

I Mina'trentai Siette Na Lihelaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
182-37 (COR)	Sabina Flores Perez	AN ACT TO ADD A NEW ARTICLE 10 TO CHAPTER 51A OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE ORDOT DUMP RESERVE FUND.	9/29/23 3:58 p.m.						Referred Version 10/3/23

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
2023 (FIRST) Regular Session

Bill No. 182-37 (COR)

Introduced by:

Sabina Flores Perez *SFP*

**AN ACT TO *ADD* A NEW ARTICLE 10 TO CHAPTER 51A
OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE
TO ESTABLISHING THE ORDOT DUMP RESERVE
FUND.**

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

2 **Section 1.**

3 A new Article 10 is hereby *added* to Chapter 51A of Title 10, Guam Code

4 Annotated to read:

5 **“ARTICLE 10**

6 **ORDOT DUMP RESERVE FUND ACT**

7 § 51A1001. Title and Purpose.

8 § 51A1002. Ordot Dump Reserve Fund.

9 § 51A1003. Eligible Expenditures.

10 § 51A1004. Reporting Requirements.

1 **§ 51A1001. Title and Purpose.** This Act shall be known as the “*Ordot Dump*
2 *Reserve Fund Act.*” The purpose of this Act is to create a reserve fund for the post-
3 closure maintenance of the Ordot Dump.

4 **§ 51A1002. Ordot Dump Reserve Fund.**

5 (a) There is hereby created the Ordot Dump Reserve Fund (Fund), which shall
6 be maintained separate and apart from any other funds of the government
7 of Guam, including the General Fund. The Fund shall be a continuing fund,
8 and amounts credited to the Fund shall not be subject to further
9 appropriation, and monies remaining in the Fund at the end of a fiscal year
10 shall not be transferred to the General Fund. The Fund shall not be subject
11 to the transfer authority of *I Maga'hågan Guåhan.*

12 (b) The Fund shall include all money, payments, or other things of value in the
13 nature of civil damages or other payments received by the Treasurer of
14 Guam relating to the Partial Consent Decree approved by the U.S. District
15 Court for the District of Columbia on September 25, 2023, in *Government*
16 *of Guam v. United States of America*, Case No. 1:17-cv-2487. The Fund
17 shall also include any interest earned on such amounts.

18 (c) The Treasurer of Guam shall promptly credit all money, payments, or other
19 things of value received pursuant to the Partial Consent Decree identified
20 in subsection (b) to the Fund.

21 (d) The Guam Solid Waste Authority shall administer the Fund.

22 **§ 51A1003. Eligible Expenditures.**

23 Monies in the Fund shall be expended exclusively for costs associated
24 with the implementation of the Ordot Dump Post-Closure Care and Maintenance
25 Plan submitted by the Guam Solid Waste Authority pursuant to the Consent Decree
26 approved by the U.S. District Court for Guam on February 11, 2004, in *United States*
27 *of America v. Government of Guam*, Civil Case No. 02-00022.

1 **§ 51A1004. Reporting Requirements.**

2 Annually, no later than October 31, the Guam Solid Waste Authority shall
3 submit a report on the activity, revenue, and expenditures to and from the Fund to I
4 Maga'hågan Guåhan and the Speaker of I Liheslaturan Guåhan. The report shall
5 also be posted on the Guam Solid Waste Authority website. The report shall include,
6 but not be limited to:

7 (a) the revenue credited to the Fund;

8 (b) the expenditures attributable to costs of administering the Fund,
9 including administrative support to the Guam Solid Waste Authority; and

10 (c) an itemized list of expenditures.”

11 **Section 2.** If any provision of this Act or its application to any person or
12 circumstance is found to be invalid or contrary to law, such invalidity shall not affect
13 other provisions or application of this Act which can be given effect without the
14 invalid provisions or application, and to this end the provisions of this Act are
15 severable.