

*I Mina'trentai Sais 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
<b>185-36 (COR)</b> As amended by the Committee on Health, Land, Justice and Culture; and further amended on the Floor.	Sabina Flores Perez Joanne Brown Telo T. Taitague Therese M. Terlaje Christopher M. Dueñas V. Anthony Ada Joe S. San Agustín Jose "Pedo" Terlaje	AN ACT TO TRANSFER LOT NO. 10122-14NEW-R1 IN THE MUNICIPALITY OF DEDEDO, FORMERLY KNOWN AS THE DEDEDO SOLID WASTE TRANSFER STATION, TO THE GUAM ENVIRONMENTAL PROTECTION AGENCY FOR THE PURPOSE OF DEVELOPING AND CONSTRUCTING ITS HEADQUARTERS.	9/2/21 2:07 p.m.	9/3/21	Committee on Health, Land, Justice, and Culture	9/15/21 9:00 a.m.	12/1/21 3:28 p.m.	Request: 9/7/21 Waiver: 9/8/21	
	<b>SESSION DATE</b>	<b>TITLE</b>	<b>DATE PASSED</b>	<b>TRANSMITTED</b>	<b>DUE DATE</b>	<b>PUBLIC LAW NO.</b>	<b>DATE SIGNED</b>	<b>NOTES</b>	
	1/21/22	AN ACT TO TRANSFER LOT NO. 10122-14NEW-R1 IN THE MUNICIPALITY OF DEDEDO, FORMERLY KNOWN AS THE DEDEDO SOLID WASTE TRANSFER STATION, TO THE GUAM ENVIRONMENTAL PROTECTION AGENCY FOR THE PURPOSE OF DEVELOPING AND CONSTRUCTING ITS HEADQUARTERS.	1/28/22	1/28/22	2/9/22	36-77	2/9/22	Received: 2/10/22 Mess and Comm. Doc. No. 36GL-22-1657	



**Bill Nos. 142-36, 174-36, 186-36 and Substitute Bill Nos. 162-36, 229-36 nka P.L. Nos. 36-75 to 36-79 and, VETOED Substitute Bill No. 173-36**

june.borja@guam.gov <june.borja@guam.gov>

Wed, Feb 9, 2022 at 4:47 PM

To: "Speaker Therese M. Terlaje" <speaker@guamlegislature.org>

Cc: "GOVERNOR Lourdes A. Leon Guerrero" <governor@guam.gov>, "LT. GOVERNOR Joshua F. Tenorio" <lt.governor@guam.gov>, gcepeda@guamcourts.gov, guamcompiler@gmail.com, libanez@guamcourts.gov, CHIEF OF STAFF Jon Junior Galvo <jon.galvo@guam.gov>, DEPUTY COS Alice Taijeron <alice.taijeron@guam.gov>, Legal <legal@guam.gov>, "Stephanie G. Flores" <stephanie.flores@guam.gov>, Krystal Paco-San Agustin <krystal.paco@guam.gov>, lester.carlson@bbmr.guam.gov, BERTHA <bertha.duenas@guam.gov>, "Eliza G. Dames (Chamber)" <eliza.dames@guam.gov>, "Shamra L.A. Chargualaf (Chamber)" <shamra.chargualaf@guam.gov>, "Josephine C. Cepeda (Chamber)" <josephine.cepeda@guam.gov>, "Kathleen C. Cepeda (COS)" <kathleen.cepeda@guam.gov>, Rhea Chang <rhea.chang@guam.gov>, "Jessica Cruz (CF)" <jessica.cruz@guam.gov>, admin@bbmr.guam.gov, analyn.eustaquio@bbmr.guam.gov, "Michael D. Weakley" <michael.weakley@guam.gov>, rikki.orsini@guam.gov

Hafa Adai Madame Speaker.

Please find a copy of the attached letters dated February 9, 2022 from the **Honorable Lourdes A. Leon Guerrero, / Maga'hågan Guåhan** regarding the following Bills and Substitute Bills. The original transmittals will be delivered to your office later today.

