



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

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



JAN 06 2014

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. Resplcio  
Chairperson, Committee on Rules

RE: Committee Report on Bill No. 222-32 (COR), As Amended

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 222-32 (COR)- An act to amend 89.01(d) (2); to amend 89.01(g)(2)(B); to add a new subsection (C) to 89.01(g)(2); to amend 89.02(a)(2); to amend 89.02(a)(3); to amend 89.02(b)(2); to amend 89.02(c)(1) and to add a new subsection (d) to 89.02 all of Chapter 89, 9 Guam Code Annotated relative to the crimes against minors and sex offender registry.

Committee votes are as follows:

- 7 TO DO PASS
- \_\_\_ TO NOT PASS
- 2 TO REPORT OUT ONLY
- \_\_\_ TO ABSTAIN
- \_\_\_ TO PLACE IN INACTIVE FILE

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 Guahan | 32<sup>nd</sup> Guam Legislature

2014 JAN 27 PM 3:18

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. Resplcio  
Committee Member

Senator  
Thomas C. Ada  
Committee Member

Senator  
Dennis G. Rodriguez, Jr.  
Committee Member

Senator  
V. Anthony Ada  
Committee Member

Senator  
Michael Limtlaco  
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 GUÅHAN | 32ND GUAM LEGISLATURE*



**Senator**

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Committee Chairperson

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Committee Member

**Senator**

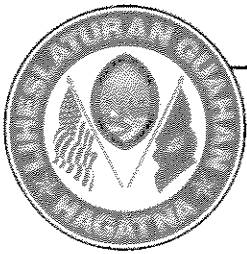
**Thomas Morrison**

Committee Member

## COMMITTEE REPORT

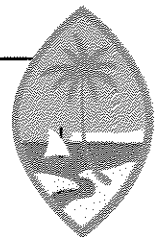
### ON

**Bill No. 222-32 (COR), As Amended – An act to amend §89.01(d)(2); to amend §89.01(g)(2)(B); to add a new subsection (C) to §89.01(g)(2); to amend §89.02(a)(2); to amend §89.02(a)(3); to amend §89.02(b)(2); to amend §89.02(c)(1) and to add a new subsection (d) to §89.02 all of Chapter 89, 9 Guam Code Annotated relative to the crimes against minors and sex offender registry.**



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**JAN 06 2014**

**MEMORANDUM**

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

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

**Subject: Committee Report on Bill No. 222-32 (COR), As Amended**

Transmitted herewith for your consideration is the Committee Report on Bill No. 222-32 (COR)- An act to amend 89.01(d) (2); to amend §89.01(g)(2)(B); to add a new subsection (C) to §89.01(g)(2); to amend §89.02 (a)(2); to amend §89.02(a)(3); to amend §89.02(b)(2); to amend §89.02(c)(1) and to add a new subsection (d) to §89.02 all of Chapter 89, 9 Guam Code Annotated relative to the crimes against minors and sex offender registry.

This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Copy of Bill No. 222-32 (COR)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony & Supporting Documents
- Copy of COR Referral of the Bill No. 222-32 (COR)
- Notices of Public Hearing & Other Correspondence
- Copy of Public Hearing Agenda
- Related News Report

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

Si Yu'os Ma'åse' !

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

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

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

**Senator  
Rory J. Respicio**  
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Committee Member

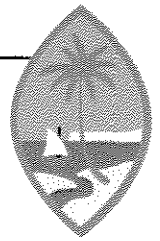
**Senator  
Michael Limtiaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member



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COMMITTEE VOTING SHEET

Bill No. 222-32 (COR), As Amended - An act to amend §89.01(d)(2); to amend §89.01(g)(2)(B); to add a new subsection (C) to §89.01(g)(2); to amend §89.02(a)(2); to amend §89.02(a)(3); to amend §89.02(b)(2); to amend §89.02(c)(1) and to add a new subsection (d) to §89.02 all of Chapter 89, 9 Guam Code Annotated relative to the crimes against minors and sex offender registry.

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

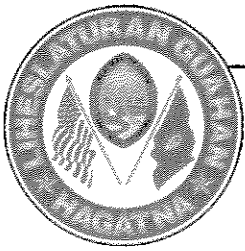
Senator Dennis G. Rodriguez, Jr. Committee Member

Senator V. Anthony Ada Committee Member

Senator Michael Limtiaco Committee Member

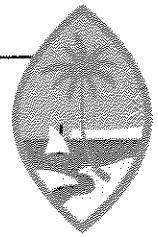
Senator Thomas Morrison Committee Member

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, and MORRISON, THOMAS.



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COMMITTEE REPORT DIGEST

**Senator**

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

**Senator**

**Tina Muna-Barnes**  
Committee Vice Chairperson

**Speaker**

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

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**Michael Limtiaco**  
Committee Member

**Senator**

**Thomas Morrison**  
Committee Member

I. OVERVIEW

Bill No. 222-32 (COR), As Amended was introduced on November 15, 2013, by Senator Vicente (ben) C. Pangelinan, and was subsequently referred by the Committee on Rules to the Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary on November 15, 2013.

Public Notice Requirements

Public Hearing notices were disseminated via e-mail to all senators and all main media broadcasting outlets for the December 16, 2013 hearing on December 04, 2013 (5-Day Notice), and again on December 11, 2013 (48-Hour Notice). Notices were also published in the Marianas Variety Newspaper for the December 16, 2013 hearing on December 05, 2013 and December 11, 2013.

Senators Present

Senator Frank B. Aguon, Jr., Chairperson  
Senator Tina Rose Muña Barnes, Committee Vice Chairperson  
Senator Vicente (ben) C. Pangelinan  
Senator V. Anthony Ada  
Senator Michael Limtiaco  
Senator Christopher M. Duenas

Appearing Before the Committee

Carol Hinkle-Sanchez, Deputy Attorney General

The public hearing was Called-to-Order at 9:00 AM.

II. SUMMARY OF TESTIMONY & DISCUSSION

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

The Committee on Guam Military Relocation, Veterans Affairs, and Judiciary is hereby called to order just for the information of the public, bills number 208-32 will be discussed inclusive of bill number 222-32. 208 is relative to providing additional funding source, additional source of funding to the Guam Housing Corporations housing trust fund by authorizing the transfer

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of the same of interest on security deposits arising from the landlord, tenant rental agreements bill number 222 is relative to crimes against minors and sex offender's registry for the information of the community notifications, initial notifications were sent out to the public on December 4<sup>th</sup> and also was followed up with an additional on December 11<sup>th</sup>. The printed media requirement was printed on December 5<sup>th</sup> and then likewise on December 11<sup>th</sup> so that meets the open government requirements. We're gonna go ahead and proceed with entertaining the first measure on the agenda. I know there's a request by the good Speaker, Speaker Ben Pangelinan to proceed with his legislation first, so we are gonna yield to that aside from that I just recognize and thank Speaker Pangelinan and also Senator Mike Limtiaco, thank you very much Senators for joining us this morning for this public hearing in conjunction with, before I turn the floor over to Speaker Pangelinan to just highlight the legislation that he has sponsored I would like to state for the record that the committee has received written testimony from the Bureau of Statistics and Plans on this particular measure and then also from Rapadas Psychological Services, Mr. Juan Rapadas, Speaker Pangelinan on your legislation.

**Speaker Ben Pangelinan**

Thank you and Si Yu'os Ma'ase' for this accommodation Mr. Chairman, Mr. Chairman on the onset bill 222 is a product of the work of the Attorney General's office more specifically the, Ms. Carol Sanchez on the issue of trying to bring Guam into full compliance with SORNA which is Sexual offender sentencing, monitoring, apprehending, registering and tracking program also known as SMART. Trying to bring those elements of the sexual offenders' registry program into full compliance for Guam. Guam is in a review by the Federal Government and the work that's been done so far by the Attorney General's Office we are in substantial compliance. However, there are some amendments to statutes that were done which now require us to make changes to those statutes, to ensure that we come into full compliance of that, there are 14 elements and I think Guam is, I think only 3 or 4 elements, are we making any changes to the statutes and some of it just involves moving the statute and the classification of the statute from a tiered program level 1, level2, level3 offender program classification and moving that so that they are in the proper classification to bring us into substantial compliance. So, I do want to give the Attorney General's Office and Carol the opportunity of course but most importantly just give them the credit for working on this our office has continued to work with them to ensure that on the legislature side we are able to present the legislation for consideration by the body that would bring us into full compliance. But the work and the analysis has been done by the Attorney General's Office and there Federal partners so we thank them for their efforts and, and certainly look forward to the, the discussion on this bill thank you and Si Yu'os Ma'ase'.

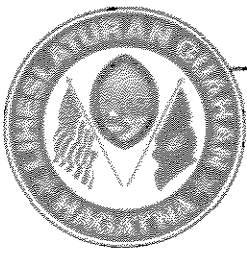
**Senator Frank B. Aguon Jr.**

Thank you very much Speaker Pangelinan and obviously Ms. Sanchez is already at the table I only have her signed up for this particular measure so if there is anyone else in the audience who would like to provide testimony please proceed to the table to your right, please identify yourself for the record and proceed thank you.

**Ms. Carol Sanchez**

Buenas Senators thank you. My name is Carol Sanchez I'm the Deputy Attorney General for the Family Juvenile Division of the office of the Attorney General of Guam.

Basically as Senator Pangelinan mentioned, the Sex Offender Registry, actually Guam Sex Offender Registry, we fall under the Federal mandates and our island receives federal funding a big, a good chunk of monies that are provided through the burn grant and some other grants that actually fund not only the Guam Sex Offender Registry but also which is also the Judiciary of Guam, but also the Guam Police Department and some funding does come to our office for, for an Attorney position.

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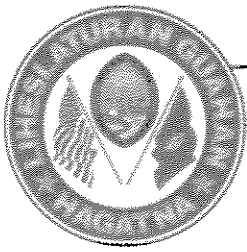
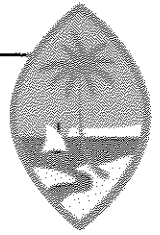
Basically every year what happens is them the SMART office, which is out of the Office Justice Programs, they monitor all the jurisdictions to see whether or not they are compliant with respect to the Federal mandates and if they are not in compliance within a certain period of time, it eventually will affect their federal funding. We submitted the initial amendment to the first, we were deemed non compliant so submitted the maybe amendments to the Bill and got us in to substantial compliance at the time we didn't address the issue of juvenile registration because it was the, at the time it was controversial because a lot of states and jurisdictions including Guam had told the Fed's, Federal Counterparts that you know it would be breaching confidentiality. We all had some issues with that and so we kept it out at the time until they made a decision as to what would occur that happened they enacted some supplemental guidelines in 2011.

January 2011 which at the same time we had submitted our public law and it was deemed in substantial compliance but at the same time they had provided us documentation with respect to some changes that were necessary I'm not sure if the good Senators all have a copy? Ok, which is the substantial prelimitation review; revise for the territory of Guam dated January 2011. Basically the amendment made to the current law are all amendments that were required for us under the, the actual revise report that was submitted to Guam and the Speaker, as Senator Pangelinan mentioned, some of it is just mere changes to the crimes because we have tiered it, it placed it in the wrong tiering system and there were some deletions to the aggravated murder because that alone in itself doesn't constitute a sex offense and so they felt it wasn't really necessary we actually asked a question whether or not we needed it there and they told us to go ahead and strike it out because in and of itself it shouldn't be a register able offense unless it's in commission of some type of CFC crime and at that point it would become register able. So those are the changes that were made.

I know that when the bill had, when we had worked on the bill I did have an over site on my part and I know I brought it up to Ms. Lisa and I thank Erica Perez from the Guam Sex Offender Registry who noted is, is in the definition section which is subsection 89.01 under definitions D2 under A it shows sections 16.30 because that's the aggravated murder charge we went ahead and request that that be deleted and instead of adding a subsection X to this it might be simple to just go ahead and bring 22.35 up to A. That way we don't have to keep messing around with the letters.

So on that, that's the only correction that I'm requesting on the record and in this particular bill what's important, what this does address, the importance of this actual bill is that it actually now addresses the juvenile registration and what it does is it under our current law. There are, it's very limited as far as juveniles being eligible or being qualified under the Guam Sex Offender Registry there's only like two circumstances really one is if there charged as an adult for, for a sex crime which means they must be 16 years or older and it has to be a first or second degree felony and if there charged with that offense then they would be, they would fall under the, the regular mandates of the Guam Sex Offender Registry and comply with the regular requirements, like as though they were treated as an adult.

The second classification that this talks about is the registration of juvenile offenders who are charged in the juvenile family court the only offenders under are current statute are offenders who commit severe aggravated sexual crimes basically forced rape or sexual offenses where the person is incapacitated or drugged. So, there's really just a limited amount of juvenile that will be required to register under this. So what this does is it provides greater protection the juveniles that will be registering will be on a non public data base that will be run by the Judiciary of Guam.

