

# LEGISLATIVE SESSION AGENDA

## *I MINA 'TRENTAI DOS NA LIHESLATURAN GUÅHAN*

### 2013 (FIRST) Regular Session

Speaker Antonio R. Unpingco Legislative Session Hall

Legislative Day 7

April 22 23, 2013

- (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;**
  - \* *March 25, 2013 – April 1, 2013* Subjection to Correction
- (viii) **Communications and Petitions; There are**
  - \* *See attachment*
- (ix) **Messages from *I Maga'lahen Guåhan*; There are**
  - \* *See attachment*
- (x) **Reports of Standing Committees; There are**
- (xi) **Reports of Select Committees; None**
- (xii) **Introduction and First Reading of Bills and Resolutions;**
  - \* *Bill No. 72-32 (LS) to Bill No. 75-32 (LS)*
  - \* *Bill No. 76-32 (COR) to Bill No. 95-32 (COR)*
  - \* *Resolution No. 84-32 (LS) to Resolution No. 90-32 (LS)*
  - \* *Resolution No. 91-32 (COR) to Resolution No. 109-32 (COR)*
- (xiii) **Motions;**
  - \* *VETOED BILL NO. 9-32 (COR) - AN ACT TO ADD NEW §§ 58148, 58148.1, 58148.2, 58148.3 AND 58149; AND TO AMEND §§ 58126 AND 58115(c), ALL OF CHAPTER 58 OF TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE QUALIFYING CERTIFICATE REVIEW BOARD, AND THE QUALIFYING CERTIFICATE ACCOUNTABILITY AND TRANSPARENCY WEBSITE, AND AMENDING CONFLICTS OF INTEREST PROVISIONS. Moved to Voting File 4/22/13.*

## (xiv) Legislative Concurrence;

1. The Committee on General Government Operations and Cultural Affairs hereby reports out the nomination of Concepcion Duenas to serve as Member of the Guam Parole Board, for a term of 4 years as defined by the Organic Act of Guam and the local laws applicable to the following position (per Governor's Letter), beginning on March 29, 2013, with the recommendation to do confirm. **Moved to Voting File 4/22/13.**
2. The Committee on General Government Operations and Cultural Affairs hereby reports out the nomination of Goring T. Duenas to serve as Member of the Guam Parole Board, for a term of 4 years as defined by the Organic Act of Guam and the local laws applicable to the following position (per Governor's Letter), beginning on March 15, 2013, with the recommendation to do confirm. **Moved to Voting File 4/22/13.**
3. The Committee on General Government Operations and Cultural Affairs hereby reports out the nomination of John A. Smith to serve as Member of the Civil Service Commission, for a term of 6 years as defined by the Organic Act of Guam and the local laws applicable to the following position (per Governor's Letter), beginning on March 15, 2013, with the recommendation to do confirm. **Moved to Voting File 4/22/13.**
4. The Committee on Public Safety, Infrastructure and Maritime Transportation hereby reports out the nomination of Elyze McDonald Iriarte to serve as Member to the Guam Solid Waste Authority Board of Directors, at the Governor's Pleasure as defined by the Organic Act of Guam and the local laws applicable to the following position (per Governor's Letter), beginning on January 9, 2013, with the recommendation to do confirm. **Moved to Voting File 4/22/13.**
5. The Committee on Municipal Affairs, Tourism, Housing and Hagåtña Restoration & Redevelopment Authority hereby reports out the nomination of Mayor Robert RDC Hofmann to serve as Member of the Guam Visitors Bureau Board of Directors, at the Pleasure of the Governor as defined by the Organic Act of Guam and the local laws applicable to the following position (per Governor's Letter), beginning on January 16, 2013, with the recommendation to do confirm. **Moved to Voting File 4/22/13.**
6. The Committee on Aviation, Ground Transportation, Regulatory Concerns, and Future Generations hereby reports out the nomination of Donald Tahano to serve as Member of the Cockpit License Board, for a term of 1 years as defined by the Organic Act of Guam and the local laws applicable to the following position (per Governor's Letter), beginning on January 25, 2013. **Moved to Voting File 4/22/13.**
7. The Committee on Aviation, Ground Transportation, Regulatory Concerns, and Future Generations hereby reports out the nomination of Pedro Perez Ada III to serve as Member of the Guam International Airport Board of Directors, for a term of 3 years as defined by the Organic Act of Guam and the local laws applicable to the following position (per Governor's Letter), beginning on February 11, 2013. **Moved to Voting File 4/22/13.**

