

I Mina'trentai Ocho Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
121-38 (COR)	Jesse A. Lujan Christopher M. Dueñas Vincent A. V. Borja V. Anthony Ada Shelly V. Calvo Tina Rose Muña Barnes Sabrina Salas Matanane Joe S. San Agustin Eulogio Shawn Gumataotao Frank F. Blas, Jr.	AN ACT TO <i>AMEND</i> §54B102 OF CHAPTER 54B, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING FOR FURTHER EXEMPTIONS TO THE "CHOOSE TO REUSE: MUNGNGA MA AYEK I PLASTEK ACT OF 2018."	4/15/25 4:21 p.m. ^4/18/25 2:18 p.m.	4/18/25	Committee on Transportation, Tourism, Customs, Utilities, and Federal and Foreign Affairs.	Request: 4/21/25 Waiver: 4/24/25	5/2/25 9:00 a.m.	5/6/25 6/2/25	



May 4, 2025

The Honorable Frank F. Blas Jr.
Speaker, *I Mina'trentai Ocho na Liheslaturan Guåhan*
163 W. Chalan Santō Papa
Hågatña, Guam 96910

Via Honorable Vice Speaker V. Anthony Ada 
Chairman, Committee on Rules

RE: Committee Report on Bill No. 121-38 (COR) As introduced

Buenas yan Håfa Ådai Speaker,

Transmitted herewith is the Committee Report on Bill No. 121-38 (COR) - Jesse A. Lujan / Christopher M. Dueñas / Vincent A. V. Borja / V. Anthony Ada / Shelly V. Calvo / Tina Rose Muña Barnes / Sabrina Salas Matanane / Joe S. San Agustin / Eulogio Shawn Gumataotao / Frank F. Blas, Jr. - An Act To Amend §54B102 Of Chapter 54B, Title 10, Guam Code Annotated, Relative To Allowing For Further Exemptions To The “Choose To Reuse: Mungnga Ma Ayek I Plastek Act Of 2018.”

Committee votes are as follows:

7 TO DO PASS
_____ TO NOT PASS
_____ TO REPORT OUT ONLY
_____ TO ABSTAIN
_____ TO PLACE IN INACTIVE FILE

Senseremente,


Senator Jesse A. Lujan

Chairperson, Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs



COMMITTEE ON RULES

RECEIVED:
May 4, 2025 4:37 p.m.
Marie Crisostomo



COMMITTEE REPORT

BILL NO. 121-38 (COR)

INTRODUCED BY

Jesse A. Lujan / Christopher M. Dueñas / Vincent A. V. Borja / V. Anthony Ada / Shelly V. Calvo / Tina Rose Muña Barnes / Sabrina Salas Matanane / Joe S. San Agustin / Eulogio Shawn Gumataotao / Frank F. Blas, Jr.

AN ACT TO AMEND §54B102 OF CHAPTER 54B, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING FOR FURTHER EXEMPTIONS TO THE “CHOOSE TO REUSE: MUNGNGA MA AYEK I PLASTEK ACT OF 2018.



May 3, 2025

MEMORANDUM

To: **All Members**
Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs

From: **Senator Jesse A. Lujan**
Chairperson, Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs

Subject: **Committee Report on Bill No. 121-38 (COR) *As introduced***

Transmitted herewith for your consideration is the Committee Report on **Bill No. 121-38 (COR)**- Jesse A. Lujan / Christopher M. Dueñas / Vincent A. V. Borja / V. Anthony Ada / Shelly V. Calvo / Tina Rose Muña Barnes / Sabrina Salas Matanane / Joe S. San Agustin / Eulogio Shawn Gumataotao / Frank F. Blas, Jr. – An Act To Amend §54B102 Of Chapter 54B, Title 10, Guam Code Annotated, Relative To Allowing For Further Exemptions To The “Choose To Reuse: Mungnga Ma Ayek I Plastek Act Of 2018.”

This report includes the following:

- Copy of COR Referral of Bill No. 121-38 (COR)
- Notices of Public Hearing
- Copy of the Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Copies of Submitted Written Testimony
- Committee Vote Sheet
- Committee Report Digest
- Copy of Bill No. 121-38 (COR), *As Introduced*
- Fiscal Note/Fiscal Note Waiver

Please take the appropriate action on the attached vote sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Respectfully,

Senator Jesse A. Lujan

Chairperson, Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs



COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson

I Mina'trentai Ocho Na Liheslaturan Guåhan

38th Guam Legislature

April 18, 2025

To: **Rennae V. C. Meno**
Clerk of the Legislature

Attorney Darleen Hiton
Legislative Legal Counsel

From: **Vice Speaker V. Anthony Ada** 
Chairperson, Committee on Rules

Subject: **Referral of Bill No. 121-38 (COR)**

Håfa Adai,

As per my authority as Chairperson of the Committee on Rules and subject to 6.01(d)(1), Rule VI of our Standing Rules, I am forwarding the referral of **Bill No. 121-38 (COR)** – Jesse A. Lujan, Christopher M. Dueñas, Vincent A.V. Borja, V. Anthony Ada, Shelly V. Calvo, Tina Rose Muña Barnes, Sabrina Salas Matanane, Joe S. San Agustin, Eulogio Shawn Gumataotao, Frank F. Blas Jr. – “AN ACT TO AMEND §54B102 OF CHAPTER 54B, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING FOR FURTHER EXEMPTIONS TO THE “CHOOSE TO REUSE: MUNGNGA MA AYEK I PLASTEK ACT OF 2018.”

Please ensure that the subject bill is referred to Committee on Transportation, Tourism, Customs, Utilities, and Federal and Foreign Affairs chaired by Senator Jesse A. Lujan. I also request that the same be copied to the Prime Sponsor of the subject bill and to Management Information Services (MIS) for posting on our website.

A copy of the bill is available on our legislative website.

Should you have any questions or concerns, please feel free to contact Kamarin Nelson, Committee on Rules Director at 671-472-2461.





