I Mina'Trentai Dos Na Liheslaturan Guahan

Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	STATUS
43-32 (COR)	B.J.F. Cruz	AN ACT TO ADD A NEW (b) (1) AND (2) TO § 67.801; AND TO ADD A NEW § 67.802 AND § 67.803 TO ARTICLE 8 OF CHAPTER 67 OF TITLE 9 GUAM CODE ANNOTATED RELATIVE TO STRENGTHENING THE PENALTIES FOR THE POSSESSION, MANUFACTURING, SELLING, OR DISTRIBUTION OF ANY SYNTHETIC CANNABINOID OR SALVIA DIVINORUM.	2/15/2013 2:41 p.m.	**2/18/13**	Committee on the Guam US Military Relocation, Homeland Security, Veteran's Affairs and Judiciary		03/25/13 9:27 a.m.	**Fiscal Note Requested 2/19/13**	4/1/13-Passed as substituted by the committee 4/2/13-Transmitted to the Governor AN ACT TO ADD A NEW SUBSECTION (mm) TO §67.100 OF ARTICLE 1 OF CHAPTER 67 OF TITLE 9, GUAM CODE ANNOTATED; AND TO AMEND ITEM (F) OF APPENDIX A OF PUBLIC LAW 31-164, AND TO ADD A NEW (44), RELATIVE TO SYNTHETIC CANNABINOIDS

FILE COPY

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

April 1, 2013

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

OFFICE OF THE GOVERNOR
CENTRAL FILES
RECEIVED BY
TIME 12:10 DATE 4/2/13

Dear *Maga'lahi* Calvo:

Transmitted herewith are Bill and Substitute Nos. 1-32(LS), 4-32(LS), 5-32(LS), 6-32(LS), 7-32(COR), 23-32(COR), 29-32(COR), 31-32(COR), 32-32(COR), 41-32(LS), 43-32(COR), 44-32(COR), 46-32(LS) and 54-32(COR) which were passed by *I Mina'Trentai Dos Na Liheslaturan Guåhan* on April 1, 2013.

Sincerely,

Tina Rose Muña Barnes
Senator and Legislative Secretary

Enclosures (14)

FILE COPY

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 **Substitute Bill No. 43-32 (COR), "AN ACT TO *ADD* A NEW SUBSECTION (mm) TO §67.100 OF ARTICLE 1 OF CHAPTER 67 OF TITLE 9, GUAM CODE ANNOTATED; AND TO *AMEND* ITEM (F) OF APPENDIX A OF PUBLIC LAW 31-164, AND TO *ADD* A NEW (44), RELATIVE TO SYNTHETIC CANNABINOIDS",** was on the 1st day of April, 2013, 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'lahen Guåhan* this 2 day of April, 2013, at 12:10 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 GUÅHAN
2013 (FIRST) Regular Session

Bill No. 43-32 (COR)
As substituted by the Committee
on the Guam U.S. Military Relocation,
Homeland Security, Veterans' Affairs and Judiciary.

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

AN ACT TO *ADD* A NEW SUBSECTION (mm) TO §67.100 OF ARTICLE 1 OF CHAPTER 67 OF TITLE 9, GUAM CODE ANNOTATED; AND TO *AMEND* ITEM (F) OF APPENDIX A OF PUBLIC LAW 31-164, AND TO *ADD* A NEW (44), RELATIVE TO SYNTHETIC CANNABINOIDS.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. A new Subsection (mm) is hereby *added* to §67.100 of Article 1 of Chapter 67 of Title 9, Guam Code Annotated, to read:

"(mm) *Synthetic cannabinoid* means any chemical compound that is chemically synthesized and either:

(1) has been demonstrated to have binding activity at one or more cannabinoid receptors; or

(2) is a chemical analog or isomer of a compound that has been demonstrated to have a binding activity at one or more cannabinoid receptors."

Section 2. Item (F) of Appendix A of Public Law 31-164 is hereby *amended*, and a new Subsection (44) is hereby *added,* to read:

"(F) Any material, compound, mixture or preparation which contains any quantity of the following substances:

(1)5-(1,1-Dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, its optical, positional, and geometric isomers, salts and salts of isomers (other names: CP-47,497);

(2) 5-(1,1-Dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, its optical, positional, and geometric isomers, salts and salts of isomers (other names: cannabicyclohexanol and CP-47,497 C8 homologue);

(3) 1-Butyl-3-(1-naphthoyl)indole, its optical, positional, and geometric isomers, salts and salts of isomers (other names: WH- 073);

(4) 1-[2-(4-Morpholinyl)ethyl]-3-(1-naphthoyl)indole, its optical, positional, and geometric isomers, salts and salts of isomers (other names: JWH-200);

(5) 1-Pentyl-3-(1-naphthoyl)indole, its optical, positional, and geometric isomers, salts and salts of isomers (other names: JWH-018 and AM678);

(6) (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol (some trade or other names: HU-210);

(7) Salvia divinorum or Salvinorum A; all parts of the plant presently classified botanically as Salvia divinorum, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salts, derivative, mixture, or preparation of such plant, its seeds or extracts;

(8) 1-hexyl-3-(1-naphthoyl)indole (JWH–019);

(9) 1-pentyl-3-(2-methoxyphenylacetyl)indole (JWH–250);

(10) 1-pentyl-3-[1-(4-methoxynaphthoyl)]indole (JWH–081);

(11) 1-pentyl-3-(4-methyl-1-naphthoyl)indole (JWH–122);

(12) 1-pentyl-3-(4-chloro-1-naphthoyl)indole (JWH–398);

(13) 1-(5-fluoropentyl)-3-(1-naphthoyl)indole (AM2201);

(14) 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole (AM694);

(15) 1-pentyl-3-[(4-methoxy)-benzoyl]indole (SR–19 and RCS–4);

(16) 1-cyclohexylethyl-3-(2-methoxyphenylacetyl)indole (SR–18 and RCS–8);

(17) 1-pentyl-3-(2-chlorophenylacetyl)indole (JWH–203);

(18) 4-methylmethcathinone (Mephedrone);

(19) 3,4-methylenedioxypyrovalerone (MDPV);

(20) 3,4-methylenedioxymethcathinone (methylone);

(21) Naphthylpyrovalerone (naphyrone);

(22) 4-fluoromethcathinone (flephedrone);

(23) 4-methoxymethcathinone (methedrone; Bk–PMMA);

(24) Ethcathinone;

(25) 3,4-methylenedioxyethcathinone (ethylone);

(26) Beta-keto-N-methyl-3,4-benzodioxyolybutanamine (butylone);

(27) N,N-dimethylcathinone (metamfepramone);

(28) Alpha-pyrrolidinopropiophenone (alpha-PPP);

(29) 4-methoxy-alpha-pyrrolidinopropiophenone (MOPPP);

(30) 3,4-methylenedioxy-alpha-pyrrolidinopropiophenone (MDPPP);

(31) Alpha-pyrrolidinovalerophenone (alpha-PVP);

(32) 6,7-dihydro-5H-indeno-(5,6-d)-1,3-dioxol-6-amine) (MDAI);

(33) 3-fluoromethcathinone;

(34) 4'-Methyl-α-pyrrolidinobutiophenone (MPBP);

(35) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C–E);

(36) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C–D);

(37) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C–C);

(38) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C–I);

(39) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (2C–T–2);

(40) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine (2C–T–4);

(41) 2-(2,5-Dimethoxyphenyl)ethanamine (2C–H);

(42) 2-(2,5-Dimethoxy-4-nitrophenyl)ethanamine (2C–N);

(43) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (2C–P); and

(44) any synthetic cannabinoid."

LEGISLATIVE SESSION ATTENDANCE

I MINA'TRENTAI DOS NA LIHESLATURAN

2013 (FIRST) Regular Session

Voting Sheet

SBill No: 43-32 (COR)

Speaker Antonio R. Unipingco Legislative Session Hall

AN ACT TO ADD A NEW (mm) TO §67.100 OF ARTICLE 1 OF CHAPTER 67 OF TITLE 9, GUAM CODE ANNOTATED; AND TO AMEND ITEM (F) OF APPENDIX A OF PUBLIC LAW 31-164, AND TO ADD A NEW (44), RELATIVE TO SYNTHETIC CANNABINOIDS.

NAME	Yea	Nay	Not Voting/ Abstained	Out During Roll Call	Absent
Senator Thomas "Tom" C. ADA	V				
Senator V. Anthony "Tony" ADA	V				
Senator Frank Blas AGUON Jr.	V				
Vice-Speaker Benjamin J.F. CRUZ	V				
Senator Christopher M. DUENAS	V				
Senator Michael LIMTIACO	V				
Senator Brant McCREADIE	V				
Senator Thomas "Tommy" MORRISON	V				
Senator Tina Rose MUÑA BARNES	V				
Senator Vicente (ben) Cabrera PANGELINAN	V				
Senator Rory J. RESPICIO	V				
Senator Dennis G. RODRIGUEZ, Jr.	V				
Senator Michael F. Q.SAN NICOLAS	V				
Speaker Judith T. WON PAT, Ed.D.	V				
Senator Aline A. YAMASHITA, Ph.D.	V				
TOTAL	15				

CERTIFIED TRUE AND CORRECT:

4/1/13

Clerk of the Legislature

COMMITTEE ON

GUAM U.S. MILITARY RELOCATION
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN | 32ND GUAM LEGISLATURE

Senator
FRANK B. AGUON,JR.
Committee Chairperson

Senator
Tina Muna-Barnes
Committee Vice Chairperson

Speaker
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Committee Member

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Rory J. Respicio
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Senator
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Committee Member

Senator
V. Anthony Ada
Committee Member

Senator
Michael Limtiaco
Committee Member

Senator
Thomas Morrison
Committee Member

March 21, 2013

The Honorable Judith T. Won Pat
Speaker
I Mina' Trentai Unu Na Liheslaturan Guahan
32nd Guam Legislature
155 Hesler Place
Hagatna, Guam 96910

VIA: The Honorable Rory J. Respicio
Chairperson, Committee on Rules

RE: Committee Report on Bill No. 43-32 (COR) as substituted.

Dear Speaker Won Pat:

Transmitted herewith is the Report of Committee on U.S. Military Relocation, Homeland Security, Veterans' Affairs and Judiciary on Bill No. 43-32 (COR) - B.J.F. Cruz / J.T. Won Pat, Ed.D. - An act to add a new (b) (1) and (2) to § 67.801; and to add a new § 67.802 and § 67.803 to Article 8 of Chapter 67 of Title 9 Guam Code Annotated relative to strengthening the penalties for the possession, manufacturing, selling, or distribution of any synthetic Cannabinoid or Salvia Divinorum. as substitutec

Committee votes are as follows:

7	TO DO PASS
Ø	TO NOT PASS
Ø	TO REPORT OUT ONLY
Ø	TO ABSTAIN
Ø	TO PLACE IN INACTIVE FILE

2013 MAR 25 AM 9:27

Sincerely,

SEN. FRANK B. AGUON, JR.
Chairperson

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COMMITTEE ON

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VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY

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Senator
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Committee Member

Senator
Thomas Morrison
Committee Member

COMMITTEE REPORT

ON

BILL NO. 43-32 (COR)

Bill No. 43-32 (COR) - B.J.F. Cruz / J.T. Won Pat, Ed.D.

An act to add a new (b) (1) and (2) to § 67.801; and to add a new § 67.802 and § 67.803 to Article 8 of Chapter 67 of Title 9 Guam Code Annotated relative to strengthening the penalties for the possession, manufacturing, selling, or distribution of any synthetic Cannabinoid or Salvia Divinorum. as substituted.

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Michael Limtiaco
Committee Member

Senator
Thomas Morrison
Committee Member

February 25, 2013

MEMORANDUM

To: **Honorable Senator Members**
Committee on Guam US Military Relocation, Homeland Security, Veterans Affairs and Judiciary

From: **Senator Frank B. Aguon Jr.**
Chairperson, Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary

Subject: **First Notice – Public Hearing**
Monday, March 4, 2013 – 9:00 AM

Please be advised that the Committee on Guam US Military Relocation, Homeland Security, Veterans Affairs and Judiciary will be conducting a Public Hearing on Monday, March 4, 2013 at 9:00 AM in the Legislature's Public Hearing Room. This hearing is scheduled to receive public testimony on the following items:

- **Bill No. 6-32 (LS)** - An act to amend §25.15 and §25.20 of Chapter 25, Title 9, Guam Code Annotated, relative to strengthening penalties for crimes involving criminal sexual conduct, which may be cited as the "Predator Prevention Act".
- **Bill No. 10-32 (COR)** - An act to add a new Chapter 39A to Title 7 of the Guam Code Annotated relative to creating the Uniform Child Abduction Prevention Act.
- **Bill No. 41-32 (LS)** - An act to amend Chapter 30, Title 9 Guam Code Annotated relative to strengthening the penalties for crimes of family violence.
- **Bill No. 43-32 (COR)** - An act to add a new (b) (1) and (2) to § 67.801; and to add a new § 67.802 and § 67.803 to Article 8 of Chapter 67 of Title 9 Guam Code Annotated relative to strengthening the penalties for the possession, manufacturing, selling, or distribution of any synthetic Cannabinoid or Salvia Divinorum
- **Resolution No. 33-32 (COR)** - Relative to urging the United States Congress to pass the Violence Against Women Reauthorization Act of 2013, in order to continue protecting the safety of women and children across the United States and ensure the provision of necessary services for victims of domestic violence and sexual assault.

