



Sen. Thomas Ada

Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement
I Mina Trentai Tres Na Li Heslaturan Guahan • 33rd Guam Legislature

APR 24 2015

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

Speaker

I Mina'trentai Tres Na Li Heslaturan Guahan

155 Hesler Place

Hagåtña, Guam 96910

Rory J. Respicio

VIA: The Honorable Rory J. Respicio

Chairperson, Committee on Rules

RE: Committee Report on Bill No. 62-33 (LS) as Amended

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 62-33 (LS) as amended, "An act to amend §32113(b) of Chapter 32, Title 22, Guam Code Annotated, relative to required experience for professional engineers, professional architects and professional land surveyors, and clarifying processes for applicants, as introduced by the Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement."

Committee votes are as follows:

- 2 TO DO PASS
- _____ TO NOT PASS
- 3 TO REPORT OUT ONLY
- _____ TO ABSTAIN
- _____ TO PLACE IN INACTIVE FILE

Si Yu'os ma'ase',

Thomas C. Ada

Thomas C. Ada

2015 APR 24 PM 8:45
RJR



Sen. Thomas Ada

Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement

I Mina Trentai Tres Na Liheslaturan Guåhan • 33rd Guam Legislature

COMMITTEE REPORT ON

Bill No. 62-33 (LS)

As amended by the Committee

**An act to amend § 32113(b) of Chapter
32, Title 22, Guam Code Annotated,
relative to required experience for
professional engineers, professional
architects and professional land
surveyors, and clarifying processes for
applicants.**



Sen. Thomas Ada


Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement
I Mina Trentai Tres Na Liheslaturan Guahan • 33rd Guam Legislature

April 23, 2015

MEMORANDUM

To: **All Members**
Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement

From: **Senator Thomas C. Ada**, Committee Chairperson 

Subject: **Committee Report on Bill No. 62-33 (LS) as amended**

Transmitted herewith for your consideration is the Committee Report on Bill No. 62-33 (LS) as substituted, "An act to amend § 32113(b) of Chapter 32, Title 22, Guam Code Annotated, relative to required experience for professional engineers, professional architects and professional land surveyors, and clarifying processes for applicants."

This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Copy of Bill No. 62-33 (LS), As Introduced
- Copy of Bill No 62-33 (LS), As Amended
- Public Hearing Sign-in Sheet
- Written testimonies from: Department of Public Works, Department of Land Management, Joey Duenas and Kenneth Rekdahl
- COR Referral of Bill No. 62-33 (LS)
- Notices of Public Hearing
- Public Hearing Agenda
- Press Release

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



Sen. Thomas Ada

Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement
I Mina Trentai Tres Na Liheslaturan Guahan • 33rd Guam Legislature

COMMITTEE VOTE SHEET

Bill No. 62-33 (LS) as Amended, "An act to amend § 32113(b) of Chapter 32, Title 22, Guam Code Annotated, relative to required experience for professional engineers, professional architects and professional land surveyors, and clarifying processes for applicants."

COMMITTEE MEMBERS	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
SENATOR THOMAS C. ADA Chairperson		✓ 4/23/15				
SENATOR RORY J. RESPICIO Vice Chairperson		✓ 4-24-15				
VICE SPEAKER BENJAMIN J.F. CRUZ Member				✓ 4/23/15		
SENATOR FRANK B. AGUON, JR. Member	 4/23/15	✓				
SENATOR DENNIS RODRIQUEZ, JR. Member	 ✓			✓ 4/14		
SENATOR NERISSA UNDERWOOD Member						
SENATOR FRANK BLAS, JR. Member	 fb			✓		
SENATOR MARY TORRES Member	 mtorres			✓		



Sen. Thomas Ada

Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement
I Mina Trentai Tres Na Liheslaturan Guahan • 33rd Guam Legislature

COMMITTEE REPORT DIGEST

I. OVERVIEW

Bill 62-33 (LS) was introduced on March 30, 2015 by Senator Thomas C. Ada and was subsequently referred on March 30, 2015 by the Committee on Rules to the Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement.

The Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement convened a public hearing on April 6, 2015 at 9:00 am in *I Liheslatura's* Public Hearing Room to receive public testimony on Bill 62-33 (LS).

Public Notice Requirements

Public Hearing notices were disseminated via email to all senators and all main media broadcasting outlets on March 30, 2015 (5-Day Notice) and again on April 2, 2015 (48-Hour Notice).

Senators Present

Senator Thomas C. Ada,	<i>Committee Chairperson</i>
Senator Frank B. Aguon, Jr.	<i>Committee Member</i>
Vice Speaker Benjamin J.F. Cruz	<i>Committee Member</i>
Senator Tina Rose Muña Barnes	Legislative Member
Senator Frank Blas, Jr.	Legislative Member
Senator V. Anthony Ada	Legislative Member

The public hearing was Called-to-Order at 9:00am.

II. SUMMARY OF TESTIMONY AND DISCUSSION

Chairperson Ada: states that Bill 62-33 is an act to amend §32113(b) of Chapter 32, Title 22, Guam Code Annotates, relative to required experience for professional engineers, professional architects and professional land surveyors, and clarifying processes for applicants. He goes on to say that the bill will clarify when the clock starts for when the required experience can begin accruing.

Chairperson Ada then calls up those who have signed up to give testimony.

Paul Santos, Chief of Cadastre/Guam Chief Surveyor, Department of Land Management (written and oral testimony): Mr. Santos reads his testimony explaining his support of the intent of the Bill 62-33 but offers recommendations. He explains that often there are inexperienced surveyors who may have gained experience not necessary under a licensed surveyor. He goes on to say that his experience as the Chief of Cadastre at Department of Land Management is that many surveyors who don't have that professional judgment that is

required in land surveying are not able to solve boundary and property issues. Mr. Santos says, that too often these issues go unresolved and a few years down the line they start to creep up and that is when we start to see the results of these surveys. He explains that if that surveyor had a little more experience and mentorship of a licensed surveyor, then maybe the initial errors would not have occurred. He goes on to say that the Board should have the final authority in confirming and verifying the experience of the applicant. Mr. Santos finishes by saying there are other typographical recommendations and those can be found in his written testimony submitted.

Mark Ruth, Chairman, PEALS Board (oral testimony): Mr. Ruth explains that he and the PEALS Board have worked Chairperson Ada's office and are in full support of Bill 62-33 as introduced. Mr. Ruth goes on to say that Mr. Santos is also on the PEALS Board and that he has expressed his concerns in their working session of the bill. He says that the PEALS Board was not sure how to word the recommendations being made by Mr. Santos but the PEALS Board understands and accepts the recommendation being made at today's hearing by Mr. Santos.

Tom Camacho, Dueñas Camacho & Associates: Mr. Camacho says that in addition to the suggestions made by Mr. Santos, the professional surveyors who signed the applicants credentials could also be brought in for an interview. He says that an applicant may paint a pretty picture and say what is wanted but going beyond that and bring in the professional may be feasible. Mr. Camacho says he is in support of the bill.

John Dueñas, President, Dueñas Camacho & Associates (written and oral testimony): Mr. Dueñas starts by saying he is in support of the Bill 62-33. He goes on to say that he has sat with Chairperson Ada's office in the initial draft of the bill and he supports the additions made by Mr. Santos. He goes on to say that he thought it was in the authority of the PEALS Board to interview applicants but if it not then he is in support of that addition. He then says his written testimony goes into further detail on the background and doesn't feel the need to read what was iterated in the preamble. He ends by saying he is in support of bill 62-33.

