

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
333-32 (LS)	Brant T. McCreddie, Aline A. Yamashita, Ph.D., Dennis G. Rodriguez, Jr., Tommy Morrison, FRANK B. AGUON, JR., Michael T. Limtiaco, T. R. Muña Barnes, Chris M. Duenas, V. Anthony Ada Michael F.Q. San Nicolas, R. J. Respicio, T. C. Ada, Judith T. Won Pat, Ed.D.	AN ACT TO AMEND § 5106 (a) OF CHAPTER 5, TITLE 19 GUAM CODE ANNOTATED RELATIVE TO PROVIDING DISCRETION TO THE OFFICE OF THE ATTORNEY GENERAL WITH REGARDS TO THE AUTOMATIC CERTIFICATION OF MINORS AS ADULTS FOR CERTAIN CRIMES, WHICH MAY BE CITED AS THE "JUVENILE JUSTICE REFORM ACT OF 2014".	5/7/14 2:43 p.m.	05/08/14	Committee on Aviation, Ground Transportation, Regulatory Concerns, and Future Generations			Fiscal Note Requested 5/20/14



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

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

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

May 20, 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. 331-32 (LS) through 339-32(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
331-32 (LS)	T. R. MUÑA BARNES	AN ACT TO ADD A NEW § 10315 TO CHAPTER 10, TITLE 5 OF THE GUAM CODE ANNOTATED; RELATIVE TO THE ONLINE AND PUBLIC DISCLOSURE OF MEDICAL LICENCES ISSUED BY THE GUAM BOARD OF MEDICAL EXAMINERS.
332-32 (LS)	T.R. MUÑA BARNES, D. G. RODRIGUEZ, JR., A. A. YAMASHITA, PH.D, B. McCreadie, T. A. Morrison, C. M. Duenas, V. A. Ada, M. Lintiacó	AN ACT TO AUTHORIZE I MAGA'LAHEN GUÅHAN TO EXCHANGE GOVERNMENT- OWNED PROPERTY IN ASINAN ORDOT- CHALAN PAGO RESERVED FOR THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES FOR GOVERNMENT- OWNED PROPERTY IN TAMUNING OWNED BY THE CHAMORRO LAND TRUST.
333-32 (LS)	Brant T. McCreadie, Aline A. Yamashita, Ph.D., Dennis G. Rodriguez, Jr., Tommy Morrison, FRANK B. AGUON, JR., Michael T. Lintiacó, T. R. Muña Barnes, Chris M. Duenas, V. Anthony Ada Michael F.Q. San Nicolas, R. J. Respicio, T. C. Ada, Judith T. Won Pat, Ed.D.	AN ACT TO AMEND § 5106 (a) OF CHAPTER 5, TITLE 19 GUAM CODE ANNOTATED RELATIVE TO PROVIDING DISCRETION TO THE OFFICE OF THE ATTORNEY GENERAL WITH REGARDS TO THE AUTOMATIC CERTIFICATION OF MINORS AS ADULTS FOR CERTAIN CRIMES, WHICH MAY BE CITED AS THE “JUVENILE JUSTICE REFORM ACT OF 2014”.
334-32(KS)	R. J. Respicio	AN ACT TO APPROPRIATE THE SUM OF ONE HUNDRED THIRTY FOUR THOUSAND TWO HUNDRED FIFTY DOLLARS (\$134,250) FROM THE GENERAL FUND FOR THE PURCHASE OF A BALLOT TABULATION SYSTEM, AND THE SUM OF FORTY EIGHT THOUSAND FIVE HUNDRED DOLLARS (\$48,500) FROM THE GENERAL FUND FOR THE PURCHASE OF BALLOT STOCK AND CODING SERVICES, TO BE UTILIZED BY THE GUAM ELECTION COMMISSION TO CONDUCT THE NOVEMBER, 2014, AND FUTURE ELECTIONS.
335-32 (LS)	D. G. RODRIGUEZ, JR.,	AN ACT TO EXTEND THE TIMELINE FOR OBTAINING EXEMPTIONS AND EXCEPTIONS FOR SOCIAL WORKER LICENSURE, BY AMENDING §122317 AND §122318 OF ARTICLE 23, CHAPTER 12, PART 2, TITLE 10, GUAM CODE ANNOTATED.
336-32 (LS)	D. G. RODRIGUEZ, JR., T. R. MUÑA BARNES	AN ACT TO EXTEND THE EXPENDITURE TIMELINE FOR THE APPROPRIATION FROM THE GUAM TERRITORIAL HIGHWAY FUND PURSUANT TO P.L. 32-053, TO DESIGNATE AND PRIORITIZE CERTAIN CAPITAL IMPROVEMENT PROJECTS BY THE DEPARTMENT OF PUBLIC WORKS FOR FLOOD MITIGATION AND OTHER PURPOSES.

