

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
141-38 (COR) As amended by the Committee on Transportation, Tourism, Customs, Utilities, and Federal and Foreign Affairs; and further amended on the Floor.	Sabina Flores Perez Chris Barnett Therese M. Terlaje Tina Rose Muña Barnes William A. Parkinson V. Anthony Ada Frank F. Blas, Jr. Christopher M. Dueñas Eulogio Shawn Gumataotao Sabrina Salas Matanane Joe S. San Agustin Telo T. Taitague	AN ACT TO ADD A NEW § 51104(h) TO ARTICLE 1, CHAPTER 51, DIVISION 2, TITLE 10, GUAM CODE ANNOTATED, TO REPEAL § 23104(d)(5), AND ADD A NEW § 23104.1 TO ALL OF CHAPTER 23, DIVISION 4, TITLE 22 OF THE GUAM ADMINISTRATIVE RULES AND REGULATIONS RELATIVE TO EXPANDING LIMITED EXEMPTIONS FROM PERMITTING REQUIREMENTS FOR SMALL-SCALE, ON-SITE COMPOSTING ACTIVITIES.	5/12/25 10:06 a.m.	5/22/25	Committee on Transportation, Tourism, Customs, Utilities, and Federal and Foreign Affairs.	Request: 5/22/25 5/29/25	7/11/25 2:00 p.m.	3/10/26 As Amended.	
	3/23/26	AN ACT TO ADD A NEW § 51104(h) TO ARTICLE 1, CHAPTER 51, DIVISION 2, TITLE 10, GUAM CODE ANNOTATED; TO REPEAL § 23104(d)(5), AND ADD A NEW § 23104.1 ALL OF CHAPTER 23, DIVISION 4, TITLE 22, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO EXPANDING LIMITED EXEMPTIONS FROM PERMITTING REQUIREMENTS FOR SMALL-SCALE, ON-SITE COMPOSTING ACTIVITIES.	3/27/26	3/27/26	4/8/26	38-121	4/9/26	Received: 4/9/26 Mess and Comm. Doc. No. 38GL-26-2189	

LOURDES A. LEON GUERRERO
GOVERNOR



JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HÅGAN GUÅHAN
OFFICE OF THE GOVERNOR OF GUAM

Transmitted via Email to: speakerblas@guamlegislature.org

April 8, 2026

THE HON. FRANK BLAS, JR., Speaker
I Mina'trentai Ocho Na Liheslaturan Guåhan
38th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

38GL-26-2189
OFFICE OF THE SPEAKER
FRANK F. BLAS JR.

APR 08 2026

Time: 4:22 pm
Received: Frank Blas

Re: Bill No. 141-38 (COR), "AN ACT TO ADD A NEW § 51104(h) TO ARTICLE 1, CHAPTER 51, DIVISION 2, TITLE 10, GUAM CODE ANNOTATED; TO REPEAL § 23104(d)(5), AND ADD A NEW § 23104.1 ALL OF CHAPTER 23, DIVISION 4, TITLE 22, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO EXPANDING LIMITED EXEMPTIONS FROM PERMITTING REQUIREMENTS FOR SMALL-SCALE, ON-SITE COMPOSTING ACTIVITIES."

Håfa Adai Mr. Speaker,

Presently, the Guam Environmental Protection Agency (GEPA) requires \$100 permits for all composting activities, with one exemption made for composted waste generated from three or fewer households. This creates unnecessary barriers for small-scale, community-based initiatives.

Bill 141-38 would authorize GEPA to exempt small-scale composting at various sites, such as apartment buildings, community gardens, farms, schools, and establishments selling food. This exemption reduces regulatory obstacles to composting, helping divert organic waste from landfills, ultimately lowering greenhouse gases.

My administration supports the intent behind this bill. However, as noted time and time again, enacting regulations through the legislative process violates the separation of powers doctrine. This doctrine prohibits legislation that amends executive rules and regulations, just as it prohibits an agency from amending legislative enactments. Pursuant to the separation of powers doctrine, each branch of government must operate within distinct and clearly defined spheres. The Organic Act of Guam charges the Executive Branch with powers to issue regulations that do not conflict with any applicable law, including Guam's rulemaking laws.

Rulemaking and law-making are separate and distinct roles as provided by the Organic Act of Guam. Bill 141-38's proposed amendments to Guam's Administrative Rules and Regulations infringe on well-established principles. While the Legislature retains the authority to pass a bill containing these provisions, once the rulemaking authority has been delegated to an agency as it

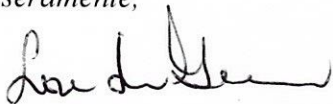
To: The Hon. Frank Blas, Jr., *Speaker*
Fr: The Hon. Lourdes A. Leon Guerrero, *Governor of Guam*
Date: April 8, 2026
Re: Bill No. 141-38 (COR)

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has with GEPA, the Legislature is obligated to honor such delegation and refrain from interfering with agency rulemaking unless the agency's rulemaking power is otherwise rescinded.

Therefore, Bill No. 141-38 (COR) will lapse into law as **Public Law No. 38-121** without my signature.

Senseramente,



LOURDES A. LEON GUERRERO

I Maga'hågan Guåhan

Governor of Guam

Enclosure(s): Bill No. 141-38 (COR) nka P.L. 38-121

cc via email: *Honorable Joshua F. Tenorio, Segundo Maga'låhen Guåhan*, Lt. Governor of Guam
Compiler of Laws



38GL-26-2189
Messages and Communications

RECEIVED
COMMITTEE ON RULES
April 9, 2026

2:40 p.m.

Marie Crisostomo