

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

February 23, 2011

(Reconvening of February ~~21~~, 22, 2011 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: ~~January 3, 2011~~**
- (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. ___-31(LS) to Bill No. ___-31(LS)
 - Resolution No. -31(LS) to Resolution No. ___-31(LS)
 - Certificate No. __-31(COR) to Certificate __-31(COR)
 - Resolution No. 30-31(LS) to Resolution No. 33-31(LS)
 - ~~Bill No. 82-31(LS) to Bill No. 85-31(LS)~~
 - ~~Resolution No. 28-31(LS) to Resolution No. 29-31(LS)~~
 - ~~Bill No. 12-31(COR) to Bill No. 81-31(COR)~~
 - ~~Resolution No. 2-31(COR) to Resolution No. 27-31(COR)~~
 - ~~Certificate No. 1-31(COR) to Certificate 3-31(COR)~~
- (xiii) Motions;**

(xiv) **Legislative Concurrence:**

- ~~1. From the Committee on Municipal Affairs, Tourism, Housing & Recreation on the appointment of Mr. Mark Baldyga to serve as a member of the Guam Visitors Bureau Board of Directors with the recommendation to confirm.~~
- ~~2. From the Committee on Education and Public Libraries on the appointment of Ms. May A. Camacho to serve as a member of the Guam Education Board with the recommendation to confirm.~~
- ~~3. From the Committee on Education and Public Libraries on the appointment of Mr. Barry L. Mead to serve as a member of the Guam Education Board with the recommendation to confirm.~~
- ~~4. From the Committee on Education and Public Libraries on the appointment of Mr. Paul A. Pineda to serve as a member of the Guam Education Board with the recommendation to confirm.~~
- ~~5. From the Committee on Education and Public Libraries on the appointment of Mr. Francis E. Santos to serve as a member of the Guam Education Board with the recommendation to confirm.~~
- ~~6. From the Committee on Municipal Affairs, Tourism, Housing & Recreation on the appointment of Ms. Rosie Ann Blas to serve as a member of the Guam Housing & Urban Renewal Authority Board of Directors with the recommendation to confirm.~~
- ~~7. From the Committee on Municipal Affairs, Tourism, Housing & Recreation on the appointment of Mr. Juno Eun to serve as a member of the Guam Housing Corporation Board of Directors with the recommendation to confirm.~~
- ~~8. From the Committee on Municipal Affairs, Tourism, Housing & Recreation on the appointment of Mr. David J. Sablan to serve as a member of the Guam Housing & Urban Renewal Authority Board of Directors with the recommendation to confirm.~~
- ~~9. From the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land on the appointment of Ms. Benita Atalig Manglona to serve as Director, Bureau of Budget & Management Research, with the recommendation to confirm.~~
- ~~10. From the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land on the appointment of Ms. Anisia Terlaje to serve as Director, Department of Land Management with the recommendation to confirm.~~
- ~~11. From the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land on the appointment of Mr. John Camacho to serve as Director, Department of Revenue and Taxation with the recommendation to confirm.~~
- ~~12. From the Committee on Public Safety, Law Enforcement, and Judiciary on the appointment of Mr. Jose Aefalle San Agustin to serve as Director, Department of Corrections with the recommendation to confirm.~~
- ~~13. From the Committee on Public Safety, Law Enforcement, and Judiciary on the appointment of Captain Fred Bordallo to serve as Chief, Guam Police Department with the recommendation to confirm.~~
- ~~14. From the Committee on Utilities, Transportation, Public Works, and Veterans Affairs on the appointment of Mr. Francisco G. Santos to serve as a member of the Won Pat International Airport Authority Board of Directors with the recommendation to confirm.~~

