I Mina'trentai Sais Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
328-36 (COR)	James C. Moylan	AN ACT TO *AMEND* § 73156(A) OF CHAPTER 73, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE MINIMUM NUMBER OF CANDIDATES IN THE ANNUAL CUSTOMS OFFICER TRAINING CYCLE MANDATED EACH FISCAL YEAR.	7/19/22 10:51 a.m.						

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2022 (SECOND) Regular Session

Bill No. 328-36 (COR)

Introduced by: James C. Moylan

AN ACT TO *AMEND* § 73156(a) OF CHAPTER 73, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE MINIMUM NUMBER OF CANDIDATES IN THE ANNUAL CUSTOMS OFFICER TRAINING CYCLE MANDATED EACH FISCAL YEAR.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guahan* finds that with the present shortfall of customs officers in the Customs and Quarantine Agency, it is vital to increase the minimum number of candidates who participate in the *Annual Customs Officer Training Cycle*, as mandated by Public Law 36-54. Likewise, it is equally as important to provide the Director of the agency the additional flexibility and authority in increasing the number of candidates each year if possible or if needed, without needing to seek legislative approval. The present statute sets a ceiling of *no more than* twenty candidates who may participate each fiscal year.

This Act would merely remove the ceiling and instead increase the minimum number of candidates for the annual customs officer training cycle from twenty to thirty, which is the number the Guam Community College (GCC) can educate at a time. However, if the agency secures additional funding in certain fiscal years, this

Act will authorize them to recruit and train more than thirty candidates, thus GCC would hold an additional cycle within the fiscal year.

Another objective of this Act is to eventually get the agency to the adequate number of officers within their manpower requirements, of which would be fitting for their operations. With Public Law 36-5 enacted in early 2021, the practice of recruiting and interviewing prospects is now an ongoing process when it comes to Law Enforcement Officers, hence the opportunity to recruit additional customs officers each year.

Section 2. § 73156(a) of Chapter 73, Title 5, Guam Code Annotated is hereby *amended* to read as follows:

§ 73156. Annual Customs Officer Training Cycle.

(a) The Customs and Quarantine Agency *shall* conduct a customs officer training cycle for at least thirty (30) ~~no more than twenty (20)~~ candidates per fiscal year.

(b) Each year, the Director of the Customs and Quarantine Agency *shall* determine the total cost to conduct a recruitment and training cycle pursuant to the requirements set forth in Subsection (a) of this Section and he/she *shall* transmit this as part of the agency's proposed budget to *I Maga'hagan Guahan* for inclusion in the Executive Budget request that *I Maga'hagan Guahan* submits annually to *I Liheslaturan Guahan*.

(c) The Director of the Customs and Quarantine Agency *shall* submit a report to *I Maga'hagan Guahan* and the Speaker of *I Liheslaturan Guahan* no later than June 30 of each year to present an update on the customs officer training cycle conducted during that fiscal year pursuant to the requirements set forth in this Section.

Section 3. Severability. If any provision of this Act 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 Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

Section 4. Effective Date. The Act *shall* be effective upon enactment.