



Office of the Governor of Guahan

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Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

The Honorable Judith T. Won Pat, Ed.D.
Speaker
Mina' Trenta Na Liheslaturan Guahan
155 Hessler Street
Hagåtña, GU 96910

2010/04/12 AM 9:37
De

Dear Speaker Won Pat:

Transmitted herewith is Substitute Bill No. 319-30 (COR) "AN ACT TO AMEND §30103 OF CHAPTER 30, TITLE 22, GUAM CODE ANNOTATED; AND TO AMEND §§104203 AND 104208, AND TO REPEAL §104210 OF CHAPTER 104, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO REAL ESTATE BROKER LICENSING REQUIREMENTS AND OTHER PURPOSES" which I signed into law on April 2, 2010 as **Public Law 30-129**.

Sinseru yan Magâhet,

FELIX P. CAMACHO
I Maga'lâhen Guahan
Governor of Guahan

Attachment: copy of Bill

30-10-0321

4/12/10
4:50p

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) Regular Session

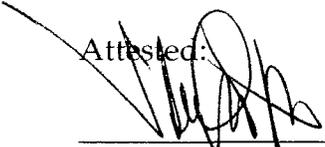
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Substitute Bill No. 319-30 (COR), "AN ACT TO AMEND §30103 OF CHAPTER 30, TITLE 22, GUAM CODE ANNOTATED; AND TO AMEND §§104203 AND 104208, AND TO REPEAL §104210 OF CHAPTER 104, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO REAL ESTATE BROKER LICENSING REQUIREMENTS AND OTHER PURPOSES,"** was on the 19th day of March, 2010, 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 22nd day of March, 2010, at 2:15 o'clock P.M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:



FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: APR 02 2010

Public Law No. P.L. 30-129

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) Regular Session

Bill No. 319-30 (COR)

As substituted by Author, and further substituted
and amended on the Floor.

Introduced by:

v. c. pangelinan
T. C. Ada
F. B. Aguon, Jr.
F. F. Blas, Jr.
E. J.B. Calvo
B. J.F. Cruz
J. V. Espaldon
Judith P. Guthertz, DPA
T. R. Muña Barnes
Adolpho B. Palacios, Sr.
R. J. Respicio
Telo Taitague
Ray Tenorio
Judith T. Won Pat, Ed.D.

AN ACT TO *AMEND* §30103 OF CHAPTER 30, TITLE 22, GUAM CODE ANNOTATED; AND TO *AMEND* §§104203 AND 104208, AND TO *REPEAL* §104210 OF CHAPTER 104, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO REAL ESTATE BROKER LICENSING REQUIREMENTS AND OTHER PURPOSES.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that the practice of real estate continues to evolve and the current laws governing the

1 practice needs to be updated to keep current with the level of expertise and knowledge
2 required to safeguard the public and the industry.

3 *I Liheslaturan Guåhan* further finds there is a need to provide greater access to
4 market data on real estate prices by allowing greater latitude in the ability of real
5 estate professionals to issue such information.

6 Therefore, it is the intent of *I Liheslaturan Guåhan* to amend the licensing
7 requirements as it relates to real estate activity on Guam.

8 **Section 2.** §30103 of Chapter 30, Title 22, Guam Code Annotated, is hereby
9 *amended* to read as follows:

10 “**§30103.** License Required. It *shall* be unlawful for any individual to
11 engage in appraisal activity without first obtaining a real estate appraiser
12 certification *or* license as provided in this Act. This Act *shall not* apply to a
13 real estate broker or salesperson licensed by the government of Guam, (so long
14 as federally insured financing is not involved), who in the ordinary course of his
15 or her business, gives a value of the prices of real estate or a government of
16 Guam employee appraiser who assesses value of a property for real estate tax
17 purposes. However, in *no* event may this evaluation be referred to or construed
18 as an appraisal.”

19 **Section 3.** §104203 of Chapter 104, Title 21, Guam Code Annotated, is
20 hereby *amended* to read as follow:

21 “**§104203.** Condition Precedent to Issuance of Original Real Estate
22 Broker’s License. The Real Estate Commission *shall not* issue a real estate
23 broker’s license to any person who has *not* held an original real estate
24 salesman’s license for *at least* two (2) years prior to the date of his application
25 for the broker’s license, and during such time was *not* actively engaged in the

1 business of real estate salesman on Guam and has *not* passed the appropriate
2 examination and satisfied the other requirements of the Article.”

3 **Section 4.** §104208 of Chapter 104, Title 21, Guam Code Annotated, is
4 hereby *amended* to read as follows:

5 **“§104208.** Continuing Education Requirement for Broker’s Renewal.

6 (a) Any time prior to renewal of an original broker’s license, the
7 broker must satisfactorily furnish the evidence of successful completion of an
8 additional ninety (90) classroom hours of study selected among the following:

- 9 (1) real estate practice;
- 10 (2) real estate appraisal;
- 11 (3) property management;
- 12 (4) real estate finance;
- 13 (5) legal aspect of real estate;
- 14 (6) real estate office administration;
- 15 (7) general accounting;
- 16 (8) business law;
- 17 (9) escrow;
- 18 (10) real estate contracts; *or*
- 19 (11) any real estate-oriented study area.

20 (b) Of the ninety (90) classroom hours, eighteen (18) classroom hours
21 must be in the consumer protection area of study:

- 22 (1) land use regulation;
- 23 (2) consumer disclosure;
- 24 (3) agency relationship;
- 25 (4) fair practices;
- 26 (5) environmental regulation and considerations;

1 (6) taxation (real estate transaction); *and*

2 (7) probate.

3 (c) Thereafter, all brokers' renewal *shall* be for a period of four (4)
4 years, with a continuing education requirement of sixteen (16) hours every two
5 (2) years. Should the broker acquire more than the sixteen (16) hours during the
6 two (2) year period, the excess hours may be credited to future renewal
7 requirements.

8 (d) Any of the ninety (90) classroom hours of study as outlined in this
9 Section may be fulfilled by the completion of courses approved by the Guam
10 Association of Realtors.”

11 **Section 5.** §104210 of Chapter 104, Title 21, Guam Code Annotated, is
12 hereby *repealed* in its entirety.

13 **Section 6. Severability.** *If* any of the provisions of this Act or the application
14 thereof to any person or circumstance is held invalid, such invalidity shall *not* affect
15 any other provision or application of this Act which can be given effect without the
16 invalid provision or application, and to this end the provisions of this Act are
17 severable.

6

I MINA' TRENTA NA LIHESLATURAN GUAHAN
2010 (SECOND) Regular Session

Date: 2/19/10

VOTING SHEET

S Bill No. 319-30 (COR)

Resolution No. _____

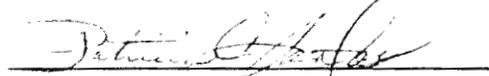
Question: _____

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
ADA, Thomas C.		✓			
AGUON, Frank B., Jr. 11	✓				
BLAS, Frank F., Jr. 1	✓				
CALVO, Edward J.B. 1	✓				
CRUZ, Benjamin J. F.	✓				
ESPALDON, James V. 1	✓				
GUTHERTZ, Judith Paulette	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RESPICIO, Rory J.	✓				
TAITAGUE, Telo	✓				
TENORIO, Ray 11	✓				
WON PAT, Judith T.	✓				

TOTAL

13 1 _____

CERTIFIED TRUE AND CORRECT:


 Clerk of the Legislature

* 3 Passes = No vote
 EA = Excused Absence



The People

Chairman
Committee on
Appropriations, Taxation,
Banking, Insurance, and
Land

Member
Committee on Education

Member
Committee on
Municipal Affairs,
Aviation, Housing, and
Recreation

Member
Committee on Labor, the
Public Structure,
Public Libraries, and
Technology

Mina'Trenta Na Liheslaturan Guåhan

Senator vicente (ben) c. pangelinan (D)

March 11, 2010

The Honorable Judith T. Won Pat, Ed.D.

Speaker
I Mina'trenta na Liheslaturan Guåhan
155 Hesler Place
Hagåtña, Guam 96910

VIA: The Honorable Rory J. Respicio
Chairperson, Committee on Rules

**RE: Committee Report on Bill No. 319-30 (COR) As substituted by
the committee.**

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 319-30 (COR) as substituted by the Committee: "An Act to Amend Section 30103 of Chapter 30 22 Guam Code Annotated to Amend Section 1042303 and Section 104208 and to Repeal Section 104210 of Chapter 104, 21 Guam Code Annotated relative to Real Estate Broker Licensing requirements and other purposes." and which was referred to and substituted by the Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land.

Committee votes are as follows:

2 TO PASS
____ NOT TO PASS
3 TO REPORT OUT ONLY
____ TO ABSTAIN
____ TO PLACE IN INACTIVE FILE

Si Yu'us Ma'ase,

vicente c. pangelinan
Senator

**COMMITTEE REPORT
ON**

**Bill No. 319-30 (COR) As substituted by the
Committee
(Senator vicente “ben” C. pangelinan)**

**An Act to Amend Section 30103 of Chapter 30 22
Guam Code Annotated to Amend Section
1042303 and Section 104208 and to Repeal
Section 104210 of Chapter 104, 21 Guam Code
Annotated relative to Real Estate Broker
Licensing requirements and other purposes.**



Mina' Trenta Na Liheslaturan Guahan

Senator vicente (ben) c. pangelinan (D)

March 11, 2010

MEMORANDUM

To: All Members
Committee on Appropriations, Taxation, Banking, Insurance,
Retirement, and Land

From: Senator vicente "ben" c. pangelinan
Committee Chairperson

Subject: Committee Report on Bill No. 319-30 (COR), as substituted by the Committee.

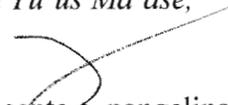
Transmitted herewith for your consideration is the Committee Report on Bill No. 319-30 (COR) as substituted by the Committee: "An Act to Amend Section 30103 of Chapter 30. 22 Guam Code Annotated to Amend Section 1042303 and Section 104208 and to Repeal Section 104210 of Chapter 104, 21 Guam Code Annotated relative to Real Estate Broker Licensing requirements and other purposes" sponsored by Senator vicente "ben" c. pangelinan.

This report includes the following:

- Committee Voting Sheet
- Committee Report Narrative
- Copy of Substitute Bill No. 319-30 (COR)
- Copy of Bill No. 319-30 (COR)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony & Supporting Documents
- Copy of COR Referral of Bill No.319-30 (COR)
- Notices of Public Hearing
- Copy of the Public Hearing Agenda
- Fiscal Notes

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

Si Yu'us Ma'ase,


vicente c. pangelinan
Senator

324 W. Soledad Ave. Suite 100, Hagåtña, Guam 96910

Tel: (671) 473-(4BEN) 4236 - Fax: (671) 473-4238 - Email: senbenp@guam.net

I MINA' TRENTA NA LIHESLATURAN GUÅHAN

Committee Voting Sheet

Committee on Appropriations, Taxation, Banking, Insurance, Retirement,
and Land

Bill No. 319-30 (COR): An Act to Amend Section 30103 of Chapter 30, 22 Guam Code Annotated to Amend Section 1042303 and Section 104208 and to Repeal Section 104210 of Chapter 104, 21 Guam Code Annotated relative to Real Estate Broker Licensing requirements and other purposes.

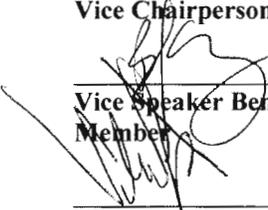
As Substituted by the Committee

Committee Members To Pass Not To Pass Report Out Abstain Inactive Files



Senator Vicente C. Pangelinan
Chairperson

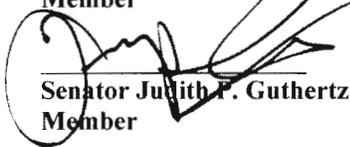
Speaker Judith T. Won Pat, Ed.D
Vice Chairperson



Vice Speaker Benjamin J.F. Cruz
Member

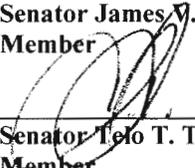
Senator Tina Rose Muña-Barnes
Member

Senator Frank B. Aguirre Jr.
Member



Senator Judith F. Guthertz
Member

Senator James V. Espaldon
Member



Senator Telo T. Taitague
Member

Senator Frank Blas, Jr.
Member



Mina'Trenta Na Liheslaturan Guahan

Senator vicente (ben) c. pangelinan (D)

Committee Report

Bill No. 319-30 (COR) As substituted by the Committee: "An Act to Amend Section 30103 of Chapter 30 22 Guam Code Annotated to Amend Section 1042303 and Section 104208 and to Repeal Section 104210 of Chapter 104, 21 Guam Code Annotated relative to Real Estate Broker Licensing requirements and other purposes."

I. OVERVIEW

The Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land convened a public hearing on March 10, 2010 at 8:30 am in *I Liheslatura's* Public Hearing Room.

Public Notice Requirements

Notices were disseminated via hand-delivery and e-mail to all senators and all main media broadcasting outlets on March 3 (5-Day Notice), and again on March 8 (48 Hour Notice).

(a) Committee Members and Senators Present

Senator vicente "ben" pangelinan, Chairman
Senator Tina Rose Muña-Barnes, member
Senator Telo Taitague, member
Senator James Espaldon, member
Senator Tom Ada
Senator Adolpho B. Palacios, Sr.
Senator Rory Respicio

(b) Appearing before the Committee

Chris Felix, Century 21 Realty
Edward Leon Guerrero
Ryan Mummert, Today's Realty
Liz Duenas, Remax
Elmore Cotton, Century 21 Realty

(c) Written Testimonies Submitted

Department of Revenue and Taxation
Steffen Niu, Guam Capital Investment Corporation
Tomas Reyes, Today's Realty
Sandy Gould Yow, Today's Realty
Julie Paxton, Today's Realty
Angela Camacho, Realtor

324 W. Soledad Ave. Suite 100, Hagåtña, Guam 96910

Tel: (671) 473-(4BEN) 4236 - Fax: (671) 473-4238 - Email: senbenp@guam.net

Joe Rios, Realtor
Courtney Mummert, Realtor
Tom Godwin, Realtor
Vicki Anderson-Estes, Realtor
Fiona Hocking, Realtor
Margie Mizukami, Today's Realty
Shawntel Techaira, Realtor
Janet Calvo, Realtor
Dennis Couzijn, Realtor

II. COMMITTEE PROCEEDINGS

(a) Bill Sponsor Summary

Senator ben pangelinan:

Testimony

1. Chris Felix – Principal Broker, Century 21 Realty

Chris Felix: Senators, I am Chris Felix, I am the President of the Guam Association of Realtors for this year and I am also the owner of Century 21 Realty Management. I speak in favor of the bill. First of all I would like to thank Senator Pangelinan and especially his staff. We have worked hard to get this bill and a lot of work was put into it to try and amend the existing law to bring it a little more up to date. Very briefly, I think I need to, we just received a letter from Rev & Tax on this and I think we need to explain the four changes that is in this bill and why. Then address the Revenue & Tax letter. Basically, the bill has four changes to the current liscence law. The first one currently, if you have experience outside of Guam in real estate or a college graduate, you can apply to Department of Rev & Tax and get a waiver, of any experience, and take the test and start being a liscnend broker on Guam. We are against that, we have been against that. We feel that anyone who practices as a broker on Guam should have at least two years experience selling real estate on Guam and be familiar with our laws and with this island. So, the first amendment changes that and removes the experience and makes it mandatory that to be a broker on Guam you need to have two years real estate experience on Guam. Anybody can come to Guam and sell real estate as a salesman, but to be a broker and to run a company, we feel strongly that you need the two years experience. The second change is the existing law says, if you are licensed for fifteen (15) years you no longer have to take continuing education. Mr. Moe Cotton and I and a few others who have been licensed for over fifteen years, we appreciate the law but we feel it's wrong. As a matter of fact, if anyone needs more education it's us old guys who get stuck in our ways and we believe strongly that continuing education requirements should be mandatory for everyone regardless of how many years. We think it's an error in the law and should be amended. The third change is the existing law says that the Director of Revenue & Taxation for the continuing education must approve the classes and what classes. This has gotten to be a little bit of a problem in that we work very closely with Rev & Tax, and they're a great group of people, but they require synopsis and teacher certifications on these classes and a lot of us who take classes' off-island can't get that information. We go to the conventions in the states, we attend courses online or in the states, we

can't turn in those classes or use those classes as continuing education. So, when I met with Director Ilagan, we discussed this problem and originally he seemed in favor for allowing the Guam Association of Realtors to also approve the continuing education hours. That we would look at the hours and the classes that people have attended and approve and certify and they would take that to Department of Rev & Tax and that would qualify them. However it appears, it was my understanding, that he approved this in our meetings and the meetings with the Senator and staff, Revenue & Tax did approve that amendment. However in their letter it now appears they are now against it and feel for some reason that they should still be the one to, I understand the concern of gee we can approve anything, but I've been around thirty-five (35) years and we're not an organization that would approve a class unless it should be approved. I hope our track record would show the Senators that we can be trusted to certify these classes and speed this system on. The final change is an amendment is to actually, the appraisal law on Guam. The appraisal law currently says real estate brokers can do broker price opinions, BPO's it's called, but only when it leads to a listing; only if that BPO leads us to getting a listing. This has become a little bit of a problem that we are contacted constantly by off island lenders who are holding mortgages for properties on Guam for the people who buy the mortgages from Bank of Hawaii, First Hawaiian and Bank of Guam. They contact us to do BPO's. Technically that BPO will not lead to a listing, all their doing is making sure the mortgage is above water. And so technically we can't do these BPO's and its creating kind of havoc because it's very standard practice in the states that lenders use the local brokers do a drive-by BPO. Again, it was our understanding that Revenue & Tax was in favor of this. I'm a little confused by their letter and what they are requesting and it appears that they are also requesting employees of Rev & Tax assess values and do assessments. I am in favor of that, I have no problem with that. It appears that they are also saying to leave the section that so long a broker does a BPO that leads to a listing. I ask that you keep the bill as written with those four items as written. We worked hard to getting it in front of you and we hope you would consider it as written. That's about it. I would like to pass it on and I'm sorry it took so long but I felt an explanation was needed.

