

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
192-32 (COR), P.L. 32-130	B J.F. Cruz	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.	09/23/13 12:38 p.m.	09/24/13	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.	Fiscal Note Requested 09/24/13 Fiscal Note Received 10/17/13
	DATE PASSED	TITLE	TRANSMITTED		DUE DATE	<small>DATE SIGNED BY I MAGA'LAHEN GUAHAN</small>	PUBLIC LAW NO.	NOTES
	2/1/2014	AN ACT TO ADD NEW §§ 64.15, 64.16 AND 64.17 TO ARTICLE 1, CHAPTER 64 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE PROHIBITION AND FORFEITURE OF ELECTRONIC MACHINES OR DEVICES TO CONDUCT SWEEPSTAKES GAMBLING.	2/1/14	10:50 p.m.	2/13/2014	2/13/2014	32-130	As amended on the floor.

EDDIE BAZA CALVO
Governor



RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

MAR 10 2014

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

32-14-130
Office of the Speaker
Judith T. Won Pat, Ed.D.
Date 3-10-14
Time 4:41 PM
Received by [Signature]
2014 MAR 10 5:01

Dear Madame Speaker:

Attached is Bill No. 192-32 (COR), entitled, "***An act to add a new §§ 64.15, 64.16, and 64.17 to Article 1, Chapter 64 of Title 9, Guam Code Annotated, relative to the prohibition and forfeiture of electronic machines or devices to conduct sweepstakes gambling,***" which I signed into law as new **Public Law 32-130**.

Bill 192 was sponsored and authored by Vice-Speaker B.J. Cruz with the assistance of the Attorney General of Guam. At the public hearing held of Bill 192 held on October 15, 2013, Vice-Speaker Cruz stated that the intention and purpose of Bill 192 is not to bar all forms of gambling, but rather it is expressly intended to apply to, and to limit only, online gambling using the internet. That is, Bill 192 prohibits the operation of cyber casinos where games such as slot machines, blackjack, and keno are played over the internet. "Points" acquired from the cyber casino play are then converted to sweepstakes entries with the intent of winning a monetary payout.

The Vice-Speaker's testimony at the public hearing makes it clear that the purpose and intention of Bill 192 is not to prohibit gaming activities that are currently authorized such as bingo, cockpit, or the gaming machines identified by *I Liheslaturan* in Public Law 30-060: "*These aren't the gaming machines that you see at the bars and restaurants throughout the island, these are computers and the place is called, where it's at, is called "Sweeps," it's called online café.*" . . . *Though I may personally feel like I may want to bar all forms of gambling in this piece of legislation we just wanted to limit to just this, this new technology of online or computerized gambling using the internet.*"

I have signed Bill 192 into law because I wholeheartedly agree that our gaming laws should be updated to address cyber café casinos where internet sweepstakes gambling is played on computer terminals as was described by Vice-Speaker Cruz. I thank *I Liheslaturan* for its hard work in addressing this very important issue.

Senseramente,


EDDIE BAZA CALVO

1384

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

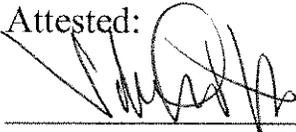
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Bill No. 192-32 (COR)**, "AN ACT TO *ADD* NEW §§ 64.15, 64.16 AND 64.17 TO ARTICLE 1, CHAPTER 64 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE PROHIBITION AND FORFEITURE OF ELECTRONIC MACHINES OR DEVICES TO CONDUCT SWEEPSTAKES GAMBLING," was on the 1st day of February, 2014, duly and regularly passed.



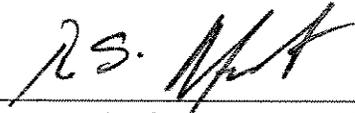
Judith T. Won Pat, Ed.D.
Speaker

Attested:



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 1st 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'lahen Guåhan

Date: FEB 13 2014

Public Law No. 32-130

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

Bill No. 192-32 (COR)

As amended on the Floor.

Introduced by:

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

**AN ACT TO *ADD* NEW §§ 64.15, 64.16 AND 64.17 TO
ARTICLE 1, CHAPTER 64 OF TITLE 9, GUAM CODE
ANNOTATED, RELATIVE TO THE PROHIBITION
AND FORFEITURE OF ELECTRONIC MACHINES OR
DEVICES TO CONDUCT SWEEPSTAKES GAMBLING.**

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

2 **Section 1.** A new § 64.15 is hereby *added* to Article 1, Chapter 64 of Title
3 9, Guam Code Annotated, to read:

4 “§ 64.15. Use of Electronic Machine or Device to Conduct
5 Sweepstakes Illegal.

1 (a) Definitions. As used in this Section, *unless* the context
2 clearly requires otherwise, the following words *shall* have the
3 following meanings:

4 (1) *Electronic machine or device* means a
5 mechanically, electrically or electronically operated machine or
6 device that is owned, leased, or otherwise possessed, by a
7 sweepstakes sponsor or promoter, or any sponsors, promoters,
8 partners, affiliates, subsidiaries, or contractors thereof, that is
9 intended to be used by a sweepstakes entrant, that uses energy,
10 and that is capable of displaying information on a screen or
11 other mechanism. This Section is applicable to an electronic
12 machine or device whether or not it:

13 (A) is server-based;

14 (B) uses a simulated game terminal as a
15 representation of the prizes associated with the results of
16 the sweepstakes entries;

17 (C) utilizes software such that the simulated
18 game influences or determines the winning or value of
19 the prize;

20 (D) selects prizes from a predetermined finite
21 pool of entries;

22 (E) utilizes a mechanism that reveals the content
23 of a predetermined sweepstakes entry;

24 (F) predetermines the prize results and stores
25 those results for delivery at the time the sweepstakes
26 entry results are revealed;

27 (G) utilizes software to create a game result;

1 (H) requires deposit of any money, coin, or
2 token, or the use of any credit card, debit card, prepaid
3 card, or any other method of payment to activate the
4 electronic machine or device;

5 (I) requires direct payment into the electronic
6 machine or device, or remote activation of the electronic
7 machine or device;

8 (J) requires purchase of a related product
9 having legitimate value;

10 (K) reveals the prize incrementally, even though
11 it may *not* influence whether or not a prize is to be
12 awarded or the value of any prize awarded;

13 (L) determines and associates the prize with an
14 entry or entries at the time the sweepstakes is entered;

15 (M) is a slot machine or other form of electrical,
16 mechanical, or computer game.

17 *Electronic machine or device* also includes gambling
18 devices as defined in §64.20(b) of this Chapter.

19 (2) *Enter or entry* means the act or process by which a
20 person becomes eligible to receive any prize offered in a
21 sweepstakes.

22 (3) *Entertaining display* means any visual information,
23 capable of being seen by a sweepstakes entrant, that takes the
24 form of actual game play, or simulated game play.

25 (4) *Game play or simulated game play* means any
26 game play whether actual or electronically simulated which
27 when played may return winnings (other than free games *not*

1 redeemable for cash) of value to the user based partially or
2 completely upon chance, which a user is required to participate
3 in prior to the reveal of a prize, or the receipt of anything of
4 value.

5 (5) *Prize* means any gift, award, gratuity, good,
6 service, credit, or anything else of value, which may be
7 transferred to a person, whether possession of the prize is
8 actually transferred, or placed on an account or other record as
9 evidence of the intent to transfer the prize.

10 (6) *Sweepstakes* means any game, advertising scheme
11 or plan, or other promotion, which uses an electronic machine
12 or device as defined in this Section, with or without payment of
13 any consideration, that a person may enter to win or become
14 eligible to receive any prize, the determination of which is
15 based partially or completely upon chance.

16 (b) It *shall* be unlawful for any person to operate or
17 knowingly possess with the intent to operate, or place into operation,
18 an electronic machine or device to:

19 (1) conduct a sweepstakes through the use of an
20 entertaining display, including the entry process or the reveal of
21 a prize; or

22 (2) promote a sweepstakes that is conducted through
23 the use of an entertaining display, including the entry process or
24 the reveal of a prize.

25 (c) Nothing in this Section shall be construed to make illegal
26 any activity which is lawfully conducted pursuant to Title 9 GCA,
27 Chapter 64, Article 2.”

1 **Section 2.** A new § 64.16 is hereby *added* to Article 1, Chapter 64 of Title
2 9, Guam Code Annotated, to read:

3 “§ 64.16. **Forfeiture of Electronic Machine or Device Used to**
4 **Conduct Sweepstakes.**

5 Upon a determination by the Department of Revenue and Taxation or
6 the Attorney General that probable cause exists to believe that any electronic
7 machine or device is being operated or is intended to be operated to conduct
8 a sweepstakes or promote a sweepstakes in violation of Title 9 GCA §64.15
9 above, the electronic machine or device *shall* be subject to immediate
10 seizure by law enforcement officials from the Department of Revenue and
11 Taxation, the Guam Police Department, or the Office of the Attorney
12 General. Any government entity in possession of a seized electronic machine
13 or device *shall* retain the item pending a disposition order from a Superior
14 Court judge. Upon application by the Department of Revenue and Taxation,
15 or the Attorney General, or the owner of the electronic machine or device,
16 and after notice to all parties and an opportunity to be heard by all parties, if
17 the court determines that it is unlawful to possess the electronic machine or
18 device, the Director of the Department of Revenue and Taxation, or the
19 Attorney General, may have the electronic machine or device destroyed, or
20 may use the electronic machine or device for training, or may sell the
21 electronic machine or device at an auction to be held at the place where the
22 electronic machine or device is located, or at another place as determined by
23 the Director of the Department of Revenue and Taxation, or the Attorney
24 General. If the court determines that the electronic machine or device is *not*
25 unlawful to possess under Title 9 GCA §64.15, the electronic machine or
26 device *shall* be ordered released to its owner upon satisfactory proof of
27 ownership. Neither the government of Guam nor its officials, employees or

1 agents shall be liable for the seizure of electronic machines and devices
2 under this statute when a court determines that the electronic machine or
3 device is ordered to be released to its owner. The foregoing procedures for
4 release *shall not* apply with respect to an item seized for use as evidence in
5 any criminal action or proceeding until after entry of final judgment.”

6 **Section 3.** A new § 64.17 is hereby *added* to Article 1, Chapter 64 of Title
7 9, Guam Code Annotated, to read:

8 **“§ 64.17. Penalties.**

9 (a) Any person who violates Title 9 GCA § 64.15 *shall* be
10 guilty of a felony punishable by imprisonment of *not more than* five
11 (5) years and a fine *not to exceed* \$250,000, or both. Each violation of
12 Title 9 GCA § 64.15 *shall* be considered a separate offense.

13 (b) Any person who violates Title 9 GCA § 64.15 may also
14 be subject to an administrative penalty of *not more than* \$250,000, to
15 be assessed by a decision and order of the Director of the Department
16 of Revenue and Taxation. Each violation of Title 9 GCA § 64.15 *shall*
17 be considered a separate offense.

18 (1) Before issuing a decision and order assessing an
19 administrative penalty, the Department of Revenue and
20 Taxation *shall* give written notice, in the form of an accusation,
21 to the person to be assessed an administrative penalty.

22 (2) The person to be assessed an administrative
23 penalty *shall* be entitled to notice, to a hearing before the
24 Director of the Department of Revenue and Taxation, and to
25 review by the Superior Court according to the procedures in
26 Articles 1 and 2 of the Administrative Adjudication Law.

1 (3) *If* any person fails to comply with an
2 administrative penalty decision and order after the assessment
3 has become final, or after a court in an action brought pursuant
4 to the Administrative Adjudication Law has entered a final
5 judgment in favor of the Director of the Department of Revenue
6 and Taxation, the Attorney General of Guam may bring a civil
7 action to enforce the order and to recover the amount ordered or
8 assessed, plus interest of six percent (6%) per annum from the
9 date of the final administrative decision and order or the date of
10 the final judgment, as the case may be. In this action, the
11 validity, amount, and appropriateness of the penalty assessed by
12 the administrative decision and order or the final judgment of
13 the court made after an appeal of the administrative decision
14 and order *shall not* be subject to review. The Director of the
15 Department of Revenue and Taxation need only show that:

16 (A) notice was given; and

17 (B) a hearing was held, or the time granted for
18 requesting a hearing has run without a request for a
19 hearing; and

20 (C) the penalty was imposed; and

21 (D) the penalty remains unpaid.

22 A judgment of the court entered under this Subpart
23 (3) of § 64.17(b) may be enforced and collected in the
24 same manner as a money judgment of the Superior
25 Court.”



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. 192-32 (COR)**, "AN ACT TO *ADD NEW §§ 64.15, 64.16 AND 64.17 TO ARTICLE 1, CHAPTER 64 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE PROHIBITION AND FORFEITURE OF ELECTRONIC MACHINES OR DEVICES TO CONDUCT SWEEPSTAKES GAMBLING,*" was on the 1st 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 1st 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'lahen Guåhan

Date: _____

Public Law No. _____

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

Bill No. 192-32 (COR)

As amended on the Floor.

Introduced by:

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

**AN ACT TO *ADD* NEW §§ 64.15, 64.16 AND 64.17 TO
ARTICLE 1, CHAPTER 64 OF TITLE 9, GUAM CODE
ANNOTATED, RELATIVE TO THE PROHIBITION
AND FORFEITURE OF ELECTRONIC MACHINES OR
DEVICES TO CONDUCT SWEEPSTAKES GAMBLING.**

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

2 **Section 1.** A new § 64.15 is hereby *added* to Article 1, Chapter 64 of Title
3 9, Guam Code Annotated, to read:

4 “§ 64.15. Use of Electronic Machine or Device to Conduct
5 **Sweepstakes Illegal.**

1 (a) Definitions. As used in this Section, *unless* the context
2 clearly requires otherwise, the following words *shall* have the
3 following meanings:

4 (1) *Electronic machine or device* means a
5 mechanically, electrically or electronically operated machine or
6 device that is owned, leased, or otherwise possessed, by a
7 sweepstakes sponsor or promoter, or any sponsors, promoters,
8 partners, affiliates, subsidiaries, or contractors thereof, that is
9 intended to be used by a sweepstakes entrant, that uses energy,
10 and that is capable of displaying information on a screen or
11 other mechanism. This Section is applicable to an electronic
12 machine or device whether or not it:

13 (A) is server-based;

14 (B) uses a simulated game terminal as a
15 representation of the prizes associated with the results of
16 the sweepstakes entries;

17 (C) utilizes software such that the simulated
18 game influences or determines the winning or value of
19 the prize;

20 (D) selects prizes from a predetermined finite
21 pool of entries;

22 (E) utilizes a mechanism that reveals the content
23 of a predetermined sweepstakes entry;

24 (F) predetermines the prize results and stores
25 those results for delivery at the time the sweepstakes
26 entry results are revealed;

27 (G) utilizes software to create a game result;

1 (H) requires deposit of any money, coin, or
2 token, or the use of any credit card, debit card, prepaid
3 card, or any other method of payment to activate the
4 electronic machine or device;

5 (I) requires direct payment into the electronic
6 machine or device, or remote activation of the electronic
7 machine or device;

8 (J) requires purchase of a related product
9 having legitimate value;

10 (K) reveals the prize incrementally, even though
11 it may *not* influence whether or not a prize is to be
12 awarded or the value of any prize awarded;

13 (L) determines and associates the prize with an
14 entry or entries at the time the sweepstakes is entered;

15 (M) is a slot machine or other form of electrical,
16 mechanical, or computer game.

17 *Electronic machine or device* also includes gambling
18 devices as defined in §64.20(b) of this Chapter.

19 (2) *Enter or entry* means the act or process by which a
20 person becomes eligible to receive any prize offered in a
21 sweepstakes.

22 (3) *Entertaining display* means any visual information,
23 capable of being seen by a sweepstakes entrant, that takes the
24 form of actual game play, or simulated game play.

25 (4) *Game play or simulated game play* means any
26 game play whether actual or electronically simulated which
27 when played may return winnings (other than free games *not*

1 redeemable for cash) of value to the user based partially or
2 completely upon chance, which a user is required to participate
3 in prior to the reveal of a prize, or the receipt of anything of
4 value.

5 (5) *Prize* means any gift, award, gratuity, good,
6 service, credit, or anything else of value, which may be
7 transferred to a person, whether possession of the prize is
8 actually transferred, or placed on an account or other record as
9 evidence of the intent to transfer the prize.

10 (6) *Sweepstakes* means any game, advertising scheme
11 or plan, or other promotion, which uses an electronic machine
12 or device as defined in this Section, with or without payment of
13 any consideration, that a person may enter to win or become
14 eligible to receive any prize, the determination of which is
15 based partially or completely upon chance.

16 (b) It *shall* be unlawful for any person to operate or
17 knowingly possess with the intent to operate, or place into operation,
18 an electronic machine or device to:

19 (1) conduct a sweepstakes through the use of an
20 entertaining display, including the entry process or the reveal of
21 a prize; or

22 (2) promote a sweepstakes that is conducted through
23 the use of an entertaining display, including the entry process or
24 the reveal of a prize.

25 (c) Nothing in this Section shall be construed to make illegal
26 any activity which is lawfully conducted pursuant to Title 9 GCA,
27 Chapter 64, Article 2.”

