

*I Mina'trentai Sais Na Liheslaturan Guåhan*  
**BILL STATUS**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
11-36 (COR)	Christopher M. Duenas V. Anthony Ada James C. Moylan	AN ACT TO <i>AMEND</i> SECTION 19405 (b) OF TITLE 10 GUAM CODE ANNOTATED RELATIVE TO REQUIRING LEGISLATIVE AUTHORIZATION TO EXTEND A DECLARATION OF STATE OF PUBLIC HEALTH EMERGENCY, WHICH SHALL BE KNOWN AS "THE RESTORATION OF SEPARATION OF POWERS ACT."	1/5/21 4:02 p.m.	2/1/21	Committee on Health, Land, Justice, and Culture	2/8/21 4:00 p.m.	2/15/21 11:28 a.m.  As amended by the Prime Sponsor	Request: 1/13/21  Waiver: 1/20/21  Request: 2/3/21	1/28/21 As amended by the Prime Sponsor.



Office of the Speaker  
**THERESE M. TERLAJE**

*I Mina'trentai Sais na Liheslaturan Guåhan* | 36th Guam Legislature  
Committee on Health, Land, Justice and Culture

February 10, 2021

**The Honorable Tina Rose Muña Barnes**

Chairperson, Committee on Rules

*I Mina'trentai Sais na Liheslaturan Guåhan*

163 Chalan Santo Papa

Hagåtña Guam, 96910

**RE: Committee Report on Bill No. 11-36 (COR), As Amended by the Prime Sponsor**

*Håfa Adai* Chairperson Muña Barnes:

Transmitted herewith is the Committee Report on the Bill No. 11-36 (COR), As Amended by the Prime Sponsor- Christopher M. Duenas / V. Anthony Ada / James C. Moylan- "AN ACT TO AMEND SECTION 19405 (b) OF TITLE 10 GUAM CODE ANNOTATED RELATIVE TO REQUIRING LEGISLATIVE AUTHORIZATION TO EXTEND A DECLARATION OF STATE OF PUBLIC HEALTH EMERGENCY, WHICH SHALL BE KNOWN AS "THE RESTORATION OF SEPARATION OF POWERS ACT."

Committee votes are as follows:

<u>3</u>	TO DO PASS
<u>0</u>	TO NOT PASS
<u>2</u>	TO REPORT OUT ONLY
<u>0</u>	TO ABSTAIN
<u>0</u>	TO PLACE IN INACTIVE FILE

**COMMITTEE ON RULES**

**RECEIVED:**

February 10, 2021

11:16 A.M.

Sincerely,

  
Therese M. Terlaje

**Revisions Rec'd:**

February 15, 2021 @ 10:37 A.M.  
& 11:08 A.M.

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com) | [www.senatorterlaje.com](http://www.senatorterlaje.com)

*\*For transmittal of official Messages & Communications to the Guam Legislature to be distributed to all Senators,  
please send to: [speaker@guamlegislature.org](mailto:speaker@guamlegislature.org)*



Office of the Speaker  
**THERESE M. TERLAJE**

*I Mina'trentai Sais na Liheslaturan Guåhan* 36th Guam Legislature  
Committee on Health, Land, Justice and Culture

## **COMMITTEE REPORT**

# **Bill No. 11-36 (COR),** As Amended by the Prime Sponsor

Introduced by:

Senator Christopher M. Duenas / Senator V. Anthony Ada  
/ Senator James C. Moylan

**“AN ACT TO AMEND SECTION 19405 (b) OF TITLE 10  
GUAM CODE ANNOTATED RELATIVE TO REQUIRING  
LEGISLATIVE AUTHORIZATION TO EXTEND A  
DECLARATION OF STATE OF PUBLIC HEALTH  
EMERGENCY, WHICH SHALL BE KNOWN AS “THE  
RESTORATION OF SEPARATION OF POWERS ACT.”**



# Office of the Speaker **THERESE M. TERLAJE**

*I Mina'trentai Sais na Liheslaturan Guåhan* 36th Guam Legislature  
Committee on Health, Land, Justice and Culture

February 10, 2021

## **MEMORANDUM**

**To:** All Members  
Committee on Health, Land, Justice and Culture

**From:** Speaker Therese M. Terlaje *TMT*  
Committee Chairperson

**Subject:** Committee Report on Bill No. 11-36 (COR), As Amended by the Prime Sponsor

Transmitted herewith for your consideration is the Committee Report on Bill No. 11-36 (COR), As Amended by the Prime Sponsor- Introduced by Senator Christopher M. Dueñas/Senator V. Anthony Ada/ Senator James C. Moylan- AN ACT TO AMEND SECTION 19405 (b) OF TITLE 10 GUAM CODE ANNOTATED RELATIVE TO REQUIRING LEGISLATIVE AUTHORIZATION TO EXTEND A DECLARATION OF STATE OF PUBLIC HEALTH EMERGENCY, WHICH SHALL BE KNOWN AS "THE RESTORATION OF SEPARATION OF POWERS ACT."

This report includes the following:

- Copy of COR Referral of Bill No. 11-36 (COR), As Amended by the Prime Sponsor
- Notices of Public Hearing & Other Correspondence
- Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Submitted Written Testimonies & Supporting Documents
- Committee Report Digest
- Copy of Bill No. 11-36 (COR), As Amended by the Prime Sponsor
- Copy of Fiscal Note Waiver by the Bureau of Budget & Management Research
- Committee Vote Sheet

Please take the appropriate action on the attached vote sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

*Si Yu'os Ma'åse'!*

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com) | [www.senatorterlaje.com](http://www.senatorterlaje.com)

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please send to: [speaker@guamlegislature.org](mailto:speaker@guamlegislature.org)*





Vice Speaker

**TINA ROSE MUÑA BARNES**

**CHAIRPERSON, COMMITTEE ON RULES**

*I Mina'trentai Sais Na Liheslaturan Guåhan*

GUAM CONGRESS BUILDING  
163 CHALAN SANTO PAPA  
HAGÅTÑA, GUAM 96910  
TEL 671-472-2461  
COR@GUAMLEGISLATURE.ORG

February 1, 2021

## MEMO

**To:** Rennae Meno  
Clerk of the Legislature  
  
Attorney Ana Won Pat-Borja  
Legislative Legal Counsel

**From:** Vice Speaker Tina Rose Muña Barnes  
Chairperson, Committee on Rules

**Re:** Referral of Bill No. 11-36 (COR) As amended by the Prime Sponsor

---

*Buenas yan Håfa adai,*

As per my authority as Chairperson of the Committee on Rules and subject to §6.01(d), Rule VI of our Standing Rules, I am forwarding the referral of Bill No. 11-36 (COR) As amended by the Prime Sponsor – Christopher M. Duenas, V. Anthony Ada, James C. Moylan - "AN ACT TO AMEND SECTION 19405 (b) OF TITLE 10 GUAM CODE ANNOTATED RELATIVE TO REQUIRING LEGISLATIVE AUTHORIZATION TO EXTEND A DECLARATION OF STATE OF PUBLIC HEALTH EMERGENCY, WHICH SHALL BE KNOWN AS "THE RESTORATION OF SEPARATION OF POWERS ACT."

Please ensure that the subject bill is referred to the **Committee on Health, Land, Justice, and Culture**, chaired by Speaker Therese M. Terlaje.

I also request that the same be forwarded to the prime sponsor of the subject bill.

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.

Respectfully,

Vice Speaker Tina Rose Muña Barnes  
Chairperson, Committee on Rules





Speaker Therese M. Terlaje &lt;senatorterlajeguam@gmail.com&gt;

# **FIRST NOTICE of Virtual Public Hearing – Monday, February 8, 2021 beginning at 4:00 p.m.**

1 message

Speaker Therese M. Terlaje &lt;senatorterlajeguam@gmail.com&gt;

Mon, Feb 1, 2021 at 3:51 PM

To: phnotice@guamlegislature.org

Cc: Audio / Video &lt;av@guamlegislature.org&gt;, Tom Unsiog &lt;sgtarms@guamlegislature.org&gt;, Ibarra Hernandez &lt;ihernandez@guamlegislature.org&gt;

Bcc: Desk Editor <deskeditor@postguam.com>, mindy@postguam.com, The Post Editor in Chief <editor@postguam.com>, Oyaol Ngirairiki <managingeditor@postguam.com>, haidee@postguam.com, John Oconnor <john@postguam.com>, reporters@postguam.com, rlimtiaco@guampdn.com, Rindraty Limtiaco <slimtiaco@guampdn.com>, Guam PDN <news@guampdn.com>, Jerick Sablan <jpsablan@guampdn.com>, akaur@gannett.com, dcrisost@guam.gannett.com, life@guampdn.com, dmgeorge@guampdn.com, Mar-Vic Cagurangan <publisher@pacificislandtimes.com>, Pacific Island Times <pacificislandtimes@gmail.com>, Maureen Maratita <publisher@glimpsesofguam.com>, bryan@mvariety.com, emmanuel@mvariety.com, junhan@mvariety.com, guam@pstripes.osd.mil, carlsonc@pstripes.osd.mil, mabuhaynews@yahoo.com, editor@saipantribune.com, Bruce Hill <pacificjournalist@gmail.com>, Jason Salas <jason@kuam.com>, Sabrina Salas Matanane <sabrina@kuam.com>, Chris Malafunkshun Barnett <chris@kuam.com>, Nestor Licanto <nestor@kuam.com>, reporters@kuam.com, K57 <news@k57.com>, Patti Rodriguez <parroyo@spbgum.com>, pattiontheradio@yahoo.com, Sorensen Pacific Broadcasting <news@spbgum.com>, Kevin Kerrigan <kevin@spbgum.com>, jolene@spbgum.com, Mai Habib <mai.habib@spbgum.com>, raygibsonshow@gmail.com, manasilva626@yahoo.com, KISH <kstokish@gmail.com>, KPRG <admin.kprg@gmail.com>, KPRG Guam <pdkprg@gmail.com>, Manuel Cruz <cruzma812@gmail.com>, Troy Torres <troy@kanditnews.com>, Maria Louella Losinio <louella.losinio@gmail.com>, "Arthur U. San Agustin" <arthur.sanagustin@dphss.guam.gov>, "Annette L. Aguon" <Annette.Aguon@dphss.guam.gov>, "Suzanne S. Kaneshiro" <Suzanne.Kaneshiro@dphss.guam.gov>, Chima Mbakwem <Chima.Mbakwem@dphss.guam.gov>, Masatomo Nadeau <masatomo.nadeau@dphss.guam.gov>, Ann Pobutsky <Ann.Pobutsky@dphss.guam.gov>, Guam Pharmacists [REDACTED], Heather.Narcis@dphss.guam.gov, "Rosanna Y. Rabago" <Rosanna.Rabago@dphss.guam.gov>, "Terry G. Aguon" <Terry.Aguon@dphss.guam.gov>, Laurent Duenas <Laurent.duenas@dphss.guam.gov>, "Laureal B. Villagomez" <Laureal.Villagomez@dphss.guam.gov>, "Edward Blounts Jr." <[REDACTED]>, Pram Sullivan <[REDACTED]>, "Thomas Shieh, MD, FACOG" <[REDACTED]>, Nathaniel Berg <[REDACTED]>, Hoa Nguyen <[REDACTED]>, Dr Vince Akimoto <[REDACTED]>, Yolanda Carrera <yolanda.carrera@gmha.org>, Akio Oiso <[REDACTED]>, Ramel A Carlos <[REDACTED]>, Joleen Aguon <joleen.aguon@gmha.org>, OB Dr Annie Bordallo <[REDACTED]>, Chris Bieling <[REDACTED]>, Edna Santos <[REDACTED]>, Erika Masuda Alford <[REDACTED]>, Michael Cruz <[REDACTED]>, Jeffrey Gabel <jeffrey.gabel@live.com>, Felix Cabrera <[REDACTED]>, Chris Dombrowski <[REDACTED]>, "christian.eusebio@gmha.org" <christian.eusebio@lvhn.org>, Dustin Prins <prinsdd@gmail.com>, William Vercio <[REDACTED]>, "Drs. Gregory" <[REDACTED]>, Kia Rahmani <[REDACTED]>, jon sidell <[REDACTED]>, "Annie Bordallo (Medical Director)" <annie.bordallo@gmha.org>, "Cabrera, Felix" <Felix.Cabrera@grmc.gu>, Mike Um <[REDACTED]>, michael.cruz@grmc.gu, Jon Junior M Calvo <jon.calvo@guam.gov>, Leevin Camacho <ag@oagguam.org>, "Stephanie E. Mendiola" <smendiola@oagguam.org>

February 1, 2021

## **MEMORANDUM**

To: All Senators, Stakeholders and Media

From: Speaker Therese M. Terlaje, Chairperson  
Committee on Health, Land, Justice and Culture

Subject: **FIRST NOTICE of Virtual Public Hearing – Monday, February 8, 2021 beginning at 4:00 p.m.**

*Håfa Adai,*

Please be advised that the Committee on Health, Land, Justice and Culture will convene a virtual public hearing on **Monday, February 8, 2021 beginning at 4:00 p.m.** utilizing the Zoom meeting virtual platform, for the following agenda items:

**4:00 PM:**

- **BILL NO. 11-36 (COR)**- Christopher M. Duenas / V. Anthony Ada / James C. Moylan- ***“AN ACT TO AMEND SECTION 19405 (b) OF TITLE 10 GUAM CODE ANNOTATED RELATIVE TO REQUIRING LEGISLATIVE AUTHORIZATION TO EXTEND A DECLARATION OF STATE OF PUBLIC HEALTH EMERGENCY, WHICH SHALL BE KNOWN AS “THE RESTORATION OF SEPARATION OF POWERS ACT.”*** **BILL LINK:** [http://www.guamlegislature.com/36th\\_Guam\\_Legislature/Bills\\_Introduced\\_36th/Bill%20No.%2011-36%20\(COR\).pd](http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%2011-36%20(COR).pd)

**5:30 PM:**

- **OVERSIGHT HEARING ON THE DEPARTMENT OF PUBLIC HEALTH & SOCIAL SERVICES (DPHSS); COVID-19 VACCINATION PLAN, HIRING, AND STAFF DETAILING.**

Please email [senatorterlajegum@gmail.com](mailto:senatorterlajegum@gmail.com) or call 472-3586, if you would like to register to provide live testimony on BILL NO. 11-36 (COR) no later than February 7, 2021 and/or require any special accommodations or further information. Written testimony can also be submitted via email to [senatorterlajegum@gmail.com](mailto:senatorterlajegum@gmail.com). The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4; stream online via *I Liheslaturan Guåhan's* live feed at [http://www.guamlegislature.com/live\\_feed.htm](http://www.guamlegislature.com/live_feed.htm). A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing. We look forward to your participation! *Si Yu'os Ma'åse'!*

## **Office of Speaker Therese M. Terlaje**

### **Committee on Health, Land, Justice and Culture**

*I Mina'trentai Sais na Liheslaturan Guåhan*

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

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**First Notice of Virtual Public Hearing\_ Monday, February 8, 2021 at 4PM.pdf**

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# Office of the Speaker **THERESE M. TERLAJE**

*I Mina'trentai Sais na Liheslaturan Guåhan* 36th Guam Legislature  
Committee on Health, Land, Justice and Culture

February 1, 2021

## MEMORANDUM

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Committee on Health, Land, Justice and Culture

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5:30 PM:

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**TENSIONS:**

Members of the Japan Self Defense Forces (JSDF) march during a review at Japan Ground Self-Defense Force (JGSDF) Camp Asaka in Asaka, Japan, on Oct. 14, 2018. Keith Bedford/Bloomberg



## Taliban claim car bomb in eastern Afghanistan that kills 14

KABUL, Afghanistan (Tribune News Service) — The Taliban claimed responsibility for a powerful car bombing at a military base in Afghanistan's eastern Nangarhar province that killed at least 14 soldiers on Saturday.

