

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
262-36 (LS)	Tina Rose Muña Barnes Therese M. Terlaje	AN ACT TO AMEND § 18128 OF CHAPTER 18, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO AMENDING THE REQUIREMENTS FOR A LICENSE TO OPERATE SCHOOLS THAT TEACH COSMETOLOGY, BARBERING, MANICURING OR NAIL TECHNOLOGY, ESTHETICS, ELECTROLOGY, OR HAIR STYLING; AND ESTABLISHING AN INTERIM LICENSE FOR THE SCHOOLS SEEKING ACCREDITATION.	2/25/22 9:29 a.m.	3/2/22	Committee on Health, Land, Justice, and Culture	6/10/22 9:00 a.m.	10/10/22 10:19 a.m. As Amended by the Committee on Health, Land, Justice, and Culture	Request: 3/2/22 Waiver: 3/9/22	



Office of the Speaker
THERESE M. TERLAJE

I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature
Committee on Health, Land, Justice and Culture

October 7, 2022

The Honorable Tina Rose Muña Barnes 

Chairperson, Committee on Rules

I Mina'trentai Sais na Liheslaturan Guåhan

163 Chalan Santo Papa

Hagåtña Guam, 96910

RE: Committee Report on Bill No. 262-36 (LS) As amended by the Committee

Håfa Adai Chairperson Muña Barnes:

Transitted herewith is the Committee Report on the **Bill No. 262-36 (LS) As amended by the Committee on Health, Land, Justice, and Culture** – Introduced by Tina Rose Muña Barnes, and Therese M. Terlaje, “AN ACT TO AMEND § 18128 OF CHAPTER 18, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO AMENDING THE REQUIREMENTS FOR A LICENSE TO OPERATE SCHOOLS THAT TEACH COSMETOLOGY, BARBERING, MANICURING OR NAIL TECHNOLOGY, ESTHETICS, ELECTROLOGY, OR HAIR STYLING; AND ESTABLISHING AN INTERIM LICENSE FOR THE SCHOOLS SEEKING ACCREDITATION.”

Committee votes are as follows:

<u>2</u>	TO DO PASS
<u>0</u>	TO NOT PASS
<u>3</u>	TO REPORT OUT ONLY
<u>0</u>	TO ABSTAIN
<u>0</u>	TO PLACE IN INACTIVE FILE

COMMITTEE ON RULES

RECEIVED:

October 7, 2022

10:28 A.M.

Sincerely,


Therese M. Terlaje

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: senatorterlajeguam@gmail.com | www.senatorterlaje.com

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Office of the Speaker
THERESE M. TERLAJE

I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature
Committee on Health, Land, Justice and Culture

COMMITTEE REPORT

Bill No. 262-36 (LS),

As amended by the Committee on Health, Land, Justice, and Culture

Introduced by

Tina Rose Muña Barnes and Therese M. Terlaje

"AN ACT TO AMEND § 18128 OF CHAPTER 18, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO AMENDING THE REQUIREMENTS FOR A LICENSE TO OPERATE SCHOOLS THAT TEACH COSMETOLOGY, BARBERING, MANICURING OR NAIL TECHNOLOGY, ESTHETICS, ELECTROLOGY, OR HAIR STYLING; AND ESTABLISHING AN INTERIM LICENSE FOR THE SCHOOLS SEEKING ACCREDITATION."

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Office of the Speaker
THERESE M. TERLAJE

I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature
Committee on Health, Land, Justice and Culture

October 7, 2022

MEMORANDUM

To: All Members
Committee on Health, Land, Justice, and Culture

From: Speaker Therese M. Terlaje *TMT*
Committee Chairperson

Subject: Committee Report on Bill No. 262-36 (LS) As amended by the Committee

Transmitted herewith for your consideration is the Committee Report on **Bill No. 262-36 (LS) As amended by the Committee on Health, Land, Justice, and Culture** – Introduced by Tina Rose Muña Barnes and Therese M. Terlaje, “AN ACT TO AMEND § 18128 OF CHAPTER 18, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO AMENDING THE REQUIREMENTS FOR A LICENSE TO OPERATE SCHOOLS THAT TEACH COSMETOLOGY, BARBERING, MANICURING OR NAIL TECHNOLOGY, ESTHETICS, ELECTROLOGY, OR HAIR STYLING; AND ESTABLISHING AN INTERIM LICENSE FOR THE SCHOOLS SEEKING ACCREDITATION.”

This report includes the following:

- Copy of COR Referral of Bill No. 262-36 (LS)
- Notices of Public Hearing & Other Correspondence
- Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Submitted Written Testimonies & Supporting Documents
- Committee Report Digest
- Copy of Bill No. 262-36 (LS), As Introduced
- Copy of Bill No. 262-36 (LS), As Amended
- Amended Mark-up Version
- Copy of Fiscal Note Waiver from the Bureau of Budget & Management Research
- Committee Vote Sheet

Please take the appropriate action on the attached vote sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Si Yu'os Ma'åse'!

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: senatorterlajeguam@gmail.com | www.senatorterlaje.com

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Vice Speaker

TINA ROSE MUÑA BARNES

CHAIRPERSON, COMMITTEE ON RULES

I Mina'trentai Sais Na Liheslaturan Guåhan

GUAM CONGRESS BUILDING
163 CHALAN SANTO PAPA
HAGÅTÑA, GUAM 96910
TEL 671-472-2461
COR@GUAMLEGISLATURE.ORG

March 2, 2022

MEMO

To: **Rennae Meno**
Clerk of the Legislature

Legal Bureau

From: **Vice Speaker Tina Rose Muña Barnes**
Chairperson, Committee on Rules

Re: **Referral of Bill No. 262-36 (LS)**

Håfa Adai,

As per my authority as Chairperson of the Committee on Rules and subject to §6.01(d), Rule VI of our Standing Rules, I am forwarding the referral of Bill No. 262-36 (LS) – Tina Rose Muña Barnes, Therese M. Terlaje - "AN ACT TO AMEND § 18128 OF CHAPTER 18, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO AMENDING THE REQUIREMENTS FOR A SCHOOL LICENSE AND ESTABLISHING AN INTERIM LICENSE FOR SCHOOLS SEEKING ACCREDITATION."

Please ensure that the subject bill is referred to the **Committee on Health, Land, Justice, and Culture, chaired by Speaker Therese M. Terlaje.**

I also request that the same be forwarded to the prime sponsor of the subject bill.

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.

Respectfully,

Vice Speaker Tina Rose Muña Barnes
Chairperson, Committee on Rules





Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

FIRST NOTICE OF PUBLIC HEARING: FRIDAY, JUNE 10, 2022 BEGINNING AT 9:00 AM

1 message

Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Fri, Jun 3, 2022 at 6:58 AM

To: phnotice@guamlegislature.org, Tom Unsiog <sgtarms@guamlegislature.org>, "Senator Therese M. Terlaje" <senatorterlajeguam@gmail.com>, Vice Speaker Tina Rose Muña Barnes <senatormunabarnes@guamlegislature.org>, Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, Telena Cruz Nelson <senatortcnelson@guamlegislature.org>, "Senator Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Senator Pedro Terlaje <senatorpedo@senatorjpterlaje.com>, Office of Senator Moylan Guam Legislature <officeofsenatormoylan@guamlegislature.org>, "Frank F. Blas Jr." <office@senatorfrankblas.com>, "Mary C. Torres" <senatormary@guamlegislature.org>, Senator Tony Ada <senatorvanthonyada@gmail.com>, "Office Of Senator Telo T. Taitague" <senatortelot@gmail.com>, "Office of Senator Joanne M. Brown" <office@senatorjoannebrown.com>, Chris Duenas <senatorchrisduenas@gmail.com>, Senator Sabina Perez <office@senatorperez.org>, Clynt Ridgell <clyntridgell@guamlegislature.org>, "Office of Senator Telena C. Nelson" <senatortcnelson@gmail.com>

Bcc: mindy@postguam.com, The Post Editor in Chief <editor@postguam.com>, Oyaol Ngirairiki <managingeditor@postguam.com>, haidee@postguam.com, John Oconnor <john@postguam.com>, reporters@postguam.com, rlimtiaco@guampdn.com, Rindraty Limtiaco <slimtiaco@guampdn.com>, Guam PDN <news@guampdn.com>, Jerick Sablan <jpsablan@guampdn.com>, life@guampdn.com, dmgeorge@guampdn.com, Mar-Vic Cagurangan <publisher@pacificislandtimes.com>, Pacific Island Times <pacificislandtimes@gmail.com>, Maureen Maratita <publisher@glimpsesofguam.com>, bryan@mvariety.com, emmanuel@mvariety.com, mabuhaynews@yahoo.com, editor@saipantribune.com, Bruce Hill <pacificjournalist@gmail.com>, Jason Salas <jason@kuam.com>, Sabrina Salas Matanane <sabrina@kuam.com>, Chris Malafunkshun Barnett <Chris@kuam.com>, Nestor Licanto <nestor@kuam.com>, reporters@kuam.com, K57 <news@k57.com>, Patti Rodriguez <parroyo@spbgum.com>, pattiontheradio@yahoo.com, Sorensen Pacific Broadcasting <news@spbgum.com>, raygibsonshow@gmail.com, manasilva626@yahoo.com, KISH <kstokish@gmail.com>, Manuel Cruz <cruzma812@gmail.com>, Troy Torres <troy@kanditnews.com>, Maria Louella Losinio <louella.losinio@gmail.com>, "Mayors' Council of Guam - Admin." <mcogadmin@teleguam.net>, "Mayor Paul M. McDonald" <mayor.mcdonald671@gmail.com>, agatmayor@yahoo.com, agatvice.chrisfejeran@yahoo.com, "Mayor Frankie A. Salas" <asanmainamayor@gmail.com>, June Blas <mayorbarrigada@gmail.com>, Jessie Bautista <jessie.bautista007@gmail.com>, Jessy Gogue <ocp.mayor@gmail.com>, MELISSA SAVARES <melissa.savares@gmail.com>, "Vice Mayor Peter John S. Benavente" <onedededo@gmail.com>, hagatnamayor@hotmail.com, Mayor Anthony Chargualaf <inalahanmayor@gmail.com>, Allan Ungacta <mayorallan.ungacta@yahoo.com>, Vice Mayor Kevin AN Delgado <mangilao.vicemayor@gmail.com>, mayorerneestc@yahoo.com, mtmmayorpaco17@gmail.com, Jesse Alig <jesse.alig@pitiguam.com>, Dale Alvarez <daleealvarez@gmail.com>, Robert Hofmann <guammayor@gmail.com>, rudy iriarte <rudyiriarte@gmail.com>, Mayor Taitague <talofomayor@gmail.com>, "Mayor Louise C. Rivera" <Mayorlcrivera.tatuha@gmail.com>, "Vice Mayor Albert M. Toves" <atoves.tatuha@gmail.com>, Umatac Mayor <umatacmo@gmail.com>, "Mayor Anthony P. Sanchez" <yamayortony@gmail.com>, "Vice Mayor Loreto V. Leones" <lloretoleones@gmail.com>, "Mayor Bill A. Quenga" <yonamayor2020@gmail.com>, jolene@postguam.com, Phil Leon Guerrero <phil@postguam.com>, gerry@spbgum.com, Damen Borja <damen@spbgum.com>, tlamorena@gmail.com, jsantotoma@guampdn.com, "John Reyes, Jr." <cltccommissioner.reyes@cltc.guam.gov>, Angela Santos <cltccommissioner.santos@cltc.guam.gov>, Arlene Bordallo <cltccommissioner.bordallo@cltc.guam.gov>, Angela Camacho <angela.camacho@cltc.guam.gov>, David Herrera <cltccommissioner.herrera@cltc.guam.gov>, "Stephanie E. Mendiola" <smendiola@oagguam.org>, Camarine Ann Hopkins <camhopkins@oagguam.org>, Leevin Camacho <ag@oagguam.org>, Leevin Camacho <lcamacho@oagguam.org>, "Leevin T. Camacho" <lcamacho@guamag.org>, Jenneth Quiambao <nailsbyjenneth@gmail.com>, Breanna Sablan <Breanna.Sablan@dphss.guam.gov>, Deborah Borja <Deborah.Borja@dphss.guam.gov>, Rob Weinberg <rweinberg@oagguam.org>, Eddy <eddy.reyes@ftfcinc.com>, Senator Terlaje <senatorterlajeguam@gmail.com>, Ashley [REDACTED] <[REDACTED]@gmail.com>, Jenneth <[REDACTED]@gmail.com>, Joe Blas [REDACTED] <[REDACTED]@hotmail.com>, Raymond Santos [REDACTED] <[REDACTED]@gmail.com>, Laurie

██████████@gmail.com>, Nicole Romero <Nicole.Romero@dphss.guam.gov>, stephen ignacio <stephen.ignacio@gpd.guam.gov>, "Arthur U. San Agustin" <arthur.sanagustin@dphss.guam.gov>, lillian perez-posadas <lillian.perez-posadas@gmha.org>, Edward Birn <edward.birn@doa.guam.gov>, admin@styfrshacademy.com, mariacybeautyedu@gmail.com, education.info@guamcc.edu, janice.baker@guamcc.edu, Mary Okada <mary.okada@guamcc.edu>, Earl ██████████@yahoo.com>, Jon Junior M Calvo <jon.calvo@guam.gov>

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Speaker Therese M. Terlaje, Chairperson

Subject: **FIRST NOTICE** of Public Hearing – Friday, June 10, 2022

Buenas yan Håfa Adai,

Please be advised that Speaker Therese M. Terlaje will convene a public hearing, on **Friday, June 10, 2022, beginning at 9:00 AM**, in the Guam Congress Building, Public Hearing Room, for the following agenda item:

9:00 AM:

- **Bill No. 262-36 (LS)** - Tina Rose Muña Barnes / Therese M. Terlaje- AN ACT TO AMEND § 18128 OF CHAPTER 18, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO AMENDING THE REQUIREMENTS FOR A SCHOOL LICENSE AND ESTABLISHING AN INTERIM LICENSE FOR SCHOOLS SEEKING ACCREDITATION. Bill link: [https://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%20262-36%20\(LS\).pdf](https://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%20262-36%20(LS).pdf)

10:00 AM

- **Bill No. 248-36 (COR)** - Therese M. Terlaje- AN ACT TO AMEND § 81109, RENUMBER §81112 AS §81113, AND ADD A NEW §81112, ALL TO CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED, AND TO AMEND CHAPTER 20, DIVISION 3, OF TITLE 26, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO AUTHORIZING THE COMMISSION ON POST-MORTEM EXAMINATIONS TO CREATE A FEE SCHEDULE FOR SERVICES, AND ESTABLISHING THE “OFFICE OF POST-MORTEM EXAMINATIONS OPERATIONS REVOLVING FUND.” Bill link: [https://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%20248-36%20\(COR\).pdf](https://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%20248-36%20(COR).pdf)

11:00 AM:

- **Appointment Hearing:** Earl J. Garrido to serve as a member of the CHamoru Land Trust Commission, for a term length of Three (3) Years; April 11, 2021, to April 10, 2024, to fill the term of Austin Duenas whose term has expired. Appointment Packet link: https://www.guamlegislature.com/36th_Guam_Legislature/Mess_Comms_36th/Doc.%20No.%2036GL-22-1560.pdf



Office of the Speaker **THERESE M. TERLAJE**

I Mina'trentai Sais na Liheslaturan Guåhan 36th Guam Legislature
Committee on Health, Land, Justice and Culture

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<https://www.youtube.com/c/GuamLegislatureMedia>.

The public is invited to provide oral or written testimony on the agenda items. Written testimonies may be submitted before the public hearing date via email senatorterlajeguam@gmail.com or hand delivery to the Office of Speaker Therese M. Terlaje at the Guam Congress Building.

In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Speaker Therese M. Terlaje at (671) 472-3586 or senatorterlajeguam@gmail.com.

Russian troops reach center of industrial city in Ukraine conflict

KYIV (Reuters) — Russian forces fought their way into the center of Ukraine's industrial city of Sievierodonetsk on Wednesday, edging closer to claiming a big prize in their offensive in the eastern Donbas region.

But in a boost for Ukraine, locked in a grinding struggle against Russia's invading army, the United States announced a new \$700 million weapons package for Kyiv that will include advanced rocket systems capable of hitting targets up to 80 kilometers (50 miles) away.

Moscow accused the United States of adding "fuel to the fire." Russian Foreign Minister Sergei Lavrov said the supply of the rocket launchers raised the risk of a "third country" being dragged into the conflict.

U.S. Secretary of State Antony Blinken said Ukraine promised it will not use the systems to hit targets inside Russia. U.S. President Joe Biden hopes extending Ukraine's artillery reach will help push Moscow to negotiate an end to the war, now in its fourth month.

After days of heavy fighting around Sievierodonetsk, much of which has been laid to waste by Russian bombardments, Russian troops were inching forward through the city streets. Ukraine says about 70% of the city is under Russian control.

"The enemy has entered the center of Sievierodonetsk and is trying to take up positions," Ukrainian military spokesman Oleksandr Motuzyanyk said at a briefing.

WHO says COVID-19 in NKorea likely 'getting worse, not better'

SEOUL (Reuters) — The World Health Organization has cast doubts on North Korea's claims of progress in the fight against a COVID-19 outbreak, saying it believes the situation is getting worse, not better, amid an absence of independent data.

North Korean state media has said the COVID wave has abated, after daily numbers of people with fever topped 390,000 about two weeks ago.

Pyeongyang has never directly confirmed how many people have tested positive for the virus but experts suspect underreporting in the figures released through government-controlled media, making it difficult to assess the scale of the situation.

"We assume the situation is getting worse, not better," WHO emergencies chief Michael Ryan said during a video briefing Wednesday.

He said the WHO did not have access to any privileged information beyond the numbers publicly reported by state media.

"We have real issues in getting access to the raw data and to the actual situation on the ground," Ryan said, adding that the WHO is working with neighbors like South Korea and China to try to get a better picture.

The WHO has offered assistance on multiple occasions, including vaccines and supplies, he said.

Outbreak

North Korea reported 96,610 more people showing fever amid its nationwide lockdown aimed at containing the impoverished country's first



PYONGYANG STATION: People wearing protective face masks walk amid concerns over COVID-19 in front of Pyongyang Station in Pyongyang, North Korea, on April 27, 2020. Kyodo/via Reuters

Pyeongyang has never directly confirmed how many people have tested positive for the virus but experts suspect underreporting in the figures released through government-controlled media.

confirmed COVID-19 outbreak, state news agency KCNA said on Thursday.

The media, however, did not mention whether there were any new deaths.

KCNA said provinces were "intensifying" their anti-epidemic campaigns, including enforcing some lockdowns and coastal blockades, increasing production of drugs and medical supplies, and carrying out disinfection work.

Key work such as farming contin-

ued, however.

North Korean Premier Kim Tok Hun inspected a pair of pharmaceutical factories, amid a push to put the country's drug industry on a "new higher level," including meeting international standards, KCNA reported.

"Sufficient production and supply of medicines serve as a prerequisite to protecting the people's lives and health in the current rigorous anti-epidemic campaign," he said.



THE OFFICE OF SENATOR TELENA CRUZ NELSON

COMMITTEE ON EDUCATION, SELF-DETERMINATION AND HISTORIC PRESERVATION, INFRASTRUCTURE, BORDER SAFETY, FEDERAL AND FOREIGN AFFAIRS, AND MARITIME TRANSPORTATION

1 MINA'TRENTAI SAIS NA LIHESLATURAN GU'AHAN | 36th GUAM LEGISLATURE

NOTICE OF CONFIRMATION HEARING MONDAY, JUNE 6, 2022, 5:00 PM

Buenas yan Háfa Adai! Please be advised that the Committee on Education, Self-Determination and Historic Preservation, Infrastructure, Border Safety, Federal and Foreign Affairs, and Maritime Transportation will convene a Confirmation Hearing on Monday, June 6, 2022, at 5:00 P.M. at 1 Liheslaturan Gu'ahan Public Hearing Room. The agenda includes the following:

- Pa'le Eric Forbes to serve as a Member (History Representative) to the Guam Historic Preservation Review Board
- Michael B. Makio to serve as a Member (Architect Representative) to the Guam Historic Preservation Review Board
- Vincent A. Leon Guerrero to serve as a Member (History-Alternate Representative) to the Guam Historic Preservation Review Board

Written testimonies may be delivered to the Office of Senator Telena Cruz Nelson at 179 Aspmail Avenue, Suite 302A, Ada Plaza Center, Hagåtña, Guam 96910 (or via email to senatortelena@guamlegislature.org). The Office requests that testimonies be submitted at least forty-eight (48) hours prior to the scheduled hearing. In compliance with the Americans with Disabilities Act (ADA), individuals requiring assistance or accommodations should contact the Office of Senator Telena Cruz Nelson at 671-989-7696. All hearings will be broadcast on GTA TV Channel 21, Docomo Channel 117/112.4, and the Guam Legislature Youtube.



SPEAKER THERESE M. TERLAJE

Committee on Health, Land, Justice & Culture

1 MINA'TRENTAI SAIS NA LIHESLATURAN GU'AHAN

NOTICE OF PUBLIC HEARINGS • FRIDAY, JUNE 10, 2022

Guam Congress Building, Public Hearing Room

AGENDA

9:00 AM:

- **Bill No. 262-36 (LS)** – Tina Rose Muña Barnes / Therese M. Terlaje – AN ACT TO AMEND § 18128 OF CHAPTER 18, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO AMENDING THE REQUIREMENTS FOR A SCHOOL LICENSE AND ESTABLISHING AN INTERIM LICENSE FOR SCHOOLS SEEKING ACCREDITATION.

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All hearings broadcast on GTA TV Channel 21, Docomo Channel 117/112.4, and livestream on the Guam Legislature Youtube: <https://www.youtube.com/c/GuamLegislatureMedia>. Written testimonies may be submitted before the public hearing date via email senatorterlaje@guamlegislature.org or hand delivery to the Office of Speaker Therese M. Terlaje at the Guam Congress Building. In compliance with the Americans with Disabilities Act in compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Speaker Therese M. Terlaje at (671) 472-3586 or senatorterlaje@guamlegislature.org. This Ad was paid with Legislature Funds.



Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

SECOND NOTICE of Public Hearing – Friday, June 10, 2022

1 message

Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Tue, Jun 7, 2022 at 3:03 PM

To: phnotice@guamlegislature.org

Cc: Audio / Video <av@guamlegislature.org>, Tom Unsioq <sgtarms@guamlegislature.org>, Guam MIS <mis@guamlegislature.org>, Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Bcc: mindy@postguam.com, The Post Editor in Chief <editor@postguam.com>, Oyaol Ngirairikl <managingeditor@postguam.com>, haidee@postguam.com, John Oconnor <john@postguam.com>, reporters@postguam.com, rlimtiaco@guampdn.com, Rindraty Limtiaco <slimtiaco@guampdn.com>, Guam PDN <news@guampdn.com>, Jerick Sablan <jpsablan@guampdn.com>, life@guampdn.com, dmgeorge@guampdn.com, Mar-Vic Cagurangan <publisher@pacificislandtimes.com>, Pacific Island Times <pacificislandtimes@gmail.com>, Maureen Maratita <publisher@glimpsesofofguam.com>, bryan@mvariety.com, emmanuel@mvariety.com, mabuhaynews@yahoo.com, editor@saipantribune.com, Bruce Hill <pacificjournalist@gmail.com>, Jason Salas <jason@kuam.com>, Sabrina Salas Matanane <sabrina@kuam.com>, Chris Malafunkshun Barnett <Chris@kuam.com>, Nestor Licanto <nestor@kuam.com>, reporters@kuam.com, K57 <news@k57.com>, Patti Rodriguez <parroyo@spbgum.com>, pattiontheradio@yahoo.com, Sorensen Pacific Broadcasting <news@spbgum.com>, raygibsonshow@gmail.com, manasilva626@yahoo.com, KISH <kstokish@gmail.com>, Manuel Cruz <cruzma812@gmail.com>, Troy Torres <troy@kanditnews.com>, Maria Louella Losinio <louella.losinio@gmail.com>, "Mayors' Council of Guam - Admin." <mcogadmin@teleguam.net>, "Mayor Paul M. McDonald" <mayor.mcdonald671@gmail.com>, agatmayor@yahoo.com, agatvice.chrisfejeran@yahoo.com, "Mayor Frankie A. Salas" <asanmainamayor@gmail.com>, June Blas <mayorbarrigada@gmail.com>, Jessie Bautista <jessie.bautista007@gmail.com>, Jessy Gogue <ocp.mayor@gmail.com>, MELISSA SAVARES <melissa.savares@gmail.com>, "Vice Mayor Peter John S. Benavente" <onedededo@gmail.com>, hagatnamayor@hotmail.com, Mayor Anthony Chargualaf <inalahanmayor@gmail.com>, Allan Ungacta <mayorallan.ungacta@yahoo.com>, Vice Mayor Kevin AN Delgado <mangilao.vicemayor@gmail.com>, mayorernestc@yahoo.com, mtmmayorpaco17@gmail.com, Jesse Alig <jesse.alig@pitiguam.com>, Dale Alvarez <daleealvarez@gmail.com>, Robert Hofmann <guammayor@gmail.com>, rudy iriarte <rudyiriarte@gmail.com>, Mayor Taitague <talofomayor@gmail.com>, "Mayor Louise C. Rivera" <Mayorlcrivera.tatuha@gmail.com>, "Vice Mayor Albert M. Toves" <atoves.tatuha@gmail.com>, Umatac Mayor <umatacmo@gmail.com>, "Mayor Anthony P. Sanchez" <yamayortony@gmail.com>, "Vice Mayor Loreto V. Leones" <lloretoleones@gmail.com>, "Mayor Bill A. Quenga" <yonamayor2020@gmail.com>, jolene@postguam.com, Phil Leon Guerrero <phil@postguam.com>, gerry@spbgum.com, Damen Borja <damen@spbgum.com>, tlamorena@gmail.com, jsantotoma@guampdn.com, "John Reyes, Jr." <cltccommissioner.reyes@cltc.guam.gov>, Angela Santos <cltccommissioner.santos@cltc.guam.gov>, Arlene Bordallo <cltccommissioner.bordallo@cltc.guam.gov>, Angela Camacho <angela.camacho@cltc.guam.gov>, David Herrera <cltccommissioner.herrera@cltc.guam.gov>, "Stephanie E. Mendiola" <smendiola@oagguam.org>, Camarine Ann Hopkins <camhopkins@oagguam.org>, Leevin Camacho <ag@oagguam.org>, Leevin Camacho <lcamacho@oagguam.org>, "Leevin T. Camacho" <lcamacho@guamag.org>, Jenneth Quiambao <nailsbyjenneth@gmail.com>, Breanna Sablan <Breanna.Sablan@dphss.guam.gov>, Deborah Borja <Deborah.Borja@dphss.guam.gov>, Rob Weinberg <rweinberg@oagguam.org>, Eddy <eddy.reyes@ftfcinc.com>, Senator Terlaje <senatorterlajeguam@gmail.com>, Ashley [REDACTED]@gmail.com, Jenneth [REDACTED]@gmail.com, Joe Blas [REDACTED]@hotmail.com, Raymond Santos [REDACTED]@gmail.com, Laurie [REDACTED]@gmail.com, Nicole Romero <Nicole.Romero@dphss.guam.gov>, stephen ignacio <stephen.ignacio@gpd.guam.gov>, "Arthur U. San Agustin" <arthur.sanagustin@dphss.guam.gov>, lillian perez-posadas <lillian.perez-posadas@gmha.org>, Edward Birn <edward.birn@doa.guam.gov>, admin@styfrshacademy.com, mariacybeautyedu@gmail.com, education.info@guamcc.edu, janice.baker@guamcc.edu, Mary Okada <mary.okada@guamcc.edu>, Earl [REDACTED]@yahoo.com, Jon Junior M Calvo <jon.calvo@guam.gov>, Zennia Pecina <Zennia.Pecina@dphss.guam.gov>, j.mendiola@mariacy.edu

JUNE 8, 2022

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Speaker Therese M. Terlaje, Chairperson

Subject: **SECOND NOTICE** of Public Hearing – Friday, June 10, 2022

Buenas yan Håfa Adai,

Please be advised that Speaker Therese M. Terlaje will convene a public hearing, on **Friday, June 10, 2022, beginning at 9:00 AM**, in the Guam Congress Building, Public Hearing Room, for the following agenda item:

9:00 AM:

- **Bill No. 262-36 (LS)** - *Tina Rose Muña Barnes / Therese M. Terlaje*- AN ACT TO AMEND § 18128 OF CHAPTER 18, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO AMENDING THE REQUIREMENTS FOR A SCHOOL LICENSE AND ESTABLISHING AN INTERIM LICENSE FOR SCHOOLS SEEKING ACCREDITATION. Bill link: [https://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%20262-36%20\(LS\).pdf](https://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%20262-36%20(LS).pdf)

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- **Appointment Hearing:** Earl J. Garrido to serve as a member of the CHamoru Land Trust Commission, for a term length of Three (3) Years; April 11, 2021, to April 10, 2024, to fill the term of Austin Duenas whose term has expired. Appointment Packet link: https://www.guamlegislature.com/36th_Guam_Legislature/Mess_Comms_36th/Doc.%20No.%2036GL-22-1560.pdf

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Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

I Mina'trentai Sais na Liheslaturan Guåhan

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

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4 attachments



SECOND NOTICE OF PUBLIC HEARING- FRIDAY, JUNE 10, 2022.pdf

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Appointment Packet_Earl J. Garrido.pdf

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Office of the Speaker **THERESE M. TERLAJE**

I Mina'trentai Sais na Liheslaturan Guåhan 36th Guam Legislature
Committee on Health, Land, Justice and Culture

JUNE 8, 2022

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Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

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SECOND NOTICE OF PUBLIC HEARING- FRIDAY, JUNE 10, 2022, BEGINNING AT 9:00 AM

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WORLD

"All the world's a stage, and all the men and women merely players." — Jacques. Keep up with nonfictional world players and events in this section. Send us your thoughts to editor@postguam.com.

17

'Fierce street fighting continues' in key battle for eastern Ukraine

KYIV (Reuters) — Ukrainian troops were engaged in fierce street fighting with Russian soldiers in the industrial city of Sievierodonetsk, President Volodymyr Zelenskyy said, in what is a pivotal battle in the Kremlin's attempt to control the eastern Donbas region.

Sievierodonetsk has become the main target of the Russian offensive in the Donbas, comprising Luhansk and Donetsk provinces, as the invasion grinds on in a war of attrition that has seen cities laid waste by artillery barrages.

"In the city, fierce street fighting continues," Ukraine's president said in his nightly video address Monday.

"They outnumber us, they are more powerful," Zelenskyy told reporters at a briefing. But Ukraine's forces have "every chance" of fighting back, he added.

Ukraine's defense ministry said Russia was also throwing troops and equipment into its drive to capture the largest remaining Ukrainian-held city in Luhansk.

Luhansk Gov. Serhiy Gaidai said earlier Monday the situation had worsened after Ukrainian defenders had pushed back the Russians over the weekend as they seemed close to victory.

In its nightly update, the Ukrainian military said two civilians were killed in Russian shelling in the Donetsk and Luhansk regions Monday and that Russian forces had fired at more than 20 communities.

Reuters could not independently verify the battlefield reports. Russia denies targeting civilians in the conflict.

Russia says it is on a mission to

"liberate" the Donbas — partly held by separatist proxies of Moscow since 2014 — after Ukrainian forces pushed its troops back from the capital Kyiv and Ukraine's second city Kharkiv in the war's early stages.

Russia invaded Ukraine on Feb. 24, but calls its action a "special military operation" to stamp out what it sees as threats to its security. Ukraine and its Western allies call this a baseless pretext for a war to grab territory that risks turning into a wider European conflict.

'Under constant shelling'

Ukraine's defense ministry said Monday that Russian forces were also advancing toward Sloviansk, which lies about 85 kilometers (53 miles) to the west of Sievierodonetsk.

"The front line is under constant shelling," Donetsk regional governor Pavlo



FRONTLINE: Ukrainianservice members fire a shell from a M777 Howitzer near a front line, as Russia's attack on Ukraine continues, in the Donetsk region, Ukraine, on Monday. Reuters

Kyrylenko told Ukrainian television.

"The enemy is also shelling near Lyman with the aim of wrecking our defensive positions and advancing on Sloviansk and Kramatorsk. There is also shelling of Svyatohirsk with the same aim."

Kyrylenko said efforts were underway to evacuate people from several towns, some under day and night attack, including Sloviansk which has about 24,000 residents still there.

UK's Johnson wins party confidence vote in his leadership

LONDON (Bloomberg) — Boris Johnson defeated a challenge by rebels among his own members of parliament to remain leader of the governing Conservative Party and keep his job as British prime minister.

In a secret ballot in the U.K. Parliament on Monday evening, 211 Tory MPs voted for Johnson compared with 148 against. The result of the confi-



Boris Johnson

dence motion was announced live on television by party grandee Graham Brady. A total of 359 Conservatives had been eligible to vote. Pressure has been building on Johnson for weeks over so-called "partygate," events in Downing Street during the pandemic for which the 57-year-old premier received a police fine. A report by senior civil servant Sue Gray found many of them shouldn't have


been allowed.

But discontent among MPs goes far beyond the illegal gatherings, and Johnson's leadership is likely to remain unsteady despite winning the vote.

Many within his party have been frustrated at having to defend controversial policies only for the government to then U-turn. A windfall tax on energy firms was proposed by the opposition Labour Party and rejected by Johnson before he later adopted the idea. Increases in government spending have angered some Conser-


vatives, while others are concerned his plan to rip up the Brexit deal over Northern Ireland will see their party break international law.

Recent history suggests his time in office could come to an end before he gets a chance to fight the next election, currently scheduled for 2024. In a vote over her Brexit policy, predecessor Theresa May survived a confidence vote with a majority of 83 in December 2018. She ended up resigning as prime minister six months later after failing to unite the party.



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THOMAS C. GASAITA
Assistant Superintendent, SpEd

**DOE-Division of Special Education
Guam Advisory Panel for Students with Disabilities (GAPSD)
General Meeting**

June 14, at 5:30 pm to 7:00 pm


Teleconference- via Zoom Conferencing: <https://gdoe.zoom.us/j/91090332916>
Meeting ID: 910 9033 2916 Passcode: GAPSD

AGENDA

<p>I. Welcome</p> <p>II. Meeting Notes of April 12, 2022</p> <p>III. Deputy Superintendent report</p> <p>IV. Assistant Superintendent, Special Education report</p> <p>V. Chairperson's Report</p> <p>VI. Sub Committee Report</p> <p>VII. New Business</p> <p>VIII. Public Input</p>	<p>IX. Announcements</p> <p style="padding-left: 20px;">a. Next meeting - GAPSD Annual Meeting - August 9, 2022</p> <p style="padding-left: 20px;">b. New Member Orientation</p> <p style="padding-left: 20px;">c. Systemwide Compliance Report</p> <p style="padding-left: 20px;">Session - DOE Compliance Monitoring Office</p> <p>X. Adjournment</p>
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SPEAKER THERESE M. TERLAJE
Committee on Health, Land, Justice & Culture

I Mina'trentai Sa'is na Liheslaturan Guåhan

NOTICE OF PUBLIC HEARINGS • FRIDAY, JUNE 10, 2022
Guam Congress Building, Public Hearing Room



AGENDA

9:00 AM:

- **Bill No. 262-36 (LS)** - Tina Rose Muña Barnes / Therese M. Terlaje - AN ACT TO AMEND § 18128 OF CHAPTER 18, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO AMENDING THE REQUIREMENTS FOR A SCHOOL LICENSE AND ESTABLISHING AN INTERIM LICENSE FOR SCHOOLS SEEKING ACCREDITATION.

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NOTICE OF PUBLIC HEARING- FRIDAY, JUNE 10, 2022

NOTICE OF PUBLIC HEARING- FRIDAY, JUNE 10, 2022

Public Hearing

 **Posted on:** 06/04/2022 10:05 AM


 **Posted by:** Charissa Manibusan, Charissa Manibusan, Committee Director

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 **Division(s):** OFFICE OF SPEAKER THERESE M. TERLAGE (/notices?division_id=259)

 **Notice Topic(s):** PUBLIC HEARING (/notices?topic_id=74)

 **For Audience(s):** PUBLIC (/notices?public=1)

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MEMORANDUM

To: All Senators, Stakeholders and Media

From: Speaker Therese M. Terlaje, Chairperson

Subject: **FIRST NOTICE** of Public Hearing Friday, June 10, 2022

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Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Invitation to Bill 262-36 (LS) Public Hearing

2 messages

Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Mon, Jun 6, 2022 at 3:35 PM

To: Jenneth Quiambao [REDACTED]@gmail.com>

Cc: Zennia Pecina <Zennia.Pecina@dphss.guam.gov>

Hafa Adai Chairperson Quiambao,

Please see the attached invitation from Speaker Therese Terlaje for the public hearing on Bill 262-3 (LS) taking place at 9:00 A.M. this Friday, June 10, 2022. Speaker Terlaje is asking that you forward this invitation to all businesses, schools, and individuals who are impacted by the bill, especially Board licensees as their feedback on this bill is important.

Si Yu'os Ma'åse',
Lincoln Budasi
Policy Analyst

Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

I Mina'trentai Sais na Liheslaturan Guåhan

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

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**Invitation to Bill 262-36 (LS) Public Hearing.pdf**

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Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Mon, Jun 6, 2022 at 3:39 PM

To: Jenneth Quiambao <nailsbyjenneth@gmail.com>

Cc: Zennia Pecina <Zennia.Pecina@dphss.guam.gov>

A copy of Bill 262-36 (LS) is included in this email for your convenience.

Thank you,
Lincoln Budasi
Policy Analyst

Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

I Mina'trentai Sais na Liheslaturan Guåhan

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

T: (671) 472-3586 F: (671) 989-3590 Email: senatorterlajegum@gmail.comwebsite: www.senatorterlaje.com

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**Bill No. 262-36 (LS).pdf**

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Office of the Speaker
THERESE M. TERLAJE

I Mina'trentai Sais na Liheslaturan Guåhan 36th Guam Legislature
Committee on Health, Land, Justice and Culture

June 6, 2022

Transmitted via Electronic Mail

Jenneth Quiambao
Chairperson, Guam Board of Barbering and Cosmetology
[REDACTED]@gmail.com

SUBJECT: Invitation to attend and/ or provide testimony on Bill 262-36 (LS)

Håfa Adai Chairperson Quiambao,

The Legislature's Committee on Health, Land, Justice and Culture has scheduled a public hearing on the following agenda item, on **Friday, June 10, 2022, beginning at 9:00AM**, and kindly requests the feedback on the following:

Bill 262-36 (LS) – Tina Rose Muña Barnes / Therese M. Terlaje – AN ACT TO AMEND §18128 OF CHAPTER 18, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO AMENDING THE REQUIREMENTS FOR A SCHOOL LICENSE AND ESTABLISHING AN INTERIM LICENSE FOR SCHOOLS SEEKING COMPENSATION.

Please contact my office at (671) 472-3586 or senatorterlajeguam@gmail.com, to confirm the attendance, or any written testimony that is forthcoming. Please also invite all businesses/ schools/ individuals licensed by the Board and/ or affected by this bill, as their feedback is important. Your assistance is greatly appreciated.

Si Yu'os Ma'åse',

Speaker Therese M. Terlaje

Attachment:

Copy of Bill 262-36 (LS)

CC:

Guam Health Professional Licensing Office

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: senatorterlajeguam@gmail.com | www.senatorterlaje.com

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please send to: speaker@guamlegislature.org*



1 message

To: mariacybeautyedu@gmail.com, j.mendiola@mariacy.edu

website: www.senatorterlaje.com

502K



1 message

Mon, Jun 6, 2022 at 3:48 PM

<https://mail.google.com/mail/u/1/?fa3f9d37a1&view=pt&search=...ad%3Ar9077152832077325322&simlmsg%3Ar2646721147447138987> Page 1 of 1



Office of the Speaker
THERESE M. TERLAJE
I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature
Committee on Health, Land, Justice and Culture

PUBLIC HEARING
Guam Congress Building, Public Hearing Room
Friday, June 10, 2022, beginning at 9:00 AM

AGENDA:

9:00 AM:

- **Bill No. 262-36 (LS)** - *Tina Rose Muña Barnes / Therese M. Terlaje*- AN ACT TO AMEND § 18128 OF CHAPTER 18, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO AMENDING THE REQUIREMENTS FOR A SCHOOL LICENSE AND ESTABLISHING AN INTERIM LICENSE FOR SCHOOLS SEEKING ACCREDITATION.

10:00 AM

- **Bill No. 248-36 (COR)** - *Therese M. Terlaje*- AN ACT TO AMEND § 81109, RENUMBER §81112 AS §81113, AND ADD A NEW §81112, ALL TO CHAPTER 81, TITLE 10, GUAM CODE ANNOTATED, AND TO AMEND CHAPTER 20, DIVISION 3, OF TITLE 26, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO AUTHORIZING THE COMMISSION ON POST-MORTEM EXAMINATIONS TO CREATE A FEE SCHEDULE FOR SERVICES, AND ESTABLISHING THE "OFFICE OF POST-MORTEM EXAMINATIONS OPERATIONS REVOLVING FUND."

11:00 AM:

- **Appointment Hearing:** Earl J. Garrido to serve as a member of the CHamoru Land Trust Commission, for a term length of Three (3) Years; April 11, 2021, to April 10, 2024, to fill the term of Austin Duenas whose term has expired.

The hearing will also stream online via *I Liheslaturan Guåhan's* live feed at http://www.guamlegislature.com/live_feed.htm. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing.

In compliance with the Americans with Disabilities Act, individuals requiring assistance or accommodations should contact the Office of Speaker Therese M. Terlaje at 472-3586 or email senatorterlajeguam@gmail.com

We look forward to your participation! *Si Yu'os Ma'åse'!*

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910
Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: senatorterlajeguam@gmail.com |
www.senatorterlaje.com

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I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature
Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

Date: FRIDAY, JUNE 10, 2022

Time: 9:00 AM

Bill No. 262-36 (LS) - Tina Rose Muña Barnes / Therese M. Terlaje- AN ACT TO AMEND § 18128 OF CHAPTER 18, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO AMENDING THE REQUIREMENTS FOR A SCHOOL LICENSE AND ESTABLISHING AN INTERIM LICENSE FOR SCHOOLS SEEKING ACCREDITATION.

	NAME	ADDRESS	CONTACT NO.	E-MAIL	Type of Testimony		Support	
					WRITTEN	ORAL	Yes	No
1	KIRAN TOH	[REDACTED] Hagåtña 96932	[REDACTED]	[REDACTED]@gmail.com		X	X	
2	Jenroth Quicamba	[REDACTED] Talofofo, Guam 96965	[REDACTED]	[REDACTED]@gmail.com		X		
3								
4								
5								
6								
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8								
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10								



I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature
Office of Speaker Therese M. Terlaje

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Date: FRIDAY, JUNE 10, 2022

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Bill No. 262-36 (LS) - Tina Rose Muña Barnes / Therese M. Terlaje- AN ACT TO AMEND § 18128 OF CHAPTER 18, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO AMENDING THE REQUIREMENTS FOR A SCHOOL LICENSE AND ESTABLISHING AN INTERIM LICENSE FOR SCHOOLS SEEKING ACCREDITATION.

	NAME	ADDRESS	CONTACT NO.	E-MAIL	Type of Testimony		Support	
					WRITTEN	ORAL	Yes	No
1	Daniel Gurnall	Stay Fresh Academy						
2								
3								
4								
5								
6								
7								
8								
9								
10								



I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature
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Date: FRIDAY, JUNE 10, 2022

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Bill No. 262-36 (LS) - Tina Rose Muña Barnes / Therese M. Terlaje- AN ACT TO AMEND § 18128 OF CHAPTER 18, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO AMENDING THE REQUIREMENTS FOR A SCHOOL LICENSE AND ESTABLISHING AN INTERIM LICENSE FOR SCHOOLS SEEKING ACCREDITATION.

	NAME	ADDRESS	CONTACT NO.	E-MAIL	Type of Testimony		Support	
					WRITTEN	ORAL	Yes	No
1	CHAMERON ROBERT	MARZACY BEAUTY ACADEMY				X		
2								
3								
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5								
6								
7								
8								
9								
10								



2 messages

Fri, Jun 10, 2022 at 9:01 AM



Sat, Jun 11, 2022 at 9:36 AM

Again, thank you for your time and my sincere apologies to those who didn't understand my concerns!

