

*I Mina'Trentai Dos Na Liheslaturan Received*  
**Bill Log Sheet**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
<b>282-32 (COR), P.L. 32-162</b>	Brant T. McCreadie	AN ACT TO AMEND §§ 37.10 AND 37.20 OF CHAPTER 37, TITLE 9 GUAM CODE ANNOTATED RELATIVE TO THE CRIME OF BURGLARY IN SCHOOLS, WHICH MAY BE CITED AS THE "SAFER SCHOOLS ACT OF 2014"	2/28/14 10:25 a.m.	02/28/14	Committee on the Guam U. S. Military Relocation, Homeland Security, Veteran's Affairs, and Judiciary	04/03/14 9 a.m.	5/5/14 9:22 a.m.	<b>Fiscal Note Request 3/5/2014</b>
	<b>DATE PASSED</b>	<b>TITLE</b>	<b>TRANSMITTED</b>		<b>DUE DATE</b>	<small>DATE SIGNED BY I MAGA'LAHEN GUAHAN</small>	<b>PUBLIC LAW NO.</b>	<b>NOTES</b>
	5/9/2014	AN ACT TO ADD A NEW SUBSECTION (e) TO § 37.10, AND TO AMEND § 37.20, ALL OF CHAPTER 37, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE CRIME OF BURGLARY IN SCHOOLS, WHICH MAY BE CITED AS THE "SAFER SCHOOLS ACT OF 2014."	5/12/14	2:43 p.m.	5/22/2014	5/23/2014	32-162	As amended by the Committee on Guam U.S. Military Relocation, Homeland Security, Veterans Affairs, and Judiciary; and further amended on the Floor.



EDDIE BAZA CALVO  
Governor

RAY TENORIO  
Lieutenant Governor

*Office of the Governor of Guam*

MAY 23 2014

Honorable Judith T. Won Pat, Ed.D.  
Speaker  
*I Mina'trentai Dos Na Liheslaturan Guåhan*  
155 Hesler Street  
Hagåtña, Guam 96910

32-14-1692  
Judith T. Won Pat, Ed.D.  
Date 5.29.14  
Time 4:03 PM  
Received by: [Signature]  
2014 MAY 29 PM 4:28

Dear Madame Speaker:

Transmitted herewith is Bill No. 282-32 (COR) "AN ACT TO ADD A NEW SUBSECTION (e) TO § 37.10 AND TO AMEND § 37.20, ALL OF CHAPTER 37, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE CRIME OF BURGLARY IN SCHOOLS, WHICH MAY BE CITED AS THE "SAFER SCHOOLS ACT OF 2014" which I signed into law on May 23, 2014 as Public Law 32-162.

*Senseramente,*

**RAYMOND S. TENORIO**

*I Maga'låhen Guåhan, para pa'go*  
Acting Governor of Guam

1600

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Eddie Baza Calvo

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*I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN*  
2014 (SECOND) Regular Session

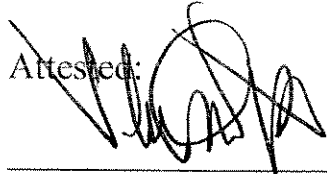
**CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN**

This is to certify that **Bill No. 282-32 (COR)**, "AN ACT TO *ADD* A NEW SUBSECTION (e) TO § 37.10, AND TO *AMEND* § 37.20, ALL OF CHAPTER 37, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE CRIME OF BURGLARY IN SCHOOLS, WHICH MAY BE CITED AS THE "*SAFER SCHOOLS ACT OF 2014*," was on the 9<sup>th</sup> day of May, 2014, duly and regularly passed.



\_\_\_\_\_  
**Judith T. Won Pat, Ed.D.**  
Speaker

Attested:



\_\_\_\_\_  
**Tina Rose Muña Barnes**  
Legislative Secretary

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This Act was received by *I Maga'lahen Guåhan* this 12<sup>th</sup> day of May, 2014, at 2:43 o'clock P.M.



