

*I Mina'trentai Siette Na Liheslaturan Guåhan*  
**BILL STATUS**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
112-37 (LS)	Thomas J. Fisher	AN ACT TO <i>AMEND</i> § 5150 OF SUBARTICLE F, ARTICLE 2, CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED RELATIVE TO GUAM PROCUREMENT LAW.	5/8/23 11:23 a.m.	5/11/23	Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning	Request: 5/12/23 5/17/23			



## COMMITTEE ON RULES

Senator Chris Barnett, Chairperson  
*I Mina'trentai Siette Na Liheslaturan Guåhan*  
37<sup>th</sup> Guam Legislature

May 17, 2023

**To:** **Joaquin P. Taitague**  
Substitute Clerk of the Legislature

**From:** **Senator Chris Barnett**   
Chairperson, Committee on Rules

**Subject:** **Fiscal Note for Bill No. 112-37 (LS)**

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*Håfa Adai yan Biba Guåhan!*

Find the attached, Fiscal Note for the following bill:

**Bill No. 112-37 (LS).**

I also request that the same be sent to the respective Chairperson of the Standing Committee, to which this bill has been referred. Kindly forward the same to Management Information Services (MIS) for posting on our website.



**Bureau of Budget & Management Research  
Fiscal Note of Bill No. 112-37 (LS)**

AN ACT TO *AMEND* § 5150 OF SUBARTICLE F, ARTICLE 2, CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED RELATIVE TO GUAM PROCUREMENT LAW.

**Department/Agency Appropriation Information**

Dept./Agency Affected: Office of the Attorney General		Dept./Agency Head: Douglas Moylan, Attorney General
Department's General Fund (GF) appropriation(s) to date:		\$15,719,803
Department's Other Fund appropriation(s) to date: CJIS Cost-Sharing Initiative (\$81,603);		\$81,603
Total Department/Agency Appropriation(s) to date:		\$15,801,406

**Fund Source Information of Proposed Appropriation**

	General Fund:	Other Fund	Total:
FY 2022 Unreserved Fund Balance	\$0	\$0	\$0
FY 2023 Adopted Revenues	\$0	0	0
FY 2023 Appro. (P.L. 36-107)	\$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 2023 (if applicable)	FY 2024	FY 2025	FY 2026	FY 2027
General Fund	\$0	1/	\$0	\$0	\$0	\$0
Other Fund	\$0	1/	\$0	\$0	\$0	\$0
Total	\$0	1/	1/	1/	1/	1/

- 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  
/ / Requested agency comments not received by due date: OAG / / Other:

Analyst: Bernice Torres Date: 5/11/23 Director: Lester L. Carlson, Jr., Director Date: MAY 17 2023

Notes:  
1/ See attached comments.

**Bureau of Budget & Management Research**  
**Comments on Bill No. 112-37 (LS)**

Bill No. 112-37 (LS) is an act to *amend* § 5150 of Subarticle F, Article 2, Chapter 5, Title 5, Guam Code Annotated relative to Guam Procurement Law.

The proposed legislation removes the authority of the Office of the Attorney General (OAG) of Guam to provide legal services to an autonomous agency during all phases of the solicitation or procurement process.

According to comments received from the OAG, Bill No. 112-37 will not cause a fiscal impact to the OAG at this current time frame. However, the OAG notes that it is actively seeking, by withdrawing Special Attorney General status from the attorneys for autonomous agencies, to regain control of the contract review function which had been delegated by previous Attorney Generals to the attorneys for autonomous agencies. If the efforts in this regard are successful, the OAG will sustain a fiscal impact, unless through Memorandums of Understanding, the cost of attorneys relocating to the OAG is paid by the agencies for which they review contracts. The OAG estimates that the average cost of an attorney per annum is \$155,672.97, but until the OAG is successful in relocating attorneys to the AGO, no further financial detail can be provided.