



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY  
I Mina'Trentai Uno Na Liheslaturan Guahan

SENATOR ADOLPHO B. PALACIOS, SR.  
Chairman

Thirty-First  
Guam Legislature

October 25, 2011

Committee Members:

- Senator Thomas C. Ada  
Vice Chairman
- Speaker Judith T. Won Pat, Ph.D.  
Member
- Senator Tina R. Muna Barnes  
Member
- Senator Judith P. Guthertz, DPA  
Member
- Senator Rory J. Respicio  
Member
- Senator Dennis G. Rodriguez, Jr.  
Member
- Senator V. Anthony Ada  
Member
- Senator Christopher M. Duenas  
Member
- Senator Mana Silva-Tajeron  
Member
- Senator Aline A. Yamashita, Ph.D.  
Member

The Honorable Judith T. Won Pat, Ed.D.  
Speaker  
I Mina'Trentai Uno na Liheslaturan Guahan  
155 Hesler Place  
Hagatña, Guam 96910

VIA: The Honorable Rory J. Respicio  
Chairman, Committee on Rules

957 10 26 10 30

RE : Committee Report – Bill No. 271-31 (COR) as Amended.

The Committee on Public Safety, Law Enforcement and Judiciary, to which was referred, **Bill No. 271-31 (COR) - "AN ACT TO ADD A NEW §77113.1 TO §77113 OF ARTICLE 1, CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING THAT NO PERSON BE APPOINTED TO THE RANKS OF POLICE SERGEANT AND POLICE LIEUTENANT WHO FAILS TO PASS A PHYSICAL AGILITY TEST AND WRITTEN EXAMINATION RELATIVE TO PERSONS WITH DISABILITIES, INCLUDING SPECIAL NEEDS AND MENTAL ILLNESS,"** hereby reports out with the recommendation **TO PASS**.

Committee Votes are as follows:

Other Committee  
Membership:

- Vice Chairman, Committee on Utilities, Transportation, Public Works and Veterans Affairs
- Vice Chairman, Committee on Health and Human Services, Senior Citizens, Economic Development and Election Reform
- Member, Committee on Rules, Federal, Foreign & Micronesian Affairs and Human & Natural Resources
- Member, Committee on Education and Public Libraries
- Member, Committee on Guam Military Buildup and Homeland Security
- Member, Committee on Municipal Affairs, Tourism, Housing and Recreation

<u>8</u>	TO PASS
<u>0</u>	NOT TO PASS
<u>1</u>	TO REPORT OUT ONLY
<u>0</u>	ABSTAIN
<u>0</u>	INACTIVE FILE

Sincerely,

ADOLPHO B. PALACIOS, MPA, BS/CJA  
Chairman

Attachments



**COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY**  
*I Mina'Trentai Uno Na Liheslaturan Guåhan*

**SENATOR ADOLPHO B. PALACIOS, SR.**  
*Chairman*

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**COMMITTEE REPORT ON  
BILL NO. 271-31 (COR)**  
As Amended by the  
**Committee on Public Safety, Law Enforcement & Judiciary**

**AN ACT TO ADD A NEW §77113.1 TO §77113 OF ARTICLE 1,  
CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED,  
RELATIVE TO REQUIRING THAT NO PERSON BE  
APPOINTED TO THE RANKS OF POLICE SERGEANT AND  
POLICE LIEUTENANT WHO FAILS TO PASS A PHYSICAL  
AGILITY TEST AND ~~WRITTEN EXAMINATION~~ RECEIVE  
TRAINING RELATIVE TO PERSONS WITH DISABILITIES,  
INCLUDING SPECIAL NEEDS AND MENTAL ILLNESS.**



Thirty-First  
Guam Legislature


**COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY**  
*I Mina'Trentai Uno Na Liheslaturan Guåhan*

**SENATOR ADOLPHO B. PALACIOS, SR.**  
*Chairman*

October 21, 2011

**MEMORANDUM**

**TO: ALL MEMBERS**  
Committee on Public Safety, Law Enforcement, & Judiciary

**FROM: Senator Adolpho B. Palacios, Sr.**   
Committee Chairman

**SUBJECT: Committee Report on Bill No. 271-31 (COR) as Amended.**

Transmitted herewith for your consideration is the Committee Report on **Bill No. 271-31 (COR) as Amended**- **"AN ACT TO ADD A NEW §77113.1 TO §77113 OF ARTICLE 1, CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING THAT NO PERSON BE APPOINTED TO THE RANKS OF POLICE SERGEANT AND POLICE LIEUTENANT WHO FAILS TO PASS A PHYSICAL AGILITY TEST AND ~~WRITTEN EXAMINATION~~ RECEIVE TRAINING RELATIVE TO PERSONS WITH DISABILITIES, INCLUDING SPECIAL NEEDS AND MENTAL ILLNESS,"** - sponsored by **Senator Adolpho B. Palacios, Sr.**

This report includes the following:

- Committee Voting Sheet
- Committee Report Digest
- Copy of Bill No. 271-31 (COR) as Amended
- Copy of Bill No. 271-31 (COR) as Introduced
- Public Hearing Sign-in Sheet
- Copies of testimony submitted and supporting documents
- Fiscal Note of Bill No. 271-31 (COR)
- Copy of COR Referral of Bill No. 271-31 (COR)
- Notices of Public Hearing
- Copy of the Public Hearing Agenda

Please take the appropriate action on the attached voting sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please contact this office.

*Si Yu'os ma'åse!*

*Committee Members:*

- Senator Thomas C. Ada  
Vice Chairman
- Speaker Judith T. Won Pat, Ph.D.  
Member
- Senator Tina R. Muna Barnes  
Member
- Senator Judith P. Guthertz, DPA  
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- Senator Rory J. Respicio  
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- Senator V. Anthony Ada  
Member
- Senator Christopher M. Duenas  
Member
- Senator Mana Silva-Tajerón  
Member
- Senator Aline A. Yamashita, Ph.D.  
Member

*Other Committee  
Membership:*

- Vice Chairman, Committee on  
Utilities, Transportation, Public  
Works and Veterans Affairs
- Vice Chairman, Committee on  
Health and Human Services,  
Senior Citizens, Economic  
Development and Election  
Reform
- Member, Committee on  
Education and Public Libraries
- Member, Committee on Rules,  
Federal, Foreign & Micronesian  
Affairs and Human & Natural  
Resources
- Member, Committee on Guam  
Military Buildup and Homeland  
Security
- Member, Committee on  
Municipal Affairs, Tourism,  
Housing and Recreation



**COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY**  
*I Mina'Trentai Uno Na Liheslaturan Guåhan*

**SENATOR ADOLPHO B. PALACIOS, SR.**  
*Chairman*

**VOTING SHEET ON:**

**Bill No. 271-31 (COR) as Amended – AN ACT TO ADD A NEW §77113.1 TO §77113 OF ARTICLE 1, CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING THAT NO PERSON BE APPOINTED TO THE RANKS OF POLICE SERGEANT AND POLICE LIEUTENANT WHO FAILS TO PASS A PHYSICAL AGILITY TEST AND ~~WRITTEN EXAMINATION~~ RECEIVE TRAINING RELATIVE TO PERSONS WITH DISABILITIES, INCLUDING SPECIAL NEEDS AND MENTAL ILLNESS. – sponsored by Senator Adolpho B. Palacios, Sr.**