Janice Trina Aguon

GCC Cosmetology Instructor

From: Janice Aguon <janice.aguon@guamcc.edu>

Sent: Friday, June 10, 2022 9:01:04 AM

To: senatorterlajeguam@gmail.com <senatorterlajeguam@gmail.com>

Subject: Bill 262-36

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10 GCA HEALTH AND SAFETY
CH. 18 BARBERING AND COSMETOLOGY ACT OF 2000

CHAPTER 18
BARBERING AND COSMETOLOGY ACT OF 2010

SOURCE: Enacted by P.L. 11-120 (Feb. 23, 1972) as Chapter V of Title XVII of the Government Code (GC §§ 16400-16432). Codified as Chapter 18 of Title 10, GCA after the 19th Guam Legislature. Repealed and reenacted by P.L. 25-188:3 (Jan. 11, 2001), and P.L. 30-152:2 (May 25, 2010).

- § 18101. Definitions.
- § 18102. Barbering and Cosmetology Board; Appointment; Qualifications; Terms.
- § 18103. Officers of the Board.
- § 18104. Meetings.
- § 18105. Powers.
- § 18105.1. Promulgation of Rules.
- § 18106. Examination.
- § 18107. Compensation of Board Members.
- § 18108. Revolving Fund. [Repealed.]
- § 18109. Records.
- § 18110. Practices Included in This Chapter.
- § 18111. Practice Outside of Establishment.
- § 18112. Persons Exempted.
- § 18113. Application for Examination and Registration.
- § 18114. Eligibility and Qualifications for Reciprocity.
- § 18115. Eligibility and Qualifications for Cosmetologist License.
- § 18115.1. Eligibility and Qualifications for Japanese Licensed Cosmetologist.
- § 18116. Eligibility and Qualifications for Electrologist License.
- § 18117. Eligibility and Qualification for Manicurist License.
- § 18118. Eligibility and Qualifications for Barber License.
- § 18119. Eligibility and Qualifications for Esthetician License.
- § 18120. Eligibility and Qualifications for Cosmetological Instructors.
- § 18120.1. Guest Educator.
- § 18121. Eligibility and Qualifications for an Apprentice.
- § 18122. Expiration and Renewal for Licenses.

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- § 18123. Universal Precautions.
- § 18124. Fees.
- § 18124.1. Use by Barbering and Cosmetology Board.
- § 18125. Cosmetological Establishment: Licensing.
- § 18126. Cosmetological Multiple Location Business.
- § 18127. Prohibition Against Employment of Unlicensed Personnel.
- § 18128. Schools; License.
- § 18128.1. Student Instructor Qualifications.
- § 18128.2. Student Instructor Enrollment.
- § 18128.3. Instructor's Continuing Education. Practice by Instructor – Instructor May Become Licensed as a Cosmetologist – Inactive Status.
- § 18128.4. Continuing Education.
- § 18128.5. Right of Entry.
- § 18128.6. Prohibited Instruments.
- § 18128.7. Booth Renters.
- § 18128.8. When Eligibility is Unclear.
- § 18128.9. Field Trips, Seminars, Workshops, Shows, and Community Service.
- § 18129. Revocation and Suspension.
- § 18130. Licenses.
- § 18131. Apprentice Licenses.
- § 18131.1. Assistants, Inspectors, Salaries.
- § 18132. Hearings.
- § 18133. Penalty.
- § 18134. Good Faith Immunity.
- § 18135. Effective Date.
- § 18136. Severability.

§ 18101. Definitions.

As used in this Chapter:

(a) *Apprentice* means any person who is engaged in learning or acquiring knowledge of the occupation of cosmetology, nail care, skin care or electrology in a licensed cosmetological establishment under the supervision of the appropriate licensee specialist approved by the Board.

(b) *Barber* means a person licensed under this Chapter

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to engage in the practice of barbering.

(c) *Board* means the Board of Barbering and Cosmetology.

(d) *Cosmetological Establishment* means any premise or building, or part of a building, wherein cosmetology, or any branch of cosmetology, is practiced.

(e) *Cosmetological Multiple Location Establishment* means a business engaged in the practice of cosmetology at more than one (1) location using the same business name at such locations, wherein cosmetology, or any branch of cosmetology, is practiced.

(f) *Cosmetologist* means any person who engages and is licensed to perform services for others for the improvement and beautification of the hair, skin and nails of the human body for cosmetic purpose by means of any one (1) or combination of the following practices, but *not* limited to:

(1) Cutting, clipping or trimming hair;

(2) Massaging, cleansing, stimulating, manipulating, exercising, beautifying or applying oils, lotions, or other preparations, styling, arranging, dressing, braiding, curling, waving, permanent waving, straightening, singeing, bleaching, tinting, coloring or similar work, upon the scalp, hair, wig, or hairpiece of any person, by and any means, with hands or by mechanical or electrical apparatus or appliances;

(3) Applying hair extensions by means of bonding or sewing or braiding or any other means to a person's hair;

(4) Practice of Nail Technology; and

(5) Practice of Esthetics.

(g) *Electrologist* means any person who removes superfluous hair from the body of any person by the use of an electric needle.

(h) *Esthetician* means a person licensed under this

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Chapter who, with hands or non-medically prescribed mechanical or electrical apparatus or devices, or by use of cosmetic preparations, antiseptics, tonics, lotions, or creams, engages for compensation in any one (1) or any combination of the following practices:

(1) Massaging, cleansing, stimulating, manipulating, exercising, beautifying, or doing similar work on the scalp, face, neck, hands, arms, upper part of the body, legs, or feet;

(2) Cleansing, exfoliating, wrapping, or doing similar work upon the entire body, without direct contact by the hands and utilizing gloves, loofah mitts, or brushes;

(3) Removing superfluous hair about the body of any person by means other than electrolysis or laser.

(4) Procedures that *do not* penetrate below the outer most layer of the skin, called the epidermis, into the dermis layer that contains the connective tissue of the skin. This is considered invasive and is prohibited.

(5) Using the term or title of “Medical Esthetician” is *not* allowed under this Chapter. This term is misleading and could be deemed deceptive and fraudulent.

(6) Any machine or appliance which penetrates the dermis layer of the skin, is considered invasive and is, therefore, prohibited.

(i) *Healing Art* means the art of detecting or attempting to detect the presence of any disease; of determining or attempting to determine the nature and state of any disease, if present; or preventing, relieving, correcting or curing of or attempting to prevent, relieve, correct, or cure any disease. The healing arts include, but are *not* limited to, optometry, nursing, chiropractic, dentistry, medicine, surgery, physician assistants, podiatry, psychology, osteopathic, pharmacy, physical therapy, acupuncture, speech language pathology and audiology, and veterinary

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medicine.

(j) *Instructor* means any person who is licensed to teach in a licensed school of cosmetology, barbering, skin care (esthetics), electrology, nail care or any combination thereof; provided that the term *shall not* be taken to include a cosmetologist, barber, esthetician, electrologist, or nail technician who teaches apprentices in a beauty shop, barber shop, nail shop, or spa.

(k) *Manicurist* or *Nail Technician* means any person who engages and who is licensed to perform services for others for the improvement and beautification of the hands and arms to the elbow, and foot and ankle to the knee, for cosmetic purposes by means of any one (1) or a combination of the following practices, but *not* limited to:

(1) Cutting, trimming, polishing, coloring, cleansing, or otherwise treating a person's fingernails and toenails;

(2) Applying artificial fingernails and toenails;

(3) Massaging and cleansing, stimulating, manipulating, exercising, beautifying or applying oils, lotions, or other preparations, to a person's hands and arms to the elbows, feet and ankles to the knees, by any means, with hands or by mechanical or electrical apparatus or appliances.

(4) Superfluous hair removal by means other than electrolysis, only on back of hand or top of foot including fingers and toes.

(l) *Reciprocity* means any person who has been licensed to practice cosmetic art, or has been licensed to instruct cosmetic arts in another State or territory of the United States, either as a licensed cosmetologist, barber, barber-stylist, manicurist, esthetician, electrologist, or licensed cosmetology instructor, by the examining board of such State or Territory, *shall* be admitted to practice on Guam. Said person must be in good standing with the previous issuing licensing Board in which a current license is

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obtained and whose license requirements are equal to or greater than Guam's approved school curriculums and contact hours earned.

(m) *School* means an establishment approved by the Board of Barbering and Cosmetology operated for the purpose of teaching, cosmetology, barbering, skin care (esthetics), electrology and nail care, or any combination thereof.

(n) *Apprentice permit* means a permit issued by the Board, upon registration and payment of an application and registration fees, to an apprentice who is under the supervision of a licensed cosmetologist, licensed barber, barber-stylist, licensed esthetician, licensed electrologist, or licensed nail technician.

(o) *Beauty Shop* means any establishment or place of business wherein the practice of cosmetology is engaged or carried on and is the primary purpose of that establishment or business; *provided*, that the practice of barbering is allowed in that establishment or business.

(p) *Student* means a person who is engaged in a school in learning to be a cosmetologist, barber, barber-stylist, esthetician, electrologist, nail technician, or Instructor while so doing, or assists in doing, any act involved in the practice of cosmetology.

(q) *Cosmetology*, also known as beauty culture, means the art and science of beauty care of the skin, hair, scalp, and nails, and includes any one (1) or a combination of the licensure categories if they are performed on a person's head, face, neck, shoulders, arms, hands, bust, upper part of the body, legs, or feet for cosmetic purposes.

(r) *Department* means the Department of Public Health and Social Services.

(s) *Patron* means a paying customer in a cosmetology salon or school.

(t) *Online training* means programs or courses taken through the internet intended to help individuals in the

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furtherance of their vocational training and are *not* intended as a substitute for licensing or certification of contact training hours at an accredited school as required in the Act.

§ 18102. Barbering and Cosmetology Board; Appointment; Qualifications; Terms.

(a) Appointment. There *shall* be a Board of Cosmetology consisting of five (5) members, who *shall* be appointed by *I Maga'lahaen Guåhan* (the Governor).

(b) Qualifications of Members. Members of the Board *shall*:

(1) be a citizen of the United States of America or a permanent resident of Guam for *at least* one (1) year immediately preceding the appointment;

(2) resident of Guam, as defined in 3 GCA, Chapter 9;

(3) not be connected directly or indirectly, in the wholesale business of the manufacture, rental, sale, or distribution of barber, cosmetology or electrolysis appliances or supplies;

(4) at least two (2) members *shall* be a currently licensed cosmetologist in good standing, and *shall* be currently engaged in, and have at least five (5) years practical experience;

(5) at least two (2) members *shall* be licensed in good standing, and *shall* be currently engaged in, and have at least five (5) years of practical experience in the specialty as identified in this Chapter;

(6) one (1) member *shall not* be, nor ever have been licensed by the Board of Cosmetology; and

(7) *no* member of the Board *shall* be affiliated with any school teaching cosmetology, skin care (esthetics), electrology or nail care (manicurist).

(c) Terms and Vacancies.

(1) Members of the Board *shall* be appointed for a term of four (4) years. The term of the first members appointed

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hereunder *shall* expire as follows: two (2) members *shall* be designated to serve for a term of three (3) years; two (2) members *shall* be designated to serve for a term of two (2) years, and one (1) member *shall* be designated to serve for one (1) year.

(2) No person *shall* serve as a member of the Board for more than two (2) consecutive terms.

(3) Any Board member who misses three (3) consecutive meetings in a row, *shall* be considered to have vacated their position and may be replaced by *I Maga'lahaen Guåhan* (the Governor). Members temporarily off island or ill *shall* be considered excused.

(4) Vacancies for any cause *shall* be filled by *I Maga'lahaen Guåhan* (the Governor) for the unexpired term.

§ 18103. Officers of the Board.

The Board of Barbering and Cosmetology *shall* elect a chairperson, vice-chairperson, and secretary during the first official Board meeting beginning each calendar year. The chairperson and the vice-chairperson *shall* be currently licensed cosmetologists, or be in a specialty as identified in this Chapter. The vice-chairperson *shall* assume the functions and duties of the chairperson in the event the chairperson is unable to perform those functions and duties.

§ 18104. Meetings.

The Board of Barbering and Cosmetology *shall* hold meetings *at least* six (6) times a year, and at such times as it deems necessary. All meetings *shall* be open to the public, *except* that the Board may hold executive sessions to prepare, approve, grade or administer examinations; to conduct investigations and other license conditions. A majority of the Board *shall* constitute a quorum and the concurrence of a majority of the members present *shall* be necessary to make any action on the Board valid.

§ 18105. Powers.

(a) The Board *shall* have the powers necessary to carry out and perform the purposes and provisions of this Chapter,

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including the following, in addition to other powers and duties granted in this Chapter, and may:

- (1) adopt rules and regulations necessary to implement this Chapter;
- (2) issue licenses and renew licenses of duly qualified applicants;
- (3) deny a license to unqualified applicants;
- (4) establish fees for issuance of licenses, examinations, inspections, and others as necessary, through the Administrative Adjudication Law process;
- (5) adopt and use a common seal for the authentication of its records and modify it;
- (6) investigate alleged violations of this Chapter and consumer complaints involving the practice of cosmetology, barbering, esthetics, or manicuring, schools offering training in these areas, and salons/shops and booth renters offering these services;
- (7) employ any person(s) for the purpose of investigating any violation or suspected violation of this Chapter;
- (8) issue subpoenas, statements of charges, statements of intent, final orders, stipulated agreements and any other legal remedies necessary to enforce this Chapter;
- (9) issue cease and desist letters, and letters of warning for infractions of this Chapter;
- (10) conduct all disciplinary proceedings, impose sanctions, and assess fines for violations of this Chapter, or any rules adopted under it;
- (11) prepare and administer, or approve, the preparation and administration of licensing examinations;
- (12) establish minimum safety and sanitation standards for schools, cosmetologists, barbers, manicurists, estheticians and salons/shops;

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(13) establish requirements for the training of students, schools and establishments;

(14) establish by rule the procedures for re-examination;

(15) accept in payment of any fee required by this Chapter, cash or any customary or generally accepted equivalent medium of exchange, including check, cashier's check, certified check or money order; *provided*, that *no* fee shall be deemed paid, unless cash has been received or the other medium of exchange converted to cash; and

(16) administer exams for licensure for the following:

- (A) barber;
- (B) cosmetologist instructor;
- (C) cosmetologist;
- (D) electrologist;
- (E) esthetician; and
- (F) manicurist.

§ 18105.1. Promulgation of Rules.

(a) The Board shall prescribe Rules to implement this Chapter in accordance with the Administrative Adjudication Act.

(b) The Board shall prescribe Sanitation Rules necessary to prevent the spread of infectious and contagious diseases. All Sanitation Rules shall be subject to approval of the Department.

(c) Notwithstanding any other provision of this Act, the Board may adopt Rules which prescribe reduced qualifications and examination requirements for persons seeking to engage solely in services for the improvement and beautification of the hair, skin, or nails. The license issued shall state the limited nature of services which may be performed by the licensee.

(d) In adopting Rules defining the professions licensed under this Chapter, the Board may clarify definitions provided in statute and address new practices, but shall not otherwise expand those activities which constitute the practice of a profession licensed under this Chapter.

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(e) The Board may require attendance of witnesses and the production of books, records, or papers it determines necessary for any investigation of any violation of this Chapter or Rule of the Board. Any member of the Board may administer oaths to witnesses appearing to testify before the Board or before any Board member.

(f) Upon receipt from the Department of a certified copy of an order from a court to withhold, suspend or otherwise restrict a license issued by the Board, the Board shall notify those named in the court order of the withholding, suspension or restriction of the license in accordance with the terms of the court order. No appeal under the Administrative Adjudication Act shall be allowed for a license withheld, suspended, or restricted under this Subsection.

§ 18106. Examination.

The Board *shall* administer the national examination that consists of a written and a practical component. Announcement of examinations must be made thirty (30) days prior to the date of the examination through letters, print, and the electronic media. Examinations *shall* be administered twice a year. The passing score in the examination *shall* be as recommended by the national examination, and approved by the Board.

§ 18107. Compensation of Board Members.

Members of the Board *shall* be paid Fifty Dollars (\$50.00) per meeting, for each day on which services are rendered by them in connection with authorized activities of the Board *not to exceed* One Hundred Dollars (\$100.00) per month.

§ 18108. Revolving Fund.

There is hereby created, separate and apart from other funds of the government of Guam, a fund known as the 'Barbering and Cosmetology Revolving Fund.' The Fund *shall not* be commingled with any other fund and shall be deposited into a separate account. All proceeds from fees and fines collected pursuant to this Chapter *shall* be deposited to the Fund and it *shall* be expended upon legislative appropriation solely in support of the functions of the Health Professional Licensing Office of the Department of Public Health and Social Services. This Fund *shall*

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receive all interest earned on the deposit of such revenues. Such funds should be continuously appropriated and should be used by the Board for the administration and enforcement of this Chapter, as provided in § 12229 of Article 2, Chapter 12 of Title 10 of the Guam Code Annotated.

SOURCE: Enacted by P.L. 11-120 (Feb. 23, 1972) as Chapter V of Title XVII of the Government Code (GC §§ 16400-16432). Codified as Chapter 18 of Title 10, GCA after the 19th Guam Legislature. Repealed and reenacted by P.L. 25-188:3 (Jan. 11, 2001), and P.L. 30-152:2 (May 25, 2010). Repealed by P.L. 36-071:19 (Dec. 27, 2021).

2022 NOTE: Prior to its repeal by P.L. 36-071:19 (Dec. 27, 2021), this provision stated:

There is hereby created, separate and apart from other funds of the government of Guam, a fund known as the ‘Barbering and Cosmetology Revolving Fund.’ The Fund *shall not* be commingled with any other fund and shall be deposited into a separate account. All proceeds from fees and fines collected pursuant to this Chapter *shall* be deposited to the Fund and it *shall* be expended upon legislative appropriation solely in support of the functions of the Health Professional Licensing Office of the Department of Public Health and Social Services. This Fund *shall* receive all interest earned on the deposit of such revenues. Such funds should be continuously appropriated and should be used by the Board for the administration and enforcement of this Chapter, as provided in § 12229 of Article 2, Chapter 12 of Title 10 of the Guam Code Annotated.

§ 18109. Records.

The Board *shall* keep a record of its proceedings relating to its public and executive meetings, meetings of committees, and records relating to the issuance, refusal, renewal, suspension and revocation of licenses and any other applicable documents. The Board *shall* keep a registration of record of such licenses containing the name, address, license number, and date issued. This record *shall* also contain any facts as the applicants may have stated in their application for examination for licensure.

§ 18110. Practices Included in This Chapter.

(a) The practice of cosmetology includes all and any combination of the following:

- (1) arranging, dressing, curling, waving, machineless

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permanent waving, permanent waving, cleansing, cutting, shampooing, relaxing, singeing, bleaching, tinting, coloring, straightening, dyeing, brushing, applying hair tonics, beautifying or otherwise treatment by any means of the hair of any persons. Nothing in this Act *shall* be construed to prohibit the shampooing of hair by persons employed for that purpose and who perform that task under the direct supervision of a licensed cosmetologist or licensed cosmetology teacher, and such persons must obtain a health permit prior to employment, which must be renewed annually;

(2) massaging, cleaning or stimulating the scalp, face, neck or arms by means of the hands, devices, apparatus, or appliances, with or without the use of cosmetic preparations, antiseptics, tonics, lotions or creams;

(3) beautifying the face, neck, or arms by use of cosmetic preparations, antiseptics, tonics, lotions, or creams;

(4) removing superfluous hair from the body of any person by the use of depilatories or by the use of tweezers, chemicals and preparations, or by the use of devices or appliances of any kind or description, except by the use of light waves, commonly known as rays;

(5) cutting, trimming, polishing, coloring, cleansing or manicuring the nails of any person; and

(6) massaging, cleansing, treating or beautifying the hands or feet of any person.

(b) Within the practice of cosmetology, there exists the specialty branches of skin care and nail care.

(1) *Skin care* is any one (1) of the following:

(A) giving facials, applying makeup, giving skin care, removing superfluous hair from the body of any person by the use of depilatories, tweezers or waxing, or applying eyelashes to any person;

(B) beautifying the face, neck or arms by use of cosmetic preparations, antiseptics, tonics, lotions or

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creams; or

(C) massaging, cleaning or stimulating the face, neck, or arms by means of the hands, devices, apparatus, or appliances with the use of cosmetic preparations, antiseptics, tonics, lotions, or creams.

(2) *Nail care* is the practice of cutting, trimming, polishing, coloring, tinting, cleansing or manicuring the nails of any person, or massaging, cleansing, or beautifying the hands or feet of any person.

(3) *Electrolysis* is the practice of removing hair from, or destroying hair on, the human body by use of an electric needle only. *Electrolysis* as used in this Chapter includes electrolysis or thermolysis.

(4) *Barbering* is the practice of all or any combination of the following practices:

(A) shaving or trimming the beard, or cutting the hair;

(B) giving facial and scalp massages or treatments with oils, creams, lotions or other preparations either by hand or mechanical appliances;

(C) singeing, shampooing, arranging, dressing, curling, waving, chemical waving, hair relaxing or dyeing the hair or applying hair tonics;

(D) applying cosmetic preparations, antiseptics, powders, oils, clays or lotions to the scalp, face or neck; and

(E) hair styling of all textures of hair by standard methods which are current at the time of the hair styling.

§ 18111. Practice Outside of Establishment.

This Chapter *does not* prohibit the administration of a currently licensed practitioner of the cosmetic art to practice outside of a licensed establishment who holds a current business license; *provided*, that a licensed practitioner of the cosmetic art may practice at any place for educational purposes, or upon

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persons at a health care, nursing, mental, or correctional facility, or at a charitable event.

§ 18112. Persons Exempted.

The following persons are exempt from this Chapter:

(a) all persons authorized by the laws of Guam to practice the Healing Arts;

(b) commissioned officers of the Medical Corps of the United States or Public Health Service, and attendants attached to those services when engaged in the actual performance of their official duties;

(c) persons engaged in any practice within its scope when done outside of a licensed establishment, without compensation; and

(d) persons engaged in the administration of hair, skin, or nail products for the exclusive purpose of recommending, demonstrating, or selling those products without compensation for the barbering or cosmetological services.

2017 NOTE: Subsection/subitem designations deleted/alterd pursuant to the authority of 1 GCA § 1606.

§ 18113. Application for Examination and Registration.

(a) Each person, who desires to practice or instruct the art of cosmetology or any branch thereof, *shall* file with the Board a written application under oath on a form approved by the Board.

