UFISINAN I MAGA'HÅGA
OFFICE OF THE GOVERNOR

LOURDES A. LEON GUERRERO
MAGA'HÅGA • GOVERNOR

JOSHUA F. TENORIO
SIGUNDO MAGA'LÅHI • LIEUTENANT GOVERNOR

September 17, 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. 2020-32

Dear Madame Speaker:

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

EXECUTIVE ORDER NO. 2020-32:
RELATIVE TO CONTINUING THE STAY-AT-HOME ORDER WITH ADDITIONAL SERVICES

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

Sinseramente,

LESLIE A. TRAVIS
Legal Counsel

Enclosure(s): Executive Order No. 2020-32

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

RICARDO J. BORDALLO GOVERNOR'S COMPLEX • HAGÅTÑA, GUAM 96910
P.O. BOX 2950 • HAGÅTÑA, GUAM 96932
671.472.8931 • 671.472.8932/6

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

EXECUTIVE ORDER NO. 2020-32

RELATIVE TO CONTINUING THE STAY-AT-HOME ORDER WITH ADDITIONAL SERVICES

WHEREAS, on August 21, 2020, I executed Executive Order No. 2020-28, which contained the first Stay-at-Home Order that has been implemented in Guam since the current public health emergency began on March 14, 2020; and

WHEREAS, since then, I have extended and modified stay-at-home conditions three (3) more times; and

WHEREAS, as of the execution of this Order, the island has suffered thirty (30) deaths related to COVID-19, twenty (20) of which occurred in the month of September; and

WHEREAS, this past week, we lost our youngest member of the community to COVID-19, at only ten (10) years old; and

WHEREAS, as of the time of this writing, over two thousand (2000) Guam residents have been infected by COVID-19; and

WHEREAS, as of the time of this writing, Guam has a 7-day rolling average of over thirty-six (36) positive cases daily, and a test positivity rating of 9.3%; and

WHEREAS, our hospital facilities are still operating beyond capacity, with forty-four (44) hospitalized patients, including nineteen (19) in intensive care, many of whom are ventilated; and

WHEREAS, in an effort to ensure that our hospital facilities are appropriately staffed and patients receive critical care, Guam has received assistance from Department of Defense personnel who are on medical mission assignment at the Guam Memorial Hospital Authority; and

WHEREAS, the single best tool we have against COVID-19 spread is the limitation of personal interactions between individuals, particularly those who do not reside in the same household, and a continued Stay-at-Home Order is tailored to accomplish this goal; and

WHEREAS, understanding the fatigue our community is experiencing as a result of the continuing Stay-at-Home Order, it is necessary to open specific businesses and services that will assist in making our lives more comfortable as we continue to isolate in our homes for an additional one-week period; and

WHEREAS, to slow the spread of COVID-19, to push to reduce our overall test positivity rate, to reduce hospitalizations and the consequent impact on our finite medical resources, to provide much-needed, measurable respite to our medical community, and to advance

our common goal of making Guam safe again, for all of our residents, particularly those among us for whom existing medical conditions render a potential COVID-19 infection especially dangerous and potentially life-ending, it is imperative that we continue stay-at-home measures and restrictions on entry into Guam on a temporary basis, *and that we as a community commit and do our best to abide by these measures, in good faith, to the best of our ability.*

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. **PANDEMIC CONDITION OF READINESS 1.** Guam continues to be in PCOR 1, during which the most restrictive conditions are imposed in an effort to slow the spread of COVID-19 in our community.

2. **CONTINUED STAY-AT-HOME ORDER.** The Stay-at-Home Order first issued in Executive Order No. 2020-28 and extended in Executive Orders No. 2020-29, 2020-30, and 2020-31, shall be extended and will continue until 12:00PM on September 25, 2020, unless extended by further order. All persons in Guam are directed to continue to stay at home, subject to limited exceptions such as obtaining food and household necessities, going to and from work at authorized businesses as identified in this Order or in applicable Department of Public Health and Social Services ("DPHSS") Guidance, seeking medical care, caring for dependents or pets, caring for a vulnerable person in another location, or for individual exercise. Stay-at-Home conditions instituted in Executive Order No. 2020-29 and in applicable DPHSS Guidance shall remain in effect, subject to further amendments made thereto.

