

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
272-32 (COR)	Brant T. McCreadie	AN ACT TO ADD A NEW §80.37.6 TO CHAPTER 80, TITLE 9 GUAM CODE ANNOTATED RELATIVE TO ENHANCED SENTENCES FOR VULNERABLE VICTIMS, WHICH MAY BE CITED AS THE "VULNERABLE VICTIMS ACT OF 2014".	2/12/14 9:55 a.m.	02/12/14	Committee on the Guam U. S. Military Relocation, Homeland Security, Veteran's Affairs, and Judiciary	02/25/14 9 a.m.		Fiscal Note Requested 02/13/14 Fiscal Note Received 3/19/14



COMMITTEE ON RULES

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

March 19, 2014

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Memorandum

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

Senator
Vicente (Ben) C. Pangelinan
Member

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

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

Subject: **Waivers**

Senator
Dennis G. Rodriguez, Jr.
Member

Hafa Adai!

Vice-Speaker
Benjamin J.F. Cruz
Member

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

Legislative Secretary
Tina Rose Muña Barnes
Member

WAIVERS:

- Bill No. 272-32(COR)
- Bill No. 273-32(COR)
- Bill No. 289-32(COR)

Senator
Frank Blas Aguon, Jr.
Member

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

Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Si Yu'os ma'åse'!

Senator
Aline Yamashita
Member

2014 MAR 19 PM 9:22

**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

MAR 18 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 Waiver on the following Bill Nos.: 272-32(COR), 273-32(COR), and 289-32(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 be "John A. Rios".

JOHN A. RIOS
Director

Enclosures
cc: Senator Vicente (ben) Pangelinan

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

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DIRECTOR

JOSE S. CALVO
DEPUTY DIRECTOR

MAR 18 2014

The Bureau requests that Bill No(s) 272-32 (COR) is granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

Bill No. 272-32 (COR) is an act to add a new § 80.37.6 to Chapter 80, Title 9, Guam Code Annotated relative to enhanced sentences for vulnerable victims, which may be cited as the "Vulnerable Victims Act of 2014".

The intent is to establish a vulnerable victims sentencing enhancement for individuals who commit crimes against especially vulnerable individuals in our society and to impose proper and stronger penalties to those who commit crimes of violent felony, forgery or fraudulent practices.

The Bill is administrative in nature and poses no fiscal impact upon any funds of the Government of Guam.


JOHN A. RIOS
Director



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Senator
V. Anthony Ada
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MINORITY LEADER

Senator
Aline Yamashita
Member

February 13, 2014

VIA E-MAIL
john.rios@bbmr.guam.gov

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

RE: Request for Fiscal Notes– Bill Nos. 269-32(LS) through 274-32(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,

Vice Speaker Benjamin J.F. Cruz
Acting Chairperson of the Committee on Rules

Attachment (1)

Cc: Clerk of the Legislature

Bill Nos.	Sponsors	Title
269-32 (LS)	<p>Committee on Rules, Federal, Foreign, & Micronesian Affairs, Human & Natural Resources, and Election Reform by request of I Maga'lahaenGuåhan, the Governor of Guam, in accordance with the Organic Act of Guam.</p>	<p>AN ACT MAKING APPROPRIATIONS FOR THE OPERATIONS OF THE EXECUTIVE BRANCH OF THE GOVERNMENT OF GUAM FOR FISCAL YEAR ENDING SEPTEMBER 30, 2015, MAKING OTHER APPROPRIATIONS, AND ESTABLISHING MISCELLANEOUS AND ADMINISTRATIVE PROVISIONS.</p>
270-32 (COR)	<p>Dennis G. Rodriguez, Jr.</p>	<p>AN ACT TO ADOPT THE RULES AND REGULATIONS GOVERNING THE PROCESS BY WHICH A PERSON MAY SEEK REMOVAL OF HIS/HER NAME FROM THE FAMILY VIOLENCE REGISTRY DATABASE, TO BE CODIFIED UNDER A NEW ARTICLE 3 IN CHAPTER 1 OF TITLE 19 - LAW, GUAM ADMINISTRATIVE RULES AND REGULATIONS.</p>
271-32 (COR)	<p>FRANK B. AGUON, JR. T. C. Ada V. Anthony Ada Aline A. Yamashita, Ph.D.</p>	<p>AN ACT TO ADD A NEW §67102.2 TO CHAPTER 67, TITLE 10 GUAM CODE ANNOTATED, RELATIVE TO GRANTING THE GUAM VETERANS COMMISSION THE AUTHORITY TO IMPLEMENT A COMPREHENSIVE MASTER PLAN TOWARDS THE ESTABLISHMENT OF "I SENGSONG BETERANUN GUAHAN - GUAM VETERANS VILLAGE," WHICH SHALL SERVE AS A ONE- STOP VETERANS SERVICE CENTER; AND FOR OTHER PURPOSES.</p>
272-32 (COR)	<p>Brant T. McCreadie</p>	<p>AN ACT TO ADD A NEW §80.37.6 TO CHAPTER 80, TITLE 9 GUAM CODE ANNOTATED RELATIVE TO ENHANCED SENTENCES FOR VULNERABLE VICTIMS, WHICH MAY BE CITED AS THE "VULNERABLE VICTIMS ACT OF 2014".</p>
273-32 (COR)	<p>Aline A. Yamashita, PhD., Judith T. Won Pat, Ed.D. T. R. MUÑA BARNES</p>	<p>AN ACT REPEAL § 70.35 OF CHAPTER 70, TITLE 9, GUAM CODE ANNOTATED; AND TO ADD A NEW ARTICLE 3 TO CHAPTER 28 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO INVASION OF PRIVACY.</p>
274-32 (COR)	<p>Aline A. Yamashita, PhD V. Anthony Ada Judith T. Won Pat, Ed.D. B. J.F. Cruz</p>	<p>AN ACT AUTHORIZING THE GUAM DEPARTMENT OF EDUCATION TO IMPLEMENT A STATE PRESCHOOL PROGRAM BY ADDING A NEW SECTION 6101.1; AND TO ADJUST THE COMPULSORY AGE OF SCHOOL ATTENDANCE BY AMENDING SECTIONS 6102, 6103, 6104, 6105, 6105.1 AND 6106; AND TO ESTABLISH THE PRESCHOOL DAY AND YEAR BY ADDING A NEW SECTION 6121 ALLOF ARTICLE 1, DIVISION 2, CHAPTER 6 OF TITLE 17, GUAM CODE ANNOTATED.</p>



