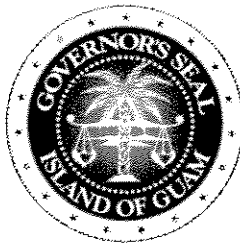


*I Mina'Trentai Dos Na Liheslaturan Received*  
**Bill Log Sheet**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
<b>222-32 (COR), P.L. 32-141</b>	Vicente (ben) C. Pangelinan	AN ACT TO AMEND §89.01(d)(2); TO AMEND §89.01(g)(2)(B); TO ADD A NEW SUBSECTION (C) TO §89.01(g)(2); TO AMEND §89.02(a)(2); TO AMEND §89.02(a)(3);TO AMEND §89.02(b)(2); TO AMEND §89.02(c)(1) AND TO ADD A NEW SUBSECTION (d) TO §89.02 ALL OF CHAPTER 89, 9 GUAM CODE ANNOTATED RELATIVE TO THE CRIMES AGAINST MINORS AND SEX OFFENDER REGISTRY.	11/15/13 2:25 p.m.	11/15/13	Committee on the Guam U.S. Military Relocation, Homeland Security, Veteran's Affairs, and Judiciary	12/16/13 9:00 a.m.	1/27/14 3:18 p.m.	<b>Fiscal Note Request Received 11/25/13</b>
	DATE PASSED	TITLE	TRANSMITTED		DUE DATE	DATE SIGNED BY I MAGA'LAHEN GUAHAN	PUBLIC LAW NO.	NOTES
4/15/2014	AN ACT TO AMEND §§ 89.01(d)(2)(A), 89.01(g)(2)(B), 89.02(a)(2), 89.02(a)(3), §89.02(b)(2) AND 89.02(c)(1); AND TO ADD A NEW SUBSECTION (C) TO §89.01(g)(2), AND A NEW SUBSECTION (d) TO §89.02, ALL OF CHAPTER 89, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE CRIMES AGAINST MINORS AND SEX OFFENDER REGISTRY.	4/16/14	1:10 p.m.	4/28/14	4/28/2014	32-141	As amended by the Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land.	



EDDIE BAZA CALVO  
Governor

RAY TENORIO  
Lieutenant Governor

*Office of the Governor of Guam*

APR 30 2014

32-14-1612

Date 5.2.14  
Time 2:32 PM  
Received by [Signature]  
2014 MAY - 2 PM 3:04 PM

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

Dear Madame Speaker:

Transmitted herewith is Bill No. 222-32 (COR) "AN ACT TO AMEND §§ 89.01(d)(2)(A), 89.01(g)(2)(B), 89.02(a)(2), 89.02(a)(3), §89.02(b)(2) AND 89.02(c)(1); AND TO ADD A NEW SUBSECTION (C) TO §89.01(g)(2), AND A NEW SUBSECTION (d) TO §89.02, ALL OF CHAPTER 89, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE CRIMES AGAINST MINORS AND SEX OFFENDER REGISTRY" which I signed into law on April 28, 2014 as **Public Law 32-141**.

*Senseramente,*

EDDIE BAZA CALVO

1612

*I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN*  
2013 (FIRST) Regular Session

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

This is to certify that **Bill No. 222-32 (COR)**, "AN ACT TO AMEND §§ 89.01(d)(2)(A), 89.01(g)(2)(B), 89.02(a)(2), 89.02(a)(3), §89.02(b)(2) AND 89.02(c)(1); AND TO ADD A NEW SUBSECTION (C) TO §89.01(g)(2), AND A NEW SUBSECTION (d) TO §89.02, ALL OF CHAPTER 89, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE CRIMES AGAINST MINORS AND SEX OFFENDER REGISTRY," was on the 15<sup>th</sup> day of April, 2014, duly and regularly passed.



Judith T. Won Pat, Ed.D.  
Speaker

Attested:

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Tina Rose Muña Barnes  
Legislative Secretary

-----

This Act was received by *I Maga'lahen Guåhan* this 16 day of April, 2014, at 1:10 o'clock P.M.



Assistant Staff Officer  
*Maga'lahi's Office*

APPROVED:

---

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

Date: APR 28 2014

Public Law No. 32-141

*I MINA'TRENTAI DOS NA LIHESLATURAN GUÁHAN*  
2013 (FIRST) Regular Session

**Bill No. 222-32 (COR)**

As amended by the Committee on Appropriations,  
Public Debt, Legal Affairs, Retirement, Public Parks,  
Recreation, Historic Preservation, and Land.

Introduced by:

Vicente (ben) C. Pangelinan

T. C. Ada

V. Anthony Ada

FRANK B. AGUON, JR.

B. J.F. Cruz

Chris M. Dueñas

Michael T. Limtiaco

Brant T. McCreddie

Tommy Morrison

T. R. Muña Barnes

R. J. Respicio

Dennis G. Rodriguez, Jr.

Michael F. Q. San Nicolas

Aline A. Yamashita, Ph.D.

Judith T. Won Pat, Ed.D.

