



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

Refer to
Legislative Secretary

MAY 26 1999

The Honorable Antonio R. Unpingco
Speaker
I Mina'Bente Singko na Liheslaturan Guåhan
Twenty-Fifth Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Hagåtña, Guam 96910

OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<i>[Signature]</i>
Time	4:28 PM
Date	5-20-99

Dear Speaker Unpingco:

Enclosed please find Substitute Bill No. 4 (COR), "AN ACT TO REPEAL AND REENACT §§104203, 104204, 104205, 104206, 104207, 104208, 104209, AND 104210, AND ADD §104211, ALL TO ARTICLE 2, CHAPTER 104, DIVISION 3 OF TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO UPDATING AND IMPROVING REAL ESTATE BROKERS LICENSES", which was **vetoed** and subsequently overridden by i Liheslatura. This legislation is now designated as **Public Law No. 25-21**.

Very truly yours,

[Signature]
Carl T. C. Gutierrez
I Maga'Lahen Guåhan
Governor of Guam

Attachment: copy attached for signed bill or overridden bill
 original attached for vetoed bill

cc: The Honorable Joanne M. S. Brown
 Legislative Secretary


01258

Office of the Speaker
ANTONIO R. UNPINGCO
Date: 5/26/99
Time: 10:45
Rec'd by: *[Signature]*
Print Name: Lauri


MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN
1999 (FIRST) Regular Session

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

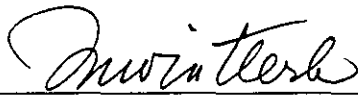
This is to certify that Substitute Bill No. 4 (LS), "AN ACT TO REPEAL AND REENACT §§104203, 104204, 104205, 104206, 104207, 104208, 104209 AND 104210, AND ADD §104211, ALL TO ARTICLE 2, CHAPTER 104, DIVISION 3 OF TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO UPDATING AND IMPROVING REAL ESTATE BROKERS LICENSES," returned without approval of *I Maga'lahen Guahan*, was reconsidered by *I Liheslaturan Guahan* and after such consideration, did agree, on the 24th day of May, 1999, to pass said bill notwithstanding the veto of *I Maga'lahen Guahan* by a vote of thirteen (13) members.


ANTONIO R. UNPINGCO
Speaker

Attested:


JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by *I Maga'lahen Guahan* this 25th day of May,
1999, at 4:35 o'clock P.M.


Assistant Staff Officer
Maga'lahi's Office

MINA'BENTE SINGKO NA LIHESLATURAN GUÅHAN
1999 (FIRST) Regular Session

Bill No. 4 (LS)

As substituted by the Committee on
Housing, General Government Services
and Foreign Affairs and as amended on the
Floor.

Introduced by:

A. R. Unpingco
F. B. Aguon, Jr.
K. S. Moylan
E. C. Bermudes
A. C. Blaz
J. M.S. Brown
E. B. Calvo
M. G. Camacho
Mark Forbes
L. F. Kasperbauer
A.C. Lamorena, V
C. A. Leon Guerrero
V. C. Pangelinan
J. C. Salas
S. A. Sanchez, II

**AN ACT TO REPEAL AND REENACT §§104203,
104204, 104205, 104206 104207, 104208, 104209 AND
104210, AND ADD §104211, ALL TO ARTICLE 2,
CHAPTER 104, DIVISION 3 OF TITLE 21 OF THE
GUAM CODE ANNOTATED, RELATIVE TO
UPDATING AND IMPROVING REAL ESTATE
BROKERS LICENSES.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*
3 finds that the public interest is better served by the addition of a continuing

1 education real estate requirement for salespersons and brokers to enhance
2 their skills and knowledge as professional Realtors. Furthermore, *I*
3 *Liheslaturan Guåhan* finds that based on the existing statute, no public interest
4 is served by the requirement of renewal exams for real estate salespersons and
5 brokers. *However*, the public and consumers' interest will be enhanced by
6 requiring real estate professionals to be more knowledgeable in handling real
7 estate transactions. Therefore, *I Liheslaturan Guåhan* is of the opinion that the
8 proposed continuing education requirement for brokers and salespersons
9 should replace the antiquated exam renewal provision.

10 The intent of *I Liheslaturan Guåhan* of these changes in the statutes is to
11 require salespersons and brokers: (a) to take additional real estate courses to
12 improve their knowledge of the real estate practice rather than taking the
13 same exam over again; (b) to ensure that salespersons and brokers meet
14 minimum standards of proficiency and competence regarding real estate
15 transactions; *and* (c) to regulate the scope of practice for real estate
16 salespersons and brokers in the interest of consumer protection.

17 **Section 2.** Section 104203 of Article 2, Chapter 104, Division 3 of Title
18 21 of the Guam Code Annotated is hereby *repealed and reenacted* to read as
19 follows:

20 **"Section 104203. Condition Precedent to Issuance of Original**
21 **Real Estate Broker's License.** The Real Estate Commission shall *not*
22 issue a real estate broker's license to any person who has *not* held an
23 original real estate salesman's license for at least two (2) years prior to
24 the date of his application for the broker's license, and during such time
25 was *not* actively engaged in the business of real estate salesman, *except*,

1 if an applicant for a real estate broker's license having at least an
2 equivalent of two (2) years general real estate experience and have
3 satisfactorily completed a real estate course of instruction prescribed
4 and approved by the commissioner, of at least ninety (90) classroom
5 hours conducted by an accredited college or university or its equivalent
6 of instruction in a real estate school or certified by the commissioner, or
7 graduation from an accredited college or university with a degree in real
8 estate, business, accounting, finance or any related field, files a written
9 petition with the department setting forth his qualification and
10 experience, and the Real Estate Commissioner approves, the applicant
11 may be issued a real estate broker's license immediately upon passing
12 the appropriate examination and satisfying the other requirements of
13 this Article."

14 **Section 3.** Section 104204 of Article 2, Chapter 104, Division 3 of Title
15 21 of the Guam Code Annotated is hereby *repealed and reenacted* to read as
16 follows:

17 **"Section 104204. Application for Salesman's License.**

18 Application for license as a real estate salesman shall be made in writing
19 to the Commissioner. The applications shall be signed by the applicant,
20 and shall be accompanied by the real estate salesman's license fee; and
21 by the recommendation of the broker, who is to be the applicant's
22 employer, certifying that the applicant is honest, truthful and of good
23 reputation and evidence of satisfactory completion of the basic real
24 estate fundamental course prescribed and approved by the
25 Commissioner, of at least thirty (30) classroom hours, or its equivalent."

1 **Section 4.** Section 104205 of Article 2, Chapter 104, Division 3 of Title
2 21 of the Guam Code Annotated is hereby *repealed and reenacted* to read as
3 follows:

4 **"Section 104205. Requirement of Other Proof Before**
5 **Authorizing License; Hearing.** The Commissioner may require such
6 other proof as the Commissioner may deem advisable concerning the
7 honesty, truthfulness and good reputation of any applicant for a real
8 estate license, or of the officers of any corporation, or of the members of
9 any co-partnership making such application, before authorizing the
10 issuance of a real estate license. For this purpose the Commissioner may
11 call a hearing in accordance with the provisions of this Division relating
12 to hearings."

13 **Section 5.** Section 104206 of Article 2, Chapter 104, Division 3 of Title
14 21 of the Guam Code Annotated is hereby *repealed and reenacted* to read as
15 follows:

16 **"Section 104206. Written Examination.** In addition to the
17 proof of honesty, truthfulness and good reputation required of any
18 applicant for a real estate license, the Commissioner shall ascertain by
19 written examination that the applicant, and in case of a co-partnership
20 or corporation applicant, for a real estate broker's license that each
21 officer, agent or member thereof through whom it proposes to act as a
22 real estate licensee, has:

23 (a) appropriate knowledge of the English language,
24 including reading, writing, and spelling and of elementary
25 arithmetic;

1 (b) a fair understanding of the rudimentary principles of
2 real estate conveyancing, the general purposes and general legal
3 effects of deeds, mortgages, land contracts of sale and leases, and
4 of the elementary principles of land economics and appraisals;

5 (c) a general and fair understanding of the obligations
6 between principal and agent, of the principles of real estate
7 practice and the canons of business ethics pertaining thereto, as
8 well as the provisions of the Title 21 of the Guam Code Annotated,
9 relating to real estate; *and*

10 (d) have satisfactorily completed a real estate course
11 prescribed and approved by the Commissioner of at least thirty
12 (30) classroom hours, or its equivalent, of instructions in a real
13 estate school certified by the Commissioner."

14 **Section 6.** Section 104207 of Article 2, Chapter 104, Division 3 of Title
15 21 of the Guam Code Annotated is hereby *repealed and reenacted* to read as
16 follows:

17 **"Section 104207. Original Real Estate License Term.** All
18 original real estate licenses issued by the Commissioner shall be for a
19 period of two (2) years and the holder thereof shall *not* become eligible
20 for a renewal real estate license until one has successfully completed the
21 Continuing Education Requirement outlined in §104209 of this Act."

22 **Section 7.** Section 104208 of Article 2, Chapter 104, Division 3 of Title
23 21 of the Guam Code Annotated is hereby *repealed and reenacted* to read as
24 follows:

1 **"Section 104208. (a) Continuing Education Requirement for**
2 **Broker's Renewal.** Anytime prior to renewal of an original
3 broker's license, the broker must satisfactorily furnish the
4 evidence of successful completion of an additional ninety (90)
5 classroom hours of study selected among the following:

- 6 (1) real estate practice;
- 7 (2) real estate appraisal;
- 8 (3) property management;
- 9 (4) real estate finance;
- 10 (5) legal aspect of real estate;
- 11 (6) real estate office administration;
- 12 (7) general accounting;
- 13 (8) business law;
- 14 (9) escrow;
- 15 (10) real estate contracts, *or any*
- 16 (11) real estate oriented study area.

17 (b) Of the ninety (90) classroom hours, eighteen (18)
18 classroom hours must be in the consumer protection area of study:

- 19 (1) land use regulation;
- 20 (2) consumer disclosure;
- 21 (3) agency relationship;
- 22 (4) fair practices;
- 23 (5) environmental regulation and considerations;
- 24 (6) taxation (real estate transaction); *and*
- 25 (7) probate.

1 (c) Thereafter all broker's renewal shall be for a period of
2 four (4) years with a continuing education requirement of sixteen
3 (16) hours every two (2) years. Should the broker acquire more
4 than the sixteen (16) hours during the two (2) year period, the
5 excess hours may be credited to future renewal requirements."

6 **Section 8.** Section 104209 of Article 2, Chapter 104, Division 3 of Title
7 21 of the Guam Code Annotated is hereby *repealed and reenacted* to read as
8 follows:

9 **"Section 104209. Continuing Education Requirement for**
10 **Salesperson Renewal.** Any time prior to renewal of an original license
11 the salesperson must satisfactorily furnish evidence of successful
12 completion of an additional forty-five (45) classroom hours of study in
13 §104208 (a)(1) or (2). Thereafter, all salesperson renewals should be for a
14 period of four (4) years with a continuing education requirement of
15 twelve (12) hours every two (2) years. Should a salesperson acquire
16 more than the minimum of twelve (12) hours during the two (2) year
17 period, the excess hours may be credited to future renewal
18 requirements."

19 **Section 9.** Section 104210 of Article 2, Chapter 104, Division 3 of Title
20 21 of the Guam Code Annotated is hereby *repealed and reenacted* to read as
21 follows:

22 **"Section 104210. Exemption from Continuing Education**
23 **Requirement.** The Real Estate Commissioner shall grant an
24 exemption to persons with an original real estate broker's or
25 salespersons license to any person who has been issued a license for

1 fifteen (15) consecutive years, or has attained the age of seventy (70)
2 years."

3 **Section 10.** Section 104211 is hereby *added* to Article 2, Chapter 104,
4 Division 3 of Title 21 of the Guam Code Annotated to read as follows:

5 **"Section 104211. Substitution of Continuing Education**
6 **Requirement.** The Real Estate Commissioner may allow for
7 substitution of the clock hour requirements, if the Commissioner makes
8 a determination that the individual is otherwise and similarly qualified
9 by reason of completion of equivalent educational coursework in any
10 accredited institution of higher learning or any degree granting
11 accredited institution."

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



MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN
TWENTY-FIFTH GUAM LEGISLATURE
155 Hesler Street, Hagåtña, Guam 96910

May 25, 1999

The Honorable Carl T.C. Gutierrez
I Maga'lahen Guåhan
Ufisinan I Maga'lahi
Hagåtña, Guam 96910



Dear *Maga'lahi* Gutierrez:

Transmitted herewith are Substitute Bill No. 4 (LS) and Bill No. 67 (COR) which were overridden by *I Mina'Bente Singko Na Liheslaturan Guåhan* on May 24, 1999, notwithstanding your veto.

Sincerely,

JOANNE M.S. BROWN
Senator and Legislative Secretary

Enclosure (2)

MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN
1999 (FIRST) Regular Session

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

This is to certify that Substitute Bill No. 4 (LS), "AN ACT TO REPEAL AND REENACT §§104203, 104204, 104205, 104206, 104207, 104208, 104209 AND 104210, AND ADD §104211, ALL TO ARTICLE 2, CHAPTER 104, DIVISION 3 OF TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO UPDATING AND IMPROVING REAL ESTATE BROKERS LICENSES," returned without approval of *I Maga'lahaen Guahan*, was reconsidered by *I Liheslaturan Guahan* and after such consideration, did agree, on the 24th day of May, 1999, to pass said bill notwithstanding the veto of *I Maga'lahaen Guahan* by a vote of thirteen (13) members.




ANTONIO R. UNPINGCO
Speaker

Attested:



JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by *I Maga'lahaen Guahan* this 25th day of May
1999, at 4:35 o'clock P.M.



