

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 |
|-------------|--|---|----------------------|---------------|--|---------------------|-----------------------------|--------------------------------|-------|
| 299-36 (LS) | Mary Camacho Torres<br>Telena Cruz Nelson<br>Therese M. Terlaje<br>Tina Rose Muña Barnes<br>Sabina F. Perez<br>Amanda L. Shelton<br>Jose "Pedro" Terlaje<br>James C. Moylan<br>Christopher M. Dueñas<br>V. Anthony Ada<br>Joe S. San Agustin<br>Frank Blas Jr. | AN ACT TO <i>ADD</i> A NEW § 13301.1 AND § 13301.2 TO CHAPTER 13, TITLE 19 OF THE GUAM CODE ANNOTATED, RELATIVE TO REQUIRING REASONABLE EFFORTS TO PRESERVE AND REUNIFY FAMILIES AND TO ESTABLISHING CIRCUMSTANCES NEGATING REQUIREMENT FOR SUCH REASONABLE EFFORTS; AND TO AMEND §13320(a)-(f) OF CHAPTER 13, TITLE 19 OF THE GUAM CODE ANNOTATED, RELATIVE TO UPDATING DISPOSITION HEARING REQUIREMENTS; AND TO AMEND § 13324 OF CHAPTER 13, TITLE 19 OF THE GUAM CODE ANNOTATED, RELATIVE TO UPDATING THE TIMELINES FOR THE PERMANENT PLACEMENT OF CHILDREN; AND TO FURTHER ADD A NEW § 4303(b)(6), § 4303(b)(7), AND §4303(d) TO ARTICLE 3, CHAPTER 4 OF TITLE 19, GUAM CODE ANNOTATED, RELATIVE TO TERMINATING THE PARENTAL RIGHTS OF A PARENT WHO SUBJECTS A CHILD TO AGGRAVATED CIRCUMSTANCES. | 4/26/22<br>4:43 p.m. | 4/29/22       | Committee on Health, Land, Justice,<br>and Culture |                     |                             | Request: 4/29/22<br><br>5/6/22 |       |



Vice Speaker

**TINA ROSE MUÑA BARNES**

**CHAIRPERSON, COMMITTEE ON RULES**

*I Mina'trentai Sais Na Liheslaturan Guåhan*

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May 6, 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. 299-36 (LS) and 301-36 (LS)**

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*Håfa adai,*

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

**Bill No. 299-36 (LS)**

**Bill No. 301-36 (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. 299-36 (LS)**

BILL NO. 299-36 (LS) IS "AN ACT TO ADD A NEW § 13301.1 AND § 13301.2 TO CHAPTER 13, TITLE 19 OF THE GUAM CODE ANNOTATED, RELATIVE TO REQUIRING REASONABLE EFFORTS TO PRESERVE AND REUNIFY FAMILIES AND TO ESTABLISHING CIRCUMSTANCES NEGATING REQUIREMENT FOR SUCH REASONABLE EFFORTS; AND TO AMEND §13320(a)-(f) OF CHAPTER 13, TITLE 19 OF THE GUAM CODE ANNOTATED, RELATIVE TO UPDATING DISPOSITION HEARING REQUIREMENTS; AND TO AMEND § 13324 OF CHAPTER 13, TITLE 19 OF THE GUAM CODE ANNOTATED, RELATIVE TO UPDATING THE TIMELINES FOR THE PERMANENT PLACEMENT OF CHILDREN; AND TO FURTHER ADD A NEW § 4303(b)(6), § 4303(b)(7), AND §4303(d) TO ARTICLE 3, CHAPTER 4 OF TITLE 19, GUAM CODE ANNOTATED, RELATIVE TO TERMINATING THE PARENTAL RIGHTS OF A PARENT WHO SUBJECTS A CHILD TO AGGRAVATED CIRCUMSTANCES."

