

I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN
2007 (FIRST) Regular Session

AGENDA

October 9, 2007

(Reconvening of October 8, 2007 Session)

- (i) Call to order;**
- (ii) Prayer by the Chaplain;**
- (iii) Singing of the Guam Hymn in Chamorro;**
- (iv) Singing of the National Anthem;**
- (v) Roll call;**
- (vi) Call for approval of the Legislative Journal: ~~9/22/07 dj~~**
- (vii) Communications and petitions; ~~There are~~**
- (viii) Messages from the Governor; ~~There are~~**
- (ix) Reports of Standing Committees; ~~None~~**
- (x) Reports of Select Committees; ~~None~~**
- (xi) Introduction and first reading of bills and resolutions: ~~Bill No. 175(EC) to Bill No. 176(EC); Resolution No. 85 (LS) to Resolution No. 88 (LS); Bill No. __ (LS) to Bill No. __ (LS); Legislative Certificate No. __ (LS) to Legislative Certificate No. __ (LS)~~**
- (xii) Motions;**
 - 1. Veto of Bill No. 60(EC), prohibit transfer of funds from Antonio B. Won Pat International Airport Authority, Guam for the general purposes of GovGuam received 9/07/07.
 - 2. Veto of Bill No. 61(EC), executive nominations; and to *amend* Chapter 13 of Title 4 Guam Code Annotated to require disclosure of felony convictions, to be known as “The Public Official Disclosure Act”, received 9/07/07.

3. Veto of Bill No. 62(EC), a temporary moratorium on the issuance, extension, renewal and modification of qualifying certificates; & creating a qualifying certificate assessment workgroup, received 9/07/07.

(xiii) Legislative Concurrence;

- ~~1. From the Committee on Education, General & Omnibus Affairs on the appointment of Mr. Peter E. Gill to serve as a member of the Guam Land Use Commission with the recommendation to do confirm.~~
- ~~2. From the Committee on Education, General & Omnibus Affairs on the appointment of Ms. Evelyn E. Angoco to serve as a member of the Guam Public Library Board with the recommendation to do confirm.~~
- ~~3. From the Committee on Education, General & Omnibus Affairs on the appointment of Ms. Cherie Lynn Wong to serve as a member of the Guam Public Library Board with the recommendation to do confirm.~~
- ~~4. From the Committee on Education, General & Omnibus Affairs on the appointment of Mr. William Q. Sarmiento to serve as a member of the Guam Educational Telecommunications Corporation (KGTF) Board of Trustees with the recommendation to do confirm.~~
- ~~5. From the Committee on Education, General & Omnibus Affairs on the appointment of Mr. Joseph B. Leon Guerrero to serve as a member of the Guam Community College Board of Trustees with the recommendation to do confirm.~~

(xiv) Consent Calendar:

(xv) Second Reading File:

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|---|-----------------------------|
| 1. Bill No. 59(EC)(POF 1)(POF 2) | 13. <u>Bill No. 146(EC)</u> |
| 2. Bill No. 34(EC) | 14. <u>Bill No. 165(EC)</u> |
| 3. Bill No. 39(EC) | 15. <u>Bill No. 33(EC)</u> |
| 4. Bill No. 41(EC) | 16. <u>Bill No. 47(EC)</u> |
| 5. Bill No. 78(LS) | 17. <u>Bill No. 49(EC)</u> |
| 6. Bill No. 92(LS) | 18. <u>Bill No. 109(EC)</u> |
| 7. Bill No. 102(LS) | 19. <u>Bill No. 139(EC)</u> |
| 8. Bill No. 105(EC) | 20. <u>Bill No. 106(EC)</u> |
| 9. Bill No. 110(EC) | 21. <u>Bill No. 115(EC)</u> |
| 10. Bill No. 120(EC) | 22. <u>Bill No. 116(EC)</u> |
| 11. Bill No. 130(EC) | 23. <u>Bill No. 132(EC)</u> |
| 12. <u>Bill No. 133(EC)</u> | |

(xvi) Consideration of the Daily File:

(1) Third Reading File:

