

MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN
2005 (FIRST) Regular Session

Bill No. 80 (EC)

Introduced by:

J.M.S. Brown
Mark Forbes



AN ACT TO REASSIGN RULEMAKING AUTHORITY, AND
CONTRACTING AUTHORITY AND TO CHANGE CERTAIN
DEADLINES REGARDING THE COLLECTIONS OF RECYCLING FEES
AND TO REQUIRE GEPA TO PERFORM AN ECONOMIC IMPACT
ASSESSMENT BY AMENDING TITLE 5 G.C.A. SECTIONS 51505 AND
51507

TO BE ENACTED BY THE PEOPLE OF GUAM:

1 **Section One.** Title 5 G.C.A. Section 51505 is amended to read:

2 **§ 51505. Collection of Recycling Fees.** The Guam Customs and Quarantine
3 Agency shall collect the Recycling Fees mandated by this Article on:

4 (a) recyclable materials imported for resale, which come in at the Jose
5 D. Leon Guerrero Commercial Port of Guam, or any other seaport in Guam, to be
6 collected *prior* to release, *except* as otherwise provided by this Act.

7 (b) recyclable materials imported for resale which come in as freight or
8 unaccompanied baggage at the Antonio B. Won Pat International Airport, Guam,
9 or any other airport in Guam, to be collected *prior* to release, *except* as otherwise
10 provided by this Act; and

1 (c) recyclable materials imported for resale which come in as freight or
2 accompanied baggage at the A.B. Won Pat International Airport, or any other
3 airport in Guam, to be collected *prior* to release, *except* as otherwise provided by
4 this Act.

5 The ~~Guam Economic Development and Commerce Authority~~ Guam
6 Environmental Protection Agency is authorized to promulgate rules and
7 regulations in accordance with the Administrative Adjudication Law to enforce
8 the intent of this Law, ~~within ninety (90) days of enactment of this Section.~~ In
9 enacting the rules and regulations required by this section, GEPA shall comply
10 with Title 5 G.C.A. Section 9301 regarding an economic impact statement.

11 **Section Two.** Title 5 G.C.A. Section 51507 is amended to read:

12 **§51507. Authorization for GEPA DPW to contract with recycling**
13 **companies.**

14 (a) GEPA The Department of Public Works is authorized, in
15 accordance with the applicable procurement laws, to enter into contracts with
16 recycling companies for the collection, recycling, and disposal of automobiles,
17 buses, heavy equipment, trucks, batteries, tires, white goods, and other
18 recyclable materials. ~~GEPA~~ The Department of Public Works shall submit any
19 proposed Requests for Proposals to *I Liheslatura Guahan* within three (3) months
20 of the enactment of this Article.

21 (b) Successful offerors for contracts authorized under this Section shall
22 perform all work under this Article in compliance with all applicable laws,

1 including those of this Chapter, and Rules and Regulations of GEPA and the
2 Department of Public Works as may be established. At a minimum, ~~GEPA-The~~
3 Department of Public Works shall ensure that all offerors include, as part of their
4 processing, a plan to remove collected recyclable materials, including abandoned
5 vehicles, from Guam's waste stream.

6 (c) ~~GEPA~~ The Department of Public Works shall promulgate the
7 necessary Rules and Regulations, in accordance with the Administrative
8 Adjudication Law, to properly implement this Article.

9 **Section Three. Effective Dates.** (a) This act shall become effective
10 immediately. (b) The fees authorized by Title 5 G.C.A. Section 51506 shall not be
11 collected until the GEPA rules and regulations enacted pursuant to Title 5 G.C.A. Section
12 51505 become effective.