



Office of the Governor of Guam

P.O. Box 2950 Hagåtña, Guam 96932

TEL: (671) 472-8931 • FAX: (671) 477-4826 • EMAIL: governor@mail.gov.gu

Felix P. Camacho  
Governor

Michael W. Cruz, M.D.  
Lieutenant Governor

DEC 01 2009

2009 DEC -2 PM 2:32

The Honorable Judith T. Won Pat, Ed.D.  
Speaker  
Mina' Trenta Na Liheslaturan Guåhan  
155 Hessler Street  
Hagåtña, Guam 96910

Dear Speaker Won Pat:

Transmitted herewith is Bill No. 227-30(LS) "AN ACT TO AUTHORIZE HAZARDOUS PAY TO PAROLE OFFICERS WHO PERFORM THE DUTY OF SUPERVISING AND COUNSELING PAROLEES, AND TO AUTHORIZE HAZARDOUS PAY TO EMPLOYEES OF THE DEPARTMENT OF CORRECTIONS WHO PERFORM DUTIES, WHICH IF PERFORMED BY OTHER LAW ENFORCEMENT OR PUBLIC SAFETY OFFICERS, WOULD ENTITLE SUCH OFFICERS TO HAZARDOUS PAY, BY AMENDING §6222(a) OF TITLE 4, GUAM CODE ANNOTATED" which I signed into law on November 27, 2009 as **Public Law 30-71**.

Sins eru yan Magåhet,

FELIX P. CAMACHO  
I Maga'låhen Guåhan  
Governor of Guam

Attachment: copy of Bill

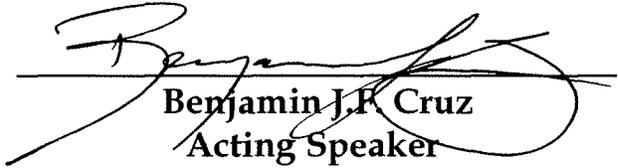
30-09-1428

12/02/09  
10a.m.

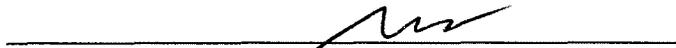
I MINA'TRENTA NA LIHESLATURAN GUÅHAN  
2009 (FIRST) Regular Session

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

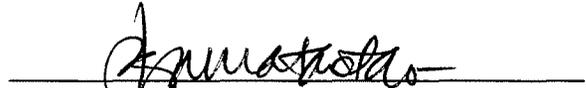
This is to certify that Bill No. 227-30 (LS), "AN ACT TO AUTHORIZE HAZARDOUS PAY TO PAROLE OFFICERS WHO PERFORM THE DUTY OF SUPERVISING AND COUNSELING PAROLEES, AND TO AUTHORIZE HAZARDOUS PAY TO EMPLOYEES OF THE DEPARTMENT OF CORRECTIONS WHO PERFORM DUTIES, WHICH IF PERFORMED BY OTHER LAW ENFORCEMENT OR PUBLIC SAFETY OFFICERS, WOULD ENTITLE SUCH OFFICERS TO HAZARDOUS PAY, BY AMENDING §6222(a) OF TITLE 4, GUAM CODE ANNOTATED," was on the 13<sup>th</sup> day of November, 2009, duly and regularly passed.

  
Benjamin J. Cruz  
Acting Speaker

Attested:

  
Rory J. Respicio  
Acting Legislative Secretary

-----  
This Act was received by I Maga'lahaen Guåhan this 17 day of Nov., 2009, at  
4:25 o'clock P.M.

  
Assistant Staff Officer  
Maga'lahaen's Office

APPROVED:

  
FELIX P. CAMACHO  
I Maga'lahaen Guåhan

Date: \_\_\_\_\_

Public Law No. 30-71

*I MINA'TRENTA NA LIHESLATURÁN GUÁHAN*  
**2009 (FIRST) Regular Session**

**Bill No. 227-30 (LS)**

As amended on the Floor.

Introduced by:

Adolpho B. Palacios, Sr.

Telo Taitague

T. C. Ada

F. B. Aguon, Jr.

F. F. Blas, Jr.

E. J.B. Calvo

B. J.F. Cruz

J. V. Espaldon

Judith P. Guthertz, DPA

T. R. Muña Barnes

v. c. pangelinan

M. J. Rector

R. J. Respicio

Ray Tenorio

Judith T. Won Pat, Ed.D.

**AN ACT TO AUTHORIZE HAZARDOUS PAY TO PAROLE OFFICERS WHO PERFORM THE DUTY OF SUPERVISING AND COUNSELING PAROLEES, AND TO AUTHORIZE HAZARDOUS PAY TO EMPLOYEES OF THE DEPARTMENT OF CORRECTIONS WHO PERFORM DUTIES, WHICH *IF* PERFORMED BY OTHER LAW ENFORCEMENT *OR* PUBLIC SAFETY OFFICERS, WOULD ENTITLE SUCH OFFICERS TO HAZARDOUS PAY, BY *AMENDING* §6222(a) OF TITLE 4, GUAM CODE ANNOTATED.**

**1 BE IT ENACTED BY THE PEOPLE OF GUAM:**

1           **Section 1. Legislative Findings and Intent.** Parolees are prisoners who  
2 are released from incarceration to serve the remainder of their sentence in the  
3 community, with certain conditions. Parole Officers are the employees who are  
4 vested with the authority to supervise and counsel these parolees, and to make sure  
5 that the conditions of parole are adhered to. §6222(a) of Title 4, Guam Code  
6 Annotated, as currently written, provides for hazardous pay to “any employee of  
7 the government who performs the duty of guarding prisoners.”

8           *I Liheslaturan Guåhan* finds that parole officers previously were considered  
9 eligible for hazardous pay and were so compensated. However, recently the  
10 Department of Administration (DOA) determined that under the term “guarding  
11 prisoners” in §6222(a) of Title 4, Guam Code Annotated, parole officers should  
12 *not* be eligible because they are *not* “guarding” prisoners.

13           *I Liheslaturan Guåhan* finds that probation officers and alternative  
14 sentencing officers of the Judiciary are eligible for hazardous pay pursuant to  
15 §6222(b), Title 4, Guam Code Annotated. Probation officers supervise and  
16 counsel probationers whose sentences are *not* served in confinement. Probation  
17 officers are the counterpart of parole officers and they perform similar functions.

18           *I Liheslaturan Guåhan* further finds that a correction officer and a parole  
19 officer who were assigned to a multi-agency crime task force, and those who were  
20 assigned to the Executive Security Force, and who serve alongside police officers,  
21 judiciary marshals, and Customs and Quarantine officers performing the same  
22 duties, are *not* eligible for hazardous pay, while the other members of the other law  
23 enforcement entities are eligible and are compensated hazardous pay.

24           *I Liheslaturan Guåhan* believes that the hazardous condition attributable to a  
25 prisoner while incarcerated is *not* extinguished when the same prisoner is released  
26 on parole and subsequently supervised and counseled by a parole officer.  
27 Furthermore, *I Liheslaturan Guåhan* believes that the hazardous conditions

1 associated with the mission of the multi-agency crime task force are *not*  
2 diminished against a correction officer *or* a parole officer simply because they are  
3 *not* eligible to receive hazardous pay.

4 In the interest of promoting equity in the application of hazardous pay  
5 pertinent to a work condition, it is, therefore, the intent of *I Liheslaturan Guåhan*  
6 to provide for hazardous pay to parole officers who perform the duty of  
7 supervising and counseling parolees, and also to provide for hazardous pay to  
8 corrections officers and parole officers who perform a duty outside of the direct  
9 supervision of the Department of Corrections (DOC), that *if* performed by any  
10 other law enforcement *or* public safety officers would entitle such officers to  
11 hazardous pay, such as when serving as a member of a multi-agency crime task  
12 force comprised of officers from the Guam Police Department (GPD), Judiciary,  
13 Customs and Quarantine, United States Marshal, United States Drug Enforcement  
14 Administration, *or if* performing any official duty when such duty would entitle  
15 other law enforcement officers to hazardous pay, by *amending* §6222 (a).