\_\_\_\_\_  
Assistant Staff Officer  
*Maga'lahi's Office*

APPROVED:



\_\_\_\_\_  
RAYMOND S. TENORIO  
Acting Governor of Guam

Date: MAY 23 2014

Public Law No. 32-162

***I MINA'TRENTAI DOS NA LIHESLATURAN GUÁHAN***  
**2014 (SECOND) Regular Session**

**Bill No. 282-32 (COR)**

As amended by the Committee on Guam U.S. Military Relocation,  
Homeland Security, Veterans Affairs, and Judiciary;  
and further amended on the Floor.

Introduced by:

Brant T. McCreadie  
Chris M. Dueñas  
Aline A. Yamashita, Ph.D.  
Michael F. Q. San Nicolas  
T. R. Muña Barnes  
R. J. Respicio  
Tommy Morrison  
T. C. Ada  
V. Anthony Ada  
FRANK B. AGUON, JR.  
B. J.F. Cruz  
Michael T. Limtiaco  
Vicente (ben) C. Pangelinan  
Dennis G. Rodriguez, Jr.  
Judith T. Won Pat, Ed.D.

**AN ACT TO *ADD* A NEW SUBSECTION (e) TO § 37.10,  
AND TO *AMEND* § 37.20, ALL OF CHAPTER 37, TITLE 9,  
GUAM CODE ANNOTATED, RELATIVE TO THE CRIME  
OF BURGLARY IN SCHOOLS, WHICH MAY BE CITED  
AS THE “*SAFER SCHOOLS ACT OF 2014.*”**

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

2        **Section 1. Short Title.** This Act *shall* be cited as the “*Safer Schools Act of*  
3        *2014.*”

4        **Section 2. Legislative Findings and Intent.** *I Liheslaturan Guáhan* finds  
5        that Guam’s schools have been the unfortunate targets of burglaries, and while past

1 Legislatures have made great efforts in passing legislation to properly secure our  
2 schools and its property, brazen criminals continue to burglarize schools.

3 Therefore, it is the intent of *I Liheslaturan Guåhan* to establish appropriate  
4 punishment for those who burglarize schools by amending §§ 37.10 and 37.20 of  
5 Chapter 37, Title 9, Guam Code Annotated.

6 **Section 3.** A new Subsection (e) is hereby *added* to § 37.10 of Chapter 37,  
7 Title 9, Guam Code Annotated, to read:

8 “(e) School means any public or private educational facility, including  
9 institutions of higher learning, which *shall* encompass all instructional, non-  
10 instructional, sports and extra curricular buildings and facilities.”

11 **Section 4.** § 37.20 of Chapter 37, Title 9, Guam Code Annotated, is hereby  
12 *amended* to read:

13 “§ 37.20. **Burglary: Defined, Punishment Classified.**

14 (a) A person is guilty of burglary if he enters or surreptitiously  
15 remains in any habitable property, building, or a separately secured or  
16 occupied portion thereof, or if he enters or surreptitiously remains in any  
17 *School* as defined in § 37.10(e) of this Chapter, with intent to commit a  
18 crime therein, *unless* the premises are at the time open to the public or the  
19 defendant is licensed or privileged to enter, or a person is guilty of  
20 burglary if he enters or surreptitiously remains in any motor vehicle,  
21 semi-trailer, trailer, truck tractor, vehicle combination, motor bus, motor  
22 truck, or vehicle, with intent to commit a crime therein. It is an  
23 affirmative defense to prosecution for burglary that the property, or  
24 building, or motor vehicle was abandoned.

