

I Mina'trentai Singko 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
143-35 (COR)	James. C. Moylan	AN ACT TO AMEND § 34.20, § 34.30, § 34.50, AND § 34.60 ALL OF CHAPTER 34, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE PENALTIES ESTABLISHED FOR AGGRAVATED ARSON, ARSON, NEGLIGENT BURNING, AND CRIMINAL MISCHIEF.	5/24/19 10:28 a.m.					Fiscal Note: 6/5/19	

Senator Amanda L. Shelton,
Vice Chairperson

Speaker Tina Rose Muña Barnes,
Member

Vice Speaker Telen Cruz Nelson,
Member

Senator Kelly Marsh (Taitano), Ph.D.,
Member

Senator Sabina Flores Perez
Member

Senator Clynton E. Ridgell
Member



COMMITTEE ON RULES
SENATOR RÉGINE BISCOE LEE, CHAIR
I MINA 'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
35TH GUAM LEGISLATURE

June 5, 2019

Senator Joe S. San Agustin,
Member

Senator Jose "Pedo" Terlaje,
Member

Senator Therese M. Terlaje,
Member

Senator James C. Moylan,
Member

Senator Mary Camacho Torres,
Member and
Chair, Subcommittee on Protocol

MEMO

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

From: **Senator Régine Biscoe Lee**
Chairperson, Committee on Rules

Re: **Fiscal Notes**

Buenas yan Håfa adai.

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

Bill No. 35-35 (COR)
Bill No. 142-35 (COR)
Bill No. 143-35 (COR)

Please forward the same to Management Information Services (MIS) for posting on our website.

For 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. 143-35 (COR)**

AN ACT TO AMEND § 34.20, § 34.30, § 34.50, AND § 34.60 ALL OF CHAPTER 34, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE PENALTIES ESTABLISHED FOR AGGRAVATED ARSON, ARSON, NEGLIGENT BURNING, AND CRIMINAL MISCHIEF.

Department/Agency Appropriation Information	
Dept./Agency Affected: Office of the Attorney General	Dept./Agency Head: Leevin Taitano Camacho, Attorney General of Guam
Department's General Fund (GF) appropriation(s) to date:	14,828,793
Department's Other Fund (Specify) appropriation(s) to date:	-
Total Department/Agency Appropriation(s) to date:	\$14,828,793

Fund Source Information of Proposed Appropriation			
	General Fund:	Special Fund	Total:
FY 2018 Unreserved Fund Balance		\$0	\$0
FY 2019 Adopted Revenues	\$0	\$0	\$0
FY 2019 Appro. (P.L. 34-116 thru P.L. 35-22)	\$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 2018 (if applicable)	FY 2019	FY 2020	FY 2021	FY 2022
General Fund 1/	\$0	\$0	\$0	\$0	\$0	\$0
Special Fund	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$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 /X/ 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? / / N/A / / Yes /X/ 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: / / Yes /X/ No
/X/ Requested agency comments not received by due date Office of the Attorney General / / Other:

Analyst: <u>Raymond Reta</u> Raymond Reta, BMA II	Date: <u>6/4/19</u>	Director: <u>Lester L. Carlson, Jr.</u> Lester L. Carlson, Jr., Director	JUN 04 2019 Date: _____
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Footnotes: 1/ Bill No. 143-35 amends the penalties established for aggravated arson, arson, negligent burning, and criminal mischief in Chapter 34, Title 9, Guam Code Annotated. The intent of the legislation is to 1) reduce recidivism of minors committing the aforementioned criminal acts, 2) include community service as part of the penalties, and 3) focus more on establishing lessons by allowing adult offenders to qualify for the work credit program, thus giving them an opportunity to further give back to the community and earn credits for a reduced sentence.

Besides the additional monetary penalties imposed by the proposed legislation for the commission of the specific criminal acts, the potential fiscal impact of the Bill would be on the appropriate resources required for enforcement of these mandates, prosecution of those charged (judicial proceedings), and incarceration of convicted individuals (detainment at the Department of Corrections, etc). Such costs may be offset by reduced sentences resulting from provisions in the proposed legislation. However, absent additional information from the Office of the Attorney General the overall fiscal impact cannot be determined at this time.