16 **Section 2.** §6222(a) of Title 4, Guam Code Annotated, “Corrections  
17 Officers-Hazardous Pay”, is hereby *amended* to read:

18 “(a) A corrections officer *or* a parole officer *or* any employee of the  
19 government who performs the duty of guarding prisoners *or* supervising *or*  
20 counseling parolees, *shall* be entitled to hazardous pay, calculated at the rate  
21 of his *or* her regular wage, plus ten percent (10%), for all periods he *or* she  
22 is on such duty. The differential *shall* be applicable only during time of  
23 exposure.

24 (1) A correction officer *or* a parole officer who performs a duty  
25 outside of the direct supervision of the Department of Corrections,  
26 that *if* performed by another law enforcement *or* public safety officer  
27 would entitle such officer to hazardous pay, *shall* be entitled to

1 hazardous pay, calculated at the rate of his *or* her regular wage, plus  
2 ten percent (10%), for all periods he *or* she is on such duty. The  
3 differential *shall* be applicable *only* during time of exposure.”

6

# I MINA' TRENTA NA LIHESLATURAN GUAHAN

2009 (FIRST) Regular Session

Date: Nov. 13, 2009

## VOTING SHEET

Bill No. 227<sup>34</sup>(LS)

Resolution No. \_\_\_\_\_

Question: \_\_\_\_\_

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
ADA, Thomas C.	✓				
AGUON, Frank B., Jr.					EA
BLAS, Frank F., Jr.	✓				
CALVO, Edward J.B.	✓				
CRUZ, Benjamin J. F. /	✓				
ESPALDON, James V. //	✓				
GUTHERTZ, Judith Paulette	✓				
MUNA-BARNES, Tina Rose /	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera		✓			
RECTOR, Matthew	✓				
RESPICIO, Rory J.	✓				
TAITAGUE, Telo	✓				
TENORIO, Ray	✓				
WON PAT, Judith T. //	✓				

TOTAL

13    1    \_\_\_\_\_    \_\_\_\_\_    1

CERTIFIED TRUE AND CORRECT:

  
Clerk of the Legislature

\* 3 Passes = No vote  
EA = Excused Absence



# SENATOR MATT RECTOR

Chairman, Committee on labor, the public structure, public libraries and technology

*I Mina' Trenta na Liheslaturan Guahan*

Thirtieth Guam Legislature



October 26, 2009

**The Honorable Judith T. Won Pat, Ed.D.**

Speaker

*I Mina Trenta Na Liheslaturan Guahan*

155 Hesler Street

Hagåtña, Guam 96910

**VIA: The Honorable Rory J. Respicio**

Chairperson, Committee on Rules

2009 OCT 27 PM 1:45  
MWR

Buenas yan Hafa Adai Madam Speaker,

The Committee on Labor, the Public Structure, Public Libraries and Technology, to which was referred: **Bill No. 227-30 (LS) "AN ACT TO AUTHORIZE HAZARDOUS PAY TO PAROLE OFFICERS WHO PERFORM THE DUTY OF SUPERVISING AND COUNSELING PAROLEES BY AMENDING 4 GCA §6222 (a); AND TO AUTHORIZE HAZARDOUS PAY TO EMPLOYEES OF THE DEPARTMENT OF CORRECTIONS WHO PERFORM DUTIES, WHICH IF PERFORMED BY OTHER LAW ENFORCEMENT OR PUBLIC SAFETY OFFICERS WOULD ENTITLE SUCH OFFICERS TO HAZARDOUS PAY, BY ADDING A NEW ITEM (1) TO §6222"** hereby reports out its findings and recommendations

The voting record is as follows:

TO PASS	<u>4</u>
NOT TO PASS	<u>0</u>
TO REPORT OUT	<u>0</u>
TO PLACE IN INACTIVE FILE	<u>0</u>

Copies of the committee report and other pertinent documents are attached. Thank you for your attention to this matter.

*Sensevamente,*

**MATT RECTOR**

Chairman,

Committee on Labor, the Public Structure,  
Public Libraries and Technology

Address  
153 Sesame Street, Suite B  
Mangilao, Guam 96923

Telephone  
(671)734-6288

Fax  
(671)734-8085

Website  
[www.MattRector.com](http://www.MattRector.com)

Committee Members

SENATOR ADOLPHO B. PALACIOS, SR  
VICE CHAIR

SENATOR VICENTE "ben" PANGELINAN

SENATOR FRANK BLAS AGUON, JR

SENATOR JUDITH GUTHERTZ

SENATOR TINA MUNA BARNES

SENATOR TELO TAITAGUE

**COMMITTEE  
REPORT  
ON**

**BILL NO. 227-30 (LS)  
(Adolpho B. Palacios Sr.)**

**AN ACT TO AUTHORIZE HAZARDOUS PAY TO PAROLE OFFICERS WHO PERFORM THE DUTY OF SUPERVISING AND COUNSELING PAROLEES BY AMENDING 4 GCA §6222 (a); AND TO AUTHORIZE HAZARDOUS PAY TO EMPLOYEES OF THE DEPARTMENT OF CORRECTIONS WHO PERFORM DUTIES, WHICH IF PERFORMED BY OTHER LAW ENFORCEMENT OR PUBLIC SAFETY OFFICERS WOULD ENTITLE SUCH OFFICERS TO HAZARDOUS PAY, BY ADDING A NEW ITEM (1) TO §6222**

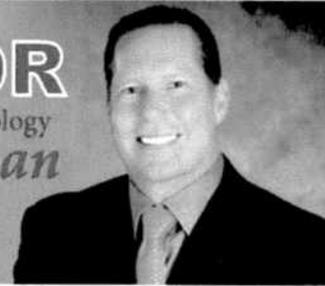


# SENATOR MATT RECTOR

Chairman, Committee on labor, the public structure, public libraries and technology

*I Mina' Trenta na Liheslaturan Guahan*

Thirtieth Guam Legislature



October 26, 2009

## MEMORANDUM

TO: Members  
Committee on Labor, the Public, Structure, Public Libraries, and Technology.

FROM: Chairman, Matthew Rector  
Committee on Labor, the Public, Structure, Public Libraries, and Technology.

SUBJECT: Committee Report on Bill No. 227-30 (LS)

Transmitted herewith for your information and action is the committee report on **Bill No. 227-30 (LS) "AN ACT TO AUTHORIZE HAZARDOUS PAY TO PAROLE OFFICERS WHO PERFORM THE DUTY OF SUPERVISING AND COUNSELING PAROLEES BY AMENDING 4 GCA §6222 (a); AND TO AUTHORIZE HAZARDOUS PAY TO EMPLOYEES OF THE DEPARTMENT OF CORRECTIONS WHO PERFORM DUTIES, WHICH IF PERFORMED BY OTHER LAW ENFORCEMENT OR PUBLIC SAFETY OFFICERS WOULD ENTITLE SUCH OFFICERS TO HAZARDOUS PAY, BY ADDING A NEW ITEM (1) TO §6222"**

This Memorandum is accompanied by the following:

1. Voting Sheet
2. Bill No. 227-30 (LS) as Introduced
3. Sign in Sheet
4. Committee Report Digest
5. Written Testimonies
6. Notices of Public Hearing

Please take appropriate action on the attached voting sheet. Your attention to this matter is greatly appreciated. Should there be any questions regarding this matter, please contact my office at 734-6288.

*Senseramente,*

**MATT RECTOR**

Chairman,  
Committee on Labor, the Public Structure,  
Public Libraries and Technology

### Address

153 Sesame Street, Suite B  
Mangilao, Guam 96923

### Telephone

(671)734-6288

### Fax

(671)734-8085

### Website

[www.MattRector.com](http://www.MattRector.com)

### Committee Members

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VICE CHAIR

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SENATOR FRANK BLAS AGUON, JR

SENATOR JUDITH GUTHERTZ

SENATOR TINA MUNA BARNES

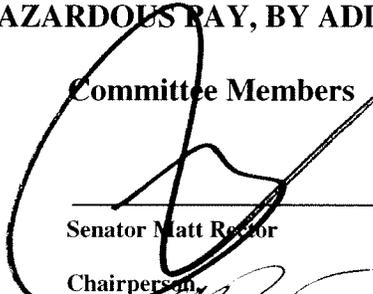
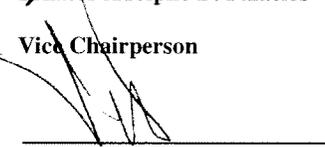
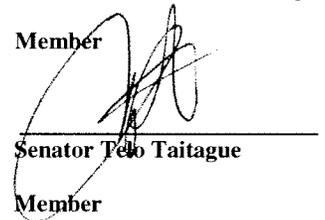
SENATOR TELO TAITAGUE

I MINA TRENTA NA LIHESLATURAN GUAHAN

Committee Voting Sheet

Committee on Labor, the Public Structure, Public Libraries  
and Technology.

