

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
292-36 (LS)	Telena Cruz Nelson	AN ACT TO AMEND §73203, §73204, AND §73205 OF ARTICLE 2, CHAPTER 73, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO CHARGES FOR CARRIER OFF-DUTY SERVICES OF CUSTOMS AND QUARANTINE OFFICERS AND TO FURTHER ESTABLISH A CUSTOMS CARRIER OFF-DUTY SERVICES CUSTOMS ADMINISTRATIVE PROCESSING FEE.	4/14/22 8:00 a.m.	4/15/22	Committee on Education, Self-Determination and Historic Preservation, Infrastructure, Border Safety, Federal and Foreign Affairs, and Maritime Transportation			Request: 4/20/22 4/29/22	



Vice Speaker

TINA ROSE MUÑA BARNES

CHAIRPERSON, COMMITTEE ON RULES

I Mina'trentai Sais Na Liheslaturan Guåhan

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April 29, 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. 292-36 (LS)

Håfa adai,

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

Bill No. 292-36 (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. 292-36 (LS)

AN ACT TO AMEND § 73203, § 73204, AND § 73205 OF ARTICLE 2, CHAPTER 73, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO CHARGES FOR CARRIER OFF-DUTY SERVICES OF CUSTOMS AND QUARANTINE OFFICERS AND TO FURTHER ESTABLISH A CUSTOMS CARRIER OFF-DUTY SERVICES CUSTOMS ADMINISTRATIVE PROCESSING FEE.

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	\$0	\$0	\$0	\$0	\$0	\$0
Special Fund 1/	\$0	\$0	\$0	\$0	\$0	\$0
Total 1/	\$0	\$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? / / 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: Joaquin A.J. Guerrero II **Date:** 4/28/22 **Director:** Lester L. Carlson, Jr. **Date:** APR 29 2022

Notes:
1/ See attached comments.

Bureau of Budget and Management Research
Comments on Bill No. 292-36 (LS)

The proposed legislation intends to amend §§ 73203, 73204, and 73205 of Article 2, Chapter 73, Title 5 of the Guam Code Annotated (GCA). The amendments propose to remove the restriction which instructs Guam Customs and Quarantine Agency (CQA) officers participating in the Carrier Off-Duty Services (ODS) Program not to exceed a maximum charge of \$275.00 per officer per day, referred to as the “ODS Charge Cap”. The elimination of the ODS Charge Cap will allow officers to accept additional assignment hours for the continuation of services through the Carrier ODS Program. Further, the amendments eliminate pertinent language for the Inspectors of Plant Protection and Quarantine Section of the Department of Agriculture, which no longer exists, in order to reflect current day conditions. The Bill intends to implement the accrual of hazardous duty pay at the rate of ten percent (10%) for each hour of services performed by each officer under the Carrier ODS Program, in accordance with § 6224 of Article 2, Chapter 6, Title 4 GCA. Lastly, the Bill intends to assess a customs administrative processing fee of \$8.00 per off-duty service activity rendered by the CQA under the same program.

These additional charges will result in a positive impact on revenue collections to the Carrier Off-Duty Services Revolving Fund and may reduce overtime costs. However, absent additional information from the CQA, an estimated fiscal impact cannot be determined at this time.

Bureau of Budget & Management Research
Attachment to Fiscal Note No. 292-36 (LS)
(for revenue generating provisions)

Projected Multi-Year Revenues					
	Year 1	Year 2	Year 3	Year 4	Year 5
General Fund	\$0	\$0	\$0	\$0	\$0
Other Fund 1/	2/	2/	2/	2/	2/
Total	2/	2/	2/	2/	2/

1/ Carrier Off-Duty Services Revolving Fund

Comments:

2/ The proposed legislation intends to implement the accrual of hazardous duty pay at the rate of ten percent (10%) for each hour of off-duty services performed by each officer and the assessment of a customs administrative processing fee of \$8.00 per off-duty service activity rendered under the Guam Customs and Quarantine Agency (CQA) Carrier Off-Duty Services Program. These additional charges will result in a positive impact on revenue collections to the Carrier Off-Duty Services Revolving Fund. However, absent additional information from the CQA, an estimated fiscal impact cannot be determined at this time.