



Office of the Governor of Guam

P.O. Box 2950 Hagåtña, Guam 96932
TEL: (671) 472-8931 • FAX: (671) 477-4826 • EMAIL: governor@mail.gov.gu

Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

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

Dear Speaker Won Pat:

Transmitted herewith is Bill No. 360 (EC) AN ACT TO ADD NEW §18115.1 AND §18124.1 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 PROVIDE FOR ADDITIONAL FUNDS TO BE DEPOSITED INTO THE HEALTH PROFESSIONAL LICENSURE FUND FOR USE BY THE BARBERING AND COSMETOLOGY BOARD, which I signed into law on January 8, 2009 as Public Law 29-131.

Bill No. 360 (EC) helps promote Japanese weddings by allowing cosmetologists to provide services not currently available here. The bill not only allows individuals with this experience to bring their talents from Japan to our island, but also requires those individuals to train Guam residents to offer their specialized services.

Unfortunately, I must note two problems that I hope I Liheslatura will address. Section 18115.1 does not specify what type of Japanese license these individuals must have when applying for a Guam cosmetology license. Additionally, this law seems to give preference to Japanese nationals as only individuals who hold a "license issued by the Government of Japan" may take advantage of these provisions. In drafting these laws I Liheslatura should be sensitive in not creating laws that may discriminate based on national origin and recognize that other nationals, i.e. people from the Philippines or Korea, may possess the requisite skills, talent, and expertise that are required and the mere fact that they did not obtain an unspecified license from Japan should not prevent them from enjoying the same benefits.

Sins eru yan Magåhet,

[Handwritten signature of Felix P. Camacho]

FELIX P. CAMACHO
I Maga'låhen Guåhan
Governor of Guam

Attachment: copy of Bill

0303

2009 MAR -5 AM 9:13

04 MAR 2009

30-09-0300

Office of the Speaker
Judith T. Won Pat, Ed. D.

Date 3/04/09
Time 4:40
Received by [Signature]

[Handwritten initials]

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

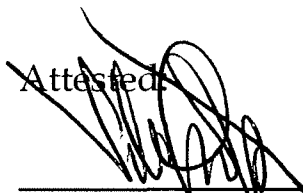
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Substitute Bill No. 360 (EC), "AN ACT TO ADD NEW §18115.1 AND §18124.1 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 PROVIDE FOR ADDITIONAL FUNDS TO BE DEPOSITED INTO THE HEALTH PROFESSIONAL LICENSURE FUND FOR USE BY THE BARBERING AND COSMETOLOGY BOARD,"** was on the 23rd day of December, 2008, duly and regularly passed.



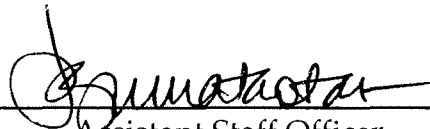
Judith T. Won Pat, Ed. D.
Speaker

Attested:



Tina Rose Muña Barnes
Senator and Secretary of the Legislature

This Act was received by *I Maga'lahaen Guåhan* this 31 day of Dec, 2008, at
3:10 o'clock P.M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:



FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: 8 JAN. 2009

Public Law No. 29-131

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

Bill No. 360 (EC)

As substituted by the Committee on
Health, Human Services and
Homeland Security and as amended.

Introduced by:

E. J. B. Calvo
Frank F. Blas, Jr.
B. J.F. Cruz
James V. Espaldon
Mark Forbes
Judith P. Guthertz, DPA
Frank T. Ishizaki
J. A. Lujan
Tina Rose Muña Barnes
A. B. Palacios, Sr.
v. c. pangelinan
R. J. Respicio
Dr. David L.G. Shimizu
Ray Tenorio
Judith T. Won Pat, Ed.D.

AN ACT TO *ADD* NEW §18115.1 AND §18124.1 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 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

