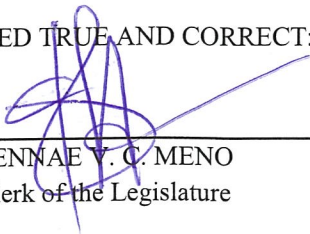


**I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN**  
**2019 (FIRST) Regular Session**  
**LEGISLATIVE SESSION VOTING RECORD**

NAME	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
<b>Bill No. 157-35 (COR)</b> As amended by the Committee on Health, Tourism, Historic Preservation, Land, and Justice; and further amended on the Floor.	Speaker Antonio R. Unpingco Legislative Session Hall Guam Congress Building November 18, 2019					
Senator William M. CASTRO	✓					
Senator Régine Biscoe LEE	✓					
Senator Kelly G. MARSH (TAITANO), PhD	✓					
Senator James C. MOYLAN	✓					
Senator Louise B. MUÑA	✓					
Speaker Tina Rose MUÑA BARNES	✓					
Vice Speaker Telen Cruz NELSON					✓	✓
Senator Sabina Flores PEREZ	✓					
Senator Clynton E. RIDGELL	✓					
Senator Joe S. SAN AGUSTIN	✓					
Senator Amanda L. SHELTON	✓					
Senator Telo T. TAITAGUE	✓					
Senator Jose "Pedo" TERLAJE	✓					
Senator Therese M. TERLAJE	✓					
Senator Mary Camacho TORRES					✓	✓

**TOTAL:**      13                      2                      2  
Aye                      Nay                      Not Voting/  
Abstained                      Out During  
Roll Call                      Absent                      Excused

CERTIFIED TRUE AND CORRECT:

  
 \_\_\_\_\_  
 RENNAE Y. C. MENO  
 Clerk of the Legislature

I = Pass

***I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN***  
**2019 (FIRST) Regular Session**

**Bill No. 157-35 (COR)**

As amended by the Committee on Health,  
Tourism, Historic Preservation, Land and  
Justice; and further amended on the Floor.

\*

Introduced by:

Amanda L. Shelton  
Tina Rose Muña Barnes  
Telena Cruz Nelson  
Joe S. San Agustin  
James C. Moylan  
Louise B. Muña  
Therese M. Terlaje  
Régine Biscoe Lee  
Jose "Pedo" Terlaje

**AN ACT TO *ADD* A NEW § 89.16 AND *AMEND* §  
89.01(g)(1) OF CHAPTER 89, TITLE 9, GUAM CODE  
ANNOTATED, RELATIVE TO REQUIRING  
CONVICTED SEXUAL OFFENDERS WHOSE CASES  
ARE UNDER APPEAL TO RETAIN THEIR ABSOLUTE  
DUTY TO REGISTER AS SEX OFFENDERS WITH THE  
JUDICIARY OF GUAM PROBATION DIVISION.**

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

2           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that the sex offender registry was established by the enactment of Public Law 25-75  
4 in 1999 (codified at 9 GCA Chapter 89) with the intent to protect the members of  
5 our island community from sexual offenders by monitoring those offenders and  
6 making their information accessible to the public. This information includes the

1 name, date of birth, list of offenses, home address, work address, physical  
2 description, headshot, and known vehicles of the offender. This database is vital to  
3 protecting existing victims, deterring recidivism among offenders, and preventing  
4 future sexual offenses.

5 In 1994, the United States Congress passed the Wetterling Act, which  
6 mandates that all fifty (50) states maintain a sex offender registry. After many  
7 amendments and other federal legislation aiming to improve sex offender  
8 registration laws, Congress passed the Sex Offender Registration and Notification  
9 Act (SORNA) in 2006 which established national standards for sex offender  
10 registration and the list of information that should be made available to the public.  
11 A study published in the *Journal of Law and Economics*, found that registration  
12 reduces the number of sex offenses by about thirteen percent (13%). As such *I*  
13 *Liheslaturan Guåhan* finds that sex offender registries are a vital tool used for  
14 informing the public and preventing further victimization.

15 *I Liheslaturan Guåhan* further finds that survivors of sexual assault have  
16 become aware that their perpetrators' cases are under appeal but such perpetrators  
17 have not had to register with the sex offender registry and have gone on to jobs that  
18 include working around a similar demographic of women as the survivors, which  
19 potentially puts a new group of women at risk.

20 Therefore, it is the intent of *I Liheslaturan Guåhan* to close this loophole and  
21 ensure that sex offenders are registered with the sex offender registry even while  
22 such cases are on appeal.

23 **Section 2.** A new § 89.16 is hereby *added* to Chapter 89, Title 9, Guam  
24 Code Annotated, to read as follows:

25 **“§ 89.16. Cases Under Appeal.**

26 The trial judge may not stay any judgement of conviction as it relates  
27 to the registration requirements contained in this Chapter.”

1           **Section 3.** § 89.01(g)(1) of Chapter 89, Title 9, Guam Code Annotated, is  
2 hereby *amended* to read as follows:

3           “(1) Adult Conviction. The term conviction refers to each separate  
4 charge to which the offender either voluntarily pleads guilty and such guilty  
5 plea has been accepted by the Court, whether in a single hearing or in separate  
6 hearings, or is found guilty by a trier of fact, whether the charges are contained  
7 in one (1) indictment, or separate indictments. This term includes convictions  
8 based on pleas of nolo contendere and guilty pleas entered pursuant to *North*  
9 *Carolina v. Alford*, 400 U.S. 25 (1970). An adult sex offender is “convicted”  
10 for the purposes of this Chapter if the sex offender has been sentenced by the  
11 court.”