The bombing in Shirzad district of the province wounded four other soldiers, according to a local councilor Ajmal Omar.

A spokesman for the Taliban, Zabihullah Mujahid, said that in total 50 soldiers were among the dead and wounded.

Both the Taliban and Islamic State militants are active in the province and occasionally stage large- or small-scale attacks on security forces.

In central Wardak province, a clash between the police and militia of a local commander in central Wardak province killed seven militia members, the Afghan Interior Ministry said on Friday night.

The skirmish left another nine militia members and some policemen wounded.

The police arrested 68 militia members who were disrupting police activities in the Behsood district of the province, the ministry said.

However, a local Wardak lawmaker, Mahdi Rasikh, contradicted the ministry, saying that police opened fire on a peaceful demonstration in Behsood district, killing at least 11 and wounding 20 more.

The skirmish — according to Rasikh — erupted when the police chief said that he would start an operation against the local commander, known as Alipoor, from the Hazara ethnic community.

Elsewhere, in southern Kandahar province, a roadside bombing left three civilians dead in the Panjwaee district of the province, police said.

# Islands continue to pose threat to Asia-Pacific stability

## ANALYSIS

(Bloomberg) — The South China Sea isn't the only arena in Asia's waters where China's territorial claims are stoking tensions.

One thousand miles to the northeast, China is in a dispute with Japan over century-old claims to a set of uninhabited islands in the East China Sea — called the Senkakus in Japan and the Diaoyus in China. That poses the potential for wider conflict, since the U.S. has said the islands are covered by its security treaty with Japan. Tokyo and Beijing have for decades been at loggerheads over the islands whose combined surface area is about 3 square miles (7 square kilometers), causing almost daily friction, raising concerns that a bigger confrontation might erupt at any time.

### 1. Where are the disputed islands?

With eight major outcrops, the islands are located about 105 miles (170 kilometers) northeast of the northern tip of Taiwan, which also has a claim on them, but has largely stayed out of the fray. Japan lists the isles — the biggest of which measures 1.5 square miles — in its Okinawa prefecture and says they were incorporated into the nation's territory in 1895. Beijing holds that they are part of its historical territory that should have been returned with the rest of Japan's colonial possessions after World War II. As many as 200 Japanese lived there in the early years, according to Japan's Foreign Ministry, producing dried fish or collecting bird feathers to sell. Now human-free, only goats are sighted there.

### 2. What's in the waters?

The area has abundant fishing stocks, but what is beneath the sea bed looks to be even more lucrative.

Interest in the islands increased after the discovery of potential undersea hydrocarbon reserves in 1968, and the U.S. Energy Information Administration sees the East China Sea basin as a possible rich source of natural gas that could help meet Chinese and Japanese domestic demand. The U.S., which held the islands at the time, allowed them to pass into Japanese hands. Beijing, which was moving to restore ties with Tokyo and Washington at the time, didn't let the dispute derail the diplomatic detente.

### 3. How has this played out?

A decision in 2012 by then-Japanese Prime Minister Yoshihiko Noda to nationalize some of the islands from private Japanese owners lifted the dispute to a new more contentious level. A wave of anti-Japanese demonstrations and boycotts followed in China, while Beijing stepped up maritime patrols. Japan has since accused China of making hundreds of incursions a year and trying "to change the status quo by coercion" using regular navy and air force patrols. The Japanese upgraded their radar and patrol capabilities and are building anti-ship missile units in the Ryukyu archipelago just over 250 miles away, according to one report in July.

### 4. Is this getting out of control?

No, but it's heating up. While the government in Japan accused Chinese vessels of making more than 1,000 incursions last year into a contiguous area around the islands, China counters that Japan is the one making illegal forays. Even though both lodge regular diplomatic protests, the two countries have tried to manage the conflict. With China facing a bruising diplomatic and trade battle with the U.S., it doesn't want to pick a fight with another major power. Tokyo also is not keen to stir up trouble with its biggest trading part-

ner. Still, Japan's then-defense minister told the Chinese ambassador last year to hold off on military activities close to the islands. That came even as Beijing appeared to ratchet down tensions by telling the operators of hundreds of fishing trawlers not to go near them.

### 5. What does the U.S. say?

Joe Biden, in his first phone call to Prime Minister Yoshihide Suga as president, reiterated the U.S. stance that its "unwavering commitment to the defense of Japan" covers the Senkaku islands. Last year, Lieutenant General Kevin Schneider, the commander of U.S. Forces Japan, offered to help Japan with information, surveillance and reconnaissance capability, accusing Beijing of a maritime intimidation campaign against countries in the region. A White House report under former President Donald Trump said China was "engaging in provocative and coercive" military activities in areas including the South China Sea, where the country is in dispute with nations including the Philippines, Vietnam and Malaysia.

## SPEAKER THERESE M. TERLAJE

1st Minutemen State of Lilihaia Gullian  
36th Guam Legislature



## Committee on Health, Land, Justice and Culture

VIRTUAL PUBLIC HEARING • MONDAY, FEBRUARY 8, 2021 • 4:00 PM

### AGENDA:

- **BILL NO. 11-36 (COR)**- Christopher M. Duenas / V. Anthony Ada / James C. Moylan- "AN ACT TO AMEND SECTION 19405 (b) OF TITLE 10 GUAM CODE ANNOTATED RELATIVE TO REQUIRING LEGISLATIVE AUTHORIZATION TO EXTEND A DECLARATION OF STATE OF PUBLIC HEALTH EMERGENCY, WHICH SHALL BE KNOWN AS "THE RESTORATION OF SEPARATION OF POWERS ACT."
- **OVERSIGHT HEARING ON THE DEPARTMENT OF PUBLIC HEALTH & SOCIAL SERVICES (DPHSS): COVID-19 VACCINATION PLAN, HIRING, AND STAFF DETAILING.**

Please email [senatorterlage@guam.gov](mailto:senatorterlage@guam.gov) or call 472-3586, if you would like to register to provide live testimony on BILL NO. 11-36 (COR) no later than February 7, 2021 and/or require any special accommodations or further information. Written testimony can also be submitted via email to [senatorterlage@guam.gov](mailto:senatorterlage@guam.gov). The hearing will broadcast on local television, 6TA Channel 21, Docomo Channel 117/604; stream online via Lilihaia Gullian's live feed at <http://www.guamlegislature.gov/live-feed.htm>. This ad is paid for with government funds.





Speaker Therese M. Terlaje &lt;senatorterlajeguam@gmail.com&gt;

## AMENDED FIRST NOTICE of Virtual Public Hearing – Monday, February 8, 2021 beginning at 4:00 p.m.

1 message

Speaker Therese M. Terlaje &lt;senatorterlajeguam@gmail.com&gt;

Mon, Feb 1, 2021 at 6:03 PM

To: phnotice@guamlegislature.org

Cc: Audio / Video &lt;av@guamlegislature.org&gt;, Guam MIS &lt;mis@guamlegislature.org&gt;, Tom Unsiog &lt;sgtarms@guamlegislature.org&gt;

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February 1, 2021

### MEMORANDUM

To: All Senators, Stakeholders and Media

From: Speaker Therese M. Terlaje, Chairperson  
Committee on Health, Land, Justice and Culture

Subject: **AMENDED FIRST NOTICE of Virtual Public Hearing – Monday, February 8, 2021**  
beginning at 4:00 p.m.



*Håfa Adai,*

Please be advised that the Committee on Health, Land, Justice and Culture will convene a virtual public hearing on **Monday, February 8, 2021 beginning at 4:00 p.m.** utilizing the Zoom meeting virtual platform, for the following agenda items:

**4:00 PM:**

- **BILL NO. 11-36 (COR)- As Amended by the Prime Sponsor Christopher M. Duenas / V. Anthony Ada / James C. Moylan-** “AN ACT TO AMEND SECTION 19405 (b) OF TITLE 10 GUAM CODE ANNOTATED RELATIVE TO REQUIRING LEGISLATIVE AUTHORIZATION TO EXTEND A DECLARATION OF STATE OF PUBLIC HEALTH EMERGENCY, WHICH SHALL BE KNOWN AS “THE RESTORATION OF SEPARATION OF POWERS ACT.” **BILL LINK:** [http://www.guamlegislature.com/36th\\_Guam\\_Legislature/Bills\\_Introduced\\_36th/Bill%20No.%2011-36%20\(COR\).pdf](http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%2011-36%20(COR).pdf) (AMENDED BILL VERSION ATTACHED TO THIS EMAIL)

**5:30 PM:**

- **OVERSIGHT HEARING ON THE DEPARTMENT OF PUBLIC HEALTH & SOCIAL SERVICES (DPHSS); COVID-19 VACCINATION PLAN, HIRING, AND STAFF DETAILING.**

Please email [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com) or call 472-3586, if you would like to register to provide live testimony on BILL NO. 11-36 (COR) no later than February 7, 2021 and/or require any special accommodations or further information. Written testimony can also be submitted via email to [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com). The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4; stream online via *I Liheslaturan Guåhan*'s live feed at [http://www.guamlegislature.com/live\\_feed.htm](http://www.guamlegislature.com/live_feed.htm). A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing. We look forward to your participation! *Si Yu'os Ma'åse'!*

## Office of Speaker Therese M. Terlaje

### Committee on Health, Land, Justice and Culture

*I Mina'trentai Sais na Liheslaturan Guåhan*

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

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**2 attachments**



**Bill No. 11-36 (COR) as\_amended (2).pdf**

120K



**Amended First Notice of Virtual Public Hearing\_ Monday, February 8, 2021 at 4PM.pdf**

318K



Speaker Therese M. Terlaje &lt;senatorterlajeguam@gmail.com&gt;

## SECOND NOTICE of Virtual Public Hearing – Monday, February 8, 2021 beginning at 4:00 p.m.

1 message

Speaker Therese M. Terlaje &lt;senatorterlajeguam@gmail.com&gt;

Fri, Feb 5, 2021 at 10:18 AM

Bcc: Desk Editor <deskeditor@postguam.com>, mindy@postguam.com, The Post Editor in Chief <editor@postguam.com>, Oyaol Ngirairikl <managingeditor@postguam.com>, haidee@postguam.com, John Oconnor <john@postguam.com>, reporters@postguam.com, rlimtiaco@guampdn.com, Rindraty Limtiaco <slimtiaco@guampdn.com>, Guam PDN <news@guampdn.com>, Jerick Sablan <jpsablan@guampdn.com>, akaur@gannett.com, dcristost@guam.gannett.com, life@guampdn.com, dmgeorge@guampdn.com, Mar-Vic Cagurangan <publisher@pacificislandtimes.com>, Pacific Island Times <pacificislandtimes@gmail.com>, Maureen Maratita <publisher@glimpsesofofguam.com>, bryan@mvariety.com, emmanuel@mvariety.com, junhan@mvariety.com, guam@pstripes.osd.mil, carlsonc@pstripes.osd.mil, mabuhaynews@yahoo.com, editor@saipantribune.com, Bruce Hill <pacificjournalist@gmail.com>, Jason Salas <jason@kuam.com>, Sabrina Salas Matanane <sabrina@kuam.com>, Chris Malafunkshun Barnett <chris@kuam.com>, Nestor Licanto <nestor@kuam.com>, reporters@kuam.com, K57 <news@k57.com>, Patti Rodriguez <parroyo@spbgum.com>, pattiontheradio@yahoo.com, Sorensen Pacific Broadcasting <news@spbgum.com>, Kevin Kerrigan <kevin@spbgum.com>, jolene@spbgum.com, Mai Habib <mai.habib@spbgum.com>, raygibsonshow@gmail.com, manasilva626@yahoo.com, KISH <kstokish@gmail.com>, KPRG <admin.kprg@gmail.com>, KPRG Guam <pdkprg@gmail.com>, Manuel Cruz <cruzma812@gmail.com>, Troy Torres <troy@kanditnews.com>, Maria Louella Losinio <louella.losinio@gmail.com>, "Arthur U. San Agustin" <arthur.sanagustin@dphss.guam.gov>, "Annette L. Aguon" <Annette.Aguon@dphss.guam.gov>, "Suzanne S. Kaneshiro" <Suzanne.Kaneshiro@dphss.guam.gov>, Chima Mbakwem <Chima.Mbakwem@dphss.guam.gov>, Masatomo Nadeau <masatomo.nadeau@dphss.guam.gov>, Ann Pobutsky <Ann.Pobutsky@dphss.guam.gov>, Guam Pharmacists [REDACTED], Heather.Narcis@dphss.guam.gov, "Rosanna Y. Rabago" <Rosanna.Rabago@dphss.guam.gov>, "Terry G. Aguon" <Terry.Aguon@dphss.guam.gov>, Laurent Duenas <Laurent.duenas@dphss.guam.gov>, "Laureal B. Villagomez" <Laureal.Villagomez@dphss.guam.gov>, "Edward Blounts Jr." [REDACTED], Pram Sullivan [REDACTED], "Thomas Shieh, MD, FACOG" [REDACTED], Nathaniel Berg [REDACTED], Hoa Nguyen [REDACTED], Dr Vince Akimoto [REDACTED], Yolanda Carrera <yolanda.carrera@gmha.org>, Akio Oiso [REDACTED], Ramel A Carlos <[REDACTED]>, Joleen Aguon <joleen.aguon@gmha.org>, OB Dr Annie Bordallo <[REDACTED]>, Chris Bieling <[REDACTED]>, Edna Santos [REDACTED], Erika Masuda Alford <[REDACTED]>, Michael Cruz <[REDACTED]>, Jeffrey Gabel <jeffrey.gabel@live.com>, Felix Cabrera <[REDACTED]>, Chris Dombrowski [REDACTED], "christian.eusebio@gmha.org" <christian.eusebio@jvhn.org>, Dustin Prins [REDACTED], William Vercio [REDACTED], "Drs. Gregory" [REDACTED], Kia Rahmani [REDACTED], jon sidell [REDACTED], "Annie Bordallo (Medical Director)" <annie.bordallo@gmha.org>, "Cabrera, Felix" <Felix.Cabrera@grmc.gu>, Mike Um [REDACTED], michael.cruz@grmc.gu, Jon Junior M Calvo <jon.calvo@guam.gov>, [REDACTED], Leevin Camacho <ag@oagguam.org>, "Stephanie E. Mendiola" <smendiola@oagguam.org>, Guam Chamber Information <info@guamchamber.com.gu>, Guam Women's Chamber of Commerce <connect@guamwomenschamber.com>, Leevin Camacho <lcamacho@oagguam.org>, "Leevin T. Camacho" <lcamacho@guamag.org>

February 5, 2021

### MEMORANDUM

To: All Senators, Stakeholders and Media

From: Speaker Therese M. Terlaje, Chairperson  
Committee on Health, Land, Justice and Culture

Subject: **SECOND NOTICE of Virtual Public Hearing – Monday, February 8, 2021**  
beginning at 4:00 p.m.

