

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
97-36 (LS)	Committee on Air Transportation, Parks, Tourism, Higher Education, and the Advancement of Women, <u>Youth and Senior Citizens</u> by request of <i>I Kongressun Manhoben Guåhan</i> , the Guam Youth Congress, in accordance with 2 GCA § 7102.	AN ACT TO ADD A NEW § 7117 TO CHAPTER 7 OF TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING GUAM DEPARTMENT OF EDUCATION AND GUAM CHARTER SCHOOLS TO PROVIDE AND REGULARLY STOCK MENSTRUAL HYGIENE PRODUCTS IN ALL GUAM PUBLIC AND CHARTER SCHOOLS; AND TO CITE THIS ACT AS THE "PERIOD POVERTY ACT OF 2021."	3/25/21 3:11 p.m.	3/26/21	Committee on Air Transportation, Parks, Tourism, Higher Education and the Advancement of Women, Youth, and Senior Citizens			Request: 3/29/21 4/19/21	



Vice Speaker

TINA ROSE MUÑA BARNES

CHAIRPERSON, COMMITTEE ON RULES

I Mina'trentai Sais Na Liheslaturan Guåhan

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April 19, 2021

MEMO

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

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

Re: **Fiscal Notes for Bill Nos. 97-36 (LS), 105-36 (COR) and 107-36 (COR).**

Buenas yan Håfa adai.

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

Bill No. 97-36 (LS)
Bill No. 105-36 (COR)
Bill No. 107-36 (COR)

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. 97-36 (LS)**

AN ACT TO ADD A NEW § 7117 TO CHAPTER 7 OF TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING GUAM DEPARTMENT OF EDUCATION AND GUAM CHARTER SCHOOLS TO PROVIDE AND REGULARY STOCK MENSTRUAL HYGEINE PRODUCTS IN ALL GUAM PUBLIC AND CHARTER SCHOOLS; AND TO CITE THIS ACT AS THE "PERIOD POVERTY ACT OF 2021".

Department/Agency Appropriation Information	
Dept./Agency Affected: Guam Department of Education (GDOE)	Dept./Agency Head: Jon P. Fernandez, Superintendent
Department's General Fund (GF) appropriation(s) to date:	180,900,137
Department's Other Fund (Specify) appropriation(s) to date: Territorial Educational Facilities Fund (\$15,461,726); Public School Library Resources Fund (\$915,082); Healthy Futures Fund (\$891,754); School Lunch/Child Nutritional Meal Reimbursement Fund (\$12,504,000); Limited Gaming Fund (\$535,801)	30,308,363
	\$211,208,500
Dept./Agency Affected: Guam Academy Charter Schools Council	Dept./Agency Head: Evangeline Cepeda, Council Chair
Department's General Fund (GF) appropriation(s) to date:	10,710,000
Department's Other Fund (Specify) appropriation(s) to date:	-
	\$10,710,000

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2020 Unreserved Fund Balance		\$0	\$0
FY 2021 Adopted Revenues	\$0	\$0	\$0
FY 2021 Appro. (P.L. 35-99 thru)	\$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 2021 (if applicable)	FY 2022	FY 2023	FY 2024	FY 2025
General Fund	\$0	\$0	\$349,290	\$349,290	\$349,290	\$349,290
Special Fund	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$349,290	\$349,290	\$349,290	\$349,290

- Does the bill contain "revenue generating" provisions? / / Yes / X / No
If Yes, see attachment 1/
- Is amount appropriated adequate to fund the intent of the appropriation? / X / N/A / / 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? / / Yes / X / 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: William P. Taitingfong Date: 4/14/21 Director: Lester V. Carlson, Jr., Director Date: **APR 19 2021**

Footnotes:
1/ See comments and attachment to Bill 97-36 (LS).

Bureau of Budget and Management Research
Comments on Bill No. 97-36 (LS)

Bill 97-36 will require the Guam Department of Education (GDOE) and the Guam Academy Charter Schools (GACS) to provide free menstrual hygiene products for students in grades 5 through 12 and to cite the act as the "Period Poverty Act of 2021".

Section 2 of Bill 97-36 adds a new § 7117 to Chapter 7 of Title 17, Guam Code Annotated requiring that all public schools in Guam that serve students in grades five (5) through grade twelve (12) provide menstrual hygiene products, such as tampons and sanitary pads, in the nursing or counselor's offices of such school buildings to students and at no charge to the students.