1 **Section 2.** A new § 64.16 is hereby *added* to Article 1, Chapter 64 of Title
2 9, Guam Code Annotated, to read:

3 “§ 64.16. **Forfeiture of Electronic Machine or Device Used to**
4 **Conduct Sweepstakes.**

5 Upon a determination by the Department of Revenue and Taxation or
6 the Attorney General that probable cause exists to believe that any electronic
7 machine or device is being operated or is intended to be operated to conduct
8 a sweepstakes or promote a sweepstakes in violation of Title 9 GCA §64.15
9 above, the electronic machine or device *shall* be subject to immediate
10 seizure by law enforcement officials from the Department of Revenue and
11 Taxation, the Guam Police Department, or the Office of the Attorney
12 General. Any government entity in possession of a seized electronic machine
13 or device *shall* retain the item pending a disposition order from a Superior
14 Court judge. Upon application by the Department of Revenue and Taxation,
15 or the Attorney General, or the owner of the electronic machine or device,
16 and after notice to all parties and an opportunity to be heard by all parties, if
17 the court determines that it is unlawful to possess the electronic machine or
18 device, the Director of the Department of Revenue and Taxation, or the
19 Attorney General, may have the electronic machine or device destroyed, or
20 may use the electronic machine or device for training, or may sell the
21 electronic machine or device at an auction to be held at the place where the
22 electronic machine or device is located, or at another place as determined by
23 the Director of the Department of Revenue and Taxation, or the Attorney
24 General. If the court determines that the electronic machine or device is *not*
25 unlawful to possess under Title 9 GCA §64.15, the electronic machine or
26 device *shall* be ordered released to its owner upon satisfactory proof of
27 ownership. Neither the government of Guam nor its officials, employees or

1 agents shall be liable for the seizure of electronic machines and devices
2 under this statute when a court determines that the electronic machine or
3 device is ordered to be released to its owner. The foregoing procedures for
4 release *shall not* apply with respect to an item seized for use as evidence in
5 any criminal action or proceeding until after entry of final judgment.”

6 **Section 3.** A new § 64.17 is hereby *added* to Article 1, Chapter 64 of Title
7 9, Guam Code Annotated, to read:

8 **“§ 64.17. Penalties.**

9 (a) Any person who violates Title 9 GCA § 64.15 *shall* be
10 guilty of a felony punishable by imprisonment of *not more than* five
11 (5) years and a fine *not to exceed* \$250,000, or both. Each violation of
12 Title 9 GCA § 64.15 *shall* be considered a separate offense.

13 (b) Any person who violates Title 9 GCA § 64.15 may also
14 be subject to an administrative penalty of *not more than* \$250,000, to
15 be assessed by a decision and order of the Director of the Department
16 of Revenue and Taxation. Each violation of Title 9 GCA § 64.15 *shall*
17 be considered a separate offense.

18 (1) Before issuing a decision and order assessing an
19 administrative penalty, the Department of Revenue and
20 Taxation *shall* give written notice, in the form of an accusation,
21 to the person to be assessed an administrative penalty.

22 (2) The person to be assessed an administrative
23 penalty *shall* be entitled to notice, to a hearing before the
24 Director of the Department of Revenue and Taxation, and to
25 review by the Superior Court according to the procedures in
26 Articles 1 and 2 of the Administrative Adjudication Law.

1 (3) *If* any person fails to comply with an
2 administrative penalty decision and order after the assessment
3 has become final, or after a court in an action brought pursuant
4 to the Administrative Adjudication Law has entered a final
5 judgment in favor of the Director of the Department of Revenue
6 and Taxation, the Attorney General of Guam may bring a civil
7 action to enforce the order and to recover the amount ordered or
8 assessed, plus interest of six percent (6%) per annum from the
9 date of the final administrative decision and order or the date of
10 the final judgment, as the case may be. In this action, the
11 validity, amount, and appropriateness of the penalty assessed by
12 the administrative decision and order or the final judgment of
13 the court made after an appeal of the administrative decision
14 and order *shall not* be subject to review. The Director of the
15 Department of Revenue and Taxation need only show that:

16 (A) notice was given; and

17 (B) a hearing was held, or the time granted for
18 requesting a hearing has run without a request for a
19 hearing; and

20 (C) the penalty was imposed; and

21 (D) the penalty remains unpaid.

22 A judgment of the court entered under this Subpart
23 (3) of § 64.17(b) may be enforced and collected in the
24 same manner as a money judgment of the Superior
25 Court.”

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. 192-32 (COR)

As amended on the Floor.

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

14

1

Yea

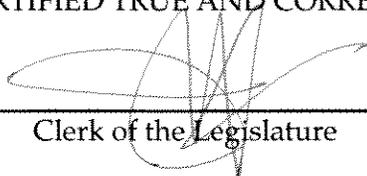
Nay

Not Voting/
Abstained

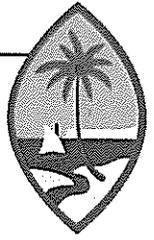
Out During
Roll Call

Absent

CERTIFIED TRUE AND CORRECT:


 Clerk of the Legislature

1 = Pass



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

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

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

RE: Committee Report on Bill No. 192-32 (COR)

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on 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.

Committee votes are as follows:

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

2013 NOV -4 PM 10: 56

Respectfully,

Handwritten signature of Frank B. Aguon, Jr.

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 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

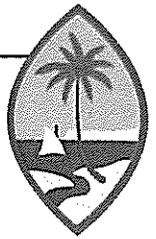
Senator Thomas Morrison
Committee Member



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 Lintiaco

Committee Member

Senator

Thomas Morrison

Committee Member

COMMITTEE REPORT

ON

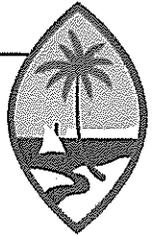
BILL NO. 192-32 (COR) - “An act to add a new § 64.15, § 64.16, and § 64.17 to Chapter 64 of Title 9 of the Guam Code Annotated; relative to the prohibition and forfeiture of electronic machines or devices to conduct sweepstakes gambling”.



COMMITTEE ON

**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. 192-32 (COR)

Transmitted herewith for your consideration is the Committee Report on 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.

This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Copy of Bill No. 192-32 (COR)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony & Supporting Documents
- Referral of the Bill No. 192-32 (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'ãse' !

**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

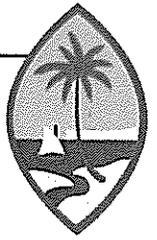
**Senator
Michael Limtiaco**
Committee Member

**Senator
Thomas Morrison**
Committee Member



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. 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".

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

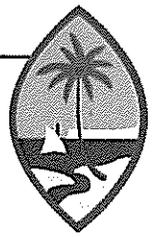
Senator Thomas Morrison Committee Member

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



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

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



COMMITTEE REPORT DIGEST

I. OVERVIEW

Bill No. 192-32 (COR) was introduced on September 23, 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 September 24, 2013.

The Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary convened a 1st public hearing on Bill No. 192-32 (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 2, 2013 and 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

Uncle Bo'bing Francis H. Wolford
Jacqueline A. Mariati, Keep Guam Good
Vicente Ulloa Garrido
Phillip J. Tydingco, Deputy Attorney General, The Office of the Attorney General
Francis Munoz

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

II. TRANSCRIPTION OF TESTIMONY & DISCUSSION

Senator Frank B. Aguon, Jr.

"Being held by the Committee on Guam U.S. Military Relocation, Veterans Affairs, Homeland Security, and Judiciary is hereby called to order. Just for the information of the public the Committee will be having a Public Hearing on a couple of legislative measures. First of all Bill 192-32 (COR) which is an act relative to amending Chapter 64 of the Title 9 of the Guam Code

Senator
FRANK B. AGUON, JR.
Committee Chairperson

Senator
Tina Muna-Barnes
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Senator
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Senator
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Committee Member

Senator
Thomas Morrison
Committee Member

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

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Annotated relative to the Prohibition of Electronic Machines or devices to conduct sweepstakes gambling, and Bill 202-32 (COR) relative to a new article 3 to chapter 37 of 9 GCA Guam Code Annotated relative to carjacking. Subsequent to this the committee will be having its quarterly veterans roundtable, which is scheduled for 6:00pm and will go ahead and proceed. For information of the public if by any chance you would like to inquire, the compliance with the open government law as it applied printing and notification of the community, please by all measures contact any of my team members or myself and we'll go ahead and provide you that particular information.

We'll go ahead and proceed with the Public Hearing of Bill 192-32 (COR). I'd like to thank Mr. Vice-Speaker B.J. Cruz for joining us this evening and then also Senator Tony Ada, thank you very much Senator for joining us for this Public Hearing. The legislative measure Bill 192 relative to sweepstakes gambling is sponsored by the Vice-Speaker. Vice-Speaker if you could provide some brief comments, and in the meantime can I invite the following individuals to join us up front, Mr. Bobing Wolford, Jackie Arriola Marati, Vicente Garrido, and Mr. Phil Tydingco from the Attorney General's office. So can I ask you to please join us up front and Mr. Vice-Speaker you can proceed with your explanation of the proposed measure."

Vice-Speaker B.J. Cruz

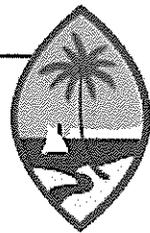
"Thank you very much Mr. Chairman. Chairman this has been an issue I've been trying to address for I guess almost thirty months now. In January 2011, I saw a Manila Times Article about an organization of the Philippines called 'philweb' which advertises itself to be the biggest online gambling concern in the Philippines, that is was going to be opening an operation in Guam. And so I contacted Rev & Tax and the Attorney General's Office. As I understand it one of their employees was paid by having won something off these computers. I probably should start by saying these aren't the gaming machines that you see at the bars and restaurants throughout the island, these are computers and the place is called, where it's at, is called 'Sweeps', it's called online café.

Several years ago when many of us didn't have internet at home many people were going to these online café's to use computers but now that everybody has an iPad or some kind of smart phone there's almost no need for that and so most people have computer access at home. What these places actually are, are fronts for a gambling institution. In fact when one of my staff members went and paid to get online the first thing that came across the screen was welcome to our online casino and so I was hoping there was gonna be prosecution of this. There's been some problems with the way law has been written or is currently written. It's the twentieth century law with twenty first century technology and it just wasn't quite working for the Attorney General's Office, and over the last six months we've been in communication with Attorney General's Office in trying to write a piece of legislation, it's gone through several indurations with them. I understand they may have another amendment or at least they indicated to us there may be an additional amendment this week. But this has been something we have been working on together to try to address this issue. Addressing twenty first century gambling by bringing twentieth century or nineteenth century law into compliance or up to date. So I also want to make it very clear Mr. Chairman that there is §C on the top of page 4, nothing in this section shall be construed to make it illegal any activity which is lawfully conducted pursuant to 9 GCA Chapter 64 Article 2. 9 GCA Chapter 64 Article 2 is the chapter that say's authorized activities social gambling, cockpit, and a couple of other things that are currently authorized.

Though I may personally feel like I may want to bar all forms of gambling in this piece of legislation we just wanted to limit it to just this, this new technology of online or computerized gambling using the internet. So at that I will leave it. We've imposed some fair penalties for bringing these machines in and for operating these \$250,000 dollars for five years. In the hopes of squashing this effort and I'm hoping that we get the support of the community and Attorney General's Office in moving this piece of legislation and especially the support of my colleagues and seeing to it that we address this phenomenon that has managed to get around are current statutes thank you Mr. Chairman."

GUAM U.S. MILITARY RELOCATION
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**Senator Frank B. Aguon Jr.**

"Thank-You very much Mr. Vice Speaker. Before we proceed with the testimony this evening, I would like to also recognize Senator Tommy Morrison and Senator Mike San Nicolas. Thank you very much senators for joining us this evening.

Uncle Bo-Bing, Hagu mas neni gi lamasa pues hagu fi'nene-na.

[Translation: Uncle Bo-Bing, you are the youngest on the table so you will be the first.]

Uncle Bobing, if you could just identify yourself for the record and proceed with your comments."

Uncle Bo'bing Francis H. Wolford

"Buenas Taddes, hamyu na quattro or singko? [Translation: Good Evening, to you four or five?]

Dispepensa-yu sa sina yu opposite. Hafa esti na natibu i yo'mu, pot hafa esti?

[Translation: Please excuse me, because sometimes I am opposite. What is this of yours, what is this for?]

Vice-Speaker B.J. Cruz

"Esti na proponee, umm, Pago na tempo, uh, un kompania, um, ma'na halom komputers yan ma u-usa, i komputer para man gamble-- keno, blackjack, um, yan otro na klassiin um, gambling gi komputer, ti i gambling machine esti, i komputer."

[Translation: This proposal, umm, today, uh, a company, um, is bringing in computers to use the computers to gamble-- keno, blackjack, um, other types of gambling on the computer, it is not a gambling machine, the computer.]

Uncle Bo'bing Francis H. Wolford

"Komputer?"

[Translation: Computer?]

Vice-Speaker B.J. Cruz

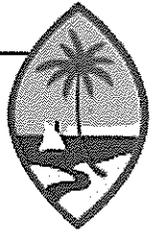
"Komputer, Ha'a. so, Ma sanggan-hu na debi di hu chu'li i lai ya u nah, uh, update i lai para i twentieth (20th) century, sa pagu i twenty-first (21st) century, yan anai ma pasa i lai gi nineteen seventy-seven (1977) ya nineteen seventy-eight (1978), ti tabia ti ma tungo i komputer, ya pago ma tungo guaha komputer para manhalom i taotao-ta para ma usa i salape nihia para man gamble, malagu yu para bai hu pasa i lai para bai u attend nai kao-sa"

[Translation: Computer, Yes. So, I was told that I need to take the law and update it from the twentieth(20th) century because now, its the twenty-first(21) century, and when they passed the law in nineteen seventy-seven (1977) and nineteen seventy-eight (1978), they didn't know of the computer, and now we know that there is a computer that our people can use money to gamble, I want to pass this law to attend to these things.]

Vice-Speaker B.J. Cruz

"Ha'a i referendum"

[Translation: Yes, the referendum]



Uncle Bo'bing Francis H. Wolford

"Anai man bota"

[Translation: When they vote?]

Vice-Speaker B.J. Cruz

"Man bota i taotao munga na ta na halom i gambling."

[Translation: Our people voted to not bring gambling in]

"Pues Guam, man tohm tohm na taotao, ma li'ie na ma sina ma usa un technology na komputer ti lekna i lai pago ma contra i lai, pues ha sangni i attorney general como malgu yu para ma prosecute bai na huyung esti siha debi bai hu pasa uno nai lai mas, current."

[Translation: So Guam, the people don't give up, they saw a way to use technology by computer because of the law so the challenged the law, so the attorney general said that if you want to prosecute and take them out then you have to pass one law that makes it , uh current.]

Uncle Bo'bing Francis H. Wolford

"Kulan makkat esti na technology gachong lai, ennigue i taotao ma na malgu esti na huegu sempre kontodu i gayera ta na para."

[Translation: It seems very heavy, this technology, man, that's why people want these games and then even cock-fighting will stop.]

Vice-Speaker B.J. Cruz

"A-hi ti, esti na proponee, ti para i cock-fight pat i gaming machines taya, esti para komputer ha."

[Translation: No, This proposal is not for cock-fight and gaming machines, it is for computers only.]

Uncle Bo'bing Francis H. Wolford

"Para i komputer ha? Pues malatena i komputer gi hita."

[Translation: For computers then? Then the computers are smarter than us.]

Vice-Speaker B.J. Cruz

"um, maggahit, maggahit"

[Translation: Umm, Yes, Yes]

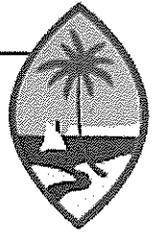
Uncle Bo'bing Francis H. Wolford

"Malatena i komputer gi hita."

[Translation: The computers are smarter than us.]

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

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



"Ai Gachong. Subrinu-hu Aguon gof yao i pantida miyu lao, lanyai lai, maila fan ya ta kiru esti sa malatena esta i computer gi i taotao man neccista yan todou hamyuos ma on-on guenao gi computer ya malatena esta i komputer gi guao, yan hagu, ayan i pumalu. Kao un komprende hafa ileleku?"

[Translation: My friend, my nephew Aguon, I like what you guys are doing, but man, let us fix this because the computers are smarter than us and all of you turn on the computers and the computer is smarter than me, you, and everyone else. Do you understand me?]

Senator Frank B. Aguon Jr.

"Hunggan Sainao"

[Translation: Yes, my elder]

Uncle Bo'bing Francis H. Wolford

"Ai pura hamyu subrinu lai, yan matto gi man malati hamyu. Si Tony u tungu si tata-na sa hagas-sa senadot yan gof yao si tata mu tony, bai hu sanggan hao, maolek si tata-mu na senadot heukka kao un hassao bai hu suppot ti hao lao todus hao gof yao lao munga i komputers para ma malati gi guao. Basta malekna matai esta, sa i komputer man lala la. Henao para bai hu sanggan. I naan hu si Bobing Francis H. Wolford, taotao Asuloncio, Talofof, bandan Inalajan, lao gai gi hulu gi Talofof gi subrinuhu si San Nicolas, i tano yu'uos, ileknia dos na guaka bai hu hasso hamyu todos. Si Yu'os ma'ase"

[Translation: All of you here are my nephews, and you are all so smart. Tony, I know your dad, he was always a senator and I really liked your dad Tony, I'm telling you now, your dad was a good senator, I don't know if you remember me saying I will support you, but I really do like all of you but I don't want computers that are smarter than me, I rather just die because the computers will be alive. That's all I want to say. My Name is Bo'bing Francis H. Wolford, from Asuloncio, Talofof, Originally from Inarajan, near my nephew San Nicolas, God's Land, where there is two(2) cows sign, if you go straight up, you will find Bo'bing. I will remember you all. Thank-you]

Senator Frank B. Aguon Jr.

"Si Yu'os ma'ase Uncle Bobing put i finai-tomu"

[Translation: Thank-you Uncle Bo'bing for appearing before us.]

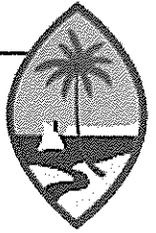
"Thank-you very much for your testimony this evening. If we can yield to Ms. Jackie Marati, please if you can identify yourself for the record and proceed with your comments."

