Refer to Logislative Socretary



CARL T.C. GUTIERREZ GOVERNOR OF GUAM

JUN 04 1999

The Honorable Antonio R. Unpingco

Speaker

I Mina'Bente Singko na Liheslaturan Guahan Received By
Twenty-Fifth Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Hagåtna, Guam 96910

OFFICE OF THE LEGISLATIVE SECRETARY
ACKNOWLECOMENT RECEIPT

Whanksceived by 90

Time #:93

Date 6/7/99

Dear Speaker Unpingco:

Enclosed please find Bill No. 103 (COR), "AN ACT TO REPEAL AND REENACT §4104(a) OF ARTICLE 1, CHAPTER 4 OF TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO PREFERENCES FOR BASIC LAW ENFORCEMENT ACADEMY GRADUATES", which I have signed into law today as **Public Law No. 25-33**.

I am in agreement with intent of this measure to provide for full utilization of the trained manpower produced by the Basic Law Enforcement Academy. However, I remain concerned that the measure as written is inherently discriminatory of those candidates with equal qualifications and with proven law enforcement service to the community. As currently written, this measure would degrade the competitive standing of applicants who have educational and training equivalent credentials. Similarly, applicants who had previously served as law enforcement officers for the government of Guam, but no longer retain their re-employment rights, would be at a similar disadvantage. I therefore appeal to the Liheslaturan Guahan to amend this statute further to provide for equal competitive standing for persons who meet these criteria in order to preclude such discrimination.

Very truly yours,

Carl T. C. Gutierrez I Maga'Lahen Guahan Governor of Guam

Attachment: copy attached for signed bill or overridden bill original attached for vetoed bill

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

00268

Office of the Speaker ANTONIO R. UNPINGCO

Time:_____ Rec'd by:_

Print Name: Charles

MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN 1999 (FIRST) Regular Session

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

This is to certify that Bill No. 103 (LS), "AN ACT TO REPEAL AND REENACT §4104(a) OF ARTICLE 1, CHAPTER 4 OF TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO PREFERENCES FOR BASIC LAW ENFORCEMENT ACADEMY GRADUATES," was on the 24th day of May, 1999, duly and regularly passed. ANTONIO R. UNPINGCO Speaker Attested TOANNE M.S. BROWN Senator and Legislative Secretary This Act was received by I Maga'lahen Guahan this 2544 day of 4:35 o'clock P.M. Assistant Staff Officer Maga'lahi's Office APPROVED: CARL T. C. GUTIERREZ I Maga'lahen Guahan

Date: 6-4-99
Public Law No. 25-33

MINA'BENTE SINGKO NA LIHESLATURAN GUÅHAN 1999 (FIRST) Regular Session

Bill No. 103 (LS) As amended.

Introduced by:

1

J. C. Salas K. S. Moylan A. R. <u>Unpingco</u>

F. B. Aguon, Jr.

E. C. Bermudes

A. C. Blaz

J. M.S. Brown

E. B. Calvo

M. G. Camacho

Mark Forbes

L. F. Kasperbauer

A.C. Lamorena, V

C. A. Leon Guerrero

V. C. Pangelinan

S. A. Sanchez, II

AN ACT TO REPEAL AND REENACT §4104(a) OF ARTICLE 1, CHAPTER 4 OF TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO PREFERENCES FOR BASIC LAW ENFORCEMENT ACADEMY GRADUATES.

BE IT ENACTED BY THE PEOPLE OF GUAM:

- 2 Section 1. Legislative Findings and Intent. I Liheslaturan Guåhan
- 3 finds that two (2) cycles of public safety trainees have attended the Basic Law
- 4 Enforcement Academy at Guam Community College and have graduated to
- 5 encounter problems getting hired by local law enforcement agencies. These



MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN TWENTY-FIFTH GUAM LEGISLATURE

155 Hesler Street, Hagatha, Guam 96910

May 25, 1999

The Honorable Carl T.C. Gutierrez I Maga'lahen Guåhan Ufisinan I Maga'lahi Hagåtña, Guam 96910

Dear Maga'lahi Gutierrez:

Transmitted herewith are Bill Nos. 47 (COR), 73 (COR), 88 (COR), 43 (LS), and 146 (COR) which were passed by *I Mina'Bente Singko Na Liheslaturan Guåhan* on May 24, 1999.