25 (b) Burglary is a felony of the second degree. In the case of  
26 burglary as a felony of the second degree, the court *shall* impose a

1 sentence of imprisonment of a minimum term of five (5) years, and may  
2 impose a maximum term of *up to* ten (10) years; the minimum term  
3 imposed *shall not* be suspended nor may probation be imposed in lieu of  
4 the minimum term nor shall parole or work release be granted before  
5 completion of the minimum term. The sentence *shall* include a special  
6 parole term of *not less than* three (3) years, in addition to such term of  
7 imprisonment. Provided, however, that in the case of an offender not  
8 previously convicted of a felony, the court may sentence the offender to  
9 *not more than* five (5) years imprisonment as a third degree felony  
10 conviction, and the provisions of this Subsection prohibiting probation,  
11 suspension, parole or work release *shall not* be applicable to such  
12 offender.

13 (c) A second or subsequent offense of burglary to a school *shall*  
14 be a felony of the first degree. In the case of a second or subsequent  
15 conviction of burglary committed to a school as a felony of the first  
16 degree, the court *shall* impose a sentence of imprisonment of a minimum  
17 term of ten (10) years, and may impose a maximum term of *up to* twenty  
18 (20) years; the minimum term imposed *shall not* be suspended nor may  
19 probation be imposed in lieu of the minimum term nor shall parole or  
20 work release be granted before completion of the minimum term. The  
21 sentence *shall* include a special parole term of *not less than* three (3)  
22 years in addition to such term of imprisonment. However, if the offender  
23 is under the age of eighteen years the court *shall* have the discretion to  
24 suspend all or a portion of the minimum sentence, and may encourage the  
25 Balanced Approach Restorative Justice Process.”

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

1           **Section 6. Severability.** *If* any provision of this Law or its application to any  
2 person or circumstance is found to be invalid or contrary to law, such invalidity shall  
3 *not* affect other provisions or applications of this Law which can be given effect  
4 without the invalid provisions or application, and to this end the provisions of this  
5 Law are severable.



***I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN***  
THIRTY-SECOND GUAM LEGISLATURE  
155 Hesler Place, Hagåtña, Guam 96910

May 12, 2014

The Honorable Edward J.B. Calvo  
*I Maga'lahaen Guåhan*  
*Ufisinan I Maga'lahi*  
*Hagåtña, Guam 96910*

Dear *Maga'lahi* Calvo:

Transmitted herewith are Bill and Substitute Bill Nos. 34-32(COR), 78-32 (COR), 131-32 (COR), 203-32 (COR), 216-32 (LS), 220-32 (LS), 227-32 (COR), 264-32 (COR), 267-32 (COR), 275-32 (COR), 279-32 (LS), 282-32 (COR), 296-32 (COR), 297-32 (COR), 298-32 (COR), 308-32 (COR) and 328-32 (COR) which was passed by *I Mina'Trentai Dos Na Liheslaturan Guåhan* on May 9, 2014.

Sincerely,

TINA ROSE MUÑA BARNES  
Legislative Secretary

Enclosure (20)

OFFICE OF THE GOVERNOR  
CENTRAL FILES  
*J. Dela Rosa*  
RECEIVED BY  
TIME *2:43 pm* DATE *5/12/14*

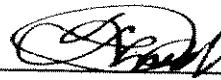


1150001

**I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN**  
**2014 (SECOND) Regular Session**

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

This is to certify that **Bill No. 282-32 (COR)**, "AN ACT TO ADD A NEW SUBSECTION (e) TO § 37.10, AND TO AMEND § 37.20, ALL OF CHAPTER 37, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE CRIME OF BURGLARY IN SCHOOLS, WHICH MAY BE CITED AS THE "SAFER SCHOOLS ACT OF 2014," was on the 9<sup>th</sup> day of May, 2014, duly and regularly passed.



\_\_\_\_\_  
**Judith T. Won Pat, Ed.D.**  
**Speaker**

Attested:



\_\_\_\_\_  
**Tina Rose Muña Barnes**  
**Legislative Secretary**

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This Act was received by *I Maga'lahen Guåhan* this 12<sup>th</sup> day of May, 2014, at 2:43 o'clock P.M.



