

I Mina'Trentai Dos Na Liheslaturan Guahan
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
111-32 (COR)	D.G. Rodriguez, Jr., Michael T. Limtiaco	AN ACT TO AUTHORIZE GOVERNMENT EMPLOYEES TO UTILIZE ANNUAL LEAVE TO PAY DEBTS TO GUAM MEMORIAL HOSPITAL AUTHORITY, BY ADDING A NEW §4109.6 TO CHAPTER 4, TITLE 4, GUAM CODE ANNOTATED.	5/9/13 11:13 A.M.	5/9/13	Committee on General Governmental Operations and Cultural Affairs			Fiscal Note Requested 5/14/13 Fiscal Note Received 05/20/13



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature

155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com

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Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Senator
Vicente (Ben) C. Pangelinan
Member

Speaker
Judith T.P. Won Pat, Ed.D.
Member

Senator
Dennis G. Rodriguez, Jr.
Member

Vice-Speaker
Benjamin J.F. Cruz
Member

Legislative Secretary
Tina Rose Muña Barnes
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Senator
Frank Blas Aguon, Jr.
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Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

May 20, 2013

Memorandum

To: **Rennae Meno**
Clerk of the Legislature

From: **Senator Rory J. Respicio**
Majority Leader & Rules Chair

Subject: **Fiscal Notes**

Hafa Adai!

Attached please find the fiscal notes for the bill numbers listed below. Please note that the fiscal notes, or waivers, are issued on the bills as introduced.

FISCAL NOTES:

**Bill Nos.: 84-32(COR), 104-32(COR), 111-32(COR),
112-32(COR), 113-32(COR), 114-32(COR), 115-32(COR)**

WAIVER:

Bill No. 102-32(COR)

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

Si Yu'os ma'åse'!

2013 MAY 20 PM 3:36 S

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

OFFICE OF THE GOVERNOR

Post Office Box 2950, Hagåtña Guam 96932

EDDIE BAZA CALVO
GOVERNORJOHN A. RIOS
DIRECTORRAY TENORIO
LIEUTENANT GOVERNOR

MAY 16 2013

Senator Rory J. Respicio
Chairperson, Committee on Rules
I Mina'trentai Unu na Liheslaturan Guåhan
The 31st Guam Legislature
155 Hesler Place
Hagåtña, Guam 96932

Hafa Adai Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill Nos.: 84-32(COR), 104-32(COR), 111-32(COR), 112-32(COR), 113-32(COR), 114-32(COR), 115-32(COR) and Fiscal Note Waiver on the following Bill Nos.: 102-32(COR).

If you have any question(s), please do not hesitate to call the office at 475-9412/9106.

JOHN A. RIOS
Director

Enclosures

cc: Senator Vicente (ben) Pangelinan

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 111-32**

AN ACT TO AUTHORIZE GOVERNMENT EMPLOYEES TO UTILIZE ANNUAL LEAVE T PAY DEBTS TO GUAM MEMORIAL HOSPITAL AUTHORITY BY ADDING A NEW 54109.6 TO CHAPTER 4, TITLE4, GUAM CODE ANNOTATED.

Department/Agency Appropriation Information	
Dept./Agency Affected: Administration	Dept./Agency Head: Benita Manglona, Director
Department's General Fund (GF) appropriation(s) to date:	27,958,631
Department's Other Fund (Specify) appropriation(s) to date: GHF, TAF, IDCF, SLF	8,523,716
Total Department/Agency Appropriation(s) to date:	\$36,482,347

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2012 Unreserved Fund Balance ¹		\$0	\$0
FY 2013 Adopted Revenues	\$0	\$0	\$0
FY 2013 Appro. (P.L. 31-233)	\$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 2013 (if applicable)	FY 2014	FY 2015	FY 2016	FY 2017
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$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? /x / N/A / / Yes / / No
If no, what is the additional amount required? \$ _____ /x / N/A
- Does the Bill establish a new program/agency? / / Yes /x / No
If yes, will the program duplicate existing programs/agencies? /x / N/A / / Yes / / 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: / / Yes /x / No
/ / Requested agency comments not received as of the due date / x / Other: Deloitte & Touche

Analyst: 	Date: 5/14/13	Director: 	Date: MAY 16 2013
John AB Pangelinan, Acting Deputy Director		John A. Rios, Director	

Footnotes:
Please see attached comment sheet.

Comment on Bill No. 111-32

This proposed legislation is seeking to apply the annual leave hours of Government of Guam employees as a funding source to pay for medical services rendered by Guam Memorial Hospital Authority (GMHA) to Government of Guam employees. Such a proposal is an unfunded mandate.

