

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
155-36 (COR) As amended by the Committee on General Government Operations, Appropriations, and Housing	V. Anthony Ada Christopher M. Dueñas	AN ACT TO AMEND § 3606(d)(4) OF CHAPTER 3, TITLE 16 AND § 51202 (c) OF ARTICLE 2, CHAPTER 51, TITLE 10, GUAM CODE ANNOTATED AND TO ADD A NEW ARTICLE 6 TO CHAPTER 51 OF TITLE 10 GUAM CODE ANNOTATED RELATIVE TO THE DISPOSAL OF JUNK VEHICLES.	6/17/21 1:58 p.m.	6/18/21	Committee on General Government Operations, Appropriations, and Housing			Request: 6/21/21 6/30/21 10/6/22 - As amended	9/14/22 2:46 p.m. Accepted by the Committee on Rules on September 12, 2022, be processed and posted on the legislature website for public accessibility.



Vice Speaker

TINA ROSE MUÑA BARNES

CHAIRPERSON, COMMITTEE ON RULES

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October 6, 2022

MEMO

To: Rennae Meno
Clerk of the Legislature

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

Re: Fiscal Note on Bill No. 155-36 (COR) As amended

Håfa adai,

Attached, please find the fiscal note for the following bill:

Bill No. 155-36 (COR) As amended

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. 155-36 (COR) As amended

AN ACT TO *AMEND* § 3606(d)(4) OF CHAPTER 3, TITLE 16 AND § 51202 (c) OF ARTICLE 2, CHAPTER 51, TITLE 10, GUAM CODE ANNOTATED AND TO ADD A NEW ARTICLE 6 TO CHAPTER 51 OF TITLE 10 GUAM CODE ANNOTATED RELATIVE TO THE DISPOSAL OF JUNK VEHICLES.

Department/Agency Appropriation Information

Dept./Agency Affected: Guam Environmental Protection Agency	Dept./Agency Head: Walter Leon Guerrero, Administrator
Department's General Fund (GF) appropriation(s) to date:	\$517,477
Department's Other Fund appropriation(s) to date: Guam Environmental Trust Fund (\$435,837); Water Research & Development (\$68,336); Solid Waste Operations Fund (\$202,992); Recycle Revolving Fund (\$2,776,824)	\$3,483,989
Total Department/Agency Appropriation(s) to date:	\$4,001,466

Fund Source Information of Proposed Appropriation

	General Fund:	Recycling Revolving Fund 1/	Total:
FY 2022 Unreserved Fund Balance	\$0	\$0	\$0
FY 2023 Adopted Revenues	\$0	0	0
FY 2023 Appro. (P.L. 36-107)	\$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 2023 (if applicable)	FY 2024	FY 2025	FY 2026	FY 2027
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Recycling Revolving Fund 1/	1/	1/	1/	\$0	\$0	\$0
Total	1/	1/	1/	\$0	\$0	\$0

- Does the bill contain "revenue generating" provisions?
If Yes, see attachment / / Yes /X/ No
- Is amount appropriated adequate to fund the intent of the appropriation?
If no, what is the additional amount required? \$ _____ /X/ N/A / / Yes / / No
- Does the Bill establish a new program/agency?
If yes, will the program duplicate existing programs/agencies? / / 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/ Requested agency comments not received by due date: GEPA / / Yes / / No
/ / Other:

Analyst:  Bernice Torres Date: 10/5/22 Director:  Lester L. Carmon, Jr., Director Date: OCT 06 2022

Notes:
1/ See attached Comments.

Bureau of Budget & Management Research
Comments on Bill No. 155-36 (COR) As amended

Bill No. 155-36 (COR) As amended is an act to amend § 3606(d)(4) of Chapter 3, Title 16 Guam Code Annotated (GCA) and § 51202 (c) of Article 2, Chapter 51, Title 10 GCA; and to add a new Article 6 to Chapter 51 of Title 10 GCA relative to the disposal of junk vehicles.

Section 2 of the proposed legislation intends to direct the fines and fees collected from the removal and sale of abandoned vehicles to be deposited into to the Recycling Revolving Fund instead of the Abandoned Vehicle and Streetlight Fund. It should be noted that Section 2 may need to be clarified as it also adds a sentence stating that five percent (5%) of all proceeds collected and received under this section shall be deposited into the Recycling Revolving Fund and such 5% shall be deemed appropriated continually to the Guam Environmental Protection Agency (GEPA) for administrative costs. It may need to be clarified whether it is the full proceeds of each sale or only 5% that is to be deposited into the Recycling Revolving Fund. It may be the intent of the proposed legislation for the full proceeds collected to be deposited and that 5% of such deposit is intended for GEPA. However, such determination will need to be made by the body.

For the purposes of adding a new Article 6 titled Junk Vehicles to Chapter 51 of Title 10 GCA, Section 3 of the proposed legislation intends to add "junk vehicles" to the definition of litter. The proposed Article 6 contained in Section 4 intends to provide procedural due process in the form of a 48-hour notice to owners of junk vehicles, as well as the overall process of addressing the island's abandoned and/or junk vehicle situation.

It should be noted that the Bureau has sought input on the proposed Bill No. 155-36 (COR) as amended from GEPA but have not received any official comments as of the date of this fiscal note. Although most of the proposed legislation appears to be administrative in nature, there may be additional costs to be incurred by GEPA and the other affected entities to include the Department of Revenue and Taxation, the Guam Police Department, the Department of Parks and Recreation, the Department of Agriculture, the Department of Public Works, and the Mayors Council of Guam due to the added mandates from this proposed legislation. Absent any historical data or pertinent information from the agencies affected, the Bureau is unable to determine an approximate fiscal impact at this time.