

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
176-36 (LS)	Frank Blas Jr.	AN ACT TO AMEND §19603 OF TITLE 11 GUAM CODE ANNOTATED CHAPTER 19 ARTICLE 6 RELATIVE TO VACCINATION AND TREATMENT DURING A DECLARED STATE OF PUBLIC HEALTH EMERGENCY.	8/9/21 4:40 p.m.	8/17/21	Committee on Health, Land, Justice, and Culture			Request: 8/17/21 8/24/21	



Vice Speaker

TINA ROSE MUÑA BARNES

CHAIRPERSON, COMMITTEE ON RULES

I Mina'trentai Sais Na Liheslaturan Guåhan

GUAM CONGRESS BUILDING
163 CHALAN SANTO PAPA
HAGÁTÑA, GUAM 96910
TEL 671-472-2461
COR@GUAMLEGISLATURE.ORG

August 24, 2021

MEMO

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

From: **Senator Amanda L. Shelton**
Acting Chairperson, Committee on Rules

Re: **Fiscal Note on Bill No. 176-36 (LS)**

Håfa adai,

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

Bill No. 176-36 (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. 176-36 (LS)**

Bill No.176-36 (LS) "AN ACT TO AMEND §19603 OF TITLE 11 GUAM CODE ANNOTATED CHAPTER 19 ARTICLE 6 RELATIVE TO VACCINATION AND TREATMENT DURING A DECLARED STATE OF PUBLIC HEALTH EMERGENCY"

Department/Agency Appropriation Information

Dept./Agency Affected: Department of Public Health and Social Services		Dept./Agency Head: Arthur San Agustin, Director	
Department's General Fund (GF) appropriation(s) to date:			27,913,328
Department's Other Fund (Specify) appropriation(s) to date: Environmental Health Fund - \$1,322,570, Healthy Futures Fund - \$16,837,923, Health Professional Licensing Office Revolving Fund - \$286,085, Office of Vital Statistics Revolving Fund - \$241,442, Sanitary Inspection Revolving Fund - \$85,425, Medically Indigent Program Payment Revolving Fund - \$14,438,056			33,211,501
Total Department/Agency Appropriation(s) to date:			\$61,124,829

Fund Source Information of Proposed Appropriation

	General Fund:	Special Fund:	Total:
FY 2020 Unreserved Fund Balance	\$0	\$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?
If Yes, see attachment // N/A // Yes / X / No
- Is amount appropriated adequate to fund the intent of the appropriation?
If no, what is the additional amount required? \$ _____ /X/ N/A // Yes // No
- Does the Bill establish a new program/agency?
If yes, will the program duplicate existing programs/agencies? // N/A // Yes / X / No
Is there a federal mandate to establish the program/agency? // N/A // 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/ Requested agency comments not received by due date: / / Other /X/ Yes // No

Analyst: Abigail Reyes **Date:** 8/23/2021 **Director:** Lester L. Carlson, Jr., Director **Date:** AUG 24 2021

Notes:
1/ Please see attachment

BUREAU OF BUDGET AND MANAGEMENT RESEARCH
COMMENTS ON BILL NO. 176-36 (LS)

The proposed legislation intends to amend §19603 of Article 6, Chapter 19, Title 11 of the Guam Code Annotated relative to vaccination and treatment during a declared state of public health emergency. The amendment is to add language to specify that vaccines to be administered are “unconditionally approved (not Emergency Use Authorization) by the United States Food and Drug Administration”.

Should this proposed legislation pass, the public health authority will not be able to exercise its emergency powers and require vaccination to protect the community against COVID-19 unless the COVID-19 vaccines are issued full approval by the FDA.

It should be noted that the island, on August 17, 2021, reported its 144th COVID-19 related death. The Bill’s passage will result in a higher chance for the prevalence of more serious cases related to COVID-19, which could potentially lead to higher hospitalization rate, not to mention the increased need for intensive care. The need for first responders, as the island experienced at the onset of this pandemic, will continue to rise. The potentially higher number of COVID-19 cases could lead to another lockdown, which could then lead to stunted tourism activities and higher unemployment rate.

As an unintended consequence, reliance on government’s financial assistance will also rise along with crime rates as the people impacted by poverty may become desperate. This then would require higher demand for law enforcement resources. The ripple effect of the pandemic is far-reaching and will continue to negatively impact our island unless countermeasures such as administration of vaccines, either fully approved or issued Emergency Use Authorization (EUA) by the FDA, is in place.

As illustrated above, there will be corresponding effects and fiscal impacts should this proposed legislation be enacted. However, absent pertinent information from all the government instrumentalities directly and indirectly affected by a public health emergency such as the COVID-19 pandemic, the Bureau is unable to determine a reasonable fiscal impact at this time.

The Bureau also notes that there are technical corrections to the Bill that should be made.