



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature

155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com

E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

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March 26, 2013

Memorandum

To: Reanne Meno
Clerk of the Legislature

From: Senator Rory J. Respicio 
Chairperson, Committee on Rules

Subject: Fiscal Notes

Hafa Adai!

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

FISCAL NOTES:

Bill Nos.: 5-32 (LS), 11-32 (COR), 29-32 (COR), 35-32 (COR), 39-32 (COR), 47-32 (COR), 56-32 (COR), and 59-32 (COR)

WAIVERS:

Bill Nos.: 23-32 (COR), 58-32 (COR), and 67-32 (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'!

2013 MAR 26 AM 11:15
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**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

OFFICE OF THE GOVERNOR

Post Office Box 2950, Hagåtña Guam 96932

EDDIE BAZA CALVO
GOVERNORJOHN A. RIOS
DIRECTORRAY TENORIO
LIEUTENANT GOVERNOR

MAR 25 2013

Senator Rory J. Respicio
Chairperson, Committee on Rules
I Mina'trentai Unu na Liheslaturan Guåhan
The 31st Guam Legislature
155 Hesler Place
Hagåtña, Guam 96932

Hafa Adai Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill Nos.: 5-32(LS), 11-32(COR), 29-32(COR), 35-32(COR), 39-32(COR), 47-32(LS), 56-32(COR), and 59-32(COR), and Fiscal Note Waiver on the following Bill Nos.: 23-32(COR), 58-32(COR) and 67-32(COR).

If you have any question(s), please do not hesitate to call the office at 475-9412/9106.

A handwritten signature in black ink, appearing to read "John A. Rios".

JOHN A. RIOS
Director

Enclosures

cc: Senator Vicente (ben) Pangelinan

Bureau of Budget & Management Research
Fiscal Note of Bill No. 11-32 (COR)

AN ACT TO ADD A NEW ARTICLE 9, TO CHAPTER 63, AND TO AMEND §5215 OF CHAPTER 5; AND TO AMEND §63101, TO ADD A NEW (e) AND (d) TO §63116, AND TO AMEND §63129 OF CHAPTER 63 OF TITLE 5, GUAM CODE ANNOTATED RELATIVE TO CREATING THE GUAM CORAL AND MARINE LIFE PROTECTION ACT.

Department/Agency Appropriation Information

Dept./Agency Affected: Guam Department of Agriculture		Dept./Agency Head: Mariquita F. Taitague, Director	
Department's General Fund (GF) appropriation(s) to date:		2,614,839	
Department's Other Fund (Specify) appropriation(s) to date: Guam Plant Inspection and Permit Fund		85,412	
Total Department/Agency Appropriation(s) to date:		\$2,700,251	

Fund Source Information of Proposed Appropriation

	General Fund:	(Specify Special Fund):	Total:
FY 2012 Unreserved Fund Balance ¹		\$0	\$0
FY 2013 Adopted Revenues	\$0	\$0	\$0
FY 2013 Appro. (P.L. 31-233)	\$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 2013 (if applicable)	FY 2014	FY 2015	FY 2016	FY 2017
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Coral Reef Restoration Fund	1/	\$0	\$0	\$0	\$0	\$0
Total	1/	\$0	\$0	\$0	\$0	\$0

1. Does the bill contain "revenue generating" provisions? /X/ Yes // 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? /X/ N/A // Yes // 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
 // Requested agency comments not received as of the due date // Other:

Analyst: Arthur R. Mariano Date: 3/21/13 Director: John A. Rios, Director Date: MAR 22 2013

Footnote:

1/: See attachment to fiscal note.

Bureau of Budget & Management Research
Attachment to Fiscal Note No. 11-32 (COR)
(for revenue generating provisions)

Projected Multi-Year Revenues					
	Year 1	Year 2	Year 3	Year 4	Year 5
General Fund	\$0	\$0	\$0	\$0	\$0
Coral Reef Restoration Fund	<u>\$60,000</u>	<u>\$60,000</u>	<u>\$60,000</u>	<u>\$60,000</u>	<u>\$60,000</u>
Total	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000

Comments:

1/: Should the subject legislation become law, there is a potential of revenues generated in the form of fine collections. New §63905, Article 9, Chapter 63 of 5 GCA would impose civil penalties for 'natural resource losses' to Guam's coral reefs for occurrences such as reef damages due to vessel anchoring and / or grounding. Fines collected would be deposited into a newly-created Coral Reef Restoration Fund. Based on data provided by the Guam Department of Agriculture, an average of 2-4 grounding incidences occurred per year between 1970 - 2012. While the damage area for most incidences were unknown, of those that *were* known, the damage area ranged between 9 - 600 square meters. Assuming 10 square meters are affected and applying proposed fines in the Bill, approximately \$30K in fines may be collected per incident. With an average of 2-4 incidences occurring per year, the Bureau estimates that between \$60K and \$120K in fines may be collected / realized.

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

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FACSIMILE INFORMATION PAGE

PLEASE DELIVER TO: Senator Rory Respicio

FACSIMILE NUMBER: 472-3547

FROM: BBMR

Total Pages including this page: 23

If you do not receive legible copies of all the pages, please call back as soon

as possible. Phone numbers (671) 475-9412/9450. Fax number (671) 472-2825

RE: Fiscal Note on the following Bill Nos.: 5-32(LS), 11-32(COR), 29-32(COR), 35-32(COR), 39-32(COR), 47-32(LS), 56-32(COR), and 59-32(COR), and Fiscal Note Waiver on the following Bill Nos.: 23-32(COR), 58-32(COR), and 67-32(COR).

COMMENTS: Fiscal Notes to be picked up via Central Files.

Thank You!