

I Mina'trentai Singko 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
189-35 (COR)	James C. Moylan	AN ACT TO ADD § 3133 TO CHAPTER 3, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING THE FUNDING OF DEPUTY DIRECTORS TO DEPARTMENTS OF THE EXECUTIVE BRANCH OF GUAM.	8/5/19 1:55 p.m.					8/28/19	

Senator Régine Biscoe Lee
Chair

Senator Amanda L. Shelton
Vice Chair

Speaker Tina Rose Muña Barnes
Member

Vice Speaker Telen Cruz Nelson
Member

Senator Kelly Marsh (Taitano), PhD
Member

Senator Sabina Flores Perez
Member



COMMITTEE ON RULES

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÁHAN

35TH GUAM LEGISLATURE

Senator Clynton E. Ridgell
Member

Senator Joe S. San Agustin
Member

Senator Jose "Pedo" Terlaje
Member

Senator Therese M. Terlaje
Member

Senator James C. Moylan
Member

Senator Mary Camacho Torres
Member and Chair, Subcommittee on Protocol

August 28, 2019

MEMO

To: Rennae Meno
Clerk of the Legislature

From: Senator Régine Biscoe Lee
Chair, Committee on Rules

Re: Fiscal Notes

Buenas yan Håfa adai.

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

Bill No. 141-35 (COR)
Bill No. 148-35 (LS)
Bill No. 189-35 (COR)
Bill No. 192-35 (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 Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this matter.



**Bureau of Budget & Management Research
Fiscal Note of Bill No. 189-35 (COR)**

AN ACT TO ADD A NEW § 3133 TO CHAPTER 3, TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING THE FUNDING OF DEPUTY DIRECTORS TO DEPARTMENTS OF THE EXECUTIVE BRANCH OF GUAM.

Department/Agency Appropriation Information

Dept./Agency Affected: Government of Guam Wide		Dept./Agency Head: Honorable Lourdes A. Leon Guerrero, Governor of Guam	
Department's General Fund (GF) appropriation(s) to date:		\$630,521,037	
Department's Other Fund (Specify) appropriation(s) to date: All Special Funds per P.L. 34-116		\$247,883,441	
Total Department/Agency Appropriation(s) to date:		\$878,404,478	

Fund Source Information of Proposed Appropriation

	General Fund:	(Specify Special Fund):	Total:
FY 2018 Unreserved Fund Balance		\$0	\$0
FY 2019 Adopted Revenues	\$0	\$0	\$0
FY 2019 Appro. (P.L. 34-116)	\$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 2019 (if applicable)	FY 2020	FY 2021	FY 2022	FY 2023
General Fund	1/	\$0	\$0	\$0	\$0	\$0
Special Fund	1/	\$0	\$0	\$0	\$0	\$0
Total	1/	\$0	\$0	\$0	\$0	\$0

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

Analyst: <u>Joaquin Guerrero, BMA II</u>	Date: <u>8/21/19</u>	Director: <u>Lester L. Carlson, Jr.</u>	Date: <u>AUG 28 2019</u>
--	----------------------	---	--------------------------

Footnotes:
1/ See attached comments.

Bureau of Budget and Management Research
Comments on Bill No. 189-35 (COR)

The proposed legislation intends to add a new § 3133 to Chapter 3, Title 5 of the Guam Code Annotated (GCA), relative to prohibiting the funding of deputy directors to departments of the Executive Branch of Guam. The Bill's intent does not prohibit the Governor of Guam from hiring any deputy director under the Executive Branch, assuming that the funding will be provided from the annual budget appropriated for the offices of the Governor and Lieutenant Governor of Guam. The Bill only prohibits the funding of the position from the annual budget appropriation of a respective department of the Executive Branch other than the Governor and Lieutenant Governor's offices.

Should the Bill be enacted into law and based on the chart shown below (Exhibit A), there will be an estimated cost savings of \$1,682,897 from various local fund sources with the elimination of funding for salaries and fringe benefits of unclassified deputy/assistant management positions.

Exhibit A

Unclassified Deputy/Assistant Management Positions						
Department/Agency	Name	Pay Grade/Step	Salary	Fringe Benefits	Salary & Fringe Benefits	FN
BBMR	Vacant	E-U-4	\$91,144	\$32,670	\$123,814	1/
BSP	Matthew C. Santos	E-Q-9	\$80,476	\$26,571	\$107,047	1/
DISID	Vacant	E-R-1	\$65,623	\$25,593	\$91,216	1/
DLM	Vacant (Unfunded)	E-S-1	\$70,873	\$27,048	\$97,921	2/
DOA	Edith C. Pangelinan	E-U-4	\$91,144	\$32,670	\$123,814	1/
DoAG	Vacant	E-P-5	\$64,388	\$25,250	\$89,638	1/
DOC	Joey A. Terlaje	E-U-5	\$94,597	\$33,627	\$128,224	1/
DOL	Gerard A. Toves	E-R-6	\$79,034	\$22,598	\$101,632	1/
DPHSS	Laurent S.F. Duenas	E-T-8	\$98,257	\$34,642	\$132,899	1/
DPR	Victor R. Villagomez	E-S-1	\$70,873	\$27,048	\$97,921	3/
DPW	Jesse G. Garcia	E-U-4	\$91,144	\$30,025	\$121,169	4/
DRT	Michele B. Santos	E-U-4	\$91,144	\$28,178	\$119,322	1/
DYA	Krisinda C. Aguon	E-R-6	\$79,034	\$24,498	\$103,532	1/
GBHWC	Carissa E. Pangelinan	E-S-6	\$85,357	\$31,065	\$116,422	5/
GVB	Robert Alvarez	UNCL	\$94,857	\$33,469	\$128,326	3/
			\$1,247,945	\$434,952	\$1,682,897	

FY 2020 Departmental Proposed Staffing Patterns (FY 2020 Departmental Budget Requests)

Footnotes:

- 1/ General Fund
- 2/ Land Survey Revolving Fund; Position is reflected but not funded in the FY 2020 Proposed Staffing Pattern
- 3/ Tourist Attraction Fund
- 4/ Guam Highway Fund
- 5/ Healthy Futures Fund

GEPA	Vacant	E-R-1	\$65,623	\$25,593	\$91,216
------	--------	-------	----------	----------	----------

* Deputy Administrator is 100% federally funded (U.S. Environmental Protection Agency Consolidated Grant)

It should be noted that the Bill stipulates that the funding for deputy directors shall not originate from the departments pursuant to Article 1 of Chapter 3, Title 5 GCA. However, Article 1 does not specify some departments that are considered part of the Executive Branch of Guam to include: Board of Registration for Professional Engineers, Architects, and Land Surveyors (PEALS), Bureau of Budget and Management Research, Bureau of Statistics and Plans, Chamorro Land Trust Commission, Commission on *CHamoru* Language and the Teaching of the History and Culture of the Indigenous People of Guam, Commission on Decolonization, Contractors License Board, Department of Chamorro Affairs, Department of Integrated Services for Individuals with Disabilities, Guam Ancestral Lands Commission, Guam Educational Telecommunications Corporation (PBS Guam), Guam Election Commission, Guam Environmental Protection Agency, Guam Regional Transit Authority, Guam Solid Waste Authority, *Hagåtña* Restoration and Redevelopment Authority, Office of Post-Mortem Examinations, Office of Technology, and Office of Veterans Affairs.