

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

August 20, 2010

(Reconvening of August 16, 17, 18, 19, 2010 Session
(Reconvening of August 9, 10, 11, 12, 13, 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: ~~6/29/10 to 7/2/10~~**
- (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. 451-30(LS)~~
 - Certificate No. 209-30(LS) to Certificate No. 210-30(LS)
 - ~~Bill No. 449-30(LS) to Bill No. 450-30(LS)~~
 - ~~Resolution No. 425-30(LS) to Resolution No. 426-30(LS)~~
 - ~~Bill No. 448-30(LS)~~
 - ~~Resolution No. 422-30(LS) to Resolution No. 423-30(LS)~~
 - ~~Certificate No. 206-30(LS) to Certificate No. 208-30(LS)~~
 - ~~Bill No. 447-30(LS)~~
 - ~~Resolution No. 420-30(LS) to Resolution No. 421-30(LS)~~
 - ~~Bill No. 445-30(LS) to Bill No. 446-30(LS)~~
 - ~~Resolution No. 418-30(LS) to Resolution No. 419-30(LS)~~

- ~~Certificate No. 205-30(LS)~~
- ~~Bill No. 436-30(COR) to Bill No. 444-30(COR)~~
- ~~Resolution No. 415-30(COR) to Resolution No. 417-30(COR)~~
- ~~Certificate No. 202-30(LS) to Certificate No. 204-30(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. 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.
9. Veto of Bill No. 192-30(COR) relative to the employment of an attorney for the Won Pat International Airport Authority, Guam.
10. ~~Veto Bill No. 359-30 (COR) to *add* new subsections (a), (b) and (c) to §76212 of Article 2, Chapter 76 of Title 21, Guam Code Annotated, relative to prohibiting the transfer of all prehistoric and historic properties, antiquities, and objects owned by the people of Guam, or in the inventory of the government of Guam, without legislative concurrence.~~
11. Veto of Bill No. 271-30(COR) “authority to hire attorney”; and to repeal §3104, Chapter 3, Title 5, Guam Code Annotated, relative to establishing provisions for the Attorney General to provide legal services to the Guam Police Department, and relative to the positions of Fire Chief and Chief of Police, and for other purposes

(xiv) Legislative Concurrence;

1. ~~Mr. Wilfred G. Aflague to serve as Director, Department of Mental Health & Substance Abuse with the recommendation to do confirm.~~
2. ~~Mr. Benny Pinault to serve as Director of the Department of Youth Affairs 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. 444-30(COR) | 11. Bill No. 394-30(COR) |
| 2. Bill No. 32-30(COR) | 12. Bill No. 407-30(COR) |
| 3. SBill No. 179-30(COR) | 13. SBill No. 413-30(COR)(Discussion con't.) |
| 4. SBill No. 188-30(COR) | 14. SBill No. 414-30(COR) |
| 5. SBill No. 195-30(COR) | 15. SBill No. 416-30(COR) |
| 6. Bill No. 252-30(COR) | 16. Bill No. 418-30(COR) |
| 7. SBill No. 345-30(LS) | 17. SBill No. 424-30(COR) |
| 8. Bill No. 383-30(LS) | 18. Bill No. 410-30(COR) |
| 9. Bill No. 386-30(COR) | 19. SBill No. 439-30(COR)(Com.of the Whole con't.) |
| 10. Bill No. 388-30(COR) | 20. Bill No. 373-30(COR) |
| | 21. Bill No. 441-30(COR) |

(xvii) Consideration of the Daily File:

Third Reading File;

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| <u>8/9/10</u> | <u>8/13/10</u> |
| 1. Bill No. 444-30(COR) | 14. SBill No. 195-30(COR) |
| 2. Bill No. 32-30(COR) | 15. Bill No. 252-30(COR) |
| 3. SBill No. 345-30(LS) | 16. Bill No. 388-30(COR) |
| <u>8/10/10</u> | 17. SBill No. 416-30(COR) |
| 4. SBill No. 179-30(COR) | 18. Bill No. 386-30(COR) |
| 5. Bill No. 407-30(COR) | <u>8/19/10</u> |
| <u>8/11/10</u> | 19. SBill No. 439-30(COR) |
| 6. SBill No. 188-30(COR) | |
| 7. Bill No. 383-30(LS) | |
| 8. Bill No. 418-30(COR) | |
| <u>8/12/10</u> | |
| 9. SBill No. 413-30(COR) | |
| 10. Bill No. 394-30(COR) | |
| 11. Bill No. 410-30(COR) | |
| 12. SBill No. 414-30(COR) | |
| 13. SBill No. 424-30(COR) | |

and

Voting File;

