

Refer to
Legislative Secretary



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

Office of the Speaker
ANTONIO R. UNPINGCO

Date: 8/17/98

Time: 11:15 am

Rec'd by: [Signature]

Print Name: ANTONIO R. UNPINGCO

AUG 14 1998

The Honorable Antonio R. Unpingco
Speaker
Mina'Bente Kuáttro na Liheslaturan Guåhan
Twenty-Fourth Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Hagåtña, Guam 96910

OFFICE OF THE LEGISLATIVE SECRETARY	
ANTONIO R. UNPINGCO	
Received By:	[Signature]
Time:	8:45 am
Date:	8 18 98

Dear Speaker Unpingco:

Enclosed please find Bill No. 617 (COR), "AN ACT TO AMEND §4119 OF ARTICLE 1, CHAPTER 4, OF TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO ALLOWING MILITARY LEAVE TO BE CARRIED OVER TO THE NEXT FISCAL YEAR, UP TO A LIMIT OF 15 DAYS.", which I have signed into law today as **Public Law No. 24-258**.

This legislation allows the carryover from one fiscal year to another of a maximum of 15 days of military leave. This provision was previously contained in law, but was deleted. This legislation restores the carryover provision, especially since disasters or crisis which may require the National Guard to respond may occur at the end of a year, and members may otherwise have to use personal annual leave, unlike other employees of the government in an emergency situation.

Very truly yours,

[Signature]
Carl T. C. Gutierrez
I Maga'lahaen Guåhan
Governor of Guam

00974

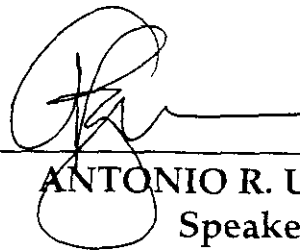
Attachment: copy attached for signed bill
original attached for vetoed bill

cc: The Honorable Joanne M. S. Brown
Legislative Secretary

MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN
1998 (SECOND) Regular Session


CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUAHAN

This is to certify that Bill No. 617 (COR), "AN ACT TO AMEND §4119 OF ARTICLE 1, CHAPTER 4 OF TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO ALLOWING MILITARY LEAVE TO BE CARRIED OVER TO THE NEXT FISCAL YEAR, UP TO A LIMIT OF 15 DAYS," was on the 29th day of July, 1998, duly and regularly passed.




ANTONIO R. UNPINGCO
Speaker

Attested:



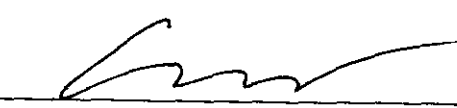
JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by *I Maga'lahaen Guahan* this 3rd day of August, 1998,
at 4:55 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



CARL T. C. GUTIERREZ
I Maga'lahaen Guahan

Date: 8-14-98

Public Law No. 24-258

MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN
1998 (SECOND) Regular Session

Bill No. 617 (COR)

As amended on the Floor.

Introduced by:

Committee on Rules,
Government Reform and
Federal Affairs.

by request of the Governor in
accordance with the Organic
Act of Guam.

Mark Forbes

T. C. Ada

F. B. Aguon, Jr.

A. C. Blaz

J. M.S. Brown

Felix P. Camacho

Francisco P. Camacho

M. C. Charfauros

E. J. Cruz

W. B.S.M. Flores

L. F. Kasperbauer

A. C. Lamorena, V

C. A. Leon Guerrero

L. A. Leon Guerrero

V. C. Pangelinan

J. C. Salas

A. L.G. Santos

F. E. Santos

A. R. Unpingco

J. Won Pat-Borja

AN ACT TO AMEND §4119 OF ARTICLE 1, CHAPTER
4 OF TITLE 4 OF THE GUAM CODE ANNOTATED,
RELATIVE TO ALLOWING MILITARY LEAVE TO BE

**CARRIED OVER TO THE NEXT FISCAL YEAR, UP
TO A LIMIT OF 15 DAYS.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Intent. Public Law Number 23-41 repealed §63106 of Chapter 63 of Title 10 of the Guam Code Annotated, and also amended §4119 of Chapter 4 of Title 4 of the Guam Code Annotated, because both of these code sections addressed the payment of military leave, yet the provisions were inconsistent. When §63106 was repealed, the provision allowing military leave to carry over from one fiscal year to another fiscal year, up to a maximum of fifteen (15) days, was also repealed. Both laws had provided for fifteen (15) days of military leave during a fiscal year, and thereafter, an employee who was performing military service would have to take annual leave or leave without pay if they served longer than fifteen (15) days in any one (1) fiscal year.

