UFISINAN I MAGA'HÅGA
OFFICE OF THE GOVERNOR

LOURDES A. LEON GUERRERO
MAGA'HÅGA • GOVERNOR

JOSHUA F. TENORIO
SIGUNDO MAGA'LÅHI • LIEUTENANT GOVERNOR

HAND DELIVERED

35GL-19-0507

May 9, 2019

Speaker Tina Rose Muña Barnes

MAY 0 9 2019
Time 1648 ( )AM ( )PM
Received By: Matt

2019 MAY -9 PM 4:56

Honorable Tina Rose Muña Barnes
Speaker
I Mina'trentai Singko Na Liheslaturan Guåhan
Guam Congress Building
Hagåtña, Guam 96910

Re: Bill No. 22-35 (COR) – An Act to *Amend* § 61543(c) of Sub-Article 5, 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 by the Guam Land Use Commission On or Before May 15, 2017.

Dear Madam Speaker:

I have signed Bill No. 22-35 into law as **Public Law 35-18**.

I support this bill because it allows those who have acted in reliance of authorization from the Guam Land Use Commission's to continue their signage activity. Public Law 34-30 addressed the issue narrowly, only allowing the continued use of electronic signs which granted variances on or prior to May 15, 2017. Public Law 35-18 will now offer relief to all those who were granted variances for their signage activity during that time period.

Senseremente,

LOURDES A. LEON GUERRERO
Maga'hågan Guåhan
Governor of Guam

Enclosure: Bill 22-35 nka P.L. 35-18

cc: Lt. Governor of Guam (via email)
Compiler of Laws (via email)
Central Files

0507

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

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

This is to certify that **Substitute Bill No. 22-35 (COR), "AN ACT TO *AMEND* § 61543(c) OF SUBARTICLE 5, 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 BY THE GUAM LAND USE COMMISSION ON OR BEFORE MAY 15, 2017,"** was on the 29th day of April 2019, 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 30th day of April, 2019, at 10:32 o'clock A.M.

Assistant Staff Officer
Maga'håga's Office

APPROVED:

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 5/9/2019

Public Law No. 35-18

2019-2554
RCVD AT CENTRAL FIL
APR 30 '19 AM10:32
Elaine Tajalle

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

Bill No. 22-35 (COR)
As amended by the Committee on Health, Tourism, Historic Preservation, Land and Justice; and substituted on the Floor.

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

AN ACT TO *AMEND* § 61543(c) OF SUBARTICLE 5, 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 BY THE GUAM LAND USE COMMISSION ON OR BEFORE MAY 15, 2017.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guahan* finds that Public Law 34-30, which was enacted on July 13, 2017, granted legal

authorization for the operation of any electronic signage that was granted a variance or a Notice of Action by the Guam Land Use Commission on or prior to May 15, 2017, despite a legal opinion of the Office of the Attorney General (OAG) that such signage was illegal.

However, Public Law 34-30 did not extend the same protection to those companies who offer other forms of signage, such as static signs. Owners of static signs and other forms of signage have also incurred costs in securing legal approval for their signs through the Guam Land Use Commission, and in setting up their signage. Owners of static and other signage were also impacted by the OAG's opinion, despite having also been granted variances or a Notice of Action by the Guam Land Use Commission prior to May 15, 2017. Hence, the only fair and equitable remedy is to give the same legal protection to static signs, and all other forms of signage, that were granted a variance or Notice of Action by the GLUC on or before May 15, 2017. All signs which obtained the proper legal approval should be entitled to the same protections afforded electronic signs under the protections of § 61543(c) of Chapter 61, Title 21, Guam Code Annotated.

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

"(c) Electronic and other signage that have been granted variances by the Guam Land Use Commission or have been issued a Notice of Action by the Guam Land Use Commission on or before May 15, 2017, *shall* be legally authorized to operate; provided, that all business license requirements are met and are thereafter maintained in good standing; and the Guam Land Use Commission *shall* conduct periodic reviews of the variances authorized by this Subsection to enforce the conditions of said variances and may require similar or additional conditions."

Section 3. Effective Date. This Act *shall* be effective upon enactment.

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