Jackie Marati

"Buenas Yan Hafa Adai [Translation: Greetings], I appear before you in my capacity as a private citizen and as a member of keep Guam good organization. My comments do not represent those of my employer. Allow me to summarize our support of Bill 192 by referencing the June 2013 White Paper by the American Gaming Association which states internet sweepstakes café's are in the business of gambling as concluded in every court to review this question. Where they so exist internet sweepstakes face no regulation, no regulation of the background and integrity of owners and managers, no regulation of exclusion of customers that are too young to go to licensed commercial gambling venues, no regulation of imposing special zoning standards, no regulation requiring that information be provided about counseling and other treatment options available to these unable to control their gambling. Café's pay no special gaming tax, café's are an easy business to start

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



requiring very little investment and being able to open quickly and inconspicuously. Many are commanding marketing positions in their communities siphoning off dollars that should be spent on necessity. Café's spend heavily on litigation to protect their investment, contributing generously to legislature campaigns and lobbying to obstruct legislation. In some we stand with Vice-Speaker Cruz in calling for an outright prohibition of more gambling machines on Guam, this legislature has shamelessly elected to legalize gambling machines. In the guise of helping the hospital, establishing, Urgent Care Center which the hospital did not ask for and privatizing the hospital which it neither asked for nor probably is aware of in the law. This Legislature deliberately allowed special interest legislation to stomp on the voice of our voters who have loudly voted down legalized gambling five times in 9 years, many of us have been involved in this, many of us have risked our own lives and have been threatened every single time that we have lead these fights and efforts to outlaw gambling.

This last Saturday Senators, I went to the hospital and was appalled to see the rows and rows of towels and rags on the hospital hallways to prevent the water leaks from flooding the floors and areas, one elevator was out of service, in the Hospital Chapel there were two buckets placed in the middle of the Chapel which filled with people there for Mass. Help for the hospital, sure, besides Federal Garnishment and payless paydays, where is the money? Where is the gambling commission that was supposed to have been established? How many machines are supposed to be licensed and which of you have ever really knew what those numbers were when you voted in June? Nobody seems to know the truth. Depending on the day and the spokesperson these numbers change weekly Honorable Senators I am reminded of your actions in June when you passed Bill 20. I remember going to church and reading the prayer for the family before mass in particular the final line reads and to protect our family from all evil, ever since then and every time I recite these words I think of you and how this legislature has gone in the wrong direction. You have failed your constituents who gave notice to you and so I remind you, when you preside over hearing, when you draft and edit bills, when deliberating the issues, and vote to pass bills. You took an oath, you took an oath and I quote 'to consciously and impartially discharge your duties', do so pass Bill 192, thank you."

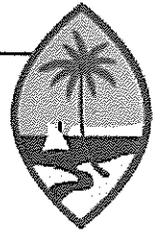
Senator Frank B. Aguon Jr.

"Thank you very much Ms. Marati for your testimony this evening, Uncle Ben?"

Vicente Ulloa Garrido

"Since this is a bill connected to gambling, not only like sweepstake or computer gambling. I will go head and talk about the gambling on Guam. Long time ago we had slot machine on this island, poker machine. I played the machine on my free time both as a recreation and for pleasure. When the slot machine was stopped and banned I was completely hurt because it bothers me that they took away the thing I enjoyed as a recreation or my pleasure on my free time. People claim the slot machine destroyed family value, etc. Some even said an individual sold his land to play the machine, others will say that the children were found sleeping in the cars while parents played on the machines, ok. To this date all forms of gambling on island such as cock fighting, bingo, lottery, and etc, all this gambling are rampant on this island where as gamblers or players spend hundreds if not thousands or millions of dollars a year on this machine.

I too, I know there are people that they go out and pay a gambling debt, I know of an individual who sold their house to pay their debt on cockfighting, and why am I talking like this now, because what they took away, than gambling machines, than gambling machine, the recreation I enjoyed most and I don't care about the others. The machine is banned then every gambling on this island is banned, every gambling including cockfight and bingo. Everything should be banned on this island if they're gonna stop the machine that I'm playing with then they should stop all other gambling on Guam. Ban it like you said senator it's just being fair nai, it's unjust that they took away something that I enjoy most, and other people that play bingo and cockfight are still playing and enjoying it and what really bothers me when I have to read on the book and the newspaper and say that people that play the bingo say don't vote on the casino or the people that go to the cockfight don't vote on the

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

casino. I know of an individual who approach me and he said Ben don't vote the casino because it's gonna ruin the businesses on the cockfight, all of these, these nonsense being accepted here that's why I'm talking like this, cause not too long ago when somebody mention that they gonna like you, said ban all gambling on Guam. The people panic, the people that play bingo and cockfight they panic, how do you think I feel when they took away the machine. When I enjoy it, I enjoy the gambling machine, so it's not fair that we continue to allow gambling on Guam and up to date how many years, fifteen, twenty years no slot machine. I learn, I know now that a lot of Chamorro go to the Philippines and play casino. The second largest casino in Asia is now in the Philippines. I met a couple of people in the funeral today that every weekend they go there, Saipan, Tinian, all of that, but bad for all of Guam.

Ok, if it's bad then all is bad. If we are concerned and we're sure that it's bad for Guam, then no gambling. I will support, I supported gambling, on condition that there is no exception, that it's ok for the bingo, it's ok for the cockfight, it's ok for the lottery machine. That's wrong, that's unjust, unfair, and it's not fair. That there's thousands of Chamorro that go to play slot machine, there's thousands of Chamorro. The cockfight is not far where I stay, but I never go to the cockfight and gamble, I'm happy that they're happy. I know of a person who works in the real estate company, that say you know pari a lot of my compadres, they go to the cockfight and they lose a lot ok, but you know what, when they go home they tell the family don't ever talk that I lost otherwise I'll deport you to Asia, all of them, what's happening on Guam. That is, the thing is computer friend or what to me fine. Then what is it we want, we want gambling. Then I hate to keep reading newspaper oh the people of Guam voted five times to stop gambling since when, since when did the people of Guam vote that they don't want gambling on Guam. That's a wrong statement. The thing is they only go out and vote is for casino or no casino. They never go out and vote no bingo, no gambling, no lottery, it's only for casino. So it's a wrong statement to continue saying PDN, and making it look like all the gambling is illegal gambling on Guam, illegal. Where is it legal my friend, it's at the bingo!

I have nothing against the senior citizen having bingo and their senior citizen that's ok, but all the rest, that's why I'm talking like this, cause people turn around and go against me, against others too, hundreds of people, that like to play. That's my game man, my pleasure, I enjoy that, my recreation, keeps me occupied if I lose money, that's my money. So it's just being fair nai, if there's no slot machine, it really bothers me I keep repeating it. It really bothers me when a guy and his family sitting together, a husband and wife and he was interviewed and he said well are you gonna go vote for casino, don't vote casino, bad for bingo. What does all of this nonsense here that we are challenging each other, so I believe that you Senators come up with a bill or something and put it on the table once and for all, and put a bill down do the people of Guam wanna have gambling on Guam and include all forms of gambling, no casino. Include down cockfight, bingo, lottery, all these here.

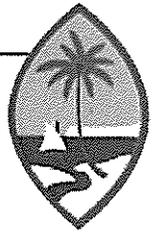
If you ban gambling, all and if all forms of gambling is allowed I'm fine with that too. I supported that either way. Be fair, it's not fair, I don't know if that can be used as a constitutional thing like this, I don't know if that could be involved regarding, to have my recreation to go gambling I don't know. This individual approached the wrong person twice when he told me, the wrong person, don't vote casino, you're gonna ruin the businesses and cockfighting. I told him you approached the wrong person, because I like slot machines, I like slot machines, if I lose money it's ok, it's ok, I don't go out and steal, I don't go out and steal, I don't go out and sell land, I don't go out and sell land and all that thing so just because when their playing bingo and the kid's are sleeping during the bingo. When I use to go to Ordot to take my mom on the bingo, midnight on bingo, I took my mom, they use to have bingo in Ordot, midnight at 1'o clock that last bingo, the kids are playing in the parking lot, nobody said anything, nothing I remember when I'm passing by there at the cockfight up there was passing by I'm not making this up seven vehicles were damaged on the window, seven and there was even a car that was burned inside the parking lot and then on one occasion when I was driving, driving by four individuals chasing one individual in the parking lot. All of these things here is being done but we keep it quiet, this is ok, this is ok it's culture, culture yea there's no culture there, you call that culture, culture yea there's cockfight. Even if I've seen why should I care, I don't care, I don't care, but there the one that started,



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because they're the one that's going against me or against my friend or the people that go to the machine, when you go against that guy that likes to go bingo I mean, slot machine and you turn around and don't vote, no because the casino is bad.

I know a family that told me that every time they used to have bingo up at Tumon, on Tumon on the weekend. The family go up and spend the weekend buy a room at the hotel, buy a room ok, pay the room there, so that they can be there first to get the right spaces and all that, so they can get the chance to win the big pot all of these things they're just spending and there's nothing there, there's nothing ok. It's not for that, but not ok for Ben Garrido and other friends, the thousands of other friends that don't like this. Then what is it we want here. The issue here gaming machine or gambling. Which is, what is the issue gaming machine or gambling, illegal gaming machine or illegal gambling? If it's illegal then why do we have gambling my friend? Casino, where do you want to activate, there are instances where we quickly establish at the liberation day I thought there should be no casino on Guam, what now, what kind of gambling now do we have on this island. I know there is, there is on the books, you can gamble at the cockfight, it's in the books, it's in the Guam Code Annotated and I don't know what else to do and the bingo it's not far for me, it's not fair my friend with this gathering all the time, that's why I'm talking this way, because I've been holding it back, because I've been holding it back. I've been holding it but I'm already fed up with all these things. I've already exceeded my patience and that heck they let in and they're happy. You tell me the people that play bingo and the cockfight. They're the one that knows about recreation and pleasure are they the only ones you tell me, tell me lawyers, A.G. are they the only one who knows? What about Ben Garrido and the rest, they don't know.

I don't have recreation if the machine is there, then I like to play the machine that's my recreation but d...it, but if there is bingo, this is good this is for my recreation, I play bingo only one time I don't like it, that's not my recreation, because I don't enjoy that. There it is, there it is all that bothers men what for again even if I'm teased/cussed again, because they started those things to be told or hearing it all most especially when it's down on black and white, when they, were being asked about, what about casino and all that when they're gonna vote no, no I'm not gonna vote casino is no good but there bingoing, gambling huh, but the cockfight the people are mad and Mr. San Nicholas brought up banning the gambling they, they, they panic, they get mad, so that's how I felt on my times when they took away the machine, when I enjoy it, and all that. I respect those, those the mother of this is my primu, he is close, he is a close primu, I respect all that he does, but if we are, if we are going to correct this, so let us do what is correct not this, this good, this is bad. This is God choosing leave them alone. Casino and the rest this is for satan no, no, no good that's bad, because it's for the devil people, the people that goes there, all those that are there are children of God do not touch them heck, what's that. I also go to Church, I pray, yes I believe in my religion, I believe. All of that but I support the gambling I support all of the cockfight, all the rest of gambling, bingo then let it be that but next time there is casino all of you are listening, looking in the T.V. going to the cockfight, going to the bingo next time there is casino, vote casino, thank you very much."

Senator Frank B. Aguon Jr.

"Thank you very much Mr. Garrido, Uncle Bobing we are gonna continue then go back to you a little later. If we have time we will go back to you, can you please make it fast, ok Uncle Bobing?"

Uncle Bobing

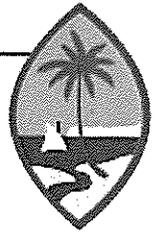
"I'm already being told to hurry up, I'm gonna ride with Ben "Fa'it", because everything he is saying is right. All of you up there who are Senators, answer us back and I will write in with Ben and you who are senators are writing the law. I'm gonna leave now, but I support Ben. I to like playing cards, have you ever heard of playing the card game called stealing? It's a good thing that Jean Autrey, but I like, I support Ben with all his words because I hear it clear and on this side is my nephew, then this is relative too and all of you guys are my nephews. You Tony and Morrison let's get along and open the games. Sir I'm not going against you all but I like Ben's topic and I'll stop so you guys can say what you need to say but remember I like that comment I



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tried to play at Linda's Bar and was bad but when I won I didn't know what to do, it's not bad, it's not bad and I showed all my family and I gave them money, thank you my brothers."

Senator Frank B. Aguon Jr.

"Thank you Uncle Bobing, Mr. Attorney General."

Phil Tydingco

"Good evening Chairman Aguon, Vice-Speaker Cruz, Senator San Nicholas, Senator Tony Ada, Senator Morrison. I am here on behalf of Attorney General Leonardo Rapadas and also with me is Pat Mason. We're here to support this bill and so far we also assisted with the drafting of this bill. As Vice-Speaker has indicated that. We were asked to review this bill, this bill it's comprehensive and it updates you know, the current gambling statute, which Mr. Garrido did make a good point about are laws being confusing but at least this law tries to update it and so far as gaming machines are concerned, because it brings it into the twenty-first century as you know are law was written in the last century and there were no computers or electronic devices and such that were contemplated when those statutes were written. And so and of course this bill is modeled on North Carolina's law which addresses these forms of computer and video rather electronic online gambling type devices and machines and so it's modeled on that and it would not permit the type of sweepstakes gambling that right now looks like that's under our, the radar of our laws, and this would certainly help to find that and of course this law carries both criminal and civil penalties as forfeiture provision which is and provides due process to the owners and due process allow of the civil penalties are opposed. It doesn't, it makes it clear that this bill is only restricted to the electronic devices or the gambling or the sweepstakes type gambling, electronic types, clearly and we've also reviewed it's consistent with the statutes in the criminal code. So we believe if this becomes the law and the policy of the territory that it would really update the gambling law and so far is the gambling devices and so we would support it because it's very comprehensive and far reaching, thank you."

Senator Frank B. Aguon Jr.

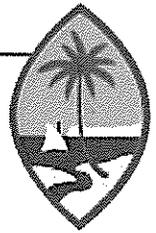
"Thank you very much Mr. Tydingco and Mr. Mason I do believe we have a Francis Munoz if you can please join us at the table and then I'll open it up to any questions or comments for my colleagues. Please use it."

Francis Munoz

"Thank you Mr. Speaker and senators, I was listening to the, to the presentation and with all respect to the Attorney General and Ms. Marati for their presentation and it just dawned on me, I was reminiscing on the old movie genius club where the question was asked, how do we solve the world's problem and the president answered, one guy said yes we can solve or we can solve this issue with gambling and all it's you know, it's addition but I guess, yes the bill at the time it was passed it was because the wishes of many people on this island and with all respects, that the responsibility here would have to fall under everybody not just you senators, it would also include the Attorney General, and all other officials or judiciary, whoever's organizations that is involved in this and I have a, I feel very strongly that we can resolve it but when we have this online like Senator B.J. mentioned about the online gambling, now I have been doing that online with Vegas and I win a lot of money there. There was a time when I would win a lot of money accidentally but when it comes to a foreign like a, Senator Cruz say's something that's not part of the U.S. and with intentions of making money illegally that would probably be a part where we would have to like the Attorney General says have to investigate and under their close watch you know, his radar but it's not going to be easy, like you said, Senator anything online can happen with a computer and I've seen it. I've seen hackers some of the best hackers I have run into are now working with the Federal Government trying to control some of this online hacking and all this casinos and stuff like that. There's so much I've seen and it's happening even as we speak, that I can, I can rest assured there is monitored, we have federal officials, Attorney General from all over, part of the U.S. that are monitoring but when it comes to outside foreign countries that I'm afraid of. There's a lot of issues here that concern me National Security,

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the Homeland Security, and I'm not even gonna go there but I do with all respects to all you Senators. The gambling issue here with all its inclusion that is under control, we have full control of that on this island, anything else other than what we already have traditionally excepted I'm in favor of but the, that's about the only, the thing I'm really worried about is the online thing with the computers and how people can and some of the best hackers down there in the other side not in the U.S. so that's all and wish I had more to say but with all respects to the Attorney General and Ms. Marati and Ben and I have a lot of respect for Ben and I respect everybody's opinion and I hope we can come to a, resolve this and take full control and not really condemn the activities a hundred percent. We must have control and like Ms. Marati said there should be enforcement because if there is no reinforcement and I don't want to here there is not enough people you know. We've been hearing this for the longest time of course the Government are par, we're doing are part but there will come a time we will lose control and it will happen if we don't stay on top of it I've seen it happen and it's happening here. So I hope I didn't confuse the issue, I hope I kind of like, some of my issues, you know, my concerns. The Attorney General has gotta whole lot of work to do and I'm wondering if he has the staff and technology you know to monitor and secure, thank you."

Senator Frank B. Aguon Jr.

"Thank you very much Mr. Munoz, Vice-Speaker Cruz any questions or comments, Senators. To everyone that provided testimony this evening thank you very much and just for your information of the public, the committee will continue to accept testimony for the next 10 days and please direct it to my office at aguon4guam@gmail.com thank you very much again."

The public hearing was adjourned at 5:55 PM.

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 10 October 2013 at 2:00PM:

1. Danny Payumo, General Manager, The Sweeps Center
2. Jose Q. Cruz, Ed.D., President, Lina'la Sin CasiNo

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. 161-32 (LS) by the Committee on Guam US Military Relocation, Homeland Security, Veteran's Affairs and Judiciary, with a recommendation TO REPORT OUT ONLY.

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

Bill No. 192-32 (WR)

Introduced by:

B. J.F. Cruz 

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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M

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. A new § 64.15 is hereby *added* to Chapter 64 of Title 9 of the Guam Code Annotated to read:

“§ 64.15. Use of Electronic Machine or Device to Conduct Sweepstakes Illegal.

