

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
89-35 (COR)	Sabina Flores Perez Kelly Marsh (Taitano), PhD Amanda L. Shelton Clynton E. Ridgell	AN ACT TO ADD A NEW § 70108 TO CHAPTER 70 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO CREATING AND FUNDING AN INVASIVE SPECIES RAPID RESPONSE FUND.	4/12/19 4:46 p.m.						

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

Bill No. **89-35 (COR)**

Introduced by:

Sabina Flores Perez **SFP**
Kelly Marsh (Taitano), PhD **KM**
Amanda L. Shelton **AS**
Clynton E. Ridgell **CR**

**AN ACT TO ADD A NEW § 70108 TO CHAPTER 70 OF
TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO
CREATING AND FUNDING AN INVASIVE SPECIES
RAPID RESPONSE FUND.**

2019 APR 12 PM 4:46

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslatura* finds that
3 Guam’s environment is especially vulnerable to destruction caused by invasive
4 species. The Guam Invasive Species Council, which was established to address the
5 problem, is currently limited in its ability to respond quickly to the threat of invasive
6 species.

7 *I Liheslatura* finds the creation of an Invasive Species Rapid Response Fund
8 will allow for the Guam Invasive Species Council, in partnership with the Research
9 Corporation of the University of Guam, to address threats quickly in a manner that
10 maintains procurement accountability and transparency. As such, the Invasive
11 Species Rapid Response Fund will serve as a short-term intervention while the
12 Council awaits legislative appropriation to allocate funds from the Guam Invasive
13 Species Inspections Fee Fund for longer-term management solutions.

14 **Section 2.** A new § 70108 is hereby *added* to Chapter 70 of Title 5, Guam
15 Code Annotated, to read:

1 **“§ 70108 Invasive Species Rapid Response Fund**

2 There is hereby created, separate and apart from other funds of
3 the government of Guam, a fund to be known as the "Invasive Species
4 Rapid Response Fund" (hereinafter "the Fund"), which shall not be
5 commingled with the General Fund or any other fund of the government
6 of Guam. Monies in the Fund shall be kept in a separate bank account,
7 and shall not be subject to any transfer authority of *I Maga'hågan*
8 *Guåhan*.

9 The Fund shall be administered by the Research Corporation of
10 the University of Guam (hereinafter “RCUOG”), with all expenditures
11 authorized by the Director of the Department of Agriculture. The Fund
12 shall adhere to the procurement rules and regulations of RCUOG. The
13 Fund shall be utilized to rapidly implement efforts to suppress and
14 eradicate invasive species present in Guam. The Director of the
15 Department of Agriculture shall make quarterly and annual reports to *I*
16 *Maga 'hagån Guåhan* and *I Liheslaturan Guåhan* of the condition of,
17 and activity within, the Fund.”

18 **Section 3.** Section 4(b) of PL 31-43 is hereby *amended* to read:

19 “(b) The fees collected *shall* be expended to: (1) recruit and hire a Territorial
20 Invasive Species Coordinator; (2) establish and provide staffing for a Biosecurity
21 Division within the Department of Agriculture to provide inspection, quarantine and
22 eradication of invasive species contained in any freight brought to Guam; (3)
23 suppress and eradicate invasive species present in Guam; (4) fund an Invasive
24 Species Rapid Response Fund to facilitate faster responses to invasive species
25 threats; and (4 5) develop the Guam Invasive Species Management Plan and its
26 updates. The Territorial Invasive Species Coordinator *shall* also serve as the Council

1 Secretary to carryout the necessary communications and coordinations directed by
2 the Council.”

3 **Section 4. Appropriation to the Invasive Species Rapid Response Fund.**
4 Seventy-Five Thousand Dollars (\$75,000) from the Guam Invasive Species
5 Inspection Fee Fund are hereby appropriated to the Invasive Species Rapid Response
6 Fund.

7 **Section 5. Effective Date.** This Act shall be effective upon enactment into
8 law.

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