

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
2023 (FIRST) Regular Session
LEGISLATIVE JOURNAL

Speaker Antonio R. Unpingco Legislative Session Hall
February 21, 2023

VICE SPEAKER MUÑA BARNES: GOOD AFTERNOON COLLEAGUES *TALO'ANI SI YU'OS I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN* IS CALLED TO ORDER ACTING MAJORITY LEADER AND LEGISLATIVE SECRETARY SHELTON YOU ARE RECOGNIZED AT THIS TIME SPEAKER.

SENATOR SHELTON: *SI YU'OS MA'ÅSE'* MADAM SPEAKER I MOVE TO ADOPT TODAY'S LEGISLATIVE SESSION AGENDA DATED FEBRUARY 21ST 2023.

VICE SPEAKER MUÑA BARNES: COLLEAGUES A MOTION WAS MADE TO ADOPT TODAY'S LEGISLATIVE SESSION AGENDA DATED FEBRUARY 21ST 2023 ARE THERE ANY OBJECTIONS SEEING OR HEARING NONE.

VICE SPEAKER MUÑA BARNES: MOTION CARRIES AT THIS TIME COLLEAGUES WE WILL PROCEED WITH THE PRAYER I ASK THAT SENATOR CHRIS DUEÑAS PLEASE LEAD US IN PRAYER ASK MY COLLEAGUES TO PLEASE STAND.

SENATOR DUEÑAS: IN THE NAME OF THE FATHER AND THE SON AND THE HOLY SPIRIT AMEN LORD WE THANK YOU FOR ALL YOU'VE GIVEN US WE THANK YOU FOR OUR BEAUTIFUL ISLAND WE THANK YOU FOR ALL THE WONDERS THAT WE SEE EVERY DAY WITH YOUR MAGNIFICENT PRESENCE TODAY WE COME INTO THIS SESSION TO DEBATE A VERY SERIOUS AND EMERGENT MATTER WE ASK LORD THAT YOU GIVE US WISDOM WE ASK LORD THAT YOU GIVE US DISCERNMENT WE ASK LORD THAT YOU ALLOW US TO DEBATE PASSIONATELY WITH RESPECT LORD THE FUTURE OF OUR PEOPLE THEIR LIVELIHOODS AND THE SAFETY OF OUR COMMUNITY MUST ALWAYS BE PARAMOUNT WE BELIEVE THAT YOU'VE GIVEN US THE WISDOM TO DELIBERATE THIS ISSUE THIS SOLE ISSUE IN THIS EMERGENCY SESSION AND WHATEVER FRUITS MAY COME FROM IT IT WILL BE FOR THE GLORY OF GOD FOR THE SAFETY AND FUTURE OF OUR PEOPLE OF GUAM SO WITH THAT WITH THAT WE ASK YOU LORD TO PLEASE ONCE AGAIN BLESS US AND ALLOW US TO DELIBERATE ON THIS MOST IMPORTANT MATTER AND WE THANK YOU FOR THE PRIVILEGE TO SERVE YOU AND TO SERVE THE PEOPLE OF GUAM IN THESE HALLOWED HALLS. IN THE NAME OF OUR GREAT LORD JESUS CHRIST I PRAY IN THE NAME OF THE FATHER AND THE SON AND THE HOLY SPIRIT AMEN.

VICE SPEAKER MUÑA BARNES: *SI YU'OS MA'ÅSE'* SENATOR DUEÑAS AT THIS TIME ON THE ITEM AGENDA RECOGNITION OF RECIPIENT OF THE *I MILÅYAN MÅS TAKHILO' NA SAKRAFISU* TO EXPRESS A NEVER-ENDING AND NEVER FORGOTTEN GRATITUDE BY THE PEOPLE OF GUAM THE LEGISLATURE RECOGNIZES RECIPIENTS OF *I MILÅYAN MÅS TAKHILO' NA SAKRAFISU* AS A DISPLAY IN THE GUAM CONGRESS BUILDING AND DURING EACH OF ITS SESSION FOR THE RECOGNITION OF A RECIPIENT OF *I MILÅYAN MÅS TAKHILO' NA SAKRAFISU* SENATOR DWAYNE SAN NICOLAS I WILL RECOGNIZE YOU AT THIS TIME PLEASE PROCEED.

SENATOR SAN NICOLAS: THANK YOU MADAM SPEAKER ON BEHALF OF A GRATEFUL ISLAND AND COUNTRY WE HONOR PRIVATE FIRST CLASS DONALD SUMINGUIT CARTER AND THE FAMILY OF PRIVATE FIRST CLASS DONALD SUMINGUIT CARTER FOR MAKING THE ULTIMATE SACRIFICE IN SERVICE AND DEFENSE OF OUR ISLAND AND COUNTRY THANK YOU MADAM SPEAKER.

VICE SPEAKER MUÑA BARNES: *SI YU'OS MA'ÅSE'* SENATOR SAN NICOLAS AND AT THIS TIME FOR THE RECITATION OF *INIFRESI* WILL SENATOR ROY QUINATA KINDLY LEAD US PLEASE.

SENATOR QUINATA: *GINEN I MÅS TAKHELO' GI HINASSO-KU, I MÅS TAKHALOM GI KURASON-HU, YAN I MÅS FIGO' NA NINA'SIÑÅ-HU, HU UFRESEN MAISA YU' PARA BAI HU PRUTEHI YAN HU DIFENDE I HINENGGE, I KOTTURA, I LENGGUÅHI, I AIRE, I HANOM, YAN I TANO' CHAMORU NI' IRENSIÅ-KU DIRECHO GINEN AS YU'OS TÅTA. ESTE HU AFITMA GI HILO' I BIPBLIA YAN I BANDERÅ-HU, I BANDERAN GUÅHAN. SI YU'OS MA'ÅSE'.*

VICE SPEAKER MUÑA BARNES: *BUEN PRUBECHU* SENATOR QUINATA AND AT THIS TIME I WOULD LIKE TO ASK THE GOOD SENATOR FROM YIGO SENATOR SAN AGUSTIN JOE SAN AGUSTIN TO LEAD US IN THE SINGING OF THE GUAM HYMN AND MY BROTHER SENATOR FRANK BLAS IN THE SINGING OF THE NATIONAL ANTHEM.

SENATOR SAN AGUSTIN: *FANOHGHE CHAMORRO PUT I TANO' TA KANTA I MATUNA-NA GI TODU I LUGAT PARA I ONRA, PARA I GLORIA ABIBA I ISLA SINPARAT. PARA I ONRA, PARA I GLORIA ABIBA I ISLA SINPARAT. TODU I TIEMPO I PAS PARA HITA YAN GINEN I LANGET NA BENDISION KONTRA I PILIGRU NA 'FANSAFO HAM YU'OS PRUTEHI I ISLAN GUAMKONTRA I PILIGRU NA 'FANSAFO HAM YU'OS PRUTEHI I ISLAN GUAM.*

SENATOR BLAS: O SAY CAN YOU SEE, BY THE DAWN'S EARLY LIGHT, WHAT SO PROUDLY WE HAIL'D AT THE TWILIGHT'S LAST GLEAMING, WHOSE BROAD STRIPES AND BRIGHT STARS THROUGH THE PERILOUS FIGHT O'ER THE RAMPARTS WE WATCH'D WERE SO GALLANTLY STREAMING AND THE ROCKET'S RED GLARE, THE BOMBS BURSTING IN AIR, GAVE PROOF THROUGH THE NIGHT THAT OUR FLAG WAS STILL THERE, O SAY DOES THAT STAR-SPANGLED BANNER YET WAVE O'ER THE LAND OF THE FREE AND THE HOME OF THE BRAVE.

VICE SPEAKER MUÑA BARNES: *SI YU'OS MA'ÁSE'* COLLEAGUES PLEASE BE SEATED AT THIS TIME MADAM CLERK PLEASE TAKE ROLL CALL.

CLERK OF THE LEGISLATURE: SENATOR BARNETT SENATOR BLAS SENATOR BROWN SENATOR DUEÑAS VICE SPEAKER MUÑA BARNES SENATOR FISHER SENATOR LUJAN SENATOR PARKINSON SENATOR PEREZ SENATOR QUINATA SENATOR SAN AGUSTIN SENATOR SAN NICOLAS SENATOR SHELTON SENATOR TAITAGUE SPEAKER TERLAJE MADAM SPEAKER THERE IS A QUORUM.

VICE SPEAKER MUÑA BARNES: *SI YU'OS MA'ÁSE'* MADAM CLERK AT THIS TIME ACTING MAJORITY LEADER SECRETARY SHELTON YOU ARE RECOGNIZED.

SENATOR SHELTON: *SI YU'OS MA'ÁSE'* MADAM SPEAKER I MOVE TO WAIVE LEGISLATIVE SESSION AGENDA ITEMS 8 THROUGH 13 AT THIS TIME.

