

*I Mina'trentai Singko 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
169-35 (COR)	Sabina Flores Perez Telo T. Taitague Tina Rose Muña Barnes Kelly Marsh (Taitano), PhD James C. Moylan	AN ACT TO ADD A NEW § 104115.1 TO ARTICLE 1 OF CHAPTER 104, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO PUBLIC AWARENESS OF RADON RISKS AND THE REPORTING OF RADON RESULTS, UPON THE SALE OF REAL PROPERTY.	6/21/19 4:12 p.m.	7/12/19	Committee on Environment, Revenue and Taxation, and Procurement	8/7/19 11:00 a.m.	8/14/19 3:36 p.m.  As amended by the Committee on Environment, Revenue and Taxation, and Procurement	Waiver: 7/2/19	



**OFFICE OF SENATOR SABINA FLORES PEREZ**

Chairperson

Committee on Environment, Revenue and Taxation, and Procurement  
*I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÁHAN*  
35<sup>TH</sup> GUAM LEGISLATURE

August 13, 2019

**The Honorable Tina Rose Muña Barnes**

Speaker

*I Mina'trentai Singko Na Liheslaturan Guáhan*

163 Chalan Santo Papa

Hagåtña, Guam 96910

**VIA: The Honorable Regine Biscoe Lee**

Chairperson, Committee on Rules

**RE: Committee Report on Bill No. 169-35 (COR) As Amended**

*Håfa adai* Speaker Muña Barnes,

Transmitted herewith is the Committee Report on Bill No. 169-35 (COR), As Amended by the Committee on Environment, Revenue and Taxation, and Procurement – **“AN ACT TO ADD A NEW § 104115.1 TO ARTICLE 1 OF CHAPTER 104, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO PUBLIC AWARENESS OF RADON RISKS AND THE REPORTING OF RADON RESULTS, UPON THE SALE OF REAL PROPERTY.”**

Committee votes are as follows:

- 4   TO DO PASS
- TO NOT PASS
- TO REPORT OUT ONLY
- TO ABSTAIN
- TO PLACE IN INACTIVE FILE

*Si Yu'os ma'åse',*

Sabina Flores Perez

**RECEIVED**  
AUG 13 2019  
1:30 P.M.  
COMMITTEE ON RULES

2019 AUG 14 PM 3:36



**OFFICE OF SENATOR SABINA FLORES PEREZ**

Chairperson

Committee on Environment, Revenue and Taxation, and Procurement

*I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÁHAN*

35<sup>TH</sup> GUAM LEGISLATURE

**COMMITTEE REPORT**

**Bill No. 169-35 (COR)**

**As Amended by the Committee on  
Environment, Revenue and Taxation, and  
Procurement**

**Introduced by Senator Sabina Flores Perez,  
Telo T. Taitague, Tina Rose Muña Barnes,  
Kelly Marsh (Taitano), PhD, James C.  
Moylan**

**“AN ACT TO *ADD* A NEW § 104115.1 TO  
ARTICLE 1 OF CHAPTER 104, TITLE 21,  
GUAM CODE ANNOTATED, RELATIVE TO  
PUBLIC AWARENESS OF RADON RISKS  
AND THE REPORTING OF RADON  
RESULTS, UPON THE SALE OF REAL  
PROPERTY.”**



**OFFICE OF SENATOR SABINA FLORES PEREZ**

Chairperson

Committee on Environment, Revenue and Taxation, and Procurement  
*I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN*  
35<sup>TH</sup> GUAM LEGISLATURE

August 13, 2019

MEMORANDUM

To: **All Members**  
Committee on Environment, Revenue and Taxation, and Procurement

From: **Senator Sabina Flores Perez**  
Committee Chairperson *SFP*

Subject: **Committee Report on Bill No. 169-35 (COR), As Amended by the Committee on Environment, Revenue and Taxation, and Procurement**

*Håfa Adai,*

Transmitted herewith for your consideration is the Committee Report on Amended Bill No. 169-35 (COR) – “**AN ACT TO ADD A NEW § 104115.1 TO ARTICLE 1 OF CHAPTER 104, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO PUBLIC AWARENESS OF RADON RISKS AND THE REPORTING OF RADON RESULTS, UPON THE SALE OF REAL PROPERTY.**”

This report includes the following:

- Copy of COR Referral of Bill No. 169-35 (COR)
- Notices of Public Hearing
- Copy of Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Submitted Testimonies and Supporting Documents
- Committee Report Digest
- Copy of Bill No. 169-35 (COR)
- Copy of Bill No. 169-35 (COR), *As amended by the Committee on Environment, Revenue and Taxation and Procurement.*
- Amended Mark-up Version
- Copy of Fiscal Note Waiver from Bureau of Budget and 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.

Senator Régine Biscoe Lee  
Chairperson

Senator Amanda L. Shelton,  
Vice Chairperson

Speaker Tina Rose Muña Barnes,  
Member

Vice Speaker Telena Cruz Nelson,  
Member

Senator Kelly Marsh (Taitano), PhD,  
Member

Senator Sabina Flores Perez  
Member



**COMMITTEE ON RULES**  
*I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN*  
**35<sup>TH</sup> GUAM LEGISLATURE**

July 12, 2019

Senator Clynton E. Ridgell  
Member

Senator Joe S. San Agustin,  
Member

Senator Jose "Pedro" Terlaje,  
Member

Senator Therese M. Terlaje,  
Member

Senator James C. Moylan,  
Member

Senator Mary Camacho Torres,  
Member and  
Chair, Subcommittee on Protocol

## MEMO

**To:** Rennae Meno  
Clerk of the Legislature  
  
Attorney Julian Aguon  
Legislative Legal Counsel

**From:** Senator Régine Biscoe Lee  
Chairperson, Committee on Rules

**Re:** Referral of Bill No. 169-35 (COR)

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*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. 169-35 (COR)**.

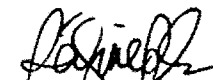
Please ensure that the subject bill is referred to the Committee on Environment, Revenue and Taxation, and Procurement, chaired by Senator Sabina Flores Perez.

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 matter.

Respectfully,

  
Senator Régine Biscoe Lee  
Chairperson, Committee on Rules

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

Bill No.	Author	Title	Committee	Date	Date	Date	Date	Date	Date	
169-35 (COR)	Sabina Flores Perez Telo T. Taitague Tina Rose Muña Barnes Kelly Marsh (Taitano), PhD James C. Moylan	AN ACT TO ADD A NEW § 104115.1 TO CHAPTER 104 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO PUBLIC AWARENESS OF RADON RISKS, AND THE REPORTING OF RADON RESULTS, UPON SALE OF REAL PROPERTY.		6/21/19 4:12 p.m.	7/12/19	Committee on Environment, Revenue and Taxation, and Procurement			Waiver: 7/2/19	



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## 1st Notice of Public Hearing and Roundtable Discussion: Wednesday, August 7, 2019 at 9:00 a.m. and 3:00 p.m.

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Office of Senator Sabina Perez <office@senatorperez.org>

Wed, Jul 31, 2019 at 2:36 PM

To: "Walter S. Leon Guerrero" <walter.leonguerrero@epa.guam.gov>, "Leevin T. Camacho" <law@guamag.org>, dafne.shimizu@revtax.gum.gov, Miguel Bordallo <mcbordallo@guamwaterworks.org>, "Ann D. Borja, CPM" <annborja@guamwaterworks.org>, nic.rupley@epa.guam.gov, lgast.gswa@gmail.com, mcogadmin@teleguam.net, josephine.cepeda@guam.gov, jonfernandez@gdoe.net, esanchez@gdoe.net, joshua.tenorio@guam.gov, rstopasna@ghura.org, kathleen@ghura.org, Chelsa Muna-Brecht <chelsa.munabrecht@agriculture.guam.gov>, tmtaitano@gdoe.net, johneilao@agreeaircon.com, rschnabel@calvos.com, dmanglona@civiletang.com, lonaholowaa@gdoe.net, lawrence.alam@dphss.guam.gov, patrick.luces@dphss.guam.gov, linda.denorcey@dphss.guam.gov, tcuabo@guamcancer.org, marisha.artero@cancer.org, mariebenit@yahoo.com, corychun@cancer.org, yogad99@yahoo.com, renatab@triton.uog.edu, theguammedicalsociety@gmail.com, samir.ambrale@fhphealth.com, rachaeltg@triton.uog.edu, adioguam@yahoo.com, guamnursesassociation@yahoo.com, felix.cabrera@grmc.gu, michael.cruz@grmc.gu, Cathy Rivera Castro <catcastro44@gmail.com>, kina\_lewis@nps.gov, Sabrina Salas Matanane <sabrina@kuam.com>, nector@kuam.com, Chris Barnett <malafunkshun@kuam.com>, joan@kuam.com, news@sorensenmediagroup.com, reporters@postguam.com, news@guampdn.com, news@k57.com, phill@k57.com, rlimtiaco@guampdn.com, heugenio@guampdn.com, John O'Connor <johntaoconnor@gmail.com>, kstokish@gmail.com, editor@pacificislandtimes.com, Maureen Maratita <publisher@glimpsesofofguam.com>, businesseditor@glimpsesofofguam.com, assist\_editor@glimpsesofofguam.com, reporter2@glimpsesofofguam.com, Guam Progress <guamprogress@yahoo.com>, colinperez@gmail.com, Gabejereza@gmail.com, aebenavente@gdoe.net  
Cc: phnotice@guamlegislature.org

