

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN

2019 (FIRST) Regular Session

LEGISLATIVE SESSION AGENDA

Speaker Antonio R. Unpingco Legislative Session Hall

March 21, 22, 25, 26, 2019

- (i) **Call to Order;**
- (ii) **Prayer;**
- (iii) **Recognition of a Recipient of *I Milåyan Mås Takhilo 'Na Sakrafisu*;**
- (iv) **Reciting of *Inifresi*;**
- (v) **Singing of the Guam Hymn in *CHamoru*;**
- (vi) **Singing of the National Anthem;**
- (vii) **Roll Call;**
- (viii) **Call for Approval of the Legislative Journal;**
 - February 25, 2019
- (ix) **Communications and Petitions;**
- (x) **Messages from *I Maga'hågan Guåhan*;**
- (xi) **Reports of Standing Committees;**
- (xii) **Reports of Select Committees;**
- (xiii) **Introduction and First Reading of Bills and Resolutions;**
 - Bill Nos. 54-35 (LS) and 55-35 (LS); and 56-35 (COR) through 68-35 (COR)
 - Resolution Nos. 51-35 (LS) and 52-35 (LS); and 53-35 (COR) through 82-35 (COR)
- (xiv) **Motions;**
- (xv) **Legislative Concurrence;**
 1. The Committee on Health, Tourism, Historic Preservation, Land, and Justice hereby reports out the nomination of Pedro P. Ada to serve as a Member of the Guam Visitors Bureau Board of Directors, with the recommendation to do confirm. Moved to Voting File 3/21/19.
 2. The Committee on Health, Tourism, Historic Preservation, Land, and Justice hereby reports out the nomination of Glynis S. Almonte, RN to serve as a Member of the Guam Memorial Hospital Authority Board of Trustees, with the recommendation to do confirm. Moved to Voting File 3/21/19.
 3. The Committee on Education, Air Transportation, and Statistics, Research, and Planning hereby reports out the nomination of Zenon E. Belanger to serve as a Member of the A.B. Won Pat International Airport Authority Board of Directors, with the recommendation to do confirm. Moved to Voting File 3/21/19.
 4. The Committee on Health, Tourism, Historic Preservation, Land, and Justice hereby reports out the nomination of Flori-Anne Dela Cruz to serve as a Youth Member of the Guam Visitors Bureau Board of Directors, with the recommendation to do confirm. Moved to Voting File 3/21/19.
 5. The Committee on Health, Tourism, Historic Preservation, Land, and Justice hereby reports out the nomination of Byron M.S. Evaristo to serve as a Member of the Guam Memorial Hospital Authority Board of Trustees, with the recommendation to do confirm. Moved to Voting File 3/21/19.
 6. The Committee on Environment, Revenue and Taxation, and Procurement hereby reports out the nomination of Dana A. Gutierrez to serve as a Member of the Guam Solid Waste Authority Board, with the recommendation to do confirm. Moved to Voting File 3/21/19.
 7. The Committee on Environment, Revenue and Taxation, and Procurement hereby reports out the nomination of John Edward G. Ilao to serve as a Member of the Alcoholic Beverage Control Board, with the recommendation to do confirm. Moved to Voting File 3/21/19.

8. The Committee on Environment, Revenue and Taxation, and Procurement hereby reports out the nomination of Dafne Shimizu to serve as Director of the Department of Revenue and Taxation, with the recommendation to do confirm. **Moved to Voting File 3/21/19.**
9. The Committee on Economic Development, Agriculture, Maritime Transportation, Power and Energy Utilities, and Emergency Response hereby reports out the nomination of Daniel C. Stone to serve as Fire Chief of the Guam Fire Department, with the recommendation to do confirm. **Moved to Voting File 3/21/19.**
10. The Committee on Education, Air Transportation, and Statistics, Research, and Planning hereby reports out the nomination of Tyrone Taitano to serve as Director of the Bureau of Statistics and Plans, with the recommendation to do confirm. **Moved to Voting File 3/21/19.**
11. The Committee on Education, Air Transportation, and Statistics, Research, and Planning hereby reports out the nomination of Donald I. Weakley, Sr. to serve as a Member of the A.B. Won Pat International Airport Authority Board of Directors, with the recommendation to do confirm. **Moved to Voting File 3/21/19.**
12. The Committee on General Government Operations, Appropriations, and Housing hereby reports out the nomination of Alice M. Tajeron to serve as President of the Guam Housing Corporation, with the recommendation to do confirm. **Placed on Agenda 3/22/19. Moved to Voting File 3/22/19.**

