senators of Mina'Trentai Dos Na Liheslaturan Guahan**
- **Governor Eddie B. Calvo**
- **Lt. Governor Ray S. Tenorio**
- **Chief Justice F. Philip Carbullido**
- **Congresswoman Madeleine Z. Bordallo**
- **Special Asst. to Gov on Military Buildup & Infrastructure**
  - Mark Calvo
- **Office of Veterans Affairs**
  - The Honorable John S. Unpingco, Administrator
- **Guam Homeland Security**
  - Ambrosio Constantino, Advisor
- **Office of Civil Defense**
  - James T. McDonald, Administrator
- **Customs, Quarantine, & Agriculture Agency**
  - Pedro Leon Guerrero, Director
  - Colonel Raffaele Sgambelluri
- **Attorney General of Guam**
  - Attorney General Leonardo Rapadas
- **Public Defender Service Corporation**
  - Eric Miller
- **Veterans Organizations**
- **Relative Special Interest Groups**



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

Chairman, Committee on Guam US Military Relocation,  
Homeland Security, Veterans Affairs and Judiciary  
Mina Trental Dos Na Liheslaturan Guahan | 32nd Guam Legislature



### **PUBLIC HEARING NOTICES -- To be held at Liheslaturan Guahan's Public Hearing Room**

Judiciary of Guam Round Table - Thursday, October 10, 2013 at 9:00AM

Bill Nos. 161-32 & 188-32 - Thursday, October 10, 2013 at 2:00PM

"Infant Child's Right to Life Act" (Bill No. 195-32) - Thursday, October 10, 2013 at 5:00PM

"Anti-Sweepstakes Cafe" (Bill No. 192-32) & "Carjacking" (Bill No. 202-32) - Tuesday, October 15, 2013 at 5:00PM

Quarterly Veterans Round Table - Thursday, October 15, 2013 at 6:00PM

**THURSDAY - OCTOBER 10, 2013 at 9:00AM - Judiciary of Guam Round Table** - Status report on the implementation of the Judiciary of Guam's strategic plan

**THURSDAY - OCTOBER 10, 2013 at 2:00PM - Bill No. 161-32 (LS)** - An act relative to the establishment of a Guam Veterans Court within the Judiciary of Guam; through adding a new subsection "D" to §2101 of Chapter 2, Division 1, Title 7, Guam Code Annotated; this act shall henceforth be referred to as the "Justice for Veterans Act of 2013". - **Bill No. 188-32 (COR)** - An act to add a new § 80.50 to Article 2, Chapter 80, Title 9 Guam Code Annotated known as the Justice Safety Valve Act of 2013 relative to empowering the courts of Guam to depart from applicable mandatory minimum sentences under specific conditions, and for other purposes.

**THURSDAY - OCTOBER 10, 2013 at 5:00PM - Bill No. 195-32 (COR) - "INFANT CHILD'S RIGHT TO LIFE ACT"** - An act relative to protecting infants who are born alive as a result of an abortion, through the establishment of the "Infant Child's Right to Life Act"; through adding a new Chapter 91 to Title 9, Guam Code Annotated.

**TUESDAY - OCTOBER 15, 2013 at 5:00PM - Bill No. 192-32 (COR) - "ANTI-SWEEPSTAKES CAFE"** - An act to add a new § 64.15, § 64.16, and § 64.17 to Chapter 64 of Title 9 of the Guam Code Annotated; relative to the prohibition and forfeiture of electronic machines or devices to conduct sweepstakes gambling. - **Bill No. 202-32 (COR) - "CARJACKING"** - An add a new Article 3 to Chapter 37 of 9GCA relative to carjacking.

**TUESDAY - OCTOBER 15, 2013 at 6:00PM - Quarterly Veterans Round Table**

Public hearing will be broadcasted on MCV Channel 13 or GUDTV Channel 21. If 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**

FRIDAY, OCTOBER 11, 2013 - MARIANAS VARIETY GUAM EDITION



Mina Trental Dos Na Liheslaturan Guahan  
32nd Guam Legislature  
**OFFICE OF SENATOR FRANK B. AGUON, JR.**

Chairman, Committee on Guam US Military Relocation, Homeland Security  
Veterans Affairs and Judiciary

**Public Hearing & Round Table**  
**TUESDAY, October 15, 2013 | 5:00PM & 6:00PM**

**5:00PM**

**Bill No. 192-32 (COR) - "ANTI-SWEEPSTAKES CAFE"** - An act to add a new § 64.15, § 64.16, and § 64.17 to Chapter 64 of Title 9 of the Guam Code Annotated, relative to the prohibition and forfeiture of electronic machines or devices to conduct sweepstakes gambling.

**Bill No. 202-32 (COR) - "CARJACKING"** - An add a new Article 3 to Chapter 37 of 9GCA relative to carjacking.

**6:00PM**

Quarterly Veterans Round Table

The public hearing will be broadcasted on  
MCV Channel 13 or GUDTV Channel 21.

If you require any special accommodations, please contact the  
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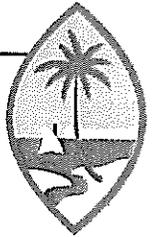
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COMMITTEE ON

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

*I Mina'trentai Dos Na Liheslaturan Guåhan | 32<sup>ND</sup> GUAM LEGISLATURE*



October 7, 2013

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

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

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

**Senator  
Thomas Morrison**  
Committee Member

**The Honorable Edward J. Calvo**  
Governor of Guam  
513 West Marine Corps Drive  
Ricardo J. Bordallo Complex  
Hagåtña, Guam 96910  
*Sent via email to [governor@quam.gov](mailto:governor@quam.gov)*

RE: **Public Hearing** on Tuesday, October 15, 2013 at 5:00PM  
**Round Table** on Tuesday, October 15, 2013 at 6:00PM

*Buenas yan Hafa Adai!*

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a **Public Hearing** and a **Round Table** on Tuesday, October 15, 2013 at *I Liheslaturan Guåhan's* Public Hearing Room in Hagåtña.

