

I MINA 'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

Bill No. 30-171(LS)

Introduced by:

T.R. MUNA-BARNES

2009 JUN 1 5:42
Muna

**AN ACT TO AMEND CHAPTER 70 TITLE 11 GUAM CODE
ANNOTATED §70115, 70117 AND TO REPEAL AND REENACT
§70116 RELATIVE MAKING IT CONVENIENT TO RENEW A
GUAM BUSINESS LICENSE**

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

2 **Section 1. Legislative findings and intent. *I Liheslaturan***

3 *Guåhan* finds that existing statute dictates that business licenses issued by

4 the Department of Revenue and Taxation must be issued on a fiscal year

5 basis. Regardless of when a business owner is issued a license, the

6 expiration date will always be on the thirtieth (30th) day of June. *I*

7 *Liheslatura* further finds that requiring the thousands of businesses to

8 converge to the Department of Revenue and Taxation during the month of

9 June puts burdens on both the departments employees as well as to our

10 people that needs to do business at the department. Especially at a critical

11 time when the department is tasked with processing tax refunds that

12 have recently been funded, employees are at time diverted to assist with the

1 heavy traffic at the departments General Licensing Branch. On the other
2 hand, business owners are inconvenienced by the long lines and other
3 bureaucratic procedures they face while trying to renew their business
4 license. *I Liheslatura* finds that in order to make it easier to do business on
5 Guam, government must take the necessary steps to make its procedures
6 more convenient and accessible. The heavy traffic and rush at the
7 department during this time of year also puts a burden on other patrons of
8 the department who are there for other reasons, such as applying for a US
9 passport, renewing or applying for a drivers license, filing their tax
10 documents or other services at the department. Therefore, it is the intent of
11 *I Liheslaturan Guåhan* to amend existing law that changes the term of a
12 Guam business license to an annual basis.

13 **Section 2.** Chapter 70 of Title 11 Guam Code Annotated
14 §70115 is hereby amended to read as follows:

15 **§70115. Term of License.** All licenses and endorsements
16 applicable thereto shall be issued on a ~~fiscal year basis (July 1 to June 30)~~
17 annual basis and, regardless of when issued, shall expire ~~on the thirtieth~~
18 ~~(30th) day of June of the year~~ one (1) year after for which issued or renewed.

19 **Section 3.** Chapter 70 of Title 11 Guam Code Annotated
20 §70116 is hereby repealed and re-enacted to read as follows:

1 **§70116. Fees.** All original license fees shall be charged on an
annual basis, commencing at the date of issuance or renewal and ending the
day before the following year. The existing fee structure for business license
shall remain intact and in effect.

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

4 **§70117. Renewal.** A license may renew his license at the
5 expiration thereof by the payment of the annual license fee and by filing
6 with the renewal application of an affidavit oath and subject to the penalties
7 of perjury that has continued to comply with all of the prerequisites and
8 qualification provided by law, rules, and regulations which were certified
9 by the proper apartments of the government of Guam in the application for
10 its original license. The renewing license shall not be required to obtain the
11 approval of the government of Guam or any department or agency thereof
12 regarding the application of the Zoning Law of the Territory of Guam to
13 the licensee's business premises provided that the licensed business is
14 located upon the identical premises upon which it was located on the date
15 of the issuance of the previous license.

1 A licensee who fails to renew his license on or before ~~the thirtieth (30th)~~
2 ~~day of June of each year~~ one (1) year or twelve (12) months after it was
3 issued shall be assessed a penalty of one dollar (\$1.00) per calendar day he
4 is delinquent, which penalty shall become part of the renewal fee. Any
5 licensee who fails to renew his license on or before ~~the thirty-first (31st) day~~
6 ~~of July~~ the thirty (30) days after the license should have been renewed
7 shall be required to discontinue his business until he renews the license or
8 be subject to an injunction issued by the Superior Court prosecution under
9 §70119. Such failure to renew while continuing the operation of the
10 business shall constitute refusal and failure to obtain a license under the
11 provisions of this Division.

12 **Section 5. Effective Date.** These changes to the term of
13 business licenses shall be made effective the first day of the month
14 following its Enactment.