**AN ACT TO AMEND §§ 89.01(d)(2)(A), 89.01(g)(2)(B),  
89.02(a)(2), 89.02(a)(3), §89.02(b)(2) AND 89.02(c)(1); AND  
TO ADD A NEW SUBSECTION (C) TO §89.01(g)(2), AND  
A NEW SUBSECTION (d) TO §89.02, ALL OF CHAPTER  
89, TITLE 9, GUAM CODE ANNOTATED, RELATIVE  
TO THE CRIMES AGAINST MINORS AND SEX  
OFFENDER REGISTRY.**

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

2 **Section 1.** § 89.01(d)(2)(A) of Chapter 89, Title 9, Guam Code Annotated,

3 is hereby *amended* to read as follows:

1           “(A) any convictions under local laws relating to Title 9 GCA §  
2       22.35;”

3       **Section 2.** § 89.01(g)(2)(B) of Chapter 89, Title 9, Guam Code Annotated,  
4 is hereby *amended* to read as follows:

5           “(B) is adjudicated delinquent as a juvenile for a sex offense, but  
6       only if the juvenile is *at least* fourteen (14) years of age at the time of the  
7       offense, and the sex offense adjudicated was one that is comparable to or  
8       more severe than the federal crime of “*aggravated sexual abuse*” (as  
9       described in either (a) and (b) of Section 2241 of Title 18 of the U.S.C.), or  
10      was an attempt or conspiracy to commit such an offense, which is noted in  
11      Title 9 GCA § 25.15, Subsections (a) (4) (i) or (ii), (a)(5), (a)(6), and (a)(7);  
12      and Title 9 GCA § 25.20 (a)(4) (i) or (ii), (a)(5), (a)(6), and (a)(7).”

13      **Section 3.** A new Subsection (C) is hereby *added* to § 89.01(g)(2) of  
14 Chapter 89, Title 9, Guam Code Annotated, to read as follows:

15           “(C) Any juvenile sex offender who meets the definitions under  
16      §89.01(g)(2) of this Act *shall* be required to follow all registration  
17      requirements under this Act, and all other Sex Offender Registration and  
18      Notification Act (SORNA) registration requirements *shall* apply, including  
19      public website disclosure in the Sex Offender Registry.

20           (i) Exemption Permitted. The only exception made for this  
21      Section is that juvenile sex offenders who are adjudicated in the  
22      Family Court, and who meet the definition under §89.01(g)(2)(B),  
23      *shall* be exempted from the public website disclosure, and *shall* be  
24      placed on a private, non-public database, wherein such registration  
25      information will only be made available to the National Sex Offender  
26      Registry (NSOR) to be placed in the national (non-public) databases

1 of sex offender information, to law enforcement and supervision  
2 agencies, and to registration authorities in other jurisdictions.”

3 **Section 4.** § 89.02 (a)(2) of Chapter 89, Title 9, Guam Code Annotated, is  
4 hereby *amended* to read as follows:

5 “(2) Guam Offenses: Any conviction under the following statutes  
6 and all of their subsections:

7 (A) Title 9 GCA § 22.30;

8 (B) Title 9 GCA § 22.20, wherein the victim of such crime is  
9 a minor;

10 (C) Title 9 GCA § 22.40, wherein the victim of such crime is  
11 a minor;

12 (D) Title 9 GCA § 22.50, wherein the victim of such crime is  
13 a minor, wherein the commission of (or the attempt or conspiracy to  
14 commit) involves a sexual offense;

15 (E) Title 9 GCA § 25.15;

16 (F) Title 9 GCA § 25.20;

17 (G) Title 9 GCA § 25.25;

18 (H) Title 9 GCA § 28.49;

19 (I) Title 9 GCA § 28.51;

20 (J) Title 9 GCA § 31.15; or

21 (K) Title 9 GCA §70.35.”

22 **Section 5.** § 89.02(a)(3) of Chapter 89, Title 9, Guam Code Annotated, is  
23 hereby *amended* to read as follows:

24 “(3) Federal Offenses. Any conviction under the following statutes  
25 and all of their subsections:

26 (A) 18 U.S.C. § 2241;

27 (B) 18 U.S.C. § 2242;

1 (C) 18 U.S.C. § 2243; or

2 (D) 18 U.S.C. § 2244.”

3 **Section 6.** § 89.02(b)(2) of Chapter 89, Title 9, Guam Code Annotated, is  
4 hereby *amended* to read as follows:

5 “(2) Federal Offenses: Any conviction under the following  
6 statutes and all of their subsections:

7 (A) 18 U.S.C. § 1591;

8 (B) 18 U.S.C. § 2244;

9 (C) 18 U.S.C. § 2251;

10 (D) 18U.S.C. § 2251A;

11 (E) 18 U.S.C. § 2252 (production or distribution of  
12 child pornography);

13 (F) 18 U.S.C. § 2252A (production or distribution of  
14 child pornography);

15 (G) 18 U.S.C. § 2260;

16 (H) 18 U.S.C. § 2421;

17 (I) 18 U.S.C. § 2422(b); or

18 (J) 18 U.S.C. § 2423(a).”

