



Office of the Governor of Guam

P.O. Box 2950 Hagåtña, Guam 96932
TEL: (671) 472-8931 • FAX: (671) 477-4826 • EMAIL: governor@mail.gov.gu

Felix Perez Camacho
Governor

Kaleo Scott Moylan
Lieutenant Governor

13 DEC 2005

The Honorable Mark Forbes
Speaker
Mina' Bente Ocho Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 139 (EC), "AN ACT TO CREATE A RECYCLING ENTERPRISE ZONE AT THE JOSE D. LEON GUERRERO COMMERCIAL PORT" which I signed into law on December 12, 2005, as **Public Law 28-92**.

Sinseru yan Magåhet,

FELIX P. CAMACHO
I Maga'låhen Guåhan
Governor of Guam

Attachment: copy attached of signed bill

cc: The Honorable Eddie Baza Calvo
Senator and Legislative Secretary

| | |
|---|-----------------------|
| Senator Edward J.B. Calvo SECRETARY OF THE LEGISLATURE ACKNOWLEDGEMENT RECEIPT | |
| Rcv'd by: <u>KKole</u> | Print Name & Initial |
| Time: <u>11:50</u> | Date: <u>12-15-05</u> |

Office of the Speaker

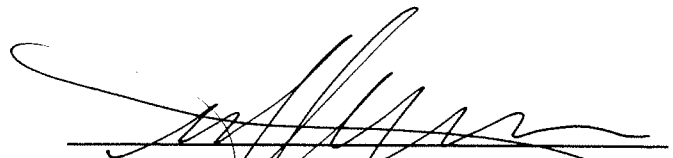
MARK FORBES

Date: 12/14/05
Time: 10:20am
Rec'd by: Jana
Print Name: Jana
28-05-0487


I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN
2005 (FIRST) Regular Session

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

This is to certify that Bill No. 139 (EC), "AN ACT TO CREATE A RECYCLING ENTERPRISE ZONE AT THE JOSE D. LEON GUERRERO COMMERCIAL PORT" was on the 30th day of November, 2005, duly and regularly passed.

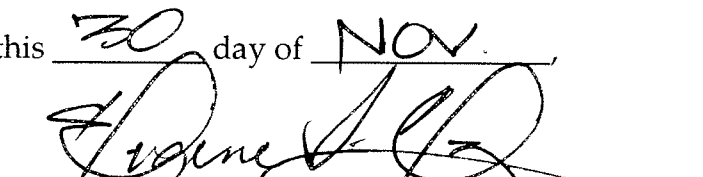

Mark Forbes
Speaker

Attested:



Edward J.B. Calvo
Senator and Secretary of the Legislature

.....

This Act was received by *I Maga'lahaen Guåhan* this 30 day of NOV.
2005, at 5 o'clock P.M.


Assistant Staff Officer
Maga'lahaen's Office

APPROVED:


FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: 12 DEC 2005

Public Law No. 28-92

I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN
2005 (FIRST) Regular Session

Bill No. 139 (EC)

As amended.

Introduced by:

R. J. Respicio

B. J.F. Cruz

F. B. Aguon, Jr.

J. M.S. Brown

Edward J.B. Calvo

Mike Cruz

Mark Forbes

L. F. Kasperbauer

R. Klitzkie

L. A. Leon Guerrero

J. A. Lujan

A. B. Palacios

Ray Tenorio

A. R. Unpingco

J. T. Won Pat

**AN ACT TO CREATE A RECYCLING ENTERPRISE ZONE AT
THE JOSE D. LEON GUERRERO COMMERCIAL PORT.**

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

2 **Section 1. Legislative Findings and Intent.** *I Mina'Bente Ocho Na*
3 *Lihselaturan Guåhan* finds that it is the established policy of the government of
4 Guam to promote and support recycling as an essential means to protect the
5 environment and to effectively manage the solid waste generated by the community.
6 This policy is clearly reflected in the Integrated Solid Waste Management Plan as
7 adopted in Public Law No. 25-175. Numerous other public laws also support
8 recycling through policy initiatives and incentives, including Public Law No. 25-127,
9 which provided for tax incentives for recycling operations inclusive of the

1 transshipment of recyclable materials.

2 *I Liheslatura* finds that, with respect to Section 7.10.4 of the Integrated Solid
3 Waste Management Plan, the setting aside of land at the Jose D. Leon Guerrero
4 Commercial Port for a center to recycle automobiles, one of the major environmental
5 concerns for our community, is a key component.

6 *I Liheslatura* finds that the absence of effective recycling and disposal
7 operations has resulted in a proliferation of junk automobiles throughout the island, in
8 particular, in areas over the Northern Aquifer, thus creating a serious threat to the
9 aquifer that is the island's major source for drinking water.

10 It is therefore the intent of *I Liheslatura* to implement Section 7.10.4 of the
11 Integrated Solid Waste Management Plan and establish a Recycling Enterprise Zone
12 at the Jose D. Leon Guerrero Commercial Port in order to foster, in concert with
13 existing incentives established by statute, the establishment of private sector operated
14 recycling enterprises for automobiles, trucks and tires.

15 **Section 2. Definitions.** For purposes of this Act, and except as otherwise
16 provided, the following words and phrases, together with all of the common
17 derivatives thereof, shall have the meaning ascribed to them as follows:

18 (a) 'JLGCP' shall mean the Jose D. Leon Guerrero Commercial Port.

19 (b) 'Recycle' or 'Recycling' means the method by which recovered
20 resources are converted for use as raw material or feedstock to make new
21 products, as defined in §51102 (35) of Chapter 51, Title 10 of the Guam Code
22 Annotated.

23 (c) 'Recycling company' means any business licensed by the
24 Department of Revenue and Taxation, and has been issued a permit as required
25 in §51104 of Chapter 51, Title 10 of the Guam Code Annotated by the Guam

1 Environmental Protection Agency ('GEPA') to conduct business on Guam and
2 that specifically commits eighty percent (80%) of its operations to recycling.

3 (d) 'Transshipment' shall mean to transfer for further transportation
4 from one (1) ship or conveyance to another.

5 (e) 'Recyclable materials' means materials that still have useful
6 physical or chemical properties after serving a specific purpose for the same or
7 other purpose. Recyclable materials are as follows:

8 (1) batteries (i.e., lead-acid, portable computer batteries, nickel-
9 cadmium, sealed types for power backup);

10 (2) automobiles, buses, and trucks or any form of motorized
11 vehicle;

12 (3) tires (passenger/commercial);

13 (4) enameled white goods;

14 (5) home appliances (other small appliances that are not
15 considered enameled white goods);

16 (6) glass and plastic bottles;

17 (7) foam padding;

18 (8) lead;

19 (9) metals (ferrous/non-ferrous);

20 (10) organic material (i.e., tree trimmings, palm fronds, grass,
21 food waste, soiled cardboard);

22 (11) paper products;

23 (12) wood pallets and scrap wood;

24 (13) construction and demolition debris ('C&D');

25 (14) x-ray film;

- 1 (15) automobile oil and fluids;
- 2 (16) freon and other refrigerant gases;
- 3 (17) electronic waste (i.e., computers, circuit boards, televisions,
- 4 and portable phones);
- 5 (18) heavy equipment; and
- 6 (19) other recyclable materials deemed recyclable by GEPA
- 7 pursuant to the Rules and Regulations.

