



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

DEC 05 1995

The Honorable Ted S. Nelson
Acting Speaker
Twenty-Third Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Agana, Guam 96910

OFFICE OF THE LEGISLATIVE SECRETARY
ACKNOWLEDGMENT RECEIPT

Received By J. Lee

Time 11:10

Date 12-6-95

Dear Speaker Nelson:

Enclosed please find a copy of Bill No. 84 (LS), "AN ACT TO MAKE STEALING A DOG OR A CAT FOR PURPOSES OF DEMANDING A RANSOM OR A REWARD OR FOR PURPOSES OF KILLING THE SAME OR FIGHTING THE SAME IN A DOG FIGHT A FELONY OF THE SECOND DEGREE BY ADDING A NEW §43.75 TO TITLE 9, GUAM CODE ANNOTATED", which I have signed into law today as **Public Law No. 23-54**.

Providing increased penalties for stealing dogs and cats, which are usually personal pets and very beloved by the families who own them, will assist in deterring persons from stealing these animals for extortion or to use them in fights or for other purposes resulting in harm or death to the animal. Although stealing an animal is already a crime, this increase in penalty acknowledges the value of the animal to a family over and above mere commercial value, and the level of intrusion which takes place when a pet is removed from a home or yard.

Very truly yours,


Carl T. C. Gutierrez

Attachment

230886

Office of
VICE-SPEAKER TED S. NELSON

Cathy ML

Print Name Initial

Date: 12-6-95 Time: 10:10 am

TWENTY-THIRD GUAM LEGISLATURE
1995 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 84 (LS), "AN ACT TO MAKE STEALING A DOG OR A CAT FOR PURPOSES OF DEMANDING A RANSOM OR A REWARD OR FOR PURPOSES OF KILLING THE SAME OR FIGHTING THE SAME IN A DOG FIGHT A FELONY OF THE SECOND DEGREE BY ADDING A NEW §43.75 TO TITLE 9, GUAM CODE ANNOTATED," was on the 22nd day of November, 1995, duly and regularly passed.



DON PARKINSON
Speaker

Attested:



JUDITH WON PAT-BORJA
Senator and Legislative Secretary

This Act was received by the Governor this 29th day of November,
1995, at 4:55 o'clock P.M.



Assistant Staff Officer
Governor's Office

APPROVED:



CARL T. C. GUTIERREZ
Governor of Guam

Date: 12-5-95

Public Law No. 23-54

TWENTY-THIRD GUAM LEGISLATURE
1995 (FIRST) Regular Session

Bill No. 84 (LS)

Introduced by:

D. Parkinson
J. T. San Agustin
S. L. Orsini
T. C. Ada
J. P. Aguon
E. Barrett-Anderson
A. C. Blaz
J. S. Brown
F. P. Camacho
M. C. Charfauros
H. A. Cristobal
M. Forbes
A. C. Lamorena V
C. Leon Guerrero
L. Leon Guerrero
T. S. Nelson
V. C. Pangelinan
A. L. G. Santos
F. E. Santos
A. R. Unpingco
J. Won Pat-Borja

AN ACT TO MAKE STEALING A DOG OR A CAT FOR
PURPOSES OF DEMANDING A RANSOM OR A
REWARD OR FOR PURPOSES OF KILLING THE SAME
OR FIGHTING THE SAME IN A DOG FIGHT A
FELONY OF THE SECOND DEGREE BY ADDING A
NEW §43.75 TO TITLE 9, GUAM CODE ANNOTATED.

1 **BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:**
2 **Section 1.** A new §43.75 is added to Title 9, Guam Code Annotated, to
3 read as follows:

1 "§43.75. Theft of Dog or Cat, when a felony of the second degree. It
2 shall be theft punishable as a felony of the second degree, for any person:

3 a. To steal any dog or cat for the purpose of or with the
4 intent of holding the same for ransom or a reward for the return
5 thereof; or

6 b. To demand payment of a reward, ransom, or any thing of
7 value for the return to the rightful owner of any dog or cat which
8 is stolen, lost or strayed; or

9 c. To refuse to return of a dog or a cat which is stolen, lost or
10 strayed to the rightful owner except upon payment of a reward or
11 ransom; or

12 d. To steal any dog or cat for the purposes of killing or
13 maiming the same; or

14 e. To steal any dog for purpose of, or with intent of using the
15 dog for any dog fight or fight with any other animals which could
16 result in injury to the dog."

