

I Mina'trentai Sais Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
237-36 (COR)	Sabina Flores Perez	AN ACT TO AMEND § 34406 (e) AND § 34406 (f) OF CHAPTER 34, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO UPDATING VIOLATIONS OF PROTECTING ANIMAL WELFARE AND SAFETY (PAWS) FOR ANIMALS PROVIDING ASSISTANCE.	12/27/21 2:34 p.m.	12/27/21	Committee on Health, Land, Justice, and Culture	1/19/22 3:00 p.m.	10/24/22 1:09 p.m.	Request: 12/28/21 Waiver: 1/6/22	



Office of the Speaker
THERESE M. TERLAJE

I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature
Committee on Health, Land, Justice and Culture

October 20, 2022

The Honorable Tina Rose Muña Barnes

Chairperson, Committee on Rules

I Mina'trentai Sais na Liheslaturan Guåhan

163 Chalan Santo Papa

Hagåtña Guam, 96910

RE: Committee Report on Bill No. 237-36 (COR) As Introduced

Håfa Adai Chairperson Muña Barnes:

Transmitted herewith is the Committee Report on **Bill No. 237-36 (COR) As Introduced by Sabina Flores Perez - "AN ACT TO AMEND § 34406 (e) AND § 34406 (f) OF CHAPTER 34, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO UPDATING VIOLATIONS OF PROTECTING ANIMAL WELFARE AND SAFETY (PAWS) FOR ANIMALS PROVIDING ASSISTANCE."**

Committee votes are as follows:

<u>2</u>	TO DO PASS
<u>0</u>	TO NOT PASS
<u>3</u>	TO REPORT OUT ONLY
<u>0</u>	TO ABSTAIN
<u>0</u>	TO PLACE IN INACTIVE FILE

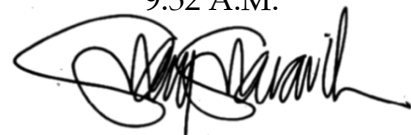
Sincerely,


Therese M. Terlaje

**COMMITTEE ON RULES
RECEIVED:**

October 20, 2022

9:52 A.M.



**Correction Rec'd:
October 20, 2022 @ 1:06 P.M.**

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: senatorterlajeguam@gmail.com | www.senatorterlaje.com

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please send to: speaker@guamlegislature.org*



Office of the Speaker
THERESE M. TERLAJE
I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature
Committee on Health, Land, Justice and Culture

COMMITTEE REPORT

Bill No. 237-36 (COR)

Introduced by Sabina Flores Perez

“AN ACT TO *AMEND* § 34406 (e) AND § 34406 (f) OF CHAPTER 34, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO UPDATING VIOLATIONS OF PROTECTING ANIMAL WELFARE AND SAFETY (PAWS) FOR ANIMALS PROVIDING ASSISTANCE.”

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Office of the Speaker
THERESE M. TERLAJE

I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature
Committee on Health, Land, Justice and Culture

October 20, 2022

MEMORANDUM

To: All Members
Committee on Health, Land, Justice, and Culture

From: Speaker Therese M. Terlaje *TMT*
Committee Chairperson

Subject: Committee Report on Bill No. 237-36 (COR) As introduced

Transmitted herewith for your consideration is the Committee Report on **Bill No. 237-36 (COR) As Introduced by Sabina Flores Perez - "AN ACT TO AMEND § 34406 (e) AND § 34406 (f) OF CHAPTER 34, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO UPDATING VIOLATIONS OF PROTECTING ANIMAL WELFARE AND SAFETY (PAWS) FOR ANIMALS PROVIDING ASSISTANCE."**

This report includes the following:

- Copy of COR Referral of Bill No. 237-36 (COR)
- Notices of Public Hearing & Other Correspondence
- Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Submitted Written Testimony & Supporting Documents
- Committee Report Digest
- Copy of Bill No. 237-36 (COR), As Introduced
- Copy of Fiscal Note Waiver from the Bureau of Budget & Management Research
- Committee Vote Sheet

Please take the appropriate action on the attached vote sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Si Yu'os Ma'åse'!



Vice Speaker

TINA ROSE MUÑA BARNES

CHAIRPERSON, COMMITTEE ON RULES

I Mina'trentai Sais Na Liheslaturan Guåhan

GUAM CONGRESS BUILDING
163 CHALAN SANTO PAPA
HAGÅTÑA, GUAM 96910
TEL 671-472-2461
COR@GUAMLEGISLATURE.ORG

December 27, 2021

MEMO

To: **Rennae Meno**
Clerk of the Legislature

Attorney Ana Won Pat-Borja
Legislative Legal Counsel

From: **Senator Amanda L. Shelton**
Acting Chairperson, Committee on Rules

Re: **Referral of Bill No. 237-36 (COR)**

Håfa Adai,

As per my authority as Acting Chairperson of the Committee on Rules and subject to §6.01(d), Rule VI of our Standing Rules, I am forwarding the referral of Bill No. 237-36 (COR) – Sabina Flores Perez – “AN ACT TO AMEND § 34406 (e) AND § 34406 (f) OF CHAPTER 34, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO UPDATING VIOLATIONS OF PROTECTING ANIMAL WELFARE AND SAFETY (PAWS) FOR ANIMALS PROVIDING ASSISTANCE.”

Please ensure that the subject bill is referred to the **Committee on Health, Land, Justice, and Culture, chaired by Senator Therese M. Terlaje.**

I also request that the same be forwarded to the prime sponsor of the subject bill.

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.

Respectfully,

Senator Amanda L. Shelton
Acting Chairperson, Committee on Rules





Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

FIRST NOTICE of Virtual Public Hearing – Wednesday, January 19, 2022 beginning at 9:00AM

2 messages

Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Tue, Jan 11, 2022 at 8:42 AM

To: phnotice@guamlegislature.org

Cc: Audio / Video <av@guamlegislature.org>, Guam MIS <mis@guamlegislature.org>, Ibarra Hernandez <ihernandez@guamlegislature.org>, Tom Unsiog <sgtarms@guamlegislature.org>

Bcc: mindy@postguam.com, The Post Editor in Chief <editor@postguam.com>, Oyaol Ngirairiki <managingeditor@postguam.com>, haidee@postguam.com, John Oconnor <john@postguam.com>, reporters@postguam.com, rlimtiaco@guampdn.com, Rindraty Limtiaco <slimtiaco@guampdn.com>, Guam PDN <news@guampdn.com>, Jerick Sablan <jpsablan@guampdn.com>, life@guampdn.com, dmgeorge@guampdn.com, Mar-Vic Cagurangan <publisher@pacificislandtimes.com>, Pacific Island Times <pacificislandtimes@gmail.com>, Maureen Maratita <publisher@glimpsesofofguam.com>, bryan@mvariety.com, emmanuel@mvariety.com, mabuhaynews@yahoo.com, editor@saipantribune.com, Bruce Hill <pacificjournalist@gmail.com>, Jason Salas <jason@kuam.com>, Sabrina Salas Matanane <sabrina@kuam.com>, Chris Malafunkshun Barnett <Chris@kuam.com>, Nestor Licanto <nestor@kuam.com>, reporters@kuam.com, K57 <news@k57.com>, Patti Rodriguez <parroyo@spbgum.com>, pattiontheradio@yahoo.com, Sorensen Pacific Broadcasting <news@spbgum.com>, raygibsonshow@gmail.com, manasilva626@yahoo.com, KISH <kstokish@gmail.com>, Manuel Cruz <cruzma812@gmail.com>, Troy Torres <troy@kanditnews.com>, Maria Louella Losinio <louella.losinio@gmail.com>, "Mayors' Council of Guam - Admin." <mcogadmin@teleguam.net>, "Mayor Paul M. McDonald" <mayor.mcdonald671@gmail.com>, agatmayor@yahoo.com, agatvice.chrisfejeran@yahoo.com, "Mayor Frankie A. Salas" <asanmainamayor@gmail.com>, June Blas <mayorbarrigada@gmail.com>, Jessie Bautista <jessie.bautista007@gmail.com>, Jessy Gogue <ocp.mayor@gmail.com>, MELISSA SAVARES <melissa.savares@gmail.com>, "Vice Mayor Peter John S. Benavente" <onedededo@gmail.com>, hagatnamayor@hotmail.com, Mayor Anthony Chargualaf <inalahanmayor@gmail.com>, Allan Ungacta <mayorallan.ungacta@yahoo.com>, Vice Mayor Kevin AN Delgado <mangilao.vicemayor@gmail.com>, mayorernestc@yahoo.com, mtmmayorpaco17@gmail.com, Jesse Alig <jesse.alig@pitiguam.com>, Dale Alvarez <daleealvarez@gmail.com>, Robert Hofmann <guammayor@gmail.com>, rudy iriarte <rudyiriarte@gmail.com>, Mayor Taitague <talofomayor@gmail.com>, "Mayor Louise C. Rivera" <Mayorlcrivera.tatuha@gmail.com>, "Vice Mayor Albert M. Toves" <atoves.tatuha@gmail.com>, Umatac Mayor <umatacmo@gmail.com>, "Mayor Anthony P. Sanchez" <ymayortony@gmail.com>, "Vice Mayor Loreto V. Leones" <lloretoleones@gmail.com>, "Mayor Bill A. Quenga" <yonamayor2020@gmail.com>, jolene@postguam.com, Phil Leon Guerrero <phil@postguam.com>, Gerry Partido <gerrypartido@gmail.com>, gerry@spbgum.com, Damen Borja <damen@spbgum.com>, tlamorena@gmail.com, jsantotoma@guampdn.com, "Taitano, Joseph" <JTaitano@guampdn.com>, "Leevin T. Camacho" <lcamacho@guamag.org>, OAG General Counsel <generalcounsel@oagguam.org>, Camarine Ann Hopkins <camhopkins@oagguam.org>, "Stephanie E. Mendiola" <smendiola@oagguam.org>, Samantha at GCASAFV <dwayne@guamcoalition.org>, Pale' Mike Crisostomo [REDACTED]@yahoo.com, varoguam1@yahoo.com, alee@catholicocialserviceguam.org, healing.hearts@mail.dmhsa.guam.gov, healing.hearts@mail.gbhwg.guam.gov, Stephen Hattori <sphattori@guampdsc.org>, "John P. Morrison" <jmorrison@guampdsc.org>, Masatomo Nadeau <masatomo.nadeau@dphss.guam.gov>, "Arthur U. San Agustin" <arthur.sanagustin@dphss.guam.gov>, Guam Pharmacists [REDACTED]@gmail.com, Guam Medical Society <theguammedicalsociety@gmail.com>, Nathaniel Berg <nberg@guamradiology.com>, "Dr. John Ray Taitano" [REDACTED]@gmail.com, "Thomas Shieh, MD, FACOG" <doctorshieh@yahoo.com>, Zennia Pecina <Zennia.Pecina@dphss.guam.gov>, Guam Bar Association <info@guambar.org>, "Ciana V. Galindo" <Ciana.galindo@dphss.guam.gov>, Arania Adolphson <aadolphson@amc.clinic>, "Yahoo Mailing (US)" [REDACTED]@yahoo.com, Philip Flores <philipf@bankpacific.com>, [REDACTED]@gmail.com, "Annie Bordallo (Medical Director)" <annie.bordallo@gmha.org>, lillian perez-posadas <lillian.perez-posadas@gmha.org>, Joleen Aguon <joleen.aguon@gmha.org>, "Dr. Vince Akimoto" [REDACTED]@yahoo.com, "Dr. Vincent Duenas" <vincent.duenas@gmha.org>, Cyrus Luhr <cyrus.luhr@guamanimals.org>, stephen ignacio <stephen.ignacio@gpd.guam.gov>, Daniel Stone

<daniel.stone@gfd.guam.gov>, Phyliss LeonGuerrero <Phyliss.LeonGuerrero@disid.guam.gov>, Michelle Perez <Michelle.Perez@disid.guam.gov>, Fire Chief Joey San Nicolas <joey.sannicolas@gfd.guam.gov>, vincent perez <vincent.perez@cqa.guam.gov>, Jenna Gaminde <jenna.g.blas@ghs.guam.gov>, chief@gpd.guam.gov

January 11, 2022

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Speaker Therese M. Terlaje, Chairperson
Committee on Health, Land, Justice and Culture

Subject: **FIRST NOTICE of Virtual Public Hearing – Wednesday, January 19, 2022 beginning at 9:00AM**

Buenas yan Håfa Adai,

Please be advised that the Committee on Health, Land, Justice and Culture will convene a virtual public hearing, using the Legislature's virtual Zoom platform on **Wednesday, January 19, 2022, beginning at 9:00 a.m.** for the following agenda item:

9:00 AM:

- **Bill No. 168-36 (LS)** - Telen Cruz Nelson- AN ACT TO ADD NEW §§ 41806 AND AMEND §§ 41810 OF ARTICLE 18, CHAPTER 4, DIVISION 1, TITLE 26, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO THE REQUIRED REGISTRATION OF PRESCRIBERS TO THE GUAM PRESCRIPTION MONITORING PROGRAM (PDMP).
- **Bill No. 169-36 (LS)** - Telen Cruz Nelson- AN ACT TO AMEND APPENDIX A, APPENDIX B, APPENDIX C, APPENDIX D, AND APPENDIX E OF CHAPTER 26, TITLE 9 OF GUAM CODE ANNOTATED, RELATIVE TO UPDATING THE LIST OF SCHEDULED CONTROLLED SUBSTANCES PROVIDED IN THE GUAM UNIFORM CONTROLLED SUBSTANCES ACT.

2:00 PM:

- **[Bill No. 147-36 \(LS\)](#)** - Frank Blas Jr.- AN ACT TO ADD A NEW SUBSECTION 160.101 TO CHAPTER 160 OF TITLE 8, GUAM CODE ANNOTATED RELATIVE TO THE PRIVACY OF A VICTIM OF A SEXUAL OFFENSE.

3:00 PM:

- **[Bill No. 237-36 \(COR\)](#)** - Sabina Flores Perez- AN ACT TO AMEND § 34406 (e) AND § 34406 (f) OF CHAPTER 34, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO UPDATING VIOLATIONS OF PROTECTING ANIMAL WELFARE AND SAFETY (PAWS) FOR ANIMALS PROVIDING ASSISTANCE.

To register to provide virtual testimony, please email senatorterlajeguam@gmail.com or call 472-3586 by **JANUARY 18, 2022**. Written testimony can be submitted via email to the Office of the Speaker, or hand delivered to the Guam Congress Bldg.; 163 Chalan Santo Papa, Hagåtña, Guam.

All hearings broadcast on GTA TV Channel 21, Docomo Channel 117/112.4, and stream online at the Guam Legislature YouTube Channel: <https://www.youtube.com/c/GuamLegislatureMedia> and will be available on the Guam Legislature YouTube after the hearing.

In compliance with the Americans with Disabilities Act, Individuals needing assistance or accommodations can contact the Office of Speaker Therese M. Terlaje. We look forward to your participation! *Si Yu'os Ma'åse'!*

Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

I Mina'trentai Sais na Liheslaturan Guåhan

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

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website: www.senatorterlaje.com

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9 attachments



Office of the Speaker
THERESE M. TERLAJE

I Mina'trentai Sais na Liheslaturan Guåhan 36th Guam Legislature
Committee on Health, Land, Justice and Culture

January 11, 2022

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Committee on Health, Land, Justice and Culture

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Philippines prepares more hospital beds with record COVID-19 cases



WAITING FOR A BOOSTER: Filipinos wait for a booster dose of the COVID-19 vaccine amid rising infections, in Makati City, Metro Manila, Philippines, Jan 5. Eloisa Lopez/Reuters

MANILA (Reuters) - The Philippines ordered an increase in hospital beds and medical resources in and around the capital Manila, a senior government official said on Sunday, as the country set another record for new COVID-19 infections.

Nearly 60% of the 28,707 cases came from the capital region, which has seen a steady increase in admissions in recent days, although hospital capacity in the area was still below critical levels, government data showed.

Health authorities were also directed to increase inoculation rates outside the region, with many provinces lagging, acting presidential spokesperson Karlo Nograles said in a statement.