VICE SPEAKER MUÑA BARNES: A MOTION COLLEAGUES WAS MADE TO WAIVE THE LEGISLATIVE SESSION AGENDA ITEMS LEGISLATIVE SESSION AGENDA ITEMS EIGHT THROUGH THIRTEEN ARE THERE ANY OBJECTIONS HEARING OR SEEING NO OBJECTIONS.

VICE SPEAKER MUÑA BARNES: MOTION CARRIES ASSISTANT.

SENATOR PEREZ: EXCUSE ME MADAM SPEAKER I RAISED MY HAND IF I CAN JUST HAVE A POINT OF INQUIRY IF THOSE COULD BE READ INTO THE RECORD WHAT ITEMS WE ARE WAIVING.

VICE SPEAKER MUÑA BARNES: SENATOR SABINA PEREZ I WILL READ THOSE ITEMS LEGISLATIVE SECRETARY IF YOU MAY.

SENATOR SHELTON: THANK YOU MADAM SPEAKER ITEM EIGHT CALL FOR APPROVAL OF THE LEGISLATIVE JOURNAL NINE COMMUNICATIONS AND PETITIONS 10 MESSAGES FROM *I MAGA'HÁGAN GUÁHAN* 11 REPORTS OF STANDING COMMITTEES 12 REPORTS OF SELECT COMMITTEES AND 13 INTRODUCTION AND FIRST READING OF BILLS AND RESOLUTIONS.

VICE SPEAKER MUÑA BARNES: ON THAT MOTION ARE THERE ANY OBJECTIONS SEEING OR HEARING NONE.

VICE SPEAKER MUÑA BARNES: MOTION CARRIES. ACTING MAJORITY LEADER SECRETARY AMANDA SHELTON YOU ARE RECOGNIZED.

SENATOR SHELTON: *SI YU'OS MA'ÁSE'* MADAM SPEAKER I MOVE TO EXCUSE SENATORS NOT PRESENT FOR TODAY'S LEGISLATIVE SESSION.

VICE SPEAKER MUÑA BARNES: ON THAT MOTION ARE THERE ANY OBJECTIONS SEEING OR HEARING NONE.

VICE SPEAKER MUÑA BARNES: MOTION CARRIES. ACTING MAJORITY LEADER AND SECRETARY SHELTON YOU ARE RECOGNIZED.

SENATOR SHELTON: MADAM SPEAKER I MOVE TO WAIVE LEGISLATIVE SESSION AGENDA ITEMS 15 AND 16.

VICE SPEAKER MUÑA BARNES: YOU MAY GO AHEAD AND READ IT INTO THE RECORD MA'AM.

SENATOR SHELTON: 15 LEGISLATIVE CONCURRENCE AND 16 THE CONSENT CALENDAR.

VICE SPEAKER MUÑA BARNES: ON THAT MOTION ARE THERE ANY OBJECTIONS SEEING OR HEARING NONE.

VICE SPEAKER MUÑA BARNES: MOTION CARRIES. COLLEAGUES AT THIS TIME LADIES AND GENTLEMEN I I DON'T WANT TO CALL A RECESS BUT IF I HAVE TO I WILL JUST TO MAKE SURE THAT ALL MY COLLEAGUES HAVE A COPY OF THE BILL NO. 52-37 IT HAS BEEN UPLOADED ON THE DRIVE SO IF THOSE WHO DON'T HAVE CAN YOU LET ME KNOW IF NOT I WILL TAKE A MOMENT'S RECESS.

VICE SPEAKER MUÑA BARNES: I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÁHAN IS BACK FROM RECESS COLLEAGUES WE ARE ON THE SECOND READING FILE I DID SEE SENATOR BARNETT AND SENATOR PEREZ'S HAND GO UP I WILL RECOGNIZE SENATOR BARNETT AND THEN SENATOR PEREZ SENATOR BARNETT DO YOU HAVE ANYTHING FOR.

SENATOR BARNETT: YEAH.

VICE SPEAKER MUÑA BARNES: BEFORE.

SENATOR BARNETT: I HAVE A POINT OF INFORMATION MADAM SPEAKER.

VICE SPEAKER MUÑA BARNES: PLEASE STATE YOUR QUESTION.

SENATOR BARNETT: I JUST WOULD LIKE TO NOTE FOR THE RECORD THANK YOU MADAM SPEAKER FOR RECOGNIZING ME THAT BILL 52-37 COR WAS INTRODUCED YESTERDAY FEBRUARY 20TH 2020 2023 AT 1 56 P.M AND AFTER REVIEW AND DISCUSSION THE BILL IS SENT BACK TO THE PRIME SPONSOR OF THIS MEASURE AS IT DID NOT CONFORM TO FORM AND STYLE THIS MORNING AS OF 10 11. NOW THE TITLE OF THE BILL IS A TITLE READS AN ACT TO REPEAL SUBSECTION A9 TO SUBSECTION 5111 OF ARTICLE 1 CHAPTER 51 DIVISION TWO TITLE 10 GUAM CODE ANNOTATED HOWEVER WHEN YOU PULL UP THIS PART OF THE CODE IT HAS NOT YET BEEN CODIFIED NOW THE INTENTION IS TO REPEAL A SUBSECTION OF PUBLIC LAW 36139 BUT THE BODY OF THIS BILL DOESN'T INDICATE WHAT SPECIFIC LANGUAGE WILL BE REPEALED AS SUCH THE PRIME SPONSOR'S OFFICE INDICATED IN AN EMAIL TO THE COMMITTEE ON RULES WHICH WAS RECEIVED ON FEBRUARY 21ST 2023 AT 10 21 A.M WHICH READS HÁFA ADAI COR THANK YOU FOR YOUR EMAIL THE CHANGES WERE MADE AND SENT TO LEGAL FOR REVIEW I'M WAITING TO HEAR BACK FROM THEM AND WE'LL RECIRCULATE ONCE APPROVED THANK YOU JAMES NOW THE COMMITTEE ON RULES RECEIVED A BILL 52-37 COR BACK FROM THE PRIME SPONSOR'S OFFICE AT 3 32 PM A LITTLE OVER AN HOUR BEFORE THIS EMERGENCY SESSION WAS SET TO BEGIN AND THE BILL'S TITLE NOW READS AN ACT TO AMEND SECTION 2 OF PUBLIC LAW 36139 THE BODY OF THE BILL NOW REFLECTS PART OF PUBLIC LAW 36139 BEING DELETED I'M MADAM SPEAKER I'M NOT DEBATING WHETHER OR NOT AN EMERGENCY EXISTS I'M JUST MAKING A POINT OF INFORMATION THAT WE DO HAVE A COMMITTEE ON RULES MEETING SCHEDULED FOR TOMORROW FEBRUARY 22ND 2023 AT 9 A.M AND THAT THE MATTER BEFORE THIS BODY COULD HAVE BEEN ADDRESSED AND DETERMINED WHETHER A CALL FOR AN EMERGENCY SESSION WAS REQUIRED.

VICE SPEAKER MUÑA BARNES: DULY NOTED SENATOR BARNETT THANK YOU VERY MUCH.

SENATOR BARNETT: AND ON THAT MA'AM I WOULD LIKE TO MOTION TO ADJOURN UNTIL FEBRUARY 27TH.

VICE SPEAKER MUÑA BARNES: THERE IS A MOTION I HEAR AN OBJECTION ALL THOSE IN FAVOR OF THE MOTION IT'S NOT DEBATABLE WE CALL FOR THE VOTE ALL THOSE TO SUPPORT THE MOTION AS PROFFERED BY SENATOR BARNETT SIGNIFY BY RAISING YOUR HAND THERE HAS BEEN SEVERAL OBJECTIONS TO SUPPORT THE MOTION TO ADJOURN THE MOTION TO ADJOURN MOTION FAILS.

VICE SPEAKER MUÑA BARNES: THANK YOU VERY MUCH SENATOR BARNETT.

SENATOR BARNETT: THANK YOU.

VICE SPEAKER MUÑA BARNES: SENATOR PEREZ I WILL RECOGNIZE YOU THIS TIME BEFORE WE PROCEED PLEASE.

SENATOR PEREZ: YEAH THANK YOU MADAM CHAIR THANK YOU MADAM SPEAKER SO I KNOW WE SKIPPED IT SEEMS LIKE WE SKIPPED THE MOTION SECTION REALLY QUICKLY SO I WOULD LIKE TO MAKE A MOTION TO GO BACK TO MOTIONS.

VICE SPEAKER MUÑA BARNES: ON THE MOTION TO GO BACK TO MOTIONS JUST FOR THE RECORD WE DID NOT SKIP MOTIONS WE WERE IN MOTIONS SENATOR SENATOR PEREZ BUT THERE HAS BEEN A MOTION TO GO BACK TO MOTIONS I UNDERSTAND DID I HEAR AN OBJECTION PLEASE RAISE YOUR HAND FOR THE OBJECTION IS THERE AN OBJECTION THERE'S AN OBJECTION ALL THOSE IN FAVOR OF GOING BACK TO MOTIONS PLEASE SIGNIFY BY RAISING YOUR HAND TO GO BACK TO MOTIONS ONE TWO THREE FOUR.

