

I Mina'trentai Ocho Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
48-38 (COR)	Vincent A. Borja Tina Rose Muña Barnes Frank F. Blas Jr. Christopher M. Duenas Sabrina Salas Matanane Shelly V. Calvo Jesse A. Lujan Joe S. San Agustin	AN ACT TO ADD A NEW § 4131 OF ARTICLE 1, CHAPTER 4, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING LIMITED LEAVE BENEFITS FOR RETIRED TEACHERS REHIRED ON CONTRACT TO FILL TEACHING VACANCIES.	2/7/25 9:46 a.m.	2/13/25	Committee on Finance and Government Operations.	Request: 2/13/25 3/5/25			



COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson
I Mina'trentai Ocho Na Liheslaturan Guahan
38th Guam Legislature

March 5, 2025

To: **Rennae V. C. Meno**
Clerk of the Legislature

From: **Vice Speaker V. Anthony Ada** 
Chairperson, Committee on Rules

Subject: **Fiscal Note for Bill No. 48-38 (COR)**

Håfa Adai!

Find the attached, Fiscal Note for the following bill:

Bill No. 48-38 (COR).

I also request that the same be sent to the respective Chairperson of the Standing Committee, to which this bill has been referred. Kindly forward the same to Management Information Services (MIS) for posting on our website.



**Bureau of Budget & Management Research
Fiscal Note of Bill No. 48-38 (COR)**

AN ACT TO ADD A NEW § 4131 OF ARTICLE 1, CHAPTER 4, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING LIMITED LEAVE BENEFITS FOR RETIRED TEACHERS REHIRED ON CONTRACT TO FILL TEACHING VACANCIES.

Department/Agency Appropriation Information	
Dept./Agency Affected: Guam Department of Education (GDOE)	Dept./Agency Head: Dr. Kenneth E. Swanson, Superintendent
Department's General Fund (GF) appropriation(s) to date: P.L. 37-125: Operations (\$230,506,660); P.L. 37-135: Operations/Maint./Repair (\$10,000,000); P.L. 37-135: Parent Teacher Organizations (\$205,000); P.L. 37-135: Opioid Antagonists (\$25,000)	240,736,660
Department's Other Fund (Specify) appropriation(s) to date: Guam Educational Facilities Fund (\$11,354,810); Public School Library Resources Fund (\$774,942); Healthy Futures Fund (\$891,754); School Lunch/Child Nutritional Meal Reimbursement Fund (\$12,504,000); Limited Gaming Fund (\$350,944)	25,876,450
	266,613,110

Fund Source Information of Proposed Appropriation			
	General Fund:	(Specify Special Fund):	Total:
FY 2024 Unreserved Fund Balance		\$0	\$0
FY 2025 Adopted Revenues	\$0	\$0	\$0
FY 2025 Appro. (P.L. 37-125 thru P.L.37-135)	\$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 2025 (if applicable)	FY 2026	FY 2027	FY 2028	FY 2029
General Fund	\$0	1/	1/	1/	1/	1/
Special Fund	\$0	1/	1/	1/	1/	1/
Total	\$0	1/	1/	1/	1/	1/

- Does the bill contain "revenue generating" provisions? / / Yes / X / No
If Yes, see attachment 1/
- 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: / X / Yes / / No
/ X / Requested agency comments not received by due date / / Other:

Analyst: William P. Taitington, Jr. Date: 2/27/25 Director: Lester L. Carlson, Jr. Date: FEB 20 2025
 William P. Taitington, Jr., Acting BMA Supvr. Lester L. Carlson, Jr., Director

Footnotes:
 1/ See attached comments on Bill 48-38 (COR).

**BUREAU OF BUDGET AND MANAGEMENT RESEARCH
COMMENTS ON BILL NO. 48-38 (COR)**

The proposed Bill 48-38 (COR) is an act to add a new § 4131 of Article 1, Chapter 4, Title 4, Guam Code Annotated, relative to authorizing limited leave benefits for retired teachers rehired on contract to fill teaching vacancies.

According to the legislative intent of Bill 48-38, Guam continues to face critical teacher shortages in our public schools. The Guam Department of Education (GDOE) has historically relied on rehiring retired teachers on contract to fill these critical vacancies. However, these contract positions currently do not provide basic leave benefits that would retain these experienced educators. Thus, the Bill 48-38 intends to grant limited leave benefits to retired teachers while protecting both the government's retirement system and financial interests.

Section 2 of Bill 48-38 adds a new § 4131 to Article 1, Chapter 4, Title 4 which will provide leave benefits for retired teachers who are rehired on contract by the GDOE to fill teaching vacancies to be entitled to accrue:

- 1) annual leave at the rate of 4 hours per pay period; and
- 2) sick leave at the rate of 4 hours per pay period.

The section also provides for the following limitations applicable to the leave benefits:

- 1) The leave rates shall remain fixed and shall not increase based on years of service;
- 2) The unused leave may only be carried over for one fiscal year, after which any excess leave shall be forfeited;
- 3) No payment shall be made for any unused leave upon separation from service;
- 4) The leave taken under this Section shall not count toward service credit for retirement purposes;
- 5) The leave accrued under this Section shall not be eligible for the leave sharing program under § 4109.2 of this Chapter; and
- 6) The Superintendent of the GDOE shall establish procedures to implement this section within 90 days of enactment.

The Bureau had sought input on the financial impact of the proposed Bill 48-38 from the GDOE on February 17, 2025 with a follow-up request on February 20, 2025. The Bureau has not received any official comments as of the date of this fiscal note.

However, the Bureau does anticipate that Bill 48-38 will have a financial impact on GDOE's annual fiscal year appropriation. If enacted, the GDOE would have to absorb the costs for employee compensation in terms of paid leave benefits for the rate per hour of these retired teachers absent from work as the annual and sick leave accrued will then be available to be charged for such absence from work. Absent information from the GDOE, such as the salary earned and current number of retired teachers that are on contract, the Bureau is unable to provide an estimated cost impact at this time.