Hafa Adai,

Please be advised that the Committee on Health, Land, Justice and Culture will convene a virtual public hearing on **Monday, February 8, 2021 beginning at 4:00 p.m.** utilizing the Zoom meeting virtual platform, for the following agenda items:

**4:00 PM:**

- **BILL NO. 11-36 (COR)**, *As Amended by the Prime Sponsor- Christopher M. Duenas / V. Anthony Ada / James C. Moylan-* “AN ACT TO AMEND SECTION 19405 (b) OF TITLE 10 GUAM CODE ANNOTATED RELATIVE TO REQUIRING LEGISLATIVE AUTHORIZATION TO EXTEND A DECLARATION OF STATE OF PUBLIC HEALTH EMERGENCY, WHICH SHALL BE KNOWN AS “THE RESTORATION OF SEPARATION OF POWERS ACT.”

**BILL LINK:** [http://www.guamlegislature.com/36th\\_Guam\\_Legislature/Bills\\_Introduced\\_36th/Bill%20No.%2011-36%20\(COR\).pd](http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%2011-36%20(COR).pd)

**5:30 PM:**

- **OVERSIGHT HEARING:** THE DEPARTMENT OF PUBLIC HEALTH & SOCIAL SERVICES (DPHSS) COVID-19 VACCINATION PLAN, HIRING, AND STAFF DETAILING.

Please email [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com) or call 472-3586, if you would like to register to provide live testimony on **BILL NO. 11-36 (COR)** **no later than February 7, 2021** and/or require any special accommodations or further information. Written testimony can also be submitted via email to [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com).

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4; Please note that for Docomo customers without set top boxes, the broadcast channel is now 112-4. The hearing will also stream online via *I Liheslaturan Guåhan*'s live feed at [http://www.guamlegislature.com/live\\_feed.htm](http://www.guamlegislature.com/live_feed.htm). A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing.

We look forward to your participation! *Si Yu'os Ma'åse'!*

**Office of Speaker Therese M. Terlaje**

Committee on Health, Land, Justice and Culture

*I Mina'trentai Sais na Liheslaturan Guåhan*

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

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**SECOND NOTICE\_02.08.21 VIRTUAL PUBLIC HEARING.pdf**

364K





Office of the Speaker  
**THERESE M. TERLAJE**

*I Mina'trentai Sais na Liheslaturan Guåhan* 36th Guam Legislature  
Committee on Health, Land, Justice and Culture

February 5, 2021

**MEMORANDUM**

To: All Senators, Stakeholders and Media

From: Speaker Therese M. Terlaje, Chairperson <sup>TMT</sup>  
Committee on Health, Land, Justice and Culture

Subject: **SECOND NOTICE of Virtual Public Hearing** – Monday, February 8, 2021  
beginning at 4:00 p.m.

*Håfa Adai,*

Please be advised that the Committee on Health, Land, Justice and Culture will convene a virtual public hearing on **Monday, February 8, 2021 beginning at 4:00 p.m.** utilizing the Zoom meeting virtual platform, for the following agenda items:

**4:00 PM:**

- **BILL NO. 11-36 (COR)**, *As Amended by the Prime Sponsor-* **Christopher M. Duenas / V. Anthony Ada / James C. Moylan- "AN ACT TO AMEND SECTION 19405 (b) OF TITLE 10 GUAM CODE ANNOTATED RELATIVE TO REQUIRING LEGISLATIVE AUTHORIZATION TO EXTEND A DECLARATION OF STATE OF PUBLIC HEALTH EMERGENCY, WHICH SHALL BE KNOWN AS "THE RESTORATION OF SEPARATION OF POWERS ACT."**

**BILL**

**LINK:** [http://www.guamlegislature.com/36th\\_Guam\\_Legislature/Bills\\_Introduced\\_36th/Bill%20No.%2011-36%20\(COR\).pd](http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%2011-36%20(COR).pd)

**5:30 PM:**

- **OVERSIGHT HEARING:** THE DEPARTMENT OF PUBLIC HEALTH & SOCIAL SERVICES (DPHSS) COVID-19 VACCINATION PLAN, HIRING, AND STAFF DETAILING.

Please email [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com) or call 472-3586, if you would like to register to provide live testimony on **BILL NO. 11-36 (COR)** **no later than February 7, 2021** and/or require any special accommodations or further information. Written testimony can also be submitted via email to [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com).

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Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com) | [www.senatorterlaje.com](http://www.senatorterlaje.com)

*\*For transmittal of official Messages & Communications to the Guam Legislature to be distributed to all Senators, please send to: [speaker@guamlegislature.org](mailto:speaker@guamlegislature.org)*

*Second Notice of Virtual Public Hearing*  
*Monday, February 8, 2021 beginning at 4:00 p.m.*

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The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4; Please note that for Docomo customers without set top boxes, the broadcast channel is now 112-4.

The hearing will also stream online via *I Liheslaturan Guåhan's* live feed at [http://www.guamlegislature.com/live\\_feed.htm](http://www.guamlegislature.com/live_feed.htm). A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing.

We look forward to your participation! *Si Yu'os Ma'åse'!*



# Senate approves power-sharing plan

By Laura Litvan  
and Steven T. Dennis  
Bloomberg News

WASHINGTON – The U.S. Senate approved a two-year power sharing deal negotiated by top leaders of both parties that gives Democrats committee chairmanships and sets other ground rules, allowing the chamber to begin fully functioning after weeks of procedural limbo.

The agreement approved by unanimous consent Wednesday is based on a 2001 deal reached the last time the 100-member chamber was divided 50-50. The accord allows the same number of Republicans and Democrats on committees and gives each party an even split of panel budgets. Democrats, though, will control committee gavels and Majority Leader Chuck Schumer will set the agenda on the floor.

As part of the final deal, Schumer agreed that he will limit his use of parliamentary tactics to keep minority-party Republicans from offering amendments to bills.



**SCHUMER:** Sen. Chuck Schumer, D-N.Y., speaks during a news conference with members of the House Democratic Caucus on Capitol Hill in Washington, D.C., on Tuesday, Dec. 8, 2020. Yuri Gripas/Abaca Press/Tribune News Service

In a written statement formally placed in the Senate record, Schumer said he would only block amendments if "dilatatory measures prevent the Senate from taking action and leave no alternatives. Senators from both sides will be able to offer amendments."

McConnell said in the statement that this understanding will be key as the Senate begins working in earnest. "The right to offer amendments is important to Senators on our side as well, and we look forward to full and vigorous debates, including amendments, as the Senate takes up the

many important issues before us," McConnell said.

Schumer announced earlier Wednesday that a deal had been struck and said it will spur committee work on President Joe Biden's priorities and his Cabinet-level nominations as Democratic chairmen will be in place and ground rules will be set for the structure of Senate panels.

"I've already instructed the incoming Democratic chairs of all relevant committees to begin holding hearings on the climate crisis in preparation for enacting President Biden's Build Back Better agenda, which includes major climate legislation," Schumer said on the Senate floor.

While confirmations need just a simple majority vote, Republicans will still have significant sway on policy matters as long as the legislative filibuster remains intact. They are already signaling that they will oppose key parts of Biden's agenda, including climate-change legislation and an overhaul of immigration policy.

## US mulls using law designed to prosecute Mafia against Capitol rioters

WASHINGTON (Reuters) – The U.S. Justice Department is considering whether to charge members of far-right groups involved in the deadly Jan. 6 storming of the Capitol under a federal law usually used against organized crime, according to two law enforcement sources.

The Racketeer Influenced and Corrupt Organizations Act, known as RICO, enables prosecutors to combat certain ongoing racketeering crimes

such as murder, kidnapping, bribery and money laundering. The 1970 statute provides for hefty criminal penalties including up to 20 years in prison and seizure of assets obtained illegally through a criminal enterprise.

The sources, a current law enforcement official and a former official who recently left the federal government, said using the RICO statute to charge people involved in the Capitol violence is being debated within the Justice

Department, with no final decision made. The sources spoke on condition of anonymity.

The siege by supporters of former President Donald Trump left five dead, including a police officer. It is not yet clear if cases arising from it meet "statutory elements" necessary for a RICO charge, the former federal official said.

"This is something that is being mulled over in the halls of DOJ," the

official added, using the department's initials.

President Joe Biden's administration has warned that domestic extremism is a growing threat following the Capitol rampage, a sharp departure from the way Trump regarded extremist groups such as the Proud Boys and Oath Keepers. In a September pre-election debate with Biden, Trump told the Proud Boys to "stand back and stand by."

### Guam Cancer Trust Fund Council Meeting

The Guam Cancer Trust Fund Council will hold its monthly meeting online on **Thursday, February 11, 2021**

If interested in attending the meeting, please register with Remylynn Yamanaka at [gctf@triton.uog.edu](mailto:gctf@triton.uog.edu).

**SPEAKER THERESA M. TERLAJE**

*(Mina Terlafe Sais na Liheslaturan Guåhan)*  
36th Guam Legislature



**Committee on Health,  
Land, Justice and Culture**

**VIRTUAL PUBLIC HEARING • MONDAY, FEBRUARY 8, 2021 • 4:00 PM**

#### AGENDA:

- BILL NO. 11-36 (COR)- Christopher M. Duenas / V. Anthony Ada / James C. Moylan- "AN ACT TO AMEND SECTION 19405 (b) OF TITLE 10 GUAM CODE ANNOTATED RELATIVE TO REQUIRING LEGISLATIVE AUTHORIZATION TO EXTEND A DECLARATION OF STATE OF PUBLIC HEALTH EMERGENCY, WHICH SHALL BE KNOWN AS "THE RESTORATION OF SEPARATION OF POWERS ACT."**
- OVERSIGHT HEARING ON THE DEPARTMENT OF PUBLIC HEALTH & SOCIAL SERVICES (DPHSS): COVID-19 VACCINATION PLAN, HIRING, AND STAFF DETAILING.**

Please email [senaterlafe@guam.gov](mailto:senaterlafe@guam.gov) or call 472-3506, if you would like to register to provide live testimony on BILL NO. 11-36 (COR) no later than February 7, 2021 and/or require any special accommodations or further information. Written testimony can also be submitted via email to [senaterlafe@guam.gov](mailto:senaterlafe@guam.gov). The hearing will broadcast on local television, GFA Channel 21, DoCom Channel 117/60.4, stream online via <http://www.guamlegislature.com/live-feed.htm>. This ad is paid for with government funds.



### TWO MINUTES

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### Power Perfected In Weakness

by Pastor Cornelius R. Stam

To Paul was committed the greatest revelation of all time. He was divinely commissioned to proclaim the glorious all-sufficiency of Christ's redemptive work, God's offer of salvation by free grace to all who trust in Christ and their heavenly position, blessings and prospect.

Lest he should become puffed up by the glory of these great truths, God gave him what he calls "a thorn in the flesh," an aggravating physical infirmity of some sort. "For this thing," he says, "I besought the Lord thrice [three times], that it might depart from me" (II Cor. 12:8). But the Lord knew better than Paul what was best for him:

*"And He said unto me, My grace is sufficient for thee; for My strength is made perfect in weakness" (Ver.9).*

How right God was! Every Christian knows that with brimming health and "good fortune" comes the tendency to forget our need of Him, while infirmity causes us to lean harder and to pray more and this is where our spiritual power lies. Every believer should acknowledge this and say with Paul:

*"Most gladly therefore will I rather glory in my infirmities, that the power of Christ may rest upon me. Therefore I take pleasure in infirmities...for when I am weak, then am I strong" (II Cor. 12:9,10).*

Infirmities of the flesh are common even to God's choicest saints. What satisfaction there is, then, in just believing God's Word: "My grace is sufficient for thee, for My strength is made perfect in weakness."

#### To the Reader:

Some of our Two Minutes articles were written many years ago by Pastor C. R. Stam for publication in newspapers. When many of these articles were later compiled in book form, Pastor Stam wrote this word of explanation in the Preface:

"It should be borne in mind that the newspaper column, Two Minutes With the Bible, has now been published for many years, so that local, national and international events are discussed as if they occurred only recently. Rather than rewrite or date such articles, we have left them just as they were when first published. This, we felt, would add to the interest, especially since our readers understand that they first appeared as newspaper articles."

To this we would add that the same is true for the articles written by others that we continue to add, on a regular basis, to the Two Minutes library. We hope that you'll agree that while some of the references in these articles are dated, the spiritual truths taught therein are timeless.





Speaker Therese M. Terlaje &lt;senatorterlajeguam@gmail.com&gt;

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**Oversight Hearing scheduled for 5:30 p.m. on February 8th**

1 message

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**Speaker Therese M. Terlaje** <senatorterlajeguam@gmail.com>

Fri, Jan 29, 2021 at 9:48 AM

To: "Arthur U. San Agustin" &lt;arthur.sanagustin@dphss.guam.gov&gt;, "Terry G. Aguon" &lt;Terry.Aguon@dphss.guam.gov&gt;, Laurent Duenas &lt;Laurent.duenas@dphss.guam.gov&gt;

Hafa Adai Director San Agustin,

Speaker Terlaje has scheduled an virtual oversight hearing with the Dept. of Public Health to discuss the DPHSS Vaccination plan and updates on testing and contact tracing. It will be held at 5:30pm in effort to accommodate the schedules of you and your team. Please kindly confirm the attendance of yourself and your team members that will present.

Additionally, prior to the oversight hearing at 4pm- we will be holding a public hearing on Bill 11-36 (COR), which is "AN ACT TO AMEND SECTION 19405 (b) OF TITLE 10 GUAM CODE ANNOTATED RELATIVE TO REQUIRING LEGISLATIVE AUTHORIZATION TO EXTEND A DECLARATION OF STATE OF PUBLIC HEALTH EMERGENCY, WHICH SHALL BE KNOWN AS "THE RESTORATION OF SEPARATION OF POWERS ACT," and are requesting the feedback of your agency whether it be through live participation or written testimony submitted prior to the hearing, if possible. I have attached a copy of the bill here for your reference.

Please do not hesitate to contact our office with any questions or for further clarification.

