

*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
200-37 (LS)	Committee on Maritime Transportation, Air Transportation, Parks, Tourism, Higher Education and the Advancement of Women, <u>Youth, and Senior Citizens</u> by request of I Kongressun Manhoben Guåhan, the Guam Youth Congress, in accordance with 2 GCA §7102.	AN ACT TO APPROPRIATE ONE MILLION DOLLARS (\$1,000,000) FROM THE RAINY DAY FUND TO THE UNIVERSITY OF GUAM FOR DEFERRED MAINTENANCE PROJECTS, INCLUDING TYPHOON MAWAR RELATED REPAIRS, PURSUANT TO § 22903(B) OF CHAPTER 22, TITLE 5, GUAM CODE ANNOTATED.	10/31/23 11:34 a.m.	11/3/23	Committee on General Government Operations and Appropriations	Request: 11/3/23  11/16/23			



## COMMITTEE ON RULES

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

November 16, 2023

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

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

**Subject:** **Fiscal Note for Bill No. 200-37 (LS)**

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*Håfa Adai yan Biba Guåhan!*

Find the attached, Fiscal Note for the following bill:

**Bill No. 200-37 (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. 200-37 (LS)**

**AN ACT TO APPROPRIATE ONE MILLION DOLLARS (\$1,000,000) FROM THE RAINY DAY FUND TO THE UNIVERSITY OF GUAM FOR DEFERRED MAINTENANCE PROJECTS, INCLUDING TYPHOON MAWAR RELATED REPAIRS, PURSUANT TO § 22903(B) OF CHAPTER 22, TITLE 5, GUAM CODE ANNOTATED.**

Department/Agency Appropriation Information	
Dept./Agency Affected: University of Guam	Dept./Agency Head: Dr. Anita Borja Enriquez, President
Department's General Fund (GF) appropriation(s) to date:	\$27,551,457
Department's Other Fund: Federal Matching Grants-in-Aid	\$3,083,320
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$30,634,777</b>

Fund Source Information of Proposed Appropriation			
	General Fund:	Rainy Day Fund:	Total:
FY 2023 Unreserved Fund Balance		\$28,003,090	\$28,003,090
FY 2024 Adopted Revenues	\$0	\$0	\$0
FY 2024 Appro. (P.L. 37-42 thru 37-XX)	\$0	\$0	\$0
Sub-total:	\$0	\$28,003,090	\$28,003,090
Less appropriation in Bill	\$0	(\$1,000,000)	(\$1,000,000)
<b>Total:</b>	<b>\$0</b>	<b>\$27,003,090</b>	<b>\$27,003,090</b>

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2024 (if applicable)	FY 2025	FY 2026	FY 2027	FY 2028
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
1/ Rainy Day Fund	\$0	\$1,000,000	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$1,000,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

- 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? // N/A /X/ Yes // No  
If no, what is the additional amount required? \$ \_\_\_\_\_ // N/A
- Does the Bill establish a new program/agency? // Yes /X/ No  
If yes, will the program duplicate existing programs/agencies? // N/A // Yes /X/ 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 // Other: \_\_\_\_\_

Analyst:  Anthony Quitugua, BMA	Date: 11/15/23	Director:  Lester L. Carlson, Jr., Director	Date: NOV 16 2023
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1/ See attached comments.

Bureau of Budget & Management Research  
Comments on Bill No. 200-37 (LS)

Bill 200-37 (LS) is an act to appropriate one million dollars (\$1,000,000) from the Rainy Day Fund to the University of Guam for deferred maintenance projects, including Typhoon Mawar related repairs, pursuant to § 22903(B) of Chapter 22, Title 5, Guam Code Annotated.

The proposed legislation identifies the Rainy Day Fund as the funding source for the sole purpose of funding deferred maintenance projects, as indicated in its Fiscal Year 2024 budget request, and to include Typhoon Mawar- related repairs to its facilities. It further states that the funds appropriated in Section 2 of this act are not subject to any transfer authority and that the President of the University of Guam shall provide reports to *I Liheslaturan Guåhan* on a quarterly basis until all funds are expended.

The Bureau has reached out to the University of Guam for comments on the fiscal impact. According to the University of Guam, the University currently has a deferred maintenance listing totaling approximately \$18M as of January 2023, and that a request for assistance in the amount of \$1M had also been submitted as part of its FY 2024 budget request. The University of Guam has expressed their full support of Bill 200-37 to seek approval of this funding, as it would greatly assist the University in tending to the facilities needs.

Pursuant to § 22903(B) of Chapter 22, Title 5, Guam Code Annotated, the Rainy Day Fund shall be expended by appropriation by law for; 1) eliminating or reducing any General Fund deficit existing at the end of a fiscal year, and 2) expenses caused by a Guam emergency. According to an unaudited Financial Statement provided by the Department of Administration, the Ending Fund Balance in the Rainy Day Fund as of October 31, 2023 was at \$27,148,106.

The Bureau also notes that Section 50 of Chapter XII of P.L. 37-42 relative to Typhoon Mawar Expenses provides an authorization to *I Maga'hågan Guahan* to transfer up to \$50M from the Rainy Day Fund for emergency expenses in response to Typhoon Mawar.