


I Mina'trentai Sais Na Liheslaturan Guåhan  
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
320-36 (COR)	Clynton E. Ridgell	AN ACT TO ADD A NEW ARTICLE 9 TO CHAPTER 32 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO FUEL PRICE CONTROL; AND TO CITE THIS ACT AS "THE GUÅHAN FUEL PRICE CONTROL ACT OF 2022".	6/16/22 1:13 p.m.						

***I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN***  
**2022 (SECOND) Regular Session**

**Bill No. 320-36 (COR)**

Introduced by:

Clynton E. Ridgell 

**AN ACT TO ADD A NEW ARTICLE 9 TO CHAPTER 32  
OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE  
TO FUEL PRICE CONTROL; AND TO CITE THIS ACT  
AS “*THE GUÅHAN FUEL PRICE CONTROL ACT OF  
2022*”.**

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

**Section 1.** A new Article 9 is added to Chapter 32 of Title 5, Guam Code  
Annotated, to read:

**“ARTICLE 9**

**GUÅHAN FUEL PRICE CONTROL ACT OF 2022.**

**§ 329101. Short Title.**

**§ 329102. Legislative Findings and Intent.**

**§ 329103. Violation, defined.**

**§ 329104. Fine, established.**

**§ 329105. Price Cap Monitoring.**

**§ 329106. Notice of Violation.**

**§ 329101. Short Title.** This Act shall be cited as the “*Guåhan Fuel Price  
Control Act of 2022.*”

**§ 329102. Legislative Findings and Intent.** *I Liheslaturan Guåhan finds  
that while gas prices have skyrocketed the Big Oil companies who provide the*

1 gasoline are making record-setting profits. This is based on various reports about the  
2 annual earnings for 2021 first quarter earnings for 2022. While the oil companies are  
3 making such high profits, the fuel prices in Guam have significantly increased, with  
4 the price of gasoline increasing from Five Dollars and Four Cents (\$5.04) per gallon  
5 in January 2022, to (\$6.48) per gallon as of June 15, 2022; an increase of One Dollar  
6 and Forty-four Cents (\$1.44) for the last six months in just calendar year 2022 alone.

7 *I Liheslaturan Guåhan* further finds the price of all automobile fuel products  
8 sold on Guam are identical amongst the three (3) retailers, with any decreases or  
9 increases by one retailer matched by the other retailers within hours of such an  
10 action.

11 *I Liheslaturan Guåhan* further finds that the Guam Waterworks Authority  
12 (GWA) has recently entered into a multi-year fuel contract at two dollars and ninety-  
13 two cents (\$2.92) per gallon for Regular Unleaded fuel and \$2.802 per gallon for  
14 Diesel Fuel Oil No. 2. This negotiated price was based upon prices reported in Platt's  
15 Asia-Pacific Market scan, for Singapore cargoes plus service fees.

16 It is the intent of *I Liheslaturan Guåhan* to seek a balance between the landed  
17 price of gasoline products to Guam and the oil companies desire to make a profit on  
18 its sales of those products.

19 Therefore, given the lack of competition on the price per gallon as reflected  
20 by historical data on the price per gallon of gasoline products, *I Liheslaturan Guåhan*  
21 intends to take the extraordinary step to place a price cap on gasoline products sold  
22 on Guam which takes the landed price per gallon and allows up to a twenty percent  
23 (20%) increase to cover local transportation costs and a fair profit margin.

24 *I Liheslaturan Guåhan* further intends to have the Office of the Attorney  
25 General (OAG) monitor the daily price of Regular Unleaded and Diesel Fuel Oil No.  
26 2 and to use the previous month's daily average to compute the landed price of fuel  
27 products to Guam, inclusive of ocean freight. This computation will form the basis

1 for the price per gallon, plus up to twenty percent (20%), for all sales of automobile  
2 fuel products on Guam.

3 **§ 329103. Violation, defined.** It shall be unlawful for any person or  
4 business to sell at wholesale or retail, automotive fuel products for more than the  
5 landed price of a gallon plus up to an additional twenty percent (20%). For the  
6 purposes of this section, “automotive fuel products” shall include regular unleaded  
7 (87 octane), midgrade unleaded (generally 87-89 octane), premium unleaded  
8 (generally 91 octane and above), and diesel fuel oil No. 2.

9 **§ 329104. Fine, established.** Any person or business who is in violation of  
10 § 329103 shall be subject to a fine of One Thousand Dollars (\$1,000.00) per day  
11 until the sale (pump) price has been adjusted to meet the price cap described in §  
12 329103. All fines collected shall be deposited into the Guam Highway Fund.

13 **§ 329105. Price Cap Monitoring.** When determining the landed price of  
14 an automotive fuel product gallon, the OAG shall collect data referencing the  
15 average of the effective prices reported for all of the daily postings of the previous  
16 month in the Platt’s Asia-Pacific Market scan, for Singapore cargoes, plus the ocean  
17 transportation cost, if additional. Once the landed price has been determined, the  
18 OAG shall compute the maximum dollar amount per gallon plus up to an additional  
19 twenty percent (20%) that the automotive fuel product could have been sold, at  
20 wholesale or retail, to any consumer. The OAG shall maintain a daily log reflecting  
21 the collected data used. This log shall form the basis for any dispute(s) in computing  
22 the landed price.

23 **§ 329106. Notice of Violation.** When the computation yields a dollar figure  
24 in excess of the price cap, the OAG shall immediately inform the person or business  
25 of their findings and issue an order to reduce the pump price to the computed amount.  
26 The person or business shall have up to twenty-four (24) hours to come into  
27 compliance or be assessed the fine listed in this Article. If the person or business

1 believes the computation is in error, the OAG shall be informed and both parties  
2 shall meet within five (5) working days to further review and discuss the  
3 computations. Any fine assessed by the OAG shall be held in abeyance pending the  
4 final resolution to the computing of landed price. When a final determination has  
5 been made, and a fine is in order, the fine shall be assessed from the first date noticed.  
6 In no event shall any such discussion take more than ten (10) working days to reach  
7 a final decision.”

8       **Section 2. Effective date.** This Act shall be effective upon enactment.

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