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

VIA: The Honorable Rory J. Respicio My Marine Chairperson, Committee on Rule My

RE: Committee Report -- Bill No. 6-33(COR)

Dear Speaker Won Pat:

Transmitted herewith, for your consideration, is the Committee Report on Bill 6-33 (COR)- An act to amend §58146.1 of Chapter 58, Title 12, Guam Code Annotated to exempt the Guam Economic Development Authority from Article 3 of Chapter 9, 5 GCA in the development of proposed industry specific policy, criteria and measurable goals relative to the qualifying certificate program; Sponsored by Senator Dennis G. Rodriguez, Jr., and referred to the Committee on Health, Economic Development, Homeland Security and Senior Citizens. Bill No. 6-33(COR) was publicly heard on January 16, 2015.

Committee votes are as follows:

5 TO PASS NOT TO PASS ABSTAIN 4 TO REPORT OUT ONLY TO PLACE IN INACTIVE FILE

Senseramente,

Senator Dennis G. Rodriguez, Jr. Chairman

Attachments



February 5, 2015

MEMORANDUM

To: ALL MEMBERS Committee on Health, Economic Development, Homeland Security and Senior Citizens

From: Senator Dennis G. Rodriguez, Jr. A Committee Chairperson

Subject: Committee Report on Bill no. 6-33(COR)

Transmitted herewith, for your consideration, is the **Committee Report** on **Bill 6-33** (COR)- An act to amend §58146.1 of Chapter 58, Title 12, Guam Code Annotated to exempt the Guam Economic Development Authority from Article 3 of Chapter 9, 5 GCA in the development of proposed industry specific policy, criteria and measurable goals relative to the qualifying certificate program; Sponsored by Senator Dennis G. Rodriguez, Jr. This report includes the following:

- Committee Voting Sheet
- Committee Report Narrative/Digest
- Copy of Bill No. 6-33(COR)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony and Supporting Documents
- Copy of COR Referral of Bill No. 6-33(COR)
- Notices of Public Hearing (1st and 2nd)
- Copy of the Public Hearing Agenda
- Related News Articles (Public hearing publication of public notice)

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 me.

Si Yu'os Ma'åse'!

Attachments

COMMITTEE REPORT ON

BILL NO. 6-33 (COR)

Sponsored by Senator Dennis G. Rodriguez, Jr.

An act to amend §58146.1 of Chapter 58, Title 12, Guam Code Annotated to exempt the Guam Economic Development Authority from Article 3 of Chapter 9, 5 GCA in the development of proposed industry specific policy, criteria and measurable goals relative to the qualifying certificate program.



COMMITTEE VOTING SHEET

BILL NO. 6-33 (COR)- An act to amend §58146.1 of Chapter 58, Title 12, Guam Code Annotated to exempt the Guam Economic Development Authority from Article 3 of Chapter 9, 5 GCA in the development of proposed industry specific policy, criteria and measurable goals relative to the qualifying certificate program; Sponsored by Senator Dennis G. Rodriguez, Jr.

	SIGNATURE	TO PASS	NOT TO PASS	ABSTAIN	REPORT OUT ONLY	PLACE IN INACTIVE FILE
DENNIS G. RODRIGUEZ, Jr. Chairman	N	V				
V. ANTHONY ADA Vice Chairman	et de	V				
BENJAMIN J.F. CRUZ	HCAN					
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TINA ROSE MUNA-BARNES	AM	<u>`</u> x				
THOMAS C. ADA	Xa				\checkmark	
FRANK B. AGUON, Jr. 2/12/15	Jille)					
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THOMAS A. MORRISON	The					
BRANT T. MCCREADIE	ſ					



COMMITTEE REPORT DIGEST

Bill No. 6-33 (COR)

1. OVERVIEW: The Committee on Health, Economic Development, Homeland Security and Senior Citizens conducted a public hearing on January 16, 2015. The hearing convened at 9AM in I Liheslatura's Public Hearing Room. Among the items on the agenda was the consideration of Bill 6-33 (COR)- An act to amend §58146.1 of Chapter 58, Title 12, Guam Code Annotated to exempt the Guam Economic Development Authority from Article 3 of Chapter 9, 5 GCA in the development of proposed industry specific policy, criteria and measurable goals relative to the qualifying certificate program; Sponsored by Senator Dennis G. Rodriguez, Jr.