(xvi) Consent Calendar;

(xvii) Second Reading File;

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| <p>1. Bill No. 15-35 (COR) Joe S. San Agustin
 As amended by the Committee
 on General Government
 Operations, Appropriations,
 and Housing.</p> <p>Moved to Third Reading File
 3/21/19.</p> | <p>AN ACT TO <i>AMEND</i> SECTION 8 OF CHAPTER XI, PUBLIC LAW 34-116; AND TO APPROPRIATE TWO HUNDRED NINETY-EIGHT THOUSAND FIVE HUNDRED THIRTY-SIX DOLLARS (\$298,536) FROM THE GENERAL FUND TO THE GUAM ELECTION COMMISSION FOR EXPENDITURES RELATED TO THE 2018 PRIMARY AND GENERAL ELECTIONS.</p> |
| <p>2. Bill No. 27-35 (COR) Therese M. Terlaje
 As amended by the Committee Sabina Flores Perez
 on Environment, Revenue and Clynton E. Ridgell
 Taxation, and Procurement.</p> <p>Moved to Third Reading File
 3/21/19.</p> | <p>AN ACT TO <i>AMEND</i> § 45105 OF ARTICLE 1, CHAPTER 45, AND <i>ADD</i> A NEW § 50104(p) TO CHAPTER 50, BOTH OF TITLE 10, GUAM CODE ANNOTATED; AND TO <i>ADD</i> A NEW § 22107(g) TO CHAPTER 22 OF TITLE 22, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO THE TIMELY PUBLICATION OF ALL NOTICES OF VIOLATION, ORDERS OF COMPLIANCE, NOTICES OF DEFENSE, VOLUNTARY COMPLIANCE AGREEMENTS, SETTLEMENT AGREEMENTS, AND REFERRALS TO THE OFFICE OF THE ATTORNEY GENERAL FOR PROSECUTION ISSUED BY THE GUAM ENVIRONMENTAL PROTECTION AGENCY (GEPA), AND TO REQUIRE THAT ALL OF THE ABOVE BE REPORTED TO THE GEPA BOARD OF DIRECTORS.</p> |

3. **Bill No. 32-35 (COR)** Clynton E. Ridgell
As amended by the Committee Tina Rose Muña Barnes
on Economic Development, Joe S. San Agustin
Agriculture, Maritime Régine Biscoe Lee
Transportation, Power and Telo T. Taitague
Energy Utilities, and Jose “Pedo” Terlaje
Emergency Response.

Moved to the bottom of
Second Reading File 3/21/19.

AN ACT TO ADD A NEW CHAPTER 8 TO TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO REGULATING THE USE, PRODUCTION, SALE, AND TAXATION OF MARIJUANA, TO BE KNOWN AS THE “GUAM CANNABIS INDUSTRY ACT OF 2019”; TO ADD A NEW CHAPTER 9 TO TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO CREATING THE CANNABIS CONTROL BOARD; TO REPEAL §§ (c)(23) AND (c)(31) OF APPENDIX A, CHAPTER 67, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO DECLASSIFYING MARIJUANA AS A SCHEDULE I CONTROLLED SUBSTANCE; AND TO AMEND §§ 67.401.2(b), 67.401.4(f), (h), AND (j), 67.401.5, 67.401.6, 67.411(b) AND 67.412(a), AND REPEAL § 67.401.4(k), ALL OF ARTICLE 4, CHAPTER 67, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO REDEFINING REFERENCES TO IT IN THE GUAM UNIFORM CONTROLLED SUBSTANCES ACT; AND ADDING A NEW § 70.44.4 TO TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO POSSESSION OF CANNABIS BY PERSONS UNDER TWENTY-ONE (21) YEARS OF AGE.
4. **Bill No. 34-35 (COR)** Clynton E. Ridgell
As amended by the Committee
on Economic Development,
Agriculture, Maritime
Transportation, Power and
Energy Utilities, and
Emergency Response.

Moved to the bottom of
Second Reading File 3/21/19.

AN ACT TO AMEND § 122508(b) OF CHAPTER 12, TITLE 10, GUAM CODE ANNOTATED AND §§ 10003(mm)(2) AND 10208(a) OF CHAPTER 10, DIVISION 1, TITLE 26, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO REDUCING THE RESIDENCY PERIOD REQUIRED FOR OWNERSHIP OF A CANNABIS TESTING FACILITY.
3. **Resolution No. 36-35 (COR)** Amanda L. Shelton
Régine Biscoe Lee
Tina Rose Muña Barnes

Moved to Third Reading File
3/21/19.