19 **Section 7.** § 89.02(c)(1) of Chapter 89, Title 9, Guam Code Annotated, is  
20 hereby *amended* to read as follows:

21 “(1) Guam Offenses. Any conviction under the following statutes  
22 and all of their subsections:

23 (A) Title 9 GCA § 25.30;

24 (B) Title 9 GCA § 25.35;

25 (C) Title 9 G.C.A. § 28.50;

26 (D) Title 9 GCA § 28.65;

27 (E) Title 9 G.C.A. § 89.01(b)(l);

1 (F) Title 9 GCA § 89.01(b)(3);

2 (G) Title 9 GCA § 22.35;

3 (H) any criminal sexual conduct offense not otherwise listed  
4 in §89.02 (a), (b) or (c); or

5 (I) any criminal offense against a victim who is a minor not  
6 otherwise listed in §89.02 (a), (b) or (c).”

7 **Section 8.** A new Subsection (d) is hereby *added* to § 89.02 of Chapter 89,  
8 Title 9, Guam Code Annotated, to read as follows:

9 “(d) Tiering of Juvenile Sex Offenders.

10 (1) Any juvenile sex offender who meets the definition  
11 provided for in § 89.01(g)(2)(A) of this Act, and is convicted of any  
12 sex offense under this Act, *shall* be required to follow the tiering  
13 system provided for under §89.02(a), (b) and (c) of this Act,  
14 respectively and accordingly to the crimes the juvenile offenders are  
15 convicted of.

16 (2) Any juvenile sex offender who meets the definition of §  
17 89.01(g)(2)(B) *shall* be tiered as a Level Offender 1, and *shall* be  
18 required to be on the private, non-public database for life.”

19 **Section 9. Severability.** *If* any of the provisions of this Act or the  
20 application thereof to any person or circumstance is held invalid, such invalidity  
21 *shall* not affect any other provision or application of this Act which can be given  
22 effect without the invalid provision or application, and to this end the provisions of  
23 this Act are severable.





FILE

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

April 16, 2014

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

Dear *Maga'lahi* Calvo:

Transmitted herewith are Bill and Substitute Bill Nos. 135-32 (COR), 183-32 (COR), 207-32 (COR), 222-32 (COR), 244-32 (COR), 266-32 (COR), 272-32 (COR), 273-32 (COR), 283-32 (COR), 286-32 (COR), 289-32 (COR), 311-32 (LS) and 315-32 (LS) which were passed by *I Mina'Trentai Dos Na Liheslaturan Guåhan* on April 15, 2014.

Sincerely,

TINA ROSE MUÑA BARNES  
Legislative Secretary

Enclosure (13)

OFFICE OF THE GOVERNOR  
CENTRAL FILES

RECEIVED BY *for*  
TIME *1:10* DATE *4/16/14*

*I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN*  
2013 (FIRST) Regular Session

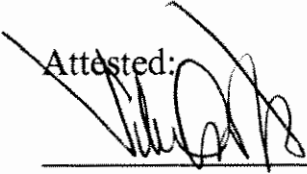
**CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LAHEN GUÅHAN***

This is to certify that **Bill No. 222-32 (COR)**, "AN ACT TO *AMEND* §§ 89.01(d)(2)(A), 89.01(g)(2)(B), 89.02(a)(2), 89.02(a)(3), §89.02(b)(2) AND 89.02(c)(1); AND TO *ADD* A NEW SUBSECTION (C) TO §89.01(g)(2), AND A NEW SUBSECTION (d) TO §89.02, ALL OF CHAPTER 89, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE CRIMES AGAINST MINORS AND SEX OFFENDER REGISTRY," was on the 15<sup>th</sup> day of April, 2014, duly and regularly passed.



Judith T. Won Pat, Ed.D.  
Speaker

Attested:



Tina Rose Muña Barnes  
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 16 day of April, 2014, at 1:10 o'clock P.M.



Assistant Staff Officer  
*Maga'lahaen's* Office

APPROVED:

EDWARD J.B. CALVO  
*I Maga'lahaen Guåhan*

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

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

***I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN***  
**2013 (FIRST) Regular Session**

**FILE**

**Bill No. 222-32 (COR)**

As amended by the Committee on Appropriations,  
Public Debt, Legal Affairs, Retirement, Public Parks,  
Recreation, Historic Preservation, and Land.

Introduced by:

Vicente (ben) C. Pangelinan

T. C. Ada

V. Anthony Ada

FRANK B. AGUON, JR.

B. J.F. Cruz

Chris M. Dueñas

Michael T. Limtiaco

Brant T. McCreddie

Tommy Morrison

T. R. Muña Barnes

R. J. Respicio

Dennis G. Rodriguez, Jr.

Michael F. Q. San Nicolas

Aline A. Yamashita, Ph.D.

Judith T. Won Pat, Ed.D.