3. **EMERGENCY MEASURES CONCERNING FACILITIES AND MATERIALS.** Most businesses and public accommodations shall continue to be closed and prohibited from on-site operations.

   This prohibition on operations shall not apply to specifically enumerated businesses as set forth in applicable DPHSS Guidance, which shall include the following: health care operations, including but not limited to home health workers, counseling services, and substance abuse treatment facilities; essential infrastructure, including construction of housing and operation of public transportation and utilities; grocery stores, farmers' markets, food banks, convenience stores; businesses and non-profit organizations that provide for economically disadvantaged individuals and shelter facilities; real estate services, pharmacies, health care supply stores, and health care facilities; gas stations and auto repair facilities; banks and credit unions; garbage collection; and hardware stores, plumbers, electricians, and other service providers necessary to maintain the safety, sanitation, and essential operation of residences and other authorized

businesses.

Effective at 12:00PM on September 18, 2020, non-essential retail businesses are permitted to operate, subject to applicable DPHSS Guidance which shall include, at minimum, that customers shall not be permitted to enter the physical premises, but shall be permitted to pick up goods outside of the establishment from which they have already placed their orders. Additionally, eating establishments may allow customers to enter their premises for the limited purpose of take-out dining, subject to applicable DPHSS Guidance.

4. **ELECTIONS**. The Guam Election Commission is authorized to conduct In Office Absentee Voting for the 2020 General Election by appointment, effective September 19, 2020. Prospective voters may contact the Guam Election Commission directly for more information or to schedule an appointment. All in-person voting and related activities are subject to mitigation measures delineated in applicable DPHSS Guidance, including the wearing of masks, social distancing, and frequent disinfection of surfaces.

5. **SEVERABILITY**. If any provision of this Executive 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.

6. **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 Hagåtña, Guam, this **17th** day of **September, 2020**.

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

Attested by:

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

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DIRECTIVE OF THE DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES

1. Pursuant to 10 G.C.A. § 19601 *et seq*, I, as the Director of the Department of Public Health and Social Services ("DPHSS"), in an effort to prevent the transmission of COVID-19, and to ensure that all cases of COVID-19 are controlled and treated, HEREBY DIRECT as follows:

    a. All individuals are directed to continue to stay at home or in their places of residence, subject to limited exceptions delineated in applicable DPHSS Guidance. With respect to persons residing in hotels, condominiums, townhomes, apartments, or other multi-unit dwellings, "place of residence" means the person's individual hotel room or unit.

    b. Individuals may leave their home to provide or to avail themselves of authorized services enumerated in applicable DPHSS Guidance, which are identified and designated for the purpose of protecting the health and well-being of all Guam residents during the pendency of this Directive, and to ensure continuity of critical healthcare, government functions, public safety, and supply chain operations so that Guam residents have uninterrupted access to necessities such as food, prescriptions, and health care.

    c. When individuals need to leave their homes or places of residence, they should abide by mitigation measures identified in applicable DPHSS Guidance, including the wearing of masks and the practice of social distancing.

    d. It is the finding of DPHSS that this Directive constitutes the least restrictive means necessary to prevent the spread of COVID-19 from infected individuals to non-infected individuals in the community.

    e. It is further the finding of DPHSS that individuals who violate this Directive may be placing others in danger of death or serious bodily injury from infection to COVID-19.

2. This Directive shall be effective through 12:00PM on September 25, 2020, unless otherwise directed.

SO ORDERED, this 17th day of **September 2020**.

ARTHUR U. SAN AGUSTIN, MHR
Acting Director
Department of Public Health and Social Services