Testimony should be addressed to Senator Frank B. Aguon, Jr., Chairperson, and may be submitted via hand-delivery to our office or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagatna, Guam 96910, via e-mail to committee@frankaguonjr.com, or via facsimile to (671) 475-GUM3 (4863). Individuals requiring special accommodations, auxiliary aids, or services shall contact and submit their request to Karlo Dizon or Yvette Cruz at our office. We look forward to your attendance and participation. For further information, please contact the Office of Senator Frank B. Aguon, Jr. at 475-GUM1/2 (4861/2). We look forward to your attendance and participation.

CC: All Senators/Clerk of the Legislature/Sgt.at-Arms/Protocol

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COMMITTEE ON

GUAM U.S. MILITARY RELOCATION
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN | 32ND GUAM LEGISLATURE

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COMMITTEE VOTING SHEET

Bill No. 43-32 (COR) - B.J.F. Cruz / J.T. Won Pat, Ed.D. - An act to add a new (b) (1) and (2) to § 67.801; and to add a new § 67.802 and § 67.803 to Article 8 of Chapter 67 of Title 9 Guam Code Annotated relative to strengthening the penalties for the possession, manufacturing, selling, or distribution of any synthetic Cannabinoid or Salvia Divinorum.
As substituted.

COMMITTEE MEMBERS	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
AGUON, FRANK B. Chairperson	3/18/13	✓				
MUNA-BARNES, TINA Vice-Chairperson		✓				
WON PAT, JUDITH T. Speaker, Member						
RESPICIO, RORY J. Member		3/20/13				
ADA, THOMAS C. Member						
RODRIGUEZ, DENNIS G. JR. Member		✓ 3/19/13				
ADA, V. ANTHONY Member		3/21/13				
LIMTIACO, MICHAEL Member		3/18/13				
MORRISON, THOMAS Member		3/19/13 ✓				

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COMMITTEE REPORT DIGEST

I. OVERVIEW

The Committee on Guam U.S. Military Relocation, Homeland Security, Veterans' Affairs and Judiciary convened a public hearing on Monday, March 4th, 2013, at 9:00 a.m. in the Public Hearing Room of *I Liheslaturan Guahan*. Among the items on the agenda was Bill No. 43-32 (COR) - B.J.F. Cruz / J.T. Won Pat, Ed.D. - An act to add a new (b) (1) and (2) to § 67.801; and to add a new § 67.802 and § 67.803 to Article 8 of Chapter 67 of Title 9 Guam Code Annotated relative to strengthening the penalties for the possession, manufacturing, selling, or distribution of any synthetic Cannabinoid or Salvia Divinorum.

Public Notice Requirements

All legal requirements for public notices were met, with notices disseminated via-email to all senators and media outlets on February 25th, 2013, a published notice at the Marianas Variety on February 26th, 2013, and a notice again sent on March 1st, 2013.Copies of the hearing notices and e-mail notifications are appended to the report.

Senators Present

Senator Frank B. Aguon, Jr., Chairman
Speaker Judith Won Pat
Senator Anthony V. Ada
Senator Brant McCreadie
Senator Chris Duenas

Appearing before the Committee

Atty. Phil Tydingco, Deputy Attorney General
Lt. Arthur Paulino, Guam Police Department

The public hearing was called to order at 9:00 a.m.

II. SUMMARY OF TESTIMONY AND DISCUSSION

Sen. Aguon: Recognizes testimonies by Atty. Phil Tydingco, and Lt. Arthur Paulino from Guam Police Department. Also recognizes sponsor's statement from Vice Speaker Benjamin Cruz given his absence.

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Vice Cruz's Testimony: Recent meeting with Atty. General's office, U.S. Attorney, Customs, and Drug Enforcement Agency, with regards to rapidly evolving forms of Spice. Synthetic cannabinoids are popular increasing due to easy accessibility and price. It's available in 'headshops' and other stores, and can be consumed in many forms. It causes nausea and panic attacks; and contains substances more potent than marijuana. U.S. military has taken steps to prevent usage. Our laws must evolve to beat those who try to outrun law in distribution and production of this drug. This is necessary for the protection of our youth, and encourage legislature and the public to support this measure.

Phil Tydingco: Offers no testimony.

Lt. Paulino: Thanks Senators for allowing testimony. Reads written testimony from Chief Bordallo of Guam Police Department. They are in support of its intent; however are concerned with its cost. Without standardized process to verify substance, enforcement will be diminished. Followed by testimony of crime lab. GPD is working on accurate identification of spice, and substances used in its production. Available methods of detection in other labs utilizes "high-performance liquid chromatography mass spectrometer", which local laboratory does not have. They can use a "gas chromatography mass spectrometer", but must purchase samples of substances. Once these are acquired, lab can check whether they can reproduce spice as available. Second, laboratory only has limited samples of known substances that constitute spice. Laboratory must be in compliance of standards for analyses of these drugs; once method is established, can be applied. However, without all necessary substances needed, the laboratory will have to validate an additional test using spice made from other synthetic cannabinoids. Third, other standard substances, cannot be procured, and as such the lab will have to make a formal request with U.S. DEA for supply. There is a long waiting list for non-commercially available substances. Two challenges: lack of substances for standardized checking, and lack of adequate equipment. Testimony by GPD legal unit. Testing using locally available equipment will require purchase of crystalline form of substance to be checked. There is accordingly no need for purchase of new equipment, but just larger quantities of substance standards. No information on whether all standards will be available for purchase, but will continue research.

Atty. Tydingco: AG supports proposed bill and updated provisions, but offers some technical issues. Proposed language makes it a crime to manufacture, distribute, substances; in comparison language in another part of the bill also makes it a crime to deliver. Under language of Code, "deliver" is broader than "distribute". If Bill 43 is changed to use the term "distribute", would not take away from intent. Second, use of language in punishment part of statute is vague; appears that it could be subject to punishments that could apply to marijuana, which has reduced penalties. Defense counsel may be able to argue that synthetic cannabis should be treated like real cannabis, which is subject to reduced penalties. AG agrees with Vice Speaker and other research that this substance is more harmful, and as such should not be subject to such reductions. Proposal that it should be treated similar to 'harder' Schedule 1 drugs. Also stresses AG Rapadas's indication that Legislature should support crime lab's need for new detection equipment.

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Senator
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Sen. Aguon: Thanks testimony, and recognizes written testimony by Director of the Dept. of Public Health.

Speaker Won Pat: Asks whether comments by GPD was written by someone from the lab, or by another person.

Lt. Paulino: Clarifies that testimony was written by Ms. Monica Salas of the crime lab.

Speaker Won Pat: Asks for clarification on preferred position by GPD.

Lt. Paulino: Preferred position is to have substance standards be available, so that when officer brings in suspected spice, the lab can have a readily available standard to compare with. GPD has requests from surrounding islands as well; substances are expensive. Additional equipment would be beneficial, but available substance standards could also be utilized. Because the chemical constitution of spice rapidly evolves, keeping up is always a challenge for any crime lab.

Speaker Won Pat: Inquires whether other methods could be available, other than using substance standards; whether they can do tests on individual.

Lt. Paulino: They do, but standards must still be available. Stresses the need for substance standard to test samples against. Must also consider that off-island testing usually requires a longer timeframe.

Speaker Won Pat: Suggests that it may be helpful to have cost estimates for the different options.

Sen. Aguon: Question with regards to testing, whether the crime lab conducts testing for Guam National Guard and other military entities on island.

Lt. Paulino: Unsure, but indicates that GPD is moving towards direction of a regional crime lab.

Sen. Aguon: Concludes testimonies for Bill 43-32, and adjourns public hearing accordingly.

III. FINDINGS AND RECOMMENDATION

The Committee on Guam U.S. Military Relocation, Homeland Security, Veterans' Affiars and Judiciary to which was referred "Bill No. 43-32 (COR) - B.J.F. Cruz / J.T. Won Pat, Ed.D. - An act to add a new (b) (1) and (2) to § 67.801; and to add a new § 67.802 and § 67.803 to Article 8 of Chapter 67 of Title 9 Guam Code Annotated relative to strengthening the penalties for the possession, manufacturing, selling, or distribution of any synthetic Cannabinoid or Salvia Divinorum" hereby submits these findings to I Mina' Trentai Dos na Lehislaturan Guahan and reports out Bill No. 43-32 (COR) with a recommendation **TO DO PASS**.

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

2013 FEB 15 PM 2:41

Bill No. 43-32(COR)

Introduced by: B.J.F. Cruz
Judith Won Pat, Ed.D.

AN ACT TO ADD A NEW (b) (1) AND (2) TO § 67.801; AND TO ADD A NEW § 67.802 AND § 67.803 TO ARTICLE 8 OF CHAPTER 67 OF TITLE 9 GUAM CODE ANNOTATED RELATIVE TO STRENGTHENING THE PENALTIES FOR THE POSSESSION, MANUFACTURING, SELLING, OR DISTRIBUTION OF ANY SYNTHETIC CANNABINOID OR SALVIA DIVINORUM.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. § 67.801 of Article 8 of chapter 67 of Title 9 of the Guam Code Annotated is hereby *amended* to read:

"§ 67.801. Salvia Divinorum or Salvinorum A.

(a) The possession of the following chemical compounds *shall* be prohibited within Guam:

(1) (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-

(2methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol, some trade or other names: HU-210.

(2) 1-Pentyl-3-(1-naphthoyl)indole, some trade or other names: JWH-018.

(3) 1-Butyl-3-(1-naphthoyl)indole, some trade or other names: JWH-073.

(4) Salvia divinorum or salvinorum A; all parts of the plant presently classified botanically as salvia divinorum, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salts, derivative, mixture, or preparation of such plant, its seeds or extracts.

(b) "Synthetic Cannabinoid" means any chemical compound that is chemically synthesized and either:

(1) Has been demonstrated to have binding activity at one or more cannabinoid receptors; or

(2) Is a chemical analog or isomer of a compound that has been demonstrated to have a binding activity at one or more cannabinoid receptors."

~~(b)~~ (c) A violation of Subsection (a) *shall* be subject to the same penalties and provisions contained in Chapter 67 of Title 9 of the Guam Code Annotated.

Section 2. A new § 67.802 is hereby *added* to Article 8 of Chapter 67 of Title 9 Guam Code Annotated to read:

"**§ 67.802. Unlawful use or possession of synthetic cannabinoids or salvia divinorum.**

(1) Effective immediately, it is unlawful for any person to use or possess any amount of any Synthetic Cannabinoid or Salvia Divinorum.

(2) A Person who violates any provision of subsection (1) of this section *shall* be subject to the same penalties and provisions contained in Chapter 67 of Title 9 of the Guam Code Annotated."

Section 3. A new § 67.803 is hereby *added* to Article 8 of Chapter 67 of Title 9 Guam Code Annotated to read:

"**§ 67.803 Unlawful distribution, manufacturing, sale, or of synthetic cannabinoids or salvia divinorum.**

(1) It is unlawful for any person knowingly to:

(a) Manufacture, sell, or distribute, or to possess with intent to manufacture, sell, or distribute, any amount of Synthetic Cannabinoid or Salvia Divinorum;

(b) Induce, attempt to induce, or conspire with one or more other persons, to manufacture, sell, distribute, or possess with intent to manufacture, sell, or distribute, any amount of any Synthetic Cannabinoid or Salvia Divinorum

(2) A person who violates any provision of subsection (1) of this section *shall* be subject to the same penalties and provisions contained in Chapter 67 of Title 9 of the Guam Code Annotated.

(3) Notwithstanding the provisions of subsection (2) of this section, a person who violates any provision of subsection (1) of this section by selling, or distributing any amount of any Synthetic Cannabinoid or Salvia Divinorum *shall* be subject to the same penalties and provisions contained in Chapter 67 of Title 9 of the Guam Code Annotated if the person:

(a) Sells, or distributes the Synthetic Cannabinoid or Salvia Divinorum to a minor who is less that eighteen (18) years of age; and

(b) Is at least eighteen years of age and at least two years older than said minor."

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

Bill No. 43-32 (COR)
As Substituted by the Committee
on the Guam US Military Relocation,
Homeland Security, Veteran's Affairs and Judiciary

Introduced by: B.J.F. Cruz

AN ACT TO ADD A NEW (mm) TO § 67.100; OF ARTICLE 1 OF CHAPTER 67 OF TITLE 9 GUAM CODE ANNOTATED RELATIVE TO THE DEFINITION OF SYNTHETIC CANNABINOID.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. A new (mm) is hereby *added* to § 67.100 of Article 1 of Chapter 67 of Title 9 of the Guam Code Annotated to read:

"§ 67.100. Definitions.

"(mm) Synthetic Cannabinoid" means any chemical compound that is chemically synthesized and either:

(1) Has been demonstrated to have binding activity at one or more cannabinoid receptors; or

(2) Is a chemical analog or isomer of a compound that has been demonstrated to have a binding activity at one or more cannabinoid receptors."

