

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session
LEGISLATIVE SESSION AGENDA

Speaker Antonio R. Unpingco Legislative Session Hall

November DRAFT, 2021

- (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;**
 - October 22, 2021
- (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. 212-36 (COR) through 216-36 (COR); 217-36 (LS) through 221-36 (LS); and 222-36 (COR) and 223-36 (COR).
 - Resolution Nos. 192-36 (COR) through 195-36 (COR); 196-36 (LS) through 208-36 (LS); and 209-36 (COR) through 211-36 (COR).
- (xiv) **Motions;**
 1. **VETOED BILL NO. 11-36 (COR)** - AN ACT TO AMEND § 19405(b) AND (c) OF ARTICLE 4, CHAPTER 19, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING LEGISLATIVE AUTHORIZATION TO EXTEND A DECLARATION OF A STATE OF PUBLIC HEALTH EMERGENCY AND TO BE KNOWN AS “THE RESTORATION OF SEPARATION OF POWERS ACT.” (Doc. No. 36GL-21-0257)
 2. **VETOED BILL NO. 38-36 (COR)** - AN ACT TO AMEND § 61106(b) OF ARTICLE 1, CHAPTER 61, DIVISION 2, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING EXTENSIONS OF DEADLINES TO SUBMIT REPORTS OR POSITIONS STATEMENTS TO THE APPLICATION REVIEW COMMITTEE, AND AN ADMINISTRATIVE FINE FOR THE DIRECTOR OF A MEMBER-AGENCY OF THE APPLICATION REVIEW COMMITTEE WHO FAILS TO PROVIDE REQUIRED REPORTS OR POSITION STATEMENTS ON LAND USE APPLICATIONS. (Doc. No. 36GL-21-0258)
 3. **VETOED BILL NO. 164-36 (COR)** - AN ACT TO AMEND SECTIONS 4, 5, 6, AND 7, AND ADD A NEW SECTION 8, AND REPEAL “EXHIBIT A,” ALL OF PUBLIC LAW 35-136 THE RECOVERY INCOME SUPPORT AND EMPOWERMENT (RISE) ACT OF 2020, RELATIVE TO REMOVING IMPEDIMENTS TO THE ISSUANCE OF PAYMENTS TO ELIGIBLE GUAM RESIDENTS DURING THE STATE OF PUBLIC HEALTH EMERGENCY DUE TO THE COVID-19 PANDEMIC. (Doc. No. 36GL-21-0989)
- (xv) **Legislative Concurrence;**
 1. The Committee on Education, Self-Determination and Historic Preservation, Infrastructure, Border Safety, Federal and Foreign Affairs, and Maritime Transportation hereby reports out the nomination of David JN Camacho to serve as a Member (Retired Teacher Representative) of the Guam Academy Charter School Council, with the recommendation to do confirm.
 2. The Committee on Education, Self-Determination and Historic Preservation, Infrastructure, Border Safety, Federal and Foreign Affairs, and Maritime Transportation hereby reports out the nomination of Dr. Lisa Cooper-Nurse to serve as a Member (Ed.D. Representative) of the Guam Commission for Educator Certification, with the recommendation to do confirm.
 3. The Committee on Public Safety, Emergency Response, Military and Veteran Affairs, Mayors Council, and Public Transit hereby reports out the nomination of Kyle Anthony G. Dahilig to serve as a Member (Youth Representative) of the Guam Regional Transit Authority Board of Directors, with the recommendation to do confirm.
 4. The Committee on Education, Self-Determination and Historic Preservation, Infrastructure, Border Safety, Federal and Foreign Affairs, and Maritime Transportation hereby reports out the nomination of Dr. Judith P. Guthertz to serve as a Member of the Port Authority of Guam, Board of Directors, with the recommendation to do confirm.
 5. The Committee on Health, Land, Justice, and Culture hereby reports out the nomination of David B. Herrera to serve as a Member of the CHamoru Land Trust Commission, with the recommendation to do confirm.
 6. The Committee on Education, Self-Determination and Historic Preservation, Infrastructure, Border Safety, Federal and Foreign Affairs, and Maritime Transportation hereby reports out the nomination of Phillip L. Noret to serve as a Member (Architect Representative) of the Guam Building Code Council, with the recommendation to do confirm.

