

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

July 2, 2010

(Reconvening of July 1, 2010 Session)
(Reconvening of June 29, 30, 2010 Session)

- (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: 4/26/10 to 5/03/10 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. 433-30(LS) to Bill No. 434-30(LS)
 - Resolution No. 411-30(LS) to Resolution No. 414-30(LS)
 - Bill No. 432-30(LS)
 - Resolution No. 410-30(LS)
 - Certificate No. ____-30(LS) to Certificate No. ____-30(LS)
 - ~~Bill No. 385-30(COR) to Bill No. 431-30(COR)~~
 - ~~Resolution No. 369-30(COR) to Resolution No. 409-30(COR)~~
 - ~~Certificate No. 180-30(COR) to Certificate No. 201-30(COR)~~

(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.
- ~~10. Veto of Bill No. 304-30 (COR) 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.~~
11. Veto Bill No. 359-30 (COR) to *add* new subsections (a), (b) and (c) to §76212 of Article 2, Chapter 76 of Title 21, Guam Code Annotated, relative to prohibiting 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.

xiv) Legislative Concurrence;

- ~~1. From the Committee on Education on the appointment of Ms. Teresa S. Pereda to serve as a member of the Guam Education Policy Board with the recommendation to do confirm.~~

(xv) Consent Calendar; *

*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. 100-30(COR) | Bill No. 362-30(COR) |
| 2. B ill No. 159-30(COR) | 12. B ill No. 374-30 (COR) |
| 3. B ill No. 238-30(COR) | 13. B ill No. 378-30(LS) |
| B ill No. 271-30(LS) | 14. S Bill No. 379-30(LS) |
| 4. S Bill No. 278-30(LS) | 15. B ill No. 389-30(COR) |
| 5. S Bill No. 303-30(COR) | 16. B ill No. 390-30(COR) |
| 6. B ill No. 338-30(COR) | 17. B ill No. 391-30(COR) |
| 7. B ill No. 271-30 | 18. S Bill No. 405-30(COR) |
| 8. S Bill No. 346-30(LS) | 19. S Bill No. 406-30(COR) |
| 9. B ill No. 352-30(LS) | 20. S Bill No. 412-30(COR) |
| 10. B ill No. 356-30(COR) | 21. B ill No. 337-30(COR) |
| 11. B ill No. 357-30(COR) | 22. B ill No. 362-30(COR) |
| | 23. B ill No. 396-30(COR) |
| | B ill No. 413-30(COR) (Withdrawn) |
| | 24. B ill No. 433-30(LS) |
| | 25. B ill No. 424 (COR) |

(xvii) Consideration of the Daily File:

Third Reading File;

June 29, 2010

1. SBill No. 100-30(COR)
2. Bill No. 159-30(COR)
- ~~B~~ill No. 271-30(LS)
3. SBill No. 278-30(LS)
4. Bill No. 238-30(COR)
5. SBill No. 303-30(COR)
6. Bill No. 338-30(COR)
7. Bill No. 271-30(LS)

June 30, 2010

8. SBill No. 346-30(LS)
9. Bill No. 352-30(LS)
10. Bill No. 356-30(COR)
11. Bill No. 357-30(COR)
12. Bill No. 374-30 (COR)
13. Bill No. 378-30(LS)
14. SBill No. 379-30(LS)
15. Bill No. 389-30(COR)
16. Bill No. 390-30(COR)

July 1, 2010

17. Bill No. 391-30(COR)
18. SBill No. 405-30(COR)
19. SBill No. 406-30(COR)
20. SBill No. 412-30(COR)
21. Bill No. 337-30(COR)
22. Bill No. 396-30(COR)
23. Bill No. 433-30(LS)
24. SBill No 424-(COR)
25. Bill No. 362-30(COR)

and

Voting File;

1. Veto of Bill No. 304-30 (COR) 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.

Confirmed 6/30/10

2. ~~On the appointment of Ms. Teresa S. Pereda to serve as a member of the Guam Education Policy Board.~~

(xviii) Brief extension of remarks;

