

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
264-37 (COR)	Tina Rose Muña Barnes Joe S. San Agustin	AN ACT TO AMEND THE FISCAL YEAR 2024 ADOPTED TOTAL GENERAL FUND REVENUE FROM EIGHT HUNDRED TWENTY-EIGHT MILLION EIGHT HUNDRED SEVENTY-TWO THOUSAND ONE HUNDRED NINETY-NINE DOLLARS (\$828,872,199) TO EIGHT HUNDRED THIRTY-THREE MILLION NINE HUNDRED SEVENTY-TWO THOUSAND ONE HUNDRED NINETY-NINE DOLLARS (\$833,972,199); AND, TO APPROPRIATE FIVE MILLION DOLLARS (\$5,000,000) FROM THE GENERAL FUND TO THE DEPARTMENT OF PARKS AND RECREATION FOR THE PURPOSE OF DESIGNING AND CONSTRUCTING THE "NĀFTAN MAÑAINA-TA SHRINE".	4/4/24 3:33 p.m.	4/8/24	Committee on General Government Operations and Appropriations	Request: 4/8/24 4/19/24			



COMMITTEE ON RULES

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

April 19, 2024

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

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

Subject: **Fiscal Note for Bill No. 264-37 (COR)**

Håfa Adai yan Biba Guåhan!

Find the attached, Fiscal Note for the following bill:

Bill No. 264-37 (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. 264-37 (COR)**

AN ACT TO *AMEND* THE FISCAL YEAR 2024 ADOPTED TOTAL GENERAL FUND REVENUE FROM EIGHT HUNDRED TWENTY-EIGHT MILLION EIGHT HUNDRED SEVENTY-TWO THOUSAND ONE HUNDRED NINETY-NINE DOLLARS (\$828,872,199) TO EIGHT HUNDRED THIRTY-THREE MILLION NINE HUNDRED SEVENTY-TWO THOUSAND ONE HUNDRED NINETY -NINE DOLLARS (\$833,972,199); AND, TO *APPROPRIATE* FIVE MILLION DOLLARS (\$5,000,000) FROM THE GENERAL FUND TO THE DEPARTMENT OF PARKS AND RECREATION FOR THE PURPOSE OF DESIGNING AND CONSTRUCTING THE "NAFTAN MAÑAINA-TA SHRINE".

Department/Agency Appropriation Information

Dept./Agency Affected: Department of Parks and Recreation (DPR)		Dept./Agency Head: Angel AR Sablan, Acting Director	
Department's General Fund (GF) appropriation(s) to date:			\$4,164,568
Department's Other Fund appropriation(s) to date: Limited Gaming Fund (\$346,154); Public Recreation Services Fund (\$91,320)			\$437,474
Total Department/Agency Appropriation(s) to date:			\$4,602,042

Fund Source Information of Proposed Appropriation

	General Fund:	Special Fund:	Total:
FY 2023 Unreserved Fund Balance	\$0	\$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	\$0	\$5,100,000	\$0	\$0	\$0	\$0
Special Fund	\$0	\$0	\$0	\$0	\$0	\$0
Total	1/	\$5,100,000	\$0	\$0	\$0	\$0

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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? \$ _____ | | // N/A
/X/ N/A | // 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? | | // Yes
/X/ N/A | // No
/X/ No |
| 4. Will the enactment of this Bill require new physical facilities? | | // Yes | // No |
| 5. Was Fiscal Note coordinated with the affected dept/agency?
/X/ Requested agency comments not received by due date: DPR & DRT | If no, indicate reason: | // Yes
// Other | // No |

Analyst:  Raymond Rieta, BMA III	Date: 4/18/24	Director:  Lester L. Carlson, Jr., Director	Date: APR 19 2024
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Notes:
" See Additional Comments.

BUREAU OF BUDGET AND MANAGEMENT RESEARCH
COMMENTS ON BILL NO. 264-37 (COR)

The proposed legislation intends to amend FY 2024 adopted General Fund revenues for the purpose of appropriating Five Million Dollars (\$5,000,000) to the Department of Parks & Recreation (DPR) for the design and construction of the “Náftan Mañaina-Ta Shrine”. The proposed amendment is to increase Business Privilege Taxes (BPT) by \$5,100,000 (from \$334,733,953 to \$339,833,953). It is assumed that \$100,000 of the proposed recommended increase is intended for the mandated deposit of 2% into the Rainy Day Fund ($\$5,000,000 * 2\% = \$100,000$). However, the proposed legislation does not directly indicate that intent. In addition, the Bureau notes that 6.19% of BPT is mandated to be deposited into the GMHA Pharmaceutical Fund pursuant to §26208, Article 2, Chapter 26, Title 11 GCA, which does not appear to be accounted for in the proposed legislation. In order to achieve the \$5,000,000 appropriation authority, should the intent remain to amend BPT revenues, the Bureau recommends the amendment amount to be \$5,438,696, from \$344,733,953 to \$350,172,649, of which \$5,000,000 will be appropriated to DPR for the “Náftan Mañaina-Ta Shrine”, \$336,655 will be deposited to the GMHA Pharmaceuticals Fund, and \$102,041 will be deposited into the Rainy Day Fund.

The Bureau notes that the projected unobligated General Fund Revenue for FY 2024 (as of March 2024), inclusive of appropriations made via P.L. 37-49, P.L. 37-58, P.L. 37-66, P.L. 37-75, and P.L. 37-76 as well as the projected General Fund coverage of shortfalls in the Healthy Futures Fund, amounts to \$21,530,077.

However, it should be noted that there are several competing legislative measures seeking to utilize the FY 2024 General Fund net unobligated revenues: 1) Bill No. 221-37 (\$350,000); 2) Bill No. 225-37 (\$5,000,000); 3) Bill No. 231-37 (\$1,500,000); 4) Bill No. 251-37 (\$11,300,000); and 5) subject Bill No. 264-37, as introduced (\$5,100,000). The subtotal of these competing measures, to include the subject legislation, amounts to \$23,250,000.

As such, it appears there is sufficient projected unobligated FY 2024 General Fund revenues to enact a combination of the above mentioned competing legislative measures, but not all measures at this time.