8 **Section 3. Establishment of Recycling Enterprise Zone.** There is
9 established a “Recycling Enterprise Zone” at the Jose D. Leon Guerrero Commercial
10 Port for use by recycling companies for the processing of automobiles, trucks, and
11 tires for recycling purposes and the transshipment of recyclable materials. The size of
12 the zone and its site on the JLGCP property shall be designated by the Board of
13 Directors of the Port Authority of Guam and guided by the provisions of Section
14 7.10.4 of the Integrated Solid Waste Management Plan. Such designation shall be
15 made within sixty (60) days of the enactment hereof and the site shall be made
16 available for lease to recycling companies eligible under Section 4 of this Act. The
17 Board of Directors of the Port Authority of Guam shall determine and charge a
18 reasonable rate for the lease of said property.

19 **Section 4. Eligibility of Recycling Companies for use of the Recycling**
20 **Enterprise Zone.** Lease space in the Recycling Enterprise Zone shall only be
21 available to companies that qualify for Qualifying Certificates as recycling companies
22 under guidelines established by the Guam Economic Development and Commerce
23 Authority.

I MINA' BENTE OCHO NA LIHESLATURAN GUAHAN

2005 (FIRST) Regular Session

Date: 11/30/05
12:210

VOTING SHEET

Bill No. 139 (EC)

Resolution No. _____

Question: _____

| NAME | YEAS | NAYS | NOT VOTING/ ABSTAINED | OUT DURING ROLL CALL | ABSENT |
|---------------------------|------|------|--------------------------|-------------------------|--------|
| AGUON, Frank B., Jr. | ✓ | | | | ✓ |
| BROWN, Joanne M.S. | ✓ | | | | |
| CALVO, Edward J.B. | ✓ | | | | |
| CRUZ, Benjamin J.F. | ✓ | | | | |
| CRUZ, Michael (Dr.) | ✓ | | | | |
| FORBES, Mark | ✓ | | | | |
| KASPERBAUER, Lawrence F. | ✓ | | | | |
| KLITZKIE, Robert | ✓ | | | | |
| LEON GUERRERO, Lourdes A. | ✓ | | | | |
| LUJAN, Jesse A. | ✓ | | | | |
| PALACIOS, Adolpho B. | ✓ | | | | |
| RESPICIO, Rory J. | ✓ | | | | |
| TENORIO, Ray | ✓ | | | | |
| UNPINGCO, Antonio R. | ✓ | | | | |
| WON PAT, Judith T. | ✓ | | | | |

TOTAL

14 0 0 0 1

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence

PL. 28-92



I Mina' Bente Ocho Na Liheslaturan Guahan
The 28th Guam Legislature

155 Hesler Place
Hagatna, Guam 96910
Office (671) 472-3409 • Fax (671) 472-3510

Speaker Mark Forbes

November 7, 2005

Speaker Mark Forbes
I Mina' Bente Ocho Na Liheslaturan Guahan
155 Hesler Place
Hagatna, Guam 96910

The Committee on General & Omnibus Matters to which Bill No. 139 was referred, wishes to report its findings and recommendations **TO DO PASS BILL No. 139 (EC): "An Act To Create A Recycling Enterprise Zone At The Jose D. Leon Guerrero Commercial Port"**.

Transmitted herewith for your consideration and action is our committee report on the above subject matter.

The voting record is as follows:

5 TO PASS
0 NOT TO PASS
1 TO REPORT OUT ONLY
0 ABSTAIN
0 INACTIVE FILE

Copies of the Committee Report and other pertinent documents are attached. Thank you and si Yu'os ma'ase for your attention to this matter.



MARK FORBES

Attachments

MEMORANDUM

TO: Committee Members

FROM: Chairman

SUBJECT: Committee Report- BILL No. 139 (EC): "An Act To Create A Recycling Enterprise Zone At The Jose D. Leon Guerrero Commercial Port".

Transmitted herewith for your information and action is the report on BILL No. 139 (EC) from the Committee on General and Omnibus Matters.

This memorandum is accompanied by the following:

1. Committee Voting Sheet
2. Committee Report
3. BILL No. 139 (EC)
4. Public Hearing Sign-In Sheet
5. Fiscal Note/ Fiscal Note Waiver
6. Notice of Public Hearing

Please take the appropriate action on the voting sheet. Your attention and cooperation in this matter is greatly appreciated.

Should you have questions regarding the report or accompanying documents, please do not hesitate to contact me.

Thank you and si Yu'os ma'ase.

MARK FORBES

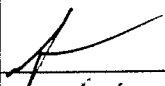
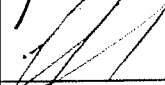
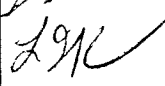
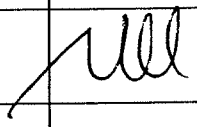


Attachments

COMMITTEE ON GENERAL AND OMNIBUS MATTERS

I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN
155 HESLER PLACE, HAGÅTNA, GUAM 96910

An Act To Create A Recycling Enterprise Zone At The Jose D. Leon Guerrero Commercial Port.

VOTING SHEET

| | SIGNATURE | TO PASS | NOT TO PASS | TO REPORT OUT OF COMMITTEE | ABSTAIN | INACTIVE FILE |
|--------------------------------|---|------------|----------------|----------------------------------|---------|------------------|
| Mark Forbes, Chairman |  | ✓ | | | | |
| Edward J.B. Calvo |  | ✓ | | | | |
| Lawrence F. Kasperbauer, Ph.D. |  | | | ✗ | | |
| Jesse A. Lujan | | | | | | |
| Ray Tenorio | | | | | | |
| Michael Cruz, M.D. |  | ✓ | | | | |
| Lou A. Leon Guerrero |  | ✓ | | | | |
| Judith T. Won Pat |  | ✓ | | | | |
| Benjamin J.F. Cruz | | | | | | |

Jmf
11/22/05
POF
11/22/05

3rd
11/22/05

Introduced
MAY 13 2005
usual

I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN
2005 (FIRST) Regular Session

129
Bill No. (EC)

Introduced by:

R.J. Respicio
B.J. Cruz *[Signature]*

AN ACT TO CREATE A RECYCLING ENTERPRISE ZONE
AT THE JOSE D. LEON GUERRERO COMMERCIAL
PORT.

