

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
332-36 (LS)	James C. Moylan Christopher M. Dueñas Frank Blas Jr. V. Anthony Ada	AN ACT TO ADD A NEW ARTICLE 13, TO CHAPTER 77, TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO A PUBLIC PRIVATE PARTNERSHIP FOR THE REHABILITATION AND IMPROVEMENTS OF THE FOOTBALL FIELDS OPERATED BY THE GUAM NATIONAL YOUTH FOOTBALL FEDERATION.	8/16/22 12:52 p.m.	8/26/22	Committee on Economic Development, Agriculture, Power and Energy Utilities, and the Arts			Request: 8/29/22 9/8/22	



Vice Speaker

TINA ROSE MUÑA BARNES

CHAIRPERSON, COMMITTEE ON RULES

I Mina'trentai Sais Na Liheslaturan Guåhan

GUAM CONGRESS BUILDING
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September 8, 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. 332-36 (LS)

Håfa adai,

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

Bill No. 332-36 (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. 332-36 (LS)

AN ACT TO ADD A NEW ARTICLE 13, TO CHAPTER 77, TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO A PUBLIC PRIVATE PARTNERSHIP FOR THE REHABILITATION AND IMPROVEMENTS OF THE FOOTBALL FIELDS OPERATED BY THE GUAM NATIONAL YOUTH FOOTBALL FEDERATION.

Department/Agency Appropriation Information

Dept./Agency Affected: Guam Economic Development Authority	Dept./Agency Head: Melanie Mendiola, CEO/Administrator
Department's anticipated revenues to date:	\$2,957,299
Department's appropriation(s) to date:	\$0
Total Department/Agency revenues to date:	\$2,957,299

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

- | | | |
|---|------------|---------|
| 1. Does the bill contain "revenue generating" provisions? | / / Yes | /X/ No |
| If Yes, see attachment | | |
| 2. Is amount appropriated adequate to fund the intent of the appropriation? | /X/ N/A | / / Yes |
| If no, what is the additional amount required? \$ _____ | /X/ N/A | / / No |
| 3. Does the Bill establish a new program/agency? | / / Yes | /X/ No |
| If yes, will the program duplicate existing programs/agencies? | /X/ N/A | / / Yes |
| Is there a federal mandate to establish the program/agency? | / / Yes | /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/ Yes | / / No |
| /X/ Requested agency comments not received by due date | / / Other: | |

Analyst: 	Date: <u>9/7/22</u>	Director: 	Date: <u>SEP 08 2022</u>
Joaquin A.J. Guerrero II		Lester L. Carlson, Jr.	

Notes:
 1/ See attached comments.

Bureau of Budget and Management Research
Comments on Bill No. 332-36 (LS)

The proposed legislation intends to add a new Article 13 to Chapter 77, Title 12 of the Guam Code Annotated (GCA) for the establishment of a public-private partnership for the rehabilitation and improvement of the football fields operated by the Guam National Youth Football Federation (GNYFF). The public-private partnership will authorize private entities to provide the needed funds or other resources for the rehabilitation and improvement of facilities of public benefit, in lieu of approved and unpledged tax credit options spanning over a five (5) year period. To qualify for the tax credits, the GNYFF shall not charge any individual an entrance fee to enter the GNYFF operated field to watch a GNYFF game.

To the extent a private business contributes to the cost of design, labor, and materials that are for the rehabilitation and improvement of the football fields operated by the GNYFF, pursuant to the provisions of the proposed legislation and as approved by the Guam Economic Development Authority, the entity shall be entitled to credits of the following taxes: (1) unpledged business privilege taxes and (2) excise taxes, excluding those pledged to the Healthy Futures Fund. The basis of contribution to the project shall be the actual cost of the contribution plus the cost of transportation from the point of origin to its destination. The total amount of credits against unpledged business privilege taxes for field rehabilitations and improvements shall not exceed Three Million Dollars (\$3,000,000) over a five (5) year period. Within this same period, no more than Six Hundred Thousand Dollars (\$600,000) in unpledged business privilege taxes shall be issued for any one field. Regarding excise taxes, the total amount of credits shall not exceed Two Million Dollars (\$2,000,000) over a five (5) year period. Within this same period, no more than Four Hundred Thousand Dollars (\$400,000) in excise taxes shall be issued for any one (1) field. Should there still be unclaimed authorized tax credits at the end of the five (5) year period, *I Liheslaturan Guåhan* may, at its discretion, extend the eligible period of the program until such time that all eligible tax credits are exhausted. Further, *I Liheslaturan Guåhan* may extend the terms and modify any part of the program based on future improvement plans and demands in the same location.

The Bureau notes that although the intent of the Bill will benefit the community members who use the football fields operated by the GNYFF, applying any tax credits to business privilege taxes or excise taxes will likely result in reduced financial resources for other government programs and services in the fiscal period(s) that the credits are claimed.