



Office of the Governor of Guam

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Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

04 FEB 2009

2009 FEB - 5 PM 12: 05
epm

The Honorable Judith T. Won Pat, Ed.D.
Speaker
Mina' Trenta Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

Dear Speaker Won Pat:

Transmitted herewith is **Bill No. 260(EC)**, "AN ACT TO *ADD* A NEW ARTICLE 4A, CHAPTER 67 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE USE OF A MINOR IN A DRUG OPERATION" which was signed into law on January 30, 2009 as **Public Law 29-143**.

Sinseru yan Magåhet,

FELIX P. CAMACHO
I Maga'låhen Guåhan
Governor of Guam

Attachment: copy of Bill

29 -
Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 2/05/09
Time 10:30
Received by [Signature]
30-09-0221

0220

I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN
2008 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Bill No. 260 (EC)**, "AN ACT TO *ADD* A NEW ARTICLE 4A, CHAPTER 67 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE USE OF A MINOR IN A DRUG OPERATION," was on the 23rd day of December, 2008, duly and regularly passed.



Judith T. Won Pat, Ed. D.
Speaker

Attested:



Tina Rose Muña Barnes
Senator and Secretary of the Legislature

This Act was received by *I Maga'lahaen Guåhan* this 31 day of Dec, 2008, at
3:10 o'clock P.M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:



FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: 30 JAN 2009

Public Law No. 29-143

1 **§4A102. Use of a Minor.** It is unlawful for any individual eighteen
2 (18) *or* more years of age knowingly *or* intentionally to solicit, induce,
3 encourage, intimidate, employ, hire, *or* use an individual under eighteen (18)
4 years of age to unlawfully transport, carry, sell, give away, prepare for sale, *or*
5 peddle any controlled substance.

6 **§4A103. First Offense Penalty.** A person who violates §4A102 is
7 guilty of a second degree felony and upon conviction is punishable by a
8 mandatory term of incarceration in a correctional facility of *not less than* ten
9 (10) years and *not more than* twenty (20) years and a fine of up to Three
10 Hundred Thousand Dollars (\$300,000).

11 **§4A104. Second Offense Penalty.** An individual who violates
12 §4A102 of this Article after a previous conviction under that Section is
13 punishable by a mandatory term of incarceration in a correctional facility of *not*
14 *less than* twenty (20) years and *not more than* life and a fine of up to Five
15 Hundred Thousand Dollars (\$500,000).

16 **§4A105. Ignorance of Age is Not a Defense.** It is *not* a defense to a
17 violation of this Article that the accused did *not* know the age of the individual
18 protected under this Article.

19 **§4A106. Mandatory Sentence.** Notwithstanding any other provision
20 of this Chapter (Guam Uniform Controlled Substance Act), with respect to an
21 individual who is found to have violated this Article, adjudication of guilt *or*
22 imposition of sentence may *not* be suspended, deferred, *or* withheld; *nor* may
23 the individual be eligible for parole before serving the mandatory term of
24 incarceration prescribed by this Article.

1 **§4A107. Severability Clause.** *If* any provision of this Article, or its
2 application to any person or circumstance, is held invalid, that determination
3 shall *not* affect the provisions or applications of this Article that can be given
4 effect without the invalid provision or application, and to that end the
5 provisions of this Article are severable.”