

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
355-37 (COR)	Joe S. San Agustin Roy A. B. Quintana Tina Rose Muña Barnes William A. Parkinson Dwayne T.D. San Nicolas Amanda L. Shelton Christopher M. Dueñas Jesse A. Lujan Thomas J. Fisher	AN ACT TO APPROPRIATE REVENUES IN EXCESS OF ADOPTED REVENUES IN PUBLIC LAW 37-42, THE FISCAL YEAR 2024 BUDGET LAW, AS ENUMERATED IN THE CONSOLIDATED REVENUE EXPENDITURE REPORT OF AUGUST 2024.	9/13/24 3:55 p.m.	9/17/24	Committee on General Government Operations and Appropriations	Request: 9/17/24 9/25/24			



COMMITTEE ON RULES

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

September 25, 2024

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

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

Subject: **Fiscal Note for Bill No. 355-37 (COR)**

Håfa Adai yan Biba Guåhan!

Find the attached, Fiscal Note for the following bill:

Bill No. 355-37 (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. 355-37 (COR)**

AN ACT TO APPROPRIATE REVENUES IN EXCESS OF ADOPTED REVENUES IN PUBLIC LAW 37-42, THE FISCAL YEAR 2024 BUDGET LAW, AS ENUMERATED IN THE CONSOLIDATED REVENUE EXPENDITURE REPORT OF AUGUST 2024.

Department/Agency Appropriation Information

Dept./Agency Affected: N/A; Multiple Agencies		Dept./Agency Head: N/A	
Department's General Fund (GF) appropriation(s) to date:			\$0
Department's Other Fund to date:			\$0
Total Department/Agency Appropriation(s) to date:			\$0

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 Appropriations (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/	1/	\$0	\$0	\$0	\$0
Special Fund	\$0	\$0	\$0	\$0	\$0	\$0
Total	1/	1/	\$0	\$0	\$0	\$0

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

Analyst: <u>Jason Baza</u>	Date: <u>9/24/24</u>	Director: <u>Lester L. Carlson, Jr.</u>	Date: <u>SEP 25 2024</u>
Jason Baza, BMA Admin.		Lester L. Carlson, Jr., Director	

Notes:
1/ See attached comments.

**BUREAU OF BUDGET AND MANAGEMENT RESEARCH
COMMENTS ON BILL NO. 355-37 (COR)**

The proposed legislation intends to appropriate a total of Thirty-Six Million Seven Hundred Twenty-One Thousand Sixty Dollars (\$36,721,060) from the Fiscal Year 2024 General Fund revenues collected in excess of the adopted levels enumerated in P.L. 37-42, as amended, to the following agencies:

Bill No. 355-37 (Supplemental Approp. Bill)	
Sec. 1(a) - DOA (\$200 increase for COLA)	\$1,514,600.00
Sec. 1(b) - GDOE (Maintenance)	\$10,000,000.00
Sec. 1(c) - DISID (Operations)	\$750,000.00
Sec. 1(d) - UOG (Repairs, Maint., and CIP)	\$4,000,000.00
Sec. 1(e) - BWA (Guahan Doula Project)	\$400,000.00
Sec. 1(f) - GPD (HVAC System)	\$2,000,000.00
Sec. 1(g) - GPD (Police Officer Trainees)	\$361,770.00
Sec. 1(h) - GFD (Firefighter Recruits)	\$794,061.00
Sec. 1(i) - DOC (Correction Officer Recruits)	\$270,600.00
Sec. 1(j) - GACSC (Increased enrollment cap)	\$2,808,000.00
Sec. 1(k) - DOA (Guam Fisherman's Co-op)	\$500,000.00
Sec. 1(l) - GDOE (Parent Teacher Organizations)	\$205,000.00
Sec. 1(m) - GBHWC (Drug & Alcohol Detox Programs)	\$750,000.00
Sec. 1(n) - GPD (School Resource Officers)	\$1,500,000.00
Sec. 1(o) - GDOE (Opioid Antagonists)	\$25,000.00
Sec. 1(p) - COA (Annual Oceania Customs Org. Conf.)	\$100,000.00
Sec. 1(q) - UOG (Guam Cancer Trust Fund)	\$2,000,000.00
Sec. 1(r) - OHAPP (Operations)	\$1,064,661.00
Sec. 1(s) - GHC (Guam Housing Trust Fund)	\$1,000,000.00
Sec. 1(t) - GCC (WICHE & PSEP Program)	\$1,966,925.00
Sec. 1(u) - DOA (Credit Card Convenience Fees)	\$4,710,443.00
Total Appropriations in Bill No. 355-37	\$36,721,060.00

