# I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN 2022 (SECOND) Regular Session LEGISLATIVE SESSION AGENDA

Speaker Antonio R. Unpingco Legislative Session Hall September 23, 26, 2022

(i) Call to Order;

- (ii) Prayer;
- (iii) Recognition of a Recipient of I Milåyan Mås Takhilo 'Na Sakrafisu;
- (iv) Reciting of *Inifresi*;
- (v) Singing of the Guam Hymn in *CHamoru*;
- (vi) Singing of the National Anthem;
- (vii) Roll Call;
- (viii) Call for Approval of the Legislative Journal;
  - August 9, 2022
- (ix) Communications and Petitions;
- (x) Messages from I Maga'hågan Guåhan;
- (xi) Reports of Standing Committees;
- (xii) Reports of Select Committees;
- (xiii) Introduction and First Reading of Bills and Resolutions;
  - Bill Nos. 330-36 (COR); 331-36 (LS) and 332-36 (LS); 333-36 (COR) and 334-36 (COR).
  - Resolution Nos. 409-36 (COR); 410-36 (LS) through 420-36 (LS); and 421-36 (COR) through 431-36 (COR).

## (xiv) Motions;

- 1. VETOED BILL NO. 11-36 (COR) AN ACT TO AMEND § 19405(b) AND (c) OF ARTICLE 4, CHAPTER 19, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING LEGISLATIVE AUTHORIZATION TO EXTEND A DECLARATION OF A STATE OF PUBLIC HEALTH EMERGENCY AND TO BE KNOWN AS "THE RESTORATION OF SEPARATION OF POWERS ACT." (Doc. No. 36GL-21-0257)
- 2. VETOED BILL NO. 38-36 (COR) AN ACT TO AMEND § 61106(b) OF ARTICLE 1, CHAPTER 61, DIVISION 2, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING EXTENSIONS OF DEADLINES TO SUBMIT REPORTS OR POSITIONS STATEMENTS TO THE APPLICATION REVIEW COMMITTEE, AND AN ADMINISTRATIVE FINE FOR THE DIRECTOR OF A MEMBER-AGENCY OF THE APPLICATION REVIEW COMMITTEE WHO FAILS TO PROVIDE REQUIRED REPORTS OR POSITION STATEMENTS ON LAND USE APPLICATIONS. (Doc. No. 36GL-21-0258)
- 3. VETOED BILL NO. 164-36 (COR) AN ACT TO AMEND SECTIONS 4, 5, 6, AND 7, AND ADD A NEW SECTION 8, AND REPEAL "EXHIBIT A,"ALL OF PUBLIC LAW 35-136 THE RECOVERY INCOME SUPPORT AND EMPOWERMENT (RISE) ACT OF 2020, RELATIVE TO REMOVING IMPEDIMENTS TO THE ISSUANCE OF PAYMENTS TO ELIGIBLE GUAM RESIDENTS DURING THE STATE OF PUBLIC HEALTH EMERGENCY DUE TO THE COVID-19 PANDEMIC. (Doc. No. 36GL-21-0989)
- 4. VETOED BILL NO. 73-36 (COR)- AN ACT TO AMEND §§ 60102 AND 60103 OF CHAPTER 60, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO REMOVING THE RESTRICTIONS ON OWNERSHIP OF SUPPRESSORS AND SILENCERS FROM GUAM LAW; AND TO BE KNOWN AS THE "HEARING PROTECTION ACT OF 2021". (Doc. No. 36GL-21-1444)
- 5. VETOED S.BILL NO. 179-36 (LS)- AN ACT TO ADD NEW §§ 13510 AND 13503(h) TO ARTICLE 5 OF CHAPTER 13, TITLE 19, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING RULES AND REGULATIONS FOR THE LICENSURE OF ADOPTION AGENCIES, AND TO ADD THE DEFINITION OF AN ADOPTION AGENCY. (Doc. No. 36GL-21-1462)
- 6. VETOED S.BILL NO. 173-36 (LS)— AN ACT TO AMEND § 9112 OF CHAPTER 9, § 117 OF CHAPTER 1, § 14105 OF CHAPTER 14, AND § 13103 OF CHAPTER 13; AND TO ADD A NEW § 15110 TO ARTICLE 1 OF CHAPTER 15, AND TO A NEW § 1124 TO CHAPTER 1, ALL OF TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO ADDRESSING AND MODERNIZING ELECTION-RELATED ISSUES, TO INCLUDE THE COUNTING OF PROVISIONAL BALLOTS, ELECTIONEERING AT POLLING PLACES, THE CANCELLATION OF THE PRIMARY ELECTION IN CERTAIN CIRCUMSTANCES, AND VACANCIES. (Doc. No. 36GL-22-1660)
- 7. VETOED S.BILL NO. 236-36 (COR)— AN ACT TO AMEND § 5213 OF SUBARTICLE B, ARTICLE 3, CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO STRENGTHENING THE REQUIREMENTS OF SMALL PURCHASES. (Doc. No. 36GL-22-1909)

