

I Mina'trentai Ocho Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
121-38 (COR) As amended on the Floor.	Jesse A. Lujan Christopher M. Dueñas Vincent A. V. Borja V. Anthony Ada Shelly V. Calvo Tina Rose Muña Barnes Sabrina Salas Matanane Joe S. San Agustin Eulogio Shawn Gumataotao Grand F. Blas, Jr.	AN ACT TO <i>AMEND</i> §54B102 OF CHAPTER 54B, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING FOR FURTHER EXEMPTIONS TO THE "CHOOSE TO REUSE: MUNGNGA MA AYEK I PLASTEK ACT OF 2018."	4/15/25 4:21 p.m. ^4/18/25 2:18 p.m.	4/18/25	Committee on Transportation, Tourism, Customs, Utilities, and Federal and Foreign Affairs.	Request: 4/21/25 Waiver: 4/24/25	5/2/25 9:00 a.m.	5/6/25 6/2/25	
	SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	NOTES			
	5/27/25	AN ACT TO <i>AMEND</i> § 54B102 OF CHAPTER 54B, TITLE 10, GUAM CODE ANNOTATED , RELATIVE TO ALLOWING FOR FURTHER EXEMPTIONS TO THE "CHOOSE TO REUSE: MUNGNGA MA AYEK I PLASTEK ACT OF 2018."	6/3/25	6/5/25	6/17/25				

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I MINA'TRENTAI OCHO NA LIHESLATURAN GUAHAN
Thirty-Eighth Guam Legislature

June 5, 2025

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

Dear *Maga'håga* Leon Guerrero:

Transmitted herewith are Bill Nos. 6-38 (COR), 18-38 (COR), 20-38 (COR), 23-38 (COR), 27-38 (COR), 33-38 (COR), 50-38 (COR), 53-38 (COR), 54-38 (COR), 55-38 (COR), 59-38 (COR), 66-38 (COR), 67-38 (COR), 75-38 (COR), 78-38 (COR), 80-38 (COR), 83-38 (COR), 88-38 (COR), 89-38 (COR), 95-38 (COR), 109-38 (COR), 121-38 (COR), 129-38 (COR) and 130-38 (COR), and Substitute Bill Nos. 28-38 (COR) and 118-38 (COR) which were passed by *I Mina'trentai Ocho Na Liheslaturan Guahan* on June 3, 2025.

Sincerely,

Senator Sabrina Salas Matanane
Legislative Secretary

Enclosure (26)



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I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

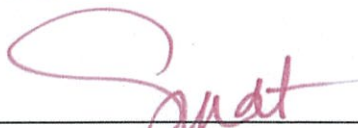
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'HÅGAN GUÅHAN

This is to certify that **Bill No. 121-38 (COR), "AN ACT TO AMEND § 54B102 OF CHAPTER 54B, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING FOR FURTHER EXEMPTIONS TO THE 'CHOOSE TO REUSE: MUNGNGA MA AYEK I PLASTEK ACT OF 2018',"** was on the 3rd day of June 2025, duly and regularly passed.



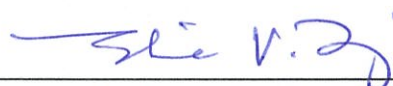
Frank F. Blas, Jr.
Speaker

Attested:



Sabrina Salas Matanane
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 5th day of June,
2025, at 4:56 o'clock P.M.



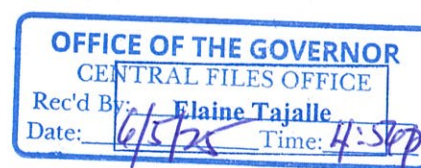
Assistant Staff Officer
Maga'håga's Office

APPROVED:

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: _____

Public Law No. _____



I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. 121-38 (COR)

As amended on the Floor.

Introduced by:

Jesse A. Lujan
Christopher M. Dueñas
Vincent A.V. Borja
V. Anthony Ada
Shelly V. Calvo
Tina Rose Muña Barnes
Sabrina Salas Matanane
Joe S. San Agustin
Eulogio Shawn Gumataotao
Frank F. Blas Jr.
Chris Barnett
William A. Parkinson
Telo T. Taitague
Therese M. Terlaje

AN ACT TO *AMEND* § 54B102 OF CHAPTER 54B, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ALLOWING FOR FURTHER EXEMPTIONS TO THE “CHOOSE TO REUSE: *MUNGNGA MA AYEK I PLASTEK* ACT OF 2018.”

