



Office of the Governor of Guam

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Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

FEB 16 2010

977 472 8931
De

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. 287-30(COR) "AN ACT TO CHANGE THE MEMBERSHIP COMPOSITION OF THE PEACE OFFICER STANDARDS AND TRAINING COMMISSION, AND TO ESTABLISH MINIMUM QUORUM REQUIREMENTS FOR THE COMMISSION MEETINGS, BY AMENDING §32302(a), AND ADDING A NEW §32302.20 TO ARTICLE 3, CHAPTER 32, TITLE 17, GUAM CODE ANNOTATED" which I signed into law on February 8, 2010 as Public Law 30-89.

Sinseru yan Magåhet,

[Handwritten signature of Felix P. Camacho]

FELIX P. CAMACHO
I Maga'låhen Guåhan
Governor of Guam

Attachment: copy of Bill

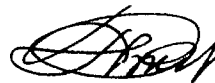
30-10-0161

[Handwritten signature and date 2/17/10]

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) Regular Session

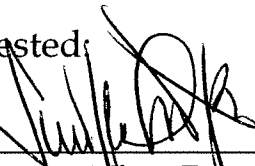
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Substitute Bill No. 287-30 (COR), " AN ACT TO CHANGE THE MEMBERSHIP COMPOSITION OF THE PEACE OFFICER STANDARDS AND TRAINING COMMISSION, AND TO ESTABLISH MINIMUM QUORUM REQUIREMENTS FOR THE COMMISSION MEETINGS, BY AMENDING §32302(a), AND ADDING A NEW §32302.20 TO ARTICLE 3, CHAPTER 32, TITLE 17, GUAM CODE ANNOTATED,"** was on the 22nd day of January, 2010, duly and regularly passed.




Judith T. Won Pat, Ed. D.
Speaker

Attested:



Tina Rose Muña Barnes
Senator and Secretary of the Legislature

This Act was received by *I Maga'lahaen Guåhan* this 27 day of Jan., 2010, at
4:00 o'clock P.M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:



FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: FEB 08 2010

Public Law No. P.L. 30-89

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

Bill No. 287-30 (COR)

As substituted by the Committee on
Public Safety, Law Enforcement
and Senior Citizens, and 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
R. J. Respicio
Telo Taitague
Ray Tenorio
Judith T. Won Pat, Ed.D.

**AN ACT TO CHANGE THE MEMBERSHIP
COMPOSITION OF THE PEACE OFFICER
STANDARDS AND TRAINING COMMISSION, AND TO
ESTABLISH MINIMUM QUORUM REQUIREMENTS
FOR THE COMMISSION MEETINGS, BY *AMENDING*
§32302(a), AND *ADDING* A NEW §32302.20 TO ARTICLE
3, CHAPTER 32, TITLE 17, GUAM CODE ANNOTATED.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that the Peace Officer Standards and Training (POST) Commission was first
4 established by Public Law 24-145:2 on March 5, 1998, and further amended in its

1 entirety by Public Law 29-012:2 on September 7, 2007. The primary purpose of
2 the Commission was the development of regulations and minimum professional
3 standards to serve as the basis for the uniform recruitment operation of Guam's law
4 enforcement entities.

5 *I Liheslaturan Guåhan* further finds that in the process of developing the
6 regulations and minimum professional standards, the POST Commission, in
7 accordance with Title 17, Guam Code Annotated, Chapter 32, Article 3, §32302
8 (c), has to hold *at least* four (4) meetings per year. The current practice of the
9 POST Commission with regards to setting a quorum level for meetings was to use
10 the fifty percent (50%) plus one (1) rule of all fourteen (14) voting members of the
11 Commission, as there is *no* specific provision as to what constitutes a quorum.
12 According to the POST Executive Director, the Commission, has met *at least* eight
13 (8) times over the last two (2) years of which only four (4) times was there a
14 quorum. The Commission noted that it has been very difficult to have a quorum
15 based on eight (8) of fourteen (14) voting members.

16 Therefore, it is the intent of *I Liheslaturan Guåhan* to change the
17 membership composition of the Peace Officer Standards and Training Commission
18 and to establish minimum quorum requirements for the POST meetings, by
19 amending §32302 (a) Article 3, Chapter 32, Title 17, Guam Code Annotated, and
20 by adding a new §32302.20, Article 3, Chapter 32, Title 17, Guam Code
21 Annotated.

22 **Section 2.** §32302(a), Article 3, Chapter 32, Title 17, Guam Code
23 Annotated, is hereby *amended* to read:

24 “(a) There is hereby created a Peace Officer Standards and Training
25 Commission. The Commission *shall* be composed of twelve (12) members
26 as follows:

- 1 (1) the Chief of the Guam Police Department, *or* his designated
2 representative;
- 3 (2) the Chief of the Guam Airport Police, *or* his designated
4 representative;
- 5 (3) the Chief of the Guam Port Police, *or* his designated
6 representative.
- 7 (4) the Attorney General, *or* his designated representative;
- 8 (5) the Director of Customs and Quarantine Agency, *or* his
9 designated representative;
- 10 (6) the Director of the Department of Corrections, *or* his designated
11 representative;
- 12 (7) the Chief of the Division of Aquatic and Wildlife Resources of
13 the Department of Agriculture, *or* his designated representative;
- 14 (8) one (1) non-voting representative from the University of Guam
15 (UOG), appointed by the President;
- 16 (9) one (1) non-voting representative from the Guam Community
17 College (GCC), appointed by the President;
- 18 (10) the Chief Marshal of the Unified Guam Judiciary, *or* his
19 designated representative;
- 20 (11) the Chief of the Guam Fire Department, *or* his designated
21 representative; and
- 22 (12) one (1) voting representative from the Department of
23 Administration, the Personnel Service Division Administrator,
24 appointed by the Director of Administration.”

25 **Section 3.** A new §32302.20 is hereby *added* to Article 3, Chapter 32,
26 Title 17, Guam Code Annotated, to read:

1 “§32302.20 **Quorum Requirement.** A minimum of five (5) voting
2 members present *shall* constitute a quorum for the transaction of business,
3 and the affirmative votes of five (5) voting members *shall* be required to
4 make any action of the Commission valid. *No* action *shall* be taken by the
5 Commission at any meetings or hearings, *unless* a quorum is present.”

6 **Section 4.** A new (i) is hereby *added* to §32302 of Article 3, Chapter 32,
7 Title 17, Guam Code Annotated, to read:

8 “(i) A non-voting member *shall not* serve as chairperson or vice
9 chairperson of the commission.”