

I MINA 'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2012 (SECOND) Regular Session

December 11, 2012

- (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: 11/20 to 26/12 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. 535-31 -31(COR) to Bill No. 541-31(COR)
 - Resolution No. 627-31(COR) to Resolution No. 638-31(COR)
 - Certificate No. 186 -31(COR) to Certificate No.185-31 (COR)
 - Bill No. ____-31(LS) to Bill No. ____-31(LS)
 - Resolution No. ____-31(LS) to Resolution No. ____-31(LS)
 - Certificate No. ____ -31(LS) to Certificate No.____-31(LS)
- (xiii) Motions;**
 1. Vetoed Bill No. 155-31(COR) - to de-appropriate the sums appropriated and transferred by *I Maga'lahen Guåhan* during Fiscal Years 2004 through 2009 for expenditures related to the Municipal Solid Waste Landfill

Facility and the closure of the *Ordot* Dump, and re-appropriate said sum amount for the payment of emergency income tax refunds for tax year 2009 and prior, and appropriate Five Hundred Thousand Dollars (\$500,000) to the Department of Public Works for the *Umatac* and *Merizo* Cemeteries; and to *amend* §§58b102 and 58b106 of Chapter 56b, Title 5, Guam Code Annotated, relative to pledge of Section 30 Revenues for the expansion of *Okkodo* High School.

2. Vetoed Bill No. 145-31 (COR) - An act making appropriations for the operations of the Executive, Legislative, and Judicial Branches of the government of Guam for Fiscal Year ending September 30, 2012, making other appropriations, and establishing miscellaneous and administrative provisions.
3. Vetoed Bill No. 241-31(COR) - An act to exempt maps of the Chamorro Land Trust lease sites previously approved by the Chamorro Land Trust Commission from the requirements of Article 2, Chapter 62 of the Guam Code Annotated, relative to subdivision and recordation procedures.
4. Vetoed Bill No. 406-31(COR) - An act to *repeal* and *reenact* Section 21 of Chapter XII of Public Law 31-77, relative to providing for assignability of offsets against Business Privilege Taxes for the outstanding debt balance owed for the completion of the Guam Public Market Redevelopment Project, Phase II-Department of Commerce Project No. 320-5-1008-1-AGN, including Change Orders No. 1 and No. 2.
5. Vetoed Bill No. 431-31(COR) – An act to provide for a limited extension of the contract between the Department of Public Health and Social Services (DPHSS) and the GovGuam Association of Retired Persons/*Servicio Para I Manamko* (GGARP/SPIMA) to provide *Senior Center Services for the Comprehensive Management, Operations, and Maintenance of the Senior Center Operations Program* for the Division of Senior Citizens, DPHSS.
6. Vetoed Bill No. 319-31(COR), An act to amend §72105 of Chapter 72, Title 10, Guam Code Annotated, relative to authorizing private ambulance service providers to provide emergency medical services; and to amend §§3202(b), 3301(e), 3334(d) and 3339(d) of Chapter 3, Title 16, Guam Code Annotated, relative to emergency vehicles operating on Guam’s roadways.
7. Vetoed Bill No. 413-31(COR), An act to *repeal and reenact* Chapters 1 through 20, of Title 3, Guam Code Annotated [Elections].
8. Vetoed Bill No. 306-31(LS), An act to *add a new* §90.48 to 9 Guam Code Annotated, Chapter 90, relative to establishing and administering an international prisoner transfer program.

9. Vetoed Bill No. 516-31(COR), An act to *amend* Section 3 of Public Law 31-40, relative to extending The Obligation Deadline Of The ARRA Trust Fund; and to *amend* Section 2(i) and Section 2(iv) of Chapter I; to *add* a new Section 14 to Chapter XI; to *amend* Section 13 of Chapter XII and to *amend* Section 6 of Part III of Chapter III, all of Public Law 31-233.
10. Vetoed Bill No. 513-31(COR), An act to provide health insurance to government of Guam employees and retirees for Fiscal Year 2013.