**5:00PM Public Hearing Agenda:**

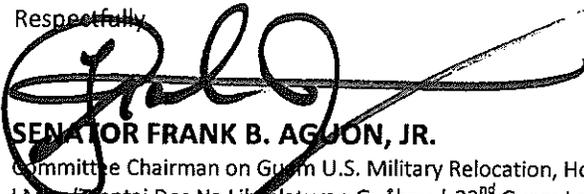
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**6:00PM Round Table Agenda:**

- **Veterans Affairs' Issues on;**
  - CBOC Shortage
  - Patient Centered Community Care

If you feel the above mentioned items impact your agency or organization, we encourage you to participate in the relative upcoming Public Hearing. The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Frank B. Aguon, Jr., or via fax to 475-GUM3 (4863), or via email to [aguon4guam@gmail.com](mailto:aguon4guam@gmail.com). Copies of the aforementioned Bill(s) may be obtained at *I Liheslaturan Guåhan's* website at [www.guamlegislature.com](http://www.guamlegislature.com). Individuals requiring special accommodations or service, please contact Fred "Rico" Taitague at 475-GUM1/2 (4861/2) or via email to [committee@frankaguonjr.com](mailto:committee@frankaguonjr.com).

Respectfully,

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

Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary  
*I Mina'trentai Dos Na Liheslaturan Guåhan | 32<sup>ND</sup> Guam Legislature*

cc: Lieutenant Governor Raymond Tenorio  
Elaine Gogue / Rose Ramsey / Joy Unpingco

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COMMITTEE ON

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

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



October 7, 2013

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Thomas Morrison**  
Committee Member

**Honorable Madeleine Z. Bordallo**

**Guam Delegate**

**GUAM DISTRICT OFFICE**

Suite 107 Capitol Plaza

120 Father Dueñas Avenue

Hagåtña, Guam 96910

*Sent via electronic email to [andrew.tenorio@mail.house.gov](mailto:andrew.tenorio@mail.house.gov)*

**RE: Public Hearing on Tuesday, October 15, 2013 at 5:00PM**

**Round Table on Tuesday, October 15, 2013 at 6:00PM**

***Buenas yan Hafa Adai!***

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a **Public Hearing** and a **Round Table** on Tuesday, October 15, 2013 at *I Liheslaturan Guåhan's* Public Hearing Room in Hagåtña.

**5:00PM Public Hearing Agenda:**

- **Bill No. 192-32 (COR)** - An act to add a new § 64.15, § 64.16, and § 64.17 to Chapter 64 of Title 9 of the Guam Code Annotated; relative to the prohibition and forfeiture of electronic machines or devices to conduct sweepstakes gambling.
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  - CBOC Shortage
  - Patient Centered Community Care

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Respectfully,

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

Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary  
*I Mina' Trentai Dos Na Liheslaturan Guåhan | 32<sup>nd</sup> Guam Legislature*



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

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



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Committee Member

**Senator**  
**Thomas Morrison**  
Committee Member

October 7, 2013

The Honorable F. Philip Carbullido  
Chief Justice of the Judiciary of Guam  
Suite 300, Guam Judicial Ctr.  
120 West O' Brien Drive  
Hagåtña, Guam 96910  
Sent via email to [fpcarbullido@quamsupremecourt.com](mailto:fpcarbullido@quamsupremecourt.com)

RE: **Public Hearing** on Tuesday, October 15, 2013 at 5:00PM  
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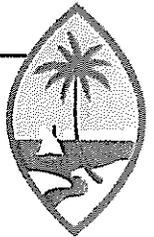
cc: Joshua Tenorio



COMMITTEE ON

**GUAM U.S. MILITARY RELOCATION  
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*I Mina'Trentai Dos Na Liheslaturan Guåhan | 32ND GUAM LEGISLATURE*



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Committee Member

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Committee Member

October 7, 2013

**Ambrose Constantino**  
Advisor, Guam Homeland Security  
2218 Chalan Palasyo  
Agana Heights, Guam 96910  
*Sent via email to [ambrosio.constantino@ahs.guam.gov](mailto:ambrosio.constantino@ahs.guam.gov)*

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Respectfully,

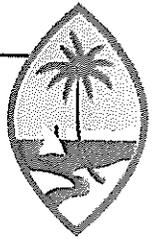
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Committee Member

October 7, 2013

**James T. McDonald**  
**Office of Civil Defense Administrator**  
221B Chalan Palasyo  
Agana Heights, Guam  
*Sent via email to [jim.mcdonald@qhs.guam.gov](mailto:jim.mcdonald@qhs.guam.gov)*

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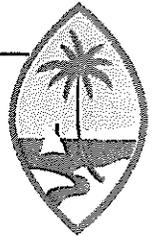
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October 7, 2013

**The Honorable John Unpingco, Esq.**

Administrator, Office of Veterans Affairs

172 S. Marine Corp Dr. Asan

P.O. Box 5178

Hagåtña, Guam 96932

Sent via email to [john.unpingco@qvaoo.guam.gov](mailto:john.unpingco@qvaoo.guam.gov)

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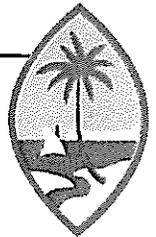
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Committee Member

Senator  
**Thomas Morrison**  
Committee Member

October 7, 2013

Mr. Mark Calvo  
Special Assistant to Governor on Military Buildup & Infrastructure  
513 West Marine Corps Drive  
Ricardo J. Bordallo Complex  
Hagåtña, Guam 96910  
Sent via email to [mark.calvo@guam.gov](mailto:mark.calvo@guam.gov)

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October 7, 2013

Eric D. Miller  
Public Defender Service Corporation  
MVP Sinajana Commercial Bldg.,  
Unit B 779 Route 4  
Sinajana, Guam 96910  
*Sent via email to [emiller@quampdsc.net](mailto:emiller@quampdsc.net)*

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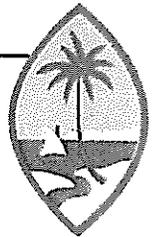
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October 7, 2013

Colonel Raffaele J.M. Sgambelluri  
Chief of Guam Customs and Quarantine Agency  
770 East Sunset Boulevard Airport Rd.  
AB Won Pat, Guam 96913  
Sent via email to [Raffaele.sgambelluri@cqa.guam.gov](mailto:Raffaele.sgambelluri@cqa.guam.gov)

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**Pedro Leon Guerrero**  
Guam Customs & Quarantine Agency  
770 East Sunset Boulevard Airport Rd.  
AB Won Pat, Guam 96913  
Sent via email to [pedro.leonquerrero@cqa.guam.gov](mailto:pedro.leonquerrero@cqa.guam.gov)

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- **Bill No. 192-32 (COR)** - An act to add a new § 64.15, § 64.16, and § 64.17 to Chapter 64 of Title 9 of the Guam Code Annotated; relative to the prohibition and forfeiture of electronic machines or devices to conduct sweepstakes gambling.
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- **Veterans Affairs' Issues on;**
  - CBOC Shortage
  - Patient Centered Community Care

