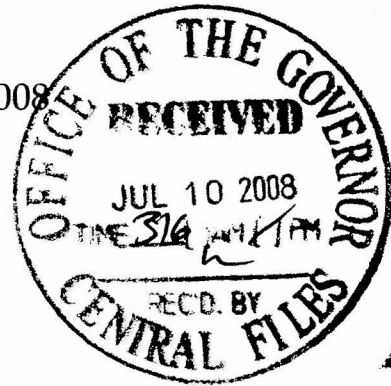




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MINA' BENTE NUEBI NA LIHESLATURAN GUÅHAN
TWENTY-NINTH GUAM LEGISLATURE
155 Hessler Place, Hagåtña, Guam 96910

July 10, 2008



The Honorable Felix P. Camacho
I Maga'lahen Guåhan
Ufisinan I Maga'lahi
Hagåtña, Guam 96910

Dear *Maga'lahi* Camacho:

Transmitted herewith are Bill Nos. 199(EC), 232(LS), 238(LS), 267(EC), 273(EC), 284(EC), 285(EC), 287(EC) & 294(EC); and Substitute Bill Nos. 266(EC), 278(LS) & 279(LS) which were passed by *I Mina'Bente Nuebi Na Liheslaturan Guåhan* on July 9, 2008.

Sincerely,

TINA ROSE MUÑA BARNES
Senator and Secretary of the Legislature

Enclosures (12)

I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN
2008 (SECOND) Regular Session

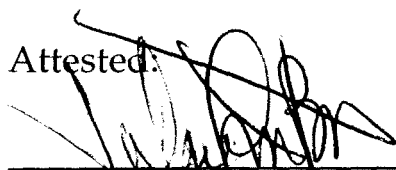
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Substitute Bill No. 266(EC), "AN ACT TO ADD A NEW §70.11 TO CHAPTER 70 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO DOGFIGHTING; AND TO AMEND §34205 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO EAR CROPPING AND TAIL DOCKING OF ANIMALS", was on the 9th day of July, 2008, duly and regularly passed.



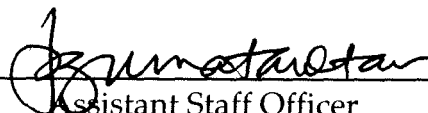
Judith T. Won Pat, Ed. D.
Speaker

Attested:



Tina Rose Muña Barnes
Senator and Secretary of the Legislature

This Act was received by *I Maga'lahen Guåhan* this 10 day of July, 2008, at 3:16 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:

FELIX P. CAMACHO
I Maga'lahen Guåhan

Date: _____

Public Law No. _____

I MINA' BENTE NUEBI NA LIHESLATURAN GUÁHAN
2008 (SECOND) Regular Session

Bill No. 266 (EC)

As substituted by the Committee on
Criminal Justice, Public Safety and Youth,
and amended on the Floor.

Introduced by:

Ray Tenorio
Judith P. Guthertz, DPA
Frank F. Blas, Jr.
Edward J.B. Calvo
B. J.F. Cruz
James V. Espaldon
Mark Forbes
Frank T. Ishizaki
J. A. Lujan
Tina Rose Muña Barnes
A. B. Palacios, Sr.
v. c. pangelinan
R. J. Respicio
Dr. David L.G. Shimizu
J. T. Won Pat, Ed.D.

**AN ACT TO *ADD* A NEW §70.11 TO CHAPTER 70 OF TITLE
9, GUAM CODE ANNOTATED, RELATIVE TO
DOGFIGHTING; AND TO *AMEND* §34205 OF TITLE 10,
GUAM CODE ANNOTATED, RELATIVE TO EAR
CROPPING AND TAIL DOCKING OF ANIMALS.**

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

2 **Section 1.** A new §70.11 is hereby *added* to Chapter 70 of Title 9, Guam
3 Code Annotated, to read:

4 **“§70.11. Dogfighting: Defined: Penalty.**

1 (a) (1) *Dogfight* means a fight, arranged by any person, between
2 two (2) or more dogs the purpose or probable result of
3 which fight is the infliction of injury by one (1) dog upon
4 another.