BE IT ENACTED BY THE PEOPLE OF GUAM:

- 1
- 2 Section 1. Legislative Findings and Intent. *I Mina'bente Ocho Na*
- 3 *Liheslaturan Guåhan* finds that it is the established policy of the government of
- 4 Guam to promote and support recycling as an essential means to protect the
- 5 environment and to effectively manage the solid waste generated by the
- 6 community. This policy is clearly stipulated in the Integrated Solid Waste
- 7 Management Plan as adopted in Public Law No. 25-175. Numerous other
- 8 public laws also support recycling through policy initiatives and incentives,
- 9 including Public Law No. 25-127 which provided for tax incentives for
- 10 recycling operations inclusive of the transshipment of recyclable materials.
- 11 *I Liheslatura* finds that, with respect Section 7.10.4 of the Integrated
- 12 Solid Waste Management Plan, the setting aside of land at the Jose D. Leon
- 13 Guerrero Commercial Port for a center to recycle automobiles, one of the
- 14 major environmental concerns for our community is a key component.
- 15 *I Liheslatura* finds that the absence of effective recycling and disposal
- 16 operations has resulted in a proliferation of junk automobiles throughout the
- 17 island, in particular, in areas over the Northern Aquifer. The presence of

1 these junk automobiles, and the hazardous materials which these automobiles
2 carry, are a serious threat to the aquifer that is the island's major source for
3 drinking water.

4 It is therefore the intent of *I Liheslatura* to implement, in the public
5 interest, Section 7.10.4 of the Integrated Solid Waste Management Plan and
6 establish a Recycling Enterprise Zone at the Jose D. Leon Guerrero
7 Commercial Port so that, in concert with existing incentives established by
8 statute, public policy shall foster the establishment of private sector operated
9 recycling enterprises for automobiles, trucks, and tires.

10 **Section 2. Definitions.** For purposes of this Act, and except as
11 otherwise provided, the following words and phrases, together with all of
12 the common derivatives thereof, shall have the meaning ascribed to them as
13 follows:

14 (i) 'JLGCP' shall mean the Jose D. Leon Guerrero Commercial
15 Port.

16 (ii) 'Recycling' means the process by which recovered resources
17 are transformed into new products in such a manner that products lose
18 their identity, as defined in §51102.(18) of Chapter 51, Title 10 of the
19 Guam Code Annotated.

20 (iii) 'Recycling company' means any business licensed by the
21 Department of Revenue and Taxation, and has been issued a permit, as
22 required in §51104 of Chapter 51, Title 10 of the Guam Code
23 Annotated, from the Guam Environmental Protection Agency ('GEPA')
24 to conduct business on Guam in which eighty percent (80%) of its
25 operations is specifically committed to recycling.

26 (iv) 'Transshipment' shall mean to transfer for further

1 transportation from one (1) ship or conveyance to another.

2 (v) 'Recyclable materials' means materials that still have useful
3 physical or chemical properties after serving a specific purpose for the
4 same or other purpose. Recyclable materials are as follows:

- 5 (1) batteries (i.e., lead-acid, portable computer batteries, nickel-
6 cadmium, sealed types for power backup);
- 7 (2) automobiles, buses, and trucks or any form of motorized
8 vehicle;
- 9 (3) tires (passenger/commercial);
- 10 (4) enameled white goods;
- 11 (5) home appliances (other small appliances that are not
12 considered enameled white goods);
- 13 (6) glass and plastic bottles;
- 14 (7) foam padding;
- 15 (8) lead;
- 16 (9) metals (ferrous/non-ferrous);
- 17 (10) organic material (i.e., tree trimmings, palm fronds, grass,
18 food waste, soiled cardboard);
- 19 (11) paper products;
- 20 (12) wood pallets and scrap wood;
- 21 (13) construction and demolition debris ('C&D');
- 22 (14) x-ray film;
- 23 (15) automobile oil and fluids;
- 24 (16) freon and other refrigerant gases;
- 25 (17) electronic waste (i.e., computers, circuit boards, televisions,
26 and portable phones);

1 (18) heavy equipment; and

2 (19) other recyclable materials deemed recyclable by GEPA
3 pursuant to the Rules and Regulations.

4 **Section 3. Establishment of Recycling Enterprise Zone.** There is
5 established a "Recycling Enterprise Zone" at the Jose D. Leon Guerrero
6 Commercial Port for use by recycling companies for the processing of
7 automobiles, trucks, and tires for recycling purposes and the transshipment
8 of recyclable materials. The size of the zone and site on the JLGCP property
9 shall be designated by the Board of Directors of the Port Authority of Guam
10 and guided by the provisions of Section 7.10.4 of the Integrated Solid Waste
11 Management Plan. Such determination shall be made within sixty (60) days of
12 the enactment of this Section and shall be made available for leasing to
13 recycling companies eligible under Section 4 of this Act. The Board of
14 Directors of the Port Authority of Guam shall determine a reasonable rate for
15 the lease of such property.

16 **Section 4. Eligibility of Recycling Companies for use of the Recycling**
17 **Enterprise Zone.** Lease space in the Recycling Enterprise Zone shall only be
18 made available to companies that satisfy the requirements to qualify for
19 Qualifying Certificates as recycling companies under the guidelines
20 established by the Guam Economic Development and Commerce Authority.

**I MINA' BENTE OCHO NA LIHESLATURAN GUÅHAN
COMMITTEE ON GENERAL & OMNIBUS MATTERS
SPEAKER MARK FORBES, CHAIRMAN**

COMMITTEE REPORT

ON

BILL NO. 139 (EC)

**An Act To Create A Recycling Enterprise Zone At The Jose D. Leon
Guerrero Commercial Port.**

I. OVERVIEW

The Committee on General and Omnibus Matters held a public hearing at 9:00 a.m. on September 01, 2005 in the Public Hearing Room, I Liheslaturan Guåhan. Public notice was given to all media (see facsimile confirmation page) on August 25 and August 29, 2005 and posted in the Government Meetings Section in the August 31, 2005 edition of the PDN.

Senators present at the public hearing were:

Speaker Mark Forbes, Chairman
Senator Lawrence F. Kasperbauer, Ph.D., Member
Senator Jesse A. Lujan, Member
Senator Ray Tenorio, Member
Senator Judith T. Won Pat, Member
Senator Benjamin J. F. Cruz, Member
Vice Speaker Joanne M.S. Brown
Senator Robert Klitzkie
Senator Adolpho B. Palacios, Sr.
Senator Rory J. Respicio

II. SUMMARY OF TESTIMONY

Individuals that appeared before the Committee to present oral and written testimony on the bill were as follows:

There are no oral testimonies on this bill.

