

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

**April 25, 2012**

(Reconvening from April ~~23~~, 24, 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: ~~3/12-21/12 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. 450-31(LS) to Bill No. \_\_\_\_-31(LS)
  - Resolution No. 385-31(LS) to Resolution No. \_\_\_\_-31(LS)
  - Certificate No. \_\_\_\_-31(LS) to Certificate No. \_\_\_\_-31(LS)
  - ~~Bill No. 449-31(LS) to Bill No. \_\_\_\_-31(LS)~~
  - ~~Resolution No. 381-31(LS) to Resolution No. 384-31(LS)~~
  - ~~Bill No. 439-31(COR) to Bill No. 448-31(COR)~~
  - ~~Resolution No. 372-31(COR) to Resolution No. 380-31(COR)~~
  - ~~Certificate No. 122-31(COR) to Certificate No. 130-31(COR)~~

**(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. 241-31COR) - 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-l-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].

**(xiv) Legislative Concurrence;**

- ~~1. From the Committee on Utilities, Transportation, Public Works and Veterans Affairs on the appointment of Ms. Lucy Alcorn to serve as a Member of the A. B. Won Pat International Airport Authority Board of Directors.~~
- ~~2. From the Committee on Utilities, Transportation, Public Works and Veterans Affairs on the appointment of Mr. Martin J. Gerber to serve as a Member of the A. B. Won Pat International Airport Authority Board of Directors.~~
- ~~3. From the Committee on Youth, Cultural Affairs, Procurement, General Government Operations and Public Broadcasting on the appointment of Ms. Monica Guzman to serve as a Member of the Guam Council on the Arts & Humanities Agency Board of Directors.~~

**(xv) Consent Calendar;**

**Second Reading File;**

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| <del>1. SBill No. 60-31(COR) –Ref. back to Cmte</del>  | <del>14. ABill No. 412-31(COR)</del>                   |
| <del>2. SBill No. 201-31(COR)</del>                    | <del>15. Bill No. 415-31(COR) –Ref. back to Cmte</del> |
| <del>3. SBill No. 202-31(COR)</del>                    | <del>16. ABill No. 429-31(COR)</del>                   |
| <del>4. ABill No. 306-31(LS)</del>                     | <del>17. Bill No. 430-31(COR)</del>                    |
| <del>5. SBill No. 315-31(COR)</del>                    | <del>18. SBill No. 437-31(COR)</del>                   |
| <del>6. Resolution No. 330-31(LS)</del>                | <del>19. Bill No. 443-31(COR)</del>                    |
| <del>7. Resolution No. 358-31(LS)</del>                | <del>20. Bill No. 342-31(COR)</del>                    |
| <del>8. Resolution No. 369-31(COR)</del>               | <del>21. SBill No. 389-31(COR)</del>                   |
| <del>9. Resolution No. 370-31(COR)</del>               | <del>22. Bill No. 331-31(COR)</del>                    |
| <del>10. Bill No. 371-31(COR) –Ref. back to Cmte</del> | <del>23. Bill No. 332-31(COR)</del>                    |
| <del>11. ABill 407-31(COR)</del>                       | <del>24. Bill No. 333-31(COR)</del>                    |
| <del>12. SBill No. 408-31(COR)</del>                   | <del>25. Bill No. 448-31(COR)</del>                    |
| <del>13. Bill No. 411-31(COR)</del>                    | <del>26. Bill No. 404-31(COR)</del>                    |

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

**Third Reading File**

**04/23/12**

- ~~SBill No. 201-31(COR)~~
1. SBill No. 202-31(COR)
  2. ABill No. 306-31(LS)
  3. SBill No. 315-31(COR)
  4. Resolution No. 358-31(LS)
  5. Resolution No. 369-31(COR)
  6. Resolution No. 370-31(COR)
  7. AResolution No. 330-31(LS)

**04/24/12**

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|-----|-----------------------|-----|-----------------------|
| 8.  | ABill No. 412-31(COR) | 14. | SBill No. 201-31(COR) |
| 9.  | SBill No. 408-31(COR) | 15. | Bill No. 342-31(COR)  |
| 10. | ABill No. 411-31(COR) | 16. | SBill No. 389-31(COR) |
| 11. | ABill No. 429-31(COR) | 17. | Bill No. 331-31(COR)  |
| 12. | ABill No. 407-31(COR) | 18. | Bill No. 332-31(COR)  |
| 13. | SBill No. 430-31(COR) | 19. | Bill No. 333-31(COR)  |

**04/25/12**

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- 26.

