



Refer to
Legislative Secretary

CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

JUN 20 1997

The Honorable Antonio R. Unpingco
Speaker
Twenty-Fourth Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Agana, Guam 96910


OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<u>D. J. [Signature]</u>
Time	<u>3:35pm</u>
Date	<u>6-20-97</u>

Dear Speaker Unpingco:

Enclosed please find a copy of Substitute Bill No. 166 (COR), 'AN ACT TO ADD A NEW §6227 TO ARTICLE 2 OF CHAPTER 6 OF TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE REIMBURSEMENT OF CADET TRAINING COSTS.', which I have signed into law today as Public Law No. 24-43.

This legislation provides the opportunity for men and women to complete on-the-job training as cadets for law enforcement agencies. Upon successful completion and being hired into a law enforcement agency, the former cadet may be reimbursed the costs of the administrative and instructional fees paid to the Guam Community College during training. The newly hired law enforcement employee must also remain employed with the initial hiring agency for a period of 2 years. In this manner, the new employee will be reimbursed the cost of training, and the hiring agency can count on the services of the individual that they trained for a period of 2 years.

Very truly yours,


Carl T. C. Gutierrez
Governor of Guam

Attachment

00285

cc: The Honorable Joanne M. S. Brown
Legislative Secretary

Office of the Speaker
ANTONIO R. UNPINGCO
Date: 6-20-97
Time: 2PM
Rec'd by: [Signature]
Print Name: Monique [Signature]

TWENTY-FOURTH GUAM LEGISLATURE
1997 (FIRST) Regular Session

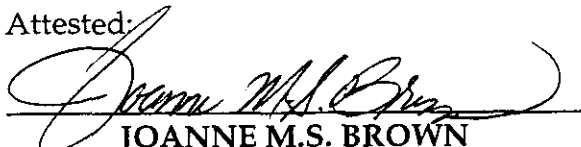
CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 166 (COR), "AN ACT TO ADD A NEW §6227 TO ARTICLE 2 OF CHAPTER 6 OF TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE REIMBURSEMENT OF CADET TRAINING COSTS," was on the 7th day of June, 1997, duly and regularly passed.




ANTONIO R. UNPINGCO
Speaker

Attested:




JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by the Governor this 13th day of June, 1997, at
8:10 o'clock A.M.



Assistant Staff Officer
Governor's Office

APPROVED:



CARL T. C. GUTIERREZ
Governor of Guam

Date: 6-20-97

Public Law No. 24-43

TWENTY-FOURTH GUAM LEGISLATURE
1997 (FIRST) Regular Session

Bill No. 166 (COR)

As substituted by the Committee
on Judiciary, Public Safety and
Consumer Protection, and as
amended on the Floor.

Introduced by:

E. Barrett-Anderson
J. C. Salas
L. F. Kasperbauer
F. B. Aguon, Jr.
T. C. Ada
A. C. Blaz
J. M.S. Brown
Felix P. Camacho
Francisco P. Camacho
M. C. Charfauros
E. J. Cruz
W. B.S.M. Flores
Mark Forbes
A. C. Lamorena, V
C. A. Leon Guerrero
L. Leon Guerrero
V. C. Pangelinan
A. L.G. Santos
F. E. Santos
A. R. Unpingco
J. Won Pat-Borja

**AN ACT TO ADD A NEW §6227 TO ARTICLE 2 OF
CHAPTER 6 OF TITLE 4 OF THE GUAM CODE
ANNOTATED, RELATIVE TO THE
REIMBURSEMENT OF CADET TRAINING COSTS.**

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

2 **Section 1.** A new §6227 is added to Article 2 of Chapter 6 of Title 4 of
3 the Guam Code Annotated to read as follows:

4 **“Section 6227. Reimbursement of Cadet Training Costs.** Any
5 cadet who successfully completes on-the-job training, and who is hired
6 by the agency into an entry level position, may be reimbursed the cost of
7 administrative and instructional fees paid to the Guam Community
8 College for completion of the academic portion of his or her training,
9 provided the individual has not otherwise received a grant or other
10 reimbursement of costs for the fees paid, and further provided that the
11 individual remains employed with the initial hiring agency for two (2)
12 years from date of initial hire.”



