

I Mina'trentai Singko 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
208-35 (COR)	Tina Rose Muña Barnes Joe S. San Agustin	AN ACT TO AMEND § 32103(s) OF ARTICLE 1 AND § 32201 (c) (21) (C) OF ARTICLE 2, BOTH OF CHAPTER 32 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO PREVENTING PRICE GOUGING DURING A STATE OF EMERGENCY OR EPIDEMIC.	9/20/19 4:34 p.m.	10/9/19	Committee on Health, Tourism, Historic Preservation, Land, and Justice	2/12/20 5:35 p.m.	2/26/20 10:39 a.m. As amended by the Committee on Health, Tourism, Historic Preservation, Land, and Justice	Waiver: 10/14/19	



SENATOR THERESE M. TERLAJE

Committee on Health, Tourism, Historic Preservation, Land and Justice
I Mina' trentai Singko na Liheslaturan Guåhan
35th Guam Legislature

February 21, 2020

The Honorable Tina Rose Muña Barnes

Speaker

I Mina' trentai Singko na Liheslaturan Guåhan

163 Chalan Santo Papa

Hagåtña, Guam 96910

VIA: **The Honorable Régine Biscoe Lee**

Chairperson, Committee on Rules

RE: Committee Report on Bill No. 208-35 (COR) As Amended by the Committee


Håfa Adai Speaker Barnes:

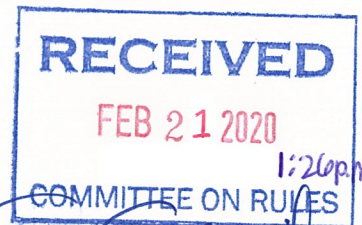
Transmitted herewith is the Committee Report on **Bill No. 208-35 (COR) – As Amended by the Committee on Health, Tourism, Historic Preservation, Land and Justice- As Introduced by Speaker Tina Rose Muña Barnes and Senator Joe S. San Agustin, "AN ACT TO AMEND §32103(s) OF ARTICLE 1 AND §32201(c)(21)(C) OF ARTICLE 2, BOTH OF CHAPTER 32, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO PREVENTING PRICE GOUGING DURING A STATE OF EMERGENCY OR EPIDEMIC."**


Committee votes are as follows:

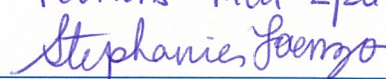
<u>6</u>	TO DO PASS
<u>0</u>	TO NOT PASS
<u>0</u>	TO REPORT OUT ONLY
<u>0</u>	TO ABSTAIN
<u>0</u>	TO PLACE IN INACTIVE FILE

Sincerely,


Therese M. Terlaje





Revisions Rec'd 2/26/20 @ 8:40a.


Mailing Address: Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Office Address: Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: senatorterlajegum@gmail.com | www.senatorterlaje.com

2020 FEB 26 AM 10:39




SENATOR THERESE M. TERLAJE

Committee on Health, Tourism, Historic Preservation, Land and Justice
I Mina' trentai Singko na Liheslaturan Guåhan
35th Guam Legislature

COMMITTEE REPORT

Bill No. 208-35 (COR)

**As Amended by the Committee on Health,
Tourism, Historic Preservation, Land and
Justice**

**Introduced by Senators Tina Rose Muña
Barnes and Joe S. San Agustin**

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

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Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: senatorterlajeguam@gmail.com | www.senatorterlaje.com




SENATOR THERESE M. TERLAJE

Committee on Health, Tourism, Historic Preservation, Land and Justice
I Mina' trentai Singko na Liheslaturan Guåhan
35th Guam Legislature

February 21, 2020

MEMORANDUM

To: All Members
Committee on Health, Tourism, Historic Preservation, Land and Justice

From: Senator Therese M. Terlaje 
Committee Chairperson

Subject: Committee Report on Bill No. 208-35 (COR)- As Amended by the Committee.

Transmitted herewith for your consideration is the Committee Report on Bill No. 208-35 (COR) – **As Amended by the Committee on Health, Tourism, Historic Preservation, Land and Justice- As Introduced by Speaker Tina Rose Muña Barnes and Senator Joe S. San Agustin, - “AN ACT TO AMEND § 32103(s) OF CHAPTER 32 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO PREVENTING PRICE GOUGING DURING A STATE OF EMERGENCY OR EPIDEMIC.”**

This report includes the following:

- Copy of COR Referral of Bill No. 208-35 (COR)
- Notices of Public Hearing & Other Correspondence
- Copy of the Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Submitted Testimonies & Supporting Documents
- Committee Report Digest
- Bill No. 208-35 (COR) *As Introduced*
- Bill No. 208-35 (COR) *As Amended by the Committee*
- Bill No. 208-35 (COR) *As Amended Mark-Up Version*
- Fiscal Note Waiver by Bureau of Budget and Management Research
- Committee Vote Sheet
- Related News Reports

Please take the appropriate action on the attached vote sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Si Yu'os ma'åse'!

Mailing Address: Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Office Address: Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: senatorterlajegum@gmail.com | www.senatorterlaje.com

Chair

Senator Amanda L. Shelton,
Vice Chair

Speaker Tina Rose Muña Barnes,
Member

Vice Speaker Telena Cruz Nelson,
Member

Senator Kelly Marsh (Taitano), PhD,
Member

Senator Sabina Flores Perez,
Member



COMMITTEE ON RULES

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
35TH GUAM LEGISLATURE

October 9, 2019

Senator Eugene L. Rodriguez,
Member

Senator Joe S. San Agustin,
Member

Senator Jose "Pedro" Terlaje,
Member

Senator Therese M. Terlaje,
Member

Senator James C. Moylan,
Member

Senator Mary Camacho Torres,
Member and Chair, Subcommittee on Protocol

MEMO

To: Rennae Meno
Clerk of the Legislature

Attorney Ana Won Pat-Borja
Legislative Legal Counsel

From: Senator Amanda L. Shelton
Acting Chair, Committee on Rules

Re: Referral of Bill No. 208-35 (COR)

Buenas yan Håfa adai.

As per my authority as Acting Chair of the Committee on Rules and subject to §6.01(d), Rule VI of our Standing Rules, I am forwarding the referral of **Bill No. 208-35 (COR)**.

Please ensure that the subject bill is referred to the **Committee on Health, Tourism, Historic Preservation, Land and Justice, chaired by Senator Therese M. Terlaje**.

I also request that the same be forwarded to the prime sponsor of the subject bill.

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.

Respectfully,

A handwritten signature in black ink, appearing to read "Amanda Shelton".

Senator Amanda L. Shelton
Acting Chair, Committee on Rules

I Mina'trentai Singko Na Liheslaturan Guåhan
BILL STATUS

FILE NO.	SPONSOR	TITLE	TIME INTRODUCED	DATE REFERRED	COMTEE REFERRED	PUBLIC HEARING DATE	DATE ADVISORY RECOMMENDED	DISCUSSIONS	NOTES
208-35 (COR)	Tina Rose Mufia Barnes Joe S. San Agustin	AN ACT TO AMEND § 32103(s) OF CHAPTER 32 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO PREVENTING PRICE GOUGING DURING A STATE OF EMERGENCY OR EPIDEMIC.	9/20/19 4:34 p.m.	10/9/19	Committee on Health, Tourism, Historic Preservation, Land, and Justice				

FIRST NOTICE of Public Hearing - Wednesday, February 12, 2020 beginning at 5:00 p.m.

Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Wed, Feb 5, 2020 at 10:46 AM

To: Speaker's Office <speaker@guamlegislature.org>, Vice Speaker Telen Cruz Nelson <senatorcnelson@guamlegislature.org>, Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, "Office of Senator Kelly Marsh (Taitano), PhD." <office.senatorkelly@guamlegislature.org>, Senator Regine Biscoe Lee <senatorbiscoelee@guamlegislature.org>, "Senator Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Senator Therese Terlaje <senatorterlajeguam@gmail.com>, Senator Clynt Ridgell <sen.cridgell@teleguam.net>, Senator Jose Pedro Terlaje <senatorpedo@senatorjpterlaje.com>, Senator Sabina Perez <office@senatorperez.org>, Senator Wil Castro <wilcastro671@gmail.com>, Senator Louise Borja Muna <senatorlouise@gmail.com>, Senator Telo Taitague <senatortelot@gmail.com>, Senator James Moylan <senatormoylan@guamlegislature.org>, "Senator Mary C. Torres" <senatormary@guamlegislature.org>, phnotice@guamlegislature.org

Cc: phnotice@guamlegislature.org

Bcc: Ken Leon-Guerrero <kenleonguerrero@yahoo.com>, lifestyleeditor@glimpsesofiguam.com, carlsonc@pstripes.osd.mil, dcrisost@guam.gannett.com, dmgeorge@guampdn.com, The Post Editor in Chief <editor@postguam.com>, editor@saipantribune.com, michael ko <gktv23@hotmail.com>, guam@pstripes.osd.mil, Jason Salas <jason@kuam.com>, John Oconor <john@postguam.com>, Jon Anderson <jontalk@gmail.com>, KISH <kstokish@gmail.com>, life@guampdn.com, mabuhaynews@yahoo.com, Guam PDN <news@guampdn.com>, Sorensen Pacific Broadcasting <news@spbgum.com>, Bruce Hill <pacificjournalist@gmail.com>, parroyo@k57.com, KPRG Guam <pdkprg@gmail.com>, Phill Leon Guerrero <phill@spbgum.com>, publisher@glimpsesofiguam.com, rlimtiaco@guampdn.com, Sabrina Salas <sabrina@kuam.com>, Steve Limtiaco <slimtiaco@guampdn.com>, Manny Cruz <cruzma812@gmail.com>, Jerick Sablan <jpsablan@guampdn.com>, K57 <news@k57.com>, KPRG <admin.kprg@gmail.com>, Maria Louella Losinio <louella.losinio@gmail.com>, Pacific Island Times <pacificislandtimes@gmail.com>, cherrie@mvariety.com, emmanuel@mvariety.com, junhan@mvariety.com, bryan@mvariety.com, businesseditor@glimpsesofiguam.com, Patti Rodriguez <parroyo@spbgum.com>, heugenio@guampdn.com, raygibsonshow@gmail.com, Mar-Vic Cagurangan <publisher@pacificislandtimes.com>, pattiontheradio@yahoo.com, Kelly Park <kcn.kelly@gmail.com>, akaur@gannett.com, Desk Editor <deskeditor@postguam.com>, vincent.duenas@takecareasia.com, annie.bordallo@gmha.org, lillian perez-posadas <lillian.perez-posadas@gmha.org>, joleen.aguon@gmha.org, hoa nguyen <hoavannguyen@yahoo.com>, Theo Pangelinan <theo.pangelinan@gmha.org>, Mamie Balajadia <mamiecb@yahoo.com>, catsmeow@teleguam.net

February 5, 2020

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Senator Therese M. Terlaje, Chairperson
Committee on Health, Tourism, Historic Preservation, Land and Justice

Subject: **FIRST NOTICE of Public Hearing - Wednesday, February 12, 2020 beginning at 5:00 p.m.**

Håfa Adai!

Please be advised that the Committee on Health, Tourism, Historic Preservation, Land and Justice will convene a public hearing on **Wednesday, February 12, 2020 beginning at 5:00 p.m.** in *I Liheslaturan Guåhan's* Public Hearing Room (Guam Congress Building, Hagåtña).

AGENDA

5:00 p.m.: **Bill 257-35 (COR)- Therese M. Terlaje-** AN ACT TO AMEND § 121802 (b)(2) AND (c)(2) OF CHAPTER 12, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO UPDATING QUALIFICATIONS FOR LICENSURE FOR NEW HIRE BACHELOR'S AND MASTER'S LEVEL SPEECH-LANGUAGE PATHOLOGY ASSISTANTS.

5:20 p.m.: **Bill 207-35 (COR)- Lousie B. Muña-** AN ACT TO ADD A NEW § 18137 TO CHAPTER 18, TITLE 10 GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE COLOCATION OF MASSAGE THERAPY AND PRACTICE SERVICES WITHIN COSMETOLOGY ESTABLISHMENTS.

5:35 p.m.: **Bill 208-35 (COR)- Tina Rose Muña Barnes/ Joe S. San Agustin-** AN ACT TO AMEND § 32103(s) OF CHAPTER 32 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO PREVENTING PRICE GOUGING DURING A STATE OF EMERGENCY OR EPIDEMIC.

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4 and stream online via I Liheslaturan Guåhan's live feed. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing. If written testimonies are to be presented at the Public Hearing, the Committee requests that copies be submitted prior to the public hearing date and should be addressed to Senator Therese M. Terlaje. Testimonies may be submitted via hand delivery to the Office of Senator Therese M. Terlaje at Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam; to the mail room of the Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam; or via email to senatorterlajeguam@gmail.com. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Therese M. Terlaje at (671) 472-3586 or by sending an email to senatorterlajeguam@gmail.com.

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Office of Senator Therese M. Terlaje

Committee on Health, Tourism, Historic Preservation, Land and Justice

I Mina'trentai Singko na Liheslaturan Guåhan

35th Guam Legislature

Office Location: Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam 96910

Mailing address: Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

T: (671) 472-3586 F: (671) 989-3590 Email: senatorterlajeguam@gmail.com

website: www.senatorterlaje.com

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Senator
THERESE M. TERLAJE

I Mina'trentai Singko na Libeslaturan Guåhan


35th Guam Legislature

Committee on Health, Tourism, Historic Preservation, Land and Justice

February 5, 2020

MEMORANDUM

To: All Senators, Stakeholders and Media

From:  Senator Therese M. Terlaje, Chairperson
Committee on Health, Tourism, Historic Preservation, Land and Justice

Subject: **FIRST NOTICE of Public Hearing - Wednesday, February 12, 2020 beginning at 5:00 p.m.**

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- 5:20 p.m.: **Bill 207-35 (COR)- Lousie B. Muña- AN ACT TO ADD A NEW § 18137 TO CHAPTER 18, TITLE 10 GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE COLOCATION OF MASSAGE THERAPY AND PRACTICE SERVICES WITHIN COSMETOLOGY ESTABLISHMENTS.**
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Mailing Address: Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Office Address: Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: senatorterlajeguam@gmail.com | www.senatorterlaje.com

You've got your mind on your money and so do we. Keep up with all things commerce, trade and corporate here. Send tips, monetary or otherwise, to editor@postguam.com.

CURRENCY EXCHANGE RATES
On Feb. 4, \$1 was worth:

Keep posted and get more data and details online. Log on to see real time market data with our stock market tool at postguam.com/stock_market.