**AN ACT TO AMEND §§ 89.01(d)(2)(A), 89.01(g)(2)(B),  
89.02(a)(2), 89.02(a)(3), §89.02(b)(2) AND 89.02(c)(1); AND  
TO ADD A NEW SUBSECTION (C) TO §89.01(g)(2), AND  
A NEW SUBSECTION (d) TO §89.02, ALL OF CHAPTER  
89, TITLE 9, GUAM CODE ANNOTATED, RELATIVE  
TO THE CRIMES AGAINST MINORS AND SEX  
OFFENDER REGISTRY.**

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

2 **Section 1.** § 89.01(d)(2)(A) of Chapter 89, Title 9, Guam Code Annotated,

3 is hereby *amended* to read as follows:

1           “(A) any convictions under local laws relating to Title 9 GCA §  
2       22.35;”

3       **Section 2.** § 89.01(g)(2)(B) of Chapter 89, Title 9, Guam Code Annotated,  
4 is hereby *amended* to read as follows:

5           “(B) is adjudicated delinquent as a juvenile for a sex offense, but  
6       only if the juvenile is *at least* fourteen (14) years of age at the time of the  
7       offense, and the sex offense adjudicated was one that is comparable to or  
8       more severe than the federal crime of “*aggravated sexual abuse*” (as  
9       described in either (a) and (b) of Section 2241 of Title 18 of the U.S.C.), or  
10      was an attempt or conspiracy to commit such an offense, which is noted in  
11      Title 9 GCA § 25.15, Subsections (a) (4) (i) or (ii), (a)(5), (a)(6), and (a)(7);  
12      and Title 9 GCA § 25.20 (a)(4) (i) or (ii), (a)(5), (a)(6), and (a)(7).”

13      **Section 3.** A new Subsection (C) is hereby *added* to § 89.01(g)(2) of  
14 Chapter 89, Title 9, Guam Code Annotated, to read as follows:

15           “(C) Any juvenile sex offender who meets the definitions under  
16      §89.01(g)(2) of this Act *shall* be required to follow all registration  
17      requirements under this Act, and all other Sex Offender Registration and  
18      Notification Act (SORNA) registration requirements *shall* apply, including  
19      public website disclosure in the Sex Offender Registry.

20           (i) Exemption Permitted. The only exception made for this  
21      Section is that juvenile sex offenders who are adjudicated in the  
22      Family Court, and who meet the definition under §89.01(g)(2)(B),  
23      *shall* be exempted from the public website disclosure, and *shall* be  
24      placed on a private, non-public database, wherein such registration  
25      information will only be made available to the National Sex Offender  
26      Registry (NSOR) to be placed in the national (non-public) databases

1 of sex offender information, to law enforcement and supervision  
2 agencies, and to registration authorities in other jurisdictions.”

3 **Section 4.** § 89.02 (a)(2) of Chapter 89, Title 9, Guam Code Annotated, is  
4 hereby *amended* to read as follows:

5 “(2) Guam Offenses: Any conviction under the following statutes  
6 and all of their subsections:

7 (A) Title 9 GCA § 22.30;

8 (B) Title 9 GCA § 22.20, wherein the victim of such crime is  
9 a minor;

10 (C) Title 9 GCA § 22.40, wherein the victim of such crime is  
11 a minor;

12 (D) Title 9 GCA § 22.50, wherein the victim of such crime is  
13 a minor, wherein the commission of (or the attempt or conspiracy to  
14 commit) involves a sexual offense;

15 (E) Title 9 GCA § 25.15;

16 (F) Title 9 GCA § 25.20;

17 (G) Title 9 GCA § 25.25;

18 (H) Title 9 GCA § 28.49;

19 (I) Title 9 GCA § 28.51;

20 (J) Title 9 GCA § 31.15; or

21 (K) Title 9 GCA § 70.35.”

22 **Section 5.** § 89.02(a)(3) of Chapter 89, Title 9, Guam Code Annotated, is  
23 hereby *amended* to read as follows:

24 “(3) Federal Offenses. Any conviction under the following statutes  
25 and all of their subsections:

26 (A) 18 U.S.C. § 2241;

27 (B) 18 U.S.C. § 2242;

1 (C) 18 U.S.C. § 2243; or

2 (D) 18 U.S.C. § 2244.”

3 **Section 6.** § 89.02(b)(2) of Chapter 89, Title 9, Guam Code Annotated, is  
4 hereby *amended* to read as follows:

5 “(2) Federal Offenses: Any conviction under the following  
6 statutes and all of their subsections:

7 (A) 18 U.S.C. § 1591;

8 (B) 18 U.S.C. § 2244;

9 (C) 18 U.S.C. § 2251;

10 (D) 18U.S.C. § 2251A;

11 (E) 18 U.S.C. § 2252 (production or distribution of  
12 child pornography);

13 (F) 18 U.S.C. § 2252A (production or distribution of  
14 child pornography);

15 (G) 18 U.S.C. § 2260;

16 (H) 18 U.S.C. § 2421;

17 (I) 18 U.S.C. § 2422(b); or

18 (J) 18 U.S.C. § 2423(a).”

