

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
135-36 (COR)	Clynton E. Ridgell Tina Rose Muña Barnes Joe S. San Agustin Jose “Pedo” Terlaje Amanda L. Shelton V. Anthony Ada Telo T. Taitague	AN ACT TO <i>AMEND</i> §§ 34102 AND 34116, BOTH OF ARTICLE 1, CHAPTER 34, TITLE 10, GUAM CODE ANNOTATED, TO <i>AMEND</i> §121903(c) OF ARTICLE 19, CHAPTER 12, TITLE 10, GUAM CODE ANNOTATED, AND TO <i>AMEND</i> §§ 3106(e) AND (f), BOTH OF ARTICLE 1, CHAPTER 3, TITLE 9, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO UPDATING FEES, IMPOUNDMENT, SPAY/NEUTER VET REQUIREMENTS, PET LICENSURE REQUIREMENTS, AND MANDATING MICROCHIPS FOR LICENSED PETS, ALL AS PART OF A COMPREHENSIVE STRAY PET CONTROL PROGRAM.	5/6/21 4:07 p.m.						

**MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN**  
**2021 (FIRST) Regular Session**

**Bill No. 135-36 (COR)**

Introduced by:

Clynton E. Ridgell  
Tina Rose Muña Barnes  
Joe S. San Agustin  
Jose "Pedro" Terlate  
Amanda L. Shelton  
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AN ACT TO *AMEND* §§ 34102 AND 34116, BOTH OF ARTICLE 1, CHAPTER 34, TITLE 10, GUAM CODE ANNOTATED, TO *AMEND* §121903(c) OF ARTICLE 19, CHAPTER 12, TITLE 10, GUAM CODE ANNOTATED, AND TO *AMEND* §§ 3106(e) AND (f), BOTH OF ARTICLE 1, CHAPTER 3, TITLE 9, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO UPDATING FEES, IMPOUNDMENT, SPAY/NEUTER VET REQUIREMENTS, PET LICENSURE REQUIREMENTS, AND MANDATING MICROCHIPS FOR LICENSED PETS, ALL AS PART OF A COMPREHENSIVE STRAY PET CONTROL PROGRAM.

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

**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that the feral population of animals pose threats to public health and safety. Guam's feral dog and cat population has been a grave, long-standing concern, and it is important for the well-being of the community to control the population of feral dogs

1 and cats to prevent nuisances, the spread of diseases, and minimize the threat to  
2 public safety caused by these animals.

3 *I Liheslaturan Guåhan* further finds that there are many benefits to pet  
4 licensure laws, such as assisting in finding lost pets, differentiating pets from feral  
5 animals, and allows the consistent monitoring of pets in order to ensure proper health  
6 and to prevent the spread of diseases. All these reasons prompted the original  
7 implementation of pet licensing in Guam; however, the Department of Agriculture  
8 (Department), which is responsible for enforcement, is in critical need of resources  
9 to fulfill their mandated obligation to address the need for controlling these animals.  
10 Updating the fees for pet licensing and violations of existing rules and regulations  
11 will provide the Department with access to much needed revenues and resources for  
12 the roundup of feral cats and dogs, the spaying and neutering of these animals to  
13 prevent further population growth, the assessment and euthanizing of animals that  
14 are dangerous to the community, and the identification of animals that are safe for  
15 adoption.

16 It is, therefore, the intent of *I Liheslaturan Guåhan* to update the pet licensing  
17 requirements to assist pet owners with locating lost pets, to provide resources to the  
18 Department for its implementation of its Control and Licensing of Pets Program, and  
19 to address the stray animal population in Guam for the health and safety of our island  
20 community.

21 **Section 2.** § 34102 of Article 1, Chapter 34, Title 10, Guam Code  
22 Annotated, is hereby *amended* to read:

23 **“§ 34102. Pet License Required.**

24 No person shall own a pet unless it is registered and licensed with the  
25 Department of Agriculture, implanted with a pet identifier microchip that shall be  
26 registered with a pet registry or controlled database and wearing a license tag as  
27 provided by this Article. This shall not apply to pets under the age of three (3)

1 months, pets in quarantine or pets brought into Guam for a temporary term not to  
2 exceed one (1) month for the exclusive purpose of entering such pets in a show or  
3 exhibition.”

4 **Section 3.** § 34116 of Article 1, Chapter 34, Title 10, Guam Code Annotated  
5 is hereby *amended* to read:

6 **“§ 34116. Dog Running at large, Impoundment, Holding Period,**  
7 **Sterilization and Adoption.**

8 (a) It shall be unlawful for any dog owner to negligently allow a dog owned  
9 by him to run at large.

10 (b) Any pet over ~~three (3)~~ six (6) months old that is not licensed as required  
11 by § 34102 of this Article or any dog that is not wearing a current tag in accordance  
12 with § 34106 of this Article or any dog that is running at large shall be apprehended,  
13 sterilized and released as part of a Department-sanctioned sterilization program, and  
14 impounded or disposed of in accordance with regulations adopted by the Director.  
15 The Department maintains its authority to declare a pet vicious and may order the  
16 confinement or the humane euthanizing of pets deemed vicious or wild as defined  
17 in this Chapter.

18 (c) The owner, as shown on the license, of any licensed pet that has been  
19 impounded shall be notified of such impoundment and that the pet, if not claimed  
20 within ten (10) days after such notification, may be given for adoption upon payment  
21 of the applicable per diem costs and adoption deposit or humanely destroyed. Such  
22 notice may be delivered ~~personally~~ to the owner digitally, via notice on the  
23 Department website or via email, left at his place or residence in Guam, or sent by  
24 regular mail to his last known address, or informed by telephone or fax to the  
25 number(s) as shown on the license. At the end of ten (10) days after notification, any  
26 licensed pet not claimed may be given for adoption upon payment of the applicable  
27 per diem costs and adoption deposit or humanely destroyed.