## (xv) Consent Calendar;

## (xvi) Second Reading File;

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| 1. | Res. No.<br>98-32<br>(COR)<br>As amended<br>by the author.<br><b>Moved to<br/>Third Reading<br/>File 4/22/13.</b> | Judith T. Won Pat.<br>Ed.D.,<br>T. R. Muna<br>Barnes | Relative to L'Mina' Trentoi Dos Na Liheliburan Guahan (the 32nd Guam Legislature) supporting the Coalition of Flight Attendant Unions, Federal Law Enforcement Officers Association, Coalition of Airline Pilots Associations, and the Federal Flight Deck Officers Association in their opposition of the Transportation Security Administration (TSA) policy change to allow knives and other dangerous items on board aircrafts; and to encourage the Secretary of Homeland Security (DHS) to prohibit airplane passengers from bringing aboard a passenger aircraft any item that was prohibited as of March 1, 2013. |
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| 2. | <b>Bill No.</b><br><b>81-32</b><br><b>(COR)</b><br><small>As substituted by the Committee on General Operations and Finance Affairs and amended by the Floor.</small><br><b>Moved to Third Reading File 4/22/13.</b>   | Vicente (ben) Pangelinan                   | AN ACT TO PROVIDE HEALTH INSURANCE TO GOVERNMENT OF GUAM EMPLOYEES AND RETIREES FOR FISCAL YEAR 2014.  |
| 3. | <b>Bill No.</b><br><b>77-32</b><br><b>(COR)</b><br><small>As substituted by the Committee on Appropriations, Public Health, Legal Affairs, Retirement, Public Works, Recreation, Tourism, Preservation and Land and amended on the floor.</small><br><b>Moved to Third Reading File 4/22/13.</b> | Vicente (ben) Pangelinan,<br>R.J. Respicio | AN ACT TO AMEND SECTION 68975 OF CHAPTER 68, ARTICLE 11, TITLE 21 OF THE GUAM CODE ANNOTATED RELATIVE TO THE DEVELOPMENT OF THE FARMER'S MARKET FACILITY BY THE FARMER'S COOPERATIVE ASSOCIATION OF GUAM, INC.   |
| 4. | <b>Bill No.</b><br><b>71-32 (LS)</b><br><small>As amended on the floor.</small><br><b>Moved to Third Reading File 4/22/13.</b>   | V. Anthony Ada                             | AN ACT TO ADD A NEW §2228 TO CHAPTER 22 OF 15GCA RELATIVE TO INCLUDING DIGITAL ASSETS IN A DECEDENT'S ESTATE.  |
| 5. | <b>Bill No.</b><br><b>58-32</b><br><b>(COR)</b><br><small>As substituted by the Committee on Education, Public Labor and Women's Status.</small><br><b>Moved to Third Reading File 4/22/13.</b>  | V. Anthony Ada                             | AN ACT TO AMEND §§6602 AND 6603 AND TO RE-CODIFY <u>§6603 TO §6121</u> ADD A NEW §6703 TO CHAPTER 6 OF 17GCA RELATIVE TO PROTECTION OF STUDENT INFORMATION.  |
| 6. | <b>Bill No.</b><br><b>16-32</b><br><b>(COR)</b><br><b>Moved to Third Reading File 4/22/13.</b>   | R.J. Respicio,<br>C.M. Duenas              | AN ACT TO REZONE LOT 2181-4NEW-R1NEW-R2, LOT 2181-4NEW-R1NEW-2, LOT 2181-4NEW-1-1, LOT 2181-4NEW-1-2, LOT 2181-4NEW-1-3, LOT 2181-4NEW-1-4, LOT 2181-4NEW-1-R4 AND LOT NAVAL AIR STATION AGANA-21-R1 (AIRPORT PARCEL 4) IN THE MUNICIPALITY OF TITIAN, BARRIGADA FROM AGRICULTURAL ZONE (A) TO LIGHT INDUSTRIAL ZONE (M-1); AND TO CHANGE THE REFERENCE OF LIMITED INDUSTRIAL TO LIGHT INDUSTRIAL. |

