



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

SEP 27 2002

The Honorable Joanne M. S. Brown
Legislative Secretary
I Mina'Bente Sais na Liheslaturan Guåhan
Twenty-Sixth Guam Legislature
Suite 200
130 Aspal Street
Hagåtña, Guam 96910

Dear Legislative Secretary Brown:

Enclosed please find Bill No. 183 (COR) "AN ACT TO ADD § 51304 TO TITLE 10 OF THE GUAM CODE ANNOTATED, RELATIVE TO APPROPRIATING FUNDS TO IMPLEMENT P.L. NO. 24-246 AND TO ESTABLISH REPORTING REQUIREMENTS FOR PAPER RECYCLING," which was signed into law as **Public Law No. 26-147**.

This legislation adds a new section to the previous sections enacted in Public Law No. 24-246 which provided for a pilot program for recycling of paper. This section added in this legislation calls for the successful bidder on the pilot paper recycling project to file a report concerning the total type and amount of paper recycled, the cost of the recycling compared to landfill disposal or other methods of disposal, and recommendations for the future of this type of project.

Very truly yours,

Carl T. C. Gutierrez
I Maga'Lahen Guåhan
Governor of Guam

Attachments: original bill for vetoed legislation or
copy of bill for signed or overridden legislation
and legislation enacted without signature

cc: The Honorable Antonio R. Unpingco
Speaker

OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<u>[Signature]</u>
Time	<u>3:00pm</u>
Date	<u>09/27/02</u>

Office of the Speaker
ANTONIO R. UNPINGCO

Date: 09-27-02
Time: 1445


Rec'd by: [Signature]
Print Name: [Signature]

0950

MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2002 (SECOND) Regular Session

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

This is to certify that Bill No. 183 (COR), "AN ACT TO ADD § 51304 TO TITLE 10 OF THE GUAM CODE ANNOTATED, RELATIVE TO APPROPRIATING FUNDS TO IMPLEMENT P.L. NO. 24-246 AND TO ESTABLISH REPORTING REQUIREMENTS FOR PAPER RECYCLING," was on the 4th day of September, 2002, duly and regularly passed.



ANTONIO R. UNPINGCO
Speaker

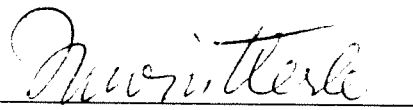
Attested:



JOANNE M.S. BROWN


Senator and Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 16th day of September, 2002,
at 3:55 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



CARL T. C. GUTIERREZ
I Maga'lahen Guåhan

Date: 9-27-02

Public Law No. 26-147

MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2001 (FIRST) Regular Session

Bill No. 183 (COR)

As amended on the Floor.

Introduced by:

V. C. Pangelinan

J. M.S. Brown

J. T. Won Pat

Mark Forbes

K. S. Moylan

J. F. Ada

T. C. Ada

F. B. Aguon, Jr.

E. B. Calvo

F. P. Camacho

M. C. Charfauros

L. F. Kasperbauer

L. A. Leon Guerrero

A. L.G. Santos

A. R. Unpingco

**AN ACT TO ADD § 51304 TO TITLE 10 OF THE GUAM
CODE ANNOTATED, RELATIVE TO
APPROPRIATING FUNDS TO IMPLEMENT P.L. NO.
24-246 AND TO ESTABLISH REPORTING
REQUIREMENTS FOR PAPER RECYCLING.**

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*
3 finds that there needs to be an appropriation for Public Law Number 24-246,
4 relative to the establishment of methods to contract for collection of recyclable
5 paper.

1 Such appropriation is necessary to implement Public Law Number 24-
2 246 in order for our Island community to better promote and encourage
3 recycling to reduce the flow of refuse into our waste stream. Further, such
4 appropriation will accelerate the operation of an Island-wide recycling center
5 for paper, the most viable and practical source, by a non-governmental
6 instrument. With minimal financial support provided to a qualified
7 contractor to collect recyclable paper, we may have taken a major step to
8 significantly reduce the burden on our landfill and to our environment.

9 **Section 2. Appropriation.** One Hundred Fifty Thousand
10 Dollars (\$150,000.00) per annum is hereby appropriated for Fiscal Year 2003
11 and Fiscal Year 2004 from the Solid Waste Operations Fund, to implement the
12 pilot paper-recycling program as outlined under Public Law Number 24-246.

13 **Section 3.** Section 51304 is hereby *added* to Article 3, Chapter 51,
14 Part 2, Division 2 of Title 10 of the Guam Code Annotated to read as follows:

15 **“Section 51304. Report.** Each successful bidder shall file a
16 report on a quarterly basis with *I Maga’lahen Guåhan* and *I Liheslaturan*
17 *Guåhan*, outlining the following:

- 18 (a) total type and amount of paper recycled;
19 (b) cost comparison of the cost of the paper-recycling
20 program versus landfill disposal of paper, or any less-than-
21 conventional methods of paper waste reduction; *and*
22 (c) recommendations for permanent implementation and
23 improvements to the recycling program.”

1 **Section 4. Severability.** *If* any provision of this Law or its
2 application to any person or circumstance is found to be invalid or contrary to
3 law, such invalidity shall *not* affect other provisions or applications of this
4 Law which can be given effect without the invalid provisions or application,
5 and to this end the provisions of this Law are severable.

I MINA' BENTE SAIS NA LIHESLATURAN GUAHAN

2002 (SECOND) Regular Session

Date: 9/4/02

VOTING SHEET

Bill No. 183 (COR)

Resolution No. _____

Question: _____

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
ADA, Joseph F.	✓				
ADA, Thomas C.	✓				
AGUON, Frank B., Jr.	✓				
BROWN, Joanne M. S.	✓				
CALVO, Eddie B.	✓				
CAMACHO, Felix P.	✓				
CHARFAUROS, Mark C.	✓				
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.	✓				
LEON GUERRERO, Lourdes A.	✓				
MOYLAN, Kaleo S.	✓				
PANGELINAN, Vicente C.	✓				
SANTOS, Angel L.G.	✓				
UNPINGCO, Antonio R.	✓				
WON PAT, Judith T.	✓				

TOTAL 15 0 0 0 0

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence

1 Such appropriation is necessary to implement Public Law Number 24-
2 246 in order for our Island community to better promote and encourage
3 recycling to reduce the flow of refuse into our waste stream. Further, such
4 appropriation will accelerate the operation of an Island-wide recycling center
5 for paper, the most viable and practical source, by a non-governmental
6 instrument. With minimal financial support provided to a qualified
7 contractor to collect recyclable paper, we may have taken a major step to
8 significantly reduce the burden on our landfill and to our environment.

9 **Section 2. Appropriation.** One Hundred Fifty Thousand
10 Dollars (\$150,000.00) per annum is hereby appropriated for Fiscal Year 2003
11 and Fiscal Year 2004 from the Solid Waste Operations Fund, to implement the
12 pilot paper-recycling program as outlined under Public Law Number 24-246.

13 **Section 3.** Section 51304 is hereby *added* to Article 3, Chapter 51,
14 Part 2, Division 2 of Title 10 of the Guam Code Annotated to read as follows:

15 **"Section 51304. Report.** Each successful bidder shall file a
16 report on a quarterly basis with *I Maga'lahaen Guåhan* and *I Liheslaturan*
17 *Guåhan*, outlining the following:

- 18 (a) total type and amount of paper recycled;
19 (b) cost comparison of the cost of the paper-recycling
20 program versus landfill disposal of paper, or any less-than-
21 conventional methods of paper waste reduction; *and*
22 (c) recommendations for permanent implementation and
23 improvements to the recycling program."

1 **Section 4. Severability.** *If* any provision of this Law or its
2 application to any person or circumstance is found to be invalid or contrary to
3 law, such invalidity shall *not* affect other provisions or applications of this
4 Law which can be given effect without the invalid provisions or application,
5 and to this end the provisions of this Law are severable.

Motion to
sub
Decriminal
8/22/02
3rd
8/22/02

**MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2001 (FIRST) Regular Session**

Bill No. 183 (COR)

Introduced by:

v.c. pangelinan
J.S. Brown
jtwp
mf

ref
FA3
1

**AN ACT TO APPROPRIATE FUNDS TO IMPLEMENT
PUBLIC LAW NO. 24-246.**

ref
FA1
1

BE IT ENACTED BY THE PEOPLE OF GUAM:

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

finds that there needs to be an appropriation for Public Law No. 24-246, relative to the establishment of methods to contract for collection of recyclable paper.