October 8, 2007

1. Bill No. 59(EC)
2. Bill No. 34(EC)
3. Bill No. 39(EC)
4. Bill No. 41(EC)
5. Bill No. 78(LS)

6. Bill No. 92(LS)

October 9, 2007

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and

(2) Voting File:

1. On the appointment of Mr. Peter E. Gill to serve as a member of the Guam Land Use Commission.
2. On the appointment of Ms. Evelyn E. Angoco to serve as a member of the Guam Public Library Board.
3. On the appointment of Ms. Cherie Lynn Wong to serve as a member of the Guam Public Library Board.
4. On the appointment of Mr. William Q. Sarmmiento to serve as a member of the Guam Educational Telecommunications Corporation (KGTF) Board of Trustees.
5. On the appointment of Mr. Joseph B. Leon Guerrero to serve as a member of the Guam Community College Board of Trustees.

(xvii) Brief extension of remarks (limited to 5 minutes per member);

(xviii) Announcements;

(xix) Adjournment.

I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN
SECOND READING
Committee Reports

Bill No. 33 (EC) – by R. J. Respicio, J. P. Guthertz,
As substituted by Author **T. R. Muña Barnes**

Reported out 10/8/07

AN ACT TO CREATE A COMMISSION ON COMMUNITY SUPPORT OF
THE MILITARY MISSION IN GUAM

Bill No. 34 (EC) – by Ray Tenorio, E. B. Calvo

3rd Reading File 10/8/07

AN ACT TO AMEND SECTIONS 3312, 5101, 5104, 5109 AND 5112 OF 16 GCA RELATIVE TO INCREASING THE SAFETY OF GUAM'S ROADS BY PROHIBITING CERTAIN VEHICLES FROM DRIVING IN THE FARTHEST LEFT HAND LANE IN CERTAIN CIRCUMSTANCES; INCREASING THE HEIGHTS OF VEHICLES AND LOADS; GRANTING DEPARTMENT OF MOTOR CARRIER OFFICIALS WITH CITATION AUTHORITY; AND INCREASING PENALTIES FOR VIOLATIONS OF THE MOTOR VEHICLE CODE.

Bill No. 39 (EC) – by F. T. Ishizaki, A. B. Palacios, Sr.

3rd Reading File 10/8/07

AN ACT TO ADD SECTION 1903.2 OF CHAPTER 19 OF TITLE 1 OF THE GUAM CODE ANNOTATED; TO ADD SECTION 30101.1 OF CHAPTER 30 OF TITLE 5 OF THE GUAM CODE ANNOTATED; AND TO ADD SECTION 40103.1 TO CHAPTER 40 OF TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE TRANSITION OF A NEWLY ELECTED PUBLIC AUDITOR, ATTORNEY GENERAL, AND VILLAGE MAYORS, RESPECTIVELY.

Bill No. 41 (EC) – by A. B. Palacios, Sr.

3rd Reading File 10/8/07

AN ACT RELATIVE TO INCREASING VOTER PARTICIPATION THROUGH ALLOWING FOR EARLY VOTING BY THE PEOPLE OF GUAM, AND FURTHER REQUIRING THAT SUFFICIENT PUBLIC NOTIFICATION BE PROVIDED IN EACH ELECTION ON THE AVAILABILITY OF SUCH SERVICES, THROUGH ADDING A NEW SECTION §10129 TO CHAPTER 10, TITLE 3, GUAM CODE ANNOTATED.

Bill No. 47 (EC) – by R. J. Respicio, Mark Forbes,
As substituted by the Committee on **T. R. Muña Barnes**
Education, General & Omnibus Affairs

3rd Reading File 10/8/07
Reported out 10/8/07

AN ACT TO *AMEND* §3104 OF TITLE 17 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE QUALIFICATIONS FOR THE SUPERINTENDENT OF EDUCATION AND DEPUTY SUPERINTENDENT OF EDUCATION.