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Guam Sex Offender Registry and I worked on this legislation not only with BSP, Ms. Lola Leon Guerrero, as you mentioned has submitted written testimony, she's we aware of these charges and I know she supports the bill. We worked together with the Judiciary of Guam who's right behind me. I have the Chief Probation and Second Deputy Probation Office, Chief Probation as well as Ruben Payumo who actually manages the Guam Sex Offender Registry. And we have actively worked locally on this together you know the bill was drafted, it was given to them for their input and prior to even making these amendments. We all sat down and discussed the actual review process I know the, Ann Keith of the legal council was present and so we are all kind of on page of what's going on. I just spoke with Udonis Mendiola this morning, the Director of Department of Youth Affairs, and he also informed me that he did submit on behalf or there was a submission on behalf of the department supporting the bill as well.

So, basically that's what it does, it provides, it enhances the protection because if we don't include this clause really the juveniles will be subjected to this whole registry and they would be on the public registry and so what we are trying to do is we are trying to ensure we continue to provide them that, that full protection that we can as far as public is concerned. And so with this legislation it would create that non-public, non-public registry and the courts are ready to work on that, I think we are actually on pulling all the files to ensure that we classify the right ones and also this legislation we also worked with are counter parts in the Feds, we have a SMART senior policy advisor Ms. Lori McPherson I had done all the corrections just last month and at that point she had mentioned everything is fine as far as the legislation is concerned.

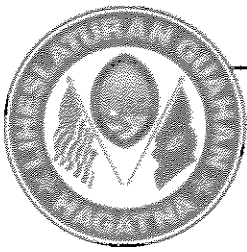
These are all mandatory requirements that they are requesting change or make amendments to, that's the reason it's being submitted is because they are mandatory requirements and I just don't want us to be affected in any ways as far as are compliance is concerned because we do get Federal monies that do provide very critical you know services to the community and I don't want that compromised there are some recommendations which I did speak with Senator Pangelinan's Office about.

I'll be attending an actual policy advisors meeting with our senior policy advisor and some other jurisdictions in the next month or so and at that time I'm gonna further discuss with them because they were discussing with us other areas of juvenile concerns that they had it's not mandatory at this point there isn't a need to work on the legislation for it, but, if I do go back there and there is some other changes then I would be requesting some further amendments but at this time these are all the amendments that are requested for.

For the most part the Senator mentioned a lot of it has just a matter of correcting the tearing system of some of the crimes and also the definition section of aggravated sexual, I believe he included one word that or failed to include a word it just offsetted the definition of sexual, aggravated sexual crimes so that's corrected in this legislation. And, I apologize I'm not too sure what page it's at, but, I can point it out just so that you guys are aware. It is on page 3 of the bill under section 89.01 62B where it says 14 years of age on lines 24 I'm sorry 14 years of age or younger .

It's actually supposed to be 14 years of age at the time of the offense because that's where the classification point of whose gonna be on the non public registry so anyone under 14 will not even be considered a register able offender. It would be 14 years or older and again it's only aggravated sexual abuse and like I mentioned under the Federal statutes its only forced rape or criminal sexual conduct that occurs where there use of drugs or the persons incapacitated and basically those are the amendment being made you know.



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Our office fully supports this legislation, we believe that it's necessary we want to ensure that Guam remains in compliance with the Federal mandates, we think that it's a plus because it does provide that greater protection for juveniles I know it's always been a concern before the courts and for defense attorneys but this is actually an enhanced protection for their client to ensure that they are not just placed on the public registry without these amendments in essence they should be in the public registry but we were holding back because we knew that this was forth coming and we just did not want to address it and put it here and then have to place them on the public registry and affect them, their future and then take them off later so it's best that we have this addressed first and then now we can move forward and place them on this non public registry.

**Senator Frank B. Aguon Jr.**

Thank you very much Carol for your testimony this morning just to recognize are representatives from the court, the probation officers that are here and sexual registry component. I wanna just also extend the appreciation of the committee Carol for working with all of the other stake holders in this entire process because obviously anytime that there's gonna be adjustments to existing code it's always helpful to bring them to the table thank you very much I'm gonna open up the table to the Speaker but before I do so I'm gonna recognize Senator Tony Ada, Senator Chris Duenas, and Senator Tina Muna Barnes whose the Vice Chair of the committee thank you very much Senators for joining us this morning, Speaker Pangelinan any questions.

**Speaker Ben Pangelinan**

No questions other than again just to express our deep appreciation to the office of the Attorney General and Ms. Sanchez and of course all of the other partners that she's been working with over the years I think that you know, this is something that I, we certainly support we certainly, we can get colleagues support on it and it's just to ensure that we handle the registration of minors in an appropriate manor such that we're able to know who they are but also give them the opportunity as minors to be able to rehabilitate and move on with their lives and, and one way of doing that of course is ensuring that we do keep them on a track but we do keep them off the public registry until such time of course as they deviate from norm behavior at a later time when there adults but certainly I want to thank you and all of the partners that you had working on this so SI Yu'os Ma'ase.

**Ms. Carol Sanchez**

Thank you very much Speaker.

**Senator Frank B. Aguon Jr.**

Thank you very much Speaker Pangelinan, Senator Limtiaco.

**Senator Mike Limtiaco**

Thank you Mr. Chair the only question I have is in the event that there's another, another offence will the, will the offence that was adjudicated in family court, would that also be made available on their sex registry.

**Ms. Carol Sanchez**

You know what actually the, the, the registry Senator is basically a public notification in the, in the specifics as to juveniles what it's for is just basically notification to the other jurisdictions that this juvenile offenders there so there are ways for Defense Attorneys and Prosecuting Attorneys to get this information, juvenile records through the court process of subpoenas and what not at the time you know, they would subpoena are division.

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The current process they have right now is basically they don't have access to are records often times Defense Attorneys are aware of it because they might of represented them as well when they were juveniles but Prosecuting Attorneys may or may not be aware of it they may know about it because of police reports or CPS reports and what they would have to do is subpoena are division and we don't ever give them the records, the records actually go to the courts and then the courts based on are family court act will determine whether or not to, we give it to the court in camera under, under seal and if the court believes that this particular record is essential to the disposition of the criminal case before it, then the judge will make that determination to release the records, so the registry is not meant to give any information out, it's meant to, only for law enforcement as you, under the actual thing it does say non public registry that will be provided to the National and what that is, is just basically like I said if this juvenile will be moving from state to state at least the, the registries across the jurisdictions will be aware that juveniles entering into the jurisdictions.

**Senator Mike Limtiaco**

Ok, but I'm the event that there's an additional offense and they are no longer a juvenile does the offense that was adjudicated in the family court now become part of that public record.

**Ms. Carol Sanchez**

No it will not.

**Senator Mike Limtiaco**

It does not.

**Ms. Carol Sanchez**

Yea it will not become a part of the public record.

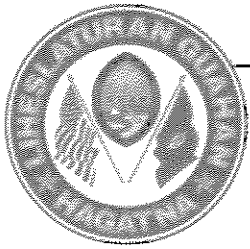
**Senator Mike Limtiaco**

And is there, what is the rationality behind that.

**Ms. Carol Sanchez**

Juvenile records are generally sealed documents and there even, even as we you know just on a daily basis any records coming out of my division. It either needs to be through summon, subpoena, or court order none of those records are released to anybody because of the statute being very, very clear that you know it's confidential when we handle juvenile cases. They're not really considered convicted of crimes there adjudicated delinquents and cause we want to service them and treat them, there are those cases where there gonna be treated as adults because of the classification of crime and because of their age.

But as far as, as far as juvenile records are concerned they, they remain sealed and confidential you know, release of those information's is actually a crime so you know, we're prohibited from releasing unless we are court ordered I mean even when we work with the military jag offices we kind of have to go through a whole process with and even go through the court and request the court to release the records to there, there military counter parts just because of the whole process and to ensure protection of the juveniles.



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**Speaker Ben Pangelinan**

And the sealing of those records is not limited to sexual offenders.

**Ms. Carol Sanchez**

Correct, across the board, yes.

**Senator Mike Limtiaco**

Ok, thank you

**Senator Frank B. Aguon Jr.**

Thank you very much Senator Limtiaco, Senators any other questions, following questions if not Ms. Sanchez thank you very much and the committee will be working with your office to just make those slight modifications as you hinted to during your presentation.

**Ms. Carol Sanchez**

And I just want to point out to the Senator that I am working with the Speaker on another piece of legislation that will address and I know that Senator Ada's Office had inquired as well to address the Romeo and Juliet issue we are working on the changes to the actual automatic certification statute that will allow the Prosecutor Attorneys discretion to drop down to family court those particular cases where you know a juvenile commits a crime and there, there, their intention were not the intent of the actual crime such as the Romeo and Juliet cases and also in cases where we have burglary where its first degree felony and you know, the minor was used by family members or parents to be a look out those kind of cases will, will give the Prosecutors discretion to, to drop into family court if we feel like rehabilitation is the better course and I know, I'm working closely with Ms. Lisa on that one right now ok.

**Senator Frank B. Aguon Jr.**

Thank you very much again for your testimony this morning, just for the information of the public the committee will continue to receive testimony on this legislation and subsequent legislation that will be discussed very shortly for the next ten days before we close out on the committee report thank you again Ms. Sanchez.

The public hearing was adjourned at 10:01 AM.

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 16 December 2013 at 9:00 AM:

1. Lorilee T. Crisostimo, Director, Bureau of Statistics & Plans
2. Juan M. Rapadas, Ph.D., Rapadas Psychological Services, PLLC

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. 222-32 (COR) by the Committee on Guam US Military Relocation, Homeland Security, Veteran's Affairs and Judiciary, with a recommendation TO DO PASS

MINA' TRENTAI DOS NA LIHESLATURAN GUAHAN


2013 (FIRST) Regular Session

Bill No. 2013-32 (WR)

Introduced by:

V.C.Pangelinan 

AN ACT TO AMEND §89.01(d)(2); TO AMEND §89.01(g)(2)(B); TO  
ADD A NEW SUBSECTION (C) TO §89.01(g)(2); TO AMEND  
§89.02(a)(2); TO AMEND §89.02(a)(3); TO AMEND §89.02(b)(2);  
AMEND §89.02(c)(1) AND TO ADD A NEW SUBSECTION (d) TO  
§89.02 ALL OF CHAPTER 89, 9 GUAM CODE ANNOTATED  
RELATIVE TO THE CRIMES AGAINST MINORS AND SEX  
OFFENDER REGISTRY.

2013 NOV 29 11:29 AM  


1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Section 89.01(d)(2) is hereby amended to read as follows:

3 “§89.01. Definitions

4 (d) *Sex Offense*. The term "sex offense" as used in this Chapter includes  
5 those offenses contained in 42 United States Code (U.S.C.) §16911(5)  
6 and also includes the following offenses:

7 (2) *Guam Offenses*.

8 (A) any convictions under local laws relating to Title 9 GCA § 16.30;

9 (B) any convictions under local laws relating to Title 9 GCA §22.20,  
10 wherein the victim of such crime is a minor;

11 (C) any convictions under local laws relating to Title 9 GCA §22.30;

1 (D) any convictions under local laws relating to Title 9 GCA §22.40,  
2 wherein the victim of such crime is a minor;

3 (E) any convictions under local laws relating to Title 9 GCA §22.50,  
4 wherein the victim of such crime is a minor;

5 (F) any convictions under local laws relating to Title 9 GCA §25.15;

6 (G) any convictions under local laws relating to Title 9 GCA §25.20;

7 (H) any convictions under local laws relating to Title 9 GCA §25.25;

8 (I) any convictions under local laws relating to Title 9 GCA §25.30;

9 (J) any convictions under local laws relating to Title 9 GCA §25.35;

10 (K) any convictions under local laws relating to Title 9 GCA §28.20,  
11 wherein the victim of such crime is a minor;

12 (L) any convictions under local laws relating to Title 9 GCA §28.25,  
13 wherein the victim of such crime is a minor;

14 (M) any convictions under local laws relating to Title 9 GCA §28.30,  
15 wherein the victim of such crime is a minor;

16 (N) any convictions under local laws relating to 9 G.C.A. §28.49;

17 (O) any convictions under local laws relating to Title 9 GCA §28.50;

18 (P) any convictions under local laws relating to Title 9 GCA §28.51;

19 (Q) any convictions under local laws relating to Title 9 GCA §28.52,  
20 wherein the victim of such crime is a minor;

21 (R) any convictions under local laws relating to Title 9 GCA §28.65;

22 (S) any convictions under local laws relating to Title 9 GCA §28.80,  
23 wherein the victim of such crime is a minor;

24 (T) any convictions under local laws relating to Title 9 GCA §31.15;

25 (U) any convictions under local laws relating to Title 9 GCA §70.35;

26 (V) any convictions under local laws relating to Title 9 GCA  
27 §89.01(b)(1); or

1 (W) any convictions under local laws relating to Title 9 GCA  
2 §89.01(b)(3); and any other offenses under Guam law relating to a  
3 criminal offense wherein there is an element involving:

- 4 (i) a sexual act or sexual contact with another, regardless of the  
5 age of the victim;
- 6 (ii) non-parental kidnapping of a minor; non-parental false  
7 imprisonment of a minor;
- 8 (iii) solicitation to engage a minor in sexual conduct;
- 9 (iv) use of a minor in a sexual performance;
- 10 (v) solicitation of a minor to practice prostitution;
- 11 (vi) video voyeurism of a minor;
- 12 (vii) possession, production, or distribution of child  
13 pornography;
- 14 (viii) criminal sexual conduct involving a minor; or
- 15 (ix) use of the internet to engage a minor in criminal sexual  
16 conduct; or

17 (X) any convictions under local laws relating to Title 9 GCA §22.35."