Another 15 people died from COVID-19, the health ministry said in a bulletin, bringing the death toll to 52,150. The country has reported a total of more than 2.96 million cases since the pandemic started, among the highest in Southeast Asia.

Government offices including the Senate, the House of Representatives and the Presidential Communications Operations Office have announced temporary closures as a precaution after several of their staff have been infected.

The rise in COVID-19 cases prompted the government to tighten mobility curbs last week. President Rodrigo Duterte has threatened unvaccinated people with arrest if they disobey stay-at-home orders.

At the end of last year, 45% of the country's 110 million people had been fully vaccinated. Under existing rules, unvaccinated people in the capital region can only step out of their homes for essential trips.

GUAM DAILY POST • TUESDAY, JANUARY 11, 2022

Japan, US to cooperate on tech for next-generation nuclear reactors

(Japan News) - Japan and the United States will work together to develop technology related to core equipment and systems of nuclear reactors in a next-generation fast reactor project, according to the outline of a memorandum of understanding.

The memorandum is expected to be signed later this month by U.S. nuclear start-up TerraPower LLC, the Japan Atomic Energy Agency and Mitsubishi Heavy Industries Ltd. They also plan to sign a confidentiality agreement on sensitive technologies. After the Japanese side receives design information from the U.S. side, they will sign a formal

agreement, perhaps this summer.

According to sources, the candidate areas of cooperation will include equipment for placing new fuel in a reactor and removing spent fuel; a system for locating damaged fuel while a reactor is in operation; a technology for pumps and heat exchangers to circulate liquid sodium, which serves as a coolant that extracts heat from the core; and technology related to in-core structures such as plates to block radiation. Based on the design of the fast reactor, the two sides will discuss technical details regarding each area.

With support from the U.S. Energy

Department, TerraPower plans to begin construction of the reactor in Wyoming in 2024 and will aim to put it into operation in 2028.


On Thursday, Economy, Trade and Industry Minister Koichi Hagiuda held a videoconference with U.S. Energy Secretary Jennifer Granholm, during which he mentioned the Japanese government's intention to support the technical cooperation. Granholm expressed her high hopes regarding Japanese technology.

Preventing an accident


The envisaged fast reactor is designed to transfer heat, which is generated in the core, to a heat exchanger using

sodium, and the heat will be used to convert water into steam to activate a power generation turbine. Liquid sodium is silvery-white and opaque, unlike water, which is used as a coolant in mainstream nuclear reactors, so the fuel and structures inside a reactor cannot be directly seen by a camera.

Of particular interest to the U.S. side is the technology to safely remove fuel and replace it as planned. This is essential for the stable operation of fast reactors and the efficiency of maintenance and checkups. If damaged fuel can be identified, it would be possible to restore operations promptly and prevent an accident.



SPEAKER THERESE M. TERLAJE
Committee on Health, Land, Justice & Culture
I Mina'trentai Sais na Liheslaturan Guåhan



NOTICE OF VIRTUAL PUBLIC HEARING - Wednesday, January 19, 2022

AGENDA:

9:00 AM

- **Bill No. 168-36 (LS) - Senator Telena Cruz Nelson** - AN ACT TO ADD NEW §§ 41806 AND AMEND §§ 41810 OF ARTICLE 18, CHAPTER 4, DIVISION 1, TITLE 26, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO THE REQUIRED REGISTRATION OF PRESCRIBERS TO THE GUAM PRESCRIPTION MONITORING PROGRAM (PDMP).
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Contact the Office of the Speaker at 472-3586 or senatorterlajegum@gmail.com, to register to provide live or written testimony. All hearings broadcast on GTA TV Channel 21, Docomo Channel 117/112.4, and livestream on the Guam Legislature YouTube: <https://www.youtube.com/c/GuamLegislatureMedia>. In compliance with the Americans with Disabilities Act, individuals needing special accommodations can contact the Office of Speaker Therese M. Terlaje. This Ad was paid with Legislature Funds.



THE OFFICE OF SENATOR
TELENA CRUZ NELSON
COMMITTEE ON EDUCATION, SELF-DETERMINATION AND ECONOMIC PRESERVATION, INFRASTRUCTURE, ROBERTO ROYCE
FEDERAL AND FOREIGN AFFAIRS, ENVIRONMENT, TECHNOLOGY
I Mina'trentai Sais na Liheslaturan Guåhan | 36th GUAM LEGISLATURE



NOTICE OF VIRTUAL PUBLIC HEARING
WEDNESDAY, JANUARY 19, 2022 5:00 P.M.

- **Resolution No. 234-36 (COR) - "Relative to expressing the utmost support of I Mina'trentai Sais Na Liheslaturan Guåhan (the 36th Guam Legislature) for S. 3284, the "Veterans Assistance Helpline Act of 2021," which seeks to permanently establish a toll-free telephone helpline for veterans to use in order to quickly obtain information and assistance with all services from the U.S. Department of Veterans Affairs."**
- **Resolution No. 215-36 (COR) - "Relative to expressing the utmost support of I Liheslaturan Guåhan for the passage of H.R. 5606, the "Return Home to Housing Act," which seeks to amend Title 38 of the United States Code to adjust the rate of per diem payments provided by the Secretary of Veterans Affairs to grantees that provide services to homeless veterans; and further requesting parity and inclusion of all veterans residing in Guam and in all territories."**

Written testimonies may be delivered to the Office of Senator Telena Cruz Nelson or via email to senatorcnelson@guamlegislature.org. The Committee requests that testimonies be submitted on or before **January 14, 2022**, in compliance with the Americans with Disabilities Act (ADA), individuals requiring assistance or accommodations should contact the Office of Senator Telena Cruz Nelson at 671-989-7696. All hearings will be broadcast on GTA TV Channel 21, Docomo Channel 117/112.4, and the Guam Legislature YouTube.



Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

SECOND NOTICE of Virtual Public Hearing – Wednesday, January 19, 2022 beginning at 9:00AM

4 messages

Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Sun, Jan 16, 2022 at 8:18 AM

To: phnotice@guamlegislature.org

Cc: Audio / Video <av@guamlegislature.org>, Guam MIS <mis@guamlegislature.org>, Ibarra Hernandez <ihernandez@guamlegislature.org>, Tom Unsio <sgtarms@guamlegislature.org>

Bcc: mindy@postguam.com, The Post Editor in Chief <editor@postguam.com>, Oyaol Ngirairiki <managingeditor@postguam.com>, haidee@postguam.com, John Oconnor <john@postguam.com>, reporters@postguam.com, rlimtiaco@guampdn.com, Rindraty Limtiaco <slimtiaco@guampdn.com>, Guam PDN <news@guampdn.com>, Jerick Sablan <jpsablan@guampdn.com>, life@guampdn.com, dmgeorge@guampdn.com, Mar-Vic Cagurangan <publisher@pacificislandtimes.com>, Pacific Island Times <pacificislandtimes@gmail.com>, Maureen Maratita <publisher@glimpsesofofguam.com>, bryan@mvariety.com, emmanuel@mvariety.com, mabuhaynews@yahoo.com, editor@saipantribune.com, Bruce Hill <pacificjournalist@gmail.com>, Jason Salas <jason@kuam.com>, Sabrina Salas Matanane <sabrina@kuam.com>, Chris Malafunkshun Barnett <Chris@kuam.com>, Nestor Licanto <nestor@kuam.com>, reporters@kuam.com, K57 <news@k57.com>, Patti Rodriguez <parroyo@spbgum.com>, pattiontheradio@yahoo.com, Sorensen Pacific Broadcasting <news@spbgum.com>, raygibsonshow@gmail.com, manasilva626@yahoo.com, KISH <kstokish@gmail.com>, Manuel Cruz <cruzma812@gmail.com>, Troy Torres <troy@kanditnews.com>, Maria Louella Losinio <louella.losinio@gmail.com>, "Mayors' Council of Guam - Admin." <mcogadmin@teleguam.net>, "Mayor Paul M. McDonald" <mayor.mcdonald671@gmail.com>, agatmayor@yahoo.com, agatvice.chrisfejeran@yahoo.com, "Mayor Frankie A. Salas" <asanmainamayor@gmail.com>, June Blas <mayorbarrigada@gmail.com>, Jessie Bautista <jessie.bautista007@gmail.com>, Jessy Gogue <ocp.mayor@gmail.com>, MELISSA SAVARES <melissa.savares@gmail.com>, "Vice Mayor Peter John S. Benavente" <onedededo@gmail.com>, hagatnamayor@hotmail.com, Mayor Anthony Chargualaf <inalahanmayor@gmail.com>, Allan Ungacta <mayorallan.ungacta@yahoo.com>, Vice Mayor Kevin AN Delgado <mangilao.vicemayor@gmail.com>, mayorernestc@yahoo.com, mtmmayorpaco17@gmail.com, Jesse Alig <jesse.alig@pitiguam.com>, Dale Alvarez <daleealvarez@gmail.com>, Robert Hofmann <guammayor@gmail.com>, rudy iriarte <rudyiriarte@gmail.com>, Mayor Taitague <talofofomayor@gmail.com>, "Mayor Louise C. Rivera" <Mayorlcrivera.tatuha@gmail.com>, "Vice Mayor Albert M. Toves" <atoves.tatuha@gmail.com>, Umatac Mayor <umatacmo@gmail.com>, "Mayor Anthony P. Sanchez" <ymayortony@gmail.com>, "Vice Mayor Loreto V. Leones" <lloretoleones@gmail.com>, "Mayor Bill A. Quenga" <yonamayor2020@gmail.com>, jolene@postguam.com, Phil Leon Guerrero <phil@postguam.com>, Gerry Partido <gerrypartido@gmail.com>, gerry@spbgum.com, Damen Borja <damen@spbgum.com>, tlamorena@gmail.com, jsantotoma@guampdn.com, "Taitano, Joseph" <JTaitano@guampdn.com>, "Leevin T. Camacho" <lcamacho@guamag.org>, OAG General Counsel <generalcounsel@oagguam.org>, Camarine Ann Hopkins <camhopkins@oagguam.org>, "Stephanie E. Mendiola" <smendiola@oagguam.org>, Samantha at GCASAFV <dwayne@guamcoalition.org>, Pale' Mike Crisostomo [REDACTED]@yahoo.com, varoguam1@yahoo.com, alee@catholicocialserviceguam.org, healing.hearts@mail.dmhsa.guam.gov, healing.hearts@mail.gbhwg.guam.gov, Stephen Hattori <sphattori@guampdsc.org>, "John P. Morrison" <jmorrison@guampdsc.org>, Masatomo Nadeau <masatomo.nadeau@dphss.guam.gov>, "Arthur U. San Agustin" <arthur.sanagustin@dphss.guam.gov>, Guam Pharmacists [REDACTED]@gmail.com, Guam Medical Society <theguammedicalsociety@gmail.com>, Nathaniel Berg <nberg@guamradiology.com>, "Dr. John Ray Taitano" [REDACTED]@gmail.com, "Thomas Shieh, MD, FACOG" <doctorshieh@yahoo.com>, Zennia Pecina <Zennia.Pecina@dphss.guam.gov>, Guam Bar Association <info@guambar.org>, "Ciana V. Galindo" <Ciana.galindo@dphss.guam.gov>, Arania Adolphson <aadolpshon@amc.clinic>, "Yahoo Mailing (US)" [REDACTED]@yahoo.com, Philip Flores <philipf@bankpacific.com>, [REDACTED]@gmail.com, "Annie Bordallo (Medical Director)" <annie.bordallo@gmha.org>, lillian perez-posadas <lillian.perez-posadas@gmha.org>, Joleen Aguon <joleen.aguon@gmha.org>, "Dr. Vince Akimoto" [REDACTED]@yahoo.com, "Dr. Vincent Duenas" <vincent.duenas@gmha.org>, Cyrus Luhr <cyrus.luhr@guamanimals.org>, stephen ignacio <stephen.ignacio@gpd.guam.gov>, Daniel Stone

<daniel.stone@gfd.guam.gov>, Phyliss LeonGuerrero <Phyliss.LeonGuerrero@disid.guam.gov>, Michelle Perez <Michelle.Perez@disid.guam.gov>, Fire Chief Joey San Nicolas <joey.sannicolas@gfd.guam.gov>, vincent perez <vincent.perez@cqa.guam.gov>, Jenna Gaminde <jenna.g.blas@ghs.guam.gov>, chief@gpd.guam.gov, [REDACTED]@gmail.com, jedsana@hawaii.edu, [REDACTED]@hotmail.com, [REDACTED]@guam.net

January 16, 2022

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Speaker Therese M. Terlaje, Chairperson
Committee on Health, Land, Justice and Culture

Subject: **SECOND NOTICE of Virtual Public Hearing – Wednesday, January 19, 2022 beginning at 9:00AM**

Buenas yan Håfa Adai,

Please be advised that the Committee on Health, Land, Justice and Culture will convene a virtual public hearing, using the Legislature's virtual Zoom platform on **Wednesday, January 19, 2022, beginning at 9:00 a.m.** for the following agenda item:

9:00 AM:

- **Bill No. 168-36 (LS)** - Telen Cruz Nelson- AN ACT TO ADD NEW §§ 41806 AND AMEND §§ 41810 OF ARTICLE 18, CHAPTER 4, DIVISION 1, TITLE 26, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO THE REQUIRED REGISTRATION OF PRESCRIBERS TO THE GUAM PRESCRIPTION MONITORING PROGRAM (PDMP).
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2:00 PM:

- **[Bill No. 147-36 \(LS\)](#)** - Frank Blas Jr.- AN ACT TO ADD A NEW SUBSECTION 160.101 TO CHAPTER 160 OF TITLE 8, GUAM CODE ANNOTATED RELATIVE TO THE PRIVACY OF A VICTIM OF A SEXUAL OFFENSE.

3:00 PM:

- **[Bill No. 237-36 \(COR\)](#)** - Sabina Flores Perez- AN ACT TO AMEND § 34406 (e) AND § 34406 (f) OF CHAPTER 34, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO UPDATING VIOLATIONS OF PROTECTING ANIMAL WELFARE AND SAFETY (PAWS) FOR ANIMALS PROVIDING ASSISTANCE.

To register to provide virtual testimony, please email senatorterlajegum@gmail.com or call 472-3586 by **JANUARY 18, 2022**. Written testimony can be submitted via email to the Office of the Speaker, or hand delivered to the Guam Congress Bldg.; 163 Chalan Santo Papa, Hagåtña, Guam.

All hearings broadcast on GTA TV Channel 21, Docomo Channel 117/112.4, and stream online at the Guam Legislature YouTube Channel: <https://www.youtube.com/c/GuamLegislatureMedia> and will be available on the Guam Legislature YouTube after the hearing.

In compliance with the Americans with Disabilities Act, Individuals needing assistance or accommodations can contact the Office of Speaker Therese M. Terlaje. We look forward to your participation! *Si Yu'os Ma'åse'!*

Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

I Mina'trentai Sais na Liheslaturan Guåhan

36th Guam Legislature


Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910


T: (671) 472-3586 F: (671) 989-3590 Email: senatorterlajegum@gmail.com


website: www.senatorterlaje.com


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9 attachments


 **SECOND NOTICE- WEDNESDAY, JAN. 19, 2022 VIRTUAL PUBLIC HEARING_TMT.pdf**
1009K


 **Bill No. 168-36 (LS)-2.pdf**
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 **Bill No. 237-36 (COR)-2.pdf**
885K

Ibarra Hernandez <ihernandez@guamlegislature.org>
To: "Speaker Therese M. Terlaje" <senatorterlajeguam@gmail.com>

Mon, Jan 17, 2022 at 4:10 PM

Guam Legislature is inviting you to a scheduled Zoom meeting.

Topic: Virtual Public Hearing - Therese M. Terlaje
Time: Jan 19, 2022 09:00 AM Guam, Port Moresby

Join Zoom Meeting

Meeting ID: [REDACTED]
Passcode [REDACTED]

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Office of the Speaker
THERESE M. TERLAJE

I Mina'trentai Sais na Liheslaturan Guåhan 36th Guam Legislature
Committee on Health, Land, Justice and Culture

January 16, 2022

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Speaker Therese M. Terlaje, Chairperson *TMT*
Committee on Health, Land, Justice and Culture

Subject: **SECOND NOTICE of Virtual Public Hearing – Wednesday, January 19, 2022 beginning at 9:00AM**

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9:00 AM:

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2:00 PM:

- **Bill No. 147-36 (LS)** - Frank Blas Jr.- AN ACT TO ADD A NEW SUBSECTION 160.101 TO CHAPTER 160 OF TITLE 8, GUAM CODE ANNOTATED RELATIVE TO THE PRIVACY OF A VICTIM OF A SEXUAL OFFENSE.