Section 2. A new (44) is hereby *added* to Item (F) of Appendix A of Public Law 31-164 to read:

"(F) ~~*Temporary listing of substances subject to emergency scheduling.*~~ Any material, compound, mixture or preparation which contains any quantity of the following substances:

(1) 5-(1,1-Dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: CP-47,497);

(2) 5-(1,1-Dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: cannabicyclohexanol and CP-47,497 C8 homologue);

(3) 1-Butyl-3-(1-naphthoyl)indole, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: JWH-073);

(4) 1-[2-(4-Morpholinyl)ethyl]-3-(1-naphthoyl)indole, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: JWH-200);

(5) 1-Pentyl-3-(1-naphthoyl)indole, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: JWH-018 and AM678);

(6) (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol, some trade or other names: HU-210;

(7) Salvia divinorum or Salvinorum A; all parts of the plant presently classified botanically as Salvia divinorum, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salts, derivative, mixture, or preparation of such plant, its seeds or extracts;

(8) 1-hexyl-3-(1-naphthoyl)indole (JWH–019);

(9) 1-pentyl-3-(2-methoxyphenylacetyl)indole (JWH–250);

(10) 1-pentyl-3-[1-(4-methoxynaphthoyl)]indole (JWH–081);

(11) 1-pentyl-3-(4-methyl-1-naphthoyl)indole (JWH–122);

(12) 1-pentyl-3-(4-chloro-1-naphthoyl)indole (JWH–398);

(13) 1-(5-fluoropentyl)-3-(1-naphthoyl)indole (AM2201);

(14) 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole (AM694);

(15) 1-pentyl-3-[(4-methoxy)-benzoyl]indole (SR–19 and

RCS–4);

(16) 1-cyclohexylethyl-3-(2-methoxyphenylacetyl)indole (SR–18 and RCS–8);

(17) 1-pentyl-3-(2-chlorophenylacetyl)indole (JWH–203);

(18) 4-methylmethcathinone (Mephedrone);

(19) 3,4-methylenedioxypyrovalerone (MDPV);

(20) 3,4-methylenedioxymethcathinone (methylone);

(21) Naphthylpyrovalerone (naphyrone);

(22) 4-fluoromethcathinone (flephedrone);

(23) 4-methoxymethcathinone (methedrone; Bk–PMMA);

(24) Ethcathinone;

(25) 3,4-methylenedioxyethcathinone (ethylone);

(26) Beta-keto-N-methyl-3,4-benzodioxyolybutanamine (butylone);

(27) N,N-dimethylcathinone (metamfepramone);

(28) Alpha-pyrrolidinopropiophenone (alpha-PPP);

(29) 4-methoxy-alpha-pyrrolidinopropiophenone (MOPPP);

(30) 3,4-methylenedioxy-alpha-pyrrolidinopropiophenone (MDPPP);

(31) Alpha-pyrrolidinovalerophenone (alpha-PVP);

(32) 6,7-dihydro-5H-indeno-(5,6-d)-1,3-dioxol-6-amine) (MDAI);

(33) 3-fluoromethcathinone;

(34) 4'-Methyl-α-pyrrolidinobutiophenone (MPBP);

(35) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C–E);

(36) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C–D);

(37) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C–C);

(38) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C–I);

(39) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (2C–T–2);

(40) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine (2C–T–4);

(41) 2-(2,5-Dimethoxyphenyl)ethanamine (2C–H);

(42) 2-(2,5-Dimethoxy-4-nitrophenyl)ethanamine (2C–N);

~~and~~

(43) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (2C–P); and

(44) Any Synthetic Cannabinoid."

SENATOR BENJAMIN J.F. CRUZ, VICE SPEAKER
Chairman, Committee on General Governance, Operations
and Cultural Affairs
Web Address: www.senatorbjcruz.com

HAGÅTÑA, DOS NA LEHESLATURAN GUAHAN
The 32nd Guam Legislature • senatorbjcruz@senatorbjcruz.com
155 Hesler Place, Hagåtña, Guam 96910
Telephone: (671) 477-2520/1 • Fax: (671) 477-2522

March 12, 2013

MEMORANDUM

To: Senator Frank B. Aguon, Jr.

From: Senator Benjamin J.F. Cruz

Re: Substitute Bill No. 43-32 (COR)

Dear Senator Aguon:

I respectfully request that you substitute the following bill:

> **Bill No. 43-32 (COR)** - B.J.F. Cruz / J.T. Won Pat, Ed.D. - An act to add a new (b) (1) and (2) to § 67.801; and to add a new § 67.802 and § 67.803 to Article 8 of Chapter 67 of Title 9 Guam Code Annotated relative to strengthening the penalties for the possession, manufacturing, selling, or distribution of any synthetic Cannabinoid or Salvia Divinorum.

Please find enclosed in the attachment a substitute for Bill No. 43-32 (COR).

Regarding Bill No. 10-32 (COR) - B.J.F. Cruz - An act to add a new Chapter 39A to Title 7 of the Guam Code Annotated relative to creating the Uniform Child Abduction Prevention Act, I will complete a substitution or amended version with help from the Office of the Attorney General and Legal Council. As such, I will provide the Committee on Guam US Military Relocation, Homeland Security, Veteran's Affairs and Judiciary a substitute or amended version of Bill No. 10-32 (COR) at a later date.

I look forward to the opportunity of working with you further on this legislation and others. Thank you for your time and kind consideration of this request.

COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY

I Mina'Trentai Uno na Liheslaturan Guåhan

Senator FRANK B. AGUON, Jr.
CHAIRMAN

MONDAY, MARCH, 4, 2013

Bill No. 43-32 (COR) - An act to add a new (b) (1) and (2) to § 67.801; and to add a new § 67.802 and § 67.803 to Article 8 of Chapter 67 of Title 9 Guam Code Annotated relative to strengthening the penalties for the possession, manufacturing, selling, or distribution of any synthetic Cannabinoid or Salvia Divinorum – **B.J.F. Cruz / J.T. Won Pat, Ed.D.**

NAME (Please Print)	AGENCY/ORGANIZATION	CONTACT NUMBER	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	*NOT* IN FAVOR
Ana Tydingco	AFO		/			
Lt. ART Paulino	GPD	475-8496	/	/		

GOVERNMENT OF GUAM
DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES
DIPATTAMENTON SALUT PUPBLEKO YAN SETBISION SUSIAT

EDDIE BAZA CALVO
GOVERNOR

RAY TENORIO
LIEUTENANT GOVERNOR

JAMES W. GILLAN
DIRECTOR

LEO G. CASIL
DEPUTY DIRECTOR

3/07/13

MAR 05 2013

Hon. F.B. Aguon Jr.

RECEIVED
3-7-13
2:27 pm

Honorable Frank B. Aguon, Jr.
Chairperson, Committee on Guam U.S. Military Relocation, Homeland Security,
Veteran's Affairs and Judiciary
32nd Guam Legislature
155 Hesler Place
Hagatna, GU 96910

Dear Chairman Aguon:

Hafa Adai. Good morning to you and fellow senators of the Committee on Guam U.S. Military Relocation, Homeland Security, Veteran's Affairs and Judiciary. My name is James W. Gillan, the Director of the Department of Public Health and Social Services. Thank you for allowing me this opportunity to comment on Bill No. 43-32 relative to strengthening the penalties for the possession, manufacturing, selling, or distribution of any synthetic cannabinoid or salvia divinorum by amending certain provisions of Chapter 67 of Title 9 of the Guam Code Annotated (known as the Guam Uniform Controlled Substances Act). We support the passage of Bill 43-32 but with recommendations for some amendments.

The Department of Public Health and Social Services is responsible for administering the Guam Uniform Controlled Substances Act (hereafter, identified as the "Act"), and mandated to update the controlled substances schedules as necessary, pursuant to the Administrative Adjudication Law, Title 5 Guam Code Annotated, §9100, et seq. We are grateful once again to this Legislative body for another opportunity to strengthen our existing regulatory and enforcement responsibilities by adding a definition for synthetic cannabinoid.

This testimony is supplementary to our previous testimony that was presented on December 13, 2011 for Bill 386-31, which later became Public Law 31-164 on January 4, 2012. While that testimony still stands true today with respect to our position on salvia divinorum, we would like to discuss some salient points about synthetic cannabinoids.

According to the National Institute on Drug Abuse, synthetic cannabinoids (also known as spice, K2, fake weed, and a whole other slew of street names) are "popular among young people; of the illicit drugs most used by high-school seniors, they are second only to marijuana." They are more popular among boys than girls. Some of the effects of using these products include elevated mood, relaxation, and altered perception which is reportedly similar to marijuana, but in some cases, have been reported to be even stronger than marijuana. Other effects include psychosis, like extreme anxiety, paranoia, and hallucinations.

According to the U.S. Substance Abuse and Mental Health Services Administration, "Synthetic cannabinoids first appeared in [their] records in 2009, but there were too few visits to be reported. By 2010, [emergency department] visits involving synthetic cannabinoids rose to a reportable level for the Nation (3.7 visits per 100,000 population). By 2011, there were 9.2 visits per 100,000 population involving synthetic cannabinoids across all age groups – about 150 percent increase...The rate of visits involving synthetic cannabinoids was highest among patients aged 18 to 20 (60.8 visits per 100,000 population), followed by patients aged 12 to 17 (30.2 visits per 100,000)."

Although this Department is unsure of the public health impact, or extent that synthetic cannabinoids or salvia divinorum has affected Guam, we approve the intent of Bill 43-32 in protecting public health, but would like to recommend that the following changes be made:

- **Move the definition of synthetic cannabinoid to Article 1 of the Act.** Public Law 31-164 (enacted on January 4, 2012) repealed all of Article 8; therefore, it doesn't exist contrary to the language of Bill 43-32. Placing the definition for synthetic cannabinoid in Article 1 would be more appropriate because Article 1 contains all the definitions used in the Act.

- **We recommend that all other provisions of Bill 43-32 be removed.** Public Law 31-164 placed salvia divinorum and synthetic cannabinoids as a Schedule I drug, thus all the other provisions, including penalties (e.g., Article 4 – Offenses and Penalties; Article 4a – Use of Minors in a Drug Operation; and Article 5 – Enforcement and Administrative Provisions) will be applicable. There are already provisions which state the illegal acts and penalty provisions for the manufacture, selling, distributing, possessing, and conspiring to use Schedule I drugs, so Sections 2 and 3 of Bill 43-32 appear redundant and unnecessary.

For any questions, please contact the Division of Environmental Health at 735-7221. *Dangko'lo na Si Yu'os Ma'ase.*

JAMES W. GILLAN
Director

Enclosures

cc: Senator Benjamin J.F. Cruz

National Institute on Drug Abuse
The Science of Drug Abuse & Addiction

DrugFacts: Spice (Synthetic Marijuana)

Print

Revised December 2012

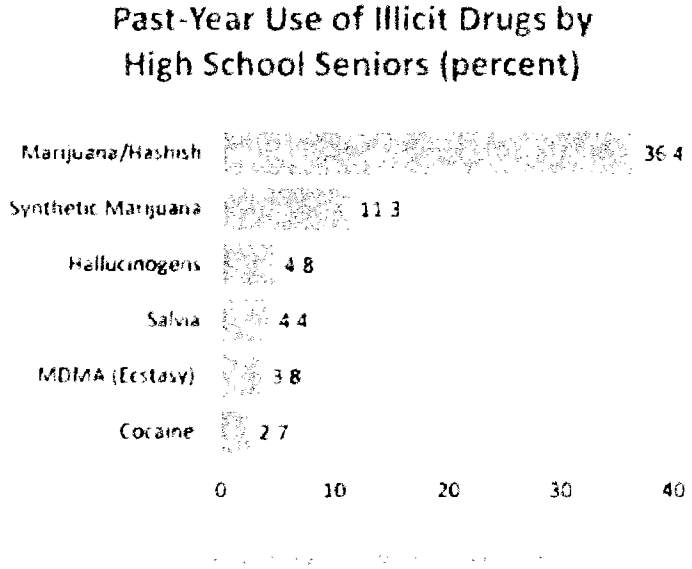
"Spice" refers to a wide variety of herbal mixtures that produce experiences similar to marijuana (cannabis) and that are marketed as "safe," legal alternatives to that drug. Sold under many names, including K2, fake weed, Yucatan Fire, Skunk, Moon Rocks, and others — and labeled "not for human consumption" — these products contain dried, shredded plant material and chemical additives that are responsible for their psychoactive (mind-altering) effects.

False Advertising

Labels on Spice products often claim that they contain "natural" psycho-active material taken from a variety of plants. Spice products do contain dried plant material, but chemical analyses show that their active ingredients are *synthetic* (or designer) cannabinoid compounds.

For several years, Spice mixtures have been easy to purchase in head shops and gas stations and via the Internet. Because the chemicals used in Spice have a high potential for abuse and no medical benefit, the Drug Enforcement Administration (DEA) has designated the five active chemicals most frequently found in Spice as Schedule I controlled substances, making it illegal to sell, buy, or possess them. Manufacturers of Spice products attempt to evade these legal restrictions by substituting different chemicals in their mixtures, while the DEA continues to monitor the situation and evaluate the need for updating the list of banned cannabinoids.

Spice products are popular among young people; of the illicit drugs most used by high-school seniors, they are second only to marijuana. (They are more popular among boys than girls — in 2012, nearly twice as many male 12th graders reported past-year use of synthetic marijuana as females in the same age group.) Easy access and the misperception that Spice products are "natural" and therefore harmless have likely contributed to their popularity. Another selling point is that the chemicals used in Spice are not easily detected in standard drug tests.



How Is Spice Abused?

Some Spice products are sold as "incense," but they more closely resemble potpourri. Like marijuana, Spice is abused mainly by smoking. Sometimes Spice is mixed with marijuana or is prepared as an herbal infusion for drinking.

K2, a popular brand of "Spice" mixture.

How Does Spice Affect the Brain?

Spice users report experiences similar to those produced by marijuana—elevated mood, relaxation, and altered perception—and in some cases the effects are even stronger than those of marijuana. Some users report psychotic effects like extreme anxiety, paranoia, and hallucinations.

So far, there have been no scientific studies of Spice's effects on the human brain, but we do know that the cannabinoid compounds found in Spice products act on the same cell receptors as THC, the primary psychoactive component of marijuana. Some of the compounds found in Spice, however, bind more strongly to those receptors, which could lead to a much more powerful and unpredictable effect. Because the chemical composition of many products sold as Spice is unknown, it is likely that some varieties also contain substances that could cause dramatically different effects than the user might expect.

