


**I MINA' TRENTAI DOS NA LIHESLATURAN GUÅHAN
2014 (SECOND) Regular Session**

Bill No. 353-32 (CS)

Introduced by

Aline A. Yamashita, PhD 

**AN ACT TO ADD A NEW CHAPTER 54(B) TO TITLE 10,
GUAM CODE ANNOTATED TO PROMOTE PLASTIC BAG
REDUCTION IN GUAM FOR THE PROTECTION OF OUR
ENVIRONMENT.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that numerous states and countries have introduced legislation in a bid to reduce
4 litter and pollution caused by plastic waste, specifically non-biodegradable plastic
5 bags. According to the US International Trade Commission, in 2009, Americans
6 annually use 102.1 billion plastic bags creating tons of landfill waste. Locally,
7 according to the Recycling Association of Guam, the industry standard is 500
8 plastic bags per person per year. Therefore, it is reasonable to assume that
9 approximately 80,000,000 plastic bags are used annually by Guam's population of
10 approximately 160,000. While plastic bags end up in the landfill, not all do as they
11 litter Guam's properties and potentially end up in the ocean creating a danger to

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1 marine life. Therefore, *I Liheslatura* intends to provide policy to promote plastic
2 bag reduction and environmental protection.

3 **Section 2. A new Chapter 54(b), Title 10, Guam Code Annotated is**
4 **added to read:**

5 Effective January 1, 2015, any entity licensed to do business on Guam shall
6 be prohibited from providing non-biodegradable plastic bags to customers at the
7 point of sale for the purpose of transporting groceries and other merchandise.

8 Nothing in this act shall preclude any business from making available to
9 customers biodegradable plastic bags, recyclable paper bags or reusable bags at
10 point of sale. Biodegradable plastic bags shall have the words “Biodegradable,
11 Reduce, Reuse, Recycle” printed in a highly visible area on the exterior of the bag.

12 As used in this Act, “Non-Biodegradable Plastic Bags” is defined as
13 petroleum-based plastic bags that cannot be broken down in the environment by
14 natural processes.

15 **Section 3. Enforcement.**

16 Any entity licensed to do business on Guam that use plastic bags in the
17 commission of point of sale transactions found to be in violation of this Act shall:

18 (a) be ordered to discontinue the distribution of non-biodegradable plastic
19 bags; and,

1 (b) be subject to a fine of not less than one hundred (\$100), but not more
2 than one thousand dollars (\$1,000) for each day in violation. All funds collected
3 from violations shall be placed in a fund and that will be used for the sole purpose
4 of island beautification projects.

5 The Director of the Guam Environmental Protection Agency be responsible
6 for enforcement of this Act and shall develop rules and regulations to carry out
7 provisions of this Section pursuant to the Administrative Adjudication Act.