

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
334-35 (COR) As substituted on the Floor	Tina Rose Muña Barnes Jose 'Pedro' Terlaje Amanda L. Shelton Régine Biscoe Lee Kelly Marsh (Taitano), PhD Joe S. San Agustin	AN ACT TO AMEND § 19404 OF ARTICLE 4, CHAPTER 19, TITLE 10 GUAM CODE ANNOTATED, RELATIVE TO ENFORCEMENT OF RULES PROMULGATED IN AN EXECUTIVE ORDER RELATIVE TO A DECLARED EMERGENCY TO PUBLIC HEALTH OR SAFETY.	4/5/20 6:14 p.m.	4/14/20	Committee on Health, Tourism, Historic Preservation, Land, and Justice	4/9/20 Waiver of Public Hearing Requirement		4/30/20	
	SESSION DATE	TITLE	NOTES	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
	04/09/20	AN ACT TO AMEND § 19404 OF ARTICLE 4, CHAPTER 19, TITLE 10 GUAM CODE ANNOTATED, RELATIVE TO ENFORCEMENT OF RULES PROMULGATED IN AN EXECUTIVE ORDER RELATIVE TO A DECLARED EMERGENCY TO PUBLIC HEALTH OR SAFETY.	4/14/20 Referred to Committee on Rules	04/13/20	Committee on Health, Tourism, Historic Preservation, Land, and Justice				



Senator Régine Biscoe Lee,
Chair

Senator Amanda L. Shelton,
Vice Chair

Speaker Tina Rose Muña Barnes,
Member

Vice Speaker Tena Cruz Nelson,
Member

Senator Kelly Marsh (Taitano), PhD,
Member

Senator Sabina Flores Perez,
Member

Senator Clynton E. Ridgell,
Member

Senator Joe S. San Agustin,
Member

Senator Jose "Pedro" Terlaje,
Member

Senator Therese M. Terlaje,
Member

Senator James C. Moylan,
Member

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

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

April 30, 2020

MEMO

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

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

Re: **Fiscal Notes**

Bueñas yan Háfa adai,

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

Bill No. 330-35 (COR)
Bill No. 334-35 (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. 334-35 (COR)

AN ACT TO AMEND § 19404 OF ARTICLE 4, CHAPTER 19, TITLE 10 GUAM CODE ANNOTATED, RELATIVE TO ENFORCEMENT OF RULES PROMULGATED IN AN EXECUTIVE ORDER RELATIVE TO A DECLARED EMERGENCY TO PUBLIC HEALTH OR SAFETY.

Department/Agency Appropriation Information	
Dept./Agency Affected: Office of the Attorney General	Dept./Agency Head: Leevin Camacho, Attorney General
Department's General Fund (GF) appropriation(s) to date:	\$15,015,134
Department's Other Fund appropriation(s) to date: N/A	\$0
Total Department/Agency Appropriation(s) to date:	\$15,015,134

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 Appr. (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	1/	\$0	\$0	\$0	\$0	\$0
Special Fund	\$0	\$0	\$0	\$0	\$0	\$0
Total	1/	\$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: OAG / / Other:

Analyst: Raymond Breta, BMA II Date: 4/20/2020 Director: Lester L. Carlson, Jr., Director Date: APR 30 2020

Notes:
 1/: The proposed legislation amends the current law in regards to enforcing orders from public safety authorities during a state of a public health emergency. The Bill finds that if any person is found to be in violation of an Executive Order promulgated by *I Maga'hågan Gudhan* during a declared emergency to health or safety shall be guilty of a misdemeanor. Furthermore, if convicted the person shall be fined no more than \$5,000, or imprisoned no more than one year, or both. A request for fiscal comment was sent to the Office of the Attorney General (OAG) relative to the subject Bill with no response received to date, however, the Bureau cites previous OAG comments in regards to the introduction of Bill No. 277-35. In reference to Bill No. 277-35, the OAG had commented that the fiscal impact on its office is dependent on the extent to which the proposed creation of a new crime translates into increased caseloads and responsibilities (i.e. reviewing of complaints, charging of individuals, and prosecution). Per the OAG, this will mean additional personnel may be required to take on the additional caseloads. Due to the unknown variable regarding the number of caseloads that may arise, the Bureau is unable to determine the amount of personnel needed to handle such caseloads specific to the passage of Bill No. 334-35. Further, the Bureau notes that the legislation does not indicate where the fines will be deposited if it is imposed.