I Mina'trentai Sais Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
203-36 (COR)	James C. Moylan	AN ACT TO *ADD* A NEW § 77136 TO CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING THE CHIEF OF POLICE TO SUBMIT AN ANNUAL BUDGET PLAN FOR EXECUTIVE SECURITY TO ASSURE GREATER ACCOUNTABILITY WITH THESE EXPENDITURES.	9/20/21 8:00 a.m.						

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session

Bill No. 203-36 (COR)

Introduced by: James C. Moylan

AN ACT TO *ADD* A NEW § 77136 TO CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING THE CHIEF OF POLICE TO SUBMIT AN ANNUAL BUDGET PLAN FOR EXECUTIVE SECURITY TO ASSURE GREATER ACCOUNTABILITY WITH THESE EXPENDITURES.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that for every dollar which is expended for Executive Security is a dollar taken away from the budget of the Guam Police Department (GPD), who is placed with the enormous responsibility of keeping the island community safe. While it is vital to fund Executive Security to assure in the safety of the Chief Executive, it is also imperative that the budget of GPD not be expended as an unlimited credit card when it comes to expenses associated with that very security. Restrictive measures and a budget plan which promotes greater accountability need to be prioritized and in place.

While total expenditures on Executive Security reduced by nearly $170,500 in FY'19, versus the prior fiscal year, the costs have significantly escalated since. In FY'20, expenses spiraled to $2.18 million, which was 86% higher than the previous fiscal year, and as of September 15, 2021, the FY'21 expenditures for

Executive Security have amounted to a little more than $2 million, or 73% more than FY'19. In the past two years, Executive Security costs have represented nearly 6% of GPD's overall budget, which is concerning when considering the limited resources and manpower the department is facing with keeping the entire island safe.

This objective of this Act is to establish accountability with the expenditures associated with Executive Security, by requiring a budgetary plan be submitted as part of GPD's annual budget. The measure would further require frequent reports to assure that expenses are controlled, and that the departments budget is not quickly depleted into Executive Security, as has been experienced in the last two fiscal years. In a simple perspective, if a plan is in place, the Executive Branch would have to work with the plan, versus the blank check process being executed today.

For most of FY'20, as the island faced lockdowns due to the COVID-19 pandemic, over a million dollars in additional expenditures were remitted from the Guam Police Department's budget to fund Executive Security, compared to the prior fiscal year. While economic conditions were dwindling and criminal activity continuing to adversely intensify throughout the island, GPD's hands were tied as their allotted budget was being depleted for expenses beyond their control. For FY'21, over $850,000 in additional expenditures have been earmarked for Executive Security compared to just two years ago, and this was as of September 15, 2021. Once again depleting a budget meant to protect the entire island.

This Act would provide additional support to the Chief of Police, who would have greater control over GPD's overall budget. Further, this could amount to an additional $1 million to $1.5 million for the department each year, which is critical in their efforts of their mission, which is to keep the community safe. With the recent enactment of Public Law 36-54, which would mandate annual training

cycles for the Guam Police Department, these monies would certainly help fund additional officers, as the department faces serious shortages.

Section 2. A new § 77136 is hereby *added* to Chapter 77, Title 10, Guam Code Annotated to read as follows:

"§ 77136. Budget Plan for Executive Security.

(a) Notwithstanding any other provisions of the law, rule, or regulation to the contrary, each year the Chief of Police *shall* be authorized to establish a budget plan for Executive Security for the following Fiscal Year. The plan *shall* include, but *may* not be limited to, the total projected expenses associated with the following:

(1) Gross payroll expenses inclusive of the government's contribution;

(2) Gross overtime expenses inclusive of the government's contribution;

(3) Expenses associated with off island travel; and

(4) Costs associated with vehicles and other equipment.

The Chief of Police *shall* transmit this plan as part of their department's proposed budget to *I Maga'hågan Guåhan* for inclusion in the Executive Budget request that *I Maga'hågan Guåhan* submits annually to *I Liheslaturan Guåhan*. The total amount being requested for Executive Security *shall* be identified as a separate line item; however, it *shall* be inclusive as part of the Department's overall budget request.

(b) The Chief of Police *shall* submit a report to *I Maga'hagan Guåhan* and the Speaker of *I Liheslaturan Guåhan*, no more than ten (10) days from the close of each quarter, with an update on the expenses associated with Executive Security. The report *shall* include the variance between the

projected budget and actual expense within the quarter and fiscal year to date."

Section 3. Severability. If any provision of this Act or its application to any person or circumstance is found to be invalid or contrary to law, such invalidity *shall not* affect other provisions or applications of this Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

Section 4. Effective Date. The act *shall* be effective immediately upon enactment.