

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

March 19, 2010

(Reconvening of March 15, 16, 17, 18, 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: ~~02-22 to 26-10 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. ___-30(LS) to Bill No. ___-30(LS)
 - Resolution No. ___-30(LS) to Resolution No. ___-30(LS)
 - Certificate No. ___-30(LS)
 - ~~Bill No. 346-30(LS) to Bill No. ___-30(LS)~~
 - ~~Resolution No. 309-30(LS) to Resolution No. 310-30(LS)~~
 - ~~Certificate No. 156-30(LS) to Certificate No. 159-30(LS)~~
 - ~~Bill No. 344-30(LS) to Bill No. 345-30(LS)~~
 - ~~Resolution No. 307-30(LS) to Resolution No. 308-30(LS)~~
 - Certificate No. 155-30(LS)
 - ~~Bill No. 335-30(COR) to Bill No. 343-30(COR)~~
 - ~~Resolution No. 294-30(COR) to Resolution No. 306-30(COR)~~

(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.

xiv) Legislative Concurrence;

1. From the Committee on Education on the appointment of Ms. Mary Mafnas to serve as a member of the Guam Academy Charter Schools Council 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. ~~Bill No. 192-30(COR)~~
2. ~~Bill No. 18-30(LS)~~
3. SBill No. 93-30(COR)(POF-1)
4. ~~Bill No. 208-30(LS)~~
5. ~~Bill No. 215-30(LS)(Back to Committee)~~
6. ~~Bill No. 216-30(LS)(Back to Committee)~~
7. ~~Bill No. 217-30(LS)*(Back to Committee)~~
8. ~~Bill No. 221-30(LS)*~~
9. ~~Bill No. 244-30(COR)*~~
10. ~~Bill No. 249-30(COR)*~~
11. ~~SBill No. 263-30(COR)*~~
12. Bill No. 269-30(COR)
13. SBill No. 272-30(LS)
14. ~~Resolution No. 280-30(COR)*~~
15. ~~Bill No. 288-30(COR)~~
16. ~~SBill No. 295-30(COR)*~~
17. ~~Bill No. 298-30(COR)*~~
18. ~~Resolution No. 299-30(COR)*~~
19. ~~SBill No. 307-30(COR)*~~
20. ~~SBill No. 315-30(LS)~~
21. ~~SBill No. 318-30(COR)*~~
22. ~~Bill No. 319-30(COR)*~~
23. ~~Bill No. 325-30(COR)*~~
24. ~~Bill No. 327-30(COR)*~~
~~Bill No. 328-30(COR)~~
25. ~~Bill No. 330-30(COR)*~~
26. ~~SBill No. 332-30(COR)~~
27. ~~Bill No. 328-30(COR)~~

(xvii) Consideration of the Daily File:

Third Reading File;

March 15, 2010

1. Bill No. 192-30(COR)
2. Bill No. 221-30(LS)
3. SBill No. 263-30(COR)
4. SBill No. 307-30(COR)
- ~~Bill No. 328-30(COR)~~

March 16, 2010

5. Bill No. 330-30(COR)
6. SBill No. 332-30(COR)
7. Bill No. 18-30(LS)
8. SResolution No. 299-30(COR)
9. SBill No. 318-30(COR)
10. SBill No. 244-30(COR)
11. Bill No. 288-30(COR)
12. SBill No. 249-30(COR)
13. SBill No. 315-30(LS)
14. Bill No. 298-30(COR)*
15. SBill No. 319-30(COR)

March 17, 2010

16. Bill No. 325-30(COR)*
17. SBill No. 327-30(COR)*
18. Bill No. 208-30(LS)

March 18, 2010

19. Resolution No. 280-30(COR)
20. SBill No. 295-30(COR)
21. Bill No. 328-30(COR)

and

Voting File;

1. On the appointment of Ms. Mary Mafnas to serve as a member of the Guam Academy Charter Schools Council.

(xviii) Brief extension of remarks;

(xix) Announcements; *and*

(xx) Adjournment

SECOND READING FILE

Bill No. 18-30 (LS) – by J. V. Espaldon

3rd Reading File 3/16/10

AN ACT TO *ADD* A NEW ARTICLE 3 TO CHAPTER 9, TITLE 12, GUAM CODE ANNOTATED, CREATING A GUAM VISITORS BUREAU “RAINY DAY FUND”.

