

*I MINA'TRENTAI TRES NA LIHESLATURAN GUÁHAN*  
2016 (SECOND) Regular Session

Bill No. 229-33 (COR)

Introduced by:

FRANK B. AGUON, JR.



AN ACT TO *ADD* A NEW SECTION 38 TO  
CHAPTER XII OF PUBLIC LAW 33-66;  
RELATIVE TO THE TEMPORARY  
EMPLOYMENT OF RETIRED CONSERVATION  
OFFICERS WITHIN THE DIVISION OF AQUATIC  
AND WILDLIFE RESOURCES OF THE  
DEPARTMENT OF AGRICULTURE SHOULD A  
CRITICAL NEED ARISE DUE TO MILITARY  
ACTIVATION OR LONG-TERM DISABILITY.

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

1 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guáhan* finds

2 that Conservation Officers within the Division of Aquatic and Wildlife Resources  
3 (DAWR) of the Department of Agriculture, like many other Peace Officers, are  
4 service-minded individuals who often serve their country as reservists in our  
5 nation's military reserve programs and/or the Guam National Guard. The  
6 activation and deployment of these military forces have an impact on the  
7 performance of the DAWR where adequate replacements are unavailable.

8 Therefore, it is the intent of *I Liheslaturan Guáhan* to allow the Chief  
9 Conservation Officer to temporarily employ retired Conservation Officers in order  
10 to meet the needs of the DAWR.

1           **Section 2.** A new Section 38, as set forth below, is hereby *added* to Chapter  
2 XII of Public Law 33-66:

3           **“Section 38. Temporary Employment of Retired Guam**

4           **Conservation Officers.** The Division of Aquatic and Wildlife Resources  
5           (DAWR) of the Department of Agriculture may hire retired Conservation  
6           Officers if a critical need arises because of military activation of  
7           Conservation Officers or absence due to a long-term disability status, which  
8           has been certified by a medical doctor. The DAWR may exercise this hiring  
9           authority provided its authorized budget for personnel is *not* exceeded. The  
10          retiree hired *shall* fill such a temporarily vacant position and *shall* be  
11          terminated when the incumbent returns from military service or long-term  
12          disability. Retired officers may be hired *only* at the ranks of Conservation  
13          Officer I and below, *only* at Step I, and shall not receive sick and annual  
14          leave. Conservation Officers hired under this section *shall* first meet the  
15          requirements of the position in question, *except* for written examinations,  
16          and the Chief Conservation Officer *shall* certify that every retiree hired is fit  
17          for duty. Notwithstanding § 8121(a), Title 4, Guam Code Annotated, retirees  
18          hired temporarily pursuant to this Section may continue to receive retirement  
19          benefits. Any employee hired under this Section *shall* only be eligible to  
20          enroll in the Government of Guam Health Insurance Program as an active

1 employee. The Director of the Department of Agriculture shall report to I  
2 Liheslaturan Guåhan on July 1, 2016, and again thirty (30) days after the  
3 end of the fiscal year, of the number of retired Conservation Officers hired  
4 pursuant to this Section, the positions filled, the length of employment, the  
5 cost of said hiring, and the nature of the critical need that was filled.”