*and*

**Voting File;**

1. On the appointment of Ms. Lucy Alcorn to serve as a Member of the A. B. Won Pat International Airport Authority Board of Directors.
2. On the appointment of Mr. Martin J. Gerber to serve as a Member of the A. B. Won Pat International Airport Authority Board of Directors.
3. On the appointment of Ms. Monica Guzman to serve as a Member of the Guam Council on the Arts & Humanities Agency Board of Directors.

**(xviii) Brief extension of remarks;**

**(xix) Announcements; *and***

**(xx) Adjournment**

## SECOND READING FILE

**Bill No. 60-31 (COR) – by M. Silva Taijeron**

Substituted by the Committee on Public Safety,  
Law Enforcement and Judiciary.

**Referred back to Committee**

**04/23/12**

AN ACT TO ADD A NEW SUBSECTION (vv) TO 16 GCA §1102, AMEND 16 GCA §26103  
~~OF,~~ AND ~~TO~~ ADD A NEW CHAPTER 27 TO TITLE 16 OF THE GUAM CODE  
ANNOTATED, RELATIVE TO DEFINING PICKUP TRUCK AND PROHIBITING  
VEHICLE PASSENGERS FROM RIDING IN THE BED OF A PICKUP TRUCK.

**Bill No. 201-31 (COR) – by V. A. Ada**

As substituted by the Committee on Education  
and Public Libraries

**3<sup>rd</sup> Reading File**

**04/23/12**

AN ACT TO ADD A NEW ARTICLE 6 TO CHAPTER 6 OF 17GCA RELATIVE TO  
PROTECTION OF MINORS' AND STUDENTS' RIGHTS.

**Bill No. 202-31 (COR) – by V. A. Ada**

As substituted by the Committee on Education  
and Public Libraries

**3<sup>rd</sup> Reading File**

**04/23/12**

AN ACT TO ADD A NEW ARTICLE 7 TO CHAPTER 6 OF 17GCA RELATIVE TO  
PROTECTION OF MINORS' AND STUDENTS' RIGHTS.

**Bill No. 306-31 (LS) – by Sam Mabini, Ph.D., A. B. Palacios, Sr.**

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

**3<sup>rd</sup> Reading File**

**04/23/12**

AN ACT TO ADD A NEW §90.4850 TO 9 GUAM CODE ANNOTATED, CHAPTER 90,  
REALATIVE TO ESTABLISHING AND ADMINISTERING AN INTERNATIONAL  
PRISONER TRANSFER PROGRAM.

**Bill No. 315-31 (COR) – by A. A. Yamashita, Ph.D.**

Substituted by the Committee on Education  
and Public Libraries

**3<sup>rd</sup> Reading File**

**04/23/12**

AN ACT TO ADD A NEW CHAPTER 14 TO DIVISION 2 OF TITLE 17, GUAM CODE  
ANNOTATED, TO REQUIRE THE GUAM DEPARTMENT OF EDUCATION TO  
CONTINUALLY UPDATE A 10-YEAR CAPITAL IMPROVEMENT PROJECT PLAN AND  
TO IDENTIFY FUNDING SOURCES FOR THE PROJECTS; AND, CITING THIS ACT AS  
THE “TEACHING AND LEARNING COMMUNITIES ACT.”

**Resolution No. 330-31 (LS) – by R. J. Respicio, T. C. Ada, J. P. Guthertz, DPA** 3<sup>rd</sup> Reading File  
Amended by the Sponsor 04/23/12

Relative to requesting that the Honorable Madeleine Z. Bordallo advocate for an adjustment of the schedule of fees charged by the U.S. Consulate in the Republic of the Philippines for B-1 and B-2 Visas; and to also formally requesting the same of the U.S. Department of State; and to encourage the Department of State to adopt standardized policies relative to the issuance of B-1 and B-2 visas with all nations with which the United States maintains a security agreement, such as that which exists between the United States and the Republic of the Philippines.

**Bill No. 331-31 (COR) – by B. J.F. Cruz** 3<sup>rd</sup> Reading File  
04/24/12

AN ACT TO REZONE LOT NO. 10060-REM-1-R2 IN THE MUNICIPALITY OF DEDEDO FROM AGRICULTURAL “A” TO COMMERCIAL “C” ZONE.

**Bill No. 332-31 (COR) – by B. J.F. Cruz** 3<sup>rd</sup> Reading File  
04/24/12

AN ACT TO REZONE LOT NO. 10060-REM-R6-NEW, IN THE MUNICIPALITY OF DEDEDO FROM AGRICULTURAL “A” TO COMMERCIAL “C” ZONE.