(b) Each applicant *shall* be required to provide to the Board, in addition to the required completed application:

(1) that the applicant is not less than eighteen (18) years of age;

(2) educational requirements;

(3) proof of good moral character, which may include, but is *not* limited to, at least three (3) letters of reference and a police clearance; and

(4) *shall* pay the required fees.

(b) Examinations *shall* be given at least two (2) times a year

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as necessary, as designated by the Board.

(c) The Board *shall* establish rules for reexamination to include completion of a refresher program after two (2) unsuccessful examinations.

(d) The Board *shall* contract with a professional testing service to have the testing service prepare and provide examinations for applicants as may be required for the purposes of this Chapter.

2017 NOTE: Subsection/subitem designations altered/added pursuant to the authority of 1 GCA § 1606.

§ 18114. Eligibility and Qualifications for Reciprocity.

The Guam Board of Barbering and Cosmetology *shall* issue a license to any person who is properly licensed for a period of *at least* two (2) years in any State or Territory of the United States *if* the applicant submits:

(a) Application;

(b) Fee;

(c) Proof that he or she is currently licensed in good standing as a cosmetologist, barber, barber-stylist, esthetician, electrologist, manicurist or nail technician, nail technician instructor, or the equivalent in that jurisdiction;

(d) Provides proof that he or she has passed the Nationally Standardized Theory and Practical Exam from their State or Territory of the United States with the minimum passing score approved by their State or Territory of the United States;

(e) An applicant from another State that does not require a board administered practical exam and has passed the same Nationally Standardized Theory Exam as required in Guam, shall be required to take the practical phase of the exam only;

(f) If the Board is unable to ascertain from documents submitted by the applicant that the applicant is eligible for reciprocity, the Board may require the applicant to provide additional documentation or information deemed by the Board as necessary to make that decision. Oral interviews

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may be requested;

(g) If the applicant is denied on the basis of initial application materials, the reasons for this rejection shall be communicated in writing. The applicant shall have the right of reconsideration based on submission of new information and/or appearance before the Board with the opportunity to demonstrate to the Board that they meet the licensure requirements;

(h) Applicant must have a current cosmetology, barber, barber-stylist, esthetician, electrologist or nail technician license from another State or Territory of the United States where similar reciprocity is extended to Guam, and licensure requirements and training hours are substantially equal to or greater than those licenses applied for in the Chapter; or

(i) *If* an applicant receives a cosmetology license under the reciprocity conditions of this Section, such licensee *shall* be employed by a Guam licensed cosmetology business and practice the art of cosmetology on Guam for a period of *not less than* two (2) years before such licensee may obtain a business license to establish a new cosmetology business on Guam.

§ 18115. Eligibility and Qualifications for Cosmetologist License.

Examination. The Board *shall* administer examinations for a license for cosmetologists during a Board meeting duly held for the purpose of administering examinations to applicants who have made the proper applications for such license and who has qualified as follows:

(a) who is *not less than* eighteen (18) years of age;

(b) who has had any one (1) of the following:

(1) completed a certified cosmetology program of *at least* one thousand six hundred (1,600) hours extending over a school year of *not less than* nine (9) months from a school of cosmetology approved by the Board;

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(2) practiced cosmetology, as defined in this Chapter, outside of Guam for a period of time equivalent to the study and training of a qualified person who has completed a course in cosmetology from a school curriculum which complied with requirements adopted by the Board; *or*

(3) holds a current unrestricted valid cosmetologist license issued by a State or Territory of the United States in good standing, whose license requirements in the judgment of the Board are equal to or greater than Guam's.

2017 NOTE: Subsection/subitem designations deleted/alterd pursuant to the authority of 1 GCA § 1606.

§ 18115.1. Eligibility and Qualifications for Japanese Licensed Cosmetologist.

An applicant who holds a current and unrestricted license issued by the government of Japan, and who is in good standing with the appropriate Japanese licensing body, *shall* be issued, upon passing the Guam Cosmetology practical exam, a one and one-half (1½) year license to practice the art of cosmetology for wedding and bridal boutiques and spas on Guam. Such eligibility is conditioned upon the following:

(a) the licensee must meet the following standard requirements applicable to all other applicants:

(1) have official transcript(s) of all training and certification programs attended by the licensee addressed and sent directly to the Guam Board of Cosmetology;

(2) provision of three (3) letters of recommendation complete with return address, phone number, and name of current employer;

(3) submission of a police clearance obtained within the last three (3) months;

(4) provision of two (2) photos taken within the last three (3) months sized for a cosmetologist license (2½" x 2½"); and

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(5) provision of a notarized photocopy of the licensee's current license; and submit a copy of a current health certificate and sanitary permit for the establishment;

(b) any such further requirements as may be adopted for all other applicants by the Board;

(c) the licensee must pass the Board-administered practical examination;

(d) the licensee must practice at an establishment that has *at least* one (1) licensed local cosmetologist on site, which local cosmetologist must have been licensed for *at least* one (1) year prior to the licensee beginning his *or* her practice at the establishment;

(e) licenses issued pursuant to this Section *shall* state that the licensee is granted a special license and is restricted from performing manicures, pedicures, waxing, chemical hair treatments (other than ordinary cleansing and conditioning), *or* chemical based facials *or* skin treatment for which an esthetician license is required under this Chapter;

(f) the licensee *or* the business employing the licensee must be available to provide *not less than* seventy-two (72) hours of training per year at recognized Guam cosmetology schools, such as the Guam Community College *or* on its business premises, *or* in sponsored seminars;

(g) provide annual seminars for local cosmetologists to learn about specialized Japanese hair techniques. Cost of the seminar will be at the expense of the business; and

(h) in addition to the standard cosmetology license fees, and the initial Two Hundred Dollars (\$200.00) application fee, any such licensee *shall* pay an additional annual non-transferable and non-refundable license fee of Eight Hundred Dollars (\$800.00).

SOURCE: Added by P.L. 29-131:2 (Jan. 8, 2009). Repealed and reenacted by P.L. 30-152:2 (May 25, 2010).

§ 18116. Eligibility and Qualifications for Electrologist License.

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The Board *shall* administer examinations for a license as an electrologist during a Board meeting duly held for the purpose of administering examinations for applicants who have made the proper applications for such license, and who have qualified as follows:

- (a) who is *not less than* eighteen (18) years of age; and
- (b) who has had one (1) of the following:
 - (1) completed a certified electrology program of *at least* five hundred (500) hours extending over a school year of *not less than* four (4) months in electrolysis from a school approved by the Board;
 - (2) practiced electrolysis, as defined in this Chapter, for a period of eighteen (18) months outside of this Territory within the time equivalent to the study and training of a qualified person who has completed a course in electrolysis from a school curriculum of which complied with requirements adopted by the Board; *or*
 - (3) holds a valid electrology license issued by a State or territory of the United States whose license requirements in the judgment of the Board are equal to or greater than Guam's.

2017 NOTE: Subsection/subitem designations deleted/alterd pursuant to the authority of 1 GCA § 1606.

§ 18117. Eligibility and Qualifications for Manicurist License.

The Board *shall* administer examinations for a license as a manicurist during a Board meeting duly held for the purpose of administering examinations for applicants who have made the proper applications for such license and who have qualified as follows:

- (a) who is *not less than* eighteen (18) years of age; and
- (b) who has had one (1) of the following:
 - (1) completed a certified manicure program of *at least* four hundred (400) hours extending over a school year of *not less than* four (4) months in nail care from a school approved by the Board;

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(2) practiced nail care, as defined in this Chapter, outside of this Territory for period of the time equivalent to the study and training of a qualified person who has completed a course in nail care from a school curriculum of which complied with requirements adopted by the Board; *or*

(3) holds a valid manicurist license issued by a State or territory of the United States whose license requirements in the judgment of the Board are equal to or greater than Guam's.

SOURCE: Repealed and reenacted by P.L. 25-188:3 (Jan. 11, 2001) and P.L. 30-152:2 (May 25, 2010). Amended by P.L. 34-047:2 (Oct. 13, 2017).

2017 NOTE: Subsection/subitem designations added/altered pursuant to the authority of 1 GCA § 1606.

§ 18118. Eligibility and Qualifications for Barber License.

(a) The Board *shall* administer examinations for a license as a barber during a Board meeting duly held for the purpose of administering examinations for applicants who have made the proper applications for such license and who have qualified as follows:

(1) who is *not less than* eighteen (18) years of age; and

(2) who has had one (1) of the following:

(A) completed a certified barber program of *at least* one thousand six hundred (1,600) hours extending over a school year of *not less than* nine (9) months from a barbering school approved by the Board;

(B) practiced barbering, as defined in this Chapter, outside of Guam for a period of time equivalent to the study and training of a qualified school where the curriculum complies with requirements adopted by the Board; *or*

(C) holds a valid barber license issued by a State or Territory of the United States whose license requirements in the judgment of the Board are equal to or greater than Guam's.

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(b) Any person practicing on Guam as a barber *prior to* the enactment of this Chapter *shall* be ‘grandfathered’ in, and *shall* be allowed to continue to practice as provided in the rules and regulations approved by the Board.

§ 18119. Eligibility and Qualifications for Esthetician License.

(a) The Board *shall* administer examinations for a license as an esthetician during a Board meeting duly held for the purpose of administering examinations to applicants who have made the proper application for such a license and who:

- (1) is *not less than* eighteen (18) years of age;
- (2) has done one (1) of the following:

(A) completed a certified esthetician program of *at least* six hundred (600) hours extending over a school year of *not less than* four (4) months from a school of cosmetology approved by the Board; or

(B) hold, in good standing, a current unrestricted valid esthetician’s license issued by a State or Territory of the United States whose license requirements are, in the Board’s opinion, equal to or greater than Guam’s.

SOURCE: Repealed and reenacted by P.L. 25-188:3 (Jan. 11, 2001). Amended by P.L. 28-123:2 (June 13, 2006). Repealed and reenacted by P.L. 30-152:2 (May 25, 2010).

§ 18120. Eligibility and Qualifications for Cosmetological Instructors.

The Board *shall* admit to examination for license as a cosmetology or barbering instructor any person who has made an application to the Board in the proper form, who has paid the fee required by this Chapter, and who meets the following qualifications:

- (a) is *not less than* eighteen (18) years of age;
- (b) has completed the twelfth (12th) grade, or an accredited senior high school course of study in Guam public schools or its equivalent;
- (c) holds a valid Guam license in good standing to

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practice cosmetology or barbering;

(d) has done one (1) of the following:

(1) completed a cosmetology or barbering instructor-training course in an approved school on Guam, or equivalent training in a school outside Guam approved by the Board;

(2) completed not less than the equivalent of six hundred (600) hours of practice as a teacher assistant or teacher aide in a school approved by the Board; or

(3) completed six (6) semester hours in vocational teaching methods or vocational curriculum; and

(e) who has actively engaged in at least three (3) years in the occupation as a cosmetologist, or any branch thereof, on Guam or in any jurisdiction having standards for registration substantially equivalent to those of Guam.

§ 18120.1. Guest Educator.

(a) A Guest Educator may provide instruction with the supervision of the instructor of record, and is responsible for performing teaching-related duties to assist faculty members of the school of cosmetology. Duties may include preparation of instructional materials, proctoring of exams, grading tests, and recording of grades in a grade book.

(b) Guest Educators *shall* meet the following qualifications:

(1) specialized competency in the fields of cosmetology, nail technology, esthetics, or barbering, with at least one (1) year of experience with license specialty; or

(2) certification in the field of instruction with at least three (3) years of experience in the field of instruction in a post-secondary school, or a Master's degree.

SOURCE: Added by P.L. 34-047:3 (Oct. 13, 2017). Subsection (b) amended by P.L. 34-096:2 (May 14, 2018).

2017 NOTE: Subsection designation added pursuant to the authority of 1 GCA § 1606.

§ 18121. Eligibility and Qualifications for an Apprentice.

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(a) The Board may issue a certificate as a barber, barber-stylist, esthetician, electrologist, or nail technician apprentice in barbering or cosmetology to any person who has made application to the Board, has paid the appropriate fee required by this Chapter, and who is qualified as follows:

- (1) is over sixteen (16) years of age;
- (2) is of good moral character;
- (3) has completed the tenth (10th) grade in school or its equivalent; and
- (4) has submitted evidence acceptable to the Board that any training the apprentice is required by law to obtain *shall* be conducted in a licensed cosmetological establishment and under the supervision of a licensee approved by the Board.

(b) Apprentices may *only* perform services for the general public for which they have received technical training.

(c) An apprentice may do any or all of the acts for which the apprentice is licensed *only* in the licensed cosmetological establishment and under the supervision and employment of a licensee approved by the Board.

§ 18122. Expiration and Renewal for Licenses.

(a) All licenses issued by the Board *shall* expire on the individual's birth date next following the date of appropriate application and issuance, and renewed every two (2) years by payment of fees approved by the Board.

(b) *No* person holding a license as an apprentice shall work more than three (3) months after completing the required training without applying for and taking the examination for licensure.

§ 18123. Universal Precautions.

The Board *shall* promulgate rules and regulations in accordance with the Administrative Adjudication Law within one hundred eighty (180) days upon the enactment of this Act to address universal precautions guidelines, which *shall* include, but *not* be limited to:

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- (a) cleanliness and sanitation of towels and/or linens;
- (b) disinfecting requirements and standards of any articles, tools (electrical and non-electrical), implements and equipment in contact with a client;
- (c) prevention of contamination of any materials and/or solutions in contact with a client;
- (d) proper storage of tools and implements;
- (e) cleanliness of floor surfaces, walls and ceilings;
- and
- (f) general proper hygiene (i.e. properly washing hands, proper use of gloves); and
- (g) prohibited products and practices. The use of any product, preparation or procedure that comes in contact with or penetrates the dermis layer of the skin.

SOURCE: Repealed and reenacted by P.L. 25-188:3 (Jan. 11, 2001) and P.L. 30-152:2 (May 25, 2010). Subsection (a)(7) added by P.L. 34-047:4 (Oct. 13, 2017).

2017 NOTE: Subsection designation deleted/altered pursuant to authority granted by 1 GCA § 1606.

§ 18124. Fees.

(a) The Board *shall* promulgate rules and regulations to charge fees for examination, licensure, and renewal of licensure and penalties, as appropriate, in accordance with the Administrative Adjudication Law.

(b) The Board *shall* review and amend the rules and regulations for adjustment to fees, subject to the Administrative Adjudication Law.

(c) The Board *shall* establish a fee schedule for inspection *not to exceed* the sum of One Hundred Dollars (\$100.00).

2017 NOTE: Subsection designations added pursuant to authority granted by 1 GCA § 1606.

§ 18124.1. Use by Barbering and Cosmetology Board.

The fees generated by the implementation of § 18115.1 (h) *shall* be deposited into the Health Professional Licensure Fund for

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use by the Barbering and Cosmetology Board to defray the cost of obtaining standardized examination materials and services for barbering and cosmetology licensure, and the cost of proctoring examination at a testing site.

SOURCE: Added by P.L. 29-131:3 (Jan. 8, 2009). Repealed and reenacted by P.L. 30-152:2 (May 25, 2010).

§ 18125. Cosmetological Establishment: Licensing.

(a) The Board *shall* issue a license for a cosmetological establishment during a Board meeting duly held for the purpose of issuing licenses for cosmetological establishments for applicants who have made the proper applications for such license and who have qualified as follows:

(1) comply with standards of sanitation by the Department of Public Health and Social Services; and

(2) comply with universal precaution rules and regulations by the Board;

(b) A licensed cosmetologist, who has practiced as such on Guam for at least one (1) year, *shall* at all times be in charge of the establishment, ensure that it is adequately equipped for the practice in which it engages, and pay an annual Twenty Dollars (\$20.00) single location licensing fee;

(c) The Board *shall* issue a license for a specialty salon establishment during a Board meeting duly held for the purpose of issuing licenses for specialty salon establishments for applicants who have made the proper applications for such license and who have qualified as follows:

(1) comply with standards of sanitation requirements by the Department of Public Health and Social Services; and

(2) comply with universal precaution rules and regulations by the Board;

(d) In the case of an establishment limited to practice of specialty salon, as defined in this Chapter, a licensee of the Board, which may include, but *not* be limited to, electrologist, manicurist, barber or esthetician, who has practiced as such on Guam for at least one (1) year, *shall* at all times be in charge of the

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establishment, ensure that it is adequately equipped for the practice in which it engages, and pay an annual Twenty Dollars (\$20.00) specialty salon licensing fee.

(e) *No* person having charge of an establishment, whether as an owner or an employee, shall permit any room or part thereof in which any occupation regulated under this Chapter is conducted or practiced to be used for residential purposes, or for any other purpose that would tend to make the room unsanitary, unhealthy or unsafe, or endanger the health and safety of the consuming public.

(1) An establishment *shall* have a direct entrance separate and distinct from any entrance in connection with private quarters.

(2) A violation of this Section is a misdemeanor.

(f) (1) Every establishment *shall* provide at least one (1) public toilet room located on or near the premises for its patrons.

(A) The entrance of the room *shall* be effectively screened so that *no* toilet compartment is visible from any workroom.

(B) The room *shall* be kept in a clean condition and in good repair, well lighted and ventilated to the outside air, and effectively screened against insects and free from rodents.

(C) The floor *shall* be of concrete; tile laid in cement, vitrified brick, or other nonabsorbent material.

(D) All sewer drains *shall* be connected to an approved disposal system, and *shall* be properly trapped.

(2) *No* restroom *shall* be used for storage.

(g) Every establishment *shall* provide adequate and convenient hand washing facilities, including running hot water, soap and approved sanitary towels.

(h) (1) Within ninety (90) days after issuance of the

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establishment license, the Division of Environmental Health of the Department of Public Health and Social Services *shall* inspect the establishment for compliance with the applicable requirements of this Chapter and the applicable rules and regulations of the Board adopted pursuant to this Chapter.

(2) Each establishment *shall* be inspected at least annually for compliance with applicable laws relating to the public's health and safety, and the conduct and operation of establishments.

2017 NOTE: Subsection/subitem designations altered/added pursuant to authority granted by 1 GCA § 1606.

§ 18126. Cosmetological Multiple Location Business.

(a) A *cosmetological multiple location business* is a business engaged in the practice of cosmetology at *more than one* (1) location, using the same business name at such locations, wherein cosmetology or any branch of cosmetology is practiced. A licensed cosmetologist must be on duty at each location of the cosmetological multiple location business while such location is open for business.

(b) A certificate of registration and license for each location of a cosmetological multiple location business *shall* be secured by filing an application thereof and paying an annual multiple location licensing fee of Twenty Dollars (\$20.00) per location, and showing to the satisfaction of the Board of Barbering and Cosmetology that the establishment meets the standards of sanitation required by the rules and regulations of the Department of Public Health and Social Services. A cosmetological multiple location business must have a licensed cosmetologist at each location while such location is providing cosmetological services. Nothing herein *shall* prevent a licensed cosmetologist employed at one (1) business who has multiple locations to work at any location owned by the same business.

§ 18127. Prohibition Against Employment of Unlicensed Personnel.

(a) It is unlawful for any person, firm, or corporation to hire, employ, or allow to be employed, or permit to work, in or about an establishment, any person who performs, or practices any

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occupation regulated under this Chapter and is *not* duly licensed by the Board.

(b) Any person(s) violating the provision of this Section *shall* be guilty of a misdemeanor.

2017 NOTE: Subsection designations added pursuant to authority granted by 1 GCA § 1606.

§ 18128. Schools; License.

(a) The Board *shall* issue a license for a school during a Board meeting duly held for the purpose of issuing licenses for schools for applicants who have made the proper applications for such license and who have qualified as follows:

(1) pay the required fee as approved by the Board;

(2) public and private post secondary schools are accredited by the Western Association of Schools and Colleges, or National Accrediting Commission of Cosmetology, Arts, and Sciences; the school license *shall* be renewed annually after inspection.

(b) *No* school of cosmetology shall be granted a certificate of license, unless the school provides for health-related instructions or injuries, and employs and maintains a:

(1) sufficient number of licensed instructors and requires courses of instruction in cosmetology of *not less than* one thousand six hundred (1,600) hours extending over a period of *not less than* nine (9) months, and maintains such courses in both practical and technical instruction, including instruction in sanitary sterilization and the use of antiseptics, necessary to meet the requirements for examination for certificate, registration and license as a cosmetologist; and

(2) procedure to consult with a Guam licensed physician.

(c) *No* school of electrology shall be granted a certificate of registration and license, unless it provides for health-related instructions or injuries, and employs and maintains a:

(1) sufficient number of licensed instructors and requires courses of instruction in electrology of *not less than*

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five hundred (500) hours extending over a period of *not less than* four (4) months and maintains such courses in both practical and technical instruction, including instruction in sanitary sterilization and the use of antiseptics, necessary to meet the requirements for examination for certificate, registration and license as an electrologist. Any school of cosmetology providing a course in electrology *shall* meet the requirements of this Subsection; and

(2) procedure to consult with a Guam licensed physician.

(d) Persons receiving instructor training in a cosmetology, esthetician, electrology, barbering or nail technology school *shall* spend all of their training time under the direct supervision of a licensed instructor and *shall not* be left in charge of students or school at any time during their six hundred (600) hours of training without the direct supervision of a licensed instructor in the classroom or in the clinic area where patrons are serviced. Instructor trainees may instruct only in the presence of a licensed instructor.

(e) Persons receiving instructor training are *not* permitted to perform clinical services on a patron for compensation, either by appointment or otherwise.

(f) Persons receiving instructor training *shall* be furnished an instructor training manual.

(g) Students seeking an instructor certificate of completion from an accredited school of cosmetology, nail technology, esthetics, electrology or barbering must complete Vocational Education I and Vocational Education II (classes typical of the program often includes some variation of Instructor Concepts, Instructor Practicum, Laboratory and Clinical Supervision, Classroom Management, Testing and Evaluation and Teaching Methods and Lesson Planning) courses from an accredited college or university designed to prepare them for a career in cosmetology instruction. Students must also acquire the skills in lesson planning, grading, student counseling, communication, record-keeping and student supervision and safety procedures.

(h) *No* school shall employ, hire or in any manner allow any

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individual to teach cosmetology, barbering, manicuring or nail technology, esthetics, electrology or hair styling unless that individual has a current license to teach the applicable specific practice of cosmetology, barbering, manicuring or nail technology, esthetics, electrology or hair styling.

(i) Any person who practices or teaches cosmetology, barbering, manicuring or nail technology, esthetics, electrology or hair styling for compensation, or who carries on any business, practice or operation governed by this Chapter, without the applicable license when a license is required, is guilty of a misdemeanor punishable, upon conviction, by a fine of *not more than* Seven Hundred Fifty Dollars (\$750.00).

