

I Mina'Trentai Kuåttro Na Liheslaturan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
235-34 (COR)	Joe S. San Agustin	AN ACT TO APPROVE THE SETTLEMENT BETWEEN THE GOVERNMENT OF GUAM AND JON FERNANDEZ IN THE MATTER OF JON FERNANDEZ V. GUAM EDUCATION BOARD ET AL., DISTRICT COURT CIVIL CASE NO. CV-16-00080, IN ACCORDANCE WITH 1 GCA § 1820.	1/31/18 8:12 a.m.	02/02/18	Committee on Appropriations and Adjudication			Fiscal Note Request 2/5/18 Fiscal Note 2/15/18

Senator Thomas C. Ada,
Vice Chairperson

Speaker Benjamin J.F. Cruz,
Member

Vice Speaker Therese M. Terlaje,
Member

Senator Frank B. Aguon, Jr.,
Member

Senator Telenia C. Nelson,
Member



COMMITTEE ON RULES
SENATOR RÉGINE BISCOE LEE, CHAIR
SIKRITARIAN LIHESLATURAN GUAHAN
I MINA'TRENTAI KUATTRO NA LIHESLATURAN GUÁHAN
LEGISLATIVE SECRETARY • 34TH GUAM LEGISLATURE

Senator Dennis G. Rodriguez, Jr.,
Member

Senator Joe S. San Agustin,
Member

Senator Michael F.Q. San Nicolas,
Member

Senator James V. Espaldon,
Member

Senator Mary Camacho Torres,
Member

February 15, 2018

MEMO

To: Rennae Meno
Clerk of the Legislature

From: Senator Régine Biscoe Lee
Chairperson, Committee on Rules

Re: Fiscal Note

Buenas yan Håfa adai.

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

Bill No. 235-34 (COR)

Please forward the same to Management Information Services (MIS) for posting on our website.

For any questions or concerns, please feel free to contact Jean Cordero, Committee on Rules Director, at 472-3455.

Thank you for your attention to this important matter.



**Bureau of Budget & Management Research
Fiscal Note of Bill No. 235-34 (COR)**

AN ACT TO APPROVE THE SETTLEMENT BETWEEN THE GOVERNMENT OF GUAM AND JON FERNANDEZ IN THE MATTER OF JON FERNANDEZ V. GUAM EDUCATION BOARD et al., DISTRICT COURT CIVIL CASE NO. CV-16-00080, IN ACCORDANCE WITH 1 GCA § 1820.

Department/Agency Appropriation Information

Dept./Agency Affected: Guam Department of Education	Dept./Agency Head: Jon J.P. Fernandez, Superintendent
Department's General Fund (GF) appropriation(s) to date:	225,826,664
Department's Other Fund (Specify) appropriation(s) to date: Territorial Education Facilities Fund (\$4,353,375); Territorial Education Facilities Fund Balance (\$100,000); Limited Gaming Fund (\$608,518); Healthy Futures Fund (\$891,754); Public School Library Resources Fund (\$996,946); School Lunch/Child Nutrition Meal Reimbursement Fund (\$12,504,000)	19,454,593
Total Department/Agency Appropriation(s) to date:	\$245,281,257

Fund Source Information of Proposed Appropriation

	General Fund:	(Specify Special Fund):	Total:
FY 2017 Unreserved Fund Balance		\$0	\$0
FY 2018 Adopted Revenues	\$0	\$0	\$0
FY 2018 Appro. (P.L. 34-42 thru 34-68)	\$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 2018 (if applicable)	FY 2019	FY 2020	FY 2021	FY 2022
General Fund	\$60,000	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$60,000	\$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? / / N/A /X/ 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
/X/ Requested agency comments not received by due date. / / Other:

Analyst: <u>William P. Taitaglong</u>	Date: <u>2/13/18</u>	Director: <u>Lester L. Carlson, Jr.</u>	Date: <u>FEB 14 2018</u>
William P. Taitaglong, BMA Supervisor		Lester L. Carlson, Jr., Acting Director	

Comments:

Bill No. 235-34 (COR) is intended to effect final resolution to litigation involving the government of Guam and Jon Fernandez. The parties have reached a Settlement Agreement and which requires Legislative statutory approval. The Settlement and Release Agreement between Fernandez V. Guam Education Board et al, District Court Civil Case No. CV-16-00080 provides as a condition for dismissal of the claims against the Guam Education Board is that the government of Guam through the Guam Education Board pay the Plaintiff \$60,000 for costs and attorney fees incurred in this litigation. Th Guam Legislature, within forty-five (45) days of transmittal, may either approve the Agreement or make a specific appropriation for the payment of costs noted to satisfy conditions of the Agreement. Should the Legislature approve the Settlement and not make a specific appropriation, the payment of \$60,000 per the Settlement may have to be absorbed by GDOE's FY2018 operating budget.