

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
77-35 (COR)	Joe S. San Agustin	AN ACT TO ADD A NEW CHAPTER 93 TO TITLE 9 OF GUAM CODE ANNOTATED, RELATIVE TO PROVIDING PENALTIES FOR HARMING LAW ENFORCEMENT WORKING DOGS.	4/9/19 4:20 p.m.	4/19/19	Committee on Health, Tourism, Historic Preservation, Land, and Justice			Fiscal Note Request: 4/22/19 Fiscal Note: 4/24/19	

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

April 24, 2019

Senator Joe S. San Agustin,
Member

Senator Jose T. 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 Note

Buenas yan Håfa adai.

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

Bill No. 77-35 (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. 77-35 (COR)**

AN ACT TO ADD A NEW CHAPTER 93 TO TITLE 9 OF GUAM CODE ANNOTATED, RELATIVE TO PROVIDING PENALTIES FOR HARMING LAW ENFORCEMENT WORKING DOGS

Department/Agency Appropriation Information	
Dept./Agency Affected: Guam Police Department	Dept./Agency Head: Stephen Ignacio, Acting Chief of Police
Department's General Fund (GF) appropriation(s) to date:	\$25,786,222
Department's Other Fund (Specify) appropriation(s) to date: Guam Highway Fund, Police Vehicle and Equipment Revolving Fund, Police Services Fund, Tourist Attraction Fund	<u>\$8,342,479</u>
Total Department/Agency Appropriation(s) to date:	\$34,128,701
Department/Agency Appropriation Information	
Dept./Agency Affected: Customs & Quarantine Agency	Dept./Agency Head: Ignacio Peredo, Acting Director
Department's General Fund (GF) appropriation(s) to date:	\$0
Department's Other Fund (Specify) appropriation(s) to date: Customs, Agriculture & Quarantine Inspective Services Fund	<u>\$14,378,999</u>
Total Department/Agency Appropriation(s) to date:	\$14,378,999

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify 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)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill						
Fund /	One Full Fiscal Year	For Remainder of FY 2019 (If applicable)	FY 2020	FY 2021	FY 2022	FY 2023
General Fund	\$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? /X/ Yes / / 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
/ / Requested agency comments not received by due date / / Other: _____

Analyst: <u>Jose S. Cruz, Jr., BMA I</u>	Date: <u>22 April 2019</u>	Director: <u>Lester L. Carlson, Jr., Acting Director</u>	Date: <u>APR 23 2019</u>
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Notes:
1/ Please see attached

Comments on Bill No. 77-35 (COR)

Legislative Bill No. 77-35 (COR) is an act to add a new Chapter 93 to Title 9 of Guam Code Annotated, relative to providing penalties for harming law enforcement working dogs.

The Legislation, if passed, would establish the Law Enforcement Working Dog Protection Act of 2019. The act outlines penalties an individual may be subject to if found guilty of willfully and/or maliciously causes harm to a working dog. If found guilty of a misdemeanor the individual may be fine not more than two thousand dollars (\$2,000) or imprisonment up to (1) year or both. If found guilty of a third-degree felony the individual may be fine not more than ten thousand dollars (\$10,000) or imprisonment up to five (5) years or both. The legislation also states that the individual will be liable for all costs associated with any injury, disability, disfigurement, or death of the working dog.

The Bureau requested fiscal comments from the CQA, GPD, and the Office of the Attorney General (OAG). CQA provided the following inputs - Change the language from government working dog to "government working animal" to include protection for other animal that may be employed for government service; Include "taunting the working animal" as a specific violation; Identify who the fines will be paid to; the process to ensure fines collected are directed to the reimbursement of the government agency whose working animal was affected.

GPD stated that it does not anticipate any additional cost related to the legislation as written, however, did indicate that currently if a working dog were to be killed the GPD would incur the cost of replacement starting at \$15,000. With the passage of the legislation, the GPD, will not have to incur the cost as it will be incurred by the individual doing the harm. OAG has not provided any comments and/or testimony as of the date of the fiscal note.

Although the intent of the Bill appears administrative in nature the Bureau notes there may be a cost related to the adjudication of the individuals that may result in an increase workload to the OAG. There may also be revenues generated through the fines imposed. The Bureau does note that the legislation is unclear as to where the revenues generated from the fines will be deposited.