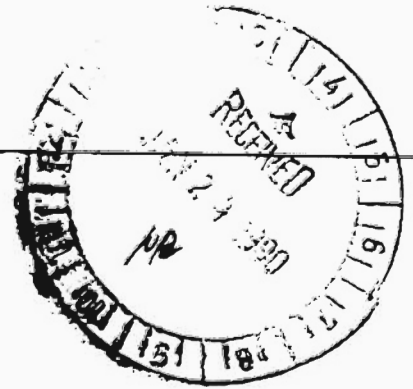




Territory of Guam
Territorio de Guam

OFFICE OF THE GOVERNOR
UFISINAN I MAGA LAHI
AGANA, GUAM 96910 U.S.A.



JAN 24 1990

The Honorable Joe T. San Agustin
Speaker, Twentieth Guam Legislature
Post Office Box 2B-1
Agana, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 998, which I have signed into law this date as Public Law No. 20-130.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank F. Blas".

FRANK F. BLAS
Governor of Guam
Acting

200675

Attachment

RECEIVED JAN 24 1990



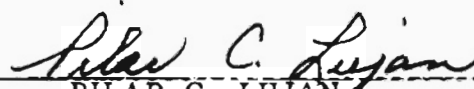
TWENTIETH GUAM LEGISLATURE
1990 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR


This is to certify that Substitute Bill No. 998 (LS), "AN ACT TO ADD NEW §§10111.1 AND 10111.2 TO TITLE 12, GUAM CODE ANNOTATED, AND TO AMEND SUBSECTION (p) OF §8104 OF TITLE 4, GUAM CODE ANNOTATED, TO ESTABLISH SECURITY FORCES AT THE PORT OF GUAM AND TO MAKE SECURITY PERSONNEL AT THE PORT AND THE AIRPORT PEACE OFFICERS," was on the 4th day of January, 1990, duly and regularly passed.


JOE T. SAN AGUSTIN
Speaker


Attested:


PILAR C. LUJAN
Senator and Legislative Secretary

This Act was received by the Governor this 12 day of Jan., 1990,
at 6:00 o'clock Pm.


Assistant Staff Officer
Governor's Office

APPROVED:


FRANK F. BLAS
Governor of Guam
Acting

Date: January 24, 1990

Public Law No. 20-130

TWENTIETH GUAM LEGISLATURE
1989 (FIRST) Regular Session

Bill No. 998 (LS)
As substituted by the Committees on
Tourism & Transportation and Judiciary
& Criminal Justice as further amended
by the Committee on Rules.

Introduced by:

J. P. Aguon
M. Z. Bordallo
P. C. Lujan

C. T. C. Gutierrez
H. D. Dierking
F. J. A. Quitugua
E. P. Arriola
G. Mailloux
T. S. Nelson
D. Parkinson
E. D. Reyes
J. T. San Agustin
F. R. Santos
A. R. Unpingco
J. G. Bamba
D. F. Brooks
E. R. Duenas
E. M. Espaldon
M. D. A. Manibusan
M. C. Ruth
T. V. C. Tanaka

AN ACT TO ADD NEW §§10111.1 AND 10111.2
TO TITLE 12, GUAM CODE ANNOTATED,
AND TO AMEND SUBSECTION (p) OF §8104
OF TITLE 4, GUAM CODE ANNOTATED, TO
ESTABLISH SECURITY FORCES AT THE
PORT OF GUAM AND TO MAKE SECURITY
PERSONNEL AT THE PORT AND THE
AIRPORT PEACE OFFICERS.

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

2 Section 1. A new §10111.1 is hereby added to Title 12, Guam Code
3 Annotated, to read:

4 "§10111.1. Authority Security Force. (a) There is hereby
5 established, under the direction of the Authority, a Port Security
6 Force which shall be responsible for the protection of persons and
7 property at the Port Authority of Guam and all related facilities, and

1 which shall coordinate its activities with the Guam Police Department,
2 which shall have concurrent jurisdiction therewith. The Board,
3 pursuant to the Administrative Adjudication Law, shall adopt
4 reasonable rules and regulations regarding its personnel, which rules
5 and regulations shall be consistent with the provisions of Title 4 of
6 this Code.

7 (b) Members of the Port Security Force, while on Port grounds
8 and acting within their official capacity, shall have the powers of
9 peace officers, including, but not limited to, the authority to arrest
10 and enforce the Port Rules and Regulations, applicable federal security
11 programs, and the Vehicle Code of Guam.

12 (c) Employees currently occupying positions in the Port
13 Authority of Guam Security Force upon enactment of this section shall
14 be reassigned to the new positions within the new Port Security Force.

15 Section 2. A new §10111.2 is hereby added to Title 12, Guam Code
16 Annotated, to read:

17 "§10111.2. Training of Officers. All Port Security Force officers
18 shall be required to complete training, with a minimum of one hundred
19 twenty (120) hours, on the laws of arrest, searches and seizures, the
20 Vehicle Code of Guam, the Criminal and Correctional Code, the use
21 and handling of firearms, and such other training as required to
22 effectively carry out their duties and responsibilities as peace officers.
23 In addition, refresher training in the areas of search and seizure,
24 arrest and the use of firearms shall be given to each officer annually
25 for a minimum of ten (10) hours. All such training shall be conducted
26 at a local institution applying the standards used in the training of the
27 police officers for the Guam Police Department."

28 Section 3. Subsection (p) of §8104 of Title 4, Guam Code Annotated,
29 is hereby amended to read:

30 "(p) "Uniformed Personnel" means Guam Police Department
31 officers, Guam Fire Department firemen, Customs and Quarantine
32 Officers in the Department of Commerce, Conservation Officers of the
33 Department of Agriculture, Corrections Officers of the Department of
34 Corrections, Security Personnel at the A. B. Won Pat International

1 Airport and Port Authority of Guam Security Force personnel. In all
2 matters involving the security forces of either the International Airport
3 or the Port of Guam, the Guam Police Department shall have
4 concurrent jurisdiction with such forces."

5 Section 4. The provisions of Sections 1, 2 and 3 of this Act shall go
6 into effect ninety (90) days following its enactment.

TWENTIETH GUAM LEGISLATURE
1989 (FIRST) Regular Session

ROLL CALL SHEET

Bill No. 998

Date: 1/4/90

Resolution No. _____

QUESTION: _____

	<u>AYE</u>	<u>NAY</u>	<u>NOT VOTING</u>	<u>ABSENT</u>
J. P. Aguon	✓			
E. P. Arriola	✓			
J. G. Bamba	✓			
M. Z. Bordallo	✓			
D. F. Brooks	✓			
H. D. Dierking	✓			
E. R. Duenas	✓			
E. M. Espaldon	✓			
C. T. C. Gutierrez	✓			
P. C. Lujan	✓			
G. Mailloux	✓			
M. D. A. Manibusan				✓
T. S. Nelson	✓			
D. Parkinson				✓
F. J. A. Quitugua	✓			
E. D. Reyes	✓			
M. C. Ruth	✓			
J. T. San Agustin	✓			
F. R. Santos	✓			
T. V. C. Tanaka	✓			
A. R. Unpingco	✓			

19

2

TWENTIETH GUAM LEGISLATURE
1989 (FIRST) Regular Session

Introduced

Bill No. 998 (LS)

OCT 05 '89

Introduced by:

(1) J. P. AGUON
(2) CTC GUTIERREZ
(3) F. J. A. Antigua

AN ACT TO ADD NEW §§10111.1 AND 10111.2 TO
12 GCA CHAPTER 10 AND TO AMEND §8104(P) OF 4
GCA CHAPTER 8 RELATIVE TO THE PORT
AUTHORITY OF GUAM SECURITY FORCE

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

2 Section 1. New §10111.1 and §10111.2 are added to 12 GCA Chapter 10
3 to read:

4 “§10111.1 Authority Security Force.