7. The Committee on Education, Self-Determination and Historic Preservation, Infrastructure, Border Safety, Federal and Foreign Affairs, and Maritime Transportation hereby reports out the nomination of Zina S.N. Ruiz to serve as a Member (CHamoru Culture Alternate Representative) of the Guam Historic Preservation Review Board, with the recommendation to do confirm.
8. The Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning hereby reports out the nomination of Edward S. Toves to serve as a Member of the Alcoholic Beverage Control Board, with the recommendation to do confirm.

(xvi) Consent Calendar;

(xvii) Second Reading File;

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| 1. | Resolution No. 153-36 (LS) | Telena Cruz Nelson
Sabina Flores Perez
Tina Rose Muña Barnes
James C. Moylan
V. Anthony Ada
Therese M. Terlaje
Mary Camacho Torres
Amanda L. Shelton
Jose "Pedo" Terlaje | Relative to expressing the utmost support of <i>I Mina'trentai Sais Na Liheslaturan Guåhan</i> and advocating for the passage of H.R. 928, "American Family Act of 2021", introduced by Delegate Rosa DeLauro, Connecticut Representative; which seeks to amend the Internal Revenue Code of 1986 to make the child tax credit fully refundable, establish an increased child tax credit for young children, and for other purposes. |
| 2. | Resolution No. 178-36 (LS) | Therese M. Terlaje
Tina Rose Muña Barnes
Sabina Flores Perez
Jose "Pedo" Terlaje
Clynton E. Ridgell
Telena Cruz Nelson
Amanda L. Shelton
Joe S. San Agustin
Joanne M. Brown
Telo T. Taitague
Mary Camacho Torres
V. Anthony Ada
Frank Blas, Jr.
Christopher M. Dueñas
James C. Moylan | Relative to expressing the support of <i>I Mina'trentai Sais Na Liheslaturan Guåhan</i> (the 36th Guam Legislature) for the passage of S. 2798 and H. 5338, introduced in the U.S. Senate and House of Representatives on September 22, 2021, which would amend the "Radiation Exposure Compensation Act" to include Guam as a "downwinder" of U.S. Pacific test sites, extend the fund claims period, and improve compensation and benefits. |
| 3. | Resolution No. 199-36 (LS) | Therese M. Terlaje
Sabina Flores Perez
Jose "Pedo" Terlaje
Tina Rose Muña Barnes
Clynton E. Ridgell
Telena Cruz Nelson
Amanda L. Shelton
Joe S. San Agustin
Joanne Brown
Telo T. Taitague
Mary Camacho Torres
V. Anthony Ada
Frank Blas, Jr.
Christopher M. Dueñas
James C. Moylan | Relative to expressing the support of <i>I Mina'trentai Sais na Liheslaturan Guåhan</i> (the 36th Guam Legislature) for H.R. 3967, the 'Honoring our Promise to Address Comprehensive Toxics Act of 2021' because it recognizes Guam's Agent Orange exposure, and advocating for the expansion of the toxic exposure definition of 'covered veteran' under Title III to include 'a veteran who on or after October 30, 1980, performed active military, naval, or air service while assigned to a duty station in Guam' because of the U.S. military's open-air burn pit activity in the island. |
| 4. | Resolution No. 200-36 (LS) | Therese M. Terlaje
Sabina Flores Perez | Relative to expressing the support of <i>I Mina'Trentai Sais Na Liheslaturan Guåhan</i> for the passage of H.R. 3368, the "Lonnie Kilpatrick Central Pacific Herbicide Relief Act" introduced by the Honorable Michael San Nicolas in the United States House of Representatives on May 20, 2021, which seeks to correct injustice, clarify the eligibility of affected veterans, and expedite the processing of veteran claims of health conditions caused by Agent Orange exposure on Guam. |
| 5. | Bill No. 73-36 (COR) | V. Anthony Ada
Frank Blas Jr.
Christopher M. Dueñas
James C. Moylan | AN ACT TO <i>AMEND</i> §§ 60102 & 60103 OF CHAPTER 10, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO REMOVING THE RESTRICTIONS ON OWNERSHIP OF SUPPRESSORS AND SILENCERS FROM GUAM LAW BY ENACTING THE HEARING PROTECTION ACT OF 2021. |
| 6. | Bill No. 97-36 (LS)
As amended by the Committee on Air Transportation, Parks, Tourism, Higher Education, and the Advancement of Women, Youth and Senior Citizens. | Committee on Air Transportation, Parks, Tourism, Higher Education, and the Advancement of Women, <u>Youth and Senior Citizens</u> by request of I Kongressun Manhoben Guåhan, the Guam Youth Congress, in accordance with 2 GCA § 7102. | AN ACT TO <i>ADD</i> A NEW § 6121 TO ARTICLE 1 OF CHAPTER 6, TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING GUAM DEPARTMENT OF EDUCATION AND GUAM CHARTER SCHOOLS TO PROVIDE AND REGULARLY STOCK MENSTRUAL HYGIENE PRODUCTS IN ALL GUAM PUBLIC AND CHARTER SCHOOLS; TO REQUIRE THE UNIVERSITY OF GUAM AND THE GUAM COMMUNITY COLLEGE TO THE SAME; AND TO CITE THIS ACT AS THE "PERIOD POVERTY ACT OF 2021." |

