

*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
160-36 (LS)	Committee on Air Transportation, Parks, Tourism, Higher Education, and the Advancement of Women, Youth and Senior Citizens by request of I Kongressun Manhoben Guåhan, the Guam Youth Congress, in accordance with 2 GCA § 7102.	AN ACT TO <i>REPEAL</i> AND <i>REENACT</i> ARTICLE 3 OF CHAPTER 77, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO ADDING MINIMUM QUALIFICATIONS TO THE GUAM HISTORIC PRESERVATION OFFICER POSITION; AND TO CITE THIS ACT AS THE " <i>EMPOWERING GHPO ACT OF 2021.</i> "	7/1/21 8:35 a.m.	7/6/21	Committee on Education, Self-Determination and Historic Preservation, Infrastructure, Border Safety, Federal and Foreign Affairs, and Maritime Transportation			Request: 7/7/21  7/9/21	

**Bureau of Budget & Management Research**  
**Fiscal Note of Bill No. 160-36 (LS)**

**AN ACT TO REPEAL AND REENACT ARTICLE 3 OF CHAPTER 77, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO ADDING MINIMUM QUALIFICATIONS TO THE GUAM HISTORIC PRESERVATION OFFICER POSITION; AND TO CITE THIS ACT AS THE "EMPOWERING GHPO ACT OF 2021."**

**Department/Agency Appropriation Information**

<b>Dept./Agency Affected:</b> Department of Parks and Recreation (DPR)	<b>Dept./Agency Head:</b> Roque Alcantara, Director
<b>Department's General Fund (GF) appropriation(s) to date:</b>	<b>\$2,109,016</b>
<b>Department's Other Fund appropriation(s) to date:</b> Limited Gaming Fund (\$535,801); Public Recreation Services Fund (\$116,456); Tourist Attraction Fund (\$891,155)	<b>\$1,543,412</b>
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$3,652,428</b>

**Fund Source Information of Proposed Appropriation**

	General Fund:	Special Fund:	Total:
FY 2020 Unreserved Fund Balance	\$0	\$0	\$0
FY 2021 Adopted Revenues	\$0	0	0
FY 2021 Appro. (P.L. 35-99)	\$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**

	One Full Fiscal Year	For Remainder of FY 2021 (if applicable)	FY 2022	FY 2023	FY 2024	FY 2025
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Special Fund	1/	1/	\$0	\$0	\$0	\$0
<b>Total</b>	1/	1/	\$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? /X/ N/A / / Yes / / No  
If no, what is the additional amount required? \$ \_\_\_\_\_ /X/ N/A
- Does the Bill establish a new program/agency? /X/ Yes / / No  
If yes, will the program duplicate existing programs/agencies? / / N/A / / 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: DPR / / Other:

Analyst: Raymond Rieta, BMA II Date: 7/8/2021 Director: Lester L. Carlson, Jr., Director Date: JUL 09 2021

Notes:  
1/: See additional Comments.

**Bureau of Budget & Management Research**  
**Comments on Bill No. 160-36 (LS)**

Bill No. 160-36 proposes to repeal and reenact Article 3 of Chapter 3, Title 3, Guam Code Annotated relative to adding minimum qualifications and changes to the Guam Historic Preservation Officer (GHPO) position citing this act as the “Empowering GHPO Act of 2021.”

The minimum qualifications and changes added to the GHPO position in the Bill include the following per section:

§ 77302 – The GHPO shall be appointed by *I Maga’hågan Guåhan*, with the advice and consent of *I Liheslaturan Guåhan*, of which the holder of the position shall be the State Historic Preservation Officer for federal purposes.

§ 77303 – The GHPO shall have at minimum a bachelor’s degree in the field of history or a closely related field, including but not limited to CHamoru Studies and Anthropology and possess one of the following: (a) at least two years of full-time experience in research, writing, teaching, interpretation, or professional activity; or (b) substantial contribution through research and publication in the field of history.

§ 77303.1 – The GHPO shall not be serving concurrently in any federal employment position, to include active, reserve, and guard enlistment/service in the Armed Services or have served in any active, reserve, or guard capacity in the Armed Services within two (2) years prior to appointment.

§ 77303.2 – In the event of a vacancy, *I Maga’hågan Guåhan* may appoint an Acting GHPO who shall meet the same minimum qualifications for a period no more than ninety (90) days from the date of the acting appointment.

As stated in the Bill, as well as in the existing law, the Civil Service Commission (CSC) shall establish the necessary qualifications and wage standards of the GHPO. The Government of Guam Competitive Wage Act of 2014 currently lists the Pay Grade and Step for an entry level GHPO at Q-1, \$60,482 Per Annum. The new minimum qualifications and changes proposed by the Bill may require the CSC to reevaluate the entry level pay for the GHPO position. As such, the Guam Historic Resources Division, under the Department of Parks and Recreation, may have to revise their current and future fiscal year budgets to accommodate the recruitment and hiring of a qualified GHPO meeting all the new requirements. However, absent specific information as to whether the minimum annual salary of the GHPO will be revised and to what extent, a more accurate fiscal impact cannot be determined at this time.