18 **Section 2. Section 89.01(g)(2)(B) is hereby amended to read as**  
19 **follows:**

20 "§89.01. Definitions

21 (g) Conviction.

22 (2) Juvenile Conviction. A juvenile offender is "convicted" for the purposes  
23 of this Chapter if the juvenile offender is either:

24 (B) is adjudicated delinquent as a juvenile for a sex offense, but only if the  
25 juvenile is at least fourteen ( 14) years of age ~~or younger~~ at the time of the offense,  
26 and the sex offense adjudicated was one that is comparable to or more severe than  
27 the federal crime of "*aggravated sexual abuse*" (as described in either (a) and (b)

1 of Section 2241 of Title 18 of the U.S.C.), or was an attempt or conspiracy to  
2 commit such an offense, which is noted in Title 9 GCA § 25.15 Subsections (a) (4)  
3 (i) or (ii), (a)(5), (a)(6), and (a)(7); and Title 9 GCA § 25.20 (a)(4) (i) or (ii), (a)(5),  
4 (a)(6), and (a)(7).”

5 **Section 3. A new Subsection (C) is hereby added to Section 89.01(g)(2)**  
6 **to read as follows:**

7 “§89.01 Definitions.

8 (C) Any juvenile sex offender who meets the definitions under §89.01(g)(2)  
9 of this Act shall be required to follow all registration requirements under this Act,  
10 and all other SORNA registration requirements shall apply, including public web  
11 site disclosure in the Sex Offender Registry.

12 (i) EXEMPTION PERMITTED. The only exception made for this  
13 Section is that juvenile sex offenders who are adjudicated in the  
14 Family Court, and who meet the definition under §89.01(g)(2)(B),  
15 shall be exempted from the public web site disclosure and shall be  
16 placed on a private, non-public database, wherein such registration  
17 information will only be made available to the National Sex Offender  
18 Registry (“NSOR”) to be placed in the national (non-public) databases  
19 of sex offender information, to law enforcement and supervision  
20 agencies, and to registration authorities in other jurisdiction.”

21 **Section 4. Section 89.02 (a)(2) is hereby amended to read as follows:**

22 “§89.02. Classification of Offenders.

23 (a) Level One Offender. Any person convicted of any of the following  
24 offenses, including a conviction for an attempt or conspiracy to commit any of the  
25 following offenses, *shall* be considered a Level One Offender.

26 (2) Guam Offenses: Any conviction under the following statutes and all of  
27 their subsections:

1           (A) ~~Title 9 GCA § 16.30; (aggravated murder)~~

2           (A) Title 9 G.C.A. §22.30;

3           (B) Title 9 GCA §22.20, wherein the victim of such crime is a minor;

4           (C) Title 9 GCA §22.40, wherein the victim of such crime is a minor;

5           (D) Title 9 GCA §22.50, wherein the victim of such crime is a minor,

6           wherein the commission of (or the attempt or conspiracy to commit) a

7           sexual offense;

8           (E) Title 9 GCA §25.15, ~~except for a conviction under §25.15(2);~~

9           (F) Title 9 GCA §25.20, ~~except for a conviction under §25.20(2);~~

10          (G) Title 9 GCA §25.25;

11          (H) Title 9 GCA §28.49;

12          (I) Title 9 GCA §28.51;

13          (J) Title 9 GCA §31.15; or

14          (K) Title 9 GCA §70.35.”

15          **Section 5. Section 89.02(a)(3) is hereby amended to read as follows:**

16          “§89.02. Classification of Offenders.

17               (3) Federal Offenses: Any conviction under the following statutes and all of  
18 their subsections:

19               (A) 18 U.S.C. §2241;

20               (B) 18 U.S.C. §2242; ~~or~~

21               (C) 18 U.S.C. §2243; or

22               ~~(D)~~ (D) 18 U.S.C. §2244.”

23          **Section 6. Section 89.02(b)(2) is hereby amended to read as follows:**

24          “§89.02. Classification of Offenders.

25               (2) Federal Offenses: Any conviction under the following statutes and all of  
26 their subsections:

27               (A) 18 U.S.C. §1591;



1           ~~(B)~~ 18 U.S.C. §2243;  
2           ~~(C)~~ (B) 18 U.S.C. §2244;  
3           ~~(D)~~ (C) 18 U.S.C. §2251;  
4           ~~(E)~~ (D) 18 U.S.C. §2251A;  
5           ~~(F)~~ (E) 18 U.S.C. §2252 (production or distribution of child  
6           pornography);  
7           ~~(G)~~ (F) 18 U.S.C. §2252A (production or distribution of child  
8           pornography);  
9           ~~(H)~~(G) 18 U.S.C. §2260;  
10          ~~(I)~~ (H) 18 U.S.C. §2421;  
11          ~~(J)~~ (I) 18 U.S.C. §2422(b); or  
12          ~~(K)~~(J) 18 U.S.C. §2423(a).”

13           **Section 7. Section 89.02(c)(1) is hereby amended to read as follows:**

14           “§89.02. Classification of Offenders.

15           (c) Level Three Offender. Any person *not* otherwise classified as a Level  
16 One Offender or Level Two Offender, who is convicted of any of the following  
17 offenses, including a conviction for an attempt or conspiracy to commit any of the  
18 following offenses, shall be considered a Level Three Offender.

19           (1) Guam Offenses. Any conviction under the following statutes  
20 and all of their subsections:

21           ~~(A)~~ Title 9 G.C.A. §22.30;  
22           ~~(B)~~ Title 9 G.C.A. §25.15(2);  
23           ~~(C)~~ Title 9 G.C.A. §25.20(2);  
24           ~~(D)~~ Title 9 G.C.A. §25.25;  
25           ~~(E)~~ (A) Title 9 G.C.A. §25.30;  
26           ~~(F)~~ (B) Title 9 G.C.A. §25.35;  
27           ~~(G)~~(C) Title 9 G.C.A. §28.50;

1           ~~(H)~~(D) Title 9 G.C.A. §28.65;

2           ~~(H)~~ (E) Title 9 G.C.A. §89.01(b)(1);

3           ~~(H)~~ (F) Title 9 G.C.A. §89.01(b)(3);

4           (G) Title 9 G.C.A. §22.35;

5           ~~(K)~~ (H) any criminal sexual conduct offense not otherwise listed  
6           in §89.02 (a), (b) or (c); or

7           ~~(L)~~ (I) any criminal offense against a victim who is a minor not  
8           otherwise listed in §89.02 (a), (b) or (c).”

9           **Section 8. A new Subsection (d) is hereby added to Section 89.02 to read**  
10 **as follows:**

11           “§89.02. Classification of Offenders.

12           (d) Tiering of Juvenile Sex Offenders.

13           (1) Any juvenile sex offender who meets the definition provided for in  
14 §89.01(g)(2)(A) of this Act, and is convicted of any sex offense under this Act  
15 shall be required to follow the tiering system provided for under §89.02(a), (b) and  
16 (c) of this Act, respectively and accordingly to the crimes the juvenile offenders  
17 are convicted of.

18           (2) Any juvenile sex offender who meets the definition of  
19 §89.01(g)(2)(B), shall be tiered as a Level Offender 1, and shall be required to be  
20 on the private, non-public database for lifetime.”

21           **Section 9. Severability.** If any of the provisions of this Act or the  
22 application thereof to any person or circumstance is held invalid, such invalidity  
23 *shall* not affect any other provision or application of this Act which can be given  
24 effect without the invalid provision or application, and to this end the provisions of  
25 this Act are severable.

26

*MINA' TRENTAI DOS NA LIHESLATURAN GUAHAN*

2013 (FIRST) Regular Session

Bill No. 222-32 (COR)

Introduced by:

V.C.Pangelinan

As Amended by the Committee on Appropriations,  
Public Debt, Legal Affairs, Retirement, Public Parks,  
Recreation, Historic Preservation, and Land

**AN ACT TO AMEND §89.01(d)(2); TO AMEND §89.01(g)(2)(B); TO ADD A NEW SUBSECTION (C) TO §89.01(g)(2); TO AMEND §89.02(a)(2); TO AMEND §89.02(a)(3); TO AMEND §89.02(b)(2); TO AMEND §89.02(c)(1) AND TO ADD A NEW SUBSECTION (d) TO §89.02 ALL OF CHAPTER 89, 9 GUAM CODE ANNOTATED RELATIVE TO THE CRIMES AGAINST MINORS AND SEX OFFENDER REGISTRY.**

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

2 **Section 1. Section 89.01(d)(2) is hereby amended to read as follows:**

3 “§89.01. Definitions

4 (d) *Sex Offense*. The term "sex offense" as used in this Chapter includes  
5 those offenses contained in 42 United States Code (U.S.C.) §16911(5)  
6 and also includes the following offenses:

7 (2) *Guam Offenses*.

8 (A) any convictions under local laws relating to Title 9 GCA ~~§16.30~~  
9 §22.35;

10 (B) any convictions under local laws relating to Title 9 GCA §22.20,  
11 wherein the victim of such crime is a minor;

1 (C) any convictions under local laws relating to Title 9 GCA §22.30;

2 (D) any convictions under local laws relating to Title 9 GCA §22.40,  
3 wherein the victim of such crime is a minor;

4 (E) any convictions under local laws relating to Title 9 GCA §22.50,  
5 wherein the victim of such crime is a minor;

6 (F) any convictions under local laws relating to Title 9 GCA §25.15;

7 (G) any convictions under local laws relating to Title 9 GCA §25.20;

8 (H) any convictions under local laws relating to Title 9 GCA §25.25;

9 (I) any convictions under local laws relating to Title 9 GCA §25.30;

10 (J) any convictions under local laws relating to Title 9 GCA §25.35;

11 (K) any convictions under local laws relating to Title 9 GCA §28.20,  
12 wherein the victim of such crime is a minor;

13 (L) any convictions under local laws relating to Title 9 GCA §28.25,  
14 wherein the victim of such crime is a minor;

15 (M) any convictions under local laws relating to Title 9 GCA §28.30,  
16 wherein the victim of such crime is a minor;

17 (N) any convictions under local laws relating to 9 G.C.A. §28.49;

18 (O) any convictions under local laws relating to Title 9 GCA §28.50;

19 (P) any convictions under local laws relating to Title 9 GCA §28.51;

20 (Q) any convictions under local laws relating to Title 9 GCA §28.52,  
21 wherein the victim of such crime is a minor;

22 (R) any convictions under local laws relating to Title 9 GCA §28.65;

23 (S) any convictions under local laws relating to Title 9 GCA §28.80,  
24 wherein the victim of such crime is a minor;

25 (T) any convictions under local laws relating to Title 9 GCA §31.15;

26 (U) any convictions under local laws relating to Title 9 GCA §70.35;

1 (V) any convictions under local laws relating to Title 9 GCA  
2 §89.01(b)(1); or

3 (W) any convictions under local laws relating to Title 9 GCA  
4 §89.01(b)(3); and any other offenses under Guam law relating to a  
5 criminal offense wherein there is an element involving:

6 (i) a sexual act or sexual contact with another, regardless of the  
7 age of the victim;

8 (ii) non-parental kidnapping of a minor; non-parental false  
9 imprisonment of a minor;

10 (iii) solicitation to engage a minor in sexual conduct;

11 (iv) use of a minor in a sexual performance;

12 (v) solicitation of a minor to practice prostitution;

13 (vi) video voyeurism of a minor;

14 (vii) possession, production, or distribution of child  
15 pornography;

16 (viii) criminal sexual conduct involving a minor; or

17 (ix) use of the internet to engage a minor in criminal sexual  
18 conduct.

19 **Section 2. Section 89.01(g)(2)(B) is hereby amended to read as  
20 follows:**

21 “§89.01. Definitions

22 (g) Conviction.

23 (2) Juvenile Conviction. A juvenile offender is "convicted" for the purposes  
24 of this Chapter if the juvenile offender is either:

25 (B) is adjudicated delinquent as a juvenile for a sex offense, but only if the  
26 juvenile is at least fourteen ( 14) years of age ~~or younger~~ at the time of the offense,  
27 and the sex offense adjudicated was one that is comparable to or more severe than

1 the federal crime of "aggravated sexual abuse" (as described in either (a) and (b)  
2 of Section 2241 of Title 18 of the U.S.C.), or was an attempt or conspiracy to  
3 commit such an offense, which is noted in Title 9 GCA § 25.15 Subsections (a) (4)  
4 (i) or (ii), (a)(5), (a)(6), and (a)(7); and Title 9 GCA § 25.20 (a)(4) (i) or (ii), (a)(5),  
5 (a)(6), and (a)(7)."

