

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

July 2, 2009

(Reconvening of July 1, 2009
(~~Reconvening of June 29, 30, 2009~~)

- (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 Legislative Journal: ~~6/25/09~~**
- (viii) **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. ____ (LS) to Bill No. ____ (LS)
 - Resolution No. ____ (LS) to Resolution No. ____ (LS)
 - Legislative Certificate Nos. ____ (COR) to ____ (COR)
 - Legislative Certificate Nos. ____ (LS) to ____ (LS)
 - ~~Bill No. 166 (COR)~~
 - ~~Resolution No. 140 (LS) to Resolution No. 145 (LS)~~
 - ~~Bill No. 167 (LS) to Bill No. 168 (LS)~~
 - ~~Resolution No. 146 (LS) to Resolution No. 149 (LS)~~
 - ~~Bill No. 169 (LS) to Bill No. 171 (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. 60(COR), establishing minimum qualifications for management level uniformed positions in the Guam Police Department, by adding new §§ 77110.2, 77110.3 and 77110.4 to Chapter 77 of Title 10,GCA.~~
3. 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.

(xiv) Legislative Concurrence

- ~~1. From the Committee on Tourism, Cultural Affairs, Youth and Public Broadcasting on the appointment of Mr. Patrick T. Bamba to serve as Executive Director of the Guam Council on Arts and Humanities Agency with the recommendation to do confirm.~~
- ~~2. From the Committee on Tourism, Cultural Affairs, Youth and Public Broadcasting on the appointment of Ms. Sheila Baker Shedd to serve as a member of the Guam Council on Arts and Humanities Agency with the recommendation to do confirm.~~
- ~~3. From the Committee on Tourism, Cultural Affairs, Youth and Public Broadcasting on the appointment of Ms. Mary L.G. Tighe to serve as a member of the Guam Council on Arts and Humanities Agency with the recommendation to do confirm.~~
- ~~4. From the Committee on Education on the appointment of Ms. Thelma Z. Hechanova to serve as a member of the Council on Post Secondary Institution Certification with the recommendation to do confirm.~~
- ~~5. From the Committee on Education on the appointment of Mr. Edison P. Manaloto to serve as a member of the Council on Post Secondary Institution Certification with the recommendation to do confirm.~~
- ~~6. From the Committee on Rules, Natural Resources, Federal, Foreign, and Micronesian Affairs on the appointment of Ms. Florida M. Sanchez to serve as a member of the Guam Environmental Protection Agency Board with the recommendation to do confirm.~~
- ~~7. From the Committee on Utilities, Transportation, Public Works, and Veterans Affairs on the appointment of Ms. Rowena Ellen Perez to serve as a member of the Public Utilities Commission with the recommendation to do confirm.~~
- ~~8. From the Committee on Utilities, Transportation, Public Works, and Veterans Affairs on the appointment of Ms. Marian Pizarro to serve as a~~

~~member of the Guam Contractors License Board with the recommendation to do confirm.~~

~~9. From the Committee on Utilities, Transportation, Public Works, and Veterans Affairs on the appointment of Mr. Manuel Q. Cruz to serve as a member of the Guam Regional Transit Authority Commission with the recommendation to do confirm.~~

(xv) **Consent Calendar**

1. ~~Bill No. 88(LS) As Amended~~

(xvi) **Second Reading File**

- | | |
|--------------------------------------|------------------------------------------------------------|
| 1. Bill No. 146(COR) | 11. Bill No. 110 (COR) |
| 2. SBill No. 160(COR) | 12. Bill No. 117(COR) |
| 3. Bill No. 122(COR) | 13. Bill No. 120(COR) |
| 4. Bill No. 16(LS) | 14. Bill No. 121(LS) |
| 5. SBill No. 23(LS) | 15. Bill No. 134(COR) |
| 6. Bill No. 39(COR) | 16. SBill No. 142(COR)(Discussion continues) |
| 7. Resolution No. 62(COR) | 17. Bill No. 154(COR) |
| 8. Bill No. 82(COR) | 18. Bill No. 156(COR) |
| 9. Bill No. 84(COR) | 19. Bill No. 47 (COR)(POF-1)(Back to Committee) |
| 10. SBill No. 90(LS) | 20. Bill No. 82(COR) |
| | 21. Resolution No. 109(COR) |

