

1 Any person who is attacked by a pet or any person witnessing any  
2 such attack may kill such pet while so attacking. Such person shall notify  
3 the Department immediately of such killing and remain with the carcass  
4 until an officer takes possession of the carcass. The carcass shall be  
5 immediately delivered to the Department for examination.

6 Section 34112. Pet Trespassing on Private Property.

7 (a) Any person who shall observe a pet to be trespassing on  
8 land or premises not owned or possessed by owner of the pet shall  
9 report such trespass to the Pet Control Unit.

10 (b) It shall be unlawful for any person to kill a pet not owned by  
11 him except in any of the following cases or as otherwise provided in  
12 this Article:

13 (1) the pet is found in the act of killing, wounding or  
14 persistently pursuing livestock or poultry on land or premises  
15 not owned or possessed by the pet owner;

16 (2) the person has such proof that conclusively shows that  
17 the pet has recently engaged in killing or wounding his livestock  
18 or poultry on land or premises owned by him.

19 Section 34113. Liability.

20 Any person killing or injuring a pet pursuant to action taken by him as  
21 authorized under any section of this Article shall not incur any financial  
22 liability to the owner of such pet.

23 Section 34114. Damages by Pet: Owner Liable.

24 If a pet shall injure any person or damage any property, the pet  
25 owner shall be liable to the extent that his negligence was the proximate  
26 cause of such injury or damage.

27 Section 34115. Pet Control Unit.

1           The Department of Public Health and Social Services shall maintain  
2 a Pet Control Unit. The Pet Control Unit shall maintain a pound, provide  
3 and carry out a territory-wide plan to collect and place under observation  
4 biting pets, reduce the number of pets running at large and, upon request,  
5 to collect and dispose of humanely any sick, aged, injured or unwanted  
6 small animal. The Mayors of Guam shall have the concurrent  
7 responsibility within their respective jurisdiction for collecting all pets  
8 running at large and turning them over to the Pet Control Unit. At the  
9 discretion of the Director or his designated representative, a biting pet may  
10 be confined by the owner of such pet in accordance with regulation adopted  
11 by the Director.

12           Section 34116. Dog Running at Large, Impoundment, Holding  
13 Period, Sterilization and Adoption.

14           (a) It shall be unlawful for any dog owner to willfully allow a  
15 dog owned by him to run at large.

16           (b) Any pet over three (3) months old that is not licensed as  
17 required by Section 34102 or any dog that is not wearing a current tag  
18 in accordance with Section 34106 or any dog that is running at large  
19 shall be apprehended and impounded or disposed of in accordance  
20 with regulations adopted by the Director.

21           (c) The owner, as shown on the license, of any licensed pet that  
22 has been impounded shall be notified of such impoundment and that  
23 the pet, if not claimed with ten (10) days after such notification, may  
24 be given for adoption upon payment of the applicable per diem costs  
25 and sterilization guarantee deposit or humanely destroyed. Such  
26 notice may be delivered personally to the owner, left at his place of  
27 residence in Guam or sent by regular mail to his last known address  
28 or informed by telephone or fax as shown on the license. At the end of  
29 ten (10) days after notification, any licensed pet not claimed may be  
30 given for adoption upon payment of the applicable per diem costs and  
31 sterilization guarantee deposit or humanely destroyed.

1 (d) Any unlicensed pet that has been impounded shall be kept  
2 for three (3) days and may be claimed by the owner by submitting  
3 evidence that he is the owner and obtaining a license as provided in  
4 this Article and paying for the costs for care and keep. At the end of  
5 three (3) days after impoundment, any such pet not claimed may be  
6 given for adoption or humanely destroyed.

7 (e) A per diem charge to be fixed annually by the Director on the  
8 basis of operating costs shall be charged for every day, or part  
9 thereof, for any pet, kept in the pound. Such charge shall be borne by  
10 the owner of the impounded pet, if known, and shall be included in  
11 costs to any claimant.

12 (f) All pets over the age of six (6) months given for adoption  
13 shall be sterilized before being released to new owners. Any expense  
14 incurred for such operations or vaccinations shall be included with  
15 the costs of care and keep and borne by the new owner.