VICE SPEAKER MUÑA BARNES: MOTION FAILS ANYBODY ELSE ON MOTIONS IF NOT COLLEAGUES WE ARE ON SECOND READING BUT SENATOR PEREZ I WILL RECOGNIZE YOU AGAIN DO YOU HAVE ANYTHING ELSE.

SENATOR PEREZ: POINT OF INQUIRY SO JUST WE CAN GET CLARIFICATION THAT WE ARE IN SECOND READING.

VICE SPEAKER MUÑA BARNES: YES SENATOR PEREZ AS AS SIGNIFIED ON THE PROCESS OF THE AGENDA WE ARE ON SECOND READING ON THE SECOND READING IS BILL NO. 52-37 COR AS PROFFERED BY SENATOR CHRIS M

DUEÑAS SENATOR JESSE A LUJAN SENATOR FRANK BLAS JR AND SENATOR TOM J FISHER SENATOR DUEÑAS I WILL RECOGNIZE YOU AT THIS TIME FOR THE READING OF THE TITLE AND THE MOTION PLEASE PROCEED.

SENATOR DUEÑAS: *SI YU'OS MA'ÁSE'* MADAM SPEAKER MADAM SPEAKER AT THIS TIME I MOVE THAT WE PLACE BILL NO. 52-37 COR INTRODUCED BY CHRISTOPHER M DUEÑAS JESSE A LUJAN FRANK F BLAS JR THOMAS J FISHER AN ACT TO AMEND SECTION 2 OF PUBLIC LAW 36-139.

VICE SPEAKER MUÑA BARNES: ON THAT PLEASE PROCEED SENATOR DUEÑAS.

SENATOR DUEÑAS: AT THIS TIME MADAM SPEAKER I WOULD LIKE TO PLAY PLACE BILL 5237 IN THE THIRD READING FILE AND I'D LIKE TO DISCUSS IT.

VICE SPEAKER MUÑA BARNES: PLEASE PROCEED.

SENATOR DUEÑAS: FIRST OF ALL MADAM SPEAKER I WOULD LIKE TO THANK SENATOR BARNETT FOR RISING TO A POINT OF INFORMATION AS YOU KNOW MANY OF US HAVE INTRODUCED BILLS OVER THE YEARS PERHAPS TO DECADES THAT FROM TIME TO TIME REQUIRE SOME TECHNICAL CORRECTIONS AND SO THIS BILL WAS ONE OF THOSE BILLS BUT I WANT TO BE CLEAR THAT ON THE INTRODUCTION OF THIS BILL WHAT THE BILL DOES IS ABSOLUTELY INTACT LEGAL AND PROPER IT IS TRUE THE LAW WAS NOT CODIFIED AT THIS TIME BECAUSE IT WAS SIMPLY PASSED MERE MONTHS AGO SO THAT WAS CORRECTED MADAM SPEAKER I JUST WANT TO MAKE SURE THAT EVERYBODY UNDERSTANDS WE'RE DEBATING A BILL THAT IS PROPER ALSO MADAM SPEAKER IT IS REALLY A MATTER OF REDUNDANCY TO PUT IN THE SECTION IT IS OUR STANDING RULES WHICH IS FINE WHICH REQUIRES TO PUT IN THE SECTION OF LAW TO BE REPEALED AND UNDERLINED UNDER STATUTORY CONSTRUCTION MADAM SPEAKER IT IS UNDERSTOOD THAT ONCE THE TEXT OF THE ABOVE IS INTACT AND REPEALS THAT IS SIMPLY AN ADDITIONAL STEP SO I JUST WANTED TO MAKE SURE THAT ALL OF OUR COLLEAGUES ON THE FLOOR UNDERSTAND WE ARE DEBATING A TRUE AND PROPER BILL MADAM SPEAKER BILL 5237 COR BASICALLY DOES ONE CRITICAL THING IT REPEALS THE PARAGRAPH A 9 OF 95111 OF ARTICLE 1 CHAPTER 51 TITLE 10 GCA AS WE HAVE BEEN WARNED FOR A MONTH AND A HALF NOW FAILURE TO DO THIS WILL RESULT IN EXTREME DANGER TO OUR COMMUNITY MADAM SPEAKER IN CONTRARY TO WHAT THE AUTHOR OF BILL 36139 SAYS ALL OTHER PROVISIONS SUCH AS OPEN BURNING REMAIN IN THE PUBLIC LAW MADAM SPEAKER I THINK MANY OF US WERE HEARTENED WHEN THE ADMIRAL CAME DOWN TO COMPEL US TO REPEAL THIS SECTION OF THE LAW THAT WAS PASSED THAT THERE WERE MANY WARNINGS OVER THE LAST SIX WEEKS ON WHAT WOULD HAPPEN HAD WE NOT IF WE NOT DO NOT DO THIS HE WAS VERY CLEAR THAT FOR OVER TWO DECADES MADAM CHAIR OPEN BURNING HAS NOT BEEN TAKING PLACE ON OUR ISLAND AND THAT IT HAS BEEN THE PRACTICE OF OPEN DETONATION TO SAFELY DISPOSE OF THOSE EXPLOSIVES NOT JUST WAR ERA EXPLOSIVES MADAM CHAIR OTHER THINGS THAT LAW ENFORCEMENT FIND CRUDE ELEMENTS AND THINGS FROM A CRIMINAL ELEMENT THAT THEY MAY PLANT BOMBS OR DO THINGS OF THE NATURE TO WHICH GUAM HAS NO EXPERTISE FOR THEY PERFORM THESE DUTIES BUT THEY WERE CLEAR THIS IS THE SECTION THEY WOULD LIKE TO HAVE REPEALED AND ANOTHER THING MADAM CHAIR THEY ARE ABSOLUTELY AND IT'S ON THE RECORD TIME AND TIME AGAIN DURING THE ROUND TABLE AS WELL AS THE HEARING ON BILL 3537. THAT THEY ARE MORE THAN WILLING TO WORK WITH THE LEGISLATURE WORK WITH THE GOVERNOR TO ENSURE THE SPIRIT AND MAYBE SOME OF THE INTENT OF 35 37 IS REALIZED BUT IT'S UNEQUIVOCAL MADAM SPEAKER THAT THEY PUT ON THE RECORD THAT EVEN IF BILL 3537 WERE TO BE HEARD TODAY WITH ALL THE MAJOR SIGNIFICANT TECHNICAL LEGAL AMENDMENTS IT WOULD HAVE TO BE TRANSMITTED TO THE GOVERNOR'S OFFICE IF IT WERE TO PASS IT WOULD HAVE TO POSSIBLY BE SIGNED INTO LAW I HAVE TO DO THIS AS A BACKGROUND REAL QUICKLY.

VICE SPEAKER MUÑA BARNES: SENATE SENATOR JUST IF I MAY WE'RE NOT ENTERTAINING THAT.

SENATOR DUEÑAS: I UNDERSTAND.

VICE SPEAKER MUÑA BARNES: AND PLEASE GO AHEAD AND.

SENATOR DUEÑAS: I'LL FINISH THE REMARK.

VICE SPEAKER MUÑA BARNES: PLEASE.

SENATOR DUEÑAS: THE BOTTOM LINE IS IS THAT I CANNOT OVEREMPHASIZE HOW MUCH HOW MUCH THE ADMIRAL AND THEIR TEAM HAVE EXPRESSED THE WILLINGNESS TO WORK WITH THIS BODY BUT THIS BILL THAT'S BEFORE US TODAY IS ABSOLUTELY PARAMOUNT IN ITS NECESSITY TO NEGATE NEGATIVE EFFECTS GOING FORWARD THANK YOU FOR THE LATITUDE MADAM SPEAKER AND THANK YOU FOR THE ADMONISHMENT AS WELL MADAM SPEAKER I ATTENDED THE PUBLIC HEARING FOR OKAY I'LL I'LL LEAVE THAT ONE OUT MADAM SPEAKER DANGER TO OUR COMMUNITY AND I SAY THAT IN THE MOST IMPORTANT AND SIGNIFICANT TERMS DANGER IN OUR COMMUNITY OF TWO MAJOR FACETS EXIST IF WE DO NOT REPEAL THIS SECTION OF LAW THE

