

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

January 21, 2010
(Reconvening of January 20, 2010)

- (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: ~~10/28 to 11/13/09 and~~
~~11/20-21/09~~**
- (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. ___-30(LS) to Bill No. ___-30(LS)
 - Resolution No. ___-30(LS) to resolution No. ___-30(LS)
 - Bill No. 315-30(LS)
 - Resolution No. 274-30(LS)
 - ~~Bill No. 286-30(COR) to Bill No. 314-30(COR);~~
 - ~~Resolution No. 252-30(COR) to Resolution No. 271-30(COR);~~
 - ~~Legislative Certificate No. 145(LS); to Legislative Certificate No. ___(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. 108-30 (COR), to re-establish the Guam Community Police Review Commission.~~
 6. 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.
 - ~~7. Veto of Bill No. 209-30(LS), to require all persons *or* public officials that have authority to enter into binding contracts on behalf of the government of Guam *or* any of its departments, agencies, autonomous entities and public corporations to comply with the public official financial disclosure act of the government of Guam; and delegation of procurement authority.~~
 - ~~8. Veto of Bill No. 147-30 (COR), relative to Guam Economic Development Authority loans and lending practices.~~
 - ~~9. Veto of Bill No. 193-30(COR), to place the *Merizo* Pier Park under the administrative jurisdiction of the *Merizo* Mayor's Office.~~
 10. 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.
 11. Veto of Bill No. 233-30(COR), relative to the Rules and Regulations for the School Property of the Department of Education.

(xiv) Legislative Concurrence;

- ~~1. From the Committee on Education on the appointment of Mr. Edison Manaloto to serve as Chairperson of the Council on Post-Secondary Institution Certification with the recommendation to do confirm.~~
- ~~2. From the Committee on Tourism, Cultural Affairs, Youth and Public Broadcasting on the appointment of Ms. Maria Cooper-Nurse to serve as a member of the PBS Guam Board of Trustees with the recommendation to do confirm.~~
- ~~3. From the Committee on Municipal Affairs, Aviation, Housing and Recreation on the appointment of Ms. Rebecca Ann Duenas to serve as a member of the Guam Historic Preservation Review Board with the recommendation to do confirm.~~
- ~~4. From the Committee on Municipal Affairs, Aviation, Housing and Recreation on the appointment of Ms. Darlene R. Moore to serve as a member of the Guam Historic Preservation Review Board with the recommendation to do confirm.~~
- ~~5. From the Committee on Municipal Affairs, Aviation, Housing and Recreation on the appointment Mr. Richard K. Olmo to serve as a member of the Guam Historic Preservation Review Board with the recommendation to do confirm.~~

- ~~6. From Committee on Municipal Affairs, Aviation, Housing and Recreation on the appointment of Mr. Agustin G. Quintanilla to serve as Vice Mayor for the Municipality of Agat with the recommendation to do confirm.~~
- ~~7. From the Committee on Committee on Utilities, Transportation, Public Works, and Veterans Affairs on the appointment of Mr. Michael J. Terlaje to serve as a member of the Guam Transportation Commission with the recommendation to do confirm.~~
- ~~8. From the Committee on Public Safety, Law Enforcement, and Senior Citizen on the appointment of Ms. Michelle H. Taitano to serve as a member of the Guam Parole Board with the recommendation to do confirm.~~
- ~~9. From the Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land on the appointment Mr. Francisco Florig to serve as a member of the Alcoholic Beverage Control Board with the recommendation to do confirm.~~
- ~~10. From the Committee on Rules, Natural Resources, Federal, Foreign, and Micronesian Affairs on the appointment of Ms. Joana M.C. Blas to serve as a member of the Guam Environmental Protection Agency Board of Directors with the recommendation to do confirm.~~
- ~~11. From the Committee on Rules, Natural Resources, Federal, Foreign, and Micronesian Affairs on the appointment Mr. Henry S. Dacanay to serve as a member of the Guam Environmental Protection Agency Board of Directors 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. Bill No. 107-30(LS) | 11. Bill No. 260-30(COR) |
| 2. Bill No. 125-30(COR) | 12. Bill No. 264-30(COR) |
| 3. Bill No. 150-30(COR) | 13. Bill No. 270-30(LS) |
| 4. Bill No. 152-30(COR) | 14. Bill No. 279-30(LS) |
| 5. Resolution No. 160-30(COR) | 15. Bill No. 287-30(COR) |
| 6. Bill No. 182-30(COR) | 16. Bill No. 291-30(COR) |
| 7. Bill No. 189-30(COR) | 17. Bill No. 300-30(COR) |
| 8. Bill No. 243-30(COR) | 18. Bill No. 308-30(LS) |
| 9. Bill No. 255-30(COR) | 19. Bill No. 93-30(COR) |
| 10. Resolution 258-30 (COR) | 20. Bill No. 185-30(COR) |

