

*I Mina'trentai Singko 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
207-35 (COR)	Louise B. Muña	AN ACT TO <i>ADD</i> A NEW § 18137 TO CHAPTER 18, TITLE 10 GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE COLOCATION OF MASSAGE THERAPY AND PRACTICE SERVICES WITHIN COSMETOLOGY ESTABLISHMENTS.	9/16/19 1:06 p.m.	10/9/19	Committee on Health, Tourism, Historic Preservation, Land, and Justice	2/12/20 5:00 p.m.	11/13/20 7:33 p.m.	Request: 10/25/19  Waiver: 10/28/19	
	SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	VETOED	NOTES		
	11/16/20	AN ACT TO <i>ADD</i> A NEW § 18137 TO CHAPTER 18 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE COLOCATION OF MASSAGE THERAPY AND PRACTICE SERVICES WITHIN COSMETOLOGY ESTABLISHMENTS.	12/1/20	12/1/20	12/12/20	12/11/20	Received: 12/11/20 Mess and Comm. Doc. No. 35GL-19-2506.		

UFISINAN I MAGA'HÅGA  
OFFICE OF THE GOVERNOR

LOURDES A. LEON GUERRERO  
MAGA'HÅGA • GOVERNOR



JOSHUA F. TENORIO  
SIGUNDO MAGA'LÅHI • LIEUTENANT GOVERNOR

December 11, 2020

**HONORABLE TINA ROSE MUÑA BARNES**, *Speaker*  
*I Mina'trentai Singko Na Liheslaturan Guåhan*  
35<sup>th</sup> Guam Legislature  
Guam Congress Building  
163 Chalan Santo Papa  
Hagåtña, Guam 96910

35GL-20-2506

Speaker Tina Rose Muña Barnes

DEC 11 2020

Time 5:25 PM  
Resolved By: [Signature]

**Re: (VETOED) Bill No. 207-35 (COR) – An Act to Add a New § 18137 to Chapter 18 of Title 10, Guam Code Annotated, Relative to Authorizing the Colocation of Massage Therapy and Practice Services within Cosmetology Establishments**

Dear Madame Speaker:

When Bill No. 207-35 came up for public hearing, the Department of Public Health and Social Services (“DPHSS”) asked the Legislature to consider changes to the bill to ensure that there would be no gap in regulatory framework resulting from its enactment of the adoption of changes to the statute while changes to the corresponding regulations were being made. Unfortunately, these suggestions were not included in the Bill. Furthermore, the Bill conditions the co-location of the services on the licensure of the massage therapist by DPHSS. However, DPHSS does not license massage therapists, and, in fact, there is not a licensing body for such profession in Guam. These defects make Bill No. 207-35 unworkable in its present form. While this Administration welcomes legislation intended to make it easier to operate small businesses, such laws must be premised on facts. Unfortunately, Bill No. 207-35 is not, and it is for this reason that I veto the same.

*Senseramente,*

**LOURDES A. LEON GUERRERO**  
*I Maga'hågan Guåhan*  
Governor of Guam

Enclosure: VETOED Bill No. 207-35 (COR)  
cc via email: *Sigundo Maga'låhen Guåhan*  
*Compiler of Laws*

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***I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN***  
**2020 (SECOND) Regular Session**

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

This is to certify that **Bill No. 207-35 (COR) "AN ACT TO ADD A NEW § 18137 TO CHAPTER 18 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE COLOCATION OF MASSAGE THERAPY AND PRACTICE SERVICES WITHIN COSMETOLOGY ESTABLISHMENTS,"** was on the 1<sup>st</sup> day of December 2020, duly and regularly passed.

  
\_\_\_\_\_  
**Tina Rose Muña Barnes**  
Speaker

Attested:

  
\_\_\_\_\_  
**Amanda L. Shelton**  
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 4<sup>th</sup> day of December,  
2020, at 4:29 o'clock P.M.

  
\_\_\_\_\_  
Assistant Staff Officer  
*Maga'håga's Office*

APPROVED:

\_\_\_\_\_  
**Lourdes A. Leon Guerrero**  
*I Maga'hågan Guåhan*

Date: 12 / 11 / 2020

Public Law No. \_\_\_\_\_

RCUD AT CENTRAL FILES  
DEC 1 '20 PM 4:29  
2020-12253  
Jessica Cruz

***I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN***  
**2019 (FIRST) Regular Session**

**Bill No. 207-35 (COR)**

Introduced by:

Louise B. Muña  
William M. Castro  
Régine Biscoe Lee  
Kelly Marsh (Taitano), PhD  
James C. Moylan  
Tina Rose Muña Barnes  
Telena Cruz Nelson  
Sabina Flores Perez  
Clynton E. Ridgell  
Joe S. San Agustin  
Amanda L. Shelton  
Telo T. Taitague  
Jose “Pedo” Terlaje  
Therese M. Terlaje  
Mary Camacho Torres

**AN ACT TO *ADD* A NEW § 18137 TO CHAPTER 18 OF  
TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO  
AUTHORIZING THE COLOCATION OF MASSAGE  
THERAPY AND PRACTICE SERVICES WITHIN  
COSMETOLOGY ESTABLISHMENTS.**

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

**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that the current administrative rules and regulations ban the colocation of cosmetology businesses with massage businesses and massage practitioners, although the sanitary permit requirements for both businesses are nearly identical. The result of these regulatory burdens is that business owners are barred from offering massage services and cosmetology services in the same establishment.



1 Because of expensive rent and the overhead costs associated with operating a  
2 massage practice venue, massage therapists and practitioners often limit their  
3 practice to home sessions.

4 *I Liheslaturan Guåhan* finds that this degree of separation is unnecessary as  
5 both cosmetologists and massage therapists have special licensing requirements to  
6 practice their arts and cannot engage in either practice without the proper licensing.

7 Therefore, it is the intent of *I Liheslaturan Guåhan* to permit the operation of  
8 cosmetology and massage therapy within the same business location.

9 **Section 2.** A new § 18137 is *added* to Chapter 18 of Title 10, Guam Code  
10 Annotated, to read:

11 **“§ 18137. Colocation of Massage Therapy Businesses or Services.**

12 Notwithstanding any provision of law, or rule or regulation, massage  
13 therapy and practice businesses or services may be colocated within any  
14 cosmetology establishment authorized by this Chapter subject to the following  
15 conditions:

16 (a) that the space to perform such services offers privacy for  
17 the patrons of the massage services;

18 (b) that the therapists performing massage therapy be duly  
19 licensed by the Guam Department of Public Health and Social Services  
20 and comply with health certificate requirements; and

21 (c) that prices for such services be printed or displayed and  
22 made available to patrons in advance of the services.

23 Massage therapists operating within cosmetology businesses may be  
24 employed as employees or independent contractors.

25 Massage services that are permitted in the practice of cosmetology  
26 related services are not subject to the requirements of this Section.”