

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
194-36 (COR)	Clynton E. Ridgell	AN ACT TO <i>AMEND</i> § 14101 OF CHAPTER 14, DIVISION 4, TITLE 8, GUAM ADMINISTRATIVE RULES AND REGULATIONS, AND TO <i>REPEAL AND REENACT</i> § 14102 OF CHAPTER 14, DIVISION 4, TITLE 8, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO THE GUAM INVASIVE SPECIES INSPECTION FEE AND ITS ASSESSMENT.	9/9/21 9:15 a.m.	9/14/21	Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts			Request: 9/15/21  9/24/21	



Vice Speaker

**TINA ROSE MUÑA BARNES**

**CHAIRPERSON, COMMITTEE ON RULES**

*I Mina'trentai Sais Na Liheslaturan Guåhan*

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September 24, 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. 194-36 (COR) and 195-36 (COR)**

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*Håfa adai,*

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

**Bill No. 194-36 (COR)**

**Bill No. 195-36 (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. 194-36 (COR)**

**AN ACT TO AMEND § 14101 OF CHAPTER 14, DIVISION 4, TITLE 8, GUAM ADMINISTRATIVE RULES AND REGULATIONS, AND TO REPEAL AND REENACT § 14102 OF CHAPTER 14, DIVISION 4, TITLE 8, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO THE GUAM INVASIVE SPECIES INSPECTION FEE AND ITS ASSESSMENT.**

**Department/Agency Appropriation Information**

Dept./Agency Affected: Department of Agriculture	Dept./Agency Head: Chelsa Muna-Brecht, Director
Department's General Fund (GF) appropriation(s) to date:	\$2,897,297
Department's Other Fund appropriation(s) to date: Guam Invasive Species Inspection Fee Fund (\$610,190); Guam Plant Inspection and Permit Fund (\$98,208); Rabies Prevention Fund (\$44,610); and Tourist Attraction Fund (\$140,709)	\$893,717
Total Department/Agency Appropriation(s) to date:	\$3,791,014

**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	1/	\$0	\$0	\$0	\$0	\$0
Total	1/	\$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  
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, BMA II</u>	Date: <u>9/23/2021</u>	Director: <u>Lester L. Carlson, Jr., Director</u>	Date: <b>SEP 23 2021</b>
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Notes:  
 1/: See attached Comments.

**Bureau of Budget & Management Research**  
**Comments on Bill No. 194-36 (COR)**

Bill No. 194-36 amends § 14101 of Chapter 14, Division 4, Title 8 of the Guam Administrative Rules and Regulations (G.A.R.R.), and to repeal and reenact § 14102 of Chapter 14, Division 4, Title 8, G.A.R.R. relative to the Guam Invasive Species Inspection Fee (GISIFF) and its Assessment. The intent of the legislation is to update the Invasive Species Protection Fee in the manner as supported by the Port Authority of Guam Users Group and the Invasive Species Council by charging flat rates on all containers and passenger motor vehicles entering Guam and to additionally assess all materials and goods that may be carriers of invasive species.

Based on comments received from the Department of Agriculture (DOAg), the passage of Bill No. 194-36 will not create or add any undue costs to the department. They further add that the Bill would provide the revenue needed to hire personnel and increase capacity in the agency's effort to combat invasive species and protect the land.

Utilizing collection data for the GISIFF obtained from the FY20 Special Revenue Fund Report along with cargo information from the FY20 Tonnage and Container report retrieved from the Port Authority of Guam's website, a preliminary comparison was made between the FY20 GISIFF fees collected under the current law and the potential collections to be made should Bill No. 194-36 become enacted. See table below:

**FY20 Tonnage and Container Data <sup>1/</sup>**  
**Comparison (Current Law & Bill No. 194-36)**

FY20 Import Data (Domestic & Foreign)		Proposed Fee Assessments	After Bill No. 194-36 Fee Assessments
Breakbulk Cargo (Revenue Tons)	76,044	\$2 (flat rate) x 76,044 (Revenue Tons)	\$152,088
Containerized Cargo (Count)	43,046	\$26 (flat rate) x 43,046 (Twenty-foot equivalent unit/TEU)	\$1,119,196
Anticipated Total Fees:			\$1,271,284

Actual FY20 GISIFF Collections	After Bill No. 194-36	Difference
\$651,294	\$1,271,284	\$619,990

<sup>1/</sup> Obtained from Port Authority of Guam's FY20 Tonnage and Container Report

The above comparison shows a potential increase in GISIFF collections of \$619,990 should the fees proposed in the Bill be applied, compared to the actual FY20 GISIFF fees collected based on the current law. It should be noted that the above difference assumes all imported cargo inspections are performed in accordance with all inspection rules and regulations.