I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN
2008 (SECOND) Regular Session

FILE COPY

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LAHEN GUÅHAN*

This is to certify that **Bill No. 239 (LS), "AN ACT TO *AMEND* §55102 OF CHAPTER 55, DIVISION 3, TITLE 10 OF THE GUAM CODE ANNOTATED, RELATIVE TO COMPENSATION OF PUBLIC SAFETY AND LAW ENFORCEMENT OFFICERS, AND TO MAKE APPROPRIATIONS TO FUND SAID COMPENSATION,"** was on the 9th day of August, 2008, duly and regularly passed.

Judith T. Won Pat
Speaker

Attested:

Tina Rose Muña Barnes
Senator and Secretary of the Legislature

This Act was received by *I Maga'lahen Guåhan* this 11 day of Aug., 2008, at 4:40 o'clock P.M.

Assistant Staff Officer
Maga'lahi's Office

APPROVED:

FELIX P. CAMACHO
I Maga'lahen Guåhan

Date: _____

Public Law No. _____

I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN
2008 (SECOND) Regular Session

Bill No. 239 (LS)
As amended in the Committee
of the Whole.

Introduced by: Frank T. Ishizaki
A. B. Palacios, Sr.
Frank F. Blas, Jr.
Edward J.B. Calvo
B. J.F. Cruz
James V. Espaldon
Mark Forbes
Judith P. Guthertz, DPA
J. A. Lujan
Tina Rose Muña Barnes
v. c. pangelinan
R. J. Respicio
Dr. David L.G. Shimizu
Ray Tenorio
J. T. Won Pat, Ed.D.

AN ACT TO *AMEND* §55102 OF CHAPTER 55, DIVISION 3, TITLE 10 OF THE GUAM CODE ANNOTATED, RELATIVE TO COMPENSATION OF PUBLIC SAFETY AND LAW ENFORCEMENT OFFICERS, AND TO MAKE APPROPRIATIONS TO FUND SAID COMPENSATION.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that the services provided by public safety and law enforcement personnel are critical needs of the island. *I Liheslatura* finds that the need to sufficiently recruit and retain individuals to carry out these vital services has been hampered by insufficient compensation. In the past, compensation for nurses and teachers has

been adjusted to meet the national average. The compensation for Public Safety and Law Enforcement Officials, however, is quickly approaching minimum wage.

While the financial impact of compensation increases throughout public safety and law enforcement agencies may be too much for this island to absorb, a graduated compensation increase as revenues increase may be more economically feasible.

It is, therefore, the intent of *I Liheslaturan Guåhan* to ensure that Public Safety and Law Enforcement Officials are compensated accordingly in order to recruit and retain individuals to carry out these vital services to the community through a gradual increase in compensation over the next four (4) years.

Section 2. Subsections (e) and (f) are hereby *added* to §55102 of Chapter 55, Division 3, Title 10 of the Guam Code Annotated to read:

"(e) Compensation for individuals covered in the review outlined in this Section *shall* be increased by forty percent (40%) over a four (4) year period. Effective October 1, 2008, compensation for individuals covered in the study, as outlined in this Section, *shall* be increased by forty percent (40%) to be implemented so that the increase *shall* be *no less than* ten percent (10%) on October 1, 2008, *no less than* the aggregate of twenty percent (20%) on October 1, 2009, *no less than* the aggregate of thirty percent (30%) on October 1, 2010, with the aggregate final increase to *not exceed* forty percent (40%), *or* the amount of increase indicated by the Public Safety and Law Enforcement Compensation Review Report, for the respective classes of position, whichever is greater, by October 1, 2011. Thereafter, compensation *shall* be increased pursuant to the Public Safety and Law Enforcement Compensation Review and Report. Each percentage

increase *shall* be based on rates of compensation on September 30, 2008. It is the intent of *I Liheslaturan Guåhan* that the government of Guam achieves the final forty percent (40%) increase in an expedited manner as additional revenue becomes available.