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Respectfully,

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

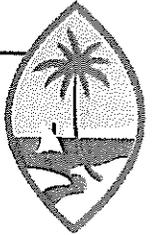
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I Mina'Trentai Dos Na Liheslaturan Guåhan | 32<sup>nd</sup> Guam Legislature



COMMITTEE ON

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

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



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Committee Chairperson

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Senator  
**Michael Limtiaco**  
Committee Member

Senator  
**Thomas Morrison**  
Committee Member

October 7, 2013

Attorney General Leonardo G. Rapadas  
Office of the Attorney General  
287 W. O'Brien Drive  
Hagåtña, Guam 96910  
Sent via email to [law@quamaa.org](mailto:law@quamaa.org)

RE: **Public Hearing** on Tuesday, October 15, 2013 at 5:00PM  
**Round Table** on Tuesday, October 15, 2013 at 6:00PM

***Buenas yan Hafa Adai!***

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Respectrully,

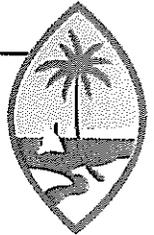
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Committee Member

**Senator  
Thomas Morrison**  
Committee Member

October 7, 2013

**Ray Baza**  
Guam Vietnamese American Association  
*Sent via email to jbazanaputi@gmail.com*

RE: **Public Hearing** on Tuesday, October 15, 2013 at 5:00PM  
**Round Table** on Tuesday, October 15, 2013 at 6:00PM

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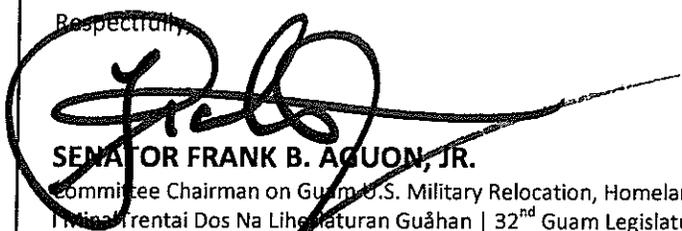
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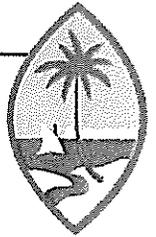
Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary  
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**Senator  
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Committee Member

**Senator  
Thomas Morrison**  
Committee Member

October 7, 2013

Art Mesa  
American Legion  
*Sent via email to varoguam1@yahoo.com*

RE: **Public Hearing** on Tuesday, October 15, 2013 at 5:00PM  
**Round Table** on Tuesday, October 15, 2013 at 6:00PM

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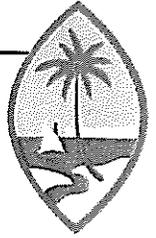
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Committee Member

**Senator  
Thomas Morrison**  
Committee Member

October 7, 2013

**Bill Bradford**  
Veterans of Foreign Wars Post 2917  
Sent via email to [wwbradford@live.com](mailto:wwbradford@live.com)

RE: **Public Hearing** on Tuesday, October 15, 2013 at 5:00PM  
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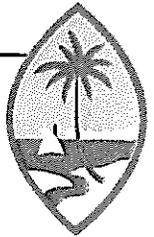
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Committee Member

**Senator  
Thomas Morrison**  
Committee Member

October 7, 2013

Bill Cundiff  
Guam Veterans Commission  
Guam U.S. Air Force Association  
*Sent via email to afcmsgt24@yahoo.com*

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**Round Table** on Tuesday, October 15, 2013 at 6:00PM

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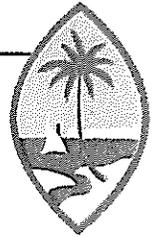
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Committee Member

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Committee Member

October 7, 2013

**Celine Sanchez-Guzman**  
**Army Retirees Association**  
*Sent via email to [celine.sanchez@us.army.mil](mailto:celine.sanchez@us.army.mil)*

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**Round Table** on Tuesday, October 15, 2013 at 6:00PM

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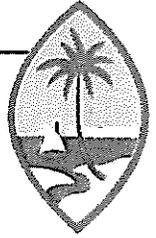
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October 7, 2013

**Connie Flores**  
**Ladies Auxiliary Veterans for Women Post 1509**  
*Sent via email to [ritalynn\\_flores@yahoo.com](mailto:ritalynn_flores@yahoo.com)*

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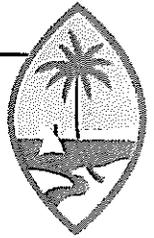
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Committee Member

**Senator  
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Committee Member

October 7, 2013

Joyce Martratt  
Fleet Reserve Association 73 Auxiliary  
Sent via email to [joyimar13@yahoo.com](mailto:joyimar13@yahoo.com)

RE: **Public Hearing** on Tuesday, October 15, 2013 at 5:00PM  
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Respectfully,

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

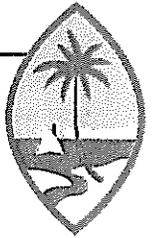
Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary  
I Mina'trentai Dos Na Liheslaturan Guåhan | 32<sup>nd</sup> Guam Legislature



COMMITTEE ON

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

*I Mina'Trentai Dos Na Liheslaturan Guåhan | 32<sup>nd</sup> Guam Legislature*



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

**Senator  
Tina Muna-Barnes**  
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**Speaker  
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V. Anthony Ada**  
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**Senator  
Michael Lintiaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

October 7, 2013

**Sarah Thomas Nededog**  
Vice President, WestCare Pacific Islands  
545 Chalan San Antonio Suite 301  
Tamuning, GU 96923  
Sent via email to [sarah.thomasnededog@westcare.com](mailto:sarah.thomasnededog@westcare.com)

RE: **Public Hearing** on Tuesday, October 15, 2013 at 5:00PM  
**Round Table** on Tuesday, October 15, 2013 at 6:00PM

***Buenas yan Hafa Adai!***

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a **Public Hearing** and a **Round Table** on Tuesday, October 15, 2013 at *I Liheslaturan Guåhan's* Public Hearing Room in Hagatña.

