

MINA' BENTE OCHO NA LIHESLATURAN GUÅHAN
2005 (FIRST) Regular Session

Bill No. 72(EO)

Introduced by:

Ray Tenorio
E. B. Calvo



**AN ACT TO AMEND §10 OF CHAPTER VI OF
PUBLIC LAW 27-106 FOR THE PURPOSE OF
ALLOWING LIMITED TERM APPOINTMENTS TO
CERTAIN POSITIONS WITHIN THE GUAM
POLICE DEPARTMENT, THE GUAM FIRE
DEPARTMENT, THE CUSTOMS AND
QUARANTINE AGENCY, AND THE
DEPARTMENT OF CORRECTIONS.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Statement. A growing number of government

of Guam personnel are being called to active duty in their capacities as

members of the Guam National Guard, or as members of the Reserve. As

these activations occur, the Guam Police Department, the Guam Fire

Department, the Customs and Quarantine Agency, and the Department of

Corrections, in particular, are experiencing such a significant depletion of

their staffing levels that the ability to offer essential services at an acceptable

and appropriate level has been compromised. It is the intent of *I Mina' Bente*

Ocho na Liheslaturan Guåhan to provide the Guam Police Department, the

Guam Fire Department, the Customs and Quarantine Agency, and the

Department of Corrections with the ability to hire additional personnel on a

1 *limited term basis only* to maintain an adequate staffing level within each
2 department.

3 **Section 2. Amendment to §10 of Chapter VI of Public Law 27-106.**

4 Section 10 of Chapter VI of Public Law 27-106 is amended to read:

5 **“Section 10. Limited Term Appointment Moratorium.**

- 6 (a) Notwithstanding the provisions of § 4102 of Title 4 of the Guam Code
7 Annotated, or any other provision of law, *no* person may be employed
8 on a temporary or limited-term basis by any instrumentality of the
9 government of Guam during the Fiscal Year, *except* for the following:
- 10 (1) Teachers, school health counselors and on-call substitutes (within
11 staffing pattern funding levels);
 - 12 (2) Attorneys at the Department of Law (within staffing pattern
13 funding levels);
 - 14 (3) Nurses and doctors (within staffing pattern funding levels);
 - 15 (4) Temporary survey workers employed by the Department of Labor
16 for the purpose of conducting employment surveys (within
17 staffing pattern funding levels);
 - 18 (5) Licensed healthcare professionals and ancillary service personnel
19 employed at the Department of Education, the Guam Memorial
20 Hospital Authority, the Department of Mental Health and
21 Substance Abuse and the Department of Public Health and Social
22 Services (all within staffing funding levels);
 - 23 (6) Academic personnel positions at the University of Guam and the
24 Guam Community College (within their appropriated funding
25 levels);

- 1 (7) (a) Temporary Solid Waste Technicians employed by the
2 Division of Solid Waste Management of the Department of Public
3 Works for the purpose of collecting residential solid waste;
- 4 (b) Such sums as are necessary are hereby appropriated from the
5 Solid Waste Operations Fund to fund the temporary positions
6 contained in the Section;
- 7 (8) Federally-funded positions (matching and up to one hundred
8 percent (100%)); and
- 9 (9) Temporary cafeteria services and facilities maintenance services
10 workers employed by the Department of Education *not to exceed*
11 *March 30, 2005 employment;*
- 12 (10) Uniformed personnel and criminalist positions to include
13 electronic technicians, computer technologists and forensic
14 specialists for the Guam Police Department;
- 15 (11) Uniformed personnel for the Guam Fire Department;
- 16 (12) Uniformed personnel for the Customs and Quarantine Agency;
17 and
- 18 (13) Uniformed personnel for the Department of Corrections.

19 In any case, no person employed on the basis of exceptions (1) through
20 (9) can be employed for a period of *more than* ninety (90) days, *subject to no*
21 *more than* two (2) renewals. *No more than* (7) days after the hiring of any
22 individual subject to the exceptions contained in this Section, the head of the
23 government instrumentality where such hiring has occurred shall report in
24 writing such hiring to the Speaker of *I Liheslaturan Guåhan*.

1 **(b) Special Provision for Categories (10) through (13) Exceptions. Only**
2 **persons that have previously met the qualifications for employment or re-**
3 **employment in the positions listed in (10) through (13) shall fill positions and**
4 **only for the period where regular employees are not able to perform their**
5 **duties due to having been called to active duty in the National Guard or**
6 **Reserve.”**

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