6 **Section 3. A new Subsection (C) is hereby added to Section 89.01(g)(2)**  
7 **to read as follows:**

8 "§89.01 Definitions.

9 (C) Any juvenile sex offender who meets the definitions under §89.01(g)(2)  
10 of this Act shall be required to follow all registration requirements under this Act,  
11 and all other SORNA registration requirements shall apply, including public web  
12 site disclosure in the Sex Offender Registry.

13 (i) EXEMPTION PERMITTED. The only exception made for this  
14 Section is that juvenile sex offenders who are adjudicated in the  
15 Family Court, and who meet the definition under §89.01(g)(2)(B),  
16 shall be exempted from the public web site disclosure and shall be  
17 placed on a private, non-public database, wherein such registration  
18 information will only be made available to the National Sex Offender  
19 Registry ("NSOR") to be placed in the national (non-public) databases  
20 of sex offender information, to law enforcement and supervision  
21 agencies, and to registration authorities in other jurisdiction."

22 **Section 4. Section 89.02 (a)(2) is hereby amended to read as follows:**

23 "§89.02. Classification of Offenders.

24 (a) Level One Offender. Any person convicted of any of the following  
25 offenses, including a conviction for an attempt or conspiracy to commit any of the  
26 following offenses, *shall* be considered a Level One Offender.

1 (2) Guam Offenses: Any conviction under the following statutes and all of  
2 their subsections:

3 ~~(A) Title 9 GCA § 16.30; (aggravated murder)~~

4 (A) Title 9 G.C.A. §22.30;

5 (B) Title 9 GCA §22.20, wherein the victim of such crime is a minor;

6 (C) Title 9 GCA §22.40, wherein the victim of such crime is a minor;

7 (D) Title 9 GCA §22.50, wherein the victim of such crime is a minor,  
8 wherein the commission of (or the attempt or conspiracy to commit) a  
9 sexual offense;

10 (E) Title 9 GCA §25.15, ~~except for a conviction under §25.15(2);~~

11 (F) Title 9 GCA §25.20, ~~except for a conviction under §25.20(2);~~

12 (G) Title 9 GCA §25.25;

13 (H) Title 9 GCA §28.49;

14 (I) Title 9 GCA §28.51;

15 (J) Title 9 GCA §31.15; or

16 (K) Title 9 GCA §70.35.”

17 **Section 5. Section 89.02(a)(3) is hereby amended to read as follows:**

18 “§89.02. Classification of Offenders.

19 (3) Federal Offenses: Any conviction under the following statutes and all of  
20 their subsections:

21 (A) 18 U.S.C. §2241;

22 (B) 18 U.S.C. §2242; ~~or~~

23 (C) 18 U.S.C. §2243; or

24 ~~(E)~~ (D) 18 U.S.C. §2244.”

25 **Section 6. Section 89.02(b)(2) is hereby amended to read as follows:**

26 “§89.02. Classification of Offenders.

1 (2) Federal Offenses: Any conviction under the following statutes and all of  
2 their subsections:

3 (A) 18 U.S.C. §1591;

4 ~~(B) 18 U.S.C. §2243;~~

5 ~~(C) 18 U.S.C. §2244;~~

6 ~~(D) 18 U.S.C. §2251;~~

7 ~~(E) 18 U.S.C. §2251A;~~

8 ~~(F) 18 U.S.C. §2252 (production or distribution of child  
9 pornography);~~

10 ~~(G) 18 U.S.C. §2252A (production or distribution of child  
11 pornography);~~

12 ~~(H) 18 U.S.C. §2260;~~

13 ~~(I) 18 U.S.C. §2421;~~

14 ~~(J) 18 U.S.C. §2422(b );~~ or

15 ~~(K) 18 U.S.C. §2423(a).”~~

16 **Section 7. Section 89.02(c)(1) is hereby amended to read as follows:**

17 “§89.02. Classification of Offenders.

18 (c) Level Three Offender. Any person *not* otherwise classified as a Level  
19 One Offender or Level Two Offender, who is convicted of any of the following  
20 offenses, including a conviction for an attempt or conspiracy to commit any of the  
21 following offenses, shall be considered a Level Three Offender.

22 (1) Guam Offenses. Any conviction under the following statutes  
23 and all of their subsections:

24 ~~(A) Title 9 G.C.A. §22.30;~~

25 ~~(B) Title 9 G.C.A. §25.15(2);~~

26 ~~(C) Title 9 G.C.A. §25.20(2);~~

27 ~~(D) Title 9 G.C.A. §25.25;~~



- 1           ~~(E)~~ (A) Title 9 G.C.A. §25.30;  
2           ~~(F)~~ (B) Title 9 G.C.A. §25.35;  
3           ~~(G)~~(C) Title 9 G.C.A. §28.50;  
4           ~~(H)~~(D)Title 9 G.C.A. §28.65;  
5           ~~(I)~~ (E)Title 9 G.C.A. §89.01(b)(1);  
6           ~~(J)~~ (F)Title 9 G.C.A. §89.01(b)(3);  
7           (G) Title 9 G.C.A. §22.35;  
8           ~~(K)~~ (H) any criminal sexual conduct offense not otherwise listed  
9           in §89.02 (a), (b) or (c); or  
10          ~~(L)~~ (I) any criminal offense against a victim who is a minor not  
11          otherwise listed in §89.02 (a), (b) or (c).”

12           **Section 8. A new Subsection (d) is hereby added to Section 89.02 to read**  
13 **as follows:**

14           “§89.02. Classification of Offenders.

15           (d) Tiering of Juvenile Sex Offenders.

16           (1) Any juvenile sex offender who meets the definition provided for in  
17 §89.01(g)(2)(A) of this Act, and is convicted of any sex offense under this Act  
18 shall be required to follow the tiering system provided for under §89.02(a), (b) and  
19 (c) of this Act, respectively and accordingly to the crimes the juvenile offenders  
20 are convicted of.

21           (2) Any juvenile sex offender who meets the definition of  
22 §89.01(g)(2)(B), shall be tiered as a Level Offender 1, and shall be required to be  
23 on the private, non-public database for lifetime.”

24           **Section 9. Severability.** If any of the provisions of this Act or the  
25 application thereof to any person or circumstance is held invalid, such invalidity  
26 *shall* not affect any other provision or application of this Act which can be given

1 effect without the invalid provision or application, and to this end the provisions of  
2 this Act are severable.

3



Office of Senator Frank B. Aguon, Jr. &lt;admin@frankaguonjr.com&gt;

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## Bill 222 - as Amended

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**Office of Senator Frank Aguon, Jr. Admin** <admin@frankaguonjr.com>

Mon, Dec 30, 2013 at 2:31 PM

To: Rory Respicio &lt;cor@guamlegislature.org&gt;

Cc: "Comm. on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary" &lt;committee@frankaguonjr.com&gt;

Please see attachment for Bill no. 222-32 As Amended.

Thanks!

[Quoted text hidden]

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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 Hessler PL Suite 104, Hagåtña, Guam 96910

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


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### 2 attachments

 **Bill 222-32-Clean-F.docx**  
29K

 **Bill 222-32-WithAmendments.docx**  
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**COMMITTEE ON GUAM US MILITARY RELOCATION, VETERANS' AFFAIRS HOMELAND SECURITY &  
JUDICIARY**



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

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

**Monday, December 16, 2013 @ 9:A.M.**

**Bill No. 222-32 (COR) - An act to amend §89.01(d)(2); to amend §89.01(g)(2)(B); to add a new subsection (C) to §89.01 (g)(2); to amend §89.02(a)(2); to amend §89.02(a)(3); to amend §89.02(b)(2); to amend §89.02(c)(1) and to add a new subsection (d) to §89.02 all of Chapter 89, 9 Guam Code Annotated relative to the crimes against minors and sex offender registry.**

NAME ( Please Print )	Agency/Organization	Contact Number	Oral Testimony	Written Testimony	In Favor	Not In Favor
Carol Henkle-Sandoz	Office of the Atty Gen	475.3410 ext 4040	✓		✓	

Eddie Baza Calvo  
Governor of Guam

Ray Tenorio  
Lieutenant Governor

**BUREAU OF  
STATISTICS & PLANS**  
SAGAN PLANU SIHA YAN EMFOTMASION

Government of Guam  
P.O. Box 2950 Hagåtña, Guam 96932  
Tel: (671) 472-4201/3  
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Lorilee T. Crisostomo  
Director

DEC 13 2013

*J. B. ...*  
RECEIVED  
DEC 13 2013  
*3:06 pm*

Senator Frank Aguon Jr.  
Chairperson, Committee on Guam US Military Relocation,  
Homeland Security, Veteran's Affairs and Judiciary  
32<sup>nd</sup> Guam Legislature  
324 W. Soledad Ave., Suite 100  
Hagatna, Guam 96932

**TESTIMONY ON BILL NO. 222-32 (COR) ) "AN ACT TO AMEND §89.01(D)(2); TO AMEND §89.01(G)(2)(B); TO ADD A NEW SUBSECTION (C) TO §89.01(G)(2); TO AMEND §89.02(A)(2); TO AMEND §89.02(A)(3); TO AMEND §89.02(B)(2); TO AMEND §89.02(C)(1) AND TO ADD A NEW SUBSECTION (D) TO 89.02 ALL OF CHAPTER 89, 9 GUAM CODE ANNOTATED RELATIVE TO THE CRIME AGAINST MINORS AND SEX OFFENDER REGISTRY."**

Bueñas yan Hafa Adai Chairman Aguon,

The Bureau of Statistics and Plans (BSP) appreciates this opportunity to offer its written testimony on Bill 222-32 that will amend regulations relative to crime against minors and sex offender registry.

As you may know, Guam implemented the provisions of the Sex Offender Registration and Notification Act (SORNA) under Title I of the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109-248) with the passage of Guam P.L. 30-223. This was made possible by the U.S. Department of Justice Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART Office) technical assistance provided to Guam's Sex Offender Registry Committee comprised of the Office of the Attorney General, the Bureau of Statistics and Plans, and the Judiciary of Guam.

SORNA was enacted to protect the public from convicted sex offenders by establishing a comprehensive national system for the registration and notification of those offenders. SORNA provides for a comprehensive set of minimum standards for sex offender registration and notification in the United States, the District of Columbia, the principle U.S. territories, and federally recognized Indian tribes. The Bureau of Justice Assistance will impose a 10 percent penalty for States, District of Columbia, U.S. territories and federally recognized Indian tribes that fail to substantially

implement SORNA by July 27, 2011, and for any year thereafter on their Edward Byrne Justice Assistance Grant Program. Guam made the timeline to only substantially implement SORNA requirements with the passage of P.L. 30-223.

In collaboration with the Office of the Attorney General and the SMART Office, proposed SORNA amendments were drafted by the Office of the Attorney General and pre reviewed by the SMART Office. The outcome of the draft review finds Guam to be in full compliance versus substantial compliance, and ensures Guam sustains its full funding under the Edward Byrne Justice Assistance Grant Program. We are pleased to see our collaborative efforts with the Office of the Attorney General and the SMART Office is now in bill form and ready to be heard.

The passage of Bill Number 222-32 will bring Guam into full compliance with SORNA. It will add a section in Guam's law to clarify juvenile sex offender and registration requirements to include registration in a non public data base; reclassify some of the crime in Guam's law as they were not properly tiered under the three tier level; add additional crime pursuant to SORNA recommendation that was not included in Guam's law; and correct the juvenile definition under aggravated sexual assault.

The Bureau of Statistics and Plans strongly supports Bill Number 222-32(COR) provided that no major changes are made to it.

Thank you for providing us the opportunity to provide written comments on Bill Number 222-32 (COR), please feel free to contact me if you have any questions or comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Lorilee T. Crisostomo". The signature is fluid and cursive, with a long horizontal stroke at the end.

Lorilee T. Crisostomo  
Director

Cc: Senator Vicente C. Pangelinan

**RAPADAS PSYCHOLOGICAL SERVICES, PLLC**

414 West Soledad Avenue, Ste. 500X  
Hagatna, Guam 96910  
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December 15, 2013

The Honorable Frank B Aguon, Jr.  
Senator, 32<sup>nd</sup> Guam Legislature  
155 Hesler Place  
Hagatna, Guam 96910

Re: **Bill No. 222-32**

AN ACT TO AMEND §89.01(d)(2); TO AMEND §89.01(g)(2)(B); TO  
ADD A NEW SUBSECTION (C) TO §89.01(g)(2); TO AMEND  
§89.02(a)(2); TO AMEND §89.02(a)(3); TO AMEND §89.02(b)(2); TO  
AMEND §89.02(c)(I) AND TO ADD A NEW SUBSECTION (d) §89.02 ALL OF CHAPTER  
89, 9 GUAM CODE ANNOTATED  
RELATIVE TO THE CRIMES AGAINST MINORS AND SEX  
OFFENDER REGISTRY.

Dear Senator Aguon:

I hereby submit this written testimony in full support of Bill 222-32 which amends GCA89.01 and 89.02 in the above sections as noted.