(j) At least one (1) licensed instructor must be present on the school premises at all times students are present.

(k) If a school offers, in addition to the full cosmetology course, separate manicuring/nail technology and/or esthetics or electrology courses, one (1) additional instructor *shall* be required for each separate course offered.

(l) There shall be *no more than* twenty (20) students present for each instructor. Of the twenty (20) students permitted per instructor, *no more than* three (3) shall be student instructors.

(m) All students and student instructors *shall* be under the supervision of a licensed instructor throughout the entire course of instruction.

(n) *If* an instructor who is necessary to maintain minimum school requirements transfers or is terminated, the school must replace that instructor within thirty (30) days of the date such transfer or termination occurs. A properly licensed instructor must be present at all times a school is operating.

(o) Students having training interrupted by service in the United States military may re-enroll within one (1) year after completion of their tour of duty and get credit for previous hours earned.

(p) *No* student may be enrolled in more than one (1) school at the same time.

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§ 18128.1. Student Instructor Qualifications.

Prior to enrollment in a school's instructor training course, students must have:

- (a) graduated from high school or have received an equivalency certificate;
- (b) must have obtained a Guam cosmetology, or related field license; and
- (c) must have practiced cosmetology, or related field, in a salon for at least fifty (50) weeks with no less than thirty-six (36) hours practice per week.

§ 18128.2. Student Instructor Enrollment.

Within ten (10) days of the enrollment date of a student instructor, the school shall provide the Board with an enrollment report, which shall include the following information:

- (a) the name and address of the school;
- (b) the name and address of the student instructor;
- (c) the date student will commence training;
- (d) student's date of birth;
- (e) proof of high school graduation or equivalency certificate;
- (f) proof of having completed Vocational Education I and Vocational Education II (classes typical of the program often include some variation of Instructor Concepts, Instructor Practicum, Laboratory and Clinical Supervision, Classroom Management, Testing, and Evaluation and Teaching Methods and Lesson Planning) courses from an accredited college, the Guam Community College or the University of Guam designed to prepare them for a career in classroom instruction;
- (g) signatures of student and registrar; and
- (h) proof of work experience as required in this Chapter. Proof shall be notarized statement by employer(s).

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§ 18128.3. Instructor's Continuing Education. Practice by Instructor – Instructor May Become Licensed as a Cosmetologist – Inactive Status.

(a) (1) To maintain an active instructor license in cosmetology, esthetics, electrology, barbering or manicuring, an instructor shall every two (2) years submit to the Board satisfactory proof that the instructor has attended a Board-approved instructor training program in cosmetology for a minimum of six (6) hours.

(2) Persons obtaining an initial instructor's license shall attend a Board-approved instructor training program in cosmetology for a minimum of six (6) hours after receiving such licenses.

(b) The Board may, in its discretion, grant up to one (1) year for submission of such proof upon a showing of good cause, including, but not limited to, illness or emergency. However, no such extension of time shall relieve an instructor from meeting any future deadline for compliance with this Section.

(c) The active license of any instructor who fails to comply with this Section shall become invalid and non-renewable.

(1) Before an instructor's license expires, an instructor may notify the Board of the instructor's intention to place the license on inactive status.

(A) Such notice of intention shall be accompanied by the regular license fee, but the instructor shall be relieved of the obligation to attend the otherwise required Board approved training program.

(B) An instructor may stay on inactive status as long as the appropriate fees are paid on a regular basis.

(C) To change a license from inactive status to active status, the instructor shall attend a Board approved instructor training program specific to their specialty for a minimum of twenty-four (24) hours.

(2) Any person who holds a valid active license as a cosmetology instructor may engage in the practice of

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cosmetology under such license. However, no instructor may render cosmetology services in a school, except such services as are directly incidental to the instruction of students.

(3) Any person whose instructor's license expires or becomes invalid may, within sixty (60) days after the date of expiration or invalidity, obtain a cosmetologist's license from the Board upon payment of a fee set by the Board.

(4) (A) If a licensee wishes to place their instructor license on inactive status, the licensee must submit a written request to the Board.

(B) The licensee will need to attend his or her first seminar during the two (2) years following his or her first renewal and every other year after that.

2017 NOTE: Subsection/subitem designations altered/added pursuant to authority granted by 1 GCA § 1606.

§ 18128.4. Continuing Education.

(a) To renew a cosmetology license, a licensee must complete a total of six (6) hours of Board approved continuing education.

(b) To renew a manicurist license, a licensee must complete a total of six (6) hours of Board approved continuing education.

(c) To renew an esthetician license, a licensee must complete a total of six (6) hours of Board approved continuing education.

(d) To renew an electrologist license, a licensee must complete a total of six (6) hours of Board approved continuing education.

(e) To renew a barber or barber-stylist license, a licensee must complete a total of six (6) hours of Board approved continuing education.

(f) Cosmetology licensees or instructor licensees who are at least sixty-five (65) years of age, and have held a cosmetology or instructor license for at least fifteen (15) years will only be required to complete two (2) hours of continuing education in health and safety.

(g) (1) Licensees may not receive continuing education credit

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for attending the same course more than once for one (1) renewal period.

(2) Further, licensees must retain a copy of the certificate of completion for a course of two (2) years after the date of completion.

(3) In conducting any inspection or investigation of the licensee, the Board may examine the licensee's records to determine compliance.

(h) To receive Board approval, applications to sponsor continuing education seminars must be submitted to the Board at least ninety (90) days before the date seminars are to be held.

(i) The Board may grant exceptions to the ninety (90) days requirement if seminars would have otherwise met all adopted guidelines. Requests for exceptions must be made in writing to the Board.

(j) Continuing education seminars must meet Board standards for presentation and content, and must contribute directly to professional competence of attendees.

(k) Physical attendance at seminars is required to receive credit for continuing education.

(l) Continuing education accepted by the proper licensing authority in other States may be accepted or credited subject to proper documentation and approval by the Board.

(m) Instructors for continuing education seminars must make presentations in person.

(n) No continuing education instructor or presenter may instruct for more than eight (8) hours in one (1) day.

(o) A proper record of registration and attendance for continuing education seminars must be kept by sponsors for at least three (3) years.

(p) No member of the Board may conduct or be a provider of continuing education courses.

(q) Changes to continuing education proposals will be subject to an administrative fee.

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2017 NOTE: Subitem designations added pursuant to authority granted by 1 GCA § 1606.

§ 18128.5. Right of Entry.

(a) Any employee of the Department or member of the Board, its agents or assistants, may enter into and inspect any school, salon, spa, esthetic salon or barber shop at any time during business hours.

(b) Information. Any information gained by an inspector of the Department or the Board during an inspection shall remain confidential, unless the information is to be offered as evidence in an administrative hearing or court proceeding concerning a license issued by the Board.

§ 18128.6. Prohibited Instruments.

(a) No establishment or school shall have on the premises any razor-edged, also known as a credo blade, or other sharp-edged device or tool, which is designed to remove calluses.

(b) No establishment or school shall have on the premises any needle-like instrument, which is used for the purpose of extracting skin blemishes and other similar procedures.

(c) No establishment or school *shall* have on the premises any micro-thin blade or blades or instrument of the like, which is used to perform tattoo services or other similar procedures, except as further provided herein, until such time as the Board promulgates rules and regulations pursuant to § 18123 of this Chapter relative to the use of these blades or instruments.

SOURCE: Repealed and reenacted by P.L. 25-188:3 (Jan. 11, 2001) and P.L. 30-152:2 (May 25, 2010). Subsection (c) added by P.L. 34-047:5 (Oct. 13, 2017).

§ 18128.7. Booth Renters.

(a) Agreement. A copy of the executed agreement between the salon owner and the cosmetologist shall be submitted to the Board at the time of application for a booth rental permit.

(b) Form. The Board will furnish a contractual agreement form for a nominal fee. In the event an agreement is not on the form supplied by the Board, the agreement shall contain the

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following information:

- (1) a statement indicating that both parties agree that the cosmetologist is not an employee of the salon;
- (2) a statement indicating the salon owner has no right to control the methodology used by the cosmetologist to produce a given result; and
- (3) a statement indicating the basis of the cosmetologist's compensation.

§ 18128.8. When Eligibility is Unclear.

(a) If the Board is unable to ascertain from documents submitted by the applicant that the applicant is eligible for examination or licensure, the Board may require the applicant to provide additional documentation or information deemed by the Board as necessary to make that decision.

(b) Oral interviews may be requested.

(c) If the applicant is denied on the basis of initial application materials, the reasons for this rejection shall be communicated in writing.

(d) The applicant shall have the right of reconsideration based on submission of new information and/or appearance before the Board with the opportunity to demonstrate to the Board that they meet the licensure requirements.

2017 NOTE: Subsection designations added pursuant to authority granted by 1 GCA § 1606.

§ 18128.9. Field Trips, Seminars, Workshops, Shows, and Community Service.

Schools are permitted, but *not* required, to offer to their students an opportunity to earn credit hours for cosmetology-related field trips, seminars, workshops, shows, and community service, as follows:

- (a) up to forty (40) hours for cosmetology students;
- (b) up to fifteen (15) hours for manicuring students;
- (c) up to twenty (20) hours for esthetics students; and

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- (d) up to twenty (20) hours for instructor students.

§ 18129. Revocation and Suspension.

The Board may revoke, suspend or deny at any time any license required by this Chapter on any of the grounds for disciplinary action provided in this Section. The grounds for disciplinary action are as follows:

- (a) failure of a person, firm or corporation operating an establishment, or engaged in any practice regulated by this Chapter, to comply with the requirements of this Chapter;

- (b) failure to comply with the rules governing health and safety adopted by the Board for the regulation of establishments or any practice licensed and regulated under this Chapter;

- (c) failure to comply with the rules adopted by the Board for the regulation of establishments, or any practice licensed and regulated under this Chapter;

- (d) gross negligence, including failure to comply with generally accepted standards for the practice of barbering, cosmetology, manicurist or electrology, or disregard for the health and safety of patrons;

- (e) repeated similar negligent acts;

- (f) incompetence, including failure to comply with generally accepted standards for the practice of barbering, cosmetology, manicurist, or electrology;

- (g) continued practice by a person knowingly having an infectious or contagious disease;

- (h) habitual drunkenness, habitual use of, or addiction to the use of any controlled substance;

- (i) advertising by means of knowingly false or deceptive statements;

- (j) obtaining or attempting to obtain practice in any occupation licensed and regulated under this Chapter, or money or compensation in any form, by fraudulent misrepresentations;

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(k) failure to display the license or health and safety rules and regulations in a conspicuous place;

(l) engaging, outside of a licensed establishment and for compensation in any form whatsoever, in any practice for which a license is required for under this Chapter, *except* that when such service is provided because of illness or other physical or mental incapacitation of the recipient of the service, and when performed by a licensee obtained for the purpose from a licensed establishment;

(m) conviction of any crime substantially related to the qualifications, functions or duties of the license holder, in which case the record of conviction or a certified copy, *shall* be conclusive evidence thereof;

(n) permitting a license to be used where the holder is *not* personally, actively and continuously engaged in business;

(o) the making of any false statement as to a material matter in any oath or affidavit, which is required by the provisions of this Chapter;

(p) refusal to permit, or interference with, an inspection authorized under this Chapter; or

(q) any action or conduct which would have warranted the denial of a license;

(r) permitting an unlicensed person to perform activities which require a license under this Chapter;

(s) making a false statement on any document submitted or required;

(t) any person who violates this Chapter, or the Rules and Regulations adopted pursuant thereto *shall* be fined not less than One Hundred Dollars (\$100.00), and *no more than* One Thousand Dollars(\$1,000.00) for each violation;

(u) any person who practices cosmetology, or maintains a school or a beauty shop, barber shop, esthetic skin care shop, electrology shop, nail care shop, or acts in any capacity, wherein a license is required, without a license as

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provided in this Chapter, *shall* be fined *not more than* One Hundred Dollars (\$100.00), or imprisoned *not more than* ninety (90) days, or both. Each and every day of violation *shall* be a separate offense;

(v) the Board *shall* aid prosecuting officers in the prosecution of persons charged with violations of this Chapter;

(w) the Department, in addition to any other remedies available, may apply to a court having competent jurisdiction for an injunction to restrain any violation of this Chapter.

§ 18130. Licenses.

(a) The license *shall* prominently state that the holder is licensed as a barber, cosmetologist, esthetician, manicurist, electrologist, or cosmetology instructor, and *shall* contain a photograph of the licensee. The Board *shall* establish the method(s) as it deems appropriate for utilizing a photograph of the licensee to verify licensure status.

(b) Every licensee *shall* display the license in a conspicuous place in the licensee's place of business or place of employment.

(c) A duplicate license *shall* be issued upon the filing of a statement explaining the loss, verified by the oath of the applicant and accompanied by the fee required by this Chapter;

(d) Every licensee of the Board, except establishments, *shall* within thirty (30) days after a change of address, notify the Board of the new address, and upon receipt of the notification, the Board *shall* make the necessary changes in the register.

§ 18131. Apprentice Licenses.

Upon submitting the required documents for application for examination, an applicant *shall* be entitled to take the examination and receive an apprentice license.

(a) An applicant who fails an examination *shall* be required to retake the entire phase of the examination failed.

(b) Failing applicants *shall* reapply for an apprentice license and pay the appropriate fee before being permitted to

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retake the examination.

(c) Any applicant who does not retake and pass each phase within one (1) year of failing the exam *shall* forfeit their apprentice license and be required to retake the entire exam.

(d) Any applicant having failed the test a second time *shall* be required to enroll in refresher courses relative to the practice of cosmetology, or barber, or barber-stylist, or manicurist, esthetician, electrologist or cosmetology instructor, and *no* apprentice license shall be reissued. The required hours of refresher courses *shall* be *no less than* thirty (30) days of actual training days of instructions.

§ 18131.1. Assistants, Inspectors, Salaries.

(a) The Department *shall* employ and fix the duties and remuneration of inspectors, clerical or administrative assistants as deemed necessary to implement this Chapter or the Rules of the Board.

(b) Board members *shall* receive per diem and mileage allowance, as allowed to government of Guam employees, when actually engaged in official Board duties.

§ 18132. Hearings.

All persons *shall*, prior to the revocation or suspension of a license for any of the causes outlined in this Chapter, be given notice of an opportunity for hearing in conformity with the provisions of the Administrative Adjudication Law.

§ 18133. Penalty.

Any person who practices cosmetology, electrology, esthetician or skin care, barbering or manicuring, or maintains a school or cosmetological establishment without a license as provided by this Chapter *shall* be guilty of a misdemeanor and *shall* be fined as outlined in the rules and regulations promulgated by the Board, in accordance with the Administrative Adjudication Law.

§ 18134. Good Faith Immunity.

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No member of the Board of Cosmetology shall be liable in any civil action for damages for any act or omission in good faith in performing the functions of that person's office.

§ 18135. Effective Date.

All provisions of this Chapter *shall* become effective upon enactment of this Act.

§ 18136. Severability.

If any provision of this Law 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 Law which can be given effect without the invalid provisions or application, and to this end the provisions of this Law are severable.



Office of the Speaker **THERESE M. TERLAJE**

I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature
Committee on Health, Land, Justice and Culture

COMMITTEE REPORT DIGEST

I. OVERVIEW

Bill No. 262-36 (LS) was introduced on **Friday, February 25, 2022**, by Tina Rose Muña Barnes, and Therese M. Terlaje, and was subsequently referred by the Committee on Rules to the Committee on Health, Land, Justice and Culture on **Wednesday, March 2, 2022**.

The Committee on Health, Land, Justice, and Culture convened a public hearing on **June 10, 2022, beginning at 9:00 AM** utilizing I *Liheslatura's* Public Hearing Room.

Public Notice Requirements

In compliance with Open Government law, public notices for this public hearing were published in the Guam Daily Post and posted to the Government Public Notice Portal on **Friday, June 3, 2022 (5-Day Notice)**, and again on **Wednesday, June 8, 2022 (48-Hour Notice)**; and **livestreamed on the Guam Legislature's YouTube Channel**. The notice was also disseminated via email to all senators and all main media broadcasting outlets on the same days.

Senators Present:

Speaker Therese M. Terlaje, Committee Chairperson
Vice Speaker Tina Rose Muña Barnes
Senator Telo T. Taitague, Committee Member
Senator Joanne M. Brown, Committee Member

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Appearing Before the Committee:

Jenneth Quiambao, Chairperson, Guam Board of Barbering and Cosmetology

Joseph Cameron, Mariacy Beauty Academy

Daniel Gurwell, Stay Fresh Academy

Kiran Toh

Written Testimony Submitted:

Janice Aguon, Lead Cosmetology Instructor, Guam Community College

II. SUMMARY OF TESTIMONY & DISCUSSION

The public hearing was Called-to-Order at **9:06 AM**. Bill No. 262-36 (LS), AN ACT TO AMEND § 18128 OF CHAPTER 18, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO AMENDING THE REQUIREMENTS FOR A SCHOOL LICENSE AND ESTABLISHING AN INTERIM LICENSE FOR SCHOOLS SEEKING ACCREDITATION was the only item on the agenda.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: *Buenas yan hãfa adai.* The Committee on Health, Land, Justice, and Culture is now called to order. I'd like to thank my colleagues and acknowledge them today, beginning with Vice Speaker Tina Muña Barnes, who is also the sponsor of the bill this morning and Senator Telo Taitague. Thank you, colleagues. So, we have one agenda item and that is bill number 262-36 (LS) sponsored by Vice Speaker Tina Rose Muña Barnes and Therese M. Terlaje. The Prime Sponsor Vice Speaker, she will introduce the bill, please.

VICE SPEAKER TINA ROSE MUÑA BARNES: *Si yu'os ma'ãse'* Madam Speaker and *manana si yu'os* to everyone and to the listening audience. Bill 262-36 (LS) is an act to amend section 181-28 of chapter 18, title 10, Guam code

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annotated relative to amending the requirements for a school license and establishing an interim license for schools seeking accreditation. Madam chair or Madam speaker, this bill 262-36 (LS) is a straightforward piece of legislation. It amends the licensure requirement for cosmetology schools to allow the board of barbering and cosmetology to issue interim school licenses to schools in the process of getting accreditation. At present Madam Chair, a cosmetology school can only be issued a license if they are accredited by the Western Association of Schools and Colleges, which is WASC or the international accrediting commission of cosmetology arts and sciences.

However, in order for cosmetology schools to get accredited, they must have a school license approved by the board and Madam speaker, this catches 22 prevents any new cosmetology school from opening and does not address what happens in the event a currently licensed school loses their accreditation and as we continue our recoveries beyond this pandemic, we must do what we can to cultivate new industries and help our current ones thrive. There is a growing demand for this industry, and we need to ensure we have a qualified supply of barbers, cosmetologists, estheticians, and manicures to meet that demand and I literally Madam Speaker want to take the time to thank the board of barbering and cosmetology for their input and of course you Speaker Terlaje who's the chairperson of the committee on health for your co-sponsorship and support for this effort. I'm really hoping that we listened to the testimony out there and thank you again for hearing this bill this morning. *Si yu'os ma'åse' and saina ma'åse'.*

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: *Buen prubechu.* Okay so for the record, the committee requested feedback on this bill from the Chairperson of the Guam Board of Barbering and Cosmetology and she's here with us today. We also requested feedback from the Guam Health Professional Licensing Board, the Guam cosmetology schools, and we were able to contact with Mariacy Beauty Academy, Stay Fresh Academy, GCC Cosmetology Academy and we asked the board to also send our notice to each of their

licensees so that they would be able to provide input if they want it to. Also, for the record we've received well, they're going to be bringing in a couple of written testimonies. I don't have those with me yet and we did receive a fiscal impact note from the BBMR, which says that this bill is administrative in nature and that there isn't a physical impact to the Government of Guam. So, now we will hear from those who are here today, and I want to welcome chairperson Jenneth Quiambao from the Guam Board of Barbering and Cosmetology.

JENNETH QUIAMBAO, CHAIRPERSON, GUAM BOARD OF BARBERING AND COSMETOLOGY: Good morning. Thank you so much Speaker and Vice Speaker and good Senator. Yes, I am Jenneth Quiambao, I am the Chairwoman of the Board of Cosmetology. I am in support of this bill and so are our board members. We thank you so much for actually doing this because we have had multiple inquiries about this issue. And honestly, it's about time. So, we thank you. We have looked through it and it's giving the schools time to actually go through the process of getting accreditation and allowing the accreditation company as well to come into the schools and look through their whole system of doing things. So, we support the bill. Thank you.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: Thank you so much, Ms. Quiambao. If I could just confirm if the board reviewed the bill and acted on it formally. Did they vote on their support of it or not?

JENNETH QUIAMBAO, CHAIRPERSON, GUAM BOARD OF BARBERING AND COSMETOLOGY: I believe that we did.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: I think I remember that as well.

JENNETH QUIAMBAO, CHAIRPERSON, GUAM BOARD OF BARBERING AND COSMETOLOGY: I believe that we did because we actually spoke on this more than once and we reviewed it and then we also sent it back to the Speaker's

office, Vice Speaker's office. I'm sorry and we asked for certain adjustments. So, there was dialogue in between.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: Thank you. Okay and so we also have with us Mr. Kiran Toh to testify, Mr. Toh.

KIRAN TOH: *Håfa adai* and good morning, Madam Speaker, Madam Vice Speaker, and Senator Taitague. Thank you for having me. My name is Kiran Toh and I'm a recent graduate of Father Duenas Memorial School and this is my personal testimony, and I'm from the public policy institute. As a student, going to an accredited school or college means a lot and influences many of my academic degrees. When a school first opens, it is very difficult for the institution to attract students, especially without a proper license. This bill will help schools in their early phases by providing them with an interim license that will hopefully attract new students and their families. As more schools open, providing an interim license will greatly increase access to quality education on island. Additionally, this interim license will also save school and government resources instead of using an excess amount of resources to gain accreditation immediately, schools can use the interim period to assess school operations and practices so that once they apply for accreditation, the process can take place as swiftly as possible. This establishment of an interim license will also save students resources and will allow them to progress for education and a career with no extra costs. Learning from mistakes is very important and mistakes made in the interim period will facilitate progress not only throughout the school, but also throughout the island while helping the school gain accreditation.

