

**I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN**

**2021 (FIRST) Regular Session**

**VOTING RECORD**

NAME	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
	<b>Bill No. 179-36 (LS)</b> As amended by the Committee on Health, Land, Justice and Culture; and substituted on the Floor.	<b>Speaker Antonio R. Unpingco Legislative Session Hall Guam Congress Building December 15, 2021</b>				
Senator V. Anthony Ada	✓					
Senator Frank Blas Jr.	✓					
Senator Joanne Brown	✓					
Senator Christopher M. Dueñas	✓					
Senator James C. Moylan	✓					
Vice Speaker Tina Rose Muña Barnes					✓	✓
Senator Telen Cruz Nelson		I ✓				
Senator Sabina Flores Perez	✓					
Senator Clynton E. Ridgell		✓				
Senator Joe S. San Agustin		I ✓				
Senator Amanda L. Shelton		✓				
Senator Telo T. Taitague	✓					
Senator Jose "Pedo" Terlaje					✓	✓
Speaker Therese M. Terlaje	✓					
Senator Mary Camacho Torres		✓				

**TOTAL**

**8**

**5**

**2**

**2**

Aye

Nay

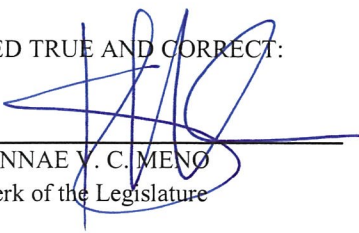
Not  
Voting/  
Abstained

Out  
During  
Roll Call

Absent

Excused

CERTIFIED TRUE AND CORRECT:

  
RENNAE V. C. MENO  
Clerk of the Legislature

I = Pass

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**2021 (FIRST) Regular Session**

**Bill No. 179-36 (LS)**

As amended by the Committee on Health, Land,  
Justice, and Culture; and substituted on the Floor.

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Introduced by:

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

**AN ACT TO ADD NEW §§ 13510 AND 13503(h) TO  
ARTICLE 5 OF CHAPTER 13, TITLE 19, GUAM CODE  
ANNOTATED, RELATIVE TO REQUIRING RULES AND  
REGULATIONS FOR THE LICENSURE OF ADOPTION  
AGENCIES, AND TO ADD THE DEFINITION OF AN  
ADOPTION AGENCY.**

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

2           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that Guam remains without a set of rules and regulations for licensing independent  
4 adoption organizations. The idea of establishing such rules and regulations prior to  
5 authorizing an independent adoption agency to operate as a legitimate business in  
6 Guam is basic and should not be a matter of controversy. Without rules and  
7 regulations in place, our children may be susceptible to criminal activity to include  
8 human trafficking.

9           In cautioning *I Liheslatura* against involving independent adoption agencies  
10 in the DPHSS Bureau of Social Services Administration's process for finding homes  
11 for children without rules and regulations, an editorial published by a local media

1 organization on July 5, 2021, further warned that “As it stands, anyone can open an  
2 adoption agency, that opens the door wide for fraud and abuse. What’s to keep the  
3 unscrupulous from taking advantage of the lack of regulations for adoption agencies.  
4 Following the Haiti earthquake in 2010, 47 children were adopted. It was discovered  
5 the children weren’t orphans, and those who ‘found’ them were child traffickers.”

6 It is, therefore, the intent of *I Liheslaturan Guåhan* to compel the timely  
7 adoption of rules and regulations, including interim policies as may be necessary,  
8 for the licensure of independent adoption agencies.

9 **Section 2.** A new § 13510 is *added* to Article 5 of Chapter 13, Title 19,  
10 Guam Code Annotated, to read:

11 **“§ 13510. Adoption Agency Licensure Requirement.**

12 Subject to the Administrative Adjudication Law, the Department of  
13 Public Health and Social Services (DPHSS) shall promulgate, adopt, amend,  
14 or repeal rules and regulations governing adoption agency licensure pursuant  
15 to this Section. Notwithstanding any other provision of law, or rule or  
16 regulation, effective June 1, 2022, each adoption agency shall be required to  
17 be licensed by DPHSS in accordance with DPHSS rules and regulations to  
18 ensure the health, safety, and welfare of its clients.

19 In the interim, DPHSS shall promulgate interim rules and regulations  
20 governing adoption agency licensure which shall be exempt from the  
21 provisions of the Administrative Adjudication Law; provided, that: (1)  
22 DPHSS shall conduct a public hearing on such proposed rules and regulations;  
23 and (2) such rules and regulations shall be transmitted to the Speaker of *I*  
24 *Liheslaturan Guåhan* for publication on *I Liheslaturan Guåhan*’s website no  
25 less than thirty (30) calendar days prior to becoming effective. The interim  
26 rules and regulations shall remain in effect until June 1, 2022 or upon the

1 promulgation and adoption of rules and regulations pursuant to the  
2 Administrative Adjudication Law, whichever is sooner.”

3 **Section 3.** A new § 13503(h) is *added* to Article 5 of Chapter 13, Title 19,  
4 Guam Code Annotated, to read:

5 “(h) *Adoption agency* means a private, public, or non-profit child  
6 placement entity licensed by the Department of Public Health and Social  
7 Services and the laws of Guam to place or arrange for the placement of a child  
8 in a proposed adoptive home.”

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