Section 1. Legislative findings. Notwithstanding that abortion has been judicially imposed on the Territory of Guam and is, as shown infra, contra to the announced public policy of the island, the Governor has announced that she is attempting to recruit or entice an abortionist to relocate to Guam.

Even though recruitment of an off island abortionist is ultra vires her authority under the organic statute of her post, the Governor has tasked the Director of the Bureau Women’s Affairs, Jane Flores, to procure an abortionist. Flores has announced she will have a “closed door meeting” with DPHSS officials to pursue the issue and left open the possibility that the abortionist might be a government employee. Flores said that she is going to contact scandal-ridden Planned Parenthood. While procuring an abortionist from off island may be part of the Governor’s personal agenda, she has no legislative mandate to do so.

This august body spoke out loud and clear in PL 20-134 in March of 1990 that abortion is contrary to the public policy of Guam. Bill 848 which was sponsored by Senators Nelson and Arriola and signed into law by Governor Ada makes that abundantly clear. Here’s § 1 of the PL 20-134:

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

Although the 9th Circuit ruling in Guam Society of Obstetricians & Gynecologists, et al. v. Ada, Governor of Guam found it unconstitutional, this body has never repealed the provisions of PL 20-134 thus it remains as a compelling statement of the public policy of the island.

Because of the actions of the Governor, it is necessary to remind her of the public policy of the island and interdict the use of public resources or funds to procure an abortionist from off island. The premier OB/GYN on island said it best in the June 12 Post, “Dr. Thomas Shieh said he would like to see
Adelup working to recruit other doctors – those who "do procedures that will help us save lives – pediatric surgeons, more interventional cardiologists, rheumatologists, etc."

Section 2. 4 GCA § 14104 (f) 'Procuring an abortionist' shall mean the use of any officer or employee of any resource of the government or any public funds to advertise for, recruit, employ or contract with an abortionist to relocate from off island to Guam to act as such.

Section 3. 4 GCA § 14105.1 No department, agency or officer of this Territory shall pay or approve for payment from public funds any amount or amounts for procuring an abortionist.

Section 4. 5 GCA §1802 (f) To be responsible for closely monitoring issues relating to illegal attempts to procure an abortionist and to advise the Governor and the Legislature of such attempts.

Section 5. 9 GCA § 31.23 Illegal Procurement of Abortionist Punished. Any person violating 4 GCA § 14105.1 shall be guilty of a misdemeanor.