

I Mina'Trentai Tres 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 |
|-------------------------|---|---|------------------------|----------------------|--|----------------------------|------------------------------------|--|
| 374-33 (COR) | T. C. Ada B. J. F. Cruz Judith T. Won Pat, Ed.D R. J. Respicio | AN ACT TO RESERVE A PORTION OF LOT 5173-1-R2-NEW-R6, MUNICIPALITY OF TAMUNING, CONTAINING AN AREA OF EIGHT (8) ACRES MORE OR LESS, FOR USE AS A CHAMORRO SHRINE AND THE REINTERMENT OF ANCESTRAL REMAINS. | 09/22/16 1:50 p.m. | 09/26/16 | Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement | | | Fiscal Note Request 09/27/16 Fiscal Note 10/19/16 |



COMMITTEE ON RULES

I Mina'trentai Tres na Liheslaturan Guåhan • The 33rd Guam Legislature

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October 19, 2016

Memorandum

To: Rennae Meno
Clerk of the Legislature

From: Senator Rory J. Respicio
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. 363-33(COR)
- Bill No. 373-33(COR)
- Bill No. 374-33(COR)
- Bill No. 375-33(COR)
- Bill No. 378-33(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'!

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**Bureau of Budget & Management Research
Fiscal Note of Bill No. 374-33 (COR)**

AN ACT TO RESERVE A PORTION OF LOT 5173-1-R2-NEW-R6, MUNICIPALITY OF TAMUNING, CONTAINING AN AREA OF EIGHT (8) ACRES MORE OR LESS, FOR USE AS A CHAMORRO SHRINE AND THE REINTERMENT OF ANCESTRAL REMAINS.

| Department/Agency Appropriation Information | |
|---|--|
| Dept./Agency Affected: Chamorro Land Trust Commission | Dept./Agency Head: Michael J. B. Borja, Director |
| Department's General Fund (GF) appropriation(s) to date: | - |
| Department's Other Fund (Specify) appropriation(s) to date: Chamorro Land Trust Operations Fund | 1,002,694 |
| Total Department/Agency Appropriation(s) to date: | \$1,002,694 |

| Fund Source Information of Proposed Appropriation | | | |
|---|---------------|-------------------------|------------|
| | General Fund: | (Specify Special Fund): | Total: |
| FY 2015 Unreserved Fund Balance | | \$0 | \$0 |
| FY 2016 Adopted Revenues | \$0 | \$0 | \$0 |
| FY 2016 Appro. (P.L. 33-66 thru) | \$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 2016 (if applicable) | FY 2017 | FY 2018 | FY 2019 | FY 2020 |
| General Fund | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Chamorro Land Trust Operations Fund | 1/ | \$0 | \$0 | \$0 | \$0 | \$0 |
| Total | 1/ | \$0 | \$0 | \$0 | \$0 | \$0 |

- 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? / / 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: / X / Yes / / No
/ / Requested agency comments not received by due date / / Other:

| | | | |
|--|-----------------------|---|--------------------------|
| Analyst: <u>Jason Baza</u> Jason Baza, BMA II | Date: <u>10/11/16</u> | Director: <u>Jose S. Calvo</u> Jose S. Calvo, Director | Date: <u>OCT 14 2016</u> |
|--|-----------------------|---|--------------------------|

Notes:
1/ See attached comments.

BUREAU OF BUDGET AND MANAGEMENT RESEARCH
COMMENTS ON BILL NO. 374-33 (COR)

The intent of the proposed legislation is to designate and reserve approximately eight (8) acres of Lot No. 5173-1-R2-NEW-R6 in the municipality of Tamuning for use as a Chamorro shrine and the reinterment of ancestral remains. P.L. 21-104 authorized and directed the Department of Parks and Recreation to establish the shrine. However, the public law never designated a specific parcel of land to fulfill its intent.

Per testimony provided by the Department of Land Management (DLM), the subject property cited in the proposed legislation actually depicts an approximate amount of 10.6± acres with an estimated value of \$5,437,630. DLM's testimony also states that P.L. 25-179 declared the highest and best use of the subject property was for commercial development for the purpose of generating revenues for conducting infrastructure improvements on the Chamorro Land Trust Commission's (CLTC) land inventory.

In addition, Section 4 of the proposed legislation states that the DLM shall survey the subject property. DLM's testimony requests for funding authorization to be included to cover the costs of said survey. It should be noted that the cost to survey the subject property was not factored in the DLM/CLTC's current FY17 budget level. DLM's testimony did not include an estimated cost impact to survey the subject property.

By reserving the subject property for the shrine, the CLTC in effect loses acres of land from a valuable asset of its land inventory that has already been planned to be used for commercial leases. Thus, the subject legislation would result in an adverse fiscal impact upon the DLM and the CLTC.