

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
96-36 (LS)	Committee on Air Transportation, Parks, Tourism, Higher Education, and the Advancement of Women, <u>Youth and Senior Citizens</u> by request of I Kongressun Manhoben Guåhan , the Guam Youth Congress, in accordance with 2 GCA § 7102.	AN ACT TO <i>AMEND</i> § 72157(b) OF CHAPTER 72, TITLE 11; <i>AMEND</i> §§ 24101 AND 24102, AND <i>ADD</i> A NEW § 24108 TO CHAPTER 24, ALL OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO EXEMPTING HOME KITCHENS LICENSED AS A HOME INDUSTRY FROM SANITATION LAWS AND STIPULATING REQUIREMENTS FOR THESE HOME KITCHENS.	3/25/21 3:11 p.m.	4/1/21	Committee on Health, Land, Justice, and Culture			Request: 4/2/21  4/6/21	



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 6, 2021

# MEMO

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

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

**Re:** **Fiscal Notes for Bill Nos. 96-36 (LS) and 99-36 (LS)**

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*Buenas yan Håfa adai.*

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

**Bill No. 96-36 (LS)**

**Bill No. 99-36 (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. 96-36 (LS)**

Bill No.96-36 (LS) AN ACT TO AMEND § 72157(b) OF CHAPTER 72, TITLE 11; AMEND §§ 24101 AND 24102, AND ADD A NEW § 24108 TO CHAPTER 24, ALL OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO EXEMPTING HOME KITCHENS LICENSED AS A HOME INDUSTRY FROM SANITATION LAWS AND STIPULATING REQUIREMENTS FOR THESE HOME KITCHENS."

**Department/Agency Appropriation Information**

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: Environmental Health Fund - \$1,322,570, Healthy Futures Fund - \$12,147,547, Health Professional Licensing Office Revolving Fund - \$286,085, Office of Vital Statistics Revolving Fund - \$241,442, Sanitary Inspection Revolving Fund - \$85,425, 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:	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
Special Fund	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0

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|---|---------|---------|----------|
| 1. Does the bill contain "revenue generating" provisions?<br>If Yes, see attachment   | / / N/A | / / Yes | / X / No |
| 2. Is amount appropriated adequate to fund the intent of the appropriation?<br>If no, what is the additional amount required? \$ _____  | /X/ N/A | / / Yes | / / No   |
| 3. Does the Bill establish a new program/agency?<br>If yes, will the program duplicate existing programs/agencies?<br>Is there a federal mandate to establish the program/agency? | // N/A  | / / Yes | / X / No |
| 4. Will the enactment of this Bill require new physical facilities?   | // N/A  | / / Yes | / X / No |
| 5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason:<br>/X/ Requested agency comments not received by due date:                                  |         | /X/ Yes | / / No   |

Analyst:  Mikel S. Espiritu	Date: <u>04/05/2021</u>	Director:  Lester L. Carlson, Jr., Director	Date: <u>APR 06 2021</u>
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**Notes:**

1/ Please see attachment

**Bureau of Budget & Management Research**  
**Comments on Bill No. 96-36 (LS)**

1/: The intent of Bill No.96-36 (LS) is to give families the opportunity to make and sell their homemade food products in a home kitchen, by eliminating any requirement for homes to follow sanitation laws. Many families sell their homemade food products "under the table" to avoid having their home kitchen scrutinized by the Department of Public Health and Social Services. In addition, many families may not have access to the capital or the capabilities necessary to convert their home kitchen into a commercial kitchen. The proposed legislation intends to benefit Guam's cottage food industry, which will not only serve as a new economy for the island but act as a way for families to preserve family recipes of cultural food items while receiving an income.

Although the Bill Appears to be administrative in nature, there does exist a potential fiscal impact on the Department of Public Health and Social Services. Some examples of costs include developing and establishing a list of acceptable food products considered not potentially hazardous; promulgating rules and regulations guiding labeling requirements; inspections to ensure that these home businesses maintain their homes in a clean, healthful, and sanitary condition.

Absent additional information from the department (DPHSS) with regard to the potential costs associated with the abovementioned, the Bureau is unable to determine an approximate fiscal impact at this time.