Due to the massive impact of Super Typhoon Paka during Fiscal Year 1998, many of our dedicated members of the Guam National Guard worked many hours providing essential services to Guam, and for this reason needed to be absent from their civilian government of Guam work sites. It was evident that the fifteen (15) day military leave carryover provision, although not usually necessary in an "ordinary" disaster, was necessary in addressing a massive disaster, such as Super Typhoon Paka, to avoid penalizing Guam National Guard members by deducting annual leave or requiring them to take leave without pay after fifteen (15) days of duty.

Section 2. Section 4119 of Article 1, Chapter 4 of Title 4 of the Guam Code Annotated is hereby *amended* to read as follows:

"Section 4119. Military Leaves of Absence: National Guard or

1 **Reserves.** All employees of the government of Guam who are members
2 of the reserve components of the Department of Defense or Transportation,
3 including, but not limited to, the United States Army, the United States
4 Navy, the United States Marine Corps, the United States Air Force, the
5 Army National Guard, the Air National Guard and the United States Coast
6 Guard, shall be entitled to leaves of absence from their respective duties
7 with the government of Guam without losses of time or efficiency ratings
8 on all days during which they are engaged in active military duty ordered
9 or authorized under the laws of United States. Such employees shall be
10 entitled to military leave with pay while performing such duty not to
11 exceed fifteen (15) working days per government of Guam fiscal year, and,
12 to the extent not used in a fiscal year, accumulates in the succeeding year
13 until it totals fifteen (15) days at the beginning of a fiscal year. Thereafter,
14 the officers and employees shall elect annual leave or leave without pay.
15 The provisions of this Section shall be retroactive to October 01, 1994."

24-258



GUAM LEGISLATURE

Senator Felix P. Camacho

Power, Foreign Affairs and General Government Services

155 Power Street
Agana, Guam 96911

472-3505/6

472-9747

June 19, 1998

Honorable Antonio R. Unpingco
Speaker, Mina'Bente Kuattro Na Liheslaturan Guahan
Hagatna, Guam

via: Committee on Rules

Dear Mr. Speaker:

The Committee on Power, Foreign Affairs & General Government Services, to which was referred **Bill No. 617** "An act to amend §4119 of Chapter 4, Title 4, Guam Code Annotated, to allow military leave to be carried over to the next fiscal year, up to a limit of 15 days" does hereby report back with the recommendation **TO DO PASS**.

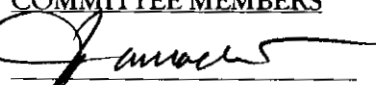
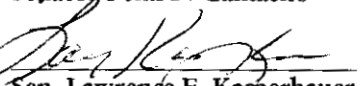

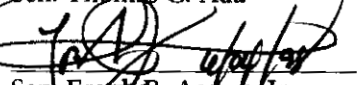
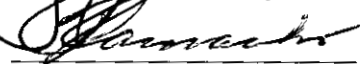
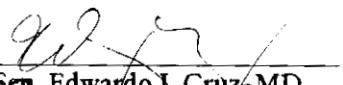
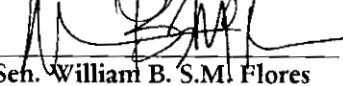
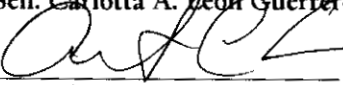
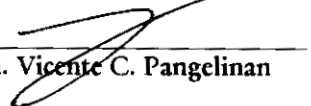
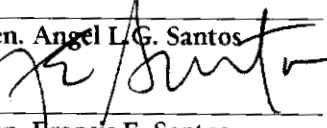
Votes of committee members are as follows:

- (10) To pass
- Not to pass
- To place in inactive file
- Abstained
- (4) Not available/Off island

