

*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
163-37 (LS)	Chris Barnett Sabino Flores Perez Christopher M. Dueñas Dwayne T.D. San Nicolas Telo T. Taitague Thomas J. Fisher Joanne Brown Frank Blas, Jr. Tina Rose Muña Barnes	AN ACT TO ADD A NEW ITEM (K) TO § 77112.2 OF CHAPTER 77, TITLE 21 GUAM CODE ANNOTATED RELATIVE TO BANNING THE USE OF THE PASEO STADIUM FOR CONCERTS OR ANY OTHER ACTIVITY THAT CAN DAMAGE THE BASEBALL FIELD.	8/16/23 1:56 p.m.	8/21/23	Committee on Maritime Transportation, Air Transportation, Parks, Tourism, Higher Education and the Advancement of Women, Youth, and Senior Citizens	Request: 8/21/23  8/28/23			



## COMMITTEE ON RULES

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

August 28, 2023

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

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

**Subject:** **Fiscal Note for Bill No. 163-37 (LS)**

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*Håfa Adai yan Biba Guåhan!*

Find the attached, Fiscal Note for the following bill:

**Bill No. 163-37 (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. 163-37 (LS)**

AN ACT TO ADD A NEW ITEM (k) TO § 77112.2 OF CHAPTER 77, TITLE 21 GUAM CODE ANNOTATED RELATIVE TO BANNING THE USE OF THE PASEO STADIUM FOR CONCERTS OR ANY OTHER ACTIVITY THAT CAN DAMAGE THE BASEBALL FIELD.

**Department/Agency Appropriation Information**

Dept./Agency Affected: Department of Parks and Recreation (DPR)	Dept./Agency Head: Warren Pelletier, Acting Director
Department's General Fund (GF) appropriation(s) to date:	\$3,316,891
Department's Other Fund appropriation(s) to date: Limited Gaming Fund (\$380,225); Public Recreation Services Fund (\$65,675)	\$445,900
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$3,762,791</b>

**Fund Source Information of Proposed Appropriation**

	General Fund:	Special 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
<b>Total:</b>	<b>\$0</b>	<b>0</b>	<b>0</b>

**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	\$0	\$0	\$0	\$0	\$0
Special Fund	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

1. Does the bill contain "revenue generating" provisions? // Yes /X/ No  
 If Yes, see attachment
2. 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
3. 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
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: /X/ Yes // No  
 // Requested agency comments not received by due date: // Other:

Analyst: Raymond Kieta Date: 8/18/23 Director: Lester L. Carlson, Jr. Date: AUG 28 2023  
 Raymond Kieta, BMA III Lester L. Carlson, Jr., Director

Notes:  
 1/: See additional comments.

**Bureau of Budget & Management Research**  
**Comments on Bill No. 163-37 (LS)**

Bill No. 163-37 proposes to ban the use of the Paseo Stadium for concerts or any other activities that can damage the baseball field. The intent of the Bill is to prevent unnecessary damages to the field from events other than its intended use, for playing baseball games. With the Department of Parks and Recreation (DPR) primarily responsible for the Paseo Stadium, all costs and expenses related to the maintenance and upkeep of the facility fall under the department's operational budget primarily funded from the General Fund and to some extent, the Public Recreation Services Fund (PRSF).

As per local media reports, past and recent concerts and events held on the baseball field have damaged the field's surface rendering it unplayable and delaying the start of some league activities. By banning concerts and other non-baseball related activities, the Bill proposes that this would prevent additional damages to the field in which the responsibility of repairs would fall under DPR.

Based on comments from DPR, it is their contention that "the prohibiting of the Department's ability to issue permits for non-baseball activities at Paseo Stadium could have a negative effect on its ability to generate much needed additional revenue during non-baseball use periods." They further recommend that "decisions on the use of Paseo Stadium remain with DPR with the guiding principle always being the protection of our baseball field." Notwithstanding the comments from DPR, absent information from the department on 1) the costs to repair the aforementioned damages to the baseball field from these past events, 2) how much revenue was generated from these past concerts and events, and 3) how that revenue was utilized to repair the damages to the baseball field or benefit the department as a whole, the Bureau is unable to estimate the fiscal impact of this ban should the Bill become law.