

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

Bill No. 100 (EC)

Introduced by:

J.M.S. Brown 

AN ACT TO REASSIGN RULEMAKING AUTHORITY, AND
CONTRACTING AUTHORITY AND TO REQUIRE AN ECONOMIC
IMPACT ASSESSMENT FOR ADVANCE DISPOSAL FEES BY
AMENDING TITLE 10, G.C.A. SECTIONS 51505 AND 51507

TO BE ENACTED BY THE PEOPLE OF GUAM:

1 **Section One.** Title 10 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. The
11 Guam Economic Development and Commerce Authority shall perform said
12 economic impact statement at the request of GEPA so that GEPA may submit
13 said statement together with the regulations to I Liheslaturan Guahan.

14 **Section Two.** Title 10 G.C.A. Section 51507 is amended to read:

15 **§51507. Authorization for ~~GEPA~~ DPW to contract with recycling**
16 **companies.**

17 (a) ~~GEPA~~ The Department of Public Works is authorized, in
18 accordance with the applicable procurement laws, to enter into contracts with
19 recycling companies for the collection, recycling, and disposal of automobiles,
20 buses, heavy equipment, trucks, batteries, tires, white goods, and other

1 recyclable materials. ~~GEPA~~ The Department of Public Works shall submit any
2 proposed Requests for Proposals to *I Liheslatura Guahan* within three (3) months
3 of the enactment of this Article.

4 (b) Successful offerors for contracts authorized under this Section shall
5 perform all work under this Article in compliance with all applicable laws,
6 including those of this Chapter, and Rules and Regulations of GEPA and the
7 Department of Public Works as may be established. At a minimum, ~~GEPA~~ The
8 Department of Public Works shall ensure that all offerors include, as part of their
9 processing, a plan to remove collected recyclable materials, including abandoned
10 vehicles, from Guam's waste stream.

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