Remarks:

The author of the bill, Senator Respecio, briefly made remark of Bill No. 139 . He said that Bill 139 was an idea brought up in the last legislature and was vetoed by Governor Camacho. He said the bill was unable to get an override and that he hopes this legislature would consider its passage.

Written testimonies submitted:

Randel L. Sablan, Acting Administrator, GEPA, In Support of Bill No. 139 (see attachment).

III. FINDINGS AND RECOMMENDATION

The Committee on General and Omnibus Matters finds that the intent of Bill No. 139 will establish private operated recycling centers at the commercial port to foster recycling efforts of junk automobiles, trucks, tires and other recyclable materials specified in GEPA Rules and Regulations. This measure will allow for additional revenues to be generated into the local economy and provide for a new direction in the disposal of Guam's waste products and materials.

Accordingly, the Committee on General and Omnibus Matters to which BILL No. 139 (EC) was referred does hereby submit its findings and recommendations to I Mina' Bente Ocho Na Liheslaturan Guåhan **TO DO**

PASS BILL No. 139 (EC), "An Act To Create A Recycling Enterprise Zone At The Jose D. Leon Guerrero Commercial Port."

IV. PUBLIC HEARING AGENDA

AGENDA

COMMITTEE ON GENERAL & OMNIBUS MATTERS, and EXECUTIVE COMMITTEE

Public Hearing

Thursday, September 01, 2005, 9:00 a.m.

The following appointments will be heard:

Antonio M. Palomo: Member, Guam Historic Preservation Review Board
Rebecca Ann Duenas: Member, Guam Historic Preservation Review Board
Mark Zhao: Member, Guam Real Estate Commission

The following Bills will be heard by the Committee on General & Omnibus Matters:

Bill No. 66 (EC) - by F. B. Aguon Jr.

An Act Relative To Requiring The Proper Restoration Of Roadways And Highways That Are Partially Damaged Due To Construction Work To Their Pre-Construction Condition By The Contractor Prior To The Full Disbursement Of Public Construction Funds For Such Projects, And Empowering Guam's Village Mayors To Certify The Completion And Proper Re-Surfacing Of The Roadway Or Highway To Its Previous Condition.

Bill No. 75 (EC) - by Ray Tenorio

An Act To Amend Section 1903 Of Chapter 19 Of Title 1 Of The Guam Code Annotated Relative To The Term Of Office Of The Public Auditor.

Bill No. 96 (EC) - by J. T. Won Pat

An Act To Repeal And Reenact Sections 15409, 15410 And 15411 Of Article 4, Chapter 15, Of Title 4, Guam Code Annotated, To Add New Sections 15412 And 15413 Of Article 4, Chapter 15 Of Title 4, Guam Code Annotated And To Repeal Sections 43116 And 43117 Of Article 1, Chapter 43, Division 4 Of Title 5, Guam Code Annotated, Relative To Establishing An Ethics In Government Program For Elected Officials And Any Person Who Is Appointed To A Position As Board Or Commission Member, Director, Deputy Director, Or By Whatever Title Denotes The Head And First Assistant Of A Government Of Guam Agency, Department, Public Corporation, Authority, Or Any Other Entity Of The Executive Branch.

Bill No. 104 (LS) - by J. A. Lujan

An Act To Establish Strict Accountability For Adverse Effects On Personal Health And Environmental Quality As A Result Of New Landfill Facility Construction, Operation, Closing And Monitoring.

Bill No. 105 (LS) - by J. A. Lujan

An Act To Affirm Public Responsibility For Real Property Valuation Lost As A Result Of Landfill Construction And Operation.

Bill No. 125 (EC) - by E. J. B. Calvo

An Act Authorizing I Maga'láhen Guáhan To Exchange A Portion Of Government Land Within Lot Number 10120-R16, Municipality Of Dededo, With Lot Number 5400-R6, Municipality Of Mangilao, On A Value For Value Basis To Address The Protective Buffer Zone Requirements For The Department Of Corrections Pursuant To Public Law 17-54.

Bill No. 132 (EC) - by A. B. Palacios

An Act To Add Article 2 To Chapter 30 Of Title 5 Of The Guam Code Annotated, Relative To Creating The "Independent Counsel Act Of 2005."

Bill No. 139 (EC) - by R. J. Respicio

An Act To Create A Recycling Enterprise Zone At The Jose D. Leon Guerrero Commercial Port. .

Bill No. 152 (LS) - By F. B. Aguon, Jr.

An Act Relative To Providing Additional Representation And Support To The People In The Villages Of Yigo And Mangilao At The Municipal Level Through The Establishment Of A Vice-Mayor Position For Each Of These Villages, In Recognition Of The Growing Resident Population In These Areas As The Second And Fourth Most Heavily Populated Villages In Guam And To Address The Corresponding Increasing Needs Of Its Residents; Thus Amending §§40101, Chapter 40, Division 4, Title 5, Guam Code Annotated.

Bill No. 170 (EC) - by Committee on Calendar, request of I Maga'láhen Guáhan the Governor of Guam in accordance with the Organic Act of Guam

An Act To Authorize The Lease For An Education Facility On Lot Marbo Base Command "B"-4, Approve The Request For Proposal And Reservation Of Funds For The Same.



I Mina' Bente Ocho Na Liheslaturan Guahan
The 28th Guam Legislature

155 Hesler Place
Hagatna, Guam 96910
Office (671) 472-3409 • Fax (671) 472-3510

Speaker Mark Forbes

WAIVER OF FISCAL NOTE

In accordance with §9105 Title 2 GCA, I hereby certify that prompt committee action on Bill 139 is necessary to the proper conduct of legislative business. Therefore, I am waiving requirement of a fiscal note on Bill 139.

MARK FORBES
Speaker and Chairman,
Committee on General and Omnibus Matters



I Mina' Bente Ocho Na Liheslaturan Guahan
The 28th Guam Legislature

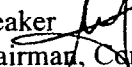
155 Hesler Place
Hagatna, Guam 96910
Office (671) 472-3409 • Fax (671) 472-3510

Speaker Mark Forbes

August 25, 2005

MEMORANDUM

TO: All Media:
Pacific Daily News; 477-3079 KUAM; 637-9870
Marianas Variety; 648-2007 K-57/Power 98; 477-3982
K-Stereo; 477-6411 Hit Radio 100; 472-7663
Glimpses-Gu. Business 649-8883 Adventist World Radio 565-2983
Harvest Family Radio 477-7136 KPRG 734-2958
KISH 477-6411 Rlene Live

FROM: Speaker 
Chairman, Committee on General & Omnibus Matters, and
Executive Committee

SUBJECT: Notice of Public Hearing- **Thursday, September 01, 2005**

Please be informed that I have scheduled a public hearing on Thursday, September 01, 2005, 9:00 a.m., at the Public Hearing Room, Temporary Legislative Building, on the following appointments and bills:

The following appointments and bills will be heard:

Antonio M. Palomo: Member, Guam Historic Preservation Review Board
Rebecca Ann Duenas: Member, Guam Historic Preservation Review Board
Mark Zhao: Member, Guam Real Estate Commission

Bill No. 66 (EC) - by F. B. Aguon Jr.

