

*I Mina'trentai Siette Na Liheslaturan Guåhan*  
**BILL STATUS**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
36-37 (COR)	Sabina Flores Perez Chris Barnett Roy A. B. Quinata Joanne Brown William A. Parkinson Jesse A. Lujan Joe S. San Agustin	AN ACT TO ADD A NEW §5428 TO SUBARTICLE A, ARTICLE 9, CHAPTER 5, DIVISION 1, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO ADMINISTRATIVE REVIEW OF CRITICAL GOVERNMENT OF GUAM PROCUREMENT CONTRACT DECISIONS GENERALLY IN EXCESS OF FIVE MILLION DOLLARS (\$5,000,000).	2/9/23 2:22 p.m.	2/10/23	Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning			Request: 2/10/23  2/16/23	



## COMMITTEE ON RULES

Senator Chris Barnett, Chairperson  
*I Mina'trentai Siette Na Liheslaturan Guåhan*  
37<sup>th</sup> Guam Legislature

February 16, 2023

**To:** RennaeVanessa C. Meno  
Clerk of the Legislature

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

**Subject:** Fiscal Note for Bill No. 36-37 (COR)

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*Håfa Adai yan Biba Guåhan!*

Find the attached, Fiscal Note for the following bill:

**Bill No. 36-37 (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.



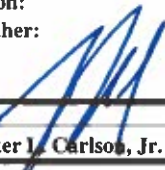
**Bureau of Budget & Management Research  
Fiscal Note of Bill No. 36-37 (COR)**

**BILL NO. 36-37 (COR) IS "AN ACT TO ADD \$5428 TO SUBARTICLE A, ARTICLE 9, CHAPTER 5, DIVISION 1, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO ADMINISTRATIVE REVIEW OF CRITICAL GOVERNMENT OF GUAM PROCUREMENT CONTRACT DECISIONS GENERALLY IN EXCESS OF FIVE MILLION DOLLARS (\$5,000,000).**

Department/Agency Appropriation Information	
Dept./Agency Affected: Office of Public Accountability	Dept./Agency Head: Benjamin Cruz, Public Auditor
Department's General Fund (GF) appropriation(s) to date:	1,653,203
Department's Other Fund (GF) appropriation(s) to date:	371,602
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$2,024,805</b>

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2023 Unreserved Fund Balance		\$0	\$0
FY 2023 Adopted Revenues	\$0	\$0	\$0
FY 2023 Appro. (P.L. 36-107)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
<b>Total:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 202023 (if applicable)	FY 2024	FY 2025	FY 2026	FY 2027
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

- 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: // Yes / / No  
/X/ Requested agency comments not received by due date / / Other: 

Analyst: <u>Karag</u> Katherine Parkinson-Borja	Date: _____	Director: <u>RA-71P</u> Lester L. Carlson, Jr.	Date: <u>FEB 16 2023</u>
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**Notes:**

The proposed legislation intends to establish a new category known as the Critical Procurement Contracts which involves procurement that is "reasonably likely to cost in excess of five million dollars (\$5,000,000)", and details the process for the Administrative Review and Judicial Appeal of Critical Government of Guam Contract Procurement Decisions and a Final Appeal being brought to the Public Auditor and the judicial proceedings authorized in the proposed legislation. The passage of Bill No. 36-37 (COR) would require the Public Auditor to expedite the Administrative Review process of the Final Appeal in accordance with rules and regulations to be adopted and promulgated by the Public Auditor within six (6) months of the effective date of the proposed legislation. Although the proposed bill appears to be administrative in nature, absent additional information from the Office of Public Accountability (OPA), the Bureau is unable to determine the fiscal impact that the bill may have on the OPA and its operations.