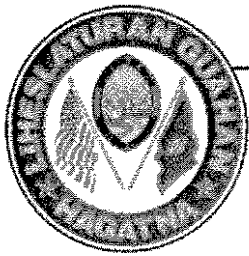


*I Mina'Trentai Dos Na Liheslaturan Received*  
**Bill Log Sheet**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
<b>301-32 (COR)</b>	Brant T. McCreddie	AN ACT TO AMEND § 52.30 OF CHAPTER 52 TITLE 9 GUAM CODE ANNOTATED RELATIVE TO THE CRIME OF UNSWORN FALSIFICATION.	3/31/14 9:48 a.m.	03/31/04	Committee on the Guam U. S. Military Relocation, Homeland Security, Veteran's Affairs, and Judiciary	4/28/14 9 a.m.	5/28/14 3:56 p.m.	<b>Fiscal Note Request 04/01/14 Fiscal Note Waived 4/22/14</b>



COMMITTEE ON

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

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



MAY 27 2014

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

Speaker

*I Mina'Trentai Dos Na Liheslaturan Guahan*

155 Hesler Place

Hagåtña, Guam 96910

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

Chairperson, Committee on Rules

2014 MAY 29 PM 3:56  
*[Handwritten signature]*

**RE: Committee Report on Bill No. 301-32 (COR)**

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 301-32 (COR) – An Act to amend § 52.30 of Chapter 52, Title 9 Guam Code Annotated relative to the Crime of Unsworn Falsification.

Committee votes are as follows:

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

Respectfully,

*[Handwritten signature of Frank B. Aguon, Jr.]*

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

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

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

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

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

**Senator  
Rory J. Respicio**  
Committee Member

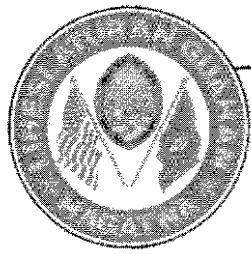
**Senator  
Thomas C. Ada**  
Committee Member

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

**Senator  
V. Anthony Ada**  
Committee Member

**Senator  
Michael Lintiaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member



COMMITTEE ON

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

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



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

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

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

**Senator  
Michael Limtiaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

## COMMITTEE REPORT

### ON

**BILL NO. 301-32 (COR), An Act to amend § 52.30 of  
Chapter 52, Title 9 Guam Code Annotated relative to  
the Crime of Unsworn Falsification.**

**(Sponsored by Senator Brant T. McCreadie)**



COMMITTEE ON

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


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



May 16, 2014

**MEMORANDUM**

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

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

**Subject: Committee Report on Bill No. 301-32 (COR)**

Transmitted herewith for your consideration is the Committee Report on Bill No. 301-32 (COR) - An Act to amend § 52.30 of Chapter 52, Title 9 Guam Code Annotated relative to the Crime of Unsworn Falsification.

This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Copy of Bill No. 301-32 (COR)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony & Supporting Documents
- Copy of COR Referral of the Bill No. 301-32 (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**  
Committee Member

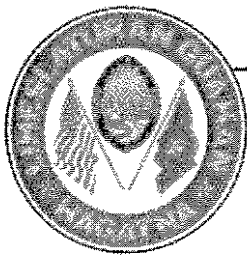
**Senator  
Thomas C. Ada**  
Committee Member

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

**Senator  
V. Anthony Ada**  
Committee Member

**Senator  
Michael Lintiaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member



COMMITTEE ON

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

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



## COMMITTEE VOTING SHEET

Bill No. 301-32 (COR) - An Act to amend § 52.30 of Chapter 52, Title 9 Guam Code Annotated relative to the Crime of Unsworn Falsification.

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

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

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

COMMITTEE MEMBERS	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
AGUON, FRANK B. JR Committee Chairperson 5/19/14		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			
MUNA BARNES, TINA ROSE Committee Vice Chairperson		<input checked="" type="checkbox"/>				
SPEAKER WON PAT, JUDITH T. Ed.D. Committee Member						
RESPICIO, RORY J. Committee Member			<input checked="" type="checkbox"/>			
ADA, THOMAS C. Committee Member		<input checked="" type="checkbox"/>				
RODRIGUEZ, DENNIS G. JR. Committee Member				<input checked="" type="checkbox"/>		
ADA, V. ANTHONY Committee Member			<input checked="" type="checkbox"/>			
LIMTIACO, MICHAEL Committee Member				<input checked="" type="checkbox"/>		
MORRISON, THOMAS Committee Member		<input checked="" type="checkbox"/>				



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

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



**COMMITTEE REPORT DIGEST**

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

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

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

**Senator  
Rory J. Respicio**  
Committee Member

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

**Senator  
V. Anthony Ada**  
Committee Member

**Senator  
Michael Limtlaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

**I. OVERVIEW**

Bill No. 301-32 (COR), was introduced on March 31, 2014, by Senator Brant T. McCreadie, and was subsequently referred by the Committee on Rules to the Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary on March 31, 2014.

**Public Notice Requirements**

Public Hearing notices were disseminated via e-mail to all senators and all main media broadcasting outlets for the April 28, 2014 hearing on April 18, 2014 (5-Day Notice), and again on April 23, 2014 (48-Hour Notice). Notices were also published in the Marianas Variety Newspaper for the April 28, 2014 hearing on April 18, 2014 and April 23, 2014.

**Senators Present**

Senator Frank B. Aguon, Jr., Chairperson  
Senator Brant T. McCreadie  
Senator Thomas Morrison  
Senator Aline A. Yamashita, Ph.D.  
Senator Christopher M. Duenas

**Appearing Before the Committee**

N/A

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, Homeland Security, and Judiciary. I'd like to, before I highlight the agenda, welcome my colleagues who have joined us this morning thus far. To my immediate right is Senator Brant McCreadie. To my immediate left is Senator Tommy Morrison and to his immediate left is Senator Aline Yamashita. Thank you very much Senators for joining us this morning.

On the agenda, which are several pieces of legislation. One is Bill no. 301, and we'll highlight them as we proceed with the overall discussion, and that is relative to the crime of unsworn falsification. Bill no. 302-32 (COR), which is relative to establishing fines and penalties for individuals who make false statements to a Guam Customs officer. Bill no. 317-32 (LS) relative to the crime of phishing. P-H-I-S-H-I-N-G. And Bill no. 318 is relative to creating the "Computer Protection Act". And then finally, we will close out the discussion this morning with Bill 319-32 (LS) relative to creating "Computer Spyware Protection Act".

And just for the information of the public, in compliance with the public notification requirement, the initial notice was sent out to all the Senators, as well as, the stakeholders



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

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



on the 18<sup>th</sup> of April. It was in print again on the 18<sup>th</sup> of April. With the second notification of public hearing sent out on the 23<sup>rd</sup> of April to all the stakeholders and then, finally, a print on the 23<sup>rd</sup> in regards to the agenda for this morning's discussion.