(a) Definitions. As used in this Section the following words *shall*, unless the context clearly requires otherwise, have the following meanings:

(1) “Electronic machine or device”, a mechanically, electrically or electronically operated machine or device that is owned, leased or otherwise possessed by a sweepstakes sponsor or promoter, or any sponsors, promoters, partners, affiliates, subsidiaries, or contractors thereof, that is intended to be used by a sweepstakes entrant, that uses energy, and that is capable of displaying information on a screen or other mechanism. This section is applicable to an electronic machine or device whether or not it:

- 1 (i) is server-based;
- 2 (ii) uses a simulated game terminal as a representation of
3 the prizes associated with the results of the sweepstakes entries;
- 4 (iii) utilizes software such that the simulated game
5 influences or determines the winning or value of the prize;
- 6 (iv) selects prizes from a predetermined finite pool of
7 entries;
- 8 (v) utilizes a mechanism that reveals the content of a
9 predetermined sweepstakes entry;
- 10 (vi) predetermines the prize results and stores those
11 results for delivery at the time the sweepstakes entry results are
12 revealed;
- 13 (vii) utilizes software to create a game result;
- 14 (viii) requires deposit of any money, coin, or token, or
15 the use of any credit card, debit card, prepaid card, or any other
16 method of payment to activate the electronic machine or device;
- 17 (ix) requires direct payment into the electronic machine
18 or device, or remote activation of the electronic machine or
19 device;
- 20 (x) requires purchase of a related product having
21 legitimate value;
- 22 (xi) reveals the prize incrementally, even though it may
23 not influence whether or not a prize is to be awarded or the
24 value of any prize awarded;
- 25 (xii) determines and associates the prize with an entry or
26 entries at the time the sweepstakes is entered;

1 (xiii) is a slot machine or other form of electrical,
2 mechanical, or computer game.

3 “Electronic machine or device” also includes gambling devices as
4 defined in § 64.20(b) of this Chapter.

5 (2) “Enter” or “entry”, the act or process by which a person
6 becomes eligible to receive any prize offered in a sweepstakes.

7 (3) “Entertaining display”, any visual information, capable of
8 being seen by a sweepstakes entrant, that takes the form of actual
9 game play, or simulated game play.

10 (4) “Prize”, any gift, award, gratuity, good, service, credit, or
11 anything else of value, which may be transferred to a person, whether
12 possession of the prize is actually transferred, or placed on an account
13 or other record as evidence of the intent to transfer the prize.

14 (5) “Sweepstakes”, any game, advertising scheme or plan, or
15 other promotion, which, uses an electric machine or devise defined in
16 this Section, with or without payment of any consideration, a person
17 may enter to win or become eligible to receive any prize, the
18 determination of which is based partially or completely upon chance.

19 (b) It shall be unlawful for any person to operate or knowingly possess
20 with the intent to operate, or place into operation, an electronic machine or
21 device to:

22 (1) conduct a sweepstakes through the use of an entertaining
23 display, including the entry process or the reveal of a prize; or

24 (2) promote a sweepstakes that is conducted through the use of
25 an entertaining display, including the entry process or the reveal of a
26 prize.

1 (c) Nothing in this section shall be construed to make illegal any
2 activity which is lawfully conducted pursuant to 9 GCA Chapter 64 Article
3 2.”

4 **Section 2.** A new § 64.16 is hereby *added* to Chapter 64 of Title 9 of
5 the Guam Code Annotated to read:

6 **“§ 64.16. Forfeiture of Electronic Machine or Device Used to**
7 **Conduct Sweepstakes.**

8 Upon a determination by the Department of Revenue and Taxation or
9 the Attorney General that probable cause exists to believe that any electronic
10 machine or device is being operated or is intended to be operated to conduct
11 a sweepstakes or promote a sweepstakes in violation of 9 GCA §64.15
12 above, the electronic machine or device *shall* be subject to immediate
13 seizure by law enforcement officials from the Department or Revenue and
14 Taxation, the Guam Police Department, or the Office of the Attorney
15 General. Any government entity in possession of a seized electronic machine
16 or device *shall* retain the item pending a disposition order from a Superior
17 Court judge. Upon application by the Department of Revenue and Taxation
18 or the Attorney General or the owner of the electronic machine or device,
19 and after notice to all parties and an opportunity to be heard by all parties, if
20 the court determines that it is unlawful to possess the electronic machine or
21 device, the Director of the Department of Revenue and Taxation or the
22 Attorney General may have the electronic machine or device destroyed, or
23 may use the electronic machine or device for training or may sell the
24 electronic machine or device at an auction to be held at the place where the
25 electronic machine or device is located or at another place as determined by
26 the Director of the Department of Revenue and Taxation or the Attorney
27 General. If the court determines that the electronic machine or device is not

1 unlawful to possess under 9 GCA § 64.15, the electronic machine or device
2 shall be ordered released to its owner upon satisfactory proof of ownership.
3 Neither the Government of Guam nor its officials, employees or agents shall
4 be liable for the seizure of electronic machines and devices under this statute
5 when a court determines that the electronic machine or device is ordered to
6 be released to its owner. The foregoing procedures for release shall not apply
7 with respect to an item seized for use as evidence in any criminal action or
8 proceeding until after entry of final judgment.”

9 **Section 3.** A new § 64.17 is hereby *added* to Chapter 64 of Title 9 of the
10 Guam Code Annotated to read:

11 **“§ 64.17. Penalties.**

12 (a) Any person who violates 9 GCA § 64.15 shall be guilty of a
13 felony punishable by imprisonment of not more than five (5) years and a fine
14 not to exceed \$250,000, or both. Each violation of 9 GCA § 64.15 shall be
15 considered a separate offense.

16 (b) Any person who violates 9 GCA § 64.15 *may* also be subject to an
17 administrative penalty of not more than \$250,000 to be assessed by a
18 decision and order of the Director of the Department of Revenue and
19 Taxation. Each violation of 9 GCA § 64.15 *shall* be considered a separate
20 offense.

21 (1) Before issuing a decision and order assessing an
22 administrative penalty, the Department of Revenue and Taxation shall
23 give written notice, in the form of an accusation, to the person to be
24 assessed an administrative penalty.

25 (2) The person to be assessed an administrative penalty shall be
26 entitled to notice, to a hearing before the Director of the Department
27 of Revenue and Taxation, and to review by the Superior Court

1 according to the procedures in Articles 1 and 2 of the Administrative
2 Adjudication Law.

3 (3) If any person fails to comply with an administrative penalty
4 decision and order after the assessment has become final, or after a
5 court in an action brought pursuant to the Administrative Adjudication
6 Law has entered a final judgment in favor of the Director of the
7 Department of Revenue and Taxation, the Attorney General of Guam
8 may bring a civil action to enforce the order and to recover the
9 amount ordered or assessed, plus interest of six percent (6%) per
10 annum from the date of the final administrative decision and order or
11 the date of the final judgment, as the case may be. In this action, the
12 validity, amount, and appropriateness of the penalty assessed by the
13 administrative decision and order or the final judgment of the court
14 made after an appeal of the administrative decision and order shall not
15 be subject to review. The Director of the Department of Revenue and
16 Taxation need only show that:

17 (A) notice was given; and

18 (B) a hearing was held, or the time granted for requesting a
19 hearing has run without a request for a hearing; and

20 (C) the penalty was imposed; and

21 (D) the penalty remains unpaid.

22 A judgment of the court entered under this subpart (3) of 9 GCA §
23 64.17(b) may be enforced and collected in the same manner as a
24 money judgment of the Superior Court.”

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

I Mina'Trentai Dos na Liheslaturan Guahan | 32nd Guam Legislature



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

Tuesday, October 15, 2013 at 5:00PM

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”.

NAME (Please Print)	Agency/Organization	Contact Number	Oral Testimony	Written Testimony	In Favor	Not In Favor
Bobbing Wolford		789-5826	✓			
JACKIE ARENDA	FSS	6885305	✓	✓	✓	
PA'et Vicente	Grand Self	688-8072	✓			
Phil Tydings	Pat Mafun ASD					

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

I Mina'Trentai Dos na Liheslaturan Guahan | 32nd Guam Legislature



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NAME (Please Print)	Agency/Organization	Contact Number	Oral Testimony	Written Testimony	In Favor	Not In Favor
Francis Muroz		477-8593	✓			

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

I Mina'Trentai Dos na Liheslaturan Guahan | 32nd Guam Legislature



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NAME (Please Print)	Agency/Organization	Contact Number	Oral Testimony	Written Testimony	In Favor	Not In Favor
Pat Mason	OAG	475.3372	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	

TESTIMONY OF
JACQUELINE ARRIOLA MARATI
SUPPORTING Bill 192-32
“ANTI SWEEPSTAKES CAFÉ”

Relative to the prohibition and forfeiture of electronic machines or devices to conduct sweepstakes gambling

Hafa adai, Honorable Senators:

My name is Jacqueline Arriola Marati, and I appear before you in my capacity as a private citizen and as a member of Keep Guam Good. My comments do not represent those of my employer.

Allow me to summarize our support of Bill 192-32 by referencing the White Paper by the American Gaming Association which states:

1. Internet sweepstakes cafes are in the gambling business, as concluded by every appellate court to review the question;
2. Where they exist, internet sweepstakes cafes face no regulation -
 - a. Of the background and integrity of owners and managers
 - b. Of the fairness of the games they offer
 - c. Requiring exclusion of customers who are too young to go to licensed commercial gambling venues
 - d. Imposing special zoning standards
 - e. Requiring that information be provided about counseling and other treatment options available for those unable to control their gambling;
3. Cafes pay no special gaming tax;
4. Cafes are an easy business to start, requiring little investment and being able to open quickly and inconspicuously;
5. Many are commanding significant market positions in their communities, siphoning off dollars that should be spend on necessities;
6. Cafes spend heavily on litigation to protect their investments, contributing generously to legislative campaigns and lobbying to obstruct legislation;



Thursday, October 17, 2013

Honorable Senator Frank Aguon Jr.
155 Hesler Street
Hagatna, Guam 96910
aguon4guam@gmail.com

Re: Public Testimony against Bill 192-32

Dear Senator,

My name is Danny Payumo and I am testifying against Bill 192-32, not only as General Manager of the Guam Sweepstakes Corporation, but also a local, taxpaying, business owner and a private citizen of Guam.

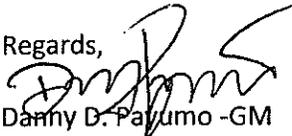
The thrill to win cash prizes has been and will always be an effective and legitimate promotion tool for businesses to sell products and services. A customer can win up to \$1Million dollars playing the McDonalds monopoly game and win up to \$5000 playing at one of the sweeps center locations.

The Guam Sweepstakes Corporation is currently operating within the law. We are a tax paying business employing 14 local men and women. Our two internet cafes have 40 computers where customers buy internet access and play free sweepstakes games.

In the spirit of fairness and in line with recent legislation that passed unanimously by the 32nd Guam Legislature (Bill 20), all we ask is fair treatment under the law. This body voted unanimously to tax an illegal device that is difficult to regulate and impossible to monitor for a single company to enjoy the profit, creating a monopoly business. This Bill targets a single company that is operating within the law and has the ability to offer real time monitoring allowing for the implementation of strict rules and regulations. If this Bill passes, history will judge this Legislature and its Gaming related policies as unjust and inconsistent.

If added regulation and a special tax is what the legislature decides, then let it be the standard for all existing legal games. If shutting down tax paying businesses and imposing harsh penalties is what the legislature decides, then let it be the standard and make it apply to all legal and illegal machines on Guam. It would be an unfair result to have created a special tax for revenue from illegal machines while shutting down all opportunities to tax revenue from machines that operate within the law within the same year.

Regards,


Danny D. Payumo -GM

689-2620

ddpayumo@thesweepscenter.com



Thursday, October 17, 2013

Honorable Senator Frank Aguon Jr.
155 Hesler Street
Hagatna, Guam 96910
aguon4guam@gmail.com

Re: Public Testimony against Bill 192-32

Dear Senator,

My name is Lallaine Duenas and I am testifying against Bill 192-32 as an employee of The Sweeps Center. I am also the wife of an E4 Specialist in the Guam Army National Guard (my husband is currently deployed), a mother of a 2 year old daughter and private citizen of Guam. I have been employed with The Sweeps Center since October 2011 and have enjoyed being part of a new, growing business. This job has allowed me to work around my schedule. It has allowed me to grow, to learn and at the same time gain the confidence needed to survive in a competitive workforce. I have recently been promoted to a supervisor position and have plans to attend college and study business in the near future. It is difficult to find these opportunities as a young mother and I am thankful to be in this position.

Bill 192-34 proposes penalties of 5 years and a fine of up to 250,000 dollar for owning, operating or promoting an electronic sweepstakes game through an entertaining display. However, Article 64 GCA sets the penalty for possession of an illegal gambling device not more than one year in prison, or not more than a 1,000 dollar fine.

There is no legitimate reason for Bill 192-32 to establish such a significantly harsher penalty and longer prison term for devices. It is my opinion that there are political motivations behind the intent of this bill to target and shut down a legal tax paying local business. All we ask is fair treatment under the law. I would also request that the Legislature see clear to allow new businesses to grow and prosper so workers, like myself, enjoy the opportunity to work and to work at a job of their choice.

Regards,

Lallaine Duenas

A handwritten signature in black ink that reads "Lallaine Duenas". The signature is written in a cursive, flowing style.



Fwd: Public Testimony against Bill 192-32

Frank Aguon, Jr. <aguon4guam@gmail.com>

Fri, Oct 25, 2013 at 1:27 PM

To: Yvette Cruz <yvettelacruz@gmail.com>, "Fred R. Rico Taitague III" <committee@frankaguonjr.com>, William Iglesias <billiglesias@gmail.com>

Please prepare memo to Speaker/Chair of COR to add this as addendum to Committee Report.

Thank you.

Respectfully,

SENATOR FRANK B. AGUON, JR.

Chairman, Committee on Guam-US Military Relocation, Homeland Security, Veterans Affairs, and Judiciary
Mina Trentai Dos Na Liheslaturan Guahan (Thirty-Second Guam Legislature)

155 Hesler Street

Hagatna, Guam 96910

email: aguon4guam@gmail.com

Contact Nos. Office, 475-GUM1/2 (4861/2)

----- Forwarded message -----

From: **Karen Kathleen Uy** <kmuy@philweb.com.ph>

Date: Fri, Oct 25, 2013 at 11:27 AM

Subject: Public Testimony against Bill 192-32

To: aguon4guam@gmail.com

Cc: Michael Grandinetti <mtgrandinetti@philweb.com.ph>

Dear Senator Frank Aguon,

Good day!

In behalf of Mr. Michael Grandinetti, I am sending you a soft copy of the Public Testimony against Bill 192-32 that was signed by the President of Philweb Corporation, Mr. Dennis O. Valdes.

For your reference, please see the attached file.

—
Thank you very much.

Karen Kathleen Uy

Product Associate | Business Solutions Department

Philweb Corporation

The Penthouse, Alphaland Southgate Tower,

2258 Chino Roces Ave. Cor. Edsa, Makati City 1232

Contact No.: +632 338 5599 Local 572

Email: kmuy@philweb.com.ph

Skype ID: karen.uy0817

Website: <http://www.philweb.com.ph>

 **Public Testimony against Bill 192-32.pdf**
173K



17 October 2013

Honorable Senator Frank Aguon, Jr.
155 Hesler Street
Hagatna, Guam 96910
aguon4guam@gmail.com

Re: Public Testimony against Bill 192-32

Dear Senator Aguon,

My name is Dennis Valdes and I am a director of Guam Sweepstakes Corporation and president of Philweb Corporation. Philweb is a regional provider of gaming solutions and is a publicly listed company on the Philippine Stock Exchange. We operate in five countries throughout the Asia Pacific region, and for the last four years, Forbes Asia magazine has included us on its list of the top companies in Asia that are the "Best Under a Billion" in terms of revenues.

In Guam, Philweb, thru its subsidiary Philweb Asia-Pacific Corporation, owns 51% of the Guam Sweepstakes Corporation, a company that operates two Internet-sweepstakes cafés under our brand, "The Sweeps Center." Danny Payumo, a young local entrepreneur, manages the Guam operation and owns the remaining 49% of the business.

We operate in many jurisdictions around the world and complying with local laws and regulations is a primary objective for us. As such, we would like to offer the following comments regarding the proposed Bill 192-32.

It is our opinion that Bill 192-32 should not be enacted into law. The Bill targets the closure of one local business while changing the way all local businesses are able to promote the sale of products and services in Guam.

As the only business that is to be affected by the passage of Bill 192-32, we would like to provide the enclosed information as provided by our American legal counsel about the legality of our business model and respond to various incorrect and misleading statements made by the author of the bill, Senator BJ Cruz, and other individuals testifying in favor of the Bill.

Sincerely,

A handwritten signature in black ink that reads "Dennis Valdes". The signature is stylized and includes a large, sweeping flourish at the end.

Dennis Valdes
President

A. SWEEPSTAKES BUSINESS MODEL

The Guam Sweepstakes Corporation operates 2 Internet Café establishments that use simulated sweepstakes games as a promotion tool to sell Internet time. Customers have the opportunity to win sponsored prizes as well as cash prizes. Like all sweepstakes contests, customers have the opportunity to enter without any purchase of product and approximately one out of every four sweepstakes entrants will win a prize (consistent with other sweepstakes models, e.g., McDonald's Monopoly sweepstakes payouts).

NOT GAMBLING

In order for gambling to take place, by definition, the following three elements must be present:

1. Consideration – something of value placed as a “wager” or bet
2. Chance – the element of risk
3. Award – a prize, usually money or an item of value

Sweepstakes promotions do not require consideration to play and are not considered to be a game of chance.