What Are the Other Health Effects of Spice?

Spice abusers who have been taken to Poison Control Centers report symptoms that include rapid heart rate, vomiting, agitation, confusion, and hallucinations. Spice can also raise blood pressure and cause reduced blood supply to the heart (myocardial ischemia), and in a few cases it has been associated with heart attacks. Regular users may experience withdrawal and addiction symptoms.

We still do not know all the ways Spice may affect human health or how toxic it may be, but one public health concern is that there may be harmful heavy metal residues in Spice mixtures. Without further analyses, it is difficult to determine whether this concern is justified.

Learn More

For more information on Spice, see
http://www.emcdda.europa.eu/attachements.cfm/att_80086_EN_Spice%20Thematic%20paper%20—%20final%20version.pdf (PDF, 253KB)

This page was last updated December 2012

NIH USA.gov

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Drug Fact Sheet

K2 or Spice

Overview

K2 or "Spice" is a mixture of herbs and spices that is typically sprayed with a synthetic compound chemically similar to THC, the psychoactive ingredients in marijuana. The chemical compounds typically include HU-210, HU-211, JWH-018, and JWH-073. K2 is commonly purchased in head shops, tobacco shops, various retail outlets, and over the Internet. It is often marketed as incense or "fake weed." Purchasing over the Internet can be dangerous because it is not usually known where the products come from or what amount of chemical is on the organic material.

Street names

Bilss, Black Mamba, Bombay Blue, Fake Weed, Genie, Spice, Zohai

Looks like

K2 is typically sold in small, silvery plastic bags of dried leaves and marketed as incense that can be smoked. It is said to resemble potpourri.

Methods of abuse

K2 products are usually smoked in joints or pipes, but some users make it into a tea.

Affect on mind

Psychological effects are similar to those of marijuana and include paranoia, panic attacks, and giddiness.

Affect on body

Physiological effects of K2 include increased heart rate and increase of blood pressure. It appears to be stored in the body for long periods of time, and therefore the long-term effects on humans are not fully known.

Drugs causing similar effects

Marijuana

Overdose effects

There have been no reported deaths by overdose.

Legal status in the United States

On Tuesday, March 1, 2011, DEA published a final order in the Federal Register temporarily placing five synthetic cannabinoids into Schedule I of the CSA. The order became effective on March 1, 2011. The substances placed into

Drug Fact Sheet

K2 or Spice – cont'd.

Schedule I are 1-pentyl-3-(1-naphthoyl) indole (JWH-018), 1-butyl-3-(1-naphthoyl) indole (JWH-073), 1-[2-(4-morpholinyl) ethyl]-3-(1-naphthoyl)indole (JWH-200), 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (CP-47,497), and 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (cannabicyclohexanol; CP-47,497 C8 homologue). This action is based on a finding by the Administrator that the placement of these synthetic cannabinoids into Schedule I of the CSA is necessary to avoid an imminent hazard to the public safety. As a result of this order, the full effect of the CSA and its implementing regulations including criminal, civil and administrative penalties, sanctions, and regulatory controls of Schedule I substances will be imposed on the manufacture, distribution, possession, importation, and exportation of these synthetic cannabinoids.

Common places of origin

Manufacturers of this product are not regulated and are often unknown since these products are purchased via the Internet whether wholesale or retail. Several websites that sell the product are based in China. Some products may contain an herb called damiana, which is native to Central America, Mexico, and the Caribbean.

Public Hearing Dec 13, 2011

GOVERNMENT OF GUAM
DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES
DIPATTAMENTON SALUT PUPBLEKO YAN SETBISION SUSIAT

EDDIE BAZA CALVO
GOVERNOR

RAY TENORIO
LIEUTENANT GOVERNOR

JAMES W. GILLAN
DIRECTOR

LEO G. CASIL
DEPUTY DIRECTOR

DEC 12 2011

Testimony on Bill 386-31 (COR)

Hafa Adai, Chairman Palacios and the members of the Committee on Public Safety, Law Enforcement, and Judiciary. My name is James W. Gillan, the Director of the Department of Public Health and Social Services (DPHSS). Thank you for allowing me the opportunity to present testimony on Bill 386-31, An act to add a new item (F) to Appendix A of Chapter 67 of Title 9 of the Guam Code Annotated relative to designating *Salvia divinorum* or *Salvinorum A* and certain synthetic cannabinoids as Schedule I controlled substances under the Guam Uniform Controlled Substances Act (the "Act"). As the Department designated to administer the Act, including the updating of controlled substance schedules, we support Bill 386-31.

The current law makes it a violation to possess *Salvia divinorum* or *Salvinorum A*, but the passage of Bill 386-31 will impose stricter regulatory requirements of these substances and other synthetic cannabinoids as Schedule I controlled substances. There is strong compelling evidence from the U.S. Drug Enforcement Administration (DEA) that this is a necessary measure that makes good sense in protecting public health and providing them safety. The placement of these substances as a scheduled drug will essentially have the full impact of the Guam Uniform Controlled Substances Act in terms of regulating its manufacture, distribution, possession, importation, and exportation of these synthetic cannabinoids including the application of criminal, civil, and administrative penalties.

Pursuant to §67.201 of the Act, there are eight factors that DPHSS must consider in determining whether a substance should be controlled. These factors include (1) the actual or relative potential for abuse; (2) the scientific evidence of its pharmacological effect, if known; (3) the state of current scientific knowledge regarding the substance; (4) the history and current pattern of abuse; (5) the scope, duration and significance of abuse; (6) the risk to the public health; (7) the potential of the substance to produce psychic or physiological dependence liability; and (8) whether the substance is an immediate precursor of a controlled substance. Tests for a substance to be classified as a Schedule I include substances that have a high potential for abuse, has no currently accepted medical use in treatment in the United States, and lacks accepted safety use under medical supervision.

According to the DEA, *"these substances* [Salvia] *are not intended for human consumption, but there has been a rapid and significant increase in abuse of these substances in the United States...[which] are banned in at least 18 states in the United States and several countries, and all five branches of the U.S. military prohibit military personnel from possessing or using synthetic cannabinoids. Second, law enforcement has seized synthetic cannabinoids in conjunction with controlled substances and based on self-reports to law enforcement and health care professionals, synthetic cannabinoids are abused for their psychoactive properties. Third,*

numerous state and local public health departments and poison control centers have issued health warnings describing the adverse health effects associated with synthetic cannabinoids. Based on scientific data currently available, these five substances have the potential to be extremely harmful and, therefore, pose an imminent hazard to the public safety."

The American Association of Poison Control Centers reported receiving a total of 2,915 calls in 2010 involving Salvia. As of October 31, 2011, the number of calls increased more than 100% to 5,741 from 49 states and the District of Columbia. DEA has indicated that there is little information regarding the pharmacology, toxicology, and safety of these substances in humans given the minimal amount of pre-clinical investigations undertaken regarding these substances; therefore, the full danger of these drugs has not yet been determined.

The National Institutes of Health and National Institute of Drug Abuse has noted that a variety of mood and perceptual effects have been described in the use of Salvia with adverse health effects that include rapid heart rate, vomiting, agitation, confusion, and hallucinations. Numerous state and local public health departments, and poison control centers state that anxiety, nausea, elevated blood pressure, tremor, seizures, paranoid behavior, and non-responsiveness are amongst other adverse health effects.

Based on the above information, the DPHSS believes that sufficient evidence exists to list these synthetic cannabinoid substances as a Schedule I drug. However, we recommend that these substances be placed in Section (C) of Appendix A, instead of the creation of a new Item (F), since synthetic cannabinoid are categorized as a hallucinogenic substance.

Thank you for the opportunity to present this testimony.

for Lee D. Gross

JAMES W. GILLAN
Director

GOVERNMENT OF GUAM

DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES

DIPATTAMENTON SALUT PUPBLEKO YAN SETBISION SUSIAT

EDDIE BAZA CALVO
GOVERNOR

RAY TENORIO
LIEUTENANT GOVERNOR

JAMES W. GILLAN
DIRECTOR

LEO G. CASIL
DEPUTY DIRECTOR

Hon. F. B. Aguon Jr.

RECEIVED
2-1-13
9:20 am

FEB 27 2013

Honorable Frank B. Aguon Jr.
Chairman, Committee the Guam Military
Relocation, Homeland Security, Veterans Affairs,
and Judiciary

Re: Bill 43-32 " **AN ACT TO S A NEW (b) (1) AND (2) TO SECTION 67.801; AND TO ADD A NEW SECTION 67.802 AND SECTION 67.803 TO ARTICLE 8 OF CHAPTER 67 OF THE GOVERNMENT CODE ANNOTATED.....**

Dear Mr. Chairman:

The Department of Public Health and Social Services supports this bill which would strengthen penalties for possession, manufacturing, selling or distribution of any synthetic cannabinoid or Salvia Divinorum.

Salvia Divinorum is a hallucinogen not currently controlled under the Controlled Substances Act. It is however under regulatory controls in 20 US States and 9 Countries as of July 2012. There is not enough information on long term use and negative health effects. It is, though a drug of choice for younger persons aged 12-25. Since it has side effects similar to those associated with marijuana use, it can lead to impaired judgment. Those under the influence are more likely to be involved in vehicular accidents.

I thank you for taking the time to address this concern.

Very truly yours,

James W. Gillan

123 CHALAN KARETA, MANGILAO, GUAM 96913-6304
www.dphss.guam.gov • Ph.: 1.671.735.7102 • Fax: 1.671.734.5910

SENATOR BENJAMIN J.F. CRUZ, VICE SPEAKER
Chairman, Committee on General Government Operations
and Cultural Affairs
Web Address: www.senatorbjcruz.com

I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN
The 32nd Guam Legislature • senator@senatorbjcruz.com
155 Hesler Place, Hagatna, Guam 96910
Telephone: (671) 477-2520/1 • Fax: (671) 477-2522

Senator Cruz – Sponsor Statement for Bill No. 43-32 (COR):

After a recent meeting with representatives from the Office of the US Attorney, the Office of the Attorney General, the Guam Customs Authority, and the Drug Enforcement Agency, Bill No. 43-32 (COR) was introduced to help the law enforcement community keep pace with rapidly evolving forms of spice. Unfortunately, each time an anti-spice law has been passed; a new form of chemical spice is manufactured that makes it street legal again.

The synthetic cannabinoid, also known as "Spice," is a combination of herbal and chemical compounds that commonly produce a reaction similar to the use of marijuana. The popularity is increasing, especially among youth, due to easy accessibility, low cost, and the difficulty of detection on drug tests. It is sold in smoke shops, head shops, and other retailers as incense. Spice is abused mainly by smoking or prepared as a drink. Users experience severe adverse reactions including hallucinations, nausea, vomiting, agitation, and panic attacks. The chemical composition of Spice is considerably more potent that tetrahydrocannabinol or THC, the active ingredient in marijuana.

Through past Public Laws my colleagues and I have taken proactive steps to ban Spice. The U.S. Drug Enforcement Administration and U.S. Military have taken action to control and prohibit the use of Spice. If passed, Bill 43-32 will update Guam's existing legal definition of Spice and strengthen its penalties for the possession, distribution, or sale of Spice in any quantity. When the makers of this drug evolve to beat our laws - our laws must evolve to beat them in order to protect our residents and Guam's precious youth. It is important that we remain ahead of this problem and I urge my colleagues to support the passage of Bill No. 43-32 (COR).

RECEIVED
3/1/2013

GUAM POLICE DEPARTMENT

DIPÅTTAMENTON POLISIAN GUAHAN

Government of Guam

EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

13-16A Mariner Avenue, Tiyan, Guam 96913
P.O. Box 23909 Barrigada, Guam 96921
Telephone: (671) 475-8473 (Switchboard); (671) 475-8508 / 8509 / 8512
Fax: (671) 472-4036

FRED E. BORDALLO, JR.
Chief of Police

MAURICE J.Q. SAYAMA
Colonel
Police Commander

March 1, 2013

The Honorable Frank B. Aguon, Jr.
Senator and Chairperson Committee on
Guam U.s. Military Relocation, Veterans'
Affairs, Homeland Security, Judiciary
32nd Guam Legislature
155 Hesler Place
Hagåtña, Guam 96910

Subject: **Written Testimony**
Re: Bill 043-32

Dear Senator Aguon:

Buenas Yan Hafa Adai! The Guam Police Department (GPD) is submitting this written testimony relative to Bill 043-32, An Act to Add §67.802 and 67.803 of Article 8 of Chapter 67, Title 9, Guam Code Annotated, Relative to the Unlawful Use or Possession of Synthetic Cannabinoids or Salvia Divinorum and the Unlawful Distribution, Manufacturing, or sale of Synthetic Cannabinoids or Salvia Divinorum.

My command staff and I have reviewed and discussed the contents of the Bill and are in support of its intent. However, we are concerned about funding the cost for testing and standardization process at our Forensic Science Division. The Forensic Science Division has the duty to analyze the synthetic the synthetic cannabinoids or salvia divinorum. Without a standardized process to verify the substance, enforcement of the new law would be diminished.

I have included herein information from our Forensic Science Division's Criminalist III, Ms. Monica P.A. Salas, for your consideration. *Dangkulo Na Si Yu'os Ma'ase!*

Sincerely,

FRED E. BORDALLO, JR.
Chief of Police

cc: Comments from FSD
FEB:SGW\scr

GUAM POLICE DEPARTMENT

DIPÅTTAMENTON POLISIAN GUAHAN

Government of Guam

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EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

FRED E. BORDALLO, JR.
Chief of Police

Maurice J. V. Sayama
Police Commander

Re: Analysis of Synthetic Cannabinoids (Spice)

Dear Senator Cruz:

The Guam Police Crime Lab Drug Analysis Unit is currently working on a method for the analysis of and validation studies for synthetic cannabinoids, hereinafter referred to as Spice. The laboratory is in possession of 1-mL each of two (2) standards, JWH-018 & JWH-022, for use in this process. Below is a summary of the issues facing the GPD Crime Lab Drug Analysis Unit in the analysis of Spice.

