

I MINA'BENTE NUEBE NA LIHESLATURAN GUÅHAN
2008 (SECOND) Regular Session

Bill No. 360(EC)

Introduced by:

E. J. B. Calvo

2008 AUG 29 AM 10:55

AN ACT TO ADD SECTION 18115.1 TO CHAPTER 18 OF TITLE 10 OF THE GUAM CODE ANNOTATED, RELATIVE TO ALLOWING COSMETOLOGISTS LICENSED IN JAPAN TO OBTAIN A GUAM COSMETOLOGY LICENSE, TO PROVIDE TRAINING AT A RECOGNIZED GUAM SCHOOL OF COSMETOLOGY, AND TO ADD A NEW SECTION 18124.1 TO PROVIDE FOR ADDITIONAL FUNDS TO BE DEPOSITED INTO THE HEALTH PROFESSIONAL LICENSURE FUND FOR USE BY THE BARBERING AND COSMETOLOGY BOARD.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds
3 that more and more couples from Asia, particularly from Japan, are coming to Guam
4 to get married thereby spurring the growth of the wedding industry on Guam. The
5 growth of the wedding industry on Guam provides many benefits to the Territory. It
6 results in the growth of local employment, the construction of wedding chapels and
7 related facilities, the infusion of capital into the local economy, the increase of
8 government revenues, the overall growth of tourism and the enhancement of Guam's
9 image as a first class destination. Although Japanese brides are choosing to get
10 married on Guam many of them still desire to have their hair and make-up, as well as
11 the hair and make-up of members of their wedding party, done according to the
12 traditional Japanese custom and Japanese styles. The preparation of the hair and
13 make-up of brides and members of their wedding party in accordance with traditional

1 Japanese custom and Japanese styles is a very specialized art requiring specialized
2 skills and experience. Accordingly, there is a need on Guam for licensed
3 cosmetologists and professionals from Japan trained in the art of preparing the head,
4 hair and makeup of Japanese brides and members of their wedding party pursuant to
5 traditional Japanese custom and Japanese styles. *I Liheslaturan Guåhan* recognizes
6 that in order to provide visitors with the ability to have their hair and makeup done in
7 accordance with the traditional Japanese custom and receive other related treatment, it
8 is necessary to allow cosmetologists and trained professionals who are licensed in
9 Japan to come to Guam to work in local bridal boutiques and head spas. *I*
10 *Liheslaturan Guåhan* finds that such Japanese licensed cosmetologists and
11 professionals will contribute to Guam’s economy as mentioned above and will also
12 contribute to the training of local cosmetologists in the art of traditional Japanese
13 bridal hair and makeup and head spa treatment. Accordingly, in order to foster and
14 support the growing wedding industry and tourism on Guam, *I Liheslaturan Guåhan*
15 finds that Japanese licensed cosmetologists should be allowed to obtain on a limited
16 basis a Guam counterpart license based on their current license in Japan.

17 **Section 2.** Section 18115.1 is hereby *added* to Chapter 18 of Title 10 of the
18 Guam Code Annotated to read as follows:

19 **“Section 18115.1. Eligibility and Qualification for Japanese Licensed**
20 **Cosmetologist.** An applicant who holds a current and unrestricted license
21 issued by the government of Japan and who is in good standing with the
22 appropriate Japanese licensing body shall be issued, upon passing the Guam
23 Cosmetology practical exam, a one and one-half (1½) year license to practice
24 the art of cosmetology for wedding and bridal boutiques and spas on Guam.
25 Such eligibility is conditioned upon the following:

1 **(a)** the licensee must meet the following standard requirements
2 applicable to all other applicants:

3 (1) have official transcript(s) of all training and
4 certification programs attended by the licensee addressed and sent
5 directly to the Guam Board of Cosmetology; and

6 (2) provision of three (3) letters of recommendation
7 complete with return address, phone number and name of current
8 employer; and

9 (3) submission of a police clearance obtained within the
10 last three (3) months; and

11 (4) provision of two (2) photos taken within the last three
12 (3) months sized for cosmetologist license a 2 ½” x 2 ½”;

13 (5) provision of a notarized photocopy of the licensee’s
14 current license; and submit a copy of a current health certificate
15 and sanitary permit for the establishment; and

16 (6) provision of a notarized photocopy of the licensee’s
17 current license; and submit a copy of a current health certificate
18 and sanitary permit for the establishment.

19 **(b)** any such further requirements as may be adopted for all
20 other applicants by the Board; and

21 **(c)** the licensee must pass the Board administered practical
22 examination; and

23 **(d)** the licensee must practice at an establishment that has at
24 lease one (1) licensed local cosmetologist on site, which local
25 cosmetologist must have been licensed for at least one (1) year prior to
26 the licensee beginning his or her practice at the establishment; and

1 (e) licenses issued pursuant to this Subsection shall state that the
2 licensee is restricted from performing manicures, pedicures, waxing,
3 chemical hair treatments (other than ordinary cleansing and
4 conditioning), or chemical based facials or skin treatment for which an
5 esthetician license is required under this Chapter; and

6 (f) the licensee or the business employing the licensee must be
7 available to provide not less than seventy-two (72) hours of training per
8 year at recognized Guam cosmetology schools such as the Guam
9 Community College or on its business premises, or in sponsored
10 seminars; and

11 (g) provide annual seminars for local cosmetologists to learn
12 about specialized Japanese Hair techniques. Cost of the seminar will be at
13 the expense of the business; and

14 (h) in addition to the standard cosmetology license fees and
15 initial Two Hundred Dollar (\$200.00) application fee, any such licensee
16 shall pay an additional annual non-transferable and non-refundable
17 license fee of Eight Hundred Dollars (\$800.00).”

18 **Section 3.** Section 18124.1 is hereby *added* to Chapter 18 of Title 10 of the
19 Guam Code Annotated to read as follows:

20 **“Section 18124.1. Use by Barbering and Cosmetology Board.** The
21 fees generated by the implementation of Section 18115.1(h) shall be deposited
22 into the Health Professional Licensure Fund for use by the Barbering and
23 Cosmetology Board to defray the cost of obtaining standardized examination
24 materials and services for barbering and cosmetology licensure and the cost of
25 proctoring examination at a testing site.”

1 **Section 4. Severability.** *If* any provision of this Act of its application to any
2 person or circumstances is found to be invalid or contrary to law, such invalidity shall
3 *not* affect other provisions or applications to this Act which can be given effect
4 without the invalid provisions or application, and to this end the provisions of this Act
5 are severable.