FIRST AND FOREMOST IS THE OBVIOUS MADAM SPEAKER IN THE EVENT THAT FEBRUARY 27TH ARRIVES AND THIS SECTION OF THE PUBLIC LAW IS NOT REPEALED IT IS THERE IS NO QUESTION AND IT HAS BEEN PUT SQUARELY ON THE RECORD THE DOD THE MILITARY AND THEIR OPERATIONS FOR HANDLING THESE MUNITIONS UNEXPLODED EMISSIONS WILL CEASE YOU CAN ONLY THINK OF SO MANY SCENARIOS AND AS THEY'VE TESTIFIED BEFORE ON EVERY SUCCESSIVE YEAR THAT THEY'VE BEEN DOING THIS MADAM SPEAKER THERE'S BEEN NO LESS THAN ONE CALL A DAY WHETHER IT RESULTS IN HAVING TO EXPLODE ORDINANCE OR NOT THAT IS THE AVERAGE SO THAT MEANS THAT TUN MARIA AND TUN JOSE TILLING THEIR YARD COULD COME ACROSS A GRENADE OR A BOMB HIKERS ON TRAILS HAVE FOUND MUNITIONS ALL OVER THE PLACE CONSTRUCTION THAT'S HAPPENING SIMPLY DIGGING UP A PIPE TO TO TAKE HANDLE A BREAKAGE AND THEY FIND A BOMB NEXT TO IT THE INABILITY TO DO TO TO DISPOSE OF THESE MUNITIONS IN PLACE WITH THE LAW BEING INTACT WOULD BRING CRIPPLING EFFECTS TO OUR ISLAND FIRST AND FOREMOST FOR SAFETY MADAM SPEAKER AND I KNOW IT'S NOT ALWAYS IMPORTANT TO TALK ABOUT MONEY BECAUSE SAFETY SHOULD BE THE PARAMOUNT BUT MADAM SPEAKER I CANNOT EVEN IMAGINE IF ORDINANCE IS FOUND ON ROUTE 1 ANY ONE OF OUR ROUTED ROADS OR EVEN VILLAGE ROADS AND THE MILITARY COMES OUT TO TAKE A LOOK AT IT AND THE ADVICE THEY GIVE TO THE GOVERNMENT IS PUT A BIG FENCE AROUND IT TELL EVERYBODY FROM A THOUSAND FEET AWAY TO MOVE SOMEWHERE ELSE OR STAY AT A HOTEL UNTIL YOU CAN FIGURE IT OUT MADAM SPEAKER I KNOW SOME PEOPLE ARE FANS AND NOT FANS OF THE BUILD UP BUT MADAM SPEAKER RIGHT NOW HUNDREDS AND THOUSANDS OF PEOPLE ARE WORKING TO FINISH THE PROJECT UP AT ANDERSON IN MANY PLACES AROUND OUR ISLAND IF THEY ARE NOT NOW NOT ABLE TO DISPOSE OF THOSE MUNITIONS THROUGH OPEN DETONATION THOSE JOB SITES COULD BE SET SHUT DOWN FOR DAYS WEEKS MONTHS WHO KNOWS UNTIL WE RESOLVE THIS THAT MADAM SPEAKER IS UNACCEPTABLE WE KNOW THAT WE JUST CAME OUT OF THIS PANDEMIC SOME FARED WELL SOME DIDN'T FARE WELL AT ALL SOME OF THE PEOPLE THAT ARE WORKING THESE JOBS ARE JUST TRYING TO PUT THEIR LIVES BACK TOGETHER FINAL ANALYSIS MADAM SPEAKER THERE ARE PLENTY NOW OF PERMITS THAT ARE BEING ISSUED IN THE JEWEL OF OUR ISLAND TO TUMON BAY AND SURROUNDING AREAS THERE ARE MANY PROPERTIES THAT HAVE BEEN SOLD AND THAT ARE NOW PREPARING FOR DEVELOPMENT BECAUSE THEY BELIEVE IN GUAM I CANNOT EVEN THINK OR IMAGINE THAT ANY OF THOSE INDIVIDUALS WHO HAVE INVESTED MILLIONS AND MILLIONS OF DOLLARS TO HAVE THEIR PROJECTS OF GRUBBING AND GRADING OR DOING ANYTHING THEY NEED TO DO RIGHT NOW TO MOVE GUAM FORWARD TO BE HALTED AND ADD ADDITIONAL EXPENSE TO THE MAJOR INVESTMENTS THEY PUT FORWARD YES MADAM SPEAKER THERE IS NO WAY THAT A DOLLAR FIGURE CAN NEVER BE COMPARED TO A LIFE WELL PEOPLE'S ABILITY TO MAKE MONEY AND SUPPORT THEIR FAMILIES IS LIFE AND WITHOUT A CLEAR PATH AND DESTINATION TO SEEING THIS PROJECT THIS THROUGH THE UNCERTAINTY THAT EXISTS IS JUST SOMETHING THAT WE SHOULD NOT BRING UPON OUR PEOPLE SO MADAM SPEAKER I HUMBLY REQUEST THAT OUR COLLEAGUES UNDERSTAND THIS SIMPLE BILL THAT REMOVES ONE OF THE PROVISIONS WITHIN A PUBLIC LAW THAT I VOTED FOR THAT I BELIEVE IS STILL A GOOD PUBLIC LAW FOR WHAT IT DID ON OPEN BURNING AND REQUIRING THE HIGHEST AND MOST THE GREATEST TECHNOLOGIES THAT ARE AVAILABLE FOR ANY TYPE OF ANY OTHER DISPOSALS ARE MANDATED BUT UNDER THIS CIRCUMSTANCE I UNDERSTAND THE POTENTIALITY OF HAVING A SITUATION WHEREBY WHATEVER MAY BE CONTAINED IN THAT UNEXPLODED ORDINANCE COULD HAVE A DETRIMENTAL EFFECT BUT I CAN'T THINK OF ANYTHING MORE DETRIMENTAL THAN LOSING ONE'S LIFE TRYING TO MANAGE THAT EXPLOSIVE SO WITH THAT MADAM SPEAKER I LOOK FORWARD TO THE DEBATE I LOOK FORWARD TO THE DECORUM AND I THANK YOU FOR HEEDING THE CALL THAT I'VE PUT BEFORE YOU TO CALL THIS MOST IMPORTANT EMERGENCY SESSION *SI YU'OS MA'ÁSE'* MADAM SPEAKER.

VICE SPEAKER MUÑA BARNES: *BUEN PRUBECHU* SENATOR DUEÑAS ON THE MOTION IS THERE ANYONE WHO WISHES TO SPEAK SENATOR PARKINSON I WILL RECOGNIZE YOU AT THIS TIME PLEASE PROCEED.

SENATOR PARKINSON: I HAVE SOME EXHIBITS I'D LIKE PASSED AROUND COULD THE MASTER SERGEANT OF ARMS PLEASE PASS THEM AROUND.

VICE SPEAKER MUÑA BARNES: SENATOR PARKINSON I WILL ASK FOR THE RECORD AS IT PERTAINS TO THIS LEGISLATION I'M GOING TO TAKE A MOMENTS TO RECESS.

VICE SPEAKER MUÑA BARNES: *I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÁHAN* IS BACK FROM RECESS THANK YOU VERY MUCH SENATOR PARKINSON I WILL ALLOW THOSE EXHIBITS TO COME IN FOR OUR COLLEAGUES I WILL NOTE FOR THE RECORD THAT I NEED YOU TO SUBMIT THAT OR HAVE YOUR STAFF SUBMIT THAT TO THE CLERK SO IT GETS LOADED UP ON THE DRIVE AND IN THE MEANTIME THE SERGEANT OF ARMS AND THE PAGERS PLEASE GO AHEAD AND DISSEMINATE TO OUR COLLEAGUES AND I WILL ALLOW YOU TO SPEAK WHILE THEY'RE DOING THAT PLEASE IN THE INTEREST OF TIME THANK YOU VERY MUCH.

SENATOR PARKINSON: THANK YOU MADAM SPEAKER I DO RISE IN SUPPORT OF THE REPEAL BECAUSE I DO NOT BELIEVE THAT THE ORIGINAL BILL WAS PROPERLY NOTICED AND IS THEREFORE VOID UNDER THE PREVIOUS

