

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

**November 26, 2010**

(Reconvening of November 22, 23, 24, 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: ~~November 12 & 17, 2010~~**
- (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. 495-30(LS) to Bill No.496-30(LS)
  - Resolution No. 486-30(LS) to Resolution No. 487-30(LS)
  - ~~Bill No. 492-30(COR) to Bill No. 494-30(LS)~~
  - Certificate No. 226-30(LS) to Certificate No. \_\_\_-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.
10. ~~Veto of Bill No. 271-30(COR) “authority to hire attorney”; and to repeal §3104, Chapter 3, Title 5, Guam Code Annotated, relative to establishing provisions for the Attorney General to provide legal services to the Guam Police Department, and relative to the positions of Fire Chief and Chief of Police, and for other purposes.~~
11. Veto to Bill No. 418-30(COR) relative to the composition of members to the Territorial Parole Board.
12. Veto of Bill No. 195-30(COR) relative to the use of proceeds of sale of bonds.

**(xiv) Legislative Concurrence;**

1. ~~From the Committee on Municipal Affairs, Aviation, Housing and Recreation on the appointment of Ms. Helen M. Bordallo to serve as a member of the Guåhan Historie Preservation Review Board with the recommendation to do confirm.~~
2. ~~From the Committee on Economic Development, Health and Human Services, and Judiciary on the appointment of Mr. J. Peter Roberto to serve as Director of the Department of Public Health and social Services with the recommendation to do confirm.~~
3. ~~From the Committee on Labor, the Public Structure, Public Libraries & Technology on the appointment of Mrs. Priscilla T. Tuncap to serve as a member of the Civil Service Commission 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;**

- |                                     |  |
|-------------------------------------|--|
| 1. SBill No. 54-30(COR)             | 13. <del>SBill No. 473-30(COR)(Discussion continues)</del> |
| 2. <del>Bill No. 306-30(COR)</del>  | 14. <del>Bill No. 488-30(COR)</del>                        |
| 3. <del>SBill No. 364-30(COR)</del> |  |
| 4. <del>Bill No. 431-30(COR)</del>  | <u>11/24/10</u>  |
| 5. <del>SBill No. 438-30(COR)</del> | 15. <del>Bill No. 474-30(COR)</del>                        |
| 6. <del>SBill No. 442-30(COR)</del> | 16. <del>Bill No. 479-30(COR)</del>                        |
| 7. Bill No. 446-30(LS)              | 17. <del>Bill No. 453-30(COR)</del>                        |
| 8. <del>Bill No. 450-30(LS)</del>   | 18. <del>Bill No. 372-30(COR)</del>                        |
| 9. <del>SBill No. 461-30(LS)</del>  | 19. <u>Bill No. 401-30(COR) (Discussion continues)</u>     |
| 10. <del>Bill No. 463-30(COR)</del> | 20. <u>Bill No. 402-30(COR)</u>                            |
| 11. <del>Bill No. 466-30(COR)</del> | 21. <u>Bill No. 403-30(COR)</u>                            |
| 12. <del>Bill No. 467-30(COR)</del> | 22. <u>Bill No. 459-30(COR)</u>                            |

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

**Third Reading File;**

- |                          |                           |
|--------------------------|---------------------------|
| <u>11/22/10</u>          | <u>11/24/10</u>           |
| 1. Bill No. 306-30(COR)  | 11. SBill No. 473-30(COR) |
| 2. Bill No. 364-30(COR)  | 12. Bill No. 488-30(COR)  |
| 3. Bill No. 431-30(COR)  | 13. SBill No. 474-30(COR) |
| 4. SBill No. 438-30(COR) | 14. SBill No. 479-30(COR) |
| 5. SBill No. 442-30(COR) | 15. SBill No. 453-30(COR) |
| 6. Bill No. 450-30(LS)   | 16. SBill No. 372-30(COR) |
| 7.. SBill No. 461-30(LS) | <u>11/26/10</u>           |
| 8. Bill No. 463-30(COR)  | 17.                       |
| <u>11/23/10</u>          | 18.                       |
| 9. Bill No. 466-30(COR)  | 19.                       |
| 10. Bill No. 467-30(COR) | 20.                       |
|                          | 21.                       |

*and*

**Voting File;**

1. Vetoed Bill No. 271-30(COR)
2. On the appointment of Ms. Helen M. Bordallo to serve as a member of the *Guåhan* Historic Preservation Review Board.
3. On the appointment of Mr. J. Peter Roberto to serve as Director of the Department of Public Health and Social Services.
4. On the appointment of Mrs. Priscilla T. Tuncap to serve as a member of the Civil Service Commission.

