

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
30-38 (COR)	Sabina Flores Perez V. Anthony Ada Chris Barnett Shelly V. Calvo Sabrina Salas Matanane Telo T. Taitague Therese M. Terlaje	AN ACT TO <i>ADD</i> A NEW ARTICLE 11 TO CHAPTER 51A OF TITLE 10, GUAM CODE ANNOTATED; AND <i>ADD</i> A NEW § 14104(q) TO CHAPTER 14 OF TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE GUAM SOLID WASTE AUTHORITY ISLANDWIDE COLLECTION PLAN.	1/16/25 8:48 a.m.	1/24/25	Committee on Transportation, Tourism, Customs, Utilities, and Federal and Foreign Affairs.	Request 1/24/25 2/13/25	3/20/25 9:00 a.m.	7/8/25 As Amended.	



June 19, 2025

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

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

RE: Committee Report on Bill No. 30-38 (COR) - As amended by the Committee

Buenas yan Håfa Ådai Speaker,

Transmitted herewith is the Committee Report on Bill No. 30-38 (COR) As amended - Sabina Flores Perez / V. Anthony Ada / Chris Barnett / Shelly V. Calvo / Sabrina Salas Matanane / Telo T. Taitague / Therese M. Terlaje - AN ACT TO ADD A NEW ARTICLE 11 TO CHAPTER 51A OF TITLE 10, GUAM CODE ANNOTATED; AND ADD A NEW § 14104(q) TO CHAPTER 14 OF TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE GUAM SOLID WASTE AUTHORITY ISLANDWIDE COLLECTION PLAN.

Committee votes are as follows:

 1 TO DO PASS
 TO NOT PASS
 6 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:
June 19, 2025 1:49 p.m.
Marie Crisostomo
Revisions Received:
July 7, 2025 5:15 p.m.



Bill No. 30-38 (COR)

As amended

Sabina Flores Perez, V . Anthony Ada,
Chris Barnett, Shelly V . Calvo,
Sabrina Salas Matanane,
Telo T. Taitague, Therese M. Terlaje

**AN ACT TO ADD A NEW ARTICLE 11 TO
CHAPTER 51A OF TITLE 10, GUAM CODE
ANNOTATED; AND ADD A NEW § 14104(q)
TO CHAPTER 14 OF TITLE 12, GUAM CODE
ANNOTATED, RELATIVE TO ESTABLISHING
THE GUAM SOLID WASTE AUTHORITY
ISLANDWIDE COLLECTION PLAN**



May 1, 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. 30-38 (COR) *As amended by the Committee***

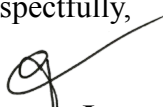
Transmitted herewith for your consideration is the Committee Report on **Bill No. 30-38 (COR) As amended** - Sabina Flores Perez / V. Anthony Ada / Chris Barnett / Shelly V. Calvo / Sabrina Salas Matanane / Telo T. Taitague / Therese M. Terlaje - AN ACT TO ADD A NEW ARTICLE 11 TO CHAPTER 51A OF TITLE 10, GUAM CODE ANNOTATED; AND ADD A NEW § 14104(q) TO CHAPTER 14 OF TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE GUAM SOLID WASTE AUTHORITY ISLANDWIDE COLLECTION PLAN.

This report includes the following:

- Copy of COR Referral of Bill No. 30-38 (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. 30-38 (COR), As Introduced
- Copy of Bill No. 30-38 (COR), As amended
- Copy of Bill No. 30-38 (COR), As amended (Committee Markup)
- Fiscal Note/Fiscal Note Waiver

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

January 24, 2025

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

Attorney Darleen Hiton
Legislative Legal Counsel

From: **Senator Christopher M. Dueñas** 
Acting Chairperson, Committee on Rules

Subject: **Referral of Bill No. 30-38 (COR)**

Håfa Adai,

As per my authority as Acting 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. 30-38 (COR)** – Sabina Flores Perez, V. Anthony Ada, Chris Barnett, Shelly V. Calvo, Sabrina Salas Matanane, Telo T. Taitague, Therese M. Terlaje. – “AN ACT TO *ADD* A NEW ARTICLE 11 TO CHAPTER 51A OF TITLE 10, GUAM CODE ANNOTATED; AND *ADD* A NEW § 14104(p) TO CHAPTER 14 OF TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE GUAM SOLID WASTE AUTHORITY ISLANDWIDE COLLECTION PLAN.”

Please ensure that the subject bill is referred to the Committee on Transportation, Tourism, Customs, Utilities, and Federal and Foreign Affairs chaired by Senator Jesse A. Lujan. I also request that the same be forwarded 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.





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

FIRST NOTICE of Public Hearings on Thursday, March 20, 2025

2 messages

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

Thu, Mar 13, 2025 at 9:32 AM

To: phnotice@guamlegislature.gov

FOR IMMEDIATE RELEASE

March 13, 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 Thursday, March 20, 2025

The Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs will conduct a public hearing on **Thursday March 20, 2025** beginning at **9:00am** at the Public Hearing Room in the Guam Congress Building. The agenda is as follows:

9:00AM

• **Bill No. 30-38 (COR)** - Sabrina Flores Perez / V. Anthony Ada / Chris Barnett / Shelly V. Calvo / Sabrina Salas Matanane / Telo T. Taitague / Therese M. Terlaje - AN ACT TO ADD A NEW ARTICLE 11 TO CHAPTER 51A OF TITLE 10, GUAM CODE ANNOTATED; AND ADD A NEW § 14104(p) TO CHAPTER 14 OF TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE GUAM SOLID WASTE AUTHORITY ISLANDWIDE COLLECTION PLAN.

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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).

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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_PH_FN-03.20.2025.pdf
438K

Senator Jesse Lujan <senator.lujan@guamlegislature.gov>
To: Artemio Ricky Hernandez <ahernandez@guamairport.net>

Thu, Mar 13, 2025 at 4:38 PM



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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438K



FOR IMMEDIATE RELEASE

March 13, 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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117) and streamed online through *I Liheslaturan Guåhan's* YouTube Channel (@guamlegislaturemedia).

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FIRST NOTICE of Public Hearings on Thursday, March 20, 2025

 PRINT

**FIRST NOTICE of Public Hearings on Thursday,
March 20, 2025**

PUBLIC HEARING



 **Posted on:** 03/13/2025 10:35 AM

 **Posted by:** Cecile Suda

 **Public Hearing Date:** 03/20/2025 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

March 13, 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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Customs, Utilities
and Federal & Foreign Affairs.



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

SECOND NOTICE of Public Hearings on Thursday, March 20, 2025

2 messages

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

Tue, Mar 18, 2025 at 8:13 AM

FOR IMMEDIATE RELEASE
March 18, 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 Thursday, March 20, 2025

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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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Catherine Castro <ccastro@guamchamber.com.gu>
Reply-To: ccastro@guamchamber.com.gu
To: Senator Jesse Lujan <senator.lujan@guamlegislature.gov>

Thu, Mar 20, 2025 at 9:00 AM

Hafa Adai Senator Lujan,

The Chamber has prepared a statement for Bill No. 67-38 and we are finalizing the details on our testimony which will not be ready in time for today's 9 am hearing. In general, we are lending our support for the bill. However, we do have concerns regarding checks and balances. We will send our testimony as soon as we finalize. Thank you for your understanding.

Sincerely,

Catherine

Catherine Castro

President

Guam Chamber of Commerce



Tel: (671) 472-6311/8001



GuamChamber.com.gu



**GUAM CHAMBER
OF COMMERCE**

PROGRESS NOW AND FOREVER

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FOR IMMEDIATE RELEASE

March 18, 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 Thursday, March 20, 2025

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SECOND NOTICE of Public Hearings on Thursday, March 20, 2025

 PRINT

**SECOND NOTICE of Public Hearings on Thursday,
March 20, 2025**

PUBLIC HEARING



 **Posted on:** 03/18/2025 09:03 AM

 **Posted by:** Cecile Suda

 **Public Hearing Date:** 03/20/2025 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

March 18, 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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Tourism, Customs, Utilities and Federal & Foreign Affairs.



Guam Educational Telecommunications Corporation

P.O. Box 21449
GMF, Guam 96921
Phone # 671-734-5483

Invoice

Date	Invoice No.
3/31/2025	2025-19

Bill To

Office of Jesse Lujan
259 Martyr St.
Hagatna, Guam 96910

P.O. No.	Due Date	Rep	MOU No.
	4/30/2025	CDC	FY25-22

Item	Description	Qty	Rate	Amount
Air-Time	Public Notice Services 3/20/25 Hearing 1st Notice - 3/13/25 2nd Notice - 3/18/25 4/01/25 Hearing 1st Notice - 3/25/25 2nd Notice - 3/28/25		500.00	500.00
Certified to be true and correct:  Ina Marie V. Carillo General Manager				

THANK YOU FOR SUPPORTING PUBLIC TV!! IF PBS DOESN'T DO IT, WHO WILL?
WE WILL TOGETHER!

Total \$500.00

Report date: 03/21/2025
Report time: 08:02:25

From: 03/18/2025 To: 03/20/2025

Log Performance Report
Page: 1

Video Source		Title		Available		
Audio Source		Typ	Sub-Title	Length	From/To	DAYS
FI-3543		PA	SEN. JL 2ND NOTICE PUBLIC HEARING M	00:15:00	03/18/25	MTWTFSS
FI-3543		EXPIRES	03-20-2025 (MAR. 20, 2025 H		03/20/25	YYYYYYY
Tue 03/18/2025		at 14:55:20	for 00:00:15:00	12.1	2X DAY 1X PRIME	
Tue 03/18/2025		at 17:56:46	for 00:00:15:00	12.1	CHRISTINE MOU# N/A	
Tue 03/18/2025		at 20:56:46	for 00:00:15:00	12.1		
Wed 03/19/2025		at 13:58:46	for 00:00:15:00	12.1		
Wed 03/19/2025		at 15:56:46	for 00:00:15:00	12.1		
Wed 03/19/2025		at 18:57:06	for 00:00:15:00	12.1		
Thu 03/20/2025		at 06:28:46	for 00:00:15:00	12.1		
Thu 03/20/2025		at 07:28:46	for 00:00:15:00	12.1		
Thu 03/20/2025		at 08:29:06	for 00:00:15:00	12.1		

This item appeared 9 times between 03/18/2025 and 03/20/2025.

Report date: 03/21/2025

Log Performance Report

Report time: 08:00:29

From: 03/13/2025 To: 03/18/2025

Page: 1

Video Source		Title		Available		Notes
Audio Source		Typ	Sub-Title	Length	From/To	
FI-3542		PA	SEN. JL 1ST NOTICE PUBLIC HEARING M	00:15:00	03/13/25 MTWTFSS	2X DAY 1X PRIME
FI-3542		EXPIRES	03-18-2025 (MAR. 20, 2025 H		03/18/25 YYYYYYY	CHRISTINE MOU# N/A
Thu	03/13/2025	at	14:26:00	for 00:00:15:00	12.1	
Thu	03/13/2025	at	16:56:00	for 00:00:15:00	12.1	
Thu	03/13/2025	at	18:57:06	for 00:00:15:00	12.1	
Fri	03/14/2025	at	14:26:00	for 00:00:15:00	12.1	
Fri	03/14/2025	at	15:56:46	for 00:00:15:00	12.1	
Fri	03/14/2025	at	18:57:06	for 00:00:15:00	12.1	
Sat	03/15/2025	at	14:55:20	for 00:00:15:00	12.1	
Sat	03/15/2025	at	16:54:45	for 00:00:15:00	12.1	
Sat	03/15/2025	at	19:56:46	for 00:00:15:00	12.1	
Sun	03/16/2025	at	13:55:00	for 00:00:15:00	12.1	
Sun	03/16/2025	at	15:57:06	for 00:00:15:00	12.1	
Sun	03/16/2025	at	18:57:06	for 00:00:15:00	12.1	
Mon	03/17/2025	at	12:59:06	for 00:00:15:00	12.1	
Mon	03/17/2025	at	16:27:06	for 00:00:15:00	12.1	
Mon	03/17/2025	at	18:54:45	for 00:00:15:00	12.1	
Tue	03/18/2025	at	13:58:46	for 00:00:15:00	12.1	
Tue	03/18/2025	at	15:56:46	for 00:00:15:00	12.1	
Tue	03/18/2025	at	18:57:06	for 00:00:15:00	12.1	

This item appeared 18 times between 03/13/2025 and 03/18/2025.



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

Invitation to Public Hearing Bill No. 30-38 (COR)

2 messages

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

Tue, Mar 11, 2025 at 12:11 PM

Bcc: Irvin Slike <irvin.slike@gswa.guam.gov>, "Andrew M. Gayle" <agayle@gta.net>, Fred Horecky <fhorecky@teleguam.net>, Michelle Lastimoza <michelle.lastimoza@epa.guam.gov>

Buenas yan Hafa Adai!

The Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs invites you to participate in a public hearing on Bill No. 30-38 (COR), scheduled for Thursday, March 20, 2025 at 9:00 a.m. in the Guam Congress Building.

Your input is valuable, and we encourage you to attend and share your testimony. If you are unable to participate in person, we welcome written testimony, which may be submitted via email to senator.lujan@guamlegislature.gov.

Should you have any questions or require additional information, please do not hesitate to contact our office at (671) 969-6525.

Please kindly confirm receipt of this email.

Si Yu'os Ma'ase!

--



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

Irvin Slike <irvin.slike@gswa.guam.gov>

Tue, Mar 11, 2025 at 1:08 PM

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

Thank You Yes will attend

[Quoted text hidden]



PUBLIC HEARING AGENDA

Thursday, March 20, 2025 - Guam Congress Building

9:00AM:

- **Bill No. 67-38 (COR)** - Jesse A. Lujan / Christopher M. Dueñas / V. Anthony Ada / Tina Rose Muña Barnes / Vincent A. V. Borja / Frank F. Blas, Jr. / Sabrina Salas Matanane / William A. Parkinson / Joe S. San Agustin / Eulogio Shawn Gumataotao - An Act To Repeal And Re-Enact §1203.1 Of Article 2, Title 12 Of The Guam Code Annotated, Relative To Providing Authority To The Antonio B. Won Pat International Airport Authority, Guam To Adopt Policies And Procedures For The Solicitation, Selection, And Award Of Agreements Between The Authority And Any Other Party For The Use Of Airport Facilities And Properties For Airport Purposes And/Or Visitor Related Activities.
- **Bill No. 30-38 (COR)** - Sabina Flores Perez / V. Anthony Ada / Chris Barnett / Shelly V. Calvo / Sabrina Salas Matanane / Telo T. Taitague / Therese M. Terlaje - An Act To Add A New Article 11 To Chapter 51a Of Title 10, Guam Code Annotated; And Add A New § 14104(P) To Chapter 14 Of Title 12, Guam Code Annotated, Relative To Establishing The Guam Solid Waste Authority Islandwide Collection Plan.

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).



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:

March 28, 2025

Time: 9:00 AM

	Name	Agency / Address	Contact No.	Email	Type of Testimony		Support	
					Oral	Written	Yes	No
1	Glenn Sannicola	CAUSA/EPD		glennsannicola@epd.gov		X	X	
2	Irvil Siko	GSWA		Irvil.Siko@gswh.gov		X	X	
3	Fred Horecky	PUC		horecky@ite.net	✓	✓	X	In part
4								
5								
6								
7								
8								
9								
10								

GUAM PUBLIC UTILITIES COMMISSION

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Chairman

Peter B. Montinola
Vice Chairman

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Sheila M. Salas
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Frederick J. Horecky
Chief Administrative Law Judge

Joephet R. Alcantara
Administrative Law Judge

Anthony R. Camacho
Legal Counsel

March 19, 2025

Senator Jesse A. Lujan
Chairman, Committee on Transportation, Tourism, Customs,
Utilities and Federal & Foreign Affairs
38th Guam Legislature
259 Martyr St.
Hagatna, Guam 96910

**SUBJECT: Testimony of Chairman Jeffrey C. Johnson, Guam Public Utilities
Commission, on Bill No. 30-38(COR)**

Dear Chairman Lujan:

INTRODUCTION.

The Guam Public Utilities Commission ["PUC"] appreciates the opportunity to comment on proposed Bill No. 30-38 (COR).