- 8. VETOED BILL NO. 123-36 (COR)— AN ACT TO AMEND § 2108 OF CHAPTER 2, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING EMPLOYEES WHO RESIGN FROM GOVERNMENT OF GUAM EMPLOYMENT TO SUBMIT TO DRUG TESTING TO RETAIN REEMPLOYMENT RIGHTS IF SAID RESIGNATION WAS TENDERED SUBSEQUENT TO THE EMPLOYER'S ANNOUNCEMENT OF DRUG TESTING. (Doc. No. 36GL-22-1910)
- 9. VETOED BILL NO. 239-36 (COR)— AN ACT TO ADD A NEW § 76206 TO ARTICLE 2 OF CHAPTER 76, DIVISION 3, TITLE 11, GUAM CODE ANNOTATED; AND TO ADD A NEW § 13510 TO ARTICLE 5 OF CHAPTER 13, TITLE 19, GUAM CODE ANNOTATED, RELATIVE TO BUSINESS LICENSE REQUIREMENTS FOR ENTITIES ENGAGING IN CHILD PLACEMENT SERVICES. (Doc. No. 36GL-22-1911).
- 10. Motion to place items on the Agenda from the potential items listing.

#### (xv) Legislative Concurrence;

1. The Committee on Education, Self-Determination and Historic Preservation, Infrastructure, Border Safety, Federal and Foreign Affairs, and Maritime Transportation, hereby reports out the nomination of Karlyn R.C.G. Borja to serve as a Member of the Guam Education Board (Parent of a Student Currently Enrolled in DOE), with the recommendation to do confirm. Placed on Session Agenda 9/23/22. Moved to the Voting File 9/23/22.

## (xvi) Consent Calendar;

# (xvii) Second Reading File;

1. Bill No. 277-36 (COR)
As amended by the Committee on Health, Land,
Justice, and Culture.

Moved to Third Reading File 9/23/22.

Therese M. Terlaje

AN ACT TO ADD A NEW ARTICLE 2 TO CHAPTER 75A OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE CHAMORRO LAND TRUST COMMISSION (CLTC) TO ENTER INTO COMMERCIAL SUBMERGED LANDS LICENSE AGREEMENTS AND TO BE KNOWN AS THE GUAM UNDERSEA ACCESS FOR HOMES ACT (GUAHA).

2. Bill No. 137-36 (COR)

Jose "Pedo" Terlaje Tina Rose Muña Barnes Clynton E. Ridgell Mary Camacho Torres AN ACT TO APPROPRIATE FUNDS TO THE GOVERNMENT OF GUAM RETIREMENT FUND TO CONDUCT A STUDY RELATIVE TO ENHANCED BENEFITS FOR UNIFORMED PERSONNEL IN THE DEFINED BENEFIT 1.75 RETIREMENT SYSTEM.

3. Bill No. 219-36 (LS)

Bill No. 219-36 (LS) Supplemental
As amended by the Committee on Public
Accountability, Human Resources, the Guam Buildup,
Hagātīna Revitalization, Regional Affairs, Public
Libraries, Telecommunications, and Technology.
Moved to the bottom of the Second Reading File
9/23/22.

Amanda L. Shelton Tina Rose Muña Barnes Telena Cruz Nelson Mary Camacho Torres Telo T. Taitague Frank Blas Jr. Joanne Brown V. Anthony Ada AN ACT TO AMEND §§ 41210(a) AND (b); AND TO ADD A NEW § 41210(g), ALL OF, ARTICLE 2, CHAPTER 41, TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO THE CERTIFICATION OF A SEVERE DISABILITY AS AN IMPEDIMENT TO EMPLOYMENT FOR INDIVIDUALS WITH DISABILITIES.

4. Bill No. 231-36 (LS)

As amended by the Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts.

Moved to the bottom of the Second Reading File 9/23/22.

