

I MINA' TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

Bill No. 30-147(LS)

Introduced by:

Telo Taitague
A. B. Palacios, Sr.
Ray Tenorio

AN ACT TO ADD A NEW §1.52 TO CHAPTER 1 OF
9GCA RELATIVE TO INFLATIONARY ADJUSTMENT
OF MONETARY FINES.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that
3 Public Law allows for individuals adjudicated for violations of Public Law and
4 sentenced to monetary fines to substitute community service in lieu of monetary
5 payment. The calculation for the conversion of the fine to community service is the
6 amount of the fine divided by the “prevailing minimum wage”. As the minimum wage
7 has risen over the past three years, those opting for community services were required
8 to perform fewer and fewer hours of community service to pay off their fines.

9 *I Liheslatura* further finds Guam’s Penal statutes lack a mechanism for the
10 inflationary adjustment of fines.

11 It is the intent of *I Liheslatura* to provide a mechanism for the inflationary
12 adjustment of fines equal to the percentage increase in the prevailing minimum wage
13 for Guam.

14
15 **Section 2.** A new Section 1.52 is *added* to Chapter 1 of 9GCA to read as
16 follows:

2009 JUN 30
M.W.

AM:10:09

1 **“§1.52. Automatic Adjustment of Fines That Are Convertible To Community**
2 **Service.** The amount of all fines prescribed by Public Law which are subject to
3 conversion to Community Service under the provisions of Article 6 of Chapter 80,
4 9GCA shall automatically be adjusted with each change in the prevailing Guam
5 minimum wage. The change in the amount of such fines, *supra*, shall be equal to the
6 percentage change in the Guam minimum wage.”

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8 **Section 3.** Paragraph (a) of Section 80.94 of Chapter 80 of 9GCA is *amended* to
9 read as follows:

10

11 “(a) Any credit for community service against the fine imposed shall be given at any
12 hourly rate that equals ~~or exceeds~~ the minimum wage prevailing in the territory of
13 Guam.”