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| <p>7. <b>Bill No.</b><br/><b>18-32</b><br/><b>(COR)</b><br/><small>As amended in the Floor.</small><br/><b>Moved to Third Reading</b><br/><b>File 4/22/13.</b></p>                          | <p>R.J. Respicio</p>            | <p>AN ACT TO APPROPRIATE THE SUM OF THREE HUNDRED NINETY-TWO THOUSAND ONE HUNDRED SIXTY-TWO DOLLARS AND SEVENTEEN CENTS (\$392,162.17) FROM ANTICIPATED GENERAL FUND REVENUES FOR FISCAL YEAR 2013 FOR THE OUTSTANDING DEBT BALANCE OWED, INCLUDING PRINCIPAL AND INTEREST, FOR THE COMPLETION OF THE GUAM PUBLIC MARKET REDEVELOPMENT PROJECT, PHASE II-DEPARTMENT OF COMMERCE PROJECT NO. 320-5-1008-L-AGN, INCLUDING CHANGE ORDER NO. 1 AND CHANGE ORDER NO. 2.</p>  |
| <p>8. <b>Bill No.</b><br/><b>20-32</b><br/><b>(COR)</b></p>   | <p>D.G. Rodriguez, Jr.</p>      | <p>AN ACT TO ESTABLISH A HEALTHCARE TRUST AND DEVELOPMENT FUND, BY ADDING A NEW CHAPTER 97 TO TITLE 10, GUAM CODE ANNOTATED, AND AUTHORIZING THE EXPENDITURE OF MONIES IN THE FUND BY PUBLIC HEALTH CARE PROVIDERS FOR SPECIFIC PURPOSES PERTAINING TO EXTINGUISHING THE OUTSTANDING DEBT PAYABLES OF THE GUAM MEMORIAL HOSPITAL AUTHORITY, AND PROVIDE EXPANDED HEALTHCARE SERVICES BY ESTABLISHING AND FUNDING A GMHA PRIMARY HEALTHCARE OR URGENT HEALTHCARE CENTER FOR NON-EMERGENCY PATIENTS; THIS ACT TO BE CITED AS "THE GMHA HEALTHCARE TRUST AND DEVELOPMENT ACT OF 2013."</p> |
| <p>9. <b>Bill No.</b><br/><b>52-32 (LS)</b></p>   | <p>T.C. Ada</p>                 | <p>AN ACT TO REPEAL §22421 OF CHAPTER 22, 5 GCA, RELATIVE TO THE TRANSFER OF AUTONOMOUS AGENCY REVENUES TO THE AUTONOMOUS AGENCY COLLECTIONS FUND.</p>  |
| <p>10. <b>Bill No.</b><br/><b>53-32</b><br/><b>(COR)</b></p>  | <p>B.J.F. Cruz</p>              | <p>AN ACT TO REPEAL 17 GCA § 33105 AND TO AMEND 17 GCA § 31109; RELATIVE TO THE PROCUREMENT AUTHORITY OF THE GUAM COMMUNITY COLLEGE.</p>  |
| <p>11. <b>Bill No.</b><br/><b>56-32</b><br/><b>(COR)</b><br/><small>As amended by the Committee on Aviation, Ground Transportation, Regulatory Concerns and Future Generations.</small></p> | <p>B.J.F. Cruz<br/>T.C. Ada</p> | <p>AN ACT TO REPEAL AND REENACT §9108 OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO CHANGING THE PENALTY FOR VIOLATION OF THE TRAFFIC CODE FROM A PETTY MISDEMEANOR TO A CIVIL VIOLATION PUNISHABLE BY A FINE, AND TO AUTHORIZE THE TRAFFIC COURT OR JUDICIARY TO SET TRAFFIC FINES THAT ARE NOT SET BY LAW.</p>  |
| <p>12. <b>Bill No.</b><br/><b>57-32</b><br/><b>(COR)</b><br/><small>As amended by the Committee on Public Safety, Infrastructure and Maritime Transportation.</small></p>                   | <p>Judith T. Won Pat, Ed.D.</p> | <p>AN ACT TO AMEND §53101 AND §53108 OF 5GCA, RELATIVE TO ENCROACHMENT VIOLATIONS.</p>  |