Such appropriation is necessary to implement Public Law No. 24-246 in order for our island community to better promote and encourage recycling to reduce the flow of refuse into our waste stream. Further, such appropriation will accelerate the operation of an island-wide recycling center for paper, the most viable and practical source, by a non-governmental instrument. With minimal financial support provided to a qualified contractor to collect recyclable paper, we may have taken a major step to significantly reduce the burden on our landfill and to our environment.

Section 2. Appropriation. One Hundred Fifty Thousand Dollars

(\$150,000.00) per annum is hereby appropriated for fiscal year 2002³ and fiscal year 2003⁴ from the Solid Waste Operations Fund, to implement the pilot paper-recycling program as outlined under Public Law No. 24-246.

ref
FA2
1

I MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN

FLOOR AMENDMENTS/CHANGES

Bill No. 183 (COR)

VCP

Senator Proposing Amendment

(Below for Senator to complete)

Please describe proposed amendment, including where change to occur:

Motion to substitute B183 as substituted
by the Com on Ways + Means with the
B183 (COR) as introduced.

(Below only for Clerk of Legislature's use and processing))

Date 8/22 2002

Floor Amendment No. 1 of a total of _____ changes on above Bill.

Votes For Amendment: _____ Votes Against Amendment: _____

AMENDMENT PASSED:

Amendment Failed: _____

Amendment Withdrawn: _____

APPROVED AS TO FORM PASSED

[Signature]
AUTHOR OF AMENDMENT

Concur (initial)

[Signature]
Clerk of Legislature

Speaker

Ass't. Amend. Clerk

Engrossment Staff

I MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN

FLOOR AMENDMENTS/CHANGES

Bill No. 183

VCP

Senator Proposing Amendment

(Below for Senator to complete)

Please describe proposed amendment, including where change to occur:

p. 1 lines 13 & 14, change 2002 to read 2003;
change 2003 to read 2004.

(Below only for Clerk of Legislature's use and processing))

Date 8/22 2002

Floor Amendment No. 2 of a total of _____ changes on above Bill.

Votes For Amendment: _____ Votes Against Amendment: _____

AMENDMENT PASSED:

Amendment Failed: _____

Amendment Withdrawn: _____

APPROVED AS TO FORM PASSED

[Signature]
AUTHOR OF AMENDMENT

Concur (initial)

[Signature]
Clerk of Legislature

Speaker

Ass't. Amend. Clerk

Engrossment Staff

I MINA'BENTE SAIS NA LIHESLATURAN GUÁHAN

FLOOR AMENDMENTS/CHANGES

Bill No. 183 (COR)

VCP

Senator Proposing Amendment

(Below for Senator to complete)

Please describe proposed amendment, including where change to occur:

sponsor # 3. JTWP
4. MF

(Below only for Clerk of Legislature's use and processing))

Date 8/27, 2002

Floor Amendment No. 3 of a total of _____ changes on above Bill.

Votes For Amendment: _____ Votes Against Amendment: _____

AMENDMENT PASSED: ✓

Amendment Failed: _____

Amendment Withdrawn: _____

APPROVED AS TO FORM PASSED

[Signature]
AUTHOR OF AMENDMENT

Concur (initial)

[Signature]
Clerk of Legislature

Speaker

Ass't. Amend. Clerk

Engrossment Staff

6
9/4/02

MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2001 (FIRST) Regular Session

Bill No. 183 (COR)
As amended on the Floor.
*

Introduced by:

- V. C. Pangelinan
- J. M.S. Brown
- J. T. Won Pat
- Mark Forbes
- K. S. Moylan
- J. F. Ada
- T. C. Ada
- F. B. Aguon, Jr.
- E. B. Calvo
- F. P. Camacho
- M. C. Charfauros
- L. F. Kasperbauer
- L. A. Leon Guerrero
- A. L.G. Santos
- A. R. Unpingco

**AN ACT TO ADD § 51304 TO TITLE 10 OF THE GUAM
CODE ANNOTATED, RELATIVE TO
APPROPRIATING FUNDS TO IMPLEMENT P.L. NO.
24-246 AND TO ESTABLISH REPORTING
REQUIREMENTS FOR PAPER RECYCLING.**

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*
3 finds that there needs to be an appropriation for Public Law Number 24-246,
4 relative to the establishment of methods to contract for collection of recyclable
5 paper.

1 **Section 3.** A new §51404 is hereby added to Article 4 of Chapter 51, Part 2,
2 Division 2, Part I of Title 10, Guam Code Annotated, to read as follows:

3 “**§51404. Report.** Each successful bidder shall file a report on a
4 quarterly basis with the Governor and the Legislature, outlining
5 the following:

6 (a) Total type and amount of paper recycled;

7 (b) Cost comparison of the cost of the paper-recycling program
8 versus landfill disposal of paper, or any less-than-conventional
9 methods of paper waste reduction;

10 (c) Recommendations for permanent implementation, and
11 improvements to the recycling program.”

12 **Section 4. Severability.** *If any provision of this Law or its application to*
13 *any person or circumstance is found to be invalid or contrary to law, such invalidity*
14 *shall not affect other provisions or applications of this Law which can be given effect*
15 *without the invalid provisions or application, and to this end the provisions of this*
16 *Law are severable.*

Re: to
Legislative Secretary



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

Office of the Speaker
ANTONIO R. UNPINGCO
Date: 8/17/98
Time: 11:15
Rec'd by: [Signature]
Print Name: ANNIEE FRANCIS

AUG 14 1998

The Honorable Antonio R. Unpingco
Speaker
Mina'Bente Kuáttro na Liheslaturan Guáhan
Twenty-Fourth Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Hagåtña, Guam 96910

OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	[Signature]
Time	8:45am
Date	8/18/98

Dear Speaker Unpingco:

Enclosed please find Bill No. 557 (COR), "AN ACT TO ADD ARTICLE 4 TO CHAPTER 51, PART 2, DIVISION 2, PART I OF TITLE 10 OF THE GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING METHODS TO CONTRACT FOR COLLECTION OF RECYCLABLE PAPER", which I have signed into law today as Public Law No. 24-246.

This legislation intends to set up a pilot paper-recycling program. It provides that the Director of Department of Public Works enter into a 2-year contract with a private business or non-profit organization to accept and collect recyclable paper, including newsprint and magazines. The contractor shall accept and pay for all recyclable paper. The contractor is to receive \$150,000 per annum, appropriated from the Solid Waste Operations Fund.

Very truly yours,

[Signature]
Carl T. C. Gutierrez
I Maga'lahaen Guáhan
Governor of Guam

00952

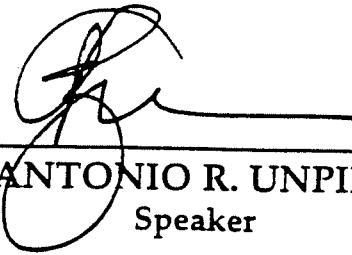
Attachment: copy attached for signed bill
original attached for vetoed bill

cc: The Honorable Joanne M. S. Brown
Legislative Secretary

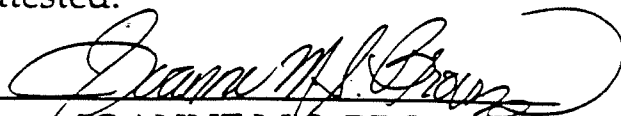
MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN
1998 (SECOND) Regular Session

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


This is to certify that Bill No. 557 (COR), "AN ACT TO ADD ARTICLE 4 TO CHAPTER 51, PART 2, DIVISION 2, PART I OF TITLE 10 OF THE GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING METHODS TO CONTRACT FOR COLLECTION OF RECYCLABLE PAPER," was on the 3rd day of August, 1998, duly and regularly passed.


ANTONIO R. UNPINGCO
Speaker


Attested:


JOANNE M.S. BROWN
Senator and Legislative Secretary

.....
This Act was received by I Maga'lahaen Guahan this 6th day of August, 1998,
at 3:35 o'clock P.M.


Assistant Staff Officer
Maga'lahaen's Office

APPROVED:


CARL T. C. GUTIERREZ
I Maga'lahaen Guahan

Date: 8.14-98

Public Law No. 24-246

MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN
1998 (SECOND) Regular Session

Bill No. 557 (COR)
As amended on the Floor.