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| <p>7. Bill No. 106-36 (COR)
As amended by the Committee on Public Safety, Emergency Response, Military and Veteran Affairs, Mayors Council, and Public Transit.</p> | <p>James C. Moylan
Joe S. San Agustin
Jose "Pedo" Terlaje
Frank Blas Jr.</p> | <p>AN ACT TO <i>ADD</i> § 60109.1(i)(1)(I) AND § 60109.1(i)(1)(J) TO CHAPTER 60, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO INCLUDING POLICE PRECINCTS AND GOVERNMENT OFFICES TO THE LIST OF EXCEPTIONS WHERE AN AUTHORIZED INDIVIDUAL SHALL NOT OPENLY CARRY A FIREARM OR CARRY A CONCEALED FIREARM.</p> |
| <p>8. Bill No. 152-36 (COR)
As amended by the Committee on General Government Operations, Appropriations, and Housing.</p> | <p>Telo T. Taitague
Sabina Flores Perez
Joanne Brown</p> | <p>AN ACT TO CLOSE INACTIVE GOVERNMENT OF GUAM SPECIAL FUND ACCOUNTS, AND TO REPEAL ENABLING LEGISLATION OF SUCH INACTIVE GOVERNMENT OF GUAM SPECIAL FUND ACCOUNTS, AS RECOMMENDED BY THE OFFICE OF PUBLIC ACCOUNTABILITY (OPA) PURSUANT TO OPA REPORT NO. 19-02.</p> |
| <p>9. Bill No. 179-36 (COR)
As amended by the Committee on Health, Land, Justice and Culture.</p> | <p>Telo T. Taitague
Sabina Flores Perez
Joanne Brown
Therese M. Terlaje</p> | <p>AN ACT TO <i>ADD</i> A NEW § 13510 TO ARTICLE 5 OF, CHAPTER 13, TITLE 19, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING RULES AND REGULATIONS FOR THE LICENSURE OF ADOPTION AGENCIES.</p> |
| <p>10. Bill No. 182-36 (LS)
As amended by the Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning.</p> | <p>Sabina Flores Perez
Joanne Brown
James C. Moylan
Telo T. Taitague
Joe S. San Agustin</p> | <p>AN ACT TO <i>AMEND</i> § 5214 OF ARTICLE 3, CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO IMPROVING SOLE SOURCE PROCUREMENT.</p> |
| <p>11. Bill No. 205-36 (LS)</p> | <p>Joe S. San Agustin</p> | <p>AN ACT TO <i>ADD</i> A NEW SUBSECTION (8) TO § 15401(a) OF ARTICLE 4, CHAPTER 15, TITLE 4, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE GUAM ETHICS COMMISSION TO RETAIN LEGAL SERVICES.</p> |
| <p>12. Bill No. 210-36 (COR)
As amended by the Committee on Public Safety, Emergency Response, Military and Veterans Affairs, Mayors' Council, and Public Transit.</p> | <p>Joe S. San Agustin</p> | <p>AN ACT TO <i>AMEND</i> § 79606 OF ARTICLE 6 OF CHAPTER 79, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO APPROVING THE PLANS FOR THE GUAM PACIFIC ISLAND GOLD STAR MEMORIAL MONUMENT.</p> |