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:

CARL T. C. GUTIERREZ
I Maga'lahaen Guahan

Date: _____

Public Law No. _____

MINA'BENTE SINGKO NA LIHESLATURAN GUÅHAN
1999 (FIRST) Regular Session

Bill No. 4 (LS)

As substituted by the Committee on
Housing, General Government Services
and Foreign Affairs and as amended on the
Floor.

Introduced by:

A. R. Unpingco
F. B. Aguon, Jr.
K. S. Moylan
E. C. Bermudes
A. C. Blaz
J. M.S. Brown
E. B. Calvo
M. G. Camacho
Mark Forbes
L. F. Kasperbauer
A.C. Lamorena, V
C. A. Leon Guerrero
V. C. Pangelinan
J. C. Salas
S. A. Sanchez, II

**AN ACT TO REPEAL AND REENACT §§104203,
104204, 104205, 104206 104207, 104208, 104209 AND
104210, AND ADD §104211, ALL TO ARTICLE 2,
CHAPTER 104, DIVISION 3 OF TITLE 21 OF THE
GUAM CODE ANNOTATED, RELATIVE TO
UPDATING AND IMPROVING REAL ESTATE
BROKERS LICENSES.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*
3 finds that the public interest is better served by the addition of a continuing

1 education real estate requirement for salespersons and brokers to enhance
2 their skills and knowledge as professional Realtors. Furthermore, *I*
3 *Liheslaturan Guåhan* finds that based on the existing statute, no public interest
4 is served by the requirement of renewal exams for real estate salespersons and
5 brokers. *However*, the public and consumers' interest will be enhanced by
6 requiring real estate professionals to be more knowledgeable in handling real
7 estate transactions. Therefore, *I Liheslaturan Guåhan* is of the opinion that the
8 proposed continuing education requirement for brokers and salespersons
9 should replace the antiquated exam renewal provision.

10 The intent of *I Liheslaturan Guåhan* of these changes in the statutes is to
11 require salespersons and brokers: (a) to take additional real estate courses to
12 improve their knowledge of the real estate practice rather than taking the
13 same exam over again; (b) to ensure that salespersons and brokers meet
14 minimum standards of proficiency and competence regarding real estate
15 transactions; *and* (c) to regulate the scope of practice for real estate
16 salespersons and brokers in the interest of consumer protection.

17 **Section 2.** Section 104203 of Article 2, Chapter 104, Division 3 of Title
18 21 of the Guam Code Annotated is hereby *repealed and reenacted* to read as
19 follows:

20 **"Section 104203. Condition Precedent to Issuance of Original**
21 **Real Estate Broker's License.** The Real Estate Commission shall *not*
22 issue a real estate broker's license to any person who has *not* held an
23 original real estate salesman's license for at least two (2) years prior to
24 the date of his application for the broker's license, and during such time
25 was *not* actively engaged in the business of real estate salesman, *except*,

1 if an applicant for a real estate broker's license having at least an
2 equivalent of two (2) years general real estate experience and have
3 satisfactorily completed a real estate course of instruction prescribed
4 and approved by the commissioner, of at least ninety (90) classroom
5 hours conducted by an accredited college or university or its equivalent
6 of instruction in a real estate school or certified by the commissioner, or
7 graduation from an accredited college or university with a degree in real
8 estate, business, accounting, finance or any related field, files a written
9 petition with the department setting forth his qualification and
10 experience, and the Real Estate Commissioner approves, the applicant
11 may be issued a real estate broker's license immediately upon passing
12 the appropriate examination and satisfying the other requirements of
13 this Article."

14 **Section 3.** Section 104204 of Article 2, Chapter 104, Division 3 of Title
15 21 of the Guam Code Annotated is hereby *repealed and reenacted* to read as
16 follows:

17 **"Section 104204. Application for Salesman's License.**

18 Application for license as a real estate salesman shall be made in writing
19 to the Commissioner. The applications shall be signed by the applicant,
20 and shall be accompanied by the real estate salesman's license fee; and
21 by the recommendation of the broker, who is to be the applicant's
22 employer, certifying that the applicant is honest, truthful and of good
23 reputation and evidence of satisfactory completion of the basic real
24 estate fundamental course prescribed and approved by the
25 Commissioner, of at least thirty (30) classroom hours, or its equivalent."

1 **Section 4.** Section 104205 of Article 2, Chapter 104, Division 3 of Title
2 21 of the Guam Code Annotated is hereby *repealed and reenacted* to read as
3 follows:

4 **"Section 104205. Requirement of Other Proof Before**
5 **Authorizing License; Hearing.** The Commissioner may require such
6 other proof as the Commissioner may deem advisable concerning the
7 honesty, truthfulness and good reputation of any applicant for a real
8 estate license, or of the officers of any corporation, or of the members of
9 any co-partnership making such application, before authorizing the
10 issuance of a real estate license. For this purpose the Commissioner may
11 call a hearing in accordance with the provisions of this Division relating
12 to hearings."

13 **Section 5.** Section 104206 of Article 2, Chapter 104, Division 3 of Title
14 21 of the Guam Code Annotated is hereby *repealed and reenacted* to read as
15 follows:

16 **"Section 104206. Written Examination.** In addition to the
17 proof of honesty, truthfulness and good reputation required of any
18 applicant for a real estate license, the Commissioner shall ascertain by
19 written examination that the applicant, and in case of a co-partnership
20 or corporation applicant, for a real estate broker's license that each
21 officer, agent or member thereof through whom it proposes to act as a
22 real estate licensee, has:

23 (a) appropriate knowledge of the English language,
24 including reading, writing, and spelling and of elementary
25 arithmetic;

1 (b) a fair understanding of the rudimentary principles of
2 real estate conveyancing, the general purposes and general legal
3 effects of deeds, mortgages, land contracts of sale and leases, and
4 of the elementary principles of land economics and appraisals;

5 (c) a general and fair understanding of the obligations
6 between principal and agent, of the principles of real estate
7 practice and the canons of business ethics pertaining thereto, as
8 well as the provisions of the Title 21 of the Guam Code Annotated,
9 relating to real estate; *and*

10 (d) have satisfactorily completed a real estate course
11 prescribed and approved by the Commissioner of at least thirty
12 (30) classroom hours, or its equivalent, of instructions in a real
13 estate school certified by the Commissioner."

14 **Section 6.** Section 104207 of Article 2, Chapter 104, Division 3 of Title
15 21 of the Guam Code Annotated is hereby *repealed and reenacted* to read as
16 follows:

17 **"Section 104207. Original Real Estate License Term.** All
18 original real estate licenses issued by the Commissioner shall be for a
19 period of two (2) years and the holder thereof shall *not* become eligible
20 for a renewal real estate license until one has successfully completed the
21 Continuing Education Requirement outlined in §104209 of this Act."

22 **Section 7.** Section 104208 of Article 2, Chapter 104, Division 3 of Title
23 21 of the Guam Code Annotated is hereby *repealed and reenacted* to read as
24 follows:

1 **"Section 104208. (a) Continuing Education Requirement for**
2 **Broker's Renewal.** Anytime prior to renewal of an original
3 broker's license, the broker must satisfactorily furnish the
4 evidence of successful completion of an additional ninety (90)
5 classroom hours of study selected among the following:

- 6 (1) real estate practice;
- 7 (2) real estate appraisal;
- 8 (3) property management;
- 9 (4) real estate finance;
- 10 (5) legal aspect of real estate;
- 11 (6) real estate office administration;
- 12 (7) general accounting;
- 13 (8) business law;
- 14 (9) escrow;
- 15 (10) real estate contracts, *or any*
- 16 (11) real estate oriented study area.

17 (b) Of the ninety (90) classroom hours, eighteen (18)
18 classroom hours must be in the consumer protection area of study:

- 19 (1) land use regulation;
- 20 (2) consumer disclosure;
- 21 (3) agency relationship;
- 22 (4) fair practices;
- 23 (5) environmental regulation and considerations;
- 24 (6) taxation (real estate transaction); *and*
- 25 (7) probate.

1 (c) Thereafter all broker's renewal shall be for a period of
2 four (4) years with a continuing education requirement of sixteen
3 (16) hours every two (2) years. Should the broker acquire more
4 than the sixteen (16) hours during the two (2) year period, the
5 excess hours may be credited to future renewal requirements."

6 **Section 8.** Section 104209 of Article 2, Chapter 104, Division 3 of Title
7 21 of the Guam Code Annotated is hereby *repealed and reenacted* to read as
8 follows:

9 **"Section 104209. Continuing Education Requirement for**
10 **Salesperson Renewal.** Any time prior to renewal of an original license
11 the salesperson must satisfactorily furnish evidence of successful
12 completion of an additional forty-five (45) classroom hours of study in
13 §104208 (a)(1) or (2). Thereafter, all salesperson renewals should be for a
14 period of four (4) years with a continuing education requirement of
15 twelve (12) hours every two (2) years. Should a salesperson acquire
16 more than the minimum of twelve (12) hours during the two (2) year
17 period, the excess hours may be credited to future renewal
18 requirements."

19 **Section 9.** Section 104210 of Article 2, Chapter 104, Division 3 of Title
20 21 of the Guam Code Annotated is hereby *repealed and reenacted* to read as
21 follows:

22 **"Section 104210. Exemption from Continuing Education**
23 **Requirement.** The Real Estate Commissioner shall grant an
24 exemption to persons with an original real estate broker's or
25 salespersons license to any person who has been issued a license for

1 fifteen (15) consecutive years, or has attained the age of seventy (70)
2 years."

3 **Section 10.** Section 104211 is hereby *added* to Article 2, Chapter 104,
4 Division 3 of Title 21 of the Guam Code Annotated to read as follows:

5 **"Section 104211. Substitution of Continuing Education**
6 **Requirement.** The Real Estate Commissioner may allow for
7 substitution of the clock hour requirements, if the Commissioner makes
8 a determination that the individual is otherwise and similarly qualified
9 by reason of completion of equivalent educational coursework in any
10 accredited institution of higher learning or any degree granting
11 accredited institution."

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

Overriden

I MINA' BENTE SINGKO NA LIHESLATURAN GUAHAN

1999 (FIRST) Regular Session

Date: 5/24/99

VOTING SHEET

1st
Bill No. 4

Resolution No. _____

Question: Notwithstanding the provisions of Article 10, Section 1, the State shall

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT ROLL CALL
AGUON, Frank B., Jr.					✓
BERMUDES, Eulogio C.					✓
BLAZ, Anthony C.	✓				
BROWN, Joanne M.S.	✓				
CALVO, Eduardo B.	✓				
CAMACHO, Marcel G.	✓				
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.	✓				
LAMORENA, Alberto C., V	✓				
LEON GUERRERO, Carlotta A.	✓				
MOYLAN, Kaleo Scott	✓				
PANGELINAN, Vicente C.	✓				
SALAS, John C.	✓				
SANCHEZ, Simon A., II	✓				
UNPINGCO, Antonio R.	✓				

TOTAL

13 0 0 0 2

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN
TWENTY-FIFTH GUAM LEGISLATURE
155 Hesler Street, Hagåtña, Guam 96910

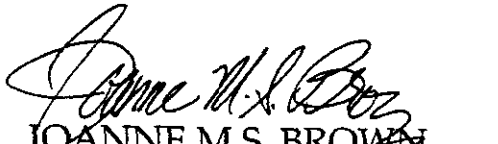
April 30, 1999

The Honorable Carl T.C. Gutierrez
I Maga'lahaen Guåhan
Ufisinan I Maga'lahi
Hagåtña, Guam 96910

Dear *Maga'lahi* Gutierrez:


Transmitted herewith are Bill No. 151 (COR) and Substitute Bill Nos. 4 (LS), 83 (COR), 159 (COR) and 180 (COR) which were passed by *I Mina' Bente Singko Na Liheslaturan Guåhan* on April 28, 1999.

Sincerely,


JOANNE M.S. BROWN
Senator and Legislative Secretary

Enclosure (5)

REC:


POZ HENRY CAMACHO FLORES
TIME: 5:32 DATE: 4/30/99



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

Refer to
Legislative Secretary

MAY 12 1999

The Honorable Antonio R. Unpingco
Speaker
I Mina'Bente Singko na Liheslaturan Guåhan
Twenty-Fifth Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Hagåtña, Guam 96910

Dear Speaker Unpingco:

Enclosed please find Substitute Bill No. 4 (LS), "AN ACT TO REPEAL AND REENACT §§104203, 104204, 104205, 104206, 104207, 104208, 104209, 104210 AND 104211, AND ADD §104211, ALL OF ARTICLE 2, CHAPTER 104, DIVISION 3 OF TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO UPDATING AND IMPROVING THE REAL ESTATE BROKERS LICENSES", which I have vetoed.

It is a good idea to foster increased professionalism by requiring continuing education for real estate brokers, however, this particular legislation cannot be implemented as passed, for the following reasons:

1. There is no transition period. This means that those currently licensed and working in the real estate business, either as a broker or a salesperson, cannot renew their licenses without lengthy continuing education requirements prior to the renewal. This would mean that many would be required to give up employment in the real estate market for a time.
2. The time of the license is lengthened from one year to two years, however, the price of the license remains the same.
3. The exemption from the requirement of taking the classes for those who are over 70 years of age probably violates the Equal Protection

OFFICE OF THE LEGISLATIVE SECRETARY
ACKNOWLEDGMENT RECEIPT

Received By: [Signature]

Time 10:50am

Date 5-13-99

Office of the Speaker
ANTONIO R. UNPINGCO

Date: 5-12-99

Time: 1450

Rec'd by: [Signature]

Print Name: Charlene

00224

Clause. Also, the exemption from the requirement of taking the classes for those who have worked for 15 years may not be reasonably related to the reason for requiring the classes to begin with, and so may also be violative of Equal Protection.