**(xviii) Brief extension of remarks;**

**(xix) Announcements; *and***

**(xx) Adjournment**

## SECOND READING FILE

**Bill No. 54-30(COR) – by E. J.B. Calvo**

2<sup>nd</sup> Reading File 11/22/10

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

AN ACT TO ADD A NEW SECTION 3218.1 TO CHAPTER 3 ARTICLE 2 TITLE 10 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE WOMAN'S INFORMED CONSENT FOR ABORTION AND TO CITE THE ACT AS "THE WOMAN'S REPRODUCTIVE HEALTH INFORMATION ACT OF 2009".

**Bill No. 306-30(COR) – by F. B. Aguon, Jr.**

3<sup>rd</sup> Reading File 11/22/10  
2<sup>nd</sup> Reading File 11/22/10

AN ACT RELATIVE TO REZONING LOT 1, BLOCK 2, OF THE SUBDIVISION OF LOT 1098, REMAINDER, LOCATED IN THE MUNICIPALITY OF BARRIGADA, GUAM, FROM RESIDENTIAL ("R-1") TO COMMERCIAL ("C"); TO ALLOW FOR GREATER APPLICATION AND USE OF THE PROPERTY AND THE SURROUNDING AREA.

**Bill No. 364-30 (COR) - by v. c. pangelinan**

3<sup>rd</sup> Reading File 11/22/10  
2<sup>nd</sup> Reading File 11/22/10

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

AN ACT TO AMEND SECTION 6 OF PUBLIC LAW 24-141 RELATIVE TO EVENT ADMISSIONS ASSESSMENT TO THE GUAM RACEWAY PARK

**Bill No. 372-30 (COR) – by B. J.F. Cruz**

3<sup>rd</sup> Reading File 11/24/10  
2<sup>nd</sup> Reading File 11/24/10

As substituted

AN ACT TO AMEND § 13101 AND § 13201(b) OF ARTICLE 2, CHAPTER 13, TITLE 19 OF THE GUAM CODE ANNOTATED; RELATIVE TO REPORTING OF SUSPECTED CHILD ABUSE OR NEGLECT BY CLERICAL PERSONNEL OF CHURCHES OR OTHER RELIGIOUS ORGANIZATIONS.

**Bill No. 401-30 (COR) – by J. T. Won Pat, Ed. D.,  
T. R. Muña Barnes**

2<sup>nd</sup> Reading File 11/24/10

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

**Bill No. 402-30 (COR) – by J. T. Won Pat, Ed. D.,  
T. R. Muña Barnes**

**2<sup>nd</sup> Reading File 11/24/10**

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

**Bill No. 403-30 (COR) – by J. T. Won Pat, Ed. D.,  
T. R. Muña Barnes**

**2<sup>nd</sup> Reading File 11/24/10**

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

**Bill No. 431-30(COR) – by v. c. pangelinan**

**3<sup>rd</sup> Reading File 11/22/10  
2<sup>nd</sup> Reading File 11/22/10**

AN ACT TO AMEND §4302 (b) CHAPTER 4, ARTICLE 3, TITLE 4 GUAM CODE ANNOTATED RELATIVE TO PROVIDING UTILIZATION AND COST INFORMATION TO CURRENT AND PROSPECTIVE HEALTH INSURANCE COMPANIES WHO PROVIDE HEALTH CARE COVERAGE TO GOVERNMENT OF GUAM EMPLOYEES AND RETIREES.

