

I Mina'trentai Sais Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
284-36 (LS)	Sabina Flores Perez Telo T. Taitague Jose "Pedro" Terlaje Tina Rose Muña Barnes	AN ACT TO AMEND ARTICLE 3 OF CHAPTER 51, TITLE 10, GUAM CODE ANNOTATED, AND AMEND ARTICLE 3 OF CHAPTER 24, DIVISION 4, TITLE 22, GUAM RULES AND REGULATIONS, RELATIVE TO PROMOTING RECYCLING AND ZERO WASTE INITIATIVES.	4/4/22 5:38 p.m.	4/8/22	Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning			Request: 4/11/22 4/26/22	



Vice Speaker

TINA ROSE MUÑA BARNES

CHAIRPERSON, COMMITTEE ON RULES

I Mina'trentai Sais Na Liheslaturan Guåhan

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April 26, 2022

MEMO

To: Rennae Meno
Clerk of the Legislature

From: Vice Speaker Tina Rose Muña Barnes
Chairperson, Committee on Rules

Re: Fiscal Note on Bill No. 284-36 (LS)

Håfa adai,

Attached, please find the fiscal note for the following bill:

Bill No. 284-36 (LS)

Please forward the same to Management Information Services (MIS) for posting on our website.

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.



Bureau of Budget & Management Research
Fiscal Note of Bill No. 284-36 (LS)

AN ACT TO AMEND ARTICLE 3 OF CHAPTER 51, TITLE 10, GUAM CODE ANNOTATED, AND AMEND ARTICLE 3 OF CHAPTER 24, DIVISION 4, TITLE 22, GUAM RULES AND REGULATIONS, RELATIVE TO PROMOTING RECYCLING AND ZERO WASTE INITIATIVES.

Department/Agency Appropriation Information

Dept./Agency Affected: Guam Environmental Protection Agency	Dept./Agency Head: Walter Leon Guerrero, Administrator
Department's General Fund (GF) appropriation(s) to date:	\$46,903
Department's Other Fund appropriation(s) to date: Air Pollution Control Fund (\$140,245); Guam Environmental Trust Fund (\$453,504); Pesticide Management Fund (\$99,104); Water Protection Fund (\$102,742); Water Research & Development (\$69,207); Solid Waste Operations Fund (\$202,992); Recycle Revolving Fund (\$2,807,026)	\$3,874,820
Total Department/Agency Appropriation(s) to date:	\$3,921,723

Fund Source Information of Proposed Appropriation

	General Fund:	Recycling Revolving Fund 1/	Total:
FY 2021 Unreserved Fund Balance	\$0	\$0	\$0
FY 2022 Adopted Revenues	\$0	0	0
FY 2022 Appro. (P.L. 36-54)	\$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 2022 (if applicable)	FY 2023	FY 2024	FY 2025	FY 2026
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Recycling Revolving Fund 1/	1/	1/	1/	\$0	\$0	\$0
Total	1/	1/	1/	\$0	\$0	\$0

- Does the bill contain "revenue generating" provisions?
If Yes, see attachment / / Yes /X/ No
- Is amount appropriated adequate to fund the intent of the appropriation?
If no, what is the additional amount required? \$ _____ / / N/A / / Yes / / No
- Does the Bill establish a new program/agency?
If yes, will the program duplicate existing programs/agencies? / / Yes /X/ No
Is there a federal mandate to establish the program/agency? /X/ N/A / / Yes / / 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: GEPA / / Other:

Analyst: <u></u> Date: <u>4/25/2022</u> Director: <u></u> Date: <u>APR 26 2022</u>
Bernice Torres Lester L. Carlson, Jr., Director

Notes:
1/ See attached Comments.

Bureau of Budget & Management Research
Comments on Bill No. 284-36 (LS)

Bill No. 284-36 is an act to amend Article 3 of Chapter 51, Title 10, Guam Code Annotated (G.C.A.), and amend Article 3 of Chapter 24, Division 4, Title 22, Guam Administrative Rules and Regulations (G.A.R.R.), relative to promoting Recycling and Zero Waste Initiatives. This Bill expands upon principles of traditional recycling by focusing on overall waste reduction, and promotes the research of innovative solutions to help address the rapidly decreasing life of our landfill.