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

Bill No. 192-30 (COR) – by B. J.F. Cruz

3rd Reading File 3/15/10

AN ACT TO AMEND 12 GCA §1108, RELATIVE TO THE EMPLOYMENT OF AN ATTORNEY FOR THE GUAM AIRPORT AUTHORITY.

**Bill No. 208-30 (LS) – by A. B. Palacios, Sr., F. B. Aguon, Jr.,
T. Taitague, T. C. Ada**

3rd Reading File 3/17/10

AN ACT RELATIVE TO CLARIFYING THE RESTRICTIONS ESTABLISHED ON THE RECRUITMENT OR COMPENSATION OF GOVERNMENT OF GUAM PERSONNEL ABOVE STEP 10 OF THE COMPENSATION SCHEDULE; THROUGH AMENDING SECTION 6205.2 OF CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED.

**Bill No. 215-30 (LS) - by Ray Tenorio, E. B. Calvo,
A. B. Palacios, Sr.**

Referred back to Committee 3/16/10

AN ACT TO AMEND ITEMS-30 (d) AND-30 (e) OF §10103 OF CHAPTER 10 OF 5GCA RELATIVE TO THE TIMEFRAMES FOR COMPLYING WITH FREEDOM OF INFORMATION ACT REQUESTS.

**Bill No. 216-30 (LS) - by Ray Tenorio, , E. B. Calvo,
A. B. Palacios Sr.**

Referred back to Committee 3/16/10

AN ACT TO ADD A NEW CHAPTER 15 TO 5GCA, A NEW §1127 TO CHAPTER 1 OF 2GCA AND A NEW §2103 TO CHAPTER 2 OF 7GCA RELATIVE TO THE PUBLIC EXAMINATION OF GOVERNMENT OF GUAM CONTRACTS.

**Bill No. 217-30 LS) - by Ray Tenorio, E. B. Calvo,
A. B. Palacios Sr.**

Referred back to Committee 3/16/10

AN ACT TO ADD A §23112 TO CHAPTER 23 OF 5GCA RELATIVE TO THE REQUIRING THE POSTING OF TRAVEL ITINERARIES ON AGENCY’S WEBSITE.

Bill No. 221-30 (LS) – by A. B. Palacios, Sr.

3rd Reading File 3/15/10

AN ACT RELATIVE TO ANNUAL LEAVE FOR JUDGES AND JUSTICES.
AN ACT TO AMEND 4 GCA §4109(a) RELATIVE TO ELIMINATING ANNUAL LEAVE FOR JUDGES AND JUSTICES.

SBill No. 244-30(COR) – by J. V. Espaldon, T. C. Ada,

3rd Reading File 3/16/10

As Substituted by the Committee on **A. B. Palacios, Sr.**
Appropriations, Taxation, Banking, Insurance,
Retirement and Land

AN ACT TO REENACT SECTION 66409(C) OF CHAPTER 66 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO RESTORING THE “DPW BUILDING AND DESIGN FEE ACCOUNT” FOR THE PURPOSE OF FUNDING THE OPERATIONS OF THE DIVISION OF ENGINEERING-CAPITAL IMPROVEMENT PROJECT BUILDING PERMITS AND INSPECTION SECTION OF THE DEPARTMENT OF PUBLIC WORKS; AND MAKING AN APPROPRIATION FOR FY2010.

**SBill No. 249-30(COR) – by T. Taitague, v. c. pangelinan,
F. F. Blas Jr.**

3rd Reading File 3/16/10

AN ACT TO AMEND §52430 OF CHAPTER 22 OF 5GCA RELATIVE TO USE OF GOVERNMENT FUNDS FOR DISSEMINATING PUBLIC INFORMATION.

SBill No. 263-30 (COR) – by J. P. Guthertz, DPA,

3rd Reading File 3/15/10

As substituted by the Committee on **R. J. Respicio, J. T. Won Pat**
Labor, the Public Structure, Public
Libraries & Technology

AN ACT RELATIVE TO ADOPTING THE ASSOCIATION OF GOVERNMENT ACCOUNTANTS’ “CITIZEN-CENTRIC REPORT” INITIATIVE.

Bill No. 269-30 (COR) - by B. J.F. Cruz

AN ACT TO AMEND § 1033 OF CHAPTER 10, TITLE 1, GUAM CODE ANNOTATED; RELATIVE TO INCLUDING THE GUAM KO’KO’ ROAD RACE AS PART OF THE GUAM-MICRONESIAN ISLAND FAIR, AND TO PROVIDE FOR SUPPORT FROM THE GUAM POLICE DEPARTMENT AND GUAM FIRE DEPARTMENT

SBill No. 272-30(LS) – by F. B. Aguon, Jr.

