

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
132-36 (COR)	Tina Rose Muñá Barnes	AN ACT TO AMEND §§ 12217, 12229, 12319, 12320, 12436, 12505, 12617(b)(8), 122313(g), AND 122313(h) TO REPEAL AND REENACT §§ 12819, 12826, and 122330, ALL OF CHAPTER 12, TITLE 10, GUAM CODE ANNOTATED; TO ADD §§ 12436.1, 12436.2, 12505.1, 12617.1, 12617.2, 12826.1, 122313(i), AND 122313(j) TO CHAPTER 12, TITLE 10, GUAM CODE ANNOTATED, AND TO AMEND § 18105(a)(4), AND TO REPEAL AND REENACT §§ 18108 AND 18124 OF CHAPTER 18, TITLE 10 GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING SEPARATE REVOLVING FUNDS FOR THE GUAM BOARDS OF MEDICAL EXAMINERS; AND NURSE EXAMINERS; THE BOARDS OF EXAMINERS FOR DENTISTRY; OPTOMETRY; AND PHARMACY; AND THE BOARDS OF ALLIED HEALTH EXAMINERS; BARBERING AND COSMETOLOGY; AND SOCIAL WORK.	5/3/21 2:46 p.m.						

I MINA 'TRENTAI SINGKO NA LIHESLATORAN GUÅHAN
2021 (FIRST) Regular Session

Bill No. 132-36 (COR)

Introduced by:

Tina Rose Muña Barnes 

AN ACT TO AMEND §§ 12217, 12229, 12319, 12320, 12436, 12505, 12617(b)(8), 122313(g), AND 122313(h) TO REPEAL AND REENACT §§ 12819, 12826, and 122330, ALL OF CHAPTER 12, TITLE 10, GUAM CODE ANNOTATED; TO ADD §§ 12436.1, 12436.2, 12505.1, 12617.1, 12617.2, 12826.1, 122313(i), AND 122313(j) TO CHAPTER 12, TITLE 10, GUAM CODE ANNOTATED, AND TO AMEND § 18105(a)(4), AND TO REPEAL AND REENACT §§ 18108 AND 18124 OF CHAPTER 18, TITLE 10 GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING SEPARATE REVOLVING FUNDS FOR THE GUAM BOARDS OF MEDICAL EXAMINERS; AND NURSE EXAMINERS; THE BOARDS OF EXAMINERS FOR DENTISTRY; OPTOMETRY; AND PHARMACY; AND THE BOARDS OF ALLIED HEALTH EXAMINERS; BARBERING AND COSMETOLOGY; AND SOCIAL WORK.

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

2 **Section 1.** § 12217 of Article 2, Chapter 12. Title 10, Guam Code Annotated,
3 is amended to read:

4 **§ 12217. Funding and Fees.**

5 (a) The Board shall be fully supported by the revenues generated from its
6 activities, including fees, charges, fines, and reimbursed costs. All such revenues,
7 including fines, including accrued interest shall be deposited to the Health
8 Professional Licensing Office "Guam Board of Medical Examiners Revolving
9 Fund." This Fund shall receive all interest earned on the deposit of such revenues.

1 Such funds should be appropriated continuously and should be used by the Board
2 for administration and enforcement of the ~~Medical Practice Act~~ this Article.

3 (b) The Board shall develop and adopt its own budget reflecting revenues,
4 including the interest thereon, and costs associated with ~~each health care field~~
5 ~~regulated the administration, regulation, and enforcement of this Article, and which~~
6 ~~shall also . Revenues and interest thereon should fully support Board administration,~~
7 ~~regulation, and enforcement. The budget should include allocations for~~
8 establishment and maintenance of a reasonable reserve fund.

9 (c) ~~All Board fees and charges shall be set by the Board pursuant to its~~
10 ~~proposed budget needs. Reasonable notice should be provided for all increases or~~
11 ~~decreases in fees and charges. Resolutions of the Board amending fees and charges~~
12 ~~need not be adopted in accordance with the Administrative Adjudication Law,~~
13 ~~except that no increase in fees or charges shall become effective until after three~~
14 ~~meetings of the board where the public has been given an opportunity to comment.~~
15 All fees are non-refundable.

16 (d) A designated officer of the Board, or other person specifically designated
17 by the Board, shall at the direction of the Board, oversee the collection and
18 disbursement of funds.