Relative to expressing *I Mina’Trentai Singko na Liheslaturan Guåhan’s* unwavering support for the payment of war claims to our *manåmko’* and the support of Congressman Michael San Nicolas’s H.R. 1141, as well as Governor Lou Leon Guerrero in finding an Administrative solution to authorizing the U.S. Department of Treasury to begin issuing war claim payments.
4. **Bill No. 24-35 (COR)** Telena Cruz Nelson

Placed on Agenda 3/21/19.

Moved to Third Reading File
3/21/19.

AN ACT TO AMEND § 2103.4 (n) OF CHAPTER 2, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO THE NINETY (90) DAY LIMIT OF ACTING APPOINTMENTS.
5. **Bill No. 29-35 (COR)** James C. Moylan
As amended by the Committee Jose “Pedo” Terlaje
on Public Safety, Border Safety, Joe S. San Agustin
Military and Veteran Affairs, William M. Castro
Mayors Council, Infrastructure, and Public Transit.

Placed on Agenda 3/21/19.

Set Aside 3/22/19.

AN ACT TO REPEAL AND REENACT § 64.62, ARTICLE 2, CHAPTER 64, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE MAYORS COUNCIL OF GUAM TO ESTABLISH RULES AND REGULATIONS RELATED TO GAMES OF CHANCE AT THE GUAM ISLAND FAIR, LIBERATION DAY CARNIVAL.

6. **Bill No. 32-35 (COR)** Clynton E. Ridgell
As amended by the Committee Tina Rose Muña Barnes
on Economic Development, Joe S. San Agustin
Agriculture, Maritime Régine Biscoe Lee
Transportation, Power and Telo T. Taitague
Energy Utilities, and Jose “Pedro” Terlaje
Emergency Response.

AN ACT TO *ADD* A NEW CHAPTER 8 TO TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO REGULATING THE USE, PRODUCTION, SALE, AND TAXATION OF MARIJUANA, TO BE KNOWN AS THE “*GUAM CANNABIS INDUSTRY ACT OF 2019*”; TO *ADD* A NEW CHAPTER 9 TO TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO CREATING THE CANNABIS CONTROL BOARD; TO *REPEAL* §§ (c)(23) AND (c)(31) OF APPENDIX A, CHAPTER 67, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO DECLASSIFYING MARIJUANA AS A SCHEDULE I CONTROLLED SUBSTANCE; AND TO *AMEND* §§ 67.401.2(b), 67.401.4(f), (h), AND (j), 67.401.5, 67.401.6, 67.411(b) AND 67.412(a), AND *REPEAL* § 67.401.4(k), ALL OF ARTICLE 4, CHAPTER 67, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO REDEFINING REFERENCES TO IT IN THE GUAM UNIFORM CONTROLLED SUBSTANCES ACT; AND *ADDING* A NEW § 70.44.4 TO TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO POSSESSION OF CANNABIS BY PERSONS UNDER TWENTY-ONE (21) YEARS OF AGE.

7. **Bill No. 34-35 (COR)** Clynton E. Ridgell
As amended by the Committee
on Economic Development,
Agriculture, Maritime
Transportation, Power and
Energy Utilities, and
Emergency Response.

AN ACT TO *AMEND* § 122508(b) OF CHAPTER 12, TITLE 10, GUAM CODE ANNOTATED AND §§ 10003(mm)(2) AND 10208(a) OF CHAPTER 10, DIVISION 1, TITLE 26, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO REDUCING THE RESIDENCY PERIOD REQUIRED FOR OWNERSHIP OF A CANNABIS TESTING FACILITY.

8. **Bill No. 42-35 (COR)** Jose “Pedro” Terlaje
As amended by the Committee
on Public Safety,
Border Security, Military and
Veteran’s Affairs,
Mayors Council of Guam,
Infrastructure and Public
Transit.

AN ACT TO GRANT ADMINISTRATIVE JURISDICTION OF A TWO (2)-ACRE PORTION OF PARCEL 5109-R2 IN THE MUNICIPALITY OF TAMUNING TO THE GUAM REGIONAL TRANSIT AUTHORITY.

Placed on Agenda 3/22/19.

(xviii) Consideration of the Daily File;

(1) Third Reading File:

1. **Bill No. 15-35 (COR)** Joe S. San Agustin
As amended by the Committee Tina Rose Muña Barnes
on General Government
Operations, Appropriations,
and Housing; and further
amended on the Floor.