19 **Section 7.** § 89.02(c)(1) of Chapter 89, Title 9, Guam Code Annotated, is  
20 hereby *amended* to read as follows:

21 “(1) Guam Offenses. Any conviction under the following statutes  
22 and all of their subsections:

23 (A) Title 9 GCA § 25.30;

24 (B) Title 9 GCA § 25.35;

25 (C) Title 9 G.C.A. § 28.50;

26 (D) Title 9 GCA § 28.65;

27 (E) Title 9 G.C.A. § 89.01(b)(l);

1 (F) Title 9 GCA § 89.01(b)(3);

2 (G) Title 9 GCA § 22.35;

3 (H) any criminal sexual conduct offense not otherwise listed  
4 in §89.02 (a), (b) or (c); or

5 (I) any criminal offense against a victim who is a minor not  
6 otherwise listed in §89.02 (a), (b) or (c).”

7 **Section 8.** A new Subsection (d) is hereby *added* to § 89.02 of Chapter 89,  
8 Title 9, Guam Code Annotated, to read as follows:

9 “(d) Tiering of Juvenile Sex Offenders.

10 (1) Any juvenile sex offender who meets the definition  
11 provided for in § 89.01(g)(2)(A) of this Act, and is convicted of any  
12 sex offense under this Act, *shall* be required to follow the tiering  
13 system provided for under §89.02(a), (b) and (c) of this Act,  
14 respectively and accordingly to the crimes the juvenile offenders are  
15 convicted of.

16 (2) Any juvenile sex offender who meets the definition of §  
17 89.01(g)(2)(B) *shall* be tiered as a Level Offender 1, and *shall* be  
18 required to be on the private, non-public database for life.”

19 **Section 9. Severability.** *If* any of the provisions of this Act or the  
20 application thereof to any person or circumstance is held invalid, such invalidity  
21 *shall* not affect any other provision or application of this Act which can be given  
22 effect without the invalid provision or application, and to this end the provisions of  
23 this Act are severable.

# LEGISLATIVE SESSION

## I MINA'TRENTAI DOS NA LIHESLATURAN

### 2014 (SECOND) Regular Session

### Voting Sheet

Bill No. 222-32 (COR)

Speaker Antonio R. Unipingco Legislative Session Hall  
April 15, 2014

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	✓	1			
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

15

Yea

Nay

Not Voting/  
Abstained

Out During  
Roll Call

Absent

CERTIFIED TRUE AND CORRECT:

I = Pass

Clerk of the Legislature





## COMMITTEE ON RULES

*I Mina'trentai Dos na Liheslaturan Guahan* • The 32nd Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
E-mail: [roryforguam@gmail.com](mailto:roryforguam@gmail.com) • Tel: (671)472-7679 • Fax: (671)472-3547

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

Senator  
Vicente (Ben) C. Pangelinan  
Member

Speaker  
Judith T.P. Won Pat, Ed.D.  
Member

Senator  
Dennis G. Rodriguez, Jr.  
Member

Vice-Speaker  
Benjamin J.F. Cruz  
Member

Legislative Secretary  
Tina Rose Muña Barnes  
Member

Senator  
Frank Blas Aguon, Jr.  
Member

Senator  
Michael F.Q. San Nicolas  
Member

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

Senator  
Aline Yamashita  
Member

November 25, 2013

VIA E-MAIL  
[john.rios@bbmr.guam.gov](mailto:john.rios@bbmr.guam.gov)

John A. Rios  
Director  
Bureau of Budget & Management Research  
P.O. Box 2950  
Hagåtña, Guam 96910

RE: Request for Fiscal Notes– Bill Nos. 222-32 (COR) through 227-32(COR)

*Hafa Adai* Mr. Rios:

Transmitted herewith is a listing of *I Mina'trentai Dos na Liheslaturan Guahan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

*Si Yu'os ma'ãse'* for your attention to this matter.

Very Truly Yours,

Senator Thomas C. Ada  
*Acting Chairperson of the Committee on Rules*

Attachment (1)

