

I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN
2007 (FIRST) Regular Session

AGENDA

September 13, 2007

(Reconvening of September 12, 2007 Session
(Reconvening of September 10, 11, 2007 Session)
(Reconvening of September 6, 7, 2007 Session)

- (i) Call to order;**
- (ii) Prayer by the Chaplain;**
- (iii) Singing of the Guam Hymn in Chamorro;**
- (iv) Singing of the National Anthem;**
- (v) Roll call;**
- (vi) Call for approval of the Legislative Journal: ~~8/16/07 to 8/27/07~~ dj**
- (vii) Communications and petitions; ~~There are~~**
- (viii) Messages from the Governor; ~~There are~~**
- (ix) Reports of Standing Committees; ~~There are~~**
- (x) Reports of Select Committees; ~~None~~**
- (xi) Introduction and first reading of bills and resolutions: ~~Bill No. 165(EC) to Bill No. 168(EC); Resolution No. 74(LS); Bill No. 169(LS); Bill No. 170(LS); Resolution No. 75(LS); Resolution No. 76(LS); Resolution No. 77(LS); Bill No. __ (LS) to Bill No. __ (LS); to Resolution No. __ (LS); Legislative Certificate No. __ (LS) to Legislative Certificate No. __ (LS)~~**

(xii) Motions;

1. ~~Veto of Substitute Bill No. 68(EC), issuance of certificates of claim to COLA awardees, received 8/27/07.~~
2. ~~Veto of Bill No. 149(EC), Ten Million Dollars (\$10,000,000) promissory note issued by Teleguam Holdings LLC as part of the GTA sale proceeds to pay the COLA judgment award pursuant to Superior Court SPO206-93 and P.L. 28-151, received 8/27/07.~~

(xiii) Legislative Concurrence;

1. ~~From the Committee on Judiciary, Natural Resources, Infrastructure & Cultural Affairs on the appointment of Mr. Casey L. Castro to serve as a member of the Guam Council on the Arts & Humanities Board with the recommendation to confirm.~~
2. ~~From the Committee on Judiciary, Natural Resources, Infrastructure & Cultural Affairs on the appointment of Mr. Matthew C. Cruz to serve as a member of the Guam Council on the Arts & Humanities Board with the recommendation to confirm.~~
3. ~~From the Committee on Judiciary, Natural Resources, Infrastructure & Cultural Affairs on the appointment of Ms. Joyleen Sablan-Suba to serve as a member of the Guam Council on the Arts & Humanities Board with the recommendation to confirm.~~
4. ~~From the Committee on Judiciary, Natural Resources, Infrastructure & Cultural Affairs on the appointment of Ms. Darlene R. Moore to serve as a member of the Guam Historic Preservation Review Board with the recommendation to confirm.~~
5. ~~From the Committee on Judiciary, Natural Resources, Infrastructure & Cultural Affairs on the appointment of John A. Peterson, Ph.D. to serve as a member of the Guam Historic Preservation Review Board with the recommendation to confirm.~~
6. ~~From the Committee on Tourism, Military, Veterans and Foreign Affairs on the appointment of Mr. Monte Mesa to serve as a member of the Jose D. Leon Guerrero Commercial Port Board of Directors with the recommendation to place on the Voting File.~~
7. ~~From the Committee on Aviation, Federal Affairs, Labor, Housing, Banking & Insurance on the appointment of Mr. Joseph J. Perez to serve as a member of the A. B. Won Pat International Airport Authority Board of Directors with the recommendation to confirm.~~
8. ~~From the Committee on Aviation, Federal Affairs, Labor, Housing, Banking & Insurance on the appointment of Ms. Lucy M. Alcorn to serve as a member of the A. B. Won Pat International Airport Authority Board of Directors with the recommendation to confirm.~~
9. ~~From the Committee on Aviation, Federal Affairs, Labor, Housing, Banking & Insurance on the appointment of Mr. Marion S. Lujan to serve as a member of the A. B. Won Pat International Airport Authority Board of Directors with the recommendation to confirm.~~
10. ~~From the Committee on Aviation, Federal Affairs, Labor, Housing, Banking & Insurance on the appointment of Mr. Frank F. Blas to serve as a member of the A. B. Won Pat Board of Directors with the recommendation to confirm.~~

- ~~11. From the Committee on Aviation, Federal Affairs, Labor, Housing, Banking & Insurance on the appointment of Ms. Fe Valencia Ovalles to serve as a member of the A. B. Won Pat International Airport Authority Board of Directors with the recommendation to confirm.~~
- ~~12. From the Committee on Aviation, Federal Affairs, Labor, Housing, Banking & Insurance on the appointment of Mr. Gerard Crisostomo to serve as a member of the Guam Housing Corporation Board of Directors with the recommendation to confirm.~~

(xiv) 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.

