

I Mina'trentai Sais 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
239-36 (COR)	Telo T. Taitague Joanne Brown Therese M. Terlaje Sabina Flores Perez	AN ACT TO ADD A NEW § 76206 TO CHAPTER 70 OF DIVISION 3, TITLE 11, GUAM CODE ANNOTATED, AND TO ADD A NEW § 13510 TO ARTICLE 5 OF CHAPTER 13, TITLE 19, GUAM CODE ANNOTATED, RELATIVE TO BUSINESS LICENSE REQUIREMENTS FOR ENTITIES ENGAGING IN CHILD PLACEMENT SERVICES.	1/4/22 10:42 a.m.	1/21/22	Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning	2/9/22 9:00 a.m.	3/18/22 1:44 p.m.  As amended by the Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning	1/12/22	



**OFFICE OF SENATOR SABINA FLORES PEREZ**

Chairperson

Committee on Environment, Revenue and Taxation, Labor,  
Procurement, and Statistics, Research, and Planning

*I Mina'trentai Sais Na Liheslaturan Guåhan • 36<sup>th</sup> Guam Legislature*

March 15, 2022

**The Honorable Therese M. Terlaje**

Speaker

*I Mina'trentai Sais Na Liheslaturan Guåhan*

163 Chalan Santo Papa

*Hagåtña, Guam 96910*

**VIA: The Honorable Tina Rose Muña Barnes**

Chairperson, Committee on Rules

**RE: Committee Report on Bill No. 239-36 (COR), As Amended**

*Håfa adai Speaker Terlaje,*

Transmitted herewith is the Committee Report on **Bill No. 239-36 (COR), As amended** by the Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning – Telo T. Taitague, Joanne Brown, Therese M. Terlaje, Sabina Flores Perez – **“AN ACT TO ADD A NEW § 76206 TO CHAPTER 70 OF DIVISION 3, TITLE 11, GUAM CODE ANNOTATED, AND TO ADD A NEW § 13510 TO ARTICLE 5 OF CHAPTER 13, TITLE 19, GUAM CODE ANNOTATED, RELATIVE TO BUSINESS LICENSE REQUIREMENTS FOR ENTITIES ENGAGING IN CHILD PLACEMENT SERVICES.”**

Committee votes are as follows:

<u>2</u>	TO DO PASS
<u>0</u>	TO NOT PASS
<u>2</u>	TO REPORT OUT ONLY
<u>0</u>	TO ABSTAIN
<u>0</u>	TO PLACE IN INACTIVE FILE

**COMMITTEE ON RULES**

**RECEIVED:**

March 15, 2022

4:22 P.M.

*Si Yu'os ma'åse',*

*Sabina Flores Perez*

Sabina Flores Perez

Senator, *I Mina'trentai Sais Na Liheslaturan Guåhan*



**OFFICE OF SENATOR SABINA FLORES PEREZ**

Chairperson

Committee on Environment, Revenue and Taxation, Labor,  
Procurement, and Statistics, Research, and Planning

*I Mina'trentai Sais Na Liheslaturan Guåhan • 36<sup>th</sup> Guam Legislature*

## **COMMITTEE REPORT**

**Bill No. 239-36 (COR)**

**As amended by the Committee on  
Environment, Revenue and Taxation, Labor,  
Procurement, and Statistics, Research, and  
Planning**

**Introduced by: Telo T. Taitague, Joanne  
Brown, Therese M. Terlaje, Sabina Flores  
Perez**

**“AN ACT TO *ADD* A NEW § 76206 TO  
CHAPTER 70 OF DIVISION 3, TITLE 11,  
GUAM CODE ANNOTATED, AND TO *ADD* A  
NEW § 13510 TO ARTICLE 5 OF CHAPTER  
13, TITLE 19, GUAM CODE ANNOTATED,  
RELATIVE TO BUSINESS LICENSE  
REQUIREMENTS FOR ENTITIES  
ENGAGING IN CHILD PLACEMENT  
SERVICES.”**



## OFFICE OF SENATOR SABINA FLORES PEREZ

Chairperson

Committee on Environment, Revenue and Taxation, Labor,  
Procurement, and Statistics, Research, and Planning

*I Mina'trentai Sais Na Liheslaturan Guåhan* • 36<sup>th</sup> Guam Legislature

March 15, 2022

### MEMORANDUM

To: **All Members**  
Committee on Environment, Revenue and Taxation, Labor, Procurement, and  
Statistics, Research, and Planning

From: **Senator Sabina Flores Perez** *SFP*  
Committee Chairperson

Subject: **Committee Report on Bill No. 239-36 (COR), As amended by the Committee  
on Environment, Revenue and Taxation, Labor, Procurement, and Statistics,  
Research, and Planning**

*Håfa adai,*

Transmitted herewith for your consideration is the Committee Report on **Bill No. 239-36 (COR)**, As amended by the Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning –Telo T. Taitague, Joanne Brown, Therese M. Terlaje, Sabina Flores Perez – **“AN ACT TO ADD A NEW § 76206 TO CHAPTER 70 OF DIVISION 3, TITLE 11, GUAM CODE ANNOTATED, AND TO ADD A NEW § 13510 TO ARTICLE 5 OF CHAPTER 13, TITLE 19, GUAM CODE ANNOTATED, RELATIVE TO BUSINESS LICENSE REQUIREMENTS FOR ENTITIES ENGAGING IN CHILD PLACEMENT SERVICES.”**

This report includes the following:

- COR Referral of Bill No. 239-36 (COR)
- Notices of Public Hearing
- Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Submitted Testimonies and Supporting Documents
- Committee Report Digest
- Bill No. 239-36 (COR)
- Bill No. 239-36 (COR), As amended by the Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning
- Amended Markup Version
- Fiscal Note Waiver
- Committee Vote Sheet

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.





Vice Speaker

**TINA ROSE MUÑA BARNES**

**CHAIRPERSON, COMMITTEE ON RULES**

*I Mina'trentai Sais Na Liheslaturan Guåhan*

GUAM CONGRESS BUILDING  
163 CHALAN SANTO PAPA  
HAGÅTÑA, GUAM 96910  
TEL 671-472-2461  
COR@GUAMLEGISLATURE.ORG

January 20, 2022

# MEMO

**To:** **Rennae Meno**  
Clerk of the Legislature

**Legal Bureau**

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

**Re:** **Referral of Bill No. 239-36 (COR)**

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*Håfa Adai,*

As per my authority as Acting Chairperson 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. 239-36 (COR) – Telo T. Taitague, Joanne Brown, Therese M. Terlaje, Sabina Flores Perez – “AN ACT TO ADD A NEW § 70134 TO CHAPTER 70 OF DIVISION 3, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO BUSINESS LICENSE REQUIREMENTS FOR ENTITIES ENGAGING IN THE PLACEMENT OF CHILDREN IN ADOPTIVE HOMES.”

Please ensure that the subject bill is referred to the **Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning, chaired by Senator Sabina Flores Perez.**

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,

**Senator Amanda L. Shelton**  
Acting Chairperson, Committee on Rules





Evan San Nicolas &lt;evan@senatorperez.org&gt;

**1st Notice of Virtual Public Hearing: Wednesday, February 9, 2022, at 9:00 a.m.**

1 message

Office of Senator Sabina Perez &lt;office@senatorperez.org&gt;

Wed, Feb 2, 2022 at 8:00 AM

Cc: phnotice@guamlegislature.org, "Leevin Camacho (ag@oagguam.org)" <ag@oagguam.org>, Guam MIS <mis@guamlegislature.org>, Geri Leon Guerrero <geri@senatorperez.org>, Ibarra Hernandez <ihernandez@guamlegislature.org>, Tom Unsioy <sgtarms@guamlegislature.org>, "Jesse J. Chargualaf Jr." <jesse@senatorperez.org>

February 2, 2022

**MEMORANDUM**

To: All Senators, Stakeholders and Media

Fr: Senator Sabina Flores Perez, Chairperson  
Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning

Subject: **1<sup>st</sup> Notice of Virtual Public Hearing: Wednesday, February 9, 2022, at 9:00 a.m.**

The Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research and Planning will be conducting a virtual public hearing on **Wednesday, February 9, 2022, at 9:00 a.m.** This virtual public hearing will take place via Zoom Video Conference platform. The agenda is as follows:

**9:00 a.m.**

**[Bill No. 239-36 \(COR\) – Telo T. Taitague, Joanne Brown, Therese M. Terlaje, Sabina Flores Perez - AN ACT TO ADD ANEW § 70134 TO CHAPTER 70 OF DIVISION 3, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO BUSINESS LICENSE REQUIREMENTS FOR ENTITIES ENGAGING IN THE PLACEMENT OF CHILDREN IN ADOPTIVE HOMES.](#)**

Those interested in participating, please confirm your attendance by contacting the Office of Senator Sabina Flores Perez via email at [office@senatorperez.org](mailto:office@senatorperez.org) or via phone at 989-2968, no later than February 4, 2022, for further guidance.

Testimonies should be addressed to Senator Sabina Flores Perez, Chairperson, and will be accepted via hand delivery to our office, our mailbox at the Guam Congress Building at **163 Chalan Santo Papa, Hagåtña, Guam 96910**, or via email to [office@senatorperez.org](mailto:office@senatorperez.org), no later than 4pm February 16, 2022. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Sabina Flores Perez at 989-2968. The hearing will broadcast on local television, GTA Channel 21, Docomo Channel 112-4, and stream online via *I Liheslaturan Guåhan*'s live feed on YouTube. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing.

We look forward to your participation!

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**Office of Senator Sabina Flores Perez**

Committee on the Environment, Revenue & Taxation, Labor, Procurement, and Statistics, Research, and Planning  
*I Mina'trentai Sais na Liheslaturan Guåhan*

36th Guam Legislature

O: 194 Hernan Cortez Avenue, First Floor, Terlaje Professional Building, Hagåtña, Guam 96910

M: Guam Congress Building, [163 Chalan Santo Papa, Hagåtña, Guam 96910](#)

T: (671) 989-2968

E: [office@senatorperez.org](mailto:office@senatorperez.org)

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**2 attachments**



**Notice Memo 1st Notice .pdf**

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**Bill No. 239-36 (COR).pdf**

874K



## OFFICE OF SENATOR SABINA FLORES PEREZ

Chairperson

Committee on Environment, Revenue and Taxation, Labor,  
Procurement, and Statistics, Research, and Planning

*I Mina'trentai Sais Na Liheslaturan Guåhan* • 36<sup>th</sup> Guam Legislature

February 2, 2022

### MEMORANDUM

To: All Senators, Stakeholders and Media

Fr: Senator Sabina Flores Perez, Chairperson *SFP*  
Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics,  
Research, and Planning

Subject: **1<sup>st</sup> Notice of Virtual Public Hearing: Wednesday, February 9, 2022, at 9:00 a.m.**

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#### 9:00 a.m.

**Bill No. 239-36 (COR) – Telo T. Taitague, Joanne Brown, Therese M. Terlaje, Sabina Flores Perez - AN ACT TO ADD A NEW § 70134 TO CHAPTER 70 OF DIVISION 3, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO BUSINESS LICENSE REQUIREMENTS FOR ENTITIES ENGAGING IN THE PLACEMENT OF CHILDREN IN ADOPTIVE HOMES.**

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# Myanmar activists vow to strike on coup anniversary

(Reuters) - Myanmar's military rulers threatened to jail anti-coup protesters who take part in a "silent strike" Tuesday, a year since the generals seized power, as the United States, Britain and Canada imposed new sanctions.

The Southeast Asian country has been in chaos since Nobel laureate Aung San Suu Kyi and other figures from her National League for Democracy party were rounded up in raids, accused by the junta of rigging a 2020 election the NLD won.

The overthrow of Suu Kyi's government triggered huge street protests last year and the security forces killed hundreds in crackdowns that ensued leading to the formation of "people's defense forces" to take on the well-equipped army.

In recent days, activists have urged people to stay indoors and businesses to close Tuesday.

"We might be arrested and spend our life in jail if we're lucky. We might be tortured and killed if we're unlucky," said youth activist Nan Lin, who hoped the strike would send a message to the junta.

A spokesman for the ruling military did not respond to telephone calls seeking comment.



**YANGON:** A soldier looks on as he stands inside city hall after soldiers occupied the building, in Yangon, Myanmar, on Feb. 2, 2021. Reuters file photo

State media reported military ruler Min Aung Hlaing had on Monday extended a state of emergency for six months to facilitate promised elections.

"It was necessary to set the right track for the genuine, disciplined multi-party democracy," Min Aung Hlaing said in a report in the Global New Light of Myanmar, where he talked about the threat from "internal

and external saboteurs" and "terrorist attacks and destruction."

The state-run newspaper said the military government would strive to hold new elections once the situation was "peaceful and stable," without giving a date.

In the northern city of Myitkyina, a photograph of a sign put up by the military warned residents not to join the silent protest or face jail terms of

up to 20 years, though images of the city posted on social media Tuesday showed largely deserted streets.

In the main city of Yangon, photographs on a social media page put up by strike organizers showed a small protest where people threw red paint on the ground.

The impact of the calls for a nationwide strike was not immediately clear. At least four people were arrested in the central town of Patheingyi for inciting silent protests on social media, the Ayarwaddy Times reported.

## International pressure

U.N. Secretary-General Antonio Guterres, in comments ahead of the coup anniversary, urged the junta to allow greater humanitarian access.

The junta has accused the United Nations of bias and interference and is refusing to bow to international pressure, despite a corporate retreat from Myanmar and sanctions, the latest Monday, when the United States, Britain and Canada blacklisted more individuals linked to the junta.

For ordinary Myanmar people, life since the coup has become a grind with the economy withering, regular power cuts and internet curbs and, for some, a constant fear of being detained.

Security forces cracking down on dissent have killed at least 1,500 people and arrested 11,838 since the coup, according to the Assistance Association of Political Prisoners, an activist group cited by the United Nations. The junta disputes the death toll.

## Generals face spiraling economy, new sanctions

(Bloomberg) - Myanmar's coup leader-turned-premier Min Aung Hlaing is grappling with an economy weakened by clashes with armed ethnic groups, foreign investors cutting ties and the threat of more U.S. sanctions as the junta enters its second year of government.

The aftermath of the Feb. 1 coup last year is putting at risk more than a decade of growth in the country, with

the World Bank estimating the economy contracted by nearly a fifth in the last fiscal year. Myanmar's economy might expand by just 1% in the current year to end-September, the bank has forecast.

While deposed civilian leader Aung San Suu Kyi is in prison with more court verdicts to come, the generals are still doubling down with more air raids on rebel strongholds and suppressing

protests that's likely to weigh further on the economy.

"The arbitrary nature of the junta's legal moves doesn't bode well for investor confidence," said Moe Thuzar, a fellow at Singapore's ISEAS-Yusof Ishak Institute. "The security situation in the country will also affect its economic potential and investor confidence, especially for infrastructure and related projects," she added.

The aftermath of the Feb. 1 coup last year is putting at risk more than a decade of growth in the country.



### Northern Soil and Water Conservation District Board

**Notice of Regular Monthly Board Meeting Scheduled for Friday, February 4, 2022 from 3:30pm to 6:00pm.**

ZoomLink: <https://us02web.zoom.us/j/87145682799?pwd=MkFHMGMZaHFRYV5dVJhR05ldW9NQ0R0>

#### Agenda:

- I. Call to Order & Roll Call
- II. Approval of Meeting Agenda
- III. Approval of 1/5/22 Minutes
- IV. Collateral Committee & Partners Reports
- V. Exec. Committee Report, A. Appointment of new Board Secretary-Treasurer; B. Sec/Treas. Report: (1) Monthly Rev./Expenditures (2) UOG Eff; C. Approval of FY22 Budget Allocations D. Ratification of NACD Travel & Travel Requests; VI. Education & Outreach
- VII. Old Business: A. Ltrs to AG re. Per Diem Refund & Clarification of Terms; B. Ltr to GEPA re. Jet Fuel Leaks Concern; VIII. New Business: A. Ethics Training; B. Govt. Procurement Training IX. Announcements: Next Mtgs. 2/10/22 & 03/11/22 @3:30pm X. Adjournment

This Ad is paid for by NGSWCD government funds.  
For persons requiring special accommodations or ADA assistance, please call 671-483-0097 /s/ **Hope Cristobal, Chairperson of the Board** or email: [hccristobal@gmail.com](mailto:hccristobal@gmail.com)



### SENATOR SABINA FLORES PEREZ

Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning

**Virtual Public Hearing (Zoom Video Conference)  
Wednesday, February 9, 2022, at 9:00 a.m.**

**9:00 A.M.**

**Bill No. 239-36 (COR) - Telo T. Taitague, Joanne Brown, Therese M. Tertaje, Sabina Flores Perez - AN ACT TO ADD A NEW § 7034 TO CHAPTER 70 OF DIVISION 3, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO BUSINESS LICENSE REQUIREMENTS FOR ENTITIES ENGAGING IN THE PLACEMENT OF CHILDREN IN ADAPTIVE HOMES.**

Those interested in participating, please confirm your attendance by contacting the Office of Senator Sabina Flores Perez via email at [office@senatorperez.org](mailto:office@senatorperez.org) or via phone at 989-2968, no later than February 4, 2022, for further guidance.