SENATOR	SIGNATURE	TO PASS	NOT TO PASS	TO REPORT OUT ONLY	ABSTAIN	INACTIVE FILE
Adolpho B. Palacios, Sr. Chairman		10/24/11 ✓				
Thomas C. Ada Vice Chairman		10/24/11				
Tina R. Muña-Barnes Member				✓		
Judith P. Guthertz, DPA Member						
Rory J. Respicio Member						
Dennis G. Rodriguez, Jr. Member						
Judith T. Won Pat, Ed.D. Member		10/25/11				
V. Anthony Ada Member		10/25/11				
Christopher M. Duenas Member		10/24/11 ✓				
Mana Silva Taijeron Member		10/25/11 ✓				
Aline A. Yamashita, Ph.D. Member		10/24/11 ✓				





**COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY**  
*I Mina'Trentai Unu Na Liheslaturan Guåhan*

**SENATOR ADOLPHO B. PALACIOS, SR.**  
*Chairman*

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**COMMITTEE REPORT DIGEST**

**Bill No. 271-31 (COR) – “An act to add a new §77113.1 to §77113 of Article 1, Chapter 77, Title 10, Guam Code Annotated, relative to requiring that no person be appointed to the ranks of Police Sergeant and Police Lieutenant who fails to pass a physical agility test and written examination relative to persons with disabilities, including special needs and mental illness.” – sponsored by Senator Adolpho B. Palacios, Sr.**

**I. OVERVIEW**

The Committee on Public Safety, Law Enforcement and Judiciary convened the public hearing on September 27, 2011 at 8:42 a.m. in *I Liheslatura's* Public Hearing Room. Among the items on the agenda was the consideration of Bill No. 271-31 (COR) - “An act to add a new §77113.1 to §77113 of Article 1, Chapter 77, Title 10, Guam Code Annotated, relative to requiring that no person be appointed to the ranks of Police Sergeant and Police Lieutenant who fails to pass a physical agility test and written examination relative to persons with disabilities, including special needs and mental illness” sponsored by Senator Adolpho B. Palacios, Sr.

**Public Hearing Requirements:**

Notices of the hearing were disseminated via facsimile and email to all senators and all main media broadcasting outlets on September 19 and 20, 2011 (5-day Notice) and on September 23, 2011 (48-Hour notice) pursuant to meeting the requirements of the Open Government Law. Notice of the hearing was also posted on the Guam Legislature’s website.

**Senators Present:**

Senator Adolpho B. Palacios, Sr., Chairman  
Senator Aline A. Yamashita, Ph.D., Member  
Senator Christopher M. Duenas, Member  
Senator Vicente C. Pangelinan

**Individual(s) Registered for oral or written testimony:**

Benito Servino, Director, Department of Integrated Services for Individuals with Disabilities, provided oral testimony.

**II. SUMMARY OF TESTIMONIES**

Chairman Adolpho B. Palacios, Sr. convened the public hearing of the Committee on Public Safety, Law Enforcement and Judiciary on Bill No. 271-31 (COR) at 8:42 a.m.,

read the agenda for the public hearing, and called Director Benito Servino to the panel to testify.

Chairman Palacios stated that when a written examination is required, review materials will have to be studied. The Chairman stated that the bill would also require that an agility test will be taken and passed to attain the rank of Police Sergeant and Police Lieutenant. Chairman Palacios recognized Director Benito Servino.

Director Benito Servino read his prepared written testimony. Director Servino supports the bill. He believes that it will help improve service to individuals with disabilities. Director Servino offered his help in improving services to persons with disabilities.

Chairman Palacios announced his intention to hold a joint mark-up meeting on Bill Nos. 270 and 271.

Chairman Adolpho B. Palacios, Sr., declared that Bill No. 271-31 (COR) has been duly heard and that the Committee would continue to receive written testimony for ten (10) working days following the hearing. The hearing was adjourned at 3:05 p.m.

### III. WRITTEN TESTIMONIES

**Benito Servino, Director, Department of Integrated Services for Individuals with Disabilities.** *(Summarized in Section II.)*

*No further written testimony was received within the ten-day period following the public hearing of Bill 271-31 (COR).*

### IV. FINDINGS AND RECOMMENDATION

#### **Mark-up Meeting on Bill No. 271-31 (COR) on October 5, 2011 at 10:00 a.m.:**

##### **Participants:**

Adolpho B. Palacios, Sr., Chairman, Committee on Public Safety, Law Enforcement and Judiciary.

Shane Ngata, acting Administrator, Human Resources Division, Department of Administration.

Francis Flisco, Personnel Specialist IV, Human Resources Division, Department of Administration.

Ginger Porter, Guam Center for Excellence in Developmental Disabilities Education, Research & Service (Guam CEDDERS), University of Guam.

##### **Proceedings:**

Chairman Adolpho B. Palacios, Sr., convened the meeting. The Chairman discussed the increased involvement of persons with disabilities in public life. He stated that the bill

would require a portion of the test for police recruits, which the Department of Administration administers, would cover persons with disabilities.

Ginger Porter said that they could add such coursework into the curriculum of Guam CEDDERS.

Chairman Palacios said that the bill would require that prospective officers will have to review materials relative to persons with disabilities in preparation for their test. He suggested that the Guam Police Department should go beyond the requirements set out in law.

Ms. Porter brought up their recommendations relative to training for first responders, that all get trained to deal with persons with disabilities effectively. She discussed a student group which could help research approaches to persons with special needs in other jurisdictions. Ms. Porter stated that they could assist in the legislative process and with proposals.

Chairman Palacios said that Bill Nos. 270 and 271 are related. Bill 271 deals with testing for promotion. Chairman Palacios suggested the idea to develop a subcommittee on special needs, perhaps engaging Senator Yamashita. The Chairman asked the representatives from the Department of Administration how many questions are on the test. Mr. Flisco said that there are 118 questions. Chairman Palacios stated that he wants officers to be able to recognize when they encounter individuals who have special needs. Ginger Porter asked what kind of questions are on the test. Mr. Flisco said that they are multiple choice and suggested that it be mandated as a training requirement instead of initial testing. Chairman Palacios said that he had considered that option.

Acting Administrator Shane Ngata suggested that there could be a requirement for initial training and additional training as officers advance in their careers. Ginger Porter suggested eight (8) hours of training, but said that some states have as much as forty (40) hours required. She brought up the possibility of annual or quarterly refresher training, perhaps roll-call training.

Shane Ngata suggested gradual training as an officer advances. Ms. Porter concurred that there should be initial and then follow-on training. Chairman Palacios suggested adding language about certifying instruction and passage in such a training program to fulfill the requirement to demonstrate knowledge, rather than through the examination conducted by the Department of Administration.

Ms. Porter suggested that training be required by a qualified trainer. Chairman Palacios and Ms. Porter agreed that the Bill's language should require that police officers successfully complete a course on disability awareness.

Chairman Palacios said that the course could have a comparable approach to sensitivity training. He suggested that the same approach can be used to recertify for disability awareness. Ms. Porter said that it will be a better method of getting what is desired from the legislation. Mr. Ngata suggested that if CEDDERS can do the training, they could provide a list of those who have successfully completed the program to the Department of Administration. Ms. Porter said that GPD is amenable to this type of policy and suggested that refresher training can be embedded in the training process. Chairman Palacios pointed out that GPD is not consistent on providing roll-call training. Mr. Ngata suggested the idea of recertification requirements so that the training could be an on-going process.

Ms. Porter said that the academy should build capacity and have certification occur within the academy. Mr. Ngata suggested that it could gradually be integrated into the academy's curriculum, but temporarily CEDDERS could provide the training.

Ms. Porter said that this should apply to all first responders and she asked about the CAPE volunteers. Chairman Palacios said that they are not considered first responders, since they only issue citations, but agreed that all first responders should be trained in this manner.