July 31, 2019

### MEMORANDUM

To: All Senators, Stakeholders and Media

Fr: Senator Sabina Flores Perez, *Chairperson*

Subject: **1<sup>st</sup> Notice of Public Hearing and Roundtable Discussion: Wednesday, August 7, 2019 at 9:00 a.m. and 3:00 p.m.**

The Committee on Environment, Revenue and Taxation, and Procurement will be conducting a public hearing and roundtable discussion on **Wednesday, August 7, 2019 at 9:00 a.m. and 3:00 p.m.** This public hearing and roundtable discussion will take place in *I Liheslaturan Guahan*, Public Hearing Room. The agenda is as follows:

#### 9:00am

Executive Appointment of **Mr. John Edward G. Iiao** to serve as a **Member** of the **Alcoholic Beverage Control Board**.

Executive Appointment of **Mr. Raymond A. Schnabel** to serve as a **Member** of the **Guam Banking and Insurance Board**.

Executive Appointment of **Mr. Dean A. Manglona** to serve as a **Member** of the **Guam Banking and Insurance Board**.

Executive Appointment of Ms. Leah Beth O. Naholowaa to serve as a Member of the Guam Banking and Insurance Board.

**11:00am**

**Bill No. 129-35 (COR) - William M. Castro** -The Hafot Repatriation Act of 2019, an act to *adda* new Article 9 to Chapter 77, Title 12, Guam Code Annotated relative to the eligibility for the tax credit program to businesses or individuals and to *adda* new § 28106(i) to Article 1, Chapter 28, Title 11, Guam Code Annotated; use tax law, relative to exempting products and services related to the support of families whose loved ones pass away off-island and who require assistance to repatriate the deceased back to Guam for burial.

**Bill No. 133-35 (COR) – James C. Moylan** -An act to amend § 15108 of Chapter 15, Title 18, Guam Code Annotated, relative to reducing the cost for filing the articles of organization for a limited liability corporation (LLC).

**Bill No. 169-35 (COR) - Sabina Flores Perez / Telo T. Taitague / Tina Rose Muña Barnes / Kelly Marsh (Taitano), PhD / James C. Moylan** -An act to *adda* new § 104115.1 to Chapter 104 of Title 21, Guam Code Annotated, relative to public awareness of radon risks, and the reporting of radon results, upon sale of real property.

**Bill No. 174-35 (COR) - Sabina Flores Perez / Therese M. Terlaje / Telena Cruz Nelson** -An act to amend §6106, §6113, §6119, and §6122, Article 1, Chapter 6 of Title 22, Guam Administrative Rules and Regulations, relative to the regulation of per- and polyfluoroalkyl substances (PFAS) in drinking water.

**3:00pm – Roundtable Discussion**

- Illegal Dumping (Enforcement, Incentives and Community Support)

Testimony on the Executive Appointment of Mr. John Edward G. Iao, Executive Appointment of Mr. Raymond A. Schnabel, Executive Appointment of Mr. Dean A. Manglona, Executive Appointment of Ms. Leah Beth O. Naholowaa, Bill No. 129-53 (COR), Bill No. 133-35 (COR), Bill No. 169-35 (COR), and Bill No. 174-35 (COR) should be addressed to Senator Sabina Flores Perez, Chairperson, and will be accepted via hand delivery to our office, our mailbox at the Guam Congress Building at 163 *Chalan Santo Papa, Hagåtña*, Guam 96910, via email to [office@senatorperez.org](mailto:office@senatorperez.org), no later than 4pm, August 12, 2019.

In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Sabina Flores Perez at 989-2968.





**OFFICE OF SENATOR SABINA FLORES PEREZ**

Chairperson

Committee on Environment, Revenue and Taxation, and Procurement  
*I MINA TRENTAI SINGKO NA LIHESLATURAN GUÁHAN*  
35<sup>TH</sup> GUAM LEGISLATURE

July 31, 2019

**MEMORANDUM**

To: All Senators, Stakeholders and Media

Fr: Senator Sabina Flores Perez, *Chairperson* *SFP*

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Executive Appointment of **Mr. Dean A. Manglona** to serve as a **Member** of the **Guam Banking and Insurance Board**.

Executive Appointment of **Ms. Leah Beth O. Naholowaa** to serve as a **Member** of the **Guam Banking and Insurance Board**.

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**Bill No. 129-35 (COR) - William M. Castro** - The Hafot Repatriation Act of 2019, an act to *add* a new Article 9 to Chapter 77, Title 12, Guam Code Annotated relative to the eligibility for the tax credit program to businesses or individuals and to *add* a new § 28106(i) to Article 1, Chapter 28, Title 11, Guam Code Annotated; use tax law, relative to exempting products and services related to the support of families whose loved ones pass away off-island and who require assistance to repatriate the deceased back to Guam for burial.

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**Bill No. 169-35 (COR) - Sabina Flores Perez / Telo T. Taitague / Tina Rose Muña Barnes / Kelly Marsh (Taitano), PhD / James C. Moylan** - An act to *add* a new § 104115.1 to Chapter 104 of Title 21, Guam Code Annotated, relative to public awareness of radon risks, and the reporting of radon results, upon sale of real property.

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Testimony on the **Executive Appointment of Mr. John Edward G. Iiao, Executive Appointment of Mr. Raymond A. Schnabel, Executive Appointment of Mr. Dean A. Manglona, Executive Appointment of Ms. Leah Beth O. Naholowaa, Bill No. 129-53 (COR), Bill No. 133-35 (COR), Bill No. 169-35 (COR), and Bill No. 174-35 (COR)** should be addressed to Senator Sabina Flores Perez, Chairperson, and will be accepted via hand delivery to our office, our mailbox at the Guam Congress Building at 163 *Chalan Santo Papa, Hagåtña*, Guam 96910, via email to [office@senatorperez.org](mailto:office@senatorperez.org), no later than 4pm, August 12, 2019.

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## 2nd Notice of Public Hearing and Roundtable Discussion: Wednesday, August 7, 2019 at 9:00 a.m. and 3:00 p.m.

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Office of Senator Sabina Perez <[office@senatorperez.org](mailto:office@senatorperez.org)>