- ~~15. From the Committee on Utilities, Transportation, Public Works, and Veterans Affairs on the appointment of Ms. Rosalinda A. Tolan to serve as a member of the Won Pat International Airport Authority Board of Directors with the recommendation to confirm.~~
- ~~16. From the Committee on Utilities, Transportation, Public Works, and Veterans Affairs on the appointment of Mr. Chun Yu Tai to serve as a member of the Won Pat International Airport Authority Board of Directors with the recommendation to confirm.~~
- ~~17. From the Committee on Utilities, Transportation, Public Works, and Veterans Affairs on the appointment of Mr. Michael Ysrael to serve as a member of the Won Pat International Airport Authority Board of Directors with the recommendation to confirm.~~
- ~~18. From the Committee on Utilities, Transportation, Public Works, and Veterans Affairs on the appointment of Mr. Eduardo R. Ilaio to serve as a member of the Port Authority of Guam Board of Directors with the recommendation to confirm.~~
- ~~19. From the Committee on Utilities, Transportation, Public Works, and Veterans Affairs on the appointment Ms. Joanne Marie Brown to serve as Director, Department of Public Works with the recommendation to confirm.~~
- ~~20. From the Committee on Utilities, Transportation, Public Works, and Veterans Affairs on the appointment of Mr. Daniel J. Tydingco to serve as a member of the Port Authority of Guam Board of Directors with the recommendation to confirm.~~
- ~~21. From the Committee on Utilities, Transportation, Public Works, and Veterans Affairs on the appointment of Mr. Michael T. Benito to serve as a member of the Port Authority of Guam Board of Directors with the recommendation to confirm.~~
- ~~22. From the Committee on Health and Human Services, Senior Citizens, Economic Development, and Election Reform on the appointment of Ms. Arlene P. Bordallo to serve as a member of the Guam Economic Development Authority Board of Directors with the recommendation to confirm.~~
- ~~23. From the Committee on Health and Human Services, Senior Citizens, Economic Development, and Election Reform on the appointment of Mr. David J. John to serve as a member of the Guam Economic Development Authority Board of Directors with the recommendation to confirm.~~
- ~~24. From the Committee on Health and Human Services, Senior Citizens, Economic Development, and Election Reform on the appointment of Ms. Ramona L.E. Jones to serve as a member of the Guam Economic Development Authority Board of Directors with the recommendation to confirm.~~
- ~~25. From the Committee on Health and Human Services, Senior Citizens, Economic Development, and Election Reform on the appointment of Mr. George Chiu to serve as a member of the Guam Economic Development Authority Board of Directors with the recommendation to confirm.~~
- ~~26. From the Committee on Guam Military Buildup and Homeland Security on the appointment of Mr. Benny A. Paulino to serve as the Adjutant General of the Guam National Guard with the recommendation to confirm.~~
- ~~27. From the Committee on Rules, Federal, Foreign, & Micronesian Affairs, and Human & Natural Resources on the appointment Ms. Leah Beth Naholowaa to serve as Director, Department of Labor with the recommendation to confirm.~~
- ~~28. From the Committee on Rules, Federal, Foreign, & Micronesian Affairs, and Human & Natural Resources on the appointment of Ms. Mariquita Flores Taitague to serve as Director, Department of Agriculture with the recommendation to confirm.~~

~~29. From the Committee on Health and Human Services, Senior Citizens, Economic Development, and Election Reform on the appointment of Mr. Edward J. Calvo to serve as a member of the Guam Economic Development Authority Board of Directors with the recommendation to confirm.~~

~~30. From the Committee on Education and Public Libraries on the appointment of Ms. Anita B. Enriquez to serve as a member of the Guam Education Board with the recommendation to 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. 48-31(COR)(Discussion to be con't) | 7. S Bill No. 44-31(COR) |
| 2. Bill No. 16-31(COR) | 8. SBill No. 55-31(COR) |
| 3. Bill No. 33-31(COR) | 9. Bill No. 58-31(COR) |
| 4. S Bill No. 36-31(COR) | 10. Bill No. 9-31(LS) |
| 5. A Bill No. 40-31(COR) | 11. Bill No. 37-31(COR) |
| 6. Bill No. 41-31(COR) | 12. Bill No. 47-31(COR) |

(xvii) Consideration of the Daily File:

Third Reading File;

2/21/11

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|-------------------------------------|-----|
| 1. Bill No. 16-31(COR) | 9. |
| 2. Bill No. 33-31(COR) | 10. |
| 3. SBill No. 36-31(COR) | 11. |
| 4. Bill No. 41-31(COR) | 12. |
| 5. A Bill No. 40-31(COR) | |

2/23/11

- 2/22/11
6. Bill No. 58-31(COR)
 7. Bill No. 9-31(LS)
 8. SBill No. 44-31(COR)

and

Voting File;

2/21/11

- ~~1. On the appointment of Mr. Mark Baldyga to serve as a member of the Guam Visitors Bureau Board of Directors;~~
- ~~2. On the appointment of Ms. May A. Camacho to serve as a member of the Guam Education;~~
- ~~3. On the appointment of Mr. Barry L. Mead to serve as a member of the Guam Education Board;~~