KL
24-42

Committee on Judiciary, Public Safety
and Consumer Protection
Twenty-Fourth Guam Legislature



Senator
Elizabeth Barrett-Anderson
Chairperson

Senator
John C. Salas
Vice-Chairman

Senator
Anthony C. Blaz
Member

Senator
Joanne M.S. Brown
Member

Senator
Mark Forbes
Member

Senator
Edwardo J. Cruz, M.D.
Member

Senator
Vicente C. Pangelinan
Member

Senator
Frank Blas Aguon, Jr.
Member

May 23, 1997

SPEAKER ANTONIO R. UNPINGCO
Twenty-Fourth Guam Legislature
155 Hesler St.
Agana, Guam 96910

Dear Mr. Speaker:

The Committee on Judiciary, Public Safety and Consumer Protection, to which was referred **Bill No. 166**, wishes to report back to the Legislature with its recommendation **TO DO PASS Bill No. 166 as substituted by the Committee on Judiciary, Public Safety, and Consumer Protection.**

The voting record is as follows:

<u>6</u>	TO PASS
—	NOT TO PASS
—	ABSTAIN
—	TO PLACE IN INACTIVE FILE

Copies of the Committee Report and other pertinent documents are attached.

Your attention to this matter is greatly appreciated.

Sincerely,

E. Barrett-Anderson
ELIZABETH BARRETT-ANDERSON
Chairperson

Attachments

COMMITTEE ON JUDICIARY, PUBLIC SAFETY AND C O N S U M E R P R O T E C T I O N T W E N T Y - F O U R T H G U A M L E G I S L A T U R E

173 ASPINALL AVENUE, ADA PLAZA CENTER SUITE 108A, AGANA, GUAM 96910

SENATOR ELIZABETH BARRETT-ANDERSON
Chairperson

SENATOR JOHN C. SALAS
Vice-Chairperson

SPEAKER ANTONIO R. UNPINGCO
Ex-Officio Member

VOTING SHEET

Bill No. 166: AN ACT TO ADD A NEW SECTION 6227 TO CHAPTER 6, ARTICLE 2 TO TITLE 4 GCA RELATIVE TO REIMBURSEMENT OF CADET TRAINING COSTS AS SUBSTITUTED BY THE COMMITTEE ON JUDICIARY, PUBLIC SAFETY AND CONSUMER PROTECTION

<u>COMMITTEE MEMBERS</u>	<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>TO PLACE IN</u> <u>ABSTAIN</u>	<u>TO PLACE IN</u> <u>INACTIVE FILE</u>	<u>INITIAL</u>
1). Sen. Elizabeth Barrett-Anderson Chairperson	✓	_____	_____	_____	<i>EBA</i>
2). Sen. John C. Salas Vice-Chairperson	✓	_____	_____	_____	<i>JS</i>
3). Sen. Frank B. Aguon, Jr. Member	✓	_____	_____	_____	<i>FBA</i>
4). Sen. Anthony C. Blaz Member	✓	_____	_____	_____	<i>ACB</i>
5). Sen. Joanne M.S. Brown Member	✓	_____	_____	_____	<i>JMB</i>
6). Sen. Edwardo J. Cruz M.D. Member	✓	_____	_____	_____	<i>EJC</i>
7). Sen. Mark Forbes Member	_____	_____	_____	_____	_____
8). Sen. Vicente C. Pangelinan Member	_____	_____	_____	_____	_____

TWENTY FOURTH GUAM LEGISLATURE
Committee on Judiciary, Public Safety and Consumer Protection
ELIZABETH BARRETT-ANDERSON, CHAIRPERSON

Committee Report
on

Bill No. 166: AN ACT TO ADD A NEW SECTION 6226 TO TITLE 4
GCA RELATIVE TO THE CREATION OF A CADETS TRAINING
CORPS.

I. SUMMARY

The Committee on Judiciary, Public Safety and Consumer Protection held a public hearing on Wednesday, May 7, 1997 at 2:00 p.m. on Bill No. 166 at the Legislative Public Hearing room. Public Notice was announced in the April 30th and May 6th, 1997 issues of the Pacific Daily News.