50.7470 PHP	108.830 JPY	1,187.65 KRW	30.1860 TWD NT\$	6.9977 CNY	1.4885 AUD A\$	0.9041 EUR €
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Oil tumbles below \$50 a barrel

By Jackie Davalos
Bloomberg

Oil fell below \$50 a barrel for the first time in more than a year as China's oil consumption was said to plunge by 20% amid the spread of coronavirus, threatening what could be the largest demand shock since

“The fears are justified when you consider just how massively important China is to oil demand.”

Robbie Fraser

"The fears are justified when you consider just how massively important China is to oil demand," said Robbie Fraser, senior commodities analyst at Summit Energy Services. "The sentiment has been bearish for a while and you have the data backing it up."

Beijing has locked millions of

the impact of the coronavirus looks much worse than it initially thought.

Chinese government measures amount to a "major shutdown of the economy" and even with a deeper OPEC+ production cut it will drive weaker oil balances, Ed Morse, the global head of commodities research, said in a note. "There would be criticism with the nonprofit Lexington Institute.

Committee On Health, Tourism, Historic Preservation, Land and Justice

SENATOR THERESA M. TERLAJE
President of the Senate of the Legislature of Guam

PUBLIC HEARING • 5:00 PM • MONDAY, FEBRUARY 12, 2020
Guam Legislature Public Hearing Room, Guam Congress Building, Hagåtña

AGENDA:

5:00 p.m. - Bill 257-35 (COR) - Theresa M. Terlaje - AN ACT TO AMEND § 121002 (a)(2) AND (c)(2) OF CHAPTER 12, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO UPDATING QUALIFICATIONS FOR LICENSURE FOR NEW HIRE BACHELOR'S AND MASTER'S LEVEL SPEECH-LANGUAGE PATHOLOGY ASSISTANTS.

5:20 p.m. - Bill 207-35 (COR) - Louise B. Muña - AN ACT TO ADD A NEW § 18137 TO CHAPTER 18, TITLE 10 GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE COLOCATION OF MASSAGE THERAPY AND PRACTICE SERVICES WITHIN COSMETOLOGY ESTABLISHMENTS.

5:35 p.m. - Bill 208-35 (COR) - Tina Rose Muña Barnes / Joe S. San Agustin - AN ACT TO AMEND § 32103(g) OF CHAPTER 32 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO PREVENTING PRICE GOUGING DURING A STATE OF EMERGENCY OR EPIDEMIC.

If you require any special accommodations or for further information, please contact the Office of Senator Theresa M. Terlaje at 472-3586. Testimonies may be submitted to our office at Ada Plaza Center, Suite 287, 173 Aspinall Avenue, Hagåtña, Guam 96910, to the Guam Congress Building, or via email at senatorterlaje@guam.gov. The hearing will broadcast on local television, G1A Channel 21, Docomo Channel 117/60.4 and stream online via the Legislature of Guam's live feed at http://www.guamlegislature.com/live_feed.htm. This ad is paid for with government funds.

**DEPARTMENT OF EDUCATION
DIVISION OF SPECIAL EDUCATION**

JON JF FERNANDEZ
Superintendent of Education

YOLANDA S. GABRIEL
Assistant Superintendent SPED

**DOE - Division of Special Education
Guam Advisory Panel for Students with Disabilities (GAPSD)
General Meeting**

February 11, Tuesday, at 11:30 a.m. to 1:00 p.m.
Location: DOE Building B, 2nd Floor Conference Room, Tiyan

**For more information and special accommodations please call
Special Education Parent Services at 300-1322/2295**

This advertisement was paid for with 100% Federal Funds Part B Grant of Individuals with Disabilities Education Act CFDA #84.027A

SECONDNOTICE of Public Hearing - Wednesday, February 12, 2020 beginning at 5:00 p.m.

Senator Therese Terlaje <senatorterlajeguam@gmail.com> Mon, Feb 10, 2020 at 9:11 AM
 To: Speaker's Office <speaker@guamlegislature.org>, Vice Speaker Telen Cruz Nelson <senatortcnelson@guamlegislature.org>, Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, "Office of Senator Kelly Marsh (Taitano), PhD." <office.senatorkelly@guamlegislature.org>, Senator Regine Biscoe Lee <senatorbiscoelee@guamlegislature.org>, "Senator Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Senator Therese Terlaje <senatorterlajeguam@gmail.com>, Senator Clynt Ridgell <sen.cridgell@teleguam.net>, Senator Jose Pedro Terlaje <senatorpedo@senatorjpterlaje.com>, Senator Sabina Perez <office@senatorperez.org>, Senator Wil Castro <wilcastro671@gmail.com>, Senator Louise Borja Muna <senatorlouise@gmail.com>, Senator Telo Taitague <senatortelot@gmail.com>, Senator James Moylan <senatormoylan@guamlegislature.org>, "Senator Mary C. Torres" <senatormary@guamlegislature.org>, phnotice@guamlegislature.org
 Cc: phnotice@guamlegislature.org
 Bcc: Ken Leon-Guerrero <kenleonguerrero@yahoo.com>, lifestyleeditor@glimpsesofiguam.com, carlsonc@pstripes.osd.mil, dcrisost@guam.gannett.com, dmgeorge@guampdn.com, The Post Editor in Chief <editor@postguam.com>, editor@saipantribune.com, michael ko <gktv23@hotmail.com>, guam@pstripes.osd.mil, Jason Salas <jason@kuam.com>, John Oconor <john@postguam.com>, Jon Anderson <jontalk@gmail.com>, KISH <kstokish@gmail.com>, life@guampdn.com, mabuhaynews@yahoo.com, Guam PDN <news@guampdn.com>, Sorensen Pacific Broadcasting <news@spbgum.com>, Bruce Hill <pacificjournalist@gmail.com>, parroyo@k57.com, KPRG Guam <pdkprg@gmail.com>, Phill Leon Guerrero <phill@spbgum.com>, publisher@glimpsesofiguam.com, rlimtiaco@guampdn.com, Sabrina Salas <sabrina@kuam.com>, Steve Limtiaco <slimtiaco@guampdn.com>, Manny Cruz <cruzma812@gmail.com>, Jerick Sablan <jpsablan@guampdn.com>, K57 <news@k57.com>, KPRG <admin.kprg@gmail.com>, Maria Louella Losinio <louella.losinio@gmail.com>, Pacific Island Times <pacificislandtimes@gmail.com>, cherrie@mvariety.com, emmanuel@mvariety.com, junhan@mvariety.com, bryan@mvariety.com, businesseditor@glimpsesofiguam.com, Patti Rodriguez <parroyo@spbgum.com>, heugenio@guampdn.com, raygibsonshow@gmail.com, Mar-Vic Cagurangan <publisher@pacificislandtimes.com>, pattiontheradio@yahoo.com, Kelly Park <kcn.kelly@gmail.com>, akaur@gannett.com, Desk Editor <deskeditor@postguam.com>, vincent.duenas@takecareasia.com, annie.bordallo@gmha.org, lillian perez-posadas <lillian.perez-posadas@gmha.org>, joleen.aguon@gmha.org, hoa nguyen <hoavannnguyen@yahoo.com>, Theo Pangelinan <theo.pangelinan@gmha.org>, Mamie Balajadia <mamiecb@yahoo.com>, catsmeow@teleguam.net

February 10, 2020

MEMORANDUM

To: All Senators, Stakeholders and Media
From: Senator Therese M. Terlaje, Chairperson
 Committee on Health, Tourism, Historic Preservation, Land and Justice
Subject: **SECOND NOTICE of Public Hearing - Wednesday, February 12, 2020 beginning at 5:00 p.m.**

Håfa Adai!