3:00 PM:

- **Bill No. 237-36 (COR)** - Sabina Flores Perez- AN ACT TO AMEND § 34406 (e) AND § 34406 (f) OF CHAPTER 34, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO UPDATING VIOLATIONS OF PROTECTING ANIMAL WELFARE AND SAFETY (PAWS) FOR ANIMALS PROVIDING ASSISTANCE.

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In compliance with the Americans with Disabilities Act, Individuals needing assistance or accommodations can contact the Office of Speaker Therese M. Terlaje. We look forward to your participation! *Si Yu'os Ma'åse'!*

WORLD

"All the world's a stage, and all the men and women merely players." — Jacques. Keep up with nonfictional world players and events in this section. Send us your thoughts to editor@postguam.com.

11

US officials: Russia preparing 'false flag' operation as pretext to invade Ukraine

By Tracy Wilkinson
and Laura King
Los Angeles Times

WASHINGTON — Reverting to a familiar "playbook," Russia is plotting a pretext to invade Ukraine, a "false flag" operation that would justify its actions despite a week of intense U.S.-Russia negotiations that apparently failed to move Moscow away from a scheme of regional aggression, U.S. officials said Friday.

The White House also said Moscow is using social media to mount a disinformation campaign that portrays Ukraine, a former Soviet republic interested in joining Western alliances, as an aggressor that would attack Russia and must be tamed.

"We are concerned that the Russian government is preparing for an invasion in Ukraine that may result in widespread human rights violations and war crimes should diplomacy fail to meet their objectives," White House press secretary Jen Psaki said Friday.

She said that laying the pretext included sabotage activities in addition to the disinformation campaigns.

On Friday, Kyiv reported cyberattacks on about 70 government and other websites, shutting them down temporarily. It was unclear who was responsible, but a top aide to Ukrainian President Volodymyr Zelenskiy framed the incidents as part of efforts to "destabilize" the country.

NATO Secretary-General Jens Stoltenberg pledged access for Ukraine to the alliance's malware information-sharing platform.

Russia invaded Ukraine in 2014 and occupied its Crimea peninsula follow-



FRONTLINES: A Ukrainian Military Forces serviceman walks in a trench on the frontline with Russia-backed separatists near Avdiivka, Donetsk, southeastern Ukraine, Jan. 9. Anatolii Stepanov/AFP via Getty Images/Tribune News Service

ing a similar series of propaganda efforts. Moscow is also backing separatist rebels in eastern Ukraine fighting government forces, a simmering conflict that has claimed thousands of Ukrainian lives.

In recent months, Russia has amassed some 100,000 troops along its border with Ukraine and moved heavy weaponry in behind the manpower. There were reports of live-fire exercises during the last week.

"We saw this playbook before," Psaki said.

Citing fresh U.S. intelligence reports, Psaki said Russia has already dispatched operatives trained in urban warfare who could use explosives to carry out acts of sabotage against Russia's own proxy forces — blaming the acts on Ukraine — if Russian President Vladimir Putin decides he wants to move forward with an invasion.

Pentagon spokesman John Kirby described the intelligence as "very

credible." The intelligence findings suggested that a military invasion could begin between mid-January and mid-February, experts said, in part with a view toward a deepening winter that freezes the muddy plains between the two countries and makes it easier for Russia to move heavy equipment into Ukraine.

The dire allegations about Moscow's intentions, which came from across the administration — the State Department and Pentagon as well as the White House — marked a jarring coda to what had been a week of relatively civil if inconclusive diplomatic sessions involving the U.S., Russia, NATO and most of Europe.

Senior U.S. diplomats' meetings with Russian officials in bilateral venues, as well as with other NATO and European allies, made little evident progress toward easing tensions over Ukraine.

Putin insists that Washington agree that Ukraine never be allowed to join NATO, a "nonstarter" for the U.S. and the trans-Atlantic alliance, who insist that any nation that wants to be a part of NATO be allowed to apply.

The Russian president is also demanding that NATO pull back its expanding presence in eastern Europe. Putin's overarching goal, analysts say, is to try to preserve a degree of control over events in the former Soviet Union, encompassing now-independent countries like Ukraine.

"I think his aim is definitely to keep the U.S. and NATO out of what he considers Russia's sphere of influence, the former Soviet states," Liana Fix, a resident fellow at the German Marshall Fund in Washington, said of the former KGB agent.

After taking part in meetings this week with Russian and European officials, a senior U.S. diplomat said he believed war seemed more likely than ever.

"At the present time, we're facing a crisis in European security," the U.S. ambassador to the Organization for Security and Cooperation in Europe, Michael Carpenter, said in a news conference. "The drumbeat of war is sounding loud and the rhetoric has gotten rather shrill."

SPEAKER THERESE M. TERLAJE
Committee on Health, Land, Justice & Culture
I Mina'trentai Sais na Liheslaturan Guahan

NOTICE OF VIRTUAL PUBLIC HEARING- Wednesday, January 19, 2022

AGENDA:

9:00 AM

- Bill No. 168-36 (LS) – Senator Telena Cruz Nelson** – AN ACT TO ADD NEW §§ 41806 AND AMEND §§ 41810 OF ARTICLE 18, CHAPTER 4, DIVISION 1, TITLE 26, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO THE REQUIRED REGISTRATION OF PRESCRIBERS TO THE GUAM PRESCRIPTION MONITORING PROGRAM (POMP).
- Bill No. 169-36 (LS) – Senator Telena Cruz Nelson** – AN ACT TO AMEND APPENDIX A, APPENDIX B, APPENDIX C, APPENDIX D, AND APPENDIX E OF CHAPTER 26, TITLE 9 OF GUAM CODE ANNOTATED, RELATIVE TO UPDATING THE LIST OF SCHEDULED CONTROLLED SUBSTANCES PROVIDED IN THE GUAM UNIFORM CONTROLLED SUBSTANCES ACT.

2:00 PM:

- Bill No. 147-36 (LS) – Senator Frank Blas Jr.** – AN ACT TO ADD A NEW SUBSECTION 160.101 TO CHAPTER 160 OF TITLE 8, GUAM CODE ANNOTATED RELATIVE TO THE PRIVACY OF A VICTIM OF A SEXUAL OFFENSE.

3:00 PM:

- Bill No. 237-36 (COR) – Senator Sabina Flores Perez** – AN ACT TO AMEND §§ 34406 (e) AND § 34406 (f) OF CHAPTER 34, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO UPDATING VIOLATIONS OF PROTECTING ANIMAL WELFARE AND SAFETY (PAWS) FOR ANIMALS PROVIDING ASSISTANCE.

Contact the Office of the Speaker at 472-3586 or senatorterlajeguam@gmail.com, to register to provide live or written testimony. All hearings broadcast on GTA TV Channel 21, Docomo Channel 117/112.4, and livestream on the Guam Legislature YouTube: <https://www.youtube.com/c/GuamLegislatureMedia>. In compliance with the Americans with Disabilities Act, individuals needing special accommodations can contact the Office of Speaker Therese M. Terlaje. This Ad was paid with Legislature Funds.

SENATOR SABINA FLORES PEREZ
Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning

Virtual Public Hearing (Zoom Video Conference)
Tuesday, January 18, 2022, at 9:00 a.m.

9:00 A.M.

Executive Appointment of Mr. Steven P. Carbullo to serve as a Member of the Guam Environmental Protection Agency Board of Directors.

Bill No. 235-36 (COR) – James C. Moylan, Amanda L. Shelton, Mary Camacho Torres – AN ACT TO REPEAL AND REENACT § 5011 AND § 5012 OF CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO PROCUREMENT POLICIES IN FAVOR OF DISABILITY OWNED BUSINESS ENTERPRISES.

Bill No. 236-36 (COR) – Sabina Flores Perez, Therese M. Terlaje, Joanne Brown, Telena Cruz Nelson, James C. Moylan, Joe S. San Agustin, Clayton E. Ridgell, Telo T. Taltague – AN ACT TO AMEND § 5213 OF CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO STRENGTHENING THE REQUIREMENTS OF SMALL PURCHASES.

Those interested in participating, please confirm your attendance by contacting the Office of Senator Sabina Flores Perez via email at office@senatorfloresperez.org or via phone at 999-2908, no later than January 14, 2022, for further guidance.

Testimonies should be addressed to Senator Sabina Flores Perez, Chairperson, and will be accepted via hand delivery to our office, our mailbox at the Guam Congress Building at 183 Chalan Santa Rosa, Hagåtña, Guam 96910, or via email to office@senatorfloresperez.org no later than 4pm January 15, 2022. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Sabina Flores Perez at 999-2908. The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 112.4, and stream online via I Liheslaturan Guahan's live feed on YouTube. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing. We look forward to your participation!



Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

**Invitation to provide testimony on Bill No. 147-36 (LS), and Bill No. 237-36 (COR)-
Wed. January 19, 2022 Virtual Public Hearing**4 messages

Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Mon, Jan 10, 2022 at 4:16 PM

To: "Leevin T. Camacho" <lcamacho@guamag.org>

Cc: "Stephanie E. Mendiola" <smendiola@oagguam.org>, OAG General Counsel <generalcounsel@oagguam.org>

January 10, 2022

Transmitted via Electronic Mail:

Honorable Leevin Taitano Camacho

Attorney General of Guam

lcamacho@oagguam.org**SUBJECT:** Invitation to provide testimony on Bill No. 147-36 (LS), and Bill No. 237-36 (COR)*Hafa Adai* Attorney General Camacho,

The Legislature's Committee on Health, Land, Justice and Culture has scheduled a virtual public hearing on the following agenda items, on **Wednesday, January 19, 2022 beginning at 2:00 p.m.,** and kindly requests the feedback of the OAG Prosecution Division:

2:00 PM:

Bill No. 147-36 (LS)- Frank Blas Jr.- AN ACT TO ADD A NEW SUBSECTION 160.101 TO CHAPTER 160 OF TITLE 8, GUAM CODE ANNOTATED RELATIVE TO THE PRIVACY OF A VICTIM OF A SEXUAL OFFENSE.

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Please contact my office at (671) 472-3586 or senatorterlajeguam@gmail.com, to confirm the attendance of a representative of the OAG, or any written testimony that is forthcoming. The Zoom link to the hearing will be sent upon confirmation of attendance. Your assistance is greatly appreciated.

Si Yu'os Ma'åse',

Therese M. Terlaje

CC: Deputy Attorney General Stephanie E. Mendiola, Division of General Counsel

Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

I Mina'trentai Sais na Liheslaturan Guåhan

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

T: (671) 472-3586 F: (671) 989-3590 Email: senatorterlajeguam@gmail.com

website: www.senatorterlaje.com

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3 attachments



Bill No. 237-36 (COR)-2.pdf

885K



Bill No. 147-36 (LS)-5.pdf

995K



Invite to 01:19:22 Virtual Public Hearing_Office of the Attorney General.pdf

353K

OAG General Counsel <generalcounsel@oagguam.org>

Wed, Jan 19, 2022 at 11:54 AM

To: "Speaker Therese M. Terlaje" <senatorterlajeguam@gmail.com>

Cc: AG Leevin Camacho <ag@oagguam.org>, "Office of Senator Frank Blas, Jr." <office@senatorfrankblas.com>,

Senator Sabina Perez <office@senatorperez.org>

Hafa Adai Speaker,
(cc: Sponsoring Senators)

Thank you for the invitation to provide testimony on the subject bills. After a cursory review, we have no concerns or opposition to either bill at this time. We will not be in attendance at today's public hearing but if there are any questions directed to our office, please let us know and we'll be happy to help address whatever we can.

Si Yu'os ma'ase',

Division of General Counsel

Ufisinan Hinirat Abugao (Office of the Attorney General of Guam)

[590 S. Marine Corps Drive, Suite 901](#)

[Tamuning, GU 96913](#)

Tel: (671) 475-2580

Fax: (671) 477-4703

generalcounsel@oagguam.org

oagguam.org



Office of the Speaker
THERESE M. TERLAJE

I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature
Committee on Health, Land, Justice and Culture

January 10, 2022

Transmitted via Electronic Mail:

Honorable Leevin Taitano Camacho
Attorney General of Guam
lcamacho@oagguam.org

SUBJECT: Invitation to provide testimony on Bill No. 147-36 (LS), and Bill No. 237-36 (COR)

Hafa Adai Attorney General Camacho,

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Please contact my office at (671) 472-3586 or senatorterlajeguam@gmail.com, to confirm the attendance of a representative of the OAG, or any written testimony that is forthcoming. The Zoom link to the hearing will be sent upon confirmation of attendance. Your assistance is greatly appreciated.

Si Yu'os Ma'åse',


Therese M. Terlaje

CC: Deputy Attorney General Stephanie E. Mendiola, Division of General Counsel

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910
Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: senatorterlajeguam@gmail.com | www.senatorterlaje.com

**For transmittal of official Messages & Communications to the Guam Legislature to be distributed to all Senators,
please send to: speaker@guamlegislature.org*



Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Invitation to January 19, 2022 Virtual Public Hearing on Bill No. 237-36 (COR)

2 messages

Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>
To: Daniel Stone <daniel.stone@gfd.guam.gov>

Wed, Jan 12, 2022 at 3:34 PM

January 12, 2022

Transmitted via Electronic Mail:Daniel Stone, Fire Chief
Guam Fire Department
daniel.stone@gfd.guam.gov**SUBJECT:** Invitation to January 19, 2022 Virtual Public Hearing on Bill No. 237-36 (COR)*Hafa Adai* Chief Stone:

The Legislature's Committee on Health, Land, Justice and Culture has scheduled a virtual public hearing on the following agenda items, on **Wednesday, January 19, 2022, beginning at 3:00 p.m.,** and kindly requests the feedback of the Guam Fire Department:

- **Bill No. 237-36 (COR)** - Senator Sabina Flores Perez- AN ACT TO AMEND § 34406 (e) AND § 34406 (f) OF CHAPTER 34, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO UPDATING VIOLATIONS OF PROTECTING ANIMAL WELFARE AND SAFETY (PAWS) FOR ANIMALS PROVIDING ASSISTANCE.

Please contact my office at (671) 472-3586 or senatorterlajeguam@gmail.com, to confirm your attendance, or that of a representative, or any written testimony that is forthcoming on the agenda items. The Zoom link to the hearing will be sent upon confirmation of attendance. Your assistance is greatly appreciated.

Si Yu'os Ma'åse',
Therese M. Terlaje**Office of Speaker Therese M. Terlaje**

Committee on Health, Land, Justice and Culture

I Mina'trentai Sais na Liheslaturan Guåhan

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

T: (671) 472-3586 F: (671) 989-3590 Email: senatorterlajeguam@gmail.comwebsite: www.senatorterlaje.com

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3 attachments

GFD Invite to 01:19:22 Virtual Public Hearing_TMT.pdf
355K



Bill No. 237-36 (COR)-2.pdf
885K



FISCAL NOTE WAIVER_B237-36 (COR)-2.pdf
383K

Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>
To: Michael Uncangco <michael.uncangco@gfd.guam.gov>

Mon, Mar 28, 2022 at 7:02 AM

Hafa Adai Acting Chief Uncangco,

Please see the forwarded invitation to a March 30, 2022, 5:30pm public hearing on Resolution 291-36 (COR). We understand that Chief Stone is currently on leave. The Committee on Health, Land, Justice and Culture respectfully requests the attendance and feedback of the Guam Fire Department.

