

I Mina' Trentai Dos Na Liheslaturan Guåhan

Resolutions Log Sheet

Resolution No.	Sponsor	Title	Date Intro	Date of Presentation	Date Referred	Committee / Ofc Referred	Date Adopted
476-32 (COR)	T.C. Ada R.J. Respicio J.T. Won Pat, Ed.D. B.J.F. Cruz, FRANK B. AGUON, JR., Michael F.Q. San Nicolas, Dennis G. Rodriguez, Jr., T. R. Muña Barnes	Relative to conveying the opposition of I Mina'Trentai Dos Na Liheslaturan Guåhan to any plans to cancel the "Route 4 Safety Enhancements" from the Consent Decree for the closure of the Ordot Dump will cause unsafe consequences and disenfranchise our island's southern residents.	10/08/14 5:13 p.m.	10/09/14 9:00 a.m.			

**I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN**  
**2014 (SECOND) Regular Session**

2014 OCT - 8 PM 5:13

**Resolution No. 476-32 (COR)**

Introduced by:

T. C. Ada  
R.J. Respicio  
Judith T. Won Pat, Ed.D.  
B. J.F. Cruz  
Michael F.D. San Nicolas  
DR RODRIGUEZ, JR  
T.P. Mañá Barnes

**Relative to conveying the opposition of *I Mina'Trentai Dos Na Liheslaturan Guåhan* to any plans to cancel the "Route 4 Safety Enhancements" from the Consent Decree for the closure of the Ordot Dump will cause unsafe consequences and disenfranchise our island's southern residents.**

1           **BE IT RESOLVED BY THE COMMITTEE ON RULES OF I**  
2 ***MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN:***

3           **WHEREAS,** the federal Consent Decree for the closure of the Ordot Dump, and  
4 the opening of a new landfill call for specific improvements along Route 4 in order to  
5 address the safety and traffic issues which have become problematic because of the  
6 opening of the Layon Landfill and the continuous use of Route 4 by heavy commercial-  
7 grade trucks traveling to and from the new landfill; and

8           **WHEREAS,** at the direction of Governor Eddie Calvo, the Legal Counsel for the  
9 Government of Guam is seeking to amend the consent decree to delete the planned  
10 improvements of Route 4 in order to produce \$6.4 million in savings, which they are  
11 hoping will be applied to the on-going shortfall from funds earmarked to close the Ordot  
12 Dump; and

13           **WHEREAS,** the Calvo Administration has proceeded to secure this deletion  
14 without any consultation with our island's southern mayors and residents, who will be

1 most negatively impacted by these changes currently being pursued in federal court by  
2 the Calvo Administration; and

3 **WHEREAS**, the Legal Counsel for the Government of Guam argues that the  
4 planned improvements to enhance traffic safety along Route 4 are not necessary because  
5 Route 4 is safe and safe travel for solid waste trucks is being provided by a pilot vehicle  
6 escorting the packer trucks from the Talofoyo Bay area to the Layon Landfill; and

7 **WHEREAS**, in a submission to the U.S. District Court by the island's Southern  
8 Mayors, our Southern Mayors contend that the arguments put forth by the Calvo  
9 Administration are "callous and totally oblivious to the transportation safety and quality  
10 of life of the residents most impacted by this new facility," and

11 **WHEREAS**, the weight of the trash trucks that are southbound to Layon are in  
12 excess of the weight generally allowed on our highways. The commercial vehicles weigh  
13 on average about 95,000 lbs. (at times in excess of 101,000 lbs.). In contrast, the  
14 allowable weight limit set by law is 80,000 lbs. Studies support the fact that heavy  
15 vehicles cause the most damage to roadways and the road segment between Talofoyo Bay  
16 and the entrance to Layon is not constructed to carry such weights; and

17 **WHEREAS**, the resulting degradation of Route 4 without adequate reconstruction  
18 will result in greater safety risks and greater vehicle maintenance costs to motorists who  
19 travel this roadway on a daily basis; and

20 **WHEREAS**, the assertion by the Governor's Legal Counsel for the Government  
21 of Guam that the use of a "pilot vehicle" is a reasonable alternative to the physical  
22 improvement of the segment of Route 4 that is most critical in the movement of the trash  
23 trucks is not supported by the facts and is not in the best interests of our island's  
24 community because the \$6.5 million that has been estimated for the project envisions the  
25 improvement to eighteen (18) critical spots along Route 4, in addition to the acquisition  
26 of private property to widen critical areas, especially along the As'Lonso area; and

27 **WHEREAS**, the Calvo Administration's proposal to only address the "safe"  
28 movement of trash trucks is tantamount to the disenfranchising of southern motorists who

1 are effectively left to fend for themselves as they course through roadways that are being  
2 damaged and degraded by movements of the heavy trash trucks; now therefore be it

3 **RESOLVED**, that the Committee on Rules, on behalf of *I Mina'Trentai Dos Na*  
4 *Liheslaturan Guåhan* and the people of Guam, does hereby convey its opposition to any  
5 plans to cancel the “Route 4 Safety Enhancements” from the Consent Decree for the  
6 closure of the Ordot Dump; and be it further

7 **RESOLVED**, that the Speaker and the Chairperson of the Committee on Rules  
8 certify, and the Legislative Secretary attest, to the adoption hereof, and that copies of the  
9 same be thereafter transmitted to the Mayors of *Inarajan, Talofoyo, Merizo, Agat, Santa*  
10 *Rita , Umatac, and Yona*; to the Vice Mayor of *Agat*; to Mr. David L. Manning, Receiver,  
11 Gershman, Brickner & Bratton, Inc. for The United States District Court; Mr. Rawlen  
12 Mantanona, Attorney of Records for the Government in Civil Case No. 02-00022; to the  
13 Honorable Leonardo M. Rapadas, Attorney General of Guam; to the Honorable Edward  
14 J.B. Calvo, *I Maga'låhen Guåhan*.

**DULY AND REGULARLY ADOPTED BY THE COMMITTEE ON RULES OF I  
MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN ON THE DAY OF  
OCTOBER 2014.**

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**JUDITH T. WON PAT, Ed.D.**  
Speaker

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**RORY J. RESPICIO**  
Chairperson, Committee on Rules

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**TINA ROSE MUÑA BARNES**  
Legislative Secretary