- ~~4. On the appointment of Mr. Paul A. Pineda to serve as a member of the Guam Education Board;~~
- ~~5. On the appointment of Mr. Francis E. Santos to serve as a member of the Guam Education Board;~~
- ~~6. On the appointment of Mr. Juno Eun to serve as a member of the Guam Housing Corporation Board of Director;~~
7. On the appointment of Ms. Benita Atalig Manglona to serve as Director, Bureau of Budget & Management Research;
- ~~8. On the appointment of Ms. Anisia Terlaje to serve as Director, Department of Land Management;~~
- ~~9. On the appointment of Mr. John Camacho to serve as Director, Department of Revenue and Taxation;~~
- ~~10. On the appointment of Mr. Jose Aefalle San Agustin to serve as Director, Department of Corrections;~~
- ~~11. On the appointment of Captain Fred Bordallo to serve as Chief, Guam Police Department;~~
- ~~12. On the appointment of Mr. Francisco G. Santos to serve as a member of the Won Pat International Airport Authority Board of Directors;~~
- ~~13. On the appointment of Ms. Rosalinda A. Tolan to serve as a member of the Won Pat International Airport Authority Board of Directors;~~
- ~~14. On the appointment of Mr. Chun Yu Tai to serve as a member of the Won Pat International Airport Authority Board of Directors;~~
- ~~15. On the appointment of Mr. Michael Ysrael to serve as a member of the Won Pat International Airport Authority Board of Directors;~~
- ~~16. On the appointment of Mr. Eduardo R. Hao to serve as a member of the Port Authority of Guam Board of Directors;~~
- ~~17. On the appointment Ms. Joanne Marie Brown to serve as Director, Department of Public Works;~~
- ~~18. On the appointment of Mr. Daniel J. Tydingco to serve as a member of the Port Authority of Guam Board of Directors;~~
- ~~19. On the appointment of Mr. Michael T. Benito to serve as a member of the Port Authority of Guam Board of Directors;~~
- ~~20. From the Committee on Guam Military Buildup and Homeland Security on the appointment of Mr. Benny A. Paulino to serve as the Adjutant General of the Guam National Guard;~~
- ~~21. On the appointment Ms. Leah Beth Naholowaa to serve as Director, Department of Labor;~~
- ~~22. On the appointment of Ms. Anita B. Enriquez to serve as a member of the Guam Education Board.~~
23. On the appointment of Ms. Rosie Ann Blas to serve as a member of the Guam Housing & Urban Renewal Authority Board of Directors;
24. On the appointment of Mr. David J. Sablan to serve as a member of the Guam Housing & Urban Renewal Authority Board of Directors;
25. On the appointment of Ms. Arlene P. Bordallo to serve as a member of the Guam Economic Development Authority Board of Directors;
26. On the appointment of Mr. David J. John to serve as a member of the Guam Economic Development Authority Board of Directors;
27. From the Committee on Health and Human Services, Senior Citizens, Economic Development, and Election Reform on the appointment of Ms. Ramona L.E. Jones to

serve as a member of the Guam Economic Development Authority Board of Directors with the recommendation to confirm.

28. On the appointment of Mr. George Chiu to serve as a member of the Guam Economic Development Authority Board of Directors;
29. On the appointment of Ms. Mariquita Flores Taitague to serve as Director, Department of Agriculture;
30. On the appointment of Mr. Edward J. Calvo to serve as a member of the Guam Economic Development Authority Board of Directors;

(xviii) Brief extension of remarks;

(xix) Announcements; and

(xx) Adjournment

SECOND READING FILE

Bill No. 009-31 (LS) – by Judith P. Guthertz, DPA

3rd Reading 2/22/11

AN ACT TO *AMEND* §34205 OF CHAPTER 34, TITLE 10 GUAM CODE ANNOTATED AND §70.10 OF CHAPTER 70, TITLE 9 GUAM CODE ANNOTATED, AND TO *ADD* §70.10.1, §70.10.2 AND §70.10.3 TO CHAPTER 70, TITLE 9 GUAM CODE ANNOTATED RELATIVE TO KEEPING ANIMALS IN GUAM.

Bill No. 16-31 (COR) – by Adolpho B. Palacios, Sr.

3rd Reading 2/21/11

As amended on the Floor

AN ACT TO AMEND §§85.10, 85.14 AND 85.26 OF CHAPTER 85, TITLE 9, GCA, RELATIVE TO THE COMPOSITION AND POWERS OF THE GUAM PAROLE BOARD.

AN ACT TO AMEND §§85.10, 85.14 AND 85.26 OF CHAPTER 85, TITLE 9, GCA, RELATIVE TO THE COMPOSITION AND POWERS OF THE TERRITORIAL PAROLE BOARD.

Bill No. 33-31 (COR) - by B. J.F. Cruz, R. J. Respicio

3rd Reading 2/21/11

AN ACT TO REPEAL THE STATUTE OF LIMITATION FOR THE PROSECUTION OF A SEX CRIME INVOLVING A VICTIM WHO IS UNDER THE AGE OF THE MAJORITY BY ADDING A NEW § 10.16 TO CHAPTER 10 OF TITLE 8, GUAM CODE ANNOTATED.