William Gilman (oral testimony): He starts by saying he is a license professional engineer on Guam and several other states, and is also registered with the National Council for Engineering Examinations. He goes on to say that he concurs with the intent of the bill to meet NCEE standards. He then says that there is language in the bill that unintentionally violates the basic premise of proving a candidate is qualified to practice engineering on Guam, making reference to page 2 lines 11 to 23. He continues by saying what is missing is that a graduate candidate must first pass fundamentals of engineering exam. As read he says, the bill allows a graduate engineer to practice for four years, one of which is under a professional engineer, then take the second of only two exams and upon passing this exam shall be allowed to practice engineering, making reference to line 21.

He then says the engineer profession is highly dependent on understanding the basic fundamentals of engineering. Mr. Gilman says without passing the fundamentals of engineering exam, how will the community know the candidate is qualified to understand the reasoning behind the second exam. He then makes reference to page 3 lines 6 and 7, saying it

mentions the examination for another qualification but in earlier discussion this requirement has inadvertently been left out. He ends by asking the bill include the proper references to the fundamentals exam.

Mark Ruth: He starts by saying the fundamentals exam is not left out. He says if you read line 11 carefully, it says an engineering intern. He goes on to say that if you go into the definitions, an “engineering intern means a person who complies with the requirements of education, experience and character, and has passed an examination in the fundamental engineering subjects.” Mr. Ruth says the question has come up before and it all hinges on the word intern, saying it is not the intent to mislead. He then says if the committee decided to insert the definition of an engineer intern into the section of the bill that would be fine and make it nice and clear.

William Gilham: He says he is in support of the definition added onto the bill, because it gives good clarification.

Chairperson Ada: He says when this was brought to his attention, the changes was being when does the clock begin for the creditable engineering experience. He then says the way it is being interpreted now is that the creditable experience that is required begins only after the fundamentals exam has been passed.

Mark Ruth: He clarifies saying the law says “in addition.” He says there are two ways to look at the language, meaning this and that or this then that. It doesn’t say exactly when the clock start. He says the PEALS Board legal council has interpreted to mean this then that, leaving the Boards hands tied. That is the determination made to other candidates says Mr. Ruth.

Chairperson Ada: He states in the recommendation about the surveyors, it is his understanding with the engineering exam, which is an objective exam, it is a pass or fail. He goes on to say that in the case of the surveyors, the fact that you are suggesting that the certification of the surveyor maybe determined by the outcome of the interview, it gives it some degree of subjectiveness.

Paul Santos: He starts by saying that the recommendation protects the public because now they will know that the applicant is truly qualified to take that examination. He then says as stated earlier, he has seen to many younglings coming into the profession lacking requisite professional judgment and maturity. He continues with saying that professional surveyors is a different field, it requires a lot of experience, reading on legally issues, and not everyone gets it the first time. He says the more experience the applicant gets the better exposure to different issues and that makes for a better surveyor.

Chairperson Ada: He says his concern is if the surveyor applicant passes the examination, meets his experience requirements but all that may be for not, if the applicant doesn’t do well in an interview. Where would the applicant go to appeal or is there a recourse to appeal?

John Dueñas: He states that his interpretation of Mr. Santos’ recommendation, he wants to make sure that surveyor indeed has the experience, they want to verify that experience maybe

through interviewing the applicant. Mr. Dueñas says he thinks its fine, he sees it as a clarification of the application and not subjectiveness.

Mark Ruth: He says that in the case of architects, to verify experience the supervisor has to be a licensed architect. Then that requirement goes in ENCARB and they verify all the experience and need to meet requirements, so there is a documented process, so at the end of that time there certifies an IDP. He then says in the case of the surveyors, it is unique on Guam and the type experience needs to be relevant.

John Dueñas: He says there are two parts to the professional land-surveying exam, one is Guam land matters, under that part of the exam they should be able to bring someone in for an interview. That part of the exam makes it unique to Guam says Mr. Dueñas. To have someone articulate what the applicant did, in that part of the exam, if the Board decides.

Mark Ruth: He says that maybe we don't want to use the word interview, but rather the Board has the authorization to request for additional information. That leaves it up to the discretion of the Board, says Mr. Ruth.

Chairperson Ada: He states that for his question, the recommendation made by Mr. Camacho to bring in other professionals to possibly endorse the applicant would be helpful. The language will need to be looked at but Chairperson Ada says he wants to report the bill out for the April session.

Chairperson Ada ends the public hearing for Bill No. 62-33 (LS).

III. Findings and Recommendations

The Committee on Transportation, Infrastructure, Land, Border Protection, Veterans' Affairs and Procurement, as recommended by the PEALS Board, amends the bill by inserting language which allows for an interview from the PEALS Board to be a component of the application process. The Committee hereby reports out **Bill 62-33 (LS), as amended**, with the recommendation to report out.

Written Testimonies Received:

Paul Santos, *Chief of Cadastre/Guam Chief Surveyor, Department of Land Management*

(see attached written testimony)

Mr. Santos testifies in support of Bill 62-33.

John Dueñas, *President, Dueñas Camacho & Associates*

(see attached written testimony)

Mr. Dueñas testifies in support of Bill 62-33.

Kenneth Rekdahl

(see attached written testimony)

Mr. Rekdahl testifies in support of Bill 62-33.

Glenn Leon Guerrero, *Director, Department of Public Works*

(see attached written testimony)

Mr. Leon Guerrero testifies in support of Bill 62-33.

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

Bill No. 62 - 33 (LS)

Introduced by:

T. C. Ada *TC*

2015 MAR 30 AM 8:23 *TC*

**AN ACT TO AMEND § 32113(b) OF CHAPTER 32,
TITLE 22, GUAM CODE ANNOTATED, RELATIVE
TO REQUIRED EXPERIENCE FOR PROFESSIONAL
ENGINEERS, PROFESSIONAL ARCHITECTS AND
PROFESSIONAL LAND SURVEYORS, AND
CLARIFYING PROCESSES FOR APPLICANTS.**

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that § 32113 of Chapter 32, Title 22, Guam Code Annotated (aka the PEALS law)
4 requires four years of professional experience before an individual may sit for the
5 Professional Engineer examination. However, the Board of Professional Engineers,
6 Architects and Land Surveyors (PEALS) Board, finds that Subsection (b)(1)(A)
7 also requires that these four years be completed *after* an individual successfully
8 passes the Fundamentals of Engineering examination. The potential for a similar
9 interpretation also exists within Subsection (b)(5)(A), relative to the experience
10 required for the Professional Land Surveyors examination.

11 *I Liheslatura* further finds that this interpretation is inconsistent with the
12 model law and rules established by the National Council of Examiners for
13 Engineering and Sciences (NCEES), of which the Guam PEALS Board is a
14 member. The NCEES model law and rules do not restrict creditable experience to

1 begin after passing of the Fundamentals of Engineering examination or the
2 Fundamentals of Land Surveying examination. As such, and with the concurrence
3 of the Guam PEALS Board, it is the intent of *I Liheslatura* to amend the PEALS
4 law to be consistent with NCEES model law and rules. Additional amendments
5 were also made to these impacted sections, at the request of the Guam PEALS
6 Board, in order to update existing law to match current practices and standards,
7 including updates related to changes in the Intern Development Program of the
8 National Council of Architectural Registration Boards.