5 (a) There is hereby established, under the direction of the
6 Authority, a Port Security Force which shall be responsible for the
7 protection of persons and property at the Port Authority of Guam and all
8 related facilities, and which shall coordinate its activities with the
9 Department of Public Safety. The Board, pursuant to the Administrative
10 Adjudication Act, shall adopt reasonable rules and regulations regarding
11 security at the Port to promote the purposes of this Act. The Board shall
12 also adopt reasonable rules and regulations regarding personnel, which
13 shall be in accordance with the provisions of Title 4 GCA.

14 (b) Members of the Authority Security Force, while on Port
15 grounds and acting within their official capacity, shall have the powers
16 of peace officers, including, but not limited to, the power to arrest, the
17 power to enforce the Port Rules and Regulations, federal security
18 programs and the Vehicle Code of Guam.

19 §10111.2 Training of Officers.

1 All Authority Security Force officers shall be required to complete
2 training with a minimum of at least 120 hours on the laws of arrest,
3 searches and seizures, the Motor Vehicle Code of Guam, the Criminal and
4 Correctional Code, the use and handling of firearms and such training
5 standards as required to effectively carry out their duties and
6 responsibilities as peace officers. Such training shall be conducted at a
7 local institution applying the standards used in the training of the police
8 officers for the Guam Police Department.”

9 Section 2. §8104 (p) of 4 GCA Chapter 8 is amended to read:

10 “(p) “Uniformed Personnel” means [police] Guam Police Department
11 officers, [and] Guam Fire Department firemen, [in the Department of
12 Public Safety] Customs and Quarantine Officers in the Department of
13 Commerce, Conservation Officers of the Department of Agriculture, [and]
14 Corrections Officers of the Department of Corrections and Port Authority
15 of Guam Security Force personnel.”

16 Section 3. The provisions of Section 1 of this Act shall go into effect 90
17 days following its enactment.



JOHN PEREZ AGUON
 SENATOR
20TH GUAM LEGISLATURE
 CHAIRMAN, COMMITTEE ON
 TOURISM & TRANSPORTATION

324 Soledad Avenue, Suite 202, Quan's Building, Agana, Guam U.S.A. 96910 • (671)472-3435, 472-3497, 477-7569 • Fax: (671)477-8358

December 27, 1989

Honorable Joe T. San Agustin
 Speaker
 Twentieth Guam Legislature
 163 Chalan Santo Papa
 Agana, Guam 96910

Dear Mr. Speaker,

The Committees on Tourism & Transportation and Judiciary & Criminal Justice, to which the following was referred, wishes to report its findings and recommendations:

BILL 998 - AN ACT TO ADD §§10111.1 AND 10111.2 TO 12 GCA CHAPTER 10 AND TO AMEND §8104 (p) OF 4 GCA CHAPTER 8 RELATIVE TO THE PORT AUTHORITY OF GUAM SECURITY FORCE


The voting records on Bill 998 as substituted by the Committees on Tourism & Transportation and Judiciary & Criminal Justice are as follows:

	TOURISM & TRANSPORTATION	JUDICIARY & CRIMINAL JUSTICE
TO PASS	<u>12</u>	<u>11</u>
NOT TO PASS	<u>0</u>	<u>0</u>
TO REPORT OUT ONLY	<u>0</u>	<u>0</u>
TO PLACE IN INACTIVE FILE	<u>0</u>	<u>0</u>
NOT VOTING	<u>2</u>	<u>1</u>

Copies of voting sheets from both committees, a committee report and all pertinent documents are attached for your information.

Sincerely,


 PILAR C. LUJAN


 JOHN PEREZ AGUON

Attachments

VOTING SHEET • COMMITTEE ON TOURISM & TRANSPORTATION

BILL NO. 998 (as substituted by the Committees on Tourism & Transportation and Judiciary & Criminal Justice) - AN ACT TO ADD NEW §§10111.1 AND 10111.2 TO 12 GCA CHAPTER 10 AND TO AMEND §8104(P) OF 4 GCA CHAPTER 8 RELATIVE TO THE SECURITY PERSONNEL AT THE A.B. WON PAT INTERNATIONAL AIRPORT AND THE PORT AUTHORITY OF GUAM

TO PASS TO NOT PASS TO REPORT OUT ONLY TO PLACE IN INACTIVE FILE

John P. Aguon

 JOHN P. AGUON, Chairman

✓

Carl T. C. Gutierrez

 CARL T. C. GUTIERREZ, Vice Chairman

✓

Joe T. San Agustin

 JOE T. SAN AGUSTIN, Speaker

✓

J. George Bamba

 J. GEORGE BAMBA

✓

Doris F. Brooks

 DORIS F. BROOKS

✓

Herminia D. Dierking

 HERMINIA D. DIERKING

✓

Pilar C. Lujan

 PILAR C. LUJAN

✓

Gordon Mailloux

 GORDON MAILLOUX

✓

 MARILYN D. A. MANIBUSAN

[Handwritten mark]

Don Parkinson

 DON PARKINSON

Franklin J. Quitugua

 FRANKLIN J. QUITUGUA

✓

Edward D. Reyes

 EDWARD D. REYES

✓

 MARTHA C. RUTH

Antonio R. Unpingco

 ANTONIO R. UNPINGCO

✓



Twentieth Guam Legislature

163 Chalan Santo Papa Street
Agana, Guam 96910

Committee on Judiciary and Criminal Justice

VOTE SHEET ON: SUBSTITUTE BILL NO. 998

COMMITTEE MEMBER	TO PASS	NOT TO PASS	TO REPORT OUT ONLY	TO PLACE IN INACTIVE FILE
<i>Pilar C. Lujan</i> Senator Pilar C. Lujan Chairman	✓	---	---	---
<i>F. R. Santos</i> Senator Francisco R. Santos Vice Chairman	✓	---	---	---
<i>E. Arriola</i> Senator Elizabeth P. Arriola	✓	---	---	---
<i>Madeleine Z. Bordallo</i> Senator Madeleine Z. Bordallo	✓	---	---	---
<i>H. Dierking</i> Senator Herminia D. Dierking	✓	---	---	---
<i>G. Mailloux</i> Senator Gordon Mailloux	✓	---	---	---
<i>Ted S. Nelson</i> Senator Ted S. Nelson	✓	---	---	---
<i>E. D. Reyes</i> Senator Edward D. Reyes	✓	---	---	---
<i>Joe T. San Agustin</i> Speaker Joe T. San Agustin	✓	---	---	---
<i>E. R. Duenas</i> Senator Edward R. Duenas	✓	---	---	---
<i>Martha C. Ruth</i> Senator Martha C. Ruth	✓	---	---	---
<i>Antonio R. Unpingco</i> Senator Antonio R. Unpingco	✓	---	---	---

I have sponsored a similar Bill 131 & it has been reported out by Judiciary.

TWENTIETH GUAM LEGISLATURE
1989 (FIRST) Regular Session

Bill No. 998

As substituted by the Committees on Tourism &
Transportation and Judiciary & Criminal Justice

Introduced by:

J. P. AGUON
P. C. LUJAN *P.C.L.*
C.T.C. GUTIERREZ

H. D. DIERKING *H.D.*
F.J.A. QUITUGUA *F.J.A.*

AN ACT TO ADD NEW §§10111.1 AND 10111.2 TO 12 GCA TO BE PART OF
CHAPTER 10 AND TO AMEND §8104(P) OF 4 GCA CHAPTER 8
RELATIVE TO THE SECURITY PERSONNEL AT THE A. B. WON PAT
INTERNATIONAL AIRPORT AND THE PORT AUTHORITY OF GUAM *DF Blood 10/25*
Q.A.

