



Office of the Governor of Guam

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Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

2008 JUL 29 PM 5:02

28 JUL 2008

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

Dear Speaker Won Pat:

Transmitted herewith is Bill No. 266 (EC), "AN ACT TO ADD A NEW §70.11 TO CHAPTER 70 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO DOGFIGHTING; AND TO AMEND §34205 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO EAR CROPPING AND TAIL DOCKING OF ANIMALS," which I have signed into law on July 22, 2008 as Public Law No. 29-96.

Please note that after review with the Guam Police Department, the Bill may need to be amended in order to effectuate the provisions contained in Bill No. 266. Bill No. 266 states that the "penalty for violations of Items (1), (2), (3) and (4) of this paragraph shall be confinement in a correctional facility." The "and" should be replaced with "or" otherwise the offender would need to violate all items in order to be penalized or confined in a correctional facility.

Sinseru yan Magåhet,

[Handwritten signature of Michael W. Cruz]

MICHAEL W. CRUZ, M.D.
I Maga'låhen Guåhan, para pa'go
Acting Governor of Guam

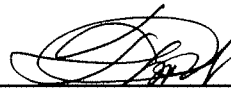
29-08-0547
Office of the Speaker
Judith T. Won Pat, Ed. D.

Date 7/28/08
Time 3:18
Received by [Signature]

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 **Substitute Bill No. 266(EC)**, "AN ACT TO **ADD A NEW §70.11 TO CHAPTER 70 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO DOGFIGHTING; AND TO AMEND §34205 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO EAR CROPPING AND TAIL DOCKING OF ANIMALS**", was on the 9<sup>th</sup> day of July, 2008, duly and regularly passed.



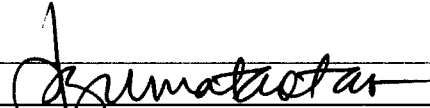
Judith T. Won Pat, Ed. D.  
Speaker

Attested:



Tina Rose Muña Barnes  
Senator and Secretary of the Legislature

This Act was received by *I Maga'lahaen Guåhan* this 10 day of July, 2008, at  
3:16 o'clock P.M.



Assistant Staff Officer  
*Maga'lahaen's Office*

APPROVED:



MIKE W. CRUZ, MD  
GOVERNOR OF GUAM ACTING

Date:

22 JULY '08

Public Law No. 29-96

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

**Bill No. 266 (EC)**

As substituted by the Committee on  
Criminal Justice, Public Safety and Youth,  
and amended on the Floor.

Introduced by:

Ray Tenorio  
Judith P. Guthertz, DPA  
Frank F. Blas, Jr.  
Edward J.B. Calvo  
B. J.F. Cruz  
James V. Espaldon  
Mark Forbes  
Frank T. Ishizaki  
J. A. Lujan  
Tina Rose Muña Barnes  
A. B. Palacios, Sr.  
v. c. pangelinan  
R. J. Respicio  
Dr. David L.G. Shimizu  
J. T. Won Pat, Ed.D.

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**AN ACT TO *ADD* A NEW §70.11 TO CHAPTER 70 OF TITLE  
9, ~~GUAM CODE ANNOTATED, RELATIVE TO~~  
DOGFIGHTING; AND TO *AMEND* §34205 OF TITLE 10,  
GUAM CODE ANNOTATED, RELATIVE TO EAR  
CROPPING AND TAIL DOCKING OF ANIMALS.**

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

2           **Section 1.** A new §70.11 is hereby *added* to Chapter 70 of Title 9, Guam  
3 Code Annotated, to read:

4                   **“§70.11. Dogfighting: Defined: Penalty.**

1 (a) (1) *Dogfight* means a fight, arranged by any person, between  
2 two (2) or more dogs the purpose or probable result of  
3 which fight is the infliction of injury by one (1) dog upon  
4 another.

5 (2) *Baiting* means to provoke or to harass an animal with  
6 one (1) or more animals and/or with drugs or other  
7 substances for the purpose of training an animal to  
8 engage in a dogfight.

