

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
289-36 (LS)	Telena Cruz Nelson	AN ACT TO ADD A NEW §73157 TO ARTICLE 1 OF CHAPTER 73, TITLE 5 GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE GUAM CUSTOMS AND QUARANTINE AGENCY REORGANIZATIONAL AUTHORITY FOR THE PURPOSE OF PROVIDING ASSISTANCE TO BETTER SAFEGUARD OUR ISLAND AND SHALL BE KNOWN AS THE "CUSTOMS REORGANIZATION ACT OF 2022".	4/7/22 12:55 p.m.	4/8/22	Committee on Education, Self-Determination and Historic Preservation, Infrastructure, Border Safety, Federal and Foreign Affairs, and Maritime Transportation			Request: 4/11/22 4/21/22	



Vice Speaker

TINA ROSE MUÑA BARNES

CHAIRPERSON, COMMITTEE ON RULES

I Mina'trentai Sais Na Liheslaturan Guåhan

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April 21, 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. 289-36 (LS)

Håfa adai,

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

Bill No. 289-36 (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. 289-36 (LS)

AN ACT TO ADD A NEW § 73157 TO ARTICLE 1 OF CHAPTER 73, TITLE 5 GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE GUAM CUSTOMS AND QUARANTINE AGENCY REORGANIZATIONAL AUTHORITY FOR THE PURPOSE OF PROVIDING ASSISTANCE TO BETTER SAFEGUARD OUR ISLAND AND SHALL BE KNOWN AS THE "CUSTOMS REORGANIZATION ACT OF 2022".

Department/Agency Appropriation Information

Dept./Agency Affected: Guam Customs and Quarantine Agency	Dept./Agency Head: Ignacio Q. Peredo, Director
Department's General Fund (GF) appropriation(s) to date:	\$12,709,575
Department's Other Fund (Customs, Agriculture, and Quarantine Inspection Services Fund) appropriation(s) to date:	\$2,738,473
Total Department/Agency Appropriation(s) to date:	\$15,448,048

Fund Source Information of Proposed Appropriation

	General Fund:	(Specify Special Fund):	Total:
FY 2021 Unreserved Fund Balance		\$0	\$0
FY 2022 Adopted Revenues	\$0	\$0	\$0
FY 2022 Appro. (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 1/	\$0	\$0	\$0	\$0	\$0	\$0
Special Fund 1/	\$0	\$0	\$0	\$0	\$0	\$0
Total 1/	\$0	\$0	\$0	\$0	\$0	\$0

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

Analyst: <u>Joaquin A.J. Guerrero II</u>	Date: <u>4/21/22</u>	Director: <u>Lester L. Carlson, Jr.</u>	Date: <u>APR 21 2022</u>
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Notes:
 1/ See attached comments.

Bureau of Budget and Management Research
Comments on Bill No. 289-36 (LS)

The proposed legislation intends to add a new § 73157 to Article 1 of Chapter 73, Title 5 of the Guam Code Annotated, which would allow the Guam Customs and Quarantine Agency (CQA) reorganizational authority in accordance with the Administrative Adjudication Law for the purpose of providing assistance to better safeguard our island's ports of entry, and shall be known as the "Customs Reorganization Act of 2022".

The provisions of the Bill mandate the CQA to develop a budget for the reorganization to be submitted to *I Maga'hāgan Guåhan* and *I Liheslaturan Guåhan* for consideration, and to consider pursuing federal grants that may be available to support the reorganization of the agency. The legislation specifies as part of the Agency's reorganization the authorization for the creation and establishment of a Biosecurity Division, Management Information Systems Section, and Maritime Contraband Enforcement Team Section. The director of the CQA or their designee will be responsible for the development of a set of written guidelines to control the expenditure of the developed budget, and a report detailing the expenditures shall be submitted to the Bureau of Budget and Management Research for audit and approval.

The Agency must submit an action plan together with the required budget, no later than six (6) months following the enactment of this Act, that must include, but not be limited to, a project schedule, staffing pattern, and the identification of funding options, if any. It should be noted that there is no reorganization budget included in the CQA's FY 2023 certified budget request that was transmitted to *I Liheslaturan Guåhan*.

While the proposed legislation will likely have a fiscal impact on the General Fund and/or the Agency's Special Funds, the Bureau is unable to determine the overall impact absent information from the CQA. The Agency will presumably be submitting a supplemental budget request in the first or second quarter of FY 2023.