

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) Regular Session

May 3, 2010

(Reconvening of April 26, 27, 28, 29, 30, 2010)

- (i) **Call to order;**
- (ii) **Prayer by the Chaplain;**
- (iii) **Recitation of *Inifresi*;**
- (iv) **Singing of the Guam Hymn in Chamorro;**
- (v) **Singing of the National Anthem;**
- (vi) **Roll call;**
- (vii) **Call for approval of the Legislative Journal: ~~3/15 to 19/10 and 3/22/10~~ dj;**
- (viii) **Communications and Petitions; There are**
- (ix) **Messages from the Governor; There are**
- (x) **Reports of Standing Committees; There are**
- (xi) **Reports of Select Committees; None**
- (xii) **Introduction and First Reading of Bills and Resolutions:**
 - Bill No. ____-30(LS) to Bill No. ____-30(LS)
 - Resolution No. 360-30(LS) to Resolution No. ____-30(LS)
 - Resolution No. 359-30(LS)
 - Certificate No. 177-30(LS) to Certificate No. 178-30(LS)
 - ~~Bill No. 383-30(LS) to Bill No. 384-30(LS)~~
 - ~~Certificate No. 171-30(LS) to Certificate No. 176-30(LS)~~
 - ~~Bill No. 382-30(LS) 30(LS)~~
 - ~~Resolution No. 353-30(LS) to Resolution No. 358-30(LS)~~
 - ~~Bill No. 379-30(LS) to Bill No. 381-30(LS)~~
 - ~~Resolution No. 348-30(LS) to Resolution No. 352-30(LS)~~
 - ~~Bill No. 378-30(LS)~~
 - ~~Resolution No. 342-30(LS) to Resolution No. 347-30(LS)~~
 - Certificate No. 169-30(LS) to Certificate No. 170-30(LS)
 - ~~Bill No. 348-30(COR) to Bill No. 377-30(COR)~~

- ~~Resolution No. 317-30(COR) to Resolution No. 341-30(COR)~~
- ~~Certificate No. 168-30(LS)~~

(xiii) Motions;

1. Veto of Bill No. 1(1-S), authorizing the government of Guam to issue Solid Waste Management System Revenue Bonds *or* Section 30 Limited Obligation Bonds for the purpose of financing facilities of the Solid Waste Management System of Guam, and approving the terms and conditions of the issuance of one (1) *or* more series of such bonds pursuant to such article to pay the costs of a new landfill and the closure of the Ordot Landfill and other system costs.
2. Veto of Bill No. 1(4-S), authorizing tax credits to obtain a temporary campus for use as an interim John F. Kennedy High School campus and to address the permanent facility needs of the John F. Kennedy High School.
3. Veto of B122-30(COR), to impose a temporary moratorium on the issuance of commercial leases and licenses by the *Chamorro* Land Trust Commission.
4. Veto of B117-30(COR), to establish program procurement guidelines and procedures relative to the contractual requirements of the American Recovery and Reinvestment Act of 2009.
5. Veto of Bill No. 200-30 (COR), to adjust the compensation for the Attorney General of Guam to be comparable and equitable with other legal officer positions of the government of Guam.
6. Veto of Bill No. 207-30(LS), to adopt the procedures manual for the acquisition, enforcement and maintenance of territorial highway right-of-way and standards; to require legislative approval of revisions to the Guam Transportation Improvement Plan; to *amend* §17109 of Title 21, Guam Code Annotated, relative to relocation assistance; and to establish the Highway Commission.
7. Veto of Bill No. 233-30(COR), relative to the Rules and Regulations for the School Property of the Department of Education.
8. Veto of Bill No. 270-30(LS) relative to requiring volunteers to display their identification card and to be in prescribed uniform attire while issuing citation for the purpose of immediate recognition of authority.
9. Veto of Bill No. 192-30(COR) relative to the employment of an attorney for the Won Pat International Airport Authority, Guam.

xiv) Legislative Concurrence;

1. ~~From the Committee on Education on the appointment of Mr. Frank P. Arriola to serve as a member of the Guam Community College Board of Trustees with the recommendation to do confirm.~~
2. ~~From the Committee on Education on the appointment of Mr. Edward G. Untalan to serve as a member of the Guam Community College Board of Trustees with the recommendation to do confirm.~~
3. ~~From the Committee on Utilities, Transportation, Public Utilities & Veterans Affairs on the appointment of Andrew Leon Guerrero to serve as Director, Department of Public Works with the recommendation to do confirm.~~

(xv) **Consent Calendar; ***

1. ~~Resolution No. 340-30(COR)~~

*Through motion that all commendatory, congratulatory and condolence resolutions and legislative certificates introduced today and remainder of this legislative session be considered first read and adopted; to allow Senators and the Legal Counsel to make technical correction and to add all Senators as co-sponsors.