Per the FY 2011 Audited Financial Report for Government of Guam, the Compensated Absence (annual leave) at the beginning of the fiscal year was recorded as a liability of \$24.7 Million; during the fiscal year \$6.1 Million was accrued and \$8.1 Million was expended, leaving a year-end balance of \$22.7 Million as a carryover into FY 2012. It is projected that \$10.8 Million of this year-end balance will be used in FY 2012.

Normally, when annual leave is taken, such expense is charged to current appropriations. In FY 2011, the dollar expenditure for Compensated Absences was \$6.5 Million¹ and for FY 2012, the expected expenditure cost is \$10.2 Million¹. In the absence of any qualifying usage data related to medical expense, it is assumed that the additional Compensated Absences expenditure of up to \$10.8 Million could be reached, doubling the annual Compensated Absences cost to \$20 Million each year should this Act be passed. Such expenditure increase would contribute potentially to the deficit outcome of the General Fund and other Special Revenue Funds each fiscal year.

1/FY 2011 Audited Report for Government of Guam



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Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

May 13, 2013

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

VIA E-MAIL
john.rios@bbmr.guam.gov

Senator
Vicente (Ben) C. Pangelinan
Member

John A. Rios
Director
Bureau of Budget & Management Research
P.O. Box 2950
Hagåtña, Guam 96910

Speaker
Judith T.P. Won Pat, Ed.D.
Member

RE: Request for Fiscal Note-- Bill Nos. 111- 116-32 (COR)

Senator
Dennis G. Rodriguez, Jr.
Member

Hafa Adai Mr. Rios:

Vice-Speaker
Benjamin J.F. Cruz
Member

Transmitted herewith is a listing of *I Mina'trentai Dos na Liheslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

Legislative Secretary
Tina Rose Muña Barnes
Member

Si Yu'os ma'åse' for your attention to this matter.

Senator
Frank Blas Aguon, Jr.
Member

Very Truly Yours,

Senator
Michael F.Q. San Nicolas
Member

Senator Rory J. Respicio
Chairperson, Committee on Rules

Senator
V. Anthony Ada
Member
MINORITY LEADER

Attachments (1)

Senator
Aline Yamashita
Member

Cc: Clerk of the Legislature

2013 MAY 14 PM 12: 06

Bill Nos.	Sponsor	Title
111-32 (COR)	D.G. Rodriguez, Jr., Michael T. Lintiaco	AN ACT TO AUTHORIZE GOVERNMENT EMPLOYEES TO UTILIZE ANNUAL LEAVE TO PAY DEBTS TO GUAM MEMORIAL HOSPITAL AUTHORITY, BY ADDING A NEW §4109.6 TO CHAPTER 4, TITLE 4, GUAM CODE ANNOTATED.
112-32 (COR)	T. C. Ada, R.J. Respicio	AN ACT TO ADD NEW §§ 12015.5 (I) AND (J) OF CHAPTER 12, TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO THE CREATION OF AN AFFORDABLE HOUSING SYSTEM DEVELOPMENT CHARGE (AHSDC).
113-32 (COR)	T.R. Muña Barnes, F.B. Aguon, Jr., B.J.F. Cruz, J.T. Won Pat, Ed.D., R.J. Respicio	AN ACT TO ADD A NEW SECTION 16 TO CHAPTER X OF PUBLIC LAW 31-233 (GENERAL APPROPRIATIONS ACT OF 2013) MAKING AN APPROPRIATION FROM THE TOURIST ATTRACTION FUND (TAF) TO DUK DUK GOOSE, INC. TO COVER PRODUCTION COSTS FOR A CULTURAL CHILDREN'S TELEVISION PROGRAM.
114-32 (COR)	T.R. Muña Barnes, B.J.F. Cruz, J.T. Won Pat, Ed.D., F.B. Aguon, Jr., R.J. Respicio	AN ACT TO ADD A NEW SECTION 16 TO CHAPTER X OF PUBLIC LAW 31-233 (GENERAL APPROPRIATIONS ACT OF 2013) MAKING AN APPROPRIATION FROM THE TOURIST ATTRACTION FUND (TAF) TO HURAO ACADEMY, INC. TO CONTINUE THEIR MISSION IN PROMOTING AND PERPETUATING THE CHAMORU LANGUAGE AND CULTURE.
115-32 (COR)	T.R. Muña Barnes, B.J.F. Cruz, J.T. Won Pat, Ed.D., F.B. Aguon, Jr., R.J. Respicio	AN ACT TO ADD A NEW SECTION 16 TO CHAPTER X OF PUBLIC LAW 31-233 (GENERAL APPROPRIATIONS ACT OF 2013) MAKING AN APPROPRIATION FROM THE TOURIST ATTRACTION FUND (TAF) TO INETNON GEFPÁ'GO CULTURAL ARTS PROGRAM, INC. FOR THE PURPOSES OF DEVELOPING A SOUTHERN VISITOR ATTRACTION VENUE AT THE INARAJAN GARDENHOUSE (IGH).
116-32 (COR)	Michael F.Q. San Nicolas	AN ACT TO AMEND §§ 65102 AND 65103 OF CHAPTER 65, TITLE 10, GUAM CODE ANNOTATED AND TO ADD A NEW § 65103.1 TO THE SAME CHAPTER; RELATIVE TO THE ESTABLISHMENT OF OPERATIONAL CONTINUITY PLANS FOR EACH AGENCY OF THE GOVERNMENT OF GUAM.



