



COMMITTEE ON RULES

I Mina'trentai Tres na Liheslaturan Guåhan • The 33rd Guam Legislature

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June 18, 2015

Memorandum

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

From: **Senator Thomas C. Ada** 
Acting Chairperson of the Committee on Rules

Subject: **Fiscal Notes and Fiscal Note Waivers**

Hafa Adai!

Attached please find the fiscal notes and fiscal note waivers for the bill numbers listed below. Please note that the fiscal notes and fiscal note waiver are issued on the bills as introduced.

FISCAL NOTES:

Bill No. 8-33(COR)
Bill No. 67-33(COR) Revised
Bill No. 75-33(COR)
Bill No. 78-33(COR)
Bill No. 87-33(LS)
Bill No. 88-33(LS)
Bill No. 93-33(LS)

FISCAL NOTE WAIVERS:

Bill No. 72-33(COR)
Bill No. 102-33(COR)
Bill No. 119-33(COR)
Bill No. 123-33(COR)

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

Si Yu'os ma'åse'!


2015 JUN 18 PM 3:41

Bureau of Budget & Management Research
Fiscal Note of Bill No. 93-33 (LS)

AN ACT TO RESERVE IN PERPETUITY THE CROWN LANDS PORTION OF "LOT APRA HARBOR RESERVATION B-5" (RETURNED FEDERAL EXCESS LANDS) FOR THE FUTURE EXPANSION OF THE GUAM U.S. VETERANS' MEMORIAL CEMETERY.

| | | | |
|---|--|---|--|
| Dept./Agency Affected: Department of Land Management | | Dept./Agency Head: Michael Borja, Director | |
| Department's General Fund (GF) appropriation(s) to date: | | 334,012 | |
| Department's Other Fund (Specify) appropriation(s) to date: Land Survey Revolving Fund | | 3,095,832 | |
| Total Department/Agency Appropriation(s) to date: | | S3,429,844 | |

| Fund Source Information of Proposed Appropriation | | | |
|---|---------------|-------------------------|--------|
| | General Fund: | (Specify Special Fund): | Total: |
| FY 2014 Unreserved Fund Balance | | \$0 | \$0 |
| FY 2015 Adopted Revenues | \$0 | \$0 | \$0 |
| FY 2015 Appro. (P.L. 32-181 thru 33-07) | \$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 2015 (if applicable) | FY 2016 | FY 2017 | FY 2018 | FY 2019 |
| General Fund | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Special Fund | 1/ | \$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 / / 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 /X/ No
 /X/ Requested agency comments not received by due date / / Other:

Analyst: Jason W. Baza Date: 5/29/15 Director: Jose S. Calvo Date: JUN 18 2015
 Jason W. Baza, BMA I Jose S. Calvo, Director

Footnote:
 1/ See attached comments.

BUREAU OF BUDGET AND MANAGEMENT RESEARCH
COMMENTS ON BILL NO. 93-33 (LS)

The intent of the proposed legislation is to reserve, in perpetuity, the Crown Lands portion of "Lot Apra Harbor Reservation B-5" (Returned Federal Excess Lands) for the future expansion of the Guam U.S. Veterans' Memorial Cemetery.

The proposed legislation stipulates that the existing Guam U.S. Veterans Cemetery will reach maximum burial capacity in about 15 years. Reservation of the subject property will ensure adequate burial space for our Veterans and the preservation of the integrity of a single Cemetery.

Section 3 of the proposed legislation dubs the Department of Land Management (DLM) as responsible for conducting the survey and severance of the Crown Lands portion of Lot B-5 to be used for the Cemetery expansion. Per the DLM Director, utilizing professional services to conduct the subject survey would cost an estimated \$30,000.

The DLM Director has stressed that the subject property known as the Crown Lands are determined to be private lands. For the government to take ownership of private property, two qualifications must be met. First, the intent must be for the lawful good of the public. Second, the owners must be compensated appropriately. The proposed transfer meets the first requirement of intended good of the public, but there is no stipulation of compensation to the property owners, the value of which is determined using the average of two appraisals. Because the subject property has yet to be appraised, the cost of appropriate compensation cannot be determined at this time.