(xvii) Consideration of the Daily File:

(1) Third Reading File;

1-20-10

1. SBill No. 150-30(COR)

1-21-10

- 2.
- 3.

- 4.
- 5.

and

(2) Voting File;

1-20-10

1. Vetoed Bill No. 209-30(LS)
2. Vetoed Bill No. 193-30(COR)
3. Vetoed Bill No. 108-30 (COR)
4. Vetoed Bill No. 147-30 (COR)
5. On the appointment of Mr. Edison Manaloto to serve as Chairperson of the Council on Post-Secondary Institution Certification;
6. On the appointment of Ms. Maria Cooper-Nurse to serve as a member of the PBS Guam Board of Trustees;.
7. On the appointment of Ms. Rebecca Ann Duenas to serve as a member of the Guam Historic Preservation Review Board with the recommendation to do confirm.
8. On the appointment of Ms. Darlene R. Moore to serve as a member of the Guam Historic Preservation Review Board;
9. On the appointment Mr. Richard K. Olmo to serve as a member of the Guam Historic Preservation Review Board;
10. From On the appointment of Mr. Agustin G. Quintanilla to serve as Vice Mayor for the Municipality of Agat;
11. On the appointment of Mr. Michael J. Terlaje to serve as a member of the Guam Transportation Commission;
12. On the appointment of Ms. Michelle H. Taitano to serve as a member of the Guam Parole Board;
13. On the appointment Mr. Francisco Florig to serve as a member of the Alcoholic Beverage Control Board;
14. From the Committee on Rules, Natural Resources, Federal, Foreign, and Micronesian Affairs on the appointment of Ms. Joana M.C. Blas to serve as a member of the Guam Environmental Protection Agency Board of Directors with the recommendation to do confirm.
15. On the appointment Mr. Henry S. Dacanay to serve as a member of the Guam Environmental Protection Agency Board of Directors;

(xviii) Brief extension of remarks;

(xix) Announcements; *and*

(xx) Adjournment

SECOND READING FILE

SBill No. 93-30 (COR) – by T. R. Muna-Barnes, J. T. Won Pat, A. B. Palacios, Sr.

AN ACT TO AUTHORIZE THE ANTONIO B. WONPAT INTERNATIONAL AIRPORT AUTHORITY, GUAM TO ISSUE DIFFERENTIAL PAY TO EMT-B CERTIFIED FIREFIGHTERS OF THE AIRCRAFT RESCUE AND FIRE FIGHTING UNIT

ABill No. 107-30 (LS) – by v. c. pangelinan

AN ACT TO REPEAL SECTION 4301(g) AND TO REPEAL AND RE-ENACT SECTION 4302-30 (g) CHAPTER 4, ARTICLE 3, TITLE 4 GUAM CODE ANNOTATED RELATIVE TO REMOVING THE CONTINUING CLAUSE PROVISIONS TO HEALTH INSURANCE COMPANIES ON GUAM WHO CONTRACT WITH THE GOVERNMENT OF GUAM AND TO REQUIRE ALL COMPANIES OR OTHER LEGAL ENTITIES PROVIDING HEALTH INSURANCE TO THE GOVERNMENT OF GUAM TO MAKE AVAILABLE ELECTRONICALLY DE-IDENTIFIED DETAILED DEMOGRAPHIC, MEDICAL, DENTAL, VISION AND PHARMACY CLAIMS UTILIZATION AND COST INFORMATION SUBJECT TO MEETING HIPAA REGULATIONS.