9 **Section 2.** §§ 32113(b)(1)(A), (B) and (C) of Chapter 32, Title 22, Guam
10 Code Annotated are hereby *amended* to read:

11 “(A) Licensure or Registration by Examination — An Engineer Intern
12 and a graduate of an engineering curriculum of four (4) years or more,
13 accredited by EAC/ABET or the equivalent, with a specific record of an
14 ~~additional~~ four (4) years or more of progressive experience on engineering
15 projects of a grade and character which indicates to the Board that the
16 applicant may be competent to practice engineering, at least one (1) year of
17 which *shall* have been under the supervision of a registered professional
18 engineer, *shall* be admitted to a current form of examination in the principles
19 and practices of engineering, and in the case of specific engineering
20 disciplines, other examinations as prescribed in the by-laws. (Upon passing
21 such examination(s), the applicant *shall* be granted a certificate of
22 registration to practice engineering on Guam, provided the applicant is
23 otherwise qualified.) Creditable experience towards the required four (4)
24 years stipulated by this Subsection shall begin at a point after graduation
25 from an engineering program accredited by EAC/ABET, or the equivalent.

26 (B) Graduation, Experience and Examination — A graduate of an
27 engineering or related science curriculum of four (4) years or more, other

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[Handwritten signatures and initials]

1 than the ones approved by the Board as being of satisfactory standing, and
2 with a specific record of eight (8) years or more of progressive experience,
3 at least two (2) years of which *shall* have been under the supervision of a
4 registered engineer on projects of a grade and character which indicates to
5 the Board that the applicant may be competent to practice engineering, and
6 having passed a current form of examination in the fundamentals of
7 engineering ~~*shall may*~~ be admitted to a ~~current form of examination in the~~
8 ~~fundamentals of engineering~~ and a current form of examination in the
9 principles and practice of engineering as prescribed in the by-laws. Upon
10 passing such examination, the applicant *shall* be granted a certificate of
11 registration to practice engineering on Guam, provided the applicant is
12 otherwise qualified.

13 (C) A Non-graduate from a Technical Curriculum — A non-graduate
14 of an engineering or related science curriculum of four (4) years or more,
15 with a specific record of three (3) years or more in such a curriculum plus
16 twelve (12) years or more of progressive experience on engineering projects,
17 four (4) years of which must have been under the supervision of a registered
18 engineer, and of which at least six (6) years have been in responsible control
19 of engineering projects of a grade and character which indicates to the Board
20 that the applicant may be competent to practice engineering, and having
21 passed a current form of examination in the fundamentals of engineering
22 ~~*shall may*~~ be admitted to a current form of examination in the ~~fundamentals~~
23 ~~of engineering~~ and the principles and practice of engineering as prescribed in
24 the by-laws. Upon passing such examination, the applicant *shall* be granted a
25 certificate of registration to practice engineering on Guam, provided the
26 applicant is otherwise qualified.”

1 **Section 3.** § 32113(b)(3) of Chapter 32, Title 22, Guam Code Annotated is
2 hereby *amended* to read:

3 “(3) As an Architect:

4 (A) Education, Experience and Examination — A graduate of an
5 NAAB accredited program from a school of architecture approved by the
6 Board as being of satisfactory standing and with at least three (3) years of
7 progressive experience satisfactory to the Board in architectural work
8 covering the major categories of architectural practice, at least two (2) years
9 of which *shall* have been under the supervision of a registered architect, and
10 having completed the Intern Development Program (IDP), *shall* be eligible
11 for a current form of examination as prescribed in the rules and regulations.
12 Upon passing such examination, the applicant *shall* be granted a certificate
13 of registration to practice architecture in Guam, if the applicant is otherwise
14 qualified.

15 (i) Effective June 1, 2009, ~~a new or inactive candidate applying~~
16 ~~to the Board for eligibility evaluation for an applicant to the Architect~~
17 ~~Registration Examination (ARE) shall, prior to registration or~~
18 ~~licensure exam eligibility, complete the Intern Development Program~~
19 (IDP) of the National Council of Architectural Registration Boards
20 (NCARB), as defined herein and in the rules and regulations set forth,
21 and the most recent or current form of IDP guidelines prepared and
22 prescribed by the NCARB. The IDP requirement does not apply to a
23 candidate who:

24 (aa) was determined by the Board to be eligible on or
25 before May 31, 2009 and who is active in the examination
26 process; or

1 (bb) has completed all the necessary education
2 equivalents prior to June 1, 2009, who has submitted a
3 completed application for eligibility evaluation to the Board
4 that is postmarked on or before May 31, 2009, and who has
5 been determined by the Board to be eligible.

6 (ii) An applicant shall obtain IDP certification upon completion
7 of the Intern Development Program and shall submit such certificate
8 with application form ~~new or inactive candidate shall submit an~~
9 ~~application form, as prescribed and furnished by the Board, and~~
10 ~~accompanied by such supporting documents required herein. Such~~
11 ~~supporting documents shall include the candidate's current and valid~~
12 ~~IDP file transmitted by NCARB.~~

13 (iii) As an applicant ~~candidate~~ acquires additional work
14 experience as required by the Board, it is the applicant's ~~candidate's~~
15 responsibility to ensure that his/her employer(s) complete
16 Employment Verification Forms covering the additional work
17 experience gained with that employer and that the forms are submitted
18 to the Board. Reporting *shall* be as per most current NCARB policies
19 and procedures.

20 (iv) ~~Completion of the IDP shall fulfill the lawful experience~~
21 ~~requirement provided in this Chapter, and in the rules and regulations.~~

22 (B) Experience and Examination – An applicant having eight (8) years
23 of architectural training or educational experience satisfactory to the Board,
24 of which a minimum of three (3) years *shall* be experience covering the
25 major categories of architectural practice under the supervision of a
26 registered architect, and having completed the Intern Development Program,
27 *shall* be eligible for a current form of examination as prescribed in the rules

1 and regulations. Upon passing such examination, the applicant *shall* be
2 granted a certificate of registration to practice architecture on Guam, if the
3 applicant is otherwise qualified.

4 (i) The requirements of § 32113(b)(3)(A)(i) through (iii) of this
5 Chapter shall also apply to this subsection § 32113(b)(3)(B).

6 (C) Licensure or Registration by Comity or Endorsement — A person
7 *shall* be licensed or registered without further examination, *if* that person:

8 (i) holds a current and valid registration issued by a registration
9 authority recognized by the Board; or

10 (ii) holds a National Council of Architectural Registration
11 Board's Record; and

12 (iii) files his application with the Board, upon a form prescribed
13 and furnished by the Board, containing such information satisfactory
14 to the Board, concerning the person, as the Board considers
15 pertinent.”

16 **Section 4.** § 32113(b)(5)(A) of Chapter 32, Title 22, Guam Code Annotated
17 is hereby *amended* to read:

18 “(A) Licensure or Registration by Examination — A Surveyor Intern with
19 a specific record of four (4) years or more of combined office and field
20 experience satisfactory to the Board, in surveying, of which a minimum of
21 three (3) years' progressive experience has been on surveying projects
22 under the supervision of a professional surveyor, *shall* be eligible to take
23 the current form of examination prepared and furnished by the NCEES in
24 the principles and practice of land surveying, and in Guam Land Matters
25 as prescribed in the by-laws. Upon passing such examination, the
26 applicant *shall* be granted a certificate of registration to practice land
27 surveying on Guam, provided the applicant is otherwise qualified.

1 Creditable experience towards the required four (4) years stipulated by
2 this Subsection may be completed at any point, prior to or after, the
3 applicant successfully passing the Fundamentals of Land Surveying
4 examination.”

5 **Section 5. Severability.** *If* any of the provisions of this law or its
6 application to any person or circumstance is found to be invalid or contrary to law,
7 such invalidity *shall not* affect other provisions or applications of this law which
8 can be given effect without the invalid provisions or application, and to this end the
9 provisions of this law are severable.

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

Bill No. 62–33 (LS)

As amended by the Committee.

Introduced by:

T. C. Ada

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8 passes the Fundamentals of Engineering examination. The potential for a similar
9 interpretation also exists within Subsection (b)(5)(A), relative to the experience
10 required for the Professional Land Surveyors examination.

