

I MINA'TRENTAI OCHO NA LIHESLURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. -38 ()

Introduced by:

Eulogio Shawn Gumataotao



AN ACT TO AMEND AND RE-NUMBER § 51102(h)(11) OF CHAPTER 51, TITLE 17, TO AMEND § 51103(b)(4) OF CHAPTER 51, TITLE 17, AND TO AMEND § 7120 OF CHAPTER 7, TITLE 22, ALL OF THE GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE TEMPORARY CERTIFICATION OF PEACE OFFICERS AND TO AUTHORIZING THE MANPOWER DEVELOPMENT FUND FOR CERTIFICATION COURSES REQUIRED BY 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 in addition to implementing compensation adjustments and providing for a safe
4 and conducive work environment, public safety and law enforcement agencies of the
5 Government of Guam must also position themselves to recruit and retain individuals
6 to serve as peace officers by improving Peace Officer Standards and Training
7 (POST) Commission (Commission) certification policies.

8 Based on information provided to the Committee on Public Safety,
9 Emergency Management, and Guam National Guard, *I Liheslatura* finds that
10 criminal justice graduates of the University of Guam (UOG) who desire to establish
11 a career in public safety and law enforcement, but lack certain training requirements
12 including, and not limited to, First Responder/First Aid, Emergency Vehicle

1 Operator Course (EVOC), Officer Survival and Use of Force, Firearms and safety,
2 Criminal Investigations, and Dynamics of Substance Abuse, do not qualify nor are
3 they offered temporary employment options. Despite having completed
4 undergraduate degree requirements for potential employment in management and
5 administrative positions at the Department of Corrections, Customs and Quarantine
6 Agency of Guam, or the Judiciary of Guam, criminal justice graduates are left to
7 either seek employment elsewhere or delay their public service career – and the
8 opportunity to earn a salary and benefits – while they complete POST Commission
9 requirements at their expense.

10 *I Liheslaturan Guåhan* further finds that the POST Commission statute and
11 corresponding sections under the Guam Administrative Rules and Regulations allow
12 the Commission to grant temporary certification of peace officers who have
13 previously completed basic peace officer training but have since left service in good
14 standing, provided that these peace officers shall satisfy standards and training
15 requirements as set by the Commission. These same policies also permit the
16 temporary certification of peace officers from other jurisdictions who have
17 completed basic peace officer training and have since left service in good standing.

18 Recognizing the time and resources that are invested by criminal justice
19 graduates to earn their college degree, and the overlapping of public safety and law
20 enforcement principles and practices that are taught through UOG and POST
21 Commission certified training programs, *I Liheslatura* proposes to authorize the
22 POST Commission to grant temporary peace officer certification for those who
23 possess a degree in criminal justice or equivalent area of study and who are in good
24 standing, provided they satisfy the standards and training requirements as set by the
25 Commission.

26 *I Liheslaturan Guåhan* further intends through this Act to authorize the Guam
27 Department of Labor and the Guam Community College to expend a portion of their

1 Manpower Development Fund appropriations for costs associated with training
2 individuals who are granted temporary peace officer certification by the POST
3 Commission.

4 **Section 2.** § 51102(h)(11) of Chapter 51, Title 17, Guam Code Annotated, is
5 *amended and re-numbered*, to read as follows:

6 “(11) provide by rule for the temporary certification of peace officers who
7 possess a degree in criminal justice or equivalent area of study as determined by the
8 Commission, and who are in good standing, provided that said peace officers satisfy
9 standards and training requirements as set by the Commission. The Commission
10 shall require applicants to complete any remaining certification requirements within
11 six (6) months of temporary certification. The Commission is further authorized to
12 establish policies to recoup tuition, fees, and other government-funded expenses in
13 the event an employee resigns, transfers, or fails to meet any service or repayment
14 requirements;”

15 (12) establish supervisory, managerial, and executive level standards and
16 certification for the agencies covered by this Chapter; and

17 (12)13 may enter into professional developments with the Guam Community
18 College, the University of Guam, or another suitable institution.”

19 **Section 3.** § 51103(b)(4) of Chapter 51, Title 17, Guam Code Annotated, is
20 *amended* to read as follows:

21 “(b) With the approval of the Commission, the Executive Director shall:

22 (1) certify Peace Officer Training programs or institutions;
23 (2) certify peace officers who have satisfactorily completed training;
24 (3) consult and cooperate with peace officer training academies in the
25 development of basic and continuing education training programs for peace
26 officers;

(4) consult and cooperate with the Guam Community College, the University of Guam, the Guam Department of Labor, other institutions of higher education, or any POST certified advanced training programs for the development of specialized courses of study on Guam for peace officers in the areas of police science, police administration, the social sciences and other related areas including, but are not limited to, First Responder/First Aid, Emergency Vehicle Operator Course (EVOC), Officer Survival and Use of Force, Firearms and safety, Criminal Investigations, and Dynamics of Substance Abuse;”

Section 4. § 7120 of Chapter 7, Title 22, Guam Code Annotated, is *amended*

to read as follows:

“§ 7120. Manpower Development Fund.

(a) There is hereby created in the Guam Department of Labor, a Manpower Development Fund (MDF), which shall remain separate and apart from any other of the government of Guam.

(b) The MDF is created solely for the purpose of receiving territorial, federal, private money and revenue from registration fees on non-immigrant temporaryers.

(1) Thirty percent (30%) of the annual revenues generated shall be allocated to the Guam Department of Labor. The Department of Labor allocation in the MDF shall be expended exclusively to fund the following:

(A) One Hundred Thousand Dollars (\$100,000) shall be allocated annually to produce the quarterly "Unemployment Situation on Guam" report and any other reports relating to labor statistics;

(B) legal services in the field of employment and labor law, human resources, or administrative law;

(C) workforce development and training programs including, but are not limited to, courses required for certification by the Peace Officer Standards and Training Commission as provided for in 17 GCA Chapter 51; and

(D) the remaining balance of the Department of Labor's MDF allocation shall be used for administrative and operational purposes as may be determined by the Director of Labor.

8 (2) Seventy percent (70%) of the annual revenues generated shall be allocated
9 to the Apprenticeship Training Program at the Guam Community College, with the
10 primary intent to develop the workforce for positions that have been approved for
11 non-immigrant temporary workers. The Guam Community College allocation in the
12 MDF shall be paid out by the Treasurer of Guam to the Apprenticeship Training
13 Program at Guam Community College, and shall be expended exclusively to fund
14 the following:

(A) direct financial assistance to students enrolled in the apprenticeship or pre-apprenticeship program which may include, but are not limited to, courses required for certification by the Peace Officer Standards and Training Commission as provided for in 17 GCA Chapter 51, who may not qualify for the Free Application for Federal Student Aid (FAFSA), such as the Pell Grant. Any unused portion of the allocation under this Subsection shall be returned to the MDF;

(B) the administrative and instructional costs for the operation of the apprenticeship training programs;

(C) facility upgrade and equipment relative to the apprenticeship training programs, and pre apprenticeship training programs with the Guam Department of Education; and

(D) the advertising and outreach programs for the promotion of the apprenticeship training programs.

3 (3) Annual Audit of the Manpower Development Fund. The Public Auditor
4 shall conduct an annual audit of the Manpower Development Fund to ensure
5 compliance with all statutory regulations governing its deposits and expenditures.
6 The cost of such audit shall be paid by the Manpower Development Fund. (c) The
7 MDF shall not be used for any purposes other than those enumerated in this Section,
8 and shall be subject to legislative appropriation.”

9 **Section 5. Effective Date.** The provisions of this Act shall be effective upon
10 enactment.