SBill No. 125-30 (COR) – by Committee on Tourism Cultural Affairs, Youth and Public Broadcasting at the request of the 27th Guam Youth Congress.

AN ACT TO ADD A NEW §7111 CHAPTER 7, TITLE 2 GCA RELATIVE TO THE CREATION OF, QUALIFICATIONS TO BE NOMINATED FOR, AND THE AWARDED OF A "FUTURE LEADER OF GUAM" AWARD.

Bill No. 150-30 (COR) – by B. J.F. Cruz

3rd Reading File 1/20/10

AN ACT TO AMEND §26603-30 (a),-30 (b), AND-30 (c) OF ARTICLE 6, CHAPTER 26, TITLE 11 RELATIVE TO INCREASING THE TOBACCO TAX.

SBill No. 152-30 (COR) – by v. c. pangelinan, T. R. Muna Barnes, F. F. Blas, J. V. Espaldon

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

AN ACT TO REPEAL AND REENACT SECTION 68975 ARTICLE 11, TITLE 21 GUAM CODE ANNOTATED RELATIVE TO FARMER'S COOPERATIVE ASSOCIATION OF GUAM.

Resolution No. 160-30 (COR) – by F. F. Blas, Jr., T. R. Muña-Barnes, J. T. Won Pat, J. V. Espaldon, v. c. pangelinan

Relative to requesting the United States Congress to acknowledge the sacrifices of the people of Guam and to grant Guam full voting rights in the United States House of Representatives for all matters relating to and affecting Guam and the military buildup on Guam and for hearings to be conducted on Guam on legislation that relate to and affect Guam and the military buildup on Guam.

Bill No. 182-30 (COR) – by E. J. B. Calvo, Ray Tenorio, T. Taitague

AN ACT TO AMEND SECTION 6 OF PUBLIC LAW 21 – 14 ENACTED ON APRIL 20, 1991 IDENTIFIED AS LOT NO. 513, MERIZO TO REFLECT THE NEW DESIGNATED LOT NO. 528-2, MUNICIPALITY OF MERIZO.

SBill No. 185-30 (COR) – by B. J.F. Cruz

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

AN ACT TO ADD A NEW CHAPTER 16, TITLE 19, GUAM CODE ANNOTATED;
RELATIVE TO DOMESTIC PARTNERSHIPS.

Bill No. 189-30 (COR) – by J. V. Espaldon, B. J.F. Cruz, R. J. Respicio

AN ACT TO CREATE THE 12TH FESTIVAL OF PACIFIC ARTS COORDINATING
COMMITTEE.

SBill No. 243-30 (COR) – by J. V. Espaldon, T. C. Ada, A. B. Palacios

As substituted by the Committee on Utilities, Transportation, Public Works, and Veterans Affairs

AN ACT TO AMEND SECTION 9 OF PUBLIC LAW 30-25, RELATIVE TO THE
EFFECTIVE DATE FOR THE IMPLEMENTATION OF THE INTERNATIONAL
BUILDING CODE.

SBill No. 255-30(COR) – by T. C. Ada, T. R. Muña-Barnes, A. B. Palacios, Sr.

As substituted by the Committee on Public Safety, Law
Enforcement, and Senior Citizens

AN ACT TO AMEND §3346 OF CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED,
AND TO ADD A NEW §3346.1 OF CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED,
RELATIVE TO RESTRICTING THE USE OF MOBILE PHONES AND MOBILE
SERVICE DEVICES WHILE OPERATING A VEHICLE AND PROVIDING FOR PUBLIC
EDUCATION REQUIREMENTS REGARDING SUCH RESTRICTIONS.

