

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
240-36 (COR)	James C. Moylan	AN ACT TO AMEND § 16311 AND § 16312 OF CHAPTER 16, TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING FINES IF PROVISIONS PURSUANT TO MANDATING REFERENDUMS FOR VOTER APPROVALS ON TAX INCREASES, GENERAL OBLIGATION BONDS, OR FEES, ARE IGNORED.	1/14/22 8:00 a.m.	1/21/22	Committee on General Government Operations, Appropriations, and Housing			Request: 1/24/22  2/11/22	



Vice Speaker

**TINA ROSE MUÑA BARNES**

**CHAIRPERSON, COMMITTEE ON RULES**

*I Mina'trentai Sais Na Liheslaturan Guåhan*

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February 11, 2022

# MEMO

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

**From:** **Senator Amanda L. Shelton**  
Acting Chairperson, Committee on Rules

**Re:** **Fiscal Notes on Bill Nos. 240-36 (COR) and 241-36 (LS)**

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*Håfa adai,*

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

**Bill No. 240-36 (COR)**

**Bill No. 241-36 (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. 240-36 (COR)**

**AN ACT TO AMEND § 16311 and § 16312 OF CHAPTER 16, TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING FINES IF PROVISIONS PURSUANT TO MANDATING REFERENDUMS FOR VOTER APPROVALS ON TAX INCREASES, GENERAL OBLIGATION BONDS, OR FEES, ARE IGNORED.**

**Department/Agency Appropriation Information**

Dept./Agency Affected: Guam Election Commission (GEC)	Dept./Agency Head: Maria Pangelinan, Executive Director
Department's General Fund (GF) appropriation(s) to date:	\$1,630,235
Department's Other Fund appropriation(s) to date:	\$0
Total Department/Agency Appropriation(s) to date:	\$1,630,235

**Fund Source Information of Proposed Appropriation**

	General Fund:	(Specify Special Fund):	Total:
FY 2021 Unreserved Fund Balance	\$0	\$0	\$0
FY 2022 Adopted Revenues	\$0	\$0	\$0
FY 2022 Appropriations (P.L. 36-54)	\$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 2022 (if applicable)	FY 2023	FY 2024	FY 2025	FY 2026
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Special Fund (Better Public Service Fund)	1/	\$0	\$0	\$0	\$0	\$0
Total	1/	\$0	\$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 / X / 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: <u>Arthur B. Mariano, B&amp;MA Supervisor</u>	Date: <u>2/10/22</u>	Director: <u>Lester L. Carlson, Jr., Director</u>
		Date: <b>FEB 11 2022</b>

**Footnote(s):**

1/: In its current form, the intent of the subject legislation is to establish fines if provisions pursuant to mandating referendums for voter approvals on tax increases, general obligation bonds, or fees, are ignored. A fine of \$500 for the violation shall be deposited into the Better Public Service Fund pursuant to Chapter 161 of Title 11, Guam Code Annotated. The Bureau recommends that the subject Bill be revised as P.L. 24-222, which mandated the aforementioned referendums, has not been followed since its passage and should be rescinded. Should this occur and Sections 2(e) and 3(b) of the Bill be removed, there would be no fiscal impact with the enactment of the Bill. On the contrary, should Bill 240 be passed in its current form and any of the aforementioned referendum legislation receive ten (10) affirmative votes by the legislature, then all ten (10) voting members would be subject to a \$500 fine each. The resulting fiscal impact would be a \$5,000 infusion into the Better Public Service Fund. Lastly, it should be noted that requested fiscal comments were not received from the Guam Election Commission to date.