Bill No. 227-30(LS) – “AN ACT TO AUTHORIZE HAZARDOUS PAY TO PAROLE OFFICERS WHO PERFORM THE DUTY OF SUPERVISING AND COUNSELING PAROLEES BY AMENDING 4 GCA §6222 (a); AND TO AUTHORIZE HAZARDOUS PAY TO EMPLOYEES OF THE DEPARTMENT OF CORRECTIONS WHO PERFORM DUTIES, WHICH IF PERFORMED BY OTHER LAW ENFORCEMENT OR PUBLIC SAFETY OFFICERS WOULD ENTITLE SUCH OFFICERS TO HAZARDOUS PAY, BY ADDING A NEW ITEM (1) TO §6222”.

Committee Members	To Pass	Not to pass	Report out	Abstain	Inactive File
 Senator Matt Resor Chairperson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator Adolpho B. Palacios Vice Chairperson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator Tina Rose Muña-Barnes Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator Frank B. Aguon, Jr. Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator Judith P. Guthertz, DPA member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator Vicente “Ben” Pangelinan Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator Teo Taitague Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



# SENATOR MATT RECTOR

Chairman, Committee on labor, the public structure, public libraries and technology

*I Mina' Trenta na Liheslaturan Guahan*

Thirtieth Guam Legislature



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VICE CHAIR

SENATOR VICENTE "ben" PANGELINAN

SENATOR FRANK BLAS AGUON, JR

SENATOR JUDITH GUTHERTZ

SENATOR TINA MUNA BARNES

SENATOR TELO TAITAGUE

## COMMITTEE REPORT ON:

**Bill No. 227-30(LS) – “AN ACT TO AUTHORIZE HAZARDOUS PAY TO PAROLE OFFICERS WHO PERFORM THE DUTY OF SUPERVISING AND COUNSELING PAROLEES BY AMENDING 4 GCA §6222 (a); AND TO AUTHORIZE HAZARDOUS PAY TO EMPLOYEES OF THE DEPARTMENT OF CORRECTIONS WHO PERFORM DUTIES, WHICH IF PERFORMED BY OTHER LAW ENFORCEMENT OR PUBLIC SAFETY OFFICERS WOULD ENTITLE SUCH OFFICERS TO HAZARDOUS PAY, BY ADDING A NEW ITEM (1) TO §6222”.**

### I. Overview

The Committee on Labor, the Public Structure, Public Libraries and Technology convened for a public hearing on Tuesday, October 6, 2009 at 9:00 AM at the *I Liheslaturan Guahan*, Hagatna public hearing room. Notice of all hearings was disseminated to all local media outlets via electronic mail on Tuesday, September 29, 2009 and Monday, October, 2, 2009 as required by Guam Open Government Law, copies of which are attached to said report. Notice of said events was also displayed upon the Guam Legislature's website [www.guamlegislature.com/calendar.htm](http://www.guamlegislature.com/calendar.htm).

#### Committee members/Senators Present:

**Senator Matthew Rector Chairman**

**Senator Adolpho Palacios, Sr. Vice Chairman**

**Senator Judith P. Guthertz, DPA Member**

### II. Summary of Testimonies

**Senator Rector** Started the Public Hearing at 9:00am, asked Senator Palacios if he would like to comment on Bill No. 227.

**Senator Palacios** read the intro of the bill and gave insight and history and insight as to what Bill No. 227 is about.

**Senator Rector** called Jose G. Palacios and Lisa M. Castro to testify in front of the committee.

**Lisa Castro:** Ms. Castro stated that she is a parole officer for the Department of Corrections and she supports Bill No. 227. Ms. Castro stated that as parole officers they are entitled to hazardous pay due to the type of conditions and individuals that they deal with on a daily basis. Police officers get paid Hazardous pay, yet Parole Officers do not. They both work together. Ms. Castro stated that parole officers do random home searches and curfew checks.

**Lisa Castro:** Ms. Castro states that they worked along with the Guam Police Department to do a home search, where they were looking for an individual that they believed is connected to a burglary. They were doing the similar job as G.P.D. but yet they are not entitled to hazardous pay like the police officers.

**Jose G. Palacios:** Mr. Palacios thanked the committee members, and stated that he is in support of Bill No. 227. Mr. Palacios stated that this bill is due because of an inequity from the staff of the department of administration. Mr. Palacios went on to describe the roles of the officers of the department of corrections and parole officers, and stated they are known as peace officers; law enforcement officers. Mr. Palacios commented about Ms. Castro's story about the burglary case, and noted that the first officers to respond were parole officers. They recognized the parole from a video that was taken from KUAM, the officers then did an unannounced case. Mr. Palacios started explaining that a number of employees receive hazardous pay, but yet they do the same jobs as the parole and DOC officers. Some of the parole officers also partner up with counter parts from G.P.D. Although both officers are doing the same task, the parole officer is not getting any hazardous pay. Mr. Palacios also mentioned a joke about the employees of the D.O.C. Mr. Palacios stated that it is an injustice to the men and women of D.O.C, and explained that when they are seen out in public, there is an expectation that when a violation or a crime occurs the officers of D.O.C. are going to involve themselves in the situation.

**Senator Matt Rector:** Senator Rector questioned Ms. Castro if her job requires the use of a firearm. Ms. Castro responded YES. Senator Rector asked why Ms. Castro is not getting any hazardous pay, if her job requires the use of a firearm. Senator Rector then stated that if a job requires an employee to carry a firearm, then that job must be hazardous and dangerous. Senator Rector then stated that he supports the Bill No. 227.

**Senator Adolpho Palacios:** Senator Palacios asked when the hazardous pay was taken away from the Parole Officers. Senator Palacios stated that the parole officers before were getting compensation pay for not having Hazardous pay. Senator Palacios then asked why was, it taken away from them. Senator Palacios stated that he heard it was taken away because the parole officers were not guarding prisoners, he would like to clarify that.

**Jose B. Palacios:** Mr. Palacios responded that hazard pay was taken away of March of this year. Mr. Palacios stated that the reason why it was taken away was because of disgruntled employees. These

disgruntled employees, when they were then transferred out, felt that the officers that they left behind did not deserve to have hazardous pay.

**Senator Matt Rector:** Senator Rector asked when this change happened, for retro-active.

**Jose B. Palacios:** Mr. Palacios stated that the change started in March or April 2009 this year.

**Senator Adolpho Palacios:** Senator Palacios stated that the retro-active should be in January.

**Jose B. Palacios:** Mr. Palacios stated that it was justified by a civil service audit, in reference to if they deserve hazardous pay. It was later interpreted by staff at the department of Administration was that in the letter of the law, that they guard prisoners. Parole officers do not guard prisoners which is why they do not get hazardous pay.

**Senator Adolpho Palacios:** Senator Palacios restated that the interpretation from the Department of Administration is that “the parole officers are not guarding prisoners”

**Jose B. Palacios:** Mr. Palacios stated that the officers who were affected from that interpretation; parole officers are not guarding prisoners, the officer assigned to work with the U.S. Marshals task force, is not guarding prisoners, the officer who is assigned to executive security is not guarding prisoners, LT in charge of internal affairs is not guarding prisoners, but their counter parts in other agencies are receiving hazardous pay.

**Senator Adolpho Palacios:** Senator Palacios stated that Bill No. 227 proposes to recognize the condition not the position and the title, it will recognize the condition that makes it a hazardous and dangerous. Senator Palacios then asked if the department has enough money in their budget to give hazardous pay, and how much will it cost if it were to be implemented. Senator Palacios also asked the number of parole officers do they have on staff.

