

*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                                                          |
|---------------------|---------------------------------------------|---------------------------------------------------------------------------------------------------------------|----------------------|---------------|-------------------------------------------------------------------------------------------------------------|---------------------|-----------------------------|-----------------------------------------------------------------------|
| <b>401-32 (COR)</b> | Dennis G. Rodriguez, Jr.,<br>R. J. Respicio | AN ACT TO AMEND CHAPTER V (o)(3) OF PUBLIC LAW 32-181 RELATIVE TO THE PROTECTION OF GUAM'S NATURAL RESOURCES. | 9/22/14<br>4:07 p.m. | 09/22/14      | Committee on Rules, Federal, Foreign, & Micronesian Affairs, Human & Natural Resources, and Election Reform |                     |                             | <b>Fiscal Note Request 9/23/14</b><br><b>Fiscal Note Recd 9/29/14</b> |



**COMMITTEE ON RULES**

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

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Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

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Aline Yamashita  
Member

September 29, 2014

Memorandum

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

From: **Senator Rory J. Respicio**  
*Majority Leader & Rules Chair*

Subject: **Fiscal Notes**

*Hafa Adai!*

Attached please find the fiscal note for the bill number listed below. Please note that the fiscal note is issued on the bills as introduced.

**FISCAL NOTE:**  
Bill No. 401-32(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 SEP 29 PM 2:44

**Bureau of Budget & Management Research  
Fiscal Note of Bill No. 401-32**

**AN ACT TO AMEND CHAPTER V (a)(3) OF PUBLIC LAW 32-181 RELATIVE TO THE PROTECTION OF GUAM'S NATURAL RESOURCES.**

**Department/Agency Appropriation Information**

|                                                                                        |                                                           |
|----------------------------------------------------------------------------------------|-----------------------------------------------------------|
| Dept./Agency Affected: <b>Guam Department of Agriculture</b>                           | Dept./Agency Head: <b>Mariquita F. Taitague, Director</b> |
| Department's General Fund (GF) appropriation(s) to date:                               | <b>3,424,312</b>                                          |
| Department's Other Fund (Guam Plant Insepection & Permit Fund) appropriations to date: | <b>90,131</b>                                             |
| <b>Total Department/Agency Appropriation(s) to date:</b>                               | <b>\$3,514,443</b>                                        |

**Fund Source Information of Proposed Appropriation**

|                                 | General Fund:   | (Specify Special Fund): | Total:          |
|---------------------------------|-----------------|-------------------------|-----------------|
| FY 2014 Unreserved Fund Balance |                 | \$0                     | \$0             |
| FY 2015 Adopted Revenues        | \$648,044,542   | \$0                     | \$648,044,542   |
| FY 2015 Appro. (P.L. 32-181)    | (\$648,044,811) | \$0                     | (\$648,044,811) |
| Sub-total:                      | (\$269)         | \$0                     | (\$269)         |
| Less appropriation in Bill      | \$0             | \$0                     | \$0             |
| <b>Total:</b>                   | (\$269)         | \$0                     | (\$269)         |

**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           | \$118,755            | \$0                                      | \$133,423        | \$133,423        | \$133,423        | \$133,423        |
| (Specify Special Fund) | \$0                  | \$0                                      | \$0              | \$0              | \$0              | \$0              |
| <b>Total</b>           | <b>\$118,755</b>     | <b>\$0</b>                               | <b>\$133,423</b> | <b>\$133,423</b> | <b>\$133,423</b> | <b>\$133,423</b> |

- 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? /X/ N/A    // Yes    // 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: Arthur R. Mariano      Date: 9/26/14      Director: Anthony C. Blaz, Acting Director      Date: **SEP 26 2014**

Footnotes:  
See attachment to fiscal note.

