

I Mina'Trentai Tres Na Liheslaturan Received
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
351-33 (COR)	FRANK B. AGUON, JR. R. J. Respicio	AN ACT TO ADD A NEW § 6225.2 TO ARTICLE 2 OF CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO PROVIDING FOR A HAZARDOUS PAY DIFFERENTIAL FOR CUSTOMS OFFICERS WITHIN THE GUAM CUSTOMS AND QUARANTINE AGENCY.	07/11/16 2:48 p.m.	07/11/16	Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement	09/27/16 1:00 p.m.	11/21/16 12:06 p.m.	Fiscal Note Request 07/11/16 Fiscal Note Request As Substituted 11/21/16 Fiscal Note 12/13/16
	DATE PASSED	TITLE	DATE AND TIME TRANSMITTED		DUE DATE	<small>DATE SIGNED BY I MAGA'L À HEN GU À HAN</small>	PUBLIC LAW NO.	NOTES
	12/02/16	AN ACT TO AMEND § 6225 OF ARTICLE 2, CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO IDENTIFYING HAZARDOUS DUTY POSITIONS.	12/05/16	4:50 p.m.	12/16/16			



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: roryfor Guam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

December 13, 2016

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Memorandum

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

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

From: **Senator Rory J. Respicio**
Chairperson of the Committee on Rules

Vice-Speaker
Benjamin J.F. Cruz
Member

Subject: **Fiscal Note**

Legislative Secretary
Tina Rose Muna Barnes
Member

Hafa Adai!

Attached please find the fiscal note for the bill number listed below.
Please note that the fiscal note is issued on the bill as substituted.

Senator
Dennis G. Rodriguez, Jr.
Member

FISCAL NOTE:

Bill No. 351-33(COR) As Substituted

Senator
Frank Blas Aguon, Jr.
Member

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

Senator
Michael F.Q. San Nicolas
Member

Si Yu'os ma'åse'!

Senator
Nerissa Bretania Underwood
Member

V. Anthony Ada
MINORITY LEADER

Mary C. Torres
MINORITY MEMBER

2016 DEC 13 AM 11:50

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 351-33 (COR) As Substituted**

AN ACT TO AMEND §6225 TO ARTICLE 2 OF CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO IDENTIFYING HAZARDOUS PAY POSITIONS.

Department/Agency Appropriation Information

Dept./Agency Affected: All Government Departments / Agencies		Dept./Agency Head: All Department / Agency Heads	
Department's General Fund (GF) appropriation(s) to date:		681,271,974	
Department's Other Fund (Specify) appropriation(s) to date:		196,130,700	
Total Department/Agency Appropriation(s) to date:		877,402,674	

Fund Source Information of Proposed Appropriation

	General Fund:	(Specify Special Fund):	Total:
FY 2016 Unreserved Fund Balance		\$0	\$0
FY 2017 Adopted Revenues	\$0	\$0	\$0
FY 2017 Appro. (P.L. 33-185)	\$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 2017 (if applicable)	FY 2018	FY 2019	FY 2020	FY 2021
General Fund	\$1,607,301	\$0	\$0	\$0	\$0	\$0
Special Fund: 1/	\$1,321,845	\$0	\$0	\$0	\$0	\$0
Total	\$2,929,146	\$0	\$0	\$0	\$0	\$0

1/ Customs, Agriculture, Quarantine Inspection Services Fund-\$1,020,570; GIAA Revenues-\$279,662; Tourist Attraction Fund-\$21,614

- 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? / / 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: / / Yes / X / No
/ / Requested agency comments not received by due date / X / Other: Due to time constraints

Analyst: <u>William P. Tuitinglong</u> William P. Tuitinglong, B&MA Supervisor	Date: <u>12/7/16</u>	Director: <u>Jose S. Calvo</u> Jose S. Calvo, Director	Date: DEC 12 2016
---	----------------------	---	--------------------------

Comments:
See comments and attachment to Bill No. 351-33 (COR).