FOR IMMEDIATE RELEASE

April 25, 2025

MEMORANDUM

To: All Senators, Stakeholders, Media

From: Senator Jesse A. Lujan
Chairman, Committee on Transportation, Tourism, Customs, Utilities,
and Federal & Foreign Affairs

RE: FIRST NOTICE of Public Hearings on Friday, May 2, 2025

The Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs will conduct a public hearing on **Friday, May 2, 2025** beginning at **9:00 A.M.** at the Public Hearing Room in the Guam Congress Building. The agenda is as follows:

9:00 A.M.

- **Bill No. 109-38 (COR)** – Jesse A. Lujan / Christopher M. Dueñas/ V. Anthony Ada - AN ACT TO AUTHORIZE THE PORT AUTHORITY OF GUAM TO GRANT A DOLLAR-FOR-DOLLAR OFFSET AGAINST LEASE PAYMENTS FOR TENANTS WHO INVEST IN TANGIBLE, DOCUMENTED IMPROVEMENTS TO PORT PROPERTY THAT PROVIDE HIGH VALUE TO THE COMMUNITY OR ENHANCE PORT OPERATIONS; AND TO ESTABLISH A STREAMLINED PROCESS FOR IMPLEMENTATION.
- **Bill No. 121-38 (COR)** – Jesse A. Lujan / Christopher M. Dueñas/ Vincent A. V. Borja/ V. Anthony Ada/ Shelly V. Calvo/ Tina Rose Muña Barnes/ Sabrina Salas Matanane/ Joe S. San Agustin/ Eulogio Shawn Gumataotao/ Frank F. Blas, Jr - AN ACT TO AMEND §54B102 OF CHAPTER 54B, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING FOR FURTHER EXEMPTIONS TO THE “CHOOSE TO REUSE: MUNGNGA MA AYEK I PLASTEK ACT OF 2018.”

If you would like to participate in any of the Public Hearings listed above or submit written testimony, please contact the Office of Senator Jesse A. Lujan for further assistance via email at senator.lujan@guamlegislature.gov or by phone at (671) 969-6525.

In compliance with Title II of the Americans with Disabilities Act (ADA), all government activities, programs, and services are accessible to individuals with disabilities. If you or anyone you know requires assistance or special accommodations to participate in the public hearing, please contact the Office of Senator Jesse A. Lujan at the contact information provided above.



The Public Hearings will be broadcast LIVE on local television (GTA Channel 21, Docomo Channel 117) and streamed online through *I Liheslaturan Guåhan's* YouTube Channel (@guamlegislaturemedia).

This ad was paid with funds by the Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs.



FIRST NOTICE of Public Hearings on Friday, May 2, 2025

Senator Jesse Lujan <senator.lujan@guamlegislature.gov>
To: phnotice@guamlegislature.gov

Fri, Apr 25, 2025 at 8:12 AM

FOR IMMEDIATE RELEASE

April 25, 2025

MEMORANDUM

To: All Senators, Stakeholders, Media

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Chairman, Committee on Transportation, Tourism, Customs, Utilities,
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Office of Majority Leader Jesse A. Lujan

Chairman, Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs

259 Martyr St., Hagatna, Guam 96910

senator.lujan@guamlegislature.gov

(671) 969-6525



JAL-FN_05.02.2025.pdf

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FIRST NOTICE of Public Hearings 05/02/2025

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FIRST NOTICE of Public Hearings 05/02/2025

PUBLIC HEARING



 **Posted on:** 04/25/2025 09:27 AM

 **Posted by:** Cecile Suda

 **Public Hearing Date:** 05/02/2025 09:00 AM

 **Department(s):**
GUAM LEGISLATURE (/notices?department_id=92)

 **Division(s):**
OFFICE OF SENATOR JESSE A. LUJAN (/notices?division_id=270)

 **Notice Topic(s):** PUBLIC HEARING (/notices?topic_id=74)

 **Types of Notice:** PUBLIC HEARING (/notices?type_id=7)

 **For Audience(s):** PUBLIC (/notices?public=1)

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FOR IMMEDIATE RELEASE

April 25, 2025

MEMORANDUM**To:** All Senators, Stakeholders, Media**From:** Senator Jesse A. Lujan
Chairman, Committee on Transportation, Tourism, Customs,
Utilities,
and Federal & Foreign Affairs**RE: FIRST NOTICE of Public Hearings on Friday, May 2, 2025**

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- **Bill No. 121-38 (COR)**
([https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20121-38%20\(COR\)%20Referred%20Version.pdf](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20121-38%20(COR)%20Referred%20Version.pdf)) – Jesse A. Lujan / Christopher M. Dueñas/ Vincent A. V. Borja/ V. Anthony Ada/ Shelly V. Calvo/ Tina Rose Muña Barnes/ Sabrina Salas Matanane/ Joe S. San Agustin/ Eulogio Shawn Gumataotao/ Frank F. Blas, Jr - AN ACT TO AMEND §54B102 OF CHAPTER 54B, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING FOR FURTHER EXEMPTIONS TO THE "CHOOSE TO REUSE: MUNGNGA MA AYEK I PLASTEK ACT OF 2018."

If you would like to participate in any of the Public Hearings listed

If you would like to participate in any of the public hearings listed above or submit written testimony, please contact the Office of Senator Jesse A. Lujan for further assistance via email at senator.lujan@guamlegislature.gov (<mailto:senator.lujan@guamlegislature.gov>) or by phone at (671) 969-6525.

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This ad was paid with funds by the Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs.

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38TH GUAM LEGISLATURE
163 CHALAN SANTO PAPA
HAGATNA, GUAM 96910

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FOR IMMEDIATE RELEASE

April 30, 2025

MEMORANDUM

To: All Senators, Stakeholders, Media

From: Senator Jesse A. Lujan
Chairman, Committee on Transportation, Tourism, Customs, Utilities,
and Federal & Foreign Affairs

RE: SECOND NOTICE of Public Hearings on Friday, May 2, 2025

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This ad was paid with funds by the Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs.