NO CONSIDERATION

There is no gambling unless a participant is required to risk something of value. It is not gambling when a business gives another a chance of winning a valuable prize at no cost.

NOT A GAME OF CHANCE

The sweepstakes promotion is “fixed” or “finite.” Meaning, before the sweepstakes even starts, there is already a 100% certainty what the outcome will be. The following are predetermined: the number of entries and winners there will be and how much each will win. What is not predetermined or known is the identity of who will win.

Example: Sweepstakes prizes may come in a deck of 10,000 cards. Payout on the deck might be \$5,000 Cash Prizes and \$3,000 of Products.

B. STATEMENTS MADE BY THE AUTHOR OF BILL 192-32

Senator Cruz and Jackie Marati made the following incorrect and misleading statement:

“The American Gaming Association has found that every appellate court that has been confronted with this issue has found cyber gambling cafes to be unequivocal commercial gambling establishments.”

First, we would like to note that the American Gaming Association is an organization that represents the largest most profitable casinos in America. Their opinion and primary motivation is tied to the profits of member companies.

Second, the statement made by Senator Cruz is simply not true. The article misstates the ruling of the North Carolina appellate court in *Hest Technologies, Inc. v. State ex rel. Perdue*, ___ N.C.App. ___, 725 SE2d 10 (2012). The appellate court in North Carolina in March of 2012 found that the North Carolina law banning Internet sweepstakes terminals was illegal, thus finding that the internet sweepstakes terminals were legal. Thus, it is absolutely inconsistent and misleading to say that the North Carolina courts have unequivocally found the Internet sweepstakes cafes to be "commercial gambling establishments."

There is also a very recent decision in New Mexico by an appellate court that reversed criminal convictions in New Mexico for operators of an Internet sweepstakes café. (*State v. Vento*, ___ P.3d ___, 2012 WL 3101655. 2012). That decision was made in July of 2012, well before the American Gaming Association published their report on sweepstakes gaming. This decision has been appealed to the New Mexico Supreme Court, which agreed to hear that case in June of this year.

Senator Cruz made the following incorrect and misleading statement to Guam Media:

"I fought against the licensing of gambling devices, and while the legality of 318 machines now rests with the Courts, we should be able to agree that enough is enough."

Although Senator Cruz claims to have fought against the licensing of gambling devices, **HE VOTED FOR** bill 19, licensing 318 illegal liberty machines owned by Guam Music Inc.

Senator Cruz made the following statement to Guam Media:

"The loophole, which this new law intends to close, could allow thousands of gambling terminals to operate without any oversight, taxation or regulation."

The reality is this measure will affect only one tax paying business and calls into question only 55 terminals that are used to sell internet time to customers in Guam.

Senator Cruz made another inconsistent and misleading statement on K57 on 9/26/2013:

"People play (at the Sweeps Center) by using their credit card"

Customers are not allowed to use credit cards to play the sweepstakes games at the Sweeps Center. In fact, customers do not pay consideration to play in the Sweepstakes promotion. When customers purchase internet access, they are given free entries into the sweepstakes promotion, where they get the chance to win a variety of prizes. Customers are also not allowed to purchase the Internet access with a credit card.



Fwd: Testimony on Bill 192-32

11/23/13 11:11 AM

Frank Aguon, Jr. <aguon4guam@gmail.com>

Wed, Oct 23, 2013 at 8:48 PM

To: Yvette Cruz <yvettelcruz@gmail.com>, "Fred R. Rico Taitague III" <committee@frankaguonjr.com>

Please incorporate into Committee report.

Thank you.

Respectfully,

SENATOR FRANK B. AGUON, JR.

Chairman, Committee on Guam-US Military Relocation, Homeland Security, Veterans Affairs, and Judiciary
Mina Trentai Dos Na Liheslaturan Guahan (Thirty-Second Guam Legislature)

155 Hesler Street

Hagatna, Guam 96910

email: aguon4guam@gmail.com

Contact Nos. Office, 475-GUM1/2 (4861/2)

----- Forwarded message -----

From: **Jose Cruz** <jose.q.cruz@gmail.com>

Date: Wed, Oct 23, 2013 at 6:55 PM

Subject: Testimony on Bill 192-32

To: BJ Cruz <senadotbjcruz@aol.com>, Frank Aguon <aguon4guam@gmail.com>

My apologies for just now sending our Lina'la position in regard to Bill 192-32.

Dr. Cruz



Testimony on Bill 192.doc

62K

Testimony on Bill 192-32

My name is Dr. Jose Q. Cruz, President of Lina'la Sin CasiNo, a non-profit organization dating back more than 25 years having its origin on the push to make illegal poker machines on Guam. Our organization, with others, has succeeded in rejecting all proposals submitted to the voters for the legalization of casinos on Guam. It is quite devilish that under Bill 192-32 it is to make more cunning in making electronic gambling more complicated but still with the general intent to make the house win more and the people lose a lot with its maneuverings electronically. The sweepstakes approach makes the lure more enticing. It is to sweep the stakes yet leave the litter of loss to the players or individual playing the chance that is already designed for the winnings of the house.

When are we going to heed the voice of the people against any form of casino gambling? Bill 192-32 does not mince words. The use of electronic machine or device to conduct sweepstakes (gambling) is illegal? I laud the research that went into the bill in sustaining the illegal elements and the due process provided altogether for the rounding up of the illegal machines and their owners. I hope the Attorney General is given more substance and clarity to their task in the proposed law.

I still remember the children who had to sleep in the classrooms because their home was without supervision. The more stark experience is when a little child in diapers was caught wandering outside the casino parlors. Finally, the impact to the young woman who had to grow up quickly to take care of her siblings begs her lament to stop the wasted life that she was burdened with. The cause of gambling addiction is devilishly planned and understood by the gambling machine owners to win at all cost. What has been shown is that for every dollar the government gets, a liability of \$3 is burdened with the people altogether.

We support unequivocally Bill 192-32!

/s/ Jose Q. Cruz, Ed.D.
President, Lina'la Sin CasiNo



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
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Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Senator
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Member

Speaker
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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. 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.” – 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 192-32 (COR) to be included in the committee report on said bill, is hereby waived.

Certified by:

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

11/4/13
Date



COMMITTEE ON RULES

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Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

September 24, 2013

VIA E-MAIL
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. 177-32(COR) through 180-32(COR);
184-32(COR) through 186-32(COR); and 188-
32(COR) through 193-32(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 SEP 24 AM 10:15

Bill Nos.	Sponsor	Title
177-32 (COR)	Vicente (ben) C. Pangelinan, Michael F.Q. SanNicolas, Judith T. Won Pat, Ed.D., T. R. Muña Barnes, Frank B. Aguon, Jr., B.J.F. Cruz, R.J. Respicio	AN ACT MAKING APPROPRIATIONS FOR THE OPERATIONS OF THE EXECUTIVE, LEGISLATIVE, AND JUDICIAL BRANCHES OF THE GOVERNMENT OF GUAM FOR FISCAL YEAR ENDING SEPTEMBER 30, 2014; MAKING OTHER APPROPRIATIONS; AND ESTABLISHING MISCELLANEOUS AND ADMINISTRATIVE PROVISIONS.
178-32 (COR)	Judith T. Won Pat, Ed.D. Tina R. Muna Barnes D.G. Rodriguez, Jr., Rory J. Respicio, Michael F.Q. San Nicolas Frank B. Aguon, Jr. Tommy Morrison	AN ACT TO APPROPRIATE THE REMAINING FUNDS ESCHEATED TO THE GENERAL FUND PRIOR TO END OF FISCAL YEAR 2013, PURSUANT TO §21116 OF CHAPTER 21, DIVISION 2, TITLE 5, GUAM CODE ANNOTATED, TO THE DEPARTMENT OF PUBLIC HEALTH & SOCIAL SERVICES AND AUTHORIZED TO USE AS A LOCAL REQUIREMENT FOR THE MEDICAID PROGRAM.
179-32 (COR)	B.J.F. Cruz T.R. Muña-Barnes J.T. Won Pat, Ed.D	AN ACT TO AMEND P.L. 30-83 RELATIVE TO THE COORDINATING COMMITTEE OF THE 12TH FESTIVAL OF PACIFIC ARTS OF 2016.
180-32 (COR)	B.J.F. Cruz T. C. Ada	AN ACT TO AMEND SECTION 30102(a) OF CHAPTER 30, TITLE 5 GUAM CODE ANNOTATED, TO REQUIRE AGENCIES PERMITTED TO RETAIN COUNSEL OTHER THAN THE ATTORNEY GENERAL, TO HIRE UNCLASSIFIED, IN-HOUSE COUNSEL.
184-32 (COR)	Aline A. Yamashita, Ph.D., V. Anthony Ada, Brant T. McCreddie, Tommy Morrison, Michael T. Limtiaco, Chris M. Dueñas	AN ACT TO APPROPRIATE THE SUM OF THREE MILLION DOLLARS (\$3,000,000) FROM SECTION 30 TAX REVENUES TO THE DEPARTMENT OF EDUCATION FOR THE IMPLEMENTATION OF PROVISIONS OF PUBLIC LAW NO. 31-29.
185-32 (COR)	Michael T. Limtiaco, Brant T. McCreddie, V. Anthony Ada, Chris M. Dueñas, Tommy Morrison, Aline A. Yamashita, Ph.D.,	AN ACT TO APPROPRIATE THE SUM OF FOUR HUNDRED FORTY NINE THOUSAND, ONE HUNDRED NINETEEN DOLLARS (\$449,119) FROM SECTION 30 TAX REVENUES TO PURCHASE VEHICLES FOR THE GUAM POLICE DEPARTMENT.
186-32 (COR)	Tommy Morrison, Brant T. McCreddie, V. Anthony Ada, Chris M. Dueñas, Michael T. Limtiaco, Aline A. Yamashita, Ph.D.,	AN ACT TO APPROPRIATE THE SUM OF THREE MILLION DOLLARS (\$3,000,000) FROM SECTION 30 TAX REVENUES TO THE GUAM POLICE DEPARTMENT, THE GUAM FIRE DEPARTMENT, AND THE DEPARTMENT OF CORRECTIONS.

188-32 (COR)	T.R. MUÑA Barnes, B. J.F. Cruz	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.
189-32 (COR)	Dennis G. Rodriguez, Jr.	AN ACT TO FACILITATE THE RECRUITMENT OF HARD-TO-FILL ALLIED HEALTH PROFESSIONAL POSITIONS, BY AMENDING §6229.14 OF CHAPTER 6, 4 GCA, AND SUBSECTION (a) OF § 12805, ARTICLE 8, CHAPTER 12, PART 1, 10 GCA.
190-32 (COR)	B J.F. Cruz, Judith T. Won Pat, Ed.D., Aline A. Yamashita, Ph.D.	AN ACT TO ADD A NEW CHAPTER 28 TO DIVISION 2 OF TITLE 17 GUAM CODE ANNOTATED RELATIVE TO THE ESTABLISHMENT OF THE RESEARCH CORPORATION, UNIVERSITY OF GUAM (RCUOG).
191-32 (COR)	Frank B. Aguon, Jr.	AN ACT TO AMEND PUBLIC LAW 31-235, RELATIVE TO THE WOMEN'S REPRODUCTIVE HEALTH INFORMATION ACT OF 2012.
192-32 (COR)	B J.F. Cruz	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.
193-32 (COR)	Dennis G. Rodriguez, Jr.	AN ACT TO AMEND SECTION 4 OF PUBLIC LAW 31-235 TO DELETE THE PROVISION REQUIRING THE "PRINTED MATERIALS" AND THE "CHECKLIST CERTIFICATION" TO UNDERGO THE RULE MAKING PROCESS PURSUANT TO THE ADMINISTRATIVE ADJUDICATION LAW.



COMMITTEE ON RULES

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V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

September 24, 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. 192-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 192-32(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 Guahan

Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
192-32 (COR)	B.J.F. Cruz	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.	09/23/13 12:38 p.m.	09/24/13	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. Copies of the aforementioned Bill(s) may be obtained at *I Liheslaturan Guåhan*'s website at 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.

Si Yuos Ma âse!

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 | www.frankaguonjr.com

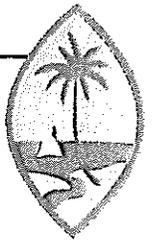
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 **AllSen-Memo(1st15OCT13).pdf**
396K



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. Copies of the aforementioned Bill(s) may be obtained at *I Liheslaturan Guåhan's* website at 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.

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
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Senator
Thomas C. Ada
Committee Member

Senator
Dennis G. Rodriguez, Jr.
Committee Member

Senator
V. Anthony Ada
Committee Member

Senator
Michael Lmtiaco
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

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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.

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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)

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 **All Senators-2ndNotice of PHOct.15,2013.pdf**
399K



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

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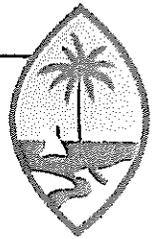
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COMMITTEE ON

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

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



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**Senator
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Committee Member

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”.
 - **Bill No. 202-32 (COR)** – An add a new Article 3 to Chapter 37 of 9GCA relative to carjacking.
- IV. Closing Remarks**
- V. Adjournment**



OFFICE OF SENATOR FRANK B. AGUON, JR.

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



PUBLIC HEARING 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) - Tuesday, October 15, 2013 at 5:00PM

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

PUBLIC HEARING NOTICE

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.

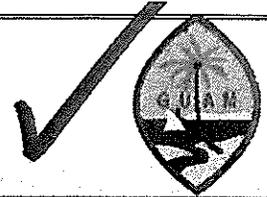
TUESDAY - OCTOBER 15, 2013 at 6:00PM - Quarterly Veterans Round Table

The public hearing will be broadcasted on MCV Channel 13 or GUDTV Channel 21. If you require any special accommodations, please contact the Office of Senator Frank B. Aguon, Jr. at 475-GUM1/2 (4861/2) or e-mail committee@frankaguonjr.com. **This ad paid for with government funds**



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



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

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

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FRIDAY, OCTOBER 11, 2013 - MARIANAS VARIETY GUAM EDITION



Mina Trentai 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 27 of 9GCA relative to carjacking.

6:00PM
Quarterly Veterans Round Table

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

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

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@spbguam.com, Bob Gaeth <bgaeth@k57.com>, Clynt Ridgell <clynt@spbguam.com>, Coleen R San Nicolas-Perez <coleen.perez@fe.navy.mil>, David Crisostomo <dcrisost@guampdn.com>, Duane George <dmgeorge@guampdn.com>, 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@spbguam.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@spbguam.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@spbguam.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.

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.

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

155 Hesler PL Suite 104, Hagåtña, Guam 96910

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

Fax: (671) GUM3 (4863)

aguon4guam@gmail.com | www.frankaguonjr.com

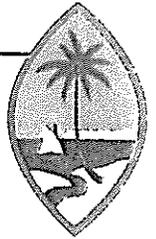
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COMMITTEE ON

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

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



October 7, 2013

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@guam.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
 - 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. Copies of the aforementioned Bill(s) may be obtained at *I Liheslaturan Guåhan's* website at 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.

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 | 32nd Guam Legislature

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

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

WWW.FRANKAGUONJR.COM

Senator
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Speaker
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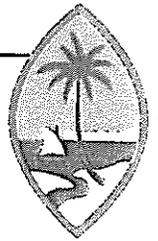
Senator
Michael Limtiaco
Committee Member

Senator
Thomas Morrison
Committee Member



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

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V. Anthony Ada
Committee Member

Senator
Michael Lintiaico
Committee Member

Senator
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

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.

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Respectfully,

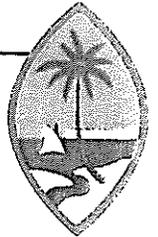
SENATOR FRANK B. AGUON, JR.
Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary
I Mina'Trentai Dos Na Liheslaturan Guåhan | 32nd Guam Legislature



COMMITTEE ON

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VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

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V. Anthony Ada**
Committee Member

**Senator
Michael Limtiaco**
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

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
 - 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
I Mina'trentai Dos Na Liheslaturan Guåhan | 32nd Guam Legislature

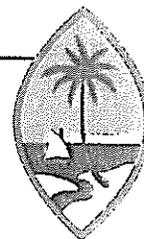
cc: Joshua Tenorio



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

Ambrose Constantino
Advisor, Guam Homeland Security
2218 Chalan Palasyo
Agana Heights, Guam 96910

Sent via email to ambrosio.constantino@ahs.guam.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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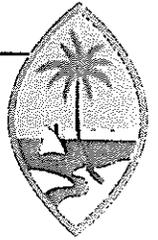
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GUAM U.S. MILITARY RELOCATION
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY

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



October 7, 2013

James T. McDonald
Office of Civil Defense Administrator
221B Chalan Palasyo
Agana Heights, Guam
Sent via email to jim.mcdonald@ghs.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 Hagatña.

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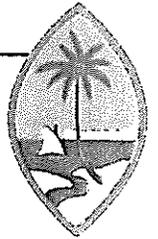
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COMMITTEE ON

**GUAM U.S. MILITARY RELOCATION
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Committee Member

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@qvao.guam.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!

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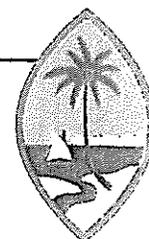
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I Mina'trentai Dos Na Liheslaturan Guáhan | 32nd Guam Legislature



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

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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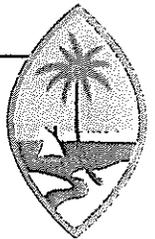
**Senator
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Committee Member



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I Mina'trentai Dos Na Liheslaturan Guåhan | 32nd GUAM LEGISLATURE



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

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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- **Veterans Affairs' Issues on;**
 - 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 | 32nd Guam Legislature

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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



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Committee Member

**Senator
Thomas Morrison**
Committee Member

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

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.

