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I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN

THIRTY-THIRD GUAM LEGISLATURE

155 Hesler Place, Hagåtña, Guam 96910

October 28, 2015

The Honorable Edward J.B. Calvo
I Maga'låhen Guåhan
Ufisinan I Maga'låhi
Hagåtña, Guam

Dear *Maga'låhi* Calvo:

Transmitted herewith are Bill Nos. 26-33 (COR), 134-33 (COR), 144-33 (COR), 145-33 (COR), 146-33 (COR), 164-33 (LS), 166-33 (LS), 169-33 (COR), 171-33 (COR), 174-33 (COR) and 176-33 (LS); and Substitute Bill Nos. 29-33 (COR), 76-33 (COR), 91-33 (LS), 137-33 (COR), 152-33 (COR), 175-33 (COR) and 181-33 (COR), which were passed by *I Mina'Trentai Tres Na Liheslaturan Guåhan* on October 27, 2015.

Sincerely,


TINA ROSE MUÑA BARNES
Legislative Secretary

Enclosure (18)

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I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2015 (FIRST) Regular Session

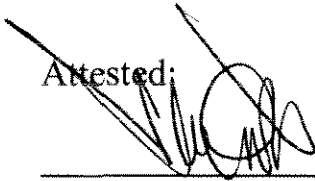
CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LÅHEN GUÅHAN*

This is to certify that **Substitute Bill No. 91-33 (LS), "AN ACT TO AMEND §§ 70115, 70116 AND 70117 OF CHAPTER 70, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO THE ISSUANCE OF BUSINESS LICENSES,"** was on the 27th day of October 2015, duly and regularly passed.



Judith T. Won Pat, Ed.D.
Speaker

Attested:



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'låhen Guåhan* this 28th day of October,
2015, at 4:22 o'clock P.M.



Assistant Staff Officer
Maga'låhi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'låhen Guåhan

Date: _____

Public Law No. _____

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2015 (FIRST) Regular Session

Bill No. 91-33 (LS)

As substituted by the Sponsor on the Floor;
and amended on the Floor.

Introduced by:

Mary Camacho Torres
T. C. Ada
V. Anthony Ada
FRANK B. AGUON, JR.
Frank F. Blas, Jr.
B. J.F. Cruz
James V. Espaldon
Brant T. McCreadie
Tommy Morrison
T. R. Muña Barnes
R. J. Respicio
Dennis G. Rodriguez, Jr.
Michael F.Q. San Nicolas
N. B. Underwood, Ph.D.
Judith T. Won Pat, Ed.D.

**AN ACT TO *AMEND* §§ 70115, 70116 AND 70117 OF
CHAPTER 70, TITLE 11, GUAM CODE ANNOTATED,
RELATIVE TO THE ISSUANCE OF BUSINESS
LICENSES.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that the current system for issuing and renewing business licenses on Guam creates
4 a major inconvenience to business owners and employees of the Department of
5 Revenue and Taxation.

1 It is, therefore, the intent of *I Liheslaturan Guåhan* to amend current laws to
2 allow the Department of Revenue and Taxation to renew these licenses on an
3 annual basis.

4 **Section 2.** § 70115 of Chapter 70, Title 11, Guam Code Annotated, is
5 hereby *amended* to read as follows:

6 **“§ 70115. Term of License.**

7 (a) All licenses and endorsements applicable thereto *shall* be
8 issued on an annual basis and, regardless of when issued, *shall* expire
9 one (1) year after the date for which issued or renewed.

10 (b) All licenses and endorsements applicable thereto which
11 are already in existence prior to the enactment of this law *shall* be
12 renewed on the month consistent with the month they originally
13 attained their license. The Department of Revenue and Taxation *shall*
14 have up to eighteen (18) months from the enactment of this law to
15 amend the renewal dates of these licenses and endorsements to
16 conform with the renewal date outlined in this Section.

17 (c) Notwithstanding the terms of this Section, a licensee
18 holding multiple licenses may elect to have the multiple licenses
19 expire concurrently one (1) year after the month chosen at the
20 licensee’s discretion.”

21 **Section 3.** § 70116 of Chapter 70, Title 11, Guam Code Annotated, is
22 hereby *amended* to read as follows:

23 **“§ 70116. Fees.**

24 (a) All original license fees *shall* be charged on an annual basis,
25 commencing on the date of issuance or renewal and ending on the day
26 before the month and day of issuance in the following year. The existing fee
27 structure for business licenses *shall* remain intact and in effect.

1 (b) All licenses and endorsements renewed as per § 70115(b) of
2 this Chapter *shall* have their fees prorated appropriately to conform with the
3 revised renewal date.”

4 **Section 4.** § 70117 of Chapter 70, Title 11, Guam Code Annotated, is
5 hereby *amended* to read as follows:

6 “§ 70117. **Renewal.** A licensee may renew his license at the
7 expiration thereof by the payment of the annual license fee and by filing
8 with the renewal application an affidavit oath and subject to the penalties of
9 perjury that he has continued to comply with all of the prerequisites and
10 qualifications provided by law, rules and regulations which were certified by
11 the proper departments of the government of Guam in the application for his
12 original license. The renewing licensee *shall not* be required to obtain the
13 approval of the government of Guam or any department or agency thereof
14 regarding the application of the zoning law of Guam to the licensee’s
15 business premises; provided, that the licensed business is located upon the
16 identical premises upon which it was located on the date of the issuance of
17 the previous license.

18 A licensee who fails to renew his license on or before one (1) year or
19 twelve (12) months after it was issued *shall* be assessed a penalty of One
20 Dollar (\$1.00) per each calendar day he is delinquent, which penalty *shall*
21 become part of the renewal fee. Any licensee who fails to renew his license
22 on or before the thirty (30) days after the license should have been renewed
23 *shall* be required to discontinue his business until he renews the license or be
24 subject to an injunction issued by the Superior Court and to prosecution
25 under § 70119. Such failure to renew while continuing the operation of the
26 business *shall* constitute refusal and failure to obtain a license under the
27 provisions of this Division.”

1 **Section 5. Effective Date.** The Department of Revenue and Taxation
2 *shall* work with the Office of Technology in implementing the objectives of this
3 Act. These changes to the term of business licenses *shall* be effective on the second
4 day of October 2016.

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