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| <p><b>13. Bill No. 62-32 (COR)</b><br/> <small>As substituted by the Committee on Health and Human Services, Insurance Reform, Economic Development and Senior Citizens.</small></p> | <p>D.G. Rodriguez, Jr.,<br/> Aline A.<br/> Yamashita, Ph.D.<br/> Brant McCreadie</p>                | <p>AN ACT TO ESTABLISH THE GUAM COUNCIL ON CHILD DEATH REVIEW AND PREVENTION (CCDRP) BY ADDING A NEW ARTICLE 10 TO CHAPTER 3, DIVISION I OF TITLE 10, GUAM CODE ANNOTATED.</p>  |
| <p><b>14. Bill No. 65-32 (COR)</b><br/> <small>As amended by the Committee on General Government and Cultural Affairs.</small></p>   | <p>Michael F.Q. San Nicolas</p>   | <p>AN ACT TO PROVIDE FOR EDUCATIONAL PROGRAMS FOR NEW MEMBERS OF BOARDS AND COMMISSIONS BY ADDING A NEW SECTION §43116 TO 5 GCA.</p>  |
| <p><b>15. Bill No. 67-32 (COR)</b></p>   | <p>Vicente (ben) Pangelinan</p>   | <p>AN ACT TO AMEND SECTION 2(a) AND SECTION 3(b) AND TO ADD A NEW SECTION 4 OF PUBLIC LAW 24-33 RELATIVE TO AMENDING THE LICENSE AGREEMENT BETWEEN THE GUAM FOOTBALL (SOCCER) ASSOCIATION AND THE GOVERNMENT OF GUAM.</p>   |
| <p><b>16. Bill No. 73-32 (LS)</b><br/> <small>As substituted by the Committee on Health and Human Services, Insurance Reform, Economic Development and Senior Citizens.</small></p>  | <p>D.G. Rodriguez, Jr.,<br/> B.J.F. Cruz,<br/> Aline A.<br/> Yamashita, Ph.D.,<br/> M. Limtiaco</p> | <p>AN ACT TO RENAME THE DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE (DMHSA), TO THE “GUAM BEHAVIORAL HEALTH AND WELLNESS CENTER” (GBHC), BY AMENDING CHAPTER 86 OF TITLE 10, GUAM ANNOTATED, AND TO ALLOW FOR CHANGES TO OTHER RELEVANT LAWS AS NECESSARY SOLELY FOR CONSISTENCY WITH THE AGENCY’S NAME CHANGE.</p>   |
| <p><b>17. Bill No. 76-32 (COR)</b></p>   | <p>Frank B. Aguon, Jr.</p>  | <p>AN ACT RELATIVE TO ESTABLISHING A MECHANISM THAT WILL ENSURE THE IMMEDIATE IMPLEMENTATION OF THE MANDATES OF THE CRIMINAL INJURIES COMPENSATION COMMISSION, AND PROVIDING AMENDMENTS THEREIN, IN ORDER TO REQUIRE THE TIMELY COMPENSATION OF CRIME VICTIMS AND THEIR FAMILIES FOR INJURIES INCURRED; THROUGH AMENDING §§161.15, §§161.125 AND §§161.130 OF TITLE 8, GUAM CODE ANNOTATED.</p> |
| <p><b>18. Bill No. 88-32 (COR)</b><br/> <small>As substituted by the Committee on Aviation, Ground Transportation, Regulatory Concerns and Future Generations.</small></p>           | <p>Michael F.Q. San Nicolas</p>   | <p>AN ACT TO AMEND §§ 3207 AND 3309 AND TO ADD NEW §§ 3207.1 AND 3207.2, ALL OF CHAPTER 3 TITLE 11 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE REGULATION OF ALCOHOLIC BEVERAGE LICENSES.</p>   |