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5:20 p.m.: **Bill 207-35 (COR)- Lousie B. Muña-** AN ACT TO ADD A NEW § 18137 TO CHAPTER 18, TITLE 10 GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE COLOCATION OF MASSAGE THERAPY AND PRACTICE SERVICES WITHIN COSMETOLOGY ESTABLISHMENTS.

5:35 p.m.: **Bill 208-35 (COR)- Tina Rose Muña Barnes/ Joe S. San Agustin-** AN ACT TO AMEND § 32103(s) OF CHAPTER 32 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO PREVENTING PRICE GOUGING DURING A STATE OF EMERGENCY OR EPIDEMIC.

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4 and stream online via I Liheslaturan Guåhan's live feed. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing. If written testimonies are to be presented at the Public Hearing, the Committee requests that copies be submitted prior to the public hearing date and should be addressed to Senator Therese M. Terlaje. Testimonies may be submitted via hand delivery to the Office of Senator Therese M. Terlaje at Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam; to the mail room of the Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam; or via email to senatorterlajeguam@gmail.com. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Therese M. Terlaje at (671) 472-3586 or by sending an email to senatorterlajeguam@gmail.com.

--

Office of Senator Therese M. Terlaje

Committee on Health, Tourism, Historic Preservation, Land and Justice

I Mina'trentai Singko na Liheslaturan Guåhan

35th Guam Legislature

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118K



Senator

TERESE M. TERLAJE

I Mina'trentai Singko na Libeslaturan Guåhan

35th Guam Legislature

Committee on Health, Tourism, Historic Preservation, Land and Justice

February 10, 2020

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Senator Therese M. Terlaje, Chairperson
Committee on Health, Tourism, Historic Preservation, Land and Justice

Subject: **SECOND NOTICE of Public Hearing - Wednesday, February 12, 2020**
beginning at 5:00 p.m.

Håfa Adai!

Please be advised that the Committee on Health, Tourism, Historic Preservation, Land and Justice will convene a public hearing on **Wednesday, February 12, 2020 beginning at 5:00 p.m.** in *I Liheslaturan Guåhan's* Public Hearing Room (Guam Congress Building, Hagåtña).

AGENDA

- 5:00 p.m.: **Bill 257-35 (COR)- Therese M. Terlaje-** AN ACT TO AMEND § 121802 (b)(2) AND (c)(2) OF CHAPTER 12, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO UPDATING QUALIFICATIONS FOR LICENSURE FOR NEW HIRE BACHELOR'S AND MASTER'S LEVEL SPEECH-LANGUAGE PATHOLOGY ASSISTANTS.
- 5:20 p.m.: **Bill 207-35 (COR)- Lousie B. Muña-** AN ACT TO ADD A NEW § 18137 TO CHAPTER 18, TITLE 10 GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE COLOCATION OF MASSAGE THERAPY AND PRACTICE SERVICES WITHIN COSMETOLOGY ESTABLISHMENTS.
- 5:35 p.m.: **Bill 208-35 (COR)- Tina Rose Muña Barnes/ Joe S. San Agustin-** AN ACT TO AMEND § 32103(s) OF CHAPTER 32 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO PREVENTING PRICE GOUGING DURING A STATE OF EMERGENCY OR EPIDEMIC.

The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4 and stream online via [I Liheslaturan Guåhan's live feed](#). A recording of the hearing will be available online via [Guam Legislature Media](#) on YouTube after the hearing. If written testimonies are to be presented at the Public Hearing, the Committee requests that copies be submitted prior to the public hearing date and should be addressed to Senator Therese M. Terlaje. Testimonies may be submitted via hand delivery to the Office of Senator Therese M. Terlaje at Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam; to the mail room of the Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam; or via email to senatorterlajeguam@gmail.com. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Therese M. Terlaje at (671) 472-3586 or by sending an email to senatorterlajeguam@gmail.com.

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7.0024 CNY

1.4984 AUD

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2020 Hyundai Venue hits the road

By Lannie Walker
lannie@postguam.com

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Committee On Health,
Tourism, Historic Preservation, Land
and Justice

SENATOR THERESA M. TERLAJE
I Mha'ntal Singko rin Ohi-Saluran Guahan
35th Guam Legislature

PUBLIC HEARING • 5:00 PM • MONDAY, FEBRUARY 12, 2020
Guam Legislature Public Hearing Room, Guam Congress Building, Hagåtña

AGENDA:

5:00 p.m. - BILL 257-35 (COR) - Theresa M. Terlaje - AN ACT TO AMEND § 121602 (b)(2) AND (c)(2) OF CHAPTER 12, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO UPDATING QUALIFICATIONS FOR LICENSURE FOR NEW HIRE BACHELOR'S AND MASTER'S LEVEL SPEECH-LANGUAGE PATHOLOGY ASSISTANTS.

5:20 p.m. - BILL 207-35 (COR) - Louise B. Mufia - AN ACT TO ADD A NEW § 18137 TO CHAPTER 18, TITLE 10 GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE COLOCATION OF MASSAGE THERAPY AND PRACTICE SERVICES WITHIN COSMETOLOGY ESTABLISHMENTS.

5:35 p.m. - BILL 208-35 (COR) - Tina Rose Mufia Barnes / Joe S. San Augustin - AN ACT TO AMEND § 32103(s) OF CHAPTER 32 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO PREVENTING PRICE GOUGING DURING A STATE OF EMERGENCY OR EPIDEMIC.

If you require any special accommodations or for further information, please contact the Office of Senator Theresa M. Terlaje at 472-3586. Testimonies may be submitted to our office at Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam 96910, to the Guam Congress Building, or via email at senatorterlaje@guam.gov. The hearing will broadcast on local television, 6TA Channel 21, Docomo Channel 117/68.4 and stream online via i Lihesaluran Guahan's live feed at http://www.guamlegislature.com/live_feed.htm. This ad is paid for with government funds.



SENATOR THERESE M. TERLAJE

Committee on Health, Tourism, Historic Preservation, Land and Justice
I Mina' trentai Singko na Liheslaturan Guåhan
35th Guam Legislature

PUBLIC HEARING AGENDA

WEDNESDAY, FEBRUARY 12, 2020

5:00 P.M.

5:00 p.m.:

Bill 257-35 (COR)- Therese M. Terlaje- AN ACT TO AMEND § 121802 (b)(2) AND (c)(2) OF CHAPTER 12, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO UPDATING QUALIFICATIONS FOR LICENSURE FOR NEW HIRE BACHELOR'S AND MASTER'S LEVEL SPEECH-LANGUAGE PATHOLOGY ASSISTANTS.

5:20 p.m.:

Bill 207-35 (COR)- Lousie B. Muña- AN ACT TO ADD A NEW § 18137 TO CHAPTER 18, TITLE 10 GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE COLOCATION OF MASSAGE THERAPY AND PRACTICE SERVICES WITHIN COSMETOLOGY ESTABLISHMENTS.

5:35 p.m.:

Bill 208-35 (COR)- Tina Rose Muña Barnes/ Joe S. San Agustin- AN ACT TO AMEND § 32103(s) OF CHAPTER 32 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO PREVENTING PRICE GOUGING DURING A STATE OF EMERGENCY OR EPIDEMIC.

