

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
340-37 (LS)	Dwayne T.D. San Nicolas William A. Parkinson Roy A. B. Quinata Joe S. San Agustin	AN ACT TO AMEND § 73117 OF ARTICLE I, CHAPTER 73, DIVISION 7, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO STRENGTHENING THE REGULATIONS ON ILLEGAL ENTRY INTO GUAM.	8/16/24 3:43 p.m.	8/21/24	Committee on Emergency Response, Military and Veteran Affairs, Border Safety and Mayors Council	Request: 8/21/24 8/28/24			



COMMITTEE ON RULES

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

August 28, 2024

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

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

Subject: **Fiscal Note for Bill No. 340-37 (LS)**

Håfa Adai yan Biba Guåhan!

Find the attached, Fiscal Note for the following bill:

Bill No. 340-37 (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. 340-37 (LS)**

AN ACT TO AMEND § 73117 OF ARTICLE 1, CHAPTER 73, DIVISION 7, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO STRENGTHENING THE REGULATIONS OF ILLEGAL ENTRY INTO GUAM.

Department/Agency Appropriation Information

Dept./Agency Affected: Guam Customs and Quarantine Agency (CQA)	Dept./Agency Head: Ignacio Q. Peredo, Director
Department's General Fund (GF) appropriation(s) to date:	\$14,467,206
Department's Other Fund (Specify) appropriation(s) to date: Customs, Agriculture, and Quarantine Inspection Services Fund	\$6,074,666
Total Department/Agency Appropriation(s) to date:	\$20,541,872

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	\$0
Special Fund 1/	\$0	\$0	\$0	\$0	\$0	\$0
Total 1/	\$0	\$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
/ / Requested agency comments not received by due date / / Other:

Analyst: Joaquin A.J. Guerrero II Date: 8/27/24 Director: Lester L. Carlson, Jr. Date: AUG 27 2024

Notes:
1/ The proposed legislation intends to expand the scope of violators and set violation parameters for each violator to be guilty of a felony, imprisonment of no more than five (5) years, and imposing a fine of no less than Twenty-Five Thousand Dollars (\$25,000) per violation. Per comments provided by the CQA, the estimated number of violators per annum would be approximately sixty (60). Using a conservative estimate of thirty (30) violators, the average cost of incidents with incursions (e.g., overtime, fuel, equipment, etc.) is approximately \$107,100 per annum. Conversely, with the proposed fine of no less than Twenty-Five Thousand Dollars (\$25,000) per violation, there is a potential fine collection of approximately \$750,000 per annum which would offset the aforementioned cost impact.