Respectfully,
Charissa L. Manibusan
Committee Director

Office of Speaker Therese M. Terlaje
Committee on Health, Land, Justice and Culture

I Mina'trentai Sais na Liheslaturan Guåhan

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

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[Quoted text hidden]

3 attachments

GFD Invite to 01:19:22 Virtual Public Hearing_TMT.pdf
355K



Bill No. 237-36 (COR)-2.pdf
885K



Office of the Speaker **THERESE M. TERLAJE**

I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature
Committee on Health, Land, Justice and Culture

January 12, 2022

Transmitted via Electronic Mail:

Daniel Stone, Fire Chief
Guam Fire Department
daniel.stone@gfd.guam.gov

SUBJECT: Invitation to January 19, 2022 Virtual Public Hearing on Bill No. 237-36 (COR)

Hafa Adai Chief Stone:

The Legislature's Committee on Health, Land, Justice and Culture has scheduled a virtual public hearing on the following agenda items, on **Wednesday, January 19, 2022, beginning at 3:00 p.m.**, and kindly requests the feedback of the Guam Fire Department:

- **Bill No. 237-36 (COR)** - Senator Sabina Flores Perez- AN ACT TO AMEND § 34406 (e) AND § 34406 (f) OF CHAPTER 34, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO UPDATING VIOLATIONS OF PROTECTING ANIMAL WELFARE AND SAFETY (PAWS) FOR ANIMALS PROVIDING ASSISTANCE.

Please contact my office at (671) 472-3586 or senatorterlajeguam@gmail.com, to confirm your attendance, or that of a representative, or any written testimony that is forthcoming on the agenda items. The Zoom link to the hearing will be sent upon confirmation of attendance. Your assistance is greatly appreciated.

Si Yu'os Ma'åse',

Therese M. Terlaje
Therese M. Terlaje

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: senatorterlajeguam@gmail.com | www.senatorterlaje.com

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please send to: speaker@guamlegislature.org*



Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Invitation to provide testimony on Bill No. 147-36 (LS), and Bill No. 237-36 (COR)

1 message

Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Wed, Jan 12, 2022 at 3:23 PM

To: stephen ignacio <stephen.ignacio@gpd.guam.gov>

Cc: chief@gpd.guam.gov

January 10, 2022

Transmitted via Electronic Mail:

Stephen Ignacio, Chief of Police
Guam Police Department
stephen.ignacio@gpd.guam.gov

SUBJECT: Invitation to provide testimony on Bill No. 147-36 (LS), and Bill No. 237-36 (COR)*Hafa Adai* Chief Ignacio:

The Legislature's Committee on Health, Land, Justice and Culture has scheduled a virtual public hearing on the following agenda items, on **Wednesday, January 19, 2022, beginning at 2:00 p.m.,** and kindly requests the feedback of the Guam Police Department:

2:00 PM:

Bill No. 147-36 (LS) - Frank Blas Jr.- AN ACT TO ADD A NEW SUBSECTION 160.101 TO CHAPTER 160 OF TITLE 8, GUAM CODE ANNOTATED RELATIVE TO THE PRIVACY OF A VICTIM OF A SEXUAL OFFENSE.

3:00 PM:

Bill No. 237-36 (COR) - Senator Sabina Flores Perez- AN ACT TO AMEND § 34406 (e) AND § 34406 (f) OF CHAPTER 34, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO UPDATING VIOLATIONS OF PROTECTING ANIMAL WELFARE AND SAFETY (PAWS) FOR ANIMALS PROVIDING ASSISTANCE.

Please contact my office at (671) 472-3586 or senatorterlajeguam@gmail.com, to confirm your attendance, or that of a representative, or any written testimony that is forthcoming on the agenda items. The Zoom link to the hearing will be sent upon confirmation of attendance. Your assistance is greatly appreciated.

Si Yu'os Ma'åse',

Therese M. Terlaje

Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

I Mina'trentai Sais na Liheslaturan Guåhan

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

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website: www.senatorterlaje.com

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5 attachments



GPD Invite to 01:19:22 Virtual Public Hearing_TMT.pdf
357K



Bill No. 147-36 (LS)-4.pdf
995K



Bill No. 237-36 (COR)-2.pdf
885K



2022.1.6_FN WAIVER_B237-36 (COR).pdf
383K



2021.6.4_FN WAIVER_B147-36 (LS).pdf
306K



Office of the Speaker
THERESE M. TERLAJE

I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature
Committee on Health, Land, Justice and Culture

January 10, 2022

Transmitted via Electronic Mail:

Stephen Ignacio, Chief of Police
Guam Police Department
stephen.ignacio@gpd.guam.gov

SUBJECT: Invitation to provide testimony on Bill No. 147-36 (LS), and Bill No. 237-36 (COR)

Hafa Adai Chief Ignacio:

The Legislature's Committee on Health, Land, Justice and Culture has scheduled a virtual public hearing on the following agenda items, on **Wednesday, January 19, 2022, beginning at 2:00 p.m.**, and kindly requests the feedback of the Guam Police Department:

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Please contact my office at (671) 472-3586 or senatorterlajeguam@gmail.com, to confirm your attendance, or that of a representative, or any written testimony that is forthcoming on the agenda items. The Zoom link to the hearing will be sent upon confirmation of attendance. Your assistance is greatly appreciated.

Si Yu'os Ma'åse',

Therese M. Terlaje
Therese M. Terlaje

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

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please send to: speaker@guamlegislature.org*



Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

**Invitation to provide testimony on Bill No. 147-36 (LS), and Bill No. 237-36 (COR)-
Wed. January 19, 2022 Virtual Public Hearing**

1 message

Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Mon, Jan 10, 2022 at 4:27 PM

To: Stephen Hattori <sphattori@guampdsc.org>

Cc: "John P. Morrison" <jmorrison@guampdsc.org>

January 10, 2022

Transmitted via Electronic Mail:

Stephen L. Hattori, Executive Director

Public Defender Service Corporation

sphattori@guampdsc.org**SUBJECT:** Invitation to provide testimony on Bill No. 147-36 (LS), and Bill No. 237-36 (COR)*Hafa Adai* Executive Director Hattori:

The Legislature's Committee on Health, Land, Justice and Culture has scheduled a virtual public hearing on the following agenda items, on **Wednesday, January 19, 2022, beginning at 2:00 p.m.,** and kindly requests the feedback of the Public Defender's office:

2:00 PM:

Bill No. 147-36 (LS) - Frank Blas Jr.- AN ACT TO ADD A NEW SUBSECTION 160.101 TO CHAPTER 160 OF TITLE 8, GUAM CODE ANNOTATED RELATIVE TO THE PRIVACY OF A VICTIM OF A SEXUAL OFFENSE.

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Bill No. 237-36 (COR) - Sabina Flores Perez- AN ACT TO AMEND § 34406 (e) AND § 34406 (f) OF CHAPTER 34, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO UPDATING VIOLATIONS OF PROTECTING ANIMAL WELFARE AND SAFETY (PAWS) FOR ANIMALS PROVIDING ASSISTANCE.

Please contact my office at (671) 472-3586 or senatorterlajeguam@gmail.com, to confirm your attendance, or that of a representative, or any written testimony that is forthcoming. The Zoom link to the hearing will be sent upon confirmation of attendance. Your assistance is greatly appreciated.

Si Yu'os Ma'åse',

Therese M. Terlaje

CC: Deputy Director John P. Morrison, Public Defender Service Corporation

Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

I Mina'trentai Sais na Liheslaturan Guåhan

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

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website: www.senatorterlaje.com

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3 attachments



Bill No. 237-36 (COR)-2.pdf

885K



Bill No. 147-36 (LS)-4.pdf

995K



Invite to 01:19:22 Virtual Public Hearing_PDSC.pdf

363K



Office of the Speaker
THERESE M. TERLAJE

I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature
Committee on Health, Land, Justice and Culture

January 10, 2022

Transmitted via Electronic Mail:

Stephen L. Hattori, Executive Director
Public Defender Service Corporation
sphattori@guampdsc.org

SUBJECT: Invitation to provide testimony on Bill No. 147-36 (LS), and Bill No. 237-36 (COR)

Hafa Adai Executive Director Hattori:

The Legislature's Committee on Health, Land, Justice and Culture has scheduled a virtual public hearing on the following agenda items, on **Wednesday, January 19, 2022, beginning at 2:00 p.m.**, and kindly requests the feedback of the Public Defender's office:

2:00 PM:

Bill No. 147-36 (LS) - Frank Blas Jr.- AN ACT TO ADD A NEW SUBSECTION 160.101 TO CHAPTER 160 OF TITLE 8, GUAM CODE ANNOTATED RELATIVE TO THE PRIVACY OF A VICTIM OF A SEXUAL OFFENSE.

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Please contact my office at (671) 472-3586 or senatorterlajeguam@gmail.com, to confirm your attendance, or that of a representative, or any written testimony that is forthcoming. The Zoom link to the hearing will be sent upon confirmation of attendance. Your assistance is greatly appreciated.

Si Yu'os Ma'åse',

Therese M. Terlaje
Therese M. Terlaje

CC: Deputy Director John P. Morrison, Public Defender Service Corporation

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

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Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Invitation to January 19, 2022, 3:00 PM Virtual Public Hearing on Bill No. 237-36 (COR)1 message

Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Thu, Jan 13, 2022 at 2:55 PM

To: Michelle Perez <Michelle.Perez@disid.guam.gov>, Phyliss LeonGuerrero <Phyliss.LeonGuerrero@disid.guam.gov>

January 13, 2022

Transmitted via Electronic Mail:

Phyliss Leon Guerrero, Director
Department of Integrated Services for Individuals
with Disabilities (DISID)
Phyliss.LeonGuerrero@disid.guam.gov

Michelle Perez, Deputy Director
Department of Integrated Services for Individuals
with Disabilities (DISID)
Michelle.Perez@disid.guam.gov

SUBJECT: Invitation to January 19, 2022, 3:00 PM Virtual Public Hearing on Bill No. 237-36 (COR)*Hafa Adai* Director Leon Guerrero & Deputy Director Perez:

The Legislature's Committee on Health, Land, Justice and Culture has scheduled a virtual public hearing on the following agenda items, on **Wednesday, January 19, 2022, beginning at 3:00 p.m.**, and kindly requests the feedback of DISID:

- **Bill No. 237-36 (COR)** - Senator Sabina Flores Perez- AN ACT TO AMEND § 34406 (e) AND § 34406 (f) OF CHAPTER 34, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO UPDATING VIOLATIONS OF PROTECTING ANIMAL WELFARE AND SAFETY (PAWS) FOR ANIMALS PROVIDING ASSISTANCE.

Please contact my office at (671) 472-3586 or senatorterlajeguam@gmail.com, to confirm your attendance, or that of a representative, or any written testimony that is forthcoming on the agenda items. The Zoom link to the hearing will be sent upon confirmation of attendance. Your assistance is greatly appreciated.

Si Yu'os Ma'åse',
Therese M. Terlaje

Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

I Mina'trentai Sais na Liheslaturan Guåhan

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

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4 attachments



Bill No. 237-36 (COR)-2.pdf

885K



2022.1.6_FN WAIVER_B237-36 (COR).pdf

383K



CH. 34 10 GCA- Keeping Animals.pdf

316K



DISID Invite to 01-19-22 Virtual Public Hearing_TMT.pdf

381K



Office of the Speaker
THERESE M. TERLAJE

I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature
Committee on Health, Land, Justice and Culture

January 13, 2022

Transmitted via Electronic Mail:

Phyliss Leon Guerrero, Director
Department of Integrated Services for Individuals
with Disabilities (DISID)

Phyliss.LeonGuerrero@disid.guam.gov

Michelle Perez, Deputy Director
Department of Integrated Services for Individuals
with Disabilities (DISID)

Michelle.Perez@disid.guam.gov

SUBJECT: Invitation to January 19, 2022, 3:00 PM Virtual Public Hearing on Bill No. 237-36 (COR)

Hafa Adai Director Leon Guerrero & Deputy Director Perez:

The Legislature's Committee on Health, Land, Justice and Culture has scheduled a virtual public hearing on the following agenda items, on **Wednesday, January 19, 2022, beginning at 3:00 p.m.,** and kindly requests the feedback of DISID:

- **Bill No. 237-36 (COR)** - Senator Sabina Flores Perez- AN ACT TO AMEND § 34406 (e) AND § 34406 (f) OF CHAPTER 34, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO UPDATING VIOLATIONS OF PROTECTING ANIMAL WELFARE AND SAFETY (PAWS) FOR ANIMALS PROVIDING ASSISTANCE.

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Office of the Speaker **THERESE M. TERLAJE**

I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature
Committee on Health, Land, Justice and Culture

Virtual Public Hearing

Wednesday, January 19, 2022,

beginning at 9:00 a.m.

AGENDA

9:00 AM:

- **Bill No. 168-36 (LS)** - Telen Cruz Nelson- AN ACT TO ADD NEW §§ 41806 AND AMEND §§ 41810 OF ARTICLE 18, CHAPTER 4, DIVISION 1, TITLE 26, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO THE REQUIRED REGISTRATION OF PRESCRIBERS TO THE GUAM PRESCRIPTION MONITORING PROGRAM (PDMP).
- **Bill No. 169-36 (LS)** - Telen Cruz Nelson- AN ACT TO AMEND APPENDIX A, APPENDIX B, APPENDIX C, APPENDIX D, AND APPENDIX E OF CHAPTER 26, TITLE 9 OF GUAM CODE ANNOTATED, RELATIVE TO UPDATING THE LIST OF SCHEDULED CONTROLLED SUBSTANCES PROVIDED IN THE GUAM UNIFORM CONTROLLED SUBSTANCES ACT.

2:00 PM:

- **Bill No. 147-36 (LS)** - Frank Blas Jr.- AN ACT TO ADD A NEW SUBSECTION 160.101 TO CHAPTER 160 OF TITLE 8, GUAM CODE ANNOTATED RELATIVE TO THE PRIVACY OF A VICTIM OF A SEXUAL OFFENSE.

3:00 PM:

- **Bill No. 237-36 (COR)** - Sabina Flores Perez- AN ACT TO AMEND § 34406 (e) AND § 34406 (f) OF CHAPTER 34, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO UPDATING VIOLATIONS OF PROTECTING ANIMAL WELFARE AND SAFETY (PAWS) FOR ANIMALS PROVIDING ASSISTANCE.

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Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

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Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature
Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

Date: WEDNESDAY, JANUARY 19, 2022

Time: 3:00 PM

VIRTUAL PUBLIC HEARING: Bill No. 237-36 (COR) - Senator Sabina Flores Perez- AN ACT TO AMEND § 34406 (e) AND § 34406 (f) OF CHAPTER 34, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO UPDATING VIOLATIONS OF PROTECTING ANIMAL WELFARE AND SAFETY (PAWS) FOR ANIMALS PROVIDING ASSISTANCE.

	NAME	ADDRESS	CONTACT NO.	E-MAIL	Type of Testimony		Support	
					WRITTEN	ORAL	Yes	No
1	Deputy Director John P. Morrison, Public Defender Service Corporation					×		
2								
3								
4								
5								
6								
7								
8								
9								
10								
					Page 1 of 1			

Therese M. Terlaje

TESTIMONY FOR BILL NO. 237-36 (COR)

CC: Deputy Attorney General Stephanie E. Mendiola, Division of General Counsel

Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

I Mina'trentai Sais na Liheslaturan Guåhan

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

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3 attachments



Bill No. 237-36 (COR)-2.pdf

885K



Bill No. 147-36 (LS)-5.pdf

995K



Invite to 01:19:22 Virtual Public Hearing_Office of the Attorney General.pdf

353K

OAG General Counsel <generalcounsel@oagguam.org>

Wed, Jan 19, 2022 at 11:54 AM

To: "Speaker Therese M. Terlaje" <senatorterlajeguam@gmail.com>

Cc: AG Leevin Camacho <ag@oagguam.org>, "Office of Senator Frank Blas, Jr." <office@senatorfrankblas.com>,

Senator Sabina Perez <office@senatorperez.org>

Hafa Adai Speaker,
(cc: Sponsoring Senators)

Thank you for the invitation to provide testimony on the subject bills. After a cursory review, we have no concerns or opposition to either bill at this time. We will not be in attendance at today's public hearing but if there are any questions directed to our office, please let us know and we'll be happy to help address whatever we can.