**5:00PM Public Hearing Agenda:**

- **Bill No. 192-32 (COR)** - An act to add a new § 64.15, § 64.16, and § 64.17 to Chapter 64 of Title 9 of the Guam Code Annotated; relative to the prohibition and forfeiture of electronic machines or devices to conduct sweepstakes gambling.
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  - CBOC Shortage
  - Patient Centered Community Care

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Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary  
*I Mina'Trentai Dos Na Liheslaturan Guåhan | 32<sup>nd</sup> Guam Legislature*

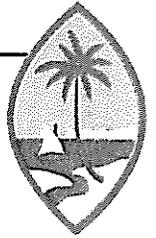
cc: Tony Nangauta / Carmelita Calvo



COMMITTEE ON

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

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



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**Senator**  
**Michael Limtiaco**  
Committee Member

**Senator**  
**Thomas Morrison**  
Committee Member

October 7, 2013

Tom Devlin  
Military Order of the Purple Heart Chapter 1315  
Sent via email to [mophtd@ite.net](mailto:mophtd@ite.net)

RE: **Public Hearing** on Tuesday, October 15, 2013 at 5:00PM  
**Round Table** on Tuesday, October 15, 2013 at 6:00PM

*Buenas yan Hafa Adai!*

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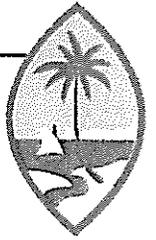
Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary  
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COMMITTEE ON

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



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Committee Member

**Senator  
Michael Limtiaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

October 7, 2013

**Tony Guzman**  
**Army Retirees Association**  
Sent via email to [celine.sanchez@us.army.mil](mailto:celine.sanchez@us.army.mil)

**RE: Public Hearing on Tuesday, October 15, 2013 at 5:00PM**  
**Round Table on Tuesday, October 15, 2013 at 6:00PM**

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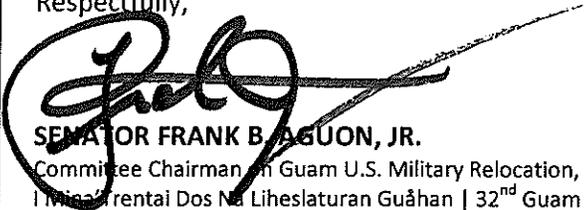
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I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN | 32ND GUAM LEGISLATURE



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**Senator  
Michael Limtiaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

October 7, 2013

**George Perez**  
Chairman, Korean War Veterans Association  
P.O. Box 26798  
Barrigada, Guam 96921

RE: **Public Hearing** on Tuesday, October 15, 2013 at 5:00PM  
**Round Table** on Tuesday, October 15, 2013 at 6:00PM

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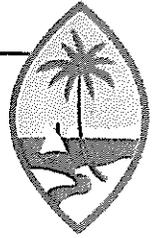
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**Senator  
Michael Lintiacó**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

October 7, 2013

**Harold Kirk**  
Fleet Reserve Association BR 73  
Sent via email to [harold.kirk@med.navy.mil](mailto:harold.kirk@med.navy.mil)

RE: **Public Hearing** on Tuesday, October 15, 2013 at 5:00PM  
**Round Table** on Tuesday, October 15, 2013 at 6:00PM

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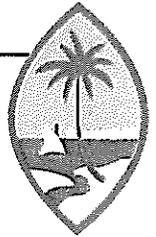
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Michael Limtiaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

October 7, 2013

**John G. Rivera**  
**Barrigada Veterans Organization**  
*Sent via email to [jgrivera1949@ymail.com](mailto:jgrivera1949@ymail.com)*

RE: **Public Hearing** on Tuesday, October 15, 2013 at 5:00PM  
**Round Table** on Tuesday, October 15, 2013 at 6:00PM

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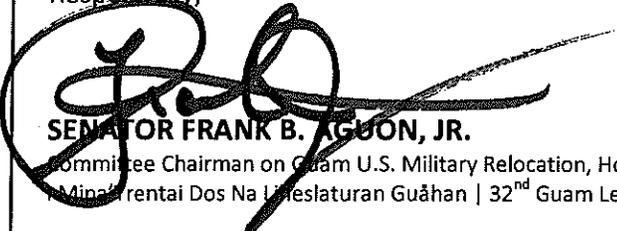
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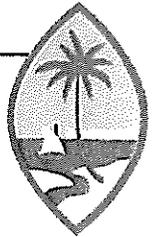
  
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GUAM U.S. MILITARY RELOCATION  
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October 7, 2013

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Senator  
**Michael Limtiaco**  
Committee Member

Senator  
**Thomas Morrison**  
Committee Member

**Alan Van Aken**  
Third Marine Division Association  
Sent via email to [AGunner77@teleguam.net](mailto:AGunner77@teleguam.net)

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**Round Table** on Tuesday, October 15, 2013 at 6:00PM

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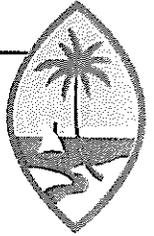
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Committee Member

October 7, 2013

**Bobbie Taitano**  
Ladies Auxiliary – Military Order of the Purple Heart  
*Sent via email to [jnbatulai@quam.net](mailto:jnbatulai@quam.net)*

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**Round Table** on Tuesday, October 15, 2013 at 6:00PM

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Respectfully,

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

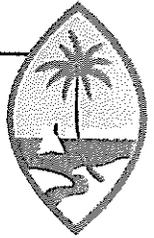
Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary  
*I Mina'trentai Dos Na Liheslaturan Guåhan | 32<sup>nd</sup> Guam Legislature*



COMMITTEE ON

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

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



**Senator**  
**FRANK B. AGUON, JR.**  
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**Senator**  
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**Speaker**  
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Committee Member

**Senator**  
**Michael Limtiaco**  
Committee Member

**Senator**  
**Thomas Morrison**  
Committee Member

October 7, 2013

**Alwin Rafael**  
Guam Vet Center  
Reflection Center Suite 102  
222 Chalan Santo Papa  
Hagåtña, Guam 96910  
*Sent via email to [alwin.rafael@va.gov](mailto:alwin.rafael@va.gov)*

RE: **Public Hearing** on Tuesday, October 15, 2013 at 5:00PM  
**Round Table** on Tuesday, October 15, 2013 at 6:00PM

*Buenas yan Hafa Adai!*

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a **Public Hearing** and a **Round Table** on Tuesday, October 15, 2013 at *I Liheslaturan Guåhan's* Public Hearing Room in Hagåtña.