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Respectfully,

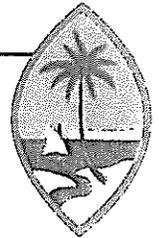

SENATOR FRANK B. AGUON, JR.

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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

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

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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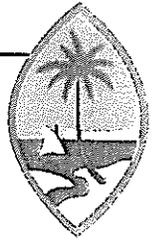
Senator
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Committee Member



COMMITTEE ON

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

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**Senator
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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@quamaq.org

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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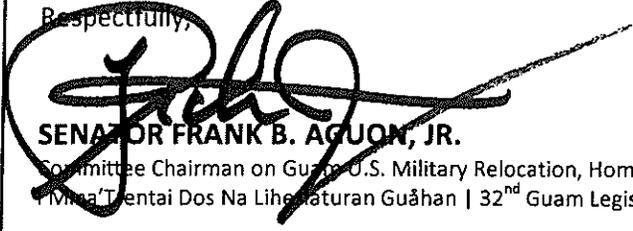
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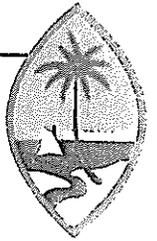
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I Mina'trentai Dos Na Liheslaturan Guåhan | 32nd Guam Legislature



COMMITTEE ON

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VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

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



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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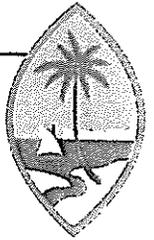
**Senator
Thomas Morrison**
Committee Member



COMMITTEE ON

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Michael Limtiaco**
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**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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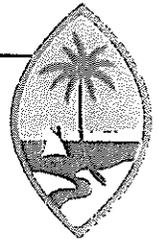
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I Liheslaturan Dos Na Liheslaturan Guāhan | 32nd Guam Legislature



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VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY

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



October 7, 2013

Bill Bradford
Veterans of Foreign Wars Post 2917
Sent via email to wwbradford@live.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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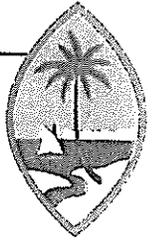
Senator
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Committee Member

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GUAM U.S. MILITARY RELOCATION
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Senator
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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

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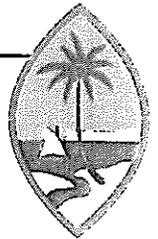
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I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN | 32ND GUAM LEGISLATURE

October 7, 2013

Celine Sanchez-Guzman
Army Retirees Association
Sent via email to 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

Buenas yan Hafa Adai!

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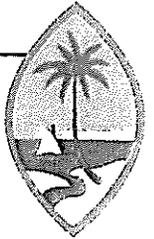
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October 7, 2013

Connie Flores
Ladies Auxiliary Veterans for Women Post 1509
Sent via email to ritalynn_flores@yahoo.com

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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Respectfully,

SENATOR FRANK B. AGUON, JR.

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

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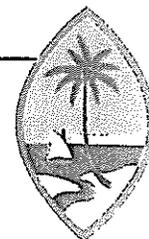
Senator
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COMMITTEE ON

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

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



October 7, 2013

Joyce Martratt
Fleet Reserve Association 73 Auxiliary
Sent via email to joyimar13@yahoo.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 *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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6:00PM Round Table Agenda:

- **Veterans Affairs' Issues on;**
 - CBOC Shortage
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VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

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



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

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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cc: Tony Nangauta / Carmelita Calvo

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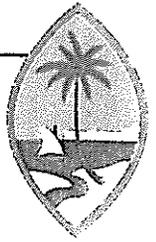
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COMMITTEE ON

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



October 7, 2013

Tom Devlin
Military Order of the Purple Heart Chapter 1315
Sent via email to mophtd@ite.net

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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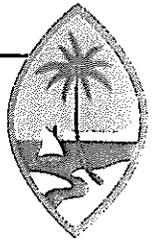
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**Senator
Michael Limtiaco**
Committee Member

**Senator
Thomas Morrison**
Committee Member

October 7, 2013

Tony Guzman
Army Retirees Association
Sent via email to celine.sanchez@us.army.mil

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:

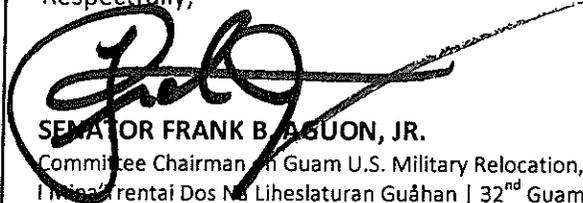
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VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

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



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

Buenas yan Hafa Adai!

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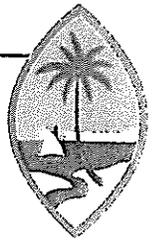
**Senator
Thomas Morrison**
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COMMITTEE ON

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

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



October 7, 2013

Harold Kirk
Fleet Reserve Association BR 73
Sent via email to 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

Buenas yan Hafa Adai!

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



October 7, 2013

John G. Rivera
Barrigada Veterans Organization
Sent via email to jgrivera1949@ymail.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!

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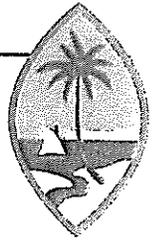
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October 7, 2013

Alan Van Aken
Third Marine Division Association
Sent via email to AGunner77@teleguam.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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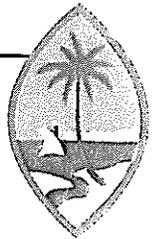
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October 7, 2013

Bobbie Taitano
Ladies Auxiliary – Military Order of the Purple Heart
Sent via email to jnbatulai@guam.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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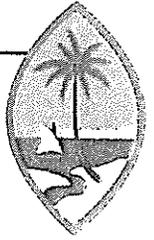
Senator
Thomas Morrison
Committee Member



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

Senator
Dennis G. Rodriguez, Jr.
Committee Member

Senator
V. Anthony Ada
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

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.
- **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

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. Copies of the aforementioned Bill(s) may be obtained at *I Liheslaturan Guåhan's* website at 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.

Respectfully,

SENATOR FRANK B. AGUON, JR.

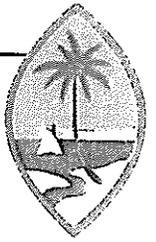
Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary
I Mina'trentai Dos Na Liheslaturan Guåhan | 32nd Guam Legislature



COMMITTEE ON

GUAM U.S. MILITARY RELOCATION
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I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN | 32ND GUAM LEGISLATURE



October 7, 2013

Senator
FRANK B. AGUON, JR.
Committee Chairperson

Brian Merenda
Veterans of Foreign Wars Post 1509
Sent via email to bimerenda@yahoo.com

Senator
Tina Muna-Barnes
Committee Vice Chairperson

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!

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

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.

Senator
Rory J. Respicio
Committee Member

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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Senator
Thomas C. Ada
Committee Member

6:00PM Round Table Agenda:

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Senator
Dennis G. Rodriguez, Jr.
Committee Member

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Senator
V. Anthony Ada
Committee Member

Senator
Michael Limtiaco
Committee Member

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 | 32nd Guam Legislature

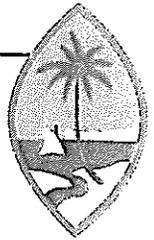
Senator
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Committee Member

**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

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:

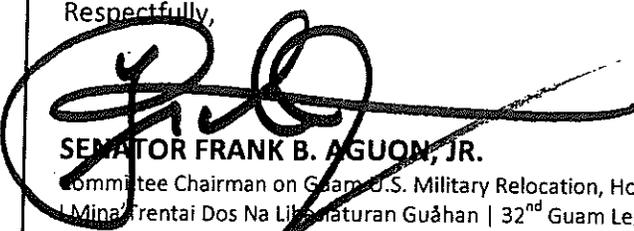
- **Bill No. 192-32 (COR)** - An act to add a new § 64.15, § 64.16, and § 64.17 to Chapter 64 of Title 9 of the Guam Code Annotated; relative to the prohibition and forfeiture of electronic machines or devices to conduct sweepstakes gambling.
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- **Veterans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

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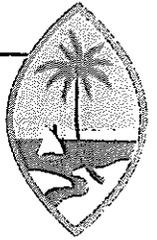
Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary
I Mina'trentai Dos Na Liheslaturan Guåhan | 32nd Guam Legislature



COMMITTEE ON

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**Senator
V. Anthony Ada**
Committee Member

**Senator
Michael Limtiaco**
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

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.

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



October 7, 2013

Bernard Gines
Philippine Scouts & World War II Association
Sent via email to edaycab@yahoo.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.

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SENATOR FRANK B. AGUON, JR.

Committee Chairman of Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary
I Liheslaturan Dos Na Liheslaturan Guåhan | 32nd Guam Legislature

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Senator
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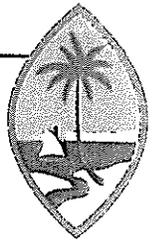
Senator
Thomas Morrison
Committee Member



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 Member

**Senator
Michael Limtiaco**
Committee Member

**Senator
Thomas Morrison**
Committee Member

October 7, 2013

Dan Mendiola
Vietnam Veterans of America #668
Sent via email to dmendiola@telequam.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!

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.

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Respectfully,

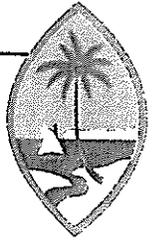
SENATOR FRANK B. AGUON, JR.
Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary
I Mina'trentai Dos Na Liheslaturan Guåhan | 32nd Guam Legislature



COMMITTEE ON

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Committee Member

**Senator
V. Anthony Ada**
Committee Member

**Senator
Michael Limtiaco**
Committee Member

**Senator
Thomas Morrison**
Committee Member

October 7, 2013

Dan Perez
Barrigada Veterans Organization
Sent via email to jgrivera1949@ymail.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.

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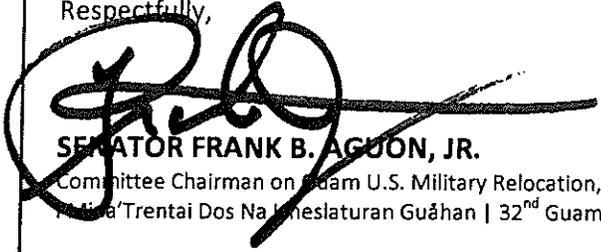
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SENATOR FRANK B. AGUON, JR.

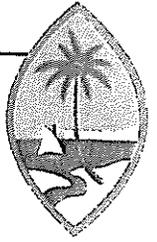
Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary
I Mina'Trentai Dos Na Liheslaturan Guåhan | 32nd Guam Legislature



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

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

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.

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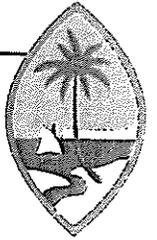
**Senator
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Committee Member



COMMITTEE ON

**GUAM U.S. MILITARY RELOCATION
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**Senator
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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

Buenas yan Hafa Adai!

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SENATOR FRANK B. AGUON, JR.

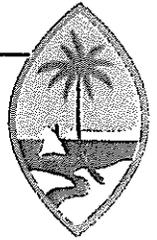
Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary
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VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

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
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Committee Member

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**Senator
V. Anthony Ada**
Committee Member

**Senator
Michael Imtiaco**
Committee Member

**Senator
Thomas Morrison**
Committee Member

October 7, 2013

John Taitano
Military Order of the Purple Heart Chapter 787
Sent via email to jnbatulai@guam.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!

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:

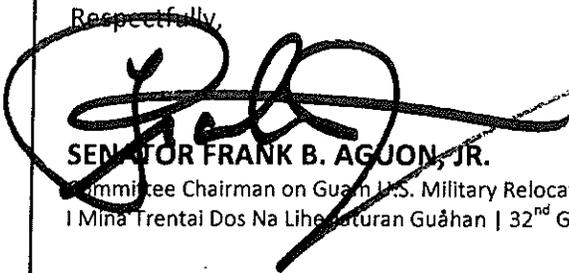
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6:00PM Round Table Agenda:

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

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Respectfully,


SENATOR FRANK B. AGUON, JR.

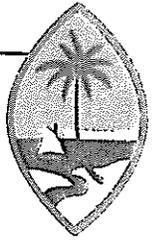
Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary
I Mina'Trentai Dos Na Liheslaturan Guåhan | 32ND Guam Legislature



COMMITTEE ON

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

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Committee Member

October 7, 2013

Nancy T. Kuper
Commander for Chapter 43
Women Veterans of America
Sent via email to nancy.t.kuper.ctr@mail.com

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

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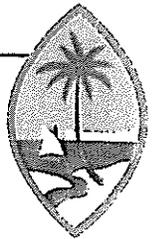
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Robert Hayes
Brotherhood of Veterans
Sent via email to alegionquam@yahoo.com

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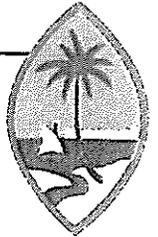
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Victor Ryan
American Legion
Sent via email to alegionguam@yahoo.com

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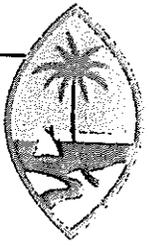
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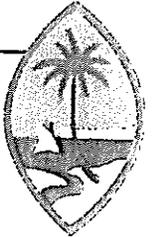
PHONE: (671)475-GUM1/2 (4861/2) | FAX: (671)475-GUM3 (4863)
155 HESLER PLACE HAGATNA, GUAM 96910 | EMAIL: AGUON4GUAM@GMAIL.COM

WWW.FRANKAGUONJR.COM



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

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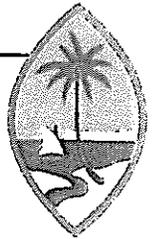
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October 7, 2013

Melissa M. McDaniel
Guam Veterans Magazine
137 North Leonardo Tenorio
Talofofo, Guam 96915
Sent via email to mel.mvision@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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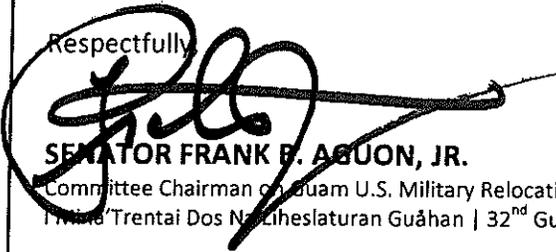
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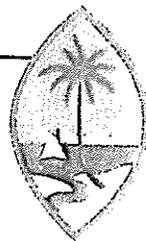
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October 7, 2013

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

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Si Yu'os Ma'åse'!

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

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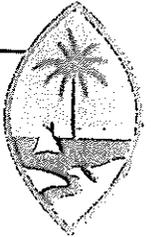
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Cruz bill to prohibit electronic sweepstakes gambling machines

By Lovella Losinlo
lovella@mvguam.com
Variety News Staff

AN OWNER, operator or promoter of a sweepstakes gambling device could face up five years in prison and may also be subject to a \$250,000 fine per violation should legislation introduced by Vice Speaker Benjamin J.F. Cruz yesterday become law.

Bill 192, which was finalized after a month of consultation with the Attorney General's Office, prohibits the operation and possession of electronic machines or devices intended for sweepstakes gambling.

Under the measure, the sweepstakes gambling devices, upon the determination of the Department of Revenue and Taxation or the ACO, shall be immediately seized or forfeited.

Aside from prohibiting gambling machines used to conduct sweepstakes, the

"The loophole, which this new law intends to close, could allow thousands of gambling terminals to operate without any oversight, taxation or regulation."

- Benjamin Cruz,
Vice Speaker

Vice Speaker ultimately wants to shut down casino cafes.

"While current law already prohibits gambling machines, these cyber casino cafes combine normal sweepstakes with casino-style gambling games to operate legal casino-like establishments."

GAMBLING continued on page 2

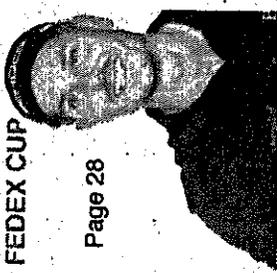
Variety file photo

▲ Vice Speaker Benjamin J.F. Cruz yesterday introduced Bill 192, which prohibits the operation and possession of electronic machines or devices intended for sweepstakes gambling.



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Gambling

continued from page 1

gambling terminals to operate without any oversight, taxation or regulation."

During an interview, Cruz said the legislation would close the loophole by outrightly prohibiting the possession and operation of those machines. Cruz also emphasized that his measure is not intended to prohibit sweepstakes as they are commonly understood. Cruz said he intro-

duced the legislation after receiving reports of the illegal operation of unlicensed gambling devices in Harmon.

Cyber casino cafes, Cruz explained in his letter to AG Leonardo Rapadas, are establishments in which games of chance like blackjack, keno, digital horseracing, and slot machines are played on computer terminals to acquire points that can be converted into

sweepstakes entries with the intent of winning money.

A release from Vice Speaker's Office cited the Sweeps Center in Harmon as an example.

Cruz said "While some casino cafes throughout the country have claimed legitimacy under the same premise as fast-food sweepstakes, every appellate court has found cyber gambling cafes to be commercial gambling establish-

ments because of the duration, focus, and reward system associated with their operation."

"These machines are Robin Hood in reverse; they take from the poor to give to the rich," said Cruz, who recently called for an audit of all gambling machines licensed in Guam. The audit determined that approximately 135 machines were improperly licensed.

MARIANAS VARIETY SEPT. 24, 2013

we're going to do that."

PDN - SEPTEMBER 24, 2013

IF YOU LOOK AT THE TOP LEFT CORNER OF THE PAGE...

ing brought before the board.

union at board meetings.