Si Yu'os ma'ase',

Division of General Counsel

Ufisinan Hinirat Abugao (Office of the Attorney General of Guam)

[590 S. Marine Corps Drive, Suite 901](#)

[Tamuning, GU 96913](#)

Tel: (671) 475-2580

Fax: (671) 477-4703

generalcounsel@oagguam.org

oagguam.org

**10 GCA HEALTH AND SAFETY
CH. 34 KEEPING ANIMALS**

- (1) the Department of Corrections;
- (2) the Department of Youth Affairs;
- (3) a local Guam Police Department lockup; and
- (4) an institution, bona fide club or place of accommodation that is in its nature distinctly private.

2017 NOTE: Subsection/subitem designations altered/added pursuant to authority of 1 GCA § 1606.

§ 34405. Recognition of Community Organizations.

Duly qualified members of the animal assistance community, as defined pursuant to § 34401(a)(2), desiring recognition in the community should follow established processes to become a non-governmental organization, a not-for-profit, or private business entity, and be recognized as a Guam animal assisted organization(s) that will work with DOAg and other government agencies in the further development of AAI programs by providing information and recommendations in the development of rules and regulations pursuant to the Administrative Adjudication Law, as provided pursuant to § 34402.

§ 34406. Penalties and Fines.

The Americans with Disabilities Act provides that the owners or operators of a place of public accommodation cannot deny access to the facility to a disabled person with a service animal or service animal trainee, except under very specific circumstances.

(a) Violators of the ADA can be required to pay money damages and penalties. The following ADA fine fee schedule is in effect, and shall be deemed adopted and applicable to Guam, as follows:

- (1) for a first (1st) offense, a fine of One Thousand Dollars (\$1,000);
- (2) for a second (2nd) offense, a fine of Two Thousand Dollars (\$2,000); and

**10 GCA HEALTH AND SAFETY
CH. 34 KEEPING ANIMALS**

(3) for subsequent offenses, a fine of Five Thousand Dollars (\$5,000).

(b) It is unlawful for a person to fraudulently misrepresent an animal as a service animal or service animal in training.

(1) Fraudulent representation shall be a misdemeanor violation for any person to knowingly verbally misrepresent or affix to any dog any false or improper identification tag, special identification tag for identifying guide, service or hearing dogs, or license tag; and

(2) the following fine fee schedule shall be deemed adopted and applicable to Guam, as follows:

(A) for a first (1st) offense, a fine of One Thousand Dollars (\$1,000);

(B) for a second (2nd) offense, a fine of Two Thousand Dollars (\$2,000); and

(C) for subsequent offenses, a fine of Five Thousand Dollars (\$5,000).

(c) Refusing Access. Any place of public accommodation commits a misdemeanor violation if it refuses access to public accommodation or charges a fee for access to a public accommodation to a person using a service dog/service animal trainer.

(d) Harassment of or Interference With. Any person who knows or has reason to know that an animal is a Professional Working Dog, Service Dog or Therapy Dog, and who willfully taunts, teases, harasses, delays, obstructs, or attempts to delay or obstruct the animal in the performance of its duty as a Professional Working Dog, Service Dog or Therapy Dog shall be guilty of a misdemeanor in the second (2nd) degree.

(e) Serious Harm to Assistance Animal. Any person who knows or has reason to know that an animal is a Professional Working Dog, Service Dog or Therapy Dog and who willfully causes or attempts to cause serious harm

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to the animal shall be guilty of animal abuse in the first (1st) degree and subject to the penalties contained in 9 GCA § 70.10.1.

(f) Killing of Assistance Animal. Any person who knows or has reason to know that an animal is a law enforcement agency animal, an assistance animal, or a search and rescue animal and who willfully kills the animal shall be guilty of animal abuse in the first (1st) degree and subject to the penalties contained in 9 GCA § 70.10.1.

(g) (1) A defendant convicted of violating this Section shall also owe full financial restitution to the owner which shall include, but is not limited to, the following:

(A) veterinary, medical care, and boarding expenses;

(B) medical expenses for the person with the disability relating to the harm inflicted upon the assistance animal;

(C) replacement and training or retraining;

(D) expenses incurred to provide temporary mobility services to the person with a disability; and

(E) wages or income lost while the assistance animal is receiving training or retraining.

(2) Emergency medical treatment shall not be denied to an assistance dog assigned to a person regardless of the person's ability to pay prior to treatment, and the convicted person(s) shall be fully liable for the payment of the medical treatment.

2021 NOTE: Due to the renumbering and reorganization of Chapter 70, Title 9 GCA, the reference to § 70.10.15 has been replaced with § 70.85.

2017 NOTE: Subsection/subitem designations altered/added pursuant to authority of 1 GCA § 1606.

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CH. 70 MISCELLANEOUS CRIMES

CHAPTER 70
MISCELLANEOUS CRIMES

2021 NOTE: This chapter has been dramatically reorganized by the Compiler pursuant to the authority granted by 1 GCA § 1606.

Article 1 is now comprised of the provisions addressed in P.L. 35-144 (Jan. 22, 2021), entitled Protecting Animal Welfare and Safety (PAWS) Act (Pugua’s Law).

The following provisions in Chapter 70 were either renumbered and “recodified” in other chapters in Title 9, GCA that addressed substantive offenses, or were renumbered as part of a new Article 4 entitled “Miscellaneous Criminal Offenses.

Former	Title	New
§ 70.15.	Endangering Health & Safety: Defined; Penalty.	§ 61.55
§ 70.16.	Tattoos, Brands, Scarifications and Piercings; Minors; Violation; Classification; Anesthesia; Defense; Definition.	§ 70.410
§ 70.20.	Creation of Hazards on Land: Penalty.	§ 61.60
§ 70.25.	Jet Ski Operation, Tumon Bay.	§ 70.420
§ 70.30.	Creation of Certain Hazards; Oil Pollution by Vessels: Definitions; Penalty.	§ 61.65
§ 70.35.	Invasion of Privacy or Criminal Voyeurism and Video Voyeurism; Penalty; Definitions.	§ 28.70
§ 70.40.	Unlawful Use of Telephone; Defined & Punished.	§ 70.430
§ 70.40.1.	Obscene Telephone Service Prohibited; Penalty.	§ 28.71
§ 70.40.2.	Certain Obscene Telephone Communications Prohibited; Penalty.	§ 28.72
§ 70.41.	Destruction of Property: Penalty.	§ 34.90
§ 70.42.	Discharge of Firearms.	§ 61.70
§ 70.43.	Same.	§ 61.70
§ 70.44.	Revealing Expunged Record Prohibited.	§ 70.440
§ 70.44.2	Leaving Children Unattended or	§ 31.70

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	Unsupervised in Motor Vehicles; Penalty; Authority of Law Enforcement Officer.	
§ 70.44.3.	Blacklisting Employees.	§ 70.40
§ 70.44.4	Possession of Cannabis by Persons Under Twenty-One (21) Years of Age	§ 70.330

This publication does not include § 70.44.1, Selling Tobacco to Minors, added by P.L. 21-025:2 (May 17, 1991), as this provision had previously been repealed by P.L. 24-278:4 (Oct. 16, 1998).

Comments and other annotations for each provision were retained as part of the “recodification” process.

In light of the reorganization of this Chapter, the following Comment from past publications of the GCA, is no longer applicable:

COMMENT: Most, if not all, of the offenses set forth in this Chapter could be dealt with in one of the previous Chapters, but not without greater distortion of those Chapters than is thought desirable.

All of the crimes covered by this Chapter are found in the Penal Code. However, these Sections have been modernized in line with the intent of this Code.

2014 NOTE: Unless otherwise indicated, the Comments are the original annotations from the Criminal and Correctional Code (1977), enacted by P.L. 32-185 (Sept. 2, 1976). These annotations were included when the Criminal and Correctional Code (1977) was “recodified” as Title 9 of the Guam Code Annotated pursuant to P.L. 15-104:8 (Mar. 5, 1980). These original annotations were retained in past print publications of the GCA, and are included herein for historical purposes. The Source notes, however, have been updated to reflect subsequent changes to each provision.

- Article 1. Protecting Animal Welfare and Safety (PAWS) Act (Pugua’s Law).
- Article 2. Discrimination in Housing Accommodations.
- Article 3. The Guam Social Host Act.
- Article 4. Miscellaneous Criminal Offenses.

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ARTICLE 1
PROTECTING ANIMAL WELFARE AND SAFETY (PAWS) ACT
(PUGUA’S LAW)

2021 NOTE: P.L. 35-144 (Jan. 22, 2021), amended, added, and renumbered §§ 70.10 to 70.10.15. Pursuant to the authority granted by 1 GCA § 1606, these provisions have been renumbered (where applicable) as §§ 70.10 to 70.85. and codified under Article 1, renamed Protecting Animal Welfare and Safety (PAWS) Act (Pugua’s Law).

P.L. 35-144:3 (Jan. 22, 2021) provided: “All fines and penalties collected for violations pursuant to §§ 70.10 through 70.10.15 of Article 1, Chapter 70, Title 9, Guam Code Annotated, shall be deposited in the ‘Rabies Prevention Fund’ as established in § 34307 of Article 3, Chapter 34, Title 10, Guam Code Annotated.”

- § 70.10. Title.
- § 70.15. Definitions.
- § 70.20. Animal Neglect.
- § 70.25. Animal Abuse.
- § 70.30. Aggravated Animal Abuse.
- § 70.35. Animal Fighting.
- § 70.40. Sexual Assault of an Animal.
- § 70.45. Bodily Alterations, Disablements, or Removals.
- § 70.50. Animal Abandonment.
- § 70.55. Failure of a Motorist to Render Aid to an Injured Animal.
- § 70.60. Leaving Animals Unattended in Motor Vehicles; Penalty; Authority of Officers.
- § 70.65. Defenses; Exceptions.
- § 70.70. Euthanasia Procedures.
- § 70.75. Pre-Trial Provisions.
- § 70.80. Sentencing Provisions.
- § 70.85. Civil Right of Action for the Wrongful Injury or Death of an Animal.

§ 70.10. Title.

Sections 70.10 through 70.85 of this Article may be cited as the *Protecting Animal Welfare and Safety (PAWS) Act* or *Pugua’s Law*.

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SOURCE: Renamed and amended by P.L. 35-144:2 (Jan. 22, 2021).

2021 NOTE: This provision was formerly entitled “Cruelty to Animals: Defined; Exceptions; Penalty,” which included the following annotation:

SOURCE: G.P.C. §§ 384a, 596-596b, 599a, 599b; M.P.C. § 250.11; Cal. §§ 1440-1442 (1971); Mass. ch. 269, § 11; *N.J. § 2C:33-11. Amended by P.L. 31-005:4 (Mar. 9, 2011).

Former § 70.10 was apparently implicitly repealed by P.L. 35-144 (Jan. 22, 2021), which established new criminal offenses for abuse of animals.

§ 70.15. Definitions.

For the purposes of §§ 70.10 through 70.85 of this Article:

(a) *Animal* means any nonhuman mammal, bird, reptile, amphibian, or fish, and is inclusive of, but not limited to, livestock and domestic animals.

(b) *Caregiving agency* means an animal shelter, humane society, or other animal care agency that has as its principal purpose the humane treatment of animals, and that has temporary custody of an animal after the animal has been seized.

(c) *Domestic animal* means any animal, other than livestock, that is owned by a person or in a person’s possession.

(d) *Good animal husbandry* includes, but is not limited to, the dehorning of cattle, the docking of horses, sheep or swine, and the castration or neutering of livestock, or the ear cropping and tail docking of dogs, according to accepted practices of veterinary medicine or animal husbandry.

(e) *Guardian* means a person who has possession, title, ownership interest, or other legal interest in an animal.

(f) *Livestock* means cattle, carabao, swine, deer, sheep, goats, equine, and poultry raised for labor, food, or other purposes.

(g) *Minimum care* means care reasonably sufficient to preserve the health and well-being of an animal and, except

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for emergencies or circumstances beyond the reasonable control of the guardian, includes, but is not limited to, the following requirements:

(1) open or adequate access to food of reasonable quantity and quality to allow for normal growth or maintenance of body weight;

(2) open or adequate access to potable water of reasonable quality and quantity to satisfy the animal's needs;

(3) access to a structure reasonably sufficient to protect the animal from wind, rain, sun, or other environmental or weather conditions;

(4) veterinary and other care deemed necessary by a reasonably prudent person to relieve distress from injury, neglect, or disease;

(5) for a domestic animal, continuous access to an area:

(A) with reasonably adequate space for exercise necessary for the health of the animal;

(B) with air temperature reasonably suitable for the health of the domestic animal;

(C) with adequate ventilation;

(D) with regular diurnal lighting cycles of either natural or artificial light; and

(E) kept reasonably clean and free from excess waste or other contaminants that could affect the health of the animal(s).

(h) *Officer* means a member of the Guam Police Department, a Mayor of Guam, an Animal Control Officer, a Conservation Officer, or any other person authorized by law by the Chief of the Guam Police Department or by the Director of the Department of Agriculture.

(i) *Person* means an individual, corporation, trust, partnership, association, or any other legal entity.

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(j) *Physical injury* means physical trauma, impairment of condition, or pain or illness produced by violence or by a thermal or chemical agent, and includes, but is not limited to, starvation, dehydration, hypothermia, hyperthermia, muscle atrophy, restriction of blood flow to a limb or organ, mange or other skin disease, or parasitic infestation.

(k) *Physical trauma* means fractures, cuts, punctures, bruises, burns, or other wounds.

(l) *Possession* means to have physical custody or to exercise dominion with intent of ownership or control over an animal.

(m) *Serious physical injury* means physical injury that creates a substantial risk of death or that causes protracted disfigurement, protracted impairment of health, or protracted loss or impairment of the function of a limb, body part, or bodily organ.

(n) *Torture* means an action taken with the intent of inflicting or prolonging pain or suffering.

(o) *Suffering* means fear, agitation, severe depression or stress, or other forms of severe emotional or mental distress.

SOURCE: Added as § 70.10.1 by P.L. 35-144:2 (Jan. 22, 2021), renumbered to § 70.15 by the Compiler pursuant to 1 GCA § 1606.

2021 NOTE: Past publications of the GCA included § 70.01 entitled “Cruelty to Animals; Definitions,” which had been added by P.L. 31-005:3 (Mar. 9, 2011). Former § 70.01 was apparently implicitly repealed by P.L. 35-144 (Jan. 22, 2021).

This provision was formerly entitled “Endangering Health & Safety: Defined; Penalty”; it was renumbered to § 61.55 by the Compiler as part of the reorganization of Chapter 70.

§ 70.20. Animal Neglect (Violation).

(a) A person commits the offense of Animal Neglect if, except as otherwise authorized by § 70.65 of this Article, the person intentionally, knowingly, or recklessly fails to provide minimum care for an animal in the person’s possession.

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(b) Animal Neglect is an offense punishable by a fine of not more than Five Hundred Dollars (\$500) per offense.

(c) Each act or omission in violation of Subsection (a) of this Section shall constitute a separate offense.

SOURCE: Renamed and added as § 70.10.2 by P.L. 35-144:2 (Jan. 22, 2021), renumbered to § 70.20 by the Compiler pursuant to 1 GCA § 1606.

2021 NOTE: P.L. 35-144:2 (Jan. 22, 2021) added this provision as § 70.10.2, apparently implicitly repealing former § 70.10.2 entitled “Animal Abandonment,” which had been added by P.L. 31-005:3 (Mar. 9, 2011). The offense of Animal Abandonment is now codified at § 70.50.

This provision was formerly entitled “Creation of Hazards on Land: Penalty”; it was renumbered to § 61.60 by the Compiler as part of the reorganization of Chapter 70.

§ 70.25. Animal Abuse.

(a) A person commits the crime of Animal Abuse if, except as otherwise authorized by § 70.65 of this Article, the person intentionally, knowingly, recklessly, or with criminal negligence:

- (1) causes physical injury to an animal;
- (2) causes serious physical injury to an animal; or
- (3) causes the death of an animal.

(b) Animal Abuse under Subsection (a)(1) of this Section is a misdemeanor. Animal Abuse under Subsection (a)(2) or (a)(3) of this Section is a third degree felony.

(c) Each act or omission in violation of Subsection (a) of this Section shall constitute a separate offense.

SOURCE: Renamed and added as § 70.10.3 by P.L. 35-144:2 (Jan. 22, 2021), renumbered to § 70.25 by the Compiler pursuant to 1 GCA § 1606.

