EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor Of Guam

OCT 18 2017

GL#34-17-1100
Speaker Benjamin J.F. Cruz

OCT 18 2017
Time: 3:10 [ ] AM [ ] PM File No. 34-1044
Received By:

Honorable Benjamin J.F. Cruz
Speaker
I Mina'trentai Kuåttro Na Liheslaturan Guåhan
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Dear Mr. Speaker:

Transmitted herewith is Bill No. 112-34 (COR), **"AN ACT TO *AMEND* § 18117(a)(2)(A); AND TO *ADD* A NEW § 18120.1; AND TO *AMEND* § 18123(a); AND TO *ADD* A NEW § 18128.6(c), ALL OF CHAPTER 18, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO AMENDING THE BARBERING AND COSMETOLOGY ACT,"** which was signed into law on October 13, 2017, as **Public Law 34-47.**

Senseramente,

EDDIE BAZA CALVO

2017 OCT 18 PM 4:28

I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN
2017 (FIRST) Regular Session

Bill No. 112-34 (COR)

Introduced by: Dennis G. Rodriguez, Jr.
Joe S. San Agustin
Thomas C. Ada
FRANK B. AGUON, JR.
William M. Castro
B. J.F. Cruz
James V. Espaldon
Fernando Barcinas Esteves
Régine Biscoe Lee
Tommy Morrison
Louise B. Muña
Telena Cruz Nelson
Michael F.Q. San Nicolas
Therese M. Terlaje
Mary Camacho Torres

AN ACT TO *AMEND* § 18117(a)(2)(A); AND TO *ADD* A NEW § 18120.1; AND TO *AMEND* § 18123(a); AND TO *ADD* A NEW § 18128.6(c), ALL OF CHAPTER 18, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO AMENDING THE BARBERING AND COSMETOLOGY ACT.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that safety and proper barbering and cosmetology practices should be held to the greatest standards to ensure that the products and practices in this profession are performed in a manner that is not detrimental to the health and safety of our people.

New practices found nationwide and possibly in Guam have been found to be conducted without authorization by public law and may violate the very health and safety these laws are meant to protect. Additionally, *I Liheslaturan Guåhan* further finds that in order to maintain standards with national requirements, Guam must enhance requirements to fulfill reciprocity regulations that will provide for opportunities for barbering and cosmetology professionals.

Section 2. § 18117(a)(2)(A) of Chapter 18, Title 10, Guam Code Annotated, is hereby *amended* to read:

"**§ 18117. Eligibility and Qualifications for Manicurist License.**

(a) The Board *shall* administer examinations for a license as a manicurist during a Board meeting duly held for the purpose of administering examinations for applicants who have made the proper applications for such license and who have qualified as follows:

(2) who has had one (1) of the following:

(A) completed a certified manicure program of *at least* four hundred (400) hours extending over a school year of *not less than* four (4) months in nail care from a school approved by the Board;"

Section 3. A new § 18120.1 is hereby *added* to Chapter 18 of Title 10, Guam Code Annotated, to read:

"**§ 18120.1. Guest Educator.**

(a) A Guest Educator may provide instruction with the supervision of the instructor of record, and is responsible for performing teaching-related duties to assist faculty members of the school of cosmetology. Duties may include preparation of instructional materials, proctoring of exams, grading tests, and recording of grades in a grade book. Guest Educators *shall* meet the following qualifications:

(1) specialized competency in the fields of cosmetology, nail technology, esthetics, or barbering, with at least one (1) year of experience with license specialty; and

(2) certification in the field of instruction with at least three (3) years of experience in the field of instruction in a post-secondary school, or a Master's degree."

Section 4. § 18123(a) of Chapter 18, Title 10, Guam Code Annotated, is hereby *amended* to read:

"**§ 18123. Universal Precautions.**

(a) The Board *shall* promulgate rules and regulations in accordance with the Administrative Adjudication Law within one hundred eighty (180) days upon the enactment of this Act to address universal precautions guidelines, which *shall* include, but *not* be limited to:

(1) cleanliness and sanitation of towels and/or linens;

(2) disinfecting requirements and standards of any articles, tools (electrical and non-electrical), implements and equipment in contact with a client;

(3) prevention of contamination of any materials and/or solutions in contact with a client;

(4) proper storage of tools and implements;

(5) cleanliness of floor surfaces, walls and ceilings;

(6) general proper hygiene (i.e. properly washing hands, proper use of gloves); and

(7) prohibited products and practices. The use of any product, preparation or procedure that comes in contact with or penetrates the dermis layer of the skin."

Section 5. A new § 18128.6(c) is hereby *added* to Chapter 18 of Title 10, Guam Code Annotated, to read:

"**§ 18128.6. Prohibited Instruments.**

(c) No establishment or school *shall* have on the premises any micro-thin blade or blades or instrument of the like, which is used to perform tattoo services or other similar procedures, except as further provided herein, until such time as the Board promulgates rules and regulations pursuant to § 18123 of this Chapter relative to the use of these blades or instruments."

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

Section 7. Effective Date. This Act *shall* become effective upon enactment.

I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN
2017 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LÅHEN GUÅHAN*

This is to certify that **Bill No. 112-34 (COR), "AN ACT TO *AMEND* § 18117(a)(2)(A); AND TO *ADD* A NEW § 18120.1; AND TO *AMEND* § 18123(a); AND TO *ADD* A NEW § 18128.6(c), ALL OF CHAPTER 18, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO AMENDING THE BARBERING AND COSMETOLOGY ACT,"** was on the 29th day of September 2017, duly and regularly passed.

Benjamin J.F. Cruz
Speaker

Attested:

Dennis G. Rodriguez, Jr.
Acting Legislative Secretary

This Act was received by *I Maga'låhen Guåhan* this 2nd day of Oct, 2017, at 4:40 o'clock P.M.

Assistant Staff Officer
Maga'låhi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'låhen Guåhan
Date: OCT 13 2017

Public Law No. 34-47