

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
204-36 (LS)	Amanda L. Shelton Telena Cruz Nelson Tina Rose Muña Barnes Mary Camacho Torres Clynton E. Ridgell James C. Moylan Joe S. San Agustin Jose "Pedro" Terlaje Christopher M. Dueñas	AN ACT TO ADD NEW ARTICLE 16 TO CHAPTER 22, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING AN "OPIOID RECOVERY TRUST FUND"; TO DIRECT ALL OPIOID LITIGATION MONIES ENTITLED TO GUAM INTO SUCH FUND; AND TO ESTABLISH THE "OPIOID RECOVERY ADVISORY COUNCIL"; TO BE KNOWN AS THE "OPIOID PREVENTION AND TREATMENT ACT."	9/27/21 1:23 p.m.	10/1/21	Committee on General Government Operations, Appropriations, and Housing			Request: 10/5/21 10/11/21	



Vice Speaker

TINA ROSE MUÑA BARNES

CHAIRPERSON, COMMITTEE ON RULES

I Mina'trentai Sais Na Liheslaturan Guåhan

GUAM CONGRESS BUILDING
163 CHALAN SANTO PAPA
HAGÅTÑA, GUAM 96910
TEL 671-472-2461
COR@GUAMLEGISLATURE.ORG

October 11, 2021

MEMO

To: **Rennae Meno**
Clerk of the Legislature

From: **Senator Amanda L. Shelton**
Acting Chairperson, Committee on Rules

Re: **Fiscal Notes on Bill Nos. 204-36 (LS) and 206-36 (LS)**

Håfa adai,

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

Bill No. 204-36 (LS)

Bill No. 206-36 (LS)

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. 204-36 (LS)

AN ACT TO ADD NEW ARTICLE 16 TO CHAPTER 22, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING AN "OPIOID RECOVERY TRUST FUND"; TO DIRECT ALL OPIOID LITIGATION MONIES ENTITLED TO GUAM INTO SUCH FUND; AND TO ESTABLISH THE "OPIOID RECOVERY ADVISORY COUNCIL"; TO BE KNOWN AS THE "OPIOID PREVENTION AND TREATMENT ACT."

Department/Agency Appropriation Information

Dept./Agency Affected: Office of the Attorney General	Dept./Agency Head: Leevin T Camacho, Attorney General
Department's General Fund (GF) appropriation(s) to date:	\$0
Department's Other Fund appropriation(s) to date: Federal Matching Grants-In-Aid (per P.L. 36-54)	\$0
Total Department/Agency Appropriation(s) to date:	\$0

Fund Source Information of Proposed Appropriation

	General Fund:	(Specify Special Fund):	Total:
FY 2020 Unreserved Fund Balance		\$0	\$0
FY 2021 Adopted Revenues	\$0	\$0	\$0
FY 2021 Appro. (P.L. 35-99 thru)	\$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
Special Funds	\$0	\$0	\$0	\$0	\$0	\$0
Total	1/	\$0	\$0	\$0	\$0	\$0

- | | | | | |
|---|-------|--------|-------|-----|
| 1. Does the bill contain "revenue generating" provisions? | / X / | Yes | / / | No |
| If Yes, see attachment | | | | |
| 2. Is amount appropriated adequate to fund the intent of the appropriation? | / X / | N/A | / / | Yes |
| If no, what is the additional amount required? \$ _____ | / X / | N/A | / / | No |
| 3. Does the Bill establish a new program/agency? | / / | Yes | / X / | No |
| If yes, will the program duplicate existing programs/agencies? | / X / | N/A | / / | Yes |
| Is there a federal mandate to establish the program/agency? | / / | Yes | / X / | No |
| 4. Will the enactment of this Bill require new physical facilities? | / / | Yes | / X / | No |
| 5. 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: <u>Tyler Bautista</u>	Date: <u>10/08/21</u>	Director: <u>Lester L. Carlson, Jr.</u>	Date: <u>OCT 11 2021</u>
Tyler Bautista, BMA I		Lester L. Carlson, Jr., Director	

Notes:
1/ See attached comments.

BUREAU OF BUDGET AND MANAGEMENT RESEARCH
COMMENTS ON BILL NO. 188-36 (COR)

The proposed legislation intends to *add* a new Article 16 to Chapter 22, Title 5, Guam Code Annotated – to be known as the “**Opioid Prevention and Treatment Act.**” This act intends to establish an “*Opioid Recovery Trust Fund.*” where all opioid litigations entitled to Guam are deposited into such fund. This fund will be maintained by the Office of the Attorney General (OAG); separate and apart from any other funds and shall not lapse. This fund is not subject to transfer to the General Fund or through the Governor’s transfer authority. Guam anticipates to receive up to **\$10,000,000** from litigations between 2015 – 2019.

This act also establishes the “*Opioid Recovery Advisory Council* - which is a body of ten (10) members consisting of nine (9) voting members and one (1) non-voting chairperson. The voting members consists of Directors and Administrators of various Government of Guam entities and five (5) appointed members. The council is in charge of determining the expenditures of this fund through various programs or services to assist those recovering from opioid abuse (reasonable costs associated with the litigations).

Absent pertinent information from the OAG to include (a) the revenue credited to the fund; (b) administrative expenses; and (c) list of expenditures associated with treatment and recovery programs that may arise as a result of this measure, the Bureau cannot determine an approximate fiscal impact at this time. Although the proposed legislation poses no fiscal impact to the Government of Guam, the Bureau recognizes that this proposed legislation may have an impact on the revenues and expenditures the OAG, which is an autonomous agency pursuant to Chapter 14 of Title 12 of the Guam Code Annotated.