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

2 Section 1. New §10111.1 and §10111.2 are added to 12 GCA

3 Chapter 10 to read:

4 "§10111.1 Authority Security Force.

5 (a) There is hereby established, under the direction of the
6 Authority, a Port Security Force which shall be responsible for
7 the protection of persons and property at the Port Authority of
8 Guam and all related facilities, and which shall coordinate its
9 activities with the [Department of Public Safety] Guam Police
10 Department. The Board, pursuant to the Administrative
11 Adjudication Act, shall adopt reasonable rules and regulations
12 regarding security at the Port to promote the purposes of this
13 Act. The Board shall also adopt reasonable rules and regulations
14 regarding personnel, which shall be in accordance with the
15 provisions of Title 4 GCA.

1 (b) Members of the Authority Security Force, while on
2 Port grounds and acting within their official capacity, shall have
3 the powers of peace officers, including, but not limited to, the
4 [power] authority to arrest [,] and [the power to] enforce the
5 Port Rules and Regulations, the applicable federal security
6 programs and the Vehicle Code of Guam.

7 (c) Employees currently occupying positions in the Port
8 Authority of Guam Security Force upon passage of this law shall
9 be grandfathered into the new positions.

10 §10111.2 Training of Officers.

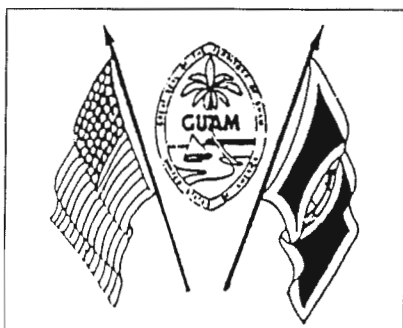
11 All Authority Security Force officers shall be required to
12 complete training with a minimum of [at least] 120 hours on the
13 laws of arrest, searches and seizures, the Motor Vehicle Code of
14 Guam, the Criminal and Correctional Code, the use and handling
15 of firearms and such training standards as required to
16 effectively carry out their duties and responsibilities as peace
17 officers. Such training shall be conducted at a local institution
18 applying the standards used in the training of the police officers
19 for the Guam Police Department.”

20 Section 2. §8104 (p) of 4 GCA Chapter 8 is amended to read:

21 “(p) “Uniformed Personnel” means [police] Guam Police
22 Department officers, [and] Guam Fire Department firemen, [in
23 the Department of Public Safety] Customs and Quarantine
24 Officers in the Department of Commerce, Conservation Officers
25 of the Department of Agriculture, [and] Corrections Officers of
26 the Department of Corrections, Security personnel at the A. B.

1 **Won Pat International Airport and Port Authority of Guam**
2 **Security Force personnel.**"

3 **Section 3. The provisions of Section 1 of this Act shall go into**
4 **effect 90 days following its enactment.**



20th Guam Legislature
**COMMITTEE ON
TOURISM and
TRANSPORTATION**

COMMITTEE REPORT

BILL 998 - AN ACT TO ADD NEW §§10111.1 AND 10111.2 TO 12GCA CHAPTER 10 AND TO AMEND §8104(p) OF 4 GCA CHAPTER 8 RELATIVE TO THE PORT AUTHORITY OF GUAM SECURITY FORCE

PUBLIC HEARING:
November 7, 1989

MARK UP MEETING:
November 21, 1989

SENATOR JOHN PEREZ AGUON, Chairman
SENATOR CARL T.C. GUTIERREZ, Vice Chairman

Members:

SPEAKER JOE T. SAN AGUSTIN
SENATOR J. GEORGE BAMBA
SENATOR DORIS F. BROOKS
SENATOR HERMINIA D. DIERKING
SENATOR PILAR C. LUJAN
SENATOR GORDON MAILLOUX

SENATOR MARILYN D.A. MANIBUSAN
SENATOR DON PARKINSON
SENATOR FRANKLIN J.A. QUITUGUA
SENATOR EDWARD D. REYES
SENATOR MARTHA C. RUTH
SENATOR ANTONIO R. UNPINGCO

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INTRODUCTION

The Committee on Tourism and Transportation and the Committee on Judiciary and Criminal Justice held a public hearing on Nov. 7, 1989 at 8:30 a.m. in the Legislative Session Hall on Bills no. 983 and 998.

BILL NO. 983 - AN ACT TO AMEND §8104 (P) OF CHAPTER 8, TITLE 4 GCA, RELATIVE TO INCLUDING AND IDENTIFYING THE GUAM PORT AUTHORITY SECURITY AS UNIFORMED PERSONNEL. (Introduced by Sens. P. C. Lujan and H. D. Dierking)

BILL NO. 998 - AN ACT TO ADD §§10111.1 AND 10111.2 TO 12 GCA CHAPTER 10 AND TO AMEND §8104 (P) OF 4 GCA CHAPTER 8 RELATIVE TO THE PORT AUTHORITY OF GUAM SECURITY FORCE. (Introduced by Sens. J. P. Aguon, C. T. C. Gutierrez, F. J. A. Quitugua and H. D. Dierking)

Present at the hearing were Senators John Perez Aguon, George Bamba, Eddie Duenas, Ernesto Espaldon, Pilar C. Lujan, Ted S. Nelson, Frank R. Santos and Tommy Tanaka.

Signing in to present testimony were the following:

**David Tydingco, Port Authority of Guam, General Manager
James Lang, Port Authority of Guam, Chief of Security
Frank S. N. Reyes, Port Authority of Guam, Terminal Superintendent
Jess Q. Torres, Guam Airport Authority, Executive Manager**

UNIFORMED SECURITY PERSONNEL

A. B. WON PAT INTERNATIONAL AIRPORT AND PORT AUTHORITY OF GUAM

BILL 983 & 998

Sen. Aguon began the hearing by inviting testimony from the audience. The Port Authority of Guam was represented by Mr. David Tydingco (General Manager), Mr. James Lang (Chief of Security) and Mr. Frank Reyes (Terminal Superintendent).

Jess Q. Torres, Executive Manager of the Guam Airport Authority submitted written testimony supporting the bills because it will establish consistency between the security personnel of both authorities.

Mr. Tydingco read his written testimony supporting both bills. The PAG security force, comprised of 23 members, provides 24 hour protection to buildings, properties, cargos, and they also enforce PAG rules and regulations. Their duties include internal investigation, crowd control, and assisting the U.S. Coast Guard, the Guam Police Department, passengers of cruise ships and their crews. They protect over \$27 million of equipment and property. Presently, because of their lack of authority to enforce laws, they cannot issue parking citations or detain individuals who have been caught trespassing or violating security rules and regulations without the assistance of the GPD. Their functions are similar to that of the Guam Airport Authority security force who have statutory authority as peace officers and are equipped with weapons and uniforms, and, may arrest and enforce GAA rules, applicable Federal rules and motor vehicle violations.

Frank Reyes gave his oral testimony and stated that these bills are long overdue. The change in status will grant them the credibility that is needed. Many times, because of the absence of statutory authority, the offenders have been released because of a technicality.

James Lang pointed out that the Port security force needs to be treated equally like other GovGuam security employees and stated the need for more law enforcement training.