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Evan San Nicolas &lt;evan@senatorperez.org&gt;

**2nd Notice of Virtual Public Hearing: Wednesday, February 9, 2022, at 9:00 a.m.**

2 messages

**Office of Senator Sabina Perez** <office@senatorperez.org>

Mon, Feb 7, 2022 at 8:00 AM

Cc: phnotice@guamlegislature.org, "Leevin Camacho (ag@oagguam.org)" <ag@oagguam.org>, Guam MIS <mis@guamlegislature.org>, Geri Leon Guerrero <geri@senatorperez.org>, Ibarra Hernandez <ihernandez@guamlegislature.org>, Tom Unsioq <sgtarms@guamlegislature.org>, "Jesse J. Chargualaf Jr." <jesse@senatorperez.org>

February 7, 2022

**MEMORANDUM**

To: All Senators, Stakeholders and Media

Fr: Senator Sabina Flores Perez, Chairperson  
Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning

Subject: **2<sup>nd</sup> Notice of Virtual Public Hearing: Wednesday, February 9, 2022, at 9:00 a.m.**

The Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research and Planning will be conducting a virtual public hearing on **Wednesday, February 9, 2022, at 9:00 a.m.** This virtual public hearing will take place via Zoom Video Conference platform. The agenda is as follows:

**9:00 a.m.**

**Bill No. 239-36 (COR) – Telo T. Taitague, Joanne Brown, Therese M. Terlaje, Sabina Flores Perez - AN ACT TO ADD ANEW § 70134 TO CHAPTER 70 OF DIVISION 3, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO BUSINESS LICENSE REQUIREMENTS FOR ENTITIES ENGAGING IN THE PLACEMENT OF CHILDREN IN ADOPTIVE HOMES.**

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**Office of Senator Sabina Flores Perez**

Committee on the Environment, Revenue & Taxation, Labor, Procurement, and Statistics, Research, and Planning  
*I Mina'trentai Sais na Liheslaturan Guåhan*

36th Guam Legislature

O: 194 Hernan Cortez Avenue, First Floor, Terlaje Professional Building, Hagåtña, Guam 96910

M: Guam Congress Building, **163 Chalan Santo Papa, Hagåtña, Guam 96910**

T: (671) 989-2968

E: [office@senatorperez.org](mailto:office@senatorperez.org)

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**2 attachments**



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## OFFICE OF SENATOR SABINA FLORES PEREZ

Chairperson

Committee on Environment, Revenue and Taxation, Labor,  
Procurement, and Statistics, Research, and Planning

*I Mina'trentai Sais Na Liheslaturan Guåhan* • 36<sup>th</sup> Guam Legislature

February 7, 2022

### MEMORANDUM

To: All Senators, Stakeholders and Media

Fr: Senator Sabina Flores Perez, Chairperson *SFP*  
Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics,  
Research, and Planning

Subject: **2<sup>nd</sup> Notice of Virtual Public Hearing: Wednesday, February 9, 2022, at 9:00 a.m.**

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COVID-19 continued from page 14

behind other wealthy countries on vaccination as political polarization, misinformation, confusing public health messaging and barriers to access continue to hobble its vaccination drive. Sixty-four percent of Americans are fully vaccinated, according to Washington Post data, and 42% of the fully vaccinated have received their booster dose.

"If everyone had gotten vaccinated and boosted as vaccines became available 300,000 Americans would likely still be with us," Ashish K. Jha, Dean of the Brown University School of Public Health, tweeted Saturday as he warned the death toll could hit 1 million by April. "The loss is staggering. And so much of it, preventable."

Recent data from the U.S. Centers for Disease Control and Prevention show that between October and November 2021, in 25 jurisdictions in the United States, unvaccinated people were more than 53 times as likely to die of covid-19 than people who were vaccinated and boosted.

There was an average of 326,666 reported covid-19 cases in the United States over the past week - far fewer than the seven-day average of 553,000 recorded a month ago. Meanwhile, hospitalizations are still high but trending downward after peaking around mid-January.

This has led some public health experts to express cautious optimism that the pandemic could be managed in the coming months.

In late January, Anthony Fauci, the White House's chief medical adviser for the pandemic, said on ABC's "The Week" that he hoped that the country would soon be entering what he called a best-case scenario, provided adequate vaccinations, testing, masks and treatments were in place.

"We would hope that, as we get into the next weeks to month or so, we will see throughout the entire country the level of infection get . . . down to such a low level that it's essentially integrated into the general respiratory infections that we have learned to live with."

In his statement, Biden acknowledged how difficult the pandemic has been for many Americans, especially those who have lost loved ones to covid-19. "I know that the emotional, physical, and psychological weight of this pandemic has been incredibly difficult to bear," he wrote.

"Two hundred and fifty million Americans have stepped up to protect themselves, their families, and their communities by getting at least one shot," he added. "We can save even more lives - and spare countless families from the deepest pain imaginable - if everybody does their part."

# Weather forces Astra Space to ditch first launch

By Richard Tribou  
Orlando Sentinel

ORLANDO, Fla. - A new rocket company to the Space Coast looked to make its first launch on a mission for NASA Saturday as Astra Space lined up its Rocket 3 from Cape Canaveral Space Force Station, but an issue on the Eastern Range caused a late scrub at the end of its three-hour launch window.

"Unfortunately due to a range asset that has gone out of service today we are going to stand down from today's launch attempt," said Astra Space Director of Product Management Carolina Grossman. "We're going to give it another try tomorrow."

The company based in Alameda, California, received a new type of launch license from the Federal Aviation Administration on Friday that allows for more frequent launches, and clearing the way for its attempt from Space Launch Complex 46.

The countdown clock had been reset to 3:30 p.m. EST, near the end of its 1-4 p.m. launch window, but the clock was put in a hold at T-15 minutes despite dicey weather and rocket parameters all listed as go for launch.

The Sunday launch window is also 1-4 p.m., but Space Launch Delta 45's Weather Squadron had predicted only 40% chance for good conditions with lightning and cloud cover as concerns as a surface low pressure area forms off the coast of Florida overnight.

Much smaller than established rockets like the SpaceX Falcon 9 or United Launch Alliance Atlas V, Astra Space's hardware stands only 38 feet tall and has a payload capacity of 331 pounds. The company is looking to fill a market that allows for small payloads such as CubeSats, standard-sized satellites about the size of a loaf of bread, an opportunity to fly to space for much less money.

The company successfully sent a Rocket 3 into orbit last November for the first time on a demonstration mission with a U.S. Space Force payload from the company's second spaceport in Kodiak, Alaska.

This new rocket, dubbed, Rocket 3.3, is carrying four satellites as part of NASA's CubeSat Launch Initiative. for three universities and one NASA space center. The company was one of three chosen through NASA's Venture Class Launch Services Demonstration 2 contract, and secured \$3.9 million for the launch.

This mission is called ELaNa 41, as in the Educational Launch of Nanosatellites, the payloads of which come from the University of Alabama (BAMA-1),



**LAUNCH:** The Cape Canaveral Lighthouse is silhouetted by the afternoon sun at Cape Canaveral Space Force Station on March 3, 2021. Joe Burbank/Orlando Sentinel/Tribune News Service

New Mexico State University (INCA), the University of California at Berkeley (QubeSat) and NASA's Johnson Space Center (R5-S1)

BAMA-1 will test a drag sail that will allow a faster deorbit of the satellite. INCA, as in Ionospheric Neutron Content Analyzer, is geared toward improving space weather models. QubeSat is flying to demonstrate quantum gyroscopes to measure angular velocity. R5-S1 looks to demonstrate speed and cost efficiency in a particular design of CubeSats.

If successful, it will be the first under the VCLS Demo 2 contract to follow through with a launch. Another

of those, Relativity Space Inc. of Long Beach, California, also looks to launch from Cape Canaveral in 2022, but has yet to make it to orbit. The third company, Firefly Black LLC of Cedar Park, Texas, also has yet to make it to orbit.

Astra Space contracted with Space Florida, the state's aerospace economic development agency, for use of SLC 46, which was previously used in the 1980s for Trident II missile tests, the late 1990s for Lockheed Martin Athena rockets and more recently the Ascent Abort-2 mission for the Orion capsule to be used in Artemis missions to the moon.

## PUBLICATION NOTICE

In accordance with the provisions of Guam Code Annotated, Title XI, Chapter III, Section 3315, notice is hereby given that:

### HNB Corporation DBA: Vons Chicken (Takeover)

has applied for a Class: 4 General On Sale Alcoholic Beverage License said premises being marked as Lot: 2B BLK 2 TRCT 91 134 East Marine Drive, Dededo.



#### SENATOR SABINA FLORES PEREZ

Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning

Virtual Public Hearing (Zoom Video Conference)  
Wednesday, February 9, 2022, at 9:00 a.m.

9:00 A.M.

**Bill No. 239-36 (COR) - Telo T. Taitague, Joanne Brown, Therese M. Terlaje, Sabina Flores Perez - AN ACT TO ADD A NEW § 70134 TO CHAPTER 70 OF DIVISION 3, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO BUSINESS LICENSE REQUIREMENTS FOR ENTITIES ENGAGING IN THE PLACEMENT OF CHILDREN IN ADOPTIVE HOMES.**

Those interested in participating, please confirm your attendance by contacting the Office of Senator Sabina Flores Perez via email at [office@senatorperez.org](mailto:office@senatorperez.org) or via phone at 989-2968, no later than February 4, 2022, for further guidance.

Testimonies should be addressed to Senator Sabina Flores Perez, Chairperson, and will be accepted via hand delivery to our office, our mailbox at the Guam Congress Building at 163 Chalan Santo Papa, Hagåtña, Guam 96910, or via email to [office@senatorperez.org](mailto:office@senatorperez.org), no later than 4pm February 16, 2022. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Sabina Flores Perez at 989-2968. The hearing will broadcast on local television, G1A Channel 21, Docomo Channel 112-4, and stream online via Liheslaturan Guåhan's live feed on YouTube. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing. We look forward to your participation!



**OFFICE OF SENATOR SABINA FLORES PEREZ**

Chairperson

Committee on Environment, Revenue and Taxation, Labor,  
Procurement, and Statistics, Research, and Planning

*I Mina'trentai Sais Na Liheslaturan Guåhan • 36<sup>th</sup> Guam Legislature*

**AGENDA**

**VIRTUAL PUBLIC HEARING**

**Wednesday, February 9, 2022**

***Zoom Video Conference***

The agenda is as follows:

**9:00 a.m.**

**Bill No. 239-36 (COR) – Telo T. Taitague, Joanne Brown, Therese M. Terlaje, Sabina Flores Perez - AN ACT TO ADD A NEW § 70134 TO CHAPTER 70 OF DIVISION 3, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO BUSINESS LICENSE REQUIREMENTS FOR ENTITIES ENGAGING IN THE PLACEMENT OF CHILDREN IN ADOPTIVE HOMES.**



**OFFICE OF SENATOR SABINA FLORES PEREZ**

Chairperson

Committee on Environment, Revenue and Taxation, Labor,  
Procurement, and Statistics, Research, and Planning

*I Mina'trentai Sais Na Liheslaturan Guåhan • 36<sup>th</sup> Guam Legislature*

Virtual Public Hearing  
Monday, January 18, 2022, 9:02 a.m.  
*Zoom Video Conference*

**Bill No. 239-36 (COR) – Telo T. Taitague, Joanne Brown, Therese M. Terlaje, Sabina Flores Perez – “AN ACT TO ADD A NEW § 70134 TO CHAPTER 70 OF DIVISION 3, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO BUSINESS LICENSE REQUIREMENTS FOR ENTITIES ENGAGING IN THE PLACEMENT OF CHILDREN IN ADOPTIVE HOMES.”**

NAME (please print)	AGENCY/ ORGANIZATION	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	NOT IN FAVOR	CONTACT INFORMATION
Director Dafne M. Shimizu	Department of Revenue & Taxation	✓	✓			
Deputy Director Terry Aguon	Department of Public Health and Social Services		✓	✓		
MaeFe Muyco	Home Evaluation Placement Service Section, DPHSS	✓	✓	✓		
Artemio B. Ilagan	Community Member	✓		✓		
Acting Chief Patricia Mafnas	Division of Children's Welfare, DPHSS					





**OFFICE OF SENATOR SABINA FLORES PEREZ**

Chairperson

Committee on Environment, Revenue and Taxation, Labor,  
Procurement, and Statistics, Research, and Planning

*I Mina'trentai Sais Na Liheslaturan Guåhan • 36<sup>th</sup> Guam Legislature*

Virtual Public Hearing  
Monday, January 18, 2022, 9:02 a.m.  
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**Bill No. 239-36 (COR) – Telo T. Taitague, Joanne Brown, Therese M. Terlaje, Sabina Flores Perez – “AN ACT TO ADD A NEW § 70134 TO CHAPTER 70 OF DIVISION 3, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO BUSINESS LICENSE REQUIREMENTS FOR ENTITIES ENGAGING IN THE PLACEMENT OF CHILDREN IN ADOPTIVE HOMES.”**

NAME (please print)	AGENCY/ ORGANIZATION	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	NOT IN FAVOR	CONTACT INFORMATION
Lori Boss	Ohala' Adoptions	✓	✓		✓	
Traci Anderson	Ohala' Adoptions	✓	✓		✓	
Tanya Mike	Ohala' Adoptions	✓	✓		✓	

Lori Boss at Ohala' Adoptions, statement in opposition of  
Senator Telo Taitague's Bill No. 239-36(COR)

**Bill No. 239-36 (COR) – Telo T. Taitague, Joanne Brown, Therese M. Terlaje, Sabina Flores Perez - AN ACT TO ADD ANEW § 70134 TO CHAPTER 70 OF DIVISION 3, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO BUSINESS LICENSE REQUIREMENTS FOR ENTITIES ENGAGING IN THE PLACEMENT OF CHILDREN IN ADOPTIVE HOMES.**

Hafa Adai Madam Speaker, Committee, Senators and Guests,

I am Lori Boss, Executive Director and one of the founders of Ohala' Adoptions. I appreciate the opportunity to provide testimony regarding Bill 239-36, *relative to business license requirements for entities engaging in the placement of children*.

Since the organization of Ohala' Adoptions in September of 2019 we have welcomed and requested any general agency regulations, formatting guidelines for home study submissions, and oversight from appropriate agencies. We met with Public Health very early on and they seemed glad to have an adoption agency on island but ultimately they have been unable to provide us any actual guidance. In July 2021 Public law 36-39 was passed stating that the Department of Public Health and Social Services would in fact be in charge of auditing our non-profit agency and provide business rules & regulations that we could follow going forward. We welcomed this new law and met with administrators. They have indicated they are working on those regulations. We are hopeful that they will be completed within the time frame specified in that bill.

In the meantime, we have registered as a non-profit corporation and have adopted strict ethical standards and the best practice guidelines used by reputable US adoption agencies that have mentored us. We have also shared those standards and policies with DPHSS as they work on Guam standards.

I am opposed to this bill because the business license requirements suggested in this bill are already stated in Guam public law 36-68, making it repetitive and unnecessary. As the only agency on island we have already complied with all requirements from Tax and Rev, the Federal government, and local laws.