**Jose B. Palacios:** Mr. Palacios stated that it will cost \$2 thousand dollars per-pay period, \$50, thousand dollars per fiscal year.

**Senator Adolpho Palacios:** Then asked how many officers are involved.

**Jose B. Palacios:** Mr. Palacios then stated that there are 14 parole officers.

**Senator Adolpho Palacios:** Senator Palacios then asked if the current budget will fund it.

**Jose B. Palacios:** Mr. Palacios stated it has been funded

**Senator Adolpho Palacios:** Senator Palacios asked if only the authorization is needed

**Jose B. Palacios:** Mr. Palacios affirmed that this was the case.

**Senator Matt Rector:** Senator Rector asked Senator Guthertz if she would like to speak on Bill No. 227.

**Senator Judith P. Guthertz:** Senator Guthertz stated that she is amazed that we have deal with these kinds of inequity in the law enforcement community, and it made her upset. Senator Guthertz stated that it is unequal treatment in Guam's Law enforcement personnel regardless where they work. Senator Guthertz pointed out that these parole officers' have to train, they have to qualify with weapons, and your officers are peace officers. Your officers deserve Hazardous, night differential pay, and everything else that every law enforcer is entitled too. Senator Guthertz stated how she hated how the government jiffs our workforce. It is not only in areas of law enforcements but also in other areas of this government, we under value public servants in the government for 18 years because of no updated Hay study, under-valued from the economical pressures. Senator Guthertz states that government always does this, that they do not have the money to raise the salaries, no money to pay for hazardous pay, and no money to pay for night differential. Senator Guthertz stated that this it is wrong. Senator Guthertz stated that the Guam Legislature has to resolve it. Senator Guthertz stated that the government has wasted money on questionable contracts, questionable expenditures that takes away resources from the line departments, that do the work out on the field, that don't generate their own revenue and depend on the general fund for their sustenance . Senator Guthertz stated that she is very happy that the director and the officer from DOC are here this morning. Senator Guthertz stated for the record that the Department of Corrections and The Department of Youth Affairs are two departments that are particularly devalued and historically devalued, they shouldn't be devalued. Senator Guthertz stated that they need support because the work they do is critical for the well being of this community. Anytime anyone goes into DOC or DYA, they must be rehabilitated and re-integrate them back into the community by law. That is a labor intensive activity. It requires well train individuals to work with these clients or inmates and prepare them for this integration. It is a very important mission and responsibility. If they are not properly funded and if they are undervalued because of the work that they do, then what do you think the end result is. She went on to state her amazement that they are able to accomplish as much as they are able to accomplish with so few resources. Senator Guthertz stated that she wanted to see the issue of parody, fairness, and equity within the Guam law enforcement community on Guam, and all areas addressed. Senator Guthertz commented on the commission that over see these types of parodies,

stating that this commission still exists and to contact them. Senator Guthertz stated that she would like to see what happened to this commission because this is the type of issues this type of commission addresses. Senator Guthertz stated that we must resolve this. Senator Guthertz stated that she supports Bill No. 227, and any action that treats our law enforcement community fairly. Senator Guthertz noted that we must recognize what they do for this community, and that it is not different from what our soldiers do in Iraq and Afghanistan. It is all the same whether you are corrections officer a parole officer a U.S. Marshall or anything else, and that persons occupying these positions should be treated with parity.

**Jose B. Palacios:** Mr. Palacios noted that the money is in their budget. They do way more than just guard prisoners. Mr. Palacios also stated that the individual agencies can't do it alone, but if we work together we can accomplish more in the law enforcement community and what they strive for. Mr. Palacios states that we must strength this network. That they can work side by side for the public safety. Mr. Palacios noted the comments that Senator Guthertz made about the men and women in the military. That when they are at war the last thing they want to worry about is the well being of their families when they are deployed, and we at the law enforcement community are the ones that ensure that public safety.

**Senator Matt Rector:** Senator Rector stated that we he had the opportunity to meet and know some of the parole officers. Like any job it is easy to sit on the sidelines and ignore how hard they work, but we will not ignore it, and definitely recognize it.

The Chairman indicated in closing that the committee will continue to receive written testimonies for the next (10) days.

The being no comments or discussion, the chairman concluded the public hearing on **Bill No. 227-30 (LS)** as duly heard.

### **III. Findings and Recommendations**

The Committee on Labor, the Public Structure, Public Libraries and Technology, based upon the testimony received regarding Bill No. 227-30(LS), hereby submits its recommendations to PASS **Bill No. 227-30 (LS) As Introduced: “AN ACT TO AUTHORIZE HAZARDOUS PAY TO PAROLE OFFICERS WHO PERFORM THE DUTY OF SUPERVISING AND COUNSELING PAROLEES BY AMENDING 4 GCA §6222 (a); AND TO AUTHORIZE HAZARDOUS PAY TO EMPLOYEES OF THE DEPARTMENT OF CORRECTIONS WHO PERFORM DUTIES, WHICH IF PERFORMED BY OTHER LAW ENFORCEMENT OR PUBLIC SAFETY OFFICERS WOULD ENTITLE SUCH OFFICERS TO HAZARDOUS PAY, BY ADDING A NEW ITEM (1) TO §6222”**

I MINA'TRENTA NA LIHESLATURÁN GUÅHAN  
2009 (FIRST) Regular Session

2009 SEP -9 PM 4:09  
apm

Bill No. 227-30 (LS)

Introduced by:

Adolpho B. Palacios, Sr. *dg*

---

AN ACT TO AUTHORIZE HAZARDOUS PAY TO PAROLE OFFICERS WHO PERFORM THE DUTY OF SUPERVISING AND COUNSELING PAROLEES BY AMENDING 4 GCA §6222 (a); AND TO AUTHORIZE HAZARDOUS PAY TO EMPLOYEES OF THE DEPARTMENT OF CORRECTIONS WHO PERFORM DUTIES, WHICH IF PERFORMED BY OTHER LAW ENFORCEMENT OR PUBLIC SAFETY OFFICERS WOULD ENTITLE SUCH OFFICERS TO HAZARDOUS PAY, BY ADDING A NEW ITEM (1) TO §6222 (a).

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Statement and Intent. Parolees are prisoners who are  
3 released from incarceration to serve the remainder of their sentence in the community, with  
4 certain conditions. Parole Officers are the employees who are vested with the authority to  
5 supervise and counsel these parolees, and to make sure that the conditions of parole are  
6 adhered to. 4 GCA §6222 (a) as currently written provides for hazardous pay to "any  
7 employee of the government who performs the duty of guarding prisoners..."

8 *I Liheslaturan Guåhan* finds that Parole Officers used to be considered eligible for  
9 hazardous pay and were so compensated. However, just recently the Department of  
10 Administration (DOA) determined that under the term "guarding prisoners" in 4 GCA  
11 §6222 (a), Parole Officers should not be eligible because they are not "guarding" prisoners.

1            *I Liheslaturan Guâhan* finds that Probation Officers and Alternative Sentencing  
2 Officers of the Judiciary are eligible for hazardous pay pursuant to 4 GCA §6222 (b).  
3 Probation Officers supervise and counsel probationers whose sentences are not served in  
4 confinement. Probation Officers are the counterpart of Parole Officers and they perform  
5 like functions.

6            *I Liheslaturan Guâhan* further finds that a Correction Officer and a Parole Officer who  
7 were assigned to a multi-agency crime task force, and those who were assigned to the  
8 Executive Security Force, and who serve along side Police Officers, Judiciary Marshal, and  
9 Customs and Quarantine Officers performing the same duties are not eligible for  
10 hazardous pay, while the other members from the other law enforcement entities are  
11 eligible and are compensated hazardous pay.