I believe in the basic tenor of the amendments that protects the identity of younger adjudicated juvenile sex offenders in the family court. These amendments appear to help clarify the rules for the Guam juvenile sex offender listing and determine who may or may not be included in the list; in other words, which juvenile sex offender would be exempt from public display of their name and pictures on the World Wide Web. The clarification was sorely needed.


It has always been my position that younger juvenile sexual offenders' names and pictures should not be displayed ever. It is good public policy to always proceed cautiously and deliberately. Even in the case of older juvenile sexual offenders, there should be proper vetting of the case before their names and pictures are published. The population of juvenile sex offenders has always been a complex, heterogeneous population with varying degrees of trauma history, criminal history, dangerousness, and prognosis. They cannot be looked at through only one lens of punishment and adjudication.

Legislatively and judicially, this can be a difficult prospect to have empathy and consideration for these juvenile sex offenders that may actually commit seemingly heinous acts. However, in my time as the department of Youth Affairs Psychologist for more than ten years, I have always believed that discretion and taking a step back on all cases is probably more prudent in the long run and may actually save time, energy, and heartache for all parties involved.

This is good legislation that does try to err on the side of common sense and fairness.

Thank you for allowing me to submit testimony for this extremely important legislation that is essential in moving forward the one part of the juvenile justice agenda for Guam. If there are any questions regarding this testimony please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Juan M. Rapadas, Ph.D." The signature is written in a cursive style.

Juan M. Rapadas, Ph.D.  
Rapadas Psychological Services, PLLC  
Licensed Clinical Psychologist  
DYA Psychologist





January 2011<sup>1</sup>

## **SORNA Substantial Implementation Review (Revised) Territory of Guam**

The U.S. Department of Justice, Office of Justice Programs, Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART) would like to thank the Territory of Guam (Guam) for the extensive work that has gone into its effort to substantially implement Title I of the Adam Walsh Act, the Sex Offender Registration and Notification Act (SORNA). The SMART Office has completed its review of Guam's SORNA substantial implementation packet and has found that Guam has substantially implemented SORNA.

Guam has previously submitted materials for a substantial implementation review and the SMART Office issued reports on those materials in September of 2009. Since that time, Guam has passed additional legislation, and Guam's current submission consists of all of the previously-submitted materials plus Guam Public Law 428-30, which was effective as of midnight of the date of its signing, December 30, 2010. In addition, email and phone correspondence with the Guam Attorney General's Office filled in gaps in information and procedure, which informed our review.

Our review of these materials follows the outline of the SMART Office Substantial Implementation Checklist-Revised, which contains 14 sections addressing the SORNA requirements. Under each section, we indicate whether Guam meets the SORNA requirements of that section or deviates from the requirements in some way. In instances of deviation, we specify where the departure(s) from a particular requirement does not substantially disserve the purposes of that requirement.

While Guam is encouraged to work toward rectifying deviations from requirements in order to achieve full implementation of SORNA, this is not required for substantial implementation purposes. This report is an exhaustive review and is intended to detail every area in which the territory has not met SORNA standards.

We encourage you to review the information below, share it with relevant stakeholders in the state, and get back in touch with us to develop a strategy to address these remaining issues.

### **I. Immediate Transfer of Information**

SORNA requires that when an offender initially registers or updates his information in a jurisdiction, that that registration information be immediately sent to other jurisdictions where the offender has to register, as well as to NCIC/NSOR and the jurisdiction's public sex offender registry website.

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<sup>1</sup> This report has been revised to reflect the status of Guam's SORNA Implementation efforts as of January, 2011, the period when Guam was initially notified of the SMART Office's determination of substantial implementation.

Guam meets all of the SORNA requirements in this section.

## **II. Offenses the Must Be Included in the Registry**

SORNA requires that certain federal, military, and foreign offenses are included in a jurisdiction's registration scheme. In addition, SORNA requires that the jurisdiction capture certain sex offenses, both offenses from its jurisdiction and from other SORNA registration jurisdictions, in its registration scheme. SORNA also requires that certain adjudications of delinquency are included in a jurisdiction's registration scheme.

Guam meets all of the SORNA requirements in this section.

## **III. Tiering of Offenses**

SORNA requires that offenses be classified based on the nature of the offense of conviction. The SMART Office has reviewed all statutes identified in the substantial implementation submission package and has identified Guam's placement of these statutes within the SORNA three tier levels. Guam correctly places its statutes within at least the minimum appropriate SORNA tiers, with the following exceptions (see the Appendix, "Guam State Statutes" for information about Guam's classification of its offenders and associated registration requirements):

- **9 GSA § 25.15(a)(2) First Degree Criminal Sexual Conduct, Victim 14-16**

Placement of this statute in Level Three (Tier I) does not meet SORNA's requirements.

This statute will encompass acts which would require a tier III classification, namely, "sexual acts" with minors as defined by 18 U.S.C. §2246. It should be noted that a factual scenario supporting a conviction under this statute would likely also support a conviction for Incest under 9 GSA § 31.15, which is classified as a Level One (SORNA Tier III) Offense.

- **9 GSA § 25.20(a)(2) Second Degree Criminal Sexual Conduct, Victim 14-16**

Placement of this statute in Level Three (Tier I) does not meet SORNA's requirements.

This statute will encompass acts which would require a tier II classification, namely, "sexual conduct" with minors as defined by 18 U.S.C. §2246. It should be noted that a factual scenario supporting a conviction under this statute would likely also support a conviction for Incest under 9 GSA § 31.15, which is classified as a Level One (SORNA Tier III) Offense.

The SMART Office has considered these deviations from SORNA's requirement, and has determined that they do not substantially disserve the purposes of this requirement.

#### **IV. Required Registration Information**

SORNA requires that the jurisdiction collect certain pieces of information from and for each offender that it registers, and requires that the jurisdiction keep that registration information, in a digitized form, in its registry.

Guam meets all of the SORNA requirements in this section.

#### **V. Where Registration is Required**

SORNA requires that the jurisdiction register an offender if the jurisdiction is the one in which he is convicted or incarcerated. In addition, SORNA requires that the jurisdiction register offenders who reside, work, or attend school in the jurisdiction.

Guam meets all of the SORNA requirements in this section.

#### **VI. Initial Registration: Generally**

SORNA requires that when an offender is incarcerated within the jurisdiction, registration must occur before release from imprisonment for the registration offense. Similarly, when an offender is sentenced within the jurisdiction, but not incarcerated, SORNA requires that registration occur within three business days of sentencing. Finally, when an offender has been convicted, sentenced, or incarcerated in another jurisdiction (including federal or military court), the jurisdiction must register the offender within three business days of the offender establishing residence, employment, or school attendance within the jurisdiction. SORNA also requires that, during the initial registration process, the jurisdiction inform the offender of his registration duties and require the offender to acknowledge in writing that he understands those duties.

Guam meets all of the SORNA requirements in this section.

#### **VII. Initial Registration: Retroactive Classes of Offenders**

SORNA requires that each registration jurisdiction have a procedure in place to recapture three categories of sex offenders: those who are currently incarcerated or under supervision, either for the predicate sex offense or for some other crime; those who are already registered or subject to a pre-existing sex offender registration requirement under the jurisdiction's law; and those who reenter the jurisdiction's criminal justice system because of a conviction for some other felony crime (whether or not it is a sex offense).

Guam meets all of the SORNA requirements in this section.

#### **VIII. Keeping the Registration Current**

SORNA requires that when a sex offender resides in a jurisdiction, that the offender immediately appear in-person to update his or her name, residence, employment, school attendance, and termination of residence. When an offender works in a jurisdiction, but does not

reside or attend school there, SORNA requires that the offender immediately appear in-person to update employment-related information. When an offender attends school in a jurisdiction, but does not reside or work there, SORNA requires that the offender immediately appear in-person to update school-related information.

SORNA also requires that when an offender resides in a jurisdiction, that the sex offender immediately update any changes to his or her email addresses, internet identifiers, telephone communications, vehicle information, and temporary lodging information.

In addition, SORNA requires that when an offender notifies the jurisdiction of his intent to relocate to another country to live, work or attend school, or of his intent to travel to another country, that the jurisdiction do three things: immediately notify any other jurisdiction where the offender is either registered, or is required to register, of that updated information; immediately notify the United States Marshals Service, and immediately update NCIC/NSOR.

Guam meets all of the SORNA requirements in this section.

## **IX. Verification/Appearance Requirements**

SORNA requires that offenders register for a duration of time, and make in-person appearances at the registering agency, based on the tier of the offense of conviction.

### **A. Frequency of Registration**

SORNA requires that offenders register for a duration of time based on the tier of the offense of conviction. Specifically, SORNA requires that SORNA Tier I offenders register for 15 years, SORNA Tier II offenders register for 25 years, and that SORNA Tier III offenders register for life.

Guam meets all of the SORNA requirements in this section.

### **B. Duration of Registration**

SORNA requires that offenders make in-person appearances at the registering agency based on the tier of the offense of conviction. Specifically, SORNA requires that SORNA Tier I offenders appear once a year, that SORNA Tier II offenders appear every six months, and that SORNA Tier III offenders appear every three months.

Guam meets all of the SORNA requirements in this section.

## **X. Registry Website Requirements**

SORNA requires that each jurisdiction maintain a public sex offender registry website and publish certain registration information on that website. SORNA also requires that certain information not be displayed on a jurisdiction's public registry website.

Guam meets all of the SORNA requirements in this section.

#### **XI. Community Notification**

SORNA requires that each jurisdiction disseminate certain initial and updated registration information to particular agencies within the jurisdiction. In addition, SORNA requires that each jurisdiction also disseminate certain initial and updated registration information to the community.

Guam meets all of the SORNA requirements in this section.

#### **XII. Failure to Register as a Sex Offender: Territory Penalty**

SORNA requires that each jurisdiction, other than a federally recognized Indian tribe, provide a criminal penalty that includes a maximum term of imprisonment that is greater than one year for the failure of a sex offender to comply with their registration requirements.

Guam meets all of the SORNA requirements in this section.

#### **XIII. When a Sex Offender Fails to Appear for Registration**

SORNA requires that when a jurisdiction is notified that a sex offender intends to reside, be employed, or attend school in its jurisdiction, and that offender fails to appear for registration as required, that the jurisdiction receiving that notice inform the originating jurisdiction (the jurisdiction that provided the initial notification) that the sex offender failed to appear for registration.

Guam meets all of the SORNA requirements in this section.

#### **XIV. When a Jurisdiction has Information that a Sex Offender may have Absconded**

SORNA requires that when a jurisdiction has information that a sex offender may have absconded, that the jurisdiction take certain actions in terms of investigating the absconder and notifying various law enforcement agencies.

Guam meets all of the SORNA requirements in this section.

### **Conclusion**

Guam put forth exceptional work and effort in adopting SORNA and enhancing its sex offender registration and notification system.

## **Appendix: Guam Statutes**

The SMART Office has reviewed all of Guam's statutes identified in its substantial implementation submission package and has identified Guam's placement of these statutes within the tiering structure created in Title I of the Adam Walsh Child Protection and Safety Act of 2006, the Sex Offender Registration and Notification Act (SORNA). Unless indicated in the notes herein, the SMART office has not reviewed any statutes (or subsections) that were not included in the legislation provided by Guam.

In reviewing Guam's statutes, the SMART Office understands that Guam has three categories of registrants for purposes of its duration of registration and frequency of registration requirements.

Guam utilizes an inverted numbering system to that used in SORNA; Guam's "Level One" is its highest classification, followed by Levels Two and Three:

- A level one offender is required to register for life, with quarterly verification appearances;
- A level two offender is required to register for 25 years with semi-annual verification appearances; and
- A level three offender is required to register for 15 years with annual verification appearances.

### **SORNA Tier I Offenses**

SORNA requires that Tier I offenders register for a minimum of 15 years and annually verify registration information. The following offenses listed in Guam's statutes would require, at a minimum, Tier I registration requirements under SORNA.

9 GCA § 22.35	Unlawful Restraint
9 GSA § 25.30	Fourth Degree Criminal Sexual Conduct
9 GSA § 25.35	Assault with Intent to Commit Criminal Sexual Conduct
9 GSA § 28.49	Obscenity: Distribution or Possession

SORNA requires registration under this statute if the offense relates to child pornography.

9 GCA § 28.50	Participation in Obscenity
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SORNA requires registration under this statute if the offense relates to child pornography.

9 GSA § 70.35            Invasion of Privacy

### **SORNA Tier II Offenses**

SORNA requires that Tier II offenders register for a minimum of 25 years and semi-annually verify registration information. The following offenses listed in Guam's statutes would require, at a minimum, Tier II registration requirements under SORNA.

9 GSA § 25.20            Second Degree Criminal Sexual Conduct

Every subsection of this offense except for (a)(1) will be classified as a tier II offense under SORNA.

9 GCA § 28.20            Promoting Prostitution (minor victim)

9 GCA § 28.25            Abetting Prostitution (minor victim)

9 GCA § 28.30            Compelling Prostitution (minor victim)

9 GSA § 28.51            Obscenity: Employment of a Minor

SORNA only requires registration under this statute if the offense relates to child pornography.

9 GCA § 28.52            Use of One's Own Child in Obscene Acts (minor victim)

SORNA only requires registration under this statute if the offense relates to child pornography.

