

I MINA' TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

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MM

Bill No. 303-30(corr)

Introduced by:

Telo Taitague
T. C. Ada
F. F. Blas, Jr.

AN ACT TO ADD A NEW ARTICLE 10 TO CHAPTER 51 OF 10GCA RELATIVE TO RECOGNIZING THE VILLAGE OF INARAJAN AS THE *HOST COMMUNITY* FOR ACCOMODATING THE SOLID WASTE DISPOSAL NEEDS OF THE ENTIRE ISLAND OF GUAM RESULTING FROM THE OPERATION OF THE LEYON LANDFILL AND THE ORDOT DUMP IN THEIR BACKYARDS."

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

2 **Section 1.** A new Article 10 is *added* to Chapter 51 of 10GCA to read as follows:

3

4

Article 10

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6

Host Community Benefits

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8 **§511001. Definitions.** As used in this Article are as follows:

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10 *Host Community* means the concept of community master planning where benefits
11 are provided to the geographic region of a community where solid waste management
12 facilities are located such as sanitary landfills, incinerators and gasification facilities.

13

14 *Host Community Benefits* means any capital improvement projects that are funded
15 by premiums collected for the benefit of the host community.

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2 *Host Community Premiums* means any premium assessed in addition to the tipping
3 fee to cover the cost of the host community benefits.
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5 *Host Community Fund* means a fund of the government of Guam that is separate
6 and apart from all other funds of the government of Guam that shall be used for exclusive
7 the benefit of the Host Community.
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9 **§511002. Host Community.** For purposes of this Article, the host community
10 shall be the villages of Inarajan and Ordot.
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12 **§511003. Host Community Benefits.** Host community benefits may include, but
13 not be limited to, the following:
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- 15 (a) Youth, Senior and Community Centers;
16 (b) Recreation areas to include parks, sports fields and public gathering areas;
17 (c) Infrastructure to provide access to utilities, telecommunications, television and
18 internet services to areas where providing such services are cost prohibitive; and
19 (d) Village Beautification projects.
20

21 **§511004. Host Community expenditures.** The municipal planning council of the
22 *host community* village shall determine the projects to be funded for the village.
23

24 **§511005. Host Community premiums.** The host community premium shall be
25 assessed from the opening of the landfill until the closing of the landfill. The aggregate
26 *host community premium* is One hundred fifty thousand dollars (\$150,000) per year for
27 the village of Inarajan and One hundred thousand dollars (\$100,000) per year for the

1 village of Ordot, as adjusted. The *host community premium* shall be adjusted annually
2 by a factor equal to the percentage change in the Guam Consumer Price index at the end
3 of each fiscal year. The Public Utilities Commission (PUC) shall equitably determine the
4 *host community premium* for each residential and commercial.

5
6 **§511006. Host Community Fund Management.** The management of *the host*
7 *community fund* shall be the responsibility of the Department of Administration. The
8 Department of Administration shall retain two (2%) percent of all collections by the fund
9 to cover the cost of administration. The *host community fund* shall not be commingled
10 with any other fund of the Government of Guam. No expenditure shall be made from the
11 fund that is not approved by resolution of the host community municipal planning council.
12 The *host community fund* shall be subject to periodic audit by the Office of Public
13 Accountability and not subject any transfer authority.