Sen. Lujan began the questioning by inquiring if the 23 members of the present security force was adequate for their needs. Mr. Tydingco said that 4 personnel were added to the 19 that they had. Sen. Lujan asked about the drug trafficking problem. Mr. Tydingco stated that because the PAG security force is considered to be private they cannot be involved in this problem. The Dept. of Commerce's Customs and Quarantine, GPD and other Federal agencies are solely responsible. He added that he wants drug enforcement to be included in the GCC training program curriculum and added that he would like to have the security force included in the Academy training program. Mr. Lang stated that in the last 3 years, the training has been in-house. Sen. Lujan inquired if they want a formalized training program which could be counted for credit to encourage their personnel to seek further education and this could be used for evaluating the employee for promotions. Mr. Tydingco stated that this was desirable. She also inquired if there has been an increase in pilferage. Mr. Tydingco answered that this has been minimized through an incentive program they have instituted. Annually, the Board has a reserve fund for losses. To decrease pilferage, employees are encouraged to make suggestions and to report suspicious activities. At the end of the fiscal year, 50% of what is left over from the loss reserve fund is distributed to the Port employees. Sen. Lujan asked if the security force members were armed. Mr. Tydingco said yes and that the personnel have attended a training program for the use of firearms.

Sen. Tanaka inquired that should these bills become law, does PAG have plans for their personnel to have an organized curriculum. Mr. Tydingco stated that with the change in status, the Port security would be entitled to the Academy course. He added that PAG would make an assessment of the individual skills of each security staff member. Sen. Tanaka asked if the Port needed extra money during the transition period. Mr. Tydingco explained that the Board had set aside money for training. Sen. Tanaka inquired about the current salary structure of the security force. Mr. Tydingco stated that because they do not have the status of a peace officer, they are paid lower than other peace officers. He realizes that with the passage of the bill that they would have to increase the pay structure. Sen. Tanaka asked about the coordination between the PAG security force and the U.S. Customs. Mr. Tydingco and Mr. Lang said that the PAG is a member of the Law Enforcement Committee organized by the Attorney General. This group organizes the activities of all law enforcement groups. Sen. Tanaka wanted to know what PAG was doing to discourage the flow of drugs into and through Guam. Mr. Lang explained that PAG has no linkage and that nobody

recognizes their existence because they have no legal status. Mr. Tydingco stated that GPD has free access to the Port and this relationship has been maintained. Sen. Tanaka expressed his concern over the problems of coordination and communication between GPD and the Port security force.

Sen. Santos asked if the Port wanted their security force to be similar to that of the GPD. Mr. Lang and Mr. Tydingco said no and explained that they wanted it to be similar to the Guam Airport Authority security force. Sen. Santos emphasized that in the Airport, the GAA security force does not meddle with the affairs of the US Customs and Quarantine, and, the US Immigration and Naturalization. He wanted to know what was the guaranty that with the change in legal status, that the security guards would not abuse their position. Mr. Tydingco suggested that a provision be included in the bill which will clearly define the role of the Port security force in relation to other law enforcement agencies. Tydingco added that during the 90 day transition period, the guidelines would be developed. Sen. Santos asked that PAG define the role that they want to be responsible for because the bills, as written, are too broad and this could cause the overlapping of functions in the future. Sen. Santos wants the understanding between law enforcement organizations enumerated in the law to discourage irresponsible behavior by young officers. Sen. Santos requested PAG to coordinate this listing with the Guam Airport Authority security force. Mr. Tydingco stated that they will submit this to the Committee within 5 working days. Sen. Santos stated that he wants this listing incorporated in the law.

Sen. Aguon requested Mr. Tydingco to comply with Sen. Santos' request.

Sen. Bamba asked if the existing members of the security force would be "grandfathered in", and, as new officers are hired, if the old ones would also undergo training. Mr. Tydingco explained that each person will be assessed individually and those who are near retirement will be given administrative jobs. The near retirees will not be subjected to the rigorous physical examination and training program that is required in the Academy. Mr. Tydingco added that he wants all the officers to undergo classes for law enforcement. Mr. Lang added that most of the personnel have gone through the Basic Law Enforcement Course and will make sure that all security personnel attend the said course. Sen. Bamba wanted to know what was the PAG pay scale. Mr. Tydingco replied that their pay was lower than the airport's because of

their current status as a private security force and that PAG will increase the pay when the law is passed.

Sen. Duenas reiterated his concern over the problem with jurisdictions and that GPD will have higher authority over the Port security. Mr. Tydingco emphasized that he will submit, within 5 working days, a listing of the responsibilities of the Port security force. Mr. Tydingco recognizes that the older personnel have physical limitations which will make them unable to attend the training program of the Academy. Sen. Duenas emphasized the need for a \$50,000 insurance policy like all federal officers in case they die in the line of duty. Sen. Duenas expressed concern that with the passage of the bills and the subsequent basic training programs, that no one is displaced. Sen. Duenas asked if the present number of 23 members are sufficient to protect the area of the Port's responsibility. Mr. Lang answered yes and stated that they have one roving and one walking security man. Mr. Tydingco stated that they coordinate their efforts with the GPD .

Sen. Espaldon was concerned with the size of PAG's security force in relation to the volume of cargo and the area of responsibility. Mr. Tydingco stated that this is a concern and that with the turnover of the Hotel Wharf, their jurisdiction has increased. Mr. Lang said that they do not have immediate plans to increase their manpower but would consider it in the future with the completion of the Agat Marina. Sen. Espaldon asked for an itemization of PAG's area of responsibility. Mr. Tydingco stated that it includes all the marinas, the industrial park previously owned by GEDA and what their enabling legislation states. Sen. Espaldon asked what the powers of the security force would be. Mr. Tydingco answered that the peace officers responsibilities are currently defined by law. Mr. Lang explained that it includes the power to arrest and the power to enforce all Guam laws. Sen. Espaldon asked if the 120 hours of training was sufficient. Mr. Tydingco explained that the 120 hours was the basic training program for law enforcement certification and that the Port has plans for other in-house training programs geared for their needs. Sen. Espaldon asked what PAG's experience was in drug trafficking through the Port. Mr. Lang stated that it was limited. Mr. Tydingco explained that they are not involved because their security force has no legal status. The GPD, Customs and Quarantine and Federal agencies are tasked with this responsibility.

Sen. Nelson had no question and expressed his support for the bills.

Sen. Lujan asked if the Port was involved with the Governor's drug task force? Mr. Tydingco said no. Sen. Lujan informed them of federal

grants for drug enforcement. Mr. Tydingco explained that they are included in the Law Enforcement Committee only. She added that with the passage of these bills, PAG will probably be included and could receive some of the grants.

Sen. Aguon asked if PAG has procedures dealing with the prevention of oil spills and how to deal with it when it occurs. Mr. Tydingco said that they have absorption pads and they coordinate PAG's activities with the EPA and the US Coast Guard. He stated that they are involved in the Oil Spill Cooperative which is composed of pertinent GovGuam agencies and the oil companies. They currently have an inventory of the equipments present on Guam that would be used should an oil spill occur. He added that the military owns most of the equipment. The US Coast Guard has now instituted a procedure to discourage oil spills in the Port. They are now requiring a Letter of Undertaking for oil spills from small vessels. All vessels near an oil spill must post a \$5,000 bond. The Coast Guard then takes samples from each vessel and compares this to the spill in order to find the responsible vessel. Sen. Aguon requested for a copy of the written guidelines and asked Mr. Tydingco to review them for possible legislation. Sen. Aguon asked if PAG needed Civil Service review for their salaries. Mr. Tydingco said that they automatically request Civil Service to review their pay scale even if they are not required by law. However, PAG is required by law to report to the Legislature what PAG has done with Option I payments.

