

***I MINA 'TRENTAI UNU NA LIHESLATURAN GUÅHAN***  
**2012 (SECOND) Regular Session**

**November 21, 2012**  
(Reconvening of November 20, 2012 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 Journals: ~~10/01/12 (am) dj & 10/01/12 (pm) dj;~~  
~~& 10/23/12 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. 534-31(LS)
  - Resolution No. 603-31(LS) to Resolution No. 622-31(LS)
  - Certificate No. 186 -31(LS) to Certificate No. \_\_\_ -31(LS)
  - Bill No. \_\_\_-31(LS) to Bill No. \_\_\_-31 (LS)
  - Resolution No. \_\_\_-31(LS) to Resolution No. \_\_\_-31(LS)
  - Certificate No. \_\_\_ -31(LS) to Certificate No. \_\_\_ -31(LS)
  - ~~Bill No. 527 31 31(COR) to Bill No. 533 31(COR)~~
  - ~~Resolution No. 577 31(COR) to Resolution No. 602 31(COR)~~
  - ~~Certificate No. 176 31(COR) to Certificate No. 185 31 (COR)~~

**(xiii) Motions;**

1. Vetoed Bill No. 155-31(COR) - to de-appropriate the sums appropriated and transferred by *I Maga'lahaen Guåhan* during Fiscal Years 2004 through 2009 for expenditures related to the Municipal Solid Waste Landfill Facility and the closure of the *Ordot* Dump, and re-appropriate said sum amount for the payment of emergency income tax refunds for tax year 2009 and prior, and appropriate Five Hundred Thousand Dollars (\$500,000) to the Department of Public Works for the *Umatac* and *Merizo* Cemeteries; and to *amend* §§58b102 and 58b106 of Chapter 56b, Title 5, Guam Code Annotated, relative to pledge of Section 30 Revenues for the expansion of *Okkodo* High School.
2. Vetoed Bill No. 145-31 (COR) - An act making appropriations for the operations of the Executive, Legislative, and Judicial Branches of the government of Guam for Fiscal Year ending September 30, 2012, making other appropriations, and establishing miscellaneous and administrative provisions.
3. Vetoed Bill No. 241-31(COR) - An act to exempt maps of the Chamorro Land Trust lease sites previously approved by the Chamorro Land Trust Commission from the requirements of Article 2, Chapter 62 of the Guam Code Annotated, relative to subdivision and recordation procedures.
4. Vetoed Bill No. 406-31(COR) - An act to *repeal* and *reenact* Section 21 of Chapter XII of Public Law 31-77, relative to providing for assignability of offsets against Business Privilege Taxes for the outstanding debt balance owed for the completion of the Guam Public Market Redevelopment Project, Phase II-Department of Commerce Project No. 320-5-1008-1-AGN, including Change Orders No. 1 and No. 2.
5. Vetoed Bill No. 431-31(COR) – An act to provide for a limited extension of the contract between the Department of Public Health and Social Services (DPHSS) and the GovGuam Association of Retired Persons/*Servicio Para I Manamko* (GGARP/SPIMA) to provide *Senior Center Services for the Comprehensive Management, Operations, and Maintenance of the Senior Center Operations Program* for the Division of Senior Citizens, DPHSS.
6. Vetoed Bill No. 319-31(COR), An act to amend §72105 of Chapter 72, Title 10, Guam Code Annotated, relative to authorizing private ambulance service providers to provide emergency medical services; and to amend §§3202(b), 3301(e), 3334(d) and 3339(d) of Chapter 3, Title 16, Guam Code Annotated, relative to emergency vehicles operating on Guam's roadways.