Mon, Aug 5, 2019 at 12:32 AM

To: "Walter S. Leon Guerrero" <[walter.leonguerrero@epa.guam.gov](mailto:walter.leonguerrero@epa.guam.gov)>, "Leevin T. Camacho" <[law@guamag.org](mailto:law@guamag.org)>, "Dafne M. Shimizu" <[dafne.shimizu@revtax.guam.gov](mailto:dafne.shimizu@revtax.guam.gov)>, Miguel Bordallo <[mcbordallo@guamwaterworks.org](mailto:mcbordallo@guamwaterworks.org)>, "Ann D. Borja, CPM" <[annborja@guamwaterworks.org](mailto:annborja@guamwaterworks.org)>, [nic.rupley@epa.guam.gov](mailto:nic.rupley@epa.guam.gov), [lgast.gswa@gmail.com](mailto:lgast.gswa@gmail.com), [mcogadmin@teleguam.net](mailto:mcogadmin@teleguam.net), [josephine.cepeda@guam.gov](mailto:josephine.cepeda@guam.gov), [jonfernandez@gdoe.net](mailto:jonfernandez@gdoe.net), [esanchez@gdoe.net](mailto:esanchez@gdoe.net), [joshua.tenorio@guam.gov](mailto:joshua.tenorio@guam.gov), [rstopasna@ghura.org](mailto:rstopasna@ghura.org), [kathleen@ghura.org](mailto:kathleen@ghura.org), [pilar.laguana@visitguam.org](mailto:pilar.laguana@visitguam.org), [pegqcp1@gmail.com](mailto:pegqcp1@gmail.com), Chelsa Muna-Brecht <[chelsa.munabrecht@agriculture.guam.gov](mailto:chelsa.munabrecht@agriculture.guam.gov)>, [hi@maisaguam.com](mailto:hi@maisaguam.com), [mdroberto@gdoe.net](mailto:mdroberto@gdoe.net), [yone828@gmail.com](mailto:yone828@gmail.com), [info@guamchamber.com.gu](mailto:info@guamchamber.com.gu), [garweb@guamrealtors.com](mailto:garweb@guamrealtors.com), Gar Admin Email <[garadmin@guamrealtors.com](mailto:garadmin@guamrealtors.com)>, Southern Guam SWCD <[southernguamswcd@gmail.com](mailto:southernguamswcd@gmail.com)>, [jonikerr@gmail.com](mailto:jonikerr@gmail.com), [tmtaitano@gdoe.net](mailto:tmtaitano@gdoe.net), [johneilao@agreeaircon.com](mailto:johneilao@agreeaircon.com), [rschnabel@calvos.com](mailto:rschnabel@calvos.com), [dmanglona@civilletang.com](mailto:dmanglona@civilletang.com), [lonaholowaa@gdoe.net](mailto:lonaholowaa@gdoe.net), [lawrence.alam@dphss.guam.gov](mailto:lawrence.alam@dphss.guam.gov), [patrick.luces@dphss.guam.gov](mailto:patrick.luces@dphss.guam.gov), [linda.denorcey@dphss.guam.gov](mailto:linda.denorcey@dphss.guam.gov), Terry Cuabo <[tcuabo@guamcancer.org](mailto:tcuabo@guamcancer.org)>, [marisha.artero@cancer.org](mailto:marisha.artero@cancer.org), [mariebenit@yahoo.com](mailto:mariebenit@yahoo.com), [corychun@cancer.org](mailto:corychun@cancer.org), [yogad99@yahoo.com](mailto:yogad99@yahoo.com), [renatab@triton.uog.edu](mailto:renatab@triton.uog.edu), [theguammedicalsociety@gmail.com](mailto:theguammedicalsociety@gmail.com), [samir.ambrale@fhphhealth.com](mailto:samir.ambrale@fhphhealth.com), [rachaeltg@triton.uog.edu](mailto:rachaeltg@triton.uog.edu), [adioguam@yahoo.com](mailto:adioguam@yahoo.com), [guamnursesassociation@yahoo.com](mailto:guamnursesassociation@yahoo.com), [felix.cabrera@grmc.gu](mailto:felix.cabrera@grmc.gu), [michael.cruz@grmc.gu](mailto:michael.cruz@grmc.gu), Cathy Rivera Castro <[catcastro44@gmail.com](mailto:catcastro44@gmail.com)>, [kina\\_lewis@nps.gov](mailto:kina_lewis@nps.gov), Sabrina Salas Matanane <[sabrina@kuam.com](mailto:sabrina@kuam.com)>, [nestor@kuam.com](mailto:nestor@kuam.com), Chris Barnett <[malafunkshun@kuam.com](mailto:malafunkshun@kuam.com)>, [joan@kuam.com](mailto:joan@kuam.com), [news@sorensenmediagroup.com](mailto:news@sorensenmediagroup.com), [reporters@postguam.com](mailto:reporters@postguam.com), [news@guampdn.com](mailto:news@guampdn.com), [news@k57.com](mailto:news@k57.com), [phill@k57.com](mailto:phill@k57.com), [rlimtiaco@guampdn.com](mailto:rlimtiaco@guampdn.com), [heugenio@guampdn.com](mailto:heugenio@guampdn.com), John O'Connor <[johntaoconnor@gmail.com](mailto:johntaoconnor@gmail.com)>, [kstokish@gmail.com](mailto:kstokish@gmail.com), [editor@pacificislandtimes.com](mailto:editor@pacificislandtimes.com), Maureen Maratita <[publisher@glimpsesofguam.com](mailto:publisher@glimpsesofguam.com)>, [businesseditor@glimpsesofguam.com](mailto:businesseditor@glimpsesofguam.com), [assist\\_editor@glimpsesofguam.com](mailto:assist_editor@glimpsesofguam.com), [reporter2@glimpsesofguam.com](mailto:reporter2@glimpsesofguam.com), Guam Progress <[guamprogress@yahoo.com](mailto:guamprogress@yahoo.com)>, [colinperez@gmail.com](mailto:colinperez@gmail.com), [Gabejereza@gmail.com](mailto:Gabejereza@gmail.com), [aebenavente@gdoe.net](mailto:aebenavente@gdoe.net)  
Cc: [phnotice@guamlegislature.org](mailto:phnotice@guamlegislature.org)

August 5, 2019

### MEMORANDUM

To: All Senators, Stakeholders and Media

Fr: Senator Sabina Flores Perez, *Chairperson*

Subject: **2<sup>nd</sup> Notice of Public Hearing and Roundtable Discussion: Wednesday, August 7, 2019 at 9:00 a.m. and 3:00 p.m.**

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In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Sabina Flores Perez at 989-2968.



**OFFICE OF SENATOR SABINA FLORES PEREZ**

Chairperson

Committee on Environment, Revenue and Taxation, and Procurement

*I MINA TRENATAI SINGKO NA LIHESLATURAN GUAHAN*

35<sup>TH</sup> GUAM LEGISLATURE

August 5, 2019

**MEMORANDUM**

To: All Senators, Stakeholders and Media

Fr: Senator Sabina Flores Perez, *Chairperson* *SFP*

Subject: **2<sup>nd</sup> Notice of Public Hearing and Roundtable Discussion: Wednesday, August 7, 2019 at 9:00 a.m. and 3:00 p.m.**

The Committee on Environment, Revenue and Taxation, and Procurement will be conducting a public hearing and roundtable discussion on **Wednesday, August 7, 2019 at 9:00 a.m. and 3:00 p.m.** This public hearing and roundtable discussion will take place in *I Liheslaturan Guahan*, Public Hearing Room. The agenda is as follows:

**9:00am**

Executive Appointment of **Mr. John Edward G. Ila** to serve as a **Member** of the **Alcoholic Beverage Control Board**.

Executive Appointment of **Mr. Raymond A. Schnabel** to serve as a **Member** of the **Guam Banking and Insurance Board**.

Executive Appointment of **Mr. Dean A. Manglona** to serve as a **Member** of the **Guam Banking and Insurance Board**.

Executive Appointment of **Ms. Leah Beth O. Naholowaa** to serve as a **Member** of the **Guam Banking and Insurance Board**.

**11:00am**

**Bill No. 129-35 (COR) - William M. Castro** - The Hafot Repatriation Act of 2019, an act to *add* a new Article 9 to Chapter 77, Title 12, Guam Code Annotated relative to the eligibility for the tax credit program to businesses or individuals and to *add* a new § 28106(i) to Article 1, Chapter 28, Title 11, Guam Code Annotated; use tax law, relative to exempting products and services related to the support of families whose loved ones pass away off-island and who require assistance to repatriate the deceased back to Guam for burial.

**Bill No. 133-35 (COR) – James C. Moylan** - An act to amend § 15108 of Chapter 15, Title 18, Guam Code Annotated, relative to reducing the cost for filing the articles of organization for a limited liability corporation (LLC).

**Bill No. 169-35 (COR) - Sabina Flores Perez / Telo T. Taitague / Tina Rose Muña Barnes / Kelly Marsh (Taitano), PhD / James C. Moylan** - An act to *add* a new § 104115.1 to Chapter 104 of Title 21, Guam Code Annotated, relative to public awareness of radon risks, and the reporting of radon results, upon sale of real property.

**Bill No. 174-35 (COR) - Sabina Flores Perez / Therese M. Terlaje / Telen Cruz Nelson** - An act to amend §6106, §6113, §6119, and §6122, Article 1, Chapter 6 of Title 22, Guam Administrative Rules and Regulations, relative to the regulation of per- and polyfluoroalkyl substances (PFAS) in drinking water.

**3:00pm – Roundtable Discussion**

- Illegal Dumping (Enforcement, Incentives and Community Support)

Testimony on the **Executive Appointment of Mr. John Edward G. Iao, Executive Appointment of Mr. Raymond A. Schnabel, Executive Appointment of Mr. Dean A. Manglona, Executive Appointment of Ms. Leah Beth O. Naholowaa, Bill No. 129-53 (COR), Bill No. 133-35 (COR), Bill No. 169-35 (COR), and Bill No. 174-35 (COR)** should be addressed to Senator Sabina Flores Perez, Chairperson, and will be accepted via hand delivery to our office, our mailbox at the Guam Congress Building at 163 *Chalan Santo Papa, Hagåtña*, Guam 96910, via email to [office@senatorperez.org](mailto:office@senatorperez.org), no later than 4pm, August 12, 2019.

In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Sabina Flores Perez at 989-2968.

# SKorea mulls measures against Japan

(Japan News-Yomiuri) - The administration of South Korean President Moon Jae-in will play up Japan's move to remove its neighbor's fast-track export status with the United States and other foreign partners until the measure is enforced on Aug. 28, with the aim of mounting pressure on Tokyo to withdraw the decision, according to sources close to talks among Japan, the United States and South Korea.

Seoul will take countermeasures when Tokyo eventually removes it from the

so-called Group A list of trading partners qualified for simplified export procedures.

