

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)<br>As amended by the Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning; and further amended on the Floor. | Telo T. Taitague<br>Joanne Brown<br>Therese M. Terlaje<br>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<br>10:42 a.m. | 1/21/22       | Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning | 2/9/22<br>9:00 a.m. | 3/18/22<br>1:44 p.m.<br><br>As amended by the Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning | 1/12/22      |       |
|   | SESSION DATE  | TITLE   | DATE PASSED          | TRANSMITTED   | DUE DATE   | VETOED              | NOTES  |              |       |
|   | 3/25/22   | AN ACT TO ADD A NEW § 76206 TO ARTICLE 2 OF CHAPTER 76, 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. | 4/1/22               | 4/1/22        | 4/13/22  | 4/11/22             | Received: 4/12/22<br>Mess and Comm. Doc. No.<br>36GL-22-1911   |              |       |

LOURDES A. LEON GUERRERO  
GOVERNOR



JOSHUA F. TENORIO  
LT. GOVERNOR

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

April 11, 2022

Doc Type:

36GL-22-1911

OFFICE OF THE SPEAKER  
THERESE M. TERLAJE

**HONORABLE THERESE M. TERLAJE, Speaker**

*I Mina'trentai Sais Na Liheslaturan Guāhan*

36<sup>th</sup> Guam Legislature

Guam Congress Building

163 Chalan Santo Papa

Hagåtña, Guam 96910

04-12-2022

Time: 11:31 a.m.

Received: [Signature]

**Re: BILL NO. 239-36 (COR) – AN ACT TO ADD A NEW § 76206 TO ARTICLE 2 OF CHAPTER 76, 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 REPLACEMENT SERVICES**

*Hafa Adai Madame Speaker,*

There is nothing more important to my Administration than protecting our children. I prioritized operations for Child Protective Services early in my term. I also created a new Division of Children's Wellness to expand child care services, and signed a recent measure to license all child placement agencies in Guam. Collectively, these measures work toward a common goal: that every child in Guam may live in a loving, permanent household. Bill No. 239-36, however, does not aid in this effort.

The operative language of Bill No. 239-36 does not impose any requirement on a prospective adoption agency that does not already exist in Guam law. Under existing law, before the Department of Revenue and Taxation ("DRT") can issue a business license to a business subject to Department of Public Health and Social Services ("DPHSS") regulation, that business must provide proof to DRT that DPHSS has approved their license.

Despite the Sponsor touting the support of the DPHSS and the DRT during the bill's deliberation, **neither agency has supported this amended version.**

Bill No. 239-36 does not improve the adoption process or protect the children of Guam, and it is hereby **vetoed.**

*Sensereamente,*

**LOURDES A. LEON GUERRERO**

*Maga'hāgan Guāhan*

Governor of Guam

COMMITTEE ON RULES

RECEIVED:

April 13, 2022

9:46 A.M.


Enclosure(s): Vetoed Bill No. 239-36 (COR)

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

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

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

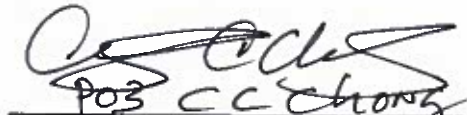
This is to certify that **Bill No. 239-36 (COR), "AN ACT TO ADD A NEW § 76206 TO ARTICLE 2 OF CHAPTER 76, DIVISION 3, TITLE 11, GUAM CODE ANNOTATED; AND TO ADD A NEW § 13510 TO ARTICLE 5 OF CHAPTER 13, TITLE 19, GUAM CODE ANNOTATED, RELATIVE TO BUSINESS LICENSE REQUIREMENTS FOR ENTITIES ENGAGING IN CHILD PLACEMENT SERVICES,"** was on the 1<sup>st</sup> day of April 2022, duly and regularly passed.

  
**Therese M. Terlaje**  
**Speaker**

Attested:

  
**Amanda L. Shelton**  
**Legislative Secretary**

This Act was received by *I Maga'hågan Guåhan* this 1 day of April,  
2022, at 9:39 o'clock P.M.

  
**Assistant Staff Officer**  
***Maga'håga's Office***

APPROVED:

\_\_\_\_\_  
**Lourdes A. Leon Guerrero**  
***I Maga'hågan Guåhan***

Date: 4/1/2022

Public Law No. \_\_\_\_\_

2022-16190  
RCUD AT CENTRAL FILES  
APR 4 '22 AMB:57

**Evelyn Fejeran**

***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; and further amended on the Floor.

Introduced by:

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

**AN ACT TO *ADD* A NEW § 76206 TO ARTICLE 2 OF  
CHAPTER 76, 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 linked to local or international  
criminal enterprises, including human trafficking schemes, could position

1 themselves to apply for and successfully obtain a child adoption service business  
2 license from the Department of Revenue and Taxation.

3 It is, therefore, the intent of *I Liheslaturan Guåhan* to protect against such  
4 criminal activity by requiring the Department of Revenue and Taxation to require  
5 each applicant, prior to the issuance of a business license and/or establishment of a  
6 Gross Receipts Tax or Employer Identification Number, to obtain an endorsement  
7 from the Department of Public Health and Social Services to place or arrange for the  
8 placement of a child in a proposed adoptive home.

9 **Section 2.** A new § 76206 is *added* to Article 2 of Chapter 76, Division 3,  
10 Title 11, Guam Code Annotated, to read:

11 **“§ 76206. Businesses Engaged in Child Placement Services.**

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

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

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

26 **“§ 13510. Business License Endorsement.**

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

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