(xiv) Legislative Concurrence;

1. From the Committee on Health & Human Services, Economic Development, Senior Citizens, and Election Reform on the appointment of Dr. Maria Melinda Sangalang to serve as Member of the Guam Board of Allied Health Examiners, with the recommendation to do confirm.
2. From the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land on the appointment of Mr. Thomas Tanaka, Jr. to serve as Member of the Cockpit License Board, with the recommendation to do confirm.
3. From the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land on the appointment of Mr. Elmore A. Cotton to serve as a Member of the Board of Equalization, with the recommendation to do confirm.
4. From the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land on the appointment of Ms. Cynthia V. Ecube to serve as a Member of the Board of Equalization, with the recommendation to do confirm
5. From the Committee on Education and Public Libraries on the appointment of Ms. Jillette Leon Guerrero, to serve as a Member of the University of Guam Board of Regents, with the recommendation to do confirm.

(xv) Consent Calendar;

(xvi) Second Reading File;

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| 1. Res. No. 198-31(COR) | 22. ABill No. 237 -31(COR) |
| 2. Bill No. 322-31(COR) | 23. Bill No. 417-31(COR) |
| 3. Bill No. 352-31(COR) | 24. Bill No. 442-31(COR) |
| 4. Bill No. 353-31(COR) | 25. Bill No. 494-31(COR) |
| 5. Bill No. 354-31(COR) | 26. Bill No. 502-31(COR) |
| 6. Bill No. 355-31(COR) | 27. ABill No. 503-31(COR) |
| 7. Bill No. 356-31(COR) | 28. Bill No. 505-31(COR) |
| 8. Bill No. 357-31(COR) | 29. Bill No. 510-31(COR) |
| 9. Bill No. 358-31(COR) | 30. Bill No. 519 -31(COR) |
| 10. Bill No. 359-31(COR) | 31. Bill No. 528 -31(COR) |
| 11. SBill No. 473-31(COR) | 32. Bill No. 535-31(COR) |
| 12. ABill No. 507-31(LS) | |
| 13. SBill No. 511-31(COR) | |
| 14. Bill No. 514 -31(COR) | |
| 15. SBill No. 524-31(COR) | |
| 16. ABill No. 529-31(COR) | |
| 17. SBill No. 532 -31(COR) | |
| 18. ABill No. 534 -31(LS) | |
| 19. SBill No. 538-31(COR) | |
| 20. Bill No. 540-31(COR) | |
| 21. <u>Bill No. 541-31(COR)</u> | |

(xvii) Consideration of the Daily File:

Third Reading File

- 1.
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and

Voting File;

(xviii) Brief extension of remarks;

(xix) Announcements; *and*

(xx) Adjournment

SECOND READING FILE

Resolution No. 198-31 (COR) – by F. F. Blas, Jr., M. Silva-Taijeron

Relative to requesting the Commander, U.S. Naval Base, Guam to change the name of “U.S. Naval Station, Guam” to reflect the cultural history of Guam by renaming it as the “Sumay U.S. Naval Base, Guam.”

Bill No. 237-31 (COR) – by V. Anthony Ada

As amended

AN ACT ADD A NEW §70.45 TO CHAPTER 70 OF 9GCA RELATIVE TO BLACKLISTING.

Bill No. 322-31 (COR) – V. A. Ada, C. M. Duenas, R. J. Respicio

AN ACT TO AMEND §§1103.1 AND 1103.3 OF CHAPTER 1 OF 4GCA RELATIVE TO EXEMPTING CERTAIN GOVERNMENT VEHICLES FROM LOGO REQUIREMENTS.

Bill No. 352-31 (COR) - by F. F. Blas, Jr.

AN ACT TO REZONE LOT NO. 10060REM-4-1-1, IN THE MUNICIPALITY OF DEDEDO FROM SINGLE FAMILY/MULTI FAMILY DWELLING (“R1/R2”) TO COMMERCIAL (“C”) ZONE.

Bill No. 353-31 (COR) - by F. F. Blas, Jr.

AN ACT TO REZONE LOT NO. 10060 REM 3-R3 IN THE MUNICIPALITY OF DEDEDO FROM SINGLE FAMILY/MULTI FAMILY DWELLING (“R1/R2”) TO COMMERCIAL (“C”) ZONE.

Bill No. 354-31 (COR) - by F. F. Blas, Jr.

AN ACT TO REZONE LOT NO. 10060-REM-3-1 IN THE MUNICIPALITY OF DEDEDO FROM SINGLE FAMILY/MULTI FAMILY DWELLING (“R1/R2”) TO COMMERCIAL (“C”) ZONE.