2021 NOTE: P.L. 35-144:2 (Jan. 22, 2021) added this provision as § 70.10.3, formerly entitled “Authority to Enter Premises and Court Proceedings,” which had been added by P.L. 31-005:7 (Mar. 9, 2011), and repealed and reenacted as 9 GCA § 34127 by P.L. 35-121:4 Dec. 11, 2020).

Past publications of the GCA included § 70.10.1 entitled “Animal

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Abuse in the First Degree,” which had been added by P.L. 31-005:5 (Mar. 9, 2011) and was apparently implicitly repealed by P.L. 35-144 (Jan. 22, 2021).

This provision was formerly entitled “Jet Ski Operation, Tumon Bay”; it was renumbered to § 70.420 by the Compiler as part of the reorganization of Chapter 70.

§ 70.30. Aggravated Animal Abuse.

(a) A person commits the crime of Aggravated Animal Abuse if, except as otherwise authorized by § 70.65 of this Article, the person intentionally, knowingly, recklessly, or with criminal negligence:

(1) tortures an animal; or

(2) causes the death of an animal under circumstances demonstrating malice aforethought.

(b) Aggravated Animal Abuse is a second degree felony.

(c) Each act or omission in violation of Subsection (a) of this Section shall constitute a separate offense.

SOURCE: Added as § 70.10.4 by P.L. 35-144:2 (Jan. 22, 2021), renumbered to § 70.30 by the Compiler pursuant to 1 GCA § 1606.

2021 NOTE: This offense did not exist under prior Guam law. Past publications of the GCA included § 70.10.1 entitled “Animal Abuse in the First Degree,” which had been added by P.L. 31-005:5 (Mar. 9, 2011).

This provision was formerly entitled “Creation of Certain Hazards; Oil Pollution by Vessels: Definitions: Penalty”; it was renumbered to § 61.65 by the Compiler as part of the reorganization of Chapter 70.

§ 70.35. Animal Fighting.

(a) No person shall cause, sponsor, aid, abet, arrange, hold, or encourage any animal to fight, menace, or injure another animal for the purpose of sport, amusement, or pecuniary gain. This Section does not apply to cockfighting that is authorized by law.

(b) For the purposes of this Section, a person encourages an animal to fight, menace or injure another animal for the purpose of sport, amusement, or pecuniary gain, if the person:

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(1) is knowingly present at or wagers on such an occurrence of fighting, menacing, or injuring for the purpose of sport, amusement, or pecuniary gain;

(2) owns, trains, transports, possesses, has custody or control of, breeds, or equips an animal with the intent that such animal will be engaged in such an occurrence of fighting, menacing, or injuring for the purpose of sport, amusement, or pecuniary gain;

(3) knowingly allows any such occurrence of fighting, menacing, or injuring for the purpose of sport, amusement, or pecuniary gain to occur on any property owned or controlled by the person;

(4) knowingly allows any animal to be used for such an occurrence of fighting, menacing, or injuring for the purpose of sport, amusement, or pecuniary gain to be kept, boarded, housed, or trained on, or transported in, any property owned or controlled by the person;

(5) knowingly advertises or uses any means of communication for the purpose of promoting such an occurrence of fighting, menacing, or injuring for the purpose of sport, amusement, or pecuniary gain; or

(6) knowingly possesses, owns, buys, sells, transfers, or manufactures any animal used for fighting, menacing, or injuring for the purpose of sport, amusement, or pecuniary gain; or any device intended to train or enhance the animal's fighting, menacing or injuring ability for the purpose of sport, amusement, or pecuniary gain.

(c) Any violation of Subsection (a) of this Section shall constitute Animal Fighting, which is a third degree felony.

(d) Notwithstanding any other provision of law, the penalty for a violation of Subsection (a) of this Section shall be confinement in a correctional facility in accordance with Article 2 of 9 GCA Chapter 80 and a fine of not less than Five Thousand Dollars (\$5,000) and no more than Fifteen Thousand Dollars (\$15,000), or both, per violation. Additionally, any person convicted of any violation of this Section may be subject to

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seizure of any personal property, including vehicles, and real property at which the animal fight was staged.

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

(f) Veterinarians and/or physicians and/or health professionals are required to report suspected animal fighting incidents, excluding cockfighting as authorized by law, that come to their attention through the provision of medical services to an animal to the Guam Police Department within five (5) days of learning of animal fighting incidents. Failure to do so shall result in potential loss of licensure if deemed appropriate by the appropriate licensure agencies. Any veterinarians, physicians, or health professionals making a report under this Subsection shall be immune from any civil or criminal liability by reason of making the report, unless the report was made in bad faith.

SOURCE: Added as § 70.10.5 by P.L. 35-144:2 (Jan. 22, 2021), renumbered to § 70.35 by the Compiler pursuant to 1 GCA § 1606.

2021 NOTE: This offense did not exist under prior Guam law. Past publications of the GCA included § 70.11 entitled “Dogfighting: Defined: Penalty,” which had been added by P.L. 29-096 (July 22, 2008) and was apparently implicitly repealed by P.L. 35-144:2 (Jan. 22, 2021)

This provision was formerly entitled “Invasion of Privacy or Criminal Voyeurism and Video Voyeurism; Penalty; Definitions.”; it was renumbered to § 28.70 by the Compiler as part of the reorganization of Chapter 70.

§ 70.40. Sexual Assault of an Animal.

(a) A person commits the crime of Sexual Assault of an Animal if the person knowingly:

(1) touches or contacts, or causes an object or another person to touch or contact, the mouth, anus, or sex organs of an animal or animal carcass for the purpose of arousing or gratifying the sexual desire of a person; or

(2) causes an animal or animal carcass to touch or contact, the mouth, anus, or sex organs of a person for the purpose of arousing or gratifying the sexual desire of a

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person.

(b) Sexual Assault of an Animal is a third degree felony.

(c) Each act in violation of Subsection (a) of this Section shall constitute a separate offense.

SOURCE: Added as § 70.10.6 by P.L. 35-144:2 (Jan. 22, 2021) , renumbered to § 70.40 by the Compiler pursuant to 1 GCA § 1606.

2021 NOTE: This offense did not exist under prior Guam law.

This provision was formerly entitled “Unlawful Use of Telephone; Defined & Punished”; it was renumbered to § 70.430 by the Compiler as part of the reorganization of Chapter 70.

§ 70.45. Bodily Alterations, Disablements, or Removals.

(a) It is unlawful for any person to remove or permanently alter or disable, or cause or procure to be removed or permanently altered or disabled, any part or organ, or the function of any part or organ, of an animal, except as necessary for proper and lawful veterinary care, population control, or good animal husbandry; provided, that population control or good animal husbandry is under the supervision or instruction of a licensed veterinarian, and:

(1) all surgical procedures must be performed or supervised by a licensed veterinarian in accordance with the American Veterinarian Medical Association policy, and the veterinarian shall counsel pet owners about the matter before agreeing to perform these surgeries and shall record said consultation in the pet’s record; and

(2) any person performing procedures for population control of livestock or good animal husbandry for livestock may do so without direct supervision of a licensed veterinarian; provided, that said person has been properly trained by a licensed veterinarian and properly conducts said procedures in accordance with generally accepted industry standards.

(b) A violation of Subsection (a) of this Section is a misdemeanor.

(c) Each act in violation of Subsection (a) of this Section

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shall constitute a separate offense.

SOURCE: Added as § 70.10.7 by P.L. 35-144:2 (Jan. 22, 2021), renumbered to § 70.45 by the Compiler pursuant to 1 GCA § 1606.

2021 NOTE: This offense did not exist under prior Guam law.

This provision was formerly entitled “Declaration of Policy” under Article 2; it was renumbered to § 70.210 by the Compiler as part of the reorganization of Chapter 70.

§ 70.50. Animal Abandonment.

(a) A person commits the offense of Animal Abandonment if the person intentionally, knowingly, or recklessly leaves a domestic animal at a location without providing for the animal’s minimum care as defined in § 70.10.1(g) of this Article.

(b) Animal Abandonment is a violation that shall be subject to a fine of not more than Five Hundred Dollars (\$500).

(c) Each act in violation of Subsection (a) of this Section shall constitute a separate offense.

SOURCE: Added as § 70.10.8 by P.L. 35-144:2 (Jan. 22, 2021), renumbered to § 70.50 by the Compiler pursuant to 1 GCA § 1606.

2021 NOTE: Past publications of the GCA included § 70.10.2 entitled “Animal Abandonment” which had been added by P.L. 31-005:6 (Mar. 9, 2011) and was apparently implicitly repealed by P.L. 35-144 (Jan. 22, 2021).

This provision was formerly entitled “Other Remedies” under Article 2; it was renumbered to § 70.260 by the Compiler as part of the reorganization of Chapter 70.

§ 70.55. Failure of a Motorist to Render Aid to an Injured Animal.

(a) A person who, while operating a motor vehicle, knowingly injures or kills a cat, dog, or livestock, excluding chickens, shall stop and render such assistance as may be possible and safe to provide, and shall immediately report such injury or death to the animal’s owner. In the event the owner cannot be ascertained and located, or it is unsafe to make contact with the animal’s owner, the operator of the motor vehicle shall immediately report the accident and location to a peace officer or animal control officer.

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(b) A violation of Subsection (a) of this Section shall be punishable by a fine of not more than Three Hundred Dollars (\$300) per offense.

SOURCE: Added as § 70.10.9 by P.L. 35-144:2 (Jan. 22, 2021), renumbered to § 7055 by the Compiler pursuant to 1 GCA § 1606.

2021 NOTE: This offense did not exist under prior Guam law.

§ 70.60. Leaving Animals Unattended in Motor Vehicles; Penalty; Authority of Officers.

(a) For the purposes of this Section:

(1) *Vehicle* means a car, truck, camper, trailer, or other form of transportation in which an animal can be transported.

(2) *Extreme temperature* means an extremely cold or high temperature, inside or outside of a vehicle, that could endanger an animal's health, safety, or well-being.

(b) A person shall not confine an animal in a vehicle in a manner that could reasonably be expected to threaten the health, safety, and well-being of the animal due to conditions that include, but are not limited to, extreme temperatures, lack of adequate ventilation, lack of food or water, or confinement with a vicious or dangerous animal, or other circumstances that could reasonably be expected to cause suffering, disability, physical injury, or death to the animal.

(c) After making reasonable efforts to locate the vehicle's owner, an animal control officer, peace officer, law enforcement officer, or firefighter may enter a vehicle by any reasonable means to protect the health, safety and well-being of an animal who is endangered by confinement in a vehicle. A peace officer, law enforcement officer, animal control officer, or firefighter may enter the vehicle for the sole purpose of assisting the animal and may not search the vehicle or seize items found in the vehicle unless otherwise permitted by law.

(d) An animal control officer, peace officer, law enforcement officer, or firefighter who removes or otherwise retrieves an animal under this Section shall:

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(1) leave written notice in a secure and conspicuous location on or in the vehicle bearing the officer's or firefighter's name and title, and the address of the location where the animal may be retrieved; and

(2) take the animal to a veterinary clinic or animal shelter for a health screening and treatment.

(e) An animal control officer, peace officer, law enforcement officer, or firefighter who removes or otherwise retrieves an animal from a vehicle under this Section shall be immune from criminal or civil liability that might otherwise result from the removal.

(f) Penalties.

(1) A person in violation of Subsection (b) of this Section shall be subject to a fine of not more than Five Hundred Dollars (\$500).

(2) The owner may retrieve the animal removed by an officer or firefighter only after payment of all charges that have accrued for the maintenance, care, medical treatment, and impoundment of the animal.

SOURCE: Added as § 70.10.10 by P.L. 35-144:2 (Jan. 22, 2021), renumbered to § 70.60 by the Compiler pursuant to 1 GCA § 1606.

2021 NOTE: This offense did not exist under prior Guam law.

§ 70.65. Defenses; Exceptions.

(a) It is an affirmative defense in a prosecution for violation of animal abuse under § 70.25 (a) of this Article if:

(1) the defendant reasonably and humanely caused the death of the animal to end its immediate and intractable suffering; or

(2) the animal posed a present and immediate danger to the safety of people, and the defendant took reasonable measures necessary to protect against serious bodily harm, or death, to themselves or other people, livestock, or domestic animals.

(b) Ownership shall not be a defense.

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(c) Guardianship shall not be a defense.

(d) Trespass by an animal shall not be a defense.

(e) Corporations and other nonhuman legal entities may be concurrently charged for acts in violation of any animal protection offense committed by their employees or agents when the act is committed in the normal course and scope of the employment or agency.

(f) It is no defense to the crime of animal abandonment that the defendant abandoned the animal at or near an animal shelter, veterinary clinic, or other place of shelter if the defendant did not make reasonable arrangements for the care of the animal.

(g) Sections 70.10 to 70.85 of this Article shall not apply to:

(1) the proper shooting or taking of game in such manner and at such times as is allowed or provided by the laws of Guam;

(2) cockfighting in a manner and at such times and places as are authorized by law;

(3) the proper killing of animals used for food, except for dogs and cats, in accordance with the law;

(4) the proper disinfestation of rodents and brown tree snakes;

(5) animals properly used for education or research purposes by, or under the oversight of, the Guam Community College or the University of Guam; provided, that proper Institutional Review Board procedures and all applicable local and federal laws are followed;

(6) euthanasia as properly conducted by a licensed veterinarian, or individual authorized by § 70.70 of this Article, and done in accordance with local law and generally accepted industry practice;

(7) the proper disinfestation of animals deemed a disease vector and threat to public health by the Department

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of Public and Social Services; provided, that disinfestation is done in accordance with established procedures approved by said Department;

(8) the proper disinfestation of species deemed invasive to Guam by the Guam Invasive Species Council; provided, that disinfestation is done in accordance with established procedures approved by said Council.

(A) Subsection (g)(8) of this Section shall not pertain to cats or dogs, except as authorized by the Director of the Department of Agriculture, and such disinfestation efforts are done in accordance with accepted practices of veterinary medicine and procedures approved by the Council.

SOURCE: Added as § 70.10.11 by P.L. 35-144:2 (Jan. 22, 2021), renumbered to § 70.65 by the Compiler pursuant to 1 GCA § 1606.

2021 NOTE: This offense did not exist under prior Guam law.

§ 70.70. Euthanasia Procedures.

(a) Unless otherwise authorized by law, sodium pentobarbital and such other agents as may be specifically approved by the Guam Board of Allied Health Examiners shall be the only methods used for euthanasia of an animal. A lethal solution shall be used in the following order of preference:

- (1) intravenous injection by hypodermic needle;
- (2) intraperitoneal injection by hypodermic needle;
- (3) intracardial injection by hypodermic needle, but only if performed on heavily sedated, anesthetized, or comatose animals; or
- (4) solution or powder added to food.

(b) An animal may be tranquilized with an approved and humane substance before euthanasia is performed.

(c) Succinylcholine chloride, curare, curariform mixtures, strychnine, nicotine, chloral hydrate, magnesium, potassium, or any substance which acts as a neuromuscular blocking agent, or any chamber which causes a change in body oxygen, may not be

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used on any animal for the purpose of euthanasia.

(d) Euthanasia shall be performed only by a licensed veterinarian, trained animal control officers, or an employee or agent, in accordance with § 121906 of Article 19, Part 2, Chapter 12, Title 10, Guam Code Annotated.

(e) An animal may not be left unattended between the time euthanasia procedures are first begun and the time that death occurs, and the animal's body may not be disposed of until a licensed veterinarian, or person, as authorized by § 121906 of Article 19, Part 2, Chapter 12, Title 10, Guam Code Annotated, confirms death.

(f) Notwithstanding the provisions of this Section or any other law to the contrary, whenever an emergency situation exists which requires the immediate euthanasia of a seriously injured, dangerous, or severely diseased animal, a peace officer or veterinarian may humanely destroy the animal.

(g) The remains of the euthanized animal shall be properly disposed of in accordance with Guam law.

(h) Any violation of this Section is a misdemeanor.

(i) Each act or omission in violation of this Section shall constitute a separate offense.

SOURCE: Added as § 70.10.12 by P.L. 35-144:2 (Jan. 22, 2021), renumbered to § 70.70 by the Compiler pursuant to 1 GCA § 1606.