Respectfully,  
Charissa L. Manibusan  
Committee Director

**Office of Speaker Therese M. Terlaje**

Committee on Health, Land, Justice and Culture

*I Mina'trentai Sais na Liheslaturan Guåhan*

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

T: (671) 472-3586 F: (671) 989-3590 Email: [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com)website: [www.senatorterlaje.com](http://www.senatorterlaje.com)

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**Bill No. 11-36 (COR) as\_amended (1).pdf**

120K



Speaker Therese M. Terlaje &lt;senatorterlajeguam@gmail.com&gt;

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**Request for provide feedback on Bill 11-36 (COR)**

1 message

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**Speaker Therese M. Terlaje** <senatorterlajeguam@gmail.com>

Fri, Feb 5, 2021 at 9:21 AM

To: "Stephanie E. Mendiola" &lt;smendiola@oagguam.org&gt;

Cc: Leevin Camacho &lt;lcamacho@oagguam.org&gt;

Hafa Adai Dep. AG Mendiola,

The Committee on Health, Land, Justice and Culture will convene a virtual public hearing on **Monday, February 8, 2021 beginning at 4:00 p.m.** utilizing the Zoom meeting virtual platform, for the following agenda items:

- **BILL NO. 11-36 (COR)- As Amended by the Prime Sponsor- Christopher M. Duenas / V. Anthony Ada / James C. Moylan- "AN ACT TO AMEND SECTION 19405 (b) OF TITLE 10 GUAM CODE ANNOTATED RELATIVE TO REQUIRING LEGISLATIVE AUTHORIZATION TO EXTEND A DECLARATION OF STATE OF PUBLIC HEALTH EMERGENCY, WHICH SHALL BE KNOWN AS "THE RESTORATION OF SEPARATION OF POWERS ACT."** **BILL LINK:** [http://www.guamlegislature.com/36th\\_Guam\\_Legislature/Bills\\_Introduced\\_36th/Bill%20No.%2011-36%20\(COR\).pd](http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%2011-36%20(COR).pd)

We respectfully request the feedback of the OAG via live testimony or written testimony. Preferably prior to the hearing, if possible. Please do not hesitate to contact our office for any further clarification. Please also confirm if a representative will be able to attend. We will send the hearing link upon confirmation.

Respectfully,  
Charissa L. Manibusan  
Committee Director

**Office of Speaker Therese M. Terlaje**

Committee on Health, Land, Justice and Culture

*I Mina'trentai Sais na Liheslaturan Guåhan*

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

T: (671) 472-3586 F: (671) 989-3590 Email: [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com)website: [www.senatorterlaje.com](http://www.senatorterlaje.com)

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Office of the Speaker  
**THERESE M. TERLAJE**

*I Mina'trentai Sais na Liheslaturan Guåhan* 36th Guam Legislature  
Committee on Health, Land, Justice and Culture

**VIRTUAL PUBLIC HEARING**

**MONDAY, FEBRUARY 8, 2021**

**BEGINNING AT 4:00 PM**

**AGENDA:**

**4:00 PM:**

- **BILL NO. 11-36 (COR)**, *As Amended by the Prime Sponsor- Christopher M. Duenas / V. Anthony Ada / James C. Moylan- "AN ACT TO AMEND SECTION 19405 (b) OF TITLE 10 GUAM CODE ANNOTATED RELATIVE TO REQUIRING LEGISLATIVE AUTHORIZATION TO EXTEND A DECLARATION OF STATE OF PUBLIC HEALTH EMERGENCY, WHICH SHALL BE KNOWN AS "THE RESTORATION OF SEPARATION OF POWERS ACT."*

**BILL**

**LINK:** [http://www.guamlegislature.com/36th\\_Guam\\_Legislature/Bills\\_Introduced\\_36th/Bill%20No.%2011-36%20\(COR\).pd](http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%2011-36%20(COR).pd)

**5:30 PM:**

- **OVERSIGHT HEARING:** THE DEPARTMENT OF PUBLIC HEALTH & SOCIAL SERVICES (DPHSS) COVID-19 VACCINATION PLAN, HIRING, AND STAFF DETAILING.

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4; Please note that for Docomo customers without set top boxes, the broadcast channel is now 112-4.

The hearing will also stream online via *I Liheslaturan Guåhan's* live feed at [http://www.guamlegislature.com/live\\_feed.htm](http://www.guamlegislature.com/live_feed.htm). A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing.

We look forward to your participation! *Si Yu'os Ma'åse'!*

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com) | [www.senatorterlaje.com](http://www.senatorterlaje.com)

*\*For transmittal of official Messages & Communications to the Guam Legislature to be distributed to all Senators, please send to: [speaker@guamlegislature.org](mailto:speaker@guamlegislature.org)*



I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature  
Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

**Date:** Monday, February 8, 2021

**Time:** 4:00 PM

Bill 11-36 (COR)- As Amended by the Prime Sponsor- Introduced by Senator Christopher M. Dueñas/Senator V. Anthony Ada/Senator James C. Moylan- AN ACT TO AMEND  
SECTION 19405 (b) OF TITLE 10 GUAM CODE ANNOTATED RELATIVE TO REQUIRING LEGISLATIVE AUTHORIZATION TO EXTEND A DECLARATION OF STATE OF  
PUBLIC HEALTH EMERGENCY, WHICH SHALL BE KNOWN AS "THE RESTORATION OF SEPARATION OF POWERS ACT."

	NAME	ADDRESS	CONTACT NO.	E-MAIL	Type of Testimony		Support	
					WRITTEN	ORAL	Yes	No
1	Thomas Peinhopf, Bar Owner, Livehouse Incorporated & Shady Lady					X	X	
2	Elizabeth C. Duenas, Guam Association of Realtors				X	X	X	
3	Gina Campos, Realtor/ Broker, RE/MAX Diamond Realty					X	X	
4	Claire Delgado (present only to listen)							
5	Dennis Balagtas (Present only to listen)							
6	Lourdes Manibusan (Present only to listen)							
7	Maria Perez (Present only to listen)							
8	Peggy Llagas (Present only to listen)							
9								
10								

JOHN P. & ELIZABETH C. DUENAS  
301 Frank H. Cushing Way, #1202, Tamuning, Guam 96913

February 8, 2021

Senator Therese Terlaje  
Chairperson, Committee on Health, Land, Justice & Culture  
36<sup>th</sup> Guam Legislature

Subject: Testimony on Bill No. 11-36 – An Act to Amend Section 19405 (b) of Title 10 GCA  
To Enact the Restoration of Separation of Powers Act

Hafa Adai Senator Terlaje,

I wish to submit testimony in support of Bill 11-36.

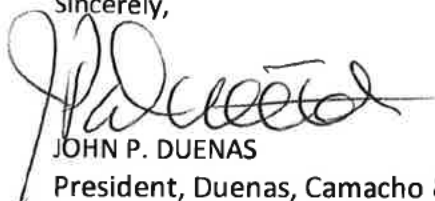
The many periods of lockdowns as well as the imposition of severe and punishing inconsistent and uneven-handed restrictions on private sector businesses by the executive branch has resulted in massive numbers of workers either furloughed or terminated. Without income, many unemployed private sector workers have been forced to seek government assistance to survive without any indication by our local government that those business enterprises where they were employed would be allowed to open and/or viably operate. Meanwhile, government employees are paid to stay home and double-paid if they go to their workplace. Yet and at the same time, certain States of the Union such as Florida and Arizona have allowed businesses to open, operate and even flourish despite pandemic conditions. Why then can't Guam follow suit?

These questions must be asked by a co-equal branch of government (the Legislature), where public input and comments are solicited, addressed and where measures can be undertaken to respond to private sector concerns as well as pursue actions that are in the overall public interest. This bill if enacted into law will restrict the Governor's seemingly unbridled emergency powers to 30 days, after which she must be subjected to legislative oversight and disposition. If winners and losers in the private sector are to be determined by government, at the very least let those policies and decisions be made by *both* the executive and legislative branches of government.

I urge Senators to support the bill in numbers that will provide a veto-proof mandate.

Thank you.

Sincerely,



JOHN P. DUENAS

President, Duenas, Camacho & Associates, Inc.  
Principal Broker, RE/MAX Diamond Realty



Speaker Therese M. Terlaje &lt;senatorterlajeguam@gmail.com&gt;

## Re: Testimony in Support of the Passage of Bill 11-36 - -- An Act to Amend Section19405 (b) of Title 10 GCA To Enact the Restoration of Separation of Powers Act

1 message

Liz Duenas &lt;lduenas@remaxguam.com&gt;

Mon, Feb 8, 2021 at 4:01 PM

Reply-To: lduenas@remaxguam.com

To: "Speaker Therese M. Terlaje" &lt;senatorterlajeguam@gmail.com&gt;

Cc: "John P. Duenas" <jpduenas@dcaguam.com>, Office of Senator Moylan Guam Legislature <officeofsenatormoylan@guamlegislature.org>, senatormary@guamlegislature.com, senatortelo@gmail.com, Senator Clynt Ridgell <sen.cridgell@teleguam.net>, "Senator Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Vice Speaker Tina Rose Muña Barnes <senatormunabarnes@guamlegislature.org>, Senator Telena Cruz Nelson <senatortcnelson@guamlegislature.org>, Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, Senator Sabina Perez <office@senatorperez.org>, "Honorable Frank F. Blas Jr." <office@senatorfrankblas.com>, "Honorable V. Anthony Ada" <senatorvanthonyada@gmail.com>, Chris Duenas <senatorchrisduenas@gmail.com>, "Honorable Joanne M. Brown" <office@senatorjoannebrown.com>, Senator Jose Pedro Terlaje <senatorpedo@senatorjpterlaje.com>, Gina Campos <gcampos@remaxguam.com>

Speaker Terlaje

I am in support of Bil 11-36.

Inasmuch as the Covid Pandemic Emergency situation affected the World, Guam was hit as well in many ways. Not only our health, but our businesses and the economy. In anything there should be a balance in making decisions. During the Pandemic, the Legislature had the authority to do something about the shutdown - Nothing was Done! Many businesses have closed and many are unemployed, Rents and mortgages are not paid, Gross Receipt Taxes down, and the Government is experiencing a shortfall.

This bill will allow our two branches of Government to make the decisions necessary for the greater good of the island.

Liz C. Duenas  
Business Owner  
President Elect, Guam Association of Realtors



Elizabeth "Liz" C. Duenas, CRS ABR, CIAS, MRP, CLHMS, AHWD, E-PRO, REALTOR  
Associate Broker/Owner

**RE/MAX Diamond Realty**

238 E. Marine Corps Drive Suite 202

Hagatna, Guam 96910

Phone: (671) 479-8843

Cellular: (671) [REDACTED]

Website: GuamHomesLizDuenas.com





## The Voice for Real Estate on Guam

February 8<sup>th</sup>, 2021

**Honorable Senator Christopher M. Dueñas**  
**36<sup>th</sup> Guam Legislature**

**Regarding: GARs Testimony for Bill 11-36**

Håfa Adai Honorable Senator Christopher M. Dueñas,

On behalf of the Guam Association of REALTORS® I, Shawn Blas as 2021 GAR President, would like to state that GAR supports Bill 11-36. This bill which will require the Governor to get Legislative approval to renew, after the initial 30 days, the declaration of public health emergency. I would like to further state that we, at the GAR, fully respect and will continue to follow any state of public health emergency guidelines.

We are 530 members strong in our association and are all in the private sector. Just like the Government of Guam we vote for our Leadership Team. Our Board of Directors, including the President of GAR, take into account the voices of our general membership when making decisions on anything that will affect us as a whole. I believe that with the passage of this bill it will allow our Governor to make the initial 30-day state of public health emergency at her will and then will require Legislative approval for any extension of it after the initial 30 days. The Legislature, through their offices and public hearings, will be able to make their decision with the public's opinion in mind, which will give better insight to other potential ways of handling a state of public health emergency.

We thank you for the opportunity to provide a written testimony on this Bill and would also like to commend the efforts of the authors of this bill; Senators Christopher M. Dueñas, Anthony Ada and James Moylan. Thank you.

Sincerely,

Shawn Blas  
2021 President, Guam Association of REALTORS®

CC:

Peggy Araullo Llagas, Chief Executive Officer and Government Affairs Director

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The Guam Association of REALTORS® is a non-profit organized real estate association. With over 450 members, our association is governed by volunteer leaders. We proudly belong to one of the largest trade associations, the National Association of REALTORS® with over 1.3 million members.



**GUAM CHAMBER OF COMMERCE**  
**PARTNERS IN PROGRESS**

February 8, 2021

THE HONORABLE THERESE TERLAJE  
Speaker, *I Mina' Trentai Sais Na Liheslaturan Guåhan*  
Chairperson, Committee on Health, Land, Justice, & Culture  
Guam Congress Building  
163 Chalan Santo Papa  
Hagåtña, Guam 96910

**RE: BILL 11-36: AN ACT TO AMEND SECTION 19405 (b) OF TITLE 10 GUAM CODE ANNOTATED TO ENACT THE RESTORATION OF SEPARATION OF POWERS ACT.**

Dear Madame Speaker,

Thank you for the opportunity to submit our testimony on **Bill No. 11-36**. The Guam Chamber of Commerce supports this measure as it provides a check and balance regarding the state of our government concerning the COVID-19 pandemic and any future health crisis our island may face.

Since the start of this lockdown, many private sector entities have sought answers from their government, and unfortunately, many inquiries were left unanswered. It took months for the public to get information on the census of infection rates, the hospital patient census, and much other pertinent information to the decision-making process. Simultaneously, no one contests the risks associated with the virus, but many questioned the rationale behind the decisions.

#### **Permanent Repercussions**

The COVID-19 pandemic has and continues to create both a health and an economic crisis. Thousands of island residents lost their jobs, faced furloughs, and the Governor's executive orders compelled many businesses to close their doors (some had to make the hard decisions of closing their doors down permanently). The community is entitled to know how the government makes decisions and understand what factors affect their lives and livelihood.

For example, the government has asked the public to "strive for five" since November 2020. This rallying point was the basis of reopening our internal economy, but it has now been three months, and we are still closed 50% compare to before COVID-19 without any explanation as to why. The community needs to know why these restrictions continue and our island's pandemic condition of readiness remaining status quo.

#### **Opportunity for Clarity**

Bill 11-36 does not terminate the Emergency Declaration declared by the Governor of Guam nor interfere with her powers to do so. Instead, it requires that any extension of such a declaration would require reporting to the Guam Legislature to better inform the public about the circumstances that require extending the state of emergency. The community wants and deserves answers to their questions.

#### **Unintended Consequences.**

As the island's largest business organization, our membership comprises businesses that were adversely affected by this pandemic. When the government places an extension of an Emergency Declaration on the table, they would have the opportunity through public hearings to share their stories and, more importantly, ask questions. Our government leaders would have the chance to understand the effects and unintended consequences these decisions make on our people and Guam's economy.

*February 8, 2021*

*Page 2*

*Letter to Speaker Terlaje Re: (Bill 11-36)*

In summary, the Guam Chamber of Commerce supports Bill 11-36, as it would provide the public a larger role in understanding the decision-making process. We encourage the members of the 36th Guam Legislature to please support the measure. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Catherine Castro".

CATHERINE CASTRO  
President



LOURDES A. LEON GUERRERO  
GOVERNOR



JOSHUA F. TENORIO  
LT. GOVERNOR

UFISINAN I MAGA'HÅGAN GUÅHAN  
OFFICE OF THE GOVERNOR OF GUAM

February 8, 2021

**HONORABLE THERESE M. TERLAJE**, *Speaker*

36<sup>th</sup> Guam Legislature  
*Chairperson, Committee on Health, Land, Justice and Culture*  
Guam Congress Building  
163 Chalan Santo Papa  
Hagåtña, Guam 96910

**RE: BILL NO. 11-36 (COR) - An Act to Amend Section 19405(b) of Title 10 Guam Code Annotated Relative to Requiring Legislative Authorization to Extend a Declaration of Public Health Emergency, which Shall be Known as "The Restoration of Separation of Powers Act"**

Dear Madame Speaker,

I do not support Bill 11-36 (COR).

