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
185-36 (COR) 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 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.	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. As amended by the Committee on Health, Land, Justice and Culture	Request: 9/7/21 Waiver: 9/8/21	

SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	NOTES
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	

COPY

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
Thirty-Sixth Guam Legislature

January 28, 2022

The Honorable Lourdes A. Leon Guerrero
I Maga'hågan Guåhan
Ufisinan I Maga'håga
Hagåtña, Guam 96910

Dear *Maga'håga* Leon Guerrero:

Transmitted herewith are **Bill Nos. 142-36 (LS), 174-36 (LS)** and **185-36 (COR);** and **Substitute Bill Nos. 83-36 (COR), 162-36 (COR), 173-36 (LS), 229-36 (LS),** and **230-36 (LS)** which were passed by *I Mina'trentai Sais Na Liheslaturan Guåhan* on January 28, 2022.

Sincerely,

AMANDA L. SHELTON
Legislative Secretary

Enclosure (8)

COPY

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 28th day of January 2022, duly and regularly passed.

Therese M. Terlaje

Therese M. Terlaje
Speaker

Attested:

Amanda Shelton

Amanda L. Shelton
Legislative Secretary

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

pos CC Cruz

Assistant Staff Officer
Maga'håga's Office

APPROVED:

_____
Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date:_____

Public Law No._____

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.

BE IT ENACTED BY THE PEOPLE OF GUAM:

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

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

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

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

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

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

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

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

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

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

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

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