

*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
74-37 (LS)	Amanda L. Shelton Tina Rose Muña Barnes Roy A. B. Quinata William A. Parkinson Dwayne T. D. San Nicolas	AN ACT TO ADD A NEW § 26217 TO ARTICLE 2 OF CHAPTER 26, TITLE 11; AND TO ADD A NEW SUBSECTION (g) TO § 13.101 OF ARTICLE 13.1, CHAPTER 1, TITLE 5, ALL OF GUAM CODE ANNOTATED, RELATIVE TO FUNDING THE COMPENSATION OF ADJUDICATED CLAIMS OF THE GREATEST GENERATION OF GUAM FOR THE ATROCITIES SUFFERED DURING THE WORLD WAR II OCCUPATION OF GUAM.	3/3/23 4:27 p.m.	3/7/23	Committee on General Government Operations and Appropriations			Request: 3/7/23  3/15/23	



## COMMITTEE ON RULES

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

March 15, 2023

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

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

**Subject:** Fiscal Note for Bill No. 74-37 (LS)

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*Håfa Adai yan Biba Guåhan!*

Find the attached, Fiscal Note for the following bill:

**Bill No. 74-37 (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. 74-37 (LS)**

**AN ACT TO ADD A NEW § 26217 TO ARTICLE 2 OF CHAPTER 26, TITLE 11; AND TO ADD A NEW SUBSECTION (g) TO § 13.101 OF ARTICLE 13.1, CHAPTER 1, TITLE 5, ALL OF GUAM CODE ANNOTATED, RELATIVE TO FUNDING THE COMPENSATION OF ADJUDICATED CLAIMS OF THE GREATEST GENERATION OF GUAM FOR THE ATROCITIES SUFFERED DURING THE WORLD WAR II OCCUPATION OF GUAM.**

**Department/Agency Appropriation Information**

<b>Dept./Agency Affected:</b> Department of Revenue and Taxation (DRT)	<b>Dept./Agency Head:</b> Dafne Mansapit-Shimizu, Director
<b>Department's General Fund (GF) appropriation(s) to date:</b>	\$13,555,858
<b>Department's Other Fund appropriation(s) to date:</b> Banking and Insurance Enforcement Fund (\$433,783); Better Public Service Fund (\$1,251,802); Tax Collection Enhancement Fund (\$704,824)	\$2,389,409
<b>Total Department/Agency Appropriation(s) to date:</b>	\$15,945,267

**Fund Source Information of Proposed Appropriation**

	General Fund:	Special Fund:	Total:
FY 2022 Unreserved Fund Balance	\$0	\$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>	\$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	1/	1/	1/	1/	1/	1/
Special Fund	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	1/	1/	1/	1/	1/	1/

- 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? /X/ Yes // No  
 If no, indicate reason: \_\_\_\_\_ // Other  
 /X/ Requested agency comments not received by due date: DRT

Analyst: Raymond Rieta, BMA III Date: 2/14/23 Director: Lester L. Carlson, Jr., Director Date: MAR 14 2023

Notes:  
 1/ See Additional Comments.

**Bureau of Budget & Management Research**  
**Comments on Bill No. 74-37 (LS)**

Bill No. 74-37 proposes to add a new § 26217 to Article 2 of Chapter 26, Title 11, Guam Code Annotated (GCA) to allow Business Privilege Tax (BPT) Tax Credits in lieu of cash payments to adjudicated Guam World War II claimants. The total amount of credits against unpledged BPT authorized under this proposed section is not to exceed \$75M over a 5-year period, beginning after tax year ending December 31, 2020 and ending before January 1, 2026.

The Bill also proposes to add § 13.101 of Article 13.1, Chapter 1, Title 5, GCA authorizing the Department of Administration to deposit into the Guam War Claims Fund \$15M each fiscal year for 5 years, beginning Fiscal Year 2024, from the General Fund revenues received from the duties, taxes, and fees collection under Section 30 of the Organic Act of Guam. The new section further expands claimant eligibility awarding payments to Compensable Guam Victims and their Survivors who failed to meet the 1 year filing deadline and to Claimants regardless of their date of death.

The total fiscal impact of this proposed legislation is approximately \$150M over a five-year period (\$75M from BPT tax credits and \$75M from Section 30 Revenues). This equates to approximately \$30M a fiscal year from revenue sources that are deposited into the General Fund and correspondingly results in reduced funding for Government of Guam operations.