TWENTY-THIRD GUAM LEGISLATURE
 1995 (FIRST) Regular Session

Date: 11/22/95

VOTING SHEET

Bill No. 84
 Resolution No. _____
 Question: on the passage

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	ABSENT/ OUT DURING ROLL CALL
ADA, Thomas C.	✓			
AGUON, John P.	✓			
BARRETT-ANDERSON, Elizabeth		✓		
BLAZ, Anthony C.	✓			
BROWN, Joanne S.	✓			
CAMACHO, Felix P.	✓			
CHARFAUROS, Mark C	✓			
CRISTOBAL, Hope A.	✓			
FORBES, -MARK	✓	✓		
LAMORENA, Alberto C., V		✓		
LEON GUERRERO, Carlotta	✓			
LEON GUERRERO, Lou	✓			
NELSON, Ted S.	✓			
ORSINI, Sonny L.	✓			
PANGELINAN, Vicente C		✓		
PARKINSON, Don	✓			
SAN AGUSTIN, Joe T.	✓			
SANTOS, Angel L. G.	✓			
SANTOS, Francis E.				✓
UNPINGCO, Antonio R.				✓
WONPAT-BORJA, Judith	✓			

TOTAL 16 3 0 2

CERTIFIED TRUE AND CORRECT:

** Passed 3 times*

Recording Secretary

23-54 ✓

Senator Mark C. Charfauros

Chairman

Committee on Judiciary, Criminal Justice and Environmental Affairs
Twenty-Third Guam Legislature

Tel.: (671) 472-3342/3/5

Fax: (671) 472-3440

June 5, 1995

SPEAKER DON PARKINSON
Twenty-Third Guam Legislature
155 Hesler St.
Agana, Guam 96910

Dear Mr. Speaker:

The Committee on Judiciary, Criminal Justice and Environmental Affairs to which was referred **Bill No. 84**, wishes to report back to the Legislature with its recommendation to pass **Bill No. 84** - "AN ACT TO MAKE STEALING A DOG OR A CAT FOR PURPOSES OF DEMANDING RANSOM OR A REWARD OR FOR PURPOSES OF KILLING THE SAME OR FIGHTING THE SAME IN A DOG FIGHT A FELONY OF THE SECOND DEGREE BY ADDING A NEW A SECTION 4375 TO THE 9 GUAM CODE ANNOTATED."

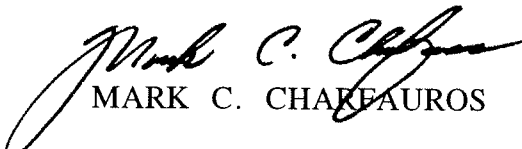
The voting record is as follows:

TO PASS	<u>9</u>
NOT TO PASS	<u>0</u>
ABSTAIN	<u>0</u>
TO PLACE IN INACTIVE FILE	<u>2</u>

Copies of the Committee Report and other pertinent documents are attached.

Your attention to this matter is greatly appreciated.

Attachments


MARK C. CHARFAUROS

Senator Mark C. Charfauros
Chairman
Committee on Judiciary, Criminal Justice and Environmental Affairs
Twenty-Third Guam Legislature

Tel.: (671) 472-3342/3/5

Fax: (671) 472-3440

May 30, 1995

MEMORANDUM

TO: Members

FROM: Chairman

SUBJECT: Committee Report - **Bill No. 84** - "AN ACT TO MAKE STEALING A DOG OR A CAT FOR PURPOSES OF DEMANDING RANSOM OR A REWARD OR FOR PURPOSES OF KILLING THE SAME OR FIGHTING THE SAME IN A DOG FIGHT A FELONY OF THE SECOND DEGREE BY ADDING A NEW A SECTION 4375 TO THE 9 GUAM CODE ANNOTATED."

Transmitted herewith for your information and action is the Committee on Judiciary, Criminal Justice and Environmental Affairs' Report on the subject Bill.

The narrative report is accompanied by the following:

1. Original Bill 84;
2. Committee Voting Sheet;
3. Testimony and Sign-in Sheet
4. Public Hearing Notice.

Should you have any questions on the narrative report or the accompanying documents, I would be most happy to answer any of them.

