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I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 82-31 (LS)

Introduced by:

M. Silva Taijeron 

**AN ACT TO AMEND SECTION 1107(E) OF CHAPTER 1,
DIVISION 1, TITLE 11 OF THE GUAM CODE ANNOTATED
RELATIVE TO AUTHORIZING THE DEPARTMENT OF
REVENUE AND TAXATION TO HIRE NECESSARY
PERSONNEL FOR THE PASSPORT DIVISION.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that
3 when the responsibility and operations of the U.S. Passport Office were transferred to
4 the Department of Revenue and Taxation (“the Department”), through Public Law 27-
5 02, the enabling legislation did not include funding for personnel to adequately serve
6 the office. As a result, the Department has been utilizing personnel from other
7 divisions to assist with the operations of the Passport Division. According to the
8 Department, this places a burden on the respective duties of current employees,
9 decreases work production and creates internal morale issues. *I Liheslaturan Guåhan*
10 further finds that the previous legislation that moved the Passport office to the
11 Department provided funding to hire only passport acceptance agents but not for any
12 additional full-time Passport office personnel.

13 It is therefore the intent of *I Liheslaturan Guåhan* to authorize the Department
14 of Revenue and Taxation to hire personnel for the Passport Division within the

1 Department, and to allow the use of the Tax Collection Enhancement Fund as a
2 funding source.

3 **Section 2.** Section 1107(e) of Chapter 1, Division 1, Title 11 of the Guam
4 Code Annotated is hereby *amended* to read:

5 “(e) Shall expend fifty percent (50%), pro rata, of the funds in the Tax
6 Collection Enhancement Fund to employ Attorneys, Tax Technicians, Revenue
7 Agents, Revenue Officers and for other related expenses in order to increase
8 collection of taxes ~~and for the salaries of employees serving as Passport~~
9 ~~Acceptance Agents, and to employ personnel for the Passport Division.~~ He
10 shall deposit fifty percent (50%), pro rata, of the funds in the Tax Collection
11 Enhancement Fund to the Public School Library Resources Fund created by 17
12 GCA § 4120.1.”

13 **Section 3. Creation of Positions.** The positions of Customer Service
14 Representative and Customer Service Representative Supervisor are hereby created
15 for the Passport Division of the Department of Revenue and Taxation.

16 **Section 4. Hiring of Positions.** Pursuant to Section 2 of this Act, the
17 Department of Revenue and Taxation is hereby authorized to expend fifty percent
18 (50%) of the funds in the Tax Collection Enhancement Fund, provided the amount
19 does not exceed Two Hundred Four Thousand One Hundred Ten dollars
20 (\$204,110.00), for the purpose of hiring the following Passport Division personnel:

21 Customer Service Representative (6 positions)

22 Customer Service Representative Supervisor (1 position)

23 **Section 5. Enactment.** The provisions of this Act shall become effective
24 immediately upon enactment.

1 **Section 6. Severability.** *If* any provision of this Law or its application to any
2 person or circumstance is found to be invalid or contrary to law, such invalidity shall
3 *not* affect other provisions or applications of this Law which can be given effect
4 without the invalid provisions or application, and to this end the provisions of this
5 Law are severable.