**Resolution No. 258-30 (COR) – by J. P. Guthertz, DPA, R. J. Respicio, J. T. Won Pat, Ed.D., B.
J.F. Cruz, T. R. Muña Barnes**

Relative to expressing the strong and abiding opposition of *I Liheslaturan Guåhan* and the
People of Guam to any use of eminent domain [condemnation] for the purpose of obtaining
Guam lands for either the currently planned military buildup or other U.S. Federal
Government purposes, or both.

SBill No. 260-30 (COR) – by F. F. Blas, Jr.

As substituted by the Committee on Utilities, Transportation,
Public Works, and Veterans Affairs

AN ACT TO AMEND SECTION 67107 OF CHAPTER 67, OF TITLE 10 OF THE GUAM CODE ANNOTATED RELATIVE TO ALLOWING GREATER PARTICIPATION OF VETERAN SERVICE ORGANIZATIONS IN THE GUAM VETERANS COMMISSION.

Bill No. 264-30 (COR) – by B. J.F Cruz

AN ACT TO AMEND §5007 OF CHAPTER 5 OF TITLE 5 OF THE GUAM CODE ANNOTATED RELATIVE TO THE PROCUREMENT ACTIVITIES OF THE GUAM VISITORS BUREAU.

SBill No. 270-30 (LS) - by Adolpho B. Palacios, Sr.

As substituted by the Committee on Public Safety, Law
Enforcement, and Senior Citizens

AN ACT TO AMEND §3401.1 (f) AND (h), ARTICLE 4, CHAPTER 3, TITLE 16 GUAM CODE ANNOTATED; RELATIVE TO REQUIRING VOLUNTEERS TO DISPLAY THEIR IDENTIFICATION CARD AND TO BE IN PRESCRIBED UNIFORM ATTIRE WHILE ISSUING CITATIONS FOR THE PURPOSE OF IMMEDIATE RECOGNITION OF AUTHORITY.

Bill No. 279-30 (LS) - by F. F. Blas, Jr. , T. R. Muña-Barnes, T. C. Ada

AN ACT TO ADD PARAGRAPH (i) TO §40128 OF CHAPTER 40 OF TITLE 5 OF THE GUAM CODE ANNOTATED RELATIVE TO ACTIONS TAKEN BY THE MUNICIPAL PLANNING COUNCILS.

Bill No. 287-30(COR) – by A. B. Palacios, Sr.

As substituted by the Committee on Public Safety, Law
Enforcement, and Senior Citizens

AN ACT TO CHANGE THE MEMBERSHIP COMPOSITION OF THE PEACE OFFICER STANDARDS AND TRAINING COMMISSION AND TO ESTABLISH MINIMUM QUORUM REQUIREMENT FOR THE COMMISSION MEETINGS, BY AMENDING SECTION 32302 (a) AND ADDING A NEW SECTION 32302.01, TO ARTICLE 3, CHAPTER 32, TITLE 17 GUAM CODE ANNOTATED.

Bill No. 291-30 (COR) – by T. R. Muña Barnes, J. V. Espaldon

AN ACT TO ADD NEW SECTIONS 4201 THRU 4365 TO CHAPTER 4 OF TITLE 3 GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO ESTABLISHING THE RULES AND REGULATIONS OF THE GUAM UNARMED COMBAT.

SBill No. 300-30(COR) – by T. C. Ada, A. B. Palacios, Sr.

As substituted by the Committee on Utilities, Transportation,
Public Works, and Veterans Affairs

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.

Bill No. 308-30 (COR) – by J. T. Won Pat, T. R. Muña Barnes...

AN ACT TO AMEND §12106 OF TITLE 17 OF THE GUAM CODE ANNOTATED
RELATIVE TO AMENDING PETITION SUBMISSION DATES FOR THE
ESTABLISHMENT OF CHARTER SCHOOLS FOR THE SCHOOL YEAR 2010-2011.