5 (2) *Baiting* means to provoke or to harass an animal with
6 one (1) or more animals and/or with drugs or other
7 substances for the purpose of training an animal to
8 engage in a dogfight.

9 (b) A person commits a third degree felony if he knowingly:

10 (1) owns, possesses, keeps, trains, promotes, purchases, or
11 sells any dog(s) with the intent that the dog(s) shall be
12 engaged in a dogfight;

13 (2) gambles or bets on the outcome of a dogfight and/or
14 baiting;

15 (3) for amusement or gain, causes, allows, or permits any
16 dog(s) to fight with another dog or other animal or
17 causes any dog(s) to injure each other or other animal; or

18 (4) is a spectator at an event involving the fighting of a
19 dog(s).

20 Notwithstanding any other provision of law, the penalty for violations
21 of Items (1), (2), (3) and (4) of this paragraph shall be confinement in a
22 correctional facility in accordance with Article 2 of 9GCA Chapter 80 and a
23 fine of not less than Five Thousand Dollars (\$5,000) and no more than Ten
24 Thousand Dollars (\$10,000) or both per violation.

25 (c) A person commits a third degree felony if he:

- 1 (1) keeps, uses, be connected with or interested in the
2 management of, or receives money or other consideration
3 for the admission of a person to, a place kept or used for
4 the purpose of fighting and/or baiting a dog(s);
- 5 (2) permits or suffers a place owned or controlled by him to
6 be used as provided in Item (1) of this paragraph;
- 7 (3) permits or suffers a place leased by him to be used as
8 provided in Item (1) of this paragraph;
- 9 (4) be present and witness, pay admission to, encourage, aid
10 or assist in an activity enumerated in Item (1) of this
11 paragraph; or
- 12 (5) promotes, hosts or sponsors an activity enumerated in
13 Item (1) of this paragraph.

14 Notwithstanding any other provision of law, the penalty for violations
15 of Items (1), (2), (3), (4) and (5) of this paragraph shall be confinement in a
16 correctional facility in accordance with Article 2 of 9GCA Chapter 80 and a
17 fine of not less than Ten Thousand Dollars (\$10,000) and no more than
18 Fifteen Thousand Dollars (\$15,000) or both per violation. Additionally, any
19 person convicted of any violation of this paragraph may be subject to
20 seizure of any personal property, including vehicles, and real property at
21 which the dogfight was staged.

22 (d) Seizure of Dogs.

- 23 (1) A judge may order the seizure of alleged fighting dogs
24 owned, possessed or kept by any person.
- 25 (2) The judge issuing an order for the seizure of a dog(s) as
26 provided in Item (1) of this paragraph may require the

1 dog(s) to be impounded at an animal shelter or
2 veterinary clinic or hospital. The government unit which
3 executes the seizure shall be responsible for the cost of
4 impoundment at the animal shelter, but the governmental
5 unit is entitled to receive reimbursement of those costs
6 from the owner, possessor or keeper of the impounded
7 dog(s). If the owner, possessor or keeper of the dog(s) is
8 subsequently convicted of dogfighting under this
9 Section, the Court may order the defendant to pay the
10 costs as restitution in the case.

11 (e) Nothing in this Section shall constitute a prohibition or ban on
12 the possession, lawful importation/exportation, breeding or selling of any
13 breed of dog.

14 (f) Veterinarians and/or physicians and/or health professionals are
15 required to report suspected dogfighting incidents that come to their
16 attention through the provision of medical services to dogs to the Guam
17 Police Department within five (5) days of learning of dogfighting incidents.
18 Failure to do so shall result in potential loss of licensure if deemed
19 appropriate by the appropriate licensure agencies.”

20 **Section 2.** Subsection (d) of §34205 of Article 2, Title 10, Guam Code
21 Annotated, is hereby *amended* to read:

22 “(d) *Only* a licensed veterinarian shall perform ear cropping or tail
23 docking on an animal, which shall be performed in accordance with the
24 American Veterinarian Medical Association policy, and the veterinarian
25 shall counsel pet owners about this matter before agreeing to perform these
26 surgeries and shall record said consultation in the pet’s record.”