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

March 16, 2012
(Reconvening of March ~~12~~, ~~13~~, ~~14~~, 15, 2012 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: ~~2/27-28/12 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. ___-31(LS) to Bill No.____-31(LS)
- Resolution No. ___-31(LS) to Resolution No. ___-31(LS)
- Certificate No. 121-31(COR) to Certificate No. ____-31(COR)
- ~~Resolution No.355-31(LS)~~
- ~~Bill No. 438-31(LS)~~
- ~~Resolution No. 351-31(LS) to Resolution No. 354-31(LS)~~
- ~~Resolution No. 346-31(LS) to Resolution No. 350-31(LS)~~
- ~~Bill No. 432-31(COR) to Bill No. 437-31(COR)~~
- ~~Resolution No. 344-31(COR) to Resolution No. 345-31(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.

(xiv) Legislative Concurrence;

~~1. From the Committee on Utilities, Transportation, Public Works and Veterans Affairs on the appointment of Ms. Christine Won Pat Baleto to serve as a Member of the Port Authority of Guam Board of Directors.~~

~~2. From the Committee on Utilities, Transportation, Public Works and Veterans Affairs on the appointment of Mr. Jonathan M. Denight to serve as a Member of the Guam Solid Waste Authority Board of Directors.~~

~~3. From the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land on the appointment of Mr. Monte Mafnas to serve as Director of the Department of Land Management.~~

(xv) Consent Calendar;

(xvi) Second Reading File;

1. Bill No. 436-31(COR)
2. Bill No. 413-31(COR)(Com. of the Whole con't)
3. SBill No. 201-31(COR)
4. SBill No. 202-31(COR)
5. ABill No. 306-31(LS)
6. Resolution No. 311-31(COR)
7. SBill No. 315-31(COR)
8. ABill No. 319-31(COR)
9. Bill No. 361-31(COR)
10. Bill No. 377-31(COR)
11. ABill No. 380-31(COR)
12. SBill No. 389-31(COR)
13. SBill No. 414-31(COR)
14. Bill No. 415-31(COR)
15. Bill No. 416-31(COR)
16. Bill No. 423-31(LS)
17. Bill No. 435-31(COR)
18. Bill No. 394-31(COR)
19. SBill No. 387-31(COR)
20. Bill No. 328-31(COR)
21. Bill No. 342-31(COR)
22. Bill No. 402-31(LS)
23. Bill No. 404-31(COR)
24. Bill No. 405-31(COR)
25. Bill No. 411-31(COR)
26. Bill No. 427-31(LS)

(xvii) Consideration of the Daily File:

Third Reading File

and

Voting File;

1. On the appointment of Ms. Christine Won Pat Baleto to serve as a Member of the Port Authority of Guam Board of Directors.
2. On the appointment of Mr. Jonathan M. Denight to serve as a Member of the Guam Solid Waste Authority Board of Directors.
3. On the appointment of Mr. Monte Mafnas to serve as Director of the Department of Land Management.

(xviii) Brief extension of remarks;

(xix) Announcements; *and*

(xx) Adjournment

SECOND READING FILE

Bill No. 413-31 (COR) – by Dennis G. Rodriguez, Jr. **Com. of the Whole cont. 3/~~12~~, ~~13~~, ~~14~~, 15/12**

AN ACT TO REPEAL AND REENACT TITLE 3 OF THE GUAM CODE ANNOTATED RELATIVE TO GUAM ELECTIONS.

Bill No. 201-31 (COR) – by V. A. Ada
As substituted by the Committee on Education
and Public Libraries

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

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.
As amended

AN ACT TO ADD A NEW §90.50 TO 9 GUAM CODE ANNOTATED, CHAPTER 90, REALTIVE TO ESTABLISHING AND ADMINISTERING AN INTERNATIONAL PRISONER TRANSFER PROGRAM.

Resolution No. 311-31 (COR) – by v. c. pangelinan

Relative to expressing the sense of *I Liheslaturan Guåhan*'s expenditure priority of Compact Impact Act Funds for Fiscal Year 2012 to *I Maga'låhen Guåhan* and to the Secretary of Interior to support capital improvement projects and operations of various impacted government agencies and departments.

