

I Mina'trentai Sais 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
362-36 (COR)	Sabina Flores Perez	AN ACT TO ADD A NEW § 6225.2 OF ARTICLE 2, CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO THE ADMINISTRATION OF HAZARDOUS PAY FOR GUAM DEPARTMENT OF REVENUE AND TAXATION (DRT) TAX COLLECTION BRANCH AND TAX EXAMINATION BRANCH.	11/15/22 1:35 p.m.						

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2022 (SECOND) Regular Session

Bill No. 362-36 (COR)

Introduced by:

Sabina Flores Perez /SFP

AN ACT TO *ADD* A NEW § 6225.2 OF ARTICLE 2, CHAPTER 6, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO THE ADMINISTRATION OF HAZARDOUS PAY FOR GUAM DEPARTMENT OF REVENUE AND TAXATION (DRT) TAX COLLECTION BRANCH AND TAX EXAMINATION BRANCH.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*
3 finds that various positions at the Guam Department of Revenue and Taxation (DRT)
4 Tax Collection Branch and Tax Examination Branch, in the normal course of
5 fulfilling their required duties, in addition to accounting and clerical functions, also
6 perform various law enforcement functions, some of which involve filling in for U.S.
7 marshals or which involve tactical training to carry out what is considered hazardous
8 duty. These employees, on occasion, must come into direct contact with and/or in
9 close proximity to persons who are potentially hostile, which is an unmitigated
10 hazard.

11 *I Liheslaturan Guåhan*, therefore, intends to provide hazardous pay
12 differential to employees of the Guam Department of Revenue and Taxation (DRT)
13 Tax Collection Branch and Tax Examination Branch, whose actual performance of
14 work activities are determined to be hazardous for the duration of such work
15 activities.

1 **Section 2.** A new § 6225.2 of Article 2, Chapter 6, Title 4, Guam Code
2 Annotated, is hereby *added* to read as follows:

3 “§ 6225.2. Hazardous Pay Differential for Guam Department of
4 Revenue and Taxation (DRT). Tax Collection Branch and Tax Examination
5 Branch.

6 (a) Notwithstanding § 6304 of Article 3, Chapter 6, Title 4, Guam Code
7 Annotated, or any other provision of law, rule, and Executive Order; and pursuant
8 to Chapter 87 of Title 10 of the Guam Code Annotated, the Civil Service
9 Hazardous/Environmental Pay Policy and Procedures, as well as rules and
10 regulations promulgated hereafter by the Guam Department of Labor in consultation
11 with its Division of Inter-governmental Occupational Safety and Health, the
12 personnel of the Guam Department of Revenue and Taxation (DRT) Tax Collection
13 Branch and Tax Examination Branch shall be entitled to a ten percent (10%)
14 hazardous pay differential, for time worked while at risk of injury or death or
15 significant physical hardship under conditions that remained unmitigated by
16 sufficient preventive measures as to eliminate said hazard(s).

17 (b) The Director of the Guam Department of Revenue and Taxation (DRT)
18 and the Director of the Department of Administration shall identify the direct-
19 exposure personnel, and that upon exposure, all affected Guam Department of
20 Revenue and Taxation (DRT) Tax Collection Branch and Tax Examination Branch
21 personnel receive the hazardous pay differential. The two Directors shall
22 additionally develop a protocol for personnel not normally in direct-exposure
23 situations for those times when they are in unusual and dangerous direct contact
24 situations, at which time they shall then be entitled to a hazardous pay differential
25 for that specific incident in which they were exposed.”

26 **Section 2. Enactment.** This Act shall be effective upon enactment.

27 **Section 3. Severability.** If any provision of this Act or its application
28 to any person or circumstance is found to be invalid or contrary to law, such

1 invalidity shall not affect other provisions or applications of this Act that can be
2 given effect without the invalid provision or application, and to this end the
3 provisions of this Act are severable.

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