SECOND NOTICE of Public Hearings on Friday, May 2, 2025

Senator Jesse Lujan <senator.lujan@guamlegislature.gov>
To: phnotice@guamlegislature.gov

Wed, Apr 30, 2025 at 8:38 AM

FOR IMMEDIATE RELEASE

April 30, 2025

MEMORANDUM

To: All Senators, Stakeholders, Media

From: Senator Jesse A. Lujan
Chairman, Committee on Transportation, Tourism, Customs, Utilities,
and Federal & Foreign Affairs

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Office of Majority Leader Jesse A. Lujan

Chairman, Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs

259 Martyr St., Hagatna, Guam 96910

senator.lujan@guamlegislature.gov

(671) 969-6525



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SECOND NOTICE of Public Hearings on Friday, May 2, 2025

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SECOND NOTICE of Public Hearings on Friday, May 2, 2025

PUBLIC HEARING



 **Posted on:** 04/30/2025 08:39 AM

 **Posted by:** Cecile Suda, Deputy Chief of Staff

 **Public Hearing Date:** 05/02/2025 09:00 AM

 **Department(s):**
GUAM LEGISLATURE (/notices?department_id=92)

 **Division(s):**
OFFICE OF SENATOR JESSE A. LUJAN (/notices?division_id=270)

 **Notice Topic(s):** PUBLIC HEARING (/notices?topic_id=74)

 **Types of Notice:** PUBLIC HEARING (/notices?type_id=7)

 **For Audience(s):** PUBLIC (/notices?public=1)

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FOR IMMEDIATE RELEASE

April 30, 2025

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Chairman, Committee on Transportation, Tourism, Customs,
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([http://guamlegislature.gov/38th Guam Legislature/Bills Introduced 38th/Bill%20No.%20109-38%20\(COR\).pdf](http://guamlegislature.gov/38th%20Guam%20Legislature/Bills%20Introduced%2038th/Bill%20No.%20109-38%20(COR).pdf)) – Jesse A. Lujan /Christopher M. Dueñas/ V. Anthony Ada - AN ACT TO AUTHORIZE THE PORT AUTHORITY OF GUAM TO GRANT A DOLLAR-FOR-DOLLAR OFFSET AGAINST LEASE PAYMENTS FOR TENANTS WHO INVEST IN TANGIBLE, DOCUMENTED IMPROVEMENTS TO PORT PROPERTY THAT PROVIDE HIGH VALUE TO THE COMMUNITY OR ENHANCE PORT OPERATIONS; AND TO ESTABLISH A STREAMLINED PROCESS FOR IMPLEMENTATION.

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([https://guamlegislature.gov/38th Guam Legislature/Bills Introduced 38th/Bill%20No.%20121-38%20\(COR\)%20Referred%20Version.pdf](https://guamlegislature.gov/38th%20Guam%20Legislature/Bills%20Introduced%2038th/Bill%20No.%20121-38%20(COR)%20Referred%20Version.pdf)) – Jesse A. Lujan / Christopher M. Dueñas/ Vincent A. V. Borja/ V. Anthony Ada/ Shelly V. Calvo/ Tina Rose Muña Barnes/ Sabrina Salas Matanane/ Joe S. San Agustin/ Eulogio Shawn Gumataotao/ Frank F. Blas, Jr - AN ACT TO AMEND §54B102 OF CHAPTER 54B, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING FOR FURTHER EXEMPTIONS TO THE “CHOOSE TO REUSE: MUNGNGA MA AYEK I PLASTEK ACT OF 2018.”

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PUBLIC HEARING AGENDA
Friday, May 2, 2025 9:00AM
Guam Congress Building, Public Hearing Room

9:00 A.M.

- **Bill No. 109-38 (COR)** – Jesse A. Lujan /Christopher M. Dueñas/ V. Anthony Ada - AN ACT TO AUTHORIZE THE PORT AUTHORITY OF GUAM TO GRANT A DOLLAR-FOR-DOLLAR OFFSET AGAINST LEASE PAYMENTS FOR TENANTS WHO INVEST IN TANGIBLE, DOCUMENTED IMPROVEMENTS TO PORT PROPERTY THAT PROVIDE HIGH VALUE TO THE COMMUNITY OR ENHANCE PORT OPERATIONS; AND TO ESTABLISH A STREAMLINED PROCESS FOR IMPLEMENTATION.
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121-38



I Mina'trentai Ocho na Liheslaturan Guahan

Office of Senator Jesse A. Lujan

Chairman, Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs

Date:

May 2, 2025

Time: 9:00 AM

BILL NO. 121-38 (COR) Sponsor: Jesse A. Lujan

An Act To Amend §54b102 Of Chapter 54b, Title 10, Guam Code Annotated, Relative To Allowing For Further Exemptions To The "Choose To Reuse: Mungnga Ma Ayek I Plastek Act Of 2018."

	Name	Agency / Address	Contact No.	Email	Type of Testimony		Support	
					Oral	Written	Yes	No
✓ 1	EHA BANUE	DKSH Guam					✓	
✓ 2	Angie Saad	Chem/Cell				✓	✓	
3	JAMES CANTA	DFS					✓	
✓ 4	Gina Artero	DFS			att	✓	✓	
5	Jennifer Patricia	Tommy Hilfiger			Hilfiger		✓	
6	Joh-Juanes	Tommy Hilfiger					✓	
7								
8								
9								
10								

April 25, 2025

Re: Bill 121-38

Dear Senator Lujan and committee members,

Thank you for the opportunity to provide written testimony on behalf of Gemkell Guam, dba Balenciaga, Chloe, Givenchy, Marc Jacobs, Lacoste and Lesportsac.

As a premier retailer with six boutiques in Tumon, Gemkell Guam has been part of the island economy for over 20 years. During this time, we have seen the highs and lows of tourism and our island economy. Unfortunately, in recent years our economy and tourism has seen challenges from global factors that that we continue to strive to recovery from.