**5:00PM Public Hearing Agenda:**

- **Bill No. 192-32 (COR)** - An act to add a new § 64.15, § 64.16, and § 64.17 to Chapter 64 of Title 9 of the Guam Code Annotated; relative to the prohibition and forfeiture of electronic machines or devices to conduct sweepstakes gambling.
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**6:00PM Round Table Agenda:**

- **Veterans Affairs' Issues on;**
  - CBOC Shortage
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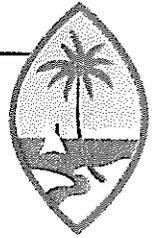
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*I Mina'Trentai Dos Na Liheslaturan Guåhan | 32ND GUAM LEGISLATURE*



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Committee Member

**Senator  
Michael Limtiaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

October 7, 2013

**Brian Merenda**  
Veterans of Foreign Wars Post 1509  
*Sent via email to [bjmerenda@yahoo.com](mailto:bjmerenda@yahoo.com)*

RE: **Public Hearing** on Tuesday, October 15, 2013 at 5:00PM  
**Round Table** on Tuesday, October 15, 2013 at 6:00PM

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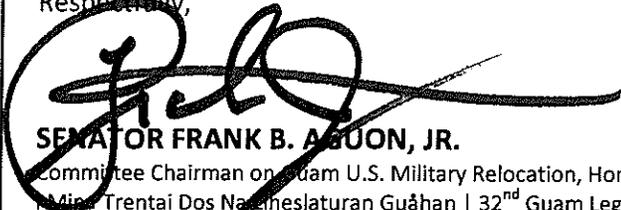
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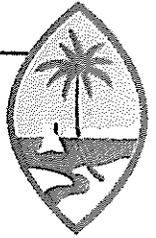
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Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary  
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VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

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**Senator  
V. Anthony Ada**  
Committee Member

**Senator  
Michael Limtiaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

October 7, 2013

**Albert Parke**  
Veterans of Guam Motorcycle Club  
*Sent via email to [ttsguam@hotmail.com](mailto:ttsguam@hotmail.com)*

RE: **Public Hearing** on Tuesday, October 15, 2013 at 5:00PM  
**Round Table** on Tuesday, October 15, 2013 at 6:00PM

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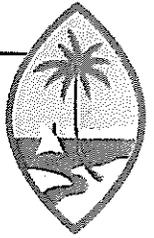
Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary  
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I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN | 32ND GUAM LEGISLATURE



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**Senator  
V. Anthony Ada**  
Committee Member

**Senator  
Michael Lintiaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

October 7, 2013

**Bernadette Santos**  
Guam Community-Based Outpatient Clinic  
498 Chalan Palasyo  
Agana Heights, GU 96910  
Sent via email to [bernadette.santos@va.gov](mailto:bernadette.santos@va.gov)

RE: **Public Hearing** on Tuesday, October 15, 2013 at 5:00PM  
**Round Table** on Tuesday, October 15, 2013 at 6:00PM

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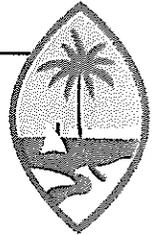
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*I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE*



October 7, 2013

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Committee Member

**Senator  
Michael Limtiaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

**Bernard Gines**  
**Philippine Scouts & World War II Association**  
*Sent via email to [edaycab@yahoo.com](mailto:edaycab@yahoo.com)*

RE: **Public Hearing** on Tuesday, October 15, 2013 at 5:00PM  
**Round Table** on Tuesday, October 15, 2013 at 6:00PM

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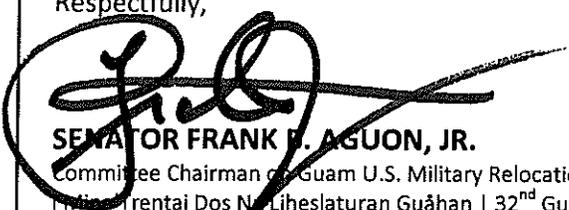
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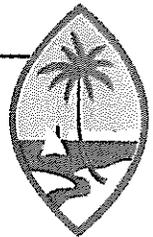
  
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October 7, 2013

Dan Mendiola  
Vietnam Veterans of America #668  
Sent via email to [dmendiola@teleguam.net](mailto:dmendiola@teleguam.net)

RE: Public Hearing on Tuesday, October 15, 2013 at 5:00PM  
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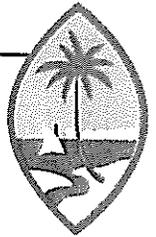
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Thomas Morrison**  
Committee Member

October 7, 2013

**Dan Perez**  
Barrigada Veterans Organization  
*Sent via email to [jgrivera1949@ymail.com](mailto:jgrivera1949@ymail.com)*

RE: **Public Hearing** on Tuesday, October 15, 2013 at 5:00PM  
**Round Table** on Tuesday, October 15, 2013 at 6:00PM

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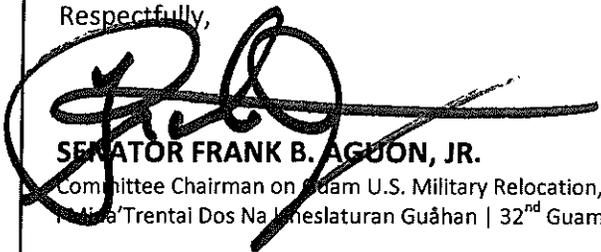
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*I Mina'Trentai Dos Na Liheslaturan Guåhan | 32ND GUAM LEGISLATURE*



October 7, 2013

**Gregorio Borja**

U.S. Department of Veterans Affairs  
VA Benefits Administration, Guam Benefits Office  
Reflection Center Suite 202  
222 Chalan Santo Papa  
Hagåtña, Guam 96910  
*Sent via email to [gregorio.a.borja@va.gov](mailto:gregorio.a.borja@va.gov)*

RE: **Public Hearing** on Tuesday, October 15, 2013 at 5:00PM  
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*I Mina'Trentai Dos Na Liheslaturan Guåhan | 32<sup>nd</sup> Guam Legislature*

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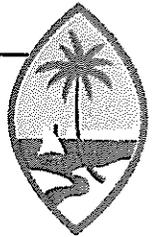
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Committee Member

**Senator  
Thomas Morrison**  
Committee Member

October 7, 2013

**Joseph San Nicolas**  
**Dededo Veterans Organization**  
*Sent via email to joe\_kamudo@yahoo.com*

RE: **Public Hearing** on Tuesday, October 15, 2013 at 5:00PM  
**Round Table** on Tuesday, October 15, 2013 at 6:00PM

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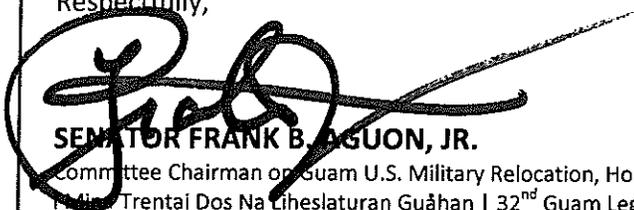
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  - Patient Centered Community Care