OPEN GOVERNMENT LAWS THE OPEN GOVERNMENT LAW SAYS THAT ANY PUBLIC AGENCY WHICH HOLDS THE MEETING SHALL GIVE FIVE WORKING DAYS PUBLIC NOTICE AND A SECOND PUBLIC NOTICE AT LEAST 48 HOURS PRIOR TO THE START OF THE MEETING THE OPEN GOVERNMENT LAW ALSO DEFINES THE LEGISLATURE AS A PUBLIC AGENCY WHEN IT IS HOLDING A DAILY SESSION SEE PLEASE EXHIBIT ONE ON THAT PUBLIC LAW 32-37 WAS PASSED IN 2013 AND DEFINES PUBLIC NOTICE AS PUBLICATION BY NEWSPAPER OF GENERAL CIRCULATION OR BY RADIO OR TELEVISION WHICH IS REASONABLY CALCULATED TO PROVIDE NOTICE OF THE FACTS IT ANNOUNCES TO THE PUBLIC AT LARGE AND BY ELECTRONIC PUBLICATION OF THE GUAM PUBLIC NOTICE WEBSITE NOTE HERE THAT PUBLICATION OF THE ON THE GUAM PUBLIC NOTICE WEBSITE IS REQUIRED BY LAW AND IS NOT OPTIONAL SEE EXHIBIT 2. THE LAW THIS BILL REPEALS WAS PASSED IN THE DECEMBER SESSION OF THE 36 GUAM LEGISLATURE NO NOTICE OF THAT DECEMBER SESSION WAS PUBLISHED IN THE GUAM PUBLIC NOTICE WEBSITE SPEAKER THERESE TERLAJE DID NOTICE PRIOR SESSION OF THE GUAM LEGISLATURE HOWEVER NO NOTICE WAS PROVIDED ON THE GUAM PUBLIC NOTICE WEBSITE FOR THE LAST SESSION OF THE 36 GUAM LEGISLATURE THE DECEMBER SESSION THIS WAS THE FACT THAT I BROUGHT TO THE ATTENTION OF SPEAKER TERLAJE SEE EXHIBIT THREE ADDITIONALLY THE OPEN GOVERNMENT LAW STATES THAT ANY ACTION TAKEN DURING A MEETING IN VIOLATION OF THE OPEN GOVERNMENT LAW IS VOID AND OF NO EFFECT SEE EXHIBIT 4 WHICH I WILL ALSO READ ALOUD SUBSECTION 8114 ACTION VOIDED ANY ACTION TAKEN AT A MEETING IN VIOLATION OF ANY SECTION OF THIS CHAPTER SHALL BE VOID AND HAVE NO EFFECTS BECAUSE THE DECEMBER 2022 SESSIONS OF THE 36 GUAM LEGISLATURE WERE NOT NOTICED ANY ACTION TAKEN AT THOSE SESSIONS WERE AVOID AND OF NO EFFECT INCLUDING PUBLIC LAW 36-139 THE SECTION OF WHICH THIS BILL SEEKS TO REPEAL I THINK IT'S CLEAR THAT ACCORDING TO THE OPEN GOVERNMENT LAW THEY ARE VOID AND OF NO EFFECT HOWEVER IN AN ABUNDANCE OF CAUTION WE ARE VOTING TO REPEAL THIS SECTION OF LAW SO WE CAN RETURN THE DEALING OF UNEXPLODED ORDINANCES TO A WORKING STATUS QUO WHILE THE LEGAL RAMIFICATION OF THE INSUFFICIENT PUBLIC NOTICES ARE CONSIDERED WE KNEW WE NEED JUDICIAL CLARIFICATION ON WHETHER THE DECEMBER SESSIONS COMPLIED WITH THE OPEN GOVERNMENT LAW.

VICE SPEAKER MUÑA BARNES: THANK YOU SENATOR PARKINSON IF I MAY.

SENATOR PARKINSON: YES.

VICE SPEAKER MUÑA BARNES: AND I DO APPRECIATE THE INFORMATION THAT HAS BEEN PROVIDED BUT I'M GOING TO RULE AT THIS TIME THAT BASED ON YOUR PRESENTATION I WOULD CAUTION YOU TO PLEASE SPEAK ABOUT THE MERITS OF THE BILL OF 52-37 COR AS THE PREVIOUS BILL THAT WE ARE ASKING TO REPEAL HAS ALREADY BEEN PASSED AND HAD GONE THROUGH ITS MERITS SO I RESPECT YOUR PROCESS BUT WITH ALL DUE RESPECT I CAUTION THAT YOU PLEASE PLEASE SPEAK ON THE MERITS OF THE BILL OKAY.

SENATOR PARKINSON: YES MA'AM THANK YOU FOR THE LATITUDE YOU GRANTED ME WE MUST PASS BILL 52-37 FOR THE IMMEDIATE PUBLIC SAFETY OF OUR PEOPLE OUR FIREFIGHTERS AND OUR FRONTLINERS THAT BEING SAID THERE IS A CLOUD THAT MUST ALSO BE ADDRESSED THE CLOUD OVER ALL PUBLIC LAWS AND CONFIRMATIONS PASSED BY THE 36 GUAM LEGISLATURE SO NOW THE MOST IMPORTANT QUESTION BECOMES WAS EVERYTHING IMPROPERLY NOTICED BY THE 36 GUAM LEGISLATURE NOW NULL AND VOID THANK YOU AGAIN MADAM SPEAKER AGAIN I RISE IN SUPPORT OF THE REPEAL AND WITH THAT I CONCLUDE MY REMARKS THANK YOU.

VICE SPEAKER MUÑA BARNES: THANK YOU SIR THANK YOU VERY MUCH SENATOR PARKINSON ON THE MOTION I WILL CAUTION MY COLLEAGUES AGAIN PLEASE PLEASE SPEAK ON THE MERIT OF THE BILL THAT'S IN FRONT OF US OKAY ANYONE ELSE ON THE MAIN MOTION ANYONE ELSE ON THE MAIN MOTION IF NOT SENATOR DUEÑAS I WILL ASK YOU SENATOR SABINA I DO APOLOGIZE SENATOR DUEÑAS SENATOR SABINA ON THIS MAIN MOTION OF BILL NO. 52-37 YOU ARE RECOGNIZED.

SENATOR PEREZ: ALRIGHT THANK YOU MADAM SPEAKER I YOU KNOW WE ARE HERE BECAUSE WE ALL WANT TO ADDRESS ANY SAFETY CONCERNS THAT WAS BROUGHT UP BY MEMBERS OF THE PUBLIC SPECIFICALLY JOINT REGION AND THAT IS WHY BILL 35-37 WAS INTRODUCED IT HAD A PUBLIC HEARING AND IT WAS WELL WELL IN ITS PROCESS IN FACT WE WE DID SUBMIT REQUEST FOR EMERGENCY SESSION AS WELL THIS MORNING AND SO YOU KNOW I KNOW UNFORTUNATELY IT WAS NOT IT'S NOT BEING ENTERTAINED TODAY AND THAT THIS IS WHY WE ARE LISTENING TO THE TESTIMONY FOR BILL 52-37.

VICE SPEAKER MUÑA BARNES: SENATOR IF I MAY AGAIN JUST BASED ON THE MERITS OF THE PROCESS AS PER THE STANDING RULES AND THE MERITS THERE I I WOULD CAUTIOUS YOU PLEASE SPEAK ON THE MERITS OF THE OF THE PROCESS OF THE BILL 52-37 THANK YOU SO VERY MUCH.

SENATOR PEREZ: OKAY WELL FIRST OF ALL JUST OKAY BASICALLY I WANT TO STATE THAT THE REPEAL IS NOT IS NOT NECESSARY WHAT WHAT WOULD WHAT COULD WE WHAT COULD BE DONE IS ACTUALLY AMENDING THE CURRENT PUBLIC LAW AND EVEN IN THE TESTIMONY PROVIDED BY JOINT REGION THEY CONCEDED THAT SHORT