Bill No. 355-31 (COR) - by F. F. Blas, Jr.

AN ACT TO REZONE LOT NO. 10060 REM 3-2, IN THE MUNICIPALITY OF DEDEDO FROM SINGLE FAMILY/MULTI FAMILY DWELLING (“R1/R2”) TO COMMERCIAL (“C”) ZONE.

Bill No. 356-31 (COR) - by F. F. Blas, Jr.

AN ACT TO REZONE LOT NO. 10060 REM 3-3, IN THE MUNICIPALITY OF DEDEDO FROM SINGLE FAMILY/MULTI FAMILY DWELLING ("R1/R2") TO COMMERCIAL ("C") ZONE.

Bill No. 357-31 (COR) - by F. F. Blas, Jr.

AN ACT TO REZONE LOT NO. 10060-REM-2-2NEW, IN THE MUNICIPALITY OF DEDEDO FROM SINGLE FAMILY/MULTI FAMILY DWELLING ("R1/R2") TO COMMERCIAL ("C") ZONE.

Bill No. 358-31 (COR) - by F. F. Blas, Jr.

AN ACT TO REZONE LOT NO. 10060 REM2-1-R2, IN THE MUNICIPALITY OF DEDEDO FROM SINGLE FAMILY/MULTI FAMILY DWELLING ("R1/R2") TO COMMERCIAL ("C") ZONE.

Bill No. 359-31 (COR) - by F. F. Blas, Jr.

AN ACT TO REZONE LOT NO. 10060 REM-2-2-1-R1, IN THE MUNICIPALITY OF DEDEDO FROM SINGLE FAMILY/MULTI FAMILY DWELLING ("R1/R2") TO COMMERCIAL ("C") ZONE.

Bill No. 417-31 (COR) by Adolpho B. Palacios, Sr. Aline A. Yamashita, Ph.D.

AN ACT TO ADD A NEW SUBSECTION (m) TO §41103 OF ARTICLE 1, CHAPTER 41 OF TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING A CERTIFICATION PROGRAM FOR GOVERNMENT OF GUAM EMPLOYEES IN THE PROVISION OF SERVICES TO INDIVIDUALS WITH DISABILITIES.

**Bill No. 442-31 (COR) – by F. F. Blas, Jr., M. Silva Taijeron,
S. A. Mabini, V. A. Ada,
A. A. Yamashita, C. M. Duenas**

AN ACT TO DEVELOP AN ECONOMIC INCENTIVE PROGRAM BY ESTABLISHING THE TALOFOFO RIVERWALK PROJECT TO SPUR ECONOMIC DEVELOPMENT AND ENHANCEMENT PROGRAMS IN SOUTHERN GUAM.

Bill No. 473-31(COR) – by T. C. Ada

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

AN ACT TO AMEND §6105(b)(2) AND §6202(a)(1) OF ARTICLE 2, CHAPTER 6, OF TITLE 12 GUAM CODE ANNOTATED, RELATIVE TO THE MINIMUM QUALIFICATIONS OF THE GUAM REGIONAL TRANSIT AUTHORITY EXECUTIVE

MANAGER POSITION AND MODIFICATIONS TO ESTABLISHED ROUTES,
SCHEDULES, FARES AND POLICIES

Bill No. 494-31 (COR) – by Aline A. Yamashita, PhD, M. Silva Taijeron, Sam Mabini, PhD

AN ACT TO AMEND SUBSECTION 3132, CHAPTER 3, TITLE 5, GUAM CODE ANNOTATED RELATIVE TO ADDING VETERANS TO THE BETTER CUSTOMER SERVICE POLICY.

Bill No. 502-31 (COR) – by R. J. Respicio, T. C. Ada, A.B. Palacios, J. P. Guthertz

AN ACT TO APPROPRIATE FIVE HUNDRED THOUSAND DOLLARS (\$500,000) FROM THE TOURIST ATTRACTION FUND FOR THE OPERATIONS OF THE TUMON PRECINCT AND TO FUND NEW POLICE POSITIONS.

Bill No. 503-31 (COR) – by Adolpho B. Palacios, Sr.

