

I Mina'Trentai Dos Na Liheslaturan Received
Bill Log Sheet

| BILL NO. | SPONSOR | TITLE | DATE INTRODUCED | DATE REFERRED | CMTE REFERRED | PUBLIC HEARING DATE | DATE COMMITTEE REPORT FILED | FISCAL NOTES |
|---------------------|-----------------------------|---|----------------------|---------------|---|---------------------|-----------------------------|---|
| 357-32 (COR) | Michael F.Q. San Nicolas | AN ACT TO PROVIDE TOURISTS WHO ARE VICTIMS OF CRIME WITH EMERGENCY ASSISTANCE, BY ADDING A NEW §30109 TO CHAPTER 30, TITLE 11, GUAM CODE ANNOTATED. | 6/20/14 9:19 a.m. | 06/20/14 | Committee on Municipal Affairs, Tourism, Housing, and Hagatna Restoration and Development Authority | | | Fiscal Note Rquest 06/23/14 Fiscal Note Received 7/17/14 |



COMMITTEE ON RULES

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

July 17, 2014

Memorandum

To: Rennae Meno
Clerk of the Legislature

From: Senator Thomas C. Ada *THA*
Acting Chairperson of the 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 are issued on the bills as introduced.

FISCAL NOTES:

Bill No. 320-32(LS)
Bill No. 323-32(COR)
Bill No. 338-32(COR)
Bill No. 344-32(COR)
Bill No. 352-32(LS)
Bill No. 353-32(LS)
Bill No. 357-32(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'!

2014 JUL 17 PM 1:00 DE

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932EDDIE BAZA CALVO
GOVERNORANTHONY C. BLAZ
ACTING DIRECTORRAY TENORIO
LIEUTENANT GOVERNORJOSE S. CALVO
ACTING DEPUTY DIRECTOR

JUL 15 2014

Senator Rory J. Respicio
Chairperson, Committee on Rules
I Mina'trentai Dos na Liheslaturan Guåhan
The 32nd Guam Legislature
155 Hesler Place
Hagåtña, Guam 96932

Hafa Adai Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill Nos.: 320-32(LS), 323-32(COR), 338-32(COR), 344-32(COR), 352-32(LS), 353-32(LS) and 357-32(COR).

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



ANTHONY C. BLAZ
Acting Director

Enclosures
cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 357-32 (COR)**

AN ACT TO PROVIDE TOURISTS WHO ARE VICTIMS OF CRIME WITH EMERGENCY ASSISTANCE, BY ADDING A NEW §30109 TO CHAPTER 30, TITLE 11, GUAM CODE ANNOTATED.

| Department/Agency Appropriation Information | |
|---|---|
| Dept./Agency Affected: Guam Visitors Bureau | Dept./Agency Head: Karl Pangelinan, General Manager |
| Department's General Fund (GF) appropriation(s) to date: | - |
| Department's Other Fund (Specify) appropriation(s) to date: Tourist Attraction Fund (TAF) | 18,312,134 |
| Total Department/Agency Appropriation(s) to date: | \$18,312,134 |

| Fund Source Information of Proposed Appropriation | | | |
|---|---------------|-------------------------|------------|
| | General Fund: | (Specify Special Fund): | Total: |
| FY 2013 Unreserved Fund Balance | | \$0 | \$0 |
| FY 2014 Adopted Revenues | \$0 | \$0 | \$0 |
| FY 2014 Appro. (P.L. 32-68 through P.L. 32-164) | \$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 2014 (if applicable) | FY 2015 | FY 2016 | FY 2017 | FY 2018 |
| General Fund | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Tourist Attraction Fund (TAF) 1/ | \$0 | \$0 | \$100,000 | \$100,000 | \$100,000 | \$100,000 |
| Total | \$0 | \$0 | \$100,000 | \$100,000 | \$100,000 | \$100,000 |

- 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? \$ _____
- Does the Bill establish a new program/agency? / / N/A /X/ Yes / / No
If yes, will the program duplicate existing programs/agencies? / / N/A / / Yes /X/ No
Is there a federal mandate to establish the program/agency? / / Yes /X/ No
- Will the enactment of this Bill require new physical facilities? /X/ Yes / / 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:  | Date: 7/11/14 | Director:  | Date: 7-17-14 |
| Joaquin Guerrero, BMA I | | Anthony C. Blaz, Acting Director | |

Footnotes:
1/ See attached comments.

