

EDDIE BAZA CALVO  
Governor

RAY TENORIO  
Lieutenant Governor

*Office of the Governor of Guam*

MAY 11 2015

2015 MAY 12 AM 10:00

Honorable Judith T. Won Pat, Ed.D.  
Speaker  
*I Mina'trentai Tres Na Liheslaturan Guåhan*  
155 Hesler Street  
Hagåtña, Guam 96910

Dear Madame Speaker:

Transmitted herewith is Bill No. 62-33 (LS) "AN ACT TO AMEND § 32113(b) OF CHAPTER 32, TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO THE REQUIRED EXPERIENCE FOR PROFESSIONAL ENGINEERS, ARCHITECTS AND LAND SURVEYORS, AND CLARIFYING THE PROCESSES FOR APPLICANTS" which I signed into law on May 7, 2015, as Public Law 33-28.

*Senseramente,*

  
EDDIE BAZA CALVO

33-15-0443

Office of the Speaker  
Judith T. Won Pat, Ed.D

Date: 05-12-15

Time: 8:30 AM

Received By:

0443



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*Governor*

RAY TENORIO  
*Lieutenant Governor*

*Office of the Governor of Guam.*

MAY 11 2015

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*Senseramente,*





EDDIE BAZA CALVO


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 Eddie Baza Calvo

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*I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN*  
2015 (FIRST) Regular Session

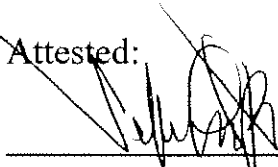
**CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN**

This is to certify that **Bill No. 62-33 (LS)**, "AN ACT TO *AMEND* §32113(b) OF CHAPTER 32, TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO THE REQUIRED EXPERIENCE FOR PROFESSIONAL ENGINEERS, ARCHITECTS AND LAND SURVEYORS, AND CLARIFYING THE PROCESSES FOR APPLICANTS," was on the 1<sup>st</sup> day of May 2015, duly and regularly passed.



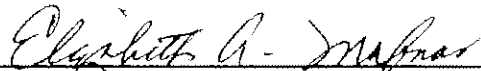
Judith T. Won Pat, Ed.D.  
Speaker

Attested:



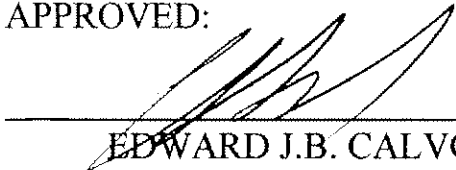
Tina Rose Muña Barnes  
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 4<sup>th</sup> day of May,  
2015, at 4:15 o'clock P.M.



Assistant Staff Officer  
*Maga'lahaen's* Office

APPROVED:



EDWARD J.B. CALVO  
*I Maga'lahaen Guåhan*

MAY 07 2015

Date: \_\_\_\_\_

Public Law No. 33-28

***I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN***  
**2015 (FIRST) Regular Session**

**Bill No. 62-33 (LS)**

As amended by the Committee on Transportation,  
Infrastructure, Lands, Border Protection, Veterans'  
Affairs and Procurement; and further amended  
on the Floor.

Introduced by:

T. C. Ada  
V. Anthony Ada  
Frank F. Blas, Jr.  
FRANK B. AGUON, JR.  
B. J.F. Cruz  
James V. Espaldon  
Brant T. McCreadie  
Tommy Morrison  
T. R. Muña Barnes  
R. J. Respicio  
Dennis G. Rodriguez, Jr.  
Michael F.Q. San Nicolas  
Mary Camacho Torres  
N. B. Underwood, Ph.D.  
Judith T. Won Pat, Ed.D.

**AN ACT TO *AMEND* §32113(b) OF CHAPTER 32, TITLE  
22, GUAM CODE ANNOTATED, RELATIVE TO THE  
REQUIRED EXPERIENCE FOR PROFESSIONAL  
ENGINEERS, ARCHITECTS AND LAND SURVEYORS,  
AND CLARIFYING THE PROCESSES FOR  
APPLICANTS.**

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

2        **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3        that §32113 of Chapter 32, Title 22, Guam Code Annotated, (aka the PEALS law)

1 requires four years of professional experience before an individual may sit for the  
2 Professional Engineer examination. However, the Board of Professional Engineers,  
3 Architects and Land Surveyors (PEALS) finds that Subsection (b)(1)(A) also  
4 requires that these four years be completed *after* an individual successfully passes  
5 the Fundamentals of Engineering examination. The potential for a similar  
6 interpretation also exists within Subsection (b)(5)(A), relative to the experience  
7 required for the Professional Land Surveyors examination.