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V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

May 9, 2013

MEMORANDUM

To: Rennae Meno
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Rory J. Respicio
Majority Leader & Rules Chair

Subject: Referral of Bill No. 111-32(COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 111-32(COR)**.

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Dos na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.



Si Yu'os Ma'åse!

Attachment

**MINA' TRENTAI DOS NA LIHESLATURAN GUAHAN
2013 (FIRST) Regular Session**

Bill No. 111 -32 (COR)

Introduced by:

D.G. Rodriguez, Jr. 
Michael T. Limtiaco 

**AN ACT TO AUTHORIZE GOVERNMENT EMPLOYEES TO
UTILIZE ANNUAL LEAVE TO PAY DEBTS TO GUAM
MEMORIAL HOSPITAL AUTHORITY, BY ADDING A NEW
§4109.6 TO CHAPTER 4, TITLE 4, GUAM CODE
ANNOTATED.**

MAY -9 AM 11:13 

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent:** *I Liheslaturan Guåhan* finds
3 that there are a approximately 4,469 government of Guam employees and/or
4 employee dependants who owe the Guam Memorial Hospital Authority
5 approximately \$6,559,196.00 for medical services rendered, as of April 15, 2013.
6 This includes patients for which the government employee is a guarantor for the
7 payment of medical services provided. Further, many of these employees are
8 without the direct financial means to pay their debt for medical services received
9 from GMHA. *I Liheslaturan Guåhan* takes due note that the GMHA
10 Administration is aggressively seeking the payment of debts due to the hospital, to
11 include the referral of debt collection to a collection agency. Because of this
12 collection effort, the inability of an employee to pay their debt could result in
13 adversely affecting their credit rating, further complicating the financial situation
14 of their families.

15 It is the intent of *I Liheslaturan Guåhan* to provide an alternative means by
16 which employees of the government may pay their debts to the Guam Memorial
17 Hospital Authority by voluntarily utilizing their accrued annual leave. It is also the

1 intent of *I Liheslaturan Guåhan* to ensure that the employee still retains at least
2 one hundred twenty (120) hours of annual leave for other purposes, planned or
3 unplanned, which may arise in the future.

4 **Section 2.** A new §4109.6 is added to Chapter 4, Title 4, Guam Code
5 Annotated, to read:

6 **“§4109.6. Conversion of Annual Leave for Payment to Guam Memorial**
7 **Hospital Authority; Authorized.** Upon written request, a government of Guam
8 employee shall be authorized to utilize up to two hundred forty (240) hours of
9 accumulated annual leave for the payment of their debt, their dependant’s debt, or
10 those debts for which the government employee is a guarantor for payment, for
11 medical services rendered by the Guam Memorial Hospital Authority (GMHA),
12 except as otherwise provided in this Section. Funding for the accrued annual leave
13 to be utilized for the employee’s payment to GMHA shall come from the annual
14 fiscal year budget for operations of the agency or department of the employee. The
15 authorized amount for payment shall be transferred directly from the department or
16 agency to GMHA and *shall* be credited towards the payment of the employee’s
17 medical debt. This Section shall apply to all employees, both classified and
18 unclassified, of any government agency, department or instrumentality, to include
19 autonomous agencies, who accrue annual leave.

20 (1) The Director of the Department of Administration *shall* prepare a
21 standard form for employees to authorize the use of their accrued
22 annual leave for payment of their debt to GMHA.

23 (2) The Administrator of Guam Memorial Hospital Authority *shall* notify
24 all government of Guam employees with outstanding debts to GMHA
25 of this authorization to utilize their annual leave for the payment of

1 their debt to GMHA, and shall provide them with the authorization
2 form prepared by D.O.A.

3 (3) The government employee shall not be authorized to utilize all annual
4 leave, and *shall* retain at least one hundred twenty (120) hours of
5 accrued leave for other purposes which may arise requiring their future
6 use of annual leave.”

7 **Section 3. Effective Date.** This Act shall become immediately effective
8 upon enactment.