9 GCA § 28.80            Photography of Minors' Sexual Acts (minor victim)

9 GSA § 31.15            Incest

SORNA only requires registration under this statute if the offense relates to sexual intercourse.

### **SORNA Tier III Offenses**

SORNA requires that Tier III offenders register for life and quarterly verify registration information. The following offenses listed in Guam's statutes would require, at a minimum, Tier III registration requirements under SORNA.

9 GSA § 22.30            Felonious Restraint

9 GSA § 22.40            Child Stealing (minor victim)

- 9 GSA § 25.15            First Degree Criminal Sexual Conduct
- 9 GSA § 25.20(a)(1)   Second Degree Criminal Sexual Conduct
- 9 GSA § 25.25            Third Degree Criminal Sexual Conduct

### **Further Review**

The SMART Office notes that Guam also registers the following offenses; however, those offenses, without the commission of (or the attempt or conspiracy to commit) a sexual offense, do not require registration under SORNA:

- 9 GSA § 16.30            Aggravated Murder
- 9 GSA § 22.50            Custodial Interference (minor victim)
- 9 GCA § 28.65            Indecent Exposure





## COMMITTEE ON RULES

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

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Senator  
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Senator  
Thomas C. Ada  
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Senator  
Vicente (Ben) C. Pangelinan  
Member

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

Senator  
Dennis G. Rodriguez, Jr.  
Member

Vice-Speaker  
Benjamin J.F. Cruz  
Member

Legislative Secretary  
Tina Rose Muña Barnes  
Member

Senator  
Frank Blas Aguon, Jr.  
Member

Senator  
Michael F.Q. San Nicolas  
Member

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

Senator  
Aline Yamashita  
Member

## Certification of

## Waiver of

## Fiscal Note Requirement

This is to certify that the Committee on Rules submitted to the Bureau of Budget and Management Research (BBMR) a request for a fiscal note, or applicable waiver, on **BILL NO. 222-32 (COR)**, "AN ACT TO AMEND §89.01(d)(2); TO AMEND §89.01(g)(2)(B); TO ADD A NEW SUBSECTION (C) TO §89.01(g)(2); TO AMEND §89.02(a)(2); TO AMEND §89.02(a)(3); TO AMEND §89.02(b)(2); TO AMEND §89.02(c)(1) AND TO ADD A NEW SUBSECTION (d) TO §89.02 ALL OF CHAPTER 89, 9 GUAM CODE ANNOTATED RELATIVE TO THE CRIMES AGAINST MINORS AND SEX OFFENDER REGISTRY." – on November 25, 2013. COR hereby certifies that BBMR confirmed receipt of this request November 26, 2013 at 8:00 AM.

COR further certifies that a response to this request was not received. **Therefore, pursuant to 2 GCA §9105, the requirement for a fiscal note, or waiver thereof, on Bill 222-32 to be included in the committee report on said bill, is hereby waived.**

Certified by:

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

January 27, 2014

Date



# COMMITTEE ON RULES

*I Mina'trentai Dos na Liheslaturan Guåhan* • The 32nd Guam Legislature  
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Rory J. Respicio  
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Senator  
Thomas C. Ada  
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Senator  
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Speaker  
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Legislative Secretary  
Tina Rose Muña Barnes  
Member

Senator  
Frank Blas Aguon, Jr.  
Member

Senator  
Michael F.Q. San Nicolas  
Member

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

Senator  
Aline Yamashita  
Member

November 25, 2013

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

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

**RE: Request for Fiscal Notes- Bill Nos. 222-32 (COR) through 227-32(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 Thomas C. Ada**  
*Acting Chairperson of the Committee on Rules*

Attachment (1)

Cc: Clerk of the Legislature

2013 NOV 25 PM 5:29

Bill Nos.	Sponsor	Title
222-32 (COR)	Vicente (non) C. Pangotinan	AN ACT TO AMEND §89 01(a)(2) TO AMEND §89 01(a)(2)(B) TO ADD A NEW SUBSECTION (C) TO §89 01(a)(2) TO AMEND §89 02(a)(2) TO AMEND §89 02(a)(3) TO AMEND §89 02(a)(2) TO AMEND §89 02(a)(1) AND TO ADD A NEW SUBSECTION (a) TO §89 02 ALL OF CHAPTER 89 9 GUAM CODE ANNOTATED RELATIVE TO THE CRIMES AGAINST MINORS AND SEX OFFENDER REGISTRY
223-32 (COR)	Vicente (non) C. Pangotinan	AN ACT TO APPROPRIATE THE SUM OF FOUR HUNDRED THOUSAND DOLLARS (\$400,000) FOR THE COMPENSATION TO FARMERS FOR CROP DAMAGES PROGRAM ESTABLISHED PURSUANT TO CHAPTER 64A, TITLE 5 OF THE GUAM CODE ANNOTATED
224-32 (COR)	T.C. Ada, R.J. Respicio	AN ACT TO AMEND §5425, §5426, §5427, §5450, §5452, §5480, §5481 AND §5485 (a) and (c) OF ARTICLE 9, AND §5703, §5705, §5706(a), §5707(a), §5708 OF ARTICLE 12, CHAPTER 5, TITLE 5 OF THE GUAM CODE ANNOTATED RELATIVE TO CLARIFYING LEGAL AND CONTRACTUAL REMEDIES IN GUAM PROCUREMENT LAW
225-32 (COR)	Joseph T. Woe Pat. Ed. T.R. Mona Barnes Anna A. Yamashita, Ph.D	AN ACT TO ADD A NEW CHAPTER 58C TO TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE RENOVATION OR CONSTRUCTION OF A NEW SIMON SANCHEZ HIGH SCHOOL AND TO AMEND AND RENUMBER §22425(a) ARTICLE 4, CHAPTER 22, DIVISION 2, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO REVALUATION OF REAL PROPERTY TAXES AND TO AMEND §53101 OF TITLE 17 GUAM CODE ANNOTATED, RELATIVE TO EARLY CHILDHOOD PROGRAM FUND
226-32 (COR)	Joseph T. Woe Pat. Ed. T.R. Mona Barnes Anna A. Yamashita, Ph.D	AN ACT TO ADD A NEW CHAPTER 58D TO TITLE 5 GUAM CODE ANNOTATED RELATIVE TO THE FINANCE, DESIGN, RENOVATION, REHABILITATION, CONSTRUCTION OR MAINTENANCE OF PUBLIC SCHOOLS
227-32 (COR)	T.C. Ada, R.J. Respicio	AN ACT TO AUTHORIZE THE CREATION OF THE GUAM STREETLIGHT AUTHORITY TO ISSUE BONDS TO FINANCE THE PURCHASE AND INSTALLATION OF NEW LED STREETLIGHTS



## COMMITTEE ON RULES

*I Mina'trentai Dos na Liheslaturan Guåhan* • The 32nd Guam Legislature  
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Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

November 15, 2013

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

### MEMORANDUM


Senator  
Vicente (Ben) C. Pangelinan  
Member

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

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

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

Senator  
Dennis G. Rodriguez, Jr.  
Member

From: **Senator Thomas C. Ada**   
*Acting Chairperson of the Committee on Rules*

Vice-Speaker  
Benjamin J.F. Cruz  
Member

Subject: **Referral of Bill No. 222-32(COR)**

Legislative Secretary  
Tina Rose Muña Barnes  
Member

As the Acting Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 222-32(COR)**.

Senator  
Frank Blas Aguon, Jr.  
Member

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

Senator  
Michael E.Q. San Nicolas  
Member

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

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

*Si Yu'os Ma'åse!*

Attachment

Senator  
Aline Yamashita  
Member

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

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
<b>222-32 (COR)</b>	Vicente (ben) C. Pangelinan	AN ACT TO AMEND §89.01(d)(2); TO AMEND §89.01(g)(2)(B); TO ADD A NEW SUBSECTION (C) TO §89.01(g)(2); TO AMEND §89.02(a)(2); TO AMEND §89.02(a)(3); TO AMEND §89.02(b)(2); TO AMEND §89.02(c)(1) AND TO ADD A NEW SUBSECTION (d) TO §89.02 ALL OF CHAPTER 89, 9 GUAM CODE ANNOTATED RELATIVE TO THE CRIMES AGAINST MINORS AND SEX OFFENDER REGISTRY.	11/15/13 2:25 p.m.	11/15/13	Committee on the Guam U.S. Military Relocation, Homeland Security, Veteran's Affairs, and Judiciary			<b>Fiscal Note Request Received 11/25/13</b>



## FIRST NOTICE of Public Hearing on Monday, December 16, 2013 at 9:00AM

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

Thu, Dec 5, 2013 at 9:18 AM

To: phnotice@guamlegislature.org

Cc: Guam Legislature Clerks Office <clerks@guamlegislature.org>, sgtarms@guamlegislature.org, mis@guamlegislature.org, "Frank Aguon, Jr." <aguon4guam@gmail.com>, "Office of Senator Frank B. Aguon, Jr." <admin@frankaguonjr.com>

December 5, 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 Monday, December 16, 2013 at 9:00AM

***Buenas yan Hafa Adai!***

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a **Public Hearing** Monday, December 16, 2013 beginning at 9:00AM at *I Liheslaturan Guåhan's* Public Hearing Room in Hagatña.

### 9:00AM Public Hearing Agenda:

- **Bill No. 208-32 (COR)** – An act to add § 51112 of Chapter 51, Title 18 Guam Code Annotated relative to providing an additional source of funding to the Guam Housing Corporation's Housing Trust Fund by authorizing the transfer to the same of interest on security deposits arising from landlord tenant rental agreements.
- **Bill No. 222-32 (COR)** - An act to amend §89.01(d)(2); to amend §89.01(g)(2)(B); to add a new subsection (C) to §89.01(g)(2); to amend §89.02(a)(2); to amend §89.02(a)(3); to amend §89.02(b)(2); to amend §89.02(c)(1) and to add a new subsection (d) to §89.02 all of Chapter 89, 9 Guam Code Annotated relative to the crimes against minors and sex offender registry.

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

*Si Yu'os Ma'åse!*

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

—  
**Thanks!**

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

Office of Senator Frank B. Aguon, Jr.

155 Hesler PL Suite 104, Hagåtña, Guam 96910

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

Fax: (671) GUM3 (4863)

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

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630K

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As of December 2, 2013**

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As of December 2, 2013

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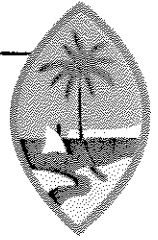
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COMMITTEE ON

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

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



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

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

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

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Michael Limtlaco**  
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**Senator  
Thomas Morrison**  
Committee Member

**LIST OF NOTIFIED STAKEHOLDERS**

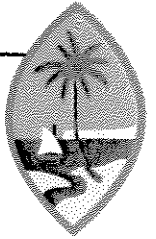
- **All Senators of I Mina'Trentai Dos na Liheslatura Guahan**
- **Governor Eddie B. Calvo**
- **Congresswoman Madeleine Z. Bordallo**
- **Chief Justice F. Philip Carbullido**
- **Special Assistant to the Governor on Military Buildup & Infrastructure**
  - Mark Calvo
- **Guam Customs & Quarantine Agency**
  - Pedro Leon Guerrero, Director
  - Rafalle J.M. Sgambellure, Chief
- **Guam Homeland Security Advisor**
  - Ambrose Constantino
- **Office of Civil Defense**
  - James T. McDonald, Administrator
- **Office of Veterans Affairs**
  - The Honorable John Unpingco, Esg.
- **Office of the Attorney General**
  - Attorney General Leonardo G. Rapadas
- **Public Defender Service Corporation**
  - Eric D. Miller
- **Media Outlets**



COMMITTEE ON

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

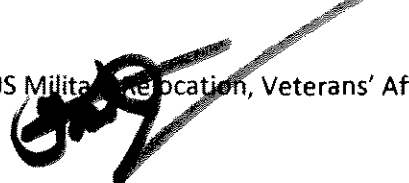
*I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN | 32ND GUAM LEGISLATURE*



December 4, 2013

**MEMORANDUM**

To: All Honorable Senators

From: Chairman, Committee of Guam US Military Relocation, Veterans' Affairs,  
Homeland Security and Judiciary 

Subject: First Notice of Public Hearing on Monday, December 16, 2013 at 9:00AM

***Buenas yan Hafa Adai!***

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, December 16, 2013 beginning at 9:00AM at *Liheslaturan Guåhan's* Public Hearing Room in Hagatña. Included on the agenda are the following:

- **Bill No. 208-32 (COR)** – An act to add § 51112 of Chapter 51, Title 18 Guam Code Annotated relative to providing an additional source of funding to the Guam Housing Corporation's Housing Trust Fund by authorizing the transfer to the same of interest on security deposits arising from landlord tenant rental agreements.
- **Bill No. 222-32 (COR)** – An act to amend §89.01(d)(2); to amend §89.01(g)(2)(B); to add a new subsection (C) to §89.01(g)(2); to amend §89.02(a)(2); to amend §89.02(a)(3); to amend §89.02(b)(2); to amend §89.02(c)(1) and to add a new subsection (d) to §89.02 all of Chapter 89, 9 Guam Code Annotated relative to the crimes against minors and sex offender registry.