As amended by the Committee on Public Safety,
Law Enforcement and Judiciary

AN ACT TO *ADD A NEW* §34105.2 TO CHAPTER 34 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE TERMINATION OF CHILD SUPPORT.

Bill No. 505-31 (COR) – by Dennis G. Rodriguez, Jr.

AN ACT TO ESTABLISH THE ADMINISTRATIVE RULES AND REGULATIONS GOVERNING THE GUAM PRESCRIPTION DRUG MONITORING PROGRAM OF THE DEPARTMENT OF PUBLIC HEALTH & SOCIAL SERVICES, UNDER A NEW ARTICLE 18 OF CHAPTER 4, DIVISION 1, TITLE 26, GUAM ADMINISTRATIVE RULES AND REGULATIONS, AND IN CONFORMANCE WITH §67.301(a) OF ARTICLE 3 [REGULATION OF MANUFACTURE, DISTRIBUTION AND DISPENSING OF CONTROLLED SUBSTANCES], CHAPTER 67, TITLE 9, GUAM CODE ANNOTATED.

Bill No. 507-31(LS) – by Committee on Rules, Federal,

As amended

**Foreign & Micronesian Affairs and
Human & Natural Resources,
at the request of the Governor**

AN ACT TO AMEND §4107, §4107.1, §4109, §4109.2 AND §4119 OF CHAPTER 4 OF TITLE 4 GCA, TO REPEAL §4109.1, §4109.5, §4110.1, AND §4111 OF CHAPTER 4 OF TITLE 4 GCA, TO AMEND §6219 OF CHAPTER 6 OF TITLE 4 GCA, TO REPEAL §6223 AND §6232 OF CHAPTER 6 OF TITLE 4 GCA, TO AMEND §8137(b) OF CHAPTER 8 OF TITLE 4 GCA AND TO ADD A NEW SECTION §8174 TO ARTICLE 1, CHAPTER 8 OF TITLE 4 GCA.

Bill No. 510-31 (COR) – by Judith P. Guthertz, DPA

AN ACT TO ADD A NEW SECTION 8 TO CHAPTER VIII OF PUBLIC LAW 31-233 RELATIVE TO THE CONTINUING APPROPRIATIONS FOR THE MAYORS' COUNCIL OF GUAM.

Bill No. 511-31 (COR) – by Aline A. Yamashita, PhD

As substituted

AN ACT TO AMEND SECTION 2950, REPEAL AND REENACT SECTION 2951, AMEND SECTIONS 2952 THROUGH 2954, ADD A NEW SECTION 2954(A), AND AMEND SECTIONS 2955 THROUGH 2960 ALL OF CHAPTER 2, ARTICLE 10, TITLE 10 GUAM CODE ANNOTATED, RELATIVE TO UPDATING THE ADULT PROTECTIVE SERVICES' MANDATES.

Bill No. 514-31 (COR) – by V. C. Pangelinan, J. T. Won Pat, Ed.D., B. J.F. Cruz, T. R. Muña Barnes

AN ACT TO AMEND SECTION 1512.3(a)(2)(B) OF ARTICLE 5, CHAPTER 1, TITLE 5 OF THE GUAM CODE ANNOTATED RELATIVE TO PRIORITIZING THE PAYMENT OF INCOME TAX REFUND WITH THE REMAINING \$18 MILLION OF SERIES B BOND PROCEEDS.

Bill No. 519-31(COR) – by T. R. Muña Barnes

AN ACT AUTHORIZING THE GUAM VISITORS BUREAU TO RECRUIT THE NECESSARY PERSONNEL TO SUPPORT THE MISSION OF ITS RESEARCH DEPARTMENT; AND TO AUTHORIZE AN APPROPRIATION FOR THE PURPOSE OF SUCH RECRUITMENT.

Bill No. 524-31 (COR) - by J. T. Won Pat, Ed.D.

As substituted by the Author.

AN ACT TO AMEND SUBSECTIONS (a) AND (b) OF §1512.3; TO ADD SUBPARAGRAPH (3) TO §1512.3(j) TO TITLE 5, GUAM CODE ANNOTATED REGARDING THE ISSUANCE OF BONDS AND OTHER OBLIGATIONS OF THE GOVERNMENT OF GUAM FOR THE SOLE PURPOSE OF REFUNDING PRIOR BONDS AND OTHER OBLIGATIONS TO ACHIEVE DEBT SERVICE SAVINGS.