19 ~~The Guam Auditor's Office, or the equivalent State office should audit the~~
20 ~~financial records of the Board annually and report to the Board and I Liheslaturan~~
21 ~~Guåhan."~~

22 **Section 2.** § 12229 of Article 2, Chapter 12. Title 10, Guam Code Annotated,
23 is amended to read:

24 **“§ 12229. Revolving Fund.**

25 There is hereby created, separate and apart from other funds of the
26 government of Guam, a fund known as the “Guam Board of Medical Examiners a
27 Revolving Fund” within the Health Professional Licensing Office of the Department

1 of Public Health and Social Services, specifically for use by the Board in the
2 administration and enforcement of this Article, into which all money payable under
3 the provisions of these Articles 2, 5, 6, and Chapter 18 [all] of Title 10 of the
4 Government Code of Guam, shall be deposited. The Fund shall not be commingled
5 with any other fund and shall be deposited into a separate account, or otherwise
6 maintained separately. All revenues from whatever source, including but not limited
7 to appropriations, fees and charges, fines and penalties, gifts, grants, and accrued
8 interest shall be deposited into the Fund. The Fund shall *not* be subject to any transfer
9 authority of *I Maga 'lahen Guåhan*. The revolving fund shall be used to defray the
10 cost of obtaining standardized examination materials and services for the healing
11 arts and cosmetology licensure and the cost of proctoring examination at the testing
12 site; and for operational expenses necessary for testing and monitoring of
13 examination. Tests for licensure of all the healing arts and cosmetology shall be
14 given at least every six (6) months.

15 The Office of Public Accountability shall audit the financial records of the
16 Board annually, or as often as it may deem appropriate, and report its findings to the
17 Board, *I Maga 'lahen Guåhan*, and *I Liheslaturan Guåhan*."

18 **Section 3.** § 12319 of Article 3, Chapter 12. Title 10, Guam Code Annotated,
19 is amended to read:

20 **“§ 12319 Disposition of Funding and Fees.**

21 (a) All fees received by the Board under this Article, except such amounts as
22 are paid through the Board for examinations taken by applicants and which must
23 be transmitted to a testing service, shall be deposited in the General Fund.

24 (b) All funds that have accumulated to the credit of the Board under the
25 provisions of Chapter III of Title XXVIII of the Government Code, which law is
26 repealed by this Act, shall be turned over to the General Fund.

1 (a) The Board shall be fully supported by the revenues generated from its
2 activities, including fees, charges, fines, and reimbursed costs. All such revenues,
3 including accrued interest, shall be deposited to the “Board of Nurse Examiners
4 Revolving Fund.” Such funds should be appropriated continuously and should be
5 used by the Board for administration and enforcement of this Article.

6 (b) The Board shall develop and adopt its own budget reflecting revenues,
7 including the interest thereon, and costs associated with the administration,
8 regulation, and enforcement of this Article, and which should also include
9 allocations for establishment and maintenance of a reasonable reserve fund.

10 (c) Resolutions of the Board amending fees and charges need not be adopted
11 in accordance with the Administrative Adjudication Law, except that no increase in
12 fees or charges shall become effective until after three meetings of the board where
13 the public has been given an opportunity to comment. All fees are non-refundable.

14 (d) A designated officer of the Board, or other person specifically designated
15 by the Board, shall at the direction of the Board, oversee the collection and
16 disbursement of funds.”

17 **Section 4.** § 12320 of Article 3, Chapter 12. Title 10, Guam Code Annotated,
18 is amended to read:

19 **“§ 12320. Appropriations Revolving Fund.**

20 Operations of the Board and the implementation of this Article shall be funded
21 by annual appropriation to the Commission.

22 There is hereby created, separate and apart from other funds of the
23 government of Guam, a fund known as the “Guam Board of Nurse Examiners
24 Revolving Fund” within the Health Professional Licensing Office of the Department
25 of Public Health and Social Services, specifically for use by the Board in the
26 administration and enforcement of this Article. The Fund shall not be commingled
27 with any other fund and shall be deposited into a separate account, or otherwise

1 maintained separately. All revenues from whatever source, including but not limited
2 to appropriations, fees and charges, fines and penalties, gifts, grants, and accrued
3 interest shall be deposited into the Fund. The Fund shall *not* be subject to any transfer
4 authority of *I Maga 'lahan Guåhan*.

5 The Office of Public Accountability shall audit the financial records of the
6 Board annually, or as often as it may deem appropriate, and report its findings to the
7 Board, *I Maga 'lahan Guåhan*, and *I Liheslaturan Guåhan*."