MARK-UP MEETING

The Committee on Tourism and Transportation and the Committee on Justice, Judiciary and Criminal Justice held a mark-up meeting in the Session Hall on Tuesday, Nov. 21, 1989 at 3 p.m. Present were Chairpersons John Perez Aguon and Pilar S. Lujan and Senators Carl T. C. Gutierrez and Martha C. Ruth. Also present were PAG personnel namely, David Tydingco (General Manager), James R. Lang (Head of Security) and Luling Flores (Head of Personnel).

Sen. Aguon inquired with Sen. Lujan if she had any objections with consolidating Bills No. 998 and 983 since the intent of both bills were similar. She stated that she had no objection.

Sen. Gutierrez asked if this bill will make the PAG security force similar to that of Airport with a minimum of 120 hours of training. Mr. Tydingco answered yes.

Sen. Aguon asked what was the relationship of the GAA security personnel and GPD. Mr. Tydingco stated that the only Memorandum of Understanding that presently existed was in relation to the New Access Rd. and that both agencies meet on a quarterly basis to discuss issues of concern. There was no written Memorandum of Understanding delineating responsibilities. He added that the definition of peace officers includes the responsibilities. Sen. Aguon explained that during the public hearing, Sen. Frank Santos expressed concern that the security personnel might overstep their responsibilities. Mr. Tydingco explained that they are willing to develop the Memorandum of Understanding and added that the appropriate forum was in the Law Enforcement Task Force since all the heads of law enforcement agencies were members of that task force.

Sen. Lujan suggested that they include the functions and responsibilities in their rules and regulations of the security personnel to assure proper behavior and to avoid the overstepping of responsibilities.

Sen. Gutierrez asked what the name of the security personnel would be. Tydingco stated that they would call them Port Security.

Sen. Aguon summarized that there will be two (2) amendments. The first was to add the GAA security personnel and the second is to allow a transition period of 90 days to develop the Memorandum of Understanding and to evaluate the skills of the individual employees in relation to the physical requirements. Mr. Tydingco explained that they want to "grandfather in" those that do not pass the physical requirements. Sen. Gutierrez asked how many did they think had problems with the physical requirements. Tydingco said about three (3). Mr. Lang said that they have administrative positions that the three could fill. Mr. Tydingco suggested that language be included relating to the "grandfathering in" of all existing employees so that no one will be displaced with the passage of the bill. Sen. Aguon requested Mr. Tydingco to submit language to the effect.

Sen. Ruth inquired if the new designation would entitle the security personnel to hazardous pay. Mr. Tydingco stated yes.

Sen. Ruth asked that in page 1, line 9, the Dept. of Public Safety be changed to Guam Police Dept. She also requested the deletion of "the power" and "the power to" in page 1, lines 16-17 and the inclusion of "the applicable" so that it would read as "...but not limited to the authority to arrest and enforce the Port Rules and Regulations, the applicable federal security..." Sen. Ruth asked that "at least" in line 2 of page 2 be deleted.

Sen. Ruth suggested that after "local institution" on line 7 of page 2, the words "of higher learning" be added. Mr. Tydingco cited that this could be a problem and he cited that in the Marksman classes, a licensed instructor gives the classes in a firing range. Sen. Aguon then moved that they keep the language intact and general.

Sen. Lujan suggested that A.B. Won Pat International Airport personnel be included on line 14.

Sen. Lujan moved that the second sponsor be Sen. Lujan and the third be Sen. Gutierrez.

RECOMMENDATIONS

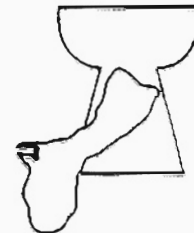
The Committee on Tourism and Transportation and the Committee on Judiciary and Criminal Justice jointly recommends the passage of Bill 998 as substituted by the Committee on Tourism and Transportation and the Committee on Judiciary and Criminal Justice, AN ACT TO ADD NEW §§10111.1 AND 10111.2 TO 12 GCA CHAPTER 8 RELATIVE TO THE SECURITY PERSONNEL AT THE A. B. WON PAT INTERNATIONAL AIRPORT AND THE PORT AUTHORITY OF GUAM.

The bill will grant the Port Authority of Guam's security force legal status as peace officers similar to that of the Guam Airport Authority. The existing personnel of the Port Authority of Guam security force will be assessed individually for their skills and those that fail to meet the new qualifications or physical requirements as peace officers will be given administrative jobs. In essence, all of them will continue to be employed by the Port Authority and none of the existing personnel will become displaced as a result of the enactment of this law. This change in status will allow them to attend the training program at the Police Academy.

In addition, the bill will also grant the PAG and the A. B. Won Pat International Airport uniformed personnel to qualify for retirement credit services at age fifty-five that other law enforcement officers are entitled to.



SENATOR
HERMINIA D. DIERKING
TWENTIETH GUAM LEGISLATURE



COMMITTEES:

October 6, 1989

CHAIRPERSON
Rules

MEMORANDUM

VICE-CHAIRPERSON
Ways & Means
Energy, Utilities &
Consumer Protection
General Governmental
Operations

TO: Chairperson, Committee on Tourism &
Transportation
Committee on Judiciary & Criminal
Justice

FROM: Chairperson, Committee on Rules

SUBJECT: Referral - Bill No. 998.

MEMBER:

The above Bill is referred to your Committee. Please note that the referral is subject to ratification by the Committee on Rules at its next meeting.

It is recommended that a joint hearing be coordinated with the Committees involved.

Economic Development

HERMINIA D. DIERKING

Federal, Foreign &
Legal Affairs

Enclosure

Health, Welfare &
Ecology

Judiciary & Criminal
Justice

Education

Tourism & Transportation

CHAIRMAN, COMMITTEE ON TOURISM,
TRANSPORTATION & COMMUNICATIONS

REC'D BY: Janet

DATE: 10-10-89 TIME: 2:01

Youth, Senior Citizens,
Cultural Affairs &
Human Resources

TWENTIETH GUAM LEGISLATURE
1989 (FIRST) Regular Session

Bill No. 998

Introduced by:

(1) J. P. AGUON
(2) CTC GUTIERREZ
(3) F. J. A. GUTIERREZ
(4) Whitney

AN ACT TO ADD NEW §§10111.1 AND 10111.2 TO
12 GCA CHAPTER 10 AND TO AMEND §8104(P) OF 4
GCA CHAPTER 8 RELATIVE TO THE PORT
AUTHORITY OF GUAM SECURITY FORCE

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

2 Section 1. New §10111.1 and §10111.2 are added to 12 GCA Chapter 10
3 to read:

4 “§10111.1 Authority Security Force.

5 (a) There is hereby established, under the direction of the
6 Authority, a Port Security Force which shall be responsible for the
7 protection of persons and property at the Port Authority of Guam and all
8 related facilities, and which shall coordinate its activities with the
9 Department of Public Safety. The Board, pursuant to the Administrative
10 Adjudication Act, shall adopt reasonable rules and regulations regarding
11 security at the Port to promote the purposes of this Act. The Board shall
12 also adopt reasonable rules and regulations regarding personnel, which
13 shall be in accordance with the provisions of Title 4 GCA.

14 (b) Members of the Authority Security Force, while on Port
15 grounds and acting within their official capacity, shall have the powers
16 of peace officers, including, but not limited to, the power to arrest, the
17 power to enforce the Port Rules and Regulations, federal security
18 programs and the Vehicle Code of Guam.

