



**MINA' BENTE NUEBI NA LIHESLATURAN GUÅHAN  
2008 (SECOND) Regular Session**

**Bill No.** 240 (LS)

Introduced by:

Frank T. Ishizaki 

Judith P. Guthertz 

**AN ACT TO AUTHORIZE THE DEPARTMENT OF  
ADMINISTRATION TO AMEND PERSONNEL  
RULES IN ORDER TO INCREASE THE  
EFFICIENCY OF FILLING POSITIONS IN LAW  
ENFORCEMENT AGENCIES.**

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

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

*I Liheslaturan Guåhan* finds that current Personnel Rules regarding eligibility lists are, in most cases, efficient in hiring for positions within the government of Guam. However, these same rules may hinder law enforcement agencies' ability to effectively fill positions. The following is an example of why a change is needed.

If a law enforcement agency such as the Guam Police Department has 30 positions available, an eligibility list will be compiled and provided by the Department of Administration. This eligibility list will consist of 34 eligible candidates. Often, through the background investigation and interview processes, the Guam Police Department will find that only 17 are suitable candidates for the positions, leaving 13 positions unfilled. Another request

1 for a list is then made to the Department of Administration to fill 13 vacant  
2 positions. The list will be provided and will consist of 17 eligible candidates, and  
3 once again, the Guam Police Department will find that not all applicants are  
4 suitable. This process continues until all thirty positions are filled, after which  
5 several months have elapsed.

6 Currently, several law enforcement agencies are understaffed. Hiring  
7 must be done to keep pace with the needs of the community as it stands today.  
8 With the anticipated military build-up, and with the anticipation that the needs  
9 of the community will only increase, this government must do all it can to ensure  
10 that vital public safety and law enforcement services can meet the growing needs  
11 of the island.

12 *I Liheslatura* finds that the rule of four may not be the most effective way  
13 to determine eligibility lists. It is therefore the intent of *I Liheslatura* to authorize  
14 the Department of Administration to allow for a process that will enhance law  
15 enforcement agencies' ability to fill positions.

16 **Section 2. Department of Administration Authorized to Promulgate**  
17 **and Amend Personnel Rules to Allow for Law Enforcement Departments or**  
18 **Agencies to Request for Eligibility Lists with Twice the Amount of Applicants**  
19 **as there are Available Positions.**

20 The Department of Administration is hereby authorized to Promulgate  
21 and Amend Personnel Rules, in accordance with the Administrative

1 Adjudication Law, that will allow for Eligibility Lists to consist of twice the  
2 amount of applicants as there are available positions for Law Enforcement  
3 Departments or Agencies. Such rules shall include a clause for the Law  
4 Enforcement Department or Agency Head to certify that there is a critical  
5 shortage of personnel within the department or agency and the rule of four will  
6 not be, or has not been, sufficient in meeting the needs of the department or  
7 agency.

8 **Section 3. Severability.**

9 *If any provision of this Act or its application to any person or*  
10 *circumstance is found to be invalid or contrary to law, such invalidity shall not*  
11 *affect other provisions or applications of this Act which can be given effect*  
12 *without the invalid provisions or application, and to this end the provisions of*  
13 *this Act are severable.*