**Bill No. 333-31 (COR) – by B. J.F. Cruz** 3<sup>rd</sup> Reading File  
04/24/12

AN ACT TO REZONE LOT NO. 10129-1 IN THE MUNICIPALITY OF DEDEDO FROM AGRICULTURAL “A” TO COMMERCIAL “C” ZONE.

**Bill No. 342-31 (COR) – by M. Silva Taijeron** 3<sup>rd</sup> Reading File  
04/24/12

AN ACT TO AMEND §58104, CHAPTER 58, TITLE 12 OF THE GUAM CODE ANNOTATED RELATIVE TO THE INCLUSION OF GREEN TECHNOLOGY AS AN ACCEPTABLE ACTIVITY FOR ELIGIBILITY OF A QUALIFYING CERTIFICATE APPLICATION.

**Resolution No. 358-31 (LS) – by Judith T. Won Pat, Ed.D., Tina Rose  
Muna Barnes, B.J.F. Cruz** 3<sup>rd</sup> Reading File  
04/23/12

Relative to urging the United States Congress and the President of the United States to continue their efforts in calling upon the government of the Islamic Republic of Iran to insure that their nation’s youth will not be denied access to higher education because of their faith.

**Resolution No. 369-31 (COR) – by R. J. Respicio, T. C. Ada** 3<sup>rd</sup> Reading File  
04/23/12

Relative to requesting that Guam Delegate to Congress Madeline Z. Bordallo secure authorization and funding for a United States Department of Labor (USDOL) Job Corps Center in Guam.

**Resolution No. 370-31 (COR) - R. J. Respicio, T. C. Ada**

**3<sup>rd</sup> Reading File  
04/23/12**

Relative to requesting that the Congress of the United States ensure that the Federal Medicare, Medicaid and Food Stamps programs all be fully and adequately funded in the Fiscal Year 2013 Federal Budget; and that the budget be maintained at current levels of coverage for children, seniors, the ill, the disabled, and individuals of limited means; for the 50 states and all insular areas of the United States.

**Bill No. 371-31 (COR) – by v. c. pangelinan**

**Referred back to Committee  
04/23/12**

AN ACT TO REZONE LOT NO. 19A-3, IN THE MUNICIPALITY OF SINAJANA FROM SINGLE-FAMILY DWELLING (R-1) TO MULTIPLE-FAMILY DWELLING (R-2) ZONE.

**Bill No. 389-31 (COR) – by M. Silva Taijeron**

**3<sup>rd</sup> Reading File  
04/24/12**

Substituted by the Committee on Public Safety,  
Law Enforcement and Judiciary

AN ACT TO *ADD A NEW* CHAPTER 17 TO TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO MANDATORY DRUG TESTING FOR PROSPECTIVE AND CURRENT GOVERNMENT OF GUAM EMPLOYEES.

**Bill No. 404-31 (COR) – by Chris M. Duenas, F. F. Blas, Jr.,  
V. A. Ada**

**Bottom of 2<sup>nd</sup> Reading File  
04/23/12**

AN ACT TO ADD A NEW SECTION 6115 TO CHAPTER 6 OF TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO INDEPENDENT CANDIDATES FOR ELECTIVE OFFICE; AND, TO AMEND SECTION 16207 OF TITLE 3, GUAM CODE ANNOTATED.

**Bill No. 407-31 (COR) – by D. G. Rodriguez, Jr.**

**3<sup>rd</sup> Reading File  
04/24/12**

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

AN ACT TO PROVIDE FOR THE COURT IMPOSED PENALTY REQUIRING THE TAKING OF ~~AN~~ DEFENSIVE DRIVING PROGRAM FOR THE OFFENSE OF RECKLESS DRIVING, BY *ADDING* A NEW SUBSECTION ~~(xx)(ff)~~ TO §1102 OF CHAPTER 1, 16 GCA; AND *AMENDING* SUBSECTION (c) OF §9107, CHAPTER 9, 16 GCA; AND *ADDING A NEW* §9107.1 TO CHAPTER 9, 16 GCA.

