

**MINA' BENTE NUEBI NA LIHESLATURAN GUAHAN  
2007 (FIRST) Regular Session**

Bill No. 146 (EC)

Introduced by:

A. R. Unpingco  
J. V. Espaldon

**AN ACT TO AUTHORIZE THE JOSE D. LEON  
GUERRERO COMMERCIAL PORT TO PROMULGATE  
PERSONNEL RULES AND REGULATIONS; AND TO  
PROVIDE LIMITED AUTHORITY TO ESTABLISH PAY  
SCALES FOR CERTIFIED, TECHNICAL AND  
PROFESSIONAL PERSONNEL**

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

**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guahan*

finds that with the upcoming relocation of 8,000 Marines from Okinawa, the Jose D. Leon Guerrero Commercial Port will be the entry point for all the supplies and materials that is needed for the build up.

*I Liheslaturan Guahan* further finds that in order for the Port to prepare for the military build-up, the Port must retain workers (particularly those in maritime positions unique to Port operations) and hire certified personnel who have the proper technical or professional skills. The ability to maintain trained and skilled employees is a significant factor in the overall efficiency and effectiveness of the Port's equipment and facilities, and, ensures the expeditious movement cargo.

*I Liheslaturan Guahan* further finds that the Port needs to bring compensation to a competitive level in order to retain certified and skilled workforce as well as attract the needed professional workers.

1                   Section 2.     Jose D. Leon Guerrero Commercial Port  
2 **Authorized to Promulgate Personnel Rules and Regulations and**  
3 **Establish Pay Scales.**

4 A new Section 10111.3 is hereby added to Chapter 10, 12 Guam Code  
5 Annotated to read:

6           **“10111.3   Maritime Positions Unique to Port Operations and**  
7 **Certified, Technical and Professional Positions.**

8           (a)   The Board shall adopt rules and regulations governing  
9 selection, compensation, promotion, performance evaluation,  
10 disciplinary action and other terms and conditions of employment of  
11 personnel occupying *maritime positions unique to Port operations*  
12 *and certified, technical and professional positions*, subject to the  
13 provisions of the Administrative Adjudication Act.

14           (b)   Such rules and regulations shall provide for the  
15 employment and retention of persons on the basis of merit and shall  
16 include an orderly and systematic method of recruitment and the  
17 establishment of a list of qualified applicants.

18           (c)   *Maritime positions unique to Port operations and*  
19 *certified, technical and professional positions* are defined as:

20                   (1)   positions whose qualification requirements  
21 mandates certifications and licensing requirements, e.g., stevedores,  
22 cargo checkers, equipment operators, marine traffic controllers, etc.;

23                   (2)   positions with multi-skill qualification  
24 requirements, e.g., preventive maintenance mechanics, crane  
25 mechanics, etc.;

26                   (3)   positions with specific maritime knowledge and  
27 skills, e.g., tariff technicians, etc.; and

1                   (4) other similar technical and professional positions  
2 which are unique to the Port's operations and no other government  
3 entity, but not limited to those jobs listed above.

4                   (d) Compensation for all other positions shall remain  
5 consistent with compensation plans and pay scales as determined by  
6 law.”

7                   **Section 3. JDLGCP to Provide Study:** The Port shall file with the *I*  
8 *Liheslaturan Guåhan* a copy of the Classification Compensation and  
9 Benefits Study within ten (10) days after the study is completed.

10                  **Section 4. Severability.** If any provisions of this Act or its  
11 application to any person or circumstances is found to be invalid or contrary  
12 to law, such invalidity shall *not* affect other provisions or applications of this  
13 Act which can be given effect without the invalid provisions or applications,  
14 and to this end the provisions of this Act are severable.