Introduced by:

V.C. Pangelinan
L. A. Leon Guerrero
I. C. Salas
J. M.S. Brown
T. C. Ada
F. B. Aguon, Jr.
A. C. Blaz
Felix P. Camacho
Francisco P. Camacho
M. C. Charfauros
E. J. Cruz
W. B.S.M. Flores
Mark Forbes
L. F. Kasperbauer
A. C. Lamorena, V
C. A. Leon Guerrero
A. L.G. Santos
F. E. Santos
A. R. Unpingco
J. Won Pat-Borja

AN ACT TO ADD ARTICLE 4 TO CHAPTER 51,
PART 2, DIVISION 2, PART I OF TITLE 10 OF THE
GUAM CODE ANNOTATED, RELATIVE TO
ESTABLISHING METHODS TO CONTRACT FOR
COLLECTION OF RECYCLABLE PAPER.

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings.** *I Liheslaturan Guahan* finds it is in the
3 best interest of our Island and our residents to promote and encourage
4 recycling to reduce the flow of refuse into our waste stream. Currently, public
5 recycling centers and incentives to recycle are almost nonexistent.

6 *I Liheslaturan Guahan* further finds that initial government assistance is
7 needed to encourage and accelerate the operation of an Island-wide recycling
8 center for paper, the most viable and practical source, by a non-governmental
9 instrument. With minimal financial support provided to a qualified
10 contractor to collect recyclable paper, we may have taken a major step to
11 significantly reduce the burden on our landfill and to our environment.

12 **Section 2. Legislative Intent.** It is the intent of *I Liheslaturan Guahan*
13 to implement a pilot paper-recycling program to determine the cost of
14 recycling versus landfilling, or any less-than-conventional methods of waste
15 reduction.

16 **Section 3.** Article 4 is hereby *added* to Chapter 51, Part 2, Division 2,
17 Part I of Title 10 of the Guam Code Annotated to read as follows:

18 **"Article 4.**

19 **Contract for Collection of Recyclable Paper.**

20 §51401. **Contract to Accept and Collect Recyclable Paper.**

21 §51402. **Biennial Contract.**

22 §51403. **Conformity to All Laws and Rules and Regulations.**

23
24 **Section 51401. Contract to Accept and Collect Recyclable**
25 **Paper.** The Director of Public Works, in accordance with the

1 applicable procurement laws, and after advertising for a request for
2 proposals ('RFP') for the collection of recyclable paper, shall enter into a
3 two (2) - year contract with any qualified local interested business or
4 nonprofit organization, to accept and collect recyclable paper to include
5 newsprint, office paper and magazines from the public, and to
6 implement a plan to prevent them from entering Guam's waste stream.
7 The qualified local business or nonprofit organization shall have active
8 recycling experience and knowledge in Guam. The RFP shall include
9 the requirement that the prospective contractor accepts and pays for all
10 recyclable paper, to include newsprint, office paper and magazines
11 offered by the public. The successful offeror shall be one who bids the
12 highest amount per pound to be paid to the public for the recyclable
13 paper for the duration of the contract term. The contractor shall be
14 granted One Hundred Fifty Thousand Dollars (\$150,000.00) per annum,
15 to be appropriated from the Solid Waste Operations Fund established in
16 this Chapter, to supplement its operations in accordance with the terms
17 and conditions negotiated between the successful offeror and the
18 Department of Public Works. No part of the contract shall require the
19 government to grant more than the annual sum granted at the
20 beginning of the contract period.

21 **Section 51402. Biennial Contract.** The Director shall
22 advertise for and execute such a contract every two (2) years with any
23 qualified party on the same terms as are set out in §51401 of this Article.

24 **Section 51403. Conformity to All Laws and Rules and**
25 **Regulations.** The successful offeror shall perform all work under

1 this Article in compliance with all applicable laws, including those of
2 this Chapter, and rules and regulations of GEPA as may be established.
3 As a minimum, the Department of Public Works Director shall ensure
4 that all offerors include as part of their processing, a plan to remove the
5 collected paper from Guam's waste stream."

DEPARTMENT OF LAW

CARL T.C. GUTIERREZ
Maga'láhi
Governor



ROBERT H. KONO
Hinirát Abugao
Attorney General (Acting)

MADELEINE Z. BORDALLO
Tinñente Gubetnadora
Lieutenant Governor

Ufisinan Hinirát Abugao
Tiritorian Guáhan

CHARLES H. TROUTMAN
Rikohidot i Lai Guáhan Siha
Compiler of Laws

OFFICE OF THE ATTORNEY GENERAL
Territory of Guam

February 5, 2002

Hon. Kaleo s. Moylan, Chairman
Committee on Ways & Means
26th Guam Legislature
Hagátña, Guam

Re: Bill No. 183

Dear Senator Moylan,

While I support recycling, and would be quite willing to separate my waste into paper and everything else – in Germany you sort waste into four waste containers, and in parts of Texas, two – haven't we proven that on Guam paper does not have sufficient value to induce payment to the public? Even in a suburb of Austin, Texas, when they required the sorting of paper separately, the Council added \$15 to the waste collection fee to pay for the recycling. They need to keep the paper out of their land fill, but it was a cost not a benefit to the residents.

Before we create this additional government-funded subsidy, should we not simply find out the relative costs and value of this paper waste and the adjust the fees for collection up or down accordingly? I think there would be a simpler way than is provided by this bill to accomplish the same goal. Incidentally, in those places which require separation of the waste stream, the waste collector provides the different, labeled or colored, bins for the residents' use. This helps in compliance and fosters standardization in collecting containers, a boon for the waste collectors and their trucks.

So, I suggest that this Legislature proceed with the idea of separate waste streams in a manner more direct and less complicated than the proposed subsidy. Really, what I am saying is that you should revisit P.L. 24-246.

Sincerely yours,

CHARLES H. TROUTMAN
Compiler of Laws



GUAM ENVIRONMENTAL PROTECTION AGENCY



AHENSIAN PRUTEKSION LINA'LA GUAHAN

P.O. BOX 22439 GMF • BARRIGADA, GUAM 96921 • TEL: 475-1658/9 • FAX: 477-9402

**Testimony of
Randel L. Sablan
Acting Administrator, Guam Environmental Protection Agency
Before the Committee on Ways and Means**

**Hearing on Bill 183 (COR): "AN ACT TO APPROPRIATE FUNDS
TO IMPLEMENT PUBLIC LAW 24-246.**

February 7, 2002

The Guam Environmental Protection Agency appreciates and supports the efforts of Bill 183 because it bolsters the diversion of recyclable wastes from the Ordot Dump.

This Agency has worked with the Department of Public Works and the public in identifying solutions to address our island's solid waste issues. Although we support this pilot project, Guam EPA offers the following suggestions for your consideration.

1. Our goal is to develop a comprehensive waste diversion strategy to eliminate recyclable wastes from entering our new landfill, therefore prolonging its lifespan. An ideal solution is to invest in a partnership with a private company or companies and invest in a Material Resource and Recovery Facility that can handle all recyclable materials.
2. The *Integrated Solid Waste Management Plan* recognizes the significance of recycling, but also acknowledges the need for government support through legislation and funding. For recycling to continue as a viable and practical waste diversion alternative, the government must consider implementing an advance disposal fee (ADF) with a buy-back opportunity on certain recyclable commodities.

3. As a pilot project, its purpose is to also generate data to support the viability and practicality of recycling on Guam. To ensure success with limited funding, Guam EPA recommends that the Department of Public Works focus their efforts on sample establishments such as one (1) large government of Guam Agency or Department, one (1) private company, and one (1) fully improved residential subdivision.
4. Guam EPA recommends that the successful bidder be required to secure and ensure the recycling or reuse of paper through on-island or off-island recycling or reuse programs. According to the referenced law (PL 24-246), the successful bidder is responsible solely for collecting and accepting recyclable paper.

In conclusion, the Ordot Dump is Guam's only disposal facility available to the general public. Aside from the collection of aluminum cans and high-grade cardboard, there are no other waste diversion programs in place to provide an alternative to waste disposal. As Guam prepares to close its only publicly available landfill, it is crucial that every recyclable waste be diverted to recycling centers and other end-users.

Thank you for this opportunity to comment.



RANDEL L. SABLAN
Acting Administrator

Senator Kaleo S. Moylan
Chairperson, Committee on Ways and Means
Mina'Bente Sais Na Liheslaturan Guahan
Twenty-Sixth Guam Legislature

January 28, 2002

The Honorable Carl T.C. Gutierrez
Maga'lahaen Guahan
R. J. Bordallo Governor's Complex
Agana, Guam 96932

Re: Committee Public Hearing: Thursday, February 7, 2002

Dear Governor Gutierrez:

This is to inform you that the Committee on Ways and Means will conduct a public hearing on Thursday, February 7, 2002 commencing at 9:00 a.m. in the Legislative Public Hearing Room.

