

I MINA' TRENTE NA LIHESLATURAN GUÅHAN
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Bill No. 153(COR)

Introduced by:

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Joseph Gutierrez, DPA

AN ACT TO AMEND TITLE 10, CHAPTER 34, §§ 34105, 34106, 34107, AND 34307, TO COMBINE THE PET LICENSE WITH THE RABIES VACCINATION TAG, TO ALLOW VETERINARIANS TO COLLECT THE PET LICENSE FEE, AND TO ALLOW THE DEPARTMENT OF AGRICULTURE TO USE THE RABIES PREVENTION FUND TO MAINTAIN, ENHANCE AND SECURE THE PREVENTION OF OTHER ZOO NOTIC DISEASES ON GUAM.

BE IT ENACTED BY THE PEOPLE OF GUAM:

1 Section 1. Legislative intent. The present system of licensing pets (i.e. dogs and
2 cats) does not result in good compliance on the part of the public, and severely
3 reduces the amount of pet license fees collected by the Department of Agriculture.
4 This results in a small amount of funds being available to respond to rabies or other
5 zoological diseases. One of the reasons for the poor compliance with pet licensing is
6 the redundancy required to get a pet both vaccinated properly and licensed properly,
7 leading to vaccinations occurring without licensure. In order to properly care for a pet,
8 one is required to visit a veterinarian, pay for a vaccination and receive a vaccination
9 tag, and then make a second trip to the Department of Agriculture, pay for a license
10

1 and get a pet license. Eliminating this redundancy and allowing the pet license fee to
2 be collected and forwarded to the government by veterinarians, much in the way the
3 business license tax is collected and forwarded by business owners, would assist the
4 Department of Agriculture in its efforts to both license pets and respond to zoological
5 diseases.

6 It is therefore desirable to have the fee established by the Department of
7 Agriculture for licensing pets be collected by a veterinarian at the time of vaccination
8 for rabies, and thereafter the aggregate of license fees collected be remitted to the
9 Department of Revenue and Taxation at the same time as the business privilege tax is
10 remitted to that department.

11 Additionally, recent events have highlighted that there are new and serious
12 diseases that originate with animals and are passed on to humans. Examples of these
13 diseases are SARS, swine flu, and bird flu. These diseases, as well as a number of
14 others, are known as zoological diseases for their propensity to originate in animals
15 and then pass on to infect humans. While Guam has been diligent and vigilant for
16 many years with regard to keeping the serious disease of rabies, a zoological disease,
17 away from our island, we should also be diligent and vigilant in fighting other
18 zoological diseases that may come to our island. For this reason, it is desirable to
19 enlarge the use of the Rabies Prevention Fund for use in fighting other diseases also
20 originating with animals.

1 Section 2. Title 10, Chapter 34, § 34105 of the Guam Code Annotated, is
2 amended to read:

3 “§ 34105. Issuance and Description of License. All licenses for pets shall be
4 issued by [the Department] a veterinarian upon vaccination of a pet against rabies and
5 payment of the fee. The license, which shall be a paper record, shall be in such form
6 as the Director shall approve and shall include the following:

7 (a) The name and address of the owner;

8 (b) The expiration date of the license;

9 (c) The date of payment;

10 (d) The breed, age, sex, sterilization status (whether spayed or neutered) and
11 color of the pet;

12 (e) The serial number of the tag issued for such pet;

13 (f) The date of rabies vaccination, vaccine expiration date, the type,
14 manufacturer’s name and serial number of the vaccine lot used.

15 A copy of each pet license, as well as the funds collected for issuing the
16 licenses, shall be attached to a form prescribed by the Director of Revenue and
17 Taxation, which may be the same form as that submitted for the payment of the
18 business privilege tax, and shall be submitted to the Department of Revenue and
19 Taxation at the same time and in the same manner as prescribed by law for the
20 payment of the business privilege tax. The copies of pet licenses shall be forwarded to

1 the Department of Agriculture. The funds collected for pet licenses shall be forwarded
2 to the Department of Administration for placement in the Rabies and Other Zoological
3 Diseases Prevention Fund.”

4 Section 3. Title 10, Chapter 34, § 34106 of the Guam Code Annotated, is
5 amended to read:

6 “§ 34106. Description of the Pet License Tag. [~~A tag in such form and~~
7 ~~design as prescribed by the Director, stating the serial number of the tag and the~~
8 ~~license year, shall be issued with each license.] A tag documenting a pet’s vaccination
9 for rabies and the date vaccinated, issued by a veterinarian as proof of vaccination,
10 shall be considered the tag of licensing the pet as well as vaccinating the pet. The tag
11 shall be attached to a collar around the neck of, or to a harness worn by the pet for
12 which the license tag was issued, except when the pet is displayed in an exhibition or
13 show. It shall be unlawful for any person to attach a license tag to the collar or harness
14 of any pet except the pet which is described in the application for such license tag.”~~

15 Section 4. Title 10, Chapter 34, § 34107 of the Guam Code Annotated, is
16 amended to read:

17 “§ 34107. Replacement of Pet License Tag. If any license tag is lost,
18 mutilated or stolen, the pet owner to whom such tag was issued shall be entitled to
19 receive a replacement by presenting to ~~{the Department}~~ a veterinarian satisfactory

1 proof that such tag was lost, mutilated or stolen. A substitute tag shall be issued upon
2 payment of a fee equal to one-half (1/2) the annual license fee.”

3 Section 5. Title 10, Chapter 34, § 34307 of the Guam Code Annotated, is
4 amended to read:

5 “§ 34307. Creation of Rabies and Other Zoological Diseases Prevention Fund.
6 There is created a special fund called the “Rabies and Other Zoological Diseases
7 Prevention Fund,” which shall be used to support the implementation of this Act and
8 to maintain, enhance and secure the prevention of rabies and other zoological diseases
9 on Guam All money collected under the provisions of this Chapter shall be deposited
10 in the Rabies and Other Zoological Diseases Prevention Fund. The Department of
11 Administration shall be responsible for maintaining the accounting and administration
12 of this fund. No later than December 31st of each year, the Directors of the
13 Departments of Administration and Agriculture shall report to *I Maga’lahen Guåhan*
14 and *I Liheslaturan Guåhan* on the administration of this fund, including the total
15 monies collected and deposited in this fund and the total expended.”