**Bill No. 438-30(COR) – by v. c. pangelinan**

**3<sup>rd</sup> Reading File 11/22/10  
2<sup>nd</sup> Reading File 11/22/10**

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

AN ACT TO ADD SUBSECTIONS (a)(5), (a)(6) ~~AND (a)(7)~~ AND (a)(8) OF SECTION 13109 CHAPTER 13 OF TITLE 12 GUAM CODE ANNOTATED RELATIVE TO SECTION 30 FUNDS AND OTHER FEDERAL MATTERS.

*AN ACT TO ADD SUBSECTIONS (a)(5), (a)(6) AND (a)(7) OF SECTION 13109 CHAPTER 13 OF TITLE 12 GUAM CODE ANNOTATED RELATIVE TO SECTION 30 FUNDS AND OTHER FEDERAL MATTERS.*

**Bill No. 442-30 (COR) – by T. C. Ada**

**3<sup>rd</sup> Reading File 11/22/10  
2<sup>nd</sup> Reading File 11/22/10**

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

AN ACT AUTHORIZING EXTENSION OF LEASE BETWEEN THE PORT AUTHORITY OF GUAM AND CEMENTON MICRONESIA, LLC FOR A TERM OF UP TO ~~TWENTY (20)~~ THIRTY (30) YEARS.

**Bill No. 446-30(LS) – by J. T. Won Pat**

**2<sup>nd</sup> Reading File 11/22/10**

AN ACT AUTHORIZING THE FUNDING FOR THE CONSTRUCTION OF THE UNIVERSITY OF GUAM STUDENT SERVICES CENTER AND THE ANNEX BUILDING FOR THE SCHOOL OF ENGINEERING.

**Bill No. 450-30(LS) – by v. c. pangelinan**

**3<sup>rd</sup> Reading File 11/22/10**  
**2<sup>nd</sup> Reading File 11/22/10**

AN ACT TO AMEND SECTION 8150 OF CHAPTER 8, TITLE 4 OF THE GUAM CODE ANNOTATED RELATIVE TO INVESTMENTS IN BONDS OF UNITED STATES AND FEDERAL INSTRUMENTALITIES.

**Bill No. 453-30 (COR) – by v. c. pangelinan**

As substituted

**3<sup>rd</sup> Reading File 11/24/10**  
**2<sup>nd</sup> Reading File 11/24/10**

AN ACT TO APPROVE THE OFFICIAL ZONING MAP F3 67S 52, THE *DOS AMANTES* PLANNING AREA AND ALL RELATED ZONING AMENDMENTS.

**Bill No. 459-30 (COR) - by v. c. pangelinan**

**2<sup>nd</sup> Reading File 11/24/10**

AN ACT TO AMEND §51921(a) OF ARTICLE 8, CHAPTER 51 OF TITLE 10 GCA RELATIVE TO THE USE OF PROCEEDS OF SALE OF BONDS.

**SBill No. 461-30(LS) – by J. P Guthertz**

**3<sup>rd</sup> Reading File 11/22/10**  
**2<sup>nd</sup> Reading File 11/22/10**

AN ACT TO ADD A NEW ARTICLE 2, TO CHAPTER 40, OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO CREATING A COMMUNITY PARTNERSHIP COUNCIL (CPC) FOR THE PURPOSES OF IDENTIFYING SITES IN EACH MUNICIPALITY IN GUAM, AND FUNDING FOR THE CONSTRUCTION OF MULTIPURPOSE CENTERS FOR EVERY VILLAGE. THIS ACT SHALL BE KNOWN AS THE 'COMMUNITY PARTNERSHIP ACT OF 2010.'

**Bill No. 463-30(COR) – by A. B. Palacios, Sr.**

**3<sup>rd</sup> Reading File 11/22/10**  
**2<sup>nd</sup> Reading File 11/22/10**

AN ACT TO REPEAL AND REENACT §34152 CHAPTER 34 OF TITLE 5 GUAM CODE ANNOTATED RELATIVE TO DISBURSING CHILD SUPPORT PAYMENTS BY ELECTRONIC MEANS.