(xvi) **Second Reading File;**

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| 1. S Bill No. 103-30(COR) | S Bill No. 349-30(COR) |
| 2. R esolution No. 352-30(LS) | 14. B ill No. 350-30(COR) |
| 3. B ill No. 376-30(COR) | 15. S Bill No. 351-30(COR) |
| 4. R esolution No. 160-30(COR) | 16. B ill No. 358-30 (COR) |
| 5. S Bill No. 162-30 (COR) | 17. B ill No. 359-30 (COR)(Discussion continues) |
| 6. R esolution No. 356-30(LS) | 18. B ill No. 360-30 (COR) |
| 7. S Bill No. 187-30 (COR) | 19. B ill No. 370-30 (COR) |
| 8. B ill No. 269-30 (COR)(Referred back to Comm.) | 20. B ill No. 371-30 (COR) |
| 9. S Bill No. 272-30 (LS) | 21. S Bill No. 366(COR) |
| 10. S Bill No. 304-30 (COR) | 22. S Bill No. 365-30(COR) |
| 11. S Bill No. 305-30 (COR) | 23. B ill No. 368(COR) |
| 12. B ill No. 316-30(LS) | 24. S Bill No. 349-30(COR) |
| 13. B ill No. 320-30(COR) | 25. B ill No. 382-30(LS) |
| | B ill No. 384-30(LS) |
| | 26. B ill No. 384-30(LS) |

(xvii) **Consideration of the Daily File:**

Third Reading File:

4/26/10 4/29/10

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| 1. Resolution No. 340-30(COR) | 19. SBill No. 366(COR) |
| 2. SBill No. 103-30(COR) | 20. SBill No. 365-30(COR) |
| 3. Resolution No. 160-30(COR) | 21. Bill No. 368(COR) |
| 4. SBill No. 162-30 (COR) | 22. SBill No. 349-30(COR) |
| | 23. Bill No. 382-30(LS) |

4/27/10

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| 5. SBill No. 272-30 (LS) | |
| 6. SBill No. 305-30 (COR) | |
| 7. Bill No. 316-30(LS) | |
| S Bill No. 349-30(COR) | |
| 8. R esolution No. 352-30(LS) | |
| | <u>4/30/10</u> |
| | 24. SBill No. 304(COR) |
| | 25. SBill No. 187-30(COR) |
| | B ill No. 384-30 |

4/28/10

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| 9. SBill No. 359-30(COR) | 26. |
| 10. B ill No. 376-30(COR) | |
| 11. Bill No. 350-30(COR) | |
| 12. SBill No. 351-30(COR) | |
| 13. Resolution No. 356-30(LS) | |
| 14. Bill No. 360-30 (COR) | |
| 15. Bill No. 320-30(COR) | |
| 16. SBill No. 358-30 (COR) | |
| 17. Bill No. 370-30 (COR) | |
| 18. Bill No. 371-30 (COR) | |

5/03/10

and

Voting File;

1. On the appointment of Mr. Frank P. Arriola to serve as a member of the Guam Community College Board of Trustees.
2. On the appointment of Mr. Edward G. Untalan to serve as a member of the Guam Community College Board of Trustees.
3. On the appointment of Andrew Leon Guerrero to serve as Director, Department of Public Works.

(xviii) Brief extension of remarks;

(xix) Announcements; *and*

(xx) Adjournment

SECOND READING FILE

Bill No. 103-30 (COR) – by Telo Taitague, J. T. Won Pat, Ed.D., 3rd Reading File 4-26-10

As substituted by the Committee on **A. B. Palacios**
Rules, Natural Resources, and Federal, Foreign,
and Micronesian Affairs

AN ACT TO AMEND §51207 OF 10GCA RELATIVE FOR DOUBLING THE PENALTIES FOR LITTERING FOR VIOLATORS THAT DISCARD CIGARETTES FROM VEHICLES WHEN THE FIRE DANGER RATING IS HIGH.