12            *I Liheslaturan Guâhan* believes that the hazardous condition attributable to a prisoner  
13 while incarcerated is not extinguished when the same prisoner is released on parole and  
14 subsequently supervised and counseled by a Parole Officer. Furthermore, *I Liheslaturan*  
15 *Guâhan* believes that the hazardous conditions associated with the mission of the multi-  
16 agency crime task force are not diminished against a Correction Officer or a Parole Officer  
17 simply because they are not eligible to receive hazardous pay. In the interest of promoting  
18 equity in the application of hazardous pay pertinent to a work condition, it is the intent of *I*  
19 *Liheslaturan Guâhan* to provide for hazardous pay to Parole Officers who perform the duty  
20 of supervising and counseling parolees, by amending §6222 (a).

1           It is therefore, the intent of *I Liheslaturan Guåhan* to provide for hazardous pay to  
2 parole officers who perform the duty of supervising and counseling parolees. It is also the  
3 intent of *I Liheslaturan Guåhan* to provide for hazardous pay to Corrections Officers and a  
4 Parole Officers who perform a duty outside of the direct supervision of the Department of  
5 Corrections (DOC), that if performed by any other law enforcement or public safety officers  
6 would entitle such officers to hazardous pay, such as when serving as a member of a multi-  
7 agency crime task force comprised of officers from the Guam Police Department (GPD),  
8 Judiciary, Customs and Quarantine, United States Marshal, United States Drug  
9 Enforcement Administration, or if performing any official duty when such duty would  
10 entitle other law enforcement officers to hazardous pay.

11           Section 2. 4 GCA §6222 (a), "Corrections Officers-Hazardous Pay", is hereby  
12 amended to read:

13           "**§6222 Corrections Officers-Hazardous Pay.** (a) A corrections officer or a parole  
14 officer or any employee of the government who performs the duty of guarding prisoners or  
15 supervising or counseling parolees shall be entitled to hazardous pay calculated at the rate  
16 of his or her regular wage plus ten percent (10%) for all periods he or she is on such duty.  
17 The differential shall be applicable only during time of exposure.

18           (1) A correction officer or a parole officer who performs a duty outside of the  
19 direct supervision of the Department of Corrections, that if performance by another  
20 law enforcement or public safety officer would entitle such officer to hazardous pay,

1        shall be entitled to hazardous pay calculated at the rate of his or her regular wage  
2        plus ten percent (10%) for all periods he or she is on such duty. The differential shall  
3        be applicable only during time of exposure."

# SENATOR MATT RECTOR

CHAIRMAN, COMMITTEE ON LABOR, THE PUBLIC STRUCTURE, PUBLIC LIBRARIES AND TECHNOLOGY  
PUBLIC HEARING SIGN-IN SHEET

~~Thursday, July 29, 2009 4:00pm~~ • Guam Legislature Public Hearing Room  
Tuesday, Oct. 6, 2009 9:30am

Bill No. 227-30(LS) AN ACT TO AUTHORIZE HAZARDOUS PAY TO PAROLE OFFICERS WHO PERFORM THE DUTY OF SUPERVISING AND COUNSELING PAROLEES BY AMENDING 4 GCA §6222 (a); AND TO AUTHORIZE HAZARDOUS PAY TO EMPLOYEES OF THE DEPARTMENT OF CORRECTIONS WHO PERFORM DUTIES, WHICH IF PERFORMED BY OTHER LAW ENFORCEMENT OR PUBLIC SAFETY OFFICERS WOULD ENTITLE SUCH OFFICERS TO HAZARDOUS PAY, BY ADDING A NEW ITEM (I) TO §6222 (a).

	NAME	AGENCY OR ORGANIZATION (IF ANY)	SUPPORT (X)	OPPOSE (X)	WRITTEN TESTIMONY (pls intl)	ORAL TESTIMONY (pls intl)	CONTACT NUMBER	EMAIL ADDRESS/VILLAGE
1	Isabel Parley's	DOC	/			/	770771	ipalparley@yabracom.lm
2	Lisa Monique L. Castro	DOC	/			spc	473-700	lisa.castro@doc.gu.gov
3								
4								
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**COMMITTEE ON RULES**

*I Mina' Trenta na Libeslaturan Guåhan* • 30th Guam Legislature

155 Hesler Place, Hagatña, Guam 96910 • tel: (671)472-7679 • fax: (671)472-3547 • roryforguam@gmail.com

**SENATOR  
RORY J.  
RESPICIO  
CHAIRPERSON**

**SENATOR  
Judith P. Guthertz  
VICE  
CHAIRPERSON**

**MAJORITY  
MEMBERS:**

**Judith T. Won Pat  
SPEAKER**

**Benjamin J. F. Cruz  
VICE SPEAKER**

**Tina Rose Muña Barnes  
LEGISLATIVE SECRETARY**

**Thomas C. Ada  
SENATOR**

**Frank B. Aguon, Jr.  
SENATOR**

**Adolpho B. Palacios, Sr.  
SENATOR**

**Vicente C. Pangelinan  
SENATOR**

**Matthew Rector  
SENATOR**

**MINORITY  
MEMBERS:**

**Frank F. Blas, Jr.  
SENATOR**

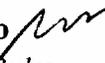
**James V. Espaldon  
SENATOR**

September 11, 2009

**MEMORANDUM**

**To: Pat Santos**  
*Clerk of the Legislature*

**Attorney Therese M. Terlaje**  
*Legislative Legal Counsel*

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

**Subject: Referral of Bill No. 227-30(COR)**

As Chairperson of the Committee on Rules, I am forwarding my referral of Bill No. 227-30(COR).

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all Senators of *I Mina' Trenta Na Liheslaturan Guåhan*.

Should you have any questions, please contact Stephanie Mendiola or Elaine V. Tajalle at 472-7679.

*Si Yu'os Ma'åse'!*

(1) Attachment

2009 SEP 11 PM 1:18

*MUN*

*I Mina'Trenta Na Lihestaturan Guáhan*

**Bill Log Sheet**

Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Intro	Date Referred	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date)
B227-30 (COR)	Adolpho B. Palacios, Sr.	An act to authorize hazardous pay to Parole Officers who perform the duty of supervising and counseling parolees by amending 4 GCA §6222 (a); and to authorize hazardous pay to employees of the Department of Corrections who perform duties, which if performed by other law enforcement or public safety officers would entitle such officers to hazardous pay, by adding a new Item (1) to §6222 (a).	9/09/09 4:09 p.m.	9/11/09	Committee on Labor, the Public Structure, Public Libraries and Technology			



# SENATOR MATT RECTOR

Chairman, Committee on labor, the public structure, public libraries and technology

*I Mina' Trenta na Liheslaturan Guahan*

Thirtieth Guam Legislature



September 29, 2009

Address  
153 Sesame Street, Suite B  
Mangilao, Guam 96923

Telephone  
(671)734-6288

Fax  
(671)734-8085

Website  
www.MattRector.com

### Committee Members

SENATOR ADOLPHO B. PALACIOS, SR.

VICE CHAIR

SENATOR VICENTE "ben" PANGELINAN

SENATOR FRANK BLAS AGUON, JR.

SENATOR JUDITH GUTHERTZ

SENATOR TINA MUNA BARNES

SENATOR TELO TAITAGUE

To: All Senators/Members

From: Senator Matthew Rector, Chairperson,  
Committee on Labor, the Public Structure, Public Libraries and Technology

Subject: **Notification of Public Hearing (First Notice)**

**Re: Bill No's. B236 (COR), B227 (COR), B221 (LS), B211 (LS), B209 (LS),  
B208 (LS), B200 (COR)**

Please be advised that the Committee on Labor, the Public Structure, Public Libraries and Technology will be conducting a Public Hearing on Tuesday, **October 6, 2009** in the Legislative Public Hearing Room, beginning at **9:00 a.m.**

On the **AGENDA** are the following:

**Bill No. B236-30 (COR)** – Matt Rector / T.R. Muna-Barnes / A.B. Palacios, Sr. / R.J. Respicio  
An act to amend §6217 of 4 GCA for the purpose of ensuring that public employees that work at night receive night differential pay.

