FILE COPY

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LAHEN GUÅHAN*

This is to certify that **Substitute Bill No. 287-30 (COR)," AN ACT TO CHANGE THE MEMBERSHIP COMPOSITION OF THE PEACE OFFICER STANDARDS AND TRAINING COMMISSION, AND TO ESTABLISH MINIMUM QUORUM REQUIREMENTS FOR THE COMMISSION MEETINGS, BY *AMENDING* §32302(a), AND *ADDING* A NEW §32302.20 TO ARTICLE 3, CHAPTER 32, TITLE 17, GUAM CODE ANNOTATED,"** was on the 22nd day of January, 2010, duly and regularly passed.

Judith T. Won Pat, Ed. D.
Speaker

Attested:

Tina Rose Muña Barnes
Senator and Secretary of the Legislature

This Act was received by *I Maga'lahen Guåhan* this 27 day of Jan., 2010, at 4:00 o'clock P.M.

Assistant Staff Officer
Maga'lahi's Office

APPROVED:

FELIX P. CAMACHO
I Maga'lahen Guåhan

Date: _____

Public Law No. _____

I MINA'TRENTA NA LIHESLATURÅN GUÅHAN
2009 (FIRST) Regular Session

Bill No. 287-30 (COR)
As substituted by the Committee on
Public Safety, Law Enforcement
and Senior Citizens, and amended on the Floor.

Introduced by: Adolpho B. Palacios, Sr.
T. C. Ada
F. B. Aguon, Jr.
F. F. Blas, Jr.
E. J.B. Calvo
B. J.F. Cruz
J. V. Espaldon
Judith P. Guthertz, DPA
T. R. Muña Barnes
v. c. pangelinan
R. J. Respicio
Telo Taitague
Ray Tenorio
Judith T. Won Pat, Ed.D.

AN ACT TO CHANGE THE MEMBERSHIP COMPOSITION OF THE PEACE OFFICER STANDARDS AND TRAINING COMMISSION, AND TO ESTABLISH MINIMUM QUORUM REQUIREMENTS FOR THE COMMISSION MEETINGS, BY *AMENDING* §32302(a), AND *ADDING* A NEW §32302.20 TO ARTICLE 3, CHAPTER 32, TITLE 17, GUAM CODE ANNOTATED.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that the Peace Officer Standards and Training (POST) Commission was first established by Public Law 24-145:2 on March 5, 1998, and further amended in its

entirety by Public Law 29-012:2 on September 7, 2007. The primary purpose of the Commission was the development of regulations and minimum professional standards to serve as the basis for the uniform recruitment operation of Guam's law enforcement entities.

I Liheslaturan Guåhan further finds that in the process of developing the regulations and minimum professional standards, the POST Commission, in accordance with Title 17, Guam Code Annotated, Chapter 32, Article 3, §32302 (c), has to hold *at least* four (4) meetings per year. The current practice of the POST Commission with regards to setting a quorum level for meetings was to use the fifty percent (50%) plus one (1) rule of all fourteen (14) voting members of the Commission, as there is *no* specific provision as to what constitutes a quorum. According to the POST Executive Director, the Commission, has met *at least* eight (8) times over the last two (2) years of which only four (4) times was there a quorum. The Commission noted that it has been very difficult to have a quorum based on eight (8) of fourteen (14) voting members.

Therefore, it is the intent of *I Liheslaturan Guåhan* to change the membership composition of the Peace Officer Standards and Training Commission and to establish minimum quorum requirements for the POST meetings, by amending §32302 (a) Article 3, Chapter 32, Title 17, Guam Code Annotated, and by adding a new §32302.20, Article 3, Chapter 32, Title 17, Guam Code Annotated.

Section 2. §32302(a), Article 3, Chapter 32, Title 17, Guam Code Annotated, is hereby *amended* to read:

"(a) There is hereby created a Peace Officer Standards and Training Commission. The Commission *shall* be composed of twelve (12) members as follows:

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

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

(3) the Chief of the Guam Port Police, *or* his designated representative.

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

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

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

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

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

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

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

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

(12) one (1) voting representative from the Department of Administration, the Personnel Service Division Administrator, appointed by the Director of Administration."

Section 3. A new §32302.20 is hereby *added* to Article 3, Chapter 32, Title 17, Guam Code Annotated, to read:

"§**32302.20 Quorum Requirement.** A minimum of five (5) voting members present *shall* constitute a quorum for the transaction of business, and the affirmative votes of five (5) voting members *shall* be required to make any action of the Commission valid. *No* action *shall* be taken by the Commission at any meetings or hearings, *unless* a quorum is present."

Section 4. A new (i) is hereby *added* to §32302 of Article 3, Chapter 32, Title 17, Guam Code Annotated, to read:

"(i) A non-voting member *shall not* serve as chairperson or vice chairperson of the commission."