

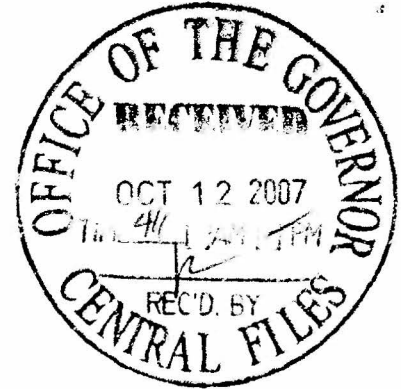


MINA' BENTE NUEBI NA LIHESLATURAN GUÅHAN
TWENTY-NINTH GUAM LEGISLATURE
155 Hessler Place, Hagåtña, Guam 96910

FILE COPY

October 11, 2007

The Honorable Felix P. Camacho
I Maga'lahaen Guåhan
Ufisinan I Maga'lahi
Hagåtña, Guam 96910



Dear *Maga'lahi* Camacho:

Transmitted herewith are Bill Nos. 34(EC), 59(EC), 133(EC), 165(EC) and Substitute Bill Nos. 110(EC) & 146(EC) which were passed by *I Mina'Bente Nuebi Na Liheslaturan Guåhan* on October 10, 2007.

Sincerely,

RAY TENORIO

Senator and Secretary of the Legislature

Enclosures (6)

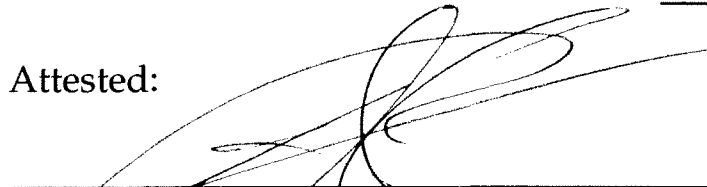
I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN
2007 (FIRST) Regular Session

FILE COPY

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

This is to certify that **Substitute Bill No. 146 (EC), "AN ACT TO AUTHORIZE THE JOSE D. LEON GUERRERO COMMERCIAL PORT AND THE ANTONIO B. WON PAT INTERNATIONAL AIRPORT AUTHORITY, GUAM TO PROMULGATE PERSONNEL RULES AND REGULATIONS; AND TO PROVIDE LIMITED AUTHORITY TO ESTABLISH PAY SCALES FOR CERTIFIED, TECHNICAL AND PROFESSIONAL PERSONNEL,"** was on the 10th day of October 2007, duly and regularly passed.

Attested:

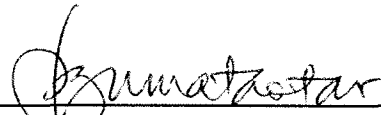


Ray Tenorio
Senator and Secretary of the Legislature



Edward J.B. Calvo
Acting Speaker

.....
This Act was received by *I Maga'lahaen Guåhan* this 12 day of Oct., 2007, at
4:11 o'clock P.M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:

FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: _____

Public Law No. _____

I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN
2007 (FIRST) Regular Session

Bill No. 146 (EC)

As substituted by the Committee on Tourism,
Maritime, Military, Veterans and Foreign Affairs
and amended.

Introduced by:

A. R. Unpingco
James V. Espaldon
Frank F. Blas, Jr.
Edward J.B. Calvo
Mark Forbes
Judith Paulette Guthertz
Frank T. Ishizaki
J. A. Lujan
Tina Rose Muña Barnes
A. B. Palacios, Sr.
v. c. pangelinan
R. J. Respicio
David L.G. Shimizu
Ray Tenorio
J. T. Won Pat

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

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**
2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*
3 finds that with the upcoming relocation of eight thousand (8,000) Marines
4 from Okinawa, the Jose D. Leon Guerrero Commercial Port will be the entry
5 point for all the supplies and materials that are needed for the build-up.

1 *I Liheslaturan Guåhan* also finds that there is likely to be a significant
2 corresponding increase in the amount of cargo and number of passengers
3 who enter Guam at the Antonio B. Won Pat International Airport Terminal
4 relating to the build-up and ultimate transfer of the military personnel,
5 support staff and their families.