16 (g) No dog or cat under the age of six (6) months to be given for  
17 adoption shall be released without a written agreement from the  
18 adopter guaranteeing that such animal will be sterilized. A deposit of  
19 at least Seventy-Five Dollars (\$75.00) must be paid at the time of  
20 adoption of a dog, and Fifty Dollars (\$50,00) for a cat to guarantee  
21 the sterilization. Failure to perform the sterilization shall be a  
22 forfeiture of the amount deposited and the animal shall be returned  
23 to the pound.

24 Section 34117. Impoundment.

25 Any pet may be impounded and held at the facility when it is the  
26 subject of a violation of this Article, when a pet requires protective custody  
27 and care because of mistreatment or neglect by its owner or when  
28 otherwise ordered impounded by a court.

29 Section 34118. Facility Operation.

1 (a) The Director shall operate, maintain or provide for an  
2 adequate facility to receive, care for and safely confine pets delivered  
3 to the Director's custody under provisions of this Article and such  
4 facility shall be reasonably accessible to the public.

5 (b) The Director may contract the operation of the facility to  
6 any qualified non-profit private organization. If the Director so  
7 contracts, the private non-profit organization must operate the  
8 facility so as to conform to the provisions provided herein. Pet control  
9 shall remain the sole responsibility of the Department of Public  
10 Health and Social Services.

11 (c) The enactment of any provision of this Act shall not be cause  
12 for reduction of personnel in the Pet Control Unit.

13 (d) The Director shall provide that a licensed veterinarian  
14 attend to the pets at the facility as necessary."

15 Section 34119. Minimum Standards.

16 The Director shall prescribe the minimum standards for humane pet  
17 care set forth in this Article.

18 Section 34120. Authority to Kill Pets Running at Large.

19 It shall be unlawful to shoot or otherwise kill any pet which has bitten  
20 or is believed to have bitten any person except to prevent further attack by  
21 the pet or to prevent otherwise unavoidable escape of the pet. In every  
22 other case, however, officers may apprehend pets running at large by any  
23 means deemed reasonably necessary under the circumstances and provided  
24 for in regulations specified by the Director. When the Director shall  
25 determine that the use of poison baits are necessary to reduce the number  
26 of pets running at large, the following guidelines shall be observed:

27 (a) poison baits may be placed on private property only upon  
28 written consent of the owner or tenant of such property;

1 (b) poison baits may, after public announcement, be placed on  
2 public lands within a municipality only with the written consent of the  
3 Mayor of that municipality or during a public health emergency due  
4 to rabies.

5 Section 34121. Authority of Officers.

6 (a) All officers shall have authority as peace officer to the  
7 extent necessary to enable them to discharge all duties assigned to  
8 them by law.

9 (b) Any officer is authorized to enter upon any private premises,  
10 and is authorized to remove any pet from public or private property,  
11 if that officer has reason to believe that the pet or its owner is in  
12 violation of any provisions of this Chapter. Any pet so removed shall  
13 be impounded and delivered to the pound.

14 (c) Any officer may issue a citation of violation as provided in  
15 Title 8, Chapter 25, Sections 25.10 through 25.50.

16

1 Section 34122. Wrongful Interference with Officers.

2 Any person resisting or obstructing an officer in the exercise of his  
3 duties as provided in this Article shall be guilty of a misdemeanor and  
4 punished as prescribed in Section 34124 of this Article.

5 Section 34123. Disposition of Moneys Collected.

6 All moneys collected under provisions of this Article shall be placed in  
7 the General Fund.

8 Section 34124. Violations and Penalties.

9 (A) Violations.

10 1. It shall be unlawful to own a pet which is not licensed as  
11 stipulated in Section 34102.

12 2. It shall be unlawful for any person to resist or obstruct an  
13 officer in the exercise of his duties as provided in this  
14 Article.

15 (B) Penalties.

16 Violation of Section 34122 of this Article shall be punishable by  
17 imprisonment not to exceed one (1) year or by a fine not to exceed  
18 One Thousand Dollars (\$1,000) or both. Violation of any other  
19 provision of this Article which provides that certain conduct shall be  
20 unlawful shall be punishable by a fine not less than Fifty Dollars (\$50),  
21 and not to exceed one thousand dollars (\$1,000.00)."

22 SECTION 2. Title 10, Chapter 34, Article 2, is repealed and reenacted as  
23 follows:

24 "Article 2. Permits for Animal Facilities, Humane Animal Care.