It should be noted that there are several legislative measures introduced that seek to utilize the FY 2024 General Fund net unobligated revenues. Of those introduced legislative measures, eight (8) are contained in the subject Bill No. 355-37, which amounts to a total of \$16,596,925 worth of appropriations:

Total Appropriation in Bill No. 355-37 (A)	\$36,721,060.00
Appropriation Measures Already Introduced , but contained in Bill 355-37	
Bill No. 284-37 (GCC - WICHE & PSEP Program)	\$966,925.00
Bill No. 309-37 (GHC - Guam Housing Trust Fund)	\$1,000,000.00
Bill No. 318-37 (BWA - Guahan Doula Project)	\$400,000.00
Bill No. 345-37 (GPD - School Resource Officers)	\$1,500,000.00
Bill No. 346-37 (GDOE - Parent Teacher Organizations)	\$205,000.00
Bill No. 347-37 (GDOE - Opioid Antagonists)	\$25,000.00
Bill No. 349-37 (GDOE - Maintenance)	\$10,000,000.00
Bill No. 353-37 (UOG - Guam Cancer Trust Fund)	\$2,500,000.00
Subtotal Measures Introduced Individually, but also contained in Bill 355-37 (B)	\$16,596,925.00
NET Appropriations in Bill 355-37 Not Already Introduced as an Individual Legislation (A-B)	\$20,124,135.00

Per the August 2024 Consolidated Revenue and Expenditure Report (CRER), the projected net unobligated FY 2024 General Fund Revenue amounts to \$37,939,128. After accounting for the \$16,596,925 in appropriations that are introduced in both the subject Bill No. 355-37 as well as a stand-alone measure, the subtotal of the competing legislative measures amounts to \$165,447,795, or \$127,508,667 more than the cited projected unobligated General Fund revenues for FY 2024.

August 2024 CRER Net Unobligated Projected FY24 GF Revenue (C)	\$37,939,128.00
Proposed Legislative Measures	
Bill No. 221-37 (GCC - Construction Planning Study)	\$350,000.00
Bill No. 225-37 (GMHA - Nurse Pay Adjustment)	\$5,000,000.00
Bill No. 231-37 (DPR - Naftan Manaina-Ta Shrine)	\$1,500,000.00
Bill No. 234-37 (DOC - Corrections Modernization)	\$15,000,000.00
Bill No. 251-37 (GPD - Law Enforcement Task Force)	\$11,300,000.00
Bill No. 284-37 (GCC - WICHE & PSEP Program)	\$966,925.00
Bill No. 304-37 (GWA - Customer Assist. Prog.)	\$5,000,000.00
Bill No. 308-37 (Gas Tax Relief Extension)	\$7,823,735.00
Bill No. 309-37 (GHC - Guam Housing Trust Fund)	\$1,000,000.00
Bill No. 315-37 (CLTC - CLT Survey & Infra. Fund)	\$9,000,000.00
Bill No. 316-37 (DISID - Private Care Services)	\$50,000.00
Bill No. 318-37 (BWA - Guahan Doula Project)	\$400,000.00
Bill No. 321-37 (GDOE - SSHS Temporary Campus)	\$7,000,000.00
Bill No. 322-37 (GWA - Wastewater Infrastructure)	\$15,000,000.00
Bill No. 325-37 (CLTC - Clean/Repair Lot No. 7161-R1)	\$300,000.00
Bill No. 331-37 (DPR - Park Improvement/Repair)	\$5,000,000.00
Bill No. 341-37 (Guam Preservation Trust)	\$3,500,000.00
Bill No. 344-37 (GDOE Chamoru Studies)	\$500,000.00
Bill No. 345-37 (GPD - School Resource Officers)	\$1,500,000.00
Bill No. 346-37 (GDOE - Parent Teacher Organizations)	\$205,000.00
Bill No. 347-37 (GDOE - Opioid Antagonists)	\$25,000.00
Bill No. 348-34 (GDOE - After Hour Security)	\$3,075,000.00
Bill No. 349-37 (GDOE - Maintenance)	\$10,000,000.00
Bill No. 352-37 (MCOG - Community Maint. Workers)	\$3,500,000.00
Bill No. 353-37 (UOG - Guam Cancer Trust Fund)	\$2,500,000.00
Bill No. 354-37 (GMHA - Operations)	\$20,000,000.00
Bill No. 355-37 (Supplemental Approp. Bill) (NET) ^{1/}	\$20,124,135.00
Bill No. 357-37 (GPA Credit Round 7)	\$15,828,000.00
Competing Measures Total Appropriation (D)	\$165,447,795.00
Variance (C-D)	(\$127,508,667.00)

