

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
183-36 (LS)	V. Anthony Ada Christopher M. Dueñas Frank Blas Jr. James C. Moylan	AN ACT TO ADD A NEW §§ 19406 & 19505.1 AND TO AMEND §§ 19604(a), 19604(c), 19604(d)(2), 19805(c) & 19405(c) ALL OF CHAPTER 19, TITLE 10 GUAM CODE ANNOTATED RELATIVE TO PROHIBITING THE SUSPENSION OF CONSTITUTIONAL RIGHTS AND TO REPEAL CRIMINAL PENALTIES FOR VIOLATIONS OF EXECUTIVE ORDERS.	8/31/21 10:53 a.m.	9/3/21	Committee on Health, Land, Justice, and Culture			Request: 9/7/21 10/1/21	



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 1, 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. 183-36 (LS) and 201-36 (COR)**

Håfa adai,

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

Bill No. 183-36 (LS)
Bill No. 201-36 (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. 183-36 (LS)

AN ACT TO ADD A NEW §§ 19406 AND 19505.1, AND TO AMEND §§ 19405(c), 19604(a), 19604(c), 19604(d)(2), AND 19805(c), ALL OF CHAPTER 19, TITLE 10 OF THE GUAM CODE ANNOTATED (GCA), RELATIVE TO PROHIBITING THE SUSPENSION OF CONSTITUTIONAL RIGHTS AND TO REPEAL CRIMINAL PENALTIES FOR VIOLATIONS OF EXECUTIVE ORDERS.

Department/Agency Appropriation Information			
Dept./Agency Affected: Office of the Governor of Guam		Dept./Agency Head: Honorable Lourdes A. Leon Guerrero, Governor of Guam	
Department's General Fund (GF) appropriation(s) to date:			\$5,841,424
Department's Other Fund (Indirect Cost Fund) appropriation(s) to date:			\$293,825
Total Department/Agency revenues to date:			\$6,135,249
Dept./Agency Affected: Department of Public Health and Social Services		Dept./Agency Head: Arthur San Agustin, Director	
Department's General Fund (GF) appropriation(s) to date:			\$28,188,995
Department's Other Fund (Specify) appropriation(s) to date: Healthy Futures Fund (\$12,147,547), Environmental Health Fund (\$1,322,570, Health Professional Licensing Office Revolving Fund (\$286,085), Office of Vital Statistics Revolving Fund (\$241,442), Sanitary Inspection Revolving Fund (\$85,425), and Medically Indigent Program Payment Revolving Fund (\$14,438,056)			\$28,521,125
Total Department/Agency Appropriation(s) to date:			\$56,710,120

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)	\$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 1/	\$0	\$0	\$0	\$0	\$0	\$0
Special Fund 1/	\$0	\$0	\$0	\$0	\$0	\$0
Total 1/	\$0	\$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
/ / Requested agency comments not received by due date / / Other:

Analyst: <u></u>	Date: <u>9/21/21</u>	Director: <u></u>	Date: <u>OCT 01 2021</u>
Joaquin A.J. Guerrero II		Lester L. Carlson, Jr.	

Comments:
 1/ The proposed legislation seeks to amend §§ 19604(a), 19604(c), and 19604(d)(2) of Article 6, Chapter 19, Title 10 GCA, changing the penalties for provision violations from misdemeanors to civil violations that may be subject to a fine not to exceed Twenty-Five Dollars (\$25.00). Additionally, the Bill intends to amend § 19805(c) of Chapter 19, Title 10 GCA for the amount of compensation calculated for items obtained under § 19505 to be the replacement cost of the item on the date of seizure plus the cost of shipping, instead of being limited to the costs incurred to produce the item. An estimated cost impact will be contingent on the recorded amount of violations for provisions for isolation and quarantine set by the public health authority and the specific pharmaceutical agents and/or medical supplies that are seized. Per the Department of Public Health and Social Services, they have not issued any citations since the initial declaration of the COVID-19 public health emergency specific to the provisions in the aforementioned sections, nor did they obtain or seize any commodity under § 19505 for direct use and distribution for any medical institution.