According to the legislative intent, the lack of access of menstruating individuals to basic feminine hygiene products, such as tampons and sanitary napkins, during their monthly menstrual cycle, hampers the individual's ability to participate in basic activities, including, regular attendance in school and participation in sports. The proposed measure is to address period poverty in Guam.

The Bureau has sought input on the financial impact of the proposed Bill 97-36 from both GDOE and the GACS Council and have not received any official comments from either entity as of the date of this fiscal note.

The Bureau does anticipate that should Bill 97-36 be enacted, there will be a financial cost impact to both the GDOE and GACS. The Bureau estimates that it will cost from \$202,685 to \$313,240 for the GDOE and from \$23,327 to \$36,050 for GACS each school year to provide free menstrual products to its female students. See attachment to this fiscal note for the cost estimate. The cost estimate provided could potentially increase as it is dependent on certain factors such as, the actual the number of female students, the type and unit cost of the menstrual hygiene product that is procured, and the rate of consumption of these menstrual products.

As Bill 97-36 does not provide for an appropriation to fund such purpose, the GDOE and GACS would then have to absorb the costs of these menstrual hygiene supplies required from its annual fiscal year budgets and ensure that the appropriate fund allocations are made to each middle, high, and charter schools to provide for tampons and pads to students in need at no charge.

Attachment to Fiscal Note on Bill 97-36 (LS)

Estimated Cost Impact of Free Menstrual Products in Public Schools

Public School	Student Enrollment ^{1/}	Est. 50% Female ^{2/}	Est. 33% of Female # Menstruate ^{3/}
Guam Department of Education (GDOE) (8 Middle Schools / 7 High Schools)	6,466	3,233	1,067
	9,044	4,522	1,492
	15,510	7,755	2,559
Guam Academy Charter Schools (GACS) (4 Academy Charter Schools)	1,785	893	295
Total	17,295	8,648	2,854

Menstrual Hygiene Products	Average Cost per Item (Generic) ^{4/}	Est. # Used Per Student Per Day ^{5/}	Est Cost Per Day	Est. # Used X 5 Days x 9 months ^{6/}	Est. Cost per Student Per School Year
Sanitary Pads	\$0.11	4	\$0.44	180	\$79.20
Tampons	\$0.17	4	\$0.68	180	\$122.40

Public School	Student Enrollment Estimate (33% Menstruate)	Est. Cost per Student Pad (Generic)	Est. Cost per Student Tampon (Generic)	Est. Cost per School Year Pads (Generic)	Est. Cost per School Year Tampon (Generic)
Guam Department of Education	2,559	\$79.20	\$122.40	\$202,684.68	\$313,239.96
Guam Academy Charter Schools	295	\$79.20	\$122.40	\$23,326.38	\$36,049.86
Total	2,854			\$226,011.06	\$349,289.82

Notes:

1/ For GDOE - based on its Citizen Centric Report FY2019, for SY 2019-2020 as of September 30, 2019; For GCAS - based on the number of student enrollees for each Academy Charter Schools used for their respective budget appropriations (P.L. 35-99:II:Chpt.II:Pt.II:3).

2/ Assumes that 50% of total student enrollment are female as the actual numbers relative to gender is not immediately available.

3/ Assumes a percentage of 33% of females menstruate and are in the poverty income bracket. (The ratio is based on 55,425 of Guam's 2021 estimated population of 168,801 receives FY2020 supplemental Assistance. Assistance Program (SNAP) benefits. (source: DPHSS Division of Public Welfare FY2020 Annual Report and 2021 Projected Population for Guam (December 2020) used by the U.S. Treasury.)

4/ Average of price per generic tampons and sanitary pads sold at 5 national store chains, The Crazy Coupon Lady, internet research.

5/ Based on estimate (4 pads a day for 7 days) used by the New York State to determine the cost per year for each menstruating student for the City of Yonkers. (The Faculty Lounge, "How Much Do "Free" Tampons Cost? #MenstrualCapitalism and Examples from New York State, September 14, 2018, internet research.

6/ Assumes usage for 5 actual school days per week multiplied by 9 months in a School Year.