~~**Bill No. 159-30 (COR) – by B. J.F. Cruz**~~ Removed from 2nd Reading File 4/26/10
by motion

~~AN ACT TO ADD A NEW CHAPTER 90A TO TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE PROHIBITION OF IMPORTING INGESTIBLE TOBACCO FILM STRIPS, INGESTIBLE TOBACCO STICKS, TOBACCO HARD CANDIES, NICOTINE LOLLIPOPS, NICOTINE LIP BALM, AND NICOTINE WATER.~~

Resolution No. 160-30 (COR) – by F. F. Blas, Jr., T. R. Muña-Barnes, J. T. Won Pat, J. V. Espaldon, v. c. pangelinan 3rd Reading File 4-26-10

Relative to requesting the United States Congress to acknowledge the sacrifices of the people of Guam and to grant Guam full voting rights in the United States House of Representatives for all matters relating to and affecting Guam and the military buildup on Guam and for hearings to be conducted on Guam on legislation that relate to and affect Guam and the military buildup on Guam.

Bill No. 162-30 (COR) – by Ray Tenorio 3rd Reading File 4-26-10
As substituted by the Committee on Public Safety,
Law Enforcement, and Senior Citizens

AN ACT TO ADD A NEW ARTICLE 2 TO CHAPTER 20 OF 8GCA RELATIVE TO THE CREATION OF AN ONLINE WARRANT REPOSITORY.

Bill No. 187-30 (COR) – by J. T. Won Pat, Ed.D., T. R. Muña Barnes 3rd Reading File 4-26-10

AN ACT TO ZONE THE PREVIOUSLY UNZONED LOT NUMBER 2436-7 IN THE MUNICIPALITY OF MANGILAO TO HEAVY INDUSTRIAL-30 (M-2) ZONE.

Bill No. 269-30 (COR) - by B. J.F. Cruz

AN ACT TO AMEND § 1033 OF CHAPTER 10, TITLE 1, GUAM CODE ANNOTATED; RELATIVE TO INCLUDING THE GUAM KO'KO' ROAD RACE AS PART OF THE GUAM-MICRONESIAN ISLAND FAIR, AND TO PROVIDE FOR SUPPORT FROM THE GUAM POLICE DEPARTMENT AND GUAM FIRE DEPARTMENT

Bill No. 272-30(LS) – by F. B. Aguon, Jr.

3rd Reading 4/27/10

As substituted by the Committee on Economic Development,
Health and Human Services and Judiciary

AN ACT RELATIVE TO THE DIVISION OF ENVIRONMENTAL HEALTH OF THE DEPARTMENT OF PUBLIC HEALTH & SOCIAL SERVICES; TO AMEND §6229 OF, AND ADD A NEW §6233 - §6233.12 AND §6234 TO, ARTICLE 2, CHAPTER 6 OF TITLE 4 GUAM CODE ANNOTATED; TO AMEND §20121 OF, AND ADD A NEW §20122 AND §20123 TO, CHAPTER 20 OF TITLE 10 GUAM CODE ANNOTATED; AND TO AMEND §7119 OF CHAPTER 7 OF TITLE 22 GUAM CODE ANNOTATED.

Bill No. 304-30(COR) – by A. B. Palacios, Sr.

3rd Reading File 4/30/110

As substituted by the Committee on Appropriations, Taxation,
Banking, Insurance, Retirement, and Land.

AN ACT TO INCLUDE THE CRIMINAL INVESTIGATION SUPERVISOR, TAX INVESTIGATORS, AND ASSISTANT TAX INVESTIGATORS OF THE DEPARTMENT OF REVENUE AND TAXATION IN THE COMPENSATION OF PUBLIC SAFETY AND LAW ENFORCEMENT OFFICERS BY AMENDING SECTIONS 3 AND 4 OF PUBLIC LAW 29-105; AND TO MAKE APPROPRIATIONS TO FUND SAID COMPENSATION.

Bill No. 305-30 (COR) – by B. J.F. Cruz

3rd Reading 4/27/10

As substituted by the Committee on Tourism, Cultural Affairs,
Youth and Public Broadcasting

AN ACT TO ADD A NEW CHAPTER 85A TO TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO CREATING THE GUAM MASTERS AWARD TO RECOGNIZE MASTER PRACTITIONERS OF GUAM'S TRADITIONAL AND FOLK ARTS.

Bill No. 316-30 (LS) - by T. C. Ada, A. B. Palacios, Sr., F. F. Blas, Jr. 3rd Reading 4/27/10

AN ACT TO ADD NEW DEFINITIONS (j), (k), AND (jj) TO §1102 OF CHAPTER 1, TITLE 16; TO ADD A NEW §3102.2, §3102.3, §3102.4 TO CHAPTER 3, TITLE 16, TO ADD A NEW §6233 OF ARTICLE 2, CHAPTER 6, TITLE 4; ALL OF GUAM CODE ANNOTATED RELATIVE TO ESTABLISHING CHARGES AND COMPENSATION FOR DEPARTMENT OF REVENUE AND TAXATION EXAMINERS WHO PERFORM OFF-DUTY EXAMINATIONS.