1. ~~Veto Bill No. 359-30 (COR) to add new subsections (a), (b) and (c) to §76212 of Article 2, Chapter 76 of Title 21, Guam Code Annotated, relative to prohibiting the transfer of all prehistoric and historic properties, antiquities, and objects owned by the people of Guam, or in the inventory of the government of Guam, without legislative concurrence. (Overridden 8/16/10)~~
2. ~~Mr. Wilfred G. Aflague to serve as Director, Department of Mental Health & Substance Abuse. (Confirmed 8/16/10)~~
3. ~~Mr. Benny Pinault to serve as Director of the Department of Youth Affairs with the recommendation to do confirm. (Confirmed 8/13/10)~~

(xviii) Brief extension of remarks;

(xix) Announcements; *and*

(xx) Adjournment

SECOND READING FILE

**Bill No. 32-30 (COR) – by E. J.B. Calvo, T. R. Muña Barnes,
R. J. Respicio**

PASSED 8/16/10
3rd Reading 8/9/10

AN ACT TO REZONE CERTAIN PARCEL IN THE MUNICIPALITY OF MANGILAO FROM SINGLE FAMILY RESIDENTIAL “R-1” TO COMMERCIAL “C”.

Bill No. 179-30 (COR) – by B. J.F. Cruz, R. J. Respicio,
As substituted by the Committee on
Economic Development, Health and Human Services,
and Judiciary, and further substituted by the
Committee on Rules

PASSED 8/13/10
3rd Reading 8/10/10

AN ACT TO *ADD* A NEW §1514 TO ARTICLE 5 OF CHAPTER 1 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO OBTAINING A LIMITED OBLIGATION LOAN TO ACQUIRE, CONSTRUCT AND EQUIP AN EDUCATIONAL CULTURAL FACILITY.

Bill No. 188-30 (COR) – by J. V. Espaldon
As substituted by the Committee on Appropriations,
Taxation, Banking, Insurance, Retirement, and Land

PASSED 8/16/10
3rd Reading 8/11/10

AN ACT TO AMEND §61531 OF CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO EXPANDING THE PROVISIONS OF THE AUTOMOBILE PARKING SPACE PROVISION.

Bill No. 195-30 (COR) – by v. c. pangelinan

PASSED 8/16/10
3rd Reading File 8/13/10

AN ACT TO REPEAL AND REENACT §51821 OF ARTICLE 8, OF CHAPTER 51, TITLE 10 GUAM CODE ANNOTATED RELATIVE TO THE USE OF PROCEEDS OF SALE OF BONDS.

Bill No. 252-30 (COR) – by v. c. pangelinan

PASSED 8/16/10
3rd Reading File 8/13/10

AN ACT TO AMEND SECTION 4301(a), ADD A NEW SECTION 4301.1(d) AND TO ADD A NEW SECTION 4302.1 OF CHAPTER 4, ARTICLE 3, TITLE 4 GUAM CODE ANNOTATED RELATIVE TO CREATING THE GOVERNMENT OF GUAM EMPLOYEE HEALTH BENEFITS TRUST FUND BY THE DIVISION OF ACCOUNTS OF THE DEPARTMENT OF ADMINISTRATION.