\_\_\_\_\_  
**Assistant Staff Officer**  
***Maga'lahi's Office***

APPROVED:

\_\_\_\_\_  
**EDWARD J.B. CALVO**  
***I Maga'lahen Guåhan***

Date: \_\_\_\_\_

Public Law No. \_\_\_\_\_

***I MINA'TRENTAI DOS NA LIHESLATURAN GUÁHAN***  
**2014 (SECOND) Regular Session**

**Bill No. 282-32 (COR)**

As amended by the Committee on Guam U.S. Military Relocation,  
Homeland Security, Veterans Affairs, and Judiciary;  
and further amended on the Floor.

Introduced by:

Brant T. McCreadie  
Chris M. Dueñas  
Aline A. Yamashita, Ph.D.  
Michael F. Q. San Nicolas  
T. R. Muña Barnes  
R. J. Respicio  
Tommy Morrison  
T. C. Ada  
V. Anthony Ada  
FRANK B. AGUON, JR.  
B. J.F. Cruz  
Michael T. Limtiaco  
Vicente (ben) C. Pangelinan  
Dennis G. Rodriguez, Jr.  
Judith T. Won Pat, Ed.D.

**AN ACT TO *ADD* A NEW SUBSECTION (e) TO § 37.10,  
AND TO *AMEND* § 37.20, ALL OF CHAPTER 37, TITLE 9,  
GUAM CODE ANNOTATED, RELATIVE TO THE CRIME  
OF BURGLARY IN SCHOOLS, WHICH MAY BE CITED  
AS THE “*SAFER SCHOOLS ACT OF 2014.*”**

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

2 **Section 1. Short Title.** This Act *shall* be cited as the “*Safer Schools Act of*  
3 *2014.*”

4 **Section 2. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
5 that Guam’s schools have been the unfortunate targets of burglaries, and while past

1 Legislatures have made great efforts in passing legislation to properly secure our  
2 schools and its property, brazen criminals continue to burglarize schools.

3 Therefore, it is the intent of *I Liheslaturan Guåhan* to establish appropriate  
4 punishment for those who burglarize schools by amending §§ 37.10 and 37.20 of  
5 Chapter 37, Title 9, Guam Code Annotated.

6 **Section 3.** A new Subsection (e) is hereby *added* to § 37.10 of Chapter 37,  
7 Title 9, Guam Code Annotated, to read:

8 “(e) School means any public or private educational facility, including  
9 institutions of higher learning, which *shall* encompass all instructional, non-  
10 instructional, sports and extra curricular buildings and facilities.”

11 **Section 4.** § 37.20 of Chapter 37, Title 9, Guam Code Annotated, is hereby  
12 *amended* to read:

13 **“§ 37.20. Burglary: Defined, Punishment Classified.**

14 (a) A person is guilty of burglary if he enters or surreptitiously  
15 remains in any habitable property, building, or a separately secured or  
16 occupied portion thereof, or if he enters or surreptitiously remains in any  
17 *School* as defined in § 37.10(e) of this Chapter, with intent to commit a  
18 crime therein, *unless* the premises are at the time open to the public or the  
19 defendant is licensed or privileged to enter, or a person is guilty of  
20 burglary if he enters or surreptitiously remains in any motor vehicle,  
21 semi-trailer, trailer, truck tractor, vehicle combination, motor bus, motor  
22 truck, or vehicle, with intent to commit a crime therein. It is an  
23 affirmative defense to prosecution for burglary that the property, or  
24 building, or motor vehicle was abandoned.