**(xvii) Consideration of the Daily File;  
(1) Third Reading File; and**

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| <p><b>1. Res. No. 98-32 (COR)</b><br/> <small>As substituted by the Committee on Aviation, Ground Transportation, Regulatory Concerns and Future Generations.</small><br/> <b>Adopted on</b></p> | <p>Judith T. Won Pat, Ed.D.,<br/> T. R. Muna Barnes</p> | <p>Relative to 1 Muna Tratat Dos Na Libesnaturan Guåhån (the 32nd Guam Legislature) supporting the Codification of Flight Attendant Unions, Federal Law Enforcement Officers Association, Coalition of Airline Pilots</p> |
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- Associations, and the Federal Flight Deck Officers Association in their opposition of the Transportation Security Administration (TSA) policy change to allow knives and other dangerous items on board aircraft; and to encourage the Secretary of Homeland Security (TSA) to prohibit airplane passengers from bringing aboard a passenger aircraft any item that was prohibited as of March 1, 2013.
2. **Bill No.** Vicente (ben)  
**81-32 (COR)** Pangelinan  
As substituted by the Committee on General Operations and Custom Affairs and reported on the floor.  
**Passed on 4/22/13**
- AN ACT TO PROVIDE HEALTH INSURANCE TO GOVERNMENT OF GUAM EMPLOYEES AND RETIREES FOR FISCAL YEAR 2014.
3. **Bill No.** Vicente (ben)  
**77-32 (COR)** Pangelinan,  
R.J. Respicio  
As substituted by the Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Works, Recreation, Housing, Prison and Jail and reported on the floor.  
**Passed on 4/22/13**
- AN ACT TO AMEND SECTION 68975 OF CHAPTER 68, ARTICLE 11, TITLE 21 OF THE GUAM CODE ANNOTATED RELATIVE TO THE DEVELOPMENT OF THE FARMER'S MARKET FACILITY BY THE FARMER'S COOPERATIVE ASSOCIATION OF GUAM, INC
4. **Bill No.** V. Anthony Ada  
**72-32 (LS)**  
As amended on the Floor.
- AN ACT TO ADD A NEW §2228 TO CHAPTER 22 OF 15GCA RELATIVE TO INCLUDING DIGITAL ASSETS IN A DECEDENT'S ESTATE.
5. **Bill No.** V. Anthony Ada  
**58-32 (COR)**  
As substituted by the Committee on Education, Public Library and Women's Affairs and amended on the Floor.
- AN ACT TO AMEND §§6602 AND 6603 AND TO RE-CODIFY §6603 TO §6121 ADD A NEW §6703 TO CHAPTER 6 OF 17GCA RELATIVE TO PROTECTION OF STUDENT INFORMATION.
6. **Bill No.** R.J. Respicio,  
**16-32 (COR)** C.M. Duenas
- AN ACT TO REZONE LOT 2181-4NEW-R1NEW-R2, LOT 2181-4NEW-R1NEW-2, LOT 2181-4NEW-1-1, LOT 2181-4NEW-1-2, LOT 2181-4NEW-1-3, LOT 2181-4NEW-1-4, LOT 2181-4NEW-1-R4 AND LOT NAVAL AIR STATION AGANA-21-R1 (AIRPORT PARCEL 4) IN THE MUNICIPALITY OF TIYAN, BARRIGADA FROM AGRICULTURAL ZONE (A) TO LIGHT INDUSTRIAL ZONE (M-1); AND TO CHANGE THE REFERENCE OF LIMITED INDUSTRIAL TO LIGHT INDUSTRIAL.
7. **Bill No.** R.J. Respicio  
**18-32 (COR)**  
As amended on the Floor.
- AN ACT TO APPROPRIATE THE SUM OF THREE HUNDRED NINETY-TWO THOUSAND ONE HUNDRED SIXTY-TWO DOLLARS AND SEVENTEEN CENTS (\$392,162.17) FROM ANTICIPATED GENERAL FUND REVENUES FOR FISCAL YEAR 2013 FOR THE OUTSTANDING DEBT BALANCE OWED, INCLUDING PRINCIPAL AND INTEREST, FOR THE COMPLETION OF THE GUAM PUBLIC MARKET REDEVELOPMENT PROJECT, PHASE II-DEPARTMENT OF COMMERCE PROJECT NO. 320-5-1008-L-AGN, INCLUDING CHANGE ORDER NO. 1 AND CHANGE ORDER NO. 2.