Bureau of Budget and Management Research
Comments on Bill No. 357-32 (COR)

The proposed legislation is aimed at seeking to provide tourists who are victims of crime with emergency assistance by adding a new §30109 to Chapter 30 of Title 11, Guam Code Annotated and shall be cited as the "Responsible Tourist Emergency Assistance Act."

The intent of the proposed legislation is to create a Tourist Emergency Expense Account (TEEA) as a subaccount of the Tourist Attraction Fund (TAF), which will be administered by the Guam Visitors Bureau (GVB). The TEEA will be separate and apart from all other governmental funds; and on the beginning of each fiscal year, starting October 1, 2014, funds will be transferred to the newly created account from the TAF to have a balance of One Hundred Thousand Dollars (\$100,000) at the commencement of each fiscal year. GVB will manage this account to provide financial assistance to tourists who are victims of crime on Guam during their vacation stay as needed and the account shall not be subject to transfer authority of the Governor of Guam. If funds in the account are exhausted during the fiscal year, GVB may request for an appropriation of funds from the TAF into the TEEA.

The proposed legislation states funds will be used to help tourist victims recover necessary travel documents or emergency medical care arising from a criminal act and cover travel costs and other qualified expenses for tourists who were witnesses or victims of a crime so they could provide testimony during a court or jury trial for proceedings initiated by the Office of the Attorney General. The Bureau shall be the one to determine whether a tourists applying for assistance is in fact the victim of a crime during their stay on Guam with the presentation of a police report being sufficient evidence that a crime has been committed against the tourist in question. Should the Bill be enacted, it will pose a fiscal impact on the FY2015 Estimated Revenues of the TAF and it may also affect the various items to be funded by the TAF under the Governor's Executive Budget Request for FY2015.

Lastly, it should be noted that Bill No. 357-32 (COR) also adds under Section 4 a new §30110 to Chapter 30, Title 11, Guam Code Annotated, but the Bill's preamble only cites the adding of a new §30109. Therefore, an adjustment should be made on the Bill within its preamble to also state the adding of a new §30110 to Chapter 30 of Title 11, Guam Code Annotated.



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June 23, 2014

VIA E-MAIL
joey.calvo@bbmr.guam.gov

Jose S. Calvo
Acting Director
Bureau of Budget & Management Research
P.O. Box 2950
Hagåtña, Guam 96910

RE: Request for Fiscal Notes– Bill Nos. 356-32 (COR) through 358-32(COR)

Hafa Adai Mr. Rios:

Transmitted herewith is a listing of *I Mina'trentai Dos na Liheslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

Si Yu'os ma'åse' for your attention to this matter.

Very Truly Yours,

Senator Rory J. Respicio
Chairperson of the Committee on Rules

Attachment (1)

Cc: Clerk of the Legislature

| Bill Nos. | Sponsors | Title |
|---------------------|-----------------------------|---|
| 356-32 (COR) | T. C. Ada | AN ACT TO AMEND §8243 OF CHAPTER 8, TITLE 12 OF THE GUAM CODE ANNOTATED, TO PROVIDE THE GUAM POWER AUTHORITY FLEXIBILITY IN FULFILLING THE MANDATES OF PUBLIC LAW 32-140. |
| 357-32 (COR) | Michael F.Q. San Nicolas | AN ACT TO PROVIDE TOURISTS WHO ARE VICTIMS OF CRIME WITH EMERGENCY ASSISTANCE, BY ADDING A NEW §30109 TO CHAPTER 30, TITLE 11, GUAM CODE ANNOTATED. |
| 358-32 (COR) | Michael F.Q. San Nicolas | AN ACT TO FUND THE RESTORATION AND REDEVELOPMENT OF THE MUNICIPALITY OF HAGÁTÑA, BY AMENDING 22 GCA §79501 AND BY ADDING A NEW ITEM (12) TO 5 GCA §22425(q). |