New bill would crack down on 'casino cafes'

By Jerick Sablan
Pacific Daily News
jsablan@guampdn.com

Vice Speaker Benjamin Cruz yesterday introduced a bill he said will crack down on what he considers illegal gambling operations at "casino cafes."

Cruz introduced Bill 192-32, which would prohibit the type of gaming machines currently used to conduct sweepstakes at those businesses.

He said he has been working with the Office of the Attorney General during the past month on the text of the legislation.

Cruz said there are establishments on island where 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.

Casinos are illegal on Guam unless authorized by the governor, such as the Liberation Day Carnival casino. Guam voters rejected an initiative that would have allowed several casinos to open on Guam.

While current law already prohibits gambling machines, cyber casinos no cafes combine normal sweepstakes with casino-style gambling games to operate legal casino-like establishments. Guam law didn't anticipate this combination, Cruz said.

"Some very smart people are using 21st century technology to get around 20th century gambling laws," said Cruz.

The loophole, which this new law intends to close, could allow thousands of gambling terminals to operate without any oversight, taxation or regulation.

Under Cruz's proposal, the operation or possession of electronic machines or devices intended to be used for sweepstakes gambling is prohibited, and such devices, upon determination of the Department of Revenue and Taxation or the attorney general, are subject to forfeiture and immediate seizure.

Under the proposed measure, the owner, operator or promoter of a sweepstakes gambling device could face up to five years in prison and also may be subject to a \$250,000 fine per violation.

In a letter to Attorney General Leonardo Rapadas in July, Cruz said while some casino cafes throughout the country have claimed legitimacy under the same premise as fast-food sweepstakes, every appellate court has found cyber gambling cafes to be commercial gambling establishments because of the duration, focus and reward system associated with their operation.

"These machines are Robin Hood in reverse; they take from the poor to give to the rich," said Cruz, who recently called for an audit of all gambling machines licensed in Guam. The audit determined that approximately 135 machines were improperly licensed.

"I fought against the licensure of gambling devices, and while the legality of 318 machines now rests with the courts, we should be able to agree that enough is enough."

Cruz said the recent audit frightened him since Rev and Tax didn't have clear numbers to begin with. He said he's hoping the AG's lawsuit prevails in court and that the gaming machines are found illegal.

Cruz said he's been fighting against gambling for about 25 years and he will continue to do so. He's working on other bills with the attorney general's office to deal with the gambling issue on island.

He said it's "criminal" that island residents spend millions on gambling. "That's money that can be better used for something else," he said.

Franklin Perez will be attending today's regular board meeting as an administrator, and not as a member of the board.

Mead confirmed that Franklin Perez will be taking an administrative position as assistant principal at Benavente Middle School.

As an administrator, Perez can no longer represent the union. "It was an immediate conflict of interest," Perez said. "As an admin, I may or may not have to work with teachers that have grievances. I'm sitting on the other side now."

He added that the relationship he has with teachers isn't necessarily adversarial now that he's an administrator.

Perez said he still is a dues-paying member of the union, and that his replacement for the GFT representative on the board currently is being worked out.

HOW TO HELP

If you have information about the theft of a teacher's car from Benavente Middle School, call police at 472-8911 or Guam Crime Stoppers at 477-4357 (HELP), or text 688-STOP.

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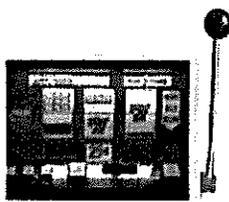
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The Associated Press

Guam Senator Wants to Ban Online Gambling

Published Tuesday, September 24, 2013 - Online-Casinos.com



It may be a long way from Nevada and New Jersey but the tiny island of Guam in the West Pacific ocean has decided it must crack down and eliminate cyber cafes that offer online gambling.

It makes sense when one knows that this military base for America's fleet is an organized unincorporated territory of the United States. Today, Guam's economy is supported by its principal industry, tourism, which is composed primarily of visitors from Japan. Guam's second largest source of income is the United States military.

Senator B.J. Cruz has introduced legislation that would prohibit computerized casino gambling operating under the guise of "Sweepstakes" at so-called Cyber Cafes. The Vice Speaker explained that while current law already prohibits gambling on Guam, it doesn't cover gambling on the internet. Cruz says his bill is aimed at closing the lope-hole in current gambling laws that doesn't prohibit wagering on the internet.

Attorney General Leonardo M. Rapadas received a letter last July from Cruz which said 'that while some casino cafes in the country have claimed legitimacy under the same premise as fast-food sweepstakes, every appellate court has found cyber gambling cafes to be commercial gambling establishments because of the duration, focus and reward system associated with their operation.'

Senator Cruz commented on his bill before the legislature, "Some very smart people are using 21st century technology to get around 20th century gambling laws," Cruz continued to explain, "The loophole, which this new law intends to close, could allow thousands of gambling terminals to operate without any oversight, taxation or regulation."

Senator Cruz sounds like he may be watching what's going on in parts of the USA such as Florida which has banned cyber café activities. "These machines are Robin Hood in reverse; they take from the poor to give to the rich," Guam uses the greenback as its currency and with as many as 80,000 workers coming to Guam there will be a lot of cash floating around.

Related Posts:

- [Ohio Senate Completely Prohibits Internet Cafes](#)
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Cruz bill to prohibit electronic sweepstakes gambling machines

TUESDAY, 24 SEP 2013 03:00AM BY LOUELLA LOSINIO | VARIETY NEWS STAFF HITS: 930

SHARE

AN OWNER, operator or promoter of a sweepstakes gambling device could face up five years in prison and may also be subject to a \$250,000 fine per violation should legislation introduced by Vice Speaker Benjamin J.F. Cruz yesterday become law.

Bill 192, which was finalized after a month of consultation with the Attorney General's Office, prohibits the operation and possession of electronic machines or devices intended for sweepstakes gambling.

Under the measure, the sweepstakes gambling devices, upon the determination of the Department of Revenue and Taxation or the AGO, shall be immediately seized or forfeited.

Aside from prohibiting gambling machines used to conduct sweepstakes, the Vice Speaker ultimately wants to shut down casino cafes.

"While current law already prohibits gambling machines, these cyber casino cafes combine normal sweepstakes with casino-style gambling games to operate legal casino-like establishments. Guam law did not anticipate this combination," the bill stated.

"Some very smart people are using 21st century technology to get around 20th century gambling laws," Cruz said. "The loophole, which this new law intends to close, could allow thousands of gambling terminals to operate without any oversight, taxation or regulation."

During an interview, Cruz said the legislation would close the loophole by outrightly prohibiting the possession and operation of those machines. Cruz also emphasized that his measure is not intended to prohibit sweepstakes as they are commonly understood.

Cruz said he introduced the legislation after receiving reports of the illegal operation of unlicensed gambling devices in Harmon.

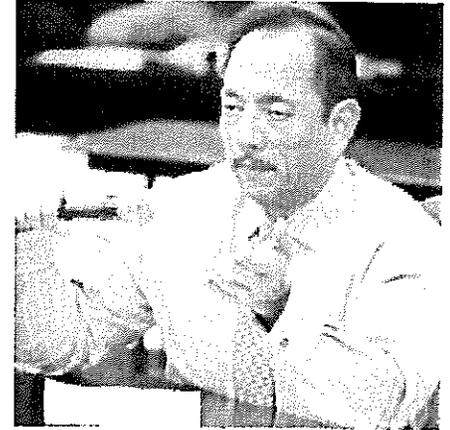
Cyber casino cafes

Cyber casino cafés, Cruz explained in his letter to AG Leonardo Rapadas, are establishments in which games of chance like blackjack, keno, digital horseracing, and slot machines are played on computer terminals to acquire points that can be converted into sweepstakes entries with the intent of winning money.

A release from Vice Speaker's Office cited the Sweeps Center in Harmon as an example.

Cruz said "While some casino cafes throughout the country have claimed legitimacy under the same premise as fast-food sweepstakes, every appellate court has found cyber gambling cafes to be commercial gambling establishments because of the duration, focus, and reward system associated with their operation."

"These machines are Robin Hood in reverse; they take from the poor to give to the rich," said Cruz, who recently called for an



Vice Speaker Benjamin J.F. Cruz yesterday introduced Bill 192, which prohibits the operation and possession of electronic machines or devices intended for sweepstakes gambling. Variety file photo

audit of all gambling machines licensed in Guam. The audit determined that approximately 135 machines were improperly licensed.

"I fought against the licensure of gambling devices, and while the legality of 318 machines now rests with the courts, we should be able to agree that enough is enough," Cruz stressed.

Public hearings held on gambling, carjacking bills

Written by Jerick Sablan

Oct. 16, 2013 |

guampdn.com

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

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.

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."

Cyber casino cafés bashed

WEDNESDAY, 16 OCT 2013 03:00AM BY LOUELLA LOSINIO | VARIETY NEWS STAFF HITS: 496



SHARE

THE anti-gambling group Keep Guam Good showed their support for Bill 192 during the bill's public hearing yesterday.

Bill 192, introduced by Vice Speaker Benjamin Cruz, seeks to prohibit the operation and possession of electronic machines or devices intended for sweepstakes gambling.

Jackie Arriola Marati, who presented testimony in her capacity as a private citizen and as a member of the Keep Guam Good organization, summarized her support by referencing a June 2013 white paper by the American Gaming Association,

Quoting the white paper, Marati said "Internet sweepstakes cafés are in the gambling business, as concluded by every appellate court which reviewed that question."



Jackie Marati

In most communities where these cafés currently operate, Marati said these machines are not subject to regulation with regard to the background and integrity of the owners and managers, of the fairness of the games they offer, and the exclusion of customers who are too young to go to licensed commercial gambling venues.

Moreover, Marati said these cafés are subject to "no regulations imposing special zoning standards or requiring that information be provided about counseling and other treatment options available for those unable to control their gambling."

She said cafés do not pay any special gaming tax and are an easy business to start, requiring very little investment and being able to open quickly and inconspicuously.

"Many are commanding significant market positions in their communities, siphoning off dollars that should be spent on necessities," Marati said.

These cafés, Marati stressed, spend heavily on litigation to protect their investments, contributing generously to legislative campaigns and lobbying to obstruct legislation.

"In summary, we stand with Vice Speaker Cruz in calling for an outright prohibition on more gambling machines on Guam," Marati said.

Under Bill 192, the sweepstakes gambling devices – upon the determination of the Department of Revenue and Taxation or the Office of the Attorney General – shall be immediately seized or forfeited.

In addition, an operator or promoter of a sweepstakes gambling device could face up to five years in prison and may also be subject to a \$250,000 fine.

Bill 192 was finalized after a month of consultation with the OAG.

PhilWeb

During the public hearing, the Vice Speaker also mentioned he has been trying to address the issue of online gambling for some time now after reading an article detailing a Philippine cyber-gaming company's intent to expand its operations on Guam.

PhilWeb, which advertises itself to be the biggest online gambling group in the Philippines, is a \$450 million company.

According to PhilWeb's first-quarter financial report, its operations on Guam, Cambodia and Timor Leste have generated "meaningful revenues" in 2012.

"These people are fronts for gambling institutions. In fact, when one of my staff members went in and paid to get online, the first thing that came on screen was welcome to our online casino," Cruz said.

While current law already prohibits gambling machines, these cyber casino cafés combine normal sweepstakes with casino-style gambling games to operate legal casino-like establishments. The bill states that Guam law did not anticipate this combination.

In an interview with Variety, Cruz said the legislation would close the loophole by outright prohibiting the possession and operation of those machines. He also emphasized that his measure is not intended to prohibit sweepstakes as they are commonly understood.

VIDEO: Vice-Speaker & Congresswoman Will Work to Ban "On-Line" Gambling on Guam

Last Updated on Wednesday, 18 January 2012 21:08

Written by Clynt Riagell

Wednesday, 18 January 2012 17:32

Guam News - Guam News

Guam - Vice-Speaker BJ Cruz is pushing for stronger anti-gambling laws.



Dim lights | Embed Embed this video on your site

The Senator has written Guam Congresswoman Madeline Bordallo asking her to introduce federal legislation in order to prevent online gambling from happening on Guam.

Read Vice Speaker Cruz's Letter to Congresswoman Bordallo

And Congresswoman Bordallo wrote back saying she agrees that the issue needs to be addressed. Bordallo offered to meet with Cruz during her next visit to Guam to discuss the details of Cruz's proposal and how to address the matter.

Read Congresswoman Bordallo's Reply to Vice Speaker Cruz

Senator Cruz told PNC News Wednesday that he became aware of online gambling when he discovered that an investigation was launched into a local company that had opened an online gambling cafe at the Compadres Mall in Dededo.

The Vice Speaker says the company is connected to Philippine online gaming company PhilWebb. The company calls itself the largest gaming business in the Philippines.

Read the Article of Incorporation for Guam Sweepstakes Corp

"I just wanted to inform the Congresswoman and try to solicit her support so she could introduce legislation to make sure that we address this form of gambling. I mean we've talked about the various gaming machines but none of us have thought about utilizing these things," said Vice-Speaker Cruz.

The PhilWebb corporation website indicates that it offers a gold sweeps center on Guam. The website indicates that the sweeps center was launched in October of 2011 through a joint venture with local partners.

VIEW the PhilWebb Corporation's website [HERE](#)

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PhilWebb Corp Offers Online Gambling for Guam; Vice Speaker Seeks Bordallo's Help to Ban It

Last Updated on Wednesday, 18 January 2012 19:42

Written by Betsy Brown

Wednesday, 18 January 2012 10:25



Guam News - Guam News

Guam - Vice Speaker BJ Cruz is asking Congressional Delegate Madeleine Bordallo asking her to Amend the Organic Act of Guam to prohibit internet cafe gambling on Guam and prohibit the importation of gambling devices to Guam.

The Vice Speaker's letter follows the submission of documents of behalf of the Guam Sweepstakes Corporation in August of 2011. Cruz claims that the enterprises' Philippine-based parent company Philweb Asia-Pacific Corporation and Guam Sweepstakes Corporation are involved in gambling schemes that the federal and local laws have not been able to address.

The PhilWebb corporation website indicates that it offers a gold sweeps center on Guam. The website indicates that the sweeps center was launched in October of 2011 through a joint venture with local partners.

[VIEW the PhilWebb Corporation's website HERE](#)

Vice Speaker Cruz says the scheme has already entered Guam under the model operated by the Harmon SweepsCenter where customers pay for Internet time loaded on a card and receive "free" sweepstakes entries.

[Read Vice Speaker Cruz's Letter to Congresswoman Bordallo](#)

[Read the Article of Incorporation for Guam Sweepstakes Corp](#)

" In addition, swiping the card at a computer terminal lets customers surf the Internet or play slot-style games, which turn card points into cash" Cruz states in his letter. "Though this type of business claims to be an internet cafe on paper, in reality it is a gambling den operating within a grey area of the law. 15 U.S.C. §1175, the Johnson Act, as amended, generally prohibits the manufacture, possession, use, sale, or transportation of any "gambling device" in Indian Country, the District of Columbia, and possessions of the United States."

Cruz says since the statute never contemplated gambling over the internet under the guise of a sweepstakes

Cruz says Florida, Michigan, Ohio, the Carolinas and Georgia are all working on gambling laws and regulations to address the problem on a state level since the federal statute never contemplated gambling over the internet under the guise of a sweepstakes.

"The constantly evolving pace of technology has created an environment in which Guam's gaming laws are antiquated, require sophisticated enforcement to be effective, and are subject to incessant initiative attacks by well-funded special interests" Cruz wrote in his letter to Bordallo. "Given your long history as an outspoken anti-gambling advocate, I respectfully request that you strongly consider the introduction of an amendment to the Organic Act that would clearly end internet café gambling on Guam and prevent the importation of gambling devices onto the Island. Private interests within our community must not be allowed to circumvent our laws against illegal gambling and turn a profit by any means necessary."

[Read Congresswoman Bordallo's Reply to Vice Speaker Cruz](#)

Congresswoman Bordallo wrote back to Cruz saying that she agrees that the issue needs to be addressed. Bordallo offered to meet with him during her next visit to Guam to discuss the details of Cruz's proposal and how to address the matter.

VIDEO: Cruz Bill Aims to Eliminate Online Casino Gambling at Casino Cafes

Last Updated on Monday, 23 September 2013 18:44

Written by Kevin Kerrigan

Monday, 23 September 2013 13:42



Guam News - Guam News

Guam - Senator B.J. Cruz has introduced legislation that would prohibit computerized casino gambling operating under the guise of "Sweepstakes" at so-called Cyber Cafes on island.

The Vice Speaker says that while current law already prohibits gambling on Guam, it doesn't cover gambling on the internet.

[READ Bill #192 HERE](#)

The Senator says these Cyber Cafes combine normal sweepstakes, with internet casino-style gambling games like blackjack, keno and slot machines. Guam law didn't anticipate that combination of internet technology and gambling and Cruz says his bill is aimed at closing that lope-hole.



Dim lights | [Embed](#) [Embed this video on your site](#)

Under Cruz's new measure, the operation or possession of electronic machines or devices intended to be used for sweepstakes gambling is prohibited, and such devices are subject to immediate seizure.

Senator Cruz says he developed the legislation in consultation with the Guam Attorney General.

READ Senator Cruz's release below:

Cruz Introduces Bill to Close Down Casino Cafes

(September 23, 2013 – Hagåtña) Following reports of the illegal operation of unlicensed gambling devices in Harmon, Vice Speaker Benjamin J.F. Cruz has introduced legislation that would prohibit gaming machines used to conduct sweepstakes, ultimately shutting down casino cafes. The bill comes after a month of consultation with the Office of the Attorney General regarding the proposed language for the measure.