Bill No. 315-31 (COR) – by A. A. Yamashita, Ph.D.
Substituted by the Committee on Education
and Public Libraries

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."

Bill No. 319-31 (COR) – by A. B. Palacios, Sr.
As amended by the Committee on Public Safety,
Law Enforcement and Judiciary

AN ACT TO AUTHORIZE PRIVATE AMBULANCE SERVICE PROVIDERS TO PROVIDE EMERGENCY MEDICAL SERVICES BY AMENDING §72105 OT TITLE 10, GUAM CODE ANNOTATED, AND TO FURTHER AMEND~~ING~~ §§3302(b), 3301(e), 3334(d), ALL OF CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO EMERGENCY VEHICLES OPERATING ON GUAM'S ROADWAYS.

Bill No. 361-31 (COR) – by J. P. Guthertz, DPA

AN ACT TO ADD A NEW SUB SECTION 21008.1(A)(B)(C)(D) AND (E) TO CHAPTER 21 OF TITLE 3 GUAM CODE ANNOTATED RELATIVE TO PROVIDING A MECHANISM TO ENHANCE THE REGISTRATION PROCESS OF THE GUAM DECOLONIZATION REGISTRY BY ENLISTING THE ASSISTANCE OF ALL EMPLOYERS IN GUAM BEGINNING WITH THE EXECUTIVE, LEGISLATIVE AND JUDICIAL BRANCHES OF THE GOVERNMENT OF GUAM AND THE MAYORS' COUNCIL OF GUAM.

Bill No. 377-31 (COR) – by C. M. Duenas

AN ACT TO ADD A NEW § 61217 TO TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO DESIGNATING ALL EXCESS LAND RETURNED BY THE U.S. GOVERNMENT TO THE GOVERNMENT OF GUAM, AS AGRICULTURAL ("A") ZONE.

Bill No. 380-31 (COR) – by A. B. Palacios, Sr.
As amended by the Committee on Youth, Cultural Affairs,
Procurement, General Government Operations
and Public Broadcasting

AN ACT RELATIVE TO THE RELEASE OF WORKING ANIMALS FROM GOVERNMENT SERVICE, BY ADDING A NEW §22705 TO 5GCA.

Bill No. 389-31 (COR) – by M. Silva Taijeron
As 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. 414-31 (COR) – by v. c. pangelinan
As substituted

AN ACT TO *AMEND* 5GCA § 1512.3, 11GCA §§ 24102(a), 24102(f), 24103, 24401, 21GCA § 75112(i), SECTIONS 2(b) AND 7 OF PUBLIC LAW 30-37 AND SECTION 7 OF PUBLIC LAW 31-76, TO *ADD* SUBSECTION (d) TO 5GCA § 22704 AND SUBSECTION (d) TO SECTION 3 OF PUBLIC LAW 30-37, TO *REPEAL AND RE-ENACT* 5GCA § 1515(i)(2)(G) AND TO *ADD* A NEW SUBSECTION (W) TO 5GCA § 1515(i)(2), RELATIVE TO AUTHORIZING A SERIES B OF REVENUE ANTICIPATION FINANCING BONDS AND FOR OTHER PURPOSES.

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.

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. 416-31 (COR) – by T. R. Muña Barnes, J. T. Won Pat, Ed.D., B. J.F. Cruz

AN ACT TO APPROVE AND RATIFY THE TRANSFER OF CERTAIN PROPERTY RELATIVE TO THE LADA ESTATES PROJECT BY THE GUAM HOUSING CORPORATION FOR THE PURPOSE OF DEVELOPING AFFORDABLE HOUSING FOR THE PEOPLE OF GUAM.

Bill No. 423-31 (LS) – by R. J. Respicio, T. C. Ada, J. P. Guthertz, DPA

AN ACT TO AUTHORIZE THE ISSUANCE OF BONDS FOR THE PAYMENT OF INCOME TAX REFUNDS FOR CALENDAR YEAR 2011.

Bill No. 435-31 (COR) – by v. c. pangelinan, J. P. Guthertz, DPA, B. J.F. Cruz

AN ACT TO *AMEND* SECTION 4302(c), ARTICLE 3, CHAPTER 4, TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO NEGOTIATING AND PROCURING HEALTH INSURANCE SERVICES FOR THE GOVERNMENT OF GUAM.

