

I Mina'trentai Ocho Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
242-38 (LS)	William A. Parkinson	AN ACT TO <i>AMEND</i> §§ 2102, 2104, 2105, 2110, AND 2111 OF CHAPTER 21, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO REMOVING ANCESTRY-BASED VOTER RESTRICTIONS IN GUAM'S POLITICAL STATUS PLEBISCITE AND ENSURING COMPLIANCE WITH THE FIFTEENTH AMENDMENT TO THE UNITED STATES CONSTITUTION.	12/5/25 1:01 p.m.	1/6/26	Committee on Transportation, Tourism, Customs, Utilities, and Federal and Foreign Affairs.	Request: 1/6/26 1/12/26			




COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson
I Mina'trentai Ocho Na Liheslaturan Guåhan
38th Guam Legislature

January 12, 2026

To: **Rennae V. C. Meno**
Clerk of the Legislature

From: **Vice Speaker V. Anthony Ada** 
Chairperson, Committee on Rules

Subject: **Fiscal Note for Bill No. 242-38 (LS)**

Håfa Adai!

Find the attached, Fiscal Note for the following bill:

Bill No. 242-38 (LS).

I also request that the same be sent to the respective Chairperson of the Standing Committee, to which this bill has been referred. Kindly copy the same to Management Information Services (MIS) for posting on our website.



Bureau of Budget & Management Research

Fiscal Note of Bill No. 242-38 (LS)

AN ACT TO AMEND §2102, 2104, 2110, AND 2111 OF CHAPTER 21, TITLE 1, GUAM CODE ANNOTATED, RELATIVE TO REMOVING ANCESTRY-BASED VOTER RESTRICTIONS IN GUAM'S POLITICAL STATUS PLEBISCITE AND ENSURING COMPLIANCE WITH THE FIFTEENTH AMENDMENT TO THE UNITED STATES CONSTITUTION.

Department/Agency Appropriation Information

Dept./Agency Affected: Commission on Decolonization	Dept./Agency Head: Melvin Won Pat Borja, Director
Department's General Fund (GF) appropriation(s) to date:	\$317,488
Department's Other Fund appropriation(s) to date: Land Survey Revolving Fund	\$0
Total Department/Agency Appropriation(s) to date:	\$317,488

Fund Source Information of Proposed Appropriation

	General Fund:	Special Fund:	Total:
FY 2025 Unreserved Fund Balance	\$0	\$0	\$0
FY 2026 Adopted Revenues	\$0	\$0	\$0
FY 2026 Appr. (P.L. 38-60)	\$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 2026 (if applicable)	FY 2027	FY 2028	FY 2029	FY 2030
General Fund	1/	1/	1/	1/	1/	1/
Special Fund	\$0	\$0	\$0	\$0	\$0	\$0
Total	1/	1/	1/	1/	1/	1/

- | | | | |
|---|---------|----------------------------|---------------------------|
| 1. Does the bill contain "revenue generating" provisions?
If Yes, see attachment | | // Yes | /X/ No |
| 2. Is amount appropriated adequate to fund the intent of the appropriation?
If no, what is the additional amount required? \$ _____ | /X/ N/A | // Yes | // No |
| 3. Does the Bill establish a new program/agency?
If yes, will the program duplicate existing programs/agencies?
Is there a federal mandate to establish the program/agency? | /X/ N/A | // Yes
// Yes
// Yes | /X/ No
// No
/X/ No |
| 4. Will the enactment of this Bill require new physical facilities? | | // Yes | /X/ No |
| 5. Was Fiscal Note coordinated with the affected dept/agency?
If no, indicate reason: | | /X/ Yes
// Other | // No |

Analyst: <u>Michelle Pineda</u> Michelle Pineda, BMA I	Date: <u>1/12/26</u>	Director: <u>Lester L. Carlson, Jr.</u> Lester L. Carlson, Jr., Director	Date: <u>JAN 12 2026</u>
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Notes:
1/ See Additional Comments.

**BUREAU OF BUDGET AND MANAGEMENT RESEARCH
COMMENTS ON BILL NO. 242-38 (LS)**

Bill No. 242-38 seeks to amend § 2102, 2104, 2105, 2110, and 2111 of Chapter 21, Title 1, Guam Code Annotated, relative to removing ancestry-based voter restrictions in Guam’s political status plebiscite and ensuring compliance with the Fifteenth Amendment of the United States Constitution.

I Liheslaturan Guahan finds that the 2000 Plebiscite Law’s classification of “Native Inhabitants of Guam” unlawfully restricted voting based on race or ancestry, a limitation deemed unconstitutional under the Fifteenth Amendment by the Ninth Circuit Court of Appeals in *Davis v. Guam*. The proposed legislation would amend Guam’s Political Status Plebiscite statute to remove any ancestry-based voting qualification and revise the verbiage to include all registered Guam voters, thereby aligning Guam’s laws with the bounds of the United States Constitution.

Based on the attached comment from the Commission on Decolonization (COD), the agency anticipates the need for additional operational funding for the current and succeeding four fiscal years, should the Bill be passed. To prepare for a referendum with revised voter eligibility, COD notes the necessity of a robust educational campaign and expanded outreach. They suggest a Public Information Program budget of \$350,000 consisting of educational and promotional materials, village-level events, annual conferences, and media campaigns. This expansion would subsequently require additional office staff, notably an Executive Director, a position that has been vacant since 2022. Additionally, the Commission emphasizes the importance of international recognition and suggests hosting a United Nations Visiting Mission to witness the referendum. While the Guam Election Commission is responsible for conducting a Political Status Plebiscite, the COD recommends using a separate ballot during the election and proposes that the COD cover the costs associated with ballot production. In light of these anticipated fiscal impacts of Bill No. 242-38, COD proposes to increase its annual budget to \$1,003,178.25 to fulfill the duties associated with the amendments in the Bill.

Commission on Decolonization Proposed Budget Increase – Breakdown:

Item/Activity	Cost
FY 2026 Budget	\$317,488
Public Information Program	\$350,000
Staff	\$195,065
Visiting Mission	\$96,625.25
Political Status Plebiscite – Ballots	\$44,000
Total	\$1,003,178.25