OF A LEGISLATIVE REPEAL THERE ARE CERTAIN ITEMS THAT CAN BE ADDRESSED CERTAIN AMENDMENTS THAT COULD BE UTILIZED AND I THINK WHAT'S ALSO IMPORTANT TO NOTE IS THAT WHY ARE WE BASING ALL OUR RESPONSE TO ONE PARTICULAR MEMBER OF THE PUBLIC AND NOT THE REGULATORS THEMSELVES I THINK WHAT'S HAPPENED IN THE PAST COUPLE WEEKS IS THAT THERE HAS BEEN AN INCREASE IN DIALOGUE BETWEEN JOINT REGION THE REGULATORS AND COMMUNITY AND BY JUST OUTRIGHT REPEALING IS THWARTING AN IMPORTANT PROCESS AND THE PROGRESS THAT OUR COMMUNITY HAS MADE IN ENGAGING THE MILITARY TO HOLD THEM RESPONSIBLE AND THEY ARE THEY ARE WILLING TO COME TO THE TABLE TO ADDRESS THE HARMS CAUSED BY OPEN BURN OPEN DETONATION AND THANKFULLY THEY ARE IN AGREEMENT THAT THEY WANT TO DO AWAY WITH OPEN BURNING AND THAT'S A HUGE STEP AND THAT'S WHAT PUBLIC LAW 30 36-139 DID IT WAS A HUGE STEP FOR OUR COMMUNITY AS AGENCIES AS STAKEHOLDERS THIS WAS A HUGE ADVANCEMENT TOWARDS PROTECTING OUR ENVIRONMENT AND THIS IS HAPPENING ALL OVER THE COUNTRY RIGHT WE'RE KNOWING WE'RE RECOGNIZING THE EFFECTS OF OPEN BURN OPEN BURN PITS FROM THOSE WHO HAVE SERVED OVERSEAS AND THANKFULLY THE PACT ACT WAS PASSED TO ENSURE THAT EXPANDED HEALTH COVERAGE IS GIVEN TO THOSE WHO HAVE SERVED IN THOSE AREAS WHAT BILL WHAT BILL 3537 DOES IS TO FURTHER THAT PROGRESS AND THAT IS WHAT I WOULD LIKE TO SHARE IS THAT YOU KNOW WE DID RECEIVE YOU KNOW PART OF THE ISSUE WAS THAT YOU KNOW HOW DO WE DEAL WITH THE SAFETY CONCERNS YOU KNOW DOES IT THE QUESTION WAS DOES THIS BILL THWART ANY EMERGENCY RESPONSE AND THANKFULLY WE DID RECEIVE RESPONSE FROM GUAM EPA WHICH WAS IN DIRECT CONSULTATION WITH USEPA AND IT'S VERY CLEAR THAT THERE ARE EMERGENCY PROCEDURES THAT ARE STILL IN EFFECT IN ADDITION TO WHAT BILL 35-37 DOES AND SO YOU KNOW IT'S IMPORTANT THAT WE ADDRESS THE SAFETY POTENTIAL HAZARD YOU KNOW THE HAZARDS THAT ARE THAT ARISE FROM EXPLOSIVE RISKS BUT IT'S ALSO IMPORTANT TO ACKNOWLEDGE THE CONCERNS OF OUR COMMUNITY THAT HAVE EXPERIENCED CONTAMINATION THROUGH DECADES AND WE HEARD TESTIMONY FROM ROBERT CELESTIAL WHO IN HIS TESTIMONY PROVIDED SEVERAL INSTANCES WHERE THE MILITARY HAS COVERED UP THE CONTAMINATION ISSUES AND IT'S ONLY THROUGH THE EFFORTS OF A LOCAL COMMUNITY AGAINST THE RIDICULE BY THE COMMUNITY MEMBERS EVEN THAT HE WAS ABLE TO YOU KNOW PROVE AND DOCUMENT THAT THESE CONTAMINATIONS HAVE OCCURRED YOU KNOW FROM THE FALLOUT FROM THE FROM MARSHALL ISLANDS FROM AGENT ORANGE THE EFFORTS BY YOU KNOW SPEAKER TERLAJE AND MANY OF THE VETERANS THAT CAME TO THE AID OF GUAM TO DEMONSTRATE THAT AGENT ORANGE WAS BROUGHT TO GUAM AND THAT THE VETERANS SHOULD RECEIVE THE BENEFITS FROM THEIR EXPOSURE AND NOW WE'RE DEALING WITH OPEN BURN AND OPEN DETONATION AND WE ARE TOLD THAT YOU KNOW MAYBE WE NEED TO PUT IT OFF FURTHER WE NEED TO REPEAL IT NOW BUT I THINK THERE IS A THIRD WAY A THIRD WAY THAT THAT CAN BALANCE THE SAFETY CONCERNS AND THE HEALTH CONCERNS OF OUR COMMUNITY AND SO I WOULD LIKE TO PROFFER AMENDMENTS ENDORSED BY GUAM EPA IN CONSULTATION WITH US EPA SO IF I CAN MAYBE ASK FOR A BRIEF RECESS FOR OUR COLLEAGUES TO TO REVIEW THAT.

VICE SPEAKER MUÑA BARNES: YOU KNOW SENATOR PEREZ I'M GOING TO GO AHEAD AND ACKNOWLEDGE THAT I'M GOING TO HOLD A MOMENT'S RECESS SO THAT YOU CAN WORK WITH YOUR AMENDMENTS ON THAT MOTION WE ARE IN RECESS FOR A MOMENT'S TIME.

SENATOR PEREZ: *SI YU'OS MA'ÁSE'* OKAY YES THANK YOU THANK YOU MADAM SPEAKER FOR THAT RECESS.

VICE SPEAKER MUÑA BARNES: *I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÁHAN* IS BACK FROM RECESS SENATOR PEREZ I WILL ACKNOWLEDGE YOU AT THIS TIME FOR YOUR AMENDMENTS PLEASE PROCEED.

SENATOR PEREZ: THANK YOU MADAM SPEAKER FOR THAT RECESS AND SO EVERYONE SHOULD HAVE GOTTEN A COPY OF THE LETTER FROM ADMINISTRATOR LEON GUERRERO FROM GUAM EPA HAS ANYBODY SORRY MAY HAVE TO ASK FOR A BRIEF RECESS AGAIN FOR THE LETTER TO BE DISTRIBUTED.

VICE SPEAKER MUÑA BARNES: I'M GOING TO TAKE A ONE MINUTE RECESS.

VICE SPEAKER MUÑA BARNES: I'M NOT ON YET BUT CAN WE PROCEED PLEASE.

VICE SPEAKER MUÑA BARNES: *I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÁHAN* IS BACK FROM RECESS THANK YOU SENATOR PEREZ I WILL NOTE FOR THE RECORD THAT THE LETTER IS ON THE DRIVE AND MY COLLEAGUES HAVE HAVE ACCESS TO IT SO I MAY ASK YOU TO PROCEED AT THIS TIME.

SENATOR PEREZ: THANK YOU MADAM SPEAKER SO THE AMENDMENTS THAT YOU SEE BEFORE YOU IS ENTITLED SFP L8-18P2 SO IT STATES TO AMEND THE BILL TO READ SECTION 51111 PROHIBITED HAZARDOUS WASTE ACTIVITIES USE OPEN DETONATION TO TREAT EXPLOSIVE HAZARDOUS WASTE EXCEPT FOR THOSE HAZARDOUS WASTE EXPLOSIVES FOR WHICH NO SAFE ALTERNATIVE MANAGEMENT OPTIONS INCLUDING TREATMENT DISPOSAL TECHNOLOGY SAFE STORAGE OR TRANSPORT EXIST AT LEAST ANNUALLY OD FACILITIES MUST REEVALUATE WHETHER SAFE ALTERNATIVE MANAGEMENT MANAGEMENT OPTIONS EXIST AND WHERE SAFE ALTERNATIVES EXIST FACILITIES MUST IMPLEMENT THOSE ALTERNATIVES THAT PROVIDE THE MOST

PROTECTION OF HUMAN HEALTH IN THE ENVIRONMENT THE GUAM EPA SHALL REQUIRE A PERMIT FOR AND SHALL DEVELOP PERMITTING RULES AND REGULATIONS PROMULGATED THROUGH THE ADMINISTRATIVE ADJUDICATION LAW FOUND IN CHAPTER 9 TITLE FIVE GUAM CODE ANNOTATED ALL EMERGENCY DETONATIONS SHALL BE REPORTED TO GUAM EPA WITHIN FIVE CALENDAR DAYS OF EACH EMERGENCY DETONATION AND THESE REPORTS SHALL BE INCLUDED BUT NOT LIMITED TO.

SENATOR BLAS: POINT OF ORDER.

SENATOR PEREZ: I'M IN THE MIDDLE OF READING MY AMENDMENT.

VICE SPEAKER MUÑA BARNES: SENATOR BLAS STATE YOUR POINT OF ORDER.

SENATOR BLAS: THANK YOU MADAM MADAM SPEAKER MADAM SPEAKER THE AMENDMENT IS BEING PROFFERED IS BEING DELIBERATED OR PRESENTED IT BASICALLY WANTS TO AMEND LANGUAGE THAT THIS BILL PROPOSES TO DELETE BEFORE WE CAN EVEN ADDRESS THIS AMENDMENT THE BODY HAS TO ACCEPT THAT THIS THIS LANGUAGE IS NOT GOING TO BE DELETED YOU CANNOT YOU CANNOT AMEND A DELETION.

VICE SPEAKER MUÑA BARNES: I'M GOING TO CALL FOR A MOMENT'S RECESS AND WORK WITH LEGAL COUNSEL WE ARE IN RECESS.

VICE SPEAKER MUÑA BARNES: *I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÁHAN* IS BACK IN ORDER AFTER CONFERRING WITH LEGAL AND THE CLERK I I WILL NOTE THAT THE THE AMENDMENT IS GERMANE AND IS IN ORDER AND SENATOR PEREZ I WILL ALLOW YOU TO FINISH ON THE AMENDMENT AND THEN OPEN THE FLOOR FOR OUR COLLEAGUES TO TO SPEAK ON THE AMENDMENT SENATOR PEREZ.

SENATOR PEREZ: THANK YOU MADAM SPEAKER SO I THINK I LEFT OFF WITH ALL EMERGENCY DETONATION SHALL BE REPORTED TO GUAM EPA WITHIN FIVE CALENDAR DAYS OF EACH EMERGENCY DETONATION AND THESE REPORTS SHALL INCLUDE BUT NOT LIMITED TO THE DATE AND PLACE OF THE OPEN DETONATION AND ANY OTHER INFORMATION REQUIRED BY GUAM EPA AND TO ALLOW LEGAL TO REMEMBER TO MAKE TECHNICAL CORRECTIONS.

VICE SPEAKER MUÑA BARNES: ON THE MOTION ON THE AMENDMENT ANYONE WISHING TO SPEAK I WILL ADDRESS SENATOR TAITAGUE YOU ARE RECOGNIZED ON THE PEREZ AMENDMENT.