The impact of the impending ban on paper bags on luxury retail industry will undeniably add to the challenges that we are already facing. Additional cost will need to be incurred but more importantly the impact of client perception of not only our brand but of shopping on Guam will be negatively affected.

The feeling of being able to make a luxury purchase and walking out of the boutique with a branded shopping bag is an integral part of the overall shopping experience. Luxury brand shopping bags are high quality, recyclable and can be used multiple time.

We ask for your support in helping to maintain the luxury shopping experience in Guam by exempting luxury retail business from the paper bag ban.

Sincerely,

A handwritten signature in blue ink, appearing to be 'A. Saad', with a stylized flourish at the end.

Angie K. Saad

General Manger

Gemkell Guam Corporation



GUAM ENVIRONMENTAL PROTECTION AGENCY • AHENSIAN PRUTEKSIÓN LINA'LA' GUÅHAN
LOURDES A. LEON GUERRERO • GOVERNOR OF GUAM | JOSHUA F. TENORIO • LIEUTENANT GOVERNOR OF GUAM
MICHELLE C. R. LASTIMOZA • ADMINISTRATOR

May 02, 2025

MEMORANDUM

ATTN: Chairman Sen. Lujan, and Senators Dueñas, Borja, Ada, Calvo, Muña Barnes, Salas Matanane, San Agustin, Gumataotao, and Blas, Jr.

FROM: Guam EPA Administrator

SUBJECT: GUAM EPA TESTIMONY FOR BILL 121-38 (COR). AN ACT TO AMEND §54B102 OF CHAPTER 54B, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING FOR FURTHER EXEMPTIONS TO THE “CHOOSE TO REUSE: MUNGNGA MA AYEK I PLASTEK ACT OF 2018.”

Håfa Ådai,

The Guam Environmental Protection Agency provides this written testimony in support of Bill 121-38, which exempts luxury paper bags from the broader plastic and paper bag ban. However, to uphold the bill's intent and prevent misinterpretation, we recommend that the definition of “branded bag” be revised from “any bag used by a retailer” to “any **paper** bag used by a retailer.” The existing definition may inadvertently include plastic bags previously used for luxury goods in Guam to fall under the exemption.

Luxury retailers depend on premium bags to create their brand identity and improve the customer experience. The high-end shopping sector is essential for Guam's tourism, drawing in consumers who expect high-quality packaging that aligns with global standards. Considering insights from the luxury retail industry, an exemption for branded bags would help maintain the prestige of Guam's luxury retail sector while promoting responsible environmental practices.

Our Solid Waste Management Program investigates illegal dumpsites around the island and has never encountered these branded bags at any of these sites. These bags are designed for long-term reuse by customers, contributing to reduced waste rather than environmental harm. Many consumers collect and reuse these branded bags, extending their lifecycle and promoting sustainable practices.

We urge the Legislature to refine the bill's wording to ensure clarity while maintaining the intended exemption for branded bags.

Dangkolu na si Yu'us ma'åse'.


MICHELLE C.R. LASTIMOZA
Administrator



GUAM EPA | 17-3304 Mariner Avenue Tiyan Barrigada, Guam 96913-1617 | Tel: (671) 588.4751 | Fax: (671) 588.4531 | epa.guam.gov
ALL LIVING THINGS OF THE EARTH ARE ONE • MANUNU TODU I MANIÅLALA'

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April 30, 2025

Testimony in support of Bill 121-38

Hafa Adai and good morning Honorable Members of the 38th Guam Legislature. My name is Gina Bamba Artero, and I currently serve as the General Manager for DFS Guam.

By way of introductions to the DFS Group, DFS is majority owned by LVMH, and is a leading luxury travel retailer specializing in duty-free and duty-paid shopping, offering a curated selection of luxury products from over 750 luxury brands. DFS Guam was established in 1971 and has been proudly serving this community for over 54 years. We currently employ 104 staff members and offer a wide range of luxury goods to both visitors and locals.

I thank you for the opportunity to present my testimony in support of Bill No. 121-38, which proposes a permanent exemption for retail businesses from the paper bag ban. We deeply appreciate your willingness to collaborate on solutions to the challenges posed by the current regulations.

It is important to note that the kraft paper used in our paper shopping bags are made from 100% post-consumer recycled paper, which is renewable, curb-side recyclable, and has a lower carbon footprint than virgin paper. They are also Forest Stewardship Council (FSC) certified, ensuring that our bags are responsibly sourced, making their environmental impact minimal compared to ordinary paper bags. Additionally, these paper bags are made of stronger materials, making them more durable for repeated use, which enhances their sustainability and practicality.

Like many other retailers in Guam, our business has been adversely impacted by the slow recovery of tourism and fluctuations in the Japanese yen and South Korean won. Transitioning to reusable bags represents a significant financial burden; the cost of our DFS reusable bags is more than 60% higher than the paper shopping bags that are currently being deployed by DFS. This requirement places an even greater strain on our already limited resources, particularly in the face of declining revenues.

We must also express our concerns regarding how this transition affects several prominent luxury brands. The mandatory shift to reusable bags can undermine brand image and compliance with established selling guidelines. Notably, Guam stands alone as the only location globally enforcing a paper bag ban, which has led several luxury brands—integral to our market—to hesitate producing custom reusable bags. They cite the substantial risk of these branded reusable bags being resold, jeopardizing the integrity of their brand image.

As a result, we have seen indications that several luxury brands may withdraw from the Guam market entirely due to this mandate, which would significantly diminish the appeal of high-end shopping for visitors seeking luxury goods.

We fully support Bill 121-38 which allows for the exemption of retail businesses from the Paper Bag Ban. It will support the sustainability of our businesses, strengthen Guam's luxury retail sector, and bolster the overall tourism industry. This is a vital step to help retain luxury brands and jobs in Guam. Please give us a fighting chance for recovery.

Thank you once again for your time and consideration.

