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
31-36 (COR) As amended by the Committee on Public Accountability, Human Resources, the Guam Buildup, Hagåtña Revitalization, Regional Affairs, Public Libraries, Telecommunications, and Technology; and further amended on the Floor	James C. Moylan Tina Rose Muña Barnes	AN ACT TO *ADD* § 4101.2 TO CHAPTER 4 OF TITLE 4, GUAM CODE ANNOTATED RELATIVE TO MODERNIZING A PROCESS WHICH WOULD ALLOW FOR THE STREAMLINING IN THE RECRUITMENT AND HIRING OF LAW ENFORCEMENT OFFICERS, TO BE KNOWN AS *"THE SWIFT APPOINTMENT MODERNIZATION ACT OF 2021".*	1/19/21 8:41 a.m.	1/20/21	Committee on Public Accountability, Human Resources, the Guam Buildup, Hagåtña Revitalization, Regional Affairs, Public Libraries, Telecommunications, and Technology	2/1/21 9:00 a.m.	2/8/21 11:03 a.m. As amended by the Committee on Public Accountability, Human Resources, the Guam Buildup, Hagåtña Revitalization, Regional Affairs, Public Libraries, Telecommunications, and Technology	Request: 1/20/21 Waiver: 1/22/21	

SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	PUBLIC LAW NO.	DATE SIGNED	NOTES
2/12/21	AN ACT TO *ADD* A NEW § 4101.2 TO ARTICLE 1 OF CHAPTER 4, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO STREAMLINING THE RECRUITMENT AND HIRING OF LAW ENFORCEMENT OFFICERS, TO BE KNOWN AS *"THE SWIFT APPOINTMENT MODERNIZATION ACT OF 2021."*	2/22/21	2/22/21	3/5/21	36-5	3/5/21	Received: 3/8/21 Mess and Comm. Doc. No. 36GL-21-0262

LOURDES A. LEON GUERRERO
GOVERNOR

JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HÅGAN GUÅHAN
OFFICE OF THE GOVERNOR OF GUAM

March 5, 2021

HONORABLE THERESE M. TERLAJE
Speaker
I Mina'trentai Sais Na Liheslaturan Guåhan
36th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

RE: **BILL NO. 31-36 (COR) – An Act to Add a New § 4101.2 to Article 1 of Chapter 4, Title 4, Guam Code Annotated, Relative to Streamlining the Recruitment and Hiring of Law Enforcement Officers, to be Known as "The Swift Appointment Modernization Act of 2021"**

Buenas yan Hafa Adai Madame Speaker!

The Department of Administration ("DOA"), as the executive branch agency responsible for managing the human resources of the executive branch, is the entity best positioned for developing policy to advance our government's efforts to ensure that our public safety agencies are adequately staffed. The passage of Bill No. 31-36 is a recognition of this fact. As ***Public Law No. 36-5***, it will allow the DOA to adapt recruitment practices that will quickly place qualified personnel in immediately needed positions while still safeguarding the merit system. It is my hope that this first effort to modernize the recruitment processes will lead to additional changes applicable across the executive branch's hiring system.

Senseremente,

LOURDES A. LEON GUERRERO
Maga'hågan Guåhan
Governor of Guam

(J.Borja)

Enclosure(s): Bill No. 31-36 (COR) *nka P.L. 36-5*

cc: *Honorable* Joshua F. Tenorio, *Sigundo Maga'låhen Guåhan*
Compiler of Laws

RICARDO J. BORDALLO GOVERNOR'S COMPLEX
513 W. Marine Corps Drive Hagåtña, Guam 96910
governor.guam.gov | (671) 472-8931
DOC No. 36GL-21-0262

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session

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

This is to certify that **Bill No. 31-36 (COR), "AN ACT TO *ADD* A NEW § 4101.2 TO ARTICLE 1 OF CHAPTER 4, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO STREAMLINING THE RECRUITMENT AND HIRING OF LAW ENFORCEMENT OFFICERS, TO BE KNOWN AS *"THE SWIFT APPOINTMENT MODERNIZATION ACT OF 2021,"*** was on the 22nd day of February 2021, duly and regularly passed.

Therese M. Terlaje

Therese M. Terlaje
Speaker

Attested:

Amanda Shelton

Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 22nd day of February 2021, at 6:00 o'clock P.M.

POS C.C. Arroyo

Assistant Staff Officer
Maga'håga's Office

APPROVED:

Lou Leon Guerrero

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 3/5/2021

Public Law No. 36-5

2021-13065
RCVD AT CENTRAL FILES
FEB 24'21 AM11:51

Jessica Cruz

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session

Bill No. 31-36 (COR)
As amended by the Committee on Public Accountability, Human Resources, the Guam Buildup, Hagåtña Revitalization, Regional Affairs, Public Libraries, Telecommunications, and Technology; and further amended on the Floor.

