

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

AGENDA

December 20, 2007

(Reconvening of December 19, 2007)

~~(Reconvening of December 18, 2007)~~

- (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:** ~~10/22/07 & 10/26/07; &~~
~~12/14/07 dj~~
- (vii) Communications and petitions;** ~~There are~~
- (viii) Messages from the Governor;** ~~There are~~
- (ix) Reports of Standing Committees;** ~~There are~~
- (x) Reports of Select Committees;** None
- (xi) Introduction and first reading of bills and resolutions:** ~~Bill No. 198(EC) to Bill No. 199(EC);~~ Bill No. ___(LS) to Bill No. ___(LS); Resolution No 99(LS) to Resolution No. 101(LS); Resolution No 103(LS) to Resolution No. ___(LS); Legislative Certificate No. 19(LS) to Legislative Certificate No. 20(LS)
- (xii) Motions;**
 - 1. Veto of Bill No. 60(EC), to 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. 62(EC), to impose a temporary moratorium on the issuance, extension, renewal and modification of qualifying certificates; & creating a qualifying certificate assessment workgroup, received 9/07/07.
3. Veto of SBill No. 33(EC), creating the *Kumision Guåhan Fine'nana* (The Guam First Commission) on the Military Mission in Guam, received 10/26/07.
4. Veto of SBill No. 132(EC), to *amend* Title 21 GCA § 80104(e), relative to the powers and duties of the Ancestral Lands Commission to manage and develop former Spanish Crown Lands and other non-ancestral lands, received 10/26/07.

(xiii) **Legislative Concurrence;**
December 18, 2007

1. ~~From the Committee on Finance, Taxation, Commerce & Economic Development on the appointment of Mr. Jun Lin to serve as a member of the Guam Real Estate Commission with the recommendation to do confirm.~~
2. ~~From the Committee on Finance, Taxation, Commerce & Economic Development on the appointment of Ms. Elizabeth C. Duenas to serve as a member of the Guam Real Estate Commission with the recommendation to do confirm.~~
3. ~~From the Committee on Finance, Taxation, Commerce & Economic Development on the appointment of Mr. Arnold C. Jose to serve as a member of the Guam Economic Development and Commerce Authority Board of Directors with the recommendation to do confirm.~~
4. ~~From the Committee on Finance, Taxation, Commerce & Economic Development on the appointment of Ms. Belinda S.R. Magat to serve as a member of the Alcoholic Beverage Control Board with the recommendation to do confirm.~~
5. ~~From the Committee on Tourism, Maritime, Military, Veterans & Foreign Affairs on the appointment of Mr. Joseph F. Camacho to serve as a member of the Board of Directors, Jose D. Leon Guerrero Commercial Port, with the recommendation to do confirm.~~
6. ~~From the Committee on Judiciary, Natural Resources, Infrastructure & Cultural Affairs on the appointment of the Honorable Katherine A. Maraman to serve as an Associate Justice on the Supreme Court of Guam with the recommendation to report out.~~
7. ~~From the Committee on Health, Human Services & Homeland Security on the appointment of Ms. Lou Leon Guerrero, to serve as a member of the Guam Memorial Hospital Authority Board of Trustees with the recommendation to do confirm.~~
8. ~~From the Committee on Finance, Taxation, Commerce & Economic Development on the appointment of Mr. Rufo J. Lujan to serve as a member of the Guam Economic Development and Commerce Authority Board of Directors with the recommendation to do confirm.~~
9. From the Committee on Criminal Justice, Public Safety, Youth & Foreign Affairs on the appointment of Ms. Michelle H. Taitano to serve the unexpired term of Mr. Michael D. Carey member of the Guam Parole Board with the recommendation to do confirm.

- 10. From the Committee on Criminal Justice, Public Safety, Youth & Foreign Affairs on the appointment of Mr. Kenneth C. Boardman to serve to serve as a member of the Guam Parole Board with the recommendation to do confirm.
- 11. From the Committee on Judiciary, Natural Resources, Infrastructure & Cultural Affairs on the appointment of Mr. Reilly Ridgell to serve as a member of the Guam Contractors License Board with the recommendation to do confirm.
- 12. From the Committee on Judiciary, Natural Resources, Infrastructure & Cultural Affairs on the appointment of Ms. Maria Flor L. Herrero to serve as a member of the Guam Council on the Arts and Humanities with the recommendation to do confirm.
- 13. From the Committee on Judiciary, Natural Resources, Infrastructure & Cultural Affairs on the appointment of Ms. Monica Okada Guzman to serve as a member of the Guam Council on the Arts and Humanities with the recommendation to do confirm.
- 14. From the Committee on Judiciary, Natural Resources, Infrastructure & Cultural Affairs on the appointment of Mr. Bryan C. Duenas to serve as a member of the Guam Council on the Arts and Humanities with the recommendation to do confirm.