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that through Public Hearings for Bill 245-36, which was signed into law as P.L. 26-98, luxury retail stakeholders catered to Guam’s tourism market had requested for exemptions to the eligible entities that may continue to provide paper bags for niche markets and commodities. While the committee report for Bill 245-36 states that

1 luxury retail establishments requested for an exemption, this request for exemption
2 was further reiterated in the committee recommendations but were never
3 incorporated. Through testimony provided to *I Liheslatura*, luxury retailers stated
4 that “*The Guam paper shopping bag ban is unique in the United States. California,*
5 *considered the leader in environmental legislation, does not ban paper shopping*
6 *bags of luxury retailers.*” Furthermore, the report states “*The reason that paper*
7 *shopping bags for luxury products are properly excepted from a ban is because the*
8 *shopping bag for luxury products is an integral part of the store's trademark and*
9 *service mark branding.*”

10 The report also states “*Proper presentation, particularly product presentation*
11 *in a branded shopping bag, is extremely important to Asian visitors and in Asian*
12 *gift-giving culture. It is critical for Guam-based luxury retailers to maintain brand*
13 *international tourists; particularly as Asian economies relax travel restrictions*
14 *imposed during the pandemic. Banning luxury paper shopping bags will discourage*
15 *sales of luxury products in Guam, with resultant adverse effects on Guam economic*
16 *activity and business gross receipts tax revenues.*” Testimony provided in the report
17 concludes that “*International visitors to Guam are 90% of the market compared to*
18 *locals, therefore the large majority of the luxury shopping bags are exported from*
19 *Guam. International visitors to Guam shopping at luxury boutiques and stores,*
20 *unlike local purchasers, will tend not to carry non-paper reusable carryout bags*
21 *with them. They would have to be provided, or buy, such non-paper reusable bags*
22 *for purchases. Substitution of reusable, non-paper bags for paper shopping bags*
23 *under these circumstances is likely to have an adverse, rather than beneficial,*
24 *environmental impact.*”

25 In an effort to restore Destination Guam as a world-class tourism destination
26 for international visitors, *I Liheslaturan Guåhan* aims to provide the requested

1 exemptions that were not incorporated to accommodate Guam's luxury retail
2 industry.

3 **Section 2.** §54B102 of Chapter 54B, Title 10, Guam Code Annotated, is
4 *amended* to read:

5 **“§ 54B102. Definitions.**

6 For the purposes of this Chapter:

7 (a) ‘Agency’ means the Guam Environmental Protection Agency;

8 (b) ‘disposable carryout bag’ means any bag that is provided to a
9 consumer by a retail or wholesale establishment at the point of sale to carry
10 purchases. A disposable carryout bag shall not include any of the following:

11 (1) a bag provided to the consumer for use in a retail or
12 wholesale establishment to package bulk items, such as fruits,
13 vegetables, nuts, grains, candy, meats, poultry, or fish;

14 (2) a bag provided to the consumer for use in a retail or
15 wholesale establishment to package small hardware items;

16 (3) a bag to contain or wrap flowers, potted plants, or other
17 items where dampness may be a problem;

18 (4) a bag to contain non-prepackaged food items or bakery
19 goods;

20 (5) a bag provided by a pharmacy to carry prescription drugs;

21 (6) a bag used for newspapers;

22 (7) a bag used for laundry dry-cleaning;

23 (8) bags sold in packages containing multiple bags intended
24 for garbage, pet waste, or yard waste;

25 (9) a bag used to package and secure fragile merchandise;

26 (10) a bag used to help insulate frozen items; or

27 (11) a reusable carryout bag as defined by this Chapter; and

1 (12) a branded bag. For purposes of this section, a branded bag
2 means any paper bag used by a retailer that displays the name, logo,
3 trademark or other marks of distinction of the manufacturer or retailers
4 of the product sold.

5 (c) 'reusable carryout bag' means a bag specifically designed and
6 manufactured for multiple reuse, and is made of cloth, fiber, or other machine
7 washable fabric;

8 (d) 'retail establishment' means any entity that engages in the
9 business of selling tangible property to others for consumption or use by the
10 purchaser, and not for resale;

11 (e) 'wholesale establishment' means any entity that engages in the
12 business of selling tangible property for the purpose of resale."

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