An Act Relative To Requiring The Proper Restoration Of Roadways And Highways That Are Partially Damaged Due To Construction Work To Their Pre-Construction Condition By The Contractor Prior To The Full Disbursement Of Public Construction Funds For Such Projects, And Empowering Guam's Village Mayors To Certify The Completion And Proper Re-Surfacing Of The Roadway Or Highway To Its Previous Condition.

Bill No. 75 (EC) - by Ray Tenorio

An Act To Amend Section 1903 Of Chapter 19 Of Title 1 Of The Guam Code Annotated Relative To The Term Of Office Of The Public Auditor.

Bill No. 96 (EC) - by J. T. Won Pat

An Act To Repeal And Reenact Sections 15409, 15410 And 15411 Of Article 4, Chapter 15, Of Title 4, Guam Code Annotated, To Add New Sections 15412 And 15413 Of Article 4, Chapter 15 Of Title 4, Guam Code Annotated And To Repeal Sections 43116 And 43117 Of Article 1, Chapter 43, Division 4 Of Title 5,



I Mina' Bente Ocho Na Liheslaturan Guahan
The 28th Guam Legislature

155 Hesler Place
Hagatna, Guam 96910
Office (671) 472-3409 • Fax (671) 472-3510

Speaker Mark Forbes

August 29, 2005

MEMORANDUM

TO: All Media:
Pacific Daily News; 477-3079 KUAM; 637-9870
Marianas Variety; 648-2007 K-57/Power 98; 477-3982
K-Stereo; 477-6411 Hit Radio 100; 472-7663
Glimpses-Gu. Business 649-8883 Adventist World Radio 565-2983
Harvest Family Radio 477-7136 KPRG 734-2958
KISH 477-6411 Rlene Live

FROM: Speaker
Chairman, Committee on General & Omnibus Matters, and
Executive Committee

SUBJECT: Notice of Public Hearing- **Thursday, September 01, 2005**

Please be informed that I have scheduled a public hearing on Thursday, September 01, 2005, 9:00 a.m., at the Public Hearing Room, Temporary Legislative Building, on the following appointments and bills:

The following appointments and bills will be heard:

Antonio M. Palomo: Member, Guam Historic Preservation Review Board
Rebecca Ann Duenas: Member, Guam Historic Preservation Review Board
Mark Zhao: Member, Guam Real Estate Commission

Bill No. 66 (EC) - by F. B. Aguon Jr.

An Act Relative To Requiring The Proper Restoration Of Roadways And Highways That Are Partially Damaged Due To Construction Work To Their Pre-Construction Condition By The Contractor Prior To The Full Disbursement Of Public Construction Funds For Such Projects, And Empowering Guam's Village Mayors To Certify The Completion And Proper Re-Surfacing Of The Roadway Or Highway To Its Previous Condition.

Bill No. 75 (EC) - by Ray Tenorio

An Act To Amend Section 1903 Of Chapter 19 Of Title 1 Of The Guam Code Annotated Relative To The Term Of Office Of The Public Auditor.

Bill No. 96 (EC) - by J. T. Won Pat

An Act To Repeal And Reenact Sections 15409, 15410 And 15411 Of Article 4, Chapter 15, Of Title 4, Guam Code Annotated, To Add New Sections 15412 And 15413 Of Article 4, Chapter 15 Of Title 4, Guam Code Annotated And To Repeal Sections 43116 And 43117 Of Article 1, Chapter 43, Division 4 Of Title 5,

Transmission Report

Date/Time
Local ID
Local Name
Company Logo

8-25-05; 4:23PM
4723510
Guam Legislature

This document was confirmed.
(reduced sample and details below)
Document Size Letter-S



I Mina' Bente Ocho Na Liheslaturan Guahan
The 28th Guam Legislature

155 Healer Place
Hagatña, Guam 96910
Office (871) 472-3400 • Fax (871) 472-3610

Speaker Mark Forbes

FACSIMILE

Date: August 25, 2005 Time:
Fax No.: 477-3079 No. of Pages:

To: PDN Government Meetings
From: The Office of Speaker Mark Forbes
Re: Public Hearing Notice- Thursday, September 01, 2005
Note: We would like to reserve space in the government meeting notice section of the Pacific Daily News for Friday, August 26 and Saturday, August 27, 2005 to read:

"Committee on General and Omnibus Matters & Executive Committee; Public Hearing, Thursday, September 01, 2005, 9:00 A.M., Public Hearing Room, Temporary Legislative Building, Hagatña, Guam.

The following appointments and bills will be heard:

- Antonio M. Palomo: Member, Guam Historic Preservation Review Board
- Rebecca Ann Ducenas: Member, Guam Historic Preservation Review Board
- Mark Zhao: Member, Guam Real Estate Commission

Bill No. 66 (EC) - by P. B. Aganon Jr.
An Act Relative To Requiring The Proper Restoration Of Roadways And Highways That Are Partially Damaged Due To Construction Work To Their Pre-Construction Condition By The Contractor Prior To The Full Disbursement Of Public Construction Funds For Such Projects, And Empowering Guam's Village Mayors To Certify The Completion And Proper Re-Surfacing Of The Roadway Or Highway To Its Previous Condition.

Bill No. 75 (EC) - by Ray Tenorio
An Act To Amend Section 1903 Of Chapter 19 Of Title 1 Of The Guam Code Annotated Relative To The Term Of Office Of The Public Auditor.