Bill No. 436-31 (COR) – by J. T. Won Pat, Ed.D. **Placed on top of the 2nd Reading File**

AN ACT TO *AMEND* §5425.1 OF CHAPTER 5, TITLE 5 GUAM CODE ANNOTATED, RELATIVE TO PROTEST PROCEDURE FOR PROCUREMENT FUNDED WITH PUBLIC LAW 31-40 MONEYS ALLOTTED TO THE GUAM DEPARTMENT OF EDUCATION.

Bill No. 394-31 (COR) – by J. P. Guthertz, DPA

AN ACT TO AMEND §15102 OF ARTICLE 1, CHAPTER 15, TITLE 22, GUAM CODE ANNOTATED RELATIVE TO CERTIFICATE OF AUTHORITY.

Bill No. 328-31 (COR) – by D. G. Rodriguez, Jr., T. C. Ada, F. F. Blas, Jr., A. B. Palacios, Sr.

AN ACT TO PROVIDE FOR THE REGULATED CONDUCT OF SPECIAL TASTING AND SAMPLING EVENTS AT APPROVED LOCATIONS, WHEN CONDUCTED BY A OFF-SALE LICENSEE, WHOLESALE LICENSEE OR AGENT LICENSEE, FOR THE SALE OF ALCOHOLIC BEVERAGES AND DISTILLED SPIRITS BY ADDING A NEW §3229 TO ARTICLE 2 OF §3215, CHAPTER 3, AND BY AMENDING §3413 OF ARTICLE 4 OF CHAPTER 3, BOTH OF TITLE 11, GUAM CODE ANNOTATED.

Bill No. 342-31 (COR) – by M. Silva Taijeron

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.

Bill No. 387-31 (COR) – by A. A. Yamashita, Ph.D.
As substituted by the Committee on Youth, Cultural Affairs, Procurement, General Government Operations and Public Broadcasting.

AN ACT TO ~~ADD A NEW ITEM (J) TO SECTION 4403 OF ARTICLE 4, CHAPTER 4 OF TITLE 4, GUAM CODE ANNOTATED; AND TO~~ AMEND ITEMS (A), (D) AND (E) OF SECTION 9301 AND TO AMEND ITEM (B) OF SECTION 9303 ALL OF ARTICLE 3, CHAPTER 9 OF TITLE 5, GUAM CODE ANNOTATED RELATIVE TO THE ADMINISTRATIVE ADJUDICATION LAW TO INCLUDE A REVIEW BY THE ~~CIVIL SERVICE COMMISSION~~DEPARTMENT OF ADMINISTRATION FOR PROPOSED PERSONNEL RULES AND REGULATIONS, AND TO FURTHER ENHANCE TRANSPARENCY BY REQUIRING THE ELECTRONIC PUBLISHING OF PROPOSED RULES AND REGULATIONS.

Bill No. 402-31 (LS) – by Sam Mabini, Ph.D.

AN ACT TO AMEND §58110 (G), TITLE 12 GUAM CODE ANNOTATED, CHAPTER 58, RELATIVE TO REQUIRING LOCALLY-BASED, LOCALLY-OWNED BUSINESSES AND SERVICES FOR QUALIFYING CERTIFICATES.

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

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. 405-31 (COR) – by B. J.F. Cruz, R. J. Respicio

AN ACT TO AMEND ITEM (y) OF §63101 OF TITLE 5, GUAM CODE ANNOTATED, ARTICLE 1, CHAPTER 63 RELATIVE TO THE DEFINITION OF THE ANIMAL COMMONLY KNOWN AS A SHARK.

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

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 *DIPÅTTAMENTON MINANEHAN TÅNO'* (DEPARTMENT OF LAND MANAGEMENT) TO THE GUAM HOUSING CORPORATION FOR THE PURPOSE OF AFFORDABLE HOUSING.

Bill No. 427-31 (LS) – by J. T. Won Pat, Ed.D., B. J.F. Cruz, T. R. Muña Barnes

AN ACT AN ACT TO AMEND SECTION 70127 OF TITLE 11 GUAM CODE ANNOTATED, RELATIVE TO ALIEN LABOR.