FELIX P. CAMACHO
Chairman

Attachments

BILL NO. 617, VOTING SHEET

<u>COMMITTEE MEMBERS</u>	<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>ABSTAIN</u>	<u>TO PLACE IN INACTIVE FILE</u>
 Sen. Felix P. Camacho	✓			
 Sen. Lawrence E. Kasperbauer	x			
 Sen. Thomas C. Ada	✓			
 Sen. Frank B. Agnon, Jr.	✓			
 Sen. Francisco P. Camacho	✓			
Sen. Mark C. Charfauros				
 Sen. Eduardo J. Cruz, MD	✓			
 Sen. William B. S.M. Flores	✓			
Sen. Carlotta A. Leon Guerrero				
 Sen. Alberto A.C. Lamorena V				
 Sen. Vicente C. Pangelinan	✓			
Sen. Angel L.G. Santos				
 Sen. Francis E. Santos	✓			
Sen. Antonio R. Unpingco* (ex-officio member)				
Sen. Judith Won-Pat Borja				

**COMMITTEE ON POWER, FOREIGN AFFAIRS
AND GENERAL GOVERNMENT SERVICES**

Mina'Bente Kuattro I Liheslaturan Guahan
155 Hesler Street, Hagatna, Guam 96910

**Committee Report on
Bill No. 617**

“An act to amend §4119 of Chapter 4, Title 4, Guam Code Annotated, to allow military leave to be carried over to the next fiscal year, up to a limit of 15 days.”

**COMMITTEE REPORT
POWER, FOREIGN AFFAIRS, AND GENERAL GOVERNMENT
SERVICES**

BILL NO. 617

“An act to amend §4119 of Chapter 4, Title 4, Guam Code Annotated, to allow military leave to be carried over to the next fiscal year, up to a limit of 15 days.”

PUBLIC HEARING

Monday, May 18, 1998 at 9:00 a.m.

SENATORS PRESENT

Felix P. Camacho	Chairman
L. F. Kasperbauer	ViceChair
F. B. Aguon, Jr.	Member
J. M.S. Brown	Guest
V.C. Pangelinan	Member
C.M. Leon Guerrero	Member
E. J. Cruz	Member
Francisco P. Camacho	Member

PRESENT TO TESTIFY

Eloy Hara	Executive Director, Civil Service Commission
Major David B. Riano	Staff Judge Advocate, Department of Military Affairs

BACKGROUND

Introduced on April 14, 1998 by Senator Mark Forbes, Chairman, Committee on Rules, Gov't Reform & Federal Affairs by request of the Governor in accordance with the Organic Act of Guam.

Referred to the Committee on Power, Foreign Affairs & General Government Services on May 4, 1998.

Heard by the Committee on May 18, 1998.

Request for Fiscal Note made on 5/8/98 to Bureau of Budget & Management Research; Fiscal Note received by the Committee on June 3, 1998.

TESTIMONY AND DISCUSSION

Michael J. Reidy, Director, Dept. of Administration: Submitted written testimony with the Department of Administration's support of the provision to carry over unused military leave from one fiscal year to the next for a maximum of 15 days.

Concerning the retroactive provision: Difficult for departments/agencies to ascertain the unused portion of the employees' military leave balances dating back to October 1994. Recommends language be added to make it incumbent on the affected employees to submit requests for leave in writing and provide some validated proof to show that on September 30, 1994, they have not exhausted their 15 days of military leave and show the unused balance. (*See attached testimony*).

Major General Benny M. Paulino, The Adjutant General, Dept. of Military Affairs: Submitted written testimony in favor of Bill 617. Public Law 23-41 repealed Section 63106 of 10 GCA and amended Section 4119 of 4 GCA relative to time off for government of Guam employees in the National Guard. "Rollover" provision of the old law was omitted. National Guard member may not need 15 days of military leave in one year, yet need more than 15 days in another year. (*See attached testimony*).

Eloy P. Hara, Director, CSC: Purpose and intent of the bill is not clear. Questioned applicability of leave, inquiring whether it was for emergency situations or annual military training. To his understanding, 15 day military leave is for required military training. Recommends the Legislature address leave for national/local emergencies in a separate bill.

Concerning the retroactive provision: Generally, retroactivity has a more negative impact than a positive one on provisions applied to.

Sen. Edwardo J. Cruz, M.D.: Bill is confusing. Substance does not address intent.

Sen. Vicente C. Pangelinan: Does §4119, Title 4 GCA deal only with military leave for training purposes?