The Bill proposes to amend various sections of Article 3, Recycling Revolving Fund of Chapter 51, Title 10, G.C.A. and of Article 3 Guam's Recycling Revolving Fund Rules and Regulations of Chapter 24, Division 4, Title 22, G.A.R.R. Some of the proposed amendments of the Bill includes the following:

- §51302 - will make the Recycling Revolving Fund (Fund), non-lapsing and maintained separate and apart from any other funds, and that all monies in the Recycling Revolving Fund are to be appropriated, and shall continue to be deemed appropriated, to the Guam Environmental Protection Agency to be expended in accordance with this Article.
- §51303(A) - authorizes the Administrator of the Guam Environmental Protection Agency (GEPA) to spend ten percent (10%) of the Fund to administer and implement this article and identifies certain uses.
- §51303(B) - authorizes GEPA to spend up to \$50,000 to either procure professional services, or fund grants for education and outreach to promote recycling and zero waste. Also proposes in §24302.2(a) Article 3 of Chapter 24, Division 4, Title 22, G.A.R.R.
- §51303(C) - upon approval by the Board, the Administrator is authorized to spend up to \$200,000 to either procure professional and technical services, or fund grants to update and further develop the Guam Zero Waste Masterplan and a holistic government and island-wide Zero Waste implementation plan. Also proposed in §24302.2(b) Article 3 of Chapter 24, Division 4, Title 22, G.A.R.R.
- §51303(D) – provides for the General Terms and Conditions for Use of Funds.
- §51309 – authorizes the Administrator to establish a Zero Waste Grant Program and to spend up to \$400,000 for zero waste grants.
- §51310 – will establish the Guam Solid Waste Authority Residential Recycling Program, and authorizes the Administrator to reimburse Guam Solid Waste Authority, up to \$400,000 in accordance with the Guam Zero Waste Masterplan.

The Bill also removes §51306 Recycling Fees, Article 3 of Chapter 51, Title 10, G.C.A. and adds to §24301.3 Fees, Article 3 of Chapter 24, Division 4, Title 22, G.A.R.R.

The proposed legislation also adds new section to Article 3 of Chapter 24, Division 4, Title 22, Guam Annotated Rules and Regulations;

- §24301.4 General Terms and Conditions for Use of Recycling Revolving Funds

- §24302.1 Administration of Recycling Revolving Fund
- §24302.2 Planning of Recycling Revolving Fund
- §24303.8 Zero Waste Grant Program – Reserve
- §24303.9 Guam Solid Waste Authority Residential Recycling Program - Reserve

The table below provides a comparison of the Recycling Revolving Fund Continuing Appropriations currently under P.L 36-54 and those as proposed by Bill 284-36(LS).

GUAM ENVIRONMENTAL PROTECTION AGENCY (GEPA)				
RECYCLING REVOLVING FUND				
FY 2022 APPROPRIATION / ALLOCATION - P.L.36-54				
§51303(a)(2)	One(1) FTE employee	59,097		
§51303(a)(3)	Prof Svc to promote recycling	100,000		
§51303(a)(4)	Prof and Tech Svc to Develop and Implement Guam Zero Waste Plan	300,000		
§51307	Contracts with Recycling Companies for collection, recycling, processing and disposal (i.e. Mayors' Council)	<u>2,347,929</u>	2,807,026	
FY 2023 PROPOSED AMENDMENT - Bill #284-36(LS)				
§51303(1)(A)	10% Administrative Cost	277,682		
§51303(1)(B)	Professional Svc or Fund Grants	50,000		
§51303(1)(C)	Procure Prof & Tech Svc or Fund Grants	200,000		
§21303(2)	Community Zero Waste and Recycling Programs	1,449,142		
§51309	Zero Waste Grant Program	400,000		
§51310	Guam Solid Waste Authority Residential Program	<u>400,000</u>	2,776,824	1/
1/ Based on FY 2023 estimated revenue for the Recycling Revolving Fund per Bill No. 276-36(COR)				

It should be noted that the Bureau has sought input on the financial impact of the proposed Bill 284-36(LS) from the GEPA and have not received any official comments as of the date of this fiscal note.