Total Pages Scanned : 2 Total Pages Confirmed : 2

| No. | Doc | Remote Station | Start Time | Duration | Pages | Mode | Comments | Results |
|-----|-----|----------------|-----------------|----------|-------|------|----------|---------|
| 1 | 960 | pdn | 8-25-05; 4:21PM | 1'45" | 2 / 2 | EC | | CP 12.0 |

- Notes :
- EC: Error Correct
 - BC: Broadcast Send
 - CP: Completed
 - HS: Host Scan
 - HF: Host Fax
 - RE: Resend
 - MP: Multi-Poll
 - RM: Receive to Memory
 - HP: Host Print
 - HR: Host Receive
 - PD: Polled by Remote
 - PG: Polling a Remote
 - DR: Document Removed
 - FO: Forced Output
 - FM: Forward Mailbox Doc.
 - MB: Receive to Mailbox
 - PI: Power Interruption
 - TM: Terminated by user
 - WT: Waiting Transfer
 - WS: Waiting Send



I Mina' Bente Ocho Na Liheslaturan Guahan
The 28th Guam Legislature

155 Hesler Place
Hagatna, Guam 96910
Office (671) 472-3409 • Fax (671) 472-3510

Speaker Mark Forbes

FACSIMILE

Date: August 29, 2005

Time:

Fax No.: 477-3079

No. of Pages:

To: PDN Government Meetings

From: The Office of Speaker Mark Forbes

Re: Public Hearing Notice- Thursday, September 01, 2005

Note: We would like to reserve space in the government meeting notice section of the Pacific Daily News for Tuesday, August 30, Wednesday, August 31 and Thursday, September 01, 2005 to read:

“Committee on General and Omnibus Matters & Executive Committee: Public Hearing, Thursday, September 01, 2005, 9:00 A.M., Public Hearing Room, Temporary Legislative Building, Hagatña, Guam.

The following appointments and bills will be heard:

Antonio M. Palomo: Member, Guam Historic Preservation Review Board
Rebecca Ann Duenas: Member, Guam Historic Preservation Review Board
Mark Zhao: Member, Guam Real Estate Commission

Bill No. 66 (EC) - by F. B. Aguon Jr.

An Act Relative To Requiring The Proper Restoration Of Roadways And Highways That Are Partially Damaged Due To Construction Work To Their Pre-Construction Condition By The Contractor Prior To The Full Disbursement Of Public Construction Funds For Such Projects, And Empowering Guam's Village Mayors To Certify The Completion And Proper Re-Surfacing Of The Roadway Or Highway To Its Previous Condition.

Bill No. 75 (EC) - by Ray Tenorio

An Act To Amend Section 1903 Of Chapter 19 Of Title 1 Of The Guam Code Annotated Relative To The Term Of Office Of The Public Auditor.

Activity Report

Date/Time
Local ID
Local Name
Company Logo

8-29-05; 10:14AM
4723510
Guam Legislature

Calling **

| lo. | Doc | Remote Station | Start Time | Duration | Pages | Mode | Comments | Results |
|-----|-----|-------------------|------------------|----------|-------|------|----------|-----------|
| 1 | 14 | clerks | 8-26-05; 10:38AM | 1'11" | 2/ 2 | EC | | CP 12.0 |
| 2 | 21 | sen frank aguon | 2:16PM | 27" | -/ 4 | | BC | 0536 |
| 3 | 21 | vice spkr brown | 2:17PM | 6'16" | 4/ 4 | EC | BC | CP 7200 |
| 4 | 21 | sen calvo | 2:23PM | 1'43" | 4/ 4 | EC | BC | CP 21.6 |
| 5 | 21 | sen bj cruz | 2:26PM | 2'12" | 4/ 4 | EC | BC | CP 24.0 |
| 6 | 21 | sen m cruz | 2:28PM | 1'08" | 1/ 4 | EC | BC | 0513 28.8 |
| 7 | 21 | sen kasperbauer | 2:30PM | 2'17" | 4/ 4 | EC | BC | CP 14.4 |
| 8 | 21 | sen leon guerrero | 2:32PM | 2'34" | 4/ 4 | EC | BC | CP 12.0 |
| 9 | 21 | lujann | 2:35PM | 0" | -/ 4 | | BC | 056D |
| 10 | 21 | sen palacios | 2:36PM | 1'51" | 4/ 4 | EC | BC | CP 19.2 |
| 11 | 21 | sen respecto | 2:38PM | 3'00" | 4/ 4 | G3 | BC | CP 12.0 |
| 12 | 21 | sen tenorio | 2:42PM | 6'14" | 4/ 4 | G3 | BC | 0223 4800 |
| | | | | | | | | 2.4 |
| 13 | 21 | sen unpingco | 2:48PM | 2'50" | 4/ 4 | EC | BC | CP 9600 |
| 14 | 21 | sen won pat | 2:51PM | 0" | -/ 4 | | BC | 056D |
| 15 | 21 | sen frank aguon | 2:53PM | 1'42" | 4/ 4 | EC | RE | CP 28.8 |
| 16 | 21 | sen m cruz | 2:55PM | 0" | 1/ 4 | | RE | 056D |
| 17 | 23 | pdn | 2:57PM | 2'47" | 4/ 4 | EC | BC | CP 9600 |
| 18 | 23 | marianan variety | 3:01PM | 2'42" | 4/ 4 | EC | BC | CP 12.0 |
| 19 | 23 | kuam | 3:05PM | 1'56" | 4/ 4 | EC | BC | CP 14.4 |
| 20 | 23 | hit radio | 3:08PM | 1'40" | 4/ 4 | EC | BC | CP 28.8 |
| 21 | 21 | klitzkie | 3:10PM | 0" | -/ 4 | | BC | 056A |
| 22 | 23 | guam business | 3:12PM | 0" | -/ 4 | | BC | 056D |
| 23 | 23 | power ninty eight | 3:19PM | 0" | -/ 4 | | BC | 056B |
| 24 | 23 | k stereo/kish | 3:29PM | 0" | -/ 4 | | BC | 056A |
| 25 | 23 | world radio | 3:30PM | 0" | -/ 4 | | BC | 056B |
| 26 | 23 | family radio | 3:30PM | 0" | -/ 4 | | BC | 056B |
| 27 | 23 | kprg | 3:31PM | 0" | -/ 4 | | BC | 056B |
| 28 | 23 | riene steffy | 3:31PM | 0" | -/ 4 | | BC | 056B |
| 29 | 24 | pdn | 3:32PM | 1'52" | 3/ 3 | EC | | CP 14.4 |
| 30 | 28 | | 3:34PM | 36" | 1/ 1 | EC | | CP 26.4 |
| 31 | 29 | 96479224 | 3:35PM | 1'08" | 1/ 1 | EC | | CP 14.4 |
| 32 | 30 | 94727951 | 3:36PM | 1'06" | 1/ 1 | EC | | CP 24.0 |
| 33 | 31 | 94774826 | 3:38PM | 45" | 1/ 1 | EC | | CP 16.8 |
| 34 | 32 | 96462335 | 3:39PM | 29" | 1/ 1 | EC | | CP 28.8 |
| 35 | 33 | 94779402 | 3:40PM | 30" | 1/ 1 | EC | | CP 26.4 |
| 36 | 34 | 94770883 | 3:41PM | 29" | 1/ 1 | EC | | CP 28.8 |
| 37 | 35 | 94737024 | 3:41PM | 1'08" | 1/ 1 | G3 | | CP 9600 |
| 38 | 36 | 94772689 | 3:43PM | 60" | 1/ 1 | EC | | CP 12.0 |
| 39 | 37 | 94725003 | 3:44PM | 25" | 1/ 1 | EC | | CP 28.8 |
| 40 | 41 | 97344130 | 3:46PM | 1'17" | 1/ 1 | EC | | CP 9600 |
| 41 | 39 | GUAM ATTY GEN'L | 3:48PM | 59" | 1/ 1 | EC | | CP 9600 |
| 42 | 38 | 94778777 | 3:49PM | 0" | -/ 1 | | | 056D |
| 43 | 42 | 96469403 | 3:50PM | 44" | 1/ 1 | EC | | CP 24.0 |
| 44 | 43 | 96440010 | 3:52PM | 35" | 1/ 1 | EC | | CP 24.0 |
| 45 | 79 | | 4:09PM | 34" | 1/ 1 | EC | | CP 28.8 |
| 46 | 81 | 94778777 | 4:13PM | 1'18" | 1/ 1 | G3 | | 0223 9600 |
| | | | | | | | | 1 |
| 47 | 85 | 94778777 | 4:20PM | 1'57" | 1/ 1 | G3 | | 0223 4800 |
| | | | | | | | | 1 |
| 48 | 92 | klitzkie | 8-29-05; 9:15AM | 0" | -/ 1 | | | 056B |