We do have the first item, like I alluded to, in regards to Bill no. 301, which is the unsworn falsification bill and is sponsored by Senator Brant T. McCreadie. If I can invite the following individuals, please. Mr. Pedro Leon Guerrero, Mr. Pete (Paul) Toves, as well as, Mr. Ray Benevente. If you can join us upfront for Bill no...that's 302? Anyone for 301? I apologize. On Bill no. 301, we were gonna proceed with 301 initially and that is relative to the crime of unsworn falsification and I would like to yield to Senator Brant McCreadie at this time to be able to provide some brief comments. Senator, please.

**Senator Brant T. McCreadie**

Thank you very much Mr. Chair and good morning to all the people. As always, thank you for the expeditious hearing of these bills today.

Bill 301 amends 52-30 of Chapter 52, Title 10, Guam Code Annotated, relative to crime of unsworn falsification. Now, this bill was drafted after several meetings with law enforcement and public safety agencies. Under the current law, the crime of unsworn falsification pertains only to written falsifications made to public officials while in the performance of official duties. Bill 301 would add a new item, B, to include a verbal statement made to peace officers or public officials as well. If passed into law, Bill 301 will provide peace officers and public officials another tool to compel individuals to tell the truth or face arrest as potential punishment for willfully attempting to mislead them in the performance of official duties.

Once again, I thank you for your hearing today Mr. Chairman and I look forward for great discussion on this piece of legislation.

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

Thank you very much Senator McCreadie for those comments in regards to Bill no. 301. For the record, we have not only provided public notification with regards to this. But, the committee will continue to receive, for the subsequent ten days from this date of this hearing, comments and written testimony in regards to Bill no. 301 as just shared with us by the sponsor Senator Brant McCreadie. At this time, we do not have any written testimony provided or nor do we have anyone in attendance to provide testimony. So we're gonna proceed. Bill no. 301-32 (COR) has been publicly heard. Thank you very much Senator McCreadie.

The public hearing was adjourned at 9:47 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 April 28, 2014 at 9:00 AM:

N/A

**IV. FINDINGS & RECOMMENDATIONS**

The Committee on Guam US Military Relocation, Veterans' Affairs, Homeland Security and Judiciary hereby submits these findings and reports out Bill No. 301-32 (COR) by the Committee on Guam US Military Relocation, Homeland Security, Veteran's Affairs and Judiciary, with a recommendation TO PASS

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

Bill No. 301-32 (09/12)

Introduced by:

Brant T. McCreadie

---

**AN ACT TO AMEND § 52.30 OF CHAPTER 52 TITLE  
9 GUAM CODE ANNOTATED RELATIVE TO THE  
CRIME OF UNSWORN FALSIFICATION.**

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

**2 Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that  
**3** Police officers, Customs officers and a whole range of other public servants rely on  
**4** interviews and verbal questioning to obtain needed information in the performance of  
**5** their official duties. However, it is an inevitable reality that government officials  
**6** discover that persons knowingly mislead public servants in the course of an interview  
**7** or interrogation. As it stands under current Guam law however, the crime of Unsworn  
**8** Falsification does not include a provision for a person who verbally misleads a public  
**9** servant while performing official duties. By adding a provision that sets a punishment  
**10** for verbal Unsworn Falsifications, Guam peace officers will have the ability to arrest  
**11** those who verbally mislead them with the intent of committing an action against the  
**12** welfare of the people of Guam.

**13** Therefore, it is the intent of *I Liheslaturan Guåhan* to add a provision to  
**14** establish a penalty for individuals who make verbal Unsworn Falsifications by  
**15** amending § 52.30 of Chapter 52, Title 9 Guam Code Annotated.

**16 Section 2.** § 52.30 of Chapter 52, Title 9 Guam Code Annotated is hereby  
**17** *amended* to read:



1           **“§ 52.30. Unsworn Falsifications; Defined & Punished.**

2           A person is guilty of a misdemeanor if, with intent to mislead a public  
3 servant in performing his official function, he makes, submits or uses:

4           (a) any written false statement of his own which he does not then believe  
5 to be true; ~~or~~

6           **(b) any verbally provided false statement of his own which he does not**  
7 **then believe to be true; or**

8           **(c) any physical object, exhibit, writing or drawing which he knows to**  
9 **be either false or not what it purports to be in the circumstances in which it is**  
10 **made, submitted or used.”**

11       **Section 3. Effective Date.** This act shall be effective immediately upon  
12 enactment.

13       **Section 4. Severability.** *If* any provision of this Law or its application to any  
14 person or circumstance is found to be invalid or contrary to law, such invalidity shall  
15 *not* affect other provisions or applications of this Law which can be given effect  
16 without the invalid provisions or application, and to this end the provisions of this  
17 Law are severable.

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

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



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

**Monday, April 28, 2014 @ 9:00A.M.**

**Bill No. 301-32 (COR)** – An Act to amend § 52.30 of Chapter 52, Title 9 Guam Code Annotated relative to the Crime of Unsworn Falsification. **(Sponsored by Senator Brant T. McCreadie)**

NAME ( Please Print )	Agency/Organization	Contact Number	Oral Testimony	Written Testimony	In Favor	Not In Favor
<i>Basil O'Mallan</i>	<i>OAG</i>				<i>✓</i>	



# COMMITTEE ON RULES

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

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

Senator  
Vicente (Ben) C. Pangelinan  
Member

Speaker  
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Vice-Speaker  
Benjamin J.F. Cruz  
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Legislative Secretary  
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Senator  
Frank Blas Aguon, Jr.  
Member

Senator  
Michael F.Q. San Nicolas  
Member

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

Senator  
Aline Yamashita  
Member

April 22, 2014

## Memorandum

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

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

Subject: **Fiscal Notes / Waivers**

*Hafa Adai!*

Attached please find the fiscal notes and waivers for the bill numbers listed below.

Please note that the fiscal notes, or waivers, are issued on the bills as introduced.

### FISCAL NOTES:

- Bill No. 259-32(COR)
- Bill No. 279-32(COR)
- Bill No. 287-32(COR)
- Bill No. 293-32(COR)
- Bill No. 294-32(COR)
- Bill No. 301-32(COR)
- Bill No. 303-32(COR)

### WAIVER:

- Bill No. 233-32(COR)
- Bill No. 295-32(COR)
- Bill No. 297-32(COR)
- Bill No. 300-32(COR)

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

*Si Yu'os ma'åse'!*

2014 APR 22 AM 9:42

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

OFFICE OF THE GOVERNOR

Post Office Box 2950, Hagåtña Guam 96932

EDDIE BAZA CALVO  
GOVERNORJOHN A. RIOS  
DIRECTORRAY TENORIO  
LIEUTENANT GOVERNORJOSE S. CALVO  
DEPUTY DIRECTOR

APR 21 2014

Senator Rory J. Respicio  
Chairperson, Committee on Rules  
I Mina'trentai Dos na Liheslaturan Guåhan  
The 32nd Guam Legislature  
155 Hesler Place  
Hagåtña, Guam 96932

*Hafa Adai* Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill Nos.: 259-32(COR), 279-32(COR), 287-32(COR), 293-32(COR), 294-32(COR), 301-32(COR), 303-32(COR) and Fiscal Note Waiver on the following Bill Nos.: 233-32(COR), 295-32(COR), 297-32(COR), and 300-32(COR).

