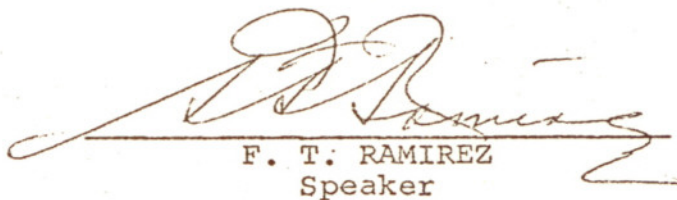


ELEVENTH GUAM LEGISLATURE  
1971 (FIRST) Regular Session

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CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

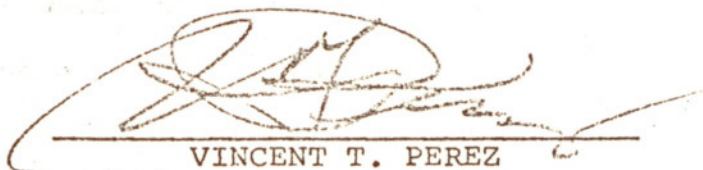
This is to certify that Bill No. 139, "An Act to amend Sections 12183, 12184, 12185, 12186, 12187, 12189, 12190 and 12192 of Article V, Chapter 2, Title XIII, Government Code of Guam, relative to administration of the stray law and penalty for violation", was on the 24th day of June, 1971, duly and regularly passed.

  
F. T. RAMIREZ  
Speaker


ATTESTED:

  
G. M. BAMBA  
Legislative Secretary

-----  
This Act was received by the Governor this 2nd day  
of July, 1971 at 3:45 o'clock P. M.

  
VINCENT T. PEREZ  
Attorney General of Guam

APPROVED:

  
CARLOS G. CAMACHO  
Governor of Guam  
DATED: JUL 14 1971  
10:00 A.M.

Public Law  
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ELEVENTH GUAM LEGISLATURE  
1971 (FIRST) Regular Session

Bill No. 139

Introduced by

Committee on Rules, by  
request of the Governor.

AN ACT TO AMEND SECTIONS 12183, 12184, 12185,  
12186, 12187, 12189, 12190 AND 12192 OF ARTICLE  
V, CHAPTER 2, TITLE XIII, GOVERNMENT CODE OF  
GUAM, RELATIVE TO ADMINISTRATION OF THE ESTRAY  
LAW AND PENALTY FOR VIOLATION.

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

2 Section 1. Section 12183 of Article V, Chapter 2, Title  
3 XIII, Government Code of Guam is hereby amended to read as  
4 follows:

5 "Section 12183. Impounding of estrays. The  
6 Department of Agriculture shall seize and impound all  
7 estrays. The Commissioners of Guam shall have the  
8 concurrent responsibility within their respective  
9 jurisdictions of collecting any estrays and turning  
10 them over to the Department of Agriculture."

11 Section 2. Section 12184 of Article V, Chapter 2, Title  
12 XIII, Government Code of Guam is hereby amended to read as  
13 follows:

14 "Section 12184. Estray Animal Control Unit. The  
15 Department of Agriculture shall maintain an estray  
16 animal control unit. The estray animal control unit  
17 shall provide for the care and keep of any estrays  
18 impounded as provided in this Article."

19 Section 3. Section 12185 of Article V, Chapter 2, Title  
20 XIII, Government Code of Guam is hereby amended to read as  
21 follows:

22 "Section 12185. Seizure of estrays by private  
23 persons: lien. Notwithstanding Section 12183, any  
24 person finding any estray upon premises in his  
25 possession, or upon highways or streets adjacent



1 thereto, may seize such estray and shall have a lien  
2 thereon for all costs incurred in seizing, keeping  
3 and caring for such estray and also for any damages in,  
4 on, or to such person's premises or other property  
5 caused by such estray. Any person seizing an estray  
6 shall notify the Department of Agriculture of such  
7 seizure within twenty-four (24) hours and the Department  
8 of Agriculture shall remove the seized estray and im-  
9 pound the same, subject to the amount of the claim  
10 of such person for seizing and any damages caused by  
11 such estray. The amount so claimed shall be declared  
12 at time of impounding to the Department of Agriculture."