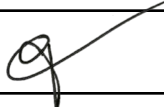
Warmest regards,

Gina Bamba Artero
General Manager, DFS GUAM



COMMITTEE VOTE SHEET

Bill No. 121-38 (COR), *As introduced* - Jesse A. Lujan / Christopher M. Dueñas / Vincent A. V. Borja / V. Anthony Ada / Shelly V. Calvo / Tina Rose Muña Barnes / Sabrina Salas Matanane / Joe S. San Agustin / Eulogio Shawn Gumataotao / Frank F. Blas, Jr. – An Act To Amend §54B102 Of Chapter 54B, Title 10, Guam Code Annotated, Relative To Allowing For Further Exemptions To The “Choose To Reuse: Mungnga Ma Ayek I Plastek Act Of 2018.”

Committee Members	Signature	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Senator Jesse A. Lujan <i>Chairperson</i>		X				
Senator Christopher M. Dueñas <i>1st Vice Chairperson</i>	EVOTE 5/4/2025	X				
Senator Shelly Vargas Calvo <i>2nd Vice Chairperson</i>						
Senator Frank F. Blas, Jr. <i>Member</i>	EVOTE 5/5/2025	X				
Senator Sabrina Salas Matanane <i>Member</i>	EVOTE 5/5/2025	X				
Senator Vincent A.V. Borja <i>Member</i>	EVOTE 5/4/2025	X				
Senator Eulogio Shawn Gumataotao <i>Member</i>						
Senator Tina Rose Muña Barnes <i>Member</i>						
Senator Joe S. San Agustin <i>Member</i>	EVOTE 5/4/2025	X				
Senator William A. Parkinson <i>Member</i>	EVOTE 5/4/2025	X				



FP1 Mariñas <[REDACTED]>

URGENT REQUEST FOR EVOTE: Bill No. 121-38 (COR)

10 messages

FP1 Mariñas [REDACTED]
To: jalcommittee@guamlegislature.gov

Sun, May 4, 2025 at 12:17 PM

Please see the attached committee report on Bill No. 121-38 (COR) – Jesse A. Lujan / Christopher M. Dueñas / Vincent A. V. Borja / V. Anthony Ada / Shelly V. Calvo / Tina Rose Muña Barnes / Sabrina Salas Matanane / Joe S. San Agustin / Eulogio Shawn Gumataotao / Frank F. Blas, Jr. – An Act To Amend §54B102 Of Chapter 54B, Title 10, Guam Code Annotated, Relative To Allowing For Further Exemptions To The “Choose To Reuse: Mungnga Ma Ayek I Plastek Act Of 2018.” in which your action is respectfully requested.

Please indicate your preferred action, based on the following options:

- TO DO PASS
- TO NOT PASS
- TO REPORT OUT ONLY
- TO ABSTAIN
- TO PLACE IN INACTIVE FILE

Please submit your response **ASAP**. Your responses will be logged into the vote sheet which will be submitted as part of the final Committee Report to the Committee on Rules.

--

Senseremente,
FP1 Mariñas

Independent Contractor for the Office of Senator Jesse A. Lujan

 **JAL CR BN 121-38_route.pdf**
7922K**Senator William Parkinson** <senator.parkinson@guamlegislature.gov>
To: FP1 Mariñas [REDACTED]

Sun, May 4, 2025 at 12:29 PM

To adopt.

Good work

[Quoted text hidden]

Senator Chris Duenas <senator.duenas@guamlegislature.gov>
To: FP1 Mariñas [REDACTED]
Cc: jalcommittee@guamlegislature.gov

Sun, May 4, 2025 at 12:30 PM

To do pass

**Office of Senator Christopher M. Dueñas**

Chairman, Committee on Government Finance and Operations

259 Martyr St., Hagatna, Guam 96910

senator.duenas@guamlegislature.gov

(671) 989-9554

[Quoted text hidden]

Senator William Parkinson <senator.parkinson@guamlegislature.gov>

Sun, May 4, 2025 at 12:38 PM

To: FP1 Mariñas [REDACTED]

Sorry I mean:

To do adopt

[Quoted text hidden]

Senator William Parkinson <senator.parkinson@guamlegislature.gov>

Sun, May 4, 2025 at 12:39 PM

To: FP1 Mariñas [REDACTED]

To do pass

On Sun, May 4, 2025, 12:17 PM FP1 Mariñas <fp1marianas@gmail.com> wrote:

[Quoted text hidden]

Senator Jesse Lujan <senator.lujan@guamlegislature.gov>

Sun, May 4, 2025 at 12:48 PM

To: Senator Chris Duenas <senator.duenas@guamlegislature.gov>

Cc: FP1 Mariñas [REDACTED], jalcommittee@guamlegislature.gov

To Do Pass

**Office of Majority Leader Jesse A. Lujan***Chairman, Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs***259 Martyr St., Hagatna, Guam 96910****senator.lujan@guamlegislature.gov****(671) 969-6525**

[Quoted text hidden]

Office of Senator Vince Borja <contact@senatorvinceborja.com>

Sun, May 4, 2025 at 1:20 PM

Reply-To: Office of Senator Vince Borja <contact@senatorvinceborja.com>

To: senator.duenas@guamlegislature.gov

Cc: [REDACTED], jalcommittee@guamlegislature.gov

Hi,

To do pass.

v/r,

Senator Vincent A. V. Borja

Chairman, Committee on Education, Libraries, & Public Broadcasting

38th Guam LegislatureSuite 502, DNA Bldg. [238 Archbishop Flores St.](#)[Hagatna, Guam 96910](#)**T** +1 (671) 969-8423**E** vince.borja@guamlegislature.gov

On Sat, 3 May at 10:30 PM, Chris Duenas <senator.duenas@guamlegislature.gov> wrote:

To do pass

**Office of Senator Christopher M. Dueñas***Chairman, Committee on Government Finance and Operations***259 Martyr St., Hagatna, Guam 96910**senator.duenas@guamlegislature.gov**(671) 989-9554**

On Sun, May 4, 2025 at 12:17 PM FP1 Mariñas <[REDACTED]> wrote:

Please see the attached committee report on Bill No. 121-38 (COR) – Jesse A. Lujan / Christopher M. Dueñas / Vincent A. V. Borja / V. Anthony Ada / Shelly V. Calvo / Tina Rose Muña Barnes / Sabrina Salas Matanane / Joe S. San Agustin / Eulogio Shawn Gumataotao / Frank F. Blas, Jr. – An Act To Amend §54B102 Of Chapter 54B, Title 10, Guam Code Annotated, Relative To Allowing For Further Exemptions To The “Choose To Reuse: Mungnga Ma Ayek I Plastek Act Of 2018.” in which your action is respectfully requested.

