

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN

2022 (SECOND) Regular Session

VOTING RECORD

NAME	Speaker Antonio R. Unpingco Legislative Session Hall Guam Congress Building January 28, 2022					
	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Senator V. Anthony Ada	✓					
Senator Frank Blas Jr.	✓					
Senator Joanne Brown	✓					
Senator Christopher M. Dueñas	✓					
Senator James C. Moylan	✓					
Vice Speaker Tina Rose Muña Barnes					✓	✓
Senator Telena Cruz Nelson					✓	✓
Senator Sabina Flores Perez	✓					
Senator Clynton E. Ridgell	✓					
Senator Joe S. San Agustin	✓					
Senator Amanda L. Shelton	✓					
Senator Telo T. Taitague	✓					
Senator Jose "Pedo" Terlaje	✓					
Speaker Therese M. Terlaje	✓					
Senator Mary Camacho Torres	✓					

TOTAL

13

0

2

2

Aye

Nay

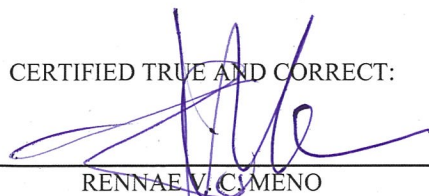
**Not
Voting/
Abstained**

**Out
During
Roll Call**

Absent

Excused

CERTIFIED TRUE AND CORRECT:



RENNAE V. CIMENO
Clerk of the Legislature

I = Pass

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

**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
4 necessary facilities to effectively meet its agency mission and mandates. After
5 vacating the Harmon Plaza in 1995, agency operations shifted to buildings along
6 Mariner Avenue in Tiyan, Barrigada which are not owned by GEPA. In 2000, a

1 Memorandum of Understanding (MOU) was executed between GEPA and the A.B.
2 Won Pat Guam International Airport Authority (GIAA) for the use of a building
3 owned by GIAA in exchange for in-kind environmental services. Under the MOU,
4 the building serves as GEPA’s administration building that also houses GEPA’s Air
5 and Land Division. In 2006, GEPA signed an official lease agreement with the Guam
6 Ancestral Lands Commission (GALC) to lease a building that houses the GEPA
7 Water Division and the Environmental Monitoring and Analytical Services
8 Division; and currently, the lease agreement GEPA signed with the GALC is valued
9 at Ninety-six Thousand Dollars (\$96,000) per annum.

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

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

23 *I Liheslatura* further finds that there is real property owned by the Government
24 of Guam in the municipality of Dededo that is in an unoccupied, undeveloped, and
25 adversely impacted state as a result of past industrial activity and use. In cooperation
26 with the U.S. Environmental Protection Agency (USEPA), GEPA officials are able
27 to leverage federal financial and technical resources, at no cost to the Government

1 of Guam, to perform clean-up and remedial action on this property for community
2 use and benefit. These resources are made possible through the work of USEPA's
3 Superfund Technical Assessment and Response Team.

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

14 **Section 2. Designated Use and Transfer of Property.** Lot No. 10122-
15 14NEW-R1 in the municipality of Dededo, consisting of thirty-nine thousand six
16 hundred nineteen (39,619±) square meters as shown on DLM Map No. 112FY2021
17 (Lot), formerly known as the Dededo Solid Waste Transfer Station, is hereby
18 transferred to the Guam Environmental Protection Agency (GEPA), pursuant to 21
19 GCA § 60112, for the purpose of developing and constructing a facility for GEPA's
20 use as its permanent headquarters; provided, that if the Lot is not developed into a
21 functioning headquarters facility within five (5) years of the enactment of this Act,
22 then the Lot shall automatically revert to the Government of Guam.

23 **Section 3. Certificate of Title.** The Department of Land Management is
24 hereby directed to issue a Certificate of Title for Lot No. 10122-14NEW-R1 in the
25 name of the Guam Environmental Protection Agency (GEPA) as owner in fee simple
26 so long as the Lot is used to develop and construct a headquarters facility for GEPA.
27 If the use of Lot No. 10122-14NEW-R1 is inconsistent with Sections 2 and 3 of this

1 Act, then Lot No. 10122-14NEW-R1 shall automatically revert to the Government
2 of Guam. These covenants shall be contained in any Certificate of Title or deed
3 issued to GEPA.

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

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