Guam's Organic Act establishes three branches of government, each with its own scope of responsibilities to ensure that our local government functions appropriately to serve our residents and protects their rights. Bill 11-36 is an attempt to insert the Legislature in executive branch operations and would likely unnecessarily slow responses to imminent public health threats. *Islan Guahån* Emergency Health Powers Act (the "EHPA"), is based on a Model State Emergency Health Powers Act drafted by the Center for Law and the Public's Health at Georgetown and Johns Hopkins Universities at the request of the Centers for Disease Control and Prevention. Adopted in some iteration in over thirty (30) states, it was designed to enable the government to act quickly to address impending public health threats to the community. By design, the EHPA does not accommodate the much more deliberate process utilized by legislatures to craft policy through the adoption of law and the appropriation of funds.

Bill 11-36 was introduced with the purported intent to prevent the executive branch from acting in "an arbitrary and capricious fashion" in implementing its response to the public health emergency caused by the 2019 novel coronavirus ("COVID-19"). Attempts to characterize our government's response to the pandemic as "arbitrary and capricious" is an affront to the men and women who have spent the better part of a year responding to this global crisis. Our response has evolved with the national and international COVID-19 landscape. We generate policy based on the most current available information regarding the virus, as well a coordinated critical mass of data and institutional memory amassed by numerous local and federal agencies and entities, including DPHSS doctors, contact tracers and epidemiologists, the Physicians Advisory Group, the Guam National Guard and its Surgeon Cell, the Guam Memorial Hospital Authority, the Guam International Airport Authority, the Guam Police Department, a designated doctor from the US Centers for Disease Control and Prevention, the National Governors Association, Guam Homeland Security/Office of Civil Defense, and the Federal Emergency Management Agency. I personally spend countless hours meeting with these entities and their representatives on a weekly basis. These meetings result in on-the-ground changes to protocol based on unanticipated developments as they arise.

Disguised as an attempt to “restore” the separation of powers, Bill 11-36 is, in actuality, an attempt at legislative overreach. If enacted into law, it would be the job of the Legislature to determine whether or not to extend a declaration of public health emergency. Such a determination would necessarily require that the Legislature be directly involved in the operational functions of the Department of Public Health and Social Services, or any other executive branch agency that had been designated as the Public Health Authority under the provisions of the EHPA. Such comprehensive involvement in the executive branch operations would usurp the role of the executive branch, and violate the very separation of powers the proponents of this bill claim they want to protect.

Certainly, Governors should be held accountable for their actions. It may be easy for some in the Legislature to describe my actions during this pandemic as arbitrary and capricious, and to wish themselves into my position. Let me assure you that the authority the Organic Act has granted the Office of the Governor to protect the public health comes with an equally substantial obligation, one I carry heavily every day of this pandemic that passes. I personally call the families of all Guamanians who have lost their lives to this disease. While I encourage our community to exercise personal judgment to keep all of us safe and healthy, I feel an intense responsibility to implement policies that would protect our most vulnerable from those among us who feel no such responsibility, who are not willing to adjust their personal behavior or be inconvenienced in any manner, and who are willing to sacrifice the health of our elderly or vulnerable to perpetuate a false narrative that the island is somehow immune from the devastation COVID-19 has wreaked on the world. I feel a responsibility to our frontliners who bear the greatest emotional burden of this crisis.

We have seen other jurisdictions believe they have defeated this disease, most recently New Zealand, only to experience a resurgence in positive cases. We do not have the resources New Zealand has. We must be cognizant of our limitations. We must behave as though we cannot afford another wave of positive cases, because that is the truth. Now is not the time to gamble with our future. But if the Legislature believes that the pandemic is over, and that the continued tireless efforts of our frontliners are somehow exaggerated or contrived, the Legislature can end the public health emergency -- a statutory mechanism already exists to check the executive's declaration of a public health emergency. Under 10 G.C.A. § 19405(c), the Legislature may terminate a declared public health emergency where the public health threats, in the Legislature's own estimation, have subsided. It is my sincere hope that if the Legislature deems it appropriate to end the public health emergency, it will have done so having weighed such determination with an overabundance of care and consideration as I have in my decisions to extend the public health emergency.

*Senseremente,*



**LOURDES A. LEON GUERRERO**

*Maga'hågan Guåhan*  
Governor of Guam

cc: *Honorable Joshua F. Tenorio, Sigundo Maga'låhen Guåhan*





# Office of the Speaker **THERESE M. TERLAJE**

*I Mina'trentai Sais na Liheslaturan Guåhan* | 36th Guam Legislature  
Committee on Health, Land, Justice and Culture

## COMMITTEE REPORT DIGEST

### I. OVERVIEW

Bill No. 11-36 (COR) was introduced on Tuesday, January 5, 2021 by Senator Christopher M. Duenas, Senator V. Anthony Ada and Senator James C. Moylan. It was initially referred by the Committee on Rules to the Committee on General Government Operations, Appropriations, and Housing on January 13, 2021 and subsequently re-referred to the Committee on Health, Land, Justice and Culture on January 22, 2021.

Bill No. 11-36 (COR) was amended by the Prime Sponsor on January 28, 2021 and was again referred by the Committee on Rules to the Committee on Health, Land, Justice and Culture on February 1, 2021.

The Committee on Health, Land, Justice and Culture convened a virtual public hearing on Bill No. 11-36 (COR) As amended by the Prime Sponsor on **Monday, February 8, 2021** beginning at 4 p.m. in *I Liheslatura's* Virtual Public Hearing Platform.

#### **Public Notice Requirements**

Notices for this Virtual Public Hearing was disseminated via email to all senators and all main media broadcasting outlets on **Monday, February 1, 2021** (5-Day Notice) and again on **Friday, February 5, 2021** (48 Hour Notice). The notice was also published in the Guam Daily Post on **Monday, February 1, 2021** and **Friday, February 5, 2021**.

#### **Senators Present:**

Speaker Therese M. Terlaje, Committee Chairperson  
Senator Christopher M. Duenas, Member  
Senator Telo T. Taitague, Member  
Senator Joanne M. Brown, Member  
Senator James C. Moylan, Minority Leader  
Senator Frank F. Blas Jr.  
Senator V. Anthony Ada

#### **Appearing before the Committee:**

Thomas Peinhopf, Bar Owner, Livehouse Incorporated & Shady Lady  
Elizabeth C. Duenas, Guam Association of Realtors  
Gina Campos, Realtor/ Broker, RE/MAX Diamond Realty



**Written Testimony Submitted:**

Honorable Lourdes A. Leon Guerrero, Governor of Guam  
Catherine Castro, President, the Guam Chamber of Commerce  
Shawn Blas, Guam Association of Realtors Elizabeth C. Duenas,  
Guam Association of Realtors  
John P. Duenas, President, Duenas, Camacho & Associates, Inc.

## II. SUMMARY OF TESTIMONY & DISCUSSION

The virtual public hearing was Called-to-Order at **4:02 PM**. Chairperson Therese M. Terlaje introduced the item on the agenda and the Guam Legislature's guidance on virtual hearings. Bill No. 11-36 (COR) was the only item on the agenda.

**Chairperson Therese M. Terlaje:** I'd like to acknowledge the presence of my colleagues, beginning with Senator Chris Duenas--who is the sponsor of the bill, Senator Telo Taitague, Senator Frank Blas, Senator Tony Ada, Senator Joanne Brown. Thank you, colleagues, for being here.

Alright. So, I'm going to ask the prime sponsor of the bill, Senator Chris Duenas, to introduce the bill including the title, please.

**Senator Christopher M. Duenas:** Madam Chair. I thought you were going to read the title. I just had my testimony in front of me. Would it be a problem to ask?

**Chairperson Therese M. Terlaje:** No, I'm happy to do that. Okay. So, Bill No. 11-36 (COR) As Amended by the prime sponsor, Christopher M. Duenas, V Anthony Ada, James C Moylan. AN ACT TO AMEND SECTION 19405 (b) OF TITLE 10 GUAM CODE ANNOTATED RELATIVE TO REQUIRING LEGISLATIVE AUTHORIZATION TO EXTEND A DECLARATION OF STATE OF PUBLIC HEALTH EMERGENCY, WHICH SHALL BE KNOWN AS "THE RESTORATION OF SEPARATION OF POWERS ACT."

Senator Duenas. You're recognized to introduce the bill.

**Senator Christopher M. Duenas:** Thank you, Madam Chair, and thank you to members of the Committee, other members of the legislature, and members who have joined to testify. Madam Chair, Madam Speaker, I really am very grateful to the Committee on Rules, as well as yourself, for the expeditious manner in which this bill has been placed for public hearing.

And I thank you for the opportunity to make an opening statement on Bill 11-36. Members listening today, Bill 11-36 is a simple bill that provides for legislative approval of a public health emergency declaration after 30 days of such declaration. I want to first recognize the habit that the current pandemic of COVID-19 has caused to the world. Most, especially to thank our front liners public health, nurses, doctors, all the healthcare providers, public safety personnel. The list goes on, Madam Speaker.

Public employees have been heroes and deserve our respect and gratitude. Having said that another habit has been plaguing our community. Our economy has been rocked and brought to its knees. Many businesses have closed, and others teeter on shutting down for good. Guam is

not unique with its struggle to balance the safety of its people and the need for economic activity, which calls for businesses being able to open and operate.

Madam Speaker, this is not a unique situation as I mentioned. In the state of Michigan, the Michigan State Legislature took governor Whitmer to the Superior Court, Supreme Court of Michigan, and her powers to constantly activate emergencies after the first 60 days were found to be unconstitutional.

And now in Michigan, there's a requirement for the Governor of Michigan to go to the State Legislature to be able to extend an emergency. Hawaii, on January 21st, 2021, House Bill 103 was introduced which calls for the same requirement of what we're trying to do, the Hawaii State Legislature is trying to do the same thing.

The approval of the Governor's declaration of Hawaii for a public health emergency after 60 days must be approved by the Hawaii Legislature. Testimony on the bill is overwhelmingly in support of, of Bill H103 in Hawaii. Of note, there's an organization named Grassroots Institute of Hawaii, which made the following statement in their testimony.

Grassroots Organization of Institute of Hawaii is basically an organization that has been in activity. It's a 5013C non-profit organization geared towards shaping policy in Hawaii. They've been in action for over two decades and have shaped a lot of legislation in Hawaii and particularly, when it comes to business, this is their statement and the record for Bill 103 in Hawaii...

"Given that the emergency management law already gives broad legislative powers to the executive, the result is an upsetting balance of powers in the state for an extended period of

time. Without a voice in government via their elected representatives, people lose trust in elected officials. It is clear that the legislature must play a larger role in any proposed extension of an emergency period as an act to safeguard the rights and safety and health of the public.

By requiring legislative approval for the extension of an emergency past 60 days' time limit HB 103 would take a positive step towards protecting the balance of powers and the public trust." That is their statement in the record. And as I said, there's overwhelming support for that bill and the testimony that was provided.

Members of the House Pandemic Preparedness in Hawaii--on February two, 2021, the Committee unanimously passed the measure and I'm sure it will see activity on the floor of the

Hawaii State Legislature soon. Once again, this is almost mirror legislation to what we're trying to do here with Bill 11. Madam Speaker, as I close--recently, the Governor extended, by Executive Order, of the public health emergency, which allowed for bingo partners and gaming halls to open, not bars.

This doesn't seem to make any sense. I know we have a bar owner on board today to testify. Madam Speaker, I have been in receipt of emails that are showing many states are having class action suits where bars are coming together to file suits against their executive branch and their government because restaurants have been able to open and serve liquor and those restaurants even have bars in them, but those bars are not able to open.

So, what they're suing for is the ability to recover from the government money from the time restaurants were open going forward when the bars weren't able to open. There is a potential liability for the government of Guam if we don't consider it to heed these calls and see if we can work with these businesses to get them open.

Madam Speaker, churches, during this pandemic, for the last 10 months, had to be very proactive, had to go on the news media, had to do everything for their fundamental rights to worship and prove to public health that they could do proper sanitation, proper separation, and allow the people of Guam to go and worship.

They never had a voice in the legislature. Madam Speaker, I've heard you say many times, and I completely agree with you, that the legislature is where the people's voice is heard. And that is our fundamental responsibility. We, as you have said, many times, Madam Speaker are sometimes the government, you know, process for the people because we're the last resort for them.

They've tried everything. They've talked to the executives. They've talked to everybody in government. They've talked to public health and they don't have any remedy. They want to be essential businesses. They want to open. Bill 11 does not say the Governor cannot execute an emergency. Bill 11 does not say we don't respect the powers that the Governor.

It says everybody must have a seat at the table and have their voice heard when these decisions are being made after a time certain that the Governor takes action on a Public Health Emergency. Madam Speaker, I will now offer, of course, back to you as the Chair to listen to the testimony on this bill from the great people that joined this hearing.

Thank you, Madam Speaker.

**Chairperson Therese M. Terlaje:** Thank you very much, Senator Duenas. Before we proceed, I would just like to read the bill. It's very short. I'm going to go straight to Section 3, which skips the title and the legislative findings. So, Section 3 of the bill, just as an existing statute, it is 19405 (b), Title 10 and (b) says, "automatic termination, notwithstanding any other provision of this chapter, the declaration of a state of public health emergency shall be terminated automatically after 30 days unless renewed by"

And our current statute says *I Maga'låhan*, the Governor. And the bill would amend that to now read *I Liheslaturan Guåhan*. "Under the same standards and procedures set forth in this article, any such renewal shall also be terminated automatically after 30 days unless renewed by" and where our existing statute says *I Maga'låhan*, this bill would now read, "*I Liheslaturan Guåhan*", "under the same standards and procedures set forth in this article". I just want it to read that because I want those who are listening to also be able to follow along in our discussion.

So that, that is the change that's being proposed by this bill. So we have a couple of people signed up to testify. We'll begin with Mr. Thomas.

**Thomas Peinhopf:** Yes, Madam Speaker.

**Chairperson Therese M. Terlaje:** Oh, sorry. Before you begin, I would like to recognize the presence of our Minority Leader, Senator James Moylan. Thank you, Senator, for being with us as well. Mr. Peinhopf, you may begin.

**Thomas Peinhopf:** Thank you so much for this opportunity. Håfa Adai, Madam Speaker, Senators. You know, I'm a simple businessman now. I just quickly, to my person, so you know who I am. I've studied hotel and restaurant management back in Europe. I've worked all over the world in New York city, California, and also in Guam as an assistant food and beverage director and as a food and beverage director to Dusit Thani Hotel. I opened this hotel.

It was beautiful. It was a great time, a great learning growth. And I decided to be self-employed. We have a bar. It's running under Lifehouse Incorporated. We have a second bar at DBA called the Shady Lady. It's a nice cocktail bar, very clean, very safe, good quality beverages. And now we are representing, I've been made a speaker for an entire group of people that has no representation.

And I'm talking about the bar owners' group and pretty much the entire nightlife industry that we represent. It's been 325 days of closure. We really don't want to count the few weeks that we were open. It was the last week of June, the entire month of July and then the first week of August.

That was a very poor performing month or six weeks to a struggling economy. But as I said, the bar owners' group and the nightlife industry we represent is really outraged. You know, we agree, and we feel that it is a targeted effort to really remove us and annihilate us.