8 **Section 5.** § 12436 of Article 4, Chapter 12. Title 10, Guam Code Annotated,
9 is amended to read:

10 **“§ 12436. Fees; Meetings.**

11 ~~(a) The Board shall establish fees as required in this Article. Resolutions of~~
12 ~~the Board setting fees need not be adopted in accordance with the Administrative~~
13 ~~Adjudication Law. All fees are non-refundable. All fees, except those transmitted~~
14 ~~for national examinations, shall be deposited in the General Fund.~~

15 ~~(b)~~ **(a)** The Board shall comply with the requirements of the Open Government
16 Law (P.L. 13-35) but when the Board is preparing examinations, grading
17 examinations, discussing the eligibility of a person to be licensed to practice
18 dentistry or reviewing evidence obtained at a hearing for disciplinary action the
19 Board shall be in executive session and may exclude the press and members of the
20 public.

21 ~~(e)~~ **(b)** The Board may meet as often as necessary to conduct its business but
22 not less than four (4) times per year."

23 **Section 6.** A new § 12436.1 is added to Article 4, Chapter 12. Title 10, Guam
24 Code Annotated, to read as follows:

25 **“§ 12436.1. Funding and Fees.**

26 ~~(a) The Board shall be fully supported by the revenues generated from its~~
27 ~~activities, including fees, charges, fines, and reimbursed costs. All such revenues,~~

1 including accrued interest, shall be deposited to the “Guam Board of Examiners for
2 Dentistry Revolving Fund.” Such funds should be appropriated continuously and
3 should be used by the Board for administration and enforcement of this Article.

4 (b) The Board shall develop and adopt its own budget reflecting revenues,
5 including the interest thereon, and costs associated with the administration,
6 regulation, and enforcement of this Article, and which should also include
7 allocations for establishment and maintenance of a reasonable reserve fund.

8 (c) Resolutions of the Board amending fees and charges need not be adopted
9 in accordance with the Administrative Adjudication Law, except that no increase in
10 fees or charges shall become effective until after three meetings of the board where
11 the public has been given an opportunity to comment. All fees are non-refundable.

12 (d) A designated officer of the Board, or other person specifically designated
13 by the Board, shall at the direction of the Board, oversee the collection and
14 disbursement of funds.”

15 **Section 7.** A new § 12436.2 is added to Article 4, Chapter 12. Title 10, Guam
16 Code Annotated, to read as follows:

17 **“§ 12436.2. Revolving Fund.**

18 There is hereby created, separate and apart from other funds of the
19 government of Guam, a fund known as the “Guam Board of Examiners for Dentistry
20 Revolving Fund” within the Health Professional Licensing Office of the Department
21 of Public Health and Social Services, specifically for use by the Board in the
22 administration and enforcement of this Article. The Fund shall not be commingled
23 with any other fund and shall be deposited into a separate account, or otherwise
24 maintained separately. All revenues from whatever source, including but not limited
25 to appropriations, fees and charges, fines and penalties, gifts, grants, and accrued
26 interest shall be deposited into the Fund. The Fund shall *not* be subject to any transfer
27 authority of *I Maga ’lahan Guåhan*.

1 The Office of Public Accountability shall audit the financial records of the
2 Board annually, or as often as it may deem appropriate, and report its findings to the
3 Board, *I Maga 'lahen Guåhan, and I Liheslaturan Guåhan.*"

4 **Section 8.** § 12505 of Article 5, Chapter 12. Title 10, Guam Code Annotated,
5 is amended to read:

6 **“§ 12505. Funding and Fees.**

7 All fees received by the Board except those paid for standardized national
8 examinations shall be deposited with the Treasurer of Guam for deposit in the
9 General Fund.

10 (a) The Board shall be fully supported by the revenues generated from its
11 activities, including fees, charges, fines, and reimbursed costs. All such revenues,
12 including accrued interest, shall be deposited to the “Guam Board of Examiners for
13 Optometry Revolving Fund.” Such funds should be appropriated continuously and
14 should be used by the Board for administration and enforcement of this Article.

15 (b) The Board shall develop and adopt its own budget reflecting revenues,
16 including the interest thereon, and costs associated with the administration,
17 regulation, and enforcement of this Article, and which should also include
18 allocations for establishment and maintenance of a reasonable reserve fund.

19 (c) Resolutions of the Board amending fees and charges need not be adopted
20 in accordance with the Administrative Adjudication Law, except that no increase in
21 fees or charges shall become effective until after three meetings of the board where
22 the public has been given an opportunity to comment. All fees are non-refundable.