25 Section 34201. Definitions.

26 Section 34202. Permits.

- 1 Section 34203. Permit Issuance and Revocation.
- 2 Section 34204. Confinement.
- 3 Section 34205. Animal Care.
- 4 Section 34206. Keeping of Wild Animals.
- 5 Section 34207. Performing Animal Exhibitions.
- 6 Section 34208. Animal Waste.
- 7 Section 34209. Authority of Officers
- 8 Section 34210. Penalties.
- 9 Section 34201. Definitions.
- 10 (a) Animal means any live, non-human vertebrate creature,  
11 domestic or wild;
- 12 (b) Animal Shelter means any facility operated by a humane  
13 society, the Government or its authorized agents for the purpose of  
14 caring for animals held under the authority of this Article;
- 15 (c) Auction Facility means any place or facility where animals  
16 are regularly bought, sold or traded, except for those facilities  
17 otherwise defined in this Article. This does not apply to individual  
18 sales of animals by owners;
- 19 (d) Circus means a commercial variety show featuring animal  
20 acts for public entertainment;
- 21 (e) Commercial Animal Establishment any any pet shop,  
22 grooming shop, auction facility, riding school or stable, zoological  
23 park, circus performing animal exhibition, animal quarantine facility  
24 or kennel;

1 (f) Grooming Shop means a commercial establishment where  
2 animals are bathed, clipped, plucked or otherwise groomed;

3 (g) Officer means a member of the Guam Police Department; a  
4 Mayor and a person authorized by the Director;

5 (h) Kennel means any premises wherein any person engaged in  
6 the business of boarding, breeding, buying, letting for hire, training  
7 for a fee, selling dogs or cats, or any premise in a non-agricultural  
8 zone area upon which five (5) or more adult dogs or cats are harbored  
9 or kept;

10 (i) Owner means any person, partnership or corporation  
11 owning, keeping or harboring one (1) or more animals. An animal  
12 shall be deemed to be harbored if it is fed or sheltered three (3)  
13 consecutive days or more;

14 (j) Performing Animal Exhibition means any spectacle, display,  
15 act or event other than circuses in which performing animals are  
16 used;

17 (k) Permitting Authority means the Department of Public Health  
18 and Social Services (the "Department") which shall be the permitting  
19 authority for purposes of this Article.

20 (l) Pet means any animal kept for pleasure rather than utility;

21 (m) Pet Shop means any person, partnership or corporation,  
22 whether operated separately or in connection with another business  
23 enterprise except for a licensed kennel that buys, sells or boards any  
24 species of animal;

25 (n) Public Nuisance means any animal or animals which:

26 1. molests passersby or passing vehicles;

27 2. attacks other animals;



- 1                   3. trespasses on school grounds;  
2                   4. is repeatedly at large;  
3                   5. damages private or public property;  
4                   6. are left or made to bark, whine or howl in an excessive,  
5                   continuous or untimely fashion;

6                   (o) Restraint means any animals secured by a leash or lead or  
7                   under the control of a responsible person and obedient to that  
8                   person's commands or within the real property limits of its owner;

9                   (p) Riding School or Stables means any place which has  
10                  available for hire, boarding and/or riding instruction, any horse,  
11                  pony, donkey, mule or burro;

12                  (q) Veterinary Hospital means any establishment maintained  
13                  and operated by a licensed veterinarian for surgery, diagnosis and  
14                  treatment of disease and injuries of animals;

15                  (r) Vicious Animal means any animal that constitute a physical  
16                  threat to human beings or other animals;

17                  (s) Wild Animal means any animal which is not commonly  
18                  domesticated, or which is not native to Guam, or which, irrespective  
19                  of geographic origin, is of a wild or predatory nature, or any  
20                  domesticated animal, which because of its size, vicious nature or  
21                  other characteristics would constitute an unreasonable danger to  
22                  human life or property if not kept, maintained or contained in a safe  
23                  and secure manner;

24                  (t) Zoological Parks means any facility, other than a pet shop or  
25                  kennel, displaying or exhibiting one (1) or more species of non-  
26                  domesticated animals operated by a person, partnership, corporation  
27                  or government agency;

1  
2 Section 34202. Sanitary Permits.