Please take the appropriate action on the attached voting sheet and return the documents to my office for transmittal to the other members.

Your attention and cooperation in this matter is greatly appreciated.

Attachments.


MARK C. CHARFAUROS

COMMITTEE ON JUDICIARY, CRIMINAL
JUSTICE AND ENVIRONMENTAL
AFFAIRS

Twenty-Third Guam Legislature

COMMITTEE REPORT

on

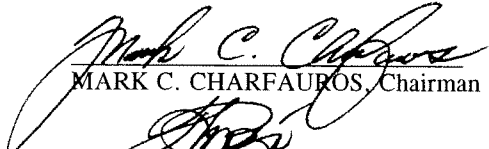
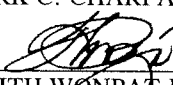
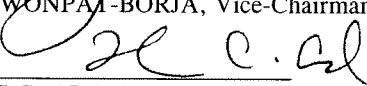

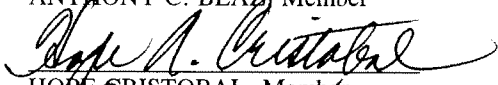
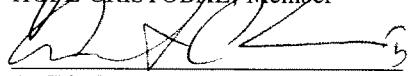


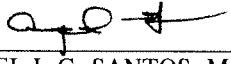

Bill No. 84

"AN ACT TO MAKE STEALING A DOG OR A CAT FOR PURPOSES OF DEMANDING RANSOM OR A REWARD OR FOR PURPOSES OF KILLING THE SAME OR FIGHTING THE SAME IN A DOG FIGHT A FELONY OF THE SECOND DEGREE BY ADDING A NEW SECTION 4375 TO THE 9 GUAM CODE ANNOTATED."

MAY 18, 1995

**COMMITTEE ON JUDICIARY, CRIMINAL JUSTICE AND
ENVIRONMENTAL AFFAIRS
23rd Guam Legislature
VOTING RECORD**

Bill No. 84- "AN ACT TO MAKE STEALING A DOG OR A CAT FOR PURPOSES OF DEMANDING RANSOM OR A REWARD OR FOR PURPOSES OF KILLING THE SAME OR FIGHTING THE SAME IN A DOG FIGHT A FELONY OF THE SECOND DEGREE BY ADDING A NEW A SECTION 4375 TO THE 9 GUAM CODE ANNOTATED."

	<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>ABSTAIN</u>	<u>INACTIVE FILE</u>
 MARK C. CHARFAUROS, Chairman	✓	—	—	—
 JUDITH WONPAT-BORJA, Vice-Chairman	✓	—	—	—
 THOMAS C. ADA, Member	✓	—	—	—
 ELIZABETH BARRETT-ANDERSON, Member	—	—	—	✓
_____ JOANNE BROWN, Member	—	—	—	—
_____ ANTHONY C. BLAZ, Member	—	—	—	—
 HOPE CRISTOBAL, Member	✓	—	—	—
 A. TONY LAMORENA, Member	✓	—	—	—
 LOU LEON GUERRERO, Member	✓	—	—	—
_____ TED S. NELSON, Member	—	—	—	—
 VICENTE C. PANGELINAN, Member	✓	—	—	—
 ANGEL L.G. SANTOS, Member	✓	—	—	—
 DON PARKINSON, Ex-Officio Member	✓	—	—	—

*15 from evidence this
purpose*

I. OVERVIEW

The Committee on Judiciary, Criminal Justice and Environmental Affairs scheduled a public hearing on May 18, 1995 at 9:30 a.m. at the Legislative Public Hearing Room. Public notice was announced on the May 17, 1995 issue of the PDN. Members present were:

Senator Mark C. Charfauros, Chairman
Senator Judith WonPat-Borja, Vice-Chairperson
Senator Tom Ada
Senator Ted S. Nelson
Senator Ben Pangelinan
Senator Joanne Brown
Senator Tony Lamorena
Senator Elizabeth Barrett-Anderson.

Appearing before the Committee to testify on the bill was:

No Public Participation

II. SUMMARY OF TESTIMONY



No Public Participation

III. FINDING AND RECOMMENDATION

The Committee finds that the theft of pets, particularly dogs and cats, have been committed for the purposes of collecting ransom or fighting. The Committee further finds that these acts must be deterred, and Bill 84 would accomplish this by increasing the penalties for such acts.