(xix) Announcements; *and*

(xx) Adjournment

SECOND READING FILE

Bill No. 100-30 (COR) – by F. B. Aguon, Jr.,
As substituted **J. V. Espaldon**

3rd Reading File 6/29/10

AN ACT RELATIVE TO REAFFIRMING THE JUDICIARY OF GUAM AS A SEPARATE AND EQUAL BRANCH OF THE GOVERNMENT OF GUAM, THROUGH ENSURING THE PROPER AND TIMELY DISBURSEMENT OF CASH ALLOTMENTS NECESSARY FOR THE ADMINISTRATION OF JUSTICE IN THE COURTS AS PROVIDED IN THE ANNUAL APPROPRIATIONS MADE BY I LIHESLATURAN GUÅHAN TO THE JUDICIARY OF GUAM.

Bill No. 159 (COR) – by B. J.F. Cruz

3rd Reading File 6/29/10

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.

Bill No. 238-30 (COR) – by v. c. pangelinan

3rd Reading File 6/29/10

AN ACT TO ADD A NEW SECTION 3133 OF 17 GCA, CHAPTER 3 RELATIVE TO THE CREATION OF THE DEPARTMENT OF EDUCATION FINANCIAL SUPERVISORY COMMISSION.

Bill No. 271-30 (LS) – by Adolpho B. Palacios, Sr.

3rd Reading File 6/29/10

AN ACT TO REPEAL §77108, CHAPTER 77, TITLE 10 GUAM CODE ANNOTATED, “AUTHORITY TO HIRE ATTORNEY”; AND TO ESTABLISH PROVISIONS FOR THE ATTORNEY GENERAL TO PROVIDE LEGAL SERVICES TO THE GUAM POLICE DEPARTMENT.

Bill No. 278-30 (LS) – by the Committee on Appropriations,
As substituted

3rd Reading File 6/29/10

**Retirement and Land, Taxation,
Banking, Insurance, as requested
by *I Maga’Lahen Guahan*
pursuant to P.L. 30-06**

AN ACT TO AUTHORIZE THE ANCESTRAL LANDS COMMISSION TO EXTINGUISH CLAIMS OF ORIGINAL LAND OWNERS OF TIYAN PROPERTIES TRANSFERRED TO THE A.B. WON PAT INTERNATIONAL AIRPORT AUTHORITY BY THE UNITED STATES OF AMERICA BY A LAND EXCHANGE WITH PROPERTIES IDENTIFIED PURSUANT TO PL 30-06.

AN ACT TO IDENTIFY PROPOSED PROPERTY AS DELINEATED IN THE REPORT BY THE TASKFORCE AND AS REQUIRED BY PL 30-06.

**Bill No. 303-30 (COR) – by Telo Taitague, T. C. Ada,
F. F. Blas, Jr.**

3rd Reading File 6/29/10

AN ACT TO ADD A NEW ARTICLE 10 TO CHAPTER 51 OF 10GCA RELATIVE TO RECOGNIZING THE VILLAGE OF INARAJAN AS THE HOST COMMUNITY FOR ACCOMMODATING THE SOLID WASTE DISPOSAL NEEDS OF THE ENTIRE ISLAND OF GUAM RESULTING FROM THE OPERATION OF THE LEYON LANDFILL AND THE ORDOT DUMP IN THEIR BACKYARDS.

Bill No. 337-30 (COR) – by Frank B. Aguon, Jr.
As substituted

3rd Reading File 7/1/10

AN ACT RELATIVE TO PROVIDING GUAM MEMORIAL HOSPITAL AUTHORITY A SECURED FUNDING SOURCE FOR THE DEDICATED PURPOSE OF REDUCING OUTSTANDING DEBT SERVICE PAYMENTS, BY AMENDING §26603(D), THEREBY PROVIDING FINANCIAL RELIEF IN GMHA'S BORROWING ABILITY AND SUPPORT IN ITS OPERATIONS.

Bill No. 338-30 (COR) – by T. R. Muña Barnes

3rd Reading File 6/29/10

AN ACT TO AMEND §7120.3 TO CHAPTER 7, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO THE INCLUSION OF SPOUSES, WIDOWS AND WIDOWERS IN THE ELIGIBILITY FOR ISSUANCE OF SPECIAL GOLD STAR LICENSE PLATES.

