

I Mina'trentai Sais 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
87-36 (COR)	Mary Camacho Torres Telena Cruz Nelson Tina Rose Muña Barnes	AN ACT TO ADD A NEW ARTICLE 4 TO CHAPTER 73, DIVISION 7, TITLE 5, GUAM CODE ANNOTATED, AND TO AMEND § 6603(c), ARTICLE 6, CHAPTER 6, TITLE 11, GUAM CODE ANNOTATED, AND TO FURTHER REPEAL § 6604, ARTICLE 6, CHAPTER 6, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING ASSET FORFEITURE FOR THE GUAM CUSTOMS & QUARANTINE AGENCY AND TO FURTHER ESTABLISHING A CUSTOMS LOCAL FORFEITURE ACCOUNT.	3/18/21 1:17 p.m.	3/19/21	Committee on Education, Self-Determination and Historic Preservation, Infrastructure, Border Safety, Federal and Foreign Affairs, and Maritime Transportation			Request: 3/22/21 3/29/21	



Vice Speaker

TINA ROSE MUÑA BARNES

CHAIRPERSON, COMMITTEE ON RULES

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March 29, 2021

MEMO

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

From: **Vice Speaker Tina Rose Muña Barnes**
Chairperson, Committee on Rules

Re: **Fiscal Notes**

Buenas yan Håfa adai.

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

Bill No. 87-36 (COR)

Bill No. 92-36 (LS)

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

If you have 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. 87-36 (COR)

AN ACT TO ADD A NEW ARTICLE 4 TO CHAPTER 73, DIVISION 7, TITLE 5, GUAM CODE ANNOTATED, AND TO AMEND § 6603(c), ARTICLE 6, CHAPTER 6, TITLE 11, GUAM CODE ANNOTATED, AND TO FURTHER REPEAL § 6604, ARTICLE 6, CHAPTER 6, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING ASSET FORFEITURE FOR THE GUAM CUSTOMS & QUARANTINE AGENCY AND TO FURTHER ESTABLISHING A CUSTOMS LOCAL FORFEITURE ACCOUNT.

Department/Agency Appropriation Information	
Dept./Agency Affected: Guam Customs and Quarantine Agency	Dept./Agency Head: Ignacio Q. Peredo, Director
Department's General Fund (GF) appropriation(s) to date:	\$7,335,835
Department's Other Fund (Specify) appropriation(s) to date: Customs, Agriculture and Quarantine Inspection Services Fund	\$4,105,776
	\$11,441,611

Fund Source Information of Proposed Appropriation			
	General Fund:	Special Fund	Total:
FY 2020 Unreserved Fund Balance		\$0	\$0
FY 2021 Adopted Revenues	\$0	\$0	\$0
FY 2021 Appro. (P.L. 35-99)	\$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 2021 (if applicable)	FY 2022	FY 2023	FY 2024	FY 2025
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? Yes // No
If Yes, see attachment
- Is amount appropriated adequate to fund the intent of the appropriation? N/A // Yes // No
If no, what is the additional amount required? N/A
- Does the Bill establish a new program/agency? Yes // No
If yes, will the program duplicate existing programs/agencies? // N/A Yes // No
Is there a federal mandate to establish the program/agency? // Yes No
- Will the enactment of this Bill require new physical facilities? // Yes No
- Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: Yes // No
// Requested agency comments not received by due date // Other:

Analyst: Jose Salas Cruz, Jr., BMA II Date: 26 MAR '21 Director: Lester L. Carlson, Jr., Director Date: **MAR 29 2021**

1/The proposed legislation intends to do two things: (1) add a new Article 4, Chapter 73, Division 7, Title 5 of the Guam Code Annotated, relative to the authorization of Asset Forfeiture for the Guam Customs & Quarantine Agency (CQA) and the establishment of a Customs Local Forfeiture account (CLFA) and the Customs Federal Shared Assets Forfeiture Account (CFSafa). The bill, if passed, would authorize the CQA to take possession and title of property under asset forfeiture. The proceeds from the sale of the forfeited property will be deposited into the CLFA and/or the CFSafa. Additionally, all funds deposited in the Funds shall be expended as authorized by the Director of Customs. (2) The Bill also seeks to amend §6603(c) of Article 6, Chapter 6, Title 11, Guam Code Annotated, which would strikeout "...value of the commodity..." and replace it with taxable assessment. The taxable assessment shall be determined by the tax rate established in §26603 of Chapter 26 Article 6 Title 11, Guam Code Annotated. Absent any additional information, the Bureau is unable to determine the amount of revenue this legislation would generate. However, the Bureau notes that it would have a positive impact on CQA in performing its duties. It should also be noted, this is currently a Federal Asset Forfeiture account established and is being utilized by the CQA.