Committee Members Present:

Senator Elizabeth Barrett-Anderson, Chairperson
Senator Vicente Pangelinan
Senator Frank Aguon

Senators Present:

Senator Lou Leon Guerrero
Senator Tom Ada

Providing Public Testimony on the Bill:

Adolf Sgambelluri, **oral/written** (attachment "A")
John Quinata, **oral/written** (attachment "B")

Providing Testimony on the Bill after Public Hearing:

Director, Department of Administration, **written** (attachment "C")

Purpose:

The purpose of the bill is to create a new position of "law enforcement cadet" to provide for on-the-job training in various government agencies in a pre-entry level position, leading to recruitment into an entry level full-time position on a probationary basis. The cadet positions would be full time positions with the salary to be set by the Civil Service

Commission. Qualifications to be hired as a cadet would be completion of academic certification at Guam Community College in Basic Law Enforcement Training, provided that the person is otherwise qualified to be hired after completion of on-the-job-training at the agency in question, including successful drug testing. The successful hiree, upon completing two years of employment with the agency, would be eligible for reimbursement for fees paid to GCC for basic training.

Relationship to Existing Law:

The bill presents an entirely new concept, and its provisions have no counterparts in existing Guam Law.

II. Summary of Testimony

**MR. JOHN QUINATA
DIRECTOR, DEPARTMENT OF CUSTOMS AND QUARANTINE**

Mr. Quinata testified in support of Bill No. 166. Mr. Quinata testified that a training Corps would train employees and produce qualified officers for the protection of the people of Guam.

**MR. ADOLF P. SGAMBELLURI
VICE PRESIDENT, SPECIAL PROJECTS/ PROGRAMS
EXECUTIVE DIRECTOR, PROFESSIONAL-TECHNOLOGICAL INSTITUTE
GUAM COMMUNITY COLLEGE**

Mr. Sgambelluri testified in support of Bill No. 166 for the creation of a Cadet Training Corps.

**SENATOR ELIZABETH BARRETT-ANDERSON
CHAIRPERSON, COMMITTEE ON JUDICIARY, PUBLIC SAFETY &
CONSUMER PROTECTION**

Senator Barrett-Anderson explained that Bill 166 was created to ensure a uniform minimum training program for law enforcement personnel and to provide for a cost recovery system for those trainees who successfully complete on-the-job-training and receive their academic certification. Senator Barrett-Anderson stated that the Bill creates a program that is cost effective for the Government.

III. Findings and recommendations

Further action of the Committee included discussions with Mr. Daniel P. Astorga, Administrator for Division of Personnel Management, Department of Administration. Those discussions revealed that the Governor has already created these cadet positions and is under review by the Civil Service Commission for their approval. Legislative action to create these positions is not required. Comments of Director, Department of Administration are attached as part of this report. The bill has been substituted to provide only for a reimbursement policy provision since the creation of these positions is in final stages of approval through executive actions.

The Committee on Judiciary, Public Safety and Consumer Protection finds support for the passage of Bill No. 166 as Substituted by the Committee on Judiciary, Public Safety and Consumer Protection presents its report on Bill No. 166 with the recommendation **TO DO PASS** as Bill No. 166 as Substituted.

TWENTY-FOURTH GUAM LEGISLATURE

PUBLIC HEARING

SENATOR ELIZABETH BARRETT-ANDERSON

Chairperson, Committee on Judiciary, Public Safety and Consumer Protection

WITNESS SIGN-IN SHEET

Committee Hearing Room, 173 Aspinall Ave., Ada Plaza Center, Suite 108A, Agana, Guam 96910

Wednesday, May 7, 1997

Public Hearing on Bill No. 166

	NAME(Please print)	ORGANIZATION	My Testimony is: ORAL/WRITTEN	I am For BILL #	I am Against BILL
1	John M. Guinotia	Customs	ORAL	166	
2	Sydney A.P.	GCC ProTech	written	166	N/A
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					



Professional-Technological Institute

COLONEL A.P. SGAMBELLURI
EXECUTIVE DIRECTOR

RAJ K. SOOD
ASSOCIATE EXECUTIVE DIRECTOR

TESTIMONY ON BILL NO. 166 (COR) "AN ACT TO ADD A NEW SECTION 6226 TO TITLE 4 GCA RELATIVE TO THE CREATION OF A CADET TRAINING CORPS."