Public Notice Requirements

Notices were disseminated via hand-delivery/fax and/or email to all senators and all main media broadcasting outlets on January 8, 2015 (5-day notice), and again on January 14, 2015 (48-hour notice

Senators Present

Senator Dennis G. Rodriguez, Jr.	Chairman
Senator Rory J. Respicio	Committee Member
Senator Thomas C. Ada	Committee Member
Senator Frank B. Aguon, Jr.	Committee Member
Senator Benjamin J.F. Cruz	Committee Member
Senator Tina Muna-Barnes	Committee Member
Senator Nerissa B. Underwood	Committee Member
Senator Michael F.Q. San Nicolas	
Senator Mary Camacho Torres	

The public hearing on agenda item Bill No. 6-33(COR) was called to order at 9:10AM.

II. SUMMARY OF TESTIMONY & DISCUSSION.

Chairman & Sponsor, Senator Dennis G. Rodriguez, Jr.

For the record I'd just like to discuss briefly what Bill 6 does. What this is, is that there is a recent law that was passed that would require GEDA to provide the legislature a formula metrics measurable goals that would ensure that for industries specific, for those specific industries that we offer qualifying certificates, that there is measurable goals in a metrics of formula that they use and instead of them going through the Triple A process were allowing them to still stay within the timeframe that has been set in public law which is about 90 days but to provide the legislature these proposals so that from there this body can move forward. So there being no here to testify, Bill 6 has been heard by this body.



There being no other testimony, or comments by Senators, Chairman Rodriguez declared the bill as having been heard, and concluded the public hearing on Bill No. 6-33(COR).

Fiscal Note: Waiver received, dated January 15, 2015 (attached).

III. FINDINGS AND RECOMMENDATIONS

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The Committee on Health, Economic Development, Homeland Security and Senior Citizens, hereby reports out Bill No. 6-33(COR), with the recommendation to $_{-}$ TO $_{-}$ PA-SS ______

MINA' TRENTAI TRES NA LIHESLATURAN GUAHAN 2015 (FIRST) Regular Session

Bill No. 6-33 (COR) As amended by the Committee on Rules

Introduced by:

D.G. RODRIGUEZ, JR.

AN ACT TO AMEND §58146.1 OF CHAPTER 58, TITLE 12, **GUAM CODE ANNOTATED TO PROVIDE FOR EXEMPT** THE GUAM ECONOMIC DEVELOPMENT AUTHORITY FROM ARTICLE 3 OF CHAPTER 9, 5 GCA IN THE DEVELOPMENT OF PROPOSED INDUSTRY SPECIFIC POLICY. CRITERIA AND MEASURABLE GOALS TO RELATIVE THE **QUALIFYING CERTIFICATE** PROGRAM.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent: *I Liheslaturan Guåhan* finds that the Guam Economic Development Authority should develop and directly submit to the Legislature industry specific policy, criteria and measurable goals ensuring the appropriate stimulation of legitimate investment of new economic development. Further, that the development of the proposed submission should not be seen as a rule making process to be conducted pursuant to Article 3 of Chapter 9, 5 GCA.

I Liheslaturan Guåhan finds that the requested submission is necessary as a working tool in the refinement of the Qualifying Certificate program. It is, therefore, the *intent* of *I Liheslaturan Guåhan* to utilize the submission by the Committee on Economic Development as a framework to develop and refine through legislative processes the Qualifying Certificate program of the Guam Economic Development Authority.

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It is further the intent to amend § 58146.1 to provide for the development
 and direct submission to the Legislature without going through the Administrative
 Adjudication Law.