13 Section 4. Section 12186 of Article V, Chapter 2, Title  
14 XIII, Government Code of Guam is hereby amended to read as  
15 follows:

16 "Section 12186. Notice of seizure; contents. The  
17 Director of Agriculture shall, within five (5) days  
18 after notification of the impoundment of an estray,  
19 cause public notice to be given that the estray, if not re-  
20 claimed, shall be sold at public sale at the Department of  
21 Agriculture by the Director on a date specified which  
22 shall be not less than fifteen (15) days after the date  
23 of the notice. The notice shall also state the number  
24 and description of the estrays impounded, the brands if  
25 any, the date and place of impounding, the name of the  
26 private person, if any, who made the seizure, and the  
27 amount claimed by such person as costs and damages, the  
28 amount per day charged for care and keep of estrays by  
29 the Department of Agriculture and that the estray may  
30 be reclaimed by the owner at any time prior to the sale  
31 from the Director in accordance with Section 12188. Such  
32 notice shall be delivered to the owner, if the owner is



1 known. The notice shall also be published two (2)  
2 times in a newspaper of general circulation in Guam  
3 prior to the date of sale."

4 Section 5. Section 12187, Article V, Chapter 2, Title XIII,  
5 of the Government Code of Guam is hereby amended to read as  
6 follows:

7 "Section 12187. Fees. The charge per day for  
8 care and keep for each estray seized and impounded by the  
9 Department of Agriculture shall be two dollars (\$2.00)  
10 for each horse, mule, cattle, or carabao and one dollar  
11 (\$1.00) per day for each sheep, pig or goat."

12 Section 6. Section 12189 of Article V, Chapter 2, Title  
13 XIII, Government Code of Guam is hereby amended to read as  
14 follows:

15 "Section 12189. Disposition of unclaimed estrays:  
16 public sale.

- 17 (a) Any estray remaining unclaimed at the time  
18 fixed for the date of sale in the notice  
19 required by Section 12186 shall be sold at  
20 public sale by the Director.
- 21 (b) The minimum acceptable bid at the sale on  
22 each estray shall not be less than the charges  
23 for care and keep, impounding, and costs of  
24 sale.
- 25 (c) The sale shall be to the highest bidder and  
26 the terms of the sale shall be cash.
- 27 (d) If no acceptable bid is received, the Director  
28 shall declare the estray sold to the government  
29 of Guam, in payment for the charges for care  
30 and keep, impounding, and costs of sale. Any  
31 estray sold to the government of Guam shall be  
32 delivered to the Department of Agriculture.

1 (e) All sales shall be final and bar any right  
2 of recovery.

3 (f) The Director shall issue a proper bill of  
4 sale for the estray sold to the highest bidder  
5 after completion of the sale. All sales made  
6 under the provisions of this Article convey  
7 a good and valid title to the purchaser."

8 Section 7. Section 12190 of Article V, Chapter 2, Title  
9 XIII, Government Code of Guam is hereby amended to read as  
10 follows:

11 "Section 12190. Disposition of proceeds of sales.

12 The proceeds, if any, from the sale of estrays shall be  
13 paid into the General Fund. A private person claiming a  
14 lien against the estray shall file written proof of such  
15 amount of lien, under oath, with the Director if the  
16 Director shall be satisfied of the validity of the  
17 amount claimed, he shall authorize payment thereof from  
18 any proceeds of the sale of the estray on which the lien  
19 is claimed, after deduction charges for care and keep,  
20 impounding, and costs of sale allowed by this Article."

21 Section 8. Section 12192 of Article V, Chapter 2, Title  
22 XIII, of the Government Code of Guam is hereby amended to read  
23 as follows:

24 "Section 12192. Penalty. Any owner who violates  
25 any of the provisions of this Article shall be punished  
26 by a fine not to exceed ten dollars (\$10.00) for the  
27 first violation, and a fine not to exceed twenty-five  
28 dollars (\$25.00) for the second violation and any  
29 violations thereafter."