**Bill No. 408-31 (COR) – by D. G. Rodriguez, Jr.**

**3<sup>rd</sup> Reading File  
04/24/12**

Substituted by the Committee on Health & Human Services,  
Economic Development, Senior Citizens, and Election Reform

AN ACT TO ESTABLISH THE OFFICE OF VITAL STATISTICS REVOLVING FUND, BY AMENDING §3227 OF CHAPTER 3, AND ADDING A NEW §3227.1 TO CHAPTER 3, OF ARTICLE 2, TITLE 10, GUAM CODE ANNOTATED.

**Bill No. 411-31 (COR) – by T. R. Muña Barnes**

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

**3<sup>rd</sup> Reading File  
04/24/12**

AN ACT AN ACT TO AUTHORIZE *I MAGA'LAHEN GUÅHAN* TO TRANSFER ABANDONED PROPERTIES LOCATED WITHIN TRACT NUMBER 1113 ALSO KNOWN AS THE SAGAN LINAHYAN SUBDIVISION, FROM THE *DIPATTAMENTON MINANEHAN TÁNO'* (DEPARTMENT OF LAND MANAGEMENT) TO THE GUAM HOUSING CORPORATION FOR THE PURPOSE OF AFFORDABLE HOUSING.

**Bill No. 412-31 (COR) – by J. T. Won Pat, Ed.D., Adolpho B. Palacios, Sr.,**

Amended by the Committee on Public Safety, **Tina R. Muña Barnes**  
Law Enforcement and Judiciary

**3<sup>rd</sup> Reading File  
04/24/12**

AN ACT TO ~~ADD A NEW §77302 TO TITLE 10 GUAM CODE ANNOTATED, RELATIVE TO DUTIES OF GUAM POLICE DEPARTMENT COMMUNITY ASSISTED POLICING EFFORT (CAPE) VOLUNTEERS PATROLLING SCHOOL CAMPUSES OF THE GUAM PUBLIC SCHOOL SYSTEM DURING NON-SCHOOL HOURS.~~

**Bill No. 415-31 (COR) – by B. J.F. Cruz, J. T. Won Pat, Ed.D.,**

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

**Referred back to Committee  
04/24/12**

AN ACT TO SUPPORT WOMEN AND SAVE CHILDREN, BY ADDING A NEW CHAPTER 94 TO TITLE 10 OF THE GUAM CODE ANNOTATED, WHICH MAY BE CITED AS THE ACTO PARA MA SAPOTTE I FAMA'LAO'AN YAN PARA MA SATBA I FAMAGU'ON.

**Bill No. 429-31 (COR) – by Adolpho B. Palacios, Sr.**

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

**3<sup>rd</sup> Reading File  
04/24/12**

AN ACT TO *ADD A NEW §66104.2 TO CHAPTER 66, TITLE 10 OF THE GUAM CODE ANNOTATED AND TO AMEND SECTION 5 OF CHAPTER XII OF PUBLIC LAW 31-77, RELATIVE TO THE EMPLOYMENT OF CIVILIAN VOLUNTEER POLICE RESERVE OFFICERS.*

**Bill No. 430-31 (COR) – by B. J.F. Cruz**

Substituted by the Committee on Youth, Cultural Affairs,  
Procurement, General Government Operations, and Public Broadcasting

**3<sup>rd</sup> Reading File  
04/24/12**

AN ACT TO ADD A NEW § 5126 TO CHAPTER 5 OF TITLE 5 OF THE GUAM CODE ANNOTATED; RELATIVE TO AUTHORIZING JOINDER OR MUTUAL USE OF CONTRACTS BY GOVERNMENTAL ENTITIES BY THE WOMEN, INFANTS, AND CHILDREN PROGRAM OF THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES.



**Bill No. 437-31 (COR) – by J. P. Guthertz, DPA**

As Substituted by the Committee on Human Services

AN ACT TO AUTHORIZE LEASE FINANCING FOR THE REHABILITATION, CONSTRUCTION, EXPANSION AND RENOVATION OF PUBLIC SCHOOL FACILITIES.

**Bill No. 443-31 (COR) – by B. J.F. Cruz**

AN ACT TO AMEND SUBSECTION (r) OF § 40112 OF TITLE 5 OF THE GUAM CODE ANNOTATED; RELATIVE TO MAYORAL DUTIES WITH RESPECT TO ROUTED STREETS AND ROADWAYS.

**Bill No. 448-31 (COR) – by J. T. Won Pat, Ed.D., T. R. Muña Barnes**

AN ACT TO *ADD* A NEW CHAPTER 58C TO TITLE 5 GUAM CODE ANNOTATED RELATIVE TO THE REHABILITATION, RENOVATION, AND CONSTRUCTION OF PUBLIC SCHOOLS.