Very truly yours,



Carl T. C. Gutierrez
I Maga'Lahen Guåhan
Governor of Guam

Attachment: copy attached for signed bill or overridden bill
 original attached for vetoed bill

cc: The Honorable Joanne M. S. Brown
 Legislative Secretary

00224

MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN
1999 (FIRST) Regular Session


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

This is to certify that Substitute Bill No. 4 (LS), "AN ACT TO REPEAL AND REENACT §§104203, 104204, 104205, 104206 104207, 104208, 104209 AND 104210, AND ADD §104211, ALL TO ARTICLE 2, CHAPTER 104, DIVISION 3 OF TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO UPDATING AND IMPROVING REAL ESTATE BROKERS LICENSES," was on the 28th day of April, 1999, duly and regularly passed.



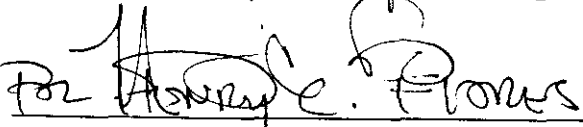
ANTONIO R. UNPINGCO
Speaker

Attested:



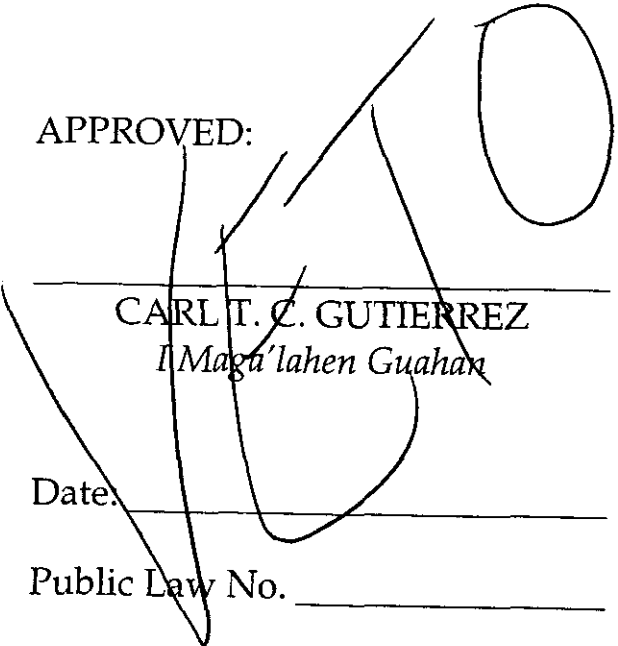
JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by *I Maga'lahaen Guahan* this 30TH day of April, 1999,
at 5:30 o'clock P.M.



For Antonio C. Flores
Assistant Staff Officer
Maga'laha's Office

APPROVED:



CARL T. C. GUTIERREZ
I Maga'lahaen Guahan

Date: _____

Public Law No. _____

MINA'BENTE SINGKO NA LIHESLATURAN GUÅHAN
1999 (FIRST) Regular Session

Bill No. 4 (LS)

As substituted by the Committee on
Housing, General Government Services
and Foreign Affairs and as amended on the
Floor.

Introduced by:

A. R. Unpingco
F. B. Aguon, Jr.
K. S. Moylan
E. C. Bermudes
A. C. Blaz
J. M.S. Brown
E. B. Calvo
M. G. Camacho
Mark Forbes
L. F. Kasperbauer
A.C. Lamorena, V
C. A. Leon Guerrero
V. C. Pangelinan
J. C. Salas
S. A. Sanchez, II

**AN ACT TO REPEAL AND REENACT §§104203,
104204, 104205, 104206 104207, 104208, 104209 AND
104210, AND ADD §104211, ALL TO ARTICLE 2,
CHAPTER 104, DIVISION 3 OF TITLE 21 OF THE
GUAM CODE ANNOTATED, RELATIVE TO
UPDATING AND IMPROVING REAL ESTATE
BROKERS LICENSES.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*
3 finds that the public interest is better served by the addition of a continuing

1 education real estate requirement for salespersons and brokers to enhance
2 their skills and knowledge as professional Realtors. Furthermore, *I*
3 *Liheslaturan Guåhan* finds that based on the existing statute, no public interest
4 is served by the requirement of renewal exams for real estate salespersons and
5 brokers. *However*, the public and consumers' interest will be enhanced by
6 requiring real estate professionals to be more knowledgeable in handling real
7 estate transactions. Therefore, *I Liheslaturan Guåhan* is of the opinion that the
8 proposed continuing education requirement for brokers and salespersons
9 should replace the antiquated exam renewal provision.

10 The intent of *I Liheslaturan Guåhan* of these changes in the statutes is to
11 require salespersons and brokers: (a) to take additional real estate courses to
12 improve their knowledge of the real estate practice rather than taking the
13 same exam over again; (b) to ensure that salespersons and brokers meet
14 minimum standards of proficiency and competence regarding real estate
15 transactions; *and* (c) to regulate the scope of practice for real estate
16 salespersons and brokers in the interest of consumer protection.

17 **Section 2.** Section 104203 of Article 2, Chapter 104, Division 3 of Title
18 21 of the Guam Code Annotated is hereby *repealed and reenacted* to read as
19 follows:

20 **"Section 104203. Condition Precedent to Issuance of Original**
21 **Real Estate Broker's License.** The Real Estate Commission shall *not*
22 issue a real estate broker's license to any person who has *not* held an
23 original real estate salesman's license for at least two (2) years prior to
24 the date of his application for the broker's license, and during such time
25 was *not* actively engaged in the business of real estate salesman, *except*,

1 if an applicant for a real estate broker's license having at least an
2 equivalent of two (2) years general real estate experience and have
3 satisfactorily completed a real estate course of instruction prescribed
4 and approved by the commissioner, of at least ninety (90) classroom
5 hours conducted by an accredited college or university or its equivalent
6 of instruction in a real estate school or certified by the commissioner, or
7 graduation from an accredited college or university with a degree in real
8 estate, business, accounting, finance or any related field, files a written
9 petition with the department setting forth his qualification and
10 experience, and the Real Estate Commissioner approves, the applicant
11 may be issued a real estate broker's license immediately upon passing
12 the appropriate examination and satisfying the other requirements of
13 this Article."

14 **Section 3.** Section 104204 of Article 2, Chapter 104, Division 3 of Title
15 21 of the Guam Code Annotated is hereby *repealed and reenacted* to read as
16 follows:

17 **"Section 104204. Application for Salesman's License.**

18 Application for license as a real estate salesman shall be made in writing
19 to the Commissioner. The applications shall be signed by the applicant,
20 and shall be accompanied by the real estate salesman's license fee; and
21 by the recommendation of the broker, who is to be the applicant's
22 employer, certifying that the applicant is honest, truthful and of good
23 reputation and evidence of satisfactory completion of the basic real
24 estate fundamental course prescribed and approved by the
25 Commissioner, of at least thirty (30) classroom hours, or its equivalent."

1 **Section 4.** Section 104205 of Article 2, Chapter 104, Division 3 of Title
2 21 of the Guam Code Annotated is hereby *repealed and reenacted* to read as
3 follows:

4 **"Section 104205. Requirement of Other Proof Before**
5 **Authorizing License; Hearing.** The Commissioner may require such
6 other proof as the Commissioner may deem advisable concerning the
7 honesty, truthfulness and good reputation of any applicant for a real
8 estate license, or of the officers of any corporation, or of the members of
9 any co-partnership making such application, before authorizing the
10 issuance of a real estate license. For this purpose the Commissioner may
11 call a hearing in accordance with the provisions of this Division relating
12 to hearings."

13 **Section 5.** Section 104206 of Article 2, Chapter 104, Division 3 of Title
14 21 of the Guam Code Annotated is hereby *repealed, and reenacted* to read as
15 follows:

16 **"Section 104206. Written Examination.** In addition to the
17 proof of honesty, truthfulness and good reputation required of any
18 applicant for a real estate license, the Commissioner shall ascertain by
19 written examination that the applicant, and in case of a co-partnership
20 or corporation applicant, for a real estate broker's license that each
21 officer, agent or member thereof through whom it proposes to act as a
22 real estate licensee, has:

- 23 (a) appropriate knowledge of the English language,
24 including reading, writing, and spelling and of elementary
25 arithmetic;

1 **"Section 104208. (a) Continuing Education Requirement for**
2 **Broker's Renewal.** Anytime prior to renewal of an original
3 broker's license, the broker must satisfactorily furnish the
4 evidence of successful completion of an additional ninety (90)
5 classroom hours of study selected among the following:

- 6 (1) real estate practice;
- 7 (2) real estate appraisal;
- 8 (3) property management;
- 9 (4) real estate finance;
- 10 (5) legal aspect of real estate;
- 11 (6) real estate office administration;
- 12 (7) general accounting;
- 13 (8) business law;
- 14 (9) escrow;
- 15 (10) real estate contracts, *or any*
- 16 (11) real estate oriented study area.

17 (b) Of the ninety (90) classroom hours, eighteen (18)
18 classroom hours must be in the consumer protection area of study:

- 19 (1) land use regulation;
- 20 (2) consumer disclosure;
- 21 (3) agency relationship;
- 22 (4) fair practices;
- 23 (5) environmental regulation and considerations;
- 24 (6) taxation (real estate transaction); *and*
- 25 (7) probate.

1 (c) Thereafter all broker's renewal shall be for a period of
2 four (4) years with a continuing education requirement of sixteen
3 (16) hours every two (2) years. Should the broker acquire more
4 than the sixteen (16) hours during the two (2) year period, the
5 excess hours may be credited to future renewal requirements."

6 **Section 8.** Section 104209 of Article 2, Chapter 104, Division 3 of Title
7 21 of the Guam Code Annotated is hereby *repealed and reenacted* to read as
8 follows:

9 **"Section 104209. Continuing Education Requirement for**
10 **Salesperson Renewal.** Any time prior to renewal of an original license
11 the salesperson must satisfactorily furnish evidence of successful
12 completion of an additional forty-five (45) classroom hours of study in
13 §104208 (a)(1) or (2). Thereafter, all salesperson renewals should be for a
14 period of four (4) years with a continuing education requirement of
15 twelve (12) hours every two (2) years. Should a salesperson acquire
16 more than the minimum of twelve (12) hours during the two (2) year
17 period, the excess hours may be credited to future renewal
18 requirements."

19 **Section 9.** Section 104210 of Article 2, Chapter 104, Division 3 of Title
20 21 of the Guam Code Annotated is hereby *repealed and reenacted* to read as
21 follows:

22 **"Section 104210. Exemption from Continuing Education**
23 **Requirement.** The Real Estate Commissioner shall grant an
24 exemption to persons with an original real estate broker's or
25 salespersons license to any person who has been issued a license for

1 fifteen (15) consecutive years, or has attained the age of seventy (70)
2 years."

3 **Section 10.** Section 104211 is hereby *added* to Article 2, Chapter 104,
4 Division 3 of Title 21 of the Guam Code Annotated to read as follows:


5 **"Section 104211. Substitution of Continuing Education**
6 **Requirement.** The Real Estate Commissioner may allow for
7 substitution of the clock hour requirements, if the Commissioner makes
8 a determination that the individual is otherwise and similarly qualified
9 by reason of completion of equivalent educational coursework in any
10 accredited institution of higher learning or any degree granting
11 accredited institution."

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

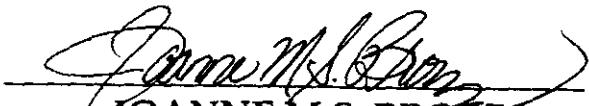
MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN
1999 (FIRST) Regular Session

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

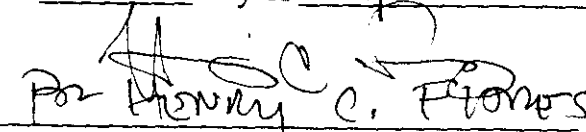
This is to certify that Substitute Bill No. 4 (LS), "AN ACT TO REPEAL AND REENACT §§104203, 104204, 104205, 104206 104207, 104208, 104209 AND 104210, AND ADD §104211, ALL TO ARTICLE 2, CHAPTER 104, DIVISION 3 OF TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO UPDATING AND IMPROVING REAL ESTATE BROKERS LICENSES," was on the 28th day of April, 1999, duly and regularly passed.


ANTONIO R. UNPINGCO
Speaker

Attested:


JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by *I Maga'lahaen Guahan* this 30TH day of April, 1999,
at 5:30 o'clock P.M.


Assistant Staff Officer
Maga'lahaen's Office

APPROVED:

CARL T. C. GUTIERREZ
I Maga'lahaen Guahan

Date: _____

Public Law No. _____

MINA'BENTE SINGKO NA LIHESLATURAN GUÅHAN
1999 (FIRST) Regular Session

Bill No. 4 (LS)

As substituted by the Committee on
Housing, General Government Services
and Foreign Affairs and as amended on the
Floor.

Introduced by:

A. R. Unpingco
F. B. Aguon, Jr.
K. S. Moylan
E. C. Bermudes
A. C. Blaz
J. M.S. Brown
E. B. Calvo
M. G. Camacho
Mark Forbes
L. F. Kasperbauer
A.C. Lamorena, V
C. A. Leon Guerrero
V. C. Pangelinan
J. C. Salas
S. A. Sanchez, II

**AN ACT TO REPEAL AND REENACT §§104203,
104204, 104205, 104206 104207, 104208, 104209 AND
104210, AND ADD §104211, ALL TO ARTICLE 2,
CHAPTER 104, DIVISION 3 OF TITLE 21 OF THE
GUAM CODE ANNOTATED, RELATIVE TO
UPDATING AND IMPROVING REAL ESTATE
BROKERS LICENSES.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*
3 finds that the public interest is better served by the addition of a continuing

1 education real estate requirement for salespersons and brokers to enhance
2 their skills and knowledge as professional Realtors. Furthermore, *I*
3 *Liheslaturan Guåhan* finds that based on the existing statute, no public interest
4 is served by the requirement of renewal exams for real estate salespersons and
5 brokers. *However*, the public and consumers' interest will be enhanced by
6 requiring real estate professionals to be more knowledgeable in handling real
7 estate transactions. Therefore, *I Liheslaturan Guåhan* is of the opinion that the
8 proposed continuing education requirement for brokers and salespersons
9 should replace the antiquated exam renewal provision.

