

*I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN*  
2016 (SECOND) Regular Session

Bill No. 296-73 (Leor)

Introduced by:

FRANK B. AGUON, JR. 

**AN ACT TO ADD A NEW § 51310 AND AMEND § 51303(a), BOTH OF ARTICLE 3, CHAPTER 51, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING A SOLID WASTE LIFELINE RATE PROGRAM, AND TO PROVIDING A CONTINUING APPROPRIATION FOR THE SAME FROM RECYCLING REVOLVING FUND REVENUES.**

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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 the Guam Solid Waste Authority, with the inception of its new solid waste  
4 collection program featuring new ninety-six (96) gallon trash and recycling bins,  
5 mandated a gradual and necessary increase in its monthly tipping fees from ten  
6 dollars (\$10) to thirty dollars (\$30). The Guam Solid Waste Authority reported a  
7 drop from some twenty thousand (20,000) customers at the start of this new  
8 program to some eighteen thousand (18,000) customers, due in part to the inability  
9 of many residents to pay the increased fee.

10       *I Liheslaturan Guåhan* further finds that the government of Guam must  
11 seriously consider a continuing appropriation in the form of a lifeline rate program  
12 that will assist low-income families whose combined household income can no  
13 longer shoulder the burden of the full cost of solid waste trash collection services.

1           Therefore, it is the intent of *I Liheslaturan Guåhan* to create a Solid Waste  
2 Lifeline Rate Program for Low-Income residential households that *shall* be  
3 subsidized by a portion of Recycling Revolving Fund revenues.

4           **Section 3.** A new § 51310 is *added* to Article 3 of Chapter 51, Title 10,  
5 Guam Code Annotated, to read:

6           “§ 51310. Solid Waste Lifeline Rate Program.

7           (a) There is hereby created a Solid Waste Lifeline Rate  
8 Program (Program) to be administered by the Guam Environmental Protection  
9 Agency (GEPA) or the Guam Solid Waste Authority. The purpose of the Program  
10 is to encourage the use of GSWA’s trash collection services by subsidizing GSWA  
11 trash collection fees for low-income residential households.

12           (b) Low-income households may be eligible for the Program  
13 based on the following total household income tiers:

14                   (1) Tier One (1) – Forty-Seven Thousand One  
15 Hundred Fifty Dollars (\$47,150) to Twenty-Nine Thousand Four  
16 Hundred Fifty-One Dollars (\$29,451);

17                   (2) Tier Two (2) – Twenty-Nine Thousand Four  
18 Hundred Fifty Dollars (\$29,450) to Seventeen Thousand Six Hundred  
19 Fifty-One Dollars (\$17,651);

20                   (3) Tier Three (3) – Seventeen Thousand Six Hundred  
21 Fifty Dollars (\$17,650) and below.

22           (c) Based on the total household income tiers indicated in  
23 subsection (b) of this Section, the Guam Solid Waste Authority (GSWA)  
24 trash collection fee for one (1) ninety-six (96) gallon cart shall be at the  
25 monthly rate of the following:

26                   (1) Tier One (1) – Twenty Dollars (\$20);

27                   (2) Tier Two (2) – Fifteen Dollars (\$15);

1                               (3) Tier Three (3) – Ten Dollars (\$10).

2                               (d) To qualify for this Program, eligible customers must  
3 provide an annual certification of household income in the form of one (1) of  
4 the following:

5   (1) A copy of one’s income tax return for the  
6   preceding calendar year filed with the  
7   Department of Revenue and Taxation; or

8   (2) Any other certified documentation that  
9   shows proof of household income that meets  
10    the aforementioned thresholds in subsection (b)  
11    of this Section.”

12    (e) For the purposes of the Program, GEPA, in consultation  
13 with the Guam Solid Waste Authority, shall have the authority under this  
14 Act to prepare and adopt an interim Solid Waste Lifeline Rate Program Plan  
15 consistent with the provisions of this Act, within one hundred eighty (180)  
16 days of enactment.”

17       **Section 4.** § 51303(a) of Chapter 51, Article 3, Title 10, Guam Code  
18 Annotated, is hereby *amended* to read:

19                               **“§ 51303. Continuing Appropriation.**

20    (a) All revenues from the Recycling Revolving Fund are hereby  
21 appropriated to the Guam Environmental Protection Agency to fund  
22 the following:

23    (1) Seven Hundred and Fifty Thousand Dollars  
24 (\$750,000) to subsidize the Solid Waste Lifeline Rate  
25 Program authorized in § 51310 of this Article;

26    (~~2~~) the Recycling Industry Economic Stimulus  
27 Program authorized in § 51309 of this Article;

1 (32) not more than one (1) full-time (FTE) employee at  
2 the Guam Environment Protection Agency whose time is  
3 *solely* dedicated to administering and implementing this  
4 Article;

5 (43) One Hundred Thousand Dollars (\$100,000) to  
6 contract the professional services of an experienced  
7 private company to promote recycling in the community  
8 subject to 5 GCA Chapter 5;

9 (54) Three Hundred Thousand Dollars (\$300,000) to  
10 contract the professional and technical services of private  
11 company to further develop and implement the priorities  
12 delineated in the Guam Zero Waste Plan (2013), and is  
13 subject to 5 GCA Chapter 5;

14 (65) all other purposes stipulated in Article 3; provided  
15 that the rules and regulations regarding the Recycling  
16 Revolving Fund have been promulgated by the Guam  
17 Environmental Protection Agency and adopted in  
18 accordance with the Administrative Adjudication Act.”