

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
113-36 (COR)	James C. Moylan Tina Rose Muña Barnes	AN ACT TO <i>ADD</i> § 61541(b)(4) AND § 61541(c)(4) TO SUBARTICLE 5 OF CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING GUIDELINES FOR OFF PREMISE SIGNS ON COMMERCIAL AND INDUSTRIAL ZONES.	4/12/21 12:55 p.m.	4/15/21	Committee on Health, Land, Justice, and Culture			Request: 4/16/21 4/29/21	



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

April 29, 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. 113-36 (COR)

Bill No. 124-36 (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. 113-36 (COR)

AN ACT TO ADD § 6154(b)(4) AND § 6154(c)(4) TO SUBARTICLE 5 OF CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING GUIDELINES FOR OFF PREMISE SIGNS ON COMMERCIAL AND INDUSTRIAL ZONES.

Department/Agency Appropriation Information	
Dept./Agency Affected: Department of Public Works (DPW)	Dept./Agency Head: Vincent P. Arriola, Director
Department's General Fund (GF) appropriation(s) to date:	-
Department's Other Fund (Specify) appropriation(s) to date: Guam Highway Fund (\$11,054,309); Territorial Educational Facilities Fund (\$7,254,262)	18,308,571
	\$18,308,571

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2019 Unreserved Fund Balance		\$0	\$0
FY 2020 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
Public Signage Enforcement Fund	\$0	1/	1/	1/	1/	1/
Total	\$0	1/	1/	1/	1/	1/

- 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? / / N/A / / Yes / X/ 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: William P. Tatunglong Date: 4/23/2021 Director: Lester L. Carlson, Jr., Director Date: APR 29 2021

Comments:

1/ See Comments and Attachment to Bill 113-36 (COR).

Bureau of Budget and Management Research
Comments on Bill No. 113-36 (COR)

The intent of Bill 113-36 is to add a new §61541(b)(4) and §61541(c)(4) to Subarticle 5 of Chapter 61, Title 21, Guam Code Annotated relative to the Establishing Guidelines for Off Premise Signs on Commercial and Industrial Zones.

Bill 113-36 will establish guidelines for off premise signs on commercial and industrial zones and that such off premise signs be approved by the Department of Public Works (DPW) pursuant to the requirements in the Chapter and that, any individual or company who violates the provisions of §61541(b)(4) and §61541(c)(4) also be subject to the penalties outlined pursuant to §61545 of the Chapter.

According to the comments received from DPW, the DPW supports Bill 113-36 to have such off premise signs on commercial and industrial zones be permitted, regulated, and have the same guidelines, permitting process and fees to include penalties imposed on sign regulations. DPW further states that inspection/permitting should be regulated as off-premise signs should not impede on highway visibility and night driving safety, and it should not cause an overload such as be inadequate for size, lighting, placement or combination of these factors. The DPW also notes that observing these guidelines is just as important with reference to commercial signs as it is for traffic safety signs.

The enactment of Bill 113-36 will pose a fiscal impact in terms of additional signage revenues generated in terms of civil penalties imposed by DPW for off premise sign violations occurring in both commercial and industrial zones. These signage revenues shall be deposited into the Public Signage Enforcement Fund created pursuant to §61545 of the Chapter. The Bureau is unable to provide any financial information on the Public Signage Enforcement Fund as it has yet to be established by DPW. As reflected on the Attachment to Bill No. 113-36 for revenue generating measures, the Bureau provides an estimated potential impact of the proposed measure should there be a total of 1, 3 or 5 violations and civil penalties imposed, and should late action civil penalties be added and recovered per month by DPW for either or a combination of both commercial or industrial zones.

Bureau of Budget & Management Research
Attachment to Fiscal Note No. 113-36 (COR)
(for revenue generating provisions)

Projected Multi-Year Revenues					
	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
General Fund	\$0	\$0	\$0	\$0	\$0
Public Signage Enforcement Fund	1/	1/	1/	1/	1/
Total	1/	1/	1/	1/	1/

Comments: Bill 113-36 provides that any individual or company who violates the provisions of §61541(b)(4) and §615419(c)(4) shall be subject to the penalties outlined pursuant to §61545 of the Chapter. §61545 imposes a civil penalty of \$1,000.00 for each violation occurring in commercial and industrial zones, and if not rectified within 10 business days of receipt of Notice of Violation from DPW shall be subject to a late action civil penalty not to exceed \$300.00 per day for each remaining violation. The revenues collected from the penalties recovered are to be deposited into the Public Signage Enforcement Fund created under §61545(b). The Bureau provides the following estimated potential revenues should there be a total of 1, 3, or 5 violations and civil penalties imposed, and late action civil penalties added and recovered per month by DPW for either or a combination of both commercial or industrial zones.

1/ Off-Premise Signage - Estimated Potential Revenue Impact

Revenue Item	Amount	# per month	\$ per month	\$ per year
Civil Penalty per Violation	\$1,000.00	1	\$1,000.00	\$12,000.00
		3	\$3,000.00	\$36,000.00
		5	\$5,000.00	\$60,000.00
Additional Late Action	\$300.00	1	\$300.00	\$3,600.00
Civil Penalty (per Day)		3	\$600.00	\$7,200.00
		5	\$1,500.00	\$18,000.00
Total Estimated - Revenue Items Combined		1	\$1,300.00	\$15,600.00
		3	\$3,600.00	\$43,200.00
		5	\$6,500.00	\$78,000.00