



Office of the Governor of Guam

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Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

02 JUL 2009

2009 JUL -2 PM 3:42

The Honorable Judith T. Won Pat, Ed.D.
Speaker
Mina' Trenta Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

Dear Speaker Won Pat:

Transmitted herewith is Bill No. 60(COR) "AN ACT TO ESTABLISH MINIMUM QUALIFICATIONS FOR MANAGEMENT LEVEL UNIFORMED POSITIONS IN THE GUAM POLICE DEPARTMENT, BY ADDING NEW §§77110.2, 77110.3 AND 77110.4 TO CHAPTER 77 OF TITLE 10, GUAM CODE ANNOTATED as Public Law 30-39.

Sinseru yan Magâhet,

MICHAEL W. CRUZ, M.D.
I Maga'lâhen Guåhan, para pa'go
Acting Governor of Guam

Attachment: copy of Bill

30-09-6788
Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 7/02/09
Time 10:30-
Received by



MINA' TRENTA NA LIHESLATURAN GUÅHAN
THIRTIETH GUAM LEGISLATURE
155 Hessler Place, Hagåtña, Guam 96910

June 30, 2009

The Honorable Felix P. Camacho
I Maga'lahaen Guåhan
Ufisinan I Maga'lahi
Hagåtña, Guam 96910



Dear *Maga'lahi* Camacho:

Transmitted herewith is Bill No. 60(COR) which was overridden by *I Mina'Trenta Na Liheslaturan Guåhan* on June 29, 2009, notwithstanding your veto.

Sincerely,

TINA ROSE MUÑA BARNES
Senator and Legislative Secretary

Enclosure (1)

MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Bill No. 60 (COR)**, "AN ACT TO ESTABLISH MINIMUM QUALIFICATIONS FOR MANAGEMENT LEVEL UNIFORMED POSITIONS IN THE GUAM POLICE DEPARTMENT, BY ADDING NEW §§ 77110.2, 77110.3 AND 77110.4 TO CHAPTER 77 OF TITLE 10, GUAM CODE ANNOTATED," returned without approval of *I Maga'lahen Guåhan*, was reconsidered by *I Liheslaturan Guåhan* and after such consideration, did agree, on the 29th day of June, 2009, to pass said bill notwithstanding the veto of *I Maga'lahen Guåhan* by a vote of eleven (11) Members.



Judith T. Won Pat, Ed. D.
Speaker

Attested:



Tina Rose Muña Barnes

Senator and Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 01 day of July, 2009, at
11:11 o'clock A.M.



Assistant Staff Officer

Maga'lahi's Office

Public Law No. 30-39

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

Bill No. 60 (COR)

As amended on the Floor.

Introduced by:

Adolpho B. Palacios, Sr.

T. C. Ada

F. B. Aguon, Jr.

F. F. Blas, Jr.

E. J.B. Calvo

B. J.F. Cruz

J. V. Espaldon

Judith P. Guthertz, DPA

T. R. Muña Barnes

v. c. pangelinan

M. J. Rector

R. J. Respicio

Telo Taitague

Ray Tenorio

Judith T. Won Pat, Ed.D.

**AN ACT TO ESTABLISH MINIMUM
QUALIFICATIONS FOR MANAGEMENT LEVEL
UNIFORMED POSITIONS IN THE GUAM POLICE
DEPARTMENT, BY *ADDING* NEW §§ 77110.2, 77110.3
AND 77110.4 TO CHAPTER 77 OF TITLE 10, GUAM
CODE ANNOTATED.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guahan* finds
3 that recent events concerning the filling of a Guam Police Captain position raised
4 questions and serious concerns regarding the propriety and timing by which the
5 qualifications for the position was revised, and then filled immediately on the spot,
6 by a candidate who would *not* have otherwise qualified *if* the qualifications

1 requirements were *not* lowered. *I Liheslaturan Guåhan* believes that the lowering
2 of the standards was *not* necessary and *not* justified, in light of the fact that
3 sufficient numbers of candidates have already met the higher standards which were
4 in place *prior* to the revisions. Immediately *prior* to, and leading up to the
5 adoption by the Department of Administration of the revised standards, *I*
6 *Liheslaturan Guåhan* received complaints and grievances from incumbent police
7 officers of what they perceived as a politically motivated action in the lowering of
8 the standards. For example, leading up to the few days *prior* to the approval by the
9 Department of Administration of the revised qualifications for the uniformed
10 positions, one of which was the “Police Captain”, *I Liheslaturan Guåhan* received
11 complaints that a “GG-1” had already been signed, clearing the way for the filling
12 of the position by a Won Pat International Airport Authority employee. In
13 addition, police officers have expressed discontent that their testimonies which
14 they presented during a series of meetings held by the Guam Police Department
15 were *not* considered at all. They expressed further that the approval of the
16 proposed revisions, then, was a forgone conclusion.