Bill No. 320-30(COR) – by v. c. pangelinan

3rd Reading File 4/28/10

AN ACT TO AMEND §8501, §8502(2)(c) AND §8312 OF CHAPTER 8, 12 GUAM CODE ANNOTATED RELATIVE TO NET METERING.

Bill No. 349-30(COR) – by T. R. Muña Barnes

3rd Reading File 4/29/10

As substituted by the Committee on Appropriations,
Taxation, Banking, Insurance, Retirement and Land

2nd Reading File 4/29/10

3rd Reading 4/27/10

AN ACT TO *ADD* A NEW §80105 (c) TO CHAPTER 80 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE TRANSFER OF PROPERTIES UNDER THE JURISDICTION OF THE PORT AUTHORITY OF GUAM TO THE JURISDICTION OF THE GUAM ANCESTRAL LANDS COMMISSION.

Bill No. 350-30(COR) – by v. c. pangelinan, B. J.F. Cruz

3rd Reading File 4/28/10

AN ACT TO REPEAL SECTION 30106 (c) OF CHAPTER 30, TITLE 11 OF THE GUAM CODE ANNOTATED RELATIVE TO EXEMPTIONS FROM HOTEL OCCUPANCY TAX.

Bill No. 351-30(COR) – by v. c. pangelinan, B. J.F. Cruz

3rd Reading File 4/28/10

As substituted by the Committee on Appropriations,
Taxation, Banking, Insurance, Retirement and Land

AN ACT TO ADD A NEW ARTICLE 3 OF CHAPTER 36 TO TITLE 18, GUAM CODE ANNOTATED AND TO ADD A NEW ITEM (5) TO §10104(a) OF CHAPTER 10, TITLE 5 GUAM CODE ANNOTATED; RELATIVE TO THE ESTABLISHMENT OF A SECURE AND FAIR ENFORCEMENT FOR MORTGAGE LICENSING ACT.

Bill No. 358-30 (COR) – by T. R. Muña Barnes

3rd Reading File 4/28/10

As substituted by the Author

AN ACT TO *AMEND* §18114 OF CHAPTER 18 OF TITLE 10, GUAM CODE ANNOTATED RELATIVE TO THE ELIGIBILITY AND QUALIFICATION FOR RECIPROCITY UNDER THE BARBERING AND COSMETOLOGY ACT OF 2000.

Bill No. 359-30 (COR) – by Judith P. Guthertz, DPA

3rd Reading File 4/28/10

As substituted by the Author

AN ACT TO ADD A SUB ITEM (A) TO § 76212 OF ARTICLE 2, CHAPTER 76 OF TITLE 21, GUAM CODE ANNOTATED; TO PROHIBIT THE TRANSFER OF ALL PREHISTORIC AND HISTORIC PROPERTIES, ANTIQUITIES, AND OBJECTS OWNED BY THE PEOPLE OF GUAM OR IN THE INVENTORY OF THE GOVERNMENT OF GUAM, WITHOUT LEGISLATIVE CONCURRENCE.

Bill No. 360-30 (COR) – by T. C. Ada, R. J. Respicio

3rd Reading File 4/28/10

AN ACT TO ADD A NEW SUBSECTION TO §7160 AND §7161 OF CHAPTER 7, TITLE 16GCA, AND TO §51506, CHAPTER 51, TITLE 10 GCA AND TO AMEND §7120.2(e) OF CHAPTER 7, TITLE 16 GCA AS AMENDED BY P. L. 30-115 RELATIVE TO THE MOTOR VEHICLE REGISTRATION AND LICENSE PLATE FEES FOR VETERANS RATED AT A 100% DISABILITY OR INDIVIDUAL UNEMPLOYABILITY

Bill No. 365-30 (COR) – by T. C. Ada

3rd Reading File 4/29/10
2nd Reading File 4/29/10

AN ACT TO AMEND SECTION 4 OF PUBLIC LAW 28-71 RELATIVE TO APPROVING THE TERMS AND CONDITIONS OF THE ISSUANCE OF GUAM WATERWORKS AUTHORITY REVENUE BONDS

Bill No. 366-30 (COR) – by T. C. Ada

3rd Reading File 4/29/10
2nd Reading File 4/29/10

AN ACT TO AMEND SECTION 29 OF PUBLIC LAW 30-101 RELATIVE TO INCLUDING A WAIVER OF IMMUNITY FOR BONDS ISSUED BY THE GUAM WATERWORKS AUTHORITY

Bill No. 368-30 (COR) – by Frank B. Aguon, Jr., Thomas C. Ada, Adolpho B. Palacios, Sr.