- **SUBSTITUTE BILL NO. 162-36 (COR) nka P.L. 36-75** – An Act to *Amend* § 49107(f) of Chapter 49, § 50119 of Chapter 50, and § 51204(a) of Chapter 51, All of Title 10, Guam Code Annotated; and to *Amend* §§ 10109(g)(2) and (g)(3) of Chapter 10, Title 22, Guam Administrative Rules and Regulations, Relative to Authorizing the Continuous Appropriation of Funds for Program Funds Maintained by the Guam Environmental Protection Agency;
- **SUBSTITUTE BILL NO. 229-36 (LS) nka P.L. 36-76** – An Act to *Amend* § 75A109(c) of Chapter 75A, Title 21, Guam Code Annotated, and Section 4 of Public Law 35-112; and to *Add* a New Chapter 6A of Title 18, Guam Administrative Rules and Regulations, Relative to Complying with Legislative and Administrative Changes Required Under the Settlement Agreement made by and between the United States of America and Government of Guam, Chamorro Land Trust Commission & Administrative Director of the Chamorro Land Trust Commission, in United States vs. Government of Guam, et al. (D.Guam), Civil No. 17-CV-001113, as Transmitted to / *Liheslaturan Guahan* by the Chamorro Land Trust Commission;
- **BILL NO. 185-36 (COR) nka P.L. 36-77** – An Act to Transfer Lot No. 10122-14NEW-R1 in the Municipality of Dededo, Formerly Known as the Dededo Solid Waste Transfer Station, to the Guam Environmental Protection Agency for the Purpose of Developing and Constructing its Headquarters;
- **BILL NO. 174-36 (LS) nka P.L. 36-78** – An Act to *Amend* §§ 15201 and 15206 of Article 2, Chapter 15 and § 6108 of Chapter 6, and Add a New § 3102.1(g) of Chapter 3, All of Title 3, Guam Code Annotated; and to *Add* a New § 3101.3(h) of Article 1, Chapter 3, Title 16, Guam Code Annotated, Relative to Addressing Election-Related Timelines Associated with the Primary Election, Nomination Petition, and Voter Registration;
- **BILL NO. 142-36 (LS) nka P.L. 36-79** – An Act to *Amend* § 25.30 of Chapter 25, Title 9, Guam Code Annotated, Relative to Adding More Protection for Minor Victims Under the Offense of Fourth Degree Criminal Sexual Conduct and Ensuring that the Offense of Fourth Degree Criminal Sexual Conduct Against a Minor Cannot be Reduced from a Felony of the Third Degree to a Misdemeanor; and

- **VETOED SUBSTITUTE BILL NO. 173-36 (LS)** – An Act to *Amend* § 9112 of Chapter 9, § 117 of Chapter 1, § 14105 of Chapter 14, and § 13103 of Chapter 13; and to *Add* a New § 15110 to Article 1 of Chapter 15, and to a New § 1124 to Chapter 1, All of Title 3, Guam Code Annotated, Relative to Addressing and Modernizing Election-Related Issues, to Include the Counting of Provisional Ballots, Electioneering at Polling Places, the Cancellation of the Primary Election in Certain Circumstances, and Vacancies.

36GL-22-1655 / 36GL-22-1656 /  
36GL-22-1657 / 36GL-22-1658 /  
36GL-22-1659 / 36GL-22-1660

Thank you.

**OFFICE OF THE SPEAKER  
THERESE M. TERLAJE**

Respectfully,

**June M.C. Borja**

*Administrative Services Officer*

**OFFICE OF THE GOVERNOR OF GUAM**

*Office of Legal Counsel*

Ricardo J. Bordallo Governor's Complex

Adelup, Guam 96910

P.O. Box 2950, Hagåtña, Guam 96932

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-02-09-2022







4:47 pm

Time:

Received: 

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**6 attachments**

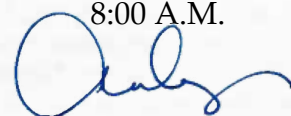
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266K

**COMMITTEE ON RULES**

**RECEIVED:**

February 10, 2022

8:00 A.M.