Section 2. § 58146.1 of Chapter 58, Title 12, Guam Code Annotated, is *amended*, to read:

6 "§ 58146.1. Qualifying Certificate; Abeyance Thereof. Development of 7 Industry Specific Policy, Regulations, Criteria and Measurable Goals.

(a) The Guam Economic Development Authority shall submit, by no later 8 sixty (60) days from the date of enactment of this Act, proposed and duly 9 promulgated, industry specific policy, criteria and measurable goals and which 10 shall not include industry specific development projects already satisfactorily 11 established on Guam, so as to ensure that the government not unnecessarily waive 12 needed revenue for an industry specific project category that already exists or is 13 satisfactorily established, to the Legislature for approval, as provided pursuant to 14 Article 3 of Chapter 9, 5 GCA. In the event the mandated industry specific policy, 15 regulations, criteria and measurable goals are not submitted, timely, pursuant to 16 this Subsection (a), then, the following shall become effective ninety (90) day from 17 the date of enactment of this Act: 18

(1) Hotel Qualifying Certificate; Provisional Abeyance thereof.
Except as provided pursuant to Article 2 of Chapter 58, 12, GCA, no
renewal of Qualifying Certificates, for hotels shall be approved and issued
until such time as the Guam Economic Development Authority has
developed, pursuant to Article 3 of Chapter 9, 5 GCA, industry specific
policy, regulations, criteria and measurable goals ensuring appropriate
stimulation of legitimate investment of new economic development; and

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(2) General Industry Specific; Provisional Abeyance thereof. No 1 new Qualifying Certificates, or the renewal of Qualifying Certificates, shall 2 be approved and issued until such time as the Guam Economic Development 3 Authority has developed, pursuant to Article 3 of Chapter 9, 5 GCA, 4 industry specific policy, regulations, criteria and measurable goals ensuring 5 the appropriate stimulation of legitimate investment of new economic 6 development, and which shall not include industry specific development 7 projects already satisfactorily established on Guam, so as to ensure that the 8 government not unnecessarily waive needed revenue for an industry specific 9 project category that already exists or is satisfactorily established." 10

11 Section 3. Severability. If any provision of this Act or its application to 12 any person or circumstance is found to be invalid or contrary to law, such 13 invalidity shall not affect other provisions or applications of this Act which can be 14 given effect without the invalid provisions or application, and to this end the 15 provisions of this Act are severable.

Section 4. Effective Date. This Act shall become immediately effective
 upon enactment.

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SENATOR DENNIS G. RODRIGUEZ, Jr., Chairman COMMITTEE ON HEALTH, ECONOMIC DEVELOPMENT, HOMELAND SECURITY & SENIOR CITIZENS *Mina'trentai Tres Na Liheslaturan Guåhan* • 33rd Guam Legislature

PUBLIC HEARING DATE / Friday, January 16, 2015 9am •Bill 6-33 (COR)- Introduced by Sen. Dennis G. Rodriguez, Jr.

An act to amend §58146.1 of Chapter 58, Title 12, Guam Code Annotated to exempt the Guam Economic Development Authority from Article 3 of Chapter 9, 5 GCA in the development of proposed industry specific policy, criteria and measurable goals relativto the qualifying certificate program.

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Public Hearing Testimony of John A. Rios, Administrator Guam Economic Development Authority January 16, 2015

Bill 6-33 (COR)

AN ACT TO AMEND §58146.1 OF CHAPTER 58, TITLE 12, GUAM CODE ANNOTATED TO EXEMPT THE GUAM ECONOMIC DEVELOPMENT AUTHORITY FROM ARTICLE 3 OF CHAPTER 9, 5 GCA IN THE DEVELOPMENT OF PROPOSED INDUSTRY SPECIFIC POLICY, CRITERIA AND MEASURABLE GOALS RELATIVE TO THE QUALIFYING CERTIFICATE PROGRAM.

Hăfa Adai Chairman Dennis G. Rodriguez, Jr., and members of the Committee on Health, Economic Development, Homeland Security, and Senior Citizens. Thank you for the opportunity to provide testimony in favor of Bill 6-33 (COR).