9 (b) A person commits a third degree felony if he knowingly:

10 (1) owns, possesses, keeps, trains, promotes, purchases, or  
11 sells any dog(s) with the intent that the dog(s) shall be  
12 engaged in a dogfight;

13 (2) gambles or bets on the outcome of a dogfight and/or  
14 baiting;

15 (3) for amusement or gain, causes, allows, or permits any  
16 dog(s) to fight with another dog or other animal or  
17 causes any dog(s) to injure each other or other animal; or

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18 (4) is a spectator at an event involving the fighting of a  
19 dog(s).

20 Notwithstanding any other provision of law, the penalty for violations  
21 of Items (1), (2), (3) and (4) of this paragraph shall be confinement in a  
22 correctional facility in accordance with Article 2 of 9GCA Chapter 80 and a  
23 fine of not less than Five Thousand Dollars (\$5,000) and no more than Ten  
24 Thousand Dollars (\$10,000) or both per violation.

25 (c) A person commits a third degree felony if he:

- 1 (1) keeps, uses, be connected with or interested in the  
2 management of, or receives money or other consideration  
3 for the admission of a person to, a place kept or used for  
4 the purpose of fighting and/or baiting a dog(s);
- 5 (2) permits or suffers a place owned or controlled by him to  
6 be used as provided in Item (1) of this paragraph;
- 7 (3) permits or suffers a place leased by him to be used as  
8 provided in Item (1) of this paragraph;
- 9 (4) be present and witness, pay admission to, encourage, aid  
10 or assist in an activity enumerated in Item (1) of this  
11 paragraph; or
- 12 (5) promotes, hosts or sponsors an activity enumerated in  
13 Item (1) of this paragraph.

14 Notwithstanding any other provision of law, the penalty for violations  
15 of Items (1), (2), (3), (4) and (5) of this paragraph shall be confinement in a  
16 correctional facility in accordance with Article 2 of 9GCA Chapter 80 and a  
17 fine of not less than Ten Thousand Dollars (\$10,000) and no more than  
18 Fifteen Thousand Dollars (\$15,000) or both per violation. Additionally, any  
19 person convicted of any violation of this paragraph may be subject to  
20 seizure of any personal property, including vehicles, and real property at  
21 which the dogfight was staged.

22 (d) Seizure of Dogs.

- 23 (1) A judge may order the seizure of alleged fighting dogs  
24 owned, possessed or kept by any person.
- 25 (2) The judge issuing an order for the seizure of a dog(s) as  
26 provided in Item (1) of this paragraph may require the

1 dog(s) to be impounded at an animal shelter or  
2 veterinary clinic or hospital. The government unit which  
3 executes the seizure shall be responsible for the cost of  
4 impoundment at the animal shelter, but the governmental  
5 unit is entitled to receive reimbursement of those costs  
6 from the owner, possessor or keeper of the impounded  
7 dog(s). If the owner, possessor or keeper of the dog(s) is  
8 subsequently convicted of dogfighting under this  
9 Section, the Court may order the defendant to pay the  
10 costs as restitution in the case.

11 (e) Nothing in this Section shall constitute a prohibition or ban on  
12 the possession, lawful importation/exportation, breeding or selling of any  
13 breed of dog.

14 (f) Veterinarians and/or physicians and/or health professionals are  
15 required to report suspected dogfighting incidents that come to their  
16 attention through the provision of medical services to dogs to the Guam  
17 Police Department within five (5) days of learning of dogfighting incidents.

18 Failure to do so shall result in potential loss of licensure if deemed  
19 appropriate by the appropriate licensure agencies.”

20 **Section 2.** Subsection (d) of §34205 of Article 2, Title 10, Guam Code  
21 Annotated, is hereby *amended* to read:

22 “(d) *Only* a licensed veterinarian shall perform ear cropping or tail  
23 docking on an animal, which shall be performed in accordance with the  
24 American Veterinarian Medical Association policy, and the veterinarian  
25 shall counsel pet owners about this matter before agreeing to perform these  
26 surgeries and shall record said consultation in the pet’s record.”