My name is Adolf P. Sgambelluri. I am the Vice President, Special Projects/Programs, Guam Community College. I am also, the Executive Director of GCC's Professional-Technological Institute and it is in this capacity that I am testifying here today in support of the creation of a Cadet Training Corps under Bill No. 166 (COR) as introduced.

As you probably know, the Pro-Tech Institute is tasked with the responsibility of overseeing the training programs which include law-enforcement training. I have also been a career law-enforcement professional including my service with the United States Marine Corps. I have been privileged to serve at various times as the Director of the Department of Corrections and the Chief of Police, Guam Police Department.

I am supportive of this measure for various reasons, some of which I shall briefly touch on in this testimony.

Having been involved in the local law-enforcement scenario for the past many years, I have noticed at various times the fluctuating fortunes of the criminal justice community. There have been highs and lows in how the law-enforcement entities were perceived by the people at large. This perception has a direct bearing on the quantum and quality of persons considering a professional law-enforcement career. When the criminal justice agencies have a high profile, more and better qualified individuals seek to join them, when the fortunes fluctuate the opposite holds true. This results in sporadic availability of potentially good quality personnel.

A pre-entry level full-time position such as the proposed cadet probationary position, for on the job training leading to potential recruitment into an entry classified position will ensure a steady stream of potential employees. These cadets will have become familiar with the intricacies of criminal justice, law-enforcement and peace-keeping agencies and will then be able to make informed decisions about their careers. By the same token, it will benefit the respective agencies as well.

However, the Civil Service Commission **MUST** of necessity first develop a complete job description in collaboration with the Department of Administration and the law-enforcement community before determining the salary and benefits to be paid. The Civil Service classification must also be determined in case of needed disciplinary or punitive actions, if any. All these must be clearly stated and fully defined. By the same token, a short training course for the cadets will also be extremely useful because of the sensitive nature of law-enforcement work.

Guam Community College and the Pro-Tech Institute also enthusiastically support the proposal to reimburse the cost of administrative and instructional fees to the cadet upon hiring after successful completion of the course taught by GCC and PTI provided the individual has not otherwise received a grant or other reimbursement of costs for the fees paid, subject to that person remaining employed with the initially hiring agency for two (2) years from date of initial hire. In this instance, I would suggest a suitable mandate in the event of the person being dismissed for cause during the two year service timeframe. That mandate I leave to the wisdom of this legislature.

To reiterate, I as well as the Pro-Tech Institute and the Guam Community College support this Bill and applaud its author and members of the sub-committee.

A.P. SGAMBELLURI

Testimony of John M. Quinata
Director, Guam Customs & Quarantine Agency
on Bill 166
May 7, 1997


Good afternoon Chairperson Barrett-Anderson, Senators, and members of this Committee. My name is John Quinata, the Director of Customs, and I would like to thank you for this opportunity to comment on Bill 166. On behalf of the Agency, we would like to express our support to create a cadet training corps. in the Territory of Guam.

As part of our island's continued effort to improve public safety, a cadet training corps will only serve to enhance our ongoing objective to properly train our employees, and produce qualified officers for the protection of our people and community.

Although the Customs and Quarantine Agency established its own program with the Guam Community College and Department of Administration, this Corp. will help alleviate this need by creating a recruitment pool available not only to our agency, but to all law enforcement agencies on Guam. At a time when our island is striving towards efficiency and effectiveness, this program aims to achieve those objectives by establishing uniformed enforcement standards among the different agencies, decrease overhead costs and time associated with training, and most importantly, provide quality personnel to protect the People of Guam.

Once again, thank you this opportunity, and we look forward to your continued support of Bill166.

Thank you.


JOHN M. QUINATA
Director, CQA

ATTACHMENT "C"



GOVERNMENT OF GUAM
AGANA, GUAM 96910
DEPARTMENT OF ADMINISTRATION
(DIPATTAMENTON ATMENESTRASION)
DIRECTOR'S OFFICE
(UFISINAN DIREKTOT)

POST OFFICE BOX 884 * AGANA, GUAM 96932
TEL: (671) 475-1101/1110/1136 * FAX: (671) 477-6788

RECEIVED
MAY 24 1997
[Signature]

MAY 09 1997

MEMORANDUM

To: Director, Bureau of Planning/Special Assistant for Agency Affairs
From: Director, Department of Administration
Subject: Comments on Bill No. 166 (COR)

Buenas yan Hafa Adai! This has reference to your memorandum dated April 8, 1997 requesting for comments on Bill No. 166 (COR) on the Recruitment and Training of Law Enforcement Cadets.