Executive Appointments:

Mr. Carlos E. P. Bordallo, to serve as a member Retirement Fund Board of Directors for a term of five (5) years to expire on January 31, 2007.

Mr. Rodolfo V. Colet and Mr. Celso S. Gianchand, to serve as members of the Alcoholic Beverage Control Board for a term of two (2) years to expire on January 27, 2004.

Legislative Measure:

Bill No. 164 (COR), "AN ACT TO ADD CHAPTER 33 TO TITLE 11 OF THE GUAM CODE ANNOTATED, RELATIVE TO TAX RELIEF FOR IN-HOME ELDER CARE, TO BE KNOWN AS THE 'AKTO PARA IN'ASISTIN MANAMKO,' THE 'MANAMKO CARE ACT.'"

Bill No. 183 (COR), "AN ACT TO APPROPRIATE FUNDS TO IMPLEMENT PUBLIC LAW NO. 24-246."

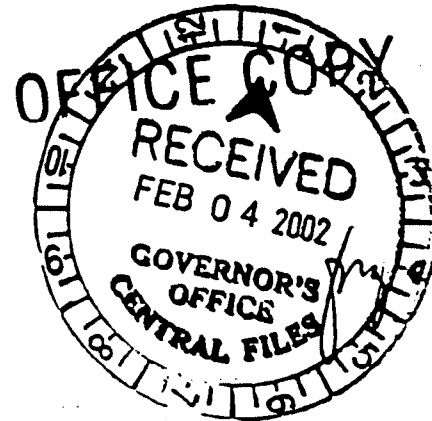
Bill No. 247 (COR), "AN ACT TO MAXIMIZE REVENUES FROM THE 'INCOME TAX REFUND RESERVE FUND' THROUGH THE ESTABLISHMENT OF A NEW CHAPTER 51 OF DIVISION 2 OF TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO THE INCOME TAX REFUND RESERVE FUND LAW."

As these measures directly affect the government of Guam, the Committee encourages you participation and input at this hearing. The Committee would appreciate receiving fifteen (15) copies of your Administration's position statement and or documents relating to the subject matter prior to the start of the hearing. A copy of the hearing Agenda is enclosed for your reference and information.

Sincerely,


KALEO S. MOYLAN

Enclosures:



Senator Kaleo S. Moylan
Chairperson, Committee on Ways and Means
Mina'Bente Sais Na Liheslaturan Guahan
Twenty-Sixth Guam Legislature

OFFICE COPY

January 28, 2002

Mr. Clifford Guzman
Acting Director
Department of Administration
Hagåtña, Guam 96910

Re: Committee Public Hearing: Thursday, February 7, 2002

Dear Mr. Guzman:

This is to inform you that the Committee on Ways and Means will conduct a public hearing on Thursday, February 7, 2002 commencing at 9:00 a.m. in the Legislative Public Hearing Room.

Bill No. 164 (COR), "AN ACT TO ADD CHAPTER 33 TO TITLE 11 OF THE GUAM CODE ANNOTATED, RELATIVE TO TAX RELIEF FOR IN-HOME ELDER CARE, TO BE KNOWN AS THE 'AKTO PARA IN'ASISTIN MANAMKO,' THE 'MANAMKO CARE ACT.'"

DOA DIR. OFF

4 FEB 02 12:36

Bill No. 183 (COR), "AN ACT TO APPROPRIATE FUNDS TO IMPLEMENT PUBLIC LAW NO. 24-246."

Bill No. 247 (COR), "AN ACT TO MAXIMIZE REVENUES FROM THE "INCOME TAX REFUND RESERVE FUND" THROUGH THE ESTABLISHMENT OF A NEW CHAPTER 51 OF DIVISION 2 OF TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO THE INCOME TAX REFUND RESERVE FUND LAW."

As these measures affect the government of Guam, the Committee encourages your participation and input at this hearing. The Committee would appreciate receiving fifteen (15) copies of your Department's position statement and or documents relating to the subject matter prior to the start of the hearing. A copy of the hearing Agenda is enclosed for your reference and information.

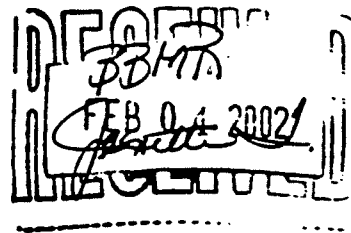
Thank you,



KALEO S. MOYLAN

Enclosures:

Senator Kaleo S. Moylan
Chairperson, Committee on Housing,
General Government Services and Foreign Affairs
Mina'Bente Sais Na Liheslaturan Guahan
Twenty-Sixth Guam Legislature



OFFICE COPY

January 28, 2002

Mr. Paul D. Leon Guerrero
Director
Bureau of Budget and Management Research
R. J. Bordallo Governor's Complex
Hagåtña, Guam 96932

Re: Request for Fiscal Note

Dear Mr. Leon Guerrero:

Please find attached copies of Bill Nos. 164, 183 and 247 (COR), scheduled for public hearing on Thursday, February 7, 2002. Pursuant to the provisions of Chapter 9, of Title 2 of the Guam Code Annotated, fiscal note(s) are requested.

As this measure affects the government of Guam, the Committee encourages your participation and input at this hearing. The Committee would appreciate receiving fifteen (15) copies of BBMR's position statement and or documents relating to the subject matter prior to the start of the hearing. A copy of the hearing Agenda is enclosed for your reference and information.

Sincerely,


KALEO S. MOYLAN

Attachments:

Senator Kaleo S. Moylan
Chairperson, Committee on Ways and Means
Mina'Bente Sais Na Liheslaturan Guahan
Twenty-Sixth Guam Legislature

RECEIVED
JAN 29 2002
OFFICE COPY

January 28, 2002

Mr. Robert Kono, Esq.
Acting Attorney General
Department of Law
Hagåtña, Guam 96910

Re: Committee Public Hearing: Thursday, February 7, 2002

Dear Mr. Kono:

This is to inform you that the Committee on Ways and Means will conduct a public hearing on Thursday, February 7, 2002 commencing at 9:00 a.m. in the Legislative Public Hearing Room.

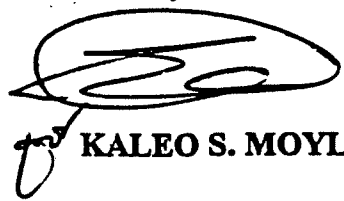
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Bill No. 183 (COR), "AN ACT TO APPROPRIATE FUNDS TO IMPLEMENT PUBLIC LAW NO. 24-246."

Bill No. 247 (COR), "AN ACT TO MAXIMIZE REVENUES FROM THE "INCOME TAX REFUND RESERVE FUND" THROUGH THE ESTABLISHMENT OF A NEW CHAPTER 51 OF DIVISION 2 OF TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO THE INCOME TAX REFUND RESERVE FUND LAW."

As these measures affect the government of Guam, the Committee encourages your participation and input at this hearing. The Committee would appreciate receiving fifteen (15) copies of your Department's position statement and or documents relating to the subject matter prior to the start of the hearing. A copy of the hearing Agenda is enclosed for your reference and information.

Thank you,



KALEO S. MOYLAN

Enclosures:

MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN

Senator Kaleo S. Moylan, Chairman

Committee on Ways and Means

Public Hearing

9:00 a.m., Thursday, February 7, 2002

A G E N D A

I. Call to Order:

II. Announcement & Introduction of Members:

III. Executive Appointments:

Mr. Carlos E. P. Bordallo, to serve as a member Retirement Fund Board of Directors for a term of five (5) years to expire on January 31, 2007.

Mr. Rodolfo V. Colet and Mr. Celso S. Gianchand, to serve as members of the Alcoholic Beverage Control Board for a term of two (2) years to expire on January 27, 2004.

IV. Legislative Measures:

Bill No. 164 (COR), "AN ACT TO *ADD* CHAPTER 33 TO TITLE 11 OF THE GUAM CODE ANNOTATED, RELATIVE TO TAX RELIEF FOR IN-HOME ELDER CARE, TO BE KNOWN AS THE '*AKTO PARA IN'ASISTIN MANAMKO*,' THE '*MANAMKO CARE ACT*.'"