Sincerely,

JOANNE M.S. BROWN

Senator and Legislative Secretary

Enclosure (5)

MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN 1999 (FIRST) Regular Session

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

ARTICLE 1, CHAPTER 4 OF TITLE 4 OF TH PREFERENCES FOR BASIC LAW ENFORCEM	'AN ACT TO REPEAL AND REENACT §4104(a) OF HE GUAM CODE ANNOTATED, RELATIVE TO MENT ACADEMY GRADUATES," was on the						
24 th day of May, 1999, duly and regularl							
	ANTONIO R. UNPINGCO Speaker						
Attested: JOANNE M.S. BROWN							
Senator and Legislative Secretary							
This Act was received by I Maga'lahen Guahan at	this 2546 day of May, 1999,						
	Assistant Staff Officer						
APPROVED:	Maga'lahi's Office						
CARL T. C. GUTIERREZ I Maga'lahen Guahan							
Date:							
Public Law No							

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I MINA' BENTE SINGKO NA LIHESLATURAN GUAHAN

1999 (FIRST) Regular Session

Date: 5/24/99

VOTING SHEET

Bill No. <u>//3 (</u>/5)

Resolution No				•	
Question:					
NAME	YEAS	<u>NAYS</u>	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT ROLL CALL
AGUON, Frank B., Jr.					1
BERMUDES, Eulogio C.					
BLAZ, Anthony C.	<u></u>				
BROWN , Joanne M.S.	1				
CALVO, Eduardo B.	<u></u>				
CAMACHO, Marcel G.	<u> </u>				
FORBES, Mark	<u></u>				
KASPERBAUER, Lawrence F.					
LAMORENA, Alberto C., V	~				
LEON GUERRERO, Carlotta A.	1				
MOYLAN, Kaleo Scott					
PANGELINAN, Vicente C.	<u> </u>		,		4
SALAS, John C.					
SANCHEZ, Simon A., II	<u></u>				
UNPINGCO, Antonio R.					
TOTAL	12			0	2
CERTIFIED TRUE AND CORRECT:				* _	
Clerk of the Legislature				3 Passes = No EA = Excused A	

Committee on Housing, General Government Services and Foreign Affairs Vote Sheet on Bill No. 103 (COR)

AN ACT TO REPEAL AND REENACT SECTION 4104(a) OF ARTICLE 1, CHAPTER 4 OF TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO PREFERENCES FOR BASIC LAW ENFORCEMENT ACADEMY GRADUATES.

COMMITTEE TO MEMBER PASS	NOT TO PASS	ABSTAIN	INACTIVE FILE
Soft has I			
John C. Salas, Vice Chairperson			
Antonio R. Vnpingco, Speaker & Ex-Officio		··	
Frank B. Aguon, Jr., Member			
Anthony C. Blaz, Member			
Marcel G. Camacho, Member			
Alberto C. Lamorena, V, Member			
Carlotta A. Leon Guerrero, Member			
Vicente C. Pangelinan, Member			
Simon A. Sanchez, Member			

COMMITTEE ON HOUSING, GENERAL GOVERNMENT SERVICES AND FOREIGN AFFAIRS

I Mina Bente Singko Na Liheslaturan Guåhan 155 Hesler Street Hagåtna, Guam 96932

ON Bill No. 103

AN ACT TO REPEAL AND REENACT SECTION 4104(a) OF ARTICLE 1, CHAPTER 4 OF TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO PREFERENCES FOR BASIC LAW ENFORCEMENT ACADEMY GRADUATES.

COMMITTEE MEMBERS

Chairman: Senator Kaleo S. Moylan Vice Chairman: Senator John C. Salas

Senator Frank B. Aguon, Jr.

Senator Anthony C. Blaz

Senator Marcel G. Camacho

Senator Alberto C. Lamorena, V.

Senator Carlotta A. Leon Guerrero

Senator Vicente C. Pangelinan

Senator Simon A. Sanchez, II.

Senator Antonio R. Unpingco, Speaker

COMMITTEE ON HOUSING, GENERAL GOVERNMENT SERVICES AND FOREIGN AFFAIRS

I Mina Bente Singko Na Liheslaturan Guåhan 155 Hesler Street Hagåtna, Guam 96932

ON Bill No. 103

AN ACT TO REPEAL AND REENACT SECTION 4104(a)
OF ARTICLE 1, CHAPTER 4 OF TITLE 4 OF THE GUAM
CODE ANNOTATED, RELATIVE TO PREFERENCES FOR
BASIC LAW ENFORCEMENT ACADEMY GRADUATES.

INTRODUCTION

The Committee on Housing, General Government Services and Foreign Affairs conducted a Public Hearing at 8:30 a.m., on Wednesday, April 21, 1999, in the Public Hearing Room of the Guam Legislature in Hagatna.