As one highly possible option, the South Korean government is mulling abandoning the General Security of Military Information Agreement, a framework for the two neighbors to share information on North Korea's nuclear and missile programs. The agreement is up for annual renewal in late August.

If South Korea decides not to extend the agreement, the move will likely

trigger a backlash from the United States as it means Seoul would disrupt cooperation among the three countries against North Korea.

However, Seoul believes this could work to prompt the United States to call for Japan not to remove its neighbor from its fast-track export status, the sources said.

"We will step up safety measures starting with areas such as tourism, food and waste," said Hong Nam-ki, South Korean deputy prime minister

and economy and finance minister, during a news conference on Friday.

According to the sources, the South Korean government is considering an option to expand its import bans on fishery products from Fukushima and seven other prefectures.

Another plan has emerged to boycott next year's Tokyo Olympics and Paralympics as part of efforts to reduce the number of South Korean tourists to Japan, which reached about 7.5 million last year.

GUAM DAILY POST • MONDAY, AUGUST 5, 2019

# Trump: NKorea tests don't violate pacts

(Bloomberg) - President Donald Trump said that North Korea's recent tests of short-range rockets and missiles may run afoul of United Nations resolutions but haven't violated agreements with his administration.

North Korea on Friday conducted its third test in a week of a new short-range ballistic missile that weapons experts say was designed to strike U.S. allies in East Asia.

Trump has met three times with North Korean leader Kim Jong Un in the hope of persuading him to surrender his nation's nuclear arsenal. While the diplomacy has led Kim to cease tests of nuclear weapons and long-range ballistic missiles that once threatened the U.S. mainland, Trump has little else to

show for his effort.

But on Friday, the president said that he believes Kim still seeks to reach an agreement with him.

"Chairman Kim does not want to disappoint me with a violation of trust, there is far too much for North Korea to gain," Trump said in the second of three tweets. "Also, there is far too much to lose."

"I may be wrong, but I believe that Chairman Kim has a great and beautiful vision for his country, and only the United States, with me as president, can make that vision come true," he added.

Secretary of State Mike Pompeo said at a Bangkok summit earlier on Friday that the missile tests wouldn't interfere with U.S. efforts to restart talks with

Kim. The two sides haven't made progress since Trump walked out of a summit with Kim in Hanoi in February after the North Korean made what the U.S. side considered unreasonable demands.

"You should never doubt what we are communicating to North Korea, there are conversations going on even as we speak," Pompeo said in a question-and-answer session with Bloomberg TV's Haslinda Amin. But he noted the diplomatic road is often a bumpy one.


"We are still fully committed to achieving the outcome that we laid out, for a fully verified denuclearization of North Korea, and to do so through the measure of diplomacy."

Friday's projectile reached an altitude

of about 15 miles and flew for about 140 miles at a maximum speed of Mach 6.9, South Korea's Defense Ministry said. This means it could strike some U.S. military bases in the country a minute or two after launch.

North Korea appears to be testing its KN-23, solid-fuel, short-range ballistic missile, with its first test coming in May followed by another volley that month and three more volleys since July 25.

The KN-23, similar to a Russian Iskander, is capable of carrying nuclear warheads and has been shown to fly as far as 30 miles — putting U.S. allies South Korea and parts of Japan at risk. It's designed to be mobile, which makes it easier to hide, and fly at a height and speed that makes it hard for U.S. intercept systems to shoot down, weapons experts have said.



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Tyrone J. Taitano  
Director

Matthew C. Santos  
Deputy Director

**REQUEST FOR PROPOSAL**  
**RFP-BSP-2019-005**  
**Professional Services for Creative Design, Production, Distribution, Media and Event Coordination for the 2020 Census of Guam**


The Guam Bureau of Statistics and Plans (BSP), Planning Information Program, is soliciting proposals from qualified and interested firms for professional services for creative design, production, distribution, media and event coordination for the 2020 Census of Guam.

Copies of the solicitation will be available on July 31, 2019 at the Bureau of Statistics and Plans Main Office located at the Office of the Governor, 513 West Marine Corps Drive, Ricardo J. Bordallo Governor's Complex, Hagåtña, Guam 96910 between 8:00 a.m. to 5:00 p.m., Monday through Friday, until August 8, 2019. Electronic copies of the solicitation are also available online at the following website: [bsp.guam.gov](http://bsp.guam.gov). BSP recommends that all prospective proposers register contact information with the BSP to ensure they receive any notices regarding any changes or updates to the RFP. The BSP shall not be liable for failure to provide notice to any party who did not register contact information.

Proposals must be submitted to the Bureau of Statistics and Plans' Main Office located at the Office of the Governor, 513 West Marine Corps Drive, Ricardo J. Bordallo Governor's Complex, Hagåtña, Guam 96910 in the format specified in the solicitation, and must be received by BSP no later than 4:00 p.m., August 26, 2019. Failure to submit Proposals at the specified location, date, and time will be grounds for rejection of the Proposal.

/s/ TYRONE J. TAITANO  
Director, Bureau of Statistics and Plans

This advertisement is paid with U.S. Census Bureau funds,  
Federal Award/Contract No. 1333LB19C0000003.



**Senator Sabina Flores Perez**  
Committee on Environment, Revenue and Taxation, and Procurement

**Public Notice**  
**Wednesday, August 7, 2019**  
**1 Liheslaturan Guahan, Public Hearing Room**

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Illegal Dumping (Enforcement, Incentives and Community Support)

Testimonies can be delivered to the Legislative Mailbox at the Guam Congress Building at 163 *Chalan Santo Papa, Hagåtña*, Guam 96910, or via email to [office@senatorperez.org](mailto:office@senatorperez.org), no later than 4pm August 12, 2019. Individuals requiring special accommodations should submit request to Office of Senator Sabina Flores Perez at 989-2968. Paid for by Committee funds.

*I Mina'trentai Singko Na Liheslaturan Guáhan*

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**Updated as of 8/6/19**



**OFFICE OF SENATOR SABINA FLORES PEREZ**

Chairperson

Committee on Environment, Revenue and Taxation, and Procurement

*I MINA TRENDAI SINGKO NA LIHESLATURAN GUAHAN*

35<sup>TH</sup> GUAM LEGISLATURE

**AGENDA**

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**OFFICE OF SENATOR SABINA FLORES PEREZ**

Chairperson

Committee on Environment, Revenue and Taxation, and Procurement

*I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÁHAN*

35<sup>TH</sup> GUAM LEGISLATURE

Public Hearing

Wednesday, August 5, 2019, 9:00am

*I Liheslaturan Guahan, Public Hearing Room*

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NAME (please print)	AGENCY/ ORGANIZATION	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	NOT IN FAVOR	CONTACT INFORMATION
NIC RUPLEY LEE	GUAM EPA	—	—	—		
<del>XXXXXXXXXXXXXXXXXXXX</del>	<del>XXXXXXXXXX</del>	<del>XXXX</del>	<del>XXXX</del>	<del>XXXX</del>		
<del>James Paul Moylan</del>	<del>XXXXXXXXXX</del>	<del>XX</del>	<del>XX</del>	<del>XX</del>		



American Cancer Society  
Cancer Action Network  
2370 Nu'uuanu Avenue  
Honolulu, Hawai'i 96817  
808.432.9149  
www.acscan.org

August 7, 2019

35th Guam Legislature  
Senator Sabina Flores, Chair  
Committee on Environment, Revenue and Taxation, and Procurement

**Testimony in support of Bill 169-35 (COR)**  
Cory Chun, Hawaii Pacific Region  
American Cancer Society Cancer Action Network

The American Cancer Society Cancer Action Network (ACS CAN) supports Bill 169-35, which requires information on radon exposure to be provided for purchasers of real estate. According to EPA Radon zone mapping, parts of Guam may have higher levels of radon in the Zone 1 designation.<sup>1</sup>

Radon is an odorless, tasteless gas that is released as a byproduct of decay of naturally occurring elements such as uranium, thorium, and radium in rocks and soils. After the parent element decays, the radon travels by pressure-driven air flow and diffuses into above-ground air.

Radon accumulates indoors as it seeps through cracks in building foundations and radiates from some building materials if they are made from radon-containing substances. Almost any building material made from natural substances, including concrete and wallboard, may give off some level of radon. As a result, radon is found in higher concentrations in the lower levels of buildings and in uninhabited crawl spaces.

Most exposure to radon comes from being indoors in homes, commercial buildings, schools and other places. It is estimated that 1 in 15 homes in the US have dangerously high radon concentrations. Higher levels of radon exposure are also more likely for people who work in mines, uranium processing factories or who come in contact with phosphate fertilizers.