3 (a) No individual, partnership or corporation, or any other  
4 group or combination acting in concert shall operate a zoo, pet shop,  
5 kennel, animal shelter, veterinary hospital or other commercial  
6 animal establishment, or which imports, exports, exhibits, sells,  
7 boards or otherwise exposes the public to live animals without first  
8 obtaining a sanitary permit to operate, and shall conduct such  
9 enterprise in compliance with this section and any regulations  
10 specified by the Director. An exception to this provision may be made  
11 for kennels on land which is zoned agricultural.

12 (b) The Permitting Authority shall promulgate regulations for  
13 the issuance of permits and shall include requirements for humane  
14 care of all animals and for compliance with the provisions of this  
15 Article.

16 (c) Upon a showing by an applicant for a permit that he is  
17 willing and able to comply with the regulations promulgated by the  
18 permitting authority, a permit shall be issued upon payment of the  
19 applicable fee.

20 (d) The permit period shall coincide with business license period  
21 and run for one (1) year. Renewal applications for permits shall be  
22 made thirty (30) days prior to expiration. Application for permit to  
23 establish a new commercial animal establishment under the  
24 provisions of this Article may be made at any time.

25 (e) Every facility regulated by this Article shall be considered a  
26 separate enterprise and requires an individual permit.

27 (f) Persons operating kennels for the breeding of dogs or cats  
28 may elect to license such animals individually.

1 (g) Failure to obtain a permit before opening any facility  
2 covered in this section shall result in a fine of Two Hundred Dollars  
3 (\$200.00). Each day of violation is a separate offense.

4 (h) Any person who has a change in the category under which a  
5 permit was issued shall be subject to reclassification and appropriate  
6 adjustment of the permit fee shall be made.

7 (i) The permit required in this Section shall be in addition to the  
8 business license required for the business to operate.

9 Section 34203. Permit Issuance and Revocation.

10 (a) The Permitting Authority may revoke any permit if the  
11 person holding the permit refuses or fails to comply with this  
12 Chapter, the regulations promulgated by the permitting authority or  
13 any law governing the protection and keeping of animals.

14 (b) Any person whose permit is revoked shall, within ten (10)  
15 days thereafter, appropriately dispose all animals owned, kept or  
16 harbored and no part of the permit fee shall be refunded.

17 (c) It shall be a condition of the issuance of any permit or license  
18 that the permitting authority shall be permitted to inspect all animals  
19 and the premises where animals are kept at any time and shall, if  
20 permission for such inspections is refused, revoke the permit of the  
21 refusing owner.

22 (d) If the applicant has withheld or falsified any information on  
23 the application, the permitting authority shall refuse to issue a  
24 permit.

25 (e) No person who has been convicted of cruelty to animals  
26 shall be issued a permit to operate a commercial animal  
27 establishment.

1 (f) Any person having been denied a permit may not reapply for  
2 a period of thirty (30) days. Each reapplication shall be accompanied  
3 by a Ten Dollars (\$10.00) fee.

4 Section 24204. Confinement.

5 (a) Every female dog or cat in heat shall be confined in a  
6 building or secure enclosure in such a manner that such female dog or  
7 cat cannot come in contact with another animal except for planned  
8 breeding.

9 (b) Every vicious animal, as determined by the Department,  
10 shall be confined by the owner within a building or secure enclosure  
11 and shall be securely muzzled or caged whenever the animal leaves  
12 the premises of its owner.

13 Section 34205. Animal Care.

14 (a) No owner shall fail to provide his animals with sufficient  
15 good and wholesome food and water, proper shelter and protection  
16 from the weather, veterinary care when needed to prevent suffering  
17 and with humane care and treatment.

18 (b) No person shall beat, cruelly ill treat, torment, overload,  
19 overwork, or otherwise abuse an animal or cause, instigate or permit  
20 any dogfight, bullfight or other combat between animals with the  
21 exception of cockfighting as regulated by the Guam Gaming  
22 Commission.

23 (c) No owner of an animal shall abandon such animal.

24 (d) No person shall crop a dog's ears except when a licensed  
25 veterinarian issues a signed certificate that the operation is necessary  
26 for the dog's health and comfort and in no event shall any person  
27 except a licensed veterinarian perform such an operation.

