

*I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN*  
**2021 (FIRST) Regular Session**

**Bill No. 24-36 (COR)**

As Amended by the Committee on Environment,  
Revenue and Taxation, Labor, Procurement, and  
Statistics, Research and Planning.

Introduced by:

James C. Moylan  
Mary Camacho Torres  
Christopher M. Dueñas  
Frank F. Blas, Jr.

**AN ACT TO AMEND § 3105 OF ARTICLE 1, CHAPTER 3,  
TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO  
AMENDING THE DATE OF IMPLEMENTATION OF  
THE SECOND TIER OF PUBLIC LAW 35-38 FROM  
MARCH 1, 2021 TO MARCH 1, 2022.**

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

**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that the COVID-19 pandemic has adversely impacted the economic conditions on the island, which has led to thousands of island residents on a furlough status. Many businesses have either been forced to close their doors, amend their hours of operations and employee base, or work with many limitations, hence affecting their potential revenue stream.

In 2019, the 35<sup>th</sup> Guam Legislature passed what eventually was enacted into Public Law 35-38, an Act which would provide for a two-tiered approach towards increasing the minimum wage. A \$0.50 increase of the minimum wage took place on March 1, 2020, with the second tier of a \$0.50 increase scheduled for March 1, 2021. Unfortunately, with many businesses still in a recovery phase, and with tourism arrival numbers seeming questionable for 2021, it would be unreasonable to

1 mandate additional costs on businesses, many of whom will have challenges  
2 maintaining their 2020 pre-pandemic organizational charts and annual projections.

3 This *Act* simply delays the enactment of the second tier of the minimum wage  
4 increase by a year, to allow businesses to plan their operational expenses based on  
5 the uncertainties. It would also help reduce the additional burden placed on those  
6 businesses this year who are attempting to bring their employees back to work  
7 despite the economic conditions. Nothing in this *Act* prevents any business entity  
8 from providing an increment to their employees if their operations are in a favorable  
9 position to provide for it.

10 **Section 2.** § 3105 of Article 1, Chapter 3, Title 22, Guam Code Annotated is  
11 hereby *amended* to read as follows:

12 **§ 3105. Minimum Wages.**

13 Every employer shall pay each person employed by him wages at a rate not  
14 less than Eight Dollars and Twenty-Five Cents (\$8.25) per hour, effective January  
15 1, 2015; not less than Eight Dollars and Seventy-Five Cents (\$8.75) per hour,  
16 effective March 1, 2020; and not less than Nine Dollars and Twenty-Five Cents  
17 (\$9.25) per hour, effective March 1, 2021~~2~~.

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

23 **Section 4. Effective Date.** The Act *shall* become effective immediately upon  
24 enactment.