3rd Reading File 4/29/10
2nd Reading File 4/29/10

AN ACT RELATIVE TO APPROVING THE TERMS AND CONDITIONS OF THE ISSUANCE BY GPA OF REVENUE BONDS TO FINANCE THE LOCAL MATCHING PORTION OF THE COSTS OF THE SMART GRID PROJECT; TO FUND CERTAIN OTHER GENERATION, TRANSMISSION AND DISTRIBUTION PROJECTS; TO FUND THE COSTS OF AN ADMINISTRATION BUILDING; TO REFUND SPECIFIC OUTSTANDING GPA BONDS; AND TO APPROVE THE TERMS AND CONDITIONS OF THE ISSUANCE BY GUAM POWER AUTHORITY OF SUBORDINATE REVENUE BONDS TO FUND CERTAIN RESERVES AND REFUND ITS OUTSTANDING OBLIGATIONS RELATING TO ITS COMMERCIAL PAPER PROGRAM.

Bill No. 370-30 (COR) – by v. c. pangelinan, J. P. Guthertz, DPA **3rd Reading File 4/28/10**

AN ACT TO AMEND §60112 ARTICLE 1, DIVISION 2 OF CHAPTER 60, 21 GUAM CODE ANNOTATED RELATIVE TO THE LAND FOR THE LANDLESS PROGRAM.

Bill No. 371-30 (COR) – by v. c. pangelinan

3rd Reading File 4/28/10

AN ACT TO AMEND SECTION 11 OF PUBLIC LAW 30-101 RELATIVE TO THE APPROPRIATION TO THE GUAM VETERANS AFFAIRS OFFICE.

Bill No. 376-30 (COR) – by Ray Tenorio, A. B. Palacios, Sr.

PASSED 4/28/10
3rd Reading File 4/28/10
2nd Reading File 4/26/10

AN ACT TO AMEND §72106(a) OF CHAPTER 72 OF TITLE 10, OF THE GUAM CODE ANNOTATED RELATIVE TO THE FIRE, LIFE AND MEDICAL EMERGENCY FUND ('FLAME').

AN ACT TO APPROPRIATE THE SUM OF \$100,000 TO THE GUAM FIRE DEPARTMENT OF THE REPAIR OF AMBULANCES.

Bill No. 382-30 (LS) – by J. T. Won Pat, Ed.D.

3rd Reading File 4/29/10
2nd Reading File 4/29/10

AN ACT TO ADD A NEW §80105 (d) TO CHAPTER 80 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO THE TRANSFER OF PROPERTIES UNDER THE JURISDICTION OF THE PORT AUTHORITY OF GUAM TO THE JURISDICTION OF THE GUAM ANCESTRAL LANDS COMMISSION.

Bill No. 384-30 (LS) – by A. B. Palacios, Sr.

2nd Reading File 4/30/10
3rd Reading File 4/30/10
2nd Reading File 4/30/10

AN ACT TO AMEND §6114 OF CHAPTER 6 OF TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO THE CRIMINAL RECORD OF A PERSON SEEKING PUBLIC OFFICE.

Resolution No. 352-30(LS) – by T. C. Ada, R. J. Respicio,

J. T. Won Pat, Ed.D.,

A. B. Palacios, F. F.

Blas, Jr., V. Anthony Ada

T. R. Muna Barnes,

T. Taitague, J. P. Guthertz

ADOPTED 4/27/10

3rd Reading File 4/27/20

2nd Reading File 4/27/10

Relative to ensuring that a fair and competitive telecommunications landscape is preserved maintained and promoted on Guam for the benefit of all island consumers.

Resolution No. 356-30 (LS) – by R. J. Respicio, J. T. Won Pat,

J. P. Guthertz, T. R. Muña

Barnes, T. C. Ada

3rd Reading File 4/28/10

2nd Reading File 4/28/10

Relative to expressing the support of *I Mina' Trenta Na Liheslaturan Guåhan* (the 30th Guam Legislature) for the joint application of Continental Airlines and Continental Micronesia to the United States Department of Transportation (USDOT), relative to their February 16, 2010 request to provide nonstop service from their airline hub in Guam and their airline hub in New York/Newark to Japan's Haneda airport, which is the closest international airfield to Tokyo's business district.

CONSENT CALENDAR

Resolution No. 340-30 (COR) – by J. P. Guthertz, DPA

3rd Reading File 4-26-10

Relative to Adding a New Section (29.04.05) to ‘Rule XXIX. Code of Ethics and Standards for the Legislative Branch,’ of *Mina’Trenta Na Liheslaturan Guåhan Oden Areklamento*.