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



JOHN A. RIOS  
Director

Enclosures  
cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research  
Fiscal Note for Bill No. 301-32 (COR)**

**AN ACT TO AMEND §52.30 OF CHAPTER 52 TITLE 9 GUAM CODE ANNOTATED RELATIVE TO THE CRIME OF UNSWORN FALSIFICATION.**

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

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

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2014 (if applicable)	FY 2015	FY 2016	FY 2017	FY 2018
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

Analyst: Matt Quinata Date: \_\_\_\_\_ Director: John A. Rios Date: APR 21 2014  
BBMR Director

Footnotes:  
See attachment to fiscal note, A18

*Handwritten:* 4/10/14

**Bill Number: 301.32 (COR)*****Comments***

The intent of this bill is to provide for individuals with intent to provide verbal false statements to mislead a public servant to be guilty of a misdemeanor. The fiscal impact in the passage of this bill will be possible imprisonment if individual is found guilty of a misdemeanor. Title 9 GCA, Chapter 80, §80.34 notes the courts may set a maximum term not to exceed one (1) year for an individual convicted of a misdemeanor. This new offense and the imprisonment requirement will have an effect on operational costs to all law enforcement departments/agencies. As an example, cost for the Department of Correction for a conviction resulting in a 12 months sentence will result in costs totaling \$36,500 per person. (Average cost of inmate per day is \$100)

**§ 80.34. Misdemeanor & Petty Misdemeanor Sentences.**

Except as otherwise provided by § 80.36, a person who has been convicted of a misdemeanor or a petty misdemeanor may be sentenced to imprisonment, as follows:

(a) in the case of a misdemeanor, the court shall set a maximum term not to exceed one (1) year;

(b) in the case of a petty misdemeanor, the court shall set a definite term not to exceed sixty (60) days.

**SOURCE:** G.P.C. § 19; \*M.P.C. § 6.08; Cal. § 320 (1971); Mass. ch. 264, § 10; N.J. § 2C:43-8.

**CROSS-REFERENCES:** § 680.1(b), Code Civ. Proc. (Amended by Section 28, P.L. 13-187) - Rights to jury trial.

**COMMENT:** § 80.34 provides the basic terms of imprisonment which may be imposed upon a conviction for a misdemeanor or petty misdemeanor. Under Subsection (a) only a maximum term is provided. The Parole Board will determine the actual release date. Under Subsection (b), the sentencing judge sets a definite term and the Parole Board is neither required nor permitted to change the release date so established.



# COMMITTEE ON RULES

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

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Senator  
Michael F.Q. San Nicolas  
Member

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

Senator  
Aline Yamashita  
Member

April 1, 2014

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. 301-32 (COR) and 302-32(COR)

*Hafa Adai* Mr. Rios:

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

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

Very Truly Yours,

Senator Rory J. Respicio  
*Chairperson of the Committee on Rules*

Attachment (1)

Cc: Clerk of the Legislature



Bill Nos.	Sponsors	Title
301-32 (COR)	Brant T. McCreadie	AN ACT TO AMEND § 52.30 OF CHAPTER 52 TITLE 9 GUAM CODE ANNOTATED RELATIVE TO THE CRIME OF UNSWORN FALSIFICATION.
302-32 (COR)	Brant T. McCreadie	AN ACT TO REPEAL § 73127 AND TO REPEAL AND REENACT § 73130 OF CHAPTER 73 TITLE 5 GUAM CODE ANNOTATED RELATIVE TO ESTABLISHING FINES AND PENALTIES FOR INDIVIDUALS WHO MAKE FALSE STATEMENTS TO A GUAM CUSTOMS OFFICER.



## COMMITTEE ON RULES

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

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

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

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

March 31, 2014

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

### MEMORANDUM

Senator  
Vicente (Ben) C. Fangelinan  
Member

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

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

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

Senator  
Dennis G. Rodriguez, Jr.  
Member

From: **Senator Rory J. Respicio**  
*Chairperson of the Committee on Rules*

Vice-Speaker  
Benjamin J.F. Cruz  
Member

Subject: **Referral of Bill No. 301-32(COR)**

Legislative Secretary  
Tina Rose Muña Barnes  
Member

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 301-32(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 F.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 Received*

**Bill Log Sheet**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
301-32 (COR)	Brant T. McCreadie	AN ACT TO AMEND § 52.30 OF CHAPTER 52 TITLE 9 GUAM CODE ANNOTATED RELATIVE TO THE CRIME OF UNSWORN FALSIFICATION.	3/31/14 9:48 a.m.	03/31/04	Committee on the Guam U. S. Military Relocation, Homeland Security, Veteran's Affairs, and Judiciary			



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## FIRST NOTICE - Public Hearing on Monday, April 28, 2014 at 9:00 AM

---

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

Fri, Apr 18, 2014 at 9:33 AM

To: phnotice@guamlegislature.org

Cc: "Office of Senator Frank B. Aguon, Jr." <admin@frankaguonjr.com>, "Senator Frank B. Aguon, Jr. Legislative Policy" <policy@frankaguonjr.com>, Senator Aguon Communications <media@frankaguonjr.com>

April 18, 2014

### MEMORANDUM

TO: All Honorable Senators/Media/Stakeholders

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

SUBJECT: **FIRST NOTICE** of Public Hearing on Monday, April 28, 2014 at 09:00 AM

*Buenas yan Hafa Adai!*

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, April 28, 2014 at 09:00 AM in *I Liheslaturan Guåhan's* Public Hearing Room, Hagåtña, on the following:

**Bill No. 301-32 (COR)** – An Act to amend § 52.30 of Chapter 52, Title 9 Guam Code Annotated relative to the Crime of Unsworn Falsification. (Sponsored by Senator Brant T. McCreadie)

**Bill No. 302-32 (COR)** – An Act to repeal § 73127 and to repeal and reenact § 73130 of Chapter 73, Title 5 Guam Code Annotated relative to establishing fines and penalties for individuals who make false statements to a Guam Customs Officer. (Sponsored by Senator Brant T. McCreadie)

**Bill No. 317-32 (LS)** - An Act to Add a New Article 4 to Chapter 46 of 9CCA relative to the Crime of Phishing. (Sponsored by Senator Tommy Morrison)

**Bill No. 318-32 (LS)** - An Act to Add a New Article 5 to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act." (Sponsored by Senator Tommy Morrison)

**Bill No. 319-32 (LS)** - An Act to Add a New Article 3 to Chapter 46, Title 9, Guam Code Annotated relative to creating the "Computer Spyware Protection Act." (Sponsored by Senator Tommy Morrison)

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 services; please contact Fred "Rico" Taitague via email at [committee@frankaguonjr.com](mailto:committee@frankaguonjr.com) or Matt Topasna via email at [policy@frankaguonjr.com](mailto:policy@frankaguonjr.com) or please contact the office directly at 477-GUM1/2.