The establishment of the Guam Solid Waste Authority ["GSWA"] Island wide Collection Plan Bill is critical for the future financial health of GSWA. It will assist in ensuring that GSWA has the necessary financial resources to carry out its operations. As the Bill points out, there are presently nearly 20,000 out of 40,000 households in Guam that are not subscribers to GSWA collection services.

However, the PUC objects to proposed sec. 51A1106, wherein the Legislature would mandate that GSWA adopt a Low-Income Customer Assistance rate for low-income subscribers. Proposed sec. 51A1106 (b) would actually set rates: "Low Income Assistance Rates shall be

50% of the residential customer rate but shall not be less than Fifteen Dollars (\$15.00) per month in the event that the residential customer rate drops below Thirty Dollars (\$30.00) per month.” The rate setting function for GSWA is the Organic Act duty and Guam Law prerogative of the Guam Public Utilities Commission, and not the Guam Legislature. The PUC must set any rates for GSWA, including the LICA rates.

**PASSAGE OF THIS BILL MAY REDUCE THE AMOUNT OF THE
RATE INCREASE THAT GSWA WILL SEEK IN ITS PENDING RATE CASE
BEFORE THE GUAM PUBLIC UTILITIES COMMISSION.**

On August 12, 2024, GSWA filed its PETITION FOR APPROVAL OF GSWA’S THREE-YEAR FINANCIAL RATE PLAN with the PUC. The proposed Plan seeks to increase Residential monthly Rates from \$30.000 to \$33.00 in FY2025 and \$35.00 in FY2026. Increases are also requested for Residential Transfer Station fees, Commercial and Governmental Rates, and other Special Waste Rates.

If Universal/Island-wide collection is enacted, GSWA could reduce the current Residential Monthly Rate from \$30.00 to \$27.00. Any final rates will depend upon what action the PUC takes upon the rate petition. Enactment of Island-wide collection will be a positive impetus in reducing the amount of rate increases sought.

The implementation of a requirement that all residences and residential buildings of four or less units have Universal Garbage Collection Services will reduce the immediate need of GSWA to seek rate increases with the PUC. In its 2020 Final Report on the Management Audit of GSWA, the PUC determined that GSWA would likely need significant increases in residential and commercial tipping fees. PUC recommended that GSWA file a petition for rate increases with the PUC.

The Universal Garbage Collection Services requirement will substantially increase the revenues of GSWA. If a rate increase is required in the future, at the very least, the implementation of Universal Garbage Collection could significantly reduce the amount of any necessary future rate increases.

**THE REQUIREMENT FOR UNIVERSAL SERVICE IS AN ACCEPTED INDUSTRY
WIDE STANDARD FOR GARBAGE COLLECTION.**

The requirement that all customers and residential building owners have garbage collection service, as well as new applicants and existing customers of the Guam Waterworks Authority, is consistent with, and in agreement with, the 2020 PUC Final Report on the Management Audit of GSWA.

In the PUC Management Audit, Table E-1 surveyed 15 randomly selected U.S. Cities that had about 40,000 total households served. These included jurisdictions across the United States. Of the jurisdictions listed, only Guam does not have mandatory garbage selection service. Of roughly 40,000 households on Guam, roughly 20,000 are not currently GSWA customers. The Report stated: “Collection productivity is therefore lower than expected, as most US residential

curbside collection programs service every household.” The Report pointed out that “Communities with mandatory, exclusively provided curbside collection services gain three advantages over Guam’s current non-mandatory system:

- The size of the customer base remains stable over time, because customers cannot opt to drop or add service (which could be disruptive for unexpected additions or subtractions).
- They can charge a fair, revenue-sufficient rate to all customers who benefit from having a solid waste utility; and
- They can operate their residential collection services with the optimal efficiency that is gained by servicing every household in a residential neighborhood.”

The PUC agrees with the “Purpose” statement of a new Article 11 which the Bill would add to Chapter 51A, Title 10 Guam Code Annotated. Island-wide Garbage Collection for Guam would mitigate the financial and logistical challenges posed by “piggy backing” (dumping by unsubscribed residents of their garbage into residential or commercial trash bins) and illegal dumping.

THIS BILL PRESENTS A WELL THOUGHT OUT PLAN TO ADDRESS THE FINANCIAL NEEDS OF GSWA

Significant drivers of GSWA’s need for additional rates are Ordot Landfill closure costs and Leyon Landfill construction costs for new cells.

All Senators should support universal collection services by GSWA, rather than compelling GSWA to seek larger rate increases from the ratepayers.

REQUIRING ALL RESIDENTIAL BUILDING OWNERS AND HOUSEHOLDS TO SUPPORT THE COSTS OF THE SOLID WASTE SYSTEM IS FAIR, JUST, AND EQUITABLE.

A requirement that all residential building owners and GWA customers utilize garbage collection services is fair, just, and equitable. At present, half of the households (approximately 20,000) are supporting and furnishing the costs for garbage removal services provided by GSWA through rate payments. Those paying for garbage collection services are subsidizing those who do not pay. Garbage collection is a service that benefits all citizens of Guam. Everyone benefits from a clean and safe environment. All residents have a responsibility to ensure that garbage removal services are fully funded and efficient. The burden of rates to support the garbage collection system should be borne by all residential building owners and residents.

A basic principle of Rate Design is that “rates should be designed so that costs are fairly apportioned among customers, and “undue discrimination” in rate relationships is avoided”. (Synapse Energy Economics, Inc., The Ratemaking Process, July 2017; <https://www.synapseenergy.com/sites/default/files/Ratemaking-Fundamentals-FactSheet.pdf>).

WHILE THE PUC SUPPORTS THE CONCEPT OF A LOW INCOME CUSTOMER ASSISTANCE RATE, IT IS THE PUC, NOT THE GUAM LEGISLATURE, THAT MUST APPROVE LOW INCOME ASSISTANCE RATES FOR GSWA.

Under proposed sec. 51A1106(a), the Legislature would **require** GSWA to establish a Low-Income Customer Assistance Rate for low-income subscribers. It requires GSWA to adopt six specific eligibility standards for the residential class ratepayer to receive financial assistance

The PUC has always been supportive of low-income utility programs and was instrumental in supporting legislation that established a lifeline program for GTA and the telecommunications companies. However, whether GSWA should be required to adopt a specific rate for low income customers is within the jurisdiction of the PUC and can only be implemented if approved by the PUC.

GSWA must present any proposal for a Low-Income Customer Assistance Rate to the PUC in the GSWA rate case. It is the PUC, not the Legislature, that must set any rates for the Low-Income Customer Assistance Program. The scope of such a program, and the specific rates, is subject to the approval of the Guam Public Utilities Commission as the authority which must approve all commercial, government, and residential tipping and user fees for the Guam Solid Waste Authority. 10 GCA §51A301(b) -(e). Those provisions provide:

(b) Commercial and Residential Tipping Fees. **All commercial and residential tipping fees charged by the Authority shall be subject to the review and approval of the Public Utilities Commission.** (c) Business and Governmental Tipping Fees. **A tipping fee per cubic yard, uncompacted, shall be established for business and government generators, subject to approval by the Public Utilities Commission (PUC), and shall be published in a rate order developed by the PUC.** (d) Residential Tipping Fees. **A residential tipping fee, which may include collection charges and a Self-Drop Fee, may be established subject to the approval of the PUC.** (e) PUC Rate-making. **The Public Utilities Commission of Guam (PUC) is hereby authorized to establish, amend and approve, in accordance with Chapter 12 of Title 12, Guam Code Annotated, all commercial, government and residential tipping and user fees (including without limitation a self-drop fee, a variable residential tipping fee and, collectively referred to as 'tipping fees'), which when established shall replace those previously created by law. (1) Tipping fees authorized and established by PUC shall be based on volume and on an analysis of operations costs, including those cost components specifically listed under Title 10 GCA § 51A114. (2) PUC is empowered to undertake a focused management audit of the existing operations of the Guam Solid Waste Authority. (3) In performing its duties under this Section, PUC shall have the full authority and powers conferred upon it by its enabling legislation, Title 12 GCA 12000 et. sec., including the audit power conferred upon it by Public Laws 25-05:12 and 26-78:2.**

RATE SETTING BY THE LEGISLATURE WOULD VIOLATE THE INDEPENDENCE OF THE PUC.

The purpose for the establishment of the PUC is clearly stated in the Organic Act of Guam. That purpose was "the establishment of an independent rate-making authority by the Government of Guam..." 48 USC § 1423a, as amended by P.L. 98-454, Title II, § 203, 98 Stat. 1733 (1984). **The Guam Legislature has traditionally recognized the need to preserve a strong, independent Public Utilities Commission. As stated in Public Law No. 26-18:**

"Section 1. Legislative Findings and Intent. I Liheslaturan Guåhan finds that a strong public interest is served by maintaining a strong, independent Public Utilities Commission of Guam ("Commission"), which is independent of the Executive and Legislative Branches.

THE PUC RECOMMENDS THAT THE LEGISLATURE AMEND PROPOSED SEC. 51A1106, GSWA SUBSIDY-LOW-INCOME CUSTOMER ASSISTANCE (LICA) RATE.

Sec. 51A1106 usurps provisions under Guam Law and the Organic Act of Guam that entrust the PUC with establishing GSWA LICA rates and eligibility requirements. The PUC requests that said section be revised as follows:

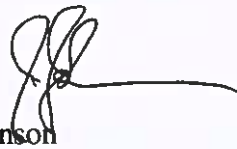
"§ 51A1106. GSWA Subsidy-Low-Income Customer Assistance (LICA) 13 Rate. ~~14~~ (a) I Liheslaturan Guahan recommends that GSWA ~~shall~~ establish a Low-Income Customer Assistance (LICA) Rates for low-income subscribers. ~~Individuals who are eligible and receiving assistance through any one (1) of the following may be are~~ eligible for customer assistance rates: (1) Supplemental Nutrition Assistance Program (SNAP) or food stamps; (2) Medicaid; (3) Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) benefits; (4) Participate in the National School Lunch Program or the School Breakfast Program; (5) Is enrolled in a school that offers free breakfast or lunch through the USDA Community Eligibility Provision (CEP); or (6) Received a Federal Pell Grant during the current award year. (b) The I Liheslaturan Guahan recommends that LICA rates ~~shall~~ be 50% of the residential customer rate but ~~+~~ shall not be less than Fifteen Dollars (\$15.00) per month in the event that the ~~2~~-residential customer rate drops below Thirty Dollars (\$30.00) per month. The Low-Income Customer Assistance (LICA) Rates shall be subject to final approval of the Guam Public Utilities Commission.

CONCLUSION

In conclusion, adoption of Bill No. 30-38(COR) will greatly improve the financial condition of GSWA and avoid the necessity for implementation of substantial rate increases. However, the Guam Legislature should adopt the amendments set forth herein to ensure that the LICA rates are subject to the review and approval of the Guam Public Utility Commission.

Thank you for your consideration of this Testimony.

Sincerely,


Jeffrey C. Johnson
Chairman
Guam Public Utilities Commission



GUAM ENVIRONMENTAL PROTECTION AGENCY • AHENSJAN PRUTEKSIÓN LINA'LA' GUÁHAN
LOURDES A. LEON GUERRERO • GOVERNOR OF GUAM | JOSHUA T. TENORIO • LIEUTENANT GOVERNOR OF GUAM
MICHELLE C. R. LASTIMOZA • ADMINISTRATOR

March 20, 2025

MEMORANDUM

ATTN: Sabina Flores Perez V. Anthony Ada Chris Barnett Shelly V. Calvo Sabrina Salas
Matanane Telo T. Taitague Therese M. Terlaje

FROM: Guam EPA Administrator

SUBJECT: GUAM EPA TESTIMONY FOR BILL 30-38. AN ACT TO ADD A NEW ARTICLE 11 TO CHAPTER 51A OF TITLE 10, GUAM CODE ANNOTATED; AND ADD A NEW § 14104(p) TO CHAPTER 14 OF TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE GUAM SOLID WASTE AUTHORITY ISLANDWIDE COLLECTION PLAN

The Guam Environmental Protection Agency (EPA) supports Bill 30-38 relative to establishing the Guam Solid Waste Authority Island Wide Collection Plan.

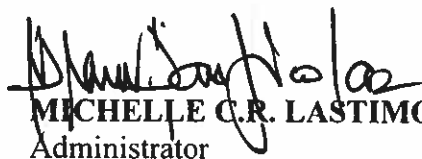
Last year, Guam EPA received 238 solid waste complaints, concerning illegal dumping and household waste accumulation. About half of these complaints were related to household waste. Furthermore, 80% of Guam EPA's emergency responses were related to illegal dump fires on public and private properties with excess trash accumulation.

On March 16, 2025, Guam EPA responded to a trash fire reported by the Guam Fire Department and found piles of trash bags, litter, and junk vehicles at a home with no trash service. The resident, a single mother of five, stated that they try to take their trash to the transfer station but do not have a truck and struggle financially. Unemployed and low-income families often prioritize other expenses over trash disposal.

Providing mandatory garbage collection services and provisions for low-income customers will help reduce illegal dumping, trash accumulation, and burning of household waste, thus promoting a healthy and cleaner Guam.

If you have any questions, please call the Guam EPA at (671) 588- 4751.

Dangkolu na si Yu'us ma'âse'.


for 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 MANLÁLALA

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Testimony - Bill 30-38 (COR)

2 messages

Keilani Mesa <keilani.mesa@gsua.guam.gov>

Wed, Mar 19, 2025 at 10:41 AM

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

Cc: Irvin Slike <irvin.slike@gsua.guam.gov>, Alicia Fejeran <alicia.fejeran@gsua.guam.gov>, Antoinette Martinez <antoinette.martinez@gsua.guam.gov>

Hafa Adai,

I am attaching Mr. Irvin Slike's testimony and Island Wide Collection Presentation relative to Bill 30-38 (COR). If you have any questions, please let me know. Thank you!

--

*Respectfully,***Keilani Mesa****Administrative Officer**

GUAM SOLID WASTE AUTHORITY

546 N. Marine Corps Dr. Tamuning, Guam 96913

T: 671-646-3111 F: 671-649-3777 W: www.gswa.guam.gov

2 attachments**Irvin Slike - Testimony Bill 30-38 (COR).pdf**

53K

**IWC PRESENTATION_3.20.25.pdf**

4288K

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

Wed, Mar 19, 2025 at 10:57 AM

To: Keilani Mesa <keilani.mesa@gsua.guam.gov>

Cc: Irvin Slike <irvin.slike@gsua.guam.gov>, Alicia Fejeran <alicia.fejeran@gsua.guam.gov>, Antoinette Martinez <antoinette.martinez@gsua.guam.gov>

Hafa Adai Keilani,

Thank you for your email and Mr. Slike's testimony. Please advise if Mr. Slike will be attending tomorrow's public hearing on Bill 30-38 (COR).

Again, thank you for Mr. Slike's testimony and IWC presentation.

Best regards,

Cecile Bamba Suda

Deputy Chief of Staff

[Quoted text hidden]

--

**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

My name is Irvin Slike, I am the General Manager of the Guam Solid Waste Authority. I have held this position since October 16, 2021.

I have been constructing, operating, permitting and planning Solid Waste collection and disposal systems for 40 years. I have worked in Virginia, Maryland, Connecticut, Florida, and Winnipeg Canada.

I am here today to support Bill No. 30-38 (COR), which proposes Islandwide Garbage Collection, while also providing additional comments. In the waste management industry, Islandwide garbage collection, or “Universal Collection” typically refers to curbside collection of green waste, food waste, household hazardous waste (HHW), bulky items and household garbage. GSWA supports the collection of curbside residential refuse and bulk items and also supports mandatory solid waste collection.

There are two main concepts behind mandatory collection. One is “Proper Waste Management.” Every individual generates refuse, and as such, a convenient, safe, and sanitary method for collection and disposal must be available to all.

Second, is “Equitable Cost Distribution”. Since waste generation is from everyone, the cost of collection and disposal should be fairly distributed among all who produce it.

Mandatory collection offers several advantages such as reduced illegal dumping, reduced environmental impact due to fewer refuse trucks being required for collection, leading to lower fuel consumption and reduced greenhouse gas emissions. This is prevalent with private haulers that operate on a subscription basis or when self-hauling is common. Another benefit is fair cost distribution. When everyone contributes, the financial burden is shared fairly, and funds are directed toward the agency that provides the collection and disposal services.