Panel Comments and Questions

None

2. Edward Leon Guerrero

Edward Leon Guerrero: Good morning Mr. Chairman, members of the Legislature. I just want to deviate as usual.

Chairman Pangelinan: Oh no, please don't. Ed and I go back a long way.

Edward Leon Guerrero: It will be the subject matter. We love to hate each other.

I got renewal of my license, paid \$400, and they can't even give me a picture ID. For already fourteen (14) months, it's a disgrace to the human race. And even my son who met the Director in the Philippines, told him, we don't keep the \$400 from your dad, we send it to the Treasurer. There is no excuse, this is the front line where we get our revenue, get these people whatever we need cause pretty soon you won't have drivers license. Look at me, I take this to the states and they were shaking their head. I make money in the states but I pay 4% tax here because I'm licensed on Guam and we do referrals. Not as big as Mr. Felix and others but this is

a disgrace! Okay? This is a disgrace. Now, first if you notice my signature, I don't know if I want to support it or not. I am in favor of making amendment, long overdue, but not as written and I will explain. Go down the line, page 2 number 4, I want to remove anything "so long federally insured financing is not involved." Remove that statement because all the financial institutions are governed by the FDIC. Now, as a former licensed general contractor who got engineering background and all the management, we know how to appraise. We just decide not to be appraisers. We were trained in our real estate to make our comparable analysis, marketing analysis and so forth. We know how to do it. We just choose not to be licensed okay. And then again the appraisers, they're much to be desired they only go a square area and that is totally insignificant. So I feel that the bill is great that they allow us to, I forgot the name of that word (oral testimony panel collectively states, Broker Price Opinion, BPO) okay. Thank you experts. But I'm totally against the 90 credit hours. The way the law is written, you need a college degree or at least two (2) years experience and you must take 30 credit hours before you can take an exam. When you have an exam, it's a weigh and scale, do you comprehend or not? And that's why they look at management degree because they prepare you. Comparative analysis, all kind of economic analysis, accounting and law that are all required to be a real estate broker or sales person. So it does not make sense that you take 30 credit hours to take the exam and then to renew you need to take 90? How many of you need 90 credit hours to be a senator, even you Ben, you've been a senator since God knows when. And all of you, with the exception of the new lady here, all of you are former senators. Does that mean you need more credit hours to come back and be senator? I asked your staff Mr. Pangelinan to make a research on registered nurse, lawyers, all those that needs license to be certified, do they need 90 credit hours? I'll tell you what's happening here. It's self-interest for a few groups practicing here real estate and who are getting you to practice those courses. It's a self serving interest. Okay? Because I have been taking so many courses for them, matter a fact I think I've taken one-hundred and eighty (180) because I had to repeat another 90. The new amendment to the law won't affect me because I already renewed my license but it's very unfair for the future. For the people coming in, stop it. Stop this self interest. Because we have right now what protects the people of Guam or anyone. One, when you sell or buy or represent, you send them over to escrow and those escrow people who are neutral people, see to it that all the conformity of the law and so forth make sure it's done right and any changes, it takes two signatures, so they are protecting us. Okay? I remember reading Oregon law because I took a lot of courses, every year I take 30 credit hours in the state of Oregon plus the 60 I need here to make 90. Oregon law is the first in the entire United States that require to license their sales people and broker. That's what they claim; they're the first one to put it in writing. It says the history why you need to take this exam is to prove to people you understand law, you understand English enough to communicate and you understand how to do math. Okay? When a salesman or a broker talks to any client the first thing they need to say is I am not a lawyer. If you have a question or you need help, go seek a lawyer. It's written in their document, seek a lawyer. We are not an accountant, we are not a CPA, seek a CPA. Even the escrow office says the same thing, we are not lawyers, go seek your lawyer. In other words we have all the protection the people of Guam. We don't need the 90 credit hours it's very unfair and it only enriches a group. I'm saying this my friend, oh we need continuing education after 15 years? Come off it if you're practicing. This is really the giant of the industry killing the small people. I will give you an example, I was given an email that they will fine me a \$1,000.00 (one thousand dollars) fine because Mr. Respicio, your sister, registered under me and she is still going to school and working another profession and she is not willing to

join GAR yet. This will cost her about \$1000.00. Now they're going to give me a fine because I told them that this young girl is working for me who is just taking it easy and not yet out there to practice. Yet, to be threatened a \$1000.00 fine, the industry; the MLS/GAR has all kinds of fine to do certain things. They came up with an idea, it was my idea, I attended Moe Cotton's class and I told him the state of Oregon requires that when you make a listing, the seller must, in writing, come up with disclosure. When I become a broker Mr. Cotton, I will require that in my office because it protects us. Lo and behold I went to the states for surgery; I received an email that in 90-days if I don't take that course they will remove us from GAR. Well, I didn't come back till 5 months, they didn't allow me leave, they removed my name and I already paid the \$1000.00. Okay? They removed my name and I'm not in the MLS. Then I took the course for the broker, but you got your license in February, of course I got it in February and I turned in all the requirement and went to the states for my operation but you know what they still did, because my license still said February, in June I have to back pay six (6) months on services they don't provide. You know they got us by the throat. Okay? And we have to stop this. This bill has some good intentions. My first, going back Mr. Chairman, remove the 90 credit hours. I asked you staff yesterday and they were overloaded, you have so many bills to hear, okay let's research to be a safety inspector, a licensed nurse, attorneys- where's my attorney friend, does he need 90 credit hours to continue to be an attorney-does the CPA need 90 credit hours. Are we really a bunch of kids that we need to be very educated and reminded? We are not. We have all the protections in the government. 90 credit hours must be eliminated. Here's another thing again to show the self interest, you must work 2 years again on Guam. Why?! You know we have half a million Guamanians in America? That's the last statistic they gave me, half a million. And so help me God maybe 10,000 will come back to Guam to look for a job. Are we going to deny those people who have an education, the experience in real estate do they have to stay on Guam two years? Cut it out. Cut it out. That's why if you're a sales person work for a broker, you got no business going into business if you don't know the rules. Hire a CPA, hire a lawyer, and hire to protect yourself, hire insurance to protect yourself. But let us stop having self interest in here. So eliminate the 90 credit hours and Mr. Chairman I would like your staff to please help us out on this because my wife is in the mainland and she don't know how to type and to do research and my son too her there so I'm really alone. So, I ask you as one of your contingent voter; ask your staff who is paid staff to find out what are the other requirements. Oh, Mr. Attorney, do you need 90 credit hours to retain your bar?

Senator Espaldon: I'm not sure what the requirement is because I am not practicing right now. When I ran for office, I dedicated myself to the office. As a result I have not renewed, I am not practicing right now.

Edward Leon Guerrero: Okay, I will continue. Please eliminate that you have to work on Guam for two years. You know we're required when we take the test, national examination, and that goes back to school all the way back to some of the French law because of the purchase of the Louisiana law, and in the United States we deal with all kinds of different things we don't do here on Guam like service we use maids and so forth. We have a different system here but we still need to know because we are dealing with national American standards. So the people coming over to Guam, all they need to do is, if they need to renew is to do the local part, know who are the board, what you have to pay and take the exam for that part but not take the exam for the national because they are already licensed for the national for so many years. This two year

requirement is just not fair for those people coming back. I was licensed here 21 years ago do I really need to come here again, even though I'm already practicing in the states do I really need to stay here again for another 2 years? Okay, it's not fair. And by the way, is this continuing education for the rest of our life? You can learn a lot just watching TV and turning on your computer. Why do we have to go to class? And by the way, their class is self-taught. You just take the class, read it and go back and take the test. So, N.I.C.E stands for National Institute for Continuing Education is really not nice to spend 90 credit hours divided by 3 is 30 times 50 is \$1,500.00 to get our license in continuing education. It is not fair. You know we have a lot of slow people, especially the Chamorro are slow people, very very slow. Look, Spanish culture we are not aggressive to become rich so we have a lot of Guamanians like myself who want to be licensed and when the opportunity shows up, I'll take advantage. I bought more than 30 houses and land here on Guam and the reason why I got my license is so I can take money back. I'm not selling other people's property and houses. The giant has to squeeze us small people. For example your sister who is not ready to go out but when the buildup is there, at least she already got her license. So why do we have to push her out and require her 90 credit hours? One more thing. Let's protect the small ones from this giant, I don't want to call them barracuda for lack of a better word, stop it. Thank you Mr. Senator and I will stick around for any questions.

Chairman Pangelinan: Thank you very much Mr. Leon Guerrero.

Panel Comments and Questions

None

3. Ryan Mummert – Principal Broker, Today's Realty

Ryan Mummert: Good morning senators. I'm here to testify in favor of the bill and I have a written testimony to read on behalf of Anthony Godwin of Today's Realty and I'm also a Realtor with Today's Realty. I want to say if you say big guy versus the small guy, our association is about protecting the smallest person there is, the consumer, essentially the torch holder for professional standards.

(Read written testimony; see attached)

"Dear Senator v.c. pangelinan

I would like to offer our support in favor of the passing of Bill No. 319-30 (COR) as introduced by yourself. I would also like to thank you and your great staff and your fellow colleagues at I Liheslaturan Guahan for taking on this task and moving towards completion.

The passing of Bill No. 319-30 (COR) will greatly benefit the people of Guam. Here's why...

Regarding Section 2, 30103, Section 30, 22 Guam Code Annotated. As licensed real estate agents and brokers we believe that anyone should have the right to hire real estate brokers and sales persons to provide them with a price opinion for their property. Real estate agents and sales persons have an expansive amount of knowledge that is important to the consumer. In the business of selling homes for people and banks, owners often need to know the price at which to sell their property. To provide this price opinion is part of what we do as real estate professionals.

Regarding Section 3, 104203 Chapter 104, 21Guam Code Annotated. We support the requirement that a real agent hold a real estate salesperson's license on Guam for a period of 2 years prior to application for an original real estate broker's license. This provision will provide the opportunity for the sales person to obtain at least two years of valuable experience in the 'real world' of real estate on Guam under the employ of a Guam licensed real estate broker.”

(Inserted personal oral testimony)

I can attest to this personally because I was a licensee in California and to think that my experience in California directly translates to practical experience here to business practice doesn't follow at all. And moreover, if you thought if you could take a class and practice here, you will find a lot of people who actually pass their class, do their credit hours, pass the test and fall out of the industry because they don't know how to do business. So that is essentially where that comes from there.

(Resumes reading written testimony)

“Regarding Section 4, 104208 Chapter 104, 21 Guam Code Annotated. The Guam Association of REALTORS includes approximately 400+ licensed real estate brokers, salespersons, and appraisers. The members of this organization have a vast amount of experience in the business of real estate. We firmly believe the Guam Association of REALTORS(r) has the talent and experience to identify courses and achieve the results that will benefit the Guam consumer.”

(Inserted personal oral testimony)

And like I said, we're essentially not just our association but the national association has always been torch holders for professional standards. If you look at the history of the national association a lot of the real estate law is taken from the preamble of the National Association of Realtors.

(Resumes reading written testimony)

“Regarding Section 5, 104210, Chapter 104, 21 Guam Code Annotated. We support the removal of this exemption. Laws and practices in our industry are constantly in a state of change and we therefore believe that everyone should be held to the requirement of enhancing their skills and knowledge. This is better for the consumer and the industry as a whole.”

(Inserted personal oral testimony)

Specific example of this is the upcoming change in the paint disclosure law, the EPA is actually requiring that only contractors certified as lead based paint removers be contracted to do work on houses containing lead paint and that houses before 1976 there be disclosures made that this may contain lead paint and this may cause birth defect and potential harm to small children. So, if you weren't getting continuing education, you would have no idea about any of that. So, again it protects the consumer. Thank you again and that is all I have to say.

Panel Comments and Questions

None

4. Elizabeth Duenas – Associate Broker, Remax

Liz Duenas: Hi fellow senators. I am here to testify in favor of this bill. [Translated from Chamorro] I will tell you that the people of Guam are not slow, we are not slow. There is no one here who is slow. The people of Guam are smart. We are now here to help the people of Guam. [End translation]

We are here to help the people of Guam and this bill is basically, there are a number of changes to the bill to basically help the people, the consumer. Now educational requirements, I disagree, we need educational requirements. The brokers are the top of the totem pole if something goes wrong, it's their {explicit} on the line. As a broker, I want to keep my {explicit} free from any suits or any problems. As a result, educational requirements is needed. Anywhere in the states, national wide you will find any professional out there will need educational requirements. No one in the nation-attorneys do it, doctors do it, dentist do it - we need to do it. We need to protect our consumer and in order to do that we need to educate ourselves. Now, I got many hours over but I take the classes basically because I want to continue to be on top of my game. I want to help people and in order to do that I need to know what I am doing. And if I continue to take education classes, it behooves me to do best in my field. I live on this island. I am not leaving this island; I've never left the island except for trips. I am here and I am not going anywhere. This is my island and this is where I will stay. This is where I will die. And because of my commitment to the island, I, you guys know me, I'm so passionate about certain things and I speak up but that's just the way I am. I do support this bill because number 1, educational requirements are required. The other item on it is the broker's price opinion. We are in the field, we are in the trench holes, we're the ones that go out and check properties and again we get that because of our education. The more information we get the more we learn. As a result, we are able to provide that information to clients, to customers basically to help them. All we're doing here is trying to help the consumer. Educational requirements, the Guam Association of Realtors, by the way since I've been in the Guam Association of Realtors since 1996, I've been involved actively on the board. In many different capacities. Each capacity is all about learning and it's all about educating our fellow realtors so that they can put their best foot forward to help the people. And in doing such we have our own classes, now I disagree with nagtcha over there, Ed Leon Guerrero, regarding that we're doing this to feather our caps. Since when do we feather our caps when we put the knowledge in our brain, when we put the knowledge into the streets to help Tun Juan or Tan Maria down the street? Where does that help? We're helping ourselves to help them. Now, education, yes there are classes that are being held. One of the reasons I've been on the Education Committee for the Guam Association of Realtors, and I've been bringing in classes even through the web because a lot of our people cannot leave this island, cannot afford to go off island to take the classes. So we've been proactive to bring classes online to have a live course where we're learning. These are the professionals we bring to benefit 200, 300 people in our field and we're teaching them through this process. We're doing that. All we ask is that we be allowed to have that flexibility to say, hey this is a valid class, it helps all our realtors' verses someone, the governing body that says, and well it's not in the law. It says you can do this because of the verbage says this. You know when we bring these classes we bring it to benefit us and I can't reiterate that enough. It's to benefit us; it's to benefit the consumer. And if we're not going to waste our time putting together classes and say hey, Guam Association of Realtors put this class on, we're not going to do that just frivolously. We're doing it because it helps all of us. Having been in the education committee and trying to make things happen, we are asking, because of our experience and years of experience, we need to educate the newer realtors to continue to strive just as we strived to put our best foot forward.

Did I cover it all? Okay. I'm just saying I support the bill to benefit each of the realtors to put their best foot forward to help the consumer. [Translated from Chamorro] I am from Guam and I will stay here. I will not leave. [End translation]

Panel Comments and Questions

None

5. Elmore Cotton – Broker, Century 21 Commonwealth Realty

Moe Cotton: I think they pretty much said it all. One of the things I do want to point out is, I'm the owner of a school and we do make money when we have classes and we are also in favor of online training so, I want to make that clear. If people want to take courses online, take that route, then that's fine with us. So, we don't have any problem with that. But I do want to also point out that we are trying to change the law with this, you only need fifteen (15) years of being in the business and you don't have to take any more courses. I teach the board of ethics and every year there are changes. One year we had fifty (50) changes in the code of ethics. So this is the kind of thing you can't just say that after you get 15 years of experience you don't need any more education. You certainly don't want to go to a doctor who has been in the business for 25 years who hadn't had any continuing education 10 years. The whole point is yes we want to change that and that even means me. I have to go back to school too and get my credits. But lots of things are changing in our field and that's where people can get in trouble if they don't know about those changes. We try to get people up to date with that so thank you for letting me speak on that and I am definitely in favor of the bill as written.

Panel Comments and Questions

Senator Palacios: Thank you very much Mr. Chairman, thank you for recognizing me here. Actually, the bill is okay except the two year Guam practice as a pre-requisite. And my concern here is that appears to be a protective provision. What if CNMI were to adopt a similar provision? The fear here that I have is that I don't want appraisers to be required, I guess, to practice 2 years consecutively in the CNMI or Hawaii before they can be licensed. I believe that if there could be a revision here for reciprocity at least based on acceptance on the Guam Association of Realtors to allow for that so that our appraisers would not have to go through that restriction, that limitation, to do that. It's actually my fear but overall the bill is good and I definitely support the educational part. I kind of chuckle at the last person that testify that you don't want to go to a doctor whose last class attended was 20 years ago. Definitely that makes sense. But that's just an observation that I would like to share with you, we don't want our appraisers to be restricted in other jurisdiction. That's just a comment, if you want to respond then fine. Thank you Mr. Chairman.

Chris Felix: Yes. The law does not say you have to have two years of practice before you can get licensed. The law says you must have two years real estate on Guam to be licensed as a broker. But you can come to Guam and immediately apply and become a salesman. That's all. We feel that somebody comes to Guam should learn Guam before they become a broker and own their own company. They should act as a salesman for a few years. No problem. I just want to clarify on the 90 hours. That is only for renewal broker, the others, once you get your

renewal broker then it's like 12 hours every two years, right Moe, so it's only 6 hours a year. It's that big step from becoming a salesman to a broker where these high hours are required.