**Bureau of Budget & Management Research**  
**Attachment to Fiscal Note No. 401-32 (COR)**

**Comments:**

Sec. 1 of Bill 401-32 (COR) amends Chapter V (o)(3) of P.L. 32-181 (FY15 Budget Act), to change the positions to be funded in FY15 from Conservation Officer I(s) to Conservation Officer Recruits. The projected fiscal impact on the General Fund (GF) in FY15 is approximately \$118,755 but would increase to \$133,423 in FY16 and prospectively assuming the same three (3) FTE(s) are promoted to Conservation Office I(s). FY15 costs would be covered by the funding authority in the aforementioned Chapter of P.L.32-181. It should be noted that the affected positions are currently 100% federally-funded and were filled via Competitive Limited Term Appointments (CLTA). The Bureau is highly concerned with the proposed *shift* of federally-funded positions to the GF as it may set precedence for other Government of Guam departments to take similar action in order to retain employees hired via CLTA. The proposed Bill also contradicts provisions of P.L. 28-187 relative to CLTA hiring as, in this case, it provides added employment protection to *limited-term* employees and thereby places undue financial pressure on the Government of Guam's GF. Needless to say, the Department has existing mandates that must be met and which the aforementioned appropriation can be applied towards. These include additional personnel and equipment needed by the Department's Animal Health Division to increase its stray animal control efforts as well as funding needs in the Forestry Division due to non-availability of federal matching funds in FY15.



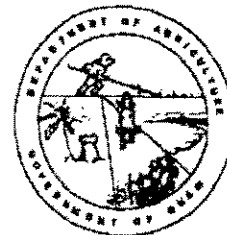
Eddie Baza Calvo  
Governor

Raymond S. Tenorio  
Lieutenant Governor

# Department of Agriculture

## Dipattamenton Agrikottura

163 Dairy Road, Mangilao, Guam 96913



Mariquita F. Taitague  
Director

Matthew L.G. Sablan  
Deputy Director

Director's Office  
Agricultural Development Services  
Plant Nursery  
Aquatic & Wildlife Resources  
Forestry & Soil Resources  
Plant Inspection Station

300-7964, 65, 66; Fax 734-6569  
300-7967, 71  
300-7972  
735-3955/56; Fax: 734-6570  
300-7975,76; Fax: 734-0111  
475-1426/27; FAX: 477-9487

September 25, 2014

To: Art Mariano, BBMR  
From: Director, Department of Agriculture  
Subject: Comment on Bill No. 401-32 (COR)

Pursuant to P.L. 32-181, the Department of Agriculture was budgeted \$425,000 to recruit 11 Competitive Limited Term Appointment (LTA) positions (8 Forestry Aide I and 3 Conservation Officer I) for FY2015. These positions are needed in these Divisions - Forestry & Soil Resources and Aquatic & Wildlife Resources, Law Enforcement Section to replace positions vacated due to separation, retirement or resignation. Thus, the nature of these new hires is a temporary status subject to expiration September 30, 2015.

The Department's General Fund budget ceiling in the amount \$3,00,986 covered existing employees and vacant positions of three (3) Animal Control Officer I with 2 vehicles in the Animal Health Division that village Mayors' continue to insist the dire need of increasing personnel in compliance with local laws that cannot be accomplished with only 3 existing employees to oversee the demand of residents, communities and other entities for assistance for either biting dogs, stray, running at large, sick, vicious or carcasses on roadways or government properties. The approved budget of \$3,424,312 (GF) is inclusive of \$94,955 for Guam Animal In Need (G.A.I.N.), a Non-Profit Organization, and \$425,000 for the new LTA positions, with a remainder of \$2,904,357. This is a reduction of \$105,629 from our budget ceiling.

This reduction from our budget impacted our ability to increase much needed manpower and to fulfill the duties and responsibilities in the Animal Health Division.

The Forestry and Soil Resources is a federal/local match program, and unfortunately, will not receive federal match funding for their FY2014 but with 100% General Fund. (Their match fund grant period would have started June 1, 2014 - May 31, 2015.) The Conservation Recruits (3) were recruited at LTA status with a 100% Federal Fund and will expire 30 September 2014.

