

I Mina'trentai Siette 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
20-37 (COR)	William A. Parkinson Therese M. Terlaje Roy Anthony Benavente Quinata Dwayne T. D. San Nicolas	AN ACT TO AMEND SECTIONS 2103 AND 2014 OF ARTICLE 1; SECTION 2201 OF ARTICLE 2; AND SECTIONS 2701, 2702, 2703 AND 2705 OF ARTICLE 7; ALL OF CHAPTER 2, TITLE 10, GUAM CODE ANNOTATED; RELATIVE TO RESTORING ACCESS TO FEDERAL PUBLIC ASSISTANCE FOR OTHERWISE ELIGIBLE INDIVIDUALS WITH FELONY DRUG CONVICTIONS.	1/27/23 11:00 a.m.	1/27/23	Committee on Health, Land, Justice, and Culture			Request: 1/27/23 2/16/23	




COMMITTEE ON RULES

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

February 16, 2023

To: RennaeVanessa C. Meno
Clerk of the Legislature

From: Senator Chris Barnett 
Chairperson, Committee on Rules

Subject: Fiscal Note for Bill No. 20-37 (COR)

Håfa Adai yan Biba Guåhan!

Find the attached, Fiscal Note for the following bill:

Bill No. 20-37 (COR).

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. 20-37 (COR)

AN ACT TO AMEND SECTIONS 2103 AND 2014 OF ARTICLE 1; SECTION 2201 OF ARTICLE 2; AND SECTIONS 2701, 2702, 2703 AND 2705 OF ARTICLE 7; ALL OF CHAPTER 2, TITLE 10, GUAM CODE ANNOTATED; RELATIVE TO RESTORING ACCESS TO FEDERAL PUBLIC ASSISTANCE FOR OTHERWISE ELIGIBLE INDIVIDUALS WITH FELONY DRUG

Department/Agency Appropriation Information	
Dept./Agency Affected: Department of Public Health and Social Services	Dept./Agency Head: Arthur U. San Agustin, MHR
Department's General Fund (GF) appropriation(s) to date: Operations (\$50,001,474); Health Insurance Premiums for Foster Children (\$665,396); Health Professional Licensing Office (\$283,541); Child Protective Services Program (\$981,935)	\$51,932,346
Department's Other Fund appropriation(s) to date: Environmental Health Fund (\$1,302,065); Healthy Futures Fund (\$9,222,019); Health Professional Licensing Office Revolving Fund (\$300,975); Office of Vital Statistics Revolving Fund (\$230,705); DPHSS Sanitary Inspections Revolving Fund (\$158,878); Healthy Futures Fund for the Guam Cancer Registry (\$389,144)	\$11,603,786
Total Department/Agency Appropriation(s) to date:	\$63,536,132

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify 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
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/	\$0	\$0	\$0	\$0
GMHA Pharmaceuticals Fund	1/	1/	\$0	\$0	\$0	\$0
Total	1/	1/	\$0	\$0	\$0	\$0

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

Analyst: Abigail R. Ofeciar, BMA IV Date: 2/13/2023 Director: Lester L. Carlson, Jr., Director Date: FEB 16 2023

Notes:
 1/ See attached comments.

BUREAU OF BUDGET AND MANAGEMENT RESEARCH
COMMENTS ON BILL NO. 20-37 (COR)

The proposed legislation is an act to *amend* §§ 2103 and 2104 of Article 1; § 2201 of Article 2; and §§ 2701, 2702, 2703, and 2705 of Article 7; all of Chapter 2, Title 10, Guam Code Annotated (GCA); relative to restoring access to federal public assistance for otherwise eligible individuals with felony drug convictions. The proposed legislation seeks to lift the permanent ban of federally funded public assistance on otherwise eligible individuals domiciled on Guam based solely on drug-related felony convictions through the opt out provision contained in Section 115(d)(1)(A) of Public Law 104-193, “*Personal Responsibility and Work Opportunity Reconciliation Act of 1996*” (PRWORA). The exemption from the application of the Section 115(a)(1) and (2) of the PRWORA shall apply once certain conditions are met to include completion of or successful compliance with probation, parole, community corrections, a reentry court program, or any other post-conviction monitoring program ordered by the court. The proposed legislation also seeks to update references to the Food Stamp Act of 1977, which has since been renamed the Supplemental Nutrition Assistance Program (SNAP) by the Federal Food and Nutrition Act of 2008. In addition, it also proposes to update references from “food coupons” to “SNAP benefits”.

The SNAP benefits are 100% federally funded and thus the potential increase in beneficiaries should this proposed legislation be enacted poses no direct fiscal impact on local funds. However, there may be indirect costs associated with this increase to include administrative expenses, most of which are funded via federal matching grants-in-aid (i.e., 50/50 match for the Food Stamp Supplemental Nutrition Assistance Program (SNAP) – State Administrative Expense, SNAP Certification, SNAP Fraud Control, SNAP Management Evaluation, etc.). In addition, upon enactment of Bill No. 20-37 (COR), the Bureau anticipates that DPHSS must establish standard operating procedures on ensuring compliance with the requirements of this act. However, absent pertinent information from DPHSS and other relevant entities to include: (a) administrative costs associated with the potential increase in SNAP beneficiaries, and (b) capabilities of DPHSS to absorb such costs, the Bureau is unable to determine an approximate fiscal impact at this time.