

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
215-37 (COR)	Roy A. B. Quimata Joe S. San Agustin	AN ACT TO AMEND § 1903(e) TO CHAPTER 19, TITLE 1, GUAM CODE ANNOTATED; AND TO AMEND § 30101 CHAPTER 30, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE ELECTION AND QUALIFICATION PROCESSES FOR THE OFFICES OF PUBLIC AUDITOR AND ATTORNEY GENERAL IN GUAM.	12/15/23 9:55 a.m.	12/18/23	Committee on General Government Operations and Appropriations	Request: 12/18/23 12/27/23			



COMMITTEE ON RULES

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

December 27, 2023

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

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

Subject: **Fiscal Note for Bill No. 215-37 (COR)**

Håfa Adai yan Biba Guåhan!

Find the attached, Fiscal Note for the following bill:

Bill No. 215-37 (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. 215-37 (COR)**

AN ACT TO AMEND § 1903 (e) TO CHAPTER 19, TITLE 1, GUAM CODE ANNOTATED ; AND TO AMEND § 30101 CHAPTER 30, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO THE ELECTION AND QUALIFICATION PROCESSES FOR THE OFFICES OF PUBLIC AUDITOR AND ATTORNEY GENERAL IN GUAM.

Department/Agency Appropriation Information	
Dept./Agency Affected: Guam Election Commission	Dept./Agency Head: Maria I.D. Pangelinan, Executive Director
Department's General Fund (GF) appropriation(s) to date:	\$ 2,153,766.00
Department's Other Fund (Specify Fund Source) appropriation(s) to date:	\$ -
Total Department/Agency Appropriation(s) to date:	\$ 2,153,766.00

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2023 Unreserved Fund Balance		\$0	\$0
FY 2024 Adopted Revenues	\$0	\$0	\$0
FY 2024 Appro. (P.L. 37-42)	\$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 2024 (if applicable)	FY 2025	FY 2026	FY 2027	FY 2028
General Fund	1/	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	1/	\$0	\$0	\$0	\$0	\$0
Total	1/	\$0	\$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: Katherine Parkinson-Borja Date: 12/22/23 Director: Lester L. Carlson, Jr. Date: DEC 27 2023

Notes:
The proposed legislation seeks to amend the processes for the Office of Public Auditor (OPA) and the Attorney General (AG) relative to the election and the qualifications of the two elected positions. First, by striking the requirement of a candidate filing his/her candidacy in a manner similar to that of the I Maga'hagan Guahan and instead requiring that the candidates for the Public Auditor and AG positions file his/her candidacy no earlier than one hundred thirty (130) days before the General Election and no later than sixty (60) days before the General Election. The Bill shall no longer require a separate ballot for the OPA and the AG and strikes out the Primary election requirements and is replaced by the General Election. Lastly, the Bill details that the candidate receiving the most votes in the General Election, subject to the qualifications established by Chapter 19, Title 1 Guam Code Annotated (GCA) for the OPA, and Chapter 30, Title 5 GCA for the AG, shall be certified by the Guam Election Commission (GEC) as having won the election to the position Public Auditor and AG. The Bill removes the OPA and AG position's Primary Election requirements and thus may provide the Government of Guam a cost savings, which according to the GEC, is estimated to be \$12,500. Additionally, the bill as written has the potential to produce quicker election results with the elimination of the second ballot in the Primary Election, which is likely to reduce overtime expenses.