<p>337-32 (COR)</p>	<p>T.C. Ada R. J. Respicio</p>	<p>AN ACT TO AMEND §§ 76114, 76116, AND 76124 OF CHAPTER 76, TITLE 10 GUAM CODE ANNOTATED, RELATIVE TO THE UNDERGROUND STORAGE TANK MANAGEMENT FUND, CLOSURE, AND ASSOCIATED PENALTIES.</p>
<p>338-32 (COR)</p>	<p>Judith T. Won Pat Ed.D., Michael F.Q. San Nicolas, T.R. Muña Barnes</p>	<p>AN ACT TO ADD A NEW SUBSECTION (E) TO §70105 OF CHAPTER 70 OF TITLE 11 GUAM CODE ANNOTATED RELATIVE TO THE DEPARTMENT OF REVENUE AND TAXATION INCLUDING FIELDS ON THE BUSINESS LISCENSE APPLICATION AND RENEWAL FORMS IDENTIFYING THE GENDER, ETHNICITY, VETERAN STATUS, AND NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM CODE NUMBER OF BUSINESS OWNERS.</p>
<p>339-32 (COR)</p>	<p>Aline A. Yamashita, Ph.D</p>	<p>AN ACT TO ADD A NEW ARTICLE 6B TO CHAPTER 51A OF 10 GCA, RELATIVE TO THE ESTABLISHMENT OF A COMMERCIAL RECYCLING PROGRAM.</p>



COMMITTEE ON RULES

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Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

May 8, 2014

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 Rory J. Respicio
Chairperson of the Committee on Rules

Vice-Speaker
Benjamin J.F. Cruz
Member

Subject: Referral of Bill No. 333-32(LS)

Legislative Secretary
Tina Rose Muña Barnes
Member

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 333-32(LS)**.

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

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

Bill No. 333-32 (LS)

Introduced by:

Brant T. McCreadie
ADINE A. YAMASHITA, Ph.D.
D.G. RODRIGUEZ, Sr.
I. Morrison
C.M. DUEÑAS
Michael Lintialo
TRIMUN BARRON
F.B. Aguirre
J. Anthony Adon
M.F.Q. San Nicolas
M. J. Rodriguez
2.c. ADON
is. Wonpat, EdD

**AN ACT TO AMEND § 5106 (a) OF CHAPTER 5,
TITLE 19 GUAM CODE ANNOTATED RELATIVE
TO PROVIDING DISCRETION TO THE OFFICE OF
THE ATTORNEY GENERAL WITH REGARDS TO
THE AUTOMATIC CERTIFICATION OF MINORS
AS ADULTS FOR CERTAIN CRIMES, WHICH MAY
BE CITED AS THE "JUVENILE JUSTICE REFORM
ACT OF 2014".**

2014 MAY -7 PM 2:43

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

2 **Section 1. Short Title.** This act shall be cited as the "*Juvenile Justice Reform*
3 *Act of 2014.*"

4 **Section 2. Legislative Findings and Intent.** *I Liheslaturan Guáhan* finds that
5 current Guam law provides that any child of the age of sixteen (16) years and older,
6 who is charged with a second or first degree felony is automatically certified as an
7 adult. Although many times appropriate, there are instances where the Office of the
8 Attorney General has seen that the charged minor would greatly benefit from being
9 charged with the respective second or first degree felony, but have their criminal
10 proceedings be adjudicated in Family Court. Unfortunately, no mechanism currently
11 exists in Guam law to provide Family Court jurisdiction for minors aged sixteen and
12 older who are charged with second and first degree felonies.

1 Therefore, it is the intent of *I Liheslaturan Guåhan* to establish prosecutorial
2 discretion to provide Family Court the jurisdiction of children aged sixteen (16) years
3 and older who are charged with second or first degree felonies by amending § 5106
4 (a) of Chapter 5, Title 19 Guam Code Annotated.

5 **Section 3.** § 5106 (a) of Chapter 5, Title 19 Guam Code Annotated is hereby
6 *amended* to read:

7 **“§ 5106. Certification for Criminal Proceedings.**

8 (a) If a child is sixteen (16) years of age or older at the time he committed the
9 offense for which he is charged, and if the conduct is a misdemeanor or a felony of the
10 third degree, and if the court after full investigation deems it contrary to the best
11 interest of such child or of the public to retain jurisdiction, the court may, in its
12 discretion, certify such child for proper criminal proceedings to any court which
13 would have trial jurisdiction of such offense if committed by an adult. A child who is
14 sixteen (16) years of age or older at the time he committed the offense for which he is
15 charged shall automatically be charged as an adult for any act which would constitute
16 a felony of the first or second degree along with any acts which are misdemeanors or
17 felonies of the third degree which are part of the same scheme of criminal activity as
18 the felony, unless, if after full investigation, the adult prosecution division of the
19 Office of the Attorney General deems it contrary to the best interest of such child, or
20 of the public, to automatically certify the child as an adult. In those cases the
21 automatic certification requirement shall be waived and the child shall be transferred
22 to the Family Division of the Office of the Attorney General for prosecution of the
23 first or second degree felony, along with any acts which are part of the same scheme
24 of criminal activity as the felony for appropriate criminal proceedings to be brought
25 before the Family Court. If a child is under sixteen years of age at the time he
26 committed the offense for which he is charged, and if the conduct would constitute an

1 offense under 9 GCA Chapter 16 (Homicides), and if the court after full investigation
2 deems it contrary to the best interest of such child or of the public to retain
3 jurisdiction, the court may, in its discretion, certify such child for proper criminal
4 proceedings to any court which would have trial jurisdiction of such offense if
5 committed by an adult. If a child is certified as an adult, the same judge shall not, in
6 turn preside over the criminal proceedings against such child.”

7 **Section 4. Effective Date.** This act shall be effective immediately upon
8 enactment.

9 **Section 5. Severability.** *If* any provision of this Law or its application to any
10 person or circumstance is found to be invalid or contrary to law, such invalidity shall
11 *not* affect other provisions or applications of this Law which can be given effect
12 without the invalid provisions or application, and to this end the provisions of this
13 Law are severable.

14