Despite its benefits, the biggest challenge of mandatory collection is the perception that it is being “forced” upon non-participants. Some individuals claim they do not produce enough trash to warrant participation. Others argue they cannot afford the fees, and others see mandatory collection as excessive government control.

GSWA has a regulatory and financial responsibility to safely manage and monitor every pound of refuse deposited at the Layon Landfill, through the year 2100. This responsibility extends to all waste, regardless of whether it comes from GSWA customers or non-customers. The lined landfill makes no distinction as to how much was produced or by whom.

With regard to it costing too much, every piece of refuse disposed of was once an item that was wanted, purchased, used, and enjoyed. Ownership and responsibility for its disposal

should not be disregarded simply because it is no longer needed. The proposed Islandwide collection program will include financial assistance to help those who may struggle with the fees.

Lastly, many are always skeptical of what our government is doing and why, however, the reality is that Guam has only one permitted disposal facility for household waste. If an individual refuses to contribute to the financial burden of collection and disposal, what alternative do they propose? Would they prefer to find an off-island disposal site and arrange for transportation? Allowing “piggybacking”, where non-paying individuals rely on paying customers, seems to infringe on the rights of those that pay and raises concerns as much as the mandatory collection does.

GSWA strongly recommends the following specific amendment to Bill 30-38 (COR):

51A1105 – Penalties

- The bill should utilize existing legal frameworks for handling improper waste disposal and illegal dumping, which are already monitored and enforced by the Guam Environmental Protection Agency (GEPA).
- GSWA can provide customer information to GEPA for accounts that are delinquent or who have failed to subscribe.

51A1106 Customer Assistance Program

- GSWA can only support a customer assistance program that does not require GSWA ratepayer support or GSWA’s involvement in setting eligibility requirements. There are GovGuam assistance programs for other utility expenses that should be modified to cover waste collection fees; or
- Drop this section completely.

51A1107 External Subsidies

GSWA cannot use appropriated funds to reduce all customer rates, as this is inconsistent with GSWA’s enabling legislation.

51A1108 Disclosure on Billings

Remove subsection (b), but keep (a) and (c) to keep GSWA’s billing structure aligned with the existing ERA program.



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

Re: Testimony of Chairman Jeffrey C. Johnson, Guam Public Utilities Commission, on Bill No. 30-38

2 messages

Fred Horecky <horeckylaw@teleguam.net>
To: senator.lujan@guamlegislature.gov

Wed, Mar 19, 2025 at 3:53 PM

Dear Senator Lujan:

Enclosed is the written Testimony of Chairman Jeffrey C. Johnson, Guam Public Utilities Commission, on Bill No. 30-38,

for the 9:00 am Legislative Public hearing tomorrow.

I will also present oral Testimony on Chairman Johnson's behalf. Thank you.

Sincerely,

Fred Horecky

Chief Administrative Law Judge

Guam Public Utilities Commission

c/o Law Office of Frederick J. Horecky

643 Chalan San Antonio, Ste. 102B

Tamuning, Guam 96913

(w)646-8274/5

(f) 646-8403

horeckylaw@teleguam.net

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2025-03-18 TESTIMONY OF CHAIRMAN JEFFREY C JOHNSON ON BILL NO. 30-38(COR).pdf
191K

Senator Jesse Lujan <senator.lujan@guamlegislature.gov>
To: Fred Horecky <horeckylaw@teleguam.net>

Wed, Mar 19, 2025 at 4:10 PM

Confirming receipt of your email.

Thank you.



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 TIME AROUND"

ISLANDWIDE COLLECTION

MARCH 20, 2025



Islandwide Collection Review:

- Background
- IWC Plan Assumptions
- IWC Whole Community Justification
- IWC Projected Rates
- IWC Implementation Costs
- Comments & Concerns re Bill 30-38 (COR)

Background

- Solid Waste Management Division of the Dept. of Public Works funded island wide collections through user fees and supplemented by taxes.
- Federal Receivership was appointed in 2008 and took over the Solid Waste Collections and established a voluntary program where residents who wanted weekly refuse collection would pay \$30.00 per month
- Since 2010, approx. 21,000 households have registered for the program and approx. 20,000 have not participated. Essentially only half of the residents of Guam chose to pay for the service.





IWC Plan Assumptions

Historical data puts Guam's waste generation rate at 3.15 pounds per person per day (ppd).

Using this generation rate and applying it 2021, the **Predicted tonnage at Layon Landfill was 98,242 tons.**

Actual tonnage at Layon Landfill was 96,923.

This essentially means that the majority of the island population's refuse is deposited at the Layon Landfill.





IWC Plan Assumptions Con't.

Piggybacking is an industry term in which residents share/use (knowingly or unknowingly) a legitimate residential or commercial refuse container. The refuse still goes to a legitimate disposal facility, but the true cost of the collection and disposal program is borne by a diminished number of users.

GSWA believes that illegal dumping does not, in any significant way, account for the ultimate destination of the 20,000 residents who elect not to register for curbside refuse collection.



IWC Plan Assumptions Con't.

GSWA funds Layon Landfill's Cell 3 Debt, Ordot Post Closure plan financing, Operating Costs, and Further Capital on rate-payer fees and does not currently receive any annual appropriations from the General Fund.

GSWA must construct, operate, and close landfill disposal cells with funds from rate-payer fees. GSWA will be responsible for financial, environmental, and regulatory requirements for waste deposited today until year 2100.



IWC Plan Assumptions Con't.

Expanding collection to all residents maximizes efficiency without increasing operational costs as GSWA trucks already service routes that pass through these areas.





IWC Whole Community Justification

- Fairer method for cost recovery and long term financial stability.
- Low-Income Customer Assistance (LICA) funded by an alternate source and not by existing rate payers.
- Minimize illegal dumping which can lead to serious communicable diseases.

Projected Rates with IWC Implementation

Projected Rates Curently Pending PUC Approval			
	Residential Rate		Commerial/Gov Rate
Current	\$	30.00	\$ 171.60
FY-2025	\$	33.00	\$ 185.00
FY-2026	\$	35.00	\$ 190.00
FY-2027	\$	35.00	\$ 190.00
FY-2028	\$	38.00	\$ 193.00

Projected Rates with IWC Implementation			
	Residential Rate		Commercial/Gov Rate
Current	\$	30.00	\$ 171.60
FY-2025	\$	22.50	\$ 190.00
FY-2026	\$	22.50	\$ 190.00
FY-2027	\$	22.50	\$ 190.00
FY-2028	\$	22.50	\$ 190.00

Residential Rates with IWC:

- Servicing additional customers would not require more routes or resources.
- By distributing costs over a larger customer base, IWC allows residential rates to decrease.

Commercial Rates with IWC:

- Costs would be distributed across more customers, keeping the rate increase at \$190.00.



IWC Implementation Costs

ARPA funds were originally designated for cart purchases, however, after the Governor's veto of the initial IWC Bill, ARPA funds were reallocated for other GSWA needs.

GSWA must now identify funding to procure the necessary trash and recycle carts for IWC implementation.

Estimated cost is \$4,000,000.00.



Bill No. 30-38 (COR)

Comments/Concerns

Penalties for Failure to Subscribe.

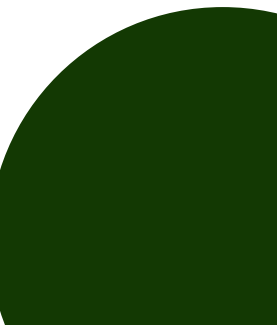
For customers who fail to subscribe, GSWA will collaborate with Guam Environmental Protection Agency (GEPA) to enforce penalties and ensure compliance.

Low-Income Customer Assistance (LICA) Rate

GSWA to establish a LICA rate for low-income subscribers, however no dedicated funding source is identified for this subsidy. GSWA cannot fund the LICA program.



Si Yu'os Ma'ase





COMMITTEE VOTE SHEET

Bill No. 30-38 (COR), As amended by the Committee - Sabina Flores Perez / V. Anthony Ada / Chris Barnett / Shelly V. Calvo / Sabrina Salas Matanane / Telo T. Taitague / Therese M. Terlaje - AN ACT TO ADD A NEW ARTICLE 11 TO CHAPTER 51A OF TITLE 10, GUAM CODE ANNOTATED; AND ADD A NEW § 14104(q) TO CHAPTER 14 OF TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE GUAM SOLID WASTE AUTHORITY ISLANDWIDE COLLECTION PLAN.

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>				X		
Senator Shelly Vargas Calvo <i>2nd Vice Chairperson</i>	ABSENT					
Senator Frank F. Blas, Jr. <i>Member</i>	ABSENT					
Senator Sabrina Salas Matanane <i>Member</i>				X		
Senator Vincent A.V. Borja <i>Member</i>	ABSENT					
Senator Eulogio Shawn Gumataotao <i>Member</i>				X		
Senator Tina Rose Muña Barnes <i>Member</i>				X		
Senator Joe S. San Agustin <i>Member</i>				X		
Senator William A. Parkinson <i>Member</i>				X		

I, Senator Jesse A. Lujan, hereby certify that the votes recorded on this sheet were duly cast during the committee mark-up held on Thursday, April 3, 2025, in accordance with the rules and procedures governing the legislative process. I further affirm that the record herein is complete, true, and accurate to the best of my knowledge and belief. *This certification is made pursuant to my authority as Chairman and is affirmed by my signature below.*


Senator Jesse A. Lujan

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

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. 30-38 \(COR\)](#) – Sabina Flores Perez / V. Anthony Ada / Chris Barnett / Shelly V. Calvo / Sabrina Salas Matanane / Telo T. Taitague / Therese M. Terlaje - An Act To Add A New Article 11 To Chapter 51a Of Title 10, Guam Code Annotated; And Add A New § 14104(P) To Chapter 14 Of Title 12, Guam Code Annotated, Relative To Establishing The Guam Solid Waste Authority Islandwide Collection Plan.

I. OVERVIEW

Bill No. 30-38 (COR) was introduced on Thursday, January 16, 2025 by Senator Sabina Flores Perez, and was subsequently referred by the Committee on Rules to the Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs on Friday, January 24, 2025.

The Committee on Transportation, Tourism, Customs, Utilities and Federal & Foreign Affairs convened a Public Hearing for Bill No. 30-38 (COR) on **[Thursday, March 20, 2025 at 11:25AM](#)** 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 **[Thursday, March 13, 2025](#)** (5-Day Notice), and again on **[Tuesday, March 18, 2025](#)** (48-Hour Notice).

SENATORS PRESENT

Senator Jesse A. Lujan, Chairman

Senator Christopher M. Dueñas, 1st Vice Chairperson

Senator Sabina Flores Perez, Bill Sponsor

Senator Telo T. Taitague

Senator Therese M. Terlaje

ORAL TESTIMONY:

Irvin Slike, General Manager, Guam Solid Waste Authority (GSWA)

Frederick J. Horecky, Chief Administrative Law Judge, Guam Public Utilities Commission (GPUC)

Glenn San Nicolas, Environmental Health Specialist Supervisor, Guam Environmental Protection Agency (GEPA)

WRITTEN TESTIMONY:

Jeffery C. Johnson, Chairman, Guam Public Utilities Commission

Michelle Lastimoza, Administrator, Guam Environmental Protection Agency

Irvin Slike, General Manager, GSWA

II. SUMMARY OF TESTIMONY & DISCUSSION

The public hearing for Bill No. 30-38 (COR) began *after* Bill No. 67-38 (COR) at [11:25AM](#).

SENATOR JESSE A. LUJAN, CHAIRMAN: We're now on Bill Number 30-38. I'd like to welcome my colleagues, Senator Duenas, my co-chair, Senator Sabina Perez and Senator Terlaje. Who else? That's it right here. And if, again, I'll defer to Senator Sabina Perez for their opening—her—she's the sponsor of the bill. So, go ahead and introduce your bill.

SENATOR SABINA FLORES PEREZ, BILL SPONSOR: Thank you so much, Mr. Chair, for scheduling the hearing on this bill. Greatly appreciated. And for those that came here to testify, thank you for being here. Bill 30-38 aims to implement an island wide garbage collection program that averts residential rate increases, lowers rates for residential subscribers, creates substantially lower rates for low income households and creates the framework to lower rates even further with external subsidies. In implementing this measure, this bill aims to ensure that every Guam resident's garbage is collected and properly disposed of through an

island wide collection program. And this legislation mirrors many jurisdictions across the United States which can effectively address illegal dumping while lowering collection cost through economies of scale. Bill 30-38 proposes to streamline the subscription process through a collaboration with Guam Waterworks Authority to ensure more households are covered and proposes a low income assistance program and rate. This legislation is one of a series of measures highlighted in the 2020 MSW Consultant Management Audit which was statutorily required by the Guam Public Utilities Commission. It would provide a path of greater autonomy to Guam Solid Waste Authority by stabilizing its customer base, optimize efficiency through increased households serviced on the same route and mitigate if not lower rates through a doubling of the number of customers. The audit stated further that with the cost of disposal and processing being inherently high on Guam, efficiency and cost controls are especially important. Since the 2020 audit, Guam Solid Waste Authority has taken significant steps to improve its operations by addressing the Management Audit's findings such as: reducing costs through renegotiation of contracts, internalizing its workforce, route optimization and fleet expansion and replacement—some with the electric vehicles. Guam Solid Waste Authority under the guidance of a dedicated board of directors and management team are on a mission to attain full autonomy of not only its operations which occurred in 2019, but also for the post closure of Ordot which shall be determined by the court and which the receiver has stated will occur. Bill 30-38 promotes financial stability which is crucial to ensure Guam Solid Waste Authority sustains sanitary operations that protects the health of our environment and people. Additionally, this bill promotes equity. Everyone generates trash and we each share in this responsibility to ensure proper disposal of our waste. Without this program, Guam Solid Waste subscribers would face a rate increase which was published last year to rate increase to \$42 per month by 2027. By implementing rate transparency and allowing for external subsidies from legislation, legislative appropriations and Federal Grants, Bill 30-38 ensures that Guam's waste collection system remains financially stable while protecting our environment and reducing household costs. I'd like to thank my co sponsors, Vice Speaker, V. Anthony Ada, Senators: Chris Barnett, Shelly Calvo, Sabrina Salas Matanane, Telo T. Taitague, Therese M. Terlaje. I look forward to support of this bill as well as look forward to the discussions to follow. *Si Yu'os Ma'ase!*

SENATOR JESSE A. LUJAN, CHAIRPERSON: Thank you, Senator. So we only have three folks. I think all you are providing oral testimony as well, right?

Yes. Okay, so I tell you what, why don't we just start actually from the—Let's go with the general manager—please identify yourself.

IRVIN SLIKE, GENERAL MANAGER, GSWA: Good morning, Senators. My name is Irvin Slike. I'm the General Manager for the Guam Solid Waste Authority and I've held this position since October of 2021. I'm here today to testify in *support* of Bill 30-38 and have submitted written testimony—and I'd just like to go through a slideshow and basically cover the points that I'm going to be covering in the written testimony.

[\[Mr. Slike presents a slide show covering the points of his written testimony which has been appended to this Committee Report.\]](#)

SENATOR JESSE A. LUJAN, CHAIRPERSON: Thank you very much. Attorney Horecky.

FREDERICK J. HORECKY, CHIEF ADMINISTRATIVE LAW JUDGE, GPUC: Good morning. Committee Chairman, Lujan, Senator Duenas, Senator Perez, Senator Terlaje, and Senator Taitague. I am the Chief Administrative Law Judge of the PUC, and I'm presenting the testimony of our Chairman, Jeffrey Johnson.

[Mr. Horecky, reads the submitted written testimony on behalf of the PUC Chairman, Mr. Jeffery C. Johnson, which has been appended to this Committee Report.]

SENATOR JESSE A. LUJAN, CHAIRPERSON: Thank you very much, Attorney Horecky.

Mr. San Nicolas.

GLENN SAN NICOLAS, ENVIRONMENTAL HEALTH SPECIALIST SUPERVISOR, GEPA: *Håfa Ådai*, Chairman, Senator Lujan, Senator Sabina Perez, Terlaje, Taitague, and Dueñas. On behalf of Guam EPA Administrator, Michelle Lastimoza, who is currently off island, I'll be providing testimony on Bill 30-38.

[Mr. San Nicolas reads the submitted written testimony on behalf of GEPA Administrator, Michelle Lastimoza, which has been appended to this Committee Report.]