Ms. Porter showed some basic training material and stated that such materials are useful for training and that materials to address persons with special needs do not need to be made from scratch. Chairman Palacios said that DISID could be involved in the process and get such instructional materials. He clarified that the testing will be removed and replaced by a certification requirement.

Mr. Ngata said that annual renewals would be a significant responsibility if it were incorporated. Ms. Porter talked about the costs of the training programs and gave an example of a transit operators training program. Chairman Palacios said that they need to involve GPD training in this process.

Ms. Porter discussed the recommendations of CEDDERS relative to training. Chairman Palacios reiterated that persons with special needs require an officer to be able to recognize and deal with them appropriately. Ms. Porter discussed the different types of disabilities. Chairman Palacios discussed the possibility that a course could be developed in the training academy or at the University of Guam.

Chairman Adolpho B. Palacios, Sr., concluded the meeting.

### **Recommendations**

The Committee on Public Safety, Law Enforcement and Judiciary hereby reports out **Bill No. 271-31 (COR), as amended by the Committee, with the recommendation TO PASS.**

**I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN**  
**2011 (FIRST) Regular Session**

**Bill No.** 271-31 (WR)

**Introduced by:**

**Adolpho B. Palacios, Sr.** 

2011 JUN 19 PM 10:12  
G

**AN ACT TO ADD A NEW §77113.1 TO §77113 OF  
ARTICLE 1, CHAPTER 77, TITLE 10, GUAM CODE  
ANNOTATED, RELATIVE TO REQUIRING THAT  
NO PERSON BE APPOINTED TO THE RANKS OF  
POLICE SERGEANT AND POLICE LIEUTENANT  
WHO FAILS TO PASS A PHYSICAL AGILITY TEST  
AND WRITTEN EXAMINATION RELATIVE TO  
PERSONS WITH DISABILITIES, INCLUDING  
SPECIAL NEEDS AND MENTAL ILLNESS.**

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

2           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*  
3 finds that the nature of work performed by Guam Police Department  
4 (“GPD”) officers involves a level of physical stress incomparable to  
5 occupations outside military, law enforcement and public safety services. *I*  
6 *Liheslaturan Guåhan* finds that other than the physical agility test new  
7 police officers are required to pass, there are no policies within GPD that  
8 require individuals appointed to the ranks of Police Sergeant and Police  
9 Lieutenant to sustain such physical standards.

10           *I Liheslaturan Guåhan* further finds that working hours beyond the  
11 traditional eight-(8-) hour schedule to ensure a safe community, and having  
12 to deal with potential threats to their safety, are examples of what Police  
13 Officers are confronted with every day. With a limited police force  
14 responsible for preserving peace and order for Guam’s growing community,

1 *I Liheslatura* finds it critical that Police Officers maintain good physical  
2 health for their personal benefit and for the good of the community they are  
3 sworn to protect.

4 It is therefore the intent of *I Liheslaturan Guåhan* to add a new  
5 §77113.1 to §77113 of Article 1, Chapter 77, Title 10, Guam Code  
6 Annotated. This new section would require that no person shall be  
7 appointed to the ranks of Police Sergeant and Police Lieutenant without first  
8 passing a physical examination, which shall include a physical agility test. *I*  
9 *Liheslatura* also intends to include within this new section a requirement that  
10 no person be appointed to the aforementioned ranks without first  
11 establishing satisfactory evidence, through written examination, the ability  
12 to recognize and understand persons with disabilities, including special  
13 needs and mental illness.

14 **Section 2. Selection of Applicants.** A new §77113.1 is hereby  
15 *added* to §77113 of Article 1, Chapter 77, Title 10, Guam Code Annotated,  
16 to read:

17 **“§77113. Department; Appointment; Examination and Selection**  
18 **of Applicants.**

19 The Chief of Police shall appoint a police force consisting of  
20 commissioned officers, non-commissioned officers and police officers  
21 who are, in the judgment of the Chief of Police, necessary to the  
22 performance of the duties of the Department. The Chief of Police  
23 shall, in accordance with the laws of the Territory, arrange for the  
24 examination and selection of applicants, and to establish ranks and  
25 grades.

26 **§77113.1. Selection of Individuals Applying for Police Sergeant**  
27 **and Police Lieutenant.**

1           Notwithstanding other provisions of law, no person shall be  
2           appointed to the ranks of Police Sergeant and Police Lieutenant who  
3           does not meet the following qualifications:

4           (a) pass a physical examination, which shall include a physical  
5           agility test, and written examinations based upon standards  
6           relevant to the duties to be performed, which standards shall be  
7           established by the Chief of Police;

8           (b) establish satisfactory evidence, through written examination  
9           administered by the Department of Administration (“DOA”) or  
10           a competent authority, of the ability to recognize and  
11           understand persons with disabilities, including special needs  
12           and mental illness. DOA shall include a minimum of two (2)  
13           items within the written examination relative to persons with  
14           disabilities, including special needs and mental illness. For the  
15           purpose of this section, the term disability(ies), as is defined in  
16           the *Americans with Disabilities Act*, shall mean a physical or  
17           mental impairment that substantially limits one (1) or more  
18           major life activities of an individual; and

19           (c) other necessary special qualifications as established by the  
20           Department of Administration not inconsistent with §77113 and  
21           §77113.1 of this Chapter.”

22           **Section 3. Effective Date.** The provisions contained herein shall be  
23 effective within ninety (90) days following enactment. The Guam Police  
24 Department, in coordination with the Department of Mental Health and  
25 Substance Abuse and the Department of Integrated Services for Individuals  
26 with Disabilities, shall recommend examination materials to DOA for  
27 consideration prior to the implementation of this Act.

1           **Section 4. Severability.** If any provision of this Act or its  
2 application to any person or circumstance is found to be invalid or contrary  
3 to law, such invalidity shall not affect other provisions or applications of this  
4 Act which can be given effect without the invalid provisions or application,  
5 and to this end the provisions of this Act are severable.



***I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN***  
**2011 (FIRST) Regular Session**

**Bill No. 271-31 (COR)**

As amended by the Committee on Public Safety,  
Law Enforcement and Judiciary.

**Introduced by:**

**Adolpho B. Palacios, Sr.**

**AN ACT TO ADD A NEW §77113.1 TO §77113 OF  
ARTICLE 1, CHAPTER 77, TITLE 10, GUAM CODE  
ANNOTATED, RELATIVE TO REQUIRING THAT  
NO PERSON BE APPOINTED TO THE RANKS OF  
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12 to deal with potential threats to their safety, are examples of what Police

1 Officers are confronted with every day. With a limited police force  
2 responsible for preserving peace and order for Guam’s growing community,  
3 *I Liheslatura* finds it critical that Police Officers maintain good physical  
4 health for their personal benefit and for the good of the community they are  
5 sworn to protect.

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7 §77113.1 to §77113 of Article 1, Chapter 77, Title 10, Guam Code  
8 Annotated. This new section would require that no person shall be  
9 appointed to the ranks of Police Sergeant and Police Lieutenant without first  
10 passing a physical examination, which shall include a physical agility test. *I*  
11 *Liheslatura* also intends to include within this new section a requirement that  
12 no person be appointed to the aforementioned ranks without first  
13 establishing satisfactory evidence, through a certificate of completion of the  
14 appropriate training as approved by the Department of Integrated Services  
15 for Individuals with Disabilities ~~written examination~~, of the ability to  
16 recognize and understand persons with disabilities, including special needs  
17 and mental illness.