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12 model law and rules established by the National Council of Examiners for
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15 projects of a grade and character which indicates to the Board that the
16 applicant may be competent to practice engineering, at least one (1) year of
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18 engineer, *shall* be admitted to a current form of examination in the principles
19 and practices of engineering, and in the case of specific engineering
20 disciplines, other examinations as prescribed in the by-laws. (Upon passing
21 such examination(s), the applicant *shall* be granted a certificate of
22 registration to practice engineering on Guam, provided the applicant is
23 otherwise qualified.) Creditable experience towards the required four (4)
24 years stipulated by this Subsection *shall* begin at a point after graduation
25 from an engineering program accredited by EAC/ABET, or the equivalent.

26 (B) Graduation, Experience and Examination — A graduate of an
27 engineering or related science curriculum of four (4) years or more, other

1 than the ones approved by the Board as being of satisfactory standing, and
2 with a specific record of eight (8) years or more of progressive experience,
3 at least two (2) years of which *shall* have been under the supervision of a
4 registered engineer on projects of a grade and character which indicates to
5 the Board that the applicant may be competent to practice engineering, and
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7 engineering ~~*shall* *may*~~ be admitted to a ~~current form of examination in the~~
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10 passing such examination, the applicant *shall* be granted a certificate of
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18 engineer, and of which at least six (6) years have been in responsible control
19 of engineering projects of a grade and character which indicates to the Board
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24 the by-laws. Upon passing such examination, the applicant *shall* be granted a
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1 **Section 3.** § 32113(b)(3) of Chapter 32, Title 22, Guam Code Annotated is
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9 of which *shall* have been under the supervision of a registered architect, and
10 having completed the Intern Development Program (IDP), *shall* be eligible
11 for a current form of examination as prescribed in the rules and regulations.
12 Upon passing such examination, the applicant *shall* be granted a certificate
13 of registration to practice architecture in Guam, if the applicant is otherwise
14 qualified.

15 (i) Effective June 1, 2009, ~~a new or inactive candidate applying~~
16 ~~to the Board for eligibility evaluation for~~ an applicant to the Architect
17 Registration Examination (ARE) *shall*, prior to ~~registration or~~
18 ~~licensure~~ exam eligibility, complete the Intern Development Program
19 (IDP) of the National Council of Architectural Registration Boards
20 (NCARB), as defined herein and in the rules and regulations set forth,
21 and the most recent or current form of IDP guidelines prepared and
22 prescribed by the NCARB. The IDP requirement does not apply to a
23 candidate who:

24 (aa) was determined by the Board to be eligible on or
25 before May 31, 2009 and who is active in the examination
26 process; or

1 (bb) has completed all the necessary education
2 equivalents prior to June 1, 2009, who has submitted a
3 completed application for eligibility evaluation to the Board
4 that is postmarked on or before May 31, 2009, and who has
5 been determined by the Board to be eligible.

6 (ii) An applicant shall obtain IDP certification upon completion
7 of the Intern Development Program and shall submit such certificate
8 with application form ~~new or inactive candidate shall submit an~~
9 ~~application form, as prescribed and furnished by the Board, and~~
10 ~~accompanied by such supporting documents required herein. Such~~
11 ~~supporting documents shall include the candidate's current and valid~~
12 ~~IDP file transmitted by NCARB.~~

13 (iii) As an applicant ~~candidate~~ acquires additional work
14 experience as required by the Board, it is the applicant's ~~candidate's~~
15 responsibility to ensure that his/her employer(s) complete
16 Employment Verification Forms covering the additional work
17 experience gained with that employer and that the forms are submitted
18 to the Board. Reporting *shall* be as per most current NCARB policies
19 and procedures.

20 (iv) ~~Completion of the IDP shall fulfill the lawful experience~~
21 ~~requirement provided in this Chapter, and in the rules and regulations.~~

22 (B) Experience and Examination – An applicant having eight (8) years
23 of architectural training or educational experience satisfactory to the Board,
24 of which a minimum of three (3) years *shall* be experience covering the
25 major categories of architectural practice under the supervision of a
26 registered architect, and having completed the Intern Development Program,
27 *shall* be eligible for a current form of examination as prescribed in the rules

1 and regulations. Upon passing such examination, the applicant *shall* be
2 granted a certificate of registration to practice architecture on Guam, if the
3 applicant is otherwise qualified.

4 (i) The requirements of § 32113(b)(3)(A)(i) through (iii) of this
5 Chapter shall also apply to this subsection § 32113(b)(3)(B).

6 (C) Licensure or Registration by Comity or Endorsement — A person
7 *shall* be licensed or registered without further examination, *if* that person:

8 (i) holds a current and valid registration issued by a registration
9 authority recognized by the Board; or

10 (ii) holds a National Council of Architectural Registration
11 Board's Record; and

12 (iii) files his application with the Board, upon a form prescribed
13 and furnished by the Board, containing such information satisfactory
14 to the Board, concerning the person, as the Board considers
15 pertinent.”

16 **Section 4.** § 32113(b)(5)(A) of Chapter 32, Title 22, Guam Code Annotated
17 is hereby *amended* to read:

18 “(A) Licensure or Registration by Examination — A Surveyor Intern with
19 a specific record of four (4) years or more of combined office and field
20 experience satisfactory to the Board, in surveying, of which a minimum of
21 three (3) years' progressive experience has been on surveying projects
22 under the supervision of a professional surveyor, *shall* be eligible to take
23 the current form of examination prepared and furnished by the NCEES in
24 the principles and practice of land surveying, and in Guam Land Matters
25 as prescribed in the by-laws. Upon passing such examination, the
26 applicant *shall* be granted a certificate of registration to practice land
27 surveying on Guam, provided the applicant is otherwise qualified.

1 Creditable experience towards the required four (4) years stipulated by
2 this Subsection may be completed at any point, prior to or after, the
3 applicant successfully passes the Fundamentals of Land Surveying
4 examination. The Board may require additional information, including an
5 oral interview to verify and confirm that the experience requirements
6 under a professional land surveyor have been met.”

7 **Section 5. Severability.** *If* any of the provisions of this law or its
8 application to any person or circumstance is found to be invalid or contrary to law,
9 such invalidity *shall not* affect other provisions or applications of this law which
10 can be given effect without the invalid provisions or application, and to this end the
11 provisions of this law are severable.

Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement

Public Hearing

April 06, 2015

9:00 a.m.

/ Liheslaturan Guåhan, Hagåtña

Bill 62-33 (LS) T.C. Ada

An act to amend § 32113(b) of Chapter 32, Title 22, Guam Code Annotated, relative to required experiences for Professional Engineers, Professional Architects and Professional Land Surveyors, and clarifying processes for applicants.

