

LOURDES A. LEON GUERRERO  
MAGA'HÅGA • GOVERNOR



JOSHUA F. TENORIO  
SIGUNDO MAGA'LÅHI • LIEUTENANT GOVERNOR

March 16, 2020

**HONORABLE TINA ROSE MUÑA BARNES**

Speaker

*I Mina'trentai Singko Na Liheslaturan Guåhan*

Guam Congress Building

163 Chalan Santo Papa

Hagåtña, Guam 96910

**Re: Bill No. 208-35 (COR) – An Act to Amend § 32103(s) of Article 1 and § 32201(c)(21)(C) of Article 2, Chapter 32, Title 5, Guam Code Annotated, Relative to Preventing Price Gouging During a State of Emergency**

Dear Madame Speaker:

I have signed Bill No. 208-35 (COR) into law as **Public Law No. 35-74**.

It is unfortunate that this Bill comes before me during this State of Emergency. While I have addressed this in my Executive Order No. 2020-03, I believe this Bill is necessary to strengthen the curbing of price gouging.

Medical supplies needed to respond to COVID-19 are scarce, not only on Guam, but worldwide. We must do all that we can to prevent price gouging and hoarding as it further victimizes our island and people.

*Senseremente,*

**LOURDES A. LEON GUERRERO**

*Maga'hågan Guåhan*

Governor of Guam

Enclosure(s): Bill No. 208-35 (COR) *nka Public Law 35-74*

cc via email: *Sigundo Maga'låhen Guåhan*  
Compiler of Laws


***I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÁHAN***  
**2020 (SECOND) Regular Session**

**CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'HÁGAN GUÁHAN***

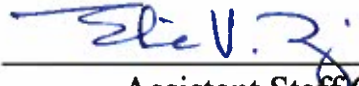
This is to certify that **Bill No. 208-35 (COR)**, “**AN ACT TO *AMEND* § 32103(s) OF ARTICLE 1 AND § 32201(c)(21)(C) OF ARTICLE 2, CHAPTER 32, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO PREVENTING PRICE GOUGING DURING A STATE OF EMERGENCY,**” was on the 11<sup>th</sup> day of March 2020, duly and regularly passed.

  
\_\_\_\_\_  
**Tina Rose Muña Barnes**  
**Speaker**

Attested:

  
\_\_\_\_\_  
**Amanda L. Shelton**  
**Legislative Secretary**

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This Act was received by *I Maga'hågan Guåhan* this 11<sup>th</sup> day of March,  
2020, at 3:07 o'clock P.M.

  
\_\_\_\_\_  
**Assistant Staff Officer**  
***Maga'håga's Office***

APPROVED:

  
\_\_\_\_\_  
**Lourdes A. Leon Guerrero**  
***I Maga'hågan Guåhan***

Date: 3/16/2020

Public Law No. 35-74

***I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN***  
**2019 (FIRST) Regular Session**

**Bill No. 208-35 (COR)**

As amended by the Committee on  
Health, Tourism, Historic Preservation,  
Land and Justice; and further amended  
on the Floor.

Introduced by:

Tina Rose Muña Barnes  
Joe S. San Agustin  
William M. Castro  
Régine Biscoe Lee  
Kelly Marsh (Taitano), PhD  
James C. Moylan  
Louise B. Muña  
Telena Cruz Nelson  
Sabina Flores Perez  
Clynton E. Ridgell  
Amanda L. Shelton  
Telo T. Taitague  
Jose "Pedo" Terlaje  
Therese M. Terlaje  
Mary Camacho Torres

**AN ACT TO AMEND § 32103(s) OF ARTICLE 1 AND §  
32201(c)(21)(C) OF ARTICLE 2, CHAPTER 32, TITLE 5,  
GUAM CODE ANNOTATED, RELATIVE TO  
PREVENTING PRICE GOUGING DURING A STATE OF  
EMERGENCY.**

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

2 **Section 1.** § 32103(s) of Article 1, Chapter 32, Title 5, Guam Code

3 Annotated, is *amended* to read:

1           “(s) Disaster means any typhoon, flood, high water, wind-driven  
2 water, tidal wave, tsunami, earthquake, volcanic eruption, landslide,  
3 mudslide, drought, fire, explosion, or other catastrophic event that causes a  
4 state of emergency as declared by *I Maga'hågan* or *Maga'låhen Guåhan* and  
5 may require emergency assistance to save lives, or to protect property, public  
6 health and safety, or to avert an emergency.”

7           **Section 2.** § 32201(c)(21)(C) of Article 2, Chapter 32, Title 5, Guam Code  
8 Annotated is *amended* to read:

9           “(C) If Condition of Readiness 1, 2 or 3, or an equivalent condition  
10 is declared, or if *I Maga'hågan* or *Maga'låhen Guåhan* declares that a state  
11 of emergency exists requiring emergency assistance, or after a disaster which  
12 damages two hundred (200) or more of the permanent residential units on the  
13 island, or after a typhoon brings sustained winds to Guam of one hundred  
14 (100) miles per hour or more, or after an earthquake with a reading on Guam  
15 greater than 7.0 on the Richter Scale, *I Maga'håga* or *Maga'låhi* may, by  
16 Executive Order, freeze mark-ups and prices on designated goods and  
17 services which he or she finds to be in short supply or in danger of being in  
18 short supply as a result of the disaster to markups and prices in effect the day  
19 before the disaster, for up to thirty (30) days after the disaster. Said freeze  
20 shall not be extended. A merchant may add to the normal sales prices of the  
21 goods the increased import cost of the goods, for all goods normally imported  
22 by sea, and incremental freight costs caused as a result of air freight actually  
23 incurred.”