18 **Section 2. Selection of Applicants.** A new §77113.1 is hereby  
19 *added* to §77113 of Article 1, Chapter 77, Title 10, Guam Code Annotated,  
20 to read:

21 **“§77113. Department; Appointment; Examination and Selection**  
22 **of Applicants.**

23 The Chief of Police shall appoint a police force consisting of  
24 commissioned officers, non-commissioned officers and police officers  
25 who are, in the judgment of the Chief of Police, necessary to the  
26 performance of the duties of the Department. The Chief of Police  
27 shall, in accordance with the laws of the Territory, arrange for the

1 examination and selection of applicants, and to establish ranks and  
2 grades.

3 **§77113.1. Selection of Individuals Applying for Police Sergeant**  
4 **and Police Lieutenant.**

5 Notwithstanding other provisions of law, no person shall be  
6 appointed to the ranks of Police Sergeant and Police Lieutenant who  
7 does not meet the following qualifications:

8 (a) pass a physical examination, which shall include a physical  
9 agility test, and written examinations based upon standards  
10 relevant to the duties to be performed, which standards shall be  
11 established by the Chief of Police;

12 (b) establish satisfactory evidence, ~~through written examination~~  
13 ~~administered by the Department of Administration (“DOA”) or~~  
14 ~~a competent authority,~~ of the ability to recognize and  
15 understand persons with disabilities, including special needs  
16 and mental illness. Evidence of such ability shall be by a  
17 certificate of completion of the appropriate training as approved  
18 by the Department of Integrated Services for Individuals with  
19 Disabilities, as a condition for selection prior to appointment as  
20 a Police Sergeant or Police Lieutenant. ~~DOA shall include a~~  
21 ~~minimum of two (2) items within the written examination~~  
22 ~~relative to persons with disabilities, including special needs and~~  
23 ~~mental illness. DOA shall include a minimum of two (2) items~~  
24 ~~within the written examination relative to persons with~~  
25 ~~disabilities, including special needs and mental illness.~~ For the  
26 purpose of this section, the term disability(ies), as is defined in  
27 the *Americans with Disabilities Act*, shall mean a physical or

1           mental impairment that substantially limits one (1) or more  
2           major life activities of an individual; and  
3           (c) other necessary special qualifications as established by the  
4           Department of Administration not inconsistent with §77113 and  
5           §77113.1 of this Chapter.”

6           **Section 3. Effective Date.** The provisions contained herein shall be  
7 effective within one hundred twenty (120) ~~ninety (90)~~ days following  
8 enactment. ~~The Guam Police Department, in coordination with the~~  
9 ~~Department of Mental Health and Substance Abuse and the Department of~~  
10 ~~Integrated Services for Individuals with Disabilities, shall recommend~~  
11 ~~examination materials to DOA for consideration prior to the implementation~~  
12 ~~of this Act.~~

13           **Section 4. Severability.** If any provision of this Act or its  
14 application to any person or circumstance is found to be invalid or contrary  
15 to law, such invalidity shall not affect other provisions or applications of this  
16 Act which can be given effect without the invalid provisions or application,  
17 and to this end the provisions of this Act are severable.



**COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY**

*I Mina'Trentai Uno na Liheslaturan Guahan*

SENATOR ADOLPHO B. PALACIOS, SR.  
CHAIRMAN

**Tuesday, September 27, 2011**

**Bill No. 271-31 (COR) – AN ACT TO ADD A NEW §77113.1(f) TO §77113 OF ARTICLE 1, CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING THAT NO PERSON BE APPOINTED TO THE RANKS OF POLICE SERGEANT AND POLICE LIEUTENANT WHO FAILS TO PASS A PHYSICAL AGILITY TEST AND WRITTEN EXAMINATION RELATIVE TO PERSONS WITH DISABILITIES, INCLUDING SPECIAL NEEDS AND MENTAL ILLNESS. – by Senator Adolpho B. Palacios, Sr.**

NAME (Please Print)	AGENCY/ORGANIZATION	CONTACT NUMBER	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	NOT IN FAVOR
BEN S. SERVINO	DISID	475-4646	✓	✓	✓	



Benito "Ben" Servino  
DIRECTOR

## Department of Integrated Services for Individuals with Disabilities

Dipårtamenton Programa Para I Maninutet  
Government of Guam



Eddie Baza Calvo  
GOVERNOR

Ray Tenorio  
LIEUTENANT GOVERNOR

September 27, 2011

**Honorable Senator Adolpho B. Palacios, Sr.**

Chairman, Committee on Public Safety, Law Enforcement & Judiciary  
31<sup>st</sup> Guam Legislature, 155 Hesler Place, Hagåtña, GU 96910

Subject: Testimony in Support for Bill No. 271-31(COR) – Senator Adolpho B. Palacios, Sr.

AN ACT TO ADD A NEW §77113.1 TO §77113 OF ARTICLE 1, CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING THAT NO PERSON BE APPOINTED TO THE RANKS OF POLICE SERGANT AND POLICE LIEUTENANT WHO FAILS TO PASS A PYSICAL AGILITY TEST AND WRITTEN EXAMINATION RELATIVE TO PERSONS WITH DISABILITIES, INCLUDING SPECIAL NEEDS AND MENTAL ILLNESS

Buenas yan Hafa Adai Senator Palacios and Members of the Committee on Public Safety, Law Enforcement & Judiciary.

My name is Ben S. Servino, and I currently serve as the Director for the Department of Integrated Services for Individuals with Disabilities (DISID).

I wish to convey my support for Bill 271-31 (COR) because like Bill 270-31(COR) it will help to provide the continuum of assurance that our Law Enforcement Personnel within the higher ranks of Police Sergeant and Police Lieutenant are also qualified and have the ability to recognize and handle situations involving individuals with disabilities (especially those with severe cognitive and intellectual disabilities and mental illness) so that effective assessments and appropriate interventions could be utilized.

I would like to also recommend that the written exam which is to be administered by the Department of Administration (DOA) have a minimum of five (5) items within the written examination that is relative to persons with disabilities and that ongoing training be provided to the Police Sergeants and Police Lieutenants.

One again, DISID would be willing to serve as a resource for the Guam Police Department and the Department of Administration (DOA) in collaboration with the Department of Mental Health & Substance Abuse (DMHSA), the Guam Developmental Disabilities Council (GDDC), and our community partners such as the Autism Community Together (ACT).

I thank you for providing me this opportunity to provide input on Bill 271-31 (COR).

Sincerely,

BENITO S. SERVINO  
Director, DISID

**Bureau of Budget & Management Research  
Fiscal Note of Bill No. 271-31 (COR)**

**AN ACT TO ADD A NEW §77113.1 to §77113 OF ARTICLE I, CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING THAT NO PERSON BE APPOINTED TO THE RANKS OF POLICE SERGEANT AND POLIC LIEUTENANT WHO FAILS TO PASS A PHYSICAL AGILITY TEST AND WRITTEN EXAMINATION RELATIVE TO PERSONS WITH DISABILITIES, INCLUDING SPECIAL NEEDS AND MENTAL ILLNESS.**

**Department/Agency Appropriation Information**

Dept./Agency Affected: Guam Police Department		Dept./Agency Head: Fred Bordallo, Chief of Police	
Department's General Fund (GF) appropriation(s) to date:		24,029,815	
Department's Other Fund (Specify) appropriation(s) to date:		570,110	
<b>Total Department/Agency Appropriation(s) to date:</b>		<b>524,599,925</b>	

**Fund Source Information of Proposed Appropriation**

	General Fund:	(Specify Special Fund):	Total:
FY 2010 Unreserved Fund Balance <sup>1</sup>		\$0	\$0
FY 2011 Adopted Revenues	\$0	\$0	\$0
FY 2011 Appro. (P.L. 30-196)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
<b>Total:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**Estimated Fiscal Impact of Bill**

