

I Mina'trentai Singko 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
168-35 (COR)	Sabina Flores Perez Tina Rose Muña Barnes Kelly Marsh (Taitano), PhD	AN ACT TO ADD A NEW ARTICLE 3 TO CHAPTER 45 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO MANDATING REGULAR TESTING AND MITIGATION OF RADON IN SCHOOLS AND CHILD CARE FACILITIES, AND INITIATE A NEEDS ASSESSMENT OF GOVERNMENT OF GUAM BUILDINGS.	6/21/19 4:12 p.m.					7/2/19	

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Chairperson

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Vice Chairperson

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Member

Vice Speaker Telen Cruz Nelson
Member

Senator Kelly Marsh (Taitano), Ph.D.
Member

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Member



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I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÁHAN
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July 2, 2019

MEMO

To: Rennae Meno
Clerk of the Legislature

From: Senator Régine Biscoe Lee
Chairperson, Committee on Rules

Re: Fiscal Notes

Buenas yan Håfa adai.

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

Bill No. 128-35 (COR)

Bill No. 168-35 (COR)

Please forward the same to Management Information Services (MIS) for posting on our website.

For 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 matter.



**Bureau of Budget & Management Research
Fiscal Note of Bill No. 168-35 (COR)**

AN ACT TO ADD A NEW ARTICLE 3 TO CHAPTER 45 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO MANDATING REGULAR TESTING AND MITIGATION OF RADON IN SCHOOLS AND CHILD CARE FACILITIES, AND INITIATE A NEEDS ASSESSMENT OF GOVERNMENT OF GUAM BUILDINGS

Department/Agency Appropriation Information	
Dept./Agency Affected: Guam Environmental Protection Agency (GEPA) Dept./Agency Affected: Guam Department of Education (GDOE)	Dept./Agency Head: Walter S. Leon Guerrero, Administrator Dept./Agency Head: Jon P. Fernandez, Superintendent
Department's General Fund (GF) appropriation(s) to date: GEPA	-
Department's Other Fund (Specify) appropriation(s) to date: Air Pollution Control Fund - \$230,673, Guam Environmental Trust Fund - \$409,266, Pesticide Management Fund - \$133,038, Water Protection Fund - \$61,844, Water Research and Development Fund - \$67,811, Solid Waste Operation Fund - \$202,992, Tourist Attraction Fund - \$108,289 and Recycling Revolving Fund - \$2,895,965	4,109,878
Total Department/Agency Appropriation(s) to date: GEPA	\$4,109,878
Department's General Fund (GF) appropriation(s) to date: GDOE	201,672,430
Department's Other Fund (Specify) appropriation(s) to date:	28,696,511
Total Department/Agency Appropriation(s) to date: GDOE	\$230,368,941

Fund Source Information of Proposed Appropriation			
	General Fund:	Special Fund (specify)	Total:
FY 2018 Unreserved Fund Balance		\$0	\$0
FY 2019 Adopted Revenues	\$0	\$0	\$0
FY 2019 Appro. (P.L. 34-116 thru P.L. 34-162)	\$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 2019 (if applicable)	FY 2020	FY 2021	FY 2022	FY 2023
General Fund 1/	\$0	\$0	\$0	\$0	\$0	\$0
Special Fund (specify)	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$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? // N/A // Yes /X/ 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? // Yes /X/ No
- Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: /X/ Yes // No
// Requested agency comments not received by due date // Other:

Analyst: Diana E. Pobre Date: 6/28/19 Director: [Signature] Date: JUL 01 2019
Diana Pobre, BMA III Lester L. Carlson, Jr., Deputy Director

Footnotes: See attached comments.

Bureau of Budget and Management Research
Comments on Bill No. 168-35 (COR)

The intent of Bill 168-35 (COR) is to mandate regular Radon Testing and Mitigation in schools and licensed child care facilities, and initiate a needs assessment of government of Guam buildings. All public and private schools, and licensed child care facilities shall conduct radon testing within two (2) years of passage of this Act or within one (1) year of obtaining an occupancy permit, and at least every five (5) years thereafter.