23 (d) A designated officer of the Board, or other person specifically designated
24 by the Board, shall at the direction of the Board, oversee the collection and
25 disbursement of funds.”

1 **Section 9.** A new § 12505.1 is added to Article 5, Chapter 12. Title 10, Guam
2 Code Annotated, to read:

3 **“§ 12505.1 Revolving Fund.”**

4 There is hereby created, separate and apart from other funds of the
5 government of Guam, a fund known as the “Guam Board of Examiners for
6 Optometry Revolving Fund” within the Health Professional Licensing Office of the
7 Department of Public Health and Social Services, specifically for use by the Board
8 in the administration and enforcement of this Article. The Fund shall not be
9 commingled with any other fund and shall be deposited into a separate account, or
10 otherwise maintained separately. All revenues from whatever source, including but
11 not limited to appropriations, fees and charges, fines and penalties, gifts, grants, and
12 accrued interest shall be deposited into the Fund. The Fund shall *not* be subject to
13 any transfer authority of *I Maga ’lahan Guåhan.*

14 The Office of Public Accountability shall audit the financial records of the
15 Board annually, or as often as it may deem appropriate, and report its findings to the
16 Board, *I Maga ’lahan Guåhan, and I Liheslaturan Guåhan.”*

17 **Section 10.** § 12617(b)(8) of Article 6, Chapter 12. Title 10, Guam Code
18 Annotated, is amended to read:

19 “(8) In addition to the fees specifically provided for herein, the Board may
20 assess additional reasonable fees for services rendered to carry out its duties and
21 responsibilities as required or authorized by this Act or rules adopted hereunder.
22 Such services rendered shall include, but not be limited to, the following:

- 23 (A) issuance of duplicate certificates or identification cards;
24 (B) mailing lists, or reports of data maintained by the Board;
25 (C) copies of any documents;
26 (D) certification of documents;
27 (E) notices of meetings;

1 (F) licensure transfer;

2 (G) examination administration to a licensure applicant; and

3 (H) examination materials.”

4 **Section 11.** A new § 12617.1 is added to Article 6, Chapter 12. Title 10, Guam

5 Code Annotated, to read:

6 **“§ 12617.1. Funding and Fees.**

7 (a) The Board shall be fully supported by the revenues generated from its
8 activities, including fees, charges, fines, and reimbursed costs. All such revenues,
9 including accrued interest, shall be deposited to the “Guam Board of Pharmacy
10 Revolving Fund.” Such funds should be appropriated continuously and should be
11 used by the Board for administration and enforcement of this Article.

12 (b) The Board shall develop and adopt its own budget reflecting revenues,
13 including the interest thereon, and costs associated with the administration,
14 regulation, and enforcement of this Article, and which should also include
15 allocations for establishment and maintenance of a reasonable reserve fund.

16 (c) Resolutions of the Board amending fees and charges need not be adopted
17 in accordance with the Administrative Adjudication Law, except that no increase in
18 fees or charges shall become effective until after three meetings of the board where
19 the public has been given an opportunity to comment. All fees are non-refundable.

20 (d) A designated officer of the Board, or other person specifically designated
21 by the Board, shall at the direction of the Board, oversee the collection and
22 disbursement of funds.”

23 **Section 12.** A new § 12617.2 is added to Article 6, Chapter 12. Title 10, Guam

24 Code Annotated, to read:

25 **“§ 12617.2 Revolving Fund.**

26 There is hereby created, separate and apart from other funds of the
27 government of Guam, a fund known as the “Guam Board of Pharmacy Revolving

1 Fund” within the Health Professional Licensing Office of the Department of Public
2 Health and Social Services, specifically for use by the Board in the administration
3 and enforcement of this Article. The Fund shall not be commingled with any other
4 fund and shall be deposited into a separate account, or otherwise maintained
5 separately. All revenues from whatever source, including but not limited to
6 appropriations, fees and charges, fines and penalties, gifts, grants, and accrued
7 interest shall be deposited into the Fund. The Fund shall *not* be subject to any transfer
8 authority of *I Maga ’lahan Guåhan.*

9 The Office of Public Accountability shall audit the financial records of the
10 Board annually, or as often as it may deem appropriate, and report its findings to the
11 Board, *I Maga ’lahan Guåhan, and I Liheslaturan Guåhan.”*

12 **Section 13.** § 12819 of Article 8, Chapter 12, Title 10, Guam Code Annotated,
13 is repealed, and reenacted to read:

14 “**§ 12819. Fee Schedule.**

15 The Board is authorized to adopt and amend its fee schedules and charges by
16 Board resolution, which need not be adopted in accordance with the Administrative
17 Adjudication Law, *except* that no increase in fees or charges shall become effective
18 until after three meetings of the board where the public has been given an
19 opportunity to comment. All fees are non-refundable.”

