

I Mina'Trentai Tres Na Liheslaturan Received
Bill Log Sheet

| BILL NO. | SPONSOR | TITLE | DATE INTRODUCED | DATE REFERRED | CMTE REFERRED | PUBLIC HEARING DATE | DATE COMMITTEE REPORT FILED | FISCAL NOTES |
|---------------------|---|--|----------------------------------|---------------|---|---|-----------------------------|---|
| 168-33 (COR) | FRANK B. AGUON, JR. Dennis G. Rodriguez, Jr. | AN ACT TO ADD A NEW SUBSECTION (q) TO § 3218, AMEND SUBSECTIONS (f) AND (g) OF § 3218.1, AND ADD A NEW SUBSECTION (h) TO § 3218.1, ALL OF ARTICLE 2, CHAPTER 3, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE PENALTIES FOR NON-COMPLIANCE AND ADDING REPORTING MECHANISMS TO BETTER ENSURE ENFORCEMENT. | 08/31/15 10:42 a.m. | 09/02/15 | Committee on Health, Economic Development, Homeland Security, and Senior Citizens | 09/11/15 9:00 a.m. | 06/22/16 2:56 p.m. | Fiscal Note Request 09/02/15 Fiscal Note Waiver 06/27/16 |
| | DATE PASSED | TITLE | DATE AND TIME TRANSMITTED | | DUE DATE | <small>DATE SIGNED BY</small> <i>I MAGA'L.Ā HEN GU.Ā HAN</i> | PUBLIC LAW NO. | NOTES |
| | 12/02/16 | AN ACT TO ADD NEW ITEMS (5) THROUGH (11) TO SUBSECTION (a) OF § 3208 AND TO AMEND SUBSECTIONS (a), (c), (e), (k), AND (m) OF § 3218, ALL OF ARTICLE 2, CHAPTER 3, TITLE 10, GUAM CODE ANNOTATED; AND TO ADD A NEW § 55.65 TO CHAPTER 55 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE PENALTIES FOR ABORTION REPORTING NON-COMPLIANCE BY ADDING MECHANISMS TO BETTER ENSURE ENFORCEMENT. | 12/05/16 | 4:50 p.m. | 12/16/16 | | | |



FILE COPY

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
THIRTY THIRD GUAM LEGISLATURE
155 Hesler Place, Hagåtña, Guam 96910

December 5, 2016

The Honorable Edward J.B. Calvo
I Maga'låhen Guåhan
Ufisinan I Maga'låhi
Hagåtña, Guam

Dear *Maga'låhi* Calvo:

Transmitted herewith are Bill Nos. 201-33 (COR), 224-33 (COR), 285-33 (COR), 317-33 (COR), 335-33 (COR), 343-33 (COR), 344-33 (COR), 347-33 (COR), 348-33 (COR), 354-33 (COR), 360-33 (COR), 361-33 (COR), 362-33 (COR), 365-33 (COR), 369-33 (COR), 370-33 (COR), 371-33 (COR), 373-33 (COR), 374-33 (COR), 375-33 (COR), 378-33 (COR), 384-33 (COR), 386-33 (COR), 387-33 (COR), 393-33 (COR), 394-33 (COR), and 400-33 (COR); and Substitute Bill Nos. 168-33 (COR), 187-33 (COR), 221-33 (COR), 351-33 (COR), and 367-33 (COR), which were passed by *I Mina'Trentai Tres Na Liheslaturan Guåhan* on December 2, 2016.

Sincerely,

TINA ROSE MUÑA BARNES
Legislative Secretary

Enclosure (32)

OFFICE OF THE GOVERNOR
CENTRAL FILES

RECEIVED BY
TIME 4:50 PM DATE 12-5-16

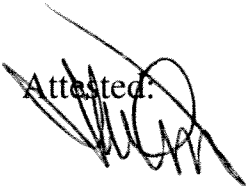
I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2016 (SECOND) Regular Session

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

This is to certify that Substitute Bill No. 168-33 (COR), "AN ACT TO ADD NEW ITEMS (5) THROUGH (11) TO SUBSECTION (a) OF § 3208 AND TO AMEND SUBSECTIONS (a), (c), (e), (k), AND (m) OF § 3218, ALL OF ARTICLE 2, CHAPTER 3, TITLE 10, GUAM CODE ANNOTATED; AND TO ADD A NEW § 55.65 TO CHAPTER 55 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE PENALTIES FOR ABORTION REPORTING NON-COMPLIANCE BY ADDING MECHANISMS TO BETTER ENSURE ENFORCEMENT," was on the 2nd day of December 2016, duly and regularly passed.

