

I Mina'trentai Sietta 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 |
|-------------|----------------------|---|----------------------|---------------|---|----------------------------|---------------------|-----------------------------|-------|
| 314-37 (LS) | William A. Parkinson | AN ACT TO AUTHORIZE THE GUAM DEPARTMENT OF AGRICULTURE TO USE FUNDS FROM THE INVASIVE SPECIES INSPECTION FEE FUNDS BALANCE FROM FISCAL YEAR 2023 AND FISCAL YEAR 2024 FOR THE PURPOSE OF GENERAL OPERATION. | 5/29/24 1:21 p.m. | 6/3/24 | Committee on Fire, Agriculture, Power and Energy Utilities, Public Transit, Unemployment Insurance and Universal Health Insurance | Request: 6/3/24 6/12/24 | | | |



COMMITTEE ON RULES

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

June 12, 2024

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

From: **Senator Sabina Flores Perez** *SFP*
Acting Chairperson, Committee on Rules

Subject: **Fiscal Note for Bill No. 314-37 (LS)**

Håfa Adai yan Biba Guåhan!

Find the attached, Fiscal Note for the following bill:

Bill No. 314-37 (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. 314-37 (LS)

AN ACT TO AUTHORIZE THE GUAM DEPARTMENT OF AGRICULTURE TO USE FUNDS FROM THE INVASIVE SPECIES INSPECTION FEE FUNDS BALANCE FROM FISCAL YEAR 2023 AND FISCAL YEAR 2024 FOR THE PURPOSE OF GENERAL OPERATION.

Department/Agency Appropriation Information

| | | | |
|---|--|---|--|
| Dept./Agency Affected: Department of Agriculture (DOAg) | | Dept./Agency Head: Chelsa Muna, Director | |
| Department's General Fund (GF) appropriation(s) to date: | | \$4,359,682 | |
| Department's Other Fund appropriation(s) to date: Guam Invasive Species Inspection Fee Fund (\$654,864); Guam Plant Inspection Permit Fund (\$94,591); Rabies Prevention Fund (\$44,708) | | \$794,163 | |
| Total Department/Agency Appropriation(s) to date: | | \$5,153,845 | |

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 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Special Fund | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Total | 1/ | \$0 | \$0 | \$0 | \$0 | \$0 |

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? // N/A /X/ 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? /X/ Yes // No
 If no, indicate reason: // Other
 // Requested agency comments not received by due date:

| | | | |
|--|----------------------|---|--------------------------|
| Analyst: <u>Raymond Rieta</u> Raymond Rieta, BMA IV | Date: <u>6/11/24</u> | Director: <u>Lester L. Carlson, Jr.</u> Lester L. Carlson, Jr., Director | Date: <u>JUN 11 2024</u> |
|--|----------------------|---|--------------------------|

Notes:
 // See Additional Comments.

Bureau of Budget & Management Research
Comments on Bill No. 314-37 (LS)

Bill No. 314-37 (LS) is an act to authorize the Guam Department of Agriculture (DOAg) to use funds from the Guam Invasive Species Inspection Fee Fund (GISIFF) balance from fiscal years 2023 and 2024 for the purpose of general operations.

Based on the attached fiscal comments received from the DOAg, use of these GISIFF funds, as stipulated in the Bill, could alleviate the need for the department to use General Fund money, freeing it up for other division’s programs and initiatives. The following table, as prepared by DOAg, is their financial overview of the GISIFF for fiscal years 2023 and 2024.

| | FY23 (October 2022 to September 2023) | FY24 (As of February 29, 2024) |
|-----------------------------|---|---|
| ISIFF Appropriations | \$641,446 | \$654,864 |
| ISIFF Amounts | \$1,656,158.14 | \$668,133.46 |
| ISIFF Collections | \$1,405,580.59 | \$303,108.23 |
| ISIFF Owed | \$250,577.55 | \$365,025.23 |
| ISIFF Balances | \$1,014,712.14 | \$13,269.46 (expected to increase through the year) |

Referencing the total GISIFF revenues reported in FY23 and revenues reported in FY24 to date, the following table, as prepared by the Bureau, shows the total revenues in excess of adopted levels for each respective fiscal year. Should the Bill become law, these excess revenues should be made available for the Biosecurity Division of DOAg.

| Fiscal Year (Budget Act) | Appropriation Level | Total Fiscal Year GISIFF Revenues | Excess Revenues |
|--|--------------------------------------|--|----------------------------------|
| FY23 (P.L. 36-107) | \$641,466 | \$812,714 | \$171,248 |
| FY24 (P.L. 37-42) ¹¹ | \$654,864 | \$1,388,670 | \$733,806 |

¹¹ Actual FY24 revenues collected to date.

Additionally, as the GISIFF is a special revenue fund established exclusively to fund the Biosecurity Division of the DOAg, it is the Bureau’s position that the changes as proposed in Bill No. 314-37, relative to the fund, should have no direct fiscal impact to any other division within the DOAg or for that matter any other Government of Guam Agency.

Furthermore, it should be noted that the DOAg is currently authorized to expend up to the level of revenues collected for the GISIFF, as well as their other special revenue funds, for fiscal years 2023 and 2024, in accordance with Chapter XIII, Part II, Section 11 of both Public Laws 36-107 & 37-42, respectively. Per the P.L. citations, revenues collected from the GISIFF and DOAg’s other special revenue funds in fiscal years 2023 & 2024 shall not lapse and not be subject to related appropriation restraints.