SENATOR JESSE A. LUJAN, CHAIRPERSON: Thank you very much. Senator Dueñas...

[\[Questions and Discussion\]](#) *[Begins at 2:50:37 and ends at 3:34:05]*

COMMITTEE NOTE: Transcription of questions and discussion continues below.

SENATOR CHRISTOPHER M. DUEÑAS, 1ST VICE CHAIRPERSON:

Si Yu'os Ma'ãse, Mr. Chairman and it's really nice to have you all here this morning. Seems like very favorable testimony. Mr. Slike, I want to let you know that I really, really, enjoyed you receiving the Chairman and the Committee to see your operation from beginning to end. I guess, not beginning at the household, but the beginning in terms of what your team does. Mr. Horecky, a lot of us really should be proud of having this gentleman here. He's really, really, you know, the board members and the Chair were mentioning that his experience and what he's done in his time that he's been here has really been extremely beneficial. I wanted you to share what you shared with us basically that one of the main, primary reasons too, why you're able to do this, not only because of the – because of the economies of scale with – you know, the mandatory, but also that you've managed also funds that came from the settlement very well to outfit your operation.

IRVIN SLIKE, GENERAL MANAGER, GSWA: Thank you for your kind words, and you're more than welcome to visit any of our facilities whenever you would like. And more than likely, I think my staff should get kudos for the – standing in for me because I had to go off to something else. But what we're able to do since I came here again in October of 2021, is to sort of relook at and reimagine a lot of the contracts that the receiver had set up and look for cost savings there. Again, the appropriation that the legislature did with the settlement monies from DoD really helped our finances. We were contributing about \$2 million dollars a year to the post closure fund that was set up by court order. Since the fund is fully established with the proceeds from that settlement, we were able to use that \$2 million to, you know, fund our capital program, pay for other things. So that's where you're seeing the savings in our, in our rate model from that.

SENATOR CHRISTOPHER M. DUEÑAS, 1ST VICE CHAIRPERSON:

Excellent. I don't need my five minutes, Chairman. I only got one more question.

EPA, thank you. That was very favorable testimony. We're glad to receive that, Fred. Mr. Horecky, so – I just want to be clear because I, I think the Committee will have maybe no problem with implementing what you've asked for. So essentially what you'd like us to do is amend that portion on the, on the assistance to be a recommendation within the bill and, and subject to PUC and, and the rate setting regulations.

FREDERICK J. HORECKY, CHIEF ADMINISTRATIVE LAW JUDGE, GPUC: That's correct, Senator.

SENATOR CHRISTOPHER M. DUEÑAS, 1ST VICE CHAIRPERSON:

Okay. Hopefully that'll be – I, I think that's the right thing to do. I don't think anybody is going to have – you know, any issues with regard to trying to help where we can. I don't want to make a slight here, but I want to, you know, kind of say what EPA said. Unfortunately, many households don't look at the priority of trash collection and disposal – waste disposal. But, you know, we see individuals that have no problem paying cell bills and other amenities that are very nice to have – but the necessity of, you know, disposal, I think getting that down to \$22 dollars is very, very, very going to be a nice thing. And I don't think that's not unreasonable. One final question that I did have, Mr. Slike. Is there any opportunity to amortize that \$4 million to realize those savings earlier or?

IRVIN SLIKE, GENERAL MANAGER, GSWA: One of the things that I've talked to GEPA about recently is the possibility of using some of the Recycling Loan Fund or Recycling Fund for that if the receivership ends. The receiver is holding about \$6 million dollars of GSWA money that they've used to pay for their operation and so on. So the concept would be, if this bill were to pass and we needed the funds to purchase the carts and implement it as fast as we could, and we've engaged our attorney to look into the possibility of borrowing \$4 million from the fund and then paying it off, paying it back when the receivership ends. And that, that only has, I think, two (2) more items to be sort of ticked off the list. And that could be accomplished, hopefully, in my mind, a lot sooner than, you know, it's been a while. So it's about time that ends as well.

SENATOR CHRISTOPHER M. DUEÑAS, 1ST VICE CHAIRPERSON:

Yeah I was thinking then maybe it doesn't need to be staying at the 30, but maybe you gradually bring it down, start at 27 or 26.

IRVIN SLIKE, GENERAL MANAGER, GSWA: Well, again, the rates that I showed you were what we know right now and if that comes to fruition and there's any future savings that we get, those will be passed on in rates. It's been drilled into me since my 40 years in this business is that our business is somebody else's cost of business. So it's in my interest to make sure, especially when I operated on the continental U.S. there was no – there's no flow control. So customers who wanted to go to a cheaper landfill 100 miles away, they could do that. So we had to make sure our rates were attractive enough to keep the tonnage, to keep the program going, because the ones that I managed were just like this one. It's all based on user fees. So that's been ingrained in me. So whatever cost savings are in the future, those are Going to be passed down.

SENATOR CHRISTOPHER M. DUEÑAS, 1ST VICE CHAIRPERSON:

Well, thank you, Mr. Slike, and Mr. Chairman, let's try to get his title come to fruition and have second time be a charm. Thank you for all the good work that all of you do. *Si Yu'os Ma'åse!*

SENATOR JESSE A. LUJAN, CHAIRPERSON: Thank you Senator Dueñas. Senator Taitague...

(Discussion between Senator Lujan and Senator Perez was inaudible)

Oh, I'm sorry...

SENATOR TELO T. TAITAGUE: Mr. Chair. Yeah, yeah, yeah. I was going to say, Mr. Chair, if you want, they can, she can go before me.

SENATOR JESSE A. LUJAN, CHAIRPERSON: No, I think, I think she wants to close. So, Yeah.

SENATOR TELO T. TAITAGUE: Oh, go.

(Discussion between Senator Lujan and Senator Perez was inaudible)

SENATOR JESSE A. LUJAN, CHAIRPERSON: Okay. Thank you, Senator Taitague.

SENATOR TELO T. TAITAGUE: Okay. Mr. Chair, if, if I may, can I ask. Senator Terlaje. I just walked in and I'm just trying to catch up.

SENATOR JESSE A. LUJAN, CHAIRPERSON: Okay. No, no problem. Senator Terlaje.

SENATOR THERESE TERLAJE: Sure. Thank you. Thank you for your testimony, all of you, and I'm glad to see you continue to support this bill and very happy to see that the rate projection, the decrease in rates that would – are projected – if this bill's implemented are still intact. If we could just clarify. So, at Solid Waste, your projection was – you're asking right now that rates go from thirty (30) to thirty three (33) in Fiscal Year '25 and if this bill's passed, the rates would reduce to twenty two fifty (\$22.50). But the PUC said the same thing. The rates are going from thirty (30) to twenty seven (27) as opposed to (\$22.50).

IRVIN SLIKE, GENERAL MANAGER, GSWA: Sorry, that was the original, last year's.

SENATOR THERESE TERLAJE: Oh, okay.

IRVIN SLIKE, GENERAL MANAGER, GSWA: Yes.

SENATOR THERESE TERLAJE: And yours are updated?

IRVIN SLIKE, GENERAL MANAGER, GSWA: What we're doing now is – we have an item before the PUC in April, I think. Yes. And we need our base – we need our base case approved. And so that will be going from thirty dollars (\$30.00) to thirty three dollars (\$33.00) per household and then the next year to thirty five (\$35.00). If the bill were to be passed, we would – depending on how long it takes to get the additional carts and so on. We may end the timing of trying to bring in again twenty...twenty one thousand (21,000) customers and to distribute the bins in a sequential fashion because we don't want to charge people when there's no bin there for them to use. So that has to be worked out. So it may very well be that you may pass the bill in 2025, but we may only be able to implement it soonest would be January of 2026, which coincidentally would be the soonest we could implement the three dollar (\$3.00) increase.

SENATOR THERESE TERLAJE: Thank you. That makes sense. All right. And what about for the PUC? You're saying you should be able to set the low income customer assistance rate. Do you think in setting that, that that would affect the projection of the twenty two fifty (\$22.50)? Like in other words, would the regular rates increase in order to cover that or how have you seen that done?

FREDERICK J. HORECKY, CHIEF ADMINISTRATIVE LAW JUDGE, GPUC: What the PUC would do would be, of course, in the rate case, which is now pending and actually getting closer to being heard, we would work with solid waste on the program to see, you know, what, what elements they would want. But I don't, I don't see that altering the twenty two dollars (\$22.00) unless the rate was substantially changed.

IRVIN SLIKE, GENERAL MANAGER, GSWA: Well the twenty two dollars (\$22.00) is if everybody participates.

SENATOR THERESE TERLAJE: Yes.

IRVIN SLIKE, GENERAL MANAGER, GSWA: If you're asking us to fund a low income program, just like we did with the previous bill, there would be two (2) rates. One would be the reduced rate, and then the second would be, I mean, one would be the normal rate and then we use those funds to subsidize an even lower rate. What we're advocating is that any assistance is not of our ratepayers to come up with. So it would be other funds. We do not really accept or would embrace the idea that time – you know – for like federal funds or other sort of grant programs funded, because those are not, those are not as consistent as the need for us to go out every week and pick up refuse. So we can't rely on the hope and probability of the federal government or somebody else coming up with those funds. The current program that I spoke about, emergency rental assistance, that's, that's currently a federal program. It's due to sunset at the end of this year. However, the people and logistics are all incorporated into DOA currently. And if again, local funds were to be pushed into that program, they could continue with income assistance for all utilities as well as the rental assistance that it currently provides for. And that's what we would advocate. A separate source of funds other than our users.

SENATOR THERESE TERLAJE: That sunsets at the end of, in December 25th?

IRVIN SLIKE, GENERAL MANAGER, GSWA: Correct.

SENATOR THERESE TERLAJE: All right, so, I'm looking again. So the, the previous bill was vetoed in May of 2024, and at that time you had a promise or you had ten (10) million in ARP funds where you could have bought the carts.

IRVIN SLIKE, GENERAL MANAGER, GSWA: Well, we had ten (10) million total, but the carts were four (4) million of that. So that's what we basically...

SENATOR THERESE TERLAJE: Right.

IRVIN SLIKE, GENERAL MANAGER, GSWA: ...you know, put the pedal to the metal to make sure that those didn't evaporate by December of 2024.

SENATOR THERESE TERLAJE: All right. And the objection to the bill last time was that there was no low income rate.

IRVIN SLIKE, GENERAL MANAGER, GSWA: Correct.

SENATOR THERESE TERLAJE: And that – all right, and it's too bad because we could have come up with some kind of program perhaps between May and December if, if for assistance while we purchase the carts.

IRVIN SLIKE, GENERAL MANAGER, GSWA: That, that – in a perfect world that might have happened. But to deal with procurement, there, there literally was no time. In fact, five hundred thousand (\$500,000) dollar truck waited till the last minute to get approval on and we missed – we missed the opportunity to spend five hundred thousand (\$500,000) dollars that had to be basically returned or either that or it evaporated, but we were not able to use it.

SENATOR THERESE TERLAJE: All right, well, I appreciate your continued work on this and your continued advocacy for lower rates for the ratepayers and, and consistency in this regard. If I could ask EPA, your testimony says...well, it gave one story about that it's not just abandoned vehicles that are

these trash that illegal dumping...you're talking about household trash. Trash that should be covered by something like this. And then I just guess I just want to hear again from you. So is this a big problem or is it just few and far between where you see household trash is being dumped illegally?

GLENN SAN NICOLAS, ENVIRONMENTAL HEALTH SPECIALIST SUPERVISOR, GEPA: It is a big problem. Household waste accumulation in homes. And it's often related to, you know, low income families. Participants in the Chamorro Land Trust programs are high population. That also fits this description. And then whenever there's a grass fire on public lands, during that course of the response, Guam EPA is also called to investigate because of large illegal dumping activity. And again, a lot of it is household waste.

SENATOR THERESE TERLAJE: Thank you. This bill, if I'm reading it correctly, does not make an exemption for if you take your own trash to the transfer facility and show a receipt that you get exempt. Is that right?

IRVIN SLIKE, GENERAL MANAGER, GSWA: No, no, it will.

SENATOR THERESE TERLAJE: It does?

IRVIN SLIKE, GENERAL MANAGER, GSWA: Yeah. We have a – We have a mechanism that we worked out on the last bill.

SENATOR THERESE TERLAJE: Okay.

IRVIN SLIKE, GENERAL MANAGER, GSWA: To identify all the new customers. And if they choose to use any of our transfer stations, we would know who they were and that would be allowed as well as somebody that has a and a contract with a private company to pick their refuse up, that would be allowed as well.

SENATOR THERESE TERLAJE: Okay. Yes. But your rates for those are also going up, is that correct?

IRVIN SLIKE, GENERAL MANAGER, GSWA: Yes. In the slide that I show the transfer station rates, again, they were not adjusted for the past ten (10) years. So those need to cover the cost of the operation of the transfer station.

And that's what our current rate consultant has recommended. They're basically doubling.

SENATOR THERESE TERLAJE: From what to what...approximately?

IRVIN SLIKE, GENERAL MANAGER, GSWA: Go back through here. So it goes from \$7.50 to I think \$11.55 for the half pickup. I have it. Sorry, must have been another. If it's not here, Senator, I can get that to you. But what I remember everybody was talking about the seven dollars and fifty cents (\$7.50).

SENATOR THERESE TERLAJE: Yes.

IRVIN SLIKE, GENERAL MANAGER, GSWA: For the half pickup that goes to 11.55. And the other rates are commensurate with that.

SENATOR THERESE TERLAJE: All right, all right, thank you very much. And sure. Again, thank you to the sponsor of this bill for pushing it again. It has been touted as the solution to illegal dumping for all of these household goods that are continuing to be a problem. And it's going to actually benefit the ratepayers as opposed to put an additional burden on them. So I very much appreciate that. Thank you.

SENATOR JESSE A. LUJAN, CHAIRPERSON: Thank you very much, Senator Terlaje. Senator Taitague.

SENATOR TELO T. TAITAGUE: Thank you, Mr. Chair and good afternoon to who's here. I appreciate your taking the time to discuss this once again and try to weed out some of the concerns that were had. I think it's become a better bill if you ask me, you know, to move forward on something like this. But, you know, it's not just, you know, the illegal dumping that, you know, that we're dealing with, but also individuals taking their trash and putting it in somebody else's dumpster that they pay for, you know, and, and getting away with that. So you're, you're getting a lot of these people who come out and wait a minute, my trash is full. How did this happen? And people are dumping their own, you know, doing what they call drive by dumps, you know, for other people. So I think this would also eliminate some of that and some of the fights that come about on something like that happening. But it was brought up, Senator Terlaje brought up. I was concerned too about the private haulers and the impact on private haulers and and

they'll be subject to the same regulations and pricing standards as with GSWA, correct?

IRVIN SLIKE, GENERAL MANAGER, GSWA: Yeah, we haven't, we've recommended price increases for the commercial waste, but those are consistent with, you know, increasing the rates. Yeah.

SENATOR TELO T. TAITAGUE: Regarding the implementation and compliance, how will GSWA track and enforce compliance with the mandatory subscription requirement?

IRVIN SLIKE, GENERAL MANAGER, GSWA: As I alluded to very, very briefly and thank you for the question. So there's three (3) main ways that a customer will need to submit to GSWA under the bill to prove that they are handling their waste appropriately. One is obviously a subscription. The second would be their declaration that they wish to bring it to a transfer station. So we would identify that customer in our alpine system. And the scale attendance at those transfer stations could then look them up and say that yes, they are, they are a GSWA or household that's able to use the facility. Somebody that's in an apartment building, for example, that wants to drop off a refrigerator or whatever, they would have to pay the fee for that appliance. But they are also free to use the transfer stations as well. Generally those apartment buildings have their own commercial dumpsters and trash from them is not really a major contributor but usually the appliances or a bicycle or something like that, that's what they bring into us. Just like the old bill, the customer base. We're advocating using the GWA customer base so that they would automatically be rolled into our customer base to eliminate twenty one thousand (21,000) households trying to get into our office and sign up for the – for the service. So they would automatically be enrolled unless they were able to show a different method. As far as penalties, like I said earlier, what we would do is we would monitor who has not paid like over ninety (90) days. And then we would – we would then turn to GEPA to look at theirs and say that they're not handling their waste appropriately. Either need to tell us that they want to haul, you know, to the transfer station and switch which is perfectly acceptable or they've contracted with a private company and have a dumpster at their house. That's fine. But they need to come up with a reason why they haven't used the facility, or haven't paid for the curbside collection.

