



# COMMITTEE ON RULES

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

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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  
*WR*

**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 31<sup>st</sup> 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.

JOHN A. RIOS  
Director

Enclosures

cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research  
Fiscal Note of Bill No. 35-32 (COR)**

**AN ACT TO ADD §§ 61314, 61315, 61316, 61317, 61318, 61319, AND 61320 TO CHAPTER 61 ARTICLE 3 OF 21 GUAM CODE ANNOTATED RELATIVE TO THE ENFORCEMENT OF ZONING LAWS.**

**Department/Agency Appropriation Information**

<b>Dept./Agency Affected:</b> Department of Public Works	<b>Dept./Agency Head:</b> Carl V. Dominguez, Director
<b>Department's General Fund (GF) appropriation(s) to date:</b>	9,774,206
<b>Department's Other Fund (Specify) appropriation(s) to date:</b> Guam Highway Fund & DPW Building and Design Fund	9,160,273
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$18,934,479</b>

**Fund Source Information of Proposed Appropriation**

	General Fund:	(Specify Special Fund):	Total:
<b>FY 2012 Unreserved Fund Balance<sup>1</sup></b>		\$0	\$0
<b>FY 2013 Adopted Revenues</b>	\$0	\$0	\$0
<b>FY 2013 Appro. (P.L. 31-233)</b>	\$0	\$0	\$0
<b>Sub-total:</b>	\$0	\$0	\$0
<b>Less appropriation in Bill</b>	\$0	\$0	\$0
<b>Total:</b>	\$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
<b>General Fund</b>	\$0	\$0	\$0	\$0	\$0	\$0
<b>Zone Enforcement Fund</b>	1/	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	1/	\$0	\$0	\$0	\$0	\$0

1. Does the bill contain "revenue generating" provisions? / x / Yes // No  
 If Yes, see attachment 1/
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? // Yes / x / 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:** Jason W. Baza **Date:** 3/25/13 **Director:** John A. Ribs **Date:** 3-25-13  
 Jason W. Baza, BMA I John A. Ribs, Director

**Footnotes:**  
 1/ See Comments Attached.

**Bureau of Budget & Management Research**  
**Attachment to Fiscal Note No. 35-32 (COR)**  
**(for revenue generating provisions)**

Projected Multi-Year Revenues					
	Year 1	Year 2	Year 3	Year 4	Year 5
General	\$0	\$0	\$0	\$0	\$0
Zone Enforcement Fund	<u>\$2,400</u>	<u>\$2,400</u>	<u>\$2,400</u>	<u>\$2,400</u>	<u>\$2,400</u>
<b>Total</b>	<b>\$2,400</b>	<b>\$2,400</b>	<b>\$2,400</b>	<b>\$2,400</b>	<b>\$2,400</b>

**Comments:**

I/: Should the subject legislation become law, there is a potential of revenues generated in the form of fine collections. New §61317, Chapter 61, Article 3 of 21 GCA enables a fine assessment of \$100 per day after ten (10) days of receipt of the notice of "zoning/land use" violation. New §61318, Chapter 61, Article 3 of 21 GCA creates a "Zone Enforcement Fund" for fines collected through §61317. After contacting DLM, DPW, and the Office of the Attorney General, there is no current statistics regarding the amount of "zoning/land use violations" recorded. Assuming that there are 2-5 violations per month and the fine assessment proposed by this legislation is implemented, approximately \$200 - \$500 in fines may be collected per month. If the rate of 2-5 violations occurs throughout the year, the Bureau estimates that between \$2,400 - \$6,000 in fines may be collected. It should be noted that the numbers reflected do not include the possible receivable funds for violations not dealt with for each day after the 10 day period. (Ex: 15 days after receipt of one violation means that \$500 is owed by the violator of "zoning/land use" regulations.)

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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

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**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!