This bill also requires even more governance from DPHSS, which would add to the already overburdened agency. They consistently have difficulty responding to us or meeting deadlines. Additionally, before this body, Terry Aguon, Deputy Director of Public Health, openly stated that reunification is their focus and said that they have not had an adoption since 2017. The objective of DPHSS seems to be long term foster care in hopes of reunification and not adoptions. An agency that is opposed to adoption does not seem the best choice to have oversight.

Our desire is to find a different department for oversight, possibly the new division of Child welfare that Governor Leon-Guerrero has just established, or to have agencies approved and licensed by the courts, as is done in many states and only oversight by a government department.

Looking at the language of this bill it appears that none of the sponsoring senators understand how adoption agencies function or how the placement of children works on Guam. They have never reached out to us to inquire about how we operate. With all the bills brought forth this session regarding protecting our 'vulnerable children', not once have we received a call or email from them regarding steps we have in place to protect children and assist expectant mothers not wanting to terminate their pregnancies and yet not in a position to care for their children.

We are deeply concerned with the fear mongering language using words like child trafficking and criminal enterprises. It seems to be aimed directly at Ohala without any personal knowledge of our services. We heard similar inflammatory comments from DPHSS in earlier hearings. I fail to understand what is gained in vilifying us. We are strictly a domestic agency focusing on the families and children of Guam. We offer our services at an unusually low price to make adoption a real possibility for most any family who desires it. We perform in-depth studies of potential adoptive parents, meeting all of the requirements set forth by DPHSS and more, and provide resources and emotional support for the birth mother before and after placement of a child. We have been able to give resources to help other women understand that they actually can parent if they so desire and refer them on to Safe Haven pregnancy center for support.

We are particularly careful that no money or financial support is provided to mothers placing children and strictly prohibit any 'incentives' to relinquish their parental rights.

And yet, as we try to put structure in place to assure the safety of these children, we continue to meet roadblocks and pushback instead of assistance. It has been baffling. I am sorry to use my time in venting a little and we are sincerely grateful to those senators and administration officials that have generously offered help and solutions.

We are currently working with GMH hospital administrators, nursing staff, and social workers to offer safe solutions to women relinquishing infants at the hospital, so they no longer feel their best option is to continue the practice of handing off infants in parking lots. Everyone should be very aware of the fact that this has been a common occurrence for some time.

We have heard from mothers that don't want their children to be placed into the CPS system so they take a chance offering their infants to unknown families who have expressed their willingness to have a child. I don't believe any of this is done with malicious intent, but these mothers know Public Health is overburdened and don't want their child languishing in foster care. Mothers have shared with us their desire for their children to have a permanent family to love and care for them, one that can provide opportunities they cannot give. Introducing the world of open adoption to them is a beautiful experience and we have witnessed it change lives.

We have a lot of work to do to shift the mindset of where the real dangers lie. It is not with agencies like Ohala working to put standards in place. It is with unregulated placements and lack of supervision following those placements. Other dangers arise in institutional care that operate like orphanages, which the U.S. abolished in the 50's. We don't need more facilities to house children. We need children to be in permanent, safe families.

As I already stated, I am not in support of this bill. I would recommend that we follow the laws already in place and work together to make the process of adoption work efficiently for all involved. If we actually put the needs of the children first and follow guidelines set forth in the U.S. *Safe and Stable Families Act*, we could also identify children currently in foster care whose parents have not done what is required to reunify with their children in a timely manner and allow them be adopted and enjoy a happy and stable home life. We have many island families willing and able to care for these children.

We at Ohala' did not come to Guam as an off-island business to set up shop and make money here. We formed when we saw a dire situation and realized how much better it could be with adoption standards in place and the need for an agency to give options to mothers in determining the life situation for their children. Our desire is to work together with government agencies as we do with non-profits to help strengthen families.

Thank you for your time.

February 4, 2022

Good morning, Speaker, Senators, and Guests,

My name is Traci Anderson, and I am a Director at Ohala' Adoptions. Thank you for the opportunity to share testimony regarding BILL 239-36 (COR) RELATIVE TO BUSINESS LICENSE REQUIREMENTS FOR ENTITIES ENGAGING IN THE PLACEMENT OF CHILDREN IN ADOPTIVE HOMES

I am in full support of rules and regulations for adoption agencies on Guam, however I do not support this bill. This measure is not the way to implement changes and, if put in place, would only stymie any progress which has been made in providing a much-needed resource for the women, children, and families of Guam.

It is my position that the offices within the Department of Public Health and Social Services responsible for the oversight and regulation of outside entities are overwhelmed with the programs and oversight already assigned to them. Adding another review process, will only add to the workload of overburdened staff, create unnecessary and damaging extensions to deadlines, and add one more bureaucratic step of approval from the same Department that is currently tasked to create and enforce rules and regulations already established in previous law. We have all stood in line at DRT, we have all seen how slowly the wheels of government bureaucracy can grind. Each redundant administrative hurdle added to this process is another delay in the placement of a child. And while that may look black and white on paper, it is important to remember every deadline missed is another heartbreak for the adoptive parents who have already brought a child into their home to nurture and love. Until the adoption process is finalized, these unsung heroes live every day in uncertainty and fear the child might be torn from their home. Instead of adding unnecessary roadblocks to the process, we should be working together to streamline it.

P.L. 36-68 (LS) Section 2(a) states that, "any child placement agency operating in Guam requires a license issued by the Guam Department of Public Health and Social Services (Department)". The same rules and regulations that are mandated there, are to include, "rules setting the minimum standards governing the granting, revocation, refusal, and suspension of licenses for a child placement agency and the operations of a child placement agency." This shows that the proposed Bill 239-36 is a redundant measure that is unnecessary and should not be considered further.

Ohala' Adoptions is a non-profit incorporation and is doing everything required by law to provide the services we offer. We understand the need for and importance of rules and regulations in practice and in licensure. We have asked for these and are willing to adhere to what is reasonably put into place. Aside from being incorporated, any work that we do will ultimately be checked and double checked for approval by the HEPS Department, the private attorneys that our families work with, and the Guam Superior Courts. The Department already has the opportunity to be informed and aware of any services that we are providing.

That said, Ohala' Adoptions' Directors have been seeking out, asking for, and what feels like practically begging for the guidance, direction, and help from Public Health since its inception. We are very secure in how we serve our clientele and have had mentors from adoption agencies in Kansas and Texas. The things that we have needed from the Department are guidelines for the HEPS home study requirements, regulations, and audits in order to maintain good standing as an adoption agency.

The push back, hesitancy, lack of communication, and outright antipathy that has been demonstrated toward us has not done anything to promote faith in their cooperation with us or



their ability to provide the objective “critical review” that Bill 239-36 requires. We at Ohala’ ask that if there is an amendment to law requiring a review for licensure of any agency, that review to be done by an agency or division separate from the Department to ensure timely, objective, and equitable reports.

This Bill and several pleas on this floor and in the media speak to protecting “our most vulnerable children,” and, use fear-based words, such as trafficking, criminal activity, fraud, schemes, and abuse. This tactic is being taken by individuals who have never contacted Ohala’ Adoptions to discuss business actions and policy. There have never been questions directed to us regarding the rigorous steps that are taken to ensure safety, security, and the best quality of families for any mother to choose from. There have been no meetings to discuss our research or knowledge of the best interest of children, but there have been many pointed statements and words of degradation. For taking such a strong stance against adoption agencies on Guam, there has been little to no communication in order to self-educate or gain a better understanding.

Furthermore, comparing the licensing of a non-profit adoption service to that of a food service business or property rental agreement, is like comparing apples and oranges. Ohala’ Adoptions is not a money-making business. We are a service to bring families together. We are a service to provide a woman the opportunity to choose what is best for her and her child. These are not rentals or products for sale. Every quality, health, background, and safety check that the Department uses, our agency uses, with additional safety measures in place. Ohala’ directors and social workers make home visits, learn about family histories, discuss every aspect of how adoption affects everyone involved. Educational classes are provided that allow for learning before a child is placed in the home and will continue to be offered after placement. Comparing adoption to food service and property rental is an affront, not only to our services, but to the children and families that we serve.

Another area to address in this Bill is the statement in Section 1, Line 10-12, “the administrative regulations necessary to regulate all entities authorized to operate on Guam pursuant to laws pertinent to the adoption of children.” Currently Ohala’ Adoptions is the only agency registered and legally providing adoption services. This is where things get tricky. Ohala’ and any other agency that is striving to adhere to legal guidelines is then obliged to wait for and follow the Department’s rules and regulations while there are entities and individuals known to us and many others, that are exchanging babies without following any of the legal pathways that are established. Is it legal, moral, and ethical for doctors, hospitals, and pregnancy services to obtain custody of a child and in turn place that child without any oversight? Is it easier to turn a blind eye on these practices because they have already been taking place, and that is the easier path? These are the instances when trafficking, abuse, and child selling come into consideration. If the rules and regulations constructed and put into place are truly for the protection of children, the accountability to follow these rules and regulations should be applied unequivocally to each and every entity that places children. Instead, it seems certain factions of the Department and this legislature are more interested in protecting their sphere of power and maintaining the status quo, which is clearly and fundamentally broken, than they are in finding ways to work together in order to provide loving homes to “our islands most vulnerable.”

Currently Ohala’ Adoptions has three families with private attorneys that are awaiting finalization. We have completed all documents required by the Department for the home studies and compiled interviews and information for each family. Even with all of the preparation and a written report for one family, the worker still needed to request an extension from the courts. This is just one example of a time that Ohala’ Adoptions and the Department could work together to more efficiently benefit families and take some of the workload off the HEPS Department.

Poksai, as I am sure you are aware, is a CHamoru verb meaning “to nurture.” It refers to the common Pacific Islander practice of informal adoption among extended family members. What a wonderful tradition from the island culture of caring for family within the family. While family placement is always the first resource to explore, there are cases where it is necessary for other families to come forward. Our services provide that option. We serve the families and culture of Guam. From the Guampedia.com, Kelly G. Marsh, MA, writes, “Many feel that the current US legal system has reduced the occurrence of *poksai* and question whether this legal system is best serving CHamoru families.” I would proffer that the nurturing tradition of poksai can continue while also serving the best interest of the child by providing them with a permanent, committed family that promises to be “theirs” forever through adoption.

In the end, even though I do not support this bill, I hope that the important points it has brought to our attention can be addressed, allowing for cooperation between all entities with the heart to care for and serve the children of Guam.

Thank you for allowing me this time to present my testimony pertaining to Bill 239-36. I hope you can excuse it’s lengthiness, as I consider that each and every point was important to include.

Tanya Mike

Ohala' Adoptions Community Liaison

Addressing Bill 239-36 - RELATIVE TO BUSINESS LICENSE REQUIREMENTS FOR ENTITIES ENGAGING IN THE PLACEMENT OF CHILDREN IN ADOPTIVE HOMES.

Good morning, Speaker, Senators, and Other Attendees,

My name is Tanya Mike. I work with Ohala' Adoptions as a Community Liaison and I am happy to be here today and share my thoughts with you. I'd like to start with some of my experiences with Ohala', then address the content of this Bill and why I cannot stand in support of it.

The first work that I was able to do with Ohala' was to help with communications, translating, and visitation for a set of parents that were placing their child for adoption. Through Ohala's services, the mother was able to express her desires for her baby's placement. Since that placement, even until now, I have been a part of beautiful family connections between both sides of the family, birth parents and adoptive family. During this time, I have felt the loss and sadness that was present, but also the joy and peace that came with the bonding and sharing. That baby makes a very long bridge between two different cultures that are now one family.

Ohala' is about more than just adoption. Their services for women begin from the consideration of adoption to placement, for adoptive parents from the decision to begin their adoption journey to finalization. Then it does not stop there. They also provide support, education, comfort, advice, phone calls, and resources as long as their clients need them. Ohala' provides the opportunity for a strong bond with families to continue even across cultures and language barriers. We have been able to make very personal connections with families. We will be present for them always.

Speaking to Bill 239-36, regarding adding another layer of oversight to the current requirement of creating rules and regulations for adoption agencies. We have all been hearing and experiencing that CPS is overwhelmed by the needs of current situations. By considering this Bill we will be adding more responsibility that will take workers away from their focus on foster care and the accommodations of current foster children. Working for DPHSS and CPS is a taxing job with many distinct aspects and directions to divide attentions. This is an opportunity to have another agency helping. One that can independently work with birth parents, adoptive parents, and the community as the forthcoming guidelines will stipulate.

Ohala' unites two families from the very beginning of life. CPS receives a child with the possibility of being reunited with their birth family. These two placements are vastly different and should be able to move forward with two agencies working together for the children. The island families will benefit from the differences and the addition of support, instead of adding more burden to the Department's current demands. I do not support Bill 239-36

Thank you for your time and consideration of my thoughts and feelings.



LOURDES A. LEON GUERRERO  
GOVERNOR, MAGA'HAGA'

JOSHUA F. TENORIO  
LT. GOVERNOR, SIGUNDO MAGA'LÁHI

GOVERNMENT OF GUAM

**DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES  
DIPATTAMENTON SALUT PUPBLEKO YAN SETBISION SUSIAT**



ARTHUR U. SAN AGUSTIN, MHR  
DIRECTOR

LAURENT SF DUENAS, MPH, BSN  
DEPUTY DIRECTOR

TERRY G. AGUON  
DEPUTY DIRECTOR

February 09, 2022

**DPHSS TESTIMONY ON BILL 239-36 (COR)**

Buenas yan Hafa Adai Senator Sabina Flores Perez, Chairperson, Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research and Planning, Senator Telo T. Taitague, Senator Joanne M. Brown, and the Honorable Speaker Senator Therese M. Terlaje, Speaker of the 36th Guam Legislature.

Thank you for the opportunity to participate in this virtual public hearing and the opportunity to provide my testimony regarding Bill No. 239-36 (COR)

*AN ACT TO ADD A NEW § 70134 TO CHAPTER 70 OF DIVISION 3, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO BUSINESS LICENSE REQUIREMENTS FOR ENTITIES ENGAGING IN THE PLACEMENT OF CHILDREN IN ADOPTIVE HOMES.*

Buenas yan Hafa adai, My name is Terry G. Aguon, Deputy Director for the Department of Public Health and Social Services (DPHSS) overseeing the Division of Senior Citizens (DSC), Division of Children's Wellness (DCW) and the Division of Public Welfare (DPW) and in support of the Department's efforts to mitigate the COVID-19 Pandemic.

The Department of Public Health and Social Services is in favor of Bill No. 239-36 (COR).

We agree that the safety and wellbeing of Guam's most vulnerable population must be safeguarded at all times and that the licensing of a Child Placing Agency that operates for the purpose of placing children in homes for adoption shall uphold this same standard.

Bill No. 239-36 (COR) will allow child placing agencies to undergo a dual licensing process executed by the Department of Public Health and Social Services (DPHSS) and the Guam Department of Revenue and Taxation (GDRT). This partnership will provide a comprehensive licensing approach that shall focus on child safety by requiring a thorough background check to include fingerprinting as well as the financial transparency needed to legitimize an agency to do business on Guam.

Applicant's fingerprints will be used to conduct background checks to include local police and court clearances, the National Crime Information Center (NCIC) which is a criminal record data base, and Child Abuse and Neglect (CAN) which is a registry of child abusers. If the applicant, staff and any other person working for the child placing agency has not lived on Guam in the last

five (5) years, they shall undergo the Adam Walsh Child Abuse Registry which is a sex offender registry available to states and territories.

While the DPHSS will focus on the legitimacy of the child placing agency and its staff, the Guam Department of Revenue and Taxation will focus on their financial accountability and other related matters. Together and in partnership the DPHSS and GDRT will move forward to assure the community of Guam that the safety and wellbeing of Guam's most vulnerable population is safeguarded and that Child Placing Agencies uphold this same standard.

Once more, thank you for the honor of testifying on Bill No. 239-36.