| <p>13. Bill No. 66-36 (COR)
As amended by the Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts.</p> | <p>James C. Moylan
Tina Rose Muña Barnes</p> | <p>AN ACT TO <i>AMEND</i> § 58206, § 58202, AND § 58203, FROM ARTICLE 2 OF CHAPTER 58, TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO MODIFYING THE SUNSET PROVISION OF THE "SPECIAL QUALIFYING CERTIFICATE; 1,600 HOTEL ROOMS DEVELOPMENT" PROGRAM; AND, ADDING THE COSTS OF RENOVATION AS BEING ELIGIBLE FOR CERTAIN BENEFITS AS A NEW FEATURE OF THE PROGRAM.</p> |
| <p>14. Bill No. 170-36 (LS)</p> | <p>Frank Blas Jr.
Joe S. San Agustin
V. Anthony Ada</p> | <p>AN ACT TO APPROPRIATE THE SUM OF TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000) FROM THE REVENUES RECEIVED PURSUANT TO 11 GCA CHAPTER 42 AVAILABLE FOR FISCAL YEAR 2021 TO GUAM UNIQUE MERCHANDISE AND ART (GUMA) FOR THE PURPOSE OF PROVIDING ASSISTANCE TO INCUBATED BUSINESSES DEVELOPED WITH THEIR PROGRAM.</p> |
| <p>15. Bill No. 204-36 (LS)
As amended by the Committee on General Government Operations, Appropriations, and Housing.</p> | <p>Amanda L. Shelton
Telena Cruz Nelson
Tina Rose Muña Barnes
Mary Camacho Torres
Clynton E. Ridgell
James C. Moylan
Joe S. San Agustin
Jose "Pedo" Terlaje
Christopher M. Dueñas</p> | <p>AN ACT TO <i>ADD</i> NEW ARTICLE 16 TO CHAPTER 22, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING AN "OPIOID RECOVERY TRUST FUND"; TO DIRECT ALL OPIOID LITIGATION MONIES ENTITLED TO GUAM INTO SUCH FUND; AND TO ESTABLISH THE "OPIOID RECOVERY ADVISORY COUNCIL"; TO BE KNOWN AS THE "OPIOID PREVENTION AND TREATMENT ACT."</p> |
| <p>16. Bill No. 206- 36 (LS)
As amended by the Committee on General Government Operations, Appropriations, and Housing.</p> | <p>Mary Camacho Torres
Telena Cruz Nelson
Jose "Pedo" Terlaje
Amanda L. Shelton
Tina Rose Muña Barnes
James C. Moylan
Clynton E. Ridgell
Joe S. San Agustin
V. Anthony Ada
Frank Blas Jr.</p> | <p>AN ACT TO REQUIRE THE PROMULGATION AND PUBLICATION OF INTERIM RULES FOR ALL CHILD PLACEMENT AGENCIES BY THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES; AND TO ENSURE TRANSPARENCY, PERMIT PUBLIC PARTICIPATION, AND PROVIDE A METHOD OF MAKING SUCH RULES READILY ACCESSIBLE TO THE PUBLIC; AND TO FURTHER APPROPRIATE ONE THOUSAND DOLLARS (\$1,000) FROM THE UNEXPENDED FUNDS OF THE OFFICE OF SENATOR MARY CAMACHO TORRES OF <i>LIHESLATURAN GUÅHAN</i> TO THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES FOR THIS PURPOSE.</p> |