19 §10111.2 Training of Officers.

1 All Authority Security Force officers shall be required to complete
2 training with a minimum of at least 120 hours on the laws of arrest,
3 searches and seizures, the Motor Vehicle Code of Guam, the Criminal and
4 Correctional Code, the use and handling of firearms and such training
5 standards as required to effectively carry out their duties and
6 responsibilities as peace officers. Such training shall be conducted at a
7 local institution applying the standards used in the training of the police
8 officers for the Guam Police Department.”

9 Section 2. §8104 (p) of 4 GCA Chapter 8 is amended to read:

10 “(p) “Uniformed Personnel” means [police] Guam Police Department
11 officers, [and] Guam Fire Department firemen, [in the Department of
12 Public Safety] Customs and Quarantine Officers in the Department of
13 Commerce, Conservation Officers of the Department of Agriculture, [and]
14 Corrections Officers of the Department of Corrections and Port Authority
15 of Guam Security Force personnel.”

16 Section 3. The provisions of Section 1 of this Act shall go into effect 90
17 days following its enactment.



SENATOR
HERMINIA D. DIERKING
TWENTIETH GUAM LEGISLATURE



COMMITTEES:

October 2, 1989

CHAIRPERSON
Rules

MEMORANDUM

VICE-CHAIRPERSON
Ways & Means
Energy, Utilities &
Consumer Protection
General Governmental
Operations

TO: Chairperson, Committee on Judiciary & Criminal
Justice
Committee on Tourism &
Transportation

FROM: Chairperson, Committee on Rules

SUBJECT: Referral - Bill No. 983.

MEMBER:

The above Bill is referred to your Committee. Please note that the referral is subject to ratification by the Committee on Rules at its next meeting.

Economic Development

It is recommended that a joint hearing be coordinated with the Committees involved.

Federal, Foreign &
Legal Affairs

Herminia D. Dierking
HERMINIA D. DIERKING

Health, Welfare &
Ecology

Enclosure

Judiciary & Criminal
Justice

Education

CHAIRMAN, COMMITTEE ON TOURISM,
TRANSPORTATION & COMMUNICATIONS

Tourism & Transportation

REC'D BY: *[Signature]*

Youth, Senior Citizens,
Cultural Affairs &
Human Resources

DATE: 9-4-89 TIME: 9:45

TWENTIETH GUAM LEGISLATURE
1989 (FIRST) REGULAR SESSION

Bill No. 983

Introduced by:

P. C. Lujan *PCZ*
W. DeLeon

501
TT

AN ACT TO AMEND §8104 (P) OF CHAPTER 8,
TITLE 4 GCA, RELATIVE TO INCLUDING AND
IDENTIFYING THE GUAM PORT AUTHORITY
SECURITY AS UNIFORMED PERSONNEL.

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

2 Section 1. §8104 (P) of Chapter 8 Title 4 GCA is
3 amended to read:

4 "(P) "Uniformed Personnel" means [police]
5 Guam Police Department officers, [and] Guam Fire
6 Department firemen, [in the Department of Public
7 Safety] Customs and Quarantine Officers in the
8 Department of Commerce, Conservation Officers in the
9 Department of Agriculture, Correction Officers of the
10 Department of Corrections, and Security personnel of
11 the Guam Port Authority."

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**NOTICE OF JOINT PUBLIC HEARING
20TH GUAM LEGISLATURE**

Tuesday, November 7, 1989, 8:30 a.m., Legislative Session Hall. COMMITTEE ON TOURISM & TRANSPORTATION to hear the following:

(Joint with the COMMITTEE ON JUDICIARY & CRIMINAL JUSTICE)

BILL 983 - "AN ACT TO AMEND §6104 (p) OF CHAPTER 8 TITLE 4 GCA, RELATIVE TO INCLUDING AND IDENTIFYING THE GUAM PORT AUTHORITY SECURITY AS UNIFORMED PERSONNEL"

BILL 998 - "AN ACT TO ADD NEW §§10111.1 AND 10111.2 TO 12 GCA CHAPTER 10 AND TO AMEND §6104 (p) OF 4 GCA CHAPTER 8 RELATIVE TO THE PORT AUTHORITY OF GUAM SECURITY FORCE"

(Joint with the COMMITTEE ON GENERAL GOVERNMENTAL OPERATIONS)

BILL 999 - "AN ACT TO ESTABLISH AN ADVISORY COUNCIL TO DETERMINE THE FEASIBILITY OF ESTABLISHING A TERRITORIAL AQUARIUM AND TO APPROPRIATE TWENTY FIVE THOUSAND DOLLARS (\$25,000) FROM THE TOURIST ATTRACTION FUND FOR FUNDING PURPOSES"


BILL 1000 - "AN ACT TO APPROPRIATE FUNDS TO THE AVIATION POLICY TASK FORCE"

(Joint with the COMMITTEE ON WAYS & MEANS)

BILL 1001 - "AN ACT TO ADD A NEW SECTION 6112.2 TO THE GOVERNMENT CODE; TO ADD A NEW §1107.1 TO 12 GCA; TO CREATE THE OVERTIME PAYMENT FUND, AND EARMARK REVENUES FOR THE FUND"

BILL 1018 - "AN ACT TO AMEND 18 GCA §3602 (b) AND §19577 (b) OF THE GOVERNMENT CODE RELATIVE TO VEHICLE SAFETY INSPECTION FEES, A PUBLIC TRANSIT SURCHARGE AND THE PUBLIC TRANSIT FUND"

The public is invited to express their views.
(PA118902 - 1LC)


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TESTIMONY BY THE PORT AUTHORITY OF GUAM
ON BILLS
983 - IDENTIFYING THE GUAM PORT AUTHORITY SECURITY AS
UNIFORMED PERSONNEL
998 - PORT AUTHORITY OF GUAM SECURITY FORCE

MR. CHAIRMAN, MEMBERS OF THE COMMITTEE:

THE BOARD OF DIRECTORS AND MANAGEMENT FOR THE PORT AUTHORITY OF GUAM FULLY SUPPORTS BILLS 983 AND 998. THESE BILLS IF ENACTED INTO LAW WILL PROVIDE FOR THE LONG AWAITED EQUAL TREATMENT OF UNIFORMED SECURITY PERSONNEL WITHIN THE GOVERNMENT OF GUAM.

THE RESPONSIBILITIES OF THE PORT'S SECURITY DIVISION, COMPRISED OF 23 PERSONNEL, PROVIDE AROUND-THE-CLOCK PROTECTION OF BUILDINGS, PROPERTIES, CARGOES AND THE ENFORCEMENT OF THE AGENCY'S SECURITY RULES AND REGULATIONS. THE DUTIES RANGE FROM INTERNAL INVESTIGATIONS TO CROWD CONTROL TO ASSISTING THE UNITED STATES COAST GUARD AND GUAM POLICE DEPARTMENT. IN ADDITION, OUR PERSONNEL ASSIST PASSENGERS OF CRUISE SHIPS, VISITORS FROM GUAM AND THE CAPTAINS AND CREW MEMBERS OF FOREIGN VESSELS.

IN 1976, THE PORT AUTHORITY OF GUAM'S JURISDICTION WAS 30 ACRES OF LAND. THE BASIC COMPONENTS OF AN ADEQUATE SECURITY PROGRAM WAS PRESENT. ACCESS TO THE TERMINAL FACILITIES WAS CONTROLLABLE. A PERIMETER FENCE EXISTED ALONG THE BOUNDARY OF THE TERMINAL FACILITIES AND THERE WERE TWO POINTS OF ENTRY, THE CHECKER'S GATE AND THE MAIN GATE, WHICH WERE MANNED BY SECURITY PERSONNEL.