Thank you, Senator Rodriguez for your support and commitment to working with GEDA to revamp the Qualifying Certificate (QC) program to ensure that it remains Guam's single most valuable tool to attract investment to the island. GEDA supports the intent of Bill 6 as it provides GEDA an opportunity to better work within the timeline mandated by Public Law 32-233.

I would like to assure the Legislature that GEDA is currently working towards drafting the "proposed industry specific, policy, criteria and measurable goals" for the QC program as mandated by law. This process is a policy guideline for future QC applications and not meant to change the existing rules and regulations that have already been substantiated and duly promulgated. In fact, it has always been GEDA's policy that any projects of this type be vetted with the utmost transparency and is substantiated with as much stakeholder input as possible.

GEDA fully supports amended language in Bill 6-33 as it will allow for a more transparent and useful document to be provided to the Legislature. We thank Senator Rodriguez and the Legislature for their assistance, and strongly support the passage of Bill 6.

Si Yu'os Ma'ase,

John A. Rios Aministrator





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BUREAU OF BUDGET & MANAGEMENT RESEARCH

OFFICE OF THE GOVERNOR Post Office Box 2950, Hagåtña Guam 96932

EDDIE BAZA CALVO GOVERNOR

RAY TENORIO LIEUTENANT GOVERNOR ANTHONY C. BLAZ DIRECTOR

JOSE S. CALVO DEPUTY DIRECTOR

JAN 1 0 2015

The Bureau requests that Bill No(s). <u>Bill No. 6-33 (COR)</u> be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

Bill No. 6-33 (COR) is an act to exempt the Guam Economic Development Authority from Article 3 of Chapter 9, 5 GCA in the development of proposed industry specific policy, criteria and measurable goals relative to the Qualifying Certificate (QC) Program by amending §58146.1 of Chapter 58, Title 12, Guam Code Annotated.

The Bill is an administrative amendment to Section 3 of Public Law No. 32-233 as it relates to writing policies for QC issuance and poses no fiscal impact upon any funds of the Government of Guam.

ANTHONY C. BLAZ Director



COMMITTEE ON RULES

I Mina'trentai Tres na Liheslaturan Guåhan • The 33rd Guam Legislature 155 Hesler Place, Hagåtña, Guam 96910 • *www.guamlegislature.com* E-mail: *roryforguam@gmail.com* • Tel: (671)472-7679 • Fax: (671)472-3547

Senator Rory J. Respicio Chairperson Majority Leader

January 6, 2015

Senator Thomas C. Ada Vice Chairperson Assistant Majority Leader

Senator Nerissa Bretania Underwood Member

Speaker Judith T.P. Won Pat, Ed.D. Member

Senator Dennis G. Rodriguez, Jr. Member

> Vice-Speaker Benjamin J.F. Cruz Member

Legislative Secretary Tina Rose Muña Barnes Member

Senator Frank Blas Aguon, Jr. Member

Senator Michael F.Q. San Nicolas Member

> Senator V. Anthony Ada Member MINORITY LEADER

Senator Brant T. McCreadie Member Assistant Minority Leader

MEMORANDUM

To: Rennae Meno Clerk of the Legislature

> **Attorney Therese M. Terlaje** Legislative Legal Counsel

From: Senator Rory J. Respicio Chairperson of the Committee on Rules

Subject: Referral of Bill No. 6-33(COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 6-33(COR)**.

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Tres na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

Si Yu'os Ma'åse!