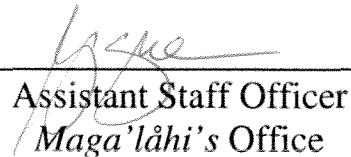


Judith T. Won Pat, Ed.D.
Speaker

Attested:


Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'låhen Guåhan* this 17th day of Dec,
2016, at 4:50 o'clock P.M.


Assistant Staff Officer
Maga'låhi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'låhen Guåhan

Date: _____

Public Law No. _____

OFFICE OF THE GOVERNOR
CENTRAL FILES

RECEIVED BY
TIME 4:50 PM DATE 12.5.16

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2015 (FIRST) Regular Session

Bill No. 168-33 (COR)

As substituted by the Sponsor.

Introduced by:

FRANK B. AGUON, JR.

Dennis G. Rodriguez, Jr.

T. C. Ada

V. Anthony Ada

Frank F. Blas, Jr.

B. J.F. Cruz

James V. Espaldon

Brant T. McCreadie

Tommy Morrison

T. R. Muña Barnes

R. J. Respicio

Michael F.Q. San Nicolas

Mary Camacho Torres

N. B. Underwood, Ph.D.

Judith T. Won Pat, Ed.D.

AN ACT TO ADD NEW ITEMS (5) THROUGH (11) TO SUBSECTION (a) OF § 3208 AND TO AMEND SUBSECTIONS (a), (c), (e), (k), AND (m) OF § 3218, ALL OF ARTICLE 2, CHAPTER 3, TITLE 10, GUAM CODE ANNOTATED; AND TO ADD A NEW § 55.65 TO CHAPTER 55 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO INCREASING THE PENALTIES FOR ABORTION REPORTING NON-COMPLIANCE BY ADDING MECHANISMS TO BETTER ENSURE ENFORCEMENT.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds

3 that certain abortion providers have failed to file a complete individual abortion

1 report for each abortion with the Territorial Registrar of Vital Statistics pursuant to
2 § 3218 of Article 2, Chapter 3, Title 10, Guam Code Annotated.

3 *I Liheslaturan Guåhan* further finds that this Act, which increases the penalty
4 for those abortion providers who knowingly fail to file a complete individual
5 abortion report for each abortion with the Territorial Registrar of Vital Statistics by
6 adding a new § 55.65 to Chapter 55, Title 9, Guam Code Annotated, will increase
7 compliance with 10 GCA § 3218.

8 Therefore, it is the intent of *I Liheslaturan Guåhan* to add new Items (5)
9 through (11) to Subsection (a) of § 3208, and to amend Subsections (a), (c), (e), (k),
10 and (m) of § 3218, all of Article 2 of Chapter 3, Title 10, Guam Code Annotated;
11 and to add a new § 55.65 to Chapter 55 of Title 9, Guam Code Annotated, relative
12 to increasing penalties for non-compliance by adding reporting mechanisms to better
13 ensure enforcement.

14 **Section 2.** New Items (5) through (11) are *added* to § 3208 (a) of Article 2
15 of Chapter 3, Title 10, Guam Code Annotated, to read:

16 “(5) Prepare, provide, and distribute forms to physicians as required
17 by §§ 3218 and 3218.1 of this Article.

18 (6) Ensure the completeness of all forms filed with the Territorial
19 Registrar of Vital Statistics pursuant to §§ 3218 and 3218.1 of this Article.

20 (7) Reject incomplete forms filed with the Territorial Registrar of
21 Vital Statistics pursuant to §§ 3218 and 3218.1 of this Article.

22 (8) Give prompt notice to the filer of the rejection of an incomplete
23 form filed with the Territorial Registrar of Vital Statistics pursuant to §§ 3218
24 and 3218.1 of this Article that failure to file a completed form within seven
25 (7) days will be deemed a failure to file. The notice *shall* advise the filer of
26 the penalties for failure to file.

1 (9) Promptly report to the Attorney General of Guam any violations
2 of §§ 3218 and 3218.1 of this Article.

3 (10) Promptly report to the Guam Board of Medical Examiners any
4 violations of §§ 3218 and 3218.1 of this Article.