**TERRY G. AGUON**  
Deputy Director



**ARTHUR U. SAN AGUSTIN, MHR**  
Director



*Dipåtamenton Kontribusion yan Adu'ana*

DEPARTMENT OF

# REVENUE AND TAXATION

GOVERNMENT OF GUAM

*Gubetnamenton Guahan*

LOURDES A. LEON GUERRERO, Governor *Maga'haga*  
JOSHUA F. TENORIO, Lt. Governor *Sigundo Maga'lahi*

DAFNE MANSAPIT-SHIMIZU, Director  
*Direktor*

MARIE P. LIZAMA Deputy Director  
*Sigundo Direktor*

February 9, 2022

Honorable Senator Sabina Flores Perez, Chairperson  
Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning

Re: Bill 239-36 AN ACT TO ADD A NEW § 70134 TO CHAPTER 70 OF DIVISION 3, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO BUSINESS LICENSE REQUIREMENTS FOR ENTITIES ENGAGING IN THE PLACEMENT OF CHILDREN IN ADOPTIVE HOMES

Hafa Adai Senator Perez.

Thank you for the opportunity to provide testimony regarding Bill 239-36. Bill 239-36 proposes to require the Department of Revenue and Taxation to develop a business license category and other administrative requirements necessary to obtain a business license to operate a child adoption service or agency in conformance with child adoption laws and regulations.

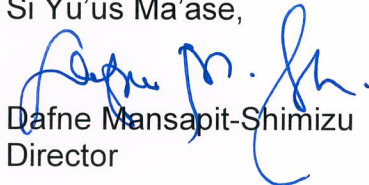
The agency is in support of Bill 239-36. As with other business licenses issued for industries where there is a need for oversight and regulation by the Department of Health and Social Services, should this bill become law, DRT will work with DPHSS to ensure that only those businesses with the appropriate endorsement from the Department of Public Health and Social Services will be issued a business license.

DRT does make the following recommendations regarding Bill 239-36:

- 1) That the terms "child adoption service" and child adoption agency" be defined if not already done so in the Guam Code Annotated. This will help facilitate the review and evaluation of a business which is contemplating undertaking such activity.
- 2) That both the Department of Revenue and Taxation and the Department of Health and Social Services both be required, to the extent appropriate to establish the administrative requirements for the respective agencies.

Please feel free to contact me at your convenience with any questions or concerns regarding this.

Si Yu'us Ma'ase,

  
Dafne Mansapit-Shimizu  
Director





## OFFICE OF SENATOR SABINA FLORES PEREZ

Chairperson

Committee on Environment, Revenue and Taxation, Labor,  
Procurement, and Statistics, Research, and Planning

*I Mina'trentai Sais Na Liheslaturan Guåhan • 36<sup>th</sup> Guam Legislature*

### **COMMITTEE REPORT DIGEST**

#### **I. OVERVIEW**

Bill No. 239-36 (COR) was introduced on January 4, 2022, by Senator Telo T. Taitague, Senator Joanne Brown, Speaker Therese M. Terlaje, and Senator Sabina Flores Perez and was subsequently referred by the Committee on Rules to the Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning on January 20, 2022.

The Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning convened a public hearing on Bill No. 239-36 (COR) on Wednesday, February 9, 2022, at 9:00 a.m. via Zoom Video Conference Platform.

#### **Public Notice Requirements**

Public Hearing notices were disseminated via email to all Senators and all main media broadcasting outlets on February 2, 2022, and again on February 7, 2022, fulfilling the 5-Day Notice and 48 Hour Notice of the Open Government Law requirements respectively.

#### **Senators Present**

Senator Sabina Flores Perez  
Senator Telo T. Taitague  
Senator V. Anthony Ada  
Senator Joanne Brown  
Senator Amanda L. Shelton

*Committee Chairperson*  
*Committee Member*  
*Legislative Member*  
*Legislative Member*  
*Legislative Member*

#### **II. SUMMARY OF TESTIMONY AND DISCUSSION**

The public hearing was Called-to-Order at 9:04 a.m.

**Chairperson Perez:** *Bueñas yan hãfa adai.* the Committee on Environment, Revenue and Taxation, Labor, Procurement, Statistics, Research, and Planning is calling this virtual public hearing to order. It is now 9:04 a.m. Wednesday, February 9, 2022. Notices of this morning's virtual hearing was provided via email to Senators, stakeholders, and the local media on February 2, 2022 for the five-day notice and February 7, 2022 for 48-hour notice, thus meeting the requirements of Open Government Law. I'd like to acknowledge my colleagues that have joined me here today. Senator Tony Ada, Senator Telo Taitague, Senator Joanne Brown. The purpose of this virtual public hearing is to receive testimony on the following agenda items. To hear testimony on Bill No. 239-36 (COR) sponsored by Senator Telo T. Taitague, co-sponsored by Senators Joanne Brown, Speaker Therese M. Terlaje, and Senator Sabina Flores Perez. It's an act to add a new section 70134 to chapter 70 of division 3, title 11, of Guam Code Annotated, relative to business license requirements for entities engaging in the placement of children in adoptive homes. The Committee will continue to receive written testimony until 4:00 p.m. on Wednesday, February

16, 2022. Please address testimony to Senator Sabina Flores Perez, Chairperson on the committee on Environment, Revenue and Taxation, Labor, Procurement, Statistics, Research, and Planning or can be dropped off to the mailboxes at the Guam Congress Building or emailed to [office@senatorperez.org](mailto:office@senatorperez.org).

The rules of conduct for today's virtual public hearing are as follows; the host of the hearing will mute all participants until called upon by the chair. Virtual backgrounds should not be utilized during this hearing, and the participant's face must be visible at all times. When called to speak please ensure that you're unmuted and that you are speaking into your microphone. Individuals testifying shall first be recognized by the chair before speaking, and shall state their name for recordkeeping purposes. The order of questioning will begin with the Chairperson followed by Senators. Questions and testimony shall be confined to the substance or nature of the agenda and personal inference as to character or motive of any senator or any individual testifying is not permitted. I'd also like to acknowledge the presence of Secretary Senator Amanda Shelton. Now to begin our agenda. Bill No. 239-36 (COR) sponsored by Senator Telo T. Taitague and co-sponsored by Senators Joanne Brown, Therese M. Terlaje, and Sabina Flores Perez, is an act to add a new section 70134 to chapter 70 of division 3, title 11, Guam Code Annotated, relative to business license requirements for entities engaging in the placement of children in adoptive homes. The notices were sent to Department of Public Health and Social Services, as well as, Department of Revenue and Taxation. We're glad to see Director Daphne Shimizu here representing the Department of Revenue and Taxation. Also, we have MaeFe Muyco of Department of Public Health and Social Services. Thank you for being here. The Fiscal Note was received on January 12, 2022, and notes from BBMR are as follows: "the bill has the potential to generate additional revenues in relation to business license fees collected by DRT. However, absent additional information from DRT as to the new business license category to be established for child adoption services and fees associated with obtaining and renewing that license, the Bureau is unable to determine an approximate financial impact at this time." We did receive written testimony from Lori Boss, Executive Director of Ohala' Adoptions, and two other testimonies from those, I believe, are here today to present oral testimony and in addition to their written testimony. I'd like to now welcome the author of the bill, Senator Telo T. Taitague to provide opening remarks for bill. The floor is yours.

**Senator Taitague:** *Håfa adai* and Good morning, Madam Chair, and thank you so much for scheduling the public hearing for Bill No. 239-36 (COR) and for the opportunity to introduce the measure with the support of Senator Brown, Speaker Therese Terlaje, and yourself. I introduced Bill No. 239-36 (COR) mandating the Department of Revenue and Taxation to require an independent adoption agency to obtain an endorsement from the Department of Public Health and Social Services prior to DRT granting the adoption agency a business license and/or an established, establishment of a GRT account or an EIN number. If approved, Bill No. 239-36 (COR) ensures that any loophole that exists which could allow an adoption agency to operate with little to no involvement by Public Health is closed. Madam Chair, Bill No. 239-36 (COR) is part of our latest effort in ensuring that steps are taken administratively to remove any opportunity for bad actors who have the means to navigate their way through a system that currently lacks licensures rules and regulations to get anywhere close to our most vulnerable children. Although a majority of Senators this past December finally realized there was a need for licensures rules and regulations, there is nothing in place right now that require an independent adoption agency to meet specific



conditions. All it needs to do is obtain a license at DRT under a “Service License.” Madam Chair, in closing, while we all wait for the development of interim rules by Public Health for the licensures of independent adoption agencies which is a mandate by law to happen no later than June of this year subject to further actions by this legislature, policies must be established now to cover the businesses that are already authorized to operate. Absent the interim rules and promulgations of adoptions of final set of licensures rules and regs, for the record, independent adoption agencies have been authorized to operate pursuant to two bills, which were approved since July, particularly Public Law 36-39 which allows a child to be placed in adopted home by social service quote “social service” or an “adoption agency” duly licensed under Guam law that’s current without rules and regulations governing this independent adoption agency. Madam Chair, Bill No. 239-36 (COR) simply proposes that all independent adoption agencies shall be endorsed by Public Health prior to operating as a legitimate business on Guam. It’s very simple, Madam Chair. After discussing Bill No. 239-36 (COR) with additional members of our community and including those first on taxation and business license matters, I intend to work closely with the Committee to amend the bill by deleting the proposed 11 GCA section 70134 (a) in the bill and to strengthen the language in proposed 11 GCA section 70134(b). So it is clear that Revenue and Taxation shall require an independent adoption agency to obtain an endorsement from Department of Public Health and Social Services, prior to DRT granting the adoption agency a business license or the establishment of GRT account or EIN. Basically, Madam Chair, by eliminating “a”, it eliminates anything that DRT has to do with regards to creating any kind of regulations as stipulated in Section (a) administratively, such as that example the cosmetology board DRT does not oversee any type of regulations or rules. It’s all done by a board. Once an individual, who finishes the requirements established by Department of Public Health and Social Services, all they do next is go to DRT and obtain an EIN number or a GRT number to pay their taxes. It’s as simple as that, and that’s the intention of this bill. Now that we will delete this Section (a) of the bill and then move only into to Section (b). So, Madam Chair, look forward to the discussions including additional amendments that may be needed going forward. *Si Yu’os ma’åse*, Madam Chair, for the opportunity to present the overview of Bill No. 239-36 (COR). *Si Yu’os ma’åse*.

**Chairperson Perez:** Thank you, Senator Taitague. So, now I’d like to recognize Director Shimizu. She has an engagement at 10:00 a.m.. So, I’d like to allow her to go first. Director Shimizu you’re recognized.

**Dafne M. Shimizu, Director, Department of Revenue & Taxation:** *Håfa Adai* and thank you so much, Chairwoman Sabina Flores Perez, and also members of the Committee also. I wanted to make sure I recognized Senator Ada, Senator Taitague, Senator Brown, Senator Shelton and, of course, former director of the Department of Revenue and Taxation Art Ilagan and other members of the community, who may be present. Thank you for the opportunity to provide testimony regarding Bill No. 239-36 (COR). The bill proposes to require the Department of Revenue and Taxation to develop a business license category and other administrative requirements necessary to obtain a business license to operate a child adoption service or agency in conformance with child adoption laws and regulations. The agency is in support of the bill as with other business licenses issued for industries, where there is a need for oversight and regulation by the Department of Health and Social Services. Should this bill become law, DRT will work with the Department of Public Health and Social Services to ensure that only those businesses with the appropriate endorsement from the Department of Public Health and Social Services will be issued a business

license. DRT does make the following recommendations regarding Bill No. 239-36 (COR) and, of course, we have mentioned Senator Perez that we are not the experts as it comes to the area of adoption or regulating anything with regards to childcare. In fact, with regards to certain activities, for example, the child care itself or daycare, I believe, it is the Department of Public Health and Social Services that does have to provide clearance, before we're able to license such type of business, and so we do make these following recommendations: one, that if not already done so, the terms "child adoptive service" or "child adoption agency" would be defined in the code. This will help facilitate the review and evaluation of a business, which is contemplating undertaking such activity, and again this may actually, there may be a definition for it. However, again as we are not the experts in it, this is something that we're not familiar with, and also that although the bill contemplates that it is going to be the Department of Revenue and Taxation to establish the administrative requirements for this particular bill should become law, that, perhaps, if the Department of Public Health and Social Services to a certain degree, again, because of the nature of the activity and what is required be involved in the establishment of such requirements and, again, I want to thank you for the opportunity to provide this testimony today and please feel free or I'm open and available at this time for any questions with regards to my testimony.

**Chairperson Perez:** Thank you, Director Shimizu for your testimony. I think we have some time if we can allow Department of Public Health to provide their testimony and then we can have my colleagues ask questions of both agencies. MaeFe Muyco from Department of Public Health you're recognized.

**MaeFe Muyco, Supervisor, Home Evaluation Placement Service Section, Department of Public Health & Social Services:** Good morning, everyone. I'd like to recognize and thank Senator Sabina Flores Perez for introducing this bill. Senator Telo Taitague, Senator Joanne Brown, Senator Anthony Ada, and Senator Amanda Shelton. I will be reading the testimony written by Public Health's Deputy Director Terry Aguon on the testimony of Bill No. 239-36 (COR), and we will submit the letter before the end of the day. Good morning my name is MaeFe Muyco I am the Supervisor for the Home Evaluation Placement Service Section of the Department of Public Health and Social Services, and I will read Mr. Aguon's testimony.

*"Buenas and Håfa Adai,* Senator Sabina Flores Perez, Chairperson for the Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning. Senator Telo T. Taitague, Senator Joanne M. Brown, and the honorable Speaker Senator Therese M. Terlaje, Speaker of the 36<sup>th</sup> Guam Legislature. Thank you for the opportunity to participate in this virtual public hearing and the opportunity to provide Mr. Aguon's testimony regarding Bill No. 239-36 (COR), an act to add a new chapter to the division Guam Code Annotated relative to business license requirement for entities engaging in the placement of children in adoptive homes. My name is Terry Aguon the Deputy Director of the Department of Public Health and Social Services overseeing the Division of Senior Citizen, Division of Children's Wellness, and the Division of Public Welfare and in support of the department's effort to mitigate the COVID19 pandemic the Department of Public Health and Social Service is in favor of Bill No. 239-36 (COR). We agree that the safety and well-being of Guam's most vulnerable population must be safeguarded at all times, and that the licensing of a child placing agency that operates for the purpose for placing children and homes for adoption shall uphold the same standards. Bill No. 239-36 (COR) will allow child placing agencies to undergo a dual licensing process executed by

the Department of Public Health and Social Services and the Guam Department of Revenue and Taxation. This partnership will provide a comprehensive licensing approach that shall focus on child safety by requiring a thorough background to include fingerprinting, as well as, the financial transparency needed to legitimize an agency to do businesses on Guam. Applicant's fingerprints will be used to conduct background checks to include local and court clearances. The National Crime Information Center, which is a criminal record database, and the Child Abuse and Neglect, which is a registry for child abuser, if the applicant, staff, and any other person working for a child placing agency has not lived on Guam for the last five years, they shall undergo the Adam Walsh Child Abuse Registry, which is a sex offender registry available to states and territories, while the Department of Public Health and Social Services will focus on the legitimacy of the child placing agency and its staff. The Guam Department of Revenue and Taxation will focus on their financial accountability and other related matters together, and in partnership with DPHSS and the Guam Revenue and Taxation, we will move forward to assure the community of Guam that the safety and well-being of Guam's most vulnerable population is safeguarded and that child placing agency uphold the same standard once more thank you for the honor of testifying on Bill NO. 239-36 (COR)."

**Chairperson Perez:** Thank you so much, Miss Muyco. I'd like to open the floor to my colleagues for any questions starting with the sponsor of the bill, Senator Telo Taitague.

**Senator Taitague:** Thank you, Madam Chair and thank you so much Daphne and MaeFe for the testimony that you provided. I'm looking forward to getting a copy and taking the recommendations, of course, Director Shimizu into play. I think what you have established at DRT right now with regards to how it works for cosmetology that the same process happened, but any opportunity that we can create a category, because I know if you look at the DRT form, there are different types of services such as wholesaling, retailing, service, license rental, others profession, commission, insurance premiums, contracting, interest, amusement, and others. I think it's important to create maybe a category in this, because it is important, we're talking about our children on the island, and we don't want to see anything that it gives any inkling that it's not an important subject matter, for sure, because this is very important. So, I appreciate the testimony and again it's not to create the ability for Rev and Tax to create what Public Health is doing currently. It's to work in tandem, and I appreciate MaeFe that comment that you made working together with Rev and Tax to make it a dual licensing that's already established. So greatly appreciate. I have no questions at this time. Look forward to working with the agencies to get this bill through right away. Thank you, Madam Chair.