I know those are hard words, but our feelings are sincere, and we have no other option than speaking up. You know, we did small peaceful protests where we came together. We had small meetings; we went to the media. You know, we had a chair protest to, to set symbols, to raise awareness that we are here.

We're part of this Island. We're part of our economy. You know, we pay taxes, but we have no chance, absolutely no chance to make a living. And it wouldn't be that bad if all the landlords' rents, the commercial rents that are very high in Guam, especially down in Tumon, if they weren't coming in continuously over and over. We feel that larger corporations are being preferred and they're the ones to survive.

You know, we're pretty much, we're standing with our backs to the wall. As I said, the commercial rents, in some cases--in my case, and I don't like to talk about financials and, you know, want to share what my business makes or costs, but it's \$10,000 per month that I have to pay for two bars.

And you know, we are almost one year now into the closure. So please do the math 10,000 times 12. The GEDA grants for a category of my business. It was a [inaudible] business, the GEDA grants were capped at \$5,000. The two months rental leave, which many haven't even received. I believe it was an admission of guilt.

You know, it was just ridiculously short. We're month 12. We're receiving two months of help. Many, actually, that were allowed to operate throughout the entire year that were considered more essential than us, as well, received the rent relief. So, there was no prioritizing that matter happening.

Speaking of public health guidelines, the bar guidelines for a safe opening has been in place. It's the exact same guidelines that restaurants run with. When we opened in July, there was not one

single case of COVID traced back to a bar. We are responsible business owners. We want to make sure our staff, our customers ourselves, our families, everyone's family is safe.

So, we implemented that same rules and guidelines that everyone else has. However, we are not allowed to open. Some bars got in trouble with public health, but it wasn't because of their missing sanitation standards. It was because of a certification.

It was a ServSafe certification that until that point, no bar had ever had to have on Guam. We quickly got together. And everyone received their ServSafe certification and still we have no chance to open. In July, we were asked to pay our liquor license, our business license, our sanitary permit.

We even got inspected by public health. We received an aid that we have in our door still. We're not allowed to open. We even filed a government claim with the Attorney General's office for our daily expenses. We haven't heard back ever since. So, I know coming out of the hotel and restaurant business, that bars can operate safely the same way that restaurants do.

As a matter of fact, if you are familiar with the operations of restaurants and bars, restaurants sometimes have more staff, cooks, stewards that handle food plates, cutlery that allow for increased cross-contamination that bars just simply don't have. Again, I speak for many, you know, many of our bar owners' group, we have about 45 now.

Text me, ask me for help. Don't know what to do anymore. As a matter of fact, we had one suicide as well. Because of the situation...I don't want to go into the detail, that is private, but,



besides many being closed and filing bankruptcy, you know, to see that somebody takes his own life of not finding a way out and not receiving any help.

I think in Guam, in America, in any Western society, it is incredible. And, I really don't have more than I prepared, so I appreciate, and thank you for the opportunity to speak.

**Chairperson Therese M. Terlaje:** Thank you very much. I'll now recognize Liz Duenas.

**Elizabeth Duenas:** Thank you. Madam Speaker, I'm in support of the bill. And as much as the pandemic situation affected the world, Guam was hit in many ways, not only our health, but our businesses and the economy, in anything, there's always a balance in making decisions. During the pandemic, the legislature had the authority to do something about the shutdown.

Nothing was done. Many businesses have closed. Many are unemployed. Rents and mortgages are not paid, gross receipt taxes down, and the government is experiencing a shortfall. The winners here are the government employees who continue to get paid during the pandemic. I mean, there should have been a balance somehow there. At least, this bill would allow the two branches of government to make the decisions necessary for the greater good of our Island.

So, I just feel something else should have been done and it wasn't. And because of that, our businesses have suffered. It's sad to say that the winners were the Government of Guam employees. They didn't suffer much. As many of us have discussed this, we're responsible adults. And during this pandemic, we would have had the resources to figure things out where we exercise precautionary measures.

But I feel that this bill at least is a step. It's not all the answers, but it's a step towards balancing the powers that be. And thank you for bringing this, but that's my 2 cents. That probably is worth 2 cents. Thank you.

**Chairperson Therese M. Terlaje:** Thank you very much. I'll now recognize Gina Campos.

**Gina Campos:** You know, Madam Speaker, Senator Chris, Senator Jim, Senator Tony. I know you guys are all co-sponsors of this bill and a lot of us in the business community have been waiting and waiting and praying that this comes about and took too long, but I'm glad we're here. This is what I have to say.

You know, I'm sitting here listening to Thomas explaining why he needs to be open. And here's my feeling on the subject, the government is responsible. In my opinion, the government is responsible for public safety, education and providing basic medical services for those of us in our community who need that.

As a citizen in this community, I have always felt that it's my responsibility and my family, we feel that it is our responsibility to provide for ourselves. I don't need the government to do anything other than those basic necessities, in my opinion. And when we were locked down in March, as a real estate professional, we were not allowed to work until May.

When I was given the opportunity to work, I have been hauling my butt since so that I could provide for my family and pay my taxes like a good citizen, but the government has failed us a bit. Business should not have to go in front of everybody or anybody at all and justify why, even though they have a business license, why they should be open.

The government, at some point, needs to treat all businesses equal like we treat all citizens equal. No business should have to fight for the right to be open when they already have the permits and the business license to be open.

It has been going on almost a year. By now, the government should have already figured out what it needs to do to provide these services to us. You know, there are still some businesses that are operating partially. I mean, we're operating, but we're restricted and that's wrong. Any business that has a license to operate, they need to be allowed to work, to make a living because we're not getting a paycheck from anybody unless we provide for ourselves.

And there is no reason, that I could think of, that businesses have to come in front of the governor or the legislature and beg for permission to provide for themselves or their employees. I don't understand. And then once we make a dollar, we pay taxes on it. And recently, the governor went out there and said, we cannot reduce the GRT from five to lower because we need the revenue.

Senators, we need the revenue, give us the ability to fend for ourselves and our employees. So, I am completely in support of this bill and I'm thanking the senators who had the wherewithal and the guts to put it on the table. I applaud you. And we are going to continue watching. And I'm sorry, Liz and I have met to be participating in some of the other public hearings, but we've been out there trying to make a living, guys.

And so, we made time to do this today because it is that important to us. So please support this bill. Please make sure it passes. Please put some balance back into our government. Thank you for the opportunity.

**Chairperson Therese M. Terlaje:** There were several other people on the zoom. However, none of them have indicated that they would like to present testimony. So I'm going to go forward. We have for the record requested the feedback of the Department of Public health and Social Services who has informed us that they will be submitting testimony.

We've also requested the feedback from the Attorney General's Office. We've received written testimony in support of the bill from the Guam Chamber of Commerce, from John Duenas of Duenas, Camacho and associates, Inc. And from Shawn Blas, President of the Guam Association of Realtors. We have not received a fiscal impact on this bill, from the Bureau of Budget Management and Research (BBMR).

Right. So, before I open it up to my colleagues for their questions, I just wanted to read an excerpt from some NCSL research that I did as to how other States handled this type of-- trying to balance the powers between the Executive branch and the Legislative branch. So, I'll just read a couple excerpts.

It says, "the unknown nature of potential emergencies motivated each state legislature to enact broad grants of authority for when an emergency is declared. The laws of 38 States may be suspended by a Governor when necessary to effectuate a disaster response and 16 States provide that a Governor's orders shall have the full force and effect of law while any emergency is ongoing.

Only five states lack either type of provision. Legislatures may expand or limit emergency executive powers by passing new laws. Legislatures maintain several other tools to prevent misuse with the expanse of authority granted to governors during emergencies. In 24 States, an emergency declaration may be terminated by a resolution passed by all legislative chambers or in some cases, some legislative chambers.

In six states, expanded executive power automatically ends after a period of time between two and 60 days depending on the state and type of emergency, unless extended by the legislature." They talk about how different legislatures are either in session all the time or, or very limited times for session, but that in 36 States, the legislature may call itself for a special session to deal with emergencies. And all state legislatures may act as a check against potential misuse of



emergency authority through the courts or by threat of impeachment when the legislature resumes session.

Common examples of legislative action related to executive orders include altering the maximum duration of an emergency declaration before an extension is required, requiring notice to legislatures or legislative leaders when issuing orders such as specific statutes and regulations that will be suspended or altered and requiring prior notice to or approval by legislators or legislative leaders prior to spending or transfer of funds.

I just pulled those out because I know we're all trying to come up with the correct balance here as to allowing a true response in an emergency to be swift and just as well. And so, I just pulled some of those excerpts from across the states and that's done by the NCSL, which is the National Conference of State Legislatures. Okay. I'll now go to a panel. Senator Duenas, did you want to ask any questions?

**Senator Christopher M. Duenas:** Madam Speaker, Madam Chair, I would just reserve any comments until the end, if you allow me my closing and then, and then I will make statements to any questions that are posed, but I don't have any questions. Thank you for reading that into the record though. I have some other information from PEW research as well, with regard to Kentucky and Texas which state legislatures are currently in litigation with their Governors on the same matter.

**Chairperson Therese M. Terlaje:** All right. Thank you, Senator. Senator Taitague, you are recognized.

**Senator Telo T. Taitague:** Si Yu'os Ma'åse', Madam Chair, for the opportunity to speak. And I'd like to thank those who came to testify. Mr. Thomas. Sorry, I don't want to kill your last name, but Mr. Thomas, thank you for your testing testimony. It's the first time I've heard about someone taking their life and it's very tragic.

I was just really shocked here about that. You did mention about the issues that, you know, the businesses are coming. I, too, feel why aren't bars open? You're allowing the bingo parlor to open, and you're not allowing bars. This has been just a real big puzzle to me. I think we have an oversight hearing on public health in which I'm going to proffer that question with regards to why are they not allowing bars to open?

Of course, Liz Duenas's testimony regarding it's not a fixed all, but it is a great start. I truly believe in what she said. It is a great start and Gina, you know, the treatment equal of all businesses really resonated very much to me.

But you know, following the Department of Public Health and Social Services rules is already in place for most businesses to allow us to open up. I mean, they implement all these regulations on plexiglass that distancing, put that in place, but still, they're not allowing these businesses, some businesses not to open with those safety precautions in places.

Also, confusing to me as well. The legislation alone, we all know that 10 GCA Section 19405 (c) allows the legislature to move forward with the majority of vote upon canceling any kind of emergency but it does, you know, we all said that during the 35th Guam legislature to try do something like this, you know, that the governor will veto this bill and you're going to need 10.

I think now that we have more Republicans in there that feel the same way as those who are testifying today, but of course, with guidance as we move forward to allow us now, I think we might be able to override a veto if the governors should veto this bill if it gets through and vetoed. I think we have a better chance this time around, but like I said earlier with guidance. It's important that the legislature is well-versed on what is going on out there, the numbers.

Everything that we're finding out about this virus, the new strain of virus coming up, what the governor is doing, what the plan is. And that's been a big secret throughout this whole time. And it's very difficult for a lot of us to understand what's going on if we're not told what the game plan is and what you're hearing or what information you're getting that you're not giving out to the public.

So, I think this is an eye-opener, you know, to the Governor to be more, I guess, transparent as a word, but definitely to be more engaged with the legislature to let us know what is going on. And I think this bill is that bill that's going to do that.

Like I said, we have more friendlies now in the legislature, in the 36 Guam legislature. I'm looking forward to seeing it. The only other thing, Madam Chair that I'd like to say is that as far as laws that, I mean, Michigan is still reviewing some of the laws there with regards to its well, not jurisdiction, but it's interpretation of the law.

So, looking at that thoroughly is important because if we do pass this, it's just going to delay any kind of Attorney General opinion, which we're going to need too, as we move forward. It's going to be very helpful to hear what the Attorney General has to say but other than that, I

thank you. Senator Duenas for pushing this legislation out and looking forward to debating it on the floor. Thank you, Madam Chair, for the opportunity. Madam Speaker.

**Chairperson Therese M. Terlaje:** Thank you, Senator. Senator Blas. You're recognized.

**Senator Frank F. Blas Jr.:** Thank you, Madam Speaker. And I want to thank the sponsors of the bill and those that are on today listening. I'm going to take what this public hearing is and I'm going to continue to take in what the people have to say and the advice and some of the suggestions they got. I am in support, full support of the bill, and I just want to hear what people have to say about it. Thank you very much.

**Chairperson Therese M. Terlaje:** Thank you, Senator. Senator Ada, you are recognized.

**Senator V. Anthony Ada:** Thank you, Madam Chair, Madam Speaker, for bringing Bill 11-36 to the public hearing. I think what bill 11-36 really does is to bring the administration and the

legislative branch together to talk about what's going on, how we're doing things, how we move forward from here.

And I think that with the input from the public, going forward into the legislature and bringing it up to the administration, we will be able to have a back-and-forth flow of communication versus what we have now. And if we deem that an emergency is no longer needed, then we can all at least agree to it and say, well, okay.

This is what we see and hear how things are going and that we can now say that this declaration of emergency is no longer needed. And we, both the administration and the Legislative branch can agree to say, we'll now call this emergency off. The way we see things now is we only have one branch of government doing that and that's the administrative branch.

We always need to have that balance of government because the legislative branch is where all the bills or the laws that have passed and the executive branch is just to execute those laws. When it comes down to budgeting, they always come back to the legislature.

And they will say that they're short here, they're short there. So, naturally we would have to come up and look for ways to find the shortages. In this manner, Madam Speaker, we see things that...we're not included. We were never included. And I think that when this law was first passed, I think maybe 20 years ago, there hasn't been a pandemic of this multitude.



Right? I mean, we're... just everything. We were all in shock when it all came, when this pandemic first started. So now it's a learn as we move along. And now, we learn that we can still operate our government in a pandemic mode and still have our economy moving, but with protocols in place. And I think that's what this bill does is bring that balance back to where the Legislative branch and the administration now can speak together.

And I thank you again for allowing Bill 11-36 to come for a public hearing. And we look forward to it being placed onto the session agenda and we look forward to voting on it, Madam Speaker.

**Chairperson Therese M. Terlaje:** Thank you, Senator. Senator Brown, you are recognized.

**Senator Joanne M. Brown:** Thank you very much, Madam Speaker, and certainly, also, to the members of our community that provided testimony on Bill 11-36.

Certainly, for those of us that were not members of the previous legislature, looking from the outside in, last year, you know, we shared concerns that Senator Duenas has expressed by the introduction of this bill that this whole process needs to be deliberative. And certainly, while we understand, we are challenged with this pandemic and we know, of course, it's important to address public health in the safety of our people.

This is something that should be dialogued upon between the branches of government and certainly the legislature's the people's house, where our people can come and let their concerns and their issues be known. And certainly, we're well aware of the challenges that many of our private businesses, particularly some of our smaller businesses, that because of decisions that have been made literally have been shut down for close to a year now.

And I think the more opportunity we have to dialogue, the more opportunity we have to come to different conclusions. I think that's beneficial. I think we can agree. There's no one size that fits all with regards to some businesses. I mean, just this last week, something as simple as, you know, the opening of the movie theater, I think many people were looking forward to that.

