

I Mina'trentai Siette Na Lihelaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
155-37 (LS)	William A. Parkinson	AN ACT TO ADD A NEW CHAPTER 164 TO TITLE 8, GUAM CODE ANNOTATED, RELATIVE TO ATTENDANCE OF WITNESSES AND TO GIVE THIS ACT AS THE "UNIFORM ACT TO SECURE THE ATTENDANCE OF WITNESSES FROM WITHOUT A STATE IN CRIMINAL PROCEEDINGS."	7/27/23 2:10 p.m.	8/1/23	Committee on Health, Land, Justice, and Culture	Request: 8/1/23 8/10/23			



COMMITTEE ON RULES

Senator Chris Barnett, Chairperson
I Mina'trentai Siette Na Liheslaturan Guåhan
37th Guam Legislature

August 10, 2023

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

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

Subject: **Fiscal Note for Bill No. 155-37 (LS)**

Håfa Adai yan Biba Guåhan!

Find the attached, Fiscal Note for the following bill:

Bill No. 155-37 (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. 155-37 (LS)

AN ACT TO ADD A NEW CHAPTER 164 TO TITLE 8, GUAM CODE ANNOTATED, RELATIVE TO ATTENDANCE OF WITNESSES AND TO CITE THIS ACT AS THE "UNIFORM ACT TO SECURE THE ATTENDANCE OF WITNESSES FROM WITHOUT A STATE IN CRIMINAL PROCEEDINGS."

Department/Agency Appropriation Information

Dept./Agency Affected: Unified Judiciary of Guam	Dept./Agency Head: Danielle T. Rosette - Administrator of the Courts
Department's General Fund (GF) appropriation(s) to date:	\$33,695,731
Department's Other Fund appropriation(s) to date: Safe Streets Fund (\$51,418); Electronic Monitoring Program (\$500,000); 2% General Fund Reserve (\$190,000); Pay Adjustment (\$1,655,864); Addtl Superior Court Judge (\$400,000)	\$2,797,282
Total Department/Agency Appropriation(s) to date:	\$36,493,013

Fund Source Information of Proposed Appropriation

	General Fund:	(Specify Special Fund):	Total:
FY 2022 Unreserved Fund Balance		\$0	\$0
FY 2023 Adopted Revenues	\$0	\$0	\$0
FY 2023 Appro. (P.L. 36-107 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

	One Full Fiscal Year	For Remainder of FY 2023 (if applicable)	FY 2024	FY 2025	FY 2026	FY 2027
General Fund	1/	1/	1/	1/	1/	1/
Special Funds	1/	1/	1/	1/	1/	1/
Total	1/	1/	1/	1/	1/	1/

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|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|------------|----------|
| 1. Does the bill contain "revenue generating" provisions?
If Yes, see attachment | | / / Yes | / X / No |
| 2. Is amount appropriated adequate to fund the intent of the appropriation?
If no, what is the additional amount required? \$ _____ | / X / N/A | / / Yes | / / No |
| 3. Does the Bill establish a new program/agency?
If yes, will the program duplicate existing programs/agencies?
Is there a federal mandate to establish the program/agency? | / X / N/A | / / Yes | / X / No |
| 4. Will the enactment of this Bill require new physical facilities? | | / / Yes | / X / No |
| 5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason:
/ / Requested agency comments not received by due date | | / X / Yes | / / No |
| | | / / Other: | |

Analyst: <u>Bernice Torres</u> Bernice Torres, Staff Assistant	Date: <u>8/9/23</u>	Director: <u>Jester L. Carlson, Jr.</u> Jester L. Carlson, Jr., Director	Date: <u>AUG 10 2023</u>
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Notes:
1/ See attached comments.

Bureau of Budget & Management Research
Comments on Bill No. 155-37 (LS)

Bill No. 155-37 (LS) is an act to *add* a new Chapter 164 to Title 8, Guam Code Annotated, relative to attendance of witnesses and to cite this act as the "Uniform Act to Secure the Attendance of Witnesses from without a State in Criminal Proceedings."

Based on comments received from the Judiciary of Guam regarding Bill No. 155-37, it is unclear whether the Judiciary stands to incur the costs associated with the proposed language under the bill. Absent further information, the Judiciary is unable to determine nor provide an estimated fiscal impact at this time.

However, the Bureau is of the opinion that there could be a potential impact to the Judiciary, the Office of the Attorney General, and possibly the Guam Police Department in terms of resources such as manpower/personnel relative to summoning witnesses, providing travel coordination and costs for witnesses, and other associated costs/services to secure the attendance of witnesses from without a State in Criminal Proceedings in order to enforce the intent of this Bill 155-37(LS) should it be enacted into law.