**Chairperson Perez:** Thank you, Senator Taitague. Senator Joanne Brown, if you have any questions for Director Shimizu.

**Senator Brown:** Thank you very much, Madam Chair, I just wanted to check with Director Shimizu. I also appreciate the favorable testimony on the bill, but how soon from your end administratively would you be able to pass the legislation from your end to implement the requirements that would exist for your department? What's the time frame?

**Director Shimizu:** Thank you, Senator Brown. I think with regards to how currently we deal with the issue of licenses, our business licenses, we at Rev and Tax are the recipients of the business

license application. The business license application then goes through a process of being reviewed by the respective agencies, and it depends upon the type of application or business license activity that is being undertaken. So, for example for a restaurant there is a sanitary permit process right. So at the Department of Public Health side, what will happen is they not only look at what they usually look at for in Public Health, but they also look at whatever other requirements are for a restaurant. So the same I think would follow with regards to this particular situation, and with regards to the different approvals or reviews by the different agencies, the department actually defers to the area the respective agency is the particular experts in that area, and once the application has gone through each of the departments: GFD, DLM, DPW, it could be EPA, again depending on the type of activity that is involved, once we get approvals from all of those agencies, then the Department of Revenue and Taxation will issue the business license, and we just rely on the expertise of Public Health. I think that with regards to the license itself, because this is a new category on our side, the one question that or the one item that we would need to identify or address is the issue of the licensing fee, if we don't have one for this category. With regards to the actual requirements for Public Health itself and what they will be, what will happen is once Public Health does review and provide their approval and, as long as all other approvals are received from the other agencies, DRT will just go ahead and issue the license.

**Senator Brown:** So, I appreciate you outlining all the steps, but do, I know you can't determine how quickly other agencies are going to move, but could you give a "guess-timate." I mean, I don't doubt, Director Shimizu, you will be ready to implement, as soon as possible, your end, I mean, you're very aggressive in taking care of your responsibilities collectively. I mean, you're all cabinet members. Is there an estimated time frame, you think, that this could be put in place, because obviously we have an existing adoption agency that's out there and operating and we certainly don't want to inhibit the good work that they're doing, but also just would like to get an idea, do you think they're an estimated time frame to actually get the process in place, so that they and any other organization that wants to facilitate an adoption agency can have a time frame on what it would take for the government and to implement the requirement.

**Director Shimizu:** I really can't speak on the Department of Public Health and Social Services. I'm not sure if MaeFe may have a comment on that with regards to our agency. I would have to determine whether it will be required or us to have a new fee that's or a different fee from what is already allowed by law and that may have to go through the Triple "A" process. So at a minimum it will be the time frame required to go through Triple "A." That's what, I believe, at least, on the Department of Revenue and Taxation side. On the Public Health side, what was outlined in Deputy Director Aguon's testimony was fingerprinting and all of these other requirements, which I am not familiar with. I suppose the good thing about it is that he already has some items outlined but again it's difficult for me to tell on the Department of Public Health and Social Services side. I can share with you though, I worked very well with Department of Public Health and Social Services. Director San Agustin and Deputy Director Aguon, and so that's something that I although MaeFe is here I can also reach out to them and make sure that we make this a priority.

**Senator Brown:** Well, I certainly appreciate it. I'll ask, Madam Chair, later for Mr. Art Ilagan to testify, so I'll just wait with any further questions, until after that happens, but thank you and I'm sure for the opportunity to ask these questions, thank you. Thank you to Director Shimizu, as well. Yes, thank you.

**Chairperson Perez:** Thank you, Senator Joanne Brown. Senator Tony Ada, if you have any questions for Director Shimizu. You're recognized.

**Senator Ada:** Thank you, Madam Chair I don't have any questions for the Director. Thank you, Director, for being here have a good day.

**Director Shimizu:** *Si Yu'os ma'åse*, as well.

**Chairperson Perez:** *Si Yu'os ma'åse*. Senator Shelton, if you have any questions for the Director.

**Senator Shelton:** *Si Yu'os ma'åse*, Madam Chair. I don't have any questions at this time. Thank you very much for your testimony. I look forward to hearing the other testimonies, as well, this morning.

**Chairperson Perez:** Thank you Senator Shelton. So, Director Shimizu, thank you for being here and to answer any questions. Have a great day.

**Director Shimizu:** Thank you so much.

**Chairperson Perez:** So now, we will proceed with testimonies. We have signed up on our list Lori Boss.

**Senator Taitague:** Madam Chair, if I may, I know that Mr. Ilagan has another appointment. If he can go first. I appreciate it. I was messaged earlier. Thank you.

**Chairperson Perez:** Okay, we will accept that. Mr. Ilagan, you're recognized. He also is the former Director of Department of Revenue and Taxation. Thank you for being here.

**Artemio B. Ilagan, Community Member:** Thank you, Senator Perez, and all the Senators on the board right now. My name is Artemio Ilagan, "Art" for short. I am the former Director. I have a lot of formers. I was former Insurance and Banking as former Audit Supervisor Criminal Investigation. I've been with Rev and Tax for over 40 years, or nearly 40 years, and I am here testifying on my concerns about Bill No. 239-36 (COR) relative to business license requirements for entities engaging in the placement of children in adoptive homes. I am in favor of this bill, with the exception of placing the oversight of this adoption agency with the Department of Public Health and not Rev and Tax.

DRT is the department where most businesses or companies apply for a business license. There are some licenses that require further scrutiny than just clearing with the Department of Land Management, Collection Branch, Business Privilege Branch, Income Tax Processing Branch, and the Fire Department. Take for example the banking and insurance companies out there. They must be vetted through the Insurance and Banking Board. Take another example is the construction companies. Construction companies are licensed through the Guam Contractors License Board at the Department of Public Works. Take for example, barbers and cosmetologists. They're licensed at Public Health and not licensed at Rev and Tax, they're vetted through Public Health. Lawyers

are licensed by the board, the Guam Bar Association. Doctors go through a licensing process through the one Medical Board. If you want to sell liquor, you have to go through the ABC Board. You have to get vetted through these boards. If you want to be a tax preparer, you got to get clearances. You got to make sure you pass the test. You got to make sure what you're doing. You got to make sure your people that are preparing taxes know what they're doing, and they have court clearances and police clearances. Same with real estate. You have to have, if you're a real estate agent, you have to be vetted. You have to make, we have to make sure that you are not a criminal, that you don't take money. These types of licenses when the public safety or finances are involved, there's a further process of going through these steps. We cannot just go ahead and issue a license to, let's say, tax preparer without them, we knowing, if they can, they are able to process, to prepare taxes. The only involvement with these types licenses with Rev and Tax is usually just for the purpose of making sure that they are filing their GRT. That's for like making sure they qualify. It's through the boards. It's through these boards. Rev and Tax does not have the expertise to look at these things to examine these licenses and make sure they're qualified, and I believe this policy should apply to adoption agencies. It should go through a better process.

Each person that's involved with our children of Guam, who are going to be adopted should be vetted through a process. They should be looked at with scrutiny to make sure that they're not out there doing evil things to our children and that is a process that goes through Public Health. They are already doing what they're doing and now we need, we have now a company that wants to, I guess, we're trying to outsource this to a company that wants to adopt and place children in homes. I think in the past years Public Health has been doing this. Now we have a company that wants to come in and charge people for putting their children at an adoption agency, at this adoption, and then looking for a place to put them. It's kind of worrisome to me that they only got a service license to do this. You get service licenses for things like cutting grass or shining shoes in public areas. Those are the service license that you would use for those, but for something like this, that involves a life of a child. You need to make sure that that person that's taking care of your child we're going to take your child away and put them in a different home is vetted, is all right. They're proper. I think that the issuance of this service license or this adoption agency needs to be held in the abeyance, until we establish some kind of, maybe a board at Public Health that oversees these adoption agencies. So that is my testimony. I thank you for allowing me to speak on this bill and if you have any questions and I'm here to answer.

**Chairperson Perez:** *Si Yu'os ma'åse*, Mr. Ilagan for your testimony. Now, I'd like to invite Lori Boss from Ohala' Adoptions for her testimony. You're recognized, Ms. Boss.

**Lori Boss, Executive Director, Ohala' Adoptions:** Thank you and *Håfa adai*, Madam Chair, Committee Senators and guests. I am Lori Boss, executive director and one of the founders, excuse me, of Ohala' Adoptions. I appreciate this opportunity to provide testimony regarding Bill No. 239-36 (COR), relative to business licensure requirements for entities engaging in the placement of children. Since the organization of Ohala' Adoptions in September, we've been repeatedly asking and pleading for business regulations, formatting guidelines for home study submissions and oversight from Public Health and received nothing. In July Public, Law 36-39 was passed stating that the Department of Public Health and Social Services would in fact be in charge of auditing our non-profit agency and providing those business rules and regulations that we could follow going forward. We welcomed this new law. We met with the administrators had a good

conversation. They've indicated they're working on those regulations, and we're hopeful that they will be comprehensive and completed within the time frame specified in that bill, and we will welcome them. In the meantime, we have not registered under social license as has been mentioned here but we registered as a non-profit corporation having submitted a thorough write-up of our business to be approved by Tax and Rev and have adopted strict ethical standards in the best practice guidelines used by reputable U.S. Adoption Agencies that mentor us. We have also shared those standards and policies with DPHSS as they work on Guam standards.

I'm opposed to this bill, because the business license requirements suggested in this bill are also covered in Guam Public Law 36-68, excuse me, making it repetitive and unnecessary as the only agency so far on island we are already complying with all requirements by Tax and Rev, the federal government, and local laws. This bill also requires even more governance from DPHSS, which would add to the already overburdened agency. They consistently have had difficulty responding to us or meeting deadlines. Additionally before this body, Terry Aguon the Deputy Director of Public Health openly stated that reunification is their focus and said that they have not had an adoption since 2017. The objective of DPHSS is long-term foster care in hopes of reunification and not adoptions. An agency that is so overwhelmed and not focused on adoption does not seem the best choice to continue adding more oversight. Our desire is to find a different department for oversight possibly the new Division of Child Welfare that Governor Leon Guerrero has just established or to have agencies approved by the courts as is done in ten states and Northern Marianas and oversight by a government department. Looking at the language of this bill it appears that none of the sponsoring Senators understand how adoption agencies function or how the placement of children works on Guam. They've never reached out to us to inquire about how we operate. With all the bills brought forth this session, regarding protecting our vulnerable children, not once have we received a call or email from them regarding steps that we have in place to protect children and assist expectant mothers not wanting to terminate their pregnancies, and yet not in a position to care for their children. The fear-mongering language, in particular, is appalling. Using words like child trafficking and criminal enterprises is offensive and aimed directly at Ohala' without any personal knowledge of our services. We heard similar inflammatory comments from Terry Aguon in earlier hearings. I failed to understand what is gained in vilifying us.

We are strictly a domestic agency focusing on the families and children of Guam. We offer our services at an unusually low price to make adoption a real possibility for most any family who desires it. We perform in-depth studies of potential adoptive parents meeting all of the requirements set forth by DPHSS and more, and provide resources and emotional support for the birth mother before and after placement of a child. We've been able to give resources to help other women understand that they actually can parent, if they so desire and refer them onto safe haven pregnancy center, and offer other resources for support. We are particularly careful that no money or financial support is provided to mothers placing children, and strictly prohibit any incentives to relinquish their parental rights, and yet as we try to put structure in place to assure the safety of these children, we continue to meet roadblocks and push back instead of assistance. It has been baffling to us. We're sincerely grateful to those Senators and Administration officials that have reached out and generously offered help and solutions. We are currently working with GMH hospital administrators, nursing staff, and social workers to educate and offer safe solutions to women relinquishing infants at the hospital, so they no longer feel that their best option is to continue the practice of handing infants off in parking lots. Everyone should be very aware of the

fact that this has been a common occurrence for some time here. Mothers not wanting their children to be placed into the CPS system take a chance offering their infants to unknown families who've expressed their willingness to have a child, many of which have never been background checked. I don't believe any of this is done with malicious intent, but these mothers know Public Health is overburdened, and don't want their child languishing in foster care. Mothers share with us regularly that their desire for their children to have a permanent family to love and care for them. Introducing the world of open adoption to them is a beautiful experience, and we have witnessed their lives change. We have a lot of work to do to shift the mindset of where the real dangers lie. It is not with agencies like Ohala' working to put standards in place. It's with unregulated placements and lack of supervision following these placements. On island other dangers arise in institutional care that operate like orphanages, which the U.S. abolished in the 50's for good reason. We don't need more facilities to house our children. We need children to be in permanent safe families. As I stated, I'm not in support of this bill.

I would recommend that we follow the laws already in place and work together to make the process of adoption work efficiently for all involved. If we actually put the needs of the children first to follow guidelines set forth in the U.S. Safe and Stable Families Act, we could also identify children currently in foster care, whose parents have not done what is required to unify with their children in a timely manner and allow them to be adopted and enjoy a happy and stable home life. We have many island families that contact us continually willing and able to care for those children. We at Ohala did not come on to Guam as an off-island business and set up shop here to make money. We formed when we saw a dire situation and realized how much better it could be with adoption standards in place and the need for an agency to give options to mothers in determining the life situation for their children our desire is to work together with government agencies as we do with non-profits to help strengthen the families of Guam. Thank you for your time.

**Chairperson Perez:** Thank you, Mrs. Boss for your testimony. So now I'd like to recognize Traci Anderson from Ohala' Adoptions for hers. The floor is yours, Mrs. Anderson.

**Traci Anderson, Associate Director, Ohala' Adoptions:** Thank you for having me today and I just wanted to address two things before I start with my testimony. Our associate, Tanya Mike, was scheduled to be with us. She lost connection, and she has a two-year-old at home, and just didn't feel like she was going to be able to read her testimony, but she did submit it on in a document so you have access to that. The other thing I just wanted to address quickly, the, Mr. Ilagan's statements about a board, and, as a nurse, I understand the importance of going through a board for licensing and for background checks and things like that. That is completely well within the rights of being established for the safety, but I hope that you'll see in my testimony why I'm opposed to the wording of this bill, and setting that forward so that being said, Good morning Chairperson and Senators, other guests. It looks like everyone else has kind of gone off to do their own thing.

My name is Traci Anderson, and I'm a director at Ohala' Adoptions. I appreciate the opportunity to share testimony regarding Bill No. 239-36 (COR), relative to business license requirements for entities engaging in the placement of children in adoptive homes. I am in full support of rules and regulations for adoption agencies on Guam and anywhere. Children should not be exposed to people who are not in a position to do the right things. However, I do not support this bill. This



measure is not the way to implement changes. The changes, especially the changes that are needed. If put in place, that would only stymie the progress, which has been made already in providing a much-needed resource for the women, children, and families of Guam. It is my position that the offices within the Department of Public Health and Social Services that are responsible for oversight and regulation of outside entities are currently overwhelmed with the programs and oversight already assigned to them. Adding another review process will only add to the workload of overburdened staff, creating unnecessary and damaging extensions to deadlines and adding one more bureaucratic step of approval from the same department that is already tasked to create and enforce rules and regulations. This has been established already in previous law. We have all stood in line at DRT. We have all seen how slowly the wheels of government bureaucracy can grind. Each redundant administrative hurdle added to this process is another delay in the placement of a child, and while that may look black and white on paper, it is important to remember every deadline missed is another heartbreak for adoptive parents who have already brought a child into their home.

They bring them in to nurture and love and plan to have them in their families forever until, and as they wait, and until the adoption process is finalized, these unsung heroes live every day in uncertainty and fear that the child might be taken from their home. Instead of adding unnecessary roadblocks to the process, we should be working together to streamline it. Public Law 36-68 Section 2 (a) states that any child placement agency operating in Guam requires a license issued by the Guam Department of Public Health and Social Services. Hereafter, I'll refer to that as the Department. The same rules and regulations are mandated. There are to include rules setting the minimum standards governing and granting revocation, refusal, and suspension of licenses for a child placement agency and the operations of child placement agency.

