

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

2009 AUG 17 AM 10:55

Bill No 214-30 (LS)

Introduced by:

Adolpho B. Palacios, Sr.

AN ACT TO ESTABLISH QUORUM REQUIREMENTS FOR THE PEACE OFFICERS STANDARDS AND TRAINING COMMISSION TO FACILITATE THE ACTIVITIES OF THE COMMISSION BY ADDING A NEW §32302.01 TO, ARTICLE 3, CHAPTER 32, TITLE 17 GUAM CODE ANNOTATED.

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

2 **Section 1. Findings and Intent.** The Peace Officer Standards and Training
3 (POST) Commission was first established by Public Law 24-145:2, on March 5, 1998,
4 and further amended in its entirety by Public Law 29-012:2 on September 7, 2007. The
5 primary purpose of the Commission was the development of regulations and minimum
6 professional standards to serve as the basis for the uniform recruitment operation of
7 Guam's law enforcement entities.

8 *I Liheslaturan Guåhan* further finds that in the process of developing the
9 regulations and minimum professional standards the POST Commission, in accordance
10 with Title 17 Guam Code Annotated, Chapter 32 Article 3, §32302. (c) has to hold at
11 least four meetings per year. The current practice of the POST Commission with regards
12 to setting a quorum level for meetings was to use the 50% plus one rule of all fourteen
13 (14) voting members of the Commission. According to the POST Executive Director, the
14 Commission has met at least eight times over the last two years of which only four times

1 was there a quorum. The Commission noted that it has been very difficult to have a
2 quorum based on eight (8) of fourteen (14) voting members.

3 Therefore, it is the intent of *I Liheslaturan Guåhan* to facilitate the activities of
4 the Commission by providing for a minimum quorum meeting requirement for the Peace
5 Officers Standards and Training Commission, by adding a new §32302.01 to, Article 3,
6 Chapter 32, Title 17 Guam Code Annotated.

7 **Section 2. A new Section 32302.01 is hereby added to, Article 3, Chapter 32,**
8 **Title 17 Guam Code Annotated to read:**

9 **“32302.01 Quorum.**

10 **No less than five voting members present shall constitute a quorum**
11 **for the transaction of business, and the concurrence of a majority of the**
12 **members present shall be necessary to make any action of the Commission**
13 **valid. No action shall be taken by the Commission at any meetings or**
14 **hearings, *unless* a quorum is present.”**