*Si Yu'os Ma'åse!*

---  
**Thanks!**

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

Office of Senator Frank B. Aguon, Jr.

155 Hesler PL Suite 104, Hagåtña, Guam 96910

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

Fax: (671) GUM3 (4863)

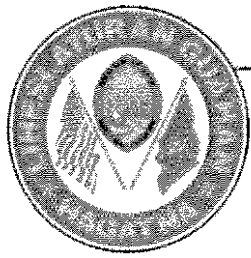
aguon4guam@gmail.com | www.frankaguonjr.com

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

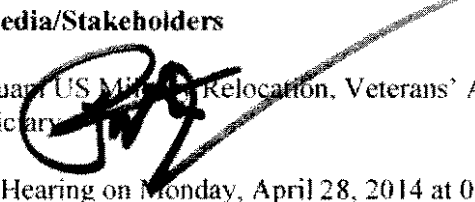
I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN / 32ND GUAM LEGISLATURE



April 18, 2014

**MEMORANDUM**

TO: All Honorable Senators/Media/Stakeholders

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

SUBJECT: **FIRST NOTICE** of Public Hearing on Monday, April 28, 2014 at 09:00AM

*Buenas yan Hafa Adai!*

The Committee on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, April 28, 2014 at 09:00 AM in *I Liheslaturan Guahan's* Public Hearing Room, Hagåtña, on the following:

- **Bill No. 301-32 (COR)** – An Act to amend § 52.30 of Chapter 52, Title 9 Guam Code Annotated relative to the Crime of Unsworn Falsification. (Sponsored by Senator Brant T. McCreadie)
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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 Guahan's* website at [www.guamlegislature.com](http://www.guamlegislature.com). Individuals requiring special accommodations or services; please contact Fred "Rico" Taitague via email at [committee@frankaguonjr.com](mailto:committee@frankaguonjr.com) or Matt Topasna via email at [policy@frankaguonjr.com](mailto:policy@frankaguonjr.com) or please contact the office directly at 477-GUM1/2.

*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. Rodríguez, Jr.**  
Committee Member

Senator  
**V. Anthony Ada**  
Committee Member

Senator  
**Michael Lintiaco**  
Committee Member

Senator  
**Thomas Morrison**  
Committee Member

# World

**OFFICE OF SENATOR FRANK E. ASUON, JR.**  
 Senatorial Office of the Senate of the Northern Mariana Islands  
 Honorable Senate Building, 1000 Soledad Highway  
 West P.O. Box 1000, Saipan, Northern Mariana Islands 96950

**MEMORANDUM FOR THE SENATOR**

**SUBJECT: [Illegible]**

[Illegible text follows, appearing to be a list of items or a report.]

**RECOMMENDATION:** [Illegible]

[Illegible text follows, likely a signature block or administrative notes.]



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## SECOND NOTICE - Public Hearing on Monday, April 28, 2014 at 9:00 AM

---

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

Wed, Apr 23, 2014 at 12:06 PM

To: phnotice@guamlegislature.org

Cc: Guam Legislature Clerks Office <clerks@guamlegislature.org>, mis@guamlegislature.org, sgtarms@guamlegislature.org, "Office of Senator Frank B. Aguon, Jr." <admin@frankaguonjr.com>, "Senator Frank B. Aguon, Jr. Legislative Policy" <policy@frankaguonjr.com>, Senator Aguon Communications <media@frankaguonjr.com>

April 23, 2014

### MEMORANDUM

TO: **All Honorable Senators/Media/Stakeholders**

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

SUBJECT: **SECOND NOTICE** of Public Hearing on Monday, April 28, 2014 at 09:00 AM

### *Buenas yan Hafa Adai!*

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, April 28, 2014 at 09:00 AM in *I Liheslaturan Guåhan's* Public Hearing Room, Hagåtña, on the following:

**Bill No. 301-32 (COR)** – An Act to amend § 52.30 of Chapter 52, Title 9 Guam Code Annotated relative to the Crime of Unsworn Falsification. (**Sponsored by Senator Brant T. McCreadie**)

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The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Frank B. Aguon, Jr., or via fax to 475-GUM3(4863), or via email to aguon4guam@gmail.com. Copies of the aforementioned Bill(s) may be obtained at *I Liheslaturan Guåhan's* website at www.guamlegislature.com. Individuals requiring special accommodations or services; please contact Fred "Rico" Taitague via email at committee@frankaguonjr.com\_ or Matt Topasna via email at policy@frankaguonjr.com\_ or please contact the office directly at 477-GUM1/2.



*Si Yu'os Ma'åse!*

—

**Thanks!**

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

Office of Senator Frank B. Aguon, Jr.

155 Hesler PL Suite 104, Hagåtña, Guam 96910

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

Fax: (671) GUM3 (4863)

aguon4guam@gmail.com | www.frankaguonjr.com

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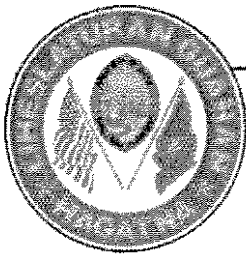
**Adam Bearce** <adam@guamlegislature.org>

Wed, Apr 23, 2014 at 12:13 PM

To: "Office of Sen. Frank B. Aguon, Jr." <committee@frankaguonjr.com>, Yong Pak <yong@guamlegislature.org>

Done

[Quoted text hidden]



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

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



April 23, 2014

**MEMORANDUM**

**TO:** All Honorable Senators/Media/Stakeholders

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

**SUBJECT:** **SECOND NOTICE** of Public Hearing on Monday, April 28, 2014 at 09:00AM

***Buenas yan Hafa Adai!***

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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 Guahan's* website at [www.guamlegislature.com](http://www.guamlegislature.com). Individuals requiring special accommodations or services; please contact Fred "Rico" Taitague via email at [committee@frankaguonjr.com](mailto:committee@frankaguonjr.com) or Matt Topasna via email at [policy@frankaguonjr.com](mailto:policy@frankaguonjr.com) or please contact the office directly at 477-GUM1/2.