This wording in the public law shows that the proposed Bill No. 239-36 (COR) is a redundant measure that is unnecessary and should not be considered further. Ohala' Adoptions is a non-profit incorporation and is doing everything required by law to provide the services we offer. We understand the need and importance of rules and regulations in practice and in licensure. We have asked for these and are willing to adhere to what is responsibly put into place. Aside from being incorporated, any work that we do is ultimately checked and double checked by the Department and the approval of the HEPS department, private attorneys that our families work with, and the Guam Superior Court. Right now the Department already has the opportunity to be informed and aware of any services that we are providing.

That being said, Ohala' Adoptions directors have been seeking out, asking for, and practically begging for the guidance, the direction, and the help from Public Health since its inception. We've met with them several times. We've exchanged emails, and have not been able to receive information and help that we need to move forward as a non-profit and as a service to the island. We are very secure in how we serve our clientele. We've had mentors from adoption agencies in Kansas and Texas. All of the things that we have needed from the Department are simply the guidelines for the HEPS home study requirements. We've asked for regulations, and we expect to be audited in order to maintain good standing as an adoption agency. The pushback, hesitancy, lack of communication, and outright antipathy that has been demonstrated toward us has not done anything to promote faith in their cooperation with us or their ability to provide the objective critical review that Bill No. 239-36 requires.

We ask that if there is an amendment to law requiring a review for licensure of any agency that review to be done by an agency or division separate from the Department to ensure timely, objective, and equitable reports. This bill and several on this floor and in the media speak to protecting our most vulnerable children. It also uses fear-based words, such as trafficking, criminal activity. We've heard fraud schemes, abuse. This tactic is being taken by individuals who have never contacted Ohala' Adoptions to discuss business actions and policy. There have never been questions directed to us regarding the rigorous steps that are taken to ensure safety, security, and the best quality of families for any mother to choose from. There have been no meetings to discuss our research or knowledge of the best interest of children, but there have been many pointed statements and words of degradation for taking such a strong stance against adoption agencies on Guam. There has been little to no communication in order to self-educate or gain a better understanding. There's been some discussion, and I understand the purpose for comparing licensing different entities through DRT. However, comparing the licensing in this bill of a non-profit adoption service to that of food service or property rental, it's like comparing apples and oranges. Ohala' is not a money-making business. We are a service. We bring families together. We are here to provide a woman the opportunity to choose what is best for her and her child. These are not rentals or products for sale and where every quality, health, background, and safety check that the Department uses our agency also uses with additional safety measures in place. Ohala' directors and social workers make home visits, learn about family histories, discuss every aspect of how adoption affects everyone involved, and create personal relationships through the process from the beginning of the thought of adoption, to the placement of the child, through finalization, and even after. As we offer educational classes, and we will continue to offer those educational classes, even after placement comparing adoption to food service and property rental is an affront not only to our services but to the children and the families that we serve. Another area to address in this bill is the statement in section 1, line ten through twelve, the administrative regulations necessary to regulate all entities authorized to operate on Guam pursuant to laws pertinent to the adoption of children.

Currently, Ohala' Adoptions is the only registered agency to provide, legally provide adoption services, but this is where things get tricky. Ohala' and any other agency that is striving to adhere to all legal guidelines is then obliged to wait for and follow the Department's rules and regulations as they create them or as they have to approve them on their busy overworked schedules. While there are other entities and individuals known to us and known to many others that are exchanging babies without following any of the legal pathways that are established, is it legal, moral, and ethical for doctors, hospitals, and pregnancy services to receive or obtain custody of a child and then, in turn, place that child without any oversight? Is it easier to turn a blind eye on these practices, because it's already been taking place, and this is the easier path to just let it continue. These are the instances, when trafficking, abuse, and child selling come into consideration. If the rules and regulations, constructed and put into place are truly for the protection of children, the accountability to follow these rules and regulations should be applied unequivocally to each and every entity that places children. Instead, it seems certain factions of the Department and this Legislature are more interested in protecting their spirit, power, and maintaining the status quo, which is clearly and fundamentally broken, than they are in finding ways to work together in order to provide loving homes to our island's most vulnerable. Currently, Ohala' Adoption has three families with private attorneys that are awaiting finalization. We have completed all documents required by the Department for the home studies, and compiled interviews and information for

each family. Even with all of the preparation and a written report for one family, the worker still needed to request an extension from the courts. This is just one example of a time that Ohala' Adoptions and the Department could work together to more efficiently benefit families and take some of the workload off of the HEPS department.

*Poksai* is a word we hear often from the community, and I'm sure you're aware. It's CHamoru verb meaning "to nurture." It refers to the common Pacific islander practice of informal adoption by extended family members. This is something that in educating the community we've tried to explain that this is an amazing tradition. Family should always come first, but there are cases where another family needs to step forward for the best interest of the child. Our services provide that option. We serve the families and the culture of Guam. From [www.guampedia.com](http://www.guampedia.com), Kelly G. Marsh writes many feel that the current U.S. legal system has reduced the occurrence of *poksai* and questioned whether this legal system is best serving CHamoru families. I would proffer that the nurturing tradition of *poksai* can continue while also serving the best interests of the child by providing them with a permanent committed family that promises to be theirs forever through adoption. In the end, even though I do not support this bill, I hope that the important points it has brought to our attention can be addressed allowing for cooperation between all entities with the heart to care for and serve the children of Guam. Thank you for allowing me this time to present my testimony. I apologize. I know it was lengthy, but I feel very passionate and I considered each and every point to be important to include. Thank you.

**Chairperson Perez:** Thank you, Ms. Anderson for your testimony. I do have some questions for MaeFe Miss Muyco. With the passage of Public Law 36-68, there was a requirement for interim rules and regulations for June of this year since the bill was enacted December 27<sup>th</sup>. So, you discussed in your testimony regarding some of the checks that you are doing: fingerprinting background checks, including, I believe, the Walsh background check.

**MaeFe Muyco:** The Adam Walsh Background check, if they haven't lived on island for five years.

**Chairperson Perez:** So can you discuss what the status is of the interim regulations and how would you coordinate it with this legislation.

**MaeFe Muyco:** Well, currently the team here at Public Health this working collaboratively with our federal partners to develop an adoption packet, and we have to include the application, as well as, the guidelines to instruct what should be in the adoption packet. So, we're working on that. We're also working with our federal partners on the rules and regulations to run an adoption agency. We are working to ensure that we do meet that timeline before June 1<sup>st</sup> and, hopefully we've come a long way and we were going there. We want to make sure that background checks are completed. We not only do that for this current application for adoption agency, but we also do that for our foster parents, for our foster families who would like to become licensed. We require an court and police clearance, and a NCIC background check, a C.A.N. background check, as well as, if they have not lived on island for five years, because some of our foster parents are from the military and they live in the States. We require an Adam Walsh Background check, as well, to ensure the safety of our children.

**Chairperson Perez:** So, what I see is that this this legislation would add that ability to enforce even further. It's about making sure that the agencies are acting in good faith, and it gives that added layer of protection for those that are not acting in good faith. There should be no issue I would think except to those that are not up to par with the guidelines, rules and regs. I think it's important to have that added layer of protection. So, I don't have any other questions at this time. I'd like to open up the floor. Senator Taitague.

**Senator Taitague:** Thank you, Madam Chair. I'm sure I'll allow my colleagues to ask any questions.

**Chairperson Perez:** Senator Joanne Brown, you're recognized.

**Senator Brown:** Thank you very much, Madam Chair. In listening to the testimony, I think one of the things we need to stop, is looking at this from the vantage - understandably there's currently only one adoption agency operating - but I think we need to stop looking at this from the vantage point that this issue being brought up somehow is reflective of issues for or against Ohala'. I understand from their perspective, and I did speak with both of the ladies that testified this morning a few months ago on previous legislation, to talk about these issues, and I think we, you know, I'm not against adoption, I definitely would love to see children in our community, and we know that there are children that are falling through the cracks, we know that children from the moment of conception may not have a welcoming family, and that when they are born, for those that do and are born, we want to ensure that they have a safe and healthy environment to grow up in, and there are even things, I agree, that at some point, I don't like this extended foster system either. I'm very direct about things. I want to make sure if a parent cannot take the responsibility within a reasonable period of time to take responsibility of properly raising their children, I don't think those poor children should be floundering in the foster system and not have stability, and those are things I'd very be very supportive of. But the view that we're going to look at it only from our own single perspective and biases, there's a bigger picture here and because these structures were not implemented prior, and definitely, I appreciate the efforts of Ohala' and the work that the members are doing, because they saw a need in the community that was real and was tangible, and it was there. So, definitely, all the efforts and work that has been put up to come forth is recognized and appreciated. At the other end of the spectrum, I think there's a need as a government to make sure there are structures in place and requirements in place for standards to be met for the safety of these children, because any - and we've discussed this before - anyone else can come into Guam tomorrow and set up their own adoption agency, and not be as responsible in wanting to meet requirements or standards, or have the same level of care and interest, and we'd like to think "oh well that's not the case," but I'm sorry, we see children being abused in this community every single day. We hear about it, we read about it. I'm waiting to see what the plea agreement is going to be from the Attorney General's office for that gentleman. I couldn't call him a gentleman, this man that raped this ten-year-old girl. You look at these things happening in this community. It's appalling that these things happen. That the most innocent, the most vulnerable in our community, and we recognize that as our children, and we also recognize that for our elderly here who cannot protect themselves and are being abused on a regular basis. So certainly, I think we all want to make sure that as much as we can that we - to what degree we can as legislators - put these requirements in place. Look at the reality. If I've got to go to get my hair cut, dyed, or curled, or whatever the heck it may be, there is a permitting process for that. There is a business license

process for that. There are standards that need to be met, but I have to say quite frankly in my time back this last 14 months in the Guam Legislature, this is the most political piece of legislation, not this bill in particular, but the subject matter related to the adoption process has been one of the most political bills I've ever seen. The maneuvering that has gone on that has so politicized this process almost made it distasteful to a certain degree, because I think collectively we all want to ensure the best outcome for these children, and, yes, the government has bureaucracy and, by all means, there's obviously improvements that can be made, but we do have to have a structure in place that gives us a comfort level that any other group - be it Ohala', or any other group, I said this before - that comes in, has to meet these requirements, because I would love to hope that everyone has the best interest in their mind and heart and soul. I'd love to think that everyone's a good person, but I think as we live life we know better that's not always the case, and I can't imagine, even if it was not my child, I couldn't imagine not ensuring that that child is taken care of, and that they're safe and that they're loved, be they're my child or someone else's, because I don't know, maybe I might want to adopt a child in my life, so I could provide that kind of stability. I'm sure there are many others, and I think, Ohala', very much is offering that opportunity in our community. So please don't interpret this as "Oh, it's anti-Ohala' again. They're anti-our work, and the good things we're trying to do." That's not the case at all, but I do want to see standards in place, so that everybody knows what they are and that there is a review process, because yes, even though we might have the best of intentions, there are others that don't, and how do we address them if we don't have requirements in place? So I think standardizing the business license process is good, because that was brought up a few months ago with the other pieces of legislation that we just go up there, "I don't have to meet any requirements I'll just get my license, and I'm in business," and I think we all agree, I mean, even collectively, certainly the representatives from Ohala; and talking to Ms. Boss and Ms. Anderson, I think, they're also very forthcoming. They said, "yes, please regulate us. Make sure there are standards in place, so that we know what they are," and also the government and the community knows what they are. I think when we have all that collectively, then there's some comfort level in that. So that's the reason why I co-sponsored this legislation. That's the reason I'm supportive of it, and I think we need to look at it from a broader perspective than our own investment in this. I did want to ask Public Health with regards to their responsibilities and oversight here, timewise, asking also Rev and Tax how soon could they facilitate, because we don't want to belabor this process any longer than necessary. We understand there's an ongoing process already with O'hala' with regards to adoptions for getting our children into safe families. So, what time frame would it be for Public Health, understanding your responsibilities, MaeFe, I know you have a lot on your plate to do, but how soon, do you guys from your end, could you facilitate the implementation of this should it become law?

**MaeFe Muyco:** Well, the team here at Public Health have had have been working extensively on the application as well as the guidelines we are 95% percent completed with the application.

**Senator Brown:** So if you know this bill becomes law in the you know a month from now I'm just giving that as a time frame an example how soon from your end could you meet your responsibilities to facilitate with Rev and Tax implementing this so that there's no you know extended timeline out there for Ohala' or any other organization to comply how soon could we get that process moving.

**MaeFe Muyco:** Okay so although we were given a timeline for June 1<sup>st</sup> we've been like I said we've been working on the application and the guidelines I don't want to speak personally for myself when it would be done, but I hope that it would be done within the next couple of months.

**Senator Brown:** And I'm sure I think we'd all want to, we could also I'm sure keep tabs, as well with your agency and Rev and Tax to make sure that all the key players here are on track. I don't doubt you personally in terms of the work that you do is already an example of your investment in this process. So I mean I think we can do that and I'm happy to hear that you guys are moving as far along as you are because once the structure is in place, once we know what the rules of the game are, so to speak, then we can all move on. We can all get on to the things we want to do, and put in place, and those of us that are policy makers, love us, hate us, whatever the case may be, and trust me I felt all those emotions over the years when I was in or out of office, we represent the public interest in wanting to ensure, and, like I said, it comes down to comfort level to make sure in spite of all our limitations, and granted they do exist, government is a bureaucracy, and it moves very slow, but I think with this issue in particular it has our attention, and we're certainly not going to kickback, and, you know, they'll get around to it whenever. I think collectively we all want to see this process move forward, but I, by all means, believe there needs to be a process in place, a standard process in place, under which organizations that are involved in this to include Ohala', to include anybody else who's going to walk through the door if at all, that we all know what those standards are and, I think, once that's in place, like I said, we can all get on with the business of what it is we need to do so with that, Madam Chair, I don't have any other comment at this point, but I appreciate the opportunity to comment and also inquire from Public Health my question. Thank you.

**Chairperson Perez:** Thank you, Senator Brown. Ms. Anderson, you wanted to say something, but is it in addition to the testimony that you provided, because I think it was very clear that it wasn't a personal issue for you that it was more of a procedural issue?

**Traci Anderson:** Correct there. I just wanted to respond to a couple of the statements from Senator Brown.

**Chairperson Perez:** Is it in addition to the testimony?

**Traci Anderson:** Yes.

**Chairperson Perez:** If it's a supplemental to your testimony.

**Traci Anderson:** Correct, okay. I will just be two minutes.

**Chairperson Perez:** Okay I'll have you go ahead.

**Traci Anderson:** Okay, thank you I just want to address the fact that though, you know, we spoke to the negative language that is taken a little bit personally, but mostly the education of the community to understand about adoption is being affected by the language. It would be really beneficial as we move through this process, if the language could be more positive, could be more factually based and not so fear-based and not necessarily for our services in general but for the

education of the community, so they understand that adoption is not a bad thing. That it can be a good thing, but it needs these regulations, and then the only other thing was that there's been consistently speaking of any agency can, that anyone could come and form an agency and do whatever they want without these rules from Public Health, and that is very much untrue, in that there is no moving forward, a child could be placed with a family, but they cannot get a birth certificate. They cannot do any of the legal processes to get the court documents that they need to move forward and maintain life with a child whether it be traveling or registering for school or doctors' appointments. In order to move into that family environment, they need a legal advisor and the legal advisor is not going to do anything that is opposed to public health laws and public health laws are not going to do anything that's opposed to court laws, so the regulations are a priority, for sure, but there is not as much fear again of another agency establishing and doing such horrible horrific things. Thank you for letting me speak.

**Chairperson Perez:** Thank you, Ms. Anderson. Senator Tony Ada. He was here initially, but he's now not here. Okay, Senator Taitague.