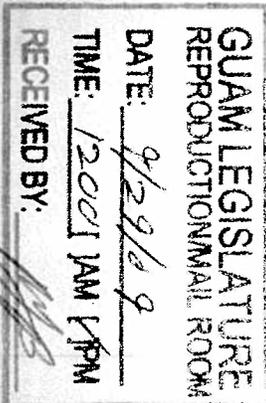
**Bill No. B227-30 (COR)** – A.B. Palacios, Sr.  
An act to authorize hazardous pay to Parole Officers who perform the duty of supervising and counseling parolees by amending 4 GCA §6222 (a); and to authorize hazardous pay to employees of the Department of Corrections who perform duties, which if performed by other law enforcement or public safety officers would entitle such officers to hazardous pay, by adding a new Item (1) to §6222 (a).

**Bill No. B221-30 (LS)** – A.B. Palacios, Sr.  
An act to amend 4 GCA §4109(a) relative to eliminating annual leave for judges and justices.

**Bill No. B211-30 (LS)** – A.B. Palacios, Sr. / J.V. Espaldon  
An act relative to preserving the independence of the Office of Public Accountability by restoring the Public Auditor's authority to hire a Deputy Public Auditor and Secretary and the protection against the reduction of the salaries of the staff of the Office of Public Accountability by amending Subsection (b) Section 1907 of Title 1 of the Guam Code Annotated and adding a new Subsection (c) to Section 1907 of Title 1 of the Guam Code Annotated.

**Bill No. B209-30 (LS)** – J.P. Guthertz, DPA / R.J. Respicio  
An Act to amend § 13102 (a) of Chapter 13 of Title 4, Guam Code Annotated, to expand its definition, and to add a new sub item (4) to item (a) of § 13102 to require all persons or public officials that have authority to enter into binding contracts on behalf of the government of Guam or any of its departments, agencies, autonomous entities and public corporations to comply with the Public Official Financial Disclosure Act of the government of Guam.

**Bill No. B208-30 (LS)** – A.B. Palacios, Sr. / F.B. Aguon, Jr. / Telo Taitague  
An act relative to clarifying the restrictions established on the recruitment or compensation of government of Guam personnel above Step 10 of the Compensation Schedule; through amending Section 6205.2 of Chapter 6, Title 4, Guam Code Annotated.



**Bill No. B200-30 (COR) – A.B. Palacios, Sr.**

An act to adjust the compensation for the Attorney General of Guam to be comparable and equitable with other legal officer positions of the government of Guam by amending §30116(a) Chapter 30, Title 5 Guam Code Annotated; and to repeal §30116(b), Chapter 30, Title 5 Guam Code Annotated.

Copies of the Bills mentioned above may be found on the official Guam Legislature's website at [www.guamlegislature.com](http://www.guamlegislature.com). Hard copies can be obtained at the office of the Clerk of the Legislature. Please address written testimonies to Senator Matt Rector, Chairman, Committee on Labor, the Public Structure, Public Libraries and Technology or may be submitted to the Office of Senator Matt Rector at 153 Sesame Street, Suite B, Mangilao Guam 96923, via e-mail to [matt@mattrector.com](mailto:matt@mattrector.com) or facsimile to (671) 734-8085. For special accommodations, auxiliary aids or services, please contact and submit request to Justin Parvin or Rhad Sutacio at our office.

I look forward to your attendance during this hearing. Should you have any questions, suggestions or comments concerning the hearing, please feel free to share them with me.

*Si Yu'os Ma'ase!*

cc: All Senators  
Sergeant At Arms  
MIS  
Clerk of the Legislature

*Senseramente,*

**MATT RECTOR**

## Rhad Sutacio

---

**From:** therese@mattrector.com  
**Sent:** Tuesday, September 29, 2009 2:57 PM  
**To:** life@guampdn.com; therese@mvguam.com; msilva@spbg Guam.com;  
jtyquiengco@spbg Guam.com; kevin@spbg Guam.com; rgibson@spbg Guam.com;  
parroyo@spbg Guam.com; blognews@aficio.org; info@chinesetimesguam.com;  
georgebamba@hotmail.com; gerry@mvguam.com; hr100prod@hitradio100.com;  
michelle@kuam.com; csanagustin@kuam.com; kprg@guam.net; ksto@ite.net;  
kstone@ite.net; miguel@kikb.com; krisgaza@yahoo.com; hottips@kuam.com;  
newsdirector@kuam.com; jason@kuam.com; bettyann@kuam.com; amier@mvguam.com  
**Subject:** NOTICE OF PUBLIC HEARING: Senator Matthew Rector Committee on Labor, the  
Public Structure, Public Libraries and Technology

FOR IMMEDIATE RELEASE

September 29, 2009

Notice of Public Hearing (First Notice)

Please be advised that the Committee on Labor, the Public Structure, Public Libraries and Technology will be conducting a Public Hearing on Tuesday, October 6, 2009 in the Legislative Public Hearing Room, beginning at 9:00 a.m.

On the AGENDA are the following:

Bill No. B236-30 (COR) - Matt Rector / T.R. Muna-Barnes / A.B. Palacios, Sr. / R.J. Respicio  
An act to amend §6217 of 4 GCA for the purpose of ensuring that public employees that work at night receive night differential pay.

Bill No. B227-30 (COR) - A.B. Palacios, Sr.

An act to authorize hazardous pay to Parole Officers who perform the duty of supervising and counseling parolees by amending 4 GCA §6222 (a); and to authorize hazardous pay to employees of the Department of Corrections who perform duties, which if performed by other law enforcement or public safety officers would entitle such officers to hazardous pay, by adding a new Item (1) to §6222 (a).

Bill No. B221-30 (LS) - A.B. Palacios, Sr.

An act to amend 4 GCA §4109(a) relative to eliminating annual leave for judges and justices.

Bill No. B211-30 (LS) - A.B. Palacios, Sr. / J.V. Espaldon An act relative to preserving the independence of the Office of Public Accountability by restoring the Public Auditor's authority to hire a Deputy Public Auditor and Secretary and the protection against the reduction of the salaries of the staff of the Office of Public Accountability by amending Subsection (b) Section 1907 of Title 1 of the Guam Code Annotated and adding a new Subsection (c) to Section 1907 of Title 1 of the Guam Code Annotated.

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of Guam personnel above Step 10 of the Compensation Schedule; through amending Section 6205.2 of Chapter 6, Title 4, Guam Code Annotated.

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Please contact 734-MATT (6288) for more information.

## **Fred Burgos**

---

**From:** Fred Burgos [fred@mattrector.com]  
**Sent:** Friday, October 02, 2009 9:57 AM  
**To:** judiguthertz@pticom.com; senjim@ite.net; Adolpho B. Palacios; Ben Pangelinan; Edward J.B. Calvo; Frank B. Aguon, Jr.; Frank F. Blas, Jr.; Jimmy Espaldon; Judi Won Pat; Ray Tenorio; Rory J. Respicio; Telo Taitague; Tina Muna Barnes; Tom Ada  
**Cc:** aokada@guamlegislature.org; bruce.lloyd.media@gmail.com; chris.budasi@guamlegislature.org; ciquinata@gmail.com; cyrus@senatorada.org; doc.wytenbachsantos@gmail.com; edpocaigne@judiwonpat.com; edpocaigne@yahoo.com; epogue@hotmail.com; fba\_irenem@yahoo.com; fbtorres@yahoo.com; gtmarcos612@yahoo.com; jamespcastro@gmail.com; jennifer@mattrector.com; jessica@raytenorio.com; jonbdiaz@gmail.com; justin@mattrector.com; legislativesecretary1@gmail.com; lizama.frances@gmail.com; mark@judiwonpat.com; maryfejeran@gmail.com; mermae@raytenorio.com; mjperez48@yahoo.com; patrickcepeda@hotmail.com; peterlg@gmail.com; pjtcruz@yahoo.com; rjquitugua@gmail.com; rlikeke05@gmail.com; rob.tupaz@gmail.com; roland@judiwonpat.com; rsmuna@yahoo.com; sahara@judiwonpat.com; sayama01@yahoo.com; sem@guamlegislature.org; teddytaz\_222@yahoo.com; tpmatane@yahoo.com; vel.komiyama@yahoo.com; zunior0831@hotmail.com; bill phillips; Derek Sablan; Derick Hills; Ed LeonGuerrero; Elaine Tajalle; Frank Torres; Fred Burgos; Gina Tabonares; Jay Sunga; Jose Cruz; Joy Unpingco; Lisa Cipollone; Mary Lou Wheeler; Maya Alonso; Mike Lidia; Nicole Santos; Phillip Leon Guerrero; Ron Taitague; teddytaz@ite.net; Tony Quitugua; Daniel Perez; Dorothy Cruz; Elvy Mew; Flo Terlaje; Maria Nieves Materne; Martha Cruz; Pat Santos; Rennae Perez; Therese Terlaje; vparriola@teleguam.net; vparriola@guamlegislature.org; Joe Leon Guerrero; tunsio@guamlegislature.org; Vince Bermudez; yong@guamlegislature.org  
**Subject:** Public Hearing (Second Notice) October 6, 2009  
**Attachments:** 2nd Notice 10609 Hearing Page 1.jpg; 2nd Notice 10609 Hearing Page 2.jpg

Please See Attached Notice.

