

I Mina'Trentai Dos Na Liheslaturan Received
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
353-32 (LS)	Aline A.Yamashita, Ph.D.	AN ACT TO ADD A NEW CHAPTER 54(B) TO TITLE 10, GUAM CODE ANNOTATED TO PROMOTE PLASTIC BAG REDUCTION IN GUAM FOR THE PROTECTION OF OUR ENVIRONMENT.	6/16/14 10:22 a.m.	06/17/14	Committee on Rules, Federal, Foreign, & Micronesia Affairs, Human & Natural Resources, and Election Reform			Request for Fiscal Note 6/17/14 Fiscal Note Received 7/17/14



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

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Member

July 17, 2014

Memorandum

To: Rennae Meno
Clerk of the Legislature

From: Senator Thomas C. Ada *THA*
Acting Chairperson of the Committee on Rules

Subject: Fiscal Notes

Hafa Adai!

Attached please find the fiscal notes for the bill numbers listed below.
Please note that the fiscal notes are issued on the bills as introduced.

FISCAL NOTES:

- Bill No. 320-32(LS)
- Bill No. 323-32(COR)
- Bill No. 338-32(COR)
- Bill No. 344-32(COR)
- Bill No. 352-32(LS)
- Bill No. 353-32(LS)
- Bill No. 357-32(COR)

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

Si Yu'os ma'åse'!

2014 JUL 17 PM 1:00

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

OFFICE OF THE GOVERNOR

Post Office Box 2950, Hagåtña Guam 96932

EDDIE BAZA CALVO
GOVERNOR**ANTHONY C. BLAZ**
ACTING DIRECTOR**RAY TENORIO**
LIEUTENANT GOVERNOR**JOSE S. CALVO**
ACTING DEPUTY DIRECTOR**JUL 15 2014**

Senator Rory J. Respicio
Chairperson, Committee on Rules
I Mina'trentai Dos na Liheslaturan Guåhan
The 32nd Guam Legislature
155 Hesler Place
Hagåtña, Guam 96932

Hafa Adai Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill Nos.: 320-32(LS), 323-32(COR), 338-32(COR), 344-32(COR), 352-32(LS), 353-32(LS) and 357-32(COR).

If you have any question(s), please do not hesitate to call the office at 475-9412/9106.



ANTHONY C. BLAZ
Acting Director

Enclosures
cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 353-32 (LS)**

AN ACT TO ADD A NEW CHAPTER 54(B) TO TITLE 10, GUAM CODE ANNOTATED TO PROMOTE PLASTIC BAG REDUCTION IN GUAM FOR THE PROTECTION OF OUR ENVIRONMENT.

Department/Agency Appropriation Information	
Dept./Agency Affected: Guam Environmental Protection Agency (GEPA)	Dept./Agency Head: Eric M. Palacios, Administrator
Department's General Fund (GF) appropriation(s) to date:	
Department's Other Fund (Specify) appropriation(s) to date: Various	984,534
Total Department/Agency Appropriation(s) to date:	984,534

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2013 Unreserved Fund Balance		\$0	\$0
FY 2014 Adopted Revenues	\$0	\$0	\$0
FY 2014 Appro. (P.L. 32-068)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2014 (if applicable)	FY 2015	FY 2016	FY 2017	FY 2018
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0

- Does the bill contain "revenue generating" provisions? /x/ Yes / / No
If Yes, see attachment
- Is amount appropriated adequate to fund the intent of the appropriation? /x/ N/A / / Yes / / No
If no, what is the additional amount required? \$ _____ /x/ N/A
- Does the Bill establish a new program/agency? / / Yes /x/ No
If yes, will the program duplicate existing programs/agencies? / / N/A / / Yes /x/ No
Is there a federal mandate to establish the program/agency? / / Yes /x/ No
- Will the enactment of this Bill require new physical facilities? / / Yes /x/ No
- Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: /x/ Yes / / No
/x/ Requested agency comments not received by due date / / Other:

Analyst: <u>Dina P. Rivera</u>	Date: <u>7-8-14</u>	Director: <u>Anthony C. Blaz, Acting Director</u>	Date: <u>7-14-14</u>
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Footnotes:
See attachment.

Bureau of Budget & Management Research
Attachment to Fiscal Note No. 353-32 (LS)
(for revenue generating provisions)

Projected Multi-Year Revenues					
	Year 1	Year 2	Year 3	Year 4	Year 5
General Fund	\$0	\$0	\$0	\$0	\$0
Other Fund:	<u>1/</u>	<u>1/</u>	<u>1/</u>	<u>1/</u>	<u>1/</u>
Total	<u>1/</u>	<u>1/</u>	<u>1/</u>	<u>1/</u>	<u>1/</u>

Comments:

1/ The Bill is proposing that effective January 1, 2015, any entity licensed to do business on Guam shall be prohibited from providing non-biodegradable plastic bags to customers at the point of sale for the purpose of transporting groceries and other merchandise. In that, the Bill seeks to impose a fine of not less than one hundred (\$100) dollars, but not more than one thousand dollars (\$1,000) for each day in violation. The Bureau makes an assumption that on the first year of implementation, of 660* retail establishments, 10% will be fined the maximum of \$1,000, each at 10 days for noncompliance. Based on this assumption, the estimated revenue generated could total \$660,000 on the first year and thereafter. The Bill proposes that all funds collected shall be placed in a fund (not specified) to be used for the purpose of island beautification projects and the Guam Environmental Protection Agency as the enforcement agency.