^{1/} Reflects net appropriations introduced in Bill 355-37 that are not already introduced as an individual legislation.

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



BUREAU OF BUDGET & MANAGEMENT RESEARCH

OFFICE OF THE GOVERNOR
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LOURDES A. LEON GUERRERO
GOVERNOR

LESTER L. CARLSON, JR.
DIRECTOR

JOSHUA F. TENORIO
LIEUTENANT GOVERNOR

SEP 25 2024

Senator Chris Barnett
Chairperson, Committee on Rules
I Mina' trentai Siette na Liheslaturan Guåhan
Thirty-Seventh Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam, 96910

The Honorable Therese M. Terlaje
Speaker
I Mina' trentai Siette na Liheslaturan Guåhan
Thirty-Seventh Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam, 96910

Re: Additional Comments on Bill No. 355-37 (COR)

Hafa Adai! Senator Barnett & Speaker Terlaje!

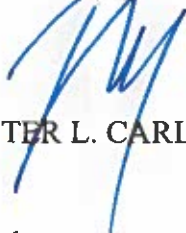
I would like to take this opportunity to remind members of the 37th Guam Legislature of a liability which was discussed at the beginning of the FY 2025 Budget Session regarding “**Aviation Fuel Tax Corrective Action Plan – Arrearages.**”

I have attached correspondence to support the \$9,254,625 due from the period of January 1, 2018 through September 30, 2023 from Aviation Fuel Taxes collected above the \$0.04 per gallon that should have been directed to the A.B. Won Pat International Airport Authority, Guam (GIAA). The Leon Guerrero-Tenorio Administration began remitting the \$0.04 per gallon amount to GIAA at the beginning of FY 2024 and the FY 2025 Budget continues to recognize this liability and only appropriated the applicable Aviation Fuel Tax of \$0.04 per gallon in calculating the Guam Highway Fund allocation for FY 2025. We applaud this recognition by the 37th Guam Legislature, however, there was no appropriation made to address the \$9,254,625 either in whole or in part. Please be reminded that this liability, while is now currently being addressed, remains outstanding and requires action on the part of the Legislature for the arrears to be resolved.

Additionally, the Guam Unique Merchandise and Art (GUMA) Non-Profit Organization was assured funding in FY 2025 during a Public Hearing on Senator Frank Blas, Jr.'s Bill No. 80-37 held on July 19, 2024. GUMA strives to promote local artists, cultural producers and entrepreneurs become self sustaining small businesses.

While I understand the many pressures of funding the critical needs of the Government of Guam and how only a part of these worthy requests can actually be funded, I wanted to remind the Members of the 37th Gaum Legislature of the Aviation Fuel Tax liability and the need to promote locally based entrepreneurs especially given the strong support by Senator's present to direct funding to GUMA at the recently held Public Hearing.

Senseramente,

A handwritten signature in blue ink, appearing to be 'Lester L. Carlson, Jr.', written over the word 'Senseramente'.

LESTER L. CARLSON, JR.

Attachments

cc: All Senators of the 37th Guam Legislature