Senator Ada: I'm pretty much in agreement to most of the suggested amendments to the bill. Although, I do have similar concern that Senator Palacios had expressed about that provision in requiring two years actual on the ground experience before being able to get a broker's license and my sentiments are the same. It seems to smack of protectionism and I guess the outburst of that is that it could say that so requiring that for the protection of the consumers so that half a dozen or other. The way I perceive it, for me, the deal breaker is that somehow it comes across as a protectionist provision and it's something I'm really going to have to sleep on and give further thought. I guess I would use the example of, if I was a professional engineer practicing in the states and if I can come here and pass the exam for the PEALS board and be registered on Guam why should I have to subordinate myself to some engineering firm before I can get my PE. So, from that stand point, I still have some serious reservations about that particular provision.

Senator Espaldon: Thank you Mr. Chair. Felix, along the same lines, what are the practices in other jurisdictions say for example in California. Is there a requirement that somebody that is not a resident of California and becomes a new resident of California, is he or she prohibited from applying for a broker's license? Or is there a requirement there as well or any jurisdiction?

Chris Felix: Some states have reciprocity, agreements, like California and Nevada have reciprocity where if your practicing in Nevada, they would accept those as years of experience and your education requirements. But most of that is limited to four or five states usually neighboring states is my understanding. Most states do not allow if you have experience anywhere you can come.

Senator Espaldon: Take for example Hawaii. Are you aware of their real estate laws? Can someone like you who has been in the industry can you relocate to Hawaii and apply for a broker's license?

Chris Felix: No. I cannot. I have to be an agent. I have to be a real estate agent for 3 years before I can be a broker. Hawaii is one of the stricter states.

Senator Espaldon: Regardless of the fact that you have had experience?

Chris Felix: I've been selling dirt on Guam for 40 years and I'm born in Hawaii and I have to go back and start all over again. Which I have no problem. Hawaii laws are different than Guam laws and I have to learn the ropes in Hawaii. I've looked to moving home and Guam is my home now but that is the law and that's the way they have it. I know it strikes as protectionism but it also is, we've seen people come here and hang their broker's license and just do stuff that is off the wall. And it's not just the way it's done on Guam and it's in violation of Guam's practices. Our concern is, we didn't think of protectionism when we were trying to work with the senator on this, our fear is these guys especially with the military buildup the guys relocating from Nevada. Vegas is dying and so they're going to come to Guam, they've been

practicing out there for 10 years and they come here and hang their license and start becoming a broker. We're real concerned about that. Without being aware of Guam laws and our laws here. That's our concern here. It's a tough call. You're going to have to make that call.

Senator Espaldon: how many brokers are there?

Chris Felix: There are 400 realtors, there are probably 800 licensed real estate salesmen and brokers.

Senator Espaldon: Brokers in particular since we're focusing on brokers.

Chris Felix: That difficult. We just a list from Rev & Tax and we haven't added it up yet. They numbered the brokers as they applied. They're up to a thousand but many of those had passed. There are 90 realtor brokers. But licensed brokers there's probably about 150 to 200 brokers.

Moe Cotton: When they say brokers, there are a lot of associate brokers. The principal brokers are the ones that run the companies.

Senator Espaldon: but the law makes no distinguishment of an associate or principal broker.

Moe Cotton: That's right. I have several associate brokers who work with me and who are helpful because when I go off island, I have to by law, put another broker in effect. So a lot of the brokers that are on the list are associate brokers.

Senator Espaldon: I appreciate that.

Moe Cotton: I believe there are only about 16 companies that have principal brokers. Does that sound about right? A little more than that.

Senator Espaldon: Mr. Leon Guerrero did you want to say something? Mr. Chair, excuse me for recognizing Mr. Leon Guerrero.

Edward Leon Guerrero: Yes.

Chairman Pangelinan: Are you finished with your question?

Senator Espaldon: Yes. He just seemed like he wanted to input on that issue.

Edward Leon Guerrero: First they emphasize a lot about ethics. Doctors ethics, lawyer ethics, do they really change?

Chairman Pangelinan: Ed, I don't want to debate the issues here, we're going to focus on the bill.

Edward Leon Guerrero: You allowed them Mr. Chairman.

Chairman Pangelinan: No...we allowed you also. Let's not debate the issue. Let's focus on the bill.

Edward Leon Guerrero: Okay. Going back to why the two years the Guam law is really really limited. The Guam law is normal you know, who do you pay taxes to, who is the commissioner and then they ask to join law. The cause of the standard of real estate is the national standard. Even GAR requires to be a part of that in the MLS we are a part of that. As far as ethics they don't change. So the two years, we should move out of that two year requirement. The senator said he don't want to go see a doctor if he doesn't go back to continuing education, a doctor is technical.

Senator Espaldon: If you don't mind I interrupt Mr. Leon Guerrero, the issue between us right now is the two year requirement for brokers. That's the only requirement we're talking about right now. We're not talking about the ethical portion and continuing education at this point.

Edward Leon Guerrero: See I want to point to you senator, page 4 lines 1 to 4. "all brokers' renewal shall be for a period of four (4) years with a continuing education requirement of sixteen (16) every two years." You add two 16, that's 32 so it's conflict again with the 90 hours.

Chairman Pangelinan: The 90 is the original renewal Ed. The yearly requirement is different. We're not changing any of the yearly requirements of continuing education. So you're not required for 90 credit hours a year to remain active as a broker. All of that is in a different section of the law.

Edward Leon Guerrero: So, I am reiterating that it is excessive.

Senator Espaldon: Thank you and thank you Mr. Chair that is all my questions.

Chairman Pangelinan: Any other questions? If not, thank you very much and Si Yu'us ma'ase. Any other members of the public like to testify? If not, thank you very much and that concludes our hearing on 319 and we'll continue to remain open to receive your comments.

FINDINGS & RECOMMENDATIONS

The Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land, hereby reports out Bill No. 319-30 (COR), as amended by the Committee with the recommendation TO REPORT OUT ONLY.

I MINA' TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) REGULAR SESSION

Bill No. 319-30(corr)

Introduced by:

v.c. pangelinan

2010 Jun 23 PM 4:45

AN ACT TO AMEND SECTION 30103 OF CHAPTER 30, 22 GUAM CODE ANNOTATED, TO AMEND SECTION 104203 AND SECTION 104208 AND TO REPEAL SECTION 104210 OF CHAPTER 104, 21 GUAM CODE ANNOTATED RELATIVE TO REAL ESTATE BROKER LICENSING REQUIREMENTS AND OTHER PURPOSES.

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 **Section 1. Legislative findings and intent.** *I Liheslaturan Guahan* finds the
2 practice of real estate continues to evolve and the current laws governing the practice
3 needs to be updated to keep current with the level of expertise and knowledge required
4 to safeguard the public and the industry.

5 *I Liheslaturan Guahan* further finds the need to provide greater access to
6 market data on real estate prices by allowing greater latitude in the ability of real
7 estate professionals to issue such information.

8 Therefore, it is the intent of *I Liheslaturan Guahan* to amend the licensing
9 requirements as it relates to real estate activity on Guam.

10 **Section 2. §30103 Chapter 30, 22 Guam Code Annotated is hereby**
11 **amended to read as follows:**

12 “ §30103. License Required. It shall be unlawful for any individual to engage

1 appraisal activity without first obtaining a real estate appraiser certification ~~or~~ license
2 as provided in this Act. This Act shall not apply to a real estate broker or salesperson
3 licensed by the government of Guam, or a government of Guam employee appraiser
4 (so long as federally insured financing is not involved), who in the ordinary course of
5 his or her business, gives an opinion of the prices of real estate ~~for the purpose of a~~
6 ~~prospective sale~~. However, in no event may this opinion be referred to or construed as
7 an appraisal.”

8 **Section 3. §104203 Chapter 104, 21 Guam Code Annotated is hereby**
9 **amended to read as follow:**

10 “§104203. Condition Precedent to Issuance of Original Real Estate Broker’s License.
11 License. The Real Estate Commission shall not issue a real estate broker’s license to
12 any person who has not held an original real estate salesman’s license for at least two
13 (2) years prior to the date of his application for the broker’s license, and during such
14 time was not actively engaged in the business of real estate salesman on Guam and
15 has not passed the appropriate examination and satisfied the other requirements of the
16 Article. ~~except, if an applicant for a real estate broker’s license having at least an~~
17 ~~equivalent of two (2) years general real estate experience and have satisfactorily~~
18 ~~completed a real estate course of instruction prescribed and approved by the~~
19 ~~commissioner, of at least ninety (90) classroom hours conducted by an accredited~~
20 ~~college or university or its equivalent of instruction in a real estate school or certified~~
21 ~~by the commissioner, or graduation from an accredited college or university with a~~
22 ~~degree in real estate, business, accounting, finance or any related field, files a written~~
23 ~~petition with the department setting forth his qualification and experience, and the~~
24 ~~Real Estate Commissioner approves, the applicant may be issued a real estate broker’s~~
25 ~~license immediately upon passing the appropriate examination and satisfying the other~~
26 ~~requirements of this Article.~~

1 **Section 4. §104208 Chapter 104, 21 Guam Code Annotated is hereby**
2 **amended to read as follows:**

3 “§104208. Continuing Education Requirement for Broker’s Renewal.

4 (a) Any time prior to renewal of an original broker’s license, the broker must
5 satisfactorily furnish the evidence of successful completion of an additional ninety
6 (90) classroom hours of study selected among the following:

- 7 (1) real estate practice;
- 8 (2) real estate appraisal;
- 9 (3) property management;
- 10 (4) real estate finance;
- 11 (5) legal aspect of real estate;
- 12 (6) real estate office administration;
- 13 (7) general accounting;
- 14 (8) business law;
- 15 (9) escrow;
- 16 (10) real estate contracts, *or any*
- 17 (11) Real estate oriented study area.

18 (b) Of the ninety (90) classroom hours, eighteen (18) classroom hours must be
19 in the consumer protection area of study:

- 20 (1) land use regulation;
- 21 (2) consumer disclosure;
- 22 (3) agency relationship;
- 23 (4) fair practices;
- 24 (5) environmental regulation and considerations;
- 25 (6) taxation (real estate transaction); *and*
- 26 (7) Probate.

1 (c) Thereafter all brokers' renewal shall be for a period of four (4) years with a
2 continuing education requirement of sixteen (16) hours every two (2) years. Should
3 the broker acquire more than the sixteen (16) hours during the two (2) year period, the
4 excess hours may be credited to future renewal requirements.

5 (d) Any of the ninety (90) classroom hours of study as outlined in this Section
6 may be fulfilled by the completion of courses approved by the Guam Association of
7 Realtors."

8 **Section 5. §104210 Chapter 104, 21 Guam Code Annotated is hereby**
9 **repealed in its entirety.**

10 ~~The Real Estate Commissioner shall grant an exemption to persons with an~~
11 ~~original real estate broker's or salespersons licensed to any person who has been~~
12 ~~issued a license for fifteen (15) consecutive years, or has attained the age of seventy~~
13 ~~(70) years.~~

14 **SECTION 5. Severability.** If any of the provisions of this Act or the
15 application thereof to any person or circumstance is held invalid, such invalidity shall
16 not affect any other provision or application of this Act which can be given effect
17 without the invalid provision or application, and to this end the provisions of this Act
18 are severable.

I MINA' TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) REGULAR SESSION

Bill No. 319-30 (COR)
As Substituted by the Committee

Introduced by: v.c. pangelinan

AN ACT TO AMEND SECTION 30103 OF CHAPTER 30, 22 GUAM CODE ANNOTATED, TO AMEND SECTION 104203, TO REPEAL SECTION 104208 (a) AND TO REPEAL SECTION 104210 OF CHAPTER 104, 21 GUAM CODE ANNOTATED RELATIVE TO REAL ESTATE BROKER AND APPRAISER REQUIREMENTS ON GUAM.

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 **Section 1. Legislative findings and intent.** of *I Liheslaturan Guahan* finds that the
2 language presented in the current Appraisal law limits the ability for Guam Brokers to give a
3 professional opinion known as a Brokers Price Opinion (BPO) or estimate only if the property is to
4 be listed for sale or purchase with their agency. The difference between a BPO and an Appraisal is
5 one being informal and the other formal. Appraisals are a certified and formal estimate or opinion of
6 value supported by analysis of relevant data. A BPO is an informal estimated value based on
7 characteristics of the property and surrounding areas.

8 It is the intent of *I Liheslaturan Guahan* to amend the current law to allow Guam Brokers to
9 give prospective clients a professional price opinion. Locally licensed Guam Brokers provide a
10 viable professional alternative for professional price opinions, allowing greater flexibility and access

1 to the public for price valuations in cases where time and expense of a formal appraisal is not
2 required, and is a benefit to the consumer public..

3 **Section 2. §30103 Chapter 30, 22 Guam Code Annotated is hereby amended to read as**
4 **follows:**

5 “ §30103. License Required. It shall be unlawful for any individual to engage in appraisal
6 activity without first obtaining a real estate appraiser certification ~~or~~ license as provided in this Act.
7 This Act shall not apply to a real estate broker or salesperson licensed by the government of Guam,
8 ~~or a government of Guam employee appraiser~~ (so long as federally insured financing is not
9 involved), who in the ordinary course of his or her business, gives ~~an opinion~~ value of the prices of
10 real estate ~~for the purpose of a prospective sale or a government of Guam employee appraiser who~~
11 assesses value of a property for real estate tax purposes. However, in no event may this ~~opinion~~
12 value be referred to or construed as an appraisal.”

13 **Section 3. §104023 Chapter 104, 21 Guam Code Annotated is hereby amended to read**
14 **as follow:**

15 “§104203. Condition Precedent to Issuance of Original Real Estate Broker’s License. The
16 Real Estate Commission shall *not* issue a real estate broker’s license to any person who has *not* held
17 and original Guam real estate salesman’s license associated with a Licensed Guam Broker for at
18 least ~~two (2)~~ three (3) years prior to the date of his application for the broker’s license, and during
19 such time was *not* actively engaged in the business of real estate salesman, three (3) of the five (5)
20 years prior, ~~except~~ if except if an applicant for a real estate broker’s license shall possess ~~having at~~
21 ~~least an equivalent of two (2) years~~ three (3) years general real estate experience and have
22 satisfactorily completed a real estate course of instruction prescribed and approved by the

1 commissioner, of at least ninety (90) classroom hours conducted by an accredited college or
2 university ~~or and~~ its equivalent of instruction in a real estate school ~~or certified by the~~
3 ~~commissioner, or~~ or graduation from an accredited college or university with a degree in real estate,
4 business, accounting, finance or any related field, files a written petition with the department setting
5 forth his qualification and experience, and the Real Estate Commissioner approves, the applicant
6 may be issued a real estate broker's license immediately upon passing the appropriate examination
7 and satisfying the other requirements of this Article."

8 **Section 4. §104208 (a) Chapter 104, 21 Guam Code Annotated is hereby amended to**
9 **read as follows:**

10 "§104208. Continuing Education Requirement for Broker's Renewal.

11 (a) Any time prior to renewal of an original broker's license, the broker must satisfactorily
12 furnish the evidence of successful completion of an additional ninety (90) classroom hours of study
13 ~~selected among the following~~ as approved by the Guam Association of REALTORS® including
14 but not limited to:

- 15 1. real estate practice;
- 16 2. real estate appraisal;
- 17 3. property management;
- 18 4. real estate finance;
- 19 5. legal aspect of real estate;
- 20 6. real estate office administration;
- 21 7. general accounting;
- 22 8. business law;
- 23 9. escrow;

1 10. real estate contracts; *or any*

2 11. Real estate oriented study area.

3 **Section 5. §104210 Chapter 104, 21 Guam Code Annotated is hereby repealed in its**
4 **entirety.**

5 ~~The Real Estate Commissioner shall grant an exemption to persons with an original real~~
6 ~~estate broker's or salespersons licensed to any person who has been issued a license for fifteen (15)~~
7 ~~consecutive year, or has attained the age of seventy (70) years.~~

8 **SECTION 5. Severability.** If any of the provisions of this Act or the application thereof to
9 any person or circumstance is held invalid, such invalidity shall not affect any other provision or
10 application of this Act which can be given effect without the invalid provision or application, and to
11 this end the provisions of this Act are severable.

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Mina' Trenta Na Liheslaturan Guahan
THIRTIETH GUAM LEGISLATURE
Senator vicente "ben" c. pangelinan

COMMITTEE ON APPROPRIATIONS, TAXATION, BANKING, INSURANCE, RETIREMENT AND LAND
PUBLIC HEARING
 Wednesday, March 10, 2010
BILL NO. 319-30 (COR)
SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT Yes No
✓ Chris Felix	Tamuning Buningda	677-5003	felix@Guam.net		✓	—
✓ Edward Leong	Hghts P.O. Box 150 Hagatna,	632-2516 482-8225	bestcuping@guam.net		✓	change
✓ Ryan Mument	P.O. Box 4905 Hagatna, GU 96532	688-4501	ryanm@GuamHome.com		✓	YES



Mina' Trenta Na Liheslaturan Guahan
THIRTIETH GUAM LEGISLATURE
Senator vicente "ben" c. pangelinan

COMMITTEE ON APPROPRIATIONS, TAXATION, BANKING, INSURANCE, RETIREMENT AND LAND
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SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT Yes No
✓ Liz Duengas						✓

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 Ph. 473-4236 Fax. 473-4238
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Mina' Trenta Na Liheslaturan Guahan
THIRTIETH GUAM LEGISLATURE
Senator vicente "ben" c. pangelinan

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 Wednesday, March 10, 2010
BILL NO. 319-30 (COR)
SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT Yes No
✓ Zimora Cotton		6468048	mcotton@usa.net		✓	

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 Email: senbenp@guam.net



Dipattamenton Kontribusion yan Adu'ana

DEPARTMENT OF

REVENUE AND TAXATION

GOVERNMENT OF GUAM

Gubetnamenton Guahan

FELIX P. CAMACHO, Governor Maga'ahi
MICHAEL W. CRUZ, M.D., Lt. Governor Tiñente Gubetnadot

ARTEMIO B. ILAGAN, Director
Direktot
Paul J. Pablo, Deputy Director
Segundo Direktot

March 10, 2010

The Honorable Vicente C. Pangelinan
Chairman, Committee on Appropriations,
Taxation, Banking, Insurance and Land
Thirtieth Guam Legislature
324 West Soledad Avenue, Suite 100
Hagatna, Guam 96910

Re: Bill No. 319-30 "AN ACT TO AMEND SECTION 30103 OF CHAPTER 30, 22 GUAM CODE ANNOTATED, TO AMEND SECTION 104203 AND SECTION 104208 AND TO REPEAL SECTION 104210 OF CHAPTER 104, 21 GUAM CODE ANNOTATED RELATIVE TO REAL ESTATE BROKER LICENSING REQUIREMENTS AND OTHER PURPOSES".