2021 NOTE: This offense did not exist under prior Guam law.

§ 70.75. Pre-Trial Provisions.

(a) Reporting and Immunity.

(1) The following designees, having a good-faith belief that any animal with whom the designee comes in contact has suffered a violation of this Article or that any person with whom the designee comes in contact has committed a violation of this Article, may report, or cause a report to be made to the Animal Control Division of the Department of Agriculture:

(A) a police officer; or

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(B) a licensed social worker.

(2) Any designee making a report under this Subsection shall not be required to report such information communicated by a person if the communication is privileged under Guam law.

(3) Any designee making a report under this Subsection shall be immune from any civil or criminal liability by reason of making the report, unless the report was made in bad faith.

(b) Law Enforcement Policies.

(1) All officers as defined in § 70.15 of this Article have the duty and responsibility to enforce this Article to the extent authorized by law.

(2) All volunteer animal control officers, volunteer conservation officers, or similar volunteer law enforcement officers, whose positions are established by the government of Guam, have the duty and responsibility to enforce this Article to the extent authorized by law.

(c) Seizure.

(1) Search and Seizure With a Warrant. If there is probable cause to believe that an animal is being subjected to treatment in violation of this Article, an officer, after obtaining a search warrant, shall enter the premises where the animal is located and seize the animal.

(2) Search and Seizure Without a Warrant. If an officer witnesses a situation in which the officer determines that an animal's life is in jeopardy and immediate action is required to protect the animal's health or safety, the officer may seize the animal without a warrant. The officer shall immediately take an animal seized under this Subsection to a licensed veterinarian or animal shelter for medical attention to stabilize the animal's condition and to assess the health of the animal.

(3) Any person or facility receiving an animal seized pursuant to this Subsection shall provide the animal with

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minimum care.

(4) An officer shall not be liable for any damages for an entry under this Subsection.

(5) Any guardian of an animal that is impounded pursuant to this Subsection shall, within seventy-two (72) hours following the seizure, be given written notice of the seizure and legal remedies available to the guardian. The written notice shall be posted at the place of seizure, or delivered to an employee at the place of impoundment, or by registered mail if the guardian is known.

(6) The guardian from whom an animal is seized pursuant to this Subsection shall, within seventy-two (72) hours following the seizure, be given written notice of the seizure and legal remedies available to the guardian. The notice shall, at a minimum, be given by posting at the place of seizure, or by delivery to a person residing or working at the place of seizure, or by certified mail. Such notice shall include:

(A) the name, business address, and telephone number of the law enforcement entity responsible for seizing the animal;

(B) a description of the seized animal;

(C) the authority and purpose for the seizure, including the time, place, and circumstance under which the animal was seized; and

(D) a statement that the guardian is responsible for the cost of care for an animal who was lawfully seized, and that the guardian will be required to post a bond with the court to defray the cost of care or the animal will be deemed forfeited.

(d) Costs-of-Care Bonds.

(1) An animal that has been impounded pending outcome of a criminal case, including charges under this Article, may prevent disposition of the animal by a caregiving agency that has temporary custody of the animal

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by posting a bond with the court in an amount the court determines is sufficient to provide for the animal's minimum care for at least thirty (30) days, including the day on which the animal was taken into custody.

(A) Such bond shall be filed with the court within ten (10) days after the animal is impounded. If a bond is not so posted, the animal shall be deemed forfeited and the custodial caregiving agency shall determine final disposition of the animal in accordance with reasonable practices for the humane treatment of animals. At the end of the time for which expenses are covered by the bond, if the owner, guardian, or person in possession of an animal, desires to prevent disposition of the animal by the custodial caregiving agency, a new bond shall be posted with the court within ten (10) days following the prior bond's expiration.

(B) If a new bond is not so posted, the animal shall be deemed forfeited and the custodial caregiving agency shall determine final disposition of the animal in accordance with reasonable practices for the humane treatment of animals.

(C) However, nothing in this Subsection shall prohibit the immediate disposition of the animal by euthanasia if, in the opinion of a licensed veterinarian, the animal is experiencing intractable extreme pain or suffering. The guardian shall be liable for all costs of providing minimum care, or disposal of the animal.

(2) If a bond has been posted in accordance with Subsection (d)(1) of this Section, the custodial caregiving agency may draw from the bond the actual reasonable costs incurred by the agency in providing minimum care to the seized animal from the date of initial seizure to the date of final disposition of the animal in the criminal action.

(e) Protective Orders.

(1) A mandatory restraining order is created against any person charged with a felony under this Article.

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(2) The order may remain in effect from the time that the defendant is advised of their rights at arraignment or the defendant's first appearance before the court and informed of such order, until final disposition of the action.

(3) The order may restrain the defendant from contacting, harassing, molesting, intimidating, retaliating against, or tampering with:

(A) any animal(s) victimized by the acts charged;

(B) any guardian or owner, other than the defendant, of such animal(s); or

(C) any witness to the acts charged.

(4) Any restraining order issued pursuant to Subsection (e) of this Section, shall be on a standardized form prescribed by the Superior Court of Guam.

(5) A copy of the restraining order shall be provided to the protected parties.

(6) The court may include an animal in any protective order authorized by this Article.

SOURCE: Added as § 70.10.13 by P.L. 35-144:2 (Jan. 22, 2021), renumbered to § 70.75 by the Compiler pursuant to 1 GCA § 1606.

2021 NOTE: Subsection designations added pursuant to authority granted by 1 GCA § 1606.

This provision did not exist under prior Guam law.

§ 70.80. Sentencing Provisions.

(a) Community Service. In addition to any other sentence it may impose, the court may order the defendant to participate in community service. No such participation shall occur at any humane society, animal shelter, or other facility where an animal is present, unless first approved by said organization.

(b) Evaluation & Treatment.

(1) In addition to any other sentence it may impose, the court shall order the defendant convicted of a felony crime under this Article to undergo a psychiatric, psychological, or mental health evaluation, and if warranted

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by the condition of the defendant, shall order the defendant to undergo appropriate care or treatment.

(3) Treatment may include, but is not limited to, counseling and humane education classes.

(4) Treatment may be conducted in-person or online.

(5) All costs of the evaluation, care and treatment shall be borne by the defendant. However, if the court determines that the defendant is indigent, the government of Guam may provide access to government funded or government contracted service providers, if available.

(c) Education. The Department of Agriculture shall make available educational material and information regarding proper animal care and welfare to the defendant. At a minimum, such information shall be made available in printed form or online, as deemed appropriate by the Department of Agriculture.

(d) Forfeiture. In addition to any other sentence it may impose, the court shall require a defendant convicted under this Article to forfeit all legal interest of the defendant in the animal subjected to the violation. The court shall award all such interest to the animal to a caregiving agency.

(e) Contact with Animals.

(1) In addition to any other penalty imposed by law, a court may require a defendant convicted of a felony under this Article to not own, possess, or have custody or control of any animal for a minimum period of five (5) years on a first offense; and for a minimum period of fifteen (15) years on a second or subsequent offense.

(2) A violation of this Subsection is a petty misdemeanor and shall result in the forfeiture of the offender's interest in the animal.

(3) Notwithstanding any other provision of law, an officer may immediately seize any animal found to be kept in violation of this Subsection.

(f) Reimbursement of Costs to Caregiving Agency. In addition to any other sentence it may impose, the court shall

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require a defendant convicted under this Article to repay all reasonable costs incurred by any person or organization prior to judgment in seizing and providing minimum care for each animal subjected to mistreatment in violation of this Article.

(g) Restitution to Guardian. In addition to any other sentence it may impose, the court shall order that restitution be made by a defendant convicted under this Article to the guardian of any animal subjected to mistreatment by the defendant in violation of this Article. The measure for restitution shall be the actual pecuniary value of such loss, including, but not limited to, the actual veterinary expenses, special supplies, and other costs incurred by the animal's guardian in treating the animal and in attempting to restore the animal to good health or to otherwise ameliorate the effects of the criminal violation.

SOURCE: Added as § 70.10.14 by P.L. 35-144:2 (Jan. 22, 2021), renumbered to § 70.80 by the Compiler pursuant to 1 GCA § 1606.

2021 NOTE: This offense did not exist under prior Guam law.

§ 70.85. Civil Right of Action for the Wrongful Injury or Death of an Animal.

(a) Any person who, with no lawful authority, intentionally, knowingly, recklessly, or with criminal negligence causes physical injury to, or the death of, an animal shall be liable to the animal's guardian for the damages sustained by the guardian. The guardian of the animal may bring a civil action to recover such damages. Damages may include the pecuniary value of the animal; veterinary expenses incurred on behalf of the animal; any other expenses incurred by the guardian in attempting to ameliorate the effects of, or as a consequence of, the pain, suffering or injuries of the animal; any emotional distress and loss of companionship suffered by the guardian; all court costs and reasonable attorney's fees incurred in the prosecution of any action under this Section; and any other reasonable damages resulting from the physical injury or death of the animal.

(b) Restraining orders and other injunctive relief may be issued by the Superior Court of Guam as appropriate.

(c) The remedies provided in this Section are in addition

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to, and do not replace or supplant, any other remedies allowed by law.

(d) Commencement of a cause of action under this Section shall be brought within three (3) years from the date on which damages were first identified by the guardian.

SOURCE: Added as § 70.10.15 by P.L. 35-144:2 (Jan. 22, 2021), renumbered to § 70.85 by the Compiler pursuant to 1 GCA § 1606.

2021 NOTE: This offense did not exist under prior Guam law.

ARTICLE 2
DISCRIMINATION IN HOUSING ACCOMMODATIONS

SOURCE: This entire Article was added as §§ 70.45 to 70.51 by P.L. 16-054 (Dec. 31, 1981), effective 90 days after enactment.

2021 NOTE: Pursuant to the authority of 1 GCA § 1606, the entire article was renumbered by the Compiler as part of the reorganization of Chapter 70.

§ 70.210. Declaration of Policy.

§ 70.220. Definitions.

§ 70.230. Unlawful Practices.

§ 70.240. Exemptions.

§ 70.250. Procedure.

§ 70.260. Other Remedies.

§ 70.270. Penalties.

§ 70.210. Declaration of Policy.

It is hereby declared to be the policy of the territory of Guam in the exercise of its police power for the public safety, public health and general welfare to assure equal opportunity to all persons to live in decent housing facilities regardless of race, color, religion, sex or national origin and, to that end, to prohibit discrimination in housing by any person.

§ 70.220. Definitions.

When used in this Article:



Office of the Speaker **THERESE M. TERLAJE**

I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature
Committee on Health, Land, Justice and Culture

COMMITTEE REPORT DIGEST

I. OVERVIEW

Bill No. 237-36 (COR) was introduced on **Monday, December 27, 2021**, by Senator Sabina Flores Perez and was subsequently referred by the Committee on Rules to the Committee on Health, Land, Justice and Culture on **Monday, December 27, 2021**.

The Committee on Health, Land, Justice, and Culture convened a virtual public hearing on **Wednesday, January 19, 2022, beginning at 3:00PM** utilizing the Guam Legislature's Virtual Meeting Platform.

Public Notice Requirements

Notices for this virtual hearing were disseminated via email to all senators and all main media broadcasting outlets on **Tuesday, January 11, 2022**, and again on **Sunday, January 16, 2022**. The notice was also published in the Guam Daily Post on **Tuesday, January 11, 2022**, and again on **Sunday, January 16, 2022**.

Senators Present:

Speaker Therese M. Terlaje, Chairperson
Senator Sabina Flores Perez, Vice Chairperson
Senator Telo T. Taitague, Committee Member
Senator Joanne M. Brown, Committee Member

Appearing Before the Committee:

Deputy Director John P. Morrison, Public Defender Service Corporation

Written Testimony Submitted:

Deputy Attorney General Stephanie E. Mendiola, Office of the Attorney General of Guam

II. SUMMARY OF TESTIMONY & DISCUSSION

The virtual public hearing was Called-to-Order at **3:07 PM**. Bill No. 237-36 (COR), “AN ACT TO AMEND § 34406 (e) AND § 34406 (f) OF CHAPTER 34, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO UPDATING VIOLATIONS OF PROTECTING ANIMAL WELFARE AND SAFETY (PAWS) FOR ANIMALS PROVIDING ASSISTANCE,” was the only item on the agenda.

CHAIRPERSON, SPEAKER THERESE M. TERLAJE: *Håfa Adai*. We have one agenda item that is bill number 237-36 (COR) introduced by Senator Sabina Flores Perez. I'd like to acknowledge the presence of my colleagues today beginning with Senator Sabina Perez who is the sponsor of the bill, Senator Telo Taitague and Senator Joanne Brown, *Si Yu'os ma'åse'* senators for being present today. So, we will begin with the introduction of the bill by the sponsor, Senator Perez.

SENATOR SABINA F. PEREZ: Thank you, Madam Speaker. Bill 237-36 (COR) aims to align penalties for causing serious harm to an assistance animal or killing of a law enforcement agency animal with those in the Paws Act. In current statute of 10 GCA Chapter 34, the application of penalties for serious harm to assistance animals and the killing of a law enforcement agency animal makes references to 9 GCA §70.10.1, which currently does not exist since the passage of the Paws Act. Under the old law § 70.10.1 was entitled animal abuse in the first degree which is a third-degree felony, and it treated both offenses equally. Bill 237-36 (COR) aims to align penalties with a Paws Act in which the two offenses would be treated differently. Thus, the penalties for intentionally causing harm would be under animal abuse found in section 70.25 which is a third-degree felony and penalties for intentionally killing would be under aggravated animal abuse which is under section 70.30 which is a second-degree felony. The importance of bill 237-36 is that it closes a potential gap in law for animal abuse offenses towards assistance animals and law enforcement agency animals. I want to thank the compiler for her review and look forward to testimony and the discussion. Thank you.

CHAIRPERSON, SPEAKER THERESE M. TERLAJE: Thank you, Senator Perez. We'll now hear from the Deputy Director of the Public Defender Service Corporation, Attorney John Morrison.

DEPUTY DIRECTOR JOHN P. MORRISON, PUBLIC DEFENDER SERVICE

CORPORATION: Thank you, Madam Speaker. I had given some thought to just sitting this one out but there are a few items on the bill that I thought maybe deserved a look at. One of them was that the current language references § 70.25 as far as penalties are concerned but § 70.25 looks to me to have a misdemeanor and a felony component to it. So, I thought maybe the law could be clear on which penalty the law was designed for. My only other real comment, I think, is that sometimes a lot can be written so generally that it can suffer from over breadth and be stricken down on constitutional grounds for being too broad.

And I don't know that there's really a risk here under this bill, but I would say that the criminal negligence portion of this gave me some pause just because I can't really fathom of a situation where someone's going to injure or kill a service animal with criminal negligence. At the same time, they were aware or should have been aware that the animal was a service animal. I would generally think of criminal negligence like somebody just cruising down the road and they're not doing the right thing. They're watching TikTok videos or something and they injure an animal or kill an animal, but under that situation the person wouldn't have been aware that the animal was a service animal or wouldn't have reason to know it was a service animal that was just, an accident that occurred or the dog, whatever it was ran out into the street.

So, I just can't really imagine a situation where that particular harm is going to occur with that particular mental state. So, if the intention here is really, I don't want people to injure or kill a seeing eye dog when it's in the performance of its duties, I think it might be better to just say that and take out the criminal negligence aspect of this so it wouldn't potentially suffer from that. Those are really my only comments on this.

CHAIRPERSON, SPEAKER THERESE M. TERLAJE: Thank you, Attorney Morrison. So, for the record we requested feedback on this bill from DISID which is the department for developmental well for disabilities and for the Government of Guam, Attorney General of Guam and the Attorney General's email response is after a cursory review, we have no concerns or opposition to either bill at this time. We will not be in attendance at today's public hearing, but if there are any questions directed to our office, please let us know and we'll be happy to help address whatever we can. We also sent the bill and asking for feedback to the Guam Police Department, the Guam Fire Department, and the Guam Animals in Need, GAIN. Alright. The BBMR stated that the bill is

administrative in nature and poses no fiscal impact upon any funds of the Government of Guam. Alright and the legal review of this bill is also pending our legal review by the legislature council and other than that Senator Perez I will open the floor to you for questions.