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Respectfully,

  
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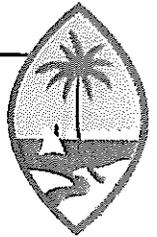
Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary  
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October 7, 2013

John Taitano  
Military Order of the Purple Heart Chapter 787  
Sent via email to [jnbatulai@guam.net](mailto:jnbatulai@guam.net)

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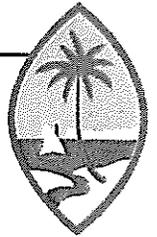
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October 7, 2013

**Nancy T. Kuper**  
Commander for Chapter 43  
Women Veterans of America  
*Sent via email to [nancy.t.kuper.ctr@mail.com](mailto:nancy.t.kuper.ctr@mail.com)*

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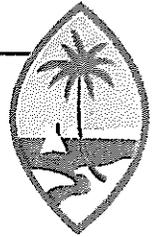
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Committee Member

**Senator  
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Committee Member

**Senator  
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**Robert Hayes**  
Brotherhood of Veterans  
Sent via email to [aleqionguam@yahoo.com](mailto:aleqionguam@yahoo.com)

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Victor Ryan  
American Legion  
Sent via email to [alegionguam@yahoo.com](mailto:alegionguam@yahoo.com)

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**Melissa M. McDaniel**  
Guam Veterans Magazine  
137 North Leonardo Tenorio  
Talofofo, Guam 96915  
*Sent via email to [mel.mvision@gmail.com](mailto:mel.mvision@gmail.com)*

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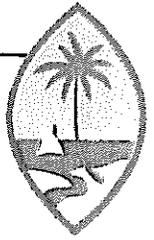
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PHONE: (671)475-GUM1/2 (4861/2) | FAX: (671)475-GUM3 (4863)  
155 HESLER PLACE HAGATNA, GUAM 96910 | EMAIL: [AGUON4GUAM@GMAIL.COM](mailto:AGUON4GUAM@GMAIL.COM)

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



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## PUBLIC HEARING

October 15, 2013, Tuesday at 5:00PM  
*I Liheslaturan Guahan's Public Hearing Room, Hagatna*

### AGENDA

- I. Call to Order
- II. Opening remarks/Announcements
- III. Items for discussion:
  - **Bill No. 192-32(COR)** – “An act to add a new § 64.15, § 64.16, and § 64.17 to Chapter 64 of Title 9 of the Guam Code Annotated; relative to the prohibition and forfeiture of electronic machines or devices to conduct sweepstakes gambling”.
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- IV. Closing Remarks
- V. Adjournment

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# Public hearings held on gambling, carjacking bills

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Written by  
Jerick Sablan

Residents last night called on senators to establish a uniform policy on gambling, rather than legalizing only certain games.

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They were speaking at a public hearing for Bill 192, which prohibits what Vice Speaker B.J. Cruz calls "casino cafes," which allow patrons to gamble and play sweepstakes online.

The bill would prohibit the type of gaming machines used to conduct sweepstakes on the Internet.

Cruz said there are establishments on island in which games of chance like blackjack, keno, digital horse racing and slot machines are played to acquire points that can be converted into sweepstakes entries, with the intent of winning money.

One local cafe, according to an investor report on its parent company's website, has the potential to provide an average monthly revenue of \$80,000.

Several residents came out in support of the legislation last night, pointing out Guamanians' historic stance against gambling.

"Internet sweepstakes cafes are in the business of gambling," said Jackie Marati, a member of Keep Guam Good, an anti-gambling group on island.

Marati, who has been a prominent opponent of legalized gambling and casinos in Guam, noted the lack of regulations for gambling cafes, specifically any regulations that keep underage residents from gambling.

She called the enterprise an "easy business to start," that can "open quickly and inconspicuously."

Deputy Attorney General Philip Tydingco, representing the AG's office in the hearing, said his office supports the bill, calling it a "comprehensive" update to the island's gambling law.

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## Carjacking bill

The public hearing also addressed a carjacking bill, though only the attorney general's office provided any testimony for that bill.

Bill 202 by Sens. Tony Ada, R-Sinajana, and Chris Duenas, R-Sinajana, would make carjacking a first-degree felony punishable by a minimum of 10 years in prison.

A person is guilty of carjacking if he unlawfully enters an occupied vehicle or hides in a car, waiting for the driver's return, the bill states.

The senators introduced the legislation following what they called a rise in such incidents on island.

Eric Jay Meno, 36, Merizo, was arrested after being chased by Guam police through southern villages. Meno allegedly stole a rental car from a tourist in Agat on Oct. 1.

Meno was arrested on allegations that include robbery, theft and eluding police, according to police.

In January, a woman was beaten, handcuffed and held in her car for more than an hour before police tracked her and her alleged kidnapper down at Marbo Cave.

The victim was attacked in a Micronesia Mall parking garage, allegedly by a man later identified as Kyle Julian Indalecio Camacho, a convicted sex offender, according to documents filed in the Superior Court of Guam.

The bill calls for a longer prison sentence, a minimum of 15 years in jail, for carjackers who possess a deadly weapon while committing the crime.

The bill also makes attempted carjacking and fleeing following a carjacking attempt the same as the actual crime.

At the public hearing for the carjacking bill, Tydingco expressed his office's support for the bill.

"We usually associate carjacking with the mainland," he said last night. "It's sad that it's reached our shores."

Tydingco added that his office remains concerned about the mandatory sentences associated with the bill, but said that if that provision passes, "the court will carry out the intentions of the law."



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# GANNETT

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## Senators: Lock up carjackers for 10 years

Written by Jerick Sablan Pacific Sunday News

Oct. 5, 2013 |

guampdn.com



Ada

### ON THE NET

- Sens. Tony Ada and Chris Duenas introduced Bill 202 with the goal of deterring would-be carjackers. The bill sets a minimum of 10 years in prison for someone who is convicted of carjacking. If the crime was committed with a weapon, such as a gun or knife, the minimum prison sentence is 15 years.

- To read the bill, go to [GuamPDN.com](http://GuamPDN.com).

Senators are hoping to pass legislation that would impose stiff prison time for carjacking.

Sens. Tony Ada, R-Sinajana, and Chris Duenas, R-Sinajana, have introduced Bill 202, which would make carjacking a first-degree felony with a minimum of 10 years in prison.