Dear Mr. Senator Pangelinan:

My name is Artemio B. Ilagan. I am the director of the Department of Revenue and Taxation and the Real Estate Commissioner.

I am in favor of Bill No. 319, with changes:

- ❖ Real estate brokers must be actively engaged in the business of real estate salesman on Guam for a period of two (2) years before an applicant can apply for a real estate broker's license in Guam. This will give time to an applicant to learn more about the duties and responsibilities of a real estate broker to buyers and sellers. I support the proposed changes to Section 104203.
- ❖ The buying and selling of real estate is clearly one of the factors that lead to economic expansion or economic depression. Real estate practices are evolving towards more disclosures for protection of consumers, broker & agency relationship, electronic national multiple listing system and taxation, to name a few subjects. Real estate brokers and sales persons need more not less continuing education. I support the repeal of Section 104210.
- ❖ Title XI, Section 1110 of The Financial Institution Reform, Recovery and Enforcement Act (FIRREA), gave licensing and certification authority to the Appraisal Foundation for real estate appraisers. The Appraisal Standards Board of the Appraisal Foundation promulgated the Uniform Standards of Professional, Appraisal Practice (USPAP). Real Estate appraisers within the United States jurisdictions, including those in Guam must conform to USPAP in the appraisal of real property. It is our understanding that only licensed or certified real estate appraisers can lawfully give an "opinion" of the prices of real estate. In the USPAP definition, "Appraisal" is the act or

process of developing an opinion of value. On the other hand "Value" is the monetary relationship between properties and those who buy sell or use those properties. A photocopy of the 2008-2009 USPAP definitions is attached for reference. For this reason, our office requests for a consideration that Section 30103 be amended to read as follows:

§30103. License Required. It shall be unlawful for any individual to engage in appraisal activity without first obtaining a real estate appraiser certification or license as provided in this Act. This Act shall not apply to real estate broker or salesperson licensed by the government of Guam, ~~or a government of Guam employee appraiser~~ (so long as federally insured financing is not involved), who in the ordinary course of his or her business, gives an ~~opinion~~ value of the prices of real estate ~~for the purpose of a prospective sale or a government of Guam employee appraiser who assesses value of a property for real estate tax purposes.~~ However, in no event may this ~~opinion value~~ value be referred to or construed as an appraisal.

- ❖ The Guam Association of Realtors (GAR) is a professional association of real estate brokers and sales persons in Guam. Our office applauds GAR officers in their efforts to offer more continuing education courses for the members of this association. But, should the GAR be given the authority to approve the continuing education courses for the members of this association? It is our thinking that the Real Estate Commissioner should retain the authority to approve the courses for real estate continuing education, in the same manner that this office has the authority to approve the applications for real estate licenses. Our office requests for a consideration that Section 104208 (d) be revised. Our revision is in italics.

(d) Any of the ninety (90) classroom hours of study as outlined in this Section may be fulfilled by the completion of courses approved by the *Real Estate Commissioner and provided or sponsored by the* Guam Association of Realtors.

In summary, I am in favor of Bill No. 319. However, I am asking the Committee to consider our proposed changes as set forth above.

Sincerely,



ARTEMIO B. ILAGAN
Director and Real Estate Commissioner

UNIFORM STANDARDS OF PROFESSIONAL APPRAISAL PRACTICE

as promulgated by the
Appraisal Standards Board of
The Appraisal Foundation

DEFINITIONS

For the purpose of the *Uniform Standards of Professional Appraisal Practice* (USPAP), the following definitions apply:

APPRAISAL: (noun) the act or process of developing an opinion of value; an opinion of value.
(adjective) of or pertaining to appraising and related functions such as appraisal practice or appraisal services.

Comment: An appraisal must be numerically expressed as a specific amount, as a range of numbers, or as a relationship (e.g., not more than, not less than) to a previous value opinion or numerical benchmark (e.g., assessed value, collateral value).

APPRAISAL CONSULTING: the act or process of developing an analysis, recommendation, or opinion to solve a problem, where an opinion of value is a component of the analysis leading to the assignment results.

Comment: An appraisal consulting assignment involves an opinion of value but does not have an appraisal or an appraisal review as its primary purpose.

APPRAISAL PRACTICE: valuation services performed by an individual acting as an appraiser, including but not limited to appraisal, appraisal review, or appraisal consulting.

Comment: *Appraisal practice* is provided only by appraisers, while *valuation services* are provided by a variety of professionals and others. The terms *appraisal*, *appraisal review*, and *appraisal consulting* are intentionally generic and are not mutually exclusive. For example, an opinion of value may be required as part of an appraisal review and is required as a component of the analysis in an appraisal consulting assignment. The use of other nomenclature for an appraisal, appraisal review, or appraisal consulting assignment (e.g., analysis, counseling, evaluation, study, submission, or valuation) does not exempt an appraiser from adherence to the *Uniform Standards of Professional Appraisal Practice*.

APPRAISAL REVIEW: the act or process of developing and communicating an opinion about the quality of another appraiser's work that was performed as part of an appraisal, appraisal review, or appraisal consulting assignment.

Comment: The subject of an appraisal review assignment may be all or part of a report, workfile, or a combination of these.

APPRAISER: one who is expected to perform valuation services competently and in a manner that is independent, impartial, and objective.

DEFINITIONS

35 Comment: Such expectation occurs when individuals, either by choice or by requirement
36 placed upon them or upon the service they provide by law, regulation, or agreement with the
37 client or intended users, represent that they comply.¹

38 **APPRAISER'S PEERS:** other appraisers who have expertise and competency in a similar type of assignment.

39 **ASSIGNMENT:** a valuation service provided as a consequence of an agreement between an appraiser and a
40 client.

41 **ASSIGNMENT RESULTS:** an appraiser's opinions and conclusions developed specific to an assignment.

42 Comment: Assignment results include an appraiser's:

- 43 ▪ opinions or conclusions developed in an appraisal assignment, such as value;
- 44 ▪ opinions of adequacy, relevancy, or reasonableness developed in an appraisal review assignment;
45 or
- 46 ▪ opinions, conclusions, or recommendations developed in an appraisal consulting assignment.

47 **ASSUMPTION:** that which is taken to be true.

48 **BIAS:** a preference or inclination that precludes an appraiser's impartiality, independence, or objectivity in an
49 assignment.

50 **BUSINESS ENTERPRISE:** an entity pursuing an economic activity.

51 **BUSINESS EQUITY:** the interests, benefits, and rights inherent in the ownership of a business enterprise or a
52 part thereof in any form (including, but not necessarily limited to, capital stock, partnership interests,
53 cooperatives, sole proprietorships, options, and warrants).

3/26/09 54 **CLIENT:** the party or parties who engage an appraiser (by employment or contract) in a specific assignment.

55 Comment: The client identified by the appraiser in an appraisal, appraisal review, or appraisal
56 consulting assignment (or in the assignment workfile) is the party or parties with whom the
57 appraiser has an appraiser-client relationship in the related assignment, ~~and may be an~~
58 ~~individual, group, or entity.~~

59 **CONFIDENTIAL INFORMATION:** information that is either:

- 60 ▪ identified by the client as confidential when providing it to an appraiser and that is not available
61 from any other source; or
- 62 ▪ classified as confidential or private by applicable law or regulation*.

63 *NOTICE: For example, pursuant to the passage of the Gramm-Leach-Bliley Act in November 1999, some
64 public agencies have adopted privacy regulations that affect appraisers. As a result, the Federal Trade
65 Commission issued a rule focused on the protection of "non-public personal information" provided by
66 consumers to those involved in financial activities "found to be closely related to banking or usual in connection
67 with the transaction of banking." These activities have been deemed to include "appraising real or personal
68 property." (Quotations are from the Federal Trade Commission, Privacy of Consumer Financial Information;
69 Final Rule, 16 CFR Part 313.)

70 **COST:** the amount required to create, produce, or obtain a property.

¹ See PREAMBLE and Advisory Opinion 21, *USPAP Compliance*.

71 Comment: *Cost* is either a fact or an estimate of fact.

72 **CREDIBLE:** worthy of belief.

73 Comment: Credible assignment results require support, by relevant evidence and logic, to the
74 degree necessary for the intended use.

75 **EXTRAORDINARY ASSUMPTION:** an assumption, directly related to a specific assignment, which, if
76 found to be false, could alter the appraiser's opinions or conclusions.

77 Comment: Extraordinary assumptions presume as fact otherwise uncertain information about
78 physical, legal, or economic characteristics of the subject property; or about conditions
79 external to the property, such as market conditions or trends; or about the integrity of data
80 used in an analysis.

81 **FEASIBILITY ANALYSIS:** a study of the cost-benefit relationship of an economic endeavor.

82 **HYPOTHETICAL CONDITION:** that which is contrary to what exists but is supposed for the purpose of
83 analysis.

84 Comment: Hypothetical conditions assume conditions contrary to known facts about physical,
85 legal, or economic characteristics of the subject property; or about conditions external to the
86 property, such as market conditions or trends; or about the integrity of data used in an
87 analysis.

88 **INTANGIBLE PROPERTY (INTANGIBLE ASSETS):** nonphysical assets, including but not limited to
89 franchises, trademarks, patents, copyrights, goodwill, equities, securities, and contracts as distinguished from
90 physical assets such as facilities and equipment.

91 **INTENDED USE:** the use or uses of an appraiser's reported appraisal, appraisal review, or appraisal consulting
92 assignment opinions and conclusions, as identified by the appraiser based on communication with the client at
93 the time of the assignment.

94 **INTENDED USER:** the client and any other party as identified, by name or type, as users of the appraisal,
95 appraisal review, or appraisal consulting report by the appraiser on the basis of communication with the client at
96 the time of the assignment.

97 **JURISDICTIONAL EXCEPTION:** an assignment condition that voids the force of a part or parts of USPAP,
98 when compliance with part or parts of USPAP is contrary to law or public policy applicable to the assignment.

99 **MARKET VALUE:** a type of value, stated as an opinion, that presumes the transfer of a property (i.e., a right
100 of ownership or a bundle of such rights), as of a certain date, under specific conditions set forth in the definition
101 of the term identified by the appraiser as applicable in an appraisal.

102 Comment: Forming an opinion of market value is the purpose of many real property appraisal
103 assignments, particularly when the client's intended use includes more than one intended user.
104 The conditions included in market value definitions establish market perspectives for
105 development of the opinion. These conditions may vary from definition to definition but
106 generally fall into three categories:

- 107 1. the relationship, knowledge, and motivation of the parties (i.e., seller and buyer);
- 108 2. the terms of sale (e.g., cash, cash equivalent, or other terms); and
- 109 3. the conditions of sale (e.g., exposure in a competitive market for a reasonable time
110 prior to sale).

DEFINITIONS

111 *Appraisers are cautioned to identify the exact definition of market value, and its authority,*
112 *applicable in each appraisal completed for the purpose of market value.*

113 **MASS APPRAISAL:** the process of valuing a universe of properties as of a given date using standard
114 methodology, employing common data, and allowing for statistical testing.

115 **MASS APPRAISAL MODEL:** a mathematical expression of how supply and demand factors interact in a
116 market.

117 **PERSONAL PROPERTY:** identifiable tangible objects that are considered by the general public as being
118 “personal” - for example, furnishings, artwork, antiques, gems and jewelry, collectibles, machinery and
119 equipment; all tangible property that is not classified as real estate.

120 **PRICE:** the amount asked, offered, or paid for a property.

121 Comment: Once stated, *price* is a fact, whether it is publicly disclosed or retained in private.
122 Because of the financial capabilities, motivations, or special interests of a given buyer or
123 seller, the price paid for a property may or may not have any relation to the *value* that might
124 be ascribed to that property by others.

125 **REAL ESTATE:** an identified parcel or tract of land, including improvements, if any.

126 **REAL PROPERTY:** the interests, benefits, and rights inherent in the ownership of real estate.

127 Comment: In some jurisdictions, the terms *real estate* and *real property* have the same legal
128 meaning. The separate definitions recognize the traditional distinction between the two
129 concepts in appraisal theory.

130 **REPORT:** any communication, written or oral, of an appraisal, appraisal review, or appraisal consulting
131 service that is transmitted to the client upon completion of an assignment

132 Comment: Most reports are written and most clients mandate written reports. Oral report
133 requirements (see the Record Keeping section of the ETHICS RULE) are included to cover
134 court testimony and other oral communications of an appraisal, appraisal review, or appraisal
135 consulting service.

136 **SCOPE OF WORK:** the type and extent of research and analyses in an assignment.

137 **SIGNATURE:** personalized evidence indicating authentication of the work performed by the appraiser and the
138 acceptance of the responsibility for content, analyses, and the conclusions in the report.

139 Comment: A signature can be represented by a handwritten mark, a digitized image controlled
140 by a personal identification number, or other media, where the appraiser has sole personal
141 control of affixing the signature.

142 **VALUATION SERVICES:** services pertaining to aspects of property value.

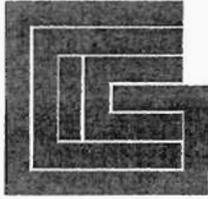
143 Comment: Valuation services pertain to all aspects of property value and include services
144 performed both by appraisers and by others.

145 **VALUE:** the monetary relationship between properties and those who buy, sell, or use those properties.

146 Comment: *Value* expresses an economic concept. As such, it is never a fact but always an
147 opinion of the worth of a property at a given time in accordance with a specific definition of

148 value. In appraisal practice, value must always be qualified - for example, market value,
149 liquidation value, or investment value.

150 **WORKFILE:** documentation necessary to support an appraiser's analyses, opinions, and
151 conclusions.



Guam Capital Investment Corporation

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March 9th, 2010

Attention: Honorable Senator Vicente Pangelinan
Chairman Committee on Appropriations, Taxation, Banking, Insurance, and Land
Office of I Liheslaturan Guahan
324 West Soledad Avenue, Suite 100
Hagatna, Guam 96910

SUBJECT: Bill No. 319-30

Dear Honorable Senator Pangelinan and Senators of the Guam Legislature:

Thank you very much for bringing bill 319-30 to public hearing.

I wish to strongly endorse this bill in its entirety.

The anticipated increase in real estate activity on Guam makes it important for Guam to strengthen and clarify the licensing laws for the industry. Homes are the greatest investment the typical resident will make in their personal lives, and good regulation of the professionals who will direct the buyers, sellers, renters, and investors, will help promote this driver of our economy and protect our residents.

As a developer, a Real Estate Broker, and resident of Guam, I endorse the following provisions of the bill:

- **Section 2** provides a much needed alternative to Guam residents as it removes the restriction on licensed real estate agents and brokers from providing price opinions except in the event of sale or impending sale. Allowing Real Estate Brokers to provide cost effective professional price opinions, will allow Guam residents access to a greater number of professional real estate practitioners who can provide this pricing option at an affordable cost and with practical field expertise. We understand that this will remain distinct from an appraisal which is a much more thorough piece of research. This standard practice in the Real Estate Industry of Brokers providing price opinions, will help make our real estate industry more accessible to the average Guam resident.
- **Section 3** strengthens the current real estate licensing laws to eliminate a loophole that allows new applicants without any practical experience to

circumvent the experience requirements in the real estate field. If left unchanged, the loophole has the potential to put many inexperienced new brokers, or short term visitors to Guam, into the industry without the necessary field knowledge of Real Estate practice. This lack of actual field experience does not serve the public interest and has the potential to cause serious problems in Guam's real estate industry during a period of anticipated rapid activity. I strongly support the revisions in this Section.

- **Section 4** allows for classes which are approved overwhelmingly in the mainland, and industry wide to be available for continuing education credits here on Guam through approval locally by the industry. Increased education is best served by the widest selection of classes, and by allowing education opportunities from outside Guam, our real estate professionals will be encouraged to take advantage of the wide variety of continuing education options and to therefore be better educated, and to better and more competently serve our local residents.
- **Section 5** deletes the loophole which would allow a portion of our real estate practitioners to avoid continuing educational requirements through grandfathered exemption. As a Real Estate Broker who is currently able to avail of that exemption, I strongly support the elimination of this grandfather clause, as I believe it is in the best interest of the industry and the public that all our licensees be current in this industry on changes which continue to happen and do not stand still for grandfathered practitioners. This industry is dynamic and so are its rules and requirements, and I support the change described in Section 5 of this bill.

Overall, I believe Bill 319-30 is a positive step for the Guam Real Estate Industry and the people of Guam whom they serve.

Respectfully,



Steffen Niu, President and Principal Broker
Guam Capital Investment Corporation



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Guam is our home... we would love to make it yours!™

March 9, 2010

Honorable v.c. pangelinan
Senator
Chairman, Committee on Appropriations,
Taxation, Banking, Insurance, and Land
I Mina'Trenta Na Leheslaturan Guahan
324 W. Soledad Avenue, Suite 100
Hagatna, Guam 96910
Email: senbenp@guam.net

Dear Senator v.c. pangelinan

I would like to offer our support in favor of the passing of Bill No. 319-30 (COR) as introduced by yourself. I would also like to thank you and your great staff and your fellow colleagues at I Leheslaturan Guahan for taking on this task and moving towards completion.