Total 79

** Called **

| No. | Doc | Remote Station | Start Time | Duration | Pages | Mode | Comments | Results |
|-----|-----|----------------|------------------|----------|-------|------|----------|---------|
| 1 | 12 | 6716497766 | 8-26-05; 10:01AM | 1'14" | | 1 | EC | CP 7200 |
| 2 | 17 | 4775984 | 10:51AM | 60" | | 1 | EC | CP 21.6 |
| 3 | 19 | 4775984 | 10:54AM | 56" | | 1 | EC | CP 21.6 |
| 4 | 77 | 671 4778082 | 3:55PM | 4'11" | | 2 | EC | CP 12.0 |
| 5 | 88 | 6714775637 | 8-28-05; 3:00PM | 2'23" | | 1 | G3 | CP 4800 |
| 6 | 90 | 6716478860 | 11:23PM | 3'20" | | 1 | EC | CP 21.6 |

Total 7

Notes :

| | | | |
|--------------------|-----------------------|--------------------------|------------------------|
| EC: Error Correct | RE: Resend | PD: Polled by Remote | MB: Receive to Mailbox |
| BC: Broadcast Send | MP: Multi-Poll | PG: Polling a Remote | PI: Power Interruption |
| CP: Completed | RM: Receive to Memory | DR: Document Removed | TM: Terminated by user |
| HS: Host Scan | HP: Host Print | FO: Forced Output | WT: Waiting Transfer |
| HF: Host Fax | HR: Host Receive | FM: Forward Mailbox Doc. | WS: Waiting Send |

oroni
NEY
539



am-lawyers.com

tions from \$399
ce from \$499
ur divorce online

amdivorces.com

Y & MORONI, LLP

's Best Facility"
OUNTRY CLUB
Dededo/Yigo

nesday
ursday

daily"
0.00"***
WOW!!

\$5,000.00
\$1,000.00
\$1,000.00
\$2,500.00

ress: \$30.00
ss + 1: \$40.00
plit or All: \$45.00

by Two 10/10
and get the 3rd
cross for half off!!

ALS

LD OUTLINE STICKERS
TD.



Reg. \$1.49
\$1.19

LE ANGELS FIGURINES
TD.



Reg. \$3.69
\$2.89

YSTAL NUGGETS
TD. COLORS



Reg. \$1.99
\$1.19

EATIVE VASE DRY FOAM
DY TO USE FOR
& DRIED FLOWERS



LOCAL NEWS

Wildlife refuge closed on Labor Day

The Guam National Wildlife Refuge, Ritidian Unit, will be closed to the public on Monday in observance of the federal Labor Day holiday, a statement from the refuge said. The refuge will resume regular hours of operation of 8:30 a.m. to 4 p.m., seven days a week, on Tuesday, the statement added.

Pacific Collection closed on Fridays

The University of Guam's Richard F. Taitano Micronesian Area Research Center's Pacific Collection will be closed on Fridays, according to a UOG statement. Call 735-2150 for more information.

Pacific Daily News

GOVERNMENT MEETINGS

Aug. 31

Guam Housing Corp. board of directors' regular meeting: 3 p.m. Aug. 31, GHC conference room, Suite 535, ITC Building, Tamuning. For special accommodations, call 647-4143, ext. 140.

Guam Parole Board regular hearing: 8:30 a.m. Aug. 31, Parole Services Division, 404 East Sunset Blvd., Tiyan. Call 473-7001/7005.

Sept. 1

A.B. Won Pat Guam International Airport Authority board of directors regular meeting: 3 p.m. Sept. 1, terminal conference room 3, Tamuning. Agenda copies available during meeting; parking is available in the public parking lot. For special accommodations, call 646-0300.

Committee on General and Omnibus Matters public hearing: Public hearing 9 a.m. Sept. 1, Legislature's public hearing room, Hagåtña.

Appointments of Antonio M. Palomo and Rebecca Ann Duenas as members. Guam Historic Preservation Review Board; and Mark Zhao, member, Guam Real Estate Commission.

▲ Bill 66, requiring proper restoration of roadways and highways that are partially damaged due to construction work to their preconstruction condition by the contractor prior to the full disbursement of public construction funds for such projects, and empowering Guam's village mayors to certify completion and proper resurfacing of roadway/highway to its previous condition;

▲ Bill 75, relative to the term of office of the Public Auditor;

▲ Bill 96, relative to establishing an ethics in government program for elected officials and any person who is appointed as board or commission member, director, deputy director, or by whatever title denotes the head and first assistant of a government of Guam agency, department, public corporation, authority, or any other entity of the executive

ON THE NET

▲ For the complete, searchable database of upcoming government meetings, visit www.guampdn.com



branch;

▲ Bill 104, establishing strict accountability for adverse effects on personal health and environmental quality as a result of new landfill facility construction, operation, closing and monitoring;

▲ Bill 105, affirming public responsibility for real property valuation lost as a result of landfill construction and operation;

▲ Bill 125, authorizing the governor to exchange a portion of government land within Lot 10120-R16, Dededo, with Lot 5400-R6, Mangilao, on a value-for-value basis to address the protective buffer zone requirements for the Department of Corrections;

▲ Bill 132, relative to creating the Independent Counsel Act of 2005;

▲ Bill 139, to create a recycling enterprise zone at the Jose D. Leon Guerrero Commercial Port;

▲ Bill 152, to provide additional representation and support to residents of Yigo and Mangilao at the municipal level through the establishment of a vice mayor position for these villages;

▲ Bill 170, authorizing the lease for an education facility at Marbo base command B-4, and approve request for proposal and reservation of funds for same, requested by the governor. Call 472-3409.

