

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
44-36 (COR)	Jose "Pedo" Terlaje Tina Rose Muña Barnes Mary Camacho Torres	AN ACT TO AMEND SUBSECTION (B) OF §60.80, CHAPTER 60, TITLE 8 OF THE GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING PLEA DEALS WITHOUT REASONABLE PROOF OF VICTIM NOTIFICATION.	1/29/21 8:00 a.m.	2/1/21	Committee on Health, Land, Justice, and Culture			Request: 2/1/21 2/10/21	



Vice Speaker

TINA ROSE MUÑA BARNES

CHAIRPERSON, COMMITTEE ON RULES

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February 10, 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 notes for the following bills:

Bill No. 41-36 (COR)
Bill No. 42-36 (COR)
Bill No. 44-36 (COR)
Bill No. 47-36 (COR)
Bill No. 57-36 (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. 44-36 (COR)**

AN ACT TO AMEND SUBSECTION (b) OF §60.80, CHAPTER 60, TITLE 8 OF THE GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING PLEA DEALS WITHOUT REASONABLE PROOF OF VICTIM NOTIFICATION.

Department/Agency Appropriation Information

Dept./Agency Affected: Office of the Attorney General	Dept./Agency Head: Leevin Camacho, Attorney General
Department's General Fund (GF) appropriation(s) to date:	\$14,253,761
Department's Other Fund appropriation(s) to date: N/A	\$0
Total Department/Agency Appropriation(s) to date:	\$14,253,761

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	1/	\$0	\$0	\$0	\$0	\$0
Special Fund	\$0	\$0	\$0	\$0	\$0	\$0
Total	1/	\$0	\$0	\$0	\$0	\$0

- Does the bill contain "revenue generating" provisions? / / Yes / X / 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>Raymond Rieta</u> Raymond Rieta, BMA II	Date: <u>2/9/2021</u>	Director: <u>Lester L. Carlson, Jr.</u> Lester L. Carlson, Jr., Director	Date: <u>FEB 10 2021</u>
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Notes:
1/: See Additional Comments.

Bureau of Budget & Management Research
Comments on Bill No. 44-36 (COR)

Bill No. 44-36 seeks to amend subsection (b) of §60.80, Chapter 60, Title 8 of the Guam Code Annotated, relative to prohibiting plea deals without reasonable proof of victim notification. As per the Bill, no plea agreement shall be accepted unless the applicable victim, if any, has been notified of his or her rights and has been consulted and advised about the plea bargain to be entered.

Based on comments received from the Office of the Attorney General (OAG), victim notification of plea offers, notice of change-of-plea hearings, and the right to attend change-of-plea hearings are already required by law. The OAG believes that if the Bill is an attempt to expand current requirements, there will be a need for additional human resources on their part, i.e., victim advocates, investigators, etc. – particularly for added support when there is great difficulty in securing the location or participation of victims. The OAG further comments that the fiscal impact of this Bill, should it become enacted, would be the anticipated need for at least two additional advocates at a cost of \$44,231 (salaries and benefits) per advocate or \$88,462 total.