Exposure to high radon concentration has been identified as the second leading cause of lung cancer worldwide. Approximately 15,000 to 22,000 lung cancer deaths per year are associated with elevated radon exposure, more than 10 percent of which were in non-

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<sup>1</sup> See <https://www.epa.gov/sites/production/files/2015-07/documents/zonemapcolor.pdf>

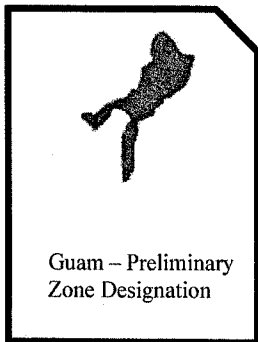
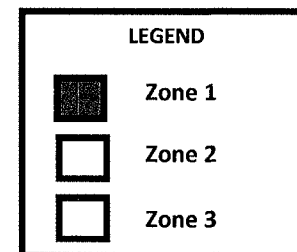
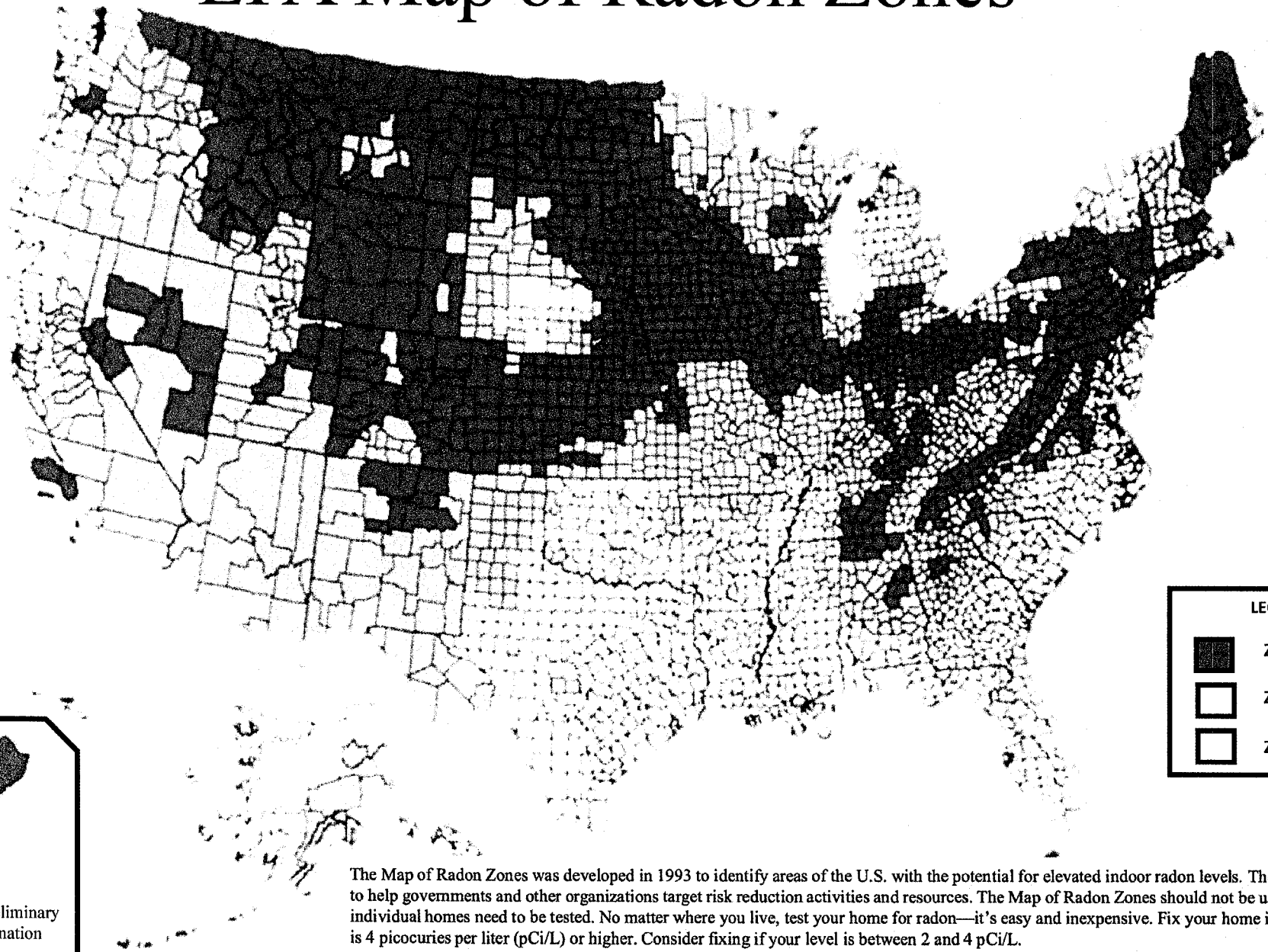
smokers. Radon emits high-energy radiation that damages lung epithelia, increasing the mutation rates in DNA and increasing the risk of lung cancer.

The risk of radon-related lung cancer is compounded by the use of tobacco products, most notable smoking. Most radon-related lung cancer deaths are smokers.

People living in lower levels of buildings and basements are most at risk for prolonged radon exposure. Radon is found in higher concentrations in the lower levels of buildings and in uninhabited crawl spaces.

The American Cancer Society Cancer Action Network (ACS CAN) believes that the American public should be made aware of the known information concerning the potential problem of radon contamination in certain housing areas in the United States and how to reduce such a risk. ACS CAN urges federal, state and local governments to approve legislation which reduces the potential health threat posed by radon by implementing public awareness campaigns and requiring disclosure of radon levels by builders, home owners, schools, and daycare facilities.

# EPA Map of Radon Zones



The Map of Radon Zones was developed in 1993 to identify areas of the U.S. with the potential for elevated indoor radon levels. The map is intended to help governments and other organizations target risk reduction activities and resources. The Map of Radon Zones should not be used to determine if individual homes need to be tested. No matter where you live, test your home for radon—it's easy and inexpensive. Fix your home if your radon level is 4 picocuries per liter (pCi/L) or higher. Consider fixing if your level is between 2 and 4 pCi/L.

The Map of Radon Zones was developed using data on indoor radon measurements, geology, aerial radioactivity, soil parameters, and foundation types. EPA recommends that this map be supplemented with any available local data in order to further understand and predict the radon potential for a specific area.





AHENSIAN PRUTEKSION LINĀLA GUĀHAN

LOURDES A. LEON GUERRERO, GOVERNOR OF GUAM • JOSHUA F. TENORIO, LIEUTENANT GOVERNOR OF GUAM  
WALTER S. LEON GUERRERO, ADMINISTRATOR

TESTIMONY OF WALTER S. LEON GUERRERO, GUAM EPA ADMINISTRATOR:  
BILL 169-35 – WEDNESDAY • AUGUST 7, 2019

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The Guam Environmental Protection Agency (Guam EPA) stands in support of Bill 169-35. Guam EPA agrees with the findings and intent of this bill. If enacted, this legislation could serve to protect against the potential harmful effects of radon exposure towards home buyers and their families. With this reporting requirement, home buyers will be able to make informed decisions on their purchase, and any plans to renovate their homes in the future.

In addition, this bill will likely increase public awareness of the potential effects of radon exposure, steps that can be taken towards mitigation and a call to action for routine radon testing in the home.

The only way to know the level of radon exposure in your home is to have it tested. We recommend that home owners test their homes once every five years to determine their radon levels. We urge home owners to look into mitigation and methods of radon reduction in their homes if results are in exceedance of the 4 pCi/L action level.

Guam EPA's Air Pollution Control Program works closely with our federal counterparts to develop guidelines on radon risk management. We will have the same continued level of support with developing guidance content for buyers and sellers of residential dwellings.

USEPA recommends the following for SELLERS:

- Test your home before putting it on the market
- Lower your radon levels if results are above the 4 pCi/L action level
- Save the test results and all information you have about steps that were taken to fix any radon problems in the home

USEPA recommends the following for BUYERS:

- Ask the seller for their radon test results
- If the home has a radon-reduction system, ask the seller for any information they have about the system
- If the home has not yet been tested, you should have the house tested
- If you are having a new home built, strongly consider incorporating active or passive radon reduction systems into your home during construction to reduce radon levels

Thank you for the opportunity to speak with you all today, we look forward to the passage of Bill 169-35.

/s/ Walter S. Leon Guerrero



**OFFICE OF SENATOR SABINA FLORES PEREZ**

Chairperson

Committee on Environment, Revenue and Taxation, and Procurement

*I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÁHAN*

35<sup>TH</sup> GUAM LEGISLATURE

**COMMITTEE REPORT DIGEST**

**I. OVERVIEW**

Bill No. 169-35 (COR) was introduced on June 21, 2019 by Sabina Flores Perez, Telo T. Taitague, Tina Rose Muña Barnes, Kelly Marsh (Taitano), Ph.D and James C. Moylan and was subsequently referred by the Committee on Rules to the Committee on Environment, Revenue and Taxation, and Procurement on July 12, 2019.

The Committee on Environment, Revenue and Taxation, and Procurement convened a public hearing on Bill No. 169-35 (COR) on Wednesday, August 7, 2019 at 11:00 AM in *I Liheslatura's* Public Hearing Room.