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

(1) **Third Reading File**

6/29/09

1. ~~Bill No. 146(COR)(Passed)~~
2. ~~SBill No. 160(COR)(Passed)~~
3. ~~Bill No. 122(COR)(Passed)~~
4. Bill No. 16(LS)
5. SBill No. 23(LS)
6. Bill No. 39(COR)
7. ~~Resolution No. 62(COR)(Passed)~~
Bill No. 82(COR)
8. Bill No. 84(COR)
10. SBill No. 90(LS)

6/30/09

10. Bill No. 110 (COR)
11. Bill No. 117(COR)
12. Bill No. 120(COR)
13. Bill No. 121(LS)
14. Bill No. 134(COR)

7/01/09

15. SBill No. 142(COR)
16. Bill No. 154(COR)
17. Bill No. 156(COR)
18. Bill No. 82 (COR)
19. Resolution No. 109(COR)

and

(2) **Voting File**

6/29/09

- a. ~~On the appointment of Mr. Patrick T. Bamba to serve as Executive Director of the Guam Council on Arts and Humanities Agency.~~
- b. ~~On the appointment of Ms. Sheila Baker Shedd to serve as a member of the Guam Council on Arts and Humanities Agency.~~
3. ~~On the appointment of Ms. Mary L.G. Tighe to serve as a member of the Guam Council on Arts and Humanities Agency.~~
4. ~~On the appointment of Ms. Thelma Z. Hechanova to serve as a member of the Council on Post Secondary Institution Certification.~~
5. ~~From the Committee on Education on the appointment of Mr. Edison P. Manaloto to serve as a member of the Council on Post Secondary Institution Certification.~~
6. ~~On the appointment of Ms. Florida M. Sanchez to serve as a member of the Guam Environmental Protection Agency Board.~~
7. ~~On the appointment of Ms. Rowena Ellen Perez to serve as a member of the Public Utilities Commission.~~
8. ~~On the appointment of Ms. Marian Pizarro to serve as a member of the Guam Contractors License Board.~~
9. ~~On the appointment of Mr. Manuel Q. Cruz to serve as a member of the Guam Regional Transit Authority Commission.~~
10. ~~Bill No. 88(LS)~~
11. ~~Vetoed Bill No. 60(COR)~~

(xviii) Brief extension of remarks

(xix) Announcements

(xx) Adjournment

CONSENT CALENDAR

Bill No. 88 (LS) – by Judith T. Won Pat, Ed.D., A. B. Palacios, Sr.,

As Amended by the Committee on
Rules, Natural Resources, Federal,
Foreign & Micronesian Affairs

T. R. Muna Barnes

Passed 6/29/09

Voting File 6/29/09
Consent Calendar 2/29/09

AN ACT TO AMEND SECTION 1 OF PUBLIC LAW 29-84, RELATIVE TO THE DAVID J.T. LIMTIACO PLANT NURSERY BUILDING.

SECOND READING FILE

Bill No. 16 (LS) – by Ray Tenorio

3rd Reading File 6/29/09

AN ACT TO *ADD* A NEW ARTICLE 2 TO CHAPTER 46 OF 9GCA RELATIVE TO MORTGAGE FRAUD.

Bill No. 23 (LS) – by J. V. Espaldon, T. R. Muña Barnes

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

3rd Reading File 6/29/09

AN ACT TO *REPEAL* CHAPTER 41 OF TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO THE GUAM BOXING AND WRESTLING COMMISSION; TO *ADD* A NEW CHAPTER 17 TO TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO “UNARMED COMBAT” AND ESTABLISHING THE GUAM [~~ATHLETIC~~] UNARMED COMBAT COMMISSION; AND, CITING THIS ACT AS THE “GUAM [~~ATHLETIC~~] UNARMED COMBAT COMMISSION ACT OF 2009.”

Bill No. 39 (LS) – by E. J.B. Calvo, T. R. Muna-Barnes, R. J. Respicio

3rd Reading File 6/29/09

AN ACT TO AUTHORIZE *I MAGA LAHEN GUÅHAN* TO SELL THE EASEMENT KNOWN AS THE “GOVERNMENT ALLEY” THAT IS BOUND BY THE U.S. DISTRICT COURT ON THE WESTERN BOUNDARY, SOUTH O'BRIEN DRIVE ON THE SOUTHERN BOUNDARY, AND THE METES AND BOUNDS OF THE WESTERN BOUNDARY OF LOT 239-4-1, ALL IN THE MUNICIPALITY OF *HAGATÑA* WITH A TOTAL AREA OF FIFTY EIGHT AND FIVE HUNDREDTHS PLUS OR MINUS SQUARE METERS (58.5 + SQ. METERS) TO MR. AND MRS. RALPH SABLAN (RALPH AND JANIECE) FOR ITS APPRAISED FAIR MARKET VALUE.