10 The intent of *I Liheslaturan Guåhan* of these changes in the statutes is to
11 require salespersons and brokers: (a) to take additional real estate courses to
12 improve their knowledge of the real estate practice rather than taking the
13 same exam over again; (b) to ensure that salespersons and brokers meet
14 minimum standards of proficiency and competence regarding real estate
15 transactions; *and* (c) to regulate the scope of practice for real estate
16 salespersons and brokers in the interest of consumer protection.

17 **Section 2.** Section 104203 of Article 2, Chapter 104, Division 3 of Title
18 21 of the Guam Code Annotated is hereby *repealed and reenacted* to read as
19 follows:

20 **"Section 104203. Condition Precedent to Issuance of Original**
21 **Real Estate Broker's License.** The Real Estate Commission shall *not*
22 issue a real estate broker's license to any person who has *not* held an
23 original real estate salesman's license for at least two (2) years prior to
24 the date of his application for the broker's license, and during such time
25 was *not* actively engaged in the business of real estate salesman, *except,*

1 if an applicant for a real estate broker's license having at least an
2 equivalent of two (2) years general real estate experience and have
3 satisfactorily completed a real estate course of instruction prescribed
4 and approved by the commissioner, of at least ninety (90) classroom
5 hours conducted by an accredited college or university or its equivalent
6 of instruction in a real estate school or certified by the commissioner, or
7 graduation from an accredited college or university with a degree in real
8 estate, business, accounting, finance or any related field, files a written
9 petition with the department setting forth his qualification and
10 experience, and the Real Estate Commissioner approves, the applicant
11 may be issued a real estate broker's license immediately upon passing
12 the appropriate examination and satisfying the other requirements of
13 this Article."

14 **Section 3.** Section 104204 of Article 2, Chapter 104, Division 3 of Title
15 21 of the Guam Code Annotated is hereby *repealed and reenacted* to read as
16 follows:

17 **"Section 104204. Application for Salesman's License.**

18 Application for license as a real estate salesman shall be made in writing
19 to the Commissioner. The applications shall be signed by the applicant,
20 and shall be accompanied by the real estate salesman's license fee; and
21 by the recommendation of the broker, who is to be the applicant's
22 employer, certifying that the applicant is honest, truthful and of good
23 reputation and evidence of satisfactory completion of the basic real
24 estate fundamental course prescribed and approved by the
25 Commissioner, of at least thirty (30) classroom hours, or its equivalent."

1 **Section 4.** Section 104205 of Article 2, Chapter 104, Division 3 of Title
2 21 of the Guam Code Annotated is hereby *repealed and reenacted* to read as
3 follows:

4 **"Section 104205. Requirement of Other Proof Before**
5 **Authorizing License; Hearing.** The Commissioner may require such
6 other proof as the Commissioner may deem advisable concerning the
7 honesty, truthfulness and good reputation of any applicant for a real
8 estate license, or of the officers of any corporation, or of the members of
9 any co-partnership making such application, before authorizing the
10 issuance of a real estate license. For this purpose the Commissioner may
11 call a hearing in accordance with the provisions of this Division relating
12 to hearings."

13 **Section 5.** Section 104206 of Article 2, Chapter 104, Division 3 of Title
14 21 of the Guam Code Annotated is hereby *repealed, and reenacted* to read as
15 follows:

16 **"Section 104206. Written Examination.** In addition to the
17 proof of honesty, truthfulness and good reputation required of any
18 applicant for a real estate license, the Commissioner shall ascertain by
19 written examination that the applicant, and in case of a co-partnership
20 or corporation applicant, for a real estate broker's license that each
21 officer, agent or member thereof through whom it proposes to act as a
22 real estate licensee, has:

- 23 (a) appropriate knowledge of the English language,
24 including reading, writing, and spelling and of elementary
25 arithmetic;

1 (b) a fair understanding of the rudimentary principles of
2 real estate conveyancing, the general purposes and general legal
3 effects of deeds, mortgages, land contracts of sale and leases, and
4 of the elementary principles of land economics and appraisals;

5 (c) a general and fair understanding of the obligations
6 between principal and agent, of the principles of real estate
7 practice and the canons of business ethics pertaining thereto, as
8 well as the provisions of the Title 21 of the Guam Code Annotated,
9 relating to real estate; *and*

10 (d) have satisfactorily completed a real estate course
11 prescribed and approved by the Commissioner of at least thirty
12 (30) classroom hours, or its equivalent, of instructions in a real
13 estate school certified by the Commissioner."

14 **Section 6.** Section 104207 of Article 2, Chapter 104, Division 3 of Title
15 21 of the Guam Code Annotated is hereby *repealed and reenacted* to read as
16 follows:

17 **"Section 104207. Original Real Estate License Term.** All
18 original real estate licenses issued by the Commissioner shall be for a
19 period of two (2) years and the holder thereof shall *not* become eligible
20 for a renewal real estate license until one has successfully completed the
21 Continuing Education Requirement outlined in §104209 of this Act."

22 **Section 7.** Section 104208 of Article 2, Chapter 104, Division 3 of Title
23 21 of the Guam Code Annotated is hereby *repealed and reenacted* to read as
24 follows:

1 **"Section 104208. (a) Continuing Education Requirement for**
2 **Broker's Renewal.** Anytime prior to renewal of an original
3 broker's license, the broker must satisfactorily furnish the
4 evidence of successful completion of an additional ninety (90)
5 classroom hours of study selected among the following:

- 6 (1) real estate practice;
- 7 (2) real estate appraisal;
- 8 (3) property management;
- 9 (4) real estate finance;
- 10 (5) legal aspect of real estate;
- 11 (6) real estate office administration;
- 12 (7) general accounting;
- 13 (8) business law;
- 14 (9) escrow;
- 15 (10) real estate contracts, *or any*
- 16 (11) real estate oriented study area.

17 (b) Of the ninety (90) classroom hours, eighteen (18)
18 classroom hours must be in the consumer protection area of study:

- 19 (1) land use regulation;
- 20 (2) consumer disclosure;
- 21 (3) agency relationship;
- 22 (4) fair practices;
- 23 (5) environmental regulation and considerations;
- 24 (6) taxation (real estate transaction); *and*
- 25 (7) probate.

1 (c) Thereafter all broker's renewal shall be for a period of
2 four (4) years with a continuing education requirement of sixteen
3 (16) hours every two (2) years. Should the broker acquire more
4 than the sixteen (16) hours during the two (2) year period, the
5 excess hours may be credited to future renewal requirements."

6 **Section 8.** Section 104209 of Article 2, Chapter 104, Division 3 of Title
7 21 of the Guam Code Annotated is hereby *repealed and reenacted* to read as
8 follows:

9 **"Section 104209. Continuing Education Requirement for**
10 **Salesperson Renewal.** Any time prior to renewal of an original license
11 the salesperson must satisfactorily furnish evidence of successful
12 completion of an additional forty-five (45) classroom hours of study in
13 §104208 (a)(1) or (2). Thereafter, all salesperson renewals should be for a
14 period of four (4) years with a continuing education requirement of
15 twelve (12) hours every two (2) years. Should a salesperson acquire
16 more than the minimum of twelve (12) hours during the two (2) year
17 period, the excess hours may be credited to future renewal
18 requirements."

19 **Section 9.** Section 104210 of Article 2, Chapter 104, Division 3 of Title
20 21 of the Guam Code Annotated is hereby *repealed and reenacted* to read as
21 follows:

22 **"Section 104210. Exemption from Continuing Education**
23 **Requirement.** The Real Estate Commissioner shall grant an
24 exemption to persons with an original real estate broker's or
25 salespersons license to any person who has been issued a license for

1 fifteen (15) consecutive years, or has attained the age of seventy (70)
2 years."

3 **Section 10.** Section 104211 is hereby *added* to Article 2, Chapter 104,
4 Division 3 of Title 21 of the Guam Code Annotated to read as follows:

5 **"Section 104211. Substitution of Continuing Education**
6 **Requirement.** The Real Estate Commissioner may allow for
7 substitution of the clock hour requirements, if the Commissioner makes
8 a determination that the individual is otherwise and similarly qualified
9 by reason of completion of equivalent educational coursework in any
10 accredited institution of higher learning or any degree granting
11 accredited institution."

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

6

I MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN

1999 (FIRST) Regular Session

Date: 4/28/99

VOTING SHEET

S Bill No. 4 (LS)

Resolution No. _____

Question: _____

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT ROLL CALL
AGUON, Frank B., Jr.	✓				
BLAZ, Anthony C.	✓				
BERMUDES, Eulogio C.	✓				
BROWN, Joanne M. S.	✓				
CALVO, Eddie B.	✓				
CAMACHO, Marcel G.	✓				
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.	✓				
LAMORENA, Alberto C., V	✓				
LEON GUERRERO, Carlotta A.	✓				
MOYLAN, Kaleo Scott	✓				
PANGELINAN, Vicente C.	✓				
SALAS, John C.	✓				
SANCHEZ, Simon A., II	✓				
UNPINGCO, Antonio R.					EA

TOTAL

14 _____ _____ _____ 1

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



MINA' BENTE SINGKO NA LIHESLATURAN GUÅHAN
TWENTY-FIFTH GUAM LEGISLATURE
155 Hesler Street, Hagåtña, Guam 96910

April 26, 1999
(DATE)

FILE

Memorandum

To: Senator ANTONIO R. UNPINGCO

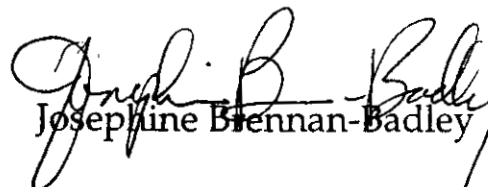
COPY

From: Clerk of the Legislature

Subject: Report on Bill No. 4 (LS)

Pursuant to §7.04 of Rule VII of the 25th Standing Rules, transmitted herewith is a copy of the Committee Report on Bill No. 4 (LS) for which you are the prime sponsor.

Should you have any questions or need further information, please call the undersigned at 472-3464/5.


Josephine Brennan-Badley

Attachment

ACKNOWLEDGMENT RECEIPT

Received By: [Signature]

Time: _____

Date: 4-26-99

V

Senator Kaleo S. Moylan
Chairperson, Committee on Housing,
General Government Services and Foreign Affairs
Mina'Bente Singko Na Liheslaturan Guåhan
Twenty-Fifth Guam Legislature

April 23, 1999

Honorable Antonio R. Unpingco
Speaker
Mina'Bente Singko Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

VIA: Chairperson, Committee on Rules, Government Reform, Reorganization and
Federal Affairs

Dear Mr. Speaker:

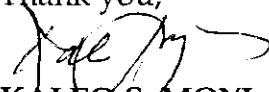
The Committee on Housing, General Government Services and Foreign Affairs, to which was referred Bill No. 4 (LS), "AN ACT TO REPEAL AND REENACT §§104203, 104204, 104206 104207, 104208, 104209, 104210 AND 104211 ALL OF ARTICLE 2, CHAPTER 104, DIVISION 3 OF TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO UPDATING AND IMPROVING THE REAL ESTATE BROKERS LICENSE," has had the same under consideration and now wishes to report back the same with the recommendation to do pass as substituted.

The Committee votes are as follows:

<u>10</u>	To Do Pass
<u>0</u>	Not to Pass
<u>0</u>	Abstain
<u>0</u>	Inactive File

A copy of the Committee Report and other pertinent documents are attached for your immediate reference and information.

Thank you,

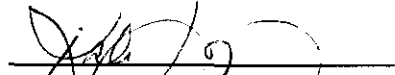
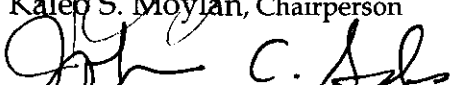
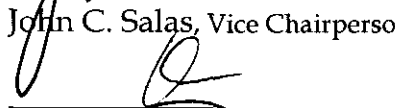
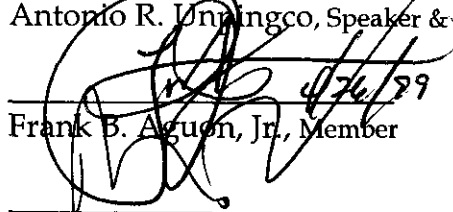
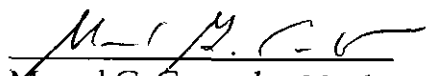

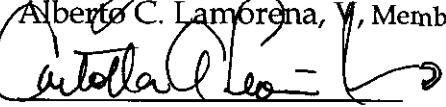

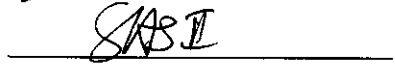

KALEO S. MOYLAN
Chairperson

Enclosure:

**Committee Housing, General Government Services and Foreign Affairs
Vote Sheet on
Substitute Bill No. 4 (LS)**

**AN ACT TO REPEAL AND REENACT §§104203, 104204, 104206 104207,
104208, 104209 104210 AND 104211 ALL OF ARTICLE 2, CHAPTER 104,
DIVISION 3 OF TITLE 21 OF THE GUAM CODE ANNOTATED,
RELATIVE TO UPDATING AND IMPROVING THE REAL ESTATE
BROKERS LICENSE.**

COMMITTEE MEMBER	TO PASS	NOT TO PASS	ABSTAIN	INACTIVE FILE
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 Kaleo S. Moylan, Chairperson	✓			
 John C. Salas, Vice Chairperson	✓			
 Antonio R. Urrungco, Speaker & Ex-Officio	✓			
 Frank B. Aguon, Jr., Member	✓			
Anthony C. Blaz, Member				
 Marcel G. Camacho, Member	✓			
 Alberto C. Lamorena, Member				
 Carlotta A. Leon Guerrero, Member	✓			
 Vicente C. Pangelinan, Member				
 Simon A. Sanchez, Member	✓			

Profile on Bill No. 4 (LS)

Brief Title: "Continuing Education for Real Estate Brokers License."