NAME (please print)	AGENCY/ ORGANIZATION	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	NOT IN FAVOR	CONTACT NUMBER
PAUL SANTOS	LAND MGT	✓	✓			649-5381
John Duenas	Duenas Camacho	✓	✓	✓		777-4445
TOM CAMACHO	" "	✓	✗			727-6211 477 7991
KEVIN DELGADO	" "		✓			477-7991
WILLIAM GILMAN	PUBLIC	✓				488-1867



DIPATTAMENTON MINANEHAN TANO'
 (Department of Land Management)
GUBETNAMENTON GUAHAN
 (Government of Guam)



EDDIE BAZA CALVO
 Governor

RAY TENORIO
 Lieutenant Governor

MICHAEL J.B. BORJA
 Director

DAVID V. CAMACHO
 Deputy Director

Street Address:
 590 S. Marine Corps Drive
 Suite 733 ITC Building
 Tamuning, GU 96913

Mailing Address:
 P.O. Box 2950
 Hagåtña, GU 96932

Website:
<http://dlm.guam.gov>

E-mail Address:
dldir@land.guam.gov

Telephone:
 671-649-LAND (5263)

Facsimile:
 671-649-5383

April 3, 2015

Senator Thomas C. Ada
 33rd Guam Legislature
 Chairman, Committee on Transportation,
 Infrastructure, Lands, Border Protection,
 Veteran's Affairs and Procurement
 173 Aspinall Ave, Ste 207
 Hagatna, Guam 96910

SUBJECT: Testimony on Bill No. 62-33 (LS) – AN ACT TO AMEND §32113 (b) OF CHAPTER 32, TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO REQUIRED EXPERIENCE FOR PROFESSIONAL ENGINEERS, PROFESSIONAL ARCHITECTS AND PROFESSIONAL LAND SURVEYORS, AND CLARIFYING PROCESSES FOR APPLICANTS.

Buenas yan Hafa Adai!

I am in support of the intent of Bill No. 62-33(LS), "An Act to Amend §32113(b) of Chapter 32, Title 22, Guam Code Annotated, Relative to Required Experience for Professional Engineers, Professional Architects and Professional Land Surveyors, and Clarifying Processes for Applicants." However, surveying requires strong mentorship, i.e., experience gained under a professional land surveyor is essential in order to obtain the professional judgment and maturity required in property surveying. I request that this additional language in the bill be inserted on page 6, line 25:

"The Board may require additional information, including an oral interview to verify and confirm that the experience requirements under a professional land surveyor have been met."

In addition, I ask that you correct the following:

- a. Page 1, line 13: *I Liheslaturan* further finds that this interpretation is inconsistent with the model law and rules established by the National Council of Examiners for Engineering and Sciences....**change Sciences to Surveying.**



- b. Page 7, line 3: Creditable experience towards the required four (4) years stipulated by this Subsection may be completed at any point, prior to or after, the applicant passing....change passing to *passes* the Fundamentals of Land Surveying Examination.

Thank you for allowing me to submit this testimony.



PAUL L. SANTOS, P.L.S. No. 68
Chief of Cadastre/Guam Chief Surveyor

Concurred By:



MICHAEL J. B. BORJA
Director, Department of Land Management

April 6, 2015

**Attn: Senator Thomas C. Ada
Vice- Chairperson Assistant Majority Leader**

RE: Testimony in Support of Bill No. ~~63~~⁶²-33 (LS)

Hafa Adai,

I am writing in support to all the revisions in the referenced bill as shown in the version dated March 30, 2015. I have been registered as a professional engineer on Guam since 2007 and have been working as an engineer on Guam for over twelve years.

The revisions, as shown, will greatly help many of Guam's up and coming professionals in the field of engineering and obviate undue strain on current and future applicants for the professional engineering exam.

It is also my position that these revisions will provide clarity so that the PEALS board may oversee our profession without ambiguity.

Thank you for your ongoing support to our profession.

Sincerely,



Kenneth M. Rekdahl, PE
License No. 1321, Civil

P.O. Box 4393
Hagatna Guam, 96932

671-689-6724



The Honorable
EDDIE BAZA CALVO
Governor

The Honorable
RAY TENORIO
Lieutenant Governor



GLENN LEON GUERRERO
Director

FELIX C. BENAVENTE
Deputy Director

April 6, 2015

**Honorable Senator Thomas C. Ada
Committee on Transportation, Infrastructure,
Lands, Border Protection, Veteran's Affairs
And Procurement
I Mina'trentai Tres Na Liheslaturan Guahan
Hagåtña, Guam 96910**

Re: Bill 62-33

Dear Honorable Senator Ada,


Hafa adai, my name is Glenn A. Leon Guerrero. I am the Director of the Department of Public Works (DPW) and would like to thank you for the opportunity to testify in support of Bill 62-33 (LS).

AN ACT TO AMEND § 32113(b) OF CHAPTER 32, TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO REQUIRED EXPERIENCE FOR PROFESSIONAL ENGINEERS, PROFESSIONAL ARCHITECTS AND PROFESSIONAL LAND SURVEYORS, AND CLARIFYING PROCESSES FOR APPLICANTS

This bill was developed in conjunction with the Guam PEALS Board and prior DPW director Carl Domínguez. Bill 62-33 does not diminish the standards required to qualify a professional engineer, architect or land surveyor. As stated, this bill aligns Guam Law with the National Council of Examiners for Engineering and Sciences (NCEES) and clarifies the creditable experiences needed to acquire professional license. Therefore, DPW supports the passage of Bill 62-33.

Again thank you for the opportunity to testify before your committee.

Respectfully submitted,


Glenn Leon Guerrero
Director
Department of Public Works

Apr 4/06/15 3:45pm
RECEIVED by the
Office of Senator
Thomas C. Ada

April 6, 2015

Senator Rory J. Respicio
Chairman, Committee on Rules
Senator Tom C. Ada, Vice Chairman
32nd Guam Legislature
Ada Plaza Center, Suite 207
173 Aspinall Avenue
Hagatna, GU 96910

**Subject: Professional Engineers, Architects and Land Surveyors (PEALS) Law Modifications
To Address Creditable Professional Experience**

Re: Bill No. 62-33(LS)

Hafa Adai Senator Respicio and Ada:

I wish to testify in support of Bill No. 62-33. The PEALS Board (Professional Engineer Architects and Land Surveyors Board) has for the past several years consistently denied eligibility of applicants wanting to sit for the Professional Engineer Examination based on their interpretation of the PEALS Law. Section 32113 of 22 GCA, Chapter 32 was referenced to support the PEALS decision. Without any change to the current law, the PEALS Board also intends to apply this interpretation to applications from Survey Interns wanting to sit for the Professional Land Surveyor Examination.

PEALS Board decisions for not qualifying certain applicants for the PE Examination was reasoned to be *insufficient engineering experience "after" successfully passing the Fundamentals of Engineering (FE) examination*. What I believe had influenced the Board's interpretation of creditable experience seems to be the expression "an additional" preceding "four (4) YEARS or more of progressive experience..." in Section 32113. In other words, the PEALS Board currently recognizes as "creditable" only the experience [a minimum of four (4)] obtained *after* a candidate successfully passes the FE examination. In my opinion as well as those of most of my peers, the referenced Section does not specifically state a time at which the additional four (4) years of required engineering experience is to be considered creditable as is defined by the Guam PEALS Board in obtaining licensure. In fact, Section VII of the "rules and regulations" defines experience during evaluation as "only work of an engineering nature which following graduation is creditable." Therefore, engineering experience gained prior to the applicant receiving an Engineer Intern certificate must be considered. Nevertheless, the PEALS Board seems to have qualified that creditable experience can only be obtained *after* a candidate successfully passes the FE Examination.

We believe Section 32113 of 22 GCA, Chapter 32 has been misinterpreted. It is my understanding that the steps prior to being accepted to sit for the professional engineering examination are not sequential after receiving a Bachelors of Science in Civil Engineering from

April 6, 2015

an ABET (Accreditation Board for Engineering and Technology) accredited institution. The PEALS law is also inconsistent with regard to engineering experience considered for those applicants graduating from a Non-ABET accredited institution. In fact, ironically, the same applicant would qualify to sit for the PE Examination if he or she graduated from a Non-ABET accredited institution instead of an ABET accredited institution.

Apparently, the Board intends to apply this reasoning when reviewing applications for the PLS Examination as well, although the wording under Paragraph (5) (A) for Land Surveyor is different.