Bill No. 49 (EC) – by R. J. Respicio, J. P. Guthertz,
T. R. Muña Barnes

Reported out 10/8/07

AN ACT TO PROHIBIT THE USE OF ELECTRONIC VOTING MACHINES UNTIL SUCH TIME THAT THE GUAM ELECTION COMMISSION ENSURES THAT EACH VOTING MACHINE PROVIDES AN AUDITABLE “PAPER TRAIL,” CERTIFIES THAT EQUIPMENT TESTING, SECURITY PROCEDURES AND STAFF TRAINING HAS TAKEN PLACE, AND CONDUCTS AN ISLAND-WIDE EDUCATION PROGRAM FOR VOTERS TO PROPERLY UTILIZE SUCH MACHINES, SUCH THAT THEIR USE WILL BE NO MORE PROBLEMATIC THAN USING PAPER BALLOTS, BY *ADDING* A NEW SUBITEM (e) TO §2103 OF CHAPTER 2, AND *ADDING* A NEW §7103.1 TO CHAPTER 7, ALL OF TITLE 3 GUAM CODE ANNOTATED.

Bill No. 59 (EC) – by J. V. Espaldon, M. Forbes,
J. A. Lujan

3rd Reading File 10/8/07

Passed on File (POF-2)* 8/21/07

*Motion to reconsider on next legislative date.

~~Passed on File (POF-1) 8/21/07~~

Reported out 8/16/07

ACT TO ZONE THE PREVIOUSLY UNZONED LOT NOS. 5328-5NEW-R2, 5328-R6NEW-R2 AND 5328-6, ALL IN THE MUNICIPALITY OF DEDEDO TO LIGHT INDUSTRIAL (“M-1”) ZONE

Bill No. 78 (LS) – by A. R. Unpingco
As substituted by Committee

3rd Reading File 10/8/07

AN ACT TO ADD A NEW §3347 TO ARTICLE 3 OF CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO READING, WRITING, OR SENDING ELECTRONIC MESSAGES WHILE OPERATING A MOVING MOTOR VEHICLE; PRESCRIBING PENALTIES; AND, PROVIDING AN EFFECTIVE DATE.

AN ACT TO ADD A NEW §3347 TO ARTICLE 3 OF CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO READING, WRITING, OR SENDING ELECTRONIC MESSAGES WHILE OPERATING A MOVING MOTOR VEHICLE; PRESCRIBING PENALTIES; AND, PROVIDING AN EFFECTIVE DATE.

Bill No. 92 (LS) – by J. T. Won Pat

3rd Reading File 10/8/07

AN ACT TO AUTHORIZE THE GUAM FIRE DEPARTMENT TO HIRE RETIRED FIREFIGHTERS WHENEVER A CRITICAL NEED ARISES AS A RESULT OF MILITARY ACTIVATION.

Bill No. 102(LS) – by Ray Tenorio, F. T. Ishizaki, A. B. Palacios

AN ACT TO ADD A NEW §80127 TO CHAPTER 80, TITLE 5, GUAM CODE ANNOTATED RELATIVE TO RESERVING THE HAGÁTÑA LIBRARY PARKING LOT FOR THE EXCLUSIVE USE BY LIBRARY EMPLOYEES AND PATRONS.

Bill No. 105 (EC) – by F. T. Ishizaki, J. T. Won Pat, Ray Tenorio

As Substituted by Committee on
General Governmental Operations
and Reorganization

AN ACT TO AMEND CHAPTER 89 OF TITLE 9 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE ADMINISTRATION OF THE GUAM SEX OFFENDER REGISTRY AND REQUIRING ALL THOSE CONVICTED OF CRIMINAL SEXUAL CONDUCT OR OF A CRIME AGAINST A VICTIM WHO IS A MINOR TO REGISTER IN THE SEX OFFENDER REGISTRY AND TO STRENGTHEN THE GUAM SEX OFFENDER REGISTRATION AND NOTIFICATION PROGRAM REQUIREMENTS.

AN ACT TO AMEND CHAPTER 89 OF TITLE 9 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE ADMINISTRATION OF THE GUAM SEX OFFENDER REGISTRY AND REQUIRING ALL THOSE CONVICTED OF CRIMINAL SEXUAL CONDUCT OR OF A CRIME AGAINST A VICTIM WHO IS A MINOR TO REGISTER IN THE SEX OFFENDER REGISTRY AND TO STRENGTHEN THE GUAM SEX OFFENDER REGISTRATION AND NOTIFICATION PROGRAM REQUIREMENTS.