Date Introduced: January 4, 1999.

Main Sponsor(s): Senator A. R. Unpingco.

Committee Referral: January 11, 1999, from the Committee on Rules, Government Reform, Reorganization and Federal Affairs to the Committee on Housing, General Government Services and Federal Affairs.

Public Hearing: March 4, 1999, at the Legislative Public Hearing Room.

Official Title: AN ACT TO REPEAL AND REENACT §§104203, 104204, 104206 104207, 104208, 104209, 104210 AND 104211 ALL OF ARTICLE 2, CHAPTER 104, DIVISION 3 OF TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO UPDATING AND IMPROVING THE REAL ESTATE BROKERS LICENSE.

Co-sponsors: None as of March 3, 1999.

Witnesses: Anisia B. Terlaje and Christopher J. Felix, testifying in support of Bill No. 4

Notices to Department(s): Adequate notice was given to the media and to the affected department(s) and/or agency(ies).

Recommendation: To do pass as substituted by the Committee.

OVERVIEW: To ensure that the public interest is best served, provisions governing the Real Estate Brokers License is strengthened by requiring that salespersons and brokers be required to enhance their skills and knowledge through a continuing education program. Enactment of Bill No. 4 would provide that the renewal exams should be replaced by a Continuing Education Requirement proposed herein.

Committee on Housing, General
Government Services and Foreign Affairs
Report On
Substitute Bill No. 4 (LS)

AN ACT TO REPEAL AND REENACT §§104203, 104204, 104206 104207, 104208, 104209, 104210 AND 104211 ALL OF ARTICLE 2, CHAPTER 104, DIVISION 3 OF TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO UPDATING AND IMPROVING THE REAL ESTATE BROKERS LICENSE. [Introduced by Senator A. R. Unpingco]

PUBLIC HEARING: The Committee on Housing, General Government Services and Foreign Affairs, to which was referred Bill No. 4 (LS) "AN ACT TO REPEAL AND REENACT §§104203, 104204, 104206 104207, 104208 AND 104209 AND TO REPEAL §§104210 AND 104211 ALL OF ARTICLE 2, CHAPTER 104, DIVISION 3 OF TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO UPDATING AND IMPROVING THE REAL ESTATE BROKERS LICENSE," conducted a public hearing on Thursday, March 4, 1999, at the Legislative Public Hearing Room.

MEMBERS PRESENT: Senator Kaleo S. Moylan, Chairperson of the Committee on Housing, General Government Services and Foreign Affairs convened the hearing promptly at 8:30 a.m. Committee members and other Senators present were: Carlotta Leon Guerrero, Vicente C. Pangelinan and Frank B. Aguon, Jr.

TESTIMONY: Appearing before the Committee were Ms. Anisia B. Terlaje, Instructor, Center for Continuing Education Program, University of Guam and Christopher J. Felix, President of the Guam Board of Realtors [Exhibit "A"].

As an instructor of the Fundamentals of Real Estate, Ms. Terlaje testified that she sees no purpose for a renewal examination. According to her, instead of a second exam the public interest and the profession would benefit by instituting a continuing education program. She also suggested that the original license for both real estate salesperson and broker should be for a two (2) year period rather than one (1) year. Ms. Terlaje went on to say that all licensee should be required to take at least thirty (30) clock hours of training to be eligible to take the real estate exams.

Next to present testimony was Mr. Christopher J. Felix, President of the Guam Board of Realtors. Mr. Felix testified that the Guam Board of Realtors supports the requirements being proposed in Bill No. 4. He went on to say that Brokers in Guam with specific designations, have to travel to the mainland to attend continuing education programs to retain their designation(s).

Both witnesses agreed that the continuing education courses can be taught at either the University of Guam or the Guam Community College. They also said that the courses to be offered would be accepted by the National Board. In concluding their testimony, and after citing similar programs currently in place in several states, both witnesses urged the Committee to expedite the passage of Bill No. 4.

There being no further witnesses, the Chairperson of the Committee adjourned the hearing on Bill No. 4 and moved on to the next item of the hearing Agenda.

A CLOSER LOOK: Bill No. 4 (LS) repeals and reenacts Sections 104203, 104204, 104206, 104207, 104208 and 104209 all of Article 2, Chapter 104, Division 3 of Title 21 of the Guam Code Annotated. These provisions range from the Condition Precedent to Issuance of Original Real Estate Broker's License; the Application for Salesman's License; to provisions regarding Written Examination; Original Real Estate License Term; Continuing Education Requirement for Broker Renewal, and Continuing Education Requirement for Salesperson Renewal.

FINDINGS: The Committee finds that:

1. The Guam Board of Realtors through Mr. Christopher J. Felix, its president, supports passage and enactment of Bill 4 (LS) with modifications.
2. Bill No. 4 (LS) addresses and updates certain provisions of Guam law pertaining to real estate dealers in Guam. Furthermore, the public interest would be better served by the addition of a continuing education real estate requirement for salespersons and brokers to enhance their skills and knowledge as professional Realtors.
3. The current statute of requiring renewal of exams for real estate salespersons and brokers serves no public interest. The public and consumers' interest will be enhanced by requiring real estate professionals to be more knowledgeable in handling real estate transactions.
4. The Bill No. 4 (LS), with the suggested changes would require salespersons and brokers to: (a) take additional real estate courses to improve their knowledge of the real estate practice rather than to take basically the same exam over again; (b) ensure that salespersons and brokers meet minimum standard of proficiency and competence regarding real estate transactions; and (c) regulate the scope of practice for estate salespersons and brokers in the interest of consumer protection.


RECOMMENDATION: The Committee, having reviewed the testimonies presented at the public hearing, does hereby recommend to *Li heslatura* that "AN ACT TO REPEAL AND REENACT §§104203, 104204, 104206 104207, 104208, 104209, 104210 AND 104211 ALL OF ARTICLE 2, CHAPTER 104, DIVISION 3 OF TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO UPDATING AND IMPROVING THE REAL ESTATE BROKERS LICENSE," be passed as substituted.

MINA'BENTE SINGKO NA LIHESLATURAN GUÅHAN
1999 (FIRST) Regular Session

Bill No. 4 (LS)

As substituted by the Committee on
Housing, General Government Services
and Foreign Affairs.

Introduced by:

A. R. Unpingco ⁶
F. B. Aquino, Jr. 

**AN ACT TO REPEAL AND REENACT §§104203,
104204, 104206 104207, 104208, 104209, 104210 AND
104211 ALL OF ARTICLE 2, CHAPTER 104,
DIVISION 3 OF TITLE 21 OF THE GUAM CODE
ANNOTATED, RELATIVE TO UPDATING AND
IMPROVING THE REAL ESTATE BROKERS
LICENSE.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*

3 finds that the public interest is better served by the addition of a continuing

4 education real estate requirement for salespersons and brokers to enhance

5 their skills and knowledge as professional Realtors. Furthermore, *I*

6 *Liheslaturan Guåhan* finds that based on the existing statute, no public interest

7 is served by the requirement of renewal exams for real estate salespersons and

8 brokers. However, the public and consumers' interest will be enhanced by

9 requiring real estate professionals to be more knowledgeable in handling real

10 estate transactions. Therefore, *I Liheslaturan Guåhan* is of the opinion that the

1 proposed continuing education requirement for broker and salesperson
2 should replace the antiquated exam renewal provision.

3 The intent of *I Liheslaturan Guåhan* of these changes in the statutes is to
4 require salespersons and brokers: (a) to take additional real estate courses to
5 improve their knowledge of the real estate practice rather than taking the
6 same exam over again; (b) to ensure that salespersons and brokers meet
7 minimum standard of proficiency and competence regarding real estate
8 transactions; and (c) to regulate the scope of practice for real estate
9 salespersons and brokers in the interest of consumer protection.

10 **Section 2. *Repeal and Reenact.*** Sections 104203, 104204, 104206,
11 104207, 104208, 104209, 104210 and 104211 all of Article 2, Chapter 104,
12 Division 3 of Title 21 of the Guam Code Annotated are hereby *repealed and*
13 *reenacted* to read:

14 **“Section 104203. Condition Precedent to Issuance of Original**
15 **Real Estate Broker’s License.** The Real Estate Commission shall not
16 issue a real estate broker’s license to any person who has not held an
17 original real estate salesman’s license for at least two (2) years prior to
18 the date of his application for the broker’s license, and during such time
19 was not actively engaged in the business of real estate salesman, except,
20 if an applicant for a real estate broker’s license having at least an
21 equivalent of two (2) years general real estate experience and have
22 satisfactorily completed a real estate course of instruction prescribed
23 and approved by the commissioner, of at least ninety (90) classroom
24 hours conducted by an accredited college or university or its equivalent
25 of instruction in a real estate school or certified by the commissioner, or

1 graduation from an accredited college or university with a degree in real
2 estate, business, accounting, finance, or any related field, files a written
3 petition with the department setting forth his qualification and
4 experience, and the Real Estate Commissioner approves, he may be
5 issued a real estate broker's license immediately upon passing the
6 appropriate examination and satisfying the other requirements of this
7 Article.

8 **Section 104204. Application for Salesman's License.**

9 Application for license as a real estate salesman shall be made in
10 writing to the Commissioner. The applications shall be signed by the
11 applicant, and shall be accompanied by the real estate salesman's license
12 fee; and by the recommendation of the broker, who is to be his
13 employer, certifying that the applicant is honest, truthful and of good
14 reputation and evidence of satisfactory completion of the basic real
15 estate fundamental course prescribed and approved by the
16 Commissioner, of at least thirty (30) classroom hours, or its equivalent.

17 **Section 104205. Requirement of other proof before authorizing
18 license; hearing.**

19 The Commissioner may require such other proof
20 as he may deem advisable concerning the honesty, truthfulness and
21 good reputation of any applicant for a real estate license, or of the
22 officers of any corporation, or of the members of any co-partnership
23 making such application, before authorizing the issuance of a real estate
24 license. For this purpose the Commissioner may call a hearing in
accordance with the provisions of this Division relating to hearings.

1 **Section 104206. Written Examination.** In addition to the
2 proof of honesty, truthfulness and good reputation required of any
3 applicant for a real estate license, the Commissioner shall ascertain by
4 written examination that the applicant, and in case of a co-partnership
5 or corporation applicant, for a real estate broker's license that each
6 officer, agent or member thereof through whom it proposes to act as a
7 real estate licensee, has:

8 (a) Appropriate knowledge of the English language, including
9 reading, writing, and spelling and of elementary arithmetic.

10 (b) A fair understanding of the rudimentary principles of real
11 estate conveyancing, the general purposes and general legal effects of
12 deeds, mortgages, land contracts of sale and leases, and of the
13 elementary principles of land economics and appraisals.

14 (c) A general and fair understanding of the obligations between
15 principal and agent, of the principles of real estate practice and the
16 canons of business ethics pertaining thereto, as well as the provisions of
17 the Title 21 of the Guam Code Annotated, relating to real estate.

18 (d) Have satisfactorily completed a real estate course prescribed
19 and approved by the Commissioner of at least thirty (30) classroom
20 hours, or its equivalent, of instructions in a real estate school certified by
21 the Commissioner.

22 **Section 104207. Original Real Estate License Term.** All
23 original real estate licenses issued by the Commissioner shall be for a
24 period of two (2) years and the holder thereof shall not become eligible

1 for a renewal real estate license until he has successfully completed the
2 Continuing Education Requirement outlined in §104209 of this Act.

3 **Section 104208. (a) Continuing Education Requirement for**
4 **Broker's Renewal.** Anytime prior to renewal of an original
5 broker's license, the broker must satisfactorily furnish the evidence of
6 successful completion of an additional ninety (90) classroom hours of
7 study selected among the following:

- 8 (1) Real Estate Practice,
- 9 (2) Real Estate Appraisal,
- 10 (3) Property Management,
- 11 (4) Real Estate Finance,
- 12 (5) Legal Aspect of Real Estate,
- 13 (6) Real Estate Office Administration,
- 14 (7) General Accounting,
- 15 (8) Business Law,
- 16 (9) Escrow,
- 17 (10) Real Estate Contracts, or any
- 18 (11) Real Estate Oriented Study Area.

19 (b) Of the ninety (90) classroom hours, eighteen (18) classroom
20 hours must be in the consumer protection area of study:

- 21 (1) Land Use Regulation,
- 22 (2) Consumer Disclosure,
- 23 (3) Agency Relationship,
- 24 (4) Fair Practices,
- 25 (5) Environmental Regulation and Considerations,

1 (6) Taxation (Real Estate Transaction), and

2 (7) Probate.

3 (c) Thereafter all broker's renewal shall be for a period of four
4 (4) years with a continuing education requirement of sixteen (16) hours
5 every two (2) years. Should the broker acquire more than the sixteen
6 (16) hours during the two (2) year period, the excess hours may be
7 credited to future renewal requirements.

