

I Mina'trentai Siette Na Lihelaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
113-37 (LS)	Chris Barnett Therese M. Terlaje Sabina Flores Perez	AN ACT TO AMEND §3103(p) OF ARTICLE 1, CHAPTER 3, TITLE 17 GUAM CODE ANNOTATED, RELATIVE TO RESTORING THE GUAM DEPARTMENT OF EDUCATION MANAGEMENT AUDIT REQUIREMENTS.	5/9/23 12:33 p.m.	5/11/23	Committee on Education, Public Safety and the Arts	Request: 5/12/23 5/31/23			



COMMITTEE ON RULES

Senator Chris Barnett, Chairperson
I Mina'trentai Siette Na Liheslaturan Guåhan
37th Guam Legislature

May 31, 2023

To: **Joaquin P. Taitague**
Substitute Clerk of the Legislature

From: **Senator Chris Barnett** 
Chairperson, Committee on Rules

Subject: **Fiscal Note for Bill No. 113-37 (LS)**

Håfa Adai yan Biba Guåhan!

Find the attached, Fiscal Note for the following bill:

Bill No. 113-37 (LS).

I also request that the same be sent to the respective Chairperson of the Standing Committee, to which this bill has been referred. Kindly forward the same to Management Information Services (MIS) for posting on our website.



**Bureau of Budget & Management Research
Fiscal Note of Bill No. 113-37 (LS)**

AN ACT TO AMEND § 3103(p) of ARTICLE 1, CHAPTER 3, TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO RESTORING THE GUAM DEPARTMENT OF EDUCATION MANAGEMENT AUDIT REQUIREMENTS.

Department/Agency Appropriation Information	
Dept./Agency Affected: Guam Department of Education (GDOE)	Dept./Agency Head: Judith Won Pat, Ed.D., Acting Superintendent
Department's General Fund (GF) appropriation(s) to date:	205,318,855
Department's Other Fund (Specify) appropriation(s) to date: Guam Educational Facilities Fund (\$12,838,487); Public School Library Resources Fund (\$686,994); Healthy Futures Fund (\$891,754); School Lunch/Child Nutritional Meal Reimbursement Fund (\$12,504,000); Limited Gaming Fund (\$380,225)	27,301,460
	232,620,315

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2022 Unreserved Fund Balance		\$0	\$0
FY 2023 Adopted Revenues	\$0	\$0	\$0
FY 2023 Appro. (P.L. 36-107 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 2023 (if applicable)	FY 2024	FY 2025	FY 2026	FY 2027
General Fund	\$0	1/	\$0	\$0	\$0	\$0
Special Fund	\$0	1/	\$0	\$0	\$0	\$0
Total	\$0	1/	\$0	\$0	\$0	\$0

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|---|------------|-------------------------------|----------------------------------|
| 1. Does the bill contain "revenue generating" provisions?
If Yes, see attachment 1/ | | / / 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? | / / N/A | / / Yes
/ / Yes
/ / Yes | / X / No
/ X / 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 | / / Other: | / X / Yes | / / No |

Analyst: <u>William P. Taitingong</u>	Date: <u>5/19/23</u>	Director: <u>Lester L. Carson, Jr.</u>	Date: MAY 31 2023
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Footnotes:
1/ See attached comments on Bill 113-37 (LS).

BUREAU OF BUDGET AND MANAGEMENT RESEARCH
COMMENTS ON BILL NO. 113-37 (LS)

The proposed Bill 113-37 (LS) is an act to amend § 3103(p) of Article 1, Chapter 3, Title 17 Guam Code Annotated, relative to restoring the Guam Department of Education (GDOE) Management Audit Requirements.

The § 3103 of Article 1, Chapter 3, Title 17 Guam Code Annotated encompasses the Superintendent of Education and the responsibilities of the position. § 3103 (p) provides for the Superintendent of Education to conduct periodic management and curriculum assessments of the Department of Education.

According to the legislative intent, Bill 113-37 (LS) will amend the provisions of Public Law 31-91 to restore all references to the word “assessment” to now read “audit” as was the intention under the original Bill 150-31 prior to enactment as Public Law 31-91.

The Bureau had sought input on the financial impact of the proposed Bill 113-37 (LS) from the GDOE on May 10, 2023 with a follow-up request on May 18, 2023. The Bureau has not received any official comments as of the date of this fiscal note.

However, the Bureau does anticipate that Bill 117-37 (LS) has a potential impact for additional funding requirements to GDOE should GDOE’s Internal Audit Office seek contractual services externally to conduct such management audits. However, such estimated cost impact cannot be determined at this time as such are dependent on solicited audit proposals from qualified auditing firms that specialize in management and curriculum audits of schools and school districts, and the type and frequency of these management audits that are to be performed.

As Bill 117-37 (LS) does not provide for an appropriation to fund such purpose, the GDOE would then have to absorb these costs from its annual fiscal year appropriation.