SENATOR TELO T. TAITAGUE: That actually segues into my – you know, another question with the penalty structure will in place for non compliance, what have you. I mean this is second time this bill is of kind come up. You know, I'm sure you talked about. So what kind of penalties are we looking at?

IRVIN SLIKE, GENERAL MANAGER, GSWA: Sorry?

SENATOR TELO T. TAITAGUE: What kind of penalties are are you looking at? Have you discussed this like the, the amount.

GLENN SAN NICOLAS, ENVIRONMENTAL HEALTH SPECIALIST SUPERVISOR, GEPA: For solid waste violations, it's up to a thousand dollars per day for violation. And if it's illegal dumping, littering on public or private property without the consent of the owner, then it's two hundred (\$200) dollars and then up to thirty two (32) gallons and greater is up to five hundred (\$500) dollars. And I believe that's. We're looking at possibly amending that to go to increase but just standard it'll be accumulation of household waste that's up to a thousand (\$1,000) dollars.

SENATOR TELO T. TAITAGUE: And those, those numbers have been looked at or have been what is it – adjusted at all? When's the last time those numbers were adjusted?

GLENN SAN NICOLAS, ENVIRONMENTAL HEALTH SPECIALIST SUPERVISOR, GEPA: For the solid waste for 10 GCA Chapter 51 Article 1, it's – it hasn't been adjusted for a long time. The Article 2 the litter has been adjusted a number of times in the past couple years.

SENATOR TELO T. TAITAGUE: Okay. What about data privacy and sharing? What data protection measures will be in place for sharing GWA customer information with GSWA? And also just to reiterate so you can (*inaudible*) it. Can residents opt out of data sharing for privacy concerns?

IRVIN SLIKE, GENERAL MANAGER, GSWA: Well, we've worked out a solution I believe with GWA and that we're not asking them for the customer name...only the location and the address. And so that's who we would, you know, move, move over and then...

SENATOR TELO T. TAITAGUE: Just location? Okay.

IRVIN SLIKE, GENERAL MANAGER, GSWA: Yeah, yeah, yeah.

SENATOR TELO T. TAITAGUE: That's good. Okay. Other than that, I appreciate you being here again. Thank you so much, Mr. Chair, for the opportunity.

SENATOR JESSE A. LUJAN, CHAIRPERSON: Thank you very much, Senator Taitague. Senator Perez, want to close on your bill?

SENATOR SABINA FLORES PEREZ, BILL SPONSOR: All right, thank you. Thank you, Mr. Chair. But I just have a couple questions before closing. So I just want to clarify regarding the LICA rate. In your testimony, Attorney Horecky, or at least in, in, in representation of Jeff Johnson. So are you open to a low income consistent customer assistance rate? Is that, is that something that in your testimony – well, you provided some language to amend that part of the bill. So are you supportive of a low income customer assistance rate?

FREDERICK J. HORECKY, CHIEF ADMINISTRATIVE LAW JUDGE, GPUC: As I mentioned, the PUC has before supported such rates with the telecom companies and we work together with them to establish the lifeline rates. And of course there's legislation to support that. I think what would happen here, you know, we work collaboratively with the utilities. So, so – the request for the program and the amount would, would have to come from the utility. But we would do that in the context of the rate case. We have a rate case now, so it would depend on the position of Guam Solid Waste Authority. But the commission has supported the concept and even in testimony before, when the customer assistance plan has come before the legislature, we have supported the concept. We've raised issues sometimes about the amounts of the program because basically that, that can work. Well, it's a subsidy that the other rate classes may have to bear. So we always look at that too. I mean, the amounts you could set for such assistance would have an impact on the general rate paying class and we're always sensitive not to want too much of a shift of that burden. But in general, we would kind of defer to the GSWA and work with them to establish that program if, if that's what they wish to do.

SENATOR SABINA FLORES PEREZ, BILL SPONSOR: Okay. So I'm going to reiterate that question to General Manager Slike. So I think this. Would you support a low income customer assistance rate? Because we do have populations that are really like in the testimony provided by Guam EPA, there are those that are in the programs that get social welfare. Right. So would you support that the low income customer assistance rate for those that are eligible for these other programs?

IRVIN SLIKE, GENERAL MANAGER, GSWA: So what we've objected to is for the current ratepayers to subsidize that. But if that is the direction, then you need to realize that the \$22 rate would need to go up to like it did before, roughly \$27. We have to really look at the, we didn't run those numbers, but it would be like a \$27 dollar rate and then the lowest rate we would offer and it could only be for a small segment. We couldn't offer it to anybody that wanted it. We could only support like 8,000, 5,000 to 8,000 I believe was the number we ran the last bill. So those SNAP recipients, those would be the only people that we would offer the fifteen (\$15) to seventeen (\$17) dollar and everybody else would have to pay \$27. So that's, that's the numbers. And again, we haven't run the examples. What we did was again prepare the base case. We only became aware of the bill very recently and then we asked our rate model people to look at if everybody participated, what, what would that rate be? So we would advocate that any assistance be looked at at other source of funds other than GSWA ratepayers.

SENATOR SABINA FLORES PEREZ, BILL SPONSOR: Okay.

IRVIN SLIKE, GENERAL MANAGER, GSWA: And, and again I pointed out that again the current people that use the existing utility program 23 in January and 14 in February to cover GSWA thirty (\$30) dollar per month.

SENATOR SABINA FLORES PEREZ, BILL SPONSOR: Yeah. So I mean even at that we're seeing a reduction for subscribers with from thirty (30) to twenty seven (27). So I guess what I'm trying to do is, you know, really think about how we can, you know, implement this successfully. Right? And you know, would you be open to requesting a rate case like you did in the past where what would the rates be with and without island wide collection, but also add what would the rates be with island wide collection with or without the LICA rates?

IRVIN SLIKE, GENERAL MANAGER, GSWA: So just to give you a briefing on GSWA's finances, I mean we've been, if I could use the term, blessed in an appropriate way, but we were blessed with MAWAR to be able to fund and keep the rates the way they are until now. We've been also blessed with some soil material that came in from the Dededo transfer station for EPA's headquarters. I don't see any of those in the future. And right now, frankly, the capital program, the equipment replacement program, those were identified as not being funded fully in 2020. They still aren't. That's why we need the three dollar rate increase. We needed it last year, but we need it now. So for us to use the current rate model person and ask them to run the numbers again and go through this exercise, I'm not entirely supportive of that. If that's the direction that we need to go, then we will go that. But it's we need, we need some assistance when we need it quickly. The second thing, just to give you an understanding that your consternation about increasing rates. I used to work for the city of Winnipeg. If you Google the Winnipeg Free Press, they're losing their minds over a rate increase for garbage. The city set up a rate structure so that current users have to pay \$93 per month, per year for their trash collection. City's about a million or so residents right now. So that equates to \$7 that the user paid. And the other balance, the 19 to \$20 that was covered under taxes, the government now wants to move that all to the user payer. And so the user payer right now is with pitchforks protesting the same rate that we're talking about now. So, I mean, it's perspective. Nobody likes to pay for refuse. I've been in the business for 40 years. It's the last thing on everybody's mind. They love the things that they buy. However, after they use them, somebody else needs to take care of it, not me. So that's what we're facing. But we, we would really have to redo the structure to do what you're asking, which is a GSWA ratepayer subsidy for, for disadvantaged people.

SENATOR SABINA FLORES PEREZ, BILL SPONSOR: All right, thank you for the response. So this question also regarding, in your presentation, general manager, you mentioned that those that failed to subscribe, you would work with Guam EPA to enforce. And I just wanted to see, you know, the response from Glenn here. What is, is this something that you feel you're capable of doing?

GLENN SAN NICOLAS, ENVIRONMENTAL HEALTH SPECIALIST SUPERVISOR, GEPA: Currently, we take complaints from the mayors, village mayors, individuals and other enforcement agencies. I kind of have to remind them that they can also issue letter citations, but they refer to us for some reason. And we investigate the sites and we do our enforcement actions. And of

course, we start with a notice of violation, which is also known as a written warning allowing the individuals to do the right thing to clean up the site, provide us receipts, and then it's a warning. Now, of course, if they don't do that, then it elevates to a notice of violation order of compliance, where penalties start to be assessed. I think one of the, I think if we can figure this universal waste segment out and decrease illegal dumping, that may also help decrease our workload as well. So you kind of have to, you know, balance the funding. And I think there may be available funding that we're not looking at right now because it's earmarked elsewhere, but you kind of look at the waste and how it's generated and where it's coming from and how it's going into the island. And if there's any funding that addresses goods coming into the island, then those goods turn into solid waste. And it could be a viable source to help reduce costs for universal trash services.

IRVIN SLIKE, GENERAL MANAGER, GSWA: If I may add to that thought, we currently offer payment plans for people that, you know, are having trouble paying their bills or they're overdue. So that would, that would still continue, and it would be a lesser amount than, you know, thirty three (\$33) dollars or thirty (\$30) dollars per month. We've had customers, you know, that owe us at least, you know, two to three hundred dollars in arrears that we've worked out payment plans for them.

SENATOR SABINA FLORES PEREZ, BILL SPONSOR: Okay, thank you for those responses and for your support on this bill. I just want to, you know, reiterate a quote from Margaret Mead. “Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it's the only thing that ever has.” And so I just want to commend all of, all of the Guam Solid Waste, all of, you know, the board of directors, all of you that have been through this, I guess this tribulation of our waste being under receivership. So it's almost been almost 20 years. And so I feel that every improvement that has come in the past, let's say the past since 2019, since you got out of partial receivership, you know, a lot of changes happen, and you've demonstrated time and time again that you are ready and on the verge of attaining full autonomy through all your expertise and collaboration. And I believe this measure is one such measure that will support that trajectory. You know, it's a huge milestone for Guam Solid Waste Authority and for Guam. And it's not just because you're doing these steps. What really matters is that, how are you going to manage our waste in the long term and protect the health of our environment and our people? I think that's what truly is at stake here. And this bill will promote financial stability, something that we, which we lacked

and that which got us into this mess in the first place, I believe. And so we really need to support this measure as well as support, you know, those that need some assistance. And so I'll be looking to you to, you know, tailor this bill, improve this bill even further so that we can move on this trajectory. And I thank you, Mr. Chair, and the colleagues for their support. And I look forward to collaboration and support, further support on this measure. *Si Yu'os Ma'ase'*

SENATOR JESSE A. LUJAN, CHAIRPERSON: Thank you, thank you very much, Senator Perez, and look forward to the collaboration as well, and work on it on the markup. Thank you very much. Just one question, Mr. Irvin, what do you estimate the tonnage of illegal trash that we have right now? What is the estimate of what we have right now?

IRVIN SLIKE, GENERAL MANAGER, GSWA: I don't. I don't believe I've ever calculated that. I. I did calculate, based on the tonnage that we received from people that bring the refuse to the only secure disposal area on Guam is the Lejeune landfill, that it's roughly 3.2 pounds per person per day. Illegal dumping I don't think is material in terms of quantity. I've heard, you know, people talk on the radio because the receiver set up the system to handle six hundred (600) tons per day. And there was a comment that, well, obviously you're only taking in about 300 to 350. That other 300 is going off and being disposed of illegally. And that cannot possibly be true because you're, you would notice that. And I calculated just 30,000 tons per year. What that would mean uncompacted, it would be over a million cubic yards. That's, that's huge. And it's not as if the people on Guam stereotypically go to different spots, so you never notice it. Nobody. Nobody's gonna hike four miles into the jungle to drop something off so that nobody else sees it and then do the same thing the next week in some other spot. It's just not gonna happen.

SENATOR JESSE A. LUJAN, CHAIRPERSON: No, no. If there's a bush there, they throw it behind the bush and it's very, very obvious when it's, when it's cleared up, somebody goes and bush cuts and everything you see, you see there's a clearance that you'll see that, you know.

IRVIN SLIKE, GENERAL MANAGER, GSWA: Well, Glenn knows that. Glenn knows that when you clean up one spot, it comes back.

SENATOR JESSE A. LUJAN, CHAIRPERSON: Sure. No, absolutely. The reason why I asked this question is because I'm just wondering in regards to the tonnage, that what this bill would do in regards to it won't go down to zero, but how much it would decrease, universal trash. How much it decreases. What is your estimate?

IRVIN SLIKE, GENERAL MANAGER, GSWA: Somebody, again at the last bill, somebody had advocated that this will not help illegal dumping. Illegal dumping is mainly appliances. And then I made the comment that I've been on the island for three years, and I've never noticed a skinny pig. They were eating something. So what it would do is we would be by that household every week, and the customer would need to figure out, is it worthwhile to put these bags in my car or truck and drive someplace in the middle of the night or, you know, and then throw it out or put it into the bin that's right by my house. That's, I think, the logic of what we're trying to do with the quote unquote, illegal dumping. I will, I will say like I did the last bill, I was, I've managed landfills and programs that were free to use, absolutely free. All you had to do is go there, put your waste. It was taken away, no charge. We still had illegal dumps. So it's, it's a human sort of condition, I think. But this will help because again, they have to figure out, do I want to use the container that's right here or do I want to take the time and avoid penalties and throw it someplace else.

SENATOR JESSE A. LUJAN, CHAIRPERSON: You also said, actually when we, we took a tour and I want to thank you and your team for taking us on the island wide tour on the facilities that you guys manage and likewise that is managed by the private sector that we have a public, private partnership with. But you had also said that you were looking, you guys were looking into switching off the containers that we're using right now because of the, the, you know, the, the plastic that was just too hard for. I mean it was just the elements out here is just too harsh for them. That down the line you're looking at replacing them.

IRVIN SLIKE, GENERAL MANAGER, GSWA: Yeah, yeah. In our capital program we would look at bin replacement program. So that,

SENATOR JESSE A. LUJAN, CHAIRPERSON: Yeah, your trash bins. yeah.

IRVIN SLIKE, GENERAL MANAGER, GSWA: Yeah, yeah. So that we know when we purchase them and we know when they degrade and it, right now we go out and we fix wheels or anything that's, or lids that go bad. What we want to do is get ahead of that and then really understand how old they are and where they're located and then replace them before they totally deteriorate. So you're not spending a lot of time and effort running around replacing wheels, lids, etc.

SENATOR JESSE A. LUJAN, CHAIRPERSON: Okay, so. So you're not replacing the concept, basically. I mean, you know,

IRVIN SLIKE, GENERAL MANAGER, GSWA: There, there is no sort of, no.

SENATOR JESSE A. LUJAN, CHAIRPERSON: There is no. Okay, no. And the reason why I asked is because I was wondering if, if that was going to be replaced with something else, a different kind of material. Whether or not the infrastructure is there, the trucks and things like that, to be able to handle that.

IRVIN SLIKE, GENERAL MANAGER, GSWA: Well, yeah, I think I've said this to my board and Senator Perez. So the 95 gallon container that we're currently using in the industry is really large. I mean most places now use a 64 gallon drum and if you do that weekly collection and offer the same day collection of recycling, those two bins handle the typical waste stream adequately. We do have customers now that actually want two 95 gallon drums or bins and we would, we would continue with that. If somebody wants extra bins and willing to pay the extra fee for that fine we'll pick up two instead of one. But generally people can get by with a smaller bin size.

SENATOR JESSE A. LUJAN, CHAIRPERSON: Well, thank you very much. I want to thank the panel, thank my colleagues for being here as well today. This will conclude this morning or today's public hearings on Bills of course 67-38—it was heard earlier—and this bill now—30-38 (COR). The committee will continue to accept written testimonies on these bills within seven (7) days from today which may be addressed to myself, Senator Jesse A. Lujan, as Chairman of the Committee—and mailed to 163 W. Chalan Santo Papa, Hagatna, Guam 96910—you may also send testimonies to senator.lujan@guamlegislature.gov. This morning's public hearing is now adjourned and the time is 12:35 PM. Thank you very much.

[PUBLIC HEARING ADJOURNED]

III. FINDINGS & RECOMMENDATIONS:

The Committee *finds* that Bill No. 30-38 (COR) seeks to establish an Islandwide Collection Plan under the Guam Solid Waste Authority (GSWA). The bill is necessary and timely to address long-standing and worsening issues related to illegal dumping, household waste accumulation, and the financial sustainability of Guam’s only public waste management system.