Workers Compensation Commission, Department of Labor, meeting: 6:30 p.m. Sept. 1, third floor, GCIC Building, Hagåtña. Agenda copies available at commission's office. For special accommodations, call 475-7033.

Testimony of Randel L. Sablan 

**Acting Administrator, Guam Environmental Protection Agency
Before The Committee On General & Omnibus Matters, and
Executive Committee**

**Hearing On Bill 139(EC): An Act To Create A Recycling Enterprise
Zone At The Jose D. Leon Guerrero Commercial Port**

September 1, 2005

The Guam Environmental Protection Agency (GEPA) appreciates the opportunity to comment and provide information on the intent and scope of Bill 139.

GEPA supports the intent of Bill 139 and recognizes that there is limited suitable land area at the present time to properly locate a number of solid waste recycling operations in close proximity to the Jose D. Leon Guerrero Commercial Port. Operations which permit the processing of recyclable material and temporary staging or storage in preparation for transshipment should be strategically located. GEPA understands that the Port Authority of Guam (PAG) may have concerns regarding environmentally safe operations and long-term pollution liability. The Agency will work with the PAG to develop permit provisions that would minimize the risk of environmental liability exposure.

Thank you.

I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN
2005 (FIRST) Regular Session

139
Bill No. (EC)

Introduced by:

R.J. Respicio
B.J. Cruz 

**AN ACT TO CREATE A RECYCLING ENTERPRISE ZONE
AT THE JOSE D. LEON GUERRERO COMMERCIAL
PORT.**

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

2 **Section 1. Legislative Findings and Intent.** *I Mina'bente Ocho Na*
3 *Liheslaturan Guåhan* finds that it is the established policy of the government of
4 Guam to promote and support recycling as an essential means to protect the
5 environment and to effectively manage the solid waste generated by the
6 community. This policy is clearly stipulated in the Integrated Solid Waste
7 Management Plan as adopted in Public Law No. 25-175. Numerous other
8 public laws also support recycling through policy initiatives and incentives,
9 including Public Law No. 25-127 which provided for tax incentives for
10 recycling operations inclusive of the transshipment of recyclable materials.

11 *I Liheslatura* finds that, with respect Section 7.10.4 of the Integrated
12 Solid Waste Management Plan, the setting aside of land at the Jose D. Leon
13 Guerrero Commercial Port for a center to recycle automobiles, one of the
14 major environmental concerns for our community is a key component.

15 *I Liheslatura* finds that the absence of effective recycling and disposal
16 operations has resulted in a proliferation of junk automobiles throughout the
17 island, in particular, in areas over the Northern Aquifer. The presence of

1 these junk automobiles, and the hazardous materials which these automobiles
2 carry, are a serious threat to the aquifer that is the island's major source for
3 drinking water.

4 It is therefore the intent of *I Liheslatura* to implement, in the public
5 interest, Section 7.10.4 of the Integrated Solid Waste Management Plan and
6 establish a Recycling Enterprise Zone at the Jose D. Leon Guerrero
7 Commercial Port so that, in concert with existing incentives established by
8 statute, public policy shall foster the establishment of private sector operated
9 recycling enterprises for automobiles, trucks, and tires.

10 **Section 2. Definitions.** For purposes of this Act, and except as
11 otherwise provided, the following words and phrases, together with all of
12 the common derivatives thereof, shall have the meaning ascribed to them as
13 follows:

14 (i) 'JLGCP' shall mean the Jose D. Leon Guerrero Commercial
15 Port.

16 (ii) 'Recycling' means the process by which recovered resources
17 are transformed into new products in such a manner that products lose
18 their identity, as defined in §51102.(18) of Chapter 51, Title 10 of the
19 Guam Code Annotated.

20 (iii) 'Recycling company' means any business licensed by the
21 Department of Revenue and Taxation, and has been issued a permit, as
22 required in §51104 of Chapter 51, Title 10 of the Guam Code
23 Annotated, from the Guam Environmental Protection Agency ('GEPA')
24 to conduct business on Guam in which eighty percent (80%) of its
25 operations is specifically committed to recycling.

26 (iv) 'Transshipment' shall mean to transfer for further

1 transportation from one (1) ship or conveyance to another.

2 (v) 'Recyclable materials' means materials that still have useful
3 physical or chemical properties after serving a specific purpose for the
4 same or other purpose. Recyclable materials are as follows:

5 (1) batteries (i.e., lead-acid, portable computer batteries, nickel-
6 cadmium, sealed types for power backup);

7 (2) automobiles, buses, and trucks or any form of motorized
8 vehicle;

9 (3) tires (passenger/commercial);

10 (4) enameled white goods;

11 (5) home appliances (other small appliances that are not
12 considered enameled white goods);

13 (6) glass and plastic bottles;

14 (7) foam padding;

15 (8) lead;

16 (9) metals (ferrous/non-ferrous);

17 (10) organic material (i.e., tree trimmings, palm fronds, grass,
18 food waste, soiled cardboard);

19 (11) paper products;

20 (12) wood pallets and scrap wood;

21 (13) construction and demolition debris ('C&D');

22 (14) x-ray film;

23 (15) automobile oil and fluids;

24 (16) freon and other refrigerant gases;

25 (17) electronic waste (i.e., computers, circuit boards, televisions,
26 and portable phones);

1 (18) heavy equipment; and

2 (19) other recyclable materials deemed recyclable by GEPA
3 pursuant to the Rules and Regulations.

4 **Section 3. Establishment of Recycling Enterprise Zone.** There is
5 established a "Recycling Enterprise Zone" at the Jose D. Leon Guerrero
6 Commercial Port for use by recycling companies for the processing of
7 automobiles, trucks, and tires for recycling purposes and the transshipment
8 of recyclable materials. The size of the zone and site on the JLGCP property
9 shall be designated by the Board of Directors of the Port Authority of Guam
10 and guided by the provisions of Section 7.10.4 of the Integrated Solid Waste
11 Management Plan. Such determination shall be made within sixty (60) days of
12 the enactment of this Section and shall be made available for leasing to
13 recycling companies eligible under Section 4 of this Act. The Board of
14 Directors of the Port Authority of Guam shall determine a reasonable rate for
15 the lease of such property.

16 **Section 4. Eligibility of Recycling Companies for use of the Recycling**
17 **Enterprise Zone.** Lease space in the Recycling Enterprise Zone shall only be
18 made available to companies that satisfy the requirements to qualify for
19 Qualifying Certificates as recycling companies under the guidelines
20 established by the Guam Economic Development and Commerce Authority.