Bill No. 528-31 (COR) – by J. T. Won Pat, Ed.D.,

**T. R. Muña Barnes, A. B. Palacios, Sr.,
J. P. Guthertz, DPA,**

AN ACT TO ADD A NEW CHAPTER 58C TO TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE LEASE OF SCHOOL BUSES FOR GUAM'S SCHOOL CHILDREN ALSO KNOWN AS THE YELLOW SCHOOL BUS PROCUREMENT ACT OF 2012.

Bill No. 529-31 (COR) – by Adolpho B. Palacios, Sr.

As Amended by the Committee on Public Safety,
Law Enforcement and Judiciary

AN ACT TO *AMEND* §66104.2 OF CHAPTER 66, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE EMPLOYMENT OF CIVILIAN VOLUNTEER POLICE RESERVE OFFICERS.

Bill No. 532-31 (COR) – by Judith P. Guthertz, DPA

As substituted

AN ACT TO ADD SUB SECTIONS 17201.1., 17212, 17212.1, 17212.2, 17213, 17214, 17214.1, 17214.2, 17214.3 AND 17215; AND AMEND SUB SECTIONS 17203 AND 17204 OF ARTICLE 2 OF CHAPTER 17, TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO THE PRESENTATION OF INITIATIVE MEASURES. THIS ACT SHALL BE KNOWN AS THE INITIATIVE REFORM AND TRANSPARENCY ACT OF 2012.

Bill No. 534-31 (LS) – by R. J. Respicio, T. C. Ada, B. J. Cruz

As amended

AN ACT TO REZONE PROPERTY SITUATED IN THE MUNICIPALITY OF DEDEDO, SPECIFICALLY LOT 10063 REM. (PORTION 1 AND PORTION 3), TOGETHER CONTAINING AN AREA OF APPROXIMATELY 10,864± SQUARE METERS, BORDERED BY HARMON LOOP ROAD.

Bill No. 535 - 31 (COR) – by v. c. pangelinan, J. P. Guthertz, DPA, J. T. Won Pat,

AN ACT TO REPEAL AND RE-ENACT SECTION 18 OF PUBLIC LAW 31-229 TO AUTHORIZE THE UNIVERSITY OF GUAM TO PLEDGE CERTAIN REVENUES AND ENTER INTO INSTALLMENT PURCHASE AND SALE AGREEMENTS FOR THE PURPOSE OF REFINANCING THE JESUS AND EUGENIA LEON GUERRERO SCHOOL OF BUSINESS AND PUBLIC ADMINISTRATION BUILDING.

Bill No. 538-31 (COR) – by T. R. Muña Barnes

As substituted

AN ACT TO APPROVE THE TERMS AND CONDITIONS OF GUAM ECONOMIC DEVELOPMENT AUTHORITY PROJECT REVENUE BONDS TO FINANCE THE IRONWOOD LADA SENIOR VILLAGE AFFORDABLE MULTIFAMILY RENTAL HOUSING DEVELOPMENT; TO AMEND PUBLIC LAW 30-172 RELATIVE TO THE LADA ESTATES PROJECT ENSURING DEVELOPMENT OF PROJECT FOR AFFORDABLE HOUSING FOR THE PEOPLE OF GUAM; AND TO AMEND PUBLIC LAW 31-195 RELATIVE TO AFFORDABLE HOMES.

Bill No. 540-31 (COR) – by D. G. Rodriguez, Jr.

AN ACT TO ADD THE PROPOSED FEE SCHEDULE FOR THE SYSTEMS OF CARE CHILDREN'S SERVICES TO ANY EXISTING DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE FEE SCHEDULE THAT HAS BEEN ESTABLISHED, ATTACHED AS EXHIBIT A.

Bill No. 541 -31 (COR) – by R. J. Respicio, T. C. Ada, B. j.F. Cruz

AN ACT TO REZONE PROPERTY SITUATED IN THE MUNICIPALITY OF DEDEDO, SPECIFICALLY LOT 10063 REM. (PORTION 1), CONTAINING AN AREA OF APPROXIMATELY 5,432 ± SQUARE METERS, BORDERED BY HARMON LOOP ROAD.