James C. Moylan Tina Rose Muña Barnes Joe S. San Agustin Christopher M. Dueñas V. Anthony Ada AN ACT TO AMEND §§ 58202 AND 58203 OF ARTICLE 2, CHAPTER 58, TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO AMENDING THE SPECIAL QUALIFYING CERTIFICATE FOR HOTEL ROOM DEVELOPMENT TO INCLUDE RENOVATIONS.

5. Bill No. 259-36 (LS)

As amended by the Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts.

Moved to the bottom of the Second Reading File 9/23/22.

Telo T. Taitague Amanda L. Shelton Sabina Flores Perez Joanne Brown Frank F. Blas, Jr.

Jose "Pedo" Terlaje

"ÅKTON GUMA" (GROUP USE MANÅMKO ACCOMMODATIONS) INCENTIVE ACT, AN ACT TO ADD A NEW ARTICLE 3 TO CHAPTER 58, TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING NEW SPECIAL QUALIFYING CERTIFICATE INCENTIVES FOR THE DEVELOPMENT OF ELDERLY RESIDENTIAL LIVING HOUSING COMPRISING OF INDEPENDENT LIVING, ASSISTED CARE AND NURSING HOME ACCOMMODATIONS.

2. Bill No. 278-36 (COR)

Therese M. Terlaje

AN ACT TO AMEND  $\S$  75A124 OF CHAPTER 75A, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE CHAMORRO LAND TRUST SURVEY AND INFRASTRUCTURE FUND.

3. Bill No. 284-36 (LS)

As amended by the Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning. Sabina Flores Perez Telo T. Taitague Jose "Pedo" Terlaje Tina Rose Muña Barnes AN ACT TO AMEND ARTICLE 3 OF CHAPTER 51, TITLE 10, GUAM CODE ANNOTATED, AND AMEND ARTICLE 3 OF CHAPTER 24, DIVISION 4, TITLE 22, GUAM RULES AND REGULATIONS, RELATIVE TO PROMOTING RECYCLING AND ZERO WASTE INITIATIVES.

#### 4. Bill No. 309-36 (LS)

As Amended by the Committee on Health, Land,

Therese M. Terlaje

AN ACT TO AMEND \$12212(g) ARTICLE 2, CHAPTER 12, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ENSURING PERSONS OR ENTITIES WHO HAVE REPORTED ARE PROMPTLY INFORMED OF GUAM BOARD OF MEDICAL EXAMINERS' ACTIONS AND DECISIONS.

#### **5. Resolution No. 343-36 (COR)**

Telena Cruz Nelson Christopher M. Dueñas Frank Blas Jr. V. Anthony Ada Tina Rose Muña Barnes Clynton E. Ridgell James C. Moylan Sabina Flores Perez Therese M. Terlaje Joe S. San Agustin Jose "Pedo" Terlaje Mary Camacho Torres Relative to expressing the utmost support of *I Mina'Trentai Sais Na Liheslaturan Guåhan* (the 36th Guam Legislature) for the passage of H.R. 6823, the "Elizabeth Dole Home and Community Based Services for Veterans and Caregivers Act of 2022," which seeks to expand veterans' access to home caregivers by providing a critical investment in caregiver support at the U.S. Department of Veterans Affairs.

## 6. Bill No. 219-36 (LS) Bill No. 219-36 (LS) Supplemental

As amended by the Committee on Public Accountability, Human Resources, the Guam Buildup, Hagåtña Revitalization, Regional Affairs, Public Libraries, Telecommunications, and Technology. Amanda L. Shelton Tina Rose Muña Barnes Telena Cruz Nelson Mary Camacho Torres Telo T. Taitague Frank Blas Jr. Joanne Brown V. Anthony Ada AN ACT TO AMEND §§ 41210(a) AND (b); AND TO ADD A NEW § 41210(g), ALL OF, ARTICLE 2, CHAPTER 41, TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO THE CERTIFICATION OF A SEVERE DISABILITY AS AN IMPEDIMENT TO EMPLOYMENT FOR INDIVIDUALS WITH DISABILITIES.

#### 7. Bill No. 137-36 (COR)

Jose "Pedo" Terlaje Tina Rose Muña Barnes Clynton E. Ridgell Mary Camacho Torres AN ACT TO APPROPRIATE FUNDS TO THE GOVERNMENT OF GUAM RETIREMENT FUND TO CONDUCT A STUDY RELATIVE TO ENHANCED BENEFITS FOR UNIFORMED PERSONNEL IN THE DEFINED BENEFIT 1.75 RETIREMENT SYSTEM.