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Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Speaker Muña Barnes' sponsor statement on Bill 208-35

1 message

Speaker's Office <speaker@guamlegislature.org>

Wed, Feb 12, 2020 at 10:49 AM

To: Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Cc: Amanda Alag <amanda.speakertmb@gmail.com>, Chirag Bhojwani <chirag.speakertmb@gmail.com>, Alan Cepeda <cepeda.alanj@gmail.com>, "Senator Joe S. San Agustin" <senatorjoessanagustin@gmail.com>

Hafa Adai Charissa,

Speaker Muña Barnes' statement is as follows. Kindly acknowledge receipt of this email.

Thank You,

Chirag

Hafa Adai,

First off, madam chair, I would like to say thank you for calling this hearing. I had introduced **Bill 208-35 (COR)** along with my good colleague Senator Joe San Agustin - AN ACT TO AMEND § 32103(s) OF CHAPTER 32 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO PREVENTING PRICE GOUGING DURING A STATE OF EMERGENCY OR EPIDEMIC during the dengue scare. As residents rushed to purchase mosquito repellants and wiping them off our shelves, our office received calls that the prices of mosquito repellants had skyrocketed.

As I looked at the law, price gouging prevention measures are triggered when a natural disaster is impending. As we face new threats to our island, I felt that it was time to include evolving threats as a trigger for Guam's price gouging laws. Now with the coronavirus pandemic, we look at our region where there have been reports of price-gouging for masks around Asia. This measure would serve as a catch-all so that all our island residents have the ability to protect their loved ones. Don't get me wrong, I support businesses -- except when they take advantage of the vulnerability of our community. Saina Ma'ase!

*Sinseru yan Minagåhet,***Office of the Speaker • Tina Rose Muña Barnes**

Committee on Public Accountability, Human Resources & the Guam Buildup

35th Guam Legislature

I Mina'trentai Singko na Liheslaturan Guåhan

Guam Congress Building | 163 Chalan Santo Papa | Hagatna, GU 96910

T: (671) 477-2520/1

speaker@guamlegislature.org

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Gumai pribilehu yan konfedensia este siha na mensâhi. Solo espesiâtmente para hâgu ma entensioña pat ma aturisa para unrisibi. Sen prubidu kumu ti un ma aturisa para manribisa, na'setbe, pat mandespâtcha. Yanggen lachi rinisibu-mu nu este na mensâhi , put fabot ago' guatu gi I numa'huyong gi as speaker@guamlegislature.org yan despues destrosa todû siha I kopian mensâhi. Si Yu'os ma'âse'.



Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Request for feedback on Bill 208- relative to prevent ing price gouging during a state of emergency or epidemic

1 message

Senator Therese Terlaje <senatorterlajeguam@gmail.com>

Tue, Feb 11, 2020 at 11:19 AM

To: balvarez@guamag.org

Hafa Adai Ms. Bernie,

The Committee on Justice will be holding a public hearing on Wednesday, February 12, 2020 at 5:00 p.m. Included on the agenda, is **Bill No. 208-35 (COR)** - Tina Rose Muña Barnes / Joe S. San Agustin- AN ACT TO AMEND § 32103(s) OF CHAPTER 32 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO PREVENTING PRICE GOUGING DURING A STATE OF EMERGENCY OR EPIDEMIC.

You can view the bill here: [http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20208-35%20\(COR\).pdf](http://www.guamlegislature.com/Bills_Introduced_35th/Bill%20No.%20208-35%20(COR).pdf)

We look forward to any feedback that the Consumer Protection Division of the OAG may provide. If the Consumer Protection Division/OAG is not able to attend, testimony can be sent via email to senatorterlajeguam@gmail.com. A previous email was also sent to Deputy Stephanie Mendiola on February 6, 2020.

Si Yu'os Ma'åse',
Charissa L. Manibusan
Committee Director

--

Office of Senator Therese M. Terlaje

Committee on Health, Tourism, Historic Preservation, Land and Justice

I Mina'trentai Singko na Liheslaturan Guåhan

35th Guam Legislature

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I Mina'trentai Singko na Liheslaturan Guåhan
Office of Senator Therese M. Terlaje

Committee on Health, Tourism, Historic Preservation, Land and Justice

Date: **Wednesday, February 12, 2020**

Time: **5:35 PM**

Bill No. 208-35 (COR) - Tina Rose Muña Barnes / Joe S. San Agustin- AN ACT TO AMEND § 32103(s) OF CHAPTER 32 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO PREVENTING PRICE GOUGING DURING A STATE OF EMERGENCY OR EPIDEMIC.

	NAME	ADDRESS	CONTACT NO.	E-MAIL	Type of Testimony		Support	
					WRITTEN	ORAL	Yes	No
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								



SENATOR THERESE M. TERLAJE

Committee on Health, Tourism, Historic Preservation, Land and Justice
I Mina' trentai Singko na Liheslaturan Guåhan
35th Guam Legislature

COMMITTEE REPORT DIGEST

I. OVERVIEW

Bill No. 208-35(COR) was introduced on September 20, 2019 by Senator Tina Rose Muña Barnes and was subsequently referred by the Committee on Rules to the Committee on Health, Tourism, Historic Preservation, Land and Justice on October 9, 2019.

The Committee on Health, Tourism, Historic Preservation, Land and Justice convened a public hearing on Bill No. 208-35 (COR) on Wednesday, February 12, 2020 at 5:00 PM in *I Liheslatura's* Public Hearing Room.

Public Notice Requirements

Notices for this Public Hearing were disseminated via email to all senators and all main media broadcasting outlets on Wednesday February 5, 2020 (5-Day Notice) and again on Monday, February 10, 2020 (48-Hour Notice). The notice was also published in the Guam Daily Post on Wednesday, February 5, 2020 and again on Monday, February 10, 2020.

Senators Present:

Senator Therese M. Terlaje, Chairperson, Committee on Health, Tourism, Historic Preservation, Land and Justice
Senator Amanda L. Shelton, Committee Member
Senator Kelly Marsh Taitano, Committee Member
Senator Louise B. Muña

II. SUMMARY OF TESTIMONY & DISCUSSION

The public hearing was Called-to-Order at 5:52 PM.

Chairperson Therese M. Terlaje introduced three agenda items. Bill No. 208-35 (COR) was the third agenda item. She introduced Bill No. 208-35(COR) on behalf of Speaker Tina Muña Barnes and Senator Joe S. San Agustin.

Chairperson Therese M. Terlaje:

It is now 5:52 PM and we will go to the third item on our agenda, which is Bill 208-35(COR). And I'd like to recognize the presence of Senator Kelly Marsh Taitano. And I will introduce the bill on behalf of the Speaker Tina Rose Muña Barnes and Joe S. San Agustin.

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SENATOR THERESE M. TERLAJE

Committee on Health, Tourism, Historic Preservation, Land and Justice

I Mina' trentai Singko na Liheslaturan Guåhan

35th Guam Legislature

Speaker Tina Rose Muña Barnes wrote, "*Håfa Adai*. First off, madam chair, I would like to say thank you for calling this hearing. I had introduced Bill 208-35 (COR) along with my good colleague Senator Joe San Agustin, during the dengue scare. As residents rushed to purchase mosquito repellants and wiping them off our shelves, our office received calls that the prices of mosquito repellants had skyrocketed.

As I looked at the law, price gouging prevention measures are triggered when a natural disaster is impending. As we face new threats to our island, I felt that it was time to include evolving threats as a trigger for Guam's price gouging laws. Now with the coronavirus pandemic, we look at our region where there have been reports of price-gouging for masks around Asia. This measure would serve as a catch-all so that all our island residents have the ability to protect their loved ones. Don't get me wrong, I support businesses -- except when they take advantage of the vulnerability of our community. Saina Ma'ase!"