(xv) Second Reading File:

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|---|----------------------|
| 1. Bill No. 143(EC)(Com. of the Whole con't.) | 7. Bill No. 92(LS) |
| 2. Bill No. 59(EC)(POF-1)(POF-2) | 8. Bill No. 102(LS) |
| 3. Bill No. 34(EC) | 9. Bill No. 105(EC) |
| 4. Bill No. 39(EC) | 10. Bill No. 110(EC) |
| 5. Bill No. 41(EC) | 11. Bill No. 120(EC) |
| 6. Bill No. 78(LS) | 12. Bill No. 130(EC) |

(xvi) Consideration of the Daily File:

(1) Third Reading File:

and

(2) Voting File:

9/6/07

- ~~1) Vetoed Bill No. 149(EC)~~
- 2) Vetoed Bill No. 68(EC)
- 3) On the appointment of Mr. Casey L. Castro to serve as a member of the Guam Council on the Arts & Humanities Board.
- 4) On the appointment of Mr. Matthew C. Cruz to serve as a member of the Guam Council on the Arts & Humanities Board.
- 5) On the appointment of Ms. Joyleen Sablan-Suba to serve as a member of the Guam Council on the Arts & Humanities Board.
- 6) On the appointment of Ms. Darlene R. Moore to serve as a member of the Guam Historic Preservation Review Board.
- 7) On the appointment of John A. Peterson, Ph.D. to serve as a member of the Guam Historic Preservation Review Board.
- 8) On the appointment of Mr. Monte Mesa to serve as a member of the Jose D. Leon Guerrero Commercial Port Board of Directors.

- 9) On the appointment of Mr. Joseph J. Perez to serve as a member of the A. B. Won Pat International Airport Authority-Board of Directors.
- 10) On the appointment of Ms. Lucy M. Alcorn to serve as a member of the A. B. Won Pat International Airport Authority-Board of Directors.
- 11) On the appointment of Mr. Marion S. Lujan to serve as a member of the A. B. Won Pat International Airport Authority-Board of Directors.
- 12) On the appointment of Mr. Frank F. Blas to serve as a member of the A. B. Won Pat International Airport Authority-Board of Directors.
- 13) On the appointment of Ms. Fe Valencia-Ovalles to serve as a member of the A. B. Won Pat International Airport Authority–Board of Directors.
- 14) On the appointment of Mr. Gerard Crisostomo to serve as a member of the Guam Housing Corporation Board of Directors.

(xvii) Brief extension of remarks (limited to 5 minutes per member);

(xviii) Announcements;

(xix) Adjournment.

SECOND READING
I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN
Committee Reports

Bill No. 34 (EC) – by Ray Tenorio, E. B. Calvo

AN ACT TO AMEND SECTIONS 3312, 5101, 5104, 5109 AND 5112 OF 16 GCA RELATIVE TO INCREASING THE SAFETY OF GUAM'S ROADS BY PROHIBITING CERTAIN VEHICLES FROM DRIVING IN THE FARTHEST LEFT HAND LANE IN CERTAIN CIRCUMSTANCES; INCREASING THE HEIGHTS OF VEHICLES AND LOADS; GRANTING DEPARTMENT OF MOTOR CARRIER OFFICIALS WITH CITATION AUTHORITY; AND INCREASING PENALTIES FOR VIOLATIONS OF THE MOTOR VEHICLE CODE.

Bill No. 39 (EC) – by F. T. Ishizaki, A. B. Palacios, Sr.