#### 8. Bill No. 231-36 (LS)

As amended by the Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts. James C. Moylan Tina Rose Muña Barnes Joe S. San Agustin Christopher M. Dueñas V. Anthony Ada AN ACT TO AMEND §§ 58202 AND 58203 OF ARTICLE 2, CHAPTER 58, TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO AMENDING THE SPECIAL QUALIFYING CERTIFICATE FOR HOTEL ROOM DEVELOPMENT TO INCLUDE RENOVATIONS.

#### 9. Bill No. 259-36 (LS)

As amended by the Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts. Telo T. Taitague Amanda L. Shelton Sabina Flores Perez Joanne Brown Frank F. Blas, Jr. Jose "Pedo" Terlaje

Telena Cruz Nelson

"ÅKTON GUMA" (GROUP USE MANÅMKO ACCOMMODATIONS) INCENTIVE ACT, AN ACT TO ADD A NEW ARTICLE 3 TO CHAPTER 58, TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING NEW SPECIAL QUALIFYING CERTIFICATE INCENTIVES FOR THE DEVELOPMENT OF ELDERLY RESIDENTIAL LIVING HOUSING COMPRISING OF INDEPENDENT LIVING, ASSISTED CARE AND NURSING HOME ACCOMMODATIONS.

#### 10. Bill No. 292-36 (LS)

Placed on Session Agenda 9/23/22

AN ACT TO AMEND \$73203, \$73204, AND \$73205 OF ARTICLE 2, CHAPTER 73, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO CHARGES FOR CARRIER OFF-DUTY SERVICES OF CUSTOMS AND QUARANTINE OFFICERS AND TO FURTHER ESTABLISH A CUSTOMS CARRIER OFF-DUTY SERVICES CUSTOMS

ADMINISTRATIVE PROCESSING FEE.

#### 11. Bill No. 298-36 (LS)

As amended by the Committee on General Government Operations, Appropriations, and Housing. Placed on Session Agenda 9/23/22 Telena Cruz Nelson Jose "Pedo" Terlaje

AN ACT TO AMEND SECTION 4(a) OF PUBLIC LAW 34-70, AS AMENDED BY SECTION 2 OF PUBLIC LAW 35-44, RELATIVE TO THE FINANCING OR REFINANCING IMPROVEMENTS AND CAPITAL IMPROVEMENTS OF THE JOSE D. LEON GUERRERO COMMERCIAL PORT (PORT), AND OTHER RELATED FACILITIES AND OPERATIONS OF THE PORT, THROUGH REVENUE BOND PROCEEDS.

## (xviii) Consideration of the Daily File;

# (1) Third Reading File:

1. Bill No. 277-36 (COR)

As amended by the Committee on Health, Land, Justice, and Culture; and further amended on the Floor.

Therese M. Terlaje Telo T. Taitague Sabina F. Perez Telena Cruz Nelson Christopher M. Dueñas Joanne Brown AN ACT TO ADD A NEW ARTICLE 2 TO CHAPTER 75A OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE CHAMORRO LAND TRUST COMMISSION (CLTC) TO ENTER INTO COMMERCIAL SUBMERGED LANDS LICENSE AGREEMENTS AND TO BE KNOWN AS THE GUAM UNDERSEA ACCESS FOR HOMES ACT (GUAHA).

# (2) Voting File:

- 1. VETOED BILL NO. 239-36 (COR)— AN ACT TO ADD A NEW § 76206 TO ARTICLE 2 OF CHAPTER 76, DIVISION 3, TITLE 11, GUAM CODE ANNOTATED; AND TO ADD A NEW § 13510 TO ARTICLE 5 OF CHAPTER 13, TITLE 19, GUAM CODE ANNOTATED, RELATIVE TO BUSINESS LICENSE REQUIREMENTS FOR ENTITIES ENGAGING IN CHILD PLACEMENT SERVICES.
- 2. The nomination of Karlyn R.C.G. Borja to serve as a Member of the Guam Education Board (Parent of a Student Currently Enrolled in DOE).
- (xix) Brief Extension of Remarks;
- (xx) Announcements; and
- (xxi) Adjournment.