17. **Bill No. 214-36 (COR)**

Amanda L. Shelton
Joe S. San Agustin
Tina Rose Muña Barnes
Telena Cruz Nelson
Mary Camacho Torres
Jose "Pedro" Terlaje
James C. Moylan
Clynton E. Ridgell
Sabina Flores Perez
V. Anthony Ada

AN ACT TO APPROPRIATE TWENTY-FIVE MILLION DOLLARS (\$25,000,000) FROM THE GENERAL FUND TO THE DEPARTMENT OF ADMINISTRATION FOR THE LOCAL EMPLOYERS' ASSISTANCE PROGRAM (LEAP), AS ESTABLISHED BY EXECUTIVE ORDER 2021-25; AND TO CITE THIS ACT AS THE "LOCAL EMPLOYERS' ASSISTANCE PROGRAM (LEAP) ACT OF 2021.

(xviii) Consideration of the Daily File;

(1) Third Reading File:

(2) Voting File:

(xix) Brief Extension of Remarks;

(xx) Announcements; and

(xxi) Adjournment.

POTENTIAL ITEMS TO BE PLACED ON SESSION AGENDA

BILLS

BILL NO.	SPONSOR(S)	TITLE
Bill No. 185-36 (COR)	Sabina Flores Perez	AN ACT TO TRANSFER LOT NO. 10122-14 NEW-R1, MUNICIPALITY OF <i>DEDEDO</i> , FORMERLY KNOWN AS THE <i>DEDEDO</i> SOLID WASTE TRANSFER STATION TO THE GUAM ENVIRONMENTAL PROTECTION AGENCY FOR THEIR HEADQUARTERS.
Bill No. 209-36 (COR) As amended by the Committee on Health, Land, Justice, and Culture.	Therese M. Terlaje	AN ACT TO ADOPT THE PROPOSED AMENDMENTS TO ARTICLE 5 OF CHAPTER 4, TITLE 26, GUAM ADMINISTRATIVE RULES AND REGULATIONS, AS TRANSMITTED TO <i>I LIHESLATURAN GUÅHAN</i> PURSUANT TO THE ADMINISTRATIVE ADJUDICATION LAW, ATTACHED HERETO AS EXHIBIT A.

RESOLUTIONS

RESOLUTION NO.	SPONSOR	TITLE
Resolution No. 203-36 (LS)	Tina Rose Muña Barnes Mary Camacho Torres Telena Cruz Nelson Therese M. Terlaje Amanda L. Shelton Joe S. San Agustin Jose "Pedo" Terlaje James C. Moylan V. Anthony Ada	Relative to expressing the support of <i>I Mina'trentai Sais Na Liheslaturan Guahan</i> (the 36th Guam Legislature) for the passage of the Build Back Better framework, which would provide needed investments in the community of Guam including parity for U.S. Citizens residing in the territories through Supplemental Security Income inclusion and expansion of Medicaid.
Resolution No. 210-36 (COR)	Sabina Flores Perez Therese M. Terlaje Telo T. Taitague Joanne Brown	RELATIVE TO REAFFIRMING GUAM'S RIGHT TO SAFEGUARD CULTURAL RESOURCES AND TO PROTECT OCEAN ECOSYSTEMS FROM ENVIRONMENTAL HARM AND EXPLOITIVE INDUSTRY INTERESTS THROUGH A MORATORIUM ON SEABED MINING, TO ENSURE THE HEALTH OF GUAM'S PEOPLE.

APPOINTMENTS

APPOINTEE	POSITION	AGENCY
Jacy T. Bravo	Youth Member	Guam Educational Telecommunications Corporation (KGTF/PBS), Board of Trustees
Sharon Jo Davis	Member (General Public Representative)	Guam Memorial Hospital Authority, Board of Trustees
Nolan G.T. Flores	Member (Student Representative)	Guam Public Library System, Board of Directors
Jose U. Munoz	Member	Northern Guam Soil & Water Conservation District Board
Rosalina M. San Nicolas	Member	Northern Guam Soil & Water Conservation District Board