

MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN
TWENTY-NINTH GUAM LEGISLATURE
2007 (FIRST) Regular Session

Bill No. 54(EC)
Introduced by:

A. B. PALACIOS, SR. 

AN ACT RELATIVE TO ACKNOWLEDGING THE
RECOMMENDATIONS AND FINDINGS OF THE MAYORS'
COUNCIL OF GUAM IN ADDRESSING THE GROWING
COMMUNITY SERVICE NEEDS OF THEIR RESPECTIVE
RESIDENTS AND VILLAGES, ESTABLISHING A
FORMULA FOR MEETING THEIR PERSONNEL
REQUIREMENTS, AND ALLOWING FOR THE
RETENTION OF A LEGAL COUNSEL FOR THE MAYORS'
COUNCIL OF GUAM; BY ADDING A NEW SUBSECTION
§40106.1 TO CHAPTER 40, DIVISION 4, TITLE 5, GUAM
CODE ANNOTATED.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent.

1 *I Liheslaturan Guåhan* finds that the mayors and vice-mayors within the
2 individual villages throughout the island are at the forefront of providing
3 critical public services to their residents, and to the island of Guam. Many
4 times, the provision of such public services are hampered because of the lack
5 of necessary personnel or resources that are provided to the villages. This is
6 largely attributed to the financial limitations of the government. And, with
7 the increasing residential population in several villages which can be credited
8 to the growing residential numbers and a population shift from one village to
9 another, this has created additional challenges for the respective Mayor's
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1 Offices in meeting the needs of their entire community. In addition to
2 growing populations in several villages, comes the increasing requirement for
3 more services, i.e. general maintenance and upkeep of roadways, buildings,
4 along with providing other requested public services.

5 I Liheslaturan Guahan further finds that a provision contained in Public
6 Law No. 28-102 mandated that the Mayors' Council of Guam conduct an
7 assessment of the best structure for the Mayor's Offices, to include the need
8 for additional personnel and budgetary requirements. The findings of this
9 self-assessment was completed toward the end of calendar year 2006 and
10 transmitted to I Liheslaturan Guahan in December of the same year, and re-
11 transmitted to I Mina' Benti Nuebi Na Liheslaturan Guahan in January of this
12 year. It is critical that these recommendations be considered and that
13 additional support in personnel, physical and budgetary resources are
14 provided.

15 Therefore, it is the intent of I Liheslaturan Guahan to provide the village
16 mayors and vice-mayors with the manpower and physical resources
17 necessary to best service their people and communities. This provision
18 recognizes the request of the Mayors' Council of Guam in allowing the
19 Council to make adjustments in their personnel requirements and needs as the
20 population of their respective villages grows. This would take place through
21 the application of a specific formula that would adjust personnel positions in
22 accordance with residential population growth and expansion.

1 **Section 2. Mayors' Council of Guam Criteria for Establishing**
2 **Personnel Positions and Requirement for Legal Counsel.**

3 A new subsection §40106.1 is hereby added to Chapter 40, Division 4,
4 Title 5, Guam Code Annotated to read as follows:

5 **"§40106.1. Village Mayor's Offices Personnel Requirements and**
6 **Legal Counsel.**

7 1.) The Mayor's Council of Guam shall have the authority to establish
8 personnel positions within the respective district mayor's offices, which
9 henceforth shall be based on the district's population as identified in the most
10 recent officially recognized U. S. Federal Census conducted for Guam. Any
11 personnel position established therein shall be in accordance with the
12 personnel position title, responsibilities, and pay scale recognized by the Civil
13 Service Commission. Any additional positions established by the Mayor's
14 Council of Guam shall be in accordance with the following:

- 15 a.) For the districts with a population of five thousand (5,000)
16 residents or less, that district Mayor's Office shall maintain
17 the current level of employees comprised of one (1)
18 Administrative Assistant, one (1) Municipal Clerk, and five
19 (5) Community Maintenance Workers. For the districts with
20 a population of five (5) thousand (5,000) residents or less in
21 which has the services of a Vice-Mayor, the district Mayor's
22 Office shall maintain the current level of employees

1 comprised above, in addition to the existing one (1)
2 additional Municipal Clerk.

3 b.) For the districts with a population of more than five
4 thousand (5,000) residents, the district Mayor's Office shall
5 be allocated one (1) additional Municipal Clerk position and
6 one (1) additional Community Maintenance Worker position
7 for every five thousand (5,000) residents enumerated by the
8 Federal Census.

9 c.) For the districts with a population of ten thousand (10,000)
10 residents or more, the district Mayor's Office shall be
11 allocated one (1) Chief of Staff position.

12 d.) For the districts with a population of twenty thousand
13 (20,000) residents or more, the district Mayor's Office shall
14 be allocated one (1) additional Administrative Assistant
15 position.

16 2.) The Mayors' Council of Guam shall be authorized to retain the
17 services of a Legal Counsel. The Legal Counsel shall be paid such
18 compensation as determined by the Mayors' Council of Guam. The Mayors'
19 Council of Guam shall retain a Legal Counsel necessary to carry out the
20 purposes of:

21 a.) Providing legal advice and/or clarification to the Mayors'
22 Council relative to matters of legality or questions pertaining
23 to law;

1 b.) Provide legal representation to the Mayors' Council in the
2 event of litigation;

3 c.) Provide other legal services as identified by the Mayors'
4 Council of Guam as necessary in the official conduct of their
5 duties and responsibilities.

6 3.) The Mayors' Council of Guam shall be responsible for submitting
7 its financial requirements in its annual budgetary submissions to I
8 Liheslaturan Guahan for compliance with the provisions set forth herein.

9 4.) The provisions herein for the establishment of additional
10 personnel positions within the district Mayor's Offices shall be effective no
11 sooner than fiscal year 2008. "