**Bill No. 466-30(COR) – by A. B. Palacios**

**3<sup>rd</sup> Reading File 11/23/10**  
**2<sup>nd</sup> Reading File 11/22/10**

AN ACT TO AMEND §77109, CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE QUALIFICATIONS FOR THE APPOINTMENT OF THE CHIEF OF POLICE.

**Bill No. 467-30(COR) – by A. B. Palacios**

**3<sup>rd</sup> Reading File 11/23/10**

2<sup>nd</sup> Reading File 11/22/10

AN ACT TO AMEND SUBSECTION (a) OF §3107 OF CHAPTER 3 OF TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO COMPENSATION FOR PUBLIC SAFETY PERSONNEL WHO PERFORM WORK IN SHIFTS.

**Bill No. 473-30(COR) – by T. C. Ada**

As Substituted by Committee on Economic Development,

Health & Human Services, and Judiciary

**3<sup>rd</sup> Reading File 11/24/10**

Discussion continues 11/24/10

File 11/22/10

AN ACT TO REPROGRAM AND APPROPRIATE FUNDS FROM THE LIMITED OBLIGATION HIGHWAY BONDS AUTHORIZED BY P.L. 19-2 TO IMPROVE THE AVAILABILITY OF DPW SCHOOL BUSES BY REFURBISHING SELECTED SCHOOL BUSES, PERFORM OVERDUE PREVENTATIVE MAINTENANCE SERVICES, PURCHASE OF TOOLS AND EQUIPMENT FOR BUSS MAINTENANCE, AND REPAIR OF FACILITIES AT DPW BUS SUBSTATIONS AND TO REPAIR VEHICLES OF GUAM POLICE DEPARTMENT, AND THE GUAM FIRE DEPARTMENT.

*AN ACT TO REPROGRAM AND APPROPRIATE FUNDS FROM THE LIMITED OBLIGATION HIGHWAY BONDS AUTHORIZED BY P.L. 19-2 TO IMPROVE THE AVAILABILITY OF DPW SCHOOL BUSES BY REFURBISHING SELECTED SCHOOL BUSES, PERFORM OVERDUE PREVENTATIVE MAINTENANCE SERVICES, PURCHASE OF TOOLS AND EQUIPMENT FOR BUSS MAINTENANCE, AND REPAIR OF FACILITIES AT DPW BUS SUBSTATIONS.*

**Bill No. 474-30 (COR) – by Telo Taitague, F. B. Aguon,**

As substituted

**T. C. Ada**

**3<sup>rd</sup> Reading File 11/24/10**

2<sup>nd</sup> Reading File 11/24/10

AN ACT TO APPROPRIATE THE SUM OF \$1,500,000 TO THE DEPARTMENT OF PUBLIC WORKS FOR THE REPAIR OF DAMAGES TO VILLAGE STREETS AS A RESULT OF TRAFFIC DIVERSIONS RELATED TO ONGOING ROAD CONSTRUCTION PROJECTS.

**Bill No. 479-30 (COR) – by Frank B. Aguon, Jr.**

As substituted

**3<sup>rd</sup> Reading File 11/24/10**

2<sup>nd</sup> Reading File 11/24/10

AN ACT TO EXPAND THE BORROWING ABILITY OF THE GUAM MEMORIAL HOSPITAL AUTHORITY BY INCLUDING THE AUTHORIZATION TO ALSO ENTER INTO REVOLVING LOAN FUNDS, AND DIRECT LOANS, BY AMENDING SUBSECTION (o) OF §80104, CHAPTER 80, DIVISION 4, TITLE 10, GUAM CODE ANNOTATED.

**Bill No. 488-30(COR) – by T. C. Ada**

**3<sup>rd</sup> Reading File 11/24/10**  
2<sup>nd</sup> Reading File 11/22/10

AN ACT TO AMEND SECTION 10401 OF TITLE 12, GUAM CODE ANNOTATED,  
CHAPTER 10, PORT AUTHORITY OF GUAM, ARTICLE 4, PUBLIC-PRIVATE  
PARTNERSHIP THROUGH A PERFORMANCE MANAGEMENT CONTRACT.