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

May 28, 2009
(Reconvening of May 27, 2009 Session)
(~~Reconvening of May 26, 2009 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: ~~3-23-09 to 4-3-09 dj & 5-1-09 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. 108(COR) to Bill No. 120(COR); Resolution No. 108(COR) to Resolution No. 116(COR);~~ Resolution No. 117(LS) to Resolution No. 118(LS); Resolution No. 119(LS); Bill No. __(LS) to Bill No. __(LS); Resolution No. ___(LS) to Resolution No. ___(LS); Legislative Certificate No. 80(COR) to Legislative Certificate No. 104(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.

(xiv) Legislative Concurrence;

1. ~~From the Committee on Municipal Affairs, Aviation, Housing & Recreation on the appointment of Ms. Cecile Bamba Suda to serve as a member of the Guam Housing & Urban Renewal Authority Board of Commissioners with the recommendation to do confirm.~~
2. ~~From the Committee on Municipal Affairs, Aviation, Housing & Recreation on the appointment of Dr. Marilyn C. Salas to serve as a member of the Guam Historic Preservation Review Board with the recommendation to do confirm.~~
3. ~~From the Committee on Economic Development, Health & Human Services, and Judiciary on the appointment of Mr. Ricardo C. Duenas to serve as a member of the Guam Economic Development Authority Board of Directors with the recommendation to do confirm.~~
4. ~~From the Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land on the appointment of Mr. Andrew S. Leon Guerrero to serve as a member of the Chamorro Land Trust Commission with the recommendation to do confirm.~~
5. ~~From the Committee on Public Structure, Public Libraries and Technology on the appointment of Mr. Ronald Quitugua to serve as a member of the Guam Public Library Board 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;

1. Bill No. 52(COR)(Com. of the Whole temporarily risen)
2. ~~Bill No. 3(LS)~~ (Referred back to Committee)
3. ~~SBill No. 22(LS)~~
4. ~~SBill No. 25(LS)~~
5. ~~Bill No. 33(COR)~~ (Referred back to Committee)
6. SBill No. 36(COR)
7. Bill No. 39(LS)
8. ~~Bill No. 45(COR)~~ (Referred back to Committee)
9. Bill No. 47(COR)
10. SBill No. 48(COR)
11. ~~Bill No. 50(COR)~~ (Referred back to Committee)
12. Bill No. 60(COR)
13. Bill No. 65(LS)
14. Bill No. 70(LS)
15. Bill No. 74(LS)
16. SBill No. 80(COR)
17. Bill No. 81(COR)
18. SBill No. 87(LS)
19. SBill No.92(COR)
20. Bill No.94(COR)
21. SBill No. 97(COR)
22. Bill No. 114(COR)
23. Resolution No. 36(COR)
24.

(xvii) Consideration of the Daily File:

(1) <u>Third Reading File</u>;

<u>May 27, 2009</u>

1. SBill No. 22(LS)
2. SBill No. 25(LS)

<u>May 28, 2009</u>

3.
4.
5.

and

(2) <u>Voting File</u>;

1. On the appointment of Ms. Cecile Bamba Suda to serve as a member of the Guam Housing & Urban Renewal Authority Board of Commissioners.
2. On the appointment of Dr. Marilyn C. Salas to serve as a member of the Guam Historic Preservation Review Board.
3. On the appointment of Mr. Ricardo C. Duenas to serve as a member of the Guam Economic Development Authority Board of Directors.
4. On the appointment of Mr. Andrew S. Leon Guerrero to serve as a member of the Chamorro Land Trust Commission.
5. On the appointment of Mr. Ronald Quitugua to serve as a member of the Guam Public Library Board.

(xviii) Brief extension of remarks;

(xix) Announcements; *and*

(xx) Adjournment.

SECOND READING FILE

Bill No. 3 (LS) by J. T. Won Pat **5/27/09 Referred back to Committee**

AN ACT TO *ADD* A NEW §1127 TO CHAPTER 1 OF TITLE 1 OF THE GUAM CODE ANNOTATED, RELATIVE TO SENATORS SUBMITTING A DISCLOSURE OF FINANCIAL INTEREST ON ANY BILL VOTED ON THE FLOOR OF I LIHESLATURAN GUÅHAN.

Substitute Bill No. 22(LS) – by J. V. Espaldon **5/27/09 3rd Reading File**
As Substituted by the Committee on Utilities,
Transportation, Public Works and Veterans Affairs

AN ACT TO REPEAL AND RE-ENACT CHAPTER 67 OF TITLE 21 GUAM CODE ANNOATED, RELATIVE TO ADOPTING THE INTERNATIONAL BUILDING CODE AS THE BUILDING CODE OF GUAM.