The passing of Bill No. 319-30 (COR) will greatly benefit the people of Guam. Here's why...

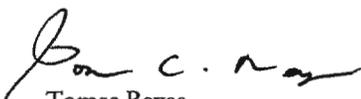
Regarding Section 2, 30103, Section 30, 22 Guam Code Annotated. As licensed real estate agents and brokers we believe that anyone should have the right to hire real estate brokers and sales persons to provide them with a price opinion for their property. Real estate agents and sales persons have an expansive amount of knowledge that is important to the consumer. In the business of selling homes for people and banks, owners often need to know the price at which to sell their property. To provide this price opinion is part of what we do as real estate professionals.

Regarding Section 3, 104203 Chapter 104, 21Guam Code Annotated. We support the requirement that a real agent hold a real estate salesperson's license on Guam for a period of 2 years prior to application for an original real estate broker's license. This provision will provide the opportunity for the sales person to obtain at least two years of valuable experience in the 'real world' of real estate on Guam under the employ of a Guam licensed real estate broker.

Regarding Section 4, 104208 Chapter 104, 21 Guam Code Annotated. The Guam Association of REALTORS includes approximately 400+ licensed real estate brokers, salespersons, and appraisers. The members of this organization have a vast amount of experience in the business of real estate. We firmly believe the Guam Association of REALTORS® has the talent and experience to identify courses and achieve the results that will benefit the Guam consumer.

Regarding Section 5, 104210, Chapter 104, 21 Guam Code Annotated. We support the removal of this exemption. Laws and practices in our industry are constantly in a state of change and we therefore believe that everyone should be held to the requirement of enhancing their skills and knowledge. This is better for the consumer and the industry as a whole.

Thank you again.


Tomas Reyes
REALTOR®



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Thank you again.

A handwritten signature in black ink, appearing to read 'Sandy'.

Sandy Gould Yow
Associate Broker, REALTOR®



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Thank you again.

Julie Paxton
Associate-Broker, REALTOR®

Written testimony in SUPPORT of Bill 319-30 was submitted via email by:

Angela Camacho

Ryan Mummert

Joe Rios

Courtney Mummert

Tom Godwin

Vicki Anderson-Estes

Fiona Hocking

Margie Mizukami

Shawntel Techaira

Janet Calvo

Dennis Couzjin



Angelica Okada <aokada@guamlegislature.org>

Fwd: TESTIMONY IN SUPPORT OF BILL 319-30 (COR)

4 messages

Sen. ben pangelinan <senbenp@guam.net>
To: Anjelica Kulani Okada <aokada@guamlegislature.org>
Cc: "Sen. ben pangelinan" <senbenp@guam.net>

Tue, Mar 9, 2010 at 11:07 PM

Senator Vicente (ben) Cabrera Pangelinan
Chairman, Committee on Appropriations, Taxation,
Banking, Insurance, Retirement, and Land
Ofisinan i Taotao Siha (Office of the People)
I Mina Trenta Na Leheslaturan Guahan (30th Guam Legislature)
Ph: (671)473-4236
e-mail: senbenp@guam.net
web: senbenp.com

Begin forwarded message:

From: [Angela Camacho](mailto:angie.camacho@guamhome.com) <angie.camacho@guamhome.com>
Date: March 2010 8:37:11 PM GMT+10:00
To: "senbenp@guam.net" <senbenp@guam.net>
Subject: TESTIMONY IN SUPPORT OF BILL 319-30 (COR)

March 9, 2010

Honorable v.c. pangelinan
Senator
Chairman, Committee on Appropriations,
Taxation, Banking, Insurance, and Land
I Mina Trenta Na Leheslaturan Guahan
324 W. Soledad Avenue, Suite 100
Hagatna, Guam 96910
Email: senbenp@guam.net

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Thank you again.

Angela Camacho

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Sen. ben pangelinan <senbenp@guam.net>
To: Anjelica Kulani Okada <aokada@guamlegislature.org>
Cc: "Sen. ben pangelinan" <senbenp@guam.net>

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I Mina Trenta Na Leheslaturan Guahan (30th Guam Legislature)
Ph: (671)473-4236
e-mail: senbenp@guam.net
web: senbenp.com

Begin forwarded message:

From: **Ryan Mummert** <ryan.mummert@guamhome.com>
Date: March 2010 8:32:38 PM GMT+10:00
To: "senbenp@guam.net" <senbenp@guam.net>
Subject: TESTIMONY IN SUPPORT OF BILL 319-30 (COR)

March 9, 2010

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Senator
Chairman, Committee on Appropriations,
Taxation, Banking, Insurance, and Land
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324 W. Soledad Avenue, Suite 100
Hagatna, Guam 96910
Email: senbenp@guam.net

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Thank you again.

Best Regards,
Ryan Mummert, REALTOR®
CELLULAR: 671-688-4907
ASSISTANT'S CELL: 671-483-4907 (Courtney)
TODAY'S REALTY
267 S. Marine Corps Drive, Suite 3A UIU Bldg.
Tamuning, Guam 96913
FAX: 671-646-0832 OFFICE: 671-649-4361 ext. 107
EMAIL: ryan.mummert@guamhome.com
WEB: www.ryanmummert.com

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Sen. ben pangelinan <senbenp@guam.net>

Wed, Mar 10, 2010 at 7:17 AM

To: Anjelica Kulani Okada <aokada@guamlegislature.org>

Cc: "Sen. ben pangelinan" <senbenp@guam.net>

Senator Vicente (ben) Cabrera Pangelinan
Chairman, Committee on Appropriations, Taxation,
Banking, Insurance, Retirement, and Land
Ofisinan i Taotao Siha (Office of the People)
I Mina Trenta Na Leheslaturan Guahan (30th Guam Legislature)
Ph: (671)473-4236
e-mail: senbenp@guam.net
web: senbenp.com

Begin forwarded message:

From: Joe Rios <joe.rios@guamhome.com>
Date: March 2010 6:43:11 AM GMT+10:00
To: "senbenp@guam.net" <senbenp@guam.net>
Cc: Joe Rios <joe.rios@guamhome.com>
Subject: TESTIMONY IN SUPPORT OF BILL 319-30 (COR)
Reply-To: Joe Rios <joe.rios@guamhome.com>

March 9, 2010

Honorable v.c. pangelinan
Senator
Chairman, Committee on Appropriations,
Taxation, Banking, Insurance, and Land
I Mina Trenta Na Leheslaturan Guahan
324 W. Soledad Avenue, Suite 100
Hagatna, Guam 96910

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Thank you again.

Joe Rios

Joe Rios
REALTOR®
(671)689-5631
joe@guamhome.com
www.guamhome.com

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Sen. ben pangelinan <senbenp@guam.net>

Wed, Mar 10, 2010 at 7:18 AM

To: Anjelica Kulani Okada <aokada@guamlegislature.org>

Cc: "Sen. ben pangelinan" <senbenp@guam.net>

Senator Vicente (ben) Cabrera Pangelinan
Chairman, Committee on Appropriations, Taxation,
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Ofisinan i Taotao Siha (Office of the People)
I Mina Trenta Na Leheslaturan Guahan (30th Guam Legislature)
Ph: (671)473-4236
e-mail: senbenp@guam.net
web: senbenp.com

Begin forwarded message:

From: "Courtney Mummert" <courtney.mummert@guamhome.com>
Date: March 2010 6:58:55 AM GMT+10:00
To: "senbenp@guam.net" <senbenp@guam.net>
Subject: TESTIMONY IN SUPPORT OF BILL 319-30 (COR)

March 9, 2010

Honorable V.C. Pangelinan
Senator
Chairman, Committee on Appropriations,
Taxation, Banking, Insurance, and Land
I Mina Trenta Na Leheslaturan Guahan
324 W. Soledad Avenue, Suite 100
Hagatna, Guam 96910
Email: senbenp@guam.net

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Realtor, Today's Realty

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Angelica Okada <aokada@guamlegislature.org>

Fwd: URGENT--- TESTIMONY IN SUPPORT OF BILL 319-30 (COR)

4 messages

Sen. ben pangelinan <senbenp@guam.net>
To: Anjelica Kulani Okada <aokada@guamlegislature.org>
Cc: "Sen. ben pangelinan" <senbenp@guam.net>

Tue, Mar 9, 2010 at 11:06 PM

Senator Vicente (ben) Cabrera Pangelinan
Chairman, Committee on Appropriations, Taxation,
Banking, Insurance, Retirement, and Land
Ofsinan i Taotao Siha (Office of the People)
I Mina Trenta Na Leheslaturan Guahan (30th Guam Legislature)
Ph: (671)473-4236
e-mail: senbenp@guam.net
web:senbenp.com

Begin forwarded message:

From: Tom Godwin <tom.godwin@guamhome.com>
Date: March 2010 10:46:28 PM GMT+10:00
To: "senbenp@guam.net" <senbenp@guam.net>
Subject: URGENT--- TESTIMONY IN SUPPORT OF BILL 319-30 (COR)

March 9, 2010

Honorable v.c. pangelinan
Senator
Chairman, Committee on Appropriations,
Taxation, Banking, Insurance, and Land
I Mina Trenta Na Leheslaturan Guahan
324 W. Soledad Avenue, Suite 100
Hagatna, Guam 96910
Email: senbenp@guam.net

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I Mina Trenta Na Leheslaturan Guahan (30th Guam Legislature)
Ph: (671)473-4236
e-mail: senbenp@guam.net
web: senbenp.com

Begin forwarded message:

From: Vicki Anderson-Estes <vicki.anderson@guamhome.com>
Date: March 2010 10:03:33 PM GMT+10:00
To: "senbenp@guam.net" <senbenp@guam.net>
Subject: FW: URGENT--- TESTIMONY IN SUPPORT OF BILL 319-30 (COR)

March 9, 2010

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Chairman, Committee on Appropriations,
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Associate Broker
Today's Realty

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Cc: "Sen. ben pangelinan" <senbenp@guam.net>

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I Mina Trenta Na Leheslaturan Guahan (30th Guam Legislature)
Ph: (671)473-4236
e-mail: senbenp@guam.net
web: senbenp.com

Begin forwarded message:

From: Fiona Hocking <fiona.hocking@guamhome.com>
Date: March 2010 8:33:07 PM GMT+10:00
To: "senbenp@guam.net" <senbenp@guam.net>
Subject: URGENT--- TESTIMONY IN SUPPORT OF BILL 319-30 (COR)

March 9, 2010

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Senator
Chairman, Committee on Appropriations,
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Realtor

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Sen. ben pangelinan <senbenp@guam.net>

Wed, Mar 10, 2010 at 6:31 AM

To: Anjelica Kulani Okada <aokada@guamlegislature.org>
Cc: "Sen. ben pangelinan" <senbenp@guam.net>

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Ph: (671)473-4236
e-mail: senbenp@guam.net
web: senbenp.com

Begin forwarded message:

From: **Margie Mizukami <margie.mizukami@guamhome.com>**
Date: March 2010 12:40:40 AM GMT+10:00
To: "senbenp@guam.net" <senbenp@guam.net>
Subject: FW: URGENT--- TESTIMONY IN SUPPORT OF BILL 319-30 (COR)

March 9, 2010

Honorable v.c. pangelinan
Senator
Chairman, Committee on Appropriations,
Taxation, Banking, Insurance, and Land
I Mina'Trenta Na Leheslaturan Guahan
324 W. Soledad Avenue, Suite 100
Hagatna, Guam 96910
Email: senbenp@guam.net

Dear Senator v.c. pangelinan

I would like to offer our support in favor of the passing of Bill No. 319-30 (COR) as introduced by yourself. I would also like to thank you and your great staff and your fellow colleagues at I Leheslaturan Guahan for taking on this task and moving towards completion.

The passing of Bill No. 319-30 (COR) will greatly benefit the people of Guam. Here's why...

Regarding Section 2, 30103, Section 30, 22 Guam Code Annotated. As licensed real estate agents and brokers we believe that anyone should have the right to hire real estate brokers and sales persons to provide them with a price opinion for their property. Real estate agents and sales persons have an expansive amount of knowledge that is important to the consumer. In the business of selling homes for people and banks, owners often need to know the price at which to sell their property. To provide this price opinion is part of what we do as real estate professionals.

Regarding Section 3, 104203 Chapter 104, 21Guam Code Annotated. We support the requirement that a real agent hold a real estate salesperson's license on Guam for a period of 2 years prior to application for an original real estate broker's license. This provision will provide the opportunity for the sales person to obtain at least two years of valuable experience in the 'real world' of real estate on Guam under the employ of a Guam licensed real estate broker.

Regarding Section 4, 104208 Chapter 104, 21 Guam Code Annotated. The Guam Association of REALTORS includes approximately 400+ licensed real estate brokers, salespersons, and appraisers. The members of this organization have a vast amount of experience in the business of real estate. We firmly believe the Guam Association of REALTORS® has the talent and experience to identify courses and achieve the results that will benefit the Guam consumer..

Regarding Section 5, 104210, Chapter 104, 21 Guam Code Annotated. We support the removal of this exemption. Laws and practices in our industry are constantly in a state of change and we therefore believe that everyone should be held to the requirement of enhancing their skills and knowledge. This is better for the consumer and the industry as a whole.

Thank you again.

Margie Mizukami
Realtor
Today's Realty

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Angelica Okada <aokada@guamlegislature.org>

Fwd: TESTIMONY IN SUPPORT OF BILL 319-30

Sen. ben pangelinan <senbenp@guam.net>
To: Anjelica Kulani Okada <aokada@guamlegislature.org>
Cc: "Sen. ben pangelinan" <senbenp@guam.net>

Tue, Mar 9, 2010 at 11:07 PM

Senator Vicente (ben) Cabrera Pangelinan
Chairman, Committee on Appropriations, Taxation,
Banking, Insurance, Retirement, and Land
Ofsinan i Taotao Siha (Office of the People)
I Mina Trenta Na Leheslaturan Guahan (30th Guam Legislature)
Ph: (671)473-4236
e-mail: senbenp@guam.net
web: senbenp.com

Begin forwarded message:

From: shawntel.techaira@gmail.com
Date: March 2010 9:33:48 PM GMT+10:00
To: senbenp@guam.net
Subject: TESTIMONY IN SUPPORT OF BILL 319-30
Reply-To: shawntel.techaira@gmail.com

March 9, 2010

Honorable v.c. pangelinan
Senator
Chairman, Committee on Appropriations,
Taxation, Banking, Insurance, and Land
I Mina Trenta Na Leheslaturan Guahan
324 W. Soledad Avenue, Suite 100
Hagatna, Guam 96910
Email: senbenp@guam.net

Dear Senator v.c. pangelinan

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Thank you again.

Shawntel Techaira

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Angelica Okada <aokada@guamlegislature.org>

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Senator ben c. pangelinan <senbenp@guam.net>
To: Anjelica Kulani Okada <aokada@guamlegislature.org>
Cc: "Senator ben c. pangelinan" <senbenp@guam.net>

Wed, Mar 10, 2010 at 8:15 AM

Begin forwarded message:

From: Dennis Couzijn <dennis.couzijn@guamhome.com>
Date: March 10, 2010 7:49:43 AM GMT+10:00
To: "senbenp@guam.net" <senbenp@guam.net>
Subject: URGENT--- TESTIMONY IN SUPPORT OF BILL 319-30 (COR)

March 9, 2010

Honorable v.c. pangelinan
Senator
Chairman, Committee on Appropriations,
Taxation, Banking, Insurance, and Land
I Mina'Trenta Na Leheslaturan Guahan
324 W. Soledad Avenue, Suite 100
Hagatna, Guam 96910
Email: senbenp@guam.net

Dear Senator v.c. pangelinan

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Thank you again.
Dennis Couzijn
Realtor

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Angelica Okada <aokada@guamlegislature.org>

Fwd: URGENT--- TESTIMONY IN SUPPORT OF BILL 319-30 (COR)

Senator ben c. pangelinan <senbenp@guam.net>
To: Anjelica Kulani Okada <aokada@guamlegislature.org>
Cc: "Senator ben c. pangelinan" <senbenp@guam.net>

Wed, Mar 10, 2010 at 8:15 AM

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From: Janet Calvo <janet.calvo@guamhome.com>
Date: March 10, 2010 7:43:56 AM GMT+10:00
To: "senbenp@guam.net" <senbenp@guam.net>
Subject: URGENT--- TESTIMONY IN SUPPORT OF BILL 319-30 (COR)

March 9, 2010

Honorable v.c. pangelinan
Senator
Chairman, Committee on Appropriations,
Taxation, Banking, Insurance, and Land
I Mina'Trenta Na Leheslaturan Guahan
324 W. Soledad Avenue, Suite 100
Hagatna, Guam 96910
Email: senbenp@guam.net

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Thank you again.

Janet Calvo

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**Bureau of Budget & Management Research
Fiscal Note of Bill No. 319-30 (COR)**

AN ACT TO AMEND SECTION 30103 OF CHAPTER 30, 22 GUAM CODE ANNOTATED, TO AMEND SECTION 104203 AND SECTION 104208 AND TO REPEAL SECTION 104210 OF CHAPTER 104, 21 GUAM CODE ANNOTATED RELATIVE TO REAL ESTATE BROKER LICENSING REQUIREMENTS AND OTHER PURPOSES.