Bill No. 106 (EC) – by A. B. Palacios, Sr.

Reported out 10/8/07

AN ACT TO AMEND §79105 OF CHAPTER 79, TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO FILLING VACANCIES IN THE CONSOLIDATED COMMISSION ON UTILITIES.

Bill No. 109 (EC) – by T. R. Muña Barnes, J. T. Won Pat,

Reported out 10/8/07

As substituted by the Committee **J. P. Guthertz**

AN ACT TO AMEND §3108 OF CHAPTER 3, DIVISION 1, TITLE 19 OF THE GUAM CODE ANNOTATED RELATIVE TO THE HYPHENATION OF SURNAMES UPON MARRIAGE.

Bill No. 110 (EC) – by Ray Tenorio, A. B. Palacios Sr.,

As substituted by the Committee **F. T. Ishizaki, F. F. Blas, Jr.,**
on Public Safety, Criminal Justice **J. A. Lujan, D. L.G. Shimizu, T. R. Muna Barnes**
and Youth

AN ACT TO REPEAL AND RE-ENACT §31.65 OF CHAPTER 31 OF 9 GCA
RELATIVE TO CURFEW HOURS FOR MINORS.

***AN ACT TO REPEAL AND RE-ENACT §31.65 OF CHAPTER 31 OF 9 GCA
RELATIVE TO CURFEW HOURS FOR MINORS.***

Bill No. 115 (EC) – by J. P. Guthertz

AN ACT TO AMEND §§ 3108, 3111, 3115, AND 3119; AND TO ADD A NEW
§3111.1, ALL OF CHAPTER 3 OF TITLE 17 GUAM CODE ANNOTATED
RELATIVE TO THE GUAM PUBLIC SCHOOL SYSTEM.

Bill No. 116 (EC) – by J. P. Guthertz

AN ACT TO AMEND § 3103 OF CHAPTER 3 OF TITLE 17 GUAM CODE
ANNOTATED RELATIVE TO THE GUAM PUBLIC SCHOOL SYSTEM.

Bill No. 120 (EC) – by E. J.B. Calvo

AN ACT TO REZONE LOT NO. 2149-4-7NEW FROM MULTI-FAMILY-
RESIDENTIAL (“R-2”) TO COMMERCIAL (“C”) ZONE.

Bill No. 130 (EC) – by J. V. Espaldon, F. F. Blas, Jr.

As Amended by the Committee
on Judiciary, Natural Resources,
Infrastructure and Cultural Affairs

AN ACT TO *REPEAL* AND *REENACT* CHAPTER 50 OF TITLE 10 OF THE
GUAM CODE ANNOTATED RELATIVE TO THE GUAM PESTICIDES ACT.

Bill No. 133 (EC) – by F. F. Blas, Jr., J. V. Espaldon, R. J. Respicio

AN ACT TO RATIFY THE EMERGENCY MANAGEMENT ASSISTANCE
COMPACT, AND FOR OTHER RELATED PURPOSES.

**Bill No. 132 (EC) – by J. P. Guthertz, R. J. Respicio, J. T. Won Pat, T. R. Muña
Barnes, D. L.G. Shimizu**

AN ACT TO AMEND TITLE 21GCA § 80104(e) OF THE GUAM CODE
ANNOTATED RELATIVE TO THE POWERS AND DUTIES OF THE
ANCESTRAL LANDS COMMISSION TO MANAGE AND DEVELOP
FORMER SPANISH CROWN LANDS AND OTHER NON-ANCESTRAL
LANDS.

Bill No. 139(EC) – by v. c. pangelinan, D. L.G. Shimizu,
As amended by the author **J. T. Won Pat**

Reported out 10/8/07

AN ACT TO AMEND SECTION 6 OF PUBLIC LAW 20-189 AND SECTION 4 OF PUBLIC LAW 20-133 RELATIVE TO APPLYING UNIFORM CONDITIONS FOR SUBDIVISIONS.

AN ACT TO AMEND SECTION 6 OF PUBLIC LAW 20-189 RELATIVE TO APPLYING UNIFORM CONDITIONS FOR SUBDIVISIONS.

