

EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

FEB 09 2016

330-16-1344

2016 FEB 10

Eje

Office of the Speaker
Judith T. Won Pat, Ed.D

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Tres Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

Date: 02-11-16
Time: 9:45am
Received By: *[Signature]*

Dear Madame Speaker:

Transmitted herewith is Bill No. 125-33 (COR) "AN ACT TO AMEND § 8104(p) OF ARTICLE 1, CHAPTER 8, TITLE 4, GUAM CODE ANNOTATED; AND § 51102(a) OF CHAPTER 51, TITLE 17, 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 INCLUDING THE CHIEF OF PROBATION OF THE UNIFIED JUDICIARY AS A MEMBER OF THE PEACE OFFICER STANDARDS AND TRAINING COMMISSION" which was signed into law on February 2, 2016, as Public Law 33-109.

Senseramente,

RAY TENORIO

I Maga'låhen Guåhan, para pa'go
Acting Governor of Guam

1344

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2016 (SECOND) Regular Session

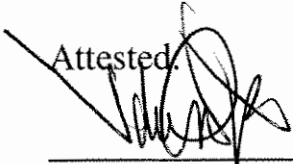
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LÅHEN GUÅHAN

This is to certify that **Bill No. 125-33 (COR), "AN ACT TO AMEND § 8104(p) OF ARTICLE 1, CHAPTER 8, TITLE 4, GUAM CODE ANNOTATED; AND § 51102(a) OF CHAPTER 51, TITLE 17, 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 INCLUDING THE CHIEF OF PROBATION OF THE UNIFIED JUDICIARY AS A MEMBER OF THE PEACE OFFICER STANDARDS AND TRAINING COMMISSION,"** was on the 20th day of January 2016, duly and regularly passed.



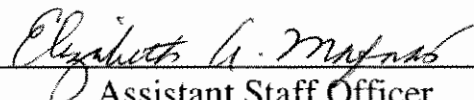
Judith T. Won Pat, Ed.D.
Speaker

Attested.

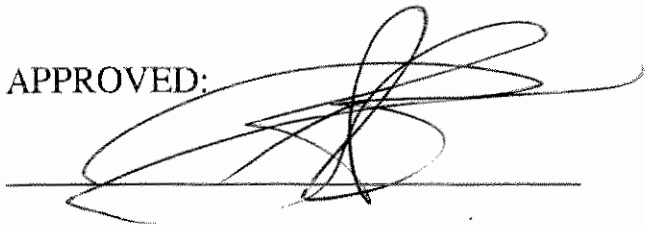


Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'låhen Guåhan* this 22nd day of January,
2016, at 5:17 o'clock P.M.


Elizabeth A. Mafnas
Assistant Staff Officer
Maga'låhi's Office


APPROVED:



RAYMOND S. TENORIO
Acting Governor of Guam

Date: FEB 03 2016

Public Law No. 33-109

OFFICE OF THE GOVERNOR
CENTRAL FILES

RECEIVED BY
TIME 5:17 DATE 1/22/16

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

Bill No. 125-33 (COR)

Introduced by:

FRANK B. AGUON, JR.

T. C. Ada

V. Anthony Ada

Frank F. Blas, Jr.

B. J.F. Cruz

James V. Espaldon

Brant T. McCreadie

Tommy Morrison

T. R. Muña Barnes

R. J. Respicio

Dennis G. Rodriguez, Jr.

Michael F.Q. San Nicolas

Mary Camacho Torres

N. B. Underwood, Ph.D.

Judith T. Won Pat, Ed.D.

AN ACT TO AMEND § 8104(p) OF ARTICLE 1, CHAPTER 8, TITLE 4, GUAM CODE ANNOTATED; AND § 51102(a) OF CHAPTER 51, TITLE 17, 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 INCLUDING THE CHIEF OF PROBATION OF THE UNIFIED JUDICIARY AS A MEMBER OF THE PEACE OFFICER STANDARDS AND TRAINING COMMISSION.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that pursuant to § 51101(b) of Chapter 51, Title 17, Guam Code Annotated, the Chief

1 Probation Officer and all Probation Officers of the Unified Judiciary of Guam are
2 defined as Peace Officers, and are subject to the Peace Officer Standards and
3 Training (POST) Commission regulations. However, Probation Officers have been
4 excluded in the definition of Uniformed Personnel contained in Subsection (p) of §
5 8104 of Article 1, Chapter 8, Title 4, Guam Code Annotated, making them ineligible
6 for the application of retirement policy relative to law enforcement officers and
7 uniformed personnel allowances.

8 *I Liheslaturan Guåhan* further finds that in addition to the requirements for
9 POST compliance, all Probation Officers are required to hold Bachelor’s degrees in
10 Criminal Justice and other related degree programs in order to be eligible for
11 employment at the courts. This requirement surpasses the entry-level requirements
12 for nearly every other law enforcement position covered by the POST Commission.

13 It is, therefore, the intent of *I Liheslaturan Guåhan* to include Probation
14 Officers of the Judiciary of Guam in the definition of Uniformed Personnel, and to
15 add the Chief of Probation of the Unified Judiciary as a member of the POST
16 Commission.

17 **Section 2. Designation of Probation Officers as Uniformed Personnel.** §
18 8104(p) of Article 1, Chapter 8, Title 4, Guam Code Annotated, is hereby *amended*
19 to read:

20 “(p) Uniformed Personnel means Guam Police Department Officers;
21 Guam Fire Department Firemen; Customs and Quarantine Officers of the
22 Customs and Quarantine Agency; Conservation Officers, Commodity
23 Inspectors, and Entomologists of the Department of Agriculture; Territorial
24 Park Patrol Officers of the Department of Parks and Recreation; Corrections
25 Officers of the Department of Corrections; Airport Police Officers and
26 Security Personnel at the Antonio B. Won Pat International Airport Authority,
27 Guam; Jose D. Leon Guerrero Commercial Port Security personnel; Marshals

1 of the Supreme Court of Guam and the Superior Court of Guam; Probation
2 Officers of the Judiciary of Guam; and Firefighters of the Antonio B. Won Pat
3 International Airport Authority, Guam. In all matters involving the uniformed
4 personnel at the Antonio B. Won Pat International Airport Authority, Guam,
5 the Jose D. Leon Guerrero Commercial Port, or the Department of Parks and
6 Recreation, the Supreme Court of Guam and the Superior Court of Guam
7 Marshals, and the Guam Police Department *shall* have concurrent jurisdiction
8 with such personnel.”

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

11 “(a) There is hereby created a Peace Officer Standards and Training
12 Commission (POST). The Guam Community College (GCC) *shall* be
13 designated as the State Agency for POST, and *shall* provide the administrative
14 and professional services to the Commission. If necessary, GCC *shall* provide
15 a budget request, annually, to the Speaker of *I Liheslaturan Guåhan* for
16 consideration. The Commission *shall* be composed of thirteen (13) members
17 as follows:

18 (1) the Chief of the Guam Police Department, or his
19 designated representative;

20 (2) the Chief of the Guam Airport Police, or his designated
21 representative;

22 (3) the Chief of the Guam Port Police, or his designated
23 representative;

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

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

1 (6) the Director of the Department of Corrections, or his
2 designated representative;

3 (7) the Chief of the Division of Aquatic and Wildlife
4 Resources of the Department of Agriculture, or his designated
5 representative;

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

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

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

12 (11) the Chief of the Guam Fire Department, or his designated
13 representative;

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

16 (13) one (1) voting representative from the Department of
17 Administration, the Personnel Services Division Administrator,
18 appointed by the Director of Administration.”