In 2024 alone, the Guam Environmental Protection Agency (EPA) responded to 238 solid waste complaints, with approximately 50% relating to household waste. Notably, 80% of emergency responses were tied to illegal dump fires, posing severe environmental and public health hazards. These figures demonstrate a systemic failure in our current approach to waste collection, especially for low-income and underserved families who often lack access to regular disposal services.

The testimony of GSWA General Manager, Irvin Slike, highlights two core principles: proper waste management and equitable cost distribution. Every resident generates waste; thus, every household must participate in its responsible disposal. The current system, in which approximately 20,000 out of 40,000 households do not subscribe to GSWA services, fosters illegal dumping, burdens paying ratepayers, and jeopardizes long-term landfill management. Universal collection would stabilize the customer base, improve operational efficiency, and ensure all contributors to the waste stream fairly share in its cost.

The Guam Public Utilities Commission (PUC) further testified that mandatory garbage collection is an industry-wide standard and a foundational requirement for fiscal and operational health. The lack of universal participation leads to “piggybacking,” whereby non-paying residents unlawfully dispose of their waste using other customers’ bins, or worse—through illegal dumping. PUC notes that adoption of this bill could reduce the need for future rate increases and is consistent with national best practices. Their 2020 Management Audit underscores Guam as the outlier in the absence of mandatory curbside collection.

The Committee *acknowledges* concerns over affordability but agrees that solutions must not violate rate-setting authority vested in the PUC under the Organic Act. Therefore, any low-income assistance program must be executed through appropriate government assistance programs not by legislative rate-setting or GSWA ratepayer subsidies.

The Committee *therefore* recommends amendments to Bill 30-38 to reflect the legal authority of the PUC, remove legislative rate-setting language, and ensure that any customer assistance programs are administered through existing government subsidy mechanisms and not borne by GSWA ratepayers. These amendments were made at a Committee markup meeting and the Committee hereby transmits forthwith an amended version of Bill 30-38, with the recommendation to REPORT OUT ONLY.

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

Bill No. 30-38 (COR)

Introduced by:

Sabina Flores Perez *SFP*
V. Anthony Ada *VA*
Chris Barnett *CB*
Shelly Calvo *SC*
Sabrina Salas Matanane *SM*
Telo T. Taitague *TT*
Therese M. Terlaje *TMT*

AN ACT TO *ADD* A NEW ARTICLE 11 TO CHAPTER 51A OF TITLE 10, GUAM CODE ANNOTATED; AND *ADD* A NEW § 14104(p) TO CHAPTER 14 OF TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE GUAM SOLID WASTE AUTHORITY ISLANDWIDE COLLECTION PLAN.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that the two main goals of Bill No. 165-37 (COR) are (1) reduction of litter in the environment and (2) avoidance of a significant rate increase for the Guam Solid Waste Authority's (GSWA) customers. GSWA's three main functions are (1) operation of a US EPA sanitary landfill, (2) collection of municipal solid waste from the community and (3) diversion of recyclables from the landfill.

I Liheslaturan Guåhan further finds that three things can happen to municipal solid waste over its lifespan: (1) it could end up in the landfill, (2) certain things can be recycled or composted, or (3) it can end up as litter and discarded in the environment on roadsides, jungles or in the ocean. Some of the litter may be cleaned up by volunteers and eventually end up in the landfill.

1 *I Liheslaturan Guåhan* further finds that according to GSWA, there are
2 approximately 40,000 households on Guam that are eligible for garbage collection
3 services yet roughly half of these households are not subscribers of GSWA services.
4 Research presented by GSWA at hearings on Bill No. 165-37 COR, a little more
5 than one-fourth or 11,000 households are on public assistance.

6 In most cities and states throughout the country, the program-based
7 qualifications for lower-income households are those who are eligible to receive any
8 of the following:

- 9 (1) Supplemental Nutrition Assistance Program (SNAP) or food stamps;
10 Medicaid;
- 11 (2) Supplemental Security Income (SSI) benefits;
- 12 (3) Special Supplemental Nutrition Program for Women, Infants, and
13 Children (WIC) benefits;
- 14 (4) Participate in the National School Lunch Program or the School Breakfast
15 Program;
- 16 (5) Is enrolled in a school that offers free breakfast or lunch through the USDA
17 Community Eligibility Provision (CEP); or
- 18 (6) Received a Federal Pell Grant during the current award year.

19 *I Liheslaturan Guåhan* further finds that according to GSWA's plans to
20 implement Universal or Island-wide Garbage collection, that rates for regular
21 individual customers will drop from \$30.00 per month to \$27.00 per month, while
22 rates for low-income customers will be established at \$15.00 per month beginning
23 in April of 2025.

24 *I Liheslaturan Guåhan* further finds that without a Universal Garbage
25 Collection mandate, the GSWA's existing subscriber will see a \$5.00/month
26 increase in 2025, an additional increase of \$3.00 in 2026 and a \$4.00 increase in
27 2027. In three years, residential rates will go from \$30/month to \$42/month. Rates
28 for dropping garbage at the transfer stations are expected to double. These fees are

1 used to cover the cost of collection, operation of the landfill and separation of certain
2 recyclables from the waste stream.

3 It is the intent of *I Liheslaturan Guåhan* to implement an islandwide garbage
4 collection program that (1) averts residential rate increases, (2) lowers rates for
5 residential subscribers (3) creates substantially lower rates for low income
6 households and (4) creates the framework to lower rates even further with external
7 subsidies.

8 **Section 2.** A new Article 11 is *added* to Chapter 51A of Title 10, Guam
9 Code Annotated, to read as follows:

10 **“ARTICLE 11**

11 **ISLANDWIDE GARBAGE COLLECTION**

12 § 51A1101. Purpose.

13 § 51A1102. Islandwide Collection Plan Goals.

14 § 51A1103. Subscription for, and Mandatory Provision for, Garbage
15 Collection Services.

16 § 51A1104. Exemptions.

17 § 51A1105. Penalties for Failure to Subscribe.

18 § 51A1106. GSWA Subsidy-Low-Income Customer Assistance
19 (LICA) Rate.

20 § 51A1107. External Subsidies

21 § 51A1108. Disclosure on Billings

22 **§ 51A1101. Purpose.**

23 *I Liheslaturan Guåhan* finds that if all of Guam’s residents subscribe to
24 GSWA garbage collection services, the economies of scale will result in lower rates
25 per subscriber and simultaneously ensure that every resident’s garbage will be
26 collected and properly disposed of. The implementation of islandwide collection
27 would greatly mitigate the financial and logistical challenges posed by
28 “piggybacking” and illegal dumping. Islandwide collection services for Guam would

1 also parallel the initiatives of other domestic and international jurisdictions that have
2 instituted mandatory garbage collection services. Such implementation would
3 include a Customer Assistance Program to financially support the costs of services
4 for eligible community members. Ultimately, the implementation of islandwide
5 collection services on Guam would mirror domestic and international initiatives
6 determined to increase the efficiency of garbage collection services, prevent the
7 detrimental financial consequences of “piggybacking,” and reduce illegal dumping.
8 Therefore, it is the intent of *I Liheslaturan Guåhan* to implement an Islandwide
9 Collection Plan that will be administered by the Guam Solid Waste Authority.

10 **§ 51A1102. Islandwide Collection Plan Goals.**

11 The goals and objectives of the Islandwide Collection Plan include:

12 (a) municipal garbage collection for all residential buildings
13 comprised of four (4) units or less;

14 (b) collection of unwanted appliances, electronics, and most
15 types of batteries;

16 (c) integration of public and private garbage collection
17 services;

18 (d) reduction in tipping fees and disposal fees for old
19 electronics and batteries; and

20 (e) reduction of littering and dumping violations.

21 **§ 51A1103. Subscription for, and Mandatory Provision of, Garbage**
22 **Collection Services.**

23 All owners of residential buildings shall subscribe to and obtain public
24 or private garbage collection services, except as provided in § 51A1104 of
25 this Article, under the following conditions:

26 (a) Applicants for new service and existing customers of the
27 Guam Waterworks Authority (GWA) shall be enrolled in garbage
28 collection services with the Guam Solid Waste Authority (GSWA) or a

1 private hauler. GWA shall provide any GSWA forms or applications to
2 implement this Section, and provide the applicant's enrollment forms
3 to GSWA. The applicant shall be solely responsible for establishing
4 solid waste collection services.

5 (b) The subscribed owner shall pay for garbage
6 collection services rendered to their occupied residential
7 building.

8 Nothing in this Section is intended to prevent an arrangement, or the
9 continuance of an existing arrangement, under which payments for garbage
10 collection services are made by a lessee, or lessee's agent, on behalf of the
11 owner; however, any such arrangement shall not affect the owner's obligation
12 to ensure subscription for garbage collection services and the associated
13 payment for such services, or for any customer assistance or lifeline rate
14 programs created and operated by or managed by the Authority.

15 **§ 51A1104. Exemptions.**

16 GSWA shall exempt from the requirements of § 51A1103 of this
17 Article any owner who shows, and only so long as the owner can continue to
18 show:

19 (a) the owner of a residential building comprised of four (4)
20 units or less, or other qualifying building, may forgo subscription if
21 the lessee is obligated, by the lease contract, to subscribe for garbage
22 collection services;

23 (b) if the building with a valid occupancy permit is vacant;

24 (c) if the building is occupied but not expected to generate
25 any form of municipal solid waste;

26 (d) if there is a contract for weekly collection services with a
27 permitted private collection hauler; or

1 (e) if the owner or lessee of a residential building registers
2 with GSWA as a self-hauler and utilizes the Residential Transfer
3 Stations.

4 Any owner who meets the requirements of this Section may petition the
5 GSWA for an exemption. The exemption eligibility shall be renewed annually
6 from the date the initial exemption is granted.

7 **§ 51A1105. Penalties for Failure to Subscribe.**

8 Penalties for failure to subscribe, failure to pay tipping fees, late
9 payment fees and any other fees, shall be established by the Guam Solid Waste
10 Authority Board of Directors pursuant to Chapter 9, Title 5, Guam Code
11 Annotated, and in conjunction with the tipping fees established by § 51A301
12 of this Chapter.

13 **§ 51A1106. GSWA Subsidy-Low-Income Customer Assistance (LICA)**

14 **Rate.**

15 (a) GSWA shall establish a Low-Income Customer Assistance (LICA)
16 Rates for low-income subscribers. Individuals who are eligible and receiving
17 assistance through any one (1) of the following are eligible for customer
18 assistance rates:

19 (1) Supplemental Nutrition Assistance Program (SNAP) or food
20 stamps;

21 (2) Medicaid;

22 (3) Special Supplemental Nutrition Program for Women, Infants, and
23 Children (WIC) benefits;

24 (4) Participate in the National School Lunch Program or the School
25 Breakfast Program;

26 (5) Is enrolled in a school that offers free breakfast or lunch through
27 the USDA Community Eligibility Provision (CEP); or

28 (6) Received a Federal Pell Grant during the current award year.

1 **(b) The LICA rates shall be 50% of the residential customer rate but**
2 **shall not be less than Fifteen Dollars (\$15.00) per month in the event that the**
3 **residential customer rate drops below Thirty Dollars (\$30.00) per month.**

4 **§ 51A1107. External Subsidies**

5 **GSWA may at any time receive subsidies from legislative**
6 **appropriations or federal grants. Subsidies shall be used pursuant to the**
7 **appropriation or grant language. Unless otherwise stated in the appropriation**
8 **law or terms of the grant, funds appropriated or granted for residential**
9 **customer rate subsidies shall be applied equally and exclusively to LICA rate**
10 **customer billings until the funds are exhausted.**

11 **§ 51A1108. Disclosure on Billings**

12 **All residential customer billings shall disclose the following:**

13 **(a) The regular residential rate;**

14 **(b) The GSWA subsidy (the difference between regular rate and the LICA**
15 **rate); and**

16 **(c) Any external subsidies to include but are not limited, General Fund**
17 **Appropriations or Federal grants in aid.”**

18 **Section 3.** A new § 14104(p) is *added* to Article 1 of Chapter 14, Title 12,
19 Guam Code Annotated, to read as follows:

20 **“(p) The Guam Waterworks Authority shall share customer information**
21 **with the Guam Solid Waste Authority as necessary to be used for establishing solid**
22 **waste collection services. The Guam Waterworks Authority shall not be held liable**
23 **for any damages or disputes resulting from the sharing of customer information.”**

24 **Section 4. Revision of Rates and Fees.** GSWA shall review and revise
25 rates as needed to account for the implementation of Section 2 of this Act.

26 **Section 5. Promulgation of Rules and Regulations.** GSWA shall revise
27 its administrative rules and regulations to comply with the mandates of Chapter 51A,
28 Title 10, Guam Code Annotated, pursuant to Chapter 9 of Title 5, Guam Code

1 Annotated, and Chapter 51A of Title 10, Guam Code Annotated, within one hundred
2 eighty (180) days of enactment of this Act. The default approval provisions of 5
3 GCA, Chapter 9, Article 3, § 9303(c) shall not apply to this Act.

4 **Section 6. Implementation.** The Islandwide Collection Plan set forth in
5 Section 2 of this Act shall be implemented after *I Liheslaturan Guåhan*'s approval
6 and adoption of rules and regulations promulgated herein.

7 **Section 7. Effective Date.** The Act shall be effective upon enactment.

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

Bill No. 30-38 (COR)

As Amended by the Committee on
Transportation, Tourism, Customs, Utilities,
and Federal and Foreign Affairs

Introduced by:

Sabina Flores Perez
V. Anthony Ada
Chris Barnett
Shelly Calvo
Sabrina Salas Matanane
Telo T. Taitague
Therese M. Terlaje

**AN ACT TO *ADD* A NEW ARTICLE 11 TO CHAPTER 51A
OF TITLE 10, GUAM CODE ANNOTATED; AND *ADD* A
NEW § 14104(q) TO CHAPTER 14 OF TITLE 12, GUAM
CODE ANNOTATED, RELATIVE TO ESTABLISHING
THE GUAM SOLID WASTE AUTHORITY ISLANDWIDE
COLLECTION PLAN.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that the two main goals of Bill No. 165-37 (COR) are (1) reduction of litter in the environment and (2) avoidance of a significant rate increase for the Guam Solid Waste Authority's (GSWA) customers. GSWA's three main functions are (1) operation of a US EPA sanitary landfill, (2) collection of municipal solid waste from the community and (3) diversion of recyclables from the landfill.

I Liheslaturan Guåhan further finds that three things can happen to municipal solid waste over its lifespan: (1) it could end up in the landfill, (2) certain things can

1 be recycled or composted, or (3) it can end up as litter and discarded in the
2 environment on roadsides, jungles or in the ocean. Some of the litter may be cleaned
3 up by volunteers and eventually end up in the landfill.

4 *I Liheslaturan Guåhan* further finds that according to GSWA, there are
5 approximately 40,000 households on Guam that are eligible for garbage collection
6 services yet roughly half of these households are not subscribers of GSWA services.
7 Research presented by GSWA at hearings on Bill No. 165-37 COR, a little more
8 than one-fourth or 11,000 households are on public assistance.

9 In most cities and states throughout the country, the program-based
10 qualifications for lower-income households are those who are eligible to receive any
11 of the following:

- 12 (1) Supplemental Nutrition Assistance Program (SNAP) or food stamps;
13 Medicaid;
- 14 (2) Supplemental Security Income (SSI) benefits;
- 15 (3) Special Supplemental Nutrition Program for Women, Infants, and
16 Children (WIC) benefits;
- 17 (4) Participate in the National School Lunch Program or the School Breakfast
18 Program;
- 19 (5) Is enrolled in a school that offers free breakfast or lunch through the USDA
20 Community Eligibility Provision (CEP); or
- 21 (6) Received a Federal Pell Grant during the current award year.

22 *I Liheslaturan Guåhan* further finds that according to GSWA's plans to
23 implement Universal or Island-wide Garbage collection, that rates for regular
24 individual customers will drop from \$30.00 per month to \$27.00 per month, while
25 rates for low-income customers will be established at \$15.00 per month beginning
26 in April of 2025.

