

I Mina'trentai Siette 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
44-37 (COR)	Chris Barnett Sabina Flores Perez	AN ACT TO ADD NEW §§ 7112(D) AND 7112.2 OF CHAPTER 7, TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO CREATING THE SAFE SCHOOL FACILITIES ACT OF 2023 .	2/13/23 6:44 p.m.	2/16/23 8:01 a.m.	Committee on Education, Public Safety and the Arts			Request: 2/16/23 3/8/23	



COMMITTEE ON RULES

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

March 8, 2023

To: RennaeVanessa C. Meno
Clerk of the Legislature

From: Senator Chris Barnett 
Chairperson, Committee on Rules

Subject: Fiscal Note for Bill No. 44-37 (COR)

Håfa Adai yan Biba Guåhan!

Find the attached, Fiscal Note for the following bill:

Bill No. 44-37 (COR).

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. 44-37 (COR)**

AN ACT TO ADD NEW §§ 7112(d) AND 7112.2 OF CHAPTER 7, TITLE 17 GUAM CODE ANNOTATED, RELATIVE TO CREATING THE SAFE SCHOOL FACILITIES ACT OF 2023.

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? | /X/ 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: William P. Paitiongong Date: 3/2/23 Director: Lester L. Carlson, Jr., Director Date: MAR 08 2023

Footnotes:

1/ See attached comments on Bill 44-37 (COR).

BUREAU OF BUDGET AND MANAGEMENT RESEARCH
COMMENTS ON BILL NO. 44-37 (COR)

The proposed Bill 44-37 (COR) is an act to *add* a new §§ 7112(d) and 7112.2 of Chapter 7, Title 17, Guam Code Annotated, relative to creating the *Safe School Facilities Act of 2023*.

Section 2 of the Bill adds a new paragraph (d) to § 7112 regarding the Evaluation and Upkeep of Facilities of GDOE. The section will require that the Superintendent of GDOE to receive and retain any reports of, including but not limited to, maintenance problems, facilities defects, structural problems, safety concerns and the presence of hazardous materials from students, faculty, school employees, parents and other stakeholders. Copies of such reports shall be included with any procurement solicitations for services.

Section 3 of the Bill will add a new § 7112.2 that provides for the Assessment and Remediation of Hazardous Substance and Infestations. The Superintendent of GDOE is to develop procedures to identify and remediate facilities of various listed hazardous substances and infestations. The Section also requires the Superintendent of GDOE, at least once annually, to conduct inspections of remediated hazards where the hazards was a result of infestations or contamination, and to also at least once annually, conduct inspections of remediated hazards where the form of remediation did not involve the complete removal of the hazardous substances or the complete repair or abatement of the causes of hazardous conditions.

The Bureau had sought input on the financial impact of the proposed Bill 44-37 (COR) from the GDOE and have not received any official comments as of the date of this fiscal note.

However, the Bureau does anticipate that Bill 44-37 (COR) poses a financial impact to GDOE in terms of obtaining contractual services through requests for proposals from environmental and hazardous consulting firms to provide for the assessment of GDOE school facilities and remediation of hazardous substance and infestations if required, and to satisfy the requirement of annual inspections noted under Section 3. However, the Bureau is unable to provide an estimated cost impact at this time as such costs are dependent on the proposals from these environmental and hazardous consulting firms to the GDOE to perform the assessments, inspections, and remediation of school facilities.

As Bill 44-37 (COR) 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.