Hara: Correct.

Pangelinan: It seems that the purpose of the bill is to add 15 days for "call out."

Hara: Military training and emergency activation are separate issues. Should require separate leave.

Pangelinan: Is there an existing law concerning leave during a national emergency?

Hara: Yes.

Sen. Felix P. Camacho: Concern: Should be a provision preventing double compensation for the same duty. One should not receive military leave with pay while receiving other compensation from

the National Guard for the same duty.

Sen. Frank Aguon, Jr.: During Paka, military personnel employed by the government of Guam were confused as to which leave they should utilize. Furthermore, leave was at the discrepancy of Department/Agency directors. Some granted, others did not.

Relative incident: Between 30-40 Air Guardsmen went to Thailand in March for annual training duty for a period of 29 days. Bill 617's carry-over provision could have been applied to this case as only 15 of the 29 days were covered by military leave.

Concerning retroactive provision: Does not understand its presence.

Hara: In spite of previously voiced position on retroactivity, suggests it be applied to guardsmen activated as a result of Typhoon Paka.

Sen. Francisco P. Camacho: Bill intends to allow 15 days to be transferred from one fiscal year to the next. Is this because the most the National Guard can pay a guardsman for is 15 days?

Major David B. Riano, Department of Military Affairs: Bill 617 simply reenacts a provision of the law that was in place after Typhoon Omar. During Omar, the law allowed for the transfer of 15 unused days of military leave from one fiscal year to another. In Riano's opinion, when 10 GCA §63106 was repealed (through the enactment of P.L. 23-41), the 15 day carry-over of unused military leave was inadvertently left out of the newly amended 4 GCA §4119.

Sen. Angel L.G. Santos: Mentioned concerns brought up by Major Paulino in previous discussions. One such concern was how to provide the same transfer of unused leave benefit offered to National Guardsmen employed by GovGuam to National Guardsmen employed by the Federal Government. Finds it hard to believe that the deletion of the provision concerning the transfer of 15 unused military leave days was inadvertent. There must have been a reason.

Felix Camacho: Look forward to the Adjutant General's testimony on behalf of the Dept. of Military Affairs. Conclusion.

Bureau of Budget & Management Research: The potential cost of allowing a carryover of military leave would be a significant cost to the General Fund. Normally, reservists would use 10 days of military leave a year since the annual military training obligation is 14 days including Saturday and Sunday. Based on the number of GovGuam employees who are members of reserve organizations (400 employees) and the average cost of wages and benefits of a government employee (\$144/day), the potential minimum cost to the General Fund and Autonomous Agencies Fund annually would be: 400 employees x \$144 cost per day x 5 days = **\$288,000**. (*See attached fiscal note*).

FINDINGS

The Committee finds that previous statutes (See 10 GCA §63106 as amended by P.L. 21-146:2) allowed for the carry over of up to 15 days of unused military leave from one year to the next for members of the National Guard employed by the government of Guam.

Prior to P.L. 23-41, 10 GCA §63106 and 4 GCA §4119 existed as two separate laws on the subject of military leave. Furthermore, according to 4 GCA §4119, military personnel employed by the government of Guam while engaged in active military duty could only use their 15 days of military leave for such activity. Once that leave was exhausted, said employees had to take leave without pay. The intent of P.L. 23-41 was: (1) to ensure that Guam have only one law on the subject of military leave, and (2) to afford those members of the Guard or Reserve who were employed by the government of Guam the option to take annual leave while engaged in active military duty once they had exhausted their military leave.

Because 10 GCA §63106 applied only to the National Guard, and since 4 GCA §4119 covered more than just the National Guard, it was 10 GCA §63106 that was repealed and 4 GCA §4119 that the amended provision concerning the option of annual leave was placed in. Subsequently, the National Guard lost the benefit to transfer up to 15 days of military leave to the next year if unused.

The Committee finds the need to reenact this provision under 4 GCA §4119 for the benefit of employees engaging in active military duty ordered or authorized under the laws of the United States.

RECOMMENDATION

The Committee on Power, Foreign Affairs and General Government Services wishes to report out Bill No. 617 **TO DO PASS.**

P.L. No. 21-146

Dededo subdivision created pursuant to Subsection (d) of §7 of Public Law 21-60, as amended by Public Law 21-72, and in the Ija, Inarajan subdivision. The on-site infrastructure shall include water and sewer lines, power lines, and roadways in Dededo and water lines, power lines and roadways in Ija, Inarajan. Sidewalks, curbs and gutters shall be required in these two (2) subdivisions.