Department/Agency Appropriation Information	
Dept./Agency Affected: Department of Revenue & Taxation	Dept./Agency Head: Artemio B. Ilagan
Department's General Fund (GF) appropriation(s) to date:	\$9,642,349
Department's Other Fund (Specify) appropriation(s) to date: \$755,482 (Tax Collection Enhancement Fund) / \$1,542,232 (Better Public Service Fund)	\$2,297,714
Total Department/Agency Appropriation(s) to date:	\$11,940,063

Fund Source Information of Proposed Appropriation			
	General Fund:	Other:	Total:
FY 2010 Adopted Revenues	\$540,218,638	\$112,566,011	\$652,784,649
FY 2010 Appro. (P.L. 30-55 thru 30-92)	(\$540,228,724)	(\$113,520,186)	(\$653,748,910)
Sub-total:	(\$10,086)	(\$954,175)	(\$964,261)
Less appropriation in Bill	\$0	\$0	\$0
Total:	(\$10,086)	(\$954,175)	(\$964,261)

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2010 (if applicable)	FY 2011	FY 2012	FY 2013	FY 2014
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Tourist Attraction Fund	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0

- Does the bill contain "revenue generating" provisions? / / Yes / x / No
If Yes, see attachment
- Is amount appropriated adequate to fund the intent of the appropriation? / x / N/A / / Yes / / No
If no, what is the additional amount required? \$ / x / N/A
- Does the Bill establish a new program/agency? / / Yes / x / No
If yes, will the program duplicate existing programs/agencies? / x / N/A / / Yes / / No
Is there a federal mandate to establish the program/agency? / / Yes / x / No
- Will the enactment of this Bill require new physical facilities? / / Yes / x / No
- Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: / x / Yes / / No
/ x / Requested agency comments not received by due date / / Other: _____

2/23/10
JP

FEB 26 2010

Analyst: <u>Michael M. Afague, B&M Analyst, BBMR</u>	Date: <u>2/23/10</u>	Director: <u>Bertha M. Duenas, Director, BBMR</u>
--	----------------------	---

Footnotes: The Bill has a potential for additional funding impact, however in its present form that impact cannot be determined at this time.



COMMITTEE ON RULES

I Mina' Trenta na Liheslaturan Guåhan • 30th Guam Legislature

155 Hesler Place, Hagatña, Guam 96910 • tel: (671)472-7679 • fax: (671)472-3547 • roryforguam@gmail.com

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**Frank F. Blas, Jr.
SENATOR**

**James V. Espaldon
SENATOR**

January 28, 2010

MEMORANDUM

To: Pat Santos
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Rory J. Respicio
Chairperson, Committee on Rules

Subject: Referral of Bill Nos. 319-30 (COR) and 320-30 (COR)

As Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 319-30 (COR) and 320-30 (COR).

Please ensure that the subject bills are referred, in my name, to the respective committees, as shown on the attachment. I also request that the same be forwarded to all Senators of *I Mina' Trenta Na Liheslaturan Guåhan*.

Should you have any questions, please contact Stephanie Mendiola or Elaine Tajalle at 472-7679.

Si Yu'os Ma'åse'!

(1) Attachment

2010 JUN 29 PM 3:04 RE

I Mina'Trenta Na Liheslaturan Guåhan
Bill Log Sheet
Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date)
B319-30 (COR)	v.c. pangelinan	An act to amend Section 30103 of Chapter 30, 22 Guam Code Annotated, to amend Section 104203 and Section 104208 and to repeal Section 104210 of Chapter 104, 21 Guam Code Annotated relative to real estate broker licensing requirements and other purposes.	1/28/10 4:15 p.m.	1/29/10	Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land			
B320-30 (COR)	v.c. pangelinan	An act to amend §8501, §8502(2)(c) and §8312 of Chapter 8, 12 Guam Code Annotated relative to net metering.	1/28/10 4:15 p.m.	1/29/10	Committee on Utilities, Transportation, Public Works, and Veterans Affairs			

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Lisa Cipollone

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Mina'Trenta Na Liheslaturan Guåhan

Senator vicente (ben) c. pangelinan (D)

March 3, 2010

Memorandum

To: All Senators
From: ~~Senator~~ vicente c. pangelinan
Re: Public Hearing

Chairman
Committee on
Appropriations, Taxation,
Banking, Insurance, and
Land

Member
Committee on Education

Member
Committee on
Municipal Affairs,
Aviation, Housing, and
Recreation

Member
Committee on Labor, the
Public Structure,
Public Libraries, and
Technology

The Committee on Appropriations, Taxation, Banking, Insurance and Land will conduct a public hearing on numerous bills beginning at **8:30am on Wednesday, March 10, 2010** and at **3:00pm** will conduct an oversight of the **Chamorro Land Trust Commission** at the Guam Legislature's Public Hearing Room.

On **Thursday, March 11, 2010**, the Committee will receive testimonies for the **Official Zoning Map and Amendments of the "Dos Amantes" Planning Area, Municipality beginning at 5:30pm** in the Guam Legislature Public Hearing Room.

Copies of the Agenda for March 10 and March 11 are attached for your review.

For copies of the bill, you can log onto www.guamlegislature.com or www.senbenp.com

Si Yu'os Ma'ase,

GUAM LEGISLATURE
REPRODUCTION/MAIL ROOM
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TIME: 2:55 [AM X] PM
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Lisa Cipollone

First Notice - Public Hearing

Lisa Cipollone

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Office of Senator ben pangelinan will hold a public hearing on Wednesday, March 10, 2010 beginning at 8:30am.

Public Hearing Notice Wednesday, March 10, 2010 Guam Legislature Public Hearing Room

Agenda

8:30am

Bill No. 239-30(COR): An Act to appropriate Two Hundred Fifty Five Thousand Nine Hundred Thirty Dollars (\$255,930) from the General Fund to the University of Guam for the purpose of funding the local portion of the start-up plan of the Farmer's Cooperative Association of Guam.

Bill No. 244-30 (COR): An Act to reenact Section 6649(c) of Chapter 66 of Title 21, Guam Code Annotated relative to restoring the "DPW Building and Design Fee Account" for the purpose of funding the operations of the Division of Engineering-Capital Improvement Project Building Permits and Inspection Section of the Department of Public Works and making an appropriation for FY2010.

Bill No. 249-30 (COR): An act to amend §52430 of Chapter 22 of 5 GCA relative to use of government funds for disseminating public information.

Bill No. 261-30 (COR): An act relative to transferring Lot Nos 20 and 21 of Block 11 Tract 268 located in the Municipality of Yona to the Yona Mayor's Office for the benefit of the residents of the village and the island community.

Bill No. 283-30 (COR): An act to amend Section 9102 of 2GCA relative to ensuring the rights of the members of I Liheslaturan Guahan to obtain a fiscal note on legislation placed on its session agenda.

Bill No. 298-30 (COR): An act to Amend §7120.2 of Chapter 7 Title 16 of Guam Code Annotated relative to Vehicle Registration Fees for Veterans rated at a 100% permanent and total disability.

Bill No. 303-30 (COR): An act to add a New Article 10 to Chapter 51 of 10 GCA relative to recognizing the village of Inarajan as the Host Community for accommodating the Solid Waste Disposal needs of the entire island of Guam resulting from the operation of the Leyon Landfill and the Ordod Dump in their backyards.

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Bill No. 316-30 (COR): An act to add new definitions (j), (k), and (jj) to §1102 of Chapter 1, Title 16; to add a new §3102.2, §3102.3, §3102.4 to Chapter 3, Title 16, to add a new §6233 of Article 2, Chapter 6, Title 4; all of Guam Code Annotated relative to establishing charges and compensation for Department of Revenue and Taxation examiners who perform off-duty examinations.

Bill No. 319-30 (COR): An Act to Amend Section 30103 of Chapter 30, 22 Guam Code Annotated to Amend Section 104203 and Section 104208 and to Repeal Section 104210 of Chapter 104, 21 Guam Code Annotated Relative to Real Estate Broker Licensing Requirements and other purposes.

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3:00pm
Oversight of Chamorro Land Trust Commission

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If you require any special accommodations, please contact the Office of Senator ben pangelinan at 473-4236 , email at senbenp@guam.net or log onto www.senbenp.com

--
Lisa Cipollone
Chief of Staff
Office of Senator ben c. pangelinan
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Date: Wed, 3 Mar 2010 14:59:46 +1000
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Subject: First Notice - Public Hearing
From: Lisa Cipollone <cipo@guamlegislature.org>
To: news@guampdn.com, news@k57.com, news@kuam.com, news@spbguam.com, news@hitradio100.com, msilva@pacificnewscenter.com, msilva@spbguam.com, jtyquiengco@spbguam.com, clynt@spbguam.com, Kevin Kerrigan <kevin@spbquam.com>, Sabrina Salas <sabrina@kuam.com>, jason@kuam.com, janjeera@kuam.com, heather@kuam.com, mindy@kuam.com, nick@kuam.com, gerry@mvquam.com, marvic@mvquam.com, managingeditor@glimpesofguam.com, rgibson@k57.com, ALICIA PEREZ <aliciaperez69@hotmail.com>, Alicia Perez <perezksto@gmail.com>
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GCA relative to recognizing the village of Inarajan as the Host Community **

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SCOREBOARD

▲ Continued from Page 38

BOSTON RED SOX—Claimed RHP Casey Fien off waivers from Detroit. Designated RHP Gaby Hernandez for assignment.
CLEVELAND INDIANS—Agreed to terms with RHP Tom Masny on a minor league contract.

Eastern League

NEW BRITAIN ROCK CATS—Named Eric Pfitz coordinator of stadium operations. Steve Given group sales manager and Brendan O'Donnell assistant director of ticket operations.

ST. PAUL SAINTS—Signed LHP Payton Tejada.

SIOUX FALLS CHIEFS—Released C Ken Lap and OF Cory Hamerth.

WINNETKA WINGNUTS—Traded INF Clint Toomey to Gateway (Frontier) to complete an earlier trade.

Frontier League

EVANSVILLE OTTERS—Signed RHP Liam O'Leary. Acquired OF Diabo from Tom Edmonson (GCL) for a player to be named.

GATEWAY GRIZZLIES—Signed 3B Chris McClelland and 2B Clint Toomey.

KALAMAZOO KINGS—Placed RHP Danny Meyer on the rehab list.

OKLAHOMA CITY CRUISERS—Traded LHP Eric Gilliland to Gateway for a player to be named.

RIVERSIDE RASCALS—Signed RHP Will Knox.

TRaverse CITY BEACH BUMS—Placed RHP Ryan Kruszka on the rehab list.

Northern League

FARGO-MOORHEAD REDHAWKS—Agreed to terms with C-OF Kole Zimmetman. RHP Billy Weisman and LHP Jake Leber.

SARASOTA MOBILE RAILCATS—Signed Manager Greg Tagert to a three-year contract extension.

JOLIET JACKHAMMERS—Traded OF Kevin House to Rockford for a player to be named.

KANSAS CITY T-BONES—Agreed to terms with OF Ray Sedor.

ADONIS PHILLIES—Named Aaron Goltz (media relations) assistant.

EL PASO DIABLOS—Claimed RHP Neil Harris off waivers from Fort Worth.

FORT WORTH CATS—Released RHP Ryan Trytlan.

GRAND PRAIRIE BRUINS—Traded INF John Dombro to Wichita to complete an earlier trade.

ST. PAUL SAINTS—Signed LHP Payton Tejada.

SIOUX FALLS CHIEFS—Released C Ken Lap and OF Cory Hamerth.

WINNETKA WINGNUTS—Traded INF Clint Toomey to Gateway (Frontier) to complete an earlier trade.

Frontier League

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BASKETBALL

National Basketball Association

INDIANA PACERS—Suspended F-C Solomon Jones one game for conduct detrimental to the team. Waived G Travis Diener.

SAN ANTONIO SPURS—Waived F Michael Finley.

WASHINGTON WIZARDS—Bought out the contract of G Mike James and waived him.

FOOTBALL

National Football League

CHICAGO BEARS—Waived T Orlando Pace, TE Fantel Mike and G Tyler Reid.

Canadian Football League

WINNIPEG BLUE BOMBERS—Named

Kyle Walters special teams coordinator.

HOCKEY

National Hockey League

ATLANTA THRASHERS—Acquired F Evgeny Artyukhin from Anaheim for D Nathan Ostryk and a conditional 2011 draft choice.

CHICAGO BLACKHAWKS—Acquired G Hannu Toivonen and D Danny Richmond from St. Louis for G Joe Fallon and assigned both players to Rockford (AHL).

COLUMBUS BLUE JACKETS—Acquired C Greg Moore from the New York Islanders for D Dylan Reese and assigned Moore to Syracuse (AHL). Recalled D Grant Clitsome.

DALLAS STARS—Signed F Steve Ott to a four-year contract extension through the 2013-14 season.

FLORIDA PANTHERS—Traded D Jordan Leopold to Pittsburgh for a 2010 second-round draft pick.

NASHVILLE PREDATORS—Announced chairman of the board and owner David Friedman stepped down as chairman. Recalled F Colin Wilson and D Alexander Sulzer from Milwaukee (AHL). Acquired D Denis Grebeshov from Edmonton for a 2010 second-round draft pick.

NEW YORK RANGERS—Recalled D Corey Potter from Hartford (AHL).

PHOENIX COYOTES—Recalled D Anders Eriksson and F Joel Perrault from San Antonio (AHL).

ST. LOUIS BLUES—Assigned D Deney Richmond to Peoria (AHL). Recalled F Derek Armstrong from Peoria.

TAMPA BAY LIGHTNING—Recalled RW Mark Parrish from Norfolk (AHL). Reassigned G Jaroslav Janus to Norfolk.

WASHINGTON CAPITALS—Recalled LW Quinn Laing, D Tyler Sloan and G Semmy Varlamov from Hershey (AHL).

COLLEGE

ALABAMA—Named Kevin Sherrer director of football player development.

EAST CAROLINA—Named Cary Godette director of football administration.

INDIANA—Named Mo Moroney offensive line coach.

MEMPHIS—Named Tom Myslenki football strength coach.

RICHMOND—Named Bob Trout defensive coordinator and Roy Coleman director of football operations.

TEXAS TYLER—Announced the resignation of athletic director and baseball coach James Wade effective in early June.

WAGNER—Fired men's basketball coach Mike Deane.

WESTERN CAROLINA—Named Chad Miller head women's soccer coach.



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Bid applications can be obtained at the Coast360 Collection Department located in Maite. All sealed bid applications must be submitted by Friday, March 5, 2010 during normal business hours. To set up vehicle inspection appointments, please contact the Collection Department at 477-8736. We reserve the right to refuse any and all bids.

NOTICE OF SALE UNDER MORTGAGE

NOTICE IS HEREBY GIVEN, pursuant to 18 G.C.A. §36113, Paragraph 7 (g)(ii) of the below described mortgage and the Notice of Default recorded on October 28, 2009 as Instrument No. 797917, that the mortgage executed on May 19, 2006 by RAYMUNDO A. ROMERO, ("Mortgagor"), in favor of CITIBANK, N.A., ("Mortgagee"), and filed for record in the Department of Land Management, Government of Guam, on May 22, 2006 as Instrument No. 737022, will be FORECLOSED pursuant to a POWER OF SALE contained in the above mortgage.

The property described below will be sold, WITHOUT WARRANTY BEING GIVEN, express or implied, regarding title, possession, rights of redemption or encumbrances, to the highest bidder at public auction, to be held at the Mayor's office in Mangilao, Guam at 3:00 p.m. on March 10, 2010, in order to satisfy the amount due on the mortgage and its promissory note at the time of the sale. Terms of the sale are cash, certified check or other terms deemed acceptable by Mortgagee. The Mortgagee reserves the right to bid all or part of the amount due on the mortgage at the time of the sale; to reject any bid made at the sale and to withdraw this notice and postpone the sale from time to time. The property subject to the mortgage and to be sold at sale is as follows:

Unit No. D-6, Villa De Oro Condominium, situated on Lot No. 5370-1-2-R3, Mangilao (formerly Barrigoda), Guam, as said lot is marked and designated on Map Drawing No. ES-9235, recorded in the Department of Land Management, Government of Guam on March 11, 1993 under Document No. 485643.

The amount due the Mortgagee is for the sum of \$114,885.60, accrued interest as of October 20, 2009 of \$3,129.01, interest at the rate of 7.21% from October 20, 2009 to the date of full payment, attorney fees, and costs of this sale. The undersigned are the attorneys for the Mortgagee and hereby give notice that they are attempting to collect a debt and any information that is obtained will be used for that purpose.

Dated this 11th day of February, 2010.

McCULLY & BEGGS, P.C.,
 Attorneys for Citibank, N.A.
 By /s/ MARK S. BEGGS
 GUAM

On this 11th day of February, 2010, before me, the undersigned Notary, personally appeared, MARK S. BEGGS, the person whose name is signed on the preceding document, and acknowledged to me that he signed it voluntarily for its stated purpose, as attorney for Citibank, N.A.

/s/ MAUREEN E. TAITANO
 NOTARY PUBLIC
 In and for Guam, U.S.A.
 My Commission Expires:
 Aug. 15, 2010

St. 200, 139 Murray Blvd., Hagåtña

Mina' Trotea Na Liheslaturan Guahan
THIRTIETH GUAM LEGISLATURE
 Senator vicarite "ben" c. pangelinan

Public Hearing Notice
 Wednesday, March 10, 2010, Guam Legislature Public Hearing Room
8:30am
Agenda

Bill No. 239-30 (COR): An Act to appropriate Two Hundred Fifty Five Thousand Nine Hundred Thirty Dollars (\$255,930) from the General Fund to the University of Guam for the purpose of funding the local portion of the start-up plan of the Farmer's Cooperative Association of Guam.

Bill No. 244-30 (COR): An Act to amend Section 6649(c) of Chapter 66 of Title 21 Guam Code Annotated relative to restoring the "DPW Building and Design Fee Account" for the purpose of funding the operations of the Division of Engineering-Capital Improvement Project Building Permits and Inspection Section of the Department of Public Works and making an appropriation for FY2010.

Bill No. 249-30 (COR): An act to amend §52430 of Chapter 22 of 5 GCA relative to use of government funds for disseminating public information.

Bill No. 261-30 (COR): An act relative to transferring Lot Nos 20 and 21 of Block 11 Tract 268 located in the Municipality of Yona to the Yona Mayor's Office for the benefit of the residents of the village and the island community.

Bill No. Bill No. 283-30 (COR): An act to amend Section 9102 of 26GCA relative to ensuring the rights of the members of 1 Liheslaturan Guahan to obtain a fiscal note on legislation placed on its session agenda.