8 **Section 104209. Continuing Education Requirement for**
9 **Salesperson Renewal.** Any time prior to renewal of an original license
10 the salesperson must satisfactorily furnish evidence of successful
11 completion of an additional forty-five (45) classroom hours of study in
12 §104208 (a)(1) or (2). Thereafter, all salesperson renewals should be for a
13 period of four (4) years with a continuing education requirement of
14 twelve (12) hours every two (2) years. Should a salesperson acquire
15 more than the minimum of twelve 12 hours during the two (2) year
16 period, the excess hours may be credited to future renewal
17 requirements.

18 **Section 104210. Exemption from Continuing Education**
19 **Requirement.** The Real Estate Commissioner shall grant an
20 exemption to persons with an original real estate broker's or
21 salespersons license to any person who has been issued a license for
22 fifteen (15) consecutive years or has attained the age of seventy (70)
23 years.

24 **Section 104211. Substitution of Continuing Education**
25 **Requirement.** The Real Estate Commissioner may allow for

1 substitution of the clock hour requirements, if the Commissioner makes
2 a determination that the individual is otherwise and similarly qualified
3 by reason of completion of equivalent educational coursework in any
4 accredited institution of higher learning or any degree granting
5 accredited institution.”

6 **Section 3. Severability.** If any provision of this Law or its
7 application to any person or circumstance is found to be invalid or contrary to
8 law, such invalidity shall *not* affect other provisions or applications of this
9 Law which can be given effect without the invalid provisions or application,
10 and to this end the provisions of this Law are severable.



MINA' BITE SINGKO NA LIHESI TURAN GUÅHAN
Kumitean Areklamento, Refotman Gubetnamento Siha, Inetnon di Nuebu, yan Asuntion Fidirat
Senator Mark Forbes, Chairman

JAN 11 1999

MEMORANDUM

TO: Chairman
Committee on Housing, General Government Services and Foreign Affairs

FROM: Chairman *MF*
Committee on Rules, Government Reform, Reorganization
and Federal Affairs

SUBJECT: Principal Referral – Bill No. 4

The above bill is referred to your Committee as the Principal Committee. In accordance with Section 6.04.05. of the Standing Rules, your Committee "shall be the Committee to perform the public hearing and have the authority to amend or substitute the bill, as well as report the bill out to the Body." It is recommended that you schedule a public hearing at your earliest convenience.

Thank you for your attention to this matter.

MARK FORBES

Attachment

MINA' BENTE SINGKO NA LIHESLATURAN GUAHAN
1999 (FIRST) REGULAR SESSION

Bill No. 4 (LS)

Introduced by:

A.R. Unpingco ⁶

"AN ACT TO REPEAL AND REENACT §§104203, 104204,
104206, 104207, 104208 AND 104209; REPEAL AND
REENACT §104210 AND §104211 OF ARTICLE 2 OF TITLE
21 OF THE GUAM CODE ANNOTATED (GCA) RELATIVE
TO UPDATING AND IMPROVING THE REAL ESTATE
(DEALERS) LAW."

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

2 **Section 1. Legislative Findings and Intent.** I Liheslaturan Guahan
3 finds that the public interest is better served by the addition of a continuing
4 education real estate requirement for salespersons and brokers to enhance
5 their skills and knowledge as professional Realtors.

6 I Liheslaturan Guahan further finds that no public interest is served
7 by the requirement of renewal exams for real estate salespersons and
8 brokers. However, the public and consumers' interest will be enhanced by
9 requiring real estate professionals to be more knowledgeable in handling
10 real estate transactions. Therefore, the renewal exams should be replaced
11 by a Continuing Education Requirement proposed herein.

1 The intent of I Liheslaturan Guahan of these changes in the statutes
2 is to require salespersons and brokers:

3 (a) to take additional real estate courses to improve their
4 knowledge of the real estate practice rather than to take basically the same
5 exam over again; and

6 (b) to ensure that salespersons and brokers meet minimum
7 standard of proficiency and competence regarding real estate
8 transactions; and

9 (c) to regulate the scope of practice for estate salespersons and
10 brokers in the interest of consumer protection.

11 Section 2. §§104203, 104204, 104206, 104207, 104208 and 104209 of
12 Article 2, Title 21, Guam Code Annotated (GCA) are repealed and
13 reenacted to read:

14 "§104203. Condition precedent to issuance of original real estate
15 broker's license. The Real Estate Commission shall not issue a real estate
16 broker's license to any person who has not held an original real estate
17 salesman's license for at least two (2) years prior to the date of his
18 application for the broker's license, and during such time was not actively
19 engaged in the business of real estate salesman, except, if an applicant for
20 a real estate broker's license having at least an equivalent of two (2) years

1 general real estate experience and have satisfactorily completed a real
2 estate course of instruction prescribed and approved by the commissioner,
3 of at least 90 classroom hours conducted by an accredited college or
4 university or its equivalent of instruction in a real estate school or certified
5 by the commissioner, or graduation from an accredited college or
6 university with a degree in real estate, business, accounting, finance, or
7 any related field files a written petition with the department setting forth
8 his qualification and experience, and the Real Estate Commissioner
9 approves, he may be issued a real estate broker's license immediately upon
10 passing the appropriate examination and satisfying the other
11 requirements of this Article.

12 **§104204. Application for salesman's license.** Application for license
13 as a real estate salesman shall be made in writing to the Commissioner.
14 The applications shall be signed by the applicant, and shall be accompanied
15 by the real estate salesman's license fee; recommendation of the broker,
16 who is to be his employer, certifying that the applicant is honest, truthful
17 and of good reputation; and evidence of satisfactory completion of the
18 basic real estate fundamental course prescribed and approved by the
19 Commissioner, of at least thirty (30) classroom hours (or its equivalent).

1 §104206. **Written examination.** In addition to the proof of honesty,
2 truthfulness and good reputation required of any applicant for a real
3 estate license, the Commissioner shall ascertain by written examination
4 that the applicant, and in case of a co-partnership or corporation
5 applicant, for a real estate broker's license that each officer, agent or
6 member thereof through whom it proposes to act as a real estate licensee,
7 has:

8 (a) appropriate knowledge of the English language, including
9 reading, writing, and spelling and of elementary arithmetic.

10 (b) a fair understanding of the rudimentary principles of real
11 estate conveying, the general purposes and general legal effects of deeds,
12 mortgages, land contracts of sale and leases, and of the elementary
13 principles of land economics and appraisals.

14 (c) a general and fair understanding of the obligations between
15 principal and agent. of the principles of real estate practice and the canons
16 of business ethics pertaining thereto, as well as the provisions of the Title,
17 Guam Code Annotated, relating to real estate.

18 (d) have satisfactorily completed a real estate course prescribed
19 and approved by the Commissioner of at least thirty (30) classroom hours

1 (or its equivalent) of instructions in a real estate school certified by the
2 Commissioner.

3 **§104207. Original Real estate license term.** All original real estate
4 licenses issued by the Commissioner shall be for a period of two (2) years
5 and the holder thereof shall not become eligible for a renewal real estate
6 license until he has successfully completed the Continuing Education
7 Requirement outlined in §104209.

8 **§104208. (a) Continuing Education Requirement for Broker**
9 **Renewal.** Anytime prior to renewal, the broker must satisfactorily furnish
10 the evidence of successful completion of an additional ninety (90)
11 classroom hours of study selected among the following:

- 12 (1) Real Estate Practice.
- 13 (2) Real Estate Appraisal.
- 14 (3) Property Management.
- 15 (4) Real Estate Finance.
- 16 (5) Legal Aspect of Real Estate.
- 17 (6) Real Estate Office Administration.
- 18 (7) General Accounting.
- 19 (8) Business Law.
- 20 (9) Escrow.

1 (10) Real Estate Contracts.

2 (11) Or any Real Estate Oriented Study Area.

3 (b) Of the ninety (90) classroom hours, eighteen (18) classroom
4 hours must be in the consumer protection area of study:

5 (1) Land Use Regulation.

6 (2) Consumer Disclosure.

7 (3) Agency Relationship.

8 (4) Fair Practices.

9 (5) Environmental Regulation and Considerations.

10 (6) Taxation (Real Estate Transaction).

11 (7) Probate.

12 **§104209. Continuing Education Requirement for Salesperson**
13 **Renewal.** Any time prior to renewal, the salesperson must satisfactorily
14 furnish evidence of successful completion of an additional forty-five (45)
15 classroom hours of study in §104208 (1) or (2)."

16 **Section 3. §104210 and §104211 are hereby repealed.**

ANISIA B. TERLAJE
Testimony on Bill #4

Attn: ***Senator / Leo Moylan, Chairman***
Committee on Housing, General Government Services
and Foreign Affairs

I am here before you as a supporter of Bill 4. Bill 4 will enhance the public interest and not impose a burden to the profession. In fact, I laud this bill as the first step in updating the real estate dealer's law in Guam.

I support the overall provisions of Bill 4. However, I ould later offer a few suggestions for your consideration.

As an instructor of the Fundamentals of Real Estate course offered by the Center for Continuing Education and Outreach Program at UOG, I OFTEN asked about the various licensing provisions

Most of my students controlled so that they could be licensed agents/brokers. Unfortunately, I have had several students in the class because they failed their Renewal exam. I have even had brokers who failed their broker's renewal exam come to class because they had to close their office. This example is not good for the business community, and no public interest is served by having these individuals close their businesses because they failed the real estate renewal exam which I think should be eliminated. Instead of a renewal exam, I agree with Bill #4, which mandates a continuing education requirement.

In today's economy we should be encouraging business expansions, not closures. It is lot easier to take a class to sharpen one's skills than to worry about passing another exam.

I realized that unlike some other professional licenses real estate license is not given for life. Rather, it is issued for a specified number of years and at the expiration it must be renewed.

Under the current Guam statute, both licenses (Salesperson & Broker) are required to take a second exam for renewal. The initial license is issued for 1 yr and then 3 months prior to the expiration of the initial license, the licensee is permitted to take the second exam.

Personally, I think the second exam is unnecessary and serves no public interest. Rather, I agree Bill 4 delete the second exam, and replacing it with a Continuing Education requirement.

Many state legislatures (16) are requiring licensees to receive Continuing Education as a precondition to renewal of their real estate license.

The quality and timing of the education varies. Some states require college credits while, others may only require a High School diploma. For example, Colorado requires that an applicant for a salesperson's license must have a College degree with a major course of study in real estate or, complete a course of study consisting of 48 class hours in real estate subjects.

In Colorado, in order to be qualified for a broker's license an applicant must have a College degree with a major course of study in Real Estate or else complete a course of study consisting of 96 class hours in real estate subjects. [C.R.S. Rev. Stat. § 12-61-103(4) & (5)]

In West Virginia, 90 hrs of instruction are necessary to qualify an applicant for Salesperson's license and 180 clock hours to qualify an applicant for a broker's license [W. Va Code § 47-4(3) & (4)]

In Texas, an applicant for a salesperson's license must have completed 12 semester hours of post-secondary education, at least 6 of which must be in real estate.

The purpose of requiring a proper professional education is important for the purpose of protecting the public interest, as well as, to assure continued maintenance of skills and knowledge by the licensee. (See, Iowa Code § 258 A.21(2)

Therefore, Continuing Education requirements are but another technique available to you (Legislators) in assuring the competency necessary to protect the interest of the public.

I am aware that some current members of our local real estate professionals do not relish a continuing education requirement. I would, therefore, recommend that Bill 4 include an EXEMPTION and a SUBSTITUTION provision for certain licensees.

I recommend that the exemption provision include a grandfather clause for those who have been licensees for a specified period of time and/or meet certain age requirement. For example, New York, a person who is licensed for 15 successive years immediately prior to enactment of the continuing education requirement is exempt. (N.Y. Real Prop. Law § 441 (3) (a) (McKinney)

Another example of exemption statute is California. In California, a person who has been a licensee in good standing for 30 continuous years and is 70 years of age or over is exempt. [Cal. Bus. Prof. Code § 10170.8 (West)]

In Louisiana, a person who has been licensed for 10 years or was licensed prior to Jan. 1, 1981 is exempt. [La. Stat. Ann. § 37:1437 (c)(5)(West)]

In other states (Oregon & North Dakota) the licensing agency may exempt licensees who are not engaged in public practice due to reasons of health, military service or other good cause. [E.g., O.R. Cent. Code § 43-23-08.2; OR Rev. Stat. § 696.174(5)]

I recommend that you (legislators) consider adopting one of the above models as part of the Guam exemption provisions to Bill 4.

In summary, I think that the 45 hours for Continuing Education as provided by § 104209 for salesperson and 90 hrs for brokers (§104208) is not excessive.

However, I recommend that this requirement should be limited for those applying for their first renewal only. I believe the intent of the bill is to substitute the second exam for a Continuing Education requirement.

Therefore, I recommend that the two provisions §104208 and (9) be modified to specify that the 45 and 90 hours requirement will be for the first renewals only.

Additionally, the two provisions should include an additional sentence at the end for all other renewals. See page 3 of the bill -- "Thereafter a broker's renewal should be for a period of 4 years with a continuing education requirement of 16 hours every two years. Should the broker acquire more than the minimum sixteen hours during the two year period, the excess hours may be credited to future renewal requirements.

Go to page 5

"Anytime prior to renewal of an original broker's license....."

page 6

"Any time prior to renewal of an original license, the salesperson must satisfactorily furnish evidence of successful completion of an additional forty-five (45) classroom hours of study - 4208 (1) or (2)." "Thereafter, a salesperson) renewals should be for a period of 4 years with a continuing education requirement of twelve hours every two years.

Should a salesperson acquire more than the minimum of 12 hours during the two year period, the excess hours may be credited to future renewal requirements."

I think that the minor changes and additions would serve the public interest as well as provide the necessary guidelines for updating and upgrading the Guam real estate professional standards. As for the Substitution Provision a modification of the revised Code of Washington (RCW 18.85.0) is a good model.

