

I Mina'trentai Sais Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
16-36 (COR)	Joe S. San Agustin	AN ACT TO AMEND §§ 3123, 3218, 3300, 3413, 3414 AND 3433, AND REPEAL §§ 3428 AND 3432, ALL OF CHAPTER 3, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO UPDATING AND CLARIFYING STATUTES CONCERNING LICENSING, SALES, AND SERVICE OF ALCOHOLIC BEVERAGES.	1/7/21 1:23 p.m.	1/13/21	Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning			Request: 1/13/21 1/20/21	



Vice Speaker

TINA ROSE MUÑA BARNES

CHAIRPERSON, COMMITTEE ON RULES

I Mina'trentai Sais Na Liheslaturan Guåhan

GUAM CONGRESS BUILDING
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January 20, 2021

MEMO

To: Rennae Meno
Clerk of the Legislature

From: Vice Speaker Tina Rose Muña Barnes
Chairperson, Committee on Rules

Re: Fiscal Notes

Buenas yan Håfa adai.

Attached, please find the fiscal note for the following bills:

Bill No. 1-36 (LS)
Bill No. 3-36 (COR)
Bill No. 7-36 (COR)
Bill No. 16-36 (COR)
Bill No. 18-36 (COR)
Bill No. 19-36 (COR)
Bill No. 20-36 (COR)
Bill No. 21-36 (COR)
Bill No. 27-36 (COR)
Bill No. 28-36 (COR)

Please forward the same to Management Information Services (MIS) for posting on our website.

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.



**Bureau of Budget & Management Research
Fiscal Note of Bill No. 16-36 (COR)**

AN ACT TO AMEND §§ 3123, 3218, 3300, 3413, 3414, AND 3433, AND REPEAL §§ 3428 AND 3432, ALL OF CHAPTER 3, TITLE 11 GUAM CODE ANNOTATED, RELATIVE TO UPDATING AND CLARIFYING STATUTES CONCERNING LICENSING, SALES, AND SERVICE OF ALCOHOL BEVERAGES.

Department/Agency Appropriation Information	
Dept./Agency Affected: Department of Revenue and Taxation (DRT)	Dept./Agency Head: Dafne Mansapit-Shimizu, Director
Department's General Fund (GF) appropriation(s) to date:	\$8,945,336
Department's Other Fund appropriation(s) to date: Banking and Insurance Enforcement Fund (\$479,765); Better Public Service Fund (\$1,410,919); Tax Collection Enhancement Fund (\$919,948)	\$2,810,632
Total Department/Agency Appropriation(s) to date:	\$11,755,968

Fund Source Information of Proposed Appropriation			
	General Fund:	Special Fund:	Total:
FY 2020 Unreserved Fund Balance	\$0	\$0	\$0
FY 2021 Adopted Revenues	\$0	0	0
FY 2021 Appro. (P.L. 35-99)	\$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 2021 (if applicable)	FY 2022	FY 2023	FY 2024	FY 2025
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Healthy Futures Fund	1/	\$0	\$0	\$0	\$0	\$0
Total	1/	\$0	\$0	\$0	\$0	\$0

- 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? /X/ N/A // Yes // 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: /X/ Yes // No
/X/ Requested agency comments not received by due date: DRT // Other:

Analyst: <u>Raymond Rieta, BMA II</u>	Date: <u>1/19/2021</u>	Director: <u>Lester L. Carlson, Jr., Director</u>	Date: <u>JAN 20 2021</u>
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Notes:
1/ See attached Comments.

Bureau of Budget & Management Research
Comments on Bill No. 16-36 (COR)

The proposed legislation seeks to amend several sections in Chapter 3, Title 11, Guam Code Annotated (GCA) relative to the sale of alcoholic beverages to consumers as take-out or delivery items included with food orders. The Bill amends §3123 to include delivery drivers and third-party delivery drivers as alcohol employees who are authorized to sell or serve alcoholic beverages. The Bill also amends §3218 to define the parameters of the alcoholic beverages to be sold in an unopened, pre-packaged, or sealed state and identifies the method of transportation of these alcoholic beverages to be in compliance with the existing open container laws.

Further, the Bill amends and repeals several sections within Chapter 3, Title 11 GCA to update statutes relative to technological and sustainability advances in the service industry and changes in consumer purchasing behavior with the increase in online ordering and curbside pick-up and delivery service.

Authorizing food establishments to sell alcoholic beverages to consumers as take-out or delivery items included with food orders may result in an increase of alcoholic beverage sales, thus potentially increasing collections received by the Department of Revenue and Taxation in the form of Excise Taxes on Alcoholic Beverages per §26302, Chapter 26, Title 11 GCA. Such taxes are deposited into the Healthy Futures Fund. However, absent any data regarding the amount of alcoholic beverage sales specifically from food establishments, the Bureau is unable to determine an approximate financial impact at this time.