*Source: Bureau of Statistics and Plans, 2012 Guam Statistical Yearbook (data as of 2007).



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June 17, 2014

VIA E-MAIL

joey.calvo@bbmr.guam.gov

Jose S. Calvo
Acting Director
Bureau of Budget & Management Research
P.O. Box 2950
Hagåtña, Guam 96910

RE: Request for Fiscal Notes– Bill Nos. 351-32 (LS) through 354-32(LS)

Hafa Adai Mr. Rios:

Transmitted herewith is a listing of *I Mina'trentai Dos na Liheslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

Si Yu'os ma'åse' for your attention to this matter.

Very Truly Yours,

Senator Rory J. Respicio
Chairperson of the Committee on Rules

Attachment (1)

Cc: Clerk of the Legislature

Bill Nos.	Sponsors	Title
351-32 (LS)	Judith T. Won Pat, Ed.D.	AN ACT TO AMEND § 1022 OF CHAPTER 10, ARTICLE 1 OF TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO THE GUAM FLOWER.
352-32 (LS)	T.C. Ada	AN ACT TO ADD A NEW §3104 TO CHAPTER 3, TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE REINSTATEMENT OF CHIEF OF POLICE AND FIRE CHIEF TO PREVIOUS CLASSIFIED POSITION UPON EXPIRATION OF APPOINTMENT, AND TO ESTABLISH AN ALTERNATIVE COMPENSATION LEVEL FOR THE CHIEF POSITION.
353-32 (LS)	Aline A. Yamashita, Ph.D.	AN ACT TO ADD A NEW CHAPTER 54(B) TO TITLE 10, GUAM CODE ANNOTATED TO PROMOTE PLASTIC BAG REDUCTION IN GUAM FOR THE PROTECTION OF OUR ENVIRONMENT.
354-32 (LS)	Michael F.Q. San Nicolas	AN ACT TO AUTHORIZE OWNERS OF PRIVATE PROPERTY TO ERECT OR HAVE ERECTED POLITICAL SIGNAGE, BY ADDING A NEW ITEM (5) TO SUBSECTION (a), A NEW ITEM (3) TO SUBSECTION (b), A NEW ITEM (3) TO SUBSECTION (c), EACH OF §61541, PART 5, ARTICLE 5, CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED.



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June 17, 2014

MEMORANDUM

To: Rennae Meno
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Rory J. Respicio 
Chairperson of the Committee on Rules

Subject: Referral of Bill No. 353-32(LS)

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 353-32(LS)**.

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Dos na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.


Si Yu'os Ma'åse!

Attachment

**I MINA' TRENTAI DOS NA LIHESLATURAN GUÅHAN
2014 (SECOND) Regular Session**

Bill No. 353-32 (CS)

Introduced by

Aline A. Yamashita, PhD 

**AN ACT TO ADD A NEW CHAPTER 54(B) TO TITLE 10,
GUAM CODE ANNOTATED TO PROMOTE PLASTIC BAG
REDUCTION IN GUAM FOR THE PROTECTION OF OUR
ENVIRONMENT.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds

1 that numerous states and countries have introduced legislation in a bid to reduce
2 litter and pollution caused by plastic waste, specifically non-biodegradable plastic
3 bags. According to the US International Trade Commission, in 2009, Americans
4 annually use 102.1 billion plastic bags creating tons of landfill waste. Locally,
5 according to the Recycling Association of Guam, the industry standard is 500
6 plastic bags per person per year. Therefore, it is reasonable to assume that
7 approximately 80,000,000 plastic bags are used annually by Guam's population of
8 approximately 160,000. While plastic bags end up in the landfill, not all do as they
9 litter Guam's properties and potentially end up in the ocean creating a danger to
10
11

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1 marine life. Therefore, *I Liheslatura* intends to provide policy to promote plastic
2 bag reduction and environmental protection.

3 **Section 2. A new Chapter 54(b), Title 10, Guam Code Annotated is**
4 **added to read:**

5 Effective January 1, 2015, any entity licensed to do business on Guam shall
6 be prohibited from providing non-biodegradable plastic bags to customers at the
7 point of sale for the purpose of transporting groceries and other merchandise.

8 Nothing in this act shall preclude any business from making available to
9 customers biodegradable plastic bags, recyclable paper bags or reusable bags at
10 point of sale. Biodegradable plastic bags shall have the words “Biodegradable,
11 Reduce, Reuse, Recycle” printed in a highly visible area on the exterior of the bag.

12 As used in this Act, “Non-Biodegradable Plastic Bags” is defined as
13 petroleum-based plastic bags that cannot be broken down in the environment by
14 natural processes.

15 **Section 3. Enforcement.**

16 Any entity licensed to do business on Guam that use plastic bags in the
17 commission of point of sale transactions found to be in violation of this Act shall:

18 (a) be ordered to discontinue the distribution of non-biodegradable plastic
19 bags; and,

1 (b) be subject to a fine of not less than one hundred (\$100), but not more
2 than one thousand dollars (\$1,000) for each day in violation. All funds collected
3 from violations shall be placed in a fund and that will be used for the sole purpose
4 of island beautification projects.

5 The Director of the Guam Environmental Protection Agency be responsible
6 for enforcement of this Act and shall develop rules and regulations to carry out
7 provisions of this Section pursuant to the Administrative Adjudication Act.