Bill No. 346-30 (LS) – by A. B. Palacios, Sr.

3rd Reading File 6/30/10

AN ACT TO AMEND §8107 AND §8108, CHAPTER 8, TITLE 7 GUAM CODE ANNOTATED; RELATIVE TO INCLUDING SCHOOL ATTENDANCE OFFICERS UNDER THE PROVISIONS OF SPECIAL DEPUTY APPOINTMENTS.

Bill No. 352-30 (LS) – by V. A. Ada

3rd Reading File 6/30/10

AN ACT TO RENUMBER §20119 AND TO ADD NEW §§ 20119 AND 20120 TO CHAPTER 20 OF 19GCA RELATIVE TO PROHIBITING DISCRIMINATION FOR GOVERNMENT OF GUAM PROGRAMS SOLELY ON THE BASIS OF CONVICTION OF A STATUS OFFENSE .

Bill No. 356-30 (COR) – by B. J.F. Cruz

3rd Reading File 6/30/10

AN ACT TO AMEND §3414 OF ARTICLE 4, CHAPTER 3, TITLE 11 OF THE GUAM CODE ANNOTATED; RELATIVE TO REDUCING HOURS OF SALE FOR ALCOHOLIC BEVERAGES.

Bill No. 357-30 (COR) – by B. J.F. Cruz

3rd Reading File 6/30/10

AN ACT TO STIFFEN THE PENALTY IMPOSED FOR VIOLATIONS OF THE HOURS OF SALE PROVISION OF THE ALCOHOLIC BEVERAGE CONTROL LAW BY AMENDING § 3613 OF CHAPTER 3, TITLE 11, GUAM CODE ANNOTATED.

Bill No. 362-30 (COR) –T. R. Muña Barnes, J. T. Won Pat, Ed. D. **3rd Reading File 7/1/10**

AN ACT RELATIVE TO RENAMING THE SOUTH DAIIOG DEDEDO BUFFER STRIP THE “DEDEDO VETERANS’ MEMORIAL PARK,” WHICH EXTENDS PARTIALLY ACROSS LOT BLOCK 16A.

Bill No. 374-30 (COR) – by F. F. Blas, Jr., V. A. Ada

3rd Reading File 6/30/10

AN ACT TO AMEND §40110 (a) AND (b) OF CHAPTER 40, TITLE 5 OF THE GUAM CODE ANNOTATED RELATIVE TO THE FILLING OF VACANCIES FOR MAYORS AND VICE MAYORS.

Bill No. 378-30 (LS) – by Frank B. Aguon, Jr.

3rd Reading File 6/30/10

AN ACT RELATIVE TO RECOGNIZING THE TREMENDOUS BENEFIT AND IMPORTANCE OF PREVENTIVE HEALTHCARE ACTIVITIES AND PROGRAMS IN PROMOTING HEALTHIER LIVES, THROUGH REQUIRING THAT THE ACQUISITION OF HEALTH OR MEDICAL INSURANCE THROUGH THE GOVERNMENT OF GUAM INCLUDE THE PROVISION OF PREVENTIVE HEALTHCARE, WELLNESS, AND FITNESS; AMENDING SUBSECTION (a) OF 54301 GROUP INSURANCE, ARTICLE 3, CHAPTER 4, TITLE 4, GUAM CODE ANNOTATED.

Bill No. 379-30 (LS) – by Telo Taitague, V. A. Ada, E. J.B. Calvo, **3rd Reading File 6/30/10**

As substituted

Ray Tenorio, F. F. Blas, Jr., F. B. Aguon, Jr.,

AN ACT TO ADD A NEW §3132 TO CHAPTER 3 OF 5GCA RELATIVE TO CREATING BETTER PUBLIC SERVICE FOR THE MAN’AMKO AND INDIVIDUALS WITH MOBILITY DISABILITES.

