

I Mina'trentai Singko Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
22-35 (COR)	James C. Moylan	AN ACT TO AMEND §61543(c) OF ARTICLE 5, CHAPTER 61, TITLE 21, GUAM CODE ANNOTATED RELATIVE TO THE ERECTION OF SIGNS WHICH WERE GRANTED VARIANCES OR A NOTICE OF ACTION TO PROCEED ON OR BEFORE MAY 15, 2017.	1/18/19 10:49 a.m.						

1 I MINA'TRENTAI SINGKO NA LIHESLATURAN GUAHAN
2 2019 (FIRST) Regular Session
3
4

5 BILL NO: 22-35 (COR)

6
7 INTRODUCED BY:

8 James C. Moylan 

9 AN ACT TO AMEND §61543(c) OF ARTICLE 5, CHAPTER 61, TITLE 21,
10 GUAM CODE ANNOTATED RELATIVE TO THE ERECTION OF
11 SIGNS WHICH WERE GRANTED VARIANCES OR A NOTICE OF
12 ACTION TO PROCEED ON OR BEFORE MAY 15, 2017.
13

14 BE IT ENACTED BY THE PEOPLE OF GUAM.
15

16 **Section 1: Legislative Intent and Findings:**
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18 *I Liheslaturan Guahan* finds that Public Law 34-30, which was enacted on
19 July 13, 2017, granted legal authorization for the operation of any *electronic*
20 signage that was granted a variance or a Notice of Action by the Guam
21 Land Use Commission on or prior to May 15, 2017, despite a legal opinion
22 of the Office of the Attorney General that such signage was illegal. Public
23 Law 34-30 was enacted to protect companies operating electronic signs
24 who has had complied with Guam's laws in attaining these variances, and
25 incurred costs in not only submitting required paperwork, but also in
26 setting up their signage. The passage of the public law was appropriate.
27

28 However, PL 34-30 did not extend the same protection to those who offer
29 other forms of signage, such as static signs. Owners of static signs and
30 other forms of signage have also incurred costs in securing legal approval
31 for their signs through the Guam Land Use Commission and in setting up
32 their signage. Owners of static and other signage were also impacted by
33 the OAG's opinion concerning an antiquated law, despite having also been
34 granted variances or a Notice of Action by the Guam Land Use

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1 Commission prior to May 15, 2017. Hence the only fair and equitable
2 remedy is to give *the same legal protection* to static signs, and all other forms
3 of signage, that were granted a variance or Notice of Action by the GLUC
4 on or before May 15, 2017. All signs which obtained the proper legal
5 approval should be entitled to the same protections afforded electronic
6 signs under the protections of §61453(c) of Chapter 61, Title 21, Guam Code
7 Annotated.

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9
10 **Section 2. § 61543(c) of Article 5, Chapter 61, Title 21, Guam Code**
11 **Annotated, is hereby *amended* to read to read as follows:**

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13 (c) Electronic and other signage that have been granted variances by
14 the Guam Land Use Commission or have been issued a Notice of
15 Action by the Guam Land Use Commission on or before May 15,
16 2017, shall be legally authorized to operate; provided, that all
17 business license requirements are met and are thereafter maintained
18 in good standing.

19
20 **Section 3. Effective Date:** This act *shall* be effective immediately upon
21 enactment.

22
23 **Section 4. Severability:** If any provision of this Act or its application to
24 any person or circumstances is found to be invalid or contrary to law, such
25 invalidity *shall* not affect other provisions or applications of this Act that
26 can be given effect without the invalid provision or application, and to this
27 end the provisions of this Act are severable.