(g) Rules for rental units. The Guam Housing Corporation is authorized to establish rules and regulations relative to the rental units authorized in this section in accordance with the Administrative Adjudication Law.

(h) Property rezoned. The Property is hereby rezoned from Agricultural ("A") to Multi-Family Residential ("R-2").

(i) Severability. If any part or application of this section is held invalid, the remainder, or its application to other situations or persons, shall not be affected.

Section 2. §63106 of Title 10, Guam Code Annotated, is amended to read:

"§63106. Leaves of absence. All officers and employees of the government of Guam who are members of the Guam National Guard shall be entitled to leaves of absence from their respective duties without loss of time or efficiency rating on all days during which they shall be engaged on duty ordered or authorized under the laws of the United States or under this Chapter. The officers and employees shall be entitled to leave with pay for such active duty not to exceed fifteen (15) workdays per fiscal year, and thereafter the officers and employees shall receive leave without pay. Leave under this section accrues for an employee or individual at the rate of fifteen (15) workdays per fiscal year and, to the extent not used in a fiscal year, accumulates in the succeeding fiscal year until it totals fifteen (15) days at the beginning of a fiscal year.

Section 3. (a) Subparagraph (D) of §63500 of Title 10, Guam Code Annotated, is amended to read:

"(D) All members of the Guam National Guard shall receive pay as set out in §63502 of this Chapter, but in no case shall the total pay and allowances received be less, unless waived by the guard member or unless the guard member's employer authorizes leave, other than annual leave, with pay, than that earned at the guard member's civilian employment for a normal eight (8) hour day for each day or fraction served on Territorial Active Duty under the provisions of this Chapter unless such pay exceeds the current government of Guam per diem allowance as set out in §23104(A)(1), Title 5, Guam Code Annotated, in which event, members of the Guam National Guard who are ordered or called into service of the territory will not receive more than the per diem allowance existing at the time of such



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

**REFER TO
LEGISLATIVE SECRETARY**

OFFICE OF THE SPEAKER

Date: _____
Time: _____
Received By: _____
Print Name: _____

SEP 29 1995

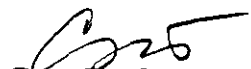
The Honorable Don Parkinson
Speaker
Twenty-Third Guam Legislature
424 West O'Brien Drive
Julale Center - Suite 222
Agana, Guam 96910

Dear Speaker Parkinson:

Enclosed please find a copy of Substitute Bill No. 260 (LS), "AN ACT TO REPEAL §63106 OF CHAPTER 63, TITLE 10, GUAM CODE ANNOTATED, AND TO AMEND §4119 OF CHAPTER 4, GUAM CODE ANNOTATED, RELATIVE TO THE UTILIZATION OF ANNUAL LEAVE BY GOVERNMENT OF GUAM EMPLOYEES FOR PURPOSES RELATING TO THEIR ACTIVE MEMBERSHIP IN THE GUAM NATIONAL GUARD", which I have signed into law today as Public Law No. 23-41.

This legislation clarifies that persons who are away from their regular employment for purposes relating to their active membership in the Guam National Guard are allowed 15 days of military leave, and after that time may use either their accrued annual leave or may take leave without pay.

Very truly yours,


Carl T. C. Gutierrez

Attachment

230639

OFFICE OF THE LEGISLATIVE SECRETARY
ACKNOWLEDGMENT RECEIPT
Received By: [Signature]
Time: 12:25 PM
Date: 9-29-95



24th Guam Legislature
Committee on Rules, Government
Reform and Federal Affairs

Senator Mark Forbes, Chairman

MAY 04 1998

MEMORANDUM

TO: Chairman
Committee on Power, Foreign Affairs and General Government
Services

FROM: Chairman
Committee on Rules, Government Reform and Federal Affairs

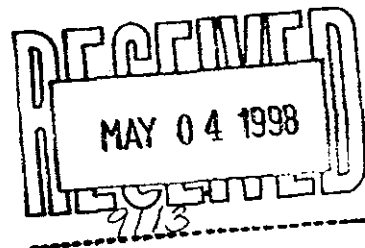
SUBJECT: Referral - Bill No. 617

The above Bill is referred to your Committee as the principal committee. It is recommended you schedule a public hearing at your earliest convenience.