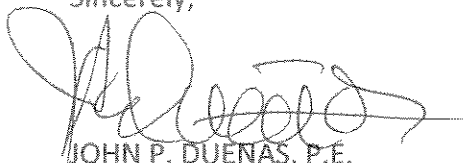
The impact of this interpretation unfairly prolongs the ability of an Engineer Intern or a Survey Intern to pursue professional licensure in complete disregard for actual work experience prior to taking and passing the Fundamentals examination.

I understand that the Guam PEAL's Law and Rules were created to emulate the NCEES Model Laws and Model Rules. In fact, Guam is a member of the NCEES organization. NCEES does not state that creditable experience shall be accrued only after successful completion of the Fundamentals examination. In fact, we know of no other jurisdiction within the United States and Territories that determines creditable PE and PLS experience as does the Guam PEALS Board.

The PEALS Board has admitted to the inconsistencies of the PEALS Law and has collaborated with your (Senator Ada's) staff in drafting this legislation.

I urge the Legislature to pass this bill as soon as possible as it currently affects numerous Engineer and Surveyor Intern applicants.

Sincerely,



JOHN P. DUENAS, P.E.

President



COMMITTEE ON RULES

I Mina'trentai Tres na Liheslaturan Guåhan • The 33rd Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
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Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

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

Vice-Speaker
Benjamin J.F. Cruz
Member

Legislative Secretary
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Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

Senator
Nerissa Bretania Underwood
Member

V. Anthony Ada
MINORITY LEADER

Mary C. Torres
MINORITY MEMBER

Certification of Waiver of Fiscal Note Requirement

This is to certify that the Committee on Rules submitted to the Bureau of Budget and Management Research (BBMR) a request for a fiscal note, or applicable waiver, on **Bill No. 62-33 (LS) – T.C. Ada, "AN ACT TO AMEND §32113(b) OF CHAPTER 32, TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO REQUIRED EXPERIENCE FOR PROFESSIONAL ENGINEERS, PROFESSIONAL ARCHITECTS AND PROFESSIONAL LAND SURVEYORS, AND CLARIFYING PROCESSES FOR APPLICANTS."**– on March 31, 2015. COR hereby certifies that BBMR confirmed receipt of this request March 31, 2015 at 1:24 P.M.

COR further certifies that a response to this request was not received. **Therefore, pursuant to 2 GCA §9105, the requirement for a fiscal note, or waiver thereof, on Bill 62-33 (LS) to be included in the committee report on said bill, is hereby waived.**

Certified by:

Senator Rory J. Respicio
Chairperson, Committee on Rules

April 24, 2015

Date



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

Senator

Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Speaker

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

Vice-Speaker

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Legislative Secretary

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Member

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Michael F.Q. San Nicolas
Member

Senator

Nerissa Bretania Underwood
Member

V. Anthony Ada

MINORITY LEADER

Mary C. Torres

MINORITY MEMBER

March 31, 2015

VIA E-MAIL

joey.calvo@bbmr.guam.gov

Jose S. Calvo

Acting Director

Bureau of Budget & Management Research

P.O. Box 2950

Hagåtña, Guam 96910

RE: Request for Fiscal Notes– Bill Nos. 61-33(COR) through 65-33(COR)

Hafa Adai Mr. Calvo:

Transmitted herewith is a listing of *I Mina'trentai Tres Na Liheslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

Si Yu'os ma'åse' for your attention to this matter.

Very Truly Yours,

Senator Rory J. Respicio

Chairperson of the Committee on Rules

Attachment (1)

Cc: Clerk of the Legislature

Bill Nos.	Sponsor	Title
61-33 (COR)	B. J.F. Cruz	AN ACT TO AMEND §28105 OF ARTICLE 1, §28201 OF ARTICLE 2, § 28301 OF ARTICLE 3, AND §§ 28401 AND 28404 OF ARTICLE 4 OF CHAPTER 28, TITLE 17 OF THE GUAM CODE ANNOTATED; RELATIVE TO THE PARTICIPATION OF QUALIFIED NON-IMMIGRANT ALIENS ADMITTED UNDER THE COMPACTS OF FREE ASSOCIATION ADMITTED IN STUDENT FINANCIAL ASSISTANCE PROGRAMS FOR HIGHER EDUCATION.
62-33 (LS)	T. C. Ada	AN ACT TO AMEND §32113(b) OF CHAPTER 32, TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO REQUIRED EXPERIENCE FOR PROFESSIONAL ENGINEERS, PROFESSIONAL ARCHITECTS AND PROFESSIONAL LAND SURVEYORS, AND CLARIFYING PROCESSES FOR APPLICANTS.
63-33 (LS)	T. C. Ada	AN ACT TO ADD A NEW SUBSECTION (yy) TO §1102 OF CHAPTER 1, TITLE 16, GUAM CODE ANNOTATED, AND TO AMEND §26104(c) OF CHAPTER 26, TITLE 16 GUAM CODE ANNOTATED, RELATIVE TO ADDING LIMOUSINES TO DEFINITIONS AND EXEMPTIONS.
64-33 (COR)	Tommy A. Morrison V. A. Ada T. R. Muña Barnes	AN ACT TO ADD A NEW ARTICLE 3 TO CHAPTER 40 OF 5GCA RELATIVE TO PROVIDING PUBLIC BROADBAND INTERNET SERVICES IN VILLAGE COMMUNITY CENTERS.
65-33 (COR)	B. J.F. Cruz	AN ACT TO AMEND §§ 66102 AND 66104.2 OF CHAPTER 66, TITLE 10 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE PARTICIPATION OF NON-IMMIGRANT ALIENS ADMITTED UNDER THE COMPACTS OF FREE ASSOCIATION IN THE CIVILIAN VOLUNTEER POLICE RESERVE.



COMMITTEE ON RULES

I Mina'trentai Tres na Liheslaturan Guåhan • The 33rd Guam Legislature

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V. Anthony Ada

MINORITY LEADER

Mary C. Torres

MINORITY MEMBER

March 30, 2015

MEMORANDUM

To: Rennae Meno
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

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

Subject: Referral of Bill No. 62-33(LS)

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 62-33(LS)**.

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

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
62-33 (LS)	T. C. Ada	AN ACT TO AMEND §32113(b) OF CHAPTER 32, TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO REQUIRED EXPERIENCE FOR PROFESSIONAL ENGINEERS, PROFESSIONAL ARCHITECTS AND PROFESSIONAL LAND SURVEYORS, AND CLARIFYING PROCESSES FOR APPLICANTS.	3/30/15 8:23 a.m.	03/30/15	Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affairs and Procurement			



Senator Tom Ada

Charlene Flores <flores@senatorada.org>

1st Notice of Public Hearing: April 6, 2015 at 9:00am and 1:30pm.