- The available methods of analysis for Spice performed in other laboratories in the United States utilize an instrument called the High Performance Liquid Chromatography Mass Spectrometer (HPLC-MS) which our laboratory does not have. Research via the internet provided a method using the instrument our laboratory does have, the Gas Chromatograph Mass Spectrometer (GCMS). In order to access the full text article describing the analytical techniques, the article must be purchased and is currently priced at $34.95 US (subject to change). Once the article is acquired, the laboratory will evaluate the procedure outlined in the article and determine if it can be reproduced using the instruments and chemicals available. If additional chemicals are needed, those chemicals will need to be procured.

- The laboratory only has two (2) standards of the approximately twenty-six (26) known synthetic cannabinoids. This will make identification of any of the other Spice compounds difficult as the laboratory must be in compliance with the minimum requirements recommended by SWGDrug (Scientific Working Group for the analysis of seized Drugs) for the positive identification of drug compounds. The laboratory will use the two (2) available standards to develop the method for analysis of Spice containing JWH-018 or JWH-022. Once this method is established, it is anticipated that the other synthetic cannabinoids can be analyzed using the same instrumental method, however without the specific standard of the Spice variation, the laboratory will have to identify and validate an additional test to confirm Spice made from any of the other synthetic cannabinoids.

- Not all the synthetic cannabinoid standards are commercially available for purchase. For the standards that cannot be purchased, the laboratory will have to make a formal request to the Drug Enforcement Administration for samples. There is currently a small supply available and a long waiting list for the non-commercially available Spice standards.

The following options may assist with the process of analyzing Spice:

1) Purchase of a HPLC-MS to include its accessories, installation, training, libraries, warranty, and service contracts. After training and installation is complete, the validation process of the known standards must be conducted. Purchase of an HPLC-MS gives the laboratory the future advantage of having the same instrument and methods used by other laboratories in the United States which will shorten the validation period of synthetic cannabinoids that may be later discovered. We will also have the capability of analyzing other large drug molecules, such as steroids, which can easily be identified with this instrument.

2) The next option is to purchase the article on the analysis of Spice using the GCMS. Based on what the article says, the laboratory will attempt to reproduce the methods and analytical techniques described and to validate the method on the GCMS. Further, additional chemicals may need to be procured in order to complete the analysis. This will delay the validation process until the procurement of the necessary items is complete.

3) Finally, an alternative option is to send the suspected Spice samples to an off-island laboratory for analysis. This should be a temporary solution as the Guam Police Crime Lab Drug Analysis Unit desires to develop a sustainable method of successfully identifying Spice for the law enforcement entities on-island.

The analysis of Spice presents a two-fold challenge, lack of available standards for comparison and the lack of the instrumentation used by other U.S. laboratories. The Guam Police Crime Lab Drug Analysis Unit will continue to work with the resources available to research and develop an acceptable method of analysis for synthetic cannabinoids.

For your information and disposition.

Good Morning Lt. Wade,

Attached is a copy of the draft memo that was finalized by someone else for Senator BJ Cruz. After speaking with Analyn, we can use a regular GCMS (Gas Chromatograph Mass Spectrometer) method without deuterium. This will require that GPD purchase a larger quantity of the crystalline form of the various synthetic cannabinoids commercially available.

Analyn made contact with analysts that she networked with in previous conferences. She received four responses from colleagues who provided her a copy of their method that is being used in their respective laboratories in Alabama, Kansas, Ohio and Virginia. This is good news in that we will not need to purchase any new equipment, just larger quantities of the standards. Then, of course, we need to validate the method on our own instruments before actively analyzing the cases for court or investigative purposes.

The standards are quite expensive. We spent nearly $3000 for 1 ml each of two standards. The crystalline form will be much more expensive than that and there are more than 22 known variations. I have no information on how many of the variations are commercially available for purchase. We will research this.

Please let me know if I can be of more help.

v/r,
Monica P.A. Salas
Chief Criminalist, Acting
Guam Police Department
Forensic Science Division
224 Sesame St.
Mangilao, GU 96913

Phone: 671.734.8403
Fax: 671.734.8413

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V. Anthony Ada
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MINORITY LEADER

Senator
Aline Yamashita
Member

Certification of

Waiver of

Fiscal Note Requirement

This is to certify that the Committee on Rules submitted to the Bureau of Budget and Management Research (BBMR) a request for a fiscal note, or applicable waiver, on **BILL NO. 43-32 (COR) – "AN ACT TO ADD A NEW (b) (1) AND (2) TO § 67.801; AND TO ADD A NEW § 67.802 AND § 67.803 TO ARTICLE 8 OF CHAPTER 67 OF TITLE 9 GUAM CODE ANNOTATED RELATIVE TO STRENGTHENING THE PENALTIES FOR THE POSSESSION, MANUFACTURING, SELLING, OR DISTRIBUTION OF ANY SYNTHETIC CANNABINOID OR SALVIA DIVINORUM."** –on March 22, 2013. COR hereby certifies that BBMR confirmed receipt of this request on February 20, 2013 at 10:04 AM.

COR further certifies that a response to this request was not received. **Therefore, pursuant to 2 GCA §9105, the requirement for a fiscal note, or waiver thereof, on Bill 43-32 (COR) to be included in the committee report on said bill, is hereby waived.**

Certified by:

Rory J. Respicio

Senator Rory J. Respicio
Chairperson, Committee on Rules

March 22, 2013
Date

I Mina'Trentai Dos Na Liheslaturan Guahan

Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	STATUS
43-32 (COR)	B.J.F. Cruz	AN ACT TO ADD A NEW (b) (1) AND (2) TO § 67.801; AND TO ADD A NEW § 67.802 AND § 67.803 TO ARTICLE 8 OF CHAPTER 67 OF TITLE 9 GUAM CODE ANNOTATED RELATIVE TO STRENGTHENING THE PENALTIES FOR THE POSSESSION, MANUFACTURING, SELLING, OR DISTRIBUTION OF ANY SYNTHETIC CANNABINOID OR SALVIA DIVINORUM.	2/15/2013 2:41 p.m.	**2/18/13**	Committee on the Guam US Military Relocation, Homeland Security, Veteran's Affairs and Judiciary			

COMMITTEE ON RULES

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Senator
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Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

February 18, 2013

MEMORANDUM

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

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: **Senator Rory J. Respicio**
Majority Leader & Rules Chair

Subject: **Referral of Bill No. 43-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill No. **43-32(COR)**.

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.*

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

Si Yu'os Ma'åse!

Attachment

I Mina'Trentai Dos Na Liheslaturan Guahan

Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	STATUS
43-32 (COR)	B.J.F. Cruz	AN ACT TO ADD A NEW (b) (1) AND (2) TO § 67.801; AND TO ADD A NEW § 67.802 AND § 67.803 TO ARTICLE 8 OF CHAPTER 67 OF TITLE 9 GUAM CODE ANNOTATED RELATIVE TO STRENGTHENING THE PENALTIES FOR THE POSSESSION, MANUFACTURING, SELLING, OR DISTRIBUTION OF ANY SYNTHETIC CANNABINOID OR SALVIA DIVINORUM.	2/15/2013 2:41 p.m.	**2/18/13**	Committee on the Guam US Military Relocation, Homeland Security, Veteran's Affairs and Judiciary			

Gmail by Google

Gina Reilly <media@frankaguonjr.com>

Public Hearing Notice

Gina Reilly <media@frankaguonjr.com> Mon, Feb 25, 2013 at 4:15 PM
To: "Frank Aguon Jr." <aguon4guam@gmail.com>, Aline Yamashita <Aline4families@gmail.com>, Ben Pangelinan <senbenp@guam.net>, BJ Cruz <senator@senatorbjcruz.com>, Brant McCreadie <brantforguam@gmail.com>, Christopher Duenas <duenasenator@gmail.com>, Dennis Rodriguez <senatordrodriguez@gmail.com>, Judi Won Pat <speaker@judiwonpat.com>, Mike Limtiaco <mike@mikelimtiaco.com>, Mike San Nicholas <senatorsannicolas@gmail.com>, Rory Respicio <cor@guamlegislature.org>, Tina Muna Barnes <senator@tinamunabarnes.com>, Tom Ada <tom@senatorada.org>, Tommy Morrison <tommy@senatormorrison.com>, Tony Ada <senatortonyada@guamlegislature.org>
Cc: dena.mafnas@gmail.com, friar_70dylan@yahoo.com, Christine Chan <christinechan1130@yahoo.com>, "Gina T. Reilly" <ginatreilly@gmail.com>, Joe Crisostomo <jacrisostomo1940@yahoo.com>, Karlo Dizon <karlo.dizon@gmail.com>, Nicholas Santos <nicksantos.design@gmail.com>, Yvette Cruz <yvettelgcruz@gmail.com>, Guam Legislature Clerks Office <clerks@guamlegislature.org>, sgtarms@guamlegislature.org, mis@guamlegislature.org

Hafa Adai Senators,

Please see attached Memo regarding our scheduled Public Hearing on March 4, 2013 at 9AM.

Si Yu'use Maase!

Gina Tabonares-Reilly
Office of Senator Frank B. Aguon, Jr.
Communications Manager
671-475-GUM1/2 (4861/2)

PublicHearingMarch4.pdf
524K

Press Release Public Hearing

Gina Reilly <media@frankaguonjr.com> Mon, Feb 25, 2013 at 4:34 PM
To: geraldine@mvguam.com, guamforum671@gmail.com, janela@spbguam.com, joy@mvguam.com, mabuhaynews@yahoo.com, managingeditor@glimpsesofguam.com, reporter1@glimpsesofguam.com, uogtritonscall@gmail.com, Alicia Perez <perezksto@gmail.com>, Bob Gaeth <bgaeth@k57.com>, Brett Kelman <bmkelman@guampdn.com>, Clynt Ridgell <clynt@spbguam.com>, Coleen R San Nicolas-Perez <coleen.perez@fe.navy.mil>, David Crisostomo <dcrisost@guampdn.com>, Duane George <dmgeorge@guampdn.com>, Gaynor Dumat-ol Daleno <gdumat-ol@guampdn.com>, Gerry Partido <gerry@mvguam.com>, Jason Salas <jason@kuam.com>, Jesse Lujan <jessthebuzz@gmail.com>, JoAnna Delfin <joanna.delfin.ctr@fe.navy.mil>, John Davis <john@kuam.com>, Jon Anderson <editor@mvguam.com>, K57 <news@k57.com>, Ken Quintanilla <kenq@kuam.com>, Kevin Kerrigan <kevin@spbguam.com>, Korean News <koreannews@guam.net>, KPRG <kprg@guam.net>, KUAM Tip Line <hottips@kuam.com>, Louella Losinio <louella@mvguam.com>, "Lt.William Knight" <william.knight@fe.navy.mil>, Mar-Vic Cagurangan <mar_vic_cagurangan@yahoo.com>, Maureen Maratita <publisher@glimpsesofguam.com>, Mindy Aguon <mindy@kuam.com>, Oyaol Ngirairikl <odngirairikl@guampdn.com>, Pacific Daily News <news@guampdn.com>, Patti Arroyo <parroyo@k57.com>, PDN Lifestyle <life@guampdn.com>, Ray Gibson <rgibson@k57.com>, Romeo Carlos <guamblog@ymail.com>, Sabrina Salas Matanane <sabrina@kuam.com>, Shaina Santos <shaina.santos.ctr@fe.navy.mil>, Sorensen <news@spbguam.com>, Stars & Stripes <Guam@pstripes.osd.mil>, Steve Limtiaco <slimtiaco@guampdn.com>, Travis Coffman <travis.coffman@gmail.com>, dena.mafnas@gmail.com, friar_70dylan@yahoo.com, Christine Chan <christinechan1130@yahoo.com>, "Frank Aguon Jr." <aguon4guam@gmail.com>, "Gina T. Reilly" <ginatreilly@gmail.com>, Joe Crisostomo <jacrisostomo1940@yahoo.com>, Karlo Dizon <karlo.dizon@gmail.com>, Nicholas Santos <nicksantos.design@gmail.com>, Yvette Cruz <yvettelgcruz@gmail.com>, Guam Legislature Clerks Office <clerks@guamlegislature.org>, Rory Respicio <cor@guamlegislature.org>, sgtarms@guamlegislature.org, mis@guamlegislature.org

Hafa Adai All!

Please see attached Press Release re a scheduled Public Hearing on March 4, 2013, Monday.

Thank You!

Gina Tabonares-Reilly
Office of Senator Frank B. Aguon, Jr.
Communications Manager
671-475-GUM1/2 (4861/2)

PR.pdf
508K

OFFICE OF SENATOR FRANK B. AGUON, JR.
Chairman, Committee on Guam U.S Military Relocation
Homeland Security, Veterans Affairs and Judiciary
Mina' Trentai Dos Na Liheslaturan Guahan · 32nd Guam Legislature

PUBLIC HEARING

Monday, March 4, 2013

AGENDA

9:00AM

Bill No. 6-32 (LS)

An act to amend §25.15 and §25.20 of Chapter 25, Title 9, Guam Code Annotated, relative to strengthening penalties for crimes involving criminal sexual conduct, which may be cited as the "Predator Prevention Act".