Today, several cosmetology students at unaccredited schools are uncertain about whether or not they will be able to find work without a license. These students who have spent countless hours in the classroom and large amounts of money are trapped with seemingly no way to utilize their hard-earned skills. The establishing of an interim license for schools will allow students who attend

these institutions to continue their education without the fear that their resources have been wasted. This situation emphasizes the need for this bill. As our island recovers from the negative impacts of COVID 19 and as tourism and economy show promising post pandemic results, the need for cosmetologists is apparent. However, this part of the economy's growth is restricted due to lack of school accreditation. There is demand for cosmetologists, but schools are unable to provide the supply. By making school and training more accessible we can supply our economy with well-trained cosmetologists. By providing schools with interim licenses, schools can continue to educate students and equip them with the necessary skills to practice work that will stimulate economic growth. The people of this island deserve a quality education, and this starts with improving access to education, to the opening, licensing, and accreditation of schools. Bill 262-36 does exactly this and will tremendously benefit our Island's future for many years to come. *Si Yu'os ma'åse'.*

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: *Si Yu'os ma'åse'* Mr. Toh and I want to thank you for also providing that in writing to us. So that's been disseminated to the Senator's. So, we also have a one written testimony by the Guam Community College, the lead cosmetology instructor, Janice Trina Aguon. Alright. I will allow the sponsor of the bill to begin questions or comments.

VICE SPEAKER TINA ROSE MUÑA BARNES: *Si Yu'os ma'åse'* Madam Speaker.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: So, another person has just entered to testify. So, we'll allow him to testify before questions or comments. Hi, please have a seat and you are welcomed to testify and please state your name for the record.

DANIEL GURWELL, STAY FRESH ACADEMY: Good morning. My name is Daniel Gurwell and I represent Stay Fresh Academy.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: All right. Would you like to testify?

DANIEL GURWELL, STAY FRESH ACADEMY: Yes.

SPEAKER THERESE M. TERLAJE: Please proceed.

DANIEL GURWELL, STAY FRESH ACADEMY: So, I reviewed the bill and I think it's a wonderful move forward and it's an honor to be a part of making history on Guam. There is one portion though that I would like to speak directly to. Regarding cosmetology instructor, I guess candidates or students. Let me see if I can find it really quick. So, in the law it states that to become a candidate to apply as a cosmetology instructor, you would need to voc ed courses, which are offered at GCC which I took when I was teaching there.

So, briefly I've been a licensed instructor for 15 years. I taught both at Mariacy and GCC and then additionally there's a requirement of, is it 800 hours or 600. One moment. 600 hours of classroom training and without the direct supervision. So, I'm on page three of the bill. Now one of the things that I find here is that there is a repeat of learning that takes place because within the curriculum for Milady specifically, so GCC and we also use the Milady standard. We're a hybrid school so we use MindTap, which is most of our Scholastic takes place online and then we do have some theory activities and then hands-on learning, which is practical. For the instructors they're required to take two voc ed classes at GCC and then additionally to complete 600 hours. The rationale is that in the voc ed classes, you'll learn how to do lesson planning, course management, class management, all of the things that are actually covered in the milady standard instructor course.

So, in the instructor course, you go through the exact same thing, but it's specifically to cosmetology. The voc ed course is just a general vocational education, which it is very valuable. However, this has a redundancy to require

that an instructor student takes two vocab classes and then also is admitted into my lady standard course, they're covering the same thing and so in the research that I did and looking at the law in general for schools and all of this throughout the 50 states, I didn't find anywhere else where they required an instructor to take an additional and I could be wrong but from what I was able to research. There was no requirement of additional courses to be taken. So, they would be admitted to a school that has an instructor program. They would go through the program and cover all of the subject matter that is required to be able to then just like with cosmetology to take the test practical and written and then be issued a license. So, this would be under number two, page three, that's what I'm looking at.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: Which letter?

DANIEL GURWELL, STAY FRESH ACADEMY: So, there's F which goes over a person receiving instructor training and a cosmetology, etcetera. Will be under direct supervision of a licensed instructor and then during their 600 hours of training without direct supervision of a licensed instructor in the classroom or clinic and then on page four. So, skipping over to page four, continuing on under (i), so (h) is crossed out and you have (i) at line three. Students seeking an instructor certification of completion from an accredited school of cosmetology, nail technologists, aesthetics electrologists or barbering must complete vocational one and two and then it says classes typical of the program often include some variation of instructor concepts, instructor, practicum, laboratory and clinical supervision, classroom management, testing, and evaluation, teaching methods and lesson planning courses from the credit college or university design designed to prepare them for a career in cosmetology instruction. Students must also acquire the skills in lesson planning, grading, student counseling, communication, record-keeping and student supervision and safety procedures. So, this is specifically the paragraph that I'm referring to and I did bring, I can certainly leave this. This is a printout of the master educator portion, and it has all of what's covered in it which includes everything that is being required and is

actually covered in the voc ed one and two. So, this is a redundancy in the law. So, if we could address that, as far as they're basically going to learn how to do lesson planning twice, and I mean, you can never learn too many times. Right. But it causes a hardship in a sense, because if and when those classes are available, any person who would want to go into an instructor course, they would have to wait for those classes and then they're just going to repeat the same subject matter when they enroll in the instructor program at the school. Thank you.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: Thank you, Mr. Gurwell. Yeah. So, I think I understand your concerns and those provisions are listed in this bill. However, no changes are being made in this bill to those provisions or being proposed by this bill. I'm going to say that that's kind of out of the scope of this particular bill and I would recommend that that be raised with the Cosmetology Board and that if they do not resolve it, then definitely bring it to our attention and we will try to resolve that if necessary.

DANIEL GURWELL, STAY FRESH ACADEMY: Okay, thank you. Everything else I love it.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: So, the parts in the bill that we are changing in the law which allow for temporary licensing or interim licensing of schools that do not have accreditation, you support that?

DANIEL GURWELL, STAY FRESH ACADEMY: Yes. Just briefly, it takes noxious requires that a school be open 18 months before they can even become a candidate. So, you have to be opened a year and a half. Then the process from there is that the representative from the school would need to go to the states and, and attend an ISI, which is a two-day conference to learn how to do all the paperwork and make sure that the school will qualify for accreditation. Additionally, we have to fly one to two people out here to inspect the school. It's somewhere between 15 and \$20,000 to become accredited. So, it's not a simple

thing but we are preparing and moving towards accreditation. So, that's something we will, Stay Fresh Academy but as far as the timeframe, I think it's reasonable because it says within two years, so that's basically 24 months and at 18 months we're going to submit our application anyway. So that gives us an additional six months and then it can take between three to five years. You know, generally most schools would be able to become accredited within three years, notwithstanding any lockdowns or anything else that happens.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: All right. So, Stay Fresh Academy is a cosmetology school on Guam?

DANIEL GURWELL, STAY FRESH ACADEMY: Yes ma'am.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: And are you licensed?

DANIEL GURWELL, STAY FRESH ACADEMY: We are licensed by the Board of Cosmetology with an Interim License, which was, you know, I'm very grateful that even before this hearing the board extended that to us to be able to open and to be able to start operations and so we're within that. We were given a letter I think we have to readdress the board after one year and so I'm not sure if this will affect that or, you know, I can talk to the chairwoman on that part, but everything seems to be in order and I think it's reasonable to, you know, even with a school losing its accreditation and all of that, I think it's fair to everyone so I appreciate the effort of everyone that worked on this.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: All right. Thank you, Mr. Gurwell. Mr. Cameron, would you like to present testimony today?

JOSEPH CAMERON, MARIACY BEAUTY ACADEMY: *Buenas yan saludas senadora's. Magof yu' na mato yu' pagu na ogan no este na bill titutuhña malagu yu pa be un nahi dangkulo na acresimentu si sinora senadoran Tina Muña Barnes guiya guyelu, guiya gemalui este na clasan chocho sa atman man ayuda para todú este taotao ni*

man ma chochocho guine na clasan chocho. Hi, I'm Joseph Artero Cameron, I'm here to represent Mariacy Beauty Academy. I continue to be the lead educator for their academy. This is my 43rd year in the field of teaching. I am the first Chamorro licensed cosmetology educator. Historically I am the first. So, I guess you could coin the phrase I'm the grandfather of Guam's cosmetology and that's not bragging. It's the truth. My training came from North Carolina and Chicago with pivot point international. We are the largest chain school in the world. We represent over 300 schools worldwide and mounting. I want to thank Senator Tina Rose Muña Barnes and also the Speaker. Thank you very much and Senator Telo. I was asked by the good Senator to review this bill in totality. I support the bill a hundred percent. I believe that there are still going to be gaps in the future as we move forward to grow the industry. Quite obviously what is not mentioned in this bill, and it doesn't have to be mentioned, but growing the field of barbering is it a growing concern for Guam? When I say barbering, I'm talking about opening up a barber school, we don't have barber instructors on Guam. We do have cosmetologist's instructors who also are authorized to teach hair cutting and nonetheless, we don't teach shaving.

We don't teach all the finite things that barbers do. So, we don't call ourselves anywhere here in Guam a barber school. We don't qualify as a barber school yet. So, not until such time that we create legislation that dictates the, A, B and C of what barber schools are supposed to look like and what is the mandate for licensure for barber educators so that they can actually say I am a barber school. Nothing prohibits any cosmetology school to also hire a barber license educator so that they can grow the program under that same umbrella but provided they're separate and segregated only because when you're working in the field of customer technology, especially in chemicals, there's a lot of stuff going on in the air and if you're on the side too close for comfort and shaving somebody's face, all those particles could pretty much get right into somebody's open skin and cause an infection or even worse. Some dermatological adverse effects to skin, especially for those individuals who are already affected with skin sorters. So, I think the bill in its totality is fine. I don't want to water down the bill by saying,

we need to include right this minute statutory language that we could introduce to reference specifics of what a barber school can and can't do.

We need to legislate it so that it is incorporated into the overall, not just cosmetological, because remember barbering is not necessarily cosmetological cause cosmetology is not barbering. So, I think for the sake of the industry right now, for sure I would say 99.9% of all women and men who graduate from cosmetology when they get out there into the industry, men are wanting their barber cuts and they're already providing that. I would like very much to see the barber industry grow and I will be more than happy to sit at the table with the board.

By the way, I want to thank the great work that's been done by our great chair who's also nationally known in the field. She holds a very high post on the National Institute of Cosmetology groups and wow, I believe you and Mariacy kind of held two highest positions nationwide. So, Guam essence sits the most in our entire nation's cosmetology boards. So, Guam has two major voices who are executive and vice executive directors. So, kudos to you. Thank you very much. One of the things I wanted to also mention, and I don't know if this is something that can be said now or later, but right now the current law only allows for one-on-one shadow.

What that basically means is when an individual graduates from any school nationwide, and they're all wanting to take the national board exams, there's a time that takes anywhere from three to four to five to six to seven months before that national board can be administered. In the interim, somebody who had spent 20,000 plus dollars and I say that bare seriously, by the time they finished school, they have already mounted over 30 grand on expenditures, over 30,000, over a period of 11 months and to have to wait six months, even four months is unbearable because they need to make money. Right now, we're authorizing by law individuals to shadow under a licensed professional until such time that they can get licensed. I think we need to propose maybe sooner than later

legislation that speaks of the work permit and I really caution all of us here not to call it an apprentice license, cause there's no such a thing as a license other than cosmetology, barbering, aesthetics, nail technology. There is no such thing as an apprentice license. What that is, it's a work permit. I would like very much if Senator Tina Rose Muña Barnes will make reference somewhere on definitions that it's a work permit for individuals who wish to work under a licensed professional as an apprentice, because it's become a misnomer for a lot of people that says, oh, I got my apprentice license. I say the last time I read the law, there was no such thing as an apprentice license. While we're on that topic, I would like to see more than one person that can work under a licensed professional.

Right now, it's a one-on-one it's unbearable because if you have a two chairs, a three chair or maybe just a six chair barber shop and that person, and it's all about business and we want people to succeed and we want folks to be able to walk into an establishment and get their services provided and not have to say, well, you know, I have six chairs and I can only have one person to work under me while they're waiting to be licensed. I think something needs to be said about that. I think we need to increase at least two to one. Not one-on-one, it should be two to one so that we can build capacity for the businesses and most, especially to allow individuals to make a selection, to have an informed choice as to which establishment they want to work for. Right now, the hands of the board are tied. They can only accept one application per shop, per licensed person to have a work permit. I think if you don't mind Senator Tina Rose Muña Barnes, Vice Speaker, if you don't mind, please, can we just nip that now so that we can take care of all our folks who really need to work. They spent thousands of dollars in nail technology, aesthetics, and barbering. Just for the record, barbers have two types of licenses. It's Barber one and Barber two, the barber one is strictly Barbary. Barber two is a combination of cosmetology and barbering, a lot of money. So, I think we need to just revisit potentially in a separate bill. So, we don't water this one down. We want this to pass immediately, but I'm only asking to inject one item, allow two to one work permit per licensed person. Thank you, Madam chair.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: Thank you, Mr. Cameron. We're going to begin by allowing the vice speaker to begin with comments or questions for the panel.

VICE SPEAKER TINA ROSE MUÑA BARNES: *Si yu'os ma'åse'* Madam chair, Madam speaker for the opportunity and I want to thank all the panel members for being here and literally giving your time. As a former member, maybe 20 some years ago to the board of cosmetology, I knew that there were a lot of changes that we needed to work with working with the National Institute of Cosmetology and as we state again, restate what the speaker has spoke about about the provisions on this Bill 262-36 moving forward that the underlying provisions that are in the proposed legislation right now are the ones that would be included and that the other sections of this bill are already stated in the law but are renumbered. So, we included it so that we can make sure that when it gets codified, that everything falls in order. So of course, a discussion that we can work closely with the board of cosmetology to update, especially with your concerns Mr. Daniel, because it's very, very important and also Mr. Cameron, I know that because it was brought up today, if the chair feels that we can work amendments to that.

I don't see a problem but I think that it's important as we fix the concerns of making sure that those that are even temporarily given that license that in order for them to get that license, we need to fix our law because it specifically states, like you said earlier, like the 18 month. You know, and you can't get it until you have served 18 months, you have to get licensed and that's why I said earlier, we're in this catch 22. I only want to also note that this concern of the apprentices and the one-to-one has been a major concern and I don't know if that is materially different from what's being set right now. So, like I said, I have no objections if that comes on or not, or we can continue to work with the board of cosmetology and add new provisions, Madam chair, or included in the amendments here, because it's still a part of the cosmetology sense and that

Madam chair, I think Mr. Cameron has an update just based on this comment. So, yeah, I'll recognize you Mr. Cameron.

JOSEPH CAMERON, MARIACY BEAUTY ACADEMY: Thank you. It's part of my disabling condition. It's called Attention Deficit Disorder. Wow. I just lost my thought. It was very important.

VICE SPEAKER TINA ROSE MUÑA BARNES: The one-to-one sir.

JOSEPH CAMERON, MARIACY BEAUTY ACADEMY: Oh, testing. I want to go back to the word testing. It was brought to my attention by Madam chair and Mariacy that Guam has an opportunity to actually have a testing center, provide the same day written tests, same day and that they only have to wait to take their practical exam and not have to do the practical exam and the written test. One day. They can immediately within moments of pressing enter they'll know if they passed or failed their written, and this doesn't need to be set today, but schools do a gram bang good job of teaching individuals to get on the clinic floor and do hair. I'm going to make a statement that I didn't think I was going to ever make in the duration of my 43 years in cosmetology, but I would like very much to consider removing practical exams altogether and just do written because the schools you have to pass the practical in the schools to be able to graduate. I believe the practical exam is superfluous. It's unnecessary.

I really believe that because when you go into the practical and they say, wrap six rods, what the students have been rapping 40 to a hundred rods. They know what they're doing. They do hair color daily. They do bleach daily. They do depilatory daily. They do nails daily. They do that already. So, to jump on the bandwagon. I would highly recommend at some point in time that some states, not a bunch, but some states don't require the practical because they already see it in their matriculation of their schooling. They've had more than enough training. So, if we were to let go of the practical and just stick to the national written tests, they could be licensed within one day and not wait six months.

VICE SPEAKER TINA ROSE MUÑA BARNES: Thank you again, Mr. Cameron and Madam Speaker. I just want to say that we truly are open to further discussions on how to update the barbering and cosmetology act. So again, Madam Chair, I leave it up to your discretion and I want to literally thank the panel members because yes, these points that were brought up today are very important and I think that we can add to making sure that this industry is given the tools necessary so that they can almost work immediately after graduation. So, thank you, Madam speaker. *Saina Ma'åse'.*

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: Thank you and I also appreciate the suggestions and recommendations for further legislation that are being made today, but I would like that to be in separate legislation. That's my initial reaction and so that the board can make its determination as well. I like them to notify all of their licensees and also get their input if possible but those seem like, you know, off the top some good suggestions. So, I'm sure that they will take a look at them. All right but back to the bill, if I may, I do have some questions. So, first of all to the board chairperson Ms. Quiambao, were all the licensees notified of this hearing and this legislation?

JENNETH QUIAMBAO, CHAIRPERSON, GUAM BOARD OF BARBERING AND COSMETOLOGY: I believe so.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: Thank you. All right. So, this bill allows that without, right now and the law requires that a school be accredited before it can get a license. So, this bill is going to allow for them to get an interim license while they are applying for accreditation. They must show proof of that application, but they get renewed every year while waiting for an application up to five years. In parts of the bill, it actually says six years and I want to clarify that. So, do you believe that that is a reasonable amount of time to wait for accreditation of a school? Because in the interim graduates of that interim licensed school are going to be licensed. Is that correct?

JENNETH QUIAMBAO, CHAIRPERSON, GUAM BOARD OF BARBERING AND COSMETOLOGY: Yes. Thank you for that question. As Mr. Daniel had mentioned about the process of accreditation with the school that he is representing today, there is an 18-month waiting period where they have to submit all their application and all the requirements that the accreditation company desires and so the two-year portion of that application allows them that freedom. The requirement for the board, for the school, with an interim license to come in within the year, gives the board the opportunity to look through and make sure that they are doing what they need to do because as you mentioned, those that are graduating are going to be wanting to take the exam and we will look at their applications also basing it off of their school. So, we're prepared to take those students or those graduates because I'm not sure if you're aware, but when a student comes in for say manicuring, they're in there for four months. So, within that whole year, you can have X amount of graduates within that year that that school is in the process of their accreditation. Now, our hope is that they do everything that the accreditation company tells them to do, and they pass with flying colors. Now, if they don't then what is the board to do with all those students that have graduated in a school that didn't pass their accreditation application? So, it is because of that desire to protect even the graduates is the reason why we have the one year that they would, or every year, basically. I think that's what it is for them to renew their interim license.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: So, you're saying that the board is going to take it upon themselves to do some type of review of these schools annually to review their graduates. If they pass the test, you're going to license the graduates of interim.

JENNETH QUIAMBAO, CHAIRPERSON, GUAM BOARD OF BARBERING AND COSMETOLOGY: Yes.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: All right and then when you license those graduates, you have adequate means of determining that despite no accreditation at the school that these graduates meet all the standards?

JENNETH QUIAMBAO, CHAIRPERSON, GUAM BOARD OF BARBERING AND COSMETOLOGY: So, we have contacted NACCAS and we've asked them if these schools are applying, and they have not been accredited. Will they look at these students that are going to these schools as graduating from an accredited school and actually they will allow them.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: Okay. That's good. I just want to make sure that the board feels that this is safe and good for our consumers. Will you have access to the accrediting bodies reports or status reports or review?

JENNETH QUIAMBAO, CHAIRPERSON, GUAM BOARD OF BARBERING AND COSMETOLOGY: That is part of the requirement when the schools apply. So, they will have to bring that in and each year that they come in to make their renewal, they would have to put in those reports.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: Okay, good. Glad to hear that and so do you think that we should allow up to six years, up to five years or six years? Or should we cut it at three as someone said normal is three years?

JENNETH QUIAMBAO, CHAIRPERSON, GUAM BOARD OF BARBERING AND COSMETOLOGY: Well, we have considered different options, but because it takes up to two years or 18 months, right. For the first initial phase, there is another phase. So, it just allows the school more freedom to complete what the accreditation company is looking for.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: Okay. I hope the board then is going to review carefully and hold firm if they are not meeting on a

yearly basis what they should be expected to do. For example, or in other words, no progress for five years. That's a lot of students that will be graduating without an accreditation.

JENNETH QUIAMBAO, CHAIRPERSON, GUAM BOARD OF BARBERING AND COSMETOLOGY: Yes and so again, we're looking at their renewal every year and so if within that year, because the accreditation company also will show or it will show us where they're falling behind that school itself. So, we're also relying on their accreditation company to show us those reports.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: Okay, great. Yeah. If I think I'm going to write that into the bill, that a requirement of this interim is that you have access to those reports as well. All right and I'll get to you Ms. Cameron just one more. I want to finish with the board chair. Okay, so just to be clear, license graduates of the interim licensed schools will be treated the same as graduates of a licensed accredited school. Correct. If they pass a test and everything. All right and then you said the board is going to take it upon itself to oversee the schools in the interim while they are being accredited or going through the accreditation process and the board is going to ensure that the customers, that our consumers from unaccredited schools are also that practicing standard requirements that our consumers will be safe.

JENNETH QUIAMBAO, CHAIRPERSON, GUAM BOARD OF BARBERING AND COSMETOLOGY: Yes.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: All right. Can I ask Mr. Cameron from Mariacy, so is Mariacy a licensed and accredited school?

JOSEPH CAMERON, MARIACY BEAUTY ACADEMY: Mariacy Beauty Academy is in the process of re-applicant's status. It lost its accreditation a little over a year ago, and that portion of their accreditation had nothing really to do with the teaching and the methodology. It was more on the financial side of

audits to make sure that the school can show for accreditation sustainability of finance. So, it wasn't so much do you have teachers, do you have a good school? I wanted to comment on that because Madam speaker, it's very important that we understand here in Guam that nationwide not all schools are accredited, but they're always looking forward to getting accreditation for the purpose of getting Pell grants. Now here's the thing. If you're not an accredited school in the United States or in Guam, it doesn't mean that you don't teach, or you don't have an excellent school. All it means is you cannot get Pell grants.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: Okay. That's helpful.