**Senator Taitague:** Thank you, Madam Chair, and thank you for your testimony, both Ms. Boss and Ms. Anderson and to MaeFe for being here, as well, to testify, and please, I share the sentiment to Senator Brown, but unfortunately your testimony, Ms. Anderson, struck a nerve when you mentioned in your testimony, and I quote, you said "instead it seems certain factions of the Department and this Legislature are more interested in protecting their sphere of power and maintaining the status quo, which is clearly and fundamentally broken." I do take offense to this, because the Senators, we're looking at both the entire system as not just one agency but the entire system, and I can assure you Ms. Anderson, we are not here for anything but protecting the safety and well-being of our island and our people that here on Guam. I don't know what they do in the mainland, when it comes to foster care or not foster but adoption agencies over there, but here we are a family-oriented community. It's in our it's in our blood. It's in our nature, that when individuals are placed in foster care the intent is to reunite them with their biological parents. Sometimes mothers or fathers need assistance and to get help and assistance to basically get their act together, so that they can be reunited with their biological parents, and sometimes on Guam many of our grandparents, the grandparents take their grandchildren under basically a guardianship and later on go into an adoption. You talk about using certain words that should not be used. I mean we looked at, anybody can Google to the story of the Marshall Islands, which is basically in our back door. It happened in our Pacific islands, where there was human trafficking, and it started by a company that came onto the island as an adoption agency. So, we're just putting out facts. We're not creating any of these things, these what we brought up, these are stories that actually happen, and we don't want to see that happen on our island. If it so, that I really take offense to, because the bills that were put out before these rules and regulations that were put in place. Everybody agrees to that should have been rules and reg, should have been put in place before any of the bills put into place. So MaeFe there was a comment that brings concern by one of the testimonies from Ohala' is that babies are being passed in the parking lot. I'm not sure what they're talking about, but MaeFe did you hear of anything, because this is kind of disturbing. I have neither have I. So, I'm just kind of curious about that. I know that Public Health is doing everything they can possible to reunite these children with their biological parents, and that's why the low amount of adoptions on Guam are like what, one in the last three years. What concerns me greatly is the fact that here's a non-profit organization, which I want to ask questions about, that is

advertising in the newspaper. This has shocked some of our local community, even brought to my attention. Shockingly like it's almost like advertising to have your child adopted, and it's very unsettling, because, like I said, our community is a very close-knit family type of community, and when children cannot be cared for by their biological family, it's usually family step-ins: aunts, uncles, godparents and grandparents most especially. I don't think in advertising, and I'm asking to Ohala', if you can hold off on advertising, until these rules and regulations are put in place. I personally greatly appreciate that if you could, because right now it's sending out a bad message to the public that here we're allowing this company to come onto this island and advertise with no regulations or guidelines in place. It sends a bad message out and that's only what the Senators are doing here. Like I said earlier, what's in the best interest of our children in our community, being repetitive was a comment that was made earlier, no, I think Public Health hit it on the nose, when it talks about dual licensing. What this bill does and, as I mentioned earlier, to rest assure Section 8 will be deleted will be my recommendation to the Committee chair, to delete that section to alleviate any kind of responsibilities from Department of Revenue and Taxation, but only to issue out the EIN number in the GRT. Once it's been approved by Public Health and following the guidelines, and this is the same thing they do for cosmetology, and if it's as simple as getting that same kind of approval from two agencies for someone to cut hair, let alone for an adopting of a child, I don't see an issue with that, and I'm hoping you don't see an issue with that. So what this bill does is just allow Department of Revenue and Taxation to first get the clearance before issuing out the EIN number. A non-profit organization that you mentioned earlier, I was curious, I was hearing rumors that that Ohala' was charging an application fee for people to come and file to be an adoptive parent, that you also receive donations. So basically you're having you're using the funding to pay for salaries. Are these salaries also paid for yourself on Mrs. Anderson and Mrs. Boss? Are you paying yourself through the non-profit organization to run this company and if not then what is the funding used for?

**Traci Anderson:** That is absolutely a valid question and honestly one of the first things that people always ask is how that works. I want to clarify or make you aware of that Ohala' has been offering services for two and a half years now. Lori, Kelly, and I have not received any compensation for the time and work that we've put in. Every dollar that has been used is set aside. We have all the financial documents showing that we have paid social workers. We've paid social media, and we've paid community liaisons to do work with us and to help us further the mission, but as far as personal payment, we have yet to have any of that. We do use the of the application fee to process things and to start working with the families that is solely because we are working with them directly to help them learn what the process is for the home study. We're helping them gather their information. We're helping, we're giving them the information they need to get their FBI fingerprints. So the one hundred and fifty-dollar application fee is basically to provide the services to get their home studies started.

**Senator Taitague:** Thank you so much for that, and MaeFe is there a charge when in a Public Health charge for anybody who wants to become an adoptive parent at Public Health? Is there a fee?

**MaeFe Mucyo:** There's no fee there's no fee to submit an adoption application.



**Senator Taitague:** Okay so just a minute I'll be right with you, Mrs. Boss. So MaeFe, so anybody on Guam can come into Public Health right now currently and fill out any kind of application to be an adoptive as well as foster parent without any cost whatsoever? I just wanted to verify that.

**MaeFe Muyco:** Yes, okay so there's two applications. One to become a foster parent, and one to be placed on our adoption list. If you submit in an adoption application, it needs to be submitted on a yearly basis, because that function gets expired within the year.

**Senator Taitague:** Okay, well thank you so much MaeFe and I also like to give you kudos for the work you're doing with the mayors and incorporating them as well into the foster group to taking in children. I greatly appreciate that. I just wanted to give you kudos for that. I appreciate it. Mrs. Boss, please go ahead.

**Lori Boss:** Thank you. I had a few comments on the questions that you had, Senator Taitague. There's a Department of Health, of course, never has a fee, because when they take children they are Guam's children. Those parents are receiving a stipend to care for those children as foster children, and such the parents that we place children with don't get a dime from the government. They take it all on themselves. They do it all themselves. The two agencies, especially American Adoptions, that has been mentoring and teaching us best business practices when we had a lack of rules specific to that here were telling us that application fees are necessary usually. There's several hundred dollars, they're serious in just to let the families make a commitment of sorts that we start this process and do all this work and pay our social workers and then they don't just flake out if when it's free. Our first few we actually did offer for free, because we didn't want to, you know, we wanted to get everything right. The handing the ad that you talked about the ads that Guam Daily Post has offered us this year, those are to let women know their options. These are not advertising, to say give us your babies. There isn't a single woman that has come to us and we say "Oh, great you want to give away your baby?" That is not the process. It's to let people know that there is something besides abortion or living with their choice. If there is something that they can do and that is very empowering for women to let them know there's a choice, we don't, we have helped more people parent their own children than we have placed children. That isn't our goal is to tear families apart at all, and our first line, if they decide, they definitely cannot raise a child, is to go to their own family. We research out their own family and their members, and we've had several that have gone to cousins and relatives. That's wonderful. That is not our, we are here to pick up the other women the other pieces of the puzzle. When you address the handing babies in the parking lot, it's one of the first things I talked to Terry Aguon about. He said yes, he was very well aware of that fact that this happens, and I asked him what do we do about it the other thing that the hospital administrators and doctors have talked to us about that I think we mentioned here is women that relinquish at the hospital. Many women don't go in for prenatal care. They arrive at a hospital. They give birth, and at that point they tell the doctors or the social workers or the nurses, I don't want this child. I can't raise this child. What do we do? The practice has been literally going down the hallways and asking, "Does anybody know anybody who wants a child?" That's great of them to take it up, they don't they want to help, but they're also not background checked. There's nothing in place now. If they proceed and go through with an adoption, then they have to go through everything that May has talked about. They have those guidelines. They have to hire an attorney and do that. If they do that that's kind of up to them, if they do that. So these are very real concerns, and when we addressed this with Terry, he said I can't take care of all those children.

Also they're overwhelmed as we all know. They have so much to do. We were hoping to come in and help in those situations to help with safe ethical placements for those children.

**Senator Taitague:** Thank you, Mrs. Boss for that information, but it's ironic I'm hearing from MaeFe, who covers not only foster care but adoption and everything under this sky. When it comes to children and not being not hearing something like that happening in the parking lot, in the event there is a doctor who delivers a baby and the mother does not intend to want to keep it or makes a decision right then and there, I'm sure the doctors are well informed to call Public Health to take over at that moment. I don't think it's a matter of like does anybody want a baby in the hallway. I don't think that happens at all, and so I think not everything's perfect. Public Health is doing the best they can. I think they do a great job. I mean it's obvious the work that they're doing where adoptions are very far and few my concern here, and I hope you ladies understand is that I don't want somebody coming to this island right now because there are really no teeth to the bill that was recently passed in doing rules and regulations. If they don't have the interim rules and regulations in place by June, there's nothing in the law that takes away anything from Public Health. It says "*shall*" do it, but if they're not able to do it, where's the teeth? What restricts them from doing anything or takes away funding from their agency or anything like that? What I'm doing is putting something in place right now just in case they don't meet the deadline that's incorporated in law, and believe you me, there's been a lot of bills that have been introduced and they haven't followed through with the law, but like I said, there's no teeth. This way we'll ensure that anybody coming to this island, and I'm hoping if you're a licensed to be a non-profit organization to run as an adoption agency comes up for renewal will be held until these rules and regulations are put in place. That's all this bill does. It provides this dual licensure like most other categories that are registered at Rev and Tax, as well as, Public Health, are put into place. It's a protection mechanism and you constantly say that you are in support of rules and regulations. If that's the case, then I don't see an issue why this bill should not go through, because all it does is requires that Department of Public Health and Social Services create the rules and regulations before Rev and Tax gives any kind of agency running as an adoption agency a licensure or even a non-profit status that's all it does so, and I and I think you guys both agree to that, so other than that I greatly appreciate the opportunity to hear you're your concerns the things that you brought up and Public Health for being here, especially today, and, I like to encourage you to very much to try and get the rules and regulations. I know we've been working on this, MaeFe, since last year trying to push this through for a while now, and appreciate your hard work on that, but in the meantime, we're trying to put something in place that'll ensure some protection, until then because right now we do have an adoption agency that's working on this island without the rules and regs. So thank you, Madam Chair, for the opportunity, and I look forward to an expeditious committee report on this, because June is still a while away from today. So it would be very helpful right now for our children and the safety of our children today. Thank you.

**Chairperson Perez:** *Si Yu'os ma'åse*, Senator Taitague and thank you to all that have come here today to provide testimony. We do appreciate your feedback and input. If there are no further testimonies or questions, the Committee on Environment, Revenue and Taxation, Labor, Procurement, Statistics, Research, and Planning will now adjourn. The time is now 10:31 a.m. Thank you and have a great day.

Chairperson Perez adjourned the public hearing for Bill No. 239-36 (COR) at 10:31 a.m..

**Written Testimonies:**

- Dafne M. Shimizu, *Director, Department of Revenue and Taxation*
- Terry Aguon, *Deputy Director, Department of Public Health & Social Services*
- Lori Boss, *Executive Director, Ohala' Adoptions*
- Traci Anderson, *Associate Director, Ohala' Adoptions*
- Tanya Mike, *Community Liaison, Ohala' Adoptions*

**Supporting Documents:**

- Guam Legislature, *Legal Bureau*, Review and Markup

**III. FINDINGS AND RECOMMENDATION**

The Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning received the following testimony for Bill No. 239-36 (COR) at the public hearing:

- The Department of Revenue and Taxations states that the agency is in favor of the bill and is willing to develop a Business License Category necessary for “Adoption Services” and/or as an “Adoption Agency”. The issuance of the business license will be having to include an endorsement by the Department of Public Health and Social Services prior to the issuance of the business. A few recommendations are to define the terms “Child Adoptive Service” and “Child Adoption Agency”. Also, to a certain degree clarify language in the bill to have the Department of Public Health and Social Services be involved on the establishment of the administrative requirements.
- The Department of Public Health and Social Services state that child placement agencies will undergo a dual-licensing process executed by the Department of Revenue and Taxation with administrative partnership with the DPHSS. The partnership will provide a comprehensive licensing approach that shall focus on child safety by requiring a thorough background check to include fingerprinting and financial transparency needed to legitimize an agency to do business on Guam as an Adoption Agency. The background checks will include local and court clearances, the National Crime Information Center, and the Child Abuse and Neglect Registry. Should the applicant, staff, or any other person working for the child placing agency not lived on Guam within the last five years, they will undergo the Adam Walsh Child Registry background check. DPHSS further states that the agency will focus on the legitimacy of a adoptive serve/adoption agency while DRT focuses on the financial accountability and other related matters to do business on Guam. DPHSS further states that collaborative efforts are currently underway with federal partners to finalize the Adoption Packet and Guidelines. The agency is hopeful they will meet the June 1<sup>st</sup> deadline with the packet being about 95% complete.

- Mr. Artemio Ilagan states that he is in favor of the bill but recommends that the oversight over Adoption Agencies be with the Department of Public Health and Social Services and not the Department of Revenue and Taxation. The reason being that there are some licenses that require further scrutiny than just having to clear with the Department of Land Management, Collection Branch, Business Privilege Tax Branch, Income Tax Processing Branch, and the Guam Fire Department. The recommendation that there should be a board established within Public Health to oversee all adoption agencies doing business on Guam.
- Ohala' Adoptions, appreciates the opportunity to speak on Bill No. 239-36 (COR) but is in opposition. The agency states the business license requirements have been covered in Public Law 36-68. Furthermore, the organization states that this bill will require more governance from an already overburdened agency, the Department of Public Health and Social Services. Though the organization is in support of the Adoption Rules and Regulations for adoption agencies and adoptive services on Guam but further states that this bill will stymie the progress to help women, children, and families on the island.
- The Bureau of Budget & Management Research finds that "Bill No. 239-36 (COR) has the potential to generate additional revenues in relation to business license collected by the Department of Revenue & Taxation. However, absent additional information from DRT as to the new business license category to be established for child adoptions services and the fees associated with obtaining and renewing that license, the Bureau is unable to determine an approximate financial impact at this time."
- The Committee recommends changes proposed by Legislative legal bureau to amend the bill to add a new section § 76206 to Chapter 76 of Division 3, Title 11, Guam Code Annotated,





**"§ 76206. Businesses Engaged in the Placement of Children in Adoptive Homes.**  
An endorsement for operating an adoption service or adoption agency must be obtained by any person, corporation, partnership, voluntary association, or other identifiable group of entities, who engages in the business of placing a child in an adoptive home, to include planning for or assisting in the placement of any child in an adoptive home. Such required endorsement is an applicant's license issued by Department of Public Health and Social Services under Public Law No. 36-68."

The Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning hereby reports out Bill No. 239-36 (COR), **As Amended by the Committee,** " AN ACT TO ADD A NEW § 76206 TO CHAPTER 70 OF DIVISION 3, TITLE 11, GUAM CODE ANNOTATED, AND TO ADD A NEW § 13510 TO ARTICLE 5 OF CHAPTER 13, TITLE 19, GUAM CODE ANNOTATED, RELATIVE TO BUSINESS LICENSE REQUIREMENTS FOR ENTITIES ENGAGING IN CHILD PLACEMENT SERVICES.," with the recommendation To Report Out Only .

***I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN***  
**2022 (SECOND) Regular Session**

**Bill No. 239-36 (COR)**

**Introduced by:**

Telo T. Taitague   
Joanne Brown   
Therese M. Terlaje   
Sabina Flores Perez 

**AN ACT TO ADD A NEW § 70134 TO CHAPTER 70 OF  
DIVISION 3, TITLE 11, GUAM CODE ANNOTATED,  
RELATIVE TO BUSINESS LICENSE REQUIREMENTS  
FOR ENTITIES ENGAGING IN THE PLACEMENT OF  
CHILDREN IN ADOPTIVE HOMES.**

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

**2 Section 1. Legislative Findings and Intent.** Without licensure rules and  
**3 regulations in place for the operation of independent adoption agencies, *I***  
**4 *Liheslaturan Guåhan* finds it conceivable that any business including those linked**  
**5 to local or international criminal enterprises including human trafficking schemes**  
**6 could position themselves to apply for and successfully obtain a license from the**  
**7 Department of Revenue and Taxation.**

**8 It is, therefore, the intent of *I Liheslaturan Guåhan* to protect against such**  
**9 criminal activity, by requiring the Department of Revenue and Taxation to develop**  
**10 a business license category and the administrative regulations necessary to regulate**  
**11 all entities authorized to operate on Guam pursuant to laws pertinent to the**  
**12 adoption of children. Additionally, *I Liheslatura* intends to require each applicant,**  
**13 prior to the issuance of a business license by the Department of Revenue and**  
**14 Taxation, to obtain an endorsement from the Department of Public Health and**



1 Social Services to place or arrange for the placement of a child in a proposed  
2 adoptive home.

3 **Section 2.** A new § 70134 is *added* to Chapter 70 of Division 3, Title 11,  
4 Guam Code Annotated, to read:

5 **“§ 70134. Businesses Engaged in the Placement of Children in**  
6 **Adoptive Homes.**

7 (a) Consistent with the provisions of this Chapter, the Department of  
8 Revenue and Taxation shall establish a business license category and other  
9 administrative requirements necessary to obtain a business license to operate a  
10 child adoption service or agency in conformance with child adoption laws and  
11 regulations.

