

I Mina'trentai Singko 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
314-35 (LS)	Sabina Flores Perez Tina Rose Muña Barnes Clynton E. Ridgell	AN ACT TO <i>AMEND</i> §§ 34.10, 34.30, 34.40 AND 34.50, ALL OF CHAPTER 34, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE PREVENTION AND PROSECUTION OF WILDFIRES AS A THREAT TO PERSONS, PROPERTY, AND THE ENVIRONMENT.	3/12/20 8:28 a.m.	4/17/20	Committee on Health, Tourism, Historic Preservation, Land, and Justice			4/20/20	



Senator Régine Biscoe Lee,
Chair

Senator Amanda L. Shelton,
Vice Chair

Speaker Tina Rose Muña Barnes,
Member

Vice Speaker Telen Cruz Nelson,
Member

Senator Kelly Marsh (Taitano), PhD,
Member

Senator Sabina Flores Perez,
Member

Senator Clynton E. Ridgell,
Member

Senator Joe S. San Agustin,
Member

Senator Jose "Pedo" Terlaje,
Member

Senator Therese M. Terlaje,
Member

Senator James C. Moylan,
Member

Senator Mary Camacho Torres,
Member and Chair, Subcommittee on Protocol

COMMITTEE ON RULES

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
35TH GUAM LEGISLATURE

April 20, 2020

MEMO

To: **Rennae Meno**
Clerk of the Legislature

From: **Senator Régine Biscoe Lee**
Chair, Committee on Rules

Re: **Fiscal Notes**

Bueñas yan Håfa adai,

Attached, please find the fiscal note for the following bills:

Bill No. 314-35 (LS)
Bill No. 317-35 (COR)
Bill No. 320-35 (COR)
Bill No. 321-35 (COR)

Please forward the same to Management Information Services (MIS) for posting on our website.

For any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.



Bureau of Budget & Management Research
Fiscal Note of Bill No. 314-35 (LS)

AN ACT TO AMEND §§ 34.10, 34.30, 34.40 AND 34.50, ALL OF CHAPTER 34, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE PREVENTION AND PROSECUTION OF WILDFIRES AS A THREAT TO PERSONS, PROPERTY, AND THE ENVIRONMENT.

Department/Agency Appropriation Information

Dept./Agency Affected: Department of Agriculture	Dept./Agency Head: Chelsa Muna-Brecht, Director
Department's General Fund (GF) appropriation(s) to date:	\$2,706,070
Department's Other Fund appropriation(s) to date: Guam Invasive Species Inspection Fee Fund (\$819,791); Guam Plant Inspection and Permit Fund (\$97,090); Rabies Prevention Fund (\$47,499); and Tourist Attraction Fund (\$405,801)	\$1,370,181
Total Department/Agency Appropriation(s) to date:	\$4,076,251

Fund Source Information of Proposed Appropriation

	General Fund:	Special Fund:	Total:
FY 2019 Unreserved Fund Balance	\$0	\$0	\$0
FY 2020 Adopted Revenues	\$0	0	0
FY 2020 Appro. (P.L. 35-36)	\$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 2020 (if applicable)	FY 2021	FY 2022	FY 2023	FY 2024
General Fund	1/	\$0	\$0	\$0	\$0	\$0
Special Fund	\$0	\$0	\$0	\$0	\$0	\$0
Total	1/	\$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
 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:  Raymond Rieta, BMA II	Date: _____	Director:  Lester L. Carlson, Jr., Director	Date: APR 20 2020
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Notes:
 1/: See additional Comments.

Bureau of Budget & Management Research
Comments on Bill No. 314-35 (LS)

The intent of Bill No. 314-35 is to revise existing laws relative to the prevention and prosecution of wildfires as a threat to persons, property, and the environment. The amendments to §§ 34.10, 34.30, 34.40, & 34.50 of Chapter 34, Title 9 Guam Code Annotated adds the destruction or damage of "forest land" as a punishable offense, whether it be by arson, negligent burning, or criminal mischief, to the existing laws.

Based on comments received from the Department of Agriculture (DOAg), the bill poses no negative fiscal impact to the department. Additional requests for fiscal comment were sent to the Office of the Attorney General (OAG) relative to the subject Bill with no response received to date, however, the Bureau cites previous OAG comments in regards to the introduction of Bill No. 277-35. In reference to Bill No. 277-35, the OAG had commented that the fiscal impact on its office is dependent on the extent to which the proposed creation of a new crime translates into increased caseloads and responsibilities (i.e. reviewing of complaints, charging of individuals, and prosecution). Per the OAG, this will mean additional personnel may be required to take on the additional caseloads. Similarly to Bill No. 277-35, due to the unknown variable regarding the number of caseloads that may arise, the Bureau is unable to determine the amount of personnel needed to handle such caseloads specific to the passage of Bill No. 314-35.