Attachment

I Mina'Trentai Tres Na Liheslaturan Received Bill Log Sheet

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BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED
6-33 (COR)	D. G. Rodriguez, Ir.	AN ACT TO AMEND §58146.1 OF CHAPTER 58, TITLE 12, GUAM CODE ANNOTATED TO EXEMPT THE GUAM ECONOMIC DEVELOPMENT AUTHORITY FROM ARTICLE 3 OF CHAPTER 9, 5 GCA IN THE DEVELOPMENT OF PROPOSED INDUSTRY SPECIFIC POLICY, CRITERIA AND MEASURABLE GOALS RELATIVE TO THE QUALIFYING CERTIFICATE PROGRAM.	2:26 p.m.		Committee on Health, Economic Development, Homeland Security, and Senior Citizens		



FIRST NOTICE of PUBLIC HEARING on FRIDAY, January 16, 2015 at 9am

Joe Mesngon <joe@toduguam.com>

To: phnotice@guamlegislature.org

Thu, Jan 8, 2015 at 9:04 AM

Bcc: joseph.verga@gmha.org, June Perez <june.perez@gmha.org>, james.gillan@dphss.guam.gov, theresa.arcangel@dphss.guam.gov, john.rios@investguam.com, tsantos@investguam.com, mstaijeron@investguam.com, ejcalvo@midpacquam.com, David John <david.john@asctrust.com>

January 8, 2015

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Senator Dennis G. Rodriguez, Jr., Chairman, Committee on Health, Economic Development, Homeland Security and Senior Citizens

Subject: FIRST NOTICE of PUBLIC HEARING

Hafa Adai!

The Committee on Health, Economic Development, Homeland Security and Senior Citizens has scheduled a **Public Hearing on Friday, January 16, 2015 at 9am in the Legislature's Public Hearing Roo**m.

Oral and written testimonies will be accepted on the following:

Bill 6-33 (COR)- An act to amend §58146.1 of Chapter 58, Title 12, Guam Code Annotated to exempt the Guam Economic Development Authority from Article 3 of Chapter 9, 5 GCA in the development of proposed industry specific policy, criteria and measurable goals relative to the qualifying certificate program.

Bill 12-33 (COR)- An act to add a new Item (1) to subsection (a) of § 4301 of Article 3, Chapter 4, 4 GCA, to provide for the issuance of a separate request for proposal for the solicitation of health insurance for provision of health care for foster children in the care of the Government on terms comparable to the Government Plan for active and retired employees and their dependents.

Bill 13-33 (COR)- An act to add a representative from the Guam Memorial Hospital Authority and the Department of Public Health and Social Services to the Government of Guam Group Health Insurance Negotiating Team, to delete the requirement for the solicitation of an exclusive group health insurance contract and require only the solicitation of three (3) non-exclusive contracts for a contract term of two (2) years, by amending §4302 (c) and §4302 (e) of Article 3, Chapter 4, 4 GCA.

Bill 17-33 (COR)- An act to amend §§18102, 18103, 18105, 18105, 18106, 18108, 18112, 18113, 18114, 18121, 18125, 18126, 18128.4, 18128.5, 18128.7, 18128.8, 18129, 18131, and 18133 of Division 1 of Chapter 18 of Title 10 Guam Code Annotated, relative to the Babering and Cosmetology Act of 2010.

Written testimonies may be addressed to Sen. Dennis G. Rodriguez, Jr., Chairman and sent via email to senatordrodriguez@gmail.com or delivered to 176 Serenu Ave., Ste. 107 Tamuning, Guam or 155 Hesler Place Hagatna, Guam 96910.

Individuals who may require assistance or auxiliary aids are asked to contact 649-8638/0511 no later than 48 hours prior to the hearing.

Si Yu'os Ma'ase'!

Joseph A. Q. Mesngon

Office of Senator Dennis G. Rodriguez, Jr. Committee on Health, Economic Development, Homeland Security and Senior Citizens *I Mina'trentai Tres Na Libeslaturan Guahan* 33rd Guam Legislature 176 Serenu Ave. Suite 107 Tamuning, Guam 96931 649-8638/0511 www.toduguam.com



SECOND NOTICE of PUBLIC HEARING on FRIDAY, January 16, 2015 at 9am

Joe Mesngon <joe@toduguam.com> To: phnotice@guamlegislature.org Wed, Jan 14, 2015 at 8:20 AM

January 14, 2015

MEMORANDUM

To: Ait Senators, Stakeholders and Media

From: Senator Dennis G. Rodriguez, Jr., Chairman, Committee on Health, Economic Development, Homeland Security and Senior Citizens

Subject: SECOND NOTICE of PUBLIC HEARING

Hafa Adail

The Committee on Health, Economic Development, Homeland Security and Senior Citizens has scheduled a Public Hearing on Friday, January 16, 2015 at 9am in the Legislature's Public Hearing Room.