	One Full Fiscal Year	For Remainder of FY 2011 (if applicable)	FY 2012	FY 2013	FY 2014	FY 2015
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

- Does the bill contain "revenue generating" provisions? // Yes /x/ No  
If Yes, see attachment
- Is amount appropriated adequate to fund the intent of the appropriation? /x/ N/A // Yes // No  
If no, what is the additional amount required? \$ // N/A
- Does the Bill establish a new program/agency? // Yes /x/ No  
If yes, will the program duplicate existing programs/agencies? // N/A // Yes /x/ No  
Is there a federal mandate to establish the program/agency? // Yes /x/ No
- Will the enactment of this Bill require new physical facilities? // Yes /x/ No
- Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: // Yes /x/ No  
// Requested agency comments not received by due date // Other: \_\_\_\_\_

8/2/11

Analyst: M Quinata Date: \_\_\_\_\_ Director: Joh A. Rios Date: 8/2/11  
Joh A. Rios, Acting Director, BMMR

**Footnotes:**  
The Bill provides for a specific section to address the qualifications to be appointed a Police Sergeant and Police Lieutenant. The additional requirements may result in additional costs to provide the proper training and testing to determine a candidates ability and qualification. However, in its present form, that impact can not be determined at this time.



# COMMITTEE ON RULES

*I Mina'trentai Unu na Liheslaturan Guåhan* • The 31<sup>st</sup> Guam Legislature  
155 Hesler Place, Hagåtña, Guam 96910 • [www.guamlegislature.com](http://www.guamlegislature.com)  
E-mail: [roryforguam@gmail.com](mailto:roryforguam@gmail.com) • Tel: (671)472-7679 • Fax: (671)472-3547

2011  
25  
11/11  
8:42

Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

Senator  
Judith P. Guthertz  
VICE CHAIRPERSON  
ASST. MAJORITY LEADER

**MAJORITY MEMBERS:**

Speaker  
Judith T. Won Pat

Vice Speaker  
Benjamin J. F. Cruz

Senator  
Tina Rose Muña Barnes  
LEGISLATIVE SECRETARY  
MAJORITY WHIP

Senator  
Dennis G. Rodriguez, Jr.  
ASST. MAJORITY WHIP

Senator  
Thomas C. Ada

Senator  
Adolpho B. Palacios, Sr.

Senator  
vicente c. pangelinan

**MINORITY MEMBERS:**

Senator  
Aline A. Yamashita  
ASST. MINORITY LEADER

Senator  
Christopher M. Duenas

July 20, 2011

**MEMORANDUM**

To: Pat Santos  
Clerk of the Legislature

Attorney Therese M. Terlaje  
Legislative Legal Counsel

From: Senator Rory J. Respicio

Subject: Referral of Bill Nos. 269-31 (COR) through 273-31 (COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 269-31 (COR) through 273-31 (COR).

Please ensure that the subject bills are referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Unu na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

*Si Yu'os Ma'åse!*

(4) Attachment



*I Mina'Trentai Unu Na Liheslaturan Guåhan*

**Bill Log Sheet**

**July 19, 2011**

Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	120 Day Deadline	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date) Passed? Failed? Vetoed? Overridden? Public Law?
270-31 (COR)	A. B. Palacios, Sr.	AN ACT TO ADD A NEW §77114(f) TO ARTICLE 1, CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO INCLUDING THE SUBJECT OF PERSONS WITH DISABILITIES, INCLUDING SPECIAL NEEDS AND MENTAL ILLNESS AS A COMPONENT WITHIN THE WRITTEN EXAMINATION FOR INDIVIDUALS APPLYING TO SERVE AS POLICE OFFICERS. AND TO FURTHER AMEND §77114(b) RELATIVE TO THE PHYSICAL STANDARDS REQUIREMENT FOR POLICE OFFICERS.	07/19/11 4:42 p.m.	7/20/11		Committee on Public Safety, Law Enforcement and Judiciary			
271-31 (COR)	A. B. Palacios, Sr.	AN ACT TO ADD A NEW §77113.1 TO §77113 OF ARTICLE 1, CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING THAT NO PERSON BE APPOINTED TO THE RANKS OF POLICE SERGEANT AND POLICE LIEUTENANT WHO FAILS TO PASS A PHYSICAL AGILITY TEST AND WRITTEN EXAMINATION RELATIVE TO PERSONS WITH DISABILITIES, INCLUDING SPECIAL NEEDS AND MENTAL ILLNESS.	07/19/11 4:42 p.m.	7/20/11		Committee on Public Safety, Law Enforcement and Judiciary			

**Subject:** First Notice of Public Hearing scheduled for Sept. 27th  
**From:** Priscilla Cruz (pris@senatorpalacios.com)  
**To:** phnotice@guamlegislature.org; telo.taitague@guam.gov;  
sabrina@kuam.com; jason@kuam.com; mindy@kuam.com; hottips@kuam.com; mvariety@pticom.com;  
**Cc:** zytaitano@mvguam.com; news@guampdn.com; dmgeorge@guampdn.com; dcrisost@guampdn.com;  
mpieper@guampdn.com; news@spbguam.com; clynt@spbguam.com; jtyquiengco@spbguam.com;  
jontalk@k57.com; rgibson@k57.com; kstone@ite.net;  
**Date:** Monday, September 19, 2011 10:26 AM

**PRESS RELEASE**

**FIRST NOTICE OF PUBLIC HEARING  
Tuesday, September 27, 2011 – 8:30 a.m.**

**FOR IMMEDIATE RELEASE**  
*(Hagåtña, Guam – September 19, 2011)*

In accordance with the Open Government Law, Public Law No. 24-109, relative to notice for public meetings, please be advised that the Committee on Public Safety, Law Enforcement and Judiciary will be conducting a public hearing starting at 8:30 a.m., Tuesday, September 27, 2011 at *I Liheslaturan Guåhan's Public Hearing Room* in *Hagåtña*, based on the following schedule:

**8:30 a.m.:**

- **Bill No. 237-31 (COR) – AN ACT ADD A NEW §70.45 TO CHAPTER 70 OF 9GCA RELATIVE TO BLACKLISTING. – by Senator V. Anthony Ada**
- **Bill No. 265-31 (COR) – AN ACT TO ADD A NEW SUBITEM (d) TO § 34105 AND TO AMEND § 34134, AND TO ADD A NEW § 34134.1, ALL OF 34 TITLE 5 GUAM CODE ANNOTATED, RELATIVE TO CHILD SUPPORT ALTERNATIVES IN THE EVENT OF THE DEATH OF A NON-CUSTODIAL PARENT. – by Senator R. J. Respicio**
- **Bill No. 266-31 (COR) – AN ACT TO ADD A NEW SUBSECTION § 34132.3 TO § 34132 OF TITLE 5 GUAM CODE ANNOTATED, CHAPTER 34, RELATIVE TO ESTABLISHING THAT NO STATUTE OF LIMITATIONS SHALL EXIST ON THE COLLECTION OF PAST DUE CHILD SUPPORT OBLIGATIONS. – by Senator R. J. Respicio**
- **Bill No. 269-31 (COR) – AN ACT TO REPEAL AND REENACT § 85.20 OF TITLE 8 OF THE GUAM CODE ANNOTATED RELATIVE TO THE PRELIMINARY EXAMINATION OF JURORS. – by Vice Speaker Benjamin J. F. Cruz**