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

AN ACT RELATIVE TO THE DIVISION OF ENVIRONMENTAL HEALTH OF THE DEPARTMENT OF PUBLIC HEALTH & SOCIAL SERVICES; TO AMEND §6229 OF, AND ADD A NEW §6233 - §6233.12 AND §6234 TO, ARTICLE 2, CHAPTER 6 OF TITLE 4 GUAM CODE ANNOTATED; TO AMEND §20121 OF, AND ADD A NEW §20122 AND §20123 TO, CHAPTER 20 OF TITLE 10 GUAM CODE ANNOTATED; AND TO AMEND §7119 OF CHAPTER 7 OF TITLE 22 GUAM CODE ANNOTATED.

Resolution No. 280-30 (COR) – by J. V. Espaldon, T. R.

3rd Reading File 3/18/10

**Muña Barnes, v. c. pangelinan,
J. T. Won Pat, Ed. D.**

Relative to supporting the passage of H.R. 2254 and S.1939, “The Agent Orange Equity Act of 2009”; and requesting the assistance of Guam’s Delegate to Congress in ensuring Guam’s veterans excluded from coverage under the current statute due to their “Blue Water Navy” designation are included in the amendments proffered by legislation before the United States Congress.

Bill No. 288-30 (COR) – by v. c. pangelinan

3rd Reading File 3/16/10

AN ACT TO *AMEND* §8154 OF ARTICLE 1, CHAPTER 8, TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING INVESTMENTS IN FIXED INCOME SECURITIES COVERED IN THE U.S. AGGREGATE BOND INDEX.

AN ACT TO AMEND SECTION 8154 OF ARTICLE 1, CHAPTER 8, TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING INVESTMENTS IN FIXED INCOME SECURITIES COVERED IN THE U.S. AGGREGATE BOND INDEX.

SBill No. 295-30 (COR) – by Ray Tenorio, E. B. Calvo,

3rd Reading File 3/18/10

As substituted by the Committee on **A. B. Palacios, Sr**
Public Safety, Law Enforcement &
Senior Citizens

AN ACT TO AMEND §§37.10, 37.20 AND 37.30 OF, AND TO ADD A NEW §37.40 TO 9GCA, TO ADD AND AMEND THE BURGLARY AND CRIMINAL TRESPASS STATUTES TO INCLUDE AUTOMOBILES AND MOTOR VEHICLES.

AN ACT TO ADD A NEW §43.80 TO CHAPTER 43 OF 9 GCA RELATIVE THEFT RELATED TO THE BREAKING OF WINDOW GLASS TO GAIN ACCESS TO AN AUTOMOBILE.

Bill No. 298-30 (COR) – by T. C. Ada

3rd Reading File 3/16/10

AN ACT TO AMEND §7120.2, OF CHAPTER 7, TITLE 16 OF GUAM CODE ANNOTATED RELATIVE TO VEHICLE REGISTRATION FEES FOR VETERANS RATED AT A 100% PERMANENT AND TOTAL DISABILITY.

SResolution No. 299-30 (COR) – by T. C. Ada

3rd Reading File 3/15/10

As substituted by the Author

Resolution to reaffirm the decree of P.L. 13-87 as it relates to the cargo handling requirements and its impacts on the Port Modernization Program and the resulting economic vitality of the Commercial Port of Guam.

Resolution to express the opinion of the Guam Legislature and the people of Guam as relates to the cargo handling requirements for the military build-up and its impacts on the Port Modernization Program and the resulting economic vitality of the Commercial Port of Guam.

SBill No. 307-30 (COR) – by T. R. Muña Barnes

3rd Reading File 3/15/10

As substituted by the Committee on
Municipal
Affairs, Aviation, Housing and Recreation

AN ACT TO DESIGNATE CERTAIN POSITIONS AT THE GUAM HOUSING AND URBAN RENEWAL AUTHORITY AS “EMERGENCY FIRST RESPONDERS” SOLELY FOR THE PURPOSE OF RESPONDING TO EMERGENCY AT PUBLIC HOUSING UNITS.