- ~~7. Vetoed Bill No. 413-31(COR), An act to *repeal and reenact* Chapters 1 through 20, of Title 3, Guam Code Annotated [Elections].~~
8. Vetoed Bill No. 306-31(LS), An act to *add a new* §90.48 to 9 Guam Code Annotated, Chapter 90, relative to establishing and administering an international prisoner transfer program.
9. Vetoed Bill No. 516-31(COR), An act to *amend* Section 3 of Public Law 31-40, relative to extending The Obligation Deadline Of The ARRA Trust Fund; and to *amend* Section 2(i) and Section 2(iv) of Chapter I; to *add* a new Section 14 to Chapter XI; to *amend* Section 13 of Chapter XII and to *amend* Section 6 of Part III of Chapter III, all of Public Law 31-233.
10. Vetoed Bill No. 513-31(COR), An act to provide health insurance to government of Guam employees and retirees for Fiscal Year 2013.

**(xiv) Legislative Concurrence;**

- ~~1. From the Committee on Public Safety, Law Enforcement and Judiciary, on the appointment of Ms. Maria Teresa Cenzone Duenas, to serve as Judge, Superior Court of Guam, with the recommendation to do confirm.~~
- ~~2. From the Committee on Public Safety, Law Enforcement and Judiciary, on the appointment of Dr. Lisa D. Flores, to serve as Member of the Criminal Injuries Compensation Commission, with the recommendation to do confirm.~~
- ~~3. From the Committee on Utilities, Transportation, Public Works, and Veterans 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.~~
- ~~4. From the Committee on Municipal Affairs, Tourism, Housing and Recreation, on the appointment of Mr. Robert Marks, to serve as a Member of the Guam Unarmed Combat 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. <del>ABill No. 409-31(COR)</del>              | 14. SBill No. 263-31(COR) |
| 2. <del>Bill No. 445-31(COR)</del>               | 15. Bill No. 361-31(COR)  |
| 3. <del>Bill No. 459-31(COR)</del>               | 16. ABill No. 385-31(COR) |
| 4. <del>SBill No. 461-31(COR)</del>              | 17. SBill No. 388-31(COR) |
| 5. <del>SBill No. 462-31(COR)</del>              | 18. SBill No. 395-31(COR) |
| 6. <del>Bill No. 466-31(LS)</del>                | 19. Bill No. 440-31(COR)  |
| 7. Bill No. 477-31(COR) (Discussion Suspended)   | 20. SBill No. 455-31(COR) |
| 8. <del>Bill No. 480-31(COR)</del>               | 21. Bill No. 473-31(COR)  |
| 9. <del>SBill No. 492-31(COR)</del>              | 22. Bill No. 476-31(COR)  |
| 10. <del>SBill No. 506-31(COR)</del>             | 23. Bill No. 522-31(COR)  |
| 11. Bill No. 509-31(COR)                         | 24. Bill No. 524-31(COR)  |
| 12. Bill No. 518-31(COR) (Referred back to Com.) | 25. ABill No. 482-31(COR) |
| 13. <u>Bill No. 525-31(COR)</u>                  |                           |

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

**Third Reading File**

1. ABill No. 409-31(COR)
2. Bill No. 445-31(COR)
3. Bill No. 459-31(COR)
4. Bill No. 466-31(LS)
5. SBill No. 492-31(COR)
6. Bill No. 480-31(COR)
7. SBill No. 462-31(COR)
8. SBill No. 461-31(COR)
9. SBill No. 506-31(COR)

*and*

**Voting File;**

**11/20/12**

1. Vetoed Bill No. 413-31(COR), An act to *repeal and reenact* Chapters 1 through 20, of Title 3, Guam Code Annotated [Elections]

**11/20/12 - Confirmed**

- ~~2. On the appointment of Ms. Maria Teresa Cenzone Duenas, to serve as Judge, Superior Court of Guam.~~
- ~~3. On the appointment of Dr. Lisa D. Flores, to serve as Member of the Criminal Injuries Compensation Commission.~~
- ~~4. From the Committee on Utilities, Transportation, Public Works, and Veterans Affairs, on the appointment of Mr. Reilly Ridgell, to serve as a Member of the Guam Contractors License Board.~~

~~5.— On the appointment of Mr. Robert Marks, to serve as a Member of the Guam Unarmed Combat Commission.~~

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

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

(xx) **Adjournment**

## SECOND READING FILE

**Bill No. 263-31(COR) – by A. A. Yamashita, Phd.**

As substituted

AN ACT TO AMEND § 61103(D), REPEAL § 61531.1, AND AMEND §61532 ALL OF PART 4, CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED RELATIVE TO PARKING REGULATIONS.