Bill No. 389-30 (COR) – by B. J.F. Cruz

3rd Reading File 6/30/10

AN ACT TO AMEND ARTICLE 3 OF § 3303, ARTICLE 4 OF § 3419 AND § 3420, AND ARTICLE 6 OF § 3619, OF CHAPTER 3 TITLE 11, AND ARTICLE 1 OF § 18102, AND § 18121 OF CHAPTER 18, TITLE 16, OF THE GUAM CODE ANNOTATED; RELATIVE TO INCREASING THE MINIMUM LEGAL DRINKING AGE.

**Bill No. 390-30(COR) – by T. R. Muña-Barnes,
J. T. Won Pat, Ed.D**

3rd Reading File 6/30/10

AN ACT TO AMEND SECTION 38 OF P.L. NO. 29-113 RELATING TO THE LADA ESTATES PROJECT AND ENSURING ACCESS TO AFFORDABLE HOUSING FOR THE PEOPLE OF GUAM.

Bill No. 391-30 (COR) – by v. c. pangelinan

3rd Reading File 7/1/10

AN ACT TO AMEND §61619 AND §61633 OF ARTICLE 6, CHAPTER 61, TITLE 21 GUAM CODE ANNOTATED RELATIVE TO HEARING DATE-NOTICE

Bill No. 396-30 (COR) – by F. F Blas, Jr., A. B. Palacios, Sr.

3rd Reading File 7/1/10
2nd Reading File 7/1/10

AN ACT MAKING IT ILLEGAL TO POSSESS HU-210, JWH-018, JWH-073, AND SALVIA DIVINORUM OR SALVINORUM A, ALSO KNOWN AS SPICE.

Bill No. 405-30 (COR) – by v. c. pangelinan

3rd Reading File 7/1/10

AN ACT TO AMEND §5270 OF CHAPTER 5, ARTICLE 4, TITLE 5 GUAM CODE ANNOTATED RELATIVE TO GOVERNMENT PURCHASE FOR DRUGS FROM MANUFACTURER.

Bill No. 406-30 (COR) – by T. C. Ada
As substituted

3rd Reading File 7/1/10

AN ACT TO REPEAL §64.50 OF CHAPTER 64, TITLE 9 OF THE GUAM CODE ANNOTATED, AND REPEAL AND REENACT CHAPTER 5 OF TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO RESTRICTING GREYHOUND RACING.

Bill No. 412-30 (COR) – by J. T. Won Pat, Ed.D.,
As substituted **T. R. Muna-Barnes**

3rd Reading File 7/1/10

AN ACT TO AMEND CHAPTER 12 OF TITLE 17 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE GUAM ACADEMY CHARTER SCHOOLS.

Bill No. 413-30 (COR) – by J. T. Won Pat, Ed.D,
As substituted **T. R. Muna-Barnes,**
J. V. Espaldon, B. J.F Cruz

Withdrawn from 2nd Reading File 7/1/10
2nd Reading File 7/1/10

AN ACT TO ADD A NEW CHAPTER 58B TO TITLE 5 GUAM CODE ANNOTATED RELATIVE TO THE CONSTRUCTION OF A NEW NORTHERN HIGH SCHOOL.

Bill No. 433-30 (LS) by – T. C. Ada

3rd Reading File 7/1/10
2nd Reading File 7/1/10

AN ACT TO AMEND SECTION 9 AND SECTION 11 OF P.L. 30-25 RELATIVE TO THE IMPLEMENTATION DATE OF THE 2009 INTERNATIONAL BUILDING CODE (IBC 09) AND THE ADOPTION OF THE REFERENCED CODES.

Bill No. 424-30 (COR) – by B. J.F. Cruz

3rd Reading File 7/1/10
2nd Reading File 7/1/10

AN ACT TO *REPEAL* AND *RE-ENACT* §3102 AND §3103, TO *REPEAL* §3108, §3111, §3111.1, §3112, §3113, §3114, §3115, §3116, §3117, §3118, §3119, §3120, §3123 *AND* §3124, *AND* TO *ADD* §3102.1, §3102.2, §3102.3, §3102.3.1, §3102.4, §3102.4.1, §3102.5, §3102.6 *AND* §3103.1, ALL TO CHAPTER 3 OF TITLE 17 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE REORGANIZATION OF THE GUAM EDUCATION POLICY BOARD.