JOSEPH CAMERON, MARIACY BEAUTY ACADEMY: Number two, if you are going from a non-accredited school to an accredited school to finish, for example, our military dependent, the wives who go to our beauty schools here, and they only matriculate 600 hours. They need another thousand hours. If they're moving to an accredited school, none of their hours will be accepted. They will start all over because if you're an accredited school, they would only accept credits from another accredited school if that makes sense. So, we always tell our students who are coming into Mariacy Beauty Academy, that we want to make sure that you understand that when you start school here, because we're still reapplying and that can take up to like 12 months or more to actually get the reaccreditation that if you're not going to finish your classes here, the likelihood that when you decide to go to a beauty college, wherever your husband is stationed next and it's an accredited school, understand that the accredited school may or may not, likely will not accept your hours.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: Okay. Yeah. That's kind of why I asked the chairperson about if the accredited schools are not accepting students or the hours from non-accredited schools, but the board is going to be accepting those apparently. All right, one more question then. Ms. Quiambao, do we have licensed accredited schools on Guam?

JENNETH QUIAMBAO, CHAIRPERSON, GUAM BOARD OF BARBERING AND COSMETOLOGY: Yes, we do.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: Okay. How many?

JENNETH QUIAMBAO, CHAIRPERSON, GUAM BOARD OF BARBERING AND COSMETOLOGY: GCC is currently accredited.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: Okay. All right. Then that brings me to GCC.

JOSEPH CAMERON, MARIACY BEAUTY ACADEMY: GCC is not accredited by NACCAS. GCC is accredited by the actual GCC requirements of their accreditation body as a college.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: Okay. So, WASC is one of the options. It's either WASC or the NACCAS.

JOSEPH CAMERON, MARIACY BEAUTY ACADEMY: For private schools WASC is not an option. It has to be private. There's only two.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: It says Western association of schools and colleges or the national accrediting commission of career arts and sciences. That's what the law will say if this bill is passed.

JOSEPH CAMERON, MARIACY BEAUTY ACADEMY: For GCC purposes, we need to make sure we cover them.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: Okay, I will confirm that with them. So, Ms. Aguon from GCC posed this question, on lines 15 through 19 of the bill, I think this is on page two. It's already written for an interim school license. A school must apply for accreditation within two years and achieve

accreditation within five. If a school fails, interim school license is rescinded and must apply as a new applicant. What is to stop the school from continuing this cycle every five years, change the name, change the owner based on the verbiage of this bill, nothing prevents this five-year perpetual cycle of interim school license from ceasing. I also had that question. It does seem like there might be some contradiction in the bill that we need to clear up, so I'd like your help. So, if you look at line 15, this first sentence on line 15, You can hold an interim license for a total of six years and if you fail to achieve accreditation within five years, the school must apply as a new applicant. That's very different than up above and down below where it says if the school does not achieve accreditation within six years, the license shall be rescinded, and the school cannot reapply for an interim school license. Which one does the board recommend? I think language might've come from the board, but which one do you recommend?

JENNETH QUIAMBAO, CHAIRPERSON, GUAM BOARD OF BARBERING AND COSMETOLOGY: I'm sorry. I have to ask you to repeat that.

SPEAKER, THERESE M. TERLAJE, CHAIRPERSON: Can we give the chair a copy of the bill please. All right. So first of all, yes. So, on line 15 on page two, it talks about if you don't achieve your accreditation within that five-year period, you must apply as a new applicant and so GCC is questioning why allow them to apply again as a new applicant if they've failed and the next line of the bill, it says if they failed within six years, the license shall be rescinded, and school cannot reapply. I like that language better if you haven't succeeded, but I'm wondering if we go by school names, or we go by applicant or those individual applicants and how are we going to hold them accountable that way while Ms. Quiambao's reviewing that, Mr. Cameron?

JOSEPH CAMERON, MARIACY BEAUTY ACADEMY: Yes. As all things are procedural you can have your max of five years, but if a body is trying to remove or obliterate for that matter off the face of the earth a company, it can take up to a year of litigation. It could take years to appeal. So, we need to allow for that

process to make its way for the appeal so that you don't all of a sudden just decapitate somebody without due process. So, the five years is amendable. It's something that's very realistic and the reason why I say this is because when we were applying for accreditation, we became an applicant status. That's what we are again, anytime you fall out of their creation process, you just may do things that is up to 18 months to two years, then they review it and they may want to come back another six to eight months and if they're not happy, they may even further it and so for the board to say, you're not accredited within X amount of years, it's driven by the body that accredits and we cannot apply a specific number from state-to-state jurisdiction to jurisdiction as to why NACCAS has not moved forward for complete acceptance of accreditation but nonetheless there's effort, there's due process. The board will monitor and they'll get documents from NACCAS or from WASC about what's going on so that we don't move into a direction of obliteration for no good.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: Okay. Thank you. So, Ms. Quiambao, is there any reason why we would allow them to apply as a new applicant if they have not reached their accreditation? Versus not allowing them to reapply.

JENNETH QUIAMBAO, CHAIRPERSON, GUAM BOARD OF BARBERING AND COSMETOLOGY: So, I have to say that when we came up with the numbers of the years and reallocation and so forth, we were looking at the NACCAS recommendations, application and the process of how they accredit a school. So, because of this, that's what we followed in regards to the years. So just like Mr. Cameron had said, they allot for, of course, if there are adjustments that need to be made because of errors or they weren't able to produce a certain thing in their application. So, they're given that allotted time.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: That's for the time, but what about if they failed within five years, allowing them to reapply as a new applicant or cannot reapply for an interim school. Which one do we want?

JOSEPH CAMERON, MARIACY BEAUTY ACADEMY: Chair, I'm sorry. I'm butting in, but you've got a very valid, salient point. Personally, if they can't figure it out in six years, they don't need to own the school.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: Ms. Quiambao?

JENNETH QUIAMBAO, CHAIRPERSON, GUAM BOARD OF BARBERING AND COSMETOLOGY: This was indicated by the, you know because you're asking to decide whether there needs to be a re-application for the interim license if they failed that accreditation. Like I first mentioned because of the accreditation company, there is that portion that was given to them if they did not meet all of the requirements. So, this allows the schools that were applying the ability to keep their interim license without stopping, because what happens is if we stop them, if we stop the schools, if we do not give them that continuation of business, then actually their application with that accreditation company is then terminated. So, they have to start all the way from the beginning. So, this really was taking into account that there may be things that they would still need to adjust.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: Yeah, I can see the leeway that, you know, if they're this close at the five-year, you might want to allow additional time, but what if they fail, let's say at the end of six years, are you going to allow them to apply again as a new name?

JENNETH QUIAMBAO, CHAIRPERSON, GUAM BOARD OF BARBERING AND COSMETOLOGY: They would have to reapply, like what is stated if they.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: Oh, I see a new name would be an entirely new application start all over versus. Okay. When you license them, are they licensed as a business name or are they licensed individuals? Are there any individuals held accountable?

JENNETH QUIAMBAO, CHAIRPERSON, GUAM BOARD OF BARBERING AND COSMETOLOGY: As a business.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: All right, thank you. Okay. I'm going to allow, we have another hearing coming up, so we'll discuss if any further clarification is needed but otherwise Senator Taitague, any questions, or comments for this panel?

SENATOR TELO T. TAITAGUE: Thank you, Madam chair and good morning to my colleagues, as well as to those who are here testifying today. Thank you. Thank you for taking the time out to discuss this to make sure that you provide us your expertise and knowledge, so you ensure this bill that we put forward is going to benefit everybody in a good way, but most specially to protect not only our students, but our community as well. So, I appreciate it and it's okay if I call you Madam Chair Jen. It's Jen right?

JENNETH QUIAMBAO, CHAIRPERSON, GUAM BOARD OF BARBERING AND COSMETOLOGY: Jenneth. Pronounced like Kenneth.

SENATOR TELO T. TAITAGUE: Jenneth. Yes. Yeah, it was very nice meeting you. Thank you so much for also serving on the board because I know it can be very taxing, you know. I've heard so many stories from Mr. Cameron as he and I have been friends for quite a long time and sharing with me some of the concerns in cosmetology. That's why I was wondering, Madam Chair, did we get testimony from Public Health or the HPLO?

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: No, we did not.

SENATOR TELO T. TAITAGUE: Okay. Will it be requested? The only reason why I bring this up Madam Chair is because they're the ones that do the inspections.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: No, that is the board here. Oh, you mean, okay that's fine. We will solicit again. They did not reply.

SENATOR TELO T. TAITAGUE: Yeah, it's not only the board but Public Health under the HPLO. They also do these like permits, etcetera like that. So, I think I'd like to hear their input as well as other jurisdictions. Is this something Jenneth that this bill was trying to mirror in other areas like California, Hawaii? I mean, is this the same scenario in those jurisdictions?

JENNETH QUIAMBAO, CHAIRPERSON, GUAM BOARD OF BARBERING AND COSMETOLOGY: Yes. I believe there are other states that also have these types of issues like our islands.

SENATOR TELO T. TAITAGUE: Do they have the same type of like six years? We were just having this whole conversation on the five-year and six years.

JENNETH QUIAMBAO, CHAIRPERSON, GUAM BOARD OF BARBERING AND COSMETOLOGY: Yes.

SENATOR TELO T. TAITAGUE: What is the timeframe in Hawaii? I'm sorry, was it Andrew, your first name? Daniel. Hi, Daniel. You mentioned something it'd be taking like almost three years as you were explaining the process of one and a half years, open two days, training 15 to 20,000 to get accredited and stuff. So, it's approximately three years to try and get accredited.

DANIEL GURWELL, STAY FRESH ACADEMY: Correct.

SENATOR TELO T. TAITAGUE: So, my question is in Hawaii what is the standard there on allowing, is it five years or six years to allow these individuals to be accredited? If not, then I'll take you next Jenneth.

JENNETH QUIAMBAO, CHAIRPERSON, GUAM BOARD OF BARBERING AND COSMETOLOGY: Well with Hawaii, they actually have their own testing, and they don't do it the same way as we do. So, I'm sorry. I'm not familiar with their state.

SENATOR TELO T. TAITAGUE: So, it sounds to me like they have some other mechanisms in place to allow the process to be much smoother and faster than we're anticipating here because we don't have all those options that other states have. Go ahead, Joseph, you want to chime in on this one.

JOSEPH CAMERON, MARIACY BEAUTY ACADEMY: I think, because this is one of those languages that has been embedded in the minds of individuals and we're a land of laws. Thank you, United States of America. Not every state and not every beauty school, not every barber school requires accreditation, and I will reiterate this. If you're going to go for accreditation, it is because you're pushing for other financial resources and there has to be that seal of excellence that at least mimics that you have a center of excellence, and that the federal government can give your Pell Grants. I need to make that clear that it is not a critical mass for any beauty school or beauty college or barber school that they must be accredited. That is a private company accreditation and there's two actually and Madam Chair stated like Hawaii, they don't require national board exams. They don't do it. They have their own internalizing.

SENATOR TELO T. TAITAGUE: Okay. Thank you, Joseph. So, Madam Chair Jenneth, does the board currently issue interim school licenses and if so, under what legal authority is this action taken?

JENNETH QUIAMBAO, CHAIRPERSON, GUAM BOARD OF BARBERING AND COSMETOLOGY: We have given them an interim license under, I would have to look basically what we've named it. The AG'S office recommended it through our... Yeah, so they do have a certificate right now.

SENATOR TELO T. TAITAGUE: So, under that legal premise, you're saying that the Attorney General gave you an opinion that you can actually do these interim. I mean provide these interim licenses without giving you the authority. In other words, the board just gives you the authority.

JOSEPH CAMERON, MARIACY BEAUTY ACADEMY: I guess when we looked for legal advice and we know this for the lawmakers, if it's not written in the law that you cannot, it doesn't necessarily mean you can. The law has to be, there's a lot of gaps and I think you're hitting the nerve right there and I think maybe what you need to do is create an amendment on this bill to make specific reference to that question you're asking.

SENATOR TELO T. TAITAGUE: So, basically there is no law that allows you to issue in terms of school license, or you're just doing it as a board by voting. Okay. Maybe we should put something into legislation to make it clear.

JOSEPH CAMERON, MARIACY BEAUTY ACADEMY: I think Senator, if you don't mind my injecting, any bill that passes the must, the litmus test here and it's engrossed and it's sent over to the governor, the governor signs it and attaches it to a public law number and it states on the bill that rules and regulations have to be within 90 days, etcetera. To this very day, we don't have approved rules and regulations for cosmetology on Guam. That's the closest I can give you.

SENATOR TELO T. TAITAGUE: Okay. That actually says a lot. Thank you, Joseph.

JOSEPH CAMERON, MARIACY BEAUTY ACADEMY: She needs rules and regulations to implement it with.

SENATOR TELO T. TAITAGUE: Okay. Well that says a lot, a whole lot and my last question would be, you know, Madam chair, when do you plan on putting those rules and regulations together?

JENNETH QUIAMBAO, CHAIRPERSON, GUAM BOARD OF BARBERING AND COSMETOLOGY: As soon as possible.

SENATOR TELO T. TAITAGUE: Have you started?

JENNETH QUIAMBAO, CHAIRPERSON, GUAM BOARD OF BARBERING AND COSMETOLOGY: Yes, we have. We have been working on it and we were actually close to the end of it but we've had some hiccups along the way. But, yes we are.

SENATOR TELO T. TAITAGUE: I'm sure everybody has a goal. What is your end goal? What date?

JENNETH QUIAMBAO, CHAIRPERSON, GUAM BOARD OF BARBERING AND COSMETOLOGY: Before the end of the year, I'm hoping.

SENATOR TELO T. TAITAGUE: Okay, well thank you so much and again, thank you everyone and Daniel for being here. And oh yeah, I'm sorry, Kiran. Kiran, you mentioned earlier something about a public policy institute. You said that at the very beginning, you're part of a public policy institute?

KIRAN TOH: Yes. So, I'm here over the summer in the legislature as part of this Public Policy Institute Program.

SENATOR TELO T. TAITAGUE: Oh, okay. Well, thank you so much for being here, sir.

KIRAN TOH: Thank you for having me.

SENATOR TELO T. TAITAGUE: Okay. Bye bye.

VICE SPEAKER TINA ROSE MUÑA BARNES: Thank you, Senator. Senator Brown for any comments or questions, please.

SENATOR JOANNE M. BROWN: Yeah, I'll try to keep it limited. I understand we're over that. We're over the time and listening to the testimony. I guess the one thing I would look at is just the timeframe for the second six years, because if these are the schools that are actually doing the training and teaching the students, I mean, we're going to want to make sure they meet certain standards, obviously with regards to the training and what they're doing. So, I'm sure that if it isn't amended in committee it probably will come up. Because I mean, then you're talking almost 12 years or if they continue another six years after you're talking 18 years, and I understand your point Mr. Cameron that if they want to reach this accreditation's because they might want to apply for other grants and things that you know, can benefit them and their students, but it's not required. So, I'm sure we'll probably deliberate on that.

But that's just the only thing, just that impression that, you know, for most people, six years seems like a long time and then if for whatever reason they don't do it, they get another six years. I mean, by then *esta* we're retired. So, I'm just bringing that up with regards to the language as it is. That gives me a little bit of reservation. I mean, if they're really aggressive to do it, what would be a reasonable timeframe to accomplish this. Is it six years or can they do it in two years? What is the normal considering, aside from GCC, we don't have any other, and how many beauty schools do we have on Guam? How many schools do we have?

JOSEPH CAMERON, MARIACY BEAUTY ACADEMY: We have three. We have GCC.

SENATOR JOANNE M. BROWN: Okay and then we have two others, and then the other is it Mariacy? I'm sorry. I don't know how to pronounce it. Mariacy, that has since lost. It wasn't able to renew its accreditation.

JOSEPH CAMERON, MARIACY BEAUTY ACADEMY: Yeah. We're already into our eighth or ninth month of applicant status and we already went to the states. We met with all the members, and we've done all we need to and we're going back and forth. So, we're requiring them to come to Guam.

SENATOR JOANNE M. BROWN: What would you say for those that were accredited? How long did it take them to accomplish that- to get you know, the original accreditation? But it takes six years?

JOSEPH CAMERON, MARIACY BEAUTY ACADEMY: No, not at all. Six years to excessive but I do know for a fact that if language was to be put statutorily in this bill that we need to give some teeth to the board, to communicate directly with the accrediting company to find out

SENATOR JOANNE M. BROWN: The status of where they're at.

JOSEPH CAMERON, MARIACY BEAUTY ACADEMY: We need to require it and not just maybe we'll ask it, but we need to require that the board is authorized statutorily, that they will be in direct communication with their accrediting company. They need to, because the only person right now that's doing it is the applicant but not the board. The board can only ask certain things up, but I think if we statutorily dictate. Here's another thing for GCC to make a statement that what if, well guess what even public schools lost their accreditation? Are you aware of that? Did we close down the schools and send the kids home? No, we didn't. So, I have my rather about such an ignorant statement from GCC, very ignoramus. Number two, doubly ignorant. If I decide to sell my company to somebody else to take over, NACCAS is not going to

automatically let me have that accreditation. I'm going to have to start all over because that's a new ball game. It's a new owner. Okay. So yes.

SENATOR JOANNE M. BROWN: Well again, I don't want to belabor because I know the time is short, but I think if other language could be looked at to have a sense of, you know, that's facilitating things are moving. I think I'd be a little more comfortable with it and maybe the additional time is less than six years and maybe I'd be supportive of it because it just.

JOSEPH CAMERON, MARIACY BEAUTY ACADEMY: But you know, GCC has no authority to dictate what private industry does outside of their school to say, oh, well this, oh, well that. Well try opening up a private company of your own at your own dollar and tell me that.

SENATOR JOANNE M. BROWN: Well, like I said, I think the opportunity is there to further strengthen the bill and maybe it would be more palatable if we felt a sense of urgency or that things are moving rather than, you know, it can be an additional six years, additional six years, additional six years. Just because again, you know, these are individuals that are training, uh, the up and coming, and we certainly want to make sure that they're qualified and certified to do that. With that, thank you. Thank you to all of you for coming and providing testimony. Certainly, Madam Chair, thank you for the opportunity to ask these questions.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: Thank you very much, Senator Brown and thank you for attending the hearing today. Again, thank you to the panel. Vice speaker, you may close on the bill.

VICE SPEAKER TINA ROSE MUÑA BARNES: Thank you very much, Madam speaker and I truly appreciate the discussion from the panel today and as I noted earlier based on the oversight chair's recommendation, I think it's important that we continue these discussions for proposed legislation in the future as it relates

to the concerns that were brought up today and I just want to say thank you, Madam Speaker for the opportunity for this bill to move forward and I hope that we can work on this bill immediately as it does correct the catch 22 that we're in right now and the need for this bill moving forward based on the opinions that were opined by the government through the board of cosmetology. So, thank you for working with our office very closely on this and like I said, we can continue to move forward with all the other recommendations that were brought from this. So, *un dangkulo na si yu'os ma'åse'*. I know we have another hearing, so God bless. Thank you.

SPEAKER THERESE M. TERLAJE, CHAIRPERSON: *Si yu'os ma'åse'* vice speaker and again, thank you to the panel. So, there being no additional individuals to present testimony, that committee will consider bill number 262-36 (LS) duly heard. *Si Yu'os ma'åse'*.

The public hearing for Bill No. 262-36 (LS) was adjourned at **10:22 AM**.

III. FINDINGS & RECOMMENDATIONS

- Testimony in support of Bill 262-36 (LS) was received from Jenneth Quiambao, Chairperson, Guam Board of Barbering and Cosmetology, Joseph Cameron, Mariacy Beauty Academy, Daniel Gurwell, Stay Fresh Academy, and Kiran Toh of the Public Policy Institute.
- Janice Aguon, Lead Cosmetology Instructor at the Guam Community College registered concern via written testimony for a potential loophole with the proposed language on lines 16-17 of page 3 of the *As Introduced* bill, which would allow a school to apply as a new applicant, should it fail to achieve accreditation within 5 years. According to Aguon, "Based on the verbiage of this bill, nothing prevents this 5-year perpetual cycle of interim school license from ceasing."

- Bill 262-36 (LS) was amended to address the concerns raised by Ms. Aguon, by striking the language that would allow the ability to apply as a new applicant after 5 years, should accreditation not be achieved, and also adds language to require that all documents submitted to the Western Association of Schools and Colleges, or the National Accrediting Commission of Career Arts and Sciences or its successor for the purpose of accreditation, also be submitted to the Board. Additionally, the board may rescind an interim license if a school fails to provide these documents.

The Committee on Health, Land, Justice and Culture hereby reports out Bill No. 262-36 (LS) As amended by the Committee on Health, Land, Justice and Culture. - Introduced by Tina Rose Muña Barnes, Therese M. Terlaje - **“AN ACT TO *AMEND* § 18128 OF CHAPTER 18, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO AMENDING THE REQUIREMENTS FOR A LICENSE TO OPERATE SCHOOLS THAT TEACH COSMETOLOGY, BARBERING, MANICURING OR NAIL TECHNOLOGY, ESTHETICS, ELECTROLOGY, OR HAIR STYLING; AND ESTABLISHING AN INTERIM LICENSE FOR THE SCHOOLS SEEKING ACCREDITATION,”** with the recommendation **TO REPORT OUT ONLY.**

I MINA'TRENTAI SAIS NA LIHESLATURAN GUAHAN
2022 (SECOND) Regular Session

Bill No. 262-36 (LS)

Introduced by:

Tina Rose Muña Barnes 
Therese M. Terlaje 

**AN ACT TO *AMEND* § 18128 OF CHAPTER 18, TITLE 10,
GUAM CODE ANNOTATED, RELATIVE TO AMENDING
THE REQUIREMENTS FOR A SCHOOL LICENSE AND
ESTABLISHING AN INTERIM LICENSE FOR SCHOOLS
SEEKING ACCREDITATION.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. § 18128 of Chapter 18, Title 10, Guam Code Annotated is hereby
amended to read as follows:

§ 18128. Schools; License.

(a) The Board shall issue a license for a school during a Board meeting
duly held for the purpose of issuing licenses for schools for applicants who
have made the proper applications for such license and who have qualified as
follows:

(1) pay the required fee as approved by the Board;

(2) public and private post secondary schools are accredited by
the Western Association of Schools and Colleges, or Colleges, or
~~National Accrediting Commission of Cosmetology, Arts, and Sciences~~
the National Accrediting Commission of Career Arts and Sciences or
its successor; the school license *shall* be renewed annually after
inspection.

1 (A) If a school loses accreditation, the school has two (2)
2 years to regain accreditation before their school license is
3 rescinded.