A person is guilty of carjacking if he unlawfully enters an occupied vehicle or hides in a car, waiting for the driver's return, the bill states.

### Recent incident

The senators introduced the legislation following what they called a rise in such incidents on island.

Recently Eric Jay Meno, 36, Merizo, was arrested after being chased by Guam police through southern villages. Meno allegedly stole a rental car from a tourist in Agat on Tuesday.

Meno was arrested on allegations that include robbery, theft and eluding police, according to police.

In January, a woman was beaten, handcuffed and held in her car for more than an hour before police tracked her and her kidnapper down at Marbo Cave.

The victim allegedly was attacked in a Micronesia Mall parking garage by a man later identified as Kyle Julian Indalecio Camacho, a convicted sex offender, according to documents filed in the Superior Court of Guam.

### 15 years possible

The bill calls for a longer prison sentence, a minimum of 15 years in jail, for carjackers who possess a deadly weapon while committing the crime.

The bill also makes attempted carjacking and fleeing following a carjacking attempt the same as

the actual crime.

The bill is patterned after Public Law 32-47, which created minimum sentencing guidelines for home invaders.

### **Extending protection**

Duenas said the bill is an extension to protecting residents' personal property with the previous legislation focusing on the home.

"We want to ensure people are protected to the fullest extent of the law," he said.

The senators have been working on the legislation for several weeks and the most recent carjacking makes it clear the law needs to be changed, they said.

"When this bill becomes law, people will think twice about committing these crimes," Duenas said.

Both senators said the proposed legislation, if passed into law, would help reduce carjackings and would ensure that criminals who violate the law go to jail for a long time.

# Senator Tony Ada Proposes Bill to Make Car Jacking a 1st Degree Felony

Last Updated on Wednesday, 02 October 2013 18:14  
Written by News Release  
Wednesday, 02 October 2013 16:39



Guam News - Guam News

Guam - Senator Tony Ada has introduced a new measure that would make carjacking a First Degree Felony.

Bill #202 defines carjacking unlawfully entering an occupied vehicle, or surreptitiously lying in wait in the vehicle in anticipation of the driver's return.

READ Bill 202 HERE

If it becomes law, anyone convicted of carjacking would have a minimum additional 10 years tacked onto their sentence that will run consecutively with any other sentence imposed for crimes committed.

**READ the release from Senator Tony Ada below:**

*New Bill Would Make Carjacking a First Degree Felony*

*Carjackers will be facing serious prison time once Bill No. 202-32 authored by Senator Tony Ada and cosponsored by Senator Chris Duenas becomes law.*

*The measure makes carjacking a first degree felony for those who break into occupied vehicles with the intent to commit a crime and adds a minimum sentence of 10 years that will run consecutively to the sentences imposed on the underlying crimes. A person is guilty of carjacking if he unlawfully enters an occupied vehicle or surreptitiously lies in wait in the vehicle in anticipation of the driver's return.*

*The bill also provides a more severe prison sentence for carjackers who possess a deadly weapon while committing the crime. The bill also makes attempted carjacking and fleeing following a carjacking attempt the same as the actual crime. This bill is patterned after P.L. 32-047 which created minimum sentencing guidelines for home invaders.*

*According to Carjacking.com, "Carjacking is the violent form of motor vehicle theft. It is a serious threat to our personal safety because the thief uses force and fear to rob our car from us. Sometimes the car owner or other occupants are kidnapped during a carjacking, and if lucky will be dropped off nearby unharmed. The worst case scenario occurs when you are transported to a secondary crime scene, which is usually more dangerous than the original confrontation. Those not so lucky victims have suffered other crimes like rape, aggravated assault, and even homicide."*

*In recent months, Guam has seen an increase in the rate of carjacking.*

*Both Senator Ada and Senator Duenas see Bill No. 202-32 as an added deterrent to carjacking and a means to ensure that criminals who violate the law go to jail for a long time.*

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# Carjacking legislation discussed

WEDNESDAY, 16 OCT 2013 03:00AM BY LOUELLA LOSINIO | VARIETY NEWS STAFF HITS: 247



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THE recent spate of carjacking incidents propelled Sen. Tony Ada to introduce Bill 202, a measure that would make this particular offense a first-degree felony.

The bill, co-sponsored by Sen. Chris Duenas, applies to those who break into occupied vehicles with the intent to commit a crime. It adds a minimum sentence of 10 years which may not be reduced or suspended by the court and shall run consecutively to any sentence for other crimes committed in conjunction with the carjacking.

During a public hearing on the bill yesterday, Ada said since the beginning of the year, Guam has witnessed several high-profile criminal acts that would meet the definition of carjacking as defined by the bill.

According to the bill, a person is guilty of carjacking if the "person commits a crime of burglary, in a vehicle, while a person, other than a participant to the crime is present, or if he/she surreptitiously lies in wait in the vehicle in anticipation of the driver's return."

The bill also provides a more severe prison sentence for carjackers who possess a deadly weapon while committing the crime and also makes attempted carjacking and fleeing following a carjacking attempt the same as the actual crime.

This bill is patterned after a law which created minimum sentencing guidelines for home invaders.

Deputy Attorney General Phil Tydingco, speaking on behalf of the Office of the Attorney General, said: "We didn't have this phenomena until the last couple of years or so. It looks like it has reached our shores."

"If this is added to the violent crime list, then I think we will be okay with this. The court would carry out the intent of the Legislature, which is to tell everybody that this is a serious crime," Tydingco stressed.



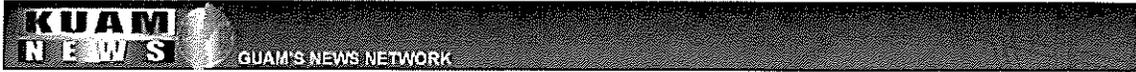
Sen. Tony Ada said since the beginning of the year, Guam has witnessed several high-profile criminal acts that would meet the definition of carjacking as defined by Bill 202. Variety file photo



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## Attorney General's Office supports carjacking bill

Posted: Oct 16, 2013 2:05 PM

Updated: Oct 16, 2013 2:05 PM

by [Ken Quintanilla](#)

Guam - Legislation that would make carjacking a 1st degree felony went up for a public hearing Tuesday. Bill 202 introduced by Senators Tony Ada and Chris Duenas came as a response to the increasing number of car-related thefts and crimes on Guam.

Deputy Attorney General Phil Tydingco say the AG's Office supports the intent and concept of the bill especially as its addresses crimes being committed on Guam. "Normally we associate carjacking with the mainland and the big cities and so forth but sadly as recent as the one down south with the tourist, so again it's sad that it's reached our shores but it looks like its needed," he said.