1 to get married, thereby spurring the growth of the wedding industry on Guam. The
2 growth of the wedding industry on Guam provides many benefits to the Territory. It
3 results in the growth of local employment, the construction of wedding chapels and
4 related facilities, the infusion of capital into the local economy, the increase of
5 government revenues, the overall growth of tourism and the enhancement of Guam's
6 image as a first class destination. Although Japanese brides are choosing to get
7 married on Guam, many of them still desire to have their hair and make-up, as well as
8 the hair and make-up of members of their wedding party, done according to the
9 traditional Japanese custom and Japanese styles. The preparation of the hair and
10 make-up of brides and members of their wedding party, in accordance with traditional
11 Japanese custom and Japanese styles, is a very specialized art requiring specialized
12 skills and experience. Accordingly, there is a need on Guam for licensed
13 cosmetologists and professionals from Japan trained in the art of preparing the head,
14 hair, and makeup of Japanese brides and members of their wedding party pursuant to
15 traditional Japanese custom and Japanese styles. *I Liheslaturan Guåhan* recognizes
16 that in order to provide visitors with the ability to have their hair and makeup done in
17 accordance with the traditional Japanese custom and receive other related treatment, it
18 is necessary to allow cosmetologists and trained professionals who are licensed in
19 Japan to come to Guam to work in local bridal boutiques and head spas. *I*
20 *Liheslaturan Guåhan* finds that such Japanese licensed cosmetologists and
21 professionals will contribute to Guam's economy as mentioned above and will also
22 contribute to the training of local cosmetologists in the art of traditional Japanese
23 bridal hair and makeup and head spa treatment. Accordingly, in order to foster and
24 support the growing wedding industry and tourism on Guam, *I Liheslaturan Guåhan*
25 finds that Japanese licensed cosmetologists should be allowed to obtain, on a limited
26 basis, a Guam counterpart license based on their current license in Japan.

1 **Section 2.** A new §18115.1 is hereby *added* to Chapter 18 of Title 10 of the
2 Guam Code Annotated, to read as follows:

3 **“§18115.1. Eligibility and Qualification for Japanese Licensed**
4 **Cosmetologist.** An applicant who holds a current and unrestricted license
5 issued by the government of Japan and who is in good standing with the
6 appropriate Japanese licensing body *shall* be issued, upon passing the Guam
7 Cosmetology practical exam, a one and one-half (1½) year license to practice
8 the art of cosmetology for wedding and bridal boutiques and spas on Guam.
9 Such eligibility is conditioned upon the following:

10 (a) the licensee must meet the following standard requirements
11 applicable to all other applicants:

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

15 (2) provision of three (3) letters of recommendation
16 complete with return address, phone number and name of current
17 employer;

18 (3) submission of a police clearance obtained within the
19 last three (3) months;

20 (4) provision of two (2) photos taken within the last three
21 (3) months sized for a cosmetologist license (2½” x 2 ½”);

22 (5) provision of a notarized photocopy of the licensee’s
23 current license; and submit a copy of a current health certificate
24 and sanitary permit for the establishment.

25 (b) any such further requirements as may be adopted for all
26 other applicants by the Board;

1 (c) the licensee must pass the Board administered practical
2 examination;

3 (d) the licensee must practice at an establishment that has at
4 lease one (1) licensed local cosmetologist on site, which local
5 cosmetologist must have been licensed for at least one (1) year prior to
6 the licensee beginning his *or* her practice at the establishment;

7 (e) licenses issued pursuant to this Subsection *shall* state that
8 the licensee is granted a special license and is restricted from performing
9 manicures, pedicures, waxing, chemical hair treatments (other than
10 ordinary cleansing and conditioning), *or* chemical based facials *or* skin
11 treatment for which an esthetician license is required under this Chapter;

12 (f) the licensee *or* the business employing the licensee must be
13 available to provide *not less than* seventy-two (72) hours of training per
14 year at recognized Guam cosmetology schools, such as the Guam
15 Community College *or* on its business premises, *or* in sponsored
16 seminars;

17 (g) provide annual seminars for local cosmetologists to learn
18 about specialized Japanese hair techniques. Cost of the seminar will be
19 at the expense of the business; and

20 (h) in addition to the standard cosmetology license fees and
21 initial Two Hundred Dollars (\$200.00) application fee, any such licensee
22 *shall* pay an additional annual non-transferable and non-refundable
23 license fee of Eight Hundred Dollars (\$800.00).”

24 **Section 3.** A new §18124.1 is hereby *added* to Chapter 18 of Title 10 of the
25 Guam Code Annotated, to read as follows:

1 **“§18124.1. Use by Barbering and Cosmetology Board.** The fees
2 generated by the implementation of §18115.1(h) *shall* be deposited into the
3 Health Professional Licensure Fund for use by the Barbering and Cosmetology
4 Board to defray the cost of obtaining standardized examination materials and
5 services for barbering and cosmetology licensure and the cost of proctoring
6 examination at a testing site.”

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