Please indicate your preferred action, based on the following options:

- TO DO PASS
- TO NOT PASS
- TO REPORT OUT ONLY
- TO ABSTAIN
- TO PLACE IN INACTIVE FILE

Please submit your response **ASAP**. Your responses will be logged into the vote sheet which will be submitted as part of the final Committee Report to the Committee on Rules.

--

Senseremente,

FP1 Mariñas

Independent Contractor for the Office of Senator Jesse A. Lujan

Joe S. San Agustin <senatorjoessanagustin@gmail.com>

Sun, May 4, 2025 at 2:30 PM

To: Office of Senator Vince Borja <contact@senatorvinceborja.com>

Cc: senator.duenas@guamlegislature.gov, [REDACTED], jalcommittee@guamlegislature.gov

To do pass

[Quoted text hidden]

Speaker Frank Blas Jr. <speakerblas@guamlegislature.gov>

Mon, May 5, 2025 at 8:12 AM

To: FP1 Mariñas [REDACTED]

Cc: "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Office of Senator Vince Borja

<contact@senatorvinceborja.com>, senator.duenas@guamlegislature.gov, jalcommittee@guamlegislature.gov

To Do Pass

**Speaker, Frank F. Blas, Jr.**

I Mina'trentai Ocho na Liheslaturan Guåhan 38th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagatña

(671)969-6456

speakerblas@guamlegislature.gov

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On Sun, May 4, 2025 at 5:38 PM FP1 Mariñas [REDACTED] wrote:

Si Yu'us Ma'āse for your responses! The Committee Report for Bill No. 121-38 (COR) has been filed and there is no further need to respond to this thread.

[Quoted text hidden]

Senator Sabrina Salas Matanane <office.senatorbri@guamlegislature.gov>

Mon, May 5, 2025 at 8:46 AM

To: "Speaker Frank Blas Jr." <speakerblas@guamlegislature.gov>

Cc: FP1 Mariñas [REDACTED] "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Office of Senator Vince Borja <contact@senatorvinceborja.com>, senator.duenas@guamlegislature.gov, jalcommittee@guamlegislature.gov

To Do Pass.

[Quoted text hidden]

--

All the best,

Isaiah Aguon

Director of Strategic Communications



Office of Legislative Secretary

SENATOR SABRINA SALAS MATANANE

I Mina'trentai Ocho Na Liheslaturan Guåhan | 38th Guam Legislature

Chairperson, Committee on Health and Veterans Affairs

163 W. Chalan Santo Papa, Hagåtña, Guam 96910

✉ office.senatorbri@guamlegislature.gov

☎ 671-989-2572

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COMMITTEE REPORT DIGEST

Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs

Senator Jesse A. Lujan, Chairman

In accordance with Section 6.04(c)(1) of the Standing Rules of *I Liheslaturan Guåhan*, this committee digest provides a *summary* of the public hearing detailed below. To assist the general public in navigating this report, please note that all **blue-highlighted** text contain hyperlinks. Clicking on these links will direct you to the corresponding referenced sections/documents. For any questions or assistance regarding this digest, please contact our office at (671) 969-6525 or email us at senator.lujan@guamlegislature.gov.

[Bill No. 121-38 \(COR\)](#) – Jesse A. Lujan / Christopher M. Dueñas / Vincent A. V. Borja / V. Anthony Ada / Shelly V. Calvo / Tina Rose Muña Barnes / Sabrina Salas Matanane / Joe S. San Agustin / Eulogio Shawn Gumataotao / Frank F. Blas, Jr. – An Act To Amend §54B102 Of Chapter 54B, Title 10, Guam Code Annotated, Relative To Allowing For Further Exemptions To The “Choose To Reuse: Mungnga Ma Ayek I Plastek Act Of 2018.”

I. OVERVIEW

Bill No. 121-38 (COR) was introduced on **Friday, April 18, 2025** by **Senator Jesse A. Lujan**, and was subsequently referred by the Committee on Rules to the **Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs** on **Friday, April 18, 2025**.

The **Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs** convened a Public Hearing for Bill No. 121-38 (COR) on **Friday, May 2, 2025** at **9:00AM** in the Guam Congress Building’s Public Hearing Room.

PUBLIC NOTICE REQUIREMENTS

Public Hearing Notices were posted to the Government Public Notices Portal and disseminated via electronic mail to all senators and all main media broadcasting outlets on **Friday, April 25, 2025** (5-Day Notice), and again on **Wednesday, April 30, 2025** (48-Hour Notice).

SENATORS PRESENT

Jesse A. Lujan, Chairman, Bill Sponsor
Christopher M. Dueñas, 1st Vice Chairperson
Shelly Vargas Calvo, 2nd Vice Chairperson
Vice Speaker V. Anthony Ada

ORAL TESTIMONY:

Angie K. Saad, General Manager, Gemkell Guam Corp.
Gina Bamba Artero, General Manager, DFS Guam

WRITTEN TESTIMONY:

Angie K. Saad, General Manager, Gemkell Guam Corp.
Michelle C.R. Lastimoza, Administrator, Guam Environmental Protection Agency (GEPA)
Gina Bamba Artero, General Manager, DFS Guam

II. SUMMARY OF TESTIMONY & DISCUSSION

The public hearing for Bill No. 121-38 (COR) was called to order at [11:59AM](#).