And then the next thing you know, is a news announcement. Well, you can open the movie theater, but you can't sell popcorn. You can't sell drinks. Even though I understand, you know, the vendors have packaged these items so that it's not being shared among different people. And something as simple as that you don't understand the logic of it.

Why is it that you open a movie theater, but people can enjoy a drink and they can enjoy popcorn? Those are the kinds of things, as simple as that is that certainly have tremendous impact on our community. And while we certainly want to address the safety of our people with regards to this pandemic, we also want to ensure the viability of our businesses so that we don't have dying off literally of our private sector because of this pandemic.

So, I do extend my support. I do think those of our members here from the private sector and the community that have come forward to express their support of this bill. And I also stand in support of this bill that has been introduced by Senator Duenas and hope to also be included as a co-sponsor.

With that, thank you very much, Madam Speaker, for the opportunity to comment on Bill 11-36.

**Chairperson Therese M. Terlaje:** Thank you, Senator. I'll now recognize Minority Leader, Senator Moylan.

**Senator James C. Moylan:** Thank you, Madam Speaker. And thank you to the panel and especially, I appreciate the testimonies that were provided. It goes well with this bill and the whole purpose of the bill.

It's just not about us questioning the Governor's decision, but it's also really about questioning the governor's transparency of what's going on. It's about checks and balances. And that's why we're the co-equal branch of government. One of the problems that happened throughout the pandemic, and then the previous legislature too-- just like the problems we're hearing from the business community, we're not getting answers from Adelup on simple questions.

And for us, as the Legislature, it's about procurement. It's about hiring. It's about spending the federal monies in which we've heard about time and time. it's none of our business, basically, because it's under control of the governor. And I don't think that's correct.

The list goes on. So, I don't see anything wrong with the law makers, wanting to be able to ask these questions and get details on how local and federal dollars are being spent, especially to contracts and procedures.

And, and we can see how this is greatly affecting our, our business companies here and it's tragic in these cases as well. So, what can we do? What can we be the co-equal branch of

government and we can question these things for the public and I'm looking forward to doing just that so we can have the checks and balances to support our community.

So, I appreciate, Madam Speaker, that we're having this public hearing, and I'm very thankful for those who testified. And I look forward to this bill being moved forward and going on the session floor. Thank you.

**Chairperson Therese M. Terlaje:** Thank you, Senator. Senator Taitague. You had a quick follow up question.

**Senator Telo T. Taitague:** Thank you, Madam Speaker. Yes, this question is to Mr. Thomas-- how do you pronounce your name, sir?

**Thomas Peinhopf:** It's Thomas Peinhopf.

**Senator Telo T. Taitague:** Thank you. So, Mr. Peinhopf, I know that you had filed a claim in court, filed suit, the Governor of Guam where your rights were violated and others like yourself were being treated differently than other business owners and that your fundamental rights of making a living was taken away.

Can you tell me, what is the status on your hearing? I mean, the court's heard it.

**Thomas Peinhopf:** Yeah, it's still ongoing. So we are, yeah.

**Senator Telo T. Taitague:** Okay. And the office of the attorney general request to dismiss the lockdown is under a judge's review. Is that what...

**Thomas Peinhopf:** Yeah, I believe that's the opinion that was the ruling that came out from the judge that everything is alright.

We're doing well. I disagree. We have major issues that have not been recognized for whatever reason that I cannot... you know, I don't have access to all the communication that's going on and maybe behind the scenes. I'm just a simple citizen and resident of the Island. I appreciate it very much being here. I would like to stay here longer.

**Senator Telo T. Taitague:** Okay, well, thank you so much for that. I'm looking forward to seeing what the judge puts out and thank you, Madam Chair, for the opportunity, as well as



Trevin Jones, Christine Payne, Sean Povento--I think, I believe as well as Michelle Esperon as for on all of these individuals who filed suit in the courts regarding their rights, their civil rights.

And I think that with that many people filing suit. This legislature definitely needs to get involved. So I appreciate it again. Senator Chris, and also, as well as Senator Joanne Brown who would like to be a co-sponsor of this legislation too, as well. Thank you so much.

**Chairperson Therese M. Terlaje:** Thank you very much, Senator. Thank you, Senators. So I had a few questions for...I'm not sure who I was going to ask, public health or the sponsor, but I'm just going to put them on the record so that if anyone has any testimony, they would like to submit as to these questions, please do.

The first is does this bill have any implications as to federal relief or federal aid if a public health emergency declaration is automatically terminated and not renewed immediately? Does limiting the executive authority make it harder to act quickly in a public health emergency?

People have asked me whether the legislature would have access to expert public health and medical advisors in order to make swift and informed decisions and whether politics would become an impediment for the legislature to act swiftly and make informed course of action.

**Senator Christopher M. Duenas:** I'd like to address those questions one by one.

**Chairperson Therese M. Terlaje:** And then if I could just add, does limiting the executive authority in the midst of an ongoing public health emergency have unforeseen consequences as experts are still learning about the virus and its variant? These are some of the questions that have been raised to me.

Yes, please. Senator Duenas.

**Senator Christopher M. Duenas:** Yes. In many other jurisdictions, as they've grappled with this, it's one of the reasons why the Hawaii State Legislature basically said, unless the state legislature does not take action, which we could add to our legislation, I want to be clear this effort is to move forward and have the community voices heard.

One thing I find disturbing is we do understand, as Gina said, what the government's responsibility is to execute federal funds. We do understand when the governor comes to us and says, hey, I need this emergency in place because this PUA funding or whatever else is not applicable, unless there's an emergency.

I could envision the legislature saying that's fine, governor, but yet, as you execute those executive orders, every 30 days, you open up bingo parlors. You open up gambling halls. And so, we would agree with the governor because you need to expend those federal funds, but why a bingo parlor, why a gaming room and not a bar?

Why not real estate? We have \$2 billion dollars of real estate right now, pent up waiting for action by GLUC. How in the world can that not be a priority? And do you think for one minute that the Governor's not going to listen to the legislature when Liz and Gina and everybody else comes down and says, hey, what's going on?

And now, we have workforce housing legislation because we fell and then didn't let GLUC operate when everybody else was operating. Payless was operating. Everybody else is operating out there, go on the street today and see, the only thing that shut down is businesses that have been selected to shut down.

So, yes, we know how as a legislature. I have confidence that every one of my colleagues know how to act when it comes to a Governor saying, I need these limited powers. This legislation simply says, come on down, let's talk. And you talk about politics. I think most businesses out there are going to tell you right now, Madam Speaker, they feel like politics is the one that's been closing them down.

And so, I will tell you right now that whatever amendments that anyone wants to put on this bill to answer those questions or to answer the Governor when the Governor comes down to ask the legislature, look, I need this extension beyond these 30 days. Go ahead and put the amendments on the bill. But Madam chair, I respectfully say that these distinguished individuals that have come here to testify today can count on their legislature to be reasonable and responsible.

When the governor asked for the extension of the emergency. And if politics plays in our hand, shame on us and they can all kick us out of the next legislature if we put the public's health safety at risk, but I don't think that's what's happening.

These businesses have spent millions of dollars trying to save their lives. Like Gina said, she probably can be doing a sale right now. But she's here to say real estate is essential. So, Madam Speaker, I would love to have those questions put to the floor, amendments be proffered, but I think other states said enough is enough as well, like Hawaii.

And I believe their bill's going to pass easily in the coming weeks. But thank you for the question.

**Chairperson Therese M. Terlaje:** Thank you, Senator. Again, I'd like to thank those who've come to testify and for your diligence throughout this pandemic and keeping the legislature informed of your perspective, keeping the government and the people of Guam informed of your perspectives in this entire emergency period, which was unforeseen to last this long, I'm sure.

So again, I'm very grateful for all of you taking time to testify and to do the work that you have done. Senator Duenas, you are now invited to close on the bill.

**Senator Christopher M. Duenas:** Thank you, Madam Chair, and in keeping with my commitment to Senator Brown, she will be the... I want to thank Senator Ada and Senator Moylan for co-sponsoring this bill.

Senator Brown will be the first co-sponsor, followed by Senator Frank Blas and Senator Telo Taitague in that order when this bill hits the floor, hopefully during this next session. Madam chair, as I mentioned earlier, I come from the maritime industry. I am a merchant Marine. I have a merchant Marine license, and I understand as a captain and a crew understands on a boat that the engineer, that the navigator, that the people who handle lines on a boat, they are all essential.

They are co-equal. The captain cannot operate that boat without the crew. Cannot operate without the engineer, cannot operate that boat without everybody and all hands-on deck. That's all this bill wants to do, bring the captain together, as a co-equal person, with the navigator and with the engineer and with the entire crew and say, let's make this boat sail forward and sell together.

I want to work with the governor. This bill is not about, I don't like the governor. It's, "I want to work with the governor and help these businesses." Thank you, Madam Chair, for hearing this bill and allowing me to make my impassioned arguments.

**Chairperson Therese M. Terlaje:** I appreciate your statement, Senator Duenas, and there being no additional individuals to present further testimony, the Committee will consider this Bill 11-36 duly heard.



This public hearing was adjourned at **4:53 PM.**

### III. FINDINGS & RECOMMENDATIONS

- The title of Bill 11-36 (COR) was amended by the prime sponsor prior to the public hearing per the recommendations of the Guam Legislature's Legal Bureau to comply with Section 6.02 (b) of the Guam Legislature's Standing Rules.
- Testimony in support of Bill 11-36 (COR) was submitted by Catherine Castro, President, the Guam Chamber of Commerce, Shawn Blas, Guam Association of Realtors, Elizabeth C. Duenas, Guam Association of Realtors, John P. Duenas, President, Duenas, Camacho & Associates, Inc., Gina Campos, Realtor/ Broker, RE/MAX Diamond Realty and Thomas Peinhopf, Bar Owner, Livehouse Incorporated & Shady Lady. Testimony centered on concerns that restrictions placed on private sector businesses have been inconsistent or uneven and have directly impacted the economic welfare of businesses, resulting in furloughs or termination of employees or the closure of businesses. Supporters of the proposed legislation emphasized a need for the Legislature as a co-equal branch of government where public input and concerns can be considered, to have oversight of the extension of public health emergencies as a balancing measure.
- The Committee is in receipt of a February 8, 2020 letter to Chairperson Therese M. Terlaje from *I Maga'hågan Guåhan* Lourdes A. Leon Guerrero expressing opposition to Bill 11-36 (COR). According to Governor Leon Guerrero, *"Guam's Organic Act establishes three branches of government, each with its own scope of responsibilities to ensure that our local government functions appropriately to serve our residents and protects their rights. Bill 11-36 is an attempt to insert the Legislature in executive branch operations and would likely unnecessarily slow responses to imminent public health threats."*
- Governor Leon Guerrero also stated, *"We generate policy based on the most current available information regarding the virus, as well a coordinated critical mass of data and institutional memory amassed by numerous local and federal agencies and entities, including DPHSS doctors, contact tracers and epidemiologists, the Physicians Advisory Group, the Guam National Guard and its Surgeon Cell, the Guam Memorial Hospital Authority, the Guam International Airport Authority, the Guam Police Department, a designated doctor from the US Centers for Disease Control and Prevention, the National Governors Association, Guam Homeland Security/Office of Civil Defense, and the Federal Emergency Management Agency. I personally spend countless hours meeting with these entities and their representatives on a weekly basis. These meetings result in on-the-ground changes to protocol based on unanticipated developments as they arise."* The full letter from Governor Leon Guerrero and all other testimony submitted on Bill 11 are included with this report.

- A request for feedback on Bill 11-36 (COR) was sent to the Department of Public Health and the Office of the Attorney General of Guam. None was submitted at the time of this report.

The Committee on Health, Land, Justice and Culture hereby reports out **Bill No. 11-36(COR) – As Amended by the Prime Sponsor-** Senator Christopher M. Duenas / Senator V. Anthony Ada/ Senator James C. Moylan, “AN ACT TO AMEND SECTION 19405 (b) OF TITLE 10 GUAM CODE ANNOTATED RELATIVE TO REQUIRING LEGISLATIVE AUTHORIZATION TO EXTEND A DECLARATION OF STATE OF PUBLIC HEALTH EMERGENCY, WHICH SHALL BE KNOWN AS “THE RESTORATION OF SEPARATION OF POWERS ACT,” with the recommendation **TO REPORT OUT ONLY**.



***I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN***  
**2021 (FIRST) Regular Session**

**Bill No. 11-36 (COR)**

As amended by the prime sponsor.

Introduced by:

Christopher M. Duenas  
V. Anthony Ada  
James C. Moylan

**AN ACT TO AMEND SECTION 19405 (b) OF TITLE 10  
GUAM CODE ANNOTATED RELATIVE TO  
REQUIRING LEGISLATIVE AUTHORIZATION TO  
EXTEND A DECLARATION OF STATE OF PUBLIC  
HEALTH EMERGENCY, WHICH SHALL BE KNOWN  
AS “THE RESTORATION OF SEPARATION OF  
POWERS ACT.”**

**BE IT ENACTED BY THE PEOPLE OF GUAM:**

**Section 1.** This act shall be known and may be cited as

“THE RESTORATION of SEPARATION of POWERS ACT.”

**Section 2. Legislative Findings and Intent.**      *I Liheslaturan Guåhan*

finds that the Governor’s exercise of authority in the declaration of a state of public health emergency, pursuant to Chapter 19 of Title 10, Guam Code Annotated, has as a practical matter nullified the doctrine of the separation of powers. Specifically, the Governor has, while acting in an arbitrary and capricious fashion, in effect exercised both executive AND legislative powers. While the *I Liheslaturan* finds that a certain amount of nimbleness is necessary to deal with the COVID-19 situation *I Liheslaturan* also finds the extraordinary Chapter 19 powers should not be open ended and not subject to at least routine legislative oversight if not concurrence.

1 Therefore the *I Liheslaturan* intends that the Governor should have to “make her  
2 case” to the *I Liheslaturan* if the Chapter 19 powers are to extend beyond thirty days.

3 **Section 3.** § 19405 (b) of Chapter 19, Title 10, Guam Code Annotated, is  
4 hereby *amended* to read:

5 “(b) Automatic Termination. Notwithstanding any other provision of this  
6 Chapter, the declaration of a state of public health emergency shall be terminated  
7 automatically after thirty (30) days, unless renewed by ~~I Magalåhen Guåhan~~ [The  
8 ~~Governor~~] I Liheslaturan Guåhan under the same standards and procedures set forth  
9 in this Article. Any such renewal shall also be terminated automatically after thirty  
10 (30) days, unless renewed by the ~~I Magalåhen Guåhan~~ [The ~~Governor~~] I Liheslaturan  
11 Guåhan under the same standards and procedures set forth in this Article.

*I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN*  
2021 (FIRST) Regular Session

Bill No. 11 -36 (COR)

Introduced by:

Christopher M. Duenas  
V. Anthony Ada  
James C. Moylan

**AN ACT TO AMEND SECTION 19405 (b) OF TITLE 10  
GUAM CODE ANNOTATED TO ENACT THE  
RESTORATION OF SEPARATION OF POWERS ACT**

**BE IT ENACTED BY THE PEOPLE OF GUAM:**

**Section 1.** This act shall be known and may be cited as

“THE RESTORATION OF SEPARATION OF POWERS ACT.”