Cc: Clerk of the Legislature

2013 NOV 25 PM 5:29

Bill Nos.	Sponsor	Title
222-32 (COR)	Vicente (ben) C. Pangelinan	AN ACT TO AMEND §89.01(a)(2); TO AMEND §89.01(a)(2)(B); TO ADD A NEW SUBSECTION (C) TO §89.01(a)(2); TO AMEND §89.02(a)(2); TO AMEND §89.02(a)(3); TO AMEND §89.02(b)(2); TO AMEND §89.02(c)(1) AND TO ADD A NEW SUBSECTION (d) TO §89.02 ALL OF CHAPTER 89, 9 GUAM CODE ANNOTATED RELATIVE TO THE CRIMES AGAINST MINORS AND SEX OFFENDER REGISTRY.
223-32 (COR)	Vicente (ben) C. Pangelinan	AN ACT TO APPROPRIATE THE SUM OF FOUR HUNDRED THOUSAND DOLLARS (\$400,000) FOR THE COMPENSATION TO FARMERS FOR CROP DAMAGES PROGRAM ESTABLISHED PURSUANT TO CHAPTER 64A, TITLE 5 OF THE GUAM CODE ANNOTATED.
224-32 (COR)	T.C. Ada, R.J. Respicio	AN ACT TO AMEND §5425, §5426, §5427, §5450, §5452, §5480, §5481 AND §§5485 (a) and (b) OF ARTICLE 9, AND §5703, §5705, §5706(b), §5707(a), §5708 OF ARTICLE 12, CHAPTER 5, TITLE 5 OF THE GUAM CODE ANNOTATED RELATIVE TO CLARIFYING LEGAL AND CONTRACTUAL REMEDIES IN GUAM PROCUREMENT LAW.
225-32 (COR)	Judith T. Won Pat, Ed.D. T.R. Muna Barnes Aline A. Yamashita, Ph.D.	AN ACT TO ADD A NEW CHAPTER 58C TO TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE RENOVATION OR CONSTRUCTION OF A NEW SIMON SANCHEZ HIGH SCHOOL AND TO AMEND AND RENUMBER §22425(q) ARTICLE 4, CHAPTER 22, DIVISION 2, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO REVALUATION OF REAL PROPERTY TAXES AND TO AMEND §53101 OF TITLE 17 GUAM CODE ANNOTATED, RELATIVE TO EARLY CHILDHOOD PROGRAM FUND.
226-32 (COR)	Judith T. Won Pat, Ed.D. T.R. Muna Barnes Aline A. Yamashita, Ph.D.	AN ACT TO ADD A NEW CHAPTER 58D TO TITLE 5 GUAM CODE ANNOTATED RELATIVE TO THE FINANCE, DESIGN, RENOVATION, REHABILITATION, CONSTRUCTION OR MAINTENANCE OF PUBLIC SCHOOLS.
227-32 (COR)	T.C. Ada R.J. Respicio	AN ACT TO AUTHORIZE THE CREATION OF THE GUAM STREETLIGHT AUTHORITY TO ISSUE BONDS TO FINANCE THE PURCHASE AND INSTALLATION OF NEW LED STREETLIGHTS.



## COMMITTEE ON RULES

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Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

November 15, 2013

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

### MEMORANDUM


Senator  
Vicente (Ben) C. Pangelinan  
Member

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

Speaker  
Judith T.P. Won Pat, Ed.D.  
Member

**Attorney Therese M. Terlaje**  
*Legislative Legal Counsel*

Senator  
Dennis G. Rodriguez, Jr.  
Member

From: **Senator Thomas C. Ada**   
*Acting Chairperson of the Committee on Rules*

Vice-Speaker  
Benjamin J.F. Cruz  
Member

Subject: **Referral of Bill No. 222-32(COR)**

Legislative Secretary  
Tina Rose Muña Barnes  
Member

As the Acting Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 222-32(COR)**.

Senator  
Frank Blas Aguon, Jr.  
Member

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Dos na Liheslaturan Guåhan*.

Senator  
Michael F.Q. San Nicolas  
Member

Should you have any questions, please feel free to contact our office at 472-7679.

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

*Si Yu'os Ma'åse!*

Senator  
Aline Yamashita  
Member


Attachment


*MINA' TRENTAI DOS NA LIHESLATURAN GUAHAN*

2013 (FIRST) Regular Session

Bill No. 202-32 (COR)

Introduced by:

V.C.Pangelinan 

AN ACT TO AMEND §89.01(d)(2); TO AMEND §89.01(g)(2)(B); TO ADD A NEW SUBSECTION (C) TO §89.01(g)(2); TO AMEND §89.02(a)(2); TO AMEND §89.02(a)(3); TO AMEND §89.02(b)(2); TO AMEND §89.02(c)(1) AND TO ADD A NEW SUBSECTION (d) TO §89.02 ALL OF CHAPTER 89, 9 GUAM CODE ANNOTATED RELATIVE TO THE CRIMES AGAINST MINORS AND SEX OFFENDER REGISTRY. 

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Section 89.01(d)(2) is hereby amended to read as follows:

3 “§89.01. Definitions

4 (d) *Sex Offense*. The term "sex offense" as used in this Chapter includes  
5 those offenses contained in 42 United States Code (U.S.C.) §16911(5)  
6 and also includes the following offenses:

7 (2) *Guam Offenses*.