Thank you for your attention to this matter.

MARK FORBES

Attachment





GOVERNMENT OF GUAM
AGANA, GUAM 96932

Carl T.C. Gutierrez
Governor

DEPARTMENT OF ADMINISTRATION
(DIPATTAMENTON ATMENESTRASION)
DIRECTOR'S OFFICE
(UFISINAN DIREKTOT)

Madeleine Z. Bordallo
Lieutenant Governor

Post Office Box 884 • Agana, Guam 96932
Tel.: (671) 475-1101/1250 • Fax: (671) 477-6788

MAY 7 1999

MEMORANDUM

To: Chairman, Legislative Committee on Power, Foreign Affairs & General Government Services

From: Director, Department of Administration

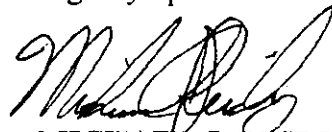
Subject: **Public Hearing on Bill No. 617**

Hafa Adai! Thank you for the opportunity to comment on Bill No. 617, an act to allow the carryover of military leave to the next fiscal year.

This office is in support of the provision to carryover unused military leave from one fiscal year to the next for a maximum of 15 work days. With this proposal, it is understood that an employee who serves on active military duty may be on administrative time off without charge to annual leave for a maximum period of 15 work days. Thereafter, the employee may go on annual leave or leave without pay during the fiscal year.

As far as the retroactive provision of the bill, it may be difficult for this office and the departments and agencies to ascertain the unused portion of the employees' military leave balances dating back to October 1994. To apply this provision, we recommend that language be added to the bill to make it incumbent on the affected employees to submit requests for leave in writing and provide some validated proof to show that on September 30, 1994, they have not exhausted their 15 days of military leave and show the unused balance.

Again, Si Yu'os Ma'ase for this opportunity. This bill will provide many of our employees continued compensation while serving on active duty during emergency operations.


MICHAEL J. REIDY





GOVERNMENT OF GUAM

DEPARTMENT OF MILITARY AFFAIRS

Dipattamenton Asuntion Militat
622 East Harmon Industrial Park
Fort Juan Muna, Tamuning, Guam 96911-4421

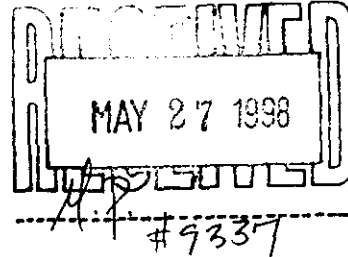


Hon. Carl T.C. Gutierrez
Governor

Benny M. Paulino
Major General
The Adjutant General

Hon. Madeleine Z. Bordallo
Lt. Governor

26 May 1998



Senator Felix P. Camacho
Twenty-Fourth Guam Legislature
155 Hesler Street
Agana, Guam 96910

Dear Senator Camacho:

Thank you for this opportunity to comment on Bill Number 617, which went before a public hearing on May 18, 1998. I apologize for my absence at that hearing, but I was on the mainland attending an Adjutant General Conference. My Staff Judge Advocate, Major David B. Riaño, testified in favor of the bill in my place, but I still would like to submit written testimony to emphasize my support for the bill.

As you know, a Guam statute affecting the rights of National Guard personnel to time off from their Government of Guam employment when called to serve duty has been repealed. That law has been amended and an important provision of the old law was deleted. I am asking your assistance in passing new legislation that will provide for the same benefits and protections as the old repealed law, and give National Guard members the time off they need to serve their nation and island.

Specifically, 10 Guam Code Annotated (GCA) section 63106 granted Guard members employed by the Government of Guam 15 workdays per fiscal year time off with pay to serve federal and/or Guam duty. That law also contained an accrual provision, which stated that any unused portion of the 15 days would accumulate in a succeeding year, up to 15 days. This was thus a "rollover" provision, allowing Guard members to carry over unused military leave to the next year, but not to exceed 15 days.