Accordingly, the Committee on Judiciary, Criminal Justice and Environmental Affairs, to which was referred **Bill No. 84**, does hereby submit its findings and recommendation to the Twenty-Third Guam Legislature **TO DO PASS Bill No. 84** "AN ACT TO MAKE STEALING A DOG OR A CAT FOR PURPOSES OF DEMANDING RANSOM OR A REWARD OR FOR PURPOSES OF KILLING THE SAME OR FIGHTING THE SAME IN A DOG FIGHT A FELONY OF THE SECOND DEGREE BY ADDING A NEW A SECTION 4375 TO THE 9 GUAM CODE ANNOTATED."



COMMITTEE ON RULES

Twenty-Third Guam Legislature
155 Hesler St., Agana, Guam 96910

February 3, 1995

MEMORANDUM

TO: Chairperson, Committee on Judiciary, Criminal Justice
and Environmental Affairs

FROM: Chairman, Committee on Rules

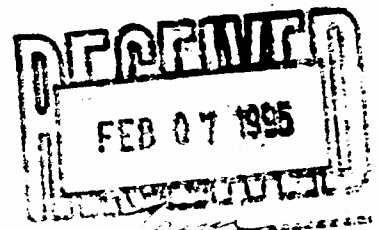
SUBJECT: Referral - Bill No. 84

The above Bill is referred to your Committee as the principal committee. Please note that the referral is subject to ratification by the Committee on Rules at its next meeting. It is recommended you schedule a public hearing at your earliest convenience.



SONNY LUJAN ORSINI

Attachment

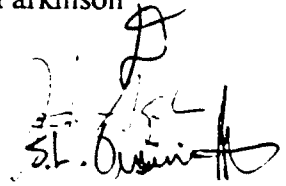


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**TWENTY-THIRD GUAM LEGISLATURE
1995 (FIRST) REGULAR SESSION**

Bill No. 84
Introduced By:

D. Parkinson



AN ACT TO MAKE STEALING A DOG OR A CAT FOR PURPOSES OF DEMANDING A RANSOM OR A REWARD OR FOR PURPOSES OF KILLING THE SAME OR FIGHTING THE SAME IN A DOG FIGHT A FELONY OF THE SECOND DEGREE BY ADDING A NEW SECTION 4375 TO THE 9 GUAM CODE ANNOTATED.

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

1
2 Section 1. A new section 4375 is added to Title 9 of the Guam Code Annotated to
3 read as follows:

4
5 “Section 4375. Theft of Dog or Cat, when a felony of the second degree. It
6 shall be theft punishable as a felony of the second degree, for any person;

7
8 a. To steal any dog or cat for the purpose of or with the intent of
9 holding the same for ransom or a reward for the return thereof; or

10
11 b. To demand payment of a reward, ransom, or any thing of value for
12 the return to the rightful owner of any dog or cat which is stolen, lost or
13 strayed; or

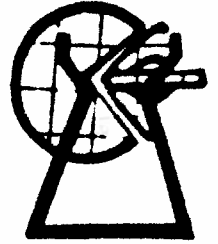
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15 c. To refuse to return of a dog or a cat which is stolen, lost or strayed
16 to the rightful owner except upon payment of a reward or ransom; or

17
18 d. To steal any dog or cat for the purposes of killing or maiming the
19 same; or

20
21 e. To steal any dog for purpose of, or with intent of using the dog for
22 any dog fight or fight with any other animals which could result in injury to the
23 dog.”



BUREAU OF BUDGET & MANAGEMENT RESEARCH
OFFICE OF THE GOVERNOR, Post Office Box 2950, Agaña, Guam 96910



JOSEPH E. RIVERA
Director

MAY 30 1995

The Bureau requests that Bill No(s). 84 be granted a waiver pursuant to Public Law 12-229 for the following reasons:

Bill 84 proposes to make stealing a dog or a cat for purposes of demanding a ransom or a reward or for purposes of killing the same in a dog fight, a felony of the second degree, by adding a new section 4375 to the 9 GCA.

The Bill, as written, is administrative in nature and will not have a fiscal impact on the Government of Guam, General Fund.

