

I Mina'Trentai Tres Na Liheslaturan Received
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
125-33 (COR)	FRANK B. AGUON, JR.	AN ACT TO AMEND SUBSECTION (p) OF § 8104 OF ARTICLE 1, CHAPTER 8, TITLE 4, AND § 51102 (a) OF CHAPTER 51, TITLE 17, BOTH OF GUAM CODE ANNOTATED, RELATIVE TO ADVANCING COMPLIANCE WITH THE PEACE OFFICER STANDARDS AND TRAINING COMMISSION BY DESIGNATING PROBATION OFFICERS OF THE SUPERIOR COURT OF GUAM AS UNIFORMED OFFICERS AND BY ADDING THE CHIEF OF PROBATION TO THE PEACE OFFICER STANDARDS AND TRAINING COMMISSION.	06/08/15 4:14 p.m.	06/10/15	Committee on the Guam U.S. Military Relocation, Public Safety and Judiciary			



COMMITTEE ON RULES

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June 10, 2015

MEMORANDUM

To: Rennae Meno
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Vice Speaker Benjamin J.F. Cruz
Acting Chairperson of the Committee on Rules

Subject: Referral of Bill No. 125-33(COR)

As the Acting Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 125-33(COR)**.

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Tres Na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

Si Yu'os Ma'åse!

Attachment

I MINA'TRENTAI TRES NA LIHESLATURAN GUÁHAN
2015 (FIRST) Regular Session

Bill No. 125-33 (COR)

Introduced by:

FRANK B. AGUON, JR.



AN ACT TO AMEND SUBSECTION (p) OF § 8104 OF ARTICLE 1, CHAPTER 8, TITLE 4, AND § 51102 (a) OF CHAPTER 51, TITLE 17, BOTH OF GUAM CODE ANNOTATED, RELATIVE TO ADVANCING COMPLIANCE WITH THE PEACE OFFICER STANDARDS AND TRAINING COMMISSION BY DESIGNATING PROBATION OFFICERS OF THE SUPERIOR COURT OF GUAM AS UNIFORMED OFFICERS AND BY ADDING THE CHIEF OF PROBATION TO THE PEACE OFFICER STANDARDS AND TRAINING COMMISSION.

FJMP

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

2 **Section 1. Legislative Intent.** *I Liheslaturan Guáhan* finds that pursuant to
3 § 51101 (b) of Chapter 51, Title 17, Guam Code Annotated, the Chief Probation
4 Officer and all Probation Officers of the Unified Judiciary of Guam are defined as
5 Peace Officers and subject to the Peace Officer Standards and Training (POST)
6 Commission Regulations. However, Probation Officers have been excluded in the
7 definition of Uniformed Personnel contained in subsection (p) of § 8104 of Article
8 1, Chapter 8, Title 4, Guam Code Annotated, making them ineligible for the
9 application of retirement policy relative to law enforcement officers and uniformed
10 allowances.

11 *I Liheslatura* further finds that in addition to the requirements for POST
12 compliance, all Probation Officers are required to hold Bachelor's degrees in
13 Criminal Justice and other related degree programs in order to be eligible for

14 employment at the courts. This requirement surpasses the entry-level requirements
15 for nearly every other law enforcement position covered by the POST
16 Commission.

17 It is the intent of *I Liheslaturan Guåhan* to include Probation Officers of the
18 Judiciary of Guam in the definition of Uniformed Personnel and to *add* the Chief
19 of Probation as a member to the POST Commission.

20 **Section 2. Designation of Probation Officers as Uniformed Personnel.**
21 Subsection (p) of § 8104 of Article 1, Chapter 8, Title 4, Guam Code Annotated, is
22 hereby *amended*, to read:

23 “(p) Uniformed Personnel means Guam Police Department Officers; Guam
24 Fire Department Firemen; Customs and Quarantine Officers in the Customs and
25 Quarantine Agency; Conservation Officers, Commodity Inspectors, and
26 Entomologist of the Department of Agriculture; Territorial Park Patrol Officers of
27 the Department of Parks and Recreation; Corrections Officers of the Department of
28 Corrections; Airport Police Officers and Security Personnel at the Antonio B. Won
29 Pat International Airport Authority, Guam; Jose D. Leon Guerrero Commercial
30 Port Security personnel; Marshals of the Supreme Court of Guam and the Superior
31 Court of Guam; Probation Officers of the Judiciary of Guam; and Firefighters of
32 the Antonio B. Won Pat International Airport Authority, Guam. In all matters
33 involving the uniformed personnel at the Antonio B. Won Pat International Airport
34 Authority, Guam, the Jose D. Leon Guerrero Commercial Port or the Department
35 of Parks and Recreation, the Supreme Court of Guam and the Superior Court of
36 Guam Marshals, and the Guam Police Department shall have concurrent
37 jurisdiction with such personnel.”

38 **Section 3.** § 51102 (a) of Chapter 51, Title 17, Guam Code Annotated, is
39 hereby *amended*, to read:

40 (a) There is hereby created a Peace Officer Standards and Training
41 Commission (POST). The Guam Community College (GCC) *shall* be designated
42 as the State Agency for POST, and *shall* provide the administrative and
43 professional services to the Commission. If necessary, GCC *shall* provide a budget
44 request, annually, to the Speaker of *I Liheslaturan Guåhan* for consideration. The
45 Commission *shall* be composed of twelve (12) members as follows:

46 (1) the Chief of the Guam Police Department, or his designated
47 representative;

48 (2) the Chief of the Guam Airport Police, or his designated
49 representative;

50 (3) the Chief of the Guam Port Police, or his designated
51 representative;

52 (4) the Attorney General, or his designated representative;

53 (5) the Director of Customs and Quarantine Agency, or his
54 designated representative;

55 (6) the Director of the Department of Corrections, or his
56 designated representative;

57 (7) the Chief of the Division of Aquatic and Wildlife Resources
58 of the Department of Agriculture, or his designated representative;

59 (8) one (1) non-voting representative from the University of
60 Guam (UOG), appointed by the President;

61 (9) one (1) non-voting representative from the Guam
62 Community College (GCC), appointed by the President;

63 (10) the Chief Marshal of the Unified Guam Judiciary, or his
64 designated representative;

65 (11) the Chief of the Guam Fire Department, or his designated
66 representative; ~~and~~

67 (12) the Chief of Probation of the Unified Judiciary, or his
68 designated representative; and

69 (1~~2~~3) one (1) voting representative from the Department of
70 Administration, the Personnel Service Division Administrator,
71 appointed by the Director of Administration.”