Charlene Flores <flores@senatorada.org>

Mon, Mar 30, 2015 at 11:45 AM

To: Media <media@senatorada.org>, phnotice@guamlegislature.org, phmaterials@guamlegislature.org, Eric Palacios <eric.palacios@epa.guam.gov>, Conchita San Nicolas Taitano <conchita.taitano@epa.guam.gov>, vincent.pereira@epa.guam.gov, michael.omallan@epa.guam.gov, don.quinata@epa.guam.gov, william.austin@fe.navy.mil, jbenavente@gpagwa.com, mcamacho@gpagwa.com, gbotha@gpagwa.com, rwegand@gpagwa.com, David Leddy <dleddy@guamchamber.com.gu>, ccastro@guamchamber.com.gu, rdelgado@guamchamber.com.gu, info@ghra.org, bill.ada@ipehq.com, catherine.leonguerrero@exxonmobil.com, ddean@sppcorp.com, jbrown@portguam.com, frpangelinan@portguam.com, thomas@guamwaterworks.org, annborja@guamwaterworks.org, staylor@guamwaterworks.net, heidi@guamwaterworks.org, joseph.verga@gmha.org, Glenn LG <glenn.leonguerrero@dpw.guam.gov>, eleanor.borja@dpw.guam.gov, jessie.pelican@dpw.guam.gov, Maria Flores <maria.flores@revtax.guam.gov>, john.camacho@revtax.guam.gov, Simon Sanchez <gdcmgr@ite.net>, lsablan@gpagwa.com, jtduenas@hotmail.com, jeffcharjohnson@hotmail.com, horeckylaw@teleguam.net, horecky@ite.net, ndynvn@yahoo.com, Lou Palomo <lpalomo@guampuc.com>, Marie Villanueva <marie@guam-peals.org>, Tammy Bamba <tammy.bamba@grta.guam.gov>, rick.agustin@grta.guam.gov, teresa.topasna@land.guam.gov, Ronnie Santos <ronnie.santos@clb.guam.gov>, michael.borja@land.guam.gov, dlmdir@land.guam.gov, david.camacho@land.guam.gov, dfbrooks@guamopa.org, jngo@ozemail.com.au, raunderwood@uguam.uog.edu, jpeterson@uguam.uog.edu, lmtoves@uguam.uog.edu, raymond.blas@dpr.guam.gov, pedro.leonguerrero@cqa.guam.gov, raffaele.sgambelluri@cqa.guam.gov, briana.roberto@cqa.guam.gov, benny.m.paulino@us.army.mil, johnny.lizama@ang.af.mil, john.unpingco@gvao.guam.gov, chuck.ada@guamairport.net, peterroy@guamairport.net, rosieb@guamairport.net, Chace Anderson <candersongbb@gmail.com>, Alicia Fejeran <avfejeran@gmail.com>, csr@guamcell.net, Clayton Duvall <clayton4gppc@hotmail.com>, Chris Felix <felix@guam.net>, rjdguzman@hotmail.com, mail@cmlaw.us, claudia.acfalle@gsa.guam.gov, superintendent@gdoe.net, racruz@gtrf.com, djtydingco@gta.net, jkriegel@docomopacific.com, jlai@docomopacific.com, Richard Yu <richard.yu@choicephonellc.com>, Rene Lao <rene.lao@choicephonellc.com>, john.compton@itehq.net, mcogadmin@teleguam.net

March 30, 2015

MEMORANDUM

To: All Senators, Media, and Stakeholders

Fr: Senator Thomas C. Ada, *Chairperson*Subject: **1st Notice of Public Hearing: April 6, 2015 at 9:00am and 1:30pm.**

Please be advised that the Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affair, and Procurement will be conducting a public hearing on **Monday, April 6, 2015 at 9:00am and 1:30 p.m.** This meeting will take place in the public hearing room of *Liheslaturan Guahan*. The agenda is as follows:

9:00 a.m.**Bill No. 33-33(COR) - T.R. Muña Barnes**

An act to rezone Lot No. 5228-R4-R2-1, Barrigada, Guam, from Agricultural Zone (A) to Commercial Zone (C).

Bill No. 55-33(COR) -T.R. Muña Barnes

An act to approve the lease between the Government of Guam and the Palauan Community Association of Guam.

Bill No. 57-33(LS) - F.F. Blas, Jr.

An act to add paragraphs (i) and (j) to §40128, Division 4, Chapter 40, Title 5 Guam Code Annotated, and to authorize the Director of the Department of Land Management to include the Mayors in their zoning and construction forms.

Bill No. 62-33 (LS) – T.C. Ada

An act to amend § 32113(b) of Chapter 32, Title 22, Guam Code Annotated, relative to required experience for Professional Engineers, Professional Architects and Professional Land Surveyors, and clarifying processes for applicants.

Bill No. 63-33 (LS) – T.C. Ada

An act to *add* a new subsection (yy) to § 1102 of Chapter 1, Title 16, Guam Code Annotated, and to *amend* § 26104(c) of Chapter 26, Title 16 Guam Code Annotated, relative to adding limousines to definitions and exemptions.

1:30 p.m.

The Executive Appointment of Colonel Roderick Leon Guerrero to serve as the Adjutant General of the Department of Military Affairs.

The Executive Appointment of Mr. Tae S. Oh to serve as a member of the Guam Land Use Commission.

Testimony on Bill No. 33-33(COR), Bill No. 55-55(COR), Bill No. 57-33(LS), Bill No. 62-33 (LS), Bill No. 63-33 (LS) and the Executive Appointment of Colonel Roderick Leon Guerrero and Mr. Tae S. Oh should be addressed to Senator Thomas C. Ada, Chairperson, and will be accepted via hand delivery to our office, our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96932, via email to office@senatorada.org, or via facsimile to (671) 473-3303 until **Monday, April 13, 2015 at 5:00pm**. Individuals

requiring special accommodations, auxiliary aids, or services should submit their request to Charlene Flores at 473-3301. Please feel free to contact my office should you have any questions or concerns.

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Charlene Flores

Policy Analyst

Office of Senator Thomas C. Ada

I Mina'trentai Tres na Liheslaturan Guåhan - 33rd Guam Legislature

671-473-3301



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Senator Tom Ada

Charlene Flores <flores@senatorada.org>

2nd Notice of Public Hearing: April 6, 2015 at 9:00am and 1:30pm.

Charlene Flores <flores@senatorada.org>

Thu, Apr 2, 2015 at 8:31 AM

To: Media <media@senatorada.org>, phnotice@guamlegislature.org, phmaterials@guamlegislature.org, Eric Palacios <eric.palacios@epa.guam.gov>, Conchita San Nicolas Taitano <conchita.taitano@epa.guam.gov>, vincent.pereira@epa.guam.gov, michael.omallan@epa.guam.gov, don.quinata@epa.guam.gov, william.austin@fe.navy.mil, jbenavente@gpagwa.com, mcamacho@gpagwa.com, gbotha@gpagwa.com, rwegand@gpagwa.com, David Leddy <dleddy@guamchamber.com.gu>, ccastro@guamchamber.com.gu, rdelgado@guamchamber.com.gu, info@ghra.org, bill.ada@ipehq.com, catherine.leonguerrero@exxonmobil.com, ddean@sppcorp.com, jbrown@portguam.com, frpangelinan@portguam.com, thomas@guamwaterworks.org, annborja@guamwaterworks.org, staylor@guamwaterworks.net, heidi@guamwaterworks.org, joseph.verga@gmha.org, Glenn LG <glenn.leonguerrero@dpw.guam.gov>, eleanor.borja@dpw.guam.gov, jessie.pelican@dpw.guam.gov, Maria Flores <maria.flores@revtax.guam.gov>, john.camacho@revtax.guam.gov, Simon Sanchez <gdcmgr@ite.net>, Isablan@gpagwa.com, jtduenas@hotmail.com, jeffcharjohnson@hotmail.com, horeckylaw@teleguam.net, horecky@ite.net, ndynvn@yahoo.com, Lou Palomo <lpalomo@guampuc.com>, Marie Villanueva <marie@guam-peals.org>, Tammy Bamba <tammy.bamba@grta.guam.gov>, weezierivera@hotmail.com, rick.agustin@grta.guam.gov, teresa.topasna@land.guam.gov, Ronnie Santos <ronnie.santos@clb.guam.gov>, michael.borja@land.guam.gov, dlmdir@land.guam.gov, david.camacho@land.guam.gov, dfbrooks@guamopa.org, jngoza@ozemail.com.au, raunderwood@uguam.uog.edu, jpeterson@uguam.uog.edu, lmtoves@uguam.uog.edu, raymond.blas@dpr.guam.gov, pedro.leonguerrero@cqa.guam.gov, raffaele.sgambelluri@cqa.guam.gov, briana.roberto@cqa.guam.gov, benny.m.paulino@us.army.mil, johnny.lizama@ang.af.mil, john.unpingco@gvao.guam.gov, chuck.ada@guamairport.net, peterroy@guamairport.net, rosieb@guamairport.net, Chace Anderson <candersongbb@gmail.com>, Alicia Fejeran <avfejeran@gmail.com>, csr@guamcell.net, Clayton Duvall <clayton4gppc@hotmail.com>, Chris Felix <felix@guam.net>, rjdguzman@hotmail.com, mail@cmlaw.us, claudia.acfalle@gsa.guam.gov, superintendent@gdoe.net, racruz@gtrf.com, djtydingco@gta.net, jkriegel@docomopacific.com, jlai@docomopacific.com, Richard Yu <richard.yu@choicephonellc.com>, Rene Lao <rene.lao@choicephonellc.com>, john.compton@itehq.net, mcogadmin@teleguam.net, bmomayor@teleguam.net, MELISSA SAVARES <melissa.savares@gmail.com>, tae@teleguam.net, roderick.leonguerrero.mil@mail.mil, rodericklionwarrior@icloud.com

