

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
295-35 (COR)	Kelly Marsh (Taitano), PhD	AN ACT TO AMEND § 77114 OF CHAPTER 77, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO SAFEGUARDING THE PUBLIC RECREATION SERVICES FUND.	2/17/20 4:49 p.m.					3/11/20	

Senator Régine Biscoe Lee,
Chair

Senator Amanda L. Shelton,
Vice Chair

Speaker Tina Rose Muña Barnes,
Member

Vice Speaker Telen Cruz Nelson,
Member

Senator Kelly Marsh (Taitano), PhD,
Member

Senator Sabina Flores Perez,
Member



COMMITTEE ON RULES
I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
35TH GUAM LEGISLATURE

March 11, 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

Buenas yan Håfa adai.

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

Bill No. 283-35 (COR)
Bill No. 285-35 (COR)
Bill No. 293-35 (COR)
Bill No. 295-35 (COR)
Bill No. 296-35 (COR)
Bill No. 301-35 (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. 295-35 (COR)**

AN ACT TO AMEND § 77114 OF CHAPTER 77, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO SAFEGUARDING THE PUBLIC RECREATION SERVICES FUND.

Department/Agency Appropriation Information

Dept./Agency Affected: Department of Parks and Recreation (DPR)	Dept./Agency Head: Jesse Garcia, Acting Director
Department's General Fund (GF) appropriation(s) to date:	\$0
Department's Other Fund appropriation(s) to date: Limited Gaming Fund (\$558,692); Public Recreation Services Fund (\$112,707); Tourist Attraction Fund (\$2,939,104)	<u>\$3,610,503</u>
Total Department/Agency Appropriation(s) to date:	<u>\$3,610,503</u>

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
Total:	\$0	0	0

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/	\$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 / / 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: DPR / / Other:

Analyst: Raymond Rieta, BMA II Date: 3/10/2020 Director: Lester L. Carlson, Jr., Director Date: MAR 11 2020

Notes:
1/: See additional Comments.

Bureau of Budget & Management Research
Comments on Bill No. 295-35 (COR)

The proposed legislation intends to amend §77114 of Chapter 77, Title 21 Guam Code Annotated (GCA) by: 1) excluding the Public Recreation Services Fund (PRSF) from the Governor's transfer authority; and 2) eliminating the requirement for expenditures from the PRSF to be appropriated legislatively. It should be noted that P.L. 35-36 appropriates \$112,707 from the PRSF to the Department of Parks and Recreation (DPR) for the purposes outlined in §77114, Chapter 77, Title 21 GCA.

Section 8 of Chapter 13, Part 2, P.L. 35-36 authorizes the governor to transfer up to fifteen percent (15%) between Fiscal Year 2020 General Fund Executive Branch appropriations. The PRSF is established separate and apart from the General Fund. As such, the PRSF is already restricted from the Governor's transfer authority.

By eliminating the requirement for the Legislature to appropriate funds from the PRSF, the DPR would instead be able to appropriate funds upon receipt. Section 11(m) of Chapter 13, Part 2, P.L. 35-36 authorizes the DPR to expend up to the level of revenues collected from the PRSF in FY 2020, meaning a funding mechanism to access collections from the PRSF in excess of its adopted level in P.L. 35-36 already exists. As such, the Bureau notes this provision in the proposed legislation may not be necessary.