AN ACT TO ADD SECTION 1903.2 OF CHAPTER 19 OF TITLE 1 OF THE GUAM CODE ANNOTATED; TO ADD SECTION 30101.1 OF CHAPTER 30 OF TITLE 5 OF THE GUAM CODE ANNOTATED; AND TO ADD SECTION 40103.1 TO CHAPTER 40 OF TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE TRANSITION OF A NEWLY ELECTED PUBLIC AUDITOR, ATTORNEY GENERAL, AND VILLAGE MAYORS, RESPECTIVELY.

Bill No. 41 (EC) – by A. B. Palacios, Sr.

AN ACT RELATIVE TO INCREASING VOTER PARTICIPATION THROUGH ALLOWING FOR EARLY VOTING BY THE PEOPLE OF GUAM, AND FURTHER REQUIRING THAT SUFFICIENT PUBLIC NOTIFICATION BE PROVIDED IN EACH ELECTION ON THE AVAILABILITY OF SUCH SERVICES, THROUGH ADDING A NEW SECTION §10129 TO CHAPTER 10, TITLE 3, GUAM CODE ANNOTATED.

Bill No. 59 (EC) – by J. V. Espaldon, M. Forbes, Passed on File (POF-2)* 8/21/07
J. A. Lujan *Motion to reconsider on next legislative date.
~~Passed on File (POF-1) 8/21/07~~
Reported out 8/16/07

ACT TO ZONE THE PREVIOUSLY UNZONED LOT NOS. 5328-5NEW-R2, 5328-R6NEW-R2 AND 5328-6, ALL IN THE MUNICIPALITY OF DEDEDO TO LIGHT INDUSTRIAL ("M-1") ZONE

Bill No. 78 (LS) – by A. R. Unpingco

As substituted by Committee

AN ACT TO ADD A NEW §3347 TO ARTICLE 3 OF CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO READING, WRITING, OR SENDING ELECTRONIC MESSAGES WHILE OPERATING A MOVING MOTOR VEHICLE; PRESCRIBING PENALTIES; AND, PROVIDING AN EFFECTIVE DATE.

Bill No. 78(LS) – by A. R. Unpingco

AN ACT TO ADD A NEW §3347 TO ARTICLE 3 OF CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO READING, WRITING, OR SENDING ELECTRONIC MESSAGES WHILE OPERATING A MOVING MOTOR VEHICLE; PRESCRIBING PENALTIES; AND, PROVIDING AN EFFECTIVE DATE.

Bill No. 92 (LS) – by J. T. Won Pat

AN ACT TO AUTHORIZE THE GUAM FIRE DEPARTMENT TO HIRE RETIRED FIREFIGHTERS WHENEVER A CRITICAL NEED ARISES AS A RESULT OF MILITARY ACTIVATION.

Bill No. 102(LS) – by Ray Tenorio, F. T. Ishizaki, A. B. Palacios

AN ACT TO ADD A NEW §80127 TO CHAPTER 80, TITLE 5, GUAM CODE ANNOTATED RELATIVE TO RESERVING THE HAGÁTÑA LIBRARY PARKING LOT FOR THE EXCLUSIVE USE BY LIBRARY EMPLOYEES AND PATRONS.

Bill No. 105 (EC) – by F. T. Ishizaki, J. T. Won Pat, Ray Tenorio

As Substituted by Committee on
General Governmental Operations
and Reorganization

AN ACT TO AMEND CHAPTER 89 OF TITLE 9 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE ADMINISTRATION OF THE GUAM SEX OFFENDER REGISTRY AND REQUIRING ALL THOSE CONVICTED OF CRIMINAL SEXUAL CONDUCT OR OF A CRIME AGAINST A VICTIM WHO IS A MINOR TO REGISTER IN THE SEX OFFENDER REGISTRY AND TO STRENGTHEN THE GUAM SEX OFFENDER REGISTRATION AND NOTIFICATION PROGRAM REQUIREMENTS.

Bill No. 105 (EC) – by F. T. Ishizaki, J. T. Won Pat, Ray Tenorio

AN ACT TO AMEND CHAPTER 89 OF TITLE 9 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE ADMINISTRATION OF THE GUAM SEX OFFENDER REGISTRY AND REQUIRING ALL THOSE CONVICTED OF CRIMINAL SEXUAL CONDUCT OR OF A CRIME AGAINST A VICTIM WHO IS A MINOR TO REGISTER IN THE SEX OFFENDER REGISTRY AND TO STRENGTHEN THE GUAM SEX OFFENDER REGISTRATION AND NOTIFICATION PROGRAM REQUIREMENTS.