4 (b) The Board may issue an interim school license to a school without
5 accreditation. Within two (2) years after being issued an interim school license
6 by the Board, the school shall submit to the Board proof that it has applied for
7 accreditation with the Western Association of Schools and Colleges, or
8 National Accrediting Commission of Career Arts and Sciences or its
9 successor. Within five (5) years after being issued an interim school license
10 by the Board, a school shall submit to the Board proof that it has achieved
11 accreditation. If a school fails to provide documentation that it has applied for
12 accreditation or has achieved accreditation, the interim license shall be
13 rescinded. The interim school license shall be renewed annually after
14 inspection.

15 A school can only hold an interim school license for a total of six (6)
16 years. If a school fails to achieve accreditation within five (5) years, the school
17 must apply as a new applicant. If the school does not achieve accreditation
18 within six (6) years of initial issuance of an interim school license, the license
19 shall be rescinded and the school cannot reapply for an interim school license.

20 ~~(b)~~(c) No school of cosmetology shall be granted a certificate of license,
21 unless the school provides for health-related instructions or injuries, and
22 employs and maintains a:

23 (1) sufficient number of licensed instructors and requires courses
24 of instruction in cosmetology of not less than one thousand six hundred
25 (1,600) hours extending over a period of not less than nine (9) months,
26 and maintains such courses in both practical and technical instruction,
27 including instruction in sanitary sterilization and the use of antiseptics,

1 necessary to meet the requirements for examination for certificate,
2 registration and license as a cosmetologist; and

3 (2) procedure to consult with a Guam licensed physician.

4 ~~(d)~~(e) No school of electrology shall be granted a certificate of
5 registration and license, unless it provides for health-related instructions or
6 injuries, and employs and maintains a:

7 (1) sufficient number of licensed instructors and requires courses
8 of instruction in electrology of not less than five hundred (500) hours
9 extending over a period of not less than four (4) months and maintains
10 such courses in both practical and technical instruction, including
11 instruction in sanitary sterilization and the use of antiseptics, necessary
12 to meet the requirements for examination for certificate, registration
13 and license as an electrologist. Any school of cosmetology providing a
14 course in electrology shall meet the requirements of this Subsection;
15 and

16 (2) procedure to consult with a Guam licensed physician.

17 ~~(e)~~(f) Persons receiving instructor training in a cosmetology,
18 esthetician, electrology, barbering or nail technology school shall spend all of
19 their training time under the direct supervision of a licensed instructor and
20 shall not be left in charge of students or school at any time during their six
21 hundred (600) hours of training without the direct supervision of a licensed
22 instructor in the classroom or in the clinic area where patrons are serviced.
23 Instructor trainees may instruct only in the presence of a licensed instructor.

24 ~~(f)~~(g) Persons receiving instructor training are not permitted to perform
25 clinical services on a patron for compensation, either by appointment or
26 otherwise.

1 ~~(g)~~(h) Persons receiving instructor training shall be furnished an
2 instructor training manual.

3 ~~(h)~~(i) Students seeking an instructor certificate of completion from an
4 accredited school of cosmetology, nail technology, esthetics, electrology or
5 barbering must complete Vocational Education I and Vocational Education II
6 (classes typical of the program often includes some variation of Instructor
7 Concepts, Instructor Practicum, Laboratory and Clinical Supervision,
8 Classroom Management, Testing and Evaluation and Teaching Methods and
9 Lesson Planning) courses from an accredited college or university designed
10 to prepare them for a career in cosmetology instruction. Students must also
11 acquire the skills in lesson planning, grading, student counseling,
12 communication, record-keeping and student supervision and safety
13 procedures.

14 ~~(i)~~(j) No school shall employ, hire or in any manner allow any
15 individual to teach cosmetology, barbering, manicuring or nail technology,
16 esthetics, electrology or hair styling unless that individual has a current license
17 to teach the applicable specific practice of cosmetology, barbering,
18 manicuring or nail technology, esthetics, electrology or hair styling.

19 ~~(j)~~(k) Any person who practices or teaches cosmetology, barbering,
20 manicuring or nail technology, esthetics, electrology or hair styling for
21 compensation, or who carries on any business, practice or operation governed
22 by this Chapter, without the applicable license when a license is required, is
23 guilty of a misdemeanor punishable, upon conviction, by a fine of not more
24 than Seven Hundred Fifty Dollars (\$750.00).

25 ~~(k)~~(l) At least one (1) licensed instructor must be present on the school
26 premises at all times students are present.

1 ~~(h)~~(m) If a school offers, in addition to the full cosmetology course,
2 separate manicuring/nail technology and/or esthetics or electrology courses,
3 one (1) additional instructor shall be required for each separate course offered.

4 ~~(m)~~(n) There shall be no more than twenty (20) students present for
5 each instructor. Of the twenty (20) students permitted per instructor, no more
6 than three (3) shall be student instructors.

7 ~~(n)~~(o) All students and student instructors shall be under the supervision
8 of a licensed instructor throughout the entire course of instruction.

9 ~~(o)~~(p) If an instructor who is necessary to maintain minimum school
10 requirements transfers or is terminated, the school must replace that instructor
11 within thirty (30) days of the date such transfer or termination occurs. A
12 properly licensed instructor must be present at all times a school is operating.

13 ~~(p)~~(q) Students having training interrupted by service in the United
14 States military may re-enroll within one (1) year after completion of their tour
15 of duty and get credit for previous hours earned.

16 ~~(q)~~(r) No student may be enrolled in more than one (1) school at the
17 same time.

18 **Section 2. Effective Date.** This Act *shall* be effective upon enactment.

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2022 (SECOND) Regular Session

Bill No. 262-36 (LS)

As Amended by the Committee on Health,
Land, Justice, and Culture

Introduced by:

Tina Rose Muña Barnes
Therese M. Terlaje

**AN ACT TO *AMEND* § 18128 OF CHAPTER 18, TITLE 10,
GUAM CODE ANNOTATED, RELATIVE TO AMENDING
THE REQUIREMENTS FOR A LICENSE TO OPERATE
SCHOOLS THAT TEACH COSMETOLOGY, BARBERING,
MANICURING OR NAIL TECHNOLOGY, ESTHETICS,
ELECTROLOGY, OR HAIR STYLING; AND
ESTABLISHING AN INTERIM LICENSE FOR THE
SCHOOLS SEEKING ACCREDITATION.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. § 18128(a) of Chapter 18, Title 10, Guam Code Annotated is
hereby *amended* to read as follows:

“§ 18128. Schools; License.

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duly held for the purpose of issuing licenses for schools for applicants who
have made the proper applications for such license and who have qualified as
follows:

(1) pay the required fee as approved by the Board;

(2) public and private post secondary schools are accredited by
the Western Association of Schools and Colleges, or ~~Colleges, or~~
~~National Accrediting Commission of Cosmetology, Arts, and Sciences~~

1 the National Accrediting Commission of Career Arts and Sciences or
2 its successor; the school license *shall* be renewed annually after
3 inspection.”

4 **Section 2.** A new § 18128(a)(2)(A) is added to Chapter 18, Title 10, Guam
5 Code Annotated, to read:

6 “(A) The Board may issue an interim school license to schools without
7 accreditation. Within two (2) years after being issued an interim school license by
8 the Board, the school shall submit to the Board proof that it has applied for
9 accreditation with the Western Association of Schools and Colleges, or National
10 Accrediting Commission of Career Arts and Sciences or its successor. If a school
11 fails to provide documentation that it has applied for accreditation, the interim
12 license shall be rescinded. Within five (5) years after being issued an interim school
13 license by the Board, a school shall submit to the Board proof that it has achieved
14 accreditation. The interim school license shall be renewed annually after inspection.

15 (i) All documents submitted to the Western Association of Schools and
16 Colleges, or National Accrediting Commission of Career Arts and Sciences
17 or its successor for the purposes of accreditation must also be submitted to the
18 Board. The Board may rescind an interim school license if a school fails to
19 provide these documents.

20 (ii) A school can only hold an interim school license for a total of five
21 (5) consecutive years.”

22 **Section 3.** A new § 18128(a)(2)(B) is added to Chapter 18, Title 10, Guam
23 Code Annotated, to read:

24 “(B) If a school loses accreditation, the school has two (2) years to regain
25 accreditation before their school license is rescinded.”

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

COMMITTEE MARK-UP VERSION OF BILL NO. 262-36 (LS)

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÁHAN
2022 (SECOND) Regular Session

Bill No. 262-36 (LS)

As Amended by the Committee on Health,
Land, Justice, and Culture

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Introduced by:

Tina Rose Muña Barnes
Therese M. Terlaie

AN ACT TO AMEND § 18128 OF CHAPTER 18, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO AMENDING THE REQUIREMENTS FOR A LICENSE TO OPERATE SCHOOLS THAT TEACH COSMETOLOGY, BARBERING, MANICURING OR NAIL TECHNOLOGY, ESTHETICS, ELECTROLOGY, OR HAIR STYLING; AND ESTABLISHING AN INTERIM LICENSE FOR THE SCHOOLS SEEKING ACCREDITATION.

Deleted: AN ACT TO AMEND § 18128 OF CHAPTER 18, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO AMENDING THE REQUIREMENTS FOR A SCHOOL LICENSE AND ESTABLISHING AN INTERIM LICENSE FOR SCHOOLS SEEKING ACCREDITATION.

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BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. § 18128(a) of Chapter 18, Title 10, Guam Code Annotated is hereby *amended* to read as follows:

§ 18128. Schools; License.

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(a) The Board shall issue a license for a school during a Board meeting duly held for the purpose of issuing licenses for schools for applicants who have made the proper applications for such license and who have qualified as follows:

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(1) pay the required fee as approved by the Board;

(2) public and private post secondary schools are accredited by the Western Association of Schools and Colleges, or ~~Colleges, or National Accrediting Commission of Cosmetology, Arts, and Sciences~~

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COMMITTEE MARK-UP VERSION OF BILL NO. 262-36 (LS)

1 the National Accrediting Commission of Career Arts and Sciences or
2 its successor; the school license shall be renewed annually after
3 inspection.

4 Section 2. A new § 18128(a)(2)(A) is added to Chapter 18, Title 10, Guam
5 Code Annotated, to read:

6 “(A) The Board may issue an interim school license to schools without
7 accreditation. Within two (2) years after being issued an interim school license by
8 the Board, the school shall submit to the Board proof that it has applied for
9 accreditation with the Western Association of Schools and Colleges, or National
10 Accrediting Commission of Career Arts and Sciences or its successor. If a school
11 fails to provide documentation that it has applied for accreditation, the interim
12 license shall be rescinded. Within five (5) years after being issued an interim school
13 license by the Board, a school shall submit to the Board proof that it has achieved
14 accreditation. The interim school license shall be renewed annually after inspection.

15 (i) All documents submitted to the Western Association of Schools and
16 Colleges, or National Accrediting Commission of Career Arts and Sciences
17 or its successor for the purposes of accreditation must also be submitted to the
18 Board. The Board may rescind an interim school license if a school fails to
19 provide these documents.

20 (ii) A school can only hold an interim school license for a total of five
21 (5) consecutive years.

22 Section 3. A new § 18128(a)(2)(B) is added to Chapter 18, Title 10, Guam
23 Code Annotated, to read:

24 (B) If a school loses accreditation, the school has two (2) years to regain
25 accreditation before their school license is rescinded.”

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

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~~Deleted: (A) If a school loses accreditation, the school has two (2) years to regain accreditation before their school license is rescinded. (b) The Board may issue an interim school license to a school without accreditation. Within two (2) years after being issued an interim school license by the Board, the school shall submit to the Board proof that it has applied for accreditation with the Western Association of Schools and Colleges, or National Accrediting Commission of Career Arts and Sciences or its successor. Within five (5) years after being issued an interim school license by the Board, a school shall submit to the Board proof that it has achieved accreditation. If a school fails to provide documentation that it has applied for accreditation or has achieved accreditation, the interim license shall be rescinded. The interim school license shall be renewed annually after inspection. A school can only hold an interim school license for a total of six (6) years. If a school fails to achieve accreditation within five (5) years, the school must apply as a new applicant. If the school does not achieve accreditation within six (6) years of initial issuance of an interim school license, the license shall be rescinded and the school cannot reapply for an interim school license.~~
~~(b)(c) No school of cosmetology shall be granted a certificate of license, unless the school provides for health-related instructions or injuries, and employs and maintains a:~~
~~(1) sufficient number of licensed instructors and requires courses of instruction in cosmetology of not less than one thousand six hundred (1,600) hours extending over a period of not less than nine (9) months, and maintains such courses in both practical and technical instruction, including instruction in sanitary sterilization and the use of antiseptics, necessary to meet the requirements for examination for certificate, registration and license as a cosmetologist; and~~
~~(2) procedure to consult with a Guam licensed physician.~~
~~(d)(e) No school of electrology shall be granted a certificate of registration and license, unless it provides for health-related instructions or injuries, and employs and maintains a:~~
~~(1) sufficient number of licensed instructors and requires courses of instruction in electrology of not less than five hundred (500) hours extending over~~ [1]

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Deleted: If a school fails to provide documentation that it has applied for accreditation, the interim license shall be rescinded.

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Vice Speaker

TINA ROSE MUÑA BARNES

CHAIRPERSON, COMMITTEE ON RULES

I Mina'trentai Sais Na Liheslaturan Guåhan

GUAM CONGRESS BUILDING
163 CHALAN SANTO PAPA
HAGÅTÑA, GUAM 96910
TEL 671-472-2461
COR@GUAMLEGISLATURE.ORG

March 9, 2022

MEMO

To: **Rennae Meno**
Clerk of the Legislature

From: **Vice Speaker Tina Rose Muña Barnes**
Chairperson, Committee on Rules

Re: **Fiscal Note Waiver for Bill No. 262-36 (LS)**

Håfa adai,

Attached, please find the fiscal note waiver for the following bill:

Bill No. 262-36 (LS)

Please forward the same to Management Information Services (MIS) for posting on our website.

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.





BUREAU OF BUDGET & MANAGEMENT RESEARCH

OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932



LOURDES A. LEON GUERRERO
GOVERNOR

LESTER L. CARLSON, JR.
DIRECTOR

JOSHUA F. TENORIO
LIEUTENANT GOVERNOR

MAR 08 2022

Vice Speaker Tina Muña Barnes
Chairperson, Committee on Rules
I Mina'trentai Sais Na Liheslaturan Guåhan
Thirty-Sixth Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Hafa Adai Vice Speaker Barnes:

The Bureau requests that Bill No. 262-36 (LS) be granted a waiver pursuant to Public Law 12-229, as amended for the following reason(s):

BILL NO. 262-36 (LS) IS "AN ACT TO AMEND § 18128 OF CHAPTER 18, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO AMENDING THE REQUIREMENTS FOR A SCHOOL LICENSE AND ESTABLISHING AN INTERIM LICENSE FOR SCHOOLS SEEKING ACCREDITATION."

The intent of the proposed legislation is to amend the requirements for which the Board may issue an interim school license relative to schools for Barbering and Cosmetology, requirements when a school loses accreditation, and requirements upon the issuance of an interim school license to a school without accreditation.

As such, the bill is administrative in nature and poses no fiscal impact upon any of the funds of Government of Guam.

Senseramente,

LESTER L. CARLSON, JR.



Office of the Speaker **THERESE M. TERLAJE**

I Mina'trentai Sais na Liheslaturan Guåhan | 36th Guam Legislature
Committee on Health, Land, Justice and Culture

COMMITTEE VOTE SHEET

Bill No. 262-36 (LS) As amended by the Committee on Health, Land, Justice, and Culture
– Introduced by Tina Rose Muña Barnes, and Therese M. Terlaje, “AN ACT TO AMEND § 18128 OF CHAPTER 18, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO AMENDING THE REQUIREMENTS FOR A LICENSE TO OPERATE SCHOOLS THAT TEACH COSMETOLOGY, BARBERING, MANICURING OR NAIL TECHNOLOGY, ESTHETICS, ELECTROLOGY, OR HAIR STYLING; AND ESTABLISHING AN INTERIM LICENSE FOR THE SCHOOLS SEEKING ACCREDITATION.”

	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTA IN	TO PLACE IN INACTI VE FILE
Speaker Therese M. Terlaje Chairperson	<i>Therese M. Terlaje</i> 10.06.22			✓		
Senator Sabina Flores Perez Vice Chairperson of Health, Land and Culture						
Senator Telenia C. Nelson Vice Chairperson of Justice						
Vice Speaker Tina Muña Barnes Member	E-VOTE 10.7.22	✓				
Senator Joanne M. Brown Member						
Senator Christopher M. Dueñas Member	E-VOTE 10.7.22			✓		
Senator Amanda L. Shelton Member						
Senator Telo T. Taitague, Member	E-VOTE 10.7.22			✓		
Senator Jose “Pedro” Terlaje Member	E-VOTE 10.7.22	✓				

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: senatorterlajeguam@gmail.com | www.senatorterlaje.com

**For transmittal of official Messages & Communications to the Guam Legislature to be distributed to all Senators,
please send to: speaker@guamlegislature.org*



Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

REQUEST FOR E-VOTE: BILL NO 262-36 (LS)- AS AMENDED5 messages

Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Thu, Oct 6, 2022 at 5:30 PM

To: Sabina Perez <sabina@senatorperez.org>, Senator Sabina Perez <office@senatorperez.org>, Senator Telen Cruz Nelson <senatortcnelson@guamlegislature.org>, "Office of Senator Telen C. Nelson" <senatortcnelson@gmail.com>, Vice Speaker Tina Rose Muña Barnes <senatormunabarnes@guamlegislature.org>, "Honorable Joanne M. Brown" <office@senatorjoannebrown.com>, Chris Duenas <senatorchrisduenas@gmail.com>, "Amanda S. Shelton" <senatorshelton@guamlegislature.org>, Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, Senator Telo Taitague <senatortelot@gmail.com>, Senator Jose Pedro Terlaje <senatorpedo@senatorjpterlaje.com>

Hafa Adai Committee Members,

Please see attached Committee Report on Bill No. 262-36 (LS) – As Amended by the Committee on Health, Land, Justice and Culture - Introduced by Tina Rose Muña Barnes, Therese M. Terlaje - **“AN ACT TO *AMEND* § 18128 OF CHAPTER 18, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO AMENDING THE REQUIREMENTS FOR A LICENSE TO OPERATE SCHOOLS THAT TEACH COSMETOLOGY, BARBERING, MANICURING OR NAIL TECHNOLOGY, ESTHETICS, ELECTROLOGY, OR HAIR STYLING; AND ESTABLISHING AN INTERIM LICENSE FOR THE SCHOOLS SEEKING ACCREDITATION.”**

Please indicate your preferred action from the following:

- ☐ TO DO PASS
- ☐ TO DO NOT PASS
- ☐ TO REPORT OUT ONLY
- ☐ TO ABSTAIN;
- ☐ TO PLACE IN INACTIVE FILE

Should you have any questions, please do not hesitate to contact our office.

Respectfully,
Charissa L. Manibusan
Committee Director

Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

I Mina'trentai Sais na Liheslaturan Guåhan

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

T: (671) 472-3586 F: (671) 989-3590 Email: senatorterlajeguam@gmail.com

website: www.senatorterlaje.com

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COMMITTEE REPORT- BILL 262-36 (LS)-AS AMENDED.pdf

5190K

Senator Pedo Terlaje <senatorpedo@senatorjpterlaje.com>
To: "Speaker Therese M. Terlaje" <senatorterlajeguam@gmail.com>

Thu, Oct 6, 2022 at 11:57 PM

To do pass

[Quoted text hidden]

Senator Telo Taitague <senatortelot@gmail.com>
To: "Speaker Therese M. Terlaje" <senatorterlajeguam@gmail.com>

Fri, Oct 7, 2022 at 9:36 AM

To report out only.

Si Yu'os Ma'åse,

Create a Great Day!

Senator Telo T. Taitague

36th Guam Legislature

Suite 309 DNA Building

[238 Archbishop Flores St.](#)

[Hagatna, Guam 96910](#)

Tel: (671) 989-8356

Email: senatortelot@gmail.com

[Quoted text hidden]

Vice Speaker Tina Rose Muña Barnes <senatormunabarnes@guamlegislature.org> Fri, Oct 7, 2022 at 9:40 AM
To: "Speaker Therese M. Terlaje" <senatorterlajeguam@gmail.com>

Cc: Sabina Perez <sabina@senatorperez.org>, Senator Sabina Perez <office@senatorperez.org>, Senator Telen Cruz Nelson <senatortcnelson@guamlegislature.org>, "Office of Senator Telen C. Nelson" <senatortcnelson@gmail.com>, "Honorable Joanne M. Brown" <office@senatorjoannebrown.com>, Chris Duenas <senatorchrisduenas@gmail.com>, "Amanda S. Shelton" <senatorshelton@guamlegislature.org>, Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, Senator Telo Taitague <senatortelot@gmail.com>, Senator Jose Pedo Terlaje <senatorpedo@senatorjpterlaje.com>

To do pass.



Sinseru yan Minagåhet,

Office of the Vice Speaker • Tina Rose Muña Barnes

Committee on Rules

Committee on Public Accountability, Human Resource, Guam Buildup, Hagåtña Revitalization, Regional Affairs, Public Library, Telecommunications, and Technology

36th Guam Legislature

I Mina'trentai Sais na Liheslaturan Guåhan

Guam Congress Building | [163 Chalan Santo Papa | Hagåtña, GU 96910](#)

senatormunabarnes@guamlegislature.org

[Quoted text hidden]

Chris Duenas <senatorchrisduenas@gmail.com>

Fri, Oct 7, 2022 at 10:08 AM

To: Vice Speaker Tina Rose Muña Barnes <senatormunabarnes@guamlegislature.org>

Cc: "Speaker Therese M. Terlaje" <senatorterlajegum@gmail.com>, Sabina Perez <sabina@senatorperez.org>, Senator Sabina Perez <office@senatorperez.org>, Senator Telen Cruz Nelson <senatortcnelson@guamlegislature.org>, "Office of Senator Telen C. Nelson" <senatortcnelson@gmail.com>, "Honorable Joanne M. Brown" <office@senatorjoannebrown.com>, "Amanda S. Shelton" <senatorshelton@guamlegislature.org>, Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, Senator Telo Taitague <senatortelot@gmail.com>, Senator Jose Pedro Terlaje <senatorpedo@senatorjpterlaje.com>

To report out only.

Si Yu'os Ma'åse',



Office of Senator Christopher M. Dueñas

36th Guam Legislature

I Mina'trentai Sais Na Liheslaturan Guåhan

(671) 989-9554 - [116 Chalan Santo Papa, Hagatna](#)

senatorchrisduenas@gmail.com

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