Introduced by: James C. Moylan
Tina Rose Muña Barnes
V. Anthony Ada
Frank Blas Jr.
Joanne Brown
Christopher M. Dueñas
Telena Cruz Nelson
Sabina Flores Perez
Clynton E. Ridgell
Joe S. San Agustin
Amanda L. Shelton
Telo T. Taitague
Jose "Pedo" Terlaje
Therese M. Terlaje
Mary Camacho Torres

AN ACT TO *ADD* A NEW § 4101.2 TO ARTICLE 1 OF CHAPTER 4, TITLE 4, GUAM CODE ANNOTATED, RELATIVE TO STREAMLINING THE RECRUITMENT AND HIRING OF LAW ENFORCEMENT OFFICERS, TO BE KNOWN AS "*THE SWIFT APPOINTMENT MODERNIZATION ACT OF 2021.*"

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. This Act shall be known as "*The Swift Appointment Modernization Act of 2021.*"

Section 2. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that there has been a significant demand for the recruitment and hiring of law enforcement officers and recognizes that the current personnel policies to employ them does not fully accommodate an expeditious process to address this very objective. *I Liheslaturan Guåhan* also acknowledges that the Department of Administration (DOA) has experienced a shortage in resources and needs additional manpower to focus on modernizing the DOA Personnel Rules and Regulations.

With the overwhelming need for law enforcement officers in certain agencies to include the Guam Police Department (GPD), the Department of Corrections (DOC), the Customs and Quarantine Agency (CQA), and other specific agencies whose Category 1 Peace Officer positions are recruited through the DOA recruitment and testing process, it is vital that certain provisions of the recruitment process accommodate the mass demand in the hiring of law enforcement and public safety personnel. It is further a necessity that any amendments towards the provisions accomplish its objectives, while maintaining the merit system as mandated in the Organic Act of Guam. While it is important to address any policy hiccups once an applicant is selected, it is getting to the stage of selections where agencies face major hurdles. Thus, this purpose shall remain as the primary objective of this Act.

It is the intent of *I Liheslaturan Guåhan* to allow the Director of DOA to effectuate policy or the amendment of rules to allow for a more sensible process of recruitment to allow law enforcement and public safety agencies to expeditiously hire new cycles of officers. This would include increasing the listings of applicants made available to such agencies.

Section 3. A new § 4101.2 is hereby *added* to Article 1 of Chapter 4, Title 4, Guam Code Annotated, to read as follows:

"§ 4101.2. Authorization for the Director of the Department of Administration to Amend Specific Personnel Rules.

Notwithstanding any other provision of law, or rule or regulation, the "*Swift Appointment Modernization Act of 2021*" shall only apply to those Category 1 Peace Officer positions recognized in 27 GARR § 3103(a)(1), (2), (3), (4), (5), and (6).

Notwithstanding any other provision of law, or rule or regulation, and pursuant to the authorization granted in this Section, the Director of the Department of Administration (DOA) shall:

(a) develop and implement a policy or amend the DOA Personnel Rules and Regulations within sixty (60) days from the enactment of the "*Swift Appointment Modernization Act of 2021*," which shall authorize qualified law enforcement agencies and departments to request, in writing, a Certification List that consists of up to three (3) times the number of applicants as there are available funded vacancies for their respective agencies and departments; and

(b) develop and implement a policy or amend Personnel Rules within sixty (60) days which shall authorize law enforcement agencies and departments to request, in writing, to continue interviews from the point of the last interviewed applicant prior to making the final selections. This request shall include the purpose for continuing interviews after a final selection was made, including, but not limited to, an agency's inability to fill a position because a candidate declined the job offer. Requests for additional names for an interview shall be made within sixty (60) days from the last final selections made for a cycle of hiring which were submitted to DOA for further processing."

Section 4. 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 5. Effective Date. This Act shall be effective upon enactment.

LOURDES A. LEON GUERRERO
GOVERNOR

JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HÅGAN GUÅHAN
OFFICE OF THE GOVERNOR OF GUAM

March 5, 2021

Doc Type: 36GL-21-0262
OFFICE OF THE SPEAKER
THERESE M. TERLAJE
03-05-2021
Time: 5:04pm
Received:

HONORABLE THERESE M. TERLAJE
Speaker
I Mina'trentai Sais Na Liheslaturan Guåhan
36th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

RE: **BILL NO. 31-36 (COR) – An Act to Add a New § 4101.2 to Article 1 of Chapter 4, Title 4, Guam Code Annotated, Relative to Streamlining the Recruitment and Hiring of Law Enforcement Officers, to be Known as "The Swift Appointment Modernization Act of 2021"**

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Senseremente,

LOURDES A. LEON GUERRERO
Maga'hågan Guåhan
Governor of Guam

COMMITTEE ON RULES
RECEIVED:
March 8, 2021
8:00 A.M.

(J.Borja)

Enclosure(s): Bill No. 31-36 (COR) *nka P.L. 36-5*

cc: *Honorable* Joshua F. Tenorio, *Sigundo Maga'låhen Guåhan*
Compiler of Laws

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session

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

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Speaker

Attested:

Amanda Shelton

Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 22nd day of February 2021, at 6:00 o'clock P.M.

POS C.C. Quinata

Assistant Staff Officer
Maga'håga's Office

APPROVED:

Lou Leon Guerrero

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 3/5/2021

Public Law No. 36-5

2021-13065
RCVD AT CENTRAL FILES
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I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session

Bill No. 31-36 (COR)
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