**Bill No. 361-31(COR) - by Judith P. Guthertz, DPA**

AN ACT TO ADD A NEW SUB SECTION 21008.1(A)(B)(C)(D) AND (E) TO CHAPTER 21 OF TITLE 3 GUAM CODE ANNOTATED RELATIVE TO PROVIDING A MECHANISM TO ENHANCE THE REGISTRATION PROCESS OF THE GUAM DECOLONIZATION REGISTRY BY ENLISTING THE ASSISTANCE OF ALL EMPLOYERS IN GUAM BEGINNING WITH THE EXECUTIVE, LEGISLATIVE AND JUDICIAL BRANCHES OF THE GOVERNMENT OF GUAM AND THE MAYORS' COUNCIL OF GUAM.

**Bill No. 385-31(COR) – by V. Anthony Ada, F. F. Blas, Jr., A.B. Palacios, Sr.**

As Amended by the Committee on Public Safety,  
Law Enforcement and Judiciary.

AN ACT TO *ADD A NEW* §89.15 TO CHAPTER 89 OF 9GCA RELATIVE TO EMPLOYMENT LIMITATIONS ON CONVICTED SEX OFFENDERS.

**Bill No. 388-31 (COR) – by D. G. Rodriguez, Jr.**

As substituted Committee on Health & Human Services,  
Economic Development, Senior Citizens, and Election Reform

AN ACT TO ADOPT ISOLATION AND QUARANTINE PROCEDURES TO PREVENT THE SPREAD OF COMMUNICABLE DISEASE, AS PROVIDED PURSUANT TO ARTICLE 3 OF CHAPTER 3, DIVISION 1, TITLE 10, GUAM CODE ANNOTATED, BY ADDING A NEW CHAPTER 10 TO DIVISION 1 OF TITLE 26, GUAM ADMINISTRATIVE RULES AND REGULATIONS.

**Bill No. 395-31(COR) – by Sam Mabini, Ph.D., B. J.F. Cruz**

As substituted by the Committee on Youth,  
Cultural Affairs, General Governmental  
Operations, Procurement, and Public Radio

AN ACT TO AMEND §4111, TITLE 4 GUAM CODE ANNOTATED, CHAPTER 4, RELATIVE TOLUMP SUM PAYMENTS FOR ANNUAL LEAVE.

**Bill No. 409-31(COR) – by F. F. Blas, Jr.**  
As Amended by the Committee on Public Safety,  
Law Enforcement and Judiciary

3<sup>rd</sup> Reading File 11/20/12

AN ACT TO *ADD* CHAPTER ~~16~~ 17 TO TITLE ~~19~~ 9 OF THE GUAM CODE ANNOTATED  
RELATIVE TO ACTS OF VIOLENCE AGAINST AN UNBORN CHILD.

**Bill No. 440-31 (COR) – by F. F. Blas, Jr., V. A. Ada, A. A. Yamashita,  
M. Silva Tajjeron, C. M. Dueñas, S. A. Mabini**

AN ACT TO *ESTABLISH* A TASK GROUP WITHIN THE GUAM ECONOMIC DEVELOPMENT  
AUTHORITY FOR THE PURPOSE OF DEVELOPING A MASTER PLAN FOR THE AGANA  
SPRING AND MINONDO RIVER AREAS.