**Section 2. Legislative Findings and Intent.** *I Liheslaturan Guåhan*

finds that the Governor’s exercise of authority pursuant Chapter 19 of Title 10  
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of powers. Specifically, the Governor has, while acting in an arbitrary and  
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5 forth in this Article. Any such renewal shall also be terminated automatically after  
6 thirty (30) days, unless renewed by the ~~I Magalåhen Guåhan [The Governor]~~ I  
7 Liheslaturan Guåhan under the same standards and procedures set forth in this  
8 Article.



Vice Speaker

**TINA ROSE MUÑA BARNES**

**CHAIRPERSON, COMMITTEE ON RULES**

*I Mina'trentai Sais Na Liheslaturan Guåhan*

GUAM CONGRESS BUILDING  
163 CHALAN SANTO PAPA  
HAGÅTÑA, GUAM 96910  
TEL 671-472-2461  
COR@GUAMLEGISLATURE.ORG

January 20, 2021

# MEMO

**To:** **Rennae Meno**  
Clerk of the Legislature

**From:** **Vice Speaker Tina Rose Muña Barnes**  
Chairperson, Committee on Rules

**Re:** **Fiscal Note Waiver**

---

*Buenas yan Håfa adai.*

Attached, please find the fiscal note waiver for the following bill:

**Bill No. 11-36 (COR)**

Please forward the same to Management Information Services (MIS) for posting on our website.

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.





## BUREAU OF BUDGET & MANAGEMENT RESEARCH

OFFICE OF THE GOVERNOR  
Post Office Box 2950, Hagåtña Guam 96932



LOURDES A. LEON GUERRERO  
GOVERNOR

LESTER L. CARLSON, JR.  
DIRECTOR

JOSHUA F. TENORIO  
LIEUTENANT GOVERNOR

**JAN 20 2021**

Vice Speaker Tina Rose Muña Barnes  
Chairperson, Committee on Rules  
*I Mina'trentai Sais na Liheslaturan Guåhan*  
36<sup>th</sup> Guam Legislature  
Guam Congress Building  
163 Chalan Santo Papa  
Hagåtña, Guam 96910

*Hafa Adai!* Vice Speaker Tina Rose Muña Barnes:

The Bureau requests that Bill No. 11-36 (COR) be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

Legislative Bill No. 11-36 is an act to amend Section 19405(b), Title 10 of the Guam Code Annotated, to enact "The Restoration of Separation of Powers Act." The amendment will provide the authority to *I Liheslaturan Guåhan*, instead of *I Maga'hågan Guåhan*, for the option to renew a declaration of a state of public health emergency before thirty (30) days from the initial declaration or any prior renewal.

As the Bill is administrative in nature and would not affect the appropriations for FY 2021, it poses no fiscal impact upon any funds of the Government of Guam. However, the Bill may have an adverse impact on the Governor's ability to execute his/her authority in a timely manner.

*Si Yu'os Ma'åse,*

  
LESTER L. CARLSON, JR.



# Office of the Speaker **THERESE M. TERLAJE**

*I Mina'trentai Sais na Liheslaturan Guåhan* 36th Guam Legislature  
Committee on Health, Land, Justice and Culture

## **COMMITTEE VOTE SHEET**

**BILL NO. 11-36 (COR), As Amended by the Prime Sponsor- Senator Christopher M. Duenas / Senator V. Anthony Ada / Senator James C. Moylan- “AN ACT TO AMEND SECTION 19405 (b) OF TITLE 10 GUAM CODE ANNOTATED RELATIVE TO REQUIRING LEGISLATIVE AUTHORIZATION TO EXTEND A DECLARATION OF STATE OF PUBLIC HEALTH EMERGENCY, WHICH SHALL BE KNOWN AS “THE RESTORATION OF SEPARATION OF POWERS ACT.”**

	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
<b>Speaker Therese M. Terlaje</b> Chairperson	<i>Therese M. Terlaje</i> 2/9/2021			✓		
<b>Senator Sabina Flores Perez</b> Vice Chairperson of Health, Land and Culture						
<b>Senator Telenia C. Nelson</b> Vice Chairperson of Justice	E-Vote 2-10-21			✓		
<b>Vice Speaker Tina Muña Barnes</b> Member						
<b>Senator Joanne M. Brown</b> Member	E-Vote 2-10-21	✓				
<b>Senator Christopher M. Duenas</b> Member	E-Vote 2-10-21	✓				
<b>Senator Amanda L. Shelton</b> Member						
<b>Senator Telo T. Taitague,</b> Member	E-Vote 2-10-21	✓				
<b>Senator Jose “Pedro” Terlaje</b> Member						

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com) | [www.senatorterlaje.com](http://www.senatorterlaje.com)

*\*For transmittal of official Messages & Communications to the Guam Legislature to be distributed to all Senators,  
please send to: [speaker@guamlegislature.org](mailto:speaker@guamlegislature.org)*





Speaker Therese M. Terlaje &lt;senatorterlajeguam@gmail.com&gt;

**Re: REQUEST FOR E-VOTE: BILL 11-36 (COR) AS AMENDED BY THE PRIME SPONSOR**

1 message

Chris Duenas &lt;senatorchrisduenas@gmail.com&gt;

Wed, Feb 10, 2021 at 8:22 AM

To: "Speaker Therese M. Terlaje" &lt;senatorterlajeguam@gmail.com&gt;

To do pass.

On Wed, Feb 10, 2021 at 8:08 AM Speaker Therese M. Terlaje &lt;senatorterlajeguam@gmail.com&gt; wrote:

Hafa Adai,

This email is a follow up on the request to evote on Bill 11 as soon as possible.

Si Yu'os Ma'ase,  
Charissa Manibusan  
Committee Director

On Tue, Feb 9, 2021, 11:06 PM Speaker Therese M. Terlaje &lt;senatorterlajeguam@gmail.com&gt; wrote:

Hafa Adai Committee Members:

Please see the attached Committee Report for **Bill No. 11-36(COR) – As Amended by the Prime Sponsor-** Senator Christopher M. Duenas / Senator V. Anthony Ada/ Senator James C. Moylan, “*AN ACT TO AMEND SECTION 19405 (b) OF TITLE 10 GUAM CODE ANNOTATED RELATIVE TO REQUIRING LEGISLATIVE AUTHORIZATION TO EXTEND A DECLARATION OF STATE OF PUBLIC HEALTH EMERGENCY, WHICH SHALL BE KNOWN AS “THE RESTORATION OF SEPARATION OF POWERS ACT.”*”

Please indicate your preferred action, based on the following options.

- ☐ To Do Pass;
- ☐ To Not Pass;
- ☐ To Report Out Only;
- ☐ To Abstain; or
- ☐ To Place in Inactive File.

Please submit your response **ASAP**. Your response will be logged into the Committee Vote Sheet for Bill No. 11-36 (COR)- As Amended by the Prime Sponsor, which will be filed with the Committee on Rules.

**Office of Speaker Therese M. Terlaje**

Committee on Health, Land, Justice and Culture

*I Mina'trentai Sais na Liheslaturan Guåhan*

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

T: (671) 472-3586 F: (671) 989-3590 Email: [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com)website: [www.senatorterlaje.com](http://www.senatorterlaje.com)

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--  
*Si Yu'os Ma'åse',*



## Office of Senator Christopher M. Dueñas

36th Guam Legislature

*I Mina'trentai Sais Na Liheslaturan Guåhan*

(671) 989-9554 - [116 Chalan Santo Papa, Hagatna](#)

[senatorchrisduenas@gmail.com](mailto:senatorchrisduenas@gmail.com)

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Gumai pribilehu yan konfedensia este siha na mensåhi. Solo espesiåtmente para hægu ma entsioña pat ma aturisa para unrisibi. Sen prubidu kumu ti un ma aturisa para manribisa, na'setbe, pat mandespåtcha. Yanggen lachi rinisibu-mu nu este na mensåhi, put fabot ago' guatu gi I numa'huyong gi as [senatorchrisduenas@gmail.com](mailto:senatorchrisduenas@gmail.com) yan despues destrosa todü siha I kopian mensåhi. Si Yu'os ma'åse'.



Speaker Therese M. Terlaje &lt;senatorterlajeguam@gmail.com&gt;

**Re: REQUEST FOR E-VOTE: BILL 11-36 (COR) AS AMENDED BY THE PRIME SPONSOR**

1 message

**Office of Senator Joanne M. Brown** <office@senatorjoannebrown.com>  
To: "Speaker Therese M. Terlaje" <senatorterlajeguam@gmail.com>

Wed, Feb 10, 2021 at 9:01 AM

Hafa Adai Speaker,  
To Do Pass.

Very Respectfully,

**Joanne M. Brown**

Senator | I Mina' Trentai Sais Na Liheslaturan Guåhan (36th Guam Legislature)

[120 Father Dueñas Avenue](#)

Capitol Plaza Building, Suite 103

Hagåtña, Guam 96932

**Hafa Adai! Except with respect to public records exempt from disclosure by express provisions of the law, please be advised that, as an official office of the Legislative Branch of the Government of Guam, this electronic communication, is subject to the laws, rules and regulations governing the Sunshine Reform Act, and any other processes and procedures carried out in the spirit of an open and transparent government.**

On Wed, Feb 10, 2021 at 8:08 AM Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com> wrote:  
Hafa Adai,

This email is a follow up on the request to evote on Bill 11 as soon as possible.

Si Yu'os Ma'ase,  
Charissa Manibusan  
Committee Director

On Tue, Feb 9, 2021, 11:06 PM Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com> wrote:

Hafa Adai Committee Members:

Please see the attached Committee Report for **Bill No. 11-36(COR) – As Amended by the Prime Sponsor-** Senator Christopher M. Duenas / Senator V. Anthony Ada/ Senator James C. Moylan, *“AN ACT TO AMEND SECTION 19405 (b) OF TITLE 10 GUAM CODE ANNOTATED RELATIVE TO REQUIRING LEGISLATIVE AUTHORIZATION TO EXTEND A DECLARATION OF STATE OF PUBLIC HEALTH EMERGENCY, WHICH SHALL BE KNOWN AS “THE RESTORATION OF SEPARATION OF POWERS ACT.”*

Please indicate your preferred action, based on the following options.

- ☐ To Do Pass;
- ☐ To Not Pass;
- ☐ To Report Out Only;
- ☐ To Abstain; or
- ☐ To Place in Inactive File.

Please submit your response **ASAP**. Your response will be logged into the Committee Vote Sheet for Bill No. 11-36 (COR)- As Amended by the Prime Sponsor, which will be filed with the Committee on Rules.

**Office of Speaker Therese M. Terlaje**

Committee on Health, Land, Justice and Culture

*I Mina'trentai Sais na Liheslaturan Guåhan*

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

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website: [www.senatorterlaje.com](http://www.senatorterlaje.com)

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Speaker Therese M. Terlaje &lt;senatorterlajeguam@gmail.com&gt;

**Re: REQUEST FOR E-VOTE: BILL 11-36 (COR) AS AMENDED BY THE PRIME SPONSOR**

1 message

**Senator Telo Taitague** <senatortelot@gmail.com>

Wed, Feb 10, 2021 at 8:40 AM

To: "Speaker Therese M. Terlaje" &lt;senatorterlajeguam@gmail.com&gt;

to do pass

***Si Yu'os Ma'ase,******Create a Great Day!****Senator Telo T. Taitague*

36th Guam Legislature

Suite 309 DNA Building

[238 Archbishop Flores St.](#)[Hagatna, Guam 96910](#)

Tel: (671) 989-8356

Email: [senatortelot@gmail.com](mailto:senatortelot@gmail.com)On Wed, 10 Feb 2021 at 08:08, Speaker Therese M. Terlaje <[senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com)> wrote:

Hafa Adai,

This email is a follow up on the request to evote on Bill 11 as soon as possible.

Si Yu'os Ma'ase,  
Charissa Manibusan  
Committee DirectorOn Tue, Feb 9, 2021, 11:06 PM Speaker Therese M. Terlaje <[senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com)> wrote:

Hafa Adai Committee Members:

Please see the attached Committee Report for **Bill No. 11-36(COR) – As Amended by the Prime Sponsor-** Senator Christopher M. Duenas / Senator V. Anthony Ada/ Senator James C. Moylan, “*AN ACT TO AMEND SECTION 19405 (b) OF TITLE 10 GUAM CODE ANNOTATED RELATIVE TO REQUIRING LEGISLATIVE AUTHORIZATION TO EXTEND A DECLARATION OF STATE OF PUBLIC HEALTH EMERGENCY, WHICH SHALL BE KNOWN AS “THE RESTORATION OF SEPARATION OF POWERS ACT.”*”

Please indicate your preferred action, based on the following options.

- ☐ To Do Pass;
- ☐ To Not Pass;
- ☐ To Report Out Only;
- ☐ To Abstain; or
- ☐ To Place in Inactive File.

Please submit your response **ASAP**. Your response will be logged into the Committee Vote Sheet for Bill No. 11-36 (COR)- As Amended by the Prime Sponsor, which will be filed with the Committee on Rules.

**Office of Speaker Therese M. Terlaje**

Committee on Health, Land, Justice and Culture

*I Mina'trentai Sais na Liheslaturan Guåhan*

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

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website: [www.senatorterlaje.com](http://www.senatorterlaje.com)

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Speaker Therese M. Terlaje &lt;senatorterlajeguam@gmail.com&gt;

**Re: REQUEST FOR E-VOTE: BILL 11-36 (COR) AS AMENDED BY THE PRIME SPONSOR**

1 message

**Office of Senator Telen Cruz Nelson** <senatortcnelson@guamlegislature.org>  
To: "Speaker Therese M. Terlaje" <senatorterlajeguam@gmail.com>

Wed, Feb 10, 2021 at 11:04 AM

To Report Out Only  
TCN

On Wed, Feb 10, 2021 at 8:08 AM Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com> wrote:  
Hafa Adai,

This email is a follow up on the request to evote on Bill 11 as soon as possible.

Si Yu'os Ma'ase,  
Charissa Manibusan  
Committee Director

On Tue, Feb 9, 2021, 11:06 PM Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com> wrote:  
Hafa Adai Committee Members:

Please see the attached Committee Report for **Bill No. 11-36(COR) – As Amended by the Prime Sponsor-** Senator Christopher M. Duenas / Senator V. Anthony Ada/ Senator James C. Moylan, “*AN ACT TO AMEND SECTION 19405 (b) OF TITLE 10 GUAM CODE ANNOTATED RELATIVE TO REQUIRING LEGISLATIVE AUTHORIZATION TO EXTEND A DECLARATION OF STATE OF PUBLIC HEALTH EMERGENCY, WHICH SHALL BE KNOWN AS “THE RESTORATION OF SEPARATION OF POWERS ACT.”*”

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**Office of Speaker Therese M. Terlaje**

Committee on Health, Land, Justice and Culture

*I Mina'trentai Sais na Liheslaturan Guåhan*

36th Guam Legislature

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**The Office of Senator Telena Cruz Nelson***Committee on Education & Infrastructural Advancement, Border**Protection & Maritime Transportation, Guåhan Preservation**& Self-Determination, & Federal & Foreign Relations*

I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature

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