Bill No. 110 (EC) – by Ray Tenorio, A. B. Palacios Sr., F. T. Ishizaki

As substituted by the Committee on
Public Safety, Criminal Justice and Youth

AN ACT TO REPEAL AND RE-ENACT §31.65 OF CHAPTER 31 OF 9 GCA
RELATIVE TO CURFEW HOURS FOR MINORS.

**Bill No. 110 (EC) – by Ray Tenorio, A. B. Palacios Sr., F. T. Ishizaki, F. F. Blas, Jr., J.
A. Lujan, D. L.G. Shimizu, T. R. Muna Barnes**

AN ACT TO REPEAL AND RE-ENACT §31.65 OF CHAPTER 31 OF 9 GCA
RELATIVE TO CURFEW HOURS FOR MINORS.

Bill No. 120 (EC) – by E. J.B. Calvo

AN ACT TO REZONE LOT NO. 2149-4-7NEW FROM MULTI-FAMILY-
RESIDENTIAL (“R-2”) TO COMMERCIAL (“C”) ZONE.

Bill No. 130 (EC) – by J. V. Espaldon, F. F. Blas, Jr.

As Amended by the Committee
on Judiciary, Natural Resources,
Infrastructure and Cultural Affairs

AN ACT TO *REPEAL* AND *REENACT* CHAPTER 50 OF TITLE 10 OF THE
GUAM CODE ANNOTATED RELATIVE TO THE GUAM PESTICIDES
ACT.

**Bill No. 143 (EC) – by the Committee on Calendar, Committee of the Whole 9/10, 11, 12/07 con’t.
by request of *I Maga’lahen Guåhan*, the Committee of the Whole 9/6, 7/07
Governor of Guam, in accordance with
the Organic Act of Guam.**

AN ACT MAKING APPROPRIATIONS FOR THE OPERATIONS OF THE
EXECUTIVE BRANCH OF THE GOVERNMENT OF GUAM FOR FISCAL
YEAR ENDING SEPTEMBER 30, 2008 AND MAKING OTHER
APPROPRIATIONS, AND ESTABLISHING MISCELLANEOUS AND
ADMINISTRATIVE PROVISIONS.

VETOED BILLS

Bill No. 68 (EC) – by J. A. Lujan,
As substituted by **Edward J.B. Calvo**
The Committee on Finance, Taxation, Commerce
& Economic Development

Voting File 9/6/07
VETOED, Received 8/27/07
PASSED 8/16/07
3rd Reading File 8/16/07
Reported out 8/14/07

AN ACT TO AUTHORIZE THE ISSUANCE OF VALUABLE CERTIFICATES TO COLA CLAIMANTS AWAITING PAYMENT, BY ADDING A NEW SUBSECTION 6404(d) TO TITLE 5 GUAM CODE ANNOTATED, RELATIVE TO BUDGETING FOR CLAIMS, TO BE KNOWN AS THE “COLA RELIEF ACT”.

Bill No. 68 (EC) – by J. A. Lujan, Edward J.B. Calvo

AN ACT TO AUTHORIZE THE ISSUANCE OF VALUABLE CERTIFICATES TO COLA CLAIMANTS AWAITING PAYMENT, BY ADDING A NEW SUBSECTION 6404(d) TO TITLE 5 GUAM CODE ANNOTATED, RELATIVE TO BUDGETING FOR CLAIMS, TO BE KNOWN AS THE “COLA RELIEF ACT”.

Bill No. 149 (EC) – by v. c. pangelinan,
E. J.B. Calvo

OVERRIDDEN 9/6/07
Voting File 9/6/07
VETOED, Received 8/27/07
PASSED 8/16/07
3rd Reading File 8/16/07
Reported out 8/16/07

AN ACT TO AUTHORIZE TEN MILLION DOLLARS IN PROMISSORY NOTES FROM GTA SALE PROCEEDS TO PAY FOR COLA JUDGMENT AWARD PURSUANT TO SP0206-93 AND PUBLIC LAW 28-151.