

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
64-37 (COR)	William A. Parkinson Roy A. B. Quinata	AN ACT TO REPEAL § 54101 OF ARTICLE 1, CHAPTER 54, TITLE 5 GUAM CODE ANNOTATED, RELATIVE TO REMOVING THE GUAM HIGHWAY COMMISSION.	3/1/23 4:33 p.m.	3/2/23	Committee on Infrastructure, Economic Development, Simon Sanchez High School, Disability Services, Self-Determination and Historic Preservation, Housing, Public Accountability, and the Guam Buildup			Request: 3/2/23 3/31/23	



COMMITTEE ON RULES

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

March 31, 2023

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

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

Subject: **Fiscal Note for Bill No. 64-37 (COR)**

Håfa Adai yan Biba Guåhan!

Find the attached, Fiscal Note for the following bill:

Bill No. 64-37 (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. 64-37 (COR)**

AN ACT TO REPEAL § 54101 OF ARTICLE 1, CHAPTER 54, TITLE 5 GUAM CODE ANNOTATED, RELATIVE TO REMOVING THE GUAM HIGHWAY COMMISSION.

Department/Agency Appropriation Information	
Dept./Agency Affected: Department of Public Works (DPW)	Dept./Agency Head: Vincent P. Arriola, Director
Department's General Fund (GF) appropriation(s) to date: 2% General Fund Reserve-Section 2(I) of P.L. 36-54 (\$10,628,742)	10,628,742
Department's Other Fund (Specify) appropriation(s) to date: Guam Highway Fund (\$12,404,709); Guam Educational Facilities Fund (\$6,889,928);	19,294,637
	29,923,379

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2022 Unreserved Fund Balance		\$0	\$0
FY 2023 Adopted Revenues	\$0	\$0	\$0
FY 2023 Appro. (P.L. 36-107 thru)	\$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 2023 (if applicable)	FY 2024	FY 2025	FY 2026	FY 2027
General Fund	\$0	1/	\$0	\$0	\$0	\$0
Other Fund	\$0	1/	\$0	\$0	\$0	\$0
Total	\$0	1/	\$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? / X / N/A / / 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? If no, indicate reason: / X / Yes / / No
/ X / Requested agency comments not received by due date / / Other:

Analyst: William P. Taitinglong Date: 3/30/23 Director: Lester L. Carlson, Jr., Director Date: MAR 31 2023

Comments:
1/ See attached comments on Bill 64-37 (COR).

Bureau of Budget and Management Research
Comments on Bill No. 64-37 (COR)

The proposed Bill 64-37 (COR) is an act to repeal § 54101 of Article 1, Chapter 54, Title 5 Guam Code Annotated, relative to removing the Guam Highway Commission.

As was noted in a PDN Article dated March 8, 2023, the sponsor of the legislation introduced the measure to remove inactive boards and commission and was in response to a 2018 transition report which recommended that a number of old boards and commissions be abolished as many lack a quorum, and haven't convened in years. The article also noted that legislative authorization is required to eliminate the old boards and commissions and that the Government of Guam has a total of 112 boards and commissions. One of the six identified and listed organizations in the article is the Guam Highway Commission, a holdover from 1971, the responsibilities of which are now handled by the Department of Public Works (DPW).

Pursuant to § 54101(b), the Highway Commission shall consist of the Director of the Department of Public Works, ex officio, who shall be chairman, and four members appointed by the Governor by and with the advice and consent of the *I Liheslaturan Guåhan*. The appointed members serve terms of 3 years. The Highway Commission's duties and responsibilities per § 54101(c) is to review proposed short and long range public highway programs, specifications and standards, and refer same to the Territorial Land Use Commission. According to § 54101(d), the members of the Commission are compensated at the rate of \$50 for each day the Commission meets and not to exceed \$100 per month.

The Bureau has determined the Highway Commission to be currently inactive based on information on Boards and Commissions from the *I Liheslaturan Guåhan's* website, which notes that the appointments or reappointments are pending for the Highway Commission as of July 18, 2012 and remain status quo per the Boards and Commission update as of May 6, 2014.

It should be noted that the Bureau had sought input on the proposed Bill No. 64-37 (COR) from DPW on March 8, 2023 and again on March 15, 2023. The Bureau had received DPW's comments on Bill No. 64-37 (COR) on March 23, 2023. However, the comments received from DPW did not provide information as to the activity or inactivity of the Highway Commission nor indicated if the department is against or in support of Bill 64-37 (COR).

Should Bill 64-37 (COR) be enacted, the Bureau anticipates no current fiscal impact due to no members appointed to the Highway Commission and a cost savings in terms of board stipends as members were to be compensated for attendance at meetings.