**Public Notice Requirements**

Public Hearing notices were disseminated via email to all Senators and all main media broadcasting outlets on July 31, 2019 and again on August 5, 2019. Publication was conducted in the **Guam Daily Post**, *a newspaper of general circulation*, fulfilling the 5-Day Notice and 48 Hour Notice of the Open Government Law requirements respectively.

**Senators Present**

Senator Sabina Flores Perez	<i>Committee Chairperson</i>
Senator Therese M. Terlaje	<i>Committee Member</i>
Senator William M. Castro	Legislative Member
Senator Louise B. Muna	Legislative Member
Senator James C. Moylan	Legislative Member

**II. SUMMARY OF TESTIMONY AND DISCUSSION**

The public hearing was Called-to-Order at 11:00AM.

**Chairperson Perez:** Bill 169-35 (COR) authored by myself Sabina Flores Perez, co-sponsored by Senator Telo Taitague, Speaker Tina Rose Muña Barnes, Senator Kelly Marsh Taitano and Senator James Moylan, it's an act to add a new section 104115.1 to Chapter 104, Title 21, Guam Code Annotated, relative to public awareness of radon and the reporting operate on results upon the sale of real property. I'd like to provide some opening statements regarding this bill.

Bill 169-35 aims to save lives by requiring information about radon be provided upon the sale of residential real property. The measure is authored by myself, and Senator Taitague, Speaker Muña Barnes, Senator Marsh Taitano, and Senator Moylan. Radon is a colorless and odorless radioactive gas, and a known carcinogen. USEPA recognizes it as the second leading cause of lung cancer in the United States. In addition to lung cancer, long-term exposure to radon increases the risk of thyroid cancer, which may affect blood pressure, body temperature, metabolism, and weight. USEPA ranks indoor radon among the most serious environmental health problems facing us

today. Historically, dangerous levels of radon have been measured on Guam. USEPA sets the recommended action level for radon at 4 picocuries per liter of air; anything above that is considered dangerous. Yet some local residential properties have recorded levels as high as 143 picocuries per liter of air. Indoor radon gas is associated with geological formations of karstic limestone, which is predominant in northern Guam where nearly two-thirds of our island's population resides. Buildings constructed in these areas are susceptible to increased concentrations of radon, which may enter undetected through structural pores and cracks.

In order to protect against this risk, Bill 169-35 requires a selling broker to notify a purchaser of residential property about any radon test results that may have been conducted in the past. And while the bill does not require new testing or mitigation, it does ensure education by also requiring Guam EPA to develop a handout regarding the dangers of radon exposure. This handout shall include radon testing and mitigation techniques, and the selling broker must provide it to the purchaser of the property. Ultimately, Bill 169-35 is about access to information. By empowering home-buyers and families with information about radon, we help them make educated decisions concerning their health and safety. I thank my colleagues for their support on this measure. It is imperative we work to protect our citizens, especially children, from the risk of continuous exposure to high levels of radon.

Chairperson Perez called up those who have signed up to give testimony.

**Nic Rupley Lee**, *Public Information Officer, Guam Environmental Protection Agency: Håfa adai*  
Madam Chair, Senators my name is Nic Rupley, from Guam EPA. Walter Leon Guerrero, our Administrator sends his regrets for not being able to attend this morning, so he asked me to read his testimony. Guam EPA stands in support of Bill 169-35; the agency agrees with the findings and the intent of the bill. We feel that with this reporting requirement homebuyers will be able to make informed decisions on their purchase and any plans to renovate their homes in the future. I'd like to point out that our air pollution control program, who administers the radon program, works very closely with the USEPA in developing guidelines that are specific to radon risk management in the home. Thank you for that intro briefing about radon so I can go ahead and skip that part. There is a home buyer and home seller guide available from USEPA, so in the likelihood that this bill becomes law, we would base our written content on the existing home buyer and seller guide out of USEPA, just so that it's tailored specifically for Guam. The reason for that is the guide talks a lot about a basement usage in the home which is not something that we see a prevalence of on Guam. It also makes recommendations on the frequency at which you're supposed to be testing your home, which is recommended at every five years. It will also talk about certain steps you can take to either retrofit your existing structure with an active or passive radon mitigation device or things that you could be talking to your contractor about in terms of building the mitigation device into the unit prior to final construction. It's a great educational outreach for the island in terms of radon risk management. I don't know if you pointed out also that it is attributable to the leading cause of lung cancer right behind tobacco usage, cigarette smoking. we look forward to the passage of the bill.

**Chairperson Perez:** Thank you very much we also did receive testimony from the American Cancer Society, Cancer Action Network from Corey Chun from the Hawaii Pacific region in

support of this bill. At this time, I would like to open the floor to my colleagues for any questions.  
Senator Louise Muña.

**Senator Muña:** Thank you very much. Actually, I was, at the top of my head I think the first question that I have and maybe you might have answered it Nic. Is there a way that it can be reduced or eliminated from the property, radon, once they find out if they have determined there's radon in the property?

**Mr. Lee:** The mitigation devices are meant to reduce your exposure. Because of how radon is produced in the atmosphere. I'm not exactly sure if you could eliminate it completely. Mitigation devices are strictly meant to reduce your exposure with a level set at 4 picocuries per liter of air. That's considered the action level and that is to inform the homeowner that something must be done to reduce the amount of radon being emitted in the home. There are certain mitigation devices that could significantly reduce that and we would also caution homeowners who have these mitigation devices installed in their homes that it's properly maintained and monitor the operation, just so you know that you're doing everything you can to reduce your exposure to radon.

**Senator Muña:** I understand that it does lead to lung cancer and I do know several people who, I've heard stories of several people who have developed lung cancer and don't even you know use tobacco at all, that this could be one of the main reasons why they've developed lung cancer. I'm also thinking there's a lot of, there are more things that we can do to address this issue but I do thank the author and all the co-sponsors for at least bringing it to the table. Now people will be more aware that there is a definitely an opportunity for that to be in their property and that they have to at least be told that it's there. Thank you, thank you so much.

**Chairperson Perez:** Thank you, Senator Muña, I think this bill is important because it's important to identify those areas that have tested before. I think it's been a while since testing has been done so this would kind of reinvigorate that database, so we know which areas probably have a higher risk based on the testing. Again, this is not about testing, it's more about information and hopefully with that information the homeowners will be more proactive about doing the testing and mitigation if necessary. Thank you, Senator Moylan, do you have any questions. Thanks, Senator Terlaje.

**Senator Therese Terlaje:** Thank you Madam Chair. Thank You Mr. Rupley and I appreciate EPA's testimony and I just want to reconcile. You say that GuamEPA follows or will implement USEPA's recommendations or guidelines but when I'm looking at one of the documents you submit, it's signed by Walter Leon Guerrero. It's a testimony I guess, it gives the USEPA recommends the following for sellers and then another list for buyers but those are just recommendations, right? There's no real requirement as far as EPA right now?

**Mr. Lee:** That's correct. I think Colorado is the only one that requires radon testing with regard to residential dwelling transactions, let me verify that though. That's going to require us to get into the issue of the building code and we'll probably have to have that discussion at another time.

**Senator Therese Terlaje:** I see okay. Just to clarify, so the bill also says that when you're, I hope I don't misstate this, so please, Madam Chair correct me if I'm wrong. But it looks to me like it's

saying, when a seller sells that seller has the duty to report any known radon testing results but they have no duty to actually test their house but if they know of any results then they have a duty to report that to I think the purchaser?

**Mr. Lee:** That's correct, yes that's our understanding as well.

**Senator Therese Terlaje:** All right, and then it also puts a duty on a broker, a seller is also a broker, it says the selling broker shall provide to the buyer, information that will, it looks to me, warn them of potential hazards of exposure to radon. Every transaction there will be, with a broker involved will have a like a warning.

**Mr. Lee:** When it comes to residential dwellings, yes that's our understanding.

**Senator Therese Terlaje:** Everyone will be warned but not necessarily will everyone know the results of any testing or not necessarily will every house be tested just because there's a transaction so far that's what we're...

**Mr. Lee:** That's about right.

**Senator Therese Terlaje:** All right and the bill very specifically says nothing in this section is intended to or shall be construed to imply an obligation on the seller to conduct any radon testing. I appreciate that and then the recommendation by the USEPA for buyers is to ask the seller for their radon test results, if there's a radon reduction system, to ask the seller about the system, if the home has not yet been tested it says you should have the house tested. That's on the buyer and that's what they talk about. I appreciate and especially in conjunction with the testimony from the Cancer Society and the results that she reported or the linking of radon to lung cancer. I think the warning is a very good thing to do at this point. I look forward to your future plans or recommendations as to building codes and any changes that might be needed just to beef up our protection and it doesn't really say how often we should... This is only on a transaction, so what about homeowners should they test their houses regularly or once is enough?