OVER THE YEARS, THE PORT'S JURISDICTION GREW OVER EXCESS OF 1,000 ACRES OF LAND, INCLUSIVE OF SUBMERGED PROPERTIES. WE HAVE

TESTIMONY BY THE PORT AUTHORITY OF GUAM
ON BILLS 983 AND 998
PAGE 2

BEEN GIVEN THE RESPONSIBILITY TO PROTECT THE SMALL BOAT HARBORS, MARINAS AND JUST RECENTLY, THE HOTEL WHARF. OUR SECURITY FORCE PROTECTS OVER 27 MILLION DOLLARS OF EQUIPMENT AND PROPERTY AGAINST VANDALISM, THEFT AND FIRE. NINETY (90) PERCENT OF THE ISLAND'S GOODS, WORTH MILLIONS OF DOLLARS ARE OFF-LOADED THROUGH THE PORT, AND ARE PLACED IN THE CUSTODY OF THE PORT ON A DAILY BASIS.

PRESENTLY, ONE OF THE MAJOR FRUSTRATIONS EXPERIENCED BY THE PORT'S SECURITY PERSONNEL IS THE LACK OF AUTHORITY TO ENFORCE LAWS OF THE TERRITORY IN OR AROUND THE PORT AUTHORITY OF GUAM AREA. IT BECOMES DIFFICULT FOR OUR SECURITY FORCE TO ENFORCE THESE LAWS DUE TO THE LACK OF STATUTORY AUTHORITY IN ISSUING PARKING VIOLATION CITATIONS, DETAINING INDIVIDUALS WHO HAVE BEEN FOUND TO TRESPASS OR VIOLATE SECURITY RULES AND REGULATIONS WITHOUT THE ASSISTANCE OF GUAM POLICE DEPARTMENT PERSONNEL.

BY WAY OF COMPARISON, THE PORT AUTHORITY OF GUAM IS SIMILAR IN ITS OPERATIONS WITH GUAM AIRPORT AUTHORITY. GAA'S SECURITY PERSONNEL ARE EQUIPPED WITH WEAPONS AND DISTINCTIVE UNIFORMS EXCEPT THAT THEIR PERSONNEL ARE STATUTORY PEACE OFFICERS AND HAVE POWER TO ARREST AND ENFORCE THEIR RULES, APPLICABLE FEDERAL RULES AND MOTOR VEHICLE VIOLATIONS.

AS A VITAL LINK BETWEEN THE EAST AND WEST, GUAM IS NOT ONLY AN IDEAL LOCATION FOR A TRANSSHIPMENT CENTER FOR THE REGION, BUT ALSO A POTENTIAL GATEWAY TO ILLEGAL DRUGS MAKING ITS WAY TO THE

TESTIMONY BY THE PORT AUTHORITY OF GUAM
ON BILLS 983 AND 998
PAGE 3

MAINLAND. BEING DEPUTIZED WILL ALLOW OUR SECURITY FORCE TO ENFORCE THE LAWS OF THE ISLAND, JUST LIKE THE GUAM AIRPORT SECURITY OFFICERS DO NOW.

WE SUPPORT THE PASSAGE OF THESE BILLS. THE INCREASED ACREAGE FOR CONTAINER STORAGE, THE INDUSTRIAL PARK, THE NUMBER OF OTHER CAPITAL IMPROVEMENT PROJECTS WHICH ARE ABOUT TO BE DEVELOPED AND OUR INCREASING RESPONSIBILITY IN SUPPORTING THE PASSENGER VESSEL INDUSTRY ARE GOING TO NECESSITATE OUR SECURITY FORCE TO HAVE THE POWERS OF PEACE OFFICERS.

TAKING INTO CONSIDERATION THE MANNER THE PORT AUTHORITY IS GROWING AND THE LAW ENFORCEMENT PROBLEMS THAT ARE INHERENT IN ITS ACTIVITIES, WE ARE REQUESTING YOUR SUPPORT IN THE PASSAGE OF THESE BILLS. FINALLY, THE PORT AUTHORITY OF GUAM THANKS THIS COMMITTEE FOR THEIR TIMELY RESPONSE FOR EQUAL TREATMENT OF UNIFORMED PERSONNEL WITHIN THE GOVERNMENT OF GUAM.



delivered



GUAM AIRPORT AUTHORITY

(ATURIDAT PUETTON BATKON AIREN GUAHAN)

P.O. BOX 8770/Tamuning, Guam 96911/Telephone: 646-0300, 646-0301, 646-0302
Telex: 6456 GUMARPT GM
FAX: (671) 646-8823

October 23, 1988

The Honorable John P. Aguon, Chairman
Committee on Communication, Tourism & Transportation
20th Guam Legislature
Post Office Box CB-1
Agana, Guam 96910

Dear Senator Aguon and Committee Members:

Thank you for the opportunity to testify before this august committee and make comment on Bill No. 983 to wit:

"An Act to Amend Section 8104 (P) of Chapter 8 Title 4 GCA, relative to including and identifying the Guam Port Authority Security as uniformed personnel."

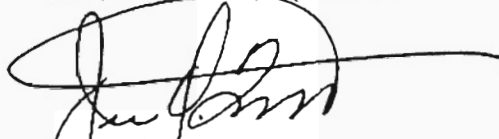
and Bill No. 998 to wit:

An Act to Add New Sections 10111.1 and 10111.2 to 12 GCA Chapter 10 and to amend Section 8104 (P) of 4 GCA Chapter 8 relative to the Port Authority of Guam Security Force.

Attached is GAA's comments on 23 September 1988, pertaining to Public Law 17-73 creating the GAA Security Force, and as such, we consider it pertinent to the above cited bills.

Therefore, in this regard, GAA does not oppose Bill 983 and Bill 998, since they establish consistency to all law enforcement personnel.

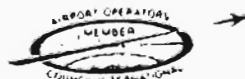
Respectfully yours,


JESS Q. TORRES
Executive Manager

CHAIRMAN, COMMITTEE ON TOURISM,
TRANSPORTATION & COMMUNICATIONS

RECD BY: JLH
DATE: 10/24 TIME: 2:00

Attachment





GUAM AIRPORT AUTHORITY

(ATURIDAT PUETTON BATKON AIREN GUAHAN)

P.O. BOX 8770 Tamuning, Guam 96911 Telephone: 646-0300, 646-0301, 646-0302
Telex: 6456 GUMARPT-GM
FAX: (671) 646-8823

September 23, 1988

The Honorable Pilar Lujan
Legislative Secretary & Chairperson
Committee on Justice, Judiciary and Criminal Justice
19th Guam Legislature
Post Office Box CB-1
Agana, Guam 96910

Dear Madam Chairperson & Members of this Committee:

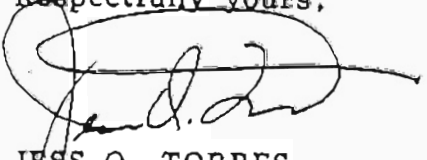
Thank you for the opportunity to testify before this august committee on Bill No. 860 (COR), to wit:

"An Act to Amend Section 8104 (P) of Chapter 8, Title 4, Guam Code Annotated, Relative to Including and Identifying the Guam Airport Authority Security Force as Uniformed Personnel."

Public Law 17-73 created the GAA Security Force and granted the GAA Security personnel the enforcement powers to enforce the laws of the Territory of Guam, the rules and regulations of GAA, and all applicable FAA rules, regulations, and security measures required in the operation of a civilian airport. By virtue of this public law, GAA security personnel are law enforcement peace officers sworn to uphold all applicable laws of the territory.