Bill No. 10-32 (COR)

An act to add a new Chapter 39A to Title 7 of the Guam Code Annotated relative to creating the Uniform Child Abduction Prevention Act.

Bill No. 41-32 (LS)

An act to amend Chapter 30, Title 9 Guam Code Annotated relative to strengthening the penalties for crimes of family violence.

Bill No. 43-32 (COR)

An act to add a new (b) (1) and (2) to § 67.801, and to add a new § 67.802 and § 67.803 to Article 8 of Chapter 67 of Title 9 Guam Code Annotated relative to strengthening the penalties for the possession, manufacturing, selling, or distribution of any synthetic Cannabinoid or Salvia Divinorum.

Resolution No. 33-32

Relative to urging the United States Congress to pass the Violence Against Women Reauthorization Act of 2013, in order to continue protecting the safety of women and children across the United States and ensure the provision of necessary services for victims of domestic violence and sexual assault.

Should you require any special accommodations, please contact the Office of Senator Frank B. Aguon, Jr. at 475-GUM1/2 (4861/2) or e-mail committee@frankaguonjr.com.

THIS AD PAID FOR WITH GOVERNMENT FUNDS

COMMITTEE ON

GUAM U.S. MILITARY RELOCATION
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN | 32ND GUAM LEGISLATURE

Senator
FRANK B. AGUON,JR.
Committee Chairperson

Senator
Tina Muna-Barnes
Committee Vice Chairperson

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

Senator
Rory J. Respicio
Committee Member

Senator
Thomas C. Ada
Committee Member

Senator
Dennis G. Rodriguez, Jr.
Committee Member

Senator
V. Anthony Ada
Committee Member

Senator
Michael Limtiaco
Committee Member

Senator
Thomas Morrison
Committee Member

PRESS RELEASE

FIRST NOTICE OF PUBLIC HEARING

MONDAY, MARCH 4, 2013 9:00 AM

FOR IMMEDIATE RELEASE

Please be advised that the Committee on Guam US Military Relocation, Homeland Security, Veterans Affairs, and Judiciary will be conducting a Public Hearing on **Monday, March 4, 2013 at 9:00 AM** in the Legislature's Public Hearing Room. This hearing is scheduled to receive public testimony on the following items:

- **Bill No. 6-32 (LS)** - An act to amend §25.15 and §25.20 of Chapter 25, Title 9, Guam Code Annotated, relative to strengthening penalties for crimes involving criminal sexual conduct, which may be cited as the "Predator Prevention Act".
- **Bill No. 10-32 (COR)** - An act to add a new Chapter 39A to Title 7 of the Guam Code Annotated relative to creating the Uniform Child Abduction Prevention Act.
- **Bill No. 41-32 (LS)** - An act to amend Chapter 30, Title 9 Guam Code Annotated relative to strengthening the penalties for crimes of family violence.
- **Bill No. 43-32 (COR)** - An act to add a new (b) (1) and (2) to § 67.801; and to add a new § 67.802 and § 67.803 to Article 8 of Chapter 67 of Title 9 Guam Code Annotated relative to strengthening the penalties for the possession, manufacturing, selling, or distribution of any synthetic Cannabinoid or Salvia Divinorum .
- **Resolution No. 33-32 (COR)** - Relative to urging the United States Congress to pass the Violence Against Women Reauthorization Act of 2013, in order to continue protecting the safety of women and children across the United States and ensure the provision of necessary services for victims of domestic violence and sexual assault.

Testimony should be addressed to Senator Frank B. Aguon, Jr., Chairperson, and may be submitted via hand-delivery to our office or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagatna, Guam 96910, via e-mail to committee@frankaguonjr.com, or via facsimile to (671) 475-GUM3 (4863). Individuals requiring special accommodations, auxiliary aids, or services shall contact and submit their request to Karlo Dizon or Yvette Cruz at our office. We look forward to your attendance and participation.

-30-

For further information, please contact the Office of Senator Frank B. Aguon, Jr. at 475-GUM1/2 (4861/1).

PHONE: (671)475-GUM1/2 (4861/2) | FAX: (671)475-GUM3 (4863)
155 HESLER PLACE HAGATNA,GUAM 96910 | EMAIL: AGUON4GUAM@GMAIL.COM

WWW.FRANKAGUONJR.COM

2nd Notice of Public Hearing

Gina Reilly <media@frankaguonjr.com> Fri, Mar 1, 2013 at 12:49 PM
To: phnotice@guamlegislature.org, "Frank Aguon Jr." <aguon4guam@gmail.com>, Aline Yamashita <Aline4families@gmail.com>, Ben Pangelinan <senbenp@guam.net>, BJ Cruz <senator@senatorbjcruz.com>, Brant McCreadie <brantforguam@gmail.com>, Christopher Duenas <duenasenator@gmail.com>, Dennis Rodriguez <senatordrodriguez@gmail.com>, Judi Won Pat <speaker@judiwonpat.com>, Mike Limtiaco <mike@mikelimtiaco.com>, Mike San Nicholas <senatorsannicolas@gmail.com>, Rory Respicio <cor@guamlegislature.org>, Tina Muna Barnes <senator@tinamunabarnes.com>, Tom Ada <tom@senatorada.org>, Tommy Morrison <tommy@senatormorrison.com>, Tony Ada <senatortonyada@guamlegislature.org>
Cc: Karlo Dizon <committee@frankaguonjr.com>, Yvette Cruz <admin@frankaguonjr.com>, Guam Legislature Clerks Office <clerks@guamlegislature.org>, sgtarms@guamlegislature.org, mis@guamlegislature.org

Hafa Adai Senators!

Please see attached notice of our scheduled Public Hearing on Monday, March 4, 2013 at 9AM.

Si Yu'us Ma'ase!

Gina Tabonares-Reilly
Office of Senator Frank B. Aguon, Jr.
Communications Manager
671-475-GUM1/2 (4861/2)

2ndNoticeSenators.pdf
510K

Press Release - 2nd Notice of Public Hearing

Gina Reilly <media@frankaguonjr.com> Fri, Mar 1, 2013 at 12:45 PM
To: geraldine@mvguam.com, guamforum671@gmail.com, janela@spbguam.com, joy@mvguam.com, mabuhaynews@yahoo.com, managingeditor@glimpsesofguam.com, reporter1@glimpsesofguam.com, uogtritonscall@gmail.com, Alicia Perez <perezksto@gmail.com>, Bob Gaeth <bgaeth@k57.com>, Brett Kelman <bmkelman@guampdn.com>, Clynt Ridgell <clynt@spbguam.com>, Coleen R San Nicolas-Perez <coleen.perez@fe.navy.mil>, David Crisostomo <dcrisost@guampdn.com>, Duane George <dmgeorge@guampdn.com>, Gaynor Dumat-ol Daleno <gdumat-ol@guampdn.com>, Gerry Partido <gerry@mvguam.com>, Jason Salas <jason@kuam.com>, Jesse Lujan <jessthebuzz@gmail.com>, JoAnna Delfin <joanna.delfin.ctr@fe.navy.mil>, John Davis <john@kuam.com>, Jon Anderson <editor@mvguam.com>, K57 <news@k57.com>, Ken Quintanilla <kenq@kuam.com>, Kevin Kerrigan <kevin@spbguam.com>, Korean News <koreannews@guam.net>, KPRG <kprg@guam.net>, KUAM Tip Line <hottips@kuam.com>, Louella Losinio <louella@mvguam.com>, "Lt.William Knight" <william.knight@fe.navy.mil>, Mar-Vic Cagurangan <mar_vic_cagurangan@yahoo.com>, Maureen Maratita <publisher@glimpsesofguam.com>, Mindy Aguon <mindy@kuam.com>, Oyaol Ngirairikl <odngirairikl@guampdn.com>, Pacific Daily News <news@guampdn.com>, Patti Arroyo <parroyo@k57.com>, PDN Lifestyle <life@guampdn.com>, Ray Gibson <rgibson@k57.com>, Romeo Carlos <guamblog@ymail.com>, Sabrina Salas Matanane <sabrina@kuam.com>, Shaina Santos <shaina.santos.ctr@fe.navy.mil>, Sorensen <news@spbguam.com>, Stars & Stripes <Guam@pstripes.osd.mil>, Steve Limtiaco <slimtiaco@guampdn.com>, Travis Coffman <travis.coffman@gmail.com>

Hafa Adai All!

Please see attached Notice/Press Release regarding our scheduled Public Hearing on Monday, March 4, 2013 at 9AM.

Si Yu'us Ma'ase!

Gina Tabonares-Reilly
Office of Senator Frank B. Aguon, Jr.
Communications Manager
671-475-GUM1/2 (4861/2)

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COMMITTEE ON

GUAM U.S. MILITARY RELOCATION
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN | 32ND GUAM LEGISLATURE

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Committee Member

Senator
Thomas Morrison
Committee Member

March 1, 2013

MEMORANDUM

To: **Honorable Senator Members**
Committee on Guam US Military Relocation, Homeland Security, Veterans Affairs and Judiciary

From: **Senator Frank B. Aguon, Jr.**
Chairperson, Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary

Subject: **Second Notice – Public Hearing**
Monday, March 4, 2013 – 9:00 AM

Please be advised that the Committee on Guam US Military Relocation, Homeland Security, Veterans Affairs and Judiciary will be conducting a Public Hearing on Monday, March 4, 2013 at 9:00 AM in the Legislature's Public Hearing Room. This hearing is scheduled to receive public testimony on the following items:

- **Bill No. 6-32 (LS)** - An act to amend §25.15 and §25.20 of Chapter 25, Title 9, Guam Code Annotated, relative to strengthening penalties for crimes involving criminal sexual conduct, which may be cited as the "Predator Prevention Act".
- **Bill No. 10-32 (COR)** - An act to add a new Chapter 39A to Title 7 of the Guam Code Annotated relative to creating the Uniform Child Abduction Prevention Act.
- **Bill No. 41-32 (LS)** - An act to amend Chapter 30, Title 9 Guam Code Annotated relative to strengthening the penalties for crimes of family violence.
- **Bill No. 43-32 (COR)** - An act to add a new (b) (1) and (2) to § 67.801; and to add a new § 67.802 and § 67.803 to Article 8 of Chapter 67 of Title 9 Guam Code Annotated relative to strengthening the penalties for the possession, manufacturing, selling, or distribution of any synthetic Cannabinoid or Salvia Divinorum
- ~~**Resolution No. 33-32 (COR)** – Relative to urging the United States Congress to pass the Violence Against Women Reauthorization Act of 2013, in order to continue protecting the safety of women and children across the United States and ensure the provision of necessary services for victims of domestic violence and sexual assault.~~

Testimony should be addressed to Senator Frank B. Aguon, Jr., Chairperson, and may be submitted via hand-delivery to our office or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagatna, Guam 96910, via e-mail to committee@frankaguonjr.com, or via facsimile to (671) 475-GUM3 (4863). Individuals requiring special accommodations, auxiliary aids, or services shall contact and submit their request to Karlo Dizon or Yvette Cruz at our office. We look forward to your attendance and participation. For further information, please contact the Office of Senator Frank B. Aguon, Jr. at 475-GUM1/2 (4861/2). We look forward to your attendance and participation.

CC: All Senators/Clerk of the Legislature/Sgt.at-Arms/Protocol

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155 HESLER PLACE HAGATNA,GUAM 96910 | EMAIL: AGUON4GUAM@GMAIL.COM

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FRIDAY, MARCH 1, 2013 · MARIANAS VARIETY GUAM EDITION

OFFICE OF SENATOR FRANK B. AGUON, JR.
Chairman, Committee on Guam US Military Relocation
Homeland Security, Veterans Affairs and Judiciary
Mina' Trentai Dos Na Liheslaturan Guahan · 32nd Guam Legislature

PUBLIC HEARING

Monday, March 4, 2013

AGENDA

9:00AM

Bill No. 6-32 (LS)

An act to amend §25.15 and §25.20 of Chapter 25, Title 9, Guam Code Annotated, relative to strengthening penalties for crimes involving criminal sexual conduct, which may be cited as the "Predator Prevention Act".

Bill No. 10-32 (COR)

An act to add a new Chapter 39A to Title 7 of the Guam Code Annotated relative to creating the Uniform Child Abduction Prevention Act.

Bill No. 41-32 (LS)

An act to amend Chapter 30, Title 9 Guam Code Annotated relative to strengthening the penalties for crimes of family violence.

Bill No. 43-32 (COR)

An act to add a new (b) (1) and (2) to § 67.801 and to add a new § 67.802 and § 67.803 to Article 8 of Chapter 67 of Title 9 Guam Code Annotated relative to strengthening the penalties for the possession, manufacturing, selling, or distribution of any synthetic Cannabinoid or Salvia Divinorum.

Resolution No. 33-32

Relative to urging the United States Congress to pass the Violence Against Women Reauthorization Act of 2013 in order to continue protecting the safety of women and children across the United States and ensure the provision of necessary services for victims of domestic violence and sexual assault.

Should you require any special accommodations, please contact the Office of Senator Frank B. Aguon, Jr. at 475-GUAM (472-1262) or e-mail committee@frankaguon.com.