Public Law 23-41, passed on September 29, 1995, repealed section 63106 of 10 GCA and amended section 4119 of 4 GCA relative to time off for Government of Guam employees in the National Guard. Unfortunately, and perhaps by inadvertence, the "rollover" provision of the old law was omitted from section 4119. The provision is important, for Guard personnel often serve greater than 15 days per year (as you know from Typhoon Paka). And, a Guard member may not need

15 days in one year, yet need more than 15 days the next year. The ability for the member to carry unused military leave (up to 15 days maximum) to a succeeding year is thus very beneficial.

I would be happy to discuss this topic with you at your convenience. Your assistance would both benefit the Guam National Guard and those employees of the Government of Guam who serve in the command. Thank you again for your support.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Paulino".

BENNY M. PAULINO
Major General, Guam National Guard
The Adjutant General

FISCAL NOTE
BUREAU OF BUDGET AND MANAGEMENT RESEARCH

BBMR-F7

Bill Number: 017 (COR) Date Received: 05/11/98
 Amendatory Bill: Yes Date Reviewed: 05/22/98
 Department/Agency Affected: Department of Military Affairs
 Department/Agency Head: Benny M. Paulino
 Total FY Appropriation to Date: \$521,000 (General Fund)

Bill Title (preamble): "AN ACT TO AMEND §4119 OF CHAPTER 4, TITLE 4, GUAM CODE ANNOTATED, TO ALLOW MILITARY LEAVE TO BE CARRIED OVER TO THE NEXT FISCAL YEAR, UP TO A LIMIT OF 15 DAYS.

Change in Law: Amends §4119 CH 4, 4 GCA

Bill's Impact on Present Program Funding:

Increase X Decrease _____ Reallocation _____ No Change _____

Bill is for:

Operations _____ Capital Improvement _____ Other X

FINANCIAL/PROGRAM IMPACT

ESTIMATED SINGLE-YEAR FUND REQUIREMENTS (Per Bill)			
PROGRAM CATEGORY	GENERAL FUND	OTHER	TOTAL
Public Safety			11

ESTIMATED MULTI-YEAR FUND REQUIREMENTS (Per Bill)						
FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL						
OTHER						
TOTAL						11

FUNDS ADEQUATE TO COVER INTENT OF THE BILL? ___ -- IF NO, ADD'L AMOUNT REQUIRED \$ _____

AGENCY/PERSON/DATE CONTACTED: _____

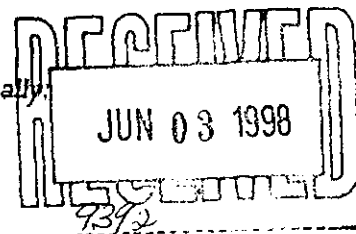
ESTIMATED POTENTIAL MULTI-YEAR REVENUES						
FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL FUND						
OTHER						
TOTAL						N/A

ANALYST Al Flores DATE 05/22/98 DIRECTOR Joseph E. Rivera DATE JUN 03 1998

Joseph E. Rivera, Acting

FOOTNOTES: 11 Although an appropriation measure is not provided, enactment of Bill No. 017(COR) entails a fiscal impact on the General Fund. The bill would provide a carryover to the following fiscal year of up to 15 days. Normally, reservists would use 10 days of military leave a year since annual training obligation is 14 days including Saturday and Sunday. Therefore, the potential cost of allowing a carryover of military leave would be a significant cost to the General Fund. Example:

- Number of government employees members of reserve organizations 400
 - Average cost of wages and benefits of a government employee \$144 per day
- Potential minimum cost to the General Fund and Autonomous Agencies Fund annually:
 400 employees x \$144 cost per day x 5 days = \$288,000.
 See Attachment.



General Fund Appropriation Status:

FY 1998 Adopted Revenues	353,292,790	1/
less: Appropriations to date	<u>386,353,359</u>	2/
Revenues available for appropriation	<u>(33,060,569)</u>	

1/ General Fund revenues adopted in P.L. 24-59 which includes:

- 7.6 Autonomous Agency Fund
- 7.0 Use Tax
- 3.2 Customs & Immigration Reimb.
- \$17.8

It should be noted that the actual collection of the \$17.8 in alternative revenues is not likely to be realized. As such, the budgetary shortfall may be increased by the \$17.8 million.

2/ Covers appropriations up to P.L. 24-177 inclusive of continuing appropriations for debt service.