SBill No. 315-30 (LS) - by J. V. Espaldon

3rd Reading File 3/16/10

AN ACT TO ADD A NEW SUBITEM (3) TO §26104(c) OF CHAPTER 26, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO EXEMPTING TAXI CABS FROM THE REQUIREMENT FOR A CHILD RESTRAINT SYSTEM, BOOSTER SEAT

SBill No. 318-30 (COR) – by A. B. Palacios, Sr.

3rd Reading File 3/16/10

As substituted by the Committee on Municipal
Affairs, Aviation, Housing and Recreation

AN ACT TO ADD §849.3 TO TITLE 1 GUAM CODE ANNOTATED, RELATIVE TO RENAMING THE MERIZO COMMUNITY CENTER AS THE “JOSE MANALISAY ACFALLE COMMUNITY CENTER.”

AN ACT TO ADD §849.3 TO TITLE 1 GUAM CODE ANNOTATED, RELATIVE TO RENAMING THE MERIZO COMMUNITY CENTER AS THE “JOSE MANALISAY ACFALLE BUILDING.”

SBill No. 319-30 (COR) – by v. c. pangelinan

3rd Reading File 3/16/10

As substituted by the Committee on

AN ACT TO AMEND SECTION 30103 OF CHAPTER 30, 22 GUAM CODE ANNOTATED, TO AMEND SECTION 104203 AND SECTION 104208 AND TO REPEAL SECTION 104210 OF CHAPTER 104, 21 GUAM CODE ANNOTATED RELATIVE TO REAL ESTATE BROKER LICENSING REQUIREMENTS ON GUAM

AN ACT TO AMEND SECTION 30103 OF CHAPTER 30, 22 GUAM CODE ANNOTATED, TO AMEND SECTION 104203 AND SECTION 104208 AND TO REPEAL SECTION 104210 OF CHAPTER 104, 21 GUAM CODE ANNOTATED RELATIVE TO REAL ESTATE BROKER LICENSING REQUIREMENTS AND OTHER PURPOSES.

Bill No. 325-30 (COR) – by v. c. pangelinan

3rd Reading File 3/17/10

AN ACT TO ADD A NEW §28817A AND A NEW SUBARTICLE B TO CHAPTER 28, PART 5, DIVISION 1 OF TITLE 18 OF THE GUAM CODE ANNOTATED AND FOR OTHER PURPOSES.

SBill No. 327-30 (COR) – by v. c. pangelinan

3rd Reading File 3/17/10

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

AN ACT TO AMEND §§ 2301(d), 2301(e), 2301(f), 2301(h) AND 2303(b), AND TO ADD §§ 2303(g) AND 2304 TO ARTICLE 3, CHAPTER 2 OF TITLE 11 GUAM CODE ANNOTATED RELATIVE TO PETROLEUM SALE, ACCOUNTING AND INSPECTION OF PETROLEUM PRODUCTS

AN ACT TO AMEND §§2301(e) AND 2303(b), AND TO ADD A NEW §2303 (g) TO ARTICLE 3, CHAPTER 2 OF TITLE 11 GUAM CODE ANNOTATED RELATIVE TO PETROLEUM SALE, ACCOUNTING AND INSPECTION OF PETROLEUM PRODUCTS.

**Bill No. 328-30(COR) – by Judith T. Won Pat,
Ed.D., Tina Rose Muña-Barnes**

3rd Reading File 3/18/10

2nd Reading File 3/18/10

3rd Reading File 3/15/10

AN ACT TO AMEND SECTION 4110 OF CHAPTER 4 OF TITLE 4 OF THE GUAM CODE ANNOTATED AND TO ADD A NEW SECTION 4110.2 OF THE SAME, RELATIVE TO SABBATICAL LEAVE AT THE UNIVERSITY OF GUAM.

Bill No. 330-30 (COR) – by Adolpho B. Palacios, Sr.

3rd Reading File 3/16/10

AN ACT TO ESTABLISH A CIVILIAN VOLUNTEER POLICE RESERVE PROGRAM WITHIN THE GUAM AIRPORT AUTHORITY AIRPORT POLICE, BY ADDING A NEW SECTION 1112.3 TO CHAPTER 1, TITLE 12 GUAM CODE ANNOTATED.

SBill No. 332-30 (COR) – by B. J.F. Cruz

3rd Reading File 3/16/10

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

AN ACT RELATIVE TO REMOVING CERTAIN EXEMPTIONS TO GUAM'S SOLID WASTE TIPPING AND USER FEES BY AMENDING § 51118 OF CHAPTER 51, TITLE 10, GUAM CODE ANNOTATED.