**Bill No. 445-31(COR) – by Judith P. Guthertz, DPA**

3<sup>rd</sup> Reading File 11/20/12

AN ACT TO *REPEAL* AND *REENACT* CHAPTER 12 OF TITLE 5, GUAM CODE ANNOTATED,  
RELATIVE TO THE MODERNIZATION AND RIGHTSIZING COMMISSION OF THE  
GOVERNMENT OF GUAM AND *REPEALING* ANTIQUATED, UNFUNDED AND/OR  
UNDERUTILIZED STATUTES OR ADMINSTRATIVE RULES.

**Bill No. 455-31 (COR) – by v. c. pangelinan**  
As substituted

AN ACT TO AMEND §89.09 (f) AND TO ADD A NEW SECTION §89.09 (g) OF TITLE 9 GCA  
RELATIVE TO AUTHORIZING THE JUDICIARY OF GUAM TO SUBMIT REQUESTS FOR  
CRIMINAL HISTORY CHECKS TO THE FEDERAL BUREAU OF INVESTIGATION FOR ALL  
GUAM AMERICORPS VOLUNTEERS.

**Bill No. 459-31 (COR) – by T. R. Muña Barnes, D. G. Rodriguez, Jr.**  
As Amended by the Committee on Appropriations, Taxation,  
Public Debt, Banking, Insurance, Retirement and Land

3<sup>rd</sup> Reading File 11/20/12

AN ACT TO AUTHORIZE *I MAGA'LAHEN GUÅHAN* TO EXCHANGE GOVERNMENT-OWNED  
PROPERTY IN TAMUNING FOR PRIVATELY-OWNED PROPERTY IN DEDEDO OWNED BY  
THE ESTATE OF LORENZO C. ROSARIO.

**Bill No. 461-31 (COR) – by v. c. pangelinan, B.J.F. Cruz, R.J. Respicio,**  
As Substituted Committee on Health & **J. P. Guthertz, T. R. Muña Barnes**  
Human Services, Economic Development,  
Senior Citizens, and Election Reform

3<sup>rd</sup> Reading File 11/20/12

AN ACT TO ADD ARTICLE 23 TO TITLE 10 GUAM CODE ANNOTTED, CHAPTER 12, PART 2  
RELATIVE TO THE CREATION OF THE GUAM SOCIAL WORK PRACTICE ACT.

**Bill No. 462-31 (COR) - by T. C. Ada, R. J. Respicio**

As substituted

**3<sup>rd</sup> Reading File 11/20/12**

AN ACT TO ADD A NEW ARTICLE 1B, TO 4 GCA, CHAPTER 4 TO READ “DERIVED VETERANS BENEFITS FOR SPOUSES, SURVIVING SPOUSES AND LEGAL GUARDIANS”.

**Bill No. 466-31 (LS) – by Sam Mabini, Ph.D.**

As Substituted by the Committee on Youth, Cultural Affairs,  
Procurement, General Government Operations  
And Public Broadcasting.

**3<sup>rd</sup> Reading File 11/20/12**

AN ACT TO AMEND §4101 SUB-ITEM C, TITLE 4 GUAM CODE ANNOTATED, CHAPTER 4, RELATIVE TO REQUIRING MANDATORY SKILLS ASSESSMENT TESTING AS A REQUIREMENT FOR GOVERNMENT OF GUAM EMPLOYMENT.

**Bill No. 472-31 (COR) – by T. C. Ada, R. J. Respicio, A. B. Palacios, Sr.**

AN ACT TO AUTHORIZE AND APPROVE THE TERMS AND CONDITIONS OF GOVERNMENT OF GUAM GRANT ANTICIPATION REVENUE VEHICLE BONDS (GARVEE BONDS) FOR THE PURPOSE OF FINANCING HIGHWAY IMPROVEMENTS, AND TO AUTHORIZE THE PLEDGE OF FEDERAL GRANT PROCEEDS TO SECURE THE OBLIGATION TO REPAY THE BONDS.

**Bill No. 476-31 (COR) – by Adolpho B. Palacios, Sr.**

AN ACT TO ADD A NEW SUBSECTION (i) TO §28.40 OF ARTICLE 2, CHAPTER 28, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO DEFINING THE TERM “PORNOGRAPHIC”.