Bill No. 36-31 (COR) – by v. c. pangelinan

3rd Reading 2/21/11

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

AN ACT TO ADD A NEW ARTICLE 3 TO CHAPTER 50, TITLE 12, GUAM CODE ANNOTATED, ESTABLISHING THE “GOVERNMENT OF GUAM MITIGATION PROGRAM FOR BUSINESS INTERRUPTION.”

Bill No. 37-31 (COR) – by Judith P. Guthertz, DPA

AN ACT TO REPEAL AND REENACT SECTION 12 OF CHAPTER III, PART II, DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES, OF PUBLIC LAW 30-196 RELATIVE TO FUNDING FOR THE GOVERNMENT OF GUAM ANIMAL SHELTER, CURRENTLY OPERATED BY THE GUAM ANIMALS IN NEED (GAIN), INC.

Bill No. 40-31 (COR) – by A. B. Palacios, Sr.
As amended by the Committee on Rules

PASSED 2/21/11
3rd Reading 2/21/11

AN ACT TO AMEND SECTION 2 OF PUBLIC LAW 30-233, RELATIVE TO THE SUSPENSION OF ANNUITY PAYMENT FROM THE DEFINED BENEFIT RETIREMENT PLAN.

Bill No. 41-30 (COR) – by B. J.F. Cruz, T. R. Muna Barnes

3rd Reading 2/21/11

AN ACT TO AMEND §§ 19.69, 19.70, AND 61.20 OF TITLE 9, GUAM CODE ANNOTATED; TO ADD NEW §§ 61.20.1, 28.90, 29.100, AND 28.101 TO TITLE 9, GUAM CODE ANNOTATED; AND TO AMEND § 3112.1 OF TITLE 17, GUAM CODE ANNOTATED; RELATIVE TO BULLYING, CYBERBULLYING, AND SEXTING.

Bill No. 044-31 (COR) – by B. J.F. Cruz, R. J. Respicio

3rd Reading 2/22/11

As substituted by the Committee on Rules

AN ACT TO PROHIBIT THE POSSESSION, SELLING, OFFERING FOR SALE, TRADING, OR DISTRIBUTION OF SHARK FINS AND RAY PARTS BY AMENDING §63101 AND §63129 AND ADDING A NEW §63114.1 AND §63114.2 TO CHAPTER 63 OF TITLE 5 OF THE GUAM CODE ANNOTATED

Bill No. 47-31 (COR) – by J. T. Won Pat, Ed.D.

AN ACT TO AMEND §1032 OF TITLE 1 GUAM CODE ANNOTATED, RELATIVE TO SENIOR CITIZENS DAY AT THE LEGISLATURE.

Bill No. 48-31 (COR) – by J. T. Won Pat, Ed.D.

AN ACT TO ADD § 5213A, 5220, AND 5425A TO TITLE 5 GUAM CODE ANNOTATED RELATIVE TO PROVIDING TEMPORARY EXPEDITED PROCUREMENT PROCEDURES TO ASSIST WITH THE DISBURSEMENT OF STIMULUS FUNDS UNDER THE “2009 AMERICAN RECOVERY AND REINVEST ACT”.

Bill No. 55-31 (COR) - by D. G. Rodriguez, Jr., Judith Paulette

Committee on Health and Human
Services, Senior Citizens, Economic
Development, and Election Reform

**Guthertz, DPA,
Aline A. Yamashita,
Barnes, Tina Rose Muña
Christopher M. Duenas, R. J. Respicio,
A. B. Palacios, Sr., V. Anthony Ada,
Frank F. Blas, Jr., Mana Silva Taijeron**

AN ACT TO AUTHORIZE THE GUAM MEMORIAL HOSPITAL AUTHORITY TO SOLICIT AND CONTRACT, IN WHOLE OR IN PART, FOR THE MANAGEMENT AND OPERATION OF VENDOR SERVICES RELATIVE TO CAFETERIA, SNACK BAR, RESTAURANT, AND/OR OTHER FOOD SERVICE ACTIVITIES, BY ADDING A NEW SUBSECTION (u) TO §80109 OF CHAPTER 80, TITLE 10, GUAM CODE ANNOTATED.

Bill No. 58-31 (COR) – by V. A. Ada, B. J.F. Cruz

3rd Reading 2/22/11

AN ACT TO ADD A NEW §4128 TO CHAPTER 4 OF 4GCA RELATIVE TO AUTHORIZING THE GRANTING OF ADMINISTRATIVE LEAVE FOR VOLUNTEER SIGN LANGUAGE AND FOREIGN LANGUAGE INTERPRETERS.