Bill No. 183 (COR), "AN ACT TO APPROPRIATE FUNDS TO IMPLEMENT PUBLIC LAW NO. 24-246."

Bill No. 247 (COR), "AN ACT TO MAXIMIZE REVENUES FROM THE "INCOME TAX REFUND RESERVE FUND" THROUGH THE ESTABLISHMENT OF A NEW CHAPTER 51 OF DIVISION 2 OF TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO THE INCOME TAX REFUND RESERVE FUND LAW."

V. Remarks:

VI. Adjournment:

The Hearing will take place at the Guam Legislature's Public Hearing Room.
Individuals requiring special accommodations, auxiliary aids or services are asked to contact the
Office of Senator Kaleo S. Moylan at 472-3342.

Committee on Ways and Means

Attendance Sheet

Thursday, February 7, 2002

Public Hearing on

Bill No. 183 (COR), "AN ACT TO APPROPRIATE FUNDS TO IMPLEMENT PUBLIC LAW NO. 24-246."

	Present	Absent	Off-Island	Excused
Kaleo S. Moylan,	✓	_____	_____	_____
Joanne M.S. Brown	_____	_____	_____	_____
Antonio R. Unpingco	_____	_____	_____	_____
Felix P. Camacho	_____	_____	_____	_____
Mark C. Charfauros	_____	_____	_____	_____
Mark Forbes	_____	_____	_____	_____
Lawrence F. Kasperbauer	_____	_____	_____	_____
Vicente C. Pangelinan	_____	_____	_____	_____

	Present	Absent	Off-Island	Excused
Joseph F. Ada	_____	_____	_____	_____
Thomas C. Ada	_____	_____	_____	_____
Frank B. Aguon, Jr.	_____	_____	_____	_____
Eddie B. Calvo	_____	_____	_____	_____
Lou Leon Guerrero	_____	_____	_____	_____
Angel L.G. Santos	_____	_____	_____	_____
Judith T. Won Pat	_____	_____	_____	_____

Attending Staff

Bertha Duenas _____	James P. Castro _____	Tom Morrison _____
Henry Cruz _____	Paul Borja _____	Faith Mendiola _____
Fred M. Castro _____	Josie Mendiola _____	John Dela Rosa _____
Jackie Suzuki _____	Briana San Nicolas _____	



Tel: 649-4678/4950
 Fax: 648-2007
 Email: gvgn@ite.net

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Deliver/Mail to: _____
 Tel: _____ Fax: _____

New Order Renewal

I/We agree to pay the sum of US \$ _____ on subscription from _____ to _____ based on rates below:

	On Island Delivery (Guam)		Off-Island Delivery	
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3 months	\$ 37.50		\$93.75	\$273.75
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 Order received by: _____

ACCOUNT No.: _____
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Note:
 Please draw/sketch a map of your location and attach to this form for on-island (Guam) subscription to ensure proper hand delivery.

"Thank You"



MINA'BENTE SAIS NA LJHESLATURAN GUAHAN
 Senator Kaleo S. Moylan, Chairman
 Committee on Ways and Means

Public Hearing
 9:00 a.m., Thursday,
 February 27, 2002

AGENDA

Mr. Carlos E. P. Bordallo, to serve as a member Retirement Fund Board of Directors for a term of five (5) years to expire on January 31, 2007.

Mr. Rodolfo V. Colet and Mr. Celso S. Glanchand, to serve as members of the Alcoholic Beverage Control Board for a term of two (2) years to expire on January 27, 2004.

Bill No. 164 (COR), "AN ACT TO ADD CHAPTER 33 TO TITLE 11 OF THE GUAM CODE ANNOTATED, RELATIVE TO TAX RELIEF FOR IN-HOME ELDER CARE, TO BE KNOWN AS THE 'AKTO PARA IN'ASISTIN MANAMKO, 'THE 'MANAMKO CARE ACT,'"

Bill No. 183 (COR), "AN ACT TO APPROPRIATE FUNDS TO IMPLEMENT PUBLIC LAW NO. 24-246."

Bill No. 247 (COR), "AN ACT TO MAXIMIZE REVENUES FROM THE 'INCOME TAX REFUND RESERVE FUND' THROUGH THE ESTABLISHMENT OF A NEW CHAPTER 51 OF DIVISION 2 OF TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO THE INCOME TAX REFUND RESERVE FUND LAW."

The Hearing will take place at the Guam Legislature Public Hearing Room located at Hagåtña. Individuals requiring special accommodations, auxiliary aids or services are asked to contact the office of Senator Kaleo S. Moylan at 472-3342.

Joaquin C. Arriola
Jacqueline T. Tertaje
 Arriola, Cowan & Arriola
 259 Martyr Street, Suite 201
 C&A Professional Building
 P.O. Box X, Hagåtña, Guam 96932
 Telephone: (671) 477-9730 thru 33
 Telecopier: (671) 477-9734

IN THE SUPERIOR COURT OF GUAM
IN THE MATTER OF THE ESTATE OF
BERNADITA LIZAMA CALVO, a/k/a
BERNADITA CALVO MAFNAS,
 Deceased.
 Probate Case No. PR0133-01
NOTICE TO CREDITORS
NOTICE IS HEREBY GIVEN

IN THE SUPERIOR COURT OF GUAM
IN THE MATTER OF THE ESTATE OF
 of
MAGDALENA LEON GUERRERO AYUYU,
 (also known as MAGDALENA L.G. AYUYU) and
ANTONIO SONGAO AYUYU,
 Deceased.
 Probate Case No. PR134-97
AMENDED NOTICE OF HEARING ON PETITION FOR LETTERS OF ADMINISTRATION

NOTICE IS HEREBY GIVEN that ANTONIO LEON GUERRERO AYUYU has filed herein a PETITION FOR LETTERS OF ADMINISTRATION upon the ESTATE OF MAGDALENA LEON GUERRERO AYUYU (also known as MAGDALENA L.G. AYUYU) and ANTONIO SONGAO AYUYU, Deceased, and that the 15th day of February, 2002, at the hour of 9:00 A.M. in the courtroom of the Honorable Steven S. Unpingco, Judge, Superior Court of Guam, Hagåtña, Guam, has been set for the hearing of the said petition and all persons interested are hereby notified to appear at the time and place set for said hearing and show cause, if any they have, why the said applications should not be granted.
 Reference is hereby made to the said petition for further particulars.
 Dated: January 4, 2002.

RICHARD B. MARTINEZ, Acting Clerk of Court
THE SUPERIOR COURT OF GUAM
 /s/ JANET T. TORRE
 Deputy Clerk, Superior Court of Guam

LAW OFFICES OF BRONZE & TANG
 A Professional Corporation
 BankPacfic Building, 2nd Floor
 825 South Marine Drive
 Tamuning, Guam 96913
 Telephone: (671) 646-2001
 Telecopier: (671) 647-7671

IN THE SUPERIOR COURT OF GUAM
IN THE MATTER OF THE ESTATE OF
 OF
MARIA UNTALAN GUMATAOTAO
 Decedent.
 Probate Case No. PR0062-01
NOTICE TO CREDITORS
 Notice is given by the



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 H&A MART
 HARRIS MARKET
 HARMON MART
 H&H MART
 HOME PLUS MART

DEDEDO
 ATLAS MART
 BEST BELLER - MALL
 BUNNY MARKET DEDEDO
 DEDEDO RETAIL STORE
 DEBRY'S MCDONNELL
 E.S. MINI MART
 FRESH BREAD BAKERY OF
 GLODANNE MART
 GUAM BAKERY
 JIM MINI MART
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MONQ-TOTO-MAITE
 CHOP'S MART
 DEPT OF MOTOR VEHICLE
 GOLD'S MARKET
 MOBILE MAITE
 NEW KOA MARKET
 SMILE MARKET
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 CALIFORNIA MART
 CENTURY PLAZA
 CM MARKET
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AGAT-SANTA RITA
 DOLLARS & SENSE
 D'S CORNER
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 ELLIM MARKET
 KIMCHEE AGAT
 MANA MARKET
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Classified Ads Section

NOTE: If for some reason your advertisement is incorrect, call us immediately to make the necessary corrections. Guam Variety is responsible for only one incorrect insertion. We reserve the right to edit, refuse, reject, or cancel any ad at any time.