## **(2) Voting File;**

1. VETOED BILL NO. 9-32 (COR) - AN ACT TO *ADD* NEW §§ 58148, 58148.1, 58148.2, 58148.3 AND 58149; AND TO *AMEND* §§ 58126 AND 58115(c), ALL OF CHAPTER 58 OF TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE QUALIFYING CERTIFICATE REVIEW BOARD, AND THE QUALIFYING CERTIFICATE ACCOUNTABILITY AND TRANSPARENCY WEBSITE; AND AMENDING CONFLICTS OF INTEREST PROVISIONS.
2. On the nomination of Concepcion Duenas to serve as Member of the Guam Parole Board, for a term of 4 years as defined by Organic Act of Guam and the local laws applicable to the following position (per Governor's Letter), beginning on March 29, 2013. **Confirmed on 4/22/13**
3. On the nomination of Goring T. Duenas to serve as Member of the Guam Parole Board, for a term of 4 years as defined by Organic Act of Guam and the local laws applicable to the following position (per Governor's Letter), beginning on March 29, 2013. **Confirmed on 4/22/13**
4. On the nomination of John A. Smith to serve as Member of the Civil Service Commission, for a term of 4 years 6 years as defined by the Organic Act of Guam and the local laws applicable to the following position (per Governor's Letter), beginning on March 15, 2013. **Confirmed on 4/22/13**
5. On the nomination of Elyze McDonnell Iriarte to serve as Guam Solid Waste Authority Board of Directors, at the Governor's Pleasure as defined by the Organic Act of Guam and the local laws applicable to the following position (per Governor's Letter), beginning on January 9, 2013. **Confirmed on 4/22/13**
6. On the nomination of Mayor Robert RDC Hofmann to serve as Member of the Guam Visitors Bureau Board of Directors, at the Pleasure of the Governor as defined by the Organic Act of Guam and the local laws applicable to the following position (per Governor's Letter), beginning on January 16, 2013. **Confirmed on 4/22/13**
7. On the nomination of Donald Taitano to serve as Member of the Cockpit License Board, for a term of 1 years as defined by the Organic Act of Guam and the local laws applicable to the following position (per Governor's Letter), beginning on January 25, 2013. **Confirmed on 4/22/13**
8. On the nomination of Pedro Perez Ada III to serve as Member of the Guam International Airport Board of Directors, for a term of 3 years as defined by the Organic Act of Guam and the local laws applicable to the following position (per Governor's Letter), beginning on February 11, 2013. **Confirmed on 4/22/13**

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

**(xix) Announcements; and**

**(xx) Adjournment**