COMMITTEE NOTE: Any additional written testimony submitted for Bill 121-38 (COR) during the extended seven (7) day period will be incorporated into this committee report by way of a supplemental committee report.

SENATOR JESSE A. LUJAN, CHAIRPERSON, BILL SPONSOR: Now we proceed to hear Testimony on Bill 121. As the author, I will provide opening statements.

[Senator Lujan calls forward those who signed up to provide oral testimony and then proceeds to give his opening remarks.]

Thank you again everyone for being in attendance and for coming this morning to hear, of course, bill number 121-38 (COR). This bill seeks to amend the “*Choose To Reuse: Mungnga Ma Ayek I Plastik Act Of 2018*” by allowing for specific practical exemptions that acknowledge the unique needs of Guam's retail industry. The heart of this bill is simple. We must recognize the critical role that our tourism and retail sectors play in sustaining our economy. The voices of our retailers have

been clear and consistent. Their testimonies highlight that branded bags are not just packaging. They are part of their product's identity and for some, a cultural expectation for our visitors and a vital piece of Guam's global image. Without these exemptions, we risk discouraging retail sales, diminishing our competitiveness, and ultimately hurting the very industries that contribute significantly to our business revenues and job creation. Implementation of this bill, should it pass, will directly support the revitalization of our tourism economy, helping Guam reclaim its place as a world class shopping destination for international travelers while still upholding the broader environmental goals we all share. As chairman of tourism, I strongly encourage my colleagues to support this measure. I look forward to today's discussions. With that, we'll now proceed to hear testimony and we'll go ahead and we'll start with Ms. Angie. So please, go ahead and identify again yourselves and who you represent. Thank you.

ANGIE K. SAAD, GENERAL MANAGER, GEMKELL GUAM CORP.:

[\[Ms. Saad reads into the record her submitted written testimony which has been appended to this Committee Report.\]](#)

SENATOR JESSE A. LUJAN, CHAIRPERSON, BILL SPONSOR: Thank you, Angie. Gina?

GINA BAMBA ARTERO, GENERAL MANAGER, DFS GUAM:

[\[Mrs. Artero reads into the record her submitted written testimony which has been appended to this Committee Report.\]](#)

SENATOR JESSE A. LUJAN, CHAIRPERSON, BILL SPONSOR: Thank you, Gina.

[Senator Lujan acknowledged members of the public who registered their support for Bill No. 121-38 (COR) without providing oral testimony, noting their declarations as recorded on the sign-in sheet. He then proceeded to questions and discussion.]

[\[Questions and Discussion\]](#) *[Begins at 2:03:42 and ends at 2:16:50]*

SENATOR JESSE A. LUJAN, CHAIRPERSON, BILL SPONSOR: I want to thank you for your testimony today. This will conclude this morning's public hearing on bills: 109 and 121. The committee will continue to accept written testimony on these bills which may be addressed to myself, Senator Lujan, as Chairman of the Committee and mailed to 163 W. Chalan Santo Papa in Hagåtña. You may also send your testimonies to senator.lujan@guamlegislature.gov. This morning's public hearing is now adjourned. It is now 11:22am. Thank you and have a great weekend!

[PUBLIC HEARING ADJOURNED]

III. FINDINGS & RECOMMENDATIONS:

The Committee *finds* that retail stakeholders have raised compelling and significant concerns regarding the impact of the "*Choose to Reuse: Mungnga Ma Ayek I Plastek Act of 2018*," particularly in relation to the ban on paper shopping bags. Testimonies submitted by industry leaders, including Gemkell Guam and DFS Guam, underscore the adverse effects this ban will have on Guam's retail sector. These businesses have made it clear that paper shopping bags are not just a retail necessity but a critical component of their branding and customer experience, especially for international visitors, who represent the majority of their clientele. Moreover, serious concerns have been raised about the environmental consequences of replacing paper bags with non-paper reusable bags, which may not offer the same level of sustainability as the current paper bags.

Guam Environmental Protection Agency (EPA) submitted written testimony, providing strong support for an exemption for branded paper bags. EPA's testimony points out that these paper bags are recyclable, durable, and reusable,

aligning with the island's sustainability efforts. Furthermore, EPA has made it clear that these bags do not contribute to illegal dumping or environmental harm, which addresses one of the central concerns that motivated the original legislation.

The Committee *concludes* that granting an exemption from the paper bag ban to retail establishments is not only reasonable but necessary for the continued vitality of Guam's tourism market. The Committee fully acknowledges that retail businesses are integral to Guam's economic prosperity. Without this exemption, the island risks further crippling an economy that is already struggling, undermining the ability of businesses to recover and thrive. The Committee is convinced that this exemption can be structured in a way that upholds the intent of the original legislation while accommodating the unique needs of Guam's retail sector and its contribution to our economy.

The Committee *therefore* reports Bill No. 121-38 (COR) as heard, with the recommendation **TO DO PASS**.

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. 121-38 (COR)

Introduced by:

Jesse A. Lujan
Christopher M. Dueñas
Vincent A.V. Borja
V. Anthony Ada
Shelly Vargas Calvo
Tina Rose Muña Barnes
Sabrina Salas Matanane
Joe S. San Agustin
Eulogio Shawn Gumataotao
Frank F. Blas Jr.

AN ACT TO *AMEND* §54B102 OF CHAPTER 54B, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING FOR FURTHER EXEMPTIONS TO THE “CHOOSE TO REUSE: MUNGNGA MA AYEK I PLASTEK ACT OF 2018.”

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that through Public Hearings for Bill 245-36, which was signed into law as P.L. 26-98, luxury retail stakeholders catered to Guam’s tourism market had requested for exemptions to the eligible entities that may continue to provide paper bags for niche markets and commodities. While the committee report for Bill 245-36 states that luxury retail establishments requested for an exemption, this request for exemption was further reiterated in the committee recommendations but were never incorporated.