Francer Balajadia
Joseph E. Rivera,
Acting
5/25



Notice of Confirmation/Public Hearing

Senator Mark C. Charfauros

Chairman

Committee on Judiciary, Criminal Justice
and Environmental Affairs

Twenty-Third Guam Legislature

Confirmation Hearing

Nominees to the Territorial Parole Board:

Ms. Maxima C. Charfauros & Mr. Francisco L. Marion

Public Hearing

Bill No. 75: AN ACT TO ADD A NEW SUBSECTION B TO SECTION 83.90 OF TITLE 9 GCA CHAPTER 83 RELATIVE TO SETTING ASIDE OF CONVICTION UPON UNCONDITIONAL RELEASE BEFORE EXPIRATION OF MAXIMUM SENTENCE.

Bill No. 76: AN ACT TO ADD ARTICLE 3 TO CHAPTER 51, TITLE 10 GCA REQUIRING SAFE PETROLEUM WASTE DISPOSAL.

Bill No. 84: AN ACT TO MAKE STEALING A DOG OR A CAT FOR PURPOSES OF DEMANDING A RANSOM OR A REWARD OR FOR PURPOSES OF KILLING THE SAME OR FIGHTING THE SAME IN A DOG FIGHT A FELONY OF THE SECOND DEGREE BY ADDING A NEW SECTION 4375 TO THE 9 GCA.

Bill No. 130: AN ACT TO CREATE A CORRECTIONS OFFICER RESERVE CORPS.

Bill No. 145: AN ACT TO PROHIBIT GUAM PEACE OFFICERS FROM ANY WAY ASSISTING THE FEDERAL GOVERNMENT IN ENFORCING ANY LAWS RELATING TO TRESPASS UPON FEDERAL PROPERTY OR RELATING TO THE EVICTION OF ANY PERSON FROM PROPERTY ALLEGED TO BELONG TO THE FEDERAL GOVERNMENT. BY ADDING NEW SECTION 37.31 TO CHAPTER 37 OF 9 GCA.

Bill No. 227: AN ACT TO ADD A NEW SUBSECTION (d) TO SECTION 90.35 AND NEW SUBSECTIONS (d) AND (e) TO SECTION 90.40 OF CHAPTER 90, 9 GCA, RELATIVE TO EMPLOYING A LEGAL COUNSEL AND ESTABLISHING A COMMISSARY AT THE DEPARTMENT OF CORRECTIONS.

Bill No. 235: AN ACT TO AMEND, CHAPTER 4, SECTION 22(b)(ii), OF PUBLIC LAW 22-140, RELATIVE TO HIRING RESTRICTIONS OF LAW ENFORCEMENT PERSONNEL.

-1:30 P.M.

Bill No. 200: AN ACT TO ADD NEW SECTION 47143 THROUGH 47152 TO THE GOVERNMENT CODE, RELATIVE TO ESTABLISHING CUSTOMS USER FEE CHARGES FOR CUSTOMS SERVICES AND AGRICULTURAL INSPECTION SERVICES RENDERED, AND ESTABLISHING A CUSTOMS, AGRICULTURE, AND QUARANTINE USER FEE FUND.

Date: Thursday, May 18, 1995

Time: 9:30 a.m.

Place: Public Hearing Room

Guam Legislature

155 Hesler St. Agana

The Public is invited to attend

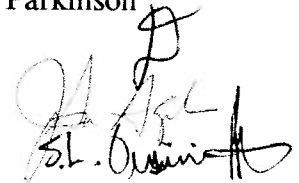
Introduced

**TWENTY-THIRD GUAM LEGISLATURE
1995 (FIRST) REGULAR SESSION**

MAR 13 1995

Bill No. 84 (LS)
Introduced By:

D. Parkinson



AN ACT TO MAKE STEALING A DOG OR A CAT FOR PURPOSES OF DEMANDING A RANSOM OR A REWARD OR FOR PURPOSES OF KILLING THE SAME OR FIGHTING THE SAME IN A DOG FIGHT A FELONY OF THE SECOND DEGREE BY ADDING A NEW SECTION 4375 TO THE 9 GUAM CODE ANNOTATED.

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15 c. To refuse to return of a dog or a cat which is stolen, lost or strayed
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