(xiv) Consent Calendar:

(xv) Second Reading File:

- | | |
|---------------------------------|----------------------------|
| 1. Bill No. 119 (EC) | 10. Bill No. 180(EC) |
| 2. Bill No. 123 (EC) | 11. Bill No. 170(LS) |
| 3. Bill No. 111(EC) | 12. Bill No. 171(LS) |
| 4. Bill No. 121(EC) | 13. Bill No. 177(LS) |
| 5. Bill No. 184(EC) | 14. Bill No. 127(EC) |
| 6. Bill No. 155(EC) | 15. Bill No. 190(EC) |
| 7. Bill No. 137(EC) | 16. Bill No. 176 |
| 8. Res. No. 95(EC) | 17. Resolution No. 103(LS) |
| 9. Res. No. 96(EC) | |

(xvi) Consideration of the Daily File:

(1) Third Reading File:

- | <u>December 18, 2007</u> | <u>December 20, 2007</u> |
|---------------------------------|--------------------------|
| 1. Bill No. 119 (EC) | 10. |
| 2. Bill No. 123 (EC) | 11. |
| 3. Bill No. 111(EC) | 12. |
| | 13. |
| <u>December 19, 2007</u> | 14. |
| 4. Bill No. 121(EC) | 15. |
| 5. Bill No. 184(EC) | 16. |
| 6. Bill No. 155(EC) | 17. |
| 7. Bill No. 137(EC) | |
| 8. Res. No. 95(EC) | |
| 9. Res. No. 96(EC) | |

and

(2) Voting File:

1. ~~On the appointment of Mr. Jun Lin to serve as a member of the Guam Real Estate Commission.~~
2. ~~On the appointment of Ms. Elizabeth C. Duenas to serve as a member of the Guam Real Estate Commission.~~
3. ~~On the appointment of Mr. Arnold C. Jose to serve as a member of the Guam Economic Development and Commerce Authority Board of Directors.~~
4. ~~On the appointment of Ms. Belinda S.R. Magat to serve as a member of the Alcoholic Beverage Control Board.~~
5. ~~On the appointment of Mr. Joseph F. Camacho to serve as a member of the Board of Directors, Jose D. Leon Guerrero Commercial Port.~~
6. ~~On the appointment of the Honorable Katherine A. Maraman to serve as an Associate Justice on the Supreme Court of Guam.~~
7. ~~On the appointment of Ms. Lou Leon Guerrero, to serve as a member of the Guam Memorial Hospital Authority Board of Trustees.~~
8. ~~On the appointment of Mr. Rufo J. Lujan to serve as a member of the Guam Economic Development and Commerce Authority Board of Directors.~~

December 20, 2007

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

(xviii) Announcements;

(xix) Adjournment.

I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN
Committee Reports Received
As of December 17, 2007

~~Bill No. 111 (EC) by J. A. Lujan~~ Passed 12/20/07
~~3rd Reading 12/18/07~~

~~AN ACT TO ADD A NEW PARAGRAPH (f) TO §10103 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO EXTENDING THE RIGHT OF INSPECTION OF PUBLIC DOCUMENTS TO RESUMES AND APPLICATIONS FILED IN RESPONSE TO ADVERTISED GOVERNMENT RECRUITMENT.~~

~~Bill No. 119 (EC) by Ray Tenorio~~ Passed 12/20/07
~~3rd Reading 12/18/07~~

~~AN ACT TO AMEND §§50.54 AND 50.58 OF CHAPTER 50 OF 8 GCA, RELATIVE TO THE ALLOWING FOR THE INDICTMENTS OF UNNAMED PERSONS WHOSE IDENTITIES ARE ESTABLISHED BY DNA EVIDENCE.~~

~~Bill No. 121 (EC) by A. B. Palacios, Sr.~~ Passed 12/20/07
~~3rd Reading 12/19/07~~