So the Committee has requested the feedback of the Office of the Attorney General. Of course, their Consumer Protection Division. And we would note that the current law states price gouging is illegal when Guam is in Condition of Readiness One and Two and 72 hours after Guam returns to Condition of Readiness Four.

It references typhoons and natural disasters. Well, there is some confusion with this law because it references typhoons and natural disasters but according to the Attorney General's Office, in an article in the PDN, they were quoted as saying that the price gouging law does not cover declarations of a state of emergency.

So, the proposal is to change in the definition of disaster, the word catastrophic. So the definition of disaster is disaster means any typhoon, flood, high water, wind driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, drought, fire, explosion or other and where it says catastrophe, we're going to now say catastrophic event for which *I Maga'låhen Guåhan* declares that a state of emergency exists and may require emergency assistance to save lives or to protect property, public health and safety or to avert an emergency.

So in other words its extending the simple word, catastrophe, to a catastrophic event tied to a state of emergency. The fiscal impact for this bill was noted by BBMR to be administrative in nature and would not fiscally impact appropriations of FY2020 and the legal bureau's review of this bill is currently pending.

So if there are any questions or comments by colleagues? Senator Shelton.

Senator Amanda L. Shelton:

Thank you very much madam chair and I'd like to of course thank the speaker for this legislation along with Senator San Agustin. I think this is important for a consumer

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SENATOR THERESE M. TERLAJE

Committee on Health, Tourism, Historic Preservation, Land and Justice
I Mina' trentai Singko na Liheslaturan Guåhan
35th Guam Legislature

protection and we saw recently, as her statement said, during the dengue case where everyone was, you know, going out for the bug sprays and we were ordering it online as they were sold out in the stores and hearing very concerning cases of what people were claiming to be price gouging for these products.

And so if there were if there were ever to be a typhoon and we were to lose water or...and electricity then, you know, we would never want to see something like this happen for bottled water or for the butane for our portable gas stoves.

And I think this is a protection that's needed and better that we do it now instead of when something really happens, a catastrophic event for the island. God forbid. So, thank you very much.

Chairperson Therese M. Terlaje:

Thank you, Senator Shelton. Senator Marsh (Taitano)?

Senator Kelly Marsh Taitano:

Si Yu'os Ma'åse', Madam Chair, and I agree as well. It's timely. We're seeing that we've had situations like SARS or dengue fever or now this Coronavirus. So, changing that from catastrophe, which sounds more like an event that has to be physical in nature, tidal wave, tsunami, earthquake...

When we talk about a catastrophic event, it really opens things up to being able to consider things beyond something physically happening to our land or our homes. So, I think this opening up of the language is really important.

It definitely takes into consideration the situations that we're dealing with today. So, I support this addition to the language, this opening up of the language, so that its more applicable to the types of situations we are finding ourselves in. *Si Yu'os Ma'åse'*, Madam Chair.

Chairperson Therese M. Terlaje:

Thank you very much, Senator. Senator Muña?

Senator Louise B. Muña:

I, too, just want to chime in that I've heard many stories whether it be social media or even people just talking to me on the side about price gouging or what is believed to be price gouging.

Especially, most recently, with the Coronavirus and people purchasing face masks and so that's one of the reasons why I'm here to support the intent, of course, to make sure that our consumers are protected. Thank you so much, Madam Chair.

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SENATOR THERESE M. TERLAJE

Committee on Health, Tourism, Historic Preservation, Land and Justice

I Mina' trentai Singko na Liheslaturan Guåhan

35th Guam Legislature

Especially, most recently, with the Coronavirus and people purchasing face masks and so that's one of the reasons why I'm here to support the intent, of course, to make sure that our consumers are protected. Thank you so much, Madam Chair.

Chairperson Therese M. Terlaje:

All right. I just want to note again for the record that this is an amendment to the Deceptive Trade Practices Consumer Protection Act and that this Act currently authorizes the Attorney General of Guam to bring actions. And so if you feel like you have been a victim, I would suggest that you bring it to their attention.

And so this bill will clarify that price gouging extends beyond typhoons and Conditions of Readiness 1, 2, or 3. It also includes anytime the Governor has declared a State of Emergency and so that the intent of this bill is to expand its coverage.

So I'd like to thank, again, my colleagues, for being here. Thank you, Senators. And we will then conclude testimony on Bill 208. And we will continue to accept testimony on any of the bills heard today until Friday, February, 26, 2020 at 5:00PM.

Thank you again to all my colleagues and Si Yu'os Ma'åse'. Have a good day.

The public hearing was adjourned at **6:00 PM**.

III. FINDINGS & RECOMMENDATIONS

- Bill No. 208-35 (COR) was amended to comply with the legislative Standing Rules and stylistic recommendations made by the Guam Legislature's Legal Bureau.

The Committee on Health, Tourism, Historic Preservation, Land and Justice hereby reports out Bill No. 208-35 (COR)- As Amended by the Committee on Health, Tourism, Historic Preservation, Land and Justice, *Introduced by Senators Tina Muña Barnes and Joe S. San Agustin* – “AN ACT TO AMEND § 32103(s) OF ARTICLE 1 AND §32201(c)(21)(C) OF ARTICLE 2, BOTH OF CHAPTER 32, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO PREVENTING PRICE GOUGING DURING A STATE OF EMERGENCY OR EPIDEMIC,” with the recommendation to TO DO PASS.

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

Bill No. 208-35 (wp)

Introduced by:

Tina Rose Muña Barnes
Joe S. San Agustin 

**AN ACT TO *AMEND* § 32103(s) OF CHAPTER 32 OF TITLE
5, GUAM CODE ANNOTATED, RELATIVE TO
PREVENTING PRICE GOUGING DURING A STATE OF
EMERGENCY OR EPIDEMIC.**

2019 SEP 20 PM 4:34 

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. § 32103(s) of Chapter 32 of Title 5, Guam Code Annotated is amended to read:

“(s) Disaster means any typhoon, flood, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, drought, fire, explosion, or other catastrophe catastrophic event for which *I Maga'hågan* or *Maga'låhen Guåhan* declares that a state of emergency exists and may require emergency assistance to save lives, or to protect property, public health and safety or to avert an emergency.”

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

“(C) If Condition of Readiness 1, 2 or 3, or an equivalent condition is declared, or if *I Maga'hågan* or *Maga'låhen Guåhan* declares that a state of emergency exists requiring emergency assistance, or after a disaster which damages two hundred (200) or more of the permanent residential units on the island, or after a typhoon brings sustained winds to Guam of one hundred (100)

1 miles per hour or more, or after an earthquake with a reading on Guam greater
2 than 7.0 on the Richter Scale, *I Maga'hāgan* or *Maga'lahi* may, by Executive
3 Order, freeze mark-ups and prices on designated goods and services which he or
4 she finds to be in short supply or in danger of being in short supply as a result of
5 the disaster to markups and prices in effect the day before the disaster, for up to
6 thirty (30) days after the disaster. Said freeze shall not be extended. A merchant
7 may add to the normal sales prices of the goods the increased import cost of the
8 goods, for all goods normally imported by sea, and incremental freight costs
9 caused as a result of air freight actually incurred.