Bill No. 47 (COR) – by B. J.F. Cruz

As Substituted by the Author

Referred back to Committee 6/30/09

Passed on File (POF-1) 6/29/09

AN ACT TO ADD § 46.85 TO CHAPTER 46, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO UPDATING GUAM'S LAWS ON IDENTITY THEFT.

Bill No. 82 (COR) – by Judith T. Won Pat, Ed.D, T. R. Muña Barnes 3rd Reading File 6/29/09

AN ACT TO AMEND §2109 AND §2110 OF TITLE 2, AND §40103.1 AND §40107 OF TITLE 4, ALL OF THE GUAM CODE ANNOTATED, RELATIVE TO THE MAYORS' OFFICES OF GUAM.

Bill No. 84(COR) – by v. c. pangelinan 3rd Reading File 6/29/09

AN ACT TO AUTHORIZE *I MAGA'LAHEN GUÅHAN* TO EXCHANGE EQUAL PORTIONS OF LOT NO. 43, LOT NO. 42, AND LOT NO. 41 FOR THE PORTION OF LOT NO. 532, LOT NO. 533, AND LOT NO. 534 AND TO AUTHORIZE THE PURCHASE OF THE REMAINING PORTIONS OF LOT NO. 532, LOT NO. 533, AND LOT NO. 534 LOCATED IN THE MUNICIPALITY OF MERIZO.

Bill No. 90 (LS) – by Ray Tenorio, E. J.B. Calvo, A. B. Palacios, Sr. 3rd Reading File 6/29/09

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

AN ACT TO AMEND §10.15 OF CHAPTER 10 OF 8GCA RELATIVE TO STATUTE OF LIMITATIONS ON CRIMES AGAINST CHILDREN.

Bill No. 110 (COR) – by Matt Rector 3rd Reading File 6/30/09

AN ACT TO CHANGE THE NAME OF THE GUAM PUBLIC SCHOOL SYSTEM (GPSS), TO THE DEPARTMENT OF EDUCATION (DOE) BY AMENDING §3101 OF 17 GCA CHAPTER 3 AND OTHER RELEVANT LAWS AS NECESSARY FOR CONSISTENCY WITH THE CHANGE OF THIS AGENCY'S NAME.

Bill No. 117 (COR) – by v. c. pangelinan 3rd Reading File 6/30/09

AN ACT TO ESTABLISH PROGRAM PROCUREMENT GUIDELINES AND PROCEDURES RELATIVE TO THE CONTRACTUAL REQUIREMENTS OF THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009.

**Bill No. 120 (COR) – by B. J.F. Cruz, T. C. Ada, R. J. Respicio,
Judith P. Guthertz, DPA** 3rd Reading File 6/30/09

AN ACT TO ADD A NEW § 10312 TO 5 GCA; RELATIVE TO REQUIRING THE GUAM ENERGY OFFICE TO POST GOVERNMENT OF GUAM ELECTRICAL METER INFORMATION ON THE INTERNET.

Bill No. 121 (LS) – by T. C. Ada 3rd Reading File 6/30/09

AN ACT TO AMEND SECTION 10104 (j) OF CHAPTER 10, TITLE 12 GUAM CODE ANNOTATED; TO AMEND SECTIONS 12000, 12001.2 AND 12015 AND ADD SECTION 12001.2 (f) AND 12015 (g) OF CHAPTER 12, TITLE 12 GUAM CODE ANNOTATED RELATIVE TO PLACING THE JOSE D. LEON GUERRERO COMMERCIAL PORT UNDER THE OVERSIGHT OF THE PUBLIC UTILITIES COMMISSION.

Bill No. 122 (COR) – by v. c. pangelinan

PASSED 6/29/09
3rd Reading File 6/29/09

AN ACT TO IMPOSE A TEMPORARY MORATORIUM ON THE ISSUANCE OF COMMERCIAL LEASES FROM THE CHAMORRO LAND TRUST COMMISSION.