**Mr. Lee:** The recommendation is every five years and currently the testing is free for residential homeowners.

**Senator Therese Terlaje:** By who?

**Mr. Lee:** Guam EPA

**Senator Therese Terlaje:** Great and I was going to ask you about... There's a new lab...

**Mr. Lee:** Certified lab.

**Senator Therese Terlaje:** Yes, is that GuamEPA?

**Mr. Lee:** Yes

**Senator Therese Terlaje:** Okay so you are doing free testing's and the lab results?

**Mr. Lee:** For now, yes.

**Senator Therese Terlaje:** Wonderful thank you very much, thank you Madam Chair.

**Chairperson Perez:** Thank you Senator Terlaje, Senator Castro?

**Senator Therese Terlaje:** Could I just ask you one more time, is there any requirement for government buildings or particularly schools that they be tested regularly?

**Mr. Lee:** Not that I'm aware of but I understand there may be some legislation involved with schools and daycare centers and government buildings, but they don't exist at this at this time.

**Senator Therese Terlaje:** All right thank you.

**Chairperson Perez:** Yes, thank you, we did introduce those two bills. We will have a public hearing when they, we get them all right. If there are no further questions, I want to thank Mr. Rupley for being here to testify in support of this bill and well work on some possible amendments and regarding the information and discussion today. Thank you.

**Written Testimonies:**

- Corey Chun, *American Cancer Society, Cancer Action Network, Hawaii Pacific Region*
- Walter Leon Guerrero, *Administrator, Guam Environmental Protection Agency*

**III. FINDINGS AND RECOMMENDATION**

The Committee on Environment, Revenue and Taxation, and Procurement finds the following support for Bill No. 169-35 (COR), based on the testimony submitted at the public hearing:

- The American Cancer Society Cancer Action Network supports Bill No. 169-35 (COR).
- The Guam Environmental Protection Agency stands in support of Bill No. 169-35 (COR). If enacted, this legislation could serve to protect against potential harmful effects of radon exposure towards home buyers and their families. This bill will likely increase public awareness of the potential effects of radon exposure, steps that can be taken towards mitigation and a call to action for routine radon testing in the home.

Informed by public feedback, the Committee recommends the following changes to Bill No. 169-35 (COR):

- On page 2, line 11, "by the selling broker" was added to clarify whom is to provide a buyer with information about radon exposure.

- On page 2, line 15, “in accordance with Subsection (a) of this Section,” was added to clarify that Guam EPA is responsible for developing the information that is provided by selling brokers to buyers as referenced in subsection (a).
- On page 2, lines 18-19, “and any other relevant information the Agency deems appropriate” was added to clarify that Guam EPA may include additional information relevant to radon safety.
- On page 2, lines 22-23, “conducted on such property or dwelling” was added to clarify that the selling broker needs only provide a buyer with information about radon tests for the property being sold, and not for all properties that may be in a selling broker’s possession.
- A new Section 3 was added to establish an effective date for the law, set to three months following enactment.
- Additional non-substantive formatting and grammar edits were made to conform to formatting preferences by *I Liheslatura*.

The Committee on Environment, Revenue and Taxation, and Procurement hereby reports out Bill No. 169-35 (COR), *As Amended by the Committee*, “**AN ACT TO ADD A NEW § 104115.1 TO ARTICLE 1 OF CHAPTER 104, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO PUBLIC AWARENESS OF RADON RISKS AND THE REPORTING OF RADON RESULTS, UPON THE SALE OF REAL PROPERTY,**” with the recommendation to do pass.

*I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN*  
2019 (FIRST) Regular Session

Bill No. 169-35(CRP)

Introduced by:

Sabina Flores Perez *SFP*

Telo T. Taitague *TT*

Tina Rose Muña Barnes *TRMB*

Kelly Marsh (Taitano), PhD *KM*

James C. Moylan *JCM*

**AN ACT TO ADD A NEW § 104115.1 TO CHAPTER 104 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO PUBLIC AWARENESS OF RADON RISKS, AND THE REPORTING OF RADON RESULTS, UPON SALE OF REAL PROPERTY.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that radon is a radioactive, colorless, and odorless gas and a known carcinogen,  
4 considered by the United States Environmental Protection Agency (USEPA) as the  
5 second leading cause of lung cancer in the United States. In addition to cancer,  
6 recent studies reveal that radon could impede the function of other vital organs,  
7 such as the thyroid gland that produces hormones that control heart rate, blood  
8 pressure, body temperature, metabolism, and weight. On Guam, a 2009 radon  
9 exposure survey conducted by the Guam Environmental Protection Agency  
10 (GEPA) found nearly one-third of all structures tested on Guam were above the  
11 recommended action level of 4 picocuries per liter of air. Radon levels were  
12 highest in villages in the northern half of Guam, where two-thirds of Guam's  
13 population reside.



1           *I Liheslaturan Guåhan* further finds that information empowers our  
2 community to educate and protect themselves against the threat of radon. As such,  
3 *I Liheslatura* seeks to mandate that information regarding the potential for  
4 exposure to radon be made available to the purchaser, and that radon testing results  
5 also be made available, upon the sale of real property.

6           **Section 2.** A new § 104115.1 is hereby *added* to Chapter 104 of Title 21,  
7 Guam Code Annotated to read:

8           “§ 104115.1.           Information on Radon Upon Sale of Residential Real  
9 Property

10           (a) Every purchaser of any interest in residential real property on  
11 which a residential dwelling exists shall be notified in writing that said  
12 property may present the potential for exposure to radon.

13                   (1) The Guam Environmental Protection Agency shall  
14 develop the content of written information that the selling broker shall  
15 provide to the buyer of any interest in residential real property on  
16 which a residential dwelling exists. The information shall describe  
17 potential hazards of exposure to radon, and methods and resources for  
18 radon testing and remediation.

19           (b) The seller of any interest in residential real property on which a  
20 residential dwelling exists is required to provide the buyer with any  
21 information on radon from tests or inspections in the seller’s possession, and  
22 notify the buyer of any known radon hazards.

23           (c) Nothing in this Section is intended to or shall be construed to  
24 imply an obligation on the seller to conduct any radon testing or mitigation  
25 activities.”

26           **Section 3. Severability.** If any provision of this Act or its application to  
27 any person or circumstance is found to be invalid or contrary to law, such

1    invalidity *shall not* affect other provisions or applications of this Act that can be  
2    given effect without the invalid provision or application, and to this end the  
3    provisions of this Act are severable.

***I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN***  
**2019 (FIRST) Regular Session**

**Bill No. 169-35 (COR)**

As Amended by the Committee on Environment,  
Revenue and Taxation, and Procurement.

Introduced by:

Sabina Flores Perez  
Telo T. Taitague  
Tina Rose Muña Barnes  
Kelly Marsh (Taitano), PhD  
James C. Moylan

**AN ACT TO *ADD* A NEW § 104115.1 TO ARTICLE 1 OF  
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RELATIVE TO PUBLIC AWARENESS OF RADON  
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9 conducted by the Guam Environmental Protection Agency (GEPA) found nearly  
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4 to radon be made available to the purchaser, and that radon testing results also be  
5 made available, upon the sale of real property.

6           **Section 2.** A new § 104115.1 is hereby *added* to Article 1 of Chapter 104,  
7 Title 21, Guam Code Annotated, to read:

8           “**§ 104115.1. Information on Radon Upon the Sale of Residential**  
9 **Real Property.**

10           (a) Every purchaser of any interest in residential real property on  
11 which a residential dwelling exists shall be notified by the selling broker in  
12 writing that said property may present the potential for exposure to radon.

13           (b) The Guam Environmental Protection Agency shall develop the  
14 content of written information that the selling broker shall provide to the  
15 buyer, in accordance with Subsection (a) of this Section, of any interest in  
16 residential real property on which a residential dwelling exists. The  
17 information shall describe potential hazards of exposure to radon, methods  
18 and resources for radon testing and remediation, and any other relevant  
19 information the Agency deems appropriate.

20           (c) The seller of any interest in residential real property on which a  
21 residential dwelling exists is required to provide the buyer with any  
22 information on radon from tests or inspections conducted on such property or  
23 dwelling in the seller’s possession, and notify the buyer of any known radon  
24 hazards.

25           (d) Nothing in this Section is intended to or shall be construed to  
26 imply an obligation on the seller to conduct any radon testing or mitigation  
27 activities.”

1           **Section 3. Effective Date.** This Act shall be effective three (3) months after  
2 enactment.

3           **Section 4. Severability.** If any provision of this Act or its application to  
4 any person or circumstance is found to be invalid or contrary to law, such invalidity  
5 *shall not* affect other provisions or applications of this Act that can be given effect  
6 without the invalid provision or application, and to this end the provisions of this  
7 Act are severable.