Committee Members Present:

Senator Kaleo S. Moylan, Chairman

Senator John c. Salas, Vice Chairman

Senator Frank B. Aguon, Jr. Senator Marcel G. Camacho Senator Alberto C. Lemorena, V. Senator Vicente C. Pangelinan

Other Senators Present:

Senator Lawrence F. Kasperbauer

Senator Eduardo B. Calvo

Witnesses:

No Oral Testimony

Written Testimony Provided by:

None

SUMMARY OF TESTIMONY



There being no other witnesses, the Chairman adjourned the hearing.

COMMITTEE FINDINGS

The Committee finds that graduates of the Basic Law Enforcement Academy and Guam Community College have encountered problems getting hired by local law enforcement agencies, even though these graduates are the most prepared candidates for positions in public safety and have followed the guidelines prescribed by law toward satisfying the requirements of the positions.

COMMITTEE RECOMMENDATIONS

The Committee on Housing, General Government Services and Foreign Affairs hereby reports out Bill 103 to the Twenty-Fifth Guam Legislature with the recommendation **TO PASS**, as amended.



MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN

Kumitean Areklamento, Refotman Gubetnamento Siha, Inetnon di Nuebu, yan Asunton Fidirat

Senadot Mark Forbes, Gehilu Kabisiyon Mayurdt

APR 1 3 1999

MEMORANDUM

TO:

Chairman

Committee on Housing, General Government Services and Foreign Affairs

FROM:

Chairman

Committee on Rules, Government Reform, Reorganization

and Federal Affairs

SUBJECT:

Principal Referral - Bill No. 103

The above bill is referred to your Committee as the Principal Committee. In accordance with Section 6.04.05. of the Standing Rules, your Committee "shall be the Committee to perform the public hearing and have the authority to amend or substitute the bill, as well as report the bill out to the Body." It is recommended that you schedule a public hearing at your earliest convenience.

Please note that a secondary referral of this bill has been made to the Committee on Judiciary, Public Safety, Consumer Affairs and Human Resource Development.

Thank you for your attention to this matter.

MARK FORBES

Attachment

GUAM LEGISLATURE
OFFICE OF SENATOR KALEO S. MOYLAN
ACKNOWLEDGEMENT RECEIPT
Date: 4/13/99 Time: 3:33PM
Received by: Wuthon

MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN 1999 (FIRST) Regular Session

Bill No. 103 (LS)

Introduced by:

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J. C. Salas A. K. S. Moylant,

A. R. Unpingco

J.B. Aguer, J.

AN ACT TO REPEAL AND REENACT SECTION 4104(a) OF ARTICLE 1, CHAPTER 4 OF TITLE 4 OF THE GUAM CODE ANNOTATED, RELATIVE TO PREFERENCES FOR BASIC LAW ENFORCEMENT ACADEMY GRADUATES.

BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent. I Liheslaturan Guahan finds that two cycles of public safety trainees have attended the Basic Law 3 Enforcement Academy at Guam Community College and have graduated to 4 5 encounter problems getting hired by local law enforcement agencies. These graduates of the Academy are the most prepared candidates for positions in 6 public safety, and have followed the guidelines prescribed by law toward 7 satisfying the requirements of the positions. In order to eliminate the 8 placement of non-qualified personnel in the positions these graduates 9 10 deserve, this act will provide preference points toward hiring applicants who graduate from the Basic Law Enforcement-Academy. 11

Section 2. Section 4104(a) of Article 1, Chapter 4 of Title 4 of the Guam Code Annotated is hereby *repealed and reenacted* to read as follows:

"Section 4104. Preferences. (a) No preference shall be given in 1 the government service, except that residents of Guam who are physically or 2 mentally impaired, but are physically and mentally able to perform efficiently 3 and safely the duties of the job being applied for as certified by the Director 4 of Public Health and Social Services, or who are veterans of the Armed 5 Forces of the United States, or who are former members of the Guam Police 6 Combat Patrol, as certified by the Chief of Police, or graduates of the Peace 7 Officer Standards and Training Commission Academy operated pursuant to 8 Section 32201 of Article 2, Chapter 32 of Title 17 of the Guam Code 9 Annotated, as enacted by Public Law 24-331, with respect to employment in 10 those positions identified in Section 32301(b) of Article 3, Chapter 32 of Title 11 17 of the Guam Code Annotated, as enacted by Public Law 24-331, shall 12 receive a preferential credit of five (5) points which shall be added to their 13 competitive examination score, and such veterans or former members who 14 are disabled as a result of their service in the Armed Forces or Combat 15 Patrol, shall receive a preferential credit of ten (10) points which shall be 16 17 added to their passing score. In addition, if two (2) applicants for 18 government service are equally qualified for the position to be filled, and one is a beneficiary of a preference pursuant to this Subsection, while the other is 19 20 not, the former shall be given the first offer of position." 21

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

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