1 (d) Any unlicensed pet that has been impounded shall be kept for three (3)  
2 days and may be claimed by the owner by obtaining a license as provided in this  
3 Article and paying for the costs for care and keep. At the end of three (3) days after  
4 impoundment, any such pet not claimed may be given for adoption or humanely  
5 destroyed.

6 (e) A per diem charge to be fixed annually by the Director on the basis of  
7 operating costs shall be charged for every day, or part thereof, for any pet, kept in  
8 the pound. Such charge shall be borne by the owner of the impounded pet, if known,  
9 and shall be included in costs to any claimant.

10 (f) All pets over the age of six (6) months given for adoption shall be sterilized  
11 and licensed, pursuant to § 34102 of this Chapter before being released to new  
12 owners. Any expense incurred for such operations or vaccinations shall be included  
13 with the costs of care and keep and borne by the new owner.

14 (g) No dog or cat under the age of six (6) months to be given for adoption  
15 shall be released without being licensed, pursuant to § 34102 of this Article and  
16 without a written agreement from the adopter guaranteeing that such animal will be  
17 sterilized at the age of six (6) months. A deposit of at least Seventy-Five Dollars  
18 (\$75) must be paid at the time of adoption of a dog, and Fifty Dollars (\$50) for a cat  
19 to guarantee for sterilization. Failure to perform the sterilization shall be a forfeiture  
20 of the amount deposited and the animal shall be returned to the pound.

21 (h) There shall be a fee for all pets entering Guam that are not sterilized at a  
22 cost not to exceed One Hundred Twenty Dollars (\$120) and shall be set by the  
23 Director. This fee shall be called the Intact Pet Entry Fee and shall not apply to  
24 registered breeders in good standing with the Department and the Department of  
25 Revenue and Taxation as determined by the Director. All funds collected shall be  
26 deposited into the Stray Dog Revolving Fund, pursuant to § 34123 of this Chapter.”

1       **Section 4.** §121903(c) of Article 19, Chapter 12, Title 10, Guam Code  
2       Annotated is hereby *amended* to read:

3       “(c) A person advising or performing acts which the Board or Guam law  
4       recognizes as accepted animal control or livestock management practices, provided  
5       that animal control shall be subject to the following conditions:

6               (1) such services must be rendered under the direction and sponsorship  
7       of a charitable organization or government agency that assumes full  
8       responsibility for the treatment or services;

9               (2) veterinary services must be performed by, or under the supervision  
10      of, a person currently licensed to practice veterinary medicine in any state,  
11      province, territory, commonwealth or possession of the United States,  
12      Canada, the United Kingdom, Australia, New Zealand, Japan or the  
13      Philippines, and such other jurisdictions as the Board may from time-to-time  
14      designate. Copies of the visiting practitioners’ licenses must be submitted to  
15      the Board prior to a project of animal control and shall be available on the  
16      premises for inspection. These license copies shall serve as licenses to work  
17      on an animal control project ~~for no longer than eight (8) days per project and~~  
18      shall be subject to revocation by the Department of Agriculture at any time as  
19      determined by the Director of the Department of Agriculture. Controlled  
20      substances shall be administered pursuant to the Uniform Controlled  
21      Substances Act of Guam, Chapter 67, Title 9 GCA;

22              (3) no person shall receive any fee or remuneration of any kind, other  
23      than payment of or reimbursement for travel, lodging, meals and expenses  
24      reasonably incurred by participating service providers. The sponsoring  
25      organization may charge and receive a fee or donation for services rendered,  
26      which fee shall be reasonably calculated to recover actual or anticipated  
27      project costs, including reimbursement of expenses incurred by service

1 providers. Services shall be provided free of charge to persons receiving  
2 public assistance who are the lawful owners of animals which receive  
3 services;

4 ~~(4) animal control projects shall not be conducted by a charitable or~~  
5 ~~government organization more than two (2) times per calendar year; and~~

6 (5) within thirty (30) days after each project, the project sponsor shall  
7 provide the Board with a written report identifying the number and nature of  
8 procedures performed, and the names, addresses, and telephone numbers of  
9 all veterinarians participating in the program.”

10 **Section 5.** §§ 3106(e) and (f) of Article 1, Chapter 3, Title 9, Guam  
11 Administrative Rules and Regulations, are hereby *amended* to read:

12 “(e) The Director shall set the annual license fee for pets on the basis of  
13 operating costs related to the issuance of licenses. Until changed by the  
14 Director and issuance of a public notice, the annual license fee shall be ~~Five~~  
15 ~~Dollars (\$5.00)~~ Twenty Dollars (\$20.00). Payment of the fee may be made at  
16 the Department or any other place authorized by the Director and shall be  
17 made payable to the Treasurer of Guam. The fee shall be paid in full for any  
18 fraction of the year for which the license is issued.

19 (f) A penalty of ~~One Dollar (\$1.00)~~ Fifteen Dollars (\$15.00) per month  
20 shall be assessed for late renewal of a license. The penalty shall be in addition  
21 to the license fee and shall be paid in full at the time of issuance.”

22 **Section 6. Severability.** If any provision of this Act or its application to any  
23 person or circumstance is found to be invalid or contrary to law, such invalidity *shall*  
24 *not* affect other provisions or applications of this Act that can be given effect without  
25 the invalid provision or application, and to this end the provisions of this Act are  
26 severable.

1           **Section 7. Effective Date.** All sections of this Act shall be effective upon  
2 enactment.