28 (e) Any person who, as the operator of a motor vehicle, strikes  
29 a domestic or wild animal shall stop at once and render such

1 assistance as may be possible and shall immediately report such injury  
2 or death to the animal's owner. In the event the owner cannot be  
3 ascertained and located, such operator shall at once report the  
4 accident to an officer.

5 Section 34206. Keeping of Wild Animals.

6 (a) No person shall keep or permit to be kept on his premises  
7 any wild or vicious animal for display or for exhibition purposes,  
8 whether gratuitously or for a fee. This Section shall not be construed  
9 to apply for zoological parks, performing animal exhibitions or  
10 circuses.

11 (b) No person shall keep or permit to be kept any wild animal as  
12 a pet.

13 (c) The Permitting Authority shall have the power to release or  
14 order the release of any infant wild animal kept under temporary  
15 permit which is deemed capable of survival.

16 Section 34207. Performing Animal Exhibitions.

17 (a) No performing animal exhibition or circus shall be  
18 permitted in which animals are induced or encouraged to perform  
19 through the use of chemical, mechanical, electrical or manual devices  
20 in a manner which will cause or is likely to cause physical injury or  
21 suffering.

22 (b) All equipment used on performing animals shall fit properly  
23 and in good working condition.

24 Section 34208. Animal Waste.

25 The owner of every animal shall be responsible for the removal of any  
26 excreta deposited by his animal(s) on public walks, recreation areas or  
27 private properties.

28 Section 34209. Authority of Officers.

1 (a) Any officer may issue a citation of violation as provided in  
2 Title 8, Chapter 25. Sections 25.10 through 25.50."

3 (b) The Director may declare an animal to be a public nuisance.  
4 Any animal found by the Director to be a public nuisance shall be  
5 impounded and may be ordered confined or destroyed.

6 Section 34210. Violations and Penalties.

7 (a) Violations.

8 1. It shall be unlawful for an individual, partnership or  
9 corporation, or any other group or combination acting in  
10 concert to operate any facility covered in this Article without  
11 first obtaining a Sanitary permit from the Permitting Authority.

12 2. It shall be unlawful for a person not to provide the proper  
13 animal care set forth in section 34205.

14 3. It shall be unlawful for a person to deep a wild animal as  
15 stipulated in Section 34206 (a) and (b).

16 4. It shall be unlawful to use animals for performing animal  
17 exhibitions as stipulated in Section 34207.

18 (b) Penalties.

19 Except as otherwise provided, any person violating any provision of  
20 this article shall be deemed guilty of a violation and shall be punished  
21 by a fine of not less than Fifty Dollars (\$50.00) nor more than Five  
22 Hundred Dollars (\$500.00). If any violation be continuing, each day's  
23 violation shall be deemed a separate violation

24 Section 34211. Exceptions.

25 The provisions of this Article shall not apply to any operator of a  
26 greyhound racing track nor to any greyhound racing dog so long as

1 such greyhound is subject to regulations by the Guam Gaming  
2 Commission.

3 SECTION 3. A New Article 3 is added to Title 10, Chapter 34, Guam Code  
4 Annotated as follows:

5 "Article 3. Quarantine

6 Section 34301. Definitions.

7 Section 34302. Rabies Prevention.

8 Section 34303. Observation of Suspected Dogs.

9 Section 34304. Examination of Impounded or Quarantined dogs for  
10 Rabies.

11 Section 34305 Rabies Outbreak.

12 Section 34306. Penalties

13  
14 Section 34301. Definitions

15 (a) "Carrier" means any individual, partnership, corporation or  
16 any other group or combination acting in concert which shall  
17 transport any animal into, through or upon the territory of Guam.

18 (b) "Designated Inspection Area" means an area designated by  
19 the Director.

20 (c) "Dog or Cat" means those animals belonging to the order  
21 Carnivora, including dogs, wolves, foxes, skunks, raccoons, cats,  
22 civets, hyenas, weasels, wolverines; the order Marsupialia, including  
23 opossums, koalas, kangaroos; and the order Chiroptera, including  
24 bats.

1 (d) "Impoundment" means strict confinement under restraint by  
2 leash, cage or paddock upon premises specified by order of the  
3 Director.

4 (e) "Officer" means a member of the Guam Police Department,  
5 a Mayor of Guam, or a person authorized by the Director.

