

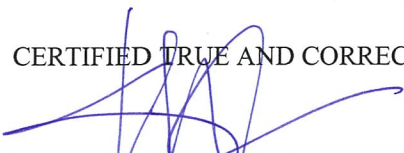
I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2019 (FIRST) Regular Session
LEGISLATIVE SESSION VOTING RECORD

Bill No. 169-35 (COR) As amended by the Committee on Environment, Revenue and Taxation, and Procurement; and further amended on the Floor.	Speaker Antonio R. Unpingco Legislative Session Hall Guam Congress Building October 4, 2019					
NAME	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Senator William M. CASTRO	✓					
Senator Régine Biscoe LEE	✓	I				
Senator Kelly G. MARSH (TAITANO), PhD	✓					
Senator James C. MOYLAN	✓					
Senator Louise B. MUÑA	✓					
Speaker Tina Rose MUÑA BARNES	✓					
Vice Speaker Telen Cruz NELSON	✓	I				
Senator Sabina Flores PEREZ	✓					
Senator Clynton E. RIDGELL	✓					
Senator Joe S. SAN AGUSTIN	✓	I				
Senator Amanda L. SHELTON	✓					
Senator Telo T. TAITAGUE	✓					
Senator Jose "Pedo" TERLAJE	✓					
Senator Therese M. TERLAJE	✓	I				
Senator Mary Camacho TORRES	✓	I				

TOTAL: 15

	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
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CERTIFIED TRUE AND CORRECT:



RENNAE V. C. MENO
 Clerk of the Legislature

I = Pass

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2019 (FIRST) Regular Session

Bill No. 169-35 (COR)

As amended by the Committee on Environment,
Revenue and Taxation, and Procurement; and further
amended on the Floor.

*

Introduced by:

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

**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.**

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, recent
6 studies reveal that radon could impede the function of other vital organs, such as the
7 thyroid gland that produces hormones that control heart rate, blood pressure, body
8 temperature, metabolism, and weight. On Guam, a 2009 radon exposure survey
9 conducted by the Guam Environmental Protection Agency (GEPA) found nearly
10 one-third of all structures tested on Guam were above the recommended action level

1 of four (4) picocuries per liter of air. Radon levels were highest in villages in the
2 northern half of Guam, where two-thirds of Guam’s population reside.

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

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

10 **“§ 104115.1. Information on Radon Upon the Sale of Residential**
11 **Real Property.**

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

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

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

25 (d) Nothing in this Section is intended to or shall be construed to imply an
26 obligation on the seller to conduct any radon testing or mitigation 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 any
4 person or circumstance is found to be invalid or contrary to law, such invalidity *shall*
5 *not* affect other provisions or applications of this Act that can be given effect without
6 the invalid provision or application, and to this end the provisions of this Act are
7 severable.