6 *I Liheslaturan Guåhan* further finds that in order for the Port and
7 Airport to prepare for the military build-up, the Port and Airport must retain
8 workers (particularly those in maritime and aviation-related positions
9 unique to Port and Airport operations) and hire certified personnel who have
10 the proper technical or professional skills and experience. The ability to
11 maintain experienced, trained and skilled employees is a significant factor in
12 the overall efficiency and effectiveness of the Port and Airport's equipment
13 and facilities, and ensures the expeditious movement of cargo and
14 passengers.

15 It has long been the policy of *I Liheslaturan Guåhan*, as codified in
16 *Guam Law*, that “employee compensation shall be based on internal equity
17 and external competitiveness.” Title 4 GCA §6301. By statute, the
18 compensation of public employees “will be targeted at the U.S. National
19 Average levels compared to the appropriate labor markets and account
20 taken of the relevant economic factors.” Title 4 GCA §6301(2). As such, *I*
21 *Liheslaturan Guåhan* further finds that the Port and Airport need to bring
22 compensation to a competitive level in order to retain an experienced,
23 certified and skilled workforce, as well as attract essential professionals to
24 ensure continuous and efficient operations at the island's ports of entry.

25 **Section 2. Jose D. Leon Guerrero Commercial Port Is**
26 **Authorized to Promulgate Personnel Rules and Regulations and**

1 **Establish Pay Scales.** A new §10111.3 is hereby *added* to Chapter 10, Title
2 12 Guam Code Annotated to read:

3 **“§10111.3. Maritime Positions Unique to Port Operations and**
4 **Certified, Technical and Professional Positions.**

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

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

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

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

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

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

26 (4) other similar technical and professional positions
27 which are unique and critical to the Port’s operations and

1 no other government entity which is not a port of entry,
2 *but not limited to* those jobs listed herein.

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

6 **Section 3. Antonio B. Won Pat International Airport Authority,**
7 **Guam Is Authorized to Promulgate Personnel Rules and Regulations**
8 **and Establish Pay Scales.** A new (h) is hereby *added* to §1112 of Chapter
9 1, Title 12 Guam Code Annotated to read:

10 “(h) Aviation-related Positions Unique to Airport Operations and
11 Certified, Technical and Professional Positions.

12 (1) Notwithstanding the provisions of Title 4 Guam Code
13 Annotated, §6103 or other law in conflict with this provision, the
14 Board *shall* adopt rules and regulations governing selection,
15 compensation, promotion, performance evaluations, disciplinary
16 action and other terms and conditions of employment of personnel
17 occupying *aviation-related positions unique to Airport operations*
18 *and certified technical and professional positions*, subject to the
19 provisions of the Administrative Adjudication Act.

20 (2) Such rules and regulations *shall* provide for the
21 employment and retention of persons on the basis of merit and *shall*
22 include an orderly and systematic method of recruitment and the
23 establishment of a list of qualified applicants.

24 (3) *Aviation-related positions unique to Airport operations*
25 *and certified, technical and professional positions* are defined as and
26 may include, *but are not limited to*:

1 (A) positions whose qualifications requirements
2 mandate certification and/or licensing requirements, e.g.,
3 equipment operators, ramp controllers, etc.;

4 (B) Positions with multi-skill qualification
5 requirements, e.g., preventive maintenance mechanics,
6 specialty equipment mechanics, etc.;

7 (C) positions with specific aviation-related knowledge
8 and skills, e.g., tariff technicians, airport concession
9 agreements, use of airport facilities / property, expertise
10 in federal grant administration, etc.; and

11 (D) other similar technical and professional positions
12 which, by nature of airport operations, are unique and
13 critical to the Airport's needs and no other government
14 entity which is not a port of entry, including, *but not*
15 *limited to*, those jobs listed herein.

16 (4) Compensation for all other positions *shall* remain
17 consistent with compensation plans and pay scales as determined by
18 law.”

19 **Section 4. JDLGCP and ABWPIAA to Provide Study.** The Port
20 and Airport, respectively, *shall* file with *I Liheslaturan Guâhan* a copy of
21 the Classification Compensation and Benefits Study establishing the basis
22 for any adjusted compensation within ten (10) days after the study is
23 completed.

24 **Section 5. Severability.** *If* any provisions of this Act or its
25 application to any person or circumstances is found to be invalid or contrary
26 to law, such invalidity shall *not* affect other provisions or applications of this

- 1 Act which can be given effect without the invalid provisions or applications,
- 2 and to this end the provisions of this Act are severable.