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

***Si Yu'os Ma'åse!***

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

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

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

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

**Senator  
Rory J. Respicio**  
Committee Member

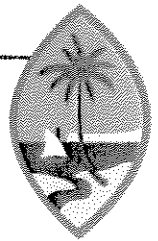
**Senator  
Thomas C. Ada**  
Committee Member

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

**Senator  
V. Anthony Ada**  
Committee Member

**Senator  
Michael Limtlaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member



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

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

December 4, 2013

**The Honorable Eddie J.B. Caivo**  
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 Scheduled for Monday, December 16, 2013 at 9:00AM

***Buenas yan Hafa Adail***

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, December 16, 2013 beginning at 9:00AM at I Liheslaturan Guåhan's Public Hearing Room in Hagatña. Included on the agenda are the following:

- **Bill No. 208-32 (COR)** – An act to add § 51112 of Chapter 51, Title 18 Guam Code Annotated relative to providing an additional source of funding to the Guam Housing Corporation's Housing Trust Fund by authorizing the transfer to the same of interest on security deposits arising from landlord tenant rental agreements.
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If you feel the above mentioned items impact your agency or organization, we encourage you to participate in the relative upcoming Public Hearing. The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Frank B. Aguon, Jr., or via fax to 475-GUM3 (4863), or via email to [aguon4guam@gmail.com](mailto:aguon4guam@gmail.com). Copies of the aforementioned Bill(s) may be obtained at I Liheslaturan Guåhan's website at [www.guamlegislature.com](http://www.guamlegislature.com). Individuals requiring special accommodations or service, please contact Fred "Rico" Taitague at 475-GUM1/2 (4861/2) or via email to [committee@frankaguonjr.com](mailto:committee@frankaguonjr.com).

Respectfully,

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

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

**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. Resplido**  
Committee Member

**Senator**  
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Committee Member

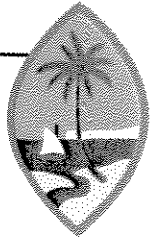
**Senator**  
**Michael Limtlaco**  
Committee Member

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



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

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



December 4, 2013

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

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

**Speaker  
Judith T. Won Pat, Ed.D.**  
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**Senator  
V. Anthony Ada**  
Committee Member

**Senator  
Michael Limtiaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

**The Honorable Madeleine Z. Bordallo**  
Guam Delegate

Suite 107 Capitol Plaza  
120 Father Duenas Avenue  
Hagåtña, Guam 96910

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

RE: Public Hearing Scheduled for Monday, December 16, 2013 at 9:00AM

*Buenas yan Hafa Adal!*

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Respectfully,

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

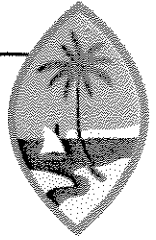
Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary  
*I Mina'Trentai Dos Na Liheslaturan Guåhan | 32<sup>nd</sup> Guam Legislature*

CC: Andrew Tenorio  
Jon Calvo



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

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



December 4, 2013

**The Honorable F. Philip Carbullido**  
**Chief Justice, Judiciary of Guam**

Suite 300, Guam Judicial Center  
120 West O' Brien Drive  
Hagåtña, GU 96910

*Sent via email to [fpcarbullido@guamsupremecourt.com](mailto:fpcarbullido@guamsupremecourt.com)*

RE: Public Hearing Scheduled for Monday, December 16, 2013 at 9:00AM

*Buenas yan Hafa Adai!*

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, December 16, 2013 beginning at 9:00AM at I Liheslaturan Guåhan's Public Hearing Room in Hagatña. Included on the agenda are the following:

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Respectfully,

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

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

CC: Joshua Tenorio

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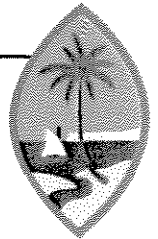
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**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

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



December 4, 2013

**Mark Calvo**

**Special Assistant to the Governor on Military Bulldup & Infrastructure**

513 West Marine Corps Drive

Ricardo J. Bordallo Complex

Hagåtña, Guam 96910

*Sent via email to [mark.calvo@guam.gov](mailto:mark.calvo@guam.gov)*

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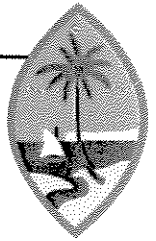
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I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN | 32ND GUAM LEGISLATURE



December 4, 2013

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

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COMMITTEE ON

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



December 4, 2013

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

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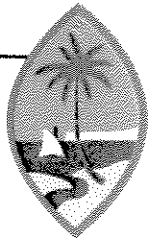
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*I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN | 32ND GUAM LEGISLATURE*



December 4, 2013

**Ambrosio Constantino**  
**Advisor, Guam Homeland Security**  
221B Chalan Palasyo  
Agana Heights, Guam 96910  
*Sent via email to [ambrosio.constantino@ghs.guam.gov](mailto:ambrosio.constantino@ghs.guam.gov)*

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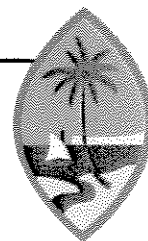
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**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

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



December 4, 2013

**James T. McDonald**  
**Administrator, Office of Civil Defense**  
221B Chalan Palasyo  
Agana Heights, Guam 96910  
*Sent via email to jim.mcdonald@ghs.guam.gov*

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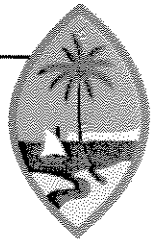
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*I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN | 32ND GUAM LEGISLATURE*



December 4, 2013

**The Honorable John Unpingco, Esq.**  
**Administrator, Office of Veterans Affairs**

172 S. Marine Corp Drive, Asan  
P.O. Box 5178

Hagåtña, GU 96932

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

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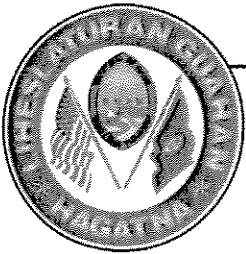
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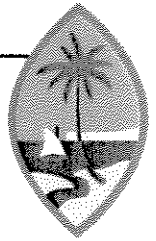
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December 4, 2013

**The Honorable Leonardo G. Rapadas  
Attorney General of Guam**

287 W. O'Brien Drive  
Hagåtña, Guam 96910  
*Sent via email to law@guamag.org*

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Thomas C. Ada**  
Committee Member

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

**Senator  
V. Anthony Ada**  
Committee Member

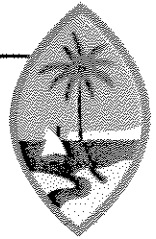
**Senator  
Michael Limtiaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member



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

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



December 4, 2013

**Eric D. Miller**  
Executive Director, Public Defender Service Corporation  
MVP Sinajana Commercial Bldg., Unit B  
779 Route 4, Sinajana, Guam 96910  
*Sent via email to emiller@guampdsc.net*

RE: Public Hearing Scheduled for Monday, December 16, 2013 at 9:00AM

*Buenas yan Hafa Adal!*

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, December 16, 2013 beginning at 9:00AM at I Liheslaturan Guáhan's Public Hearing Room in Hagatña. Included on the agenda are the following:

- **Bill No. 208-32 (COR)** – An act to add § 51112 of Chapter 51, Title 18 Guam Code Annotated relative to providing an additional source of funding to the Guam Housing Corporation's Housing Trust Fund by authorizing the transfer to the same of interest on security deposits arising from landlord tenant rental agreements.
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If you feel the above mentioned items impact your agency or organization, we encourage you to participate in the relative upcoming Public Hearing. The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Frank B. Aguon, Jr., or via fax to 475-GUM3 (4863), or via email to [aguon4guam@gmail.com](mailto:aguon4guam@gmail.com). Copies of the aforementioned Bill(s) may be obtained at I Liheslaturan Guáhan's website at [www.guamlegislature.com](http://www.guamlegislature.com). Individuals requiring special accommodations or service, please contact Fred "Rico" Taitague at 475-GUM1/2 (4861/2) or via email to [committee@frankaguonjr.com](mailto:committee@frankaguonjr.com).

Respectfully,

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

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

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

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

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

**Senator  
Rory J. Respicio**  
Committee Member

**Senator  
Thomas C. Ada**  
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Committee Member

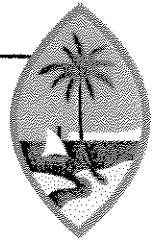
**Senator  
Michael Limtiaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member



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

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



December 4, 2013

**Mildred Q. Lujan M.Ed.**  
Executive Director, Sanctuary Incorporated  
406 Mai Mai Road  
Chalan Pago, Guam 96913  
*Sent via email to millielujan@sanctuaryguam.org*

RE: Public Hearing Scheduled for Monday, December 16, 2013 at 9:00AM

***Buenas yan Hafa Adai!***

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, December 16, 2013 beginning at 9:00AM at I Liheslaturan Guáhan's Public Hearing Room in Hagatña. Included on the agenda are the following:

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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 Guáhan | 32<sup>nd</sup> Guam Legislature*

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

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

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

**Senator  
Rory J. Respicio**  
Committee Member

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Committee Member

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**Senator  
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Committee Member

**Senator  
Michael Limtlaco**  
Committee Member

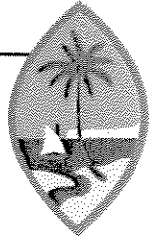
**Senator  
Thomas Morrison**  
Committee Member



COMMITTEE ON

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

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



December 4, 2013

**Adonis Mendiola**  
Director, Department of Youth Affairs

P.O. Box 23672  
GMF, Barrigada, Guam 96921  
Sent via email to [adonis.mendiola@dya.guam.gov](mailto:adonis.mendiola@dya.guam.gov)

RE: Public Hearing Scheduled for Monday, December 16, 2013 at 9:00AM

*Buenas yan Hafa Adail*

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, December 16, 2013 beginning at 9:00AM at I Liheslaturan Guáhan's Public Hearing Room in Hagatña. Included on the agenda are the following:

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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 Guáhan | 32<sup>nd</sup> 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**  
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**V. Anthony Ada**  
Committee Member

**Senator**  
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Committee Member

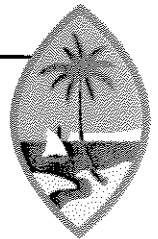
**Senator**  
**Thomas Morrison**  
Committee Member





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

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



December 4, 2013

**Martin C. Benavente**  
**President, Guam Housing Corporation**

ITC Building, Suite 514  
590 South Marine Corps Drive

Tamuning, Guam 96913

*Sent via email to martin.benavente@ghc.guam.gov*

RE: Public Hearing Scheduled for Monday, December 16, 2013 at 9:00AM

***Buenas yan Hafa Adai!***

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, December 16, 2013 beginning at 9:00AM at I Liheslaturan Guáhan's Public Hearing Room in Hagatña. Included on the agenda are the following:

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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 Guáhan | 32<sup>nd</sup> Guam Legislature*

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

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

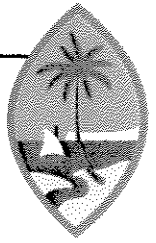
**Senator**  
**Michael Lintíaco**  
Committee Member

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



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

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



December 4, 2013

**Mark Fish**  
**President, Bankers Association of Guam**  
Bank Pacific Building  
151 Aspinal Avenue, Hagatna, Guam 96910  
*Sent via email to [markf@bankpacific.com](mailto:markf@bankpacific.com)*

RE: Public Hearing Scheduled for Monday, December 16, 2013 at 9:00AM

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The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, December 16, 2013 beginning at 9:00AM at I Liheslaturan Guåhan's Public Hearing Room in Hagatña. Included on the agenda are the following:

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

**Senator**  
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Committee Chairperson

**Senator**  
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Committee Member

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

**Senator**  
**Michael Limtlaco**  
Committee Member

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

## SECOND NOTICE of Public Hearing on Monday, December 16,

2013 at 9:00AM

Office of Sen. Frank B. Aguon, Jr.

To phnotice@guamlegislature.org Guam Legislature Clerks Office mis@guamlegislature.org and 3 More...

December 11, 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 Monday, December 16, 2013 at 9:00AM

*Buenas yan Hafa Adai!*

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a **Public Hearing** Monday, December 16, 2013 beginning at 9:00AM at *I Liheslaturan Guåhan's* Public Hearing Room in Hagatña.