***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 Lintiaco**  
Committee Member

**Senator  
Thomas Morrison**  
Committee Member

### OFFICE OF SENATOR FRANK B. AGUIAR

Office of Senator Frank B. Aguiar  
1000 Commonwealth Avenue, Suite 1000, San Juan, PR 00917  
Tel: (787) 764-1234 | Fax: (787) 764-1234 | Email: frank@senatorfrank.com

### AGENDA

- 9:00 AM - 10:00 AM: Meeting with the Honorable Governor and the Honorable Speaker of the House of Representatives.
- 10:30 AM - 11:30 AM: Meeting with the Honorable Mayor of San Juan.
- 12:00 PM - 1:00 PM: Lunch with the Honorable Mayor of San Juan.
- 1:30 PM - 2:30 PM: Meeting with the Honorable Mayor of San Juan.
- 3:00 PM - 4:00 PM: Meeting with the Honorable Mayor of San Juan.
- 4:30 PM - 5:30 PM: Meeting with the Honorable Mayor of San Juan.

### AGENDA

10:00 AM - 11:00 AM: Meeting with the Honorable Mayor of San Juan.

11:30 AM - 12:30 PM: Meeting with the Honorable Mayor of San Juan.

1:00 PM - 2:00 PM: Meeting with the Honorable Mayor of San Juan.

2:30 PM - 3:30 PM: Meeting with the Honorable Mayor of San Juan.

4:00 PM - 5:00 PM: Meeting with the Honorable Mayor of San Juan.

**Listserv: [phnotice@guamlegislature.org](mailto:phnotice@guamlegislature.org)  
As of March 13, 2014**

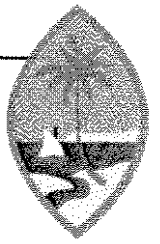
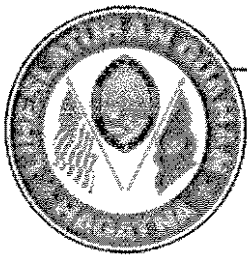
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karenc@guamlegislature.org
kcn.kelly@gmail.com
keepinginformed.671@gmail.com
kelly.toves@mail.house.gov
kenq@kuam.com
kevin@spbguam.com
khmg@hbcguam.net
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kstonews@ite.net

**Listserv: [phnotice@guamlegislature.org](mailto:phnotice@guamlegislature.org)  
As of March 13, 2014**

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norman.aguilar@guamcc.edu
nsantos@guamlegislature.org
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senatortonyada@guamlegislature.org
senbenp@guam.net
sgflores@tinamunabarnes.com
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sitarose2@yahoo.com
slimtiaco@guampdn.com
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speaker@judiwonpat.com
staff@frankaguonjr.com
tanya4families@gmail.com
tasigirl@gmail.com
tcastro@guam.net
telo.taitague@guam.gov
tessa@senatorbjcruz.com
thebigshow@guamcell.net
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zita@mvguam.com
zpalomo@guamag.org



## Notified Stakeholders

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

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

**Speaker  
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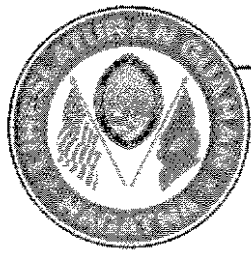
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- **All Senators of Mina'Trentai Dos Na Liheslaturan Guahan**
- **Governor Eddie B. Calvo**
- **Congresswoman Madeleine Z. Bordallo**
- **Chief Justice Robert J. Torres, Jr.**
- **Special Assistant to the Governor on Military Buildup & Infrastructure**
  - Mark Calvo
- **Guam Customs & Quarantine Agency**
  - Pedro Leon Guerrero, Director
  - Raffaele J. M. Sgambelluri, Chief
- **Guam Homeland Security Advisor**
  - Ambrosio Constantino
- **Office of Veterans Affairs**
  - The Honorable John Unpingco, Esq.
- **Office of Civil Defense**
  - James T. McDonald, Administrator
- **Office of the Attorney General**
  - Attorney General Leonardo G. Rapadas
- **Public Defender Service Corporation**
  - Eric D. Miller
- **Media Outlets**



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

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



April 18, 2014

**The Honorable Eddie Baza Calvo**  
Governor of Guam

513 West Marine Corps Drive  
Hagåtña, Guam 96910

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

RE: Public Hearing scheduled for Monday, April 28, 2014 at 9:00AM

*Buenas yan Hafa Adai!*

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

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

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

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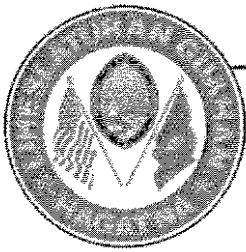
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VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

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



April 18, 2014

**The Honorable Madeleine Z. Bordallo**  
Congresswoman of Guam | Guam Delegate  
120 Father Dueñas Avenue Suite 107  
Hagåtña, Guam 96910  
*Sent via email to: [madeleine.bordallo@mail.house.gov](mailto:madeleine.bordallo@mail.house.gov)*

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Respectfully

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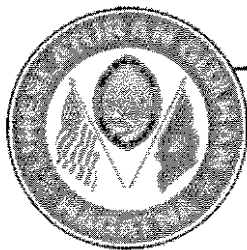
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Committee Member

April 18, 2014

**The Honorable Robert J. Torres, Jr.**  
**Chief Justice of Guam**

Suite 300, Guam Judicial Center | 20 West O'Brien Drive  
Hagåtña, Guam 96910

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

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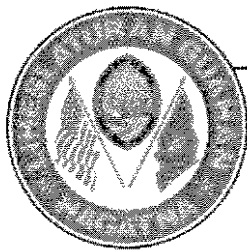
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Committee Chairman on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs, and the Judiciary  
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*I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE*



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April 18, 2014

**Mark Calvo**  
Special Assistant to the Governor on Military Buildup and Infrastructure  
513 West Marine Corps Drive  
Hagåtña, Guam 96910  
*Sent via email to: [mark.calvo@guam.gov](mailto:mark.calvo@guam.gov)*

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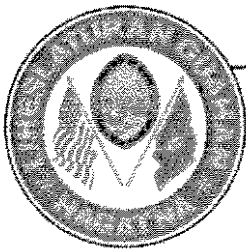
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April 18, 2014

**Pedro A. Leon Guerrero, Jr.**  
Director, Guam Customs and Quarantine Agency  
770 East Sunset Boulevard Airport Road  
AB WonPat, Guam 96913  
*Sent via email to: [pedro.leonguerrero@cga.guam.gov](mailto:pedro.leonguerrero@cga.guam.gov)*

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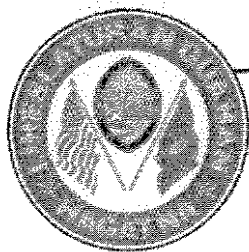
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**Raffaele Sgambelluri**  
Chief, Guam Customs and Quarantine Agency  
770 East Sunset Boulevard Airport Road  
AB WonPat, Guam 96913  
*Sent via email to: [raffaele.sgambelluri@cga.guam.gov](mailto:raffaele.sgambelluri@cga.guam.gov)*