NOTICE UNDER

NOTICE I
pursuant to
Paragraph
described
Notice of D
October 16,
No. 645903,
executed on
DENNIS A. S
SALAS, ("Mo
BANK OF GL
and filed f
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6, 2002, in c
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time.
The prop
mortgage an
is as follows:
Lot No. 3

TORRES & TANG, PLLC
HERNAN CORTEZ AVENUE
6910
777-9891/472-8868
2-2601/477-2511

SUPERIOR COURT OF GUAM

ER OF THE ESTATE OF
DOMONDO PUNZALAN,
ceased.
Case No. PR0137-01

NOTICE TO CREDITORS

HEREBY given by
Punzalan and Lourdes P.
Administrators of the Estate
DOMONDO DELMONDO
ceased, to the creditors
having claims against
the estate or against said
within two (2) months
publication of this notice,
bring them with necessary
office of the Clerk of the
Guam, or exhibit them
copy vouchers to the Co-
at the law offices of
Torres & Tang, PLLC, 330
Avenue, Suite 200,
the same being the
in satisfaction of the said
on the 3rd day of January

TORRES & TANG, PLLC

Administrators
Petitioners

DEPARTMENT OF ADMINISTRATION

NOTICE TO ALL
GOVERNMENT OF GUAM
LINE AGENCY
EMPLOYEES AND
GOVERNMENT OF GUAM
VENDORS

W2's and 1099's for
FY'2001 have been
completed.

All 1099's will be mailed directly to
vendors. Please advise Division of
Accounts of any change of name
and/or address.

Government of Guam employees
please pick up your W2-2001 copy
from your respective timekeeper in
your agency. W2's-2001 for
INACTIVE employees will be mailed
out. Please notify DOA Payroll Branch
in writing of any change of mailing
address.

For additional information please
contact Department of
Administration, Accounting Division
at 475-1191 or Department of
Administration, Payroll Branch at
475-1207.

/s/CLIFFORD A. GUZMAN
ACTING DIRECTOR

MINA'BENTE SAIS NA LIHESLATURAN GUAHAN
Senator Kaleo S. Moylan, Chairman
Committee on Ways and Means

Public Hearing
9:00 a.m., Thursday,
February 27, 2002

AGENDA

Mr. Carlos E. P. Bordallo, to serve as a
member Retirement Fund Board of
Directors for a term of five (5) years to expire
on January 31, 2007.

Mr. Rodolfo V. Colet and Mr. Celso S.
Gianchand, to serve as members of the
Alcoholic Beverage Control Board for a
term of two (2) years to expire on January
27, 2004.

Bill No. 164 (COR), "AN ACT TO ADD
CHAPTER 33 TO TITLE 11 OF THE GUAM
CODE ANNOTATED, RELATIVE TO TAX
RELIEF FOR IN-HOME ELDER CARE, TO
BE KNOWN AS THE 'AKTO PARA
IN'ASISTIN MANAMKO,' THE 'MANAMKO
CARE ACT,'"

Bill No. 183 (COR), "AN ACT TO
APPROPRIATE FUNDS TO IMPLEMENT
PUBLIC LAW NO. 24-246."

Bill No. 247 (COR), "AN ACT TO MAXIMIZE
REVENUES FROM THE "INCOME TAX
REFUND RESERVE FUND" THROUGH
THE ESTABLISHMENT OF A NEW
CHAPTER 51 OF DIVISION 2 OF TITLE 11,
GUAM CODE ANNOTATED, RELATIVE TO
THE INCOME TAX REFUND RESERVE
FUND LAW."

The Hearing will take place at the Guam
Legislature Public Hearing Room located
at Hagåtña. Individuals requiring special
accommodations, auxiliary aids or services
are asked to contact the office of Senator
Kaleo S. Moylan at 472-3342.



TEKER CIVILLE TORRES & TANG, PLLC
SUITE 200, 330HERNAN CORTEZ AVENUE
HAGÁTÑA, GUAM 96910
TELEPHONE: (671) 477-9891/472-8868
FACSIMILE: (671) 472-2601/477-2511

IN THE SUPERIOR COURT OF GUAM

IN THE MATTER OF THE ESTATE OF

Committee on Ways and Means:

Thursday, February 7, 2002, 9:00 a.m. Guam Legislature's Public Hearing Room on the appointments of Mr. Carlos E. P. Bordallo, to serve as a member of the Retirement Fund Board of Directors for a term of five (5) years to expire on January 31, 2007, and Mr. Rodolfo V. Colet and Mr. Celso S. Gianchand, to serve as members of the Alcoholic Beverage Control Board for a term of two (2) years to expire on January 27, 2004. **Bill No. 164 (COR)**, "AN ACT TO *ADD* CHAPTER 33 TO TITLE 11 OF THE GUAM CODE ANNOTATED, RELATIVE TO TAX RELIEF FOR IN-HOME ELDER CARE, TO BE KNOWN AS THE '*AKTO PARA IN'ASISTIN MANAMKO*,' THE '*MANAMKO CARE ACT*.'" **Bill No. 183 (COR)**, "AN ACT TO APPROPRIATE FUNDS TO IMPLEMENT PUBLIC LAW NO. 24-246." **Bill No. 247 (COR)**, "AN ACT TO MAXIMIZE REVENUES FROM THE "INCOME TAX REFUND RESERVE FUND" THROUGH THE ESTABLISHMENT OF A NEW CHAPTER 51 OF DIVISION 2 OF TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO THE INCOME TAX REFUND RESERVE FUND LAW." Individuals requiring special accommodations, auxiliary aids or services are asked to contact the Office of Senator Kaleo S. Moylan at 472-3342.

Senator Kaleo S. Moylan
Committee on Ways and Means
26th Guam Legislature

August 13, 2002

Honorable Antonio R. Unpingco
Speaker
26th Guam Legislature
Agana, Guam 96910

VIA: Chairperson, Committee on Rules, General Governmental Operations, Reorganization and Reform
and Federal, Foreign and General Affairs

Dear Mr. Speaker:

The Committee on Ways and Means, to which was referred Bill NO. 183 (COR), "AN ACT TO ADD SECTION 51404 TO ARTICLE 4, CHAPTER 51, PART 2, DIVISION 2 OF TITLE 10 OF THE GUAM CODE ANNOTATED RELATIVE TO ESTABLISHING METHODS TO CONTRACT FOR COLLECTION OF RECYCLABLE PAPER, TO EXEMPT TIPPING FEES FOR "REFUSE GENERATORS" WHO SEPARATE THEIR REFUSE AND TO APPROPRIATE FUNDS TO IMPLEMENT PUBLIC LAW NO 24-246," has had the same under consideration and now wishes to report back the same with the recommendation to do pass as substituted.

The Committee votes are as follows:

<u>8</u>	To do Pass
<u>0</u>	Not to pass
<u>0</u>	To Report Out
<u>0</u>	Abstain
<u>0</u>	Inactive File

A copy of the Committee Report and other pertinent documents are attached for your immediate reference and information.

Thank you,


KALEO S. MOYLAN

Enclosure:

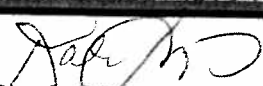


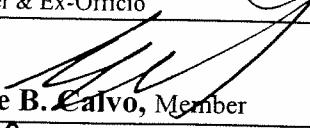
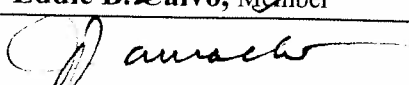
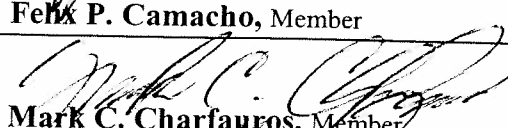
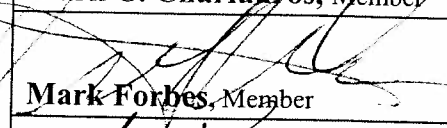
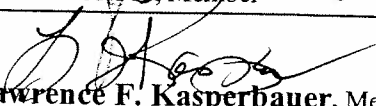
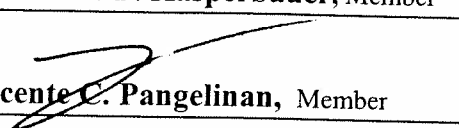
Committee on Ways and Means

Vote Sheet on

Bill No. 183 (COR)

As substituted by the Committee.

AN ACT TO ADD SECTION 51404 TO ARTICLE 4, CHAPTER 51, PART 2, DIVISION 2 OF TITLE 10 OF THE GUAM CODE ANNOTATED RELATIVE TO ESTABLISHING METHODS TO CONTRACT FOR COLLECTION OF RECYCLABLE PAPER, TO EXEMPT TIPPING FEES FOR "REFUSE GENERATORS" WHO SEPARATE THEIR REFUSE AND TO APPROPRIATE FUNDS TO IMPLEMENT PUBLIC LAW NO. 24-246.