Bill No. 25 (LS) – by J. V. Espaldon **5/27/09 3rd Reading File**
As substituted by the Committee on Utilities,
Transportation, Public Works and Veterans Affairs

AN ACT TO REPEAL AND RE-ENACT CHAPTER 32 OF TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO THE PROFESSIONAL ENGINEERS, ARCHITECTS AND LAND SURVEYORS (PEALS) LAW.

Bill No. 33 (COR) - E. J. B. Calvo, T. R. Muna-Barnes, R. J. Respicio **5/27/09 Referred back to Committee**

AN ACT TO REZONE CERTAIN PARCEL IN THE MUNICIPALITY OF MANGILAO FROM AGRICULTURE "A" TO COMMERCIAL "C".

Bill No. 36 (COR) – by T. R. Muña-Barnes, Ray Tenorio, J. T. Won Pat,
As substituted by the Author **Ed.D, J. P. Guthertz, DPA**

AN ACT TO ADD A NEW CHAPTER 26 TO TITLE 9GCA, RELATIVE TO COMBATING HUMAN TRAFFICKING ON GUAM AND TO PROTECT VICTIMS OF HUMAN TRAFFICKING FROM SEXUAL AND ECONOMIC EXPLOITATION.

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

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 HAGATNA 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. 45 (COR) – T. R. Muña Barnes **5/27/09 Referred back to Committee**

AN ACT TO CONSTRUCT A *GUÅHAN* PERFORMING ARTS /CULTURAL CENTER AND A GUAM NATIONAL MUSEUM, AND TO ASSIST IN FURTHERING THE PRESERVATION AND PRESENTATION OF GUAM'S CULTURE, HERITAGE AND HISTORY BY CREATING THE *GUÅHAN* HERITAGE FACILITIES BOARD, THE *GUÅHAN* HERITAGE FACILITIES HOTEL ROOM SURCHARGE, AND THE *GUÅHAN* HERITAGE FACILITIES FUND BY ADDING A NEW SUBITEM (y) TO §87104 OF CHAPTER 87, DIVISION 8, TITLE 5 GUAM CODE ANNOTATED; ADDING A NEW CHAPTER 89 TO DIVISION 8, TITLE 5 GUAM CODE ANNOTATED; AND ADDING A NEW CHAPTER 29 TO TITLE 11 GUAM CODE ANNOTATED.

Bill No. 47 (COR) – by B. J.F. Cruz

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. 48 (COR) – by M. J. Rector

AN ACT TO AMEND § 7119 OF 22 GCA CHAPTER 7 ARTICLE 1 SUBSECTION (a) AND TO REPEAL AND REENACT § 7119 OF GCA CHAPTER & ARTICLE 1 SUBSECTION (b). THIS ACT SHALL BE HEREIN REFERRED TO AS: THE MIDDLE-CLASS JOB CREATION ACT OF 2009.

Bill No. 50 (COR) – by F. F. Blas, Jr., J. V. Espaldon, T. T. Taitague, E. J.B. Calvo **5/27/09 Referred back to Committee**

AN ACT TO ADD CHAPTER 88 TO TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE CONSTRUCTION OF THE GUAM MUSEUM, AND TO CITE THE ACT AS "THE MUSEUM CONSTRUCTION AND FACILITIES FUNDING ACT OF 2009."

Bill No. 52 (COR) – by J. T. Won Pat, Ed.D. **Com. of the Whole temporarily risen 5-~~26~~, 27-09**

AN ACT TO AMEND SECTION 58A105, CHAPTER 58A, OF TITLE 5 GUAM CODE ANNOTATED RELATIVE TO THE CONSTRUCTION OF THE JOHN F. KENNEDY HIGH SCHOOL.

Bill No. 60 (COR) – by A. B. Palacios, Sr.

AN ACT TO ESTABLISH MINIMUM QUALIFICATIONS FOR MANAGEMENT LEVEL UNIFORMED POSITIONS IN THE GUAM POLICE DEPARTMENT, BY ADDING NEW SUBSECTIONS 77110.2, 77110.3, AND 77110.4 TO 10 GCA, CHAPTER 77, SECTION 77110, APPOINTMENT OF DEPUTY CHIEF OF POLICE.

Bill No. 65 (LS) by: A. B. Palacios, Sr.

