

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

Resolution No. 47-36 (LS)	Speaker Antonio R. Unpingco Legislative Session Hall Guam Congress Building March 26, 2021					
NAME	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Senator V. Anthony Ada	√					
Senator Frank Blas Jr.	√					
Senator Joanne Brown	√					
Senator Christopher M. Dueñas	√					
Senator James C. Moylan	√					
Vice Speaker Tina Rose Muña Barnes	√					
Senator Telena Cruz Nelson	√					
Senator Sabina Flores Perez	√					
Senator Clynton E. Ridgell	√					
Senator Joe S. San Agustin	√					
Senator Amanda L. Shelton	√					
Senator Telo T. Taitague	√					
Senator Jose "Pedo" Terlaje	√					
Speaker Therese M. Terlaje	√					
Senator Mary Camacho Torres			√			√

**TOTAL**

**14**

**0**

**1**

**1**

Aye

Nay

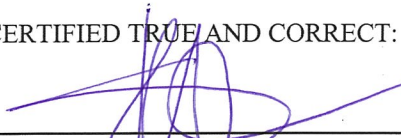
Not Voting/  
Abstained

Out During  
Roll Call

Absent

Excused

CERTIFIED TRUE AND CORRECT:

  
 \_\_\_\_\_  
 RENNAE V.C. MENO  
 Clerk of the Legislature

I = Pass

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

**Resolution No. 47-36 (LS)**

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Introduced by:

Therese M. Terlaje  
Tina Rose Muña Barnes  
Amanda L. Shelton  
Telena Cruz Nelson  
Sabina Flores Perez  
Joe S. San Agustin  
Clynton E. Ridgell  
Jose “Pedo” Terlaje  
Christopher M. Duenas  
Frank F. Blas, Jr.  
V. Anthony Ada  
Telo T. Taitague  
Joanne Brown  
James C. Moylan

**Relative to authorizing *I Liheslaturan Guåhan* to be represented in Guam Supreme Court Case No. CRQ20-002 and assert the validity of the provisions of the *Islan Guåhan Emergency Health Powers Act* at issue, and ultimately, preserve the Legislature’s power granted by the Organic Act of Guam to enact laws necessary to protect the health, safety, and general well-being of the people of Guam.**

1           **BE IT RESOLVED BY *I MINA'TRENTAI SAIS NA LIHESLATURAN***  
2 ***GUÅHAN*:**

3           **WHEREAS**, the Honorable Lourdes A. Leon Guerrero, *I Maga'hågan*  
4 *Guåhan*, filed a Request for Declaratory Judgment with the Supreme Court of Guam  
5 on December 24, 2020, now known as *In re: Request of Lourdes A. Leon Guerrero*,

1 *I Maga'hågan Guåhan, Relative to the Power of the Executive Branch to Establish,*  
2 *Maintain, and Operate Quarantine Facilities in Guam and to Promulgate*  
3 *Quarantine and Sanitation Regulations for the Protection of Guam Against the*  
4 *Importation and Spread of Disease, Guam Supreme Court Case No. CRQ20-002;*  
5 and

6 **WHEREAS**, initially, the Governor petitioned the Supreme Court of Guam  
7 to interpret provisions of the *Islan Guåhan Emergency Health Powers Act*, 10 GCA  
8 Chapter 19, with respect to the Guam Department of Public Health and Social  
9 Services' powers to develop and implement isolation and quarantine policy and  
10 statutory procedural requirements. *See Order & Scheduling Order, Dec. 31, 2020;*  
11 and

12 **WHEREAS**, in the Governor's Reply Brief, the Governor raised a new  
13 argument that the Legislature exceeded its powers by passing Sections 19604 and  
14 19605 of the *Islan Guåhan Emergency Health Powers Act* because they are "in direct  
15 and irreconcilable conflict with" the Organic Act of Guam under 48 U.S.C. §  
16 1421g(a), which grants the Governor quarantine authority. *See Second Order &*  
17 *Scheduling Order, Feb. 9, 2021; and*

18 **WHEREAS**, in its Second Order & Scheduling Order (Second Order), which  
19 the Legislature received notice of on March 18, 2021, the Supreme Court of Guam  
20 exercised its discretion to review the Governor's new argument; and

21 **WHEREAS**, the Supreme Court further stated that the Legislature is typically  
22 a party to declaratory judgment actions involving separation of powers issues  
23 between the Executive and Legislative branches and the organicity of statutes, and  
24 invited the Legislature and other interested parties to respond to the Governor's new  
25 argument; and

1           **WHEREAS**, *I Liheslatura* finds that the need to protect its lawmaking  
2 authority as a co-equal branch of government is vital, especially during the COVID-  
3 19 pandemic; now therefore, be it

4           **RESOLVED**, *I Mina'trentai Sais Na Liheslaturan Guåhan* does hereby, on  
5 behalf of the people of Guam, authorize its representation in Guam Supreme Court  
6 Case No. CRQ20-002 to assert the validity of the provisions of the *Islan Guåhan*  
7 *Emergency Health Powers Act* at issue, and ultimately, preserve the Legislature’s  
8 power granted by the Organic Act of Guam to enact laws necessary to protect the  
9 health, safety, and general well-being of the people of Guam; and be it further

10           **RESOLVED**, that the Speaker certify, and the Legislative Secretary attest to,  
11 the adoption hereof, and that copies of the same be thereafter transmitted to all  
12 Members of *I Mina'trentai Sais Na Liheslaturan Guåhan*; and to Mr. Carlo J.  
13 Branch, Executive Director of *I Liheslaturan Guåhan*.

**DULY AND REGULARLY ADOPTED BY I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN ON THE      DAY OF MARCH 2021.**

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**THERESE M. TERLAJE**  
Speaker

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**AMANDA L. SHELTON**  
Legislative Secretary