Bill No. 134 (COR) – by Matt Rector

3rd Reading File 6/30/09

AN ACT TO PROMOTE A MORE HEALTHY AND INCLUSIVE PARTICIPATORY DEMOCRATIC SOCIETY UPON THE ISLAND OF GUAM BY ALLOWING WORKING FAMILIES MORE OPPORTUNITY TO ATTEND EVENTS COVERED UNDER GUAM'S OPEN GOVERNMENT LAW AND GUAM ELECTION EVENTS AND MORE OPPORTUNITY TO PARTICIPATE IN THE DEMOCRATIC PROCESS THROUGH THE CREATION OF A NEW §3107.1 OF TITLE 22, CHAPTER 3 RELATIVE TO WORKING HOURS REGULATION GUAM CODE ANNOTATED TO BE HEREBY KNOWN AS: THE DEMOCRACY FOR ALL ACT.

Bill No. 142 (COR) – by T. C. Ada

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

3rd Reading File 7/01/09
Discussion continues 6-30-09; 7/01/09

AN ACT TO ADOPT THE PERSONNEL RULES AND REGULATIONS FOR MARITIME-RELATED POSITIONS UNIQUE TO PORT OPERATIONS AND CERTIFIED, TECHNICAL AND PROFESSIONAL POSITIONS AS REQUIRED BY PUBLIC LAW 29-24 AND AS RECEIVED BY THE LEGISLATIVE SECRETARY OF *I MINA' TRENTA NA LIHESLATURAN GUÅHAN* ON MAY 14, 2009, AND TO AUTHORIZE COMPENSATION AND BENEFIT ADJUSTMENTS.

Bill No. 146 (COR) – by Frank B. Aguon, Jr.

PASSED 6/29/09
3rd Reading File 6/29/09

AN ACT RELATIVE TO PROVIDING NECESSARY FUNDING FOR THE BALANCE OF THE FISCAL YEAR TO CRITICAL YOUTH SUPPORT PROGRAMS; TO INCLUDE THE DMHSA YOUTH DRUG AND ALCOHOL PROGRAMS, AND THE PROGRAMS FOR YOUTHS WHO ARE RUNAWAYS, HOMELESS OR VICTIMS OF ABUSE; THROUGH AMENDING EXISTING PROVISIONS OF LAW.

Bill No. 154 (COR) – by J. T. Won Pat, T. R. Muña Barnes

3rd Reading File 7/01/09

AN ACT TO AMEND SUBSECTION (B) OF §4124 OF CHAPTER 4 OF TITLE 17 OF THE GUAM CODE ANNOTATED, RELATIVE TO SERVICE LEARNING AS A REQUIREMENT FOR HIGH SCHOOL GRADUATION.

Bill No. 156 (COR) – by J. T. Won Pat, Ed.D., T. R. Muña-Barnes

3rd Reading File 7/01/09

AN ACT TO AMEND P. L. 29-113 RELATIVE TO THE HIRING AND TRAINING OF LIMITED-TERM PART-TIME SUBSTITUTE TEACHERS IN THE GUAM PUBLIC SCHOOL SYSTEM.

Bill No. 160 (COR) – by v. c. pangelinan

As substituted by the author

PASSED 6/29/09

3rd Reading File 6/29/09

AN ACT TO AMEND §1521.1 (i)(2) OF ARTICLE 5, CHAPTER OF TITLE 5 GCA RELATIVE TO PAYING OUT 2008 AND PRIOR TAX REFUNDS AND TO APPROPRIATE TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000) TO THE DEPARTMENT OF ADMINISTRATION FOR PROCESSING AND MAILING OF COLA AND TAX REFUNDS AND APPROPRIATE ONE HUNDRED EIGHTY THOUSAND DOLLARS (\$180,000) TO THE DEPARTMENT OF REVENUE AND TAXATION FOR THE PROCESSING OF COLA AND TAX REFUNDS.

Resolution No. 62 (COR) – by v. c. pangelinan, T. R Muna-Barnes

ADOPTED 6/29/09

3rd Reading File 6/29/09

Relative to petitioning the United States Congress to amend the Radiation Exposure Compensation Act of 1990, Public Law 101-426, as amended by Public Law 101-510, 3139 (42 U.S.C. 2210) and Public Law 106-245, to include Guam in the jurisdiction (Downwinders).

Resolution No. 109 (COR) – by A. B. Palacios, Sr., R. J. Respicio

3rd Reading File 7/01/09

2nd Reading 7/01/09

Relative To Amending Rule XVII, Section 17.09 And 17.11.01, *I Mina Trenta Na Liheslaturan Guåhan* Standing Rules.