~~AN ACT TO AMEND §55102(d) OF CHAPTER 55, DIVISION 3, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO EXTENDING THE DEADLINE FOR SUBMISSION OF THE REVIEW AND RECOMMENDATIONS FOR PUBLIC SAFETY AND LAW ENFORCEMENT COMPENSATION AND BENEFITS.~~

~~Bill No. 123 (EC) by Ray Tenorio, F. T. Ishizaki,~~ Passed 12/20/07
~~A. B. Palacios, Sr.~~ ~~3rd Reading 12/18/07~~

~~AN ACT TO ADD A NEW ARTICLE 4 TO CHAPTER 18 OF 16GCA RELATIVE TO IGNITION INTERLOCK DEVICES.~~

~~Bill No. 137 (EC) by v. c. pangelinan~~ Passed 12/20/07
~~As amended by the Author~~ ~~3rd Reading 12/19/07~~
~~2nd Reading 12/18/07~~

~~AN ACT TO ADD A NEW §23108.1, §23108.2, §23108.3, AND §23108.4 TO CHAPTER 23 OF TITLE 5 AND ADD A NEW SUBPARAGRAPH 13 TO §10306 OF CHAPTER 10 OF TITLE 5 ALL OF GUAM CODE ANNOTATED RELATIVE TO GOVERNMENT TRAVEL LAW.~~

Bill No. 155 (EC) — by v. c. pangelinan ————— **Passed 12/20/07**
3rd Reading 12/19/07

~~AN ACT TO AMEND PARAGRAPH (5), ITEM (a) OF §19103 OF 16GCA
RELATIVE TO FINES IMPOSED ON INSURERS FOR FAILING TO NOTIFY
THE DEPARTMENT OF REVENUE AND TAXATION FOR
CANCELLATION OR NON-RENEWAL OF THEIR MOTOR VEHICLE
INSURANCE POLICYHOLDERS.~~

Bill No. 184 (EC) — by J. A. Lujan ————— **Passed 12/20/07**
3rd Reading 12/19/07

~~AN ACT TO ADD A NEW SECTION 847 TO TITLE 1 GUAM CODE
ANNOTATED, TO NAME THE LEGISLATIVE SESSION HALL AS THE
ANTONIO R. UNPINGCO LEGISLATIVE SESSION HALL.~~

Resolution No. 95 (EC) — by T. R. Muña Barnes, ————— **Passed 12/20/07**
v. c. pangelinan, ————— **3rd Reading 12/19/07**
J.T. Won Pat ————— **2nd Reading 12/18/07**

~~Relative to requesting that Guam’s Delegate to Congress seek an amendment to
include Guam in H.R. 972, the “Civilian Agent Orange Act of 2007,” which seeks
to provide compensation for those individuals who were employees of the Federal
Government or contractor employees of the Department of Defense during the
Vietnam conflict, and suffered disability or death from exposure to Agent Orange,
in the same manner as compensation is presently provided to veterans of military
service who received exposure to the deadly herbicide; and to expressing the
support of *I Mina’Bente Nuebi Na Liheslaturan* Guåhan for the purpose of H.R.
972.~~

Resolution No. 96 (EC) — by T. R. Muña Barnes, ————— **Passed 12/20/07**
J. T. Won Pat, Ed.D., ————— **3rd Reading 12/19/07**
A. B. Palacios, E. B. Calvo, ————— **2nd Reading 12/18/07**
J.V. Espaldon

~~Relative to requesting the Guam Preservation Trust to restore, renovate and
rehabilitate the Guam Congress Building commonly known as the Guam
Legislature Building in *Hagatna*.~~

AMENDED

12/20/07 12:15 P.M.

**Bill No. 127 (EC) – by Ray Tenorio, E. B. Calvo,
A. B. Palacios**

2nd Reading 12/20/07

AN ACT TO ADD A NEW §70.45 TO CHAPTER 70 OF TITLE 9, GUAM CODE ANNOTATED RELATIVE TO LEAVING CHILDREN UNATTENDED OR UNSUPERVISED IN MOTOR VEHICLES.