(f) The rates of compensation *shall* be adjusted to meet the findings of the study outlined in item (a) of this Section."

Section 3. §55102 (a) of Chapter 55, Title 10, Guam Code Annotated, is *amended* to read:

"(a) The Director of Administration *shall* perform a review of the compensation, benefits, position requirements, and duties of public safety and law enforcement officers of the government of Guam, including those employed at the Courts of Guam, Guam Police Department, Guam Fire Department, Department of Corrections, Customs and Quarantine Agency, Jose D. Leon Guerrero Commercial Port Authority Police, A. B. Won Pat International Airport Authority Police, Department of Parks and Recreation, Department of Agriculture, Attorney General's Office, and the Department of Youth Affairs, in order to provide internal equity and external competitiveness. The review *shall* develop a Compensation Plan which treats all aspects of compensation (base salaries, benefits, pay differentials, and other factors) as a total reward and incentive package for employees, with said Plan to be uniformly administered throughout the government."

Section 4. §55102 (b) of Chapter 55, Title 10, Guam Code Annotated, is *amended* to read:

"(b) In conducting the review, the Director *shall* consult with and consider the views of the Administrator of the Courts, Chief of Police, Fire Chief,

Director of Corrections, Chief of Customs and Quarantine, Chief of Jose D. Leon Guerrero Commercial Port Authority Police, Chief of Police of the A. B. Won Pat International Airport Authority, Guam, Director of Parks and Recreation, Director of Agriculture, Attorney General, and the Director of the Department of Youth Affairs, and other interested persons, and *shall* conduct at least one (1) public hearing."

Section 5. The amount of One Million Two Hundred Eighty-nine Thousand Four Hundred Thirty-seven Dollars **($1,289,437)** is hereby appropriated from FY 2009 General Fund Revenues to the Department of Corrections for implementation of this Act.

Section 6. The amount of Twenty-seven Thousand Six Hundred Seventy-four Dollars **($27,674)** is hereby appropriated from the Emergency 911 Fund to the Guam Fire Department for implementation of this Act.

Section 7. The amount of Seventy-eight Thousand Seven Hundred Fifty-five Dollars **($78,755)** is hereby appropriated from FY 2009 General Fund revenues to the Department of Agriculture for implementation of this Act.

Section 8. The amount of Five Hundred Forty-four Thousand One Hundred Fifty-one Dollars **($544,151)** is hereby appropriated from the Customs, Agriculture, & Quarantine Inspection Fund to the Customs and Quarantine Agency for implementation of this Act.

Section 9. The amount of One Million Nine Hundred Ninety-three Thousand One Hundred Twenty-nine Dollars **($1,993,129)** is hereby appropriated from FY 2009 General Fund revenues to the Guam Police Department for implementation of this Act.

Section 10. The amount of Two Million Two Hundred Sixty-four Thousand

Nine Hundred Seventy-three Dollars (**$2,264,973)** is hereby appropriated from FY 2009 General Fund revenues to the Guam Fire Department for implementation of this Act.

Section 11. The amount of Seventeen Thousand Forty-four Dollars (**$17,044)** is hereby appropriated from FY 2009 General Fund revenues to the Department of Parks and Recreation for implementation of this Act.

Section 12. The amount of One Hundred Forty-three Thousand Three Hundred Thirty-eight Dollars (**$143,338)** is hereby appropriated from FY 2009 General Fund revenues to the Department of Youth Affairs for implementation of this Act.

Section 13. The amount of One Hundred Eight Thousand Four Hundred Ninety-five Dollars (**$108,495)** is hereby appropriated from FY 2009 General Fund revenues to the Office of the Attorney General for implementation of this Act.

Section 14. The amount of Six Hundred Twenty-four Thousand Five Hundred Twenty-nine Dollars (**$624,529)** is hereby appropriated from FY 2009 General Fund revenues to the Judiciary for implementation of this Act.