

I Mina'trentai Singko 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
299-35 (COR)	Clynton E. Ridgell Tina Rose Muña Barnes Jose "Pedro" Terlaje Régine Biscoe Lee Joe S. San Agustin Amanda L. Shelton Telo T. Taitague William M. Castro	AN ACT TO ADD §§ 34102.1 AND 34116(h); TO AMEND §§ 34102, 34116(f) AND (g), ALL OF ARTICLE 1, CHAPTER 34, TITLE 10, GUAM CODE ANNOTATED, AND TO AMEND §§ 3106(e) AND (f), 3121(c), AND 3122(a), ALL OF ARTICLE 1, CHAPTER 3, TITLE 9, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO UPDATING FEES, IMPOUNDMENT, LICENSURE REQUIREMENTS, AND MANDATING MICROCHIPS FOR LICENSED PETS.	2/19/20 4:31 p.m.						

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2020 (SECOND) Regular Session

Bill No. 299 -35 (COR)

Introduced by:

Clynton E. Ridgell
Tina Muña Barnes
Jose "Pedro" T. Terlajo
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2020 FEB 19 PM 4:31 A.T.

AN ACT TO *ADD* §§ 34102.1 AND 34116(h); TO *AMEND* §§ 34102, 34116(f) AND (g), ALL OF ARTICLE 1, CHAPTER 34, TITLE 10, GUAM CODE ANNOTATED, AND TO *AMEND* §§ 3106(e) AND (f), 3121(c), AND 3122(a), ALL OF ARTICLE 1, CHAPTER 3, TITLE 9, GUAM ADMINISTRATIVE RULES AND REGULATIONS, RELATIVE TO UPDATING FEES, IMPOUNDMENT, LICENSURE REQUIREMENTS, AND MANDATING MICROCHIPS FOR LICENSED PETS.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that the feral population of animals pose threats to public health and safety. Guam’s
4 feral dog and cat population has been a grave, long-standing concern, and it is
5 important for the well-being of the community to control the population of feral dogs
6 and cats to prevent nuisances, the spread of diseases, and minimize the threat to
7 public safety caused by these animals.

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

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

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

21 **“§ 34102. Pet License Required.**

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

1 temporary term not to exceed one (1) month for the exclusive purpose of entering
2 such pets in a show or exhibition.”

3 **Section 3.** A new § 34102.1 of Article 1, Chapter 34, Title 10, Guam Code
4 Annotated, is hereby *added* to read:

5 **“§ 34102.1 Same. Veterinary Hospitals.**

6 A pet license shall be required for a pet to be released after treatment from a
7 veterinary hospital as defined in Article 2 of this Chapter. If a veterinary hospital
8 provides treatment for a pet that has not been licensed, the veterinary hospital shall
9 not release the pet without notifying the Department of Agriculture and licensing the
10 pet with the Department of Agriculture, pursuant to § 34102 of this Chapter. Failure
11 to comply shall result in a fine to the veterinary hospital of five hundred dollars
12 (\$500).”

13 **Section 4.** §§ 34116(f) and (g) of Article 1, Chapter 34, Title 10, Guam
14 Code Annotated, are hereby *amended* to read:

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

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

26 **Section 5.** A new § 34116(h) of Article 1, Chapter 34, Title 10, Guam Code
27 Annotated, is hereby *added* to read:

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

7 **Section 6.** §§ 3106(e) and (f) of Article 1, Chapter 3, Title 9, Guam
8 Administrative Rules and Regulations, are hereby *amended* to read:

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

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

19 **Section 7.** § 3121(c) of Article 1, Chapter 3, Title 9, Guam Administrative
20 Rules and Regulations, is hereby *amended* to read:

21 “(c) The notice in (b) immediately above shall be delivered ~~personally~~ to the
22 owner digitally, via notice on the Department website or email, or left at his place of
23 residence on Guam or sent by regular mail to his last known address. The owner may
24 also be informed by phone or facsimile at the number(s) as shown on the license.”

25 **Section 8.** § 3122(a) of Article 1, Chapter 3, Title 9, Guam Administrative
26 Rules and Regulations, is hereby *amended* to read:

1 “(a) Any pet over ~~three (3)~~ six (6) months old that is not currently licensed or
2 is not wearing a license tag in accordance with § 3111 shall be subject to
3 apprehension by an officer, sterilized and released as part of a Department-
4 sanctioned catch and release program, or ~~and~~ impounded at the Pet Pound.

5 The Department maintains its authority to declare a pet vicious and may order
6 the confinement or the humane euthanizing of pets deemed vicious or wild as defined
7 in Chapter 34, Title 10, Guam Code Annotated.”

8 **Section 9. Severability.** If any provision of this Act or its application to any
9 person or circumstance is found to be invalid or contrary to law, such invalidity *shall*
10 *not* affect other provisions or applications of this Act that can be given effect without
11 the invalid provision or application, and to this end the provisions of this Act are
12 severable.

13 **Section 10. Effective Date.** All sections of this Act shall be effective upon
14 enactment.