Bill No. 298-30 (COR): An act to Amend §71202 of Chapter 7 Title 16 of Guam Code Annotated relative to Vehicle Registration Fees for Veterans rated at a 100% permanent and total disability.

Bill No. 303-30 (COR): An act to add a New Article 40 to Chapter 51 of 10 GCA relative to recognizing the village of Inarajan as the Host Community for accommodating the Solid Waste Disposal needs of the entire island of Guam resulting from the operation of the Layon Landfill and the Ortol Dump in their backyards.

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3:00pm Oversight of Chamorro Land Trust Commission
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Participating Daily News, Wednesday, March 3, 2010 guampedia.com



Angelica Okada <aokada@guamlegislature.org>

Second Public Hearing Notice_All Senators

Anjelica Kulani Okada <aokada@guamlegislature.org>

Mon, Mar 8, 2010 at 8:50 AM

To: "Senator Tom C. Ada" <tom@senatorada.org>, "Senator Frank B. Aguon, Jr." <aguon4guam@gmail.com>, "Senator Frank F. Blas, Jr." <frank.blasjr@gmail.com>, "Senator Edward J.B. Calvo" <sencalvo@gmail.com>, "Vice-Speaker Benjamin J. Cruz" <senadotbjcruz@gmail.com>, "Senator James V. Espaldon" <senator@espaldon.com>, "Senator Juith T. Guthertz, DPA" <judiguthertz@pticom.com>, "Senator Tina R. Muna-Barnes" <tinamunabarnes@gmail.com>, "Senator Adolpho B. Palacios" <ABPalacios@gmail.com>, "Senator Rory J. Respicio" <roryforguam@gmail.com>, Senator Ray Tenorio <ray@raytenorio.com>, Senator Telo Taitague <senatortelo@gmail.com>, "Speaker Judith T. Won Pat" <info@judiwonpat.com>, Senator ben pangelinan <senbenp@guam.net>

Cc: COS - Frank Torres <fbtorres@yahoo.com>, Lisa Cipollone <cipo@guamlegislature.org>

Please see attached.

--

Anjelica Kulani I. Okada

Policy Research Analyst

I MINA'TRENTA NA LIHESLATURAN GUAHAN

senator vicente "ben" c. pangelinan

Committee on Appropriations, Taxation, Retirement, Banking, Insurance, and Land.

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Mina' Trenta Na Liheslaturan Guåhan

Senator vicente (ben) c. pangelinan (D)

March 8, 2010

Memorandum

To: ~~All~~ Senators

From: Senator vicente c. pangelinan

Re: SECOND NOTICE Public Hearing

Chairman
Committee on
Appropriations, Taxation,
Banking, Insurance, and
Land

Member
Committee on Education

Member
Committee on
Municipal Affairs,
Aviation, Housing, and
Recreation

Member
Committee on Labor, the
Public Structure,
Public Libraries, and
Technology

The Committee on Appropriations, Taxation, Banking, Insurance and Land will conduct a public hearing on numerous bills beginning at **8:30am on Wednesday, March 10, 2010** and at **3:00pm** will conduct an oversight of the **Chamorro Land Trust Commission** at the Guam Legislature's Public Hearing Room.

On **Thursday, March 11, 2010**, the Committee will receive testimonies for the **Official Zoning Map and Amendments of the "Dos Amantes" Planning Area, Municipality beginning at 5:30pm** in the Guam Legislature Public Hearing Room.

Copies of the Agenda for March 10 and March 11 are attached for your review.

For copies of the bill, you can log onto www.guamlegislature.com or www.senbenp.com

Si Yu'os Ma'ase,



Angelica Okada <aokada@guamlegislature.org>

Second Notice of Public Hearing_Media

Anjelica Kulani Okada <aokada@guamlegislature.org>

Mon, Mar 8, 2010 at 8:43 AM

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Wednesday, March 10, 2010 Guam Legislature Public Hearing Room Agenda

8:30am

Bill No. 239-30(COR): An Act to appropriate Two Hundred Fifty Five Thousand Nine Hundred Thirty Dollars (\$255,930) from the General Fund to the University of Guam for the purpose of funding the local portion of the start-up plan of the Farmer's Cooperative Association of Guam.

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3:00pm

Oversight of Chamorro Land Trust Commission

Thursday, March 11, 2010 Guam Legislature Public Hearing Room Agenda

5:30pm

Official Zoning Map and Amendments of the “Dos Amantes Planning Area, Municipality of Dededo

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Anjelica Kulani I. Okada
Policy Research Analyst

Guam Legislature Mail - Second Notice of Public Hearing_Media

I MINA'TRENTA NA LIHESLATURAN GUAHAN

senator vicente "ben" c. pangelinan

Committee on Appropriations, Taxation, Retirement, Banking, Insurance, and Land.

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2 attachments

 **Agenda031001.pdf**
91K

 **Agenda031101.pdf**
71K

NOTES

Continued from Page 30

Champion Sporting Goods, Hog Wild, Big Hawk... All tournament fees must be paid at the Guam Registration Co-op no later than March 20.

Department of Parks and Recreation... Department of Parks and Recreation begins swimming class registration 8 a.m. to 2 p.m. March 8 through March 12 at 472-8716.

ON THE AIR

TODAY

- NASCAR: Atlanta Motor Speedway, 3 a.m. on FOX6. College basketball: Florida at Kentucky, 3 a.m.; Missouri Valley Conference championship game, 5 a.m.; and Michigan at Michigan State, 7 a.m. on TV11.

at the Magella pool. Fee is \$50 per student. Limit 10 students per class. Classes are Tuesdays and Thursdays from March 16 through April 15.

Invitational, 11 a.m. on GUDTV Channels 42/452. NBA: Washington Wizards at Boston Celtics, 11 a.m.; and Portland Trail Blazers at Denver Nuggets, 1:30 p.m. on GUDTV Channels 30/400.

TOMORROW

MFL: Dallas at Washington, 10 a.m. on GUDTV Channels 42/452. Information for On the Air is provided by ABC7, FOX6, GUDTV, K-57, KUDAM and MCV. The Pacific Daily News is not responsible for any changes in scheduling.

NOTICE OF TEMPORARY JOB OPPORTUNITIES WITH 2 YEARS EXPERIENCE

3 BAKERS. \$8.00/hour. Prepares and bakes ingredients according to recipes to produce breads, pastries and other baked goods. Must be familiar with HACCP (Hazard Analysis Critical Control Point) the systematic preventive approach to food safety that addresses physical, chemical, and biological hazards as a means of prevention rather than finished product inspection.

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Public Hearing Notice. Wednesday, March 10, 2010. Guam Legislature Public Hearing Room 3:00pm. Bill No. 239-30 (COR): An Act to appropriate Two Hundred Fifty Five Thousand Nine Hundred Thirty Dollars (\$255,300) from the General Fund to the University of Guam for the purpose of funding the local portion of the start-up plan of the Farmer's Cooperative Association of Guam.

Bill No. 244-30 (COR): An Act to amend Section 6649(C) of Chapter 66 of Title 21 Guam Code Annotated relative to restoring the DPW Building and Design Fee Account for the purpose of funding the operations of the Division of Engineering, Capital Improvement Project Building Funds and Inspection Section of the Department of Public Works and making an appropriation for FY2010. Bill No. 249-30 (COR): An Act to amend §52430 of Chapter 22 of 5 GCA relative to use of government funds for disseminating public information. Bill No. 263-30 (COR): An Act relative to transferring Lot Nos 20 and 21 of Block T1 Tract 258 located in the Municipality of Yona to the Yona Mayor's Office for the benefit of the residents of the village and the same corporation. Bill No. 281-30 (COR): An Act to amend Section 9102 of 25GCA relative to ensuring the rights of the members of L. Vivescholar Guzman to obtain a fiscal note on legislation placed on his session agenda. Bill No. 298-30 (COR): An Act to Amend §7202 of Chapter 7 Title 16 of Guam Code Annotated relative to Vehicle Registration Fees for Veterans rated at a 100% permanent and total disability. Bill No. 303-30 (COR): An Act to add a New Article 10 to Chapter 51 of 10 GCA relative to recognizing the village of Inarajan as the most Community for accommodating the Solid Waste Disposal needs of the entire island of Guam resulting from the operation of the Leyon Landfill and the Onda Dump in that village. Bill No. 316-30 (COR): An Act to add new definitions (i), (j), and (k) to §1702 of Chapter 1, Title 16, to add a new §31022, §31023, §31024 to Chapter 3, Title 16, to add a new §6233 of Article 2, Chapter 6, Title 6, all of Guam Code Annotated relative to establishing charges and compensation for Department of Revenue and Taxation examiners who perform off-duty examinations. Bill No. 319-30 (COR): An Act to Amend Section 30303 of Chapter 30, 22 Guam Code Annotated to Amend Section 104203 and Section 104206 and to Repeal Section 104220 of Chapter 104, 21 Guam Code Annotated Relative to Real Estate Broker Licensing Requirements and other purposes. Bill No. 321-30 (COR): An Act to appropriate One Hundred Fifty Two Thousand One Hundred and Three Dollars (\$152,333.00) and Two Hundred Forty Five Thousand Eight Hundred and Two Dollars (\$245,802.00) from the unappropriated Fiscal Year 2008 and 2009 MainPower Development Fund (MDF) Revenues to the Guam Department of Labor (GDOU) and to authorize use of MDF funds to hire unclassified workers. Bill No. 325-30 (COR): An Act to add a new §2827a and a new Subarticle b to Chapter 28, Part 5, Division 1 of Title 18 of the Guam Code Annotated and for other purposes. Bill No. 327-30 (COR): An Act to amend §6230(a) and 2903(b), and to add a new §2903(c) to Article 3, Chapter 2 of Title 16 Guam Code Annotated relative to petroleum sale, accounting and inspection of petroleum products. \$300mm (Weight of Chamorro Land Trust Commission. For copies of bills, you can log onto http://guamlegislature.com. If you require any special accommodations, please contact the Office of Services and Engagement at 473-4226, email at services@guam.gov or log onto services@guam.gov. This ad paid for with government funds.

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Pick up application forms from: Pacific Daily News GUAM'S LOCAL SOURCE www.pdn.com. 144 Archibishop Flores Street, Hagåtña, GU 96910. Free Monday - Friday, 9am - 5pm or download from www.pdn.com. Federal law requires that anyone we hire be legally entitled to employment in the U.S. We comply with this law on a non-discriminatory basis. We are an equal opportunity employer and appreciate the value of a diverse workforce.

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Guam Community College Planning & Development Office. NOTICE OF FUNDING AVAILABILITY For the Program Year 2010. Workforce Investment Act, Title II Adult Education & Family Literacy Act. The State Agency for Adult and Career & Technical Education (Guam Community College) is anticipating the announcement of the availability of Federal Education Funds for the implementation of Adult Education Programs described in the Guam State Plan for Workforce Investment Act, Title II Adult Education & Family Literacy Act, July 1, 2009-June 30, 2010 (WIA, 1998) (DFDA 84 002) as amended.

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48 hr Notice PDN

Author to visit schools

By Theresa Hart
theresa@mgm.com
Variety News Staff

ERIC Ode, an award-winning songwriter and author of children's books, will be visiting public and private schools on Guam this week and the next, presenting his program, "Catch a Song, Stretch a Song, Turn it Inside Out."

Ode uses music and poetry to open doors to the writing process, according to his website.

Fourteen schools participated in the 2009 Read-A-Thon to raise the funds for his visit, according to a press release from the International Reading Association.

Ode will be IRA's guest at its general membership meeting on Saturday, March 13 at the Guam Reef Hotel from 8 to 11 a.m.

Parents and teachers are invited to buy books and browse teacher materials at 8 a.m. The meeting begins at 9 a.m., according to the release.

Admission is free for members and there is a \$5 charge for non-members.

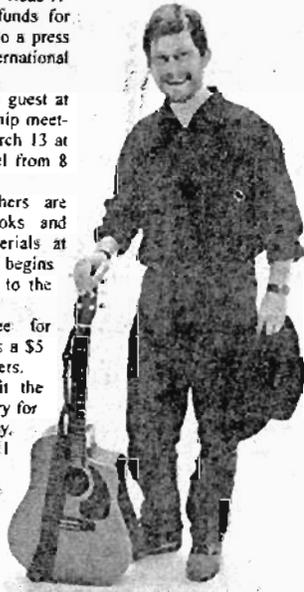
Ode will also visit the Hagatna Public Library for Story Hour on Saturday, March 20, from 10-11 a.m.

For older children he will have a songwriting workshop at the IP Cafe in Mangilao from 2 to 4 p.m. the same day.

Ode is a children's author, award-winning songwriter, and widely published poet from Washington State near the Seattle and Tacoma area.

A former elementary teacher, Eric shares concerts, music and poetry assemblies. He also writes workshops for schools, libraries, and festivals.

▼ Eric Ode, an award-winning songwriter and author of children's books, will be visiting public and private schools on Guam.



Contributed photo

'Stories of Women Entrepreneurs'

(UOG) — The publication International Journal of Entrepreneurship which features "Stories of Women Entrepreneurs" will be released today at 2 p.m. at the University of Guam's School of Business and Public Administration. IT&E Lecture Hall.

Edited by UOG professor Maria Claret M. Ruane, Ph.D. and sponsored by the University of Guam School of Business and Public Administration, the issue features challenges, perseverance and successes by women entrepreneurs from Guam, New York, the Philippines and an emerging Asian country.

Each paper highlights the universality of the women entrepreneur's persistent and untiring spirit and the rewards for her hard work.

The papers in this issue highlight a number of important themes, including:

► How another entrepreneur in the family provides the inspiration to become women entrepreneurs as in the cases of Ms. Del Agahan, the evolving entrepreneur; Ms. Victoria Bello-Jardioli, the fair lady entrepreneur; and one unidentified entrepreneur in "Spirit Inherited."

► How niche marketing can be an effective business strategy in the cases of Ms. Maria

Cecilia Tamura, Ms. Victoria Bello-Jardioli, the fair lady entrepreneur; Ms. Nicole Kawabata; Ms. Stacy Evans; and one unidentified

► How some women entrepreneurs like Ms. Sharon Davidson and Dr. Audrey Claire Lucero Camacho were prepared by their education and work experience to seize the entrepreneurial opportunity, while others like Lee (Ms. Librada Angoco Sablan Borja) and Nene (Ms. Nemesia Magbuhat) did not have any preparation at all and yet took the chance to become women entrepreneurs as a means toward financial independence

► How a woman entrepreneur faced common challenges but responded to them with perseverance as in the case of Ms. Denise Mendiola-Hertslet

The Dean at the School of Business and Public Administration at the University of Guam, Dr. Anita Borja Enriquez, supported this journal issue and contributed one paper in this journal issue.

"I am also grateful to the Academy for providing us with the outlet through which we can share this issue with scholars, educators, students and entrepreneurs around the world. Special thanks are due to the members of my Editorial Review Board for their collegiality and service to our profession," Ruane said.

Consistent with the editorial practice of the Academy on all 17 journals it publishes, each paper in this issue has undergone a double-blind, peer-review process.

Information about the Allied Academies, the IJE, and the other journals published by the Academy, as well as calls for conferences, are published at www.alliedacademies.org.



48 hr
No REC
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DEVELOPMENTAL DISABILITIES AWARENESS MONTH

FILM FESTIVAL

March is Developmental Disabilities Awareness Month. The Guam Tri-Agency on Developmental Disabilities is proud to present the **FIRST EVER Developmental Disabilities Film Festival!**

Broadcast Schedule

All films will air **Wednesdays and Saturdays** this March on **PBS Guam KGTF Channel 12**

Including Samuel
7pm, Wednesday, March 10
5pm, Saturday, March 13

Body & Soul
7pm, Wednesday, March 17
5pm, Saturday, March 20

The Key of G
7pm, Wednesday, March 24
5pm, Saturday, March 27

featuring

INCLUDING SAMUEL

A DOCUMENTARY FILM BY DAN HABIB

PBS Guam Channel 12
7pm, Wednesday, March 10
Rebroadcast 5pm, Saturday, March 13

Before his son Samuel was diagnosed with cerebral palsy, photojournalist Dan Habib rarely thought about the inclusion of people with disabilities. Now he thinks about inclusion every day. Shot and produced over four years, Habib's award-winning documentary film, *Including Samuel*, chronicles the Habib family's efforts to include Samuel in every facet of their lives.

Synopsis from <http://www.includingsamuel.com>

For more information, call 735-2477 or 477-9811.







Mina' Trenta Na Libeslaturan Guåmo
THIRTIETH GUAM LEGISLATURE
Senador vicete "bea" c. paugelinaan

Public Hearing Notice
Wednesday, March 10, 2010
Guam Legislature Public Hearing Room

Agenda

8:30am

881 No. 228-20 (COR) An act to appropriate the amount of Five Thousand Nine Hundred Thirty Dollars (\$5,930.00) from the General Fund to the University of Guam for the purpose of funding the local portion of the start-up plan of the Former's Cooperative Association of Guam.

882 No. 244-20 (COR) An act to amend Section 4 of Chapter 10 of Title 23, Guam Code, which read: "The Department of Engineering Capital Improvement (DECI) shall be the primary agency for the operation of the Department of Engineering Capital Improvement (DECI) Building Projects and Impacts in Section 4 of the Department of Engineering Capital Improvement (DECI)." to read: "The Department of Engineering Capital Improvement (DECI) shall be the primary agency for the operation of the Department of Engineering Capital Improvement (DECI) Building Projects and Impacts in Section 4 of the Department of Engineering Capital Improvement (DECI)."