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

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

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

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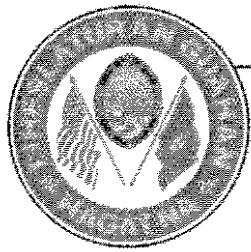
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**GUAM U.S. MILITARY RELOCATION  
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY**

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



April 18, 2014

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

RE: Public Hearing scheduled for Monday, April 28, 2014 at 9:00AM

*Buenas yan Hafu Adai!*

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, April 28, 2014 beginning at 9:00am at I Liheslaturan Guahan. Included on the agenda are the following bills:

- **Bill No. 301-32 (COR)** – An Act to amend § 52.30 of Chapter 52, Title 9 Guam Code Annotated relative to the Crime of Unsworn Falsification.  
(Sponsored by **Senator Brant T. McCreadie**)
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If you feel the above mentioned items impact your agency or organization, we encourage you to participate in this 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 Guahan's website at [www.guamlegislature.com](http://www.guamlegislature.com). Individuals requiring special accommodations or services, please contact Fred "Rico" Taitague via email to [committee@frankaguonjr.com](mailto:committee@frankaguonjr.com) or Matt Topasna via email to [policy@frankaguonjr.com](mailto:policy@frankaguonjr.com) or please contact the office directly at 477-GUM1/2.

Respectfully,

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

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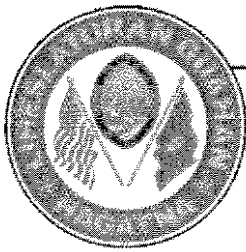
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*I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN | 32ND GUAM LEGISLATURE*



April 18, 2014

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

172 S. Marine Drive, Asan  
Hagåtña, Guam 96910

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

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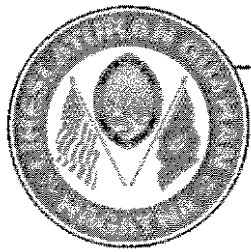
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Committee Member

April 18, 2014

**James T. McDonald**  
Administrator, Office of Civil Defense  
221B Chalan Palayso  
Agana Heights, Guam 96910  
*Sent via email to: [jim.mcdonald@ghs.guam.gov](mailto:jim.mcdonald@ghs.guam.gov)*

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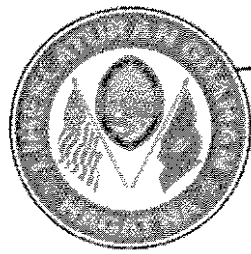
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COMMITTEE ON

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Committee Member

**Senator  
Thomas Morrison**  
Committee Member

April 18, 2014

**The Honorable Leonardo G. Rapadas**  
**Attorney General of Guam**  
237 W. O'Brien Drive  
Hagåtña, Guam 96910  
*Sent via email to: [law@guamag.gov](mailto:law@guamag.gov)*

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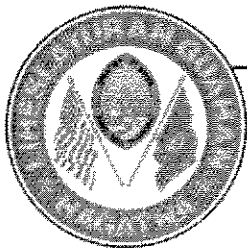
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Committee Member

April 18, 2014

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

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**SPONSOR NOTIFICATION: Public Hearing for Bill No. 301-32(COR) and Bill No. 302-32(COR) scheduled for Monday, April 28, 2014 at 9:00AM**

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Office of Senator Frank Aguon, Jr. Admin <admin@frankaguonjr.com> Sat, Apr 12, 2014 at 10:02 AM  
To: Brant McCreadie <brantfor Guam@gmail.com>, Carleen Borja <carlaborja.73@gmail.com>  
Cc: "Senator Frank B. Aguon, Jr." <aguon4guam@gmail.com>, "Comm. on Guam US Military Relocation, Homeland Security, Veterans Affairs and Judiciary" <committee@frankaguonjr.com>, "Senator Frank B. Aguon, Jr. Legislative Policy" <policy@frankaguonjr.com>, Senator Aguon Communications <media@frankaguonjr.com>

April 12, 2014

To: THE HONORABLE Brant T. McCreadie

From: SENATOR FRANK B. AGUON JR.

Chairperson, Committee on Guam U.S. Military Relocation, Homeland Security, Veterans Affairs, and Judiciary

Subject: Public Hearing for Bill No. 301-32(COR) and Bill No. 302-32(COR) scheduled for Monday, April 28, 2014 at 9:00AM

***Buenas yan Hafa Adai!***

The Committee on Guam U.S. Military Relocation, Homeland Security, Veterans Affairs, and Judiciary will conduct a public hearing at on Monday, April 28, 2014 at 9:00AM at the Guam Legislature's Public Hearing Room, and among the items on the agenda is the following Bill of which you are the author:

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You may notify the appropriate government agencies, organizations, and persons who may wish to provide written and/or oral testimony on this bill. Thank you for your kind attention.

Si Yu'os Ma'ase' !

—  
Thanks!

Office of Senator Frank B. Aguon, Jr.

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

155 Hesler Pl Suite 104, Hagåtña, Guam 96910

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

Fax: (671) GUM3 (4863).

aguon4guam@gmail.com | www.frankaguonjr.com

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**SPONSOR NOTIFICATION BILL NO. 301-32\_COR\_ and 302-32\_COR\_.pdf**

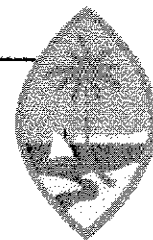
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COMMITTEE ON

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April 12, 2014

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

**To: THE HONORABLE Brant T. McCreadie**

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

**From: SENATOR FRANK B. AGUON JR.**

Chairperson, Committee on Guam U.S. Military Relocation, Homeland Security, Veterans Affairs, and Judiciary

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

**Subject: Public Hearing for Bill No. 301-32(COR) and Bill No. 302-32(COR)  
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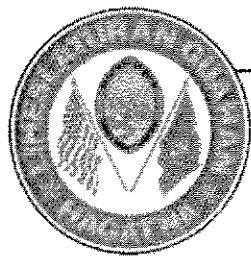
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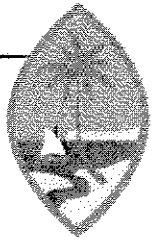
**Senator  
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Committee Member

Si Yu'os Ma'ase' !

