

UFISINAN I MAGA'HÅGA
OFFICE OF THE GOVERNOR

LOURDES A. LEON GUERRERO
MAGA'HÅGA • GOVERNOR



JOSHUA F. TENORIO
SIGUNDO MAGA'LÅHI • LIEUTENANT GOVERNOR

Via Hand Delivery
and E-mail: speaker@guamlegislature.org

July 22, 2020

HONORABLE TINA ROSE MUÑA BARNES

Speaker

I Mina'trentai Singko Na Liheslaturan Guåhan

35th Guam Legislature

Guam Congress Building

163 Chalan Santo Papa

Hagåtña, Guam 96910

Re: Executive Order No. 2020-25

Dear Madame Speaker:

Pursuant to Public Law 34-16, transmitted herewith is the following Executive Order:

EXECUTIVE ORDER NO. 2020-25:
RELATIVE TO REVISED RESTRICTIONS ON ENTRY INTO GUAM, AND
IMPLEMENTING MEASURES TO ENSURE THE SAFE PRACTICE OF
CERTAIN ECONOMIC ACTIVITIES

If you have any questions, please contact my office at # 475-9475/76.

Senseramente,

LESLIE A. TRAVIS

Legal Counsel

Enclosure(s): Executive Order No. 2020-25

cc via email: *Maga'hågan Guåhan*
Sigundo Maga'låhen Guåhan
Hon. F.Philip Carbullido, Chief Justice of Guam
Compiler of Law
Central Files
Cabinet Members



**ISLAND OF GUAM
OFFICE OF THE GOVERNOR
HAGÁTÑA, GUAM 96932
U.S.A.**

EXECUTIVE ORDER NO. 2020-25

**RELATIVE TO REVISED RESTRICTIONS ON ENTRY INTO GUAM,
AND IMPLEMENTING MEASURES TO ENSURE THE SAFE PRACTICE
OF CERTAIN ECONOMIC ACTIVITIES**

WHEREAS, on March 14, 2020, I, Lourdes A. Leon Guerrero, *I Maga'hågan Guåhan*, Governor of Guam, acting pursuant to the power provided by the Organic Act and the laws of Guam, declared a public health emergency in the island of Guam due to the potential dangers posed by the 2019 novel coronavirus ("COVID-19"); and

WHEREAS, Guam law authorizes the Governor to suspend the provisions of any regulatory statute prescribing procedures for conducting local business, or the orders, rules and regulations of any government of Guam agency, to the extent that strict compliance with the same would prevent, hinder or delay necessary action (including emergency purchases) by the public health authority to respond to the public health emergency, or increase the health threat to the population; and

WHEREAS, certain legal documents require the in-person services of a notary public, and such interactions should be avoided to the extent possible in order to promote social distancing and mitigate against the spread of COVID-19; and

WHEREAS, suspension of current statutes, rules and regulations requiring in-person services of a notary public, and authorization of remote online notarizations by duly licensed notary publics in Guam, will aid in mitigating the spread of COVID-19, protecting the health, safety, and welfare of Guam residents, and ensure that necessary transactions and interactions requiring such services may continue to occur during this time of crisis without unduly compromising the health and safety of our community; and

WHEREAS, Section 2102 of the CARES Act created the Pandemic Unemployment Assistance ("PUA") and Federal Pandemic Unemployment Compensation ("FPUC") programs; and

WHEREAS, on March 28, 2020, Guam entered into an agreement with the United States Department of Labor ("USDOL") for participation in the PUA and FPUC programs; and

WHEREAS, on June 1, 2020, by Executive Order No. 2020-17, I ordered the Guam Department of Labor's ("GDOL") establishment of the Pandemic Unemployment Assistance Appeals Office to administer the pandemic unemployment assistance and compensation programs in Guam; and

WHEREAS, to date, Guam has paid over \$194 million in unemployment assistance to our residents, ensuring that our workers and their families remain healthy and safe notwithstanding the reduced operations of local businesses due to the COVID-19 pandemic; and



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WHEREAS, in Executive Order No. 2020-17, I further ordered that the ordinary requirement for claimants of PUA and FPUC to be “actively seeking work” be suspended pending a designation that Guam is in Pandemic Condition of Readiness 3 (“PCOR 3”); and

WHEREAS, effective July 20, 2020, through Executive Order No. 2020-24, I ordered that Guam would be in PCOR 3; and

