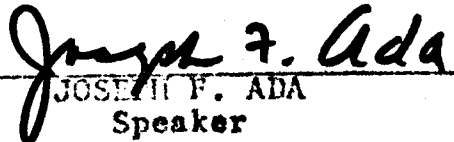


THIRTEENTH GUAM LEGISLATURE  
1975 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 311, "An Act to Amend Section 16200 of the Government Code of Guam and to add Sections 16204, 16204.1, 16204.2, 16204.3 and 16204.4, all of the Government Code of Guam to require that all Tourist Guides obtain a license", was on the 15th day of August, 1975, duly and regularly passed.

  
JOSEPH F. ADA  
Speaker

ATTESTED:

  
FRANK F. BLAS  
Acting Legislative Secretary

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This Act was received by the Governor this 20<sup>th</sup> day of August,  
1975 at 2:45 o'clock P.M.

/s/ Ruth E. Won-Pat  
RUTH E. WON PAT  
Assistant Staff Officer  
Governor's Office

APPROVED:

/s/ RICARDO J. BORDALLO  
RICARDO J. BORDALLO  
Governor of Guam

DATED: AUG 29 1975

5:47 P.M.  
P.L. 13-55

THIRTEENTH GUAM LEGISLATURE  
1975 (FIRST) Regular Session

Bill No. 311

Introduced by J. H. Underwood

AN ACT TO AMEND SECTION 16200 OF THE  
GOVERNMENT CODE OF GUAM AND TO ADD  
SECTIONS 16204, 16204.1, 16204.2,  
16204.3 AND 16204.4, ALL OF THE  
GOVERNMENT CODE OF GUAM TO REQUIRE  
THAT ALL TOURIST GUIDES OBTAIN A  
LICENSE.

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

2 Section 1. Section 16200 of the Government Code of Guam  
3 is hereby amended to read as follows:

4 "Section 16200. License required. Every person  
5 engaged in or carrying on any service business or  
6 calling, which shall include all nonprofessional acti-  
7 vities engaged in for other persons for consideration,  
8 involving the rendering of a service as distinguished  
9 from the production or sale of tangible property, but  
10 not including the services rendered by an employee to  
11 his employer other than by tourist guides, shall be  
12 required to annually obtain a service license. The  
13 annual fee for service license shall be Fifty Dollars  
14 (\$50.00).

15 Section 2. New Sections 16204, 16204.1, 16204.2,  
16 16204.3 and 16204.4 are hereby added to the Government Code  
17 of Guam to read as follows:

18 "Section 16204. Additional Requirements for  
19 Tourist Guides. (a) In addition to paying the fee  
20 required by Section 16200, all persons performing  
21 services as tourist guides must, prior to licensing,

1 produce evidence of having passed the examination  
2 provided for herein covering the history and culture  
3 of Guam, provided that any person applying for a  
4 service license as a tourist guide for the first time  
5 after the enactment of this Act may be issued one (1)  
6 temporary license which shall be valid for a period  
7 not to exceed one hundred twenty (120) days only.

8 (b) No tourist guide license shall be issued to  
9 any person who is not of good moral character, or who  
10 has been convicted of the use of controlled substances,  
11 as the same are defined in the Uniform Controlled  
12 Substances Act, or who has been convicted of a crime  
13 involving moral turpitude, the illegal use of firearms  
14 or violence.

15 Section 16204.1. Renewal licenses. Once an  
16 individual is licensed as a tourist guide, no new  
17 examination upon the subjects referred to in Section  
18 16204 above may be required of said individual until  
19 three (3) years have elapsed from the date of taking  
20 the previous examination.

21 Section 16204.2. Guam Visitors Bureau to  
22 administer. The Guam Visitors Bureau is hereby autho-  
23 rized to develop, write and administer the examination  
24 for tourist guides required by Section 16204 and  
25 16204.1 of the Government Code. The Board of Directors  
26 of the Guam Visitors Bureau shall make such rules and  
27 regulations as may be necessary to carry out the purposes  
28 of this Act. The Guam Visitors Bureau may promulgate  
29 standards of conduct to be observed by licensed tourist

1 guides, including the prohibition of the practice  
2 commonly known as 'touting'. Said standards of conduct  
3 shall be designed with the intent of insuring that  
4 licensed tourist guides do not act in such a manner  
5 as to bring discredit upon Guam, its people and its  
6 businesses. Said rules and regulations and standards  
7 shall be promulgated in accordance with the Administra-  
8 tive Adjudication Act.

9 Section 16204.3. Violations. (a) The Board of  
10 Directors of the Guam Visitors Bureau may, after pro-  
11 ceeding in accordance with the Administrative Adjudica-  
12 tion Act, order the revocation of the license of any  
13 tourist guide, or the suspension of any such license,  
14 for a period not to exceed one (1) year, for violation  
15 by said tourist guide of any of the rules and regula-  
16 tions or standards of conduct promulgated by the Guam  
17 Visitors Bureau. Any person whose license has been  
18 revoked by the Guam Visitors Bureau shall not be eligible  
19 to reapply for the same class of license until a period  
20 of three (3) years has elapsed from the date of revoca-  
21 tion. Upon such reapplication the applicant shall be  
22 treated as a new applicant except that he shall not be  
23 eligible for a temporary license.

24 (b) Any person who is required by the terms of  
25 this Title to obtain a license as a tourist guide and  
26 refuses or fails to obtain such license shall be  
27 guilty of a misdemeanor and punished under Section  
28 16017 of this Title.

29 (c) Any person who uses, attempts to use or has

1 in his possession with intent to use any tourist guide  
2 license not issued to him or, if such license issued  
3 to him was issued on account of misrepresentation to  
4 the Guam Visitors Bureau or to the Department of  
5 Revenue and Taxation, shall be guilty of a misdemeanor  
6 and punished by a fine of not more than One Thousand  
7 Dollars (\$1,000.00) or by imprisonment of not more  
8 than one (1) year, or by both such fine and imprisonment.

9 Section 16204.4. Tourist Guide defined. A tourist  
10 guide, as the term is used in Sections 16204 through  
11 16204.4 is defined as any person who, for compensation  
12 of any kind, undertakes to guide, direct, lead or con-  
13 duct tourist and who, while undertaking such duties,  
14 explains to or informs said tourists of the history  
15 and culture of Guam, or directs the tourists to scenic,  
16 cultural or historic sites on Guam, or leads tour groups  
17 while the same are on conducted shopping tours of Guam.  
18 This definition shall not include a person whose sole  
19 occupation is to drive a tour bus or other tour vehicle,  
20 but who does not actually engage in any of the activi-  
21 ties described above. However, this definition shall in-  
22 clude a person driving a tour vehicle on a conducted  
23 tour if said person is the only non-tourist on said  
24 vehicle or if said individual arranges for a conducted  
25 shopping tour, or if said individual acts in the  
26 generally accepted role of the 'tour guide'.