April 2, 2015

MEMORANDUM

To: All Senators, Media, and Stakeholders

Fr: Senator Thomas C. Ada, *Chairperson*

Subject: **2nd Notice of Public Hearing: April 6, 2015 at 9:00am and 1:30pm.**

Please be advised that the Committee on Transportation, Infrastructure, Lands, Border Protection, Veterans' Affair, and Procurement will be conducting a public hearing on **Monday, April 6, 2015 at 9:00am and 1:30 p.m.** This meeting will take place in the public hearing room of *Li Hieslaturan Guahan*. The agenda is as follows:

9:00 a.m.**Bill No. 33-33(COR) - T.R. Muña Barnes**

An act to rezone Lot No. 5228-R4-R2-1, Barrigada, Guam, from Agricultural Zone (A) to Commercial Zone (C).

Bill No. 55-33(COR) -T.R. Muña Barnes

An act to approve the lease between the Government of Guam and the Palauan Community Association of Guam.

Bill No. 57-33(LS) - F.F. Blas, Jr.

An act to add paragraphs (i) and (j) to §40128, Division 4, Chapter 40, Title 5 Guam Code Annotated, and to authorize the Director of the Department of Land Management to include the Mayors in their zoning and construction forms.

Bill No. 62-33 (LS) – T.C. Ada

An act to amend § 32113(b) of Chapter 32, Title 22, Guam Code Annotated, relative to required experience for Professional Engineers, Professional Architects and Professional Land Surveyors, and clarifying processes for applicants.

Bill No. 63-33 (LS) – T.C. Ada

An act to *add* a new subsection (yy) to § 1102 of Chapter 1, Title 16, Guam Code Annotated, and to *amend* § 26104(c) of Chapter 26, Title 16 Guam Code Annotated, relative to adding limousines to definitions and exemptions.

1:30 p.m.

The Executive Appointment of Colonel Roderick R. Leon Guerrero to serve as the Adjutant General of the Department of Military Affairs.

The Executive Appointment of Mr. Tae S. Oh to serve as a member of the Guam Land Use Commission.

Testimony on Bill No. 33-33(COR), Bill No. 55-55(COR), Bill No. 57-33(LS), Bill No. 62-33 (LS), Bill No. 63-33 (LS), the Executive Appointment of Colonel Roderick R. Leon Guerrero and the Executive Appointment of Mr. Tae S. Oh should be addressed to Senator Thomas C. Ada, Chairperson, and will be accepted via hand delivery to our office, our mailbox at the Main Legislature Building at 155 Hesler Place, Hagåtña, Guam 96932, via email to office@senatorada.org, or via facsimile to (671) 473-3303 until **Monday, April 13, 2015 at 5:00pm**. Individuals requiring special accommodations, auxiliary aids, or services should submit their request to Charlene

Flores at 473-3301. Please feel free to contact my office should you have any questions or concerns.

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Charlene Flores

Policy Analyst

Office of Senator Thomas C. Ada

I Mina'trentai Tres na Libeslaturan Guåhan - 33rd Guam Legislature

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Updated as of March 25, 2015

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Updated as of March 25, 2015

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Updated as of March 25, 2015

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Sen. Thomas Ada

Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement
I Mina Trentai Tres Na Libeslaturan Guahan • 33rd Guam Legislature

AGENDA **PUBLIC HEARING** **Monday, April 6, 2015** **Public Hearing Room, *I Liheslaturan Guahan***

The agenda is as follows:

9:00 a.m.

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Sen. Thomas Ada

Chairman

Committee on Transportation, Infrastructure, Lands,
Border Protection, Veterans' Affairs and Procurement
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PRESS RELEASE

Contact: Cyrus Luhr
Phone: 473-3301
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FOR IMMEDIATE RELEASE

Senator Tom Ada Introduces Bill to Change Experience Requirements for Professional Engineers and Land Surveyors

Hagåtña, Guam: On Monday, March 30, 2015, Senator Tom Ada introduced Bill 62-33 (LS), an act to change experience requirements for Professional Engineers and Land Surveyors.

Guam law currently requires four years of professional experience before an individual may be eligible to take the Professional Engineer (PE) examination. This prerequisite follows standards established by the National Council of Examiners for Engineering and Sciences (NCEES).

However, the Guam Board of Professional Engineers, Architects and Land Surveyors (PEALS Board), which oversees administration of the examination, finds that the wording of local law requires that these four years of creditable experience begin only after an individual has taken and passed the Fundamentals of Engineering (FE) examination.

“Ideally, an individual would take the Fundamentals of Engineering examination immediately upon graduating from college, and then, after a few years of experience, go on to take the Professional Engineer examination. However, there may be circumstances when this is not possible because the individual is fully engaged as a junior engineer, and they would begin accruing their professional experience prior to taking the FE exam”, Senator Ada said.

Guam law currently contradicts the standards established by NCEES, which does not require passage of the FE examination before one begins accruing the mandated four years of experience. “Unfortunately, the wording of current law has, to date, prevented otherwise qualified and deserving individuals from completing their professional credentialing requirements to become a registered Professional Engineer in a timely manner,” said Senator Tom Ada.

Bill 62-33 amends local law to match standards established by NCEES, by clarifying that the four years of required experience may begin accruing at any point in a candidates engineering career prior to taking the PE examination. “The intent of the law has always been to match national standards,” said Senator Tom Ada, “and the PEALS Board is supportive of this change.” He continued, “by updating the wording of the law to eliminate any points of confusion, Bill 62-33 allows the PEALS Board to better administer the Professional Engineers examination and to meet the standards set by NCEES.” The Guam PEALS Board is a member of NCEES.

Bill 62-33 also amends local law related to the experience requirement for taking the Professional Land Surveyors examination. While this requirement has not been yet been challenged, Bill 62-33 anticipates the potential for similar issues within this section of law, and proactively amends it to clearly match the standards set forth by NCEES.

Lastly, Guam law requires applicants to pass the Intern Development Program (IDP) of the National Council of Architectural Registration Boards before becoming a Professional Architect. Because the IDP process has been updated on the national level, the Guam PEALS Board has requested that Bill 62-33 incorporate corresponding updates in Guam law. These minor amendments were included in the legislation.

A copy of Bill 62-33 (LS) may be downloaded from Senator Tom Ada’s website (www.senatorada.org) and the Guam Legislature Website. For more information, please contact Senator Tom Ada’s office at 473-3301.

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