THIS AD PAID FOR WITH GOVERNMENT FUNDS

COMMITTEE ON

GUAM U.S. MILITARY RELOCATION
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN | 32ND GUAM LEGISLATURE

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V. Anthony Ada
Committee Member

Senator
Michael Limtiaco
Committee Member

Senator
Thomas Morrison
Committee Member

PRESS RELEASE

SECOND NOTICE OF PUBLIC HEARING

MONDAY, MARCH 4, 2013 9:00 AM

FOR IMMEDIATE RELEASE

Please be advised that the Committee on Guam US Military Relocation, Homeland Security, Veterans Affairs, and Judiciary will be conducting a Public Hearing on **Monday, March 4, 2013 at 9:00 AM** in the Legislature's Public Hearing Room. This hearing is scheduled to receive public testimony on the following items:

- **Bill No. 6-32 (LS)** - An act to amend §25.15 and §25.20 of Chapter 25, Title 9, Guam Code Annotated, relative to strengthening penalties for crimes involving criminal sexual conduct, which may be cited as the "Predator Prevention Act".
- **Bill No. 10-32 (COR)** - An act to add a new Chapter 39A to Title 7 of the Guam Code Annotated relative to creating the Uniform Child Abduction Prevention Act.
- **Bill No. 41-32 (LS)** - An act to amend Chapter 30, Title 9 Guam Code Annotated relative to strengthening the penalties for crimes of family violence.
- **Bill No. 43-32 (COR)** - An act to add a new (b) (1) and (2) to § 67.801; and to add a new § 67.802 and § 67.803 to Article 8 of Chapter 67 of Title 9 Guam Code Annotated relative to strengthening the penalties for the possession, manufacturing, selling, or distribution of any synthetic Cannabinoid or Salvia Divinorum .
- ~~**Resolution No. 33-32 (COR)** - Relative to urging the United States Congress to pass the Violence Against Women Reauthorization Act of 2013, in order to continue protecting the safety of women and children across the United States and ensure the provision of necessary services for victims of domestic violence and sexual assault.~~

Testimony should be addressed to Senator Frank B. Aguon, Jr., Chairperson, and may be submitted via hand-delivery to our office or our mailbox at the Main Legislature Building at 155 Hesler Place, Hagatna, Guam 96910, via e-mail to committee@frankaguonjr.com, or via facsimile to (671) 475-GUM3 (4863). Individuals requiring special accommodations, auxiliary aids, or services shall contact and submit their request to Karlo Dizon or Yvette Cruz at our office. We look forward to your attendance and participation.

-30-

For further information, please contact the Office of Senator Frank B. Aguon, Jr. at 475-GUM1/2 (4861/1).

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Michael Limtiaco
Committee Member

Senator
Thomas Morrison
Committee Member

February 25, 2013

To: **Vice Speaker Benjamin J. F. Cruz**

From: **Senator Frank B. Aguon, Jr.**
Chairperson, Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary

Subject: Public Hearing scheduled for March 4, 2013.

The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary will conduct a public hearing at 9:00 a.m. on Monday, March 4, 2013 at the Guam Legislature's Public Hearing Room, and among the items on the agenda are the following Bills of which you are the author:

Bill No. 10-32 (COR) - An act to add a new Chapter 39A to Title 7 of the Guam Code Annotated relative to creating the Uniform Child Abduction Prevention Act.

Bill No. 43-32 (COR) - An act to add a new (b) (1) and (2) to § 67.801; and to add a new § 67.802 and § 67.803 to Article 8 of Chapter 67 of Title 9 Guam Code Annotated relative to strengthening the penalties for the possession, manufacturing, selling, or distribution of any synthetic Cannabinoid or Salvia Divinorum.

You may notify the appropriate government agencies, organizations, and persons who may wish to provide written and/or oral testimony on these bills. Thank you for your kind attention.

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COMMITTEE ON

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Senator
Michael Limtiaco
Committee Member

Senator
Thomas Morrison
Committee Member

PUBLIC HEARING

MONDAY MARCH 4, 2013

I Liheslaturan Guåhan's Public Hearing Room, Hagåtña

AGENDA

I. **Call to Order**
II. **Opening Remarks/Announcements**
III. **Items for Discussion:**

9:00 a.m.:

Bill No. 6-32 (LS) - An act to amend §25.15 and §25.20 of Chapter 25, Title 9, Guam Code Annotated, relative to strengthening penalties for crimes involving criminal sexual conduct, which may be cited as the "Predator Prevention Act".

Bill No. 10-32 (COR) - An act to add a new Chapter 39A to Title 7 of the Guam Code Annotated relative to creating the Uniform Child Abduction Prevention Act.

Bill No. 41-32 (LS) - An act to amend Chapter 30, Title 9 Guam Code Annotated relative to strengthening the penalties for crimes of family violence.

Bill No. 43-32 (COR) - An act to add a new (b) (1) and (2) to § 67.801; and to add a new § 67.802 and § 67.803 to Article 8 of Chapter 67 of Title 9 Guam Code Annotated relative to strengthening the penalties for the possession, manufacturing, selling, or distribution of any synthetic Cannabinoid or Salvia Divinorum

~~**Resolution No. 33-32 (COR) As Introduced** - Relative to urging the United States Congress to pass the Violence Against Women Reauthorization Act of 2013, in order to continue protecting the safety of women and children across the United States and ensure the provision of necessary services for victims of domestic violence and sexual assault.~~

IV. **Closing Remarks**
V. **Adjournment**

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Senator
Michael Limtiaco
Committee Member

Senator
Thomas Morrison
Committee Member

February 26, 2013

The Honorable Edward J. Calvo
Governor of Guam
513 West Marine Corps Drive
Ricardo J. Bordallo Complex
Hagatna, Guam 96910

RE: Public Hearing
Monday, March 4, 2013

Dear Governor Calvo,

Buenas yan Hafa Adai! The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, March 4, 2013 beginning at 9:00am. Included on the agenda are the following bills:

Bill No. 6-32 (LS) - An act to amend §25.15 and §25.20 of Chapter 25, Title 9, Guam Code Annotated, relative to strengthening penalties for crimes involving criminal sexual conduct, which may be cited as the "Predator Prevention Act".

Bill No. 10-32 (COR) - An act to add a new Chapter 39A to Title 7 of the Guam Code Annotated relative to creating the Uniform Child Abduction Prevention Act.

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Resolution No. 33-32 (COR) - Relative to urging the United States Congress to pass the Violence Against Women Reauthorization Act of 2013, in order to continue protecting the safety of women and children across the United States and ensure the provision of necessary services for victims of domestic violence and sexual assault.

Your presence in this public hearing is highly encouraged. Please contact me or my office at (671) 475-GUM1/2 (4861/2) for further information or concerns.

Respectfully,

SENATOR FRANK B. AGUON, JR.

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COMMITTEE ON

GUAM U.S. MILITARY RELOCATION
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN | 32ND GUAM LEGISLATURE

Senator
FRANK B. AGUON,JR.
Committee Chairperson

Senator
Tina Muna-Barnes
Committee Vice Chairperson

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

Senator
Rory J. Respicio
Committee Member

Senator
Thomas C. Ada
Committee Member

Senator
Dennis G. Rodriguez, Jr.
Committee Member

Senator
V. Anthony Ada
Committee Member

Senator
Michael Limtiaco
Committee Member

Senator
Thomas Morrison
Committee Member

February 26, 2013

The Honorable Raymond S. Tenorio
Lieutenant Governor of Guam
513 West Marine Corps Drive
Ricardo J. Bordallo Complex
Hagatna, Guam 96910

RE: Public Hearing
Monday, March 4, 2013

Dear Lieutenant Governor Tenorio,

Buenas yan Hafa Adai! The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, March 4, 2013 beginning at 9:00am. Included on the agenda are the following bills:

Bill No. 6-32 (LS) - An act to amend §25.15 and §25.20 of Chapter 25, Title 9, Guam Code Annotated, relative to strengthening penalties for crimes involving criminal sexual conduct, which may be cited as the "Predator Prevention Act".

Bill No. 10-32 (COR) - An act to add a new Chapter 39A to Title 7 of the Guam Code Annotated relative to creating the Uniform Child Abduction Prevention Act.

Bill No. 41-32 (LS) - An act to amend Chapter 30, Title 9 Guam Code Annotated relative to strengthening the penalties for crimes of family violence.

Bill No. 43-32 (COR) - An act to add a new (b) (1) and (2) to § 67.801; and to add a new § 67.802 and § 67.803 to Article 8 of Chapter 67 of Title 9 Guam Code Annotated relative to strengthening the penalties for the possession, manufacturing, selling, or distribution of any synthetic Cannabinoid or Salvia Divinorum .

Resolution No. 33-32 (COR) - Relative to urging the United States Congress to pass the Violence Against Women Reauthorization Act of 2013, in order to continue protecting the safety of women and children across the United States and ensure the provision of necessary services for victims of domestic violence and sexual assault.

Your presence in this public hearing is highly encouraged. Please contact me or my office at (671) 475-GUM1/2 (4861/2) for further information or concerns.

Respectfully,

SENATOR FRANK B. AGUON, JR.

PHONE: (671)475-GUM1/2 (4861/2) | FAX: (671)475-GUM3 (4863)
155 HESLER PLACE HAGATNA,GUAM 96910 | EMAIL: AGUON4GUAM@GMAIL.COM

WWW.FRANKAGUONJR.COM

COMMITTEE ON

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Senator
Thomas Morrison
Committee Member

February 26, 2013

Mr.Angel R. Sablan
Executive Director
Mayors' Council of Guam
P.O.Box 786
Hagatna, Guam 96932

ATTENTION: All Mayors

RE: Public Hearing
Monday, March 4, 2013

Dear Mr. Sablan,

Buenas yan Hafa Adai! The Committee on Guam US Military Relocation, Homeland Security, Veterans'Affairs and Judiciary has scheduled a public hearing on Monday, March 4, 2013 beginning at 9:00am. Included on the agenda are the following bills:

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Senator
Thomas Morrison
Committee Member

February 26, 2013

The Honorable Madeleine Z. Bordallo
Guam Delegate - US House of Representative
120 Father Duenas Avenue , Suite 107
Hagatna Guam 96910

RE: Public Hearing
Monday, March 4, 2013

Dear Congresswoman Bordallo,

Buenas yan Hafa Adai! The Committee on Guam US Military Relocation, Homeland Security, Veterans'Affairs and Judiciary has scheduled a public hearing on Monday, March 4, 2013 beginning at 9:00am. Included on the agenda are the following bills:

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Respectfully,

SENATOR FRANK B. AGUON, JR.

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Committee Member

February 26, 2013

Dr. Julie Ulloa-Heath
President of the Board
Victims Advocates Reaching Out (VARO)
P.O.Box 2045
Hagatna Guam 96932

RE: Public Hearing
Monday, March 4, 2013

Dear Dr. Ulloa-Heath,

Buenas yan Hafa Adai! The Committee on Guam US Military Relocation, Homeland Security, Veterans'Affairs and Judiciary has scheduled a public hearing on Monday, March 4, 2013 beginning at 9:00am. Included on the agenda are the following bills:

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Senator
Thomas Morrison
Committee Member

February 26, 2013

Mr. Fred E. Bordallo
Chief of Police
Guam Police Department
Bldg. 13-16A Mariner Ave.
Tiyan, Barrigada Guam 96913

RE: Public Hearing
Monday, March 4, 2013

Dear Chief Bordallo,

Buenas yan Hafa Adai! The Committee on Guam US Military Relocation, Homeland Security, Veterans'Affairs and Judiciary has scheduled a public hearing on Monday, March 4, 2013 beginning at 9:00am. Included on the agenda are the following bills:

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SENATOR FRANK B. AGUON, JR.

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Senator
Michael Limtiaco
Committee Member

Senator
Thomas Morrison
Committee Member

February 26, 2013

Ms. Mildred Lujan
Executive Director
Sanctuary Incorporated
406 Mai Mai Road
Chalan Pago Guam 96910

RE: Public Hearing
Monday, March 4, 2013

Dear Ms.Lujan,

Buenas yan Hafa Adai! The Committee on Guam US Military Relocation, Homeland Security, Veterans'Affairs and Judiciary has scheduled a public hearing on Monday, March 4, 2013 beginning at 9:00am. Included on the agenda are the following bills:

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Committee Member

Senator
Thomas Morrison
Committee Member

February 26, 2013

The Honorable Judge F. Philip Carbullido
Chief Justice of Guam
Supreme Court of Guam
Suite 300 Guam Judicial Center
120 West O'Brien Drive
Hagatna, Guam 96910-5174

RE: Public Hearing
Monday, March 4, 2013

Dear Chief Justice Carbullido,

Buenas yan Hafa Adai! The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, March 4, 2013 beginning at 9:00am. Included on the agenda are the following bills:

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Senator
Thomas Morrison
Committee Member

February 26, 2013

The Honorable Leonardo Rapadas
Attorney General
Office of the Attorney General
287 West O'Brien Drive
Hagatna, Guam 96910

RE: Public Hearing
Monday, March 4, 2013

Dear Honorable Leonardo Rapadas,

Buenas yan Hafa Adai! The Committee on Guam US Military Relocation, Homeland Security, Veterans'Affairs and Judiciary has scheduled a public hearing on Monday, March 4, 2013 beginning at 9:00am. Included on the agenda are the following bills which concern the Office of the Attorney General:

Bill No. 6-32 (LS) - An act to amend §25.15 and §25.20 of Chapter 25, Title 9, Guam Code Annotated, relative to strengthening penalties for crimes involving criminal sexual conduct, which may be cited as the "Predator Prevention Act".

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Senator
Thomas Morrison
Committee Member

February 26, 2013

Ms. Maria Teresa Aguon
Program Manager
Healing Hearts Crisis Center- Department of Mental Health and Substance Abuse
215 Duenas Drive
Tamuning, Guam 96913

RE: Public Hearing
Monday, March 4, 2013

Dear Ms. Aguon,

Buenas yan Hafa Adai! The Committee on Guam US Military Relocation, Homeland Security, Veterans'Affairs and Judiciary has scheduled a public hearing on Monday, March 4, 2013 beginning at 9:00am. Included on the agenda are the following bills:

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Respectfully,

SENATOR FRANK B. AGUON, JR.

