

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÁHAN

2024 (SECOND) Regular Session

VOTING RECORD

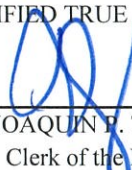
Bill No. 275-37 (COR) As amended on the Floor.	Speaker Antonio R. Unpingco Legislative Session Hall Guam Congress Building July 10, 2024					

NAME	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Senator Chris Barnett	✓					
Senator Frank Blas, Jr.	✓					
Senator Joanne Brown	✓					
Senator Christopher M. Dueñas	✓					
Senator Thomas J. Fisher	✓					
Senator Jesse A. Lujan	✓					
Vice Speaker Tina Rose Muña Barnes	✓					
Senator William A. Parkinson	✓					
Senator Sabina Flores Perez					✓	✓
Senator Roy A. B. Quinata	✓					
Senator Joe S. San Agustin	✓					
Senator Dwayne T. D. San Nicolas	✓					
Senator Amanda L. Shelton	✓					
Senator Telo T. Taitague	✓					
Speaker Therese M. Terlaje	✓					

TOTAL

14	0	0	0	1	1
Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused

CERTIFIED TRUE AND CORRECT:



 JOAQUIN P. TAITAGUE
 Clerk of the Legislature

I = Pass

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2024 (SECOND) Regular Session

Bill No. 275-37 (COR)

As amended on the Floor.

*

Introduced by:

Jesse A. Lujan
Tina Rose Muña Barnes
Christopher M. Dueñas
Dwayne T.D. San Nicolas
Telo T. Taitague
William A. Parkinson
Roy A. B. Quinata
Joe S. San Agustin
Thomas J. Fisher
Amanda L. Shelton

AN ACT TO *ADD* A NEW SUBSECTION (i) TO § 1112 OF ARTICLE 1, CHAPTER 1, DIVISION 1, TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO STANDARDIZING AIRPORT POLICE AND AIRCRAFT RESCUE AND FIRE FIGHTING POSITIONS COMPENSATION AT THE A.B. WON PAT INTERNATIONAL AIRPORT AUTHORITY, GUAM.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that in October 2007, Public Law 29-24 mandated the A.B. Won Pat International
4 Airport Authority, Guam (GIAA) Board of Directors to adopt rules and regulations
5 governing *inter alia* the “compensation and other terms and conditions of
6 employment of personnel occupying aviation-related positions unique to airport
7 operations and certified technical and professional positions.”

1 *I Liheslatura* further finds that the specific positions subject to the Certified
2 Technical Professional (CTP) Rules are defined as those positions identified by the
3 Executive Manager and approved by the GIAA Board.

4 Subsequently, *I Liheslaturan Guåhan* enacted Public Law 29-105 on August
5 14, 2008, which mandated a forty percent (40%) across the board increase to law
6 enforcement compensation throughout the entire government of Guam, commencing
7 in 2008 with full implementation no later than 2011. The law also required a
8 compensation study, and the creation of a “Compensation Plan which treats all
9 aspects of compensation (base salaries, benefits, pay differentials, and other factors)
10 as a total reward and incentive package for employees, with said Plan to be uniformly
11 administered throughout the government.”

12 Subsequently, Public Law 29-154 was enacted in January 2009 which
13 completed the adoption of the GIAA CTP Rules and Regulations (CTP Rules). The
14 CTP Rules authorize the GIAA Board to adopt a unified pay scale for CTP
15 employees, and to review the scale for internal equity and external competitiveness
16 at least every three (3) years. The CTP Rules also empower the GIAA Board to
17 administer the compensation policy for CTP employees at GIAA.

18 In April 2010, the GIAA Board identified *inter alia* Airport Police and
19 Aircraft Rescue and Fire Fighting (ARFF) positions as positions within the coverage
20 of the CTP Rules. The GIAA Board specifically contemplated that the Airport Police
21 and ARFF positions would not be affected by compensation adjustments ordered by
22 the Board until the forty percent (40%) increase mandated by Public Law 29-105
23 was lesser than an amount proposed by GIAA after a compensation study.

24 The GIAA Board has also made efforts to study and adjust the compensation
25 of all its CTP employees, including ARFF and Airport Police employees since the
26 enactment of the CTP Rules in 2008.

1 On January 18, 2022, *I Maga'hågan Guåhan* established the Law
2 Enforcement Officer Pay Plan within the Competitive Wage Act Pay Plan. On the
3 same day, the Department of Administration (DOA), citing Public Law 29-105,
4 published a memorandum which discussed its classification review of the
5 Government of Guam Law Enforcement/Public Safety Compensation. The DOA
6 recommended an across-the-board eighteen percent (18%) increase to “the current
7 law enforcement and public safety pay structure,” a customized Police Officer
8 Recruitment and Retention Differential, and an annual adjustment of two percent
9 (2%) per year to avoid delays in keeping the pay structure competitive. The DOA
10 recommended specific slotting for law enforcement positions across the government.
11 Relative to autonomous agencies like GIAA, DOA recommended approval from
12 governing bodies for implementation of its recommendations, consistent with the
13 effective date of DOA’s implementation. GIAA Management implemented the 2022
14 DOA-recommended adjustment retroactive to the effective date recommended by
15 DOA.

16 Most recently, in April 2023, the GIAA Board authorized management to
17 make a “structural pay adjustment and implementation at the 20th market percentile
18 based on 2022 market data for law enforcement and ARFF positions, on or after
19 October 1, 2023, subject to funding availability and subject to any required
20 legislative requirements.”

21 *I Liheslaturan Guåhan* further finds that although the GIAA Board has the
22 authority to adjust compensation for CTP positions, including Airport Police and
23 ARFF positions, the Law Enforcement Pay Plan restricts the GIAA Board from
24 migrating the Airport Police and ARFF positions to GIAA’s CTP pay plans.
25 Additionally, slotting, classification, and increments are all done on an *ad hoc* basis,
26 shifting between the GIAA CTP Rules and the government of Guam Law

1 Enforcement Pay Plan. This has created a disparity between GIAA Airport Police
2 and ARFF positions as opposed to other GIAA CTP employees.

3 Thus, to clarify the current statutory scheme and eliminate the bifurcation of
4 Airport Police and ARFF positions, and GIAA CTP positions for some purposes but
5 not others, *I Liheslaturan Guåhan* intends to place the Airport Police and ARFF
6 positions on the GIAA CTP pay scales.

7 **Section 2.** A new Subsection (i) is hereby *added* to § 1112 of Article 1,
8 Chapter 1, Division 1, Title 12, Guam Code Annotated:

9 “(i) The GIAA Certified, Technical, and Professional Rules shall apply to
10 the selection, compensation, promotion, performance evaluations, disciplinary
11 action, and other terms and conditions of employment of airport police and aircraft
12 rescue and firefighting positions. Notwithstanding any other provision of law, within
13 ninety (90) days of the enactment of this Subsection (i), the GIAA Board shall slot
14 airport police officer and airport rescue firefighter positions at the Authority on the
15 GIAA Certified, Technical and Professional positions pay scales authorized by 12
16 GCA, Chapter 1, § 1112(h) in accordance with the foregoing.”

17 **Section 3. Effective Date.** This Act shall be effective upon enactment.

18 **Section 4. Severability.** If any provision of this Act or its application to any
19 person or circumstance is found to be invalid or inorganic, such invalidity shall not
20 affect other provisions or applications of this Act that can be given effect without
21 the invalid provision or application, and to this end the provisions of this Act are
22 severable.