

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
141-35 (COR) As amended by the Committee on Health, Historic Preservation, Land and Justice; and further amended on the Floor.	Telo T. Taitague Jose "Pedro" Terlaje	AN ACT TO AMEND § 61545 OF SUBARTICLE 5, ARTICLE 5, CHAPTER 61, DIVISION 2, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO VIOLATIONS INVOLVING OF SIGN REGULATIONS.	5/23/19 4:50 p.m.	7/17/19	Committee on Health, Tourism, Historic Preservation, Land, and Justice	12/12/19 8:00 a.m.	1/21/20 2:36 p.m.	Request: 7/18/19 8/28/19	
	SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	NOTES			
	1/27/20	AN ACT TO AMEND § 61545 OF SUBARTICLE 5, ARTICLE 5, CHAPTER 61, DIVISION 2, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO VIOLATIONS OF SIGN REGULATIONS.	2/4/20	2/4/20	2/15/20				



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I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
Thirty-Fifth Guam Legislature

Lillian Kosaka

February 4, 2020

The Honorable Lourdes A. Leon Guerrero
I Maga'hågan Guåhan
Ufisinan I Maga'håga
Hagåtña, Guam 96910

Dear *Maga'håga* Leon Guerrero:

Transmitted herewith are **Bill Nos. 41-35 (COR), 102-35 (LS), 141-35 (COR), 177-35 (COR), 182-35 (COR), 183-35 (COR), 201-35 (COR), 204-35 (COR), 210-35 (COR), and 231-35 (COR);** and **Substitute Bill Nos. 173-35 (COR) and 200-35 (COR),** which were passed by *I Mina'trentai Singko Na Liheslaturan Guåhan* on February 4, 2020.

Sincerely,

AMANDA L. SHELTON
Legislative Secretary

Enclosure (12)



I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2020 (SECOND) Regular Session


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

This is to certify that **Bill No. 141-35 (COR)**, “AN ACT TO AMEND § 61545 OF SUBARTICLE 5, ARTICLE 5, CHAPTER 61, DIVISION 2, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO VIOLATIONS OF SIGN REGULATIONS,” was on the 4th day of February 2020, duly and regularly passed.



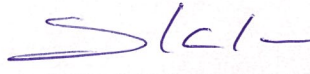
Tina Rose Muña Barnes
Speaker

Attested:



Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 4th day of Feb.,
2020, at 4:10 o'clock P.M.



Assistant Staff Officer
Maga'håga's Office

APPROVED:

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: _____

Public Law No. _____

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÁHAN
2019 (FIRST) Regular Session

Bill No. 141-35 (COR)

As amended by the Committee on Health,
Historic Preservation, Land and Justice;
and further amended on the Floor.

Introduced by:

Telo T. Taitague
Jose “Pedo” Terlaje
William M. Castro
Régine Biscoe Lee
Kelly Marsh (Taitano), PhD
James C. Moylan
Louise B. Muña
Tina Rose Muña Barnes
Telena Cruz Nelson
Sabina Flores Perez
Clynton E. Ridgell
Joe S. San Agustin
Amanda L. Shelton
Therese M. Terlaje
Mary Camacho Torres

**AN ACT TO *AMEND* § 61545 OF SUBARTICLE 5,
ARTICLE 5, CHAPTER 61, DIVISION 2, TITLE 21,
GUAM CODE ANNOTATED, RELATIVE TO
VIOLATIONS OF SIGN REGULATIONS.**

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

2 **Section 1.** § 61545 of Subarticle 5, Article 5, Chapter 61, Division 2, Title
3 21, Guam Code Annotated, is *amended* to read:

4 **“§ 61545. Penalty.**

1 (a) Any person or business who violates any provision of § 61541 or
2 § 61544 of this Chapter *shall* pay a civil penalty not to exceed One Thousand
3 Dollars (\$1,000) for each violation occurring in Residential and Agricultural
4 zones; and a civil penalty of One Thousand Dollars (\$1,000) for each violation
5 occurring in Commercial and Industrial zones. If a violation is not rectified
6 within ten (10) business days of receipt of a Notice of Violation from the
7 Department of Public Works, any person or business in violation of §§ 61541
8 or 61544 of this Chapter *shall* be subject to a late action civil penalty not to
9 exceed Three Hundred Dollars (\$300) per day for each remaining violation.
10 Failure to pay penalties and to rectify the violations may result in the
11 termination or non-renewal of the sign permit. Multiple successive violations
12 may be reported by the Department of Public Works to the Department of
13 Revenue and Taxation to rescind or suspend the Department of Public Work’s
14 clearance for the sign-owner’s business license. The Director of Public Works
15 *shall* have the authority to waive parts or all of the late action penalty should
16 the violator demonstrate a good faith effort to address the violation in a timely
17 manner; provided, that such waiver is limited to no more than thirty (30)
18 calendar days. Actions to recover the penalty provided for in this Section *shall*
19 be brought by the Attorney General of Guam and may be at the request of any
20 person in Guam. All penalties recovered in any such action *shall* be paid into
21 the Public Signage Enforcement Fund.

22 (b) There is created the “Public Signage Enforcement Fund” (Fund).
23 The Fund *shall not* be commingled with any other fund of the government of
24 Guam or instrumentality of the government of Guam. Expenditures from the
25 Fund are subject to appropriation by *I Liheslaturan Guåhan* and *shall* be used
26 solely for the enforcement of this Subarticle.

1 (c) The Building Official *shall* implement a penalty schedule on a
2 scale commensurate with the seriousness of the sign violation. Such penalty
3 schedule *shall* be subject to the Administrative Adjudication Law (5 GCA
4 Chapter 9).

5 (d) Any person or business, within ten (10) working days of receipt
6 of a Notice of Violation, may file an appeal of the finding(s) of a violation.
7 The Guam Land Use Commission *shall* hear and decide appeals relative to
8 any penalty imposed pursuant to this Section. The payment of any penalty
9 *shall* be stayed during appeals. The Guam Land Use Commission *shall*
10 promulgate rules and regulations, in compliance with the Administrative
11 Adjudication Law (5 GCA Chapter 9), to implement the appeals process
12 relative to this Section within ninety (90) days of the enactment of this Act.”

13 **Section 2. Severability.** If any provision of this Act or its application to any
14 person or circumstance is found to be invalid or contrary to law, such invalidity *shall*
15 *not* affect other provisions or applications of this Act that can be given effect without
16 the invalid provision or application, and to this end the provisions of this Act are
17 severable.