17 *I Liheslaturan Guåhan* finds that it is *not* unprecedented that minimum
18 qualifications for a uniformed staff position in the Guam Police Department (GPD)
19 were established by law, i.e. “Police Commander” (§77110.1). In fact, GPD
20 attempted to revise and lower the qualifications for the Police Commander, only to
21 find out in the process that the revision can *only* be done through an amendment to
22 an existing statute. The Police Commander, with the rank of “Colonel,” is the
23 highest uniformed classified position in GPD, established by §77110.1 of Title 10,
24 Guam Code Annotated.

25 It is the intent of *I Liheslaturan Guåhan*, therefore, to re-instate the
26 minimum qualifications for: Police Major, Police Captain and Police Lieutenant by

1 adding new §§77110.2, 77110.3 and 77110.4 to Chapter 77 of Title 10, Guam
2 Code Annotated.

3 **Section 2.** New §§ 77110.2, 77110.3 and 77110.4 are hereby *added* to
4 Chapter 77, Title 10, Guam Code Annotated, to read as follows:

5 **“§77110.2. Police Major.** A Police Major *shall* be a uniformed
6 classified officer and *shall* meet the following minimum qualifications,
7 experience, and training, in addition to those prescribed by the Department
8 of Administration:

9 (a) graduated with a bachelor’s degree in Police Science,
10 Criminal Justice Administration, Public Administration, *or* closely
11 related field or discipline, at a nationally accredited institution;

12 (b) must have at least two (2) years of experience in the rank
13 of Police Captain, *or* equivalent law enforcement experience in
14 administration *or* management level; and

15 (c) other necessary special qualifications as established by
16 the Department of Administration *not* inconsistent with (a) and (b)
17 above.

18 **§77110.3. Police Captain.** A Police Captain *shall* be a uniformed
19 classified officer and *shall* meet the following minimum qualifications,
20 experience, and training, in addition to those prescribed by the Department
21 of Administration:

22 (a) graduated with a bachelor’s degree in Police Science,
23 Criminal Justice Administration, Public Administration, *or* closely
24 related field or discipline, at a nationally accredited institution;

25 (b) must have at least two (2) years of experience in the rank
26 of Police Lieutenant, *or* equivalent law enforcement experience in
27 administration *or* management level; and

1 (c) other necessary special qualifications as established by
2 the Department of Administration *not* inconsistent with (a) and (b)
3 above.

4 **§77110.4. Police Lieutenant.** A Police Lieutenant *shall* be a
5 uniformed classified officer and *shall* meet the following minimum
6 qualifications, experience, and training, in addition to those prescribed by
7 the Department of Administration:

8 (a) graduated with an Associate's Degree in Police Science,
9 Criminal Justice Administration, Public Administration, *or* closely
10 related field or discipline, at a nationally accredited institution, *or*
11 successful completion of *not less than* seventy-five (75) college
12 credits, seventy-five percent (75%) of which are in the field of Law
13 Enforcement, Public Safety, *or* closely related field of discipline, at a
14 nationally accredited institution;

15 (b) must have at least two (2) years of experience in the rank
16 of Police Sergeant II, *or* equivalent law enforcement supervisory
17 experience, *or* must have at least four (4) years of experience in the
18 rank of Police Sergeant I, *or* equivalent law enforcement supervisory
19 experience; and

20 (c) other necessary special qualifications as established by
21 the Department of Administration *not* inconsistent with (a) and (b)
22 above.”

23 **Section 3. No Extension to Current List.** Notwithstanding the
24 Department of Administration rules and regulations and the authority of the
25 Director of Administration to extend the life of the eligibility list, the current
26 eligibility list now in effect for the positions of Police Lieutenant, Police Captain,

1 and Police Major *shall not* be extended and *shall* expire one (1) year from the date
2 it was established.