**1:30 p.m.:**

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- **Bill No. 271-31 (COR)** – AN ACT TO ADD A NEW §77113.1(f) TO §77113 OF ARTICLE 1, CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO **REQUIRING THAT NO PERSON BE APPOINTED TO THE RANKS OF POLICE SERGEANT AND POLICE LIEUTENANT WHO FAILS TO PASS A PHYSICAL AGILITY TEST AND WRITTEN EXAMINATION RELATIVE TO PERSONS WITH DISABILITIES, INCLUDING SPECIAL NEEDS AND MENTAL ILLNESS.** – by Senator Adolpho B. Palacios, Sr.
- **Bill No. 284-31 (COR)** – AN ACT TO ADD A NEW SUBITEM (15) TO §75100(a) OF CHAPTER 75, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE **DEFINITION OF LAW ENFORCEMENT PERSONNEL, EMPLOYEE, OR POSITION EXCLUDED FROM THE APPLICATION OF THE PROVISION OF “SAFE HARBOR”.** – by Senator Chris Duenas
- **Bill No. 286-31 (COR)** – AN ACT RELATIVE TO **GRANTING INCREASED AUTONOMY ON FINANCIAL AND PERSONNEL MATTERS TO THE OFFICE OF THE ELECTED ATTORNEY GENERAL, BY AMENDING §30109 AND §30118, AND BY ADDING A NEW §30121, §30121.1 AND §30121.2, ALL OF CHAPTER 30, DIVISION 3, TITLE 5, GUAM CODE ANNOTATED.** – by Senator Adolpho B. Palacios, Sr.

Copies of the aforementioned Bills may be obtained thru Senator Palacios' website at [www.senatorpalacios.com](http://www.senatorpalacios.com). Testimonies should be addressed to Senator Adolpho B. Palacios, Sr., Chairperson, and will be accepted via hand delivery to our office, our mailbox at the main Legislature Building at 155 Hesler Place , Hagatna, Guam 96910, or via email to [senator@senatorpalacios.com](mailto:senator@senatorpalacios.com), or via facsimile to (671) 472-5022. Individuals requiring special accommodations or services, or for more information, please contact Julian Janssen or Jennifer Dulla at (671) 472-5047/5048.

###

***Priscilla T. Cruz***  
Administrative Officer  
Office of Senator A. B. Palacios, Sr.  
155 Hesler Pl.  
Hagatna, Guam 96910  
472-5047/5048

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As of Oct. 17, 2011

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COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY  
*I Mina'Trentai Unu Na Liheslaturan Guahan*

**SENATOR ADOLPHO B. PALACIOS, SR.**  
*Chairman*

---

**PRESS RELEASE**

**FIRST NOTICE OF PUBLIC HEARING**  
**Tuesday, September 27, 2011 – 8:30 a.m.**

**FOR IMMEDIATE RELEASE**  
**(Hagatna, Guam – September 19, 2011)**

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COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY  
*I Mina'Trentai Unu Na Liheslaturan Guåhan*

**SENATOR ADOLPHO B. PALACIOS, SR.**  
*Chairman*

---

**1:30 p.m. (cont'd):**

- **Bill No. 271-31 (COR)** – AN ACT TO ADD A NEW §77113.1(f) TO §77113 OF ARTICLE 1, CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING THAT NO PERSON BE APPOINTED TO THE RANKS OF POLICE SERGEANT AND POLICE LIEUTENANT WHO FAILS TO PASS A PHYSICAL AGILITY TEST AND WRITTEN EXAMINATION RELATIVE TO PERSONS WITH DISABILITIES, INCLUDING SPECIAL NEEDS AND MENTAL ILLNESS. – by Senator Adolpho B. Palacios, Sr.
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###

Destination	Start Time	Time	Prints	Result	Note
PDN	09-19 10:27	00:01:11	002/002	OK	
KUAM	09-19 10:29	00:00:56	002/002	OK	
PNC	09-19 10:30	00:00:38	002/002	OK	
K57	09-19 10:31	00:00:32	002/002	OK	
HIT RADIO 100	09-19 10:32	00:00:33	002/002	OK	
KSTO	09-19 10:33	00:01:18	002/002	OK	
GLIMPSES	09-19 10:34	00:00:33	002/002	OK	
MARIANAS VARIETY	09-19 10:35	00:00:33	002/002	OK	
KSTEREO/KISH	09-19 10:37	00:01:18	002/002	OK	
JOY 92 FM	09-19 10:38	00:00:32	002/002	OK	
KPRG	09-19 10:43	00:00:56	000/002	No Ans	

Note TMR: Timer TX, PDL: Polling, ORG: Original Size Setting, FME: Frame Erase TX,  
MIX: Mixed Original TX, CALL: Manual TX, CSRC: CSRC, FWD: Forward, PC: PC-Fax,  
BND: Double-Sided Binding Direction, SP: Special Original, FCODE: F-Code, RTX: Re-TX,  
RLY: Relay, MBX: Confidential, BUL: Bulletin, SIP: SIP Fax, IPADR: IP Address Fax,  
I-FAX: Internet Fax

Result OK: Communication OK, S-OK: Stop Communication, PW-OFF: Power Switch OFF,  
TEL: RX from TEL, NG: Other Error, Cont: Continue, No Ans: No Answer,  
Refuse: Receipt Refused, Busy: Busy, M-Full: Memory Full,  
LOVR: Receiving length Over, POVER: Receiving page Over, FIL: File Error,  
DC: Decode Error, MDN: MDN Response Error, DSN: DSN Response Error.



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY  
*I Mina Trentan Unu Na Liheslaturan Guåhan*

SENATOR ADOLPHO B. PALACIOS, SR.  
Chairman

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Tuesday, September 27, 2011 – 8:30 a.m.

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**Subject:** First Notice of Public Hearing scheduled for Sept. 27th.

**From:** Priscilla Cruz (pris@senatorpalacios.com)

**To:** phnotice@guamlegislature.org; telo.taitague@guam.gov;  
sabrina@kuam.com; jason@kuam.com; mindy@kuam.com; hottips@kuam.com; news@guampdn.com;  
mpieper@guampdn.com; dmgeorge@guampdn.com; egthompson@guampdn.com;

**Cc:** mvariety@pticom.com; therese@mvguam.com; zita@mvguam.com; news@spbgum.com;  
clynt@spbgum.com; jtyquiengco@spbgum.com; news@k57.com; jontalk@k57.com;  
rgibson@k57.com; kstonews@ite.net;

**Date:** Tuesday, September 20, 2011 2:45 PM

## PRESS RELEASE

### FIRST NOTICE OF PUBLIC HEARING Tuesday, September 27, 2011 – 8:30 a.m.

#### *FOR IMMEDIATE RELEASE*

*(Hagatna, Guam – September 20, 2011)*

In accordance with the Open Government Law, Public Law No. 24-109, relative to notice for public meetings, please be advised that the Committee on Public Safety, Law Enforcement and Judiciary will be conducting a public hearing starting at 8:30 a.m., Tuesday, September 27, 2011 at *I Liheslaturan Guåhan's Public Hearing Room* in *Hagåtña*, based on the following schedule:

#### 8:30 a.m.:

- **Bill No. 237-31 (COR) – AN ACT ADD A NEW §70.45 TO CHAPTER 70 OF 9GCA RELATIVE TO BLACKLISTING. – by Senator V. Anthony Ada**
- **Bill No. 265-31 (COR) – AN ACT TO ADD A NEW SUBITEM (d) TO § 34105 AND TO AMEND § 34134, AND TO ADD A NEW § 34134.1, ALL OF 34 TITLE 5 GUAM CODE ANNOTATED, RELATIVE TO CHILD SUPPORT ALTERNATIVES IN THE ENVENT OF THE DEATH OF A NON-CUSTODIAL PARENT. – by Senator R. J. Respicio**
- **Bill No. 266-31 (COR) – AN ACT TO ADD A NEW SUBSECTION § 34132.3 TO § 34132 OF TITLE 5 GUAM CODE ANNOTATED, CHAPTER 34, RELATIVE TO ESTABLISHING THAT NO STATUTE OF LIMITATIONS SHALL EXIST ON THE COLLECTION OF PAST DUE CHILD SUPPORT OBLIGATIONS. – by Senator R. J. Respicio**
- **Bill No. 269-31 (COR) – AN ACT TO REPEAL AND REENACT § 85.20 OF TITLE 8 OF THE GUAM CODE ANNOTATED RELATIVE TO THE PRELIMINARY EXAMINATION OF JURORS. – by Vice Speaker Benjamin J. F. Cruz**

