

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN

2021 (FIRST) Regular Session

VOTING RECORD

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.	Speaker Antonio R. Unpingco Legislative Session Hall Guam Congress Building February 22, 2021					
NAME	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Senator V. Anthony Ada	✓					
Senator Frank Blas Jr.	✓					
Senator Joanne Brown	✓					
Senator Christopher M. Dueñas	✓					
Senator James C. Moylan	✓					
Vice Speaker Tina Rose Muña Barnes	✓					
Senator Telen Cruz Nelson	✓					
Senator Sabina Flores Perez	✓					
Senator Clynton E. Ridgell	✓					
Senator Joe S. San Agustin	✓					
Senator Amanda L. Shelton	✓					
Senator Telo T. Taitague	✓					
Senator Jose "Pedo" Terlaje	✓					
Speaker Therese M. Terlaje	✓					
Senator Mary Camacho Torres	✓					

TOTAL

15

0

Aye

Nay

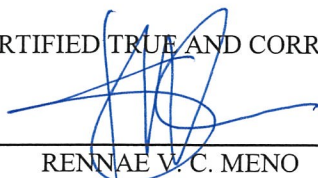
Not Voting/
Abstained

Out During
Roll Call

Absent

Excused

CERTIFIED TRUE AND CORRECT:



RENNAE W. C. MENO
Clerk of the Legislature

I = Pass

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As amended by the Committee on Public Accountability,
Human Resources, the Guam Buildup, Hagåtña
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Introduced by:

James C. Moylan
Tina Rose Muña Barnes
V. Anthony Ada
Frank Blas Jr.
Joanne Brown
Christopher M. Dueñas
Telena Cruz Nelson
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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.*”**

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1.** This Act shall be known as “*The Swift Appointment*
3 *Modernization Act of 2021.*”

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

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

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

25 **Section 3.** A new § 4101.2 is hereby *added* to Article 1 of Chapter 4, Title
26 4, Guam Code Annotated, to read as follows:

1 **“§ 4101.2. Authorization for the Director of the Department of**
2 **Administration to Amend Specific Personnel Rules.**

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

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

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

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

1 **Section 4. Severability.** If any provision of this Act or its application to any
2 person or circumstance is found to be invalid or contrary to law, such invalidity shall
3 not affect other provisions or applications of this Act that can be given effect without
4 the invalid provision or application, and to this end the provisions of this Act are
5 severable.

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