

LOURDES A. LEON GUERRERO
GOVERNOR



JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HĀGAN GUĀHAN
OFFICE OF THE GOVERNOR OF GUAM

February 26, 2021

HONORABLE THERESE M. TERLAJE

Speaker
36th Guam Legislature
Chairperson, Committee on Health, Land, Justice and Culture
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

RE: BILL NO. 24-36 (COR) - 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 the Minimum Wage Increase from March 1, 2021 to September 1, 2021

Dear Madame Speaker,

When I signed Public Law 35-38 into law, I indicated that I viewed the responsible increase of the minimum wage as critical to raising working people out of poverty. I also wrote that our work was not done. Unfortunately, circumstances of health and economic fallout resulting from our current global pandemic have made that work even harder. We have lost 130 members of our community, countless hours of in-person academic instruction, thousands of jobs, and, perhaps in quantities immeasurable, the benefits of quality time with friends and family. Recovery will take time, but it must include a recognition that getting back to where we were will not be enough. We must recover so well that we are better off for having had to endure this awful pandemic. To do this responsibly means we will have to delay -- for a short time -- the next planned increase in the minimum wage. This delay will give employers an opportunity to adjust in the wake of the pandemic's effects and still fulfill the ultimate goal of moving our wages toward a level sufficient to provide a decent quality of life. For these reasons, I have signed Bill 24-36 into law as **Public Law No. 36-1**.

Senseremente,

A handwritten signature in blue ink, appearing to read "Lou Leon Guerrero".

LOURDES A. LEON GUERRERO
Maga'hāgan Guāhan
Governor of Guam

(J.Borja)

Enclosure(s): Bill No. 24-36 (COR) *nka P.L. 36-1*

cc: *Honorable Joshua F. Tenorio, Sigundo Maga'lāhen Guāhan*
Compiler of Laws



I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
Thirty-Sixth Guam Legislature

Jessica Cruz
RCVD AT CENTRAL FILE!
FEB 16 '21 PM 7:10
2021-12975

February 16, 2021

The Honorable Lourdes A. Leon Guerrero
I Maga'hågan Guåhan
Ufisinan I Maga'håga
Hagåtña, Guam 96910

Dear *Maga'håga* Leon Guerrero:

Transmitted herewith is **Bill No. 24-36 (COR)**, which was passed by *I Mina'trentai Sais Na Liheslaturan Guåhan* on February 16, 2021.

Sincerely,

AMANDA L. SHELTON
Legislative Secretary

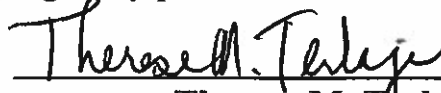
Enclosure (1)




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

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


This is to certify that **Bill No. 24-36 (COR)**, "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 THE MINIMUM WAGE INCREASE FROM MARCH 1, 2021 TO SEPTEMBER 1, 2021," was on the 16th day of February 2021, duly and regularly passed.


Therese M. Terlaje
Speaker


Attested:


Amanda L. Shelton
Legislative Secretary

.....
This Act was received by *I Maga'hågan Guåhan* this 16th day of February
2021, at 7:10 o'clock P.M.


Assistant Staff Officer
Maga'håga's Office

APPROVED:


Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 2/26/2021

Public Law No. 36-1

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; and
further amended on the Floor.

Introduced by:

James C. Moylan
Mary Camacho Torres
Christopher M. Dueñas
Frank F. Blas, Jr.
V. Anthony Ada
Joanne Brown
Tina Rose Muña Barnes
Telen Cruz Nelson
Sabina Flores Perez
Clynton E. Ridgell
Joe S. San Agustin
Telo T. Taitague
Jose “Pedro” Terlaje
Therese M. Terlaje

**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 THE MINIMUM WAGE
INCREASE FROM MARCH 1, 2021 TO SEPTEMBER 1,
2021.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that the COVID-19 pandemic has adversely impacted the economic conditions on
4 the island, which has led to thousands of island residents being on furlough status.

1 Many businesses have either been forced to close their doors, amend their hours of
2 operation and employee base, or work with many limitations, all of which affect their
3 potential revenue stream.

4 In 2019, the 35th Guam Legislature passed what eventually was enacted into
5 law as Public Law 35-38, an act which would provide for a two (2)-tiered approach
6 towards increasing the minimum wage. A Fifty Cent (\$0.50) increase in the
7 minimum wage took place on March 1, 2020, with the second tier of a Fifty Cent
8 (\$0.50) increase scheduled for March 1, 2021. Unfortunately, with many businesses
9 still in a recovery phase, and with questionable tourism arrival numbers for 2021,
10 it would be unreasonable to mandate additional costs on businesses, many of which
11 will have challenges maintaining their 2020 pre-pandemic organizational charts and
12 annual projections.

13 Therefore, the intent of this Act is to simply delay the enactment of the second
14 tier of the minimum wage increase by six (6) months to allow businesses to plan
15 their operational expenses based on the uncertainties ahead. It would also help to
16 reduce the additional burden placed on those businesses this year who are
17 attempting to bring their employees back to work despite current economic
18 conditions. Nothing in this Act prevents any business entity from providing an
19 increment to its employees if it is in a favorable position to provide for it.

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

22 **“§ 3105. Minimum Wages.**

23 Every employer shall pay each person employed by him wages at a rate
24 not less than Eight Dollars and Twenty-Five Cents (\$8.25) per hour, effective
25 January 1, 2015; not less than Eight Dollars and Seventy-Five Cents (\$8.75)
26 per hour, effective March 1, 2020; and not less than Nine Dollars and Twenty-
27 Five Cents (\$9.25) per hour, effective September 1, 2021.”

Section 3. 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 4. Effective Date. This Act shall be effective upon enactment.