8 *I Liheslatura* further finds that this interpretation is inconsistent with the  
9 model law and rules established by the National Council of Examiners for  
10 Engineering and Surveying (NCEES), of which the Guam PEALS Board is a  
11 member. The NCEES model law and rules do not restrict creditable experience to  
12 begin after passing of the Fundamentals of Engineering examination or the  
13 Fundamentals of Land Surveying examination. As such, and with the concurrence  
14 of the Guam PEALS Board, it is the intent of *I Liheslatura* to amend the PEALS  
15 law to be consistent with NCEES model law and rules. Additional amendments  
16 were also made to these impacted sections, at the request of the Guam PEALS  
17 Board, in order to update existing law to match current practices and standards,  
18 including updates related to changes in the Intern Development Program of the  
19 National Council of Architectural Registration Boards.

20 **Section 2.** Subsections (A), (B) and (C) of §32113(b)(1) of Chapter 32,  
21 Title 22, Guam Code Annotated, are hereby *amended* to read:

22 “(A) Licensure or Registration by Examination — An Engineer  
23 Intern and a graduate of an engineering curriculum of four (4) years or more,  
24 accredited by EAC/ABET or the equivalent, with a specific record of four  
25 (4) years or more of progressive experience on engineering projects of a  
26 grade and character which indicates to the Board that the applicant may be  
27 competent to practice engineering, at least one (1) year of which *shall* have  
28 been under the supervision of a registered professional engineer, *shall* be

1 admitted to a current form of examination, recognized by the PEALS Board,  
2 in the principles and practices of engineering, and in the case of specific  
3 engineering disciplines, other examinations as prescribed in the by-laws.  
4 Upon passing such examination(s), the applicant *shall* be granted a  
5 certificate of registration to practice engineering on Guam, provided the  
6 applicant is otherwise qualified. Creditable experience towards the required  
7 four (4) years stipulated by this Subsection *shall* begin at a point after  
8 graduation from an engineering program accredited by EAC/ABET, or the  
9 equivalent.

10 (B) Graduation, Experience and Examination — A graduate of an  
11 engineering or related science curriculum of four (4) years or more, other  
12 than the ones approved by the Board as being of satisfactory standing, and  
13 with a specific record of eight (8) years or more of progressive experience,  
14 at least two (2) years of which *shall* have been under the supervision of a  
15 registered engineer on projects of a grade and character which indicates to  
16 the Board that the applicant may be competent to practice engineering, and  
17 having passed a current form of examination, recognized by the PEALS  
18 Board, in the fundamentals of engineering may be admitted to a current form  
19 of examination, recognized by the PEALS Board, in the principles and  
20 practice of engineering as prescribed in the by-laws. Upon passing such  
21 examination, the applicant *shall* be granted a certificate of registration to  
22 practice engineering on Guam, provided the applicant is otherwise qualified.

23 (C) A Non-graduate from a Technical Curriculum — A non-  
24 graduate of an engineering or related science curriculum of four (4) years or  
25 more, with a specific record of three (3) years or more in such a curriculum  
26 plus twelve (12) years or more of progressive experience on engineering  
27 projects, four (4) years of which must have been under the supervision of a  
28 registered engineer, and of which at least six (6) years have been in

1 responsible control of engineering projects of a grade and character which  
2 indicates to the Board that the applicant may be competent to practice  
3 engineering, and having passed a current form of examination, recognized  
4 by the PEALS Board, in the fundamentals of engineering may be admitted to  
5 a current form of examination, recognized by the PEALS Board, in the  
6 principles and practice of engineering as prescribed in the by-laws. Upon  
7 passing such examination, the applicant *shall* be granted a certificate of  
8 registration to practice engineering on Guam, provided the applicant is  
9 otherwise qualified.”

