

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
31-35 (COR)	James C. Moylan	AN ACT TO ADD A NEW CHAPTER 8 TO DIVISION 1 OF TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING A PERMANENT ONE STOP BUSINESS LICENSE AND PERMIT CENTER OPERATED BY THE DEPARTMENT OF REVENUE AND TAXATION (DRT).	1/28/19 2:23 p.m.						

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2019 (FIRST) Regular Session

Bill No. 31 -35 (OR)

Introduced by:

James C. Moylan 

**AN ACT TO ADD A NEW CHAPTER 8 TO DIVISION 1
OF TITLE 11, GUAM CODE ANNOTATED, RELATIVE
TO ESTABLISHING A PERMANENT ONE STOP
BUSINESS LICENSE AND PERMIT CENTER
OPERATED BY THE DEPARTMENT OF REVENUE
AND TAXATION (DRT).**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. This Act *shall* be cited as the “One Stop Business License and Permit Center Act.”

Section 2. Legislative Findings and Intent. I Liheslaturan Guahan finds that to create a business-friendly environment and to grow our tax base, it is paramount that our government establish a One Stop Business License and Permit Center (One Stop), to assure that expeditious turnaround times are established for an entity to attain business license or permit. Over the years there have some attempts at the creation of a One Stop, including the efforts of the late Speaker Vicente Pangelinan, whose passage of Public Law 22-77 established a Task Force designed to lay out the plans for a License and Permit Center.

Former Governor Carl T.C. Gutierrez created through Executive Order the first One Stop Center at the Department of Public Works shortly after taking office in 1995. The One Stop still remains at the department, however consists of only a handful of government entities involved in the licensing process. Unfortunately

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1 island residents interested in attaining a business license still have to embark on the
2 tedious process of visiting various offices, throughout the island, with the objective
3 of securing clearances or scheduling inspections.

4 The undertaking in the creation of a One Stop will certainly not be a simple
5 process, as issues associated with logistical difficulties, technology and manpower
6 shortages will all create hindrances in the making this License and Permit Center a
7 reality in the very near future. Hence this legislation will provide a reasonable
8 time line for the respective entities to establish their respective Memorandums of
9 Understanding, address their staffing concerns, identifying potential financial
10 quandaries, and for a plan of action to be established. With a practical timeline,
11 there can be a benchmark of when this permanent One Stop would become a
12 reality.

13 The Department of Revenue and Taxation (DRT) is the ideal agency to lead
14 the charge in the creation of this One Stop, as they are a revenue generating and
15 regulatory instrumentality of the government, where licensing is initiated and
16 where licensing is terminated. During the discussions on the legislation that
17 eventually became PL 22-77 (The One Stop License and Permitting Task Force),
18 former DRT Director, Joaquin Blaz, emphasized the importance of housing the
19 One Stop at the DRT, as they are the entity that issue most licenses in the territory.
20 Even prior to the One Stop that former Gutierrez creates, the Department used to
21 be the housing entity for spot checks from inspectors of various agencies when it
22 came to license and permit clearances. DRT is more than just the tax enforcer and
23 licensor, as the agency serves as the center of our economic activity and growth.

24 **Section 3. One Stop Business License and Permit Center, established.**

25 A new Chapter 8 is *added* to Division 1 of Title 11, Guam Code Annotated, to
26 read:

27 **“CHAPTER 8**

1 **ONE STOP BUSINESS LICENSE AND PERMIT CENTER**

2 **§8101. Definitions.**

3 **§8102. One Stop Business License and Permit Center**

4 **§8103. Memorandum of Understanding**

5 **§8104. Personnel**

6 **§8105. Rules and Regulations**

7
8 **§8101. Definitions.**

9 For purposes of this Chapter, and unless otherwise specified, the following
10 words and phrases are defined to mean:

- 11 (a) The Department means the Department of Revenue and Taxation.
12 (b) One Stop means the One Stop Business License and Permit Center.
13 (c) MOU means a Memorandum of Understanding.
14 (d) The Government means the Government of Guam.
15 (e) Rules means Rules and Regulations.

16 **§8102. One Stop Business License and Permitting Center.**

17 The Department shall establish a One Stop Licensing and Permit center at a
18 location convenient to the public. The One Stop shall be available to the public, at
19 a minimum from 8:00 am to 5:00 pm Monday through Friday, except Government
20 of Guam holidays, and accommodations shall be made for evening and weekend
21 applications when needed. The Department shall use its resources to house and
22 coordinate the licensing and permitting requirements of all agencies of the
23 government whose licensing, permitting or other approval is necessary for a
24 business to start up or continue. These services shall be available to off island
25 investors as well as local entrepreneurs. Technological assistance will be offered
26 by the Office of Technology to agencies who need it to participate adequately, with
27 the goal of streamlining the process so that a business can be up and running, or

1 continuing its licensing and permitting for operations in the most expeditious
2 timeline possible. The One Stop License and Permit Center shall be officially
3 open on April 1, 2020.

4 **§8103. Memorandum of Understanding.**

5 The Department shall coordinate and execute a MOU with each government
6 regulatory agency involved in the licensing and permitting process to designate
7 personnel to carry out the mandates of the regulatory agency at the One Stop. The
8 MOU shall clearly outline and stipulate the line of command and administrative
9 control of detailed personnel.

10 **§8104. Personnel.**

11 The Department shall coordinate with the Office of the I Maga'haga
12 Guahan, the regulatory agency which will detail personnel, and the Department of
13 Administration on addressing personnel shortfalls that would deter the One Stop
14 from achieving its statutory objectives.

15 **§8105. Rules and Regulations.**

16 The Department shall establish the Rules and Regulations of the One Stop
17 within 60 days of the enactment. These rules will outline the plan of action on how
18 the One Stop will function, the timelines in achieving MOU's, any funding
19 concerns, the location that will house the Department, and the technological
20 requirements, among other items. The Rules shall be submitted within five (5)
21 days to I Maga'haga Guahan and the Speaker of I Mina'Trentai Singko Na
22 Liheslaturan Guahan."

23 **Section 4. Severability.** If any provision of this Act or its application to
24 any person or circumstance is found to be invalid or contrary to law, such
25 invalidity shall not affect other provisions or applications of this Act that can be
26 given effect without the invalid provision or application, and to this end the
27 provisions of this Act are severable.

1 **Section 5. Effective Date.** The act shall become effective immediately
2 upon enactment, with commencement of the One Stop Business License and
3 Permit Center to begin on April 1, 2020.