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Michael Limtiaco
Committee Member

Senator
Thomas Morrison
Committee Member

February 26, 2013

Sister Bridgid Perez
Program Director
Alee Shelter
234-A US Army Juan C. Fejeran St.
Barrigada, Guam 96913

RE: Public Hearing
Monday, March 4, 2013

Dear Sister Bridgid,

Buenas yan Hafa Adai! The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, March 4, 2013 beginning at 9:00am. Included on the agenda are the following bills:

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GUAM U.S. MILITARY RELOCATION
VETERANS' AFFAIRS | HOMELAND SECURITY | JUDICIARY

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN | 32ND GUAM LEGISLATURE

Senator
FRANK B. AGUON,JR.
Committee Chairperson

Senator
Tina Muna-Barnes
Committee Vice Chairperson

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

Senator
Rory J. Respicio
Committee Member

Senator
Thomas C. Ada
Committee Member

Senator
Dennis G. Rodriguez, Jr.
Committee Member

Senator
V. Anthony Ada
Committee Member

Senator
Michael Limtiaco
Committee Member

Senator
Thomas Morrison
Committee Member

February 26, 2013

Ms. Monica Taimanglo
Program Director
Erica's House
1102 East Sunset Bvd
Barrigada, Guam 96913

RE: Public Hearing
Monday, March 4, 2013

Dear Ms. Taimanglo,

Buenas yan Hafa Adai! The Committee on Guam US Military Relocation, Homeland Security, Veterans'Affairs and Judiciary has scheduled a public hearing on Monday, March 4, 2013 beginning at 9:00am. Included on the agenda are the following bills:

Bill No. 6-32 (LS) - An act to amend §25.15 and §25.20 of Chapter 25, Title 9, Guam Code Annotated, relative to strengthening penalties for crimes involving criminal sexual conduct, which may be cited as the "Predator Prevention Act".

Bill No. 10-32 (COR) - An act to add a new Chapter 39A to Title 7 of the Guam Code Annotated relative to creating the Uniform Child Abduction Prevention Act.

Bill No. 41-32 (LS) - An act to amend Chapter 30, Title 9 Guam Code Annotated relative to strengthening the penalties for crimes of family violence.

Bill No. 43-32 (COR) - An act to add a new (b) (1) and (2) to § 67.801; and to add a new § 67.802 and § 67.803 to Article 8 of Chapter 67 of Title 9 Guam Code Annotated relative to strengthening the penalties for the possession, manufacturing, selling, or distribution of any synthetic Cannabinoid or Salvia Divinorum .

Resolution No. 33-32 (COR) - Relative to urging the United States Congress to pass the Violence Against Women Reauthorization Act of 2013, in order to continue protecting the safety of women and children across the United States and ensure the provision of necessary services for victims of domestic violence and sexual assault.

Your presence in this public hearing is highly encouraged. Please contact me or my office at (671) 475-GUM1/2 (4861/2) for further information or concerns.

Respectfully,

SENATOR FRANK B. AGUON, JR.

PHONE: (671)475-GUM1/2 (4861/2) | FAX: (671)475-GUM3 (4863)
155 HESLER PLACE HAGATNA,GUAM 96910 | EMAIL: AGUON4GUAM@GMAIL.COM
WWW.FRANKAGUONJR.COM

COMMITTEE ON

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Committee Member

February 26, 2013

The Honorable Judge Alberto C. Lamorena II
Presiding Judge, Superior Court of Guam
Guam Judicial Center
120 West O'Brien Drive
Hagatna, Guam 96910

RE: Public Hearing
Monday, March 4, 2013

Dear Presiding Judge Lamorena,

Buenas yan Hafa Adai! The Committee on Guam US Military Relocation, Homeland Security, Veterans' Affairs and Judiciary has scheduled a public hearing on Monday, March 4, 2013 beginning at 9:00am. Included on the agenda are the following bills:

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Senator
Michael Limtiaco
Committee Member

Senator
Thomas Morrison
Committee Member

February 26, 2013

The Honorable Alicia Limtiaco
US Attorney
US Attorney's Office
Sirena Plaza Suite 500
108 Hernan Cortez Avenue
Hagatna, Guam 96950

RE: Public Hearing
Monday, March 4, 2013

Dear Honorable Alicia Limtiaco,

Buenas yan Hafa Adai! The Committee on Guam US Military Relocation, Homeland Security, Veterans'Affairs and Judiciary has scheduled a public hearing on Monday, March 4, 2013 beginning at 9:00am. Included on the agenda are the following bills:

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Respectfully,

SENATOR FRANK B. AGUON, JR.

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Senators get tough on synthetic marijuana

By Louella Losinio
louella@mvguam.com
Variety News Staff

LAWMAKERS yesterday held a public hearing on Bill 43, which aims to strengthen penalties on the possession, manufacture and distribution of synthetic cannabinoids such as "Spice."

Sen. Frank B. Aguon Jr. read a statement on behalf of Vice Speaker Benjamin J.F. Cruz, the author of Bill 43, stressing the Legislature is taking proactive steps to ban Spice. He added the U.S. Drug Enforcement Administration and the U.S. military have also taken action to control and prohibit

SYNTHETIC continued on page 2

"When the makers of this drug evolve to beat our laws, our laws must evolve to beat them in order to protect our residents and Guam's precious youth."
– Vice Speaker Benjamin J.F. Cruz

Synthetic...

continued from page 1

...e use of Spice.

If passed, the bill would update Guam's ...sting legal definition of Spice and ...engthen the penalties. "When the ...akers of this drug evolve to beat our ...ws, our laws must evolve to beat them ... order to protect our residents and ...uam's precious youth," Cruz stated.

James W. Gillan, director of the ...epartment of Public Health and Social ...ervices, stated in written testimony that ... supports the bill, pointing out "salvia ...ivinorum" is a hallucinogen which is not ...rrently controlled under the Controlled ...bstances Act. It is, however, under ...gulatory control in 20 U.S. states and ...ne countries as of July 2012.

According to Gillan's testimony, ...ere is not enough information on the ...bstance's long-term use and negative ...alth effects. Spice, he stressed, is a drug ... choice for younger persons aged 12 to

Testing cost

Meanwhile, Guam Police Department Chief Fred Bordallo said he and his staff have reviewed and discussed the bill and are in support of its intent.

However, he said they are concerned about funding the cost for testing at GPD's Forensic Science Division. He said the division has the responsibility of analyzing the synthetic cannabinoids but without a standard process to verify the substance, enforcement of the law would be diminished.

In an attachment to the testimony, GPD said the analysis of Spice presents a two-fold challenge: the lack of available standards for comparison, and the lack of the instrumentation used by other U.S. laboratories.

But Bordallo assured that the Guam Police Crime Lab Drug Analysis Unit will try its best to work with the resources available to research and develop an acceptable method for the analysis of Spice.

Matt Vasilogambros/Variety

Deputy Attorney General Phil Tydingco delivers testimony during a public hearing yesterday regarding the necessity for new equipment for the crime lab to analyze synthetic cannabinoids.

COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
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CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Senator
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Member

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Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

February 19, 2013

VIA FACSIMILE
(671) 472-2825

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

RE: Request for Fiscal Note – Bill Nos. 43-32 through 44-32 (COR) and Bill Nos. 45-32 through 47-32 (LS)

Hafa Adai Mr. Rios:

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

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

Very Truly Yours,

Rory J. Respicio

Senator Rory J. Respicio
Chairperson, Committee on Rules

Attachments

Cc: Clerk of the Legislature

Bill No. 43-32 (COR) – B..J.F. Cruz - AN ACT TO ADD A NEW (b) (1) AND (2) TO § 67.801; AND TO ADD A NEW § 67.802 AND § 67.803 TO ARTICLE 8 OF CHAPTER 67 OF TITLE 9 GUAM CODE ANNOTATED RELATIVE TO STRENGTHENING THE PENALTIES FOR THE POSSESSION, MANUFACTURING, SELLING, OR DISTRIBUTION OF ANY SYNTHETIC CANNABINOID OR SALVIA DIVINORUM.

Bill No. 44-32 (COR) - Judith T. Won Pat, Ed.D - AN ACT TO AMEND §23111(g)(2) OF CHAPTER 23, DIVISION 2, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE USE OF MILEAGE EARNED THROUGH CREDIT CARD PURCHASES AUTHORIZED BY THE GOVERNMENT OF GUAM, TO SUPPORT STUDENT TRAVEL INVOLVING ACADEMIC, SPORTS AND CULTURAL ACTIVITIES.

Bill No. 45-32 (LS) - Brant T. McCreadie - AN ACT TO ADD §5004.1 OF CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING THE GUAM MEMORIAL HOSPITAL TO OBTAIN PROFESSIONAL SERVICES IN ACCORDANCE WITH INDUSTRY PRACTICE.

Bill No. 46-32 (LS) - T.R. Muna Barnes - AN ACT TO AMEND A SUBSECTION (c) AND SUBSECTION (h) OF ARTICLE 1,
CHAPTER 10, TITLE 5, GUAM CODE ANNOTATED RELATIVE TO THE RIGHT OF INSPECTION

Bill No. 47-32 (LS) - V.C. Pangelinan - AN ACT TO ADD A NEW SECTION 8103.1 TO ARTICLE 1, CHAPTER 8, TITLE 4 OF THE GUAM CODE ANNOTATED, TO COMPLY WITH INTERNAL REVENUE CODE REQUIREMENTS APPLICABLE TO THE GOVERNMENT OF GUAM RETIREMENT FUND

COMMITTEE ON RULES

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MINORITY LEADER

Senator
Aline Yamashita
Member

February 18, 2013

MEMORANDUM

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

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: **Senator Rory J. Respicio**
Majority Leader & Rules Chair

Subject: **Referral of Bill No. 43-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill No. **43-32(COR)**.

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.*

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

Si Yu'os Ma'åse!

Attachment

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

2013 FEB 15 PM 2:41

Bill No. 43-32 (COR)

Introduced by: B.J.F. Cruz
Judith Won Pat, Ed.D.

AN ACT TO ADD A NEW (b) (1) AND (2) TO § 67.801; AND TO ADD A NEW § 67.802 AND § 67.803 TO ARTICLE 8 OF CHAPTER 67 OF TITLE 9 GUAM CODE ANNOTATED RELATIVE TO STRENGTHENING THE PENALTIES FOR THE POSSESSION, MANUFACTURING, SELLING, OR DISTRIBUTION OF ANY SYNTHETIC CANNABINOID OR SALVIA DIVINORUM.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. § 67.801 of Article 8 of chapter 67 of Title 9 of the Guam Code Annotated is hereby *amended* to read:

"§ 67.801. Salvia Divinorum or Salvinorum A.

(a) The possession of the following chemical compounds *shall* be prohibited within Guam:

(1) (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-

(2methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol, some trade or other names: HU-210.

(2) 1-Pentyl-3-(1-naphthoyl)indole, some trade or other names: JWH-018.

(3) 1-Butyl-3-(1-naphthoyl)indole, some trade or other names: JWH-073.

(4) Salvia divinorum or salvinorum A; all parts of the plant presently classified botanically as salvia divinorum, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salts, derivative, mixture, or preparation of such plant, its seeds or extracts.

(b) "Synthetic Cannabinoid" means any chemical compound that is chemically synthesized and either:

(1) Has been demonstrated to have binding activity at one or more cannabinoid receptors; or

(2) Is a chemical analog or isomer of a compound that has been demonstrated to have a binding activity at one or more cannabinoid receptors."

~~(b)~~ (c) A violation of Subsection (a) *shall* be subject to the same penalties and provisions contained in Chapter 67 of Title 9 of the Guam Code Annotated.

Section 2. A new § 67.802 is hereby *added* to Article 8 of Chapter 67 of Title 9 Guam Code Annotated to read:

"**§ 67.802. Unlawful use or possession of synthetic cannabinoids or salvia divinorum.**

(1) Effective immediately, it is unlawful for any person to use or possess any amount of any Synthetic Cannabinoid or Salvia Divinorum.

(2) A Person who violates any provision of subsection (1) of this section *shall* be subject to the same penalties and provisions contained in Chapter 67 of Title 9 of the Guam Code Annotated."

Section 3. A new § 67.803 is hereby *added* to Article 8 of Chapter 67 of Title 9 Guam Code Annotated to read:

"**§ 67.803 Unlawful distribution, manufacturing, sale, or of synthetic cannabinoids or salvia divinorum.**

(1) It is unlawful for any person knowingly to:

(a) Manufacture, sell, or distribute, or to possess with intent to manufacture, sell, or distribute, any amount of Synthetic Cannabinoid or Salvia Divinorum;

(b) Induce, attempt to induce, or conspire with one or more other persons, to manufacture, sell, distribute, or possess with intent to manufacture, sell, or distribute, any amount of any Synthetic Cannabinoid or Salvia Divinorum

(2) A person who violates any provision of subsection (1) of this section *shall* be subject to the same penalties and provisions contained in Chapter 67 of Title 9 of the Guam Code Annotated.

(3) Notwithstanding the provisions of subsection (2) of this section, a person who violates any provision of subsection (1) of this section by selling, or distributing any amount of any Synthetic Cannabinoid or Salvia Divinorum *shall* be subject to the same penalties and provisions contained in Chapter 67 of Title 9 of the Guam Code Annotated if the person:

(a) Sells, or distributes the Synthetic Cannabinoid or Salvia Divinorum to a minor who is less that eighteen (18) years of age; and

(b) Is at least eighteen years of age and at least two years older than said minor."