SENATOR TAITAGUE: *SI YU'OS MA'ÁSE!* MADAM SPEAKER FOR THE OPPORTUNITY TO STAND IN SUPPORT OF THIS AMENDMENT I THINK WE'RE ALL WANTING THE BEST FOR OUR ISLAND AND TO KEEP US SAFE BUT WE ALSO NEED TO REALIZE THAT THE MILITARY HASN'T BEEN A VERY GOOD STEWARDS OF OUR LAND AND WE'VE SEEN IT IN CERTAIN AREAS THAT AGENT ORANGE FOR AN EXAMPLE AS WELL AS THE ORDOT DUMP YOU KNOW WHAT'S HAPPENED THERE TO TAKE RESPONSIBILITY FOR THOSE AREAS THAT STILL IT THIS DAY HAS LEAKAGE BUT WHAT WE IF WE'RE TRYING TO DO AND I I AGREE YOU KNOW TO GO AHEAD AND STRIKE OUT THIS AREA I MEAN WHAT WE'RE HERE TODAY IS TO ALLOW THE DETONATION OF THESE ORDINANCES NOT JUST TO WORLD WAR II BUT MADAM SPEAKER WE HAVE TO BE VERY CONSCIOUS OF OUR ENVIRONMENT AS WELL THIS AMENDMENT PROVIDES SOME SAFETY MOVING FORWARD AND THAT'S SOMETHING WE SHOULD NOT FORGET WE'VE HEARD DURING THE PUBLIC HEARING THAT WE HAD ON A PRIOR BILL THAT HAD THIS SUBJECT MATTER INVOLVED AND IT THEY WERE THERE TO TESTIFY ABOUT THE IMPORTANCE OF PROTECTING NOT ONLY OUR ISLAND OR BUT THAT ENVIRONMENT ALSO PROTECTS THE HEALTH AND WELFARE OF EVERYONE WHO CALLS GUAM HOME AND I THINK MADAM SPEAKER OUR INTENTIONS ARE ARE GOOD I THINK EVERYONE IN THIS ROOM INTENTIONS ARE GOOD BUT WE NEED TO FIND A BALANCE HERE A BALANCE THE SAFETY AND WELFARE WELFARE OF AN INDIVIDUAL AS WELL AS THE SAFETY AND THE THE WELFARE AND PROTECTION OF OUR ENVIRONMENT THE AMENDMENT IS IS CLEAR WITH THE INTENT OF THIS BILL A BILL 52-37 AND CONSIDERING THIS BILL HAS NOT HAD THE OPPORTUNITY TO HAVE A PUBLIC HEARING TO BRING IN EPA I THINK THIS AMENDMENT IS CLEAR DURING THE PUBLIC HEARING ABOUT THEIR CONCERNS THAT WAS HELD YESTERDAY FOR FOUR HOURS ON MAKING SURE THAT OUR ENVIRONMENT IS PROTECTED THEY HAD NO PROBLEMS WITH THE FIRST ORIGINAL THE PUBLIC LAW AND THEN THE AMENDED VERSION OF THAT PUBLIC LAW OR NOT AMENDED BUT THE NEW BILL TO AMEND THE PUBLIC LAW THERE WAS NO ISSUES WITH IT AND IT'S UNFORTUNATE THAT WE DON'T HAVE EPA HERE IN FRONT OF US AND TO GO INTO THE COMMITTEE OF THE WHOLE UNFORTUNATELY I DON'T HAVE ENOUGH VOTES TO ASK EPA TO COME IN HERE SO I'LL JUST BYPASS MAKING A MOTION TO REQUEST TO GO INTO COMMITTEE OF THE WHOLE BUT THIS IS THIS AMENDMENT IS A BALANCE IT DOES WHAT IT'S INTENDED WHAT EVERYONE IS CALLING AN EMERGENCY TODAY IT DOES DO THAT BUT IT ALSO BRINGS INTO PLAY THE IMPORTANCE OF OUR ENVIRONMENT AND IF WE DON'T KEEP THAT AT THE FOREFRONT WE WON'T HAVE AN ISLAND TO BE ABLE TO CALL A SAFE PLACE TO LIVE FOR OURSELF AND OUR CHILDREN AS WELL AS OUR OUR GRANDCHILDREN AND EVERY GENERATION AFTER THAT SO I STAND IN FULL SUPPORT OF THIS THANK YOU MADAM SPEAKER.

VICE SPEAKER MUÑA BARNES: THANK YOU THANK YOU SENATOR TAITAGUE SENATOR DUENAS.

SENATOR DUEÑAS: MADAM SPEAKER.

VICE SPEAKER MUÑA BARNES: ON THE PEREZ AMENDMENT YOU MAY PROCEED.

SENATOR DUEÑAS: MADAM SPEAKER AT THIS TIME I RISE AND ASK EVERYONE TO PLEASE JOIN ME IN THEIR OUR MASON'S MANUAL PAGE 489 SECTION 713 AT THIS TIME I'M MAKING A MOTION CALLING THE QUESTION THAT SHOULD END DEBATE MADAM CHAIR AND WE SHOULD MOVE TO THE THIRD READING VOWEL FILE AND VOTE ON THIS BILL AT THIS TIME I CALL THE QUESTION.

SENATOR LUJAN: CALL THE VOTE.

SENATOR DUEÑAS: CALL THE VOTE.

VICE SPEAKER MUÑA BARNES: MOMENTS RECESS.

VICE SPEAKER MUÑA BARNES: *I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÁHAN* IS BACK FROM RECESS COLLEAGUES THERE WAS A MOTION TO CALL FOR THE PREVIOUS QUESTION I'M GOING TO ENTERTAIN THAT MOTION RIGHT NOW ALL THOSE IN FAVOR OF THE PREVIOUS ON THE PREVIOUS QUESTION PLEASE SIGNIFY BY RAISING YOUR HAND.

VICE SPEAKER MUÑA BARNES: MOTION CARRIES AT THIS TIME COLLEAGUES THAT SAME SECTION ON THE STANDING RULES DOES PROVIDE THAT EVEN IF THE MOTION PASSES THAT THE AUTHOR OF THE AMENDMENT AS PREVIOUSLY DISCUSSED CAN CLOSE ON THAT AMENDMENT SO I WILL ASK SENATOR PEREZ IF YOU WOULD LIKE TO CLOSE ON THAT AMENDMENT I WILL ALLOW YOU AT THIS TIME YOU MAY PROCEED.

SENATOR PEREZ: THANK YOU MADAM SPEAKER PUBLIC LAW 36-139 WAS ENACTED WITH THE MAJORITY VOTE AS AN EXPRESSION OF THE WILL OF THE PEOPLE OF GUAM TO NOT BE SUBJECTED TO THE UNCHECKED ENVIRONMENTAL CONTAMINATION SIGNIFICANT HEALTH IMPACTS THAT RESULTED FROM EXPOSURE TO CHEMICALS RELEASED FROM OPEN DETONATION AND OPEN BURNING IT IS ALSO THE EXPRESSED DESIRE OF OUR PEOPLE TO SEEK ENVIRONMENTALLY SOUND AND PUBLICLY ACCEPTABLE METHODS OF TREATMENT AND DISPOSAL THAT RESULT IN FEWER NEGATIVE OUTCOMES A FULL REPEAL IS WORSE THAN A FEW STEPS BACKWARD IT UNNECESSARILY IT'S UNNECESSARY AND FOR REASONS UNKNOWN GOES OVERBOARD IN ERASING ANY PROGRESS WE HAVE MADE ON THIS ISSUE WHATSOEVER I UNDERSTAND THAT THIS IS UNCHARTERED TERRITORY FOR GUAM AND SOMETIMES DOING WHAT IS RIGHT FEELS UNCOMFORTABLE OR UNNERVING BUT IN OUR POSITION AS ELECTED LEADERS OF OUR ISLAND WE MUST SHOW UNRELENTING COURAGE TO BE FORWARD-THINKING AND ADVOCATE FOR POLICIES THAT ENSURE THE BEST OUTCOMES FOR FUTURE GENERATIONS I WOULD LIKE TO QUOTE FROM MR ROBERT CELESTIAL FROM THE PACIFIC OF ASSOCIATION OF RADIATION SURVIVORS WHO HAS WORKED FOR DECADES TO TO GAIN RECOGNITION FOR THE HARMS CAUSED BY MANY OF THESE MILITARY TOXINS IN HIS TESTIMONY HE STATED THE PEOPLE OF GUAM HAVE SUFFERED FAR TOO LONG FOR WITH CANCERS AND OTHER DISEASES THAT CAN BE ATTRIBUTED TO TOXINS AND IONIZING RADIATION TOO MANY SECRETS AND DENIALS HAVE BEEN KEPT FROM US FOR DECADES LET US NOT IGNORE THE FACTS AND PAY WITH THE LIVES OF OUR PEOPLE HE'D FURTHER THAN ENCOURAGE US TO DO THE RIGHT THING AND IT IS OUR IT IS OUR SOLEMN RESPONSIBILITY AS ELECTED LEADERS OF THIS ISLAND TO MAKE THESE RIGHT DECISIONS AND NOT HAVE TO BE BULLIED INTO POSITIONS WHERE YOU KNOW THAT THERE'S ONLY ONE OPTION WHEN THERE ARE MANY OPTIONS THAT EXIST THANK YOU MADAM SPEAKER.