**Bill No. 477-31 (COR) – by Adolpho B. Palacios, Sr.**

AN ACT TO AMEND §23112 OF ARTICLE 1 AND §23203 OF ARTICLE 2, BOTH OF CHAPTER 23, DIVISION 2, TITLE 7, GUAM CODE ANNOTATED, RELATIVE TO LEVIES ON EARNINGS.

**Bill No. 480-32 (COR) – by V. Anthony Ada, R. J. Respicio, F. F. Blas, Jr.**

**3<sup>rd</sup> Reading File 11/20/12**

AN ACT TO AMEND §3601 OF CHAPTER 3 OF 16GCA RELATIVE TO VEHICLE SAFETY INSPECTIONS.

**Bill No. 482-31 (COR) – by Adolpho B. Palacios, Sr.**

As amended

AN ACT TO AMEND §§25.01.20, 25.01.30 AND 25.01.40 OF CHAPTER 25.01, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE SOLICITATION OF CHILDREN AND CHILD PORNOGRAPHY.

**Bill No. 492-31 (COR) – by D. G. Rodriguez, Jr., V. Anthony Ada**  
As substituted

**3<sup>rd</sup> Reading File 11/20/12**

AN ACT RELATIVE TO PROVIDING COMPENSATION TO THE COMMISSIONERS OF THE GUAM PUBLIC UTILITIES COMMISSION, BY ADDING A NEW SUBSECTION (k) TO §12001 OF ARTICLE 1, CHAPTER 12, TITLE 12, GUAM CODE ANNOTED.

**Bill No. 506-31 (COR) – by B. J.F. Cruz**  
As substituted

**3<sup>rd</sup> Reading File 11/20/12**

AN ACT TO ADOPT THE PROPOSED FEE SCHEDULE FOR THE DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE, ATTACHED AS EXHIBIT A.

**Bill No. 509-31 (COR) – by Judith T. Won Pat, Ed.D., Tina R. Muna Barnes**  
As substituted by the Committee on Education

AN ACT TO ADD A NEW CHAPTER 15A OF DIVISION 3, TITLE 17 GUAM CODE ANNOTATED RELATIVE TO THE STUDENT FINANCIAL ASSISTANCE PROGRAMS

**Bill No. 518-31(COR) – by Aline A. Yamashita, PhD**

AN ACT TO PLACE THE FORMER AGAT FIRE STATION UNDER THE ADMINISTRATIVE JURISDICTION OF THE MAYOR'S OFFICE OF AGAT, BY AMENDING ITEM(1) OF §40113(B) OF CHAPTER 40, TITLE 5, GUAM CODE ANNOTATED.

**Bill No. 522-31 (COR) – by T. R. Muña Barnes**

AN ACT TO AMEND §40105 OF CHAPTER 40, TITLE 5 GUAM CODE ANNOTATED RELATIVE TO THE TERM OF OFFICE FOR OFFICERS OF THE MAYORS' COUNCIL OF GUAM.

**Bill No. 524-31 (COR) – by J. T. Won Pat, Ed.D.**

AN ACT TO ADD CHAPTER 51A TO TITLE 12, GUAM CODE ANNOTATED REGARDING THE ISSUANCE OF BONDS AND OTHER OBLIGATIONS OF THE GOVERNMENT OF GUAM FOR THE SOLE PURPOSE OF REFUNDING PRIOR BONDS AND OTHER OBLIGATIONS TO ACHIEVE DEBT SERVICE SAVINGS

**Bill No. 525-31 (COR) – by R. J. Respicio**

AN ACT TO AMEND TITLE 10 GUAM CODE ANNOTATED CHAPTER 2 § 2208 RELATIVE TO MAMMOGRAM SCREENING, BY ADDING A NEW §2208.1 TO REQUIRE MAMMOGRAPHY REPORTING REQUIREMENTS FOR CERTAIN PATIENTS WHEN NECESSARY, RELATIVE TO BREAST DENSITY.