

EDDIE BAZA CALVO  
Governor

RAY TENORIO  
Lieutenant Governor

*Office of the Governor of Guam.*

DEC 04 2015

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

43-15-1145  
Office of the Speaker  
Judith T. Won Pat, Ed.D

Date: 12-4-2015  
Time: 1:27 pm  
Received By: [Signature]

Dear Madame Speaker:

Transmitted herewith is Bill No. 188-33 (COR) "AN ACT TO AMEND §§ 70108 AND 70109.1 OF CHAPTER 70, DIVISION 2, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO PROMOTING CONSUMER PROTECTION BY REQUIRING THE PUBLICATION OF A CONTRACTORS LIST AND STRENGTHENING THE PENALTIES FOR UNLICENSED CONTRACTORS" which was signed into law by Acting Governor, Ray Tenorio on December 1, 2015, as **Public Law 33-103**.

2015 DEC -11 PM 3:51

*Senseramente,*

EDDIE BAZA CALVO

1145

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

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

This is to certify that **Bill No. 188-33 (COR)**, "AN ACT TO *AMEND* §§ 70108 AND 70109.1 OF CHAPTER 70, DIVISION 2, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO PROMOTING CONSUMER PROTECTION BY REQUIRING THE PUBLICATION OF A CONTRACTORS LIST AND STRENGTHENING THE PENALTIES FOR UNLICENSED CONTRACTORS," was on the 19<sup>th</sup> day of November 2015, duly and regularly passed.

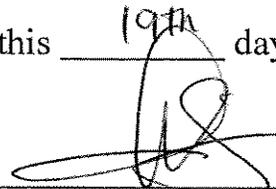


Judith T. Won Pat, Ed.D.  
Speaker

Attested:  

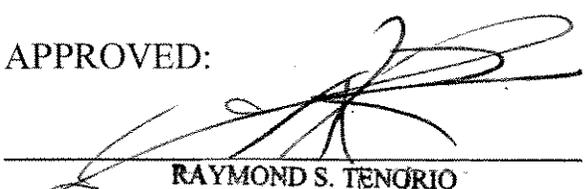

Tina Rose Muña Barnes  
Legislative Secretary

This Act was received by *I Maga'låhen Guåhan* this 19<sup>th</sup> day of November, 2015, at 550 o'clock P.M.



Assistant Staff Officer  
*Maga'låhi's* Office

APPROVED:



RAYMOND S. TENORIO  
Acting Governor of Guam

Date: DEC 01 2015

Public Law No. 33-103

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

**Bill No. 188-33 (COR)**

As amended by the Sponsor;  
and further amended on the Floor.

Introduced by:

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

**AN ACT TO AMEND §§ 70108 AND 70109.1 OF  
CHAPTER 70, DIVISION 2, TITLE 21, GUAM CODE  
ANNOTATED, RELATIVE TO PROMOTING  
CONSUMER PROTECTION BY REQUIRING THE  
PUBLICATION OF A CONTRACTORS LIST AND  
STRENGTHENING THE PENALTIES FOR  
UNLICENSED CONTRACTORS.**

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

2 **Section 1. Publication of Contractors List Required.** § 70108 of  
3 Chapter 70, Division 2, Title 21, Guam Code Annotated, is hereby *amended* to  
4 read:

1           **“§ 70108. Licenses; Publication of Contractors List Required.**

2           No person within the purview of this Chapter shall act, or assume to act, or  
3           advertise, as a general engineering contractor, a general building contractor  
4           or a specialty contractor without a license previously obtained under and in  
5           compliance with this Chapter and the rules and regulations of the  
6           Contractors License Board (CLB).

7           The CLB *shall* publish, in print and electronically, in a newspaper of  
8           general circulation, as defined in Title 5 GCA, § 8104(a)(5)(B), a list of  
9           contractors authorized to conduct business on Guam. The list of contractors  
10          *shall* include, but *not* be limited to, the contractor’s name and phone  
11          number(s), CLB license number, identification of responsible managing  
12          employee, and authorized classification(s). The CLB *shall* also include  
13          instructions on how the public may verify if certain contractors have been  
14          added to, or removed from, the contractors list. The list of contractors *shall*  
15          be published annually, *no later than* on the first Monday of August, *shall* be  
16          made available to the general public via the CLB’s website, and *shall* be  
17          updated on a monthly basis.”

18          **Section 2. Citations Involving Unlicensed Contractors.** § 70109.1 of  
19          Chapter 70, Division 2, Title 21, Guam Code Annotated, is hereby *amended* to  
20          read:

21               **“§ 70109.1. Investigation Citation Authority.**

22               (a) In addition to any other remedy available, the investigator of  
23               the Contractors License Board may issue citations to acting contractors,  
24               licensed or unlicensed, in violation of the provisions of this Chapter and  
25               rules promulgated pursuant to the requirements of the Administrative  
26               Adjudication Law.

1 (b) Each citation *shall* be in writing and *shall* describe the basis of  
2 the citation, including the statutory provisions alleged to have been violated.  
3 The citation *shall* also contain an order to cease and desist from the  
4 violation, and an assessment of civil penalties of *no less than* Two Hundred  
5 Dollars (\$200.00), but *not to exceed* fifty percent (50%) of the value of the  
6 project.

7 (c) Citations for unlicensed contractors *shall* each contain an order  
8 to cease and desist from the violation, and an assessment of civil penalties of  
9 fifty percent (50%) of the value of the project – of which *no less than* fifty  
10 percent (50%) *shall* be used to compensate affected consumers. Payments  
11 *shall* be made in accordance with rules promulgated by the CLB in  
12 accordance with the requirements of the Administrative Adjudication Law.

13 (d) Recipients of contractual work *shall* be notified of each  
14 violation in a timely manner.”

15 **Section 3. Severability.** If any provision of this Act or the application to  
16 any person or circumstance is found to be invalid or contrary to law, such  
17 invalidity *shall not* affect other provisions or applications of this Act which can be  
18 given effect without the invalid provision or application, and to this end the  
19 provisions of this Act are severable.