

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
89-35 (COR)	Sabina Flores Perez Kelly Marsh (Taitano), PhD Amanda L. Shelton Clynton E. Ridgell	AN ACT TO ADD A NEW § 70108 TO CHAPTER 70 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO CREATING AND FUNDING AN INVASIVE SPECIES RAPID RESPONSE FUND.	4/12/19 4:46 p.m.	5/2/19	Committee on General Government Operations, Appropriations, and Housing			Fiscal Note Request: 5/3/19 Fiscal Note: 5/20/19	

Senator Amanda L. Shelton,
Vice Chairperson

Speaker Tina Rose Muña Barnes,
Member

Vice Speaker Telen Cruz Nelson,
Member

Senator Kelly Marsh (Taitano), Ph.D.,
Member

Senator Sabina Flores Perez
Member

Senator Clynton E. Ridgell
Member



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SENATOR RÉGINE BISCOE LEE, CHAIR
I MINA 'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
35TH GUAM LEGISLATURE

May 20, 2019

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Chair, Subcommittee on Protocol

MEMO

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

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

Re: **Fiscal Note**

Buenas yan Håfa adai.

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

Bill No. 89-35 (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. 89-35 (COR)

AN ACT TO ADD A NEW § 70108 TO CHAPTER 70 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO CREATING AND FUNDING AN INVASIVE SPECIES RAPID RESPONSE FUND.

Department/Agency Appropriation Information	
Dept./Agency Affected: Department of Agriculture	Dept./Agency Head: Chelsa Muña-Brecht
Department's General Fund (GF) appropriation(s) to date:	\$2,987,410
Department's Other Fund (Specify) appropriation(s) to date: Guam Invasive Species Inspection Fee Fund, Guam Plant Inspection and Permit Fund, Rabies Prevention Fund, and Tourist Attraction Fund.	\$1,037,913
Total Department/Agency Appropriation(s) to date:	\$4,025,323

Fund Source Information of Proposed Appropriation			
	General Fund:	Guam Invasive Species Inspection Fee Fund:	Total:
FY 2018 Unreserved Fund Balance		\$0	\$0
FY 2019 Adopted Revenues	\$0	\$463,478	\$463,478
FY 2019 Appro. (P.L. 34-116)	\$0	(\$463,478)	(\$463,478)
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	(\$75,000)	(\$75,000)
Total:	\$0	(\$75,000)	(\$75,000)

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2019 (if applicable)	FY 2020	FY 2021	FY 2022	FY 2023
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Guam Invasive Species Inspection Fee Fund	\$0	\$75,000	\$0	\$0	\$0	\$0
Total	\$0	\$75,000	\$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? / / N/A /X/ Yes / / No
 If no, what is the additional amount required? \$ _____ /X/ N/A
- Does the Bill establish a new program/agency? /X/ Yes / / 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: /X/ Yes / / No
 / / Requested agency comments not received by due date / / Other:

Analyst: <u>Janessa Blas, BMA I</u>	Date: <u>5/12/19</u>	Director: <u>Lester L. Carlson, Jr., Director</u>	Date: <u>MAY 20 2019</u>
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Notes:
 See comments as attached.

Comments on Bill No. 89-35 (COR)

Legislative Bill No. 89-35 (COR) seeks to add a new § 70108 to Chapter 70 of Title 5, Guam Code Annotated, relative to creating and funding an Invasive Species Rapid Response Fund. The intent of the bill is to allow stakeholders to quickly address threats of invasive species on Guam through the establishment of an Invasive Species Rapid Response Fund (ISRRF). Upon enactment, ISRRF will be administered by the Research Corporation of the University of Guam (RCUOG), subject to fiscal authorization by the Department of Agriculture.

As written, the bill would provide a one-time appropriation of seventy-five thousand dollars (\$75,000) from the Guam Invasive Species Inspection Fee fund to the ISRRF in FY2019. However, it should be noted that Public Law 34-116 appropriates the entirety of the FY2019 Adopted Revenues for the Guam Invasive Species Inspection Fee Fund to the Department of Agriculture for the intended purposes outlined in Public Law 31-43.

In order to effectuate the appropriation outlined in the bill, language must be included to amend Public Law 34-116, to either reprogram or de-appropriate/re-appropriate the sum of \$75,000 to ISRRF. Furthermore, it should be noted that the Department of Agriculture stated in its comments to the Bureau on the proposed measure that the establishment of the ISRRF would have minimal to no negative impact on the current budget and programs at the Department and the Biosecurity Division should an amendment to reprogram occur.

Finally, the Bureau would like to note that although the RCUOG acknowledges the need for invasive species rapid response initiatives, they cannot support the bill at this time. As the organization specializes in federal grants management and compliance and does not manage any locally appropriated funds. Furthermore, the University's primary concern is that this bill will set a precedent for RCUOG to manage local funds which is not appropriate for the organization.