Cyber casino cafes, such as the much-publicized Sweeps Center in Harmon, are establishments in which games of chance like blackjack, keno, digital horseracing and slot machines are played on computer terminals to acquire points that can be converted into sweepstakes entries with the intent of winning money. While current law already prohibits gambling machines, these cyber casino cafes combine normal sweepstakes with casino-style gambling games to operate legal casino-like establishments. Guam law did not anticipate this combination.

“Some very smart people are using 21st century technology to get around 20th century gambling laws,” said Cruz, who introduced Bill 192-32 (COF) today. “The loophole, which this new law intends to close, could allow thousands of gambling terminals to operate without any oversight, taxation or regulation.”

Under Cruz’s new measure, the operation or possession of electronic machines or devices intended to be used for sweepstakes gambling is prohibited, and such devices, upon determination of the Department of Revenue and Taxation or the Attorney General, are subject to forfeiture and/or immediate seizure.

In a letter to Attorney General Leonardo M. Rapadas in July, Cruz said that while some casino cafes throughout the country have claimed legitimacy under the same premise as fast-food sweepstakes, every appellate court has found cyber gambling cafes to be commercial gambling establishments because of the duration, focus and reward system associated with their operation.

“These machines are Robin Hood in reverse; they take from the poor to give to the rich,” said Cruz, who recently called for an audit of all gambling machines licensed in Guam. The audit determined that approximately 135 machines were improperly licensed. “I fought against the licensure of gambling devices, and while the legality of 318 machines now rests with the Courts, we should be able to agree that enough is enough.”

Under the proposed measure, the owner, operator or promoter of a sweepstakes gambling device could face up to five years in prison and may also be subject to a \$250,000 fine per violation.

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Member

October 17, 2013

Memorandum

To: Rennae Meno
Clerk of the Legislature

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

Subject: Fiscal Notes /Waivers

Hafa Adai!

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

FISCAL NOTES:

- Bill No. 167-32(LS)
- Bill No. 186-32(COR)
- Bill No. 192-32(COR)
- Bill No. 205-32(COR)

WAIVERS:

- Bill No. 179-32(COR)
- Bill No. 198-32(COR)

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

Si Yu'os ma'åse'!

2013 OCT 17 PM 3:30
[Signature]

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

OCT 17 2013

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

Hafa Adai Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill Nos.: 167-32(LS), 186-32(COR), 192-32(COR), 205-32(COR) and Fiscal Note Waiver on the following Bill Nos.: 179-32(COR), and 138-32(COR).

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

A handwritten signature in black ink, appearing to read "John A. Rios".

JOHN A. RIOS
Director

Enclosures
cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research
Fiscal Note of 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.

Department/Agency Appropriation Information

Dept./Agency Affected:	Dept./Agency Head:
Department's General Fund (GF) appropriation(s) to date:	8,196,472
Department's Other Fund (Specify) appropriation(s) to date: \$821,435 (Tax Collection Enhancement Fund) / \$1,620,468 (Better Public Service Fund)	2,441,903
Total Department/Agency Appropriation(s) to date:	\$10,638,375

Fund Source Information of Proposed Appropriation

	General Fund:	(Specify Special Fund):	Total:
FY 2012 Unreserved Fund Balance ¹		\$0	\$0
FY 2014 Adopted Revenues	\$0	\$0	\$0
FY 2014 Appro. (Bill No. 1(4-S))	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill

	One Full Fiscal Year	For Remainder of FY 2013 (if applicable)	FY 2014	FY 2015	FY 2016	FY 2017
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0

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

Analyst: Michael M. Aflague, B&M Analyst IV Date: 10/10/13 Director: John A. Rios, Director Date: OCT 11 2013

Footnotes: see attachment for revenue generating provisions.

N^o 192-32

Bureau of Budget & Management Research
Attachment to Fiscal Note No. 192-32 (COR)
(for revenue generating provisions)

Projected Multi-Year Revenues					
	Year 1	Year 2	Year 3	Year 4	Year 5
General Fund	1/	\$0	\$0	\$0	\$0
Other Fund:	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Total	\$0	\$0	\$0	\$0	\$0

Comments:

1/ Bill 192-32 seeks to add § 64.17 to Chapter 64 of Title 9 which imposes up to a \$250K fine per violation. Although the Bureau was unable to obtain fiscal data from the Department of Revenue and Taxation, internet data cited approximately 135 electronic devices operating without proper licenses. Should these machines found to be in violation of 9GCA § 64.15 and assuming each violation was assessed \$250K, a total of \$33.8M may be realized (estimation).



COMMITTEE ON RULES

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

Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

September 24, 2013

VIA E-MAIL
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. 177-32(COR) through 180-32(COR);
184-32(COR) through 186-32(COR); and 188-
32(COR) through 193-32(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 SEP 24 AM 10:15 AM

Bill Nos.	Sponsor	Title
177-32 (COR)	Vicente (ben) C. Pangelinan, Michael F.Q. SanNicolas, Judith T. Won Pat, Ed.D., T. R. Muña Barnes, Frank B. Aguon, Jr., B.J.F. Cruz, R.J. Respicio	AN ACT MAKING APPROPRIATIONS FOR THE OPERATIONS OF THE EXECUTIVE, LEGISLATIVE, AND JUDICIAL BRANCHES OF THE GOVERNMENT OF GUAM FOR FISCAL YEAR ENDING SEPTEMBER 30, 2014; MAKING OTHER APPROPRIATIONS; AND ESTABLISHING MISCELLANEOUS AND ADMINISTRATIVE PROVISIONS.
178-32 (COR)	Judith T. Won Pat, Ed.D. Tina R. Muna Barnes D.G. Rodriguez, Jr., Rory J. Respicio, Michael F.Q. San Nicolas Frank B. Aguon, Jr. Tommy Morrison	AN ACT TO APPROPRIATE THE REMAINING FUNDS ESCHEATED TO THE GENERAL FUND PRIOR TO END OF FISCAL YEAR 2013, PURSUANT TO §21116 OF CHAPTER 21, DIVISION 2, TITLE 5, GUAM CODE ANNOTATED, TO THE DEPARTMENT OF PUBLIC HEALTH & SOCIAL SERVICES AND AUTHORIZED TO USE AS A LOCAL REQUIREMENT FOR THE MEDICAID PROGRAM.
179-32 (COR)	B.J.F. Cruz T.R. Muña-Barnes J.T. Won Pat, Ed.D	AN ACT TO AMEND P.L. 30-83 RELATIVE TO THE COORDINATING COMMITTEE OF THE 12TH FESTIVAL OF PACIFIC ARTS OF 2016.
180-32 (COR)	B.J.F. Cruz T. C. Ada	AN ACT TO AMEND SECTION 30102(a) OF CHAPTER 30, TITLE 5 GUAM CODE ANNOTATED, TO REQUIRE AGENCIES PERMITTED TO RETAIN COUNSEL OTHER THAN THE ATTORNEY GENERAL, TO HIRE UNCLASSIFIED, IN-HOUSE COUNSEL.
184-32 (COR)	Aline A. Yamashita, Ph.D., V. Anthony Ada, Brant T. McCreddie, Tommy Morrison, Michael T. Limtiaco, Chris M. Dueñas	AN ACT TO APPROPRIATE THE SUM OF THREE MILLION DOLLARS (\$3,000,000) FROM SECTION 30 TAX REVENUES TO THE DEPARTMENT OF EDUCATION FOR THE IMPLEMENTATION OF PROVISIONS OF PUBLIC LAW NO. 31-29.
185-32 (COR)	Michael T. Limtiaco, Brant T. McCreddie, V. Anthony Ada, Chris M. Dueñas, Tommy Morrison, Aline A. Yamashita, Ph.D.,	AN ACT TO APPROPRIATE THE SUM OF FOUR HUNDRED FORTY NINE THOUSAND, ONE HUNDRED NINETEEN DOLLARS (\$449,119) FROM SECTION 30 TAX REVENUES TO PURCHASE VEHICLES FOR THE GUAM POLICE DEPARTMENT.
186-32 (COR)	Tommy Morrison, Brant T. McCreddie, V. Anthony Ada, Chris M. Dueñas, Michael T. Limtiaco, Aline A. Yamashita, Ph.D.,	AN ACT TO APPROPRIATE THE SUM OF THREE MILLION DOLLARS (\$3,000,000) FROM SECTION 30 TAX REVENUES TO THE GUAM POLICE DEPARTMENT, THE GUAM FIRE DEPARTMENT, AND THE DEPARTMENT OF CORRECTIONS.

<p>188-32 (COR)</p>	<p>T.R. MUÑA Barnes, B. J.F. Cruz</p>	<p>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.</p>
<p>189-32 (COR)</p>	<p>Dennis G. Rodriguez, Jr.</p>	<p>AN ACT TO FACILITATE THE RECRUITMENT OF HARD-TO-FILL ALLIED HEALTH PROFESSIONAL POSITIONS, BY AMENDING §6229.14 OF CHAPTER 6, 4 GCA, AND SUBSECTION (a) OF § 12805, ARTICLE 8, CHAPTER 12, PART 1, 10 GCA.</p>
<p>190-32 (COR)</p>	<p>B J.F. Cruz, Judith T. Won Pat, Ed.D., Aline A. Yamashita, Ph.D.</p>	<p>AN ACT TO ADD A NEW CHAPTER 28 TO DIVISION 2 OF TITLE 17 GUAM CODE ANNOTATED RELATIVE TO THE ESTABLISHMENT OF THE RESEARCH CORPORATION, UNIVERSITY OF GUAM (RCUOG).</p>
<p>191-32 (COR)</p>	<p>Frank B. Aguon, Jr.</p>	<p>AN ACT TO AMEND PUBLIC LAW 31-235, RELATIVE TO THE WOMEN'S REPRODUCTIVE HEALTH INFORMATION ACT OF 2012.</p>
<p>192-32 (COR)</p>	<p>B J.F. Cruz</p>	<p>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.</p>
<p>193-32 (COR)</p>	<p>Dennis G. Rodriguez, Jr.</p>	<p>AN ACT TO AMEND SECTION 4 OF PUBLIC LAW 31-235 TO DELETE THE PROVISION REQUIRING THE "PRINTED MATERIALS" AND THE "CHECKLIST CERTIFICATION" TO UNDERGO THE RULE MAKING PROCESS PURSUANT TO THE ADMINISTRATIVE ADJUDICATION LAW.</p>



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September 24, 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. 192-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 192-32(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

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

Bill No. 192-32 (WR)

Introduced by:

B. J.F. Cruz 

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.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. A new § 64.15 is hereby *added* to Chapter 64 of Title 9 of the Guam Code Annotated to read:

“§ 64.15. Use of Electronic Machine or Device to Conduct Sweepstakes Illegal.

(a) Definitions. As used in this Section the following words *shall*, unless the context clearly requires otherwise, have the following meanings:

(1) “Electronic machine or device”, a mechanically, electrically or electronically operated machine or device that is owned, leased or otherwise possessed by a sweepstakes sponsor or promoter, or any sponsors, promoters, partners, affiliates, subsidiaries, or contractors thereof, that is intended to be used by a sweepstakes entrant, that uses energy, and that is capable of displaying information on a screen or other mechanism. This section is applicable to an electronic machine or device whether or not it:

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- (i) is server-based;
- (ii) uses a simulated game terminal as a representation of the prizes associated with the results of the sweepstakes entries;
- (iii) utilizes software such that the simulated game influences or determines the winning or value of the prize;
- (iv) selects prizes from a predetermined finite pool of entries;
- (v) utilizes a mechanism that reveals the content of a predetermined sweepstakes entry;
- (vi) predetermines the prize results and stores those results for delivery at the time the sweepstakes entry results are revealed;
- (vii) utilizes software to create a game result;
- (viii) requires deposit of any money, coin, or token, or the use of any credit card, debit card, prepaid card, or any other method of payment to activate the electronic machine or device;
- (ix) requires direct payment into the electronic machine or device, or remote activation of the electronic machine or device;
- (x) requires purchase of a related product having legitimate value;
- (xi) reveals the prize incrementally, even though it may not influence whether or not a prize is to be awarded or the value of any prize awarded;
- (xii) determines and associates the prize with an entry or entries at the time the sweepstakes is entered;

1 (xiii) is a slot machine or other form of electrical,
2 mechanical, or computer game.

3 “Electronic machine or device” also includes gambling devices as
4 defined in § 64.20(b) of this Chapter.

5 (2) “Enter” or “entry”, the act or process by which a person
6 becomes eligible to receive any prize offered in a sweepstakes.

7 (3) “Entertaining display”, any visual information, capable of
8 being seen by a sweepstakes entrant, that takes the form of actual
9 game play, or simulated game play.

10 (4) “Prize”, any gift, award, gratuity, good, service, credit, or
11 anything else of value, which may be transferred to a person, whether
12 possession of the prize is actually transferred, or placed on an account
13 or other record as evidence of the intent to transfer the prize.

14 (5) “Sweepstakes”, any game, advertising scheme or plan, or
15 other promotion, which, uses an electric machine or device defined in
16 this Section, with or without payment of any consideration, a person
17 may enter to win or become eligible to receive any prize, the
18 determination of which is based partially or completely upon chance.

19 (b) It shall be unlawful for any person to operate or knowingly possess
20 with the intent to operate, or place into operation, an electronic machine or
21 device to:

22 (1) conduct a sweepstakes through the use of an entertaining
23 display, including the entry process or the reveal of a prize; or

24 (2) promote a sweepstakes that is conducted through the use of
25 an entertaining display, including the entry process or the reveal of a
26 prize.

1 (c) Nothing in this section shall be construed to make illegal any
2 activity which is lawfully conducted pursuant to 9 GCA Chapter 64 Article
3 2.”

4 **Section 2.** A new § 64.16 is hereby *added* to Chapter 64 of Title 9 of
5 the Guam Code Annotated to read:

6 **“§ 64.16. Forfeiture of Electronic Machine or Device Used to**
7 **Conduct Sweepstakes.**

8 Upon a determination by the Department of Revenue and Taxation or
9 the Attorney General that probable cause exists to believe that any electronic
10 machine or device is being operated or is intended to be operated to conduct
11 a sweepstakes or promote a sweepstakes in violation of 9 GCA §64.15
12 above, the electronic machine or device *shall* be subject to immediate
13 seizure by law enforcement officials from the Department of Revenue and
14 Taxation, the Guam Police Department, or the Office of the Attorney
15 General. Any government entity in possession of a seized electronic machine
16 or device *shall* retain the item pending a disposition order from a Superior
17 Court judge. Upon application by the Department of Revenue and Taxation
18 or the Attorney General or the owner of the electronic machine or device,
19 and after notice to all parties and an opportunity to be heard by all parties, if
20 the court determines that it is unlawful to possess the electronic machine or
21 device, the Director of the Department of Revenue and Taxation or the
22 Attorney General may have the electronic machine or device destroyed, or
23 may use the electronic machine or device for training or may sell the
24 electronic machine or device at an auction to be held at the place where the
25 electronic machine or device is located or at another place as determined by
26 the Director of the Department of Revenue and Taxation or the Attorney
27 General. If the court determines that the electronic machine or device is not

1 unlawful to possess under 9 GCA § 64.15, the electronic machine or device
2 shall be ordered released to its owner upon satisfactory proof of ownership.
3 Neither the Government of Guam nor its officials, employees or agents shall
4 be liable for the seizure of electronic machines and devices under this statute
5 when a court determines that the electronic machine or device is ordered to
6 be released to its owner. The foregoing procedures for release shall not apply
7 with respect to an item seized for use as evidence in any criminal action or
8 proceeding until after entry of final judgment.”

9 **Section 3.** A new § 64.17 is hereby *added* to Chapter 64 of Title 9 of the
10 Guam Code Annotated to read:

11 **“§ 64.17. Penalties.**

12 (a) Any person who violates 9 GCA § 64.15 shall be guilty of a
13 felony punishable by imprisonment of not more than five (5) years and a fine
14 not to exceed \$250,000, or both. Each violation of 9 GCA § 64.15 shall be
15 considered a separate offense.

16 (b) Any person who violates 9 GCA § 64.15 *may* also be subject to an
17 administrative penalty of not more than \$250,000 to be assessed by a
18 decision and order of the Director of the Department of Revenue and
19 Taxation. Each violation of 9 GCA § 64.15 *shall* be considered a separate
20 offense.

21 (1) Before issuing a decision and order assessing an
22 administrative penalty, the Department of Revenue and Taxation shall
23 give written notice, in the form of an accusation, to the person to be
24 assessed an administrative penalty.

25 (2) The person to be assessed an administrative penalty shall be
26 entitled to notice, to a hearing before the Director of the Department
27 of Revenue and Taxation, and to review by the Superior Court

1 according to the procedures in Articles 1 and 2 of the Administrative
2 Adjudication Law.

3 (3) If any person fails to comply with an administrative penalty
4 decision and order after the assessment has become final, or after a
5 court in an action brought pursuant to the Administrative Adjudication
6 Law has entered a final judgment in favor of the Director of the
7 Department of Revenue and Taxation, the Attorney General of Guam
8 may bring a civil action to enforce the order and to recover the
9 amount ordered or assessed, plus interest of six percent (6%) per
10 annum from the date of the final administrative decision and order or
11 the date of the final judgment, as the case may be. In this action, the
12 validity, amount, and appropriateness of the penalty assessed by the
13 administrative decision and order or the final judgment of the court
14 made after an appeal of the administrative decision and order shall not
15 be subject to review. The Director of the Department of Revenue and
16 Taxation need only show that:

17 (A) notice was given; and

18 (B) a hearing was held, or the time granted for requesting a
19 hearing has run without a request for a hearing; and

20 (C) the penalty was imposed; and

21 (D) the penalty remains unpaid.

22 A judgment of the court entered under this subpart (3) of 9 GCA §
23 64.17(b) may be enforced and collected in the same manner as a
24 money judgment of the Superior Court.”