Bill No. 345-30(LS) – by Telo Taitague, B.J.F. Cruz, **PASSED 8/16/10**
As substituted by the Committee on **A. B. Palacios, Sr.,** 3rd Reading File 8/9/10
Appropriations, Taxation, Banking, Insurance, **T. C. Ada, R. J. Respicio,**
Retirement, and Land **F. F. Blas, Jr., E. J.B. Calvo**

AN ACT TO ADD A NEW ARTICLE 2 TO CHAPTER 30 OF 5GCA RELATIVE AUTHORIZING THE OFFICE OF THE ATTORNEY GENERAL TO RECOVER COSTS ASSOCIATED WITH PROVIDING STATUTORILY MANDATED LEGAL SERVICES TO AGENCIES AND PROGRAMS THAT ARE NOT SUPPORTED BY THE TAX-BASE OF THE GOVERNMENT OF GUAM.

Bill No. 373-30 (COR) – by F. F. Blas, Jr., V. A. Ada **Bottom of 2nd Reading File 8/10/10**
Discussion continues 8/10/10

AN ACT TO ADD CHAPTER 8A TO TITLE 5 OF THE GUAM CODE ANNOTATED REQUIRING THAT ALL NOTICES PAID FOR BY THE GOVERNMENT OF GUAM SHALL BE ISSUED IN BOTH CHAMORRO AND ENGLISH.

Bill No. 383-30 (LS) – by Rory J. Respicio, J. P. Guthertz, DPA **PASSED 8/16/10**
3rd Reading File 8/13/10

AN ACT TO REPEAL AND REENACT § 8101 OF CHAPTER 8 OF TITLE 2 OF THE GUAM CODE ANNOTATED, RELATIVE TO REGISTRATION AND REGULATION OF LEGISLATIVE LOBBYISTS.

Bill No. 386-30 (COR) – by Frank B. Aguon, Jr. **PASSED 8/16/10**
3rd Reading File 8/13/10

AN ACT RELATIVE TO ESTABLISHING THE AUTONOMY OF THE GUAM MEMORIAL HOSPITAL AUTHORITY BY REPEALING AND RE-ENACTING CHAPTER 80 OF TITLE 10, GUAM CODE ANNOTATED.

Bill No. 388-30 (COR) – by v. c. pangelinan **PASSED 8/16/10**
3rd Reading File 8/13/10

AN ACT TO ADD A NEW SUBSECTION (g) TO §50103.1 CHAPTER 50, ARTICLE 1, 12 GUAM CODE ANNOTATED RELATIVE TO LOCAL SALE OF BONDS.

Bill No. 394-30 (COR) – by F. F. Blas, Jr., V. A. Ada **PASSED 8/16/10**
3rd Reading File 8/13/10

AN ACT TO *AMEND* §15105 AND TO *REPEAL* AND *REENACT* §15107(a)(2) OF CHAPTER 15 OF TITLE 18 OF THE GUAM CODE ANNOTATED RELATIVE TO LIMITED LIABILITY COMPANIES.

Bill No. 407-30 (COR) – by v. c. pangelinan

PASSED 8/16/10
3rd Reading File 8/13/10

AN ACT TO ADD §1127 TO CHAPTER 1, TITLE 2 GCA RELATIVE TO HONORING THOSE KILLED IN ACTION BY DESIGNATION OF A GUAM MEDAL OF HONOR.

Bill No. 410-30 (COR) – by Frank B. Aguon, Jr.

PASSED 8/16/10
3rd Reading File 8/13/10

AN ACT TO RESTORE THE COMMUNITY HEALTH CENTER COUNCIL'S AUTHORIZATION TO ACCESS AND EXPEND FUNDS FROM THE COMMUNITY HEALTH CENTER REVOLVING FUND; BY REPEALING SUBSECTION (g) OF §3811, ART. 8, CH. 3, 10 GCA; AND, TO ENSURE ACCOUNTABILITY BY REQUIRING MONTHLY FINANCIAL REPORTS AND AN ANNUAL AUDIT.

**Bill No. 413-30 (COR) – by J. T. Won Pat, Ed.D,
T. R. Muna-Barnes,
J. V. Espaldon, B. J.F Cruz**

PASSED 8/13/10
3rd Reading File 8/12/10
Discussion continues 8/10/10

AN ACT TO ADD A NEW CHAPTER 58B TO TITLE 5 GUAM CODE ANNOTATED RELATIVE TO THE CONSTRUCTION OF A NEW NORTHERN HIGH SCHOOL.

