

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
34-36 (COR)	James C. Moylan	AN ACT TO ADD § 51102.30 TO CHAPTER 51 OF TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE POST COMMISSION TO ESTABLISH A STANDARDIZED AND UNIFORMED LAW ENFORCEMENT OFFICER GENERAL FORCE LEADERSHIP STRUCTURE TIER AND PAY SCALE PLAN FOR PEACE OFFICERS, TO BE KNOWN AS "THE POST-ATTRACTION, RETENTION, AND INCENTIVE ACT OF 2021."	1/19/21 9:16 a.m.	1/20/21	Committee on General Government Operations, Appropriations, and Housing			Request: 1/20/21 1/28/21	



Vice Speaker

TINA ROSE MUÑA BARNES

CHAIRPERSON, COMMITTEE ON RULES

I Mina'trentai Sais Na Liheslaturan Guåhan

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January 28, 2021

MEMO

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

From: **Vice Speaker Tina Rose Muña Barnes**
Chairperson, Committee on Rules

Re: **Fiscal Notes**

Buenas yan Håfa adai.

Attached, please find the fiscal notes for the following bills:

Bill No. 6-36 (COR)
Bill No. 32-36 (COR)
Bill No. 34-36 (COR)
Bill No. 36-36 (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 & Management Research
Fiscal Note of Bill No. 34-36 (COR)

AN ACT TO ADD § 51102.30 TO CHAPTER 51 OF TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE POST COMMISSION TO ESTABLISH A STANDARDIZED AND UNIFORMED LAW ENFORCEMENT OFFICER GENERAL FORCE LEADERSHIP STRUCTURE TIER AND PAY SCALE PLAN FOR PEACE OFFICERS, TO BE KNOWN AS "THE POST-ATTRACTION, RETENTION, AND INCENTIVE ACT OF 2021."

Department/Agency Appropriation Information	
Dept./Agency Affected: Guam Community College	Dept./Agency Head: Dr. Mary A.Y. Okada, President
Department's General Fund (GF) appropriation(s) to date: Operations (\$16,074,975); Licensed Practical Nursing Program and Vocational Guidance Program (\$727,696); Lodging Management Program/Pro-Start Program (\$22,960); First Generation Trust Fund Initiative (\$200,000)	\$17,025,631
Department's Other Fund appropriation(s) to date: Manpower Development Fund (\$3,220,000); Territorial Educational Facilities Fund (\$200,400)	\$3,420,400
Total Department/Agency Appropriation(s) to date:	\$20,446,031

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2020 Unreserved Fund Balance	\$0	\$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? / / 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>1/25/2021</u>	Director: <u>Lester L. Carlson, Jr., Director</u>	Date: <u>JAN 28 2021</u>
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Notes:
1/ See attached comments.

BUREAU OF BUDGET AND MANAGEMENT RESEARCH
COMMENTS ON BILL NO. 34-36 (COR)

The proposed legislation intends to add § 51102.30 to Chapter 51 of Title 17, Guam Code Annotated and shall be known as “The POST-Attraction, Retention, and Incentive Act of 2021”. The proposed legislation will authorize the Peace Officer Standards and Training (POST) Commission to establish a Standardized and Uniformed Law Enforcement Officer (LEO) General Force Leadership Structure Tier and General Pay Scale Plan for Category 1 Peace Officers, as defined pursuant to Chapter 3 of Title 27, Guam Administrative Rules and Regulations (GARR). The POST Commission shall have up to 180 days from enactment of this Act to complete this plan and shall be presented to *I Liheslaturan Guåhan* no later than 30 days upon completion, for review and consideration.

Under the proposed legislation, the POST Commission is tasked to develop a Law Enforcement Officer General Schedule which shall identify a general base salary and pay grades of law enforcement officers of the classified service. The POST Commission shall include the advisory of the Guam Federation of Teachers (GFT) and the Civil Service Commission on the completion of the Pay Scale Plan. It should be noted that the proposed Pay Scale Plan encompasses only those Category 1 Peace Officers, as defined pursuant to Chapter 3 of 27 GARR. As such, the Pay Scale Plan will exclude all Fire Fighter Personnel and other personnel listed under Categories 2 and 3 Peace Officers. In addition, it may not include all law enforcement positions that are covered by the current government of Guam Public Safety & Law Enforcement Pay Scale.

The enactment of the proposed legislation will pose an additional fiscal impact in terms of anticipated costs for contractual services to acquire through a request for proposals from qualified human resources and/or compensation consulting firms to conduct a comprehensive compensation study for Peace Officers. Based on an internet query of cost proposals for a similar compensation study for the Police and Fire Departments for the City of Durham, North Carolina, such employee compensation study could cost an estimated \$75,000 or more depending on the number of affected position titles, employees, and the hourly rates and fees of the professional consultants. Although the proposed legislation authorizes the creation of a new Pay Scale Plan for Peace Officers, it does not provide the funding needed for the POST Commission to effectuate the compensation study that is required. The POST Commission could seek the assistance from the Guam Community College (GCC), its designated State Agency, to begin the request for proposals process to obtain cost estimates. After these cost proposals are received, GCC may submit on behalf of the POST Commission, a funding request to *I Liheslaturan Guåhan* for its consideration to conduct the compensation study. It should be noted that per GCC, as the State Agency for the POST Commission, the proposed legislation has no fiscal impact to GCC.

The proposed legislation intends to add a new § 51102.30 to Chapter 51 of Title 7, Guam Code Annotated. It should be noted that there currently exists a § 51102.30 Amendments of Rules and Regulations, added by Public Law 35-79:3. This is a technical error on the proposed legislation that will need to be corrected.