



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

Bill No. 109 (cor)

Introduced by:

R.J. RESPICIO 
J.P. GUTHERTZ 

2009 MAY -4 PM 4: 58
BMM

AN ACT TO REPEAL AND REENACT SUBITEM (p) OF TITLE 4 GUAM CODE ANNOTATED § 8104 RELATIVE TO RE-INCLUDING COMMODITY INSPECTORS AND ENTOMOLOGISTS FROM THE DEPARTMENT OF AGRICULTURE IN THE DEFINITION OF "UNIFORMED PERSONNEL," AND TO MAKE THE CHANGE RETROACTIVE TO OCTOBER 1, 2008.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent. *I Liheslaturan*
3 *Guáhan* finds that on September 17, 2002, Public Law 26-140 included
4 Plant Protection and Quarantine Officers of the Department of
5 Agriculture under Item (p) of Title 4 Guam Code Annotated § 8104,
6 "Uniformed Personnel."

7 In November 2004, the duties and functions of plant protection
8 and quarantine were transferred from the Department of Agriculture
9 to the Customs and Quarantine Agency of Guam. However, two (2)
10 Plant Protection and Quarantine Officers, later re-designated and
11 assigned the title of "Commodity Inspectors," and one (1)
12 Entomologist, remained with the Department of Agriculture to

1 manage and operate the USDA/Guam Plant Inspection Station. The
2 duties of border inspection and various inland quarantine duties,
3 including, but not limited to, store inspections, smuggling and
4 interdiction, invasive species control and management, federal
5 fumigations, federal export certifications, local export certifications,
6 eradication program management, and local and federal monitoring
7 program management, were left as responsibilities of the Department
8 of Agriculture.

9 *I Liheslatura* further finds that the Department of Agriculture
10 USDA/Guam Plant Inspection Facility staff currently includes three
11 (3) Commodity Inspectors and one (1) Entomologist. These four (4)
12 positions are currently mandated to uphold and enforce both local
13 and federal laws and regulations and are critical for proper oversight
14 in Guam of the importation and exportation of agricultural items,
15 and should also be included among those identified as “Uniformed
16 Personnel.”

17 Therefore, it is the intent of *I Liheslaturan Guåhan* to include
18 these crucial positions to the list of “Uniformed Personnel” as
19 prescribed by Subitem (p) of Title 4 GCA § 8104; and, in turn, to make

1 the amendment retroactive to October 1, 2008, to allow these
2 employees to receive the benefits prescribed by Public Law 29-105.

3 **Section 2.** Subitem (p) of Title 4 Guam Code Annotated § 8104
4 is hereby *repealed* and *reenacted* to read:

5 “(p) *Uniformed Personnel* means Guam Police Department
6 Officers; Guam Fire Department Firemen; Customs and
7 Quarantine Officers in the Customs and Quarantine Agency;
8 Conservation Officers, Plant Protection and Quarantine Officers,
9 Commodity Inspectors, and Entomologists of the Department of
10 Agriculture; Territorial Park Patrol Officers of the Department
11 of Parks and Recreation; Corrections Officers of the Department
12 of Corrections; Airport Police Officers and Security Personnel at
13 the Antonio B. Won Pat International Airport Authority, Guam;
14 Jose D. Leon Guerrero Commercial Port Security personnel;
15 Marshals of the Supreme Court of Guam and the Superior Court
16 of Guam; and Firefighters of the Antonio B. Won Pat
17 International Airport Authority, Guam. In all matters involving
18 the uniformed personnel at the Antonio B. Won Pat
19 International Airport Authority, Guam, the Jose D. Leon
20 Guerrero Commercial Port, or the Department of Parks and

1 Recreation, the Marshals of the Supreme Court of Guam and the
2 Superior Court of Guam, and the Guam Police Department shall
3 have concurrent jurisdiction with such personnel.”

4 **Section 3. Effective Date.** This act shall be effective
5 retroactive to October 1, 2008.

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