20 **Section 14.** § 12826 of Article 8, Chapter 12, of Title 10 Guam Code
21 Annotated is repealed and reenacted to read:

22 “**§ 12826. Funding and Fees.**

23 (a) The Board shall be fully supported by the revenues generated from its
24 activities, including fees, charges, fines, and reimbursed costs. All such revenues,
25 including accrued interest, shall be deposited to the “Guam Board of Allied Health

1 Examiners Revolving Fund.” Such funds should be appropriated continuously and
2 should be used by the Board for administration and enforcement of this Article.

3 (b) The Board shall develop and adopt its own budget reflecting revenues,
4 including the interest thereon, and costs associated with the administration,
5 regulation, and enforcement of this Article, and which should also include
6 allocations for establishment and maintenance of a reasonable reserve fund.

7 (c) A designated officer of the Board, or other person specifically designated
8 by the Board, shall at the direction of the Board, oversee the collection and
9 disbursement of funds.”

10 **Section 15.** A new § 12826.1 is added to Article 6, Chapter 12. Title 10, Guam
11 Code Annotated, to read:

12 **“§ 12826.1 Revolving Fund.**

13 There is hereby created, separate and apart from other funds of the
14 government of Guam, a fund known as the “Guam Board of Allied Health Examiners
15 Revolving Fund” within the Health Professional Licensing Office of the Department
16 of Public Health and Social Services, specifically for use by the Board in the
17 administration and enforcement of this Article. The Fund shall not be commingled
18 with any other fund and shall be deposited into a separate account, or otherwise
19 maintained separately. All revenues from whatever source, including but not limited
20 to appropriations, fees and charges, fines and penalties, gifts, grants, and accrued
21 interest shall be deposited into the Fund. The Fund shall *not* be subject to any transfer
22 authority of *I Maga ’lahan Guåhan.*

23 The Office of Public Accountability shall audit the financial records of the
24 Board annually, or as often as it may deem appropriate, and report its findings to the
25 Board, *I Maga ’lahan Guåhan, and I Liheslaturan Guåhan.”*

26 **Section 16.** § 122313(g) of Article 23, Chapter 12, Title 10, Guam Code
27 Annotated, is amended to read:

1 “(g) The Board shall establish and collect fees from every applicant for the
2 services it performs. The fees shall be established through rules and regulations
3 pursuant to 5 GCA, Chapter 9, the Administrative Adjudication Law, Rule Making
4 Procedures. The Board shall be fully supported by the revenues generated from its
5 activities, including fees, charges, fines, and reimbursed costs. All such revenues,
6 including accrued interest, shall be deposited to the “Social Work Board Revolving
7 Fund.” Such funds should be appropriated continuously and should be used by the
8 Board for administration and enforcement of this Article.

9 **Section 17.** § 122313(h) of Article 23, Chapter 12, Title 10, Guam Code
10 Annotated, is amended to read:

11 (h) In addition to the fees specifically provided for, the Board may assess
12 additional reasonable fees for services rendered to carry out its duties and
13 responsibilities as required or authorized by this Act or rules adopted hereunder.
14 Such services rendered shall include, but not be limited to, the following:

- 15 (1) issuance of duplicate certificates or identification cards;
- 16 (2) mailing lists, or reports of data maintained by the Board;
- 17 (3) copies of any documents;
- 18 (4) certification of documents;
- 19 (5) notices of meetings;
- 20 (6) licensure transfer;
- 21 (7) examination administration to a licensure applicant; and
- 22 (8) examination materials.

23 The Board shall develop and adopt its own budget reflecting revenues, including the
24 interest thereon, and costs associated with the administration, regulation, and
25 enforcement of this Article, and which should also include allocations for
26 establishment and maintenance of a reasonable reserve fund.

1 **Section 18.** A new § 122313(i) of Article 23, Chapter 12, Title 10, Guam Code
2 Annotated, is added to read:

3 “(i) Resolutions of the Board amending fees and charges need not be adopted
4 in accordance with the Administrative Adjudication Law, except that no increase in
5 fees or charges shall become effective until after three meetings of the board where
6 the public has been given an opportunity to comment. All fees are non-refundable.”