Oral and written testimonies will be accepted on the following:

Bill 6-33 (COR)- An act to amend §58146.1 of Chapter 58, Title 12, Guam Code Annotated to exempt the Guam Economic Development Authority from Article 3 of Chapter 9, 5 GCA in the development of proposed industry specific policy, criteria and measurable goals relative to the qualifying certificate program.

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Bill 17-33 (COR)- An act to amend §§18102, 18103, 18105, 18105.1, 18106, 18108, 18112, 18113, 18114, 18121, 18125, 18126, 18128.4, 18128.5, 18128.7, 18128.8, 18129, 18131, and 18133 of Division 1 of Chapter 18 of Title 10 Guam Code Annotated, relative to the Babering and Cosmetology Act of 2010.

Written testimonies may be addressed to Sen. Dennis G. Rodriguez, Jr., Chairman and sent via email to senatordrodriguez@gmail.com or delivered to 176 Serenu Ave., Ste. 107 Tamuning, Guam or 155 Hesler Place Hagatna, Guam 96910.

Individuals who may require assistance or auxiliary aids are asked to contact 649-8638/0511 no later than 48 hours prior to the hearing.

Si Yu'os Ma'ase'!

Joseph A. Q. Mesngon

Office of Senator Dennis G. Rodriguez, Jr. Committee on Health, Economic Development, Homeland Security and Senior Citizens I Mina'trentai Tres Na Libeslaturan Guahan 33rd Guarn Legislature 176 Serenu Ave. Suite 107 Tarmuning, Guam 96931 649-8638/0511 www.toduguam.com



PUBLIC HEARING AGENDA

Friday, January 16, 2015 9am Public Hearing Room, I Liheslatura

I. Call to order

II. Items for public consideration:

- Bill 6-33 (COR)- Introduced by Sen. Dennis G. Rodriguez, Jr. An act to amend §58146.1 of Chapter 58, Title 12, Guam Code Annotated to exempt the Guam Economic Development Authority from Article 3 of Chapter 9, 5 GCA in the development of proposed industry specific policy, criteria and measurable goals relative to the qualifying certificate program.
- Bill 12-33 (COR)- Introduced by Sen. Dennis G. Rodriguez, Jr. -An act to add a new Item (1) to subsection (a) of § 4301 of Article 3, Chapter 4, 4 GCA, to provide for the issuance of a separate request for proposal for the solicitation of health insurance for provision of health care for foster children in the care of the Government on terms comparable to the Government Plan for active and retired employees and their dependents.
- **Bill 13-33 (COR)-** Introduced by Sen. Dennis G. Rodriguez, Jr. An act to add a representative from the Guam Memorial Hospital Authority and the Department of Public Health and Social Services to the Government of Guam Group Health Insurance Negotiating Team, to delete the requirement for the solicitation of an exclusive group health insurance contract and require only the solicitation of three (3) non-exclusive contracts for a contract term of two (2) years, by amending §4302 (c) and §4302 (e) of Article 3, Chapter 4, 4 GCA.
- Bill 17-33 (COR)- Introduced by Sen. Tina Rose Muna-Barnes An act to amend §§18102, 18103, 18105, 18105.1, 18106, 18108, 18112, 18113, 18114, 18121, 18125, 18126, 18128.4, 18128.5, 18128.7, 18128.8, 18129, 18131, and 18133 of Division 1 of Chapter 18 of Title 10 Guam Code Annotated, relative to the Barbering and Cosmetology Act of 2010.

III. Adjournment

Thank you for your participation in today's hearing.