**Senator  
Thomas Morrison**  
Committee Member

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

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



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**Thomas C. Ada**  
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Committee Member

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**V. Anthony Ada**  
Committee Member

Senator  
**Michael Lintiaco**  
Committee Member

Senator  
**Thomas Morrison**  
Committee Member

**PUBLIC HEARING****Monday, April 28, 2014 at 9:00AM***I Liheslaturan Guahan's Public Hearing Room, Hagåtña***AGENDA**

- I. Call to Order
- II. Opening remarks/Announcements
- III. Items for discussion:
  - **Bill No. 301-32 (COR)** – An Act to amend § 52.30 of Chapter 52, Title 9 Guam Code Annotated relative to the Crime of Unsworn Falsification.  
(Sponsored by Senator Brant T. McCreadie)
  - **Bill No. 302-32 (COR)** – An Act to repeal § 73127 and to repeal and reenact § 73130 of Chapter 73, Title 5 Guam Code Annotated relative to establishing fines and penalties for individuals who make false statements to a Guam Customs Officer.  
(Sponsored by Senator Brant T. McCreadie)
  - **Bill No. 317-32 (LS)** - An Act to Add a New Article 4 to Chapter 46 of 9GCA relative to the Crime of Phishing. (Sponsored by Senator Tommy Morrison)
  - **Bill No. 318-32 (LS)** - An Act to Add a New Article 5 to Chapter 46, Title 9, Guam Code Annotated relative to Creating the "Computer Protection Act."  
(Sponsored by Senator Tommy Morrison)
  - **Bill No. 319-32 (LS)** - An Act to Add a New Article 3 to Chapter 46, Title 9, Guam Code Annotated relative to creating the "Computer Spyware Protection Act."  
(Sponsored by Senator Tommy Morrison)
- IV. Closing Remarks
- V. Adjournment

# Bills set fines for false statements

TUESDAY, 01 APR 2014 03:00AM BY LOUELLA LOSINIO | VARIETY NEWS STAFF HITS: 185



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SEN. Brant McCreadie has introduced two bills that set fines for making false statements to law enforcers.

Bill 302 sets fines for individuals who are cited for making false statements to officers with the Guam Customs and Quarantine Agency. It mandates that any person who makes a false statement, either written or verbal, to a customs officer, is guilty of a violation punishable by a fine of \$500 for the first offense, \$1,000 for a second offense and \$10,000.00 for the third and all subsequent offenses.

Under current Guam law, the customs agency does not have the ability to cite individuals who make false declarations.

The senator said instituting fines will have the primary effect of reducing the number of prohibited things that cross Guam's borders, as well as the secondary effect of increasing revenue for the customs agency.

McCreadie said the intent of the bill is to eventually eliminate prohibited items from entering Guam and gives the customs agency the mandate it needs to properly seize and eventually destroy illegal items.

The other measure, Bill 301, includes false or misleading verbal statements made to a peace officer as a punishable offense under the crime of unsworn falsification.

Under current law, the crime of unsworn falsification applies only to written false statements made to public servants as punishable under the law.

The bill would ensure that false verbal statements are also included in the statute.

According to the bill, police officers, customs officers and a whole range of public servants rely on interview and verbal questioning to obtain needed information in the performance of their official duties.

As it stands under current law, the crime of unsworn falsification does not include a provision for a person who verbally misleads a public servant performing official duties.

By adding a provision that sets a punishment for verbal unsworn falsifications, McCreadie said Guam peace officers will have the ability to arrest those who verbally mislead them with the intent of committing an action against the welfare of the people of Guam.

McCreadie said he also believes that the bill will ensure those who knowingly mislead a public servant or peace officer through a verbally provided false statement are held accountable.

# Crime legislation to be heard today

MONDAY, 28 APR 2014 03:00AM BY LOUELLA LOSINIO | VARIETY NEWS STAFF HITS: 52



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SEVERAL crime bills will be the subject of public hearings at the Guam Legislature today, including a set of measures which offer protection from Internet crimes and another set which seeks to introduce penalties for making false statements to law enforcers.

Sen. Frank Aguon, chairman of the judiciary committee, is to convene the public hearing at 9 a.m.

Among the bills to be heard are 301 and 302, introduced by Sen. Brant McCreadie, relative to making false statements to law enforcers.

As proposed by Bill 302, those caught making verbal or written false statements to a Guam Customs and Quarantine Agency officer would be guilty of a violation punishable by a fine of \$500 for the first offense, \$1,000 for a second offense and \$10,000 for the third and all subsequent offenses.

Under current Guam law, the customs agency does not have the ability to cite individuals who make false declarations.

McCreadie said the intent of the bill is to eventually eliminate prohibited items from entering Guam and gives the customs agency the mandate it needs to properly seize and eventually destroy illegal items.

## ***False verbal statement***

Bill 301 incorporates false or misleading verbal statements made to a peace officer as a punishable offense under the crime of unsworn falsification.

Under current law, the crime of unsworn falsification applies only to written false statements made to public servants as punishable and does not include a provision for a person who verbally misleads a public servant performing official duties.

According to the bill, police officers, customs agents and a range of public servants rely on interview and verbal questioning to obtain needed information in the performance of their official duties.

By adding a provision that sets a punishment for verbal unsworn falsifications, McCreadie said Guam peace officers will have the ability to arrest those who verbally mislead them with the intent of committing an action against the welfare of the people of Guam.

## ***Internet crime***

The committee will also hear Sen. Tommy Morrison's three measures seeking to protect Guam residents from Internet crimes.

Bill 317, the Anti-Phishing Act, punishes individuals who use deceptive means to steal bank account numbers, Social Security numbers and passwords through the Internet.

Phishing is the act of attempting to acquire information such as usernames, passwords and credit card details by masquerading as a trustworthy entity in an electronic communication.

The bill would make phishing a third-degree felony and fine criminals up to \$25,000 per violation. The bill would also allow victims to recover up to \$2 million in civil damages.

The second measure, Bill 318, The Computer Protection Act, would punish individuals who use computers and/or Internet connections of others for the purpose of spamming with the intent to deceive or mislead recipients or an electronic mail service provider as to the origin of the message.

The third piece of legislation, Bill 319, The Computer Spyware Protection Act, seeks to punish individuals who, without the knowledge or permission of the owner, place spyware on another person's computer. Spyware is used primarily for covertly tracking Internet users' movements on the Web and serving pop-up ads to users.

According to Morrison, the bills are necessary as Guam statute is currently limited in protecting Guam residents from these types of crimes.





# COMMITTEE ON RULES

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

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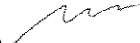
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V. Anthony Ada  
Member  
MINORITY LEADER

Senator  
Aline Yamashita  
Member

April 22, 2014

## Memorandum

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

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

**Subject:** **Fiscal Notes / Waivers**

*Hafa Adai!*

Attached please find the fiscal notes and waivers for the bill numbers listed below.

Please note that the fiscal notes, or waivers, are issued on the bills as introduced.

### FISCAL NOTES:

- ✓ Bill No.259-32(COR)
- ✓ Bill No. 279-32(COR)
- ✓ Bill No. 287-32(COR)
- ✓ Bill No. 293-32(COR)
- ✓ Bill No. 294-32(COR)
- ✓ Bill No. 301-32(COR)
- ✓ Bill No. 303-32(COR)

### WAIVER:

- ✓ Bill No. 233-32(COR)
- ✓ Bill No. 295-32(COR)
- ✓ Bill No. 297-32(COR)
- ✓ Bill No. 300-32(COR)

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

*Si Yu'os ma'åse'!*

2014 APR 22 M 9:42

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

APR 21 2014

Senator Rory J. Respicio  
Chairperson, Committee on Rules  
I Mina'trentai Dos na Liheslaturan Guåhan  
The 32nd Guam Legislature  
155 Hesler Place  
Hagåtña, Guam 96932

*Hafa Adai* Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill Nos.: 259-32(COR), 279-32(COR), 287-32(COR), 293-32(COR), 294-32(COR), 301-32(COR), 303-32(COR) and Fiscal Note Waiver on the following Bill Nos.: 233-32(COR), 295-32(COR), 297-32(COR), and 300-32(COR).