#### 1:30 p.m.:

- **Bill No. 270-31 (COR) – AN ACT TO ADD A NEW §77114(f) TO ARTICLE 1, CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO INCLUDING THE SUBJECT OF PERSONS WITH**



**DISABILITIES, INCLUDING SPECIAL NEEDS AND MENTAL ILLNESS AS A COMPONENT WITHIN THE WRITTEN EXAMINATION FOR INDIVIDUALS APPLYING TO SERVE AS POLICE OFFICERS, AND TO FURTHER AMEND §77114(b) RELATIVE TO PHYSICAL STANDARDS REQUIREMENT FOR POLICE OFFICERS. – by Senator Adolpho B. Palacios, Sr.**

- **Bill No. 271-31 (COR) – AN ACT TO ADD A NEW §77113.1(f) TO §77113 OF ARTICLE 1, CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING THAT NO PERSON BE APPOINTED TO THE RANKS OF POLICE SERGEANT AND POLICE LIEUTENANT WHO FAILS TO PASS A PHYSICAL AGILITY TEST AND WRITTEN EXAMINATION RELATIVE TO PERSONS WITH DISABILITIES, INCLUDING SPECIAL NEEDS AND MENTAL ILLNESS. – by Senator Adolpho B. Palacios, Sr.**

- **Bill No. 284-31 (COR) – AN ACT TO ADD A NEW SUBITEM (15) TO §75100(a) OF CHAPTER 75, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE DEFINITION OF LAW ENFORCEMENT PERSONNEL, EMPLOYEE, OR POSITION EXCLUDED FROM THE APPLICATION OF THE PROVISION OF “SAFE HARBOR”. – by Senator Chris Duenas**

- **Bill No. 286-31 (COR) – AN ACT RELATIVE TO GRANTING INCREASED AUTONOMY ON FINANCIAL AND PERSONNEL MATTERS TO THE OFFICE OF THE ELECTED ATTORNEY GENERAL, BY AMENDING §30109 AND §30118, AND BY ADDING A NEW §30121, §30121.1 AND §30121.2, ALL OF CHAPTER 30, DIVISION 3, TITLE 5, GUAM CODE ANNOTATED. – by Senator Adolpho B. Palacios, Sr.**

Copies of the aforementioned Bills may be obtained thru Senator Palacios’ website at [www.senatorpalacios.com](http://www.senatorpalacios.com). Testimonies should be addressed to Senator Adolpho B. Palacios, Sr., Chairperson, and will be accepted via hand delivery to our office, our mailbox at the main Legislature Building at 155 Hesler Place , Hagatna, Guam 96910, or via email to [senator@senatorpalacios.com](mailto:senator@senatorpalacios.com), or via facsimile to (671) 472-5022. Individuals requiring special accommodations or services, or for more information, please contact Julian Janssen or Jennifer Dulla at (671) 472-5047/5048.

###

***Priscilla T. Cruz***

Administrative Officer

Office of Senator A. B. Palacios, Sr.

155 Hesler Pl.

Hagatna, Guam 96910

472-5047/5048



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY  
*I Mina'Trentai Unu Na Liheslaturan Guåhan*

**SENATOR ADOLPHO B. PALACIOS, SR.**  
*Chairman*

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**PRESS RELEASE**

**SECOND NOTICE OF PUBLIC HEARING**  
**Tuesday, September 27, 2011 – 8:30 a.m.**

**FOR IMMEDIATE RELEASE**  
**(Hagatna, Guam – September 23, 2011)**

In accordance with the Open Government Law, Public Law No. 24-109, relative to notice for public meetings, please be advised that the Committee on Public Safety, Law Enforcement and Judiciary will be conducting a public hearing starting at **8:30 a.m., Tuesday, September 27, 2011** at ***Liheslaturan Guåhan's Public Hearing Room*** in *Hagåtña*, based on the following schedule:

**8:30 a.m.:**

- **Bill No. 237-31 (COR) – AN ACT ADD A NEW §70.45 TO CHAPTER 70 OF 9GCA RELATIVE TO BLACKLISTING. – by Senator V. Anthony Ada**
- **Bill No. 265-31 (COR) – AN ACT TO ADD A NEW SUBITEM (d) TO § 34105 AND TO AMEND § 34134, AND TO ADD A NEW § 34134.1, ALL OF 34 TITLE 5 GUAM CODE ANNOTATED, RELATIVE TO CHILD SUPPORT ALTERNATIVES IN THE EVENT OF THE DEATH OF A NON-CUSTODIAL PARENT. – by Senator R. J. Respicio**
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- **Bill No. 269-31 (COR) – AN ACT TO REPEAL AND REENACT § 85.20 OF TITLE 8 OF THE GUAM CODE ANNOTATED RELATIVE TO THE PRELIMINARY EXAMINATION OF JURORS. – by Vice Speaker Benjamin J. F. Cruz**

**1:30 p.m.:**

- **Bill No. 270-31 (COR) – AN ACT TO ADD A NEW §77114(f) TO ARTICLE 1, CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO INCLUDING THE SUBJECT OF PERSONS WITH DISABILITIES, INCLUDING SPECIAL NEEDS AND MENTAL ILLNESS AS A COMPONENT WITHIN THE WRITTEN EXAMINATION FOR INDIVIDUALS APPLYING TO SERVE AS POLICE OFFICERS, AND TO FURTHER AMEND §77114(b) RELATIVE TO PHYSICAL STANDARDS REQUIREMENT FOR POLICE OFFICERS. – by Senator Adolpho B. Palacios, Sr.**



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY  
*I Mina'Trentai Unu Na Liheslaturan Guahan*

**SENATOR ADOLPHO B. PALACIOS, SR.**  
*Chairman*

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**1:30 p.m. (cont'd):**

- **Bill No. 271-31 (COR)** – AN ACT TO ADD A NEW §77113.1(f) TO §77113 OF ARTICLE 1, CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO **REQUIRING THAT NO PERSON BE APPOINTED TO THE RANKS OF POLICE SERGEANT AND POLICE LIEUTENANT WHO FAILS TO PASS A PHYSICAL AGILITY TEST AND WRITTEN EXAMINATION RELATIVE TO PERSONS WITH DISABILITIES, INCLUDING SPECIAL NEEDS AND MENTAL ILLNESS.** – by Senator Adolpho B. Palacios, Sr.
- **Bill No. 284-31 (COR)** – AN ACT TO ADD A NEW SUBITEM (15) TO §75100(a) OF CHAPTER 75, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE **DEFINITION OF LAW ENFORCEMENT PERSONNEL, EMPLOYEE, OR POSITION EXCLUDED FROM THE APPLICATION OF THE PROVISION OF "SAFE HARBOR".** – by Senator Chris Duenas
- **Bill No. 286-31 (COR)** – AN ACT RELATIVE TO **GRANTING INCREASED AUTONOMY ON FINANCIAL AND PERSONNEL MATTERS TO THE OFFICE OF THE ELECTED ATTORNEY GENERAL, BY AMENDING §30109 AND §30118, AND BY ADDING A NEW §30121, §30121.1 AND §30121.2, ALL OF CHAPTER 30, DIVISION 3, TITLE 5, GUAM CODE ANNOTATED.** – by Senator Adolpho B. Palacios, Sr.

