

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
297-36 (LS)	Tina Rose Muña Barnes Mary Camacho Torres Amanda L. Shelton Jose "Pedro" Terlaje	AN ACT TO ADD A NEW ARTICLE 8 TO CHAPTER 3 OF TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO ELIMINATING DISCRIMINATION AND PROMOTING WOMEN'S HEALTH AND ECONOMIC SECURITY BY ENSURING REASONABLE WORKPLACE ACCOMMODATIONS FOR WORKERS WHOSE ABILITY TO PERFORM THE FUNCTIONS OF A JOB ARE LIMITED BY PREGNANCY, CHILDBIRTH, OR A RELATED MEDICAL CONDITION AND TO CITE THIS ACT AS "THE PREGNANT WORKERS FAIRNESS ACT."	4/25/22 2:38 p.m.	4/26/22	Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning			Request: 4/26/22  5/4/22	



Vice Speaker

**TINA ROSE MUÑA BARNES**

**CHAIRPERSON, COMMITTEE ON RULES**

*I Mina'trentai Sais Na Liheslaturan Guåhan*

GUAM CONGRESS BUILDING  
163 CHALAN SANTO PAPA  
HAGÅTÑA, GUAM 96910  
TEL 671-472-2461  
COR@GUAMLEGISLATURE.ORG

May 4, 2022

# MEMO

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

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

**Re:** Fiscal Notes on Bill Nos. 294-36 (COR) through 297-36 (LS)

---

*Håfa adai,*

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

**Bill No. 294-36 (COR)**

**Bill No. 295-36 (LS)**

**Bill No. 296-36 (LS)**

**Bill No. 297-36 (LS)**

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. 297-36 (LS)**

AN ACT TO ADD A NEW ARTICLE 8 TO CHAPTER 3 OF TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO ELIMINATING DISCRIMINATION AND PROMOTING WOMEN'S HEALTH AND ECONOMIC SECURITY BY ENSURING REASONABLE WORKPLACE ACCOMMODATIONS FOR WORKERS WHOSE ABILITY TO PERFORM THE FUNCTIONS OF A JOB ARE LIMITED BY PREGNANCY, CHILDBIRTH, OR A RELATED MEDICAL CONDITION AND TO CITE THIS ACT AS "THE PREGNANT WORKERS FAIRNESS ACT."

**Department/Agency Appropriation Information**

Dept./Agency Affected: Department of Labor	Dept./Agency Head: David M. Dell'Isola, Director
Department's General Fund (GF) appropriation(s) to date:	\$1,243,280
Department's Other Fund (Specify) appropriation(s) to date: Manpower Development Fund - \$1,681,920; Worker's Compensation Fund - \$400,000	<u>\$2,081,920</u>
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$3,325,200</b>

**Fund Source Information of Proposed Appropriation**

	General Fund:	Special Fund:	Total:
FY 2021 Unreserved Fund Balance	\$0	\$0	\$0
FY 2022 Adopted Revenues	\$0	0	0
FY 2022 Appro. (P.L. 36-54)	\$0	0	0
Sub-total:	\$0	0	0
Less appropriation in Bill	\$0	0	0
<b>Total:</b>	<b>\$0</b>	<b>0</b>	<b>0</b>

**Estimated Fiscal Impact of Bill**

	One Full Fiscal Year	For Remainder of FY 2022 (if applicable)	FY 2023	FY 2024	FY 2025	FY 2026
General Fund	1/	\$0	\$0	\$0	\$0	\$0
Special Fund	1/	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	<b>1/</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

- |   |         |         |        |
|---|---------|---------|--------|
| 1. Does the bill contain "revenue generating" provisions?<br>If Yes, see attachment   | // N/A  | /X/ Yes | // No  |
| 2. Is amount appropriated adequate to fund the intent of the appropriation?<br>If no, what is the additional amount required? \$ _____  | /X/ N/A | // Yes  | // No  |
| 3. Does the Bill establish a new program/agency?<br>If yes, will the program duplicate existing programs/agencies?<br>Is there a federal mandate to establish the program/agency? | // N/A  | // Yes  | /X/ No |
| 4. Will the enactment of this Bill require new physical facilities?   | /X/ N/A | // Yes  | /X/ No |
| 5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason:<br>/X/ Requested agency comments not received by due date                                   |         | // Yes  | /X/ No |

Analyst:  Jasmine C. Tereas, BMA I	Date: <u>05/02/2022</u>	Director:  Lester L. Carlson, Jr., Director	Date: <u>MAY 04 2022</u>
--	-------------------------	--	--------------------------

**Notes:**

1/ Please see attachment to Fiscal Note.

**Bureau of Budget & Management Research**  
**Attachment to Fiscal Note No. 297-36 (LS)**  
**(for revenue generating provisions)**

Projected Multi-Year Revenues					
	Year 1 (FY2022)	Year 2 (FY2023)	Year 3 (FY2024)	Year 4 (FY2025)	Year 5 (FY2025)
General Fund	\$0	\$0	\$0	\$0	\$0
Other Fund:	<u>1/</u>	<u>1/</u>	<u>1/</u>	<u>1/</u>	<u>1/</u>
Total	<u>1/</u>	<u>1/</u>	<u>1/</u>	<u>1/</u>	<u>1/</u>

**1/ Estimated Potential Revenue Impact**

Revenue Item	Amount	# per month	\$ per month	\$ per year
Civil Penalty per Violation	\$1,000.00			
		1	\$1,000.00	\$12,000.00
		3	\$3,000.00	\$36,000.00
		5	\$5,000.00	\$60,000.00
Civil Penalty per Subsequent Violations	\$2,000.00			
		1	\$2,000.00	\$24,000.00
		3	\$6,000.00	\$72,000.00
		5	\$10,000.00	\$120,000.00
<b>Total Estimated - Revenue Items Combined</b>				
		<b>1</b>	<b>\$3,000.00</b>	<b>\$36,000.00</b>
		<b>3</b>	<b>\$9,000.00</b>	<b>\$108,000.00</b>
		<b>5</b>	<b>\$15,000.00</b>	<b>\$180,000.00</b>

**Comments:**

If the proposed legislation were to be enacted, the fiscal impact would be contingent on the recorded number of violations and the identity of the revenue account the collections from this provision would be deposited into. Subsection (a) of § 3802 states that a fine of \$1,000 will be imposed for the violators' first offense and \$2,000 for subsequent offenses. The Bureau provides the following estimated potential revenues should there be a total of 1, 3, or 5 violations and civil penalties imposed, and civil penalties for subsequent violations added and recovered per month. The Bureau notes a positive impact on revenue collections; however, the proposed legislation does not specify the fund the revenue generated from this provision would be deposited into. Absent additional information from the Department of Labor, an estimated fiscal impact upon the operations of the department cannot be determined at this time.