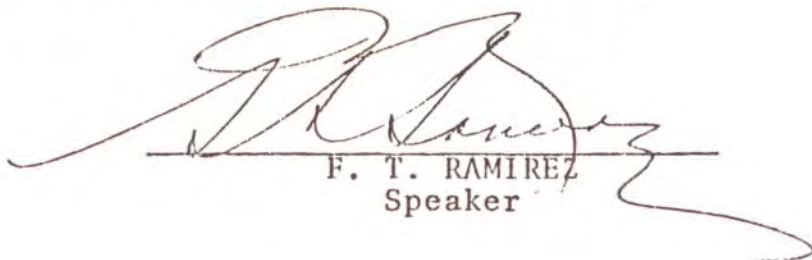


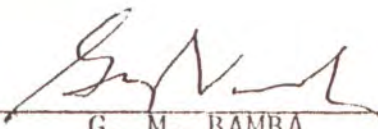
TWELFTH GUAM LEGISLATURE
1974 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

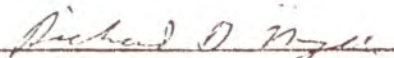
This is to certify that Bill No. 633, "An Act to repeal and reenact Sections 39100 and 39100.1 of the Government Code of Guam relative to parole, and for other purposes", was on the 8th day of January, 1975, duly and regularly passed.


F. T. RAMIREZ
Speaker

ATTESTED:


G. M. BAMBA
Legislative Secretary

This Act was received by the Governor this 10th day
of January, 1975 at 11:30 o'clock A. M.


RICHARD D. MAGEE, Acting
Attorney General of Guam

APPROVED:

/s/ RICARDO J. BORDALLO

RICARDO J. BORDALLO
Governor of Guam

DATED: FEB 1 1975

2:12 p.m.

P.L. 12-221

Copy

TWELFTH GUAM LEGISLATURE
1974 (SECOND) Regular Session

Bill No. 633
Substitute Bill by Committee
on Judiciary

Introduced by A. C. Ysrael

AN ACT TO REPEAL AND REENACT SECTIONS 39100
AND 39100.1 OF THE GOVERNMENT CODE OF GUAM
RELATIVE TO PAROLE, AND FOR OTHER PURPOSES.

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

2 Section 1. Sections 39100 and 39100.1 of the Government
3 Code of Guam are hereby repealed and reenacted to read as
4 follows:

5 "Section 39100. Authority to grant parole. The
6 Board is hereby authorized to release on parole any person
7 confined in any penal or correctional institution of this
8 territory, except under sentence of death, when the
9 confined person is eligible for parole.

10 Section 39100.1. Eligibility for parole.

11 (a) Persons confined for misdemeanors. A
12 person who is confined after conviction of a
13 misdemeanor, previous convictions notwithstanding,
14 shall be eligible for parole after being confined
15 for one-fourth (1/4) the minimum period of time
16 require to be served according to his sentence.

17 (b) Persons confined for felonies (first
18 offense). A person confined after conviction of one or
19 more felonies at the same trial, or one or more felo-
20 nies arising out of the same general circumstances,
21 who has had no other conviction adjudged after July
22 21, 1951 which would constitute a felony under the
23 current laws of Guam, shall be eligible for parole
24 after being confined for one-half (1/2) the minimum
25 period of time required to served according to his
26 sentence.

27 (c) Persons confined for felonies (subsequent

1 offense). A person confined after conviction of
2 one or more felonies at the same trial, or one or
3 more felonies arising out of the same general
4 circumstances, who has had another conviction
5 adjudged after July 21, 1951 which would constitute
6 a felony under the current laws of Guam, shall be
7 eligible for parole after being confined for two-
8 thirds (2/3) the minimum period of time required
9 to be served according to his sentence.

10 (d) Notwithstanding the provisions of Sub-
11 sections (a), (b) and (c):

12 (1) A person sentenced pursuant to
13 Section 642(a) of the Penal Code shall be
14 eligible for parole only after being con-
15 fined for five (5) years;

16 (2) Any person, including a person
17 sentenced to life imprisonment, shall be
18 eligible for parole after being confined
19 for ten (10) years;

20 (3) A person whose parole is revoked
21 shall be eligible for parole only after being
22 confined for one (1) year subsequent to his
23 return to confinement; and

24 (4) No person shall be eligible for
25 parole who has been confined pursuant to
26 Section 1231(a) of the Penal Code.

27 (e) The periods of confinement required by
28 Subsections (a), (b), (c), and (d) for parole
29 eligibility shall be reduced by any allowance
30 for good conduct under Section 39115.

31 (f) This section shall not be construed to

1 encroach upon any conflicting provisions of
2 the Juvenile Court Act, Title V of the Code
3 of Civil Procedure, or the Youth Correction
4 Act, Title XVI of the Penal Code."

5 Section 2. Subsection (b) of Section 1231 of the Penal
6 Code of Guam is hereby repealed.