



COMMITTEE ON RULES

I Mina'trentai Tres na Liheslaturan Guåhan • The 33rd Guam Legislature

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

E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator

Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator

Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Speaker

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

Vice-Speaker

Benjamin J.F. Cruz
Member

Legislative Secretary

Tina Rose Muna Barnes
Member

Senator

Dennis G. Rodriguez, Jr.
Member

Senator

Frank Blas Aguon, Jr.
Member

Senator

Michael F.Q. San Nicolas
Member

Senator

Nerissa Bretania Underwood
Member

V. Anthony Ada

MINORITY LEADER


Mary C. Torres

MINORITY MEMBER

June 9, 2016

Memorandum

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

From: **Senator Thomas C. Ada** 
Acting Chairperson of the Committee on Rules

Subject: **Fiscal Notes and Fiscal Note Waiver**

Hafa Adai!

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

FISCAL NOTES:

Bill No. 298-33(COR)

Bill No. 317-33(COR)

Bill No. 322-33(COR)

Bill No. 324-33(COR)

Bill No. 329-33(COR)

FISCAL NOTE WAIVER:

Bill No. 316-33(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'!

2016 JUN 10 AM 10:45

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 298-33 (COR)**

AN ACT TO ADD A NEW ARTICLE 6 TO CHAPTER 3, TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO THE GUAM FAMILY MEDICAL LEAVE ACT; AND TO ADD A NEW ARTICLE 7 TO CHAPTER 3, TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO CHILD SCHOOL-RELATED LEAVE.

Department/Agency Appropriation Information	
Dept./Agency Affected: Government of Guam Wide	Dept./Agency Head: Eddie Baza Calvo, Governor of Guam
Department's General Fund (GF) appropriation(s) to date:	-
Department's Other Fund (Specify) appropriation(s) to date:	-
Total Department/Agency Appropriation(s) to date:	\$0

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2015 Unreserved Fund Balance		\$0	\$0
FY 2016 Adopted Revenues	\$0	\$0	\$0
FY 2016 Appro. (P.L. 33-66 thru P.L. 33-149)	\$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 2016 (if applicable)	FY 2017	FY 2018	FY 2019	FY 2020
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? / / 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: /X/ Yes / / No
/X/ Requested agency comments not received by due date 4/26/16 / / Other:

Analyst: <u>Virginia Manglona</u> Virginia Manglona, BMA II	Date: <u>8/2/16</u>	Director: <u>Jose S. Calvo</u> Jose S. Calvo, Director	JUN 03 2016 Date: _____
--	---------------------	---	-----------------------------------

Footnotes:
/ / See attached comments.

Comments on Bill No. 298-33 (COR)

The intent of the proposed legislation is to add two (2) new Articles, Article 6 and 7 to Chapter 3, Title 22 of the Guam Code Annotated. The Article 6 is relative to the Guam Family Medical Leave Act; and Article 7 is relative to Child School-Related Leave.

Section 1, Article 6 §3602 relative to the Eligibility Requirements (a), reduces the number of hours of service with the employer from 1,250 hours as stated on the U.S. Department of Labor, Family Medical Leave Act (FMLA) to 1,000 hours to take up to a total of 12 workweeks in any 12 month period for family care and medical leave. This is a difference of 250 hours which equates to approximately 31 work days less to qualify. Eligibility Requirements (b), reduces the number of employees an employer employs to grant the request for FMLA from 50 to fewer than 25 employees and shall not be unlawful for an employer to refuse to grant such request.

Section 2, Article 7 §3703 adds the Leave for Child School-Related Purposes. §3703 (a) (1) relative to the Leave for child school-related purposes, an employer shall not discharge or discriminate against an employee who is a parent of one or more children to take up to 40 hours each year for the following child-related activities; to enroll or reenroll the child in school or licensed child care provider or to participate in the activities, and to address a child care provider or school emergency

Should the Bill become law it will establish the Guam Family Medical Leave Act similar to the U.S. Department of Labor, Family Medical Leave Act and the Child School-Related Leave Act similar to the Parental Involvement created via E.O. 98-20. There will be a financial impact on the Government of Guam which cannot be determined at this time absent additional information from the Department of Administration.

However, it should be noted that should department heads fill positions left temporarily vacant by employees who take leave pursuant to provisions therein, detailed employees who serve beyond thirty (30) days are compensable for that period pursuant to the Government of Guam's Personnel Rules and Regulations.
