

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
359-36 (COR)	Joe S. San Agustin	AN ACT TO AUTHORIZED THE EXTENSION OF PRUGRĀMAN AYUDA PARA I TAOTAO-TA ENERGY CREDIT PROGRAM FOR ANOTHER FIVE (5) MONTHS; AND TO <i>AUTHORIZE I MAGA'HĀGAN GUĀHAN</i> TO SPEND UP TO TWENTY-SIX MILLION THREE HUNDRED EIGHTY-ONE DOLLARS (\$26,381,000) FROM ANY FUNDING SOURCE AVAILABLE FOR <i>PRUGRĀMAN AYUDA PARA I TAOTAO-TA</i> ENERGY CREDIT PROGRAM	11/10/22 3:33 p.m.	11/14/22	Committee on General Government Operations, Appropriations, and Housing			Request: 11/15/22  11/16/22	



Vice Speaker

**TINA ROSE MUÑA BARNES**

**CHAIRPERSON, COMMITTEE ON RULES**

*I Mina'trentai Sais Na Liheslaturan Guåhan*

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November 16, 2022

# MEMO

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

**From:** **Senator Joe S. San Agustin**  
Chairperson, Committee on Rules

**Re:** **Fiscal Notes on Bill Nos. 357-36 (COR) and 359-36 (COR)**

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*Håfa adai,*

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

**Bill No. 357-36 (COR)**

**Bill No. 359-36 (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. 359-36 (COR)**

**AN ACT TO AUTHORIZE THE EXTENSION OF PRUGRAMAN AYUDA PARA I TAOTAO-TA ENERGY CREDIT PROGRAM FOR ANOTHER FIVE (5) MONTHS; AND TO AUTHORIZE I MAGA'HAGAN GUAHAN TO SPEND UP TO TWENTY-SIX MILLION THREE HUNDRED EIGHTY-ONE DOLLARS (\$26,381,000) FROM ANY FUNDING SOURCE AVAILABLE FOR PRUGRAMAN AYUDA PARA I TAOTAO-TA ENERGY CREDIT PROGRAM.**

**Department/Agency Appropriation Information**

Dept./Agency Affected: Guam Power Authority	Dept./Agency Head: John M. Benavente, P.E., General Manager
Department's General Fund (GF) appropriation(s) to date:	\$0
Department's Other Fund appropriation(s) to date:	\$0
Total Department/Agency Appropriation(s) to date:	\$0

**Fund Source Information of Proposed Appropriation**

	General Fund:	(Specify Special Fund):	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	1/	1/	\$0	\$0	\$0	\$0
GMHA Pharmaceuticals Fund	1/	1/	\$0	\$0	\$0	\$0
Total	1/	1/	\$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 / / 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  
/ X / Requested agency comments not received by due date / / Other:

Analyst: Abigail R. Ofeciar  
Abigail R. Ofeciar, BMA IV

Date: 11/15/2022

Director: Lester L. Carlson, Jr.  
Lester L. Carlson, Jr., Director

Date: NOV 16 2022

Notes:  
1/ See attached comments.

BUREAU OF BUDGET AND MANAGEMENT RESEARCH  
COMMENTS ON BILL NO. 359-36 (COR)

The proposed legislation intends to authorize the Guam Power Authority (GPA) to extend the *Prugrâman Ayuda Para I Taotao-ta* Energy Credit Program, authorized in P.L. 36-106, for a period of five (5) months. The proposed legislation intends to provide GPA's 52,762 residential, master-metered, and commercial customers with another \$500 credit towards their account, to be disbursed in five monthly disbursements of \$100 each for the months of December 2022 through April 2023. In addition, the proposed legislation authorizes the Governor of Guam to spend up to the sum of Twenty-six Million Three Hundred Eighty-one Thousand Dollars (\$26,381,000) from any funding source available for the *Prugrâman Ayuda Para I Taotao-ta* Energy Credit Program. It further states that the Governor of Guam shall use transfer authority if such sum is not available for the extended *Prugrâman Ayuda Para I Taotao-ta* Energy Credit Program.

The proposed legislation does not identify a specific funding source to fund the extension of the *Prugrâman Ayuda Para I Taotao-ta* Energy Credit Program for another five months. As with most special revenue funds and federal funds, authorized expenditures are typically restricted to meet specific purposes for which such funds were intended upon establishment. As for the General Fund, the FY 2023 adopted revenues have already been appropriated in P.L. 36-107 except for the two percent (2%) General Fund reserve earmarked for the Rainy Day Fund or deficit reduction. Per the September 2022 Consolidated Revenue and Expenditure Report, the General Fund collected \$103,589,999 above the adopted revenue level contained in P.L. 36-54, as amended by P.L. 36-106. After accounting for all other appropriations passed into law from FY 2022 General Fund revenues, inclusive of all appropriations from FY 2022 General Fund revenues contained in the FY 2023 Budget Act (P.L. 36-107), the net unobligated General Fund revenues for FY 2022 is currently \$47,526,990. The Bureau notes that the September 2022 Special Revenue Fund Report reflects a cumulative shortfall of \$6,311,480 within the Special Revenue Funds, in which the General Fund historically covers such shortfall at the end of the fiscal year.

The Bureau also notes that there is another proposed legislative measure [Bill No. 358-36 (COR)] that seeks to utilize any available funding source to cover the fiscal impact of extending the Gas Tax Relief Act for another 180 calendar days. Additionally, Bill No. 357-36 (COR) already seeks to appropriate the sum of Twenty-six Million Three Hundred Eighty-one Thousand Dollars (\$26,381,000) from FY 2022 unappropriated General Fund revenues collected in excess of the adopted revenue levels, as amended by P.L. 36-106, to GPA to extend the *Prugrâman Ayuda Para I Taotao-ta* Energy Credit Program for a period of five (5) months. These proposed legislative measures and any other ensuing proposed legislative measures that seek to utilize any available funding source, have the potential to reduce the net unobligated General Fund revenues for FY 2022 noted above.