

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
25-36 (COR)	Jose "Pedro" Terlaje Tina Rose Muña Barnes	AN ACT TO <i>AMEND</i> (a) and (f) of § 63103.1 OF ARTICLE 4 OF CHAPTER 63 OF TITLE 5 GCA RELATIVE TO THE STIPEND OF THE CIVILIAN CONSERVATION RESERVISTS AT THE DEPARTMENT OF AGRICULTURE.	1/14/21 8:33 a.m.						

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

Bill No. 25-36 (COR)

Introduced By:

Jose "Pedro" Terlaje
Tina Rose Muña Barnes

**AN ACT TO AMEND (a) and (f) of § 63103.1 OF ARTICLE 4 OF
CHAPTER 63 OF TITLE 5 GCA RELATIVE TO THE STIPEND
OF THE CIVILIAN CONSERVATION RESERVISTS AT THE
DEPARTMENT OF AGRICULTURE.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

**Section 1. (a) and (f) of § 63103.1 of Article 4 Chapter 63 of 5 GCA shall
be amended to read;**

§ 63103.1. Civilian Volunteer Conservation Officer Reserve.

(a) Creation. There is hereby created within the Department of Agriculture of the government of Guam, the Civilian Volunteer Conservation Officer Reserve, which shall be headed by the Director of Agriculture, hereafter referred to as the Director. The Director, subject to the advice and control of ~~I-Maga'lahi I'~~ Maga'Hagan Guahan shall carry out the purposes of this Chapter and shall have such additional duties and responsibilities as are authorized herein.

(b) Functions and Duties. The general function and duties of the Civilian Volunteer Conservation Officer Reserve shall be to provide backup manpower for the suppression of fish and wildlife crimes, preservation of law and order, and to

1 assist in civil emergencies. The Director shall formulate a program whereby the
2 Civilian Volunteer Conservation Officer Reserve shall fulfill the functions and
3 duties herein prescribed. From time to time, the Director shall review and revise
4 the functions and duties of the Civilian Volunteer Conservation Officer Reserve to
5 ensure an amicable discharge of its responsibilities and duties knowing that its role
6 is the extension of duties of regular Department of Agriculture personnel.

7 **(c) Recruitment.** The Director shall recruit, on an entirely volunteer basis,
8 local residents who desire to provide their services to the Department of
9 Agriculture in carrying out its law enforcement duties and emergency functions.
10 The Director shall promulgate rules and regulations consistent with the
11 requirements of hiring regular Conservation Officers.

12 **(d) Training, Equipment and Maintenance of Records.** The Director shall
13 devise a program whereby the Law Enforcement Section in the Division of
14 Aquatic and Wildlife Resources of the Department of Agriculture and the Civil
15 Defense Office provides the members of the Civilian Volunteer Conservation
16 Officer Reserve training in crime prevention and operational techniques and
17 procedures for natural and man-made emergencies. Volunteer officers must have a
18 certificate of completion of a training program approved by competent authority.
19 The Civilian Volunteer Conservation Officer Reserve shall maintain a roster of
20 volunteers who have received the training prescribed herein. In order to maintain
21 membership in the Reserve, each member must complete his or her scheduled
22 training and no volunteer may remain in the Reserve if he or she is unable to
23 successfully complete the training. Additionally, basic supplies and equipment
24 shall be provided to assure constant functioning of the Civilian Volunteer
25 Conservation Officer Reserve, including a continuing program for replacement of
26 officers.

1 **(e) Volunteer: Authority.** Whenever members of the Civilian Volunteer
2 Conservation Reserve render assistance to Conservation Officers, the volunteers
3 shall have the same powers, duties, rights, including coverage under the Worker's
4 Compensation Act, privileges and immunities, as full-time employees of the
5 Department of Agriculture, except that they shall earn recruitment credit for
6 services performed as volunteers.

7 **(f) Same: Allowance.** Each member of the Civilian Volunteer Conservation
8 Officer Reserve who successfully completes probationary requirements as
9 established by the Director and who contributes a minimum of forty-two (42)
10 hours or more per month, shall receive ~~an allowance~~ compensation of Two
11 ~~Hundred Fifty Dollars (\$250.00)~~ Five Hundred Dollars (500.00) per month, ~~to~~
12 ~~defray the cost of maintenance of his equipment and uniforms~~ for duties performed
13 as a part-time Conservation Officer as duly noted in 63101.1 (e).

14 The Department of Agriculture shall identify funds within department
15 appropriations or other appropriate funding sources to satisfy the requirements of
16 this Section.

17 **(g) Same: Eligibility and Oath.** No person shall be a volunteer member of
18 the Civilian Volunteer Conservation Officer Reserve established under this
19 Chapter who advocates a change by force or violence in the constitutional form of
20 the Government of the United States or Guam or the overthrow of any Government
21 in the United States by force, or who has been convicted of or is under indictment
22 or information charging any subversive act against the United States. Every
23 volunteer shall, entering upon his or her duties, take an oath, in writing, before a
24 person authorized to administer oaths in Guam, which oath shall be substantially as
25 follows: 'I _____, do solemnly swear (or affirm) that I will
26 support and defend the Constitution of the United States and the laws of Guam,

1 against all enemies, foreign or domestic; that I will bear true faith and allegiance to
2 the same; that I take this obligation freely, without any mental reservation or
3 purpose of evasion; and that I will well and faithfully discharge the duties upon
4 which I am about to enter and I do further swear (or affirm) that I do not advocate,
5 nor am I a member of any political party or organization that advocates the
6 overthrow of the Government of the United States or of Guam by force or
7 violence; and that during such time as I am a member of the Civilian Volunteer
8 Conservation Reserve I will not advocate nor become a member of any political
9 party or organization that advocates the overthrow of the Government of the
10 United States or of Guam by force or violence.’ (h) Rules and Regulations:
11 Recommendations. The Director shall create rules and regulations through the
12 Administrative Adjudication process to implement and maintain the Civilian
13 Volunteer Conservation Officer Reserve.

14 **Section 2. Date of Enactment.** This Act shall become effective upon
15 enactment.

16 **Section 3. Severability.** If any of provision of this law or its application
17 to any person or circumstance is found to be invalid or contrary to law, that
18 invalidity *shall not* affect other provisions or applications of this law, which can be
19 given effect without the invalid provisions or applications and to this end the
20 provisions of this act are severable.