"The R.E. Commissioner may allow for substitution of the clock-hour requirements (§§ 104208;1209) if the commissioner make a determination that the individual is otherwise and similarly qualified by reason of completion of equivalent educational coursework in a institution of higher education or any degree-granting institution." I offer this provision for your consideration.

In closing, I think that some sections of the Guam Real Estate Dealers (Law) are outdated, too restrictive and unfair.

I welcome Bill 4 as the initial step in updating Guam Real Estate Dealers statutes and I urge you to consider my recommendations in signing this bill.

Thank You for the opportunity to hear my comment this morning.

Anisia B. Terlaje
Anisia Terlaje

February 24, 1999

Sen. Kaleo S. Moylan, Chairman
Committee on Housing, General Government Services
and Foreign Affairs
Mina Bente Singko na Liheslaturan Guahan
155 Hesler Place
Hagatna, Guam 96910

Re: Bill No. 4

Dear Sen. Moylan,

As an instructor of the Fundamentals of Real Estate course offered by the Center for Continuing Education and Outreach program at the University of Guam, I am very interested in Bill No. 4, amending the real estate dealers law. I would like to offer a modification to Bill No. 4, which would enhance the public interest and not impose a burden to the profession.

First, I see no purpose for the renewal examination. No other profession requires this. As long as individuals renew their license, they are not required to take another exam. Instead of a second examination, the public interest and the profession would benefit by substituting the second examination for a continuing education requirement. I, therefore, am in favor of deleting the second examination and replacing it with a continuing education requirement (§104204).

Secondly, the original license for both the real estate salesperson and broker should be for a two (2) year period rather than one (1) year. All original licensee should be required to take at least thirty (30) clock hours of training to be eligible to take the real estate examination.

Third, I think that the training requirement of forty-five (45) hours (§104209) for salesperson, and ninety (90) hours (§104208) for brokers, is not excessive. However, this requirement should be limited for those applying for the first renewal. Real estate is a complex field and real estate professionals encounter numerous issues ranging from simple escrow and accounting questions to complicated legal issues. The recommended 45-90 hours of classroom training will assist new agents and brokers in dealing with the complexity of the business. The purpose of this requirement is to enhance the agents/brokers knowledge such as duty of disclosure, fiduciary duties and other agency laws; thereby, protecting public interest. These changes will give real estate professionals the necessary tools to handle various real estate transactions.

Fourth, the second renewal and thereafter should be for a period of four (4) years with a continuing education requirement of twelve to sixteen (12-16) hours for salesperson (§104209), and sixteen to twenty (16-20) hours for brokers (§104203). Additionally, should either licensee take more than the minimum hours required for renewal, the licensee should be allowed to carryover the hours for future renewal requirements.

Finally, I think that the real estate dealers law in Guam is outdated, and I urge you and the committee to act on this Bill as soon as possible. Thank you for the opportunity to comment on Bill No. 4 and if I could be of any assistance to you and your committee, please do not hesitate to call me at 565-7036.

Sincerely,

Anisia B. Terlaje
Anisia B. Terlaje

cc: Speaker Antonio R. Unpingco

MINA'BENTE SINGKO NA LIHESLATURAN GUAHAN
COMMITTEE ON HOUSING, GENERAL GOVERNMENT SERVICES AND FOREIGN AFFAIRS
SENATOR KALEO S. MOYLAN
CHAIRMAN

PUBLIC HEARING
8:30 A.M., THURSDAY, MARCH 4, 1999
GUAM LEGISLATURE PUBLIC HEARING ROOM

A G E N D A

- I. **Call to Order**
- II. **Announcement and Introduction of Members**
- III. ***GOVERNOR'S APPOINTMENT OF MR. FREDERIC A. LEON GUERRERO TO SERVE AS MEMBER OF THE BOARD OF EQUALIZATION EXPIRING FEBRUARY 16, 2003.**

***BILL NO. 4 - AN ACT TO REPEAL AND REENACT §§ 104203, 104204, 104206, 104207, 104208, AND 104209; REPEAL AND REENACT §104210 AND §104211 OF ARTICLE 2 OF TITLE 21 OF THE GUAM CODE ANNOTATED (GCA) RELATIVE TO UPDATING AND IMPROVING THE REAL ESTATE (DEALERS) LAW. (Sponsored by A. R. Unpingco)**

***BILL NO. 8 - AN ACT RELATIVE TO AUTHORIZING THE GUAM HOUSING CORPORATION TO EXTEND THE MAXIMUM AMORTIZATION LOAN PERIOD FOR FIRST-TIME HOMEOWNERS AND LOW/MODERATE INCOME FAMILIES, TO ALLOW FOR MORE FEASIBLE PAYMENT ARRANGEMENTS AND TO INCREASE QUALIFICATION OPPORTUNITIES FOR FINANCING NECESSARY FOR THE CONSTRUCTION OR PURCHASE OF THEIR HOMES. (Sponsored by F. B. Aguon, Jr.)**

***BILL No. 36 - AN ACT TO REPEAL AND REENACT SECTION 4104(a) OF TITLE 4, GUAM CODE ANNOTATED (GCA) RELATIVE TO PREFERENCES FOR CRIMINAL JUSTICE ACADEMY GRADUATES. (Sponsored by A. C. Blaz)**

- IV. **REMARKS**
- V. **ADJOURNMENT**

MINA'BENTE SINGKO NA LIHESLATURAN GUÅHAN
Committee on Housing, General Government Services and Foreign Affairs
Markup Meeting
4:00 p.m., Wednesday, March 10, 1999

A`G E N D A

- I. Call to Order.
- II. Executive Appointment and Bill No. 4:
- (a) Mr. Frederic A. Leon Guerrero to serve as a member of the Board of Equalization, for a term of four (4) years to expire on February 16, 2003.
- (b) Bill No. 4 (LS) AN ACT TO REPEAL AND REENACT §§104203, 104204, 104206 104207, 104208 AND 104209 AND TO REPEAL §§104210 AND 104211 ALL OF ARTICLE 2, CHAPTER 104, DIVISION 3 OF TITLE 21 OF THE GUAM CODE ANNOTATED, RELATIVE TO UPDATING AND IMPROVING THE REAL ESTATE BROKERS LICENSE.
- (c) Recommendation:
- (i) Appointment of Frederic A. Leon Guerrero to do confirm, or not to confirm.
- (ii) Bill No. 4 (LS), to amend or substitute; and to do pass, or not to pass.
- III. Briefing on Departmental Budgets:
- Department of Administration
 - Department of Revenue and Taxation
 - Bureau of Planning
 - Civil Service Commission
 - Guam Finance Commission and Bureau of Information Technology
 - Office of the Public Auditor
- IV. Remarks.
- V. Adjournment.

Senator Kaleo S. Moylan
Chairperson, Committee on Housing,
General Government Services and Foreign Affairs
Mina'Bente Singko Na Liheslaturan Guahan
Twenty-Fifth Guam Legislature

February 24, 1999

The Honorable Carl T. C. Gutierrez
Maga'lahaen Guahan
R. J. Bordallo Governor's Complex
Hagatna, GU 96910



Dear Governor Gutierrez:

This is to inform you that the Committee on Housing, General Government Services and Foreign Affairs will be conducting a public hearing on Thursday, March 4, 1999, at 8:30 a.m. in the Guam Legislature Public Hearing Room on the following:

***Bill No. 4(LS)-AN ACT TO REPEAL AND REENACT §§104203, 104204, 104206, 104207, 104208, AND 104209; REPEAL AND REENACT §§104210 AND 104211 ALL OF ARTICLE 2 OF TITLE 21 OF THE GUAM CODE ANNOTATED RELATIVE TO UPDATING AND IMPROVING THE REAL ESTATE (DEALERS) LAW.**

***Bill No. 8(LS)-AN ACT RELATIVE TO AUTHORIZING THE GUAM HOUSING CORPORATION TO EXTEND THE MAXIMUM AMORTIZATION LOAN PERIOD FOR FIRST-TIME HOMEOWNERS AND LOW/MODERATE INCOME FAMILIES, TO ALLOW FOR MORE FEASIBLE PAYMENT ARRANGEMENTS AND TO INCREASE QUALIFICATION OPPORTUNITIES FOR FINANCING NECESSARY FOR THE CONSTRUCTION OR PURCHASE OF THEIR HOMES.**

***Bill No. 36(LS)-AN ACT TO REPEAL AND REENACT §4101(a) OF TITLE 4, GUAM CODE ANNOTATED (GCA) RELATIVE TO PREFERENCES FOR CRIMINAL JUSTICE ACADEMY GRADUATES.**

***Confirmation Hearing-GOVERNOR'S APPOINTMENT OF MR. FREDERIC A. LEON GUERRERO TO SERVE AS MEMBER OF THE BOARD OF EQUALIZATION TO EXPIRE ON FEBRUARY 16, 2003.**

Your presence at this meeting is greatly appreciated. Thank you for your attention to this matter.

Sincerely yours,

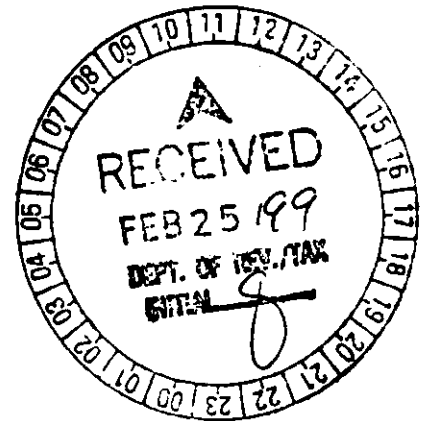
A handwritten signature in black ink, appearing to be "Kaleo S. Moylan".

KALEO S. MOYLAN
Senator

Senator Kaleo S. Moylan
Chairperson, Committee on Housing,
General Government Services and Foreign Affairs
Mina'Bente Singko Na Liheslaturan Guahan
Twenty-Fifth Guam Legislature

February 24, 1999

Mr. Joseph Duenas
Director
Department of Revenue and Taxation
P. O. Box 23607
GMF, GU 96921



Dear Mr. Duenas:

This is to inform you that the Committee on Housing, General Government Services and Foreign Affairs will be conducting a public hearing on Thursday, March 4, 1999, at 8:30 a.m. in the Guam Legislature Public Hearing Room on the following:

***Bill No. 4(LS)-AN ACT TO REPEAL AND REENACT §§104203, 104204, 104206, 104207, 104208, AND 104209; REPEAL AND REENACT §§104210 AND 104211 ALL OF ARTICLE 2 OF TITLE 21 OF THE GUAM CODE ANNOTATED RELATIVE TO UPDATING AND IMPROVING THE REAL ESTATE (DEALERS) LAW.**


***Bill No. 8(LS)-AN ACT RELATIVE TO AUTHORIZING THE GUAM HOUSING CORPORATION TO EXTEND THE MAXIMUM AMORTIZATION LOAN PERIOD FOR FIRST-TIME HOMEOWNERS AND LOW/MODERATE INCOME FAMILIES, TO ALLOW FOR MORE FEASIBLE PAYMENT ARRANGEMENTS AND TO INCREASE QUALIFICATION OPPORTUNITIES FOR FINANCING NECESSARY FOR THE CONSTRUCTION OR PURCHASE OF THEIR HOMES.**

***Bill No. 36(LS)-AN ACT TO REPEAL AND REENACT §4101(a) OF TITLE 4, GUAM CODE ANNOTATED (GCA) RELATIVE TO PREFERENCES FOR CRIMINAL JUSTICE ACADEMY GRADUATES.**

***Confirmation Hearing-GOVERNOR'S APPOINTMENT OF MR. FREDERIC A. LEON GUERRERO TO SERVE AS MEMBER OF THE BOARD OF EQUALIZATION TO EXPIRE ON FEBRUARY 16, 2003.**

Your presence at this meeting is greatly appreciated. Thank you for your attention to this matter.

Sincerely yours,


KALEO S. MOYLAN
Senator

Senator Kaleo S. Moylan
Chairperson, Committee on Housing,
General Government Services and Foreign Affairs
Mina'Bente Singko Na Liheslaturan Guahan
Twenty-Fifth Guam Legislature

February 24, 1999

RECEIVED

FEB 25 1999

GUAM CHAMBER
OF
COMMERCE

J. A. Webb

Mr. Daniel L. Webb
Chairman
Guam Chamber of Commerce
P. O. Box 283
Hagatna, GU 96932

Dear Mr. Webb:

This is to inform you that the Committee on Housing, General Government Services and Foreign Affairs will be conducting a public hearing on Thursday, March 4, 1999, at 8:30 a.m. in the Guam Legislature Public Hearing Room on the following:

*Bill No. 4(LS)-AN ACT TO REPEAL AND REENACT §§104203, 104204, 104206, 104207, 104208, AND 104209; REPEAL AND REENACT §§104210 AND 104211 ALL OF ARTICLE 2 OF TITLE 21 OF THE GUAM CODE ANNOTATED RELATIVE TO UPDATING AND IMPROVING THE REAL ESTATE (DEALERS) LAW.

*Bill No. 8(LS)-AN ACT RELATIVE TO AUTHORIZING THE GUAM HOUSING CORPORATION TO EXTEND THE MAXIMUM AMORTIZATION LOAN PERIOD FOR FIRST-TIME HOMEOWNERS AND LOW/MODERATE INCOME FAMILIES, TO ALLOW FOR MORE FEASIBLE PAYMENT ARRANGEMENTS AND TO INCREASE QUALIFICATION OPPORTUNITIES FOR FINANCING NECESSARY FOR THE CONSTRUCTION OR PURCHASE OF THEIR HOMES.