Pursuant to Chapter 8, Title 4, Section 8104 (P) enables uniformed personnel to qualify for retirement credit services at age fifty-five.

In this regards GAA does not oppose Bill 860 (COR) since it establishes consistency to all law enforcement personnel.

Respectfully yours,

JESS Q. TORRES
Executive Manager



PORT AUTHORITY OF GUAM
ATURIDAT I PUEYTON GUAHAN
GOVERNMENT OF GUAM
1026 Cabras Highway
Suite 201
Piti, Guam 96925

Telephone: (671) 477-5931/35
(671) 477-2683/85
Telex: (721) 6889 PAGGUM
Facsimile: (671) 477-2689

NOV 16 1989

Honorable John P. Aguon
Chairman
Committee on Tourism and Transportation
Twentieth Guam Legislature
P.O. Box CB-1
Agana, Guam 96910

Hafa Adai Mr. Chairman:

As per the Committee's request at the public hearing on November 7, 1989, enclosed is the information gathered with respect to the areas of jurisdiction for Port Authority of Guam security personnel.

The memorandum from the Port's Chief of Security is self-explanatory. Should you require additional information, please do not hesitate to contact me directly.

Si Yu'us Ma'ase,


DAVID B. TYDINGCO
General Manager

Enclosure

cc: Chief of Security
Personnel



PORT AUTHORITY OF GUAM
ATURIDAT I PUETTON GUAHAN
GOVERNMENT OF GUAM
1026 Cabras Highway
Suite 201
Piti, Guam 96925

Telephone: (671) 477-9931/35
(671) 477-2683/85
Telex: (721) 6689 PAGGUM

November 15, 1989

MEMORANDUM

To: General Manager
From: Chief of Security
Subject: Pending Legislation - Deputization of Security Personnel

The following information is provided as requested by Senator Francisco Santos during the November 6, 1989 committee hearing on Bills 983 and 998 relative to deputizing our security personnel:

Jurisdiction of Areas: Through discussions with representatives of Guam Police Department and Guam Airport Authority, a mutual agreement was made that the Guam Airport Authority has equal powers with Guam Police Department as peace officers while on their premises. Both agencies stated there is no written agreement on where the line is drawn on their responsibilities. However, a Memorandum of Understanding was signed between both agencies relative to Route 10A--the new access road connecting Routes 16 and 1.

To satisfy Senator Santos' inquiry, it is suggested that legislation be included specifically stating that the Port security personnel will have jurisdiction over the Agency's present and future properties. Additionally, if deputization occurs for our personnel, it is recommended that a Memorandum of Understanding be entered into with Guam Police Department relative to public access roads within the Port' jurisdiction. Reason for this is because of the limited resources to provide adequate supervision and control on these roads.

Uniformed Personnel: Conversations between the Personnel Office and Retirement Fund indicated that there is no mandatory retirement for uniformed personnel when they reach the age of 55 years. It was stated this is an optional retirement category for uniformed personnel if they wish to retire at this age bracket.

*

Subject: Proposed Legislation - Deputization of
Security Personnel

Page 2

November 15, 1989

Physical & Educational Requirements: The Chief of Security of Guam Airport Authority indicated that they have employed one (1) personnel over the age of 60 years prior to their legislation of deputization. He did meet the educational requirements of 120 hours and was not required to meet the physical requirements. Essentially, he was grandfathered into the system.

It is recommended that our present senior personnel meet the educational requirements and not be required to pass the physical standard test in order to receive the same benefits.

I am available should you wish to discuss this further.



JAMES R. LANG

cc: Personnel Office

MEMORANDUM OF UNDERSTANDING

Guam Airport Authority
and
Guam Police Department

RECITALS

The new access road (Route 10A) connecting Route 16 and Route 1 through Guam International Airport was recently opened for public use. Substantial increase in the volume of traffic flowing to and through the the airport have raised concerns of controlled supervision on this road. The road is used by both airport related traffic and commuters who use the road to by-pass Dededo and Agana on their way to destinations in Tamuning and Tumon.

Although the responsibility, control and supervision of GAA property which incorporated Route 10A is vested with GAA Security Force, our resources are restricted and cannot provide adequate supervision and control of Route 10A.

Since the road (Route 10A) is also used by the general public for access to other destination, the Guam Police Department is in a better position to take over responsibility and control of Route 10A.

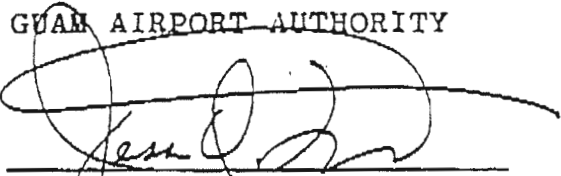
THEREFORE, IT IS HEREBY AGREED, between the GAA and

1. The Guam Police Department hereafter shall monitor, patrol, and supervise all traffic activities of Route 10A in compliance with laws and regulations as it does in any other public highway system.

2. The GAA Security Force will assist GPD officers upon request, to insure safe and expeditious flow of traffic and the protection of property and persons are not unnecessarily compromised or delayed on this (Route 10A) road.

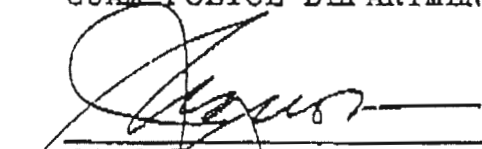
SO AGREED, this 29th day of August, 1988.

GUAM AIRPORT AUTHORITY



JESS Q. TORRES
Executive Manager

GUAM POLICE DEPARTMENT



JOHN G. AGUON
Chief of Police



PORT AUTHORITY OF GUAM
ATURIDAT I PUEYTON GUAHAN
GOVERNMENT OF GUAM
1028 Cabras Highway
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Pitl, Guam 96925

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Telex: (721) 6889 PAGGUM
Facsimile: (671) 477-2689

DEC 01 1989

The Honorable John P. Aguon
Chairman, Committee on Tourism
and Transportation
20th Guam Legislature
324 Soledad Avenue
Suite 202
Quan's Building
Agana, Guam 96910

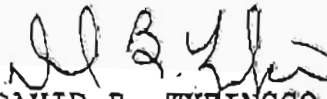
Hafa Adai Senator Aguon:

Pursuant to your request at the mark-up hearing on Bills 983 and 998, the Port Authority of Guam recommends the following language with respect to our current Security personnel:

Employees currently occupying positions in the Security series of positions upon passage of this law, who fail to meet new qualification or physical requirements in their delegation as peace officers, shall be grandfathered into the new positions.

Should you have any questions on the above, please feel free to contact my office.

Si Yu'os Ma'ase,


DAVID B. TYDINGCO
General Manager

cc: Chief of Security
Personnel Office

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DUPLICATE

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CHAIRMAN, COMMITTEE ON TOURISM,
TRANSPORTATION & COMMUNICATIONS

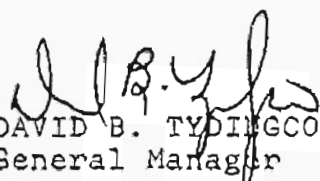
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DATE: 11-7-89 TIME: 3:38

Senator John P. Aguon
Chairman, Committee on Tourism and Transportation
Twentieth Guam Legislature
163 Chalan Santo Papa St.
Agana, Guam 96910

Hafa Adai Senator Aguon:

We have received Bill 998 and concur to the verbage as proposed.

Sincerely,


DAVID B. TYDINGCO,
General Manager