#### **9:00AM Public Hearing Agenda:**

- **Bill No. 208-32 (COR)** – An act to add § 51112 of Chapter 51, Title 18 Guam Code Annotated relative to providing an additional source of funding to the Guam Housing Corporation's Housing Trust Fund by authorizing the transfer to the same of interest on security deposits arising from landlord tenant rental agreements.
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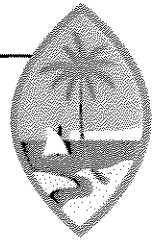
*Si Yu'os Ma'åse'!*

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



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

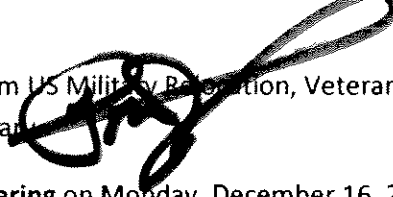
*I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN | 32ND GUAM LEGISLATURE*



December 11, 2013

**MEMORANDUM**

To: All Honorable Senators

From: Chairman, Committee of Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary 

Subject: **SECOND NOTICE of Public Hearing** on Monday, December 16, 2013 at **9:00AM**

***Buenas yan Hafa Adai!***

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***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.**  
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Michael Limtlaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member



I Mina'trentai Dos na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

December 11, 2013

Governor Edward Calvo  
Office of the Governor  
Ricardo J. Bordallo Governor's Complex  
Adelup, Guam

*Pls. file  
w/ Bill 222  
12/14/13*

Re: Public Hearing for Bill No. 222

Hafa Adai Governor Calvo,

I introduced Bill No. 222, "An Act to Amend §89.01 (d)(2); to Amend §89.01 (g)(2)(B); to Add a new Subsection (C) to §89.01(g)(2); to Amend §89.02(a)(2); to Amend §89.02(a)(3); to Amend §89.02(b)(2); to Amend §89.02(c)(1) and to Add a new Subsection (d) to §89.02 All of Chapter 89, 9 Guam Code Annotated Relative to the crimes against minors and Sex Offender Registry", which has been referred to Senator Frank Aguon's Committee.

Senator Aguon has scheduled a public hearing for Bill No. 222 on Monday, December 16, 2013 beginning at 9:00 am in the Guam Legislature Public Hearing Room.

This letter invites you to provide written and/or oral testimony. Written testimonies can be directed to Senator Frank Aguon, Jr, Chairman of the Committee on Guam US Military Relocation, Homeland Security, Veteran's Affairs and Judiciary and can be delivered to his office, which is located in the Guam Legislature Building, 155 Hesler St., Hagatna or email him at [committee@frankaguonjr.com](mailto:committee@frankaguonjr.com)

Feel free to also send a copy of your testimony to our office at 324 West Soledad Avenue in Hagatna or via email at [office@senbenp.com](mailto:office@senbenp.com)

A copy of the bill is attached for your reference.

Please do not hesitate to contact me should you have any questions or comments.

*Si Yu'os Ma'ase,*

Vicente (ben) Cabrera Pangelinan  
Senator

cc: Senator Frank Aguon, Jr.

Chairman  
Committee on Appropriations,  
Public Debt, Legal Affairs,  
Retirement, Public Parks,  
Recreation, Historic Preservation  
and Land

Member  
Committee on Education,  
Public Libraries  
and Women's Affairs

Member  
Committee on General  
Government Operations and  
Cultural Affairs

Member  
Committee on Municipal  
Affairs, Tourism, Housing and  
Hagåtña Restoration and  
Development Authority

Member  
Committee on Health &  
Human Services, Health  
Insurance Reform, Economic  
Development and Senior  
Citizens

Member  
Committee on Aviation, Ground  
Transportation, Regulatory  
Concerns and Future  
Generations



I Mina'trentai Dos na Liheslaturan Guahan

Senator Vicente (ben) Cabrera Pangelinan (D)

December 11, 2013

*V. Pangelinan*  
RECEIVED  
12-12-13

Ms. Doris Flores Brooks  
Public Auditor  
Office of Public Accountability  
Suite 401, DNA Building  
238 Archbishop St.  
Hagatna, Guam

Chairman  
Committee on Appropriations,  
Public Debt, Legal Affairs,  
Retirement, Public Parks,  
Recreation, Historic Preservation  
and Land

Member  
Committee on Education,  
Public Libraries  
and Women's Affairs

Member  
Committee on General  
Government Operations and  
Cultural Affairs

Member  
Committee on Municipal  
Affairs, Tourism, Housing and  
Hagåtña Restoration and  
Development Authority

Member  
Committee on Health &  
Human Services, Health  
Insurance Reform, Economic  
Development and Senior  
Citizens

Member  
Committee on Aviation, Ground  
Transportation, Regulatory  
Concerns and Future  
Generations

Re: Public Hearing for Bill No. 222

Hafa Adai Ms. Flores Brooks,

I introduced Bill No. 222, "An Act to Amend §89.01 (d)(2); to Amend §89.01 (g)(2)(B); to Add a new Subsection (C) to §89.01(g)(2); to Amend §89.02(a)(2); to Amend §89.02(a)(3); to Amend §89.02(b)(2); to Amend §89.02(c)(1) and to Add a new Subsection (d) to §89.02 All of Chapter 89, 9 Guam Code Annotated Relative to the crimes against minors and Sex Offender Registry", which has been referred to Senator Frank Aguon's Committee.

Senator Aguon has scheduled a public hearing for Bill No. 222 on Monday, December 16, 2013 beginning at 9:00 am in the Guam Legislature Public Hearing Room.

This letter invites you to provide written and/or oral testimony. Written testimonies can be directed to Senator Frank Aguon, Jr, Chairman of the Committee on Guam US Military Relocation, Homeland Security, Veteran's Affairs and Judiciary and can be delivered to his office, which is located in the Guam Legislature Building, 155 Hesler St., Hagatna or email him at [committee@frankaguonjr.com](mailto:committee@frankaguonjr.com)

Feel free to also send a copy of your testimony to our office at 324 West Soledad Avenue in Hagåtña or via email at [office@senbenp.com](mailto:office@senbenp.com)

A copy of the bill is attached for your reference.

Please do not hesitate to contact me should you have any questions or comments.

*Si Yu'os Ma'ase,*

Vicente (ben) Cabrera Pangelinan  
Senator

cc: Senator Frank Aguon, Jr.



# I Mina'trentai Dos na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

December 11, 2013

Mr. David Leddy  
President  
Guam Chamber of Commerce  
Hagatna, Guam

Re: Public Hearing for Bill No. 222

Hafa Adai Mr. Leddy,

I introduced Bill No. 222, "An Act to Amend §89.01 (d)(2); to Amend §89.01 (g)(2)(B); to Add a new Subsection (C) to §89.01(g)(2); to Amend §89.02(a)(2); to Amend §89.02(a)(3); to Amend §89.02(b)(2); to Amend §89.02(c)(1) and to Add a new Subsection (d) to §89.02 All of Chapter 89, 9 Guam Code Annotated Relative to the crimes against minors and Sex Offender Registry", which has been referred to Senator Frank Aguon's Committee.

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*Si Yu'os Ma'ase,*

Vicente (ben) Cabrera Pangelinan  
Senator

cc: Senator Frank Aguon, Jr.

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and Land

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and Women's Affairs

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Insurance Reform, Economic  
Development and Senior  
Citizens

Member  
Committee on Aviation, Ground  
Transportation, Regulatory  
Concerns and Future  
Generations



# I Mina'trentai Dos na Liheslaturan Guahan

Senator Vicente (ben) Cabrera Pangelinan (D)

December 11, 2013

Ms. Lorilee Crisostomo  
Director  
Bureau of Statistics and Plans  
Ricardo J. Bordallo Governor's Complex  
Adelup, Guam

Re: Public Hearing for Bill No. 222

Hafa Adai Ms. Crisostomo,

I introduced Bill No. 222, "An Act to Amend §89.01 (d)(2); to Amend §89.01 (g)(2)(B); to Add a new Subsection (C) to §89.01(g)(2); to Amend §89.02(a)(2); to Amend §89.02(a)(3); to Amend §89.02(b)(2); to Amend §89.02(c)(1) and to Add a new Subsection (d) to §89.02 All of Chapter 89, 9 Guam Code Annotated Relative to the crimes against minors and Sex Offender Registry", which has been referred to Senator Frank Aguon's Committee.

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Concerns and Future  
Generations





# I Mina'trentai Dos na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

December 11, 2013

Leonardo Rapadas  
Attorney General of Guam  
Office of the Attorney General  
590 S. Marine Corps Drive, Suite 706  
ITC Building  
Tamuning, Guam

Re: Public Hearing for Bill No. 222

Hafa Adai General Rapadas,

I introduced Bill No. 222, "An Act to Amend §89.01 (d)(2); to Amend §89.01 (g)(2)(B); to Add a new Subsection (C) to §89.01(g)(2); to Amend §89.02(a)(2); to Amend §89.02(a)(3); to Amend §89.02(b)(2); to Amend §89.02(c)(1) and to Add a new Subsection (d) to §89.02 All of Chapter 89, 9 Guam Code Annotated Relative to the crimes against minors and Sex Offender Registry", which has been referred to Senator Frank Aguon's Committee.

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Website: <http://senbenp.com>



# I Mina'trentai Dos na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

December 11, 2013

Mr. Perry Taitano  
Administrator of the Courts  
Judiciary of Guam  
120 West O'Brien Drive  
Hagatna, Guam

Re: Public Hearing for Bill No. 222

Hafa Adai Mr. Taitano,

I introduced Bill No. 222, "An Act to Amend §89.01 (d)(2); to Amend §89.01 (g)(2)(B); to Add a new Subsection (C) to §89.01(g)(2); to Amend §89.02(a)(2); to Amend §89.02(a)(3); to Amend §89.02(b)(2); to Amend §89.02(c)(1) and to Add a new Subsection (d) to §89.02 All of Chapter 89, 9 Guam Code Annotated Relative to the crimes against minors and Sex Offender Registry", which has been referred to Senator Frank Aguon's Committee.

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WEDNESDAY, DECEMBER 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**

**MONDAY, December 16, 2013 | 9:00AM**

**Bill No. 208-32 (COR)** - An act to add § 51112 of Chapter 51, Title 18 Guam Code Annotated relative to providing an additional source of funding to the Guam Housing Corporation's Housing Trust Fund by authorizing the transfer to the same of interest on security deposits arising from landlord tenant rental agreements.

**Bill No. 222-32 (COR)** - An act to amend § 89.01(d)(2), to amend § 89.01(g)(2)(B); to add a new subsection (C) to § 89.01(g)(2); to amend § 89.02(a)(2); to amend § 89.02(a)(3); to amend § 89.02(b)(2); to amend § 89.02(c)(1) and to add a new subsection (d) to § 89.02 all of Chapter 89, 9 Guam Code Annotated relative to the crimes against minors and sex offender registry.

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](mailto:committee@frankaguonjr.com).

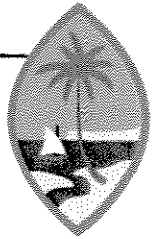
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COMMITTEE ON

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

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



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

**Senator  
Thomas Morrison**  
Committee Member

**PUBLIC HEARING**

December 16, 2013, Monday at 9:00AM  
*I Liheslaturan Guahan's Public Hearing Room, Hagatna*

**AGENDA**

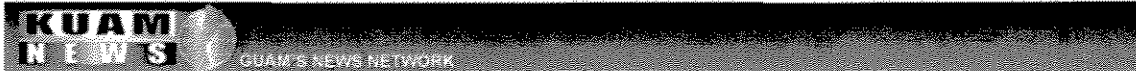
- I. **Call to Order**
- II. **Opening remarks/Announcements**
- III. **Items for discussion:**
  - **Bill No. 208-32 (COR)** – An act to add § 51112 of Chapter 51, Title 18 Guam Code Annotated relative to providing an additional source of funding to the Guam Housing Corporation's Housing Trust Fund by authorizing the transfer to the same of interest on security deposits arising from landlord tenant rental agreements.
  - **Bill No. 222-32 (COR)** – An act to amend §89.01(d)(2); to amend §89.01(g)(2)(B); to add a new subsection (C) to §89.01(g)(2); to amend §89.02(a)(2); to amend §89.02(a)(3); to amend §89.02(b)(2); to amend §89.02(c)(1) and to add a new subsection (d) to §89.02 all of Chapter 89, 9 Guam Code Annotated relative to the crimes against minors and sex offender registry.
- IV. **Closing Remarks**
- V. **Adjournment**



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## Hearing for bill protecting IDs of minors convicted of criminal sexual conduct

Posted: Dec 16, 2013 4:35 PM

Updated: Dec 16, 2013 4:35 PM

by Krystal Paco

Guam - At the Guam Legislature this morning Bill 222 went up for a public hearing. The measure would protect the identity of minors convicted of crimes involving criminal sexual conduct. Although their names would be placed into the sex offender registry it would not be available to the public

Assistant Attorney General Carol Sanchez said, "Our office fully supports this legislation we believe this is necessary we want to ensure that Guam remains in compliance with the federal mandates. We think that it's a plus because it does provide that extra protection for juveniles. I know it's always been a concern for the courts and defense attorneys but this is an actually an enhanced protection for their client to ensure that they are not placed in the public registry."

You can review [Bill 222 at GuamLegislature.com](http://GuamLegislature.com).

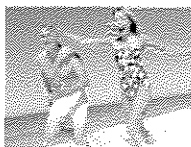
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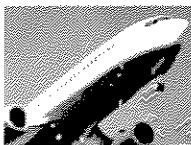
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THURSDAY, DECEMBER 5, 2013 - MARIANAS VARIETY GUAM EDITION

Thursday



Dec 05, 2013

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**

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