**Bill No. 414-30 (COR) – by Telo Taitague, R. J. Respicio,
As substituted by the Committee on Rules,
Natural Resources, and Federal, Foreign,
and Micronesian Affairs**

PASSED 8/16/10
3rd Reading File 8/13/10

B. J.F. Cruz

AN ACT TO ADD A NEW §49119 TO CHAPTER 49 OF 10GCA RELATIVE TO CREATING THE ULTRA-LOW SULFUR DIESEL FUEL STANDARD FOR DIESEL FUEL SOLD ON GUAM.

Bill No. 416-30 (COR) – by Frank B. Aguon, Jr.

PASSED 8/16/10
3rd Reading File 8/13/10

AN ACT RELATIVE TO PROVISIONS APPLICABLE TO THE BOARD OF MEDICAL EXAMINERS, AND, THE GUAM BOARD OF ALLIED HEALTH EXAMINERS; BY RESPECTIVELY AMENDING SUBSECTIONS (a) AND (b) OF §12203 OF ARTICLE 2, AND, SUBSECTIONS (a) AND (b) OF §12803 OF ARTICLE 8, OF PART 1, CHAPTER 12, TITLE 10, GUAM CODE ANNOTATED.

Bill No. 418-30 (COR) – by Adolpho B. Palacios, Sr.

PASSED 8/13/10
3rd Reading File 8/10/10

AN ACT TO AMEND §§85.10, 85.14, AND 85.26 OF CHAPTER 85, TITLE 9 GUAM CODE ANNOTATED RELATIVE TO THE COMPOSITION OF MEMBERS TO THE TERRITORIAL PAROLE BOARD.

Bill No. 424-30 (COR) – by B. J.F. Cruz
As substituted on the Floor

PASSED 8/13/10
3rd Reading File 8/12/10

AN ACT TO *REPEAL* AND *RE-ENACT* §3102 AND §3103, TO *REPEAL* §3108, §3111, §3111.1, §3112, §3113, §3114, §3115, §3116, §3117, §3118, §3119, §3120, §3123 *AND* §3124, *AND TO ADD* §3102.1, §3102.2, §3102.3, §3102.3.1, §3102.4, §3102.4.1, §3102.5, §3102.6 *AND* §3103.1, ALL TO CHAPTER 3 OF TITLE 17 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE REORGANIZATION OF THE GUAM EDUCATION POLICY BOARD.

Bill No. 439-30 (COR) – by the Committee on Rules ,
As substituted by the Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land

**by request the Governor
of in Guam, accordance
with the Organic Act of Guam**

3rd Reading File 8/19/10
Committee of the Whole
continues 8/18, 19/10
2nd Reading File 8/17/10

AN ACT MAKING APPROPRIATIONS FOR THE OPERATIONS OF THE EXECUTIVE BRANCH OF THE GOVERNMENT OF GUAM FOR FISCAL YEAR ENDING SEPTEMBER 30, 2011 AND MAKING OTHER APPROPRIATIONS, AND ESTABLISHING MISCELLANEOUS AND ADMINISTRATIVE PROVISIONS.

Bill No. 441-30 (COR) – by R. J. Respicio
As Substituted by the Committee on Rules,
Natural Resources, and Federal, Foreign & Micronesian Affairs

2nd Reading File 8/19/10

AN ACT TO REPEAL AND ADOPT A NEW TITLE 22, GUAM ADMINISTRATIVE RULES AND REGULATIONS, DIVISION III, CHAPTER 15; AND TO AMEND 10 GCA CHAPTER 50 RELATIVE TO THE GUAM ENVIRONMENTAL PROTECTION AGENCY'S PESTICIDE REGULATIONS

Bill No. 444-30 (COR) – by v. c. pangelinan

PASSED 8/9/10
3rd Reading File 8/9/10
2nd Reading File 8/9/10

AN ACT TO ADDRESS THE PAYMENT OF THE PROMISSORY NOTE BETWEEN THE GUAM DEPARTMENT OF EDUCATION AND THE GUAM POWER AUTHORITY IN FISCAL YEAR 2010.