VICE SPEAKER MUÑA BARNES: THANK YOU VERY MUCH SENATOR PEREZ AT THIS TIME COLLEAGUES I WILL ALLOW THE AUTHOR TO BRIEFLY CLOSE AND PUT THE MOTION ON THE FLOOR SENATOR DUEÑAS I WILL RECOGNIZE YOU AT THIS TIME.

SENATOR DUEÑAS: *SI YU'OS MA'ÁSE'* MADAM CHAIR AND I WILL BE VERY BRIEF I THANK OUR COLLEAGUES FOR THEIR DUE DILIGENCE AND ATTENTION TO THIS MATTER I WILL SIMPLY CLOSE BY READING FROM THE LETTER THAT WAS PART OF THE TESTIMONY FROM REAR ADMIRAL NICHOLSON ON FEBRUARY 20TH THE REAR ADMIRAL STATES AS PART OF HIS TESTIMONY OUR IMMEDIATE CONCERN IS THE FEBRUARY 27TH DEADLINE IMPOSED BY PUBLIC LAW 36-139 THIS IS A MERE SEVEN DAYS AWAY THIS TIMELINE DOES NOT ALLOW FOR FULL DISCUSSION OF IMPLEMENTATION ISSUES EFFECTS OR OPTIONS TO ADDRESS SIGNIFICANT CONCERNS WITH ALL STAKEHOLDERS BECAUSE OF THIS URGENCY UNCERTAINTY EXCUSE ME AN IMMINENT DEADLINE AND GIVEN THE REQUIREMENTS IN THE LAW FOR REGULATIONS AND PERMITS IT DOES NOT APPEAR THAT THE DEPARTMENT OF DEFENSE CAN CONTINUE TO PROVIDE EMERGENCY RESPONSE REQUESTED BY THE GOVERNMENT OF GUAM AFTER FEBRUARY 27TH GIVEN THE REGULATORY AND PERMITTING REQUIREMENTS CONTAINED THEREIN MADAM CHAIR SIMPLY PUT I RESPECTFULLY DISAGREE WITH THE PREVIOUS SPEAKER WE HAVE NOT REPEALED THE ENTIRE LAW MANY GOOD FACETS OF THE ENTIRE LAW ARE STILL INTACT WE ARE REPEALING THIS SECTION

TO ENSURE THAT WHAT THE ADMIRAL HAS PUT ON THE RECORD DOES NOT COME TO FRUITION WE CONTINUE TO PROVIDE THE SAFETY AND SECURITY OF OUR PEOPLE THEIR LIVELIHOOD AND THEIR LIFE ITSELF MADAM SPEAKER WE HAVE PLENTY OF TIME AND I LOOK FORWARD TO WORKING WITH THE AUTHOR AND EVERY MEMBER OF THIS BODY AND JRM AND IN OUR ENTIRE COMMUNITY THE GOVERNOR'S OFFICE TO CONTINUE TO DELIBERATE THIS ISSUE AND COME TO A RESOLUTION THAT IS PROPERLY DEBATED IN A TIMELY MANNER SO THAT WE CAN MOVE TO FINISH THE JOB RIGHT NOW MADAM SPEAKER I ASK RESPECTFULLY THAT BILL 5237 BE PLACED IN THE THIRD READING FILE FOR A VOTE AND THAT WE VOTE WITHOUT ENGROSSMENT AS THERE WERE NO AMENDMENTS TO THE BILL *SI YU'OS MA'ÁSE'* MADAM SPEAKER.

VICE SPEAKER MUÑA BARNES: THANK YOU SENATOR DUENAS ON THE MOTION TO PLACE IN THE VOTING FILE ARE THERE ANY OBJECTIONS THERE IS AN OBJECTION ALL THOSE ARE IN FAVOR OF PUTTING THAT BILL NO. 52-37 COR INTO THE THIRD READING VOTING FILE PLEASE SIGNIFY BY RAISING YOUR HAND THERE HAS BEEN AN OBJECTION ONE TWO THREE 4 5 6 7 8 9 10.

VICE SPEAKER MUÑA BARNES: MOTION CARRIES YEAH COLLEAGUES WE'VE EXHAUSTED THE SECOND READING FILE AGENDA WE ARE NOW IN THIRD READING VOTING FILE THERE HAVE BEEN NO AMENDMENTS I WILL ASK MADAM CLERK NOW TO VOTE I MEAN IF I CAN HAVE A MOTION THERE A MOTION TO VOTE WITHOUT ENGROSSMENT PLEASE SIGNIFY BY RAISING YOUR HAND TO VOTE ON BILL NO. 52-37 COR WITHOUT ENGROSSMENT ONE TWO THREE FOUR FIVE SIX SEVEN EIGHT NINE TEN.

VICE SPEAKER MUÑA BARNES: MOTION CARRIES MADAM CLERK ROLL CALL PLEASE YES MADAM CLERK ON THE MOTION ROLL CALL PLEASE READ THE TITLE FIRST.

CLERK OF THE LEGISLATURE: BILL NO. 52-37 COR INTRODUCED BY CHRISTOPHER M DUEÑAS JESSE A LUJAN FRANK BLAS JR THOMAS J FISHER AN ACT TO AMEND SECTION 2 OF PUBLIC LAW 36-39 PUBLIC LAW 36-139.

VICE SPEAKER MUÑA BARNES: ROLL CALL PLEASE.

CLERK OF THE LEGISLATURE: SENATOR BARNETT SENATOR BARNETT NAY SENATOR BLAS SENATOR BLAS AYE SENATOR BROWN SENATOR BROWN AYE SENATOR DUEÑAS SENATOR DUEÑAS AYE SENATOR FISHER SENATOR FISHER AYE SENATOR LUJAN SENATOR LUJAN AYE VICE SPEAKER MUÑA BARNES AYE VICE SPEAKER MONA BARNES AYE SENATOR PARKINSON SENATOR PARKINSON AYE SENATOR PEREZ SENATOR PEREZ PASS SENATOR QUINATA SENATOR QUINATA AYE SENATOR SAN AGUSTIN SENATOR SAN AGUSTIN AYE SENATOR SAN NICOLAS SENATOR SAN NICOLAS AYE SENATOR SHELTON SENATOR SHELTON PASS SENATOR TAITAGUE SENATOR TAITAGUE NAY SPEAKER TERLAJE.

VICE SPEAKER MUÑA BARNES: ON THE MOTION SENATOR AMANDA PLEASE.

SENATOR SHELTON: THANK YOU MADAM SPEAKER I MOVE TO EXCUSE MEMBERS NOT PRESENT FOR VOTING.

VICE SPEAKER MUÑA BARNES: ON THAT MOTION ARE THERE ANY OBJECTIONS SEEING OR HEARING NONE.

VICE SPEAKER MUÑA BARNES: MOTION CARRIES.

CLERK OF THE LEGISLATURE: SPEAKER TERLAJE EXCUSED SENATOR PEREZ SENATOR PEREZ PASS SENATOR SHELTON SENATOR SHELTON AYE SENATOR PEREZ SENATOR PEREZ NAY.

VICE SPEAKER MUÑA BARNES: COLLEAGUES BILL NO. 52-37 COR RECEIVED 11 AYES THREE NAYS AND ONE EXCUSE ABSENT BILL NO. 52-37 COR HAS BEEN PASSED BY THIS BODY.

VICE SPEAKER MUÑA BARNES: AT THIS TIME ON THE AGENDA WE ARE AT BRIEF EXTENSION OF REMARKS IF THERE'S ANYONE WHO WISHES TO SPEAK IF NOT SENATOR AMANDA SHELTON I WILL AS ACTING MAJORITY LEADER I WILL ACKNOWLEDGE YOU SECRETARY SHELTON.

SENATOR SHELTON: *SI YU'OS MA'ÁSE'* MADAM SPEAKER I MOVE TO ADJOURN TODAY'S SESSION SUBJECT TO THE CALL OF THE SPEAKER.

VICE SPEAKER MUÑA BARNES: ARE ON THE MOTION TO ADJOURN SUBJECT TO THE CALL OF THE SPEAKER ARE THERE ANY OBJECTIONS SEEING OR HEARING NONE.

VICE SPEAKER MUÑA BARNES: MOTION CARRIES WE ARE ADJOURNED *SI YU'OS MA'ÁSE'* COLLEAGUES AND PLEASE BE SAFE *SAINA MA'ÁSE.'* *SI YU'OS UN BINENDISE*

END.