5 (11) On the first day of each month publish a report of the activities
6 of § 3218 of this Article.”

7 **Section 3.** Subsection (a) of § 3218 of Article 2, Chapter 3, Title 10, Guam
8 Code Annotated, is hereby *amended* to read as follows:

9 “(a) A complete individual abortion report for each abortion *shall* be
10 completed under penalty of perjury on a form provided by the Territorial
11 Registrar of Vital Statistics by the mother's attending physician, and *shall* be
12 filed forthwith with the Territorial Registrar of Vital Statistics. The report
13 *shall* be confidential and it *shall not* contain the name of the mother involved.

14 This report *shall* include:

- 15 (1) patient number;
- 16 (2) name and address of the abortion facility or hospital;
- 17 (3) date of the abortion;
- 18 (4) zip code or other residential identification of the pregnant
19 woman;
- 20 (5) age of the pregnant woman;
- 21 (6) ethnic origin of the pregnant woman;
- 22 (7) marital status of the pregnant woman;
- 23 (8) number of previous pregnancies;
- 24 (9) number of years of education of the pregnant woman;
- 25 (10) number of living children;
- 26 (11) number of previous induced abortions;
- 27 (12) date of the last induced abortion;

- 1 (13) date of the last live birth;
- 2 (14) method of contraception used, if any, at the time of
- 3 conception;
- 4 (15) date of the beginning of the last menstrual period;
- 5 (16) medical condition of the pregnant woman at the time of
- 6 abortion;
- 7 (17) RH type of the pregnant woman;
- 8 (18) type of abortion procedure used;
- 9 (19) complications, if any;
- 10 (20) type of procedure done after the abortion;
- 11 (21) type of family planning recommended;
- 12 (22) type of additional counseling given, if any;
- 13 (23) signature of attending physician;
- 14 (24) certification provided for in this Section; and
- 15 (25) gestational age, as measured in weeks, of the unborn child
- 16 terminated by the abortion.”

17 **Section 4.** Subsection (c) of § 3218 of Article 2, Chapter 3, Title 10, Guam
18 Code Annotated, is hereby *amended* to read as follows:

19 “(c) All abortion reports *shall* be signed by the attending physician
20 under penalty of perjury and *shall* be filed with the Territorial Registrar of
21 Vital Statistics within seven (7) days from the date of the abortion. All
22 complication reports *shall* be signed by the physician providing the post-
23 abortion care under penalty of perjury and filed with the Territorial Registrar
24 of Vital Statistics within seven (7) days from the date of the post-abortion
25 care.”

26 **Section 5.** Subsection (e) of § 3218 of Article 2, Chapter 3, Title 10, Guam
27 Code Annotated, is hereby *amended* to read as follows:

1 “(e) The Territorial Registrar of Vital Statistics *shall* collect and
2 annually publish a statistical report based on such data from abortions
3 performed in the previous calendar year.”

4 **Section 6.** Subsection (k) of § 3218 of Article 2, Chapter 3, Title 10, Guam
5 Code Annotated, is hereby *amended* to read as follows:

6 “(k) Failure to file a complete individual abortion report for each
7 abortion with the Territorial Registrar of Vital Statistics within seven (7) days
8 from the date of the abortion is a misdemeanor, pursuant to § 55.65 of Chapter
9 55, Title 9, Guam Code Annotated.”

10 **Section 7.** Subsection (m) of § 3218 of Article 2, Chapter 3, Title 10, Guam
11 Code Annotated, is hereby *amended* to read as follows:

12 “(m) The Territorial Registrar of Vital Statistics *shall* receive,
13 ascertain the completeness of, compile, and retain all partial-birth abortion
14 reports filed with her under this Section, and collate and evaluate all data
15 gathered therefrom, and *shall* annually publish a statistical report based on
16 such data from partial-birth abortions performed in the previous calendar year
17 *no later than* January 31st of the following calendar year.”

18 **Section 8.** A new § 55.65 is *added* to Chapter 55 of Title 9, Guam Code
19 Annotated, to read:

20 “**§ 55.65. Failure to File a Complete Partial-Birth Abortion and**
21 **Abortion Report.** A person commits a misdemeanor who knowingly fails to
22 file a complete individual abortion report for each abortion with the Territorial
23 Registrar of Vital Statistics within seven (7) days from the date of the
24 abortion.”