1 Through testimony provided to *I Liheslatura*, luxury retailers stated that “*The*
2 *Guam paper shopping bag ban is unique in the United States. California, considered*
3 *the leader in environmental legislation, does not ban paper shopping bags of luxury*
4 *retailers.*” Furthermore, the report states “*The reason that paper shopping bags for*
5 *luxury products are properly excepted from a ban is because the shopping bag for*
6 *luxury products is an integral part of the store's trademark and*
7 *service mark branding.*”

8 The report also states “*Proper presentation, particularly product presentation*
9 *in a branded shopping bag, is extremely important to Asian visitors and in Asian*
10 *gift-giving culture. It is critical for Guam-based luxury retailers to maintain brand*
11 *international tourists; particularly as Asian economies relax travel restrictions*
12 *imposed during the pandemic. Banning luxury paper shopping bags will discourage*
13 *sales of luxury products in Guam, with resultant adverse effects on Guam economic*
14 *activity and business gross receipts tax revenues.*” Testimony provided in the report
15 concludes that “*International visitors to Guam are 90% of the market compared to*
16 *locals, therefore the large majority of the luxury shopping bags are exported from*
17 *Guam. International visitors to Guam shopping at luxury boutiques and stores,*
18 *unlike local purchasers, will tend not to carry non-paper reusable carryout bags*
19 *with them. They would have to be provided, or buy, such non-paper reusable bags*
20 *for purchases. Substitution of reusable, non-paper bags for paper shopping bags*
21 *under these circumstances is likely to have an adverse, rather than beneficial,*
22 *environmental impact.*”

23 In an effort to restore Destination Guam as a world-class tourism destination
24 for international visitors, *I Liheslaturan Guåhan* aims to provide the requested
25 exemptions that were not incorporated to accommodate Guam’s luxury retail
26 industry

1 **Section 2.** §54B102 of Chapter 54B, Title 10, Guam Code Annotated, is
2 *amended* to read:

3 **“§54B102. Definitions.**

4 For the purposes of this Chapter:

5 (a) *Agency* means the Guam Environmental Protection Agency;

6 (b) *disposable carryout bag* means any bag that is provided to a
7 consumer by a retail or wholesale establishment at the point of sale to carry
8 purchases.

9 A disposable carryout bag shall not include any of the following:

10 (1) a bag provided to the consumer for use in a retail or
11 wholesale establishment to package bulk items, such as fruits,
12 vegetables, nuts, grains, candy, meats, poultry, or fish;

13 (2) a bag provided to the consumer for use in a retail or
14 wholesale establishment to package small hardware items;

15 (3) a bag to contain or wrap flowers, potted plants, or other
16 items where dampness may be a problem;

17 (4) a bag to contain non-prepackaged food items or bakery
18 goods;

19 (5) a bag provided by a pharmacy to carry prescription drugs;

20 (6) a bag used for newspapers;

21 (7) a bag used for laundry dry-cleaning;

22 (8) bags sold in packages containing multiple bags intended
23 for garbage, pet waste, or yard waste;

24 (9) a bag used to package and secure fragile merchandise;

25 (10) a bag used to help insulate frozen items; or

26 (11) a reusable carryout bag as defined by this Chapter; and

1 (12) a branded bag. For purposes of this section, a branded bag
2 means any bag used by a retailer that displays the name, logo,
3 trademark or other marks of distinction of the manufacturer of the
4 product sold.

5 (c) *reusable carryout bag* means a bag specifically designed and
6 manufactured for multiple reuse, and is made of cloth, fiber, or other machine
7 washable fabric;

8 (d) *retail establishment* means any entity that engages in the
9 business of selling tangible property to others for consumption or use by the
10 purchaser, and not for resale;

11 (e) *wholesale establishment* means any entity that engages in the
12 business of selling tangible property for the purpose of resale.”

13 **Section 3. Effective Date.** This Act *shall* be effective upon enactment.



COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson
I Mina'trentai Ocho Na Liheslaturan Guåhan
38th Guam Legislature

April 24, 2025

To: **Rennae V. C. Meno**
Clerk of the Legislature

From: **Vice Speaker V. Anthony Ada** 
Chairperson, Committee on Rules

Subject: **Fiscal Note Waiver for Bill No. 121-38 (COR)**

Håfa Adai!

Find the attached, Fiscal Note Waiver for the following bill:

Bill No. 121-38 (COR).

I also request that the same be sent to the respective Chairperson of the Standing Committee, to which this bill has been referred. Kindly copy the same to Management Information Services (MIS) for posting on our website.





BUREAU OF BUDGET & MANAGEMENT RESEARCH

OFFICE OF THE GOVERNOR

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APR 24 2025

Vice Speaker V. Anthony Ada
Chairperson, Committee on Rules
I Mina'trentai Ocho Na Liheslaturan Guåhan
38th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Hafa Adai Vice Speaker Ada:

The Bureau requests that Bill No. 121-38 (COR) be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

Bill No. 121-38 (COR) is an act to amend §54B102 of Chapter 54B, Title 10, Guam Code Annotated, relative to allowing for further exemptions to the "Choose to Reuse: Mungnga Ma Ayek I Plastek Act of 2018."

The bill proposes that based on the committee report for Bill 245-36 luxury retail stakeholders be exempted to eligible entities to continue to provide paper bags for niche markets and commodities. Thus, this bill is an effort to restore Destination on Guam as a world-class tourism destination for international visitors, and aims to provide the requested exemptions that were not incorporated to accommodate Guam's luxury retail industry.

It should be noted that the Bureau had sought input on the proposed Bill 121-38 (COR) from the Guam Environmental Protection Agency on 04/21/2025 and has not received any official comments as of the date of this waiver request. However, the bill is determined to be administrative in nature and poses no fiscal impact upon any funds of the Government of Guam.

Senseramente,

LESTER L. CARLSON, JR.