I Liheslaturan Guåhan further finds that without a Universal Garbage Collection mandate, the GSWA's existing subscriber will see a \$5.00/month increase in 2025, an additional increase of \$3.00 in 2026 and a \$4.00 increase in 2027. In three years, residential rates will go from \$30/month to \$42/month. Rates for dropping garbage at the transfer stations are expected to double. These fees are used to cover the cost of collection, operation of the landfill and separation of certain recyclables from the waste stream.

It is the intent of *I Liheslaturan Guåhan* to implement an islandwide garbage collection program that (1) averts residential rate increases, (2) lowers rates for residential subscribers (3) creates substantially lower rates for low income households and (4) creates the framework to lower rates even further with external subsidies.

Section 2. A new Article 11 is *added* to Chapter 51A of Title 10, Guam Code Annotated, to read as follows:

“ARTICLE 11

ISLANDWIDE GARBAGE COLLECTION

§ 51A1101. Purpose.

§ 51A1102. Islandwide Collection Plan Goals.

§ 51A1103. Subscription for, and Mandatory Provision for, Garbage Collection Services.

§ 51A1104. Exemptions.

§ 51A1105. Penalties for Failure to Subscribe.

§ 51A1106. External Subsidies

§ 51A1107. Disclosure on Billings

§ 51A1101. Purpose.

I Liheslaturan Guåhan finds that if all of Guam's residents subscribe to
GWSA garbage collection services, the economies of scale will result in lower rates

1 per subscriber and simultaneously ensure that every resident’s garbage will be
2 collected and properly disposed of. The implementation of islandwide collection
3 would greatly mitigate the financial and logistical challenges posed by
4 “piggybacking” and illegal dumping. Islandwide collection services for Guam would
5 also parallel the initiatives of other domestic and international jurisdictions that have
6 instituted mandatory garbage collection services. Such implementation would
7 include a Customer Assistance Program to financially support the costs of services
8 for eligible community members. Ultimately, the implementation of islandwide
9 collection services on Guam would mirror domestic and international initiatives
10 determined to increase the efficiency of garbage collection services, prevent the
11 detrimental financial consequences of “piggybacking,” and reduce illegal dumping.
12 Therefore, it is the intent of *I Liheslaturan Guåhan* to implement an Islandwide
13 Collection Plan that will be administered by the Guam Solid Waste Authority.

14 **§ 51A1102. Islandwide Collection Plan Goals.**

15 The goals and objectives of the Islandwide Collection Plan include:

- 16 (a) municipal garbage collection for all residential buildings
17 comprised of four (4) units or less;
18 (b) collection of unwanted appliances, electronics, and most
19 types of batteries;
20 (c) integration of public and private garbage collection
21 services;
22 (d) reduction in tipping fees and disposal fees for old
23 electronics and batteries; and
24 (e) reduction of littering and dumping violations.

25 **§ 51A1103. Subscription for, and Mandatory Provision of, Garbage**
26 **Collection Services.**

1 All owners of residential buildings shall subscribe to and obtain public
2 or private garbage collection services, except as provided in § 51A1104 of
3 this Article, under the following conditions:

4 (a) Applicants for new service and existing customers of the
5 Guam Waterworks Authority (GWA) shall be enrolled in garbage
6 collection services with the Guam Solid Waste Authority (GSWA) or a
7 private hauler. GWA shall provide any GSWA forms or applications to
8 implement this Section, and provide the applicant's enrollment forms
9 to GSWA. The applicant shall be solely responsible for establishing
10 solid waste collection services.

11 (b) The subscribed owner shall pay for garbage
12 collection services rendered to their occupied residential
13 building.

14 Nothing in this Section is intended to prevent an arrangement, or the
15 continuance of an existing arrangement, under which payments for garbage
16 collection services are made by a lessee, or lessee's agent, on behalf of the
17 owner; however, any such arrangement shall not affect the owner's obligation
18 to ensure subscription for garbage collection services and the associated
19 payment for such services, or for any customer assistance or lifeline rate
20 programs created and operated by or managed by the Authority.

21 **§ 51A1104. Exemptions.**

22 GSWA shall exempt from the requirements of § 51A1103 of this
23 Article any owner who shows, and only so long as the owner can continue to
24 show:

25 (a) the owner of a residential building comprised of four (4)
26 units or less, or other qualifying building, may forgo subscription if

1 the lessee is obligated, by the lease contract, to subscribe for garbage
2 collection services;

3 (b) if the building with a valid occupancy permit is vacant;

4 (c) if the building is occupied but not expected to generate
5 any form of municipal solid waste;

6 (d) if there is a contract for weekly collection services with a
7 permitted private collection hauler; or

8 (e) if the owner or lessee of a residential building registers
9 with GSWA as a self-hauler and utilizes the Residential Transfer
10 Stations.

11 Any owner who meets the requirements of this Section may petition the
12 GSWA for an exemption. The exemption eligibility shall be renewed annually
13 from the date the initial exemption is granted.

14 **§ 51A1105. Penalties for Failure to Subscribe.**

15 Penalties for failure to subscribe, failure to pay tipping fees, late
16 payment fees and any other fees, shall be established by the Guam Solid Waste
17 Authority Board of Directors pursuant to Chapter 9, Title 5, Guam Code
18 Annotated, and in conjunction with the tipping fees established by § 51A301
19 of this Chapter.

20 **§ 51A1106. External Subsidies**

21 GSWA may at any time receive subsidies from legislative
22 appropriations or federal grants. Subsidies shall be used pursuant to the
23 appropriation or grant language.

24 **§ 51A1107. Disclosure on Billings**

25 All residential customer billings shall disclose the following:

26 (a) The regular residential rate;

27 (b) The GSWA subsidy; and

1 (c) Any external subsidies to include but are not limited, General Fund
2 Appropriations or Federal grants in aid.”

3 **Section 3.** A new § 14104(q) is *added* to Article 1 of Chapter 14, Title 12,
4 Guam Code Annotated, to read as follows:

5 “(q) The Guam Waterworks Authority shall share customer information
6 with the Guam Solid Waste Authority as necessary to be used for establishing solid
7 waste collection services. The Guam Waterworks Authority shall not be held liable
8 for any damages or disputes resulting from the sharing of customer information.”

9 **Section 4. Revision of Rates and Fees.** GSWA shall review and revise
10 rates as needed to account for the implementation of Section 2 of this Act.

11 **Section 5. Promulgation of Rules and Regulations.** GSWA shall revise
12 its administrative rules and regulations to comply with the mandates of Chapter 51A,
13 Title 10, Guam Code Annotated, pursuant to Chapter 9 of Title 5, Guam Code
14 Annotated, and Chapter 51A of Title 10, Guam Code Annotated, within one hundred
15 eighty (180) days of enactment of this Act. The default approval provisions of 5
16 GCA, Chapter 9, Article 3, § 9303(c) shall not apply to this Act.

17 **Section 6. Implementation.** The Islandwide Collection Plan set forth in
18 Section 2 of this Act shall be implemented after *I Liheslaturan Guåhan*’s approval
19 and adoption of rules and regulations promulgated herein.

20 **Section 7. Effective Date.** The Act shall be effective upon enactment.

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

Bill No. 30-38 (COR)

As Amended by the Committee on
Transportation, Tourism, Customs, Utilities,
and Federal and Foreign Affairs

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Introduced by:

Sabina Flores Perez
V. Anthony Ada
Chris Barnett
Shelly Calvo
Sabrina Salas Matanane
Telo T. Taitague
Therese M. Terlaje

**AN ACT TO *ADD* A NEW ARTICLE 11 TO CHAPTER 51A
OF TITLE 10, GUAM CODE ANNOTATED; AND *ADD* A
NEW § 14104(*qp*) TO CHAPTER 14 OF TITLE 12, GUAM
CODE ANNOTATED, RELATIVE TO ESTABLISHING
THE GUAM SOLID WASTE AUTHORITY ISLANDWIDE
COLLECTION PLAN.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds
that the two main goals of Bill No. 165-37 (COR) are (1) reduction of litter in the
environment and (2) avoidance of a significant rate increase for the Guam Solid
Waste Authority's (GSWA) customers. GSWA's three main functions are (1)
operation of a US EPA sanitary landfill, (2) collection of municipal solid waste from
the community and (3) diversion of recyclables from the landfill.

I Liheslaturan Guåhan further finds that three things can happen to municipal
solid waste over its lifespan: (1) it could end up in the landfill, (2) certain things can

1 be recycled or composted, or (3) it can end up as litter and discarded in the
2 environment on roadsides, jungles or in the ocean. Some of the litter may be cleaned
3 up by volunteers and eventually end up in the landfill.

4 *I Liheslaturan Guåhan* further finds that according to GSWA, there are
5 approximately 40,000 households on Guam that are eligible for garbage collection
6 services yet roughly half of these households are not subscribers of GSWA services.
7 Research presented by GSWA at hearings on Bill No. 165-37 COR, a little more
8 than one-fourth or 11,000 households are on public assistance.

9 In most cities and states throughout the country, the program-based
10 qualifications for lower-income households are those who are eligible to receive any
11 of the following:

- 12 (1) Supplemental Nutrition Assistance Program (SNAP) or food stamps;
- 13 Medicaid;
- 14 (2) Supplemental Security Income (SSI) benefits;
- 15 (3) Special Supplemental Nutrition Program for Women, Infants, and
16 Children (WIC) benefits;
- 17 (4) Participate in the National School Lunch Program or the School Breakfast
18 Program;
- 19 (5) Is enrolled in a school that offers free breakfast or lunch through the USDA
20 Community Eligibility Provision (CEP); or
- 21 (6) Received a Federal Pell Grant during the current award year.

22 *I Liheslaturan Guåhan* further finds that according to GSWA's plans to
23 implement Universal or Island-wide Garbage collection, that rates for regular
24 individual customers will drop from \$30.00 per month to \$27.00 per month, while
25 rates for low-income customers will be established at \$15.00 per month beginning
26 in April of 2025.

I Liheslaturan Guåhan further finds that without a Universal Garbage Collection mandate, the GSWA's existing subscriber will see a \$5.00/month increase in 2025, an additional increase of \$3.00 in 2026 and a \$4.00 increase in 2027. In three years, residential rates will go from \$30/month to \$42/month. Rates for dropping garbage at the transfer stations are expected to double. These fees are used to cover the cost of collection, operation of the landfill and separation of certain recyclables from the waste stream.

It is the intent of *I Liheslaturan Guåhan* to implement an islandwide garbage collection program that (1) averts residential rate increases, (2) lowers rates for residential subscribers (3) creates substantially lower rates for low income households and (4) creates the framework to lower rates even further with external subsidies.

Section 2. A new Article 11 is *added* to Chapter 51A of Title 10, Guam Code Annotated, to read as follows:

“ARTICLE 11

ISLANDWIDE GARBAGE COLLECTION

§ 51A1101. Purpose.

§ 51A1102. Islandwide Collection Plan Goals.

§ 51A1103. Subscription for, and Mandatory Provision for, Garbage
Collection Services.

§ 51A1104. Exemptions.

§ 51A1105. Penalties for Failure to Subscribe.

~~§ 51A1106. GSWA Subsidy Low Income Customer Assistance
(LICA) Rate.~~

§ 51A11067. External Subsidies

§ 51A11078. Disclosure on Billings

§ 51A1101. Purpose.

1 *I Liheslaturan Guåhan* finds that if all of Guam’s residents subscribe to
2 GSWA garbage collection services, the economies of scale will result in lower rates
3 per subscriber and simultaneously ensure that every resident’s garbage will be
4 collected and properly disposed of. The implementation of islandwide collection
5 would greatly mitigate the financial and logistical challenges posed by
6 “piggybacking” and illegal dumping. Islandwide collection services for Guam would
7 also parallel the initiatives of other domestic and international jurisdictions that have
8 instituted mandatory garbage collection services. Such implementation would
9 include a Customer Assistance Program to financially support the costs of services
10 for eligible community members. Ultimately, the implementation of islandwide
11 collection services on Guam would mirror domestic and international initiatives
12 determined to increase the efficiency of garbage collection services, prevent the
13 detrimental financial consequences of “piggybacking,” and reduce illegal dumping.
14 Therefore, it is the intent of *I Liheslaturan Guåhan* to implement an Islandwide
15 Collection Plan that will be administered by the Guam Solid Waste Authority.

16 **§ 51A1102. Islandwide Collection Plan Goals.**

17 The goals and objectives of the Islandwide Collection Plan include:

- 18 (a) municipal garbage collection for all residential buildings
19 comprised of four (4) units or less;
20 (b) collection of unwanted appliances, electronics, and most
21 types of batteries;
22 (c) integration of public and private garbage collection
23 services;
24 (d) reduction in tipping fees and disposal fees for old
25 electronics and batteries; and
26 (e) reduction of littering and dumping violations.

1 **§ 51A1103. Subscription for, and Mandatory Provision of, Garbage**
2 **Collection Services.**

3 All owners of residential buildings shall subscribe to and obtain public
4 or private garbage collection services, except as provided in § 51A1104 of
5 this Article, under the following conditions:

6 (a) Applicants for new service and existing customers of the
7 Guam Waterworks Authority (GWA) shall be enrolled in garbage
8 collection services with the Guam Solid Waste Authority (GSWA) or a
9 private hauler. GWA shall provide any GSWA forms or applications to
10 implement this Section, and provide the applicant's enrollment forms
11 to GSWA. The applicant shall be solely responsible for establishing
12 solid waste collection services.

13 (b) The subscribed owner shall pay for garbage
14 collection services rendered to their occupied residential
15 building.

16 Nothing in this Section is intended to prevent an arrangement, or the
17 continuance of an existing arrangement, under which payments for garbage
18 collection services are made by a lessee, or lessee's agent, on behalf of the
19 owner; however, any such arrangement shall not affect the owner's obligation
20 to ensure subscription for garbage collection services and the associated
21 payment for such services, or for any customer assistance or lifeline rate
22 programs created and operated by or managed by the Authority.

23 **§ 51A1104. Exemptions.**

24 GSWA shall exempt from the requirements of § 51A1103 of this
25 Article any owner who shows, and only so long as the owner can continue to
26 show:

1 (a) the owner of a residential building comprised of four (4)
2 units or less, or other qualifying building, may forgo subscription if
3 the lessee is obligated, by the lease contract, to subscribe for garbage
4 collection services;

5 (b) if the building with a valid occupancy permit is vacant;

6 (c) if the building is occupied but not expected to generate
7 any form of municipal solid waste;

8 (d) if there is a contract for weekly collection services with a
9 permitted private collection hauler; or

10 (e) if the owner or lessee of a residential building registers
11 with GSWA as a self-hauler and utilizes the Residential Transfer
12 Stations.

13 Any owner who meets the requirements of this Section may petition the
14 GSWA for an exemption. The exemption eligibility shall be renewed annually
15 from the date the initial exemption is granted.

16 **§ 51A1105. Penalties for Failure to Subscribe.**

17 Penalties for failure to subscribe, failure to pay tipping fees, late
18 payment fees and any other fees, shall be established by the Guam Solid Waste
19 Authority Board of Directors pursuant to Chapter 9, Title 5, Guam Code
20 Annotated, and in conjunction with the tipping fees established by § 51A301
21 of this Chapter.

22 ~~**§ 51A1106. GSWA Subsidy Low Income Customer Assistance (LICA)**~~

23 ~~**Rate.**~~

24 ~~(a) GSWA shall establish a Low Income Customer Assistance (LICA)~~
25 ~~Rates for low income subscribers. Individuals who are eligible and receiving~~
26 ~~assistance through any one (1) of the following are eligible for customer~~
27 ~~assistance rates:~~

1 ~~(1) Supplemental Nutrition Assistance Program (SNAP) or food~~
2 ~~stamps;~~

3 ~~(2) Medicaid;~~

4 ~~(3) Special Supplemental Nutrition Program for Women, Infants, and~~
5 ~~Children (WIC) benefits;~~

6 ~~(4) Participate in the National School Lunch Program or the School~~
7 ~~Breakfast Program;~~

8 ~~(5) Is enrolled in a school that offers free breakfast or lunch through~~
9 ~~the USDA Community Eligibility Provision (CEP); or~~

10 ~~(6) Received a Federal Pell Grant during the current award year.~~

11 ~~(b) The LICA rates shall be 50% of the residential customer rate but~~
12 ~~shall not be less than Fifteen Dollars (\$15.00) per month in the event that the~~
13 ~~residential customer rate drops below Thirty Dollars (\$30.00) per month.~~

14 **§ 51A110751A1106. External Subsidies**

15 GSWA may at any time receive subsidies from legislative
16 appropriations or federal grants. Subsidies shall be used pursuant to the
17 appropriation or grant language. ~~Unless otherwise stated in the appropriation~~
18 ~~law or terms of the grant, funds appropriated or granted for residential~~
19 ~~customer rate subsidies shall be applied equally and exclusively to LICA rate~~
20 ~~customer billings until the funds are exhausted.~~

21 **§ 51A110851A1107. Disclosure on Billings**

22 All residential customer billings shall disclose the following:

23 (a) The regular residential rate;

24 (b) The GSWA subsidy ~~(the difference between regular rate and the LICA~~
25 ~~rate); and~~

26 (c) Any external subsidies to include but are not limited, General Fund
27 Appropriations or Federal grants in aid.”

