



## COMMITTEE ON RULES

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

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April 30, 2013

### 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 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.: 62-32 (COR), 63-32(COR), 83-32(COR), 85-32(COR), 87-32(COR), and 97-32(LS)

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 APR 30 PM 1:21

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**OFFICE OF THE GOVERNOR  
Post Office Box 2950, Hagåtña Guam 96932EDDIE BAZA CALVO  
GOVERNORJOHN A. RIOS  
DIRECTORRAY TENORIO  
LIEUTENANT GOVERNOR

APR 29 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.: 62-32(COR), 63-32(COR), 83-32(COR), 85-32(COR), 87-32(COR), and 97-32(LS).

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. 97-32 (LS)**

**AN ACT TO APPROPRIATE AVAILABLE FUNDS FROM THE GUAM/TERRITORIAL HIGHWAY FUND TO DESIGNATE AND PRIORITIZE CERTAIN CAPITAL IMPROVEMENT PROJECTS, PURCHASE HEAVY EQUIPMENT NEEDED BY THE DEPARTMENT OF PUBLIC WORKS FOR FLOOD MITIGATION AND FUND THE DEPARTMENT OF REVENUE AND TAXATION'S TRANSACTION PROCESSING SYSTEM.**

Department/Agency Appropriation Information	
Dept./Agency Affected: Revenue and Taxation	Dept./Agency Head: John P. Camacho, Director
Department's General Fund (GF) appropriation(s) to date:	9,164,180
Department's Other Fund (Specify) appropriation(s) to date: Tax Collection Enhancement Fund \$686,717, Better Public Service Fund \$1,390,554	2,077,271
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$11,241,451</b>

Department/Agency Appropriation Information	
Dept./Agency Affected: Public Works	Dept./Agency Head: Carl Dominguez, Director
Department's General Fund (GF) appropriation(s) to date:	9,774,206
Department's Other Fund (Specify) appropriation(s) to date: DPW Building & Design Fund \$500,769, Guam Highway Fund \$8,659,504 (not included are appropriations under DOA to pay GPA for Public Streetlights: Street Light Fund \$3,590,261, Guam Highway Fund \$3,709,739)	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:	Guam Highway Fund 1/	Total:
FY 2012 Unreserved Fund Balance <sup>1</sup>		\$4,016,684	\$4,016,684
FY 2013 Adopted Revenues	\$0	\$17,209,945	\$17,209,945
FY 2013 Appro. (P.L. 31-233)	\$0	(\$17,209,945)	(\$17,209,945)
Sub-total:	\$0	\$4,016,684	\$4,016,684
Less appropriation in Bill	\$0	(\$3,900,000)	(\$3,900,000)
<b>Total:</b>	<b>\$0</b>	<b>\$116,684</b>	<b>\$116,684</b>

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
Guam Highway Fund 1/	\$0	\$3,900,000	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$3,900,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</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/ 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  
/ / Requested agency comments not received as of the due date /X/ Other: Time constraints

Analyst: Angela Flores, BMA IV Date: 4/24/13 Director: John A. Rios, Director Date: 4/25/13

**Footnotes:** 1/ Based on the FY 2012 released Audit by the Office of Public Accountability for the Territorial Highway Fund FY 2012, the Fund Balance amount is \$4,321,119, but which is committed for highway operations. The FY 2013 current tracking of GHF reflects an amount of \$1,000,000.

### Comments on Bill No. 97-32 (LS)

The bill is seeking to appropriate \$3.9 million from the unappropriated fund balance of the Guam Highway Fund, to Department of Public Works (DPW) to fund costs for certain capital improvement projects, to purchase heavy equipment for flood mitigation purposes, and for road repair and improvement work; and to Department of Revenue and Taxation (DRT) to fund the Transaction Processing System to upgrade and facilitate certain functions.

Section 2 of the proposed legislation lists the items to be funded as follows: **1.** To DPW for flood mitigation purposes: **(A)** Taitano Street, Harmon installation of 680 lineal ft. inlet catch basin to Route 16 - \$146,000; **(B)** Residential unit, Lot 4, Blk 10, Barrigada (Route 10) - \$215,000; **(C)** Lot 6-1, Blk 2, Barrigada (Route 10) - \$300,000; **(D)** Offsite Ironwood access road, Dededo, to include pavement - \$300,000; **(E)** Yigo, various flood mitigation work - \$150,000 **2.** To DPW for acquisition of a long reach excavator, with maintenance agreement - \$200,000 **3.** To DPW for road repair and improvement work primarily to improve traffic safety along Route 4, Ipan adjacent to Jeff's Pirates's Cove, and other areas islandwide with emphasis on the improvement of traffic safety - \$2,189,000 and **4.** To DRT for the Transaction Processing System to improve and facilitate program functions - \$400,000.

Section 3 states that the Department of Public Works and the Department of Administration shall submit a status report on on all capital projects initially authorized under bonds, prior to this proposed legislation under § 1504 of 5 GCA and § 22427, Division 2, 5 GCA (see Attachment). The Section also requires DPW and DOA to report on the status of capital projects and others as per the proposed legislation.

Sections 4 and 5 pertain to Severability and Effective Date under the proposed legislation.

Based on the FY 2012 released Audit by the Office of Public Accountability for the Territorial Highway Fund FY 2012, the Fund Balance amount is \$4,321,119, but which is committed for highway operations. The FY 2013 current tracking of GHF reflects an overage of \$1,955,392.