I MINA'TRENTA NA LIHESLATURAN GUÅHAN 2010 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Substitute Bill No. 303-30** (COR), "AN ACT TO *ADD* A NEW ARTICLE 10 TO CHAPTER 51 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO RECOGNIZING THE VILLAGES OF *INARAJAN* AND *ORDOT* AS THE *HOST COMMUNITY* FOR ACCOMODATING THE SOLID WASTE DISPOSAL NEEDS OF THE ENTIRE ISLAND OF GUAM RESULTING FROM THE OPERATION OF THE *LEYON* LANDFILL AND THE *ORDOT* DUMP IN THEIR BACKYARDS", was on the 2nd day of July, 2010, duly and regularly passed.

	Short
_	Judith T. Won Pat, Ed. D.
Attested. Tina Rose Muña Barnes Legislative Secretary	Speaker
This Act was received by I Maga'lahen Guåhan th	isOth day of _Tuly, 2010, at
o'clock P.M.	Janus
	Assistant Staff Officer
A PROPOSITION	Maga'lahi's Office
APPROVED:	
FELIX P. CAMACHO I Maga'lahen Guåhan	
Date:	

Public Law No.

I MINA'TRENTA NA LIHESLATURAN GUÅHAN 2009 (FIRST) Regular Session

Bill No. 303-30 (COR)

As substituted by the Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land, and amended on the Floor.

Introduced by:

1

Telo Taitague

T. C. Ada

F. F. Blas, Jr.

v. c. pangelinan

T. R. Muña Barnes

F. B. Aguon, Jr.

V. Anthony Ada

E. J.B. Calvo

B. J.F. Cruz

J. V. Espaldon

Judith P. Guthertz, DPA

A. B. Palacios, Sr.

R. J. Respicio

Ray Tenorio

Judith T. Won Pat, Ed.D.

AN ACT TO ADD A NEW ARTICLE 10 TO CHAPTER 51 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO RECOGNIZING THE VILLAGES OF INARAJAN AND ORDOT AS THE HOST COMMUNITY FOR ACCOMODATING THE SOLID WASTE DISPOSAL NEEDS OF THE ENTIRE ISLAND OF GUAM RESULTING FROM THE OPERATION OF THE LEYON LANDFILL AND THE ORDOT DUMP IN THEIR BACKYARDS.

BE IT ENACTED BY THE PEOPLE OF GUAM:

1	Section 1. A new Article 10 is <i>added</i> to Chapter 51 of Title 10, Guam
2	Code Annotated, to read as follows:
3	"Article 10
4	Host Community Benefits
5	§511001. Definitions. As used in this Article:
6	Host Community means the concept of community master planning,
7	where benefits are provided to the geographic region of a community where
8	solid waste management facilities are located, such as sanitary landfills,
9	incinerators and gasification facilities.
10	Host Community Benefits means any capital improvement projects
11	that are funded by premiums collected for the benefit of the Host
12	Community.
13	Host Community Premiums means any premium assessed in addition
14	to the tipping fee to cover the cost of the Host Community benefits.
15	Host Community Fund means a fund of the government of Guam that
16	is separate and apart from all other funds of the government of Guam that
17	shall be used for the exclusive benefit of the Host Community.
18	§511002. Host Community. For purposes of this Article, the Host
19	Community shall be the villages of Inarajan and Ordot.
20	§511003. Host Community Benefits. Host Community benefits
21	may include, but not be limited to, the following:
22	(a) Youth, Senior and Community Centers;
23	(b) Recreation areas, to include parks, sports fields and public
24	gathering areas;

- (c) Infrastructure to provide access to utilities, telecommunications, television and internet services to areas where providing such services are cost prohibitive; and
 - (d) Village Beautification projects.

§511004. Host Community Expenditures. The Municipal Planning Council of the *Host Community* village *shall* determine the projects to be funded for the village.

§511005. Host Community Premiums. The Host Community premium *shall* be assessed from the opening of the landfill until the closing of the landfill. The aggregate *Host Community premium* is One Hundred Fifty Thousand Dollars (\$150,000) per year for the village of *Inarajan*, and One Hundred Fifty Thousand Dollars (\$150,000) per year for the village of *Ordot*, as adjusted. The *Host Community premium shall* be reviewed *at least* once every five (5) years and may be adjusted by the Public Utilities Commission (PUC) to account for factors such as inflation. The Public Utilities Commission (PUC) *shall* equitably determine the *Host Community premium* for each residential and commercial account.

§511006. Host Community Fund Management. The management of the Host Community Fund shall be the responsibility of the Department of Administration. The Department of Administration shall retain two percent (2%) of all collections by the Fund to cover the cost of administration. The Host Community Fund shall not be commingled with any other fund of the Government of Guam. No expenditure shall be made from the Fund that is not approved by resolution of the Host Community Municipal Planning Council. The Host Community Fund shall be subject to

- 1 periodic audit by the Office of Public Accountability and *not* subject to any
- 2 transfer authority."