Senseramente,

### **FRED BURGOS**

**Chief of Staff**

**OFFICE OF SENATOR MATT RECTOR**

Committee on Labor, Public Structure, Public Libraries, and Technology

I Mina' Trenta Na Liheslaturan Guahan

Thirtieth Guam Legislature

153 Sesame Street, Suite B

Mangilao, Guam 96923

Ph.: (671) 734-6288

Fax: (671) 734-8085

Website: [www.mattrector.com](http://www.mattrector.com)



# SENATOR MATT RECTOR

Chairman, Committee on labor, the public structure, public libraries and technology

*I Mina' Trenta na Liheslaturan Guahan*

Thirtieth Guam Legislature



October 2, 2009

To: All Senators/Members

From: Senator Matthew Rector, Chairperson,  
Committee on Labor, the Public Structure, Public Libraries and Technology

Subject: **Notification of Public Hearing (Second Notice)**

**Re: Bill No's. B236 (COR), B227 (COR), B221 (LS), B211 (LS), B209 (LS), B208 (LS), B200 (COR)**

Please be advised that the Committee on Labor, the Public Structure, Public Libraries and Technology will be conducting a Public Hearing on Tuesday, **October 6, 2009** in the Legislative Public Hearing Room, beginning at **9:00 a.m.**

On the **AGENDA** are the following:

**Bill No. B236-30 (COR)** – Matt Rector / T.R. Muna-Barnes / A.B. Palacios, Sr. / R.J. Respicio  
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An act to authorize hazardous pay to Parole Officers who perform the duty of supervising and counseling parolees by amending 4 GCA §6222 (a); and to authorize hazardous pay to employees of the Department of Corrections who perform duties, which if performed by other law enforcement or public safety officers would entitle such officers would entitle such officers to hazardous pay, by adding a new Item (1) to §6222 (a).

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**Bill No. B211-30 (LS)** – A.B. Palacios, Sr. / J.V. Espaldon  
An act relative to preserving the independence of the Office of Public Accountability by restoring the Public Auditor's authority to hire a Deputy Public Auditor and Secretary and the protection against the reduction of the salaries of the staff of the Office of Public Accountability by amending Subsection (b) Section 1907 of Title 1 of the Guam Code Annotated and adding a new Subsection (c) to Section 1907 of Title 1 of the Guam Code Annotated.

**Bill No. B209-30 (LS)** – J.P. Guthertz, DPA / R.J. Respicio  
An Act to amend § 13102 (a) of Chapter 13 of Title 4, Guam Code Annotated, to expand its definition, and to add a new sub item (4) to item (a) of § 13102 to require all persons or public officials that have authority to enter into binding contracts on behalf of the government of Guam or any of its departments, agencies, autonomous entities and public corporations to comply with the Public Official Financial Disclosure Act of the government of Guam.

**Bill No. B208-30 (LS)** – A.B. Palacios, Sr. / F.B. Aguon, Jr. / Telo Taitague  
An act relative to clarifying the restrictions established on the recruitment or compensation of government of Guam personnel above Step 10 of the Compensation Schedule; through amending Section 6205.2 of Chapter 6, Title 4, Guam Code Annotated.

Address  
153 Sesame Street, Suite B  
Mangilao, Guam 96923

Telephone  
(671)734-6288

Fax  
(671)734-8085

Website  
[www.MattRector.com](http://www.MattRector.com)

### Committee Members

SENATOR ADOLPHO B. PALACIOS, SR.

VICE CHAIR

SENATOR VICENTE "ben" PANGELINAN

SENATOR FRANK BLAS AGUON, JR.

SENATOR JUDITH GUTHERTZ

SENATOR TINA MUNA BARNES

SENATOR TELO TAITAGUE

**Bill No. B200-30 (COR) – A.B. Palacios, Sr.**

An act to adjust the compensation for the Attorney General of Guam to be comparable and equitable with other legal officer positions of the government of Guam by amending §30116(a) Chapter 30, Title 5 Guam Code Annotated; and to repeal §30116(b), Chapter 30, Title 5 Guam Code Annotated.

Copies of the Bills mentioned above may be found on the official Guam Legislature's website at [www.guamlegislature.com](http://www.guamlegislature.com). Hard copies can be obtained at the office of the Clerk of the Legislature. Please address written testimonies to Senator Matt Rector, Chairman, Committee on Labor, the Public Structure, Public Libraries and Technology or may be submitted to the Office of Senator Matt Rector at 153 Sesame Street, Suite B, Mangilao Guam 96923, via e-mail to [matt@mattrector.com](mailto:matt@mattrector.com) or facsimile to (671) 734-8085. For special accommodations, auxiliary aids or services, please contact and submit request to Justin Parvin or Rhad Sutacio at our office.

I look forward to your attendance during this hearing. Should you have any questions, suggestions or comments concerning the hearing, please feel free to share them with me.

*, Si Yu'os Ma'ase!*

cc: All Senators  
Sergeant At Arms  
MIS  
Clerk of the Legislature

*Senseramente,*

**MATT RECTOR**

## Rhad Sutacio

---

**From:** therese@mattrector.com  
**Sent:** Friday, October 02, 2009 3:03 PM  
**To:** life@guampdn.com; therese@mvguam.com; msilva@spbg Guam.com;  
jtyquiengco@spbg Guam.com; kevin@spbg Guam.com; rgibson@spbg Guam.com;  
parroyo@spbg Guam.com; blognews@aficio.org; info@chinesetimesguam.com;  
georgebamba@hotmail.com; gerry@mvguam.com; hr100prod@hitradio100.com;  
michelle@kuam.com; csanagustin@kuam.com; kprg@guam.net; ksto@ite.net;  
kstonews@ite.net; miguel@ktkb.com; krisgaza@yahoo.com; hottips@kuam.com;  
newsdirector@kuam.com; jason@kuam.com; bettyann@kuam.com; amier@mvguam.com  
**Subject:** NOTICE OF PUBLIC HEARING: Senator Matthew Rector Committee on Labor, the  
Public Structure, Public Libraries and Technology

FOR IMMEDIATE RELEASE

October 2, 2009

Notice of Public Hearing (Second Notice)

Please be advised that the Committee on Labor, the Public Structure, Public Libraries and Technology will be conducting a Public Hearing on Tuesday, October 6, 2009 in the Legislative Public Hearing Room, beginning at 9:00 a.m.

On the AGENDA are the following:

Bill No. B236-30 (COR) - Matt Rector / T.R. Muna-Barnes / A.B. Palacios, Sr. / R.J. Respicio  
An act to amend §6217 of 4 GCA for the purpose of ensuring that public employees that work at night receive night differential pay.

Bill No. B227-30 (COR) - A.B. Palacios, Sr.

An act to authorize hazardous pay to Parole Officers who perform the duty of supervising and counseling parolees by amending 4 GCA §6222 (a); and to authorize hazardous pay to employees of the Department of Corrections who perform duties, which if performed by other law enforcement or public safety officers would entitle such officers to hazardous pay, by adding a new Item (1) to §6222 (a).

Bill No. B221-30 (LS) - A.B. Palacios, Sr.

An act to amend 4 GCA §4109(a) relative to eliminating annual leave for judges and justices.

