

I Mina'trentai Siette Na Liheslaturan Guåhan
BILL STATUS

| BILL NO. | SPONSOR | TITLE | DATE INTRODUCED | DATE REFERRED | CMTE REFERRED | FISCAL NOTES | PUBLIC HEARING DATE | DATE COMMITTEE REPORT FILED | NOTES |
|-------------|---|---|---------------------|---------------|--|--------------------------------|---------------------|-----------------------------|-------|
| 321-37 (LS) | Roy A. B. Quinata Joe S. San Agustin Chris Barnett Amanda L. Shelton Thomas J. Fisher William A. Parkinson Dwayne T.D. San Nicolas Tina Rose Muña Barnes Jesse A. Luian | AN ACT TO APPROPRIATE THE SUM OF SEVEN MILLION DOLLARS (\$7,000,000) TO THE GUAM DEPARTMENT OF EDUCATION FROM THE UNAPPROPRIATED AND UNENCUMBERED EXCESS FY2024 GENERAL FUND REVENUES TO COVER COSTS ASSOCIATED WITH THE REBUILDING OF THE SIMON A. SANCHEZ HIGH SCHOOL CAMPUS AND THE LEASING OF A TEMPORARY CAMPUS. | 7/3/24 4:51 p.m. | 7/8/24 | Committee on General Government Operations and Appropriations | Request: 7/8/24 7/19/24 | | | |



COMMITTEE ON RULES

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

July 19, 2024

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

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

Subject: **Fiscal Note for Bill No. 321-37 (LS)**

Håfa Adai yan Biba Guåhan!

Find the attached, Fiscal Note for the following bill:

Bill No. 321-37 (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. 321-37 (LS)**

AN ACT TO APPROPRIATE THE SUM OF SEVEN MILLION DOLLARS (\$7,000,000) TO THE GUAM DEPARTMENT OF EDUCATION FROM THE UNAPPROPRIATED AND UNENCUMBERED EXCESS FY2024 GENERAL FUND REVENUES TO COVER COSTS ASSOCIATED WITH THE REBUILDING OF THE SIMON A. SANCHEZ HIGH SCHOOL CAMPUS AND THE LEASING OF A TEMPORARY CAMPUS.

| Department/Agency Appropriation Information | |
|---|---|
| Dept./Agency Affected: Guam Department of Education (GDOE) | Dept./Agency Head: Dr. Kenneth E. Swanson, Superintendent |
| Department's General Fund (GF) appropriation(s) to date: | 232,295,530 |
| Department's Other Fund (Specify) appropriation(s) to date: Guam Educational Facilities Fund (\$11,418,918); Public School Library Resources Fund (\$951,592); Healthy Futures Fund (\$891,754); School Lunch/Child Nutritional Meal Reimbursement Fund (\$12,504,000); Limited Gaming Fund (\$346,154) | 26,112,418 |
| | 258,407,948 |

| Fund Source Information of Proposed Appropriation | | | |
|---|---------------|-------------------------|------------|
| | General Fund: | (Specify Special Fund): | Total: |
| FY 2023 Unreserved Fund Balance | | \$0 | \$0 |
| FY 2024 Adopted Revenues | \$0 | \$0 | \$0 |
| FY 2024 Appro. (P.L. 37-42 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 2024 (if applicable) | FY 2025 | FY 2026 | FY 2027 | FY 2028 |
| General Fund | \$0 | \$7,000,000 | \$0 | \$0 | \$0 | \$0 |
| Special Fund | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Total | \$0 | \$7,000,000 | \$0 | \$0 | \$0 | \$0 |

- 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? / / N/A /X / Yes / / No
If no, what is the additional amount required? \$ _____ / / N/A
- Does the Bill establish a new program/agency? / / Yes /X/ 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? /X / Yes / / 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. Yadinglong Date: 7/19/24 Director: Lester L. Carlson, Jr., Director Date: **JUL 19 2024**

Footnotes:
1/ See attached comments on Bill 321-37 (LS).

