

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 |
|-------------|----------------------|---|--|---------------|---|--------------|---------------------|-----------------------------|-------|
| 61-38 (COR) | William A. Parkinson | AN ACT TO <i>ADD</i> A NEW CHAPTER 36, RELATIVE TO ESTABLISHING THE OFFICE OF THE ELECTED PUBLIC PROSECUTOR, AND TO <i>REPEAL</i> §§ 30104 AND 30104.1, AND <i>AMEND</i> §§ 30102 AND 30109, ALL OF CHAPTER 30, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO RESTORING THE APPOINTED OFFICE OF THE ATTORNEY GENERAL. | 2/14/25 4:55 p.m. ^3/6/25 4:16 p.m. | 3/14/25 | Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement. | 4/1/25 | | | |



COMMITTEE ON RULES

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

April 1, 2025

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. 61-38 (COR)**

Håfa Adai!

Find the attached, Fiscal Note for the following bill:

Bill No. 61-38 (COR).

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. 61-38 (COR)**

AN ACT TO ADD A NEW CHAPTER 36, RELATIVE TO ESTABLISHING THE OFFICE OF THE ELECTED PUBLIC PROSECUTOR, AND TO REPEAL §§ 30104 AND 30104.1, AND AMEND §§ 30102 AND 30109, ALL OF CHAPTER 30, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO RESTORING THE APPOINTED OFFICE OF THE ATTORNEY GENERAL.

| Department/Agency Appropriation Information | |
|--|---|
| Dept./Agency Affected: Office of the Attorney General (OAG) | Dept./Agency Head: Douglas Moylan, Attorney General |
| Department's General Fund (GF) appropriation(s) to date: Operations (\$21,798,530); Cost Sharing Initiative (\$87,690) | 21,807,320 |
| Department's Other Fund (Specify) appropriation(s) to date: | - |
| | \$21,807,320 |

| Fund Source Information of Proposed Appropriation | | | |
|---|---------------|-------------------------|--------|
| | General Fund: | (Specify Special Fund): | Total: |
| FY 2024 Unreserved Fund Balance | | \$0 | \$0 |
| FY 2025 Adopted Revenues | \$0 | \$0 | \$0 |
| FY 2025 Appro. (P.L. 37-125) | \$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 2025 (if applicable) | FY 2026 | FY 2027 | FY 2028 | FY 2029 |
| General Fund | \$0 | 1/ | 1/ | 1/ | 1/ | 1/ |
| Special Fund | \$0 | 1/ | 1/ | 1/ | 1/ | 1/ |
| Total | \$0 | 1/ | 1/ | 1/ | 1/ | 1/ |

- 1. Does the bill contain "revenue generating" provisions? / X / Yes / / No
If Yes, see Attachment.
- 2. Is amount appropriated adequate to fund the intent of the appropriation? / X / N/A / / Yes / / No
If no, what is the additional amount required? \$ _____ / / N/A
- 3. Does the Bill establish a new program/agency? / X / Yes / / No
If yes, will the program duplicate existing programs/agencies? / / Yes / X / No
Is there a federal mandate to establish the program/agency? / / Yes / 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 / / No
/ X / Requested agency comments not received by due date / / Other:

Analyst: William P. Taitingfong Date: 3/29/25 Director: Lester L. Carlson, Jr. Date: MAR 31 2025
 William P. Taitingfong, Acting BMA Supvr. Lester L. Carlson, Jr., Director

Comments:
 1/ See attached comments on Bill 61-38 (COR).

Bureau of Budget and Management Research
Comments on Bill No. 61-38 (COR)

The proposed legislation seeks to add a new Chapter 36, relative to establishing the Office of the Elected Public Prosecutor, and to repeal §§ 30104 and 30104.1, and amend §§ 30102 and 30109, all of Chapter 30, Title 5, Guam Code Annotated, relative to restoring the appointed Office of the Attorney General.

Bill 61-38 is a reintroduction of previously introduced Bill No. 257-37 (COR) in the 37th Guam Legislature with the same intent which is to establish an elected public prosecutor and make the attorney general of Guam a position appointed by the governor.

It should be noted that the Bureau had sought input on the newly proposed Bill 61-38 from the Office of the Attorney General on March 18, 2025 and a follow-up request on March 25, 2025 and has not received any official comments as of the date of this fiscal note.

However, based on comments that was received from the Office of the Attorney General on the previous Bill No. 257-37 (COR), it was noted in the Bureau's Fiscal Note on Bill 257-37 (COR) that the projected cost to bifurcate the Office of the Attorney General would cost a total of \$5,852,381.92. A copy of Fiscal Note 257-37 (COR) is attached for reference.

Absent current detail information from the Office of the Attorney General on the financial impact of the proposed measure, the Bureau is unable to provide an update to the estimated fiscal impact that was given in the Fiscal Note on the Bill 257-37 (COR).