

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
211-35 (COR)	Telena Cruz Nelson Joe S. San Agustin	AN ACT TO APPROPRIATE AN ADDITIONAL THREE MILLIION SEVEN HUNDRED THOUSAND DOLLARS (\$3,700,000) FOR THE CONSTRUCTION AND/OR RENOVATION OF SIMON SANCHEZ HIGH SCHOOL.	9/24/19 4:07 p.m.	10/9/19	Committee on General Government Operations, Appropriations, and Housing			Request: 12/2/19  12/16/19	

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 GUÅHAN*  
**35<sup>TH</sup> GUAM LEGISLATURE**

December 16, 2019

Senator Clynton E. Ridgell,  
Member

Senator Joe S. San Agustin,  
Member

Senator Jose "Pedro" Terlaje,  
Member

Senator Therese M. Terlaje,  
Member

Senator James C. Moylan,  
Member

Senator Mary Camacho Torres,  
Member and Chair, Subcommittee on Protocol

# MEMO

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

**From:** Senator Régine Biscoe Lee  
Chair, Committee on Rules

**Re:** Fiscal Notes

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*Buenas yan Håfa adai.*

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

**Bill No. 211-35 (COR)**  
**Bill No. 248-35 (LS)**  
**Bill No. 250-35 (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 important matter.



**Bureau of Budget & Management Research**  
**Fiscal Note of Bill No. 211-35 (COR)**

**AN ACT TO APPROPRIATE AN ADDITIONAL THREE MILLION SEVEN HUNDRED THOUSAND DOLLARS (\$3,700,000) FOR THE CONSTRUCTION AND/OR RENOVATION OF SIMON SANCHEZ HIGH SCHOOL.**

**Department/Agency Appropriation Information**

<b>Dept./Agency Affected:</b> Guam Department of Education	<b>Dept./Agency Head:</b> Jon Fernandez, Superintendent
<b>Department's General Fund (GF) appropriation(s) to date:</b>	<b>\$190,233,113</b>
<b>Department's Other Fund appropriation(s) to date:</b> Healthy Futures Fund, Limited Gaming Fund, Public School Library Resources Fund, School Lunch/Child Nutritional Meals Reimbursement Fund, and Territorial Educational Facilities Fund	<b>\$29,621,124</b>
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$219,854,237</b>

**Fund Source Information of Proposed Appropriation**

	<b>General Fund:</b>	<b>(Specify Special Fund):</b>	<b>Total:</b>
<b>FY 2019 Unreserved Fund Balance</b>		\$0	\$0
<b>FY 2020 Adopted Revenues</b>	\$0	\$0	\$0
<b>FY 2020 Appro. (P.L. 35-36 thru )</b>	\$0	\$0	\$0
<b>Sub-total:</b>	\$0	\$0	\$0
<b>Less appropriation in Bill</b>	\$0	\$0	\$0
<b>Total:</b>	\$0	\$0	\$0

**Estimated Fiscal Impact of Bill**

	<b>One Full Fiscal Year</b>	<b>For Remainder of FY 2020 (if applicable)</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>
<b>General Fund</b>	1/	\$0	\$0	\$0	\$0	\$0
<b>Special Fund</b>	1/	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	1/	\$0	\$0	\$0	\$0	\$0

1. Does the bill contain "revenue generating" provisions? / / Yes / X / No  
 If Yes, see attachment
2. Is amount appropriated adequate to fund the intent of the appropriation? / / N/A / / Yes / X / No  
 If no, what is the additional amount required? \$ / X / N/A
3. 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
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: / / Yes / X / No  
 / / Requested agency comments not received by due date / / Other:

**Analyst:** Jason Baza **Date:** 12/11/19 **Director:** Lester L. Carlson, Jr. **Date:** DEC 12 2019  
 Jason Baza, BMA IV Lester L. Carlson, Jr., Director

**Notes:**  
 1/ See attached comments.

BUREAU OF BUDGET AND MANAGEMENT RESEARCH  
COMMENTS ON BILL NO. 211-35 (COR)

The proposed legislation seeks to authorize the Governor of Guam to transfer the sum of Three Million Seven Hundred Thousand Dollars (\$3,700,000) from the General Fund appropriations contained within P.L. 34-116 for the purpose of procuring an Owner's Agent Engineer (OAE), architectural and engineering (A&E) services, and other related services for the construction of a new Simon Sanchez High School. Per local media outlets, the Guam Department of Education (GDOE) estimates the cost to procure A&E services for the construction project to be approximately Four Million Dollars (\$4,000,000). It should be noted that the Governor of Guam pledged One Million One Hundred Thousand Dollars (\$1,100,000) to assist in covering the cost of the A&E services.

The Bureau notes that P.L. 35-36 appropriates Five Hundred Thousand Dollars (\$500,000) from FY 2020 revenues to GDOE to fund the A&E services. Further, P.L. 34-116 appropriated One Million Dollars (\$1,000,000) to GDOE for the construction of SSHS. However, P.L. 34-116 contained a clause authorizing the GDOE to utilize any funds not expended by June 30, 2019 for the SSHS construction to be expended for operations in FY 2019. Per the AS400 financial system, approximately Nine Hundred Sixty-Two Thousand Dollars (\$962K) was utilized to cover operations expenses in August 2019.

Although not specifically mentioned, the proposed legislation intends to utilize lapsed funds from FY 2019 to transfer the sum of \$3,700,000 for the A&E services. It should be noted that the Governor exercised her transfer authority on December 6, 2019 to cover the following FY 2019 obligations: Retiree Medical, Dental, and Life Premiums (\$5,212,075), University of Guam Cancer Trust Fund (\$500,000), Guam Fire Department Operations (\$432,006), Office of Veterans Affairs Operations (\$49,395), and the Department of Revenue & Taxation Operations (\$15,008). In addition, the Guam Police Department and Department of Corrections have a remaining FY 2019 lapse of approximately \$1,700,000 and \$1,500,000, respectively. Such lapses are intended to be utilized for the recruitment of police and corrections officers as authorized by Chapter 12, Section 21 of P.L. 35-36. As such, funds are not available to transfer for the purposes of procuring A&E services in the amount of \$3,700,000.