LOURDES A. LEON GUERRERO  
GOVERNOR



JOSHUA F. TENORIO  
LT. GOVERNOR

UFISINAN I MAGA'HĀGAN GUĀHAN  
OFFICE OF THE GOVERNOR OF GUAM

February 9, 2022

**HONORABLE THERESE M. TERLAJE**, *Speaker*  
*I Mina'trentai Sais Na Liheslaturan Guåhan*  
36<sup>th</sup> Guam Legislature  
Guam Congress Building  
163 Chalan Santo Papa  
Hagåtña, Guam 96910

**Re: BILL NO. 185-36 (COR) – An Act to Transfer Lot No. 10122-14NEW-R1 in the Municipality of Dededo, Formerly Known as the Dededo Solid Waste Transfer Station, to the Guam Environmental Protection Agency for the Purpose of Developing and Constructing its Headquarters**

*Hafa Adai* Madame Speaker,

For years, the Guam Environmental Protection Agency (Guam EPA) has been operating without permanent headquarters. In recent years, the Government of Guam has received federal funding for capital improvement projects, including projects that design and make site improvements on Government of Guam property for the purpose of establishing a headquarters for Guam EPA.

While the Government of Guam owns properties that otherwise would be suitable for establishing a headquarters, unfortunately, some of these properties are contaminated with hazardous substances or petroleum due to previous uses. Some of these properties are even characterized as Superfund sites. Many local jurisdictions deliberately acquire contaminated properties to assist with redevelopment efforts that can financially, environmentally, and socially transform and revitalize the surrounding communities. While, as noted, this legislation involves property with CERCLA concerns that must be addressed to ensure proper and safe use, we recognize that the transfer of land, when properly remediated, presents an opportunity to revitalize Guam and to give Guam EPA a permanent home. Bill No. 185-36 is now known as **Public Law No. 36-77**.

*Senseremente,*

A handwritten signature in blue ink, appearing to read "Lourdes A. Leon Guerrero".


**LOURDES A. LEON GUERRERO**  
*Maga'hāgan Guåhan*  
Governor of Guam

Enclosure: Bill No. 185-36 (COR) *nka P.L. No. 36-77*  
cc via email: *Honorable* Joshua F. Tenorio, *Sigundo Maga'lāhen Guåhan*  
Compiler of Laws

***I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN***  
**2022 (SECOND) Regular Session**

**CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'HÅGAN GUÅHAN***

This is to certify that **Bill No. 185-36 (COR)**, "AN ACT TO TRANSFER LOT NO. 10122-14NEW-R1 IN THE MUNICIPALITY OF DEDEDO, FORMERLY KNOWN AS THE DEDEDO SOLID WASTE TRANSFER STATION, TO THE GUAM ENVIRONMENTAL PROTECTION AGENCY FOR THE PURPOSE OF DEVELOPING AND CONSTRUCTING ITS HEADQUARTERS," was on the 28<sup>th</sup> day of January 2022, duly and regularly passed.



**Therese M. Terlaje**  
**Speaker**

Attested:



**Amanda L. Shelton**  
**Legislative Secretary**

This Act was received by *I Maga'hågan Guåhan* this 28<sup>TH</sup> day of January, 2022, at 7:38 o'clock P.M.



**Assistant Staff Officer**  
***Maga'håga's Office***

APPROVED:



**Lourdes A. Leon Guerrero**  
***I Maga'hågan Guåhan***

Date: 01/09/2022

Public Law No. 36-11

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

**Bill No. 185-36 (COR)**

As amended by the Committee on Health,  
Land, Justice, and Culture; and further  
amended on the Floor.

Introduced by:

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

**AN ACT TO TRANSFER LOT NO. 10122-14NEW-R1 IN  
THE MUNICIPALITY OF DEDEDO, FORMERLY  
KNOWN AS THE DEDEDO SOLID WASTE TRANSFER  
STATION, TO THE GUAM ENVIRONMENTAL  
PROTECTION AGENCY FOR THE PURPOSE OF  
DEVELOPING AND CONSTRUCTING ITS  
HEADQUARTERS.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that the Guam Environmental Protection Agency (GEPA) sorely requires the

1 necessary facilities to effectively meet its agency mission and mandates. After  
2 vacating the Harmon Plaza in 1995, agency operations shifted to buildings along  
3 Mariner Avenue in Tiyan, Barrigada which are not owned by GEPA. In 2000, a  
4 Memorandum of Understanding (MOU) was executed between GEPA and the A.B.  
5 Won Pat Guam International Airport Authority (GIAA) for the use of a building  
6 owned by GIAA in exchange for in-kind environmental services. Under the MOU,  
7 the building serves as GEPA's administration building that also houses GEPA's Air  
8 and Land Division. In 2006, GEPA signed an official lease agreement with the Guam  
9 Ancestral Lands Commission (GALC) to lease a building that houses the GEPA  
10 Water Division and the Environmental Monitoring and Analytical Services  
11 Division; and currently, the lease agreement GEPA signed with the GALC is valued  
12 at Ninety-six Thousand Dollars (\$96,000) per annum.

