

I Mina'trentai Singko Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
331-35 (COR)	Kelly Marsh (Taitano), PhD Jose "Pedro" Terlaje Telena Cruz Nelson Clynton E. Ridgell Tina Rose Muña Barnes Joe S. San Agustin	ÅKTON PRUTEHI I MANYAMO'NANA GI TIEMPON CHINATSAGA, SA MA PRUTETEHÍ HIT TODOS (PROTECTING OUR FRONTLINE RESPONDERS TO SAVE US ALL ACT); AN ACT TO ADD A NEW § 19805.1 TO ARTICLE 8, OF CHAPTER 19, TITLE 10, GUAM CODE ANNOTATED, OF THE ISLAN GUÅHAN EMERGENCY HEALTH POWERS ACT, RELATIVE TO PROHIBITING OPEN BURN ACTIVITIES AND SUSPENDING BURNING PERMITS DURING A STATE OF PUBLIC HEALTH EMERGENCY.	3/31/20 5:41 p.m.			4/9/20 Waiver of Public Hearing Requirement		4/30/20	



Senator Régine Biscoe Lee,
Chair

Senator Amanda L. Shelton,
Vice Chair

Speaker Tina Rose Muña Barnes,
Member

Vice Speaker Tena Cruz Nelson,
Member

Senator Kelly Marsh (Taitano), PhD,
Member

Senator Sabina Flores Perez,
Member

Senator Clynton E. Ridgell,
Member

Senator Joe S. San Agustin,
Member

Senator Jose "Pedro" Terlaje,
Member

Senator Therese M. Terlaje,
Member

Senator James C. Moylan,
Member

Senator Mary Camacho Torres,
Member and Chair, Subcommittee on Protocol

COMMITTEE ON RULES
I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
35TH GUAM LEGISLATURE

April 30, 2020

MEMO

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

From: **Senator Régine Biscoe Lee**
Chair, Committee on Rules

Re: **Fiscal Note**

Bueñas yan Háfa adai,

Attached, please find the fiscal note for the following bill:

Bill No. 331-35 (COR)

Please forward the same to Management Information Services (MIS) for posting on our website.

For any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.



**Bureau of Budget & Management Research
Fiscal Note of Bill No. 331-35 (COR)**

AKTON PRUTEHI I MANYAMO'NANA GI TIEMPON CHINATSAGA, SA MA PRUTETEH I HIT TODOS (PROTECTING OUR FRONTLINE RESPONDERS TO SAVE US ALL ACT); AND ACT TO ADD A NEW § 19805.1 TO ARTICLE 8, OF CHAPTER 19, TITLE 10, GUAM CODE ANNOTATED, OF THE ISLAN GUÅHAN EMERGENCY HEALTH POWERS ACT, RELATIVE TO PROHIBITING OPEN BURN ACTIVITIES AND SUSPENDING BURNING PERMITS DURING A STATE OF PUBLIC HEALTH EMERGENCY.

Department/Agency Appropriation Information	
Dept./Agency Affected: Guam Fire Department	Dept./Agency Head: Daniel C. Stone, Fire Chief
Department's General Fund (GF) appropriation(s) to date:	\$28,305,721
Department's Other Fund appropriation(s) to date: Enhanced 911 Emergency Reporting System Fund (\$2,165,291), Fire, Life, and Medical Emergency (FLAME) Fund (\$899,047), Tourist Attraction Fund (\$824,374)	\$3,888,712
Total Department/Agency Appropriation(s) to date:	\$32,194,433

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2019 Unreserved Fund Balance	\$0	\$0	\$0
FY 2020 Adopted Revenues	\$0	\$0	\$0
FY 2020 Appro. (P.L. 35-36 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 2020 (if applicable)	FY 2021	FY 2022	FY 2023	FY 2024
General Fund	1/	\$0	\$0	\$0	\$0	\$0
Special 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>Abigail Reyes, BMA III</u>	Date: <u>4/22/2020</u>	Director: <u>Lester L. Carlson, Jr., Director</u>	Date: <u>APR 28 2020</u>
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Notes:
1/ See attached comments.

BUREAU OF BUDGET AND MANAGEMENT RESEARCH
COMMENTS ON BILL NO. 331-35 (COR)

The proposed legislation intends to suspend the issuance of burning permits and effectively prohibit open burning activities during a state of public health emergency. The intent of the proposed legislation is to limit the focus of the island's emergency response system towards addressing the crisis at hand for which the public health emergency is declared. If not properly executed, open burn activities can potentially lead to wildfires, which pose a serious threat to the public and the island's natural resources on top of the current emergency at hand. Further, efforts to extinguish such wildfires will cause limited government resources including emergency responders already addressing an existing public health emergency to be diverted.

Criminal and civil penalties provided in §63708 of Chapter 63, Title 5 Guam Code Annotated (GCA) shall be applicable to those in violation of the proposed legislation. Further, acts of aggravated arson shall be subject to the provisions of §34.20(b), Chapter 34, Title 9 GCA.

The proposed legislation does not contain any additional appropriation clause other than a provision that the Fire Chief may have the ability to "draw upon all available resources of the Guam Fire Department, as reasonably necessary, to respond to the public health emergency." The mandates of this proposed legislation do not appear to require additional resources for the Guam Fire Department (GFD) to perform as no new responsibilities and/or mandates are required in addition to what GFD is already enforcing. As it stands, GFD adopted and currently uses the International Fire Code, which prohibits any type of open burning without a permit. Passage of this proposed legislation poses no fiscal impact to GFD nor the Government of Guam.

It should be noted that the proposed legislation intends to add this new provision as §19805.1 of Article 8, Chapter 19, Title 10 GCA. However, the existing §19805 is for "Compensation". It may be more appropriate to add the new provision as a separate section altogether as the new §19806, which shall then cause the succeeding sections to be renumbered accordingly.