

*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
276-35 (COR)	<u>Committee on Rules</u> By request of <i>I Moga'hågan</i> <i>Guåhan</i> , the Governor of Guam, in accordance with the Organic Act of Guam.	AN ACT TO AMEND §3417 OF ARTICLE 4, CHAPTER 3, TITLE 11 OF THE GUAM CODE ANNOTATED, RELATIVE TO LIMITING THE HOURS OF THE DAY WITHIN WHICH ALCOHOLIC BEVERAGES MAY BE SOLD BY OFF- SALE LICENSEES.	1/22/20 12:12 p.m.					2/7/20	

Senator Régine Biscoe Lee,  
Chair

Senator Amanda L. Shelton,  
Vice Chair

Speaker Tina Rose Muña Barnes,  
Member

Vice Speaker Telena Cruz Nelson,  
Member

Senator Kelly Marsh (Taitano), PhD,  
Member

Senator Sabina Flores Perez,  
Member



**COMMITTEE ON RULES**  
*I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN*  
35<sup>TH</sup> GUAM LEGISLATURE

February 7, 2020

Senator Clynton E. Ridgell,  
Member

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  
Chair, Committee on Rules

**Re:** Fiscal Notes

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*Buenas yan Håfa adai.*

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

Bill No. 271-35 (LS)  
Bill No. 276-35 (COR)  
Bill No. 277-35 (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. 276-35 (COR)**

**AN ACT TO AMEND §3417 OF ARTICLE 4, CHAPTER 3, TITLE 11 OF THE GUAM CODE ANNOTATED, RELATIVE TO LIMITING THE HOURS OF THE DAY WITHIN WHICH ALCOHOLIC BEVERAGES MAY BE SOLD BY OFF-SALE LICENSEES.**

**Department/Agency Appropriation Information**

<b>Dept./Agency Affected:</b> Department of Revenue and Taxation (DRT)	<b>Dept./Agency Head:</b> Dafne Mansapit-Shimizu, Director
<b>Department's General Fund (GF) appropriation(s) to date:</b>	<b>\$9,410,539</b>
<b>Department's Other Fund appropriation(s) to date:</b> Banking and Insurance Enforcement Fund (\$416,051); Better Public Service Fund (\$1,553,526); Tax Collection Enhancement Fund (\$910,241)	<b>\$2,879,818</b>
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$12,290,357</b>

**Fund Source Information of Proposed Appropriation**

	General Fund:	Special Fund:	Total:
FY 2019 Unreserved Fund Balance	\$0	\$0	\$0
FY 2020 Adopted Revenues	\$0	0	0
FY 2020 Appro. (P.L. 35-36)	\$0	0	0
Sub-total:	\$0	0	0
Less appropriation in Bill	\$0	0	0
<b>Total:</b>	<b>\$0</b>	<b>0</b>	<b>0</b>

**Estimated Fiscal Impact of Bill**

	One Full Fiscal Year	For Remainder of FY 2020 (if applicable)	FY 2021	FY 2022	FY 2023	FY 2024
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Special Fund	1/	1/	\$0	\$0	\$0	\$0
<b>Total</b>	<b>1/</b>	<b>1/</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

- 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: DRT / / Other:

Analyst: <u>Raymond Rieta</u> Raymond Rieta, BMA II	Date: <u>2/6/2020</u>	Director: <u>Lester L. Carlson, Jr.</u> Lester L. Carlson, Jr., Director	Date: <b>FEB 06 2020</b>
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Notes:  
1/ See attached Comments.

**Bureau of Budget & Management Research**  
**Comments on Bill No. 276-35 (COR)**

The proposed legislation seeks to amend the hours of the day in which alcoholic beverages may be sold by off-sale licensees on Guam. Currently, off-sale licensees are not authorized to sell alcoholic beverages between the hours of 2:00 AM and 9:00 AM of any day. The Bill proposes to amend those hours to now be from 12:00 AM to 2:00 PM, translating to a total of seven (7) additional hours of the day in which off-sale licensees are prohibited from selling alcoholic beverages. Further, the Bill excludes Saturdays and Sundays, holidays, and any holiday declared by the Governor of Guam from the proposed amendment.

It should be noted that §3115 of Chapter 3, Title 11 Guam Code Annotated (GCA) defines an off-sale license as a license to sell alcohol for consumption off the licensee's premises. As such, establishments such as bars and clubs are not affected by the proposed legislation.

Decreasing the hours allowed for the sale of alcoholic beverages by off-sale licensees may result in a reduction of alcoholic beverage sales, thus potentially reducing collections received by the Department of Revenue and Taxation in the form of Excise Taxes on Alcoholic Beverages per §26302, Chapter 26, Title 11 GCA. Such taxes are deposited into the Healthy Futures Fund. Absent any data regarding the amount of alcoholic beverage sales between the hours of 12:00 AM to 2:00 AM and 9:00 AM to 2:00 PM, the Bureau is unable to determine an approximate financial impact at this time. However, the Bureau notes that the potential loss of tax revenue from the reduced timeframe of authorized alcoholic beverage sales may be offset by consumers' adaptation to the amended regulation in Bill 276-35 (COR).