12 (b) Notwithstanding any other provision of law, or rule, or regulation, the  
13 Department of Revenue and Taxation shall not issue a business license without an  
14 endorsement from the Department of Public Health and Social Services.”

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

***I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN***  
**2022 (SECOND) Regular Session**

**Bill No. 239-36 (COR)**

As Amended by the Committee on Environment, Revenue  
and Taxation, Labor, Procurement, and Statistics, Research  
and Planning

Introduced by:

Telo T. Taitague  
Joanne Brown  
Therese M. Terlaje  
Sabina Flores Perez

**AN ACT TO *ADD* A NEW § 76206 TO CHAPTER 70 OF  
DIVISION 3, TITLE 11, GUAM CODE ANNOTATED,  
AND TO *ADD* A NEW § 13510 TO ARTICLE 5 OF  
CHAPTER 13, TITLE 19, GUAM CODE ANNOTATED,  
RELATIVE TO BUSINESS LICENSE REQUIREMENTS  
FOR ENTITIES ENGAGING IN CHILD PLACEMENT  
SERVICES.**

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

**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that without licensure rules and regulations in place for the operation of independent adoption agencies it is conceivable that any business involving those linked to local or international criminal enterprises including human trafficking schemes could position themselves to apply for and successfully obtain a child adoption service business license from the Department of Revenue and Taxation.

It is, therefore, the intent of *I Liheslaturan Guåhan* to protect against such criminal activity, by requiring the Department of Revenue and Taxation to require each applicant, prior to the issuance of a business license and/or establishment of a Gross Receipts Tax account or Employer Identification Number to obtain an

1 endorsement from the Department of Public Health and Social Services to place or  
2 arrange for the placement of a child in a proposed adoptive home.

3 **Section 2.** A new § 76206 is *added* to Chapter 70 of Division 3, Title 11,  
4 Guam Code Annotated, to read:

5 **“§ 76206. Businesses Engaged in Child Placement Services.**

6 (a) An endorsement for operating an adoption service or adoption agency must  
7 be obtained by any person, corporation, partnership, voluntary association, or other  
8 identifiable group of entities, who engages in the business of placing a child in an  
9 adoptive home, to include planning for or assisting in the placement of any child in  
10 an adoptive home. Such required endorsement is an applicant’s license issued by  
11 Department of Public Health and Social Services under Public Law 36-68.

12 (b) Notwithstanding any other provision of law, or rule, or regulation, the  
13 Department of Revenue and Taxation shall not issue a business license and/or  
14 establish a Gross Receipts Tax or Employer Identification Number for an applicant  
15 to operate an adoption service or agency without an endorsement from the  
16 Department of Public Health and Social Services.”

17 **Section 3.** A new § 13510 is *added* to Article 5 of Chapter 13, Title 19, Guam  
18 Code Annotated, to read:

19 **“§ 13510. Business License Endorsement.**

20 A business license endorsement shall not be granted to any person,  
21 corporation, partnership, voluntary association, or other identifiable group of entities  
22 who engages in the business of placing a child in an adoptive home and who does  
23 not comply with applicable laws of this Chapter and duly adopted administrative  
24 rules and regulations.”

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



## COMMITTEE MARKUP

### *I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN* 2022 (SECOND) Regular Session

#### Bill No. 239-36 (COR)

As Amended by the Committee on Environment, Revenue  
and Taxation, Labor, Procurement, and Statistics, Research  
and Planning

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Introduced by:

Telo T. Taitague  
Joanne Brown  
Therese M. Terlaje  
Sabina Flores Perez

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**AN ACT TO *ADD* A NEW § 76206 TO CHAPTER 70 OF  
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RELATIVE TO BUSINESS LICENSE REQUIREMENTS  
FOR ENTITIES ENGAGING IN CHILD PLACEMENT  
SERVICES.**

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

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**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan finds*  
*that without* licensure rules and regulations in place for the operation of independent  
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business license from the Department of Revenue and Taxation.

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It is, therefore, the intent of *I Liheslaturan Guåhan* to protect against such  
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administrative regulations necessary to regulate all entities  
authorized to operate on Guam pursuant to laws pertinent to the  
adoption of children. Additionally, *I Liheslatura* intends to

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endorsement from the Department of Public Health and Social Services to place or arrange for the placement of a child in a proposed adoptive home.

**Section 2.** A new § 76206 is added to Chapter 70 of Division 3, Title 11, Guam Code Annotated, to read:

**“§ 76206. Businesses Engaged in Child Placement Services.**

**(a)** An endorsement for operating an adoption service or adoption agency must be obtained by any person, corporation, partnership, voluntary association, or other identifiable group of entities, who engages in the business of placing a child in an adoptive home, to include planning for or assisting in the placement of any child in an adoptive home. Such required endorsement is an applicant’s license issued by Department of Public Health and Social Services under Public Law 36-68.

**(b)** Notwithstanding any other provision of law, or rule, or regulation, the Department of Revenue and Taxation shall not issue a business license and/or establish a Gross Receipts Tax or Employer Identification Number for an applicant to operate an adoption service or agency without an endorsement from the Department of Public Health and Social Services.”

**Section 3.** A new § 13510 is added to Article 5 of Chapter 13, Title 19, Guam Code Annotated, to read:

**“§ 13510. Business License Endorsement.**

A business license endorsement shall not be granted to any person, corporation, partnership, voluntary association, or other identifiable group of entities who engages in the business of placing a child in an adoptive home and who does not comply with applicable laws of this Chapter and duly adopted administrative rules and regulations.”

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

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Vice Speaker

**TINA ROSE MUÑA BARNES**

**CHAIRPERSON, COMMITTEE ON RULES**

*I Mina'trentai Sais Na Liheslaturan Guåhan*

GUAM CONGRESS BUILDING  
163 CHALAN SANTO PAPA  
HAGÅTÑA, GUAM 96910  
TEL 671-472-2461  
COR@GUAMLEGISLATURE.ORG

January 12, 2022

# MEMO

**To:** Rennae Meno  
Clerk of the Legislature

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

**Re:** Fiscal Note on Bill No. 239-36 (COR)

---

*Håfa adai,*

Attached, please find the fiscal note for the following bill:

**Bill No. 239-36 (COR)**

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

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.



**Bureau of Budget & Management Research**  
**Fiscal Note of Bill No. 239-36 (COR)**

**AN ACT TO ADD A NEW § 70134 TO CHAPTER 70 OF DIVISION 3, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO BUSINESS LICENSE REQUIREMENTS FOR ENTITIES ENGAGING IN THE PLACEMENT OF CHILDREN IN ADOPTIVE HOMES.**

**Department/Agency Appropriation Information**

Dept./Agency Affected: Department of Revenue and Taxation (DRT)	Dept./Agency Head: Dafne Mansapit-Shimizu, Director
Department's General Fund (GF) appropriation(s) to date:	\$12,065,785
Department's Other Fund appropriation(s) to date: Banking and Insurance Enforcement Fund (\$478,857); Better Public Service Fund (\$1,291,037); Tax Collection Enhancement Fund (\$808,767)	\$2,578,661
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$14,644,446</b>

**Fund Source Information of Proposed Appropriation**

	General Fund:	Special Fund:	Total:
FY 2021 Unreserved Fund Balance	\$0	\$0	\$0
FY 2022 Adopted Revenues	\$0	\$0	\$0
FY 2022 Appro. (P.L. 36-54)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
<b>Total:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**Estimated Fiscal Impact of Bill**

	One Full Fiscal Year	For Remainder of FY 2022 (if applicable)	FY 2023	FY 2024	FY 2025	FY 2026
General Fund	\$0	1/	\$0	\$0	\$0	\$0
Special Fund	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>1/</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

- Does the bill contain "revenue generating" provisions? / / Yes /X/ No  
 If Yes, see attachment
- Is amount appropriated adequate to fund the intent of the appropriation? /X/ N/A / / Yes / / No  
 If no, what is the additional amount required? \$ /X/ N/A
- Does the Bill establish a new program/agency? / / Yes /X/ No  
 If yes, will the program duplicate existing programs/agencies? /X/ N/A / / Yes / / No  
 Is there a federal mandate to establish the program/agency? / / Yes /X/ No
- Will the enactment of this Bill require new physical facilities? / / Yes /X/ No
- Was Fiscal Note coordinated with the affected dept/agency? DRT /X/ Yes / / No  
 If no, indicate reason: / / Other  
 /X/ Requested agency comments not received by due date: DRT

Analyst:  Date: <u>1/11/2022</u> Director:  Date: <u>JAN 11 2022</u>
Raymond Rieta, BMA II <span style="margin-left: 150px;">Lester L. Carlson, Jr., Director</span>

**Notes:**

1/ Bill No. 239-36 is an act relative to business license requirements for entities engaging in the placement of children in adoptive homes. The Bill mandates that the Department of Revenue and Taxation (DRT) establish a business license category and other administrative requirements necessary to obtain a business license to operate a child adoption service or agency in conformance with child adoption laws and regulations. It further directs DRT not to issue a business license without an endorsement from the Department of Public Health and Social Services.

The Bill has the potential to generate additional revenues in relation to business license fees collected by DRT. However, absent additional information from DRT as to the new business license category to be established for child adoption services and the fees associated with obtaining and renewing that license, the Bureau is unable to determine an approximate financial impact at this time.



## OFFICE OF SENATOR SABINA FLORES PEREZ


Chairperson

Committee on Environment, Revenue and Taxation, Labor,  
Procurement, and Statistics, Research, and Planning

*I Mina'trentai Sais Na Liheslaturan Guåhan* • 36<sup>th</sup> Guam Legislature

### COMMITTEE VOTE SHEET

**Bill No. 239-36 (COR), As amended by the Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning – Telo T. Taitague, Joanne Brown, Therese M. Terlaje, Sabina Flores Perez - “AN ACT TO ADD A NEW § 76206 TO CHAPTER 70 OF DIVISION 3, TITLE 11, GUAM CODE ANNOTATED, AND TO ADD A NEW § 13510 TO ARTICLE 5 OF CHAPTER 13, TITLE 19, GUAM CODE ANNOTATED, RELATIVE TO BUSINESS LICENSE REQUIREMENTS FOR ENTITIES ENGAGING IN CHILD PLACEMENT SERVICES.”**

COMMITTEE MEMBERS	SIGNATURE AND DATE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
<b>SENATOR SABINA FLORES PEREZ</b> Chairperson	 03/15/2022	✓				
<b>SENATOR THERESE M. TERLAJE</b> Vice Chairperson	E-Vote 03/15/2022			✓		
<b>VICE SPEAKER TINA ROSE MUÑA BARNES</b> Member						
<b>SENATOR TELENA CRUZ NELSON</b> Member						
<b>SENATOR JOE S. SAN AGUSTIN</b> Member						
<b>SENATOR TELO T. TAITAGUE</b> Member	E-Vote 03/15/2022	✓				
<b>SENATOR JAMES C. MOYLAN</b> Member	E-Vote 03/15/2022			✓		



Evan San Nicolas &lt;evan@senatorperez.org&gt;

**Request for E-VOTE: ABill No. 239-36 (COR)**

4 messages

**Evan San Nicolas** <evan@senatorperez.org>

Tue, Mar 15, 2022 at 12:57 PM

To: Senator Therese Terlaje <senatorterlajegum@gmail.com>, Vice Speaker Tina Rose Muña Barnes <senatormunabarnes@guamlegislature.org>, Office of Senator Telen Cruz Nelson <senatortcnelson@guamlegislature.org>, "Joe S. San Agustin" <senatorjoessanagustin@gmail.com>, Senator Telo Taitague <senatortelot@gmail.com>, Office of Senator Moylan Guam Legislature <officeofsenatormoylan@guamlegislature.org>  
Cc: Sabina Perez <sabina@senatorperez.org>

*Håfa Adai* Committee Members,

Please see attached Committee Report for **Bill No. 239-36 (COR)**, as amended by the Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research and Planning - **AN ACT TO ADD A NEW § 76206 TO CHAPTER 70 OF DIVISION 3, TITLE 11, GUAM CODE ANNOTATED, AND TO ADD A NEW § 13510 TO ARTICLE 5 OF CHAPTER 13, TITLE 19, GUAM CODE ANNOTATED, RELATIVE TO BUSINESS LICENSE REQUIREMENTS FOR ENTITIES ENGAGING IN CHILD PLACEMENT SERVICES**

Please indicate your preferred action, based on the following options:

- To Do Pass;
- To Not Pass;
- To Report Out Only;
- To Abstain; or
- To Place in Inactive File.

Please submit your response as soon as possible. Your responses will be logged into the Committee Report Vote Sheet for ABill No. 239-36 (COR), as amended by the Committee, which will be filed with the Committee on Rules.

--

*Si Yu'os Ma'åse',***Evan C. San Nicolas**  
**Committee Director**

Office of Senator Sabina Flores Perez  
36th Guam Legislature • *I Mina'Trentai Seis na Liheslaturan Guåhan*  
Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics,  
Research, and Planning

Tel: (671) 989-2968

Location: 194 Hernan Cortes Ave. Terlaje Professional Bldg. Suite 101 1st Floor Hagåtña,  
Guam 96910Email: [evan@senatorperez.org](mailto:evan@senatorperez.org)Website: [www.senatorperez.org](http://www.senatorperez.org)Facebook: [Senator Sabina Flores Perez](#)**ABill No. 239-36 (COR) - Committee Report.pdf**

11768K

**Office of Senator Moylan Guam Legislature**  
<officeofsenatormoylan@guamlegislature.org>  
To: Evan San Nicolas <evan@senatorperez.org>

Tue, Mar 15, 2022 at 1:01 PM

To report out only.

SYM.

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Office of Senator James "Jim" C. Moylan  
*I Mina'trentai Sais na Liheslaturan Guåhan*  
36th Guam Legislature  
DNA Bldg. Ste. 407 | [238 Archbishop FC Flores St. | Hagatna, GU 96910](#)  
T: (671) 922/979 - MORE (6673)

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**Speaker Therese M. Terlaje** <senatorterlajeguam@gmail.com>  
To: Evan San Nicolas <evan@senatorperez.org>  
Cc: Sabina Perez <sabina@senatorperez.org>

Tue, Mar 15, 2022 at 1:31 PM

Hafa adai,

To Report Out Only.

Thank you,  
TMT

**Office of Speaker Therese M. Terlaje**  
Committee on Health, Land, Justice and Culture  
*I Mina'trentai Sais na Liheslaturan Guåhan*  
36th Guam Legislature  
Guam Congress Building, [163 Chalan Santo Papa](#), Hagåtña, Guam 96910  
T: (671) 472-3586 F: (671) 989-3590 Email: [senatorterlajeguam@gmail.com](mailto:senatorterlajeguam@gmail.com)  
website: [www.senatorterlaje.com](http://www.senatorterlaje.com)

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**Senator Telo Taitague** <senatortelot@gmail.com>  
To: Evan San Nicolas <evan@senatorperez.org>

Tue, Mar 15, 2022 at 2:34 PM

To do pass

Sent from my iPhone

On Mar 15, 2022, at 12:58 PM, Evan San Nicolas <[evan@senatorperez.org](mailto:evan@senatorperez.org)> wrote:



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