Bill No. 170 (LS) – by F. F. Blas, Jr.,

2nd Reading 12/20/07

AN ACT TO *ADD* ARTICLE 9 TO CHAPTER 60 OF TITLE 21 OF THE GUAM CODE ANNOTATED TO ESTABLISH THE *DLM BUILDING CONSTRUCTION FUND*, TO DEPOSIT ANY AND ALL FUNDS FROM FEMA HAZARD MITIGATION GRANT PROGRAM AWARDED UNDER PROJECT NUMBER HMGP DR 1446, PROJECT #15, RELATIVE TO THE CONSTRUCTION OF A NEW DEPARTMENT OF LAND MANAGEMENT BUILDING IN HAGÁTÑA.

**Bill No. 171 (LS) – by J. T. Won Pat, J. P. Guthertz,
T. R. Muña Barnes**

2nd Reading 12/20/07

AN ACT TO ADD A NEW CHAPTER 11 TO DIVISION 2 OF TITLE 17 GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE SUPERINTENDENT OF EDUCATION TO ESTABLISH A PUBLIC CORPORATION FOR THE PURPOSE OF ADVANCING EXCELLENCE IN EDUCATION. THIS ACT SHALL BE KNOWN AS THE “FOUNDATION FOR PUBLIC EDUCATION ACT OF 2007”.

Bill No. 176 (EC) – by v. c. pangelinan, J. T. Won Pat, Ed.

2nd Reading 12/20/07

AN ACT TO AMEND ARTICLE 1, CHAPTER 14 OF TITLE 12 GUAM CODE ANNOTATED RELATIVE TO DECLARING THE PROPERTY IN AND THE RIGHT TO THE USE OF ALL THE WATER AT ANY TIME IN A STREAM, RIVER, OR OTHER SURFACE SOURCE AND WATER LOCATED BENEATH THE GROUND AND IN THE AQUAFIR IN GUAM ARE FOR ALL PURPOSES VESTED IN THE GOVERNMENT OF GUAM.

**Bill No. 177 (LS) – by J. T. Won Pat, Ed.D., J. T. Guthertz, DPA, R. J. Respicio, T. R.
Muña-Barnes**

AN ACT RELATING TO THE STUDENT SCHOLARSHIPS, FINANCIAL ASSISTANCE PROGRAMS AND ITS PROGRAM ADMINISTRATION AT THE UNIVERSITY OF GUAM.

AMENDED

12/20/07 12:15 P.M.

Bill No. 180 (EC) – by Edward J.B. Calvo, Frank F. Blas, Jr., **2nd Reading 12/20/07**
As substituted by the Committee **Judith T. Won Pat,**
on Finance, Taxation, Commerce & **Tina Rose Muña Barnes**
Economic Development

AN ACT TO MAKE APPROPRIATIONS TO THE GUAM PUBLIC SCHOOL SYSTEM, THE GUAM MEMORIAL HOSPITAL AUTHORITY, THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES, AND THE OFFICE OF THE ATTORNEY GENERAL, AND FOR OTHER PURPOSES.

Bill No. 190 (EC) – by Edward J.B. Calvo **2nd Reading 12/20/07**

AN ACT TO PLACE BLOCK NO. 5, BUILDING 125 IGLESIAS CIRCLE UNDER THE ADMINISTRATIVE JURISDICTION OF THE MAYOR OF DEDEDO.

Resolution No. 103 (LS) – by R. J. Respicio, **2nd Reading 12/20/07**
T. R. Muña Barnes, J. P. Guthertz. D. L.G. Shimizu

Relative to stating the sense of *I Mina'bente Nuebi Na Liheslaturan Guåhan* that the location of Guam's new landfill has already been determined by Public Law 23-95 and that the selection of *Dandan/Layon* area for a landfill is contrary to existing Guam law, is in violation of the Federal Consent Decree, and also ignores the necessity of developing the water resources within the *Inarajan* Watershed for future use including addressing the need for as much as a 25% increase in the need for fresh water for the upcoming military buildup; and to request that the information contained herein and attached as exhibits, be included in the court record of Civil Case No. 02-00022 before the District Court of Guam, relative to the Consent Decree to close the *Ordot* Dump and open a new sanitary landfill in Guam.

VETOED BILLS

Bill No. 33 (EC) – by R. J. Respicio, VETOED Received 10/19/07
J. P. Guthertz,
T. R. Muña Barnes

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

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. 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.*

Bill No. 132 (EC) – by J. P. Guthertz, R. J. Respicio, VETOED Received 10/29/07
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.