25 (b) Burglary is a felony of the second degree. In the case of  
26 burglary as a felony of the second degree, the court *shall* impose a

1 sentence of imprisonment of a minimum term of five (5) years, and may  
2 impose a maximum term of *up to* ten (10) years; the minimum term  
3 imposed *shall not* be suspended nor may probation be imposed in lieu of  
4 the minimum term nor shall parole or work release be granted before  
5 completion of the minimum term. The sentence *shall* include a special  
6 parole term of *not less than* three (3) years, in addition to such term of  
7 imprisonment. Provided, however, that in the case of an offender not  
8 previously convicted of a felony, the court may sentence the offender to  
9 *not more than* five (5) years imprisonment as a third degree felony  
10 conviction, and the provisions of this Subsection prohibiting probation,  
11 suspension, parole or work release *shall not* be applicable to such  
12 offender.

13 (c) A second or subsequent offense of burglary to a school *shall*  
14 be a felony of the first degree. In the case of a second or subsequent  
15 conviction of burglary committed to a school as a felony of the first  
16 degree, the court *shall* impose a sentence of imprisonment of a minimum  
17 term of ten (10) years, and may impose a maximum term of *up to* twenty  
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20 work release be granted before completion of the minimum term. The  
21 sentence *shall* include a special parole term of *not less than* three (3)  
22 years in addition to such term of imprisonment. However, if the offender  
23 is under the age of eighteen years the court *shall* have the discretion to  
24 suspend all or a portion of the minimum sentence, and may encourage the  
25 Balanced Approach Restorative Justice Process.”

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

1           **Section 6. Severability.** *If* any provision of this Law or its application to any  
2 person or circumstance is found to be invalid or contrary to law, such invalidity shall  
3 *not* affect other provisions or applications of this Law which can be given effect  
4 without the invalid provisions or application, and to this end the provisions of this  
5 Law are severable.

# LEGISLATIVE SESSION

## I MINA'TRENTAI DOS NA LIHESLATURAN

### 2014 (SECOND) Regular Session

### Voting Sheet

Bill No. 282-32 (COR)

Speaker Antonio R. Unipingco Legislative Session Hall

As amended by the Committee on Guam U.S.  
Military Relocation, Homeland Security, Veteran's  
Affairs, and Judiciary and further amended on the  
Floor.

NAME	Yea	Nay	Not Voting/ Abstained	Out During Roll Call	Absent
Senator Thomas "Tom" C. ADA	✓				
Senator V. Anthony "Tony" ADA	✓				
Senator Frank Blas AGUON Jr.	✓				
Vice-Speaker Benjamin J.F. CRUZ		✓			
Senator Christopher M. DUENAS	✓				
Senator Michael LIMTIACO	✓				
Senator Brant McCREADIE	✓				
Senator Thomas "Tommy" MORRISON	✓				
Senator Tina Rose MUÑA BARNES	✓				
Senator Vicente (ben) Cabrera PANGELINAN		✓			
Senator Rory J. RESPICIO	✓				
Senator Dennis G. RODRIGUEZ, Jr.	✓				
Senator Michael F. Q.SAN NICOLAS	✓				
Speaker Judith T. WON PAT, Ed.D.		✓			
Senator Aline A. YAMASHITA, Ph.D.	✓				

TOTAL

12

3

Yea

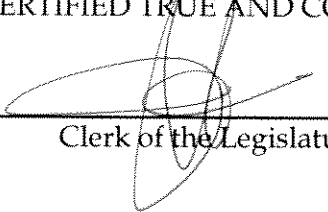
Nay

Not Voting/  
Abstained

Out During  
Roll Call

Absent

CERTIFIED TRUE AND CORRECT:

  
Clerk of the Legislature

I = Pass

***I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN***  
**2014 (SECOND) Regular Session**

**Bill No. 282-32 (COR)**

As amended by the Committee on Guam U.S. Military Relocation,  
Homeland Security, Veterans Affairs, and Judiciary;  
and further amended on the Floor.