| Department/Agency Appropriation Information  |   |
|--|---|
| Dept./Agency Affected: Department of Public Health and Social Services   | Dept./Agency Head: Arthur San Agustin, Director |
| Department's General Fund (GF) appropriation(s) to date:   | 24,785,436                                      |
| Department's Other Fund (Specify) appropriation(s) to date: Environmental Health Fund - \$1,390,435, Healthy Futures Fund - \$13,532,128, Health Professional Licensing Office Revolving Fund - \$296,921, Office of Vital Statistics Revolving Fund - \$239,948, Sanitary Inspection Revolving Fund - \$167,383, Medically Indigent Program Payment Revolving Fund - \$11,708,921 | 28,874,636                                      |
| <b>Total Department/Agency Appropriation(s) to date:</b>   | <b>\$53,660,072</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/                   | 1/                                       | 1/        | 1/        | 1/        | 1/        |
| Special Fund                    | 1/                   | 1/                                       | 1/        | 1/        | 1/        | 1/        |
| <b>Total</b>                    | <b>1/</b>            | <b>1/</b>                                | <b>1/</b> | <b>1/</b> | <b>1/</b> | <b>1/</b> |

- |   |           |         |          |
|---|-----------|---------|----------|
| 1. Does the bill contain "revenue generating" provisions?<br>If Yes, see attachment   | / / N/A   | / / Yes | / X / 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?   | // N/A    | / / Yes | / X / No |
| 5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason:<br>// Requested agency comments not received by due date:                                   | / / Other | /X/ Yes | / / No   |

|  |                         |  |                          |
|--|-------------------------|--|--------------------------|
| Analyst:  | Date: <u>05/04/2022</u> | Director:  | Date: <u>MAY 06 2022</u> |
| Mikael S. Espiritu   |                         | Lester L. Carlson, Jr., Director   |                          |

**Notes:**

1/ Please see attachment

## **Bureau of Budget & Management Research**

### **Comments on Bill No. 299-36 (LS)**

1/: The intent of Bill No.299-36 (LS) is to explicitly define when reasonable efforts to preserve the family are no longer required, to explicitly define the circumstances under which a petition to terminate the parental rights must be filed, and to revise the deadlines for court hearings on children's permanent placement.

The proposed legislation will add a new §13301.1 and §13301.2 to Chapter 13, Title 19 GCA, relative to requiring reasonable efforts to preserve and reunify families and to establishing circumstances negating requirement for such reasonable efforts. In addition, §13320(a)-(f) of Chapter 13, Title 19 will be amended relative to updating disposition hearing requirements; §13324 of Chapter 13, Title 19 GCA will be amended relative to updating the timelines for the permanent placement of children; and §4303(b)(6), §4303(b)(7), and §4303(d) will be added to Article 3, Chapter 4 of Title 19 GCA, relative to terminating the parental rights of a parent who subjects a child to aggravated circumstances.

Per the Department of Public Health and Social Services (DPHSS), the Bill provides timelines in determining placement, permanency, or removal of rights. DPHSS will need to hire more staff for the Division of Children's Wellness (DCW) to meet the aggressive timeline changes that are imposed.

All the above requirements will require the DPHSS to hire additional personnel for the tasks of determining whether the listed conditions are satisfied.

As per correspondence from DPHSS, the Department will need additional staff to handle the added responsibilities of the proposed legislation. The total fiscal impact of the proposed legislation is estimated to be \$530,728 (\$323,437 in Salaries and \$207,291 in Benefits). DPHSS has stated that there are eight (8) (preliminary) positions essential to the implementation of 299-36 (LS) as seen in the table below:

| Position Title           | Number of positions | Salaries             | Benefits             | Total (Salaries + Benefits) |
|--------------------------|---------------------|----------------------|----------------------|-----------------------------|
| Social Worker II         | 3                   | \$ 122,286.00        | \$ 78,030.78         | \$ 200,316.78               |
| Social Worker III        | 4                   | \$ 180,056.00        | \$ 109,105.04        | \$ 289,161.04               |
| Community Program Aide I | 1                   | \$ 21,095.00         | \$ 20,155.26         | \$ 41,250.26                |
| <b>TOTALS</b>            | <b>8</b>            | <b>\$ 323,437.00</b> | <b>\$ 207,291.08</b> | <b>\$ 530,728.08</b>        |

The Bureau notes that the Bill does not appropriate any funds for the additional requirements that DPHSS will have to meet.