COMMITTEE MEMBER	TO DO PASS	NOT TO PASS	REPORT OUT ONLY	ABSTAIN	INACTIVE FILE
 Kaleo S. Moylan, Chairperson	✓				
 Joanne M.S. Brown, Vice Chairperson	✓				
 Antonio R. Unpingco, Speaker & Ex-Officio	✓				
 Eddie B. Calvo, Member	✓				
 Felix P. Camacho, Member	✓				
 Mark C. Charfauros, Member	✓				
 Mark Forbes, Member					
 Lawrence F. Kasperbauer, Member	X				
 Vicente C. Pangelinan, Member	✓				

2nd
8/22/03
Revised
8/22/03

original
bill as introduced
for motion to substitute this
with the original bill

**MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2001 (FIRST) Regular Session**

Bill No. 183 (COR)

As substituted by the Committee
on Ways and Means

Introduced by:

V. C. Pangelinan

J. M.S. Brown

K. S. Moylan

**AN ACT TO ADD SECTION 51404 TO ARTICLE 4,
CHAPTER 51, PART 2, DIVISION 2 OF TITLE 10 OF
THE GUAM CODE ANNOTATED RELATIVE TO
ESTABLISHING METHODS TO CONTRACT FOR
COLLECTION OF RECYCLABLE PAPER, TO
EXEMPT TIPPING FEES FOR "REFUSE
GENERATORS" WHO SEPARATE THEIR REFUSE
AND TO APPROPRIATE FUNDS TO IMPLEMENT
PUBLIC LAW NO. 24-246.**

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that there needs to be an appropriation for Public Law No. 24-246, relative to the
4 establishment of methods to contract for collection of recyclable paper. Such
5 appropriation is necessary to implement Public Law No. 24-246 in order for our
6 island community to better promote and encourage recycling to reduce the flow of
7 refuse into our waste stream. Further, such appropriation will accelerate the
8 operation of an island-wide recycling center for paper, the most viable and practical
9 source, by a non-governmental instrument. With minimal financial support provided

1 to a qualified contractor to collect recyclable paper, we may have taken a major step
2 to significantly reduce the burden on our landfill and to our environment.

3 **Section 2. Appropriation.** The sum of One Hundred Fifty Thousand
4 Dollars (\$150,000.00) per annum is hereby appropriated for Fiscal Year 200³ and ✓
5 Fiscal Year 200⁴ from the Solid Waste Operations Fund, to implement the pilot ✓
6 paper-recycling program as outlined under Public Law No. 24-246.

7 **Section 3. Amendment.** A new §51404 is hereby added to Article 4 of
8 Chapter 51, Part 2, Division 2, Part I of Title 10, Guam Code Annotated, to read as
9 follows:

10 **“Section 51404. Report.** Each successful bidder shall file a report
11 on a quarterly basis with *I Maga’lahen Guåhan* and the Speaker of *I*
12 *Liheslaturan Guåhan*, outlining the following:

- 13 (a) total type and amount of paper recycled;
14 (b) cost comparison of the cost of the paper-recycling program
15 versus landfill disposal of paper, or any less-than-conventional methods
16 of paper waste reduction; *and*
17 (c) recommendations for permanent implementation, *and*
18 improvements to the recycling program.”

19 **Section 4. Tipping Fee Exemption. (a) Legislative Statement.** *I*
20 *Liheslaturan Guåhan* finds that recycling of refuse is a viable, healthy, and if done
21 properly, economically beneficial form of refuse management which should be
22 supported and encouraged on a societal scale. Before refuse can be recycled, it must
23 first be separated and packaged for transport and/or made ready for reuse in a manner
24 complimentary to reuse methods both locally and abroad. It is the intent of *I*
25 *Liheslaturan Guåhan* to provide additional incentives to refuse recycling in as many

1 ways as possible in order to further enhance the applicability of refuse recycling on
2 island now and in the years ahead.

3 **(b) Definitions.** For the purposes of this Act the term “*recyclable*
4 *materials*” shall mean the following categories: glass, aluminum cans, tin cans,
5 plastics *and* paper.

6 **(c) Tipping Fee exemption.** Tipping fees at the landfills and transfer
7 stations are hereby waived for those individuals and businesses who separate their
8 refuse into recyclable materials and deliver said materials to the designated areas of
9 the transfer stations and landfill.

10 **Section 5. Creation of Refuse Recycling Fund.** There is hereby
11 created within the government of Guam a revolving fund, to be known as the “*Refuse*
12 *Recycling Fund*,” which shall be maintained separate and apart from any other funds
13 of the government of Guam and shall be administered by the Department of Public
14 Works, Solid Waste Division. All proceeds from the sale of recyclable refuse
15 collected under this Act shall be deposited in the Refuse Recycling Fund and shall be
16 expended exclusively for purposes authorized in this Act. The Refuse Recycling
17 Fund shall not be commingled with the General Fund and shall be kept in a separate
18 bank account.

19 **Section 6. Administration of Refuse Recycling Fund.** In the
20 administration of the Refuse Recycling Fund, the Department of Public Works, Solid
21 Waste Division, shall develop a “Refuse Recycling Program” which shall include, but
22 is not limited to, the following services.

23 (a) the development and maintenance of separate holding areas for
24 separated recyclable materials at the landfill;

1 (b) the sale of recyclable materials through a bidding process that is
2 open to bidders locally and abroad;

3 (c) the exploration of new markets for recyclable materials within the
4 region;

5 (d) the shipping of recyclable materials to off-island recycling centers
6 or businesses; *and*

7 (e) the promotion of recycling and its benefits to the local community
8 through marketing and advertising.

9 **Section 7. Severability.** *If* any provision of this Law or its application
10 to any person or circumstance is found to be invalid or contrary to law, such
11 invalidity shall *not* affect other provisions or applications of this Law which can be
12 given effect without the invalid provisions or application, and to this end the
13 provisions of this Law are severable.



MINA' BENTE SAIS NA LIHESLATURAN GUAHAN

Umitchan Areklamento, Hinangao Gubctnamento, Hinirát, Rifotma yan Rinueba,
yan Asuntón Fidirát, Taotao Hiyong yan Hinirát

Senador Mark Forbes, Gehilu
Kabistyon Mayurdt

attn:
James
Castro

30 NOV 2001

MEMORANDUM

COPY

TO: Chairman
Committee on Ways and Means

FROM: Chairman *[Signature]*
Committee on Rules, General Governmental Operations, Reorganization and
Reform, and Federal, Foreign and General Affairs

SUBJECT: Principal Referral - Bill No. 183 (COR)

The above bill is referred to your Committee as the Principal Committee, in accordance with Section 6.04.05.01. of the Standing Rules. Your Committee is the Committee authorized to perform the public hearing on this bill and to amend or substitute the bill, as well as report the bill out to the Body. It is recommended that you schedule a public hearing at your earliest convenience.

Thank you for your attention to this matter.

MARK FORBES

Attachment

GUAM LEGISLATURE	
OFFICE OF SENATOR KALEO S. MOYLAN	
ACKNOWLEDGEMENT RECEIPT	
Date: <u>11/20/01</u>	Time: <u>11:00 PM</u>
Received by: <u>[Signature]</u>	

***Committee on Ways and Means
Report On***

Bill No. 183 (COR)

As substituted by the Committee on Ways and Means.

AN ACT TO ADD SECTION 51404 TO ARTICLE 4, CHAPTER 51, PART 2, DIVISION 2 OF TITLE 10 OF THE GUAM CODE ANNOTATED RELATIVE TO ESTABLISHING METHODS TO CONTRACT FOR COLLECTION OF RECYCLABLE PAPER, TO EXEMPT TIPPING FEES FOR "REFUSE GENERATORS" WHO SEPARATE THEIR REFUSE AND TO APPROPRIATE FUNDS TO IMPLEMENT PUBLIC LAW NO. 24-246.