Effective, February 21, 1997 the Governor of Guam created the following positions in the classified service, pursuant to §6303, Title 4, Guam Code Annotated which states, that the Governor may create new positions when necessary for the efficient performance of the duties and functions of the government. The position descriptions for the positions were submitted to the Civil Service Commission (CSC) for their approval.

Conservation Cadet
Corrections Cadet
Customs and Quarantine Cadet
Fire Fighter Cadet
Plant Protection/Quarantine Cadet
Police Cadet
Territorial Park Patrol Cadet



PAGE 2 - COMMENTS ON BILL NO. 166 (COR)

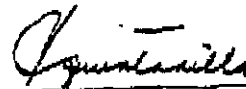
The intent of Bill No. 166 (COR) to create the aforementioned positions via the legislature is not required, due to the Governor's authority on the creation of new positions as stated above.

When a position is created through statute, future amendments or abolishments to the position would also have to be done statutorily. However, positions which are created by the Governor and approved by the CSC which may require amendments due to program or policy needs, can be handled administratively. The CSC does not possess the authority to modify statutes. Therefore, this portion of Bill No. 166 (COR) is not recommended.

With the creation of these respective cadet positions, candidates will have two options of applying and being selected for the Basic Law Enforcement Academy. One option would be to compete for the cadet position through the Department of Administration's (DOA) announcement process. Individuals selected via the announcement process will be placed on temporary or limited term appointments with benefits.

The other option would be for candidates to directly apply for the Basic Law Enforcement Academy through the Guam Community College (GCC). Full payment for the academy will be made by the individuals themselves, if selected. It is for these candidates that DOA is in support of reimbursing the cost of administrative and instructional fees paid to GCC for completion of the academic portion. Bill No. 166 (COR) should be modified to specifically reimburse an individual for his or her training, provided the individual did not receive a grant or other reimbursement of costs for the fees already paid and further provided that the individual remains employed with the initial hiring agency for two (2) years from date of initial hire.

Should you have any questions, please contact the Division of Personnel Management at 475-1263 or 1265. Dangkolo na Agradesimiento!



REBECCA T. QUINTANILLA
Acting

FISCAL NOTE
BUREAU OF BUDGET AND MANAGEMENT RESEARCH

DDMR-F7

Bill Number: 166 Date Received: 3/31/97
 Amendatory Bill: Yes Date Reviewed: 4/21/97
 Department/Agency Affected: Guam Police Department
 Department/Agency Head: Joseph Mofnas, Acting Police Chief
 Total FY Appropriation to Date: \$22,896,524

Bill Title (preamble):

An act to add a new section 6226 to Title 4 GCA annotated relative to the creation of a cadet training corps.

Change in Law: An act to add

Bill's Impact on Present Program Funding:

Increase _____ Decrease X Reallocation _____ No Change _____

Bill is for:

Operations X Capital Improvement _____ Other _____

FINANCIAL/PROGRAM IMPACT

ESTIMATED SINGLE-YEAR FUND REQUIREMENTS (Per Bill)			
PROGRAM CATEGORY	GENERAL FUND	OTHER	TOTAL
Public Safety			

ESTIMATED MULTI-YEAR FUND REQUIREMENTS (Per Bill)						
FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL						
OTHER						
TOTAL						

FUNDS ADEQUATE TO COVER INTENT OF THE BILL? IF NO, ADD'L AMOUNT REQUIRED \$ _____
 AGENCY/PERSON/DATE CONTACTED: _____

ESTIMATED POTENTIAL MULTI-YEAR REVENUES						
FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL FUND						
OTHER						
TOTAL						

ANALYST Christine D.F. Quichocho DATE 4/21/97 DIRECTOR Joseph E. Rivera, Acting DATE APR 23 1997

FOOTNOTE:

Bill no. 166 proposes that upon successful academic completion/certification in Basic Law Enforcement Training at GCC, candidates may be hired as law enforcement cadets within the various law enforcement agencies and branches of government. Through the creation of a cadet training corps, potential savings may be realized in recruitment and training costs.