Copies of the aforementioned Bills may be obtained thru Senator Palacios' website at [www.senatorpalacios.com](http://www.senatorpalacios.com). Testimonies should be addressed to Senator Adolpho B. Palacios, Sr., Chairperson, and will be accepted via hand delivery to our office, our mailbox at the main Legislature Building at 155 Hesler Place, Hagatna, Guam 96910, or via email to [senator@senatorpalacios.com](mailto:senator@senatorpalacios.com), or via facsimile to (671) 472-5022. Individuals requiring special accommodations or services, or for more information, please contact Julian Janssen or Jennifer Dulla at (671) 472-5047/5048.

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**Subject:** Second Notice of Public Hearing scheduled for Sept. 27th.

**From:** Priscilla Cruz (pris@senatorpalacios.com)

**To:** phnotice@guamlegislature.org; telo.taitague@guam.gov; troy.torres@guam.gov;  
communication@guam.gov;

**Cc:** sabrina@kuam.com; jason@kuam.com; mindy@kuam.com; nick@kuam.com; nick.delgado@kuam.com;  
clynt@spbgum.com; jtyquiengco@spbgum.com; kevin@spbgum.com; news@guampdn.com;  
rlimtiaco@guampdn.com; slimtiaco@guampdn.com; egthompson@guampdn.com;  
dcrisost@guampdn.com; dmgeorge@guampdn.com; mpieper@guampdn.com; life@guampdn.com;  
amier@mvguam.com; zytaitano@mvguam.com; therese.hart.writer@gmail.com; editor@mvguam.com;  
mabuhaynews@yahoo.com; publisher@glimpsesofiguam.com; managingeditor@glimpsesofiguam.com;  
kstonews@ite.net; ksto@ite.net; kstokish@gmail.com; rgibson@k57.com; parroyo@k57.com;  
tcoffman@k57.com; thebigshow@k57.com; news@k57.com; ricknauta@hitradio100.com;

**Date:** Friday, September 23, 2011 10:32 AM

## PRESS RELEASE

### SECOND NOTICE OF PUBLIC HEARING

Tuesday, September 27, 2011 – 8:30 a.m.

#### FOR IMMEDIATE RELEASE

*(Hagåtña, Guam – September 23, 2011)*

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#### 8:30 a.m.:

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**1:30 p.m.:**

- **Bill No. 270-31 (COR) – AN ACT TO ADD A NEW §77114(f) TO ARTICLE 1, CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO INCLUDING THE SUBJECT OF PERSONS WITH DISABILITIES, INCLUDING SPECIAL NEEDS AND MENTAL ILLNESS AS A COMPONENT WITHIN THE WRITTEN EXAMINATION FOR INDIVIDUALS APPLYING TO SERVE AS POLICE OFFICERS, AND TO FURTHER AMEND §77114(b) RELATIVE TO PHYSICAL STANDARDS REQUIREMENT FOR POLICE OFFICERS. – by Senator Adolpho B. Palacios, Sr.**
  
- **Bill No. 271-31 (COR) – AN ACT TO ADD A NEW §77113.1(f) TO §77113 OF ARTICLE 1, CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING THAT NO PERSON BE APPOINTED TO THE RANKS OF POLICE SERGEANT AND POLICE LIEUTENANT WHO FAILS TO PASS A PHYSICAL AGILITY TEST AND WRITTEN EXAMINATION RELATIVE TO PERSONS WITH DISABILITIES, INCLUDING SPECIAL NEEDS AND MENTAL ILLNESS. – by Senator Adolpho B. Palacios, Sr.**
  
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###

***Priscilla T. Cruz***

Administrative Officer  
Office of Senator A. B. Palacios, Sr.  
155 Hesler Pl.  
Hagatna, Guam 96910  
472-5047/5048

Destination	Start Time	Time	Prints	Result	Note
PDN	09-23 11:10	00:01:16	002/002	OK	
KUAM	09-23 11:11	00:00:41	002/002	OK	
PNC	09-23 11:12	00:00:36	002/002	OK	
K57	09-23 11:13	00:00:31	002/002	OK	
HIT RADIO 100	09-23 11:15	00:00:33	002/002	OK	
KSTO	09-23 11:16	00:01:16	002/002	OK	
GLIMPSES	09-23 11:18	00:00:33	002/002	OK	
MARIANAS VARIETY	09-23 11:20	00:00:32	002/002	OK	
KSTEREO/KISH	09-23 11:21	00:01:35	002/002	OK	
JOY 92 FM	09-23 11:23	00:00:40	002/002	OK	
KPRG	09-23 11:27	00:00:56	000/002	No Ans	

Note TMR: Timer TX, POL: Polling, ORG: Original Size Setting, FME: Frame Erase TX, MIX: Mixed Original TX, CALL: Manual TX, CSRC: CSRC, FWD: Forward, PC: PC-Fax, BND: Double-Sided Binding Direction, SP: Special or Original, FCODE: F-code, RTX: Re-TX, RLY: Relay, M3X: Confidential, BUL: Bulletin, SIP: SIP Fax, IPADR: IP Address Fax, I-FAH: Internet Fax

Result OK: Communication OK, S-OK: Stop Communication, PW-OFF: Power Switch OFF, TEL: RX from TEL, NG: Other Error, Cont: Continue, No Ans: No Answer, Refuse: Receipt Refused, Busy: Busy, M-Full: Memory Full, LOVR: Receiving length Over, POVER: Receiving page Over, FIL: File Error, DC: Decode Error, MDN: MDN Response Error, DSN: DSN Response Error.



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY  
*I Mina Trental Unu Na Libeslaturan Guåhan*

SENATOR ADOLPHO B. PALACIOS, SR.  
*Chairman*

**PRESS RELEASE**

**SECOND NOTICE OF PUBLIC HEARING**  
**Tuesday, September 27, 2011 – 8:30 a.m.**

**FOR IMMEDIATE RELEASE**  
**(Hagåtña, Guam – September 23, 2011)**

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**COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY**  
*I Mina'Trentai Uno Na Liheslaturan Guáhan*

**SENATOR ADOLPHO B. PALACIOS, SR.**  
*Chairman*

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**PUBLIC HEARING**

**Tuesday, September 27, 2011**

*I Liheslaturan Guáhan's Public Hearing Room, Hagatña*

**AGENDA**

- I. Call to Order  
II. Opening Remarks/Announcements  
III. Items for Discussion:

**8:30 a.m.:**

- **Bill No. 237-31 (COR) – AN ACT ADD A NEW §70.45 TO CHAPTER 70 OF 9GCA RELATIVE TO BLACKLISTING. – by Senator V. Anthony Ada**
- **Bill No. 265-31 (COR) – AN ACT TO ADD A NEW SUBITEM (d) TO § 34105 AND TO AMEND § 34134, AND TO ADD A NEW § 34134.1, ALL OF 34 TITLE 5 GUAM CODE ANNOTATED, RELATIVE TO CHILD SUPPORT ALTERNATIVES IN THE ENVENT OF THE DEATH OF A NON-CUSTODIAL PARENT. – by Senator R. J. Respicio**
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**1:30 p.m. (cont'd):**

Office/Mailing Address: 155 Hesler Place, Hagatña, Guam 96910

Telephone No. (671) 472-5047/5048 • Fax No. (671) 472-5022

Email: SenABPalacios@gmail.com • Website: www.senatorpalacios.com

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IV. **Closing Remarks**

V. **Adjournment**