AN ACT TO AMEND §1900, CHAPTER 19, TITLE 1 GUAM CODE ANNOTATED TO RENAME THE OFFICE OF THE PUBLIC AUDITOR TO THE OFFICE OF PUBLIC

ACCOUNTABILITY.

Bill No. 70 (LS) – by B. J.F. Cruz

AN ACT TO AMEND SECTION 2 OF PUBLIC LAW 29-104; RELATIVE TO EXTENDING THE DATE OF SUBMISSION FOR AN INDEPENDENT STUDY AND INVESTIGATION OF RADIATION LEAKAGE INTO APRA HARBOR.

Bill No. 74 (LS) by Telo Taitague, R.J. Respicio

AN ACT TO ADD A NEW §8124 TO CHAPTER 8 OF ARTICLE 1 OF 12GCA RELATIVE TO REQUIRING THE GUAM POWER AUTHORITY TO DISCLOSE THE DETAILS OF ITS FUEL PURCHASES ON ITS WEBSITE.

Bill No. 80 (COR) – by T. C. Ada
As Substituted by the Author

AN ACT TO REPEAL AND RE-ENACT CHAPTER 76 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE STORAGE OF HAZARDOUS MATERIALS.

Bill No. 81 (COR) – by Judith T. Won Pat, Ed.D, T. R. Muña Barnes

AN ACT TO AMEND SUBSECTION (F) OF §15102, TO ADD SUBSECTION (G) TO §15205 ALL OF CHAPTER 15 OF TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE DISCLOSURE OF CONFLICTS OF INTERESTS.

Bill No. 87 (COR) – by Ray Tenorio, v. c. pangelinan, R. J. Respicio,
As Substituted by the Committee on Economic Development, Health & Human Services,and Judiciary **Telo Taitague**

AN ACT TO AMEND PARAGRAPH 13 OF § 23111 OF CHAPTER 23 OF 7 GCA RELATIVE TO FURTHERING CREDITOR PROTECTION FOR GUAM'S RESIDENTS.

Bill No. 92 (COR) – by J. P Guthertz, A. B Palacios, Sr., R. J Respicio
As Substituted bythe Committee on Labor,
the Public Structure, Public Libraries and Technology.

AN ACT TO REPEAL AND REENACT ARTICLE 4 OF 4 GCA CHAPTER 4 RELATIVE TO THE DUTIES AND RESPONSIBILITIES OF THE CIVIL SERVICE COMMISSION TO RESTORE THE AGENCY TO FUNCTIONAL OPERATIONAL CAPACITY IN ACCORDANCE WITH THE PROVISIONS OF THE ORGANIC ACT **AND IN ORDER TO** PROVIDE A FAIR AND EQUITABLE SYSTEM OF CIVIL SERVICE TO THE PEOPLE OF GUAM

Bill No. 94 (COR) – by v. c. pangelinan, Judith T. Won Pat, Ed. D., Tina Rose Muña Barnes

AN ACT TO ADD A NEW SUBSECTION (f) TO §75101; TO ADD A NEW SUBSECTION (c) (3) TO §75107 AND TO ADD A NEW §75121 OF 21 GCA CHAPTER 75 RELATIVE TO THE

THE DESIGNATION OF LANDS FOR THE CULTIVATION OF TRADITIONAL HERBAL MEDICINAL PLANTS.

Bill No. 97 (COR) – by T. C. Ada
As substituted by the Author.

AN ACT TO AMEND §26101, §26102, §26103, §26104 AND §26105 OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING THE USE OF A SEAT BELT ASSEMBLY AND CHILD RESTRAINT SYSTEM, AND CLARIFYING STANDARDS FOR RIDING IN THE BED OF A PICKUP TRUCK.

Bill No. 114 (COR) – by v. c. pangelinan

AN ACT TO AMEND CHAPTER V, PART II, SECTION 25 (h) OF PUBLIC LAW 29-113 RELATIVE TO APPROPRIATING SEVENTY-FIVE THOUSAND DOLLARS ($75,000) TO THE GUAMPEDIA PROJECT.

Resolution No. 36 (COR) – by F. F. Blas, Jr., B. J.F. Cruz, J. V. Espaldon

Relative to earnestly requesting the President of the United States of America, the Secretary of the Department of Interior and members of the United States Congress to seriously consider the urgency of and expeditiously act on reimbursing Guam for the amounts unpaid resulting from the increased demands for educational and social services by Freely Associated States citizens and their off-spring who emigrated to Guam as permitted by the Compacts of Free Association.