\*

Introduced by:

Brant T. McCreddie  
Chris M. Dueñas  
Aline A. Yamashita, Ph.D.  
Michael F. Q. San Nicolas  
T. R. Muña Barnes  
R. J. Respicio  
Tommy Morrison

**AN ACT TO *ADD* A NEW SUBSECTION (e) TO § 37.10,  
AND TO *AMEND* § 37.20, ALL OF CHAPTER 37, TITLE 9,  
GUAM CODE ANNOTATED, RELATIVE TO THE CRIME  
OF BURGLARY IN SCHOOLS, WHICH MAY BE CITED  
AS THE “*SAFER SCHOOLS ACT OF 2014.*”**

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

**Section 1. Short Title.** This Act *shall* be cited as the “*Safer Schools Act of 2014.*”

**Section 2. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that Guam’s schools have been the unfortunate targets of burglaries, and while past Legislatures have made great efforts in passing legislation to properly secure our schools and its property, brazen criminals continue to burglarize schools.

Therefore, it is the intent of *I Liheslaturan Guåhan* to establish appropriate punishment for those who burglarize schools by amending §§ 37.10 and 37.20 of Chapter 37, Title 9, Guam Code Annotated.

1           **Section 3.** A new Subsection (e) is hereby *added* to § 37.10 of Chapter 37,  
2 Title 9, Guam Code Annotated, to read:

3           “(e) School means any public or private educational facility, including  
4 institutions of higher learning, which *shall* encompass all instructional, non-  
5 instructional, sports and extra curricular buildings and facilities.”

6           **Section 4.** § 37.20 of Chapter 37, Title 9, Guam Code Annotated, is hereby  
7 *amended* to read:

8           “§ 37.20.   **Burglary: Defined, Punishment Classified.**

9           (a) A person is guilty of burglary if he enters or surreptitiously  
10 remains in any habitable property, building, or a separately secured or  
11 occupied portion thereof, or if he enters or surreptitiously remains in any  
12 *School* as defined in § 37.10(e) of this Chapter, with intent to commit a  
13 crime therein, *unless* the premises are at the time open to the public or the  
14 defendant is licensed or privileged to enter, or a person is guilty of  
15 burglary if he enters or surreptitiously remains in any motor vehicle,  
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17 truck, or vehicle, with intent to commit a crime therein. It is an  
18 affirmative defense to prosecution for burglary that the property, or  
19 building, or motor vehicle was abandoned.

20           (b) Burglary is a felony of the second degree. In the case of  
21 burglary as a felony of the second degree, the court *shall* impose a  
22 sentence of imprisonment of a minimum term of five (5) years, and may  
23 impose a maximum term of *up to* ten (10) years; the minimum term  
24 imposed *shall not* be suspended nor may probation be imposed in lieu of  
25 the minimum term nor shall parole or work release be granted before  
26 completion of the minimum term. The sentence *shall* include a special



1 parole term of *not less than* three (3) years, in addition to such term of  
2 imprisonment. Provided, however, that in the case of an offender not  
3 previously convicted of a felony, the court may sentence the offender to  
4 *not more than* five (5) years imprisonment as a third degree felony  
5 conviction, and the provisions of this Subsection prohibiting probation,  
6 suspension, parole or work release *shall not* be applicable to such  
7 offender.

8 (c) A second or subsequent offense of burglary to a school *shall*  
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10 conviction of burglary committed to a school as a felony of the first  
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15 work release be granted before completion of the minimum term. The  
16 sentence *shall* include a special parole term of *not less than* three (3)  
17 years in addition to such term of imprisonment. However, if the offender  
18 is under the age of eighteen years the court *shall* have the discretion to  
19 suspend all or a portion of the minimum sentence, and may encourage the  
20 Balanced Approach Restorative Justice Process.”

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

22 **Section 6. Severability.** *If* any provision of this Law or its application to any  
23 person or circumstance is found to be invalid or contrary to law, such invalidity shall  
24 *not* affect other provisions or applications of this Law which can be given effect  
25 without the invalid provisions or application, and to this end the provisions of this  
26 Law are severable.