SENATOR SABINA F. PEREZ: Yeah, no questions. Well, I think I appreciate the testimony that's given, and I do agree that perhaps deleting that portion out being that the original language is that the person knows that the animal is a professional working dog or is a law enforcement animal. I do agree with that, it would be nice to get feedback or at least some feedback regarding from the AG'S office with that change. So, I definitely would like to follow up with that. Other than that, I don't have any questions. Thank you.

CHAIRPERSON, SPEAKER THERESE M. TERLAJE: Thank you, Senator Perez. Senator Taitague.

SENATOR TELO T. TAITAGUE: Thank you, Madam Chair. I brought it up as well, the fact that in § 70.25 did have the misdemeanor as well as. You know, felony, I was concerned about that, and I thank you for bringing that up. I think the bill in itself as I was going through this and trying to ensure that what's considered intentional and an accident, you know, but if you read this on section one of echo, it says intentionally, knowingly, recklessly or with criminal negligence causes serious physical injury to the animal. I didn't see anything here that talked about, like, not knowing, you know, or if you're driving a car and you hit an animal or a dog can it be charged for misdemeanor, but I didn't see anything in this section that talked about that. It strictly talked about professional working dogs, but it talked about knowingly and unintentionally. So, Attorney Morrison, would you see anything in this legislation that is a concern with what you just mentioned about not knowingly like you accidentally hit a dog on the road and you know, it was an accident. It wasn't intentional. So, I don't think there's anything in this section here, section one or two talks about it being unintentional so, Attorney Morrison.

DEPUTY DIRECTOR JOHN P. MORRISON, PUBLIC DEFENDER SERVICE CORPORATION: Well, the criminal negligence is sort of by definition, unintentional but the reason I don't really ever see this being charged under the criminal negligence portion of it was that the defendant would have had to have known it was a service animal before committing that criminal negligence and I just can't really conceive of a

situation where that's going to happen. I think clearly this is a statute where we don't want somebody to kill a police dog out of you know, seeking revenge or something like that or we don't want someone running away from an accident chased by a police dog and then they get a club or something and hurt the dog. Those I think are good goals but the criminal negligence portion of it, I don't see ever happening, unless it was some strict liability offense where criminal negligence alone is enough, and they didn't actually have to know that this was a service animal or have reason to believe that it was, but I think that would be a dangerous situation.

SENATOR TELO T. TAITAGUE: Okay. I'm still trying to wrap myself around, you know, intentionally, knowingly versus, you know, in an accident. So, I guess we'll get legal review as well from our legal side on this legislation and I will ask that question later on to them, but I thank you for your comments and for being here today. Thank you, Madam Chair for the opportunity and to make a comment.

CHAIRPERSON, SPEAKER THERESE M. TERLAJE: Thank you, Senator Taitague. Senator Joanne Brown, you're recognized.

SENATOR JOANNE M. BROWN: Thank you very much Madam Chair. I mean, you know, I certainly understand the intent of this particular bill and I do recall a situation happened a few years ago with regards to a Customs dog that had already completed his service that was adopted by one of the Customs officers and that particular animal was intentionally brutalized at the home of this Customs officer and at the time they believed that it was intentional, that it had been a drug dog. I don't know ultimately what happened with regards to any investigation or if anyone was ever held liable for that circumstance, but it had been believed at the time that someone had intentionally harmed that particular animal because of its previous service.

So, I don't know, Senator if I can ask Madam Chair for Senator Sabina as a sponsor, is this the intention of only when they are actually actively servicing or what about in the case of retired law enforcement animals, for example, you know, again, that was just the perspective that was put out there because of the how this animal was brutalized, that they believe it was intentional, that that particular animal was involved in a certain drug bust and even though the animal had been retired from service it was a belief that. At least that was commonly believed in what was going around in that discussion that, you know, someone had harmed that animal in particular because of a particular drug bust

that had occurred and so I just wanted to ask would this apply in that case or is it only when the animals are in active service?

SENATOR SABINA F. PEREZ: So, thank you for that question, Senator Brown. So, this bill would definitely just address when the animal is in service but in the case that you're describing, it's already covered under the Paws Act, under aggravated abuse so that would be a second-degree felony.

SENATOR JOANNE M. BROWN: Okay. I mean, I appreciate that, but it's, you know, this is not a common circumstance, obviously that we would come across but like I said, I do recall that particular incident maybe happened about four or five years ago with regards to this particular animal, drugs sniffing animal that had been retired so I think we all recognize that. I mean, we want to make sure that, you know, these animals here have a very special purpose of assistance that they're providing. We certainly wouldn't want to see anyone harm them, least of all intentionally harm them so I certainly am supportive of your bill and thank you for responding to my question. Thank you, Madam chair for the opportunity to ask questions.

CHAIRPERSON, SPEAKER THERESE M. TERLAJE: Thank you too Senator Brown. Would anyone else like to add anything? If not, I'll allow the sponsor to close, Senator Perez.

SENATOR SABINA F. PEREZ: I just want to thank you Speaker for having a hearing on this bill and for any testimony that Attorney Morrison has provided, and we will definitely look forward to hearing from legal counsel, as well as the AG'S office and fine tuning this bill a little bit more so thank you so much.

CHAIRPERSON, SPEAKER THERESE M. TERLAJE: Thank you, Senator Perez. There being no additional testimony, the committee will consider bill 237-36 (COR) duly heard. *Si Yu'os ma'ase'* Senators and *si Yu'os ma'ase'* Attorney Morrison for your continued testimony on these bills. Take care everyone.

Public Hearing Adjourned: **3:20 PM.**

III. FINDINGS & RECOMMENDATIONS

- During the hearing, Public Defender Deputy Director John Morrison stated concerns with clarity and generalization in Section 1 of the bill, as to the penalty that would apply to the offense of "Serious Harm to Assistance Animals" with the proposed amended § 34406 (e) of Chapter 34, 10 GCA, given that § 70.25 of 9 GCA contains both a misdemeanor and felony component.
- The bill sponsor, Senator Perez stated for the record, her openness to deleting the proposed language in Section 1, Lines 7-8 given that the original language in § 34406 (e) already states that a person knows that the animal is a professional working dog and requested the feedback of the Legal Bureau and the Attorney General on this possible change. The Committee sent a request for feedback to the OAG on February 2, 2022, and subsequent follow-ups, regarding the penalty that would apply to the offense of serious harm to assistance animals, which is still pending at the time of this report
- On January 19, 2022, General Counsel of the Office of the Attorney General (OAG) provided feedback via email that the OAG did not have any concerns or opposition to Bill 237, upon cursory review.

The Committee on Health, Land, Justice, and Culture hereby reports out **Bill No. 237-36 (COR) Introduced by Senator Sabina Flores Perez - "AN ACT TO AMEND § 34406 (e) AND § 34406 (f) OF CHAPTER 34, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO UPDATING VIOLATIONS OF PROTECTING ANIMAL WELFARE AND SAFETY (PAWS) FOR ANIMALS PROVIDING ASSISTANCE."** with the recommendation **TO REPORT OUT ONLY.**

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session

Bill No. 237-36 (COR)

Introduced by:

Sabina Flores Perez /SFP

**AN ACT TO *AMEND* § 34406 (e) AND § 34406 (f) OF
CHAPTER 34, TITLE 10, GUAM CODE
ANNOTATED, RELATIVE TO UPDATING
VIOLATIONS OF PROTECTING ANIMAL
WELFARE AND SAFETY (PAWS) FOR ANIMALS
PROVIDING ASSISTANCE.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. § 34406 (e) of Chapter 34, Title 10, Guam Code Annotated, is hereby amended to read:

(e) Serious Harm to Assistance Animal. Any person who knows or has reason to know that an animal is a Professional Working Dog, Service Dog or Therapy Dog and who ~~willfully causes or attempts to cause serious harm~~ intentionally, knowingly, recklessly, or with criminal negligence causes physical injury or serious physical injury to the animal shall be guilty of animal abuse in ~~the first (1st) degree and subject to the penalties contained~~ accordance with 9 GCA § ~~70.10.1~~ 70.25.

Section 2. § 34406 (f) of Chapter 34, Title 10, Guam Code Annotated, is hereby amended to read:

(f) Killing of Assistance Animal. Any person who knows or has reason to know that an animal is a law enforcement agency animal, an assistance animal, or a

1 search and rescue animal and who ~~willfully kills the~~ intentionally, knowingly,
2 recklessly, or with criminal negligence causes the death of an animal shall be guilty
3 of animal abuse in ~~the first (1st) degree and subject to the penalties contained~~
4 accordance with 9 GCA § ~~70.10.1~~ 70.30

5 **Section 3. Effective Date.** This Act shall be effective upon enactment.

6 **Section 4. Severability.** If any of provision of this law or its application to
7 any person or circumstance is found to be invalid or contrary to law, that invalidity
8 *shall not* affect other provisions or applications of this law, which can be given effect
9 without the invalid provisions or applications and to this end the provisions of this
10 act are severable.



Vice Speaker

TINA ROSE MUÑA BARNES

CHAIRPERSON, COMMITTEE ON RULES

I Mina'trentai Sais Na Liheslaturan Guåhan

GUAM CONGRESS BUILDING
163 CHALAN SANTO PAPA
HAGÅTÑA, GUAM 96910
TEL 671-472-2461
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January 06, 2022

MEMO

To: **Rennae Meno**
Clerk of the Legislature

From: **Senator Amanda L. Shelton**
Acting Chairperson, Committee on Rules

Re: **Fiscal Note Waiver for Bill No. 237-36 (COR)**

Håfa adai,

Attached, please find the fiscal note waiver for the following bill:

Bill No. 237-36 (COR)

Please forward the same to Management Information Services (MIS) for posting on our website.

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.





BUREAU OF BUDGET & MANAGEMENT RESEARCH

OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932



LOURDES A. LEON GUERRERO
GOVERNOR

LESTER L. CARLSON, JR.
DIRECTOR

JOSHUA F. TENORIO
LIEUTENANT GOVERNOR

JAN 06 2022

Vice Speaker Tina Rose Muña Barnes
Chairperson, Committee on Rules
I Mina'trentai Sais Na Liheslaturan Guåhan
36th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Hafa Adai! Vice Speaker Muña Barnes:

The Bureau requests that Bill No. 237-36 (COR) be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

Bill No. 237-36 is an act to amend § 34406 (e) and § 34406 (f) of Chapter 34, Title 10, Guam Code Annotated, relative to updating violations of Protecting Animal Welfare and Safety (PAWS) for animals providing assistance. The Bill strengthens the language of the law against animal abuse for those intentionally, knowingly, recklessly, or with criminal negligence cause physical injury or the death of assistance animals.

As such, the Bill is administrative in nature and poses no fiscal impact upon any funds of the Government of Guam.

Senseramente,

LESTER L. CARLSON, JR.



Office of the Speaker
THERESE M. TERLAJE

I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature
Committee on Health, Land, Justice and Culture

COMMITTEE VOTE SHEET

Bill No. 237-36 (COR) As Introduced by Sabina Flores Perez - "AN ACT TO AMEND § 34406 (e) AND § 34406 (f) OF CHAPTER 34, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO UPDATING VIOLATIONS OF PROTECTING ANIMAL WELFARE AND SAFETY (PAWS) FOR ANIMALS PROVIDING ASSISTANCE."

	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTA IN	TO PLACE IN INACTI VE FILE
Speaker Therese M. Terlaje Chairperson	<i>Therese M. Terlaje</i> 10.19.2022			✓		
Senator Sabina Flores Perez Vice Chairperson of Health, Land and Culture	E-VOTE 10.19.22	✓				
Senator Telenia C. Nelson Vice Chairperson of Justice						
Vice Speaker Tina Muña Barnes Member						
Senator Joanne M. Brown Member						
Senator Christopher M. Dueñas Member	E-VOTE 10.20.22			✓		
Senator Amanda L. Shelton Member						
Senator Telo T. Taitague, Member	E-VOTE 10.19.22			✓		
Senator Jose "Pedro" Terlaje Member	E-VOTE 10.19.22	✓				

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: senatorterlajeguam@gmail.com | www.senatorterlaje.com

**For transmittal of official Messages & Communications to the Guam Legislature to be distributed to all Senators,
please send to: speaker@guamlegislature.org*



Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

REQUEST FOR E-VOTE: BILL NO. 237-36 (COR)

5 messages

Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com> Wed, Oct 19, 2022 at 5:34 PM
To: Sabina Perez <sabina@senatorperez.org>, Senator Sabina Perez <office@senatorperez.org>, Senator Telen Cruz Nelson <senatortcnelson@guamlegislature.org>, "Office of Senator Telen C. Nelson" <senatortcnelson@gmail.com>, Vice Speaker Tina Rose Muña Barnes <senatormunabarnes@guamlegislature.org>, "Honorable Joanne M. Brown" <office@senatorjoannebrown.com>, Chris Duenas <senatorchrisduenas@gmail.com>, "Amanda S. Shelton" <senatorshelton@guamlegislature.org>, Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, Senator Telo Taitague <senatortelot@gmail.com>, Senator Jose Pedro Terlaje <senatorpedo@senatorjpterlaje.com>
Cc: "Speaker Therese M. Terlaje" <senatorterlajeguam@gmail.com>

Hafa Adai Committee Members,

Please see attached Committee Report on Bill No. 237-36 (COR) - Sabina Flores Perez- "AN ACT TO AMEND § 34406 (e) AND § 34406 (f) OF CHAPTER 34, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO UPDATING VIOLATIONS OF PROTECTING ANIMAL WELFARE AND SAFETY (PAWS) FOR ANIMALS PROVIDING ASSISTANCE."

Please indicate your preferred action from the following:

- ☐ TO DO PASS
- ☐ TO DO NOT PASS
- ☐ TO REPORT OUT ONLY
- ☐ TO ABSTAIN;
- ☐ TO PLACE IN INACTIVE FILE

Should you have any questions, please do not hesitate to contact our office.

Respectfully,
Charissa L. Manibusan
Committee Director

Office of Speaker Therese M. Terlaje
Committee on Health, Land, Justice and Culture
I Mina'trentai Sais na Liheslaturan Guåhan
36th Guam Legislature
Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

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 **COMMITTEE REPORT-BILL 237-36 (COR).pdf**
6853K

Senator Pede Terlaje <senatorpedo@senatorjpterlaje.com>
To: "Speaker Therese M. Terlaje" <senatorterlajeguam@gmail.com>

Wed, Oct 19, 2022 at 5:37 PM

To do pass
[Quoted text hidden]

Sabina Perez <sabina@senatorperez.org>
To: "Speaker Therese M. Terlaje" <senatorterlajeguam@gmail.com>

Wed, Oct 19, 2022 at 5:42 PM

To do pass.
[Quoted text hidden]



Senator Sabina Perez
Office of Senator Sabina Perez
36th Guam Legislature • *I Mina'Trentai Sais na Liheslaturan Guåhan*
Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics,
Research, and Planning

Tel: (671) 989-2968
Email: sabina@senatorperez.org
Website: senatorperez.org

Senator Telo Taitague <senatortelot@gmail.com>
To: "Speaker Therese M. Terlaje" <senatorterlajeguam@gmail.com>

Wed, Oct 19, 2022 at 5:45 PM

To report out

Si Yu'os Ma'åse,

Create a Great Day!

Senator Telo T. Taitague
36th Guam Legislature
Suite 309 DNA Building
[238 Archbishop Flores St.](#)
[Hagatna, Guam 96910](#)

Tel: (671) 989-8356

Email: senatortelot@gmail.com

[Quoted text hidden]

Chris Duenas <senatorchrisduenas@gmail.com>
To: "Speaker Therese M. Terlaje" <senatorterlajeguam@gmail.com>

Thu, Oct 20, 2022 at 9:20 AM

Hafa Adai,

To Report Out Only.

Si Yu'os Ma'åse',



Office of Senator Christopher M. Dueñas

36th Guam Legislature

I Mina'trentai Sais Na Liheslaturan Guåhan

(671) 989-9554 - **116 Chalan Santo Papa, Hagatna**

senatorchrisduenas@gmail.com

   @senatorduenas

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