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

Introduced by:

Tina Rose Muña Barnes
Joe S. San Agustin

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

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. § 32103(s) of Article 1, Chapter 32, of Title 5, Guam Code Annotated is amended to read:

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

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

“(C) If Condition of Readiness 1, 2 or 3, or an equivalent condition is declared, or if *I Maga'hågan* or *Maga'låhen Guåhan* declares that a state

1 of emergency exists requiring emergency assistance, or after a disaster which
2 damages two hundred (200) or more of the permanent residential units on the
3 island, or after a typhoon brings sustained winds to Guam of one hundred
4 (100) miles per hour or more, or after an earthquake with a reading on Guam
5 greater than 7.0 on the Richter Scale, *I Maga'håga*~~n~~ or *Maga'lahi* may, by
6 Executive Order, freeze mark-ups and prices on designated goods and
7 services which he or she finds to be in short supply or in danger of being in
8 short supply as a result of the disaster to markups and prices in effect the day
9 before the disaster, for up to thirty (30) days after the disaster. Said freeze
10 shall not be extended. A merchant may add to the normal sales prices of the
11 goods the increased import cost of the goods, for all goods normally imported
12 by sea, and incremental freight costs caused as a result of air freight actually
13 incurred.”

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

Introduced by:

Tina Rose Muña Barnes
Joe S. San Agustin

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

BE IT ENACTED BY THE PEOPLE OF GUAM:

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

Deleted: of

Annotated is amended to read:

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

Deleted: for which

Deleted: declares that a state of emergency exists

Section 2. § 32201(c)(21)(C) of Article 2, Chapter 32, Title 5, Guam

Deleted: of

Code Annotated is amended to read:

(C) If Condition of Readiness 1, 2 or 3, or an equivalent condition is declared, or if *I Maga'hågan* or *Maga'låhen Guåhan* declares that a state of emergency exists requiring emergency assistance, or after a disaster which

COMMITTEE MARK-UP VERSION OF BILL 208-35 (COR)

1 damages two hundred (200) or more of the permanent residential units on the
2 island, or after a typhoon brings sustained winds to Guam of one hundred
3 (100) miles per hour or more, or after an earthquake with a reading on Guam
4 greater than 7.0 on the Richter Scale, ~~*I Maga'håga or Maga'lahi*~~ may, by
5 Executive Order, freeze mark-ups and prices on designated goods and
6 services which he or she finds to be in short supply or in danger of being in
7 short supply as a result of the disaster to markups and prices in effect the day
8 before the disaster, for up to thirty (30) days after the disaster. Said freeze
9 shall not be extended. A merchant may add to the normal sales prices of the
10 goods the increased import cost of the goods, for all goods normally imported
11 by sea, and incremental freight costs caused as a result of air freight actually
12 incurred.”

Deleted: *it*

Senator Régine Biscoe Lee,
Chair

Senator Amanda L. Shelton,
Vice Chair

Speaker Tina Rose Muña Barnes,
Member

Vice Speaker Telen Cruz Nelson,
Member

Senator Kelly Marsh (Taitano), PhD,
Member

Senator Sabina Flores Perez,
Member



COMMITTEE ON RULES
I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
35TH GUAM LEGISLATURE

October 14, 2019

Senator Clynton E. Ridgell,
Member

Senator Joe S. San Agustin,
Member

Senator Jose "Pedro" Terlaje,
Member

Senator Therese M. Terlaje,
Member

Senator James C. Moylan,
Member

Senator Mary Camacho Torres,
Member and Chair, Subcommittee on Protocol

MEMO

To: Rennae Meno
Clerk of the Legislature

From: Senator Régine Biscoe Lee
Chair, Committee on Rules

Re: Fiscal Note Waivers

Buenas yan Håfa adai.

Attached, please find the fiscal note waivers for the following bills:

Bill No. 208-35 (COR)
Bill No. 212-35 (LS)

Please forward the same to Management Information Services (MIS) for posting on our website.

For any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.





BUREAU OF BUDGET & MANAGEMENT RESEARCH

OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932



LOURDES A. LEON GUERRERO
GOVERNOR

JOSHUA F. TENORIO
LIEUTENANT GOVERNOR

LESTER L. CARLSON, JR.
DIRECTOR

OCT 14 2019

Senator Régine Biscoe Lee
Chairperson, Committee on Rules
I Mina'trentai Singko na Liheslaturan Guåhan
35th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Hafa Adai! Senator Biscoe Lee:

The Bureau requests that Bill No. 208-35 (COR) be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

Legislative Bill No. 208-35 is an act to amend § 32103(s) of Chapter 32, Title 5 of the Guam Code Annotated (GCA), relative to preventing price gouging during a state of emergency or epidemic. The Amendment adds to the definition of a disaster as a "catastrophic event for which *I Maga'hågan* or *Maga'låhen Guahån* declares that a state of emergency exists..."

Furthermore, it should be noted that the preamble of the proposed legislation should also site the amendment to § 32201(c)(21)(C) of article 2, Chapter 32 of Title 5 GCA. This amendment includes the statement: "...or if *I Maga'hågan* or *Maga'låhen Guahån* declares that a state of emergency exists requiring emergency assistance, ..." other than the declaration of Condition of Readiness 1, 2, or 3, or an equivalent condition.

The proposed amendments are administrative in nature and would not fiscally impact the appropriations of FY 2020.

Si Yu'os Ma'ase!

LESTER L. CARLSON, JR.





SENATOR THERESE M. TERLAJE

Committee on Health, Tourism, Historic Preservation, Land and Justice
I Mina' trentai Singko na Liheslaturan Guåhan
35th Guam Legislature

COMMITTEE VOTE SHEET

Bill No. 208-35 (COR), As Amended by the Committee on Health, Tourism, Historic Preservation, Land and Justice, Introduced by Senators Tina Rose Muña Barnes and Joe S. San Agustin – “AN ACT TO AMEND §32103(s) OF ARTICLE 1 AND §32201(c)(21)(C) OF ARTICLE 2, BOTH OF CHAPTER 32, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO PREVENTING PRICE GOUGING DURING A STATE OF EMERGENCY OR EPIDEMIC.”

	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Senator Therese M. Terlaje Chairperson	<i>Therese M. Terlaje</i> 2-20-2020	✓				
Senator Sabina Flores Perez Vice Chairperson	<i>SFP</i> 2-21-2020	✓				
Senator Kelly G. Marsh (Taitano), Ph.D. Member	<i>Kelly G. Marsh</i> 2/21/2020	✓				
Senator James C. Moylan Member						
Senator Louise B. Muña Member						
Vice Speaker Telena C. Nelson Member	<i>Telena C. Nelson</i> 2/20/2020	✓				
Senator Joe S. San Agustin Member	<i>Joe S. San Agustin</i>	✓				
Senator Amanda L. Shelton Member	<i>Amanda L. Shelton</i> 2/20/2020	✓				
Senator Mary Camacho Torres Member						

Mailing Address: Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Office Address: Ada Plaza Center, Suite 207, 173 Aspinall Avenue, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: senatorterlaje@guam@gmail.com | www.senatorterlaje.com

Customers encouraged to report price gouging

Anumita Kaur, Pacific Daily News

Published 2:01 p.m. ChT Oct. 24, 2018 | Updated 2:03 p.m. ChT Oct. 24, 2018



(Photo: Rick Cruz/PDN)

Customers heading to stores in preparation for Typhoon Yutu should report any price gouging they see, now that the island is in Condition of Readiness 2, according to a Joint Information Center press release.

Price gouging is raising the price of goods due to disaster-related shortages. According to the Office of the Attorney General of Guam, price-gouging is illegal once we enter COR 2.