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

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

JOHN A. RIOS  
Director

Enclosures  
cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research  
Fiscal Note for Bill No. 301-32 (COR)**

**AN ACT TO AMEND §52.30 OF CHAPTER 52 TITLE 9 GUAM CODE ANNOTATED RELATIVE TO THE CRIME OF UNSWORN FALSIFICATION.**

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

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

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2014 (if applicable)	FY 2015	FY 2016	FY 2017	FY 2018
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

Analyst: Matt Quinata Date: \_\_\_\_\_ Director: John A. Rios Date: APR 21 2014  
 Matt Quinata John A. Rios, BBMR Director

Footnotes:  
See attachment to fiscal note.A18

*Handwritten initials: TP 4/14/14*

**Bill Number: 301.32 (COR)*****Comments***

The intent of this bill is to provide for individuals with intent to provide verbal false statements to mislead a public servant to be guilty of a misdemeanor. The fiscal impact in the passage of this bill will be possible imprisonment if individual is found guilty of a misdemeanor. Title 9 GCA, Chapter 80, §80.34 notes the courts may set a maximum term not to exceed one (1) year for an individual convicted of a misdemeanor. This new offense and the imprisonment requirement will have an effect on operational costs to all law enforcement departments/agencies. As an example, cost for the Department of Correction for a conviction resulting in a 12 months sentence will result in costs totaling \$36,500 per person. (Average cost of inmate per day is \$100)

### **§ 80.34. Misdemeanor & Petty Misdemeanor Sentences.**

Except as otherwise provided by § 80.36, a person who has been convicted of a misdemeanor or a petty misdemeanor may be sentenced to imprisonment, as follows:

(a) in the case of a misdemeanor, the court shall set a maximum term not to exceed one (1) year;

(b) in the case of a petty misdemeanor, the court shall set a definite term not to exceed sixty (60) days.

**SOURCE:** G.P.C. § 19; \*M.P.C. § 6.08; Cal. § 320 (1971); Mass. ch. 264, § 10; N.J. § 2C:43-8.

**CROSS-REFERENCES:** § 680.1(b), Code Civ. Proc. (Amended by Section 28, P.L. 13-187) - Rights to jury trial.

**COMMENT:** § 80.34 provides the basic terms of imprisonment which may be imposed upon a conviction for a misdemeanor or petty misdemeanor. Under Subsection (a) only a maximum term is provided. The Parole Board will determine the actual release date. Under Subsection (b), the sentencing judge sets a definite term and the Parole Board is neither required nor permitted to change the release date so established.



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Aline Yamashita  
Member

April 1, 2014

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. 301-32 (COR) and 302-32(COR)**

*Hafa Adai* Mr. Rios:

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

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

Very Truly Yours,

**Senator Rory J. Respicio**  
*Chairperson of the Committee on Rules*

Attachment (1)

Cc: Clerk of the Legislature

<b>Bill Nos.</b>	<b>Sponsors</b>	<b>Title</b>
<b>301-32 (COR)</b>	Brant T. McCreadie	AN ACT TO AMEND § 52.30 OF CHAPTER 52 TITLE 9 GUAM CODE ANNOTATED RELATIVE TO THE CRIME OF UNSWORN FALSIFICATION.
<b>302-32 (COR)</b>	Brant T. McCreadie	AN ACT TO REPEAL § 73127 AND TO REPEAL AND REENACT § 73130 OF CHAPTER 73 TITLE 5 GUAM CODE ANNOTATED RELATIVE TO ESTABLISHING FINES AND PENALTIES FOR INDIVIDUALS WHO MAKE FALSE STATEMENTS TO A GUAM CUSTOMS OFFICER.



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MINORITY LEADER

Senator  
Aline Yamashita  
Member

March 31, 2014

### MEMORANDUM

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

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

**From: Senator Rory J. Respicio**  
*Chairperson of the Committee on Rules*

**Subject: Referral of Bill No. 301-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 301-32(COR)**.

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

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

*Si Yu'os Ma'åse!*

Attachment



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

**Bill No.** 301-32(012)

Introduced by:

Brant T. McCreadie 

---

**AN ACT TO AMEND § 52.30 OF CHAPTER 52 TITLE  
9 GUAM CODE ANNOTATED RELATIVE TO THE  
CRIME OF UNSWORN FALSIFICATION.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that  
3 Police officers, Customs officers and a whole range of other public servants rely on  
4 interviews and verbal questioning to obtain needed information in the performance of  
5 their official duties. However, it is an inevitable reality that government officials  
6 discover that persons knowingly mislead public servants in the course of an interview  
7 or interrogation. As it stands under current Guam law however, the crime of Unsworn  
8 Falsification does not include a provision for a person who verbally misleads a public  
9 servant while performing official duties. By adding a provision that sets a punishment  
10 for verbal Unsworn Falsifications, Guam peace officers will have the ability to arrest  
11 those who verbally mislead them with the intent of committing an action against the  
12 welfare of the people of Guam.

13 Therefore, it is the intent of *I Liheslaturan Guåhan* to add a provision to  
14 establish a penalty for individuals who make verbal Unsworn Falsifications by  
15 amending § 52.30 of Chapter 52, Title 9 Guam Code Annotated.

16 **Section 2.** § 52.30 of Chapter 52, Title 9 Guam Code Annotated is hereby  
17 *amended* to read:

1                   **“§ 52.30. Unsworn Falsifications; Defined & Punished.**

2                   A person is guilty of a misdemeanor if, with intent to mislead a public  
3 servant in performing his official function, he makes, submits or uses:

4                   (a) any written false statement of his own which he does not then believe  
5 to be true; ~~or~~

6                   **(b) any verbally provided false statement of his own which he does not**  
7 **then believe to be true; or**

8                   ~~(b)~~ (c) any physical object, exhibit, writing or drawing which he knows to  
9 be either false or not what it purports to be in the circumstances in which it is  
10 made, submitted or used.”

11                  **Section 3. Effective Date.** This act shall be effective immediately upon  
12 enactment.

13                  **Section 4. Severability.** *If* any provision of this Law or its application to any  
14 person or circumstance is found to be invalid or contrary to law, such invalidity shall  
15 *not* affect other provisions or applications of this Law which can be given effect  
16 without the invalid provisions or application, and to this end the provisions of this  
17 Law are severable.