6 (f) "Quarantine" means strict isolated impoundment.

7 (g) "Rabies" means the acute infectious disease of the central  
8 nervous system caused by a filterable virus, most frequently  
9 transmitted by the bite of infected animals and commonly referred to  
10 as "hydrophobia".

11 Section 34302. Rabies Prevention.

12 (a) Quarantine Unit. The Department of Public Health and  
13 Social Services shall maintain a dog or cat quarantine unit, provide  
14 and carry out a quarantine program to receive incoming dogs or cats  
15 upon arrival on the island, have such dogs or cats examined within  
16 seventy-two (72) hours upon arrival and seventy-two (72) hours prior  
17 to release from quarantine by a licensed veterinarian and provide for  
18 the health and well-being of such dogs or cats for the duration of  
19 their quarantine.

20 (b) Quarantine of Dogs or Cats. All dogs or cats brought into  
21 Guam shall be subject to quarantine for a period of time approved by  
22 the Director. Requirements for the entry to and release from  
23 quarantine of dogs brought into Guam shall be in accordance with  
24 regulations approved by the Director. Any and all costs, including  
25 care and keep, shall be borne by the dog or cat owner.

26 (c) Exemption from Quarantine. Notwithstanding any other  
27 provision of this Article:

28 (1) Certain Dogs. Seeing-eye dogs serving blind  
29 masters or hearing-aid dogs serving deaf persons and dogs



1 which are the official property of a federal, state or territorial  
2 government agency may, in the absence of evidence that they  
3 have been exposed to rabies, be granted exemptions from the  
4 quarantine provisions of this Article, provided they:

5 (a) comply with all other requirements for entry into the  
6 territory;

7 (b) remain free of signs or symptoms of rabies;

8 (c) are made available for examination by an officer at  
9 any reasonable time.

10 (2) Rabies Free Area. The Director shall establish a list of  
11 rabies free area and will periodically review the status of rabies  
12 free area and may remove a designated rabies free area from  
13 the list if it is shown, to the satisfaction of the Director, that the  
14 area has not remained free from rabies or has not maintained  
15 stringent entry and quarantine requirements. Dogs or cats  
16 coming from these areas will be exempted from quarantine  
17 provided they comply with all other requirements for entry into  
18 the territory.

19 (3) Special Veterinary Care. Dogs or cats brought to  
20 Guam for the specific purpose of veterinary medical care may  
21 be granted exemptions from quarantine provided:

22 (a) the dog or cat is consigned to a licensed veterinarian;

23 (b) the dog or cat meets all other requirements for entry  
24 into the territory;

25 (c) the dog or cat is returned to its point of origin as soon  
26 as it is healthy enough to travel;

27 (d) the dog or cat remain in the custody of the treating  
28 veterinarian during its entire stay in the territory.

1 (d) Import Restriction. The Director shall establish a list  
2 of restricted areas based on its high incidence of rabies, and may  
3 deny entry to any dog or cat coming from these areas. The  
4 Director will periodically review the status of these areas and  
5 may lift the entrance restriction if the incidence of rabies in  
6 these areas have decreased to a level acceptable to the Director.

7 (e) Entry Requirements. All incoming dogs or cats shall  
8 comply with all entry requirements before they will be allowed  
9 to enter the Territory. Such entry requirements shall be in  
10 accordance with regulations promulgated by the Director.

11 (f) Holding Period. A dog or cat will be declared ineligible  
12 to enter the territory if it fails to meet the entry requirements  
13 established by the Director pursuant to Subsection (e) above.  
14 Such dog or cat shall remain in the custody of the carrier in a  
15 designated inspection area at the port of entry until such time as  
16 it shall leave the territory of Guam, or shall be humanely  
17 disposed of by the Pet Control Unit. Such holding period shall  
18 in no case exceed seventy-two (72) hours without the consent of  
19 the Director. Any expense incurred by the Government of  
20 Guam during or as a result of such holding shall be the  
21 responsibility of, and chargeable to the carrier. In addition, the  
22 carrier shall be fined an amount not less than Five Hundred  
23 Dollars (\$500.00) and not to exceed One Thousand Dollars  
24 (\$1,000) for boarding such dog or cat without entry permit or for  
25 holding an ineligible dog or cat more than seventy-two (72)  
26 hours without the consent of the Director.