8 (A) any convictions under local laws relating to Title 9 GCA § 16.30;

9 (B) any convictions under local laws relating to Title 9 GCA §22.20,  
10 wherein the victim of such crime is a minor;

11 (C) any convictions under local laws relating to Title 9 GCA §22.30;

1 (D) any convictions under local laws relating to Title 9 GCA §22.40,  
2 wherein the victim of such crime is a minor;

3 (E) any convictions under local laws relating to Title 9 GCA §22.50,  
4 wherein the victim of such crime is a minor;

5 (F) any convictions under local laws relating to Title 9 GCA §25.15;

6 (G) any convictions under local laws relating to Title 9 GCA §25.20;

7 (H) any convictions under local laws relating to Title 9 GCA §25.25;

8 (I) any convictions under local laws relating to Title 9 GCA §25.30;

9 (J) any convictions under local laws relating to Title 9 GCA §25.35;

10 (K) any convictions under local laws relating to Title 9 GCA §28.20,  
11 wherein the victim of such crime is a minor;

12 (L) any convictions under local laws relating to Title 9 GCA §28.25,  
13 wherein the victim of such crime is a minor;

14 (M) any convictions under local laws relating to Title 9 GCA §28.30,  
15 wherein the victim of such crime is a minor;

16 (N) any convictions under local laws relating to 9 G.C.A. §28.49;

17 (O) any convictions under local laws relating to Title 9 GCA §28.50;

18 (P) any convictions under local laws relating to Title 9 GCA §28.51;

19 (Q) any convictions under local laws relating to Title 9 GCA §28.52,  
20 wherein the victim of such crime is a minor;

21 (R) any convictions under local laws relating to Title 9 GCA §28.65;

22 (S) any convictions under local laws relating to Title 9 GCA §28.80,  
23 wherein the victim of such crime is a minor;

24 (T) any convictions under local laws relating to Title 9 GCA §31.15;

25 (U) any convictions under local laws relating to Title 9 GCA §70.35;

26 (V) any convictions under local laws relating to Title 9 GCA  
27 §89.01(b)(l); ~~or~~

1 (W) any convictions under local laws relating to Title 9 GCA  
2 §89.01(b)(3); and any other offenses under Guam law relating to a  
3 criminal offense wherein there is an element involving:

4 (i) a sexual act or sexual contact with another, regardless of the  
5 age of the victim;

6 (ii) non-parental kidnapping of a minor; non-parental false  
7 imprisonment of a minor;

8 (iii) solicitation to engage a minor in sexual conduct;

9 (iv) use of a minor in a sexual performance;

10 (v) solicitation of a minor to practice prostitution;

11 (vi) video voyeurism of a minor;

12 (vii) possession, production, or distribution of child  
13 pornography;

14 (viii) criminal sexual conduct involving a minor; or

15 (ix) use of the internet to engage a minor in criminal sexual  
16 conduct; or

17 (X) any convictions under local laws relating to Title 9 GCA §22.35.”

18 **Section 2. Section 89.01(g)(2)(B) is hereby amended to read as**  
19 **follows:**

20 “§89.01. Definitions

21 (g) Conviction.

22 (2) Juvenile Conviction. A juvenile offender is "convicted" for the purposes  
23 of this Chapter if the juvenile offender is either:

24 (B) is adjudicated delinquent as a juvenile for a sex offense, but only if the  
25 juvenile is at least fourteen ( 14) years of age ~~or younger~~ at the time of the offense,  
26 and the sex offense adjudicated was one that is comparable to or more severe than  
27 the federal crime of "aggravated sexual abuse" (as described in either (a) and (b)

1 of Section 2241 of Title 18 of the U.S.C.), or was an attempt or conspiracy to  
2 commit such an offense, which is noted in Title 9 GCA § 25.15 Subsections (a) (4)  
3 (i) or (ii), (a)(5), (a)(6), and (a)(7); and Title 9 GCA § 25.20 (a)(4) (i) or (ii), (a)(5),  
4 (a)(6), and (a)(7).”

5 **Section 3. A new Subsection (C) is hereby added to Section 89.01(g)(2)**  
6 **to read as follows:**

7 “§89.01 Definitions.

8 (C) Any juvenile sex offender who meets the definitions under §89.01(g)(2)  
9 of this Act shall be required to follow all registration requirements under this Act,  
10 and all other SORNA registration requirements shall apply, including public web  
11 site disclosure in the Sex Offender Registry.

12 (i) EXEMPTION PERMITTED. The only exception made for this  
13 Section is that juvenile sex offenders who are adjudicated in the  
14 Family Court, and who meet the definition under §89.01(g)(2)(B),  
15 shall be exempted from the public web site disclosure and shall be  
16 placed on a private, non-public database, wherein such registration  
17 information will only be made available to the National Sex Offender  
18 Registry (“NSOR”) to be placed in the national (non-public) databases  
19 of sex offender information, to law enforcement and supervision  
20 agencies, and to registration authorities in other jurisdiction.”

21 **Section 4. Section 89.02 (a)(2) is hereby amended to read as follows:**

22 “§89.02. Classification of Offenders.

23 (a) Level One Offender. Any person convicted of any of the following  
24 offenses, including a conviction for an attempt or conspiracy to commit any of the  
25 following offenses, *shall* be considered a Level One Offender.