883 No. 245-20 (COR) An act to amend Section 22 of Chapter 22 of Title 23, Guam Code, which read: "The Department of Engineering Capital Improvement (DECI) shall be the primary agency for the operation of the Department of Engineering Capital Improvement (DECI) Building Projects and Impacts in Section 4 of the Department of Engineering Capital Improvement (DECI)." to read: "The Department of Engineering Capital Improvement (DECI) shall be the primary agency for the operation of the Department of Engineering Capital Improvement (DECI) Building Projects and Impacts in Section 4 of the Department of Engineering Capital Improvement (DECI)."

884 No. 261-20 (COR) An act to amend Section 10 of Chapter 10 of Title 23, Guam Code, which read: "The Department of Engineering Capital Improvement (DECI) shall be the primary agency for the operation of the Department of Engineering Capital Improvement (DECI) Building Projects and Impacts in Section 4 of the Department of Engineering Capital Improvement (DECI)." to read: "The Department of Engineering Capital Improvement (DECI) shall be the primary agency for the operation of the Department of Engineering Capital Improvement (DECI) Building Projects and Impacts in Section 4 of the Department of Engineering Capital Improvement (DECI)."

885 No. 262-20 (COR) An act to amend Section 10 of Chapter 10 of Title 23, Guam Code, which read: "The Department of Engineering Capital Improvement (DECI) shall be the primary agency for the operation of the Department of Engineering Capital Improvement (DECI) Building Projects and Impacts in Section 4 of the Department of Engineering Capital Improvement (DECI)." to read: "The Department of Engineering Capital Improvement (DECI) shall be the primary agency for the operation of the Department of Engineering Capital Improvement (DECI) Building Projects and Impacts in Section 4 of the Department of Engineering Capital Improvement (DECI)."

886 No. 263-20 (COR) An act to amend Section 10 of Chapter 10 of Title 23, Guam Code, which read: "The Department of Engineering Capital Improvement (DECI) shall be the primary agency for the operation of the Department of Engineering Capital Improvement (DECI) Building Projects and Impacts in Section 4 of the Department of Engineering Capital Improvement (DECI)." to read: "The Department of Engineering Capital Improvement (DECI) shall be the primary agency for the operation of the Department of Engineering Capital Improvement (DECI) Building Projects and Impacts in Section 4 of the Department of Engineering Capital Improvement (DECI)."

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890 No. 267-20 (COR) An act to amend Section 10 of Chapter 10 of Title 23, Guam Code, which read: "The Department of Engineering Capital Improvement (DECI) shall be the primary agency for the operation of the Department of Engineering Capital Improvement (DECI) Building Projects and Impacts in Section 4 of the Department of Engineering Capital Improvement (DECI)." to read: "The Department of Engineering Capital Improvement (DECI) shall be the primary agency for the operation of the Department of Engineering Capital Improvement (DECI) Building Projects and Impacts in Section 4 of the Department of Engineering Capital Improvement (DECI)."

891 No. 268-20 (COR) An act to amend Section 10 of Chapter 10 of Title 23, Guam Code, which read: "The Department of Engineering Capital Improvement (DECI) shall be the primary agency for the operation of the Department of Engineering Capital Improvement (DECI) Building Projects and Impacts in Section 4 of the Department of Engineering Capital Improvement (DECI)." to read: "The Department of Engineering Capital Improvement (DECI) shall be the primary agency for the operation of the Department of Engineering Capital Improvement (DECI) Building Projects and Impacts in Section 4 of the Department of Engineering Capital Improvement (DECI)."

892 No. 269-20 (COR) An act to amend Section 10 of Chapter 10 of Title 23, Guam Code, which read: "The Department of Engineering Capital Improvement (DECI) shall be the primary agency for the operation of the Department of Engineering Capital Improvement (DECI) Building Projects and Impacts in Section 4 of the Department of Engineering Capital Improvement (DECI)." to read: "The Department of Engineering Capital Improvement (DECI) shall be the primary agency for the operation of the Department of Engineering Capital Improvement (DECI) Building Projects and Impacts in Section 4 of the Department of Engineering Capital Improvement (DECI)."

893 No. 270-20 (COR) An act to amend Section 10 of Chapter 10 of Title 23, Guam Code, which read: "The Department of Engineering Capital Improvement (DECI) shall be the primary agency for the operation of the Department of Engineering Capital Improvement (DECI) Building Projects and Impacts in Section 4 of the Department of Engineering Capital Improvement (DECI)." to read: "The Department of Engineering Capital Improvement (DECI) shall be the primary agency for the operation of the Department of Engineering Capital Improvement (DECI) Building Projects and Impacts in Section 4 of the Department of Engineering Capital Improvement (DECI)."

894 No. 271-20 (COR) An act to amend Section 10 of Chapter 10 of Title 23, Guam Code, which read: "The Department of Engineering Capital Improvement (DECI) shall be the primary agency for the operation of the Department of Engineering Capital Improvement (DECI) Building Projects and Impacts in Section 4 of the Department of Engineering Capital Improvement (DECI)." to read: "The Department of Engineering Capital Improvement (DECI) shall be the primary agency for the operation of the Department of Engineering Capital Improvement (DECI) Building Projects and Impacts in Section 4 of the Department of Engineering Capital Improvement (DECI)."

895 No. 272-20 (COR) An act to amend Section 10 of Chapter 10 of Title 23, Guam Code, which read: "The Department of Engineering Capital Improvement (DECI) shall be the primary agency for the operation of the Department of Engineering Capital Improvement (DECI) Building Projects and Impacts in Section 4 of the Department of Engineering Capital Improvement (DECI)." to read: "The Department of Engineering Capital Improvement (DECI) shall be the primary agency for the operation of the Department of Engineering Capital Improvement (DECI) Building Projects and Impacts in Section 4 of the Department of Engineering Capital Improvement (DECI)."

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898 No. 275-20 (COR) An act to amend Section 10 of Chapter 10 of Title 23, Guam Code, which read: "The Department of Engineering Capital Improvement (DECI) shall be the primary agency for the operation of the Department of Engineering Capital Improvement (DECI) Building Projects and Impacts in Section 4 of the Department of Engineering Capital Improvement (DECI)." to read: "The Department of Engineering Capital Improvement (DECI) shall be the primary agency for the operation of the Department of Engineering Capital Improvement (DECI) Building Projects and Impacts in Section 4 of the Department of Engineering Capital Improvement (DECI)."

899 No. 276-20 (COR) An act to amend Section 10 of Chapter 10 of Title 23, Guam Code, which read: "The Department of Engineering Capital Improvement (DECI) shall be the primary agency for the operation of the Department of Engineering Capital Improvement (DECI) Building Projects and Impacts in Section 4 of the Department of Engineering Capital Improvement (DECI)." to read: "The Department of Engineering Capital Improvement (DECI) shall be the primary agency for the operation of the Department of Engineering Capital Improvement (DECI) Building Projects and Impacts in Section 4 of the Department of Engineering Capital Improvement (DECI)."

899 No. 277-20 (COR) An act to amend Section 10 of Chapter 10 of Title 23, Guam Code, which read: "The Department of Engineering Capital Improvement (DECI) shall be the primary agency for the operation of the Department of Engineering Capital Improvement (DECI) Building Projects and Impacts in Section 4 of the Department of Engineering Capital Improvement (DECI)." to read: "The Department of Engineering Capital Improvement (DECI) shall be the primary agency for the operation of the Department of Engineering Capital Improvement (DECI) Building Projects and Impacts in Section 4 of the Department of Engineering Capital Improvement (DECI)."

899 No. 278-20 (COR) An act to amend Section 10 of Chapter 10 of Title 23, Guam Code, which read: "The Department of Engineering Capital Improvement (DECI) shall be the primary agency for the operation of the Department of Engineering Capital Improvement (DECI) Building Projects and Impacts in Section 4 of the Department of Engineering Capital Improvement (DECI)." to read: "The Department of Engineering Capital Improvement (DECI) shall be the primary agency for the operation of the Department of Engineering Capital Improvement (DECI) Building Projects and Impacts in Section 4 of the Department of Engineering Capital Improvement (DECI)."

899 No. 279-20 (COR) An act to amend Section 10 of Chapter 10 of Title 23, Guam Code, which read: "The Department of Engineering Capital Improvement (DECI) shall be the primary agency for the operation of the Department of Engineering Capital Improvement (DECI) Building Projects and Impacts in Section 4 of the Department of Engineering Capital Improvement (DECI)." to read: "The Department of Engineering Capital Improvement (DECI) shall be the primary agency for the operation of the Department of Engineering Capital Improvement (DECI) Building Projects and Impacts in Section 4 of the Department of Engineering Capital Improvement (DECI)."

899 No. 280-20 (COR) An act to amend Section 10 of Chapter 10 of Title 23, Guam Code, which read: "The Department of Engineering Capital Improvement (DECI) shall be the primary agency for the operation of the Department of Engineering Capital Improvement (DECI) Building Projects and Impacts in Section 4 of the Department of Engineering Capital Improvement (DECI)." to read: "The Department of Engineering Capital Improvement (DECI) shall be the primary agency for the operation of the Department of Engineering Capital Improvement (DECI) Building Projects and Impacts in Section 4 of the Department of Engineering Capital Improvement (DECI)."

3:00 pm
Oversight of Chamorro Land Trust Commission

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or log on to www.mhlp.com.



Mina' Trenta Na Liheslaturan Guahan
THIRTIETH GUAM LEGISLATURE

Senator vicente "ben" c. pangelinan

Public Hearing Notice
Wednesday, March 10, 2010
Guam Legislature Public Hearing Room

Agenda

8:30am

Bill No. 239-30(COR): An Act to appropriate Two Hundred Fifty Five Thousand Nine Hundred Thirty Dollars (\$255,930) from the General Fund to the University of Guam for the purpose of funding the local portion of the start-up plan of the Farmer's Cooperative Association of Guam.

Bill No. 244-30 (COR): An Act to reenact Section 6649(c) of Chapter 66 of Title 21, Guam Code Annotated relative to restoring the "DPW Building and Design Fee Account" for the purpose of funding the operations of the Division of Engineering-Capital Improvement Project Building Permits and Inspection Section of the Department of Public Works and making an appropriation for FY2010.

Bill No. 249-30 (COR): An act to amend §52430 of Chapter 22 of 5 GCA relative to use of government funds for disseminating public information.

Bill No. 261-30 (COR): An act relative to transferring Lot Nos 20 and 21 of Block 11 Tract 268 located in the Municipality of Yona to the Yona Mayor's Office for the benefit of the residents of the village and the island community.

Bill No. 283-30 (COR): An act to amend Section 9102 of 2GCA relative to ensuring the rights of the members of *I Liheslaturan Guahan* to obtain a fiscal note on legislation placed on its session agenda.

Bill No. 298-30 (COR): An act to Amend §7120.2 of Chapter 7 Title 16 of Guam Code Annotated relative to Vehicle Registration Fees for Veterans rated at a 100% permanent and total disability.

Bill No. 303-30 (COR): An act to add a New Article 10 to Chapter 51 of 10 GCA relative to recognizing the village of Inarajan as the *Host Community* for accommodating the Solid Waste Disposal needs of the entire island of Guam resulting from the operation of the Leyon Landfill and the Ordot Dump in their backyards.

Bill No. 316-30 (COR): An act to add *new* definitions (j), (k), and (jj) to §1102 of Chapter 1, Title 16; to *add* a new §3102.2, §3102.3, §3102.4 to Chapter 3, Title 16, to *add* a new §6233 of Article 2, Chapter 6, Title 4; all of Guam Code Annotated relative to establishing charges and compensation for Department of Revenue and Taxation examiners who perform off-duty examinations.

Bill No. 319-30 (COR): An Act to Amend Section 30103 of Chapter 30, 22 Guam Code Annotated to Amend Section 104203 and Section 104208 and to Repeal Section 104210 of Chapter 104, 21 Guam Code Annotated Relative to Real Estate Broker Licensing Requirements and other purposes.

Bill No. 321-30 (COR): An act to appropriate One Hundred Fifty Two Thousand One Hundred and Three Dollars (\$152,103.00) and Two Hundred Forty Five Thousand Eight Hundred and Two Dollars (\$245,802.00) from the unappropriated Fiscal Year 2008 and 2009 ManPower Development Fund (MDF) Revenues to the Guam Department of Labor (GDOL) and to authorize use of MDF Fuds to hire unclassified workers.

Bill No. 325-30 (COR): An Act to add a new §28817a and a new Subarticle b to Chapter 28, Part 5, Division 1 of Title 18 of the Guam Code Annotated and for other purposes.

Bill No. 327-30 (COR): An act to amend §§2301(e) and 2303(b), and to add a new §2303(g) to Article 3, Chapter 2 of Title 11 Guam Code Annotated relative to petroleum sale, accounting and inspection of petroleum products.

3:00pm

Oversight of Chamorro Land Trust Commission

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I MINA' TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) REGULAR SESSION

Bill No. 319-30(COR)

Introduced by:

v.c. pangelinan

2010 JUN 28 PM 4:25

AN ACT TO AMEND SECTION 30103 OF CHAPTER 30, 22 GUAM CODE ANNOTATED, TO AMEND SECTION 104203 AND SECTION 104208 AND TO REPEAL SECTION 104210 OF CHAPTER 104, 21 GUAM CODE ANNOTATED RELATIVE TO REAL ESTATE BROKER LICENSING REQUIREMENTS AND OTHER PURPOSES.

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 **Section 1. Legislative findings and intent.** *I Liheslaturan Guahan* finds the
2 practice of real estate continues to evolve and the current laws governing the practice
3 needs to be updated to keep current with the level of expertise and knowledge required
4 to safeguard the public and the industry.

5 *I Liheslaturan Guahan* further finds the need to provide greater access to
6 market data on real estate prices by allowing greater latitude in the ability of real
7 estate professionals to issue such information.

8 Therefore, it is the intent of *I Liheslaturan Guahan* to amend the licensing
9 requirements as it relates to real estate activity on Guam.

10 **Section 2. §30103 Chapter 30, 22 Guam Code Annotated is hereby**
11 **amended to read as follows:**

12 “ §30103. License Required. It shall be unlawful for any individual to engage

1 appraisal activity without first obtaining a real estate appraiser certification or license
2 as provided in this Act. This Act shall not apply to a real estate broker or salesperson
3 licensed by the government of Guam, or a government of Guam employee appraiser
4 (so long as federally insured financing is not involved), who in the ordinary course of
5 his or her business, gives an opinion of the prices of real estate ~~for the purpose of a~~
6 ~~prospective sale.~~ However, in no event may this opinion be referred to or construed as
7 an appraisal.”

8 **Section 3. §104203 Chapter 104, 21 Guam Code Annotated is hereby**
9 **amended to read as follow:**

10 “§104203. Condition Precedent to Issuance of Original Real Estate Broker’s License.
11 License. The Real Estate Commission shall not issue a real estate broker’s license to
12 any person who has not held an original real estate salesman’s license for at least two
13 (2) years prior to the date of his application for the broker’s license, and during such
14 time was not actively engaged in the business of real estate salesman on Guam and
15 has not passed the appropriate examination and satisfied the other requirements of the
16 Article. ~~except, if an applicant for a real estate broker’s license having at least an~~
17 ~~equivalent of two (2) years general real estate experience and have satisfactorily~~
18 ~~completed a real estate course of instruction prescribed and approved by the~~
19 ~~commissioner, of at least ninety (90) classroom hours conducted by an accredited~~
20 ~~college or university or its equivalent of instruction in a real estate school or certified~~
21 ~~by the commissioner, or graduation from an accredited college or university with a~~
22 ~~degree in real estate, business, accounting, finance or any related field, files a written~~
23 ~~petition with the department setting forth his qualification and experience, and the~~
24 ~~Real Estate Commissioner approves, the applicant may be issued a real estate broker’s~~
25 ~~license immediately upon passing the appropriate examination and satisfying the other~~
26 ~~requirements of this Article.~~

1 **Section 4. §104208 Chapter 104, 21 Guam Code Annotated is hereby**
2 **amended to read as follows:**

3 “§104208. Continuing Education Requirement for Broker’s Renewal.

4 (a) Any time prior to renewal of an original broker’s license, the broker must
5 satisfactorily furnish the evidence of successful completion of an additional ninety
6 (90) classroom hours of study selected among the following:

- 7 (1) real estate practice;
- 8 (2) real estate appraisal;
- 9 (3) property management;
- 10 (4) real estate finance;
- 11 (5) legal aspect of real estate;
- 12 (6) real estate office administration;
- 13 (7) general accounting;
- 14 (8) business law;
- 15 (9) escrow;
- 16 (10) real estate contracts, *or any*
- 17 (11) Real estate oriented study area.

18 (b) Of the ninety (90) classroom hours, eighteen (18) classroom hours must be
19 in the consumer protection area of study:

- 20 (1) land use regulation;
- 21 (2) consumer disclosure;
- 22 (3) agency relationship;
- 23 (4) fair practices;
- 24 (5) environmental regulation and considerations;
- 25 (6) taxation (real estate transaction); *and*
- 26 (7) Probate.

1 (c) Thereafter all brokers' renewal shall be for a period of four (4) years with a
2 continuing education requirement of sixteen (16) hours every two (2) years. Should
3 the broker acquire more than the sixteen (16) hours during the two (2) year period, the
4 excess hours may be credited to future renewal requirements.

5 (d) Any of the ninety (90) classroom hours of study as outlined in this Section
6 may be fulfilled by the completion of courses approved by the Guam Association of
7 Realtors."

8 **Section 5. §104210 Chapter 104, 21 Guam Code Annotated is hereby**
9 **repealed in its entirety.**

10 ~~The Real Estate Commissioner shall grant an exemption to persons with an~~
11 ~~original real estate broker's or salespersons licensed to any person who has been~~
12 ~~issued a license for fifteen (15) consecutive years, or has attained the age of seventy~~
13 ~~(70) years.~~

14 **SECTION 5. Severability.** If any of the provisions of this Act or the
15 application thereof to any person or circumstance is held invalid, such invalidity shall
16 not affect any other provision or application of this Act which can be given effect
17 without the invalid provision or application, and to this end the provisions of this Act
18 are severable.