

I Mina'trentai Singko 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
81-35 (COR)	Sabina Flores Perez Therese M. Terlaje Telo T. Taitague	AN ACT TO ADD A NEW § 5008.4 TO CHAPTER 5 OF TITLE 5, GUAM CODE ANNOTATED, AND A NEW CHAPTER 56, DIVISION 11, TO TITLE 22, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO MANDATING, TO THE MAXIMUM EXTENT PRACTICABLE, THE PURCHASE OF ENERGY EFFICIENT PRODUCT BY THE GOVERNMENT OF GUAM.	4/10/19 2:08 p.m.						

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2019 (FIRST) Regular Session

Bill No. **81-35 (COR)**

Introduced by:

Sabina Flores Perez *SFP*
Therese M. Terlaje *TMT*
Telo T. Taitague *TT*

AN ACT TO ADD A NEW § 5008.4 TO CHAPTER 5 OF TITLE 5, GUAM CODE ANNOTATED, AND A NEW CHAPTER 56, DIVISION 11, TO TITLE 22, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO MANDATING, TO THE MAXIMUM EXTENT PRACTICABLE, THE PURCHASE OF ENERGY EFFICIENT PRODUCT BY THE GOVERNMENT OF GUAM.

2019 APR 10 PM 2:08 *[Signature]*

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

2 **Section 1.** A new § 5008.4 is hereby *added* to Chapter 5 of Title 5, Guam
3 Code Annotated to read:

4 **“§ 5008.4 Energy Efficient Products Mandate**

5 The government of Guam shall purchase energy efficient
6 products to the maximum extent practicable, in accordance with
7 Chapter 56, Division 11, Title 22, Guam Administrative Rules and
8 Regulations.

9 (a) The Administrator of the Guam Environmental Protection
10 Agency shall enforce Chapter 56, Division 11, Title 22,
11 Guam Administrative Rules and Regulations, relative to

1 fulfilling the mandates of this section, and may, pursuant to
2 the Administrative Adjudication Act, amend the same.”
3

4 **Section 2.** A new Chapter 56 of Division 11 is hereby *added* to Title 22,
5 Guam Administrative Rules and Regulations, to read:

6 **“CHAPTER 56**
7 **ENERGY EFFICIENT PRODUCTS MANDATE**

8
9 **§ 56101 Purchase of Energy Efficient Products**

10 (a) All branches, agencies, instrumentalities, and public corporations
11 of the Government of Guam shall purchase Energy Star products, as
12 designated by the federal Environmental Protection Agency, when such
13 products are available.

14 (b) Prior to initiating a request for procurement of any product, an
15 entity shall review the specifications for such product to determine whether
16 an Energy Star product is available. If an Energy Star product is available,
17 the entity is required to include in its bid specifications the requirement that
18 the product be an Energy Star product.

19 (c) The requirements of (a) and (b) of this Section shall be waived if
20 the entity can first demonstrate, in writing, to the satisfaction of the
21 Administrator of the Guam Environmental Protection Agency, that the
22 interests of the Territory would be better served by procuring non-Energy
23 Star rated equipment by meeting at least one of the following criteria:

24 (1) The product is not available competitively,

25 (2) The product is not available within a reasonable time frame,

26 or

1 (3) The product does not meet appropriate performance
2 standards.”

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