Bill 168 stipulates that the Guam Environmental Protection Agency (GEPA) provide free radon testing services to properly licensed child care facilities, for the purposes of conducting radon testing and reporting of these results. In addition, GEPA is to collaborate with the Guam Department of Education to seek federal grants to assist in the testing and mitigation of radon. The Bill also requires the Department of Administration (DOA) to collaborate with GEPA to conduct a Needs Assessment of Government of Guam buildings to determine which government of Guam building are to be prioritized for radon testing and mitigation.

The GEPA had announced per a January 2018 Guam Daily Post article, the completion of its radon lab and the goal of conducting an island-wide radon testing. Radon testing kits for residents were being prepared for distribution. GEPA had noted that it had 200 charcoal canisters to absorb the radon for testing but before the agency can distribute the cans, they must be baked for 24 hours. Its current oven can hold up to 50 cans at a time. In the free testing kit, residents will receive the cans, along with instructions sheet on how to deploy the can. Residents must open the can and expose it to the testing area for 48 hours, then close it and return it to GEPA to read the amount of radon decay. If the reading exceeds 4 pCi/L, the agency will recommend mitigation for the home or business. GEPA also stated that the agency provides current monitoring and hopes to expand its current radon program by incorporating a revolving loan fund in the future to receive more funding to defer the cost residents would have to pay to mitigate radon. Lastly, GEPA's radon testing efforts are funded by a \$100,000 grant from U.S. EPA. The funds also support the lab, as well as training for its staff.

If enacted, Bill 168 has a potential for additional funding impact on GEPA, GDOE, and all Department of Defense and private schools in Guam to provide regular radon testing and mitigation services.

The BBMR was not able to receive comments from GEPA on the estimated cost impact and requirements for Bill 168. In an effort to provide an estimate, the BBMR used data available from the internet for the average cost to provide radon testing and mitigation services, and information on the total number of schools and licensed child care facilities in Guam. The Short-Term Home Kits use charcoal for a passive reading and are similar to GEPA's radon testing kit description. These Kits cost between \$10 and \$30 at a hardware or general stores like Home Depot or Amazon. The costs to mitigate average \$800 to \$1,000 and are separate from testing.

The BBMR estimates the cost for providing radon testing to all Guam schools and licensed child care facilities at \$27,000 depending on the actual number of classrooms tested, and if

necessary, for mitigation services at \$25,750 should one-fourth of the number of schools are recommended for mitigation for a total estimated cost of at least \$52,750. See estimated cost impact as illustrated.

Estimated Cost for Radon Testing and Mitigation for Schools and Licensed Child Care Facilities Bill No. 168-35					
Schools / Child Care Facilities	No. of Schools	Estimate No. of Classrooms per School	Total No. Classrooms for Testing	Average Cost for Radon Testing Kits (\$10 - \$30)	Estimated Cost for Radon Testing
Public Schools (GDOE)	37	10	370	\$30.00	\$11,100.00
Public Schools (DOD)	4	10	40	\$30.00	\$1,200.00
Private Schools	36	10	360	\$30.00	\$10,800.00
Licensed Child Care Facilities	26	5	130	\$30.00	\$3,900.00
Subtotal	103	35	900	\$120.00	\$27,000.00
Schools / Child Care Facilities	1/4 No. of Facilities			Average Cost for Mitigation Services (\$800 - \$1000)	Estimated Cost for Mitigation
Public Schools (GDOE)	9			\$1,000.00	\$9,250.00
Public Schools (DOD)	1			\$1,000.00	\$1,000.00
Private Schools	9			\$1,000.00	\$9,000.00
Licensed Child Care Facilities	7			\$1,000.00	\$6,500.00
Subtotal	26			\$4,000.00	\$25,750.00
Total Estimated Cost					\$52,750.00