Bill No. B211-30 (LS) - A.B. Palacios, Sr. / J.V. Espaldon  
An act relative to preserving the independence of the Office of Public Accountability by restoring the Public Auditor's authority to hire a Deputy Public Auditor and Secretary and the protection against the reduction of the salaries of the staff of the Office of Public Accountability by amending Subsection (b) Section 1907 of Title 1 of the Guam Code Annotated and adding a new Subsection (c) to Section 1907 of Title 1 of the Guam Code Annotated.

Bill No. B209-30 (LS) - J.P. Guthertz, DPA / R.J. Respicio  
An Act to amend § 13102 (a) of Chapter 13 of Title 4, Guam Code Annotated, to expand its definition, and to add a new sub item (4) to item (a) of §

13102 to require all persons or public officials that have authority to enter into binding contracts on behalf of the government of Guam or any of its departments, agencies, autonomous entities and public corporations to comply with the Public Official Financial Disclosure Act of the government of Guam.

Bill No. B208-30 (LS) - A.B. Palacios, Sr. / F.B. Aguon, Jr. / Telo Taitague  
An act relative to clarifying the restrictions established on the recruitment or compensation of government

of Guam personnel above Step 10 of the Compensation Schedule; through amending Section 6205.2 of Chapter 6, Title 4, Guam Code Annotated.

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An act to adjust the compensation for the Attorney General of Guam to be comparable and equitable with other legal officer positions of the government of Guam by amending §30116(a), Chapter 30, Title 5 Guam Code Annotated; and to repeal §30116(b), Chapter 30, Title 5 Guam Code Annotated.

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Please contact 734-MATT (6288) for more information.

# SENATOR MATT RECTOR

*Chairman,*

*Committee on Labor, the Public Structure, Public Libraries and Technologies*

## Public Hearing

### AGENDA

**Tuesday October 6, 2009 – 9:00 a.m.**  
**Legislative Public Hearing Room, Hagatna**

#### On the Agenda

**Bill No. B236-30 (COR)** – Matt Rector / T.R. Muna-Barnes / A.B. Palacios, Sr. / R.J. Respicio An act to amend §6217 of 4 GCA for the purpose of ensuring that public employees that work at night receive night differential pay.

**Bill No. B227-30 (COR)** – A.B. Palacios, Sr.

An act to authorize hazardous pay to Parole Officers who perform the duty of supervising and counseling parolees by amending 4 GCA §6222 (a); and to authorize hazardous pay to employees of the Department of Corrections who perform duties, which if performed by other law enforcement or public safety officers would entitle such officers would entitle such officers to hazardous pay, by adding a new Item (1) to §6222 (a).

**Bill No. B221-30 (LS)** – A.B. Palacios, Sr.

An act to amend 4 GCA §4109(a) relative to eliminating annual leave for judges and justices.

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The Committee will continue to receive testimonies for the next ten (10) days. Please fax testimonies to 734-8085, e-mail at [matt@mattrector.com](mailto:matt@mattrector.com), or drop the testimonies to my office at 153 Sesame Street, Suite B, Mangilao or in my mailbox in the Reproduction room in the Legislature. You can also submit your testimony electronically to my website at [www.mattrector.com](http://www.mattrector.com)

I MINA'TRENTA NA LIHESLATURÁN GUÅHAN  
2009 (FIRST) Regular Session

2009 SEP -9 PM 4:09  
epw

Bill No. 227-30 (LS)

Introduced by:

Adolpho B. Palacios, Sr. 

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AN ACT TO AUTHORIZE HAZARDOUS PAY TO PAROLE OFFICERS WHO PERFORM THE DUTY OF SUPERVISING AND COUNSELING PAROLEES BY AMENDING 4 GCA §6222 (a); AND TO AUTHORIZE HAZARDOUS PAY TO EMPLOYEES OF THE DEPARTMENT OF CORRECTIONS WHO PERFORM DUTIES, WHICH IF PERFORMED BY OTHER LAW ENFORCEMENT OR PUBLIC SAFETY OFFICERS WOULD ENTITLE SUCH OFFICERS TO HAZARDOUS PAY, BY ADDING A NEW ITEM (1) TO §6222 (a).

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 **Section 1. Legislative Statement and Intent.** Parolees are prisoners who are  
3 released from incarceration to serve the remainder of their sentence in the community, with  
4 certain conditions. Parole Officers are the employees who are vested with the authority to  
5 supervise and counsel these parolees, and to make sure that the conditions of parole are  
6 adhered to. 4 GCA §6222 (a) as currently written provides for hazardous pay to "any  
7 employee of the government who performs the duty of guarding prisoners..."

8 *I Liheslaturan Guåhan* finds that Parole Officers used to be considered eligible for  
9 hazardous pay and were so compensated. However, just recently the Department of  
10 Administration (DOA) determined that under the term "guarding prisoners" in 4 GCA  
11 §6222 (a), Parole Officers should not be eligible because they are not "guarding" prisoners.

1            *I Liheslaturan Guåhan* finds that Probation Officers and Alternative Sentencing  
2 Officers of the Judiciary are eligible for hazardous pay pursuant to 4 GCA §6222 (b).  
3 Probation Officers supervise and counsel probationers whose sentences are not served in  
4 confinement. Probation Officers are the counterpart of Parole Officers and they perform  
5 like functions.

6            *I Liheslaturan Guåhan* further finds that a Correction Officer and a Parole Officer who  
7 were assigned to a multi-agency crime task force, and those who were assigned to the  
8 Executive Security Force, and who serve along side Police Officers, Judiciary Marshal, and  
9 Customs and Quarantine Officers performing the same duties are not eligible for  
10 hazardous pay, while the other members from the other law enforcement entities are  
11 eligible and are compensated hazardous pay.

12            *I Liheslaturan Guåhan* believes that the hazardous condition attributable to a prisoner  
13 while incarcerated is not extinguished when the same prisoner is released on parole and  
14 subsequently supervised and counseled by a Parole Officer. Furthermore, *I Liheslaturan*  
15 *Guåhan* believes that the hazardous conditions associated with the mission of the multi-  
16 agency crime task force are not diminished against a Correction Officer or a Parole Officer  
17 simply because they are not eligible to receive hazardous pay. In the interest of promoting  
18 equity in the application of hazardous pay pertinent to a work condition, it is the intent of *I*  
19 *Liheslaturan Guåhan* to provide for hazardous pay to Parole Officers who perform the duty  
20 of supervising and counseling parolees, by amending §6222 (a).

1           It is therefore, the intent of *I Liheslaturan Guåhan* to provide for hazardous pay to  
2 parole officers who perform the duty of supervising and counseling parolees. It is also the  
3 intent of *I Liheslaturan Guåhan* to provide for hazardous pay to Corrections Officers and a  
4 Parole Officers who perform a duty outside of the direct supervision of the Department of  
5 Corrections (DOC), that if performed by any other law enforcement or public safety officers  
6 would entitle such officers to hazardous pay, such as when serving as a member of a multi-  
7 agency crime task force comprised of officers from the Guam Police Department (GPD),  
8 Judiciary, Customs and Quarantine, United States Marshal, United States Drug  
9 Enforcement Administration, or if performing any official duty when such duty would  
10 entitle other law enforcement officers to hazardous pay.

11           Section 2. 4 GCA §6222 (a), "Corrections Officers-Hazardous Pay", is hereby  
12 amended to read:

13           "**§6222 Corrections Officers-Hazardous Pay.** (a) A corrections officer or a parole  
14 officer or any employee of the government who performs the duty of guarding prisoners or  
15 supervising or counseling parolees shall be entitled to hazardous pay calculated at the rate  
16 of his or her regular wage plus ten percent (10%) for all periods he or she is on such duty.  
17 The differential shall be applicable only during time of exposure.

18           (1) A correction officer or a parole officer who performs a duty outside of the  
19 direct supervision of the Department of Corrections, that if performance by another  
20 law enforcement or public safety officer would entitle such officer to hazardous pay,

1        shall be entitled to hazardous pay calculated at the rate of his or her regular wage  
2        plus ten percent (10%) for all periods he or she is on such duty. The differential shall  
3        be applicable only during time of exposure."