Bill No. 146 (EC) – by A. R. Unpingco, J. V. Espaldon

Reported out 10/8/07

As substituted by the Committee on Tourism, Maritime,
Military, Veterans & Foreign Affairs

AN ACT TO AUTHORIZE THE JOSE D. LEON GUERRERO COMMERCIAL PORT TO PROMULGATE PERSONNEL RULES AND REGULATIONS; AND TO PROVIDE LIMITED AUTHORITY TO ESTABLISH PAY SCALES FOR CERTIFIED, TECHNICAL AND PROFESSIONAL PERSONNEL.

Bill No. 165 (EC) – by A. R. Unpingco

Reported out 10/8/07

AN ACT TO ADD A NEW ARTICLE 4 TO CHAPTER 10 OF TITLE 12 OF THE GUAM CODE ANNOTATED, TO AUTHORIZE THE BOARD OF DIRECTORS OF THE JOSE D. LEON GUERRERO COMMERCIAL PORT TO ENTER INTO A PUBLIC-PRIVATE PARTNERSHIP THROUGH A PERFORMANCE MANAGEMENT CONTRACT FOR THE MANAGEMENT, OPERATION AND MAINTENANCE OF THE PORT CARGO HANDLING EQUIPMENT AND/OR FACILITIES ASSOCIATED WITH SUCH EQUIPMENT AND/OR OTHER ASPECTS OF THE PORT OPERATIONS.

VETOED BILLS

Bill No. 60 (EC) – by J. A. Lujan

VETOED, Received 9/07/07

As amended on the Floor.

AN ACT TO PROHIBIT THE TRANSFER OF FUNDS FROM THE ANTONIO B. WON PAT INTERNATIONAL AIRPORT AUTHORITY, GUAM FOR THE GENERAL PURPOSES OF THE GOVERNMENT OF GUAM.

AN ACT TO PROHIBIT THE GOVERNOR FROM TRANSFERRING FUNDS FROM THE ANTONIO B. WON PAT GUAM INTERNATIONAL AIRPORT AUTHORITY FOR GENERAL PURPOSES OF THE GOVERNMENT OF GUAM.

Bill No. 61 (EC) – by J. A. Lujan

VETOED, Received 9/07/07

As amended.

AN ACT TO AMEND TITLE 4 GUAM CODE ANNOTATED §2103.5, RELATIVE TO EXECUTIVE NOMINATIONS; AND TO AMEND CHAPTER 13 OF TITLE 4 GUAM CODE ANNOTATED TO REQUIRE DISCLOSURE OF FELONY CONVICTIONS, TO BE KNOWN AS “THE PUBLIC OFFICIAL DISCLOSURE ACT.”

AN ACT TO AMEND TITLE 4 GUAM CODE ANNOTATED §2103.5, RELATIVE TO EXECUTIVE NOMINATIONS, AND TITLE 4 GUAM CODE ANNOTATED CHAPTER 13, TO ADD DISCLOSURE OF FELONY CONVICTIONS, TO BE KNOWN AS THE PUBLIC OFFICIAL DISCLOSURE ACT.

Bill No. 62 (EC) – by v. c. pangelinan, J. P. Guthertz,

VETOED, Received 9/07/07

As amended by the author.

AN ACT TO IMPOSE A TEMPORARY MORATORIUM ON THE ISSUANCE, EXTENSION, RENEWAL AND MODIFICATION OF QUALIFYING CERTIFICATES; AND TO ADD A NEW §58148 TO CHAPTER 58, DIVISION 2 OF TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO CREATING A QUALIFYING CERTIFICATE ASSESSMENT WORKGROUP.

AN ACT TO IMPOSE A TEMPORARY MORATORIUM ON THE ISSUANCE OF NEW, EXTENSION, RENEWAL OF EXPIRING, AND MODIFICATION OF CURRENT QUALIFYING CERTIFICATES; AND TO ADD A NEW §58148 TO CHAPTER 58, DIVISION 2 OF TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO CREATING A QUALIFYING CERTIFICATE ASSESSMENT WORKGROUP.