PUBLIC HEARING

The Committee on Ways and Means, to which was referred Bill No. 183 (COR), "AN ACT TO ADD SECTION 51404 TO ARTICLE 4, CHAPTER 51, PART 2, DIVISION 2 OF TITLE 10 OF THE GUAM CODE ANNOTATED RELATIVE TO ESTABLISHING METHODS TO CONTRACT FOR COLLECTION OF RECYCLABLE PAPER, TO EXEMPT TIPPING FEES FOR "REFUSE GENERATORS" WHO SEPARATE THEIR REFUSE AND TO APPROPRIATE FUNDS TO IMPLEMENT PUBLIC LAW NO. 24-246," conducted a public hearing on Thursday, February 7, 2002, at the Guam Legislature Public Hearing Room. Senator Kaleo S. Moylan, Chairperson of the Committee on Ways and Means, convened the hearing at 9:00 a.m. Also in attendance was Senator Vicente C. Pangelinan.

TESTIMONY

Submitting testimony were Mr. Charles H. Troutman, Compiler of Laws and Ms. Elizabeth Cruz, from the Guam Environmental Protection Agency [Attachments 1 and 2]. A closer look reveals that there needs to be an appropriation for Public Law No. 24-246, relative to the establishment of methods to contract for collection of recyclable paper. Such appropriation is necessary to implement Public Law No. 24-246 in order for our island community to better promote and encourage recycling to reduce the flow of refuse into our waste stream.

Further, such appropriation will accelerate the operation of an island-wide recycling center for paper, the most viable and practical source, by a non-governmental instrument. With minimal financial support provided to a qualified contractor to collect recyclable paper, we may have taken a major step to significantly reduce the burden on our landfill and to our environment.

There being no further discussion, the Chair adjourned the hearing on Bill No 183 (COR).

***COMMITTEE PROFILE, FINDINGS
AND RECOMMENDATION***

Brief Title: "Implementation of Contract for Collection of Recyclable Paper."
Date Introduced: Tuesday, September 11, 2001.
Main Sponsor: Senators V. C. Pangelinan, J. M.S. Brown and K. S. Moylan.

Committee Referral: November 30, 2001, from the Committee on Rules, Governmental Operations, Reorganization and Reform, and Federal, Foreign and General Affairs to the Committee on Ways and Means.

Public Hearing: Thursday, February 7, 2002, 9:00 a.m. at the Legislative Public Hearing Room.

Official Title: AN ACT TO *ADD* SECTION 51404 TO ARTICLE 4, CHAPTER 51, PART 2, DIVISION 2 OF TITLE 10 OF THE GUAM CODE ANNOTATED RELATIVE TO ESTABLISHING METHODS TO CONTRACT FOR COLLECTION OF RECYCLABLE PAPER, TO EXEMPT TIPPING FEES FOR "REFUSE GENERATORS" WHO SEPARATE THEIR REFUSE AND TO APPROPRIATE FUNDS TO IMPLEMENT PUBLIC LAW NO. 24-246.

Fiscal Note: Pursuant to the provisions of Chapter 9, Title 2 of the Guam Code Annotated, a request for a fiscal note on Bill No. 183 (COR) was made to BBMR on Monday, January 28, 2002.

Recommendation: To do pass as substituted.

A Closer Look and Findings

A closer look reveals that there needs to be an appropriation for Public Law No. 24-246, relative to the establishment of methods to contract for collection of recyclable paper. Such appropriation is necessary to implement Public Law No. 24-246 in order for our island community to better promote and encourage recycling to reduce the flow of refuse into our waste stream. Further, such appropriation will accelerate the operation of an island-wide recycling center for paper, the most viable and practical source, by a non-governmental instrument. With minimal financial support provided to a qualified contractor to collect recyclable paper, we may have taken a major step to significantly reduce the burden on our landfill and to our environment.

Section Analysis

Section 1. Legislative Findings and Intent.

Section 2. Appropriation. This Section appropriates the sum of \$150,000 annually, for Fiscal Year 2002 and Fiscal Year 2003 from the Solid Waste Operations Fund, to implement the pilot paper-recycling program outlined under Public Law No. 24-246.

Section 3. Amendment. Section 3 adds §51404 to Article 4 of Chapter 51, Part 2, Division 2, Part I of Title 10, Guam Code Annotated. A closer look at the amendments reveals that each successful bidder shall file a report on a quarterly basis with *I Maga'lahaen Guåhan* and the Speaker of *I Liheslaturan Guåhan*. The report must outline the total type and amount of paper recycled; a cost comparison of the cost of the paper-recycling program versus landfill disposal of paper, or any less-than-conventional methods of paper waste reduction; *and* recommendations for permanent implementation, *and* improvements to the recycling program."

Section 4. Tipping Fee Exemption. This Section provides an exemption on tipping fees at the landfills and transfer stations for those individuals and businesses who separate their refuse into recyclable materials and deliver said materials to the designated areas of the transfer stations and landfill.

Section 5. Creation of Refuse Recycling Fund. Section 5 creates a revolving fund within the government to be known as the "Refuse Recycling Fund." The is to be administered by the Department of Public Works, Solid Waste Division and maintained separate and apart from any other funds of the government of Guam. It further provides that all proceeds from the sale of recyclable refuse collected under this Act shall be deposited in the Refuse Recycling Fund and shall be expended exclusively for purposes authorized in this Act.

Section 6. Administration of Refuse Recycling Fund. This Section provides that in the administration of the Refuse Recycling Fund, the Department of Public Works, Solid Waste Division, shall develop a "Refuse Recycling Program."

The program shall include, but is not limited to, the following service: the development and maintenance of separate holding areas for separated recyclable materials at the landfill; the sale of recyclable materials through a bidding process that is open to bidders locally and abroad; the exploration of new markets for recyclable materials within the region; the shipping of recyclable materials to off-island recycling centers or businesses; *and* the promotion of recycling and its benefits to the local community through marketing and advertising.

Section 7. Severability.

COMMITTEE RECOMMENDATION

The Committee on Ways and Means, to which was referred Bill No. 183 (COR), "AN ACT TO *ADD* SECTION 51404 TO ARTICLE 4, CHAPTER 51, PART 2, DIVISION 2 OF TITLE 10 OF THE GUAM CODE ANNOTATED RELATIVE TO ESTABLISHING METHODS TO CONTRACT FOR COLLECTION OF RECYCLABLE PAPER, TO EXEMPT TIPPING FEES FOR "REFUSE GENERATORS" WHO SEPARATE THEIR REFUSE AND TO APPROPRIATE FUNDS TO IMPLEMENT PUBLIC LAW NO. 24-246," recommends that the legislation, as substituted, be passed by *I Liheslaturan Guåhan*.

MINA'BENTE SAIS NA LIHESLATURAN GUÅHAN
2001 (FIRST) Regular Session

Bill No. 183 (COR)

Introduced by:

v.c. pangelinan
J.S. Brown



AN ACT TO APPROPRIATE FUNDS TO IMPLEMENT
PUBLIC LAW NO. 24-246.

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

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

3 finds that there needs to be an appropriation for Public Law No. 24-246,
4 relative to the establishment of methods to contract for collection of recyclable
5 paper.

6 Such appropriation is necessary to implement Public Law No. 24-246 in
7 order for our island community to better promote and encourage recycling to
8 reduce the flow of refuse into our waste stream. Further, such appropriation
9 will accelerate the operation of an island-wide recycling center for paper, the
10 most viable and practical source, by a non-governmental instrument. With
11 minimal financial support provided to a qualified contractor to collect
12 recyclable paper, we may have taken a major step to significantly reduce the
13 burden on our landfill and to our environment.

14 **Section 2. Appropriation.** One Hundred Fifty Thousand Dollars
15 (\$150,000.00) per annum is hereby appropriated for fiscal year 2002 and

1 fiscal year 2003 from the Solid Waste Operations Fund, to implement the pilot
2 paper-recycling program as outlined under Public Law No. 24-246.

3 **Section 3.** A new §51404 is hereby added to Article 4 of Chapter 51, Part
4 2, Division 2, Part I of Title 10, Guam Code Annotated, to read as follows:

5 “§51404. **Report.** Each successful bidder shall file a report on
6 a quarterly basis with the Governor and the Legislature,
7 outlining the following:

8 (a) Total type and amount of paper recycled;

9 (b) Cost comparison of the cost of the paper-recycling
10 program versus landfill disposal of paper, or any less-
11 than-conventional methods of paper waste reduction;

12 (c) Recommendations for permanent implementation, and
13 improvements to the recycling program.”

14 **Section 4. Severability.** *If* any provision of this Law or its
15 application to any person or circumstance is found to be invalid or contrary to
16 law, such invalidity shall *not* affect other provisions or applications of this
17 Law which can be given effect without the invalid provisions or application,
18 and to this end the provisions of this Law are severable.