It was earlier this month when Eric J. Meno was arrested for robbing and assaulting a Japanese tourist. Meno had asked the tourist to give him a ride and then punched the victim and stole his car. Senator Ada says the language in Bill 202 is patterned after the home invasion and burglary laws on Guam.

The bill would charge those who break into occupied vehicles with the intent to commit a crime or those who secretly hide and wait in the vehicle waiting for the driver's return with 1st degree felony.

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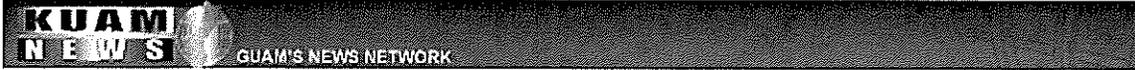
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## Bill makes carjacking a felony

Posted: Oct 02, 2013 4:54 PM

Updated: Oct 02, 2013 4:54 PM

by [Jolene Toves](#)

Guam - In response to the increasing number of car-related thefts and crimes, Senators Tony Ada and Chris Duenas introduced Bill 202 that would make carjacking a 1st degree felony. Those who break into occupied vehicles with the intent to commit a crime or those who secretly hide and wait in the vehicle waiting for the driver's return would be charged with a 1st degree felony.

The legislation also imposes a minimum sentence of ten years that would run consecutively with any other sentences imposed for other crimes.

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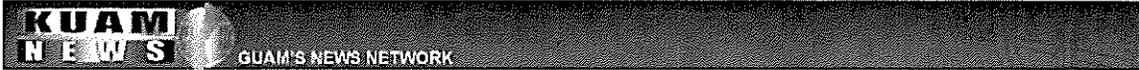
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## Bills for carjacking, infants' right have public hearings

Posted: Oct 11, 2013 1:50 PM

Updated: Oct 11, 2013 1:50 PM

by [Mindy Aquon](#)

Guam - The Legislature will be accepting public comments on two measures on Tuesday evening. The first is Bill 192, also known as The Infant Child's Right to Life Act, that seeks to protect infants who are born alive as a result of an abortion. Lawmakers will also be accepting testimony Bill 202 that would stiffen the penalties for carjacking.

The public hearing begins at 5 o'clock Tuesday evening. That will be followed by a roundtable discussion on veteran affairs issues that will begin at 6.

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Senator  
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Senator  
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Member  
MINORITY LEADER

Senator  
Aline Yamashita  
Member

October 8, 2013

VIA E-MAIL  
[john.rios@bbmr.guam.gov](mailto:john.rios@bbmr.guam.gov)

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

RE: Request for Fiscal Notes– Bill Nos. 202-32 (COR) & 203-32 (COR)

*Hafa Adai* Mr. Rios:

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

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

Very Truly Yours,

Senator Rory J. Respicio  
Chairperson, Committee on Rules

Attachments (1)

Cc: Clerk of the Legislature

2013 OCT -8 PM 3:11

Bill Nos.	Sponsor	Title
202-32 (COR)	V. Anthony Ada, Chris M. Dueñas	AN ADD A NEW ARTICLE 3 TO CHAPTER 37 OF 9GCA RELATIVE TO CARJACKING.
203-32 (COR)	Chris M. Duenas D.G. Rodriguez, Jr. V.A. Ada T.A. Morrison	AN ACT TO OFFER INCENTIVES FOR THE PURCHASE OF PLUG-INELECTRIC VEHICLES.



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Member

Legislative Secretary  
Tina Rose Muña Barnes  
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Frank Blas Aguon, Jr.  
Member

Senator  
Michael F.Q. San Nicolas  
Member

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

Senator  
Aline Yamashita  
Member

October 2, 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 No. 202-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 202-32(COR)**.

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

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

*Si Yu'os Ma'åse!*

Attachment

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

Bill No. 202-32(COR)

Introduced by:

V. Anthony Ada  
Chris M. Dueñas



**AN ADD A NEW ARTICLE 3 TO CHAPTER 37 OF 9GCA  
RELATIVE TO CARJACKING.**

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

2

3 **Section 1.** . A new Article 3 is added to Chapter 37 of 9GCA to read:

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8 **§37.301. Carjacking.** A person is guilty of carjacking when such person commits a  
9 crime of burglary, as defined by this Chapter, in a vehicle, while a person other than a  
10 participant in the crime is actually present in such vehicle, with intent to commit a  
11 crime therein, and, in the course of committing the offense: (1) Acting either alone or  
12 with one or more persons, such person or another participant in the crime commits or  
13 attempts to commit a violent crime against the person of another person other than a  
14 participant in the crime who is actually present in such vehicle, or (2) if any of the acts  
15 of a participant at any time during the burglary, or while attempting a burglary or while  
16 fleeing from a burglary/attempted burglary, directly or indirectly, cause the mental or  
17 emotional trauma, bodily injury, serious bodily injury or the death of an occupant of  
18 the vehicle who is not a participant in the burglary.

2013 OCT -2 PM 3:48  
MJB

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**§37.302. Armed Carjacking.** Whoever commits the offense of carjacking while armed with or having readily available any pistol or other firearm or imitation thereof or other dangerous or deadly weapon, including a firearm, dirk, knife, switchblade, razor, blackjack, billy, or metallic or other false knuckles, or any object capable of inflicting death or serious bodily injury, shall be guilty of armed carjacking.

**§37.303. In the Course of Committing Carjacking or Armed Carjacking.** An act shall be deemed "in the course of committing" the offense if it occurs in an attempt to commit the offense or flight after the attempt or commission.

**§37.304. Knowledge of occupancy is not a defense.** It is no defense the defendant reasonably believed that the vehicle was unoccupied, by a person who was not a participant in the crime, at the time the Carjacking or Armed Carjacking occurred.

**§37.305. Carjacking Punished.** (a) Carjacking is a first degree felony and any person found guilty under this section shall be sentenced to a term of imprisonment of which at least ten (10) years may not be suspended or reduced by the court.  
(b) The sentence imposed for Carjacking shall run consecutively to any sentence for other crimes committed in conjunction with the Carjacking.

**§37.306. Armed Carjacking Punished.** (a) Armed Carjacking is a first degree felony and any person found guilty under this section shall be sentenced to a term of imprisonment of which at least fifteen (15) years may not be suspended or reduced by the court.  
(b) The sentence imposed for armed carjacking shall run consecutively to any sentence for other crimes committed in conjunction with the Carjacking.