COMMENTS ON BILL NO. 351-33 (COR) As Substituted

Bill 351-33 (COR) will amend §6225 of Article 2, Chapter 6, Title 4, Guam Code Annotated relative to identifying Hazardous Pay Positions. The amendment provides that the Hazardous duty positions *shall* be identified as follows:

- 1) all sworn Officers of the Customs and Quarantine Agency;
- 2) all sworn Officers of the Guam Airport Police;
- 3) all sworn Conservation Officers of the Division of Aquatic and Wildlife Resources of the Department of Agriculture;
- 4) all sworn Guam Park Patrol Officers of the Department of Parks & Recreation;
- 5) all youth service workers and/or social workers at the Department of Youth Affairs; and
- 6) those employed by the Office of the Attorney General whom he or she specifically designates.

The Bill 351-33 also provides that the appointing Authorities of the above noted departments/agencies and the Department of Administration to identify the direct exposure personnel, and upon exposure, shall be entitled to the ten percent (10%) hazardous pay differential.

Should Bill 351-33 be enacted, the Bureau estimates the fiscal impact to be a total of \$2.9 Million, inclusive of Retirement and Medicare. Of this estimate, \$2.6 Million are for the five (5) line departments / agencies noted and based on their FY2017 General and Special Fund Salary Appropriation per P.L. 33-185, and \$279,662 for the Guam Airport Police based on the estimate per the Guam International Airport Authority (GIAA) FY2015 Staffing Pattern for Airport Police. When computing this fiscal impact, it was assumed that up to ten percent (10%) of salaries would apply to all direct law enforcement employees of each department. This estimate may be a lower amount once non-officers or “direct exposure” personnel are identified and found to be exempt from receiving the hazardous pay differential.

In addition, based on information received from the Payroll Section of the Department of Administration, the actual expenditures for Hazard Pay from FY2014 thru FY2016 totaled \$7.7M for the following nine (9) departments/agencies: Customs & Quarantine Agency, Corrections, Agriculture, Parks & Recreation, Public Health & Social Services, Public Works, Youth Affairs, Guam Police and the Guam Solid Waste Authority. This is an average hazard pay cost of \$2.5M per year.

It is also noted that this proposed legislation provides only the authorizations; but not the appropriation or funding when implemented.

Attachment to Bill No. 351-33 (COR) As Substituted
 Estimated Impact - Hazardous Pay per Department

Department	General Fund	Special Fund	Note	Total 1/	10% HP	Benefits 2/	Grand Total
1 Customs and Quarantine Agency (CQA)	\$0	\$7,919,982	3/	\$7,919,982	\$791,998	\$228,571	\$1,020,569
2 Guam Airport Police	\$0	\$2,170,279	4/	\$2,170,279	\$217,028	\$62,634	\$279,662
3 Agriculture, DAWR Conservation Officers	\$471,309	\$0		\$471,309	\$47,131	\$13,602	\$60,733
4 Parks & Recreation Park Patrol Officers	\$0	\$167,732	5/	\$167,732	\$16,773	\$4,841	\$21,614
5 Youth Affairs Youth Services Worker & Social Workers	\$3,215,115	\$0		\$3,215,115	\$321,512	\$92,788	\$414,300
6 Attorney General Designated Employees	\$8,786,807	\$0		\$8,786,807	\$878,681	\$253,587	\$1,132,268
Total	\$12,473,231	\$10,257,993	\$0	\$22,731,224	\$2,273,122	\$656,023	\$2,929,146

Notes:

1/ FY2017 Salary Appropriation

2/ Retirement and Medicare Rate (x 28.86%)

3/ Customs, Agricultural, Quarantine Inspection Services Fund

4/ Estimated per GIAA FY2015 Staffing Pattern for Airport Police

5/ Tourist Attraction Fund