*Bill No. 36(LS)-AN ACT TO REPEAL AND REENACT §4101(a) OF TITLE 4, GUAM CODE ANNOTATED (GCA) RELATIVE TO PREFERENCES FOR CRIMINAL JUSTICE ACADEMY GRADUATES.

*Confirmation Hearing-GOVERNOR'S APPOINTMENT OF MR. FREDERIC A. LEON GUERRERO TO SERVE AS MEMBER OF THE BOARD OF EQUALIZATION TO EXPIRE ON FEBRUARY 16, 2003.

Your presence at this meeting is greatly appreciated. Thank you for your attention to this matter.

Sincerely yours,



KALEO S. MOYLAN
Senator

Senator Kaleo S. Moylan
Chairperson, Committee on Housing,
General Government Services and Foreign Affairs
Mina'Bente Singko Na Liheslaturan Guahan
Twenty-Fifth Guam Legislature

February 24, 1999

MEMORANDUM

TO: Members, Committee on Housing, General Government Services &
Foreign Affairs

FROM: Chairman

SUBJECT: Public Hearing

This is to inform you that the Committee on Housing, General Government Services and Foreign Affairs will be conducting a public hearing on Thursday, March 4, 1999, at 8:30 a.m. in the Guam Legislature Public Hearing Room on the following:

***Bill No. 4(LS)-AN ACT TO REPEAL AND REENACT §§104203, 104204, 104206, 104207, 104208, AND 104209; REPEAL AND REENACT §§104210 AND 104211 ALL OF ARTICLE 2 OF TITLE 21 OF THE GUAM CODE ANNOTATED RELATIVE TO UPDATING AND IMPROVING THE REAL ESTATE (DEALERS) LAW.**

***Bill No. 8(LS)-AN ACT RELATIVE TO AUTHORIZING THE GUAM HOUSING CORPORATION TO EXTEND THE MAXIMUM AMORTIZATION LOAN PERIOD FOR FIRST-TIME HOMEOWNERS AND LOW/MODERATE INCOME FAMILIES, TO ALLOW FOR MORE FEASIBLE PAYMENT ARRANGEMENTS AND TO INCREASE QUALIFICATION OPPORTUNITIES FOR FINANCING NECESSARY FOR THE CONSTRUCTION OR PURCHASE OF THEIR HOMES.**

***Bill No. 36(LS)-AN ACT TO REPEAL AND REENACT §4101(a) OF TITLE 4, GUAM CODE ANNOTATED (GCA) RELATIVE TO PREFERENCES FOR CRIMINAL JUSTICE ACADEMY GRADUATES.**

***Confirmation Hearing-GOVERNOR'S APPOINTMENT OF MR. FREDERIC A. LEON GUERRERO TO SERVE AS MEMBER OF THE BOARD OF EQUALIZATION TO EXPIRE ON FEBRUARY 16, 2003.**

Your presence at this meeting is greatly appreciated. Thank you for your attention to this matter.


KALEO S. MOYLAN

Cc: All Senators	Production Room
Chairman, Committee on Rules	Archives
Executive Director	Clerk of the Legislature
Protocol	Maintenance
Audio	All Media

Senator Kaleo S. Moyi n
 Committee on Housing,
 General Government Services and Foreign Affairs
 Mina Bente Singko Na Liheslaturan Guahan
 25th Guam Legislature

OFFICE	DATE	TIME	INITIAL	PRINT NAME
Senator F.B. Aguon	<u>2/25/99</u>	<u>2:44</u>	<u>[Signature]</u>	<u>[Signature]</u>
Senator E.C. Bermudes	<u>2/25/99</u>	<u>3:48</u>	<u>[Signature]</u>	<u>Fancy McCallis</u>
Senator A.C. Blaz	<u>2-25-99</u>	<u>3:15</u>	<u>[Signature]</u>	<u>FRANCES LA VITA</u>
Senator J.M.S. Brown	<u>2-25-99</u>	<u>3:36pm.</u>	<u>[Signature]</u>	<u>Jim Gumatat</u>
Senator E.B. Calvo	<u>2/25/99</u>	<u>3:37</u>	<u>[Signature]</u>	<u>Diana Aivas</u>
Senator M.G. Camacho	<u>2/25/99</u>	<u>3:36pm</u>	<u>[Signature]</u>	<u>Ricky Sanchez</u>
Senator M. Forbes	<u>2-25-99</u>	<u>2:40pm</u>	<u>J. Davis</u>	<u>[Signature]</u>
V. Speaker Kasperbauer	<u>3:40 pm</u>	<u>2/25/99</u>	<u>[Signature]</u>	<u>[Signature]</u>
Senator A.C. Lamorena	<u>2-25-99</u>	<u>3:25</u>	<u>[Signature]</u>	<u>[Signature]</u>
Senator Carlotta L.G.	<u>2-25-99</u>	<u>1530</u>	<u>[Signature]</u>	<u>M. Lopez</u>
Senator V.C. Pangelinan	<u>2/25/99</u>	<u>3:50p</u>	<u>[Signature]</u>	<u>Jane R</u>
Senator J.C. Salas	<u>2-25-99</u>	<u>4:25p</u>	<u>[Signature]</u>	<u>Barbara</u>
Senator S.A. Sanchez	<u>022599</u>	<u>4p.</u>	<u>[Signature]</u>	<u>[Signature]</u>
Speaker A.R. Unpingco	<u>[Signature]</u>	<u>[Signature]</u>	<u>[Signature]</u>	<u>[Signature]</u>
Executive Director	<u>02/25/99</u>	<u>2:55</u>	<u>[Signature]</u>	<u>Michael R. Dumlaga</u>
Clerk of the Legislature	<u>2/25/99</u>	<u>2:54</u>	<u>[Signature]</u>	<u>[Signature]</u>
Protocol	<u>2/25/99</u>	<u>2:55 pm</u>	<u>[Signature]</u>	<u>Irene Sgamburri</u>
Audio	<u>4/5/99</u>	<u>2:52pm</u>	<u>[Signature]</u>	<u>J. Cruz</u>
Maintenance	<u>2/2/99</u>	<u>2:45 PM</u>	<u>[Signature]</u>	<u>G. Decourt</u>
REPRODUCTION	<u>2/25/99</u>	<u>2:50 PM</u>	<u>[Signature]</u>	<u>ADA MARIÓN</u>
Central Files	<u>2/25/99</u>	<u>2:58 PM</u>	<u>[Signature]</u>	<u>A. J. Leon Guerrero</u>

TEACHING BASES LOCAL

Pacific Daily News, Saturday, February 27, 1999

GOVERNMENT MEETINGS

▲ Continued from Page 7

COUNCIL ON SENIOR CITIZENS: Monthly meeting 3 p.m., March 4, Minondo conference room. Those with disabilities who need special accommodations, etc., should call 475-0263.

INTERIM GOVERNING BOARD OF EDUCATION'S COMMITTEE FOR RENAMING SCHOOLS: Public hearing 6:30 p.m., March 4, Agaña Heights Elementary School cafeteria. Testimonies on renaming Agaña Heights Elementary School to Rosario Taitano Sablan Elementary School. For more information call 734-4902/3.

COMMITTEE ON HOUSING, GENERAL GOVERNMENT SERVICES AND FOREIGN AFFAIRS: Public hearing 8:30 a.m., March 4, Ushetukuron public hearing room, Hagåtña, Bldg 4 (LS) 8 (LS) 36 (LS). Confirmation hearing on governor's appointment of Frederic A. Leon Guerrero to serve as Board of Equalization member. For more information call 472-3342/3.

CIVIL SERVICE COMMISSION BOARD: 5:30 p.m., March 4, CSC conference room, 490 Chalan Palasyo, Agaña Heights. Continuation of adverse action appeal of Daniel I.G. Sablan vs. GPA, dismissal; new business; general business; executive session. For more information call 475-1300/01.

EDUCATOR CORPS COUNCIL: Monthly meeting noon, March 4, Mr. Reyes's office, DOE, Hagåtña. Those with disabilities who need special accommodations, etc., should call Terry Perez, 735-2470/1.

COUNCIL ON THE ARTS & HUMANITIES AGENCY: Monthly meeting 4 p.m., March 4, CAHA conference room, 703 Central Ave., Hiyon. Those with disabilities who need special accommodations, etc., should call Jackie Balbas, 475-2242/3 or fax 472-2781.

COMMITTEE ON TOURISM, ECONOMIC DEVELOPMENT AND PARKS: Budget hearing on Chamorro Language Commission and Guam Heritage Institute Planning Group, Guam Museum and Guam

LOCAL

GOVERNMENT MEETINGS

PORT AUTHORITY OF GUAM BOARD OF DIRECTORS: 10 a.m. Feb. 26, board conference room, Cabras Islands, Piti. Agenda copies available. Those with disabilities who need special accommodations, etc., should call Simeon Delos Santos at 477-5931, ext. 430, or page 720-6056.

COMMISSION ON DECOLONIZATION'S STATEHOOD TASK FORCE: Noon Feb. 26, Ladera Restaurant, Mangilao. For more information, call 475-9222.

GEDA BOARD OF DIRECTORS: 10 a.m. Feb. 26, Suite 511, 5th floor, ITC Building, Tamuning. Those with disabilities who need special accommodations, etc., should call Bernard Punzalan at 647-4332.

COMMITTEE ON JUDICIARY, PUBLIC SAFETY, CONSUMER PROTECTION AND HUMAN RESOURCES DEVELOPMENT: Public hearing, 2-5 p.m. Feb. 26, 1 Liheslaturan Guahan public hearing room, Hagåtña. Bills 47, 51, 52, 62, 76 and 82. For more information call office of Sen. John Salas, 472-3431 or pager 720-6787.

March 1: Discovery Day local holiday. No meetings scheduled.

Palasyo, Agana Heights. Adverse action appeal of Daniel L.G. Sablan vs. GPA, dismissal; new business; general business; executive session. For more information, call 475-1300/01.

MAYORS COUNCIL OF GUAM: 10 a.m. March 3, council's conference room, RJB complex, Adelup. For more information, call 477-6886 or -8461 or 472-6940. For more information, call Melva Dela Pena at 477-6886.

RETIREMENT FUND BOARD OF TRUSTEES: 5:30 p.m. March 3, Retirement Fund conference room, Maite. Those with disabilities who need special accommodations, etc., should call 475-8900/1.

GCC BOARD OF TRUSTEES: Semi-monthly meeting, 6 p.m. March 3, president's office conference room, Mangilao. Agenda copies available by calling 735-5637. Those with disabilities who need special accommodations, etc., should call Jan Milligan at 735-5582/3 or TDD at 734-8324 or -5236.

CIVIL SERVICE COMMISSION BOARD: 5:30 p.m. March 3, CSC conference room, 490 Chalan Palasyo, Agana Heights. Continu-

ness; executive session. For more information, call 475-1300/01.

COUNCIL ON SENIOR CITIZENS: Monthly meeting, 3 p.m. March 4, Minondo conference room. Those with disabilities who need special accommodations, etc., should call 475-0263.

INTERIM GOVERNING BOARD OF EDUCATION'S COMMITTEE FOR RENAMING SCHOOLS: Public hearing, 6:30 p.m. March 4, Agana Heights Elementary School cafeteria. Testimonies on renaming Agana Heights Elementary School to Rosario Taitano Sablan Elementary School. For more information, call 734-4902/3.

COMMITTEE ON HOUSING, GENERAL GOVERNMENT SERVICES AND FOREIGN AFFAIRS: Public hearing, 8:30 a.m. March 4, 1 Liheslaturan public hearing room, Hagåtña. Bills 4 (LS), 8 (LS) and 36 (LS). Confirmation hearing on governor's appointment of Frederick A. Leon Guerrero to serve as Board of Equalization member. For more information call 472-3342/3.

CIVIL SERVICE COMMISSION BOARD: 5:30 p.m. March 4, CSC conference room, 490 Chalan

Palasyo, Agana Heights. Adverse action appeal of Daniel L.G. Sablan vs. GPA, dismissal; new business; general business; executive session. For more information, call 475-1300/01.

COUNCIL ON THE YEAR 2000: 10 a.m. March 5, Governor's conference room, RJB complex, Adelup. Those with disabilities who need special accommodations, etc., should call George Bamba at 475-9248.

BOARD OF COSMETOLOGY: Noon March 8, Health Professional Licensing office, 1302 E. Sunset Blvd., Tiyan. Agenda copies available at 1304 E. Sunset Blvd. Those with disabilities who need special accommodations, etc., should call 475-0251/2.

MASS TRANSIT AUTHORITY BOARD OF DIRECTORS: 6 p.m. March 9, center's conference room, Hagåtña. Those with disabilities who need special accommodations, etc., should call Ramona Perez at 475-4682 or TDD at 475-4601.

CHAMORRO REGISTRY ADVISORY BOARD: 10 a.m. March 10, Election Commission's conference room, 2nd floor, GCIC Building, Hagåtña. Those with disabilities

should call 475-4256.

GTA BOARD OF DIRECTORS: 7 p.m. March 11, GTA conference room, Upper Tumon. Those with disabilities who need special accommodations, etc., should call 479-8607.

CHAMORRO LAND TRUST COMMISSION: Public hearing on a proposed agriculture fee schedule and its regular meeting, 9 a.m. March 13, Building Central Ave., Tiyan. Copies of proposed scheduled meetings are available for pickup at the commission office. Those with disabilities who need special accommodations, etc., should call Teresa Taitano at 475-4259.

GTA BOARD OF DIRECTORS: 7 p.m. March 25, GTA conference room, Upper Tumon. Those with disabilities who need special accommodations, etc., should call 479-8607.

Miscellaneous: The Guam Board of Cosmetology announces that the Health Professional Licensing office is accepting applications to write the National Interstate Council of State Boards of Cosmetology exam.