1 **Section 3.** A new § 14104(~~pg~~) is *added* to Article 1 of Chapter 14, Title 12,
2 Guam Code Annotated, to read as follows:

3 “(~~pg~~) The Guam Waterworks Authority shall share customer information
4 with the Guam Solid Waste Authority as necessary to be used for establishing solid
5 waste collection services. The Guam Waterworks Authority shall not be held liable
6 for any damages or disputes resulting from the sharing of customer information.”

7 **Section 4. Revision of Rates and Fees.** GSWA shall review and revise
8 rates as needed to account for the implementation of Section 2 of this Act.

9 **Section 5. Promulgation of Rules and Regulations.** GSWA shall revise
10 its administrative rules and regulations to comply with the mandates of Chapter 51A,
11 Title 10, Guam Code Annotated, pursuant to Chapter 9 of Title 5, Guam Code
12 Annotated, and Chapter 51A of Title 10, Guam Code Annotated, within one hundred
13 eighty (180) days of enactment of this Act. The default approval provisions of 5
14 GCA, Chapter 9, Article 3, § 9303(c) shall not apply to this Act.

15 **Section 6. Implementation.** The Islandwide Collection Plan set forth in
16 Section 2 of this Act shall be implemented after *I Liheslaturan Guåhan*’s approval
17 and adoption of rules and regulations promulgated herein.

18 **Section 7. Effective Date.** The 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

February 13, 2025

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

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

Subject: **Fiscal Note for Bill No. 30-38 (COR)**

Håfa Adai!

Find the attached, Fiscal Note for the following bill:

Bill No. 30-38 (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 forward the same to Management Information Services (MIS) for posting on our website.



Bureau of Budget & Management Research
Fiscal Note of Bill No. 30-38 (COR)

AN ACT TO ADD A NEW ARTICLE 11 TO CHAPTER 51A OF TITLE 10, GUAM CODE ANNOTATED; AND ADD A NEW § 14104(p) TO CHAPTER 14 OF TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE GUAM SOLID WASTE AUTHORITY ISLANDWIDE COLLECTION PLAN.

Department/Agency Appropriation Information

Dept./Agency Affected: Guam Solid Waste Authority	Dept./Agency Head: Irvin L. Slike, General Manager
Department's General Fund (GF) appropriation(s) to date:	\$0
Department's Other Fund (Specify) appropriation(s) to date: Solid Waste Operations Fund	\$18,808,961
Total Department/Agency Appropriation(s) to date:	\$18,808,961

Fund Source Information of Proposed Appropriation

	General Fund:	(Specify Special Fund):	Total:
FY 2024 Unreserved Fund Balance		\$0	\$0
FY 2025 Adopted Revenues	\$0	\$0	\$0
FY 2025 Appro. (P.L. 37-125)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill

	One Full Fiscal Year	For Remainder of FY 2025 (if applicable)	FY 2026	FY 2027	FY 2028	FY 2029
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Special Fund	\$0	\$1,061,322	\$1,076,372	\$1,086,467	\$1,099,192	1/
Total	\$0	\$1,061,322	\$1,076,372	\$1,086,467	\$1,099,192	1/

- Does the bill contain "revenue generating" provisions? /X/ Yes / / No
 If Yes, see attachment
- Is amount appropriated adequate to fund the intent of the appropriation? /X/ N/A / / Yes / / No
 If no, what is the additional amount required? \$ _____ /X/ N/A
- Does the Bill establish a new program/agency? / / Yes /X/ No
 If yes, will the program duplicate existing programs/agencies? / / N/A / / Yes /X/ No
 Is there a federal mandate to establish the program/agency? / / Yes /X/ No
- Will the enactment of this Bill require new physical facilities? / / Yes /X/ No
- Was Fiscal Note coordinated with the affected dept./agency? If no, indicate reason: / / Yes /X/ No
 /X/ Requested agency comments not received by due date / / Other:

Analyst: Jah
 Jasmine C. Tereas, BMA II

Date: 02/11/25

Director: [Signature]
 Lester L. Carlson, Jr.

Date: **FEB 12 2025**

Comments:

1/ See attached comments for Bill No. 30-38 (COR).

25-10-AA-0055

Bureau of Budget & Management Research
Attachment to Fiscal Note No. 30-38 (COR)
(for revenue generating provisions)

Projected Multi-Year Revenues					
	Year 1 (FY 2025)	Year 2 (FY 2026)	Year 3 (FY 2027)	Year 4 (FY 2028)	Year 5 (FY 2029)
General Fund	\$0	\$0	\$0	\$0	\$0
Guam Solid Waste Fund:	\$3,921,145	\$3,946,890	\$3,972,751	\$3,998,728	1/
Total	\$3,921,145	\$3,946,890	\$3,972,751	\$3,998,728	1/

Comments: 1/

Bill 30-38 (COR) intends to establish the Guam Solid Waste Authority (GSWA) Islandwide Collection Plan. The proposed provisions under Bill 30-38 (COR) is similar to that of Bill 165-37 (COR) which was introduced in the 37th Guam Legislature and relative to a proposed Universal Garbage Collection Plan. For Bill 165-37, the GWSA had provided multi-year projected revenue estimates for FY2024 to FY2028. The estimates were based off the projected Islandwide Collections less the estimated accounts of about 5,000 non-paying customers at \$30 per month for 12 months.

It should be noted that the Bureau had sought input on the proposed Bill 30-38 (COR) from the GSWA on 1/27/2025 and has not received any official comments as of the date of this fiscal note. As such, the Bureau reflects the estimated fiscal impact of the bill and the above noted projected multi-year revenue impact that was provided by the GSWA for Bill 165-37 (COR). The Bureau has attached a copy of its Fiscal Note on Bill 165-37 (COR) for reference.

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 165-37 (COR)**

COPY

AN ACT TO ADD A NEW ARTICLE 10 TO CHAPTER 51A OF TITLE 10 GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE GUAM SOLID WASTE AUTHORITY'S UNIVERSAL GARBAGE COLLECTION PLAN.

Department/Agency Appropriation Information

Dept./Agency Affected: Guam Solid Waste Authority	Dept./Agency Head: Irvin L. Slike, General Manager
Department's General Fund (GF) appropriation(s) to date:	\$0
Department's Other Fund (Specify) appropriation(s) to date: Solid Waste Operations Fund	\$15,250,243
Total Department/Agency Appropriation(s) to date:	\$15,250,243

Fund Source Information of Proposed Appropriation

	General Fund:	Special Fund:	Total:
FY 2022 Unreserved Fund Balance	\$0	\$0	\$0
FY 2023 Adopted Revenues	\$0	0	0
FY 2023 Appro. (P.L. 36-107)	\$0	0	0
Sub-total:	\$0	0	0
Less appropriation in Bill	\$0	0	0
Total:	\$0	0	0

Estimated Fiscal Impact of Bill

	One Full Fiscal Year	For Remainder of FY 2023 (If applicable)	FY 2024	FY 2025	FY 2026	FY 2027
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Solid Waste Operations Fund I/	\$0	\$0	\$653,436	\$1,061,322	\$1,076,372	\$1,086,467
Total	\$0	\$0	\$653,436	\$1,061,322	\$1,076,372	\$1,086,467

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|---|---------|---------|--------|
| 1. Does the bill contain "revenue generating" provisions?
If Yes, see attachment | / / N/A | /X/ Yes | / / No |
| 2. Is amount appropriated adequate to fund the intent of the appropriation?
If no, what is the additional amount required? | /X/ N/A | / / Yes | / / No |
| 3. Does the Bill establish a new program/agency?
If yes, will the program duplicate existing programs/agencies?
Is there a federal mandate to establish the program/agency? | / / N/A | / / Yes | /X/ No |
| 4. Will the enactment of this Bill require new physical facilities? | /X/ N/A | / / Yes | /X/ No |
| 5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason:
/ / Requested agency comments not received by due date | / / N/A | /X/ Yes | / / No |

Analyst: <u>Jasmine C. Tereas</u>	Date: <u>09/21/23</u>	Director: <u>Lester L. Carlson, Jr.</u>	Date: <u>SEP 22 2023</u>
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Notes:

1/ See attachment for revenue generating provisions. Additionally, also attached are the comments, recommendations and the projected Islandwide Collection Revenues and Costs from the GSWA concerning the proposed legislation.

Bureau of Budget & Management Research
Attachment to Fiscal Note No. 165-37 (COR)
(for revenue generating provisions)

Projected Multi-Year Revenues					
	Year 1 (FY2023)	Year 2 (FY2024)	Year 3 (FY2025)	Year 4 (FY2026)	Year 5 (FY2027)
General Fund	\$0	\$0	\$0	\$0	\$0
Guam Solid Waste Fund:	\$0	\$1,947,758	\$3,921,145	\$3,946,890	\$3,972,751
Total	\$0	\$1,947,758	\$3,921,145	\$3,946,890	\$3,972,751

Comments: 1/

The Guam Solid Waste Authority (GSWA) provides the estimated revenues in the table above should the proposed legislation become law. The estimates are based off the projected Island Wide Collections less the estimated accounts of about 5,000 non paying customers. Year 2024 considered a deduction of these customers over 6 months, but considered the full year for the subsequent years (2025-2027) as the implementation of the provisions of this Act is effective six months from the date of adjudication of the Administrative Rules and Regulations.

According to comments received, the GSWA notes the following questions and concerns with Bill No. 165-37 (COR) relative to implementing the Universal Garbage Collection Plan, such as:

1. GSWA can only support a program that does not require GSWA ratepayer support or involvement in setting eligibility requirements. Can existing GovGuam assistance programs for other utility expenses be amended to include garbage collection?
2. The terms and conditions of tipping fees:
 - a. The square footage of a residential dwelling does not materially affect the generation of collected curbside solid waste. Rather, the number of people in the dwelling drive the per unit generation rate.
 - b. Home businesses do not appear by themselves to generate more refuse. GSWA would not have information available to make the determination of the existence of a home business.
 - c. GSWA does not collect from commercial or industrial properties.
3. GSWA recommends that the fees and fines collected shall be used for the capital, maintenance and operational needs of the Authority.

Comments on Bill 165-37:

51A1004 Customer Assistance Program

GSWA is authorized to establish a Customer Assistance Program to provide financial assistance to eligible ratepayers. GSWA shall establish income eligibility standards for the residential class ratepayer to receive financial assistance, which shall include a reduction or waiver of fees.

GSWA can only support a program that does not require GSWA rate payer support or involvement in setting eligibility requirements. There are Gov Guam assistance programs for other utility expenses that should be modified to cover this utility expense.

Annotated § 51A301. Tipping fees shall be subject to the following terms and conditions:

(a) All single-family residential units shall be assessed at the same rate,

(b) Single-family residential units in excess of six thousand square feet (6,000 sq. ft.) of living area may be assessed at a higher rate based on the average monthly volume of garbage collected,

(c) Single-family residential units used as a home business may be assessed at a higher rate based on the average monthly volume of garbage collected,

(d) Multifamily residential units shall be assessed at a rate not to exceed the rate established under item (a) of this Section, supra, times the number of residential units in the multifamily complex,

(e) Commercial and industrial buildings and complexes may be assessed at rate based on anticipated or actual volume of garbage generated,

(f) Fees for any other services not established, supra; and

(g) Any residential, commercial, or industrial buildings or complexes are exempt from tipping fees if the building or complex has contracted with a private garbage collection service.

GSWA recommends striking (b) The square footage of a residential dwelling does not materially affect the generation of curbside collected solid waste. The number of people in the dwelling drive the per unit generation rate.

GSWA recommends striking (c) Home businesses do not appear by themselves, to generate more refuse. In addition GSWA would not have information available to make the determination of the existence of home business. GSWA recovers excess waste generation through additional bin or bag tag charges.

GSWA recommends striking (e) GSWA does not collect from commercial or industrial properties, This is not applicable

Penalties for failure to subscribe, failure to pay tipping fees and late payment

fees and any other fees shall be established by the Guam Solid Waste Authority Board of Directors pursuant to Chapter 9, Title 5 Guam Code Annotated and in conjunction with the tipping fees established by § 51A1006 of this Article."

GSWA recommends that the fees and fines collected shall be used for the capital, maintenance and operational needs of the Authority.

Guam Solid Waste Authority Comments: Universal Garbage Collection Plan

Island Wide Collection Revenues and Costs

COPY

Description	Projected 2024	Projected 2025	Projected 2026	Projected 2027	Projected 2028
Operating Revenues:					
Collection Sales					
Residential	\$ 8,197,575	\$ 8,234,464	\$ 8,271,519	\$ 8,308,741	\$ 8,346,130
Island Wide Collection	2,847,758	5,721,145	5,746,890	5,772,751	5,798,728
Residential Transfer Station	415,819	417,690	417,690	417,690	417,690
Residential Uncollectable Accounts	(343,835)	(345,382)	(433,083)	(434,975)	(436,876)
Government Agencies and Small Commercial	1,019,610	1,024,199	1,027,783	1,031,381	1,034,990
Major Commercial Haulers (with discount)	9,421,042	9,463,436	9,496,558	9,529,796	9,563,151
Interest and Other Income (DSF)	25,452	25,567	77,625	108,273	139,157
Trash Tag Fees	2,947	2,960	2,973	2,987	3,000
Reactivation / Restoration	35,682	35,843	35,843	35,843	35,843
Miscellaneous - Reimbursement	400,000	400,000	400,000	400,000	400,000
Host Community Premium Surcharge	327,003	328,475	328,475	328,475	328,475
Total Operating Revenues	\$ 22,349,053	\$ 25,308,396	\$ 25,372,274	\$ 25,500,960	\$ 25,630,287
Cash Outflows					
Mandatory Expenditures					
Personnel Expense	\$ 4,002,581	\$ 4,115,626	\$ 4,239,095	\$ 4,366,268	\$ 4,497,256
Contractual Services	10,895,208	11,392,148	11,527,715	11,664,894	11,803,707
Travel	24,286	24,575	24,867	25,163	25,462
Supplies	591,655	598,696	605,820	613,029	620,324
Equipment	5,242	5,305	5,368	5,432	5,496
Utilities - power and water	180,015	182,157	184,325	186,518	188,738
Post Closure Care					
Ordot Post Closure	2,000,000	2,000,000	2,000,000	2,000,000	-
Cell new and closure expenses - Ordot	1,700,000	2,550,000	2,550,000	2,550,000	2,550,000
New Cell Adjustments	(1,500,000)				750,000
Other Expenditures					
Capital Outlays	680,635	680,635	680,635	680,635	680,635
Debt Service Payment	3,047,833	3,049,833	3,051,604	3,057,479	3,058,229
Host Community Premium Benefits	300,000	300,000	300,000	300,000	307,655
Miscellaneous	243,708	246,608	249,543	252,512	255,517
Drug Testing	1,000	1,000	1,000	1,000	1,000
New Costs for Island Wide Program	653,436	1,061,322	1,076,372	1,086,467	1,099,192
Total Other Operating Expenses	\$ 22,825,598	\$ 26,207,905	\$ 26,496,343	\$ 26,789,398	\$ 25,843,212
Total Cash Outflows	\$ 23,479,034	\$ 27,269,227	\$ 27,572,715	\$ 27,875,865	\$ 26,942,404
Net Change in Cash	\$ (1,129,981)	\$ (1,960,831)	\$ (2,200,441)	\$ (2,374,905)	\$ (1,312,117)