*M. F. Taitague*  
MARIQUITA F. TAITAGUE

RECEIVED

SEP 25 2014

Bureau of Budget and  
Management Research



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September 23, 2014

VIA E-MAIL

[joey.calvo@bbmr.guam.gov](mailto: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 No. 397-32 (COR) through 401-32(COR)**

*Hafa Adai* Mr. Calvo:

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 note 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

| <b>Bill Nos.</b>    | <b>Sponsors</b>                                   | <b>Title</b>                                                                                                                                                                                                                        |
|---------------------|---------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>397-32 (COR)</b> | R. J. Respicio, J.T. Won<br>Pat, Ed.D., T. C. Ada | AN ACT TO APPROPRIATE \$600,000 FOR A GYMNASIUM AND SPORTS CLASSROOMS IN NORTHERN GUAM.                                                                                                                                             |
| <b>398-32 (COR)</b> | Aline A. Yamashita, Ph.D.                         | AN ACT TO SUPPORT GUAM'S MUSICIANS AND ENTERTAINERS BY AMENDING §3414 OF ARTICLE 4, CHAPTER 3, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO PERMITTING ON-SALE LICENSEES TO SELL AND SERVE ALCOHOLIC BEVERAGES DURING EXTENDED HOURS. |
| <b>399-32 (COR)</b> | R. J. Respicio                                    | AN ACT TO AMEND § 3218, CHAPTER 3, ARTICLE 2, TITLE 16 OF THE GUAM CODE ANNOTATED TO UPDATE THE CURRENT STANDARDS ON THE SALE OF OLD TIRES.                                                                                         |
| <b>400-32 (COR)</b> | R. J. Respicio                                    | AN ACT TO ADOPT THE UNIFORM ENFORCEMENT OF FOREIGN JUDGMENTS ACT ("UEFJA") AND THE UNIFORM FOREIGN MONEY JUDGMENTS RECOGNITION ACT ("UFMJRA").                                                                                      |
| <b>401-32 (COR)</b> | Dennis G. Rodriguez, Jr.,<br>R. J. Respicio       | AN ACT TO AMEND CHAPTER V (o)(3) OF PUBLIC LAW 32-181 RELATIVE TO THE PROTECTION OF GUAM'S NATURAL RESOURCES.                                                                                                                       |



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Aline Yamashita  
Member

September 22, 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. 401-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 401-32(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



**MINA' TRENTAI DOS NA LIHESLATURAN GUAHAN**  
**2014 (SECOND) Regular Session**

Bill No. 401-32 (COR)

Introduced by:

**D.G. RODRIGUEZ, JR.**  
**R.J. RESPICIO**

**AN ACT TO AMEND CHAPTER V (o)(3) OF PUBLIC LAW 32-181 RELATIVE TO THE PROTECTION OF GUAM'S NATURAL RESOURCES.**

**BE IT ENACTED BY THE PEOPLE OF GUAM:**

**Section 1.** Item (o)(3) of Chapter V, public Law 32-181 is hereby amended, to read:

**“Protection of Guam’s Natural Resources.** The sum of Four Hundred Twenty Five Thousand Dollars (\$425,000) *shall* be allocated from the General Fund appropriation in Subsection (o)(1) to the AGR to pay for salaries and benefits for up to eight (8) additional, Competitive Limited Term Appointment, Forestry I positions to assist in the protection of Guam’s wild land, conservation reserves and urban areas, and to further promote and support the health and productivity of Guam’s forest lands. This allocation *shall* be used in part and as necessary to pay for salaries and benefits for the three (3) Competitive Limited Term Appointment, Conservation ~~Officer~~-I Recruit positions presently filled beyond the federal grant funding, which expires September 30, 2014, with no interruption in service to enforce Guam’s laws and regulations for the protection of fish, wildlife, endangered and threatened species and forestry laws. AGR *shall* submit a status report, *no later than* six (6) months following the enactment of this Act, to I

2014 SEP 22 PM 4:27

*Maga'lahaen Guahan* and to the Speaker of *I Liheslaturan Guahan* relative to the expenditure of funds allocated herein.”

**Section 2. Severability.** If any provision of this Act or its application to any person or circumstance is found to be invalid or contrary to law, such invalidity shall not affect other provisions or applications of this Act which can be given effect without the invalid provisions or application, and to this end the provisions of this Act are severable.

**Section 3. Effective Date.** This Act shall become immediately effective upon enactment.