26 (2) Guam Offenses: Any conviction under the following statutes and all of  
27 their subsections:

1 ~~(A) Title 9 GCA § 16.30; (aggravated murder)~~

2 (A) Title 9 G.C.A. §22.30;

3 (B) Title 9 GCA §22.20, wherein the victim of such crime is a minor;

4 (C) Title 9 GCA §22.40, wherein the victim of such crime is a minor;

5 (D) Title 9 GCA §22.50, wherein the victim of such crime is a minor,

6 wherein the commission of (or the attempt or conspiracy to commit) a

7 sexual offense;

8 (E) Title 9 GCA §25.15, ~~except for a conviction under §25.15(2);~~

9 (F) Title 9 GCA §25.20, ~~except for a conviction under §25.20(2);~~

10 (G) Title 9 GCA §25.25;

11 (H) Title 9 GCA §28.49;

12 (I) Title 9 GCA §28.51;

13 (J) Title 9 GCA §31.15; or

14 (K) Title 9 GCA §70.35.”

15 **Section 5. Section 89.02(a)(3) is hereby amended to read as follows:**

16 “§89.02. Classification of Offenders.

17 (3) Federal Offenses: Any conviction under the following statutes and all of  
18 their subsections:

19 (A) 18 U.S.C. §2241;

20 (B) 18 U.S.C. §2242; ~~or~~

21 (C) 18 U.S.C. §2243; or

22 ~~(C)~~ (D) 18 U.S.C. §2244.”

23 **Section 6. Section 89.02(b)(2) is hereby amended to read as follows:**

24 “§89.02. Classification of Offenders.

25 (2) Federal Offenses: Any conviction under the following statutes and all of  
26 their subsections:

27 (A) 18 U.S.C. §1591;



1           ~~(B)~~ 18 U.S.C. §2243;  
2           ~~(C)~~ (B) 18 U.S.C. §2244;  
3           ~~(D)~~ (C) 18 U.S.C. §2251;  
4           ~~(E)~~ (D) 18 U.S.C. §2251A;  
5           ~~(F)~~ (E) 18 U.S.C. §2252 (production or distribution of child  
6           pornography);  
7           ~~(G)~~ (F) 18 U.S.C. §2252A (production or distribution of child  
8           pornography);  
9           ~~(H)~~(G) 18 U.S.C. §2260;  
10          ~~(I)~~ (H) 18 U.S.C. §2421;  
11          ~~(J)~~ (I) 18 U.S.C. §2422(b); or  
12          ~~(K)~~(J) 18 U.S.C. §2423(a).”

13           **Section 7. Section 89.02(c)(1) is hereby amended to read as follows:**

14           “§89.02. Classification of Offenders.

15           (c) Level Three Offender. Any person *not* otherwise classified as a Level  
16 One Offender or Level Two Offender, who is convicted of any of the following  
17 offenses, including a conviction for an attempt or conspiracy to commit any of the  
18 following offenses, shall be considered a Level Three Offender.

19           (1) Guam Offenses. Any conviction under the following statutes  
20 and all of their subsections:

21           ~~(A)~~ Title 9 G.C.A. §22.30;  
22           ~~(B)~~ Title 9 G.C.A. §25.15(2);  
23           ~~(C)~~ Title 9 G.C.A. §25.20(2);  
24           ~~(D)~~ Title 9 G.C.A. §25.25;  
25           ~~(E)~~ (A) Title 9 G.C.A. §25.30;  
26           ~~(F)~~ (B) Title 9 G.C.A. §25.35;  
27           ~~(G)~~(C) Title 9 G.C.A. §28.50;

1           ~~(H)~~(D) Title 9 G.C.A. §28.65;  
2           ~~(E)~~ (E) Title 9 G.C.A. §89.01(b)(1);  
3           ~~(F)~~ (F) Title 9 G.C.A. §89.01(b)(3);  
4           (G) Title 9 G.C.A. §22.35;  
5           ~~(K)~~ (H) any criminal sexual conduct offense not otherwise listed  
6           in §89.02 (a), (b) or (c); or  
7           ~~(L)~~ (I) any criminal offense against a victim who is a minor not  
8           otherwise listed in §89.02 (a), (b) or (c).”

9           **Section 8. A new Subsection (d) is hereby added to Section 89.02 to read**  
10 **as follows:**

11           “§89.02. Classification of Offenders.

12           (d) Tiering of Juvenile Sex Offenders.

13           (1) Any juvenile sex offender who meets the definition provided for in  
14 §89.01(g)(2)(A) of this Act, and is convicted of any sex offense under this Act  
15 shall be required to follow the tiering system provided for under §89.02(a), (b) and  
16 (c) of this Act, respectively and accordingly to the crimes the juvenile offenders  
17 are convicted of.

18           (2) Any juvenile sex offender who meets the definition of  
19 §89.01(g)(2)(B), shall be tiered as a Level Offender 1, and shall be required to be  
20 on the private, non-public database for lifetime.”

21           **Section 9. Severability.** If any of the provisions of this Act or the  
22 application thereof to any person or circumstance is held invalid, such invalidity  
23 *shall* not affect any other provision or application of this Act which can be given  
24 effect without the invalid provision or application, and to this end the provisions of  
25 this Act are severable.