

P.L. NO. 20-133

Section 8. Two Hundred Thousand Dollars (\$200,000) are appropriated from the General Fund to the Department of Land Management for the surveying, mapping, and engineering of the Umatac Subdivision Expansion Project.

PUBLIC LAW NO. 20-134

Bill No. 848 (COR) Introduced by: E.P. Arriola
Date Became Law: Mar. 19, 1990 T.S. Nelson
Governor's Action: Approved

AN ACT TO REPEAL AND REENACT §31.20 OF TITLE 9, GUAM CODE ANNOTATED, TO REPEAL §§31.21 AND 31.22 THEREOF, TO ADD §31.23 THERETO, TO REPEAL SUBSECTION 14 OF SECTION 3107 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ABORTIONS, AND TO CONDUCT A REFERENDUM THEREON.

- Section 1 ... Legislative findings relative to the protection of unborn children of Guam.
- Section 2 ... R/R 9GCA §31.20, abortion.
- Section 3 ... R/R 9GCA §31.21, administering drug or employing as cause of abortion.
- Section 4 ... R/R 9GCA §31.22, soliciting and taking drug or submitting drug or submitting to an attempt to cause an abortion.
- Section 5 ... Added 9GCA §31.23, soliciting to submit to operation, etc., to cause an abortion.
- Section 6 ... Repeals 10GCA §3107(14).
- Section 7(a). There shall be an Abortion Referendum on November 6, 1990.
- (b). Appropriations to the Election Commission is authorized.

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

Section 1. Legislative findings. The Legislature finds that for purposes of this Act life of every human being begins at conception, and that unborn children have protectible interests in life, health, and well-being. The purpose of this Act is to protect the unborn children of Guam. As used in this declaration of findings the term

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"unborn children" includes any and all unborn offspring of human beings from the moment of conception until birth at every stage of biological development.

Section 2. §31.20 of Title 9, Guam Code Annotated, is repealed and reenacted to read:

"§31.20. **Abortion: defined.** Abortion means the purposeful termination of a human pregnancy after implantation of a fertilized ovum by any person including the pregnant woman herself with an intention other than to produce a live birth or to remove a dead unborn fetus. "Abortion" does not mean the medical intervention in (i) an ectopic pregnancy, or (ii) in a pregnancy at any time after the commencement of pregnancy if two (2) physicians who practice independently of each other reasonably determine using all available means that there is a substantial risk that continuance of the pregnancy would endanger the life of the mother or would gravely impair the health of the mother, any such termination of pregnancy to be subsequently reviewed by a peer review committee designated by the Guam Medical Licensure Board, and in either case such an operation is performed by a physician licensed to practice medicine in Guam or by a physician practicing medicine in the employ of the government of the United States, in an adequately equipped medical clinic or in a hospital approved or operated by the government of the United States or of Guam."

Section 3. §31.21 of Title 9, Guam Code Annotated, is repealed and reenacted to read:

"§31.21. Providing or administering drug or employing means to cause an abortion. Every person who provides, supplies, or administers to any woman, or procures any woman to take any medicine, drug, or substance, or uses or employs any instrument or other means whatever, with intent thereby to cause an abortion of such woman as defined in §31.20 of this Title is guilty of a third degree felony. In addition, if such person is a licensed physician, the Guam Medical Licensure Board shall take appropriate disciplinary action."

Section 4. §31.22 of Title 9, Guam Code Annotated, is repealed and reenacted to read:

"§31.22. Soliciting and taking drug or submitting to an attempt to cause an abortion. Every woman who solicits of any person any medicine, drug, or substance whatever, and takes the same, or who submits to any operation, or to the use of any means whatever with intent thereby to cause an abortion as defined in §31.20 of this Title is guilty of a misdemeanor."

Section 5. A new §31.23 is added to Title 9, Guam Code Annotated, to read:

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"§31.23. Soliciting to submit to operation, etc., to cause an abortion. Every person who solicits any woman to submit to any operation, or to the use of any means whatever, to cause an abortion as defined in §31.20 of this Title is guilty of a misdemeanor."

Section 6. Subsection 14 of Section 3107, Title 10, Guam Code Annotated, is repealed.

Section 7. Abortion referendum. (a) There shall be submitted at the island-wide general election to be held on November 6, 1990, the following question for determination by the qualified voters of Guam, the question to appear on the ballot in English and Chamorro:

"Shall that public law derived from Bill 848, Twentieth Guam Legislature (P.L. 20-__), which outlawed abortion except in the cases of pregnancies threatening the life of the mother be repealed?

In the event a majority of those voting vote "Yes", such public law shall be repealed in its entirety as of December 1, 1990.

(b) There is hereby authorized to be appropriated to the Election Commission (the "Commission") sufficient funds to carry out the referendum described in this Section 7, including but not limited to the cost of printing the ballot and tabulating the results. In preparing the ballot, the Commission shall include in the question the number of the relevant public law.

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Bill No. 896 (LS)
Date Became Law: Mar 20, 1990
Governor's Action: Approved

Introduced by: P.C. Lujan
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AN ACT TO AMEND SECTION 73111 OF
CHAPTER 73, TITLE 10, GUAM CODE
ANNOTATED, RELATIVE TO FIRE
PREVENTION.