AN ACT TO *AMEND* SECTION 8 OF CHAPTER XI, PUBLIC LAW 34-116; AND TO APPROPRIATE TWO HUNDRED NINETY-EIGHT THOUSAND FIVE HUNDRED THIRTY-SIX DOLLARS (\$298,536) FROM THE GENERAL FUND TO THE GUAM ELECTION COMMISSION FOR EXPENDITURES RELATED TO THE 2018 PRIMARY AND GENERAL ELECTIONS.

Passed on 3/21/19.

2. **Bill No. 27-35 (COR)** Therese M. Terlaje
As amended by the Committee Sabina Flores Perez
on Environment, Revenue and Clynton E. Ridgell
Taxation, and Procurement.

Passed on 3/21/19.

AN ACT TO AMEND § 45105 OF ARTICLE 1, CHAPTER 45, AND ADD A NEW § 50104(p) TO CHAPTER 50, BOTH OF TITLE 10, GUAM CODE ANNOTATED; AND TO ADD A NEW § 22107(g) TO CHAPTER 22 OF TITLE 22, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO THE TIMELY PUBLICATION OF ALL NOTICES OF VIOLATION, ORDERS OF COMPLIANCE, NOTICES OF DEFENSE, VOLUNTARY COMPLIANCE AGREEMENTS, SETTLEMENT AGREEMENTS, AND REFERRALS TO THE OFFICE OF THE ATTORNEY GENERAL FOR PROSECUTION ISSUED BY THE GUAM ENVIRONMENTAL PROTECTION AGENCY (GEPA), AND TO REQUIRE THAT ALL OF THE ABOVE BE REPORTED TO THE GEPA BOARD OF DIRECTORS.

3. **Resolution No. 36-35 (COR)** Amanda L. Shelton
As substituted; and amended Régine Biscoe Lee
on the Floor. Tina Rose Muña Barnes

Relative to expressing *I Mina'Trentai Singko na Liheslaturan Guåhan's* unwavering support for the payment of war claims to our *manåmko'* and the support of Congressman Michael San Nicolas's H.R. 1141, as well as Governor Lou Leon Guerrero in finding an Administrative solution to authorizing the U.S. Department of Treasury to begin issuing war claim payments.

4. **Bill No. 24-35 (COR)** Telena Cruz Nelson

Passed on 3/21/19.

AN ACT TO AMEND § 2103.4 (n) OF CHAPTER 2, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO THE NINETY (90) DAY LIMIT OF ACTING APPOINTMENTS.

(2) Voting File:

1. The nomination of Pedro P. Ada to serve as a Member of the Guam Visitors Bureau Board of Directors. Confirmed on 3/21/19.
2. The nomination of Glynis S. Almonte, RN to serve as a Member of the Guam Memorial Hospital Authority Board of Trustees. Confirmed on 3/21/19.
3. The nomination of Zenon E. Belanger to serve as a Member of the A.B. Won Pat International Airport Authority Board of Directors. Confirmed on 3/21/19.
4. The nomination of Flori-Anne Dela Cruz to serve as a Youth Member of the Guam Visitors Bureau Board of Directors. Confirmed on 3/21/19.
5. The nomination of Byron M.S. Evaristo to serve as a Member of the Guam Memorial Hospital Authority Board of Trustees. Confirmed on 3/21/19.
6. The nomination of Dana A. Gutierrez to serve as a Member of the Guam Solid Waste Authority Board. Confirmed on 3/21/19.
7. The nomination of John Edward G. Ilao to serve as a Member of the Alcoholic Beverage Control Board. Confirmed on 3/21/19.
8. The nomination of Dafne Shimizu to serve as Director of the Department of Revenue and Taxation. Confirmed on 3/21/19.
9. The nomination of Daniel C. Stone to serve as Fire Chief of the Guam Fire Department. Confirmed on 3/21/19.
10. The nomination of Tyrone Taitano to serve as Director of the Bureau of Statistics and Plans. Confirmed on 3/21/19.
11. The nomination of Donald I. Weakley, Sr. to serve as a Member of the A.B. Won Pat International Airport Authority Board of Directors. Confirmed on 3/21/19.
12. The nomination of Alice M. Taijeron to serve as President of the Guam Housing Corporation.

(xix) **Brief Extension of Remarks;**

(xx) **Announcements; and**

(xxi) **Adjournment.**