13 *I Liheslatura* further finds that on March 11, 2021, the Government of Guam  
14 received an award of Four Million Dollars (\$4,000,000) from the U.S. Department  
15 of the Interior (DOI) for Fiscal Year 2021 capital improvement projects. From such  
16 funds, GEPA received Three Million Dollars (\$3,000,000) for the architectural and  
17 engineering design and site improvements for a proposed GEPA building.

18 *I Liheslatura* further finds that GEPA may expend its Consolidated Grant  
19 (CG) funding towards a new building; provided, that the funds are not used on a  
20 lease for real property that is owned by the Government of Guam. Under the CG,  
21 GEPA received Three Million Nine Hundred Twenty-eight Thousand Nine Hundred  
22 Sixty-seven Dollars (\$3,928,967) for Fiscal Year 2019 and is expected to receive  
23 approximately Three Million Two Hundred Thousand Dollars (\$3,200,000) every  
24 year throughout the life of the five (5)-year cycle and has the ability to earmark any  
25 portion of these funds to cover building project costs.

26 *I Liheslatura* further finds that there is real property owned by the Government  
27 of Guam in the municipality of Dededo that is in an unoccupied, undeveloped, and

1 adversely impacted state as a result of past industrial activity and use. In cooperation  
2 with the U.S. Environmental Protection Agency (USEPA), GEPA officials are able  
3 to leverage federal financial and technical resources, at no cost to the Government  
4 of Guam, to perform clean-up and remedial action on this property for community  
5 use and benefit. These resources are made possible through the work of USEPA's  
6 Superfund Technical Assessment and Response Team.

7 Therefore, it is the intent of *I Liheslaturan Guåhan*, in light of the allowable  
8 costs under GEPA's CG, to transfer and designate real property to GEPA, as full  
9 remediation would serve the best interests of the island and ensure fiduciary  
10 responsibility of agency funding which is designated for facilities. Through this Act,  
11 GEPA can finally establish a permanent home as the agency continues to modernize  
12 and build capacity to ensure that Guam's environmental laws are upheld and  
13 enforced; and, unlike GEPA's present facilities, the agency's proposed building plan  
14 will incorporate the GEPA Air and Land Division, the Water Division,  
15 Administrative Services, and the Analytical Laboratory into a single structure to  
16 better serve the community.

17 **Section 2. Designated Use and Transfer of Property.** Lot No. 10122-  
18 14NEW-R1 in the municipality of Dededo, consisting of thirty-nine thousand six  
19 hundred nineteen (39,619±) square meters as shown on DLM Map No. 112FY2021  
20 (Lot), formerly known as the Dededo Solid Waste Transfer Station, is hereby  
21 transferred to the Guam Environmental Protection Agency (GEPA), pursuant to 21  
22 GCA § 60112, for the purpose of developing and constructing a facility for GEPA's  
23 use as its permanent headquarters; provided, that if the Lot is not developed into a  
24 functioning headquarters facility within five (5) years of the enactment of this Act,  
25 then the Lot shall automatically revert to the Government of Guam.

26 **Section 3. Certificate of Title.** The Department of Land Management is  
27 hereby directed to issue a Certificate of Title for Lot No. 10122-14NEW-R1 in the



1 name of the Guam Environmental Protection Agency (GEPA) as owner in fee simple  
2 so long as the Lot is used to develop and construct a headquarters facility for GEPA.  
3 If the use of Lot No. 10122-14NEW-R1 is inconsistent with Sections 2 and 3 of this  
4 Act, then Lot No. 10122-14NEW-R1 shall automatically revert to the Government  
5 of Guam. These covenants shall be contained in any Certificate of Title or deed  
6 issued to GEPA.

7 **Section 4. Exemption.** 2 GCA § 2107 and Section 6.04(c)(1) of the  
8 Standing Rules of *I Mina'trentai Sais Na Liheslaturan Guåhan* relative to the  
9 appraisals of land shall not apply to this Act.

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