10 **Section 3.** Subsections (A) and (B) of § 32113(b)(3) of Chapter 32, Title  
11 22, Guam Code Annotated, are hereby *amended* to read:

12 “(3) As an Architect:

13 (A) Education, Experience and Examination — A graduate of an  
14 NAAB accredited program from a school of architecture approved by the  
15 Board as being of satisfactory standing and with at least three (3) years of  
16 progressive experience satisfactory to the Board in architectural work  
17 covering the major categories of architectural practice, at least two (2) years  
18 of which *shall* have been under the supervision of a registered architect, and  
19 having completed the Intern Development Program (IDP) *shall* be eligible  
20 for a current form of examination as prescribed in the rules and regulations.  
21 Upon passing such examination, the applicant *shall* be granted a certificate  
22 of registration to practice architecture in Guam, if the applicant is otherwise  
23 qualified.

24 (i) Effective June 1, 2009, an applicant to the Architect  
25 Registration Examination (ARE) *shall*, prior to exam eligibility,  
26 complete the Intern Development Program (IDP) of the National  
27 Council of Architectural Registration Boards (NCARB), as defined  
28 herein and in the rules and regulations set forth, and the most recent or

1 current form of IDP guidelines prepared and prescribed by the  
2 NCARB. The IDP requirement *does not* apply to a candidate who:

3 (aa) was determined by the Board to be eligible on or  
4 before May 31, 2009, and who is active in the examination  
5 process; or

6 (bb) has completed all the necessary education  
7 equivalents prior to June 1, 2009, who has submitted a  
8 completed application for eligibility evaluation to the Board  
9 that is postmarked on or before May 31, 2009, and who has  
10 been determined by the Board to be eligible.

11 (ii) An applicant *shall* obtain an IDP certification upon  
12 completion of the Intern Development Program, and *shall* submit such  
13 certificate with the application form.

14 (iii) As an applicant acquires additional work experience as  
15 required by the Board, it is the applicant's responsibility to ensure that  
16 his/her employer(s) complete the Employment Verification Forms  
17 covering the additional work experience gained with that employer,  
18 and that the forms are submitted to the Board. Reporting *shall* be as  
19 per most current NCARB policies and procedures.

20 (B) Experience and Examination – An applicant having eight (8)  
21 years of architectural training or educational experience satisfactory to the  
22 Board, of which a minimum of three (3) years *shall* be experience covering  
23 the major categories of architectural practice under the supervision of a  
24 registered architect, and having completed the Intern Development Program,  
25 *shall* be eligible for a current form of examination as prescribed in the rules  
26 and regulations. Upon passing such examination, the applicant *shall* be  
27 granted a certificate of registration to practice architecture on Guam, if the  
28 applicant is otherwise qualified.



1 (i) The requirements of Subsection (A)(i) through (iii) of  
2 this §32113(b)(3) *shall* also apply to this Subsection (B).”

3 **Section 4.** Subsection (A) of §32113(b)(5) of Chapter 32, Title 22, Guam  
4 Code Annotated, is hereby *amended* to read:

5 “(A) Licensure or Registration by Examination — A Surveyor Intern  
6 with a specific record of four (4) years or more of combined office and field  
7 experience satisfactory to the Board in surveying, of which a minimum of  
8 three (3) years’ progressive experience has been on surveying projects under  
9 the supervision of a professional surveyor, *shall* be eligible to take the  
10 current form of examination prepared and furnished by the NCEES in the  
11 principles and practice of land surveying, and in Guam Land Matters as  
12 prescribed in the by-laws. Upon passing such examination, the applicant  
13 *shall* be granted a certificate of registration to practice land surveying on  
14 Guam, provided the applicant is otherwise qualified. Creditable experience  
15 towards the required four (4) years stipulated by this Subsection may be  
16 completed at any point, prior to or after, the applicant successfully passes the  
17 Fundamentals of Land Surveying examination. The Board may require  
18 additional information, including an oral interview, to verify and confirm  
19 that the experience requirements under a professional land surveyor have  
20 been met.”

21 **Section 5. Severability.** If any of the provisions of this law or its  
22 application to any person or circumstance is found to be invalid or contrary to law,  
23 such invalidity *shall not* affect other provisions or applications of this law which  
24 can be given effect without the invalid provisions or application, and to this end the  
25 provisions of this law are severable.