WHEREAS, notwithstanding the declaration of PCOR 3, in Executive Order No. 2020-24, I ordered that all private businesses in Guam continue to operate at no greater than fifty percent (50%) capacity or up to ten (10) people, whichever is greater, in a continued effort to contain the spread of COVID-19; and

WHEREAS, the continued limitations on the operation of local private businesses affect the ability of these businesses to employ our local workforce at pre-COVID capacity, and consequently, our workers continue to experience unemployment or underemployment due to the COVID-19 crisis, such that it is necessary for unemployment assistance and compensation programs to continue in order to support our workers and their families during the public health emergency; and

WHEREAS, effective July 20, 2020, through Executive Order No. 2020-24, I ordered extension of the public health emergency due to the COVID-19 pandemic first declared in Executive Order No. 2020-03 for an additional thirty (30) day period, to expire on August 29, 2020; and

WHEREAS, it is necessary to continue to suspend the requirement for claimants of PUA and FPUC to be “actively seeking work” at this time, to ensure the continued safety of our workers and their families; and

WHEREAS, as the global COVID-19 case count increases, we must take necessary action to ensure our community is safeguarded from the importation of positive cases through travelers arriving on island.

NOW, THEREFORE, I, LOURDES A. LEON GUERRERO, *I Maga'hågan Guåhan*, Governor of Guam, by virtue of the authority vested in me by the Organic Act of Guam, as amended, do hereby order:

1. TEMPORARILY AUTHORIZING REMOTE NOTARIZATION AND ATTESTATION

- a. Any purported requirement under Guam law, including but not limited to 5 GCA Chapter 33, that a notarial act must occur in the physical presence of the notary public is hereby suspended, and any such act may be performed remotely by a notary public physically located in Guam and duly licensed to perform such notarial services, utilizing real-time audio-video communication technology or any similar real-time means of electronic



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video conferencing that allows the parties to communicate with each other simultaneously by sight and sound in order to notarize signatures.

- b. The Attorney General of Guam shall be responsible for developing the necessary Rules for Remote Online Notarization to implement and maintain requirements and standards for notaries performing remote notarial acts under this Section, in a manner consistent with the requirements for in-person notarial services as delineated in 5 GCA Chapter 33.
 - c. The rule-making procedures of the Administrative Adjudication Law codified in Title 5 Article 3 of the Guam Code Annotated are suspended for the limited purpose and in the interest of the expedient adoption and implementation of the Rules for Remote Online Notarization described herein.
 - d. This Section shall be effective at such time as the Attorney General of Guam adopts the Rules for Remote Online Notarization referenced herein, and shall continue for the duration of the public health emergency declared in Executive Order No. 2020-03 or as modified by future Executive Orders or applicable legislation.
- 2. CONTINUED SUSPENSION OF THE WORK SEARCH REQUIREMENT.** Pursuant to and as guided by Unemployment Insurance Program Letter Nos. 13-20 and 16-20, the requirements for claimants of PUA and FPUC to be “actively seeking work” shall continue to be suspended for the duration pending a designation that Guam is in Pandemic Condition of Readiness 4 (“PCOR 4”) or as modified by future Executive Orders, in consultation with GDOL.
- 3. RESTRICTING ENTRY INTO GUAM.** Pursuant to Section 3333, Article 3, Chapter 3, Title 10, Guam Code Annotated, all persons entering Guam shall be subject to quarantine pursuant to this Section and Section 19604 and 19605 of Article 6, Chapter 19, Title 10, Guam Code Annotated. Such quarantine will be administered in accordance with applicable DPHSS Guidance, which may include a requirement that individuals arriving without a negative test result for COVID-19 utilizing a polymerase chain reaction (PCR) test within five days of arrival in Guam may be quarantined at a government qualified facility.
- 4. SEVERABILITY.** If any provision of this Order or its application to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this order that can be given effect without the invalid provision or application, and to this end, the provisions of this order are severable.

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5. PRIOR ORDERS REMAIN IN EFFECT. All prior Executive Orders remain in full force and effect except to the extent they conflict with this Order.

SIGNED AND PROMULGATED at Hagátña, Guam, this **20th** day of **July 2020**.



Handwritten signature of Lourdes A. Leon Guerrero in black ink.

LOURDES A. LEON GUERRERO
Maga'hågan Guåhan
Governor of Guam

Attested by:

Handwritten signature of Joshua F. Tenorio in black ink.

JOSHUA F. TENORIO
Sigundo Maga'låhen Guåhan
Lieutenant Governor of Guam