BUREAU OF BUDGET AND MANAGEMENT RESEARCH
COMMENTS ON BILL NO. 321-37 (LS)

The proposed Bill 321-37 (LS) is an act to appropriate the sum of Seven Million Dollars (\$7,000,000) to the Guam Department of Education (GDOE) from the Unappropriated and Unencumbered Excess FY2024 General Fund Revenues to cover the costs associated with the rebuilding of the Simon A. Sanchez High School (SSHS) campus and the leasing of a temporary campus.

It should be noted that the Bureau had sought input on the proposed Bill 321-37 (LS) from the GDOE on July 9, 2024 and a follow-up request on July 13, 2024 and has not received any official comments as of the date of this fiscal note.

The Bureau notes that according to a Guam Daily Post article dated June 22, 2024, it was reported that the Superintendent of Education had submitted a memorandum and follow-up letter to the Guam Recovery Office to secure funding from the Federal Management Agency (FEMA) for a temporary facility in Tumon and to grant an extension of FEMA public assistance to “facilitate the construction of temporary facilities for Simon Sanchez High School”. The article noted three options that the GDOE presented to the Guam Recovery Office. These options include the possible leasing of the Tumon Bay Mall, the construction of modular units adjacent to the current SSHS facility for \$17.2 million, or to construct and repair in place for \$166.3 million. It was also noted in the article, the GDOE’s estimated monthly leasing cost for the Tumon Mall to be \$416,666.67 with a five-to-seven years leasing term, and anticipates \$1.5 million for the purchase of equipment necessary to reconfigure into a school environment.

Per the June 2024 Consolidated Revenue and Expenditure Report (CRER), the projected net obligated FY2024 General Fund Revenue amounts to \$36,472,524. However, two measures were recently passed by *I Liheslaturan Guåhan* pending the *I Maga'hågan' Guåhan's* action, reducing the balance to \$29,006,723. Additionally, the Bureau notes that there are several competing legislative measures seeking to utilize the FY 2024 General Fund net unobligated revenues as shown in the table below. The subtotal of these competing measures amounts to \$80,200,660, or \$51,193,937 more than the cited projected unobligated General Fund revenues for FY 2024.

| | |
|---|--------------------------|
| June 2024 CRER Net Unobligated Projected FY24 GF Revenue (A) | \$36,472,524.00 |
| LESS: Recently enacted Public Laws | |
| Bill No. 264-37 (DPR) | \$5,000,000.00 |
| Bill No. 296-37 (GMHA/DOA) | \$2,465,801.00 |
| Subtotal (B) | \$7,465,801.00 |
| Net April 2024 Unobligated Projected FY24 GF Revenue (C) | \$29,006,723.00 |
| Proposed Legislative Measures | |
| Bill No. 221-37 (GCC) | \$350,000.00 |
| Bill No. 225-37 (GMHA) | \$5,000,000.00 |
| Bill No. 231-37 (DCA) | \$1,500,000.00 |
| Bill No. 234-37 (DOC) | \$15,000,000.00 |
| Bill No. 251-37 (GPD) | \$11,300,000.00 |
| Bill No. 284-37 (GCC) | \$966,925.00 |
| Bill No. 304-37 (GWA) | \$5,000,000.00 |
| Bill No. 308-37 (Gas Tax Relief) | \$7,823,735.00 |
| Bill No. 309-37 (GHC) | \$1,000,000.00 |
| Bill No. 315-37 (CLTC) | \$9,000,000.00 |
| Bill No. 316-37 (DISID) | \$50,000.00 |
| Bill No. 318-37 (BWA) | \$400,000.00 |
| Bill No. 321-37 (GDOE) 1/ | \$7,000,000.00 |
| Bill No. 322-37 (GWA) | \$15,000,000.00 |
| Bill No. 324-37 (GACSC) | \$510,000.00 |
| Bill No. 325-37 (CLTC) | \$300,000.00 |
| Competing Measures Total Appropriation (D) | \$80,200,660.00 |
| Variance (C-D) | (\$51,193,937.00) |
| 1/ Subject Bill | |

As such, it appears there is sufficient projected net unobligated FY 2024 General Fund revenues to enact a combination of the above mentioned competing legislative measures, but not all measures at this time.