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June 20, 2014

MEMORANDUM

To: Rennae Meno
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Rory J. Respicio
Chairperson of the Committee on Rules

Subject: Referral of Bill No. 357-32(COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 357-32(COR)**.

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Dos na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

Si Yu'os Ma'åse!

Attachment

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2014 (SECOND) Regular Session

Bill No. 357-32 (COR)

Introduced by:

Michael F.Q. San Nicolas 


AN ACT TO PROVIDE TOURISTS WHO ARE
VICTIMS OF CRIME WITH EMERGENCY
ASSISTANCE, BY ADDING A NEW §30109 TO
CHAPTER 30, TITLE 11, GUAM CODE
ANNOTATED.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Short Title. This Act shall be cited as the "Responsible
3 Tourist Emergency Assistance Act."

4 Section 2. Legislative Findings and Intent. *I Liheslatura Guåhan*
5 finds the tourism industry is among the greatest drivers of Guam's
6 economy. Tourists are more likely to come to Guam for the first time or
7 have a repeat visit if they feel safe and are treated well.

8 *I Liheslatura* finds that when tourists are victims of crime, they do not
9 have the usual support mechanisms of family and community that can help
10 them get through the burdens that their victimization brings onto them.
11 Tourists from new tourism markets, like Russia and the People's Republic
12 of China, do not have a consulate on Guam to turn to for help.

2014 JUN 20 9:59 AM


1 It is therefore the intent of *I Liheslaturan Guåhan* that the Guam
2 Visitor's Bureau establishes a response capability to help tourists who have
3 been victims of crime during their stay on Guam.

4 **Section 3. Tourist Emergency Assistance.** A *new* §30109 is hereby
5 *added* to Chapter 30, Title 11, Guam Code Annotated, to read:

6 **“§ 30109. Tourist Emergency Assistance.**

7 (a) Tourist Emergency Expense Account. There is hereby
8 created separate and apart from all other governmental funds a
9 Tourist Emergency Expense Account (TEEA), which shall be a
10 subaccount to the Tourist Attraction Fund (TAF) administered by the
11 Guam Visitor's Bureau to provide financial assistance, as needed, to
12 tourists who are victims of a crime on Guam during their vacation
13 stay. The account shall not be subject to the transfer authority of *I*
14 *Maga'lahaen Guåhan*.

15 (b) Administration of the Tourist Emergency Expense Account.
16 On the beginning of each fiscal year, starting October 1, 2014, such
17 funds shall be transferred to the Tourist Emergency Expense Account
18 from the Tourist Attraction Fund as codified in § 30107 of this
19 Chapter to have a balance of one hundred thousand dollars
20 (\$100,000) in the account at the commencement of each fiscal year. If
21 the account is exhausted during the fiscal year, the Guam Visitor's
22 Bureau may request additional funding be appropriated from the
23 Tourist Attraction Fund to the Tourist Emergency Expense Account

1 by *I Liheslatura*. Starting October 1, 2014 each fiscal year there shall
2 be authorized up to one hundred thousand dollars (\$100,000) from
3 the Tourist Emergency Expense Account to the Guam Visitor's
4 Bureau to provide financial assistance, as needed, to tourists who are
5 victims of a crime on Guam during their vacation stay.