7 **Section 19.** A new § 122313(j) of Article 23, Chapter 12, Title 10, Guam Code
8 Annotated, is added to read:

9 “(j) A designated officer of the Board, or other person specifically designated
10 by the Board, shall at the direction of the Board, oversee the collection and
11 disbursement of funds.”

12 **Section 20.** § 122330 of Article 23, Chapter 12, Title 10, Guam Code
13 Annotated, is repealed and reenacted to read:

14 **“§ 122330. Creation of Revolving Fund.**

15 There is hereby created, separate and apart from other funds of the
16 government of Guam, a fund known as the “Guam Board of Social Work Revolving
17 Fund” within the Health Professional Licensing Office of the Department of Public
18 Health and Social Services, specifically for use by the Board in the administration
19 and enforcement of this Article. The Fund shall not be commingled with any other
20 fund and shall be deposited into a separate account, or otherwise maintained
21 separately. All revenues from whatever source, including but not limited to
22 appropriations, fees and charges, fines and penalties, gifts, grants, and accrued
23 interest shall be deposited into the Fund. The Fund shall *not* be subject to any transfer
24 authority of *I Maga ’hågan Guåhan*.

25 The Office of Public Accountability shall audit the financial records of the
26 Board annually, or as often as it may deem appropriate, and report its findings to the
27 Board, *I Maga ’hågan Guåhan*, and *I Liheslaturan Guåhan*. ”

1 **Section 21.** § 18105(a)(4) of Chapter 18 of Title 10, Guam Code Annotated,

2 is amended to read:

3 “(4) establish fees for issuance of licenses, examinations, inspections, and

4 others as necessary, ~~through the Administrative Adjudication Law process;~~”

5 **Section 22.** § 18108 of Chapter 18 of Title 10 GCA is repealed and reenacted

6 to read:

7 **“§ 18108 Revolving Fund.”**

8 There is hereby created, separate and apart from other funds of the

9 government of Guam, a fund known as the “Board of Barbering and Cosmetology

10 Revolving Fund” within the Health Professional Licensing Office of the Department

11 of Public Health and Social Services, specifically for use by the Board in the

12 administration and enforcement of this Article. The Fund shall not be commingled

13 with any other fund and shall be deposited into a separate account, or otherwise

14 maintained separately. All revenues from whatever source, including but not limited

15 to appropriations, fees and charges, fines and penalties, gifts, grants, and accrued

16 interest shall be deposited into the Fund. The Fund shall *not* be subject to any transfer

17 authority of *IMaga'lahan Guåhan.*

18 The Office of Public Accountability shall audit the financial records of the

19 Board annually, or as often as it may deem appropriate, and report its findings to the

20 Board, *IMaga'lahan Guåhan, and ILiheslaturan Guåhan.”*

21 **Section 23.** § 18124 of Chapter 18 of Title 10 GCA is repealed and reenacted

22 to read:

23 **“§ 18124. Funding and Fees.”**

24 (a) The Board shall be fully supported by the revenues generated from its

25 activities, including fees, charges, fines, and reimbursed costs. All such revenues,

26 including accrued interest, shall be deposited to the “Board of Barbering and

1 Cosmetology Revolving Fund.” Such funds should be appropriated continuously
2 and should be used by the Board for administration and enforcement of this Article.

3 (b) The Board shall develop and adopt its own budget reflecting revenues,
4 including the interest thereon, and costs associated with the administration,
5 regulation, and enforcement of this Article, and which should also include
6 allocations for establishment and maintenance of a reasonable reserve fund.

7 (c) The Board shall establish fees for inspection of schools, salons, spas,
8 esthetic salons, barber shops, and cosmetological establishments not to exceed the
9 sum of One Hundred Dollars (\$100.00); testing and examinations; licensure and
10 renewal of licensure, penalties, fines, and other charges, as appropriate.

11 (d) Resolutions of the Board adopting and amending fees and charges need
12 not be adopted in accordance with the Administrative Adjudication Law, except that
13 no increase in fees or charges shall become effective until after three meetings of the
14 board where the public has been given an opportunity to comment. All fees are non-
15 refundable.

16 (e) A designated officer of the Board, or other person specifically designated
17 by the Board, shall at the direction of the Board, oversee the collection and
18 disbursement of funds.”

19 **Section 24. Severability.** If any provision of this Act the application thereof
20 to any person or circumstance is held invalid, such invalidity shall not affect other
21 provisions or application of this law which can be given effect without the invalid
22 provision or application, and to this end the provisions of this Act are severable.

23 **Section 25. Effective Date.** This Act shall become effective upon its
24 enactment.