

I Mina'trentai Singko Na Liheslaturan Guåhan
BILL STATUS

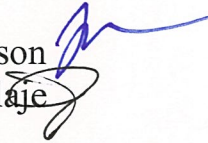
BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
105-35 (LS)	Telena Cruz Nelson Jose "Pedro" Terlaje	AN ACT TO APPROPRIATE ONE MILLION TWO HUNDRED TWENTY-NINE THOUSAND FIVE HUNDRED THIRTY-THREE DOLLARS (\$1,229,533) FROM THE FISCAL YEAR 2020 BUDGET TO THE DEPARTMENT OF CORRECTIONS FOR OVERTIME COMPENSATION OF DEPARTMENT OF CORRECTIONS EMPLOYEES UNDER CIVIL CASE NO. CV1360-10.	4/23/19 2:39 p.m.						

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2019 (FIRST) Regular Session

Bill No. 105-35 (LS)

Introduced by:

Telena Cruz Nelson
Jose "Pedo" Terlaje



AN ACT TO APPROPRIATE ONE MILLION TWO HUNDRED TWENTY-NINE THOUSAND FIVE HUNDRED THIRTY-THREE DOLLARS (\$1,229,533) FROM THE FISCAL YEAR 2020 BUDGET TO THE DEPARTMENT OF CORRECTIONS FOR OVERTIME COMPENSATION OF DEPARTMENT OF CORRECTIONS EMPLOYEES UNDER CIVIL CASE NO. CV1360-10.

2019 APR 23 PM 2:39 P

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

2 **Section 1. Legislative Findings and Intent.**

3 *I Liheslaturan Guåhan* finds that the services provided by public safety and
4 law enforcement personnel are critical to the needs of the island and that the intent
5 to sufficiently recruit and retain of the individuals who perform this vital service has
6 been hampered by insufficient and untimely compensation.

7 *I Liheslatura* also finds that public safety officials and law enforcement
8 personnel who work overtime shifts shall be compensated the full amount that they
9 are entitled under the Minimum Wage and Hour Act of Guam. Overtime rates are
10 one and one-half times regular rate of pay for all hours worked over forty (40) hours
11 in one week, as provided by § 3107 of the Minimum Wage and Hour Act of Guam,
12 codified at 22 GCA §§ 3101 through 3121.

1 *I Liheslatura* further finds that on August 13, 2010, plaintiffs filed a
2 Complaint for Declaratory Judgment and Preliminary and Permanent Injunctive
3 Relief “on behalf of themselves and those similarly situated whom are Department
4 of Corrections employees.” The Honorable Alberto C. Lamorena III granted the
5 plaintiffs’ request for an order to show cause and set the matter for hearing on August
6 27, 2010. The Court entered a judgment to compensate the plaintiffs and those
7 similarly situated until all are fully paid for all claims and wages forth herein.

8 *I Liheslatura* finds that under Civil Case No. CV 1360-10, two hundred four
9 (204) Department of Corrections employees shall be compensated for work
10 completed to include overtime pay, night differential pay, and hazardous pay. The
11 amount of judgment to date including all interest is One Million Two Hundred
12 Twenty-Nine Thousand Five Hundred Thirty-Three Dollars (\$1,229,533).

13 Therefore, it is the intent of *I Liheslaturan Guåhan* to appropriate One Million
14 Two Hundred Twenty-Nine Thousand Five Hundred Thirty-Three Dollars
15 (\$1,229,533) from the Fiscal Year 2020 Budget to the Department of Corrections.

16 **Section 2. Appropriation from the Fiscal Year 2020 Budget to the Guam**
17 **Department of Corrections.** The unrestricted amount of One Million Two Hundred
18 Twenty-Nine Thousand Five Hundred Thirty-Three Dollars (\$1,229,533) *shall* be
19 appropriated to the Guam Department of Corrections from the Fiscal Year 2020
20 Budget and *shall* be used to fund overtime compensation for the two hundred four
21 (204) Department of Corrections employees entitled to such compensation per Civil
22 Case No. CV 1360-10.

23 **Section 3. Severability.** If any provision of this Act or its application to any
24 person or circumstance is found to be invalid or contrary to law, such invalidity *shall*
25 *not* affect other provisions or applications of this Act that can be given effect without
26 the invalid provision or application, and to this end the provisions of this Act are
27 severable.