POTENTIAL ITEMS TO BE PLACED ON SESSION AGENDA		
BILLS		
BILL NO.	SPONSOR(S)	TITLE
Bill No. 191-36 (COR)  As amended by the Committee on Economic  Development, Agriculture, Power and Energy Utilities,  and the Arts.	Clynton E. Ridgell	AN ACT TO AMEND § 3402 OF ARTICLE 4, CHAPTER 3, DIVISION 1, TITLE 9, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO ALLOWING WILD DEER TO BE TAKEN AND HARBORED AS LIVESTOCK.
Bill No. 257-36 (LS)	Amanda L. Shelton Joe S. San Agustin Therese M. Terlaje Tina Rose Muña Barnes Mary Camacho Torres Clynton E. Ridgell	AN ACT TO INCREASE COST OF LIVING ALLOWANCE (COLA) PAYMENTS FOR GOVERNMENT OF GUAM RETIREES AND TO APPROPRIATE (\$15,945,600) FROM THE GENERAL FUND TO THE DEPARTMENT OF ADMINISTRATION (DOA) FOR FISCAL YEAR 2023.
Bill No. 291-36 (LS)	Telena Cruz Nelson Christopher M. Dueñas Amanda L. Shelton V. Anthony Ada Frank Blas, Jr.	AN ACT TO <i>ADD</i> A NEW CHAPTER 91B TO DIVISION 4 OF TITLE 10 OF THE GUAM CODE ANNOTATED, RELATIVE TO ABORTION, INCLUDING ABORTIONS AFTER DETECTION OF AN UNBORN CHILD'S HEARTBEAT; AUTHORIZING A PRIVATE CIVIL RIGHT OF ACTION.
Bill No. 292-36 (LS)  As amended by the Committee on Education, Self- Determination and Historic Preservation, Infrastructure, Border Safety, Federal and Foreign Affairs, and Maritime Transportation	Telena Cruz Nelson	AN ACT TO AMEND §73203, §73204, AND §73205 OF ARTICLE 2, CHAPTER 73, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO CHARGES FOR CARRIER OFF-DUTY SERVICES OF CUSTOMS AND QUARANTINE OFFICERS AND TO FURTHER ESTABLISH A CUSTOMS CARRIER OFF-DUTY SERVICES CUSTOMS ADMINISTRATIVE PROCESSING FEE.
Bill No. 298-36 (LS)  As amended by the Committee on General  Government Operations, Appropriations, and  Housing.	Telena Cruz Nelson Jose "Pedo" Terlaje	AN ACT TO AMEND SECTION 4(a) OF PUBLIC LAW 34-70, AS AMENDED BY SECTION 2 OF PUBLIC LAW 35-44, RELATIVE TO THE FINANCING OR REFINANCING IMPROVEMENTS AND CAPITAL IMPROVEMENTS OF THE JOSE D. LEON GUERRERO COMMERCIAL PORT (PORT), AND OTHER RELATED FACILITIES AND OPERATIONS OF THE PORT, THROUGH REVENUE BOND PROCEEDS.
Bill No. 303-36 (COR)  As amended by the Committee on General Government Operation, Appropriations, and Housing.	V. Anthony Ada	AN ACT TO <i>ADD</i> A NEW §849.16 TO ARTICLE 1 OF CHAPTER 8, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO THE DESIGNATING A PORTION OF ROUTE 4 AS "SEVEN HEROES OF MALESSO' HIGHWAY."
Bill No. 333-36 (COR)	Clynton E. Ridgell Therese M. Terlaje Tina Rose Muña Barnes Joe S. San Agustin Jose "Pedo" Terlaje	AN ACT TO <i>ADD</i> NEW ITEM (D) TO § 40109(2) AND TO <i>ADD</i> A NEW ITEM (6) TO § 40118, BOTH OF THE GUAM FOOD, DRUG AND COSMETIC ACT, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO CANNABIS CONTENT IN EDIBLE AND COSMETIC CANNABIS PRODUCTS.
Bill No. 334-36 (COR)	Therese M. Terlaje	AN ACT TO <i>ADD</i> A NEW ARTICLE 3A TO CHAPTER 1, DIVISION 1 OF TITLE 26, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO THE ADOPTION OF RULES AND REGULATIONS FOR CHILD PLACEMENT AGENCIES.
APPOINTEE	APPOINTMENTS POSITION	AGENCY
Karlyn R.C.G. Borja	Member (Parent of a Student Currently Enrolled in DOE)	Guam Education Board
Michael C. Crisostomo	Member	Criminal Injuries Compensation Commission
David B. Herrera	Member	CHamoru Land Trust Commission
Dr. Marilyn C. Salas	Member	Kosas (Museum) Board of Advisors (Saina Representative)