

I Mina'trentai Sais 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
225-36 (COR)	Telo T. Taitague Therese M. Terlaje Joanne Brown Sabina Flores Perez Frank Blas Jr. Joe S. San Agustin	AN ACT TO APPROPRIATE NINETY THOUSAND ONE HUNDRED SIXTY-NINE AND FORTY-ONE HUNDREDTH DOLLARS (\$90,169.40) FROM THE GENERAL FUND (FUND 309 - AGANA FRACTIONAL LOTS) TO THE GUAM ANCESTRAL LANDS COMMISSION AUGMENTING OPERATIONAL CAPACITY TO ADMINISTER ANCESTRAL PROPERTY RIGHT CLAIMS FOR EXCESS LANDS RETURNED BY THE FEDERAL GOVERNMENT.	11/24/21 4:40 p.m.	12/1/21	Committee on General Government Operations, Appropriations, and Housing			Request: 12/2/21 12/15/21	



Vice Speaker

TINA ROSE MUÑA BARNES

CHAIRPERSON, COMMITTEE ON RULES

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December 15, 2021

MEMO

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

From: **Senator Amanda L. Shelton**
Acting Chairperson, Committee on Rules

Re: **Fiscal Note on Bill Nos. 222-36 (COR), 225-36 (COR), and 227-36 (COR)**

Håfa adai,

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

Bill No. 222-36 (COR)

Bill No. 225-36 (COR)

Bill No. 227-36 (COR)

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

If you have 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 AND MANAGEMENT RESEARCH
COMMENTS ON BILL NO. 225-36 (COR)**

The proposed legislation intends to appropriate \$90,169.40 from Fund 309 – Agana Fractional Lots (Fund) of the General Fund to the Guam Ancestral Lands Commission (GALC) to be deposited into the GACL - Survey, Infrastructure, and Development Fund. The funds are to be used to augment the operational capacity of the Commission, with the intent to hire two (2) Land Agent I along with new computers, printers, office equipment/supplies as needed to assist with the digitizing of land document records and to improve the efficiency in responding to the administering of ancestral rights claims for excess land returned by the Federal Government.

In correspondence with the GALC, this proposed appropriation will be a valuable asset in the return of excess federal property to original landowners, by allowing them to hire additional classified employees and purchasing equipment to assist in digitizing documents. Per GALC, they have been faced with a staffing and equipment shortages for years, due to budgetary constraints. The GALC is concerned for the risk of losing “historical knowledge,” should the two unclassified employees be replaced – as well as the eligible retirement of the only classified employee in the GALC office.

Based off the testimony provided by the Department of Administration (DOA) for Bill NO. 152-36 (COR), FUND 309 – Agana Fractional Lots (Fund) carries a balance of \$90,169.40. However, based on further correspondence with the DOA – Division of Accounts, this fund should have been cleared as an uncollectable many years ago, as it is a carry-over balance from FY1987. Per the DOA, the AS400 system is unable to track records as to where the funds were received from. Further, based on the Fiscal Note completed for Bill 152-36 (COR), the Bureau notes that the Agana Fractional Lot Fund – ISF has been inactive for years (per OPA Report No. 19-02). The fund is listed as an accounts receivable and not categorized as an amount due from the General Fund, prompting the Bureau’s determination that the \$90,169.40 will not be collected. Additionally, previous correspondence from the DOA for Bill No. 61-35 (COR) states that the Agana Fractional Lot Fund – ISF is part of the General Fund and cannot have a receivable from itself. If the accounts receivable is not realized, it will be written off, therefore reducing the fund balance to zero dollars (\$0.00). As such, these funds will not be available for transfer to the GALC.

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 152-36 (COR)**

AN ACT TO CLOSE INACTIVE GOVERNMENT OF GUAM SPECIAL FUND ACCOUNTS, AND TO REPEAL ENABLING LEGISLATION OF SUCH INACTIVE GOVERNMENT OF GUAM SPECIAL FUND ACCOUNTS, AS RECOMMENDED BY THE OFFICE OF PUBLIC ACCOUNTABILITY (OPA) PURUSANT TO OPA REPORT NO. 19-02.

Department/Agency Appropriation Information	
Dept./Agency Affected: Department of Administration	Dept./Agency Head: Edward Birn, Director
Department's General Fund (GF) appropriation(s) to date:	\$6,553,394
Department's Other Fund (Specify) appropriation(s) to date: Indirect Cost Fund & Limited Gaming Fund	\$899,606
Total Department/Agency Appropriation(s) to date:	\$7,453,000

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2020 Unreserved Fund Balance		\$0	\$0
FY 2021 Adopted Revenues	\$0	\$0	\$0
FY 2021 Appro. (P.L. 35-99 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 2021 (if applicable)	FY 2022	FY 2023	FY 2024	FY 2025
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? /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? / / 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 Supervisor	Date: <u>6/24/21</u>	Director: <u>Lester L. Carlson, Jr.</u> Lester L. Carlson, Jr., Director	Date: <u>JUN 25 2021</u>
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Notes:

1/ The proposed legislation specifies twenty-eight (28) special funds for closure, most of which have a zero-dollar (\$0.00) balance per OPA Report No. 19-02. However, three (3) of the special funds indicated have negative balances: Autonomous Infrastructure Collection Fund (-\$0.25), Overtime Fund (-\$0.40), and Agana Fractional Lot Fund-ISF (-\$90,169.40).

Whereas both the Autonomous Infrastructure Collection Fund and Overtime Fund are owed a total of \$0.65 from the General Fund, the balance of \$90,169.40 in the Agana Fraction Lot Fund-ISF is listed as an accounts receivable and not categorized as an amount due from the General Fund. Per OPA Report 19-02, the Agana Fractional Lot Fund-ISF has been inactive, prompting the Bureau to determine the \$90,169.40 balance will not be collected prior to closure.

The Bureau notes that the proposed legislation is similar to previously proposed Bill No. 61-35 (COR). Per correspondence with the Department of Administration regarding Bill 61-35 (COR), the Agana Fractional Lot Fund-ISF is part of the General Fund and cannot have a receivable from itself. If the accounts receivable is not realized, it will be written off, therefore reducing the fund balance to zero dollars (\$0.00).

As such, the Bureau recognizes that the closure of the proposed twenty-eight (28) special fund accounts will result in a total cost of Sixty-Five cents (\$0.65) via reimbursement to the Autonomous Infrastructure Collection Fund and Overtime Fund from the General Fund and the recognition of a loss of uncollected revenue in the amount of \$90,169.40 from the Agana Fraction Lot Fund-ISF.