**COMMITTEE MARKUP**

***I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN***  
**2019 (FIRST) Regular Session**

**Bill No. 169-35 (COR)**

As Amended by the Committee on Environment,  
Revenue and Taxation, and Procurement.

Introduced by:

Sabina Flores Perez  
Telo T. Taitague  
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**AN ACT TO *ADD* A NEW § 104115.1 TO ARTICLE 1 OF  
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**COMMITTEE MARKUP**

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13        (b) The Guam Environmental Protection Agency shall develop the  
14 content of written information that the selling broker shall provide to the  
15 buyer, in accordance with Subsection (a) of this Section, of any interest in  
16 residential real property on which a residential dwelling exists. The  
17 information shall describe potential hazards of exposure to radon, methods  
18 and resources for radon testing and remediation, and any other relevant  
19 information the Agency deems appropriate.

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20        (c) The seller of any interest in residential real property on which a  
21 residential dwelling exists is required to provide the buyer with any  
22 information on radon from tests or inspections conducted on such property or  
23 dwelling in the seller’s possession, and notify the buyer of any known radon  
24 hazards.

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25        (d) Nothing in this Section is intended to or shall be construed to  
26 imply an obligation on the seller to conduct any radon testing or mitigation  
27 activities.”

## COMMITTEE MARKUP

1       **Section 3. Effective Date.** This Act shall be effective three (3) months after  
2 enactment.

3       **Section 4. Severability.** If any provision of this Act or its application to  
4 any person or circumstance is found to be invalid or contrary to law, such invalidity  
5 *shall not* affect other provisions or applications of this Act that can be given effect  
6 without the invalid provision or application, and to this end the provisions of this  
7 Act are severable.



Senator Régine Biscoe Lee  
Chairperson

Senator Amanda L. Shelton,  
Vice Chairperson

Speaker Tina Muña Barnes,  
Member

Vice Speaker Telena Cruz Nelson,  
Member

Senator Kelly Marsh (Taitano), PhD,  
Member

Senator Sabina Flores Perez  
Member



**COMMITTEE ON RULES**  
*I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÁHAN*  
35<sup>TH</sup> GUAM LEGISLATURE

Senator Clynton E. Ridgell  
Member

Senator Joe S. San Agustin,  
Member

Senator Jose "Pedro" Terlaje,  
Member

Senator Therese M. Terlaje,  
Member

Senator James C. Moylan,  
Member

Senator Mary Camacho Torres,  
Member and  
Chair, Subcommittee on Protocol

July 2, 2019

# MEMO

To: Rennae Meno  
Clerk of the Legislature

From: Senator Régine Biscoe Lee  
Chairperson, Committee on Rules

Re: Fiscal Note Waiver

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*Buenas yan Hâfa adai.*

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

**Bill No. 169-35 (COR)**

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

For 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

**JUL 01 2019**

Senator Régine Biscoe Lee  
Chairperson, Committee on Rules  
*I Mina' Trentai Singko na Liheslaturan Guåhan*  
35<sup>th</sup> Guam Legislature  
Guam Congress Building  
163 Chalan Santo Papa  
Hagåtña, Guam 96910

*Hafa Adai!* Senator Biscoe Lee:

The Bureau requests that Bill No. 169-35 (COR) be granted a waiver pursuant to Public Law 12-229 as amended for the following reasons(s):

Legislative Bill No. 169-35 is an act to add a new § 104115.1 to Chapter 104, of Title 21, Guam Code Annotated, relative to public awareness of radon risks, and the reporting of radon results, upon sale of real property. The amendment provides that GEPA develop the content of written information that the selling broker shall provide to the buyer of any interest in residential real property on which a residential dwelling exists. The information shall describe potential hazards of exposure to radon, and methods and resources for radon testing and remediation.

Based on the foregoing, the provisions are administrative in nature and would not fiscally impact the appropriations of FY 2019.

*Si Yu'us Ma'ase,*

LESTER L. CARLSON JR.





**OFFICE OF SENATOR SABINA FLORES PEREZ**

Chairperson

Committee on Environment, Revenue and Taxation, and Procurement

*I MINA TRENDAI SINGKO NA LIHESLATURAN GUÅHAN*

35<sup>TH</sup> GUAM LEGISLATURE

**COMMITTEE VOTE SHEET**

**Bill No. 169-35 (COR), As Amended by the Committee on Environment, Revenue and Taxation, and Procurement – “AN ACT TO ADD A NEW § 104115.1 TO ARTICLE 1 OF CHAPTER 104, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO PUBLIC AWARENESS OF RADON RISKS AND THE REPORTING OF RADON RESULTS, UPON THE SALE OF REAL PROPERTY.”**

COMMITTEE MEMBERS	SIGNATURE AND DATE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
SENATOR SABINA FLORES PEREZ Chairperson	<i>Sabina Flores Perez</i>	✓ 8/13/19				
SENATOR THERESE M. TERLAJE Vice Chairperson						
VICE SPEAKER TELENA CRUZ NELSON Member	<i>[Signature]</i>	✓ 8/13/19				
SPEAKER TINA ROSE MUÑA BARNES Member	<i>[Signature]</i>	✓				
SENATOR KELLY G. MARSH (TAITANO), Ph.D. Member	<i>[Signature]</i>	✓ 8/13/19				
SENATOR TELO T. TAITAGUE Member						
SENATOR MARY CAMACHO TORRES Member						



## **OFFICE OF SENATOR SABINA FLORES PEREZ**

Chairperson

Committee on Environment, Revenue and Taxation, and Procurement  
*I MINA TRENDAI SINGKO NA LIHESLATURAN GUÁHAN*  
35<sup>TH</sup> GUAM LEGISLATURE

### **PRESS RELEASE**

#### **Senator Perez Introduces Two Bills to Combat Cancer-Causing Radon**

*Guam, June 24, 2019* – On Friday, Senator Sabina Perez introduced two bills addressing radon-associated cancer risks on Guam. Bill 168-35 aims to protect children by requiring radon testing and mitigation in school and child care facilities, and Bill 169-35 requires information about radon, including testing results, be provided upon the sale of residential real property.

Radon is a naturally occurring radioactive gas and a known carcinogen, considered by United States Environmental Protection Agency (USEPA) as the second leading cause of lung cancer in the United States. A colorless and odorless gas, it is produced through the breakdown of natural elements, such as uranium and radium, present in rocks and soils.

Historically, dangerous levels of radon have been measured on Guam. Some residential properties have recorded levels as high as 143 picocuries per liter of air (pCi/L), far above the USEPA's recommended action level of 4 pCi/L. The accumulation of indoor radon gas is associated with geological formations of karstic limestone, predominant in northern Guam. "Nearly two-thirds of our island's population resides in northern Guam in areas with a higher risk of radon exposure," said Senator Perez.

Buildings that are constructed in these areas are susceptible to increased concentrations of radon, as the gas may enter these dwellings through structural pores and cracks. "According to USEPA, indoor radon ranks among the most serious environmental health problems facing us today," said Senator Perez. In addition to lung cancer, long-term exposure to radon increases the risk of thyroid cancer, which may affect blood pressure, body temperature, metabolism, and weight.

Bill 168-35, co-sponsored with Speaker Muña Barnes and Senator Marsh (Taitano), mandates all schools and childcare facilities to regularly conduct radon testing and mitigate any dangerous results. "The threat of indoor radon on our children is completely preventable," said Senator Perez. "Therefore, it is essential that testing is regularly conducted to ensure that indoor radon levels do not reach hazardous concentrations, and mitigation techniques are utilized when appropriate," she added. The bill also requires the Department of Administration, in collaboration with GEPA, to conduct a needs assessment of all GovGuam buildings with the aim of identifying additional high priority public buildings to test for radon.

Bill 169-35, co-sponsored with Senator Taitague, Speaker Muña Barnes, Senator Marsh (Taitano), and Senator Moylan, requires a selling broker to notify a purchaser of any radon test results upon the sale of residential real property. "By providing access to this information, we can empower families to make an educated decision concerning their health and safety," said Senator Perez. The bill also requires the Guam Environmental Protection Agency to develop



**OFFICE OF SENATOR SABINA FLORES PEREZ**

Chairperson

Committee on Environment, Revenue and Taxation, and Procurement  
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35<sup>TH</sup> GUAM LEGISLATURE

information regarding potential hazards of radon exposure, as well as radon testing and mitigation techniques, for the selling broker to provide to the purchaser of the property.

Both bills aim to increase community awareness of radon in private homes and public facilities, and strengthen local agencies to protect our community and youth. "The potential health effects of radon poses a major concern for our island. Bills 168-35 and 169-35 will help protect our citizens, especially children, from the consequences of continuous exposure to high levels of radon," said Senator Perez.

Terry Cuabo, Executive Director of Guam Cancer Care stated, "Radon and its ability to cause lung cancer is frightening. As a government and as a community, we need to take a proactive approach in pushing initiatives to curtail environmental issues relating to cancer."

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