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Aline Yamashita
Member

February 12, 2014

MEMORANDUM

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

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: **Vice Speaker Benjamin J.F. Cruz**
Acting Chairperson of the Committee on Rules

Subject: **Referral of Bill Nos. 272-32(COR) through 274-32(COR)**

As the Acting Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 272-32(COR) through 274-32(COR)**.

Please ensure that the subject bills are 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. 272-32(COR)

Introduced by:

Brant T. McCreddie 

**AN ACT TO ADD A NEW §80.37.6 TO CHAPTER 80,
TITLE 9 GUAM CODE ANNOTATED RELATIVE TO
ENHANCED SENTENCES FOR VULNERABLE
VICTIMS, WHICH MAY BE CITED AS THE
“VULNERABLE VICTIMS ACT OF 2014”.**

2014 FEB 12 AM 9:55


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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that
3 crimes committed against any individual, no matter how large or how small, is not
4 acceptable. However, certain groups of people are more vulnerable to falling victim to
5 crime. It is impendent on the government to ensure that these “vulnerable victims” are
6 given the utmost protection and recourse under the law.

7 Therefore, it is the intent of *I Liheslaturan Guåhan* to establish a vulnerable
8 victims sentencing enhancement for individuals who commit crimes against especially
9 vulnerable individuals in our society.

10 **Section 2.** §80.37.6 of Chapter 80, Title 9 Guam Code Annotated is hereby
11 *added* to read:

12 **“§80.37.6. Vulnerable Victim Sentencing Enhancement.**

13 (a) Whoever commits or attempts to commit upon a vulnerable victim, a
14 violent felony as defined in 9 G.C.A. §80.70, or Theft as a Second Degree or
15 Third Degree Felony under 9 G.C.A. §43.15, §43.20, §43.30, §43.35, §43.40,

1 §43.45, §43.50, §43.55, or §43.60, or crimes of forgery or fraudulent practices
2 under 9 G.C.A. §46.10, §46.15, §46.20, §46.25, § 46.35, §46.50, §46.75, or
3 §46.80, shall, in addition to the sentence imposed for the commission of such
4 felony be imprisoned for a term not less than five (5) years nor more than
5 twenty-five (25) years, or shall, in addition to the sentence imposed for the
6 commission of a misdemeanor or petty misdemeanor be imprisoned for a term
7 not less than sixty (60) days nor more than one (1) year.

8 (b) A sentence imposed under subsection (a) of this section for a felony
9 shall include a special parole term of not less than three (3) years nor more than
10 five (5) years in addition to the term of imprisonment. No person convicted and
11 sentenced under this section for a felony shall be eligible for parole or probation
12 until he serves at least five (5) years in prison, or no person convicted and
13 sentenced under this section for a misdemeanor or petty misdemeanor shall be
14 eligible for probation until he serves at least sixty (60) days in jail or prison.

15 (c) A vulnerable victim is defined as the following:

16 (1) An elderly person or senior citizen who is at fifty-five (55)
17 years or older at the time of the crime committed upon him or her.

18 (2) A child who is thirteen (13) years or younger at the time of the
19 crime committed upon him or her.

20 (3) A tourist or visitor is an individual (i) who is a citizen and
21 resident of a country other than the United States or its territories and
22 visiting Guam with a round-trip airline ticket for a duration of no more
23 than forty five (45) days, or (ii) who is citizen or national or permanent
24 resident of the United States but is not a resident of Guam and is visiting
25 Guam with a round-trip airline ticket for a duration of no more than forty
26 five (45) days.

1 (4) An individual who at the time of the crime committed upon
2 him or her has a physical or mental disability or disabilities as defined in
3 a provision of local or federal law, or as certified by a physician or
4 mental health professional.”

5 **Section 3. Effective Date.** This act shall be effective immediately upon
6 enactment.

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