More: [Guam's price gouging law: When is a price increase illegal? \(/story/news/2018/09/10/price-gouging-when-illegal-raise-price-consumer-goods/1251155002/\)](#)

More: [The latest: Yutu is now supertyphoon, worst expected early Thursday \(/story/news/2018/10/24/guam-rota-under-tropical-storm-watch/1744205002/\)](#)

The price of items such as non-perishable foods, water, gasoline, batteries, propane and lumber must stay at its fixed price. Items must remain at their fixed price until three days after Guam returns to normal weather conditions, COR 4.

Customers are encouraged to report price inflation during this time to the Office of the Attorney General by calling 671-475-3324 or by emailing law@guamag.org.

Merchants found violating this law may owe up to three times the amount of gross profits on the overcharged goods.

Read or Share this story: <https://www.guampdn.com/story/money/2018/10/24/customers-encouraged-report-price-gouging/1746899002/>

Confirmed dengue cases: Mosquito repellent sales spike, reports of price gouging surface

Jasmine Stole Weiss, Pacific Daily News Published 3:25 p.m. ChT Sept. 18, 2019 | Updated 4:38 p.m. ChT Sept. 18, 2019

After the government confirmed the first local case dengue fever in 75 years, several store shelves on island were wiped of any and all mosquito repellent.

On Tuesday, the Pay-Less in Mangilao was out of repellent. Public Health officials targeted homes behind the store for the spraying of insecticides.

Last week's first confirmed case is significant because it involved a student who hadn't traveled. Dengue patients confirmed on Guam in prior years were infected while traveling. A second confirmed dengue case was announced Tuesday.

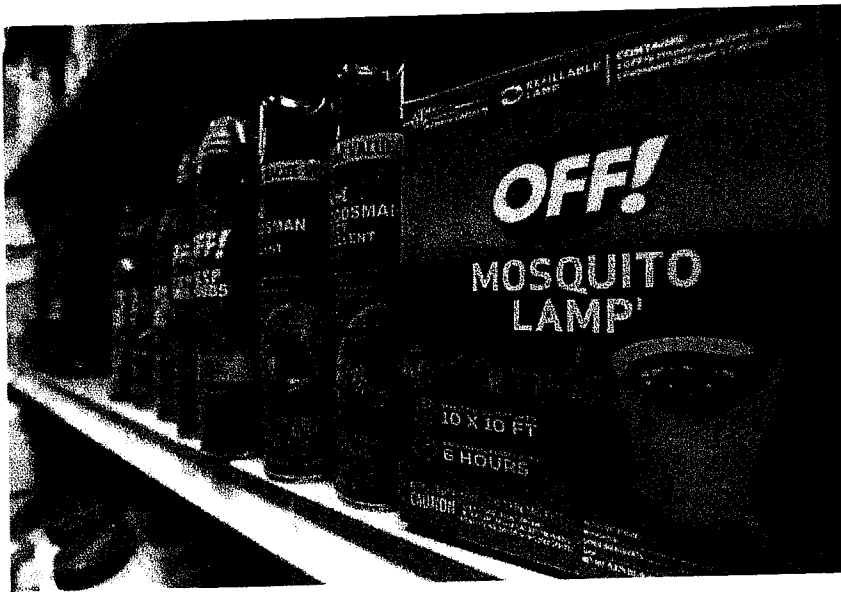
Josh Howard, salesman for Guam Home Center, said he's seen a sharp increase in customers coming into the Dededo hardware store looking for repellent. He said customers are looking for sprays, but they're also looking to buy clip-on mosquito repellents and larvicide tablets.



Dededo resident Edmund Valencia purchases the last three aerosol cans of insect repellent at the La Familia retail store in the along Y-Sengsong Road on Wednesday, Sept. 18, 2019. (Photo: Rick Cruz/PDN)

These are tablets marketed for containers with standing water, like birdbaths or water gardens. They dissolve and kill mosquito larvae.

Reported price gouging



Insect repelling products are found still in stock on the shelves of the Gum Home Center in Dededo, but several other retail outlets in Dededo have also been emptied by shoppers on Sept. 18, 2019. (Photo: Rick Cruz/PDN)

Speaker Tina Muña Barnes said she was told by residents that insect repellent was priced higher than usual.

Carlina Charfauros, spokeswoman for the Office of the Attorney General, said illegal price gouging is triggered when the conditions of readiness are changed for an impending storm. Barnes said in a statement that she's working with the governor's office and other senators to clarify the price gouging law.

The law states price gouging is illegal when Guam is in Conditions of Readiness 1 and 2 and 72 hours after Guam returns to Condition of Readiness 4 ([http://www.guamlegislature.com/Public_Laws_22nd/P.L.%2022-34%20\(1\).pdf](http://www.guamlegislature.com/Public_Laws_22nd/P.L.%2022-34%20(1).pdf)).

There's some confusion because the law specifically references typhoons and natural disasters but also defines a "disaster" as a "catastrophe which may require emergency assistance to save lives or to protect property, public health and safety or to avert an emergency."

While the governor declared Guam in a state of emergency, Charfauros said the price gouging law doesn't cover declarations of a state of emergency.

OPINION: Our View: Emergency declaration should have been announced to the people ([/story/opinion/2019/09/17/guam-gov-lou-leon-guerrero-should-have-announced-dengue-state-of-emergency-declaration/2348161001/](http://story/opinion/2019/09/17/guam-gov-lou-leon-guerrero-should-have-announced-dengue-state-of-emergency-declaration/2348161001/)).

MORE: Public Health: 2nd local dengue case involving Dededo male patient ([/story/news/2019/09/17/dengue-patient-agueda-johnston-middle-school-student-other-updates/2348314001/](http://story/news/2019/09/17/dengue-patient-agueda-johnston-middle-school-student-other-updates/2348314001/)).

Read or Share this story: <https://www.guampdn.com/story/news/local/2019/09/17/guam-dengue-fever-mosquito-repellent/2347962001/>

Price gouging law update bill introduced

Duane M. George, Pacific Daily News Published 5:19 p.m. ChT Sept. 20, 2019



Tina Muna Barnes (Photo: PDN file photo)

A measure to update Guam's price gouging law has been introduced in the Guam Legislature.

Speaker Tina Rose Muña Barnes said her office has received calls with concerns about increased costs of mosquito repellent.

The Office of the Attorney General has said price gouging protection laws are triggered only upon the change of condition of readiness for an impending storm.

"As our government deals with evolving impending threats to our community's health, safety, and general welfare, we must ensure that during times like these, measures are in place to protect all of those who call Guam home," Muña Barnes.

READ MORE

- [No new confirmed cases of dengue, island remains on high alert \(/story/news/2019/09/20/no-new-confirmed-cases-dengue-island-remains-high-alert/2382479001/\)](/story/news/2019/09/20/no-new-confirmed-cases-dengue-island-remains-high-alert/2382479001/)
- [Guam Public Library System expands hours \(/story/news/local/2019/09/19/guam-public-library-hours/2382546001/\)](/story/news/local/2019/09/19/guam-public-library-hours/2382546001/)
- [GovGuam: Most of \\$24.4 million tax refunds mailed Friday, the rest by Monday \(/story/news/2019/09/19/govguam-taxes-most-refunds-mailed-friday-others-monday/2372105001/\)](/story/news/2019/09/19/govguam-taxes-most-refunds-mailed-friday-others-monday/2372105001/)

Read or Share this story: <https://www.guampdn.com/story/news/local/2019/09/20/price-gouging-law-update-bill-introduced/2383345001/>