27 Section 34303. Observation of Suspected Dogs or Cats.

28 Any dog or cat which, in the opinion of an officer, exhibits signs  
29 suggestive of rabies or any dog or cat which has bitten a person shall be  
30 examined by a licensed veterinarian or, if no veterinarian is available, by a  
31 qualified person authorized by the Director and shall be placed under  
32 impoundment by the Pet Control Unit for a period of not less than ten (10)

1 days, or in accordance with regulations which shall be specified by the  
2 Director. Any and all costs, including care and keep, shall be borne by the  
3 owner of such dog or cat, if known.

4 Section 34304. Examination of Impounded or Quarantined Dogs or  
5 Cats for Rabies.

6 Any impounded or quarantined dog or cat which dies or develops  
7 clinical signs suggestive of rabies during the required observation period  
8 shall be examined for rabies in accordance with regulations specified by the  
9 Director.

10

1 Section 34405. Rabies Outbreak.

2 (a) Report to the Governor. Should a case of rabies occur in  
3 Guam, the Director shall make or cause to be made, a thorough  
4 investigation as to the prevalence of the disease, the probable number  
5 of persons and animals exposed, the areas found to be involved and  
6 the means by which the disease was introduced and shall report the  
7 findings of such investigation, together with appropriate  
8 recommendations, to the Governor. If rabies exists or is believed to  
9 exist in Guam, the governor may, in his discretion, declare by  
10 executive order a state of public health emergency due to rabies.  
11 During the existence of the state of emergency due to rabies, the  
12 Director may, with the approval of the Governor, promulgate such  
13 regulations as he may deem necessary to control the public health  
14 hazard due to rabies.

15 (b) The public health emergency status shall terminate one (1)  
16 year from the date of the declaration thereof unless a public health  
17 emergency due to rabies is again declared in the manner provided in  
18 this section. If, however, the Governor at any time finds and  
19 declares, upon recommendation of the Director, that a public health  
20 emergency due to rabies has ceased to exist, its status as such shall  
21 terminate upon the date of such declaration.

22 (c) Suspension of Importation of All Animals. Whenever, in the  
23 opinion of the Governor, it shall be necessary for the protection of the  
24 population of Guam against infectious or contagious disease, he may,  
25 by executive order, suspend the importation of animals for a limited  
26 period of time and may change, revoke, or renew such executive  
27 order as the public good may require. During the time of such  
28 suspension, the importation of any such animals shall be unlawful.

29 Section 34306. Violations and Penalties.

30 (a) Violations

1 (1) It shall be unlawful to release a dog or cat from  
2 quarantine unless authorized by the Director of Public Health and  
3 Social Services.

4 (2) It shall be unlawful for a pet owner to bring into Guam a  
5 dog or cat without a valid Entry Permit.

6 (3) It shall be unlawful for a carrier to board a dog or cat on  
7 an airline for shipment to Guam without a valid Entry Permit.

8 (4) It shall be unlawful for an airline to hold an ineligible dog  
9 or cat on Guam for more than seventy-two (72) hours without the  
10 consent of the Director.

11 (b) Penalties.

12 Except as otherwise provided herein, violation of:

13 (1) Any provision of this Article which provides certain  
14 conduct shall be unlawful shall be punishable by imprisonment not to  
15 exceed one (1) year, or a fine not to exceed One Thousand Dollars  
16 (\$1,000), or both.

17 (2) Any regulations promulgated pursuant to this Chapter  
18 which provide for criminal penalties, shall be punishable by a fine not to  
19 exceed One Thousand Dollars (\$1,000), or both."

20 SECTION 4. Transition Section.

21 The enactment of any provision of this bill shall not be cause for  
22 reduction of personnel in the Pet Control Unit.

23 SECTION 5. FINANCE.

24 Within Ninety (90) days after the enactment of this bill into law, the  
25 Director of Public Health and Social Services shall submit to the legislature  
26 the financial requirements for the successful implementation of this Act.

1 SECTION 6. Effective Date.

2 This Act shall become effective upon the adoption of the  
3 implementing rules and regulations by the Department pursuant to the  
4 Administrative Adjudication Law.

3/5/93 rev.