6 (c) Certification and Reporting. The General Manager of the
7 Guam Visitor's Bureau shall appoint no less than two certifying
8 officers who shall jointly account for expenses paid out of the Tourist
9 Emergency Expense Account, as needed. Such expenses shall not be
10 subject to the provisions of Chapter 5 of Title 5, Guam Code
11 Annotated. At the end of each fiscal quarter, the Guam Visitor's
12 Bureau shall transmit to the Speaker of *I Liheslatura* a report of the
13 expenses paid out of the Tourist Emergency Expense Account by
14 object category and payee of each itemized expense.

15 (d) Qualification of a Tourist for Emergency Assistance. The
16 Guam Visitor's Bureau shall determine whether a tourist applying for
17 assistance is a bona fide victim of a crime during their stay on Guam.
18 A police report shall be sufficient evidence that a crime has been
19 committed against the tourist in question.

20 (e) Qualified Expenses. The following are qualified expenses for
21 the purposes of this Act for victims and their accompanying
22 dependents, as needed, provided that such expenses are not already
23 covered by any pre-existing travel insurance afforded to the victims.

1 Expenses are limited to the listed categories, and the Guam Visitor's
2 Bureau is encouraged and authorized to exercise prudence in
3 determining assistance rendered commensurate with the victim's
4 need on a case by case basis:

5 (1) Replacement costs for necessary travel documents
6 such as Visas or Passports, as needed. No other personal items
7 may be replaced.

8 (2) Lodging costs per night no greater than those
9 incurred on a per night basis prior to crime victimization, for
10 the remaining duration of the tourists' stay as evidenced by the
11 return date of their airline ticket, or the time required for
12 replacement of needed travel documents such as Visas or
13 Passports, as needed.

14 (3) Non-Lodging Per diem equal to the stated daily
15 federal rate for Guam, for the remaining duration of the victims
16 stay as evidenced by the return date of their airline ticket, or the
17 time required for the replacement of needed travel documents
18 such as Visas or Passports, as needed.

19 (4) Procurement of any necessary medical supplies or
20 services at the Guam Memorial Hospital or the Guam
21 Behavioral Health and Wellness Center in order to maintain a
22 level of health consistent with their general vitality prior to
23 victimization, or arising as a direct result of their victimization

1 not to exceed such time as required for their safe return, both as
2 needed.

3 (5) Additional travel accommodations arising from
4 victimization that include medical assistance limited only to the
5 victim, and such travel extension costs necessary due to time
6 delays in replacement of Visas or Passports, both as needed.

7 (6) Travel costs and other qualified expenses stated in
8 this Act for tourists who were witnesses or victims of crime to
9 provide their testimony during a court or jury trial, for
10 proceedings initiated by the Office of the Attorney General of
11 Guam, as needed.

12 (7) Procurement of necessary translation services from
13 the pool of translation service providers of record with the
14 Judiciary of Guam, for the purpose of facilitating any service
15 provisions identified herein, as needed.

16 (f) Cost Recovery. Notwithstanding any other provision of law,
17 the Guam Visitor's Bureau shall submit to the Attorney General of
18 Guam the costs incurred against the Tourist Emergency Expense
19 Account for recovery from associated perpetrators as part of their
20 adjudication. All such recoveries shall reimburse the Tourist
21 Attraction Fund."

1 **Section 4. Tourist Emergency Expense Account Audit.** *A new*
2 §30110 is hereby *added* to Chapter 30, Title 11, Guam Code Annotated, to
3 read:

4 “**§ 30110. Tourist Emergency Expense Account Audit.** The Office of
5 Public Accountability *shall*, on an annual basis, perform an audit on the
6 Tourist Emergency Expense Account and the compliance of expenditures
7 with § 30109 of Chapter 30 Title 11.”

8 **Section 5. Severability.** If any provision of this Act or its application
9 to any person or circumstance is found to be invalid or contrary to law,
10 such invalidity shall not affect other provisions or application of this Act
11 which can be given effect without the invalid provisions or application,
12 and to this end the provisions of this Act are severable.